

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



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

Monday, August 02, 2021 - 6:30 p.m.
La Verne City Hall - Council Chambers,
3660 D Street, La Verne, CA 91750

In compliance with the American Disabilities Act, any person with a disability who requires a modification or accommodation 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 be opened to the public at 6:00 p.m. In an effort to keep a safe environment and to minimize the spread of the COVID-19 Virus, the City will be limiting occupancy and requiring masking for all that will be in attendance. To facilitate public participation for those who do not wish to attend in person, the meeting will still be made available virtually to residents. Below are 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_GKIF7zPwSAOhT2Lb9NX05A before 5:00 p.m. on Monday, August 2, 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. **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).

5. **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 August 2, 2021, to be *received and filed*.

b. **Register of Audited Demands as follows:**

➤ **Fiscal Year 2020-21**

In the amount of \$124,162.39 dated July 7, 2021.

In the amount of \$936,603.49 dated July 15, 2021.

In the amount of \$428,812.74 dated July 22, 2021

➤ **Fiscal Year 2021-22**

In the amount of \$1,117,368.90 dated July 7, 2021

In the amount of \$2,450,090.75 dated July 15, 2021

In the amount of \$1,063,361.41 dated July 22, 2021

Finance Director Pendleton recommends approval.

c. **Treasurer's Report** for the Month of May *to be received and filed*.

d. **Treasurer's Report for the Month of June, 2021** - As of June 30, 2021, the City had total cash and invested funds (cost basis) of \$60,742,851, \$20,247,395 held in a fiduciary capacity for LA Impact (Los Angeles Interagency Metropolitan Police Apprehension Task Force) and \$3,349,236 maintained with a fiscal agent outside of the Treasury to meet the 1996 Revenue Bond covenant. With the federal fund rate consistently ranging from 0-.25% since March 2020, the City's portfolio is fully liquid, 100% maturing within one year or less or payable upon demand. The investment portfolio conforms to the City's investment policy and is available to meet City obligations due within the next six months.

Finance Director Pendleton recommends that the City Council receive and file the Treasurer's Report for the quarter ended June 30, 2021.

- e. **Cool Cruise Car Show Request for Street Closure - Case No. 28-20SEP** - The City Council is requested to consider a street closure for the Cool Cruise car show on September 11, 2021. Flying Deuces submitted a request to close Third Street from B to E Street and D Street from Second Street to Bonita Avenue. The street closure will be between the hours of 5:00 a.m. and 6:00 p.m. the day of the event. There are expected to be over 500 cars parked on the closed sections of the street, as well as various University of La Verne parking lots. Due to the COVID-19 Pandemic, the original event, which was scheduled to be held on April 11, 2020, was postponed until the new proposed event date on Saturday, September 11, 2021.

Community Development Director Scherer recommends that the City Council authorize the Public Works Director to take the necessary steps to permit the temporary street closure for portions of D and Third Streets in Old Town La Verne; and to waive the administrative review fees necessary for the processing, permitting, management, promotion, and operations of the Cool Cruise Car Show; with exception to the payment to the La Verne Police Department Reserves.

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

1. **Resolution No. 21-62** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING PARTICIPATION IN THE LOS ANGELES URBAN COUNTY PERMANENT LOCAL HOUSING ALLOCATION PROGRAM BY AUTHORIZING THE MAYOR, OR HIS/HER DESIGNEE, TO SIGN A CONTRACT FOR FUNDING FOR THIS PROGRAM FROM THE COUNTY OF LOS ANGELES - The Los Angeles Urban County Permanent Local Housing Allocation (PLHA) Program provides funding to participating cities for the implementation of certain eligible housing activities. ***The City of La Verne has been allocated \$142,357 in PLHA funds. The City intends to allocate its PLHA funds to the San Gabriel Valley Regional Housing Trust (SGVRHT), which is one of several eligible housing activities the funds can be utilized for. The City is required to provide formal notice describing the eligible activity to be implemented with PLHA funds along with a resolution indicating City Council approval. Staff has prepared a resolution for this purpose.***

Community Services Manager Duran recommends that the City Council adopt Resolution No. 21-62 approving the City's participation in the Los Angeles Urban County PLHA Program with the intent to allocate the City's PLHA funds to the SGVRHT, and authorizing the Mayor to sign a contract for funding for this program from the County of Los Angeles.

