MINUTES
LA PUENTE CITY COUNCIL
REGULAR MEETING OF
AUGUST 9, 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 August 9, 2011, at 7:00 p.m.

CALL TO ORDER

Mayor Solis called the meeting to order at 7:02 p.m.

ROLL CALL

Council Members present:	Solis, Argudo, Holloway, House, Mendoza.
Council Members absent:	None.
Staff Members present:	Interim City Attorney Casso, Interim City Manager Romero, City Clerk Pat Jacquez-Nares, Police Chief Cacheiro, Recreation Coordinator, Records Technician Garcia, City Engineer Bill Pagett, Assistant Planner Chow, Acting Finance Director Leung, and Interim Director of Administrative Services Plumlee.

PLEDGE OF ALLEGIANCE

Council Member Mendoza led the Pledge of Allegiance.

PRESENTATIONS

CERTIFICATE OF RECOGNITION TO JESSICA L. SOLIS FOR PERFECT ATTENDANCE FROM KINDERGARTEN THROUGH

Jessica Solis was honored by the Council and presented with a Certificate of Reorganization for perfect attendance from Kindergarten through High School. She attended the Hacienda La Puente Unified School District. She thanked her parents for helping her to reach this goal.

ORAL COMMUNICATIONS

Leonard Rose Jr.
Mr. Rose expressed his appreciation to those at City Hall and to those who work in Parks and Recreation who enable those to enjoy their service and to get around the community. He warned others recently there have been burglaries close to the Community and advised residents to be on the look-out.

Juan Perez
(Reference Item C-1) The former Mayor expressed his perspective against the proposed recommendation to have City initiated towing stating many in the Community are going through difficult times financially. He noted there was 14% unemployment and many were on fixed income.

Mayor Pro Tem Argudo commented the purpose was to move the City forward and enforce the Vehicle Code.

Robert Simons
(Reference Item C-1) Mr. Simons noted it was important to enforce the law, noting there was other areas of importance other than towing such as enforcing noise nuisance. He compared the problems of 1995 stating some of the same problems existed today. He requested the council to work together to resolve these issues.

Mayor Solis responded stating the purpose is to take corrective action.

Mayor Pro Tem Argudo recommended within 6 months there should be noticeable change.

Greg Tuttle
Mr. Tuttle stated if the Council did determine to have City initiated towing, he felt it would be a mistake, based upon the results of other cites' experience who have attempted this already. He further stated the cost to implement the program and the increase of the tow charges against the residents may not be worth the initial cost and impact to the City overall.

Leah / Leigh Ray
(Reference Item C-1) Informed the Council of a negative personal experience her family had with towing being overly eager to remove vehicles that had not be parked for a length of time. She stated her concerns if the City were to increase the fees as they were proposing to do this situation may happen often and requested the City to manage existing funds.

(Reference Item C-1)
(Reference Item C-1) The Council requested Lieutenant Cortez and Acting Finance Manager Leung to speak regarding the funding of checkpoints and the revenue received.

Rudy Almeida
Regarding Marijuana use in the community, Mr. Almeida noted there are 5 remaining dispensaries operating in the City including one that is close to a school. His concern was regarding safety. He briefly mentioned some pro's and con's of Marijuana use

Ken Medoiros
(Reference Item C-1) Ms. Medoiros spoke regarding the information that was recently published in the newspaper regarding the proposed City initiated towing. She stated overall the City had done a poor job with their funds and now they were considering posting bonds for funding to take fund from the public

Susan Reyes
Ms. Reyes invited the community to a Community Coffee to be held at the Veterans of Foreign Wars (VFW) in El Monte, Saturday, August 13, from 10 to 11:30 a.m. She noted Senator Ed Hernandez, to answer questions from the public.

RECESS THE COMMUNITY DEVELOPMENT COMMISSION

Mayor Solis recessed the Community Development Commission at 7:46 p.m.

A. MINUTES OF PREVIOUS CITY COUNCIL MEETING - None.

B. PUBLIC HEARING BEFORE THE CITY COUNCIL - None.

C. UNFINISHED BUSINESS OF THE CITY COUNCIL

C-1 PRESENTATION OF REPORT AND DISCUSSION AND DIRECTION REGARDING A CITY INITIATED TOWING PROGRAM INCLUDING THE ISSUANCE OF TOWING CITATIONS BY CITY STAFF

Staff Recommendation: It is recommended that the City Council discuss and provide staff with direction.

Interim Director of Administrative Services Plumlee updated the Council regarding the research he had completed regarding their request of July 26, 2011. He noted from his survey of the 26 cities in the San Gabriel valley there were only 2 cites that perform this service. Mr. Plumlee discussed; a meeting to confer with the labor unions was an obligation before any final decision was made, staff training would be needed, an interagency Agreement would be needed with the Los Angeles County Sheriff's Department. In addition, JPIA potential liability issues were discussed, if additional funds were received, the fiscal impact, internal controls and process along with expenditures were all addressed.

