



CITY OF WEST COVINA

CITY COUNCIL/SUCCESSOR AGENCY

**JANUARY 21, 2020, 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 JANUARY 21, 2020, 7:00 PM
REGULAR MEETING**

INVOCATION

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

PLEDGE OF ALLEGIANCE

Led by Mayor Pro Tem Letty Lopez-Viado

ROLL CALL

REPORTING OUT FROM CLOSED SESSION

PRESENTATIONS

- Shop Local After School Program - Chinese American Association of West Covina donations to School Districts
- The Kiwanis Club of West Covina - 2019 Pumpkin Run donation
- San Gabriel Valley Economic Partnership - Bill Manis CEO

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) **DECEMBER 17, 2019 CITY COUNCIL/SUCCESSOR AGENCY REGULAR MEETING MINUTES**
DECEMBER 17, 2019 CITY COUNCIL/SUCCESSOR AGENCY CLOSED SESSION MEETING MINUTES
JANUARY 7, 2019 CITY COUNCIL/SUCCESSOR AGENCY REGULAR MEETING MINUTES
JANUARY 7, 2019 CITY COUNCIL/SUCCESSOR AGENCY CLOSED SESSION MEETING MINUTES

It is recommended that the City Council approve the December 17, 2019 Regular Meeting Minutes, the December 17, 2019 Closed Session Meeting Minutes, the January 7, 2019 Regular Meeting Minutes and the January 7, 2019 Closed Session Meeting Minutes.

INVESTMENT REPORT

2) INVESTMENT REPORT FOR THE MONTH ENDED NOVEMBER 30, 2019.

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

COMMUNITY DEVELOPMENT

3) INITIATION OF CODE AMENDMENT NO. 20-01 FILM PERMIT STANDARDS

It is recommended that the City Council consider initiating Code Amendment No. 20-01 to examine revisions to film permit standards, by adopting the following resolution:

RESOLUTION NO. 2020-05 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, INITIATING CODE AMENDMENT NO. 20-01 TO STUDY FILM PERMIT STANDARDS

4) CONSIDERATION OF APPROVAL OF TRAFFIC COMMITTEE MINUTES AS WELL AS RECOMMENDATIONS FOR RED CURB INSTALLATION FROM THE DECEMBER 10, 2019 TRAFFIC COMMITTEE MEETING

It is recommended that the City Council approve the Traffic Committee recommendations from the December 10, 2019 Traffic Committee Meeting for the following items:

1. Line of Sight Review at 2027 E. Garvey Avenue

Request: A resident requested red curb on either side of their driveway to deter vehicles from encroaching and blocking access to their driveway.

Review Standard:

- Curb marking recommendations are based on a combination of engineering judgment, the California Manual on Uniform Traffic Devices (CAMUTCD), and the California Vehicle Code (CVC). Based on engineering judgment, red curb is recommended.

Recommendation: The Traffic Committee unanimously recommends to paint 4-feet of red curb on both sides of the driveway approach.

2. Traffic Review of Vine Avenue between Valinda Avenue and Lark Ellen Avenue

Request: A resident requested for an all-way stop control at the intersection of Pima Avenue and Vine Avenue as well as a review of speeding concerns along Vine Avenue between Valinda Avenue and Lark Ellen Avenue.

Review Standard:

- The placement of stop signs is dictated by engineering judgment and based on the guidelines found in the CAMUTCD and CVC. CAMUTCD Section 2B.07 describes applications, warrants, and placement of STOP signs (R1-1). Based on these guidelines the placement of an all-way stop control at the requested location was not warranted and did not meet the criteria for all-way stop installation.
- Line of sight analysis was conducted at the requested intersection. Per AASHTO Table 3-1 (A Policy on Geometric Design of Highways and Streets) for a roadway with a posted speed of 35 MPH, the clear sight distance needed is 250 feet. Based on stopping sight distance triangle analysis completed on Pima Avenue and Vine Avenue, red curb is recommended to increase visibility.
- Installation of larger dimensioned signage are recommended as treatments to increase the motorist's awareness and other driver conditions by highlighting various areas of the roadway. All sign dimensions should comply with the dimensions specified in the CAMUTCD Table 2B-1 Regulatory Sign and Plaque Sizes. Posted speed signs and adjacent

speed limit pavement legends are recommended to alert motorists of the speed limit.

Recommendation: The Traffic Committee unanimously recommends to (1) repaint all existing red curbs at the corners of the Pima Avenue and Vine Avenue intersection and paint an additional 5-feet of red curb for the northwest corner; and, (2) add W4-4p “Cross Traffic Does Not Stop” plaque for the northbound and southbound traffic under the existing stop signs; and, (3) install 30”x36” 35 MPH speed limit signs for eastbound and westbound travelers, midblock, approaching the intersection of Vine Avenue and Pima Avenue; and, (4) install 35” pavement legends for eastbound and westbound travelers adjacent to the new speed limit signs; and, (5) work with West Covina Police Department to do random spot speed enforcement.

3. Red Curb at the Foothill Transit Bus Stop (Azusa Avenue and Cameron Avenue)

Request: The Safety Compliance Coordinator for Foothill Transit requested for the City to review the curb markings at the bus stop located on the west side of Azusa Avenue south of Cameron Avenue due to vehicles parking too close to the bus stop making it difficult for buses to enter or exit the stop as well as for passengers to enter or exit the bus. All other bus stops located at the subject intersection have existing red curb.

Review Standard:

- Curb marking recommendations are based on a combination of engineering judgment, the California Manual on Uniform Traffic Devices (CAMUTCD), and the California Vehicle Code (CVC). Based on engineering judgment and conditions of the other bus stop locations, red curb is recommended.

Recommendation: The Traffic Committee unanimously recommends to Paint 120-feet of red curb on the west side of S. Azusa Avenue south of E. Cameron Avenue in front of the bus stop.

5) **CONSIDERATION OF ADOPTION OF RESOLUTIONS REQUESTING TO ACCEPT TRANSFER AND CONVEYANCE OF STORM DRAIN IMPROVEMENTS (MISCELLANEOUS TRANSFER DRAINS NO. 928, 954, AND 962)**

It is recommended that the City Council adopt the following resolutions on a 4/5ths vote per the County of Los Angeles direction:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT OF THE STATE OF CALIFORNIA TO ACCEPT, ON BEHALF OF SAID DISTRICT, THE TRANSFER AND CONVEYANCE OF THE STORM DRAIN IMPROVEMENTS KNOWN AS MISCELLANEOUS TRANSFER DRAIN NO. 928 IN THE CITY OF WEST COVINA FOR OPERATION, MAINTENANCE, REPAIR, AND IMPROVEMENT, AND AUTHORIZING THE TRANSFER AND CONVEYANCE THEREOF-RESOLUTION NO. 2020-02

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT OF THE STATE OF CALIFORNIA TO ACCEPT, ON BEHALF OF SAID DISTRICT, THE TRANSFER AND CONVEYANCE OF THE STORM DRAIN IMPROVEMENTS KNOWN AS MISCELLANEOUS TRANSFER DRAIN NO. 954 IN THE CITY OF WEST COVINA FOR OPERATION, MAINTENANCE, REPAIR, AND IMPROVEMENT, AND AUTHORIZING THE TRANSFER AND CONVEYANCE THEREOF-RESOLUTION NO. 2020-03

RESOLUTION NO. 2020-04 - RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT OF THE STATE OF CALIFORNIA TO ACCEPT, ON BEHALF OF SAID DISTRICT, THE TRANSFER AND

**CONVEYANCE OF THE STORM DRAIN IMPROVEMENTS KNOWN AS
MISCELLANEOUS TRANSFER DRAIN NO. 962 IN THE CITY OF WEST COVINA FOR
OPERATION, MAINTENANCE, REPAIR, AND IMPROVEMENT, AND AUTHORIZING
THE TRANSFER AND CONVEYANCE THEREOF**

- 6) **CONSIDERATION OF AN ADMINISTRATIVE BUDGET AND A RECOGNIZED
OBLIGATION PAYMENT SCHEDULE “ROPS” PURSUANT TO HEALTH AND SAFETY
CODE SECTION 34179.7(O)(1) FOR THE PERIOD OF JULY 1, 2020 THROUGH JUNE 30,
2021 FOR THE SUCCESSOR AGENCY TO THE FORMER WEST COVINA
REDEVELOPMENT AGENCY**

It is recommended that the City Council, acting as the Successor Agency to the former West Covina Redevelopment Agency, adopt the following resolution:

**RESOLUTION NO. 2020-06 – A RESOLUTION OF THE SUCCESSOR AGENCY TO THE
FORMER WEST COVINA REDEVELOPMENT AGENCY APPROVING AND AUTHORIZING
THE TRANSMITTAL OF AN ADMINISTRATIVE BUDGET AND A RECOGNIZED
OBLIGATION PAYMENT SCHEDULE “ROPS” FOR THE PERIOD OF JULY 1, 2020
THROUGH JUNE 30, 2021**

HUMAN RESOURCES/RISK MANAGEMENT

- 7) **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. Sharon Chapman vs. City of West Covina

- 8) **CONSIDERATION OF ENGAGEMENT OF LARSON O'BRIEN LLP IN CONNECTION WITH
RICHARD MARTIN FRANCO, JR. AND YVONNE FRANCO V. CITY OF WEST COVINA
MATTER**

It is recommended that the City Council authorize the City Manager to negotiate and execute any documents necessary to provide for the continued engagement of Larson O'Brien LLP to provide legal counsel to the City in connection with the *Richard Martin Franco, Jr. and Yvonne Franco v. City of West Covina* matter.

END OF CONSENT CALENDAR

HEARINGS

PUBLIC HEARINGS

- 9) **PUBLIC HEARING TO CONSIDER CODE AMENDMENT NO. 19-02 REGARDING SINGLE
FAMILY STANDARDS FOR ACCESSORY HABITABLE QUARTERS, AND VEHICLE
BACKUP SPACE**

The Planning Commission recommends that the City Council consider a Zoning Code Amendment as follows:

**ORDINANCE NO. 2469 - AN ORDINANCE TO AMEND ZONING REGULATIONS
APPLICABLE TO SINGLE FAMILY AND RESIDENTIAL AGRICULTURAL ZONES
REGARDING ACCESSORY HABITABLE QUARTERS (FORMERLY KNOWN AS
GUEST HOUSES) AND VEHICULAR BACKUP SPACE**

DEPARTMENTAL REGULAR MATTERS

CITY MANAGER'S OFFICE

- 10) CONSIDERATION OF LEGISLATIVE MATTERS - SENATE BILL (SB) 50 (WEINER) PLANNING AND ZONING: HOUSING DEVELOPMENT: STREAMLINED APPROVAL: INCENTIVES AND SB 266 (LEYVA) - PUBLIC EMPLOYEES' RETIREMENT SYSTEM: DISALLOWED COMPENSATION; BENEFIT ADJUSTMENTS**

That the City Council authorize the Mayor to sign letters of opposition to SB 50 and SB 266.

POLICE DEPARTMENT

- 11) FOURTH OF JULY ENFORCEMENT**

It is recommended that the City Council approve the 4th of July enforcement and deployment plan.

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.)

- 12) CONSIDERATION OF REQUEST FROM MAYOR PRO TEM LETTY LOPEZ-VIADO REGARDING A CITY SPONSORED 4TH OF JULY PATRIOTIC EVENT.**

It is recommended that the City Council provide direction to staff for a 4th of July Patriotic Event.

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

February 4, 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.



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: January 21, 2020

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: DECEMBER 17, 2019 CITY COUNCIL/SUCCESSOR AGENCY REGULAR MEETING MINUTES
DECEMBER 17, 2019 CITY COUNCIL/SUCCESSOR AGENCY CLOSED SESSION MEETING MINUTES
JANUARY 7, 2019 CITY COUNCIL/SUCCESSOR AGENCY REGULAR MEETING MINUTES
JANUARY 7, 2019 CITY COUNCIL/SUCCESSOR AGENCY CLOSED SESSION MEETING MINUTES

RECOMMENDATION:

It is recommended that the City Council approve the December 17, 2019 Regular Meeting Minutes, the December 17, 2019 Closed Session Meeting Minutes, the January 7, 2019 Regular Meeting Minutes and the January 7, 2019 Closed Session Meeting Minutes.

DISCUSSION:

That the City Council adopt the attached minutes.

Prepared by: Kyle Clayton, Deputy City Clerk

Attachments

Attachment No. 1 - 12-17-19 Regular Session Meeting Minutes Draft
Attachment No. 2 - 12-17-19 Closed Session Meeting Minutes Draft
Attachment No. 3 - 01-07-20 Regular Session Meeting Minutes Draft
Attachment No. 4 - 01-07-20 Closed Session Meeting Minutes Draft



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

MINUTES

CALL TO ORDER

A Regular Meeting was called to order by Mayor Wu on Tuesday, December 17, 2019 at 7:00 p.m. in the Council Chamber, 1444 West Garvey Avenue South, West Covina, California.

ROLL CALL

Councilmembers

Present: Council Members Dario Castellanos, Lloyd Johnson, Jessica C. Shewmaker, Mayor Pro Tem Letty Lopez-Viado, Mayor Wu

Councilmembers

Absent: None

City Staff: David Carmany City Manager, Mark Persico Assistant City Manager/Acting Assistant City Clerk, Thomas P. Duarte City Attorney; other city staff presented reports and responded to questions as indicated in the minutes.

PLEDGE OF ALLEGIANCE

Councilman Castellanos led the Pledge of Allegiance.

REPORTING OUT FROM CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Pursuant to Government Code § 54956.9(d)(4)

Number of Cases: One (1)

CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code § 54957.6

City Negotiators: Carmany, Persico, Tran, Duarte

Employee Organizations

- Confidential Employees
- Maintenance & Crafts Employees
- Non-Sworn
- W.C. Police Officers' Association
- W.C. Firefighters' Management Assoc.
- W.C. Firefighters' Association, I.A.F.F., Local 3226
- Unrepresented Employee Group
- Department Heads
- General Employees
- Mid-Management Employees
- W.C. Police Management Association

City Attorney Thomas P. Duarte reported that no reportable action was taken.

PRESENTATIONS

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

ORAL COMMUNICATIONS

Speaker:

None

---End of Public Comment---

CONSENT CALENDAR

ACTION: MOTION BY COUNCILMAN JOHNSON AND SECONDED BY COUNCILMAN CASTELLANOS, CARRIED 5-0 to: approve Consent Calendar Items 1 - 6.

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**

CARRIED 5-0 to: 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**

CARRIED 5-0 to: 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**

CARRIED 5-0 to: 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**

CARRIED 5-0 to: 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**

CARRIED 5-0 to: 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)

HUMAN RESOURCES

- 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**

CARRIED 5-0 to: 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

PUBLIC HEARINGS

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

Mayor Wu announced the Public Hearing matter, Deputy City Clerk Clayton verified that proper legal notice was given, and Mayor Wu opened the Public Hearing. Community Development

Director Jeff Anderson presented the staff report with the use of a PowerPoint presentation. Staff responded to questions from Council.

Public Comments in Favor

None

Public Comments in Opposition

None

---End of Public Comment---

ACTION: MOTION BY COUNCILMAN CASTELLANOS AND SECONDED BY MAYOR PRO TEM LOPEZ VIADO, CARRIED 5-0 to:

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

ACTION: MOTION BY COUNCILMAN CASTELLANOS AND SECONDED BY MAYOR PRO TEM LOPEZ VIADO, CARRIED 5-0 to:

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

ACTION: MOTION BY COUNCILMAN CASTELLANOS AND SECONDED BY MAYOR PRO TEM LOPEZ-VIADO, CARRIED 5-0 to:

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

ACTION: MOTION BY COUNCILMAN CASTELLANOS AND SECONDED BY MAYOR PRO TEM LOPEZ-VIADO, CARRIED 5-0 to:

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

Mayor Wu announced the Public Hearing matter, Deputy City Clerk Clayton verified that proper legal notice was given, and Mayor Wu opened the Public Hearing. Community Development Director Jeff Anderson presented the staff report with the use of a PowerPoint presentation. Staff responded to questions from Council.

Public Comments in Favor

None

Public Comments Opposition

None

Neutral Public Comments

JD

---End of Public Comment---

ACTION: MOTION BY COUNCILMAN CASTELLANOS AND SECONDED BY COUNCILMAN JOHNSON, CARRIED 5-0 to: 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.

Mayor Wu announced the Public Hearing matter, Deputy City Clerk Clayton verified that proper legal notice was given, and Mayor Wu opened the Public Hearing. Community Development Director Jeff Anderson presented the staff report with the use of a PowerPoint presentation. Staff responded to questions from Council.

Public Comments in Favor

None

Public Comments Opposition

Herb Redholtz
John Shewmaker
JD

Neutral Public Comments

Jerri Potras

---End of Public Comment---

ACTION: MOTION BY COUNCILMEMBER SHEWMAKER AND SECONDED BY COUNCILMAN JOHNSON, FAILED 3-2 (NO: CASTELLANOS, NO: MAYOR PRO TEM LOPEZ-VIADO, NO: MAYOR WU) to: 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

Mayor Wu announced the Public Hearing matter, Deputy City Clerk Clayton verified that proper legal notice was given, and Mayor Wu opened the Public Hearing. Community Development Director Jeff Anderson presented the staff report with the use of a PowerPoint presentation. Staff responded to questions from Council.

Public Comments in Favor

None

Public Comments Opposition

Herb Redholtz

JD

Californian's for Homeownership Association (Matthew Gelfand)

Neutral Public Comments

Jerri Potras

---End of Public Comment---

ACTION: MOTION BY COUNCILMAN CASTELLANOS AND SECONDED BY COUNCILMEMBER SHEWMAKER, CARRIED 4-1 (NO: JOHNSON) to: 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/COUNCILMEMBER REPORTS

- 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.**

CARRIED 5-0 to: discuss and provide staff direction.

CITY COUNCIL REQUESTS FOR REPORTS, STUDIES OR INVESTIGATION

Councilman Castellanos requested that the city research available options to remove the old payphones from the City.

Mayor Wu requested that the City research possible solutions to address the issues facing the City in relations to homelessness by working with local non-profits.

Councilmember Shewmaker requested a report on whether the City met the deadline for First-Year funding for Measure W (Safe Clean Water Program) and what the City's strategy is moving into the second year of the program.

CITY COUNCIL COMMENTS

Councilman Johnson spoke about attending the funeral of a homeless veteran.

Councilman Castellanos recognized Mr. Carmany, Mr. Cresap and Mr. Saylor for assisting the South Hills High School Girls' Softball team. He also thanked staff for the Christmas Parade.

ADJOURNMENT

The meeting was adjourned at 9:09 p.m., by Mayor Wu. The next regularly scheduled Regular City Council Meeting will be held on Tuesday, January 7, 2020 at 7:00 p.m. in the Council Chamber, 1444 West Garvey Avenue South, West Covina, California.

Submitted by:

Lisa Sherrick
Assistant City Clerk

Tony Wu
Mayor



CITY OF WEST COVINA

CITY COUNCIL/SUCCESSOR AGENCY

DECEMBER 17, 2019, 6:00 PM
REGULAR MEETING - CLOSED SESSION

CITY MANAGER'S CONFERENCE ROOM
1444 W. GARVEY AVENUE SOUTH
WEST COVINA, CALIFORNIA 91790

MINUTES

CALL TO ORDER

Mayor Wu called to order the special closed session meeting of the West Covina City Council/Successor Agency at 6:13 p.m. in the City Manager's Conference Room at City Hall, 1444 W. Garvey Avenue, West Covina, California.

ROLL CALL

Council Members

Present: Council Members Dario Castellanos, Lloyd Johnson, Jessica C. Shewmaker,
Mayor Pro Tem Letty Lopez-Viado, Mayor Tony Wu

Council Members

Absent: None

City Staff: David Carmany Interim City Manager, Helen Tran Risk Management Director,
Mark Persico Assistant City Manager, Thomas P. Duarte City Attorney

PUBLIC COMMENTS ON ITEMS ON THE AGENDA

None

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Pursuant to Government Code § 54956.9(d)(4)

Number of Cases: One (1)

CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code § 54957.6

City Negotiators: Carmany, Duarte, Tran

Employee Organizations

- Confidential Employees
- Maintenance & Crafts Employees
- Non-Sworn
- W.C. Police Officers' Association
- W.C. Firefighters' Management Assoc.
- W.C. Firefighters' Association, I.A.F.F., Local 3226
- General Employees
- Mid-Management Employees
- W.C. Police Management Association

Unrepresented Employee Group

- Department Heads

REPORTING OUT

City Attorney Thomas P. Duarte reported that no reportable action was taken.

ADJOURNMENT

Mayor Wu adjourned the meeting at 6:35 p.m. The next regularly scheduled Closed Session City Council Meeting is scheduled for Tuesday, January 7, 2020 at 7:00 p.m., in the Council Chamber, 1444 West Garvey Avenue South, West Covina, California.

Submitted by:

Lisa Sherrick
Assistant City Clerk

Tony Wu
Mayor



CITY OF WEST COVINA

CITY COUNCIL/SUCCESSOR AGENCY

**JANUARY 7, 2020, 7:00 PM
REGULAR MEETING**

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

MINUTES

CALL TO ORDER

A Regular Meeting was called to order by Mayor Wu on Tuesday, January 7, 2020 at 7:00 p.m. in the Council Chamber, 1444 West Garvey Avenue South, West Covina, California.

