

**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, January 4, 2016**

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 Robin Carder
Council Member Donna Redman
Council Member Charlie Rosales
Council Member Tim Hepburn

Absent: None.

Advisory personnel present: City Manager Robert Russi
City Attorney Robert L. Kress
Assistant to the City Manager Teri Baker
Deputy City Clerk Lupe Gaeta Estrella, CMC
Public Works Director Dan Keeseey
Community Development Director Hal G. Fredericksen
Community Services Director Bill Aguirre
Finance Officer Richard Martinez
Police Chief Scott Pickwith
Fire Battalion Chief Mark Horine
Personnel Officer JR Ranells
Senior Planner Candice Bowcock
Principal Planner Eric Scherer
Community Services Coordinator Chad Peterson
3. Pledge of Allegiance was led by Mayor Kendrick.
4. Consent Calendar It was moved by Rosales, seconded by Hepburn, and unanimously carried to accept, approve, or act on the Consent Calendar, as presented, as follows:

City Council Minutes **City Council Minutes** of December 7 and corrected minutes of December 21, 2015, ***received and filed.***

Registers of Audited Demands **Register of Audited Demands** in the amount of \$737,703.81, dated 12-14-15, in the amount of \$859,690.95, dated 12-21-15, and in the amount of \$343,354.12, dated 12-28-15. ***Approved as recommended.***

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 \$2,616 from the Youth Sports Capital Improvement Fund. The Community Services Department is requesting the funds to pay for a 10x10 container in order to store portable baskets for the City's Youth Basketball program at Lutheran High School. Staff recommended that the City Council appropriate \$2,616 to the Sports Programs Cost Center 101-60-06-45-2 to pay for the 10x10 container. The funds will be provided by the Youth Sports Capital Improvement Fund as revenue in our Sports Programs account 101-0000-346-10-20. ***Approved as recommended.***

Confirming City Council's Direction of 12-21-15 regarding the Agreement between the City of La Verne and University of La Verne for the Purchase of Carpooling Spaces

Confirming City Council's Direction of 12-21-15 regarding the Agreement between the City of La Verne and University of La Verne for the Purchase of Carpooling Spaces - The University of La Verne is building a new parking structure on their campus that will have approximately 940 spaces for students and faculty. The City feels this would be an opportunity to purchase spaces dedicated for carpooling purposes due to its proximity to the downtown area and the future Gold Line Station. Based on the cost to build the parking structure, the cost per space is estimated at \$16,932. Since they will be dedicated for carpool, these spaces will be paid through Proposition C Transportation Funds. Staff recommended that the City Council approve an agreement to purchase 15 parking spaces dedicated for carpooling in University of La Verne's parking structure for community use using Proposition C Transportation funds at a total cost of \$253,980. ***Approved by a vote of 3-0, (Council Member Redman and Mayor Pro Tem Carder abstained due to their employment with the University. At the December 21, 2015, City Council meeting when this agreement was conceptually considered, Mayor Kendrick was selected through the Rule of Necessity to participate).***

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

Resolution No. 16-01, Authorizing Award of Public Works Contract to Wright Construction Engineering Corporation for the Expansion of the Franklin Lift Station Wetwell and Appropriation of Funding

Resolution No. 16-01 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AUTHORIZING THE AWARD OF A PUBLIC WORKS CONTRACT TO WRIGHT CONSTRUCTION ENGINEERING CORPORATION FOR THE EXPANSION OF THE FRANKLIN LIFT STATION WETWELL AND APPROPRIATION OF FUNDING. The Franklin Sewer Lift Station was constructed to provide sewer service to the very southwest areas of the city. The lift station was originally designed with basic land uses and wastewater demands in mind. However, the arrival of Gilead Sciences' campus will require more system capacity than is presently available. Staff has therefore designed a project to expand the capacities of the lift station with three-fourths of the cost paid by Gilead. Staff recommended that the City Council approve the resolution appropriating \$613,440 for the construction of the project and awarding a public works contract to Wright Construction Engineering, Corp., the lowest responsible and responsive bidder, in the amount of \$613,439.37 and further authorize staff to approve change orders up to 10% of the contract amount. Approval of the resolution also affirms the City Council's concurrence to allow the apparent low bidder to withdraw its bid due to a clerical error. Staff has determined that this project is categorically exempt from the California Environmental Quality Act (CEQA), Section 15301 and City of La Verne environmental guidelines. ***Approved as recommended.***

Ordinance (s) second reading, passage and adoption recommended, as follows:

Ordinance No. 1062, Approving the Emerald Collection Specific Plan

Ordinance No. 1062 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE EMERALD COLLECTION SPECIFIC PLAN. ***Approved.***

Urgency Ordinance No. 1063 to Consider Extending Ordinance No. 1049 Establishing a Moratorium on New Tobacco-Related Uses

City Manager Russi reported on Urgency Ordinance No. 1063, extending Ordinance No. 1049, establishing a moratorium on new tobacco-related uses for Council consideration. The proposed moratorium extension would extend the provisions of Urgency Ordinance No. 1049, for a period of one (1) year (through January 20, 2017). This Ordinance requires adoption by a 4/5 vote.

