

**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, July 15, 2013**

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 Charles Rosales
Council Member Donna Redman
Council Member Robin Carder

Absent: None.

Advisory personnel present: City Manager Robert Russi
City Attorney Robert L. Kress
Deputy City Clerk Lupe Gaeta Estrella
Assistant to the City Manager & City Treasurer/City Clerk Jeannette Vagnozzi
Public Works Director Dan Keeseey
Community Development Director Hal G. Fredericksen
Finance Officer Ron Clark
Community Services Director Bill Aguirre
Police Chief Scott Pickwith
Fire Chief Pete Jankowski
Senior Administrative Analyst JR Ranells
3. Pledge of Allegiance was led by Mayor Kendrick.
4. Mayor Kendrick called for a moment of silence in memory of Council Member Robert Rodriguez who died on July 6, 2013.
5. Consent Calendar It was moved by Redman, seconded by Carder to accept, approve, or act on the Consent Calendar items, as presented, as follows:

City Council Minutes of June 17, 2013 **Regular City Council Minutes of June 17, 2013, received and filed.**

2012-13 Registers of Audited Demands **2012-13 Registers of Audited Demands** in the amount of \$282,434.13 for 6-18-13, \$442,019.94 for 6-24-13, \$774,514.99 for 7-1-13 and \$686,565.42 for 7-9-13. Approved ***as recommended.***

2013-14 Registers of Audited Demands **2013-14 Registers of Audited Demands** in the amount of \$33,451.00 for 7-2-13. Approved ***as recommended.***

Treasurer's Report for the Months of May and June 2013 **Treasurer's Report for the Months of May and June 2013 received and filed.**

Request for On-Duty Members to Participate in a Fill-the-Boot Fundraiser for the 19 Fallen Prescott Arizona Hotshot Firefighters

Request for On-duty Members to Participate in a Fill-the-Boot Fundraiser for the 19 Fallen Prescott Arizona Hotshot Firefighters -

The La Verne Firefighters' Association requested permission to allow on-duty personnel and equipment to participate in the fill the boot for donations for the 19 fallen firefighters of Prescott Arizona. The activities will be held at the corner of Foothill Blvd/Fruit and Foothill/White on Saturday, July 20, 2013. Staff recommended that the City Council approve the request for on-duty firefighters and equipment to participate in the fill the boot campaign on Saturday, July 20, 2013. ***Approved as recommended.***

Mayor Kendrick spoke highly of the fundraiser and commended the Fire Department for their participation in collecting donations for the 19 fallen firefighters of Prescott Arizona, and for their fundraising efforts on the Fourth of July.

Resolution (s) passed & adopted, as recommended, as follows:

Resolution No. 13-67,
Determining Special Tax for the 2013-14 Fiscal year for Community Facilities District No. 90-1 – La Verne Industrial Specific Plan

Resolution No. 13-67 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DETERMINING SPECIAL TAX FOR THE 2013-14 FISCAL YEAR **(COMMUNITY FACILITIES DISTRICT NO. 90-1 – LA VERNE INDUSTRIALSPECIFIC PLAN)**. In January 1991, the City Council approved Ordinance No. 817, authorizing the levy of a special tax for the Community Facilities District No. 90-1. The special taxes are to be levied each year on those properties contained in the District (La Verne Industrial Specific Plan) for the operation and maintenance of the public infrastructure. Exhibit "A" of the original Engineer's Report and Exhibit "A" of Resolution No. 13-67 are the properties which are to receive a levy. The formation of the district allowed for an annual increase not to exceed 5%. These taxes will fund public safety services, sewer pump maintenance, street maintenance, and related administrative costs for services provided to the District. The total square footage assessed this fiscal year is 1,723,006. Staff recommended that the City Council adopt Resolution 13-67, levying a special tax for the 2013-14 fiscal year per the schedule shown in Exhibit "A" attached to the Resolution, which increases the rate by 1.3 percent to address the cost of living increases based on the annual consumer price index ending March 2013. ***Approved as recommended.***

