



## **CITY OF WEST COVINA**

### **CITY COUNCIL/SUCCESSOR AGENCY**

**FEBRUARY 7, 2023, 7:00 PM  
REGULAR MEETING**

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

**Mayor Rosario Diaz  
Mayor Pro Tem Brian Tabatabai  
Councilman Tony Wu  
Councilwoman Letty Lopez-Viado  
Councilman Ollie Cantos**

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

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

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

#### ***AGENDA MATERIAL***

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

#### ***NOTICE***

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

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

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

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

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

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

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

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

# **AGENDA**

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

**TUESDAY FEBRUARY 7, 2023, 7:00 PM  
REGULAR MEETING**

### **INVOCATION**

Led by Pastor Samuel Martinez from Amazing Love Ministries

### **PLEDGE OF ALLEGIANCE**

Led by Mayor Pro Tem Tabatabai

### **ROLL CALL**

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

### **PRESENTATIONS**

- Certificate of Recognition Congratulating Assistant Chief Jim Rudroff 40 Years of Service
- Certificate of Recognition Recognizing Good Samaritan Chirag Dayal

### **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 JANUARY 17, 2023, CITY COUNCIL/SUCCESSOR AGENCY CLOSED SESSION MEETING MINUTES AND THE JANUARY 17, 2023, CITY COUNCIL/SUCCESSOR AGENCY REGULAR SESSION MEETING MINUTES.**

It is recommended that the City Council approve the January 17, 2023, Closed Session Meeting Minutes and the January 17, 2023, Regular Session Meeting Minutes.

### **CITY MANAGER'S OFFICE**

- 2) CONSIDERATION OF 2023 CITY COUNCIL GOALS**

City Council consideration and approval of the 2023 City Council Goals: 1) Protect Public Safety, 2) Address Homeless Issues, 3) Enhance City Image and Effectiveness, 4) Maintain Good Intergovernmental Relations, 5) Achieve Fiscal Sustainability and Financial Stability, 6) A Well-Planned Community, 7) Expand Economic Development Opportunities, 8) An Accessible Community, and 9) A Creative and Active Community

**3) CONSIDERATION OF AN ORDINANCE AMENDING SECTION 2-402 OF ARTICLE VIII OF CHAPTER 2 OF THE WEST COVINA MUNICIPAL CODE RELATING TO CAMPAIGN FINANCE REGULATIONS**

It is recommended that the City Council:

1. Introduce the following ordinance:

**ORDINANCE NO. 2513 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING SECTION 2-402 OF ARTICLE VIII OF CHAPTER 2 OF THE WEST COVINA MUNICIPAL CODE RELATING TO CAMPAIGN FINANCE REGULATIONS**

2. Find that the ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (Common Sense Exception).

**COMMUNITY DEVELOPMENT**

**4) CONSIDERATION OF NOTICE OF COMPLETION AND RATIFICATION OF CONTRACT CHANGE ORDERS FOR WALMERADO PARK RESTROOM IMPROVEMENTS PROJECT - PROJECT NO. 22026**

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

1. Ratify change orders to the construction agreement with R Dependable Construction, Inc. for the Walmerado Park Restroom Improvements Project (Project No. 22026) (the "Project"), with a final contract amount of \$289,209.93; and
2. Accept work performed by R Dependable Construction, Inc. for the Project, with a final contract amount of \$289,209.93; and
3. Authorize the recordation of Notice of Completion with the Los Angeles County Recorder and the release of retention funds 35 days thereafter.

**END OF CONSENT CALENDAR**

**DEPARTMENTAL REGULAR MATTERS**

**POLICE DEPARTMENT**

**5) CONSIDERATION OF RESOLUTION NO. 2023-6 APPROVING THE CALPERS EXCEPTION TO THE 180-DAY WAIT PERIOD**

Staff recommends that the City Council adopt the following resolution:

**RESOLUTION NO. 2023-6 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, MAKING THE REQUIRED CERTIFICATIONS AND APPROVING THE APPOINTMENT OF JUDY TURNER AS A PART-TIME RETIRED ANNUITANT PUBLIC SAFETY DISPATCHER IN ACCORDANCE WITH GOVERNMENT CODE SECTIONS 7522.56 AND 21224**

**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**

Regular Meeting	<u>Next Tentative City Council Meeting</u> February 21, 2023	7:00 PM
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<b>RULES OF DECORUM</b>
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*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

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City of West Covina | Office of the City Manager

**DATE:** February 7, 2023

**TO:** Mayor and City Council

**FROM:** David Carmany  
City Manager

**SUBJECT: CONSIDERATION OF APPROVAL OF THE JANUARY 17, 2023, CITY COUNCIL/SUCCESSOR AGENCY CLOSED SESSION MEETING MINUTES AND THE JANUARY 17, 2023, CITY COUNCIL/SUCCESSOR AGENCY REGULAR SESSION MEETING MINUTES.**

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### **RECOMMENDATION:**

It is recommended that the City Council approve the January 17, 2023, Closed Session Meeting Minutes and the January 17, 2023, Regular Session Meeting Minutes.

### **DISCUSSION:**

That the City Council adopt the attached minutes.

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

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### **Attachments**

Attachment No. 1 - 1/17/2023 Closed Session Minutes Draft

Attachment No. 2 - 1/17/2023 Regular Session Minutes Draft

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



## **CITY OF WEST COVINA**

### **CITY COUNCIL/SUCCESSOR AGENCY**

**JANUARY 17, 2023, 6:00 PM  
REGULAR MEETING - CLOSED SESSION**

**MANAGEMENT RESOURCE CENTER 3RD FLOOR  
1444 W. GARVEY AVENUE SOUTH  
WEST COVINA, CALIFORNIA 91790**

**Mayor Rosario Diaz  
Mayor Pro Tem Brian Tabatabai  
Councilman Tony Wu  
Councilwoman Letty Lopez-Viado  
Councilman Ollie Cantos**

### **Minutes**

#### **CALL TO ORDER**

A Regular Session Meeting was called to order by Mayor Rosario Diaz on Tuesday, January 17, 2023 at 7:00 p.m., in the Council Chambers, 1444 West Garvey Avenue South, West Covina, California

#### **ROLL CALL**

Council Members

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

Council Members

Absent: None

City Staff: David Carmany City Manager, Thomas Duarte City Attorney, Roxanne

Lerma Assistant City Manager, Paulina Morales Assistant City Manager, Stephanie Sikkema Finance Director, Lisa Handy, Interim Human Resources and Risk Management Director, Oliver Yee, Outside Council LCW

**PUBLIC COMMENTS ON ITEMS ON THE AGENDA**

Armando Herman

**CLOSED SESSION**

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code § 54956.9(d)(1)

1. Marc Taylor v. City of West Covina ( LA Superior Court, Case No. 20STCV23682
2. Larry Whithorn v. City of West Covina ( LA Superior Court, Case No. 20STCV08916)

2. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code § 54957.6

City Negotiators: Carmany, Duarte  
Employee Organizations

- Confidential Employees
- Maintenance & Crafts Employees
- Non-Sworn
- W.C. Police Officers' Association
- W.C. Firefighters' Management Assoc.
- W.C. Firefighters' Association, I.A.F.F., Local 3226
- General Employees
- Mid-Management Employees
- W.C. Police Management Association

Unrepresented Employee Group

- Department Heads

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**ADJOURNMENT**

A motion to adjourn the Closed Session Meeting was made by Mayor Diaz and the meeting was adjourned at 6:53 pm. The next regularly scheduled Closed Session City Council Meeting will be held on Tuesday February 7, 2023 at 6:00 p.m. in the Management Resource Center, 3<sup>rd</sup> Floor, 1444 West Garvey Avenue South, West Covina, California.

