

# CITY OF LA VERNE

## CITY COUNCIL AGENDA

Tim Hepburn, Mayor

Rick Crosby, Mayor Pro Tem

Wendy Lau, Council Member

Steve Johnson, Council Member

Meshal "Kash" Kashifalghita, Council Member



[www.cityoflaverne.org](http://www.cityoflaverne.org)

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City Hall Council Chamber

3660 D Street

La Verne, CA 91750

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**Monday, November 21, 2022 - 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.

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/live](http://www.cityoflaverne.org/live) and click on "Watch Live".
- 2) Individuals can email their comments to the Assistant City Clerk at [cityclerk@cityoflaverne.org](mailto: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) Individuals who wish to share their comments directly during the meeting may do so by emailing the Assistant City Clerk at [cityclerk@cityoflaverne.org](mailto: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\\_UoUJqO4TtgaR5yRVUJheg](https://us02web.zoom.us/webinar/register/WN_UoUJqO4TtgaR5yRVUJheg) before 5:00 p.m. on Monday, November 21, 2022, 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 Meshal “Kash” Kashifalghita, Council Member Steven Johnson, Council Member Wendy Lau, Mayor Pro Tem Rick Crosby, and Mayor Tim 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 November 7, 2022, ***to be received and filed.***

b. **Register of Audited Demands** in the amount of \$2,150,704.30 dated October 27, 2022; and in the amount of \$195,080.12 dated November 3, 2022, ***approval recommended by Finance Director Lopez.***

c. **Extending Salary Continuation to Permanent Employees Called to Active Duty** - The City has previously extended veteran leave benefits for permanent employees called to active duty in support of United States military operations such as Enduring Freedom. The City was informed that one of its Public Works personnel has been called to active duty in support of military operations overseas. Authorization of this requires City Council approval for the extension of partial salary benefits during the entirety of the deployment.

Assistant City Manager Ranells recommends that the City Council approve an eleven (11) month extension of partial salary totaling \$10,500 from the General Fund for the employee being called to active duty in support of military operations overseas.

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

**Resolution No. 22-75** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING A MEMORANDUM OF UNDERSTANDING WITH THE COUNTY OF LOS ANGELES BY AND THROUGH THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT FOR PARTICIPATION IN THE LOS ANGELES TASKFORCE FOR REGIONAL AUTO THEFT PREVENTION (TRAP) TEAM - ***The Police Department values its participation and partnership with the various regional task forces comprised of department members from individual participating agencies. The Police Department seeks to add a police officer to the Los Angeles Taskforce for Regional Autotheft Prevention (TRAP) Team.***

***Police Chief Flores recommends that the City Council approve Resolution No. 22-75, authorizing the City Manager to enter into an agreement between the City of La Verne and the County of Los Angeles by and through the Los Angeles County Sheriff's Department to assign a Police Department member to TRAP on a full-time basis, and approve the hiring of an additional officer to backfill the Officer assigned.***

e. **Ordinance(s). Second Reading. approval recommended.**

**Ordinance No. 1112** - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AMENDING THE MUNICIPAL CODE REGARDING PERSONAL CONDUCT AND PROPERTY MAINTENANCE - *At the August 1, 2022 City Council meeting, the Police Department sought appropriations to utilize funding from the American Rescue Plan Act (ARPA) to address the homeless population within the community. The Police Department also recommended additional measures to assist the Department's Homeless Outreach Support Team (HOST) in maintaining the quality of life by adding and amending existing ordinances. On November 7, 2022, the Ordinance was placed on first reading.*

***Police Chief Flores recommends that the City Council approve Ordinance No 1112, amending the Municipal Code regarding personal conduct and property maintenance.***

6. **PUBLIC HEARINGS**

**2021-2029 Housing Element Update** - The Housing Element is a state-mandated element of the City's General Plan and is required to identify and analyze existing and projected housing needs for the City of La Verne. The document includes the City's goals, policies, quantified objectives, and programs for the preservation, improvement, and development of housing. The Housing Element is the only element that must be updated at regular intervals or cycles (every 8 years). The current adopted Housing Element for the 5<sup>th</sup> Cycle covers the period 2013-2021. Based on timeframes set by the State Department of Housing and Community Development (HCD), the City must now adopt an updated Housing Element covering the 6<sup>th</sup> Cycle period 2021-2029.

