

CITY OF LA VERNE
CITY COUNCIL AND
SUCCESSOR AGENCY AGENDA

Don Kendrick, Mayor

Charlie Rosales, Mayor Pro Tem

Robert Rodriguez, Council Member

Donna Redman, Council Member

Robert Carder, Council Member



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City Hall Council Chamber

3660 D Street

La Verne, CA 91750

Monday, June 03, 2013 - 6:30 p.m.

City Hall

Council Chamber

3660 D Street, La Verne, CA 91750

The City of La Verne appreciates your attendance. Citizens' interest provides the Council with valuable information regarding issues of the community. Regular Meetings are held on the 1st and 3rd Monday of every month. In compliance with the American Disabilities Act, any person with a disability who requires a modification or accommodation in order to participate in a meeting should contact the City Clerk's Office at (909) 596-8726 at least 48 hours prior to the meeting.

All items submitted for future agendas must be in writing to the City Clerk no later than 5 p.m. on the Monday prior to the 1st and 3rd Monday of each month. Materials related to an item on this agenda, submitted to the Council after distribution of the agenda packet, are available for public inspection at the meeting or in the City Clerk's Office during normal business hours.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL:** Council Member Carder, Council Member Redman, Council Member Rodriguez, Mayor Pro Tem Rosales, and Mayor Kendrick

4. **ANNOUNCEMENTS AND PRESENTATION**

- a. **Introduction and Badge Pinning Battalion Chief Mike Thompson** – Mike began his career with the City of La Verne in June, 1984, as one of the original six firefighter/paramedics hired by the City. After serving in the Fire Engineer position for six months, he was promoted to Fire Captain in 1994. In July 2012, Mike was selected to the Acting Battalion Chief position following Chief Jankowski's appointment as interim Fire Chief. On May 5, 2013, he received permanent appointment in that position. Battalion Chief Thompson is the department's training officer and emergency medical services coordinator. Mike holds an Associate's Degree in emergency medical services from Mt. San Antonio College. He and his wife Janna live in San Diego. Together, they have five children, Justin, Jason, Kristen, Lauren, and Ashley. His badge will be pinned by his wife.

- b. **Introduction and Badge Pinning Firefighter/Paramedic Andrew Glaze** – Andrew grew up in Redlands, California where he continues to live today with his wife Jennifer and their 2 year old son Hayden. He attended the fire academy at Crafton Hills College in 2009, and graduated from the NCTI Paramedic Program in 2012. He earned a Bachelor's Degree in business from Skidmore College in New York. Prior to his hiring in La Verne, Andy worked for the San Bernardino County Fire Department as a firefighter/paramedic for 1 ½ years. He will have his badge pinned by his wife Jennifer.

- c. **Introduction and Badge Pinning Firefighter/Paramedic Adrian Villarreal** – Adrian was born and raised in Rancho Cucamonga. In 2009, he attended the fire academy at Mt. San Antonio College where he earned an Associate's Degree. He also received a certificate from the Paramedic Training Institute in 2012. Adrian has been an Apprentice Firefighter for La Verne since 2010. He will have his badge pinned by his father Eddie Villarreal.

5. **CONSENT CALENDAR** (All items on the Consent Calendar are considered to be routine and will be enacted by one motion unless a member of the City Council or member of the audience requests separate discussion.) ***NOTE: Council Member Carder will abstain from voting on Resolution No. 13-29 because she owns property within District No. 84-1-M. Mayor Kendrick will abstain from voting on Item 5-d-21) – Resolution No. 12-23 (intention to approve the annual report for the Old Town La Verne Business Improvement District and scheduling a public hearing) because he owns a business within the district boundaries.***

- a. **City Council Minutes** of the meeting of May 20, 2013, to be received and filed as submitted.

- b. **Registers of Audited Demands** in the amount of \$642,611.10, dated May 15, 2012, and in the amount of \$917,044.52, dated May 21, 2013, approval recommended.