Resolution No. 13-68,
Determining Special Tax for the 2013-14 Fiscal Year for Community Facilities District No. 11-1

Resolution No. 13-68 - A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DETERMINING SPECIAL TAX FOR THE 2013-14 FISCAL YEAR **(COMMUNITY FACILITIES DISTRICT NO. 11-1)**. On May 16, 2011, the City Council approved Ordinance No. 1023, authorizing the levy of a special tax for the Community Facilities District No. 11-1. The special taxes are to be levied each year on those properties contained in the District for the financing of the fire suppression and prevention services necessary to serve the buildings determined to be taxable. The "Map of Proposed Boundaries of City of La Verne Community Facilities District No. 11-01" of the original rate and method of apportionment report shows these properties within the District. A copy of the exhibit was made available for reference. The total square footage of permitted and/or developed property assessed this fiscal year is 165,664. Staff recommended that the City Council adopt the Resolution No. 13-68, levying a special tax for the 2013-14 fiscal year per the schedule shown in Exhibit "A" of Resolution No. 13-68. ***Approved as recommended.***

Resolution No. 13-69,
Authorizing Execution of an
Assignment Agreement with the
City of Industry for the
Exchange of Proposition A
Funds for General Fund
Revenues

Resolution No. 13-69 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING THE EXECUTION OF AN ASSIGNMENT AGREEMENT WITH THE CITY OF INDUSTRY FOR THE EXCHANGE OF PROPOSITION A FUNDS FOR GENERAL FUND REVENUES. In June, the City of Industry approached the City of La Verne to say that they were interested in purchasing uncommitted Proposition A transportation funds in exchange for General Fund monies. The City of Industry said that they would give us the same rate as last year's purchase. Staff recommended that the City Council adopt Resolution No.13-69, authorizing an exchange of \$300,000 in Proposition A transportation funds for \$228,000 of General Funds with the City of Industry and authorize the City Manager to execute said agreement.
Approved as recommended.

Resolution No. 13-72,
Establishing Benefits for
Executive Management
Employees (Department Heads)

Resolution No. 13-72 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ESTABLISHING BENEFITS FOR EXECUTIVE MANAGEMENT EMPLOYEES (DEPARTMENT HEADS) AND REPEALING RESOLUTION NO. 12-47. ***Approved.***

Resolution No. 13-73,
Establishing Benefits for Middle
Management Professional and
Confidential Employees

Resolution No. 13-73 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ESTABLISHING BENEFITS FOR MIDDLE MANAGEMENT, PROFESSIONAL AND CONFIDENTIAL EMPLOYEES AND REPEALING RESOLUTION NO. 12-48. ***Approved.***

Resolution No. 13-74,
Adopting a Salary Chart for
Full-Time Employees

Resolution No. 13-74 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ADOPTING A SALARY CHART FOR FULL-TIME EMPLOYEES AND REPEALING RESOLUTION NO. 13-02. ***Approved.***

6. Public Hearing to Consider
Issuance of a Tax-Exempt
Obligations by California
Municipal Finance Authority on
behalf of the University of
La Verne

City Attorney reported on the issuance of a Tax-Exempt Obligations by California Municipal Finance Authority on behalf of the University of La Verne. He stated that pursuant to Federal law, the City Council must hold a public hearing when tax exempt obligations are proposed to be issued. The City of La Verne is not a party to the financing and would not be liable for the obligations. The obligations are being issued to finance and refinance the acquisition, construction, improvement and equipping of certain educational facilities located on the campus of the University of La Verne. Approval of the issuance of the obligations does not constitute approval of any of the proposed projects, each of which will be reviewed by the applicable development review process.

Conflict of Interest/Kendrick,
Redman, and Carder – Rules of
Necessity

City Attorney Kress reported that three members of Council, Council Members Carder and Redman, and Mayor Kendrick, have conflicts on this item (Council Members Carder and Redman are employed by the University of La Verne and Mayor Kendrick has a business within 500 feet of the project area). Since the majority of Council has a conflict, 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 to allow action. In order for the item to be considered, a quorum may be obtained by selecting two Council Members by lot. Council Members Redman and Carder were selected by lot to participate and vote on this item.

