

**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, February 5, 2018**

---

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 Charlie Rosales  
Council Member Muir Davis  
  
Absent: None.  
  
Advisory personnel present: City Manager Robert Russi  
City Attorney Robert L. Kress  
Assistant City Clerk Lupe Gaeta Estrella  
Public Works Director Dan Keesey  
Acting Community Development Director Eric Scherer  
Community Services Director Bill Aguirre  
Police Chief Nick Paz  
Fire Chief Pete Jankowski  
Personnel Officer JR Ranells
3. Pledge of Allegiance was led by Mayor Kendrick.
4. Consent Calendar It was moved by Carder, seconded by Rosales, and unanimously carried to accept, approve, or act on the Consent Calendar items.  
  
City Council Minutes **City Council Minutes** of December 4 & 18, 2017, ***received and filed.***  
  
Registers of Audited Demands **Register of Audited Demands** in the amount of \$155,471.69, dated January 9, 2018, in the amount of \$980,177.19, dated January 16, 2018; in the amount of \$122,339.46, dated January 23, 2018, and in the amount of \$527,717.72, dated January 31, 2018. ***Approved as recommended.***  
  
Youth and Family Action Minutes **Youth and Family Action Minutes** of October 24, 2017 and November 28, 2017, ***received and filed.***  
  
**Resolution (s)** passed & adopted, as recommended, as follows:  
  
Resolution No. 18-01, Declaring that Weeds, Brush, Rubbish, and Refuse upon or in Front of Specified Property in the City are a Seasonal and Recurrent and Public Nuisance and Declaring its Intention to Provide for the Abatement Thereof **Resolution No. 18-01** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DECLARING THAT WEEDS, BRUSH, RUBBISH, AND REFUSE UPON OR IN FRONT OF SPECIFIED PROPERTY IN THE CITY ARE A SEASONAL AND RECURRENT PUBLIC NUISANCE, AND DECLARING ITS INTENTION TO PROVIDE FOR THE ABATEMENT THEREOF (With the adoption of Resolution 18-01, Council authorizes a public hearing to be set to hear protests relating to the abatement of weeds, etc.).

Staff recommended approval of Resolution No. 18-01, declaring that weeds, brush, rubbish and refuse upon or in front of a specific property, are a recurrent public nuisance and declaring its intention to provide for the abatement thereof and setting a public hearing to hear protests for Tuesday, February 20, 2018, at 6:30 pm, in the Council Chambers of La Verne City Hall. **Approved as recommended.**

5. At 6:32 pm, the City Council recessed to meet as the La Verne Successor Agency Board and the City Council reconvened at 6:33 pm.
6. Lease Agreement for Use of Old Baldy Well and Water Production
- Public Works Director Keesey reported on the Lease Agreement for Use of Old Baldy Well and Water Production. He stated that since the mid 1980's, the Old Baldy well, located at Fifth and C Streets, has been inactive due to water quality issues and remains impractical for City use. In an effort to realize some benefit from this dormant facility, Staff, following Council direction, has negotiated an agreement with the Puente Basin Water Agency allowing their use of the well site and production of up to 750-acre feet of water from the Ganesha Basin. Similar agreements have been in place since the mid 1990's, but lightly implemented due to a variety of reasons.

Mayor called for public comment.

There was none.

It was moved by Carder, seconded by Davis, and unanimously carried to approve Resolution No. 18-02, authorizing the Mayor to execute a lease agreement with the Puente Basin Water Agency permitting use of the Old Baldy well facilities and extraction of up to 750-acre feet of water from the Ganesha Basin for a period of 25 years.

Resolution No. 18-02,  
Authorizing the Execution of an Agreement with the Puente Basin Water Agency for the Purpose of Leasing the Old Baldy Well Facility and Lease of Groundwater Rights from the Ganesha Basin

**Resolution No. 18-02** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE PUENTE BASIN WATER AGENCY FOR THE PURPOSE OF LEASING THE OLD BALDY WELL FACILITY AND LEASE OF GROUNDWATER RIGHTS FROM THE GANESHA BASIN. **Approved.**

7. Chamber of Commerce Update of Programs
- Two times a year, the La Verne Chamber of Commerce provides the City Council with an update of their activities. The purpose of the report is to give the Council an opportunity to hear from the Chair and ask questions on their efforts related to our business community.

Chair Arun Tolia reported on the La Verne Chamber of Commerce events for the last year and he also reported on the upcoming events. He stated that the Chamber of Commerce is thriving and he looked forward to continuing the positive partnership with the City of La Verne. He introduced incoming La Verne Chamber of Commerce Chair Wayne Hurley.