- c. **City Council Agreements for Fiscal Year 2013-14** considered routine, passage and adoption recommended, and will be enacted with one motion unless separate discussion is requested by Council or a citizen, as follows:

- 1) **Agreement No. CC 13-05** – DATA MICROLMAGING COMPANY for Digital Scanning services.
 - 2) **Agreement No. CC 13-06** – FRIENDS OF THE FOURTH for planning and conducting of Independence Day special events.
 - 3) **Agreement No. CC 13-07** – LEIGHTON CONSULTING to provide soils testing, soils compaction, and other geological services.
 - 4) **Agreement No. CC 13-08** – LIEBERT, CASSIDY WHITMORE for West Inland Empire Employment Relations Consortium services.
 - 5) **Agreement No. CC 13-09** – LIEBERT, CASSIDY WHITMORE for special legal services.
 - 6) **Agreement No. CC 13-10** – SORCINELLI ARCHITECTS for architectural services.
 - 7) **Agreement No. CC 13-11** – WARREN C. SIECKE for traffic engineering services.
 - 8) **Agreement No. CC 13-12** – WITHERS & SANDGREN LTD for landscaping architecture and planning services.
- d. **City Council Resolution(s) passage & adoption, recommended as follows.** ***NOTE: Council Member Carder will abstain from voting on Resolution No. 13-29, because she owns property within District No. 84-1-M, and Mayor Kendrick will abstain from voting on Item 5-d-21) - Resolution No. 13-52 (intention to approve the annual report for the Old Town La Verne Business Improvement District and scheduling a public hearing) because he owns a business within the district boundaries.***
- 1) **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.***
 - 2) **Resolution No. 13-32** – A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF LA VERNE AND A & B ELECTRIC FOR ELECTRICAL MAINTENANCE SERVICES (FISCAL YEAR 2013-14).

- 3) **Resolution No. 13-33** – A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF LA VERNE AND AEGIS ITS FOR TRAFFIC SIGNAL AND SAFETY LIGHT SYSTEM MAINTENANCE (FISCAL YEAR 2013-14).

- 4) **Resolution No. 13-34** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF LA VERNE AND CIVILTEC ENGINEERING, INC., FOR UTILITY ENGINEERING SERVICES (FISCAL YEAR 2013-14).

- 5) **Resolution No. 13-35** – A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF LA VERNE AND D.H. MAINTENANCE SERVICES FOR FACILITY MAINTENANCE SERVICES (FISCAL YEAR 2013-14).

- 6) **Resolution No. 13-36** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING AN AGREEMENT WITH GENERAL PUMP COMPANY FOR PUMP AND WELL MAINTENANCE SERVICES (FISCAL YEAR 2013-14).

- 7) **Resolution No. 13-38** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING AN AGREEMENT WITH INTER-CON SECURITY SYSTEMS, INC., TO PROVIDE PARKING ENFORCEMENT SERVICES THROUGH DECEMBER 31, 2013).

- 8) **Resolution No. 13-39** – A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF LA VERNE AND KEAR GROUNDWATER FOR CONSULTING SERVICES (FISCAL YEAR 2013-14).

- 9) **Resolution No. 13-40** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE LA IMPACT FOR PERSONNEL SERVICES.

- 10) **Resolution No. 13-41** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING AN AGREEMENT WITH LAYNE CHRISTENSEN COMPANY FOR PUMP AND WELL MAINTENANCE SERVICES (FISCAL YEAR 2013-14).

- 11) **Resolution No. 13-42** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF LA VERNE AND KIDMAN LAW LLP FOR LEGAL COUNSEL ON WATER LAW MATTERS (FISCAL YEAR 2013-14).

- 12) **Resolution No. 13-43** – A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF LA VERNE AND MC LAY SERVICES, INC. TO PROVIDE PLUMBING SERVICES (FISCAL YEAR 2013-14).

- 13) **Resolution No. 13-44** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING AN AGREEMENT WITH RKA CONSULTING GROUP, FOR CITY ENGINEERING SERVICES (FISCAL YEAR 2013-14).

- 14) **Resolution No.13-45** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING AN AGREEMENT WITH RKA CONSULTING GROUP, FOR CITY BUILDING AND SAFETY SERVICES (FISCAL YEAR 2013-14).

- 15) **Resolution No. 13-46** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING AN AMENDED AND RESTATED EXCLUSIVE AGREEMENT WITH SANDERS TOWING SERVICES (FISCAL YEAR 2013-16).

- 16) **Resolution No. 13-47** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING AN AGREEMENT WITH WALLIN, KRESS, REISMAN & KRANITZ LLP FOR LEGAL SERVICES (FISCAL YEAR 2013-14),

- 17) **Resolution No. 13-48** – A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF LA VERNE AND WATER HAMMER, INC., FOR CONSULTING AND MAINTENANCE SERVICES (FISCAL YEAR 2013-14).

