



CITY OF WEST COVINA

CITY COUNCIL/SUCCESSOR AGENCY

**DECEMBER 20, 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 DECEMBER 20, 2022, 7:00 PM
REGULAR MEETING**

INVOCATION

Led by Pastor Samuel Martinez from Amazing Love Ministries

PLEDGE OF ALLEGIANCE

Led by West Covina Police Explorer Post #499

ROLL CALL

REPORTING OUT FROM CLOSED SESSION

PRESENTATIONS

ORAL COMMUNICATIONS - Five (5) minutes per speaker

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

CITY MANAGER'S REPORT

City Manager's report on current City projects.

CONSENT CALENDAR

All matters listed under CONSENT CALENDAR are considered to be routine and can be acted on by one roll call vote.

There will be no separate discussion of these items unless members of the City Council/Community Development Commission request specific items to be removed from the Consent Calendar for separate discussion or action.

APPROVAL OF MEETING MINUTES

- 1) CONSIDERATION OF APPROVAL OF THE DECEMBER 6, 2022, CITY COUNCIL/SUCCESSOR AGENCY CLOSED SESSION MEETING MINUTES AND THE DECEMBER 6, 2022, CITY COUNCIL/SUCCESSOR AGENCY REGULAR SESSION MEETING MINUTES.**

It is recommended that the City Council approve the December 6, 2022, Closed Session Meeting Minutes and the December 6, 2022 Regular Session Meeting Minutes.

CITY CLERK'S OFFICE

**2) CERTIFYING THE OFFICIAL ELECTION RESULTS OF THE NOVEMBER 8, 2022
GENERAL MUNICIPAL ELECTION**

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

**RESOLUTION NO. 2022-120 - A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF WEST COVINA, CALIFORNIA, RECITING THE FACT OF THE
GENERAL MUNICIPAL ELECTION HELD NOVEMBER 8, 2022, DECLARING
THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW**

FINANCE DEPARTMENT

**3) CONSIDERATION OF APPROVAL AND TRANSMITTAL OF AN ADMINISTRATIVE
BUDGET AND A RECOGNIZED OBLIGATION PAYMENT SCHEDULE (“ROPS”) FOR THE
PERIOD OF JULY 1, 2023 THROUGH JUNE 30, 2024 FOR THE SUCCESSOR AGENCY
TO THE FORMER WEST COVINA REDEVELOPMENT AGENCY**

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

**RESOLUTION NO. 2022-129 – A RESOLUTION OF THE SUCCESSOR AGENCY
TO THE FORMER WEST COVINA REDEVELOPMENT AGENCY APPROVING
AND AUTHORIZING THE TRANSMITTAL OF AN ADMINISTRATIVE BUDGET
AND A RECOGNIZED OBLIGATION PAYMENT SCHEDULE (“ROPS”) FOR THE
PERIOD OF JULY 1, 2023 THROUGH JUNE 30, 2024**

**4) CONSIDERATION OF INCREASE IN HOURLY RATES FOR LIMITED SERVICES PAY
SCHEDULE TO REFLECT RECENT INCREASE IN STATE HOURLY MINIMUM WAGE
EFFECTIVE JANUARY 1, 2023**

It is recommended that the City Council:

1. Approve wage adjustments to limited service positions to bring them into compliance with the State's minimum wage requirement as of January 1, 2023; and
2. Adopt the following Resolution:

**RESOLUTION NO. 2022-128 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF WEST COVINA, CALIFORNIA, ADJUSTING THE HOURLY PAY RATES OF
CLASSIFICATIONS WITHIN THE LIMITED SERVICES PAY SCHEDULE AND
REPEALING RESOLUTION NO. 2022-09**

HUMAN RESOURCES/RISK MANAGEMENT

**5) CONSIDERATION OF RESOLUTION NO. 2022-113 REPEALING AND REPLACING THE
SALARY SCHEDULE FOR FULL TIME CLASSIFICATIONS**

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

RESOLUTION NO. 2022-113 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY

**OF WEST COVINA, CALIFORNIA, REPEALING AND REPLACING THE SALARY
SCHEDULE FOR FULL-TIME CLASSIFICATIONS OF THE CITY OF WEST COVINA**

