

**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, May 20, 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  
Council Member Donna Redman  
Council Member Robin Carder

Absent: Mayor Pro Tem Charlie Rosales  
Council Member Robert Rodriguez

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 Keesey  
Community Development Director Hal G. Fredericksen  
Finance Officer Ron Clark  
Community Services Director Bill Aguirre  
Police Chief Scott Pickwith  
Fire Battalion Chief Mark Horine  
Senior Administrative Analyst JR Ranells  
Rafferty Wooldridge, Assistant Planner

3. Pledge of Allegiance was led by Boy Scout Andre Batoon, Troop 411.

4. Presentation/Introductions  
& Announcements

Military Banner Program  
Presentation of New Banners  
Being Installed.

Mayor Kendrick, on behalf of the City Council, recognized and thanked the families and sponsors for their support of the "Military Banner Recognition Program." He reported that La Verne has a total of 242 community members that are currently serving in our military. He stated that the program consists of two banners, one to be displayed as a street banner and the other given to the family of the individual being recognized. Family members of these military men and women were invited to be at this meeting for the presentation of the banner. Five individuals were recognized at this meeting. The military honorees are as follows:

Nathaniel M. Batoon	Coast Guard
Andrew D. Bissell	Army
David R. Flickinger	Marines
Robert Quinn	Army
Garrett R. Tolle	Air Force

Completion of Military Service

Mayor Kendrick reported on the completion of military service program. He stated that once a community member completes their military service, their banner is removed from the street pole and presented to their family member(s) with a yellow ribbon. The following individuals were recognized:

David M. Champion	Army
Robert B. Gray	Marines
Benjamin J. Jones	Army
Jorge Moreno	Army

Military Banner Program Sponsors

Mayor Kendrick spoke about the Military Banner Program sponsors thanking them for their generous donations supporting this worthy program. He stated that the banner program has been supported by generous donations from community members and businesses. To date, over \$47,725 has been raised from our community. The following most recent sponsors (of \$250 or more) were recognized.

Sponsors

Mayor Don Kendrick  
The Deal Family  
The Kausen Family  
The Wagner Family

Mayor Kendrick acknowledged the military personnel and veterans present at the City Council meeting. He thanked them for their service to our country and invited them and their families, and the public to a reception honoring the military personnel and veterans in the conference room of City Hall.

5. Memorial Day Celebration

Mayor Kendrick reported on the upcoming Memorial Day Celebration to be held on Monday, May 27, 2013, at 11 a.m., at Veterans Hall.

6. Report from Ramona Middle School Student

Josh Jacoby, Ramona Middle School gave a report on end of the year school activities.

7. At 6:58 p.m., the City Council recessed and reconvened to regular session at 7:05 p.m.

8. Consent Calendar

It was moved by Redman, seconded by Carder, and carried by a vote of 3-0, (Rodriguez and Rosales absent) to accept, approve, or act on the Consent Calendar items, as presented, except for Item No. 5-7, Resolution No. 13-29, providing for annual levy for Special Maintenance District No. 84-1M, was continued due to a lack of quorum, as follows:

City Council Minutes

City Council Minutes of the regular and adjourned meetings of May 6, 2013, **were received and filed.**

Register of Audited Demands

Register of Audited Demands in the amount \$119,759.23, dated May 6, 2013. **Approved as recommended.**

Treasurer's Report for the Month of April, 2013

Treasurer's Report for the Month of April, 2013, **received and filed.**

Authorize Use of Youth Sports Organization Capital Improvement Funds

**Authorize Use of Youth Sports Organization Capital Improvement Funds.**

The Youth Sports Committee has approved the use of \$2,200 from the Youth Sports Capital Improvement Fund. La Verne Little League requested the funds to pay its share of the improvements done by Bonita High School (BHS) on the Freshman Baseball Field. Currently, the fund has a balance of \$147,604.55. Staff recommended that the City Council authorize \$2,200 from the Youth Sports Capital Improvement Fund to pay for a portion of the costs for renovations at Sports Park. **Approved as recommended.**

