MINUTES
LA PUENTE CITY COUNCIL
REGULAR MEETING OF
JANUARY 8, 2013

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 8, 2013, 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, 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 Development Services Di Mario, City Engineer Pagett, Police Chief Lt. Cacheiro, Recreation Manager Lerma, and Management Assistant Galvan

PLEDGE OF ALLEGIANCE

Council Member House led the Pledge of Allegiance.

PRESENTATIONS

CERTIFICATES OF RECOGNITION FOR HOLIDAY HOME DECORATING CONTEST WINNERS

Recreation Manager Lerma provided a brief summary of the Holiday Home Decorating Contest and introduced the winners in attendance. Elizabeth Ortiz was the winner of the best use of lights category. Gilbert Acosta was the winner for the best holiday spirit category. Not present was Rebecca Jaramillo the winner for the best use of animation category and her certificate would be mailed to her.

Council Member Argudo arrived at 7:04 p.m.

PRESENTATION MORTGAGE RESOLUTIONS CARES PROGRAM

Antonio Gonzalez, President of Williams C. Velasquez Institute, provided a brief summary of this item and introduced Graham Williams who would present the PowerPoint Presentation.

Graham Williams, Chief Executive Officer, Mortgage Resolutions, provided a summary and presented the PowerPoint Presentation.

Council Member Lewis requested clarification on the acquisition financing. Mr. Williams stated that their firm would find the funding sources for the program.

Mayor Holloway requested that Mr. Williams explain for the Public's benefit the use of eminent domain. Mr. Williams explained that it is exercised on the mortgage loan not the house. There is an option to lease the home if the homeowner does not qualify for the loan. Mayor Holloway asked for the number of cities that have implemented this process. Mr. Williams answered two cities and they are El Monte and San Joaquin.

Mayor Pro Tem Klinakis stated that the use of eminent domain is required due to the Federal Laws that regulate the loan process. Mr. Williams confirmed his statement and provided a summary of the legislation.

Council Member Argudo supports this program but he wanted clarification on the funding to be used, the ownership of the loan and home, the cost to the City for this program. He also requested the underwriting guidelines that would be used for these loans. Council Member Argudo requested the length of time given to the owners that become renters. Mr. Williams stated that there would be no cost to the city that the note would be owned by the trust and the home would still be owned by the property owner the underwriting guidelines are the Federal Housing Administration (FHA) guidelines for a short refinance. Mr. Williams stated that they are looking at three years but it can be customized to what the City is willing to do.

Mayor Holloway requested further clarification on the cost to the City for any staffing costs or any other costs associated with this program. He would like to group several cities within the San Gabriel Valley in order to purchase more of these homes. Mr. Williams stated there is no cost to the City and that his company would reimburse the City for any costs associated with this program.

Council Member Argudo stated his opposition with joining other cities in the San Gabriel Valley to pool their resources.

Council Member House asked the Mayor to recognize the people that participated in the judging of the Home Decorating contest. Mayor Holloway stated that it would be addressed during the agendized item.

PRESENTATION BY THE LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS REQUESTING CITY SUPPORT OF GRANT APPLICATION FOR BIKEWAYS ALONG AMAR ROAD AND THE PUENTE CREEK CHANNEL - COUNCIL TO DISCUSS AND PROVIDE DIRECTION

Director of Development Services Di Mario introduced John Burton of the Los Angeles County Public Works Division.

John Burton, LACDPW representative, provided a brief summary on the PowerPoint presentation.

A Council discussion ensued with the concerns with the funding and the safety of the proposed bike path. Mayor Holloway requested that their concerns be addressed before the letter of support is provided to the County.

City Attorney Casso suggested that if the City Council was going to move forward with the support letter that they give this direction after the public has had the opportunity to comment during Oral Communications.

By Council consensus, their direction to staff on this Item would be given after the Oral Communication period.

PRESENTATIONS

Fire Chief Stone provided the Mayor and City Council with the Los Angeles County Fire Department's Strategic Plan book and provided a brief summary.

ORAL COMMUNICATIONS

Leonard W. Rose Jr. provided an update on his weight loss.