Mayor declared the public hearing opened and called for public testimony on this matter, there being none, and the Mayor closed the public hearing.

It was moved by Carder, seconded by Redman, and unanimously carried to adopt

Urgency Ordinance No. 1063, extending a moratorium on new tobacco-related uses for an additional period of one (1) year (through January 20, 2017).

Urgency Ordinance No 1063, Extending Ordinance No. 1049, Establishing a Moratorium on New Tobacco-Related Uses.

ORDINANCE NO. 1063 - AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA EXTENDING ORDINANCE NO. 1049 ESTABLISHING A MORATORIUM ON NEW TOBACCO-RELATED USES. **Approved.**

Medical Marijuana Regulations

Principal Planner Scherer reported on the medical marijuana regulations. He stated that Medical Marijuana Regulation and Safety Act consists of three separate bills that were all dependent upon each other passing, with two other previous laws in place relating to medical marijuana. The City had previously adopted an ordinance that prohibited medical marijuana dispensaries in the city. The new bills provide a permitting process for the cultivation and delivery of medical marijuana, allowing local agencies to allow these acts or prohibit them, with a specific ordinance. If such an ordinance is not in place, then the State law and permitting system applies, and there is no local control over these activities. Staff recommended that the City Council introduce Ordinance No. 1064, repealing Chapter 18.82 of the La Verne Municipal Code and replacing it with a new ordinance which would prohibit medical marijuana dispensaries, the cultivation of medical marijuana, and the delivery of medical marijuana throughout the City.

Council Member Rosales stated that as retired police officer he felt it was imperative to adopt the ordinance prohibiting the cultivation and delivery of medical marijuana in the city to ensure the safety and quality of life in La Verne.

Mayor Kendrick declared the public hearing opened and called for public testimony, there being none, and the Mayor closed the public hearing.

It was moved by Rosales, seconded by Redman, and unanimously carried to introduce and place on first reading Ordinance No. 1064, repealing Chapter 18.82 of the La Verne Municipal Code and replacing it with a new ordinance which would prohibit medical marijuana dispensaries, the cultivation of medical marijuana, and the delivery of medical marijuana throughout the City.

Ordinance No. 1064,
Deleting and Readopting
Chapter 18.82 of the La Verne
Municipal Code Prohibiting all
Commercial Medical Marijuana
Uses in the City and Prohibiting
Cultivation for Medical Use by a
Qualified Patient for Primary
Caretaker

Ordinance No. 1064 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA DELETING AND READOPTING CHAPTER 18.82 OF THE LA VERNE MUNICIPAL CODE PROHIBITING ALL COMMERCIAL MEDICAL MARIJUANA USES IN THE CITY AND PROHIBITING CULTIVATION FOR MEDICAL USE BY A QUALIFIED PATIENT OR PRIMARY CAREGIVER. **Approved and placed on first reading.**

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.

There was none.

8. Council Comments and
Meeting/Conference Reports

Mayor Pro Tem Carder wished everyone a happy New Year and she reported on Grace Miller's free electrical round-up on Saturday, January 16, 2016, proceeds will benefit the school's reading program.

Council Member Hepburn stated this being his first year on the City Council, he was very impressed with all the hard work put in by the La Verne Fire Department and volunteers on Christmas bagging for their annual Christmas run on Christmas morning. He stated that the residents were very happy and it was important to keep this tradition up and this is what makes La Verne special. He also wished everyone a happy New Year.

Mayor Kendrick reported on his recent visit to the Rose Bowl "Donate a Life" Float dedication in Pasadena. He was very impressed with all the hard work put in by the volunteers. He commended Ina Brown from "Donate a Life" for her commitment and dedication to such an important program. He also wished everyone a happy New Year.

Meeting was adjourned at 6:45 p.m.

Respectfully submitted,



Lupe Gaeta Estrella, CMC
Deputy City Clerk