MINUTES
LA PUENTE CITY COUNCIL
REGULAR MEETING OF
JUNE 12, 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 June 12, 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, Argudo, House, and Lewis.
Members absent:	None
Staff present:	City Manager Plumlee, City Attorney Casso, City Clerk Jacquez-Nares, Director of Administrative Services Komers, Director of Development Services DiMario, City Engineer Pagett, Code Enforcement Attorney Dapeer, Finance Manager Leung, Recreation Manager Lerma, Code Enforcement Supervisor Blakely, Assistant Planner Chow, Code Enforcement Officer Perez, and Police Chief Cacheiro.

PLEDGE OF ALLEGIANCE

City Manager Plumlee led the Pledge of Allegiance.

PRESENTATIONS

CERTIFICATES OF APPRECIATION TO FORMER PLANNING COMMISSIONERS: STEVE BROWN AND KAREN DAHLITZ

City Manager Plumlee provided a brief history and introduction of Steve Brown and Karen Dahlitz former Planning Commissioners.

Karen Dahlitz thanked the previous Council for appointing her to the Planning Commission and thanked this Council for acknowledging her service as a Planning Commissioner.

CERTIFICATE OF APPRECIATION TO HELPING HANDS

Director of Development Services DiMario introduced the Doug Rosa, Director, of the Hacienda Heights Stake and Craig Rigby of the Church of Christ Latter Day Saints; they coordinated the Helping Hands clean-up effort within the City.

Craig Rigby, representative of the Church of Christ Latter Day Saints, provided a PowerPoint presentation on the clean-up efforts from the Helping Hands organization within the City of La Puente.

Mayor Holloway thanked them for their community spirit and providing this service to help clean up the City of La Puente and he also recognized Bishop Perez of the Woodside Ward.

City Manager Plumlee stated that this event was a part of the Make La Puente Beautiful in the month of April.

Council Member House stated that he had intended to attend the clean-up efforts but unfortunately was unable to attend. He hopes that the City has more of these events.

CERTIFICATE OF RECOGNITION TO COMMLINE, INC.

Police Chief Lt. Cacheiro introduced James Jung of COMMLINE, Inc. who provided four Motorola radios for communication to the Saint Louis of France Church.

James Jung of COMMLINE thanked the City for their support and is looking forward to continuing to work with the City.

CERTIFICATES OF RECOGNITION TO LA PUENTE HIGH SCHOOL VARSITY BASEBALL TEAM

City Manager Plumlee congratulated the La Puente High School Varsity Baseball Team for winning the Montview League Championship.

Coach Hermosillo thanked the City for recognizing the baseball team.

Council Member Argudo congratulated the baseball team.

Mayor Holloway congratulated the baseball team.

ORAL COMMUNICATIONS

Leonard Wayne Rose Jr. spoke on the Hacienda School District, his book, and his weight loss.

Council Member Argudo thanked Mr. Rose for his support to the community.

Bertus De Jong requested an extension on the citation that was given to him to remove the trailers from his property. He is requesting a nine month extension for the removal of these two trailers.

Mayor Holloway stated that the Council could not provide the extension for him and referred him to City Manager Plumlee.

Council Member Argudo requested that the City staff be sensitive to the needs of this longtime resident and assist him with this request.

Manuel Maldonado stated his concerns with the Hacienda Unified School District. He thanked the Planning Commissioners, the Helping Hands organizations, and COMMLINE for supporting the City of La Puente. Mr. Maldonado stated his concerns with the reinstatement of the Police checkpoints. He also requested that the documents provided for the Council meetings be produced in Spanish.

Nancy Medeiros stated that the districts unified to receive funding. She stated her concerns with a recording that was purchased from the City of the budget study session that would not play on any computer or CD player. Ms. Medeiros stated her concerns with the computer use at the library and requested that an extra packet be provided to the library so that it can be checked out.

