

CITY OF LA VERNE

CITY COUNCIL AGENDA

Don Kendrick, Mayor

Charles Rosales, Mayor Pro Tem

Donna Redman, Council Member

Robin Carder, Council Member

Ron Ingels, Council Member



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City Hall Council Chamber

3660 D Street

La Verne, CA 91750

Monday, December 16, 2013 - 6:30 p.m.

City Hall

Council Chamber

3660 D Street, La Verne, CA 91750

The City of La Verne appreciates your attendance. Citizens' interest provides the Council with valuable information regarding issues of the community. 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.

All items submitted for future agendas must be in writing to the City Clerk no later than 5 p.m. on the Monday prior to the 1st and 3rd Monday of each month. 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 Ingels, Council Member Redman, Mayor Pro Tem Rosales, and Mayor Kendrick

4. **ANNOUNCEMENTS AND PRESENTATIONS** – No presentations scheduled.

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 the regular meeting of December 2, 2013, to be received and filed as submitted.

 - b. **November 2013 Treasurer’s Report**, approval recommended by staff.

 - c. **Registers of Audited Demands** in the amount of \$1,030,421.08 for November 26, 2013, and \$118,915.94 for December 2, 2013, approval recommended.

 - d. **Appointment to Old Town La Verne Business Improvement District Advisory Board** - The City Council is requested to consider the appointment of a new member to the Old Town La Verne Business Improvement District (OTLVBID) Advisory Board. The Advisory Board and staff are recommending City Council approval of Matthew Ryczek to fill the alternate seat. The prior alternate Board member, Jim Moore, resigned upon closure of his business. ***The Old Town La Verne Business Improvement District (OTLVBID) Advisory Board and staff recommend the City Council appoint Matthew Ryczek as an alternate member to the Board for a four-year term.***

 - e. **Encroachment Agreement for Bonita Unified School District within the City of La Verne Right-of-Way at Las Flores Park** - The City Council is asked to approve an Encroachment Agreement to permit Bonita Unified School District to erect a fence in the City’s Right-of-Way between Las Flores Park and Roynon Elementary School. This is being done at the request of the school district to secure the eastern boundary of the school. ***Staff recommends that the City Council approve an encroachment agreement permitting the erection of a fence in the City’s Right-of-Way between Las Flores Park and Roynon Elementary School.***

 - f. **Resolution(s)** passage & adoption, recommended as follows:
 1. **Resolution No. 13-94** 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 BETWEEN THE CITY OF LA VERNE AND THE LA VERNE POLICE OFFICERS' ASSOCIATION. ***Staff recommends that the City Council approve Resolution No. 13-94 authorizing the adoption of the MOU between the City of La Verne and the LVPOA effective January 1, 2014.***

2. **Resolution No. 13-95** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, FOR EMPLOYER PAID MEMBER CONTRIBUTIONS (EPMC). *Staff recommends that the City Council approve Resolution No. 13-95 specifying the Employer Paid Member Contributions arrangement and direct staff to transmit the same to CalPERS.*

3. **Resolution No. 13-96** 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 TSR CONSTRUCTION AND INSPECTION FOR THE 2013-2014 CDBG SIDEWALK PROJECT. *Staff recommends that the City Council approve Resolution No. 13-96 awarding a public works contract to TSR Construction and Inspection, the lowest bidder in the amount of \$58,810.00 for the 2013-2014 CDBG Sidewalk Project (the engineer's estimate for the project was \$75,000) and authorize staff to increase the project scope to include additional sidewalk repair to the approved CDBG budget of \$88,000.00.*

g. **Ordinance(s) Second Reading, passage & adoption recommended, as follows:**

1. **Ordinance No. 1040** – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING CASE NO. 139-13ZA AMENDING TITLE 18 OF THE LA VERNE MUNICIPAL CODE RELATING TO DENSITY BONUS, REASONABLE ACCOMMODATION, AND TRANSITIONAL AND SUPPORTIVE HOUSING.

2. **Ordinance No. 1041** – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING CASE NO. 140-13SPA AMENDING THE ARROW CORRIDOR SPECIFIC PLAN (SP 84-12) TO ALLOW EMERGENCY SHELTERS AS A PERMITTED USE, AND ESTABLISHING DEVELOPMENT STANDARDS FOR EMERGENCY SHELTERS IN THE INDUSTRIAL DISTRICT OF THE ARROW CORRIDOR SPECIFIC PLAN.

6. **PUBLIC HEARINGS** – No public hearings scheduled.

