

**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, July 15, 2019**

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 Charlie Rosales
Council Member Robin Carder
Council Member Tim Hepburn

Absent: Council Member Muir Davis

Advisory personnel present: City Manager Robert Russi
City Attorney Robert L. Kress
Assistant City Manager/Public Works Director Dan Keesey
Assistant City Clerk Lupe Gaeta Estrella
Community Development Director Eric Scherer
Police Chief Nick Paz
Interim Fire Chief Kirk Summers
Finance Manager Nathan Statham
Police Captain Coleen Flores
Police Lieutenant Sam Gonzalez
Fire Battalion Chief Robert Russell
Personnel Officer JR Ranells
Recreation Coordinator Yvonne Duran
3. Pledge of Allegiance was led by Mayor Kendrick.
4. Proclamation Recognizing the Month of July as "Minority Mental Health Month" Mayor Kendrick, on behalf of the City Council presented a Proclamation recognizing the Month of July as "Minority Mental Health Month" to Dana Barford, Mental Health Services Coordinator from Tri-City Mental Health Services.

Recognition of Gilbert Ivey and Norm Faustini for their Eight Years of Service on the La Verne Planning Commission. Mayor Kendrick, on behalf of the City Council, recognized and thanked Gilbert Ivey and Norm Faustini for their eight years of service on the La Verne Planning Commission.

Recognition of Micky's Jewelry Studio Mayor Kendrick, on behalf of the City Council, recognized and congratulated Micky Rehm; owner of Micky's Jewelry Studio, a family owned and operated business for being named 41st Assembly District's Small Business of the Year on June 19, 2019, at the Annual Small Business of the Year Luncheon organized by the California Small Business Association. Micky's Jewelry Studio has served La Verne and its surrounding community for over ten years.

South Coast Air Quality Management District (SCAQMD) Update Presentation South Coast Air Quality Management District (SCAQMD) Michael Cacciotti, Governing Board Member provided an update on air quality activities.

Status on Double Track and Quiet Zone Project by Metro Representative

A representative from Metro reported on the status of the Double Track and Quiet Zone Project through San Dimas and La Verne on the Metro Link San Bernardino line from Lone Hill Avenue to Fulton Road. Metro hopes to move forward and receive funding for the final design of the project in the coming months

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

Micky Rehm, Micky's Jewelry Studio, and La Verne resident announced that there will be an Art Walk on Saturday, August 3, 2019 in downtown La Verne, and that "La Verne on Tap" will be on Saturday, September 28, 2019, also in downtown La Verne.

Pam Berry, La Verne resident announced that the next meeting of the Coalition of Concerned citizens which is open to the public is on Monday, July 29, 2019 at the Saint John Episcopal Church in La Verne, at 7 p.m.

Mayor Kendrick announced that the last Concert in the Park is on Sunday, August 11, 2019 and that Movie Nights at the Park sponsored by the La Verne Police Officers' Association is on Sunday, July 21, 2019. He also invited everyone to join him to celebrate with him for donating his 150 pints of blood on Tuesday, July 16, 2019, at 9 am, at the La Verne City Hall Red Cross Drive. He encouraged everyone to go and donate blood.

6. Consent Calendar

It was moved by Rosales, seconded by Hepburn, and unanimously carried to accept, approve, or act on the Consent Calendar items, except for Item 5c, Planning Commission Appointments and Item No 5d, Senior Advisory Committee Appointments were pulled from the Consent Calendar by Council Member Carder.

City Council Minutes

City Council Minutes of May 20, 2019, *received and filed*.

Registers of Audited Demands

Register of Audited Demands in the amount of \$814,013.71 dated June 5, 2019, in the amount of \$152,951.16, dated June 12, 2019, in the amount of \$1,087,336.17, dated June 26, 2019, in the amount of \$1,172,448.02, and dated July 3, 2019. *Approved*.

Pulled from the Consent Calendar/
Planning Commission Appointments

Council Member Carder pulled Planning Commission Appointments to recognize and welcome new Planning Commissioners Jeffrey Allred and Jason Lorge.

Planning Commission Appointments - The City Council was requested to consider appointment of Jeffrey Allred and Jason Lorge as new Planning Commissioners, to fill the expired terms of former Chair Gilbert Ivey and Commissioner Norm Faustini. The City Council recently interviewed ten (10) applicants for the open Planning Commission position at adjourned meetings on June 24th and June 25th and recommended the appointment of residents Jeffrey Allred and Jason Lorge to the Planning Commission. The Municipal Code authorizes the appointments by City Council.