Laurie Marshall requested permission to post posters in City Hall for their Hot Rod Show that is scheduled for July 14, 2012 at the Haddicks towing facility 15120 E. Valley Blvd., from 9:00 a.m. to 5:00 p.m. free admission. It will raise money for the City of Industry youth leagues. She provided a brief summary of the programs that the Youth League sponsors.

Rudy Almeida congratulated the Mayor and Council Members. He stated his concerns with the sex offenders. Mr. Almeida gave his condolences to Council Member House. He congratulated Jaime Casso for his permanent appointment as City Attorney.

Henry Nodal requested clarification on the general services agreement with the County of Los Angeles. He questioned why Mrs. Karen Dahlitz was not reappointed as a Planning Commissioner. Mr. Nodal requested clarification on the general plan and the zoning code for the Planning Commissions to use in making their decisions. He requested that the Council not discount Mr. Manuel Maldonado and the No Te Dejes Institute.

Kenneth Medeiros stated his concerns with the redevelopment agencies and the annexation of Valinda.

James Olguin spoke in support of Mr. Bertus and his business property inventory.

Otilia Jacobo stated that a year ago she reported that there was trash burning on the Northwest corner of Loukelton and Peggy and it happened again yesterday the odor was very bad. She requested that the City please help her with this issue of the burning trash.

BOARDS/COMMISSION/COMMITTEE REPORTS

Council Member House reported that he attended the League of CA Cities Los Angeles County Division and the City Selection Committee on Thursday. He provided a brief summary of the items that were discussed at that meeting.

Mayor Pro Tem Klinakis reported that he attended the San Gabriel Valley Council of Governments meeting. He provided a brief summary of the items that were discussed at that meeting.

Mayor Holloway attended the San Gabriel Valley Mosquito District & Vector Control District meeting. He provided a brief summary of the items discussed at that meeting. Mayor Holloway brought the members of the Council information from this meeting and asked City Manager Plumlee to place the information in their mailboxes.

A. MINUTES OF PREVIOUS CITY COUNCIL MEETING

A-1 READ AND APPROVE THE MINUTES OF THE REGULAR MEETING OF MAY 22, 2012

Council Member Argudo moved to waive the reading and approve the Minutes of the Regular Meeting of May 22, 2012; seconded by Council Member House. The motion unanimously carried by the following roll call vote: AYES: Holloway, Klinakis, Argudo House, and Lewis. NOES: None.

ITEM WAS TAKEN OUT OF ORDER

E. NEW BUSINESS TO BE CONSIDERED BY THE CITY COUNCIL

E-3 CONSIDERATION OF A SPECIAL ASSESSMENT FOR ABATEMENT OF PUBLIC NUISANCE, FOR PROPERTY LOCATED AT 16207 BAMBOO STREET, LA PUENTE, CA, PARCEL NUMBER 8247-017-009

Code Enforcement Supervisor Blakely provided a summary and PowerPoint presentation on this item.

Mayor Holloway opened the administrative hearing at 7:15 p.m.

Mary Smith stated that she was present under protest due to her health. She stated her concerns with the pictures presented in the PowerPoint. Ms. Smith stated that she requested help from all agencies that provide assistance to senior citizens and did not receive any assistance. She said that the Assembly of God Church provided her assistance by sending four men to clean her yard. Ms. Smith stated her opposition to the assessment on her property. She stated her concerns with the City staff and with the process of this abatement.

Mayor Pro Tem Klinakis requested clarification on previous assessments to this property.

Ms. Smith clarified that she had a similar issue in previous years and that she had to mortgage her home in order to rectify the issue.

Mayor Holloway requested that staff provide clarification to Ms. Smith's concerns. He asked who cleaned the yard and what was done.

Code Enforcement Supervisor Blakely stated that the case had been open since June 2010. Ample time was given to Ms. Smith to correct the violations before the abatement was conducted. She stated that Golden Net Services cleaned Ms. Smith's property. The cleaning service removed the trash and several items that were on the property. Staff consulted with Ms. Smith as to the items that she did not want removed, Ms. Smith instructed that only the items that were in the gated section of her yard were not to be removed and those items were not removed but all other items were removed.

