

**MINUTES OF THE REGULAR MEETING  
OF THE CITY COUNCIL OF THE CITY OF  
LA VERNE HELD IN THE COUNCIL CHAMBERS  
OF THE LA VERNE CITY HALL  
Monday, March 16, 2015**

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1. A regular meeting of the La Verne City Council was called to order by Mayor Kendrick at 6:30 p.m.
2. Council Members present: Mayor Don Kendrick  
Mayor Pro Tem Donna Redman  
Council Member Robin Carder  
Council Member Charlie Rosales  
Council Member Ron Ingels  
Tim Hepburn (Newly Elected)  
  
Absent: None.  
  
Advisory personnel present: City Manager Robert Russi  
City Attorney Robert L. Kress  
Assistant to the City Manager City Treasurer/City Clerk Jeannette Vagnozzi  
Public Works Director Dan Keeseey  
Community Development Director Hal G. Fredericksen  
Finance Officer Richard Martinez  
Community Services Director Bill Aguirre  
Police Chief Scott Pickwith  
Fire Chief Pete Jankowski  
Dominic Milano, City Engineer  
Deputy City Clerk Lupe Gaeta Estrella  
Personnel Officer JR Ranells  
Police Captain Nick Paz  
Fire Battalion Chief Mark Horine  
Maintenance Manager Anthony Ciotti  
Associate Planner Rafferty Wooldridge
3. Pledge of Allegiance was led by Mayor Kendrick.
4. **Post Election Procedures**  
  
Presentation and Farewell to Council Member Ingels      The City Council recognized Council Member Ron Ingels for his service to the City of La Verne. Council Member Ingels served as a Council Member from September 2013 through March 2015, completing the unexpired term of Council Member Robert Rodriguez.  
  
Council Member Ingels thanked the department heads, City Manager, and City Council. He stated his concern for Police Department staffing and congratulated newly elected Council Member Hepburn.  
  
Statement of the March 3, 2015, Election Results      Assistant to the City Manager/City Clerk Vagnozzi reported on the Statement of Election Results. She stated that adoption of Resolution No.15-13 declares the results of the **March 3, 2015, General Municipal Election**. Total votes casts were 4,210 (20.4%) resulting in the following successful candidates:

**Mayor Don Kendrick** for a two-year term or until March 2017.

**Member of the City Council Charlie Rosales** for a four-year term or until March 2019.

**Member of the City Council Tim Hepburn** for a four-year term or until March 2019.

It was moved by Redman, seconded by Carder, and unanimously carried to approve Resolution No. 15-13, declaring the results of the March 3, 2015, General Municipal Election as follows:

Resolution No. 15-13,  
Reciting the Fact of the General  
Municipal Election Held on  
March 3, 2015, Declaring the  
Results

**Resolution No. 15-13** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON THE 3RD DAY OF MARCH 2015, DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW. **Approved.**

Installation of Officers

**Installation of Officers** – The Oaths of Office were administered by Assistant to the City Manager/City Clerk Jeannette Vagnozzi as follows:

Mayor Don Kendrick  
Council Member Charlie Rosales  
Council Member Tim Hepburn

Mayor Kendrick and Council Member Hepburn presented bouquets of flowers to their spouses and expressed their appreciation to them for their support.

Council Member Ingles stepped down and newly elected Council Member Hepburn took his seat at the dais.

Remarks by Mayor Kendrick  
and Council Members Rosales  
and Hepburn

Mayor Kendrick and Council Members Rosales and Hepburn thanked their family, friends and supporters, spoke with enthusiasm about future opportunities, and briefly outlined their priorities for their terms in office.

Rotation of Mayor Pro Tem

City Manager Russi reported on the Rotation of Mayor Pro Tem. He stated that the City Council has followed a formal procedure for the rotation of the office of Mayor Pro Tem since 1993 and reaffirmed that policy annually. According to the established rotation policy, the office of Mayor Pro Tem rotates to **Council Member Robin Carder** for a one-year term, from March 16, 2015, to March 21, 2016.

It was moved by Redman, seconded by Rosales, and unanimously carried to approve Resolution No. 15-14, updating the list of office holders and appointing **Council Member Robin Carder** as Mayor Pro Tem for a one-year term, from March 16, 2015, to March 21, 2016.