It was moved by Carder, seconded by Hepburn, and carried by a vote of 4-0 (Davis Absent) to appoint Jeffrey Allred and Jason Lorge to the La Verne Planning Commission in accordance with the Municipal Code. The new Commissioners terms will be from July 15, 2019 and extending until June 30, 2023, with the potential for reappointment by the City Council for an additional four year term.

After appointments, City Council welcomed and thanked newly appointed Planning Commissioners Allred and Lorge for their willingness to serve on the committee and for their commitment to the City of La Verne.

Pulled from the Consent Calendar/ Senior Advisory Committee Board Appointment/Reappointment

Council Member Carder pulled Senior Advisory Committee appointments to recognize and welcome Senior Advisory Committee Board Members Lorraine Missick, Scott Snider and Bette Donovan.

Senior Advisory Committee Board Appointment/Reappointment - Terms for Lorraine Missick and Scott Snider expired July 1, 2019. Both committee members wish to remain on the Senior Advisory Committee. The Committee would also like to appoint their alternate, Bette Donovan, as an official committee member due to Joyce Stewart leaving midway through her term.

It was moved by Carder, seconded by Hepburn, and carried by a vote of 4-0 (Davis Absent) to accept the Senior Advisory Committee's recommendation to reappoint Lorraine Missick and Scott Snider and appoint Bette Donovan to serve a two-year term (July 1, 2019 through June 30, 2021).

After appointments, City Council welcomed and thanked the Senior Advisory Committee Members Missick, Snider, and Donovan for their willingness to serve on the committee and for their commitment to the City of La Verne.

Homeless Plan Annual Review

Homeless Plan Annual Review - On June 18, 2018 the City Council approved Resolution No. 18-33, adopting the City's "Plan to Prevent and Reduce Homelessness" (Homeless Plan). The adopted Homeless Plan outlines four (4) strategic goals, along with supporting action items, to prevent and reduce homelessness over the course of three (3) years. Action item 4b identifies that the Homeless Plan should be reviewed on an annual basis at a time corresponding with the release of the most recent annual Point in Time Homeless Count results. This staff report summarizes the progress that has occurred over the past year to achieve the strategic goals of the Homeless Plan.

Staff recommended that the City Council receive and file the informational report. ***Received and filed.***

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

Resolution No. 19-45,
Agreement with Bonita Unified
School District for Crossing
Guard Services

Resolution No. 19-45 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING AN AGREEMENT WITH BONITA UNIFIED SCHOOL DISTRICT FOR CROSSING GUARD SERVICES - The City of La Verne has a continuing contract Agreement with the Bonita Unified School District for crossing guards that is renewed every fiscal year.

Staff recommended that the City Council approve Resolution No. 19-45, authorizing the Agreement between the City of La Verne and the Bonita Unified School District, for Crossing Guard Services, for the period of July 1, 2019 through June 30, 2020. **Approved.**

Resolution No.19-46,
Approving Application for
Statewide Park Development
and Community Revitalization
Program Grant Funds (Teen
Center)

Resolution No.19-46 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, and APPROVING THE APPLICATION FOR STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM GRANT FUNDS - Evan Brooks and Associates have prepared a grant application to be submitted to the Statewide Parks Development and Community Revitalization Program for the Teen Center. The resolution must be submitted as part of the application packet. Funding request is for \$3,000,000. **Approved.**

Staff recommended that the City Council approve Resolution No.19-46, for the Statewide Parks Development and Community Revitalization Program grant funds. **Approved.**

Resolution No. 19-47,
Approving a Parking Penalty
Schedule and Rescinding
Resolution No. 10-106

Resolution No. 19-47- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING A PARKING PENALTY SCHEDULE AND RESCINDING RESOLUTION NO. 10-106 - The Police Department conducted a cost analysis associated with the penalties for parking regulations, to include logistical costs and the increase in the contracting services provided by Inter-Con Security. Staff is recommending an increase in parking penalties. **Approved.**

Staff recommended that the City Council approve Resolution No. 19-47, authorizing the increase in parking penalties associated with parking restrictions. **Approved.**

Resolution No. 19-48,
Supporting Balanced Energy
Solutions and Maintaining of
Local Control of Energy
Solutions

Resolution No. 19-48 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, SUPPORTING BALANCED ENERGY SOLUTIONS AND MAINTAINING OF LOCAL CONTROL OF ENERGY SOLUTIONS - In an effort to reduce the State's carbon footprint, the State legislature and energy agencies have been pursuing ambitious goals for statewide carbon neutrality, defined as removing as much carbon dioxide as it emits. On September 10, 2018, Governor Brown signed Senate Bill 100 (SB100), which mandates relying entirely on zero-emission energy sources for its electricity by the year 2045. **Approved.**

