

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

APRIL 4, 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. 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 APRIL 4, 2023, 7:00 PM
REGULAR MEETING**

INVOCATION

Led by Pastor Mason Okubo from Immanuel First Lutheran Church

PLEDGE OF ALLEGIANCE

Led by Councilman Wu

ROLL CALL

REPORTING OUT FROM CLOSED SESSION

PRESENTATIONS

- Proclamation For One Legacy and Declaring April Donate Life Month
- Proclamation Declaring Public Safety Telecommunication Week - April 9, 2023 - April 15, 2023

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 MARCH 21, 2023, CITY COUNCIL/SUCCESSOR AGENCY CLOSED SESSION MEETING MINUTES AND THE MARCH 21, 2023, CITY COUNCIL/SUCCESSOR AGENCY REGULAR SESSION MEETING MINUTES.**

It is recommended that the City Council approve the March 21, 2023, Closed Session Meeting Minutes and the March 21, 2023, Regular Session Meeting Minutes.

COMMUNITY DEVELOPMENT**2) CONSIDERATION OF THE GENERAL PLAN ANNUAL REPORT FOR 2022**

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

FINANCE DEPARTMENT**3) CONSIDERATION OF LONG-RANGE FINANCIAL FORECAST FOR FISCAL YEARS ENDING 2024-2028**

It is recommended that City Council receive and file the Long-Range Financial Forecast for fiscal years ending 2024-2028.

FIRE DEPARTMENT**4) CONSIDERATION OF AN AGREEMENT BETWEEN RANCHO SANTIAGO COMMUNITY COLLEGE AND THE CITY OF WEST COVINA**

It is recommended that the City Council:

1. Ratify the Inter-Agency Instructional Services Agreement between the City and Rancho Santiago Community College District (Santa Ana College) for Fire Department training costs.
2. Authorize the City Manager to execute future amendments to the Agreement.

PUBLIC SERVICES**5) CONSIDERATION OF EXTENSION TO THE AGREEMENT WITH LOS ANGELES CENTERS FOR ALCOHOL AND DRUG ABUSE (LA CADA) HOMELESS SERVICES**

It is recommended that the City Council:

1. Approve a one-year extension to the agreement with the Los Angeles Centers for Alcohol and Drug Abuse (LA CADA).
2. Authorize the City Manager to negotiate and execute any necessary documents, including an amendment to the agreement with LA CADA, in such final form as approved by the City Attorney, to carry out the City Council's direction.

END OF CONSENT CALENDAR**HEARINGS****PUBLIC HEARINGS****6) CONSIDERATION OF AN EXTENSION OF AN INTERIM URGENCY ORDINANCE ESTABLISHING A MORATORIUM ON NEW DRIVE-THROUGH FOOD ESTABLISHMENTS CITYWIDE**

It is recommended that the City Council conduct a public hearing and then consider adoption of the following ordinance by a 4/5 vote:

URGENCY ORDINANCE NO. 2514 - AN EXTENSION OF URGENCY ORDINANCE NO. 2512, AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF WEST COVINA, CALIFORNIA, ENACTED PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65858 ESTABLISHING A 45-DAY TEMPORARY MORATORIUM ON THE REVIEW AND APPROVAL OF DRIVE-THROUGH RESTAURANTS/FOOD ESTABLISHMENTS WITHIN CITY LIMITS DURING THE PENDENCY OF THE CITY'S REVIEW AND ADOPTION OF PERMANENT ZONING REGULATIONS AND OBJECTIVE STANDARDS FOR SUCH USES AND DECLARING URGENCY THEREOF, FOR A PERIOD OF 10 MONTHS AND 15 DAYS, AND FINDING THE ORDINANCE IS EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15061(B)(3)

MAYOR/COUNCILMEMBERS REPORTS

AB 1234 Conference and Meeting Report (verbal, if any)

(In accordance with AB 1234, Councilmembers shall make a brief report or file a written report on any meeting/event/conference attended at City expense.)

CITY COUNCIL REQUESTS FOR REPORTS, STUDIES OR INVESTIGATION

(Per City of West Covina Standing Rules 4.f - Requests for reports, studies, or investigations that are not readily available must be placed on the City Council/Successor Agency agenda as items of business and must be approved by a majority of the City Council/Successor Agency Board.)

CITY COUNCIL COMMENTS

ADJOURNMENT

Next Tentative City Council Meeting

Regular Meeting

April 4, 2023

7:00 PM

RULES OF DECORUM

The following are excerpts from the West Covina Municipal Code:

Sec. 2-48. Manner of addressing council; time limit; persons addressing may be sworn.

