

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

(909) 596-8726 - Phone

(909) 596-8740 - Fax

City Hall Council Chamber

3660 D Street

La Verne, CA 91750

Monday, June 19, 2023, at 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 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.

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.**

View the meeting through the City's website at www.cityoflaverne.org/live and click on "Watch Live".

If you wish to participate via Zoom, please visit cityoflaverne.org/zoom and you will be automatically redirected to the meeting. 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.

Individuals 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.

Council Meeting Decorum: Per the City's Rules for Decorum, all Speakers and Members of the Audience are to conduct themselves with decorum and not engage in willful conduct which interrupts the meeting or with the orderly conduct of the meeting.

CALL TO ORDER

PLEDGE OF ALLEGIANCE Allan Agronovitz, Army Sergeant E-5

ROLL CALL

Council Member Meshal “Kash” Kashifalghita, Council Member Steven Johnson, Council Member Wendy Lau, Mayor Pro Tem Rick Crosby, and Mayor Tim Hepburn.

PRESENTATIONS

Presentation on the Use of Fireworks in the City of La Verne by Fire Marshal Fred St. Ange and CRR Specialist Lonnie Shipman will be reporting on fireworks activity and safety.

Recognition of University of La Verne President Devorah Lieberman who will be retiring after 12 years of service effective July 1, 2023. ULV President Lieberman is the 18th president and the first female President to serve the University of La Verne.

Presentation of Proclamation declaring June 2023, Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ+) Pride Month supports the rights of every citizen to experience equality and freedom from discrimination; and all people regardless of age, gender identity, race, color, religion, marital status, national origin, sexual orientation, or physical challenges have the right to be treated on the basis of their intrinsic value as human beings.

Adjournment of the June 19, 2023, Council Meeting in memory of Father Pat Travers who passed away on June 1, 2023. Father Travers was born in Ballon, Co. Carlow Ireland on June 13, 1937, and was baptized on the same day. He was the youngest of ten. His father was a farm laborer; his mother was a homemaker. He attended local elementary and secondary schools before entering the Sacred Hearts Novitiate in Cootehill, Co. Cavan where he was professed on August 15, 1956. He then went to Queen of Peace Seminary in Jaffrey Center, New Hampshire. He was ordained on June 24, 1962, and was assigned to teach at Damien High School, La Verne, CA. He was handed two books and told to go and teach. He took that order seriously. For the rest of his life, with and without books, he taught us to live like Jesus. Father Travers spent 49 years at Damien. During almost all those years, he taught Geometry to thousands of students. He also served as the athletic Director, the Dean of Discipline (he hated it), the Dean of Studies. He was Principal of Damien High School from 1980 to 2010. During his tenure he developed academic programs, built student enrollment, oversaw the construction of two classroom buildings, a swimming pool, tennis courts, artificial turf on the football field and a new athletic center, which bears his name. In 1987, he started the Tijuana Outreach Ministry. On Saturdays, he would take the students to help at orphanages, bringing food, clothing, and building houses involving the young men of Damien along with their fathers. After Father Travers left Damien as President in 2011, he became the Pastor of Holy Innocents Parish in Victorville, where he worked together with Father Paul Murtagh. All who knew him will miss him and long remember the outstanding contributions he made to Damien and the La Verne community.

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.)

CONSENT CALENDAR

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

1. **City Council Minutes** of corrected minutes of the regular meeting of May 15, 2023, and the minutes of the regular meeting of June 5, 2023.

Recommendation: That the City Council approve the minutes.

2. **Register of Audited Demands** in the amount of \$282,309.43, dated June 1, 2023.

Recommendation: That the City Council approve the demands.

3. **SENIOR ADVISORY COMMITTEE REAPPOINTMENTS** - This item seeks City Council approval for the reappointments of two members of the Senior Advisory Committee.

Recommendation: That the City Council reappoint Scott Snider and Bette Donovan as members of the Senior Advisory Committee to each serve a two-year term from July 1, 2023, through June 30, 2025.

4. **YOUTH SPORTS COMMITTEE BOARD APPOINTMENT** - This item seeks City Council approval for the Citizen-at-large board position for the Youth Sports Committee.

Recommendation: That the City Council appoint Eric Shadrack as the Youth Sports Committee Citizen-at-large to serve a two-year term from July 1, 2023, through June 30, 2025.

