

# CITY OF LA VERNE

## CITY COUNCIL AGENDA

Don Kendrick, Mayor

Charlie Rosales, Mayor Pro Tem

Robin Carder, Council Member

Muir Davis, Council Member

Tim Hepburn, Council Member



[www.cityoflaverne.org](http://www.cityoflaverne.org)

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City Hall Council Chamber

3660 D Street

La Verne, CA 91750

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**Monday, July 15, 2019 - 6:30 p.m.**

**City Hall**

**Council Chambers**

**3660 D Street, La Verne, CA 91750**

Attendance and participation at the City of La Verne Council meetings are welcomed and appreciated. Community engagement provides the City Council with valuable information. Regular Meetings are held on the 1<sup>st</sup> and 3<sup>rd</sup> Monday of every month. 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.

Individuals may contact the City Clerk's Office for guidance on how to request an item to be added to a future Agenda. Materials related to an item on this agenda, submitted to the Council after distribution of the agenda packet, are available for public inspection at the meeting or in the City Clerk's Office during normal business hours.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

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

4. **PRESENTATIONS**

- a. **Proclamation recognizing the Month of July as “Minority Mental Health Month”** will be presented to Dana Barford, Mental Health Services Coordinator from Tri-City Mental Health Services.
  
- b. **Recognition of Gilbert Ivey and Norm Faustini for their eight years of service on the La Verne Planning Commission.**
  
- c. **Recognition of Micky’s Jewelry Studio** for being named 41<sup>st</sup> 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 Rehm, a La Verne resident is the owner of Micky’s Jewelry Studio a family owned and operated business. Micky’s Jewelry Studio has served La Verne and its surrounding community for over ten years.
  
- d. **South Coast Air Quality Management District (SCAQMD) Presentation** - Michael Cacciotti, Governing Board Member will provide an update on air quality activities.
  
- e. **Metro Double Track and Quiet Zone Project Metro Presentation** - A representative from Metro will present 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 UPCOMMING 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 May 20, 2019, to be ***received and filed.***
  
- b. **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, ***approval recommended.***

- c. **Planning Commission Appointment** - The City Council is requested to consider appointment of Jeffry 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 the adjourned meetings of June 24<sup>th</sup> and June 25<sup>th</sup> and has recommended the appointment of residents Jeffry Allred and Jason Lorge to the Planning Commission. The Municipal Code provides for appointment of Planning Commission members “by the Mayor with the approval of the City Council.”

***Staff recommends that the Mayor appoint Jeffry Allred and Jason Lorge to the La Verne Planning Commission in accordance with the Municipal Code. The new Commissioners terms would 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.***

- d. **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.

***Staff recommends that the City Council accept the Senior Advisory Committee’s recommendation to reappoint Lorraine Missick and Scott Snider and appoint Bette Donovan to serve two-year terms (July 1, 2019 through June 30, 2021).***

- e. **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 recommends that the City Council receive and file this informational report.***

- f. **Resolution(s) passage and adoption recommended, as follows:**

1. **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 recommends 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***

2. **Resolution No.19-46-** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, 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.*

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

3. **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. The Department is recommending an increase in parking penalties.*

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

4. **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.*

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

5. **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.*

*Staff recommends 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.*

6. **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.*

*Staff is recommending 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 to address the cost of living increases based on the annual consumer price index ending March 2019.*

7. **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.*

*Staff is recommending 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.*

7. **Staff will give an update on the activities and status of Sierra La Verne Golf Course.**

**There will be no action taken.**

## 8. PUBLIC HEARINGS

- a. **Hearing to Determine Necessity of Utility User's Tax** - 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.

### **STAFF RECOMMENDATION**

Based on expected City funding needs, staff recommends that the City Council maintain the City's UUT at the current voter approved rates.

- b. **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** - 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 are 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.

**STAFF RECOMMENDATION:**

The City Council should 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** - 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).

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

**STAFF RECOMMENDATION:**

The City Council should adopt Resolution No. 19-54, providing for the annual levy for Fiscal Year 2019-2020.

