MINUTES
LA PUENTE CITY COUNCIL
REGULAR MEETING OF
MAY 22, 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 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 May 22, 2012, at 7:00 p.m.

CALL TO ORDER

Mayor Holloway called the meeting to order at 7:00 p.m.

ROLL CALL

Members present:	Holloway, Klinakis, House, Lewis and Argudo arrived at 7:18 p.m.
Members absent:	None
Staff present:	City Manager Plumlee, City Clerk Jacquez-Nares, Assistant City Attorney Sparks, Director of Administrative Services Komers, Director of Development Services Consultant DiMario, City Engineer Pagett, Finance Manager Leung, Police Chief Lt. Cacheiro, and Assistant Planner Chow

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Klinakis led the Pledge of Allegiance.

PRESENTATIONS

PRESENTATION FROM UPPER SAN GABRIEL VALLEY MUNICIPAL WATER DISTRICT ON THE WATERFEST EVENT IN THE CITY OF LA PUENTE

City Manager Plumlee introduced Peter E. Rodriguez, Community and Government Affairs Manager of the Upper San Gabriel Valley Municipal Water District, who would provide a brief summary of the WaterFest Event.

Peter E. Rodriguez, Community and Government Affairs Manager of the Upper San Gabriel Valley Municipal Water District, provided a brief summary of the Waterfest Event held in the City of Arcadia and requested to bring this event to the City of La Puente. He requested Council support for this event that promotes water conservation that would be held on the second or third week of August 2012 in the La Puente Downtown area.

Council Member Lewis asked for the proposed date in August and the length of the event.

Mr. Rodriguez stated that they would work with the City on a date but is looking at the second or third week of August on a Saturday. The event usually runs from 10 a.m. to 2 p.m. Mr. Rodriguez stated that they will bring in port-a-potties and also do the clean-up after the event. He is requesting to have two City Staff members work this event with them.

Mayor Holloway asked why they no longer are doing the event at Arcadia and if there are any issues with the Insurance requirements with the JPIA?

Mr. Rodriguez stated that they are still considering having an event in Arcadia. The idea for leaving Arcadia is to bring the event to different areas within the District. The District will provide insurance for this event.

Mayor Holloway asked City Manager Plumlee what the cost the City would incur for this event?

City Manager Plumlee stated that it would depend on the impact on the streets and parking, 800 to 1000 attendees would have an impact. Staff would need to analyze the event to assess the staff time needed for this event.

Police Chief Lt. Cacheiro suggested that City staff meet with the District representative to discuss what the need for the event would be and then try to use the reserve units so that there would not be a cost associated with this event.

Mayor Holloway requested clarification on how this event gets approval from the San Gabriel Valley Water District Board.

Mr. Rodriguez stated that the event is approved in their budget process for the district.

Mayor Holloway suggested that Mr. Rodriguez meet with City Manager Plumlee and Police Chief Lt. Cacheiro and work out the details and expenses of this event and then present them to the City Council.

LA PUENTE WARRIORS TRAVEL BASKETBALL TEAM CHAMPIONS

City Manager Plumlee introduced and congratulated the La Puente Warriors for becoming First Place Champions of the Nothing but Net Basketball League.

The Mayor and City Council presented certificates to the following: Players: Matthew Arguello, Gerardo Boulfield, Juan Covarrubias, Daniel Clark, Aldo Galindo, Omar Orozco, Edvin Peraza, Eric Ponce, Kiki Ramirez, George Rojas, Cisco Gomez, Head Coach: Vicente Rovira, Assistant Coach: Marcos Ponce, and Team Mom: Susie Rovira.

ORAL COMMUNICATIONS

Leonard Wayne Rose Jr. thanked the Sheriff Department for patrolling the City. He spoke about his resume and how his health is improving by losing weight. Mr. Rose stated he is helping children overcome the fear of swimming by helping them in the pool. He spoke about his book on athletes.

Marty Paz stated his concerns with the air conditioner being out of service. He also stated that he does not see any difference in the City even after the clean-up event. Mr. Paz stated his opposition to how the Council does not allow a speaker to give his time to another person during oral communications and how the Council allows for some people to speak over the five minute limit.

Mayor Holloway asked City Manager Plumlee to have the City Engineer give an update on the air conditioning.

Director of Development Services Consultant DiMario stated that the new air conditioning unit is scheduled to be up and running on June 1, 2012. The air handling unit is also not accessible to run air through the ducts as it is being worked on along with the ducts.

