

CITY OF LA VERNE

CITY COUNCIL AGENDA

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



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City Hall Council Chamber
3660 D Street
La Verne, CA 91750

Monday, June 21, 2021 - 6:30 p.m.

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.

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 encourages public participation and as such wants to make residents aware of the following opportunities on how to participate:

- 1) View the meeting through the City's website at www.cityoflaverne.org and click on the green "Council Meeting Live Stream" button.
- 2) Individuals can email their comments to the Assistant City Clerk at cityclerk@cityoflaverne.org up to noon on the day of the meeting. Those comments will be shared with City Council in advance of the City Council meeting and included as part of the permanent record. **Please be advised that public comments submitted by emails or any other format to the City are public records that will be made available for public viewing.**
- 3) Individual who wish to share their comments directly during the meeting may do so by emailing the Assistant City Clerk at cityclerk@cityoflaverne.org with their phone number and the item(s) they wish to speak on. Requests will be accepted before and throughout the meeting and staff will call you back at the appropriate time. Once items are considered by the City Council, no further public comment on that matter will be accepted. A time limit of 3-minutes is set for all public comments.
- 4) If you wish to participate via Zoom, you will need to register at https://us02web.zoom.us/webinar/register/WN_6-r0SZBtSiKH5LMUrTwhCg before 5:00 p.m. on Monday, June 21, 2021, and please be aware that space is limited. You will have the ability to watch the meeting in real time and raise your hand to request to comment as appropriate on the current agenda item(s). Once it is your turn to speak, you will be brought into the meeting and have the ability to turn your video on when called upon.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

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

4. **PRESENTATIONS**

Presentation by San Gabriel Valley Regional Housing Trust (SGVRHT) - Board Chair and Claremont Vice Mayor Jed Leano will provide an update on the San Gabriel Valley Regional Housing Trust's accomplishments over the past year and plans for the next year.

5. **ANNOUNCEMENTS OF UPCOMING COMMUNITY EVENTS** (Any person who wishes to make a brief announcement of a future community event that is open to the general public may do so at this time)

6. **CONSENT CALENDAR** (All items on the Consent Calendar are considered to be routine and will be enacted by one motion unless a member of the City Council or member of the audience requests separate discussion.)

a. **City Council Minutes** of the Regular and Adjourned meeting of June 7, 2021, ***to be received and filed***

b. **Register of Audited Demands** in the amount of \$2,813,499.36 dated May 20, 2021 and in the amount of \$972,018.20 dated May 27, 2021, approval recommended by Interim Finance Director Alvarado.

c. **Traffic Control Plan for the Fourth of July Parade** - Each year the City hosts community events to celebrate our nation's independence. The largest event is the Fourth of July Parade on City streets through Old Town La Verne. This year the parade will be held on Saturday, July 3rd as is tradition, when the 4th falls on a Sunday. The City Engineer prepared a traffic control plan for the parade route. Formal adoption of this plan by the City Council will limit the City's liability exposure by providing design immunity.

Staff recommends that the Council adopt the traffic control plan for the Fourth of July Parade.

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

1. **Resolution No. 21-30** - 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 2021-22 FISCAL YEAR.
2. **Resolution No. 21-31** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ADOPTING A BUDGET FOR THE 2021-22 FISCAL YEAR.

A proposed budget was submitted and discussed during the City Council Budget Study Session held on June 7, 2021. At that study session, the City Manager and each of the department heads presented their respective sections of the budget document for Council discussion and consideration. Adopting Resolution No. 21-31 will officially adopt the 2021-22 budget.

In addition, every year the City must adopt an annual appropriations limit consistent with requirements of California law. The appropriations limit pertains to City expenditures paid by tax proceeds. Appropriations financed by service fees, grants and other non-tax revenues are exempt. The City's proposed 2021-22 budget reflects appropriations well under this limit.

Staff recommends that the City Council adopt Resolution No. 21-31 adopting the budget for the 2021-22 fiscal year, and Resolution 21-30 adopting the 2021-22 Appropriations Limit.

3. **Resolution No. 21-32** - A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE "ENGINEERS REPORT" FOR ANNUAL LEVY OF ASSESSMENTS FOR FISCAL YEAR 2021-22 IN THE EXISTING LANDSCAPING & LIGHTING MAINTENANCE DISTRICT WITHIN SAID CITY, DECLARING ITS INTENTION TO PROVIDE FOR ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR SAME DISTRICT PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR PUBLIC HEARING THEREON (LLMD #6).

