



**CITY OF WEST COVINA**

**CITY COUNCIL/SUCCESSOR AGENCY**

**AUGUST 20, 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 AUGUST 20, 2019, 7:00 PM  
REGULAR MEETING**

#### **INVOCATION**

Led by Reverend Samuel Martinez  
Amazing Love Ministries of West Covina.

#### **PLEDGE OF ALLEGIANCE**

Led by Mayor Lloyd Johnson

#### **ROLL CALL**

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

#### **PRESENTATIONS**

West Covina Film Festival Awards  
SGVCOG Coyote Management

#### **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) **JULY 16, 2019, CITY COUNCIL/SUCCESSOR AGENCY SPECIAL CLOSED SESSION  
MEETING MINUTES  
JULY 16, 2019, CITY COUNCIL/SUCCESSOR AGENCY CLOSED SESSION MEETING  
MINUTES  
JULY 16, 2019, CITY COUNCIL/SUCCESSOR AGENCY REGULAR MEETING MINUTES  
AUGUST 12, 2019, CITY COUNCIL/SUCCESSOR AGENCY SPECIAL MEETING  
MINUTES**

It is recommended that the City Council receive and file the minutes of July 16, 2019 Special Closed Session Meeting Minutes, July 16, 2019 Closed Session Meeting Minutes, July 16, 2019 Regular Meeting Minutes and August 12, 2019 Special Meeting Minutes.

## **CLAIMS AGAINST THE CITY**

### **2) GOVERNMENT TORT CLAIM DENIALS**

It is recommended that the City Council deny the following Government Tort Claims and the claimants be notified:

- Victor Della Rossa vs. The City of West Covina
- Roberto Medina vs. The City of West Covina
- Marc Taylor vs. The City of West Covina

## **INVESTMENT REPORT**

### **3) INVESTMENT REPORT FOR THE MONTH ENDED JUNE 30, 2019**

It is recommended that the City Council receive and file the Investment Report for the month ended June 30, 2019.

## **CITY ATTORNEY'S OFFICE**

### **4) CONSIDERATION OF CITY MANAGER EMPLOYMENT AGREEMENT WITH DAVID CARMANY**

It is recommended that the City Council approve a City Manager employment agreement with David Carmany

## **CITY MANAGER'S OFFICE**

### **5) CONSIDERATION OF LICENSING AGREEMENT WITH SOFTWAREONE FOR MICROSOFT ENTERPRISE**

It is recommended that the City Council authorize post facto the City Manager or his designee to increase the contract with SoftwareOne which provides a Microsoft Enterprise Agreement based on the terms and conditions of the County of Riverside Enterprise Licensing Agreement #01E73970 with Microsoft Licensing GP from \$90,363.25 to \$116,025.30.

### **6) APPOINTMENT OF COMMUNITY & SENIOR SERVICES COMMISSIONER PAUL BLACKBURN**

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

### **7) CONSIDERATION OF APPROVAL OF THIRD AMENDMENT TO RETAINER AGREEMENT FOR CITY ATTORNEY SERVICES**

It is recommended that the City Council approve the third amendment to retainer agreement with Jones & Mayer for City Attorney services.

## **COMMUNITY DEVELOPMENT**

### **8) CONSIDERATION OF ENGINEERING SERVICES CONTRACT APPROVAL**

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

1. Approve Transtech for City Engineering Services, Traffic Engineering Services and General Engineering Services for two years ending September 1, 2021; and
2. Authorize the City Manager to execute a contract with Transtech not to exceed \$800,000.

**9) CONSIDERATION OF SALE OF CITY OWNED PARCEL AT EASTLAND SHOPPING CENTER (APN NO: 8451-012-907)**

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

**RESOLUTION NO. 2019-62 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING AND DIRECTING THE CITY MANAGER TO OPEN ESCROW AND NEGOTIATE & EXECUTE A PURCHASE AND SALE AGREEMENT AND RELATED DOCUMENTS NECESSARY TO COMPLETE THE SALE OF LAND TO BRE DDR BR EASTLAND CA LLC (BLACKSTONE)**

**10) CONSIDERATION OF OFFICE USE AGREEMENT WITH SCORE ASSOCIATION**

It is recommended that the City Council authorize the City Manager to negotiate & execute an Office Use Agreement with SCORE Association for a term of two (2) years, with three optional one-year extensions.

