

CITY OF LA VERNE

CITY COUNCIL AGENDA

Don Kendrick, Mayor

Tim Hepburn, Mayor Pro Tem

Robin Carder, Council Member

Charlie Rosales, Council Member

Muir Davis, Council Member



www.cityoflaverne.org

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City Hall Council Chamber

3660 D Street

La Verne, CA 91750

Monday, December 4, 2017, at 6:30 pm
City Hall
Council Chambers
3660 D Street, La Verne, CA 91750

6:30 p.m. Annual Christmas Tree Lighting Ceremony

Featuring Bonita High School Chamber Singers and a visit from Santa Claus



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.

All items submitted for future agendas must be in writing to the Deputy City Clerk no later than 5 p.m. on the Monday prior to the first and third 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 Rosales, Council Member Davis, Mayor Pro Tem Hepburn and Mayor Kendrick

4. **ANNOUNCEMENTS AND PRESENTATIONS**

Presentation of Community Emergency Response Team (CERT) Certificates- In August 2016, the City of La Verne Fire Department initiated the La Verne Community Emergency Response Team (CERT) Program. The first training classes began in early 2017, and there are 83 La Verne residents that have completed the CERT Basic Training Certification. The fourth eight-week CERT course recently completed training and the participants will be receiving their certificates tonight. These trained volunteers play a significant role in our community's emergency response to disasters. In addition to being ready to assist the City during times of crisis, team members also provide support at City events. Recent CERT activities have included bike race traffic control, community smoke alarm canvas events, and a multi-city CERT program-training event. In addition, present tonight are the La Verne CERT Community Coordinators, Jen and Jim Kesterson, and Jim Murphy. These three dedicated individuals coordinate all activities of the La Verne the CERT program. On November 1, 2017, 26 new team members completed and graduated from basic training course for the CERT Program. The following individuals will be presented their certificate of completion and ID cards.

Adam Pondo	Dan Mellem	Megan Reeves	William Oppenlander
Albert Cuen	David Smith	Renee Brandt	Cindy Stahl
Annie Mammen	Denis Rivera	Richard Perré	Deborah Onwughalu
Bernice Crocchi	James Arias	Shari Criddle	Patty Hess
Carol Mixon	Jesus Cortez	Wayne Rothrock	Robert Shears
Christine Duran	Karen Tandy	William Butscher	Vicky Anderson
Collette Soto	Mary Leamy		

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 October 16, 2017 to be received and filed.
- b. **Register of Audited Demands** in the amount of \$371,752.70, dated November 15, 2017; and in the amount of \$985,703.76, dated November 21, 2017, ***approval recommended.***
- c. **Cedar Springs Apartments, Tract Map No. 71926; Bond Reduction** - A Community of Friends, the developer of the Cedar Springs Apartments (Tract No. 71926), an apartment complex associated with David and Margaret Homes has requested an exoneration of performance sureties. Staff has inspected and approved the construction secured by the sureties in the fall of 2016.

Staff recommends that the City Council authorize the reduction to 10% of the (bonds) for Cedar Springs, LP apartments (Tract No. 71926) Bond and Labor and Materials Bond, the full reduction of the Monument Bond and authorizes staff to release the 10% one year from this date.

- d. **Replacement Ambulance Purchase**- As part of the delivery of EMS services to the community, the Fire Department operates a fleet of three ambulances, the oldest of which dates from 2001 and is due for replacement. The department programs funds for EMS vehicle replacement and as such the purchase of this ambulance will not affect the department's operational budget or the City's general fund. Staff is seeking Council authorization to allow the City Manager to finalize terms and enter into a purchase agreement with Braun Northwest to tag on to the competitive bid price of El Segundo, California for a 2018 Ford/Braun ambulance.

Staff Recommends that the City Council authorize the City Manager to finalize terms and enter into a purchase agreement with Braun Northwest for the purchase of one (1) 2018 Ford/Braun replacement ambulance in the amount of \$240,000.00 including all taxes and fees.

