

# 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



[www.cityoflaverne.org](http://www.cityoflaverne.org)  
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City Hall Council Chamber  
3660 D Street  
La Verne, CA 91750

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**Monday, November 05, 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 1<sup>st</sup> and 3<sup>rd</sup> 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**

**Presentations to the families for the “Military Recognition Program.”** - La Verne has a total of 71 community members who are currently serving in our military. A mini banner will be given to the families of the individuals being recognized. The military honorees are as follows:

Andre J. Batoon	-	Coast Guard
Chase E. Diato	-	Air Force
Kody R. McGauran	-	Marines

There will be a small Military Reception after this presentation in the Large Conference Room.

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 15, 2018,** to be received and filed.
  
- b. **Register of Audited Demands** in the amount of \$435,317.24, dated October 17, 2018, in the amount of \$1,266,091.11, and dated October 24, 2018, approval recommended by staff.
  
- c. **Youth and Family Action Committee Minutes** of August and September of 2018, to be received and filed.
  
- d. **Case: 128-18SEP - Street Closure for the Cruisin La Verne Car Show** - The City Council is requested to consider a street closure for the Cruisin La Verne Car Show on November 24, 2018. Flying Deuces has submitted a request to close Third Street from B to E Streets and D Street from Second Street to Bonita Avenue. The street closure will be between the hours of 5:00 a.m. and 6:00 p.m. the day of the event. There are expected to be 250-350 cars parked on the closed sections of the street.

***Staff recommends that the City Council approve a minute motion directing the Public Works Director to take the necessary steps to permit the temporary street closure for portions of D and Third Streets in Old Town La Verne; and approve to waive administrative review fees necessary for the processing, permitting, management, promotion, and operations of the Cruisin La Verne Car Show; with exception to the payment to the La Verne Police Department Reserves.***

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

1. **Resolution No. 18-56 - East San Gabriel Valley Watershed Management Group (Claremont, La Verne, Pomona and San Dimas) Cooperative Agreement Second Amendment** - The City of La Verne is mandated to meet numerous requirements enacted under the Municipal Separate Storm Sewer System Permit (MS4). *There are several facets of compliance and partnering with surrounding communities to achieve compliance in mandatory monitoring is expected to be the most cost effective approach. On July 20, 2015 the City of La Verne entered into an agreement with the cities of Claremont, Pomona and San Dimas, with Claremont as the lead agency, to implement the requirements of three years of Coordinated Integrated Monitoring Plan (CIMP) activities. On October 2, 2017 the City of La Verne approved Amendment #1, making Pomona the lead agency and agreeing to pay a percentage of group costs for tasks expected to occur within that contract period. Staff is seeking Council concurrence to agree to the second amendment of the original agreement, authorizing Pomona to manage a contract extension to complete the activities remaining from the past contract and conduct compliance activities on behalf of our four city group through December of 2019. The contracted tasks include project management, permitting, construction and acquisition of monitoring equipment, monitoring, data management and reporting. Additionally, the attached agreement and amendment will establish the guidelines that all participating parties are expected to follow throughout the duration of the contract in regards to CIMP implementation.*

***Staff recommends approval of Resolution 18-56, authorizing the City Manager to execute the attached Second Amendment to the Cooperative Agreement between the cities of Claremont, La Verne, Pomona and San Dimas to jointly implement our CIMP in compliance with the requirements set forth in the MS4 permit.***

**Resolution No. 18-56** - A RESOLUTION OF THE CITY COUNCIL, CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING THE EXECUTION OF THE SECOND AMENDMENT OF A MEMORANDUM OF UNDERSTANDING FOR A STORM WATER PROGRAM BETWEEN THE CITIES OF LA VERNE, CLAREMONT, POMONA AND SAN DIMAS.

2. **Resolution No. 18-57 - Authorizing a Grant of Easement to Southern California Edison Company** - Southern California Edison Company (SCE) has submitted a request for an easement across City owned property (APNs 8678-015-905 and 8678-015-907) to install, maintain, and operate electric distribution facilities. The easement through City property is necessary to furnish electric service to 7500 and 7501 Brydon Road.

***Staff recommends that the City Council approve Resolution 18-57, authorizing execution of a "Grant of Easement" to Southern California Edison Company.***

**Resolution No. 18-57** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING EXECUTION OF A GRANT OF EASEMENT TO SOUTHERN CALIFORNIA EDISON COMPANY ACROSS ASSESSOR'S PARCEL NUMBERS 8678-015-905 and 8678-015-907.

