



CITY OF WEST COVINA

CITY COUNCIL/SUCCESSOR AGENCY

**MARCH 1, 2022, 7:00 PM
REGULAR MEETING**

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

**Mayor Dario Castellanos
Mayor Pro Tem Rosario Diaz
Councilwoman Letty Lopez-Viado
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: www.westcovina.org/agendas-meetings under the "Watch Live" tab or through the West Covina City YouTube channel at 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. The subject line should specify "Oral Communications or Public Hearing 3/1/2022". 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.

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.

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. 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 MARCH 1, 2022, 7:00 PM
REGULAR MEETING**

INVOCATION

Led by Pastor Kelly Dupee from Faith Community Church

PLEDGE OF ALLEGIANCE

Led by Mayor Castellanos

ROLL CALL

REPORTING OUT FROM CLOSED SESSION

PRESENTATIONS

- Presentation by Dr. Flores West Covina Unified School District Superintendent
- Recognition and certificates regarding Student Government Day
- Presentation by the Fire Chief on the Supplying Aid to Victims of Emergency (SAVE) Program

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.

APPROVAL OF MEETING MINUTES

- 1) **CONSIDERATION OF APPROVAL OF THE FEBRUARY 15, 2022, CITY COUNCIL/SUCCESSOR AGENCY CLOSED SESSION MEETING MINUTES AND THE FEBRUARY 15, 2022, CITY COUNCIL/SUCCESSOR AGENCY REGULAR SESSION MEETING MINUTES.**

It is recommended that the City Council approve the February 15, 2022, Closed Session Meeting Minutes and the February 15, 2022 Regular Session Meeting Minutes.

CITY MANAGER'S OFFICE

- 2) **CONSIDERATION OF RESOLUTION NO. 2022-21 DETERMINING THERE IS A NEED TO CONTINUE THE LOCAL EMERGENCY**

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

RESOLUTION NO. 2022-21 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DETERMINING THE NEED TO FURTHER CONTINUE THE LOCAL EMERGENCY PROCLAIMED ON MARCH 16, 2020, AND PREVIOUSLY CONTINUED ON APRIL 7, 2020, MAY 5, 2020, JUNE 2, 2020, JUNE 23, 2020, JULY 21, 2020, AUGUST 18, 2020, SEPTEMBER 15, 2020, OCTOBER 6, 2020, OCTOBER 20, 2020, NOVEMBER 17, 2020, DECEMBER 1, 2020, JANUARY 19, 2021, FEBRUARY 16, 2021, MARCH 16, 2021, APRIL 6, 2021, MAY 4, 2021, JUNE 1, 2021, JUNE 15, 2021, JULY 6, 2021, JULY 20, 2021, AUGUST 17, 2021, SEPTEMBER 7, 2021, OCTOBER 5, 2021, NOVEMBER 2, 2021, DECEMBER 7, 2021, JANUARY 4, 2022 AND FEBRUARY 1, 2022

- 3) **CONSIDERATION OF RESOLUTION NO. 2022-22 DETERMINING THERE IS A NEED TO CONTINUE THE LOCAL EMERGENCY PROCLAIMED ON JANUARY 26, 2022 DUE TO DAMAGES CAUSED BY HIGH WINDS**

Staff recommends that the City Council adopt the following resolution:

RESOLUTION NO. 2022-22 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DETERMINING THE NEED TO FURTHER CONTINUE THE LOCAL EMERGENCY PROCLAIMED ON JANUARY 26, 2022 DUE TO DAMAGE CAUSED BY HIGH WINDS

COMMUNITY DEVELOPMENT

4) CONSIDERATION OF STATUS REPORT REGARDING 2021-2029 HOUSING ELEMENT UPDATE

It is recommended that the City Council receive and file the staff report.

FINANCE DEPARTMENT

5) CONSIDERATION OF AGREEMENT FOR SALES AND USE TAX AUDIT SERVICES

It is recommended that the City Council authorize the City Manager to negotiate and execute an agreement with Hinderliter, de Llamas and Associates dba HdL Companies for Sales and Use Tax Audit Services, in substantially the form as attached and in such final form as approved by the City Attorney. The proposed agreement has term effective retroactive to January 1, 2022 and continues through June 30, 2026.

PUBLIC SERVICES

6) CONSIDERATION OF NOTICE OF COMPLETION FOR FIRE STATION NO. 4 PARKING LOT IMPROVEMENTS - PROJECT NO. 21034

It is recommended that the City Council take the following actions:

1. Accept project completion for Fire Station No. 4 Parking Lot Improvements (Project No. 21034) as performed by All American Asphalt with a final contract amount of \$217,426.30; and
2. Authorize the recordation of Notice of Completion with the Los Angeles County Recorder and the release of retention funds 35 days thereafter.

7) CONSIDERATION OF RATIFICATION OF CONTRACT WITH PAUL MAURER FOR AMUSEMENT RIDES, ATTRACTIONS, GAMES, AND CONCESSIONS FOR THE CITY'S SPRING FESTIVAL

It is recommended that the City Council:

1. Ratify the agreement between the City and Paul Maurer dba Paul Maurer Shows for the provision of amusement rides, attractions, games and concessions for the City's Spring Festival.
2. Authorize the City Manager to execute future amendments to extend the term of the agreement.

END OF CONSENT CALENDAR

HEARINGS

PUBLIC HEARINGS

Public Hearing Item No. 9 will be heard at 8:30 P.M.

8) PUBLIC HEARING REGARDING THE FISCAL YEAR (FY) 2022-2023 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ACTION PLAN

Pending public testimony, it is recommended that the City Council direct staff to develop a draft FY 2022-2023 CDBG Action Plan, based on the needs and priorities approved for the FY 2020-2024 Consolidated Plan.

9) CONSIDERATION OF DRAFT CITY COUNCIL REDISTRICTING MAPS

It is recommended that the City Council:

1. Conduct the public hearing, receive public input, discuss and revise draft maps and election sequencing, and identify focus maps; and
2. Provide direction to staff regarding which map(s) should be considered for inclusion in the ordinance to adopt new district boundaries for the West Covina City Council.

DEPARTMENTAL REGULAR MATTERS

PUBLIC SERVICES

10) CONSIDERATION OF TRANSPORTATION AND LEASE AGREEMENTS WITH MV TRANSPORTATION, INC.

