

**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**

APPROVED BY CITY COUNCIL
AT ITS MEETING OF:
DATE: NOV 5, 2007

Monday, October 15, 2007

1. A regular meeting of the La Verne City Council was called to order by Mayor Blickenstaff at 6:30 p.m.

2. Council Members present: Mayor Jon Blickenstaff
Mayor Pro Tem Steve Johnson
Council Member Robert Rodriguez
Council Member Don Kendrick
Council Member Donna Nasmyth

Absent: None.

Advisory personnel present: City Manager Martin R. Lomeli
City Attorney Robert L. Kress
City Clerk Evelyn C. Clark
City Treasurer Jeannette K. Vagnozzi
Public Works Director Dan Keesey
Community Development Director Hal G. Fredericksen
Fire Chief John Breaux
Fire Battalion Chief John Chappell
Utilities Manager Jerry Mesa
Administrative Analyst JR Ranells
Police Captain Darryl Seube

3. Pledge of Allegiance was led by Mayor Blickenstaff.

4. Presentation/Introductions
& Announcements

Household Hazardous Waste and E-Waste Roundup Mayor Blickenstaff announced that the Sanitation Districts of Los Angeles County and the Los Angeles County Department of Public Works will be holding a Household Hazardous Waste and E-Waste Roundup. The event will be held on Saturday, December 15, 2007, between 9 a.m. to 3 p.m. at Brackett Field, La Verne. He said the event is open to all L.A. County residents.

Introduction and Badge Pinning Ceremony for Firefighter/Paramedic Jeff Johnson Mayor Blickenstaff on behalf of the City Council recognized and congratulated newly hired Firefighter/Paramedic Jeff Johnson. Mr. Johnson was born in La Verne and grew up in Wrightwood, California. He graduated from Serrano High School in Phelan, California. He currently attends Mount San Antonio College (MSAC), majoring in Fire Science. In 2001, he began his career as a Fire Explorer in La Verne and graduated from MSAC Fire Academy in November 2003 and the Paramedic Training Institute in July 2007. Jeff's father Don Johnson, a retired La Verne Fire Captain, pinned his badge.

Recognition of Adrian Acosta Los Angeles County's 2007 "Teacher of the Year" Mayor Blickenstaff on behalf of the City Council recognized and congratulated Mr. Adrian Acosta for being selected Los Angeles County's 2007 "Teacher of the Year." Mr. Acosta, a La Verne resident, employee of Azusa Unified School District, and 4th grade teacher at Clifford D. Murray Elementary School, was selected by the Los Angeles County Board of Education to receive this prestigious award. Mr. Acosta was also presented with a "Pride of La Verne" plaque.

Agenda Item 5 - Consent Calendar

Proclamation Recognizing La Verne Resident Johnny Der-Yeghiayan, Double-Gold Medalist

Mayor Blickenstaff on behalf of the City Council presented La Verne resident Johnny Der-Yeghiayan with a City proclamation for winning two gold medals at the 4th Pan Armenian Games in the capital city of Yerevan for 100-meter and 200-meter track and field competition.

Proclamation Recognizing La Verne, Resident Diane Ulm

Mayor Blickenstaff on behalf of the City Council presented La Verne resident Diane Ulm, known as "Pansy the Clown," with a City proclamation. The Mayor commended Ms. Ulm for her service to the community and dedication by volunteering at Pomona Valley Hospital Medical Center.

5. Consent Calendar

It was moved by Rodriguez, seconded by Kendrick, and unanimously carried, to accept, approve, or act on the Consent Calendar items, as presented, as follows:

Registers of Audited Demands

Registers of Audited Demands for 10/1/07, in the amount of \$748,247.43; and 10/8/07, in the amount of \$910,604.05, **approved as recommended.**

Treasurer's Report for the Month of September 2007

Treasurer's Report for the Month of September 2007 received and filed, as presented.

Fee Waiver for Special Event Permit for Ramona Middle School Classic Car Fundraiser

Fee Waiver for Special Event Permit for Ramona Middle School Classic Car Fundraiser - Ramona Middle School is scheduling a fundraiser to enable students to attend a Washington D.C. field trip and requests that the City's \$150 Special Event Permit fee be waived. The event is a Classic Car Show in the Auto Zone parking lot on Saturday morning, October 20, 2007. A school representative has deposited a \$250 refundable clean-up fee. **Approved as recommended by staff subject to property owner approval.**

Declaration of Surplus Property

Declaration of Surplus Property to the City's need and authorization to dispose of same in fair and equitable manner, as recommended by the Information Systems Manager (e-Waste disposal). **Approved as recommended.**

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

Resolution No. 07-82, Authorizing the Execution of An Assignment Agreement with the City of Commerce for Exchange of Proposition A Funds

Resolution No. 07-82 - 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 COMMERCE FOR EXCHANGE OF PROPOSITION A FUNDS FOR GENERAL FUND REVENUES. **Approved as recommended.**

Resolution No. 07-83, Approving the Summary Vacation of an Easement for Sewer Purposes, 1600 Foothill Boulevard

Resolution No. 07-83 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE SUMMARY VACATION OF AN EASEMENT FOR SEWER PURPOSES ACROSS 1600 FOOTHILL BOULEVARD AND FINDING THE ACTION CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT. **Approved as recommended.**

Resolution No. 07-84,
Authorizing the Sewer System
Management and Development
Plan Schedule

Resolution No. 07-84 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING THE SEWER SYSTEM MANAGEMENT AND DEVELOPMENT PLAN SCHEDULE MANDATED BY THE STATE WATER RESOURCES CONTROL BOARD (SWRCB) ORDER NUMBER 2007-0003. **Approved as recommended.**