ROLL CALL

Councilmembers

Present: Council Members Dario Castellanos, Lloyd Johnson, Jessica C. Shewmaker, Mayor Pro Tem Letty Lopez-Viado, Mayor Wu

Councilmembers

Absent: None

City Staff: David Carmany City Manager, Mark Persico Assistant City Manager, Thomas P. Duarte City Attorney, Lisa Sherrick Assistant City Clerk; other city staff presented reports and responded to questions as indicated in the minutes.

PLEDGE OF ALLEGIANCE

Councilman Johnson led the Pledge of Allegiance.

REPORTING OUT FROM CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Pursuant to Government Code § 54957.6(d)(4)

Number of Cases: One (1)

CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code § 54957.6

City Negotiators: Carmany, Duarte, Persico, Tran,

Employee Organizations

- Confidential Employees
- Maintenance & Crafts Employees
- Non-Sworn
- W.C. Police Officers' Association
- W.C. Firefighters' Management Assoc.
- W.C. Firefighters' Association, I.A.F.F., Local 3226
- General Employees
- Mid-Management Employees
- W.C. Police Management Association

Unrepresented Employee Group

- Department Heads

City Attorney Thomas P. Duarte indicated that no reportable action was taken.

PRESENTATIONS

Certificate of Recognition – Cameron Saylor and Joe Escaresaga, Dukes Baseball Club, for assisting the South Hills High School Girls Softball Team

Certificate of Recognition – West Covina Bulldogs Pee Wee Cheer, Pop Warner Cheer & Dance Competition Champions

ORAL COMMUNICATIONS

Speaker:

Herb Redholtz
Veronica Zuniga Shepard
Elsie Messman
Rachel Chan
Maria Artega
JD

---End of Public Comment---

CONSENT CALENDAR

ACTION: MOTION BY COUNCILMAN CASTELLANOS AND SECONDED BY COUNCILMAN JOHNSON, CARRIED 5-0 to: approve Consent Calendar Items 1 AND 4.

ACTION: MOTION BY COUNCILMAN JOHNSON AND SECONED BY COUNCILMEMBER SHEWMAKER, CARRIED 4-1 (NO: SHEWMAKER) to: approve Consent Calendar Item 3.

ACTION: MOTION BY COUNCILMAN JOHNSON AND SECONED BY COUNCILMEMBER SHEWMAKER, CARRIED 5-0 to: approve Consent Calendar Item 2. (Item 2 was pulled by Mayor Pro Tem Lopez-Viado for separate discussion.)

FINANCE DEPARTMENT

- 1) **APPROVAL AND TRANSMITTAL OF AN ADMINISTRATIVE BUDGET AND A RECOGNIZED OBLIGATION PAYMENT SCHEDULE “ROPS” PURSUANT TO HEALTH AND SAFETY CODE SECTION 34179.7(O)(1), FOR THE PERIOD OF JULY 1, 2020 THROUGH JUNE 30, 2021 FOR THE SUCCESSOR AGENCY TO THE FORMER WEST COVINA REDEVELOPMENT AGENCY**

CARRIED 5-0 to: acting as the Successor Agency to the former West Covina Redevelopment Agency, adopt the following resolution:

RESOLUTION NO. 2020-01 – A RESOLUTION OF THE SUCCESSOR AGENCY TO THE FORMER WEST COVINA REDEVELOPMENT AGENCY APPROVING AND AUTHORIZING THE TRANSMITTAL OF AN ADMINISTRATIVE BUDGET AND A RECOGNIZED OBLIGATION PAYMENT SCHEDULE “ROPS” FOR THE PERIOD OF JULY 1, 2020 THROUGH JUNE 30, 2021

- 2) **CONSIDERATION OF PURCHASE ORDER FOR SIEMENS INDUSTRY FOR EMERGENCY REPAIRS**

CARRIED 5-0 to: approve a purchase order in the amount of \$72,683.77 for past due invoices for repairs performed under emergency provision.

HUMAN RESOURCES

- 3) **CONSIDERATION OF RESOLUTION AMENDING THE SALARY SCHEDULE FOR FULL-TIME CLASSIFICATIONS FOR CITY OF WEST COVINA FOR FISCAL YEAR 2019-20**

CARRIED 4-1 (NO: SHEWMAKER) to: adopt the following resolution:

RESOLUTION NO. 2020-02 - A RESOLUTION OF THE WEST COVINA CITY COUNCIL APPROVING AN AMENDED SALARY SCHEDULE FOR FULL-TIME CLASSIFICATIONS OF THE CITY OF WEST COVINA FOR FISCAL YEAR 2019-20

- 4) **CONSIDERATION OF GOVERNMENT TORT CLAIMS**

CARRIED 5-0 to: deny the following Government Tort Claims and the claimants to be notified:

1. Edith Magana-Mendez vs. City of West Covina

END OF CONSENT CALENDAR

PUBLIC HEARINGS

- 5) **PUBLIC HEARING TO CONSIDER ADOPTION OF CALIFORNIA BUILDING CODES AS AMENDED BY LOS ANGELES COUNTY AND THE CALIFORNIA FIRE CODE**

Mayor Wu announced the Public Hearing matter, Deputy City Clerk Clayton verified that proper legal notice was given, and Mayor Wu opened the Public Hearing. Mr. Jeff Anderson presented the staff report with the use of a PowerPoint presentation. Staff responded to questions from Council.

Public Comments in Favor of Appeal

None

Opposition of Appeal

None

---End of Public Comment---

ACTION: MOTION BY COUNCIL MEMBER SHEWMAKER AND SECONDED BY MAYOR PRO TEM LOPEZ-VIADO, CARRIED 5-0 to:

1. conduct a public hearing and adopt the following ordinance:

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

MOTION BY COUNCIL MEMBER SHEWMAKER AND SECONDED BY MAYOR PRO TEM LOPEZ-VIADO, CARRIED 5-0 to:

2. conduct a public hearing and adopt the following ordinance:

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

CITY COUNCIL COMMENTS

Councilmember Shewmaker responded to public comments from Planning Commissioner Redholtz regarding SB 50. She asked that the City get on record formally opposing SB 50 and look at what our Lobbyist is doing.

Councilman Johnson would like the Lobbyist to meet with the Council once a year and more frequently on paper.

Councilman Castellanos echoed the sentiment.

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ADJOURNMENT

A motion to adjourn the Regular Meeting was made by Councilman Johnson, and the meeting was adjourned at 8:28 p.m., by Mayor Wu. The next regularly scheduled Regular City Council Meeting will be held on Tuesday, January 21, 2020 at 7:00 p.m. in the Council Chamber, 1444 West Garvey Avenue South, West Covina, California.

Submitted by:

Lisa Sherrick
Assistant City Clerk

Tony Wu
Mayor



CITY OF WEST COVINA

CITY COUNCIL/SUCCESSOR AGENCY

JANUARY 7, 2020, 6:30 PM
REGULAR MEETING - CLOSED SESSION

CITY MANAGER'S CONFERENCE ROOM
1444 W. GARVEY AVENUE SOUTH
WEST COVINA, CALIFORNIA 91790

MINUTES

CALL TO ORDER

A Closed Session Meeting was called to order by Mayor Wu on Tuesday, January 7, 2020 at 6:30 p.m., in the City Manager's Conference Room, 1444 West Garvey Avenue South, West Covina, California.

ROLL CALL

Council Members

Present: Council Members Dario Castellanos, Lloyd Johnson, Jessica C. Shewmaker,
Mayor Pro Tem Letty Lopez-Viado, Mayor Tony Wu

Council Members

Absent: None

City Staff: David Carmany City Manager, Mark Persico Assistant City Manager, Helen Tran
HR/Risk Management Director, Thomas P. Duarte City Attorney, Paulina
Morales Economic Development/Housing Manager

PUBLIC COMMENTS ON ITEMS ON THE AGENDA

None

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Pursuant to Government Code § 54956.9(d)(2)

Number of Cases: One (1)

CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code § 54957.6

City Negotiators: Carmany, Persico, Tran, Duarte
Employee Organizations

- Confidential Employees
- Maintenance & Crafts Employees
- Non-Sworn
- W.C. Police Officers' Association
- W.C. Firefighters' Management Assoc.
- W.C. Firefighters' Association, I.A.F.F., Local 3226
- Unrepresented Employee Group
- Department Heads
- General Employees
- Mid-Management Employees
- W.C. Police Management Association

REPORT OUTING OUT FROM CLOSED SESSION

City Attorney Thomas P. Duarte reported that no reportable action was taken.

ADJOURNMENT

The Closed Session Meeting adjourned at 6:45 p.m., by Mayor Wu. The next regularly scheduled Closed Session City Council Meeting will be held on Tuesday, January 21, 2020 at 6:00 p.m. in the City Manager's Conference Room, 1444 West Garvey Avenue South, West Covina, California.

Submitted by:

Lisa Sherrick
Assistant City Clerk

Tony Wu
Mayor



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: January 21, 2020

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: INVESTMENT REPORT FOR THE MONTH ENDED NOVEMBER 30, 2019.

RECOMMENDATION:

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

BACKGROUND:

California Government Code Section 53646 requires that cities report detailed information on all securities, investments, and monies of the City and to report the market value of the investments held. California Government Code Section 53601 and the City's Investment Policy define the types of investments allowed. The City's Investment Policy was last revised and adopted by the City Council on July 2, 2019. The City's Investment Policy has set primary goals of the portfolio management of safety, liquidity and yield.

Bond reserves are held and invested by a Trustee. The investment of these funds is governed by an investment policy approved by the City Council as a part of the governing documents for each specific bond issue.

DISCUSSION:

The Investment Report (Attachment No. 1) presents the City's and the Successor Agency's cash and investments for the month ended November 30, 2019. This report is in compliance with California Government Code Section 53646 regarding the reporting of detailed information on all securities, investments, and monies of the City, as well as, reporting of the market value of the investments held. All the investments contained within the portfolio are in full compliance with Government Code Section 53601 and the City's Investment Policy as to the types of investments allowed. The City's Investment Policy was last revised and adopted by City Council on July 2, 2019. As stated in the attached report, there are sufficient funds to meet the budgeted expenditures over the next six months.

The City's Investment Policy has set primary goals of the portfolio management of safety, liquidity and yield. The City's surplus funds are deposited with the Los Angeles County Investment Pool (LACIP), the Local Agency Investment Fund (LAIF) and Chandler Asset Management (Attachment No. 2). At November 30, 2019, the investment portfolio had a market value of \$53,799,179.

Bond reserves are held and invested by a Trustee. The investment of these funds is governed by an investment policy approved by the City Council as a part of the governing documents for each specific bond issue. At November 30, 2019, the bond reserves had a market value of \$6,838,352.

Prepared by: Robbeyn Bird, CPA, Interim Finance Director

Additional Approval: David Carmany, City Manager

Attachments

Attachment No. 1 - Investment Report November 30, 2019

Attachment No. 2 - Chandler Report - November 2019

CITY COUNCIL GOALS & OBJECTIVES: Achieve Fiscal Sustainability and Financial Stability

**City of West Covina
Investment Report
For the Month Ended November 30, 2019**

Description	Book Value	Market Value	Interest/ Yield to Maturity	Maturity Date	% of Portfolio
Cash and Cash Equivalents					
Wells Fargo Checking Account	\$ 8,081,480	\$ 8,081,480	0.00%	n/a	13.33%
Pacific Western Bank Checking - HPP (CDBG)	3,592	3,592	0.00%	n/a	0.01%
Pacific Western Bank Checking - HPP (LMIHF)	30,687	30,687	0.00%	n/a	0.05%
Los Angeles County Investment Pool (LACIP)	18,610,167	18,610,167	1.98%	n/a	30.69%
Los Angeles County Investment Pool (LACIP) - CFD	887,882	887,882	1.98%	n/a	1.46%
Local Agency Investment Fund (LAIF)	19,749,332	19,749,332	2.10%	n/a	32.57%
Wells Fargo Checking Account - CFD	1,243,492	1,243,492	0.00%	n/a	2.05%
Investments - Chandler Asset Management					
Asset-Backed Securities	297,397	298,696	1.93%	See attached	0.49%
Federal Agencies	2,454,313	2,445,473	1.66%	See attached	4.03%
Collateralized Mortgage Obligation	151,320	151,885	2.24%	See attached	0.25%
Money Market Funds	49,389	49,389	1.26%	See attached	0.08%
US Treasury	2,252,972	2,247,104	1.69%	See attached	3.71%
Total Cash and Investments	\$ 53,812,023	\$ 53,799,179			
Bond Reserves					
Lease Revenue Bonds, 2006 Series A & 2006 Series B (Taxable)					
First American Treasury Obligations Fund Class D	\$ 1,071,000	\$ 1,071,000	1.39%	n/a	1.77%
First American Treasury Obligations Fund Class D	585,372	585,372	1.39%	n/a	0.97%
1996 Special Tax Refunding Bonds - Successor Agency					
First American Treasury Obligations Fund Class D	5,002,869	5,002,869	7.01%	9/1/2022	8.25%
First American Treasury Obligations Fund Class D	179,111	179,111	1.39%	n/a	0.30%
Total Bond Reserves	\$ 6,838,352	\$ 6,838,352			
Total Investment Portfolio	\$ 60,650,375	\$ 60,637,531			100.00%

Blended Yield of Cash and Investments *	2.00%
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Benchmarks:	
LAIF	2.10%
LACIP *	1.98%
6mo U.S. Treasury	1.63%
2yr U.S. Treasury	1.61%
5yr U.S. Treasury	1.62%


* To ensure timely submission of the Investment Report, the prior month's LACIP percentage yield is used.

I hereby certify that the investments are in compliance with the investment policy adopted by the City Council. The investment portfolio provides sufficient funds to meet the budgeted expenditures over the next six months. This report meets the requirements of Government Code Section 53646.

PREPARED BY:


Robbeyn Bird - Interim Finance Director

REVIEWED BY:


Colleen B. Rozatti - City Treasurer

APPROVED BY:


David Carmany - City Manager



| City of West Covina Short Term - Account #10479

MONTHLY ACCOUNT STATEMENT

NOVEMBER 1, 2019 THROUGH NOVEMBER 30, 2019

Chandler Team:

For questions about your account, please call (800) 317-4747,
or contact operations@chandlerasset.com

Custodian

US Bank
Christopher Isles
(503) 464-3685

CHANDLER ASSET MANAGEMENT
chandlerasset.com

Information contained herein is confidential. We urge you to compare this statement to the one you receive from your qualified custodian. Please see Important Disclosures.



PORTFOLIO CHARACTERISTICS

Average Modified Duration	0.57
Average Coupon	1.55%
Average Purchase YTM	1.21%
Average Market YTM	1.70%
Average S&P/Moody Rating	AA+/Aaa
Average Final Maturity	0.67 yrs
Average Life	0.58 yrs

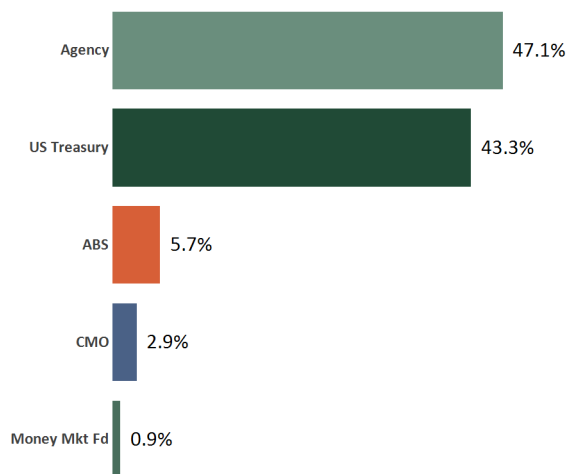
ACCOUNT SUMMARY

	Beg. Values as of 10/31/19	End Values as of 11/30/19
Market Value	5,185,200	5,192,547
Accrued Interest	22,112	20,279
Total Market Value	5,207,312	5,212,826
Income Earned	6,145	5,847
Cont/WD		-461
Par	5,188,535	5,197,130
Book Value	5,198,172	5,205,392
Cost Value	5,253,412	5,262,090

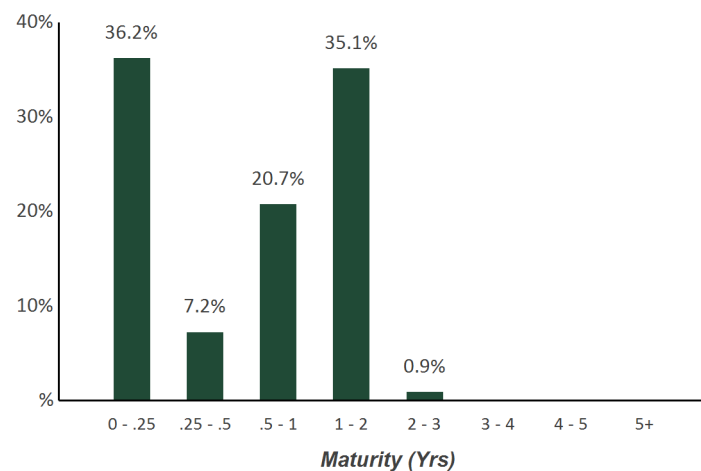
TOP ISSUERS

Government of United States	43.3%
Federal National Mortgage Assoc	33.6%
Federal Home Loan Mortgage Corp	9.7%
Federal Home Loan Bank	6.7%
Honda ABS	4.5%
John Deere ABS	1.2%
First American Govt Oblig Fund	0.9%
Toyota ABS	0.0%
Total	100.0%

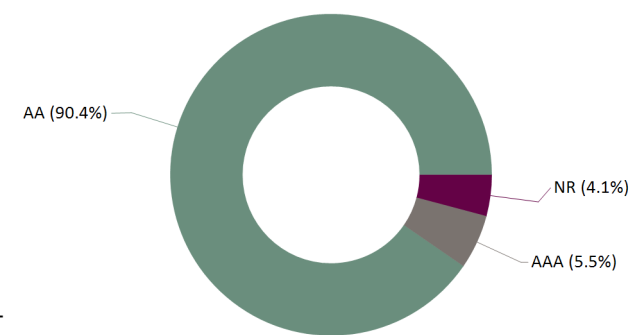
SECTOR ALLOCATION



MATURITY DISTRIBUTION



CREDIT QUALITY (S&P)



PERFORMANCE REVIEW

TOTAL RATE OF RETURN	1M	3M	YTD	1YR	Annualized				
					2YRS	3YRS	5YRS	10YRS	7/31/2016
City of West Covina Short Term	0.11%	0.56%	3.21%	3.92%	2.48%	1.97%	N/A	N/A	1.63%
ICE BAML 1-3 Yr US Treasury/Agency Index	-0.03%	0.19%	3.33%	4.14%	2.47%	1.79%	N/A	N/A	1.46%

Statement of Compliance

As of November 30, 2019



City of West Covina

Assets managed by Chandler Asset Management are in full compliance with state law and the District's investment policy.