Council Member Argudo requested clarification on the amount of days given to Ms. Smith to remove the items without having to abate the property. He requested clarification on who makes the determination of what needs to be removed and was there an itemized list of what was removed.

Code Enforcement Supervisor Blakely clarified what items were removed.

Mayor Holloway requested that staff explain the process of this abatement.

Code Enforcement Supervisor Blakely provided the process of presenting the City's findings to a Judge to order the abatement warrant.

Council Member House stated his concerns with the removal of her property.

Council Member Argudo asked Code Enforcement Attorney Dapeer to clarify if the process that staff used was the standard process.

Attorney Dapeer stated that the staff did follow the correct procedures for this abatement. Ms. Smith was given the opportunity to ask for an administrative hearing and she did not exercise that right.

Council Member Argudo requested that staff revisit this item and work with legal counsel Dapeer to remedy this situation.

City Attorney Casso requested that Mr. Dapeer provide the steps for the abatement process.

Code Enforcement Attorney Dapeer provided the steps for the abatement which included the process that the staff follows to present the findings to the Judge for the issuance of the abatement warrant.

City Manager Plumlee requested that Code Enforcement Blakely briefly discuss how staff has worked with the property owner to resolve this before moving forward with the abatement warrant.

Code Enforcement Supervisor Blakely provided a summary of all the work that staff had done with Ms. Smith, the property owner, for her to receive the assistance she needed to correct the violations and the justification for having to present the findings to a Judge to issue the abatement warrant.

Council Member Lewis stated her concerns with future violations on this property. She encouraged Ms. Smith to work with the Senior Center and a social worker to avoid any future violations.

Mayor Holloway stated his concerns with the Senior citizens in the community running the risk of losing their homes due to these liens for abatements. He asked Attorney Dapeer for the City's options with this abatement.

Code Enforcement Attorney Dapeer stated that the City could assess the full lien, not assess any lien which may be a gift of public funds, or assess a partial lien without staff time. He also provided an additional assessment on the property that would remain on the property until it was sold.

City Attorney Casso agreed with the options Attorney Dapeer provided. The item before the Council is a resolution that sets forth the history of the situation and the costs incurred by the City.

Council Member Argudo asked if Council denied this resolution would it be a gift of public funds.

City Attorney Casso stated it could be seen as such because the City had expended public resources and was the benefit for the greater good of the community or just one resident. The removal of private property was set forth by the City's municipal code and was approved by the Judge when he issued the abatement warrant.

Council Member Argudo would like for staff to work with Attorney Dapeer in establishing a process for these types of abatements.

Mayor Pro Tem Klinakis moved to have staff work with Ms. Smith and bring back this Item for Council consideration at the second meeting in July; seconded by Council Member House. 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 THE FISCAL YEAR 2012-2013 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 2012/2013

Development Services Director Di Mario provided a brief summary of this item.

Mayor Holloway opened the Public Hearing at 9:09 p.m. There being no speakers in favor or in opposition of this item, Mayor Holloway closed the Public Hearing at 9:10 p.m.

Council Member Lewis moved to adopt Resolution No. 12-5013 confirming sewer charges and adopting the Fiscal Year 2012-2013 sewer levy report pursuant to chapter 4.10 of the City of La Puente Municipal Code for fiscal year 2012/2013; seconded by Mayor Holloway. The motion unanimously carried by the following roll call vote: AYES: Holloway, Klinakis, Argudo House, and Lewis. NOES: None.

D. CITY COUNCIL CONSENT CALENDAR

Mayor Holloway pulled Item D-4 for separate discussion.

