

CITY OF LA VERNE

CITY COUNCIL AGENDA

Tim Hepburn, Mayor

Rick Crosby, Mayor Pro Tem

Wendy Lau, Council Member

Steve 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 91750

Monday, June 5, 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 48 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.**

View the meeting through the City's website at www.cityoflaverne.org/live and click on "Watch Live".

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.

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.

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 Ralph Ward, Army E-4

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

PRESENTATIONS

Power Point Presentation on upcoming Mosquito Season by Anais Medina Diaz, Director of Communications of the San Gabriel Valley Mosquito & Vector Control District.

Power Point Presentation on the Police Department rebrand of Police Vehicle Decals by La Verne Police Detective Janessa Gonzalez.

ADJOURNMENT of June 5, 2023, Council Meeting in memory of Marine Veteran Carl Harstine. Carl was born on August 21, 1925, in Warsaw, Ohio. He enlisted in the Marines in 1941 on his seventeenth birthday. Carl was part of the 3rd Marine Corp Division who participated in the invasion of Guam Bougainville. He fought hand to hand combat with the Japanese at the age of eighteen. He received the Marksmanship Award and the Asian Pacific Merit Award during his service. He was discharged in 1945. Carl was part of the Greatest Generation and will be missed. He is survived by son Steve, daughter-in-law Donna, two (2) grandchildren and four (4) great grandchildren.

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 special meetings of May 1 & 15, 2023, and regular meeting of May 15, 2023.

Recommendation: That the City Council approve the minutes.

2. **Register of Audited Demands** in the amount of \$1,754,008.62 dated May 11, 2023, and in the amount of \$367,993.56 dated May 18, 2023, and in the amount of \$4,074,746.33 dated May 25, 2023.

Recommendation: That the City Council approve the demands.

3. **STREET CLOSURE AGREEMENT FOR THE 2023 BONITA HIGH SCHOOL GRADUATION** - The City Council is requested to approve a street closure agreement for the 2023 Bonita High School Graduation. The request is to close the entirety of Durward Way on June 8, 2023, from 2:00 p.m. until 9:00 p.m.

Recommendation: That the City Council authorize the City Manager to execute an Agreement with Bonita High School providing for a temporary street closure of Durward Way for the Bonita High School Graduation occurring June 8, 2023.

4. **CONSIDERATION OF STREET CLOSURES FOR “E” STREET AND 2ND STREET IMPROVEMENT PROJECT** - The City Council is requested to approve a series of street closures to facilitate construction work associated with the Enhanced Infrastructure Finance District (EIFD) project under construction on “E” Street and 2nd Street.

Recommendation: That the City Council authorize the Public Works Director to permit the temporary closure of the intersections of “E” Street & 2nd Street, and “D” Street & 2nd Street during the weeks of June 12th through 16th and June 19th through 23rd and any other dates for required work that will be in excess of 24 hours to complete construction in a timely manner.

5. **REQUEST FOR ADDITIONAL APPROPRIATION – STREETS DUMP TRUCK** - Due to supply chain issues and resulting increased prices, there is a need for an additional appropriation in the amount of \$33,883 from the Street Maintenance Fund to the Equipment Replacement Fund for purchase of the Streets Dump Truck.

Recommendation: That the City Council: authorize the transfer of \$33,883 from Street Maintenance - General Fund to the Vehicle Replacement Fund – Fund 64; and appropriate \$33,883 in the Vehicle Replacement Fund – Fund 64 for the purchase of the Streets Dump Truck.

6. **PURCHASE OF A NEW 7-8 YARD DUMP TRUCK – WATER DIVISION** - This action will authorize replacement of the Water Division’s 1993 Ford LN8000 Dump Truck in the amount of \$194,997 and approve an additional appropriation of \$117,029 from the Water Fund to complete the purchase.

Recommendation: That the City Council: authorize the City Manager to execute a purchase order with Velocity Truck Centers/PB Loader Corporation in the amount of \$194,997 for the purchase of a new 2024 Freightliner M2 Chassis with a new 7-8 Yard tilt dump truck body, utilizing competitively bid national contract from Sourcewell (Contract #080521-PBL). Authorize the transfer of \$117,029 from the Water Fund (available within the Fiscal Year 2022-23 Operational Budget) and appropriate this amount within the Vehicle Replacement Fund.

7. **LEASE AND SERVICE AGREEMENT FOR PRINTERS AND COPIERS** - After a review of the current printer and copier equipment service, staff determined that improved service and reduced costs would occur if they consolidated all the peripherals at City Hall and the City Yard. City Council is asked to approve the attached 5-year lease agreement with Kyocera Document Solutions West.