PUBLIC SERVICES

6) CONSIDERATION OF THIRD AMENDMENT TO AGREEMENT WITH WEST COAST ARBORISTS, INC. FOR CITYWIDE TREE MAINTENANCE SERVICES

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

1. Authorize the City Manager to execute the Third Amendment to the Maintenance Services Agreement with West Coast Arborists, Inc. allowing the four percent (4%) cost adjustment requested, in such form as approved by the City Attorney.
2. Authorize an increase the annual maximum compensation from \$485,000 to \$985,000 for Fiscal Year 2022-23 only.
3. Adopt the following resolution:

RESOLUTION NO. 2022-115 - 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 (TREE MAINTENANCE SERVICES)

END OF CONSENT CALENDAR

DEPARTMENTAL REGULAR MATTERS

CITY CLERK'S OFFICE

7) RECOGNITION OF OUTGOING CITY COUNCIL MEMBER AND ADMINISTRATION OF OATH OF OFFICE TO NEWLY ELECTED OFFICERS

Take appropriate action.

8) REORGANIZATION OF MAYOR AND MAYOR PRO TEM

It is recommended that the City Council reorganize in accordance with the order of mayoral succession mandated by Section 2-21 of the West Covina Municipal Code, or modify the order of mayoral succession as permitted by Section 2-21 of the West Covina Municipal Code.

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

January 17, 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: 12/20/2022

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: CONSIDERATION OF APPROVAL OF THE DECEMBER 6, 2022, CITY COUNCIL/SUCCESSOR AGENCY CLOSED SESSION MEETING MINUTES AND THE DECEMBER 6, 2022, CITY COUNCIL/SUCCESSOR AGENCY REGULAR SESSION MEETING MINUTES.

RECOMMENDATION:

It is recommended that the City Council approve the December 6, 2022, Closed Session Meeting Minutes and the December 6, 2022 Regular Session Meeting Minutes.

DISCUSSION:

That the City Council adopt the attached minutes.

Prepared by: Lisa Sherrick; Assistant City Clerk

Attachments

Attachment No. 1 - 12/6/2022 Closed Session Minutes Draft

Attachment No. 2 - 12/6/2022 Regular Session Minutes Draft

CITY COUNCIL GOALS & OBJECTIVES: Enhance City Image and Effectiveness



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 12/20/2022

TO: Mayor and City Council

FROM: David Carmany
City Manager

**SUBJECT: CERTIFYING THE OFFICIAL ELECTION RESULTS OF THE NOVEMBER 8, 2022
GENERAL MUNICIPAL ELECTION**

RECOMMENDATION:

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

RESOLUTION NO. 2022-120 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD NOVEMBER 8, 2022, DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW

BACKGROUND:

Pursuant to Ordinance No. 2303, the City's general municipal election was held on November 8, 2022. The purpose of the election was to elect the following positions:

- One council member for each of the following Districts
 - Second District for the full term of four years
 - Fourth District for the full term of four years
 - Fifth District for the full term of four years
- City Clerk to represent the City for the full term of four years
- City Treasurer to represent the City for the full term of four years.

The election was consolidated with the Los Angeles County local and municipal elections.

The results of the November 8, 2022 election have been certified. The certification of the results and Statement of Votes are attached to the proposed resolution as Exhibit "A."

DISCUSSION:

The number of votes cast in the election was:

- District 2: 4,732
- District 4: 5,145
- District 5: 5,073
- City Clerk: 24,304
- City Treasurer: 24,304

The number of votes cast for each office was as follows:

Councilmember, 2nd District

Letty Lopez	3,455
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Councilmember, 4th District

Ollie Cantos	2,033
Daniel Luna	1,612
Yara Wolff	959

Councilmember, 5th District

Tony Wu	2,033
Frederick Sykes	1,816
Richard Reyes	702
Hossein R. Sotoodeh	172

City Clerk

Nickolas Lewis	17,118
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City Treasurer

Colleen B. Rozatti	9,436
Marsha Solorio	6,626
Sue Augino	3,831

The certified results indicate Letty Lopez received the most votes for District 2, Ollie Cantos received the most votes for District 4, Tony Wu received the most votes for District 5, Nickolas Lewis received the most votes for City Clerk, and Colleen B. Rozatti received the most votes for City Treasurer.