- a. Each person addressing the council shall step up to the rostrum, shall give his or her name and city of residence in an audible tone of voice for the record and unless further time is granted by the council, shall limit his or her address to five (5) minutes.
- b. The city council may establish a limit on the duration of oral communications.
- c. All remarks shall be addressed to the council as a body and not to any member thereof. No person, other than the council and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the council, without the permission of the presiding officer. No question shall be asked of a councilmember except through the presiding officer.
- d. The presiding officer may require any person to be sworn as a witness before addressing the council on any subject. Any such person who, having taken an oath that he or she will testify truthfully, willfully and contrary to such oath states as true any material matter which he knows to be false may be held to answer criminally and subject to the penalty prescribed for perjury by the provisions of the Penal Code of the state.

Sec. 2-50. Decorum--Required.

- a. While the council is in session, the members shall preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or disrupt the proceedings or the peace of the council nor interrupt any member while speaking or refuse to obey the orders of the council or its presiding officer, except as otherwise herein provided.

- b. Members of the public shall not willfully disrupt the meeting or act in a manner that actually impairs the orderly conduct of the meeting. For the purposes of this code, "willfully disrupt" includes, but is not limited to, continuing to do any of the following after being warned by the Mayor that continuing to do so will be a violation of the law:
 - a. Addressing the Mayor and City Council without first being recognized.
 - b. Persisting in addressing a subject or subjects, other than that before the Mayor and City Council.
 - c. Repetitiously addressing the same subject.
 - d. Failing to relinquish the podium when directed to do so.
 - e. From the audience, interrupting or attempting to interrupt, a speaker, the Mayor, a council member, or a staff member or shouting or attempting to shout over a speaker, the Mayor, a council member or a staff member.
 - f. As a speaker, interrupting or attempting to interrupt the Mayor, a council member, or a staff member, or shouting over or attempting to shout over the Mayor, a council member, or a staff member. Nothing in this section or any rules of the council shall be construed to prohibit public criticism of the policies, procedures, programs, or services of the City or of the acts or omissions of the City Council. It shall be unlawful to violate the provisions of this Section.

If any subsection, sentence, clause, or phrase or word of this Section 2-50 is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Section. The City Council hereby declares that it would have passed this section and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses, phrases or words had been declared invalid or unconstitutional.

Sec. 2-52. Persons authorized to be within council area.

No person, except city officials, their representatives and members of the news media shall be permitted within the rail in front of the council chamber without the express consent of the council.

The following are excerpts from the Penal Code

148(a) (1) Every Person who willfully resists, delays, or obstructs any public officer, peace officer, or an emergency medical technician, as defined in Division 2.5 (commencing with Section 1797) of the Health and Safety code, in the discharge or attempt to discharge any duty of his or her office or employment, when no other punishment is prescribed, shall be punished by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment in a county jail not to exceed one year, or by both that fine and imprisonment.

403 Every person who, without authority of law, willfully disturbs or breaks up any assembly or meeting that is not unlawful in its character, other than an assembly or meeting referred to in Section 303 of the Penal Code or Section 18340 of the Elections Code, is guilty of a misdemeanor.



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 04/04/2023

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: CONSIDERATION OF APPROVAL OF THE MARCH 21, 2023, CITY COUNCIL/SUCCESSOR AGENCY CLOSED SESSION MEETING MINUTES AND THE MARCH 21, 2023, CITY COUNCIL/SUCCESSOR AGENCY REGULAR SESSION MEETING MINUTES.

RECOMMENDATION:

It is recommended that the City Council approve the March 21, 2023, Closed Session Meeting Minutes and the March 21, 2023, Regular Session Meeting Minutes.

DISCUSSION:

That the City Council adopt the attached minutes.

Prepared by: Lisa Sherrick; Assistant City Clerk

Attachments

Attachment No. 1 - 3/21/2023 Closed Session Minutes Draft

Attachment No. 2 - 3/21/2023 Regular Session Minutes Draft

CITY COUNCIL GOALS & OBJECTIVES: Enhance City Image and Effectiveness



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 04/04/2023

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: CONSIDERATION OF THE GENERAL PLAN ANNUAL REPORT FOR 2022

RECOMMENDATION:

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

BACKGROUND:

A General Plan is each local government's blueprint for meeting the community's long-term vision for the future. Pursuant to state law, each California city is required to have an adopted General Plan comprised of seven required elements. The required elements are: Land Use, Circulation, Housing, Conservation, Open Space, Noise, and Safety. On December 20, 2016, the City Council adopted an updated General Plan and certified the Environmental Impact Report (EIR). Included with its adoption was an implementation program (policies and actions) to guide future decision-making on development, resource management, public safety, public services, and general community well-being.

