

**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, August 15, 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 Charles Rosales
Council Member Donna Redman
Council Member Robin Carder
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
Assistant City Clerk Lupe Gaeta Estrella
Public Works Director Dan Keesey
Community Development Director Hal G. Fredericksen
Community Services Director Bill Aguirre
Finance Director Richard Martinez
Police Chief Scott Pickwith
Police Captain Nick Paz
Fire Chief Pete Jankowski
Personnel Officer JR Ranells
Acting Police Captain Tom Frayeh
Community Services Coordinator Yvonne Duran
Public Works Manager Tracy Costello

3. Pledge of Allegiance was led by Mayor Kendrick.

4. Presentation/Introductions
& Announcements

La Verne Girls' Softball 14U All-Stars Mayor Kendrick reported on the La Verne ASA 14U All-Star team placed 1st in the North East District Tournament, 2nd in the Redondo Beach "War at the Shore", 1st in the Glendora Pride of the Foothills Tournament, and 1st in the Corona Diamond Classic. They moved on to the State Championship placing 5th out of 32 teams. The team was coached by Robert Rico, who was assisted by Alfred Desrosiers, Phil Eaton, and Steve Mikesell.

Ariel Rico	Mia Tyler	Jordyn Goluskin	Breanna Rafols
Kali Blount	Rosemary Osorio	Sofia Delgado	Allie Acosta
Madison Mikesell	Vanessa Desrosiers	Mia Morales	Sam Pereyra
Paige Horvat	Lizette Camacho		

5. At 6:41 p.m., the City Council recessed and immediately reconvened to regular session at 6:43 p.m.

6. Consent Calendar It was moved by Carder, seconded by Rosales, and unanimously carried to accept, approve, or act on the Consent Calendar, as presented, as follows:
- City Council Minutes **City Council Minutes** of the special and regular meetings of July 18, 2016, and the corrected minutes of the adjourned meeting of June 20, 2016, ***received and filed*** as submitted.
- 2015-16 Register of Audited Demands **2015-16 Register of Audited Demands** in the amount of \$145,382.17, dated June 30, 2016; in the amount of \$196,672.95, dated July 6, 2016; in the amount of \$57,651.96, dated July 7, 2016; in the amount of \$294,000.54, dated July 19, 2016; and in the amount of \$760,170.26, dated July 26, 2016. ***Approved as recommended.***
- 2016-17 Register of Audited Demands **2016-17 Register of Audited Demands** in the amount of \$152,164.77, dated July 5, 2016; in the amount of \$6,633.50, dated July 7, 2016; in the amount of \$751,157.73, dated July 18, 2016; and in the amount of \$324,244.55, dated July 25, 2016. ***Approved as recommended.***
- Treasurer's Report for the Month of July 2016 **Treasurer's Report for the Month of July 2016**, ***received and filed.***
- Approve Spending Authority for Los Angeles Universal Preschool Grant **Approve Spending Authority for Los Angeles Universal Preschool Grant** - The City was notified on May 17, 2016, that the preschool was awarded a \$258,000 grant from the Los Angeles Universal Preschool (LAUP). On June 6, 2016, Council approved the Grant Agreement.
- Staff recommended that the City Council approve spending authority for the Preschool Grant and appropriation of funds in the amount of \$258,000 in the General Capital Improvement Fund. ***Approved as recommended.***
- Tract 48952; Live Oak Estates, Bond Reduction **Tract 48952: Live Oak Estates - Bond Reduction** - Melia Homes, Inc., developer for Tract 48952, a 17-lot residential project located along Golden Hills Road has requested a reduction of their performance sureties and release of the Monumentation deposit. Staff has inspected and approved the construction of the public works improvements as complete and in conformance with the approved plans.
- Staff recommended that the City Council authorize the reduction of the Performance and Labor/Materials surety requirements for Tract 48952 to 10% of the original amounts of \$1,360,000 and \$680,000 respectively and fully refund the Monumentation deposit. The 10% is the required retention amount to be held by the City for one year. ***Approved as recommended.***

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

Resolution No. 16-65,
Designating its Agent(s) for the
purpose of Applying for
Financial Assistance to
California Office of Emergency
Services

Resolution No. 16-65 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESIGNATING ITS AGENT(S) FOR THE PURPOSE OF APPLYING FOR FINANCIAL ASSISTANCE TO CALIFORNIA OFFICE OF EMERGENCY SERVICES. Occasionally, a local emergency may be declared as a result of natural or manmade events, including earthquakes, floods, and fires. Local agencies may qualify for emergency financial assistance through the California Office of Emergency Services (CalOES), formerly known as the California Emergency Management Agency, depending upon the scope and financial impact of the event. CalOES requires that an agency designate authorized agents to act on behalf of the agency.