Council Member Argudo moved to approve Consent Calendar Items D-1 through D-3; 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-1 <u>CONSIDERATION OF A RESOLUTION APPROVING WARRANT REGISTER NO. 1319 FOR FISCAL YEAR 2011-12</u>

<u>Action Taken</u>: The City Council adopted Resolution No. 12-5015 approving Warrant Register No. 1319

D-2 APPROVAL OF THE TREASURER'S/FINANCIAL REPORT FOR APRIL 30, 2012

<u>Action Taken</u>: The City Council received and filed the monthly Treasurer's/Financial Reports for April 30, 2012.

D-3 CONSIDERATION OF AUDIO VISUAL SERVICES FOR THE BUDGET TOWN HALL MEETING

<u>Action Taken</u>: The City Council approved the expenditure for services provided by ANGELCOM AUDIO.

D-4 APPROVAL OF GENERAL SERVICES AGREEMENT WITH THE COUNTY OF LOS ANGELES

Development Services Director DiMario provided a brief summary of this item.

Mayor Pro Tem Klinakis moved to adopt Resolution No. 12-5016 approving the General Services Agreement with the County of Los Angeles; seconded by Council Member Argudo. The motion unanimously carried by the following roll call vote: AYES: Holloway, Klinakis, Argudo House, and Lewis. NOES: None.

E-2 CONSIDERATION OF FIREWORKS SALES PERMITS FOR VETERANS GROUPS FOR 2012

Recreation Manager Lerma provided a brief summary of this Item.

Council Member Argudo moved to approve the issuance of permits to sell Safe and Sane Fireworks by Veterans of Foreign Wars Post 1944, American Legion Post 75, and American Legion Post Women's Auxiliary, pursuant to all applicable code requirements; seconded by Council Member House. The motion unanimously carried by the following roll call vote: AYES: Holloway, Klinakis, Argudo House, and Lewis. NOES: None.

RECESS CITY COUNCIL INTO CLOSED SESSION

City Attorney Casso recessed into Closed Session at 9:15 p.m. to discuss Items F-1 through F-4 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

F-2 THE CITY COUNCIL WILL RECESS TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.8 TO CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

PROPERTY:	15849 Main Street, La Puente, CA 91744 APN: 8246-009-017
CITY NEGOTIATORS:	Bret Plumlee, City Manager, John DiMario, Development Services Director, and James Casso, City Attorney
NEGOTIATING PARTIES:	Khiem and Ivy Pham
UNDER NEGOTIATION:	Price and Terms

F-3 THE CITY COUNCIL WILL RECESS TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.8 TO CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

PROPERTY:	APN: 8247-017-900 and 8247-017-904
CITY NEGOTIATORS:	Bret Plumlee, City Manager, John DiMario, Development Services Director, and James Casso, City Attorney
NEGOTIATING PARTIES:	Gregory B. Galindo, La Puente Valley County Water District
UNDER NEGOTIATION:	Price and Terms

F-4 THE CITY COUNCIL WILL RECESS TO CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54956.8 TO CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

PROPERTY:	APN: 8247-017-003
CITY NEGOTIATORS:	Bret Plumlee, City Manager, John DiMario, Development Services Director, and James Casso, City Attorney
NEGOTIATING PARTIES:	Zev and Deborah Neuwirth
UNDER NEGOTIATION:	Price and Terms

RECONVENE TO OPEN SESSION

Mayor Holloway reconvened the City Council 10:56 p.m.

REPORT FROM CLOSED SESSION

City Attorney Casso reported that Council recessed into Closed Session to discuss Items F-1 through F-4. As to Item F-1, Council by a 5-0 vote provided direction to City Manager Plumlee, Administrative Services Director Komers, and Legal Counsel Rodriguez-Moisa no final action was taken. As to Item F-2 Mayor Pro Tem Klinakis and Council Member Argudo recused themselves due to each having property interests within 500 feet from said property being discussed. Council by a 2-1 vote, Council Member House voted No, provided staff direction and no final action was taken. As to Items F-3 and F-4, Council by a 3-2 vote, Council Members Argudo and House voted No, provided direction and no final action was taken.