3. **Resolution No. 18-58 - Case No. 133-18SEP – Street Closure for Special Event taking place on Puddingstone Drive, Turkey Triathlon Agreement** - The City Council is requested to consider a street closure for the 2018 Turkey Triathlon. Renegade Racing has submitted a request to use portions of Puddingstone Drive for the purpose of a cycling race as part of a triathlon on Sunday, November 18, 2018. The request specifically involves the closure of the eastbound lanes of Puddingstone Dr. from Van Dusen Rd. to Fairplex Dr. between the hours of 6:30 a.m. and 11:00 a.m. the day of the event. The race is expected to draw up to 400 participants. Recent policy has been to prepare individualized agreements for street closure events. Staff has therefore developed a standard.

***Staff recommends the City Council adopt Resolution No. 18-58, authorizing the City Manager to execute the Agreement with Renegade Racing permitting the cycling race on specified streets.***

**Resolution No. 18-58** - 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 RENEGADE RACING FOR THE TURKEY TRIATHLON.

4. **Resolution No. 18-59** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, EXPRESSING SUPPORT FOR THE UNITED WAY'S EVERYONE IN CAMPAIGN, A COALITION EMBRACING THE COMMON GOAL OF ENDING HOMELESSNESS - Staff has prepared a resolution expressing support for the United Way of Greater Los Angeles "Everyone In" campaign, which is a community engagement initiative to educate and raise awareness on efforts to end homelessness throughout Los Angeles County. In alignment with the County of Los Angeles Homeless Initiative, "Everyone In" aims to track and measure progress toward ending homelessness countywide; engage members of the public on issues of homelessness; and build grassroots support for long-term solutions to ending homelessness.

***Staff recommends approval of Resolution No. 18-59, expressing support of the United Way of Greater Los Angeles' "Everyone In" campaign.***

5. **Resolution No. 18-60 - Congestion Management** - The Los Angeles County Metropolitan Transportation Authority (Metro) is required by state law to prepare and update, on a biennial basis, a Congestion Management Program (CMP) for the County of Los Angeles. The CMP process was established as part of a 1990 legislative package to implement Proposition 111, which increased the state gas tax from 9 to 18 cents per gallon. The intent of the CMP was to tie the appropriation of new gas tax revenues to congestion reduction efforts by improving land use/transportation coordination. While the CMP requirement was one of the pioneering efforts to conduct performance-based planning, the approach has become antiquated and expensive. CMP primarily uses a level of service (LOS) performance metric which is a measurement of vehicle delay that is inconsistent with the new state-designated performance measures, such as vehicle miles traveled (VMT), enacted by SB 743 for California Environmental Quality Act (CEQA) transportation analysis. In accordance with California Government Code §65088.3, jurisdictions within a county may opt out of the CMP requirement without penalty, if a majority of local jurisdictions representing a majority of the county's population formally adopt resolutions to opt out of the program. In accordance with California Government Code §65088.3, jurisdictions within a county may opt out of the CMP requirement without penalty, if a majority of local jurisdictions representing a majority of the county's population formally adopt.

***Staff recommends that the City Council approve Resolution No. 18-60, and the proposed conditions of approval, electing to be exempt from the Congestion Management Plan in accordance with the State CMP statute.***

**Resolution No. 18-60** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ELECTING TO BE EXEMPT FROM THE CONGESTION MANAGEMENT PROGRAM.

6. **Resolution No. 18-61 - Updates to the Conflict of Interest Code** - Every two years, the City of La Verne is required to review its Conflict of Interest Code to determine if any changes are necessary. Staff consulted with the City Attorney and Department Heads to determine necessary amendments to the list of designated filers. The changes reflected in Appendix A are the result of the addition of Assistant City Manager/Public Works Director, Deputy Director of Public Works, Finance Manager, Senior Planner, Assistant Planner, Planning Intern, Public Financing Authority (Includes EIFD Members). Fire Engineer and Planner were removed.

***Staff recommends that the City Council adopt Resolution No. 18-61, updating the standardized conflict of interest code for designated employees.***

**Resolution No. 18-61** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ADOPTING A STANDARDIZED CONFLICT OF INTEREST CODE FOR DESIGNATED EMPLOYEES OF THE CITY OF LA VERNE.

