



CITY OF WEST COVINA

CITY COUNCIL/SUCCESSOR AGENCY

**DECEMBER 17, 2019, 7:00 PM
REGULAR MEETING**

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

**Mayor Tony Wu
Mayor Pro Tem Letty Lopez-Viado
Councilman Dario Castellanos
Councilman Lloyd Johnson
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 DECEMBER 17, 2019, 7:00 PM
REGULAR MEETING**

INVOCATION

Led by Reverend Dr. Mason Okubo
Immanuel First Lutheran Church

PLEDGE OF ALLEGIANCE

Led by Council Member Dario Castellanos

ROLL CALL

REPORTING OUT FROM CLOSED SESSION

PRESENTATIONS

Retirement Recognition for 30-Year Employee Lori Barron
Resolution of Recognition to the West Covina High School Choir

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) **DECEMBER 3, 2019 CITY COUNCIL/SUCCESSOR AGENCY CLOSED SESSION
MEETING MINUTES
DECEMBER 3, 2019 CITY COUNCIL/SUCCESSOR AGENCY REGULAR MEETING
MINUTES**

It is recommended that the City Council receive and file the December 3, 2019 Closed Session Meeting Minutes and the December 3, 2019 Regular Meeting Minutes.

CITY MANAGER'S OFFICE

- 2) **CONSIDERATION OF PROPOSED APPOINTMENT OF ASSISTANT CITY CLERK**

It is recommended that the City Council Approve the City Manager's proposed appointment of Lisa Sherrick to the position of Assistant City Clerk.

COMMUNITY DEVELOPMENT

3) CONSIDERATION OF MINUTES AND APPROVAL OF RECOMMENDATIONS FROM THE NOVEMBER 12, 2019 TRAFFIC COMMITTEE MEETING

That the City Council approve the Traffic Committee recommendations from the November 12, 2019 meeting for the following items:

1. Resident requested red curb installation at Stuart and Azusa Avenues for increased line of sight - Recommendation to install 55-feet of red curb along the west side of Azusa Avenue just north of Stuart Avenue.
2. Resident requested red curb installation at Puente and Myrtlewood Avenues for increased line of sight - Recommendation to install 20-feet of red curb along the north side of Puente Avenue just west of Myrtlewood Avenue.
3. Resident requested red curb and center line installation at Morris Avenue and Palm Drive for increased line of sight - Recommendation to install 20-feet of red curb on the south side of Palm Drive east of Morris Avenue and install an approximately 80-foot long center line on the curve of the Morris Avenue and Palm Drive intersection.
4. Resident requested red curb installation at driveway for 509 S Barranca Avenue - Recommendation to install 6-feet of red curb on both sides of the south driveway and 6-feet of red curb on the south side of the north driveway.

HUMAN RESOURCES

4) CONSIDERATION OF GOVERNMENT TORT CLAIMS

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

1. Michele Salas vs. City of West Covina
2. Veronica Quezada vs. City of West Covina
3. Fabian Haltom vs. City of West Covina
4. Jorge Garcia vs. City of West Covina
5. Teresa Milan vs. City of West Covina
6. Susan DeMott vs. City of West Covina
7. Guadalupe Orozco vs. City of West Covina
8. Mercury Insurance ASO Lan Doung vs. City of West Covina

PUBLIC SERVICES

5) CONSIDERATION OF MEMORANDUM OF UNDERSTANDING WITH CITIES OF AZUSA, COVINA, DUARTE, AND GLENDORA AND AGREEMENT WITH UNION STATION FOR FIVE-CITIES HOMELESSNESS PLANS IMPLEMENTATION GRANT PROJECT

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

1. Authorize the City Manager to negotiate and execute a Memorandum of Understanding with the member cities of the East San Gabriel Valley Cohort (Cities of Azusa, Covina, Duarte, Glendora);
2. Authorize the City Manager to negotiate and execute an agreement with Union Station for Homeless Services; and
3. Approve the following Resolution:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA,
CALIFORNIA, – RESOLUTION NO. 2019-98 ADOPTING A BUDGET
AMENDMENT FOR THE FISCAL YEAR COMMENCING JULY 1, 2019 AND
ENDING JUNE 30, 2020 (UNION STATION)**

**6) CONSIDERATION OF AMENDMENT NO. 2 OF MERCHANTS LANDSCAPE
MAINTENANCE OF LANDSCAPE MAINTENANCE DISTRICTS (LMD) 1, 2, 4 & BIG
LEAGUE DREAMS CONTRACT TO ADD LMD 6 & 7**

It is recommended that the City Council authorize the City Manager to negotiate and execute an amendment to the contract with Merchants Landscape Services, Inc. for Landscape Maintenance Districts 1, 2, 4 and the Big League Dreams (BLD) perimeter areas to include maintenance of landscaping, natural and open space areas, hardscape, and irrigation systems for Landscape Maintenance Districts 6 and 7.

