CITY OF LA VERNE

CITY COUNCIL & SUCCESSOR AGENCY

AGENDA

Don Kendrick, Mayor

Robert Rodriguez, Mayor Pro Tem

Robin Carder, Council Member

Donna Redman, Council Member

Charles Rosales, Council Member

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City Hall Council Chamber

3660 D Street

La Verne, CA 91750

Monday, May 7, 2012 - 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 Rosales, Mayor Pro Tem Rodriguez, and Mayor Kendrick

4. **ANNOUNCEMENTS AND PRESENTATIONS**

   Report from Bonita High School Student Representative.

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.)

   a. **City Council Minutes** of the regular meeting of April 16, 2012, to be received and filed as submitted.

   b. **Registers of Audited Demands** in the amount of $799,729.84 for 4-16-12, $419,879.26 for 4-23-12, and $427,756.33 for 4-30-12, to be received and filed as submitted.

   c. **La Verne Youth & Family Action Committee Minutes for March 27, 2012,** to be received and filed as submitted.

   d. **Budget Amendment** - The Fire Department is requesting a budget amendment in the amount of $25,000. The funds will be spent on new tactical medical equipment, i.e. body armor, helmets and communication equipment. The City will be fully reimbursed by a State Homeland Security Grant (SHSGP). ***Staff recommends the City Council authorize a budget amendment in the amount of $25,000, enabling the Fire Department to purchase new tactical medical equipment to be fully reimbursed by grant funds.***

   e. **Budget Appropriation Franklin Sewer Lift Station Emergency Repair** - The discharge line for the Franklin Sewer Lift Station recently ruptured necessitating immediate repair to the line. Basic maintenance and operation of the site is provided within the public works department's general sewer budget. Repairs and replacement of equipment are covered under Community Facilities District 90-1, for which there is no current appropriation. ***Staff recommends the City Council approve a budget appropriation in the amount of $19,568 for necessary repairs to the Franklin Lift Station.***

   f. **Budget Appropriation for Veterans' Memorial** - Construction of the Veterans' Memorial was not contemplated during the current fiscal year. However, donations have reached a sufficient level to begin construction of the main structure at this time. A budget appropriation is necessary to complete the work. ***Staff recommends the City Council approve a budget appropriation in the amount of $45,000 for construction of the Veterans' Memorial.***

   g. **Resolution (s)** passage & adoption, recommended as follows:

      1) **Resolution No. 12-18 -** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING THE EXECUTION OF AN AMENDED EMPLOYMENT AGREEMENT WITH DARRYL L. SEUBE - Due to a change in State law, California Public Employee Retirement System CalPERS recently released new restrictions as it relates to individuals working after retirement. As such, it is necessary to amend the terms of existing contracts of the Police Captains who serve in those capacities to satisfy these new conditions. ***Staff recommends that the City Council approve Resolution No. 12-18, authorizing the City Manager to execute the amended agreement as submitted.***

2) **Resolution No. 12-19 -** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING THE EXECUTION OF AN AMENDMENT EMPLOYMENT AGREEMENT WITH MICHAEL C. WIGGINS - Due to a change in State law, California Public Employee Retirement System CalPERS recently released new restrictions as it relates to individuals working after retirement. As such, it is necessary to amend the terms of existing contracts of the Police Captains who serve in those capacities to satisfy these new conditions. ***Staff recommends that the City Council approve Resolution No. 12-19, authorizing the City Manager to execute the amended agreement as submitted.***

6. PUBLIC HEARINGS

Fee Resolution Annual Adjustments to the Comprehensive Fee Resolution - The City's comprehensive fee resolution is reviewed each year in conjunction with the annual budget process. Changes are made to reflect cost of services in accordance with State and local law. Resolution No. 12-20 provides a fee resolution encompassing a majority of City fees except for certain water and sewer fees which are under Resolution No. 10-31.