Per California Government Code Sections 65400 and 65700, all municipalities are required to provide the Governor's Office of Planning & Research (OPR) and the Department of Housing and Community Development (HCD) with separate General Plan and Housing Element annual progress reports every April. The General Plan annual progress report submitted to OPR outlines the status of the City's General Plan and progress in its implementation over the previous year's 12-month reporting period.

The Housing Element is the only element that has a statutory requirement to be updated periodically. While the General Plan Update is typically managed by the Planning Division, the required elements also include policies for other Divisions/Departments, including Engineering (Circulation), Community Services (Open Space), Community and Economic Development (Housing), Fire, Police and Public Services (Safety).

California Government Code section 65400 also requires an annual report be given to the legislative body regarding the status of implementing the goals of the General Plan. This report also covers the efforts made during the last year in implementing the programs of the Housing Element as well as actual building permit activity. The last Annual Report was reviewed by the City Council on April 5, 2022, reviewing the policies and actions taken in 2021. The current Annual Report provides information on policies and actions for 2022. This report will allow the City Council and community to evaluate General Plan policies and actions, as well as provide information on the Housing Element

during the 2021-2029 period (6th cycle). The City is currently updating the Housing Element for the current cycle.

DISCUSSION:

In the "Our Well Planned Community" chapter of the West Covina General Plan, estimates are provided for the amount of development in the City over the 20-year horizon of the General Plan. Projected growth is divided geographically with the majority being in the Downtown district. In addition to the Downtown, the General Plan also identifies other areas in the City where growth can be accommodated. These areas are divided into three categories; districts, corridors, and neighborhood centers. Downtown is included in the Districts category. The Development Chart is included as Attachment No. 1. The chart also includes the forecasted development identified in the General Plan and the cumulative number of units and/or square footage constructed in 2022. Units and square footage constructed are reported based on the issuance of building permits, rather than certificates of occupancy to be consistent with the Housing Element reporting. This allows staff to reliably and regularly track actual development against the amount of development that was studied in the Program Environmental Impact Report (EIR) and in the General Plan.

During 2022, no building permits were finalized for new buildings in the specified areas (Auto Plaza, BKK Districts, and the following corridors: South Glendora). Building permits were issued for the following locations, but the construction is not yet complete:

Specified Areas	Square Footage/Residential Units	Project	Address
Downtown	32 new residential units (permits issued for 32 out of 84 units)	West Cameron II (Meritage)	1600-1616 W. Cameron Avenue
North Azusa	108 new residential units (permits issued for 108 of 158 units)	Asteria (Lennar)	1651 E. Rowland Avenue
Sunset	New 58,868 square foot medical office building and new 58,901 square foot emergency department and intensive care unit (permits for emergency department and intensive care unit issued by the Office of Statewide Health Planning and Development)	Queen of the Valley Hospital (Emanate)	1115 S. Sunset Avenue

In addition, the City has issued building permits for the following locations outside the specified areas:

Square footage/Residential Units	Project	Address
New 5,001 square foot fast-food restaurant with drive-through	Chick Fil A	3041 E. Garvey Avenue North
110 new residential units (permits issued for 110 of 119 residential units)	Vincent Place (Meritage)	1024 W. Workman Avenue

GENERAL PLAN POLICIES AND STATUS

Through this reporting process, the Planning Division provides annual updates on the progress of the

City in meeting the goals, policies, and actions identified in the General Plan (including the Housing Element). Staff updated the chart (Attachment No. 2) listing the goals, policies, and actions of the General Plan, as well as their current status. Below is the index for the items:

Ongoing - are actions with no definitive end date

In Progress - have been initiated but not yet completed

Completed - have been implemented

Not Initiated - have not been started

The General Plan and Housing Element include a menu of goals and objectives allowing the City to evaluate and select actions to focus on in the near future. To allow the General Plan to stay a valuable tool for staff and the community, goals and objectives should be modified from time to time so that the menu continues to be relevant.

HOUSING ELEMENT

The Housing Element is one of the seven (7) required elements of a General Plan. It is unique in that it is the only element that is required to be updated at regular intervals and is required to be certified by the California Department of Housing and Community Development (HCD). The Housing Element was adopted by the City Council in 2022. The City is currently working with HCD in obtaining certification of the Housing Element for the 6th cycle.