Prior to adoption, the 2021-2029 Housing Element must be reviewed by HCD and the City must consider and respond to the Department's comments by making necessary modifications to comply with State Housing Law. City staff and the City's consultant completed the First Draft 2021-2029 Housing Element in December 2021, which was circulated for a 30-day public review period and submitted to HCD for a State-mandated 60-day review. HCD provided comments on the First Draft 2021-2029 Housing Element in February 2022. The City then updated its 2021-2029 Housing Element to respond to HCD's comments and resubmitted its Second Draft 2021-2029 Housing Element to HCD on August 5, 2022 for a second State-mandated 60-day review period. On September 30, 2022, the City received an official confirmation letter from HCD that the Second Draft 2021-2029 Housing Element will comply with the Housing Element Law upon adoption (Attachment E).

Generally, the updates to the Housing Element include compliance with state-mandated programs (e.g., Affirmatively Furthering Fair Housing), updates to the housing unit counts, and other modifications to ensure that the document is in compliance with Housing Element law. State law also requires the Housing Element to identify sites suitable for development of all housing types, with capacity to satisfy the City's regional housing needs allocation (RHNA) for the period 2021-2029 (6<sup>th</sup> Cycle).

Overall, the City has the ability to adequately accommodate its RHNA (at all income levels) within the City's current general plan and zoning designations (including through adopted Specific Plans); no rezoning is proposed as part of this project.

According to the Assistant City Attorney, Lisa Kranitz, in a memorandum dated October 21, 2022 (Attachment C), "Failure to adopt a housing element leaves the City open to lawsuits, will prevent the City from retaining certain funding, subjects the City to fines, and allows affordable development to be built anywhere in the City regardless of zoning."

Also, in a recent article in the Daily Bulletin (Attachment F) it was stated that almost two-thirds of Southern California's cities and counties have failed to meet the state housing plan deadline and what the consequences are for rezoning and loss of grants.

**STAFF RECOMMENDATION:**

Staff and the Planning Commission recommend that the City Council should find the General Plan Amendment exempt from the California Environmental Quality Act in accordance with Section 15061(b)(3) of the CEQA Guidelines because the activity is governed by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment, and it can be seen with certainty that there is no possibility that the adoption of this policy document would have a significant effect on the environment, directly or indirectly.

Approve the Housing Element and approve 07-22GPA to the City Council by adopting Resolution No. 22-77 (Attachment A).

**Resolution No. 22-77 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT NO. 7-22GPA FOR THE 6TH CYCLE 2021-2029 HOUSING ELEMENT AND FINDING HE PROJECT TO BE EXEMPT FROM CEQA.**

**7. OTHER MATTERS**

**Approval of City Manager Agreement** - After completing a comprehensive search for a new City Manager with the assistance of a professional executive recruitment firm, the City Council has unanimously selected Kenneth Domer as La Verne's next City Manager. The terms and conditions of Mr. Domer's employment are contained in an employment contract that is presented for Council approval.

**STAFF RECOMMENDATION:**

The City Council should approve the City Manager employment agreement with Kenneth Domer.

**Resolution No. 22-76 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING AN EMPLOYMENT AGREEMENT WITH KENNETH DOMER FOR THE POSITION OF CITY MANAGER.**

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](mailto: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:**  
**The City Council will meet in Closed Session pursuant to Government Code Section 54957.6 for the following:**  
**Conference with Labor Negotiators**  
Negotiators: Interim City Manager, Assistant City Manager, and City Attorney  
Employee Organization(s): La Verne City Employees Association, La Verne Police Officers' Association, La Verne Police Middle Management Association and all unrepresented employees.
11. **ADJOURNMENT**

***Happy Thanksgiving from the La Verne City Council***



**THE NEXT REGULAR MEETING of the La Verne City Council is  
scheduled for Monday, December 5, 2022, at 6:30p.m.**

***The Annual Tree Lighting Ceremony will be held at the next City Council Meeting on Monday, December 5, 2022 at 6:30 p.m.***

***Carolers & Santa Claus are expected to attend!***



**ADVISORY STAFF**

\_\_\_\_ Jesse Duff, Interim City Manager  
\_\_\_\_ JR Ranells, Assistant City Manager  
\_\_\_\_ Robert Kress, City Attorney  
\_\_\_\_ Lupe Gaeta Estrella, Assistant City Clerk  
\_\_\_\_ Anthony Ciotti, Interim Public Works Director  
\_\_\_\_ Eric Scherer, Director of Community Development  
\_\_\_\_ Christy Lopez, Finance Director  
\_\_\_\_ Colleen Flores, Police Chief  
\_\_\_\_ Christopher Nigg, Fire Chief  
\_\_\_\_ Yvonne Duran, Community Services Manager  
\_\_\_\_ Cody Howing, City Engineer

**Posting Statement:** On November 15, 2022, 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 [www.cityoflaverne.org](http://www.cityoflaverne.org).