



CITY OF WEST COVINA

CITY COUNCIL/SUCCESSOR AGENCY

**DECEMBER 5, 2023, 7:00 PM
REGULAR MEETING**

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

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

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

AMERICANS WITH DISABILITIES ACT

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

AGENDA MATERIAL

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

NOTICE

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

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

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

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

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

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

RULES OF DECORUM

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

AGENDA

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

**TUESDAY DECEMBER 5, 2023, 7:00 PM
REGULAR MEETING**

INVOCATION

Led by Pastor Kelly DuPee from Faith Community Church

PLEDGE OF ALLEGIANCE

Led by Mayor Pro Tem Wu

ROLL CALL

REPORTING OUT FROM CLOSED SESSION

PRESENTATIONS

- Presentation by Senator Rubio
- Presentation by the County Library

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 NOVEMBER 21, 2023, CITY COUNCIL/SUCCESSOR AGENCY REGULAR SESSION MEETING MINUTES.

Consideration of Approval of the November 21, 2023, City Council/Successor Agency Regular Session Meeting Minutes. Closed Session for November 21, 2023 was canceled.

COMMUNITY DEVELOPMENT

2) CONSIDERATION OF NOTICE OF COMPLETION FOR FY 2022-23 RESIDENTIAL

STREETS REHABILITATION PROGRAM - PROJECT NO. 23014

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

1. Approve a change order increasing the construction budget by \$27,379.33 for the FY 2022-23 Residential Streets Rehabilitation Program (Project No. 23014) due to unforeseen asphalt conditions encountered during construction; and
2. Accept the work performed by Vance Corporation for the FY 2022-23 Residential Streets Rehabilitation Program (Project No. 23014) with a final contract amount of \$3,430,166.33; and
3. Authorize the recordation of Notice of Completion with the Los Angeles County Recorder and the release of retention funds 35 days thereafter.
4. Adopt the following resolution:

RESOLUTION NO. 2023-109 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADOPTING A BUDGET AMENDMENT FOR THE FISCAL YEAR COMMENCING JULY 1, 2023 AND ENDING JUNE 30, 2024 (FY 22-23 RESIDENTIAL STREETS REHABILITATION PROGRAM - PROJECT NO. 23014)

FINANCE DEPARTMENT

3) CONSIDERATION OF NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUES RESULTING FROM ANNEXATION TO COUNTY SANITATION DISTRICT NO. 22

Staff recommends City Council approve the following resolution:

JOINT RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES ACTING IN BEHALF OF LOS ANGELES COUNTY GENERAL FUND, LOS ANGELES COUNTY LIBRARY, LOS ANGELES COUNTY FLOOD CONTROL, THE BOARD OF SUPERVISORS OF COUNTY SANITATION DISTRICT NO. 22 OF LOS ANGELES COUNTY, AND THE GOVERNING BODIES OF CITY OF WEST COVINA AND THREE VALLEYS MUNICIPAL WATER DISTRICT APPROVING AND ACCEPTING NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUES RESULTING FROM ANNEXATION TO COUNTY SANITATION DISTRICT NO. 22

POLICE DEPARTMENT

4) CONSIDERATION OF EXPENDITURES OF FISCAL YEAR 2023-24 SUPPLEMENTAL LAW ENFORCEMENT SERVICES ACCOUNT FUNDS

It is recommended that the City Council approve using Fiscal Year (FY) 2023-24 Supplemental Law Enforcement Service Account (SLESA) funds totaling \$167,753 for the frontline law enforcement equipment and supply items.

PUBLIC SERVICES

5) CONSIDERATION OF LETTER OF AUTHORIZATION TO AUTHORIZE THE SGVCOG TO SUBMIT A REGIONAL APPLICATION FOR THE SB 1383 LOCAL ASSISTANCE GRANT PROGRAM AND ACT AS LEAD AGENCY ON BEHALF OF THE CITY

It is recommended that the City Council authorize the Acting City Manager to execute a Letter of Authorization to allow the San Gabriel Valley Council of Governments (SGVCOG) to apply for the CalRecycle 1383 Local Assistance Grant Program on behalf of the City.

END OF CONSENT CALENDAR

HEARINGS

PUBLIC HEARINGS

6) CONSIDERATION OF ADOPTION OF NEW AND REVISED FEES AND CHARGES FOR SERVICES PROVIDED BY THE CITY

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

1. Conduct a Public Hearing regarding adoption of the updated fee schedule; and
2. Adopt the following resolution:

RESOLUTION NO. 2023-92 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ESTABLISHING AND ADOPTING NEW AND REVISED FEES AND CHARGES FOR SERVICES PROVIDED BY THE CITY OF WEST COVINA

DEPARTMENTAL REGULAR MATTERS

CITY MANAGER'S OFFICE

7) CONSIDERATION OF COUNCIL AND COMMISSIONER COMPENSATION AND BENEFITS

Staff recommends that City Council:

1. Introduce for first reading the following ordinance:

ORDINANCE NO. 2518 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING SECTION 2-23 OF THE WEST COVINA MUNICIPAL CODE RELATING TO CITY COUNCIL COMPENSATION

2. Adopt the following resolutions:

RESOLUTION NO. 2023-105 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, REVISING THE SCHEDULE OF BENEFITS FOR CITY COUNCIL MEMBERS AND REPEALING RESOLUTION NO. 2018-94

RESOLUTION NO. 2023-106 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, INCREASING STIPENDS FOR CITY COMMISSIONERS AND REPEALING RESOLUTION NO. 2018-85

8) ELECTION OF CITY MEMBER FOR SAN GABRIEL BASIN WATER QUALITY AUTHORITY BOARD REPRESENTING CITIES WITHOUT PRESCRIPTIVE PUMPING RIGHTS

It is recommended that the City Council:

1. Select the candidate for which the City Council wishes to cast the City's votes for the city member to represent cities without prescriptive pumping rights on the Board of the San Gabriel Basin Water Quality Authority.
2. Adopt the following resolution casting its votes for the candidate selected:

RESOLUTION NO. 2023-112 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA CASTING ITS VOTES FOR COUNCILMEMBER _____ TO REPRESENT CITIES WITHOUT PRESCRIPTIVE WATER PUMPING RIGHTS ON THE BOARD OF THE SAN GABRIEL BASIN WATER QUALITY AUTHORITY

COMMUNITY DEVELOPMENT

9) CONSIDERATION OF STREET SWEEPING PROGRAM OPTIONS

It is recommended that the City Council provide direction.

