

**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 21, 2017

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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 Tim Hepburn  
Council Member Robin Carder  
Council Member Muir Davis  
  
Absent: Council Member Charlie Rosales  
  
Advisory personnel present: City Manager Robert Russi  
City Attorney Robert L. Kress  
Assistant to the City Manager Teri Ledoux  
Assistant City Clerk Lupe Gaeta Estrella  
Public Works Director Dan Keesey  
Acting Community Development Director Eric Scherer  
Community Services Director Bill Aguirre  
Finance Director Richard Martinez  
Police Chief Nick Paz  
Fire Chief Pete Jankowski  
Personnel Officer JR Ranells
3. Pledge of Allegiance was led by Mayor Kendrick.
4. Solar Eclipse Mayor Kendrick said he hoped everyone enjoyed the solar eclipse.
5. Presentation to Parker Ewers, Student and ASB President of Oak Mesa Elementary School Mayor Kendrick, on behalf of City Council, recognized and thanked Parker Ewers, Student and ASB President of Oak Mesa Elementary School for his efforts in launching a weeklong "Kindness Campaign". Parker has had first-hand experience regarding how difficult it is being different, and approached his Principal about launching the campaign. The focus of the campaign is to emphasize how powerful kindness can be and to be kind to everyone.  
  
Mayor Kendrick also reported that Parker Ewers was also selected as Youth of the Year and will be recognized at the La Verne Day at the Fair on September 13, 2017, and the school district will be adopting the "Kindness Campaign" for all their schools.
6. Consent Calendar It was moved by Hepburn, seconded by Davis, and carried by a vote of 4-0 (Rosales absent) to accept, approve, or act on the Consent Calendar, as follows:  
  
City Council Minutes City Council Minutes of June 19, 2017 and July 17, 2017, **received and filed.**

2016-17 Registers of Audited Demands

**2016-17 Register of Audited Demands** in the amount of \$181,681.08 dated July 10, 2017; in the amount of \$750,480.24 dated July 18, 2017; in the amount of \$886,575.22 dated July 24, 2017; and in the amount of \$94,242.21. **Approved as recommended.**

2017-18 Register of Audited Demands

**2017-18 Register of Audited Demands** in the amount of \$32,805.72 dated July 10, 2017; in the amount of \$766,466.78 dated July 19, 2017; in the amount of \$52,618.85 dated July 25, 2017 in the amount of \$476,610.22, dated July 31, 2017; and in the amount of \$158,074.46, dated August 8, 2017. **Approved as recommended.**

Treasurer's Report

**Treasurer's Report** for the Month of July 2017, **received and filed.**

Canterwood Odor Update  
Creekside Development

**Canterwood Odor Update – Creekside Development** - This is an update regarding the petition that was received from homeowners/residents at Canterwood Road experiencing a bad odor coming from inside and outside of their homes which they believe is a product of the sewer lift station that is part of the Creekside residential project (22 new homes) under construction off of San Dimas Canyon Road.

Staff will continue to work with the developer of Creekside, Meritage Homes, to try and identify where the odor is originating from so it can be stopped.

Staff recommended that the City Council receive this informational report and schedule another update for the September 5, 2017 Council Meeting. The City will continue not issuing any new building permits, until at least the September 5<sup>th</sup> Council meeting. Report received and filed and another update scheduled for September 5<sup>th</sup> Council Meeting.

Appropriation of Esperanza Assessment District Funds for Esperanza Drive Rehabilitation Assessment District 84-1M Expenditure

**Appropriation of Esperanza Assessment District Funds for Esperanza Drive Rehabilitation Assessment District 84-1M Expenditure** - On June 19, 2017, the City Council awarded a public works contract for the Esperanza Drive Pavement Rehabilitation project. The staff report presented to the City Council noted gas taxes as funding 100% of the project. However, the report should have noted gas tax as contributing about \$181,000 and requested an appropriation of remaining construction funds from the Esperanza road improvement assessments for the balance of the project. The funds generated through the Esperanza road improvement assessment may only be used for construction and/or maintenance of Esperanza Drive.

Staff recommended that the City Council authorize an appropriation of the remaining construction funds from the Esperanza Assessment District 84-1 in the amount of \$49,482 for the Esperanza Drive Pavement Rehabilitation. **Approved.**

Youth and Family Action  
Committee Chair and Executive  
Board Appointment

**Youth and Family Action Committee Chair and Executive Board**

**Appointment** - The by-laws of the Youth and Family Action Committee allow for a five member executive board that is appointed by City Council. As a result of the resignation of Council Member Donna Redman as chair of this committee at the April meeting, the committee needed to select a new chair and an executive board member. The committee unanimously supports the appointment of Mayor Don Kendrick as the new chair and Council Member Robin Carder as an executive board member to fill the five-member board. If approved, Mayor Kendrick will serve a two-year term and Council Member Carder will serve the remainder of Mayor Kendrick's term and a consecutive two-year term.