Submitted by:

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Lisa Sherrick  
Assistant City Clerk

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Rosiaro Diaz  
Mayor



## **CITY OF WEST COVINA**

### **CITY COUNCIL/SUCCESSOR AGENCY**

**JANUARY 17, 2023, 7:00 PM  
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**CITY HALL COUNCIL CHAMBERS  
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WEST COVINA, CALIFORNIA 91790**

**Mayor Rosario Diaz  
Mayor Pro Tem Brian Tabatabai  
Councilman Tony Wu  
Councilwoman Letty Lopez-Viado  
Councilman Ollie Cantos**

### **MINUTES**

#### **CALL TO ORDER**

A Regular Session Meeting was called to order by Mayor Rosario Diaz on Tuesday, January 17, 2023 at 7:00 p.m., in the Council Chambers, 1444 West Garvey Avenue South, West Covina, California

#### **INVOCATION**

Led by Pastor Kelly Dupee from Faith Community Church

#### **PLEDGE OF ALLEGIANCE**

Led by Councilman Wu

#### **ROLL CALL**

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

Council Members

Absent: None

City Staff: David Carmany City Manager, Thomas 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**

City Attorney Thomas Duarte reported that no reportable action was taken during the Closed Session Meeting.

### **CLOSED SESSION**

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to Government Code § 54956.9(d)(1)

1. Marc Taylor v. City of West Covina (LA Superior Court, Case No. 20STCV23682)
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Employee Organizations

- Confidential Employees
- Maintenance & Crafts Employees
- Non-Sworn
- W.C. Police Officers' Association
- W.C. Firefighters' Management Assoc.
- W.C. Firefighters' Association, I.A.F.F., Local 3226
- General Employees
- Mid-Management Employees
- W.C. Police Management Association

Unrepresented Employee Group

- Department Heads

### **PRESENTATIONS**

- Certificate of Recognition Congratulating Fire Captain Hamm on his Retirement

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

Chris Miller

Armando Herman

Mike Greenspan  
Rosa Rios  
Jerri Potras  
Matthew Smith  
David Schwartz  
Steve Bennett  
John Shewmaker  
Jim Grivich  
R. Robinson

### **CITY MANAGER'S REPORT**

Presentation given by Mr. Carmany.

### **CONSENT CALENDAR**

**ACTION: Motion by Councilman Wu, Second by Mayor Diaz 5-0 to:** Approve Consent Calendar Items 1,2, 4, 6, 8,10

**ACTION: Motion by Councilman Wu, Second by Councilwoman Lopez-Viado 3-1-1 (No: Tabatabai, Abstain: Cantos)** Approve Consent Calendar Item 3 (This item was pulled for discussion by Mayor Pro Tem Tabatabai).

**ACTION: Motion by Councilman Cantos, Second by Mayor Diaz 5-0 to:** Approve Consent Calendar Item 5 (This item was pulled for discussion by Councilman Cantos).

**ACTION: Motion by Mayor Diaz, Second by Councilman Wu 5-0 to:** Approve Consent Calendar Item 7 (This item was pulled for discussion by Councilman Cantos).

**ACTION: Motion by Councilman Cantos, Second by Mayor Diaz 5-0 to:** Approve Consent Calendar Item 9 (This item was pulled for discussion by Councilman Cantos).

### **APPROVAL OF MEETING MINUTES**

- 1) **CONSIDERATION OF APPROVAL OF THE DECEMBER 20, 2022, CITY COUNCIL/SUCCESSOR AGENCY REGULAR SESSION MEETING MINUTES.**

**Carried 5-0 to:** approve the December 20, 2022, Regular Session Meeting Minutes.

### **CITY MANAGER'S OFFICE**

- 2) **CONSIDERATION OF RESOLUTION NO. 2023-4 DETERMINING THERE IS A NEED TO CONTINUE THE LOCAL EMERGENCY**

**Carried 5-0 to:** adopt the following resolution:

**RESOLUTION NO. 2022-121 - 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, SEPTEMBER 20, 2022, OCTOBER 4, 2022, NOVEMBER 15, 2022 AND DECEMBER 6, 2022**

**3) CONSIDERATION OF AN ORDINANCE AMENDING ARTICLE VIII OF CHAPTER 2 OF THE WEST COVINA MUNICIPAL CODE RELATING TO CAMPAIGN FINANCE REGULATIONS**

**Carried 3-1-1to (No: Tabatabai, Abstain: Cantos) to:** adopt the following ordinance:

**ORDINANCE NO. 2510 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING ARTICLE VIII OF CHAPTER 2 OF THE WEST COVINA MUNICIPAL CODE RELATING TO CAMPAIGN FINANCE REGULATIONS**

**4) CONSIDERATION OF RESOLUTION NO. 2023-5 RATIFYING PROCLAMATION NO. 2023-01 PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY RELATED TO SEVERE WINTER STORMS**

**Carried 5-0 to:** adopt the following resolution:

**RESOLUTION NO. 2023-5 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, RATIFYING PROCLAMATION NO. 2023-1 PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY RELATED TO SEVERE WINTER STORMS**

**COMMUNITY DEVELOPMENT**

**5) CONSIDERATION OF CONSTRUCTION AGREEMENT FOR THE CITYWIDE PEDESTRIAN & VEHICLE TRAFFIC SAFETY IMPROVEMENTS FY 22-23 - PROJECT NO. 23027**

**Carried 5-0 to:** take the following actions:

1. Award the construction agreement for the Citywide Pedestrian & Vehicle Traffic Safety Improvements (Project No. 23027) to Superior Pavement Markings, Inc. as the lowest responsible bidder;
2. Authorize the City Manager to execute an agreement with Superior Pavement Markings, Inc. for \$232,916.00, in substantially the form as attached and in such final form as approved by the City Attorney;
3. Authorize 15% of the awarded contract amount as contingency allowance to be used, if necessary, with the City Manager's approval, for unforeseen conditions;
4. Authorize the City Manager to negotiate and execute any amendments to the agreement;
5. Find that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15302 (Replacement or Reconstruction).

**6) CONSIDERATION OF PROFESSIONAL SERVICES AGREEMENT FOR BUILDING AND SAFETY SERVICES WITH TRANSTECH ENGINEERS, INC.**

**Carried 5-0 to:** take the following actions:

1. Award Request for Proposals No. 71-020 for Building and Safety Services to Transtech Engineers, Inc.
2. Authorize the City Manager to execute a Professional Services Agreement with Transtech Engineers, Inc. for Building and Safety services for a three-year term, commencing January 18, 2023 and ending January 17, 2026, with two optional one-year extensions contingent upon satisfactory performance, in substantially the form as attached and in such final form as approved by the City Attorney;
3. Authorize the City Manager to approve any extensions and execute amendments providing for such extensions.

**FINANCE DEPARTMENT**

**7) CONSIDERATION OF UPGRADE TO MICROWAVE SYSTEM INFRASTRUCTURE**

**Carried 5-0 to:** take the following actions:

1. Authorize the City Manager to issue a Purchase Order in the amount of \$1,017,589.00 to Microwave Networks Inc. to upgrade the City's microwave infrastructure;
2. Authorize the City Manager to execute any agreements and documents necessary to upgrade the City's microwave infrastructure, in such form as approved by the City Attorney; and
3. Authorize the City Manager to execute any amendments to the Purchase Order or any agreements entered into in connection with the upgrade of the microwave infrastructure, provided that the total cost for the upgrade does not exceed \$1,100,000.00.

**8) CONSIDERATION OF ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) AND OTHER RELATED REPORTS FOR THE YEAR ENDED JUNE 30, 2022**

**Carried 5-0 to:** receive and file the following letters and financial reports for the year ended June 30, 2022:

- Annual Comprehensive Financial Report;
- Government Auditing Standards Letter;
- Audit Communication Letter; and
- Community Financial Report.

