

CITY OF LA VERNE

CITY COUNCIL AGENDA

Don Kendrick, Mayor
Muir Davis, Mayor Pro Tem
Robin Carder, Council Member
Charlie Rosales, Council Member
Tim Hepburn, Council Member



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

Monday, July 16, 2018 - 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.

All items submitted for future agendas must be in writing to the Assistant 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 Hepburn, Mayor Pro Tem Davis and Mayor Kendrick

4. **ANNOUNCEMENTS AND PRESENTATIONS**

- a. **Recognition of Eric McHugh for attaining the rank of Eagle Scout** - Eric proved his commitment, competence and persistence by meeting the challenges of the Eagle Scout rank and the qualities developed in becoming an Eagle Scout. As a citizen of La Verne, he truly personifies the "Pride of La Verne".

- b. **Presentation on the New San Dimas/La Verne Kiwanis Club** - Anna Wu, Kiwanis Club will report on the new Kiwanis Club and on their new support services. They will be now be supporting the key clubs at Bonita High School and San Dimas High School to help mentor, inspire, and encourage more youth to make a positive impact on their community. The Kiwanis Club was founded in 1951, dedicated to serving the children of the world.

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 June 4, 2018 and June 18, 2018, to be ***received and filed***.

- b. **Register of Audited Demands** in the amount of \$698,975.03, dated April 24, 2018, in the amount of 682,816.55, dated June 19, 2018, in the amount of \$746,759.87, dated June 26, 2018; in the amount of \$748,256.91, dated July 3, 2018, and in the amount of \$253,421.25, dated July 10, 2018; ***approval recommended by staff***.

- c. **Treasurer's Report** for the month of June 2018, ***to be received and filed***.

- d. **Youth and Family Action Committee Minutes** of April 24, 2018, to be ***received and filed***.

- e. **Reallocation of Personnel** - During fiscal year 2017-2018, the Police Department saw a higher than normal number of personnel out on extended leave, which created a greater amount of overtime. Presently, five officers are on extended leave requiring the use of overtime to maintain minimum staffing levels. In order to alleviate that burden, the Police Chief, Captain and City Manager are requesting authority to hire one additional officer.

Staff recommends that the City Council approve the decision to reallocate the distribution of current personnel and add a patrol officer position.

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

1. **Resolution No. 18-38** - A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DETERMINING SPECIAL TAX FOR THE 2018-19 FISCAL YEAR (COMMUNITY FACILITIES DISTRICT NO. 90-1 - LA VERNE INDUSTRIAL SPECIFIC PLAN) - *In January 1991, the City Council approved Ordinance No. 817 authorizing the levy of a special tax for the Community Facilities District No. 90-1. The special taxes are to be levied each year on those properties contained in the District (La Verne Industrial Specific Plan) for the operation and maintenance of the public infrastructure. Refer to Exhibit "A" of the original Engineer's Report and Exhibit "A" of the attached Resolution for those properties which are to receive a levy. The formation of the district allowed for an annual increase not to exceed 5%. These taxes will fund public safety services, sewer pump maintenance, street maintenance, and related administrative costs for services provided to the District. The total square footage assessed this Fiscal Year is 2,234,289.*

Staff is recommending that the City Council adopt Resolution No. 18-39, levying a special tax for the 2018-19 Fiscal Year per the schedule shown in Exhibit "A" of Resolution No. 18-38, which increases the rate by 3.6 percent to address the cost of living increases based on the annual consumer price index ending March 2018.

2. **Resolution No. 18-39** - A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DETERMINING SPECIAL TAX FOR THE 2018-19 FISCAL YEAR (COMMUNITY FACILITIES DISTRICT NO. 11-1 - LA VERNE INDUSTRIAL SPECIFIC PLAN) - *On May 16, 2011, the City Council approved Ordinance No. 1023 authorizing the levy of a special tax for the Community Facilities District No. 11-1. The special taxes are to be levied each year on those properties contained in the District for the financing of the fire suppression and prevention services necessary to serve the buildings determined to be taxable. The "Map of Proposed Boundaries of City of La Verne Community Facilities District No. 11-01" of the original rate and method of apportionment report shows these properties within the District. The rate of assessment for this Fiscal Year has been increased by 3.6% over the previous year assessments to match the increase to the Consumer Price Index. A copy of this exhibit is attached for reference. The total square footage of permitted and/or developed property assessed this Fiscal Year is 280,434.*

Staff is recommending that the City Council adopt the Resolution No. 18-39, levying a special tax for the 2018-19 Fiscal Year per the schedule shown in Exhibit "A" of the Resolution.

6. PUBLIC HEARINGS

- a. **Citywide Landscaping and Lighting District No. 6, and Zones 2, 3, 4 I, 4 II, 5, and 6; Public Hearing and Resolution Providing for the Annual Levy** - On June 4, 2018, the City Council set July 16, 2018 at 6:30 p.m. as the date and time for the public hearing for the subject assessment district and its zones. Attached is the Engineer's Report and the cover report from the June 4, 2018 meeting. No change in the assessment levy is being proposed for the subject benefit in zones, except for Zone 6 which is proposed to increase by the CPI of 3.6% to \$264.85 per parcel.

