MINUTES
LA PUENTE CITY COUNCIL
REGULAR MEETING OF
JUNE 14, 2011

Per *Robert's Rules of Order Newly Revised 10th Edition*, minutes are a record of the actions taken by the body. These minutes do not include a summary of the discussion but only reflect the action taken by the body. A complete audio recording of this meeting is available on the City's website www.lapuente.org

A Regular Meeting of the City Council of the City of La Puente was held in the Council Chambers of City Hall, 15900 East Main Street, La Puente, California, on June 14, 2011, at 7:00 a.m.

CALL TO ORDER

Mayor Solis called the meeting to order at 7:28 p.m.

ROLL CALL

Members present:	House, Mendoza, Holloway, Argudo, Solis
Members absent:	None
Staff Members present:	Interim City Manager Romero, Interim City Attorney Casso, City Clerk Jacquez-Nares, City Engineer Pagett, and Finance Director Leung.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Argudo led the Pledge of Allegiance.

PRESENTATIONS - None

ORAL COMMUNICATIONS

Leonard Wayne Rose Jr. commented on future inmate releases and gang influence in the City and in schools.

Rudy Almeida commented on marijuana clinics in the City.

A. MINUTES OF PREVIOUS CITY COUNCIL MEETING - None

B. PUBLIC HEARING BEFORE THE CITY COUNCIL

B-1 PUBLIC HEARING – CONSIDERATION OF PROPOSED ANNUAL SEWER LEVY REPORT FOR COLLECTION OF SEWER MAINTENANCE CHARGES AND ADOPTION OF RESOLUTION CONFIRMING SEWER MAINTENANCE CHARGES FOR FISCAL YEAR 2011/2012

Interim City Attorney Casso stated that staff is requesting that Public Hearing items B-1, B-2, and B-3 be continued, and has received direction from the City Council to continue the items as requested.

Mayor Solis opened the public hearing at 7:38 p.m.

There being no speakers, Mayor Solis closed the public hearing at 7:39 p.m.

The public hearing was continued to June 28, 2011.

B-2 PUBLIC HEARING – CONSIDERATION OF PROPOSED ANNUAL SEWER LEVY REPORT FOR COLLECTION OF SEWER CHARGES AND ADOPTION OF RESOLUTION CONFIRMING SEWER CHARGES PURSUANT TO CHAPTER 4.10 OF THE CITY OF LA PUENTE MUNICIPAL CODE FOR FISCAL YEAR 2011/2012

Mayor Solis opened the public hearing at 7:39 p.m.

There being no speakers, Mayor Solis closed the public hearing at 7:40 p.m.

The public hearing was continued to June 28, 2011.

B-3 PUBLIC HEARING – APPEAL OF BUSINESS LICENSE OFFICER'S DECISION PERTAINING TO THE RENEWAL OF A BUSINESS LICENSE CERTIFICATE FOR TRINITY WELLNESS

Mayor Solis opened the public hearing at 7:40 p.m.

Rudy Almeida spoke in opposition of medical marijuana dispensaries.

There being no further speakers, Mayor Solis closed the public hearing at 7:41 p.m.

The public hearing was continued to June 28, 2001.

C. UNFINISHED BUSINESS OF THE CITY COUNCIL

C-1 CONSIDERATION OF APPOINTMENTS TO THE PLANNING COMMISSION

Mayor Pro Tem Argudo stated that he is finalizing his appointment to the Planning Commission and will make the appointment at the meeting of June 28, 2011.

The following appointments to the Planning Commission were made:

Council Member Holloway appointed Charles Klinakis.
Council Member Mendoza appointed Anthony Duarte.
Council Member House appointed Steve Brown.
Mayor Solis appointed Thomas Costea.

The City Council directed staff to add the appointment of a Planning Commissioner by Mayor Pro Tem Argudo to the June 28, 2011, agenda.

D. CITY COUNCIL CONSENT CALENDAR

Mayor Pro Tem Argudo removed items D-4 and D-6 for separate discussion.

Council Member House moved to approve Consent Calendar items, D-1, D-2, D-3 and D-5; seconded by Mayor Solis. The motion unanimously carried by the following roll vote: AYES: House, Mendoza, Holloway, Argudo, Solis. NOES: None.

D-1 APPROVAL OF RESOLUTION APPROVING WARRANT REGISTER NO 1298 FOR FISCAL YEAR 2010-11

Action Taken: The City Council adopted Resolution No. 11-4947 approving Warrant Register No. 1298.

