

1. Agenda

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[CITY COUNCIL AGENDA 2022-06-20 18-30.PDF](#)

CITY OF LA VERNE

CITY COUNCIL AGENDA

Tim Hepburn, Mayor
Muir Davis, Mayor Pro Tem
Robin Carder, Council Member
Rick Crosby, Council Member
Wendy M. Lau, Council Member



www.cityoflaverne.org
(909) 596-8726 - Phone
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City Hall Council Chamber
3660 D Street
La Verne, CA 91750

Monday, June 20, 2022 - 6:30 p.m.
La Verne City Hall - Council Chambers,
3660 D Street, La Verne, CA 91750

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. Regular Meetings are held on the 1st and 3rd Monday of every month.

The Council Chambers will be opened to the public at 6:00 p.m. In an effort to keep a safe environment and to minimize the spread of the COVID-19 Virus, the City will be limiting occupancy and requiring masking for all that will be in attendance. To facilitate public participation for those who do not wish to attend in person, the meeting will still be made available virtually to residents. Below are the following opportunities on how to participate:

- 1) View the meeting through the City's website at www.cityoflaverne.org and click on the green "Council Meeting Live Stream" button.
- 2) Individuals can email their comments to the Assistant City Clerk at cityclerk@cityoflaverne.org up to noon on the day of the meeting. Those comments will be shared with City Council in advance of the City Council meeting and included as part of the permanent record. **Please be advised that public comments submitted by emails or any other format to the City are public records that will be made available for public viewing.**
- 3) Individuals who wish to share their comments directly during the meeting may do so by emailing the Assistant City Clerk at cityclerk@cityoflaverne.org with their phone number and the item(s) they wish to speak on. Requests will be accepted before and throughout the meeting and staff will call you back at the appropriate time. Once items are considered by the City Council, no further public comment on that matter will be accepted. A time limit of 3-minutes is set for all public comments.
- 4) If you wish to participate via Zoom, you will need to register at https://us02web.zoom.us/webinar/register/WN_XQ_V2hVSLyGVbaszjb2Tw before 5:00 p.m. on Monday, June 20, 2022, and please be aware that space is limited. You will have the ability to watch the meeting in real time and raise your hand to request to comment as appropriate on the current agenda item(s). Once it is your turn to speak, you will be brought into the meeting and have the ability to turn your video on when called upon.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL:** Council Member Lau, Council Member Crosby, Council Member Carder, Mayor Pro Tem Davis and Mayor Hepburn.

4. **PRESENTATIONS**

a. **Presentation of Proclamation Proclaiming the Month of June 2022 as “Pride Month”** in support of Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) community as they declare their pride in who they are and whom they love and reaffirming the City’s shared values of cultural awareness, social inclusion, compassion, equity, and diversity. Ryan Harrison; Susan Boyer; Zandra Wagoner; and Julia Wheeler will be accepting the proclamation.

b. **Introduction of Newly Promoted Police Supervisors, as follows:**

Lieutenant Cory Leeper - Cory has been with the City of La Verne since July 1994 and was promoted to Lieutenant on January 1, 2022.

Sergeant Jay Alvarado - Jay has been with the La Verne Police Department since April 2005 and was promoted to Sergeant on April 10, 2022.

Sergeant Martin Weinreb - Martin has been with the City of La Verne since April 2000 and was promoted to Sergeant on April 24, 2022.

Corporal Bradley Bailey - Bradley has been with the La Verne Police Department since April 2017 and was promoted on May 8, 2022.

c. **Presentation to the La Verne K-9 Police Foundation-** The Old Town La Verne Business Improvement District (OTLVBID) Advisory Board will present a donation of \$5,000 to the La Verne K-9 Police Foundation from the proceeds of the 2022 Sip of La Verne Wine Walk. Expenditures by the OTLVBID of \$5,000 were approved by City Council.