7. OTHER MATTERS

- a. **Adoption of the Los Angeles County Building Code, the California Green Buildings Standards Code, and the California Fire Code by Reference** – The adoption of the Los Angeles County Building Code, the 2013 California Green Buildings Standards Code, and the California Fire Code are necessary under the California Health and Safety Code. These codes are established to provide the City of La Verne with the minimum construction and property maintenance standards that promote the health and welfare of the general public to make buildings more efficient in the use of materials and energy, and to reduce environmental impact during and after construction. Since the County recently amended these codes, it is necessary for the City to adopt these changes. Due to the State's deadline of January 1, 2014, these standards must be adopted by urgency ordinance.

STAFF RECOMMENDATION:

It is recommended that the City Council adopt Ordinance No. 1042 as an urgency ordinance amending Title 26 – Building Code of the Los Angeles County Code, Title 27 – Electrical Code of the Los Angeles County Code, Title 28 – Plumbing Code of the Los Angeles County Code, Title 29 – Mechanical Code of the Los Angeles County Code Title 30 – Residential Code of the Los Angeles County Code, Title 24 Part 11 – California Green Building Code, Title 24 Part 9 – California Fire Code, and the City of La Verne amendments to portions of these codes also known as the 2013 California Building Standards Code, by reference, with certain changes and modifications, and making revisions thereto.

Ordinance No. 1042 – AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE ADOPTING BY REFERENCE, PURSUANT TO GOVERNMENT CODE SECTION 50022.2, THE CALIFORNIA BUILDING CODE (TITLE 26 BUILDING CODE OF THE LOS ANGELES COUNTY CODE), THE CALIFORNIA ELECTRICAL CODE (TITLE 27 ELECTRICAL CODE OF THE LOS ANGELES COUNTY CODE), THE CALIFORNIA PLUMBING CODE (TITLE 28 PLUMBING CODE OF THE LOS ANGELES COUNTY CODE), THE CALIFORNIA MECHANICAL CODE (TITLE 29 MECHANICAL CODE OF THE LOS ANGELES COUNTY CODE), THE CALIFORNIA RESIDENTIAL CODE (TITLE 30 RESIDENTIAL CODE OF THE LOS ANGELES COUNTY CODE), THE CALIFORNIA GREEN BUILDING CODE (TITLE 24 PART 11 OF THE CALIFORNIA BUILDING STANDARDS CODE), THE CALIFORNIA FIRE CODE (TITLE 24, PART 9) AND ADOPTING LOCAL AMENDMENTS THERETO.

- b. **Clothing Donation Bin Update** - Staff is seeking City Council direction regarding clothing donation bins and whether to allow, prohibit, or regulate the placement of these typically non-profit, unmanned donation bins within the City. There are presently a growing number of these bins in the City, primarily within shopping center parking lots. The Planning Commission studied the matter in October 2013 and a majority of the Commission expressed a desire to prohibit the bins. The City Council is requested to provide staff with direction as to their preferred approach to the matter.

STAFF RECOMMENDATION:

Staff recommends the City Council review the Planning Commission's determination and provide direction to staff regarding clothing donation bins and whether to allow, or to prohibit or regulate by ordinance. Dependent upon Council consensus, the matter may require preparation of an ordinance for eventual public hearing before the Planning Commission and City Council.

- c. **Military Banner Program** – With the planned return of troops from Iraq and Afghanistan scheduled for 2014 and the completion of the Veterans Memorial, staff believes that now would be an appropriate time to revamp the Military Banner Program. Under the revised format, the City will continue to honor active military personnel at City Council Meetings with a personal banner.

STAFF RECOMMENDATION:

Staff recommends that the City Council approve the modified Military Recognition Program.

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 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. CLOSED SESSION - The City Council will meet in a closed session for the following purpose:

Conference with Labor Negotiator (Government Code Section 54957.6)

City Negotiator: City Manager, Senior Management Analyst

Employee Organizations: La Verne City Employees' Association

11. ADJOURNMENT – This meeting of the La Verne City Council is ADJOURNED to Monday, January 6, 2014, at 5:00 p.m. for a Council Study Session. THE NEXT REGULAR MEETING of the La Verne City Council is scheduled for Monday, January 6, 2014, at 6:30 p.m.

*Wishing Everyone a Joyous Holiday Season
and a
Happy and Prosperous New Year!*

ADVISORY STAFF

____ Robert Russi, City Manager
____ Robert Kress, City Attorney
____ Jeannette Vagnozzi, Assistant to the City Manager/City Treasurer/City Clerk
____ Dan Keeseey, Public Works Director
____ Hal Fredericksen, Community Development Director
____ Ron Clark, Finance Officer
____ Bill Aguirre, Community Services Director
____ Scott Pickwith, Police Chief
____ Pete Jankowski, Fire Chief
____ Dominic Milano, City Engineer
____ Bill Elftman, Information Services Manager