

CITY OF LA VERNE

CITY COUNCIL AGENDA

Tim Hepburn, Mayor

Wendy Lau, Mayor Pro Tem

Rick Crosby, Council Member

Steven Frank Johnson, Council Member

Meshal "Kash" Kashifalghita, Council Member



www.cityoflaverne.org

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City Hall Council Chamber

3660 D Street, La Verne, CA

Monday, November 20, 2023

**The Study Session and Closed Session regularly scheduled
to start at 5:30 p.m. will start at 6:00 pm for Closed Session only.**

Regular City Council Meeting at 6:30 p.m.,

La Verne City Hall Council Chambers

3660 "D" Street, La Verne, CA

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.**

Individuals who wish to share their comments with Council during the meeting may do so in a variety of ways:

- Attend the City Council Meeting in person and fill out a comment card or raise your hand to request to comment on the current agenda item(s).
- Participate via Zoom, by visiting cityoflaverne.org/zoom where 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 can turn your video on when called upon.

Call into the meeting via phone 1-669-900-6833 and enter **ID: 818 8625 2531** when prompted.

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.

CLOSED SESSION – 6:00 p.m.

CALL TO ORDER

ROLL CALL

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

CLOSED SESSION

The City Council will meet in a Closed Session for the following:

Consultation with Legal Counsel pursuant to California Government Code Section 54956.9. re: pending litigation, City of Camden, et al., v. 3M Company, et al., USDC Dist. of South Carolina, Charleston Division, No. 2:23-cv-03147-RMG.

Consultation with Legal Counsel pursuant to California Government Code Section 54956.9. re: pending litigation, City of Camden, et al., v. E.I. DuPont de Nemours and Company, et al., USDC, Dist. of South Carolina, Charleston Division, No. 2:23-cv-03230-RMG

Consultation with Legal Counsel pursuant to California Government Code Section 54956.9. re: pending litigation, City of Whittier, et al., v. Los Angeles County Superior Court, et al., LASC Case No. 23STCP03579.

The City Council will recess and reconvene at 6:30 p.m. for the regularly scheduled City Council meeting.

REGULAR CITY COUNCIL MEETING – 6:30 p.m.

PLEDGE OF ALLEGIANCE by Pete Serrano, Army Specialist (Purple Heart recipient)

ROLL CALL

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

PRESENTATIONS

NIAGARA PERK YOUR PARK announcement of the City’s Success in the Niagara Bottling Perk Your Park Campaign for Las Flores Park Improvements.

ANNOUNCEMENTS OF UPCOMING COMMUNITY EVENTS

(Any person who wishes to make a brief announcement of a future community event that is open to the 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 the special meeting on October 30, 2023, and of the Study Session and regular City Council meetings of November 6, 2023.

RECOMMENDATION: That the City Council approve the minutes.

2. **REGISTER OF AUDITED DEMANDS** for the following:

Fiscal Year 2023-24 – In the amount of \$1,496,939.29 dated October 25, 2023, and in the amount of \$1,003,423.24 dated November 1, 2023.

RECOMMENDATION: That the City Council approve the Register of Audited Demands.

3. **APPROVAL OF A MEMORANDUM OF AGREEMENT WITH THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS REGARDING THE EAST SAN GABRIEL VALLEY SUSTAINABLE MULTIMODAL IMPROVEMENTS PROJECT** - The San Gabriel Valley Council of Governments (SGVCOG) established the East San Gabriel Valley Sustainable Multimodal Improvement Project (SMIP) to partially or wholly fund a variety of projects proposed by seven East San Gabriel Valley cities, including La Verne. As a participant in the SMIP, \$3 million will be set aside for design and construction of the La Verne Pedestrian Bridge. Approval of the proposed Memorandum of Agreement (MOA) with the SGVCOG is required for participation.

RECOMMENDATION: That the City Council approve and authorize the Mayor to execute the Memorandum of Agreement with the San Gabriel Valley Council of Governments for the East San Gabriel Valley Sustainable Multimodal Improvement Project. Additionally, it is recommended the City Council authorize the City Manager to execute any documents or amendments related to this project.

4. **RENEWAL OF FLOCK SAFETY AGREEMENT FOR AUTOMATED LICENSE PLATE READER TECHNOLOGY** - On July 18, 2022, City Council provided the City Manager authority to enter into an annual agreement for two-years with Flock Group, Inc., ("Flock"). The contract total was \$63,000 for year one and \$56,000 for year two. As is common with such subscriptions, Flock has increased their annual subscription price. Flock has agreed to maintain our current contract price if the City renews the agreement with a five-year contract prior to the end of the calendar year.

RECOMMENDATION: That the City Council authorize the City Manager to enter into a five-year contract with Flock Group, Inc., in an annual amount of \$56,000, not to exceed \$280,000 over the five-year term.