Mayor Kendrick left the Council Chambers, and Mayor Pro Tem Rosales chaired the meeting.

Mayor Pro Tem Rosales declared the public hearing opened and called for public testimony. There being none, he declared the public hearing closed.

It was moved by Redman, seconded by Carder, and unanimously carried to adopt Resolution No. 13-70, approving the issuance of obligations (not to exceed \$15,000,000) by the California Municipal Finance Authority for the benefit of the University of La Verne.

Resolution No. 13 -70,
Approving Issuance of the
California Municipal Finance
Authority 2013 Exempt Loan
(University of La Verne)

Resolution No. 13-70 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE ISSUANCE OF THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY 2013 TAX EXEMPT LOAN (UNIVERSITY OF LA VERNE) IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$15,000,000 FOR THE PURPOSE OF FINANCING AND REFINANCING THE ACQUISITION, CONSTRUCTION, IMPROVEMENT AND EQUIPPING OF VARIOUS EDUCATIONAL AND ADMINISTRATIVE FACILITIES AND CERTAIN OTHER MATTERS RELATING THERETO.
Approved.

Mayor Kendrick returned to the Council Chambers.

7. Confirmation of 2012-13
Weed Clearance Charges

City Manger Russi reported on the confirmation of 2012-13 Weed Clearance Charges. He reported that on March 4, 2013, the City Council authorized Los Angeles County Department of Agriculture to conduct weed clearance on specific parcels within the City. The purpose of this hearing is to approve the costs that will be passed on to property owners. A notice of this hearing has been sent to the affected property owners. Mr. Masood R. Azhar, Inspector III, Los Angeles County Department of Agriculture, Weed Abatement Division, was present at the meeting to answer any questions.

Conflict of Interest/Carder

Council Member 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.

The Mayor declared the public hearing opened and called for public testimony. There being none, he declared the public hearing closed.

At the conclusion of the hearing, it was moved by Rosales, seconded by Redman, and unanimously carried to confirm the list of charges and direct the County Auditor to enter the assessment against the parcels of land on the current assessment roll.

Council Member Carder returned to the Council Chambers.

8. New Project Added to the Community Development Block Grant Program for 2013-2014, Las Flores Park Pathway Improvements

City Manager Russi reported on the new project added to the Community Development Block Grant Program for 2013-2014 – Las Flores Park Pathway Improvements. He stated that when the City Council originally approved the City's use of this year's allocation of the Community Development Block Grant funds on February 4, 2013, there was an unallocated fund balance of \$63,319. Since that time, staff has been working with the County on other eligible projects. One project that has been identified is construction of ADA accessible pathways at Las Flores Park in the amount of \$30,000. As such, staff is now seeking Council concurrence with amending the City's requests to fund this project. Staff will also continue to work with the Community Development Commission on how best to allocate the remaining portion of the grant (\$33,319). The Community Development Department staff recommended that the amended allocation of \$141,890 be added to the 2013-2014 Community Development Block Grant (CDBG) Program. This recommendation is made after consideration of the federal allocation requirements.

The Mayor declared the public hearing opened and called for public testimony. There being none, he declared the public hearing closed.

It was moved by Carder, seconded by Rosales, and unanimously carried, to approve Resolution No. 13-71, adding the Las Flores Park pathway project to the 2013-14 La Verne Community Development Block Grant Program with the County of Los Angeles, as follows:

2013-2014 CDBG Allocation	\$141,890
Senior Hot Lunch Program	\$ 20,571
Sidewalk Repairs	\$ 58,000
Las Flores Park Pathway Improvements	\$ 30,000
Unallocated	\$ 33,319
TOTAL	\$ 141,890

Resolution No. 13-71, Approving an Added Project to the Community Development Block Grant Program in Fiscal Year 2013-14

Resolution No. 13-71 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING AN ADDED PROJECT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM IN THE FISCAL YEAR 2013 – 2014. **Approved.**

Mayor Kendrick commended City staff for finding the funds for the Las Flores Park Pathway Improvement.