**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).

- d. **Citywide Landscaping and Lighting District No. 8 Public Hearing, Resolution No. 19-55, Providing for the Annual Levy** - 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 is no proposed increase in the assessment from last year's levy.

**STAFF RECOMMENDATION:**

The City Council should adopt Resolution No. 19-55, providing for the annual levy for Fiscal Year 2019-2020.

**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).

- e. **Maintenance District 84-1M (Esperanza Slopes) Public Hearing and Resolution No. 19-56, Providing for the Annual Levy** - 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. ***(PLEASE NOTE: Council Member Carder will declare a conflict of interest and abstain from voting on this matter, because she owns property within the boundaries of Maintenance District 84-1M.)***

**STAFF RECOMMENDATION:**

The City Council should adopt Resolution No. 19-56, providing for the annual levy for Fiscal Year 2019-2020.

**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).

- f. **2018-19 Weed Clearance Charges** - 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 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 The: Los Angeles County Department of Agricultural 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. *(Council Member Carder will declare a conflict of interest because she is a member of the Board of Directors for a homeowners' association that oversees property appearing on the weed abatement list)*

**STAFF RECOMMENDATION:**

At the conclusion of the hearing, the City Council should confirm list of charges and direct the County Auditor to enter the assessment against the parcels of land on the current assessment roll.

9. **OTHER MATTERS**

- a. **Extension of Waste Management Contract** - At their May 20, 2019 study session, the City Council gave conceptual approval 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.

**STAFF RECOMMENDATION:**

The City Council should adopt Resolution No. 19-57, authorizing the Mayor to execute an amended and restated agreement with Waste Management for refuse disposal services through December 31, 2030.

**Resolution No. 19-57** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING EXECUTION OF AN AMENDED AND RESTATED AGREEMENT BETWEEN THE CITY OF LA VERNE ("CITY") AND USA WASTE OF CALIFORNIA, INC., A DELAWARE CORPORATION ("CONTRACTOR") FOR SOLID WASTE HANDLING SERVICES THROUGH DECEMBER 31, 2030.



- b. **Police Booking Services** - The La Verne Police Department is seeking to contract out the booking of prisoners. The two options that exist are extending the contract with our current private contractor or making use of the City of Pomona's jail.

**STAFF RECOMMENDATION:**

The City Council should concur with staff's recommendation and direct the Police Chief to finalize an agreement with the City of Pomona

- c. **Resolution 19-52 - Approval of Infrastructure Financing Plan for the Enhanced Infrastructure Financing District (EIFD)** - 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.

**STAFF RECOMMENDATION:**

The City Council should approve 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** - 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.

- d. **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. Any person desiring to speak should complete a 'Speaker Card,' located at the podium, and hand it to the Assistant City Clerk. When addressing the Council, please go to the podium and state your name and address for the record. The Mayor reserves the right to place limits on duration of comments.

- e. **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.

- f. **CLOSED SESSION**

The City Council will meet 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

- g. **ADJOURNMENT** 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 Sal 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.

***It is expected that the next regular meeting of the La Verne City Council scheduled for Monday, August 5, 2019, will be CANCELED due to limited need.***

***THE NEXT REGULAR MEETING of the La Verne City Council is scheduled for Monday, August 19, 2019, at 6:30 p.m.***

**ADVISORY STAFF**

- \_\_\_\_\_ Robert Russi, City Manager
- \_\_\_\_\_ Dan Keeseey, Assistant City Manager/Director of Public Works
- \_\_\_\_\_ Robert Kress, City Attorney
- \_\_\_\_\_ Lupe Gaeta Estrella, Assistant City Clerk
- \_\_\_\_\_ Eric Scherer, Director of Community Development
- \_\_\_\_\_ Bill Aguirre, Director of Community Services
- \_\_\_\_\_ Nathan Statham, Finance Manager
- \_\_\_\_\_ Nick Paz, Police Chief
- \_\_\_\_\_ Kirk Summers, Interim Fire Chief
- \_\_\_\_\_ Dominic Milano, City Engineer
- \_\_\_\_\_ Bill Elftman, Information Services Manager

**Posting Statement:** On July 9, 2019, 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](http://cityoflaverne.org).