5. **RESOLUTION 23-80 APPROVING A CLASS SPECIFICATION FOR WATER UTILITY WORKER I, WATER UTILITY WORKER II, WATER UTILITY WORKER III, LEAD WATER UTILITY WORKER, AND POLICE CORPORAL** - As part of recent negotiations with the La Verne City Employees' Association and the La Verne Police Officers' Association, it was agreed to add and/or update new classification titles to accurately reflect position roles and responsibilities.

RECOMMENDATION: That the City Council adopt the attached Resolution titled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING A CLASS SPECIFICATION FOR WATER UTILITY WORKER I, WATER UTILITY WORKER II, WATER UTILITY WORKER III, LEAD WATER UTILITY WORKER, AND POLICE CORPORAL."

6. **RETAINER AGREEMENT REGARDING PER- AND POLYFLUOROALKYL SUBSTANCES (PFAS) LITIGATION** - The City of La Verne has been notified that it is part of a class of water systems which have tested positive for per- and polyfluoroalkyl substances (PFAS). Two proposed settlements in multi-district litigation with manufacturers DuPoint and 3M are currently pending. In addition, there are approximately a dozen other manufacturers who are likely liable for potential PFAS contamination in water wells and groundwater. Staff is recommending retention of specialized counsel to assist with making claims in pending lawsuits and representing the City in potential litigation against others.

RECOMMENDATION: That the City Council authorize the City Manager to sign, and the Assistant City Clerk to attest, to a retainer agreement for SL Environmental Law Group PC (SL), the Law Office of Kevin Madonna PLLC (KM), Douglas and London, P.C. (D&L), Taft Stettinius & Hollister, LLP (Taft), and Levin Papantonio Rafferty Proctor Buchanan O'Brien Barr Mougey P.A. (Levin Papantonio) in connection with pending and anticipated PFAS litigation.

7. **AMENDMENT TO SERVICE PROVIDER AGREEMENT FOR CRISIS ASSISTANCE RESPONSE & ENGAGEMENT PROGRAM** - This item seeks City Council authorization to amend the agreement for participation 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 authorize the City Manager to execute an amended service provider agreement with the San Gabriel Valley Council of Governments for participation in the Crisis Assistance Response & Engagement Program related to an Alternative Response Unit.

8. **ADOPTION OF ORDINANCE NO. 1123 RELATIVE TO DOG WASTE** - The City Council at its meeting on November 6, 2023, approved the first reading of Ordinance No. 1123, relative to curbing dog waste and setting forth penalties for violations.

RECOMMENDATION: That the City Council Ordinance No. 1123 titled, "AN ORDINANCE OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AMENDING CHAPTER 6.16 OF THE MUNICIPAL CODE OF THE CITY OF LA VERNE RELATIVE TO DOG WASTE."

9. **NOMINATION FOR THE SAN GABRIEL BASIN WATER QUALITY AUTHORITY** - The City of La Verne has been a member of the San Gabriel Basin Water Quality Authority (WQA) since its establishment in 1993. Every two years, the City Council votes for a nominee who will represent cities without prescriptive water pumping rights. Rosemead Mayor Pro-Tem Margaret Clark currently serves as the alternate on the WQA Board as the member representing cities without prescriptive water pumping rights and has previously been supported by the La Verne City Council during her last few elections to the WQA Board.

RECOMMENDATION: That the City Council adopt Resolution No. 23-81, "A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, CASTING ITS VOTES FOR ROSEMEAD MAYOR PRO TEM MARGARET CLARK TO REPRESENT CITIES WITHOUT PRESCRIPTIVE PUMPING RIGHTS ON THE BOARD OF THE SAN GABRIEL BASIN WATER QUALITY AUTHORITY."

10. **RESOLUTION 23-82 DIRECTING 2030 ELECTION BALLOT MEASURE FOR VOTER CONSIDERATION OF DIRECTLY ELECTED MAYOR** - On November 6, 2023, the City Council provided unanimous direction to place on the November 20, 2023, agenda a resolution directing that an election ballot measure be placed on the 2030 General Municipal Election to establish a directly elected mayor.

RECOMMENDATION: That the City Council adopt Resolution 23-82 titled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DIRECTING STAFF TO BRING FORWARD A BALLOT MEASURE FOR THE SUBMISSION TO THE VOTERS OF A QUESTION RELATING TO ESTABLISHING A DIRECTLY ELECTED MAYOR TO BE DETERMINED IN THE 2030 GENERAL MUNICIPAL ELECTION."

OTHER MATTERS

11. **INFORMATIONAL ITEM ON THE PROPOSED MIXED-USE PROJECT AT 1941 WHITE AVENUE** - Novipax Buyer, LLC, has submitted applications for the proposed development of a five-story residential building which will provide a total of 367 dwelling units, a parking structure, and 1,540 square feet of commercial use located at 1941 White Avenue. The project is currently being reviewed by staff and an environmental consultant contracted by the City.