Recommendation: That the City Council authorize the City Manager to execute a lease agreement with Kyocera Document Solutions West, for printer and copier services, for a 63-month term at a base monthly rate of \$1,041.16.

8. **RESOLUTION APPROVING A CLASS SPECIFICATION AND SALARY FOR CODE COMPLIANCE OFFICER** - After a review of organizational structure and departmental efficiencies, the City Manager is transitioning code enforcement activities from the Police Department to the Community Development Department as of July 1, 2023. Code enforcement duties are currently the responsibility of the Police Services Coordinator position and a new classification titled Code Compliance Officer is being created to recognize the transition from the Police Department.

Recommendation: That the City Council adopt the attached Resolution titled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING A CLASS SPECIFICATION AND SALARY FOR CODE COMPLIANCE OFFICER."

9. **RESOLUTION ADOPTING A COOPERATION AGREEMENT WITH THE LOS ANGELES COUNTY DEVELOPMENT AUTHORITY FOR A NEW THREE-YEAR TERM** - The City participates in the Urban County Community Development Block Grant (CDBG) program through the Los Angeles Community Development Authority. The proposed Cooperation Agreement is for a new three-year term.

Recommendation: That the City Council adopt the attached Resolution No. 23-29 titled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA APPROVING PARTICIPATION IN THE LOS ANGELES URBAN COUNTY PROGRAM" to receive Community Development Block Grants and authorize the City Manager to sign the Cooperation Agreement.

10. **RESOLUTION FOR 2023-24 APPROPRIATIONS LIMIT** - Every year, the City must adopt the annual appropriations limit for expenditures paid by tax proceeds, consistent with the requirements of California law. Appropriations financed by service fees, grants and other non-tax revenues are exempt. The City's proposed 2023-24 budget reflects appropriations well under the limit set by law.

Recommendation: That the City Council adopt Resolution No. 23-30 titled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ADOPTING AN APPROPRIATIONS LIMITATION FOR THE 2023-24 FISCAL YEAR"

11. **RESOLUTION CANCELLING THE JULY 3, 2023, CITY COUNCIL MEETING** - Traditionally, the first City Council meeting in July is cancelled due to the 4th of July holiday and reduced Council items requiring action at the start of the new Fiscal Year. This item approves a Resolution cancelling the meeting.

Recommendation: That the City Council approve Resolution 23-31, cancelling the July 3, 2023, City Council Meeting.

12. **ADOPTION OF ORDINANCE, NO. 1116 PERTAINING TO UPDATES AND MODIFICATIONS TO THE CITY'S EXISTING ACCESSORY DWELLING UNITS (ADUs) PROVISIONS** - The City Council approved the First Reading of Ordinance No. 1116, with amendments, pertaining to updates and modifications to the City's Accessory Dwelling Unit regulations on May 15, 2023. If approved, this action will adopt the Ordinance which will be effective thirty (30) days after adoption.

Recommendation: That the City Council adopt Ordinance No. 1116 titled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF 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."

13. **ADOPTION OF ORDINANCE NO. 1117 MODIFYING TITLE 16 & TITLE 18 OF THE MUNICIPAL CODE REGARDING SENATE BILL 9 DEVELOPMENT** - The proposed Ordinance establishes the objective development standards for Senate Bill 9 (SB 9) two-unit and urban lot split developments in the City of La Verne in accordance with State law and based on feedback and direction received from the City Council at the First Reading approved on May 15, 2023.

Recommendation: That the City Council adopt Ordinance No. 1117, "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 DEVELOPMENT."

THE LA VERNE CITY COUNCIL WILL RECESS TO MEET AS THE LA VERNE JOINT PUBLIC FINANCING AUTHORITY; FOLLOWING, THE CITY COUNCIL WILL IMMEDIATELY RECONVENE.

JOINT PUBLIC FINANCING AUTHORITY

14. **RESOLUTION NO. JPFA-66 GRANTING AN EASEMENT TO SOUTHERN CALIFORNIA GAS COMPANY FOR UTILITY PURPOSES FOR 2909 ARROW HIGHWAY (VALLEY RANCHO MOBILE HOME PARK)** - The attached resolution grants an easement to Southern California Gas Company for utility purposes at the Valley Rancho Mobile Home Park which is owned by the La Verne Public Financing Authority. This easement will allow the conversion of the current utility infrastructure for natural gas to be replaced, improved, and transferred.