It is recommended that the City Council take the following actions:

1. Provide direction regarding the transit services and lease agreements; and
2. Authorize the City Manager to negotiate and execute all necessary documents, in such final form as approved by the City Attorney, to carry out the City Council's direction.

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

March 15, 2022

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: 03/01/2022

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: CONSIDERATION OF APPROVAL OF THE FEBRUARY 15, 2022, CITY COUNCIL/SUCCESSOR AGENCY CLOSED SESSION MEETING MINUTES AND THE FEBRUARY 15, 2022, CITY COUNCIL/SUCCESSOR AGENCY REGULAR SESSION MEETING MINUTES.

RECOMMENDATION:

It is recommended that the City Council approve the February 15, 2022, Closed Session Meeting Minutes and the February 15, 2022 Regular Session Meeting Minutes.

DISCUSSION:

That the City Council adopt the attached minutes.

Prepared by: Lisa Sherrick; Assistant City Clerk

Attachments

Attachment No. 1 - 2/15/2022 Closed Session Minutes Draft

Attachment No. 2 - 2/15/2022 Regular Session Minutes Draft

CITY COUNCIL GOALS & OBJECTIVES: Enhance City Image and Effectiveness



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 03/01/2022

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: CONSIDERATION OF RESOLUTION NO. 2022-21 DETERMINING THERE IS A NEED TO CONTINUE THE LOCAL EMERGENCY

RECOMMENDATION:

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

RESOLUTION NO. 2022-21 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DETERMINING THE NEED TO FURTHER CONTINUE THE LOCAL EMERGENCY PROCLAIMED ON MARCH 16, 2020, AND PREVIOUSLY CONTINUED ON APRIL 7, 2020, MAY 5, 2020, JUNE 2, 2020, JUNE 23, 2020, JULY 21, 2020, AUGUST 18, 2020, SEPTEMBER 15, 2020, OCTOBER 6, 2020, OCTOBER 20, 2020, NOVEMBER 17, 2020, DECEMBER 1, 2020, JANUARY 19, 2021, FEBRUARY 16, 2021, MARCH 16, 2021, APRIL 6, 2021, MAY 4, 2021, JUNE 1, 2021, JUNE 15, 2021, JULY 6, 2021, JULY 20, 2021, AUGUST 17, 2021, SEPTEMBER 7, 2021, OCTOBER 5, 2021, NOVEMBER 2, 2021, DECEMBER 7, 2021, JANUARY 4, 2022 AND FEBRUARY 1, 2022

BACKGROUND:

On March 17, 2020, the City Council adopted Resolution 2020-19, ratifying Proclamation 2020-01 declaring the existence of a local emergency, which was issued by the City Manager acting in the capacity of Director of Emergency Services. The local emergency is due to the coronavirus (COVID-19) pandemic. Following adoption of the resolution, the City Council needs to review and reevaluate the need for continuing the local emergency at least once every thirty (30) days in accordance with Section 8-7(a)(2) of the West Covina Municipal Code (WCMC).

The City Council previously continued the local emergency on April 7, 2020, May 5, 2020, June 2, 2020, June 23, 2020, July 21, 2020, August 18, 2020, September 15, 2020, October 6, 2020, October 20, 2020, November 17, 2020, December 1, 2020, January 19, 2021, February 16, 2021, March 16, 2021, April 6, 2021, May 4, 2021, June 1, 2021, June 15, 2021, July 6, 2021, July 20, 2021, August 17, 2021, September 7, 2021, October 5, 2021, November 2, 2021, December 7, 2021, January 4, 2022 and February 1, 2022.

DISCUSSION:

On March 4, 2020, Governor Newsom declared a state of emergency in California. The emergency status allows the State (and cities) to access needed supplies, resources, and funding. For example,

the City has received Coronavirus Relief monies to help offset City costs associated with the COVID-19 pandemic. In addition, West Covina is seeking reimbursement for COVID-19 related expenses through the Coronavirus Aid, Relief, and Economic Security (CARES) Act. To remain eligible for COVID-19 reimbursement, the City would have to continue to be under a declared state of emergency. The State of California continues to be under the State's declared state of emergency. Los Angeles County's local emergency also remains in effect.

As of February 22, 2022, there were a total of 424,822,073 confirmed cases of COVID-19 globally. On February 22, 2022, California reported that, as of February 21, 2022, there were a total of 8,336,730 confirmed cases in California. As of February 21, 2022, there were a total of 2,785,449 confirmed cases in Los Angeles County, including 28,775 confirmed cases in the City of West Covina, according to the Los Angeles County Department of Public Health.

In mid-December 2020, the State began administering the COVID-19 vaccine under "Vaccinate All 58," the State's campaign for a safe, fair and equitable vaccine for all 58 counties in the State. As of February 21, 2022, the State reported that LA County had administered 18,374,910 doses of the vaccine.

Despite the distribution of the vaccine, the Los Angeles County Department of Health has reported that community transmission of COVID-19 in Los Angeles County remains high. On February 15, 2022, the Los Angeles County Department of Health reported that although community transmission of COVID-19 remains at a high rate, it is moving steadily downward toward a substantial rate of community transmission. The County continues to require that all persons wear face masks on public transit, in transportation hubs, indoors in K-12 schools, childcare and other youth settings, health care settings, correctional facilities and detention centers, homeless shelters, emergency shelters and cooling centers, indoor public and business settings, and indoor mega events, regardless of vaccination status.

It is essential that the City continue to provide basic services and provide for continuity of services over the long-term. Staff is requesting that the City Council determine there is a need to continue the local emergency.

LEGAL REVIEW:

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

OPTIONS:

The options available to the City Council are as follows:

1. Adopt the resolution as submitted; or
2. Terminate the local emergency; or
3. Provide alternative direction.

Prepared by: David Carmany, City Manager

Attachments

Attachment No. 1 - Resolution No. 2022-21

CITY COUNCIL GOALS & OBJECTIVES: Protect Public Safety
Maintain Good Intergovernmental Relations



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 03/01/2022

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: CONSIDERATION OF RESOLUTION NO. 2022-22 DETERMINING THERE IS A NEED TO CONTINUE THE LOCAL EMERGENCY PROCLAIMED ON JANUARY 26, 2022 DUE TO DAMAGES CAUSED BY HIGH WINDS

RECOMMENDATION:

Staff recommends that the City Council adopt the following resolution:

RESOLUTION NO. 2022-22 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DETERMINING THE NEED TO FURTHER CONTINUE THE LOCAL EMERGENCY PROCLAIMED ON JANUARY 26, 2022 DUE TO DAMAGE CAUSED BY HIGH WINDS

BACKGROUND:

Southern California suffers from high wind conditions known as Santa Ana winds. As a result of heavy winds over the period of January 21, 2022 through January 23, 2022, there were downed power lines, resulting in power outages, and severe damage to trees throughout the City, causing damages to homes, vehicles, roadways, fences, and other structures.