Wayne Hurley, incoming Chair, La Verne Chamber of Commerce, also spoke about the past and the upcoming Chamber events. He commended Leah Skinner for all her efforts, and the hard work she does for the Chamber. He stated that he looked forward to his new role as Chair and working with the City of La Verne.

The City Council thanked and commended Chair Tolia, Incoming Chair Hurley and Director of Business Development Leah Skinner for the update on the Chamber and for service to the business community.

8. Old Town La Verne Business Improvement District (OTLVBID) Transfer of Funds

Acting Community Development Director Scherer reported on the Old Town La Verne Business Improvement District (OTLVBID) transfer of funds request. He stated that the Old Town La Verne Business Improvement District (OTLVBID) recently created a non-profit entity (the "Association") so that they may better manage their events that are held in Old Town. To provide the Association an account to make small purchases, the City transferred \$2,000 from the OTLVBID's budget to the Association's account. In order to avoid any account fees, the Association is required to maintain a balance of at least \$5,000. The OTLVBID has requested that the City transfer another \$5,000 from their account to the Association so that they can avoid any fees.

Mayor Kendrick declared a conflict of interest because he owns a business in Old Town La Verne and left the Council Chambers. Mayor Pro Tem Hepburn took over the meeting.

Mayor Pro Tem Hepburn called for public comment on this matter.

There was none.

It was moved by Davis, seconded by Carder and carried by a vote of 4-0 (Kendrick abstained) to authorize the transfer of \$5,000 from the OTLVBID's operating budget to the newly created Association which is a non-profit entity (501(c)(6)).

The Mayor returned to Council Chambers and took his place.

9. Report on Results of January 11 Fiscal Sustainability Workshop

City Manager Russi reported on the results of the January 11, 2018, Fiscal Sustainability Workshop. He stated that the City Council held the workshop to discuss with the City's management team steps that should be considered in response to the growth of CalPERS payments necessary to fund the City's retirement plans. During the workshop, the City Council discussed the financial burden these added costs would create for the City as well as solutions that could be implemented to reduce the impact on existing City operations. By the end of the workshop, the City Council gave direction to Staff on a multi-year, multi-phased approach which is now being brought back for formal action by the Council.

City Manager reported on the multistep approach to meet the fiscal challenge facing the City of La Verne, as follows:

- Step 1. Issue a pension obligation bond for the full amount of the City's unfunded accrued liability (UAL).
- Step 2. Initiate year 1 strategies to be effective as part of 2018-19 budget.
- Step 3. Establish a policy on future retirement obligations that may arise. Identify annual amount to be set aside in a fund dedicated to pay those costs.
- Step 4. Initiate year 2 strategies to be effective as part of 2019-20 budget.

Step 5. Evaluate the level of benefit achieved in year 1 and 2 strategies, and initiate items in year 3, only as needed, to fill the remaining gap necessary to make obligated payments, plus additional amount identified for future UAL needs.

Mayor Pro Tem Hepburn recommended removing Item No. 2, eliminating one engineer/paramedic assignment. He stated that there is already a freeze on salary and benefits and even if it is permitted in the Fire Memorandum of Understanding, the City has never taken the assignment away before, and that the employees count on it as part of their salary and it would feel like a cut in pay.

Mayor Pro Tem Hepburn moved to removed Item No. 2, the Vote was postponed until after public comment.

Mayor Kendrick called for public comment on this matter.

Alan Wadham, 3669 York Circle, La Verne spoke about this huge matter before the City Council. He stated that the City Council should proceed with the pension obligation bond and urged the Council to reconsider all the small revenue generators recommended on the list of strategies.

Gary Hunter, Chelsea, La Verne, stated he finds it very troublesome that the City is messing with the Fire Department employees' salary and benefits. He stated that in a life-threatening emergency, it's the Fire and the Police Departments that people call first. He stated that Mayor Pro Tem Hepburn came up with the best idea and asked that someone second his motion.

Robert Smith, La Verne, stated that the City of La Verne has a problem keeping paramedics and by messing with their salary and benefits, the City is creating a revolving door. He asked about the outcome of the idea proposed at the January 11, 2018, workshop about using RSVP volunteers taking down car license plates numbers to check business license compliance.

Denise, La Verne, commended the La Verne Fire Department. She spoke about a past incident, when her 8-month old child fell and stop breathing. She stated that the paramedics saved her child's life and that they went above and beyond the call of duty in taking care of her and her child. She stated it was wrong to cut any position from the Fire Department.

City Manager Russi replied that no positions in the Fire Department are being cut.

Fred Faught, 2196 Virginia, La Verne, spoke about the La Verne Fire paramedics saving his life. He commended the fire paramedics for the amazing job they did and he was very thankful. He stated that it was not right to cut their salary. He suggested that the Council look elsewhere for the money.