Category	Standard	Comment
Treasury Issues	No limitations	Complies
Federal Agencies	No limitations	Complies
Municipal Securities	"A" or higher by a NRSRO; 30% maximum; 5% max per issuer	Complies
Supranationals	"AA" rated or higher by a NRSRO; 30% max; 10% max per issuer; Unsubordinated obligations issued by: IBRD, IFC, IADB	Complies
Medium Term Notes	"A" rated or higher by a NRSRO; 30% maximum; 5% max per issuer; Issued by corporations organized and operating within the U.S.	Complies
Collateralized Certificates of Deposit	25% maximum	Complies
Negotiable Certificates of Deposit	"A" rated or better by a NRSRO; 30% maximum	Complies
Banker's Acceptances	40% maximum; 30% max per one commercial bank; 180 days max maturity	Complies
Commercial Paper	A-1/P-1 rating or higher by both S&P and Moody's; 25% maximum; 5% per issuer; 270 days max maturity; Eligible paper is limited to corporations organized and operating within the U.S. with total assets of at least \$500 million	Complies
Asset-Backed Securities/ Mortgage-Backed Securities	"AA" or better by a NRSRO; "A" rated issuer rating or higher by a NRSRO; 20% maximum	Complies
Money Market Mutual Funds	"AAA" rated or highest rating by a NRSRO; 20% maximum; 10% per fund	Complies
Prohibited Securities	Inverse floaters; Ranges notes, Interest-only strips from mortgaged backed securities; Zero interest accrual securities; Reverse Repurchase Agreements	Complies
Repurchase Agreements	20% maximum; 100 days max maturity; collateralized 102% of market value; Not used by investment adviser	Complies
Local Agency Investment Fund (LAIF)	Maximum program; Not used by investment adviser	Complies
Los Angeles County Investment Pool	Maximum program; Not used by investment adviser	Complies
Max per Security Type	No more than 40% of the City's total portfolio shall be invested in a single security type or with a single financial institution	Complies
Max per Issuer	No more than 5% in any single issuer except US Gov, Agencies, Supranationals, Money Market Funds, LAIF, or LGIP	Complies
Maximum Maturity	5 years	Complies

Reconciliation Summary

As of November 30, 2019



BOOK VALUE RECONCILIATION		
BEGINNING BOOK VALUE		\$5,198,172.26
<u>Acquisition</u>		
+ Security Purchases	\$0.00	
+ Money Market Fund Purchases	\$45,852.23	
+ Money Market Contributions	\$0.00	
+ Security Contributions	\$0.00	
+ Security Transfers	\$0.00	
Total Acquisitions		\$45,852.23
<u>Dispositions</u>		
- Security Sales	\$0.00	
- Money Market Fund Sales	\$0.00	
- MMF Withdrawals	\$461.32	
- Security Withdrawals	\$0.00	
- Security Transfers	\$0.00	
- Other Dispositions	\$0.00	
- Maturities	\$0.00	
- Calls	\$0.00	
- Principal Paydowns	\$36,796.60	
Total Dispositions		\$37,257.92
<u>Amortization/Accretion</u>		
+/- Net Accretion	(\$1,375.07)	
		(\$1,375.07)
<u>Gain/Loss on Dispositions</u>		
+/- Realized Gain/Loss	\$0.00	
		\$0.00
ENDING BOOK VALUE		\$5,205,391.50

CASH TRANSACTION SUMMARY		
BEGINNING BALANCE		\$3,998.41
<u>Acquisition</u>		
Contributions	\$0.00	
Security Sale Proceeds	\$0.00	
Accrued Interest Received	\$0.00	
Interest Received	\$8,454.79	
Dividend Received	\$600.84	
Principal on Maturities	\$0.00	
Interest on Maturities	\$0.00	
Calls/Redemption (Principal)	\$0.00	
Interest from Calls/Redemption	\$0.00	
Principal Paydown	\$36,796.60	
Total Acquisitions	\$45,852.23	
<u>Dispositions</u>		
Withdrawals	\$461.32	
Security Purchase	\$0.00	
Accrued Interest Paid	\$0.00	
Total Dispositions	\$461.32	
ENDING BOOK VALUE		\$49,389.32

Holdings Report

As of November 30, 2019



CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
ABS									
89238BAB8	Toyota Auto Receivables Trust 2018-A A2A 2.1% Due 10/15/2020	1,178.02	01/23/2018 2.12%	1,177.90 1,177.98	100.00 2.40%	1,178.07 1.10	0.02% 0.09	Aaa / AAA NR	0.88 0.03
43811BAC8	Honda Auto Receivables Trust 2017-2 A3 1.68% Due 8/16/2021	49,859.09	04/27/2018 2.62%	49,083.94 49,457.35	99.89 1.93%	49,806.69 37.23	0.96% 349.34	Aaa / AAA NR	1.71 0.44
43814WAB1	Honda Auto Receivables Trust 2019-1 A2 2.75% Due 9/20/2021	183,642.91	02/19/2019 2.77%	183,631.08 183,634.58	100.43 1.89%	184,436.56 182.37	3.54% 801.98	NR / AAA AAA	1.81 0.49
47788BAD6	John Deere Owner Trust 2017-B A3 1.82% Due 10/15/2021	18,268.53	07/11/2017 1.83%	18,267.20 18,267.94	99.91 2.08%	18,251.99 14.78	0.35% (15.95)	Aaa / NR AAA	1.88 0.36
47788CAC6	John Deere Owner Trust 2018-A A3 2.66% Due 4/18/2022	44,860.91	02/21/2018 2.68%	44,857.69 44,859.06	100.36 2.04%	45,022.26 53.04	0.86% 163.20	Aaa / NR AAA	2.38 0.56
Total ABS		297,809.46	2.67%	297,017.81 297,396.91	1.93%	298,695.57 288.52	5.74% 1,298.66	Aaa / AAA AAA	1.88 0.48
AGENCY									
3137EAE5	FHLMC Note 1.5% Due 1/17/2020	350,000.00	01/12/2017 1.54%	349,622.00 349,983.78	99.98 1.64%	349,931.05 1,954.17	6.75% (52.73)	Aaa / AA+ AAA	0.13 0.13
3135G0A78	FNMA Note 1.625% Due 1/21/2020	350,000.00	10/14/2016 1.16%	355,204.50 350,222.86	100.00 1.62%	349,995.45 2,053.82	6.75% (227.41)	Aaa / AA+ AAA	0.14 0.14
3135G0D75	FNMA Note 1.5% Due 6/22/2020	700,000.00	07/29/2016 1.03%	712,474.00 701,787.00	99.90 1.67%	699,325.20 4,637.50	13.50% (2,461.80)	Aaa / AA+ AAA	0.56 0.55
3135G0F73	FNMA Note 1.5% Due 11/30/2020	350,000.00	07/29/2016 1.10%	355,939.50 351,367.77	99.82 1.68%	349,373.15 14.58	6.70% (1,994.62)	Aaa / AA+ AAA	1.00 0.99
3130A7CV5	FHLB Note 1.375% Due 2/18/2021	350,000.00	07/29/2016 1.13%	353,846.50 351,028.04	99.65 1.67%	348,767.30 1,376.91	6.72% (2,260.74)	Aaa / AA+ AAA	1.22 1.20
3135G0K69	FNMA Note 1.25% Due 5/6/2021	350,000.00	07/22/2016 1.27%	349,744.50 349,923.57	99.45 1.64%	348,081.30 303.82	6.68% (1,842.27)	Aaa / AA+ AAA	1.43 1.41
Total Agency		2,450,000.00	1.18%	2,476,831.00 2,454,313.02	1.66%	2,445,473.45 10,340.80	47.11% (8,839.57)	Aaa / AA+ AAA	0.72 0.71

Holdings Report

As of November 30, 2019



CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
CMO									
3137BFDQ1	FHLMC K717 A2 2.991% Due 9/25/2021	149,930.98	01/04/2018 2.37%	152,765.62 151,320.06	101.30 2.24%	151,884.88 373.70	2.92% 564.82	NR / NR AAA	1.82 1.57
Total CMO		149,930.98	2.37%	152,765.62 151,320.06	2.24%	151,884.88 373.70	2.92% 564.82	NR / NR AAA	1.82 1.57
MONEY MARKET FUND FI									
31846V203	First American Govt Obligation Fund Class Y	49,389.32	Various 1.26%	49,389.32 49,389.32	1.00 1.26%	49,389.32 0.00	0.95% 0.00	Aaa / AAA AAA	0.00 0.00
Total Money Market Fund FI		49,389.32	1.26%	49,389.32 49,389.32	1.26%	49,389.32 0.00	0.95% 0.00	Aaa / AAA AAA	0.00 0.00
US TREASURY									
912828G95	US Treasury Note 1.625% Due 12/31/2019	750,000.00	07/25/2016 0.96%	766,848.22 750,403.38	99.99 1.73%	749,925.00 5,100.20	14.48% (478.38)	Aaa / AA+ AAA	0.08 0.08
912828UL2	US Treasury Note 1.375% Due 1/31/2020	375,000.00	08/05/2016 0.91%	380,992.47 375,287.60	99.95 1.66%	374,815.50 1,723.42	7.22% (472.10)	Aaa / AA+ AAA	0.17 0.17
912828UV0	US Treasury Note 1.125% Due 3/31/2020	375,000.00	08/05/2016 0.92%	377,799.11 375,254.46	99.82 1.66%	374,326.13 714.65	7.19% (928.33)	Aaa / AA+ AAA	0.33 0.33
912828VF4	US Treasury Note 1.375% Due 5/31/2020	375,000.00	08/05/2016 0.99%	380,391.88 375,704.97	99.85 1.67%	374,443.50 14.09	7.18% (1,261.47)	Aaa / AA+ AAA	0.50 0.50
912828N89	US Treasury Note 1.375% Due 1/31/2021	375,000.00	08/11/2016 1.07%	380,054.97 376,321.78	99.63 1.70%	373,593.75 1,723.42	7.20% (2,728.03)	Aaa / AA+ AAA	1.17 1.15
Total US Treasury		2,250,000.00	0.97%	2,286,086.65 2,252,972.19	1.69%	2,247,103.88 9,275.78	43.29% (5,868.31)	Aaa / AA+ AAA	0.39 0.38
TOTAL PORTFOLIO		5,197,129.76	1.21%	5,262,090.40 5,205,391.50	1.70%	5,192,547.10 20,278.80	100.00% (12,844.40)	Aaa / AA+ AAA	0.67 0.57
TOTAL MARKET VALUE PLUS ACCRUED						5,212,825.90			



Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
ACQUISITIONS										
Purchase	11/01/2019	31846V203	600.84	First American Govt Obligation Fund Class Y	1.000	1.44%	600.84	0.00	600.84	0.00
Purchase	11/06/2019	31846V203	2,187.50	First American Govt Obligation Fund Class Y	1.000	1.44%	2,187.50	0.00	2,187.50	0.00
Purchase	11/15/2019	31846V203	5,418.51	First American Govt Obligation Fund Class Y	1.000	1.44%	5,418.51	0.00	5,418.51	0.00
Purchase	11/15/2019	31846V203	2,462.00	First American Govt Obligation Fund Class Y	1.000	1.44%	2,462.00	0.00	2,462.00	0.00
Purchase	11/15/2019	31846V203	141.00	First American Govt Obligation Fund Class Y	1.000	1.44%	141.00	0.00	141.00	0.00
Purchase	11/15/2019	31846V203	5,249.92	First American Govt Obligation Fund Class Y	1.000	1.44%	5,249.92	0.00	5,249.92	0.00
Purchase	11/15/2019	31846V203	12,342.46	First American Govt Obligation Fund Class Y	1.000	1.44%	12,342.46	0.00	12,342.46	0.00
Purchase	11/18/2019	31846V203	11,803.97	First American Govt Obligation Fund Class Y	1.000	1.44%	11,803.97	0.00	11,803.97	0.00
Purchase	11/25/2019	31846V203	442.90	First American Govt Obligation Fund Class Y	1.000	1.44%	442.90	0.00	442.90	0.00
Purchase	11/30/2019	31846V203	5,203.13	First American Govt Obligation Fund Class Y	1.000	1.26%	5,203.13	0.00	5,203.13	0.00
Subtotal			45,852.23				45,852.23	0.00	45,852.23	0.00
TOTAL ACQUISITIONS			45,852.23				45,852.23	0.00	45,852.23	0.00
DISPOSITIONS										
Paydown	11/15/2019	43811BAC8	5,341.23	Honda Auto Receivables Trust 2017-2 A3 1.68% Due 8/16/2021	100.000		5,341.23	77.28	5,418.51	0.00
Paydown	11/15/2019	47788BAD6	2,430.61	John Deere Owner Trust 2017-B A3 1.82% Due 10/15/2021	100.000		2,430.61	31.39	2,462.00	0.00
Paydown	11/15/2019	47788CAB8	140.72	John Deere Owner Trust 2018-A A2 2.42% Due 10/15/2020	100.000		140.72	0.28	141.00	0.00



Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
DISPOSITIONS										
Paydown	11/15/2019	47788CAC6	5,139.09	John Deere Owner Trust 2018-A A3 2.66% Due 4/18/2022	100.000		5,139.09	110.83	5,249.92	0.00
Paydown	11/15/2019	89238BAB8	12,318.84	Toyota Auto Receivables Trust 2018-A A2A 2.1% Due 10/15/2020	100.000		12,318.84	23.62	12,342.46	0.00
Paydown	11/18/2019	43814WAB1	11,357.09	Honda Auto Receivables Trust 2019-1 A2 2.75% Due 9/20/2021	100.000		11,357.09	446.88	11,803.97	0.00
Paydown	11/25/2019	31378FDQ1	69.02	FHLMC K717 A2 2.991% Due 9/25/2021	100.000		69.02	373.88	442.90	0.00
Subtotal			36,796.60				36,796.60	1,064.16	37,860.76	0.00
Security Withdrawal	11/06/2019	31846V203	418.11	First American Govt Obligation Fund Class Y	1.000		418.11	0.00	418.11	0.00
Security Withdrawal	11/25/2019	31846V203	43.21	First American Govt Obligation Fund Class Y	1.000		43.21	0.00	43.21	0.00
Subtotal			461.32				461.32	0.00	461.32	0.00
TOTAL DISPOSITIONS			37,257.92				37,257.92	1,064.16	38,322.08	0.00
OTHER TRANSACTIONS										
Interest	11/06/2019	3135G0K69	350,000.00	FNMA Note 1.25% Due 5/6/2021	0.000		2,187.50	0.00	2,187.50	0.00
Interest	11/30/2019	3135G0F73	350,000.00	FNMA Note 1.5% Due 11/30/2020	0.000		2,625.00	0.00	2,625.00	0.00
Interest	11/30/2019	91282VF4	375,000.00	US Treasury Note 1.375% Due 5/31/2020	0.000		2,578.13	0.00	2,578.13	0.00
Subtotal			1,075,000.00				7,390.63	0.00	7,390.63	0.00



Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
OTHER TRANSACTIONS										
Dividend	11/01/2019	31846V203	3,998.41	First American Govt Obligation Fund Class Y	0.000		600.84	0.00	600.84	0.00
Subtotal			3,998.41				600.84	0.00	600.84	0.00
TOTAL OTHER TRANSACTIONS			1,078,998.41				7,991.47	0.00	7,991.47	0.00



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: January 21, 2020

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: INITIATION OF CODE AMENDMENT NO. 20-01 FILM PERMIT STANDARDS

RECOMMENDATION:

It is recommended that the City Council consider initiating Code Amendment No. 20-01 to examine revisions to film permit standards, by adopting the following resolution:

RESOLUTION NO. 2020-05 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, INITIATING CODE AMENDMENT NO. 20-01 TO STUDY FILM PERMIT STANDARDS

BACKGROUND:

At the December 17, 2019 City Council Meeting, the City Council discussed a request from Councilmember Lloyd Johnson to examine potential updates to the City's Film Permit Standards. At that time the Council requested that an initiation resolution be brought to a subsequent meeting to explore a potential code amendment.

DISCUSSION:

If the City Council initiates the code amendment, the Planning Commission will schedule a study session to evaluate the film permit standards of the Municipal Code. Following the Planning Commission study session, staff will prepare the code amendments and schedule a Planning Commission public hearing during which the Commission would make a formal recommendation to the City Council.

OPTIONS:

The City Council has the following options:

1. Adopt staff's recommendation;
2. Receive and file the report thereby declining to initiate a code amendment;
3. Provide alternative direction.

ENVIRONMENTAL REVIEW:

The proposed code amendment is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines in that it consists of a code amendment to the sign section of the Municipal Code, which does not have the potential for causing a significant effect on the environment.

Prepared by: Jeff Anderson, Community Development Director

Attachments

Attachment No. 1 - Resolution 20-05

C I T Y C O U N C I L

R E S O L U T I O N N O. 2020-05

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST
COVINA, CALIFORNIA, INITIATING CODE AMENDMENT NO. 20-01
TO STUDY FILM PERMIT STANDARDS**

WHEREAS, on January 21, 2020, the City Council initiated a code amendment to consider revisions to the film permit standards in the West Covina Municipal Code; and

WHEREAS, the studies and investigations made by the City Council and in its behalf reveal the following facts:

1. On December 17, 2019, the City Council requested to consider changes to the film permit standards to allow increased filming in the City.
2. The Film Permit Section of the Municipal Code includes standards for filming on sites within the City including film permits and major production permits. The Film Permit Section of the Municipal Code has not been evaluated since 2000. It is appropriate to review the standards to determine if the current standards are suitable for the City currently.
3. The proposed action is considered to be exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3) of the CEQA Guidelines, in that the proposed action consists of a code amendment, which does not have the potential for causing a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of West Covina, in conformance with Section 26-153(a)(2) of the West Covina Municipal Code, does hereby initiate an application for a Code Amendment related to the Film Permit section of the Municipal Code.

APPROVED AND ADOPTED on this 21st day of January 2020.

Tony Wu
Mayor

ATTEST

Lisa Sherrick
Assistant City Clerk

APPROVED AS TO FORM

Thomas P. Duarte
City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF WEST COVINA)

I, Lisa Sherrick, Assistant City Clerk of the City of West Covina, California, do hereby certify that the foregoing Resolution No. 2020-05 was duly adopted by the City Council of the City of West Covina, California, at a regular meeting thereof held on the _____ day of _____, 2020, by the following vote of the City Council:

AYES:
NOES:
ABSENT:
ABSTAIN:

Lisa Sherrick
Assistant City Clerk



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: January 21, 2020

TO: Mayor and City Council

FROM: David Carmany
City Manager

**SUBJECT: CONSIDERATION OF APPROVAL OF TRAFFIC COMMITTEE MINUTES AS WELL AS
RECOMMENDATIONS FOR RED CURB INSTALLATION FROM THE DECEMBER 10,
2019 TRAFFIC COMMITTEE MEETING**

RECOMMENDATION:

It is recommended that the City Council approve the Traffic Committee recommendations from the December 10, 2019 Traffic Committee Meeting for the following items:

1. Line of Sight Review at 2027 E. Garvey Avenue

Request: A resident requested red curb on either side of their driveway to deter vehicles from encroaching and blocking access to their driveway.

Review Standard:

- Curb marking recommendations are based on a combination of engineering judgment, the California Manual on Uniform Traffic Devices (CAMUTCD), and the California Vehicle Code (CVC). Based on engineering judgment, red curb is recommended.

Recommendation: The Traffic Committee unanimously recommends to paint 4-feet of red curb on both sides of the driveway approach.

2. Traffic Review of Vine Avenue between Valinda Avenue and Lark Ellen Avenue

Request: A resident requested for an all-way stop control at the intersection of Pima Avenue and Vine Avenue as well as a review of speeding concerns along Vine Avenue between Valinda Avenue and Lark Ellen Avenue.

Review Standard:

- The placement of stop signs is dictated by engineering judgment and based on the guidelines found in the CAMUTCD and CVC. CAMUTCD Section 2B.07 describes applications, warrants, and placement of STOP signs (R1-1). Based on these guidelines the placement of an all-way stop control at the requested location was not warranted and did not meet the criteria for all-way stop installation.
- Line of sight analysis was conducted at the requested intersection. Per AASHTO Table 3-1 (A Policy on Geometric Design of Highways and Streets) for a roadway with a posted speed of 35 MPH, the clear sight distance needed is 250 feet. Based on stopping sight distance triangle analysis completed on Pima Avenue and Vine Avenue, red curb is recommended to increase visibility.

- Installation of larger dimensioned signage are recommended as treatments to increase the motorist's awareness and other driver conditions by highlighting various areas of the roadway. All sign dimensions should comply with the dimensions specified in the CAMUTCD Table 2B-1 Regulatory Sign and Plaque Sizes. Posted speed signs and adjacent speed limit pavement legends are recommended to alert motorists of the speed limit.

Recommendation: The Traffic Committee unanimously recommends to (1) repaint all existing red curbs at the corners of the Pima Avenue and Vine Avenue intersection and paint an additional 5-feet of red curb for the northwest corner; and, (2) add W4-4p "Cross Traffic Does Not Stop" plaque for the northbound and southbound traffic under the existing stop signs; and, (3) install 30"x36" 35 MPH speed limit signs for eastbound and westbound travelers, midblock, approaching the intersection of Vine Avenue and Pima Avenue; and, (4) install 35" pavement legends for eastbound and westbound travelers adjacent to the new speed limit signs; and, (5) work with West Covina Police Department to do random spot speed enforcement.

3. Red Curb at the Foothill Transit Bus Stop (Azusa Avenue and Cameron Avenue)

Request: The Safety Compliance Coordinator for Foothill Transit requested for the City to review the curb markings at the bus stop located on the west side of Azusa Avenue south of Cameron Avenue due to vehicles parking too close to the bus stop making it difficult for buses to enter or exit the stop as well as for passengers to enter or exit the bus. All other bus stops located at the subject intersection have existing red curb.

Review Standard:

- Curb marking recommendations are based on a combination of engineering judgment, the California Manual on Uniform Traffic Devices (CAMUTCD), and the California Vehicle Code (CVC). Based on engineering judgment and conditions of the other bus stop locations, red curb is recommended.

Recommendation: The Traffic Committee unanimously recommends to Paint 120-feet of red curb on the west side of S. Azusa Avenue south of E. Cameron Avenue in front of the bus stop.

DISCUSSION:

Please refer to Attachment No. 1 – December 10, 2019 Traffic Committee Meeting Minutes for additional detail.

Prepared by: Jana Robbins, Project Manager

Fiscal Impact

FISCAL IMPACT:

As part of the approved CIP Budget for the Fiscal Year 2019-20 under the Measure M funding source for project number 19027 and fund number 235, relating to Bicycle and Pedestrian Improvements, the cost to implement the recommended items will come from this budget. The recommended items will increase bicycle, pedestrian, and motorist safety.

Attachments

Attachment No. 1 - Traffic Committee Minutes of December 10, 2019 Meeting

CITY COUNCIL GOALS & OBJECTIVES: Enhance Public Safety
Enhance City Programs and Activities



CITY OF WEST COVINA

Traffic Committee Regular Meeting

MEETING MINUTES FROM DECEMBER 10, 2019

Meeting Name: Traffic Committee Regular Meeting

Date: Tuesday, December 10, 2019

Time: 3:00 p.m.

Location: West Covina City Hall, Planning Conference Room

Attendees: **City Staff:** Sergeant Brian Daniels (Police Department Traffic Committee Representative), Officer Abel Hernandez (Police Department Traffic Committee Representative, Michael Ackerman (Contract City Engineer), Jana Robbins (Contract Traffic Engineering/Planning), Melissa Demirci (Contract Traffic Engineering/Planning)

Residents: None

1. **Call to Order:** Meeting was called to order at 3:00 PM

2. **Summary of Previous Traffic Committee Items approved at the November 12, 2019 Traffic Committee Meeting:**

- i. Red curb installation on Azusa Avenue at Stuart Avenue for Increased line of sight.
- ii. Red curb installation on Puente Avenue at Myrtlewood Avenue for increased line of sight.
- iii. Red curb and center line installation at the turning curve of Morris Avenue and Palm Drive for increased line of sight.
- iv. Red curb installation in either side of the driveway approach for 509 S Barranca Avenue to deter vehicles from blocking and encroaching the driveway access.

3. **New Traffic Committee Items Presented at the December 10, 2019 Traffic Committee Meeting:**

i. **Line of Sight Review at 2027 E Garvey Avenue**

Request: A resident requested red curb on either side of their driveway to deter vehicles from encroaching and blocking access to their driveway.

