

CITY OF LA VERNE

CITY COUNCIL AGENDA

Don Kendrick, Mayor

Charlie Rosales, Mayor Pro Tem

Robin Carder, Council Member

Muir Davis, Council Member

Tim Hepburn, Council Member



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City Hall Council Chamber

3660 D Street

La Verne, CA 91750

Monday, November 18, 2019 - 6:30 p.m.

City Hall

Council Chambers

3660 D Street, La Verne, CA 91750

Attendance and participation at the City of La Verne Council meetings are welcomed and appreciated. Community engagement provides the City Council with valuable information. Regular Meetings are held on the 1st and 3rd Monday of every month. 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.

Individuals may contact the City Clerk's Office for guidance on how to request an item to be added to a future Agenda. Materials related to an item on this agenda, submitted to the Council after distribution of the agenda packet, are available for public inspection at the meeting or in the City Clerk's Office during normal business hours.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL: Council Member Carder, Council Member Davis, Council Member Hepburn, Mayor Pro Tem Rosales and Mayor Kendrick

4. **PRESENTATIONS**

Phillip Verbera, Los Angeles Registrar-Recorder/County Clerk Office will be presenting a slide presentation on the County's new Voting Solutions for all People (VSAP) system.

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. **Register of Audited Demands:**

- In the amount of \$434,591.31, dated October 31, 2019
- In the amount of \$474,689.67, dated November 7, 2019

Staff recommends approval of Register of Audited Demands

- b. **Declaration of Surplus Property** - Certain vehicles and equipment have been depreciated through the equipment fund and/or are scheduled for replacement. Each is no longer useful or is ineffective for current operational requirements. Upon replacement, each will become surplus to the city's operational needs and should be disposed per Administrative Regulation No. 606. This action is not considered a "Project" under the definition of the California Environmental Quality Act (CEQA) and is therefore not subject to CEQA review.

Staff recommends that the City Council declare the vehicles and equipment identified in Attachment A as surplus to the City's needs and further recommends that the staff be directed to sell each in a fair and equitable manner per Administrative Regulation No. 606.

- c. **Case No. 95-19SEP- Street Closure for the Cruisin La Verne Holiday Car Show** - The City Council is requested to consider a street closure for the annual Cruisin La Verne Holiday Car Show set for November 23, 2019. Flying Deuces submitted a request to close Third Street from B to E Street, and D Street from Second Street to Bonita Avenue. The street closure will be between the hours of 5:00 a.m. and 5:00 p.m. the day of the event. There are expected to be between 200 – 300 cars parked on the closed sections of the street, as well as various University of La Verne parking lots.

Staff recommends that the City Council approve a minute motion which directs the Public Works Director to take the necessary steps to permit the temporary street closure for portions of D Street and Third Street in Old Town La Verne; and approval to waive administrative review fees necessary for the processing, permitting, management, promotion, and operations of the Cruisin La Verne Car Show; with exception to the payment to the La Verne Police Department Reserves.

d. **Resolution(s) passage and adoption recommended, as follows:**

1. **Resolution No. 19-79-** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING THE EXECUTION OF AN ASSIGNMENT AGREEMENT WITH THE CITY OF HAWAIIAN GARDENS FOR THE EXCHANGE OF PROPOSITION A FUNDS FOR GENERAL FUND REVENUES - *As part of the 2019-2020 budget process, City Council anticipated the sale of excess Prop A Funds in exchange for general fund monies. In September the City came to an agreement with the City of Hawaiian Gardens at a rate of .75 per dollar. This exchange rate is consistent with what the City has received in past years.*

Staff recommends that the City Council adopt Resolution No.19-79, authorizing an exchange of \$325,000 in Proposition A transportation funds for \$243,750 of General Funds with the City of Hawaiian Gardens; and Authorize the City Manager to execute said Agreement.

2. **Resolution No. 19-80** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING EXECUTION OF A PUBLIC WORKS CONTRACT WITH DOUG MARTIN CONTRACTING COMPANY, INC. FOR THE BUTTERFIELD ET AL, THIRD STREET ET AL SLURRY SEAL RESURFACING PROJECT - *The Public Works department recently solicited bids for the Butterfield Avenue & 3rd Street et al Slurry Seal Resurfacing Project. The planned maintenance project was advertised on September 27, and October 4, 2019 with bid proposals received and opened on October 22, 2019. This project is categorically exempt from the California Environmental Quality Act, Section 15301 – Existing Facilities, and City of La Verne environmental guidelines.*

Staff recommends that the City Council approve Resolution No. 19-80 awarding a public works contract to Doug Martin Contracting Company Inc. the lowest, responsible bidder in the amount of \$194,453.40.

3. **Resolution No. 19-81** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING EXECUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH RENEGADE RACING FOR THE TURKEY TRIATHLON. - *The City Council is requested to consider a street closure for the 2019 Turkey Triathlon. Renegade Racing has submitted a request to use portions of Puddingstone Drive for the purpose of a cycling race as part of a triathlon on Sunday, November 24, 2019. The request specifically involves the closure of the eastbound lanes of Puddingstone Dr. from Van Dusen Rd. to Fairplex Dr. between the hours of 6:30 a.m. and 11:00 a.m. the day of the event. The race is expected to draw up to 400 participants. (Recent policy has been to prepare individualized agreements for street closure events. Staff has therefore developed a standard agreement outlining the traffic control plan requirements, locations, schedule, estimated fees, applicant's responsibilities, and insurance and indemnification requirements.)*

Staff recommends the City Council adopt Resolution No. 19-81 authorizing the City Manager to execute the Agreement with Renegade Racing permitting the cycling race on specified streets.

