



CITY OF WEST COVINA

CITY COUNCIL/SUCCESSOR AGENCY

**TUESDAY NOVEMBER 20, 2018, 7:00 PM
REGULAR MEETING**

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

**Mayor Lloyd Johnson
Mayor Pro Tem Tony Wu
Councilman Mike Spence
Councilmember James Toma
Councilmember Corey Warshaw**

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**

<p style="text-align: center;">TUESDAY NOVEMBER 20, 2018, 7:00 PM REGULAR MEETING</p>

INVOCATION

[Led by Pastor Rogelio Paquini from West Covina Hills Seventh Day Adventist Church](#)

PLEDGE OF ALLEGIANCE

[Led by Councilmember Corey Warshaw](#)

ROLL CALL**REPORTING OUT FROM CLOSED SESSION****CHANGES TO THE AGENDA****PRESENTATIONS**

[Proclamation proclaiming November 24, 2018 as Small Business Saturday](#)

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.

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.

COMMISSION SUMMARY OF ACTIONS (receive & file)

- 1) [September 13, 2017 Human Resources Commission Special Meeting Summary of Actions](#)

It is recommended that the City Council receive and file the Summary of Actions for the Human Resources Commission Meeting held on September 13, 2017.

CLAIMS AGAINST THE CITY

2) [Government Tort Claim Denials](#)

It is recommended that the City Council deny the following Government Tort Claims and the claimants be notified:

- Blanca Gallegos vs. The City of West Covina
- Sandra Glen vs. The City of West Covina

INVESTMENT REPORT (receive & file)

3) [City Investment Report for the Month Ended September 30, 2018](#)

It is recommended that the City Council receive and file the Investment Report for the month ended September 30, 2018.

4) [Successor Agency Investment Report for the Month Ended September 30, 2018](#)

It is recommended that the Chair and Board Members of the Successor Agency to the former West Covina Redevelopment Agency, receive and file the Investment Report for the month ended September 30, 2018.

CITY MANAGER'S OFFICE

5) [Termination of the Human Services Consortium of the East San Gabriel Valley \(LA Works\) Joint Powers Authority \(JPA\)](#)

It is recommended that the City Council adopt the following resolution to terminate the LA Works JPA:

RESOLUTION NO. 2018-131 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, TERMINATING THE SEPTEMBER 11, 1979 JOINT POWERS AGREEMENT ENTERED INTO BETWEEN THE CITIES OF WEST COVINA, COVINA, AZUSA AND GLENDORA, AND DISSOLVING THE HUMAN SERVICES CONSORTIUM OF THE EAST SAN GABRIEL VALLEY (LA WORKS)

6) [Extension of Communications Site Lease Agreement with Mt. San Antonio College](#)

It is recommended that the City Council authorize the City Manager to execute a five-year Lease Agreement Extension with Mount San Antonio College (Mt. SAC) for the placement of its radio antennas on the BKK Communications Tower.

7) [Cancellation of the January 1, 2019, City Council Meeting](#)

It is recommended that the City Council cancel the January 1, 2019 City Council Meeting.

8) [File Server Storage Upgrade](#)

It is recommended that the City Council authorize the City Manager, or his designee, to execute an agreement with DELL EMC to purchase new servers for data storage expansion, for the City Council Chambers for an amount not to exceed \$46,363.02.

9) [Appointment of City Commissioner](#)

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

COMMUNITY DEVELOPMENT

10) [Extension of the Exclusive Negotiation Agreement with Singpoli Group LLC for Development of Former BKK Landfill \(APN No.'s: 8735-002-906, 8735-002-909, 8735-002-910, 8735-002-018\)](#)

It is recommended that the City Council authorize the City Manager to execute a Second Amendment to the Exclusive Negotiation Agreement (ENA) with Singpoli Group LLC (Singpoli) extending the ENA through December 14, 2019 for the development of the former BKK landfill (APN No.'s: 8735-002-906, 8735-002-909, 8735-002-910, and 8735-002-018).

11) [Agreement for Professional Services - City Engineer Consultant Services - Willdan](#)

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

- 1) Approve Willdan for City Engineer services for \$160 per hour not to exceed \$115,500 through September 1, 2019; and
- 2) Upon submittal of a development application, authorize the City Manager to execute agreements for professional services.

PUBLIC SERVICES

12) [Galster & Heritage Park Trail Improvement Projects](#)

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

RESOLUTION NO. 2018-132 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADOPTING A BUDGET AMENDMENT FOR THE FISCAL YEAR COMMENCING JULY 1, 2018, AND ENDING JUNE 30, 2019 (Trail Improvements at Galster Park and Heritage Park)

ACTION ON CONSENT CALENDAR

Motion by _____ second by _____
to approve all items listed on the Consent Calendar as presented

except: _____
ROLL CALL: Spence, Toma, Warshaw, Wu, Johnson

END OF CONSENT CALENDAR

HEARINGS

PUBLIC HEARINGS

13) [Amendment to the West Covina Municipal Code Article XVI, Waste Reduction, Reuse and Recycling of Construction and Demolition Debris Ordinance](#)

Introduction - Public Hearing

- a) Verification
- b) Open hearing
- c) Staff report
- d) Open testimony
- e) Council discussion
- f) Recommendation: It is recommended that the City Council introduce, waive further reading and give first reading to the following ordinance:

ORDINANCE NO. 2447 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING THE WEST COVINA MUNICIPAL CODE ARTICLE XVI, WASTE REDUCTION, REUSE AND RECYCLING OF CONSTRUCTION AND DEMOLITION DEBRIS, OF CHAPTER 7, BUILDINGS AND BUILDING REGULATIONS, TO BE CONSISTENT WITH THE REQUIREMENTS OF CALIFORNIA GREEN BUILDING STANDARDS CODE, CORRECT NECESSARY LANGUAGE TO REFLECT THE CITY DEPARTMENTS ORGANIZATION, AND REMOVING RE-ROOFING PROJECTS FROM PROJECTS REQUIRED TO MEET THE DIVERSION REQUIREMENTS