One of the most important aspects of the Housing Element is the requirement to plan for growth for the number and type of housing units required by the Regional Housing Needs Assessment (RHNA). The State determines the number of housing units needed in the State, then divides that total number up among regions. The Southern California region is addressed through the Southern California Association of Governments (SCAG). The number of units assigned to West Covina for the 6th cycle was 5,346 housing units across all income categories (very low income = 1,653, low income = 850, moderate income = 865 and above moderate income = 1,978). The requirement of the City is to provide information that the zoning in the City allows for at least that many housing units be constructed. This information is provided in the adopted Housing Element and is part of the evaluation of HCD prior to certifying a Housing Element. Note that the Annual Progress Report Numbers are based on the calendar year, but RHNA cycles are not. The HCD Annual Progress Report form assigns all of 2022 to the 6th cycle.

Staff has completed the required HCD forms to report on the new housing construction activity and the progress on the programs included in the Housing Element. This Housing Element term is from 2021 to 2029. This information is provided in Attachment No. 3. In 2022, building permits were issued for 331 new housing units (111 new single-family houses, 137 accessory dwelling units, and 83 multiple family residential units). This increases the number of units issued permits in this term to 365 units. Although permits for all approved residential units (400 total units) have not yet been obtained, the housing units approved for the West Cameron II, Vincent Place Specific Plan, Walnut Grove Specific Plan (Asteria), and the Grove at Merced projects will count towards this cycle RHNA. Staff is counting approximately 10-15% of the approved multiple family residential units from these projects towards the non-deed restricted moderate income category due to the required Homeownership Assistance Program. In addition, approximately 60% of accessory dwelling units are counted towards the very low and moderate income categories as allowed by the SCAG Regional Accessory Dwelling Unit Affordability Analysis.

CONCLUSION

This report covers the implementation of the goals of the General Plan for 2022, as well as development progress made within the adopted Housing Element.

LEGAL REVIEW:

The City Attorney's Office has reviewed this report.

Prepared by: Jo-Anne Burns, Planning Manager

Fiscal Impact**FISCAL IMPACT:**

This agenda item is to receive and file, therefore; there is no fiscal impact associated with this action.

Attachments

Attachment No. 1 - Development Chart

Attachment No. 2 - Policy Chart

Attachment No. 3 - Housing Element Annual Progress Report

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



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 04/04/2023

TO: Mayor and City Council

FROM: David Carmany
City Manager

**SUBJECT: CONSIDERATION OF LONG-RANGE FINANCIAL FORECAST FOR FISCAL YEARS
ENDING 2024-2028**

RECOMMENDATION:

It is recommended that City Council receive and file the Long-Range Financial Forecast for fiscal years ending 2024-2028.

BACKGROUND:

Local government financial condition analysis consists of defining and measuring financial condition, identifying any warning trends, conducting data analysis, and writing a report of analysis. Beyond the annual budget cycle and multi-year capital plan, governments need to identify long-term financial trends. Long-term financial planning involves projecting revenues, expenses, and key factors that have a financial impact on the organization. Understanding long-term trends and potential risk factors that may impact overall financial sustainability allows staff to proactively address these issues. A long-term financial planning process allows Council to focus on long-term objectives, encourages strategic thinking, and promotes overall awareness for financial literacy in an organization.

Additionally, the State audit recommended the City prepare financial analyses that evaluate both the short-term and long-term financial implications of significant spending decisions. The City's action in regard to this finding was to use a multi-year forecast to quantify the impact of decisions on the City's financial condition. The City originally developed a multi-year forecast in 2020.

As was contemplated in the City's Financial Recovery Plan, annually staff prepares and updates the forecast to include all projected revenue and expenditures, adding information on new assumptions, unanticipated costs, and cost-saving actions.

DISCUSSION:

The purpose of the forecast update is to provide long-term context for annual decisions that will be made with the FY 2023-2024 Budget and FY 2024-2028 Capital Improvement Plan. This forecast was developed to create a forward-looking, conservative baseline budgetary outlook for the City's General Fund under a given set of revenue and expenditure growth assumptions.

The Long-Range Financial Forecast (Attachment No. 1) is part of the annual budget process. Also included as part of the budget process is a Budget Survey that was made available online from December 2022 through February 2023. A total of 46 responses were received. Attachment No. 2

includes a summary of the survey results.

