

CITY OF LA VERNE

CITY COUNCIL AGENDA

Tim Hepburn, Mayor
Robin Carder, Mayor Pro Tem
Muir Davis, Council Member
Rick Crosby, Council Member
Wendy M. Lau, Council Member



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City Hall Council Chamber
3660 D Street
La Verne, CA 91750

Monday, June 15, 2020 - 6:30 p.m.

Tonight's Council meeting will again be closed to the public in compliance with Governor Newsom's Executive Order to minimize the spread of the COVID 19 Virus. However, the City would encourage public participation in our meeting and as such want to make residents aware of the following opportunities on how to participate:

1. View the meeting live through the City's website at www.cityoflaverne.org and following the link titled "Council Meeting Live Stream" or on YouTube at www.cityoflaverne.org/youtube.
2. Send an email to the Assistant City Clerk in advance if you wish to make a comment on a specific agenda item. Please submit your comments via email to the Assistant City Clerk at cityclerk@cityoflaverne.org. We ask that you provide those emails before 5 pm, so that staff will be prepared to read them aloud at the appropriate time.
3. Also, if you wish to make a comment during the meeting. We will be monitoring the email address and will make every effort to include your comment into the records. Please be aware there is a delay in the live stream service and any comments should be submitted as soon as possible.
4. For individuals that wish to share their comments directly during the live stream, you may email the Assistant City Clerk at cityclerk@cityoflaverne.org by 5:00 p.m. the day of the meeting with a phone number and the item(s) you wish to speak on. We will call you back at the appropriate time during the meeting for your comment.

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.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL:** Council Member Davis, Council Member Crosby, Council Member Lau, Mayor Pro Tem Carder, 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. Please email the Assistant City Clerk at cityclerk@cityoflaverne.org before 5 pm on the day of the meeting with your announcements.)
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. **Register of Audited Demands** in the amount of \$924,650.68 dated May 27, 2020, and in the amount of \$222,646.86 dated June 3, 2020, approval recommended by Interim Finance Director Alvarado.

- b. **Senior Advisory Committee Board Appointment/Reappointment** - Terms for George Borst and Salvatore Campo expire June 30, 2020. George wishes to remain on the Senior Advisory Committee whereas Salvatore does not. The Committee would also like to appoint Jenny L. Jolly as an official committee member due to a vacancy.

It is recommended by Community Services Director Aguirre that the City Council accept the Senior Advisory Committee's recommendation to reappoint George Borst and appoint Jenny L. Jolly to serve two-year terms (July 1, 2020 through June 30, 2022.)

- c. **Police In-Car and Body-Worn Camera System Replacement** - On March 12, 2020 the 2019/2020 budget was amended, and the City Council approved the funding for Digital In-Car Video and Body-Worn Camera Systems.

Staff subsequently solicited proposals for Digital In-Car Video and Body-Worn Camera Systems, and received three competitive proposals from vendors for the system. Staff has determined Axon Inc. to be the most qualified proposal for the Department's needs.

Staff recommends City Council approve the purchase of the Digital In-Car Video (DIV) and Body-Worn Camera System (BWC) for a total of 41 BWC and 13 DIV from Axon Inc. in the amount of \$388,999.78.

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

1. **Resolution No. 20-42** - A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING THE EXECUTION OF THE FOURTH 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 June 2020), thereby authorizing Pomona to execute a new contract with Stantec for the next fiscal year and authorizing the City Manager to sign periodic amendments to the agreement to reflect revised consultant tasks and corresponding costs as long as the costs do not exceed \$125,000. The extension would facilitate completion of various tasks and compliance activities, primarily water quality monitoring, a special study, update to our watershed management plan (WMP) and Safe Clean Water project development/submittal on behalf of our four city group through June 2021. The added cost to the City of La Verne for the six-month period is not to exceed \$120,126.67.*

Assistant City Manager/Public Works Director Keesey recommends that the City Council adopt Resolution 20-42, authorizing the City Manager to execute the attached Fourth 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.

