



**CITY OF WEST COVINA**

**CITY COUNCIL/SUCCESSOR AGENCY**

**NOVEMBER 16, 2021, 7:00 PM  
REGULAR MEETING**

**CITY HALL COUNCIL CHAMBERS  
1444 W. GARVEY AVENUE SOUTH  
WEST COVINA, CALIFORNIA 91790**

**Mayor Letty Lopez-Viado  
Mayor Pro Tem Dario Castellanos  
Councilwoman Rosario Diaz  
Councilmember Brian Tabatabai  
Councilman Tony Wu**

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On March 17, 2020, Governor Newsom issued Executive Order N-29-20, suspending certain requirements of the Brown Act relating to the conduct of public meetings. Pursuant to the Executive Orders, Council Members may attend City Council meetings telephonically and the City Council is not required to make available a physical location from which members of the public may observe the meeting and offer public comment.

Due to the ongoing COVID-19 emergency and pursuant to State and County public health directives, Los Angeles County Department of Health requires that masks be worn indoors regardless of vaccination status

Members of the public may also watch City Council the meeting live on the City's website at: <https://www.westcovina.org/departments/city-clerk/agendas-and-meetings/current-meetings-and-agendas> under the "Watch Live" tab or through the West Covina City YouTube channel at [www.westcovina.org/LIVE](https://www.westcovina.org/LIVE).

If you are experiencing symptoms such as fever or chills, cough, shortness of breath or difficulty breathing, fatigue, or sore throat, the City requests that you participate in the meeting from home by watching the meeting live via the links set forth above.

**EMAILED PUBLIC COMMENT:**

Members of the public can submit public comments to the City Clerk via e-mail at [City\\_Clerk@westcovina.org](mailto:City_Clerk@westcovina.org). The subject line should specify "Oral Communications 11/16/2021". Please include your full name and address in your e-mail. All emails received by 5:00 P.M. on the day of the Council meeting will be posted to the City's website under "Current Meetings and Agendas" and provided to the City Council prior to the meeting. No comments will be read out loud during the meeting. All comments received by the start of the meeting will be made part of the official public record of the meeting.

*Please turn off all cell phones and other electronic devices prior to entering the Council Chambers*

### ***AMERICANS WITH DISABILITIES ACT***

The City complies with the Americans with Disabilities Act (ADA). If you will need special assistance at Council meetings, please call (626) 939-8433 (voice) or (626) 960-4422 (TTY) from 8 to 5 Monday through Thursday. Do call at least one day prior to the meeting date to inform us of your particular needs and to determine if accommodation is possible. For sign language interpreter services at Council meetings, please request no less than four working days prior to the meeting.

### ***AGENDA MATERIAL***

Agenda material is available for review at the City Clerk's Office, Room 317 in City Hall, 1444 W. Garvey Avenue South, West Covina and at [www.westcovina.org](http://www.westcovina.org). Any writings or documents regarding any item on this agenda, not exempt from public disclosure, provided to a majority of the City Council that is distributed less than 72 hours before the meeting, will be made available for public inspection in the City Clerk's Office, Room 317 of City Hall located at 1444 W. Garvey Avenue South, West Covina, during normal business hours.

### ***NOTICE***

The City Council will regularly convene on the first and third Tuesday of the month. The West Covina Community Development Commission, West Covina Public Financing Authority and the West Covina Community Services Foundation are agencies on which the City Council serves as members. Agendas may contain items for these boards, as necessary.

### **PUBLIC COMMENTS ADDRESSING THE CITY COUNCIL (Per WCMC 2-48, Ordinance No. 2150)**

Any person wishing to address the City Council on any matter listed on the agenda or on any other matter within their jurisdiction should complete a speaker card that is provided at the entrance to the Council Chambers and submit the card to the City Clerk.

*Please identify on the speaker card whether you are speaking on an agenda item or non-agenda. Requests to speak on agenda items will be heard prior to requests to speak on non-agenda items. All comments are limited to five (5) minutes per speaker.*

Oral Communications may be limited to thirty (30) minutes, unless speakers addressing agenda items have not concluded.

Any testimony or comments regarding a matter set for a Public Hearing will be heard during the hearing.

### ***RULES OF DECORUM***

Excerpts from the West Covina Municipal Code and Penal Code pertaining to the Rules of Decorum will be found at the end of agenda.

## **AGENDA**

### **CITY OF WEST COVINA CITY COUNCIL/SUCCESSOR AGENCY**

**TUESDAY NOVEMBER 16, 2021, 7:00 PM  
REGULAR MEETING**

### **INVOCATION**

Led by Chaplain Kelly Dupee from Faith Community Church

### **PLEDGE OF ALLEGIANCE**

Led by Councilmember Tabatabai

### **ROLL CALL**

### **REPORTING OUT FROM CLOSED SESSION**

## **PRESENTATIONS**

Presentation by Project 29:11 Food Bank  
Certificate of Recognition for PPE Now LA  
Certificate of Recognition for the Reyes family

## **ORAL COMMUNICATIONS - Five (5) minutes per speaker**

*Please step forward to the podium and state your name and city of residence for the record when recognized by the Mayor.*

## **CITY MANAGER'S REPORT**

*City Manager's report on current City projects.*

## **CONSENT CALENDAR**

*All matters listed under CONSENT CALENDAR are considered to be routine and can be acted on by one roll call vote. There will be no separate discussion of these items unless members of the City Council/Community Development Commission request specific items to be removed from the Consent Calendar for separate discussion or action.*

**ORDINANCES FOR ADOPTION - Procedural Waiver.** *Waive full reading of each ordinance on the agenda and authorize the approval of each ordinance by title only.*

### **1) CONSIDERATION OF SECOND READING OF ORDINANCE NO. 2492 - ESTABLISHING A PUBLIC, EDUCATIONAL AND GOVERNMENTAL FEE**

It is recommended that the City Council adopt the following ordinance:

**ORDINANCE NO. 2492 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA AMENDING ARTICLE II (VIDEO FRANCHISES) OF CHAPTER 11 (FRANCHISES) OF THE WEST COVINA MUNICIPAL CODE TO ESTABLISH A PUBLIC, EDUCATIONAL, AND GOVERNMENTAL FEE ON STATE VIDEO FRANCHISEES OPERATING WITHIN THE CITY OF WEST COVINA**

## **CITY MANAGER'S OFFICE**

### **2) CONSIDERATION OF AGREEMENT WITH REVENUE & COST SPECIALISTS (RCS) FOR A COMPREHENSIVE MUNICIPAL FEE STUDY**

It is recommended that the City Council:

1. Authorize the City Manager to negotiate and execute an agreement with Revenue & Cost Specialists, LLC in an amount not to exceed \$85,000 for a comprehensive municipal fee study; and
2. Adopt the attached resolution authorizing the necessary budget amendments:

**RESOLUTION NO. 2021-102 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADOPTING A BUDGET AMENDMENT FOR THE FISCAL YEAR COMMENCING JULY 1, 2021 AND ENDING JUNE 30, 2022**

## **COMMUNITY DEVELOPMENT**

### **3) CONSIDERATION OF TRAFFIC RECOMMENDATIONS FROM THE SEPTEMBER 14, 2021 AND OCTOBER 12, 2021 TRAFFIC COMMITTEE MEETINGS**

It is recommended that the City Council approve the traffic recommendations listed below of

various traffic engineering improvements citywide from the Traffic Committee Meetings held on September 14, 2021 and October 12, 2021. The items were unanimously approved and recommended for installation by the West Covina Traffic Committee for final consideration and approval by the City Council.

**September 14, 2021 Traffic Committee Meeting Approved Recommendations for City Council Consideration:**

**1. REVIEW OF PARKING CONDITIONS ON HOLT AVENUE/GARVEY AVENUE NORTH OF SPRINGCREEK ROAD**

- a. Recommendation: The Traffic Committee unanimously recommended the following items:
  - i. Install “Two Hour Parking” (R32(CA)) Signs below each of the No Commercial Parking signs on the south side only.
  - ii. The parking signage and restriction will apply all days Monday through Sunday 8AM to 6PM with overnight parking allowed. Posting of these signs will still allow overnight parking.

**2. TRAFFIC REVIEW AT THELBORN STREET BETWEEN AZUSA AVENUE AND LA BRED A AVENUE**

- a. Recommendation: The Traffic Committee unanimously recommended the following items:
  - i. Refresh and repaint the existing red curbs located on the north and south sides of Thelborn Street between Azusa Avenue and La Breda Avenue. Please note that the City has already implemented this as part of its regular maintenance.
  - ii. Installation of a double-sided ONE WAY(R6-1) sign on the median along Azusa Avenue opposite Thelborn Street.
  - iii. Installation and replacement of a new Stop Sign (R1-1) (30x30) with Right Turn Only Arrow sign (R3-5R) mounted below the new Stop Sign.
  - iv. Refresh existing pavement markings and legends at the intersection of Thelborn Street and Azusa Avenue.