Appropriation for Repair of Pump at the Aquatic Center

**Appropriation for Repair of Pump at the Aquatic Center.** During the week of May 6, the pump was removed at the Aquatic Center for repairs to the seals. When starting the repairs on the pump, it was discovered that the impellor was in need of replacement. The contractor estimates the repair for the pump and new impellor will be up to, but not exceed, \$15,000. Due to the significant cost, staff is asking for emergency approval of a budget amendment to pay for the repairs. Staff recommended that the City Council approve an appropriation from the General Fund Reserves of \$15,000 to the Aquatics Center Maintenance Account (Cost Center 6205). ***Approved as recommended***

Agreement No. 13-04 – Encroachment Agreement for Lordsburg Taphouse & Grill Outdoor Patio at 2335 D Street Within City of La Verne Right-of-Way, Including Terms and Rental Provisions

**Agreement No. 13-04 – Encroachment Agreement for Lordsburg Taphouse & Grill Outdoor Patio at 2335 D Street Within City of La Verne Right-of-Way, Including Terms and Rental Provisions.** The City Council was requested to approve Agreement No. 13-04, an encroachment agreement to permit the use of an existing outdoor patio at 2335 D street within the City's right-of-way, with said agreement including terms and rental provisions. Staff recommended that the City Council approve Agreement No. 13-04, an encroachment agreement to permit the use of an existing outdoor patio at 2335 D Street within the City's right-of-way, with said agreement including terms and rental provisions. ***Approved as recommended.***

Announced Resignation of Planning Commissioner Ciriaco "Cid" Pinedo And Request Authorization to Begin Recruitment

**Announced Resignation of Planning Commissioner Ciriaco "Cid" Pinedo And Request Authorization to Begin Recruitment.** Current Planning Commissioner Ciriaco "Cid" Pinedo, who also serves as Planning Commission Chair, has announced his intent to resign from the Planning Commission effective August 1, 2013. It is appropriate for the City Council to authorize City staff to begin recruitment for Commissioner Pinedo's replacement. Staff recommended the City Council authorize and direct staff to begin recruitment for a new Planning Commissioner, with anticipation of seating a new commissioner in August 2013. ***Approved as recommended.***

Development Impact Fees Fund Report

**Development Impact Fees Fund Report.** Under State law, information on certain fees collected by the City from various development activities is to be made available to the public. The City Manager's Office provided an informational report regarding Development Impact Fees for the fiscal year ending June 30, 2012. The report was reviewed by the City Council. Staff recommended that the City Council review the report and make the information available to the public pursuant to Government Code Section 66006. ***Received and filed.***

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

Resolution No. 13-23, Approving Placement of Fairplex/Los Angeles County Fair Hanging Banners on Street Light Poles Within the City

**Resolution No. 13-23** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE PLACEMENT OF FAIRPLEX/LOS ANGELES COUNTY FAIR HANGING BANNERS ON STREET LIGHT POLES AT CERTAIN LOCATIONS WITHIN THE CITY OF LA VERNE. The City Council was requested to approve the placement of hanging banners for Fairplex/Los Angeles County Fair on street light poles. Staff recommended that the City Council approve the placement of hanging banners for Fairplex/Los Angeles County Fair on street light poles by adopting Resolution No. 13-23. ***Approved as recommended.***

Resolution No. 13-24,  
Approving Case No. 13-14PPR,  
to Permit Modification to the  
Existing Commercial Building,  
1475 Foothill Boulevard, Daniel  
Kashani

**Resolution No. 13-24** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING CASE NO. 13-14PPR, TO PERMIT MODIFICATIONS TO THE EXISTING COMMERCIAL BUILDING AT 1475 FOOTHILL BOULEVARD, FOLLOWING AN APPEAL BY APPLICANT DANIEL KASHANI, OF A DECISION BY THE LA VERNE DEVELOPMENT REVIEW COMMITTEE. The City Council, on April 15, 2013, approved Case No. 14-13PPR – 1475 Foothill Boulevard for modifications to an existing commercial building, following the applicant's appeal of Development Review Committee conditions of approval. The resolution reflects and documents the City Council's final action on the appeal and resultant project approval and respective conditions. Staff recommended that the City Council approve Resolution No. 13-24 approving Case No 14-13PPR for modifications to 1475 Foothill Boulevard. **Approved as recommended.**