Frank Sanchez on behalf of the Coalition of Concerned Citizens stated that the Council should not be taking extravagant and expensive trips to conventions and wasting taxpayer money. He stated his concerns with the abuse of a former and a current Council Member. Mr. Sanchez urged the new Council to come to the bottom of this travel issue and to not sweep it under the rug. He wants La Puente to be an example for other Cities.

BOARDS/COMMISSION/COMMITTEE REPORTS

Mayor Holloway stated that it is important that the Council Members attend and report back to the public on these meetings.

Council Member Lewis provided a report on the Foothill Transit meeting she attended on May 9, 2012 and stated that the next meeting would be on June 8, 2012.

Mayor Holloway reported on the Mosquito District Vector Control meeting. Citizens should be aware of the Citrus tree quarantine and the tiger mosquito.

A. MINUTES OF PREVIOUS CITY COUNCIL MEETING

A-1 READ AND APPROVE THE MINUTES OF THE REGULAR MEETING OF MAY 8, 2012

Mayor Holloway requested a correction on the May 8, 2012 Minutes on Item D-5 paragraphs 4 and 5 to accurately reflect the conversation with City Manager Plumlee. His question was if the funding for this project could be sold to subsidize the general fund.

Council Member House moved to waive the reading and approve the corrected Minutes of the Regular Meeting of May 8, 2012; seconded by Council Lewis. The motion unanimously carried by the following roll call vote: AYES: Holloway, Klinakis, Argudo, House, and Lewis. NOES: 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 2012-2013

Director of Development Services Consultant DiMario provided a brief summary of this project.

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

Assistant City Attorney Sparks reminded the Council that this item needed a four-fifths vote for approval.

There being no speakers in favor or in opposition, Mayor Holloway closed the public hearing at 7:40 p.m.

Council Member House moved to 1) Open the public hearing, 2) Receive public input, and 3) Adopt Resolution No. 12-5012 ordering the levy of the sewer maintenance charge for Fiscal Year 2012-2013; seconded by Mayor Pro Tem Klinakis. The motion unanimously carried by the following roll call vote: AYES: Holloway, Klinakis, Argudo, House, and Lewis. NOES: None.

C. UNFINISHED BUSINESS OF THE CITY COUNCIL

(THIS ITEM WAS MOVED TO BE HEARD AFTER THE CLOSED SESSION ITEM)

C-1 CONSIDERATION OF RESOLUTIONS OF THE CITY COUNCIL OF THE CITY OF LA PUENTE (1) AMENDING THE CITY OF LA PUENTE CLASSIFICATION PLAN AND COMPENSATION PLAN; (2) RESCINDING RESOLUTION NO. 12-4998; AND (3) AMENDING THE COMPREHENSIVE PERSONNEL SYSTEM AND ESTABLISHING THE NUMBER OF AUTHORIZED POSITIONS, MONTHLY SALARY RANGES AND HOURLY RATES FOR CITY EMPLOYEES

Mayor Holloway stated that this item would be moved and heard until after the Closed Session item.

C-2 CONSIDERATION OF APPOINTMENTS TO PUENTE PRIDE COMMITTEE AND EDUCATION COMMISSION

City Clerk Jacquez-Nares provided a brief summary of this item and requested that the Council provide their appointments to the Puente Pride Committee and Education Commission.

Mayor Holloway requested that the Council Members make their appointments to the Puente Pride Committee first.

City Clerk Jacquez-Nares stated that there are four positions available for the Puente Pride Committee and that Mayor Pro Tem Klinakis, Council Members Argudo and Lewis still need to make their appointments and that the Council as a whole still needs to appoint their member at large.

A Council discussion arose on whether an appointee can serve on other boards and serve as a member of any committee or commission for the City of La Puente.

Mayor Pro Tem Klinakis stated he had an appointee but that they currently serve on another board so he postponed his appointment at this time.

Council Member Lewis appointed Veronica Cordova to the Puente Pride Committee.

Council Member Argudo requested to meet with the City Clerk and provide her with his appointments later this week for both entities.

Mayor Holloway moved to appoint Debra Pringle as the At Large Member of the Puente Pride Committee; seconded by Council Member Argudo. The motion unanimously carried by the following roll call vote: AYES: Holloway, Klinakis, Argudo, House, and Lewis. NOES: None.

Mayor Holloway requested the appointments for the Education Commission.

Council Member Lewis appointed Tina Becerra to the Education Commission.

Council Member House reappointed Joy Grueter to the Education Commission.

