

**AMENDED
CITY OF LA VERNE
CITY COUNCIL and
PUBLIC FINANCING AUTHORITY
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

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City Hall Council Chamber

3660 D Street

La Verne, CA 91750

**Monday, August 16, 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.

The Council Chambers 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_6-r0SZBtSiKH5LMUrTwHCg before 5:00 p.m. on Monday, August 16, 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**

Inland Valley Humane Society & SPCA Presentation - Nikole Bresciani, Director and James Edward, Administrative Services Director will be presenting information regarding activities, programs and services that Inland Valley Humane Society & SPCA provides to the residents, and on the upcoming contactless license canvassing.

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

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

Fiscal Year 2020-21

- In the amount of \$549,868.47 dated July 29, 2021.
- In the amount of \$9,426.84 dated August 4, 2021

Fiscal Year 2021-22

- In the amount of \$704,308.75 dated July 29, 2021
- In the amount of \$2,524,331.28 dated August 4, 2021.
-

Finance Director Pendleton recommends approval.

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

1. **Resolution No. 21-65** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE FINAL MAP FOR PARCEL MAP 83419, (CASE NO. 33-21TPM), A REQUEST TO SUBDIVIDE THE PARCEL AT 2317-2371 FOOTHILL BOULEVARD - ***On June 1, 2021 the Development Review Committee (DRC) approved Tentative Parcel Map No. 83419 (Case 33-21 TPM) to subdivide a single parcel into two new parcels. This proposed configuration will allow the owner of the property (La Verne Venture I, LLC) to separate the existing medical uses which includes the anchor tenant Pomona Valley Health Center from the existing retail uses in the shopping center.***

City Engineer Howing recommends that the City Council approve Resolution No. 21-65, approving the Final Parcel Map No. 83419 (2317-2371 Foothill Boulevard) and direct staff to sign the map as to its conformance with the Subdivision Map Act and City Municipal Code.

- d. **Ordinance No. 1100 - Flavored Tobacco Ordinance** - The City Council, following discussion and debate on the Ordinance, introduced Ordinance No. 1100 banning the sale of flavored tobacco products in La Verne. The Ordinance is being returned to the agenda for first reading as it was discovered that the exemption for hookah establishments was omitted from the Ordinance. The corrected text has been inserted at Section 4 F.

City Attorney Kress recommends that the Ordinance No. 1100, 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, be introduced and to waive further reading and placed on first reading.

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).

THE LA VERNE CITY COUNCIL WILL RECESS TO MEET AS THE LA VERNE PUBLIC FINANCING AUTHORITY; FOLLOWING, WHICH THE CITY COUNCIL WILL IMMEDIATELY RECONVENE.

7. **PUBLIC FINANCING AUTHORITY**

- a. **Public Financing Authority Minutes** from the meeting of November 15 2021, **to be received and filed.**

- b. **Consideration for Adoption of La Verne Mobile Country Club; and Valley Rancho Mobile Home Park 2021 - 2022 Budgets** - Annually, the La Verne Public Financing Authority (LVPFA) reviews and approves the operating budgets for the two City owned mobile home parks. The budgets do not reflect significant changes from previous years and are attached for the Authority's consideration and adoption.

STAFF RECOMMENDATION:

The La Verne Public Financing Authority should adopt Resolutions No. JPFA-61 and JPFA-62 approving the 2021-2022 annual operating budgets for La Verne Mobile Country Club and Valley Rancho Mobile Home Park.

JPFA Resolution No. 61 - A RESOLUTION OF THE LA VERNE PUBLIC FINANCING AUTHORITY ADOPTING THE LA VERNE MOBILE COUNTRY CLUB BUDGET FOR FISCAL YEAR 2021-2022.

JPFA Resolution No. 62 - A RESOLUTION OF THE LA VERNE PUBLIC FINANCING AUTHORITY ADOPTING THE VALLEY RANCHO MOBILE HOME PARK BUDGET FOR FISCAL YEAR 2021-2022.

THE LA VERNE PUBLIC FINANCING AUTHORITY WILL ADJOURN AND THE CITY COUNCIL WILL IMMEDIATELY RECONVENE.

8. **OTHER MATTERS**

- a. **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 RECOMMENDATION:

The City Council should approve Resolution No. 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.

- b. **The Mayor is requesting that the City Council review Assembly Member Holden's Office recent review of a constituent's request for State Auditors Independent Audit of City of La Verne.**

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:**

City Council will be meet in Closed Session for the following:

Conference with Labor Negotiator (Government Code Section 54957.6). There will be no announcement.

Negotiators: City Manager, Assistant to the City Manager, City Attorney
and Senior Management Analyst

Employee Organization(s): La Verne Firefighters' Association

12. **ADJOURNMENT in memory of Joe Torchia**, a long- time La Verne resident who passed away on Friday, July 9, 2021. Joe was born on May 25, 1949 in Perth Amboy, New Jersey. Joe and his wife, Cathy, along with their two daughters, Cari and Lori, moved to La Verne in April, 1978 where he resided in the same home for 43 years. Joe began his involvement with the youth sports in 1986. He held many positions on the LV/SD Pop Warner Football Executive Board. From 1991 to 1995, Joe was also actively involved at Bonita High School. His wife was the Rally advisor and he quickly earned the title of "Rally Dad." Joe served as one of the founding members of the Sports Park Committee. He was instrumental in the rehabilitation of Glenn Davis stadium in 1996, the renovation of the La Verne Aquatics Center in 1997, and the building of the skate park. He received the 1st Jim Scranton Pride of La Verne Award in 1999. Joe served as a member of the La Verne Heritage Foundation, where he helped bring the windmill to the park that many enjoy today. Throughout his life, Joe had many career adventures ranging from owning a Union 76 Gas Station in Alhambra, an auto repair shop in San Dimas, working as a bus mechanic for the Covina Valley School District, and a Motor Carrier Specialist for the California Highway Patrol. He retired from the CHP in May 2015. He is survived by his wife of 52 years Cathy, his daughters Cari Haas and Lori Young, his son-in-laws Mike Haas and Mike Young, and his pride and joy grandchildren, Saydee, Shyanne, Madison, Mason and Garrett.

**THENEXT REGULAR MEETING of the La Verne City Council
is on Tuesday, September 7, 2021, at 6:30 p.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, City Engineer

Posting Statement: On August 12, 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.