g. **Ordinance (s) - Second Reading. Approval Recommended. as follows:**

Ordinance No. 1100 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AMENDING CHAPTER 5.37 (TOBACCO RETAILERS) OF TITLE 5 (BUSINESS TAXES, LICENSES AND REGULATIONS) OF THE LA VERNE MUNICIPAL CODE TO PROHIBIT THE SALE OF FLAVORED TOBACCO PRODUCTS AND AMENDING CHAPTER 1.08 (DEFINITIONS) OF TITLE 1 (GENERAL PROVISIONS) - *In 2020 Senate Bill 793 was passed and signed by the Governor banning the sale of flavored tobacco. However, due to sufficient petition signatures being obtained, SB 793 was placed on hold pending a referendum to be placed on the November, 2022 statewide ballot. In order to ensure protections are in place at the local level, the Youth and Family Action Committee requested that the City amend its ordinance to incorporate this prohibition rather than await the outcome in 2022. This item would ban the sale of flavored tobacco (as defined) in La Verne through a local ordinance. This item also creates a definition of "smoking" to include electronic smoking devices and vaping devices. On July 19, 2021, City Council heard and received public testimony on this matter and then introduced and waived further reading of Ordinance No.1100.*

Police Chief Paz and the Youth and Family Action Committee recommends final approval of Ordinance No. 1100, prohibiting the sale of flavored tobacco products and creating a definition of "smoking" to include electronic smoking devices and vaping devices.

6. **OTHER MATTERS**

Employment Agreement for Fire Chief - Resolution No. 21-63 - After an extensive recruitment and various screening processes, the City is in the final stages of completing the selection of a Fire Chief. One critical remaining step is City Council's approval of his employment agreement. While most of the terms of employment fall within the authorities of the City's Salary and Benefits Resolution for Executive Management, there are several conditions that require Council consideration. As such, the attached agreement has been prepared by legal counsel and reviewed by the candidate for Council consideration.

STAFF RECOMMEDATION:

The City Council should approve Resolution 21-63, an agreement with Christopher Nigg confirming his employment terms as the City's Fire Chief.

Resolution No. 21-63 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING AN EMPLOYMENT AGREEMENT WITH CHRISTOPHER NIGG FOR FIRE CHIEF SERVICES AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAME.

7. **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.

8. **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.

9. **ADJOURNMENT to Monday, August 16, 2021, at 5:00 p.m.**, for a Council Study Session on the Gold Line Pedestrian Bridge.

and

In memory of RSVP Edward (Ed) Anthony Browning who died on July 2, 2021. Ed was born on December 27, 1941 in Upland as an only child. He graduated from Pasadena High School. After high school he joined the Navy and he specialized in aviation, later earning an AA in aviation from Pasadena City College. In the Navy, he got to visit the Countries of Singapore, India, the Philippines, Japan and Hong Kong. He completed three Tours. In 1984, he joined the National Guard for a year and then followed his dream and joined the Air Force Reserves for seventeen years. In the Reserves, he was sent to Hawaii and Japan (near Tokyo and Okinawa), and held the rank of Technical Sergeant. During his time in Japan, he worked the flight line and inspected C141's preflight and refueling. After his military service, Ed worked security and then worked for the Post Office. He retired from the Post Office in 2003, and became an Armed Security Officer for the County of Los Angeles Children and Family Services. He and his wife Kela have lived in La Verne since 2005. In 2006, he joined the La Verne Police Retired Volunteer Patrol. He enjoyed going out on patrol and special assignments, like DUI checkpoints. Ed was a pilot until early 2000. He was a member of the Airforce Auxiliary and held the rank of Major. He volunteered at La Verne Brackett Airport as a personnel Officer. His hobbies were RSVP, CAP (Civil Air Patrol) and Marshall Arts. He is survived by his wife Kela, 4 children and 12 grandchildren.

**THE NEXT REGULAR MEETING of the La Verne City Council
is on Monday, August 16, 2021, at 6:30p.m.**

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
_____ Marla Pendleton, Finance Director
_____ Nick Paz, Police Chief
_____ Lawrence Waterhouse, Interim Fire Chief
_____ Yvonne Duran, Community Services Manager
_____ Cody Howing, Deputy City Engineer

<p>Posting Statement: On July 27, 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.</p>