Resolution No. 15-14,  
Establishing Procedures for  
Selecting a Mayor Pro Tem

**Resolution No. 15-14** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ESTABLISHING PROCEDURES FOR SELECTING A MAYOR PRO TEM PURSUANT TO THE PROVISIONS OF CALIFORNIA GOVERNMENT CODE SECTION 26801 AND REPEALING RESOLUTION NO. 14-15. **Approved.**

5. Consent Calendar

It was moved by Rosales, seconded by Redman, and unanimously carried to accept, approve, or act on the Consent Calendar items, as presented as follows:

- City Council Minutes of March 2, 2015 **City Council Minutes** of the regular meeting of March 2, 2015, **received and filed** as submitted.
- Treasurer's Report **Treasurer's Report** for February 2015. ***Approved as recommended by staff.***
- Registers of Audited Demands **Registers of Audited Demands** in the amounts of \$386,933.75 for February 23, 2015, and \$1,497,425.16 for March 2, 2015. ***Approved as recommended by staff.***
- Budget Amendment **Budget Amendment** – The Police Department was awarded \$50,000 in grant funds from the Office of Traffic Safety. The funds are earmarked for the enforcement of driving under the influence laws to reduce the number of victims killed in alcohol-involved traffic collisions. Staff recommended that Council approve the budget amendment in the amount of \$50,000 in grant funds from the Office of Traffic Safety. ***Approved as recommended by staff.***
- Outstanding Older American Selection – Jefferson Hill **Outstanding Older American Selection** - On March 4, the Senior Advisory Committee nominated one senior citizen for the Outstanding Older American Award. This recognition is part of the Los Angeles County Commission for Older Adults 50th Annual Older American Recognition program which honors older Americans from each city in the County. The Senior Advisory Committee recommended that Jefferson Hill be nominated as the 2015-2016 Outstanding Older American. Mr. Hill resides in La Verne, and has dedicated countless hours of service to the La Verne Community. The Senior Advisory Committee and staff recommended that the City Council approve Jefferson Hill as the Outstanding Older American representing La Verne for 2015- 2016. ***Approved as recommended by staff.***
- Mayor Kendrick congratulated Jefferson Hill. Mr. Hill thanked City Council for the honor.
- Mid-Year Fiscal Status **Mid-Year Fiscal Status** - The City Manager's Office provided a mid-year fiscal status report concerning the financial activities of the City for the period December 31, 2014. The report included budget to actual comparisons for revenues and expenditures along with other financial information. Staff recommended that the City Council approve the budget amendments that adjust revenues and appropriations for the fiscal year 2014/15 budget. The Council should also receive and file the December 31, 2014 mid-year financial report. ***Received and filed as recommended by staff.***
- Resolution (s)** passed & adopted, as recommended, as follows:
- Resolution No. 15-12, Authorizing Agreement with County of Los Angeles for Preventative Bridge Maintenance Program **Resolution No. 15-12** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR PREVENTATIVE BRIDGE MAINTENANCE PROGRAM AGREEMENT WITH THE COUNTY OF LOS ANGELES. Staff recommended adoption of Resolution No. 15-12, authorizing the Mayor to execute a Cooperative Agreement with the County of Los Angeles for the purpose of maintaining existing bridge structures. ***Approved as recommended by staff.***

Resolution No. 15-15,  
Identifying the Terms and  
Conditions for the Fire  
Department Response Away  
from their Official Duty Station  
Assigned to an Emergency  
Incident

**Resolution No. 15-15** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA IDENTIFYING THE TERMS AND CONDITIONS FOR FIRE DEPARTMENT RESPONSE AWAY FROM THEIR OFFICIAL DUTY STATION AND ASSIGNED TO AN EMERGENCY INCIDENT. Staff recommended that City Council authorize Resolution No. 15-15, identifying the terms and conditions for fire department response away from the official duty station and assigned to an emergency incident. ***Approved as recommended by staff.***

**Ordinance (s) Second Reading**, passed and adopted, as recommended, as follows:

Ordinance No. 1050,  
Adopting Zone Change Case  
No. 146-14ZC, Changing the  
Zone Designation from the  
Foothill Boulevard Specific  
Plan(SP86-18) to Institutional  
for 1020 Baseline Road