D-2 AWARD OF CONTRACT TO VASQUEZ & COMPANY LLP FOR PROFESSIONAL AUDITING SERVICES OF FISCAL YEAR ENDING JUNE 30, 2011

Action Taken: The City Council approved the auditing services included in the engagement letter provided by Vasquez & Company LLP, and authorized the City Manager to sign the engagement letter for auditing services of fiscal year ending June 30, 2011.

D-3 APPROVE A RESOLUTION AND FUND BALANCE POLICY TO IMPLEMENT GOVERNMENTAL ACCOUNTING STANDARDS BOARD (GASB) STATEMENT NO. 54

Action Taken: The City Council: 1) approved the fund balance policy as defined in Governmental Accounting Standard Board Statement No. 54 and 2) adopted Resolution No. 4948 approving commitment of fund balance for the General Fund.

D-4 ACCEPTANCE OF NOTICE OF COMPLETION FOR THE STREET IMPROVMENTS ON LOUKELTON STREET AND UNRUH AVENUE

Mayor Pro Tem Argudo questioned if the City has performed a review of the completions and if the completion meets the specifications for the project.

City Engineer Pagett responded that a review was done and the project meets the specifications.

Mayor Pro Tem Argudo moved to 1) accept the project as complete and 2) authorize the City Clerk to execute the Notice of Completion; seconded by Council Member House. The motion unanimously carried by the following roll call vote: AYES: House, Mendoza, Holloway, Argudo, Solis. NOES: None.

D-5 AWARD A CONTRACT FOR THE SANITARY SEWER MAINTENANCE SERVICES IN THE CITY OF LA PUENTE

Action Taken: The City Council 1) awarded the contract to Russell Warner, Inc. d/b/a Advanced Sewer Technologies in the amount of $160,560.20; and 2) authorized the City Manager to approve change orders up to 10% of the bid amount.

D-6 AMENDMENT TO AGREEMENT WITH AMERINATIONAL COMMUNITY SERVICES, INC. FOR ESCROW SERVICES FOR THE CITY'S HOUSING REHABILITATION PROGRAM

Mayor Pro Tem Argudo requested clarification of a discrepancy in the fees as listed on Exhibit B of the staff report.

Rehabilitation Grant Specialist Galvan responded that there were no changes in the fees, and the only difference between the two exhibits is that AmeriNational broke down the monthly service fees for deferred loans service by them on or prior to June 8, 2010, and from June 8, 2010, through June 8, 2011, and for loan service on or after June 9, 2011. She further stated that the new increased fees mentioned in the staff report would not apply since all of the City's loans are deferred loans.

Mayor Pro Tem Argudo moved to approve the amendment to the agreement with AmeriNational Community Services, Inc. for Housing Rehabilitation Loan Program escrow services, and authorized the Interim City Manager to execute the agreement, subject to review and approval by the Interim City Attorney as to form; seconded by Council Member House. The motion unanimously carried by the following roll call vote: AYES: House, Mendoza, Holloway, Argudo, Solis. NOES: None.

E. NEW BUSINESS TO BE CONSIDERED BY THE CITY COUNCIL

E-1 CONSIDERATION OF SCHOLARSHIP AWARDS FOR FY 2011-12

Records Technician Garcia provided a brief summary of this item.

Council Member Holloway suggested that funds remaining at the end of the fiscal year be carried over into the next fiscal year, and Mayor Solis remarked that the City Council had previously requested that the funds be carried over. Finance Manager Leung responded that this could be accomplished by 1) amending the budget at mid year, or 2) placing the funds in a special account which is separate from the general fund account.

The City Council thanked the Education Commission for their efforts on behalf of the applicants.

Council Member House moved to 1) award 17 scholarships for the 2011-12 academic year; 2) approved additional $2,000 from The Main Street Run in 2099 to cover all 17 eligible applicants; and 3) schedule a presentation of awards during the June 28, 2011, City Council meeting. The motion unanimously carried by the following roll call vote: AYES: House, Mendoza, Holloway, Argudo, Solis. NOES: None.

E-2 DISCUSSION ON REQUESTING THE OFFICE OF THE COUNTY OF LOS ANGELES REGISTRAR OF VOTERS TO PROVIDE ELECTION SERVICES RELATED TO CONDUCTING THE APRIL 2012 CITY OF LA PUENTE REGULAR CITY COUNCIL ELECTION (Mayor Pro Tem Argudo)

Mayor Pro Tem Argudo stated that in light of the reorganization and challenges faced by the City, as well as staffing issues, he felt it appropriate to discuss this item and make a determination if it would be fitting to have the County of Los Angeles Registrar of Voters conduct the April 2012 election. He questioned the costs involved for the County of Los Angeles to conduct the election versus conducting the election in-house.