Resolution No. 13-25,  
Authorizing Execution of a  
Professional Service  
Agreement with Environmental  
Science Associates for the  
2014-2021 Housing Element  
Update

**Resolution No. 13-25** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICE AGREEMENT WITH ENVIRONMENTAL SCIENCE ASSOCIATES FOR THE 2014-2021 HOUSING ELEMENT UPDATE. Staff is proposing that the City enter an agreement with Environmental Science Associates (ESA) to prepare the 2014-2021 Housing Element Update and associated environmental documents. Staff recommended approval of the draft contract agreement (Attachment A) with Environmental Science Associates for \$47,473. **Approved as recommended.**

Resolution No. 13-26.  
Approving Engineer's Report  
for Annual Levy and Setting a  
Public Hearing for Landscape  
and Lighting District No. 6  
(LLMD #6)

**Resolution No. 13-26** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE "ENGINEER'S REPORT" FOR ANNUAL LEVY OF ASSESSMENTS FOR FISCAL YEAR 2013-14 IN THE EXISTING LANDSCAPING & LIGHTING MAINTENANCE DISTRICT WITHIN SAID CITY, DECLARING ITS INTENTION TO PROVIDE FOR ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR SAME DISTRICT PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR PUBLIC HEARING THEREON (**LLMD #6**). Pursuant to the requirements of the Landscape and Lighting Act of 1972, part of Division 15 of the Streets and Highway Code of the State of California, an Engineer's Report for Landscape and Lighting Maintenance District No. 6, including special zones, those areas receiving specific benefit in addition to the special citywide benefit has been prepared for City Council approval. Said approval sets the levy of assessments for Fiscal Year 2013-14 and sets the public hearing for June 17, 2013. This report includes descriptions of improvements to be maintained and services to be performed by the City. With the approval of the Utility Tax, the Citywide District Assessment (Zone 1) is proposed to remain at zero. No charge in the assessment levy is being proposed for the subject special benefit in Zones 2, 3, 4-1, and 4-2. The Levy in Zone 5 is proposed to be reduced by \$55.71 per parcel after applying previous year's surpluses. The formation of Zone 6

allowed for CPI increases which with the March 2013 CPI of 1.3% allows for a maximum assessment per parcel of \$241.14. \$219.17 is necessary to balance the expenditures which is less than the maximum and the same as the 2012-13 Levy. Staff recommended that the City Council adopt the resolution preliminarily approving the Engineer's Report and setting the public hearing for the levying of assessment for Citywide District and the subject Zones for June 17, 2013. **Approved as recommended.**

Resolution No. 13-27,  
Approving Engineer's Report  
for Annual Levy and Setting  
Public Hearing, Landscape and  
Lighting District No. 7 (LLMD  
#7)

**Resolution No. 13-27** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE "ENGINEER'S REPORT" FOR ANNUAL LEVY OF ASSESSMENTS FOR FISCAL YEAR 2013-14 IN THE EXISTING LANDSCAPING & LIGHTING MAINTENANCE DISTRICT WITHIN SAID CITY, DECLARING ITS INTENTION TO PROVIDE FOR ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR SAME DISTRICT PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR PUBLIC HEARING THEREON. (LLMD #7). Pursuant to the provisions of Division 15, Part 2, of the Streets and Highway Code, an Engineer's Report for Landscape and Lighting Maintenance District No. 7 (La Verne Heights III) has been prepared for City Council preliminary approval. Said approval sets the levy of assessments for Fiscal Year 2013-14 and sets the public hearing for June 17, 2013. There is no proposed increase in the assessment. Staff recommended that the City Council adopt the resolution preliminarily approving the Engineer's Report and set the public hearing for levying a full year's assessment for June 17, 2013. **Approved as recommended.**

