

1. CITY COUNCIL AGENDA 2023-05-15 (REGULAR) .PDF

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1.1. City Council Meeting Agenda Packet - May 15

CITY OF LA VERNE

CITY COUNCIL AGENDA

Tim Hepburn, Mayor

Rick Crosby, Mayor Pro Tem

Wendy Lau, Council Member

Steven Frank Johnson, Council Member

Meshal "Kash" Kashifalghita, Council Member



www.cityoflaverne.org

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City Hall Council Chamber

3660 D Street, La Verne, CA

Monday, May 15, 2023, at 6:30 p.m.
La Verne City Hall – Council Chambers
3660 D Street, La Verne, CA 91750

In compliance with the American Disabilities Act, any person with a disability who requires a modification or accommodation to participate in a meeting should contact the City Clerk's Office at (909) 596-8726 at least 72 hours prior to the meeting. Regular Meetings are held on the 1st and 3rd Monday of every month.

Individuals can email their comments to the Assistant City Clerk at cityclerk@cityoflaverne.org up to noon on the day of the meeting. Those comments will be shared with City Council in advance of the City Council meeting and included as part of the permanent record. **Please be advised that public comments submitted by emails or any other format to the City are public records that will be made available for public viewing.**

If you wish to participate via Zoom, please visit cityoflaverne.org/zoom and you will be automatically redirected to the meeting. You will have the ability to watch the meeting in real time and raise your hand to request to comment as appropriate on the current agenda item(s). Once it is your turn to speak, you will be brought into the meeting and have the ability to turn your video on when called upon.

Council Meeting Decorum: Per the City's Rules for Decorum, all Speakers and Members of the Audience are to conduct themselves with decorum and not engage in willful conduct which interrupts the meeting or with the orderly conduct of the meeting.

CALL TO ORDER

PLEDGE OF ALLEGIANCE by Veteran Thomas Brady, Army Corporal

ROLL CALL: Council Member Meshal “Kash” Kashifalghita, Council Member Steven Frank Johnson, Council Member Wendy Lau, Mayor Pro Tem Rick Crosby, and Mayor Tim Hepburn.

PRESENTATIONS

Damien High School Ice Hockey - 2023 - The Damien High School Ice Hockey team had a remarkable season this year, after a disappointing performance in the previous season. The team rallied and finished in an impressive 4th place in the league. In a historic achievement for the school, the team managed to clinch the first ever high school hockey 2A state championship. The team went a perfect 4-0 winning the state finals by a score of 7-3. The strong Junior class and 4 seniors led the team to victory for Damien's first ever varsity state championship. Buoyed by their state championship victory, the team was then set to compete in the national tournament. Despite the loss, the team and coaching staff was proud of how far the boys have come, having made it further than any other varsity team in school history. The team was coached by Curtis Fisher and assisted by Mike Weekley and Spencer McLay.

JT Lam	Alex Young	Adam Scott	Nolan Burchett
Seth Morris	Lucas Flinn	Mark Modell	Ethan Winters
Sean Harris	Steven Anderson	Blake Gadsby	Cameron Figueroa
Adam Desmarais	Isaac Faulkner	Ethan Lagasca	Travis Dumont
Andrew Garcia	Carter Ochoa	Sammie Ochoa	Kingston Du
Liam McGuern	Jayden Marin-Conde		

Recognition of Damien High School Debate Team - Damien High School freshmen brothers Brandon and Maddox Park won the 35th First Year Debate National Championship in policy debate on March 19th at Woodward Academy in Atlanta, Georgia. The brothers won four of six preliminary round debates and did not drop a single ballot across four elimination matches, going a perfect 12 for 12 en route to the championship. It is the first national title for Damien since 2009. The team was coached by Chris Parades, St. Lucy's Director of Debate, Damien's Associate Director of Debate, and a 2004 Spartan alumnus, in addition to Brandon and Maddox's older brother Luke, a junior at the school.

Water Awareness Month and Honoring Former Three Valleys Municipal Water District Board Member Brian Bowcock - Water Awareness Month encourages a statewide understanding and appreciation for the value of water conservation and wise decisions on water issues. Former Three Valleys Municipal Water District (TVMWD) Board Member Brian Bowcock is being honored for his many years of service representing the Cities of La Verne and Claremont on the TVMWD Board as well as a leader for several regional water organizations.

Motorcycle Awareness Month - Reminding vehicle drivers and motorists that safe driving and riding practices and cooperation from all road users will help reduce the number of fatalities and injuries on our nation's highways.