**3. PERMIT PARKING REQUEST FOR HARTLEY STREET FROM WORKMAN AVENUE TO GARVEY AVENUE NORTH**

- a. Recommendation: The Traffic Committee unanimously recommended the following items:
  - i. Approve the permit parking request based on the criteria of installation based on the West Covina Permit Parking Policy.
  - ii. Installation of “No Parking Anytime Except by Permit” signs (R26A(CA)) (24”x30”) along Hartley Street from Workman Avenue to Garvey Avenue. Each address would receive 4 permit parking passes to post on their cars.

**4. TRAFFIC REVIEW AT THE INTERSECTION OF DURNES STREET AND EVANWOOD AVENUE**

- a. Recommendation: The Traffic Committee unanimously recommended the following items:
  - i. Crosswalk: Refresh and repaint the existing yellow crosswalk in the west leg of Durness Street.
  - ii. Refresh the existing pavement markings and legends at the intersection of Evanwood Avenue and Durness Street.
  - iii. Stop Sign Signage: Remove and replace the existing STOP signs and install new Stop (R1-1) Signs (36”x36”) with ALL WAY Supplemental Plaque (R1-3) underneath each existing

STOP sign at the intersection of Evanwood Avenue and Durness Street.

**October 12, 2021 Traffic Committee Meeting Approved Recommendations for City Council Consideration:**

**1. TRAFFIC REVIEW ALONG EVANWOOD AVE BETWEEN VINE AVENUE AND CAMERON AVENUE**

- a. Recommendation: The Traffic Committee unanimously recommended the following items:
- i. Remove and replace the existing faded STOP signs and install new STOP (R1-1) Signs (36"x36") with ALL WAY (R1-3) supplemental plaque underneath and add red reflective strips on the posts at the intersection of Vine Avenue and Evanwood Avenue.
  - ii. Install new STOP signs, STOP bar, and STOP legend with "CROSS TRAFFIC DOES NOT STOP" (W4-4P) supplemental plaque underneath for right of way designation on the side streets of Barbara Avenue, Cumley Street, and Herald Street. Please note this is only for vehicles to stop on those streets before turning onto Evanwood Avenue; this installation does not include a Stop sign on Evanwood Avenue at these locations.
  - iii. Remove and replace the existing faded STOP signs and install new STOP (R1-1) Signs (36"x36") with "CROSS TRAFFIC DOES NOT STOP" (W4-4P) supplemental plaque underneath at the intersection of Cameron Avenue and Evanwood Avenue.
  - iv. Refresh existing pavement markings and legends along the segment of Evanwood Avenue between Vine Avenue and Cameron Avenue.
  - v. Repaint existing crosswalks on Vine Avenue and Evanwood Avenue and on Cameron Avenue and Evanwood Avenue with high visibility yellow ladder striping.
  - vi. Install white side stripes along the north and south sides of Evanwood Avenue between Vine Avenue and Cameron Avenue approximately 7 to 8-feet from the curb, leaving 10 to 12-feet of drivable street in each direction. This will not impact any parking. This serves to visually narrow the roadway and has been shown to reduce speeds.
  - vii. Install 25-mph speed limit signs for both directions as vehicles enter the Evanwood Avenue segment from Cameron Avenue and Vine Avenue.
  - viii. Install double-sided 36"x36" SCHOOL CROSSING SIGNAGE (S1-1) with a 24"x12" downward facing arrow plaque (W16-7P) underneath the S1-1 sign at the south leg of the uncontrolled crosswalk at Cameron Avenue and Evanwood Avenue to be placed on both sides of the crosswalk. The downward facing arrow plaque (W16-7P) and school crossing signage (S1-1) should be facing toward the crosswalk per CAMUTCD Section 7B.12.
  - ix. Install "YIELD HERE TO PEDESTRIAN" signage (R1-5) per CAMUTCD Section 7B.12 with advanced shark teeth yield lines in white paint approaching the uncontrolled crosswalk at Cameron Avenue and Evanwood Avenue.

**2. TRAFFIC REVIEW ALONG ROWLAND AVENUE BETWEEN LARK ELLEN AVENUE AND AZUSA AVENUE**

- a. Recommendation: The Traffic Committee unanimously recommended the following items:
- i. Replacement of Signage: Remove and replace the existing 40 MPH Speed Limit (R2-1) signs with oversized (30x36) 40 MPH Speed Limit Signs (R2-1) along Rowland Avenue between Lark Ellen Avenue and Azusa Avenue.
  - ii. Install Solar Powered Radar Speed Feedback Sign on Rowland Avenue west of Leaf Avenue midblock east of Homerest Avenue midblock for westbound traveling vehicles, per CAMUTCD Section 2B.13. Add a 40 MPH Speed Sign on the same post above the Solar Powered Radar Speed Feedback Sign.
  - iii. Add "Cross Traffic Does Not Stop" plaque underneath the existing stop signs on Leaf Avenue and Homerest Avenue on the approach to Rowland Avenue, along with a red

- reflective strip mounted to the STOP sign post. Per CAMUTCD Section 2C.59.
- iv. Add 20 feet of red curb on the south side of Rowland Avenue approaching Homerest Avenue. This will ensure vehicles turning left or right from Homerest Avenue onto Rowland Avenue will have proper line of sight to do so. Per CAMUTCD Section 3B.19.
- v. Repaint and refresh crosswalk striping at Azusa Avenue and Rowland Avenue.
- vi. Install yellow retroreflective strips around all signal heads located on signal heads at the intersection of Azusa Avenue and Rowland Avenue, as per CAMUTCD Section 4D.12. ("A yellow retroreflective strip with a minimum width of 1 inch and a maximum width of 3 inches may be placed along the perimeter of the face of a signal backplate to project a rectangular appearance at night.") Backplates added to a traffic signal indication improve the visibility of the illuminated face of the signal by introducing a controlled-contrast background. The improved visibility of a signal head with a backplate is made even more conspicuous by framing it with a retroreflective border. Signal heads that have backplates equipped with retroreflective borders are more visible and conspicuous in both daytime and nighttime conditions. CAMUTCD Section 4D.12.
- vii. Install KEEP RIGHT (R4-7) and reflective Object Marker (OM1-3) signs and repaint yellow median noses for all legs at the intersection of Azusa Avenue and Rowland. CAMUTCD Section 2C.16 & CAMUTCD Section 2B.20.

### **3. TRAFFIC REVIEW AT THE INTERSECTION OF PUENTE AVENUE AND VINCENT AVENUE**

- a. Recommendation: The Traffic Committee unanimously recommended the following items:
  - i. Refresh the Existing Crosswalk Striping:
  - ii. Install 24"x30" KEEP RIGHT (R4-7) signs on both the north and south median noses on Vincent Avenue as per CAMUTCD Section 2B.20 to guide motorists to keep right of the raised median.
  - iii. Install 24"x24" diamond shape reflective object markers (OM1-1) on both the north and south median on Vincent Avenue below the keep right (R4-7) signs. As per CAMUTCD Section 2C.64, the installation of Type 1 or Type 3 object marker is used to provide additional emphasis of the raised median.
  - iv. Install "island alert curb reflectors" and repaint yellow striping around the curb to improve visibility of the raised median. These reflectors increase visibility for nighttime driving.
  - v. Install yellow retroreflective strips around all signal heads located on signal heads at the intersection of Vincent Avenue and Puente Avenue, as per CAMUTCD Section 4D.12. ("A yellow retroreflective strip with a minimum width of 1 inch and a maximum width of 3 inches may be placed along the perimeter of the face of a signal backplate to project a rectangular appearance at night.") Backplates added to a traffic signal indication improve the visibility of the illuminated face of the signal by introducing a controlled-contrast background. The improved visibility of a signal head with a backplate is made even more conspicuous by framing it with a retroreflective border. Signal heads that have backplates equipped with retroreflective borders are more visible and conspicuous in both daytime and nighttime conditions. CAMUTCD Section 4D.12.

### **4) CONSIDERATION OF A REQUEST TO ACCEPT/HEAR AN APPEAL OF SIGN ADMINISTRATIVE REVIEW (SAR) 21-01 APPROVAL FOR A 249-SQUARE FOOT WALL SIGN LOCATED AT THE SOUTH SIDE OF THE HIGH-RISE OFFICE BUILDING AT 100 N. BARRANCA STREET**

It is recommended that the City Council deny the request to accept/hear an appeal of the Planning Commission's decision to uphold the Community Development Director's decision to approve Sign Administrative Review (SAR) No. 21-01.

## **PUBLIC SERVICES**

### **5) MUNICIPAL NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PROGRAM SUMMARY**

It is recommended that City Council receive and file the Municipal National Pollutant Discharge Elimination System (NPDES) Program Summary.

### **END OF CONSENT CALENDAR**

## **DEPARTMENTAL REGULAR MATTERS**

### **CITY CLERK'S OFFICE**

#### **6) SELECTION OF MAYOR AND MAYOR PRO TEM**

Take appropriate action.