9. City Council Vacancy

City Manager Russi reported on the City Council vacancy. He stated that the untimely passing of Council Member Robert Rodriguez has created a vacancy on the La Verne City Council. State law requires that within 60 days of July 6, 2013 (September 3, 2013), the Council must fill the vacancy by appointment for the balance of the term or call a special election for that purpose.

After discussion of the pros and cons of appointing or holding a special election that would cost the City \$70,000, it was unanimously agreed that holding a special election would not be fiscally prudent and that the Council vacancy be filled by appointment.

Micky Rehm, La Verne resident and business owner, stated that spending \$70,000 for a special election is wrong. She stated she trusted Council's judgment to find a suitable candidate and recommended that the Council fill the vacancy through appointment.

It was moved by Redman, seconded by Rosales, and unanimously carried to fill the Council vacancy through appointment and to direct staff to send letters of interest to members of the community, to existing commissioners, and community members with a history of involvement.

10. Planning Commission Appointment/ Philip May

Mayor Kendrick reported on the Planning Commission appointment. He stated that the City Council is requested to consider appointment of Philip May as a new Planning Commissioner, to fill the seat and unexpired term of Commissioner Ciriaco "Cid" Pinedo. Commissioner Pinedo has announced his resignation from the Planning Commission, effective August 1, 2013. The City Council recently interviewed ten (10) applicants for the open Planning Commission position at the adjourned meeting of July 8, 2013, and recommended the appointment of resident Philip May to the Planning Commission. The Municipal Code provides for appointment of Planning Commission members "by the Mayor with the approval of the City Council."

It was moved by Carder, seconded by Rosales, and unanimously carried to appoint Philip May to the La Verne Planning Commission. In accordance with the Municipal Code, new Commissioner May's term would become effective August 1, 2013, with his first meeting being August 14, and extending until June 30, 2014.

Mayor Kendrick, on behalf of the City Council, introduced and congratulated Philip May.

11. Consider Approval of Extended Schedule and Posted "No Parking" signs for Old Town La Verne Farmers Market/Family Festival

Community Development Director Fredericksen reported on the request for approval of extended schedule and posted "No Parking" for Old Town La Verne Farmers Market/Family Festival. He requested City Council consider approval of an extended schedule to permit the Old Town La Verne Farmers Market and Family Festival to operate an additional 8 weeks through November 21, 2013. The Market is otherwise scheduled to end its operation this year on Thursday, September 26th, and not resume again until March 2014. The Old Town La Verne Business Improvement District and a majority of the Old Town businesses are in favor of the proposed extension. This request also includes a proposal for the posting of "No Parking" signs in the market area during the hours of setup and operation. He stated that Family Festival will pay for the "No Parking" signs.

After brief discussion, it was moved by Rosales, seconded by Carder, and unanimously carried to conceptually approve, subject to a final letter agreement, an extended schedule to permit the Old Town La Verne Farmers Market and Family Festival to operate through November 21, 2013, and to approve Resolution No. 13-75 for "No Parking" and "No Parking" signs in the market area, subject to the recommended conditions of approval 1- 6.

Resolution No. 13-75,
Identifying Certain Locations
within Old Town La Verne for
Designation as "No Parking" for
Conducting the Farmers
Market/Family Festival Street
Fair

Resolution No. 13-75 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, IDENTIFYING CERTAIN LOCATIONS WITHIN OLD TOWN LA VERNE FOR DESIGNATION AS "NO PARKING" FOR PURPOSES OF CONDUCTING THE FARMERS MARKET/FAMILY FESTIVAL STREET FAIR AND AUTHORIZING SIGNS TO BE PLACED TO IDENTIFY THE LOCATIONS, DAY, AND HOURS FOR SAID SPECIFIED NO PARKING. **Approved.**

12. 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.

