

**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 4, 2013**

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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 Robert Rodriguez  
Council Member Donna Redman  
Council Member Robin Carder  
Council Member Charlie Rosales

Absent: None.

Advisory personnel present: City Manager Robert Russi  
City Attorney Robert L. Kress  
Deputy City Clerk Lupe Gaeta Estrella  
City Treasurer Jeannette Vagnozzi  
Public Works Director Dan Keeseey  
Community Development Director Hal G. Fredericksen  
Police Chief Scott Pickwith  
Fire Chief Pete Jankowski  
Senior Management Analyst JR Ranells  
Associate Planner Candice Bowcock

3. Pledge of Allegiance was led by Mayor Kendrick.

4. Consent Calendar It was moved by Redman, seconded by Kendrick, to accept, approve, or act on the Consent Calendar items, except for Registers of Audited Demands, payments made to the University of La Verne, Council Members Carder and Redman abstained from voting because they are employed by the University of La Verne, as follows:

City Council Minutes of February 19, 2013 **City Council Minutes of February 19, 2013, received and filed.**

Registers of Audited Demands **Registers of Audited Demands** in the amount of \$648,594.77, for 2-19-13, and \$417,835.89, for 2-25-13. **Approved as recommended by a vote of 3-0, Council Members Carder and Redman abstained from voting on payments made to University of La Verne, because they are employed by the University of La Verne.**

Street Closure for Special Event at Puddingstone and Fairplex Drives, Tri Event Triathlon

**Street Closure for Special Event at Puddingstone and Fairplex Drives**

- The City Council is requested to consider a street closure for the Tri Event Triathlon. Tri Events Inc. has submitted a request to use portions of Puddingstone Drive for the purpose of four (4) cycling races as part of a triathlon on Sunday, April 7th, Saturday, May 11th, Saturday, June 8th, and Sunday, October 6th, 2013. The request specifically involves the closure of the eastbound lanes of Puddingstone from Van Dusen Road to Fairplex Drive between the hours of 6:00 a.m. and 1:30 p.m. the day of the event. The races are each expected to draw up to 400 participants. Recent policy has been to prepare individualized agreements for such large events. Staff has therefore developed a standard agreement outlining the traffic control plan requirements, locations, schedule, estimated fees, applicant's responsibilities, and insurance and indemnification requirements. Staff recommended approval of the attached agreement authorizing the City Manager to enter into an agreement with Tri Events Inc. permitting the race on specified streets on the specified dates. ***Approved as recommended.***

5. **Conflict of Interest**  
Annual Weed Abatement  
Protest Hearing

Mayor Pro Tem Carder declared a conflict of interest because she is a member of the Board of Directors for a homeowners' association that oversees property appearing on the weed abatement list and she left the Council Chambers.

City Manager Russi reported on the Annual Weed Abatement/Protest Hearing. He stated that on February 4, 2013, the City Council adopted Resolution 13-04, accepting the declaration list of properties that has been found by inspectors to have growing upon them weeds or brush and/or rubbish and set March 4, 2013 at 6:30 p.m., as the date and time for protests to be heard from affected property owners. The Annual Weed Abatement notice further required that owners of declared properties must maintain their parcels in a fire-safe condition throughout the year. Mr. Masood R. Azhar, a representative from the County of Los Angeles Department of Agricultural Commissioner/Weights and Measures, Weed Abatement Division was present to answer any related questions.

Mayor Kendrick declared the public hearing opened and called for public comment.

Gaye McCook, 4973 Old Ranch Road, La Verne, stated there is a slope behind her home which she clears continuously and still gets charged by the County. She asked what abatement standards are used to determine if a lot is properly cleared to a fire safe condition.

Ms. McCook was referred to Masood R. Azhar from Los Angeles County Agricultural, Weed Abatement Division. Ms. McCook and Mr. Masson left the Council Chambers to meet.

After they met, Ms. McCook stated problem was resolved and the Mayor declared the Public Hearing closed.

It was moved by Rodriguez, seconded by Redman, and carried by a vote of 4-0 (Carder Abstained) to direct the Los Angeles County Agricultural Commissioner/Director of Weights and Measures, to abate the nuisance by having weeds, rubbish, and refuse removed.

Council Member Carder returned to the Council Chambers and took her seat.