Staff recommended that the City Council should appoint Mayor Don Kendrick as Chair and Council Member Robin Carder as Executive Board Member to the La Verne Youth and Family Action Committee. **Approved.**

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

Resolution No. 17-55,  
Designating the Calkins-Perrin  
House as a Local Landmark  
and Approving a Historical  
Property Agreement.

**Resolution No. 17-55** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESIGNATING THE CALKINS-PERRIN HOUSE, AS A LOCAL LANDMARK; APPROVING A HISTORICAL PROPERTY AGREEMENT; AND AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT WITH THE OWNERS OF THE LANDMARK PROPERTY. William B. Stahlman and Karla A. Stahlman, owners of 1635 5th Street, request: (1.) Recognition of the home, 1635 5th Street, as a local cultural landmark, and (2.) Approval of a Historical Property Agreement, also known as a "Mills Act" contract, which commits them and future owners to maintain their historic property in an exemplary manner and to retain or, where appropriate, restore historic features. The Agreement will result in lower property taxes for the owners.

Staff recommended approval of Resolution No. 17-55, designating 1635 5th Street as a local landmark and approving the attached historical property agreement. **Approved as recommended by staff.**

Resolution No. 17-56,  
Authorizing an Agreement with  
the University of La Verne for a  
Move-in-Day Event and Street  
Closure

**Resolution No. 17-56** - 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 UNIVERSITY OF LA VERNE FOR A MOVE-IN DAY EVENT. The University of La Verne has submitted a request to use C Street for a student move-in day event on Wednesday, August 23, 2017. The request specifically involves the closure of C Street between Bonita Avenue and Third Street between the hours of 7:00 a.m. and 12:00 p.m. the day of the event. Set up will occur on the evening of Tuesday, August 22nd

Recent policy has been to prepare individualized agreements for street closure events. Staff has therefore developed a standard agreement outlining the traffic control plan requirements, locations, schedule, estimated fees, applicant's responsibilities, and insurance and indemnification requirements.

Staff recommends the City Council Adopt Resolution No. 17-56, authorizing the City Manager to execute the Agreement with the University of La Verne permitting the move-in day event on C Street between Bonita Avenue and Third Street. **Approved as recommended by staff.**

7. Water Utility Rate Adjustments  
Public Hearing

Public Works Director Keesey reported on the proposed Water Utility Rate Adjustments. He stated at the June 19 Council meeting that the City Council authorized issuance of a public notice to consider proposed water rate adjustments in accordance with Proposition 218. Proposition 218 requires that any agency imposing or increasing any property related fee or charge must provide written notice to owner or customers and hold a public hearing. The proposed fee or charge may not be imposed or increased if a majority of property owners or customers object. A total of 7,882 notices were mailed on June 26, 2017, and only two written protests were received prior to the start of the hearing. Public Works Director Keesey presented a power point detailing water cost analysis. In addition, he prepared a Proposed Water Rate FAQ to help the public better understand the proposed water utility rate increase. In his presentation he explained that the proposed 40% meter charge increase translates to a \$ 5 -\$7 monthly increase for 92% of water customers who are served by "1" or smaller water meter. The increase for water commodity per unit is proposed to increase \$0.27 per thousand gallons for the base water rate, which is roughly an 8% increase over the current water base rate. The average water customer will see an overall increase of \$24.32 each bill (every two months), which is a 15.7% increase.

Public Works Director Keesey reported that the principal factors driving the water rate adjustment include increased wholesale water deliveries and costs, added water quality and regulatory requirements, reduced water sales, and personnel expenses. Despite these adjustments however, the proposed rates will remain below the median of local agencies for the average residential customer.

Staff recommended that the City Council consider the water rate increases; and following the protest hearing, City Council is asked to consider the various adjustments to existing water rates.

The Mayor declared the public hearing open and called for public testimony.

Tim Morrison stated he was not opposed to the water utility increase but was concerned with the cost to residents of MS-4 storm regulations being imposed by the State. He thanked the Public Works Director for the presentation.

Mike Blazenski, 2002 Clear Falls Avenue, stated he has a problem with the City allocating water funds to the City's General fund and that it was not in compliance with Proposition 218.