On January 26, 2022, the City Manager, acting in his capacity as the City's Director of Emergency Services, proclaimed a local emergency as authorized by Government Code section 8630 and West Covina Municipal Code section 8-7(a)(1), due to the damage caused by the high winds on January 21, 2022 through January 23, 2022.

The City Council ratified the local emergency proclamation on February 1, 2022.

Section 8-7(a)(2) of the West Covina Municipal Code empowers the City Manager, as the Director of Emergency Services, to request that the City Council review and reevaluate the need for continuing the local emergency at least once every thirty (30) days until the City Council terminates the local emergency.

DISCUSSION:

West Covina is seeking reimbursement for wind damage related expenses through the Governor's Office of Emergency Services (Cal OES). The City has submitted its Proclamation of Local Emergency and request for assistance as a result of the extreme wind storm that occurred the weekend of January 21, 2022 to Cal OES.

Cal OES is still in the process of evaluating the request made by the City. In order to keep the request active, staff is requesting that the City Council determine there is a need to continue this local emergency.

LEGAL REVIEW:

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

OPTIONS:

The City Council has the following options:

1. Approve staff's recommendation;
2. Terminate the local emergency; or
3. Provide alternative direction.

Prepared by: David Carmany, City Manager

Attachments

Attachment No. 1 - Resolution No. 2022-22

CITY COUNCIL GOALS & OBJECTIVES: Protect Public Safety



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 03/01/2022

TO: Mayor and City Council

FROM: David Carmany
City Manager

**SUBJECT: CONSIDERATION OF STATUS REPORT REGARDING 2021-2029 HOUSING
ELEMENT UPDATE**

RECOMMENDATION:

It is recommended that the City Council receive and file the staff report.

BACKGROUND:

Housing dominates all aspects of urban planning and policy. It is a major sector of the U.S. economy and the dominant land use in almost every American village, town, and city. Good-quality housing is the foundation of stable and good-quality communities. Housing-related issues play a dominant role on local land use planning and policy efforts.

Updating a housing element, while important to meeting one of the most basic needs of Californians, can be daunting. Individuals and families are directly affected by each city's ability to plan for the housing needs of those who will live, work, and play in the community. State funding of programs for transportation, infrastructure, and housing often require or consider a local city's compliance with housing element law. These competitive funds can be used for fixing roads, adding bike lanes, improving transit, or providing much needed affordable housing. In some cases, funding from state/federal housing programs can only be accessed if the city has a compliant housing element. In other cases, a compliant housing element is not a requirement to apply for funding; however, those applying for funding will receive extra points on their application if they do have a compliant housing element (thereby increasing their chances in the competitive application process).

State funding programs that require a local city's housing element compliance include:

- Community Development Block Grant Program
- Infill Infrastructure Grant Program
- Local Housing Trust Fund Program
- Affordable Housing and Sustainable Communities Program
- Permanent Local Housing Allocation Program
- Caltrans Sustainable Communities Grant Program

State funding programs that incentivize greater coordination with housing planning include:

- Local Partnership Program: Projects are evaluated on how they advance housing element goals.
- Transit and Intercity Rail Capital Program: Projects must document how transit ridership growth is supported by housing policies including evidence of compliance with state-required housing plans.
- Active Transportation Program: Infrastructure projects must address their potential to support existing and planned housing, and planning projects must be consistent with local housing policies.
- Solutions for Congested Corridors Program: Projects must address how they support infill development, which may include identifying housing element policies that streamline multifamily housing development.
- HOME Investment Partnerships Program: Applications receive points for housing element compliance.

The California Department of Housing and Community Development (HCD) plays the critical role. HCD reviews every local government's housing element to determine whether it complies with state law and then submits written findings back to each local government. HCD's approval is required before a city can adopt its housing element as part of its overall General Plan. Cities can opt to update their housing elements every five years or every eight years. The option to use an eight-year schedule was created to better align with the schedule cities have to meet to update their Regional Transportation Plans (which are updated every four years) now mandated to align with housing plans in Regional Sustainable Communities Strategies. In order to create a housing element showing it could meet the local housing needs, a city must first know how much housing it must plan for and estimate how much will be needed at a variety of affordability levels in order to match the needs of the people who will live there. This is determined by a process called the regional housing needs assessment. All cities in the Southern California Association of Governments ("SCAG") region are required to prepare an update to the Housing Element of the General Plan for the 2021-2029 planning period. There are much more extensive State requirements for Housing Elements than for any other element of the General Plan. One of those requirements is that cities must submit Housing Elements to the California Department of HCD for review, and HCD's comments must be considered when adopting a Housing Element update.

The City of West Covina commenced preparation of the Housing Element update in 2020 and public meetings were held on May 20, 2021 and October 27, 2021 to review State requirements and housing issues. A draft Housing Element incorporating public comments from these meetings was prepared and submitted to HCD in November 2021. Staff reports, the draft Housing Element, and related materials from previous meetings are available on the City's Housing Element website at: <https://www.westcovina.org/housingelement>.

On January 14, 2022, HCD issued a letter (Attachment 1) stating that the draft element addresses many statutory requirements; however, revisions will be necessary to comply with State Housing Element Law. The purpose of this meeting is to provide an opportunity for the City Council and interested parties to review HCD's comments, and to offer significant input. Meaningful public input will increase the likelihood that the resulting housing plans, programs and public policies will be successfully implemented.

DISCUSSION:

As discussed at previous meetings, State law includes extensive requirements for Housing Elements and local housing regulations. In addition, the State Legislature has delegated authority to HCD to review local Housing Elements and issue opinions regarding their compliance with State law. HCD's finding of substantial compliance is referred to as "certification" of a Housing Element. Certification increases the City's opportunities for State grant funds and helps to support local land use authority.