ANNOUNCEMENTS OF UPCOMING COMMUNITY EVENTS

(Any person who wishes to make a brief announcement of a future community event that is open to the general public may do so at this time.)

CONSENT CALENDAR

(All items on the Consent Calendar are routine and will be enacted by one motion unless a member of the City Council or member of the audience requests separate discussion.)

1. **CITY COUNCIL MINUTES** of the adjourned meeting of April 24, 2023, Regular meeting of May 1, 2023, and Special meeting of May 3, 2023.

Recommendation: That the City approve the City Council Minutes.

2. **Register of Audited Demands** in the amount of \$1,647,504.66 dated April 27, 2023, and in the amount of \$651,036.41 dated May 4, 2023.

Recommendation: That the City Council approve the demands.

3. **PUBLIC WORKS WEEK 2023 PROCLAMATION** - National Public Works Week is May 21 through May 27, 2023, and it is requested for the City Council to proclaim the week in support of the hard work and dedication for all members of the City of La Verne Public Works Department.

Recommendation: That the City Council proclaim May 21, 2023, through May 27, 2023, as Public Works Week. The Proclamation will be presented to Public Works Staff at a future date during Public Works Week.

4. **MILITARY APPRECIATION MONTH** - May of each year is officially recognized as Military Appreciation Month in which those in and out of the military are recognized.

Recommendation: That the City Council proclaim May 2023 as Military Appreciation Month.

5. **INCLUSION GRANT APPROPRIATIONS** - This item seeks City Council authorization and appropriations of \$31,250 with funding from the Grants for Enhanced Community Integration for Children and Adolescents.

Recommendation: That the City Council appropriate \$31,250 from the Miscellaneous Grants Fund for special needs events/programs, staff training, behavior consultation, and instructional materials.

- 6. **CONSIDERATION OF STREET CLOSURE FOR SPECIAL EVENT PERMIT NO. 26-23SEP – 2023 MEMORIAL DAY CEREMONY EVENT** - The City Council is requested to approve a street closure for the 2023 Memorial Day Ceremony Event, a City sponsored event, portions of Magnolia Avenue, between Bonita Avenue and 3rd Street, are proposed to be closed for the event occurring on May 29, 2023.

Recommendation: That the City Council authorize the Public Works Director to take the necessary steps to permit the temporary street closure for a portion of Third Street, between B Street and C Street for the Memorial Day Ceremony on May 29, 2023.

- 7. **SENATE BILL 1 PROJECT LIST FOR FISCAL YEAR 2023-24** - Each City must submit a Resolution to the California Transportation Commission with a proposed list of projects for Senate Bill 1, the Road Repair and Accountability Act of 2017. This item lists the proposed projects for Fiscal Year 2023-24 to receive the designated funds.

Recommendation: That the City Council approve Resolution No. 23-18, titled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AUTHORIZING A PROJECT LIST AS REQUIRED BY SENATE BILL 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT," approving the proposed SB1 project list for fiscal year 2023-24.

- 8. **RESOLUTION NO. 23-19, SET THE PUBLIC HEARING TO CONSIDER OLD TOWN LA VERNE BUSINESS IMPROVEMENT DISTRICT ANNUAL REPORT (OTLVBID)** - A public hearing is required to consider the Annual Report of the Old Town La Verne Business Improvement District (OTLVBID) and it is requested to schedule the hearing for June 5, 2023.

Recommendation: That the City Council adopt Resolution No.23-19, titled: 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 2023-2024 FISCAL YEAR AND SETS A PUBLIC HEARING ON THE MATTER FOR MONDAY, JUNE 5, 2023, AT 6:30 P.M.

- 9. **RESOLUTION NO. 23-20 - CITYWIDE LANDSCAPING AND LIGHTING DISTRICT NO. 6 AND ZONES 2, 3, 4-I, 4-II, 5, AND 6; ENGINEER'S REPORT** - The City Council is requested to review, provide preliminary approval, and set a Public Hearing for the Engineer's Report for Landscaping and Lighting Maintenance District No. 6, for Zones 2, 3, 4-I, 4-II, 5, and 6 for June 19, 2023

Recommendation: That the City Council adopt Resolution No. 23-20, titled A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE "ENGINEER'S REPORT" FOR ANNUAL LEVY OF ASSESSMENTS FOR FISCAL YEAR 2023-24 IN THE EXISTING LANDSCAPING & LIGHTING MAINTENANCE DISTRICT WITHIN SAID CITY, DECLARING ITS INTENTION TO PROVIDE FOR ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR SAME DISTRICT PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR PUBLIC HEARING THEREON (LLMD #6), FOR MONDAY, JUNE 19, 2023, AT 6:30 P.M.

