

CITY OF LA VERNE

CITY COUNCIL AGENDA

Tim Hepburn, Mayor

Muir Davis, Mayor Pro Tem

Robin Carder, Council Member

Rick Crosby, Council Member

Wendy M. Lau, Council Member



www.cityoflaverne.org

(909) 596-8726 - Phone

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City Hall Council Chamber

3660 D Street

La Verne, CA 91750

Monday, May 16, 2022 - 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 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. Regular Meetings are held on the 1st and 3rd Monday of every month.

The Council Chambers will be opened to the public at 6:00 p.m. In an effort to keep a safe environment and to minimize the spread of the COVID-19 Virus, the City will be limiting occupancy and requiring masking for all that will be in attendance. To facilitate public participation for those who do not wish to attend in person, the meeting will still be made available virtually to residents. Below are the following opportunities on how to participate:

- 1) View the meeting through the City's website at www.cityoflaverne.org and click on the green "Council Meeting Live Stream" button.
- 2) 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.**
- 3) Individuals who wish to share their comments directly during the meeting may do so by emailing the Assistant City Clerk at cityclerk@cityoflaverne.org with their phone number and the item(s) they wish to speak on. Requests will be accepted before and throughout the meeting and staff will call you back at the appropriate time. Once items are considered by the City Council, no further public comment on that matter will be accepted. A time limit of 3-minutes is set for all public comments.
- 4) If you wish to participate via Zoom, you will need to register at https://us02web.zoom.us/webinar/register/WN_30NXJoQPSDmvmk2tqJ4ko7A before 5:00 p.m. on Monday, May 16, 2022, and please be aware that space is limited. 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.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL:** Council Member Lau, Council Member Crosby, Council Member Carder, Mayor Pro Tem Davis and Mayor Hepburn.

4. **PRESENTATIONS**

- a. **Chair of Honor Dedication at La Verne City Hall** - La Verne VFW Post 12034 will present a Chair of Honor to the City of La Verne to hold a place of Honor in the City Council Chambers. The Empty Chair will serve as an instant reminder of all the sacrifices made for 'Our Country' by those still missing American service members. The Chair of Honor also reminds us of the men and women who serve our country every day. A second dedication of this Chair of Honor will take place at this year's Memorial Day ceremony at the La Verne the Veterans Memorial which will take place on Monday, May 30th at 11:00 a.m.
- b. **Proclaiming the Month of May 2022, as "Older Americans Month"** recognizing the contributions of our older citizens, to help create an inclusive society, and join efforts to supports older Americans' choices about how they age in their communities. Terry Kistler, Chair of the Senior Advisory Committee will be accepting the proclamation.
- c. **Proclaiming the Month of May 2022 as "Mental Health Month"** to support and recognize the efforts at fighting the stigma associated with mental health, providing support, educating the public, and advocating for equal care; and to increase awareness and understanding of mental illnesses, reducing stigma and discrimination, and promoting appropriate and accessible services for all people with mental illnesses.

5. **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)

6. **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 and adjourned meetings of May 2, 2022, to be ***received and filed.***

- b. **Register of Audited Demands** in the amount of \$1,911,621.82, dated April 14, 2022, in the amount of \$281,734.63, dated April 21, 2022, in the amount of \$1,166,325.91, dated April 28, 2022, and in the amount of \$1,362,806.58 dated May 5, 2022, ***approval recommended by Finance Director Pendleton.***

- c. **Armored Vehicle Replacement** - The La Verne Police Department's 1982 Dodge Armored Peacekeeper has reached its end of life and cannot be repaired without a substantial cost to the City. The Department is seeking authority to purchase an armored incident vehicle from Lenco. The Department received information from the manufacturer, Lenco Armored Vehicles, who is selling a refurbished 2008 Lenco Bearcat Armored Response Vehicle for \$194,225.

Police Chief Flores recommends that the City Council approve and provide the City Manager the authority to purchase a refurbished 2008 Lenco Bearcat Armored Incident Response Vehicle from Lenco Armored Vehicles for \$194,225 supported by the funding source noted within this report. Assembly Bill 481 requires approval from City Council for all military equipment purchases to comply with Government Code 7071.

- d. **Staff recommends approval and passage of the following Resolution(s):**

Resolution No. 22-22 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING A FIDUCIARY SERVICERS AGREEMENT WITH THE LOS ANGELES HIGH INTENSITY DRUG TRAFFICKING AREA AGENCY (LA HIDTA) PROGRAM - ***In the May 2, 2022 City Council study session, it was shared that the City of La Verne has been approached to become the fiduciary of the LA HIDTA Program, which requires performing financial accounting services, receiving grant awards in the name of the City, and ensuring performance of any required program audits. Council directed staff to finalize the terms of the agreement with LA HIDTA, which is presented today for Council consideration. The agreement will provide compensation to fund one Accountant specializing in grant accounting and reimbursements and additional audit services required for the LA HIDTA programs.***

Finance Director Pendleton recommends that the City Council adopt Resolution 22-22 authorizing the Mayor to execute the Agreement, authorize grants secured for LA HIDTA operations to be awarded in the name of the City of La Verne and Direct the Finance Director to open bank accounts and establish the required accounting funds/accounts to facilitate the agreed upon fiduciary duties and to incorporate LA HIDTA initiatives into the Fiscal Year 2022-23 budget.

e. **Ordinance(s), Second Reading, approval recommended.**

Ordinance No. 1110 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ADDING CHAPTER 10 ("MILITARY EQUIPMENT POLICY") TO TITLE 9, SECTION NO. 10.04.010 OF THE LA VERNE MUNICIPAL CODE GOVERNING THE USE OF MILITARY EQUIPMENT BY THE POLICE DEPARTMENT - Assembly Bill 481 ("AB 481") went into effect on January 1, 2022, and requires a law enforcement agency to obtain approval of its governing body to enact a military equipment use policy before purchasing, using, raising funds for, or acquiring military equipment. The Ordinance was placed on first reading and further reading was waived by City Council on April 18, 2022.

