MINUTES
SPECIAL JOINT MEETING OF
LA PUENTE CITY COUNCIL AND
PLANNING COMMISSION
JANUARY 3, 2012

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 Special Joint Meeting of the City Council and the Planning Commission of the City of La Puente was held in the Council Chambers of City Hall, 15900 East Main Street, La Puente, California, on January 3, 2012, at 6:30 p.m.

CALL TO ORDER

Mayor Solis called the meeting to order at 6:30 p.m.

ROLL CALL

Council Members present:	House, Holloway, Solis
Council Members absent:	Argudo and Mendoza
Planning Commissioners present:	Brown, Costea, Young, Duarte, Klinakis
Planning Commissioners absent:	None
Staff Members present:	City Manager Plumlee, Acting Deputy City Clerk Garcia, Interim City Attorney Casso, Planning Commission Counsel Sparks, Assistant Planner Chow, Director of Administrative Services Komers, and Recreation Manager Lerma

PLEDGE OF ALLEGIANCE

Planning Commissioner Brown led the Pledge of Allegiance.

ORAL COMMUNICATIONS

Frank Sanchez, representing the Coalition of Concerned Citizens, expressed concern regarding the date and time of special City Council meetings. He further expressed concern that Planning Commissioners could be influenced by the City Council at the Joint Special Meeting. Interim City Attorney Casso responded that the Joint Special Meeting was properly noticed and met all requirements of the Brown Act. Mr. Sanchez expressed concern over expenditures of City Council Members.

ITEMS B AND C WERE TAKEN OUT OF ORDER

B. CONSIDERATION OF AN AGREEMENT WITH CIVIC SOLUTIONS, INC. FOR PUBLIC WORKS SERVICES IN AN AMOUNT NOT TO EXCEED $10,000

City Manager Plumlee reported that the agreement with Civic Solutions, Inc. is an extension of a Professional Services Agreement to provide various public works services to the City. Recruitment for a Development Services Director is ongoing, and extension of the agreement will allow public works services to continue during the recruitment process. Mr. Plumlee stated that candidates are being considered and evaluated for the position.

Mayor Solis moved to approve the agreement with Civic Solutions, Inc. to provide public works services for a total amount not to exceed $10,000, and authorize the City Manager to execute the agreement, subject to review and approval by the City Attorney as to form; seconded by Council Member House. The motion carried by the following roll call vote: AYES: House, Holloway and Solis. NOES: None. ABSENT: Argudo and Mendoza.

C. CONSIDERATION OF MOVING THE REGULAR CITY COUNCIL MEETING OF JANUARY 10, 2012 TO JANUARY 11, 2012

Mayor Solis stated that he requested consideration of moving the meeting from January 10 to January 11, 2012, due to the fact that there would not be a quorum on the day of the regularly scheduled meeting.

Council Member Holloway requested confirmation that three Council Members have stated they will not be in attendance at the January 10, 2012 meeting. Mayor Solis confirmed that for the January 10, 2012 meeting, Council Member Mendoza would not be in attendance due to a family illness and both Council Member House and he would be out of town but that both he and Council Member House can attend the meeting on January 11, 2012.

Council Member House moved to reschedule the regular City Council meeting of January 10, 2012, to January 11, 2012; seconded by Mayor Solis. The motion carried by the following roll call vote: AYES: House, Holloway and Solis. NOES: None. ABSENT: Argudo and Mendoza.

A. DISCUSSION AND DIRECTION BY AND BETWEEN THE CITY COUNCIL AND PLANNING COMMISSION REGARDING GOALS FOR 2012.

Council Member Holloway stated there is a policy which prohibits the City Council from influencing the Planning Commission, and expressed concern that goals set by the Council would cause it to be incumbent upon the Planning Commission to try to follow those goals. Mr. Holloway requested legal counsel to address this concern. Interim City Attorney Casso responded that the City Council should not influence the Planning Commission. The Council appoints members to the Planning Commission but the Commission is a separate and distinct legislative body that is required to comply with Brown Act.

Planning Commission Counsel Bianca Sparks gave an overview of the Planning Commission's duty and the policies regarding the Commission. Ms. Sparks commented that specific matters which will come before the Planning Commission should not be addressed during the meeting.

Mayor Solis encouraged Planning Commission members to contact legal counsel and/or staff when questions arise regarding items heard before the Commission, and further encouraged the members to visit properties when needed. He suggested that dates should be set for the Commission and City Council to review the zoning ordinance and the General Plan.

Council Member Holloway stated that he is not in contact with Planning Commissioners in order to allow the Commissioners to proceed with their independent roles on the Commission.

Council Member House concurred that City Council members should not be in contact with members of the Planning Commission. He stated that changes have been made to the General Plan since it was put into place, and further stated that the General Plan should be reviewed and updated in order to meet the needs of the community.

Vice Chairman Duarte thanked the City Council for calling the joint meeting, and inquired about the City's projected budget deficit. City Manager Plumlee responded that City staff is in the process of evaluating that information, and will analyze the revenue and expenditures at the mid-year budget review in February.

Chairman Klinakis requested information on the cost of updating the City's General Plan. Mr. Plumlee responded that the last update was approximately $330,000, and estimated that an update would now cost between $300,000 and $400,000, and stated it would take between one and two years to complete a full General Plan update.

City Attorney Casso stated that amendments to certain parts of the General Plan could be made. Planning Commission Counsel Sparks commented that the City is not required to update the General Plan every ten years and may update certain parts on a routine basis.