HCD's comment letters for the 2021-2029 Housing Element cycle have been far more extensive than

in prior cycles due to new State housing laws and a higher level of scrutiny by HCD.

Issues raised in HCD's letter include the following:

- Review of the effectiveness of the previous Housing Element
- Affirmatively furthering fair housing (AFFH)
- Needs of extremely-low-income households
- Employment trends
- Overpayment and housing costs
- Adequacy of sites to accommodate the RHNA allocation
- Zoning for emergency shelters, employee housing and manufactured housing
- Compliance of ADU regulations with State law
- Evaluation of land use controls, fees and building codes as constraints on housing production
- Constraints caused by City regulations on persons with disabilities
- Availability of financing
- Development densities and approval time
- Special housing needs of large households and farm workers
- Analysis of affordable units at risk of conversion to market rate
- Adequacy of housing programs to address issues
- Quantified objectives for preservation/conservation
- Adequacy of public participation

All cities within the SCAG region are receiving similar comments on their draft Housing Elements, and the level of effort needed to address State comments is far greater than for past Housing Element updates due to recent changes in State law and also a much higher level of scrutiny by HCD in reviewing Housing Elements, as noted above.

Staff provided the Planning Commission an update on the HCD's letter at the February 8, 2022 Planning Commission meeting. It was a file and receive report.

PUBLIC NOTICE:

Notice of this meeting was sent to agencies and persons on the City's Housing Element interest list. Staff will be reaching out to interested parties including those representing the interests of lower-income households, persons with special needs and fair housing organizations to assist in preparing revisions to the draft Housing Element.

NEXT STEPS:

City staff and the City's housing consultant have begun to analyze HCD's comments and will be preparing a revised draft Housing Element addressing these comments. Additional public meetings to review the revised draft will be scheduled in the near future.

LARGE ATTACHMENT:

The draft 2021-2029 Housing Element is available for public review on the City's website:
<https://www.westcovina.org/housingelement>

Prepared by: Jo-Anne Burns, Planning Manager

Fiscal Impact

FISCAL IMPACT:

There is not an immediate fiscal impact associated with this action. However, a compliant housing element increases the City's ability to receive external funding for programs such as transportation, infrastructure, and housing in the future.

Attachments

Attachment No. 1 - HCD letter dated January 14, 2022

CITY COUNCIL GOALS & OBJECTIVES: Address Homeless Issues
Enhance City Image and Effectiveness
Maintain Good Intergovernmental Relations
A Well-Planned Community
Expand Economic Development Opportunities



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 03/01/2022

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: CONSIDERATION OF AGREEMENT FOR SALES AND USE TAX AUDIT SERVICES

RECOMMENDATION:

It is recommended that the City Council authorize the City Manager to negotiate and execute an agreement with Hinderliter, de Llamas and Associates dba HdL Companies for Sales and Use Tax Audit Services, in substantially the form as attached and in such final form as approved by the City Attorney. The proposed agreement has term effective retroactive to January 1, 2022 and continues through June 30, 2026.

BACKGROUND:

The City has contracted with HdL since 1986 to provide ongoing sales tax data analysis and staff expertise to support fiscal planning and economic development. They have identified and recovered sales and use tax allocation errors and reported deficiencies and prepared necessary case submittals to the Board of Equalization.

Using confidential taxpayer records as authorized by Revenue and Taxation Code Section 7056, HdL identifies and corrects errors that result in underpayments of tax to the City of West Covina. The firm employs a series of analyses, comparisons with other data sources and physical field canvassing to find, document and submit for correction all taxpayer errors that result in lost City revenue or could result in lost revenue in the future.

Additionally, HdL provides reports that accurately depict the City's sales tax base, use tax collections and revenues. All reports, graphs, tables and revenue forecasts are designed to enhance the City's capacity to plan for, expand and manage its sales and use tax revenues. Reports identifying and comparing the retail composition of various sub-geographic areas of the City are also provided.

In December 2016, the City executed a three-year agreement with two one-year renewal options with HdL Companies to provide sales & use tax and transient occupancy tax services. This agreement expired on December 31, 2021; therefore, staff recommends approving a new agreement.

DISCUSSION:

In accordance with West Covina Municipal Code Chapter 2, Article VII, Division 2, Section 2-333(i) (2), and the findings of the West Covina Finance Department/Purchasing Officer, the City is "piggybacking" on a contract awarded by the City of Elk Grove. Essentially, piggybacking is a form of

intergovernmental cooperative purchasing in which a public agency uses an existing public contract to procure similar items or services under the same pricing and terms of the contract. This method allows savings in staff time, resources, and cost by leveraging another agency's successful competitive bidding process with the benefits of volume or bulk pricing.

On August 25, 2021, the Elk Grove City Council awarded a five-year contact with HDL Companies for Consulting Services related to Sales and Use Tax and Transient Occupancy Tax. The bidding process meets the requirements set forth in Section 2-333(i)(2) of the West Covina Municipal Code, in that Elk Grove's bidding procedures were at least as vigorous as those of the City. While the City has used HdL for Transient Occupancy Tax collection in the past, staff recommends performing this collection in-house.

Founded in 1983, HdL was established to maximize local government revenues by providing a variety of financial and compliance audits, analytical services and software solutions. HdL's team of professionals are experts in revenue management, delivering high-quality customer service to over 500 agencies nationwide. Through deep industry knowledge, HdL has recovered over \$3 billion in sales tax revenue.

HdL will provide the auditing services for a fee of 15% of all new sales and use tax revenue received by the City as a result of HdL's audit and recovery services, and a monthly fee of \$700 for sales and use tax management services, subject to an annual adjustment based on CPI.

Staff recommends that the City Council authorize the City Manager to negotiate and execute the agreement with HdL, in substantially the form as attached and in such final form as approved by the City Attorney.

LEGAL REVIEW:

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

Prepared by: Stephanie Sikkema, Finance Director

Fiscal Impact

FISCAL IMPACT:

Since 1986 HdL has recovered over \$4.5 million in sales tax generating over \$3.8 million in sales tax revenue for the City.

