MINUTES
LA PUENTE CITY COUNCIL
REGULAR MEETING OF
JANUARY 24, 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 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 January 24, 2012, at 7:00 p.m.

CALL TO ORDER

Mayor Pro Tem Argudo called the meeting to order at 7:00 p.m.

ROLL CALL

Members present:	House, Mendoza, Holloway and Argudo
Members absent:	Solis
Staff Members present:	City Manager Plumlee, Interim City Attorney Casso, Acting Deputy City Clerk Garcia, Director of Administrative Services Komers, Acting Finance Manager Leung, Chief of Police Lt. Cacheiro, Recreation Manager Lerma, Assistant Planner Chow, Rehabilitation Grant Specialist Galvan, City Engineer Pagett, and Public Works Consultant DiMario

City Manager Plumlee announced that Mayor Solis is in New York for the signing of a scholarship for his daughter.

PLEDGE OF ALLEGIANCE

Public Works Consultant John DiMario led the Pledge of Allegiance.

PRESENTATIONS

PRESENTATION OF CERTIFICATES OF RECOGNITION TO HOLIDAY HOME DECORATION CONTEST WINNERS

A Certificate of Recognition was presented to Ivan Maldonado as the winner for the Best Use of Lights category, and Laura Hernandez was recognized for the Best Use of Animation category.

ORAL COMMUNICATIONS

Leonard W. Rose Jr. spoke on recovery centers, the construction of a new jail facility, the Neighborhood Watch Program, and the safety of children.

Manuel Maldonado expressed his concerns with the dust, dirt and gravel at construction sites in the City, the opening of a liquor store across the street from St. Joseph Catholic Church and School. He invited City Council candidates to the No Te Deje's Institute forum on February 4 and 5, 2012. Mr. Maldonado stated his concerns with a board member of Hacienda La Puente Unified School District running for Congress.

Louis Perez stated his concerns with City Council expense reports.

Council Member House remarked that the current City policy requires any expense report violations to be brought before the City Council.

Marty Paz spoke on a recent zone change request for his property and thanked Assistant Planner Beth Chow for her assistance. He stated his opposition to the fees required for a zone change. Mr. Paz commented on the location of liquor stores in the City.

Frank Sanchez stated his concerns regarding the opening of a liquor store across the street from St. Joseph Catholic Church and School, and stated his opposition to construction of a block wall using CDBG funds. Mr. Sanchez commended a recent newspaper article regarding City Council travel and expressed concern over expense reports.

RECESS THE COMMUNITY DEVELOPMENT COMMISSION

Mayor Pro Tem Argudo recessed the Community Development Commission at 7:31 p.m.

A. MINUTES OF PREVIOUS CITY COUNCIL MEETING

A-1 READ AND APPROVE THE MINUTES OF THE REGULAR MEETINGS HELD ON OCTOBER 11, 2011, NOVEMBER 8, 2011 AND NOVEMBER 22, 2011

Council Member Mendoza moved to waive further reading and approve the minutes of the regular meetings of October 11, 2011, November 8, 2011 and November 22, 2011; seconded by Council Member House. The motion unanimously carried by the following roll call vote: AYES: House, Mendoza, Holloway and Argudo. NOES: None. ABSENT: Solis.

A-2 READ AND APPROVE THE MINUTES OF THE SPECIAL MEETINGS OF NOVEMBER 10, 2011 AND NOVEMBER 22, 2011

Council Member House moved to waive further reading and approve the minutes of the special meetings of November 10, 2011 and November 22, 2011; seconded by Council Member Mendoza. The motion unanimously carried by the following roll call vote: AYES: House, Mendoza, Holloway and Argudo. NOES: None. ABSENT: Solis.