C-3 CONSIDERATION TO APPROVE THE SOUTHERN CALIFORNIA EDISON (SCE) CALIFORNIA LONG-TERM ENERGY EFFICIENCY STRATEGIC PLAN (CEESP) MEMORANDUM OF UNDERSTANDING BETWEEN THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS AND THE CITY OF LA PUENTE

Assistant Planner Chow provided a brief summary of this item and introduced of the San Gabriel Valley Council of Governments (SGVCOG) and PMC representatives Marisa Creter and Tammy Seale.

Marisa Creter of SGVCOG and Tammy Seale of PMC provided a PowerPoint presentation and answered the Council questions on this item.

Council Member Lewis requested clarification on the version of this Memorandum of Understanding (MOU) because the City staff contact information on the MOU was incorrect.

Director of Development Services Consultant DiMario stated that the MOU would be corrected. The current contacts are Beth Chow and himself.

Mayor Holloway asked the following questions: why the City of Walnut and Industry were not participating, who was responsible for the inventory and how long would it take the City to provide the information needed on the entire City, what year was this project in, how much money is still available to the City, was there a cost to have access to the County's EMUS system. He also raised his concern with the mutual indemnification in the MOU that was the reason why the City chose not to approve the MOU the last time it was presented to the Council and that he had contacted the Joint Powers Insurance Authority (JPIA) and they have not been contacted about this item.

Marisa Creter stated that she did not know why Walnut was not participating but she believes that Industry is looking into developing their own power source. City staff assists with the data collection and PMC does all the data analysis. This project is three years and is currently in the third year. The City would still have full funding because it started with this project in March and the executed MOU would cover from the start date of March. Ms. Creter stated there is no cost because the SGVCOG would pay for a five year license for the City to use the EMUS system.

Director of Development Services Consultant DiMario stated that the City had been providing the information to PMC and is currently in the second phase of the process which should be wrapped up in October.

City Manager Plumlee informed Council that staff's main communication had been with the City Attorney's Office informing them of Council concerns with the MOU.

Mayor Pro Tem Klinakis asked if the other 25 cities that are participating in this project are insured by the JPIA.

Marissa Creter stated that she was not aware that there had been an issue in the other cities with the JPIA.

Assistant City Attorney Sparks clarified the previous issue with the JPIA. She stated that the JPIA would defer to the City's attorney to approve the MOU. The mutual indemnification clause is not needed with this MOU that is usually required with other agreements because the SGVCOG would not be paying a third party.

Council Member Argudo asked if there was a limit in the reimbursement on staff's time.

Marissa Creter there is an estimate of 150 hours per task and there are two tasks at a blended rate of a little over $100 an hour. The total amount is about $39,000.
A Council discussion arose as to the total amount of the reimbursement. The SGVCOG will have the ability to pay for more hours if there is the need.

City Manager Plumlee stated that the blended rate is appropriate for staff's time.

Director of Development Services Consultant DiMario stated that there is no out of pocket expense for this project. Staff would be reimbursed for any time spent to gather the information.

Council Member Argudo moved to approve the Southern California Edison (SCE) California Long-Term Energy Efficiency Strategic Plan (CEESP) Memorandum of Understanding between the San Gabriel Valley Council of Governments and the City of La Puente; seconded by Mayor Pro Tem Klinakis. The motion unanimously carried by the following roll call vote: AYES: Holloway, Klinakis, Argudo, House, and Lewis. NOES: None.

D. CITY COUNCIL CONSENT CALENDAR

D-1 CONSIDERATION OF A RESOLUTION APPROVING WARRANT REGISTER NO. 1318 FOR FISCAL YEAR 2011-12

Mayor Holloway moved to adopt Resolution No. 12-5011 approving Warrant Register No. 1318; seconded by Council Member House. The motion unanimously carried by the following roll call vote: AYES: Holloway, Klinakis, Argudo, House, and Lewis. NOES: None.

E. NEW BUSINESS TO BE CONSIDERED BY THE CITY COUNCIL

E-1 DISCUSS AND PROVIDE DIRECTION ON HOLDING A TOWN HALL BUDGET WORKSHOP ON MAY 29 AT 6:30 P.M. IN THE SENIOR CENTER MULTI-PURPOSE ROOM

City Manager Plumlee requested direction on the location of the Town Hall meeting due to a press release stating the location as the Council Chambers and the agenda stating the location as the Senior Center.

Mayor Holloway stated that during their campaign they said they wanted to have town hall meetings with the residents. They would like for this meeting to be the first of many town hall meetings. The Council Chambers is a small room with a capacity of 70 and the Senior Center multi-purpose room will facilitate a larger crowd. Mayor Holloway prefers the Senior Center location for this meeting.