Year	Sales Tax Recovered	Net Revenue
2015 and Prior	2,824,940	2,401,199
2016	184,380	156,723
2017	129,699	110,244
2018	41,793	35,524
2019	354,557	301,374
2020	486,115	413,198
2021	537,231	456,646
TOTAL	\$4,558,716	\$3,874,908

The annual fixed fee for the first year is \$8,400 plus 15% of all new sales and use tax revenue received by the City as a result of audit and recovery work performed by the firm. The fixed fee includes access to the City's sales tax database through our web-based software and quarterly meetings with one of our principals. These services are essential to meeting the City's Financial Recovery Plan objective to implement a formal process for development of reasonable budget projections. The fixed fee will increase annually by the percentage increase in the "CPI" for the preceding twelve-month period.

The fixed fee for Sales and Use Tax Management Services is included in the FY2021-22 Budget and the cost for Audit & Recovery is currently deducted from Sales Tax Revenue as realized.

Services	Account No.	FY2021-22 Budget	Fiscal Impact		
			Current FY	Year 2	Year 3
Sales and Use Tax Management	110.13.1310.6110	\$349,500	\$4,200	\$8,400 + CPI	Yr 2 + CPI
Audit & Recovery	110.00.4110	\$17,400,000	15%	15%	15%

Attachments

Attachment No. 1 - Agreement with HdL

Exhibit A - Consultant Proposal

Attachment No. 2 - City of Elk Grove Award of Contract

CITY COUNCIL GOALS & OBJECTIVES: Achieve Fiscal Sustainability and Financial Stability



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 03/01/2022

TO: Mayor and City Council

FROM: David Carmany
City Manager

**SUBJECT: CONSIDERATION OF NOTICE OF COMPLETION FOR FIRE STATION NO. 4
PARKING LOT IMPROVEMENTS - PROJECT NO. 21034**

RECOMMENDATION:

It is recommended that the City Council take the following actions:

1. Accept project completion for Fire Station No. 4 Parking Lot Improvements (Project No. 21034) as performed by All American Asphalt with a final contract amount of \$217,426.30; and
2. Authorize the recordation of Notice of Completion with the Los Angeles County Recorder and the release of retention funds 35 days thereafter.

BACKGROUND:

On June 15, 2021, the City Council authorized award of a contract to All American Asphalt, in the amount of \$208,194, for Fire Station No. 4 Parking Lot Improvements. The project included resurfacing of existing asphalt and concrete parking lot (approximate area is 31,000 square feet) and striping improvements.

The City Council also authorized the City Manager to approve change orders in an amount not to exceed \$20,819 (10% of awarded contract) for unanticipated project costs. The total established construction budget was \$229,013.

DISCUSSION:

All required improvements were constructed in conformance with the approved plans and specifications. The work was performed within the contractually specified duration and to the City Engineer's satisfaction. Construction costs totaled \$217,426.30, which is well within approved construction budget.

The City retains five percent (5%) of each payment to the contractor as retention to ensure payment to subcontractors and material suppliers before final payment to the contractor. The City Council's acceptance of the project and the City's recordation of the Notice of Completion trigger timeframes within which subcontractors or material suppliers must file claims for payment if they have not been paid by the contractor. If no claims are filed within 35 days of the filing of the Notice of Completion, the City will release retention and any remaining amount due to the contractor.

OPTIONS:

The City Council has the following options:

1. Approve Staff's recommendation; or
2. Provide alternative direction.

Prepared by: Okan Demirci, PE, QSD/P

Fiscal Impact**FISCAL IMPACT:**

This contract was funded under Project No. 21034, Fire Building Improvements, (Account No. 160.80.7001.7500). The contract was completed within the approved construction budget.

Base Bid	\$208,194
10% Contingency	\$20,819
Total Construction Budget	\$229,013
Actual Expenditures	\$217,426.30
(Over)/Under Budget	\$11,586.70

Attachments

ATTACHMENT NO. 1 - NOTICE OF COMPLETION FIRE STATION 4 PARKING LOT IMPROVEMENTS

CITY COUNCIL GOALS & OBJECTIVES: Protect Public Safety
Enhance City Image and Effectiveness



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 03/01/2022

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: CONSIDERATION OF RATIFICATION OF CONTRACT WITH PAUL MAURER FOR AMUSEMENT RIDES, ATTRACTIONS, GAMES, AND CONCESSIONS FOR THE CITY'S SPRING FESTIVAL

RECOMMENDATION:

It is recommended that the City Council:

1. Ratify the agreement between the City and Paul Maurer dba Paul Maurer Shows for the provision of amusement rides, attractions, games and concessions for the City's Spring Festival.
2. Authorize the City Manager to execute future amendments to extend the term of the agreement.

BACKGROUND:

The City is hosting its first annual Spring Festival at the West Covina Sportsplex on March 12, 2022, from 12:00 P.M. - 10:00 P.M., and March 13, 2022, from 12:00 P.M. - 7:00 P.M. The Spring Festival will include food, drinks, a beer garden, and live performances. To add to the community celebration, staff also intends to include carnival-style rides, attractions, games and concessions.

DISCUSSION:

Staff solicited proposals from five companies that provide carnival rides, attractions, games and concessions in the Southern California area. Staff received two responses. Of the two companies that responded, only Paul Maurer dba Paul Maurer Shows had availability to provide rides, attractions and services during the Spring Festival.

Paul Maurer has been in the carnival and amusement business for over 45 years. Paul Maurer Shows has over 35 amusement rides, games and food concessions. Paul Maurer Shows currently produces and supports more than 90 events throughout the Western United States, with its main focus in California, Oregon and Nevada.

Key terms of the agreement include:

- Paul Maurer Shows will provide at least fourteen (14) amusement rides and attractions, seven (7) to eight (8) family games, and one (1) food concession, such as cotton candy or candy

apples.

- The City will not be responsible for any compensation to Paul Maurer Shows. Paul Maurer Shows will generate revenue from the sales of ride tickets and wristbands, games, and concessions.
- Paul Maurer Shows will share its revenues with the City from ride ticket sales as follows:
 - If gross revenues are under \$50,000, the City will not receive any share.
 - If gross revenues are between \$50,001 and \$75,000, the City will receive 15% of the gross revenue.
 - If gross revenues are \$75,001 or more, the City will receive 20% of the gross revenue.
- The agreement will have a one-year term, with the option to extend for two additional one-year periods.
- Paul Maurer Shows will have a “right of first refusal” for future Fall or Spring Festivals at which the City will include amusement rides, attractions and games.

Due to the need to execute the agreement in order to promote the carnival rides, attractions and games and move forward with making arrangements for such rides and attractions, and because the City is not providing any compensation to Paul Maurer Shows, the City Manager executed the agreement on behalf of the City. Staff is requesting that the City Council ratify the agreement and authorize the City Manager to execute future amendments to extend the agreement.