2. **Resolution No. 20-43** - A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE "ENGINEERS REPORT" FOR ANNUAL LEVY OF ASSESSMENTS FOR FISCAL YEAR 2020-21 IN THE EXISTING LANDSCAPING & LIGHTING MAINTENANCE DISTRICT WITHIN SAID CITY, DECLARING ITS INTENTION TO PROVIDE FOR ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR SAME DISTRICT PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR PUBLIC HEARING THEREON (LLMD #6) - *Pursuant to the requirements of the Landscape and Lighting Act of 1972, part of Division 15 of the Streets and Highway Code of the State of California, an Engineer's Report for Landscape and Lighting Maintenance District No. 6, including special zones, those areas receiving specific benefit in addition to the special citywide benefit has been prepared for City Council approval. Said approval sets the levy of assessments for Fiscal Year 2020-21 and sets the public hearing for July 20, 2020. No change in the assessment levy is being proposed for the subject special benefit in Zones 2, 3, 4-1, 4-2 and 5. The formation of Zone 6 allowed for CPI increases which with the March 2020 CPI of 1.8% allows for a maximum assessment per parcel of \$277.98. A levy of \$277.98 is proposed in this zone.*

City Engineer Milano is recommending that the City Council adopt Resolution No. 20-43, preliminarily approving the Engineer's Report and setting the public hearing for the levying of assessment for Citywide District and the subject Zones for July 20, 2020.

3. **Resolution No. 20-44** - A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE "ENGINEERS REPORT" FOR ANNUAL LEVY OF ASSESSMENTS FOR FISCAL YEAR 2020-21 IN THE EXISTING LANDSCAPING & LIGHTING MAINTENANCE DISTRICT WITHIN SAID CITY, DECLARING ITS INTENTION TO PROVIDE FOR ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR SAME DISTRICT PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR PUBLIC HEARING THEREON (LLMD #7) - ***Pursuant to the provisions of Division 15, Part 2, of the Streets and Highway Code, an Engineer's Report for Landscape and Lighting Maintenance District No. 7 (La Verne Heights III) has been prepared for City Council preliminary approval. Said approval sets the levy of assessments for Fiscal Year 2020-21 and sets the public hearing for July 20, 2020. There is no proposed increase in the assessment but the levy is proposed to remain at the 2019/20 level of \$600 per parcel.***

City Engineer Milano is recommending that the City Council adopt Resolution 20-44, preliminarily approving the Engineer's Report and setting the public hearing for levying a full year's assessment for July 15, 2020.

4. **Resolution No. 20-45** - A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE "ENGINEERS REPORT" FOR ANNUAL LEVY OF ASSESSMENTS FOR FISCAL YEAR 2020-21 IN THE EXISTING LANDSCAPING & LIGHTING MAINTENANCE DISTRICT WITHIN SAID CITY, DECLARING ITS INTENTION TO PROVIDE FOR ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR SAME DISTRICT PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR PUBLIC HEARING THEREON (LLMD #8) - ***Pursuant to the provisions of Division 15, Part 2, of the Streets and Highways Code, an Engineer's Report for Landscape and Lighting Maintenance District No. 8 (Marshall Canyon Estates Specific Plan development) has been prepared for City Council preliminary approval. Said approval sets the levy of assessments for Fiscal Year 2020-21 and sets the public hearing for July 20, 2020. It is proposed to set the levy at the 1996-97 approved full year's assessment of \$249.70 per parcel.***

City Engineer Milano is recommending that City Council adopt Resolution No.20-45, approving the Engineer's Report, and setting the public hearing for July 20, 2020.