### **MAYOR/COUNCILMEMBERS REPORTS**

AB 1234 Conference and Meeting Report (verbal, if any)

*(In accordance with AB 1234, Councilmembers shall make a brief report or file a written report on any meeting/event/conference attended at City expense.)*

### **CITY COUNCIL REQUESTS FOR REPORTS, STUDIES OR INVESTIGATION**

*(Per City of West Covina Standing Rules 4.f - Requests for reports, studies, or investigations that are not readily available must be placed on the City Council/Successor Agency agenda as items of business and must be approved by a majority of the City Council/Successor Agency Board.)*

### **CITY COUNCIL COMMENTS**

### **ADJOURNMENT**

#### **Next Tentative City Council Meeting**

Regular Meeting

December 7, 2021

7:00 PM

### **RULES OF DECORUM**

*The following are excerpts from the West Covina Municipal Code:*

Sec. 2-48. Manner of addressing council; time limit; persons addressing may be sworn.

- a. Each person addressing the council shall step up to the rostrum, shall give his or her name and city of residence in an audible tone of voice for the record and unless further time is granted by the council, shall limit his or her address to five (5) minutes.
- b. The city council may establish a limit on the duration of oral communications.
- c. All remarks shall be addressed to the council as a body and not to any member thereof. No person, other than the council and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the council, without the permission of the presiding officer. No question shall be asked of a councilmember except through the presiding officer.
- d. The presiding officer may require any person to be sworn as a witness before addressing the council on any subject. Any such person who, having taken an oath that he or she will testify truthfully, willfully and contrary to such oath states as true any material matter which he knows to be false may be held to answer criminally and subject to the penalty prescribed for perjury by the provisions of the Penal Code of the state.

Sec. 2-50. Decorum--Required.

- a. While the council is in session, the members shall preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or disrupt the proceedings or the peace of the council nor interrupt any member while speaking or refuse to obey the orders of the council or its presiding officer, except as otherwise herein provided.
- b. Members of the public shall not willfully disrupt the meeting or act in a manner that actually impairs the orderly conduct of the meeting. For the purposes of this code, "willfully disrupt" includes, but is not limited to, continuing to do any of the following after being warned by the Mayor that continuing to do so will be a violation of the law:
  - a. Addressing the Mayor and City Council without first being recognized.
  - b. Persisting in addressing a subject or subjects, other than that before the Mayor and City Council.
  - c. Repetitiously addressing the same subject.
  - d. Failing to relinquish the podium when directed to do so.
  - e. From the audience, interrupting or attempting to interrupt, a speaker, the Mayor, a council member, or a staff member or shouting or attempting to shout over a speaker, the Mayor, a council member or a staff member.
  - f. As a speaker, interrupting or attempting to interrupt the Mayor, a council member, or a staff member, or shouting over or attempting to shout over the Mayor, a council member, or a staff member. Nothing in this section or any rules of the council shall be construed to prohibit public criticism of the policies, procedures, programs, or services of the City or of the acts or omissions of the City Council. It shall be unlawful to violate the provisions of this Section.

If any subsection, sentence, clause, or phrase or word of this Section 2-50 is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Section. The City Council hereby declares that it would have passed this section and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses, phrases or words had been declared invalid or unconstitutional.

**Sec. 2-52. Persons authorized to be within council area.**

No person, except city officials, their representatives and members of the news media shall be permitted within the rail in front of the council chamber without the express consent of the council.

***The following are excerpts from the Penal Code***

148(a) (1) Every Person who willfully resists, delays, or obstructs any public officer, peace officer, or an emergency medical technician, as defined in Division 2.5 (commencing with Section 1797) of the Health and Safety code, in the discharge or attempt to discharge any duty of his or her office or employment, when no other punishment is prescribed, shall be punished by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment in a county jail not to exceed one year, or by both that fine and imprisonment.

403 Every person who, without authority of law, willfully disturbs or breaks up any assembly or meeting that is not unlawful in its character, other than an assembly or meeting referred to in Section 303 of the Penal Code or Section 18340 of the Elections Code, is guilty of a misdemeanor.





# AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

**DATE:** 11/16/2021

**TO:** Mayor and City Council

**FROM:** David Carmany  
City Manager

**SUBJECT: CONSIDERATION OF SECOND READING OF ORDINANCE NO. 2492 -  
ESTABLISHING A PUBLIC, EDUCATIONAL AND GOVERNMENTAL FEE**

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## RECOMMENDATION:

It is recommended that the City Council adopt the following ordinance:

**ORDINANCE NO. 2492 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA AMENDING ARTICLE II (VIDEO FRANCHISES) OF CHAPTER 11 (FRANCHISES) OF THE WEST COVINA MUNICIPAL CODE TO ESTABLISH A PUBLIC, EDUCATIONAL, AND GOVERNMENTAL FEE ON STATE VIDEO FRANCHISEES OPERATING WITHIN THE CITY OF WEST COVINA**

## BACKGROUND:

In 2006, the California Legislature adopted the Digital Infrastructure and Video Competition Act of 2006 ("DIVCA"), which changed the manner in which video services are regulated by placing local franchising within a state franchising system administered by the California Public Utilities Commission ("CPUC"). In 2009, the City amended Article 2 of Chapter 11 of the West Covina Municipal Code to implement DIVCA through the adoption of Ordinance No. 2191.

DIVCA authorizes cities to adopt an ordinance imposing a fee of up to one percent (1%) of a state video franchise holder's "gross revenues," as defined, to support public, educational, and governmental ("PEG") channel facilities. In adopting Ordinance No. 2191 in 2009, the City did not adopt a PEG fee. Without an established PEG fee, the City is losing out on approximately \$165,000-\$190,000 annually in such fees. However, DIVCA permits cities to establish a PEG fee at any time. (Cal. Pub. Util. Code § 5870(n).)

This 1% fee is paid directly by the state franchisees and, unlike sales tax and other "pass-throughs", this is not a direct obligation of their customers. However, DIVCA permits state franchisees to recover any PEG fees remitted to a local entity by billing a recovery fee as a separate line on the regular bill of each subscriber. (Cal. Pub. Util. Code § 5870(o).) The PEG fee is a fee collected by most municipalities in California. Surrounding cities that impose PEG fees include: Covina, La Puente, La Verne, San Dimas, Walnut, Irwindale, Diamond Bar, and many others.

There are two state video franchise holders operating in the City: Frontier California Inc. dba Frontier California Inc. ("Frontier") and CCO SoCal I, LLC dba Charter Communications ("Charter"). Frontier's current franchise became effective March 8, 2017. Charter's current franchise became effective January 2,

2018. The franchises expire after 10 years.

The City Council previously considered adoption of a PEG fee in May 2019.

On November 2, 2021, the West Covina City Council, by a 5-0 vote, introduced for first reading Ordinance No. 2492, which will amend Article II (Video Franchises) of Chapter 11 (Franchises) of the West Covina Municipal Code to establish a PEG fee on State video franchisees operating within the City of West Covina.

#### **DISCUSSION:**

The primary impact of DIVCA was that the City could no longer issue new cable franchises. The CPUC became the sole franchising authority for video service providers in the State. However, pursuant to DIVCA, cities can collect franchise fees and PEG fees.

Franchise Fees. With regard to all video service providers with state franchises, DIVCA imposes a franchise fee of five percent (5%) of the franchise holder's "gross revenues" (which term is defined by DIVCA), unless the City opts to lower the franchise fee. Per Section 11-18 of the West Covina Municipal Code, the City imposes the 5% franchise fee. In Fiscal Year 20-21, the City collected \$959,352.25 from Charter and Frontier.

PEG Fees. Section 5870(n) of DIVCA authorizes cities to collect an additional fee to support PEG programming. The PEG fee can be established at any time. Under federal law, PEG fees can only be expended to pay for "capital costs" associated with PEG support. These costs can include the purchase and maintenance of PEG facilities and equipment.

Some video service providers have taken the position that the last sentence of 5870(n) requires cities to renew their PEG fee ordinance at the renewal of each franchisee's state franchise. To avoid any risk that the City will lose revenue for failure to properly establish or reauthorize the PEG fee as required by Section 5870(n), the ordinance does both – it establishes the PEG fee and provides for its automatic reauthorization upon the expiration of a state video franchise.

Proposition 26. The adoption of the proposed PEG fee complies with the requirements of Article XIII C, section 1, subd. (e) of the California Constitution (Proposition 26) because the PEG fee is not a "tax." The PEG fee is not a tax, by definition, because: the City will use the 1% fee only for the reasonable "capital costs" the City incurs relating to the provision of public, educational, and governmental video services, as that term is defined in federal law, and the charge is only imposed for a specific government purpose or product provided directly to the pay or that is not provided to those not charged.

Government Access Channel. It should be noted the City is currently paying Charter approximately \$6,200 per year for the government access channel as a result of a 2019 FCC ruling that allowed cable companies to charge for such service. Prior to the FCC ruling, the government access channel was provided at no cost to the City.

Staff recommends that the City Council conduct the second reading and adopt Ordinance No. 2492. The Ordinance will take effect on the 31st day following adoption, which is on or about December 17, 2021.

#### **LEGAL REVIEW:**

The City Attorney's Office has reviewed the ordinance and approved it as to form.

#### **OPTIONS:**

The City Council has the following options:

1. Conduct the second reading and adopt Ordinance No. 2492; or
2. Provide alternative direction.

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### **Fiscal Impact**

#### **FISCAL IMPACT:**

By establishing a PEG fee, the City will be able to collect approximately \$168,000 per year from state video franchise holders operating within the City.