6. **RULE OF NECESSITY**

Old Town La Verne Specific Plan (12-13SP) and Environmental Impact Report (13- 13EIR) Adoption, Specific Plan Amendment for Lordsburg Specific Plan (9- 13SPA) and Arrow Corridor Specific Plan (10-13 SPA) and General Plan Amendment (11-13GPA)

City Attorney Kress stated that three members of Council have conflicts on the item being considered which constitutes a majority of the Council (Mayor Kendrick owns a business within the district boundaries and Council Member Carder and Redman are employed by the University of La Verne). 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, one Council Member that has a conflict. The Council Member selected to participate may vote on the item and provide input. The names of the members with a conflict (Mayor Kendrick, and Council Members Redman and Carder) were placed in a container and City Attorney Kress drew the name of Council Member Redman. City Attorney Kress clarified that Council Member Redman would participate by voting on the issue and provide input on the matter.

Mayor Kendrick and Council Member Carder left the Council Chambers.

Community Development Director Fredericksen reported on the Old Town La Verne Specific Plan (12-13SP) and Environmental Impact Report (13-13EIR) Adoption, Specific Plan Amendment for Lordsburg Specific Plan (9-13SPA) and Arrow Corridor Specific Plan (10-13 SPA) and General Plan Amendment (11-13GPA). He stated that in 2009, the Old Town La Verne Specific Plan process began as a result of the Design Framework Plan. Staff has been working with The Arroyo Group to produce a Specific Plan that will encompass both the development that will come with the Gold Line Extension as well as the quality of life of Old Town La Verne. The proposed Old Town La Verne Specific Plan (12-13SP) establishes new land use designations and development standards, as well as comprehensive urban design and sustainability programs that meet the community's vision for the Old Town area. Staff, the Development Review Committee, and the Planning Commission recommend approval. He stated that La Verne Associate Planner Candice Bowcock, representatives from The Arroyo Group, Mobility Group, ESA, and Former La Verne Mayor Jon Blickenstaff who worked on the Gold Line Extension when he was in office, were in attendance to answer any questions.

Larry Morrison from The Arroyo Group gave a power point presentation of Old Town La Verne Specific Plan that showed both the development that will come with the Gold Line Extension and the proposed improvements to Old Town which would enhance the quality of life.

Mayor Kendrick declared the public hearing opened and called for public comment.

Christine Scherer, 2433-43 First Street, La Verne, asked about the Gold Line Extension time line.

Community Development Director Fredericksen stated that currently there is no funding and it will likely be 10-15 years before the Gold Line comes to La Verne. He stated that the Old Town La Verne Specific Plan establishes new land use designations and development standards which will allow businesses and development to proceed in the mean time, but also provides an interim use procedure to consider interim industrial uses.

Salvador Lopez, 2406 First Street, asked if the zoning would change.

Community Development Director Fredericksen reported that zoning on First Street would change from current zoning of industrial to residential/mixed use. The Specific Plan is equivalent to new zoning for the area.

Ray Vasquez, 2363 First Street, asked if traffic issues were looked at. He stated that the vision planned for Old Town La Verne was great, but he could not see how the proposed developments would fit in such a small compact area.

Mayor Pro Tem Rodriguez stated that the University of La Verne is operating shuttles and other measures to address traffic and parking.

Community Development Director Fredericksen stated the compact nature of the area makes it an ideal transit area and expansion will be gradual.

Council Member Rosales stated that the specific plan will have better design of streets.

Mickey Rehm, 2565 Bonita Avenue, asked if Bonita Avenue would be widened and if the Specific Plan was available on line.

Community Development Director Fredericksen stated there are no plans to widen Bonita Avenue and that a copy of the Old Town La Verne Specific Plan is available for viewing in the Community Development Department, as well as on the City's website.

Frank Huerta, 1889 First Street, asked if development in this area would be hampered by the Old Town La Verne Specific Plan and on Walnut Avenue and B Street.

Community Development Director Fredericksen stated development in the Old Town area will be allowed to proceed. Measures are already in place to address future development. He directed Mr. Huerta to contact the Community Development Department regarding land use and development of his property on Walnut Avenue and B Street.

After further Council discussion, it was moved by Redman, seconded by Rosales, and carried by a vote of 3-0 (Kendrick and Carder Abstained) to approve the adoption of the Old Town La Verne Specific Plan and Environmental Impact Report (13-13EIR) with the statement of overriding considerations, approve the Specific Plan Amendments to the Lordsburg Specific Plan and the Arrow Corridor Specific Plan, and General Plan Amendment based on this staff report, as follows:

**Resolution No. 13-12** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING CASE NO.11-13GPA, AMENDING THE GENERAL PLAN DESIGNATION OF SPECIFIC SITES WITHIN THE NEW BOUNDARIES OF THE OLD TOWN LA VERNE SPECIFIC PLAN. **Approved.**

and

Introduce and place on first reading Ordinance No. 1038, approving Case Nos. 12-13SP, 13-13EIR, 9-13SAP, and 10-13SPA, adopting the Old Town La Verne Specific Plan and Environmental Impact Report and Specific Plan Amendments to Lordsburg Specific Plan and the Arrow Corridor Specific Plan, as follows:

**Ordinance No. 1038** – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING CAS NOS. 12-13SP, 13-13EIR, 9-13SPA, AND 10-13SPA, ADOPTING THE OLD TOWN LA VERNE SPECIFIC PLAN AND ENVIRONMENTAL IMPACT REPORT WITH THE STATEMENT OF OVERRIDING CONSIDERATIONS, AND APPROVAL OF THE LORDSBURG SPECIFIC PLAN AND THE ARROW CORRIDOR SPECIFIC PLAN.  
***Approved.***

Mayor Kendrick and Council Member Carder returned to the Council Chambers and took their seats.

7. Chamber of Commerce Mid-Year Update Presentation

Per their 2012-13 Agreement, Board Member Ken Amour, Chamber of Commerce, gave a mid-year update on the La Verne Chamber of Commerce programs and activities.

Council Member Carder commended the Chamber of Commerce Executive Director Brian McNeerney for the event and flyer for the Family Health & Fitness Expo event being held at Bonita High School on March 16. She also commended Brian for doing an excellent job in getting all the BUSD schools a Chamber membership.

Mayor Pro Tem Rodriguez spoke about a recent Chamber of Commerce Membership Drive and how it made the City of La Verne look good. He thanked the Chamber of Commerce for their hard work in promoting and encouraging business and supporting the City.

8. Compliance Options for the Municipal Separate Storm Sewer System Permit (MS4)

Senior Management Analyst JR Ranells reported on the compliance options for the Municipal Separate Storm Sewer System Permit. He stated that the City of La Verne is currently weighing options in order to meet requirements enacted under the new Municipal Separate Storm Sewer System Permit (MS4). There are several approaches that an agency can take and staff is of the opinion that partnering with surrounding communities will be the best approach. Staff requested Council concurrence to move forward and begin the process.

After Council discussion on the benefits of partnering with surrounding local cities, it was moved by Rodriguez, seconded by Rosales, and unanimously carried to engage the neighboring cities of Claremont, Pomona, and San Dimas to develop a Memorandum of Understanding and create a local Enhanced Watershed Management Program in order to comply with the MS4 Permit.

9. Consideration of the Los Angeles County Flood Control District's Water Quality Funding Initiative
- City Manager Russi reported on the consideration of the Los Angeles County Flood Control District's Water Quality Funding Initiative. He stated that the Los Angeles County Flood Control District (County) is proposing to impose a parcel fee upon Los Angeles County property owners to help fund implementation of storm water and urban runoff requirements. If approved county wide, the fee will apply to all parcels within the City of La Verne, including the 141 owned by the City. Revenue from the fee would be used to address new water quality requirements by state and federal regulations. A continued Protest Hearing of the Los Angeles County Board of Supervisors is scheduled for March 12, 2013. At this point in the process, the City has taken no action. However, Council Member Rosales requested that the issue be brought to the City Council for consideration. Staff requested City Council provide direction to staff on the Los Angeles County Flood Control District's Water Quality Funding Initiative.
- Council Member Rosales requested that the Council not support the initiative. He stated that the cities of Claremont and Glendora have voted not to support the initiative and he urged Council to do the same. He stated it would be a financial hardship for senior citizens and families on fixed incomes.
- It was moved by Rosales, seconded by Carder, and unanimously carried to **NOT** support the Los Angeles County Flood Control District's Water Quality Funding Initiative.
10. Council Comments/
- Council Member Carder reported on the Girls' Softball Opening Day Ceremony and how proud she is of the City of La Verne for providing park shelter covers. She thanked Public Works Director Keesey and Community Services Director Aguirre. The spectators were very grateful for the shade.
- Mayor Pro Tem Rodriguez stated that Mayor Kendrick, again, did an excellent job presenting the State of the City Address to the Hillcrest residents, along with Council Member Redman.
11. 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.
- Daniel Cedeno, District Representative for La Verne from the Office of Senator Carol Liu, 25<sup>th</sup> District, introduced himself to City Council. He stated he looked forward to working with the City Council and staff to address the needs and issues in the community.
12. Closed Session
- The City Manager declared that there was **NO** need to meet in closed session, for the following purpose:
- Conference with Labor Negotiator (Government Code Section 54957.6)
- City Negotiator: City Manager, Senior Management Analyst  
Employee Organization: La Verne Firefighters' Association
13. The meeting was adjourned at 8:19 p.m.

Respectfully submitted,

  
Lupe Gaeta Estrella  
Deputy City Clerk