Table 1. FY2023-24 Budget Calendar

Date, Time	Event	Location
Tuesday, April 18th, 7:00 PM	Proposed Budget Presentation*	City Council Chambers
Wednesday, April 26th, 6:00 PM	Community Workshop	City Council Chambers
Monday, May 1st, 6:00 PM	Community Workshop	Cameron Community Center
Tuesday, May 2nd & 16th, 7:00 PM	Budget Status Update (if necessary)*	City Council Chambers
Tuesday, June 6th, 7:00 PM	Consideration of Budget Adoption*	City Council Chambers
Saturday, July 1st	Start of New Fiscal Year	

*Council Meeting

LEGAL REVIEW:

The City Attorney's Office has reviewed this report.

Prepared by: Stephanie Sikkema, Finance Director

Fiscal Impact

FISCAL IMPACT:

Based on the revenue and expenditure assumptions, the General Fund is anticipated to have positive revenue over expenditures for the forecasted period. This positive excess is modest in FYE 2024 (\$344,000), as a recession is anticipated, but increases in the outer years to over \$5 million in FYE 2028. Additionally, reserves are anticipated to increase over the upcoming years from 26% in FYE 2022 to 36% in FYE 2028.

It is important to reiterate that the forecast does not include any increase in salaries in FYE 2025-2028, since it is outside the contracted period, or increase contributions to OPEB.

Attachments

Attachment No. 1 - Long-Range Financial Forecast FYE 2024-2028

Attachment No. 2 - Budget Survey Results

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



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 04/04/2023

TO: Mayor and City Council

FROM: David Carmany
City Manager

**SUBJECT: CONSIDERATION OF AN AGREEMENT BETWEEN RANCHO SANTIAGO
COMMUNITY COLLEGE AND THE CITY OF WEST COVINA**

RECOMMENDATION:

It is recommended that the City Council:

1. Ratify the Inter-Agency Instructional Services Agreement between the City and Rancho Santiago Community College District (Santa Ana College) for Fire Department training costs.
2. Authorize the City Manager to execute future amendments to the Agreement.

BACKGROUND:

The West Covina Fire Department safety personnel are required to attend a minimum of twenty (20) hours of training per month. Training is directed either by outside subject matter experts, or by West Covina Fire members who have obtained subject training certification. Members that get certification are registered as part-time Fire Technology Instructors. Rancho Santiago Community College District (Santa Ana College) receives state funds to administer this training and can redirect a portion of the funds to fire departments that enroll their personnel as students at the College. By entering into an agreement with the College, the College pays the Department \$3.50 per firefighter for each hour of training the firefighter attends.

DISCUSSION:

The training curriculum sponsored by Santa Ana College is chosen based on the guidelines set forth by the California Community Colleges Chancellor's Office (CCCCO). The curriculum is divided into several different courses that are required by Cal-OSHA and designed for large group instruction. The Fire Department utilizes subject matter experts to conduct training to address the required training needs. Training hours are recorded and the total number of hours are then calculated each semester by the Fire Department's training staff and submitted as an invoice to Santa Ana College.

The Fire Department is responsible for firefighter refresher training in various areas of core competencies. At the beginning of each semester, the Department verifies the list of members that qualify as part-time instructors at Santa Ana College. The Department then clarifies Department members that will be enrolled as students for the upcoming semester (known as a batch enrollment). Throughout the semester, staff will log the training hours daily into the Department's records

management system. At the end of the semester, a training report will be run and verification will be made to ensure that all training records are accurate. An Excel spreadsheet will then be forwarded to our liaison with Santa Ana College. The College will then do their verification process, provide an invoice to the Department for signature and issue a check to the Department for training hours logged.

This agreement allows the City to recover some of the costs incurred in providing required training to Fire Department personnel.

Staff recommends that the City Council ratify the agreement.

LEGAL REVIEW:

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

OPTIONS:

The City Council has the following options:

1. Adopt Staff's recommendation.
2. Provide alternative direction.

Prepared by: Sherri Yuasa

Fiscal Impact**FISCAL IMPACT:**

Funds received from Santa Ana College give the Fire Department the ability to pay for outside instructors when the department does not have a subject-matter expert for required training. They also fund improved training aids, books, materials and equipment, as well as assist with other operational training needs such as staffing. Under this agreement, the District will pay the City three dollars and fifty cents (\$3.50) per student contact hour, not to exceed 40,000 student contract hours or One Hundred Forty Thousand Dollars (\$140,000) per fiscal year. The Fire Department's current budget for training is \$20,000.