Staff recommended that the City Council approve Resolution No. 19-48, supporting balanced energy solutions and the maintaining of local control of energy solution. **Approved.**

Resolution No. 19-49,
Appointing a City Prosecutor,
(Deputy City Attorney Cary
Reisman)

Resolution No. 19-49 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPOINTING A CITY PROSECUTOR - In 2006, the City Council appointed William Holt to be the City Prosecutor for specialized code enforcement for cases involving Building, Zoning, and Property Maintenance. In 2009, Mr. Holt informed the City that he was resigning as the City Prosecutor. Since then, the City adopted the Administrative Citation process which is able to address most code enforcement cases. In order to prosecute the more difficult cases, the City Council is asked to formally appoint a new City Prosecutor. **Approved.**

Staff recommended that the City Council appoint Deputy City Attorney Cary Reisman of Wallin, Kress, Reisman & Kranitz, LLP (WKRK) to serve formally as the City Prosecutor by adopting Resolution No. 19-49. **Approved.**

Resolution No. 19-50,
Determining Special Tax for the
2019-20 Fiscal Year,
Community Facility District No.
90-1

Resolution No. 19-50 - A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DETERMINING SPECIAL TAX FOR THE 2019-20 FISCAL YEAR (COMMUNITY FACILITIES DISTRICT NO. 90-1 LA VERNE INDUSTRIAL SPECIFIC PLAN) - Operation and Maintenance Community Facilities District No 90-1 (O&M CFD 90-1), a special tax district within the La Verne Industrial Specific Plan, requires the City Council to authorize the levy annually. Exhibit "A" of Resolution No. 19-50, lists the properties and their levy's included in the district. **Approved.**

Staff recommended that the City Council adopt Resolution No.19-50, levying a special tax for the 2019-20 Fiscal Year per the schedule shown in Exhibit "A" attached to the Resolution, which increases the rate by 3.1 percent to address the cost of living increases based on the annual consumer price index ending March 2019. **Approved.**

Resolution No. 19-51,
Determining Special Tax for the
2019-2020 Fiscal Year for
Community Facility District
No. 11-1

Resolution No. 19-51 - A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DETERMINING SPECIAL TAX FOR THE 2019-20 FISCAL YEAR (COMMUNITY FACILITIES DISTRICT NO. 11-1) - The City Council on an annual basis must authorize the tax levy for Community Facilities District No. 11-1 (CFD No. 11-1), a special fire tax for buildings three stories (thirty-five feet) and above. **Approved.**

Staff recommended that the City Council adopt Resolution No. 19-51, levying a special tax for Fiscal Year 2019-20 within CFD No, 11-1 per the schedule shown in Exhibit "A" of the Resolution. **Approved.**

7. Status of Sierra La Verne Golf
Course.

Community Development Director Scherer gave an extensive update on the status and activities of Sierra La Verne Golf Course. He stated that no one has filed an application for construction on the site. He announced that residents can now log on to the City's website for updates and also to log their complaints through a portal which they also can upload pictures. He urged the residents to use the portal, to be the eyes and ears of the Community. By using the website portal it will help the City monitor and help staff identify issues and provides administrative record, if needed later. He stated there will be no decision made tonight, only an update and to encourage residents to use the website portal.

Council Member Carder stated she attended the meeting regarding Sierra La Verne and stated that one of the questions raised by the residents was can the City do a Landscape Maintenance Resolution to force the owners to keep up landscaping.

Community Development Director stated that the business was tied in with a Conditional Use Permit approved in 1996.

Council Member Hepburn stated that residents could still contact Council, but urged the residents to use website portal to log their complaints and photos. He stated it was important to stick together, police the location and get some teeth in code enforcement.

Mayor Pro Tem Rosales urged the residents to keep an eye out for fire hazards. He stated that the City Council is not going to change zoning for that property and he stated it was important to work as team.

Mayor Kendrick agreed, and he reported that anyone who wants to develop the property would find it very difficult and asked Community Development Director Scherer to respond.

Community Development Director Scherer explained the developer would have to file several applications, a full Environmental Impact Report will have to be done, the two water springs on the property will have to be vetted, there would be multiple public workshops and the process will take two years.

Council Member Carder asked what can the City do to stop the owner from doing what he's done to other cities and can the City take over the property as open space.