**9) CONSIDERATION OF A RESOLUTION AMENDING THE FY 2022-2023 BUDGET**

**Carried 5-0 to:** adopt the following resolution:

**RESOLUTION NO. 2023-3 – 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 (MID-YEAR ADJUSTMENTS)**

**HUMAN RESOURCES/RISK MANAGEMENT**

**10) CONSIDERATION OF RESOLUTION APPOINTING THE CITY OF WEST COVINA'S PRIMARY REPRESENTATIVE AND ALTERNATE REPRESENTATIVE TO THE BIG INDEPENDENT CITIES EXCESS POOL (BICEP) BOARD OF DIRECTORS**

**Carried 5-0 to:** adopt the following resolution:

**RESOLUTION NO. 2023-1 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, APPOINTING A PRIMARY REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE TO THE BIG INDEPENDENT CITIES EXCESS POOL (BICEP) BOARD OF DIRECTORS**

**END OF CONSENT CALENDAR**

**DEPARTMENTAL REGULAR MATTERS**

**POLICE DEPARTMENT**

**11) West Covina Police Department Detective Bureau Status Update**

***ACTION: Hearing no objection:*** the City Council will receive and file this informational report.

### **MAYOR/COUNCILMEMBERS REPORTS**

Councilman Cantos will hold a town hall meeting Saturday January 21, 2023, at 10:00 A.M. at Rainbow Donuts.

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

The Council approved the following requests:

- Provide a written report regarding the Sportsplex detailing the continuing maintenance and the status of when the Sportsplex will reopen.
- Request staff to report on efforts to build an internship program to work for the City and partner with funding opportunities to pay interns.

### **CITY COUNCIL COMMENTS**

Mayor Pro Tem Tabatabai mentioned that the Homeless Count will take place on the 24<sup>th</sup> of January, volunteers are needed. Also, West Covina Beautiful will host a Birthday Bash at Hurst Ranch on February 25, 2023.

Councilman Wu wished everyone a Happy Lunar New Year.

### **ADJOURNMENT**

A motion to adjourn the Regular Meeting was made by Mayor Diaz, and the meeting was adjourned at 10:35 p.m. The next regularly scheduled Regular City Council Meeting will be held on Tuesday, February 7, 2023, at 7:00 p.m. in the Council Chambers, 1444 West Garvey Avenue South, West Covina, California.

Submitted by:

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Lisa Sherrick  
Assistant City Clerk

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Rosario Diaz  
Mayor





## AGENDA STAFF REPORT

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City of West Covina | Office of the City Manager

**DATE:** February 7, 2023

**TO:** Mayor and City Council

**FROM:** David Carmany  
City Manager

**SUBJECT:** CONSIDERATION OF 2023 CITY COUNCIL GOALS

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### RECOMMENDATION:

City Council consideration and approval of the 2023 City Council Goals: 1) Protect Public Safety, 2) Address Homeless Issues, 3) Enhance City Image and Effectiveness, 4) Maintain Good Intergovernmental Relations, 5) Achieve Fiscal Sustainability and Financial Stability, 6) A Well-Planned Community, 7) Expand Economic Development Opportunities, 8) An Accessible Community, and 9) A Creative and Active Community

### BACKGROUND:

Goal setting helps an organization determine where it is going over the next year and beyond, how the organization is going to get there, and provides a path to get there, allowing for measurable achievements that confirm if it reached its goal or not. This is the City's "Game Plan" for the future of the City. The focus of this report is to have the City Council outline its goals for the community and municipal organization for the coming year. Goal setting helps the City manage public dollars and resources prudently by anticipating community needs, problems and concerns. Goals-based planning starts with focus on the organization's vision and values, then the selection of projects and programs to meet and achieve the goals. This report provides a highlight of goals that were adopted in January 2022 and where the Council is focusing their attention for the year 2023.

On January 31, 2023, a Community Meeting was held with the public. During the meeting audience participation was encouraged through a survey app and verbal interaction. The goals listed below are in order of importance that reflects the participation from the Community Meeting.

### DISCUSSION:

The following goals are provided for consideration and approval.

### CITY COUNCIL GOALS FOR 2023

#### I. Protect Public Safety:

- Continue to respond to the global COVID-19 pandemic.
  - Administer ongoing cooperative agreements for COVID-19 testing and vaccination.
- Negotiate and execute interlocal equipment agreements with Cities of La Verne, Manhattan Beach, and San Gabriel for fire emergency services.

- Negotiate and execute regional automatic aid agreement with City of La Verne for fire emergency services.
- Negotiate and execute automatic aid agreement with Los Angeles County Fire Department.
- With due regard to General Fund fiscal impacts, respond to California Department of Public Health (CDPH) proposed regulations. Seek provisional approval from CDPH for creation of a fiscally sustainable municipal health department. Prepare a Community Health Needs Assessment, Community Health Improvement Plan and other studies as may be required by CDPH and the Public Health Accreditation Board. Negotiate and execute agreement(s) for Health Department laboratory services.
- Update the City's Emergency Management Program, including Community Emergency Response Team, Emergency Operations Center Training, Citywide CERT Training including "train the trainer", and Disaster Preparedness and Hazard Mitigation plans.
- Monitor, manage, and as appropriate reduce Fire Department overtime expenditures.
- Acquire and implement the use of Police Department body-worn cameras.
- Annual Police Department review intended to increase accountability and transparency.
- Take delivery and place in service two (2) new rescue ambulances, two (2) new fire pumper engines, and one (1) new fire ladder truck/quint
- Develop specifications for and put out to bid for 2026 delivery a new fire pumper engine.
- Work with Animal Care & Control to conduct the bi-annual canvass for pet licenses.
- Continue to expand Police Officer visibility in the community by promoting neighborhood events like Coffee with a Cop.

## **II. Achieve Fiscal Sustainability and Financial Stability:**

- Maintain and monitor the City's fiscal health.
  - Continue to implement State Auditor's fiscal recovery and fiscal recovery plans.
  - Nurture local businesses and attract non-retail jobs.
  - Implement appropriate funding for landscape maintenance districts.
  - Review and update agreements for waste hauling, towing and facility use.
  - Update fee schedule.
  - Install new financial management system.
- Maintain and promote employee relations.
- Update City Personnel Rules including use policies.
- Employ known principles of risk management to address action items identified in the City Risk Management Evaluation.
- Make changes in ways the City conducts its business ensuring the needs of the City are met.

## **III. Address Homeless Issues:**

- Secure external funding, including San Gabriel Valley Housing Trust and County homeless funds.
- Partner with area cities on a regional response to inadequacies of existing Measure H program.
- Expand Mental Health Services for unhoused.
- Increase contact between Department of Mental Health and the unhoused population in West Covina.
- Reduce single-day Homeless Count census from 112 to 50.

## **IV. A Creative and Active Community:**

- Expand the lineup of events by hosting and co-hosting events with community partners.
- Re-evaluate opportunities to weave the arts and local heritage into everyday life.
- Develop a master calendar of community and City-sponsored events.
- Review recreational opportunities at the equestrian center.

## **V.A Well-Planned Community:**

- Continue work on a comprehensive revision of the City's General Plan and Development Code Update.
- Update permit software.

- Implement a Rental Inspection Program.
- Apply the new Housing Element, currently pending State Certification.
- Enact the new Zoning Ordinance that went into effect January 2023.
- Create a Park Master Plan (long range planning tool).
- Establish lights on Glendora Ave and Clean-up.
- Update and audit Landscape Maintenance Districts.

## **VI. Maintain Good Intergovernmental Relations:**

- Keep regulatory compliance with changing State and Federal regulations and laws (e.g., SB 1383, SB 9, CalRecycle, Department of Toxic Substances Control, State Housing and Community Development).
- Pursue external partnerships and grants.
- Reinforce the Library's role in the community as a civic and cultural center.
- Actively participate in the San Gabriel Valley Council of Governments.

