MINUTES
LA PUENTE CITY COUNCIL
REGULAR MEETING OF
AUGUST 14, 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 August 14, 2012, at 7:00 p.m.

CALL TO ORDER

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

ROLL CALL

Members present:	Holloway, Klinakis, Argudo, Lewis, and House (Arrived at 7:02 p.m.)
Members absent:	None
Staff Members present:	City Manager Plumlee, City Attorney Casso, City Clerk Jacquez-Nares, Director of Administrative Services Komers, Director of Development Services Di Mario, City Engineer Pagett, Police Chief Lt. Cacheiro, Finance Manager Leung, Code Enforcement Supervisor Blakley, and Intern Vargas

PLEDGE OF ALLEGIANCE

Assistant Planner Chow led the Pledge of Allegiance.

PRESENTATIONS - None

ORAL COMMUNICATIONS

Lois Maben spoke regarding the Internal Revenue Service (IRS) and the Council Travel Policy, the Los Angeles County Sheriff Badges, and the Fair Political Practices Commission (FPPC).

Council Member Argudo responded that he appreciated Ms. Maben's investigations into the City's obligations.

Leonard Wayne Rose, Jr. spoke on the National Night Out held at La Puente Park and his current weight loss due to exercise.

Nancy Medeiros spoke regarding Valley Vista Disposal Company, alcohol consumption by residents in their front yards, pot belly pigs, roosters, and a car parked on the front lawn across the street from her home.

Mary Smith spoke in regards to a meeting scheduled at City Hall and stated that she feels the City is harassing her.

Marty Paz praised the 3rd of July fireworks show and commented on the traffic impediment on Glendora Avenue. Mr. Paz stated that he was a victim of a theft, and remarked that he was treated rudely when he reported the theft at the Industry Sheriff's station.

Henry Nodal spoke regarding a cement truck blocking the flow of traffic on Gilwood Avenue. Mr. Nodal also commented on the Sheriff badges.

Frank Sanchez commended the 3rd of July show and commented on the 2012 Main Street Run. Mr. Sanchez further commented on the Sheriff's badges.

Council Member House commented on the enforcement of laws in the City and stated that he has tried to establish a program requiring a pleasant décor in front yards throughout the City. He stated that parking a vehicle on grass or weeds could cause a fire.

Christine Halstead stated that she is a third generation family member of La Puente. She further stated that she has cleaned up her front yard and is attempting to keep her lawn watered and green but feels that her neighborhood looks very bad.

BOARDS/COMMISSION/COMMITTEE REPORTS

Mayor Holloway reported that he attended the San Gabriel Valley Mosquito & Vector Control District meeting. He provided a brief summary of the items that were discussed at the meeting.

A. MINUTES OF PREVIOUS CITY COUNCIL MEETING

A-1 READ AND APPROVE THE MINUTES OF THE REGULAR MEETING OF JUNE 12, 2012

Council Member House moved to waive further reading and approve the minutes of the regular meeting of June 12, 2012; 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.

B. PUBLIC HEARING BEFORE THE CITY COUNCIL

B-1 CONSIDERATION OF A RESOLUTION TO SELF-CERTIFY COMPLIANCE WITH THE LOCAL LOS ANGELES COUNTY CONGESTION MANAGEMENT PROGRAM GUIDELINES

Assistant Planner Chow reported that each year cities are required to comply with CMP requirements, which include reporting annual building activity. The report is submitted to the Los Angeles County Metropolitan Transportation Authority ("Metro"), which is responsible for administration of the CMP and certifying that each city in Los Angeles County is in compliance. Ms. Chow reported that the City anticipates receiving funding amounting to $1,131,990 in FY 2012-2013, which includes a swap of Prop 42 funds for State Gas Tax funds.

Mayor Holloway opened the public hearing at 7:57 p.m. There being no one desiring to speak on the matter, Mayor Holloway closed the public hearing at 7:58 p.m.

Mayor Holloway questioned staff on the proposed countywide impact fee and asked how the City can relate these concerns to Metro. Ms. Chow responded that concerns could be voiced at Metro's upcoming public hearings, as well as stating the City's stance in writing.

Mayor Holloway requested that the City Council be provided with a report on this matter.

Council Member Argudo moved to approve and adopt Resolution No. 12-5031 certifying that the City is in compliance with the 2010 CMP, adopt the 2012 CMP Local Development Report and direct the City Clerk to forward a certified copy of said resolution to the Los Angeles County Metropolitan Transportation Authority; 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.

Council Member Argudo requested that Item E-4 be considered at this time. There being no objection, Mayor Holloway announced that Item E-4 would be taken out of order and heard at this time.