RECOMMENDATION: That the City Council receive and file this project update.

12. **APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF LA VERNE AND THE LA VERNE POLICE OFFICERS' ASSOCIATION AND AUTHORIZING EXECUTION BY THE CITY MANAGER** - The Memorandum of Understanding (MOU) with the La Verne Police Officers' Association (LVPOA) expired on June 30, 2023. Based on City Council direction and support of the terms, a tentative agreement has been reached and staff is now seeking formal approval in an open meeting from the City Council to finalize the MOU.

RECOMMENDATION: That the City Council:

1. Adopt Resolution No. 23-83, titled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING AND AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF LA VERNE AND THE LA VERNE POLICE OFFICERS' ASSOCIATION THROUGH JUNE 30, 2025;"
2. Authorize the City Manager to execute the Memorandum of Understanding with the La Verne Police Officers' Association; and,
3. Appropriate \$118,000 from the General Fund and appropriate a transfer of \$118,000 from Measure LV to the General Fund for the Fiscal Year 2023/24 Budget.

13. APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF LA VERNE AND THE LA VERNE CITY EMPLOYEES' ASSOCIATION AND AUTHORIZING EXECUTION BY THE CITY MANAGER.

RECOMMENDATION: That the City Council:

1. Adopt Resolution No. 23-84 titled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING AND AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF LA VERNE AND THE LA VERNE CITY EMPLOYEES' ASSOCIATION THROUGH JUNE 30, 2025;"
2. Authorize the City Manager to execute the Memorandum of Understanding with the La Verne City Employees' Association;
3. Appropriate \$99,722 from the General Fund as well as a transfer of \$99,722 from Measure LV to the General Fund to the Fiscal Year 2023-24 Adopted Budget; and,
4. Appropriate \$29,906 from the Water Fund, \$11,870 from the Sewer Fund, and \$3,774 from the Equipment Fund to Fiscal Year 2023-24 Adopted Budget.

14. FULL-TIME SALARY SCHEDULE RESOLUTION NO. 23-85 ADOPTING A SALARY CHART FOR FULL-TIME EMPLOYEES, REPEALING RESOLUTION NO. 23-46, AND AMENDING RESOLUTION NO. 23-47 FOR PART-TIME EMPLOYEES - With the conclusion of negotiations for labor units, a new full-time employee resolution and amended part-time employee resolution and salary table are required to reflect the adjustments in compensation.

RECOMMENDATION: It is recommended that the City Council adopt the attached Resolution titled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ADOPTING A SALARY CHART FOR FULL-TIME EMPLOYEES, REPEALING RESOLUTION NO. 23-46, AND AMENDING RESOLUTION NO. 23-47 FOR PART-TIME EMPLOYEES."

PUBLIC COMMENTS - This is the time set aside for anyone wishing to address the City Council on items within the jurisdiction of the City Council which are 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 placed 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. There is a 3-minute time limit on 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

Happy Thanksgiving from the La Verne City Council!



***THE NEXT REGULAR MEETING OF THE LA VERNE CITY COUNCIL IS
SCHEDULED FOR MONDAY, DECEMBER 4, 2023, at 6:30 P.M. WITH THE
THE ANNUAL TREE LIGHTING CEREMONY AT 6:00 p.m.***

Carolers & Santa Claus are expected to attend!



RESIDENT INFORMATION

UPCOMING EVENTS AND MEETINGS

Thursday, November 23 - Closed for Thanksgiving Holiday

Saturday, November 28 - Youth & Family Action Committee Meeting: 6:30 PM @ City Council Chamber

Friday, December 1 - Breakfast with Santa and Friends-Special Needs Event: 6:00 PM @ Community Center

Saturday, December 2 - Old Town La Verne's Holiday Stroll: 3:00 PM @ Mainiero Square

Monday, December 4 - City Hall Tree Lighting Ceremony & Council Meeting: 5:30 PM @ City Hall

Saturday, December 9 – Winter Wonderland 9:00 AM – 1:00 PM @ Heritage Park

Wednesday, December 13 - Planning Commission Meeting: 6:30 PM @ City Council Chamber

Monday, December 18 - City Council Meeting: 5:30 PM @ City Council Chamber

Monday, December 25 - Closed for Christmas Holiday

Tuesday, December 26 - Youth & Family Action Committee Meeting: 6:30 PM @ City Council Chamber

RESIDENT NOTIFICATIONS

Be the first to know about City of La Verne news! Residents may subscribe to receive notifications for agendas, city-wide news, special events, the monthly City Manager Newsletter, and much more! Visit www.cityoflaverne.org/notifyme to sign up!

Posting Statement: A true copy of this Agenda was posted on November 14, 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.