Community Development Director Scherer stated that the City is being proactive. As of today, no violation has been committed by the owner except for the orange color fencing. He stated it was private property, but they were putting the owner on notice that the City is watching. He explained that the City can do eminent domain on the property but would still have to pay fair market value which could be up to \$10 million dollars and that was not a viable option. In addition, lawsuits would be filed. He spoke about the resident's concern about weeds along Wheeler Avenue and Golden Hills Road. He explained that a portion of the property is on Metropolitan Water District property and the other portion is part of the golf course with a Los Angeles Department of Water and Power easement.

Council Member Hepburn stated that there would be no development on the property, and he reminded the residents that he made the motion with the Council's full support not to support the land swap between Sierra La Verne Golf Course and Marshall Canyon Golf Course.

Mayor Kendrick stated that there is no active development going on at the property. He spoke about the ongoing involvement and communication with the representatives of the golf course and the City Staff, City Manager, and the City Attorney. He spoke about the cost of eminent domain and the lack of funds. In addition, he spoke about the policing efforts and that the residents are the eyes of the community of what is going on at the golf course. He stated that the residents should be part of the process to make this a successful resolution. He urged the residents to be diligent, active, see something, say something and use the portal on the City's website.

Mayor Kendrick called for public comment on this matter.

The following La Verne residents addressed the City Council regarding their fear and concerns about Sierra La Verne Golf Course and the owner. They did not want the property to be rezoned or to have homes built on the property. They were concerned with the orange color fencing, weeds, Marshall Canyon Trail and will it be cut off from residents; landscape maintenance, dead trees, safety, and other possible tactics by the owner to destroy the property. They urged the City Council to be proactive and to look at ways to legally prevent the owner from destroying the property.

Patrick Valdez, 6803 Sherwood Drive
Steve Sippa, 2545 Nogal
Nancy Matthews, 7131 Calle Aragon
Robin Walker, 6678 Sherwood Drive
Debbie Popvich, 1943 Clear Falls Avenue
Lynne Del Toro, 7143 Via Dicha
Tracey Gonzalez, 6875 Warm Springs Avenue
Marlene Carney, 1632 Kent Drive

In addition, the following residents provided suggestions that the Council or staff could look into.

Gale Carr, 2068 Bogie Drive, La Verne, suggested putting a lien on property, if not kept up.

Pam Berry, La Verne, suggested that the City Council address this matter in General Plan to make sure there is no wiggle room to change zoning on the property. She also suggested using the City's electrical message board to get the word out to all the residents on what is going with Sierra La Verne Golf Course and to go to the City's website for information and updates. She also asked what types of violations the residents should be looking for.

City Manager Russi stated that the residents can go to the City's website for the list of violations and he urged them to use the portal on the City's website. He strongly advised the residents to not trespass on the property, that it was private property and to only observe.

Michelle Ingeam, 2223 Golden Hills Road, La Verne, suggested the City could find a buyer.

8. At 8:18 pm, the City Council recessed and reconvened at 8:23 pm. to continue to hear public comment regarding Sierra La Verne.

LaRynda Perterson, 6740 Sherwood, La Verne, suggested an ordinance to protect the wildlife and ponds on the property.

Kathy Butler, La Verne, suggested that the City could approve a one year of free water to Sierra La Verne, so the underground pipes don't rust, and suggested that maybe residents could contribute.

James Follis, 6813 Starline, La Verne, suggested that the City could float a bond to acquire the property.

Mr. Peters, La Verne, stated he was concerned on what was to stop the owner from using the tools kept in their maintenance shack to rip up the golf course.

Rosemarie, 1835 Second Street, La Verne, suggested using drones.

Wally Emory, 3530 Damien, La Verne, offered his assistance on this matter stating that he has experience in zoning and planning.

Elline Garcia, 6433 Country Club, La Verne, suggested looking at the cellular towers on the property as possible leverage.

Mayor Kendrick thanked the residents for attending and stated that he understood their fears of what might happen. He stated the residents have the full support of the City Council on this matter.

Council Member Carder also thanked the residents for attending and for their comments. She stated it was important that everyone work together and that it was very nice that everyone is coming together for the same purpose. She stated that by working together, hopefully, a beneficial resolution could be found for everyone.

Mayor Pro Tem Rosales stated he has been a member of the Sierra La Verne County Club for 19 years and has seen many changes in the City. He stated he would like to see the golf course kept open, but regardless, he and the City Council are committed to keeping the property as open space.

Council Member Hepburn stated like any important issue in the City of La Verne; Council is on the resident's side. He stated he is committed to keeping the City's open space. He stated it was important to work and stick together. He spoke about the great ideas brought up at the meeting. He encouraged residents to reach out to their local county, state, and federal representatives for help. He thanked everyone for attending.