- e. **Filming Agreement for Tiny Giant Productions December 5** - The City Attorney has prepared the following agreement allowing Tiny Giant Productions to conduct filming at Brackett Field, 1615 McKinley Avenue. They are requesting filming and ancillary activities be permitted between the hours of 7:00 a.m. and 4:00 p.m. on Tuesday, December 5, 2017, only.

Staff recommends that the City Council authorize the City Manager to execute an agreement with Tiny Giant Productions permitting the one -day filming.

- f. **Approval of CicLAvia Open Streets Event - Memorandum of Understanding** - Authorization to execute a Memorandum of Understanding between the Cities of Claremont, Pomona, San Dimas, and the San Gabriel Valley Council of Governments to host the CicLAvia Open Streets event to be held on April 22, 2018. The event will travel along Bonita Avenue from San Dimas, to Fulton Avenue to Pomona between the hours of 7am to 5pm.

Staff recommends that the City Council approve the Memorandum of Understanding and authorize the City Manager to execute the proposed Memorandum of Understanding with the Cities of Claremont, Pomona, San Dimas, and the San Gabriel Valley of Council of Governments for event planning, public safety, traffic control, and other support services.

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

1. **Resolution No. 17-77** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH RUN RACING FOR 2017 HOLIDAY HALF MARATHON - *Motiv Sports (Run Racing) has submitted a request to use portions of Puddingstone Drive for the purpose of a half marathon race on Sunday, December 10, 2017. The request specifically involves the closure of the eastbound lanes of Puddingstone Drive between Van Dusen Road and Fairplex Drive between the hours of 6:00 a.m. to 12:00 p.m. the day of the event. The race is expected to draw up to 5,500 participants. Recent policy has been to prepare individualized agreements for such large 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 that the City Council Adopt Resolution No. 17-77 authorizing the City Manager to execute the Agreement with Run Racing permitting the half marathon on specified streets.

2. **Resolution No. 17-78** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA APPROVING AMENDMENTS TO THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENT JOINT POWERS AGREEMENT AS ADOPTED BY THE COUNCIL'S GOVERNING BOARD - *The City of La Verne last amended the San Gabriel Valley Council of Governments' (SGVCOG) Joint Powers Agreement in 2008, which essentially renewed the Alameda Corridor East Construction Authority (ACE). Recently, a fourth amendment to the Joint Powers Agreement was approved by the SGVCOG Governing Board. The purpose of this amendment is to revise the structure and extend the role of Council's Governing Board. The amendment would fully integrate ACE into the SGVCOG. The amended agreement would continue the SGVCOG as a unified voice representing the cities in the San Gabriel Valley on county, regional, and statewide levels.*

Staff recommends that the City Council approve Resolution No. 17-78, approving the fourth amendment to the SGVCOG Joint Powers Agreement.

3. **Resolution No. 17-79** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ADOPTING A SALARY CHART FOR ALL FULL-TIME EMPLOYEES AND REPEALING RESOLUTION NO. 17-02 - *The resolution and salary tables provide a consolidated full-time salary table as required by the California Public Employees Retirement System.*

4. **Resolution 17-80** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ADOPTING A SALARY CHART FOR ALL PART-TIME EMPLOYEES AND REPEALING RESOLUTION NO. 17-03 - *The resolution and salary table reflect adjustments in salaries resulting from increases in the California Minimum Wage.*

Staff recommends that the City Council adopt Resolutions No. 17-79 and No. 17-80, amending the part-time and full-time salary tables.

