



CITY OF WEST COVINA

CITY COUNCIL/SUCCESSOR AGENCY

**NOVEMBER 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**

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

INVOCATION

Led by Pastor John Lee from Xaris Church

PLEDGE OF ALLEGIANCE

Led by Mayor Pro Tem Diaz

ROLL CALL

PRESENTATIONS

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 OCTOBER 18, 2022, CITY COUNCIL/SUCCESSOR AGENCY REGULAR SESSION MEETING MINUTES.

It is recommended that the City Council approve the October 18, 2022 Regular Session Meeting Minutes.

COMMUNITY DEVELOPMENT

2) CONSIDERATION OF NOTICE OF COMPLETION FOR SEWER MAIN REPLACEMENT - PORTION OF AZUSA AVENUE & CITRUS STREET - PROJECT NO. 21011 & 21012

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

1. Accept the work performed by GRBCON, Inc. for the Sewer Main Replacement - Portion of Azusa Avenue & Citrus Street project (Projects Nos. 21011 & 21012), with a final contract amount of \$219,994.40; and
2. Authorize the recordation of Notice of Completion with the Los Angeles County Recorder and the release of retention funds 35 days thereafter.

3) CONSIDERATION OF NOTICE OF COMPLETION FOR CONSTRUCTION OF FRIENDSHIP PARK IMPROVEMENTS - PROJECT NO. 21035

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

1. Accept the work performed by Jaynes Brothers Construction, Inc. for the Friendship Park Improvements project (Project No. 21035), with a final contract amount of \$231,792.58; and;
2. Authorize the recordation of Notice of Completion with the Los Angeles County Recorder and the release of retention funds 35 days thereafter.

FINANCE DEPARTMENT

4) CONSIDERATION OF ADOPTION OF ORDINANCES REPEALING FORMER REDEVELOPMENT AGENCY'S SALES TAX ORDINANCE AND RELATED SECTION 21-32 OF THE WEST COVINA MUNICIPAL CODE

1. It is recommended that the City Council, acting as the Successor Agency to the former West Covina Redevelopment Agency, adopt the following ordinance:

ORDINANCE NO. 2504 - AN ORDINANCE OF THE SUCCESSOR AGENCY TO THE FORMER WEST COVINA REDEVELOPMENT AGENCY REPEALING ORDINANCE NO. 1 REGARDING SALES AND USE TAXES

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

ORDINANCE NO. 2505 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, REPEALING SECTION 21-32 (CREDIT FOR TAXES DUE TO REDEVELOPMENT AGENCY OF THE CITY OF WEST COVINA) OF ARTICLE II (SALES AND USE TAX) OF CHAPTER 21 (TAXATION) OF THE WEST COVINA MUNICIPAL CODE

FIRE DEPARTMENT

5) CONSIDERATION OF ORDINANCE ADOPTING 2022 CALIFORNIA FIRE CODE

It is recommended that the City Council:

1. Adopt the following resolution:

RESOLUTION NO. 2022-111 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, MAKING FINDINGS REGARDING THE NEED FOR MODIFICATIONS TO PROVISIONS OF THE 2022 CALIFORNIA FIRE CODE DUE TO LOCAL CLIMATIC, GEOLOGICAL OR TOPOGRAPHICAL CONDITIONS

2. Introduce for first reading, by title only, further reading waived, the following ordinance:

ORDINANCE NO. 2503 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING ARTICLE II OF CHAPTER 10 OF THE WEST COVINA MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2022 CALIFORNIA FIRE CODE, WHICH ADOPTS BY REFERENCE THE 2021 INTERNATIONAL FIRE CODE; AND MAKING AMENDMENTS THERETO

6) CONSIDERATION OF CAL OES HIGH FREQUENCY GRANT SUBAWARD

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

1. Accept and appropriate the reimbursable California Governor's Office of Emergency Services ("Cal OES") High Frequency Communications Equipment Grant Program grant totaling \$60,000.00 in expenditures and revenues; and
2. Authorize the City Manager to enter into a Grant Subaward with Cal OES on behalf of the City and to execute all documents required in connection with the grant, in a form approved by the City Attorney; and
3. Adopt the attached resolution authorizing the necessary budget amendment:

RESOLUTION NO. 2022-101 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADOPTING A BUDGET AMENDMENT FOR THE FISCAL YEAR COMMENCING JULY 1, 2022 AND ENDING JUNE 30, 2023 (CAL OES GRANT)

END OF CONSENT CALENDAR

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

November 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: November 1, 2022

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: CONSIDERATION OF APPROVAL OF THE OCTOBER 18, 2022, CITY COUNCIL/SUCCESSOR AGENCY REGULAR SESSION MEETING MINUTES.

RECOMMENDATION:

It is recommended that the City Council approve the October 18, 2022 Regular Session Meeting Minutes.

BACKGROUND:

The October 18, 2022, City Council/Successor Agency Closed Session Meeting was canceled.

DISCUSSION:

That the City Council adopt the attached minutes.

Prepared by: Lisa Sherrick; Assistant City Clerk

Attachments

Attachment No. 1 - 10/18/2022 Regular Session Minutes Draft

CITY COUNCIL GOALS & OBJECTIVES: Enhance City Image and Effectiveness



CITY OF WEST COVINA

CITY COUNCIL/SUCCESSOR AGENCY/WEST COVINA COMMUNITY SERVICES FOUNDATION

**OCTOBER 18, 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**

MINUTES

CALL TO ORDER

A Regular Session Meeting was called to order by Mayor Dario Castellanos on Tuesday, October 18, 2022 at 7:00 p.m., in the Council Chambers, 1444 West Garvey Avenue South, West Covina, California

INVOCATION

Led by Pastor Mason Okubo from Immanuel First Lutheran Church.

PLEDGE OF ALLEGIANCE

Led by Councilwoman Lopez-Viado

ROLL CALL

Present: Council Members Tony Wu, Brian Tabatabai, Letty Lopez-Viado, Mayor Pro Tem Diaz, Mayor Castellanos.

Council Members

Absent: None

City Staff: David Carmany City Manager, Paulina Morales Assistant City Manager, Tom Duarte City Attorney, Lisa Sherrick Assistant City Clerk; other City staff presented reports and responded to questions as indicated in the minutes.

REPORTING OUT FROM CLOSED SESSION

None

PRESENTATIONS

- Certificate recognizing the Fire Prevention Week Poster Contest Winner
- Certificate recognizing Firefighter/Engineer Jamelle Gibbs for organizing the 9/11 Memorial Softball Tournament/Chili Cook Off

ORAL COMMUNICATIONS - Five (5) minutes per speaker

Armando Herman

Mike Greenspan

Rosa Rios

Ernesto Garcia

Elsie Messman

Wen Wen Zhang

R. Robinson

John Shewmaker

Frank Williams

CITY MANAGER'S REPORT

Presentation given by City Manager David Carmany.

CONSENT CALENDAR

ACTION: Motion by Councilmember Tabatabai, Second by Mayor Castellanos 5-0 to: Approve Consent Calendar Items 1, 2, 4, 5 and 6.

ACTION: Motion by Councilman Wu, Second by Mayor Castellanos 5-0 to: Approve Consent Calendar Item 3. (Item 3 was pulled for discussion by Councilmember Tabatabai).

APPROVAL OF MEETING MINUTES

- 1) **CONSIDERATION OF APPROVAL OF THE OCTOBER 04, 2022, CITY COUNCIL/SUCCESSOR AGENCY REGULAR SESSION MEETING MINUTES.**

Carried 5-0 to: approve the October 04, 2022 Regular Session Meeting Minutes.

CITY CLERK'S OFFICE

- 2) **BIENNIAL REVIEW OF THE CONFLICT OF INTEREST CODE AS REQUIRED**

BY THE POLITICAL REFORM ACT

Carried 5-0 to: receive and file the 2022 Local Agency Biennial Notice.

CITY MANAGER'S OFFICE

3) CONSIDERATION OF RESOLUTION NO. 2022-102 DETERMINING THERE IS A NEED TO CONTINUE THE LOCAL EMERGENCY

Carried 5-0 to: adopt the following resolution:

RESOLUTION NO. 2022-102 - 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, FEBRUARY 1, 2022, MARCH 1, 2022, APRIL 5, 2022, MAY 3, 2022, JUNE 7, 2022, JULY 5, 2022, JULY 19, 2022, AUGUST 16, 2022 AND SEPTEMBER 20, 2022 FINANCE DEPARTMENT

4) CONSIDERATION OF ORDINANCES REPEALING FORMER REDEVELOPMENT AGENCY'S SALES TAX ORDINANCE AND RELATED SECTION 21-32 OF THE WEST COVINA MUNICIPAL CODE

Carried 5-0 to: take the following actions:

1. The City Council, acting as the Successor Agency to the former West Covina Redevelopment Agency, introduce for first reading, by title only, the following ordinance:

ORDINANCE NO. 2504 - AN ORDINANCE OF THE SUCCESSOR AGENCY TO THE FORMER WEST COVINA REDEVELOPMENT AGENCY REPEALING ORDINANCE NO. 1 REGARDING SALES AND USE TAXES

2. The City Council introduce for first reading, by title only, the following ordinance:

ORDINANCE NO. 2505 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, REPEALING SECTION 21-32 (CREDIT FOR TAXES DUE TO REDEVELOPMENT AGENCY OF THE CITY OF WEST COVINA) OF ARTICLE II (SALES AND USE TAX) OF CHAPTER 21 (TAXATION) OF THE WEST COVINA MUNICIPAL CODE

POLICE DEPARTMENT

5) CONSIDERATION OF A RESOLUTION ESTABLISHING A REWARD FUND FOR THE GABRIELA DE HARO-PEREZ CASE

Carried 5-0 to: adopt the following resolution authorizing the establishment of a reward fund to further support the investigation of the Gabriela De Haro-Perez case:

RESOLUTION NO. 2022-100 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, OFFERING A REWARD IN THE TOTAL AMOUNT OF UP TO FIFTY THOUSAND DOLLARS (\$50,000) FOR THE INFORMATION LEADING TO THE DETERMINATION OF THE IDENTITY, APPREHENSION, AND CONVICTION OF THE PERSON OR PERSONS RESPONSIBLE FOR THE JANUARY 2, 2021 SHOOTING NEAR THE INTERSECTION OF AZUSA AVENUE AND AMAR ROAD THAT LEAD TO THE DEATH OF GABRIELA DE HARO-PEREZ PUBLIC SERVICES

6) CONSIDERATION OF THE WEST COVINA COMMUNITY SERVICES FOUNDATION FISCAL YEAR 2021-2022 ANNUAL REPORT

Carried 5-0: that the Board of Directors of the West Covina Community Services Foundation receive and file this report.

END OF CONSENT CALENDAR

DEPARTMENTAL REGULAR MATTERS

PUBLIC SERVICES

7) CONSIDERATION OF DIAL-A-RIDE SERVICE AREA

ACTION: Motion by Mayor Pro Tem Diaz, Second by Councilman Wu 4-1 (No: Tabatabai) to: take the following actions:

1. Change the hours of Dial-A-Ride to Monday thru Saturday 8:00AM – 8:00PM and on Sunday 8:00AM – 6:00PM and to extend the milage range to 5 miles outside of the City restricted for medical services and 3 miles unrestricted outside of the City; and
2. Authorize the City Manager to negotiate and execute all necessary documents, in such form as approved by the City Attorney, to carry out the City Council's direction.