Attachments

Attachment No. 1_ Instructional Services Agreement Rancho Santiago

CITY COUNCIL GOALS & OBJECTIVES: Protect Public Safety
Maintain Good Intergovernmental Relations
Expand Economic Development Opportunities



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 04/04/2023

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: CONSIDERATION OF EXTENSION TO THE AGREEMENT WITH LOS ANGELES CENTERS FOR ALCOHOL AND DRUG ABUSE (LA CADA) HOMELESS SERVICES

RECOMMENDATION:

It is recommended that the City Council:

1. Approve a one-year extension to the agreement with the Los Angeles Centers for Alcohol and Drug Abuse (LA CADA).
2. Authorize the City Manager to negotiate and execute any necessary documents, including an amendment to the agreement with LA CADA, in such final form as approved by the City Attorney, to carry out the City Council's direction.

BACKGROUND:

LA CADA was established in 1971 and provides homeless crisis housing, street outreach and case management services in various communities throughout Los Angeles County.

On April 5, 2022, the City Council authorized an agreement with LA CADA to provide homeless services in West Covina. The agreement provides for an initial term of one year, with the option to extend for one year, subject to approval by the City Council.

The scope of services includes:

- **Outreach Team:** Outreach Coordination/Navigation and Street Outreach dedicated to homeless outreach and housing navigation for West Covina
- **Dedicated Beds:** Recovery Bridge Housing with 4 beds at a local facility in Pasadena and 4 beds in East Los Angeles for individuals with behavioral health disorders.
- **Case Management:** A case management process encompassing the entire spectrum of support services with follow-up protocols, including medical and mental health services. Additional wrap around services such as education and job training, counseling, anger/stress management, and parenting skills training are also provided.
- **Additional Resources:** Other leveraged outside resources to provide for rapid rehousing and prevention services for those on the verge of becoming homeless.

Over the past year, West Covina's HOPE Team has worked closely with LA CADA. LA CADA has provided daily homeless outreach and navigation services in the community through a dedicated team that has been able to foster relationships/trust with the homeless community. In addition, LA CADA has focused on substance abuse and mental health; their navigation services include case management for individuals to ensure they receive necessary treatment and help ensure they continue treatment. Throughout the term, LA CADA has provided weekly performance reports (encounters, status of cases, etc.)

Between April 9, 2022 and March 3, 2023, LA CADA engaged in 849 outreach encounters, of which 176 were first-time encounters and 673 were follow-ups. In 582 encounters, supportive services were accepted and 267 were declined. The team linked 50 individuals to interim housing; 21 individuals to substance abuse treatment; and 3 individuals to permanent housing. For reference, according to the 2022 Countywide Point-in-Time Count conducted by the Los Angeles Homeless Services Authority (LAHSA) in February 2022, the number of homeless in West Covina was 112.

DISCUSSION:

The agreement with LA CADA expires April 4, 2023. The agreement may be extended for one year with the approval of City Council. The annual cost of the current agreement is \$250,000.

The original agreement was funded with a mix of ARPA, CDBG, and Homeless Plan Implementation Funds received through the SGVCOG. Funding received from the SGVCOG was awarded in lieu of the City participating in the regional homeless service delivery efforts administered by the SGVCOG.

LA CADA is the service provider for the SGVCOG's regional program. Cities that opted into the program, however, are receiving one or two days per week of service. These cities have voiced a desire for additional days. In the upcoming round of programs, targeted to begin July 1, 2023, SGVCOG hopes to increase available days of service for participating cities. SGVCOG has indicated that those opting out of the regional programs will have an opportunity for an allocation of direct funding in lieu of participating, but have yet to determine an amount.

Staff is seeking City Council direction regarding extending the agreement with LA CADA.

OPTIONS:

The City has the following options. Options 1-3 will require an appropriation of from the General Fund, which would be brought back at a subsequent meeting. The budget may be adjusted through the term of the agreement as additional funding sources become available.

1. Exercise the optional one-year extension of the current agreement at a cost of \$250,000;
2. Direct staff to negotiate an amended scope of work with LA CADA at a reduced level of service at a lesser cost;
3. Direct staff to conduct a Request for Proposals to potentially procure services at a lesser cost;
4. Forgo an extension of the agreement and opt into the regional program administered by the SGVCOG starting July 1, 2023; or
5. Provide alternative direction.

Prepared by: Kelly McDonald, Public Services Manager

Additional Approval: Paulina Morales, Assistant City Manager

Fiscal Impact

FISCAL IMPACT:

The total amount of the agreement at the current service level is \$250,000 per year. This may be supplemented by Measure H funding; however, the exact amount is unknown at this time. The

remaining funds would need to be taken from either Successor Housing Agency Fund, which allows up to \$250,000 for homeless services, or the General Fund.

