

CITY OF LA VERNE
PUBLIC FINANCING AUTHORITY
CITY COUNCIL AGENDA

Don Kendrick, Mayor
Robin Carder, Mayor Pro Tem
Donna Redman, Council Member
Charlie Rosales, Council Member
Tim Hepburn, Council Member



www.ci.la-verne.ca.us
(909) 596-8726 - Phone
(909) 596-8740 - Fax
City Hall Council Chamber
3660 D Street
La Verne, CA 91750

Monday, August 17, 2015 - 6:30 p.m.

City Hall

Council Chambers

3660 D Street, La Verne, CA 91750

Attendance and participation at the City of La Verne Council meetings are welcomed and appreciated. Community engagement provides the City Council with valuable information. Regular Meetings are held on the 1st and 3rd Monday of every month. In compliance with the American Disabilities Act, any person with a disability who requires a modification or accommodation in order to participate in a meeting should contact the City Clerk's Office at (909) 596-8726 at least 48 hours prior to the meeting.

All items submitted for future agendas must be in writing to the City Clerk no later than 5 p.m. on the Monday prior to the first and third Monday of each month. Materials related to an item on this agenda, submitted to the Council after distribution of the agenda packet, are available for public inspection at the meeting or in the City Clerk's Office during normal business hours.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL:** Council Member Hepburn, Council Member Redman, Council Member Rosales, Mayor Pro Tem Carder, and Mayor Kendrick

4. **ANNOUNCEMENTS AND PRESENTATIONS**

- a. **Badge Pinning of Officer Daniel Carrasco** – Daniel Carrasco has followed the law enforcement tradition of his family: his mother and step-father, Diane and Steve Heinig, are both retired from La Verne Police Department and his two brothers currently work for the Maricopa County Sheriff's Department. Daniel began his career in La Verne as a parking enforcement officer in 2009 and then became a Reserve Officer in 2013. He was hired by Los Angeles County Sherriff's Department, completed the Academy, and was assigned to the men's central jail in downtown Los Angeles. In 2015, he came back to the La Verne Police Department. His father, Ramiro Carrasco, will pin his badge.

- b. **Badge Pinning of Officer Bernice Ruvalcaba** – Bernice Ruvalcaba graduated from Sierra Vista High School in Baldwin Park in 2001. She worked as a Physical Education Instructor for Temple City, La Canada, and Alhambra Unified School Districts. In February of 2014, Bernice was hired as a contract parking officer for La Verne. She was hired as a Police Aide in July 2014. In February of 2015, Bernice was hired as a full time Police Officer for the City of La Verne and graduated from the Los Angeles County Sheriff's Academy class 406 in July 2015. Bernice's son, Jason, will pin her badge.

- c. **Presentation from the South Coast Air Quality Management District** – Board Member Michael A. Cacciotti will provide an update on the various programs provided by the District.

5. **CONSENT CALENDAR** (All items on the Consent Calendar are considered to be routine and will be enacted by one motion unless a member of the City Council or member of the audience requests separate discussion.)

- a. **City Council Minutes** of the regular meeting of July 20, 2015, and the adjourned meeting on August 3, 2015, to be received and filed as submitted.

- b. **July 2015 Treasurer's Report**, approval recommended by staff.

- c. **2014-15 Registers of Audited Demands** in the amount of \$236,160.36 for July 13, 2015, the amount of \$428,198.72 for July 21, 2015, the amount of \$637,938.11 for July 27, 2015, and the amount of \$371, 287.11 for August 3, 2015; approval recommended by staff.

- d. **2015-16 Register of Audited Demands** in the amount of \$593,238.83 for July 7, 2015, the amount of \$27,087.20 for July 14, 2015, the amount of \$574,038.67 for July 22, 2015, the amount of \$100,857.37 for July 28, 2015, and the amount of 449,051.44 for August 5, 2015; approval recommended by staff.

