

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

**MARCH 19, 2019, 7:00 PM  
REGULAR MEETING**

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

**Mayor Lloyd Johnson  
Mayor Pro Tem Tony Wu  
Councilman Dario Castellanos  
Councilwoman Letty Lopez-Viado  
Councilmember Jessica C. Shewmaker**

*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 MARCH 19, 2019, 7:00 PM  
REGULAR MEETING**

#### **INVOCATION**

Led by Pastor & Chaplain Kelly Dupee  
Faith Community Church

#### **PLEDGE OF ALLEGIANCE**

Led by Mayor Lloyd Johnson

#### **ROLL CALL**

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

#### **PRESENTATIONS**

Recognition of Youth Wrestling Champion  
Resolution of Commendation for Community & Senior Services Commissioner Paul Blackburn  
Police Explorer Recognition

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

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

#### **CONSENT CALENDAR**

*All matters listed under CONSENT CALENDAR are considered to be routine and can be acted on by one roll call vote. There will be no separate discussion of these items unless members of the City Council/Community Development Commission request specific items to be removed from the Consent Calendar for separate discussion or action.*

#### **APPROVAL OF MEETING MINUTES**

- 1) FEBRUARY 5, 2019, CITY COUNCIL/SUCCESSOR AGENCY CLOSED SESSION AND  
REGULAR MEETING MINUTES  
FEBRUARY 19, 2019, CITY COUNCIL/SUCCESSOR AGENCY CLOSED SESSION AND  
REGULAR MEETING MINUTES**

It is recommended that the City Council receive and file the Closed Session and Regular Meeting

Minutes of February 5, 2019, and the Closed Session and Regular Meeting Minutes of February 19, 2019.

## **INVESTMENT REPORT (receive & file)**

### **2) INVESTMENT REPORT FOR THE MONTH ENDED JANUARY 31, 2019**

It is recommended that the City Council receive and file the Investment Report for the month ended January 31, 2019.

**ORDINANCES FOR ADOPTION - Procedural Waiver.** *Waive full reading of each ordinance on the agenda and authorize the approval of each ordinance by title only.*

### **3) ADOPTION OF ORDINANCE NO. 2448 - REPEALING AND REENACTING SECTION 19-1 OF ARTICLE 1 OF CHAPTER 19 OF THE MUNICIPAL CODE RELATED TO STANDARDS FOR CITY STREETS AND CONSTRUCTION**

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

**ORDINANCE NO. 2448 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, REPEALING AND REENACTING SECTION 19-1 OF ARTICLE 1 OF CHAPTER 19 OF THE MUNICIPAL CODE RELATED TO STANDARDS FOR CITY STREETS AND CONSTRUCTION**

## **COMMUNITY DEVELOPMENT**

### **4) ACCEPTANCE OF PUBLIC IMPROVEMENTS FOR DOOR ACCESS CONTROL SYSTEM AT CITY FACILITIES (PROJECT NO. BP-17006)**

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

1. Accept the public construction improvements for (Project No. BP-17006);
2. Authorize recordation of Notice of Completion with the Los Angeles County Recorder; and
3. Authorize release of retention funds 35 days after recordation of the Notice of Completion.

### **5) ACCEPTANCE OF PUBLIC IMPROVEMENTS FOR RESIDENTIAL STREETS REHABILITATION PROJECT AT VARIOUS LOCATIONS (PROJECT NO. SP-17029)**

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

1. Accept the public improvements for the Residential Streets Rehabilitation Project (Project No. SP-17029);
2. Authorize recordation of Notice of Completion with the Los Angeles County Recorder; and
3. Authorize release of retention funds 35 days after recordation of the Notice of Completion.

### **6) RELEASE OF FAITHFUL PERFORMANCE GUARANTEE FOR 1000 AND 1050 LAKES DRIVE**

It is recommended that the City Council accept all on-site improvements for 1000 and 1050 Lakes Drive and authorize the release of the Performance Security cash deposit in the amount of \$36,200.

## **PUBLIC SERVICES**

**7) APPROVE BLANKET PURCHASE ORDER TO J & L CUSTOM AUTO BODY REPAIR FOR FISCAL YEAR 2018-19**

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

1. In accordance with Municipal Code Chapter 2, Article VII, Division 2, Sec. 2-330 (b), which states that the City Council can dispense with the competitive bidding procedures upon finding that it will prove impracticable or uneconomical, and authorize a purchase order for J & L Custom Auto Body Repair totaling \$100,000 from Account No. 365.41.4170.6417, and authorize the City Manager or her designee to execute related purchase documents.

**END OF CONSENT CALENDAR**

**DEPARTMENTAL REGULAR MATTERS**

**FINANCE**

**8) COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) AND OTHER RELATED REPORTS FOR THE YEAR ENDED JUNE 30, 2018**

It is recommended that the Finance Department submit to the City Council the following letters and financial reports for the year ended June 30, 2018:

- Comprehensive Annual Financial Report;
- Government Auditing Standards Letter;
- Audit Communication Letter;
- West Covina Housing Authority Fund Financial Report;
- West Covina Housing Authority Fund Addendum to the Annual Progress Report; and
- Air Quality Improvement Fund Financial Statements.

**CITY MANAGER'S OFFICE**

**9) APPOINTMENT POWERS OF THE CITY MANAGER**

It is recommended that the City Council introduce by title, waive further reading of the following ordinance:

**ORDINANCE NO. 2454 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA AMENDING SECTION 2-151 OF THE WEST COVINA MUNICIPAL CODE, REGARDING THE APPOINTMENT POWERS OF THE CITY MANAGER**

**COMMUNITY DEVELOPMENT**

**10) REQUEST FOR PROPOSALS FOR DEVELOPMENT OPPORTUNITY SITE AT FORMER BKK LANDFILL SITE**

It is recommended that the City Council authorize the City Manager to release a Request for Proposals (RFP) for development of the Development Opportunity Site at the BKK landfill (APN Nos: 8735-001-

919, 8735-001-920, 8735-001-931, 8735-002-906, 8735-002-909, 8735-002-910, and 8735-002-018).

## **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.)*

### **11) REQUEST FROM MAYOR LLOYD JOHNSON REQUESTING THE CITY COUNCIL'S CONSIDERATION TO CANCEL WATER SERVICE LINE COVERAGE WITH SERVICE LINE WARRANTIES OF AMERICA, INC.**

It is recommended that the City Council discuss and provide staff direction.

## **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 2, 2019

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.