The City Council is required by state law to adopt a resolution reciting the fact of the election and other matters outlined in Elections Code section 10264.

LEGAL REVIEW:

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

Prepared by: Lisa Sherrick, Assistant City Clerk

Attachments

Attachment No. 1 - Resolution No. 2022-120

Attachment No. 2 - "Exhibit A" Canvas Certificate

CITY COUNCIL GOALS & OBJECTIVES: Enhance City Image and Effectiveness



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 12/20/2022

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: CONSIDERATION OF APPROVAL AND TRANSMITTAL OF AN ADMINISTRATIVE BUDGET AND A RECOGNIZED OBLIGATION PAYMENT SCHEDULE (“ROPS”) FOR THE PERIOD OF JULY 1, 2023 THROUGH JUNE 30, 2024 FOR THE SUCCESSOR AGENCY TO THE FORMER WEST COVINA REDEVELOPMENT AGENCY

RECOMMENDATION:

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

RESOLUTION NO. 2022-129 – A RESOLUTION OF THE SUCCESSOR AGENCY TO THE FORMER WEST COVINA REDEVELOPMENT AGENCY APPROVING AND AUTHORIZING THE TRANSMITTAL OF AN ADMINISTRATIVE BUDGET AND A RECOGNIZED OBLIGATION PAYMENT SCHEDULE (“ROPS”) FOR THE PERIOD OF JULY 1, 2023 THROUGH JUNE 30, 2024

BACKGROUND:

In accordance with Health and Safety Code Section 34177(o)(1), the Successor Agency is required to file a Recognized Obligation Payment Schedule (“ROPS”) annually in order to receive a distribution of property tax increment dollars with which to fund the obligations of the former Redevelopment Agency.

These obligations include bond debt service payments, amounts due under existing agreements with commercial property owners, repayment of amounts borrowed from the Housing Fund to fund property tax shifts mandated by the State, costs of litigation to protect assets of the former Redevelopment Agency, repayment of loans to the City, and administrative costs of the Successor Agency to wind-down the affairs of the former Redevelopment Agency.

While many of these listed items are not necessarily debt, they are considered obligations for purposes of this mandated report and must be listed on the ROPS if they are to be funded by distributions of future tax increment dollars. These items are not debt obligations of the City of West Covina.

DISCUSSION:

The ROPS schedule (Attachment No. 1 – Exhibit A) lists all amounts that will be paid for the period of July 1, 2023 through June 30, 2024. Once the ROPS is approved by the Successor Agency and Oversight Board, it then must be forwarded to the State Department of Finance (DOF) by February 1, 2023. DOF holds final approval authority of the items listed on the ROPS and directs the Los Angeles County Auditor-Controller to distribute tax increment funds to the Successor Agency. Many of the obligations listed on the ROPS are estimates, i.e., variable rate debt service payments, litigation, etc.

The Successor Agency is also required to adopt an administrative budget for each annual period. The administrative budget for the Successor Agency for the period of July 1, 2023 through June 30, 2024 can be found in Attachment No. 1 - Exhibit B. This budget is to be funded by the administrative allowance, which is 3% of the enforceable obligations, after loan payments, or \$250,000 annually; whichever is greater. The City will absorb any administrative costs above this administrative allowance. These administrative costs can also be found in the ROPS (Attachment No. 1 – Exhibit A) line item number 12.

LEGAL REVIEW:

Successor Agency Counsel has reviewed and approved the resolution as to form.

Prepared by: Stephanie Sikkema, Finance Director

Additional Approval: Paulina Morales, Assistant City Manager

Fiscal Impact**FISCAL IMPACT:**

The total amount of funding requested for enforceable obligations from the Redevelopment Property Tax Trust Fund (RPTTF) on ROPS 23-24 is \$22,621,867 and includes many of the same items that have been previously approved by DOF.

The Successor Agency cannot receive or spend any funds unless the amounts are listed on a Recognized Obligation Payment Schedule. This schedule identifies all outstanding obligations that must be satisfied before the Agency can be dissolved. The obligations listed on this schedule will receive property tax allocations distributed by the County of Los Angeles as their funding source.