## **VII. Expand Economic Development Opportunities:**

- Continue marketing efforts to expand and retain the business base.
- Work with property owners to promote development in the community.
- Focus efforts of the City's Community & Economic Development Division on economic recovery and tourism through continued relationship building, research, and advocacy of development.
- Examine the feasibility of an enhanced infrastructure financing district (EIFD), which is designed to leverage tax increment financing from the City, and potentially the County of Los Angeles.
- Reinforce West Covina's brand as a great place to live, work and play in the San Gabriel Valley.
- Establish a Business Improvement Association on Glendora Avenue.
- Approve a master plan for Plaza West Covina.
- Consider all options for the development of City owned parcels at the former BKK site.

## **VIII. Enhance City Image and Effectiveness:**

- Bring all City facilities to standard.
  - Identify potential projects for inclusion in the Capital Improvement Plan.
- Enhance recreational and park opportunities in the community.
  - Enhance communication to residents through published newsletters, the website, and social media.
  - Prepare the annual "State of the City" report.
- Implement the City's Active Transportation Plan.
- Make the community more verdant.
- Implement the master plan of street trees.
- Assess and as necessary upgrade the City's sewer collection system.
  - Implement the annual street paving program.
  - Remove trash bins from parks.
  - Replace bus shelters.
  - Install a reader board for Sportsplex on Azusa.
  - Work with Caltrans to clean up freeway on/off ramps.
- Celebrate the City's Centennial Birthday.
  - Brand all City 2023 events as "Centennial".
  - Host a centennial dinner at the Sportsplex on February 16, 2023.
  - Brand City vehicles with the centennial logo.
  - Collaborate with the Historical Society for centennial celebrations.
  - Create centennial merchandise.
- Complete a precise plan for the new Fire Station #1.
- Repair Antique Fire Engine (at Hurst Ranch).
- Establish a weekly street sweeping schedule.
- Establish "No Overnight Parking" areas in the City.
- Prepare and approve a Traffic Signal Maintenance Agreement.

## **IX. An Accessible Community:**

- Establish a Disability Advisory Commission.
- Consider implementation of best practices as recommended by the U.S. Conference of Mayors Disability Employment Working Group: Disability Employment Working Group.
- Review Best Practices in Disability Employment.
- Review City Development Codes and Current Practices on Accessible Urban Development: Good Practices of Accessible Urban Development.
- Establish and implement an ADA Transition Plan

**Prepared by:** David Carmany, City Manager

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**CITY COUNCIL GOALS & OBJECTIVES:** Protect Public Safety  
Address Homeless Issues  
Enhance City Image and Effectiveness  
Maintain Good Intergovernmental Relations  
Achieve Fiscal Sustainability and Financial Stability  
A Well-Planned Community  
Expand Economic Development Opportunities  
A Creative and Active Community



## AGENDA STAFF REPORT

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City of West Covina | Office of the City Manager

**DATE:** February 7, 2023

**TO:** Mayor and City Council

**FROM:** David Carmany  
City Manager

**SUBJECT: CONSIDERATION OF AN ORDINANCE AMENDING SECTION 2-402 OF ARTICLE VIII OF CHAPTER 2 OF THE WEST COVINA MUNICIPAL CODE RELATING TO CAMPAIGN FINANCE REGULATIONS**

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### RECOMMENDATION:

It is recommended that the City Council:

1. Introduce the following ordinance:

**ORDINANCE NO. 2513 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING SECTION 2-402 OF ARTICLE VIII OF CHAPTER 2 OF THE WEST COVINA MUNICIPAL CODE RELATING TO CAMPAIGN FINANCE REGULATIONS**

2. Find that the ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (Common Sense Exception).

### BACKGROUND:

The City of West Covina's campaign finance regulations are codified in Article VIII (Campaign Contributions) of Chapter 2 (Administration) of the West Covina Municipal Code.

On January 17, 2023, the City Council adopted Ordinance No. 2510 to update and clarify the City's campaign finance regulations, including increasing the maximum contribution amount to \$650 and providing that committees are subject to such limitation.

### DISCUSSION:

Following adoption of the ordinance, staff discovered that the wrong version of the ordinance was inadvertently attached to the agenda report. The adopted version did not have the finalized language for Section 2-402 of the West Covina Municipal Code. The attached proposed ordinance amends Section 2-402 of the Municipal Code as initially intended.

Staff recommends that the City Council introduce Ordinance No. 2513.

### LEGAL REVIEW:

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

**OPTIONS:**

The City Council has the following options:

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

**Prepared by:** David Carmany, City Manager

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**Attachments**

Attachment No. 1 - Ordinance No. 2513

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

ORDINANCE NO. 2513

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING SECTION 2-402 OF ARTICLE VIII OF CHAPTER 2 OF THE WEST COVINA MUNICIPAL CODE RELATING TO CAMPAIGN FINANCE REGULATIONS**

**WHEREAS**, the City of West Covina's campaign finance regulations are codified in Article VIII (Campaign Contributions) of Chapter 2 (Administration) of the West Covina Municipal Code; and

**WHEREAS**, on January 17, 2023, the City Council adopted Ordinance No. 2510 to update and clarify the City's campaign finance regulations, including increasing the maximum contribution amount to \$650 and providing that committees are subject to such limitation; and

**WHEREAS**, the City Council desires to amend Section 2-402 of Article VIII of Chapter 2 to remove language that was inadvertently included in Ordinance No. 2510; 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 ORDAIN AS FOLLOWS:**

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

**SECTION 2. Amendment to Section 2-402 of Article VIII of Chapter 2.** Section 2-402 (Contributions by Persons) of Article VIII (Campaign Contributions) of Chapter 2 (Administration) of the West Covina Municipal Code is hereby amended to read as follows:

Sec. 2-402. Contributions by persons.

No person shall make, and no candidate or committee shall receive from any person, any contribution in support of or in opposition to any candidate for elective city office in excess of six hundred fifty dollars (\$650.00) in any calendar year. This amount shall automatically be adjusted on January 1 of every odd-numbered year to reflect any increase or decrease in the Consumer Price Index for the prior year utilizing the standard as established by the Bureau of Labor Statistics of the U.S. Department of Labor for all urban consumers in the Los Angeles, Riverside and Orange County areas. This adjustment shall be rounded to the nearest one dollar (\$1.00). This adjustment shall also be published on the city's website, if it exists, and posted at three (3) public places for at least ninety (90) days from its effective date.

**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) (Common Sense Exception).

**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. Certification.** The City Clerk shall certify passage of this ordinance and shall cause the same to be published as required by law.

**SECTION 6. Effective Date.** This ordinance shall take effect and be in force thirty (30) days from and after the date of its passage.

**PASSED, APPROVED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Rosario Diaz  
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. 2513 was introduced at a regular meeting of the City Council held on the 7th day of February, 2023, and adopted at a regular meeting of the City Council held on the \_\_\_\_ day of \_\_\_\_\_, 2023, by the following vote of the City Council:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Lisa Sherrick  
Assistant City Clerk





## AGENDA STAFF REPORT

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City of West Covina | Office of the City Manager

**DATE:** February 7, 2023

**TO:** Mayor and City Council

**FROM:** David Carmany  
City Manager

**SUBJECT: CONSIDERATION OF NOTICE OF COMPLETION AND RATIFICATION OF CONTRACT  
CHANGE ORDERS FOR WALMERADO PARK RESTROOM IMPROVEMENTS PROJECT  
- PROJECT NO. 22026**

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### RECOMMENDATION:

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

1. Ratify change orders to the construction agreement with R Dependable Construction, Inc. for the Walmerado Park Restroom Improvements Project (Project No. 22026) (the "Project"), with a final contract amount of \$289,209.93; and
2. Accept work performed by R Dependable Construction, Inc. for the Project, with a final contract amount of \$289,209.93; and
3. Authorize the recordation of Notice of Completion with the Los Angeles County Recorder and the release of retention funds 35 days thereafter.