John Solis stated that he hoped that the Council had a happy holiday and his support for the youth coalition waiver. He complained about a code enforcement issue that has not been resolved for over a year concerning his neighbor's tree impeding on his fence. Mr. Solis stated that his neighbor at 422 Ferrero did not receive any correspondence on the outcome of the Holiday Decorating Contest and requested that staff have more interaction with the contestants.

Recreation Manager Lerma stated that staff called the participants confirming their participation, provided several letters informing them of the judging date, the outcome, and lastly thanking them for their participation. Mayor Holloway requested that Ms. Lerma contact the participant at 422 Ferrero Lane and inform them of the outcome.

City Manager Plumlee stated there was an active code enforcement case on Mr. Solis' issue and he and staff would review the case and get back to Mr. Solis. Mayor Holloway stated that the concern was that this issue was brought to the attention of two Mayors and this issue had not been resolved and he requested that action be taken on this issue and a report back to Council how it was resolved.

Leslie Costea requested assistance with the nightly train noise, with the visibility to make left and right hand turns from Dalesford and Ferrero onto Main Street, and with the removal of the tarps on 352 Dalesford Drive. She congratulated the winners of the Holiday Decorating Contest and requested that the Committee involved with this award be invited to help present the certificates at the Council Meeting.

Council Member House stated that he has observed the trains and they honk their horns even if there are no crossings.

Max Leyva asked whether the gas for the running Sheriff's car parked in front of City Hall was at the expense of La Puente or Sheriff Baca. Mayor Holloway stated it was Sheriff's Baca's.

Ken Medeiros stated his concerns with the School District, street parking, street trees, and the trees on Temple Avenue.

Frank Sanchez stated his support for the youth coalition waiver. He stated that the train issue was brought up at the meeting with Grace Napolitano. Mr. Sanchez stated that it was a great Christmas parade and commended the new Council for working with the downtown businesses. He supports the bike path but stated his concerns with the bike path behind houses because he believes it will invite crime. He commended the Council on their travel policy, allowing speakers to go past their five minutes during oral communications, and thanked the new Council for being receptive to the people of the community. Mr. Sanchez stated that his business is on the train tracks and he does not hear any noise during the daytime.

Mayor Holloway stated that the Council gets complaints about the length of the oral communications being too long. The Council tries to accommodate everyone but please keep in mind that there is a five minute time limit.

Marty Paz requested that the meeting be adjourned in the memory of Angie Munguia, longtime resident of La Puente. He asked who hired the City Manager, because it was the same people that are complaining about the City Manager and the Council renewed his contract at the end of the year. Mr. Paz stated that the way he heard it was that two of the Mayors were not happy with the City Manager and the employees are not happy with the City Manager so what does the Council do keep the City Manager and make everyone unhappy.

Mayor Holloway stated that the City Council hires the City Manager and that his contract was not renewed.

Council Member House requested that the meeting also be adjourned in the memory of former City Council Member Alan Lefever.

PRESENTATION BY THE LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS REQUESTING CITY SUPPORT OF GRANT APPLICATION FOR BIKEWAYS ALONG AMAR ROAD AND THE PUENTE CREEK CHANNEL - COUNCIL TO DISCUSS AND PROVIDE DIRECTION

Mayor Holloway provided staff with the Council direction to prepare and send a letter of support to the County without any monetary commitment from the City.

BOARDS/COMMISSION/COMMITTEE REPORTS

Council Member Argudo stated that City Manager Plumlee requested to attend the League of California Cities on his behalf on Thursday, January 3, 2013 and the he would provide a summary of what transpired at that meeting.

City Manager Plumlee confirmed that he attended the League meeting last Thursday.

Mayor Holloway asked City Manager Plumlee if there were any items of concern that the City may need to be made aware of.

City Manager Plumlee stated that there was a presentation on transportation, other projects, and the impact on the ports of Los Angeles and Long Beach.

Mayor Holloway stated that the Sanitation District provided a letter addressing the concerns of the Puente Hills Landfill closure. The County Supervisors made the decision to close the landfill in 2013 not the Sanitation District.