POLICE DEPARTMENT

10) CONSIDERATION OF RESOLUTION NO. 2023-93 APPROVING THE CALPERS EXCEPTION TO THE 180-DAY WAIT PERIOD

Staff recommends that the City Council adopt the following resolution:

RESOLUTION NO. 2023-93 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, MAKING THE REQUIRED CERTIFICATIONS AND APPROVING THE APPOINTMENT OF ANNETTE CARLOS AS A PART-TIME RETIRED ANNUITANT POLICE RECORDS SPECIALIST II IN ACCORDANCE WITH CALIFORNIA 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

Next Tentative City Council Meeting

Regular Meeting

December 19, 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: 12/05/2023

TO: Mayor and City Council

FROM: Paulina Morales
Acting City Manager

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

RECOMMENDATION:

Consideration of Approval of the November 21, 2023, City Council/Successor Agency Regular Session Meeting Minutes. Closed Session for November 21, 2023 was canceled.

BACKGROUND:

That the City Council adopt the attached minutes.

Prepared by: Lisa Sherrick; Assistant City Clerk

Attachments

Attachment No. 1 - 11/21/2023 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: 12/05/2023

TO: Mayor and City Council

FROM: Paulina Morales
Acting City Manager

SUBJECT: CONSIDERATION OF NOTICE OF COMPLETION FOR FY 2022-23 RESIDENTIAL STREETS REHABILITATION PROGRAM - PROJECT NO. 23014

RECOMMENDATION:

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

1. Approve a change order increasing the construction budget by \$27,379.33 for the FY 2022-23 Residential Streets Rehabilitation Program (Project No. 23014) due to unforeseen asphalt conditions encountered during construction; and
2. Accept the work performed by Vance Corporation for the FY 2022-23 Residential Streets Rehabilitation Program (Project No. 23014) with a final contract amount of \$3,430,166.33; and
3. Authorize the recordation of Notice of Completion with the Los Angeles County Recorder and the release of retention funds 35 days thereafter.
4. Adopt the following resolution:

RESOLUTION NO. 2023-109 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADOPTING A BUDGET AMENDMENT FOR THE FISCAL YEAR COMMENCING JULY 1, 2023 AND ENDING JUNE 30, 2024 (FY 22-23 RESIDENTIAL STREETS REHABILITATION PROGRAM - PROJECT NO. 23014)

BACKGROUND:

On April 18, 2023, the City Council authorized award of a construction contract to Vance Corporation with a total construction budget of \$3,402,787.00 (including 15% contingency), for the FY 2022-23 Residential Streets Rehabilitation Program. The project included residential street rehabilitation, work including asphalt resurfacing (removal of portion of existing asphalt and overlaying new asphalt), construction of slurry seal, installation of pavement markings and striping, and concrete repairs (sidewalk and curb & gutter).

DISCUSSION:

The improvements included construction of asphalt slurry seal (885,000 square feet), asphalt resurfacing (2,043,000 square feet), installation of pavement markings and striping, and repairs of concrete sidewalk, curb and gutter at various locations. The completed work consisted of 6% of the City's total pavement network.

Additionally, the City Hall front parking lot (73,780 square feet) was asphalt resurfaced and restriped

as part of the project. A contract change order was negotiated with the contractor for this work as part of this contract. The total cost of the City Hall parking lot resurfacing is \$207,758.60.

During the construction phase, unforeseen conditions were observed on certain streets. Notably, the existing asphalt surface layer was found to be thinner than anticipated and laid directly above an asphalt macadam layer at select locations. To minimize additional costs and avoid disturbance to the macadam layer, the depth of asphalt removal was reduced to prevent contact with the macadam layer. To compensate for the reduced milling depth and to ensure pavement integrity, a thicker layer of new asphalt was applied. These adjustments resulted in a need for a larger quantity of asphalt than initially planned.

The extra work for City Hall parking lot resurfacing and the increased use of asphalt due to these unforeseen street conditions has led to an additional cost of \$27,379.33 over the total construction budget. Staff was able to proactively minimize the additional cost by revising the pavement rehab method when such unforeseen conditions occurred. The work was completed in conformance with the plans and specifications. Staff recommends Council approve a change order increasing the construction budget by \$27,379.33 for additional use of asphalt due to unforeseen asphalt conditions encountered during construction, and accept the project being completed.

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.

Fiscal Impact

FISCAL IMPACT:

This contract was funded under Project No. 23014 (Fund 237) and Project No. 23025 (Fund 160). The contract was completed beyond the approved construction contingency and budget for Fund 160. There is sufficient fund balance in Fund 160 to cover the overage. Thus, the attached resolution proposes to move all funding under Project No. 23014 and increase appropriations in Fund 160 accordingly.