7. **Resolution No. 18-62 - Authorization for Investment Transactions** - The Institutional Trust & Custody Division of US Bank currently acts as the City's custodian for City investment. To change the City's authorized signers, US Bank requires City Council to adopt a resolution approving the changes.

***Staff recommends that the City Council approve Resolution No. 18-62 - authorizing signers.***

**Resolution No. 18-62** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING CITY OFFICERS TO INSTRUCT THE CITY'S CUSTODIAN OF RECORD FOR CITY INVESTMENTS IN THE PURCHASE OR SALE OF CITY INVESTMENTS AND TO DEPOSIT OR WITHDRAW FUNDS AS NEEDED.

8. **Resolution No. 18-63 - Authorization of Local Agency Investment Fund (LAIF) Transfers** - The California State Treasurer's Office Local Agency Investment Fund (LAIF) requires the City Council to adopt a resolution to authorize City of La Verne officers to deposit or withdraw monies to or from the City's Local Agency Investment Fund account.

***Staff recommends that the City Council approve Resolution No. 18-63, for authorization of LAIF transfers.***

**Resolution No. 18-63** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING INVESTMENT OF THE CITY OF LA VERNE MONIES IN LOCAL AGENCY FUND AND RESCINDING RESOLUTION NO. 17-66.

9. **Resolution No. 18-64 - Approving the Memorandum of Understanding between the City of La Verne and the La Verne Police Officers' Association** - The Memorandum of Understanding (MOU) with the La Verne Police Officers' Association (LVPOA) expired on December 31, 2017. Staff and LVPOA representatives have been meeting since September 2017 on a successor agreement. At this time, an agreement has been reached and staff is seeking City Council approval.

***Staff recommends that the City Council adopt Resolution 18-64, authorizing the City Manager to execute an MOU between the City of La Verne and the LVPOA. Staff also recommends that the City Council give direction to begin work on a revenue measure in support of public safety.***

**Resolution No. 18-64** - 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 LA VERNE CITY COUNCIL AND THE LA VERNE POLICE OFFICERS' ASSOCIATION (LVPOA) THROUGH DECEMBER 31, 2020.

6. **OTHER MATTERS**

- a. **La Verne Firefighters' Association Grievance Appeal to City Council** - Article 26 of the Memorandum of Understanding (MOU) between the City of La Verne and the La Verne Firefighters' Association (LVFA) provides for a Grievance procedure when the LVFA disagrees with a decision made by the department and/or City involving issues covered by the MOU. The LVFA filed a Grievance involving a member's vacation request being delayed one hour as a result of a mandatory training the member was required to attend. The LVFA has previously had their Grievance reviewed and denied by a Battalion Chief, Fire Chief, the City Manager, and has now appealed to the City Council for consideration.

**Staff Recommendation:**

The City Council should hear from the LVFA on the points of their appeal and request for remedy. After considering all of the facts related to this matter, the City Council should vote to approve or deny the LVFA's appeal of the City Manager's decision and direct the City Attorney to record their decision at the next City Council Meeting.

- b. **Request from La Verne Resident Anna Anderson** to address the City Council regarding having City Council meetings videotaped.
- c. **Request from La Verne Resident Richard Bowen** to address the City Council requesting investigation of Mayor Pro Tem Davis and Council Member Carder for allegedly releasing information from Closed Session meetings.

7. **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.

8. **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.

9. **CLOSED SESSION**

The City Council will meet in closed session for the following purpose:

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

Andrew Glaze v. City of La Verne, ED cv 18-352 PA (SHKx)

10. **ADJOURNMENT**

***THE NEXT REGULAR MEETING*** of the La Verne City Council  
*is scheduled for **Monday, November 19, 2018, at 6:30 p.m.***

**ADVISORY STAFF**

- \_\_\_ Robert Russi, City Manager
- \_\_\_ Dan Keeseey, 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
- \_\_\_ Nathan Statham, Finance Manager
- \_\_\_ Nick Paz, Police Chief
- \_\_\_ Pete Jankowski, Fire Chief
- \_\_\_ Dominic Milano, City Engineer
- \_\_\_ Bill Elftman, Information Services Manager

**Posting Statement:** On November 1, 2018, a true and correct copy of this Agenda was posted on the bulletin board at La Verne City Hall, 3660 D Street, La Verne, CA.