5. **ANNOUNCEMENTS OF UPCOMING COMMUNITY EVENTS** (Any person who wishes to make a brief announcement of a future community event that is open to the general public may do so at this time)

6. **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 adjourned and regular meeting of June 6, 2022, ***to be received and filed.***
- b. **Register of Audited Demands** in the amount of \$1,693,155.35 dated May 12, 2022, in the amount of \$2,845,561.17 dated May 19, 2022, in the amount of \$1,614,915.58, dated May 26, 2022 and in the amount of \$108,248.42, dated June 2, 2022, ***approval recommended.***
- c. **Traffic Control Plan for the Fourth of July Parade** - Each year the City hosts community events to celebrate our nation's independence. The largest event is the Fourth of July Parade on City streets through Old Town La Verne. The City Engineer prepared a traffic control plan for the parade route. Formal adoption of this plan by the City Council will limit the City's liability exposure by providing design immunity.

Public Works Director Igoe recommends that Council adopt the traffic control plan for the Fourth of July Parade.

- d. **Old Town La Verne Business Improvement District Reappointment** - Terms for Old Town La Verne Business Improvement District Members Matthew Forgey and Zuhey Espinoza expire June 30, 2022. While Dr. Espinoza has requested to remain on the Board, Mr. Forgey has recently decided to no longer continue as a Board Member.

Community Development Director Scherer recommends that the Mayor reappoint Zuhey Espinoza to serve a two-year term from July 1, 2022 through June 30, 2024 with the approval of the City Council. The vacant Board seat will be advertised and after a recommendation from the Board, will be presented to the Mayor and City Council at a future meeting for appointment.

- e. **Old Town La Verne Business Improvement District** - Donation to La Verne K-9 Police Foundation - The Old Town La Verne Business Improvement District (OTLVBID) Advisory Board is proposing to make a donation of \$5,000 to the La Verne K-9 Police Foundation from the proceeds of the 2022 Sip of La Verne Wine Walk. Expenditures by the OTLVBID of \$5,000 or more require City Council approval.

The Old Town La Verne Business Improvement District (OTLVBID) Advisory Board and staff recommend the City Council approve the expenditure of \$5,000 as a donation to the La Verne K-9 Police Foundation from the OTLVBID's budget from the proceeds of the 2022 Sip of La Verne Wine Walk.

- f. **Planning Commission Reappointments** - The current terms for Planning Commissioners Jason Simison, Thomas Allison, and Jeremy Conrad expire June 30, 2022. All three Planning Commissioners have expressed interest in continuing to serve on the Board.

Community Development Director Scherer recommends that the City Council reappoint Jason Simison to his second and final term, and reappoint Thomas Allison and Jeremy Conrad to their first full term, from July 1, 2022 to June 30, 2026 with the approval of the City Council.

- g. **Senior Advisory Committee Board Reappointments** - Terms for George Borst, Jenny Jolly, and Terry Kistler expire June 30, 2022. All three committee members wish to remain on the Senior Advisory Committee.

Community Services Manager Duran recommends that the City Council accept the Senior Advisory Committee's recommendation to reappoint George Borst, Jenny Jolly, and Terry Kistler to serve two-year terms from July 1, 2022 through June 30, 2024.

- h. **Tri-City Mental Health Governing Board Representative Reappointment** - The Tri-City Mental Health Governing Board includes one appointment from each City as a community representative. Carolyn Cockrell has served in this capacity since 2011 and has agreed to serve an additional two-year term.

Community Services Manager Duran recommends that the Council approve the reappointment of Carolyn Cockrell as the community representative from La Verne to the Tri-City Mental Health Governing Board to serve a two-year term from July 1, 2022 through June 30, 2024.

- i. **La Verne Citizen Oversight Committee Reappointment** - Terms for The Citizen Oversight Committee Members Keny Chang and Jennifer Simison expired May 31, 2022. Both Mr. Chang and Ms. Simison have requested to remain on the Committee.

City Manager Russi recommends that the City Council reappoint Zuhey Espinoza to serve a two-year term from July 1, 2022 through June 30, 2024 with the approval of the City Council. The vacant Board seat will be advertised and after a recommendation from the Board, will be presented to the Mayor and City Council at a future meeting for appointment.