- 10. **RESOLUTION NO. 23-21 - LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 7, ENGINEER'S REPORT** - The City Council is requested to review, provide preliminary approval, and set a Public Hearing for the Engineer's Report for Landscape and Lighting Maintenance District No. 7, for June 19, 2023.

Recommendation: That City Council adopt the Resolution No. 23-21, titled: A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE "ENGINEER'S REPORT" FOR ANNUAL LEVY OF ASSESSMENTS FOR FISCAL YEAR 2023-24 IN THE EXISTING LANDSCAPING & LIGHTING MAINTENANCE DISTRICT WITHIN SAID CITY, DECLARING ITS INTENTION TO PROVIDE FOR ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR SAME DISTRICT PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR PUBLIC HEARING THEREON (LLMD #7) FOR MONDAY, JUNE 19, 2023, AT 6:30 P.M.

- 11. **RESOLUTION NO. 23-22 - LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 8; ENGINEER'S REPORT** - The City Council is requested to review, provide preliminary approval, and set a Public Hearing for the Engineer's Report for Landscape and Lighting Maintenance District No. 8, for June 19, 2023.

Recommendation: That City Council adopt the Resolution No. 23-22, titled: A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE "ENGINEER'S REPORT" FOR ANNUAL LEVY OF ASSESSMENTS FOR FISCAL YEAR 2023-24 IN THE EXISTING LANDSCAPING & LIGHTING MAINTENANCE DISTRICT WITHIN SAID CITY, DECLARING ITS INTENTION TO PROVIDE FOR ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR SAME DISTRICT PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR PUBLIC HEARING THEREON (LLMD #8) , FOR MONDAY, JUNE 19, 2023, AT 6:30 P.M.

- 12. **RESOLUTION NO. 23-23 - MAINTENANCE DISTRICT NO. 84-1M, ESPERANZA ROAD SLOPES; ENGINEER'S REPORT** - The City Council is requested to review, provide preliminary approval, and set a Public Hearing for the Engineer's Report for Maintenance District No. 84-1M, for the Esperanza Road slopes for June 19, 2023.

Recommendation: That City Council adopt the Resolution No. 23-23, titled: 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 2023-24 IN A SPECIAL MAINTENANCE DISTRICT, AND SETTING A TIME AND PLACE FOR PUBLIC HEARING THEREON (84-1M). FOR MONDAY, JUNE 19, 2023, AT 6:30 P.M.

PUBLIC HEARINGS

- 13. **ALLOCATION OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR REMOVAL OF ACCESSIBILITY BARRIERS AT CITY HALL PUBLIC AREAS** - City Council approval of the use of Community Development Block Grant (CDBG) funds for removal of accessibility barriers at City Hall, through the replacement of public counters and modifications to restrooms in the estimated amount of \$200,000 is requested.

Recommendation: That the City Council approve Resolution No. 23-24, allocating \$120,000 for ADA compliant public counters and \$80,000 for ADA compliant public restrooms in City Hall; and, appropriate \$200,000 from the CDBG Fund for the removal of accessibility barriers at City Hall in the public areas.

- 14. **FIRST READING OF ORDINANCE, NO. 1116, WHICH UPDATES AND MODIFIES THE CITY'S EXISTING ACCESSORY DWELLING UNITS (ADUs) PROVISIONS AND MAKE CEQA EXEMPTION DETERMINATION** - In December of 2019, the City Council adopted an urgency ordinance, Ordinance No. 1089, to comply with new laws regarding Accessory Dwelling Units (ADUs). In 2022, the State passed amendments to laws which further modified the existing State ADU regulations and Staff is presenting a Draft Ordinance which will update the existing ADU provisions of the La Verne Municipal Code Chapter 18.120.

Recommendation: That the City Council should, as recommended by staff and the Planning Commission, introduce by title only and waive further reading of Ordinance No. 1116, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, CALIFORNIA AMENDING THE ZONING PROVISIONS OF THE LA VERNE MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS IN ACCORDANCE WITH STATE LAW AND MAKING A DETERMINATION THAT ADOPTION OF THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

- 15. **FIRST READING OF ORDINANCE NO. 1117 MODIFYING TITLE 16 & TITLE 18 OF THE MUNICIPAL CODE REGARDING SENATE BILL 9 DEVELOPMENT AND MAKE CEQA EXEMPTION DETERMINATION** - Senate Bill 9 was signed into law by Governor Newsom related to development of residential housing, specifically ministerial review of two residential units within a single-family zone and parcel maps for urban lot splits. State law allows cities to impose objective zoning, subdivision, and design standard. This Ordinance establishes the objective development standards for SB 9 two-unit and urban lot split developments.