B. PUBLIC HEARING BEFORE THE CITY COUNCIL

PUBLIC HEARING TO CONSIDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR FISCAL YEAR 2012-13

Director of Administrative Services Ward Komers reported that the City is required to conduct a public hearing annually to solicit suggestions and recommendations for the use of CDBG funds provided by the Federal Department of Housing and Urban Development (HUD). Once direction is given, a resolution establishing the City Council's decision on the distribution of funds must be submitted to the Los Angeles County Community Development Commission (LACDC) by January 31, 2012. Mr. Komers stated that the LACDC previously notified the City that the allocation for FY 2012-13 would be reduced by 21.9%, resulting in a total of $432,823 available for projects in FY 2012-13. Mr. Komers summarized the proposed projects.

Mayor Pro Tem Argudo opened the public hearing at 7:32 p.m.

Manuel Maldonado commented that the majority of residents in the City are Spanish speaking. He recommended that the information should be translated into Spanish or adequate staffing should be provided to translate the information.

Frank Sanchez spoke in opposition to the use of CDBG funds for the installation of a block wall. Mr. Sanchez suggested that housing rehabilitation should be a top priority, along with land acquisition. He suggested that low-income housing could be constructed above ground floor businesses.

Marty Paz stated his opposition to the installation of a block wall and suggested housing rehabilitation should be a top priority.

No written correspondence was received.

There being no further speakers, Mayor Pro Tem Argudo closed the public hearing at 7:35 p.m.

Council Member House inquired why housing rehabilitation funding was carried over from previous years. Maria Galvan, Rehabilitation Grant Specialist, responded that funding is from loan repayments and funding left over from other CDBG projects. She stated that staff attempts to utilize all of the allocation set aside for housing, but the projects do take time and it is not recommended that new projects should be started near the end of the fiscal year. Mr. House confirmed that there is no way to roll over funds remaining from one project into other projects. Ms. Galvan responded that the resolution presented to the City Council does allow staff to shift funds from one CDBG project to another. Mr. House inquired if CDBG funds may be used to purchase property. Interim City Attorney Casso responded that funds could not be used to purchase property.

Mayor Pro Tem Argudo suggested that something should be done to lessen the long wait for housing rehabilitation. He commented on the building of the block wall, and suggested other funding could be available for the wall installation. Mr. Argudo requested future information from staff regarding funding options.

Council discussion ensued on the new and ongoing proposed projects.

Council Member Holloway moved to split CDBG funds between Code Enforcement ($180,000) and the remaining funding for housing rehabilitation; seconded by Council Member Mendoza. The motion unanimously carried by the following roll call vote: AYES: House, Mendoza, Holloway and Argudo. NOES: None. ABSENT: Solis.

C. UNFINISHED BUSINESS OF THE CITY COUNCIL - None

D. CITY COUNCIL CONSENT CALENDAR

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

D-1 CONSIDERATION OF A RESOLUTION APPROVING WARRANT REGISTER NO. 1312 FOR FISCAL YEAR 2011-12

Action Taken: The City Council adopted Resolution No. 12-4991 approving Warrant Register No. 1312.

D-2 APPROVAL OF THE MONTHLY TREASURER'S FINANCIAL REPORT FOR OCTOBER 31, 2011

Action Taken: The City Council received and filed the Monthly Treasurer's Financial Reports for October 31, 2011.

D-3 APPROVAL OF THE MONTHLY TREASURER'S FINANCIAL REPORT FOR NOVEMBER 30, 2011

Action Taken: The City Council received and filed the Monthly Treasurer's Financial Reports for November 30, 2011.

D-4 APPROVAL OF THE MONTHLY TREASURER'S FINANCIAL REPORT FOR DECEMBER 31, 2011

Action Taken: The City Council received and filed the Monthly Treasurer's Financial Reports for December 31, 2011.

D-5 APPROVAL OF STATEMENT OF INVESTMENT POLICY FOR FISCAL YEAR 2011-2012

Action Taken: The City Council adopted Resolution No. 12-4992 adopting City of La Puente Statement of Investment Policy for Fiscal Year 2011-12 and designating the City Treasurer as its Investment Officer.