Council Member Argudo stated that the installation of the new air conditioning unit at City Hall would not be completed by May 29, 2012. A sign can be posted on the Chamber doors with the correct location.
Mayor Holloway would prefer that staff do everything possible and contact the newspaper to run the press release with the correct location of the Senior Center. He asked the people in the audience to inform their friends and neighbors of the correct location.

Council Member Lewis asked City Clerk Jacquez-Nares if there were any issues in recording the meeting at the Senior Center.

City Manager Plumlee stated that he would accommodate for this by using an outside vendor to provide audio services for this meeting. He also stated that there would be a PowerPoint presentation, a roving microphone, and checklist for the public to provide their input. A revised press release would be sent out with the Senior Center as the location.

Mayor Holloway asked if the meeting would be streamed simultaneously via the internet.

City Clerk Jacquez-Nares answered no.

E-2 DISCUSS AND PROVIDE DIRECTION ON REINSTATEMENT OF DUI CHECKPOINTS IN LA PUENTE (Mayor Pro Tem Klinakis)

Mayor Pro Tem Klinakis stated that the grants for these checkpoints had been lost until 2013. He spoke to Captain Claus and the Captain is willing to provide a checkpoint at no cost to the City. He is looking at staff for direction on how this can be done.

City Manager Plumlee stated that if it was Council direction to work with Captain Claus for this checkpoint then staff would move forward with coordinating this with Captain Claus.

Council Member House stated he attended four of the checkpoints and was extremely upset with the conditions that he witnessed such as people waiting in the rain for others to pick them up. He said we call them DUI checkpoints and 80% of the vehicles towed are not because of being under the influence. He expressed his concerns with the process of impounding the vehicles.

Mayor Pro Tem Klinakis agreed with Council Member House that the process is flawed. He requested clarification on the new legislation on towing a vehicle.

Police Chief Lt. Cacheiro stated that it has been the Sheriffs practice to afford an unlicensed driver the opportunity to let another licensed driver take their vehicle instead of towing the vehicle. He also cited sections of the California Vehicle Code that authorizes the Sheriff Department to tow the vehicle due to not being a licensed driver. The law under section 14601 is very clear that the vehicle remain in the tow yard for 30 days. He went over the Stitman Hearing process that can be used to get the vehicle before the 30 days. The State monitors how the grant is being used and how the checkpoints are being run. He stated the Sheriffs have the ability to follow the letter of the law or the spirit of the law.

Mayor Pro Tem Klinakis asked the City Attorney the City's liability if the City does not have checkpoints.

Assistant City Attorney Sparks stated that their office has not looked into that situation but that logic would be that in order for the City to be liable the City would have to consistently provide DUI checkpoints rather than random checkpoints. The logical answer would be no liability on the City's part.

Council Member Argudo requested clarification on Police Chief Lt. Cacheiro's statement on the protocol for releasing the vehicle to a licensed driver is solely at the discretion of the Deputy and not a consistent procedure.

Police Chief Lt. Cacheiro stated that it is at the discretion of the Deputy. The Deputies are not looking to tow every vehicle.

Council Member Argudo stated the he just wanted clarification on his previous comment. La Puente has one of the highest towing statistics in Region III. He asked Mayor Pro Tem Klinakis if the City was going to buy into this flawed system. He also asked the cost the City would incur for these checkpoints.

Mayor Pro Tem Klinakis stated that there would be no cost for the City and no money that would come out of the general fund to pay for this checkpoint.

Mayor Holloway stated that the cost and use of volunteers needs to be researched and brought back to the Council. He commended the Sheriff's Department on the handling of the checkpoints. Council should be concerned on how the affected families are helped to get to their homes and he is also aware that there have been taxi cabs provided at these checkpoints.

Council Member Lewis stated that she understands everyone's point of view but when you lose a member of your family due to a drunk driver your stance will change. If we remove one drunk driver from the streets, then it was worth it to save a life.

Mayor Pro Tem Klinakis moved to approve the DUI checkpoints ran by the Sheriff at no cost to the City and to have staff apply for the 2013 grants; seconded by Council Member Lewis.

Mayor Holloway requested that the discussion held tonight along with the Council concerns be communicated to Captain Claus.

Council Member Argudo requested that Mayor Pro Tem Klinakis add a component of preparing a comprehensive and cost analysis on the checkpoints.

Mayor Pro Tem Klinakis stated that he did not want to change his motion at this time but would like to revisit this in the future.

