

AMENDED
CITY OF LA VERNE
CITY COUNCIL AGENDA

Tim Hepburn, Mayor
Robin Carder, Mayor Pro Tem
Muir Davis, Council Member
Rick Crosby, Council Member
Wendy M. Lau, Council Member



www.cityoflaverne.org
(909) 596-8726 - Phone
(909) 596-8740 - Fax
City Hall Council Chamber
3660 D Street
La Verne, CA 91750

Monday, August 03, 2020 - 6:30 p.m.

Tonight's Council meeting will again be closed to the public in compliance with Governor Newsom's Executive Order to minimize the spread of the COVID-19 Virus. However, the City would encourage public participation in our meeting and as such want to make residents aware of the following opportunities on how to participate:

Individuals can view the meeting live through the City's website at www.cityoflaverne.org by following the link titled "Council Meeting Live Stream" or on YouTube at www.cityoflaverne.org/youtube.

1. 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.
2. 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. Those requests will be accepted before and throughout the meeting and someone 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. Please note: A time limit of 3-minutes is set for all public comments.

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.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL:** Council Member Davis, Council Member Crosby, Council Member Lau, Mayor Pro Tem Carder and Mayor Hepburn.

4. **PRESENTATIONS**

Presentation on the Foothill Gold Line Parking Management Plan by the Metro Gold Line Foothill Extension Construction Authority.

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** for the following meetings to be ***received and filed.***

1. Monday, May 4, 2020 Regular Meeting
2. Tuesday, May 5, 2020 Adjourned Meeting, Citizen Oversight Interviews
3. Monday, May 18, 2020 Regular Meeting
4. Thursday, May 21, 2020 Special Meeting, Closed Session
5. Monday, June 1, 2020 Regular Meeting
6. Friday, June 5, 2020 Special Meeting, Emergency Proclamation
7. Tuesday, June 9, 2020 Special Meeting, Planning and Active Transportation Interviews
8. Monday, June 15, 2020 Special Meeting, City Departmental Budgets Presentations
9. Monday, June 15, 2020 Regular Meeting
10. Tuesday, June 30, 2020 Special Meeting, Budget, etc

b. **Register of Audited Demands** for the following:

- Fiscal Year 2019-20 - July 15, 2020 In the amount of \$235,159.89;
Fiscal Year 2019-20 - July 22, 2020 in the amount of \$146,398.06; and
Fiscal Year 2020-21 - July 15, 2020 in the amount of 2,283,358.38.
Fiscal Year 2020-21 - July 23, 2020 in the amount of \$843,663.78

Interim Finance Director Alvarado recommends approval.

- c. **Establishment of Paid Employee Childcare Program** - In response to the Covid-19 pandemic as well as federal legislation providing employees additional paid leave provisions and needing employees to report to work to provide essential services, the City implemented a childcare program on March 30, 2020. Staff is asking the City Council to consider formalizing the program in consideration of the pandemic's prolonged effect on other available childcare services.

Staff recommends that the City Council direct staff to formally develop a childcare program for employee dependents and charge \$30 per day per child to participate effective August 3, 2020.

d. **Staff recommends approval and passage of the following Resolutions:**

1. **Resolution No. 20-68** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING ON APPEAL CASE NOS. 05-20CUP, 06-20CUP AND 31-20PPR TO ALLOW THE OPERATION OF AN AMAZON RETAIL, LLC GROCERY STORE WITH OFF-SITE SALE OF ALCOHOLIC BEVERAGES AND MODIFICATIONS TO THE EXISTING PARKING LOT AT 2229 FOOTHILL BOULEVARD, SUITE 200, LA VERNE, CALIFORNIA - *At the July 20, 2020 regular City Council meeting a public hearing was held for an appeal of the Development Review Committee's and Planning Commission's approvals of Case No. 31-20PPR and Case Nos. 05-20CUP and 06-20CUP, respectively. The City Council conducted a de novo review of these approvals.*

The Council, with a unanimous vote of 5-0, approved a motion to affirm the Development Review Committee and Planning Commission's decisions and to direct staff to draft a resolution denying the appeal and approving Case Nos. 05-20CUP, 06-20CUP and 31-20PPR. Staff has drafted Resolution No. 20-68 for this purpose. City Council is asked to review and approve Resolution No. 20-68.