Staff Recommendation:

The City Council should adopt Resolution No. 18-40, providing for the annual levy and collection of *assessment for the special zones in District No. 6 for Fiscal Year 2018-2019.*

Resolution No. 18-40 - A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, OVERRULING PROTESTS AND PROVIDING FOR THE ANNUAL LEVY AND COLLECTING OF ASSESSMENTS FOR CERTAIN LANDSCAPING MAINTENANCE IN AN EXISTING DISTRICT, ESTABLISHED PURSUANT TO VOTER APPROVAL. (LLMD #6).

- b. **Citywide Landscaping and Lighting District No.7; Public Hearing and Resolution Providing for the Annual Levy** - On June 4, 2018, the City Council set July 16, 2018 at 6:30 p.m. as the date and time for the public hearing for the subject assessment district. Attached is the Engineer's Report and the cover report from the June 4, 2018 meeting. There is no proposed increase in the assessment, but the levy is proposed to decrease by \$43.26 to \$650.00 from the maximum assessment of \$693.26 per parcel.

Staff Recommendation:

The City Council should adopt Resolution No. 18-41, providing for the annual levy for Fiscal Year 2018-2019.

Resolution No. 18-41 - A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, OVERRULING PROTESTS AND PROVIDING FOR THE ANNUAL LEVY AND COLLECTING OF ASSESSMENTS FOR CERTAIN LANDSCAPING MAINTENANCE IN AN EXISTING DISTRICT, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA (LLMD #7).

- c. **Citywide Landscaping and Lighting District No. 8; Public Hearing and Resolution Providing for the Annual Levy** - On June 4, 2018, the City Council set July 16, 2018 at 6:30 p.m. as the date and time for the public hearing for the subject assessment district. Included in the Agenda packet is the Engineer's Report and the cover report from the June 4, 2018 meeting. There is no proposed increase in the assessment from last year's levy.

Staff Recommendation:

The City Council should adopt Resolution No. 18-42, providing for the annual levy for Fiscal Year 2018-2019.

Resolution No. 18-42 - A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, OVERRULING PROTESTS AND PROVIDING FOR THE ANNUAL LEVY AND COLLECTING OF ASSESSMENTS FOR CERTAIN LANDSCAPING MAINTENANCE IN AN EXISTING DISTRICT, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2, OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA (LLMD #8).

- d. **Maintenance District 84-1M (Esperanza Slopes); Public Hearing and Resolution providing for Annual Levy** - On June 4, 2018, the City Council set July 16, 2018 at 6:30 p.m. as the date and time for the public hearing for the subject assessment district. Included in the Agenda Packet is the Engineer's Report and the cover report from the June 4, 2018 meeting. The 2018-2019 assessment is proposed to remain at the same level since 1992. ***NOTE: Council Member Carder will declare a conflict of interest because she owns property within the boundaries of Maintenance District 84-1M and will not act or participate in this matter.***

Staff Recommendation:

The City Council should adopt Resolution No. 18-43, providing for the annual levy for Fiscal Year 2018-2019.

Resolution No. 18-43 - A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT AND PROVIDING FOR THE LEVY OF THE ANNUAL ASSESSMENT IN A SPECIAL MAINTENANCE DISTRICT (84-1M).

- e. **Confirmation of 2017-18 Weed Clearance Charges** - On February 20, 2018, the City Council authorized the Los Angeles County Department of Agriculture to conduct weed clearance on specific parcels within the City. The purpose of this hearing is to approve the costs that will be passed on to property owners. A notice of this hearing has been sent to the affected property owners. ***Note: Council Member Carder will declare a conflict of interest because she is a member of the Board of Directors for a homeowners' association that oversees property appearing on the weed abatement list.***

Staff Recommendation:

At the conclusion of the hearing, the City Council should confirm the list of charges and direct the County Auditor to enter the assessment against the parcels of land on the current assessment roll.

7. **OTHER MATTERS**

- a. **Preferential Parking on the 2000 Block of Fifth Street** - The City has received a petition from the residents at 1991, 1915, 1920, 1921, 1925, 1928, 1933, 1935, 1936, 1944, 1945, 1949, 1947, 1948, 1951, 1952, 1959, 1960, 1965, 1968, 1975, 1976, 1984, 1912, and 1992 Fifth Street requesting preferential parking to the front of their homes. Residents have cited the reasons for this request as ongoing issues with vehicles parked on the residential streets adjacent to their residence.

Staff Recommendation:

The City Council approve Resolution No. 18-44, designating a "Residential Preferential Parking Zone" of the 1900 Block of Fifth Street from C Street west to the dead end of Fifth Street, Monday through Friday, from 7:00 a.m. to 8:00 p.m.

