

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



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

Monday, October 18, 2021 - 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. 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_6-r0SZBtSiKH5LMUrTwhCg before 5:00 p.m. on Monday, October 18, 2021, 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. **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)
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 the adjourned and regular meeting of October 4, 2021, to be received and filed.
 - b. **Register of Audited Demands** in the amount of \$1,276,354.97 dated September 29, 2021 and in the amount of \$70,529.09 dated October 7, 2021, ***approval recommended by Finance Officer Pendleton.***
 - c. **City of La Verne Treasurer's Report for the Quarter Ended September 30, 2021** - As of September 30, 2021, the City had total cash and invested funds (cost basis) of \$59,369,756, \$19,263,064 held in a fiduciary capacity for LA Impact (Los Angeles Interagency Metropolitan Police Apprehension Task Force) and \$2,937,385 maintained with a fiscal agent outside of the Treasury to meet the 1996 Revenue Bond covenant. The City's portfolio is fully liquid; 92% (\$54,394,776) maintained in on-demand accounts, which includes the State Local Agency Investment Fund (LAIF), and 8% (\$4,974,980) maintained in short-term corporate notes and negotiable certificate of deposits maturing within one year (12 to 232 days). The investment portfolio conforms to the City's investment policy and money is available to meet City obligations due within the next six months.

Finance Director Pendleton recommends that the City Council receive and file the Treasurer's Report for the quarter ended September 30, 2021.
 - d. **Employee Computer Purchasing Program** - In 1994, the City Council initiated the Employee Computer Purchasing Program. The program allowed employees to purchase personal computers, software, and qualified accessories that are paid back through payroll deductions. Staff is requesting that a new purchase program be approved with a maximum purchase amount of \$1,200 per employee. Part-time employees are eligible after review of their work schedule and with the approval of the City Manager.

Assistant to the City Manager Ranells recommends that the City Council approve a 2021 Employee Computer Purchasing Program as outlined in the City of La Verne Administrative Regulation Number 603.

- e. **Tract Map No. 72428; Creekside at La Verne (Meritage Homes of California Inc.); Monument Bond Release** - Meritage Homes of California Inc., the developer of Creekside at La Verne (Tract Map No. 72428), a 22 Lot single family subdivision located south of the intersection of San Dimas Canyon Road and Golden Hills Road, has requested the release of their monument bond. Staff has inspected and verified that all monuments have been placed

City Engineer Howing recommends that the City Council authorize the release of the monument bond required for Tract Map No. 72428.

- f. **Case No. 90-21SEP - Street Closure for the Cruisin La Verne Holiday Car Show** - The City Council is requested to consider a street closure for the Cruisin La Verne Holiday Car Show on November 20, 2021. Flying Deuces submitted a request to close Third Street from B to E Street 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 over 500 cars parked on the closed sections of the street, as well as various University of La Verne parking lots.

Community Development Director Scherer recommends that the City Council direct the Public Works Director to take the necessary steps to permit the temporary street closure for portions of D Street and Third Street in Old Town La Verne; and waive administrative review fees necessary for the processing, permitting, management, promotion, and operations of the Cruisin La Verne Holiday Car Show; with exception to the payment of the La Verne Police Department Reserves.

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

1. **Resolution No. 21-77** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AUTHORIZING THE SUBMITTAL OF APPLICATION(S) FOR ALL CALRECYCLE GRANTS FOR WHICH THE CITY OF LA VERNE IS ELIGIBLE - ***This report requests City Council approval of a Resolution authorizing the City to submit a grant application to CalRecycle for the Rubberized Pavement Grant Program.***

Public Works Director Igoe recommends that the City Council adopt Resolution No. 21-77, authorizing the submittal of application(s) for all CalRecycle Grants for which the City of La Verne is eligible.

2. **Resolution No. 21-78** - 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 THE LOCAL AGENCY INVESTMENT FUND AND RESCINDING RESOLUTION NO. 18-63 - ***The State of California Local Agency Investment Fund (LAIF) requires the City Council to adopt a resolution to authorize City of La Verne officers to deposit or withdraw money into LAIF.***

Finance Director Pendleton recommends that the City Council approve Resolution No. 21- 78, and rescind Resolution 18-63.