### BACKGROUND:

On June 7, 2022, the City Council authorized award of a contract to R Dependable Construction, Inc. in the amount of \$248,000.00 for the Walmerado Park Restroom Improvements Project (Project No. 22026). The project included upgrades and improvements for men and women's restrooms at the Walmerado Park. The improvements included electrical and plumbing upgrades, installation of restroom accessories including water closet, urinal, hand dryer, tissue dispenser, and other related fixtures were replaced at both men's and women's restrooms.

The City Council also authorized the City Manager to approve change orders in an amount not to exceed \$24,800.00 (10% of awarded contract) for unanticipated project costs. The total established construction budget was \$272,800.00.

### DISCUSSION:

During construction, it was deemed necessary to modify the proposed work to replace the damaged exterior concrete slab (CCO 11), restrooms roofing fascia (CCO 09), and galvanized furring (CCO 08) for exterior framing due to structural wear and tear. Furthermore, the existing exterior door openings were not compliant with the ADA requirements (CCO 08), therefore two (2) exterior doors at the restrooms and one (1) chase door were structurally widened due to unforeseen conditions. These improvements were not included on the original plans, but it was deemed necessary to include these improvements as part of this Project. The additional work from the change orders, exceeded the total established construction budget by \$16,409.93. Therefore, staff is recommending approval of additional funds in this amount. This work was completed as part of the project, and staff is requesting Council to ratify the cost for these construction contract change orders as part of this project. See Attachment No. 2 for the contract change orders for this extra work.

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 \$289,209.93, which included the additional construction contract change order work.

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 Demirci PE, CIP Manager

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### Fiscal Impact

#### FISCAL IMPACT:

While the final contract cost was over the original estimate, there were savings in other areas of the project. Overall, the project was completed within the approved budget. Table 1 below summarizes the projects costs.

Table 1. Project Cost Summary

<b>Project No. 22026</b>	<b>Estimate</b>	<b>Actual</b>
Design	21,180	9,925
Base Construction Contract	248,000	248,000
Proposed Construction Contingency (10%)	24,800	41,210
<b>Subtotal Construction Estimate</b>	<b>272,800</b>	<b>289,210</b>
Project Management and Administration Including Preparation of Bid Docs)	22,500	24,857
Construction Management and Inspection	27,280	15,864
<b>Total Project Estimate</b>	<b>343,760</b>	<b>339,855</b>

<b>Total Budget</b>	<b>344,000</b>	<b>344,000</b>
<b>(Over)/Under Budget</b>	<b>240</b>	<b>4,145</b>

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### **Attachments**

Attachment No. 1 - Notice of Completion

Attachment No. 2 - Change Orders

**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: Walmerado Park Restroom Improvements Project – Project No. 22026.
3. Location of Public Work of Improvement. The public work of improvement is located at Walmerado Park in the City of West Covina, 625 E. Merced Ave., West Covina, CA 91790.
4. Award of Contract; Contractor. On June 7, 2022, the City awarded a contract to construct the public work of improvement to R Dependable Construction, Inc., 1019 W. 3rd Ave., Suite B, San Bernardino, CA 92410.
5. Date of Completion. The public work of improvement was completed to the satisfaction of the City Engineer on: January 12, 2023.
6. Date of Acceptance. The City Council accepted the public work of improvement on February 7, 2023.

\_\_\_\_\_  
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

# ATTACHMENT NO. 2

CITY CONTRACT CHANGE ORDER AUTHORIZATION		
PROJECT: City of West Covina, Walmerado Park Restroom Improvements	CITY PROJECT ID NO.: 22026	
	REF CCO REQUEST NO.:	08
CONTRACTOR: R Dependable Const Inc	APPROVED CCO NO.:	08

AUTHORIZATION TO PROCEED WITH THE FOLLOWING CHANGE ORDER:				
Description	Quantity	Unit	Unit Price	Total
CCO 08 USING METAL STUDS IN LIEU OF WOOD AT EXTERIOR FRAMING	1.00	LS	\$2,570.40	\$2,570.40

Base Contract Amount	\$248,000.00
Previously Authorized Contract Change Orders:	\$24,793.20
Authorized Amount For This Contract Change Order	\$2,570.40
<b>Total Authorized Contract Amount To Date (Sum of The Above):</b>	<b>\$275,363.60</b>
Total Contract Days (Working) Per Contract :	40
Additional/Deductive Days (Working) Per Previously Authorized Contract Change Orders (NA):	0
Additional/Deductive Days (Working) For This Contract Change Order	0
Total Authorized Contract Days (Working) To Date (FOR CHANGE ORDERS):	40
Original Completion Date:	9/30/2022
Revised Completion Date Including This Contract Change Order	9/30/2022

APPROVAL BY CITY			
Recommended by:		Approved by:	
Name:	Keith Wyatt	Name:	
Signature:		Signature:	
Title:	Project Manager	Title:	
Date:		Date:	

ACCEPTANCE BY CONTRACTOR	
I agree to perform the work described in this change order, and that the total cost approved for the change order includes any and all costs associated with this change order, and that I shall not make any other claims (including but not limited to, additional change order costs, delay costs, loss of profit, loss of productivity, overhead, insurance, bonding, administrative, etc.) against the City for this change order.	Name:
	Signature:
	Title:
	Date:



DEPENDABLE CONST INC  
1019 W 3RD ST  
SAN BERNARDINO, CA 92410  
T:909-381-2310  
F:909-888-5234  
Lic # 944088

# CHANGE ORDER

Date

8/16/2022

Name / Address

City of West Covina,  
1444 W. Garvey Ave. S. 215,  
West Covina, Ca, 91790

Estimate #

3910

Description	Total
Change Order #6 - Galvanized Furr Wall	
Total Material Cost for Galvanized Furring Every 16" O.C. at Exterior Walls - Includes Material Mark-Up (5%)	2,520.00
Total Labor Cost to Install Galvanized Furring - No Charge	0.00
Insurances & Bonds (2%)	50.40
LIC # 944088 DIR # 1000002054	<b>Total</b> \$2,570.40

CITY CONTRACT CHANGE ORDER AUTHORIZATION		
PROJECT: City of West Covina, Walmerado Park Restroom Improvements	CITY PROJECT ID NO.: 22026	
	REF CCO REQUEST NO.:	09
CONTRACTOR: R Dependable Const Inc	APPROVED CCO NO.:	09

AUTHORIZATION TO PROCEED WITH THE FOLLOWING CHANGE ORDER:				
Description	Quantity	Unit	Unit Price	Total
CCO 09 REMOVE AND REPLACE DRY ROT FACIA BOARD	1.00	LS	\$4,287.30	\$4,287.30

Base Contract Amount	\$248,000.00
Previously Authorized Contract Change Orders:	\$27,363.60
Authorized Amount For This Contract Change Order	\$4,287.30
<b>Total Authorized Contract Amount To Date (Sum of The Above):</b>	<b>\$279,650.90</b>
Total Contract Days (Working) Per Contract :	40
Additional/Deductive Days (Working) Per Previously Authorized Contract Change Orders (NA):	0
Additional/Deductive Days (Working) For This Contract Change Order	0
Total Authorized Contract Days (Working) To Date (FOR CHANGE ORDERS):	40
Original Completion Date:	9/30/2022
Revised Completion Date Including This Contract Change Order	9/30/2022

APPROVAL BY CITY			
Recommended by:		Approved by:	
Name:	Keith Wyatt	Name:	
Signature:		Signature:	
Title:	Project Manager	Title:	
Date:		Date:	