ITEM TAKEN OUT OF ORDER

E-4 DISCUSS AND PROVIDE DIRECTION REGARDING LOS ANGELES COUNTY SHERIFF BADGES (City Manager to provide a verbal report at the Council Meeting)

City Manager Plumlee stated that on July 18, 2012, Captain Mike Claus gave him a directive from Sheriff Lee Baca to collect all badges previously issued to Council Members. Mr. Plumlee stated that he requested that all badges be returned in order for the City to comply with the request. At this time, the Sheriff's Department has indicated they are still seeking the return of one Mayor's badge. Mr. Plumlee stated that on July 6, 2010, Council Member Argudo signed a form acknowledging receipt of one Mayor's badge, which has not yet been returned. Mr. Plumlee further reported that he has requested the return of the badge, however, Council Member Argudo has responded that the badge has been affixed to a plaque and will not be returned as requested. The Sheriff's Department continues to request the return.

Council Member Argudo stated that he has gone through the appropriate channels and is awaiting a response from the Sheriff's Department. He further stated that he would share with his colleagues and residents what transpires after he meets with the Sheriff. Council Member Argudo further stated that a Mayor Pro Tem/Vice Mayor badge is also missing and questioned Mayor Holloway if that badge is in his possession.

Mayor Holloway responded that the badge in his possession was returned when requested. He stated that there had been problems previously with the return of badges.

Council Member Lewis urged her colleague to resolve the matter as soon as possible.

Council Member House stated that he has followed procedures related to the return of the Sheriff badges and further stated that it was his understanding that a badge could be mounted onto a plaque. He requested return of his badge and stated that he would pay any fees associated with mounting the badge on a plaque.

Mayor Holloway stated that an appeal has been made to the City Manager requesting that when a Council Member leaves office they should be permitted to have a Sheriff badge mounted on a plaque or encased in plastic at the Council Member's expense. He stated that it is not appropriate for a Council Member who currently holds office to retain a Sheriff's badge.

Mayor Pro Tem Klinakis stated that he does not feel it is appropriate for Council Members or any City staff to have a Sheriff's badge. He stated that it is his understanding that while the Sheriff's Department owns the number on the badge, the badge itself belongs to the City, and requested clarification from Captain Claus.

Captain Claus first responded to a previous comment made by a resident regarding his treatment at the Industry Sheriff's station. He stated that he will meet with the resident at any time and stated that an elderly volunteer had assisted the resident and may not have properly heard the resident's request. In response to the inquiry related to badges, Captain Claus remarked that the record keeping regarding the issuance of badges had been inadequate. He stated that upon the return of all badges, the Sheriff will make a decision as to what happens to them. He stated that badges were first issued to enable City officials to have access during a natural disaster. He further stated that two badges are outstanding. He commented that it is his understanding that Council Member Argudo's badge has been mounted and it is up to the Sheriff to make a final decision regarding the badge.

Council Member Argudo questioned the missing second badge. Captain Claus responded that it is a Mayor Pro Tem badge and reiterated that record keeping regarding the badges has been poor.

Mayor Pro Tem Klinakis expressed his personal apology for discussion of this matter.

Council Member Argudo stated that he had followed previous protocol and reiterated that he would share with his colleagues and residents what transpires after he meets with the Sheriff.

C. UNFINISHED BUSINESS OF THE CITY COUNCIL

C-1 CONSIDERATION OF A RESOLUTION ADOPTING COUNCIL POLICIES CC – 2.1, TRAVEL EXPENSE REIMBURSEMENT AND RESCINDING RESOLUTION 08-4838

City Manager Plumlee stated that this item was discussed at the July 24, 2012, City Council meeting, at which time Council decided additional time was needed to review all provisions and to submit any questions in writing. Mr. Plumlee stated that a summary of the questions and comments is presented within the staff report. Mr. Plumlee briefly summarized the list of items.

Council Member House expressed his concern with various components of the proposed policy and suggested that separate policies were needed for City staff and City Council Members. He further urged enforcement of the travel policy as adopted.

Mayor Holloway responded that mechanisms are in place to protect the City from unethical travel practices and the City Manager is given the responsibility of enforcing the policy in place.

Council Member Argudo expressed concern that the policy appeared ambiguous in some areas and suggested that more detail is needed.

Mayor Pro Tem Klinakis stated that the proposed policy was adequate and should be voted upon.

Council Member Argudo moved to approve the Council Policy CC-2.1, Travel Expense Reimbursement, and adopt Resolution No. 12-5032; seconded by Mayor Pro Tem Klinakis. No action was taken on the motion.