Measure H funding has been exhausted for the fiscal year 2022-2023, so, if approved, three months (April-June) would need to be funded by the General Fund.

For fiscal year FY2023-2024, staff proposes transferring public safety personnel funded out of the Successor Housing Agency Fund to the General Fund to reallocate the \$250,000 allowable for homeless services to this agreement.

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



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 04/04/2023

TO: Mayor and City Council

FROM: David Carmany
City Manager

**SUBJECT: CONSIDERATION OF AN EXTENSION OF AN INTERIM URGENCY ORDINANCE
ESTABLISHING A MORATORIUM ON NEW DRIVE-THROUGH FOOD
ESTABLISHMENTS CITYWIDE**

RECOMMENDATION:

It is recommended that the City Council conduct a public hearing and then consider adoption of the following ordinance by a 4/5 vote:

URGENCY ORDINANCE NO. 2514 - AN EXTENSION OF URGENCY ORDINANCE NO. 2512, AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF WEST COVINA, CALIFORNIA, ENACTED PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65858 ESTABLISHING A 45-DAY TEMPORARY MORATORIUM ON THE REVIEW AND APPROVAL OF DRIVE-THROUGH RESTAURANTS/FOOD ESTABLISHMENTS WITHIN CITY LIMITS DURING THE PENDENCY OF THE CITY'S REVIEW AND ADOPTION OF PERMANENT ZONING REGULATIONS AND OBJECTIVE STANDARDS FOR SUCH USES AND DECLARING URGENCY THEREOF, FOR A PERIOD OF 10 MONTHS AND 15 DAYS, AND FINDING THE ORDINANCE IS EXEMPT FROM ENVIRONMENTAL REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO CEQA GUIDELINES SECTION 15061(B)(3)

BACKGROUND:

A moratorium is a temporary land use regulation. Pursuant to California law, cities may adopt interim ordinances prohibiting any uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that the city plans to study within a reasonable time. Such measures: (1) require a four-fifths vote of the City Council, (2) must contain a finding that there is a current and immediate threat to the public health, safety, or welfare, and (3) may be adopted without following the notice and adoption procedures required for other ordinances.

On January 24, 2023, the City Planning Commission voted 4-1 to recommend that the City Council consider adopting a moratorium (interim urgency ordinance) that would temporarily prohibit drive-through food establishments along the Interstate-10 Freeway between Workman Avenue and West Covina Parkway on the west side of the City, and between Workman Avenue and Walnut Creek Parkway on the east side of the City.

On February 21, 2023, the City Council, by 4/5 vote, adopted Urgency Ordinance No. 2512,

establishing a temporary 45-day moratorium on the review and approval of any new drive-through food establishments within the City. The moratorium is due to expire on April 7, 2023, if not extended.

On March 21, 2023, in compliance with Government Code section 65858(d), the City Council was presented with a report outlining measures or alternatives that could be taken by the City to alleviate the negative impacts of drive-through food establishments.

The objective of municipal land use controls is to promote community planning values by properly regulating land development. It follows that land use controls work best when built upon a carefully considered comprehensive plan. It takes time to put together or to update a good community plan. During this time, demand for a particular use of land may arise for which there are inadequate or nonexistent controls. If the community allows development during that time, the ultimate worth of the eventual plan could be undermined. For these reasons, moratoria and other forms of interim zoning controls are often needed to “freeze” development until satisfactory regulations are adopted.

Prior to the adoption of the moratorium, drive-through food establishments proposed in the City required approval of a conditional use permit (CUP). While a CUP requires specific findings be made regarding the compatibility of drive-through use in the City and require that specific conditions be met to ensure compatibility with surrounding uses, a CUP application for drive-throughs had limited submittal and development standards. For example, West Covina's CUP application for drive-throughs does not require a drive-through queuing analysis. The conditions of approval require a contingency plan that is kept with the restaurant managers that would address potential traffic impacts if queues were to extend off-site. Prior to the moratorium, applicants could move forward with processing their CUP drive-through applications (Planning Commission hearing) without staff support knowing that the use would generate traffic issues.