Nita Rodriguez Ulloa-Pedroni, 2447 College Lane, La Verne, on behalf of the Rodriguez family thanked the City Council, City staff, La Verne Police Department and the La Verne Fire Department for the admiration, and respect showed to her Uncle/Council Member Robert Rodriguez at his memorial service.

Daniel Cedeno, District Representative for La Verne from the Office of Senator Carol Liu, 25th District, presented Nita Rodriguez Ulloa-Pedroni for the Rodriguez family a Memorial Resolution honoring Robert Rodriguez. He passed on Senator Liu's sincere sympathy on their loss.

Micky Rehm, La Verne Chamber of Commerce, on behalf of the Chamber Board thanked the City Council for their continued support and looked forward to working together in the coming year.

13. Council Comments

Fourth of July Event

Council Member Carder and Mayor Pro Tem Rosales thanked City staff for all their work on the Fourth of July. It was a wonderful day of activities, from the parade to the fireworks show.

Council Member Redman acknowledged and thanked City Manager Russi for overseeing and coordinating Robert Rodriguez's memorial service. She stated it was a very emotionally challenging day and his guidance and leadership on that day is appreciated.

Mayor Kendrick also agreed with Council Member Redman. He stated that he has lost an incredible close friend and that Council Member Robert Rodriguez will be missed.

Mayor Kendrick also thanked City staff for their work on the Fourth of July. He thanked the fabulous group of people on the Fourth of July Committee who put the event together.

14. Closed Session

At 7:11 p.m., the City Council met in closed session for conference with Real Property Negotiator (Government Code Section 54956.8), as follows:

Property: Parcels with APNs 8378-027-900 and 8378-027-901 (Tract 4560, Lots 1 & 2 - declared surplus property by LVRDA on 10/17/11).

Agency Negotiators: City Manager, Community Development Director, City Attorney

Negotiating Parties: City of La Verne and Argent LLC, Craig Silvers, Manager

Under Negotiation: Price and terms of payment

There was no announcement after closed session.

15. Cancellation of the August 5, 2013, Council Meeting
It is expected that the next regular meeting of the La Verne City Council scheduled for Monday, August 5, 2013, will be **CANCELED** due to a lack of business.
16. The meeting was adjourned at 7:30 p.m., in memory of La Verne City Council Member Robert Rodriguez. Robert, who was well known for his lifetime of service and joyful spirit, passed away on July 6, 2013, at the age of 83. A lifelong La Verne resident, Robert graduated from Lincoln Elementary School (later renamed Roynon Elementary School), Bonita High School, and earned both his bachelor's ('65) and master's degree ('90) from the University of La Verne. Robert's lifetime of public service began in the United States Army from 1951 to 1953. He served in the 2nd Infantry in the Korean Conflict. He earned the Korean Conflict Medal with one Bronze Star, the United Nations Service Medal, and the Combat Infantry Medal. In 1953, Robert became the first Mexican-American police officer hired by the Pomona Police Department. During his twenty-seven years of honorable service, he worked patrol, gang detail, detective bureau, community liaison, and a variety of positions before retiring at the rank of Lieutenant. He then joined the University of La Verne as Director of Administrative Services from 1983 to 1996. In 1982, Robert was elected to the La Verne City Council. His continuous thirty-one years of service earned him the distinction of the longest serving elected official in the City's history. During his tenure on the City Council, he helped guide the City through many key decisions that makes it the community it is today. His good natured spirit, wisdom, and love for the community will be missed by all. Robert is preceded in death by his parents, Eliseo and Concha Rodriguez, and two sisters, Betty and Alice. He is survived by his wife of 51 years, Fran; their five children, Jeff, Roberta, Jennifer, Lisa, and Lynda; eight grandchildren; and siblings Genevieve, Jay, and Richard.

Respectfully submitted,

JEANNETTE A. VAGNOZZI
CITY CLERK



Lupe Gaeta Estrella
Deputy City Clerk