Cynthia Gabaldon, 2529 Amherst Street, stated she opposes the proposed water utility rate increase and questioned the allocation of water funds to the City's general fund. In addition, she stated that the notice was not clear and questioned why the notice was mailed during a holiday.

Jeff Bassler, 1834 Essex, stated he supported the proposed water utility rate increase and did not see a problem with the allocation of water funds to the City's general fund.

Patricia Sweetman, 1311 Gardenia Lane, stated she opposed the proposed water utility rate increase and was favor of an outside party doing an audit on the City's water operating system.

Jerry, 2567 Vista del Sol, La Verne stated he opposed the proposed water utility rate increase and questioned the audit. He was also in favor of a water audit.

Richard Sandona, 4952 Via Alista, La Verne, opposed the increase and also stated that the notice was not clear. He questioned the timing of the notice, because he received notice on the Fourth of July.

Frank Hageman, 4883 Via Alista, La Verne, he stated he understands the increase. He suggested changing the price of per gallon of water for those who use less.

Rick Bowen, La Verne, stated he opposed the water increase and was in favor of an audit.

Richard Key, 6020 Birdie Drive, La Verne, stated he opposed the water increase.

Dave Olson, 2546 Nogal Circle stated he opposed the water increase.

Gilbert Ivey, 5340 Eaglewood Drive, stated that La Verne is the greatest City in Southern California and loved living in La Verne. He has been in the water industry for 45 years and understood the need for the increase.

Gabriel Mora, Sixth Street, favored the water audit.

Matthew Lyons, 819 Arbor Circle, stated he is a Golden State Water customer and his water bill was higher than La Verne's. He stated there was not enough information provided to the residents.

John Jones, 2246 Eagle Drive, asked about actual expenditures incurred by the City and the justification for the use of water funds.

City Manager Russi explained the legal mailing requirement of the notice and that the City had no control on when it leaves the post office and is delivered. He stated the water utility's rates have not been fully adjusted since 2009. In addition, that prior to considering raising water rates, Council and staff held a study session on this matter which was open to the public.

Council Member Carder thanked the residents for coming and speaking on this matter. She stated the City was not trying to hide anything. She stated that La Verne is a full service City and the quality of life of La Verne is good. She stated she fully trusted and supported staff and thanked the Public Works Director for his presentation. She stated that water is vital to life and it is important to maintain our water system.

Council Member Davis stated that the public hearing was a democratic process and that the yelling and nit picking was not helping and we needed to get away from that. He stated that water security is important and the City needs to ensure that there is water now and in the future.

Mayor Pro Tem Hepburn thanked the Public Works Director for his presentation and the residents for speaking on this matter. He did not support the water utility rate increase and recommended that a water fee rate study be done to support or not support the allocation of water funds to the City's general fund.

Mayor Kendrick stated that water security is important. He supported the water utility rate increase. He stated that La Verne is below the median on water fees and La Verne has not increase rates since 2009.

It was moved by Carder, seconded by Davis, and unanimously carried by a vote of 4-0 (Rosales absent) to approve Resolution No. 17- 57, declaring the results of the proceedings for adopting water fees, as follows:

Resolution No. 17-57,  
Declaring the Results of the  
Proceedings for the Adopted  
Water Fee

**Resolution No. 17-57** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DECLARING THE RESULTS OF THE PROCEEDINGS FOR ADOPTING WATER FEES IN ACCORDANCE WITH ARTICLE XIID OF THE CALIFORNIA CONSTITUTION. **Approved.**

It was moved by Carder, seconded by Davis, and carried by a vote of 3-1, (Hepburn voted No and Rosales Absent) to approve Resolution No. 17-58, amending Resolution No. 17-03, relative to water fees, as follows:

Resolution No. 17-58,  
Amending Resolution No.  
15-03, Relative to Water Fees

**Resolution No. 17-58** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAVERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AMENDING RESOLUTION NO. 15-03 RELATIVE TO WATER FEES, SAID RATES AND CHARGES TO BE EFFECTIVE FOR ALL BILLINGS PREPARED ON OR AFTER OCTOBER 1, 2017. **Approved.**

All the water rate adjustments become effective for all bills prepared on or after October 1, 2017 (as noticed within the public notice and resolution). This action is statutorily exempt from the California Environmental Quality Act, Section 15273 – Rates, Tolls, Fares, and Charges and City of La Verne environmental guidelines.