City Manager Russi again urged the residents to just observe and to please do not trespass onto the private property.

Mayor Kendrick thanked the residents for their policing efforts and asked them to continue being diligent in providing information. He spoke about the great suggestions made from residents. He stated he represents all the residents, not just the ones who vote. He urged the residents to work together and to convey to other residents to go to the City's website for updates and use the portal to report possible violations. He stated that Council is committed to keeping the area as open space.

8. At 8:51 pm, the City Council recessed and reconvened at 9:00 pm.

9. Hearing to Determine Necessity of Utility User's Tax City Manager Russi reported on the Necessity of a Utility User's Tax. He stated that the provisions of Ordinance No. 955 require an annual hearing to determine the necessity of continuing the City's Utility User's Tax (UUT). The City's proposed 2019-20 budget fully utilizes the \$2,800,000 in UUT revenue estimated for the fiscal year indicating the UUT should be continued.

Mayor opened the public hearing and called for public comment.

There was none.

It was moved by Hepburn, seconded by Carder, and carried by a vote of 4-0 (Davis Absent) that based on expected City funding needs to maintain the City's UUT at the current voter approved rates.

10. Citywide Landscaping and Lighting District No. 6 and Zones 2, 3, 4-1, 4-11, 5 and 6 Public Hearing, Resolution No. 19-53, Providing for the Annual Levy

City Manager reported on the Citywide Landscaping and Lighting District No. 6 and Zones 2, 3, 4-1, 4-11, 5 and 6 Public Hearing, and Resolution No. 19-53, providing for the Annual Levy. He reported that on May 20, 2019, the City Council set July 15, 2019 at 6:30 p.m. as the date and time for the public hearing for the subject assessment district and its zones. Attached to the Engineer's Report and the cover report from the May 20, 2019 meeting. No change in the assessment levy is being proposed for the subject benefit in zones, except for Zone 6 which the assessment proposed to increase by the CPI of 3.1% to \$273.06 but the levy will remain at last year's amount of \$264.85 per parcel.

Mayor opened the public hearing and called for public comment.

There was none.

It was moved by Rosales, seconded by Carder, and carried by a vote of 4-0 (Davis Absent) to adopt Resolution No. 19-53, providing for the annual levy and collection of assessment for the special zones in District No. 6 for Fiscal Year 2019-2020.

Resolution No. 19-53,
Overruling Protests and
Providing for the Annual Levy
and Collecting of Assessments,
Landscaping and Lighting
District No. 6

Resolution No. 19-53 - A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, OVERRULING PROTESTS AND PROVIDING FOR THE ANNUAL LEVY AND COLLECTING OF ASSESSMENTS FOR CERTAIN LANDSCAPING MAINTENANCE IN AN EXISTING DISTRICT, ESTABLISHED PURSUANT TO VOTER APPROVAL. (LLMD #6).

11. Citywide Landscaping and Lighting District No. 7 Public Hearing, Resolution No. 19-54, Providing for the Annual Levy

City Manager Russi reported on the Citywide Landscaping and Lighting District No. 7 Public Hearing and Resolution No. 19-54, providing for the Annual Levy. He stated that on May 20, 2019, the City Council set July 15, 2019 at 6:30 p.m. as the date and time for the public hearing for the subject assessment district. There was no proposed increase in the assessment, but the levy is proposed to decrease by \$50.00 to \$600.00 from the maximum assessment of \$693.26 per parcel.

Mayor opened the public hearing and called for public comment.

There was none.

It was moved by Rosales, seconded by Carder and carried by a vote of 4-0 (Davis Absent) to adopt Resolution No. 19-54, providing for the annual levy for Fiscal Year 2019-2020.

Resolution No. 19-54,
Overruling Protests and
Providing for the Annual Levy
and Collecting of Assessments,
Landscaping and Lighting
District No. 7

Resolution No. 19-54 - A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, OVERRULING PROTESTS AND PROVIDING FOR THE ANNUAL LEVY AND COLLECTING OF ASSESSMENTS FOR CERTAIN LANDSCAPING MAINTENANCE IN AN EXISTING DISTRICT, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA (LLMD #7).

12. Citywide Landscaping and Lighting District No. 8 Public Hearing, Resolution No. 19-55, Providing for the Annual Levy

City Manager Russi reported on the Citywide Landscaping and Lighting District No. 8 Public Hearing, and Resolution No. 19-55, providing for the Annual Levy. He stated that on May 20, 2019, the City Council set July 15, 2019 at 6:30p.m. as the date and time for the public hearing for the subject assessment district. There was no proposed increase in the assessment from last year's levy.