Review Standard:

- Curb marking recommendations are based on a combination of engineering judgment, the California Manual on Uniform Traffic Devices (CAMUTCD), and the California Vehicle Code (CVC). Based on engineering judgement red curb is recommended.

Recommendation: Committee unanimously recommends to (1) paint 4-feet of red curb on both sides of the driveway approach.

ii. **Traffic Review of Vine Avenue between Valinda Avenue and Lark Ellen Avenue**

Request: A resident requested for an all-way stop control at the intersection of Pima Avenue and Vine Avenue as well as a review of speeding concerns along Vine Avenue between Valinda Avenue and Lark Ellen Avenue.

Review Standard:

- The placement of stop signs is dictated by engineering judgment and based on the guidelines found in the CAMUTCD and CVC. CAMUTCD Section 2B.07 describes applications, warrants, and placement of STOP signs (R1-1). Based on these guidelines



CITY OF WEST COVINA

Traffic Committee Regular Meeting

MEETING MINUTES FROM DECEMBER 10, 2019

the placement of an all-way stop control at the request location was not warranted and did not meet the criteria for all-way stop installation.

- Line of sight analysis was conducted at the request intersection. Per AASHTO Table 3-1 (A Policy on Geometric Design of Highways and Streets) for a roadway with a posted speed of 35 MPH the clear sight distance needed is 250 feet. Based on stopping sight distance triangle analysis completed on Pima Avenue and Vine Avenue red curb is recommended to increase visibility.
- Installation of larger dimensioned signage are recommended as treatments to increase the motorist's awareness and other driver conditions by highlighting various areas of the roadway. All sign dimensions should comply with the dimensions specified in the CAMUTCD Table 2B-1 Regulatory Sign and Plaque Sizes. Posted speed signs and adjacent speed limit pavement legends are recommended to alert motorists of the speed limit.

Recommendation: Committee unanimously recommends to (1) Repaint all existing red curbs at the corners of the Pima Avenue and Vine Avenue intersection and paint an additional 5-feet of red curb for the northwest corner; and, (2) Add W4-4p "Cross Traffic Does Not Stop" plaque for the northbound and southbound traffic under the existing stop signs; and, (3) Install 30"x36" 35 MPH speed limit signs for eastbound and westbound travelers, midblock, approaching the intersection of Vine Avenue and Pima Avenue; and, (4) Install "35" pavement legends for eastbound and westbound travelers adjacent to the new speed limit signs; and, (5) Work with West Covina Police Department to do random spot speed enforcement.

iii. **Red Curb at the Foothill Transit Bus Stop (Azusa Avenue and Cameron Avenue)**

Request: The Safety Compliance Coordinator for Foothill Transit requested for the City to review the curb markings at the bus stop located on the west side of Azusa Avenue south of Cameron Avenue due to vehicles parking too close to the bus stop making it difficult for buses to enter or exit the stop as well as for passengers to enter or exit the bus. All other bus stops located at the subject intersection have existing red curb.

Review Standard:

- Curb marking recommendations are based on a combination of engineering judgment, the California Manual on Uniform Traffic Devices (CAMUTCD), and the California Vehicle Code (CVC). Based on engineering judgement and conditions of the other bus stop locations red curb is recommended.

Recommendation: Committee unanimously recommends to (1) Paint 120-feet of red curb on the west side of S Azusa Avenue south of E Cameron Avenue in front of the bus stop.

4. **Audience Comments on Items Not on Agenda:** None.

5. **Committee Member Comments on Items Not on Agenda:** None.

6. **Adjourn:** Meeting adjourned at 3:17pm.



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: January 21, 2020

TO: Mayor and City Council

FROM: David Carmany
City Manager

**SUBJECT: CONSIDERATION OF ADOPTION OF RESOLUTIONS REQUESTING TO ACCEPT
TRANSFER AND CONVEYANCE OF STORM DRAIN IMPROVEMENTS
(MISCELLANEOUS TRANSFER DRAINS NO. 928, 954, AND 962)**

RECOMMENDATION:

It is recommended that the City Council adopt the following resolutions on a 4/5ths vote per the County of Los Angeles direction:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT OF THE STATE OF CALIFORNIA TO ACCEPT, ON BEHALF OF SAID DISTRICT, THE TRANSFER AND CONVEYANCE OF THE STORM DRAIN IMPROVEMENTS KNOWN AS MISCELLANEOUS TRANSFER DRAIN NO. 928 IN THE CITY OF WEST COVINA FOR OPERATION, MAINTENANCE, REPAIR, AND IMPROVEMENT, AND AUTHORIZING THE TRANSFER AND CONVEYANCE THEREOF-RESOLUTION NO. 2020-02

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT OF THE STATE OF CALIFORNIA TO ACCEPT, ON BEHALF OF SAID DISTRICT, THE TRANSFER AND CONVEYANCE OF THE STORM DRAIN IMPROVEMENTS KNOWN AS MISCELLANEOUS TRANSFER DRAIN NO. 954 IN THE CITY OF WEST COVINA FOR OPERATION, MAINTENANCE, REPAIR, AND IMPROVEMENT, AND AUTHORIZING THE TRANSFER AND CONVEYANCE THEREOF-RESOLUTION NO. 2020-03

RESOLUTION NO. 2020-04 - RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT OF THE STATE OF CALIFORNIA TO ACCEPT, ON BEHALF OF SAID DISTRICT, THE TRANSFER AND CONVEYANCE OF THE STORM DRAIN IMPROVEMENTS KNOWN AS MISCELLANEOUS TRANSFER DRAIN NO. 962 IN THE CITY OF WEST COVINA FOR OPERATION, MAINTENANCE, REPAIR, AND IMPROVEMENT, AND AUTHORIZING THE TRANSFER AND CONVEYANCE THEREOF

BACKGROUND:

The South Hills Subdivision was approved through a series of subdivisions between the late 1970s and mid 1980s. The South Hills Subdivision approved the creation of several hundred single family properties in the area along Hillside Drive between Citrus Street and Galster Park. These properties were rough graded, and the streets were installed in the mid to late 1980s but houses were not immediately constructed. The miscellaneous transfer drains (MTDs) were constructed at that time as well. The City of West Covina and the County of Los Angeles entered into an Agreement dated February 2, 1982, whereby the City made certain warranties about its future transfers and conveyances of flood control facilities to the County of Los Angeles. Over the decades several home builders constructed portions of the South Hills Subdivision including Western Pacific, Centex, Ryland Homes, Van Daele and Taylor Morrison.

MTDs consists of permanent drainage facilities, typically privately constructed and dedicated to a city by way of Tract Map, Parcel Map, or separate instrument, which may be later transferred to the Los Angeles County Flood Control District for operation and maintenance. The City of West Covina acquired the storm drain improvements from the subdivider following construction. The drainage systems are known as Miscellaneous Transfer Drains (MTDs) No. 928, 954, and 962, depicted on Los Angeles County Flood Control District Drawing No. 486-F2.1-.9, No. 486-F3.1-.3, and No. 486-F5.1-.5, respectively, on file with the Director of Public Works for the County of Los Angeles.

DISCUSSION:

The construction of the houses for the South Hills Subdivision have been substantially completed, only a handful of lots remain vacant. The MTDs are located in the South Hills Subdivision between Hillside Drive and Countrywood Lane and south of the Bentley Court cul-de-sac (928); on south of Hillside Drive between Green Ridge Terrace and Mt. Tricia Avenue (954) and west of Westridge Road (962). The drains are now ready to be transferred to the County. Upon completion of the transfer, the County of Los Angeles will be solely liable for any violations of the MTDs. The County will conduct routine maintenance involving periodic excavation, land clearing and repair of these detention basin structures and appurtenances, fire hazard clearing, and vegetation removal to restore the basins to their original flood design capacities.

OPTIONS:

The City Council has the following options:

1. Approve staff's recommendation; or
2. Provide alternative direction.

Fiscal Impact

FISCAL IMPACT:

None.

Attachments

Attachment No. 1 - Resolution No. 2020-02

Attachment No. 2 - Resolution No. 2020-03

Attachment No. 3 - Resolution No. 2020-04

CITY COUNCIL GOALS & OBJECTIVES: Enhance City Facilities and Infrastructure

RESOLUTION NO. 2020-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT OF THE STATE OF CALIFORNIA TO ACCEPT, ON BEHALF OF SAID DISTRICT, THE TRANSFER AND CONVEYANCE OF THE STORM DRAIN IMPROVEMENTS KNOWN AS MISCELLANEOUS TRANSFER DRAIN NO. 928 IN THE CITY OF WEST COVINA FOR FUTURE OPERATION, MAINTENANCE, REPAIR, AND IMPROVEMENT, AND AUTHORIZING THE TRANSFER AND CONVEYANCE THEREOF

WHEREAS, there have been dedicated to, or the City of West Covina has otherwise acquired, the storm drain improvements and drainage system known as Miscellaneous Transfer Drain (MTD) No. 928, depicted on Los Angeles County Flood Control District Drawing No. 486-F2.1-.9 on file with the Director of Public Works for the County of Los Angeles; and

WHEREAS, the City is authorized and empowered to transfer and convey to the Los Angeles County Flood Control District (hereinafter referred to as District) any storm drain improvements and drainage systems for future operation, maintenance, repair, and improvement; and

WHEREAS, the City and the District entered into an Agreement dated February 2, 1982, and recorded March 8, 1982 as Document No. 82-247855 of the official Records in the Registrar-Recorder/County Clerk's office, whereby the City made certain warranties about its future transfers and conveyances of flood control facilities to the District; and

WHEREAS, the public interest will be served by transfer and conveyance of said storm drain improvements and drainage system from the City to the District for future operation, maintenance, repair, and improvement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the City does hereby request the District to accept the transfer and conveyance of the storm drain improvements and drainage system depicted on District Drawing No. 486-F2.1-.9 on file with the Director of Public Works for the County of Los Angeles.

SECTION 2. That, subject to the acceptance thereof by the Board of Supervisors of the District, the City Engineer is directed and ordered to prepare all necessary instruments and documents to effectuate the transfer and conveyance and that the Mayor is authorized and instructed to execute said documents and other instruments. The District shall have no obligation or responsibility to maintain the storm drain, improvements, and drainage until all rights of way

for the storm drain now vested in the City and all other necessary rights of way have been conveyed to and accepted by the District.

SECTION 3. The City Clerk shall certify to the adoption of this resolution and shall enter the same in the book of original resolutions and it shall become effective immediately.

APPROVED AND ADOPTED this 21st day of January 2020.

Tony Wu
Mayor

APPROVED AS FORM

ATTEST

Thomas P. Duarte
City Attorney

Lisa Sherrick
Assistant City Clerk

I, Lisa Sherrick, Assistant City Clerk of the City of West Covina, California, do hereby certify that the foregoing Resolution No. 2020-02 was duly adopted by the City Council of the City of West Covina, California, at a regular meeting thereof held on the 21st day of January 2020, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lisa Sherrick
Assistant City Clerk

RESOLUTION NO. 2020-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT OF THE STATE OF CALIFORNIA TO ACCEPT, ON BEHALF OF SAID DISTRICT, THE TRANSFER AND CONVEYANCE OF THE STORM DRAIN IMPROVEMENTS KNOWN AS MISCELLANEOUS TRANSFER DRAIN NO. 954 IN THE CITY OF WEST COVINA FOR FUTURE OPERATION, MAINTENANCE, REPAIR, AND IMPROVEMENT, AND AUTHORIZING THE TRANSFER AND CONVEYANCE THEREOF

WHEREAS, there have been dedicated to, or the City of West Covina has otherwise acquired, the storm drain improvements and drainage system known as Miscellaneous Transfer Drain (MTD) No. 954, depicted on Los Angeles County Flood Control District Drawing No. 486-F3.1-.3 on file with the Director of Public Works for the County of Los Angeles; and

WHEREAS, the City is authorized and empowered to transfer and convey to the Los Angeles County Flood Control District (hereinafter referred to as District) any storm drain improvements and drainage systems for future operation, maintenance, repair, and improvement; and

WHEREAS, the City and the District entered into an Agreement dated February 2, 1982, and recorded March 8, 1982 as Document No. 82-247855 of the official Records in the Registrar-Recorder/County Clerk's office, whereby the City made certain warranties about its future transfers and conveyances of flood control facilities to the District; and

WHEREAS, the public interest will be served by transfer and conveyance of said storm drain improvements and drainage system from the City to the District for future operation, maintenance, repair, and improvement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the City does hereby request the District to accept the transfer and conveyance of the storm drain improvements and drainage system depicted on District Drawing No. 486-F3.1-.3 on file with the Director of Public Works for the County of Los Angeles.

SECTION 2. That, subject to the acceptance thereof by the Board of Supervisors of the District, the City Engineer is directed and ordered to prepare all necessary instruments and documents to effectuate the transfer and conveyance and that the Mayor is authorized and instructed to execute said documents and other instruments. The District shall have no obligation or responsibility to maintain the storm drain, improvements, and drainage until all rights of way

for the storm drain now vested in the City and all other necessary rights of way have been conveyed to and accepted by the District.

SECTION 3. The City Clerk shall certify to the adoption of this resolution and shall enter the same in the book of original resolutions and it shall become effective immediately.

APPROVED AND ADOPTED this 21st day of January 2020.

Tony Wu
Mayor

APPROVED AS FORM

ATTEST

Thomas P. Duarte
City Attorney

Lisa Sherrick
Assistant City Clerk

I, Lisa Sherrick, Assistant City Clerk of the City of West Covina, California, do hereby certify that the foregoing Resolution No. 2020-03 was duly adopted by the City Council of the City of West Covina, California, at a regular meeting thereof held on the 21st day of January 2020, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lisa Sherrick
Assistant City Clerk

RESOLUTION NO. 2020-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT OF THE STATE OF CALIFORNIA TO ACCEPT, ON BEHALF OF SAID DISTRICT, THE TRANSFER AND CONVEYANCE OF THE STORM DRAIN IMPROVEMENTS KNOWN AS MISCELLANEOUS TRANSFER DRAIN NO. 962 IN THE CITY OF WEST COVINA FOR FUTURE OPERATION, MAINTENANCE, REPAIR, AND IMPROVEMENT, AND AUTHORIZING THE TRANSFER AND CONVEYANCE THEREOF

WHEREAS, there have been dedicated to, or the City of West Covina has otherwise acquired, the storm drain improvements and drainage system known as Miscellaneous Transfer Drain (MTD) No. 962, depicted on Los Angeles County Flood Control District Drawing No. 486-F5.1-.5 on file with the Director of Public Works for the County of Los Angeles; and

WHEREAS, the City is authorized and empowered to transfer and convey to the Los Angeles County Flood Control District (hereinafter referred to as District) any storm drain improvements and drainage systems for future operation, maintenance, repair, and improvement; and

WHEREAS, the City and the District entered into an Agreement dated February 2, 1982, and recorded March 8, 1982 as Document No. 82-247855 of the official Records in the Registrar-Recorder/County Clerk's office, whereby the City made certain warranties about its future transfers and conveyances of flood control facilities to the District; and

WHEREAS, the best public interest will be served by transfer and conveyance of said storm drain improvements and drainage system from the City to the District for future operation, maintenance, repair, and improvement.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the City does hereby request the District to accept the transfer and conveyance of the storm drain improvements and drainage system depicted on District Drawing No. 486-F5.1-.5 on file with the Director of Public Works for the County of Los Angeles.

SECTION 2. That, subject to the acceptance thereof by the Board of Supervisors of the District, the City Engineer is directed and ordered to prepare all necessary instruments and documents to effectuate the transfer and conveyance and that the Mayor is authorized and instructed to execute said documents and other instruments. The District shall have no obligation or responsibility to maintain the storm drain, improvements, and drainage until all rights of way

for the storm drain now vested in the City and all other necessary rights of way have been conveyed to and accepted by the District.

SECTION 3. The City Clerk shall certify to the adoption of this resolution and shall enter the same in the book of original resolutions and it shall become effective immediately.

APPROVED AND ADOPTED this 21st day of January 2020.

Tony Wu
Mayor

APPROVED AS FORM

ATTEST

Thomas P. Duarte
City Attorney

Lisa Sherrick
Assistant City Clerk

I, Lisa Sherrick, Assistant City Clerk of the City of West Covina, California, do hereby certify that the foregoing Resolution No. 2020-04 was duly adopted by the City Council of the City of West Covina, California, at a regular meeting thereof held on the 21st day of January 2020, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lisa Sherrick
Assistant City Clerk



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: January 21, 2020

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: CONSIDERATION OF AN ADMINISTRATIVE BUDGET AND A RECOGNIZED OBLIGATION PAYMENT SCHEDULE “ROPS” PURSUANT TO HEALTH AND SAFETY CODE SECTION 34179.7(O)(1) FOR THE PERIOD OF JULY 1, 2020 THROUGH JUNE 30, 2021 FOR THE SUCCESSOR AGENCY TO THE FORMER WEST COVINA REDEVELOPMENT AGENCY

RECOMMENDATION:

It is recommended that the City Council, acting as the Successor Agency to the former West Covina Redevelopment Agency, adopt the following resolution:

RESOLUTION NO. 2020-06 – A RESOLUTION OF THE SUCCESSOR AGENCY TO THE FORMER WEST COVINA REDEVELOPMENT AGENCY APPROVING AND AUTHORIZING THE TRANSMITTAL OF AN ADMINISTRATIVE BUDGET AND A RECOGNIZED OBLIGATION PAYMENT SCHEDULE “ROPS” FOR THE PERIOD OF JULY 1, 2020 THROUGH JUNE 30, 2021

BACKGROUND:

On January 7, 2020 the City Council, acting as the Successor Agency, adopted Resolution 2020-01 approving the Successor Agency's Recognized Obligation Payment Schedule (ROPS) for fiscal year July 1, 2020 to June 30, 2021.

DISCUSSION:

The attached resolution adds a line item to the previously approved ROPS 20-21. The attached ROPS 20-21 includes attorney fees for litigation regarding enforcement of contractual obligations and rights for a former Redevelopment Agency agreement (line item #144). This item is being added in the event litigation is necessary. Hopefully litigation can be avoided, but this item is being added as a precaution.

LEGAL REVIEW:

The Successor Agency Counsel has reviewed and approved this staff report, resolution and the Recognized Obligation Payment Schedule.

Prepared by: Gerardo Rojas, Project Coordinator

Additional Approval: Paulina Morales, Economic Development & Housing Manager

Fiscal Impact

FISCAL IMPACT:

The Successor Agency cannot receive or spend any funds unless the amounts are listed on a Recognized Obligation Payment Schedule. This schedule identifies all outstanding obligations that must be satisfied before the Agency can be dissolved. The obligations listed on this schedule will receive property tax allocations distributed by the County of Los Angeles as their funding source. If the Successor Agency's administrative costs exceed the administrative allowance, the excess expenditures will be absorbed by the City.

Attachments

Resolution No. 2020-06

Recognized Obligation Payment Schedule (ROPS 2020-2021)

Successor Agency Administrative Budget for July 1, 2020 through June 30, 2021

CITY COUNCIL GOALS & OBJECTIVES: Achieve Fiscal Sustainability and Financial Stability
Engage in Proactive Economic Development

RESOLUTION NO. 2020-06

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE FORMER WEST COVINA REDEVELOPMENT AGENCY APPROVING AND AUTHORIZING THE TRANSMITTAL OF AN ADMINISTRATIVE BUDGET AND A RECOGNIZED OBLIGATION PAYMENT SCHEDULE “ROPS” FOR THE PERIOD OF JULY 1, 2020 THROUGH JUNE 30, 2021

WHEREAS, pursuant to ABX 1 26, enacted on June 28, 2011, and as subsequently amended by AB 1484, SB 341, and SB 107 (“Dissolution Act”), the Redevelopment Agency to the City of West Covina was dissolved as of February 1, 2012, and the City of West Covina elected to serve as the Successor Agency to the former Redevelopment Agency to the City of West Covina; and

WHEREAS, pursuant to Health and Safety Code Section 34179(q), commencing on and after July 1, 2018, the County of Los Angeles, where more than 40 oversight boards were created by the Dissolution Act, shall have five consolidated oversight boards each encompassing the five supervisorial districts;

WHEREAS, pursuant to Health and Safety Code Section 34179.7 (o) (1), requires that the ROPS for the period from July 1, 2020 to June 30, 2021, shall be submitted after oversight board approval to the State of California Department of Finance and the Los Angeles County Auditor-Controller by February 1, 2020; and

WHEREAS, the West Covina City Council, acting as Successor Agency to the former West Covina Redevelopment Agency, reserves the right to appeal any determination of the State of California Department of Finance or other entity regarding the propriety of this resolution as well as any future determinations; and

WHEREAS, the West Covina City Council, acting as Successor Agency to the former West Covina Redevelopment Agency, intends to comply with the state-mandated obligations established hereunder; and

WHEREAS, the West Covina City Council, acting as Successor Agency to the former West Covina Redevelopment Agency, adopted Resolution 2020-01 approving ROPS 20-21 on January 7, 2020. This ROPS 20-21 has not been submitted to the Oversight Board nor the Department of Finance. This Resolution will supersede the previously adopted Resolution 2020-01 and ROPS 20-21 with the additional line item #144.

WHEREAS, all other legal prerequisites to the adoption of this resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED by the West Covina City Council, acting as Successor Agency to the former West Covina Redevelopment Agency, as follows:

SECTION 1. The foregoing recitals are incorporated into this Resolution by this reference, and constitute a material part of this Resolution.