Resolution No. 13-28,  
Approving Engineer's Report  
for Annual Levy and Setting  
Public Hearing, Landscape and  
Lighting District No. 8 (LLMD  
#8)

**Resolution No. 13-28** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE "ENGINEER'S REPORT" FOR ANNUAL LEVY OF ASSESSMENTS FOR FISCAL YEAR 2013-14 IN THE EXISTING LANDSCAPING & LIGHTING MAINTENANCE DISTRICT WITHIN SAID CITY, DECLARING ITS INTENTION TO PROVIDE FOR ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR SAME DISTRICT PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR PUBLIC HEARING THEREON (LLMD #8). Pursuant to the provisions of Division 15, Part 2, of the Streets and Highways Code, an Engineer's Report for Landscape and Lighting Maintenance District No. 8 (Marshall Canyon Estates Specific Plan development) has been prepared for City Council preliminary approval. Said approval sets the levy of assessments for Fiscal Year 2013-14 and sets the public hearing for June 17, 2013. It was proposed to set the assessment at the 1996-97 approved full year's levy. Staff recommended that the City Council adopt the resolution preliminarily approving the Engineer's Report and setting the public hearing for June 17, 2013. **Approved as recommended.**

**CONTINUED**

Due to the lack of a quorum, (Rodriguez and Rosales were absent, and Carder declared a Conflict of Interest, because she owns property within District 84-1M), Resolution No. 13-29, providing for annual levy for Special Maintenance District No. 84-1M was continued to the June 3, 2013, Council meeting.

Resolution No 13-29,  
Providing for an Annual Levy  
and Collection and Setting  
Public Hearing, Special  
Maintenance District 84-1M  
(84' 1M)

**Resolution No 13-29** - A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2013-14 IN A SPECIAL MAINTENANCE DISTRICT, AND SETTING A TIME AND PLACE FOR PUBLIC HEARING THEREON (**84-1M.**) Attached for City Council review is the Engineer's Report for Maintenance District No. 84-1M. The report contains a reference to the existing plans and specifications for the area to be maintained, the estimated cost to maintain for the fiscal year July 1, 2013 to June 30, 2014, and the assessment diagram. It is proposed that there will be no change in the assessment from the previous fourteen years. Staff is recommending that City Council approve the Engineer's Report on a preliminary basis and set the Public Hearing for June 17, 2013. **Staff is recommending that City Council adopt the Resolution approving the Engineer's Report, setting the public hearing for June 17, 2013.** (**NOTE: Council Member Carder will abstain from voting on Resolution No. 13-29, because she owns property within District No. 84-1-M.** **CONTINUED TO JUNE 3, 2013, Council meeting.**

c Resolution No 13-30,  
Authorizing Execution of a  
Grant Easement to Southern  
California Edison Company,  
(LeRoys Forebay Site)

**Resolution No 13-30** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING EXECUTION OF A GRANT OF EASEMENT TO SOUTHERN CALIFORNIA EDISON COMPANY ACROSS ASSESSOR'S PARCELS NUMBER 8666-008-270 AND 8666-008-271 (LEROYS FOREBAY SITE). Southern California Edison Company (SCE) submitted a request for an easement across city (water division) owned property to install, maintain, and operate a fiber optic telecommunications. SCE, already maintains existing electrical facilities and poles within the proposed easement. Staff recommended that the City Council approve the attached resolution authorizing execution of a "Grant of Easement" to Southern California Edison Company. Staff has determined that this action is categorically exempt from the California Environmental Quality Act, Section 15301, and City of La Verne environmental guidelines. **Approved as recommended.**

Resolution No. 13-31,  
Adopting Class Specification for  
Assistant to the City Manager  
(Administrative Services  
Officer)