A. MINUTES OF PREVIOUS CITY COUNCIL MEETING

A-1 READ AND APPROVE THE MINUTES OF THE REGULAR MEETING OF DECEMBER 11, 2012 AND SPECIAL MEETING OF DECEMBER 18, 2012

Council Member Argudo requested that the December 11, 2012 meeting minutes be continued to the next City Council meeting to allow him time to review the audio recording.

Council Member Lewis moved to waive the reading and approve the Minutes of the Special Meeting of December 18, 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 HEARINGS BEFORE THE CITY COUNCIL - None.

C. UNFINISHED BUSINESS OF THE CITY COUNCIL - None.

D. CITY COUNCIL CONSENT CALENDAR

Mayor Pro Tem Klinakis moved to approve Consent Calendar Items D-1 through D-3; seconded by Council Member Lewis. The motion unanimously carried by the following roll call vote: AYES: Holloway, Klinakis, Argudo, House and Lewis. NOES: None.

D-1 CONSIDERATION OF A RESOLUTION APPROVING WARRANT REGISTER NO. 1332 FOR FISCAL YEAR 2012-2013

Action Taken: The City Council adopted the Resolution No. 13-5056 approving Warrant Register No. 1332.

D-2 CONSIDERATION OF A RESOLUTION APPROVING AN AMENDMENT TO THE AGREEMENT WITH CIVIC SOLUTIONS, INC. FOR ADMINISTRATION OF THE DEVELOPMENT SERVICES DEPARTMENT IN AN AMOUNT NOT TO EXCEED $135,200.00, AND ADOPTING FINDINGS TO DISPENSE WITH THE CITY'S COMPETITIVE BIDDING PROCEDURES

Action Taken: The City Council approved Amendment No. 1 (Agmt No. 12-1073-01) to the Agreement between the City and Civic Solutions, Inc., and adopted findings (Resolution No. 13-5057) to dispense with the City's competitive bidding requirements.

D-3 CONSIDERATION OF A RESOLUTION APPROVING A SUBORDINATION AGREEMENT BETWEEN THE CITY OF LA PUENTE, SALEH M. SALEH, AND GMAC MORTGAGE BANK, WITH RESPECT TO THE CALHOME LOAN PROGRAM

Action Taken: The City Council: 1) Adopted Resolution No. 13-5058 approving the Subordination Agreement No. 13-1102; and 2) Authorized the City Manager to execute the Subordination Agreement on behalf of the City.

E. NEW BUSINESS TO BE CONSIDERED BY THE CITY COUNCIL

E-1 CONSIDERATION OF AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR THE SOBRIETY CHECKPOINT GRANT PROGRAM

Council Member Argudo requested that Item E-2 be heard before Item E-1 due to members in the audience present for this item.

ITEM E-2 WAS TAKEN OUT OF ORDER BY COUNCIL CONSENSUS

E-2 CONSIDERATION OF A RESOLUTION APPROVING A REQUEST FOR A FEE WAIVER FOR THE LA PUENTE YOUTH COALITION'S 2013 COMMUNITY CARNIVAL

Recreation Manager Lerma provided a brief summary on this Item.

Council Member Argudo asked if any changes have been made from last year's event. Dan Ayala, Youth Coalition President, stated that no changes had been made.

Mayor Holloway stated that the only negative comment he heard was the number of pot-a-potties available. Mr. Ayala stated he was not aware that was an issue. Mayor Holloway asked if the $5,841 cost was the actual cost to the City or just the items that the City would waive. Recreation Manager Lerma confirmed that that the $5,841 was the total cost to the City which included the waived fees and that this item had been included in this year's budget.

Council Member Argudo moved to adopt the attached Resolution No. 13-5059 approving a request for a fee waiver for the Coalition's Carnival; 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.

E-1 CONSIDERATION OF AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR THE SOBRIETY CHECKPOINT GRANT PROGRAM

Management Assistant Galvan provided a brief summary of this item.

Council Member Argudo requested that of the requested 12 checkpoints the number of checkpoints during the Winter Holiday and Labor Day Mobilization periods be increased to two each and have eight for the remainder of the funding period.