DISCUSSION:

Without the moratorium extension and an update to the City's current zoning regulations that govern drive-through food establishments, new drive-through food establishments would likely result in negative effects to public health, safety and welfare, including but not limited to: traffic/pedestrian related accidents, traffic issues caused by insufficient vehicle queuing space and vehicle queuing extending into the streets, and over-concentration of drive-through food establishments in the City. In addition, there is a significant risk that some individuals or entities may make investments in and/or obtain approval to develop new drive-through lanes that may soon be not allowed, or nonconforming.

Staff has begun preliminary research into neighboring jurisdictions to review their development standards for drive-through food establishments. Since adoption of the Interim Urgency Ordinance, staff has created different alternatives to study regarding the future of drive-through food establishments in the City. These alternatives will define the work plan during the moratorium for the Development Code Update. Staff has identified the following alternatives and wishes to obtain City Council direction and guidance (the City Council may consider one or any combination):

1. Prohibit Use –

The City Council may consider prohibiting drive-through food establishments in the City or in certain parts of the City.

- **Prohibit Use** - The cities of Claremont, Sierra Madre, San Marino, and La Canada Flintridge do not allow the development of new drive-throughs. A permanent City-wide prohibition could result in a chilling effect on free market private investment. A key feature of free markets is the absence of coerced transactions or conditions on transactions.

Furthermore, there may be affected stakeholders that could potentially suffer financial losses due to a complete prohibition.

- **Limit Use based on proximity to other Uses** - The City of Pasadena does not allow drive-throughs within 500 feet from another drive-through restaurant, school, church, or park/recreation facility. The City may consider adopting similar standards. When the moratorium was initially discussed by the Planning Commission, there was interest in prohibiting drive-through food establishments within a certain distance from the Interstate-10 Freeway.
- **Limit Use based on Zoning** - The City of Long Beach only allows drive-throughs in certain commercial zones. The City may consider prohibiting drive-throughs in the Downtown Plan and Code area which was intended to create a pedestrian-oriented environment, and/or in other parts of the City that are known for heavy vehicle traffic flow/congestion (i.e. Azusa Avenue and Amar Road).

2. Conditional Use Permit –

Similarly to West Covina, most cities in the San Gabriel Valley require approval of a conditional use permit for drive-throughs. The City Council may consider maintaining the current review process or amending the application requirements. Staff will analyze the possibility of revising the current conditional use permit submittal requirements and findings, as well as potential conditions of approval that can be imposed including requiring a queuing analysis.

3. Revision of Development Standards –

In addition to amending the CUP application requirements, the City could require development standards. The City Council may consider amendments to development standards and adoption of performance standards based on current drive-through trends. The following are examples of standards that the City could adopt:

- **Queuing Capacity Requirements** - Requiring drive-through lanes to have the queuing capacity for at least 15 - 24 vehicles, or the vehicle queuing figure recommended by a traffic/queuing analysis, whichever is greater. For example, in addition to requiring a queuing analysis, the applicant would have to provide the required queuing capacity.
- **Site Design Standards** - Prohibiting drive-through lanes/queuing to block driveway access, vehicle circulation, and/or parking spaces.
- **Minimum Lot Size** - Requiring a minimum site size (i.e. 60,000 square feet).

If adopted by the City Council by 4/5 vote, the proposed urgency ordinance will extend the temporary moratorium on the review and approval of new drive-through food establishments for 10 months and 15 days, through February 22, 2024. Thereafter, the City Council may extend the interim ordinance for one year, if necessary. Such extension would also require a 4/5 vote of the Council.

LEGAL REVIEW:

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

OPTIONS:

The City Council has the following options:

1. Adopt the proposed urgency ordinance; or
2. Provide alternative direction

ENVIRONMENTAL REVIEW:

Pursuant to Section 15001 of the California Environmental Quality Act ("CEQA") Guidelines, this Urgency Ordinance is exempt from CEQA based on the following: (a) This Ordinance is not a project within the meaning of CEQA Section 15378 because it has no potential for resulting in physical

change to the environment, either directly or indirectly and (b) this Ordinance is also exempt pursuant to CEQA Section 15061(b)(3) since the proposed ordinance involves an Urgency Ordinance extending a 45-day temporary moratorium for an addition 10 months and 15 days on the review and approval of new drive-through restaurants/food establishments within the City.

Prepared by: Jo-Anne Burns, Planning Manager

Fiscal Impact

FISCAL IMPACT:

This action will halt, and may ultimately reduce, General Fund revenue generated from the review and approval of drive-through restaurants/food establishments while the moratorium is in place. The number of projects to be impacted is unknown, therefore the fiscal impact cannot be estimated at this time.

Attachments

Attachment No. 1 - Urgency Ordinance 2514

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