- e. **Declaration of Surplus Property** - Certain vehicles have been depreciated through the equipment fund and/or are scheduled for replacement. Each is no longer useful or is ineffective for current operational requirements. Upon replacement, each will become surplus to the city's operational needs and should be disposed per Administrative Regulation No. 606. ***Staff recommends that the City Council declare the vehicles identified in Attachment A as surplus to the city's needs and further recommends that the staff be directed to sell each in a fair and equitable manner per Administrative Regulation No. 606.***

f. **Resolution(s)**, passage and adoption, recommended as follows:

1. **Resolution No. 15-62** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH KOSMONT COMPANIES FOR PREPARATION OF AN ENHANCED INFRASTRUCTURE FINANCING DISTRICT (EIFD) FEASIBILITY STUDY. *Staff recommends City Council adoption of Resolution No. 15-62 to enter into a professional services agreement with Kosmont Companies, Inc. for preparation of an Enhanced Infrastructure Financing District (EIFD) Feasibility Study for an undefined area in close proximity to the proposed Gold Line Light Rail Station planned for Arrow and E Street. Staff further recommends the City Council approve an appropriations increase to the adopted budget (Community Development; Economic Development) in an amount not to exceed \$60,000. The City's \$20,000 portion of the total is eligible for and would be paid through Proposition C Transportation Funds.*
2. **Resolution No. 15-69** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING AN AMENDMENT TO THE MASTER COOPERATIVE AGREEMENT FOR THE METRO GOLD LINE- PHASE II (PHASE 2B) BY AND BETWEEN METRO GOLD LINE FOOTHILL EXTENSION CONSTRUCTION AUTHORITY AND CITY OF LA VERNE. *Staff recommends adoption of Resolution No. 15-69, approving a revision to Exhibit H of the Master Cooperative Agreement (MCA) for the proposed Metro Gold Line (Phase II) Light Rail project by and between the Metro Gold Line Foothill Extension Construction Authority and the City of La Verne.*

6. PUBLIC HEARINGS

- a. **2014-2015 Congestion Management Program Report** - This is a request for consideration of the annual Congestion Management Program (CMP) mandated by the Los Angeles County Metropolitan Transportation Authority. The purpose of the CMP is to offset traffic generated as a result of new development by increasing road capacity and decreasing demand where possible. Metro has suspended some of the CMP reporting requirements while it studies the feasibility of a Congestion Mitigation Fee. This report briefly explains the program and includes the required Resolution of adoption and Local Development Report.

STAFF RECOMMENDATION:

Staff recommends City Council approval of Resolution No. 15-66, stating that the City is in compliance with the Congestion Management Program and adopting the Local Development Report

Resolution No. 15-66 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL DEVELOPMENT REPORT, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089

- b. **Amendment to Fire Sprinkler Ordinance** - The Fire Department is seeking to amend the existing fire sprinkler requirements for residential structures by adding language to include and define "significant remodels," and to extend the requirement city wide.

STAFF RECOMMENDATION:

Staff recommends that Council approve and adopt Urgency Ordinance No. 1058, amending City requirements for the installations of automatic fire sprinklers in residential construction.

Ordinance No. 1058 - AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AMENDING CITY REQUIREMENTS FOR THE INSTALLATION OF AUTOMATIC FIRE SPRINKLERS IN RESIDENTIAL CONSTRUCTION.

- c. **Appeal Hearing for Proposed ALDI Market – 2268 Foothill Boulevard** - The applicant, Paul Cornejo, representing ALDI Inc., submitted an application to remodel the existing commercial building at 2268 Foothill Boulevard to accommodate an ALDI market. Two independent studies were prepared, a parking survey and a fiscal analysis, for the project. The studies found that with the proposed conditions of approval, a grocery store could be supported at the location. This data, along with other facts that were collected, led to Staff's recommendation that the proposal be approved with the proposed conditions of approval. The Planning Commission voted 5-0 to approve the proposal at their meeting on July 8, 2015. Specifically, the Planning Commission approved one resolution which approved conditional use permits for the operation of a market with off-site sales of beer and wine and modifications to a nonconforming structure and a second resolution which granted a variance from the parking requirements. An appeal of the Planning Commission's decisions was filed on July 20, 2015, requesting that the project be brought before the City Council. The City Council conducts a de novo review of the Planning Commission's approvals. No appeal was ever taken from the Development Review Committee's approval of the Precise Plan of Design on July 7, 2015.