LEGAL REVIEW:

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

OPTIONS:

The City Council has the following options:

1. Approve Staff's recommendation; or
2. Provide alternative direction.

Prepared by: Lisa Sherrick; Assistant City Clerk

Attachments

Attachment No. 1 - Carnival Agreement

CITY COUNCIL GOALS & OBJECTIVES: Enhance City Image and Effectiveness
Expand Economic Development Opportunities
A Creative and Active Community



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 03/01/2022

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: PUBLIC HEARING REGARDING THE FISCAL YEAR (FY) 2022-2023 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ACTION PLAN

RECOMMENDATION:

Pending public testimony, it is recommended that the City Council direct staff to develop a draft FY 2022-2023 CDBG Action Plan, based on the needs and priorities approved for the FY 2020-2024 Consolidated Plan.

BACKGROUND:

The City receives an annual grant of CDBG funds from the U.S. Department of Housing and Urban Development (HUD). CDBG is a federal program with an overall objective of developing viable urban communities by providing decent housing and a suitable living environment, and expanding economic opportunities principally for low- and moderate-income persons.

According to 24 CFR 570.4, the policies and procedures used to determine CDBG allocations are described in Sections 106 and 107 of the Housing and Community Development Act of 1974. For the Entitlement Program, there are two formulas: "A" and "B". HUD calculates the amount of funds that each entitlement grantee would receive under each of the two formulas. Formula A allocates funds to a jurisdiction based on its metropolitan area's share of three factors across all US metropolitan areas. The factors are:

1. Population, weighted at 25%;
2. People in poverty, weighted at 50%; and
3. Housing overcrowding, weighted at 25%

Formula B also allocates funds to a jurisdiction based on its metropolitan area's share of three factors across all US metropolitan areas, but the factors are somewhat different. The Formula B factors are:

1. Population growth lag since 1960, weighted at 20%;
2. People in poverty, weighted at 30%; and
3. Pre-1940 housing units, weighted at 50%.

After HUD runs the calculations using the two formulas, it allocates the grantee the larger amount of the two. However, because HUD uses the larger amount, when it adds all the grantees' allocations

together, the total is higher than the amount of CDBG funding available for the Entitlement Program. So, HUD must recalculate the figures using a pro-rata reduction to reduce the total to the funding level for the Entitlement Program.

The City of West Covina utilizes CDBG funds for the Domestic Violence Victim Advocate, Senior Meals program, the Home Preservation Program, the Business Assistance Program, Public Infrastructure projects, and to fund various public service providers (i.e., food banks, homeless advocates, meals on wheels, etc.).

As a condition of receiving the funds, HUD requires the City to prepare an annual Action Plan, which details the activities the City plans to undertake with the funds in the respective year. This Action Plan is to be consistent with the five-year CDBG Consolidated Plan, which is a strategic and visioning document on the use of these funds. As a basis for the Consolidated Plan, an assessment and prioritization of community needs, relative to the use of CDBG funds, was required. The categories of community need identified in the current Consolidated Plan are: (1) Economic Development, (2) Homelessness, (3) Infrastructure Improvements, (4) Owner Occupied Housing, (5) Public Facilities, (6) Non-Homeless Special Needs, (7) Public Services, and (8) Rental Housing. Attachment No. 1 describes each category.

To facilitate prioritization and to evaluate the categories, HUD utilizes four levels of priority: High, Medium, Low, and No Such Need. A High Priority means that activities in that category *will* be funded by CDBG funds. A Medium Priority means activities in that category *may* be funded by CDBG funds. A Low Priority means CDBG funds *will not* be used to fund activities in a particular category.

The FY 2020-2024 CDBG Consolidated Plan, which was approved on April 6, 2021, included the prioritization shown below in Table 1.

Table 1
FY 2020-2024 Consolidated Plan Priorities

Categories of Need	Priority Level
Economic Development	High
Homelessness	High
Infrastructure Improvements	High
Owner Occupied Housing	High
Public Facilities	High
Non-Homeless Special Needs	Medium
Public Services	Medium
Rental Housing	Low

The categories shown as "Medium" and "Low" do not indicate that these are not priorities of the City of West Covina, but with limited CDBG funds, the City Council determined these as the priorities for CDBG funding. For example, while Rental Housing may be of high importance in the City, CDBG funds are not anticipated to fund any associated activity.

DISCUSSION:

This is the first of two public hearings required by HUD for the adoption of the FY 2022-2023 Action Plan. The purpose of this hearing is to provide an opportunity for citizen input relative to the identification and prioritization of community needs that may be addressed with CDBG funds in FY 2022-2023. Because this hearing occurs prior to the publication of the draft Action Plan, it is referred to as the Pre-Development Hearing.

This public hearing is also the opportunity for the City Council to consider changing the prioritization of community needs for the FY 2022-2023 Action Plan. However, due to the limited amount of CDBG resources available, City staff does not recommend doing so at this time. The City Council still retains the ability to fund all priorities as part of the City's annual budget process and to modify/change priorities of the Categories of Need. The City has not been notified of its FY 2022-2023 allocation as of the writing of this report.

Staff is seeking authorization to draft the FY 2022-2023 Action Plan, based on the priorities established in the five-year Consolidated Plan for FY 2020-2024. Once staff receives such authorization, staff can begin drafting the Action Plan as well as the process of evaluating public service providers and possible capital projects. Once drafted, the Action Plan will be made available for a required 30-day public review period. Following the review period, the draft will be presented to City Council for consideration in a public hearing. The approved Action Plan is due to HUD no later than August 16, 2022.

OPTIONS:

The City Council has the following options:

1. Approve staff recommendation; or
2. Provide alternative direction.

Prepared by: Kelly McDonald, Public Services Manager

Fiscal Impact

FISCAL IMPACT:

There is no fiscal impact resulting from this report at this time.

Attachments

Attachment No. 1 - Descriptions of Categories of Need in Table 1

CITY COUNCIL GOALS & OBJECTIVES: Enhance City Image and Effectiveness



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 03/01/2022

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: CONSIDERATION OF DRAFT CITY COUNCIL REDISTRICTING MAPS

RECOMMENDATION:

It is recommended that the City Council:

1. Conduct the public hearing, receive public input, discuss and revise draft maps and election sequencing, and identify focus maps; and
2. Provide direction to staff regarding which map(s) should be considered for inclusion in the ordinance to adopt new district boundaries for the West Covina City Council.