Pursuant to the requirements of the Landscape and Lighting Act of 1972, part of Division 15 of the Streets and Highway Code of the State of California, an Engineer's Report for Landscape and Lighting Maintenance District No. 6, including special zones, those areas receiving specific benefit in addition to the special citywide benefit has been prepared for City Council approval. Said approval sets the levy of assessments for Fiscal Year 2021-22 and sets the public hearing for July 19, 2021. No change in the assessment levy is being proposed for the subject special benefit in Zones 2, 3, 4-1, and 4-2. Zone 5 is proposed to have the levied assessment reduced below the maximum assessment amount to draw down reserves. The formation of Zone 6 allowed for CPI increases which with the March 2021 CPI of 2.2% allows for a maximum assessment per parcel of \$284.09. A levy of \$242.26 is proposed in this zone

Staff is recommending that the City Council adopt Resolution No. 21-32, preliminarily approving the Engineer's Report and setting the public hearing for the levying of assessment for Citywide District and the subject Zones for July 19, 2021.

4. **Resolution No. 21-33** - A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE "ENGINEERS REPORT" FOR ANNUAL LEVY OF ASSESSMENTS FOR FISCAL YEAR 2021-22 IN THE EXISTING LANDSCAPING & LIGHTING MAINTENANCE DISTRICT WITHIN SAID CITY, DECLARING ITS INTENTION TO PROVIDE FOR ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR SAME DISTRICT PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR PUBLIC HEARING THEREON (LLMD #7).

Pursuant to the provisions of Division 15, Part 2, of the Streets and Highway Code, an Engineer's Report for Landscape and Lighting Maintenance District No. 7 (La Verne Heights III) has been prepared for City Council preliminary approval. Said approval sets the levy of assessments for Fiscal Year 2021-22 and sets the public hearing for July 19, 2021. There is a proposed increase to the assessment amount levied for this Fiscal Year to address increased maintenance costs. The proposed assessment amount of \$630.00 is below the maximum allowable assessment of \$693.26.

Staff is recommending that the City Council adopt Resolution 21-33, preliminarily approving the Engineer's Report and set the public hearing for levying a full year's assessment for July 19, 2021.

5. **Resolution No. 21-34** - A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE "ENGINEERS REPORT" FOR ANNUAL LEVY OF ASSESSMENTS FOR FISCAL YEAR 2021-22 IN THE EXISTING LANDSCAPING & LIGHTING MAINTENANCE DISTRICT WITHIN SAID CITY, DECLARING ITS INTENTION TO PROVIDE FOR ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR SAME DISTRICT PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR PUBLIC HEARING THEREON (LLMD #8).

Pursuant to the provisions of Division 15, Part 2, of the Streets and Highways Code, an Engineer's Report for Landscape and Lighting Maintenance District No. 8 (Marshall Canyon Estates Specific Plan development) has been prepared for City Council preliminary approval. Said approval sets the levy of assessments for Fiscal Year 2021-22 and sets the public hearing for July 19, 2021. It is proposed to set the levy at the 1996-97 approved full year's assessment of \$249.70 per parcel.

Staff is recommending that the City Council adopt the attached Resolution No. 21-34, preliminarily approving the Engineer's Report and setting the public hearing for July 19, 2021.

6. **Resolution No. 21-35** - A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2021-22 IN A SPECIAL MAINTENANCE DISTRICT, AND SETTING A TIME AND PLACE FOR PUBLIC HEARING THEREON (84-1M.).

Attached for City Council review is the Engineer's Report for Maintenance District No. 84-1M. The report contains a reference to the existing plans and specifications for the area to be maintained, the estimated cost to maintain for the Fiscal Year July 1, 2021 to June 30, 2022, and the assessment diagram. It is proposed that there will be no change in the levy from the previous twenty-nine years (\$8.00 per parcel). Staff is recommending that City Council approve the Engineer's Report on a preliminary basis and set the Public Hearing for July 19, 2021. (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 is recommending that City Council adopt the attached Resolution No.21-35, approving the Engineer's Report, setting the public hearing for July 19, 2021.

7. **Resolution No. 21-36** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO EXECUTE A STATE MASTER AGREEMENT WITH THE STATE OF CALIFORNIA (CALTRANS) FOR A LOCAL ROAD SAFETY PLAN.