	Total Contract
Construction Contract	\$2,958,945.00
15% Contingency	\$443,842.00
Total Budget	\$3,402,787.00
Actual Expenditures	\$3,430,166.33
(Over)/Under Budget	(\$27,379.33)

Attachments

- Attachment No. 1 - Notice of Completion
- Attachment No. 2 - Resolution No. 2023-109



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 12/05/2023

TO: Mayor and City Council

FROM: Paulina Morales
Acting City Manager

**SUBJECT: CONSIDERATION OF NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUES
RESULTING FROM ANNEXATION TO COUNTY SANITATION DISTRICT NO. 22**

RECOMMENDATION:

Staff recommends City Council approve the following resolution:

JOINT RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES ACTING IN BEHALF OF LOS ANGELES COUNTY GENERAL FUND, LOS ANGELES COUNTY LIBRARY, LOS ANGELES COUNTY FLOOD CONTROL, THE BOARD OF SUPERVISORS OF COUNTY SANITATION DISTRICT NO. 22 OF LOS ANGELES COUNTY, AND THE GOVERNING BODIES OF CITY OF WEST COVINA AND THREE VALLEYS MUNICIPAL WATER DISTRICT APPROVING AND ACCEPTING NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUES RESULTING FROM ANNEXATION TO COUNTY SANITATION DISTRICT NO. 22

BACKGROUND:

Section 99 and 99.01 of the Revenue and Taxation Code requires that prior to the effective date of any jurisdictional change which will result in a special district providing a new service, the governing bodies of all local agencies that receive an apportionment of the property tax from the area must determine the amount of property tax revenues from the annual tax increment to be exchanged between the affected agencies and approve and accept the negotiated exchange of property tax revenues by resolution.

DISCUSSION:

The City has received a request for annexation into the County Sanitation District No. 22 (District) in order to receive off-site disposal of sewage. The annexation process requires that a resolution for property tax revenue exchange be adopted by all the affected local agencies before an annexation may be approved. For any jurisdictional change which will result in a special district providing new service not previously provided to an area, the law requires the governing bodies of all local agencies that receive an apportionment of the property tax from the area to determine by resolution the amount of the annual tax increment to be transferred to the special district (Revenue and Taxation Code Section 99.01).

LEGAL REVIEW:

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

Prepared by: Stephanie Sikkema, Finance Director

Fiscal Impact

FISCAL IMPACT:

By sharing the property tax increment with the District resulting from this annexation, the City will not lose any existing ad valorem tax revenue it currently receives from the affected territory. The City would only be giving up a portion of the revenues it would receive on increased assessed valuation. The fiscal impact of this increment is less than 1% for the City of West Covina's tax share. Based on 2023 versus 2024 assessed values, the 2024 fiscal impact is less than \$0.10.

Attachments

Attachment No. 1 - Tax Sharing Request and Resolution

CITY COUNCIL GOALS & OBJECTIVES: Maintain Good Intergovernmental Relations



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 12/05/2023

TO: Mayor and City Council

FROM: Paulina Morales
Acting City Manager

**SUBJECT: CONSIDERATION OF EXPENDITURES OF FISCAL YEAR 2023-24 SUPPLEMENTAL
LAW ENFORCEMENT SERVICES ACCOUNT FUNDS**

RECOMMENDATION:

It is recommended that the City Council approve using Fiscal Year (FY) 2023-24 Supplemental Law Enforcement Service Account (SLESA) funds totaling \$167,753 for the frontline law enforcement equipment and supply items.

BACKGROUND:

The Supplemental Law Enforcement Services Account (SLESA) is a State allocation which, according to California Government Code Sections 30061 and 30062, must be used “exclusively to fund frontline municipal police services, in accordance with written requests submitted by the [C]hief of [P]olice.” These funds cannot be used to replace or supplant existing funding for law enforcement services, but must instead supplement local funds. This funding was formerly called the Supplemental Law Enforcement Service Fund (SLESF), but was renamed SLESA as part of the realignment program for law enforcement that was enacted along with the State of California 2011 Budget Act.

DISCUSSION:

In its entirety, West Covina’s FY 2023-24 SLESA allocation totals an estimated \$167,753. Anticipating the receipt of these funds, which is distributed monthly, the Police Department prioritized a list of unbudgeted needs, as follows:

- **Bulletproof Vests:** Within the next year, a small number of the standard bulletproof vests, worn by Patrol Officers each day, will need purchasing for newly hired Officers, or will reach their manufacturer’s warranty end date, and will need replacing for veteran Officers. New vests over the next year will total an estimated \$25,000.
- **Other Equipment Items:** Equipment items including Mobile Data Computers (MDCs) for police vehicles, traffic enforcement items, and communications gear items, are needed, totaling an estimated \$60,000.

- **Supplies and Services:** A range of items, totaling an estimated \$82,753, are needed for front line law enforcement operations, as follows:
 - GPS based surveillance services used by the Special Enforcement Team to track narcotics suspects;
 - Specialized ammunition and tactical supplies for the SWAT Team;
 - Personal Protective Equipment (PPE) supplies for Officers, including gas mask cartridges, ballistic helmets, and carrying gear;
 - County Helicopter support services;
 - Weapons accessories and police supplies supporting front line law enforcement.

Prepared by: Alex Houston, Police Administrative Services Manager

Additional Approval: Tony Cortina, Acting Chief of Police

Additional Approval: Stephanie Sikkema, Finance Director

Fiscal Impact

FISCAL IMPACT:

Using the State SLESA funds for the frontline law enforcement items described above is in keeping with the legislatively dictated requirements associated with this funding source. Estimated SLESA expenditure and revenue amounts were previously budgeted in Fund 155, so there is no impact on the General Fund.

CITY COUNCIL GOALS & OBJECTIVES: Protect Public Safety



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 12/05/2023

TO: Mayor and City Council

FROM: Paulina Morales
Acting City Manager

SUBJECT: CONSIDERATION OF LETTER OF AUTHORIZATION TO AUTHORIZE THE SGVCOG TO SUBMIT A REGIONAL APPLICATION FOR THE SB 1383 LOCAL ASSISTANCE GRANT PROGRAM AND ACT AS LEAD AGENCY ON BEHALF OF THE CITY

RECOMMENDATION:

It is recommended that the City Council authorize the Acting City Manager to execute a Letter of Authorization to allow the San Gabriel Valley Council of Governments (SGVCOG) to apply for the CalRecycle 1383 Local Assistance Grant Program on behalf of the City.