SECTION 2. The Recognized Obligation Payment Schedule “ROPS” attached hereto as Exhibit “A” is approved and the Executive Director is authorized to submit the ROPS to the Oversight Board for approval and transmit the same to the Los Angeles County Auditor-Controller, the California State Controller and the State of California Department of Finance in accordance with Health and Safety Code Section 34177 subject to all reservations of rights and contingencies set forth above.

SECTION 3. The Administrative Budget for the Successor Agency for the annual period of July 1, 2020 – June 30, 2021, attached hereto as Exhibit “B” is approved and the Executive Director is authorized to transmit the same to the Los Angeles County Auditor-Controller, the California State Controller and the State of California Department of Finance in accordance with Health and Safety Code Section 34177 subject to all reservations of rights and contingencies set forth above.

SECTION 4. The Executive Director or designee is authorized to take all actions necessary to implement this Resolution, including without limitation, the posting of this Resolution and the Recognized Obligation Payment Schedule on the City’s website, and any other reasonable acts in furtherance of approval of the Recognized Obligation Payment Schedule and Administrative Budgets.

SECTION 5. The Secretary shall certify as to the passage and adoption of this Resolution, and it shall thereupon take effect and be in full force.

APPROVED AND ADOPTED at a regularly scheduled meeting held on this 21st day of January, 2020.

Tony Wu
Mayor

APPROVED AS TO FORM:

ATTEST:

Thomas Duarte
City Attorney

Lisa Sherrick
Assistant City Clerk

Recognized Obligation Payment Schedule (ROPS 20-21) - Summary
Filed for the July 1, 2020 through June 30, 2021 Period

Successor Agency: West Covina

County: Los Angeles

Current Period Requested Funding for Enforceable Obligations (ROPS Detail)	20-21A Total (July - December)	20-21B Total (January - June)	ROPS 20-21 Total
A Enforceable Obligations Funded as Follows (B+C+D)	\$ -	\$ -	\$ -
B Bond Proceeds	-	-	-
C Reserve Balance	-	-	-
D Other Funds	-	-	-
E Redevelopment Property Tax Trust Fund (RPTTF) (F+G)	\$ 19,585,527	\$ 5,520,405	\$ 25,105,932
F RPTTF	19,415,527	5,350,405	24,765,932
G Administrative RPTTF	170,000	170,000	340,000
H Current Period Enforceable Obligations (A+E)	\$ 19,585,527	\$ 5,520,405	\$ 25,105,932

Certification of Oversight Board Chairman:

Pursuant to Section 34177 (o) of the Health and Safety code, I hereby certify that the above is a true and accurate Recognized Obligation Payment Schedule for the above named successor agency.

Name Title

/s/ _____
Signature Date

West Covina
Recognized Obligation Payment Schedule (ROPS 20-21) - ROPS Detail
July 1, 2020 through June 30, 2021

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W
Item #	Project Name	Obligation Type	Agreement Execution Date	Agreement Termination Date	Payee	Description	Project Area	Total Outstanding Obligation	Retired	ROPS 20-21 Total	ROPS 20-21A (Jul - Dec)					20-21A Total	ROPS 20-21B (Jan - Jun)					20-21B Total
											Fund Sources						Fund Sources					
											Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF		Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF	
								\$95,860,636		\$25,105,932	\$-	\$-	\$-	\$19,415,527	\$170,000	\$19,585,527	\$-	\$-	\$-	\$5,350,405	\$170,000	\$5,520,405
3	2006 Lease Revenues Bonds	Bond Reimbursement Agreements	09/19/2006	06/01/2036	City of West Covina	Reimburse City for BLD Debt Service	Merg/ Citywide	23,750,341	N	\$1,345,990	-	-	-	415,495	-	\$415,495	-	-	-	930,495	-	\$930,495
6	SERAF 2010 Housing Loan	SERAF/ERAF	02/16/2010	08/01/2022	Housing Successor Agency	Repay SERAF to the housing fund	Merged	1,133,456	N	\$526,130	-	-	-	263,065	-	\$263,065	-	-	-	263,065	-	\$263,065
7	SERAF 2011 Housing Loan	SERAF/ERAF	01/18/2011	08/01/2022	Housing Successor Agency	Repay SERAF to the housing fund	Merged	262,303	N	\$121,756	-	-	-	60,878	-	\$60,878	-	-	-	60,878	-	\$60,878
8	DDA - The Lakes	OPA/DDA/ Construction	06/26/1987	06/30/2038	Stillwater Investment Group	Maintenance for parking structure	Merged	173,000	N	\$173,000	-	-	-	173,000	-	\$173,000	-	-	-	-	-	\$-
9	CFD Tax Increment Pledge	OPA/DDA/ Construction	06/26/1989	09/01/2022	Fashion Plaza CFD	Tax Increment pledged to CFD	Merged	1,800,000	N	\$1,800,000	-	-	-	-	-	\$-	-	-	-	1,800,000	-	\$1,800,000
10	CSS - CFD	Remediation	10/19/2004	10/19/2054	Coastal Sage Scurb CFD	CFD Assessment	Merged	80,000	N	\$80,000	-	-	-	40,000	-	\$40,000	-	-	-	40,000	-	\$40,000
11	Repay County Loan	Third-Party Loans	06/19/1990	08/20/2021	County of Los Angeles	Repay Loan of Deferred Tax Increment	Merged	1,202,573	N	\$1,202,573	-	-	-	1,202,573	-	\$1,202,573	-	-	-	-	-	\$-
12	SA Administrative Budget	Admin Costs	01/01/2014	06/30/2018	SA staff, Various	Administration for both project areas	Merged	340,000	N	\$340,000	-	-	-	-	170,000	\$170,000	-	-	-	-	170,000	\$170,000
13	City Cooperative Agreement	City/County Loan (Prior 06/28/11), Other	02/15/2011	06/30/2018	City of West Covina	Reimbursement of advanced SA expenses	Merged	-	N	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-
19	AB 1484 Auditing Fees	Dissolution Audits	09/10/2012	06/30/2018	Rogers, Anderson, Malody & Scott, LLP	AB 1484 Auditing Fees	Merged	-	N	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-
20	Oversight Board Legal Services	Legal	10/04/2012	06/30/2018	Harper & Burns	Oversight Board Legal Services	Merged	-	N	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-
21	Successor Agency Legal Services	Legal	06/30/2016	06/30/2018	Jones & Mayer	Successor Agency Legal Services	Merged	-	N	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-
23	City Note - Administration	City/County Loan (Prior 06/28/11), Other	08/09/1971	06/30/2025	City of West Covina	Repay City for admin & construction	Merged	7,281,414	N	\$728,142	-	-	-	728,142	-	\$728,142	-	-	-	-	-	\$-

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W
Item #	Project Name	Obligation Type	Agreement Execution Date	Agreement Termination Date	Payee	Description	Project Area	Total Outstanding Obligation	Retired	ROPS 20-21 Total	ROPS 20-21A (Jul - Dec)					20-21A Total	ROPS 20-21B (Jan - Jun)					20-21B Total
											Fund Sources						Fund Sources					
											Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF		Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF	
24	City Note - CIP	City/County Loan (Prior 06/28/11), Other	02/28/1972	06/30/2025	City of West Covina	Repay City for capital projects	Merged	7,281,414	N	\$728,142	-	-	-	728,142	-	\$728,142	-	-	-	-	-	\$-
25	City Note Revolving	City/County Loan (Prior 06/28/11), Other	12/16/1985	06/30/2025	City of West Covina	Repay City for revolving credit	Merged	7,281,414	N	\$728,142	-	-	-	728,142	-	\$728,142	-	-	-	-	-	\$-
26	Sales Tax Reimbursement	Bond Reimbursement Agreements	07/25/2005	06/30/2025	City of West Covina	Reimburse City for CFD Sales Tax	Merged	7,050,992	N	\$611,890	-	-	-	611,890	-	\$611,890	-	-	-	-	-	\$-
28	1996 CFD Refunding Bonds	Bonds Issued On or Before 12/31/10	07/01/1996	09/01/2022	US Bank	Fund Fashion Plaza Improvements	Merged	13,907,750	N	\$4,384,650	-	-	-	4,115,850	-	\$4,115,850	-	-	-	268,800	-	\$268,800
30	OPA - CFD	OPA/DDA/ Construction	06/26/1989	09/01/2022	Starwood	CFD admin and developer repayment	Merged	450,000	N	\$450,000	-	-	-	450,000	-	\$450,000	-	-	-	-	-	\$-
45	1998 - 2006 Bonds	Fees	04/01/1998	09/01/2030	US Bank/ BNY	Bond Fiscal Agent & Liquity Prov Fees	Merged	28,200	N	\$28,200	-	-	-	20,200	-	\$20,200	-	-	-	8,000	-	\$8,000
50	Unfunded Pension Liabilities	Unfunded Liabilities	07/01/1966	06/30/2026	CalPERS	Payment for unfunded pension obligations	Merged	1,073,575	N	\$1,073,575	-	-	-	1,073,575	-	\$1,073,575	-	-	-	-	-	\$-
51	Retirement Benefits	Unfunded Liabilities	09/19/2001	06/30/2034	Former employees	Payment for retirement obligations - OPEB	Merged	1,117,731	N	\$1,117,731	-	-	-	1,117,731	-	\$1,117,731	-	-	-	-	-	\$-
54	Contractual Services ROPS	Professional Services	03/06/2013	06/30/2018	Gonsalves and Sons	Consultant for ROPS and property management plan	Merged	30,000	N	\$30,000	-	-	-	15,000	-	\$15,000	-	-	-	15,000	-	\$15,000
55	BKK Landfill Closure Agreements	Remediation	04/17/2001	06/30/2018	Various	Landfill closure mitigation to approved recreation use	Merged	-	N	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-
57	Public Notices	Property Dispositions	07/01/2016	06/30/2018	SGV Newspaper	Notices of Proposed Property Transfer	Merged	-	N	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-
60	Special Assessments on RDA-owned parcels	Project Management Costs	01/01/2014	06/30/2018	City of West Covina	Citywide Lighting & Landscape Maint District #2	Merged	12,000	N	\$12,000	-	-	-	6,000	-	\$6,000	-	-	-	6,000	-	\$6,000
67	Project Administrative	Project Management	09/27/2011	06/30/2018	Various	Project specific related costs	Merged	32,000	N	\$32,000	-	-	-	16,000	-	\$16,000	-	-	-	16,000	-	\$16,000

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W
Item #	Project Name	Obligation Type	Agreement Execution Date	Agreement Termination Date	Payee	Description	Project Area	Total Outstanding Obligation	Retired	ROPS 20-21 Total	ROPS 20-21A (Jul - Dec)					20-21A Total	ROPS 20-21B (Jan - Jun)					20-21B Total
											Fund Sources						Fund Sources					
											Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF		Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF	
	Costs	Costs				for environmental land use consulting for BKK Landfill																
73	Loan Agreement	Unfunded Liabilities	09/16/2014	06/30/2018	City of West Covina	Reimbursement of advanced SA expenses	Merged	-	N	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-
74	Cooperative Agreement	Unfunded Liabilities	09/16/2014	06/30/2018	City of West Covina	Reimbursement of advanced SA expenses	Merged	-	N	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-
76	Loan Agreement	Unfunded Liabilities	09/16/2014	06/30/2018	City of West Covina	Reimbursement of advanced SA expenses (legal expenses)	Merged	1,226,433	N	\$1,226,433	-	-	-	1,226,433	-	\$1,226,433	-	-	-	-	-	\$-
77	Housing Successor Admin	Housing Entity Admin Cost	07/01/2015	06/30/2018	Housing Successor Agency	AB 471 - Housing Admin	Merged	-	N	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-
89	Project Administrative Costs	Project Management Costs	01/01/2016	06/30/2018	City of West Covina	Project management costs related to the disposition of BKK Properties	Merged	35,947	N	\$35,947	-	-	-	17,974	-	\$17,974	-	-	-	17,973	-	\$17,973
91	ROPS Preparation	Admin Costs	01/01/2016	06/30/2018	Various	Preparation of ROPS for SA	Merged	-	N	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-
101	Loan Agreement	Unfunded Liabilities	02/01/2012	06/30/2018	City of West Covina	Loan Agreement for the repayment of ROPS approved items that exceeded budgeted amounts	Merged	-	N	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-
106	Financing Agreement	City/County Loan (Prior 06/28/11), Cash exchange	05/02/2000	12/31/2021	City of West Covina	line of credit in the amount of \$5.6 million . The purpose was to bridge shortfalls in RDA revenues.		2,831,397	N	\$2,742,187	-	-	-	2,742,187	-	\$2,742,187	-	-	-	-	-	\$-
117	Bond Disclosure	Fees	07/01/2015	06/30/2018	Various	Bond Disclosure costs		5,000	N	\$5,000	-	-	-	-	-	\$-	-	-	-	5,000	-	\$5,000
119	Interim Arbitrage	Fees	07/01/2015	06/30/2018	Various	Interim Arbitrage		3,000	N	\$3,000	-	-	-	-	-	\$-	-	-	-	3,000	-	\$3,000

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W
Item #	Project Name	Obligation Type	Agreement Execution Date	Agreement Termination Date	Payee	Description	Project Area	Total Outstanding Obligation	Retired	ROPS 20-21 Total	ROPS 20-21A (Jul - Dec)					20-21A Total	ROPS 20-21B (Jan - Jun)					20-21B Total
											Fund Sources						Fund Sources					
											Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF		Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF	
	Report					Report																
134	BKK License Agreement	Property Maintenance	01/01/2017	06/30/2018	Various	Retention Basin Emergency Repairs		-	N	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-
135	LRPMP Disposition Costs	Property Dispositions	07/01/2017	06/30/2018	Various	BKK Property		-	N	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-
136	1999 Tax Allocation Bonds	Reserves	11/01/1999	11/01/2029	US Bank	Fund capital projects in Merged Area		-	N	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-
140	2017 Tax Allocation Refunding Bonds	Refunding Bonds Issued After 6/27/12	02/07/2017	09/01/2030	US Bank	Refund items # 1, 2, 4 & 5		13,782,446	N	\$1,891,194	-	-	-	-	-	\$-	-	-	-	1,891,194	-	\$1,891,194
141	2017 Tax Allocation Refunding Bonds	Fees	02/07/2017	09/01/2030	US Bank	Trustee Fees		2,000	N	\$2,000	-	-	-	2,000	-	\$2,000	-	-	-	-	-	\$-
142	Repay County Loan	Third-Party Loans	06/19/1990	08/20/2021	County of Los Angeles	Repay Loan of Deferred Tax Increment- was classified as Other Funds instead of RPTTF on FY18-19ROPS		1,880,270	N	\$1,880,270	-	-	-	1,880,270	-	\$1,880,270	-	-	-	-	-	\$-
143	Repay County Loan	Third-Party Loans	06/19/1990	08/20/2021	County of Los Angeles	Repay Loan of Deferred Tax Increment- was classified as Other Funds instead of RPTTF on FY17-18ROPS		1,755,980	N	\$1,755,980	-	-	-	1,755,980	-	\$1,755,980	-	-	-	-	-	\$-
144	Anticipated/ Existing Litigation	Litigation	06/30/2020	06/30/2021	Jones & Mayer & Various	Enforcement of contractual obligations and rights under a 2006 agreement.		50,000	N	\$50,000	-	-	-	25,000	-	\$25,000	-	-	-	25,000	-	\$25,000

West Covina
Recognized Obligation Payment Schedule (ROPS 20-21) - Report of Cash Balances
July 1, 2017 through June 30, 2018
(Report Amounts in Whole Dollars)

Pursuant to Health and Safety Code section 34177 (l), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation.							
A	B	C	D	E	F	G	H
	ROPS 17-18 Cash Balances (07/01/17 - 06/30/18)	Fund Sources					Comments
		Bond Proceeds		Reserve Balance	Other Funds	RPTTF	
		Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS RPTTF and Reserve Balances retained for future period(s)	Rent, grants, interest, etc.	Non-Admin and Admin	
1	Beginning Available Cash Balance (Actual 07/01/17) RPTTF amount should exclude "A" period distribution amount.					9,001,187	
2	Revenue/Income (Actual 06/30/18) RPTTF amount should tie to the ROPS 17-18 total distribution from the County Auditor-Controller					5,124,949	
3	Expenditures for ROPS 17-18 Enforceable Obligations (Actual 06/30/18)					10,408,857	
4	Retention of Available Cash Balance (Actual 06/30/18) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)					1,976,757	
5	ROPS 17-18 RPTTF Prior Period Adjustment RPTTF amount should tie to the Agency's ROPS 17-18 PPA form submitted to the CAC		No entry required			698,566	
6	Ending Actual Available Cash Balance (06/30/18) C to F = (1 + 2 - 3 - 4), G = (1 + 2 - 3 - 4 - 5)	\$-	\$-	\$-	\$-	\$1,041,956	

West Covina
Recognized Obligation Payment Schedule (ROPS 20-21) - Notes
July 1, 2020 through June 30, 2021

Item #	Notes/Comments
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11	This item was denied previously on the ROPS 19-20. DOF's reasoning is that the County Auditor-Controller is required to make the required pass-through payments per Health & Safety Code section 34183 (a) (1). This was not done and the City received a bill from the County and paid this amount from the General Fund. The City can provide copies of the checks issued for the payment upon request.
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142	This amount was requested previously and denied by DOF on the basis that the auditor controller should make pass through payments per H&S Code34183 (a) (1). The City was billed by the County and paid this amount from General Fund Check Number 702071. Copies of the documentation of City payment can be provided upon request.
143	This amount was requested previously and denied by DOF on the basis that the auditor controller should make pass through payments per H&S Code34183 (a) (1). The City was billed by the County and paid this amount from General Fund Check Number 296095. Copies of the documentation of City payment can be provided upon request.
144	

SUCCESSOR AGENCY TO THE FORMER WEST COVINA REDEVELOPMENT AGENCY
ADMINISTRATIVE BUDGET
July 1, 2020 to June 30, 2021

	<u>Annual Amount</u>	<u>July - Dec 2020</u>	<u>Jan - June 2021</u>
Salaries & Benefits	\$ 190,000	\$ 95,000	\$ 95,000
Maintenance & Operations			
Consultants	37,100	21,050	16,050
Legal Fees	40,000	20,000	20,000
Phone	2,000	1,000	1,000
Cell Phone	1,000	500	500
Supplies	7,300	3,650	3,650
Meetings	5,000	2,500	2,500
Overhead	52,600	26,300	26,300
Liability Insurance	<u>5,000</u>	<u>2,500</u>	<u>2,500</u>
Subtotal	150,000	77,500	72,500
Total Budget	<u>\$ 340,000</u>	<u>\$ 172,500</u>	<u>\$ 167,500</u>



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: January 21, 2020

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: **CONSIDERATION OF GOVERNMENT TORT CLAIMS**

RECOMMENDATION:

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

1. Sharon Chapman vs. City of West Covina

BACKGROUND:

The Tort Claims Act governs the filing of claims against a government entity. The Tort Claims Act is found in Division 3.6 of the California Government Code, Govt. Code §§ 810 et seq. Typically, one must first give written notice within six (6) months of the injury or discovery of the injury before filing an actual lawsuit in a California superior court, giving the governmental agency time to settle the claim.

DISCUSSION:

As all claims should be considered potential lawsuits, it is requested that all Councilmembers refrain from making specific public comments so as not to prejudice any claim. Specific questions should be referred to the City Attorney.

Prepared by: Helen Tran, Director of HR/Risk Management

CITY COUNCIL GOALS & OBJECTIVES: Achieve Fiscal Sustainability and Financial Stability



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: January 21, 2020

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: CONSIDERATION OF ENGAGEMENT OF LARSON O'BRIEN LLP IN CONNECTION WITH RICHARD MARTIN FRANCO, JR. AND YVONNE FRANCO V. CITY OF WEST COVINA MATTER

RECOMMENDATION:

It is recommended that the City Council authorize the City Manager to negotiate and execute any documents necessary to provide for the continued engagement of Larson O'Brien LLP to provide legal counsel to the City in connection with the *Richard Martin Franco, Jr. and Yvonne Franco v. City of West Covina* matter.

BACKGROUND:

The City Manager executed an Engagement Agreement with Larson O'Brien LLP within the City Manager's purchasing authority, authorizing the firm to commence providing legal services to the City in connection with the *Franco* matter. Because the cost of the firm's legal services may exceed \$30,000, staff now seeks City Council authorization for the City Manager to execute any documents necessary for the continued engagement of Larson O'Brien LLP.

DISCUSSION:

Larson O'Brien LLP is a boutique law firm that focuses its practice exclusively on litigation. The City engaged Larson O'Brien to provide legal counsel to the City in connection with the *Franco* matter.

OPTIONS:

The City Council has the following options:

1. Approve staff's recommendation; or
2. Provide alternate direction.

Prepared by: Thomas Duarte, City Attorney

Fiscal Impact

FISCAL IMPACT:

The firm's hourly rates are as follows:

- Attorneys - \$550 per hour
- Paralegals - \$275 per hour

Attachments

Attachment No. 1 - Larson O'Brien LLP Engagement Letter

CITY COUNCIL GOALS & OBJECTIVES: Achieve Fiscal Sustainability and Financial Stability

LARSON · O'BRIEN_{LLP}

Stephen G. Larson
Direct: 213.436.4864
slarson@larsonobrienlaw.com

VIA EMAIL

January 2, 2020

Mike Weathermon
c/o James R. Touchstone
3777 North Harbor Boulevard
Fullerton, California 92835

Re: Engagement Letter

Dear Mike:

This letter describes the terms on which Larson O'Brien LLP (the Firm, we or us) has agreed to provide legal services to you (the Client or you). Our internal policies and the provisions of the California Business and Professions Code require us to provide you with a written statement of the terms on which you have engaged us and on which we have agreed to provide legal services to you.