BACKGROUND:

Democratic elections strengthen participatory democracy, consistent with human rights. The overarching objective is to enhance democratic governance and increase effective political participation for all, especially groups that have been historically disadvantaged or that face political, cultural, or socioeconomic barriers. This includes women, racial and ethnic minorities, indigenous persons, persons with disabilities, youth, elderly people, and other marginalized groups.

California law requires that the City Council districts be updated to reflect data from the 2020 Census. These districts will be used for future elections of the West Covina City Council, including for the filling any vacancy in the office of a member of the City Council. The redistricting plan must comply with the United States Constitution, the Voting Rights Act, and the California Elections Code.

The districts are to contain substantially equal population. In adopting boundaries, cities are required to use the following criteria: (1) districts should be geographically contiguous, (2) districts should respect the geographic integrity of any local neighborhood or local community of interest, including racial, ethnic, and language minorities, in a manner that minimizes division, (3) district boundaries should be easily identifiable and understandable by residents, (4) districts should be drawn to encourage geographic compactness, and (5) districts should not be drawn for the purpose of favoring or discriminating against an incumbent, political candidate, or political party.

On January 17, 2017, the City Council adopted Ordinance No. 2310 to change from an at-large election system to by-district elections with five districts. On February 21, 2017, the City Council approved a settlement agreement in the matter known as Sanchez v. City of West Covina. This settlement set forth requirements relating to selection of a districting consultant, selection of district

boundaries and sequencing of elections. As a result, a Request for Proposals (RFP) was issued on March 14, 2017 for district consultant services. On May 2, 2017, the City Council awarded a contract for election district consulting services to National Demographics Corporation (NDC), a well-known company in the industry.

There were a total of four public hearings conducted with public input and participation. In total, the City Council reviewed 23 maps (20 that were submitted by members of the community and three that were submitted by NDC). The City Council selected 6 maps to bring back at the November 14, 2017 Council meeting for further discussion and selection. At the December 5, 2017 Council meeting, the City Council adopted Ordinance No. 2328, designating the boundaries for the five single-member districts and the sequence of district elections.

Every ten years, cities with by-district election systems must use new census data to review and, if needed, redraw district lines to reflect how local populations have changed. This process, called redistricting, ensures all districts have nearly equal population. The redistricting process for the City of West Covina must be completed by April 17, 2022.

On May 3, 2021, the City released an RFP for redistricting services. On May 24, 2021, the City received three proposals and at the September 21, 2021 Council meeting a contract was awarded to NDC.

The redistricting process requires four public hearings. The first two public hearing were held on November 18, 2021, and January 18, 2022. This is the third of four required hearings.

The purpose of the first two public hearings was to inform the public about the districting process and to hear from the community on what factors should be taken into consideration while creating district boundaries. The public was requested to provide input regarding communities of interest and other local factors that should be considered while drafting district maps. A community of interest is “a population that shares common social or economic interests that should be included within a single district for purposes of its effective and fair representation.” (Elections Code § 21601(c)(2).)

Possible features defining a community of interest might include, without limitation:

1. School attendance areas;
2. Natural dividing lines such as major roads, hills, or highways;
3. Areas around parks and other neighborhood landmarks;
4. Common issues, neighborhood activities, or legislative/election concerns; and
5. Shared demographic characteristics, such as:
 - a. Similar levels of income, education, or linguistic insolation;
 - b. Languages spoken at home; and
 - c. Single-family and multi-family housing unit areas.

DISCUSSION:

The City's districting consultant NDC provided the City with draft maps for the City Council's consideration. To be considered a viable map, the map submittals must be evaluated based on Federal and California redistricting criteria such as equal population, no racial gerrymandering, contiguous geography, easily identifiable boundaries, and not favoring or discriminating against a political party. Other traditional redistricting principles such as respecting voters' choices, future population growth, minimizing voter election year disruptions and preserving the core of existing districts can be considered in evaluating draft maps.

It is recommended that the City Council provide direction regarding which map it would like to

consider including in the ordinance, which will be introduced for first reading at the next Public Hearing on March 15, 2022.

Prepared by: Lisa Sherrick; Assistant City Clerk

Attachments

Attachment No. 1 - West Covina Draft District Map 101

Attachment No. 2 - West Covina Draft District Map 102

Attachment No. 3 - West Covina Draft District Map 103

Attachment No. 4 - West Covina Draft District Map 104

Attachment No. 5 - West Covina Draft District Map 105

Attachment No. 6 - City Council District Map 2022

CITY COUNCIL GOALS & OBJECTIVES: Enhance City Image and Effectiveness
Maintain Good Intergovernmental Relations



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 03/01/2022

TO: Mayor and City Council

FROM: David Carmany
City Manager

**SUBJECT: CONSIDERATION OF TRANSPORTATION AND LEASE AGREEMENTS WITH MV
TRANSPORTATION, INC.**

RECOMMENDATION:

It is recommended that the City Council take the following actions:

1. Provide direction regarding the transit services and lease agreements; and
2. Authorize the City Manager to negotiate and execute all necessary documents, in such final form as approved by the City Attorney, to carry out the City Council's direction.

BACKGROUND:

Fixed-route transportation systems use buses, vans, light rail, and other vehicles to operate on a predetermined route according to a predetermined schedule. These types of systems have printed or posted timetables and designated stops where riders are picked up and dropped off. The City of West Covina is conducting an evaluation of its current transit services to define the future of transit/mobility in the community.

On December 17, 2013, the City Council approved a Transportation Services Agreement with MV Transportation, Inc. (MVT), to provide fixed route and dial a-ride transit services that began on March 3, 2014. Separate, but concurrent and related to the Transportation Services Agreement, MVT entered into a Lease Agreement with the City on January 22, 2014 to use space at the City Yard for a mobile office and vehicle parking.

The Transportation Services Agreement had an initial term of five (5) years with a provision for two (2) one (1)-year extension options. Both options were exercised, extending the term through March 2, 2021. MVT's compensation during the initial five-year term for the Transportation Services Agreement totaled \$4,953,125.