Staff recommended approval of Resolution No. 16-65, authorizing the Fire Chief, Director of Public Works, and Finance Director to act as the City's authorized agents regarding emergency financial assistance applications and related documents through the California Office of Emergency Services.
Approved as recommended.

Resolution No. 16-66,
Authorizing an Agreement with
Digital EMS Solutions to
provide ePCR Software and
Support Services for
Implementation of an Electronic
Patient Care Reporting
Program

Resolution No. 16-66 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING AN AGREEMENT WITH DIGITAL EMS SOLUTIONS TO PROVIDE ePCR SOFTWARE AND SUPPORT SERVICES FOR IMPLEMENTATION OF AN ELECTRONIC PATIENT CARE REPORTING PROGRAM. Following approval of the Patient Protection and Affordable Care Act (ACA) by the federal government in 2010, conversion from paper patient reports to digital reporting became required. La Verne Fire Department (LVFD) has identified a vendor to provide a reliable and efficient product to meet the needs of LVFD paramedics. The cost, as set forth in Schedule P to the agreement, is \$11,600 and has been included in the FY16/17 budget. Additionally, equipment costs to implement the program are \$3,800 which will be supported by a 50% equipment matching grant from the County of Los Angeles. The grant will reduce the implementation cost to the City of La Verne by \$1,900.

Staff recommended that the City Council approve Resolution No. 16-66, authorizing the execution of an agreement with Digital EMS Solutions.
Approved as recommended.

6. The La Verne City Council recessed at 6:44 p.m., to meet as the La Verne Public Financing Authority; following which, the City Council reconvened to regular session at 6:46 p.m.
7. Preferential Parking on 4500 Block of Dawn Avenue and 2700-2800 Block of Baseline Road, Resolution No. 16-64
Police Captain Paz reported on the request for preferential parking on the 4500 Block of Dawn Avenue and 2700-2800 Block of Baseline Road, Resolution No. 16-64. He stated that the City received a petition from residents on Dawn Avenue and the 2700 to 2800 block of Baseline Road requesting preferential parking to the front of their residence. Residents have cited the reason for this request as on-going issues with vehicles being parked on the residential streets adjacent to their residence.

It was moved by Redman, seconded by Hepburn, and unanimously carried to approve Resolution No. 16-64, designating a "Residential Preferential Parking Zone" in the cul-de-sac of the 4500 block of Dawn Avenue and the length of the 2700 through the 2800 block of Baseline Road on the South side. Monday through Friday, from 7:00 a.m. to 8:00 p.m.

Resolution No. 16-64,
Designating a "Residents"
Preferential Parking Zone" by
Adding 4500 Block of Dawn
Avenue and 2700-2800 Block
of Baseline Road

Resolution No. 16-64 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESIGNATING A "RESIDENTS' PREFERENTIAL PARKING ZONE" PURSUANT TO CHAPTER 10.76 OF THE LA VERNE MUNICIPAL CODE BY ADDING 4500 BLOCK OF DAWN AVENUE AND 2700-2800 BLOCK OF BASELINE ROAD. ***Approved as recommended.***

Mayor Pro Tem Rosales thanked the La Verne Police Department staff for moving quickly on this matter.

Carolyn Elmore, 2772 Baseline Road, La Verne, thanked the City Council for their assistance in resolving this matter.

Council Member Carder thanked Ms. Elmore for this bringing this matter to their attention.

Mayor Kendrick also thanked Ms. Elmore, stating she was the driving force in resolving this matter.