Scope of Engagement

We have been engaged to represent you in the lawsuit *Franco v. City of West Covina et al.*, U.S.D.C. Case No. 5:18-cv-02587-JGB-SHK. Our engagement includes any services in connection with this matter that we may have undertaken prior to the date of this letter. The scope of our engagement under this letter may be enlarged from time to time as you ask us to perform additional services and we agree to perform such additional services. No additional written agreement will be required to document these periodic changes.

For purposes of this engagement, we will be representing Client only in connection with the above-referenced engagement. All duties and responsibilities created and imposed by this agreement shall be owed solely to Client; we will not be deemed to represent the interests of any other entities or persons.

Rates and Staffing

You agree to pay our fees for services, which are primarily determined by multiplying the number of hours we spend working on your case by the hourly rates in effect for the professional providing those services. The professional rates for attorneys range from \$395 to \$1050 per hour. For this matter, the Firm has agreed to charge, and You and the City of West Covina have agreed to pay, \$550 per hour for each attorney's time.

The Firm reserves the right to staff the case as it deems appropriate and necessary, with all attorneys and professionals working under the supervision of the partners working on the matter. For example, the professionals whose services may be required in connection with our work on

your behalf may include consultants, advisors, litigation support specialists, and paralegals. The hourly rate for paralegals is currently \$275 per hour. We will bill monthly and you agree to timely pay our monthly bills.

We reassess our hourly rates from time to time, and make adjustments as appropriate. These adjustments may be reflected in the billing rates we charge to you during the course of our engagement.

Third Party Payor

As part of this arrangement, the City of West Covina (the "City") has agreed to pay for all of the fees and expenses incurred on your behalf, and we have agreed to look solely to the City for such payments. The Rules of Professional Conduct permit a third party to pay the lawyer for the fees and expenses of a client only if the client consents, there is no interference with the lawyer's independence of professional judgment or with the attorney-client relationship, and confidential information of the client is appropriately safeguarded. This will confirm that we will not permit any interference with our independence of professional judgment for you or with our attorney-client relationship with you and that we will safeguard confidential information in accordance with the Rules of Professional Conduct (which permits disclosure of such information to the extent permitted in this letter). You agree to our accepting compensation from the City for our representation of you, and City agrees to pay all of the fees and expenses incurred on behalf of you. Even though City has agreed to pay for all our fees and expenses in this matter, you acknowledge and agree that we are permitted to withdraw from representation of you if any of our fees and expenses for this matter are not paid in accordance with this letter.

General Provisions

The provisions attached to this letter and entitled "General Provisions" are incorporated into this letter with the same effect as if they were expressly set forth in this letter.

Please review this letter, including the General Provisions, carefully and, if it comports with your understanding of our respective responsibilities, confirm this agreement by returning a signed copy of this letter to me at your earliest opportunity. If you have any questions, please do not hesitate to call to discuss them before countersigning this letter. Please note that our engagement will not be effective unless and until you sign the letter, we sign the letter, and you pay the retainer amount.

///

We look forward to working with you.

Very truly yours,

LARSON O'BRIEN LLP

By: _____
Partner

ACCEPTED AND AGREED:

Mike Weathermon

Date: _____

ACCEPTED AND AGREED:

The City of West Covina

Date: _____

GENERAL PROVISIONS

Trial Retainer. A month before the commencement of a trial, you and the Firm will estimate trial fees. You agree to deposit the estimated trial fees into our Attorney-Client trust account. The Firm will bill against the deposit for fees incurred for and during trial. If the deposit is exhausted, you agree to deposit another estimated retainer (as agreed between us) into our trust account. You further agree to pay any balance remaining if the retainer is insufficient to cover the Firm's fees.

Costs and Expenses. In addition to fees for services, you agree to pay all expenses incurred on your behalf and for certain in-house administrative services. We generally bill at the actual cost incurred by the Firm for expenses such as court filing fees, filing and recording fees of other government agencies, fees and expenses of accountants or other experts retained on your behalf, and charges for transcripts, depositions, parking, lodging and travel. In some cases, our customary charges for these services may exceed the direct costs incurred by us. You acknowledge responsibility to pay the fees and expenses of such third parties, and we may require retainers for such third party costs. You further agree you will, at our request, contract directly with third-party vendors or otherwise agree to be responsible directly to them for the payment of their fees. Expenses such as document reproduction, online computerized research, long-distance telephone and fax transmissions, mileage, staff overtime required to meet imposed deadlines, and messenger services will be charged at our standard rate in effect at the time the expense is incurred.

Billing Practices and Payment Procedures. We submit bills on periodically, typically a monthly basis, after services are rendered. We will itemize the services performed by date, time required, and the professional performing the services. Our statements are payable on receipt, and prompt payment is a requirement of our continued representation. If statements are not paid within 30 days after the invoice date, we retain the right to charge interest on overdue amounts at the rate of 1% per month (12% Annual Percentage Rate). In the unfortunate event that we are forced to incur collection costs to obtain payment, you also will be responsible for the collection costs, including reasonable attorneys' fees.

You agree to review each invoice promptly after you receive it, and notify us of any objections or defenses to payment. If you fail to do so within 30 days after you receive the invoice, you will be deemed to have approved the invoice and to have waived any objections to its payment in full.

You acknowledge and agree that we have a lien on any award, judgment, recovery, or other amounts payable to you in the matters on which we represent or have represented you.

Estimates. We may from time to time provide an estimate of the fees and expenses likely to be incurred by you in connection with the services we are providing. Any such estimate is not a fixed fee and does not constitute a commitment by us to perform services for that amount or an obligation by you to pay that amount. The fees and expenses required ultimately are a function of many conditions over which we have little or no control and may be more or less than any estimate. You will be responsible for the actual fees and expenses on the basis described in this

agreement. Your obligation to pay such fees and expenses is not contingent upon successful completion of any project.

No Guarantee of Results. During the course of our representation, we may express an opinion concerning the matter or various courses of action and the results that might be anticipated. Any such statement made by any attorney or employee of our Firm is intended to be an expression of opinion only, based on information available to us at the time, and must not be construed by you as a promise or guarantee of any particular result.

Conflicts of Interest. We cannot, without appropriate consent, represent any party if there is a conflict of interest with any of our other clients. In order to avoid conflicts of interest among our clients, we maintain an index of relevant names. In connection with this matter, we searched our index for the names you have provided. In addition, please inform us at once if you learn in the future of other persons or entities that may be involved so we can perform a conflict of interest search with respect to them. Our search revealed that we have no conflict.

Termination of Engagement. You may terminate this engagement at any time. We can also terminate this relationship at any time, but if we find it necessary to terminate the relationship, we will, of course, comply with our ethical and professional obligations. Upon termination of this engagement, you will remain responsible for the payment of all fees and expenses incurred on account of the representation, including fees and charges to transfer work to another attorney. You also agree that, upon termination by either party, we may apply to the court or other tribunal to withdraw as your counsel, and you consent to such withdrawal and to cooperate fully and promptly in freeing us of any obligation to perform further work, including the execution and delivery of a substitution of attorney form. In addition, you agree to immediately advise the appropriate court or tribunal of replacement counsel.

Conclusion of Representation. At any time that there are no active matters in which we are representing you, you will be considered a former, rather than a current, client of ours, unless and until you ask us to perform additional services and we agree to perform such additional services. If you become a former client under any circumstances, we will be entitled, under applicable Rules of Professional Conduct, to undertake representations adverse to you in matters that are not the same as, or substantially related to, any matter in which we have represented you. However, under no circumstances will we, in the course of representing any other client, use or disclose any confidential, non-public information that we have obtained as a result of any representation of you.

Retention and Destruction of Records. We may adopt policies from time to time concerning the retention and destruction of documents and records relating to engagements by clients. After the conclusion of our representation of you on any particular matter, we may destroy any records as we believe is appropriate. If you and we agree in a writing executed by both parties, that we will retain records for a specified period of time, that agreement will supersede this general rule. If we are required by applicable law to retain records for an applicable period, the applicable law will supersede the general rule.

Responding to Subpoenas and Other Requests for Information. If we are required to respond to a subpoena or other formal request from a third party or a governmental agency for our records or other information relating to services we have performed for you, or to testify by deposition or otherwise concerning such services, we will first consult with you as to whether you wish to supply the information demanded or assert your attorney-client privilege to the extent you may properly do so. You understand you will reimburse us for our time and expense incurred in responding to any such demand, including, but not limited to, search and photocopying costs, time reviewing documents, appearing at depositions or hearings, and otherwise litigating issues raised by the request.

General Responsibilities of Attorney and Client. We will provide the above-described legal services for your benefit, for which you will be billed in the manner set forth above. We will keep you apprised of developments as necessary to perform our services and will consult with you as necessary to ensure the timely, effective and efficient completion of our work.

We understand you will provide us with truthful information, the documents required to perform the services, to keep us informed of developments related to your matter, to make any business or technical decisions and determinations as appropriate to facilitate the completion of our services, to remit payment of our billing statements, in accordance with the procedures described above, and to cooperate fully with us in all matters related to your claims and defenses.

Arbitration. We do not anticipate any dispute regarding our services. Nonetheless, if any dispute arises out of or relating to this letter, our relationship with Client or the City, or the services performed (including but not limited to disputes regarding attorneys' fees or costs and those alleging negligence, breach of fiduciary duty, fraud, or claim based on any statute), the dispute shall be resolved by binding arbitration and will not be determined by the courts or a jury, except as California law provides for judicial review of arbitration proceedings. Any dispute will be arbitrated by a neutral at the Judicial Arbitration and Mediation Service (JAMS) in Los Angeles County, California, pursuant to its procedures and rules, or any other private judge or arbitrator mutually selected by the parties. Should the parties be unable to agree upon an arbitrator within thirty (30) days after written notification of any dispute, the parties agree that an arbitrator may be selected by JAMS.

Your agreement to arbitrate is not a condition of our representation, and if you do not wish to agree to arbitrate, you must advise us before signing this letter, so that we may delete this section of the letter. In addition, you are free to discuss the advisability of arbitration with us or your independent counsel and to ask any questions that you have. Unless you inform us that you do not agree to arbitrate disputes and we delete this section of the engagement agreement prior to its execution, you will be deemed to have agreed to arbitrate pursuant to the terms hereunder. The prevailing party in any litigation pertaining to this agreement shall be entitled to reimbursement of attorneys' fees and costs incurred.

Errors and Omissions Insurance. The California Business & Professions Code requires us to inform you that we maintain errors and omissions insurance coverage applicable to the services to be rendered to you.

Confidentiality of Internal Firm Communications. We designate certain of the Firm's attorneys to represent us in connection with legal matters affecting the Firm that arise from time to time, such as claims brought against us by clients or others, collection actions brought by the firm or others, and various other legal matters. The discussions about the Firm's legal matters between these designated attorneys and other Firm personnel are intended to be confidential

Effective Date. This agreement will not take effect, and we will have no obligation to provide services to you, until you return a signed copy of this agreement and pay the required retainer, but the effective date of this agreement will be retroactive to the date we first provided legal services to you. Even if this agreement is not executed and returned by you, you will be obligated to pay the reasonable value of any services we may have performed for you at your direction.

Severability in the Event of Partial Invalidity. If any provision of this Agreement is held in whole or in part to be unenforceable for any reason, the remainder of that provision and of the entire Agreement will be severable and remain in effect.

Entire Agreement. This Agreement contains the entire agreement of the parties. No other agreement, statement, or promise made on or before the effective date of this Agreement will be binding on the parties. This agreement may be modified only in writing and signed by both you and us. Facsimile signatures are as effective as original signatures.



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: January 21, 2020

TO: Mayor and City Council

FROM: David Carmany
City Manager

**SUBJECT: PUBLIC HEARING TO CONSIDER CODE AMENDMENT NO. 19-02 REGARDING
SINGLE FAMILY STANDARDS FOR ACCESSORY HABITABLE QUARTERS, AND
VEHICLE BACKUP SPACE**

RECOMMENDATION:

The Planning Commission recommends that the City Council consider a Zoning Code Amendment as follows:

**ORDINANCE NO. 2469 - AN ORDINANCE TO AMEND ZONING REGULATIONS APPLICABLE
TO SINGLE FAMILY AND RESIDENTIAL AGRICULTURAL ZONES REGARDING
ACCESSORY HABITABLE QUARTERS (FORMERLY KNOWN AS GUEST HOUSES) AND
VEHICULAR BACKUP SPACE**

BACKGROUND:

On April 2, 2019, at the conclusion of the City Council public hearing on Accessory Dwelling Units ("ADU"), the City Council initiated a separate Code Amendment to examine making the standards for ADUs consistent with standards for additions to houses, and to examine eliminating Accessory Habitable Quarters ("AHQs") (formerly guest houses) as a use.

The City modified the standards for AHQs in 2014. AHQs are distinct from ADUs because they are not considered a separate unit, allow no kitchen facilities and not defined nor required under State housing law. Currently, AHQs require the approval of an administrative use permit (AUP), allowing for staff-level review with notification of the properties within 300 feet of the subject property. AHQs are currently allowed based on following development standards (WCMC Article VIII, 26-391.5);

- Maximum of 640 square feet.
- Require 1 covered parking space.
- 25-foot separation between second unit and primary unit.
- Comply with 25-foot rear setback.
- AHQ must be behind the primary dwelling unit.
- AHQ must be architecturally compatible with primary unit.
- No windows allowed when along a side property line if closer than 10 feet.
- While the State has revised the methods that cities can regulate ADU's, it is the cities choice about whether to allow AHQs. Since 2014, there have been four AHQs proposed, one in 2014, two in 2015, and one in 2017. Because the State has placed a focus on ADUs and required them to be approved by right, there has not been much interest in proposing AHQs.

The Planning Commission held a study session on July 23, 2019. At the conclusion of the study session, the Planning Commission gave direction to staff to draft a code amendment to establish a rear setback of 15 feet, to eliminate standards for AHQ's, and to establish backup space standards for garages.

A public hearing was held by the Planning Commission on November 26, 2019. Based on the new state mandate for accessory dwelling units, the drafted revision to change the minimum rear setback from 5 feet to 15 feet was removed from their recommendation.

DISCUSSION:

The draft code amendment has been prepared and is attached as Exhibit A to the Code Amendment Ordinance (Attachment No. 1). The draft code amendment includes the two items that Planning Commission directed staff to include.

Accessory Living Quarters

Historically, AHQs were a simple process (allowed by right) and second units (ADUs) were more complicated (conditional use permit). Over the last 10 years the State has required cities to amend their Codes to relax standards and processes for ADUs. Subsequently, today ADUs are allowed by right. The Code was amended to make AHQs more complicated, requiring the approval of an AUP and requiring a garage (Attachment No. 3). Based on the number of submittals last year, 15 ADUs and no AHQs, it would seem that there is currently little interest in constructing AHQs. Additionally, State law allows legal structures to be converted to ADUs so even if someone builds an AHQ, they may want to convert it to an ADU. This code amendment was initiated to consider eliminating AHQs.

The draft code amendment incorporates the deletion of the process for approval and the standards to allow for AHQ's (Section 26-391.5). The definition and references have been left in the Code as there are many guest houses that were constructed over the years and there are a few AHQ's that have been constructed. All guest houses and AHQ's were required the recordation of covenants and therefore it will be helpful to future staff to have the terms defined.

Backup Space

Currently, the Municipal Code requires a 22-foot backup space for garages that are in the side yard and face a side street, a 25-foot backup space for garages in the front yard, and an overall minimum of 22 feet of driveway length from property lines. However, the code does not contain any regulations about the distance from garage doors to another structure to allow for vehicle access to the garage. The Planning Department currently has a policy requiring a 25-foot backup space; however, the Municipal Code does not include any standards to ensure that vehicles can access a garage. The draft code amendment includes the requirement for a 25-foot back space from the opening of the garage (Section 26-402 (i)).

Notification of the public hearing was provided in the San Gabriel Valley Tribune on January 9, 2020.

LEGAL REVIEW:

The City Attorney's Office has reviewed the proposed ordinance as to form and content and has concluded that it is in compliance with both State and federal law.

OPTIONS:

The City Council has the following options:

1. Approve the Planning Commission's recommendation; or
2. Provide alternative direction

ENVIRONMENTAL REVIEW:

The proposal is exempt for California Environmental Quality Act (CEQA) per Section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to activity that results in direct or reasonably foreseeable indirect physical change in the environment and for activity considered to be a project, respectively. The amendment to the West Covina Municipal Code would not result in a physical change in the environment because it would only revise development standards for properties zoned for single-family residential uses.

Prepared by: Jeff Anderson, Community Development Director

Attachments

Attachment No. 1 - Ordinance 2469

Attachment No. 2 - Planning Commission Resolution

Attachment No. 3 - Planning Commission Minutes 11/26/19

Attachment No. 4 - Planning Commission Staff Report

Attachment No. 5 - Planning Commission Minutes 7/23/19

Attachment No. 6 - Planning Commission Study Session Staff Report

ORDINANCE NO. 2469

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA AMENDING ZONING REGULATIONS APPLICABLE TO SINGLE FAMILY AND RESIDENTIAL AGRICULTURAL ZONES REGARDING ACCESSORY HABITABLE QUARTERS (FORMERLY KNOWN AS GUEST HOUSES) AND VEHICULAR BACKUP SPACE

WHEREAS, on the 2nd day of April 2019, the City Council initiated a code amendment to consider revisions to the Single-Family and Residential Agriculture zones of the West Covina Municipal Code; and

WHEREAS, the Planning Commission, did on the 23rd day of July 2019, conduct a study session to consider the initiated proposed code amendment change; and

WHEREAS, the Planning Commission, upon giving required notice, did on the 26th day of November 2018, conduct a duly advertised public hearing as prescribed by law, at which time the Planning Commission adopted Resolution No. 19-6011, recommending to the City Council approval of Code Amendment No. 19-02.

WHEREAS, the City Council, upon giving the required notice, did on the 21st day of January 2020, conduct a duly advertised public hearing as prescribed by law on the proposed ordinance; and

WHEREAS, based on review of the State CEQA Guidelines, the City Council finds and determines that the proposed ordinance is statutorily exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment; and

WHEREAS, the City Council has duly considered all information presented to it, including written staff reports and any testimony provided at the public hearing, with all testimony received being made a part of the public record.

WHEREFORE, THE CITY COUNCIL OF THE CITY OF WEST COVINA HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Findings. The City Council finds as follows:

- A. Consistent with state law, the City allows accessory dwelling units to be constructed within the city.
- B. Now that accessory dwelling units are allowed by right within the city, there is limited to no need to still allow accessory habitable quarters; and

- C. Antiquated provisions of the municipal code should be removed to increase administrative efficiencies and reduce public confusion.

SECTION 2. Municipal Code Amendment. The definition of “accessory habitable quarters” in section 26-63 of the municipal code is revised as follows:

Accessory habitable quarters/guest houses. A permanently constructed habitable quarters, separate from the primary residence, and having no kitchen facilities, which is clearly subordinate or incidental to the primary residence on the same lot. The accessory habitable quarters may include only a sleeping area, living area, and bathroom within an attached or detached accessory structure and for use by guests or occupants of the primary residence. The accessory habitable quarters shall not be separately rented, leased or let (by direct or indirect compensation) or otherwise occupied separately from the primary residence. Accessory habitable quarters were historically known as guest houses. New accessory habitable quarters/guest houses are no longer allowed.

SECTION 3. Municipal Code Amendment. Municipal Code section 26-296.1100 (Definitions) is revised as follows:

Sec. 26-296.1100. - Definitions.

- (a) Large expansions shall mean the expansion of the existing total gross floor area of a single-family dwelling unit by the following minimum square footage when either the floor area of the existing dwelling unit is expanded or when the existing dwelling unit is demolished and a new dwelling unit is constructed within five (5) years and results in a total gross floor area larger than existed at the time of demolition, but not resulting in a total gross floor area which exceeds the maximum permitted for a lot:

Lot Size (sq. ft.)	Large Expansion (sq. ft.)
Under 20,000	1,250
20,000—24,999	1,500
25,000—29,999	2,000
30,000—34,999	2,500
35,000—39,999	3,000
40,000+	3,500

Said large expansion includes the gross square footage of the main building and/or accessory uses when attached to the main building, (including, but not limited to a accessory habitable quarters/guest houses, and garage), and detached garages, as set forth in subsection (d) of this section.

- (b) Maximum unit size exception shall mean an increase of the total gross square footage permitted for a unit as defined in section 26-401.5 by up to twenty-five (25) percent of the

gross square footage of the main building, and/or attached accessory uses (including, but not limited to an accessory habitable quarter/guest house, or garage), and/or detached garages, as set forth in subsection (d) of this section.

- (c) Timing of additions or expansions. All additions or expansions occurring within one (1) year of the building permit final inspection approval of the previous addition or expansion shall be considered as a single expansion for the purpose of determining the large expansion calculation.
- (d) Detached garages legally constructed prior to October 21, 2004, shall be exempt from inclusion in the gross square footage calculation. Expansion of such garages after October 21, 2004, however, shall cause this exemption to be lost.

SECTION 4. Municipal Code Amendment. The following portions of Municipal Code section 26-391 (i.e. through and including subsections 1 and 2) are revised as follows, with all other portions of the section unamended:

Municipal Code Sec. 26-391. - Permitted uses.