END OF CONSENT CALENDAR

HEARINGS

PUBLIC HEARINGS

**7) ADOPTION OF CALIFORNIA BUILDING CODES AS AMENDED BY LOS ANGELES
COUNTY AND CALIFORNIA FIRE CODE**

It is recommended that the City Council do the following:

1. Introduce, by title only, further reading waived, and adopt, by four-fifths (4/5) vote, the following ordinance:

**URGENCY ORDINANCE NO. 2466 - AN URGENCY ORDINANCE OF THE CITY
COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING ARTICLES
II, IV, V, VI, AND VII OF CHAPTER 7, ADDING ARTICLES XIX, XX, AND XXI TO
CHAPTER 7, AMENDING ARTICLE I OF CHAPTER 9 AND ARTICLE II OF
CHAPTER 10 OF THE WEST COVINA MUNICIPAL CODE TO ADOPT BY
REFERENCE TITLE 26 (BUILDING CODE) OF THE LOS ANGELES COUNTY CODE,
WHICH ADOPTS BY REFERENCE THE 2019 CALIFORNIA BUILDING CODE;
TITLE 27 (ELECTRICAL CODE) OF THE LOS ANGELES COUNTY CODE, WHICH
ADOPTS BY REFERENCE THE 2019 CALIFORNIA ELECTRICAL CODE; TITLE 30
(RESIDENTIAL CODE) OF THE LOS ANGELES COUNTY CODE, WHICH ADOPTS
BY REFERENCE THE 2019 CALIFORNIA RESIDENTIAL CODE; TITLE 29
(MECHANICAL CODE) OF THE LOS ANGELES COUNTY CODE, WHICH ADOPTS
BY REFERENCE THE 2019 CALIFORNIA MECHANICAL CODE; TITLE 28
(PLUMBING CODE) OF THE LOS ANGELES COUNTY CODE, WHICH ADOPTS BY
REFERENCE THE 2019 CALIFORNIA PLUMBING CODE, TITLE 31 (GREEN
BUILDING STANDARDS CODE) OF THE LOS ANGELES COUNTY CODE, WHICH**

ADOPTS BY REFERENCE THE 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE; TITLE 33 (EXISTING BUILDING CODE) OF THE LOS ANGELES COUNTY CODE, WHICH ADOPTS BY REFERENCE THE 2019 CALIFORNIA EXISTING BUILDING CODE; AND MAKING AMENDMENTS THERETO; AND AMENDING ARTICLE II OF CHAPTER 14 OF THE WEST COVINA MUNICIPAL CODE TO REPEAL THE CONSTRUCTION CONTRACTOR LICENSE FEE

2. Introduce, by title only, further reading waived, and adopt, by four-fifths (4/5) vote, the following ordinance:

URGENCY ORDINANCE NO. 2468 - AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING ARTICLE II OF CHAPTER 10 OF THE WEST COVINA MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2019 CALIFORNIA FIRE CODE, WHICH ADOPTS BY REFERENCE THE 2018 INTERNATIONAL FIRE CODE; AND MAKING AMENDMENTS THERETO

3. Introduce for first reading, by title only, further reading waived, the following ordinance and schedule a public hearing for January 7, 2020 regarding the adoption thereof in accordance with the provisions of Government Code section 50022.1 et seq.:

ORDINANCE NO. 2463 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING ARTICLES II, IV, V, VI, AND VII OF CHAPTER 7, ADDING ARTICLES XIX, XX, AND XXI TO CHAPTER 7, AMENDING ARTICLE I OF CHAPTER 9 AND ARTICLE II OF CHAPTER 10 OF THE WEST COVINA MUNICIPAL CODE TO ADOPT BY REFERENCE TITLE 26 (BUILDING CODE) OF THE LOS ANGELES COUNTY CODE, WHICH ADOPTS BY REFERENCE THE 2019 CALIFORNIA BUILDING CODE; TITLE 27 (ELECTRICAL CODE) OF THE LOS ANGELES COUNTY CODE, WHICH ADOPTS BY REFERENCE THE 2019 CALIFORNIA ELECTRICAL CODE; TITLE 30 (RESIDENTIAL CODE) OF THE LOS ANGELES COUNTY CODE, WHICH ADOPTS BY REFERENCE THE 2019 CALIFORNIA RESIDENTIAL CODE; TITLE 29 (MECHANICAL CODE) OF THE LOS ANGELES COUNTY CODE, WHICH ADOPTS BY REFERENCE THE 2019 CALIFORNIA MECHANICAL CODE; TITLE 28 (PLUMBING CODE) OF THE LOS ANGELES COUNTY CODE, WHICH ADOPTS BY REFERENCE THE 2019 CALIFORNIA PLUMBING CODE, TITLE 31 (GREEN BUILDING STANDARDS CODE) OF THE LOS ANGELES COUNTY CODE, WHICH ADOPTS BY REFERENCE THE 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE; TITLE 33 (EXISTING BUILDING CODE) OF THE LOS ANGELES COUNTY CODE, WHICH ADOPTS BY REFERENCE THE 2019 CALIFORNIA EXISTING BUILDING CODE; AND MAKING AMENDMENTS THERETO; AND AMENDING ARTICLE II OF CHAPTER 14 OF THE WEST COVINA MUNICIPAL CODE TO REPEAL THE CONSTRUCTION CONTRACTOR LICENSE FEE

4. Introduce for first reading, by title only, further reading waived, the following ordinance, and schedule a public hearing for January 7, 2020 regarding the adoption thereof in accordance with the provisions of Government Code section 50022.1 et seq.:

ORDINANCE NO. 2467 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING ARTICLE II OF CHAPTER 10 OF THE WEST COVINA MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2019 CALIFORNIA FIRE CODE, WHICH ADOPTS BY REFERENCE THE 2018 INTERNATIONAL FIRE CODE; AND MAKING AMENDMENTS THERETO

8) PUBLIC HEARING REGARDING ADOPTION OF UPDATED FINE AND FEE SCHEDULE

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

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

RESOLUTION NO. 2019-92 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADOPTING AN UPDATED FINE AND FEE SCHEDULE

9) PUBLIC HEARING REGARDING CODE AMENDMENT NO. 19-03 TO ALLOW FOR TEMPORARY NON-COMMERCIAL (POLITICAL) SIGNS TO BE PLACED IN PARKWAYS WITHIN THE PUBLIC RIGHT OF WAY.

The Planning Commission recommends that the City Council read the title of the ordinance and waive further reading, and introduce (i.e. "first reading") the following ordinance:

ORDINANCE NO. 2464 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA AMENDING SECTIONS 26-312 and 26-314 OF THE WEST COVINA MUNICIPAL CODE, TO ALLOW CERTAIN TEMPORARY NON-COMMERCIAL SIGNS TO BE PLACED IN PARKWAYS WITHIN MUNICIPAL RIGHTS OF WAY

10) CONSIDERATION OF CODE AMENDMENT NO. 19-06 - AN AMENDMENT TO THE WEST COVINA ZONING ORDINANCE (CHAPTER 26) REGARDING ACCESSORY DWELLING UNITS

It is recommended that the City Council introduce, give first reading, and adopt an urgency ordinance allowing accessory dwelling units as mandated by state law including legislative bills AB 68, AB 881, SB 13, and AB 670:

ORDINANCE NO. 2465 - AN URGENCY ORDINANCE OF THE WEST COVINA CITY COUNCIL TO AUTHORIZE ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS CONSISTENT WITH STATE LAW REQUIREMENTS BY AMENDING PORTIONS OF CHAPTER 26 OF THE MUNICIPAL CODE

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.)

11) REQUEST FROM COUNCILMEMBER LLOYD JOHNSON REQUESTING THE CITY COUNCIL'S CONSIDERATION TO DIRECT STAFF TO EXAMINE POTENTIAL UPDATES TO THE CITY'S FILM PERMIT STANDARDS CONTAINED IN THE WEST COVINA ZONING CODE.

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

CITY COUNCIL COMMENTS

ADJOURNMENT

Next Tentative City Council Meeting

Regular Meeting

January 7, 2020

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.