Police Chief Flores recommends approval of Ordinance No. 1110, adding Chapter 10 (Military Equipment Policy) to Title 9, Section 10.04.010 of the La Verne Municipal Code governing the use of the Military Equipment by the Police Department.

7. **PUBLIC HEARINGS**

- a. **Annual Report and Public "Protest" Hearing - Old Town La Verne Business Improvement District** - The City Council is requested to conduct the annual "protest" hearing. Following the hearing, to receive and file a report of the OTLVBID prior year activities; and consider approval of the proposed OTLVBID 2022-2023 Annual Budget, and incorporate it into the overall City Budget; and consider approving re-establishment of the District boundaries and assessment formula.

STAFF RECOMMENDATION:

The City Council should, following conduct of the annual "protest" hearing, receive and file a report of the OTLVBID prior year activities; approve the proposed OTLVBID 2022-2023 Annual Budget; approve re-establishment of the District boundaries and assessment formula, adopt Resolution No.22-23, approving the OTLVBID Annual Report.

Resolution No. 22-23 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, OVERRULING PROTESTS AND APPROVING THE ANNUAL REPORT OF THE OLD TOWN LA VERNE BUSINESS IMPROVEMENT DISTRICT FOR 2022-2023 PURSUANT TO THE PROVISIONS OF SECTION 36500 ET SEQ. OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA.

- b. **2022-23 Comprehensive Fee Schedule** - The City's comprehensive Fee Schedule is reviewed each year in conjunction with the annual budget process. Adjustments are made to reflect changes in the cost of services in accordance with State and local laws. Resolution No. 22-24 provides for adjustments to the 2022-23 Comprehensive Fee Schedule.

STAFF RECOMMENDATION:

The City Council should, approve the updates to the City's Comprehensive Fee Schedule as set forth in Resolution No. 22-24. All fee schedule changes are scheduled to become effective July 1, 2022.

Resolution No. 22-24 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AMENDING RESOLUTIONS NO. 21-25, RELATIVE TO CERTAIN FEES AND POLICIES FOR SERVICES PROVIDED BY THE CITY OF LA VERNE.

8. **OTHER MATTERS**

Urgency Ordinance No. 1111, or Ordinance No. 1112, Amending Chapter 13.15 of the La Verne Municipal Code Relative to Water Conservation, Use and Restrictions - On March 18, 2022 the Department of Water Resources (DWR) announced a decrease in the State Water Project (SWP) allocation from 15 percent to 5 percent. On March 28, 2022, Governor Gavin Newsom signed Executive Order N-7-22 (Executive Order) proclaiming a State of Emergency across all the counties of California. In response, the Three Valleys Municipal Water District (TVMWD) Board voted to move to a Water Shortage Contingency Plan (WSCP) Level 5 in its SWP constrained areas, requiring a restriction on outdoor watering of no more than one day per week. The constrained area of TVMWD includes the cities of Claremont and La Verne.

STAFF RECOMMENDATION:

The City Council should adopt Urgency Ordinance No. 1111 or Urgency Ordinance No. 1112, amending Section 13.15.040 and Section 13.15.043 of Chapter 13.15 of the La Verne Municipal Code relative to Water Conservation, Use and Restrictions.

Ordinance No. 1111 - AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, STATE OF CALIFORNIA, COUNTY OF LOS ANGELES, AMENDING SECTIONS 13.15.040 AND 13.15.043 OF CHAPTER 13.15 OF THE LA VERNE MUNICIPAL CODE RELATIVE TO WATER CONSERVATION, USE AND RESTRICTIONS.

Ordinance No. 1112 - AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, STATE OF CALIFORNIA, COUNTY OF LOS ANGELES, AMENDING SECTIONS 13.15.040 AND 13.15.043 OF CHAPTER 13.15 OF THE LA VERNE MUNICIPAL CODE RELATIVE TO WATER CONSERVATION, USE AND RESTRICTIONS.

9. **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. 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. If you wish to speak, email your phone number and staff will call you back. There is a 3-minute time limit on public comments.

10. **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.

11. **ADJOURNMENT to Monday, June 6, 2022, at 4:30 p.m., for a presentation of the 2022-23 Budget to City Council by Department Heads.**

***THE NEXT REGULAR MEETING of the La Verne City Council
is scheduled for Monday, June 6, 2022, at 6:30 p.m.***

ADVISORY STAFF

- ___ Robert Russi, City Manager
- ___ JR Ranells, Assistant to the City Manager
- ___ Robert Kress, City Attorney
- ___ Lupe Gaeta Estrella, Assistant City Clerk
- ___ Shawn Igoe, Public Works Director
- ___ Eric Scherer, Director of Community Development
- ___ Marla Pendleton, Finance Director
- ___ Colleen Flores, Police Chief
- ___ Christopher Nigg, Fire Chief
- ___ Yvonne Duran, Community Services Manager
- ___ Cody Howing, City Engineer

<p>Posting Statement: On May 10, 2022, a true and correct copy of this Agenda was posted on the bulletin board at La Verne City Hall, 3660 D Street, La Verne, and on the City's website at cityoflaverne.org.</p>
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