

MINUTES
LA PUENTE CITY COUNCIL AND SUCCESSOR AGENCY
SPECIAL MEETING OF
APRIL 17, 2014

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.lapuate.org

A Special 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 April 17, 2014, at 8:00 a.m.

CALL TO ORDER

Mayor Klinakis called the meeting to order at 8:00 a.m.

ROLL CALL

Members present: Klinakis, Lewis, Argudo, and Holloway.

Members absent: House.

Staff present: City Manager Carmany, City Attorney Casso, Development Services Director Di Mario, Director of Administrative Services Bird, Lieutenant Cacheiro, City Clerk Jacquez-Nares and Management Assistant Nih.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pro Tem Lewis.

ORAL COMMUNICATIONS – None.

NEW BUSINESS

A-1 Discussion and Direction regarding the temporary discontinuance of DUI Checkpoints by the Los Angeles County Sheriff's Department in the City.

City Manager Carmany introduced the matter, suggesting that the Council think of this agenda item as an evaluation of a public policy. He then asked Management Assistant Nih to give a brief background on DUI Checkpoints.

Management Assistant Nih presented the staff report.

Lieutenant Cacheiro gave a brief history of the DUI Checkpoints introducing Sergeant Daniel Dail of the Los Angeles County Sheriff's Department. Sergeant Dail coordinates all the LASD DUI checkpoints throughout the County.

Traffic Services Detail Sergeant Daniel Dail, gave an explanation on the Regional Grant. And, how DUI Checkpoints have reduced fatalities in the City of La Puente.

Mayor Klinakis thanked his fellow Council Members for attending the meeting. He stated he had brought this issue forward due to the current political climate; as the City will soon be having a new Council Member and Mayor Klinakis did not want this to become a distraction of other important business. Everyone that he has spoken to was in favor of the DUI Checkpoints. He then gave the statistics of DUI arrests and recommended that the Council immediately suspend the current operation and deployment of the DUI and Driver's License Checkpoint funded by the office of the Traffic Safety and operated by the Los Angeles County Industry Sheriff's Station. He asked Council to consider diverting and funding other enforcement actions to offset the current process and the possibly of adding on saturation patrols for the remainder of the year, or until the new law takes effect allowing undocumented individuals the opportunity to obtain driver's license.

Mayor Pro Tem Lewis asked for clarification of a citation or arrest at a check-point.

Sergeant Dail responded that when an arrest was made they are taken to jail, booked, finger-printed and photographed and, once their impairment went down, released. Unlicensed or suspended drivers are issued a citation; technically it was an arrest but they are released on the field on scene. With the new law, an unlicensed driver will no longer have their vehicle impounded for thirty days. Sergeant Dail then described the procedure for drivers with a suspended license and where the DUI Checkpoints are held within the City.

Mayor Pro Tem Lewis stated that concerns were being heard from both sides of this issue. Our number one goal is public safety, and making the best discussion for the community.

Sergeant Dail explained that the City has the ability to change or convert the type of DUI Only Checkpoint, so that funding was not lost. The case law states that if you are checking for driver's license and impaired drivers you must include that in your press release. He offered to have training for the Deputies at the Industry Station to insure everything ran smoothly, before a permanent decision was made.

Mayor Pro Tem Lewis asked if the City could reallocate the funds for other purposes.

Sergeant Dail responded that the funds would be lost.

Council Member Argudo thanked Sergeant Dail for being present and asked if the citation would be the same as if running a stop sign. He also asked if the City applied for Distracted Driving or Saturation Grants. Adding that in the past the City had discontinued sobriety checkpoints. He thanked Mayor Klinakis for his leadership and for taking a stance on this issue and for calling a Special meeting. He felt that the residents were very passionate about this issue and that he had voiced his option several times.

Sergeant Dail responded that it would be a misdemeanor. Adding that he wrote the Grant for all forty-two LASD Contract Cities, he gave an explanation on how cities with a greater need were determined. He did apply on behalf of the City of La Puente.

Council Member Holloway also thanked Mayor Klinakis for bringing this item forward. He asked how many other checkpoints there are in surrounding cities served by the Industry Sheriff Station.

Sergeant Dail responded that City of Industry was awarded one checkpoint. We only service contract cities. Traffic enforcement in the County was the responsibility of the California Highway Patrol.

Council Member Holloway expressed his concerns that La Puente seems to be the focal point for the majority of the checkpoints in this area.

Mayor Klinakis asked for clarification that the Checkpoints could be held only as DUI Checkpoints.

Sergeant Dail responded that was correct.

Mayor Klinakis stated the greatest issue with the residents that he had spoken to was the driver's license of undocumented drivers. He then described his experience with DUI checkpoints and with drivers who have a suspended license for multiple DUIs.