BACKGROUND:

In September 2016, the passage of Senate Bill 1383 established statewide targets to reduce the disposal of organic waste from landfills and increase recovery of currently disposed edible food for human consumption. To recover 20 percent of edible food that would otherwise be sent to landfills by 2025, SB 1383 requires local jurisdictions to establish food recovery programs and strengthen their existing food recovery networks.

City staff are working with the San Gabriel Valley Council of Governments (SGVCOG) to provide a regional approach for SB 1383 compliance. The Regional Food Recovery Program was established to help member agencies comply with SB 1383's food recovery mandates and reduce food waste in the San Gabriel Valley. Known as one of the largest regional food recovery programs in California, this program assesses commercial edible food waste generators, identifies and fosters partnerships with local food recovery organizations, implements outreach and education endeavors, and develops and implements inspection protocols. The SGVCOG recently issued three grant awards to develop regional "food hubs" which will help recover and redistribute excess edible food to people experiencing food insecurity. Currently, 17 cities are participating in the Regional Food Recovery Program.

In Spring 2022, the City was awarded Round One SB 1383 Local Assistance Grant funding from CalRecycle in the amount of \$195,787. This non-competitive grant program provides funding to local jurisdictions to assist with the implementation of regulation requirements associated with SB 1383, including but not limited to:

- Capacity Planning
- Collection
- Edible Food Recovery
- Education and outreach (including organic waste & edible food recovery)
- Enforcement and Inspection

- Program Evaluation/Gap Analysis
- Procurement Requirements
- Record Keeping

As specified in the grant award, \$195,787 was earmarked to provide additional support to the Regional Food Recovery Program, such as supporting the establishment of sub-regional food recovery hubs and to provide additional education and outreach materials.

In the first round of the grant program, each participating city had individual grant agreements with CalRecycle, which imposed limitations on program administration. Given the difficulties in grant implementation, several participating cities and the SGVCOG advocated that the next SB 1383 Local Assistance grant lift barriers around joint applications to allow cities to designate an administering body to provide regional solutions.

CalRecycle recently released the guidelines and application for Round Two SB 1383 Local Assistance Grant Program. CalRecycle made several significant changes to the guidelines, many of which better support the Regional Food Recovery Program. Key changes are as follows:

- Joint Powers Authorities are now eligible to apply without all member agencies within that JPA participating in that application.
- The base award amount for cities was increased to \$75,000, up from \$50,000.
- Food Recovery Organizations (FROs) can now own equipment which means the SGVCOG can award funds directly to the three Regional Food Recovery hubs and contract directly with them.

Round Two eligible projects are similar to those of the Round One grant, such as edible food recovery, inspection and enforcement, and education and outreach.

The City's anticipated grant allocation is \$195,787.

DISCUSSION:

The City, along with other participating cities, intends to join the SGVCOG's regional application work with SGVCOG staff to craft the budget and narrative. Participating cities cannot submit separate applications upon joining the regional application. The application will include funding for the inspection and enforcement program, the hub development program to continue the recovery of excess edible food, and city-specific programs. Funding will also be included for SGVCOG staff and consultants to administer the program and provide technical assistance. Participating cities need to submit a Letter of Authorization allowing the SGVCOG to apply on their behalf.

Submitting a regional application for a regional program allows for simplified administration of the grant. The City will work with the SGVCOG to establish specific budget requests for the grant award. Cities may undertake their own activities and will receive a lump sum payment from the SGVCOG or invoice the SGVCOG for reimbursement. The initial grant application was due November 15, 2023, with Letters of Authorization to be submitted by December 20, 2023. Grants are anticipated to be awarded in March 2024 with the grant term ending in April 2026.

In addition to West Covina, the following cities have also expressed an interest in participating in the regional application:

- Arcadia
- Azusa
- Baldwin Park
- Covina
- Duarte

- Glendora
- Irwindale
- La Cañada Flintridge
- Monrovia
- Monterey Park
- Pomona
- Rosemead
- San Marino
- Sierra Madre
- South El Monte
- South Pasadena
- Temple City
- Walnut

Staff recommends the City Council authorize the Acting City Manager to sign a Letter of Authorization to allow the SGVCOG to submit a regional application for the Round Two 1383 Local Assistance Grant Program. This will enable both reducing the administrative burden on the City and streamlining implementation of the Regional Food Recovery Program.

Once awarded, the City will amend its current agreement with the SGVCOG to incorporate the new grant and associated activities. The amendment will be presented for City Council consideration.

Prepared by: Kelly McDonald, Public Services Manager

Fiscal Impact

FISCAL IMPACT:

The City's anticipated allocation for Round Two of the SB 1383 Local Assistance Grant Program is \$195,787. The estimated cost of participating in the regional effort, which will be presented for consideration at a meeting in early 2024 as an amendment to the current agreement, is \$167,517. The City has proposed using the balance of the allocation to procure containers. There is no impact to the City's General Fund.

Attachments

Attachment No. 1 - SGVCOG Authorizing Letter

CITY COUNCIL GOALS & OBJECTIVES: Achieve Fiscal Sustainability and Financial Stability
Maintain Good Intergovernmental Relations
Enhance City Image and Effectiveness



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 12/05/2023

TO: Mayor and City Council

FROM: Paulina Morales
Acting City Manager

SUBJECT: CONSIDERATION OF ADOPTION OF NEW AND REVISED FEES AND CHARGES FOR SERVICES PROVIDED BY THE CITY

RECOMMENDATION:

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

1. Conduct a Public Hearing regarding adoption of the updated fee schedule; and
2. Adopt the following resolution:

RESOLUTION NO. 2023-92 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ESTABLISHING AND ADOPTING NEW AND REVISED FEES AND CHARGES FOR SERVICES PROVIDED BY THE CITY OF WEST COVINA

BACKGROUND:

State and local governments use charges and fees to help fund programs and offset the costs of providing various services. Local governments implement cost recovery measures to charge fees to those direct recipients that receive the benefits from such services. The purpose of a fee schedule is to set user fees that recover the costs of providing those services or elect which fees will be subsidized. According to the Government Finance Officers Association (GFOA), the best practices for establishing government charges and fees, fees should be reviewed and updated periodically based on factors such as inflation, increased cost of doing business, adequacy of cost recovery, use of services and the competitiveness of current rates.