5. **Resolution No. 20-46** - A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2020-21 IN A SPECIAL MAINTENANCE DISTRICT, AND SETTING A TIME AND PLACE FOR PUBLIC HEARING THEREON (84-1M.) - ***Attached for City Council review is the Engineer's Report for Maintenance District No. 84-1M. The report contains a reference to the existing plans and specifications for the area to be maintained, the estimated cost to maintain for the Fiscal Year July 1, 2020 to June 30, 2021, and the assessment diagram. It is proposed that there will be no change in the levy from the previous twenty-seven years (\$8.00 per parcel). Staff is recommending that City Council approve the Engineer's Report on a preliminary basis and set the Public Hearing for July 20, 2020. (PLEASE NOTE: Mayor Pro Tem Carder will declare a conflict of interest and abstain from voting on this matter, because she owns property within the boundaries of Maintenance District 84-1M.)***

City Engineer Milano is recommending that City Council adopt Resolution No.20-46, approving the Engineer's Report, and setting the public hearing for July 20, 2020.

6. **Resolution No. 20-47** - 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 CORA CONSTRUCTORS, INC. FOR THE WHEELER RESERVOIR CHLORAMINATION TRIM STATION PROJECT - ***Staff is proposing construction of a new water quality chloramination station at the Wheeler Reservoir site to improve water quality management. The Wheeler Reservoir Chloramination Trim Station supports a previously prepared nitrification monitoring and control plan to mitigate nitrification issues throughout the City's water system. On May 18, 2020, the City Council authorized purchase of the treatment equipment for the project. Staff concurrently solicited bids for construction of the infrastructure to support the project. This project was advertised on May 1, 2020 and six bid proposals were received and publicly opened on May 28, 2020. This project is categorically exempt from the California Environmental Quality Act, Section 15301 – Existing Facilities and City of La Verne environmental guidelines.***

Assistant City Manager/Public Works Director Keesey recommends that the City Council approve the Resolution No. 20-47, awarding a public works construction contract to Cora Constructors, Inc., the lowest, most responsible bidder, in the amount of \$665,275.00.

7. **Resolution No. 20-50** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ADOPTING A BUDGET FOR THE 2020-21 FISCAL YEAR - *A proposed budget was submitted and discussed at a Budget Study Session held on June 15, 2019, at 4:30 pm. At that study session, the City Manager and each of the department heads presented their respective sections of the budget document for Council discussion and consideration. Adopting Resolution No. 20-50, will officially adopt the 2020-21 budget.*

City Manager Russi and Interim Finance Director Alvarado recommend that the City Council adopt Resolution No. 20-50, adopting the budget for the 2020-21 fiscal year.

8. **Resolution No. 20-51** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, and AUTHORIZING ANNUAL CITY AGREEMENTS FOR FISCAL YEAR 2020-21 - *Once a year, the City Council considers annual agreements for renewals or extensions. As such, attached are the services proposed for the coming fiscal year for City Council consideration. A summary of the agreements which includes purposes of the agreement, cost changes proposed (if any) is also included*

Staff recommends that the City Council should approve the annual City agreements by adopting Resolution No. 20-51, which authorizes the Mayor and Assistant City Clerk to execute the annual agreements as listed in the Resolution.

6. **PUBLIC HEARINGS**

- a. **Inland Valley Humane Society & S.P.C.A. (IVHS)** - The City's animal service provider, is requesting an extension of their contract under provisions of the existing contract. Their request is for a CPI adjustment of 2.96% as well as an increase in two fees. The effect of that change is an increase of \$7,200 for next fiscal year.

Staff Recommendation:

The City Council should approve the extension of IVHS' contract and authorize the increase of the two fees: unaltered dogs (\$100) and late registration (\$60).

- b. **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 User's Tax (UUT). The City's proposed 2020/21 budget fully utilizes the \$2,940,000 in UUT revenue estimated for the fiscal year indicating the UUT should be continued. Interim Finance Director Alvarado recommends approval.

Staff Recommendation:

The City Council should, based on expected City funding needs, maintain the City's UUT at the current voter approved rates.