- 18) **Resolution No. 13-49** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING AN EXTENSION OF AN AGREEMENT FOR ONE (1) YEAR WITH WEST COAST ARBORISTS, INC., FOR STREET TREE MAINTENANCE (FISCAL YEAR 2013-14).

- 19) **Resolution No. 13-51** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING EXECUTION OF A PUBLIC WORKS CONTRACT WITH GENTRY BROTHERS, INC. FOR THE WHITE AVENUE ET AL RESURFACING AND RECONSTRUCTION STREET IMPROVEMENT PROJECT. The Public Works Department’s Pavement Management Program (PMP) identifies several streets to be scheduled for rehabilitation during 2012/13. This particular project includes pavement resurfacing and reconstruction activities on White Avenue, F Street, Maplewood and Elmcrest Streets. The new pavement will enhance ride quality and roadway aesthetics. The project was advertised on May 2, and May 9, 2013, bid proposals were received and opened on May 21, 2013. ***Staff recommends that the City Council approve the attached resolution awarding a public works contract to Gentry Brothers, Inc. the lowest responsible and 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 .responsive***

bidder, in the amount of \$312,764.20. Approval of the resolution also authorizes staff to approve change orders up to 10% of the contract amount.

- 20) **Resolution No. 13-52** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DECLARING ITS INTENTION TO APPROVE THE ANNUAL REPORT OF THE OLD TOWN LA VERNE BUSINESS IMPROVEMENT DISTRICT WHICH INCLUDES A BUDGET AND REESTABLISHES THE BOUNDARIES AND ASSESSMENT FORMULA FOR THE 2013-2014 FISCAL YEAR AND SETS A PUBLIC HEARING ON THE MATTER. An annual public hearing is required to consider the Annual Report of the Old Town La Verne Business Improvement District (OTLVBID) and has been scheduled for June 17, 2013. At said hearing, the City Council will be requested to: 1) Receive and file a report of the OTLVBID prior year activities.2) Approve the proposed OTLVBID 2013-2014 Annual Budget, and incorporate it into the overall City Budget.3) Approve re-establishment of the District boundaries and assessment formula. ***Staff recommends the City Council adopt the attached Resolution No.13-52, declaring its intention to approve the OTLVBID Annual Report and sets a public hearing on the matter for June 17, 2013. Note: Mayor Kendrick will abstain from voting on Resolution No. 13-52 (intention to approve the annual report for the Old Town La Verne Business Improvement District and scheduling a public hearing) because he owns a business within the district boundaries.***

6. **PUBLIC HEARINGS**

Continued Appeal of Case No. 141-12PPR – 1530 White Avenue – New Outdoor Storage Structures – Request to Appeal Condition of Approval – The Development Review Committee conditionally approved Case No. 141-12PPR, a request for multiple outdoor storage structures for the property at 1530 White Avenue, at their March 5, 2013, meeting. One of the conditions of approval for the project was that the illegally-constructed structure on the property not be approved, and removed prior to the issuance of permits for the structures that were approved. The property owner, Mr. Rick Landi of Quality Control Services, objects to this condition and has appealed the Development Review Committee's decision. The City Council previously continued this item so that Staff could meet with the applicant and inspect the structure.

STAFF RECOMMENDATION:

Staff recommends that the City Council modify a condition of approval for the project as found in the attached Conditional Approval Letter.

7. The **CITY COUNCIL** will **RECESS** to meet as the **LA VERNE SUCCESSOR AGENCY**; following which, the **LA VERNE SUCCESSOR AGENCY** will **ADJOURN** and the **CITY COUNCIL** will **IMMEDIATELY RECONVENE**.

8. **MEETING OF THE LA VERNE SUCCESSOR AGENCY**

Revision to the Development and Disposition Agreement (DDA) for the Campus West Athletic Complex – Due to delays with the start of construction for the campus west project, the University of La Verne is seeking the City's support of amending the performance schedule to avoid being out of compliance with the agreement. The changes proposed do not impact the dates of completion as they pertain to the start of construction. Staff is supportive of the changes and is seeking Council concurrence to amend the existing (DDA). **Council Members Redman and Carder will declare a conflict of interest on this matter because they are employed by the University of La Verne.**

STAFF RECOMMENDATION: It is recommended that the Successor Agency Board approve the revision to the Schedule of Performance between the City and University.