The last comprehensive citywide fee update was completed in December 2017 by Willdan Financial Services. In the December 2020 State Audit, the City was found to not have adjusted the fees it charges for services so that they align with the full cost to the City of those services, resulting in the City's reliance on its General Fund revenue to subsidize those services. To ensure that the fees the City charges for services align with its costs, the State Audit recommended that the City use a phased approach that steadily increases its fees each fiscal year until it fully recovers the costs of the services it provides, and that the City reassess the full costs of its services at least every three years.

In November 2021, City Council awarded an agreement to Revenue & Cost Specialists, LLC for a comprehensive municipal fee study. The study kicked off in January 2022, followed by a series of focused meetings going into the details of every user fee. All the data was reviewed multiple times to ensure confidence by City staff.

The [draft and final reports](https://www.westcovina.org/departments/finance/budget-finance-reports/fee-schedule) (the reports can be found on the City's website <https://www.westcovina.org/departments/finance/budget-finance-reports/fee-schedule>) were reviewed by West Covina administration from June 2022 through March 2023. This fee study addressed all departments providing development services, public works, public safety, community services and administration. The City held community workshops on August 28, 2023 and September 6, 2023. In addition to the workshops, individual meetings were scheduled with interested Councilmembers and the consultant.

DISCUSSION:

The proposed resolution includes a comprehensive update to the overall fee schedule which includes the following:

1. Updates to Community Development, Public Safety, and Administration as proposed by the [Cost of Services Study](#) completed in August 2023.
2. Inclusion of Community Service Fees
3. Inclusion of Building Fees
4. Inclusion of Business License Fees
5. Inclusion Development Impact Fees

Community Development

When basic City development services are supported by general taxes, there is little reason for taxes to also finance those Personal Choice services which mainly benefit a developer or specific property owner. Thus, the expenses distributed across these service centers are primarily the incremental additional expenses caused by development. Were no development to take place, most of these costs could be eliminated, or at least significantly reduced.

The following recommendation from planning staff regarding Temporary Use Permits was received after the study was completed. The recommendation is an automatic fee waiver for City Sponsored/Partnered Events as long as application of City sponsorship is submitted by March of the fiscal year prior to the event date and an automatic fee waiver for the first event of any calendar year organized by a 501c3 nonprofit and a reduced fee equal to 3 hours of staff time (0.5 planning assistant and 2.5 Fire protection specialist) for every event after the first event.

Public Safety

These fee services are provided by the City's Police and Fire Departments as well as the Code Enforcement Division. Public Safety services provided to individuals and businesses account for \$14,528,780 in total service costs, and the City is able to recover 23.7% from the current fees. RCS' suggested fees could recover an additional \$1,176,700 annually for the City.

Administration

Administration services include business license processing, returned check processing and a credit card processing surcharge. Administration Services provided to individuals and businesses account for \$118,928 in total service costs, and the City is able to recover 80.4% from the current fees. RCS' suggested fees could recover an additional \$18,000 annually for the City.

Community Service Fees

Community Services include fees from the Community Services Department. As anticipated, the above findings suggest that a subsidy level exists for leisure and cultural activities. This report recommends that leisure and cultural service cost recovery goals be set as a percentage of their program costs, which is detailed in Appendix C of the report. This practice is quite common in local government operations, not because indirect costs do not exist and are not important, but rather to ensure that the cost recovery goals remain relevant, market competitive, and are easily reproducible. The City Council should develop a conscious policy as to what programs and service centers, and to what extent, should be subsidized with tax monies in promoting social benefit.

Building Fees

It is common for cities to adopt the LA County schedule of fees for Building fees. This provides easy comparison to one of the largest jurisdictions in the County as well as to those cities that have adopted the County schedule. Other cities that have adopted the Los Angeles County fee schedule include Calabasas, Temple City, Rosemead, Duarte and El Monte.

The City originally adopted the County fees and set the ratio at 1.65 times. The ratio is based upon unique topographic, soil and climatic conditions in West Covina. Additionally, the quality of construction in West Covina is generally above the construction quality in other parts of the County.

Business License Fees

City of West Covina Ordinance No. 1385 Section 3 established Business License Fees. This ordinance also allows for an annual consumer price index (CPI) increase each year.

Notice of the public hearing was posted in the newspaper on November 22, 2023 and November 28, 2023.

LEGAL REVIEW:

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

Prepared by: Lisa Sherrick, Assistant City Clerk

Additional Approval: Stephanie Sikkema, Finance Director

Fiscal Impact

FISCAL IMPACT:

If all the recommendations and suggestions made in this study are adopted, the City of West Covina would increase cost recovery by \$1,389,600 on an annual basis. Development services and public safety could achieve the greatest cost recovery from new revenues.

Possible New Revenues from Fee Increases – City of West Covina:

Service	Total Fee Revenue	Total Service Cost	Total Profit/(Subsidy)	Percent Recovery From Fees Actual - Suggested	Possible New Revenue
Development Services	\$44,49121	\$3,562,921	\$886,200	124.9% - VAR.	\$194,900
Public Safety	\$3,439,332	\$14,528,780	(\$11,089,448)	23.7% - VAR.	\$1,176,700
Community Services	\$1,693,830	\$4,283,121	(\$2,589,297)	0% - VAR.	\$0
Administration	\$95,633	\$118,928	(\$23,306)	80.4% - VAR.	\$18,000
ALL FEE SERVICES	\$9,677,905	\$22,493,750	(\$12,815,845)	43.0% - Var.	\$1,389,600

Revenue & Cost Specialist calculates a \$12,815,845 subsidy from all the fee related services, and conservatively estimates \$1,389,600 in possible new revenues. By adopting the recommendations, it will create more equity between taxpayers and fee-payers would be gained, additionally, the City's financial picture will improve.

