

CITY OF LA VERNE

CITY COUNCIL AGENDA

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



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

Monday, May 06, 2019 - 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.

Individuals may contact the City Clerk's Office for guidance on how to request an item to be added to a future Agenda. 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 Davis, Council Member Hepburn, Mayor Pro Tem Rosales and Mayor Kendrick

4. **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.) ***(PLEASE NOTE: Mayor Kendrick will declare a conflict of interest and abstain from voting on Resolution No. 19-20, because he owns a business within the district boundaries and Council Member Davis will declare a conflict of interest and abstain from voting on the Affordable Housing Agreement).***

a. **City Council Minutes** of April 1, 2019, ***to be received and filed.***

b. **Register of Audited Demands** as follows:

In the amount of \$956,685.25 dated April 10, 2019

In the amount of \$277,375.01 dated April 17, 2019

Staff recommends approval of Register of Audited Demands

c. **Treasurer Report** for the Month of March 31, 2019, ***to be received and filed.***

d. **Declaration of Surplus Property** - Certain vehicles have been depreciated through the equipment fund and/or are scheduled for replacement. Each is no longer useful or is ineffective for current operational requirements. Upon replacement, each will become surplus to the City's operational needs and should be disposed per Administrative Regulation No. 606. This action is not considered a "Project" under the definition of the California Environmental Quality Act (CEQA) and therefore not subject to CEQA review.

Staff 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 staff be directed to sell each in a fair and equitable manner per Administrative Regulation No. 606.

e. **La Verne Youth and Family Action Minutes** of October 23, 2018, November 27, 2018, January 29, 2019, February 26, 2019, March 26, 2019, ***to be received and filed.***

f. **Affordable Housing Agreement, 2363 First Street – La Verne Landing** - The City Council is asked to consider an affordable housing agreement for the La Verne Landing project, a multi-family residential project. City staff and representatives of WF Construction, Inc., have come to an agreement to satisfy the condition of approval of the project to provide affordable housing agreement for the La Verne Landing project located at 2363 First Street. ***PLEASE NOTE: Council Member Davis will declare a conflict of interest and abstain from voting on the Affordable Housing Agreement.***

Staff recommends that the City Council approve the affordable housing agreement with La Verne Landing, LLC, for the La Verne Landing multi-family residential project.

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

1. **Resolution No. 19-18** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, CONSENTING TO THE INCLUSION OF PROPERTIES WITHIN THE TERRITORY OF THE CITY OF LA VERNE IN THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY OPEN PACE PROGRAMS; AUTHORIZING THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY TO ACCEPT APPLICATIONS FROM PROPERTY OWNERS, CONDUCT CONTRACTUAL ASSESSMENT PROCEEDINGS AND LEVY CONTRACTUAL ASSESSMENTS WITHIN THE TERRITORY OF THE CITY OF LA VERNE; AND AUTHORIZING RELATED ACTIONS - ***The City Council is requested to authorize participation in the California Municipal Finance Authority (CMFA) Open Property Assessed Clean Energy (PACE) Program. The Open PACE Program provides qualified residential and commercial property owners the ability to finance the installation of renewable energy; energy and water efficiency enhancements; seismic strengthening improvements; and electric vehicle charging infrastructure on their property. Financing is made possible by the issuance of bonds by CMFA. Owners will repay the bonds through a voluntary contractual assessment collected together with their property taxes. The program has no cost to the City of La Verne.***

Staff recommends that the City Council adopt Resolution No. 19-18 related to the City's participation in the California Municipal Finance Authority Open Property Assessed Clean Energy Program; authorize the CMFA to accept applications from property owners to finance the installation of renewable energy, energy and water efficiency enhancements, seismic strengthening improvements, and electric vehicle charging infrastructure; conduct contractual assessment proceedings and levy contractual assessments within the City; and authorizing related actions; and authorize the Mayor or City Manager, or designee thereof, to execute all documents and take any actions necessary and appropriate to carry out the intent of this resolution.

2. **Resolution No. 19-19** - 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 GENTRY BROTHERS, INC. FOR 2018-2019 CDBG SIDEWALK IMPROVEMENT PROJECT - The Public Works Department recently solicited bids for the 2018-2019 CDBG Sidewalk Improvements Project. The planned maintenance will include the removal and replacement of deficient sidewalks. The project was advertised on April 8th and 15th with bid proposals received and opened on April 23, 2019. This project is categorically exempt from the California Environmental Quality Act, Section 15301- Existing Facilities, and City of La Verne environmental guidelines.

Staff recommends that City Council approve Resolution No. 19-19, awarding a public works contract to Gentry Brothers, Inc. the lowest, responsible bidder, in the amount of \$98,800.00.

3. **Resolution No. 19-20** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DECLARING ITS INTENTION TO APPROVE THE ANNUAL REPORT OF THE OLD TOWN LA VERNE BUSINESS IMPROVEMENT DISTRICT WHICH INCLUDES A BUDGET AND REESTABLISHES THE BOUNDARIES AND ASSESSMENT FORMULA FOR THE 2019-2020 FISCAL YEAR AND SETS A PUBLIC HEARING ON THE MATTER - ***An annual public hearing is required to consider the Annual Report of the Old Town La Verne Business Improvement District (OTLVBID) and has been scheduled for May 20, 2019. At said hearing, the City Council will be requested to receive and file a report of the OTLVBID prior year activities, Approve the proposed OTLVBID 2019-2020 Annual Budget and incorporate it into the City Budget; and Approve re-establishment of the District boundaries and assessment formula. NOTE: Mayor Kendrick will declare a conflict of interest and abstain from voting on Resolution No. 19-20, because he owns a business within the district boundaries.***

Staff recommends the City Council adopt the attached Resolution No.19-20, declaring its intention to approve the OTLVBID Annual Report and sets a public hearing on the matter for May 20, 2019.