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### **Attachments**

Attachment No. 1 - Ordinance No. 2492

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**CITY COUNCIL GOALS & OBJECTIVES:** Achieve Fiscal Sustainability and Financial Stability  
Maintain and Enhance City Facilities and Infrastructure  
Enhance the City Image and Effectiveness



# AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

**DATE:** 11/16/2021

**TO:** Mayor and City Council

**FROM:** David Carmany  
City Manager

**SUBJECT: CONSIDERATION OF AGREEMENT WITH REVENUE & COST SPECIALISTS (RCS)  
FOR A COMPREHENSIVE MUNICIPAL FEE STUDY**

---

## RECOMMENDATION:

It is recommended that the City Council:

1. Authorize the City Manager to negotiate and execute an agreement with Revenue & Cost Specialists, LLC in an amount not to exceed \$85,000 for a comprehensive municipal fee study; and
2. Adopt the attached resolution authorizing the necessary budget amendments:

**RESOLUTION NO. 2021-102 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADOPTING A BUDGET AMENDMENT FOR THE FISCAL YEAR COMMENCING JULY 1, 2021 AND ENDING JUNE 30, 2022**

## BACKGROUND:

State and local governments use charges and fees to help fund programs and offset the costs of providing various services. Local governments implement cost recovery measures to charge fees to those direct recipients that receive of the benefits from such services. The purpose of a fee schedule is to set User Fees that recover costs of providing those services or elect which fees will be subsidized. According to the Government Finance Officers Association (GFOA), the best practices for establishing government charges and fees, fees should be reviewed and updated periodically based on factors such as inflation, increased cost of doing business, adequacy of cost recovery, use of services and the competitiveness of current rates.

The current fee schedule contains several categories of fees including fees for building and fire permits, various inspection fees, recreation and community services fees, and administrative service fees. The last comprehensive city wide fee update was completed December 2017 by Willdan Financial Services.

The December 2020 State Audit found that the City has not adjusted the fees it charges for services so that they align with the full cost to the City of those services, resulting in the City's reliance on its General Fund revenue to subsidize those services. To ensure that the fees the City charges for services align with its costs, the State Audit recommended that the City use a phased approach that steadily increases its fees each fiscal year until it fully recovers the costs of the services it provides, and that the City reassess the full costs of its services at least every three years.

## DISCUSSION:

The purpose of a fee study is to identify the total cost of providing each City service, identify any new services and the corresponding fees, and eliminate obsolete fees among all City departments. The full cost of providing the service may not necessarily become the City's fee, but it serves as the objective basis as to the maximum amount that may be collected. The fee study process will be a collaborative effort between each department and the selected consultant.

On July 27, 2021, the City released a Request for Proposals for the Municipal Fee Study. On August 19, 2021, the City received two proposals:

<b>Task</b>	<b>Willdan Financial Services</b>	<b>Revenue &amp; Cost Specialist (RCS)</b>
Cost Allocation Plan	N/A	13,200
<b>Studies</b>		
User Fee Study	28,890	29,040
Development Impact Fee Study	52,050	42,240
<b>Subtotal Studies</b>	<b>80,940</b>	<b>71,280</b>
Assessment Engineering Services - Phase I	25,130	N/A
Assessment Engineering – Phases II and III		
Citywide Lighting & Maintenance District	5,515	N/A
Maintenance District No. 4	4,295	N/A
Maintenance District No. 4	4,295	N/A
Landscape Maintenance District No. 6	3,185	N/A
Maintenance District No. 7	3,185	N/A
Sewer Service Charge	1,563	N/A
<b>Subtotal Assessment Eng. – Phases II &amp; III</b>	<b>22,038</b>	<b>N/A</b>
<b>Total</b>	<b>128,108</b>	<b>84,480</b>

The costs provided for the User Fee Study and Development Impact Fee were the only tasks bid on by both consultants. Therefore, the lowest responsive bidder is RCS. The Assessment Engineering Services have been re-bid under another RFP and will be recommended for award at a later date.

At the November 2, 2021 City Council meeting, the City Council asked staff to provide additional information about the fee study. Please see the requested information below:

- The fee study would be comprehensive review of all City fees.
  - The last comprehensive update for all City fees was done in April 2017. Willdan Financial Services was contracted to do a Cost Allocation Plan and Comprehensive Fee & Charge Study (Fee Study). During this review, 427 fees were increased, 55 decreased, 35 fees added, 171 removed, and 222 had no change. Some fees were added which are set by the County, State or Federal Government and were not listed on the City's fee schedule or for new services provided by West Covina. Some fees that were removed were due to fee being obsolete (service no longer provided), covered by another department, or scope of another fee.
  - In 2019, the City made changes to the fees in the Community Development Department, specifically to the Building, Code Enforcement and Engineering divisions. The changes reflected adopting the Los Angeles County schedule of fees for Building and Engineering. The fees change for the Code Enforcement division reflected State changes to the maximum allowed charges for violations.
- 2020 State Audit
  - Pursuant to the findings of the 2020 State audit the City received, it was recommended that the City conduct a compensative fee schedule study to review the fees and charges the City collects for

services and programs. If the City were to conduct the fee study it will eliminate a finding and contribute to moving

- West Covina up on the list (and not in the top 10 worst cities).

The scope of work will include the following, as detailed further in the table below:

- A Cost Allocation Plan,
- Municipal (User) Fee Study,
- A Development Impact Fee Study, and
- RCS will also develop a user-friendly spreadsheet which will perform new assessment rates, user fees and impact fees based on CPI adjustment.

<b>Task</b>	<b>Milestones/Deliverables</b>	<b>Cost Estimate</b>
<b>Cost Allocation Plan</b>		
Kick-Off Meeting	Informational Meeting	\$1,320
Build Budget and Positions	Schedule of Positions and Budget	\$3,960
Review Central Services/Times	List of Central Services	\$2,640
Develop Allocation Factors	Index of Allocation Factors	\$2,640
Initial Calculation Review	Draft Cost Allocation Plan	\$1,320
Produce Final Cost Allocation Plan	Final Cost Allocation Plan	\$1,320
<b>User Fee Study</b>		
Develop Service List	Preliminary Service List	\$2,640
Develop Staff Time Allocations	Time Detail Reports	\$6,600
Develop Fully Allocated Hourly Rates	Fully Allocated Hourly Rate Reports	\$6,600
Prepare Draft Report	Draft Fee Study Report	\$6,600
Prepare Final Report	Final Report	\$3,960
Public Meetings	Presentations	\$2,640
<b>Development Impact Fee Study</b>		
Preliminary Research		\$5,940
Identify Land-Use Build Out	Land Use Database	\$3,960
Identify Current/Future Needs	Schedule of Capital Costs	\$9,900
Mathematical Nexus Calculation	Spreadsheets of Calculations	\$6,600
Textual Nexus	Draft and Final DIR Reports	\$13,200
Public Meetings	Presentation(s)	\$2,640

Staff is recommending that the City Council authorize the City Manager to execute an agreement with RCS in an amount not to exceed \$85,000 and approve the attached budget amendment.

**LEGAL REVIEW:**

The City Attorney's Office has reviewed the agreement and resolution and approved them as to form.

**OPTIONS:**

The City Council has the following options:

1. Adopt staff's recommendation; or
2. Provide alternative direction.

**Prepared by:** Lisa Sherrick; Assistant City Clerk

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**Fiscal Impact**

**FISCAL IMPACT:**

A municipal fee study was a need identified during the State Audit, however; a cost estimate was not available in time to be included in the FY2021-22 Original Budget. Therefore, a budget amendment is required to ensure completion of this objective. The total cost of the study is \$84,480 and is proposed to come from unassigned fund balance. A budget amendment of \$84,500 is proposed to increase expenditures under City Clerk, Professional Services, account number 110.12.1210.6110.

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**Attachments**

Attachment No. 1 - Agreement with RCS  
Attachment No. 2 - Budget Amendment  
Attachment No. 3 - RCS Bid  
Attachment No. 4 - WFS Bid

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**CITY COUNCIL GOALS & OBJECTIVES:** Achieve Fiscal Sustainability and Financial Stability  
Maintain and Enhance City Facilities and Infrastructure  
Financial Recovery Plan/Corrective Action



# AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

**DATE:** 11/16/2021

**TO:** Mayor and City Council

**FROM:** David Carmany  
City Manager

**SUBJECT: CONSIDERATION OF TRAFFIC RECOMMENDATIONS FROM THE SEPTEMBER 14, 2021 AND OCTOBER 12, 2021 TRAFFIC COMMITTEE MEETINGS**

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## RECOMMENDATION:

It is recommended that the City Council approve the traffic recommendations listed below of various traffic engineering improvements citywide from the Traffic Committee Meetings held on September 14, 2021 and October 12, 2021. The items were unanimously approved and recommended for installation by the West Covina Traffic Committee for final consideration and approval by the City Council.

### September 14, 2021 Traffic Committee Meeting Approved Recommendations for City Council Consideration:

#### **1. REVIEW OF PARKING CONDITIONS ON HOLT AVENUE/GARVEY AVENUE NORTH OF SPRINGCREEK ROAD**

- a. Recommendation: The Traffic Committee unanimously recommended the following items:
  - i. Install "Two Hour Parking" (R32(CA)) Signs below each of the No Commercial Parking signs on the south side only.
  - ii. The parking signage and restriction will apply all days Monday through Sunday 8AM to 6PM with overnight parking allowed. Posting of these signs will still allow overnight parking.