If the Successor Agency's administrative costs exceed the administrative allowance, the excess expenditures will be absorbed by the City.

Attachments

Attachment No. 1 - Successor Agency Resolution No. 2022-129

Exhibit A - Recognized Obligation Payment Schedule for July 1, 2023 through June 30, 2024

Exhibit B - Successor Agency Administrative Budget for July 1, 2023 through June 30, 2024

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



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 12/20/2022

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: CONSIDERATION OF INCREASE IN HOURLY RATES FOR LIMITED SERVICES PAY SCHEDULE TO REFLECT RECENT INCREASE IN STATE HOURLY MINIMUM WAGE EFFECTIVE JANUARY 1, 2023

RECOMMENDATION:

It is recommended that the City Council:

1. Approve wage adjustments to limited service positions to bring them into compliance with the State's minimum wage requirement as of January 1, 2023; and
2. Adopt the following Resolution:

RESOLUTION NO. 2022-128 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADJUSTING THE HOURLY PAY RATES OF CLASSIFICATIONS WITHIN THE LIMITED SERVICES PAY SCHEDULE AND REPEALING RESOLUTION NO. 2022-09

BACKGROUND:

On April 4, 2016, Governor Jerry Brown signed SB 3 (Leno, Chapter 4) which gradually raised the State minimum wage to \$15.00 per hour in January 1, 2022. Starting in 2023, the state minimum wage will be increased annually for inflation based on the national Consumer Price Index (CPI). The annual inflationary increases scheduled to start in 2023 will be capped at 3.5% regardless of the CPI in any given year. The schedule for minimum wage increases is as follows:

- Effective January 1, 2023.....\$15.50 per hour.

DISCUSSION:

Effective January 1, 2023, the State minimum wage will increase from \$15.00 per hour to \$15.50 per hour. Due to this increase, nine (9) classifications within the City's Limited Services Pay Schedule (i.e., part-time position schedule) now fall below the State's \$15.00 minimum wage requirement and must be adjusted accordingly. Additionally, nine (9) classifications also need adjusting due to compaction.

The Assistant Pool Manager, Lifeguard, Lifeguard Instructor, and Pool Manager positions have been removed from the schedule. There are currently no employees in these positions and the City does not foresee a need for them. If there is a need for these positions in the future, then the City will present to Council the proposed employee positions and salary schedule.

LEGAL REVIEW:

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

Prepared by: Maria-Luisa Olea, Assistant Finance Director

Fiscal Impact

FISCAL IMPACT:

The Fiscal Year 2022-2023 cost to cover the mid-year minimum wage adjustments is approximately \$31,000, which can be absorbed within the existing budget.

It is important to also note in upcoming years, the state minimum wage will be increased annually for inflation based on the national consumer price index (CPI). The annual inflationary increases scheduled to start in 2024 will be capped at 3.5% regardless of the CPI in any given year. These annual increases will impact the City's limited services staffing costs in future budgets.

Attachments

Attachment No. 1 - Resolution No. 2022-128

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



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 12/20/2022

TO: Mayor and City Council

FROM: David Carmany
City Manager

**SUBJECT: CONSIDERATION OF RESOLUTION NO. 2022-113 REPEALING AND REPLACING
THE SALARY SCHEDULE FOR FULL TIME CLASSIFICATIONS**

RECOMMENDATION:

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

**RESOLUTION NO. 2022-113 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WEST COVINA, CALIFORNIA, REPEALING AND REPLACING THE SALARY SCHEDULE
FOR FULL-TIME CLASSIFICATIONS OF THE CITY OF WEST COVINA**

BACKGROUND:

Public agencies are required to report pay rates to the California Public Employees' Retirement System ("CalPERS"). Government Code sections 20636, 20636.1, 7522.34 (a) and corresponding sections of Title 2 of section 570.5 of the California Code of Regulations (CCR) require that all CalPERS employers maintain their compensation levels in a publicly available document, approved and adopted by the governing body.

DISCUSSION:

The updated full-time salary schedule (Exhibit A to Attachment No. 1), includes the approved salaries reflecting cost-of-living adjustments (COLA) as per the successor Memorandums of Understanding for the West Covina Firefighters' Association (WCFFA) and revised Salary & Benefit Schedule for the City Management Team. The proposed resolution also includes approval of a revised Appendix A of the Department Head Salary & Benefit Schedule (Exhibit B to Attachment No. 1) to reconcile discrepancies between the full-time salary schedule and Appendix A of the Department Head Salary & Benefit Schedule.