Attachments

Attachment No. 1 - Resolution No. 2023-92

CITY COUNCIL GOALS & OBJECTIVES: Achieve Fiscal Sustainability and Financial Stability
Expand Economic Development Opportunities
Enhance City Image and Effectiveness



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 12/05/2023

TO: Mayor and City Council

FROM: Paulina Morales
Acting City Manager

SUBJECT: CONSIDERATION OF COUNCIL AND COMMISSIONER COMPENSATION AND BENEFITS

RECOMMENDATION:

Staff recommends that City Council:

1. Introduce for first reading the following ordinance:

ORDINANCE NO. 2518 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING SECTION 2-23 OF THE WEST COVINA MUNICIPAL CODE RELATING TO CITY COUNCIL COMPENSATION

2. Adopt the following resolutions:

RESOLUTION NO. 2023-105 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, REVISING THE SCHEDULE OF BENEFITS FOR CITY COUNCIL MEMBERS AND REPEALING RESOLUTION NO. 2018-94

RESOLUTION NO. 2023-106 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, INCREASING STIPENDS FOR CITY COMMISSIONERS AND REPEALING RESOLUTION NO. 2018-85

BACKGROUND:

During the December 6, 2022 City Council meeting, Mayor Castellanos requested that staff provide a report on the feasibility of an increase to the City Council's and Commissioners' pay and benefits.

At the September 19, 2023 City Council meeting, members of the City Council expressed the desire to increase the City Council salary in order to encourage more members of the community to serve on the City Council, noting that it is not financially feasible for many members of the community to serve at the current salary.

At the same meeting, the City Council directed the following:

1. Increase Council compensation to the maximum allowed per statute and provide Council benefits and car allowance.

2. Increase Council reimbursement allowance to \$5,000.
3. Increase Commissioner compensation as follows:
 - Increase Planning Commissioner compensation to \$100/meeting.
 - Increase Human Resources Commissioner compensation to \$75/meeting.
 - Increase Community and Senior Services Commissioner compensation to \$75/meeting.
 - Provide financial analysis of establishing Audit Committee compensation of \$75/meeting, excluding elected officials.

Council reimbursement allowances were modified by the City Council on November 7, 2023.

DISCUSSION:
City Council Compensation

California Government Code section 36516(a)(2) establishes the maximum amount of City Council salaries based on city population. The amounts set forth in Section 36516(a)(2) have not been adjusted since 1984.

In June 2023, the Governor signed SB 329, which amends California Government Code section 36516, effective January 1, 2024, to increase the maximum salaries set forth in Section 36516 to adjust for inflation since 1984. The author of the bill stated that city council members have one of the hardest jobs in California government, dealing with a wide range of issues, often with very little financial compensation. The author also stated that low levels of pay make it much harder for council members to balance their careers and personal obligations with the calling to serve their community. The author further stated that raising the pay will make it easier for members of marginalized communities to serve, and that increasing compensation is an important step in achieving city councils that are reflective of their communities.

California Government Code section 36516(a)(4) allows for increases in council member salaries in an amount not to exceed 5% for each calendar year from the operative date of the last adjustment of the salary in effect when the ordinance to increase the salary is enacted.

Since it has been 33 years since the last adjustment, the maximum increase allowed, per Section 36516(a)(4), is \$1,262, which increases Council's monthly compensation to \$2,027/month or \$24,327/year. The estimated fiscal impact to the General Fund would be approximately \$80,000 annually.

It is important to note that the increase to the City Council salaries would not take effect until after the results are certified for the next City Council election, which is November 2024.

Council Benefits

The following is a summary of the proposed benefits:

Benefit	Benefit Summary/Cost Range
Medical	Amount equal to the monthly Los Angeles Region Kaiser medical premium (Currently ranges from \$755 to \$1,962)
Dental	Up to \$62.23 monthly
Vision	Currently \$17
Life Insurance, Accidental Death & Dismemberment Policy	Approximately \$10 per month
Auto Allowance	\$300 per month
Deferred Compensation Plan	\$300 per month

TOTAL**\$1,444 to \$2,651 per month**

City Commissioners

The proposed resolution increases the monthly stipend for serving on City commissions to the following:

Planning Commissioners: Increase stipend from \$75.00 to \$100.00 per meeting attended.

Community and Senior Services Commissioners and Human Resources Commissioners: Increase stipend from \$50.00 to \$75.00 for each meeting attended.

Audit Committee

Council also directed that staff bring back an analysis regarding the cost of providing stipends to Audit Committee Members. Pursuant to the Audit Committee Rules and Regulations, as reflected in Resolution No. 2021-33, Members of the Audit Committee "shall serve without compensation". If the Council wishes to provide a stipend to Members of the Audit Committee, Resolution No. 2021-33 would need to be revised to reflect the payment of such stipend. Staff would also prepare a separate resolution establishing the stipend for Members of the Audit Committee. If Council wishes to establish a stipend of \$75.00 per meeting, similar to City Commissioners, the estimated fiscal impact is approximately \$1,500 per year.

LEGAL REVIEW:

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

Fiscal Impact

FISCAL IMPACT:

The table below provides a summary of options and estimated fiscal impact. It is important to note that Council benefits are presented as the maximum allowable, the actual will be dependent on Council Member elections from year to year.