- j. **Staff recommends approval and passage of the following Resolutions:**

1. **Resolution No. 22-33** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE ADOPTION OF THE MULTIPLE EMPLOYER OPEB/PENSION 115 TRUST ADMINISTERED BY SHUSTER ADVISORY GROUP, LLC - ***The City has two Trust Accounts for the purpose of funding certain retiree obligations. Those funds are currently administrated by Public Agency Retirement Services (PARS) and assets are held by US Bank. After a review of the current fee structure and fund line up, it was determined that savings could be achieved by converting our plan administration and portfolio management to another provider. The provider recommended, Shuster Advisory Group, LLC, which is the same firm that recently took over fiduciary responsibilities of the employee's 457 deferred compensation account in October of 2019 as well as the FICA alternative plan. Through that change employees, participants and retirees have realized significant savings on the fees of those accounts.***

Assistant to the City Manager Ranells recommends that the City Council approve Resolution 22-33 authorizing the City Manager to execute agreements to transfer administration of the City's OPEB/Pension 115 Trust to Shuster Advisory Group, LLC and funds' assets to Charles Schwab Trust Bank ("Schwab"), and Alta Trust Company ("Alta") as the directed Trustee.

2. **Resolution No. 22-34** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING AN AGREEMENT WITH "RETIRED ANNUITANT" KEVIN GREENWAY FOR INTERIM FIRE CHIEF SERVICES AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAME - **Fire Battalion Chief Kevin Greenway has retired from the City of La Verne effective June 15, 2022, after being employed by the City for 20 years. In order to minimize disruption to the Fire Department resulting from this loss of institutional and operational knowledge, the City is interested in retaining his services until the end of the fiscal year.**

Assistant to the City Manager Ranells recommends that the City Council approve the attached resolution authorizing the City Manager to execute an agreement with Kevin Greenway to provide temporary, part-time employment.

3. **Resolution No. 22-35** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING AN AGREEMENT WITH UCLA CENTER FOR PRE-HOSPITAL CARE - ***The implementation of California AB-5 has rendered the Fire Department's current contract with our Nurse Educator invalid and the department is now in violation of Department of Labor laws. To rectify this, staff recommends approval of an agreement with UCLA to conduct continuing education in prehospital and emergency medicine for Fire personnel to maintain licensure as an EMT-Basic and Paramedic and provide quality improvement services to maintain or enhance the quality of patient care.***

Fire Chief Nigg recommends that the City Council approve Resolution No. 22-35, authorizing the La Verne Fire Department to enter into an agreement with the UCLA Pre-hospital EMS Educator Program This partnership will greatly enhance the delivery of our EMS Continuing Education and Quality Improvement programs to better meet the needs of our department, County EMS standards, and the citizens that we serve.

4. **Resolutions No 22-36 & 37 adopting 2022-23 City Budget and Appropriations Limitation** - A proposed budget was submitted and discussed during the City Council Budget Study Session held on June 6, 2022. At that study session, the City Manager and each of the department heads presented their respective sections of the budget document for Council discussion and consideration. Adopting Resolution No. 22-36 will officially adopt the 2022-23 budget. In addition, every year the City must adopt an annual appropriations limit consistent with requirements of California law. The appropriations limit pertains to City expenditures paid by tax proceeds. Appropriations financed by service fees, grants and other non-tax revenues are exempt. The City's proposed 2022-23 budget reflects appropriations well under this limit.

City Manager Russi recommends that the City Council adopt Resolution No. 22-36, adopting the budget for the 2022-23 fiscal year, and Resolution 22-37, adopting the

Resolution No. 22-36 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ADOPTING A BUDGET FOR THE 2022-23 FISCAL YEAR.

Resolution No. 22-37 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ADOPTING AN APPROPRIATIONS LIMITATION FOR THE 2022-23 FISCAL YEAR.