Amanda Faught, 2196 Virginia, La Verne, also spoke about the Fire Department saving her father's life. She also commended the fire paramedics for their swift selfless actions that saved her father's life and that they should be cherished.

Andy Glaze, President of La Verne Firefighters' Association, stated that taking away the assignment would be a huge reduction in fire services. It will hamper their ability to perform their duties when responding to emergencies. He spoke about the serious retention problem in the Fire Department.

Joanne Faught, 2196 Virginia, La Verne stated the fire paramedics and police are La Verne's heroes and that the Council should give them what they deserve.

Rick Bowen, Eagle Drive, La Verne, stated that instead of giving a loan to an existing restaurant, the Council should give it to the Fire Department. In addition, he spoke about attending the workshop on January 11, 2018 and the staff's presentation on the potential cuts to City services, new fees, and the issuing of a pension bond obligation, etc. He stated that the City in 2008 issued bonds for \$8.4 million for a CalPERS unfunded accrued liability; and that \$2.4 million is still owed on it; and now the City wants to do a pension obligation bond for \$50 million.

Evan Sorenborger, La Verne, and former La Verne Fire paramedic, stated that public safety is like an insurance policy, we have to pay top dollar for the best coverage. The City should provide top quality tools and fire apparatus. The La Verne Fire paramedics are the best and should be provided with the best pay and benefits. He urged the City Council to make the right decision.

Todd Cremins, 1177 Mary Circle, La Verne, stated that he loves the small town atmosphere. In addition, he stated that it's important that the Fire Department be provided with the best salary, benefits and tools. He spoke about the potential hazards surrounding the City, like the railroad, Brackett Air Field, University of La Verne. The City Council should be looking at increasing fire staff. He urged that someone second Mayor Pro Tem Hepburn's motion.

City Manager Russi clarified that the provision regarding the assignment/engineer was negotiated between the City of La Verne and the La Verne Fire Association. He stated that with the current financial situation, the City had to exercise that part of Memorandum of Understanding.

Council Member Carder thanked and commended the La Verne Fire and Police Departments and stated that they are appreciated by the City Council and residents. However, unfortunately, CalPERS is hitting the City hard and Council has to cut somewhere. She also stated that the retirement loan is for all our City employees including the public safety employees. She sympathizes with the Fire Department, but she was elected to keep La Verne financially safe and solvent. In addition, she stated that she has heard from residents that they want to keep their own Fire and Police Departments.

Council Member Rosales stated that as retired public safety employee, he understands all the hard work they do and that they deserve the best. However, unfortunately, the City has the obligation of the CalPERS unfunded accrued liability and the City has to pay. He stated that at the workshop very painful and hard decisions had to be made.

Mayor Pro Tem Hepburn thanked everyone for attending. He stated he spent many sleepless nights on this matter; and that the City did not have many choices. He stated he appreciated the Fire and Police Departments who are the fabric of the City. He did not agree with taking any more money from employees, especially after the salary and benefit freeze. He again moved to remove Item 2, from the list of strategies.

Fire Captain Montoya interrupted Council discussion to ask a question of the City Manager, but he was told he had the opportunity during public comment. He was asked several times to sit down.

Gwen Carr, League of California Women Voters, demanded that the Mayor take order of the meeting, and inform Mr. Montoya that under the Brown Act, he could no longer speak.

Council Member Davis stated that this was a serious matter. He stated that cities are being hit by CalPERS and are facing the same situation. He stated that Council chose the path that would save the City money. He too, lost a lot of sleep over this matter. He stated that he's lived in La Verne all his life and cited the many times the Fire Department was there helping him and his family. He commended and praised the Fire and Police Departments for their service. He stated that hard decisions had to be made, or there will be no retirement funds for the employees.

Mayor Kendrick stated that when the City was notified by CalPERS of the City's unfunded accrued liability obligation, Council and staff began meeting for months to address this matter. He cited several other cities facing the same situation. He stated that this is for the employees' retirement plan. He commended the Police and Fire Departments and that making these difficult decisions didn't change how he or the Council felt towards them. He reported that staff came up with 100 ideas on how to address this matter and they worked really hard. He stated that Council has to make these difficult decisions, but now the City has to move forward.

It was moved by Davis, seconded by Hepburn and unanimously carried to confirm the direction they gave to Staff at the January 11, 2018, workshop; and approved the list of strategies outlined in the report, **except for Item No. 2, eliminating one engineer/paramedic assignment, year one.** Authority was also given to begin taking steps necessary to implement items outlined so they can be incorporated into the upcoming 2018-19 budget; and authorized the City Manager to assemble the necessary team and prepare documents to begin the process of issuing a pension obligation bond.