3. **Resolution No. 21-79** - 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 ALL AMERICAN ASPHALT FOR THE COUNTRY CLUB / MONTEREY ET AL GRIND, OVERLAY, ARAM AND SLURRY SEAL PROJECT - *The Public Works Department recently solicited bids for street maintenance in the Country Club/ Monterey et al neighborhoods. The planned maintenance includes the cold milling of 2" of the existing asphalt, full depth removal and replacement of all cul-de-sac bulbs, and the placement of hot mix asphalt in the Country Club neighborhood. Maintenance activities in the Monterey neighborhood includes crack sealing, placement of Asphalt Rubber Aggregate Membrane (ARAM) with a slurry seal cap. The project was advertised on August 14 and August 28, 2021 with bid proposals received and opened via our new electronic platform "PlanetBids" on September 14, 2021. This project is categorically exempt from the California Environmental Quality Act, Section 15301 – Existing Facilities, and City of La Verne environmental guidelines.*

Public Works Director Igoe recommends that the City Council approve Resolution No. 21-79, awarding a Public Works contract to All American Asphalt, the lowest, most responsible bidder, in the amount of \$722,971.55.

4. **Resolution No. 21-80** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ACCEPTING THE EASEMENT WITHIN TRACT NO. 72428 FOR SEWER PURPOSES AND FINDING THE ACTION CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT - *On June 24, 2019, a settlement agreement was executed between the City of La Verne and Meritage Homes of California, Inc. regarding certain matters pertaining to the Creekside at La Verne Development. Within the terms of said agreement, sewer improvements located in the community will be conveyed to the City. The City of La Verne will accept the facilities conveyed and will be responsible for maintenance and operation. The Creekside at La Verne Homeowners Association has offered an easement to the City of La Verne for sewer purposes. This easement located on Lot "A" for the purpose of granting the City usage of the area for operations and maintenance of a sanitary sewer lift station and related sanitary sewer facilities not otherwise located in existing utility easements.*

City Engineer Howing recommends that the City Council approved Resolution No. 21-80, accepting the easement within Tentative Tract No. 72428 (The Creekside at La Verne Development), direct the Assistant City Clerk to execute the documents on behalf of the City and file them with the County Recorder's Office.

5. **Resolution No. 21-81** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AUTHORIZING THE EXECUTION OF AMENDMENT No. 4 TO AN AGREEMENT WITH LSA ASSOCIATES, INC. FOR INCLUSION OF TECHNICAL STAFF AT PUBLIC HEARINGS IN CONJUNCTION WITH PREPARATION AND COMPLETION OF THE ENVIRONMENTAL DOCUMENT FOR PROPOSED RESIDENTIAL DEVELOPMENT AT 3717 FRUIT STREET AND AT 1874, 1876, AND 1878 WALNUT STREET - *The Community Development Department is currently processing applications submitted by Brandywine Homes for a proposed residential development at 3717 Fruit Street (APN 8666-017-028) and at 1874, 1876, and 1878 Walnut Street (APN 8378-007-907, 8378-007-908, and 8378-007-909). LSA Associates, Inc. has submitted Amendment Request No. 4 in order to include attendance of technical staff for participation in public hearings for matters related to traffic and transportation.*

Community Development Director Scherer recommends that the City Council adopt Resolution No. 21-81, authorizing execution of Amendment Request No. 4 to the Agreement with LSA Associates, Inc. for inclusion of technical staff at public hearings for the Fruit Street and Walnut Street proposed residential developments.

6. **PUBLIC HEARINGS**

- a. **Forming Underground Utility District No. 8, Along Arrow Highway between Fairplex Drive/E Street and White Avenue and Along White Avenue from First Street, to Approximately 600 Feet South of Arrow Highway - Resolution No. 21-82** - California Public Utilities Commission (CPUC) Rule 20A establishes program funding for the undergrounding of overhead utilities by municipalities. To formally initiate the project, Southern California Edison (SCE), requires the City Council adopt a resolution declaring the proposed project area an underground utility district. The purpose of an Underground Utility District is to define the boundaries of the overhead conversion project. As presented to City Council at the study session on August 16, 2021, this proposed Underground Utility District is needed as part of the Pedestrian Bridge Project related to the current L Line Station.

Per City of La Verne Municipal Code §13.36, the City has the authority to develop underground utility districts. This project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15302 (d) – conversion of overhead electric utility distribution system facilities to underground including connection to existing overhead electric utility distribution lines where the surface is restored to the condition existing prior to undergrounding.

STAFF RECOMMENDATION:

The City Council should conduct a Public Hearing and approve Resolution 21-82, forming Underground Utility District No. 8 along Arrow Highway between Fairplex Drive/E Street and White Avenue and along White Avenue from First Street, to approximately 600 feet south of Arrow Highway.