MAYOR/COUNCILMEMBERS REPORTS

None

CITY COUNCIL REQUESTS FOR REPORTS, STUDIES OR INVESTIGATION

None

CITY COUNCIL COMMENTS

None

ADJOURNMENT

A motion to adjourn the Regular Meeting was made by Mayor Castellanos, and the meeting was adjourned at 8:55 p.m. The next regularly scheduled Regular City Council Meeting will be held on Tuesday November 1, 2022 at 7:00 p.m. in the Council Chambers, 1444 West Garvey Avenue South, West Covina, California.

Submitted by:

Lisa Sherrick
Assistant City Clerk

Dario Castellanos
Mayor



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: November 1, 2022

TO: Mayor and City Council

FROM: David Carmany
City Manager

**SUBJECT: CONSIDERATION OF NOTICE OF COMPLETION FOR SEWER MAIN REPLACEMENT -
PORTION OF AZUSA AVENUE & CITRUS STREET - PROJECT NO. 21011 & 21012**

RECOMMENDATION:

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

1. Accept the work performed by GRBCON, Inc. for the Sewer Main Replacement - Portion of Azusa Avenue & Citrus Street project (Projects Nos. 21011 & 21012), with a final contract amount of \$219,994.40; 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 April 5, 2022, the City Council authorized award of a contract to GRBCON, Inc. in the amount of \$358,911.00 for the Sewer Main Replacement - Portion of Azusa Avenue & Citrus Street Project (Projects Nos. 21011 & 21012). The City Council also authorized the City Manager to approve change orders in an amount not to exceed \$35,891.10 (10% of awarded contract) for unanticipated project costs. The total established construction budget was \$394,802.10. These were Capital Improvement Projects for Fiscal Year 2021-22 that included replacement of existing sewer main by pipe bursting method on North Azusa Avenue between 630' south of West Badillo Street and East Puente Avenue; and replacement of existing sewer main on South Citrus Avenue between Cortez Street and East Vanderhoof Drive.

Prior to construction activities, the proposed sewer main rehabilitation on Azusa Ave. and Citrus Street was reviewed with sewer video inspection. After the necessary inspection, it was determined that the Azusa Ave. sewer section within the limits of this project no longer needed the sewer pipe bursting due to existing conditions. Therefore, this segment was deducted completed from the scope of work, which reflected as savings to the total contract amount.

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 \$219,994.40, which is within the 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.

LEGAL REVIEW:

The City Attorney's Office has reviewed the staff report.

OPTIONS:

The City Council has the following options:

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

Prepared by: Okan Demirici PE, CIP Manager

Fiscal Impact

FISCAL IMPACT:

This contract was funded under Project No. 21011 and Project No. 21012 (Account No. 189.80.7007.7300). The contract was completed within the approved construction contract.

Construction Contract	\$358,911.00
10% Contingency	\$35,891.10
Total Construction Estimate	\$394,802.10
Actual Expenditures	\$219,994.40
(Over)/Under Construction Estimate	\$174,807.70

Attachments

Attachment No. 1- Notice of Completion

CITY COUNCIL GOALS & OBJECTIVES: Protect Public Safety
Enhance City Image and Effectiveness
A Creative and Active Community

ATTACHMENT NO. 1

<p>RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:</p> <p>City Clerk City of West Covina 1444 W. Garvey Ave. S. West Covina, CA 91790</p> <p>EXEMPT FROM RECORDING FEES – GOVERNMENT CODE §§ 6103, 27383</p>	
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SPACE ABOVE LINE FOR RECORDER'S USE ONLY

NOTICE OF COMPLETION (California Civil Code § 9204)

NOTICE IS HEREBY GIVEN THAT:

1. Name and Address of Owner. The City of West Covina ("City"), a municipal corporation, whose address is 1444 W. Garvey Ave. S., West Covina, California 91790, is the fee owner of the public work of improvement described herein and of the property containing said public work of improvement.
2. Description of Public Work of Improvement. The public work of improvement is the project known as: Sewer Main Replacement - Portion of Azusa Avenue & Citrus Street – Project Nos. 21011 & 21012.
3. Location of Public Work of Improvement. The public work of improvement is generally located at North Azusa Ave. between 630' south of W. Badillo St. and E. Puente Ave.; S. Citrus Ave. between Cortez St. and E. Vanderhoof Dr.
4. Award of Contract; Contractor. On April 5, 2022, the City awarded a contract to construct the public work of improvement to GRBCON, Inc., 5114 Elton St. Baldwin Park, CA 91706.
5. Date of Completion. The public work of improvement was completed to the satisfaction of the City Engineer on: July 29, 2022.
6. Date of Acceptance. The City Council accepted the public work of improvement on November 1, 2022.

David Carmany, City Manager Date
City of West Covina

VERIFICATION

I, the undersigned, say: I am the Assistant City Clerk of the City of West Covina, the declarant of the foregoing Notice of Completion; I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge. I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, at West Covina, California.

Lisa Sherrick
Assistant City Clerk



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: November 1, 2022

TO: Mayor and City Council

FROM: David Carmany
City Manager

**SUBJECT: CONSIDERATION OF NOTICE OF COMPLETION FOR CONSTRUCTION OF
FRIENDSHIP PARK IMPROVEMENTS - PROJECT NO. 21035**

RECOMMENDATION:

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

1. Accept the work performed by Jaynes Brothers Construction, Inc. for the Friendship Park Improvements project (Project No. 21035), with a final contract amount of \$231,792.58; 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 September 7, 2021, the City Council authorized award of a contract to by Jaynes Brothers Construction, Inc., in the amount of \$201,258.43 for the Friendship Park Improvements project. The project included site preparation, installation of City furnished basketball court equipment, playground equipment, fitness equipment and entry signs at Friendship Park.

On June 21, 2022, the City Council approved a construction contingency at 25% of awarded construction contract and authorized the City Manager to approve change orders in an amount not to exceed \$57,948.15 for unanticipated project costs. The total established construction budget was \$259,206.58.

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 \$231,792.58, which is within the 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.

LEGAL REVIEW:

The City Attorney's Office has reviewed the staff report.

OPTIONS:

The City Council has the following options:

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

Prepared by: Okan Demirici PE, CIP Manager

Fiscal Impact

FISCAL IMPACT:

This contract was funded under Project No. 21035 (CDBG account no. 131.80.7004.7700) and was completed within the approved construction estimate:

Construction Contract	\$201,258.43
25% Contingency Allowance	\$50,314.61
Total Construction Budget	\$251,573.04
Actual Expenditures	\$231,792.58
(Over)/Under Budget	\$19,780.46

Attachments

Attachment No. 1 - Notice of Completion

CITY COUNCIL GOALS & OBJECTIVES: Protect Public Safety
Enhance City Image and Effectiveness
A Creative and Active Community

ATTACHMENT NO. 1

<p>RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:</p> <p>City Clerk City of West Covina 1444 W. Garvey Ave. S. West Covina, CA 91790</p> <p>EXEMPT FROM RECORDING FEES – GOVERNMENT CODE §§ 6103, 27383</p>	
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SPACE ABOVE LINE FOR RECORDER'S USE ONLY

NOTICE OF COMPLETION (California Civil Code § 9204)

NOTICE IS HEREBY GIVEN THAT:

1. Name and Address of Owner. The City of West Covina ("City"), a municipal corporation, whose address is 1444 W. Garvey Ave. S., West Covina, California 91790, is the fee owner of the public work of improvement described herein and of the property containing said public work of improvement.
2. Description of Public Work of Improvement. The public work of improvement is the project known as: Friendship Park Improvements – Project No. 21035.
3. Location of Public Work of Improvement. The public work of improvement is generally located at 3740 S. Sentous Ave., West Covina, CA 91792.
4. Award of Contract; Contractor. On September 7, 2021, the City awarded a contract to construct the public work of improvement to Jaynes Brothers Construction, Inc., 996 Lawrence Dr., Suite 201, Newberry Park, CA 91320.
5. Date of Completion. The public work of improvement was completed to the satisfaction of the City Engineer on: June 22, 2022.
6. Date of Acceptance. The City Council accepted the public work of improvement on November 1, 2022.

David Carmany, City Manager Date
City of West Covina

VERIFICATION

I, the undersigned, say: I am the Assistant City Clerk of the City of West Covina, the declarant of the foregoing Notice of Completion; I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge. I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, at West Covina, California.

Lisa Sherrick
Assistant City Clerk



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: November 1, 2022

TO: Mayor and City Council

FROM: David Carmany
City Manager

**SUBJECT: CONSIDERATION OF ADOPTION OF ORDINANCES REPEALING FORMER
REDEVELOPMENT AGENCY'S SALES TAX ORDINANCE AND RELATED SECTION
21-32 OF THE WEST COVINA MUNICIPAL CODE**

RECOMMENDATION:

1. It is recommended that the City Council, acting as the Successor Agency to the former West Covina Redevelopment Agency, adopt the following ordinance:

**ORDINANCE NO. 2504 - AN ORDINANCE OF THE SUCCESSOR AGENCY TO THE FORMER
WEST COVINA REDEVELOPMENT AGENCY REPEALING ORDINANCE NO. 1 REGARDING
SALES AND USE TAXES**

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

**ORDINANCE NO. 2505 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST
COVINA, CALIFORNIA, REPEALING SECTION 21-32 (CREDIT FOR TAXES DUE TO
REDEVELOPMENT AGENCY OF THE CITY OF WEST COVINA) OF ARTICLE II (SALES AND
USE TAX) OF CHAPTER 21 (TAXATION) OF THE WEST COVINA MUNICIPAL CODE**

BACKGROUND:

In 1989, the former Redevelopment Agency of the City West Covina took a number of actions related to the formation of the West Covina Fashion Plaza Community Facilities District ("CFD"). Those actions included establishing the CFD, determining the necessity to incur bonded indebtedness within the CFD, authorizing the levy of a special tax within the CFD and enacting Ordinance No. 1, a sales and use tax ordinance that allowed the Agency to receive sales tax generated from the expansion of the Fashion Plaza project. At the same time, the City enacted an ordinance (Ordinance No. 1818) providing a credit for its sales tax in the amount equal to the sales tax due to the Redevelopment Agency. Ordinance No. 1818 added Section 21-32 to the West Covina Municipal Code. This sales tax ordinance and related agreements between the City and the Agency essentially transferred the sales tax increment due to the Fashion Plaza expansion from the City to the Agency.

After these actions, the former Redevelopment Agency issued bonds to facilitate the Fashion Plaza expansion in 1990 that were secured by property tax increments, the special tax and sales tax. These bonds were refunded in 1996. The pledge of sales tax increment revenue as security for the bonds

remain in place until the bonds are retired.

On October 18, 2022, the West Covina City Council, acting as the Successor Agency to the former West Covina Redevelopment Agency, by a 5-0 vote, introduced for first reading Ordinance No. 2504 repealing Ordinance No. 1 regarding sales and use taxes, and the City Council, by a 5-0 vote, introduced for first reading Ordinance No. 2505 repealing Section 21-32 of Chapter 21 of the West Covina Municipal Code.