Mayor Holloway moved to approve the Council Policy CC-2.1, Travel Expense Reimbursement, and adopt Resolution No. 12-5032 with the following modifications: 1) City staff members shall be allowed a cash advance of $300 when traveling on City business; and 2) Council Members may use their personal credit cards to book travel through the City; seconded by Council Member House. The motion unanimously carried by the following roll call vote: AYES: Holloway, Klinakis, Argudo, House and Lewis. NOES: None.

Mayor Holloway stated that upon adoption of the policy, the travel moratorium has been lifted.

RECESS THE CITY COUNCIL

Mayor Holloway recessed the City Council at 9:10 p.m.

RECONVENE THE CITY COUNCIL

Mayor Holloway reconvened the City Council meeting at 9:25 p.m.

ITEM TAKEN OUT OF ORDER

RECESS TO CLOSED SESSION

Mayor Holloway recessed to closed session at 9:25 p.m.

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 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 JAY TRINNAMAN, COUNSEL. EMPLOYEE ORGANIZATIONS: CEA AND SEIU

RECONVENE TO OPEN SESSION

Mayor Holloway reconvened to open session at 10:22 p.m.

REPORT OUT OF CLOSED SESSION

City Attorney Casso reported that as to Item F-1 direction was given to agency's designated representatives, City Manager, Director of Administrative Services and to legal counsel; no final action was taken and there was nothing further to report at this time.

C. UNFINISHED BUSINESS OF THE CITY COUNCIL

C-1 Item C-1 was discussed previously.

C-2 DISCUSS AND PROVIDE DIRECTION ON FINANCIAL ADVISORY SERVICES FOR THE PROPOSED ISSUANCE OF REFUNDING BONDS

City Manager Plumlee reported that this item has been discussed previously and the City Council has requested additional discussion of the item.

Mayor Pro Tem Klinakis requested a delay of discussion of the item until the next City Council meeting. Mr. Klinakis stated he would like to explore other options, and is awaiting responses to inquiries he has made.

It was the consensus of the City Council to discuss this item at the next City Council meeting.

D. CITY COUNCIL CONSENT CALENDAR

D-1 CONSIDERATION OF A RESOLUTION APPROVING WARRANT REGISTER NO. 1323 FOR FISCAL YEAR 2011-12 AND FISCAL YEAR 2012-2013

Council Member Argudo moved to adopt Resolution No. 12-5033 approving Warrant Register No. 1323; 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 LEAGUE OF CALIFORNIA CITIES DESIGNATION OF VOTING DELEGATE FOR ANNUAL CONFERENCE

City Clerk Jacquez-Nares reported that the League of California Cities Annual Conference would be held in San Diego on September 5 through September 7, 2012. It is necessary at this time for the City Council to appoint a voting delegate and alternate to represent the City.

Mayor Holloway moved to appoint Council Member House as the voting delegate and Council Member Argudo as the alternate delegate; 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-2 APPROVAL OF A RESOLUTION FOR AN ADVANCE FROM THE CITY OF LA PUENTE TO THE SUCCESSOR AGENCY OF THE FORMER LA PUENTE COMMUNITY DEVELOPMENT COMMISSION FOR PAYMENT OF OUTSTANDING PASS-THROUGH AGREEMENTS IN THE AMOUNT OF $43,193.49 AS REQUIRED UNDER AB 1484

By Council consensus at 10:30 p.m., the meeting was extended past the 10:30 p.m. time limit.

Finance Manager Leung reported that State Assembly Bill 1484 ("AB 1484") requires the Los Angeles County Auditor-Controller ("Auditor-Controller") to calculate if amounts are owed by successor agencies to taxing entities for the period of January 1, 2012, through June 30, 2012. The Auditor-Controller demanded payment of $147,819,18 from the City. Staff believed the calculation was incorrect, and included, with the payment, the reasons why the amount was wrong. The Auditor-Controller has since issued a check in the amount of $104,625.69 to the City. The City's actual payment was $43,193.49. Funding for the payment will need to come from the City as an advance to the Successor Agency. The term of the advance will be for one year.

City Attorney Casso stated that the Resolution shall become effective upon the Oversight Board's approval of the Loan Agreement.

Council Member Argudo moved to adopt Resolution No. 12-5034 approving an advance from the City of La Puente to the Successor Agency of the former La Puente Community Development Commission for payment of outstanding pass-through agreements in the amount of $43,193.49 as required under AB 1484; seconded by Council Member House. The motion carried by the following roll call vote: AYES: Klinakis, Argudo, House and Lewis. NOES: Holloway.

E-3 DISCUSS AND PROVIDE DIRECTION REGARDING THE HEALTHY EATING ACTIVE LIVING PROGRAM (Council Member Lewis)

Council Member Lewis reported that the League of California Cities has previously adopted resolutions encouraging cities to promote healthy lifestyles and the wellness of the entire community. Once cities adopt a resolution, the HEAL Campaign provides a variety of resources to help elected officials and city staff put policies into place. Council Member Lewis stated that a draft resolution is available for review at www.healcitiescampaign.org.