ACCEPTANCE BY CONTRACTOR	
I agree to perform the work described in this change order, and that the total cost approved for the change order includes any and all costs associated with this change order, and that I shall not make any other claims (including but not limited to, additional change order costs, delay costs, loss of profit, loss of productivity, overhead, insurance, bonding, administrative, etc.) against the City for this change order.	Name:
	Signature:
	Title:
	Date:



DEPENDABLE CONST INC  
1019 W 3RD ST  
SAN BERNARDINO, CA 92410  
T:909-381-2310  
F:909-888-5234  
Lic # 944088

# CHANGE ORDER

Date

8/23/2022

Name / Address

City of West Covina,  
1444 W. Garvey Ave. S. 215,  
West Covina, Ca, 91790

Estimate #

3914

Description	Total
Change Order #8A - Fascia Replacement with Kind Lumber	
Total Material Cost to Furnish 2x8x20 Rough Sawn Fascia Board - Approx. 11 Pieces - Includes Material Mark-Up (5%)	525.00
Total Labor to Demo Existing Fascia & Install New Fascia Board - 40 Hours @ \$76.63 / Hr - Includes Labor Overhead & Mark-Up (20%)	3,678.24
Insurances & Bond (2%)	84.06
LIC # 944088 DIR # 1000002054	<b>Total</b> \$4,287.30



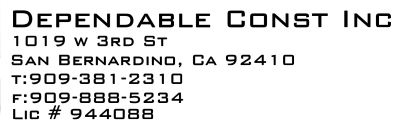
CITY CONTRACT CHANGE ORDER AUTHORIZATION		
PROJECT: City of West Covina, Walmerado Park Restroom Improvements	CITY PROJECT ID NO.: 22026	
	REF CCO REQUEST NO.:	10
CONTRACTOR: R Dependable Const Inc	APPROVED CCO NO.:	10

AUTHORIZATION TO PROCEED WITH THE FOLLOWING CHANGE ORDER:				
Description	Quantity	Unit	Unit Price	Total
CCO 010 ENLARGE THE OPENING AND INSTALL A NEW FRAME AND DOOR AT THE MECHANICAL CHASE	1.00	LS	\$2,974.38	\$2,974.38

Base Contract Amount	\$248,000.00
Previously Authorized Contract Change Orders:	\$31,650.90
Authorized Amount For This Contract Change Order	\$2,974.38
<b>Total Authorized Contract Amount To Date (Sum of The Above):</b>	<b>\$282,625.28</b>
Total Contract Days (Working) Per Contract :	40
Additional/Deductive Days (Working) Per Previously Authorized Contract Change Orders (NA):	0
Additional/Deductive Days (Working) For This Contract Change Order	0
Total Authorized Contract Days (Working) To Date (FOR CHANGE ORDERS):	40
Original Completion Date:	9/30/2022
Revised Completion Date Including This Contract Change Order	9/30/2022

APPROVAL BY CITY			
Recommended by:		Approved by:	
Name:	Keith Wyatt	Name:	
Signature:		Signature:	
Title:	Project Manager	Title:	
Date:		Date:	

ACCEPTANCE BY CONTRACTOR	
I agree to perform the work described in this change order, and that the total cost approved for the change order includes any and all costs associated with this change order, and that I shall not make any other claims (including but not limited to, additional change order costs, delay costs, loss of profit, loss of productivity, overhead, insurance, bonding, administrative, etc.) against the City for this change order.	Name:
	Signature:
	Title:
	Date:



## Date

8/23/2022

Name / Address

City of West Covina,  
1444 W. Garvey Ave. S. 215,  
West Covina, Ca, 91790

Estimate #

3915

Description	Total
Change Order #09 - Enlarge Chase Door Opening	
Total Labor to Sawcut into Existing Masonry Wall to Create a New 24" W Opening - 35 Hours @ \$69.43 / Hr - Includes Labor Overhead & Mark-Up (20%)	2,916.06
Insurances & Bond (2%)	58.32
LIC # 944088 DIR # 1000002054	<b>Total</b> \$2,974.38

CITY CONTRACT CHANGE ORDER AUTHORIZATION		
PROJECT: City of West Covina, Walmerado Park Restroom Improvements	CITY PROJECT ID NO.: 22026	
	REF CCO REQUEST NO.:	11
CONTRACTOR: R Dependable Const Inc	APPROVED CCO NO.:	11

AUTHORIZATION TO PROCEED WITH THE FOLLOWING CHANGE ORDER:				
Description	Quantity	Unit	Unit Price	Total
CCO 11 REMOVE AND REPLACE CRACKED AND DAMAGED EXISITNG CONCRETE ADJACENT TO ADA RAMP	1.00	LS	\$6,584.65	\$6,584.65

Base Contract Amount	\$248,000.00
Previously Authorized Contract Change Orders:	\$34,625.28
Authorized Amount For This Contract Change Order	\$6,584.65
<b>Total Authorized Contract Amount To Date (Sum of The Above):</b>	<b>\$289,209.93</b>
Total Contract Days (Working) Per Contract :	40
Additional/Deductive Days (Working) Per Previously Authorized Contract Change Orders (NA):	0
Additional/Deductive Days (Working) For This Contract Change Order	0
Total Authorized Contract Days (Working) To Date (FOR CHANGE ORDERS):	40
Original Completion Date:	9/30/2022
Revised Completion Date Including This Contract Change Order	9/30/2022

APPROVAL BY CITY			
Recommended by:		Approved by:	
Name:	Keith Wyatt	Name:	
Signature:		Signature:	
Title:	Project Manager	Title:	
Date:		Date:	

ACCEPTANCE BY CONTRACTOR	
I agree to perform the work described in this change order, and that the total cost approved for the change order includes any and all costs associated with this change order, and that I shall not make any other claims (including but not limited to, additional change order costs, delay costs, loss of profit, loss of productivity, overhead, insurance, bonding, administrative, etc.) against the City for this change order.	Name:
	Signature:
	Title:
	Date:



DEPENDABLE CONST INC  
1019 W 3RD ST  
SAN BERNARDINO, CA 92410  
T:909-381-2310  
F:909-888-5234  
Lic # 944088

# CHANGE ORDER

Date

8/23/2022

Name / Address

City of West Covina,  
1444 W. Garvey Ave. S. 215,  
West Covina, Ca, 91790

Estimate #

3916

## Description

CO #10 - Additional Concrete Work, as Approved Prior by City of West Covina.

Total Labor to Demolish Existing Cracked Concrete

- 16 Hours @ \$69.43 / Hr
- Includes Material Mark-Up (20%)

Total Labor Cost to Form & Re-Pour New Concrete Approach (6" - 8" Thick)

- 40 Hours @ \$72.24 / Hr
- Includes Material Mark-Up (20%)

Total Cost to Furnish New Concrete

- Includes Material Mark-Up (5%)

Insurances & Bond (2%)

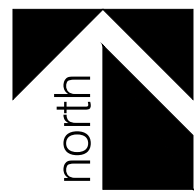
Please Note:

- 2/3rds of Work Highlighted on Attached Sheet AS-0 is Not Part of Base Bid
- Proper Disposal of All Construction Debris is Included In Total Price