4. **Resolution No. 19-21** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING CASE NO. 37-19 CUP, A CONDITIONAL USE PERMIT EXTENDING THE SALE OF BEER, WINE AND DISTILLED SPIRITS (FULL ALCOHOL), LOCATED AT 2136 AND 2142A THIRD STREET, AND AFFIRMING THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT- ***The applicant, James Read, is requesting approval to extend an existing conditional use permit which would allow for the sale of full alcohol in conjunction with a bona fide restaurant at the above-mentioned address. The hours of operation for the business would remain unchanged and limited from 6:00 am to 12:00 am (midnight) seven days a week; per the existing conditions of approval. All conditions of approval for the conditional use permit would remain in full-force and effect.***

Staff recommends the City Council approve Resolution No. 19-21 (Attachment A) which extends the conditional use permit and Resolution No. 12-15 for one year from the date of the decision.

5. **PUBLIC HEARINGS**

- a. **Proposed Damien High School Master Plan Update – 2280 Damien Avenue, Case No. 61-17CUP** - The applicant, Kalban Architects – representing Damien High School is requesting approval for the proposed Damien High School Master Plan Update. The total build-out of the Master Plan includes the construction of approximately 73,000 square feet of new building area within three phases of development. The Master Plan build-out is anticipated over a ten-year period, and includes a Student Center, a Chapel, a Science Building, a Performing Arts Studio, a Wrestling Room, and a reconfiguration of campus parking and internal circulation. No increase in student population or faculty is anticipated

Staff Recommendation:

The City Council should adopt Resolution No. 19-22, which

1. Finds, in light of the whole record, the project will not have a significant effect on the environment, and adopt the Mitigated Negative Declaration (MND) which is Exhibit 1 to Attachment A; and
2. Adopts Conditional Use Permit (Case No. 61-17CUP) for the proposed Damien High School Master Plan Update which is Exhibit 2 to Attachment A.

Resolution No. 19-22 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING CASE NO. 61-17 CUP, A CONDITIONAL USE PERMIT REGARDING A REQUEST BY KALBAN ARCHITECTS FOR A MASTER PLAN UPDATE FOR DAMIEN HIGH SCHOOL, LOCATED AT 2280 DAMIEN AVENUE, AND APPROVAL OF A RELATED MITIGATED NEGATIVE DECLARATION.

- b. **Annual Adjustments to the City's Comprehensive Fee Schedule** - The City's comprehensive fee schedule established by Resolution 17-23 as amended by Resolution 18-19, is reviewed each year in conjunction with the annual budget process. Changes are made to reflect cost of services in accordance with State and local law. Resolution No. 19-23 provides fee schedule updates for City fees.

Staff Recommendation:

Following the public hearing, the City Council should approve the updates to the City's comprehensive fee schedule as set forth in the proposed Resolution 19-23. In compliance with past Council policy, all comprehensive fee schedule updates are scheduled to become effective July 1, 2019.

RESOLUTION NO. 19-23 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AMENDING RESOLUTIONS NO. 17-23 & 18-19 RELATIVE TO CERTAIN FEES AND POLICIES FOR SERVICES PROVIDED BY THE CITY OF LA VERNE.

6. **OTHER MATTERS**

Authorization of Consulting Services Agreements with TBWB Strategies and True North Research - On February 4th, the City Council held a study session to evaluate whether to pursue a revenue measure during the upcoming municipal election. During that discussion there was full Council support for staff to initiate the steps necessary for placing a measure on the March 2020 ballot for voter consideration. Execution of the agreement is a part of that direction provided by Council.

To assist with development of a successful measure, staff evaluated the services of several consultants. Staff has since settled on TBWB Strategies after evaluating agreements of similar consultants used by other local communities. TBWB is a strategy and communications consulting firm that specializes in helping local governments design successful revenue ballot measures. TBWB will be partnering with True North Research to develop and conduct polling research as well. Both proposals were presented to the Council Finance subcommittee on April 22, 2019, with direction to move the agreements to the full City Council.

Staff Recommendation:

The City Council should approve Resolution No. 19-24, authorizing the execution of a consulting services agreement with TBWB Strategies, which includes its sub consultant, True North Research, to evaluate potential tax measures as recommended by the Council Finance Subcommittee. The Subcommittee further recommends that funding for the TBWB agreement be appropriated within the current fiscal year appropriations.

Resolution No. 19-24 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING EXECUTION OF AN AGREEMENT WITH TBWB STRATEGIES FOR TAX RELATED CONSULTING SERVICES AND APPROPRIATING FUNDING FOR THE PROJECT WITHIN THE 2018/19 FISCAL YEAR

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. **ADJOURNMENT to Monday, May 20, 2019, at 5:00 pm, in the Conference Room of La Verne City Hall for a City Council Study Session for a Staff presentation on the Extension of Waste Management Refuse Contract.**

THE NEXT REGULAR MEETING of the La Verne City Council
*is scheduled for **Monday, May 20, 2019, 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
- ___ Kirk Summers, Interim Fire Chief
- ___ Dominic Milano, City Engineer
- ___ Bill Elftman, Information Services Manager

<p>Posting Statement: On April 30, 2019, 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 cityoflaverne.org.</p>