Council Member Holloway stated that this item was discussed by the City Council previously, and it was stated that it would cost more for the County of Los Angeles to conduct the election than for the City to conduct the election.

Council Member House stated that he favored requesting the County to conduct the election.

City Clerk Jacquez-Nares stated that she received preliminary figures from Martin and Chapman, and the cost would be approximately $55,000 to conduct the election in-house. She stated that charges from the County for the past three elections were $50,000, $46,000 and $32,000. She further stated that if the Council desired to change the election date from April to the November 2011 election, the municipal code would need to be changed, and the nomination period would begin July 18 and end August 12.

Mayor Pro Tem Argudo questioned if a June election would be possible. He stated there was a potential cost saving in consolidating with the County. He asked staff if it would be possible to conduct an election in November 2012, instead of November 2011.

Interim City Attorney Casso stated that in the past the Council had consolidated the election with the County and elections were held in November. Last year the Council adopted an ordinance changing the election date from November to April because there was concern over the fact that the results took longer to receive from the County. Mr. Casso further stated that he would need to confirm that the election date could be changed for the current terms concluding in April. He stated that June 2012 will be the presidential primary, but there has been discussion of moving the presidential primary to an earlier date.

Council Member Holloway stated he had concerns with moving the election date to November 2011, due to the date of the filing period. He stated that this would not give candidates enough time to prepare. He further stated he would prefer to leave the date as is, or determine if a March or June 2012 date would be possible. Mr. Casso responded that the election could not be moved to November 2011 since there is insufficient time to adopt an ordinance changing the date.

Direction was given to staff to investigate the possibility of consolidating the election with the County on one of the above-mentioned dates in 2012, and bring the information back to the City Council at a future meeting.

RECESS TO CLOSED SESSION

Mayor Solis recessed to closed session at 8:11 p.m.

Interim City Attorney Casso recessed to closed session for discussion of two items as posted on the agenda.

F. CLOSED SESSION

F-1 THE CITY COUNCIL WILL RECESS TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE 54957.6 TO CONFERENCE WITH LABOR NEGOTIATOR. AGENCY DESIGNATED REPRESENTATIVE: RAUL ROMERO INTERIM CITY MANAGER EMPLOYEE ORGANIZATION: SEIU LOCAL 721

F-2 THE CITY COUNCIL WILL RECESS INTO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(b), SIGNIFICANT EXPOSURE TO LITIGATION, TO CONFERENCE WITH LEGAL CONSEL – ANTICIPATED LITIGATION FIVE (5) CASES

RECONVENE TO OPEN SESSION

Mayor Solis reconvened to open session at 10:55 p.m.

REPORT OUT OF CLOSED SESSION

Interim City Attorney Casso stated that at 8:43 p.m. Council Member House excused himself from the remainder of the meeting due to a personal issue.

Interim City Attorney Casso reported that the City Council recessed into Closed Session to discuss Items F-1 and F-2, with no reportable action taken on Item F-1. As to Item F-2, five cases were discussed, three of the five cases have no reportable action, Mayor Solis did not participate in discussion of two of the cases, and there was no reportable action on any of the five cases discussed in F-2.

Mr. Casso reported that the meeting was extended at 10:25 p.m.

AD HOC COMMITTEE REPORTS - None.

COUNCIL AB1234 REPORTS - None.

ORAL COMMENTS FROM COUNCIL

Council Member Mendoza appointed Deborah Pringle to the Puente Pride Committee.

ORAL COMMENTS FROM STAFF

Mr. Casso reported that the State Legislature is expected to consider legislation that would impact Redevelopment Agencies in the state. Local officials are encouraged to contact their legislators, and to support the California Redevelopment Agency's alternative proposal. Mayor Pro Tem Argudo requested the City Attorney and staff to contact the Gonsalves Group for immediate advice. Mr. Casso stated that he would keep the Council apprised of the situation.

City Clerk Jacques-Nares stated that she presented the City Attorney with a letter to be given to Mr. Romero, and requested Mr. Romero's signature confirming receipt of the letter. Mr. Casso stated that the letter was given to Mr. Romero as requested.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Solis adjourned the meeting at 11:02 p.m.

Approved this 25th day of October, 2011

Adrian Garcia
Acting Deputy City Clerk

John Solis
Mayor