**Ordinance No. 1050** - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ADOPTING ZONE CHANGE CASE NO. 146-14ZC, CHANGING THE ZONE DESIGNATION FROM "FOOTHILL BOULEVARD SPECIFIC PLAN (SP86-18)" TO "INSTITUTIONAL" FOR 1020 BASELINE ROAD. ***Approved.***

Ordinance No. 1051,  
Approving Case No. 9-15SPA,  
a Request to Amend the  
Foothill Boulevard Specific Plan  
to Remove 1020 Baseline Road

**Ordinance No. 1051** - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING CASE NO. 9-15SPA, A REQUEST TO AMEND THE FOOTHILL BOULEVARD SPECIFIC PLAN TO REMOVE 1020 BASELINE ROAD. ***Approved.***

6. Moratorium on Massage Uses

City Manager Russi reported on the Moratorium on Massage Use. He stated that new State legislation (AB 1147) provides cities with greater authority over massage establishments as it restores land use authority and the ability to regulate massage establishments in a manner which differs from other professional services. Staff recommended a brief moratorium (45 days) on issuance of permits for uses involving massage until the City can amend its ordinance to take advantage of the restored regulatory powers.

It was moved by Carder, seconded by Rosales, and unanimously carried to adopt Urgency Ordinance No. 1053, establishing a temporary moratorium on new massage establishments.

Urgency Ordinance No. 1053,  
Establishing a Temporary  
Moratorium on New Massage  
Establishments

**Urgency Ordinance No. 1053** - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ESTABLISHING A TEMPORARY MORATORIUM ON NEW MASSAGE ESTABLISHMENTS. ***Approved as recommended by staff.***

7. Public Comment

This was the time set aside for anyone wishing to address the City Council on items not listed in any other place on the agenda. Mayor Kendrick called for public comment.

Steven Hepburn, La Verne resident congratulated his brother Tim Hepburn on being newly elected to City Council and thanked the community for their support.

8. Council Comments and  
Meeting/Conference Reports

Mayor Pro Tem Carder congratulated the candidates and thanked former Council Member Ingels for his service.

Council Member Rosales thanked the Council and congratulated newly elected Council Member Hepburn.

Council Member Redman welcomed newly elected Council Member Hepburn and congratulated Council Member Rosales and Mayor Kendrick on being reelected to office. She also thanked former Council Member Ingels for his service.

Newly elected Council Member Hepburn thanked everyone and thanked former Council Member Ingels for his service.

Mayor Kendrick also thanked former Council Member Ingels for his service. He reported several events, including: the Grace Miller Elementary School funding event that raised \$28,000, Little League Opening Day, Old Town La Verne Business Improvement District annual meeting, and Gilead Groundbreaking. He also invited everyone to the upcoming Cool Cruise event on April 4, 2015, and the new Saturday morning Certified Farmers Market commencing on April 18, 2015, in Old Town La Verne.

9. Recess

There was a brief recess at 7:00 p.m., for a reception honoring Mayor Kendrick, Council Members Rosales, newly elected Council Member Hepburn, and former Council Member Ingels.

10. **CONFLICT OF INTEREST**  
Closed Session

Mayor Kendrick, Mayor Pro Tem Carder and Council Member Redman declared a conflict of interest. Mayor Kendrick owns property in the area, and Mayor Pro Tem Carder and Council Member Carder both work for the University of La Verne.

**RULE OF NECESSITY**

Three members of Council have conflicts on the item being considered in closed session which constitutes a majority of the Council. State law provides that when the Council cannot act because it does not have a quorum to take a valid vote, the Rule of Necessity can be invoked to permit the participation of a disqualified member. In order for the item to be considered, a quorum may be obtained by selecting by lot a Council Member who has a conflict. The Council Member selected to participate may vote on the item. The names of the members with a conflict (Mayor Kendrick, Mayor Pro Tem Carder and Council Member Redman) were placed in a container and City Manager Russi drew the name of Mayor Kendrick.

At 7:20 p.m, as authorized by Government Code Section 54956.8, the City Council met in a closed session to confer with its real property negotiators regarding:

Property:	Southwest corner of Bonita Avenue and D Street Parcel No. 8377-011-003
City Negotiators:	City Manager, City Attorney, and Community Development Director
Negotiating parties:	BRC Advisors
Under negotiation:	Price and terms

10. The meeting was ADJOURNED at 8:00 p.m.

Respectfully submitted,

  
Jeannette A. Vagnozzi  
City Clerk