STAFF RECOMMENDATION: Following the public hearing, staff is recommending that the City Council approve the fees as set forth in the proposed Resolution No. 12-20. In compliance with past Council policy, all fees are scheduled to become effective July 1, 2012, as follows:

Resolution No. 12-20 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ESTABLISHING A FEE RESOLUTION ENCOMPASSING CERTAIN FEES AND POLICIES FOR SERVICES PROVIDED BY THE CITY OF LA VERNE EXCEPT FOR CERTAIN WATER AND SEWER FEES ADOPTED BY RESOLUTION NO. 10-31 AND RESCINDING RESOLUTION NO. 11-35

7. OTHER MATTERS

Revised DDA Agreement and Use Amendment with the University of La Verne for Athletic Complex ***(THIS ITEM ALSO APPEARS ON THE SUCCESSOR AGENCY AGENDA AS ITEM #8-a)*** - - Proposed changes in the Development and Disposition Agreement (DDA) and Schedule of Performance related to the Campus West Athletic Complex are presented for approval. On January 30, 2012, representatives from the City of La Verne (City) and the University of La Verne (ULV) met to discuss the future development and timeline for the Campus West Athletic Complex. At this meeting, revisions in the Schedule of Performance were agreed upon to facilitate beginning development of the baseball and softball complexes and multi-use fields by January, 2013. Additionally, there were several changes in the use agreement proposed by the University to clarify some contradiction in the shared use language for the softball field. ***NOTE: Council Members Carder and Redman will declare conflicts of interest on this item because they are employed by the University of La Verne and will not act or participate in this matter.***

STAFF RECOMMENDATION: The City Council should approve the Second Amendment to the Disposition and Development Agreement and Amendment to the Joint Use and Maintenance Agreement between the University of La Verne and City of La Verne.

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**

a. **Revised DDA Agreement and Use Amendment with the University of La Verne for Athletic Complex *(THIS ITEM ALSO APPEARS ON THE CITY COUNCIL AGENDA AS ITEM #7)*** - Proposed changes in the Development and Disposition Agreement (DDA) and Schedule of Performance related to the Campus West Athletic Complex are presented for approval. On January 30, 2012, representatives from the City of La Verne (City) and the University of La Verne (ULV) met to discuss the future development and timeline for the Campus West Athletic Complex. At this meeting, revisions in the Schedule of Performance were agreed upon to facilitate beginning development of the baseball and softball complexes and multi-use fields by January, 2013. Additionally, there were several changes in the use agreement proposed by the University to clarify some contradiction in the shared use language for the softball field. ***NOTE: Members Carder and Redman will declare conflicts of interest on this item because they are employed by the University of La Verne and will not act or participate in this matter.***

STAFF RECOMMENDATION: That the Successor Agency approve the Second Amendment to the Disposition and Development Agreement between the University of La Verne and City of La Verne.

b. **Review of February 1, 2012 - June 30, 2012 Recognized Obligation Payment Schedule (ROPS #1) and Successor Agency Administrative Budget and approval of Resolution No. SA 2012-01** - This item is being brought back to the Successor Agency for concurrence to changes recommended by the Oversight Board at their meeting of April 25, 2012.

STAFF RECOMMENDATION: That the Successor Agency, approve Resolution No. SA 2012-01 as follows:

Resolution No. SA 2012-01 - A RESOLUTION OF THE LA VERNE SUCCESSOR AGENCY APPROVING THE FEBRUARY 1 THROUGH JUNE 30, 2012 RECOGNIZED OBLIGATION PAYMENT SCHEDULE PURSUANT TO HEALTH AND SAFETY CODE SECTION 34180(g) AND APPROVING THE SUCCESSOR AGENCY ADMINISTRATIVE BUDGET

c. **Review of July 1, 2012 - December 31, 2012 (ROPS #2) Recognized Obligation Payment Schedule and Successor Agency Administrative Budget and approval of Resolution No. SA 2012-02** - This item is being presented to the Successor Agency for approval and will be forwarded to the Oversight Board at their meeting on May 10, 2012.

STAFF RECOMMENDATION: That the Successor Agency, approve Resolution No. SA 2012-02 as follows:

Resolution No. SA 2012-02 - A RESOLUTION OF LA VERNE SUCCESSOR AGENCY APPROVING THE JULY 1 THROUGH DECEMBER 31, 2012 RECOGNIZED OBLIGATION PAYMENT SCHEDULE PURSUANT TO HEALTH AND SAFETY CODE SECTION 34180(g) AND APPROVING THE SUCCESSOR AGENCY ADMINISTRATIVE BUDGET

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

9. **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.

10. **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.

11. **CLOSED SESSION**

12. **ADJOURNMENT**

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CITY STAFF

City Manager. . . . . .Robert Russi
City Attorney. . . . . Robert Kress
City Clerk. . . . . .Evelyn Leach
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. . . . . .John Breaux
City Engineer. . . . . .Dominic Milano
Information Services Manager. . . . . .Bill Elftman