Motion by _____ second by _____
 introduce _____ disapprove _____ hold over _____
 ROLL CALL: Spence, Toma, Warshaw, Wu, Johnson

14) Code Amendment No. 18-02 Accessory Dwelling Units General and Statutory Exemption

- a) Verification
- b) Open hearing
- c) Staff report
- d) Open testimony
- e) Council discussion
- f) Recommendation: The Planning Commission recommends that the City Council read the title of the ordinance and waive further reading, and introduce (i.e. "first reading") the following ordinance:

ORDINANCE NO. 2449 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING DIVISION 11 OF ARTICLE XII OF CHAPTER 26 OF THE MUNICIPAL CODE TO AMEND SETBACK AND LOCATION RELATED ZONING REGULATIONS APPLICABLE TO ACCESSORY DWELLING UNITS

Motion by _____ second by _____
 introduce _____ disapprove _____ hold over _____
 ROLL CALL: Spence, Toma, Warshaw, Wu, Johnson

15) Code Amendment No. 18-03 Downtown Plan and Code Parking Standards General Exemption

- a) Verification
- b) Open hearing
- c) Staff report

- d) Open testimony
- e) Council discussion
- f) Recommendation: The Planning Commission recommends that the City Council introduce, waive further and give first reading of the following ordinance:

ORDINANCE NO. 2450 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING ARTICLE XV OF CHAPTER 26 OF THE MUNICIPAL CODE, THE DOWNTOWN PLAN AND CODE PARKING STANDARDS

Motion by _____ second by _____
 introduce _____ disapprove _____ hold over _____
 ROLL CALL: Spence, Toma, Warshaw, Wu, Johnson

16) [Amendment to the West Covina Municipal Code, Chapter 22, Article V for the Regulation of Sidewalk Vendors WCMC Sec. 22-183.2 Sidewalk Vendors](#)

- a) Verification
- b) Open hearing
- c) Staff hearing
- d) Open testimony
- e) Council discussion
- f) Recommendation: It is recommended that the City Council take the following actions:

1) Introduce, waive further and give first reading of the following ordinance:

ORDINANCE NO. 2451 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING SECTION 22-183.2 ("VENDING AUTOMOBILES, WAGONS OR STANDS") OF ARTICLE V OF CHAPTER 22 OF THE MUNICIPAL CODE TO REGULATIONS FOR SIDEWALK VENDORS; and

2) Introduce, waive further reading, and adopt the following ordinance to be effective immediately:

ORDINANCE NO. 2453 - AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING SECTION 22-183.2 ("VENDING AUTOMOBILES, WAGONS OR STANDS") OF ARTICLE V OF CHAPTER 22 OF THE MUNICIPAL CODE TO REGULATIONS FOR SIDEWALK VENDORS

Motion by _____ second by _____
 introduce _____ disapprove _____ hold over _____
 ROLL CALL: Spence, Toma, Warshaw, Wu, Johnson

DEPARTMENTAL REGULAR MATTERS

CITY MANAGER'S OFFICE

17) [Election of Boardmember to San Gabriel Basin Water Quality Authority Board Representing Cities Without Prescriptive Pumping Rights](#)

It is recommended that the City Council adopt the following resolution to cast West Covina's Eleven (11) votes for one of the candidates nominated to serve on the San

Gabriel Basin Water Quality Authority Board:

RESOLUTION NO. 2018-134 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, CASTING ITS VOTES FOR COUNCILMEMBER _____ OF _____ TO REPRESENT CITIES WITHOUT PRESCRIPTIVE WATER PUMPING RIGHTS ON THE BOARD OF THE SAN GABRIEL BASIN WATER QUALITY AUTHORITY

Motion by _____ second by _____
adopt _____ disapprove _____ hold over _____

AB1234 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/Community Development Commission agenda as items of business and must be approved by a majority of the City Council/Community Development Commission.)

MAYOR LLOYD JOHNSON

- 18) [Request from Mayor Lloyd Johnson Seeking the City Council's Consensus to Contact Los Angeles County Sheriff's Department Requesting More Proactive Measures to Address Homeless Persons Living in Los Angeles County Flood Control Channels](#)

It is recommended that the City Council provide direction on this matter.

Motion by _____ second by _____
to _____

- 19) [Request from Mayor Lloyd Johnson Seeking the City Council's Consensus to Create a Mayor's Ad Hoc Committee on Budget Engagement](#)

It is recommended that the City Council provide direction on this matter.

Motion by _____ second by _____
to _____

MAYOR PRO TEM TONY WU

- 20) [Request from Mayor Pro Tem Tony Wu Requesting the City Council's Consideration to Request Los Angeles Homeless Services Authority's Support for Funding and Resources to Address Homeless Issues in West Covina](#)

It is recommended that the City Council direct staff accordingly.

Motion by _____ second by _____
to _____

COUNCILMEMBER MIKE SPENCE

21) Request from Councilman Mike Spence Requesting the City Council's Consideration to Send a Letter Supporting an Independent Review of Ethical Questions Related to CalPERS Chief Executive Officer Marcie Frost

It is recommended that the City Council provide direction on this matter.

Motion by _____ second by _____
to _____

CITY COUNCIL COMMENTS

ADJOURNMENT

Next Tentative City Council Meeting

Closed Session	12/04/2018	6:00 PM
Regular Meeting	12/04/2018	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.