LEGAL REVIEW:

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

Prepared by: Helen Tran, Director of Human Resources/Risk Management Department

FISCAL IMPACT:

This resolution is solely an administrative item that reflects changes previously approved by Council and does not change the total number of budgeted positions. Therefore, there is not a direct fiscal impact associated with this item.

Attachments

Attachment No. 1 - Resolution No. 2022-113

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



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 12/20/2022

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: CONSIDERATION OF THIRD AMENDMENT TO AGREEMENT WITH WEST COAST ARBORISTS, INC. FOR CITYWIDE TREE MAINTENANCE SERVICES

RECOMMENDATION:

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

1. Authorize the City Manager to execute the Third Amendment to the Maintenance Services Agreement with West Coast Arborists, Inc. allowing the four percent (4%) cost adjustment requested, in such form as approved by the City Attorney.
2. Authorize an increase the annual maximum compensation from \$485,000 to \$985,000 for Fiscal Year 2022-23 only.
3. Adopt the following resolution:

RESOLUTION NO. 2022-115 - 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 (TREE MAINTENANCE SERVICES)

BACKGROUND:

The Public Services Department is responsible for the maintenance of City-owned facilities and public infrastructure. One component of these maintenance responsibilities is establishing and maintaining an efficient and cost-effective tree maintenance program. Implementing an annual tree maintenance program is critical to ensure the proper upkeep and maintenance of the City's urban forest. These regular maintenance services vary in scope and frequency depending on the size, species and condition of trees.

West Coast Arborists, Inc. (WCA) has been providing tree maintenance services to the City of West Covina since 1997. In 2020, the City issued a Request for Proposals for tree trimming services. On July 7, 2020, the City Council approved the agreement with WCA for a three (3) year term with two (2) one (1) year extensions not exceeding \$485,000 annually. In January 2021, the City and WCA amended the agreement to revise the scope of services and increase WCA's compensation for the 2020-2021 Fiscal Year. In August 2022, the City and WCA amended Section 2.1 of the agreement to remove the maximum compensation amount and provide that WCA would be paid in accordance with the approved fee schedule.

DISCUSSION:

Since the City and WCA entered into the agreement 2020, WCA has absorbed the increased costs in labor, fuel, disposal, and insurance. Beginning with FY 2022-23, WCA requested a cost adjustment in the amount of four percent (4%) for the remainder of the term of the agreement. This is below the Consumer Price Index (CPI) of eight and one-half percent (8.5%) which is based on the Department of Labor's Labor Statistics for the previous 12-month reporting period for the Los Angeles-Long Beach-Anaheim region.

LEGAL REVIEW:

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

OPTIONS:

The City Council has the following options:

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

Prepared by: Renee M. G. Chavez, Management Analyst I

Fiscal Impact

FISCAL IMPACT:

Pursuant to staff's recommendation, WCA's maximum compensation will increase from \$485,000 to \$985,000 (an increase of \$500,000) for FY 2022-23 only. The increased amount includes the four percent (4%) cost adjustment and will be used to address high risk tree removals, overgrown tree trimming and deferred compromised tree trimming and/or removals needed in within Citywide Maintenance District. The remaining two (2) one (1) year extensions of the WCA contract will increase by four percent (4%) or \$19,400 for a total of \$504,400 annually.

There is significant need and benefit by approving the additional funds for tree maintenance, including improving the overall appearance of the City and its neighborhoods, reducing exposure to claims for damages from tree related incidents, improved response to customer service to residents who want/expect tree trimming when needed outside of the tree trim schedule and reduction of other tree related hazards (i.e. potentials source of fuel for fires).