Pursuant to the Lease Agreement, MVT agreed to pay the City \$2,700 per month. The Lease Agreement was subsequently amended twice. Pursuant to the Second Amendment in 2019, the monthly rent was increased to \$3,000 due to additional parking spaces requested by MVT and the term was extended term through March 2, 2021 to coincide with the term of the Transportation Services Agreement. The City has received approximately \$234,000 in rent from MVT under the

Lease Agreement.

On March 2, 2021, the City Council approved additional extensions of both the transit service and lease agreements with MVT, on a month-to-month basis, for up to 12 months, to enable the City to conduct a formal solicitation for transportation services. The transit service amendment included a provision for the parties to promptly meet to negotiate revised rates if volume fluctuated by more than 20%. It also allowed either party to terminate the agreement with a 30-day notice to the other party.

MVT has staffed and managed the City of West Covina's Fixed Route Shuttle (Shuttle) and Dial A-Ride (DAR) services with oversight by the Public Services Department. The Shuttle service consists of three alignments (Red, Blue, and Green) that operate Monday-Friday. The estimated annual hours of operation for the Shuttle service are 11,600. In October 2021, service reductions were made to the Red and Blue lines as a cost saving measure. Currently, the lines run as follows:

- Red runs 6:30am to 5:52pm (No Service 9:10a to 10:06a and 2:46pm to 3:42pm)
- Blue runs 7:07am to 4:47pm
- Green runs 6:30am to 6:25pm (North) and 6:30am to 6:30pm (South)

The DAR operates Monday-Friday from 8:00 a.m. to 5:30 p.m., and Sunday from 8:00 a.m. to 2:30 p.m. The estimated annual hours of operation for the DAR service are 7,600.

On May 4, 2021, the transit service agreement with MVT was amended to include a six-month "On-Demand Ride-Hailing" Pilot Program to be carried out by Uber that would supplement the current Dial-A-Ride program. The City budgeted \$50,000 for the pilot program. MVT was to receive 10% for administering the program, including arranging rides for those without the app. Only recently has the program been ready to launch. The City suspended the launch given the short timeframe before the end of the current extension, as well as the pending RFP process.

DISCUSSION:

A consultant was hired by the City to conduct an evaluation and analysis of the existing transit service and identify alternatives. The evaluation will be presented at the March 15, 2022 City Council meeting. City Council direction following the presentation of the evaluation will serve as a basis for the scope of work for a Request for Proposals for transit services.

To ensure service during the process, staff requested a proposal from MVT. MVT provided a proposal (Attachment No. 1) to continue a month-to-month agreement at a status quo level. In anticipation of labor negotiations and wage increases, the cost proposal rates are month-to-month and not to exceed six months. The attached proposal reflects the 6-month term.

The rates reflect an increase of 5.74% in light of a 7.5% increase in CPI. The proposal delineates variable costs by service and overall fixed costs. With fixed costs met, service modifications, i.e., reductions, may be implemented if desired.

Staff conferred with the transit evaluation consultant for potential reductions that could be implemented. Two alternatives were posed: eliminating the Blue Line or reducing service on the Green Line, from two buses to one. From an equity of service perspective, the Green Line alternative was the more palatable of the two. Either alternative would result in a savings of approximately \$9,000 per month. It was cautioned, however, that making short-term changes could lower rider confidence in the consistency of the service.

In regard to an "On-Demand Ride-Hailing" Pilot Program, while Uber recently advised that it is ready to launch as previously planned under the previous amendment with MVT, staff has contacted both Uber and Lyft regarding contracting directly with the City. The City Attorney's Office has made a

preliminary review of the template agreements for both companies. If directed, staff will present a proposed agreement to City Council for consideration at a future meeting.

LEGAL REVIEW:

The City Attorney's Office will work with staff based on the City Council's direction and approve any agreements or amendments as to form prior to execution.

OPTIONS:

The City Council has the following options:

1. Approve an extension of the existing agreements for transit services, including an "On-Demand Ride Hailing" Pilot Program carried out by Uber, and lease on a month-to-month basis not to exceed six months;
2. Approve an extension of the existing agreements for transit services and lease on a month-to-month basis not to exceed six months and direct staff to contract directly with Uber or Lyft to carry out an "On-Demand Ride Hailing" Pilot Program;
3. Approve an extension of the existing agreements for transit services, with reduced service, and lease on a month-to-month basis not to exceed six months; or
4. Provide alternative direction.

SUMMARY OF OBLIGATIONS TO MVT FOR SIX-MONTH EXTENSION BY OPTION

Service	Option 1	Option 2	Option 3
Fixed Route	\$261,330	\$261,330	* \$207,330
Dial-A-Ride	\$140,124	\$140,124	\$140,124
Fixed Costs	\$ 48,242	\$ 48,242	\$ 48,242
Pilot Program	\$ 50,000	**	**
Total	\$740,909	\$690,909	\$636,909

* Assumes \$9,000 per month savings resulting from implementation of one of the alternatives discussed above.

** If City contracts directly with a provider for the Pilot Program, budgeted funding would be obligated to that provider.

Prepared by: Kelly McDonald, Public Services Manager

Fiscal Impact

FISCAL IMPACT:

The proposed rates for extending the transit services agreement represent a 5.74% increase in light of a 7.5% increase in CPI. Transit services are funded from the Public Services Transportation Operating Budget (Proposition C and Measure R Local Returns). The fixed route budget is included in Account Nos. 122.61.5142.6120, 122.61.5148.6120, and 224.61.5142.6120 and dial-a-ride services in Account No. 122.61.5143.6120. The increase occurring in Fiscal Year 2021-2022 is expected to be absorbed by savings in the current budget. Anticipated costs will be incorporated into the Fiscal Year 2022-2023 budget, accordingly. There is no impact to the General Fund. \$50,000 is budgeted for the On-Demand Ride-Hailing Pilot Program. If administered by MVT, the City will pay a 10% administrative fee.

Local Return Funds are based on sales tax and must be expended in a three-year period. In FY 21-22, the City received approximately

\$2.1 M in Proposition A;
\$1.8M in Proposition C;
\$1.3M in Measure R; and

\$1.5M in Measure M.

In recent years, the City has exchanged its Proposition A funds with other agencies for General funds.

Extension of the lease agreement will result \$3,000 per month in General Fund revenue.

Attachments

Attachment No. 1 - MV Proposal for Extension

CITY COUNCIL GOALS & OBJECTIVES: Enhance City Image and Effectiveness