E. NEW BUSINESS TO BE CONSIDERED BY THE CITY COUNCIL

E-1 DISCUSSION AND DIRECTION REGARDING ESTABLISHING RESTRICTIONS PROHIBITING THE SALE OF LIQUOR, BEER AND WINE WITHIN A DISTANCE TO BE DETERMINED OF SCHOOLS, CHURCHES, PARKS OR WHEREVER CHILDREN AND YOUTH GATHER (Council Member Holloway)

Council Member Holloway stated that he is interested in limiting the liquor outlets that are specifically and primarily in business to sell liquor and that are in close proximity to where children and youth congregate. He stated that a similar ordinance was adopted in 2008 regarding smoke shops. Mr. Holloway stated that it is his recommendation that City Council direct staff to research the matter to determine what restrictions can legally be established.

Mayor Pro Tem Argudo concurred that the matter should be reviewed and questioned the impact of proposed restrictions on existing liquor stores. Interim City Attorney Casso responded that the City Council could provide an amortization to the non-conforming facilities.

Council Member Holloway stated that his intent is not to close existing liquor stores or cause them to go out of business, but to restrict new liquor stores and find a way that when a liquor store ceases or transfers business, a mechanism exists to stop the transfer if the requirements are not met.

City Council Members concurred with Council Member Holloway's recommendation, and requested that staff carry out a study and bring the information back to the City Council as soon as possible.

E-2 DISCUSSION AND DIRECTION REGARDING THE CITY OF LA PUENTE TRAVEL POLICY (Mayor Pro Tem Argudo)

Mayor Pro Tem Argudo thanked resident Lois Maben for her interest in the issue and for bringing it to the attention of the Council and staff. City Manager Plumlee stated that all records requests by Ms. Maben have been fulfilled and all cash advances paid to City officials have been accounted for or repaid. Mr. Plumlee stated that a significant turn over in staff and lack of training of procedures resulted in some reports not being completed in a timely manner. He further stated that internal procedures have been corrected and staff is working to recommend improvements to travel policies.

Mayor Pro Tem Argudo stated that the City Council completed reorganization in order to make improvements and further thanked City staff for taking corrective actions. Mr. Argudo suggested that a survey of surrounding cities regarding travel polices would help the City develop a comprehensive travel policy.

Council Member Holloway stated that a travel policy exists and it is incumbent upon each Council Member to be responsible for his or her travel expenses.

Council Member House commented that he had not experienced problems regarding travel expenses.

Mayor Pro Tem Argudo stated that he is certain the City Council has done nothing illegal in regards to travel. He has received grants for portions of his travel and is currently under his travel budget. Mayor Pro Tem Argudo moved to direct staff to perform a comprehensive analysis of the travel policy of other cities in the San Gabriel Valley and bring the report back to the City Council in order to develop a more comprehensive travel policy that is clear and defined.

Council Member Mendoza inquired if a formal motion is needed or if direction can be given to staff. Interim City Attorney Casso responded that the City Council may give direction, and staff will come back with recommendations. Mayor Pro Tem Argudo withdrew his motion.

It was the consensus of the City Council to 1) direct staff to perform a comprehensive analysis of the travel policy of other cities in the San Gabriel Valley and bring the report back to the City Council; 2) request staff to monitor and enforce the current policy; and 3) review the section of the current travel policy regarding noncompliance of the policy.

E-3 CONSIDERATION OF WAIVING THE FEES ASSOCIATED WITH THE LA PUENTE NATIONAL LITTLE LEAGUE PARADE

Recreation Manager Roxanne Lerma reported that the La Puente National Little League has submitted a parade and assembly permit application to conduct a parade on March 10, 2012, from 7 a.m. to 12 p.m. Four Code Enforcement Officers will work the event from 7:30 a.m. to 11:30 a.m. The cost associated with scheduling the Code Enforcement Officers is estimated to be $631.86 for overtime costs. The expenditure is not reflected in the budget and will be included in the mid year budget if Council approves waiving the fees.