8. At 8:46 p.m., the City Council recessed and at 8:56 p.m. reconvened to meet as the La Verne Public Finance Authority, following which the La Verne Public Finance Authority adjourned at 9:03 p.m., and the City Council immediately reconvened to regular session.
9. Change in Representation of Public Finance Authority for the Enhanced Infrastructure Financing District (EIFD) - City Manager Russi reported on the change in representation of the Public Finance Authority for the Enhanced Infrastructure Financing District (EIFD). He stated that in light of potential conflicts that might exist with some members of the recently created Public Finance Authority, the City Attorney is recommending that the City Council appoint three new members to serve on the new board and approve Resolution No. 17-59, amending Resolution No. 17-47, relating to membership on the Public Financing Authority. The new board will be comprised of Mayor Pro Tem Hepburn, Council Members Carder and Rosales and two members of the public. The public members that the Council is asked to approve are Ray Skelton and Gilbert Ivey both have expressed interest in serving on the Board.

It was moved by Hepburn and seconded by Davis, and carried by a vote of 4-0, (Rosales Absent) to appoint Gilbert Ivey, and Ray Skelton to serve on the Public Financing Board and to approve Resolution 17-59, amending Resolution 17-47, amending Resolution No. 17-47, relating to membership on the Public Financing Authority.

Resolution No. 17-59,  
Amending Section 8 of  
Resolution No. 17-47, Relating  
to Membership on the Public  
Financing Authority

**Resolution No. 17-59** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AMENDING SECTION 8 OF CITY COUNCIL RESOLUTION NO. 17-47, RELATING TO MEMBERSHIP ON THE PUBLIC FINANCING AUTHORITY. **Approved.**

10. Rick Bowen Request

At the July 17, 2017, City Council meeting Mr. Rick Bowen requested that public comment section be moved to beginning of the meeting to give the residents the opportunity to address issues on the Agenda before Council approval. This matter was continued to this meeting for further consideration.

After discussion on this matter, it was moved by Carder, seconded by Hepburn, and carried by a vote of 4-0 (Rosales Absent) not to move the public comment section on the agenda.

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 Kendrick called for public comment.

Stephanie Huff, Facility Manager, Heritage Homes reported on the services provided by her Agency, which is 24-hour comprehensive treatment services to at-risk youth.

Sherry Best, President, La Verne Historical Society reported on the Mock wedding of Miss La Verne to Mr. Lordsburg event held on Saturday, August 25, 2017, in downtown La Verne. She stated it was a success and thanked all the participants, especially Mayor Kendrick, and City Staff for all their help in making the event a success.

Mayor Kendrick thanked Ms. Best for all her hard work in coordinating Mock Wedding event.

Barbara Ponzio, 1207 Bonita Avenue, La Verne, stated that a tree was removed from the front of her home and asked if it was going to be replaced.

City Manager Russi stated that several City trees had to be removed because they were diseased and the he would have someone from the Parks Department contact her.

Jeff Bassler, 1834 Essex Avenue, La Verne, suggested that a notification system be placed on the City's website for job openings, public hearing, and agendas. City Manager Russi reported there was already a notification system on the City's website where residents can subscribe.

Gary Hunter, Chelsea Drive, La Verne, asked about bike lanes on Baseline Road. City Manager Russi replied that it would be looked at when the City prepares a Bicycle Master Plan.

Rick Bowen asked why the City Council was selective during public comment on what matters to respond to.

John Jones stated he was concerned about safety with the layouts of bike lanes in the Bicycle Master Plan. City Manager Russi replied that there will be public hearing and the public will be invited to participate.

12. Council Comments and Meeting/Conference Reports

Council Member Carder reported on the ribbon cutting for Grandma Pucci and on the Mock Wedding between Mr. La Verne and Lordsburg.

Mayor Pro Tem Hepburn commended the crew from Habitat of Humanity for constructing a handicap approach for a veteran at La Verne Mobile Home Park. He also reported on the Gilead grand opening and that the new building was amazing.

Mayor Kendrick stated that Gilead would be good neighbors and an asset to the City of La Verne.

13. Closed Session

At 9:33 p.m., City Council recessed to closed session pursuant to Government Code Section 54957.6, for the following purpose.

CONFERENCE WITH LABOR NEGOTIATOR

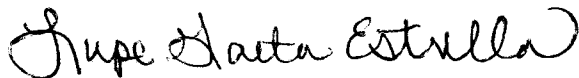
Agency Negotiator: City Manager, City Attorney, Personnel Officer and Finance Officer

Employee Organization(s): La Verne Police Officers' Association and La Verne Firefighters' Association

Unrepresented employee groups: Management, Confidential and Middle Management

14. Adjournment at 10:30 pm., with no announcement of any reportable action from the Closed Session

Respectfully submitted,



Lupe Gaeta Estrella, CMC  
Assistant City Clerk