5. **OLD TOWN LA VERNE BUSINESS IMPROVEMENT DISTRICT REAPPOINTMENTS** - Terms for Old Town La Verne Business Improvement District Members Craig Walters, Marianne Stark, and Micky Rehm expire June 30, 2023. All three members have requested to remain on the Board.

Recommendation: That the Mayor reappoint Craig Walters, Marianne Stark, and Micky Rehm to serve a two-year term from July 1, 2023, through June 30, 2025 with the approval of the City Council.

6. **PURCHASE OF EIGHT (8) 48" DIAMETER FRACTAL DISTRIBUTOR PLATES FOR THE AMHERST TREATMENT PLANT** - This action will approve a sole source purchase from the Water Fund to Layne Christensen Company for eight fractal plates, in the amount of \$133,350, for the Amherst Treatment Plant.

Recommendation: That the City Council authorize the Public Works Department to execute a sole source purchase order with Layne Christensen Company in the amount of \$133,350 for the purchase of eight (8) 48" diameter fractal distributor plates; and, authorize a 40% down payment at the time of approval to cover material costs per the supplier's terms and conditions.

7. **SERVICE PROVIDER AGREEMENT FOR CRISIS ASSISTANCE RESPONSE & ENGAGEMENT PROGRAM** - This item seeks City Council authorization and agreement to participate in the San Gabriel Valley Council of Governments (SGVCOG) Crisis Assistance Response & Engagement Program (SGV Care) to co-respond to mental health crisis situations.

Recommendation: That the City Council approve the City's participation in the San Gabriel Valley Council of Government's Crisis Assistance Response & Engagement Program; and authorize the City Manager to execute a service provider agreement with the San Gabriel Valley Council of Governments.

8. **RESOLUTION ADOPTING THE FISCAL YEAR 2023-24 BUDGET** - A proposed budget was submitted and discussed during the City Council Budget Study Session held on June 5, 2023. Council directed staff to allocate the \$125,000 of Measure LV funds, program \$310,950 of unfunded department requests to the American Rescue Plan Act (ARPA) funds and increase the General Fund surplus from \$107,000 to \$221,558 after shifting some expenses to the current year for total appropriations of \$104,144,155 across all funds. Adopting Resolution No. 23-34 will officially adopt the 2023-24 budget.

Recommendation: That the City Council adopt resolution No. 23-34 adopting the budget for the 2023-24 fiscal year.

9. **TAX SHARING RESOLUTION NO. 23-35 WITH THE LOS ANGELES SANITATION DISTRICT AND AFFECTED AGENCIES RESULTING FROM ANNEXATION NO. 21-771 FOR 42 PROPOSED SINGLE-FAMILY HOMES** - The County Sanitation District No. 21 annexation process requires that a resolution for property tax revenue exchange be adopted by affected local agencies before an annexation to the County Sanitation District No. 21 may be approved.

Recommendation: That the City Council adopt Resolution No. 23-35, approving the joint tax sharing Resolution with the affected agencies.

10. **RESOLUTION No. 23-36 APPROVING PARTICIPATION IN THE LOS ANGELES URBAN COUNTY PERMANENT LOCAL HOUSING ALLOCATION PROGRAM** - The City of La Verne, through the Los Angeles Urban County Permanent Local Housing Allocation (PLHA) Program, has been allocated funding to participate in eligible affordable housing programs. The eligible programs the City will be participating in are Operating Costs for Emergency Shelters and Supportive Case Management for the unhoused.

Recommendation: That the City Council adopt the Resolution No. 23-36 titled "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."

11. **RESOLUTION NO. 23-37 - OPERATION MAINTENANCE COMMUNITY FACILITIES DISTRICT NO. 90-1; SPECIAL TAX LEVY FISCAL YEAR 2023-24** - Operation and Maintenance Community Facilities District No 90-1 (O&M CFD 90-1), a special tax district within the La Verne Industrial Specific Plan, requires the City Council to authorize the levy annually. The assessment will increase by 3.7% to \$.7474 per square foot.

Recommendation: That the City Council adopt Resolution No. 23-37, Titled, "A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DETERMINING SPECIAL TAX FOR THE 2023-24 FISCAL YEAR (COMMUNITY FACILITIES DISTRICT NO. 90-1 – LA VERNE INDUSTRIAL SPECIFIC PLAN)," levying a special tax for the 2023-24 Fiscal Year (FY) per the schedule shown in Exhibit "A" attached to the Resolution, which increases the rate by 3.7% to address the cost-of-living increases based on the annual consumer price index ending March 2023.