THE FOLLOWING THREE AGENDA ITEMS WERE TAKEN OUT OF ORDER

C. UNFINISHED BUSINESS OF THE CITY COUNCIL

C-1 CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA PUENTE RESCINDING RESOLUTION NO. 12-5009 AND AMENDING THE COMPREHENSIVE PERSONNEL SYSTEM AND ESTABLISHING THE NUMBER OF AUTHORIZED POSITIONS, MONTHLY SALARY RANGES AND HOURLY RATES FOR CITY EMPLOYEES

Administrative Services Director Komers provided a brief summary of this Item.

Council Member Argudo stated that he can only support items 2, 3 and 7 listed in the staff report; he cannot support adding new positions.

A discussion ensued as to how many existing positions would be affected by the new positions and the proposed position changes to the organization. Clarification was provided as to the acting pay provided to the existing staff for working out of class.

Council Member Lewis restated that the net changes are zero; Council needs to address the additional burden on staff.

Mayor Pro Tem Klinakis moved to adopt Resolution No. 12-5014 rescinding Resolution No. 12-5009 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"; seconded by Council Member Lewis. The motion carried by the following roll call vote: AYES: Holloway, Klinakis, and Lewis. NOES: Argudo and House.

City Attorney Casso stated that the City Council agreed to extend the meeting past 10:30 p.m. during their Closed Session.

E. NEW BUSINESS TO BE CONSIDERED BY THE CITY COUNCIL

E-1 DISCUSSION AND PROVIDE DIRECTION ON SPOTLIGHT LA PUENTE NEWSLETTER PRODUCTION AND DISTRIBUTION

Administrative Services Director Komers provided a brief summary of this Item.

Mayor Holloway stated his concerns with eliminating the Spotlight due to the newsletter being the only communication that is provided in both languages and distributed directly to the residents' home.

Council Member Lewis would like to look into other options and requested that a survey be sent out to find out who is really is using this publication.

Council Member Argudo moved to direct Staff to extend the agreement through February 1, 2013 and to direct Staff to look at alternative options for this publication; 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-2 DISCUSS AND PROVIDE DIRECTION ON FISCAL YEAR 2012/2013 BUDGET PREPARATION

Administrative Services Director Komers provided a brief summary of this Item.

Mayor Holloway supports renegotiating the debt services and the reduction of the Council travel budget.

Council Member Argudo requested that staff establish a cost recovery program for Code Enforcement and an increase in the animal licensing fee.

Mayor Pro Tem Klinakis requested that the possible revenue and expenditure items be brought back at a later date.

City Manager Plumlee stated that the intent of staff was to provide Council with tools to help with the budget deficit and that these remaining tools can be brought back at a later date for further discussion and perhaps implementation.

Council Member Lewis requested that item R2 increasing the animal license fee and conducting citywide compliance canvassing be a stabilization measure.

Dan Holloway moved direct staff to prepare the Budget with E-1 Refinancing the UBOC Debt Obligation, E-2 Reduction in City Council Travel Budge, R-2 Increasing the Animal License Fee and Conducting City-wide Compliance Canvassing, and R-3 Establishing a Code Enforcement Cost Recovery Program; seconded by Mayor Pro Tem Klinakis. The motion carried by the following roll call vote: AYES: Holloway Klinakis, Argudo, and Lewis. NOES: House.

AB 1234 REPORTS - None.

ORAL COMMENTS FROM COUNCIL

Mayor Holloway reported that last week he and Council Member Lewis attended Hurley School and visited with three fifth grade classes it was a very rewarding experience.

ORAL COMMENTS FROM STAFF - None.

ADJOURNMENT

There being no further action to come before the City Council, Mayor Holloway adjourned the meeting at 11:35 p.m. to June 18, 2012 at 2:00 p.m. for a California Joint Powers Insurance Authority Training in the Council Chambers.

Approved this 14th day of August 2012

Pat Jacquez-Nares, CMC, City Clerk	Daniel C. Holloway, Mayor