Mayor Holloway asked if it would create an approval issue if the City ran two checkpoints during these holiday periods.

Management Assistant Galvan stated that previously only one checkpoint had been submitted on the application for the mobilization periods but the City is able to submit two with this application.

Council Member House stated his opposition to the checkpoints.

Council Member Lewis asked if the funding is dependent on the number of checkpoints.

Management Assistant Galvan stated that the application process allows for the City to request as many checkpoints it feels it can conduct; the Office of Traffic Safety (OTS) makes the final decision on the amount they will fund.

Council Member Argudo moved to authorize the submittal of an application for the Sobriety Checkpoint Grant Program, for a total of 12 checkpoints, with 2 checkpoints during the Winter Holiday and 2 checkpoints during the Labor Day Mobilization periods and the remaining 8 checkpoints during the grant period of October 1, 2013 through September 30, 2014; seconded by Mayor Holloway. The motion carried by the following roll call vote: AYES: Holloway, Klinakis, Argudo, and Lewis. NOES: House.

E-3 CONSIDERATION OF A RESOLUTION COMPLYING WITH SENATE BILL 1186 TO IMPLEMENT A ONE DOLLAR STATE FEE ON ALL BUSINESS LICENSES ISSUED BY THE CITY

City Manager Plumlee provided a brief summary of this Item.

Mayor Holloway stated his opposition to the State fee. He requested that this additional charge be properly identified on the business license application to inform the business license applicant that it is State mandated fee not a City fee.

Council Member House stated his opposition to the State fee. He suggested that the City send a letter to Governor Brown reflecting the City's opposition to this fee.

City Attorney Casso stated that either way the City would have to send this fee to the State whether or not the City charged the applicant for this fee. The function of the fee is to improve accessibility to disabled patrons.

Mayor Pro Tem Klinakis stated his opposition to the State fee.

Mayor Holloway asked what would happen if the Council did not approve this Item because the City is still going to collect the fee since it is mandated by the State. The City would not have anything memorializing this fee. City Attorney Casso confirmed Mayor Holloway's statement.

Council Member Lewis stated that the fee is to assist businesses become ADA compliant.

The Item died due to a lack of a Motion.

E-4 DISCUSSION AND DIRECTION REGARDING A PARTNERSHIP WITH THE CALIFORNIA STATE BOARD OF EQUALIZATION FOR FREE INCOME TAX PREPARATION AND FAMILY SERVICES (Council Member Argudo)

Council Member Argudo stated his support of this Item as it is very beneficial to the City's residents and requested that Council approve the Resolution.

Mayor Holloway asked if there are tax preparation services currently being provided at the Senior Center and if it fulfills the needs of the residents. Recreation Manager Lerma confirmed that there has been a free service one day a week and it does not fulfill the needs of the residents.

Council Member House asked if it included both State and Federal. Recreation Manager Lerma confirmed that it does include both.

Council provided direction to have staff work with the Equalization Board on the dates and location for this program.

Mayor Holloway moved to adopt Resolution No. 13-5060 partnering with the California State Board of Equalization 4th District, and Franchise Tax Board approving a Volunteer Income Tax Assistance program; 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-5 DISCUSSION AND DIRECTION REGARDING RECEIVING AND MEMORIALIZING FEEDBACK FOR HOLIDAY HOME DECORATING CONTEST TOUR AND OTHER SPECIAL EVENTS (Council Member House)

Council Member House would like to memorialize the different events to ensure continuity. This would assist any staff that would have to undertake these assignments. This would also assist with connectivity to our constituents. The City needs to communicate with the residents to keep them appraised of what is happening in the City and if any changes are made. The City needs to fully utilize the City's website and other forms of communication to disseminate this information.

Mayor Holloway stated that he was a member of the Puente Pride Committee and that the Committee did drive around the whole city three times a year for these different awards and that he does not support having the residents fill out applications to enter their homes for these awards. He stated the members of the Puente Pride Committee have indicated that their charter had been seriously affected by the new change in the format for these awards. Mayor Holloway requested that all the Committees be fully utilized and the Puente Pride Committee should be used for these awards and other events.