Staff was directed to provide a sample resolution for Council review and recommendation.

E-5 CONSIDERATION OF ONE PLANNING COMMISSION APPOINTMENT

City Manager Plumlee stated that a recent vacancy on the Planning Commission necessitates an appointment to fill that vacancy.

Following discussion, Mayor Pro Tem Klinakis appointed Lou Perez to the Planning Commission. Mr. Klinakis stated that Mr. Perez would bring historical knowledge to the Planning Commission.

E-6 CONSIDERATION OF MEMORANDUM OF UNDERSTANDING WITH UNITED STATES SPECIALTY INSURANCE COMPANY ("USSIC") FOR THE COMPLETION OF THE PUENTE CREEK NATURE EDUCATION CENTER CONSTRUCTION PROJECT. (Attachment – A, MOU report to follow)

City Attorney Casso reported that USSIC is the carrier holding both the performance and payment bonds for the contractor, Koam Construction, for the Nature Center project. The project has not been completed in a timely fashion and USSIC has agreed to assist in the completion of the project. Under the MOU, completion of the project is set for no later than December 1, 2012, but the goal is completion by November 1, 2012. Mr. Casso stated that the City is waiving the liquidated damages accrued and will be compensated for all costs associated with the project delay.

Council Member Lewis moved to approve the MOU, Agreement No. 12-1090, between the City and USSIC for completion of the Puente Creek Nature Education Center; 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-7 DISCUSS AND PROVIDE DIRECTION REGARDING THE 2012 MAIN STREET RUN

Recreation Manager Lerma reported that the Recreation Department has been informed that Students Run LA (SRLA) will host its own event this year and will not participate in the Main Street Run. The organization has historically brought approximately 3,000 participants to the event each year. Last year's run had a total of 3,600 total participants. With the news that SRLA will not participate in the run, there is a potential for the event to lose money and not create revenue to fund the Scholarship Program.

Mayor Holloway expressed concern that the event will lose revenue and suggested funding for the event could be used in another way to fund scholarships. Mayor Pro Tem Klinakis concurred.

Council Member House suggested using allocated funds in another way.

Council Member Lewis stated that the event has been held for many years and stated she was not inclined to abandon the event. Council Member Argudo concurred.

Council Member Argudo suggested the City move forward with the run while spending minimal costs and stated that he would volunteer to be on a committee to generate funding for the event.

Following discussion, staff was directed to bring back information including a revised budget for a reduced event for Council's consideration and to contact the bicycle organization to determine if they are willing to partner for an event.

E-8 CONSIDERATION OF A RESOLUTION ADOPTING CITY COUNCIL POLICY CC – 5.1, OFFICIAL CITY APPAREL FOR COUNCILMEMBERS AND PLANNING COMMISSIONERS

City Manager Plumlee stated that the City has traditionally purchased shirts and jackets for Councilmembers and Planning Commissioners for the purpose of identification. Mr.

Plumlee summarized the policy governing the procurement of apparel, apparel design, and provisions providing the City Manager with the discretion to procure items.

Mayor Holloway moved to approve City Council Policy CC-5.1, Official City Apparel for Councilmembers and Planning Commissioners by approving and adopting Resolution No. 12-5035; 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 THE CITY COUNCIL

Mayor Holloway recessed the City Council at 11:20 p.m.

RECONVENE THE CITY COUNCIL

Mayor Holloway reconvened the City Council meeting at 11:21 p.m.

F CLOSED SESSION

F-1 Discussed previously.

AD HOC COMMITTEE REPORTS - None.

COUNCIL AB 1234 REPORTS - None.

ORAL COMMENTS FROM COUNCIL

Mayor Pro Tem Klinakis commented on a successful National Night Out event.

Mayor Holloway stated that the meeting would be adjourned to August 16, 2012, for City Manager evaluation and requested Council Members bring the completed form with them. A second meeting will be held with the City Manager.

Mayor Holloway thanked the staff for the successful National Night Out and Concerts in the Park events.

ORAL COMMENTS FROM STAFF

City Manager Plumlee thanked the City Council and staff for the successful National Night Out.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Holloway adjourned the meeting at 11:26 p.m. to August 16, 2012, at 1:30 p.m. in the Council Chambers and the City Council will recess to Closed Session pursuant to Government Code 54957 for a Public Employee Performance Evaluation (Title: City Manager).

Approved this 13th day of November 2012

Pat Jacquez-Nares, CMC
City Clerk

Daniel C. Holloway
Mayor