DISCUSSION:

The refunding bonds matured in September 2022. Now that the sales tax from the Fashion Plaza expansion is no longer pledged to any debt, Ordinance No. 1 and Section 21-32 of the West Covina Municipal Code may be repealed. Once the ordinances are effective and the State Board of Equalization is notified, the sales tax will be reallocated to the General Fund.

The proposed ordinances (Attachment No. 1 and Attachment No. 2) are provided for second reading and adoption. Staff recommends that the City Council, acting as the Successor Agency to the former West Covina Redevelopment Agency, conduct the second reading and adopt Ordinance No. 2504 and that the City Council conduct the second reading and adopt Ordinance No. 2505. The ordinances will take effect on the 31st day following adoption, which is on or about December 2, 2022.

LEGAL REVIEW:

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

Prepared by: Stephanie Sikkema, Finance Director

Fiscal Impact

FISCAL IMPACT:

Based on prior year actuals, approximately \$950,000 of average annual sales tax generated from the Fashion Plaza expansion will be allocated back to the City's General Fund.

Attachments

Attachment No. 1 - Ordinance No. 2504

Attachment No. 2 - Ordinance No. 2505

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

ORDINANCE NO. 2504

**AN ORDINANCE OF THE SUCCESSOR AGENCY TO THE
FORMER WEST COVINA REDEVELOPMENT AGENCY
REPEALING ORDINANCE NO. 1 REGARDING SALES AND USE
TAXES**

WHEREAS, on July 10, 1989, the former West Covina Redevelopment Agency ("Former Agency") adopted Ordinance No. 1, enacting a sales and use tax within the Fashion Plaza Redevelopment Project area (the "Sales and Use Tax Ordinance"); and

WHEREAS, pursuant to ABX 1 26, enacted on June 28, 2011, and as subsequently amended by AB 1484, SB 341, and SB 107 ("Dissolution Act"), the Former Agency was dissolved as of February 1, 2012, and the City of West Covina elected to serve as the Successor Agency to the Former Agency; and

WHEREAS, the Successor Agency has no obligations the payment of which is secured by a pledge of sales and use taxes levied pursuant to the Sales and Use Tax Ordinance, and the Successor Agency does not need any of such sales and use taxes to pay any of its obligations.

WHEREAS, the Successor Agency now desires to repeal Ordinance No. 1 in its entirety; and

WHEREAS, all legal prerequisites prior to the adoption of this Ordinance have occurred.

NOW, THEREFORE, THE SUCCESSOR AGENCY TO THE FORMER WEST COVINA REDEVELOPMENT AGENCY DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The Successor Agency finds that all of the recitals set forth herein are true and correct.

SECTION 2. Repeal of Sales and Use Tax Ordinance. The Successor Agency hereby repeals Ordinance No. 1 in its entirety.

SECTION 3. Environmental Compliance. Pursuant to the provisions of the California Environmental Quality Act ("CEQA") (California Public Resources Code Sections 21000 et seq.) and State CEQA Guidelines (Sections 15000 et seq.), the Successor Agency finds that this Ordinance is not a "project" and further, that it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment, either directly or indirectly, and that therefore no environmental review under the CEQA is required, pursuant to CEQA Guidelines Section 15061(b)(3).

SECTION 4. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Successor Agency hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

SECTION 5. Effective Date. This Ordinance shall take effect thirty (30) days after its final passage.

SECTION 6. Certification. The Secretary shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted in the manner required by law.

PASSED, APPROVED AND ADOPTED this 1st day of November, 2022.

Dario Castellanos
Chair

APPROVED AS TO FORM

ATTEST

Thomas P. Duarte
Counsel

Lisa Sherrick
Secretary

I, LISA SHERRICK, Secretary to the Successor Agency to the former West Covina Redevelopment Agency, do hereby certify that the foregoing Ordinance No. 2504 was introduced at a regular meeting of the Successor Agency held on the 18th day of October, 2022, and adopted at a regular meeting of the Successor Agency on the 1st day of November, 2022 by the following vote of the Successor Agency:

AYES:
NOES:
ABSENT:
ABSTAIN:

Lisa Sherrick
Secretary

ORDINANCE NO. 2505

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, REPEALING SECTION 21-32 (CREDIT FOR TAXES DUE TO REDEVELOPMENT AGENCY OF THE CITY OF WEST COVINA) OF ARTICLE II (SALES AND USE TAX) OF CHAPTER 21 (TAXATION) OF THE WEST COVINA MUNICIPAL CODE

WHEREAS, in 1989, the former West Covina Redevelopment Agency took several actions related to the formation of the West Covina Fashion Plaza Community Facilities District ("CFD"), including establishing the CFD, determining the necessity to incur bonded indebtedness within the CFD, authorizing the levy of a special tax within the CFD and adopting an ordinance that allowed the Redevelopment Agency to receive sales tax generated from the expansion of the Fashion Plaza project; and

WHEREAS, on July 10, 1989, the City Council adopted Ordinance No. 1818, adding a new Section 21-32 to Article II of Chapter 21 of the West Covina Municipal Code; and

WHEREAS, Section 21-32 provides for a credit against the sales and use taxes due to the City in an amount equal to the amount of sales and use taxes due to the Redevelopment Agency pursuant to Section 7202.6 of the California Revenue and Taxation Code; and

WHEREAS, Section 21-32 also provides that in the event the Redevelopment Agency issues obligations secured in whole or in part by taxes levied pursuant to Section 7202.6 of the California Revenue and Taxation Code, the City shall not revoke the credit in whole or in part, nor shall it reduce its sales and use tax rate, so long as such obligations are outstanding; and

WHEREAS, in 1990, the former Redevelopment Agency issued bonds to facilitate the Fashion Plaza expansion. The bonds were secured by an annual special tax levy, incremental property taxes, and incremental sales taxes generated within the CFD; and

WHEREAS, the bonds were refunded in 1996; and

WHEREAS, the refunding bonds matured in September 2022; and

WHEREAS, since the sales and use taxes generated from the Fashion Plaza expansion are no longer pledged to any debt, the City Council may repeal Section 21-32; and

WHEREAS, the City Council now desires to repeal Section 21-32 in its entirety; and

WHEREAS, all legal prerequisites prior to the adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The City Council finds that all of the recitals set forth herein are true and correct.

SECTION 2. Repeal of Section 21-32. The City Council hereby repeals Section 21-32 (Credit for Taxes Due to Redevelopment Agency of the City of West Covina) of Article II (Sales and

Use Tax) of Chapter 21 (Taxation) of the West Covina Municipal Code in its entirety.

SECTION 3. Environmental Compliance. Pursuant to the provisions of the California Environmental Quality Act ("CEQA") (California Public Resources Code Sections 21000 et seq.) and State CEQA Guidelines (Sections 15000 et seq.), the City Council finds that this Ordinance is not a "project" and further, that it can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment, either directly or indirectly, and that therefore no environmental review under the CEQA is required, pursuant to CEQA Guidelines Section 15061(b)(3).

SECTION 4. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of West Covina hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

SECTION 5. Effective Date. This Ordinance shall take effect thirty (30) days after its final passage.

SECTION 6. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted in the manner required by law.

PASSED, APPROVED AND ADOPTED this 1st day of November, 2022.

Dario Castellanos
Mayor

APPROVED AS TO FORM

ATTEST

Thomas P. Duarte
City Attorney

Lisa Sherrick
Assistant City Clerk

I, LISA SHERRICK, Assistant City Clerk of the City of West Covina, California, do hereby certify that the foregoing Ordinance No. 2505 was introduced at a regular meeting of the City Council held on the 18th day of October, 2022, and adopted at a regular meeting of the City Council on the 1st day of November, 2022 by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lisa Sherrick
Assistant City Clerk



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: November 1, 2022

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: CONSIDERATION OF ORDINANCE ADOPTING 2022 CALIFORNIA FIRE CODE

RECOMMENDATION:

It is recommended that the City Council:

1. Adopt the following resolution:

RESOLUTION NO. 2022-111 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, MAKING FINDINGS REGARDING THE NEED FOR MODIFICATIONS TO PROVISIONS OF THE 2022 CALIFORNIA FIRE CODE DUE TO LOCAL CLIMATIC, GEOLOGICAL OR TOPOGRAPHICAL CONDITIONS

2. Introduce for first reading, by title only, further reading waived, the following ordinance:

ORDINANCE NO. 2503 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING ARTICLE II OF CHAPTER 10 OF THE WEST COVINA MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2022 CALIFORNIA FIRE CODE, WHICH ADOPTS BY REFERENCE THE 2021 INTERNATIONAL FIRE CODE; AND MAKING AMENDMENTS THERETO

BACKGROUND:

The California Health and Safety Code (Section 17958) mandates that the California Building Standards Commission adopt and publish the California Building Standards Code (Title 24 California Code of Regulations), which includes the California Fire Code, every three years. The California Fire Code adopts by reference the International Fire Code. The 2022 California Codes take effect January 1, 2023.

The Fire Department is requesting that the City Council adopt an ordinance which adopts by reference the 2022 Edition of the California Fire Code, which adopts by reference the 2021 International Fire Code (collectively referred to as the 2022 Fire Code), with amendments.

DISCUSSION:

Provisions of the California Health and Safety Code require the City of West Covina to adopt the 2022 Fire Code by reference. The City is permitted to amend the 2022 Fire Code, provided that the City makes express findings that the modifications are reasonably necessary due to local climatic, geological, and topographical conditions, or for administrative reasons. If the City does not adopt the 2022 Fire Code by January 1, 2023, the 2022 Fire Code will become effective without any local amendments.

Since West Covina has special local climatic, geologic, and topographic conditions, this adoption cycle involves similar amendments to those adopted in prior adoption cycles. Most of the revisions address coordination between the California Fire Code sections and those previously adopted in the West Covina Municipal Code. The amendments also include the carryover of previous City amendments such as fire-retardant roofing, fireworks code amendments, and fire sprinkler requirements.

The following is a summary of the City's local amendments to the California Fire Code:

1. Continue City's establishment of storage limits (2,000 gallons max) of liquefied petroleum gasses as jurisdictions establish the limits.
2. Fire Inspections Requirements for State-Mandated Inspections:
 - Additional Fire Code Appendices added to the WCMC: 2022 Fire Code Appendix Chapter 4.
3. Residential Fire Sprinkler Requirement:
 - Fire Code Section 903.2, (2) exception, fire sprinkler requirement has been changed from one thousand (1,000) square feet to one thousand two hundred (1,200) square feet. This change will provide alignment between the WCMC and California SB 1069 unit requirements.
4. Keeping Fireworks Illegal in West Covina:
 - Section 5608 is amended to not allow a 2022 California Fire Code fireworks exception relating to the possession, storage, and handling of Division 1.4G fireworks.

Fire Department staff has reviewed the proposed ordinance and revisions to the WCMC to ensure consistencies in proper enforcement of the regulations.

As noted above, the California Health and Safety Code requires the City, prior to making any modifications or changes to the 2022 Fire Code, to make express findings that such modifications or changes are reasonably necessary because of local climatic, geological or topographical conditions. The proposed resolution sets forth express findings relating to the local climatic, geological and topographic conditions in West Covina that make the amendments reasonably necessary.

Staff recommends that the City Council adopt the proposed resolution and introduce Ordinance No. 2503 for first reading, by title only, further reading waived.