Resolution No. 18-44 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESIGNATING A "RESIDENTS' PREFERENTIAL PARKING ZONE" PURSUANT TO CHAPTER 10.76 OF THE LA VERNE MUNICIPAL CODE BY ADDING 2000 BLOCK OF 'FIFTH STREET', THE NORTH AND SOUTH SIDE OF THE STREET FROM THE CORNER OF "C" STREET, WEST TO THE DEAD END OF THE STREET.

- b. **Resolution Approving the Form and Authorizing Distribution of a Preliminary Official Statement in Connection with the Offering and Sale of Taxable Pension Obligation Bonds** - On February 5, 2018, the City Council gave direction to City staff to proceed with the steps necessary to issue pension obligation bonds. This bond issuance will generate funds necessary to pay off 100% of the unfunded accrued liability ("UAL") that is owed to CalPERS (except for a minor amount related to PEPPRA plans), as of the June 30, 2018 valuation, and to reimburse the City for amounts previously advanced to prepay the 2006 pension bonds in 2016. At a study session on July 2, 2018, the City Council directed staff to issue pension obligation bonds to pay off 100% of the current UAL.

Staff is seeking City Council approval of the resolution approving the form of the preliminary official statement, and the approval of the continuing disclosure certificate, authorizing the issuance of pension obligation bonds. The estimated amount of bonds to be issued is \$53.275 million.

Staff Recommendation:

The City Council should approve Resolution No. 18-45, which approves the form of the Preliminary Official Statement, and authorizes the issuance of bonds.

Resolution No. 18- 45 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE FORM AND AUTHORIZING DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT IN CONNECTION WITH THE OFFERING AND SALE OF TAXABLE PENSION OBLIGATION BONDS, AND AUTHORIZING AND DIRECTING CERTAIN ACTIONS WITH RESPECT THERETO.

- c. **Demolition of the University of La Verne's Studebaker-Hanawalt Residence Hall at 1920 Bonita Ave.** The University of La Verne is proposing to demolish the existing Studebaker-Hanawalt Residence Hall located at 1920 Bonita Avenue. The demolition was identified as a project in Phase I (2015 – 2021) of the University's Master Plan, which was approved by the City in March 2017. Studebaker-Hanawalt is more than 50 years in age and as such, qualifies as a historic building per the standards of the Master Plan. The conditions of approval for the Master Plan requires all historic buildings proposed for demolition to be reviewed by City Council prior to issuance of demolition permits. The applicant has prepared a historical survey of the building, as well as a compendium of photographs and plans to memorialize the architecture and history of Studebaker-Hanawalt Residence Hall, for Council's consideration.

Staff Recommendation: The City Council should review the documentation and photographs of the Studebaker-Hanawalt building (Attachments A and B), and authorize the issuance of permits to demolish the facility.

- d. **City Council Compensation** - During the budget study session, it was requested by Mayor Kendrick that the subject of council compensation be placed on the July 18 agenda for Council discussion.

Staff Recommendation: The City Council should discuss the matter and if necessary provide direction to staff.

- e. **Contract for Emergency Jail Services** – Due to lack of available Police Aides, who serve as jailers, the Police Department has developed an emergency month-to-month agreement with G4S Secure Solutions through the GSA (General Services Administration) to provide emergency jail services on a contractual basis.

Staff Recommendation: The City Council should approve Resolution No.18-46, authorizing the Mayor to sign an agreement with G4S to provide emergency jail services for the La Verne Police Department on a month to month contractual basis, with a maximum of six months.

Resolution No. 18-46 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING AN AGREEMENT WITH G4S SECURE SOLUTIONS TO PROVIDE EMERGENCY JAIL SERVICES FOR THE LA VERNE POLICE DEPARTMENT.

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:

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

Keith Garwick v. City of La Verne, Los Angeles Superior Court, Case No. BS169288.

b. **Conference with Legal Counsel – Pending Litigation pursuant to Government Code Section 54956.9 (d) (1).**

La Verne Firefighters Association v. City of La Verne, Civil Action No. 2:17-cv-08743- GW (AFMx)

c. **Conference with Legal Counsel to discuss Pending Litigation (Government Code Section 54956.9 (d) (1).**

Meritage Homes of California, Inc., v. City of La Verne, 8:18 cv00929 JFW (AGRx)

11. ADJOURNMENT

It is expected that the next regular meeting of the La Verne City Council scheduled for Monday, August 6, 2018, will be CANCELED due to lack of business.

THE NEXT REGULAR MEETING of the La Verne City Council
*is scheduled for **Monday, August 20, 2018, at 6:30 p.m.***

ADVISORY STAFF

- _____ Robert Russi, City Manager
- _____ Robert Kress, City Attorney
- _____ Lupe Gaeta Estrella, Assistant City Clerk
- _____ Dan Keeseey, Assistant City Manager/Public Works Director
- _____ Eric Scherer 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