Recommendation: That the City Council introduce by title only, waive further reading of Ordinance No. 1117, entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA MODIFYING TITLE 16 (SUBDIVISIONS) AND TITLE 18 (ZONING) OF THE LA VERNE MUNICIPAL CODE TO IMPLEMENT THE PROVISIONS OF SENATE BILL 9 RELATING TO THE CREATION OF URBAN LOT SPLITS AND TWO RESIDENTIAL UNIT DEVELOPMENTS AND MAKING A DETERMINATION THAT THE ADOPTION OF THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

OTHER MATTERS

- 16. **PROFESSIONAL SERVICES AGREEMENT FOR FINANCIAL AUDITING SERVICES, RESOLUTION NO. 23-24** - City Council approval is requested to enter into a five-year contract with Badawi & Associates (Badawi) for audit services during the fiscal years of 2022-23 to 2026-27.

Recommendation: That the City Council authorize the City Manager, or his designee, to execute an agreement with Badawi & Associates for Financial Auditing Services of fiscal years 2022-23 through 2026-27 in the amount not to exceed \$339,280 through the duration of the contract; and, adopt Resolution No. 23-24 titled, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING AN AGREEMENT WITH BADAWI & ASSOCIATES, CERTIFIED PUBLIC ACCOUNTANTS FOR PROFESSIONAL AUDITING SERVICES.

- 17. **DRAFT PARTNERSHIP AGREEMENT WITH THE LA VERNE CHAMBER OF COMMERCE** - Annually, the City and the La Verne Chamber of Commerce enter into a Partnership Agreement for a 12-month term; July 1, 2023, through June 30, 2024, to include a financial subsidy of \$45,000 for various services received benefitting the business community.

Recommendation: The City Council Chamber Liaison Committee and staff recommend the City Council approve Resolution No. 23-25 approving the La Verne Chamber of Commerce’s Partnership Agreement, which includes programs and funding for a twelve-month term in the amount of \$45,000 and an Incentive-Subsidy Program for Business Recruitment with a cost not to exceed \$3,000 subject to Agreement provisions, and continuance of the previously approved line of credit not to exceed \$10,000, from July 1, 2023 through June 30, 2024.

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 later. Please email your public comment to the Assistant City Clerk at cityclerk@cityoflaverne.org. Your public comment will be shared with the City Council and included as part of the permanent record. There is a 3-minute time limit on public comments.

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 per Assembly Bill 1234.

CLOSED SESSION

The City Council will meet in Closed Session pursuant to Government Code Section 54957.6 for the following:

Conference with Labor Negotiators

Negotiators: City Manager, Assistant City Manager, and City Attorney

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

Adjournment in memory of Teri Muse, City of La Verne's Waste Management Public Sector Manager.

Since 2013, Teri has been a regular fixture in our community. Teri served on the Board of Directors for the La Verne Chamber of Commerce, participated in many of the 4th of July parades, the Community Yard Sale, Wine and Beer Walks and charity golf tournaments. She also worked tirelessly behind the scenes facilitating donations of Waste Management services, educating businesses and neighborhoods about solid waste solutions, and helped address solid waste issues within our city. She is survived by her husband of more than 30 years, David and children David, Ariana, Taylor, and Sean. Teri and her dedication to the betterment of the San Gabriel Valley will be missed by many, including the La Verne community.; and

Adjournment to Monday, June 5, 2023, at 4:30 p.m. for a Budget Study Presentation with Department Heads.

**THE NEXT REGULAR MEETING of the La Verne City Council is
scheduled for June 5, 2023, at 6:30 p.m.**

ADVISORY STAFF

____ Ken Domer, City Manager
____ JR Ranells, Assistant City Manager
____ Kimberly Hall Barlow, City Attorney
____ Lupe Gaeta Estrella, Assistant City Clerk
____ Meg McWade, Public Works Director
____ Eric Scherer, Community Development Director
____ Christy Lopez, Finance Director
____ Sam Gonzalez, Acting Police Chief
____ Christopher Nigg, Fire Chief
____ Yvonne Duran, Community Services Director
____ Cody Howing, City Engineer

Posting Statement: A true and correct copy of this Agenda was posted on May 10, 2023, on the bulletin board at La Verne City Hall, 3660 D Street, La Verne, and on the City's website at www.cityoflaverne.org.