LEGAL REVIEW:

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

OPTIONS:

The City Council has the following options:

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

ENVIRONMENTAL REVIEW:

The proposal is not subject to the California Environmental Quality Act (CEQA) per Section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to activity that results in direct or reasonably foreseeable indirect physical change in the environment and for activity considered to be a project, respectively. The amendment to the West Covina Municipal Code would not result in a physical change as it involves the adoption of 2022 Fire Code which provides for ministerial review.

Prepared by: Sherri Yuasa

Fiscal Impact

FISCAL IMPACT:

This is strictly an administrative item, therefore; there is no fiscal impact associated with this action.

Attachments

Attachment No. 1 - Resolution No. 2022-111

Attachment No. 2 - Ordinance No. 2503

CITY COUNCIL GOALS & OBJECTIVES: Protect Public Safety
Enhance City Image and Effectiveness
A Well-Planned Community

ATTACHMENT NO. 1

RESOLUTION NO. 2022-111

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, MAKING FINDINGS REGARDING THE NEED FOR MODIFICATIONS TO PROVISIONS OF THE 2022 CALIFORNIA FIRE CODE DUE TO LOCAL CLIMATIC, GEOLOGICAL OR TOPOGRAPHICAL CONDITIONS

WHEREAS, California Health and Safety Code Section 18938 makes certain provisions published in the California Building Standards Code pursuant to California Health and Safety Code Section 17922 applicable to all occupancies throughout the State and effective 180 days after publication by the California Building Standards Commission ("Commission"), or at a later date established by the Commission; and

WHEREAS, California Health and Safety Code Section 17958 permits cities to amend the requirements of the California Building Standards Code, which includes the California Fire Code, in accordance with California Health and Safety Code Sections 17958.5 and 17958.7; and

WHEREAS, Section 13143.5 of the California Health and Safety Code permits the City, by ordinance, to make changes or modifications to the California Fire Code that are more stringent than the requirements published in the California Fire Code, relating to fire and panic safety; and

WHEREAS, California Health and Safety Code Section 17958.5 permits cities in adopting provisions of the California Fire Code to make such modifications in such provisions as a city determines, pursuant to California Health and Safety Code Section 17958.7, are reasonably necessary because of local climatic, geological, or topographical conditions; and

WHEREAS, California Health and Safety Code Section 17958.7 requires that a city, before making modifications pursuant to California Health and Safety Code Section 17958.5, make an express finding that such modifications are reasonably necessary because of local climatic, geological, or topographical conditions; and

WHEREAS, under California Health and Safety Code Section 17958.7, modifications pursuant to California Health and Safety Code Section 17958.5 may not become effective until the required findings and the modifications have been filed with the California Building Standards Commission; and

WHEREAS, the City Council of the City of West Covina ("City Council") intends to adopt an ordinance adopting by reference certain provisions of the 2022 California Fire Code and making modifications to certain of those provisions pursuant to California Health and Safety Code Section 17958.5 ("Fire Code Adoption Ordinance"); and

WHEREAS, the City Council has reviewed the attached Exhibit A, which sets forth the reasons for the proposed modifications to the 2022 California Fire Code contained in the Fire Code Adoption Ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA DOES RESOLVE AS FOLLOWS:

SECTION 1. The City Council finds and declares that the changes to the provisions of the 2022 California Fire Code set forth in the Fire Code Adoption Ordinance are reasonably necessary because of the local climatic, geological, or topographical conditions set forth in Exhibit A in accordance with California Health and Safety Code Section 17958.7.

SECTION 2. The City Clerk shall file a copy of this Resolution, including Exhibit A, shall with the California Building Standards Commission in accordance with California Health and Safety Code Section 17958.7.

SECTION 3. The City Clerk shall certify to the adoption of this resolution and shall enter the same in the book of original resolutions and it shall become effective immediately.

APPROVED AND ADOPTED this 1st day of November, 2022.

Dario Castellanos
Mayor

APPROVED AS TO FORM

ATTEST

Thomas P. Duarte
City Attorney

Lisa Sherrick
Assistant City Clerk

I, LISA SHERRICK, Assistant City Clerk of the City of West Covina, California, do hereby certify that the foregoing Resolution No. 2022-111 was duly adopted by the City Council of the City of West Covina, California, at a regular meeting thereof held on the 1st day of November, 2022, by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lisa Sherrick
Assistant City Clerk

EXHIBIT A

FINDINGS REGARDING THE NEED FOR AMENDMENTS TO PROVISIONS IN THE 2022 CALIFORNIA FIRE CODE DUE TO LOCAL CLIMATIC, GEOLOGICAL OR TOPOGRAPHICAL CONDITIONS

The City of West Covina makes the following findings regarding the need to amend the 2022 California Fire Code:

Finding No. 1 – Climatic Conditions: The City of West Covina experiences low humidity, high winds, and warm temperatures throughout the year creating conditions which are particularly conducive to the ignition and spread of grass, brush, and structure fires.

Finding No. 2 – Topographical Conditions: The hillside areas in the City along with long, narrow roadways significantly impact the ability of emergency responders to extinguish or control wildland or structure fires.

Finding No. 3 – Geographic Conditions: The City of West Covina is situated adjacent to active earthquake faults capable of producing substantial seismic events. Should a significant seismic event occur, uncontrolled hazardous materials releases and fires could pose the greatest threat to the largest number of people. Since the City is divided by a freeway and highway, a major earthquake would significantly impact the ability of fire crews to respond to emergencies should one or more roadways be blocked or damaged due to bridge collapse or debris from falling structures. Additionally, fire suppression capabilities will be severely limited should the water system be extensively damaged during the seismic event.

Therefore, in order to minimize the risks to persons and property due to potential response delays and compromised fire suppression capabilities, mitigation measures are necessary such as but not limited to, automatic fire suppression systems, controls for hazardous materials, safety provisions in buildings for firefighters and additional fire hydrants.

The table below sets forth the City of West Covina's amendments to the 2022 California Fire Code and states which of the findings above make each amendment reasonably necessary.

Sections of the 2022 Fire Code	Added, Amended or Deleted?	Findings
101.1 (Title)	Amended	Administrative
104.11 (Fire Investigations)	Added	1, 2, 3
105.5 (Required Operational Permits)	Amended	1, 2, 3
105.5.55 (Christmas Tree Sales Lots)	Added	1, 2, 3
105.5.55.1 (Permits – Christmas Tree Sales Lots)	Added	1, 2, 3
105.5.55.2 (Fire Protection)	Added	1, 2, 3
105.5.55.3 (Tents or Canopies on Christmas Tree Lots)	Added	1, 2, 3
105.5.55.4 (Display)	Added	1, 2, 3
105.5.55.5 (Lot Closure)	Added	1, 2, 3
111.1 (Board of Appeals Established)	Amended	Administrative
Appendix A - A101.3 (Membership of Board)	Amended	Administrative
112.4 (Violation Penalties)	Amended	Administrative
304.1.2 (Vegetation)	Amended	1, 2, 3

304.1.2.1 (High Fire Hazard Designation)	Added	1, 2, 3
503.3 (Markings or Postings of Fire Apparatus Access Roads)	Amended	1, 2, 3
503.4 (Obstruction or Blocking of Fire Apparatus Access Roads)	Amended	1, 2, 3
503.5.1 (Security Gates and Building Security Access)	Amended	1, 2, 3
503.6 (Security Gates and Building Security Access)	Amended	1, 2, 3
505.1 (Address Numbers)	Amended	1, 2, 3
507.3 (Fire Flow)	Amended	1, 2, 3
Appendix B (Fire Flow)	Amended	1, 2, 3
901.4 (Installation)	Amended	1, 2, 3
901.4.1 (Group R Occupancies)	Amended	1, 2, 3
901.4.2 (Group R Occupancies – Signage and Valves)	Amended	1, 2, 3
901.6.1 (Standards)	Amended	1, 2, 3
903.2 (Fire Sprinkler Systems – Where Required)	Amended	1, 2, 3
903.2.3 (Group E)	Amended	1, 2, 3
903.2.11 (Specific Buildings and Hazards)	Amended	1, 2, 3
903.3.5.3 (Hydraulically Calculated Systems)	Added	1, 2, 3
903.4.2.1 (Alarm Devices)	Added	1, 2, 3
5601.1.3 (Fireworks)	Amended	1, 2, 3
5608.2 (Permit Required)	Added	1, 2, 3
5609.2 (Sale and Retail Display)	Added	1, 2, 3
6104.2 (Maximum Capacity within Established Limits)	Amended	1, 2, 3
Chapter 80 (Referenced Standards)	Amended	1, 2, 3

ORDINANCE NO. 2503

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING ARTICLE II OF CHAPTER 10 OF THE WEST COVINA MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2022 CALIFORNIA FIRE CODE, WHICH ADOPTS BY REFERENCE THE 2021 INTERNATIONAL FIRE CODE; AND MAKING AMENDMENTS THERETO

WHEREAS, the California Building Standards Commission recently published the 2022 California Building Standards Code, which includes the 2022 California Fire Code (the “2022 Fire Code”); and

WHEREAS, the 2022 Fire Code will be effective on January 1, 2023; and

WHEREAS, Section 17958.5 of the California Health and Safety Code permits the City to make changes or modifications to the 2022 Fire Code, which incorporates by reference the 2021 International Fire Code with California amendments, as codified within the 2022 Fire Code, as such changes are reasonably necessary because of local climatic, geographical or topographical conditions; and

WHEREAS, Section 13143.5 of the California Health and Safety Code permits the City, by ordinance, to make changes or modifications to the 2022 Fire Code that are more stringent than the requirements published in the 2022 Fire Code, relating to fire and panic safety; and

WHEREAS, prior to making any modifications or changes pursuant to Section 17958.5 of the California Health and Safety Code, Section 17958.7 of the Health and Safety Code requires the City to make express findings that such modifications or changes are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, the findings and local amendments apply to all occupancy classifications, unless specified otherwise; and

WHEREAS, the City Council of the City of West Covina has determined that modifications to the 2022 Fire Code are reasonably necessary due to local climatic, geological, and topographical conditions, as detailed in Resolution No. 2022-111; and

WHEREAS, all legal requirements prior to the adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The City Council makes and adopts as findings the facts and conclusions set forth in the recitals of this Ordinance and, for the reasons set forth in the recitals and in Resolution No. 2022-111, finds that the modifications to the 2022 California Fire Code are reasonably necessary due to local climatic, geological, or topographical conditions.

SECTION 2. Amendment to Article II of Chapter 10. Article II (Fire Code) of Chapter 10 (Fire Prevention and Protection) of the West Covina Municipal Code is hereby amended as to read as follows:

Sec. 10-20. - Adopted.

Except as otherwise provided in this article, the city council of the City of West Covina hereby adopts by reference for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the 2022 California Fire Code, which adopts by reference the 2021 International Fire Code, published by the International Code Council, with errata, including Appendices A, B, BB, C, CC, D, E, F, G, H, I, K, M, N, O, and Appendix Chapter 4. In the event of any conflict or ambiguity between any provision contained in such codes set forth above, and any amendment thereto contained in this article or other provision of the Municipal Code, the amendment or addition shall control.

One (1) complete copy of the 2022 California Fire Code, with errata and supplements, and one (1) complete copy of the 2021 International Fire Code shall be at all times maintained by the city clerk for use and examination by the public.

Sec. 10-21. - Establishment and duties of bureau of fire prevention.