The Council held a lengthy discussion regarding all of the issues addressed by the speakers from Public Comment, and the issued identified by Mr. Plumlee were discussed. The pro's and con's of all of the multiple perspectives and ideas were brought up as an independent issue. Consideration was given to all input received.

Action Taken: Motion was made by Mayor Pro Tem Argudo to move forward to continue to initiate in a legal and not abusive City Initiated Towing Program. Second was provided by Mayor Solis. Motion did not pass by the following vote: AYES: Solis, Argudo, NOES: Holloway, House, Mendoza. NOES: None. ABSENT: None.

D. CITY COUNCIL CONSENT CALENDAR

Council Member House made a Motion to approve Consent Calendar. Second was provided by Mayor Solis. The Motion unanimously carried by the following vote: AYES: Solis, Argudo, Holloway, House, Mendoza. NOES: None.

D-1 CONSIDERATION OF RESOLUTION APPROVING WARRANT REGISTER NO. 1302 FOR FISCAL YEAR 2010-2011

Staff Recommendation: It is recommended that the City Council adopt the Resolution approving Warrant Register No. 1302.

Action Taken: Approved staff recommendation and adopted Resolution No. 11-4957 approving Warrant Register No. 1302 for time frame of July 19, 2011 through August 9, 2011.

E. NEW BUSINESS TO BE CONSIDERED BY THE CITY COUNCIL

E-1 DISCUSSION AND UPDATE CONCERNING THE PROCESS FOR SELECTING THE CITY MANAGER (Mayor Pro Tern Argudo)

Recommendation: It is recommended that the City Council discuss, update and provide staff direction.

The Council discussed the selection status of determining a City Manager. Information of the process to date was addressed with the justification of why one final candidate was remaining. Reasons were given and it was recommended to the Council not to discuss any information from previous Closed Sessions held. A final decision was not made if the Council should start over with the process or to make the final decision now.

Action Taken: The Council determined they were not ready to make a final decision, therefore, the subject would again be addressed in Closed Session at a further date and direction was not given to Staff.

E-2 PRESENTATION DISCUSSION AND DIRECTION CONCERNING INTERNET BASED DATA STORAGE SERVICES OFFERED BY CASDEX, INC. (Mayor Pro Tern Argudo)

Recommendation: It is recommended that the City Council discuss and provide staff direction.

Representatives from Casdex, Inc. provided a Power Point presentation regarding the internet and broadband services they offer and the advantageous it could provide to the City and residents. Many aspects were discussed; Casdex recommended forming a "Regional Private-Public Partnership" as they have previously done with other cities. Benefits would be affordable high speed internet to households and a revenue stream for the City (with a 50/50 % profit).

Council had questions for Casdex and a question and answer period transpired. Various time frames were given for revenue, the first being 30 days. A time frame of of 12 – 16 months before a return of investments would be reflected. Other facts discussed would the City would own the actual equipment, bundling other services, the cost of expansion varied. Liability issues were discussed. It was noted Casdex's status was a ranking of 23rd.

Action Taken:
Council gave Casdex to provide a comparative analysis of costs of other internet companies, and a comprehensive report to bring back to Council.

RECESS THE CITY COUNCIL AND RECONVENE THE COMMUNITY DEVELOPMENT COMMISSION

Mayor Solis reconvened the Community Development Commission at 9:56 p.m.

RECONVENE THE CITY COUNCIL RECESS TO CLOSED SESSION

Mayor Solis reconvened the City Council portion of the meeting and recessed the Community Development Commission at 10:03 p.m.

F. CLOSED SESSION

F-1 THE CITY COUNCIL WILL RECESS INTO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(c), INITIATION OF LITIGATION, TO CONFERENCE WITH LEGAL COUNSEL - ONE (1) CASE

F-2 THE CITY COUNCIL WILL RECESS INTO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a), EXISTING LITIGATION, KZC Construction, Inc., v. City of La Puente, et al., Los Angeles Superior Court Case No. KC057240

RECONVENE TO OPEN SESSION

The City Council reconvened to Open Session at 10:03 p.m.

REPORT OUT OF CLOSED SESSION

Interim City Attorney Casso reported the following action regarding the Closed Session Items.

Item F-1:
Council provided direction to Interim City Attorney Casso to take based upon a positive vote of 5 to 0.

Item F-2:
Council provided direction to Interim City Attorney Casso to take based upon a positive vote of

5 to 0.

AD HOC COMMITTEE REPORTS - None

COUNCIL AB 1234 REPORTS – None.

ORAL COMMENTS FROM COUNCIL / COMMISSION

Mayor Pro Tem / Vice Chair Argudo stated he had a correction to make regarding a comment he had made previously in the meeting; he noted he had received a contribution of $1000. from a towing company.

ORAL COMMENTS FROM STAFF – None.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Solis adjourned the City Council meeting at 10:04 p.m. August 9, 2011.

The meeting was adjourned to a Special Meeting of the City Council to be held at 6:30 p.m. and followed by an Adjourned Regular Meeting City Council and Community Development Commission to be held on Monday, August 15, 2011.

Approved this 22nd day of November, 2011

Adrian Garcia
Acting Deputy City Clerk

John M. Solis
Mayor