#### **2. TRAFFIC REVIEW AT THELBORN STREET BETWEEN AZUSA AVENUE AND LA BRED A AVENUE**

- a. Recommendation: The Traffic Committee unanimously recommended the following items:
  - i. Refresh and repaint the existing red curbs located on the north and south sides of Thelborn Street between Azusa Avenue and La Breda Avenue. Please note that the City has already implemented this as part of its regular maintenance.
  - ii. Installation of a double-sided ONE WAY(R6-1) sign on the median along Azusa Avenue opposite Thelborn Street.
  - iii. Installation and replacement of a new Stop Sign (R1-1) (30x30) with Right Turn Only Arrow sign (R3-5R) mounted below the new Stop Sign.
  - iv. Refresh existing pavement markings and legends at the intersection of Thelborn Street and Azusa Avenue.



### **3. PERMIT PARKING REQUEST FOR HARTLEY STREET FROM WORKMAN AVENUE TO GARVEY AVENUE NORTH**

- a. Recommendation: The Traffic Committee unanimously recommended the following items:
  - i. Approve the permit parking request based on the criteria of installation based on the West Covina Permit Parking Policy.
  - ii. Installation of “No Parking Anytime Except by Permit” signs (R26A(CA)) (24”x30”) along Hartley Street from Workman Avenue to Garvey Avenue. Each address would receive 4 permit parking passes to post on their cars.

### **4. TRAFFIC REVIEW AT THE INTERSECTION OF DURNES STREET AND EVANWOOD AVENUE**

- a. Recommendation: The Traffic Committee unanimously recommended the following items:
  - i. Crosswalk: Refresh and repaint the existing yellow crosswalk in the west leg of Durness Street.
  - ii. Refresh the existing pavement markings and legends at the intersection of Evanwood Avenue and Durness Street.
  - iii. Stop Sign Signage: Remove and replace the existing STOP signs and install new Stop (R1-1) Signs (36”x36”) with ALL WAY Supplemental Plaque (R1-3) underneath each existing STOP sign at the intersection of Evanwood Avenue and Durness Street.

### **October 12, 2021 Traffic Committee Meeting Approved Recommendations for City Council Consideration:**

#### **1. TRAFFIC REVIEW ALONG EVANWOOD AVE BETWEEN VINE AVENUE AND CAMERON AVENUE**

- a. Recommendation: The Traffic Committee unanimously recommended the following items:
  - i. Remove and replace the existing faded STOP signs and install new STOP (R1-1) Signs (36”x36”) with ALL WAY (R1-3) supplemental plaque underneath and add red reflective strips on the posts at the intersection of Vine Avenue and Evanwood Avenue.
  - ii. Install new STOP signs, STOP bar, and STOP legend with "CROSS TRAFFIC DOES NOT STOP" (W4-4P) supplemental plaque underneath for right of way designation on the side streets of Barbara Avenue, Cumley Street, and Herald Street. Please note this is only for vehicles to stop on those streets before turning onto Evanwood Avenue; this installation does not include a Stop sign on Evanwood Avenue at these locations.
  - iii. Remove and replace the existing faded STOP signs and install new STOP (R1-1) Signs (36”x36”) with "CROSS TRAFFIC DOES NOT STOP" (W4-4P) supplemental plaque underneath at the intersection of Cameron Avenue and Evanwood Avenue.
  - iv. Refresh existing pavement markings and legends along the segment of Evanwood Avenue between Vine Avenue and Cameron Avenue.
  - v. Repaint existing crosswalks on Vine Avenue and Evanwood Avenue and on Cameron Avenue and Evanwood Avenue with high visibility yellow ladder striping.
  - vi. Install white side stripes along the north and south sides of Evanwood Avenue between Vine Avenue and Cameron Avenue approximately 7 to 8-feet from the curb, leaving 10 to 12-feet of drivable street in each direction. This will not impact any parking. This serves to visually narrow the roadway and has been shown to reduce speeds.
  - vii. Install 25-mph speed limit signs for both directions as vehicles enter the Evanwood Avenue segment from Cameron Avenue and Vine Avenue.
  - viii. Install double-sided 36”x36” SCHOOL CROSSING SIGNAGE (S1-1) with a 24”x12” downward facing arrow plaque (W16-7P) underneath the S1-1 sign at the south leg of the uncontrolled crosswalk at Cameron Avenue and Evanwood Avenue to be placed on both sides of the crosswalk.

The downward facing arrow plaque (W16-7P) and school crossing signage (S1-1) should be facing toward the crosswalk per CAMUTCD Section 7B.12.

- ix. Install “YIELD HERE TO PEDESTRIAN” signage (R1-5) per CAMUTCD Section 7B.12 with advanced shark teeth yield lines in white paint approaching the uncontrolled crosswalk at Cameron Avenue and Evanwood Avenue.

## **2. TRAFFIC REVIEW ALONG ROWLAND AVENUE BETWEEN LARK ELLEN AVENUE AND AZUSA AVENUE**

a. Recommendation: The Traffic Committee unanimously recommended the following items:

- i. Replacement of Signage: Remove and replace the existing 40 MPH Speed Limit (R2-1) signs with oversized (30x36) 40 MPH Speed Limit Signs (R2-1) along Rowland Avenue between Lark Ellen Avenue and Azusa Avenue.
- ii. Install Solar Powered Radar Speed Feedback Sign on Rowland Avenue west of Leaf Avenue midblock east of Homerest Avenue midblock for westbound traveling vehicles, per CAMUTCD Section 2B.13. Add a 40 MPH Speed Sign on the same post above the Solar Powered Radar Speed Feedback Sign.
- iii. Add “Cross Traffic Does Not Stop” plaque underneath the existing stop signs on Leaf Avenue and Homerest Avenue on the approach to Rowland Avenue, along with a red reflective strip mounted to the STOP sign post. Per CAMUTCD Section 2C.59.
- iv. Add 20 feet of red curb on the south side of Rowland Avenue approaching Homerest Avenue. This will ensure vehicles turning left or right from Homerest Avenue onto Rowland Avenue will have proper line of sight to do so. Per CAMUTCD Section 3B.19.
- v. Repaint and refresh crosswalk striping at Azusa Avenue and Rowland Avenue.
- vi. Install yellow retroreflective strips around all signal heads located on signal heads at the intersection of Azusa Avenue and Rowland Avenue, as per CAMUTCD Section 4D.12. (“A yellow retroreflective strip with a minimum width of 1 inch and a maximum width of 3 inches may be placed along the perimeter of the face of a signal backplate to project a rectangular appearance at night.”) Backplates added to a traffic signal indication improve the visibility of the illuminated face of the signal by introducing a controlled-contrast background. The improved visibility of a signal head with a backplate is made even more conspicuous by framing it with a retroreflective border. Signal heads that have backplates equipped with retroreflective borders are more visible and conspicuous in both daytime and nighttime conditions. CAMUTCD Section 4D.12.
- vii. Install KEEP RIGHT (R4-7) and reflective Object Marker (OM1-3) signs and repaint yellow median noses for all legs at the intersection of Azusa Avenue and Rowland. CAMUTCD Section 2C.16 & CAMUTCD Section 2B.20.

## **3. TRAFFIC REVIEW AT THE INTERSECTION OF PUENTE AVENUE AND VINCENT AVENUE**

a. Recommendation: The Traffic Committee unanimously recommended the following items:

- i. Refresh the Existing Crosswalk Striping:
- ii. Install 24”x30” KEEP RIGHT (R4-7) signs on both the north and south median noses on Vincent Avenue as per CAMUTCD Section 2B.20 to guide motorists to keep right of the raised median.
- iii. Install 24”x24” diamond shape reflective object markers (OM1-1) on both the north and south median on Vincent Avenue below the keep right (R4-7) signs. As per CAMUTCD Section 2C.64, the installation of Type 1 or Type 3 object marker is used to provide additional emphasis of the raised median.
- iv. Install “island alert curb reflectors” and repaint yellow striping around the curb to improve visibility of the raised median. These reflectors increase visibility for nighttime driving.
- v. Install yellow retroreflective strips around all signal heads located on signal heads at the intersection of Vincent Avenue and Puente Avenue, as per CAMUTCD Section 4D.12. (“A yellow retroreflective strip with a minimum width of 1 inch and a maximum width of 3 inches may be

placed along the perimeter of the face of a signal backplate to project a rectangular appearance at night.”) Backplates added to a traffic signal indication improve the visibility of the illuminated face of the signal by introducing a controlled-contrast background. The improved visibility of a signal head with a backplate is made even more conspicuous by framing it with a retroreflective border. Signal heads that have backplates equipped with retroreflective borders are more visible and conspicuous in both daytime and nighttime conditions. CAMUTCD Section 4D.12.