7. **OTHER MATTERS**

a. **Adoption of "Vehicle Miles Traveled" (VMT) thresholds of significance for purposes of analyzing transportation impacts under the California Environmental Quality Act (CEQA)**

- Due to changes in the State law, the City is required to adopt new California Environmental Quality Act (CEQA) thresholds of significance for transportation impacts. For the purposes of CEQA, these changes will modify how the City evaluates projects for transportation impacts. Specifically, the City is required to use Vehicle Miles Travelled (VMT) instead of Level of Service (LOS) as the metric to evaluate transportation impacts in CEQA documents such as Environmental Impact Reports. Outside of the CEQA process, the City can choose to continue to evaluate projects using the LOS metric. Based on guidance provided through an implementation process led by the San Gabriel Valley Council of Governments, City staff has prepared new CEQA transportation impact thresholds for consideration by the City Council. This report summarizes the state mandate that requires modifying the CEQA thresholds, discusses the City staff recommendations, and includes a draft Resolution to adopt the new CEQA transportation thresholds.

Staff Recommendation:

The City Council should review the parameters presented for adopting Vehicle Miles Travelled (VMT) as the analytical tool in determining a project's transportation impact under CEQA; review the thresholds presented by staff to be used as part of a VMT analysis; and adopt Resolution Number 20-40.

Resolution No. 20-40 - RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE ADOPTING "VEHICLE MILES TRAVELED" THRESHOLDS OF SIGNIFICANCE FOR PURPOSES OF ANALYZING TRANSPORTATION IMPACTS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

b. **Consider Approval of the Draft Partnership Agreement with the La Verne Chamber of Commerce for 2020-2021**

- The La Verne Chamber of Commerce has submitted an updated Partnership Agreement for a 12-month term; July 1, 2020 through June 30, 2021. The Chamber of Commerce is requesting a total financial subsidy of \$40,000 over the 12-month term, in four equal quarterly payments of \$10,000. This subsidy represents a status quo amount, as compared with the prior agreements. The proposed Agreement also includes renewal of the Incentive-Subsidy Program for Business Recruitment up to \$3,000, and the previously approved line of credit. A Chamber representative will also provide the Council with an update on their events. The City Council Chamber Liaison Committee and Community Development Director Scherer recommend approval.

Staff Recommendation:

The City Council should approve Resolution No. 20-48, approving the La Verne Chamber of Commerce's Partnership Agreement, which includes programs and funding for a twelve-month term in the amount of \$40,000, an Incentive-Subsidy Program for Business Recruitment with a cost not to exceed \$3,000 subject to Agreement provisions, and continuance of the previously approved line of credit not to exceed \$10,000, from July 1, 2020 through June 30, 2021.

Resolution No. 20-48 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING A PARTNERSHIP AGREEMENT WITH THE LA VERNE CHAMBER OF COMMERCE (FISCAL YEAR 2020-2021).

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. There is a three-minute limit per speaker. Please email the Assistant City Clerk at cityclerk@cityoflaverne.org before 5 pm on the day of the meeting with your 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 for the following:

Conference with Legal Counsel – Existing Litigation pursuant to Government Code Section 54956.9(a)

Wilkinson vs. City of La Verne, Los Angeles Superior Court Case No. 18STCV08090.

11. **ADJOURNMENT**

It is expected that the next regular meeting of the La Verne City Council scheduled for Monday, July 6, 2020, will be CANCELED Due to lack of business.

**THE NEXT REGULAR MEETING of the La Verne City Council
is scheduled for Monday, July 20, at 6:30 pm**

**The La Verne City Council thanks the residents
for taking all precautions to prevent the spread of the COVID 19 virus.**

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
_____ Mark Alvarado, Interim Finance Director
_____ Nick Paz, Police Chief
_____ Devin Leonard, Interim Fire Chief
_____ Dominic Milano, City Engineer
_____ Bill Elftman, Information Services Manager

Posting Statement: On June 9, 2020, 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.