- (a) The California Fire Code, 2022 Edition, including all indices and appendices adopted by the city (the "Fire Code") shall be enforced by the bureau of fire prevention in the fire department of the City of West Covina which is hereby established and which shall be operated under the supervision of the chief of the fire department.
- (b) The fire marshal in charge of the bureau of fire prevention shall be appointed by the chief of the fire department on the basis of examination to determine his or her qualifications.
- (c) The chief of the fire department may recommend to the city council of the City of West Covina the employment of technical inspectors, who, when such authorization is made, shall be selected through an examination to determine their fitness for the position. The examination shall be open to members and/or non-members of the fire department, and appointments made after examination shall be for an indefinite term with removal only for cause.

Sec. 10-22. - New materials, processes or occupancies which may require permits.

The building and safety director, the fire chief, and the fire code official shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes, or occupancies for which permits are required in addition to those now enumerated in the Fire Code. The fire code official shall keep such list in his/her office for public review and distribute copies thereof to interested persons.

Sec. 10-23. - Establishment of limits in which storage of liquefied petroleum gases is to be restricted.

- (a) The limits referred to in Section 6104.2 of the Fire Code in which storage of liquefied petroleum gas is restricted, are hereby established as follows: All areas of the city except those areas approved by the fire chief or a designated representative and whose maximum quantity does not exceed 2,000 gallons water capacity.
- (b) The limits referred to in Section 6104.2 of the Fire Code in which bulk storage of liquid petroleum gas is restricted are hereby established as follows: The entire area of the city.

Sec. 10-24. - Amendments to the 2022 California Fire Code.

The California Fire Code, 2022 Edition, adopted under section 10-20 of this article, is hereby amended as follows:

Chapter 1 (Scope and Administration) is amended as follows:

Section 101 (Scope and General Requirements) is amended as follows:

Section 101.1 (Title) is amended to read as follows:

101.1 Title.

These regulations shall be known as the Fire Code of the City of West Covina, hereinafter referred to as "this code."

Section 104 (General Authority and Responsibilities) is amended to add a new subsection 104.11 to read as follows:

104.11 Fire investigations.

The fire chief, assistant chief, fire marshal, deputy fire marshal, fire protection specialist, captain, engineer, firefighter and firefighter/paramedic shall have the authority to investigate the origin, cause and circumstance of any fire, explosion or other hazardous condition. While performing these duties, the listed officers and members of the fire department, if meeting the definition of "peace officer" as outlined in California Penal Code section 830.37, shall have the power to arrest any person without warrant whenever they have reasonable cause to believe that the person has violated any provision of this chapter in their presence. Those persons certified as "fire investigators" shall also have peace officer powers under California Penal Code section 830.37.

Section 105.5 (Required Operational Permits) is amended to add a new Section 105.5.55 to read as follows:

105.5.55 Christmas tree sales lots.

All temporary, outdoor lots for the display and sale of Christmas trees are required to have a permit and shall be located, maintained, and operated subject to the following provisions:

105.5.55.1 Permits – Christmas tree sales lots.

All applications for permits shall be made in writing, filed with the city, and shall state the name of the applicant, his or her address, and the location of the proposed Christmas tree lot. The application shall be accompanied by a clearance from the fire chief as to fire regulations, by a clearance from the building and safety department as to the proposed electrical installation, if any, and by clearance from the engineering department for review of location in relation to possible interruption of traffic.

- All permits must be posted in a conspicuous place.
- Fires in barbeques or in metal drums or other containers require a special permit that is to be obtained from the fire department.

105.5.55.2 Fire protection.

There shall be maintained in each premises or display area where Christmas trees are sold or offered for sale, at least two fire extinguishers with a minimum rating of 2A. No extinguisher shall be more than 75 feet travel distance from any tree on display or in storage.

105.5.55.3 Tents or canopies on Christmas tree lots.

A separate permit shall be obtained from the fire department for all tents, canopies and temporary membrane structures and they shall meet all requirements of Chapter 31 of the Fire Code. All tents, canopies and temporary membrane structures shall be made of flameproof materials or rendered flame retardant by an approved process.

105.5.55.4 Display.

Christmas trees shall not be sold or displayed indoors or under covered, outdoor walkways of buildings or shopping centers unless the walkway is protected by an approved automatic fire sprinkler system, or the display is specifically approved by the fire chief.

105.5.55.5 Lot closure.

Christmas trees shall be removed and the debris cleared no later than 10 days after the last day of sale. A fee, as established by resolution of the city council, shall be posted for each lot with the license collector at the time of issuance of the permit. This fee will be returned if the debris is cleared and the lot is removed within the stated time, otherwise the fee will be used to defray the cost of cleanup and will not be returned.

Section 111.1 (Board of Appeals Established) is amended to read as follows:

111.1 Board of appeals established.

In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the city manager and shall hold office at his/her pleasure. The board shall adopt rules of procedures for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

Appendix A (Board of Appeals) is amended as follows:

Section A101.3 (Membership of Board) is amended to read as follows:

A101.3 Membership of board.

The board shall consist of five voting members appointed by the city manager. Each member shall serve for one year. The fire code official shall be an ex officio member of said board but shall have no vote on any matter before the board.

Section 112.4 (Violation penalties) is amended to read as follows:

112.4 Violation penalties.

Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, installs, alters, repairs or does work in violation of the approved construction documents or directive of the fire code official, or of a permit or certified used under the provisions of this code, shall be guilty of a misdemeanor as provided in section 1-37 of the West Covina Municipal Code. Each day that a violation continues after due notice has been served shall be deemed a separate violation.

Chapter 3 (General Requirements) is amended as follows:

Section 304.1.2 (Vegetation) is amended to read as follows:

304.1.2 Vegetation.

Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises.

Vegetation clearance requirements for all residential front, rear and side yards including slopes shall be maintained, by the owner or occupant, free and clear of all flammable and combustible vegetation for a distance of 100 feet or to their property line, whichever is closest.

A minimum clearance of 10 feet shall be maintained between all roads and all dry grass, weeds, vegetation and other combustible material.

A minimum clearance of 10 feet shall be maintained between any tree or portion of a tree from the outlet of a chimney or stovepipe.

All roofs of any structure shall be maintained free of leaves, needles or other dead vegetative growth.

It shall be unlawful for any person to deposit any grass, weeds, brush, debris, trash or other waste material upon any vacant lot or parcel of ground within the city.

304.1.2.1 High fire hazard designation.

The City of West Covina hereby adopts the most recent County of Los Angeles High Fire Hazard Zone Map to identify and designate high fire hazard areas within city limits.

Chapter 5 (Fire Services Features) is amended as follows:

Section 503 (Fire Department Access Roads) is amended as follows:

Section 503.3 is amended to read as follows:

503.3 Markings or postings of fire apparatus access roads.

When required by the fire official, approved signs or other approved notices shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs or

notices shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. Those areas determined to be "Fire Lanes" shall be posted in accordance with the standards set forth by the West Covina engineering department per the requirements of section 22-188 of the West Covina Municipal Code.

Section 503.4 is amended to read as follows:

503.4 Obstruction or blocking of fire apparatus access roads.

The required width of a fire apparatus access road shall not be obstructed in any manner, including via the parking of vehicles. Minimum required width and clearances established under Section 503.2.1 shall be maintained at all times.

Entrances to roads, trails or other access ways, which have been closed with gates and barriers in accordance with Sections 503.5.1 and 503.2.2 shall not be obstructed by parked vehicles. In addition, any person excavating or working upon any street, alley, public thoroughfare, or fire apparatus access road and by reason thereof, or for any other reason, causes the same to be blocked or made impassable, shall notify the fire official of the fire department at the time such work is started and upon completion thereof.

Section 503.5.1 and Section 503.6 are amended to read as follows:

503.5.1 Security gates and building security access.

All security gates shall be operable by the fire department by way of an emergency entry system approved by the fire chief.

All security access systems on building entrances or openings used for emergency access shall be operated by the fire department by way of an emergency access system, which will accept a fire department master key. At the discretion of the fire chief or fire code official, an approved key box or a radio operated control system may be required as a substitute, or in addition to, the emergency key entry system.

503.6 Security gates and building security access.

All security gates shall be operable by the fire department by way of an emergency entry system approved by the fire chief.

All security access systems on building entrances or openings used for emergency access shall be operated by the fire department by way of an emergency access system, which will accept a fire department master key. At the discretion of the fire chief or fire code official, an approved key box or a radio operated control system may be required as a substitute, or in addition to, the emergency key entry system.

Section 505 (Premises Identification) is amended as follows:

Section 505.1 is amended to read as follows:

505.1 Address numbers.

New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches high, for residential homes, with a minimum stroke width of 0.5 inch.

Numbers for commercial or industrial buildings shall be a minimum of 8 inches high, located near the top corner of the structure facing the street. Any building which exceeds a setback of greater than 50' but does not exceed 100' from the curb face must have a minimum of 10 inch numbers. Any building which exceeds a setback of greater than 100' but does not exceed 200' from the curb face must have a minimum of 12 inch numbers.

Section 507 (Fire Protection and Water Supplies) and Appendix B (Fire-Flow Requirements for Buildings) are amended as follows:

Section 507.3 and Appendix B are amended as follows:

507.3 Fire flow.

Water mains and piping supplying fire hydrants shall not be of a size less than that specified by applicable, adopted standards, and installation shall be accompanied by hydraulic calculations supporting the size of piping installed. Underground piping shall be capable of supplying a minimum of 1,000 gallons per minute, at a residual pressure of at least 20 psi.

Appendix B Fire flow.

Water mains and piping supplying fire hydrants shall not be of a size less than that specified by applicable, adopted standards, and installation shall be accompanied by hydraulic calculations supporting the size of piping installed. Underground piping shall be capable of supplying a minimum of 1,000 gallons per minute, at a residual pressure of at least 20 psi.

Chapter 9 (Fire Protection and Life Safety Systems) is amended as follows:

Section 901.4 is amended to read as follows:

901.4 Installation.

Fire protection systems shall be maintained in accordance with the original installation standards for that system. Required systems shall be extended, altered or augmented as necessary to maintain and continue protection whenever a building is altered, remodeled or added to. Alterations to fire protection systems shall be done in accordance with applicable, adopted standards.

All new fire protection systems shall be designed, installed and maintained in accordance with applicable, adopted Standards of the National Fire Protection Association.

Subsections 901.4.1 and 901.4.2 are amended to read as follows:

901.4.1 Group R occupancies.

In Group R occupancies, when a fire sprinkler system is designed and installed under the NFPA 13D or 13R Standards, additional areas may require fire sprinklers at the discretion of the fire official. These areas may include, but not be limited to, areas such as closets or bathrooms under stairways; special water heater enclosures; accessible attic or storage spaces, basements and similar areas.

Section 901.4.2 Group R occupancies – signage and valves.

In Group R occupancies with a combined fire/domestic service installed, a main control valve, identified by signage, shall be installed before the tee split to the domestic piping, in addition to a domestic-only control valve. The main control valve shall be clearly identified, be readily accessible, and shall be ready for use without requiring a tool or wrench to operate. A separate fire-only control valve shall not be allowed.

Section 901.6.1 is amended to read as follows:

901.6.1 Standards.

Fire protection systems shall be inspected, tested and maintained in accordance with the referenced Standards listed in Table 901.6.1.