## **BACKGROUND:**

The West Covina Traffic Committee regularly meets and holds public meetings on the 2<sup>nd</sup> Tuesday of each month. The Traffic Committee consists of the City Traffic Engineer, the Chief of Police or at his discretion a representative for the traffic division, and the City Engineer. The Traffic Committee reviews resident, community, and City requests pertaining to any traffic related items. These items are presented with recommendations to the Traffic Committee for discussion and approval, and then are later presented to City Council for final approval. Below please see the request, the review and the recommendations for the meetings held at the September 14, 2021 and October 12, 2021 Traffic Committee meetings.

### **September 14, 2021 Traffic Committee Meeting Approved Recommendations for City Council Consideration:**

#### **1. REVIEW OF PARKING CONDITIONS ON HOLT AVENUE/GARVEY AVENUE NORTH OF SPRINGCREEK ROAD**

- a. Request: The City of West Covina received a request to review exiting parking conditions and to install time limited signage along Holt Avenue/Garvey Avenue north of Springcreek Road on the south side of Holt Avenue near the Oak Creek neighborhood. In January 2021, “No Commercial Parking” Signs were approved and installed on the south side of Holt Avenue. These signs conform to the CVC and Municipal Code 22-184. However, the resident maintains that vehicles are still parking more than 72 hours as well as working on their vehicles along the segment, some of which are considered as fleet vehicles. The resident has requested that the City re-evaluate this segment for the installation of time limit parking signage.
- b. Review Standard: After a thorough review of existing field and traffic conditions and per the California Manual on Uniform Traffic Control Devices (CAMUTCD), California Vehicle Code (CVC), and engineering judgement, it was determined that installation of “Two Hour Parking” (R32(CA)) Signs be installed below each of the No Commercial Parking signs located on the south side of Holt Avenue. These signs are enforceable with a posted sign and supported by the California Vehicle Code (CVC) Section 22507, CAMUTCD 2B.46 and the West Covina municipal code Section 22-165-176
- c. Recommendation: The Traffic Committee unanimously recommended the following items:
  - i. Install “Two Hour Parking” (R32(CA)) Signs below each of the No Commercial Parking signs on the south side only.
  - ii. The parking signage and restriction will apply all days Monday through Sunday 8AM to 6PM with overnight parking allowed. Posting of these signs will still allow overnight parking.

#### **2. TRAFFIC REVIEW AT THELBORN STREET BETWEEN AZUSA AVENUE AND LA BREA AVENUE**

- a. Request: The City of West Covina received a request to repaint the existing red curbs located on Thelborn Street between Azusa Avenue and La Brea Avenue to improve driver visibility and to prevent vehicles from parking and partially blocking driveways in this area.
- b. Review Standard: After a thorough review of existing field and traffic conditions, and per the California Manual on Uniform Traffic Control Devices (CAMUTCD), California Vehicle Code (CVC), and engineering judgement, it was determined that the existing red curbs along the north and south side of Thelborn Street should be refreshed and repainted red as well as installation of additional signage at the intersection of Thelborn Street and Azusa Avenue.

- c. Recommendation: The Traffic Committee unanimously recommended the following items:
  - i. Refresh and repaint the existing red curbs located on the north and south sides of Thelborn Street between Azusa Avenue and La Breda Avenue. Please note that the City has already implemented this as part of their regular maintenance.
  - ii. Installation of a double-sided ONE WAY (R6-1) sign on the median along Azusa Avenue opposite Thelborn Street.
  - iii. Installation and replacement of a new Stop Sign (R1-1) (30x30) with Right Turn Only Arrow sign (R3-5R) mounted below the new Stop Sign.
  - iv. Refresh existing pavement markings and legends at the intersection of Thelborn Street and Azusa Avenue.

### **3. PERMIT PARKING REQUEST FOR HARTLEY STREET FROM WORKMAN AVENUE TO GARVEY AVENUE NORTH**

- a. Request: The City of West Covina received a Permit Parking Application on Hartley Street between Workman Avenue and Garvey Avenue North. Residents stated the demand for curb parking has outpaced the provided on-street parking spaces.
- b. Review Standard: After a thorough review of the submitted Permit Parking Application, existing conditions, and the criteria for installation from the West Covina Permit Parking Policy, postcards were mailed to each address along the street with a follow up call to those that did not respond. Each address was allowed one vote. Based on the West Covina Permit Parking Policy, if approved, each house address would receive a total of (4) permit parking passes. The permit parking is not to replace driveway parking, of which all the houses along the street have driveways but would give priority to residents to park along Hartley Street. Notices were sent out to all 32 properties with access to Hartley Street, of the 32 notices sent, the City received a total of 26 post cards back with 23 in favor of permit parking, 3 were opposed, and 6 did not respond. Based on the City of West Covina Parking Permit Policy a vote of 50%+1 does meet the criteria for permit parking. It should be noted that residents for and against the parking restrictions attended the Traffic Committee meeting on September 14, 2021. However, based on a postcard vote, (one vote per address) and the West Covina Permit Parking Policy, this segment does meet the criteria for permit parking.
- c. Recommendation: The Traffic Committee unanimously recommended the following items:
  - i. Approve the permit parking request based on the criteria of installation based on the West Covina Permit Parking Policy.
  - ii. Installation of “No Parking Anytime Except by Permit” signs (R26A(CA)) (24”x30”) along Hartley Street from Workman Avenue to Garvey Avenue. Each address would receive 4 permit parking passes to post on their cars.

### **4. TRAFFIC REVIEW AT THE INTERSECTION OF DURNES STREET AND EVANWOOD AVENUE**

- a. Request: The City of West Covina received a resident request to review the intersection of Durness Street and Evanwood Avenue as well as to refresh the existing marking and pavement legends.
- b. Review Standard: After a thorough review of existing field and traffic conditions and per the California Manual on Uniform Traffic Control Devices (CAMUTCD), California Vehicle Code (CVC), and engineering judgement, it was determined that the intersection should be updated with repainting of the crosswalk, replacement of the faded stop signs, and addition of red reflective strips on the posts.
- c. Recommendation: The Traffic Committee unanimously recommended the following items:
  - i. Crosswalk: Refresh and repaint the existing yellow crosswalk in the west leg of Durness Street.
  - ii. Refresh the existing pavement markings and legends at the intersection of Evanwood Avenue and Durness Street.
  - iii. Stop Sign Signage: Remove and replace the existing STOP signs and install new Stop (R1-1) Signs (36”x36”) with ALL WAY Supplemental Plaque (R1-3) underneath each existing STOP sign at the intersection of Evanwood Avenue and Durness Street.

**October 12, 2021 Traffic Committee Meeting Approved Recommendations for City Council Consideration:**

**1. TRAFFIC REVIEW ALONG EVANWOOD AVE BETWEEN VINE AVENUE AND CAMERON AVENUE**

- a. Request: The City of West Covina received a request to review traffic calming measures along Evanwood Avenue between Vine Avenue and Cameron Avenue. A thorough review of existing conditions was conducted which included a review of Existing Roadway Conditions, 5.5 years of Collision history, 24-hour ADT traffic counts, and output from a 24-hour radar speed survey.
- b. Review Standard: After a thorough review of existing field and traffic conditions and per the California Manual on Uniform Traffic Control Devices (CAMUTCD), California Vehicle Code (CVC), and engineering judgement, it was determined that this segment of Evanwood Avenue between Vine Avenue and Cameron Avenue would benefit from a combination of traffic calming measures.
- c. Recommendation: The Traffic Committee unanimously recommended the following items:
  - i. Remove and replace the existing faded STOP signs and install new STOP (R1-1) Signs (36"x36") with ALL WAY (R1-3) supplemental plaque underneath and add red reflective strips on the posts at the intersection of Vine Avenue and Evanwood Avenue.
  - ii. Install new STOP signs, STOP bar, and STOP legend with CROSS TRAFFIC DOES NOT STOP" (W4-4P) supplemental plaque underneath for right of way designation on the side streets of Barbara Avenue, Cumley Street, and Herald Street. Please note this is only for vehicles to stop on those streets before turning onto Evanwood Avenue, this installation does not include a Stop sign on Evanwood Avenue at these locations.
  - iii. Remove and replace the existing faded STOP signs and install new STOP (R1-1) Signs (36"x36") with "CROSS TRAFFIC DOES NOT STOP" (W4-4P) supplemental plaque underneath at the intersection of Cameron Avenue and Evanwood Avenue.
  - iv. Refresh existing pavement markings and legends along the segment of Evanwood Avenue between Vine Avenue and Cameron Avenue.
  - v. Repaint existing crosswalks on Vine Avenue and Evanwood Avenue and on Cameron Avenue and Evanwood Avenue with high visibility yellow ladder striping.
  - vi. Install white side stripes along the north and south sides of Evanwood Avenue between Vine Avenue and Cameron Avenue approximately 7 to 8-feet from the curb, leaving 10 to 12-feet of drivable street in each direction. This will not impact any parking. This serves to visually narrow the roadway and has been shown to reduce speeds.
  - vii. Install 25-mph speed limit signs for both directions as vehicles enter the Evanwood Avenue segment from Cameron Avenue and Vine Avenue.
  - viii. Install double sided 36"x36" SCHOOL CROSSING SIGNAGE (S1-1) with a 24"x12" downward facing arrow plaque (W16-7P) underneath the S1-1 sign at the south leg of the uncontrolled crosswalk at Cameron Avenue and Evanwood Avenue to be placed on both sides of the crosswalk. The downward facing arrow plaque (W16-7P) and school crossing signage (S1-1) should be facing toward the crosswalk per CAMUTCD Section 7B.12.
  - ix. Install "YIELD HERE TO PEDESTRIAN" signage (R1-5) per CAMUTCD Section 7B.12 with advanced shark teeth yield lines in white paint approaching the uncontrolled crosswalk at Cameron Avenue and Evanwood Avenue.