Mayor Pro Tem Argudo requested the compilation of a list of all annual special events and costs involved for each event which could be approved when approving the budget.

Council Member Holloway moved to waive the fees associated with the La Puente National Little League Parade; seconded by Council Member House. The motion unanimously carried by the following roll call vote: AYES: House, Mendoza, Holloway and Argudo. NOES: None. ABSENT: Solis

E-4 CONSIDERATION OF EXTENDING APPOINTMENTS TO PUENTE PRIDE COMMITTEE AND EDUCATION COMMISSION

Mayor Pro Tem Argudo stated that the present appointments were made after the last election, and it would be prudent to extend until after the upcoming election.

Council Member House moved to extend the existing appointments until 30 days after the seating of the next City Council; seconded by Council Member Mendoza. The motion unanimously carried by the following roll call vote: AYES: House, Mendoza, Holloway and Argudo. NOES: None. ABSENT: Solis

E-5 AWARD OF CONTRACT FOR INSTALLATION OF HVAC EQUIPMENT

Director of Administrative Services Ward Komers summarized the funding options for consideration by the Council. Option A would pay for the purchase of equipment and installation outright, for an amount of $269,376. Option B would enter into a lease purchase agreement payable over a five-year term, with an interest rate of 3.95%. The cost of financing is estimated to be $32,744.93 over the course of the five-year term. Principal and interest payments of $60,424 would be made annually, for a total cost of $302,120.93.

Council Member House moved to 1) Award the contract for the installation to Pardess Air in the amount of $130,000; 2) Authorize the City Manager to approve change orders up to 10% of the bid amount; and 3) Direct staff to enter into a lease purchase agreement (Option B); seconded by Mayor Pro Tem Argudo. The motion unanimously carried by the following roll call vote: AYES: House, Mendoza, Holloway and Argudo. NOES: None. ABSENT: Solis

RECESS THE CITY COUNCIL

Mayor Pro Tem Argudo recessed the City Council at 8:58 p.m.

RECONVENE THE CITY COUNCIL

Mayor Pro Tem Argudo reconvened the City Council meeting at 8:59 p.m.

RECESS TO CLOSED SESSION

Mayor Pro Tem Argudo recessed to closed session at 9 p.m.

Interim City Attorney Casso recessed to closed session for discussion of Item F-1 as posted on the agenda.

F. CLOSED SESSION

F-1 THE CITY COUNCIL WILL RECESS INTO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.9(a), EXISTING LITIGATION, Josefina Kenline v. City of La Puente, et. al., Los Angeles Superior Court Case No. BC471506.

RECONVENE TO OPEN SESSION

Mayor Pro Tem Argudo reconvened to open session at 9:10 p.m.

REPORT OUT OF CLOSED SESSION

Interim City Attorney Casso reported that as to Item F-1 there was no reportable action.

AD HOC COMMITTEE REPORTS

Mayor Pro Tem Argudo reported that the Organizational Ad Hoc Committee would meet for one item this week, and is moving forward with the executive team recommendations.

COUNCIL AB 1234 REPORTS - None

ORAL COMMENTS FROM COUNCIL

Council Member Mendoza announced the she would be bringing flyers to City Hall regarding a California State University event that will take place on the CSULA campus on February 4, 2012 from 9 a.m. to 2 p.m. The event is an outreach effort to Asian Americans and Pacific Islanders students and families and is open to all members of the community.

ORAL COMMENTS FROM STAFF - None.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Pro Tem Argudo adjourned the meeting at 9:12 p.m.

Approved this 8th day of May 2012

Pat Jacquez-Nares

Pat Jacquez-Nares, CMC
City Clerk

Daniel C. Holloway

Daniel C. Holloway
Mayor