The completion of a Local Road Safety Plan is a requirement to apply and receive Highway Safety Improvement Program (HSIP) funds in the future and will ensure the City continues to meet their eligibility for funding. The City of La Verne has received HSIP grants in the past.

Staff recommends that the City Council approve Resolution No. 21-36 designating the Director of Public Works as the authorized administrator for a State Master Agreement with Caltrans and approving the submission of such applications.

8. **Resolution No. 21-37** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE AGREEMENT WITH THE PUENTE BASIN WATER AGENCY FOR THE PURPOSE OF LEASING THE OLD BALDY WELL FACILITY AND LEASE OF GROUNDWATER RIGHTS FROM THE GANESHA BASIN.

Since the mid 1980's, the Old Baldy well located at Fifth and C Streets, has been inactive due to water quality issues and remains impractical for City use. In an effort to realize some benefit from this dormant facility, staff, following Council's direction, negotiated an agreement with the Puente Basin Water Agency (PBWA) in 2018. This allowed the use of the Well site and production of up to 750 acre-feet of water from the Ganesha Basin. Similar agreements have been in place since the mid 1990's, but rarely implemented due to a variety of reasons. The City and PBWA now wish to amend the agreement to clarify Section 2.2 of the agreement to address that the water lease is a sale of water by the City to PBWA, and not a transfer of any groundwater production rights.

Staff recommends approval of Resolution No. 21-37, authorizing the Mayor to execute the amendment to the lease agreement with the Puente Basin Water Agency, clarifying Section 2.2 of the agreement to address that the water lease is a sale of water by the City to PBWA, and not a transfer of any groundwater production rights.

7. **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 2021-22 budget fully utilizes the \$2,856,000 in UUT revenue estimated for the fiscal year indicating that the UUT should be continued.

STAFF RECOMMENDATION:

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

- b. **City of La Verne's 2020 Urban Water Management Plan and Water Shortage Contingency Plan Urban Water Management Plan** - The California Urban Water Management Plan Act requires water suppliers providing water to 3,000 or more customers or more than 3,000 acre-feet of water per year to update and adopt an Urban Water Management Plan every five years. The plan aids water utilities in assessing their water resource needs to ensure the appropriate level of service reliability to meet customer demand both today and in the future. The plan is also used by the State to assist in the assessment of water resource reliability state-wide.

STAFF RECOMMENDATION:

The City Council should conduct a public hearing on this matter; and approve the Resolution No. 21-38, adopting the City of La Verne's 2020 Urban Water Management Plan and Water Shortage Contingency Plan.

Resolution No. 21-38- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ADOPTING THE 2020 URBAN WATER MANAGEMENT PLAN AND WATER SHORTAGE CONTINGENCY PLAN.

- c. **Protest Hearing for Proposed Refuse Rate Increase** -Pursuant to the terms of their existing agreement, Waste Management submitted a request for a rate adjustment for residential and commercial service. Despite the adjustment, the proposed rates remain below the median to those of local agencies in the immediate area. In compliance with measures associated with Proposition 218, this protest hearing has been scheduled to receive any protests regarding this rate increase. Pending the outcome of the public hearing, Council is asked to authorize the proposed rate increase for commercial and residential refuse service provided by Waste Management.

STAFF RECOMMENDATION:

The City Council should open and conduct the public hearing; receive all written and verbal testimony regarding the proposed fee increases; Adopt Resolution No. 21-39 declaring the results of the proceedings for adopting refuse fees; and

Resolution No. 21-39 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DECLARING THE RESULTS OF THE PROCEEDINGS FOR ADOPTING REFUSE COLLECTION FEES IN ACCORDANCE WITH ARTICLE XIID OF THE CALIFORNIA CONSTITUTION.

If no majority protest exists, adopt Resolution No. 21-40 approving a rate adjustment for refuse service provided by Waste Management of San Gabriel/Pomona Valley effective July 1, 2021 and January 1, 2022.

Resolution No. 21-40 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING A RATE ADJUSTMENT FOR REFUSE SERVICES PROVIDED IN THE CITY OF LA VERNE BY WASTE MANAGEMENT OF SAN GABRIEL/POMONA VALLEY.

8. **OTHER MATTERS**

- a. **Consulting Services Agreement with CivicPlus for Design and Implementation of a New City Website** - The City of La Verne is seeking a complete redesign of its website to enhance the user experience, simplify content management, and provide improved citizen-centric information and customer service to the community. After issuing a Request for Proposals, the City received seven proposals for professional website services with CivicPlus being recommended as the most responsible proposer.