**2. TRAFFIC REVIEW ALONG ROWLAND AVENUE BETWEEN LARK ELLEN AVENUE AND AZUSA AVENUE**

- a. Request: The City of West Covina received a request to review traffic calming measures along Rowland Avenue between Lark Ellen Avenue and Azusa Avenue. A thorough review of existing conditions was conducted which included a review of existing roadway conditions, 5.5 years of collision history, 24-hour ADT traffic counts, and output from a 24-hour radar speed survey.

- b. Review Standard: After a thorough review of existing field and traffic conditions and per the California Manual on Uniform Traffic Control Devices (CAMUTCD), California Vehicle Code (CVC), and engineering judgement, it was determined that this segment of Rowland Avenue between Lark Ellen Avenue and Azusa Avenue would benefit from a combination of traffic calming measures.
- c. Recommendation: The Traffic Committee unanimously recommended the following items:
  - i. Replacement of Signage: Remove and replace the existing 40 MPH Speed Limit (R2-1) signs with oversized (30x36) 40 MPH Speed Limit Signs (R2-1) along Rowland Avenue between Lark Ellen Avenue and Azusa Avenue.
  - ii. Install Solar Powered Radar Speed Feedback Sign on Rowland Avenue west of Leaf Avenue midblock east of Homerest Avenue midblock for westbound traveling vehicles, per CAMUTCD Section 2B.13. Add a 40 MPH Speed Sign on the same post above the Solar Powered Radar Speed Feedback Sign.
  - iii. Add “Cross Traffic Does Not Stop” plaque underneath the existing stop signs on Leaf Avenue and Homerest Avenue on the approach to Rowland Avenue, along with a red reflective strip mounted to the STOP sign post. Per CAMUTCD Section 2C.59.
  - iv. Add 20 feet of red curb on the south side of Rowland Avenue approaching Homerest Avenue. This will ensure vehicles turning left or right from Homerest Avenue onto Rowland Avenue will have proper line of sight to do so. Per CAMUTCD Section 3B.19.
  - v. Repaint and refresh crosswalk striping at Azusa Avenue and Rowland Avenue.
  - vi. Install yellow retroreflective strips around all signal heads located on signal heads at the intersection of Azusa Avenue and Rowland Avenue, as per CAMUTCD Section 4D.12. (“A yellow retroreflective strip with a minimum width of 1 inch and a maximum width of 3 inches may be placed along the perimeter of the face of a signal backplate to project a rectangular appearance at night.”) Backplates added to a traffic signal indication improve the visibility of the illuminated face of the signal by introducing a controlled-contrast background. The improved visibility of a signal head with a backplate is made even more conspicuous by framing it with a retroreflective border. Signal heads that have backplates equipped with retroreflective borders are more visible and conspicuous in both daytime and nighttime conditions. CAMUTCD Section 4D.12.
  - vii. Install Keep Right (R4-7) and reflective Object Marker (OM1-3) signs and repaint yellow median noses for all legs at the intersection of Azusa Avenue and Rowland. CAMUTCD Section 2C.16 & CAMUTCD Section 2B.20.

### **3. TRAFFIC REVIEW AT THE INTERSECTION OF PUENTE AVENUE AND VINCENT AVENUE**

- a. Request: The City of West Covina received a request to review traffic conditions at the intersection of Vincent Avenue and Puente Avenue. A thorough review of existing conditions was conducted which included a review of existing roadway conditions, 5.5 years of collision history, and peak hour counts.
- b. Review Standard: After a thorough review of existing field and traffic conditions and per the California Manual on Uniform Traffic Control Devices (CAMUTCD), California Vehicle Code (CVC), and engineering judgement, it was determined that the intersection of Vincent Avenue and Puente Avenue would benefit from installation of a combination of signage and a refresh of striping paint. Residents attended the October 12, 2021 Traffic Committee meeting to discuss concerns and potential solutions. Additional improvements will be made at this intersection as part of the HSIP Cycle 10 funding grant the City received. Grant funds will pay for northbound and southbound protected left turn phasing, pedestrian signal heads and some signal modifications.
- c. Recommendation: The Traffic Committee unanimously recommended the following items:
  - i. Refresh the Existing Crosswalk Striping:
  - ii. Install 24”x30” KEEP RIGHT (R4-7) signs on both the north and south median noses on Vincent Avenue as per CAMUTCD Section 2B.20 to guide motorists to keep right of the raised median.
  - iii. Install 24”x24” diamond shape reflective object markers (OM1-1) on both the north and south median on Vincent Avenue below the keep right (R4-7) signs. As per CAMUTCD Section 2C.64, the installation of Type 1 or Type 3 object marker is used to provide additional emphasis of the raised median.

- iv. Install “island alert curb reflectors” and repaint yellow striping around the curb to improve visibility of the raised median. These reflectors increase visibility for nighttime driving.
- v. Install yellow retroreflective strips around all signal heads located on signal heads at the intersection of Vincent Avenue and Puente Avenue, as per CAMUTCD Section 4D.12. (“A yellow retroreflective strip with a minimum width of 1 inch and a maximum width of 3 inches may be placed along the perimeter of the face of a signal backplate to project a rectangular appearance at night.”) Backplates added to a traffic signal indication improve the visibility of the illuminated face of the signal by introducing a controlled-contrast background. The improved visibility of a signal head with a backplate is made even more conspicuous by framing it with a retroreflective border. Signal heads that have backplates equipped with retroreflective borders are more visible and conspicuous in both daytime and nighttime conditions. CAMUTCD Section 4D.12.

**OPTIONS:**

The options available to the City Council are as follows:

1. Approve the Traffic Committee recommendations; or
2. Provide alternative direction.

**Prepared by:** Jana Robbins, PTP, RSP, Project Manager

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**Fiscal Impact****FISCAL IMPACT:**

The proposed improvements will be installed and included either as part of Fiscal Year 2021-22 Residential Streets Rehabilitation Program or as a standalone item. The cost of proposed improvements will be presented to the City Council at a future date for approval as part of the construction contract award staff report for this project.

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**CITY COUNCIL GOALS & OBJECTIVES:** Maintain and Enhance City Facilities and Infrastructure  
Enhance the City Image and Effectiveness  
Protect Public Safety



# AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

**DATE:** 11/16/2021

**TO:** Mayor and City Council

**FROM:** David Carmany  
City Manager

**SUBJECT: CONSIDERATION OF A REQUEST TO ACCEPT/HEAR AN APPEAL OF SIGN ADMINISTRATIVE REVIEW (SAR) 21-01 APPROVAL FOR A 249-SQUARE FOOT WALL SIGN LOCATED AT THE SOUTH SIDE OF THE HIGH-RISE OFFICE BUILDING AT 100 N. BARRANCA STREET**

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## RECOMMENDATION:

It is recommended that the City Council deny the request to accept/hear an appeal of the Planning Commission's decision to uphold the Community Development Director's decision to approve Sign Administrative Review (SAR) No. 21-01.

## BACKGROUND:

The project site is a 1.42 acre lot located on the northeast corner of N. Barranca Street and E. Garvey Avenue North in the "Regional Commercial" (R-C) zone. The site is developed with a 226,110 square-foot 13-story office building with existing "Jollibee" wall signage located on the east and west side.

On July 29, 2021, a SAR application was submitted for a 249.37-square foot internally illuminated channel letter "P.K. Schrieffer LLP" wall sign located on the south side of the subject building (the plans are included as Attachment No. 1). As the proposed signage complies with West Covina Municipal Code (WCMC), it was approved by the Community Development Director on August 5, 2021.

The following week, submittal of an application for a "Jollibee" wall sign on the same location was attempted. The applicant for the "Jollibee" sign was informed that another sign was approved on the same location. Both the "P.K. Schrieffer LLP" and "Jollibee" signage applicants expressed that they received approval from the property owner to install their respective signs on the same location. Typically, this is a civil matter that should be discussed between the property owner and its tenants regarding which tenant should get the signage.

The City's Municipal Code allows citizens to file appeals of City decisions that they do not agree with. On August 13, 2021, Jollibee filed an appeal of the Director's approval of SAR No. 21-01 approving the "P.K. Schrieffer LLP" wall sign.

At the October 12, 2021 Planning Commission meeting, the Planning Commission heard the appeal and voted to deny the Jollibee's appeal. That evening, the Planning Commission upheld the Community Development Director's decision and approved the P.K. Schrieffer LLP sign. Pursuant to WCMC Section 26-212(b), the decision of the Planning Commission on the appeal is final, unless a written request of an appeal is made to the City Council. The City Council then considers if they wish to hear the appeal.