Resolution No. 21-82, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, FORMING UNDERGROUND UTILITY DISTRICT NO. 8 ALONG ARROW HIGHWAY BETWEEN FAIRPLEX DRIVE/E STREET AND WHITE AVENUE AND ALONG WHITE AVENUE FROM FIRST STREET, TO APPROXIMATELY 600 FEET SOUTH OF ARROW HIGHWAY.

- b. **Brandywine Homes Development - Fruit Street Townhome Development - 3717 Fruit Street - Request to construct 50 Interlocking Townhomes; and Walnut Street Affordable Home Development - 1874, 1876 & 1878 Walnut Street - Request to construct Eight Affordable Single-Family Homes** - This is a two-part development project consisting of a 50-unit, three story townhome project on Fruit Street; and an 8-unit, affordable, two-story single-family home project on Walnut Street. The applicant for both is Brandywine Homes, Inc.

Fruit Street - Brandywine proposes to develop 50 interlocking townhomes at 3717 Fruit Street (8666-017-028). The property is currently zoned Foothill Boulevard Specific Plan and designated Commercial/Business Park in the General Plan.

Walnut Street - Brandywine is proposing to develop 8-single-family moderate rate affordable homes at 1874, 1876 and 1878 Walnut Street (8378-007-907, 8378-007-908 and 8378-007-909). The Walnut Street component of this project satisfies the Fruit Street development requirement to provide eight units at an affordable rate. Eight units represent a total of 15% of the units proposed for the Fruit Street development. The property is currently zoned Walnut Street Specific Plan and designated Low Density Residential in the General Plan. Staff, the Development Review Committee (DRC) and the Planning Commission recommend that the City Council conditionally approve both projects.

STAFF RECOMMENDATION

The City Council should approve Case Nos. 122-20GPA, 63-20SPA, 121-20TTM, 15-21CUP (Fruit Street); and, Case Nos. 68-20AHA, 123-20GPA, 65-20SPA, 66-20TTM, 30-21CUP (Walnut Street) and approve Resolution Nos. 21-83, 21-84, 21-85; based on this report and the conditions of approval in conjunction with DRC tentatively approved Case Nos. 62-20PPR, 29-21TR, 64-20PPR which are contingent on the City Council taking the actions recommended below;

The City Council should approve the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for these projects, as recommended by Staff, the Development Review Committee and Planning Commission, as follows:

Resolution No. 21-83 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, CALIFORNIA APPROVING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE BRANDYWINE PROJECT LOCATED AT 3717 FRUIT STREET FOR DEVELOPMENT OF 50-INTERLOCKING TOWNHOMES AND 1874, 1876, AND 1878 WALNUT STREET FOR EIGHT SINGLE FAMILY HOMES.

City Council should approve the General Plan Amendment for both projects, as follows:

Resolution No. 21-84 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT NO. 122-20GPA, ADDING A NEW LAND USE DESIGNATION OF SPECIFIC PLAN-MIXED USE AND REDESIGNATING THE PROPERTY LOCATED AT 3713 FRUIT STREET FROM COMMERCIAL/BUSINESS PARK TO SPECIFIC PLAN-MIXED USE.

Resolution No. 21-85 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT NO. 123-20GPA, ADDING A NEW LAND USE DESIGNATION OF SPECIFIC PLAN-RESIDENTIAL AND REDESIGNATING THE PROPERTIES LOCATED AT 1874, 1876, AND 1878 WALNUT STREET FROM LOW DENSITY RESIDENTIAL TO SPECIFIC PLAN-RESIDENTIAL; and

Introduce and place on first reading Ordinance No. 1103 and 1104, approving amendments to the Foothill Specific Plan and the Walnut Street Specific Plan, as follows:

Ordinance No. 1103 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE AMENDMENT TO THE FOOTHILL BOULEVARD SPECIFIC PLAN.

Ordinance No. 1104 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA VERNE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE AMENDMENT TO THE WALNUT STREET SPECIFIC PLAN.

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. 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.

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, November 1, 2021, at 6:00 p.m. for Eagle Scouts Recognition.**

**THE NEXT REGULAR MEETING of the La Verne City Council
is scheduled for Monday, November 1, 2021, at 6:30p.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, Community Development Director
- ___ Marla Pendleton, Finance Director
- ___ Nick Paz, Police Chief
- ___ Christopher Nigg, Fire Chief
- ___ Yvonne Duran, Community Services Manager
- ___ Cody Howing, City Engineer

Posting Statement: On October 13, 2021, 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.