Mayor opened the public hearing and called for public comment.

There was none.

It was moved by Rosales, seconded by Carder, and carried by a vote of 4-0 (Davis Absent) to adopt Resolution No. 19-55, providing for the annual levy for Fiscal Year 2019-2020.

Resolution No. 19-55, Overruling Protests and Providing for the Annual Levy and Collecting of Assessments, Landscaping and Lighting District No. 8

Resolution No. 19-55 - A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, OVERRULING PROTESTS AND PROVIDING FOR THE ANNUAL LEVY AND COLLECTING OF ASSESSMENTS FOR CERTAIN LANDSCAPING MAINTENANCE IN AN EXISTING DISTRICT, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA (LLMD #8).

13. Conflict of Interest/ Council Member Carder/ Maintenance District 84-1M (Esperanza Slopes) Public Hearing and Resolution No. 19-56, Providing for the Annual Levy

Council Member Carder declared a conflict of interest because she owns property within the boundaries of Maintenance District 84-1M. She left the Council Chambers.

City Manager Russi reported on the Maintenance District 84-1M (Esperanza Slopes) Public Hearing and Resolution No. 19-56, providing for the Annual Levy. He stated that on May 20, 2019, the City Council set July 15, 2019 at 6:30 p.m. as the date and time for the public hearing for the subject assessment district.

Mayor opened the public hearing and called for public comment.

There was none.

It was moved by Hepburn, and seconded by Rosales, and carried by a vote of 3-0 (Carder Abstained and Davis Absent) to adopt Resolution No. 19-56, providing for the annual levy for Fiscal Year 2019- 2020.

Resolution No. 19-56, Confirming the Diagram and Assessment and Providing for the Levy of the Annual Assessment Special Maintenance District No. 841M

Resolution No. 19-56 - A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT AND PROVIDING FOR THE LEVY OF THE ANNUAL ASSESSMENT IN A SPECIAL MAINTENANCE DISTRICT (84-1M).

14. Conflict of Interest/Council Member Carder
2018-19 Weed Clearance Charges

Council Member Carder declared a conflict of interest on this matter because she is a member of the Board of Directors for a homeowners' association that oversees property appearing on the weed abatement list. She left the Council Chambers.

City Manager Russi reported on the 2018-19 Weed Clearance Charges. He stated that on February 4, 2019, the City Council adopted Resolution No. 19-02, accepting and declaring the List of Properties that have been found by inspections to have noxious or dangerous weeds, tumbleweeds, sagebrush, and/or chaparral that were growing upon or in front of said property in the City of La Verne. Notices to destroy weeds were mailed to property owners informing them of a hazard or public nuisance upon their property and that same must be abated. On February 19, 2019, a protest hearing was set for affected property owners to register objections to the abatement of said weeds, brush/or rubbish. Following the hearing, the City Council directed the Los Angeles County Agricultural Commissioner/Director of Weights & Measures to abate the nuisance by having weeds, rubbish, and refuse removed.

City Manager Russi also reported that the Los Angeles County Department of Agricultural Commissioner Weights & Measures has prepared a report for City Council consideration for weed clearance costs for appropriate parcels within the City. The purpose of this hearing is to approve the incurred costs of removing such weeds, rubbish, etc., on each parcel of land. A notice was sent to each property owners notifying them that the list of Clearance Charges would be submitted to City Council for confirmation. Pursuant to law, a copy of the 2018-19 Weed Clearance Charges was posted at City Hall.

A representative from Los Angeles County Weed Abatement Division was present at the meeting to answer any questions by the City Council or residents.

Mayor opened the public hearing and called for public comment.

There was none.

It was moved by Rosales, seconded by Hepburn, and carried by a vote of 3-0 (Carder Abstained and Davis Absent) to confirm list of charges and direct the County Auditor to enter the assessment against the parcels of land on the current assessment roll.

Council Member Carder returned to the Council Chambers.