The design, installation, inspection and maintenance of all automatic fire sprinkler systems shall meet the requirements of the 2022 Editions of the National Fire Protection Association (NFPA) Standards 13, 13R, 13D and 25, as applicable.

Section 903.2 is amended to read as follows:

903.2 Fire sprinkler systems – where required.

Approved automatic sprinkler systems shall be provided in specific buildings, occupancies and structures as follows:

- (1) New Buildings – Notwithstanding any applicable provisions of Sections 903.2.1 through 903.2.19 of this code, an automatic fire extinguishing system shall be installed in all new structures when the total building area, as defined in Section 202, exceeds 5,000 square feet or is more than two stories in height, regardless of fire or allowable areas.

Exception: Subject to the approval of the fire official, open parking garages, in accordance with Section 406.5 of the California Building Code.

- (2) Existing Buildings:

Notwithstanding any applicable provisions of this code, an automatic fire sprinkler system shall be provided in any existing building upon occurrence of any of the following:

- (a) In any existing building after the completion of any major alteration or addition which will exceed 5,000 square feet in floor area;

- (b) In any existing building where an addition or additions exceeds 25 percent of the existing floor area as of January 1, 1990 or 5,000 square feet, whichever is less, and the existing building is over 5,000 square feet;
- (c) When the value of alterations or repairs to an existing building, which is 5,000 or more square feet, exceeds 25 percent of the value of the building in any 12 month period.

Exception: In any existing one and two family dwelling, fire sprinklers will be required where an addition of 1,200 square feet or more is added, where an addition or creation of a habitable floor level above or below the existing level of exit discharge takes place, or when alterations are made which affect 50 percent or more of the structural or roof framing.

“Major Alterations or Repairs” is defined as alterations or repairs requiring building permits to an existing building or structure of 5,000 square feet or more where the project valuation cost equals to or exceeds 25 percent of the current fair market value of said building or structure.

Section 903.2.3 is amended to delete the exception set forth in Section 903.2.3(2).

Section 903.2.11 is amended to delete the exception set forth in Section 903.2.11.3.

Section 903.3.5 is amended to add a new subsection 903.3.5.3 to read as follows:

903.3.5.3 Hydraulically calculated systems.

The design of hydraulically calculated fire sprinkler systems shall not exceed 90 percent of the water supply capacity.

Section 903.4.2 is amended to add a new subsection 903.4.2.1 to read as follows:

903.4.2.1 Alarm devices.

At the discretion of the fire official, at least one interior audible alarm device, connected to the fire sprinkler flow switch, may be required for residential occupancies and individual commercial tenant spaces where it is determined that the exterior audible device may not provide adequate occupant notification in the event of a fire.

Chapter 56 (Explosives and Fireworks) is amended as follows:

Section 5601.1.3 is amended to delete Exception #4.

Section 5608 is amended to add a new Section 5608.2 to read as follows:

5608.2 Permit required.

The city council may permit any person, licensed by the State Fire Marshal, to conduct a public display of fireworks, and for that purpose to use and discharge fireworks at such times and such places in the city as the city council may fix and establish, provided that a written application for a permit to do so is filed with the chief of the fire department of the city at least 15 days in advance of the date of the display. It shall be the duty of the chief of the fire department to whom the application for a permit is made to make an investigation and submit a report of his or her findings and recommendations for or against reasons therefore, to the city council. The city council shall

have the power in its discretion to grant or deny the permit. If the permit is granted, the applicant shall furnish the city with a certificate of insurance in adequate amount, which shall also contain a clause holding the city harmless from any damage or injury resulting from granting the permit.

Section 5609 is amended to add a new subsection 5609.2 to read as follows:

5609.2 Sale and retail display.

No person shall construct a retail display nor offer for sale any explosives, explosive materials or fireworks upon any highway, street, sidewalk, public or private property, or from any occupancy within the city.

The sale, use and discharge of fireworks, including those classified as "Safe and Sane" is prohibited within the City of West Covina limits.

Chapter 80 (Referenced Standards) is amended as follows:

- (1) Revise NFPA 13D, Section 7.6, to read as follows:

7.6 Local waterflow alarms shall be provided on all sprinkler systems.

- (2) Revise NFPA 13D, Sections 8.3.5. and 8.3.5.1, to read as follows:

8.3.5 Sprinklers shall not be required in attics without storage or other concealed spaces that are not used or intended for living purposes.

8.3.5.1 When fuel-fired equipment is present in the attic, at least one quick-response, intermediate temperature sprinkler shall be installed above the equipment.

- (3) Delete NFPA 13D Sections 8.3.5.1.1 and 8.3.5.1.2 in their entirety.

- (4) Revise NFPA 13D, Section 8.3.9, to read as follows:

8.3.9 Sprinklers shall be installed in any closet or combustible enclosure containing heating and/or air conditioning equipment, washers and/or dryers, or water heaters.

Sec. 10-25. - Appeals

Whenever the fire chief disapproves an application or refuses to grant a permit applied for, or when it is claimed that the provisions of the Fire Code do not apply or that the true intent and meaning of the Fire Code have been misconstrued or wrongly interpreted, the applicant may appeal the decision of the fire chief to a board of appeals as outlined in Section 111 of the 2022 California Fire Code within 30 days from the date of the decision.

Sec. 10-26. – Administrative penalties.

Violation of any of the provisions of this article or the Fire Code adopted by reference herein may be punished as a criminal offense or by the issuance of an administrative citation in accordance with article X of chapter 15 of this Code. The administrative fines shall be in the amounts set forth in article X of chapter 15 of this Code, or such greater fine amounts as authorized by California law. In the event of an inconsistency between the authorized amount

of such fines pursuant to article X of chapter 15 and of those authorized by California law, the greater fine amount may be imposed.

SECTION 3. Severability. If any section, subsection, clause or phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of all other provisions of this Ordinance. The City Council of West Covina hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause and phrase or portion thereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses, or phrases or portions thereof be declared invalid or unconstitutional.

SECTION 4. Effective Date. This Ordinance shall become effective on January 1, 2023.

SECTION 5. Publication. The City Clerk shall certify to the adoption of this Ordinance and shall cause this Ordinance to be published or posted as required by law.

SECTION 6. Certified Copy. The City Clerk shall file a certified copy of this Ordinance with the California Building Standards Commission.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2022.

Dario Castellanos
Mayor

APPROVED AS TO FORM

ATTEST

Thomas P. Duarte
City Attorney

Lisa Sherrick
Assistant City Clerk

I, LISA SHERRICK, Assistant City Clerk of the City of West Covina, do hereby certify the foregoing Ordinance, being Ordinance No. 2503, was introduced at the November 1, 2022, regular Council meeting and adopted at a regular meeting of the City Council on _____, 2022, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Lisa Sherrick
Assistant City Clerk



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: November 1, 2022

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: CONSIDERATION OF CAL OES HIGH FREQUENCY GRANT SUBAWARD

RECOMMENDATION:

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

1. Accept and appropriate the reimbursable California Governor's Office of Emergency Services ("Cal OES") High Frequency Communications Equipment Grant Program grant totaling \$60,000.00 in expenditures and revenues; and
2. Authorize the City Manager to enter into a Grant Subaward with Cal OES on behalf of the City and to execute all documents required in connection with the grant, in a form approved by the City Attorney; and
3. Adopt the attached resolution authorizing the necessary budget amendment:

RESOLUTION NO. 2022-101 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADOPTING A BUDGET AMENDMENT FOR THE FISCAL YEAR COMMENCING JULY 1, 2022 AND ENDING JUNE 30, 2023 (CAL OES GRANT)

BACKGROUND:

The purpose of the High Frequency Communications Equipment (FH) Program is to provide funding for equipment that will allow local governments to be included in an integrated high frequency radio network service that use frequencies authorized by the Federal Communications Commission (FCC).

DISCUSSION:

Cal OES offers a competitive grant program to provide funding to fire departments and emergency operation centers for high-frequency backup disaster communications systems in order to create redundant coverage during an emergency incident in which conventional communications infrastructure fails. The funding, allocated from the State General Fund, allows local governments to be included in an integrated high frequency radio network service that utilizes frequencies authorized by the FCC.

The West Covina Fire Department has been awarded grant funding in the amount of \$60,000 to purchase a high-frequency radio unit, including installation, training, and unlimited access to the dedicated FCC frequencies to support emergency communications for a period of five years. Beyond the five years, maintenance of the service will be sought through the budget process and/or future grant opportunities.

LEGAL REVIEW:

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

OPTIONS:

The City Council has the following options:

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

Fiscal Impact**FISCAL IMPACT:**

There is no match requirement from the City to qualify for grant funds. Grant funds are expected to cover all the project costs. The proposed budget amendment will appropriate both revenue and expenditures in regard to the grant into a new grant fund:

Fund 138, Cal OES Grant Fund	FY2022-23 Budget	Proposed Amendment	Amended Budget
Revenue	\$0	\$60,000	\$60,000
Expenditures	\$0	\$60,000	\$60,000
Revenue Less Expenditures	\$0	\$0	\$0

Attachments

Attachment No.1_FH21 01 1411 - SUBAWARD

Attachment No.2_Resolution No. 2022-101

CITY COUNCIL GOALS & OBJECTIVES: Protect Public Safety



Attachment No.1

June 15, 2022

Vincent Capelle, Fire Chief
West Covina, City of
1444 West Garvey Avenue South, Suite 218
West Covina, CA 91790-2716

Subject: **Notification of Grant Subaward Application Approval**
High Frequency Communications Equipment Program
Grant Subaward #: FH21 01 1411

Dear Chief Vincent Capelle:

Congratulations! The California Governor's Office of Emergency Services (Cal OES) has approved your Grant Subaward application in the amount of \$60,000, subject to Budget approval. A copy of your approved Grant Subaward is enclosed for your records.

Cal OES will make every effort to process payment requests within 45 days of receipt of your Report of Expenditures & Request for Funds (Cal OES Form 2-201).

This Grant Subaward is subject to the Cal OES Subrecipient Handbook. You are encouraged to read and familiarize yourself with the Cal OES Subrecipient Handbook, which can be viewed on the Cal OES website at www.caloes.ca.gov.

Any funds received in excess of current needs, approved amounts, or those funds owed as a result of a close-out or audit, must be refunded to Cal OES within 30 days upon receipt of an invoice.

Please contact your Program Specialist, Nicolas Martin, at (916) 539-3501 with questions about this notice.