6. **PUBLIC HEARINGS**

Ordinance No. 1080 to Consider Moving the City's General Elections to the first Tuesday after the first Monday in March of even-numbered years beginning in March, 2020 - Senate Bill (SB) 415, also known as the California Voter Participation Rights Act, amended the State Elections Code pertaining to municipal election dates. The bill requires cities that currently hold standalone municipal elections to change their election dates to coincide with statewide election dates, unless voter turnout rates for past standalone elections meet a certain threshold. La Verne's past voter turnout rates are lower than the threshold established by SB 415, so the City must move its election date to coincide with a statewide election date

STAFF RECOMMENDATION:

The City Council should, following conduct of the public hearing, introduce for first reading Ordinance No. 1080, by title only, as follows:

Ordinance No. 1080 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, MOVING THE CITY'S GENERAL ELECTIONS TO THE FIRST TUESDAY AFTER THE FIRST MONDAY IN MARCH OF EVEN-NUMBERED YEARS BEGINNING IN MARCH 2020.

7. **OTHER MATTERS**

Urgency Ordinance 1079 and Ordinance 1081, Reauthorizing the Public, Educational, and Governmental Access Support Fee - In 2006, the State Legislature passed the Digital Infrastructure and Video Competition Act, which created a process for cable video providers to apply for a State franchise permit in lieu of entering local franchise agreements to provide video services. State law allows the City to collect a PEG fee from video subscribers to help fund the City's access channel. The City needs to adopt a new ordinance to allow for that continued authorization

STAFF RECOMMENDATION:

The City Council should

1. Waive reading in full and adopt Ordinance No. 1079, reauthorizing the public, educational, or government access channel fee, as follows:

Urgency Ordinance No. 1079 - AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, REAUTHORIZING THE PUBLIC, EDUCATIONAL, OR GOVERNMENTAL ACCESS CHANNEL FEE

Based upon finding the Urgency Ordinance is necessary for the immediate preservation of the public peace, health, or safety, as those terms are defined in Government Code Section 36937 (b), in at least the following respects: The City only recently received notice of the expiration of the state-issued franchise held by Charter Communications, one of the City's cable providers, and hence the need for reauthorization of Ordinance Number 1005, such that it is essential that the City adopt the above stated re-authorization Ordinance before January 2, 2018.

2. Introduce and place on first reading Ordinance No. 1081, reauthorizing the public, educational, or government access channel fee, as follows:

Ordinance No. 1081 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, REAUTHORIZING THE PUBLIC, EDUCATIONAL, OR GOVERNMENTAL ACCESS CHANNEL FEE

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. **CLOSED SESSION -**

The City Council will meet in closed session for the following purpose (no announcement will be made):

Conference with Labor Negotiator (Government Code Section 54957.6)

Agency Negotiator: City Manager, City Attorney, and Personnel Officer

Organization(s) La Verne Police Officers' Association

Conference with Legal Counsel – Anticipated Litigation: Government Code Section 54956.9(d)(4).

One case.

11. **ADJOURNMENT in memory of La Verne resident Jordyn Rivera**, age 21 who died on October 1, 2017. Jordyn was one of the 58 people killed in the Las Vegas active shooting on October 1, 2017. Jordyn grew up in La Verne and she graduated from Bonita High School in 2014. Jordyn was in her fourth year as a Health Care Management major at California State University, San Bernardino. She was a member of CSUSB's Chapter of Eta Sigma Gamma, the National Health Education Honor Society. She is described by her family and friends as being a kind, optimistic and energetic person. She is survived by her parents Albert and Mary Rivera.

THE NEXT REGULAR MEETING of the La Verne City Council
*is scheduled for **Monday, December 18, 2017, at 6:30 p.m.***

ADVISORY STAFF

- ___ Robert Russi, City Manager
- ___ Robert Kress, City Attorney
- ___ Lupe Gaeta Estrella, Assistant City Clerk
- ___ Dan Keesey, Director of Public Works
- ___ Eric Scherer, Acting Director of Community Development
- ___ Bill Aguirre, Director of Community Services
- ___ Nick Paz, Police Chief
- ___ Pete Jankowski, Fire Chief
- ___ Dominic Milano, City Engineer
- ___ Bill Elftman, Information Services Manager