Category	Current	Resolution/Ordinance	Estimated Annual Fiscal Impact to General Fund
Council Compensation	\$9,180/year	\$24,327/year	\$80,000
Council Benefits	\$600/year	\$86,000-\$159,000/year	\$86,000-\$159,000
Commissioner Stipends	\$50-\$75/month	\$75-\$100/month	\$24,500
Total Fiscal Impact on General Fund Annually			\$190,500 - \$263,500

The FY2023-24 General Fund Budget had an estimated revenue less expenditures of \$176,081. On November 7, 2023, City Council approved a budget amendment for Council Allowances, bringing the net change in fund balance to \$156,081 for FY2023-24.

Based on the revenue and expenditure assumptions in the City's Long-Range Financial Forecast: FYE 2024-2028, the General Fund is anticipated to have positive revenue over expenditures for the forecasted period. This positive excess is modest in FYE 2025 (slightly over \$1 million) but is anticipated to increase 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.

Attachments

Attachment No. 1 - Ordinance No. 2518

Attachment No. 2 - Resolution No. 2023-105

Attachment No. 3 - Resolution No. 2023-106

CITY COUNCIL GOALS & OBJECTIVES: Maintain Good Intergovernmental Relations



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 12/05/2023

TO: Mayor and City Council

FROM: Paulina Morales
Acting City Manager

**SUBJECT: ELECTION OF CITY MEMBER FOR SAN GABRIEL BASIN WATER QUALITY
AUTHORITY BOARD REPRESENTING CITIES WITHOUT PRESCRIPTIVE PUMPING
RIGHTS**

RECOMMENDATION:

It is recommended that the City Council:

1. Select the candidate for which the City Council wishes to cast the City's votes for the city member to represent cities without prescriptive pumping rights on the Board of the San Gabriel Basin Water Quality Authority.
2. Adopt the following resolution casting its votes for the candidate selected:

**RESOLUTION NO. 2023-112 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WEST COVINA, CALIFORNIA CASTING ITS VOTES FOR COUNCILMEMBER _____
TO REPRESENT CITIES WITHOUT PRESCRIPTIVE WATER PUMPING RIGHTS ON THE
BOARD OF THE SAN GABRIEL BASIN WATER QUALITY AUTHORITY**

BACKGROUND:

The State Legislature established the San Gabriel Basin Water Quality Authority (WQA) to develop, finance, and implement groundwater treatment programs in the San Gabriel Basin. The WQA is empowered by the State to address the problem of the migration of contaminated groundwater within the San Gabriel Basin and, in particular, the migration of contaminated water through the Whittier Narrows into the Central Basin.

The WQA also operates the only groundwater cleanup projects in the San Gabriel Valley that are actively intercepting contaminated groundwater flowing toward the Whittier narrows. The WQA is under the direction and leadership of a seven (7) member board. The board is comprised of one member from each of the three overlying municipal water districts, one from a city with prescriptive water pumping rights, and one from a city without prescriptive water pumping rights, and two members representing water producers in the San Gabriel Basin. West Covina is designated as a city without prescriptive water pumping rights.

The WQA is asking each city to cast their vote for one of the nominees designated in Attachment No. 1 to serve as a board member for a four-year term that will represent cities without prescriptive water pumping rights. The election for this position is to be held on December 20, 2023. The position is

currently filled by Valerie Munoz, Mayor Pro Tem of the City of La Puente.

DISCUSSION:

The nomination period for the election of the WQA board member and alternate representing cities without prescriptive water pumping rights was closed on October 19, 2023. As a result of the nomination period, a list of qualified nominees was compiled and provided to cities without prescriptive water pumping rights. Margaret Clark, Mayor Pro Tem of the City of Rosemead, and Valerie Munoz, Mayor Pro Tem of the City of La Puente, have both been nominated for this position (Attachment No. 1).

Each city has one vote for each of 10,000 residents or majority thereof, as determined by the 2020 U.S. Census data. The City of West Covina has a total of 11 votes to cast and must cast all votes for only one candidate by resolution of City Council. Votes cannot be split. The resolution of City Council casting its votes must be submitted no later than December 19, 2023, at 12:00 p.m., or votes may not be counted. A list of cities without pumping rights along with their corresponding number of votes as certified by the San Gabriel Basin Water Quality Authority is provided as Attachment No. 2.

LEGAL REVIEW:

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

OPTIONS:

The City Council may choose one of the following:

1. Cast all 11 votes for Mayor Pro Tem Margret Clark from the City of Rosemead to serve for the office of city member representing cities without pumping rights to the board of the San Gabriel Basin Water Quality Authority.
2. Cast all 11 votes for Mayor Pro Tem Valerie Munoz from the City of La Puente to serve for the office of city member representing cities without pumping rights to the board of the San Gabriel Basin Water Quality Authority.

Prepared by: Roxanne Lerma, Assistant City Manager

Attachments

Attachment No. 1 List of Nominations
Attachment No. 2 Cities Without Pumping Rights
Attachment No. 3 - Resolution No. 2023-112

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



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 12/05/2023

TO: Mayor and City Council

FROM: Paulina Morales
Acting City Manager

SUBJECT: CONSIDERATION OF STREET SWEEPING PROGRAM OPTIONS

RECOMMENDATION:

It is recommended that the City Council provide direction.

BACKGROUND:

The City of West Covina provides street sweeping services for cleaning approximately 463 curb miles of its streets through a contract with a third-party vendor, Nationwide Environmental Services ("Nationwide"). Street sweeping is a public service that cleans our community, focuses on trash and debris, and assists with the compliance of water and air quality regulations.

At the November 7, 2023 City Council meeting, City staff provided a presentation to the City Council regarding its evaluation of the City's street sweeping program and the City's options. Following staff's presentation and discussion by Council, Council continued the item to a future date to enable Nationwide to be present to answer questions from the Council.