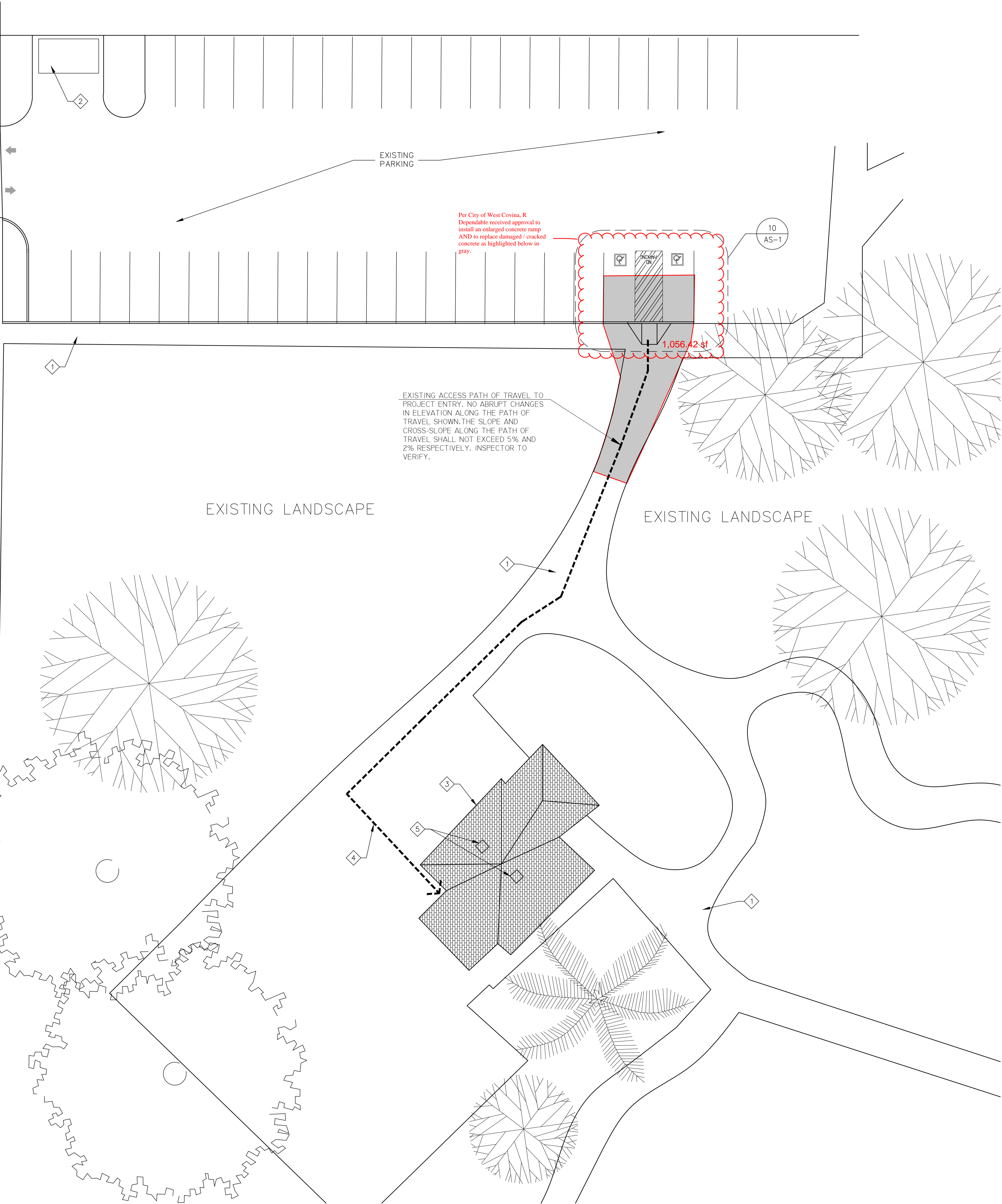
LIC # 944088  
DIR # 1000002054

**Total**

\$6,584.65



S WALNUT AVE



- 1 EXISTING CONCRETE PATH.
- 2 EXISTING TRASH ENCLOSURE TO REMAIN.
- 3 LINE OF THE ROOF.
- 4 LINE OF FOOTPRINT OF THE BUILDING
- 5 EXISTING SKYLIGHT.

KEYNOTES	SCALE	1
	N.T.S.	

NO CHANGES TO EXISTING LANDSCAPE AREA

LANDSCAPE CALCULATION	SCALE	3
	N.T.S.	

NO CHANGES TO THE EXISTING NUMBER OF PARKING

EXISTING ENLARGED SITE PLAN

PARKING CALCULATION	SCALE	4
	N.T.S.	

Hootan & Associates  
**HOOTAN DESIGN STUDIO**

Building PlanningInterior Design  
W W • H o o t a n I n c • c o m  
P : 9 4 9 - 6 4 5 - 3 3 4 3



LET'S STAY CONNECTED  
f t i n s u

**WALMERADO PARK RESTROOM  
Upgrade/Improvement**  
1150 S. WALNUT AVE  
WEST COVINA, CA 91790

Bid Date: 01-10-2022

Revisions

- 65% PROGRESS SET
- CLIENT REVISION
- 
-

Project No.: 22-A104

Sheet Title:  
SITE PLAN



## AGENDA STAFF REPORT

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City of West Covina | Office of the City Manager

**DATE:** February 7, 2023

**TO:** Mayor and City Council

**FROM:** David Carmany  
City Manager

**SUBJECT: CONSIDERATION OF RESOLUTION NO. 2023-6 APPROVING THE CALPERS  
EXCEPTION TO THE 180-DAY WAIT PERIOD**

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### RECOMMENDATION:

Staff recommends that the City Council adopt the following resolution:

**RESOLUTION NO. 2023-6 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, MAKING THE REQUIRED CERTIFICATIONS AND APPROVING THE APPOINTMENT OF JUDY TURNER AS A PART-TIME RETIRED ANNUITANT PUBLIC SAFETY DISPATCHER IN ACCORDANCE WITH GOVERNMENT CODE SECTIONS 7522.56 AND 21224**

### BACKGROUND:

Dispatch is the primary public safety answer point for all 911 emergency calls to the West Covina Police Department and West Covina Fire Department. The dispatchers employed by the City of West Covina are a critical link between residents and emergency response personnel throughout the entire City. Dispatch is operational 24/7 and responds to a variety of calls for service 7 days a week, 365 days a year.

The West Covina Police Department Dispatch Center is currently experiencing staffing shortages, with four vacancies. The Department has been actively recruiting to fill these vacancies; however, staff does not anticipate being able to fill these positions for months. Ms. Judy Turner, Senior Communications Operator, retired from the City with a CalPERS retirement effective date of December 25, 2022. Ms. Turner has graciously agreed to help by returning to work as a part-time Retired Annuitant. She would provide dispatching services such as receiving emergency and non-emergency calls, dispatching personnel and equipment for law enforcement, firefighters, and emergency medical service personnel utilizing a computer-aided dispatch system, maintaining records relative to the communications operation, and perform various other support duties as required. This will allow other dispatch staff to focus on their day-to-day duties, and also help ensure a smooth transition for Ms. Turner's successor.

Staff is seeking City Council certification that the nature of Ms. Turner's employment and the appointment is necessary to fill a critically needed position in accordance with Government Code section 7522.56.

### DISCUSSION:

Pursuant to Section 7522.56(b) of the Government Code, "[a] retired person shall not serve, be employed by, or be employed through a contract directly by, a public employer in the same public retirement system from which the retiree receives the benefit without reinstatement from retirement, except as permitted by this section." Section 7522.56(c) of the Government Code provides the following exception: "[a] person who retires from a public employer may serve without reinstatement from retirement or loss or interruption of benefits provided by the retirement system upon appointment by the appointing power of a public employer either during an emergency to prevent stoppage of public business or because the retired person has skills needed to perform work of limited duration."

Pursuant to Section 7522.56(f)(1) of the Government Code, "A retired person shall not be eligible to be employed pursuant to this section for a period of 180 days following the date of retirement unless ...[t]he employer certifies the nature of the employment and that the appointment is necessary to fill a critically needed position before 180 days have passed and the appointment has been approved by the governing body of the employer in a public meeting. The appointment may not be placed on a consent calendar."