It was moved by Davis, seconded by Rosales, and carried by a vote of 4-1 (Hepburn voted No) **to add Item No. 2, eliminating one engineer/paramedic assignment, year one,** to the approved list of strategies.

10. The La Verne Firefighters' Association Request for Discussion Regarding a Feasibility Study for Regional Fire Protection

Andy Glaze, President of the La Verne Firefighters' Association, requested from City Council a feasibility fire study from Los Angeles County. He stated that the City is facing a difficult financial situation and that the employees' salary and benefits have been frozen and by contracting with the County of Los Angeles, it would lessen the financial burden saving the City one million dollars (according to a source from the City of San Dimas.) In addition, he stated that the La Verne Fire Department staff is working with aging malfunctioning equipment and that the staff levels are not adequate. He stated that the elimination of the engineer/paramedic position would be a tragedy. He spoke about AB 868; regarding the transfer of CalPERS unfunded accrued liability for active public safety employees and that the City should look into it.

Council Member Carder asked him why he wants to go County.

Andy Glaze, President of the Firefighters' Association stated that the Fire staff would be able to perform their duties more effectively, there would be an increase of staff levels, more resources, and it would save the City money. He also noted that the freeze on salaries and benefits is another reason.

Daniel Montoya, La Verne Fire Captain, spoke about the cuts made at the January 11, 2018, Workshop. He mentioned that Council was indifferent regarding eliminating the street sweeper position. He spoke about the negotiation meeting where the engineer/paramedic assignments condition was agreed. He stated that they were told by the former fire chief not to bring that issue up during negotiation. In addition, he stated that all firefighters' are paramedics, and cutting the engineer/paramedics will hamper their fire duties.

Jeff Peterson, Via Dicha, La Verne, asked about the fees paid into the north La Verne facilities fund that was created for the construction of Fire Station 3, and that the funds have not been spent. He also spoke about Community Facilities District 90-01, San Polo Development and the funding for truck staffing. He urged the City Council not to cut the engineer/paramedics positions.

Leo Kilman, La Verne Fire Engineer, stated that there are only two fire members stationed at Fire Station 3 and that the community is not aware of that fact.

Mayor Pro Tem Hepburn thanked the people for attending and that he appreciated their comments. He stated that the City of La Verne has great Fire and Police Departments and personally he would like to keep it that way, and if the residents want the City to do a fire feasibility study, he would not object.

Council Member Carder stated that residents want to keep their Fire and Police Departments in La Verne. The residents enjoy the personal touch and having their own Fire and Police Departments. She stated that contracting with the County is no guarantee that they would hire current La Verne Fire staff. She stated that no positions are being eliminated from the Fire Department. She spoke about a recent ride-a-long with the Fire Department and the awesome job they did when they responded to a call at a Mobilehome Park.

Council Member Davis stated that the La Verne residents appreciate having their own Fire and Police Departments and he did not support contracting with the County for fire services.

Mayor Kendrick commended the La Verne Fire Department and stated that he was proud of the Fire Department response time of the under four minutes or less. He stated that the response time would be doubled if they contract with the County. He also questioned the number of fire stations that would be in the City. He stated that Fire Station 3 was built to improve response time for medical calls in north La Verne.

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.

Rick Bowen, Eagle Drive, La Verne, stated that the City Council need to be more transparent and let the public know what is going on between the City of La Verne and the La Verne Firefighters' Association. He asked for a public forum to discuss these issues and the staffing level at Fire Station 3. He did not believe that residents have said they do not want county fire services. He stated the City Council should do a fire feasibility study.

Teri Muse, Waste Management, reported on recycling programs.

Kevin Wilton, La Verne Fire Department employee, asked the City Council to look at other options for budget cuts other than cutting the Fire Department engineer/paramedic assignments. He stated he is sad and disappointed that Council refuses to listen to them.

12. Council Comments and Meeting/Conference Reports

There was none.

13. Closed Session

At 9:01 pm., the City Council recessed to Closed Session for the following:

Conference with Legal Counsel – Pending Litigation (Government Code Section 54956.9 (d) (1).

Discussion regarding the La Verne Firefighters Association v. City of La Verne, Civil Action No. 2:17-cv-08743 -GW (AFMx)

Conference with Labor Negotiator (Government Code Section 54957.6).

City Negotiators: City Manager, Personnel Officer, and City Attorney

Employee Organization(s): La Verne City Employees Association,  
La Verne Police Officers' Association  
La Verne Firefighters' Association, La Verne  
Police Middle and all unrepresented employees.

14. Adjournment from Closed Session at 10:15 pm., to Tuesday, February 20, 2018 at 5 pm. for a City Council Study Session on the Gold Line in the conference room of La Verne City Hall.

Respectfully submitted,



Lupe Gaeta Estrella, CMC  
Assistant City Clerk