Council Member Lewis agrees with Council Member House on the City's advertising and internet communications, she feels the City needs to fully utilize all of its internet communication tools.

Council Member Argudo thanked staff for undertaking these events. He believes that staff is having debriefing meetings to assess what worked and how to improve these events. He supports the use of the Puente Pride Committee and other Committees in being active participants at all these events.

City Manager Plumlee stated that he appreciated all the feedback from the Council, Committees, and residents. He reiterated that there have been significant staffing changes within the City. Staff is currently working on receiving feedback from the Puente Pride Committee. Staff is also working on documenting the processes for future reference. Staff has implemented a preplanning meeting and post debriefing for all special events. He stated that it was a work in progress and that the new IT support is making significant progress with the issues that needed to be addressed.

Recreation Manager Lerma stated that the event processes are being documented and staff has prepared timelines for these events and are setting deadlines for the completion of steps for each event.

Mayor Holloway requested that the City Council be apprised of any changes to the events and that this communication be done early in the process.

RECESS THE CITY COUNCIL

Mayor Holloway recessed the City Council at 9:55 p.m.

RECONVENE THE CITY COUNCIL

Mayor Holloway reconvened the City Council at 9:57 p.m.

RECESS TO CLOSED SESSION

Mayor Holloway recessed into Closed Session at 9:57 p.m.

City Attorney Casso recessed into Closed Session to discuss Item No. F-1 as listed on the agenda.

F. CLOSED SESSION

F-1 CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION Initiation of litigation pursuant to subdivision (b)(1) of Section 54956.9 (one potential case).

RECONVENE TO OPEN SESSION

Mayor Holloway reconvened to Open Session at 10:09 p.m.

REPORT OUT OF CLOSED SESSION

City Attorney Casso reported that Council recessed into Closed Session as to Item F-1, direction was given to legal counsel and no final action was taken.

ADHOC COMMITTEE REPORTS

Mayor Pro Tem Klinakis stated that the Beautification Ad Hoc Committee met with staff and discussed the surveys; this update would be provided at the next Council meeting.

Mayor Holloway requested that City Manager Plumlee set up a meeting with the IT Adhoc Committee for next week.

City Manager Plumlee stated that the Information Technology (IT) support consultant would be in primarily on Wednesday's and that he will be updated on their progress and then he would report it to the IT Adhoc Committee. He would have the IT support person attend the meeting with the Adhoc Committee.

Council Member Argudo requested that at the IT Adhoc Committee meeting an update be given on the changes that have been made to the City's computer systems.

AB 1234 REPORTS - None.

ORAL COMMENTS FROM COUNCIL

Council Member Lewis advised everyone that this current flu season has hit very had and it is still not too late to get a flu vaccination.

ORAL COMMENTS FROM STAFF

City Manager Plumlee stated that he was going to regenerate the letter that was done last year by the previous Mayor and have the current Mayor sign it to address the railroad issue.

Council Member House stated that both the Union Pacific and Southern Pacific railroads should be contacted. He mentioned that he heard the horns during the meeting in the Chambers.

City Attorney Casso reported that on December 18, 2012 the Council held a special meeting at which time they heard a matter in Closed Session of anticipated litigation, there was direction from the City Council in its entirety to the City Manager and the City Attorney with regards to the resolution of the possible anticipated litigation. There were several possible issues that arose out of that one matter, and to report that a settlement agreement was entered into at the direction of Council with former Director of Administrative Services Ward Komers. Mr. Komers resigned and waived any and all known and unknown claims against the City and in return he would receive three months' severance pay. He is available via telephone during the month of January under this agreement for transition purposes in communication with the City Manager for any transition purposes other than that nothing further to report.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Holloway adjourned the meeting at 10:15 p.m. in the memory of Angie Monguia, longtime resident of La Puente and former Council Member Alan T. Lefever.

Approved this 22nd day of January 2013

Pat Jacquez-Nares, CMC
City Clerk

Daniel C. Holloway
Mayor