8. Adjustment of Water
Conservation Target and
Possible Suspension of
California Drought Surcharge

Public Works Director Keesey reported on the adjustment of the water conservation target and possible suspension of the California Drought Surcharge. He stated that in May 2016, the State Water Resources Control Board adopted a statewide water conservation approach that replaces the prior percentage reduction-based water conservation standard with a self-certified, "stress test" approach. The stress test evaluation allows local water agencies to establish their own conservation levels based upon future water supply availability through 2019. City staff performed the stress test evaluation and determined that the City's water supply should be adequate to meet 100% of customer demands through 2019. As such, the currently mandated 30% cut in water use may be reduced to zero based upon the stress test evaluation. The City may act to revise its conservation target immediately using this information; however, doing so would be at the risk of the State Board rejecting the stress test evaluation and maintaining the existing conservation requirements, as the State Board has not confirmed acceptance of the stress test evaluation. The State Board was expected to act upon the stress test evaluations by the end of July, but has yet to do so.

It must be noted that changes to the water conservation goal do not relax water waste restrictions as these will remain in place through January 2017 under the State Board's emergency regulation. Said restrictions are also expected to become state law in the near future.

After discussion by City Council on continuing the current level of water conservation so as not to derail the efforts of the residents who were doing a great job, it was moved by Carder and seconded by Hepburn to amend Resolution No. 16-67, suspending the drought penalty charges, and maintain current conservation requirements under Resolution No. 15-31, which implemented Phase VII water use restrictions until the State Water Board has accepted the City's "Stress Test" documentation. Approval of the amended resolution also directs staff to continue water conservation education efforts and all associated conservation programs.

Resolution No. 16-67,
Suspending the California
Drought Surcharge and
Maintaining Phase VII Water
Use Restriction Implemented
Under Resolution No. 15-31

Resolution No. 16-67 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, SUSPENDING THE CALIFORNIA DROUGHT SURCHARGE AND MAINTAINING PHASE VII WATER USE RESTRICTIONS IMPLEMENTED UNDER RESOLUTION NO. 15-31. **Approved as recommended.**

Council Member Carder thanked the Public Works Department Manager Costello and staff for all their efforts on water conservation.

9. Consideration of Incorporating
Invocation to the Council
Agenda

City Manager Russi stated that at the March 2, 2016, City Council Meeting a request was received regarding invocation at City Council meetings. At that meeting, the City Council directed staff to research the matter and bring it back to at a later date. Since that time, Staff has been busy with other demands, but are now in position to in initiate the work if the City Council so desires.

Mike Noriega, 3751 Helena Circle, La Verne, stated he is in favor of beginning Council meetings with prayer. He spoke about the importance of praying for God's protection and blessing, and that without it, there will be none. He strongly urged that the City Council to approve adding opening prayer at City Council meetings.

Steve Metcalf, La Verne, suggested that before City Council makes a decision on this matter, they should consider reasons on why there should be prayer at Council meetings. He added that whatever decision is made by City Council, he will support.

Shirley Baldwin, La Verne, stated that she has lived in La Verne for 47 years, and is in favor of prayer at Council meetings. She commended Mike Noriega for bringing this matter to City Council and asked them to also support him by approving opening prayer at City Council meetings.

Gwen Carr, La Verne resident, stated she strongly opposed bringing prayer to City Council meetings. She suggested that the City Council could instead hold a moment of silence at the beginning of City Council meetings.

Michael Noriega Sr, 3751 Helena Circle, La Verne, stated he was in favor of opening prayer at Council meetings and that it was a part of our nation's history.

Gary Hunter, La Verne, stated he is not in favor of opening prayer at Council meetings.

Gerry Noriega, 3751 Helena Circle, La Verne, stated she is in favor of opening prayer at Council meetings.

Carolyn Elmore, 2772 Baseline Road, La Verne, stated that her religion is private and added that there are too many religions in the community and the City Council would have to represent all of them.

Elizabeth Saks, stated that the Country was founded on Christianity and that she is in favor of holding opening prayer at Council meetings.

Council Member Carder thanked Mike Noriega for speaking and for his patience for the time it took to bring this matter back. She stated that the wonderful part about La Verne is that there are many different faiths and churches in the community. She stated that everyone has their own faith and worships with families, in church; etc, but she felt that Council meetings were not a place for prayer. She stated there are many religions in La Verne and as elected officials; the City Council would have to accommodate all the faiths. She suggested that the Military should be present during the pledge of allegiance at Council Meetings. She added that an inscription "In God We Trust" will be installed in the Council Chambers, which will serve as a reminder that God is always with us, but we don't have to express it at each Council meeting.