5. **Resolution No. 22-38** - 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 SDC ENGINEERING INC. FOR THE MAINIERO SQUARE IMPROVEMENT PROJECT. - *The Public Works Department recently solicited bids for the Mainiero Square Improvement Project. The project was advertised on May 6 and May 13, 2022 with bid proposals received and opened on June 2, 2022. This project is categorically exempt from the California Environmental Quality Act, Section 15301 – Existing Facilities, and City of La Verne environmental guidelines.*

City Engineer Howing recommends that the City Council approve Resolution No. 22-38, which awards a public works contract for the base bid scope to SDC Engineering Inc. the lowest, most responsible bidder, in the amount of \$397,667.30.

7. **PUBLIC HEARINGS**

Hearing to Determine Necessity of Utility User's Tax - The provisions of Ordinance No. 955 require an annual hearing to determine the necessity of continuing the City's Utility User's Tax (UUT). The City's proposed 2022-23 budget fully utilizes the \$3,000,000 in UUT revenue estimated for the fiscal year indicating that the UUT should be continued.

STAFF RECOMMENDATION:

Based on the City's expected funding needs, staff recommends that the City Council maintain the City's UUT at the current voter approved rates.

8. **OTHER MATTERS**

Consider Approval of the Draft Partnership Agreement with the La Verne Chamber of Commerce for 2022-2023 - The La Verne Chamber of Commerce has submitted an updated Partnership Agreement for a 12-month term; July 1, 2022 through June 30, 2022. The Chamber of Commerce is requesting a total financial subsidy of \$45,000 over the 12-month term, an increase of \$5,000 from previous years. In return, the Chamber of Commerce will be taking over the hosting of future City Council candidate forums. The proposed Agreement also includes renewal of the Incentive-Subsidy Program for Business Recruitment up to \$3,000, and the previously approved line of credit. The City Council Chamber Liaison Committee has reviewed the draft agreement and requested increase in funding and has recommended that both be approved. A Chamber representative will also provide the Council with an update on their events.

STAFF RECOMMENDATION:

The City Council should approve Resolution No. 22-39, approving the La Verne Chamber of Commerce's Partnership Agreement, which includes programs and funding for a twelve-month term in the amount of \$45,000 (and approving an additional appropriation of the \$5,000 increase in fund 101-3006), an Incentive-Subsidy Program for Business Recruitment with a cost not to exceed \$3,000 subject to Agreement provisions, and continuance of the previously approved line of credit not to exceed \$10,000 from July 1, 2022 through June 30, 2023.

9. **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. Please email your public comment to the Assistant City Clerk at cityclerk@cityoflaverne.org. Your public comment will be shared with the City Council and included as part of the permanent record. If you wish to speak, email your phone number and staff will call you back. There is a 3-minute time limit on public comments.

10. **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.

11. **CLOSED SESSION:**

a. **Conference with Labor Negotiator (Government Code Section 54957.6).**

Negotiators: City Manager, Personnel Officer, and City Attorney.

Employee Organization(s): La Verne City Employees Association, La Verne Police Officers' Association, La Verne Firefighters' Association, La Verne Police Middle Management Association and all unrepresented employees.

b. **The City Council will meet in a closed session, pursuant to Government Code §54957, for the following purpose:**

PUBLIC EMPLOYEE APPOINTMENT - NTERIM CITY MANAGER

12. **ADJOURNMENT .**

**THE NEXT REGULAR MEETING of the La Verne City Council
is scheduled for Tuesday, July 5, 2022 at 6:30 p.m.**

ADVISORY STAFF

- _____ Robert Russi, City Manager
- _____ JR Ranells, Assistant to the City Manager
- _____ Robert Kress, City Attorney
- _____ Lupe Gaeta Estrella, Assistant City Clerk
- _____ Shawn Igoe, Public Works Director
- _____ Eric Scherer, Director of Community Development
- _____ Colleen Flores, Police Chief
- _____ Christopher Nigg, Fire Chief
- _____ Yvonne Duran, Community Services Manager
- _____ Cody Howing, City Engineer

Posting Statement: On June 14, 2022, 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.