**11) CONSIDERATION OF FIVE (5) YEAR EXTENSION OPTION FOR PARKING FACILITIES AT THE LAKES AT WEST COVINA**

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

**RESOLUTION NO. 2019-61 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING AND DIRECTING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF EXERCISE OF SUBLEASE EXTENSION OPTION FOR PARKING FACILITIES AT THE LAKES AT WEST COVINA WITH CIP 2014/SG COVINA OWNER LLC**

**FIRE DEPARTMENT**

**12) CONSIDERATION OF LEASE PURCHASE OF FIRE DEPARTMENT MUTUAL AID VEHICLES**

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

1. Approve a purchase order to National Auto Fleet Group in the amount of \$196,758.72 (including sales tax, delivery, and options) for the purchase of three 2019 Crew Cab 4x4 pick-up trucks with bed covers. Waive formal contract procedures in accordance with the Municipal Code Chapter 2, Article VII, Division 2, Sec. 2-333(i)(2), which states that when a successful bidder for a contract with another county, city, special district, or other local agency makes the same written bid to the city, and the purchasing officer finds that the other local agency originally obtained the bid pursuant to formal contract procedures at least as rigorous as those of the city, that the formal contract procedures may be waived;
2. Approve a five-year lease agreement with Lease Servicing Inc., dba National Cooperative with a lease fee in the amount of \$24,006;

3. Approve a purchase order to Acura Systems International Inc., in the amount of \$18,479.90 (including sales tax and delivery) for the purchase of a mobile data computer (“MDC”) and related accessories for the vehicles. Waive formal contract procedures in accordance with the Municipal Code Chapter 2, Article VII, Division 2, Sec. 2-333(i)(2), which states that when a successful bidder for a contract with another county, city, special district, or other local agency makes the same written bid to the city, and the purchasing officer finds that the other local agency originally obtained the bid pursuant to formal contract procedures at least as rigorous as those of the city, that the formal contract procedures may be waived;
4. Appropriate \$62,631.80 from the Fiscal Year (FY) 2019-20 General Fund reserves;
5. Appropriate \$1,847.47 to the Public Services Department from the FY 2019-20 General Fund reserves for vehicle maintenance; and
6. Adopt the following resolution:

**RESOLUTION NO. 2019-57 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADOPTING A BUDGET AMENDMENT FOR THE FISCAL YEAR COMMENCING JULY 1, 2019, AND ENDING JUNE 30, 2020 (Purchase of Fire Mutual Aid Vehicles)**

**13) CONSIDERATION OF AGREEMENTS FOR BACKUP EMERGENCY AMBULANCE TRANSPORTATION**

It is recommended that the City Council authorize the City Manager to negotiate and execute agreements through June 30, 2020, and accept the following actions:

1. A one-year agreement with four one-year renewal options with Premiere Ambulance, Emergency Ambulance Service, Medic 1 Ambulance, First Rescue Ambulance to provide back emergency ambulance transportation services; and
2. A one-year renewal option with American Medical Response, and CARE Ambulance Service to provide backup emergency ambulance transportation services.

**PUBLIC SERVICES**

**14) CONSIDERATION OF CONTRACT WITH COUNTY OF LOS ANGELES FOR IMPLEMENTATION OF CITIES HOMELESSNESS PLANS GRANT**

It is recommended that the City Council authorize the City Manager to negotiate and execute a contract with the County of Los Angeles for the Implementation of Cities Homelessness Plans Grant.

**END OF CONSENT CALENDAR**

**HEARINGS**

**DEPARTMENTAL REGULAR MATTERS**

**CITY CLERK'S OFFICE**

**15) APPOINTMENT OF FINANCE & AUDIT COMMITTEE MEMBERS**

It is recommended that City Council appoint up to two Community Members to the City's Finance & Audit Committee to each serve a two-year term.

## **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.)*

### **16) DISCUSSION REGARDING CAMERAS AND SECURITY LIGHTING IN PARKS - REQUEST FROM COUNCILWOMAN LOPEZ-VIADO**

It is requested that the City Council 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.)*

### **17) REQUEST FROM COUNCILWOMAN LETTY LOPEZ-VIADO REQUESTING THE CITY COUNCIL'S CONSIDERATION TO DIRECT STAFF TO EXPLORE OPTIONS FOR BUSINESS LICENSE SERVICES AND FALSE ALARM BILLING.**

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

## **CITY COUNCIL COMMENTS**

## **ADJOURNMENT**

### **Next Tentative City Council Meeting**

Regular Meeting

September 3, 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.