Mayor Pro Tem Rosales stated that he is a devout Christian and holds his religion close to his heart. He agreed with Council Member Carder that as an elected official they have an obligation to represent the entire faith community in La Verne, and for that reason he was not in favor of opening prayer at Council meetings. He added that the inscription "In God We Trust" will serve as a reminder that God is always in our hearts.

Council Member Redman stated she was raised to believe that God is always with you and that he does not need to be invited. She prays before each Council meeting. She strongly disagreed with the statement that God will not protect us, if we do not pray to him. She stated as an elected official, she represents the entire La Verne community and she is not in favor of bringing opening prayer to Council meetings.

Council Member Hepburn thanked the residents for attending. He stated that his religion is in his heart and he always carries it with him, and there was no need to bring opening prayer to Council meetings.

Mayor Kendrick stated that the City of La Verne was founded by faith driven individuals and that the moral compass of La Verne is a faith base. He also stated that the City Council are also faith driven individuals. He stated that he and Mayor Pro Tem Rosales proudly served in the military and prayed constantly during their service, but he was not in favor of opening prayer at Council meetings.

It was moved by Carder, seconded by Redman, and unanimously carried not to hold opening prayer at Council Council meetings and to cease any further study on this matter.

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

Council Member Carder reported on the Fire Department's first Community Emergency Response Team (CERT) meeting to assist Fire and Police Departments in response to local emergency situations. She reported on the success of the concerts and movies at the park events, which were well received by the public. She commended Community Services Director Aguirre and his staff for a great job.

Mayor Pro Tem Rosales reported that he, Council Members Carder and Hepburn, attended the ceremonial opening of the Metropolitan Water District installation of a solar farm at the F.E. Weymouth Water Treatment Plant in La Verne.

Council Member Redman stated that the Movies at the Park are sponsored by the La Verne Police Officers' Association. She reported on the successful night of the showing of "Star Wars" with the appearance of Police Sergeant Cory Leeper dressed as a Star Wars character. She also reported that the Police Department is collecting donations of school supplies for every child to succeed in school and urged residents to help the La Verne Police Stuff a Squad Car. Donations can be made at the La Verne Police Department or at City Hall.

Council Member Hepburn thanked the audience for their attendance. He reported that the train noise should be phasing out by the end of September. He thanked the Public Works Department for the great job they did on the tree roots on Arrow Highway. He also commended the La Verne Police and Fire Departments for their efforts in their handling of a very difficult situation apprehending a suspect without incident.

9. At 7:44 p.m., City Council recessed to Closed Session.

10. Closed Session

Pursuant to Government Code Section 54957, the City Council met in closed session for the following purpose.

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

There was no announcement.

Pursuant to Government Code Section 54957.6, the City Council met in a closed session for the following purpose

CONFERENCE WITH LABOR NEGOTIATOR

Agency Negotiator:	City Attorney
Unrepresented employee:	City Manager

There was no announcement.

11. Adjournment at 8:30 p.m., in memory of La Verne resident and Police RSVP **Bill Whittle** who passed away on Tuesday, August 2, 2016. Bill was born on December 13, 1931 in Youngstown, Ohio. Shortly after graduating from Cleveland Heights High School in Ohio, he was drafted into the Army during the Korean War. He had a knack for working with machines and figuring out complex engineering problems which led to opening his own business. Bill also taught Machine Design at Mt. San Antonio College and performed volunteer work at various high schools, educating youth on the dangers of drugs and alcohol. After his retirement he joined the Police RSVP Program in 1996, joining his wife Felicia who was already a member. Bill loved the outdoors and enjoyed camping, skiing and boating. He is survived by his wife Felicia, his son David, and two daughters, Pat and Nancy.

Respectfully submitted,

A handwritten signature in black ink that reads "Lupe Gaeta Estrella". The signature is written in a cursive, flowing style.

Lupe Gaeta Estrella, CMC
Assistant City Clerk