9. **The LA VERNE SUCCESSOR AGENCY will ADJOURN and the CITY COUNCIL will IMMEDIATELY RECONVENE.**

10. **OTHER MATTERS**

- a. **Consider Housing Linkage Fund Assistance for Habitat for Humanity Acquisition and Construction Project** – Pomona Valley Habitat for Humanity is requesting funding assistance for the acquisition of a vacant residential property at the southeast corner of First Street and Wheeler Avenue and construction of one new single family home on the property. The cost of the property is \$172,500. Habitat is requesting the \$250,000 allocation, with remaining funds beyond the purchase price to be available for construction materials and any other costs including off-site improvements or fees. Funding is available for the request through the use of "Housing Linkage" funds, as previously identified by the City Council in December 2011. 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.

This item was continued from the May 20, 2013 City Council meeting in order to provide further study of the proposed sale price. Council had expressed concern that the original asking price at \$175,000 was possibly excessive. The sellers have reduced the price by \$2,500, to \$172,500, and have provided staff with some background to support their proposed sale price.

STAFF RECOMMENDATION: Staff recommends that the City Council approve Agreement No. 13-03 with Pomona Valley Habitat for Humanity for acquisition of the vacant lot at the southeast corner of First Street and Wheeler Avenue, construction materials, offsite costs, or fees through an expenditure of

Housing Linkage funds, not to exceed \$250,000. The City Council's approval should provide license to make non-substantive changes to the Agreement, approved as to form by the City Attorney.

- b. **California HERO Program – Adoption of resolution authorizing participation in the Western Riverside Council of Governments' California HERO Program** – This report provides a description of the Western Riverside Council of Governments' (WRCOG) California HERO Program, and explains the community benefits from participation in program. The California HERO Program gives qualified residential and commercial property owners the ability to finance the installation of renewable energy, energy and water efficiency improvements, and electric vehicle charging infrastructure. Financing will be made possible through a joint powers authority issuance of bonds; owners will repay the bonds through a voluntary contractual assessment collected together with their property taxes. The program has no cost to the City of La Verne.

STAFF RECOMMENDATION:

It is recommended that the City Council adopt Resolution 13-50, authorizing participation in the California HERO Program, and direct staff to deliver a certified copy of the adopted resolution to the Secretary of the Western Riverside Council of Governments Executive Committee, as follows:

Resolution No. 13-50 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, CONSENTING TO THE INCLUSION OF PROPERTIES WITHIN THE CITY'S JURISDICTION IN THE CALIFORNIA HERO PROGRAM TO FINANCE DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES, ENERGY AND WATER EFFICIENCY IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND APPROVING THE AMENDMENT TO A CERTAIN JOINT POWERS AGREEMENT RELATED THERETO.

11. **PUBLIC COMMENTS/ORAL COMMUNICATIONS** – This is the time set aside for anyone wishing to address the City Council on items not listed in any other place on the agenda. Under the provisions of the Brown Act, the legislative body is prohibited from talking or engaging in discussion on any item not appearing on the posted agenda. However, your concerns may be referred to staff or set for discussion at a later date. Any person desiring to speak should complete a 'Speaker Card,' located at the podium, and hand it to the City Clerk. When addressing the Council, please go to the podium and state your Name and Address for the record. The Mayor reserves the right to place limits on duration of comments.

12. **COUNCIL COMMENTS AND CONFERENCE/MEETING REPORTS** - Each Council Member may address the Council and public on matters of general information and/or concern. This is also the time for Council Members to report on conferences and/or meetings they have attended.

13. **CLOSED SESSION**

The City Council will meet 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

14. **ADJOURNMENT.**

**THE NEXT REGULAR MEETINGS of the La Verne City Council
and the La Verne Successor are scheduled for Monday, June 17, 2013 at 6:30 p.m.**

CITY STAFF

City Manager.	Robert Russi
City Attorney.	Robert Kress
Acting City Clerk	Lupe Estrella
City Treasurer.	Jeannette Vagnozzi
Public Works Director.	Dan Keesey
Community Development Director.	Hal Fredericksen
Finance Officer.	Ron Clark
Community Services Director.	Bill Aguirre
Police Chief.	Scott Pickwith
Fire Chief.	Pete Jankowski
City Engineer.	Dominic Milano
Information Services Manager.	Bill Eftman