Chairman Klinakis inquired about vacant businesses in the City. Council Member House responded that most of the buildings are vacant due to the poor economy. He further stated that State mandates require the City to create jobs, however, with most of the City's commercial property built out, creating jobs is difficult. Mr. House further stated that the complete infrastructure should be reviewed, including traffic, water, sewage and parking, when considering the development of the community.

Chairman Klinakis stated that input from the community is needed and solutions to the problems will not be accomplished in a short period of time. Mr. Klinakis commented that it is his understanding that the City is in violation of the law due to the fact that zoning codes and the General Plan are not in accord. Mr. Klinakis requested clarification regarding possible violations of the law, and inquired if the Council's intent is to update the zoning code or the General Plan. Mayor Solis stated that it his intent to make the zoning code and General Plan conform.

Council Member Holloway responded that the General Plan has been updated and the zoning codes reviewed, however, the process for updating the zoning codes was not completed. Mr. Holloway stated that he is concerned that the City should meet the Southern California Association of Governments (SCAG) requirements.

Interim City Attorney Casso stated that the City had previously engaged the services of a consultant to update the zoning code. The update was nearing completion when the City Council stopped the process and funding to complete the update. Mr. Casso further stated that the City's zoning code should comply with the goals of the City's General Plan and currently they do not.

Chairman Klinakis requested information regarding the cost for the zoning code update. Assistant Planner Chow responded that the contract amount was approximately $80,000, which has been expended, and approximately 80% of the work on the zoning code update was completed. A request for additional funding to complete the update was made; however, that request was not forthcoming. She further stated that a plan to complete the update in-house was stalled due to the reorganization. Interim City Attorney Casso stated that while the update was not completed, the City owns the work product generated by the consultant.

Chairman Klinakis questioned the sewer capacity in the City, and stated that he recalled a public meeting in which the public was informed that the sewers were functional. Mr. Klinakis requested clarification as to whether there was sewer capacity or not. Mayor Solis responded that many sewers have been upgraded. The County must upgrade some sewers and have not. Interim City Attorney Casso suggested that City staff could provide a future report outlining what has been done regarding the sewers and how this was addressed in the General Plan.

Council Member Holloway stated that sewer fees are significantly higher now, and questioned if the City is moving forward with increasing the sewer capacity. City Manager Plumlee stated that this could be addressed in the future report by staff, as suggested by Interim City Attorney Casso.

Chairman Klinakis requested clarification regarding zone changes and the legal responsibility of the Planning Commission when the Commission does not know what will be built on the property. Commission Counsel Sparks responded that the Commission must consider a zone change in that context since no other entitlement would be included with the zone change. When dealing with the zone change, State law would govern, and State law requires the City's General Plan and Zoning Ordinance to coincide with each other. Chairman Klinakis inquired if it is appropriate to factor in potential crime in the area when it is unknown what will be built on the property. Ms. Sparks responded that when considering a zone change application, only a zone change is being considered and only consistency with the General Plan and Zoning Ordinance should be considered since no other entitlements are being considered. Interim City Attorney Casso stressed that the Zoning Code must be consistent with the General Plan, and other factors should have been considered during the General Plan update.

Council Member Holloway expressed concern that all decisions may not be uniform. Mayor Solis responded that he takes resident's comments as well as crime statistics into consideration when making a decision regarding zone changes. Council Member Holloway stated that both residents and business owners should be heard and decisions should be consistent. Council Member House concurred that decisions should be consistent.

Mayor Solis suggested that a housing model would eliminate questions as to what would and would not be allowed in the City.

Council Member Holloway stated that a uniform way of making decisions should be the goal of the City Council and Planning Commission. He suggested that Planning Commissioners keep in mind the goal of maintaining the character of the City, as stated in the Municipal Code.

Ms. Chow commented that land use maps were available for review by the City Council and the public. She stated that various agencies are consulted and informed of proposals by developers, and to date no comments from either the water or sewer agencies have been received indicating there is insufficient capacity.

Vice Chairman Duarte commented that he desired to accomplish the goals of the Council without expending $300,000 for updating the General Plan. Mayor Solis concurred and suggested that public meetings should be held to receive input from residents.

Chairman Klinakis stated that he makes decisions as a Planning Commissioner based on the laws of the City, and urged the City Council to do the same.

Council Member House thanked the Planning Commission for their participation in the meeting. He stated that a goal should be to eliminate discrepancies in decisions made by the Planning Commission and the City Council and guidelines should be set.

Chairman Klinakis thanked Attorneys, City Council and City staff for their attendance at the meeting.

ORAL COMMENTS FROM COUNCIL

Council Member House stated that he attends out-of-town meetings as a delegate for the City, and funds expended for his attendance at the meetings benefit the City. He further stated that the Mayor designates his appointment to various committees, and it is his responsibility to represent the City at those committee meetings and conferences.

Mayor Solis commented that the City benefits from the City Council's attendance at various meetings and conferences.

ORAL COMMENTS FROM STAFF

City Manager Plumlee thanked the City Council and Planning Commission for their comments and feedback, and stated that the staff will work to implement and move forward based on the direction given.

RECESS THE PLANNING COMMISSION

Mayor Solis recessed the Planning Commission at 8:30 p.m.

Chairman Klinakis moved to adjourn the Planning Commission meeting; seconded by Commissioner Young. The motion unanimously carried by the following roll call vote: AYES: Brown, Costea, Young, Duarte and Klinakis. NOES: None.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Solis adjourned the meeting at 8:31 p.m.

Approved this 27th day of March 2012

Pat Jacquez-Nares
Pat Jacquez-Nares, CMC
City Clerk

John Solis
John Solis
Mayor