

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

Tuesday, September 07, 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. 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 Tuesday, September 7, 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** for adjourned and regular meetings of August 16, 2021, ***to be received and filed.***

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

Fiscal Year 2020-21

In the amount of \$17,338.70 dated August 12, 2021

In the amount of \$123,600.63 dated August 19, 2021

In the amount of \$57,076.49 dated August 26, 2021

Fiscal Year 2021-22

In the amount of \$221,300.72 dated August 12, 2021

In the amount of \$1,416,747.59 dated August 19, 2021

In the amount of \$1,114,099.44 dated August 26, 2021

Approval recommended by Finance Director Marla Pendleton.

c. **Request for Authorization to Over Hire for a Police Officer** - The Department has five (5) sworn personnel off work due to extended medical leave and one (1) sworn member reassigned to assist with staffing in the Dispatch center. The understaffing is creating a significant amount of overtime and is a strain on the sworn staff to fill the vacancies. To alleviate this burden and meet the minimum staffing requirements, the Department is requesting to over hire by one police officer position.

Police Chief Paz recommends that the City Council approve the over hire of one (1) additional police officer recruit position and approve appropriations of \$42,000.

d. **Ordinance (s) 2nd Reading, Approval Recommended.**

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 City Council, following discussion and debate on Ordinance No. 1100, banning the sale of flavored tobacco products in La Verne on August 2, 2021 was placed on first reading. The Ordinance was returned again for first reading on August 16, 2021, because it was discovered that the exemption for hookah establishments was omitted from the Ordinance. The corrected text was included and Ordinance No. 1100, was placed on first reading. The Ordinance will take effect on January 1, 2022.*

City Attorney Kress recommends that 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 , be approved.

6. **PUBLIC HEARINGS**

Establishing Terms and Conditions for La Verne Firefighters' Association Members - The City has been unsuccessful in reaching an agreement on a successor Memorandum of Understanding (MOU) with the La Verne Firefighters Association (LVFA). As a result, the City has followed the applicable impasse procedures in accordance with the Meyers-Milias-Brown Act (MMBA) as well as its Employer-Employee Relations Resolution. Since there has been no change in either party's position, it is permissible for the City Council, to consider unilaterally implementing the terms and conditions of employment for LVFA members.

STAFF RECOMMENDATION:

The City Council should unilaterally implement the attached terms and conditions of employment for LVFA members as outlined in the City's Last, Best, and Final Offer (LBFO).

7. **OTHER MATTERS**

a. **Unexpired Planning Commission Vacancy Appointment** - Planning Commissioner Phil May resigned from the Planning Commission with less than one year left on his term. The Council last conducted interviews in June of 2020 for the unexpired term of former Planning Commissioner Wendy Lau, ultimately appointing Thomas Allison and identified candidate Jeremy Conrad as second selection should another seat become available. Mr. Conrad has reapplied for this vacancy, as well as seven other residents, which none had applied for the previous two recruitments. The Council may decide on how to proceed with the appointment.

STAFF RECOMMENDATION:

The City Council should provide Staff direction on how to proceed with filling the Planning Commission vacancy.

- b. **Christmas Morning Coordination Committee** - Over the last few years, the City's Christmas morning tradition has become a multi-department effort comprised of staff and volunteers. Staff is looking to create a formal Christmas Morning Coordination Committee much like the 4th of July Committee in order to streamline these efforts. The Committee's main focus would be to ensure a safe and successful Christmas morning on December 25th for years to come.

STAFF RECOMMENDATION:

The City Council should approve the formation of a Christmas Morning Coordination Committee and identify two Council Members who will serve as the liaisons to the Committee as well as staff representation.

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. 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.

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:**

City Council will meet in closed session for the following:

Review of Hearing Officer's proposed decision on an Employee Disciplinary Matter (Personnel Rule 5200 F) per Government Code Section 54957(b).

After Closed Session City Council will reconvene to open session for the following:

RESOLUTION NO. 21-67 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE RENDERING A FINAL DECISION REGARDING AN APPEAL OF DISCIPLINE

11. **ADJOURNMENT** in memory of Salvatore (Chick) J. Campo, a long-time La Verne resident. Chick was born in New York in 1948 and moved to California in his early years. He was in the Air Force and he was schooled in electronics. He was a Field Engineer and Training Specialist for Rockwell International for 30 years. During his career at Rockwell International he worked on numerous projects such as the Space Shuttle, Lunar Excursion, Module Secret projects, Destroyer (Submarine Hunters), Special Electronics for Submarines Global Positioning, Satellite System Navigation Systems for Fast Attack, Trident Submarines, and Avionics Systems for B1-Bomber RASC Vigilante F-111 Apache Helicopters. Chick was very active in the Community. He was an RSVP from 1996 to 2019, volunteering many hours. He served on the Pomona Valley Community Services Committee; he was the founder and past president of the La Verne Computer Club. He taught computers in La Verne and San Dimas. He was a long-time member of the La Verne Senior Citizens Advisory Committee. He participated and assisted the University of La Verne in the video productions of several senior programs. He called Bingo for the Cities of La Verne and San Dimas. He was a Reverend at Faith Walk Christian Church in Ontario. Chick was an awesome friend, family man and loved helping people. He will be solely missed by those who knew and loved him.

and

Adjournment to Monday, September 20, 2021, at 6:00 p.m., for Recognition Presentation of the La Verne Little League Softball Team.

**THE NEXT REGULAR MEETING of the La Verne City Council
is on Monday, September 20, 2021, at 6:00p.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
____ Christopher Nigg, Fire Chief
____ Yvonne Duran, Community Services Manager
____ Cody Howing, City Engineer

Posting Statement: On August 31, 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.