The motion carried by the following roll call vote: AYES: Holloway, Klinakis, and Lewis. NOES: Argudo and House.

RECESS CITY COUNCIL INTO CLOSED SESSION

Mayor Holloway recessed the City Council into Closed Session at 8:50 p.m.

Assistant City Attorney Sparks recessed the City Council into Closed Session to discuss Item F-1 as listed on the agenda.

F. CLOSED SESSION

F-1 THE CITY COUNCIL WILL RECESS TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE 54957.6(f) TO CONFERENCE WITH LABOR NEGOTIATORS. AGENCY DESIGNATED REPRESENTATIVES: BRET M. PLUMLEE, CITY MANAGER; WARD KOMERS, DIRECTOR OF ADMINISTRATIVE SERVICES; AND IRMA RODRIGUEZ-MOISA, COUNSEL. EMPLOYEE ORGANIZATIONS: CEA AND SEIU

RECONVENE THE CITY COUNCIL INTO OPEN SESSION

Mayor Holloway reconvened the City Council into open session at 10:44 p.m.

REPORT FROM CLOSED SESSION

Assistant City Attorney Sparks reported that Council recessed to discuss Item F-1 as listed in the agenda and there was no reportable action taken.

C-1 CONSIDERATION OF RESOLUTIONS OF THE CITY COUNCIL OF THE CITY OF LA PUENTE (1) AMENDING THE CITY OF LA PUENTE CLASSIFICATION PLAN AND COMPENSATION PLAN; (2) RESCINDING RESOLUTION NO. 12-4998; AND (3) AMENDING THE COMPREHENSIVE PERSONNEL SYSTEM AND ESTABLISHING THE NUMBER OF AUTHORIZED POSITIONS, MONTHLY SALARY RANGES AND HOURLY RATES FOR CITY EMPLOYEES

City Manager Plumlee presented a brief summary of this item.

Mayor Holloway asked the process of adopting the resolution if only a portion was going to be approved. Council just wanted to approve items 4, 5, 10, 11, 12, and 13 on the list of items on the staff report.

Council Member Argudo stated that in light of the closed session; we should exclude all the labor negotiation items. He moved to approve items 4, 5, 10, 11, 12, and 13.

City Manager Plumlee stated that this needed to be discussed with the City Attorney on how to modify the existing resolution.

Assistant City Attorney Sparks stated that the existing resolution needed to be modified to reflect only those items being approved. Those changes would need to be read for the record and for public knowledge. The resolution will be revised to remove everything with the exception of numbers 4, 5, 10, 11, 12, and 13 set forth on page 4 of the staff report of this meeting.

Council Member Argudo moved to (1) adopt revised Resolution No. 12-5009 removing everything with the exception of numbers 4, 5, 10, 11, 12, and 13 as set forth on page 4 of the staff report of this meeting rescinding Resolution No. 12-4998, and amending the comprehensive personnel system and establishing the number of authorized positions, monthly salary ranges and hourly rates for City employees contained in Attachment "A"; and (2) adopt Resolution No. 12-5010 amending the classification plan and compensation plan contained in Attachment "B"; seconded by Council Member House. The motion unanimously carried by the following roll call vote: AYES: Holloway, Klinakis, Argudo, House, and Lewis. NOES: None.

AB 1234 REPORTS

Council Member Argudo reported that he and several of the Council Members attended the conference in Indian Wells. He attended the AB 1234 seminar. The conference was very informative.

Council Member Lewis reported that she attended the Indian Wells conference on Friday. The conference had very interesting topics in redevelopment, how to move forward in this era, leadership, and inside the mind of a city attorney.

Mayor Pro Tem Klinakis said he also attended the Indian Wells conference at no expense to the City because he paid for his entire trip.

City Manager Plumlee reported that he also attended the Indian Wells conference and it was very informative.

ORAL COMMENTS FROM COUNCIL

Mayor Holloway announced upcoming events: the Art Walk on Saturday, May 26, 2012, the Chalk Event at the Library, the budget session tomorrow at 3:00 p.m. and the town hall meeting on May 29, 2012 at 6:30 p.m. the location to be confirmed and publicized.

ORAL COMMENTS FROM STAFF - None.

ADJOURNMENT:

There being no further business to come before the City Council, Mayor Holloway adjourned the meeting at 10:52 p.m. to the Budget Workshop on May 23, 2012 at 3:00 p.m. in the Council Chamber.

Approved this 12th day of June 2012

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

Daniel C. Holloway
Daniel C. Holloway
Mayor