Extension of Waste
Management Contract

Public Works Director Keesey reported on the proposed Extension of the Waste Management Contract. He stated that at the May 20, 2019, Council Study Session, the City Council gave conceptual approval (Except for Council Member Hepburn) to proceed with negotiating a contract extension with Waste Management for waste hauling services. Legal counsels from both the City and Waste Management have developed the attached agreement outlining the terms for such an extension. In summary, the 10-year extension satisfies the critical provisions outlined by Council during the 2018 fiscal sustainability workshop, eliminates the current fiscal year's rate increase set to take effect July 1, thus saving residents and businesses more than \$200,000 in service fees. He also reported on some of the new proposed changes in the contract, like the alley-cleanup program, lifeline discounts for low income residents, and the recycling credit. He stated that under the new proposed agreement, customer rates would be maintained at their current level through June of 2020. This continues La Verne's ranking as having one of the lowest refuse rates in the local area. He stated that a Waste Management representative was at the meeting to answer any questions the City Council or the public may have.

Mayor Kendrick called for public comment on this matter.

Brian McNerney, Leah Skinner, La Verne Chamber and Micky Rehm, Micky's Jewelry Studio, stated they supported the City Council's approval of the Waste Management Contract extension. They stated that the Company is a tremendous supporter of the Chamber of Commerce and the business community.

Wally Emory, 3530 Damien, La Verne, resident stated that the City Council should not approve the Waste Management Contract and for the Council to do the right thing and do a request for proposals (RFP).

Richard Bowen, Eagle Drive, La Verne, stated that the City should do a request for proposals (RFP). He asked that Waste Management stop giving gifts to Council and staff, which obviously is used to influence.

City Attorney Kress stated that the 700 form serves as a tool for potential conflict of interest and a disclosure of gifts. He stated that he reports his attendance to the annual dinner hosted by Waste Management at the Contract Cities Seminar, but he only attends to meet with the Company's executives and to network with other cities that contract with same waste hauler and there was nothing-sinister going on.

City Manager Russi stated that Waste Management also supports non-profit organizations by participating in golf tournaments and inviting the Council or staff to join them in a foursome and that is disclosed on the 700 form.

Council Member Hepburn stated that Waste Management does a great job, but he stated he did not support the contract extension because he felt it was important to go out to bid and see if there is a cost saving.

Mayor Pro Tem Rosales stated that Waste Management has contributed to the community, businesses, and benefits so many organizations. He stated he was in full support of the contract extension with Waste Management and that it was vital to the community. He stated that Waste Management supports many non-profit organizations that hold golf tournaments, which he is invited to participate in a foursome, and there is no wrongdoing.

Council Member Carder stated that La Verne's ranking is one of the lowest for refuse service as depicted on the Staff Report dated August 15, 2019. She commended Teri Muse from Waste Management for her efforts in serving the community and local businesses. She stated that Waste Management hires someone like Teri Muse to ensure the best service for the community. She stated that the comments about Waste Management sadden her. She reported that Waste Management has been named World's Most Ethical Company for the last ten years. She stated no one is taking bribes. She stated she has paid to participate in non-profit golf tournament and has asked Waste Management to join her. She stated she is very happy with Waste Management and that they provide the best service and cost for the community.

Richard Bowen, Eagle Drive, La Verne, loudly stated he never said anything about bribes and left the Council Chambers.

Council Member Hepburn stated he is very familiar with the bidding world because of his business, and the City should go out to bid to see what is out there in cost and service.

Mayor Kendrick stated that actually, the City did go out to bid by looking at the chart that shows what other local cities are paying for refuse service and stated that La Verne ranks low. He spoke about the savings of \$200,000 in services fees per year when Waste Management forego the rate increase.

It was moved by Carder, seconded by Rosales, and carried by a vote of 3-1, (Hepburn No and Davis Absent) to approve the extension and restated agreement with Waste Management for refuse disposal services through December 31, 2030, and authorize the Mayor to execute the agreement.

16. Police Booking Services

Police Captain Flores reported on the proposed contracting out for police booking/jail operations. She stated that as part of the Fiscal Sustainability Study held in January of 2018, staff began looking into ways of reducing operational costs. One of the options proposed was to contract out for jail operations with a local agency. At that time, Council decided not to pursue, but since that time, there has been a large exodus of Police Aides who are used to staff the jail, and it now has become necessary to look at other options for jail operations. She stated that they have two options; to extend current existing contract with a private contractor or to make use of the City of Pomona's jail services.

Mayor called for public comment.

There was none.

It was moved by Carder, seconded by Hepburn, and carried by a vote of 4-0 (Davis Absent) to direct the Police Chief to finalize an agreement with the City of Pomona.

17. Conflict of Interest/Mayor Kendrick/ Approval of Infrastructure Financing Plan for the Enhanced Infrastructure Financing District (EIFD)

Mayor Kendrick declared a conflict of interest on this matter because he resides in the District and he left the Council Chambers. Mayor Pro Tem Rosales chaired the meeting.

