

# 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



[www.cityoflaverne.org](http://www.cityoflaverne.org)  
(909) 596-8726 - Phone  
(909) 596-8740 - Fax  
City Hall Council Chamber  
3660 D Street  
La Verne, CA 91750

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**Monday, October 05, 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 encourages public participation and as such want to make residents aware of the following opportunities on how to participate:

1. 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.
2. 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.

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).
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 September 21, 2020, to be received and filed.

b. **Register of Audited Demands** in the amount of \$1,359,092.19 dated September 16, 2020; in the amount of \$517,498.46 dated September 24, 2020.

***Interim Finance Director Alvarado recommends approval.***

c. **Declaration of Surplus Property** - Certain vehicles and equipment have been depreciated through the equipment fund and scheduled for replacement. Each unit is no longer useful or is ineffective for current operational requirements. Each will become surplus to the City's operational needs and should be disposed per Administrative Regulation No. 606 upon replacement. 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.

***Interim Public Works Director Keesey 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.***

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

1. **Resolution No. 20-76 - Contract Amendment with De Novo Planning Group for the preparation of the 2021-2029 Housing Element Update, Zoning Code Update, and Associated Environmental Documents** - Staff is proposing the City amend an existing professional services agreement with De Novo Planning Group for the preparation of the City's General Plan Update to incorporate an expanded scope of work. The modified scope of work will consist of additional tasks and analyses related to the preparation of the 2021-2029 Housing Element Update, Zoning Code Update, and associated environmental documents. This additional work will be paid for by a Local Early Action Planning (LEAP) Grant, which was awarded to the City to support planning efforts related to housing production and compliance with the sixth cycle of the Regional Housing Need Assessment (RHNA).

***Community Development Director Scherer recommends that the City Council adopt Resolution No. 20-76 authorizing the Mayor to execute an amendment to the professional services agreement with De Novo Planning Group in the amount of \$139,510, to be paid for by the LEAP Grant award, for the preparation of the 2021-2029 Housing Element Update, Zoning Code Update, and associated environmental documents (Attachment A).***

**Resolution No. 20-76** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH DE NOVO PLANNING GROUP FOR THE UPDATE TO THE CITY'S GENERAL PLAN TO INCORPORATE THE HOUSING ELEMENT UPDATE, ZONING CODE UPDATE, AND ASSOCIATED ENVIRONMENTAL DOCUMENTS.

2. **Resolution No. 20- 77 - Approving Participation in the Los Angeles Urban County Permanent Local Housing Allocation Program** - The Los Angeles Urban County Permanent Local Housing Allocation (PLHA) Program provides funding to participating cities for the implementation of certain eligible housing activities. The City of La Verne has been allocated \$91,588 in PLHA funds. The City intends to allocate its PLHA funds to the San Gabriel Valley Regional Housing Trust (SGVRHT), which is one of several eligible housing activities the funds can be utilized for. The City is required to provide formal notice describing the eligible activity to be implemented with PLHA funds along with a resolution indicating City Council approval. Staff has prepared a resolution for this purpose.

***Community Development Director Scherer recommends that the City Council adopt Resolution No. 20-77 approving the City's participation in the Los Angeles Urban County PLHA Program with the intent to allocate the City's PLHA funds to the SGVRHT, and authorizing the Mayor to sign a contract for funding for this program from the County of Los Angeles.***

**Resolution No. 20-77** - 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 BY AUTHORIZING THE MAYOR, OR HIS/HER DESIGNEE, TO SIGN A CONTRACT FOR FUNDING FOR THIS PROGRAM FROM THE COUNTY OF LOS ANGELES.

3. **Resolution No. 20-78 - Support for Stormwater Project at Las Flores Park** - Staff is seeking the formal support of Council through signatures on a letter to the Safe Clean Water Program, Upper San Gabriel Valley Watershed Area Steering Committee. The letter expresses support for a stormwater compliance and water resources project at Las Flores Park to accompany the application for competitive funding.