STAFF RECOMMENDATION:

The City Council approve Resolution 21-41, authorizing the City Manager to execute a Consulting Services Agreement with CivicPlus for the services needed to redesign the City's website. The form of this agreement will be similar to the terms described in the attached Master Services Agreement as well as the Statement of Work for a period of five (5) years. The total contract amount is for \$34,314 in year one with an annual maintenance fee of \$9,832 thereafter. No additional appropriation is necessary as this has been included in the Fiscal Year 2021-2022 budget.

Resolution No. 21-41 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE AN AGREEMENT AND ASSOCIATED DOCUMENTS FOR WEBSITE REDESIGN SERVICES WITH CIVICPLUS, LLC.

- b. **Consider Approval of the Draft Partnership Agreement with the La Verne Chamber of Commerce for 2021-2022** - The La Verne Chamber of Commerce has submitted an updated Partnership Agreement for a 12-month term; July 1, 2021 through June 30, 2022. The Chamber of Commerce is requesting a total financial subsidy of \$40,000 over the 12-month term, in four equal quarterly payments of \$10,000. This subsidy represents a status quo amount, as compared with the prior agreements. The proposed Agreement also includes renewal of the Incentive-Subsidy Program for Business Recruitment up to \$3,000, and the previously approved line of credit. A Chamber representative will also provide the Council with an update on their events. The City Council Chamber Liaison Committee and staff recommend the City Council approve the La Verne Chamber of Commerce's Partnership Agreement, which includes programs and funding for a twelve-month term

STAFF RECOMMENDATION:

The City should approve Resolution No. 21-42, approving the La Verne Chamber of Commerce's Partnership Agreement, which includes programs and funding for a twelve-month term in the amount of \$40,000, an Incentive-Subsidy Program for Business Recruitment with a cost not to exceed \$3,000 subject to Agreement provisions, and continuance of the previously approved line of credit not to exceed \$10,000, from July 1, 2021 through June 30, 2022.

Resolution No. 21-42 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY AUTHORIZING A PARTNERSHIP AGREEMENT WITH THE LA VERNE CHAMBER OF COMMERCE (FISCAL YEAR 2021-2022).

9. **PUBLIC COMMENTS/ORAL COMMUNICATIONS** - This is the time set aside for anyone wishing to address the City Council on items not listed in any other place on the agenda. Under the provisions of the Brown Act, the legislative body is prohibited from talking or engaging in discussion on any item not appearing on the posted agenda. However, your concerns may be referred to staff or set for discussion at a later date. Please email your public comment to the Assistant City Clerk at cityclerk@cityoflaverne.org. Your public comment will be shared with the City Council and included as part of the permanent record. If you wish to speak, email your phone number and staff will call you back. There is a 3-minute time limit on public comments.

10. **COUNCIL COMMENTS AND CONFERENCE/MEETING REPORTS** - Each Council Member may address the Council and public on matters of general information and/or concern. This is also the time for Council Members to report on conferences and/or meetings they have attended.

11. **CLOSED SESSION:**

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

Conference with Labor Negotiators

Agency Negotiators: City Manager, Assistant to the City Manager, Senior Management Analyst, 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

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

Conference with Labor Negotiators

Agency Negotiators: City Manager, Assistant to the City Manager, City Attorney
Unrepresented employee: Fire Chief

c. **The City Council will meet in closed session for the following:**

Conference with Legal Counsel - Existing Litigation pursuant to Government Code Section 54956.9(a).

Save Our La Verne Environment v. City of La Verne, et al., Los Angeles Superior Court Case No. 21STCP01854.

12. **ADJOURNMENT**

**THE NEXT REGULAR MEETING of the La Verne City Council
is scheduled Tuesday, July 6, 2021, for at 6:30 p.m.**

**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
- _____ JR Ranells, Assistant to the City Manager
- _____ Robert Kress, City Attorney
- _____ Lupe Gaeta Estrella, Assistant City Clerk
- _____ Shawn Igoe, Public Works Director
- _____ Eric Scherer, Director of Community Development
- _____ Mark Alvarado, Interim Finance Director
- _____ Nick Paz, Police Chief
- _____ Lawrence Waterhouse, Interim Fire Chief
- _____ Yvonne Duran, Community Services Manager
- _____ Cody Howing, Deputy City Engineer

Posting Statement: On June 15, 2021 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.