7. **OTHER MATTERS**

- a. **Agreement for Temporary Employment - Resolution No. 20-69** - Interim Fire Chief Devin Leonard has provided notification he will be leaving his position effective August 12, 2020. After conducting a search of qualified replacements, David Segura has been selected to serve as Interim Fire Chief while the City conducts a recruitment for a permanent replacement. In order to be compliant with the 2013 Pension Reform Act, it is necessary for the City Council to take an action affirming the execution of such employment arrangements. The attached resolution and agreement satisfies that requirement.

Staff Recommendation:

The City Council should approve Resolution No. 20-69, authorizing the City Manager to execute an agreement with David Segura to provide temporary, part-time employment.

Resolution No. 20-69 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING AN AGREEMENT WITH "RETIRED ANNUITANT" DAVID A. SEGURA FOR TEMPORARY FIRE CHIEF SERVICES AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAME.

- b. **Appeal Hearing - 1820 Walnut Street - Illegal Construction** - The Building Department has issued a Stop Work Notice and a Notice of Substandard for the property at 1820 Walnut Street as there was a report of illegal construction of a new single-family residence on the property in April 2020. The property owners, Richard T. Landi and Shellie M. Hartwick, have subsequently, through their attorney Thomas A. Nitti, filed a claim against the City and have appealed the two notices as allowed for by the Los Angeles County Code, which the City's Municipal Code adopts by reference. The City Council, sitting as the Building Rehabilitation Appeals Board, should hear the appeal and determine if the two notices should be rescinded.

Staff Recommendation:

The City Council, sitting as the Building Rehabilitation Appeals Board, should continue this hearing to August 17, 2020, Council meeting at the request of the Appellants.

8. **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. There is a 3-minute time limit on public comment.

9. **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.

10. **Closed Session**

The City Council will meet in a closed session, pursuant to Government Code §54957.6, for the following purpose:

CONFERENCE WITH LABOR NEGOTIATORS

Agency Negotiators: City Manager, City Attorney
Unrepresented employee: Personnel Officer

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9:

One potential case

11. **ADJOURNMENT in memory of Charles E. Davis, long-time La Verne resident** who passed away on July 1, 2020. He was born in La Verne, California. He graduated from Bonita High School and attended La Verne College. Charles was a printer, a conscientious objector, a professor of graphic arts management, business owner, and an adult schoolteacher. He is survived by his wife Mildred of 74 years and his children, Alan (Margaret) Kathryn (Carl), and Robbie (Libby).

and

in memory of Elizabeth (Liz) Marie Hernandez, long-time La Verne resident who passed away on July 14, 2020. Liz spent her childhood in Duarte, California, and her family moved to the City of La Verne in 1973. She graduated from Bonita High School. After High School, she worked for a pharmaceutical company and later was employed by the United States Post Office as a mail carrier for 20-plus years. Liz had a huge caring heart, she was good a friend to all, and she loved her family. Liz is survived by her sister Trish, brother Ralph, three nephews, four nieces, and thirteen great nieces and nephews.

***THE NEXT REGULAR MEETING of the La Verne City Council
is scheduled for Monday, August 17, 2020 at 6:30 pm.***

***The La Verne City Council thanks the residents
for taking all precautions to prevent the spread of the COVID-19 virus.***

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
____ Mark Alvarado, Interim Finance Director
____ Nick Paz, Police Chief
____ Devin Leonard, Interim Fire Chief
____ Dominic Milano, City Engineer
____ Bill Elftman, Information Services Manager

Posting Statement: On July 30, 2020, a true and correct copy of this Amended 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.