STAFF RECOMMENDATION:

Staff recommends that the City Council affirm the Planning Commission's approval of the proposal based on the findings and conditions of approval found in Resolution Nos. 1152 and 1153 by adopting City Council Resolution No. 15-67.

Resolution No. 15-67 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA APPROVING ON APPEAL CASE NOS. 2-15CUP, 3-15CUP, 26-15VAR, and 80-15CUP TO ALLOW THE OPERATION OF AN ALDI MARKET AT 2268 FOOTHILL BOULEVARD, LA VERNE, CALIFORNIA.

The LA VERNE CITY COUNCIL will RECESS to meet as the LA VERNE PUBLIC FINANCING AUTHORITY; following which, the CITY COUNCIL will IMMEDIATELY RECONVENE.

7. PUBLIC FINANCING AUTHORITY

- a. **Approval of La Verne Public Financing Authority Minutes** from the meeting of August 18, 2014.
- b. **Resolution JPFA-47 & JPFA-48 for Adoption of La Verne Mobile Country Club and Valley Rancho Mobile Home Park 2015-2016 Operating Budgets** – Annually the La Verne Public Financing Authority (LVPFA) reviews and approves the operating budgets for the two City owned mobile home parks. Other than the notes highlighted below, the budgets do not reflect significant changes over requests from prior years. These budgets are for the Authority’s consideration and adoption.

STAFF RECOMMENDATION:

Staff recommends the La Verne Public Financing Authority adopt Resolutions No. JPFA-47 and JPFA-48 approving the 2015-2016 annual operating budgets for La Verne Mobile Country Club and Valley Rancho Mobile Home Park.

Resolution No. JPFA-47 - A RESOLUTION OF THE LA VERNE PUBLIC FINANCING AUTHORITY ADOPTING THE LA VERNE MOBILE COUNTRY CLUB BUDGET FOR FISCAL YEAR 2015-2016.

Resolution No. JPFA-48 - A RESOLUTION OF THE LA VERNE PUBLIC FINANCING AUTHORITY ADOPTING THE VALLEY RANCHO MOBILE HOME PARK BUDGET FOR FISCAL YEAR 2015-2016.

The LA VERNE PUBLIC FINANCING AUTHORITY will ADJOURN and the CITY COUNCIL will IMMEDIATELY RECONVENE.

8. OTHER MATTERS

- a. **Update on the Fire Department Ladder Truck** – This report shall serve as an update on the status of the new aerial ladder truck. On June 2, 2014, the Fire Department received Council authorization to enter into a purchase agreement with Pierce Manufacturing, Inc. to purchase a 2014 Pierce Arrow XT 100’ Tractor-Drawn Aerial Ladder Truck. Over the following 13 months, design and fabrication of the truck was initiated. In July 2015, “Truck 61” arrived in the City. This new apparatus will go into service in September and serve the community of La Verne for the next 20 years.

STAFF RECOMMENDATION:

Staff recommends that Council receive and file this report.

- b. **Rooftop Solar Systems and Re-circulating Hot Water Systems** - Staff recommends that the City Council introduce Ordinance No. 1060, amending Chapter 18.106 to the Municipal Code, requiring an expedited, streamlined permitting process for small residential rooftop solar systems. The purpose of the Ordinance is to comply with statute requirements contained in Assembly Bill (AB 2188). In addition, per the City Council direction, Ordinance No. 1061 is introduced that would require all new residential units to include a re-circulating hot water system.

STAFF RECOMMENDATION:

Staff recommends that the City Council introduce and place on first reading Ordinance Nos. 1060 and 1061, amending the La Verne Municipal Code as it relates to small residential rooftop solar systems and re-circulating hot water system in new residential units.

Ordinance No. 1060 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE AMENDING CHAPTER 18.106 OF THE LA VERNE MUNICIPAL CODE PERMITTING PROCEDURES FOR SMALL RESIDENTIAL SOLAR ENERGY SYSTEMS

Ordinance No. 1061 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE AMENDING CHAPTER 15.04 OF THE LA VERNE MUNICIPAL CODE REQUIRING ALL NEW HOMES TO INCLUDE RE-CIRCULATING HOT WATER SYSTEMS.