4. **Resolution No. 19-82** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF POMONA AND THE CITY OF CLAREMONT FOR SHARED HOMELESS PLAN IMPLEMENTATION PROGRAM GRANT FUNDS - *The Cities of Pomona, Claremont and La Verne submitted a joint application for the County of Los Angeles' 2018 Cities Homelessness Plan Implementation Program and were awarded \$1,069,654 of grant funding to further achieve the strategic goals of their County approved homelessness plans. The County of Los Angeles requires the three (3) cities to execute a Memorandum of Understanding (MOU) to set forth provisions related to the shared grant funds and shared services the funds will be utilized for. Staff has prepared a resolution to authorize execution of an MOU for this purpose.*

Staff recommends that the City Council adopt Resolution No. 19-82 authorizing the execution of an MOU between the cities of Pomona, Claremont and La Verne for the shared \$1,069,654 of grant funds awarded under the County of Los Angeles' 2018 Cities Homelessness Plan Implementation Program.

5. **Resolution No. 19-84** - A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING THE EXECUTION OF THE THIRD AMENDMENT OF A MEMORANDUM OF UNDERSTANDING FOR A STORM WATER PROGRAM BETWEEN THE CITIES OF LA VERNE, CLAREMONT, POMONA AND SAN DIMAS - *The City of La Verne has partnered with neighboring cities since 2015 for more cost efficient compliance with requirements enacted under the Municipal Separate Storm Sewer System Permit (MS4). Staff is seeking Council concurrence to amend the cooperative agreement (which previously authorized services through December 2019), thereby authorizing Pomona to extend a contract with Stantec an additional six months. The extension would facilitate completion of various tasks and compliance activities, primarily water quality monitoring, on behalf of our four city group through June 2020. The added cost to the City of La Verne for the six month period is not to exceed \$64,411.*

It should be noted that the Superior Court recently ruled in City of Duarte vs. State Water Resources Control Board, that the 2012 permit be set aside due to a lack of economic consideration by the State Board in formulating the 2012 permit. However, the State Board has indicated it may appeal the decision and has instructed permittees to continue compliance efforts. The four city agreement with Stantec is generally for water quality monitoring, which will be required in the revised permit that is currently under consideration.

Staff recommends approval of Resolution 19-84, authorizing the City Manager to execute the Third Amendment to the Cooperative Agreement between the Cities of Claremont, La Verne, Pomona and San Dimas to jointly implement our Coordinated Integrated Monitoring Plan (CIMP) in compliance with the requirements set forth in the MS4 permit.

6. **Resolution No. 19-85** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, UPHOLDING THE PLANNING COMMISSION DECISION DENYING CASE NO. 38-19CUP, A REQUEST BY RAY BEJJANI FOR THE OPERATION OF A U-HAUL VEHICLE RENTAL AGENCY AT 1712 ARROW HIGHWAY - *On August 14, 2019, the Planning Commission voted 5-0 to deny Case No. 38-19CUP, a request to operate a U-Haul vehicle rental agency at 1712 Arrow Highway, in conjunction with the existing auto repair business. On September 11, 2019 the Planning Commission adopted Resolution No. 1247, which denied Case No. 38-19CUP. On September 23, 2019 the Applicant submitted an appeal of the Planning Commission's decision to the City Council and on November 4, 2019 the City Council voted 5-0 to uphold the Planning Commission's decision.*

Staff recommends that the City Council approve Resolution 19-85, upholding the Planning Commission decision and denying Case Number 38-19CUP.

7. **OTHER MATTERS**

- a. **Placement of Sales Tax Measure on March 3, 2020 Ballot** - The Council must adopt a Resolution to place the proposed sales tax measure on the March 3, 2020 ballot. The Council must also introduce the Ordinance that will be before the voters.

STAFF RECOMMENDATION: The City Council should approve Resolution No. 19-83, ordering that an ordinance be submitted to the voters at the General Municipal Election to be held on March 3, 2020, to place the proposed sales tax measure, as follows:

Resolution No. 19-83 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE ORDERING THAT AN ORDINANCE BE SUBMITTED TO THE VOTERS AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON MARCH 3, 2020, APPROVING ENACTING A TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION, DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE MEASURE, SETTING PRIORITIES FOR FILING A WRITTEN ARGUMENT RELATING TO THE BALLOT MEASURE, AND PROVIDING FOR REBUTTAL ARGUMENTS RELATING TO THE BALLOT MEASURE; and

Introduce and waive reading in full Ordinance No.1087, as follows:

Ordinance No. 1087 - AN ORDINANCE OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ESTABLISHING A TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION.

- b. **Council Member Hepburn requested consideration be given for the position of Fire Chief to report to the entire Council in the future versus directly to the 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. Any person desiring to speak should complete a 'Speaker Card,' located at the podium, and hand it to the Assistant City Clerk. When addressing the Council, please go to the podium and state your name and address for the record. The Mayor reserves the right to place limits on duration of 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. **ADJOURNMENT**

Happy Thanksgiving from the La Verne City Council



***THE NEXT REGULAR MEETING of the La Verne City Council
is scheduled for Monday, December 2, 2019, at 6:30 p.m.***

***The Annual Tree Lighting Ceremony will be held at 6:30 p.m.
Carolers & Santa Claus are expected to attend!***



ADVISORY STAFF

____ Robert Russi, City Manager
____ Dan Keesey, Assistant City Manager/Director of Public Works
____ Robert Kress, City Attorney
____ Lupe Gaeta Estrella, Assistant City Clerk
____ Eric Scherer, Director of Community Development
____ Bill Aguirre, Director of Community Services
____ Nathan Statham, Finance Manager
____ Nick Paz, Police Chief
____ Kirk Summers, Interim Fire Chief
____ Dominic Milano, City Engineer
____ Bill Elftman, Information Services Manager

Posting Statement: On November 12, 2019, 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.