No building or improvement or portion thereof in the residential agricultural zone (R-A) or the single-family residential zone (R-1) shall be erected, constructed, converted, established, altered or enlarged nor shall any lot or premises be used except for one (1) or more of the following purposes:

- (1) One single-family dwelling per lot. Any additions or accessory buildings shall maintain architectural consistency with the house regarding roof profile and pitch, materials, colors, roofing, scale, exterior treatment and details.

- (2) Accessory buildings.

~~a. Accessory habitable quarters as allowed per section 26-391.5.~~

~~b.-a.~~ Accessory dwelling units as allowed per article XII, division 11 (26-685.30 *et seq.*).

b e. Nonhabitable accessory buildings or structures, including, but not limited to the following:

- 1. Garages;
- 2. Carports;
- 3. Workshops;
- 4. Storage rooms or sheds;
- 5. Detached patio covers;
- 6. Pool bathroom or detached bathroom.

All nonhabitable accessory buildings of more than one hundred twenty (120) square feet shall file a covenant defining the use of the accessory building and stating that the building shall not be converted to any other use without city approval including an accessory dwelling unit.

SECTION 5. Municipal Code Amendment. Section 26-391.5, “Accessory buildings, habitable” is deleted.

SECTION 6. Municipal Code Amendment. A new subsection (i) is added to Section 26-402, “Off-street parking” to provide as follows:

- (i) A minimum unobstructed vehicular maneuvering distance of twenty-five (25) feet measured from the opening of the garage or carport shall be provided, except as otherwise permitted in this section. Minor design modifications may be approved, due to the uniqueness of the property as determined by the Planning Director.

SECTION 7. Municipal Code Amendment. Section 26-407, “Permissible coverage of required yards” is revised as follows.

Sixty (60) percent of the required rear yard in R-A and R-1 zones shall remain open; and the remaining forty (40) percent of the required rear yard may be covered by single story construction with a height of no greater than fifteen (15) feet. No construction shall be permitted within ~~five (5)~~ **fifteen (15)** feet of the rear property line.

SECTION 8. Municipal Code Amendment. Subsection (d) of section 26-418, (“Planning Commission Subcommittee for Design”) is revised as follows:

- (d) *Review required.* No building permit shall be issued for the following types of improvements to single-family residences prior to subcommittee review:
 - (1) New construction of single-family residences.
 - (2) Structural additions or modifications on the front elevation of a residence.
 - (3) New second-story additions to one-story residences.
 - (4) New second-story additions to two-story houses.
 - (5) New balconies.
 - ~~(6) Accessory habitable quarters.~~
 - ~~(7)~~ Any modifications that is readily visible from a public right-of-way.

SECTION 9. Municipal Code Amendment. Subsection (a) of Section 26-749.160 (“Administrative use permit required), is revised as follows:

- (a) Prior to the construction of any improvement in the lower pad area such as habitable structures (including ~~accessory habitable quarters and~~ accessory dwelling units), nonhabitable structures that require the issuance of a building permit, swimming pools, spas, sports courts, and similar uses (whether or not a building permit is required), an administrative use permit shall be required as specified in article VI, division 5 of this chapter 26.

SECTION 10. ENVIRONMENTAL DETERMINATION. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA guidelines, and the City’s environmental procedures, and is found to be exempt pursuant to CEQA Guidelines Section 15061(b)(3), as this ordinance cannot create any significant effect on the environment.

SECTION 11. INCONSISTENCIES. Any provision of the West Covina Municipal Code or appendices thereto inconsistent with the provisions of this ordinance, to the extent of such inconsistencies and or further, is hereby repealed or modified to the extent necessary to affect the provisions of this ordinance.

SECTION 12. SEVERABILITY. If any provision or clause of this ordinance or the application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions or clauses or applications of this ordinance which can be implemented without the invalid provision, clause or application; and to this end, the provisions of this ordinance are declared to be severable.

SECTION 13. PUBLICATION. This Ordinance shall take effect and be in full force thirty (30) days from and after the passage thereof, and prior to the expiration of fifteen (15) days from its passage shall be published once in a newspaper of general circulation, printed and published in the City of West Covina or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the office of the City Clerk five (5) days prior to the date of adoption of this Ordinance, and within fifteen (15) days after adoption, the City Clerk shall cause to be published the aforementioned summary and

[continued on next page]

ATTACHMENT NO. 1

shall post in the office of the City Clerk a certified copy of this Ordinance together with the names and member of the City Council voting for and against the same.

PASSED, APPROVED AND ADOPTED this 21st day of January, 2020.

Tony Wu
Mayor

ATTEST:

Lisa Sherrick
Assistant City Clerk

APPROVED AS TO FORM:

Thomas Duarte
City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF WEST COVINA)

I, Lisa Sherrick, Assistant City Clerk of the City of West Covina, do hereby certify that the foregoing Ordinance No. 2468 was regularly introduced and placed upon its first reading at a regular meeting of the City Council on the 21st day of January, 2020. That, thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the ____ day of _____ 2020.

AYES:
NOES:
ABSTAIN:
ABSENT:

Lisa Sherrick
Assistant City Clerk

RESOLUTION NO. 19-6011

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WEST COVINA CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE AN ORDINANCE TO AMEND ZONING REGULATIONS APPLICABLE TO SINGLE FAMILY AND RESIDENTIAL AGRICULTURAL ZONES REGARDING ACCESSORY HABITABLE QUARTERS (FORMERLY KNOWN AS GUEST HOUSES) AND REAR YARDS

Section 1. Findings. The Planning Commission finds as follows:

- A. On April 2, 2019, the City Council initiated a code amendment to revise standards applicable to accessory habitable quarters.
- B. The Planning Commission, upon giving the required notice, did on November 25, 2019, conduct a duly advertised public hearing as prescribed by law; and

Section 2. Resolution. The Planning Commission recommends that the City Council conduct a public hearing, and thereafter adopt the ordinance attached hereto as Exhibit A.

PASSED, APPROVED AND ADOPTED on November 26, 2019 by the following roll call vote:

AYES: Holtz, Heng, Kennedy, Jaquez, Redholtz

NOES: None

ABSTAIN: None

ABSENT: None

DATE: November 26, 2019



Herb Redholtz, Chairman
Planning Commission



Jeff Anderson, Secretary
Community Development Director

EXHIBIT A

ORDINANCE NO. _____

ORDINANCE TO AMEND ZONING REGULATIONS APPLICABLE TO SINGLE FAMILY AND RESIDENTIAL AGRICULTURAL ZONES REGARDING ACCESSORY HABITABLE QUARTERS (FORMERLY KNOWN AS GUEST HOUSES) AND REAR YARDS

SECTION 1. Findings. The City Council finds as follows:

- A. Consistent with state law, the City allows accessory dwelling units to be constructed within the city.
- B. Now that accessory dwelling units are allowed by right within the city, there is limited to no need to still allow accessory habitable quarters; and
- C. Antiquated provisions of the municipal code should be removed to increase administrative efficiencies and reduce public confusion.

SECTION 2. Municipal Code Amendment. The definition of “accessory habitable quarters” in section 26-63 of the municipal code is revised as follows:

Accessory habitable quarters/guest houses. A permanently constructed habitable quarters, separate from the primary residence, and having no kitchen facilities, which is clearly subordinate or incidental to the primary residence on the same lot. The accessory habitable quarters may include only a sleeping area, living area, and bathroom within an attached or detached accessory structure and for use by guests or occupants of the primary residence. The accessory habitable quarters shall not be separately rented, leased or let (by direct or indirect compensation) or otherwise occupied separately from the primary residence. Accessory habitable quarters were historically known as guest houses. New accessory habitable quarters/guest houses are no longer allowed.

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Sec. 26-296.1100. - Definitions.

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Lot Size (sq. ft.)	Large Expansion (sq. ft.)
Under 20,000	1,250

EXHIBIT A

20,000—24,999	1,500
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30,000—34,999	2,500
35,000—39,999	3,000
40,000+	3,500

Said large expansion includes the gross square footage of the main building and/or accessory uses when attached to the main building, (including, but not limited to a accessory habitable quarters/guest houses, and garage), and detached garages, as set forth in subsection (d) of this section.

- (b) Maximum unit size exception shall mean an increase of the total gross square footage permitted for a unit as defined in section 26-401.5 by up to twenty-five (25) percent of the gross square footage of the main building, and/or attached accessory uses (including, but not limited to an accessory habitable quarter/guest house, or garage), and/or detached garages, as set forth in subsection (d) of this section.
- (c) Timing of additions or expansions. All additions or expansions occurring within one (1) year of the building permit final inspection approval of the previous addition or expansion shall be considered as a single expansion for the purpose of determining the large expansion calculation.
- (d) Detached garages legally constructed prior to October 21, 2004, shall be exempt from inclusion in the gross square footage calculation. Expansion of such garages after October 21, 2004, however, shall cause this exemption to be lost.

SECTION 4. Municipal Code Amendment. The following portions of Municipal Code section 26-391 (i.e. through and including subsections 1 and 2) are revised as follows, with all other portions of the section unamended:

Municipal Code Sec. 26-391. - Permitted uses.

No building or improvement or portion thereof in the residential agricultural zone (R-A) or the single-family residential zone (R-1) shall be erected, constructed, converted, established, altered or enlarged nor shall any lot or premises be used except for one (1) or more of the following purposes:

- (1) One single-family dwelling per lot. Any additions or accessory buildings shall maintain architectural consistency with the house regarding roof profile and pitch, materials, colors, roofing, scale, exterior treatment and details.
- (2) Accessory buildings.
 - ~~a. Accessory habitable quarters as allowed per section 26-391.5.~~
 - b-a. Accessory dwelling units as allowed per article XII, division 11 (26-685.30 *et seq.*).

EXHIBIT A

b e. Nonhabitable accessory buildings or structures, including, but not limited to the following:

1. Garages;
2. Carports;
3. Workshops;
4. Storage rooms or sheds;
5. Detached patio covers;
6. Pool bathroom or detached bathroom.

All nonhabitable accessory buildings of more than one hundred twenty (120) square feet shall file a covenant defining the use of the accessory building and stating that the building shall not be converted to any other use without city approval including an accessory dwelling unit.

SECTION 5. Municipal Code Amendment. Section 26-391.5, "Accessory buildings, habitable" is deleted.

SECTION 6. Municipal Code Amendment. A new subsection (i) is added to Section 26-402, "Off-street parking" to provide as follows:

- (i) A minimum unobstructed vehicular maneuvering distance of twenty-five (25) feet measured from the opening of the garage or carport shall be provided, except as otherwise permitted in this section. Minor design modifications may be approved, due to the uniqueness of the property as determined by the Planning Director.

SECTION 7. Municipal Code Amendment. Subsection (d) of section 26-418, ("Planning Commission Subcommittee for Design") is revised as follows:

- (d) *Review required.* No building permit shall be issued for the following types of improvements to single-family residences prior to subcommittee review:
 - (1) New construction of single-family residences.
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 - (3) New second-story additions to one-story residences.
 - (4) New second-story additions to two-story houses.
 - (5) New balconies.
 - ~~(6) Accessory habitable quarters.~~
 - ~~(7)~~ Any modifications that is readily visible from a public right-of-way.

SECTION 8. Municipal Code Amendment. Subsection (a) of Section 26-749.160 ("Administrative use permit required), is revised as follows:

- (a) Prior to the construction of any improvement in the lower pad area such as habitable structures (including ~~accessory habitable quarters~~ and accessory dwelling units),

EXHIBIT A

nonhabitable structures that require the issuance of a building permit, swimming pools, spas, sports courts, and similar uses (whether or not a building permit is required), an administrative use permit shall be required as specified in article VI, division 5 of this chapter 26.

SECTION 9. ENVIRONMENTAL DETERMINATION. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA guidelines, and the City's environmental procedures, and is found to be exempt pursuant to CEQA Guidelines Section 15061(b)(3), as this ordinance cannot create any significant effect on the environment.

SECTION 10. INCONSISTENCIES. Any provision of the West Covina Municipal Code or appendices thereto inconsistent with the provisions of this ordinance, to the extent of such inconsistencies and or further, is hereby repealed or modified to the extent necessary to affect the provisions of this ordinance.

SECTION 11. SEVERABILITY. If any provision or clause of this ordinance or the application thereof to any person or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions or clauses or applications of this ordinance which can be implemented without the invalid provision, clause or application; and to this end, the provisions of this ordinance are declared to be severable.

SECTION 12. PUBLICATION. This Ordinance shall take effect and be in full force thirty (30) days from and after the passage thereof, and prior to the expiration of fifteen (15) days from its passage shall be published once in a newspaper of general circulation, printed and published in the City of West Covina or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the office of the City Clerk five (5) days prior to the date of adoption of this Ordinance, and within fifteen (15) days after adoption, the City Clerk shall cause to be published the aforementioned summary and

[continued on next page]

EXHIBIT A

shall post in the office of the City Clerk a certified copy of this Ordinance together with the names and member of the City Council voting for and against the same.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2019.

Tony Wu, Mayor

ATTEST:

Carrie Gallagher, Assistant City Clerk

APPROVED AS TO FORM:

Thomas Duarte, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF WEST COVINA)

I, Carrie Gallagher, Assistant City Clerk of the City of West Covina, do hereby certify that the foregoing Ordinance No. _____ was regularly introduced and placed upon its first reading at a regular meeting of the City Council on the _____ day of _____, 2019. That, thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the _____ day of _____ 2019.

AYES:
NOES:
ABSTAIN:
ABSENT:

Carrie Gallagher, Assistant City Clerk

ATTACHMENT NO. 3

3. CODE AMENDMENT NO. 19-02

APPLICANT: City of West Covina

LOCATION: Citywide

REQUEST: The proposed code amendment consists of amendments to Chapter 26 (Zoning) of the West Covina Municipal Code to revise standards in the West Covina Municipal Code for Residential Agriculture and Single-Family Residential zones and to consider eliminating standards for accessory habitable structures.

Community Development Director Jeff Anderson presented the staff report. During his presentation he told the Commission that this code amendment had been initiated by the City Council in April 2018. He also told the Commission that this code amendment included setback requirements for side and rear yard setbacks and eliminated accessory habitable quarters from the Code. He also told the Commission that applications for accessory habitable structures were no longer being requested due to the popularity of accessory dwelling units.

There was a short discussion by the Commission regarding a provision in the proposed code amendment requiring a 25-foot back up space for garages.

Chairman Redholtz opened the public hearing.

PROPOSERS:

No one spoke in favor of the code amendment.

OPPOSERS:

No one spoke in opposition to the code amendment.

Chairman Redholtz closed the public hearing.

There was a short discussion by the Commission regarding the proposed code amendment.

Motion by Holtz, seconded by Kennedy, to recommend removal of the revision to the rear yard setback standards and approval of Code Amendment No. 19-02 to the City Council Motion carried 5-0.

Chairman Redholtz said final action on this matter will take place at a public hearing before the City Council on a date to be determined.

AGENDA

ITEM NO. 3.

DATE: November 26, 2019

PLANNING DEPARTMENT STAFF REPORT

SUBJECT

CODE AMENDMENT NO. 19-02

APPLICANT: CITY OF WEST COVINA

LOCATION: CITYWIDE

REQUEST: The proposed code amendment consist of amendments to Chapter 26 (Zoning) of the West Covina Municipal Code to revise standards in the Zoning section of the West Covina Municipal Code for Residential Agriculture and Single-Family Residential zones and to consider eliminating standards for accessory habitable structures.

BACKGROUND

The City Council initiated the Code Amendment on April 2, 2019, at the conclusion of Code Amendment No. 18-02 regarding City standards for accessory dwelling units (ADU). At the City Council hearing on that item there was discussion that the accessory dwelling unit standards should be consistent with standards for additions to houses. While adopting that Code Amendment the City Council did discuss that the required 25-foot setback should be evaluated as well as the current standards for accessory habitable quarters (AHQ) (formerly guest houses).

The City modified the standards for accessory habitable quarters (previously guest houses) in 2014. Accessory habitable quarters are distinct from ADUs in that they are not considered a separate unit, allow no kitchen facilities and there are no requirements per State law. Accessory habitable quarters (AHQ) require the approval of an administrative use permit (AUP), allowing for staff-level review with notification of the properties within 300 feet of the subject property. AHQs are currently allowed based on following development standards (WCMC Article VIII, 26-391.5);

- Maximum of 640 square feet.
- Require 1 covered parking space.
- 25-foot separation between second unit and primary unit.
- Comply with 25-foot rear setback.
- AHQ must be behind the primary dwelling unit.
- AHQ must be architecturally compatible with primary unit.
- No windows allowed when along a side property line if closer than 10 feet.
- While the State has revised the methods that cities can regulate ADU's, it is the cities choice about whether to allow AHQs. Since 2014, there have been four AHQs proposed, one in 2014, two in 2015, and one in 2017. Because the State has placed a focus on ADUs and required them to be approved by right, there has not been much interest in proposing AHQs.

The Planning Commission held a study session on July 23, 2019. At the conclusion of the study session, the Planning Commission gave direction to staff to draft a code amendment to establish a rear setback of 15 feet, to eliminate standards for AHQ's, and to establish backup space standards for garages.

DISCUSSION

The draft code amendment has been prepared and is attached as Exhibit A to the Code Amendment Resolution (Attachment No. 1). The draft code amendment includes the three items that Planning Commission directed staff to include.

Rear Setback

The City currently has a 25-foot rear setback for one-story and two-story structures. The Code does allow an exception to this setback for one-story structures that encroach no more than 40 percent into the rear yard (an area 25 feet by the width of the lot) that have a minimum 5-foot setback. In effect, the Code does allow structures to be built with a 5-foot rear setback that are one-story structures. It is possible that the initial concept for allowing the 5-foot setback was for non-habitable buildings, however, the Code allows all structures that are one story to be built with a 5-foot setback.

For most lots in the City, it is not likely that a room addition would be built with a 5-foot rear setback, and an addition that close to the rear property line can impact the neighboring rear yards. In addition, the recent changes to State law make it difficult to have different regulations for room additions and ADUs. In practice, many individuals proposing ADUs are proposing them as close to the rear yard as possible, which causes concerns for privacy in the neighboring rear yard. It should also be noted that State law requires cities to allow conversion of legal structures (habitable or non-habitable) into ADUs.

Based on legislative acts approved this calendar year by the state (AB 68, AB 881, SB 13, AB 587 and AB 670) there are new standards that cities in California are required to comply with. One of the standards required is allowing newly constructed ADU's with a minimum setback of as close as four (4) feet. Based on the changes required by the state, at this time, staff would recommend not modifying the rear yard setback. The original concept was to provide privacy in rear yard areas, however, the state has eliminated the City's ability to provide such protection of privacy.

As directed by the Planning Commission, staff has drafted the code amendment with a rear setback of 15 feet (Section 26-407). If the Planning Commission agrees with staff's recommendation to remove the rear setback revision, the revision should be made as part of the motion to recommend approval.

Accessory Living Quarters

Historically, guest houses (AHQs) were a simple process (allowed by right) and second units (ADUs) were more complicated (conditional use permit). Over the last 10 years the State has required cities to amend their Codes to relax standards and processes for ADUs. Subsequently, today ADUs are allowed by right. The Code was amended to make AHQs more complicated, requiring the approval of an AUP and requiring a garage (Attachment No. 3). Based on the number of submittals last year, 15 ADUs and no AHQs, it would seem that there is currently little interest in constructing AHQs. Additionally, State law allows legal structures to be converted to ADUs so even if someone builds an AHQ, they may want to convert it to an ADU. This code amendment was initiated to consider eliminating AHQs.

The draft code amendment incorporates the deletion of the process for approval and the standards to allow for AHQ's (Section 26-391.5). The definition and references have been left in the Code as there are many guest

houses that were constructed over the years and there are a few AHQ's that have been constructed. All guest houses and AHQ's were required the recordation of covenants and therefore it will be helpful to future staff to have the terms defined.

Backup Space

Currently, the Municipal Code requires a 22-foot backup space for garages that are in the side yard and face a side street, a 25-foot backup space for garages in the front yard, and an overall minimum of 22 feet of driveway length from property lines. However, the code does not contain any regulations about the distance from garage doors to another structure to allow for vehicle access to the garage. The Planning Department currently has a policy requiring a 25-foot backup space; however, the Municipal Code does not include any standards to ensure that vehicles can access a garage. The draft code amendment includes the requirement for a 25-foot back space from the opening of the garage (Section 26-402 (i)).

ENVIRONMENTAL DETERMINATION

The proposal is not subject to the California Environmental Quality Act (CEQA) per Section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to activity that results in direct or reasonably foreseeable indirect physical change in the environment and for activity considered to be a project, respectively. The amendment to the West Covina Municipal Code would not result in a physical change in the environment because it would only revise development standards for properties zoned for single-family residential uses.

STAFF RECOMMENDATIONS

Staff recommends that the Planning Commission adopt a resolution recommending approval of Code Amendment No. 19-02 to the City Council.