**Resolution No. 13-31** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ADOPTING A CLASS SPECIFICATION FOR ASSISTANT TO THE CITY MANAGER (ADMINISTRATIVE SERVICES OFFICER). The position of City Clerk has remained vacant since this past December. This gave staff time evaluate how work assignments may be redistributed between the City Clerk and City Manager's Office and whether such changes would warrant reclassification of the position. That evaluation has been completed and it is being proposed that the position be reclassified from City Clerk to Assistant to the City Manager (Administrative Services Officer). In accordance with the City's personnel rules and regulations, such changes require City Council approval. It was recommended that the City Council adopt Resolution 13-31 updating the authorized position list by adding the classification of Assistant to the City Manager (Administrative Services Officer) and salary range for the same. **Approved as recommended.**

9. Continued – Appeal of Case No. 141-12PPR –1530 White Avenue –New Outdoor Storage Structures  
Mayor Kendrick declared the public hearing opened and continued the Appeal of Case No. 141-12PPR –1530 White Avenue – New Outdoor Storage Structures to Monday, June 3, 2013, Council meeting.
10. Consider Housing Linkage Funds for Habitat for Humanity’s Acquisition and Construction Project  
Community Development Director Fredericksen reported on the Housing Linkage Funds for Habitat for Humanity’s Acquisition and Construction Project. He stated that Pomona Valley Habitat for Humanity is requesting funding assistance for the acquisition and construction of one new single family home on a vacant residential property at the southeast corner of First Street and Wheeler Avenue. As previously identified by the City Council in December 2011, funding was earmarked through the “Housing Linkage” funds. Agreement No. 13-03 specifies the manner in which the funding would occur and provides for long-term affordability of the home, to benefit the future homeowner, the community, and the City.
- Jody Gmeiner from Habitat for Humanity stated she was very excited and looked forward to happy on starting on this new project in La Verne. She stated she is very appreciative of staff’s assistance. She thanked City Council, City staff for their continued support of Habitat for Humanity.
- Mayor Kendrick stated he fully supported Habitat for Humanity and stated he would like to see the home go to a veteran.
- It was moved by Kendrick, seconded by Carder, and unanimously carried by a vote of 3-0 (Rodriguez and Rosales absent) to continue this matter for further research and negotiations by staff pertaining to the purchase price of the land.
11. Council Comments/  
“Teacher of the Year” Award Ceremony  
Council Member Carder reported on the “Teacher of the Year” Award ceremony. She stated she was proud to be part of the presentation in honoring our teachers.
- “Walk with a Cop” Event  
Council Member Redman reported on the “Walk with a Cop” event. She reported that it was a great success and many from the community attended. The Public interacted with police personnel and learned about the history of the department.
- City of La Verne and Bonita Unified School District Teen Summit  
Council Member Redman reported on the joint City of La Verne and Bonita Unified School District Teen Summit to be held on Thursday, May 23, 2013, at 9:30 a.m. – 1:45 p.m. at the La Verne Community Center. She stated the purpose of the summit is to empower students and give the youth a day to voice their opinions, concerns, and ideas concerning pertinent teen issues.
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.
- Terry Hausner, 1412 Corrigan Court, (San Polo), La Verne, stated he called the La Verne Water Department regarding an error on his water bill. It was discovered that with the recent automated meter reading devices he was being under billed for water consumption. He was billed the additional units of water consumption resulting in a high water bill. He requested to meet with the City Manager regarding this matter.

Marcel Batoon, Boy Scout Association, Expo Chair, 2204 Del Marino, La Verne, invited the City Council to the Boy Scout Expo at Santa Anita on June 1, 2013, 10 a.m. -3 p.m.

13. Closed Session

At 7:21 p.m., the City Council met in a closed session for the following purpose:

Conference with Labor Negotiator (Government Code Section 54957.6)

City Negotiator: City Manager and Senior Management Analyst

Employee Organization: La Verne Firefighters' Association

There were no announcements.

14. The meeting was adjourned at 8:10 p.m.

Respectfully submitted,



Lupe Gaeta Estrella  
Deputy City Clerk