Recommendation: Adopt Resolution No. JPFA-66 titled, "A RESOLUTION OF THE LA VERNE PUBLIC FINANCING AUTHORITY, GRANTING AN EASEMENT TO SOUTHERN CALIFORNIA GAS COMPANY FOR UTILITY PURPOSES FOR 2909 ARROW HIGHWAY (VALLEY RANCHO MOBILE HOME PARK)."

THE LA VERNE JOINT PUBLIC FINANCING AUTHORITY WILL ADJOURN AND THE CITY COUNCIL WILL IMMEDIATELY RECONVENE.

PUBLIC HEARINGS

- 15. **ANNUAL REPORT AND PUBLIC PROTEST HEARING FOR OLD TOWN LA VERNE BUSINESS IMPROVEMENT DISTRICT, FIRST READING OF ORDINANCE NO. 1118 REGARDING EXPENDITURE OF FUNDS, AND DETERMINING ACTION IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT** - An annual public protest hearing is required to comply with State Law, the Municipal Code, and By-Laws relative to the Old Town La Verne Business Improvement District (District). The Council will review the annual report, the proposed budget, re-establish the District, and modify the La Verne Municipal Code.

Recommendation: That the City Council Adopt Resolution No. 23-32, approving the District’s Annual Report, proposed 2023-2024 Annual Budget, and the re-establishment of the District boundaries and assessment formula; and Introduce by title only and waive further reading of Ordinance No. 1118, “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AMENDING CHAPTER 2.54.150 OF THE LA VERNE MUNICIPAL CODE RELATIVE TO THE OLD TOWN LA VERNE BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD’S EXPENDITURE OF CITY FUNDS,” and making a determination that the adoption of the ordinance is exempt from the California Environmental Quality Act.

- 16. **RESOLUTION ADOPTING THE 2023-24 COMPREHENSIVE FEE SCHEDULE** - The City’s Comprehensive Fee Schedule, established by Resolution 23-14, 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 law. Resolution 23-33 provides for adjustments to the 2023-24 Comprehensive Fee Schedule.

Recommendation: That the City Council adopt the Resolution No. 23-33 titled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AMENDING RESOLUTION NO. 23-14 RELATIVE TO CERTAIN FEES AND POLICIES FOR SERVICES PROVIDED BY THE CITY OF LA VERNE.”

- 17. **FIRST READING OF ORDINANCE NO. 1119, ESTABLISHING THAT REGULAR MEETING TIMES OF THE CITY COUNCIL SHALL BE SET BY RESOLUTION** - Currently, La Verne Municipal Code provides that regular meetings of the City Council shall be held on the first and third Monday of each month at 6:30 p.m. In order to provide better flexibility as well as convenience, the proposed ordinance authorizes the City Council to establish regular meeting times by resolution.

Recommendation: That the City Council should introduce by title only and waive further reading of Ordinance No. 1119, “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ESTABLISHING THAT REGULAR MEETING TIMES OF THE CITY COUNCIL SHALL BE SET BY RESOLUTION.”

OTHER MATTERS:

18. **Water Quality Resin Changeout – Amherst Water Treatment Plant** - This action will approve a sole source purchase agreement for resin replacement (Cal Res 2109) from Calgon Carbon in the amount of \$152,688. The media is necessary for the removal of perchlorate from drinking water.

Recommendation: That City Council authorize a sole source purchase from Calgon Carbon for Cal Res 2109 perchlorate media (resin) replacement at Amherst Treatment Plant, including the removal and incineration of spent media, in the amount of \$152,688.

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.

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

1. **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 Firefighters Association, La Verne Police Middle Management Association, and all unrepresented employees.

2. **The City Council will meet in a closed session pursuant to Government Codes 54956.9 (a) (d) (1) to discuss:** Jankowski vs. La Verne Case No. ADJ13057253

ADJOURNMENT in memory of Marine Veteran Carl Harstine. Carl was born on August 21, 1925, in Warsaw, Ohio. He enlisted in the Marines in 1941 on his seventeenth birthday. Carl was part of the 3rd Marine Corp Division who participated in the invasion of Guam Bougainville. He fought hand to hand combat with the Japanese at the age of eighteen. He received the Marksmanship Award and the Asian Pacific Merit Award during his service. He was discharged in 1945. **Carl was part of the Greatest Generation** and will be missed. He is survived by son Steve, daughter-in-law Donna, two (2) grandchildren and four (4) great grandchildren.

**THE NEXT REGULAR MEETING of the La Verne City Council is
scheduled for Monday, June 19, 2023, at 6:30p.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 30, 2023, at the bulletin board at La Verne City Hall, 3660 D Street, La Verne, and on the City's website at www.cityoflaverne.org.