VS Grants Processing Unit

cc: Subrecipient's file
Program Specialist

Cal OES #	037-84200-02	FIPS #	037-84200	VS#		Subaward #	FH21011411
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CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES

GRANT SUBAWARD FACE SHEET

The California Governor's Office of Emergency Services (Cal OES) hereby makes a Grant Subaward of funds to the following:

1. **Subrecipient:** City of West Covina **1a. UEI#:** _____

2. **Implementing Agency:** West Covina Fire Department **2a. UEI#:** _____

3. **Implementing Agency Address:** 1444 W. Garvey Ave. South Suite 218 West Covina 91790-2716
(Street) (City) (Zip+4)

4. **Location of Project:** 1444 W. Garvey Ave. South West Covina 91790-2716
(City) (County) (Zip+4)

5. **Disaster/Program Title:** High Frequency Communications Equipment Program **6. Performance/Budget Period:** 4/1/2022 to 10/31/2023
(Start Date) (End Date)

7. **Indirect Cost Rate:** N/A **Federally Approved ICR (if applicable):** _____ %

Item Number	Grant Year	Fund Source	A. State	B. Federal	C. Total	D. Cash Match	E. In-Kind Match	F. Total Match	G. Total Cost
8.	2021	PSC1	\$60,000						\$60,000
9.	Select	Select							
10.	Select	Select							
11.	Select	Select							
12.	Select	Select							
Total	Project	Cost	\$60,000		\$60,000				\$60,000

13. **Certification** - This Grant Subaward consists of this title page, the application for the grant, which is attached and made a part hereof, and the Assurances/Certifications. I hereby certify I am vested with the authority to enter into this Grant Subaward, and have the approval of the City/County Financial Officer, City Manager, County Administrator, Governing Board Chair, or other Approving Body. The Subrecipient certifies that all funds received pursuant to this agreement will be spent exclusively on the purposes specified in the Grant Subaward. The Subrecipient accepts this Grant Subaward and agrees to administer the grant project in accordance with the Grant Subaward as well as all applicable state and federal laws, audit requirements, federal program guidelines, and Cal OES policy and program guidance. The Subrecipient further agrees that the allocation of funds may be contingent on the enactment of the State Budget.

14. **CA Public Records Act** - Grant applications are subject to the California Public Records Act. Government Code section 6250 et seq. Do not put any personally identifiable information or private information on this application. If you believe that any of the information you are putting on this application is exempt from the Public Records Act, please attach a statement that indicates what portions of the application and the basis for the exemption. Your statement that the information is not subject to the Public Records Act will not guarantee that the information will not be disclosed.

15. **Official Authorized to Sign for Subrecipient:**

Name: David Carmany Title: City Manager

Payment Mailing Address: 1444 W. Garvey Ave S. City: West Covina Zip Code+4: 91790-2716

Signature: _____ Date: 03/01/22

16. **Federal Employer ID Number:** 956000810

(FOR Cal OES USE ONLY)

I hereby certify, on my personal knowledge that budgeted funds are available for the period of uses of this expenditure stated above.

Mary Rucker 6/14/2022
(Cal OES Fiscal Officer) (Date)

Heather Carlson 6/14/2022
(Cal OES Director or Designee) (Date)

RECEIVED

By Al Hardoy at 9:36 am, Mar 30, 2022

ENY: 2021-22 Chapter: 21 SL: 01765
Item: 0690-001-0001 Pgm: 0395
Fund: General Fund
Program: High Frequency Communications
Equipment Program
Match Req.: None
Project ID: OES21PSC1000000 Amount: \$60,000.00
SC: 2021-01765

mail log: 755353

DS

JH



Grant Subaward Contact Information

Grant Subaward #: ~~5122~~ FH21 01 1411

Subrecipient: City of West Covina

1. **Grant Subaward Director:**

Name: Vincent Capelle Title: Fire Chief
Telephone #: (626) 939-8830 Email Address: vcapelle@westcovina.org
Address/City/ Zip Code (9-digit): 1444 W. Garvey Ave. South Suite 218 / West Covina / 91790-2716

2. **Financial Officer:**

Name: Stephanie Sikkema Title: Finance Director
Telephone #: (626) 939-8454 Email Address: ssikkema@westcovina.org
Address/City/ Zip Code (9-digit): 1444 W. Garvey Ave. South / West Covina / 91790-2716

3. **Programmatic Point of Contact:**

Name: Mike Hambel Title: Fire Captain
Telephone #: (626) 939-8824 Email Address: mhambel@westcovina.org
Address/City/ Zip Code (9-digit): 1444 W. Garvey Ave. South Suite 218 / West Covina / 91790-2716

4. **Financial Point of Contact:**

Name: Marisela Montes Title: Administrative Aide
Telephone #: (626) 939-8827 Email Address: mmontes@westcovina.org
Address/City/ Zip Code (9-digit): 1444 W. Garvey Ave. South / West Covina / 91790-2716

5. **Executive Director** of a Non-Governmental Organization or the **Chief Executive Officer** (i.e., chief of police, superintendent of schools) of the implementing agency:

Name: Vincent Capelle Title: Fire Chief
Telephone #: (626) 939-8830 Email Address: vcapelle@westcovina.org
Address/City/ Zip Code (9-digit): 1444 W. Garvey Ave. South Suite 218 / West Covina / 91790-2716

6. **Official Designee**, as stated in Section 15 of the Grant Subaward Face Sheet:

Name: David Carmany Title: City Manager
Telephone #: (626) 939-8403 Email Address: dcarmany@westcovina.org
Address/City/ Zip Code (9-digit): 1444 W. Garvey Ave. South / West Covina / 91790-2716

7. **Chair** of the **Governing Body** of the Subrecipient:

Name: Dario Castellanos Title: Mayor
Telephone #: (626) 939-8400 Email Address: DCastellanos@westcovina.org
Address/City/ Zip Code (9-digit): 1444 W. Garvey Ave. South / West Covina / 91790-2716



Grant Subaward Signature Authorization

Grant Subaward #: ██████ FH21 01 1411

Subrecipient: City of West Covina

Implementing Agency: West Covina Fire Department

The **Grant Subaward Director** and **Financial Officer** are **REQUIRED** to sign this form.

Grant Subaward Director:

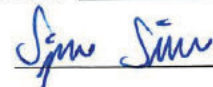
Printed Name: Vincent Capelle

Signature: 

Date: 03/01/2022

Financial Officer:

Printed Name: Stephanie Sikkema

Signature: 

Date: 03/01/2022

The following persons are authorized to sign for the **Grant Subaward Director**:

Signature: _____

Printed Name: _____

Signature: _____

Printed Name: _____

Signature: _____

Printed Name: _____

Signature: _____

Printed Name: _____

Signature: _____

Printed Name: _____

The following persons are authorized to sign for the **Financial Officer**:

Signature: _____

Printed Name: _____

Signature: _____

Printed Name: _____

Signature: _____

Printed Name: _____

Signature: _____

Printed Name: _____

Signature: _____

Printed Name: _____



Grant Subaward Certification of Assurance of Compliance

Subrecipient: City of West Covina

	Cal OES Program Name	Grant Subaward #:	Grant Subaward Performance Period
1	High Frequency Communications Equipment Program	51100	April 1, 2022 - October 31, 2023
2		FH21 01 1411	
3			
4			
5			
6			

I, David Carmany

(Official Designee; same person as

Section 15 of the Grant Subaward Face Sheet) hereby certify that the above Subrecipient is responsible for reviewing the Subrecipient Handbook (SRH) and adhering to all of the Grant Subaward requirements as directed by Cal OES including, but not limited to, the following areas:

I. **Proof of Authority – SRH 1.055**

The Subrecipient certifies they have written authority by the governing board (e.g., County Board of Supervisors, City Council, or Governing Board) granting authority for the Subrecipient/Official Designee (see Section 3.030) to enter into a specific Grant Subaward (indicated by the Cal OES Program name and initial Grant Subaward performance period) and applicable Grant Subaward Amendments with Cal OES. The authorization includes naming of an Official Designee (e.g., Executive Director, District Attorney, Police Chief) for the agency/organization who is granted permission to sign Grant Subaward documents on behalf of the Subrecipient. Written proof of authority includes one of the following: signed Board Resolution or approved Board Meeting minutes.

II. **Civil Rights Compliance – SRH Section 2.020**

The Subrecipient acknowledges awareness of, and the responsibility to comply with all state and federal civil rights laws. The Subrecipient certifies it will not discriminate in the delivery of services or benefits based on any protected class and will comply with all requirements of this section of the SRH.

III. **Equal Employment Opportunity – SRH Section 2.025**

The Subrecipient certifies it will promote Equal Employment Opportunity by prohibiting discrimination or harassment in employment because of any status protected by state or federal law and will comply with all requirements of this section of the SRH.



Cal OES
GOVERNOR'S OFFICE
OF EMERGENCY SERVICES

IV. Drug-Free Workplace Act of 1990 – SRH Section 2.030

The Subrecipient certifies it will comply with the Drug-Free Workplace Act of 1990 and all other requirements of this section of the SRH.

V. California Environmental Quality Act (CEQA) – SRH Section 2.035

The Subrecipient certifies that, if the activities of the Grant Subaward meet the definition of a "project" pursuant to the CEQA, Section 20165, it will comply with all requirements of CEQA and this section of the SRH.

VI. Lobbying – SRH Sections 2.040 and 4.105

The Subrecipient certifies it will not use Grant Subaward funds, property, or funded positions for any lobbying activities and will comply with all requirements of this section of the SRH.

All appropriate documentation must be maintained on file by the Subrecipient and available for Cal OES upon request. Failure to comply with these requirements may result in suspension of payments under the Grant Subaward(s), termination of the Grant Subaward(s), and/or ineligibility for future Grant Subawards if Cal OES determines that any of the following has occurred: (1) the Subrecipient has made false certification, or (2) the Subrecipient violated the certification by failing to carry out the requirements as noted above.

CERTIFICATION

I, the official named below, am the same individual authorized to sign the Grant Subaward [Section 15 on Grant Subaward Face Sheet], and hereby affirm that I am duly authorized legally to bind the Subrecipient to the above-described certification. I am fully aware that this certification, executed on the date, is made under penalty of perjury under the laws of the State of California.

Official Designee's Signature: _____

Official Designee's Typed Name: David Carmany

Official Designee's Title: City Manager

Date Executed: 03/01/2022

AUTHORIZED BY:

I grant authority for the Subrecipient/Official Designee to enter into the specific Grant Subaward(s) (indicated by the Cal OES Program name and initial Grant Subaward performance period identified above) and applicable Grant Subaward Amendments with Cal OES.