Pursuant to Government Code section 21224(a), "[a] retired person may serve without reinstatement from retirement or loss or interruption of benefits provided by this system upon appointment by the appointing power of a state agency or public agency employer either during an emergency to prevent stoppage of public business or because the retired person has specialized skills needed in performing work of limited duration."

In this case, Ms. Turner has the specific skills and knowledge required to perform duties related to dispatching services and to support the Police Department's efforts to provide public safety in a timely manner. Ms. Turner also possesses a special skill set and a high level of expertise related to producing dispatch records in response to time sensitive court requests and Public Records Act requests.

As outlined above, the Police Department Dispatch Center is at critical staffing levels with four vacancies. Although the Department has been actively recruiting to fill these vacancies, staff does not anticipate being able to fill these positions for months. The vacancies combined with Ms. Turner's recent retirement creates a critical need to fill the position before 180 days have passed.

#### **LEGAL REVIEW:**

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

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

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#### **Fiscal Impact**

##### **FISCAL IMPACT:**

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

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#### **Attachments**

Attachment No. 1 - Resolution No. 2023-6

**CITY COUNCIL GOALS & OBJECTIVES:** Protect Public Safety

## ATTACHMENT NO. 1

### RESOLUTION NO. 2023-6

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, MAKING THE REQUIRED CERTIFICATIONS AND APPROVING THE APPOINTMENT OF JUDY TURNER AS A PART-TIME RETIRED ANNUITANT PUBLIC SAFETY DISPATCHER IN ACCORDANCE WITH GOVERNMENT CODE SECTIONS 7522.56 AND 21224**

**WHEREAS**, in compliance with Government Code section 7522.56, the City Council of the City of West Covina must provide the California Public Employees Retirement System (CalPERS) this certification resolution when hiring a retiree before 180 have passed since his or her retirement date; and

**WHEREAS**, Judy Turner (SSN XXX-XX-1472) retired from the City of West Covina in the position of Senior Communications Operator, effective December 25, 2022; and

**WHEREAS**, Government Code section 7522.56 requires that post-retirement employment commence no earlier than 180 days after the retirement date, which is June 24, 2023 without this certification resolution; and

**WHEREAS**, Government Code section 7522.56 provides that this exception to the 180-day wait period shall not apply if the retiree accepts any retirement-related incentive; and

**WHEREAS**, the City Council, the City of West Covina and Judy Turner certify that Judy Turner has not and will not receive a Golden Handshake or any other retirement-related incentive; and

**WHEREAS**, the City Council of the City of West Covina hereby approves the appointment of Judy Turner as an extra help retired annuitant to perform the duties of Public Safety Dispatcher for the City of West Covina under Government Code section 21224, effective February 18, 2023; and

**WHEREAS**, the form of the appointment document between Judy Turner and the City of West Covina is attached hereto as Exhibit A and has been reviewed and approved by the City Council; and

**WHEREAS**, no matters, issues, terms or conditions related to this employment and appointment have been or will be placed on the consent calendar; and

**WHEREAS**, the employment shall be limited to 960 hours per fiscal year for all CalPERS employers; and



**WHEREAS**, the compensation paid to retirees cannot be less than the minimum nor exceed the monthly maximum base salary paid to other employees performing comparable duties, divided by 173.333 to equal the hourly rate; and

**WHEREAS**, the maximum base salary for this position is \$5,883 and the hourly equivalent is \$33.94, and the minimum base salary for this position is \$4,841 and the hourly equivalent is \$27.93; and

**WHEREAS**, the hourly rate paid to Judy Turner will be \$33.94; and

**WHEREAS**, Judy Turner has not and will not receive any other benefit, incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate.

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

**SECTION 1.** The City Council hereby certifies the nature of the appointment of Judy Turner as described herein and that this appointment is necessary to fill the critically needed position of Public Safety Dispatcher for the City of West Covina by February 18, 2023 to perform critically needed dispatch-related functions and other duties as needed.

**SECTION 2.** The City Council hereby certifies that Judy Turner has specialized skills needed to perform these duties, and the duties cannot be performed by current staff, as described in more detail in the staff report accompanying this resolution.

**SECTION 3.** The City Council hereby approves the appointment and authorizes the City Manager to appoint Judy Turner to provide services to the City of West Covina as a Public Safety Dispatcher, subject to the following terms: Judy Turner shall be limited to working no more than 960 hours per fiscal year; the City shall pay Judy Turner at a rate of \$33.94 per hour; and Judy Turner shall not receive any compensation in addition to this hourly rate.

**SECTION 4.** 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 7th day of February, 2023.

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Rosario Diaz  
Mayor

**APPROVED AS TO FORM**

**ATTEST**

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Thomas P. Duarte  
City Attorney

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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. 2023-6 was duly adopted by the City Council of the City of West Covina, California, at a regular meeting thereof held on the 7th day of February, 2023, by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Lisa Sherrick  
Assistant City Clerk

**EXHIBIT A**

**FORM OF APPOINTMENT DOCUMENT**



# CITY OF WEST COVINA PERSONNEL ACTION FORM

Date \_\_\_\_\_ EEOC Code \_\_\_\_\_  
Employee \_\_\_\_\_ Social Security # \_\_\_\_\_  
(Required for new hires only)  
Classification \_\_\_\_\_ Dept. Name \_\_\_\_\_

## Type of Action (Indicate One):

1. ☐ **APPOINTMENT**

Labor Acct # \_\_\_\_\_

Effective Date \_\_\_\_\_

Type \_\_\_\_\_ Salary \$ \_\_\_\_\_ Range \_\_\_\_\_ Step \_\_\_\_\_  
(regular, limited service, provisional, temporary, direct appointment, elected)  
Name of employee replaced (if applicable) \_\_\_\_\_

2. ☐ **SEPARATION**

Effective Date \_\_\_\_\_

Resignation ☐ Retirement ☐ Termination (see disciplinary action) ☐

Other ☐ Explain \_\_\_\_\_

Rehire Recommended Yes ☐ No ☐

3. ☐ **RECLASSIFICATION**

☐ **TRANSFER**

Effective Date \_\_\_\_\_

From: \_\_\_\_\_ Salary \$ \_\_\_\_\_ Range \_\_\_\_\_ Step \_\_\_\_\_

To: \_\_\_\_\_ Salary \$ \_\_\_\_\_ Range \_\_\_\_\_ Step \_\_\_\_\_

Reason \_\_\_\_\_

Labor Acct Change \_\_\_\_\_ From \_\_\_\_\_ To \_\_\_\_\_  
(if applicable)

4. ☐ **SALARY CHANGE** ☐ MERIT ☐ OTHER

Salary Anniversary/Effective Date \_\_\_\_\_

Effective payperiod beginning (per MOU) \_\_\_\_\_

Approved ☐ Disapproved ☐

From: Salary \$ \_\_\_\_\_ Range \_\_\_\_\_ Step \_\_\_\_\_

To: Salary \$ \_\_\_\_\_ Range \_\_\_\_\_ Step \_\_\_\_\_

Reason \_\_\_\_\_

5. ☐ **LEAVE OF ABSENCE**

Without Pay ☐ With Pay ☐

Beginning \_\_\_\_\_ Ending \_\_\_\_\_

Type: FMLA ☐ Military ☐ Other ☐

(please attach appropriate leave request form or memo with approval)

6. ☐ **DISCIPLINARY ACTION**

Effective Date(s) \_\_\_\_\_

Suspension ☐ Reduction in Pay ☐ Reprimand ☐ Demotion ☐ Dismissal ☐

Reason \_\_\_\_\_

Special Remarks \_\_\_\_\_  
\_\_\_\_\_

Supervisor \_\_\_\_\_ Human Resources Director \_\_\_\_\_

Dept Head \_\_\_\_\_ City Manager \_\_\_\_\_

Distribution: Human Resources, Department, Employee, Payroll \_\_\_\_\_, Risk Management