12. **RESOLUTION NO. 23-38 COMMUNITY FACILITIES DISTRICT NO. 11-1; SPECIAL TAX LEVY FISCAL YEAR 2023-24; PUBLIC HEARING; RESOLUTION PROVIDING FOR THE ANNUAL LEVY -** The City Council on an annual basis must authorize the tax levy for Community Facilities District No. 11-1 (CFD No. 11-1), a special fire tax for buildings three stories (thirty-five feet) and above or with fire flows of 3,500 GPM or more. Exhibit "A" of the attached resolution lists the properties and their levies included in the district.

Recommendation: That the City Council adopt the attached Resolution No. 23-38, titled: "A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DETERMINING SPECIAL TAX FOR THE 2023-24 FISCAL YEAR (COMMUNITY FACILITIES DISTRICT NO. 11-1)," levying a special tax for Fiscal Year (FY) 2023-24 within CFD No. 11-1 per the schedule shown in Exhibit "A" attached to the Resolution.

13. **ADOPTION OF ORDINANCE NO. 1118, RELATIVE TO OLD TOWN LAVERNE BUSINESS IMPROVEMENT DISTRICT** - The City Council approved the first Reading of Ordinance No. 1118, updating the financial practices of the Old Town La Verne Business Improvement District at its June 5, 2023, meeting. If approved, this action will adopt the Ordinance which will be effective thirty (30) days after adoption.

Recommendation: That the City Council adopt Ordinance No. 1118 titled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AMENDING CHAPTER 2.54.150 OF THE LA VERNE MUNICIPAL CODE RELATIVE TO THE OLD TOWN LA VERNE BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD'S EXPENDITURE OF CITY FUNDS."

14. **ADOPTION OF ORDINANCE NO. 1119, ESTABLISHING THAT REGULAR CITY COUNCIL MEETING TIMES SHALL BE SET BY RESOLUTION** - The City Council at its meeting of June 5, 2023, approved the first reading of Ordinance No. 1119, establishing that regular meeting times of the City Council shall be set by Resolution to provide better flexibility as well as convenience. If adopted, the Ordinance becomes effective in thirty (30) days.

Recommendation: That the City Council adopt Ordinance No. 1119, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ESTABLISHING THAT REGULAR MEETING TIMES OF THE CITY COUNCIL SHALL BE SET BY RESOLUTION."

PUBLIC HEARINGS

15. **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 Users Tax (UUT). The City's proposed 2023-24 budget fully utilizes and is dependent upon the \$3,740,000 in UUT revenue estimated for the fiscal year indicating the UUT should be continued.

Recommendation: That the City Council maintain the City's Utility Users Tax at the current voter approved rates.

16. **CITYWIDE LANDSCAPING AND LIGHTING DISTRICT NO. 6 AND ZONES 2, 3, 4-I, 4-II, 5, AND 6; PUBLIC HEARING & RESOLUTION No. 23-39 FOR ANNUAL LEVY** - On May 15, 2023, the City Council adopted Resolution No 23-20 to set June 19, 2023, at 6:30 p.m. as the date and time for the public hearing for the subject assessment district and its zones. No change in the assessment levy is being proposed for the subject special benefit in Zones 2, 3, 4-I, 4-II, and 5. The formation of Zone 6 allowed for CPI increases which with the March 2023 CPI of 3.7% allows for a maximum assessment per parcel of \$301.39.

Recommendation: That the City Council adopt the attached Resolution No. 23-39, titled: "A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, OVERRULING PROTESTS AND PROVIDING FOR THE ANNUAL LEVY AND COLLECTING OF ASSESSMENTS FOR CERTAIN LANDSCAPING MAINTENANCE IN AN EXISTING DISTRICT, ESTABLISHED PURSUANT TO VOTER APPROVAL. (LLMD #6)," providing for the annual levy and collection of assessment for the special zones in District No. 6 for Fiscal Year 2023-2024.

17. **CITYWIDE LANDSCAPING AND LIGHTING DISTRICT NO. 7; PUBLIC HEARING; RESOLUTION No. 23-40 PROVIDING FOR THE ANNUAL LEVY** - On May 15, 2023, the City Council adopted Resolution 23-21 to set June 19, 2023, at 6:30 p.m. as the date and time for the public hearing for the subject assessment district. There is a proposed increase to the assessment amount levied for this Fiscal Year to address increased maintenance costs. The proposed assessment amount of \$684.00 is below the maximum allowable assessment of \$693.26.