Resolution No. 07-85,
Authorizing the Execution of
Temporary and Permanent
Easement Agreements with
Greg and Cara Hipwell

Resolution No. 07-85 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING THE EXECUTION OF TEMPORARY AND PERMANENT EASEMENT AGREEMENTS WITH GREG AND CARA HIPWELL FOR CONSTRUCTION, INGRESS/EGRESS, AND UTILITY EXTENSION PURPOSES ACROSS CITY OWNED PROPERTY. The owners of property located northwest of the northerly terminus of Brydon Road have requested an easement from the City across City owned property to gain permanent access to their landlocked, residential lot. The temporary easement allows for the construction activities related to a bridge across the west fork of the Marshall Canyon Creek system. The permanent easement agreement allows for ingress/egress and utility placement across portions of two City owned properties (Dewenter Reservoir and the former LaHaye property). **Approved as recommended.**

6. Public Hearing on Issuance of
City La Verne Certificates of
Participation – Brethren
Hillcrest Homes

Prior to any action or discussion on this issue, Council Member Rodriguez declared a conflict of interest due to the fact that he is a Hillcrest resident. Council Member Rodriguez left the Council Chambers.

City Manager Lomeli reported on the issuance of City of La Verne Certificates of Participation, Brethren Hillcrest Homes. He stated that under federal tax law relating to tax exempt bonds, the City Council must conduct a noticed public hearing prior to approval of the issuance of bonds (certificates of participation). The City is not at risk and is not liable for these certificates of participation.

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

It was moved by Johnson, seconded by Kendrick, and carried by a vote of 4-1 (Rodriguez abstained) to approve the following resolution approving issuance of certificates of participation by the City for the benefit of Hillcrest Homes:

Resolution No. 07-86,
Regarding the Approval of the
Issuance of Variable Rate
Refunding Revenue Certificates
of Participation

Resolution No. 07-86 – RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, CALIFORNIA, REGARDING APPROVAL OF THE ISSUANCE OF VARIABLE RATE REFUNDING REVENUE CERTIFICATES OF PARTICIPATION BY THE CITY OF LA VERNE TO FINANCE OR REFINANCE OF THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE RENOVATION AND EXPANSION OF A CONTINUING CARE RETIREMENT COMMUNITY AND PROVIDING THE TERMS AND CONDITIONS FOR THE ISSUANCE OF THE CERTIFICATES OF PARTICIPATION AND CERTAIN OTHER MATTERS RELATING THERETO. **Approved as recommended.**

Council Member Robert Rodriguez returned to the dais.

7. Public Hearing on Moratorium on Medical Marijuana Dispensaries
- City Attorney Kress reported on the proposed continuance of the moratorium on medical marijuana dispensaries. He stated that currently, the City does not have regulations nor an explicit prohibition of medical marijuana dispensaries. However, the City Council enacted a moratorium on October 16, 2006 for a 12-month period to study the matter for consideration by Council. Staff is recommending that the City Council extend the moratorium, currently in effect, for a one-year period (through October 15, 2008) to allow staff to continue their review.

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

It was moved by Kendrick, seconded by Rodriguez, and unanimously carried to extend the moratorium, currently in effect, for a one-year period (through October 15, 2008), waive reading in full of and adopt Urgency Interim Ordinance No. 998 as follows:

Ordinance No. 998, Extending Ordinance No. 989 Prohibiting the Issuance of Permits and other Entitlements for Medical Marijuana Dispensaries (through October 15, 2008)

ORDINANCE NO. 998 - AN URGENCY INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, EXTENDING ORDINANCE NO. 989 PROHIBITING THE ISSUANCE OF PERMITS AND OTHER ENTITLEMENTS FOR MEDICAL MARIJUANA DISPENSARIES.

8. Public Hearing on the Proposal for Use of Supplemental Law Enforcement Services Fund (SLESF) Entitlement
- City Manager Lomeli reported on the proposal for use of Supplemental Law Enforcement Services Fund (SLESF) Entitlement. He stated that the State of California has provided funding for additional front line law enforcement services. The Police Chief is requesting the Fiscal Year 2007-08 funds be utilized to maintain staffing. This fiscal year the allocation to the City of La Verne is \$100,000.

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

It was moved by Rodriguez, seconded by Kendrick, and unanimously carried to approve the recommendation of the Chief of Police to approve the expenditure of \$100,000 to maintain staffing hired in past years with SLESF funds for the 2007-08 SLESF entitlement plus interest accrued.

9. Cancellation of Public Hearing – Lutheran High School Master Plan, 3960 Fruit Street
- Mayor Blickenstaff announced that the public hearing scheduled for this meeting to consider La Verne Lutheran High School's Master Plan proposal has been cancelled pending further review by the Planning Commission.

10. Fire Department Strategic Plan
- Fire Chief Breaux reported on the Fire Department's Strategic Plan. He stated that the plan will encompass the next five years and includes 16 recommendations within the areas of apparatus and equipment, personnel, facilities, and community outreach programs.

Following questions and discussion, Mayor Blickenstaff said that he was highly impressed by the thorough and broad nature of the plan. He added that it was very creative and fiscally responsible.

Council Member Kendrick thanked the number of people involved and expressed his appreciation of the time and effort put into such a fine document.

Council Member Nasmyth agreed with Mayor Blickenstaff and Council Member Kendrick indicating that she was impressed that the department thinks outside the box. She was pleased to see that recommendations such as community outreach and the injury prevention program have no fiscal impact on the department.


It was moved by Rodriguez, seconded by Kendrick, and unanimously carried, to adopt the Fire Department Strategic Plan.

11. 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 Blickenstaff called for public comment. There was no public comment.

12. The meeting was adjourned at 7:25 p.m.

Respectfully submitted,


Evelyn C. Clark, CMC
City Clerk