- c. **Extension to Waste Management Agreement** – The current franchise agreement with Waste Management for residential and commercial refuse and recycling services expires December 31, 2015. Waste Management has requested an extension of the agreement through December 31, 2020. Extending the franchise agreement will maintain cost-effective services for the next five years as well as provide waste diversion compliance assistance for the mandates set forth by the Integrated Waste Management Act of 1989 (AB 939) as well as the Mandatory Commercial Recycling Collection (AB 341) and Mandatory Commercial Organics Collection (AB 1826).

STAFF RECOMMENDATION:

Staff recommends that Council adopt Resolution No. 15-68, authorizing the execution of an agreement for collection and disposal of solid waste between the City of La Verne and Waste Management of San Gabriel/Pomona Valley (USA Waste of California, Inc.).

Resolution No. 15-68 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING THE EXECUTION OF A CONTRACT EXTENSION FOR COLLECTION AND DISPOSAL OF SOLID WASTE BETWEEN THE CITY OF LA VERNE AND WASTE MANAGEMENT OF SAN GABRIEL/POMONA VALLEY (USA WASTE OF CALIFORNIA, INC.).

- d. **Utility Users Tax on Wireless Prepaid Mobile Telephone Service** - With the recent passage of AB 1717 a process was created that enabled cities to collect utility users tax for prepaid phone services. In order to participate in the program cities with UUT's must execute the required agreement with the State Board of Equalization by September 1, 2015.

STAFF RECOMMENDATION:

Staff recommends that the City Council adopt Resolution No. 15-70, authorizing the City Manager and the City Attorney to execute certain documents required by the State Board of Equalization to collect the City's UUT on prepaid wireless service, including authorizing the City Manager to enter into an agreement with California State Board of Equalization; and Resolution No. 15-71, authorizing the examination of prepaid mobile telephony services surcharge and local charge records by the City and its consultant.

Resolution No. 15-70 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO EXECUTE CERTAIN DOCUMENTS REQUIRED BY THE BOARD OF EQUALIZATION TO COLLECT THE CITY'S UTILITY USER TAX ON PREPAID WIRELESS SERVICE.

Resolution No. 15-70 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING THE EXAMINATION OF PREPAID MOBILE TELEPHONY SERVICES SURCHARGE AND LOCAL CHARGE RECORDS.

9. **PUBLIC COMMENTS/ORAL COMMUNICATIONS** - This is the time set aside for anyone wishing to address the City Council on items not listed in any other place on the agenda. Under the provisions of the Brown Act, the legislative body is prohibited from talking or engaging in discussion on any item not appearing on the posted agenda. However, your concerns may be referred to staff or set for discussion at a later date. Any person desiring to speak should complete a 'Speaker Card,' located at the podium, and hand it to the City Clerk. When addressing the Council, please go to the podium and state your name and address for the record. The Mayor reserves the right to place limits on duration of comments.
10. **COUNCIL COMMENTS AND CONFERENCE/MEETING REPORTS** - Each Council Member may address the Council and public on matters of general information and/or concern. This is also the time for Council Members to report on conferences and/or meetings they have attended.

11. **CLOSED SESSION - Pursuant to Government Code Section 54957**, the City Council will meet in closed session for the following purpose (no announcement will be made):

Public Employee Performance Evaluation - Performance review of the City Manager.

12. **ADJOURNMENT to Tuesday, September 8, 2015, at 5:00 p.m.**, for a Council Study Session for an update on proposed Claremont water operations service agreement.

THE NEXT REGULAR MEETING of the La Verne City Council
*is scheduled for Tuesday, September 8, 2015 at 6:30 p.m.,
due to the Labor Day Holiday on Monday, September 7, 2015*

ADVISORY STAFF

- ___ Robert Russi, City Manager
- ___ Robert Kress, City Attorney
- ___ Jeannette Vagnozzi, Assistant to the City Manager/City Treasurer/City Clerk
- ___ Dan Keeseey, Director Public Works
- ___ Hal Fredericksen, Director of Community Development
- ___ Richard Martinez, Finance Officer
- ___ Bill Aguirre, Director of Community Services
- ___ Scott Pickwith, Police Chief
- ___ Pete Jankowski, Fire Chief
- ___ Dominic Milano, City Engineer
- ___ Bill Elftman, Information Services Manager