Recommendation: That City Council adopt Resolution No.23-40, titled: "A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, OVERRULING PROTESTS AND PROVIDING FOR THE ANNUAL LEVY AND COLLECTING OF ASSESSMENTS FOR CERTAIN LANDSCAPING MAINTENANCE IN AN EXISTING DISTRICT, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA (LLMD #7)," providing for the annual levy for Fiscal Year 2023-2024.

18. **LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 8; PUBLIC HEARING; RESOLUTION No. 23-41 PROVIDING FOR THE ANNUAL LEVY**- On May 15, 2023, the City Council adopted Resolution No. 23-22 to set June 19, 2023, at 6:30 p.m. as the date and time for the public hearing for the subject assessment district. There is no proposed increase in the assessment from last year's levy. It is proposed to set the levy at the 1996-97 approved full year's assessment of \$249.70 per parcel.

Recommendation: That City Council adopt Resolution No.23-41, titled: "A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, OVERRULING PROTESTS AND PROVIDING FOR THE ANNUAL LEVY AND COLLECTING OF ASSESSMENTS FOR CERTAIN LANDSCAPING MAINTENANCE IN AN EXISTING DISTRICT, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA (LLMD #8)," providing for the annual levy for Fiscal Year 2023-2024.

19. **MAINTENANCE DISTRICT NO. 84-1M, ESPERANZA ROAD SLOPES; PUBLIC HEARING; RESOLUTION No. 23-42 PROVIDING FOR THE ANNUAL LEVY** - On May 15, 2023, the City Council adopted Resolution No. 23-23 to set June 19, 2023, at 6:30 p.m. as the date and time for the public hearing for the subject assessment district. The 2023-2024 assessment is proposed to remain at \$8.00 per parcel, the same level since 1992. (Council Member Kash will declare a conflict of interest because he lives within the district).

Recommendation: That the City Council adopt Resolution No.23-42, titled: "A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT AND PROVIDING FOR THE LEVY OF THE ANNUAL ASSESSMENT IN A SPECIAL MAINTENANCE DISTRICT (84-1M)."

OTHER MATTERS:

20. **2023-24 ANNUAL AGREEMENTS RESOLUTION NO. 23-43** - Once a year, the City Council considers annual agreements for renewals or extensions. As such, attached are the services proposed for fiscal year 2023-24 for City Council consideration.

Recommendation: That the City Council approve the annual City agreements by adopting Resolution No. 23-43, entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING ANNUAL CITY AGREEMENTS FOR FISCAL YEAR 2023-24," and to authorize the Mayor and Assistant City Clerk to execute the annual agreements as listed on the Resolution.

21. **ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR JUNE 30, 2022** - The City prepared its Annual Comprehensive Financial Report (ACFR), which has been audited by our outside independent audit firm - Rogers, Anderson, Malody & Scott, LLP (RAMS). The ACFR reflects the financial position and operating activities of the City for the fiscal year ending June 30, 2022.

Recommendation: That the City Council receive and file the Annual Comprehensive Financial Report, Report on Internal Control over Financial Reporting and on Compliance and Other Matters, and the Auditor's Letter to the City Council for the year ended June 30, 2022.

PUBLIC COMMENTS

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 per Assembly Bill 1234.

ADJOURNMENT in memory of Father Patrick Travers

***THE NEXT REGULAR MEETING MEETNG OF THE LAVERNE CITY
COUNCIL SCHEDULED FOR JULY 3, 2023, IS CANCELLED.***

***THE NEXT REGULAR MEETING OF THE LA VERNE CITY COUNCIL
IS SCHEDULED FOR MONDAY, JULY 17, 2023, AT 6:30 P.M.***

ADVISORY STAFF

_____ Ken Domer, City Manager
_____ JR Ranells, Assistant City Manager
_____ Kimberly Hall Barlow, City Attorney
_____ Lupe Gaeta Estrella, Assistant City Clerk
_____ Meg McWade, Public Works Director
_____ Eric Scherer, Community Development Director
_____ Christy Lopez, Finance Director
_____ Sam Gonzalez, Acting Police Chief
_____ Christopher Nigg, Fire Chief
_____ Yvonne Duran, Community Services Director
_____ Cody Howing, City Engineer

Posting Statement: A true and correct copy of this Agenda was posted on June 13, 2023, on the bulletin board at La Verne City Hall, 3660 D Street, La Verne, and on the City's website at www.cityoflaverne.org.