Discussion ensued with the Council Members on not having the knowledge that the DUI Checkpoints could be held without screening for driver's licenses.

Sergeant Dail stated that if the Council would like to give direction to hold only DUI Checkpoints; he would send over the press release for approval, before it was send out. He apologized that this important information had not been given to the Council.

Mayor Pro Tem Lewis stated that the risk out weights the benefits to discontinue the DUI Checkpoints, and expressed concern that the community council see more deaths, something we do not want. We need to insure the safety of the public.

Council Member Argudo stated the Council had been discussing this issue for quite some time. He thanked Sergeant Dail for being present and informing the Council of their options. He also questioned how many of the DUI arrests were made in La Puente due to the DUI Checkpoints.

Lieutenant Cacheiro responded that the average was about 1-5 arrests per evening. He also recommended that the Council work together and to give this great thought, the educational components of the DUI Checkpoints are very essential to the community.

Mayor Klinakis stated that no value can be placed on a life lost due to a drunk driver. He then described the educational programs held at local schools by the Sheriff's Department.

Sergeant Dail stated that if one life was saved due to a DUI Checkpoint, then it was definitely worth it. He would work with Detective Lang on the next checkpoint if that's what the desire of the Council was. He can assure the Council that they work and are effective; we can hold DUI Checkpoints for alcohol and drug impairment only.

Mayor Klinakis opened the public hearing at 8:55 a.m.

John Marinakis stated that he is in favor of the DUI Checkpoints and checking for driver's licenses. He has been struck three different times by unlicensed drivers with no insurance, which his insurance carrier did not cover; he had to pay out of his pocket. He expressed that it was not okay to check only for DUI. If you do not have a license; it was not okay to drive. California law states you must have a valid driver's license and insurance or you do not have the privilege to drive.

Council Member Argudo stated that it puts a burden on hardworking La Puente residents making a living for their families. We have seen some improvements while conducting the checkpoints. We need to be sensitive to the law coming in January 2015. Accidents do happen; there are a lot of people who are responsible drivers. However, he was concerned over this battle in our City; there will now be an opportunity for people who are unlicensed to get their vehicles back. As representatives of the City and policy makers we have not had accurate information. He would like to apologize to the residents for any financial burdens we may have caused by not having all the information before us. He was in favor of placing a moratorium to the end of the year.

Mayor Klinakis clarified that the issue with the residents was not a DUI Checkpoint, but rather checking for unlicensed drivers. We have funds available for DUI Checkpoints, when the laws change these individuals would have had the opportunity to get their license. He would like to move forward with the Checkpoints, without checking for driver's licenses.

Discussion ensued with the Council and Sergeant Dail describing how the Deputies would conduct the Checkpoint without checking for licenses.

Council Member Argudo stated that he was in favor of suspending the DUI and Driver's License Checkpoints until the beginning of the year. It minimizes the effects of what we're trying to do, but it does not eliminate it. Unlicensed drivers would have a chance to get their license; then we can go back to screening for licenses and DUI's; by doing so, we can sort those driving on a suspended license.

Mayor Klinakis closed the public hearing at 9:11 a.m.

Mayor Klinakis asked Lieutenant Cacheiro if funds could be transferred.

Lieutenant Cacheiro responded that yes, funds can be transferred.

John Marinakis stated that everyone must abide by the law. There are regulations that you must follow.

Council Member Holloway asked for clarification; what happens when January 2015, comes along and the Department of Motor Vehicles had not updated their computer systems.

Sergeant Dail responded that the lines of communication will be kept open; he would give the Council his contact information for any type of assistance needed.

Mayor Pro Tem Lewis moved to conduct the DUI Checkpoints for impaired driving only until 2015; then resuming the procedure, seconded by Mayor Klinakis. The motion carried by the following roll call vote: AYES: Klinakis, Lewis, and Holloway. NOES: Argudo.

ORAL COMMENTS FROM COUNCIL

Council Member Argudo stated that he would like to acknowledge Mayor Klinakis for bringing this item forward, he expressed that the Council made progress and modified the DUI Checkpoints. He thanked his colleagues for stepping it up changing the historical vote. He also thanked the Sergeant for being present and for his assistance.

Mayor Klinakis added that this was a very difficult discussion; he thanked the Council for their participation and patience.

Council Member Holloway would like to remind the public that Saturday is the La Puente Spring Egg Hunt at La Puente Park.

Mayor Pro Tem Lewis thanked Sergeant Dail and Lieutenant Cacheiro.

ORAL COMMENTS FROM STAFF - None.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Klinakis adjourned the meeting at 9:30 a.m.

Approved this 12th day of August, 2014.



Sheryl Garcia
Chief Deputy City Clerk



Violeta M. Lewis
Mayor