City Manager Russi reported on the Infrastructure Financing Plan for the Enhanced Infrastructure Financing District (EIFD). He stated that in October of 2017, the City Council approved the Infrastructure Financing Plan for the Enhanced Infrastructure Financing District and allocated the property tax increment for the District. Since then, the City has been in discussions with Los Angeles County for their participation in the District. In order to accommodate the County. The Public Financing Authority directed staff to prepare an amendment to the Infrastructure Financing Plan which would include the County's participation.

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

There was none.

Council Member Hepburn stated that the City of La Verne is one of the first cities to undertake creating an Enhanced Infrastructure Financing District (EIFD) and commended City Council and staff for their efforts on this project.

It was moved by Hepburn, seconded by Carder, and carried by a vote of 3-0 (Kendrick Abstained and Davis Absent) to adopt Resolution 19-52, approving the draft amended Infrastructure Financing Plan for the City of La Verne's Enhanced Infrastructure Financing District No. 1, re-approving the allocation of the City's tax increment from the project area, and modifying the make-up of the Public Financing Authority to include the County.

Resolution No. 19-52, Approving the Amended Infrastructure Financing Plan for Enhanced Infrastructure Financing District No. 1 and the Allocation of the City's Incremental Tax Revenues from the Project

Resolution No. 19-52 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA APPROVING THE AMENDED INFRASTRUCTURE FINANCING PLAN FOR ENHANCED INFRASTRUCTURE FINANCING DISTRICT NO.1 AND THE ALLOCATION OF THE CITY'S INCREMENTAL TAX REVENUES FROM THE PROJECT AREA PURSUANT TO GOVERNMENT CODE SECTIONS 53398.75 ET.SEQ TO FINANCE THE CONSTRUCTION AND/OR ACQUISITION OF CAPITAL IMPROVEMENTS.

Mayor Kendrick returned to the Council Chambers.

18. 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.

There was no public comment.

19. Council Comments and Meeting/Conference Reports

Council Member Hepburn reported on the Fourth of July and stated it was an amazing day and gave kudos to the City staff, La Verne Police, Police RSVP for their efforts and work.

Council Member Rosales reported on the Fourth of July and how everyone enjoyed the parade and the community coming together making it an awesome day.

Council Member Carder thanked Bonita Unified School District for getting the football field/stadium ready for the Fireworks show. She thanked City staff for all their amazing efforts on that day. She stated that the Gold Line Construction Authority will not be widening White Avenue and suggested that residents go to the Gold Line Construction Authority for more information.

Mayor Kendrick stated that as Chair to the City's Fourth of July Committee, he wished to commend the amazing group of people on the committee for their efforts and hard work on organizing and running the Fourth of July event. He spoke about how little the City contributes to the event, and the event is financed by donations and ran by volunteers. He reported on the Concerts at the Park. He spoke about the Chamber of Commerce great leadership and commended them for all their efforts and hard work they do for the business community and the City.

20. The City Council recessed at 10:14 pm to closed session.

Closed Session

The City Council met in closed session for the following purpose:

Conference with Labor Negotiator (Government Code Section 54957.6).

Negotiators: City Manager and Personnel Officer
Employee Organization(s): La Verne Police Middle Management Association

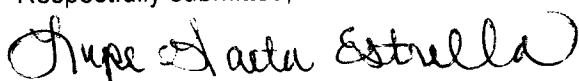
Cancellation of the August 5, 2019, City Council Meeting

The next regular meeting of the La Verne City Council scheduled for Monday, August 5, 2019, was **CANCELED** due to limited need.

21. Adjournment at 11:30 pm., in memory of **Gail Johnson Proctor** who passed away on June 24, 2019. Gale was born in Provo, Utah. She graduated from Provo High School. She had a Bachelor's degree in Business Administration and a Masters in Organizational Management. She started her career at Salt Lake City Police Department. In 1981, she moved to California and accepted a position with NASA. She retired in 2012, and joined the La Verne Police Department as a RSVP. Gail helped in the Records Department, live scan and spent many hours helping the Department; and

Sherry Lou MacDonald who passed away on May 12, 2019. She was born in Phoenix, Arizona. She graduated from El Monte High School, California. She worked in the grocery market industry for many years. In 2010, she joined the La Verne Police Department as a RSVP. She also enjoyed volunteering in the YANA Program. She was instrumental in helping coordinate the 2018 Every 15 Minutes Program. She leaves behind two children, Rich and Vicki, and five grandchildren.

Respectfully submitted,



Lupe Gaeta Estrella, CMC
Assistant City Clerk