***Staff recommends that the Council approve Resolution No. 20-78, supporting the Las Flores Park Stormwater Project Application to the Safe Clean Water Regional Program and that Council sign the attached letter in support of the Las Flores Park project for Safe, Clean Water funding.***

**Resolution No. 20-78** - A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, PROVIDING SUPPORT FOR THE LAS FLORES PARK STORMWATER PROJECT APPLICATION TO THE SAFE CLEAN WATER REGIONAL PROGRAM.

6. **PUBLIC HEARINGS**

**2109 White Avenue - Non-Historic Determination** - The Community Development Department has received a request from applicants Matt Waken, MW Investment Group, LLC, and Jim Moran with WF Construction, and the seller, requesting that the City Council determine that the home located at 2109 White Avenue does not individually represent a significant historic building, worthy of historic preservation and that it can be approved to be salvaged and then demolished in conjunction with a future development proposal. ***NOTE: Council Member Davis will declare a conflict of interest and abstain from voting on this matter because he owns property within the vicinity of the subject property.***

**STAFF RECOMMENDATION:**

The City Council should determine that the home located at 2109 White Avenue does not individually represent a significant historic building, worthy of historic preservation and that it can be approved to be salvaged and then demolished in conjunction with a future development proposal.

7. **OTHER MATTERS**

- a. **Repeal and Replace Chapter 13.28 - Refuse Collection, of the La Verne Municipal Code - Since the last update in 1996 of Chapter 13.28** - Refuse Collection (Chapter 13.28) of the La Verne Municipal Code has had significant changes in State law pertaining to the collection, removal and disposal of refuse. Each year, the City is required to demonstrate compliance efforts in the Electronic Annual Report (EAR) submitted to CalRecycle, the State's regulatory agency that oversees California's State-managed waste handling and recycling programs.

**STAFF RECOMMENDATION:**

The City Council should waive further reading and introduce, and place on first reading, Ordinance No. 1096, repealing and replacing, Chapter 13.28, Refuse Collection of the La Verne Municipal Code, as follows:

**Ordinance No. 1096** - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, STATE OF CALIFORNIA, COUNTY OF LOS ANGELES, TO REPEAL AND REPLACE CHAPTER 13.28 - REFUSE COLLECTION, OF TITLE 13 OF THE LA VERNE MUNICIPAL CODE.

- b. **2019-20 COVID-19 Financial Update** - The 2020-21 budget was approved by the City Council on June 30, 2020. Budget assumptions were incorporated into the budget based on the 2019-20 fourth quarter economic ramifications of COVID-19 known at that time. As part of the budget adoption, City staff planned to come back to the City Council with updates at approximately three-month intervals.

**STAFF RECOMMENDATION:**

The City Council should receive and file this staff report. No fiscal year 2020-21 budget adjustments are being proposed at this time.

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 for the following purposes;**

**Conference with legal counsel - Anticipated Litigation**

The City Council will meet with its legal counsel to determine whether or not to initiate litigation pursuant to Government Code Section 54956.9 (d) (4). One potential case.

**Conference with labor negotiators ( Government Code Section 54957.6).**

City Negotiators:	City Manager and the Assistant to the City Manager
Unrepresented Employees:	All positions listed in Resolutions 17-63 and 17-64 (Department Heads, Middle Management Employees, Professional and Confidential Employees)

11. **ADJOURNMENT**

**THE NEXT REGULAR MEETING of the La Verne City Council  
is on Monday, October 19, 2020, at 6:30 p.m.**

**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, Interim Director of Public Works
- \_\_\_ JR Ranells, Assistant to the City Manager
- \_\_\_ 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
- \_\_\_ David Segura, Interim Fire Chief
- \_\_\_ Dominic Milano, City Engineer
- \_\_\_ Bill Elftman, Information Services Manager

Posting Statement: On September 29, 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 <a href="http://cityoflaverne.org">cityoflaverne.org</a> .
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