



CITY OF WEST COVINA

CITY COUNCIL/SUCCESSOR AGENCY

**JUNE 18, 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. 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 JUNE 18, 2019, 7:00 PM
REGULAR MEETING**

INVOCATION

Led by Jillian Lutes
West Covina Hills Seventh-day Adventist Church

PLEDGE OF ALLEGIANCE

Led by Mayor Pro Tem Tony Wu

ROLL CALL

REPORTING OUT FROM CLOSED SESSION

PRESENTATIONS

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) **JUNE 4, 2019, CITY COUNCIL/SUCCESSOR AGENCY CLOSED SESSION MEETING MINUTES**
JUNE 4, 2019, CITY COUNCIL/SUCCESSOR AGENCY REGULAR MEETING MINUTES
It is recommended that the City Council receive and file the minutes of June 4, 2019 Closed Session Meeting Minutes and June 4, 2019 Regular Meeting Minutes.

COMMISSION SUMMARY OF ACTIONS

- 2) **SUMMARY OF ACTIONS FOR THE COMMUNITY AND SENIOR SERVICES COMMISSION MEETING OF MARCH 12, 2019.**
It is recommended that the City Council receive and file the Summary of Actions for the March 12, 2019, regular meeting of the Community and Senior Services Commission.

CLAIMS AGAINST THE CITY

- 3) **GOVERNMENT TORT CLAIM DENIALS**

It is recommended that the City Council deny the following Government Tort Claim and the claimant be notified:

- Ricardo Escobar Tobar vs. The City of West Covina
- Gabriela Cabrera vs. The City of West Covina

INVESTMENT REPORT

4) INVESTMENT REPORT FOR THE MONTH ENDED APRIL 30, 2019

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

CITY CLERK'S OFFICE

5) DESTRUCTION OF DOCUMENTS AS PRESCRIBED BY LAW

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

RESOLUTION NO. 2019-47 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AUTHORIZING THE DESTRUCTION OF CERTAIN DOCUMENTS AS PRESCRIBED BY LAW

CITY MANAGER'S OFFICE

6) CONSIDERATION OF AGREEMENT WITH LIEBERT CASSIDY WHITMORE FOR LEGAL SUPPORT FOR LABOR RELATIONS

It is recommended that the City Council authorize the Interim City Manager to negotiate and execute an agreement with Liebert Cassidy Whitmore for labor relations services.

COMMUNITY DEVELOPMENT

7) WEST COVINA LANDSCAPE MAINTENANCE DISTRICT NO. 1 SETTING OF FISCAL YEAR 2019-20 ASSESSMENT RATE

It is recommended that the City Council adopt the following resolution, which provides for the assessment rate to be maintained at the current rate of 11.88 cents per 100 dollars of assessed valuation.

RESOLUTION NO. 2019-45 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, SETTING THE ASSESSMENT RATE FOR WEST COVINA LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR THE FISCAL YEAR BEGINNING JULY 1, 2019

8) WEST COVINA LANDSCAPE MAINTENANCE DISTRICT NO. 2 SETTING OF FISCAL YEAR 2019-20 ASSESSMENT RATE

It is recommended that the City Council adopt the following resolution, which provides for the assessment rate to be maintained at the current rate of 6.43 cents per 100 dollars of assessed valuation.

RESOLUTION NO. 2019-46 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, SETTING THE ASSESSMENT RATE FOR WEST COVINA LANDSCAPE MAINTENANCE DISTRICT NO. 2 ASSESSMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2019

FINANCE DEPARTMENT

9) ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2019-20

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

RESOLUTION NO. 2019-48 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, SETTING THE ANNUAL APPROPRIATIONS LIMIT FOR THE FISCAL YEAR ENDING JUNE 30, 2020

HUMAN RESOURCES

10) CONSIDERATION OF MEMBERSHIP IN THE CALIFORNIA STATE ASSOCIATION OF COUNTIES EXCESS INSURANCE AUTHORITY

It is recommended that City Council take the following action:

1. Authorize the City's withdrawal from the Big Independent Cities Excess Pool (BICEP) effective June 30, 2019;
2. Authorize the City to join the California State Association of Counties (CSAC) Excess Insurance Authority for Excess Liability G L-1, Optional Excess Liability and Excess Workers' Compensation Programs;
3. Authorize the Interim City Manager or designee to execute the related Joint Powers Agreements and Memorandums of Coverage for the EIA Excess Liability G L-1, Optional Excess Liability and Excess Workers' Compensation programs;
4. Designating the City Manager or designee to act in all matters relating to the member and the Joint Powers Authority; and
5. Adopt the following resolutions:

RESOLUTION NO. 2019-52 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ESTABLISHING MEMBERSHIP IN THE CALIFORNIA STATE ASSOCIATION OF COUNTIES EXCESS INSURANCE AUTHORITY

RESOLUTION NO. 2019-51 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DECLARING SPECIFIC VOLUNTEERS TO BE EMPLOYEES FOR THE PURPOSE OF WORKERS' COMPENSATION AND INSURANCE LAW

PUBLIC SERVICES

11) CONSIDERATION OF ORDINANCE AMENDING ANIMAL CONTROL REGULATIONS

It is recommended that the City Council adopt, give first reading, and waive further reading for the following ordinances related to animal control:

URGENCY ORDINANCE NO. 2458 - AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA AMENDING CHAPTER 6 OF THE CITY OF WEST COVINA MUNICIPAL CODE

ORDINANCE NO. 2459 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA AMENDING CHAPTER 6 OF THE CITY OF WEST COVINA MUNICIPAL CODE

12) CONSIDERATION OF APPROVAL OF PURCHASE ORDER TO BIO CLEAN, A FORTERRA COMPANY, TO INSTALL ADDITIONAL CATCH BASIN FULL TRASH CAPTURE DEVICES

It is recommended that the City Council authorize staff to issue a purchase order to Bio Clean, A Forterra Company, in the amount of \$57,022 for the purchase and installation of additional catch basin inserts at various locations in the City.

13) AUTHORIZE THE PURCHASE OF ONE POLICE INTERCEPTOR UTILITY VEHICLE

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

1. In accordance with Municipal Code Chapter 2, Article VII, Division 2, Sec. 2-333 (i) (2), and the findings of the West Covina Finance Department/Purchasing Officer, find that the Sourcewell/National Joint Powers Alliance (NJPA) Master Vehicle Contract No. 120716-NAF satisfies the City of West Covina's bid process; and
2. Authorize the purchase of one (1) police interceptor utility vehicle per specifications, directly from Wondries Fleet Group of Alhambra (part of National Auto Fleet Group) for a total of \$37,627.47, including taxes and fees, from Account No. 367.31.3120.7170 and No. 365.41.4170.6417.

14) AUTHORIZATION FOR THE PURCHASE OF ONE WHEEL LOADER WITH A 2.0 CUBIC YARD MULTIPURPOSE BUCKET

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

1. Authorize the purchase of one 2019 Wheel Loader with a 2.0 cubic yard multipurpose bucket from John Deere Coastline Equipment Company of Long Beach for the cost of \$169,348.73; and
2. Waive formal bidding and authorize the use of Sourcewell formally NJPA contract No. 032515-JDC.

END OF CONSENT CALENDAR

HEARINGS

PUBLIC HEARINGS

15) PUBLIC HEARING REGARDING WEST COVINA AUTO PLAZA BUSINESS IMPROVEMENT DISTRICT FISCAL YEAR 2019-2020 ANNUAL REPORT AND ASSESSMENT

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

RESOLUTION NO. 2019-35 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA CONFIRMING THE ANNUAL REPORT FOR THE WEST COVINA AUTO PLAZA BUSINESS IMPROVEMENT DISTRICT AREA FOR FISCAL YEAR 2019-2020 AND LEVY OF ASSESSMENT

16) PUBLIC HEARING REGARDING CITYWIDE SEWER SERVICE CHARGE

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

RESOLUTION NO. 2019-43 — A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING THE SEWER SERVICE CHARGES TO BE COLLECTED ON THE 2019-20 TAX ROLL

17) WEST COVINA CITYWIDE LIGHTING AND MAINTENANCE DISTRICT PUBLIC HEARING

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

RESOLUTION NO. 2019-44 — A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT FOR THE CITYWIDE LIGHTING AND MAINTENANCE DISTRICT FOR FISCAL YEAR 2019-20

DEPARTMENTAL REGULAR MATTERS

FINANCE DEPARTMENT

18) ADOPTION OF THE CITY OF WEST COVINA FISCAL YEAR 2019-20 ANNUAL OPERATING AND CAPITAL IMPROVEMENT PROGRAM BUDGET

It is recommended that the City Council approve the Fiscal Year 2019-20 Proposed Operating and Capital Improvement Program Budget as amended by adopting the following resolution:

RESOLUTION NO. 2019-49 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADOPTING THE OPERATING BUDGET FOR THE CITY OF WEST COVINA, WEST COVINA PUBLIC FINANCE AUTHORITY, WEST COVINA HOUSING AUTHORITY, THE SUCCESSOR AGENCY TO THE FORMER WEST COVINA REDEVELOPMENT AGENCY AND THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEAR 2019-20

PUBLIC SERVICES

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

July 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.