On October 20, 2021, Jollibee submitted a letter to the City Clerk's Office addressed to the City Council, requesting that the City Council grant a request for an appeal of the Planning Commission's decision (Attachment No. 2). The City Council is not required to grant the request for the appeal of the Planning Commissions decision.

### **DISCUSSION:**

Per WCMC Section 26-341, signage at the top of a multi-story office building is referred to as "a building identification" sign. The maximum building identification sign area is three (3) square feet for every lineal foot of building frontage, with a 5-percent increase for each story above the 4th story (subsection (d) provides an additional 250 square feet sign area bonus for buildings 150,000 square feet or larger). The street frontage along E. Garvey Avenue North is 125 feet. The maximum allowed signage on the south side of the building is 543.75 square feet.

The "P.K. Schrieffer LLP" sign was approved because the signage complies the WCMC. The WCMC does not limit building identification signage to one tenant. The Code allows one sign per street or parking lot frontage.

The City Council is not required to grant the request to appeal the Planning Commission's decision. However, if the City Council chooses to grant the request, the appeal will be scheduled and agendized at the next available City Council meeting.

As the "P.K. Schrieffer LLP" sign meets WCMC requirements, the appeal to the Planning Commission was denied, and the Planning Commission approved the sign, staff recommends that the City Council not approve the request for the appeal to the City Council.

### **OPTIONS:**

The City Council has the following options:

1. Not approve the request for the appeal of the Planning Commission's approval of SAR No. 21-01; or
2. Approve the request for the appeal of the Planning Commission's approval of SAR No. 21-01.

### **ENVIRONMENTAL REVIEW:**

Pursuant to the California Environmental Quality Act (CEQA), the proposed project is considered to be categorically exempt, pursuant to Section 15301 (Class 1, Existing Facilities) in that it consists of the installation of signage on an existing building. The project does not involve any expansion of use or additions to the existing building.

**Prepared by:** Jo-Anne Burns, Planning Manager

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### **Attachments**

Attachment No. 1 - Plans

Attachment No. 2 - Jollibee Appeal Request Letter

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**CITY COUNCIL GOALS & OBJECTIVES:** Enhance the City Image and Effectiveness



# AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

**DATE:** 11/16/2021

**TO:** Mayor and City Council

**FROM:** David Carmany  
City Manager

**SUBJECT: MUNICIPAL NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PROGRAM SUMMARY**

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## RECOMMENDATION:

It is recommended that City Council receive and file the Municipal National Pollutant Discharge Elimination System (NPDES) Program Summary.

## BACKGROUND:

The core issues of governance, risk and compliance are becoming increasingly complex in today's society. City Councils must approach these matters appropriately in order to serve their communities effectively. Laws and compliance for local governments include the various regulations and requirements that dictate how the municipality operates. Staying on top of laws and compliance is critical to the overall success of any local government organization and reflects a commitment to due diligence and lawful operations.

This is a report about a stormwater permit. The City of West Covina is a Permittee under the Los Angeles County Municipal National Pollutant Discharge Elimination System (NPDES) Permit. The NPDES Permit is countywide and is issued and enforced by the Los Angeles Regional Water Quality Control Board (Regional Board). The Regional Board is an arm of the California Environmental Protection Agency (CalEPA). The purpose of the Municipal NPDES Permit is to protect local surface waters from polluted discharges that may impair its beneficial uses. The source of these polluted discharges is from "urban runoff"—mostly stormwater—that flows into and through Permittees' storm drains systems. As such, the NPDES Permit is often referred to as the Stormwater Permit, or the MS4 (Municipal Separate Storm Sewer System) Permit.

The NPDES Permit is also a broad, complex, and technical document that mandates the implementation of exorbitant measures within tight timeframes. This unfortunate set of qualities can make it a formidable topic of discussion. In this summary report we aim to ease this formidability by distilling the Permit into its main elements and summarizing in concise language how these elements impact the City.

## DISCUSSION:

This report summarizes the Municipal National Pollutant Discharge Elimination System (NPDES) program and covers the following:

- **Program Administration, Compliance Planning, and Funding**
  - Implementing the NPDES program requires coordination between neighboring jurisdictions (the State, County and City). The program includes participation in the Upper San Gabriel River

(USRGR) Watershed Management Group. The City's share is \$85,000 per year into the Memorandum of Agreement (MOA).

- NPDES requires the City and other permittees to meet water quality standards in discharges to local waterways.
- The County's Safe, Clean Water Program (SCWP) also known as Measure W passed by voters in November 2018 provides about \$1.3 million on year for ongoing NPDES compliance expenses as well as new stormwater capture projects. However, even with SCWP funding, a funding gap exists. The Regional Water Board expects cities to seek other funding sources.

- **Pollutant Control Measures**

- Pollutant control measures are divided into structural control measures and non-structural or "source control" measures. West Covina has two stormwater capture projects, Cortez Park and Bassett High School, and has identified potential locations for other regional stormwater capture projects.

- **Monitoring and Reporting**

- The City must submit an Annual Report each year in December.

This is the summary of City's program to comply with MS4 permit. Attached is the City of West Covina NPDES Program Summary Report, dated October 2021.

**Prepared by:** Okan Demirci, PE, QSD/P

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### **Fiscal Impact**

#### **FISCAL IMPACT:**

This program and projects applicable to this program are eligible for payment under Measure W – Safe Clean Water Act.

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### **Attachments**

Attachment No. 1 - Municipal National Pollutant Discharge Elimination System (NPDES) Program Summary

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**CITY COUNCIL GOALS & OBJECTIVES:** Maintain and Enhance City Facilities and Infrastructure  
Enhance the City Image and Effectiveness  
Protect Public Safety



# AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

**DATE:** 11/16/2021

**TO:** Mayor and City Council

**FROM:** David Carmany  
City Manager

**SUBJECT:** SELECTION OF MAYOR AND MAYOR PRO TEM

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## RECOMMENDATION:

Take appropriate action.

## BACKGROUND:

The West Covina Municipal Code (WCMC) governs administration of the City. The following section of the WCMC pertains to the Mayor duties and selection.

"Sec. 2-21. - Mayor; duties and selection.

- (a) The mayor, sometimes herein referred to as the "presiding officer," shall preserve strict order and decorum at all meetings of the city council. The mayor shall state every question coming before the council, announce the decision of the council on all subjects and decide all questions of order, subject, however, to an appeal to the council, in which event a majority vote of the council members present shall govern and conclusively determine such question of order. Voting on all ordinances shall be by roll call vote called by the city clerk; and the mayor shall be entitled to vote last on all questions.
- (b) The mayor shall be the official head of the city for all ceremonial purposes and shall perform all duties imposed upon the mayor by the laws of the state or by ordinance of the city. The mayor shall serve in such capacity at the pleasure of the city council.
- (c) The city council shall conduct its annual reorganization during its second regularly scheduled meeting of November, except in even-numbered years when the reorganization will occur at the time the city council confirms the official canvass of the municipal election results as required by California Government Code section 36801.
- (d) The order of mayoral succession shall be determined by the length of the current term of incumbency, as defined by the date of election. When two (2) or more council members have equal terms of incumbency, the order shall be determined by the highest number of votes received at their election to the city council.
- (e) In the event that the position of mayor or mayor pro tem becomes vacant for any reason, succession order shall remain the same, however, if both the mayor and the mayor pro tem have changed prior to the next regularly scheduled reorganization, the council members appointed to complete the vacant terms

shall continue to serve as the mayor and mayor pro tem, respectively, for the term they would have held in the absence of the vacancy.

Thereafter, the outgoing mayor's name will rotate to the bottom of the previous year's mayoral succession list, with all other names moving up one (1) position, in order that the outgoing mayor pro tem shall become the new mayor, and the next council member on the list shall become the new mayor pro tem.

(f) Newly elected council members shall be added to the bottom of the mayoral succession list, following the outgoing mayor in that election year's council reorganization. When there are two (2) or more newly elected council members, the order will be determined by the person who received the highest number of votes at the election.

(g) Any individual appointed to fill a vacancy in a city council seat shall be added immediately to the bottom of the mayoral succession list.

(h) The city council by a minimum of four (4) votes may modify the mayoral succession list or remove and replace the mayor or mayor pro tem at any time."

#### **DISCUSSION:**

Pursuant to the WCMC, as the second meeting of November (odd year with no election) the City Council needs to conduct its annual reorganization. The current order is:

Letty Lopez-Viado, Mayor  
Dario Castellanos, Mayor Pro Tem  
Rosario Diaz, Councilwoman  
Brian Tabatabai, Councilman  
Tony Wu, Councilman

Per the succession order, Mayor Pro Tem Castellanos is slated to become Mayor and Councilwoman Diaz is slated to become Mayor Pro Tem.

Council member Tabatabai and Councilwoman Diaz were both elected to the Council in the 2020 election - both are added to the bottom of the mayoral succession list, following the outgoing mayor in that election year's council reorganization. The Council member with the highest number of votes goes first. Councilwoman Diaz received 3,738 votes and Council member Tabatabai received 3,337 votes,

**Prepared by:** Mark Perez, Deputy City Clerk

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**CITY COUNCIL GOALS & OBJECTIVES:** Enhance the City Image and Effectiveness