The fiscal impact for this request is \$500,000 of which there are sufficient funds currently allocated in the amount of \$413,906 requiring additional funds of \$86,094. Additionally, as expenditures in the Sportsplex Fund are increased, a transfer from the General Fund is also proposed to be increased to offset the fund deficit. Overall, the proposed amendment includes \$90,130 in additional expenditures:

Account Number	Account Description	Current Budget	Proposed Amendment	Amended Budget
110.61.4142.6130	General Fund - Park Maintenance	884,400	51,140	935,540
124.61.4141.6130	Gasoline Tax - Landscape Maintenance	500,000	1,140	570,130
188.61.4141.6130	Citywide Maint. Dist - Landscape Maint	499,100	29,779	528,879
242.61.5167.6120	Sportsplex - Other Contractual Services	125,000	4,035	129,035

110.95.9500.9242	Transfer Out	180,548	4,035	145,800
	Total	\$2,189,048	\$90,130	\$2,279,178

Attachments

ATTACHMENT NO. 1 - WEST COAST ARBORISTS COST ADJUSTMENT REQUEST

ATTACHMENT NO. 2 - RESOLUTION NO. 2022-115

ATTACHMENT NO. 3 - THIRD AMENDMENT TO AGREEMENT WITH WEST COAST ARBORISTS

CITY COUNCIL GOALS & OBJECTIVES: Enhance City Image and Effectiveness
Achieve Fiscal Sustainability and Financial Stability
A Well-Planned Community



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 12/20/2022

TO: Mayor and City Council

FROM: David Carmany
City Manager

**SUBJECT: RECOGNITION OF OUTGOING CITY COUNCIL MEMBER AND ADMINISTRATION
OF OATH OF OFFICE TO NEWLY ELECTED OFFICERS**

RECOMMENDATION:

Take appropriate action.

DISCUSSION:

RECOGNITION OF OUTGOING COUNCIL MEMBER:

- Mayor Castellanos

ADMINISTRATION OF OATH OF OFFICE TO NEWLY ELECTED OFFICERS:

- City Clerk - Nickolas Lewis
- City Treasurer - Colleen B. Rozatti
- City Council District 2 - Letty Lopez
- City Council District 4 - Ollie Cantos
- City Council District 5 - Tony Wu

Prepared by: Lisa Sherrick; Assistant City Clerk

CITY COUNCIL GOALS & OBJECTIVES: Enhance City Image and Effectiveness



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 12/20/2022

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: REORGANIZATION OF MAYOR AND MAYOR PRO TEM

RECOMMENDATION:

It is recommended that the City Council reorganize in accordance with the order of mayoral succession mandated by Section 2-21 of the West Covina Municipal Code, or modify the order of mayoral succession as permitted by Section 2-21 of the West Covina Municipal Code.

BACKGROUND:

Section 2-21 of the West Covina Municipal Code (WCMC) outlines the duties of the Mayor and the order of mayoral succession, as follows:

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

have changed prior to the next regularly scheduled reorganization, the council members appointed to complete the vacant terms shall continue to serve as the mayor and mayor pro tem, respectively, for the term they would have held in the absence of the vacancy.

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

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

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

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

DISCUSSION:

Pursuant to Section 2-21 of the WCMC, the City Council is required to conduct its annual reorganization during its second regularly scheduled meeting of November, except in even-numbered years when the reorganization will occur at the time the City Council confirms the official canvass of the municipal election results as required by California Government Code section 36801.

The current order is:

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

Following the November 2022 election, the new order of succession is as follows, unless modified by 4 votes of the City Council:

Rosario Diaz, Mayor
Brian Tabatabai, Mayor Pro Tem
Tony Wu, Council Member
Letty Lopez-Viado, Council Member
Ollie Cantos, Council Member

Pursuant to the order of mayoral succession, Rosario Diaz is slated to become the Mayor and Brian Tabatabai is slated to become the Mayor Pro Tem.

No vote is required to reorganize in accordance with the order of mayoral succession mandated by Section 2-21 of the WCMC. However, if the City Council wishes to modify the order of mayoral succession, such modification would require 4 votes of the City Council.

OPTIONS:

The City Council has the following options:

1. Reorganize in accordance with the order of mayoral succession mandated by Section 2-21 of the West Covina Municipal Code; or
2. Modify the order of mayoral succession as permitted by Section 2-21 of the West Covina Municipal Code, which requires 4 votes of the City Council.

Prepared by: Lisa Sherrick; Assistant City Clerk

CITY COUNCIL GOALS & OBJECTIVES: Enhance City Image and Effectiveness