DISCUSSION:

The staff report and attachments from the November 7, 2023 City Council meeting are included as Attachment No. 1 to this report. As outlined in the November 7, 2023 staff report, staff has determined that in order to enhance and improve the City's street sweeping program, the City has two options:

1. Implementation of a complete street sweeping parking restriction and enforcement;
and/or
2. Increasing frequency of street sweeping operation from bi-weekly to weekly.

Staff is requesting that the City Council provide direction.

LEGAL REVIEW:

The City Attorney's Office has reviewed the staff report.

OPTIONS:

The City Council has the following options:

1. Implement a comprehensive street sweeping parking restriction and enforcement program including installation of new street sweeping parking restriction signs throughout the City and

allocation of adequate resources for parking enforcement; and/or

2. Adjust the current bi-weekly street sweeping schedule to a weekly schedule and direct the Acting City Manager to finalize negotiations with Nationwide Environmental Services and present an amendment to the Agreement between the City of West Covina and Nationwide Environmental Services to the City Council for its approval at a future City Council meeting; or
3. Provide alternative direction to staff.

Fiscal Impact

FISCAL IMPACT:

The table below provides the estimated additional costs to a weekly street sweeping program as proposed with the eligible funding source. Should council move forward with either program, a future budget amendment would be brought before Council for consideration.

Program	One-Time	Recurring	First-Year Total	Funding Source
Enforcement		470,000	470,000	Measure M/R
	600,000		600,000	Measure W
Increased Contract		691,040	691,040	Measure M/R
Total	\$600,000	\$1,161,040	\$1,761,040	

Staff has confirmed that Measure M/R may be used for both enforcement and the increased contract. Excluding, one-time capital expenses, Measure M/R have capacity for both the enforcement and increased contract. However, this would reduce funding for other one-time eligible projects. The table below outlines the estimated recurring capacity for the funds. To be conservative, revenue has been held constant and expenditures have been increased by three percent over the forecasted period. For simplicity, numbers have been presented in the \$1,000s.

(\$Thousands)	FYE 2024	FYE 2025	FYE 2026	FYE 2027	FYE 2028	FYE 2029
Fund 224 - Measure R						
Revenue	1,996	1,996	1,996	1,996	1,996	1,996
Expenditures	1,093	1,126	1,160	1,195	1,231	1,268
Revenue less Expenditures	903	870	836	801	765	728
Fund 235 - Measure M						
Revenue	2,277	2,277	2,277	2,277	2,277	2,277
Expenditures	33	34	35	36	37	38
Revenue less Expenditures	2,244	2,243	2,242	2,241	2,240	2,239
Recurring Capacity	\$3,147	\$3,113	\$3,078	\$3,042	\$3,005	\$2,967

Attachments

Attachment No. 1 - November 7, 2023 Staff Report and Attachments

CITY COUNCIL GOALS & OBJECTIVES: Enhance City Image and Effectiveness



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: 12/05/2023

TO: Mayor and City Council

FROM: Paulina Morales
Acting City Manager

**SUBJECT: CONSIDERATION OF RESOLUTION NO. 2023-93 APPROVING THE CALPERS
EXCEPTION TO THE 180-DAY WAIT PERIOD**

RECOMMENDATION:

Staff recommends that the City Council adopt the following resolution:

RESOLUTION NO. 2023-93 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, MAKING THE REQUIRED CERTIFICATIONS AND APPROVING THE APPOINTMENT OF ANNETTE CARLOS AS A PART-TIME RETIRED ANNUITANT POLICE RECORDS SPECIALIST II IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTIONS 7522.56 AND 21224

BACKGROUND:

The Records Bureau of the West Covina Police Department is the primary public safety contact for other criminal justice agencies that coordinate with Police, and also for residents needing in-person assistance at the Police Station. West Covina Police Department Records staff are directly responsible for the timely production of records to meet local, state, and federal laws and mandates, as well as meeting the Police records needs of the public-these are critical public safety duties.

The West Covina Police Department Records Division is currently experiencing a staffing shortage with five vacancies. The Department has been actively recruiting to fill these vacancies; however, staff does not anticipate being able to fill these positions with properly trained staff for months. These vacancies will make it extremely difficult for our existing Records Personnel to keep up with workload demands of the Records Division and to stay in compliance with state and federal requirements. This shortage of personnel will also make training of newly hired personnel to fill current vacancies extremely challenging while managing the workload of day-to-day records functions.

Ms. Annette Carlos, Records Specialist II, retirement from the City and with CalPERS will be effective December 4, 2023, and is one of the five Records vacancies. Due to the workload demands and staffing needed to train newly hired records staff, Ms. Carlos has graciously offered to help the Department by returning to work as a part-time Retired Annuitant. Ms. Carlos is the most tenured Records staff member the Department has, and her experience will be a crucial part of helping to ensure our newly hired personnel are properly trained and that the standards in Records continue to be met. As a Retired Annuitant employee, Ms. Carlos would provide records services, mentor and train Records Specialist II's as they move into new roles, and help train newly hired Records staff to ensure the future integrity of the Records Division.

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

DISCUSSION:

Pursuant to Section 7522.56(b) of the California 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 California 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 California 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 California 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. Carlos has the specific skills and knowledge required to perform duties related to the Records Bureau, to support the Police Department's efforts to provide public safety service in a timely manner, and ensure report processing complies with local, state and federal laws. Ms. Carlos, as our Senior Records Specialist with over 22 years of experience, also possesses a special skill set and a high level of expertise related to producing and processing records in response to time-sensitive court requests and Public Records Act requests. Ms. Carlos also has the skills and the tenure necessary to mentor our newly promoted trainers and help provide training to our future newly hired staff members.

As outlined above, the Police Department Records Division is at critical staffing levels with five 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. Carlos' 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: Erika De La Cueva, Records Manager

Fiscal Impact

FISCAL IMPACT:

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

Attachments

Attachment No. 1 - Resolution No. 2023-93

CITY COUNCIL GOALS & OBJECTIVES: Protect Public Safety