☐ City Financial Officer

☐ County Financial Officer

☐ City Manager

☐ County Manager

☒ Governing Board Chair

Signature: _____

Typed Name: Dario Castellanos

Title: Mayor

Date Executed: 03/17/2022



Single Fund Source

Subrecipient: City of West Covina		Grant Subaward #: FH21 01 1411	
A. Personnel Costs - Line-item description and calculation			Total Amount Allocated
PERSONNEL COSTS CATEGORY TOTAL			



Grant Subaward Budget Pages
Single Fund Source

Subrecipient: City of West Covina		Grant Subaward #: FH21 01 1411	
B. Operating Costs - Line-item description and calculation		Total Amount Allocated	
Audit Costs for 19 months		\$1,210	
OPERATING COSTS CATEGORY TOTAL		\$1,210	



Grant Subaward Budget Pages
Single Fund Source

Subrecipient: City of West Covina		Grant Subaward #: FH21 01 1411	
C. Equipment Costs - Line-item description and calculation		Total Amount Allocated	
NASPO 3G ENVOY BASE STATION 1 EA 3G ALE, ENVOY BASE STATION VOICE, MESSAGING AND DATA COMMUNICATIONS (3G) (\$13,542)		\$33,666	
HF Installation Site Visit and Training for Voice/data Remote (\$13,950)			
Shipping cost (\$650)			
Tax @10.25% (\$5,524)			
FLYK-125-SMART TRANSPORTABLE		\$25,124	
EQUIPMENT COSTS CATEGORY TOTAL		\$58,790	
Total Project Cost (Must match the Grant Subaward Face Sheet)		\$60,000	

J1

VSPS Budget Summary Report

FH21 High Frequency Communications Equipment Program

West Covina, City of

High Frequency Communications Equipment Program

Subaward #: FH21 01 1411

Performance Period: 04/01/22 - 10/31/23

Latest Request: , Not Final 201

A. Personal Services - Salaries/Employee Benefits

<u>F/S/L</u>	<u>Funding Source</u>	<u>Budget Amount</u>	<u>Paid/Expended</u>	<u>Balance</u>	<u>Pending</u>	<u>Pending Balance</u>
S	21PSC1	0	0	0	0	0
Total A. Personal Services - Salaries/Employee Benefits:		0	0	0	0	0

B. Operating Expenses

<u>F/S/L</u>	<u>Funding Source</u>	<u>Budget Amount</u>	<u>Paid/Expended</u>	<u>Balance</u>	<u>Pending</u>	<u>Pending Balance</u>
S	21PSC1	1,210	0	1,210	0	1,210
Total B. Operating Expenses:		1,210	0	1,210	0	1,210

C. Equipment

<u>F/S/L</u>	<u>Funding Source</u>	<u>Budget Amount</u>	<u>Paid/Expended</u>	<u>Balance</u>	<u>Pending</u>	<u>Pending Balance</u>
S	21PSC1	58,790	0	58,790	0	58,790
Total C. Equipment:		58,790	0	58,790	0	58,790

	<u>Budget Amount</u>	<u>Paid/Expended</u>	<u>Balance</u>	<u>Pending</u>	<u>Pending Balance</u>
Total Local Match:	0	0	0	0	0
Total Funded:	60,000	0	60,000	0	60,000
Total Project Cost:	60,000	0	60,000	0	60,000

F/S/L (Funding Types): F=Federal, S=State, L=Local Match

Paid/Expended=posted in ledger w/Claim Schedule, Pending=Processed, but not yet in Claim Schedule

06/15/22



Grant Subaward Budget Narrative



Grant Subaward #: ~~FH22~~ FH21 01 1411

Subrecipient: City of West Covina

The City of West Covina has its own Police, Fire, and Public Works Departments that utilize our Communications Center for resource organization and management. The City of West Covina has over 110,000 people in approximately 16 square miles. West Covina has an influx in population during the day due to having a large mall, auto dealerships, and the 10 freeway which cuts the city in half. West Covina first responders are tasked with providing mutual aide to surrounding jurisdictions including, local municipalities and federal agencies.

The items being applied for on the Grant Subawards Budget Pages support the objectives and activities of the City of West Covina by providing needed redundancies and methods of communications with partners in the event of a large scale emergency. The equipment requested will be located within the Communication Center. The High Frequency Communications Equipment Program equipment will allow the City of West Covina to be included in an integrated high frequency radio network service that utilizes frequencies authorized by the Federal Communications Commission capable of communicating with state, local, and federal agencies. West Covina will be a participant in the SHARED RESOURCES (SHARES) High Frequency (HF) Radio program which will provide West Covina with an additional means to communicate when landline and cellular communications are unavailable. This will help West Covina to meet its emergency preparedness and response mission, perform critical messages needed to perform critical functions, including – law and order, public health, safety, and leadership. Currently the West Covina Communications Center and EOC have no back up system in place in the event of an infrastructure failure. Being awarded the FH22 grant would provide the needed financial support to ensure the interoperability and interface between Communication centers in a large scale disaster.

Codan Envoy Base Station and Flykit 125 SMART Transportable

NM

This grant request is for \$60,000 to acquire a ~~Collins Aerospace H/F UrgentLink~~ radio unit, including installation, training and unlimited access to the dedicated FCC HF frequencies to support emergency communications ~~for a period of five years~~. If approved, the amount will be budgeted for fiscal year 2022/2023 and expensed accordingly.



Grant Subaward Programmatic Narrative

Grant Subaward #: ██████ FH21 01 1411

Subrecipient: City of West Covina

The City of West Covina was incorporated on February 17, 1923 and is approximately 16 square miles with a population of 110,212. The population is diverse in terms of language, culture, and socio-economic status. Located off the 10 Fwy in the San Gabriel Valley, West Covina is the 11th largest city in Los Angeles County. West Covina borders the cities of Covina, Baldwin Park, Irwindale, La Puente, Industry, and Walnut.

The equipment vendor has been identified by the State as CODAN with the Consignee listed as NVIS Communications. The contracted work is to include High Frequency (HF) installation site visit and training for voice/data and remote support at the location where HF will be installed prior to and then after equipment is delivered, the contractor will produce a site report of what preparation needs to be done to properly install HF equipment (fixed and/or mobile if each site may include base and /or mobile or portable equipment). The vendor will provide HF Installation and Training for HF Data which includes PACTOR DR7800 modem, associated messaging software application, and data terminal. HF training will also include a Cradle point IBR900 Mobile Router for Remote HF Support and Operation with Cal OES or another agency.

The company providing the equipment and training will schedule site visits once the grantees are identified. Meetings conducted virtually when feasible, will introduce the grantees and CalOES to the installation team. These meetings will discuss site visits and the process for site preparation in advance of the equipment arriving. The estimated delivery date of equipment after the scheduling of visits is 3-4 weeks according to the vendor. The estimated time for installation is early third quarter of 2022.

The funds will be used to procure high frequency communications equipment, including the installation of and training to use the equipment. This equipment will allow the City of West Covina to be included in an integrated high frequency radio network service that utilizes frequencies authorized by the Federal Communications Commission, and intended to be capable of communications with state, local, and federal agencies. The integration of HF radio communications in the City of West Covina Emergency Operations Center



Grant Subaward Programmatic Narrative

Grant Subaward #: 1122 FH21 01 1411

Subrecipient: City of West Covina

will expand our preparedness and response capabilities in the following ways; added redundancy in ensuring timely and secure communications to maintain situational awareness, a method to communicate with coordinating agencies including state cooperators and stakeholders any critical resource requests and eminent community needs. The procurement of portable HF equipment will allow the City of West Covina EOC Responders, the ability to relocate with vital communications to the designated back-up EOC site in the event of the primary EOC becoming compromised.

The City of West Covina will include weekly testing in its current communications testing protocols. Currently the Emergency Manager tests all radio and voice communications equipment quarterly. These tests are with surrounding agencies and the city dispatch center. The weekly HF test will be added to this established practice. An alternate EOC manager has been designated and will receive HF training and act as a back-up in the event the Emergency Manager is unavailable.

**CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES
SUBRECIPIENT GRANTS MANAGEMENT ASSESSMENT**



NM

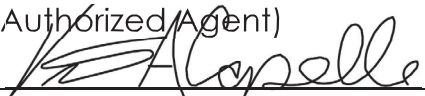
Subrecipient <u>City of West Covina NM West Covina Fire Department</u>	Duns# <u>071911824</u>	FIPS# <u>037-84200</u>
Disaster/Program Title: <u>High Frequency Communications Equipment Program</u>		
Performance Period: <u>4/1/2022</u> to <u>10/31/2023</u>	Subaward Amount Requested: <u>\$60,000</u>	
Type of Non-Federal Entity (Check Box): <input type="checkbox"/> State Gov. <input checked="" type="checkbox"/> Local Gov. <input type="checkbox"/> JPA <input type="checkbox"/> Non-Profit <input type="checkbox"/> Tribe		

Per Title 2 CFR § 200.332, Cal OES is required to evaluate the risk of noncompliance with federal statutes, regulations and grant terms and conditions posed by each subrecipient of pass-through funding. This assessment is made in order to determine and provide an appropriate level of technical assistance, training, and grant oversight to subrecipients for the award referenced above.

The following are questions related to your organization's experience in the management of federal grant awards. This questionnaire must be completed and returned with your grant application materials.

For purposes of completing this questionnaire, grant manager is the individual who has primary responsibility for day-to-day administration of the grant, bookkeeper/accounting staff means the individual who has responsibility for reviewing and determining expenditures to be charged to the grant award, and organization refers to the subrecipient applying for the award, and/or the governmental implementing agency, as applicable.

Assessment Factors	Response
1. How many years of experience does your current grant manager have managing grants?	>5 years
2. How many years of experience does your current bookkeeper/accounting staff have managing grants?	>5 years
3. How many grants does your organization currently receive?	1-3 grants
4. What is the approximate total dollar amount of all grants your organization receives?	\$ 50,000
5. Are individual staff members assigned to work on multiple grants?	Yes
6. Do you use timesheets to track the time staff spend working on specific activities/projects?	No
7. How often does your organization have a financial audit?	Annually
8. Has your organization received any audit findings in the last three years?	Yes
9. Do you have a written plan to charge costs to grants?	No
10. Do you have written procurement policies?	Yes
11. Do you get multiple quotes or bids when buying items or services?	Always
12. How many years do you maintain receipts, deposits, cancelled checks, invoices, etc.?	>5 years
13. Do you have procedures to monitor grant funds passed through to other entities?	Yes

Certification: <i>This is to certify that, to the best of our knowledge and belief, the data furnished above is accurate, complete and current.</i>	
Signature: (Authorized Agent) 	Date: 4/6/2022
Print Name and Title: Vincent A. Capelle	Phone Number: 6269398824
Cal OES Staff Only: SUBAWARD # FH21 01 1411	

RESOLUTION NO. 2022-101

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADOPTING A BUDGET AMENDMENT FOR THE FISCAL YEAR COMMENCING JULY 1, 2022 AND ENDING JUNE 30, 2023 (CAL OES GRANT)

WHEREAS, on April 19, 2022, the City Manager presented to the City Council a proposed budget for Fiscal Year 2022-23 in compliance with Section 2-151(m) of the West Covina Municipal Code; and

WHEREAS, following the initial presentation of the proposed budget for Fiscal Year 2022-23, the City held meetings and community workshops and conducted an online budget survey in order to solicit input from the public regarding the proposed budget; and

WHEREAS, on June 7, 2022, the City Council adopted a budget for the 2022-2023 Fiscal Year; and

WHEREAS, amendments must periodically be made to the budget to conform to changed circumstances following adoption of the budget.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA DOES RESOLVE AS FOLLOWS:

SECTION 1. The City Council hereby approves Budget Amendment No. 2023-006, attached hereto as Exhibit A, for Fiscal Year 2022-23.

SECTION 2. The City Clerk shall certify to the adoption of this resolution and shall enter the same in the book of original resolutions and it shall become effective immediately.

APPROVED AND ADOPTED this 1st day of November, 2022.

Dario Castellanos
Mayor

APPROVED AS TO FORM

ATTEST

Thomas P. Duarte
City Attorney

Lisa Sherrick
Assistant City Clerk

I, LISA SHERRICK, Assistant City Clerk of the City of West Covina, California, do hereby certify that the foregoing Resolution No. 2022-101 was duly adopted by the City Council of the City of West Covina, California, at a regular meeting thereof held on the 1st day of November, 2022, by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lisa Sherrick
Assistant City Clerk

Exhibit A

City of West Covina
Fiscal Year 2022-23
Budget Amendment No. 2023-006
Cal OES Grant

<u>Fund Name (No.)</u>	<u>Current Budget</u>	<u>Proposed Amendment</u>	<u>Amended Budget</u>
<u>Cal OES Grant Fund (No. 138)</u>			
Revenue	0	60,000	60,000
Expenditures	0	60,000	60,000
Revenue less Expenditures	\$0	\$0	\$0