Submitted by: Jeff Anderson, Community Development Director

Attachments

Attachment No. 1 - Resolution

Attachment No. 2 - Planning Commission Minutes, 7/23/19

Attachment No. 3 - Planning Commission Study Session Staff Report, 7/23/19

Attachment No. 4 - City Council Initiation Resolution

ATTACHMENT NO. 5

~~5. STUDY SESSION – SUBCOMMITTEE FOR DESIGN REVIEW ONE STORY GUIDELINES~~

~~This item was postponed to the next meeting.~~

~~6. STUDY SESSION – CODE AMENDMENT NO. 16-03 SMALL WIRELESS FACILITIES IN THE PUBLIC RIGHT OF WAY~~

~~Planning Manager Jo Anne Burns presented the staff report. She discussed the previous study session on the code amendment and presented information on separation between small wireless facilities and separation between residential uses and small wireless facilities.~~

~~Chairmen Redholtz asked if anyone wanted to address the Commission regarding the matter.~~

~~Robert Jystad, Government Relations Manager for Crown Castle stated that a small wireless facility separation of 250 feet was standard and that an increase in the separation could be a problem for wireless providers. He recommended focusing on design standards not separation standards.~~

~~The Commission discussed that residents expect a certain level of service from wireless providers and the balance between needs of the provider and neighborhood aesthetic.~~

~~Chairman Redholtz stated he was satisfied with the recommended separation between facilities of 250 feet and the separation of residential and small wireless facilities of 15 feet in PCD-1 and 30 feet in other residential zones. He stated he thought the Guidelines should be designed to allow to simplify and allow for more efficient review of proposals. He felt that most of the small wireless facilities should be able to be approved by staff through the Guidelines.~~

~~Motion by Redholtz, seconded by Kennedy to direct staff to prepare a draft code amendment of 250 feet between facilities and a separation between residential uses and facilities of 15 feet (PCD-1) and 30 feet (other residential uses). Commission Jaquez stated that the issue of colocation reduced his concern on the number that might be proposed over time. Commissioner Heng stated she felt that there should be additional discussion as these decisions would affect all residents. The motion carried 3-2 (Heng, Holtz)~~

~~7. STUDY SESSION - CODE AMENDMENT NO. 19-02 R-1 Rear Setbacks/AHQ Standards~~

~~Community Development Director Jeff Anderson presented the staff report. He discussed City Council initiation and discussed potential changes to the rear yard setback, the elimination of AHQs and adding a backup standard from garages.~~

ATTACHMENT NO. 5

The Commission discussed that it might make sense to have different rear yard setback requirements for larger lots. At the conclusion of the discussion the consensus was to direct staff to prepare a code amendment to eliminate AHQs, review the list of accessory buildings, and review the Area Districts and rear setback.

~~COMMISSION REPORTS/COMMENTS AND MISCELLANEOUS ITEMS~~

~~8. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT:~~

- ~~a. Forthcoming discussed there were items scheduled for the next two meetings.~~

~~9. CITY COUNCIL ACTION:~~

None

ADJOURNMENT

Chairman Redholtz adjourned the meeting at 9:40 p.m. in memory of resident and Community Services Commissioner Phil Kaufman.

~~Respectfully submitted:~~

~~Jeff Anderson~~

~~Community Development Director~~

ADOPTED AS SUBMITTED ON: August 13, 2019

City of West Covina
Memorandum
A G E N D A

ITEM NO. 7.

TO: Planning Commission

DATE: **July 23, 2019**

FROM: Planning Division

**SUBJECT: STUDY SESSION - CODE AMENDMENT NO. 19-02
R-1 Rear Setbacks/AHQ Standards**

BACKGROUND:

The City Council initiated the Code Amendment at the conclusion of Code Amendment No. 18-02 regarding City standards for accessory dwelling units (ADU). At the City Council hearing on that item there was discussion that the accessory dwelling unit standards should be consistent with standards for additions to houses. While adopting that Code Amendment the City Council did discuss that the required 25-foot setback should be evaluated as well as the current standards for accessory habitable quarters (AHQ) (formerly guest houses).

The City modified the standards for accessory habitable quarters (previously guest houses) in 2014. Accessory habitable quarters are distinct from ADUs in that they are not considered a separate unit, allow no kitchen facilities and there are no requirements per State law. Accessory habitable quarters (AHQ) require the approval of an administrative use permit (AUP), allowing for staff-level review with notification of the properties within 300 feet of the subject property. AHQs are currently allowed based on following development standards (WCMC Article VIII, 26-391.5);

- Maximum of 640 square feet.
- Require 1 covered parking space.
- 25-foot separation between second unit and primary unit.
- Comply with 25-foot rear setback.
- AHQ must be behind the primary dwelling unit.
- AHQ must be architecturally compatible with primary unit.
- No windows allowed when along a side property line if closer than 10 feet.

While the State has revised the methods that cities can regulate ADU's, it is the cities choice about whether to allow AHQs. Since 2014, there have been four AHQs proposed, one in 2014, two in 2015, and one in 2017. Because the State has placed a focus on ADUs and required them to be approved by right, there has not been much interest in proposing AHQs.

DISCUSSION:

The proposed Code Amendment would examine rear setbacks and accessory living quarters. Staff is also suggesting including backup space standards to ensure that garages have adequate space to allow for vehicular access to the garage.

Rear Setback

The City currently has a 25-foot rear setback for one-story and two-story structures. The Code does allow an exception to this setback for one-story structures that encroach no more than 40 percent into the rear yard (an area 25 feet by the width of the lot) that have a minimum 5-foot setback. In effect, the Code does allow structures to be built with a 5-foot rear setback that are one-story structures. It is possible that the initial concept for allowing the 5-foot setback was for non-habitable buildings, however, the Code allows all structures that are one story to be built with a 5-foot setback.

For most lots in the City, it is not likely that a room addition would be built with a 5-foot rear setback, and an addition that close to the rear property line can impact the neighboring rear yards. In addition, the recent changes to State law make it difficult to have different regulations for room additions and ADUs. In practice, many individuals proposing ADUs are proposing them as close to the rear yard as possible, which causes concerns for privacy in the neighboring rear yard. It should also be noted that State law requires cities to convert legal structures (habitable or non-habitable) into ADUs.

Staff surveyed surrounding cities on their rear setbacks for habitable and for non-habitable structures (Attachment No. 3). Many cities have different standards to allow detached garages, sheds and other accessory structures in the rear yard area while providing more separation for habitable structures. Given the current requirements for ADUs, it may not be advisable to create different standards for habitable and non-habitable structures.

This code amendment was initiated to consider modifications to the 5-foot rear setback. The issues to consider are privacy in rear yards and the appropriate location for ADUs. All the options provided below would be to continue to require a 25-foot rear setback for all two-story structures. Options to consider include the following.

1. Continue to require a rear setback of 5 feet.
2. Require a rear setback of 10 feet (La Puente and El Monte use this setback).
3. Require a rear setback of 15 feet.
4. Require a rear setback of 20 feet (Baldwin Park, Diamond Bar, Azusa and El Monte use this setback).
5. Require a rear setback of 25 feet (Covina, Azusa and Glendora use this setback).

Staff is recommending a rear setback of 15 feet. This still allows some encroachment into the rear setback but provides separation from the neighboring properties to the rear and would likely reduce negative impacts on those adjacent properties.

Accessory Living Quarters

Historically, guest houses (AHQs) were a simple process (allowed by right) and second units (ADUs) were more complicated (conditional use permit). Over the last 10 years the State has required cities to amend their Codes to relax standards and processes for ADUs. Subsequently, today ADUs are allowed by right. The Code was amended to make AHQs more complicated, requiring the approval of an AUP and requiring a garage (Attachment No. 3). Based on the number of submittals last year, 15 ADUs and no AHQs, it would seem that there is currently little interest in constructing AHQs. Additionally, State law allows structures

legal structures to be converted to ADUs so even if someone builds an AHQ, they may want to convert it to an ADU. This code amendment was initiated to consider eliminating AHQs.

Backup Space

Currently, the Municipal Code requires a 22-foot backup space for garages that are in the side yard and face a side street, a 25-foot backup space for garages in the front yard, and an overall minimum of 22 feet of driveway length from property lines. However, the code does not contain any regulations about the distance from garage doors to another structure to allow for vehicle access to the garage. The Planning Department currently has a policy requiring a 25-foot backup space; however, the Municipal Code does not include any standards to ensure that vehicles can access a garage.

The backup space requirement is something that staff has intended to add to the Zoning Code for some time. Therefore, staff is recommending that the requirement for a 25-foot back space be added to the code amendment.

RECOMMENDATION:

Staff recommends that the Planning Commission review the information in the staff report and attachments and provide appropriate direction to staff regarding the code amendment.

Submitted by: Jeff Anderson, Community Development Director

Attachments

Attachment No. 1 - City Council Staff Report 4/2/19

Attachment No. 2 - Municipal Code/Accessory Habitable Quarters

Attachment No. 3 - Survey of Surrounding Cities



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: January 21, 2020

TO: Mayor and City Council

FROM: David Carmany
City Manager

**SUBJECT: CONSIDERATION OF LEGISLATIVE MATTERS - SENATE BILL (SB) 50 (WEINER)
PLANNING AND ZONING: HOUSING DEVELOPMENT: STREAMLINED APPROVAL:
INCENTIVES AND SB 266 (LEYVA) - PUBLIC EMPLOYEES' RETIREMENT SYSTEM:
DISALLOWED COMPENSATION; BENEFIT ADJUSTMENTS**

RECOMMENDATION:

That the City Council authorize the Mayor to sign letters of opposition to SB 50 and SB 266.

BACKGROUND:

On September 3, 2019, the City Council adopted a legislative platform and requested that legislative matters be agendaized for discussion before a position letter is sent on behalf of the City. More recently there has been discussion about the priorities and role of the City's lobbyist, Jason A. Gonsalves & Son (Gonsalves). The Gonsalves contract is paid through the Successor Agency administrative cost allowance and they have been diligently pursuing the redevelopment wind-down issues. They have been highly effective recently and the City has had favorable determinations made by the California Department of Finance as a result of their involvement. Over the past six months Gonsalves has been also been engaged in efforts to oppose SB 50 and SB 266 at the City's request.

DISCUSSION:

The League of California Cities - which West Covina is a member of - has a team of legislative analysts that reviews legislation moving through the State capitol. The League builds consensus from its member agencies through an extensive legislative review process. Staff believes that the League's positions are generally aligned with the interests of the City. Two bills of particular concern to the City are SB 50 and SB 266.

SB 50 (Weiner) is an effort to boost housing production by overriding local zoning controls. The ideas behind SB 50 started in January 2018 with the introduction of SB 827 by Senator Weiner. After SB 827 failed the Senator stated the ideas would be reintroduced as part of new legislation. The bill overrides local control by allowing transit agencies and housing developers to determine housing densities and parking ratios in "transit-rich" areas (generally within one-quarter mile of a major transit stop). There are other issues identified in the opposition letter to SB 50 (attached). The bill was most recently amended on January 6, 2020 and the League issued a new opposition letter on January 15, 2020. Unfortunately the Senator has been unwilling to address many of the concerns raised.

SB 266 (Leyva) would require public agencies to directly pay retirees retirement benefits that are negotiated but later deemed to be disallowed by CalPERS. The issue that SB 266 is trying to address largely stems from the

pension reforms that were instituted under the 2012 Public Employees' Pension Reform Act (PEPRA). After the legislation passed some agencies negotiated contracts that were later deemed as "disallowed benefits." SB 266 proposes to remedy this issue by making individual public agencies responsible for assuring that the benefits that are granted are lawful and fully comply with CalPERS rules. Thus removing any accountability from CalPERS to ensure that benefits are reviewed, calculated and administered correctly. As the plan administrator CalPERS should be responsible for proper and lawful administration. Further, SB 266 would require that individual public agencies pay the retiree, or their estate, the pension benefit that is deemed disallowed. However, payment of ineligible pension benefits is a gift of public funds, which agencies cannot do.

Staff believes these bills are detrimental to West Covina and should be opposed. If the letters are approved to be signed copies will also be sent to Gonsalves so they can advocate for the City's position. In response to Council's request, Gonsalves firm staff is anxious to calendar a meeting with City Council members. They suggested the meeting occur late spring/early summer when the Legislature is in recess.

OPTIONS:

The City Council has the option of authorizing the Mayor to sign the attached letters of opposition or:

1. Take no position of the pending legislation.
2. Provide staff alternative direction.

Prepared by: Mark Persico, Assistant City Manager

Additional Approval: David Carmany, City Manager

Attachments

Attachment No. 1 - Opposition Letter SB 50

Attachment No. 2 - Opposition Letter SB 266

CITY COUNCIL GOALS & OBJECTIVES: Enhance the City Image and Effectiveness
Engage in Proactive Economic Development



Office of the Mayor

ATTACHMENT NO. 1

January 21, 2020

The Honorable Scott Wiener
Senator, California State Senate
State Capitol Building, Room 5100
Sacramento, CA 95814

**RE: SB 50 (Wiener) Planning and Zoning. Housing Development Incentives
Oppose Unless Amended (as amended 01/06/2020)**

Dear Senator Wiener:

The City of West Covina must continue to oppose SB 50 unless the measure is further amended to address our key concerns. The amendments taken on January 6, 2020 do not take into account our primary objections to SB 50. However, the City of West Covina is pleased to see that recent amendments attempt to create an alternative planning process for jurisdictions to develop a "local flexibility plan" that, if approved by the California Department of Housing and Community Development (HCD), would exempt cities from nearly all aspects of SB 50 with the exception of requiring fourplexes in single-family zones. Unfortunately, we can't evaluate whether the "local flexibility plan" is a viable alternative because the amendments do not clearly identify the elements of the plan.

Specific Concerns with the January 6, 2020 Amendments

It appears that the intent of the amendments is to provide local governments with an opportunity to develop their own plan to meet the goals and objectives of SB 50. Although the goal of increased density around transit is clear; the goal of the bill regarding a jobs-rich housing project is not.

The amendments, as drafted, raise the following concerns:

- **Without clearly identified criteria, we are unable to evaluate** whether the "local flexibility plan" is actually a viable alternative planning option.
- **Office of Planning and Research (OPR) and HCD are tasked with developing "rules, regulations, or guidelines"** for the submission and approval of a local flexibility plan" without sufficient direction from the Legislature. This rulemaking process is exempt from the Administrative Procedures Act, thus allowing the OPR and HCD to craft rules, regulations, or guidelines with little to no public input or oversight.
- **The elements of the plan are not clear:** Further Legislative direction is required.
 - "Achieve a standard of transportation efficiency as great or greater than if the local government were to grant equitable communities' incentives." SB 50 does not contain any language regarding "transportation efficiency." Therefore, it is not

possible to determine how HCD, OPR, or a local government will determine how to meet this standard or how a “local flexibility plan” is expected to comply with this standard.

- “Increase overall feasible housing capacity for households of lower, moderate, and above moderate incomes, considering economic factors such as cost of likely construction types, affordable housing requirements, and the impact of local development fees.” The override provisions of SB 50 do not contain any language regarding “feasible housing capacity for households of lower, moderate, and above moderate incomes,” nor does it address “economic factors such as cost of likely construction types, affordable housing requirements, and the impact of local development fees.” Therefore, it is not possible to determine how HCD, OPR or a local government will determine how to meet this standard or how a “local flexibility plan” is expected to comply with this standard.
- SB 50’s “community plan” for sensitive communities provides a much clearer alternative and should be considered as a possible alternative planning process for all jurisdictions.

Remaining Objections to SB 50

If a city elects not to develop a “local flexibility plan” or if HCD does not approve a submitted “local flexibility plan” by January 1, 2023, a city is required to give a developer an “equitable communities’ incentive”, which overrides locally developed and adopted height limitations, housing densities, and parking requirements. Many statewide standards, enacted by the Legislature, are included in the State’s Planning law. Standards should be established by the Legislature, not by individual developers.

Developers of certain housing projects should not be allowed to override locally developed (and HCD-approved) housing elements which identify adequate sites with sufficient density to accommodate a city’s share of the regional housing need. Specifically, the League has significant concerns with the following:

- Wasting time and money. SB 50 would greatly undermine locally adopted General Plans, Housing Elements (which are certified by the HCD, and Sustainable Community Strategies (SCS). By allowing developers to override state approved housing plans, SB 50 seriously calls to question the need for cities to develop these community-based plans and the justification for spending millions of state and local funds on the planning process. HCD spends a significant amount of money and staff time to review and certify housing elements for 482 cities. In 2019 alone, HCD allocated nearly \$130 million to local governments to update their housing plans and approval processes. The 2019/2020 State Budget allocated an additional \$250 million on local plans. Why would the Legislature pass a bill that encourages developers to defy these plans and essentially waste millions of taxpayer dollars?
- Gives housing developers and transit agencies, who are unaccountable to local voters, the power to determine housing densities, heights up to 55 feet, parking requirements, and design review standards for “transit-rich housing projects” within one-half mile of a major transit stop. For those “transit-rich housing projects” within one-quarter mile radius of a

stop on a high-quality bus corridor, developers would be able to determine housing density, and parking requirements above .5 spots per unit.

- What is the full scope of SB 50? As presently drafted, it is very difficult to determine what constitutes a “jobs-rich area” since the Department of Housing and Community Development and the Office of Planning and Research are largely tasked with making that determination. It is hard to understand why the Legislature would want the Executive Branch to define essential terms that have broad implications for how SB 50 would be implemented. Additionally, by not defining “jobs-rich area” in statute, there is no way of knowing if SB 50 will accomplish its stated goal.
- Greater density but no public transit? SB 50 would require cities to allow greater density in communities that are high opportunity and jobs rich, but may lack access to public transit. This seems at odds with many state policies that encourage and incentivize more dense housing near transit so that individuals may become less dependent on automobiles. It’s only been a few years since the Legislature determined that the impact on the transportation environment from a housing project should be measured in vehicle miles traveled.
- Two-tiered process that exempts cities with a population of less than 50,000 that are in a county with a population of less than 600,000, from the most extreme provisions of the measure. It is unclear why these cities should be treated differently than a similar size city in a county with a population over 600,000. Instead of arbitrarily establishing a population metric, it would be much more appropriate to consider the full range of community characteristics when determining which areas of the state SB 50 should apply.

For these reasons, the City of West Covina oppose SB 50 unless amended.

Sincerely,

Tony Wu
Mayor
City of West Covina

cc. The Honorable Scott Wiener
The Honorable Susan Rubio
The Honorable Ling Ling Chang
The Honorable Blanca Rubio
The Honorable Phillip Chen
Kristine Guerrero, League of California Cities
Jason Gonsalves, Joe A. Gonsalves & Son, gonsalves@gonsalvi.com
League of California Cities, cityletters@cacities.org



Office of the Mayor

ATTACHMENT NO. 2

January 21, 2020

The Honorable Anthony Portantino
Chair, Senate Appropriations Committee
State Capitol Building, Room 3086
Sacramento, CA 95814

RE: **SB 266 (Leyva) Public Employees' Retirement System: disallowed compensation:
benefit adjustments.**
Notice of Opposition

Dear Senator Portantino,

The City of West Covina must respectfully oppose SB 266, which would require public agencies to directly pay retirees for disallowed retirement benefits.

In 2012, the California State Legislature passed significant public pension reform legislation known as the Public Employees' Pension Reform Act (PEPRA,) which took effect January 1, 2013. While the reforms were significant, they led to some confusion as to what may lawfully be offered as employee pension benefits. As a result, some public agencies and their represented employee organizations came to agreements on benefit packages and submitted to CalPERS for approval. Only after these agreements were approved and administered did CalPERS determine that these forms of compensation were unlawful. Those future retirement benefits, which were being paid for by employers and employees into pension systems such as the California Public Employees Retirement System (CalPERS), were at some point determined to violate the law and were terminated. Terminated benefits that violate PEPRA are considered "disallowed benefits."

Under current law, once a benefit is determined to be disallowed, both the employer and the employee cease making future payments on that benefit, past contributions from the employee are returned to the employee, while past contributions from the employer are applied towards future payment. Unfortunately, in the case of a retiree that received the disallowed benefit, the pension system must recoup the overpaid benefit from the retiree. The pension system must recoup that overpayment from the retiree because it is unlawful to pay out a benefit that is not legally allowable or earned.

Public agencies cannot continue to make payments to retirees as proposed by SB 266 for the same legal basis that requires pension systems to recoup their disallowed retirement benefit payments to retirees. Continued payment of a disallowed benefit to a retiree would constitute a gift of public funds, in violation of Section 6, Article 16 of the California Constitution. Again, it is unfortunate that after an agency and their bargaining unit came to an agreement on benefits and those benefits had been paid for any amount of time for the benefit to be taken from the

retiree. Public agencies simply cannot continue to make payments directly to a retiree for an unlawful benefit.

For these reasons, the City of West Covina opposes SB 266 (Leyva).

Sincerely,

Tony Wu
Mayor
City of West Covina

cc: The Honorable Connie Leyva
The Honorable Susan Rubio
The Honorable Ling Ling Chang
The Honorable Blanca Rubio
The Honorable Phillip Chen
Kristine Guerrero, League of California Cities
Jason Gonsalves, Joe A. Gonsalves & Son, gonsalves@gonsalvi.com
League of California Cities, cityletters@cacities.org



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: January 21, 2020

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: **FOURTH OF JULY ENFORCEMENT**

RECOMMENDATION:

It is recommended that the City Council approve the 4th of July enforcement and deployment plan.

BACKGROUND:

Mayor Pro Tem Letty Lopez-Viado has requested from the Police and Fire Departments an update and outline for the Enforcement operations related to the City's 2020 4th of July weekend activities. Over the past several years, public safety has responded on average to approximately 225 additional calls for service with respect to illegal firework activity in the City.

The goal for this year's 4th of July enforcement is to saturate the public with information regarding the use of both dangerous and safe-and-sane fireworks coupled with rigorous enforcement action leading up to, during, and after the 4th of July holiday event.

DISCUSSION:

The focus for enforcement will be on July 3rd and 4th. The report will consist of the following actions: Planning, Advertisement, Deployment, Enforcement and After Action report.

A. Planning

1. Police and Fire Management will develop timelines and a collaborative strategy for the prevention, response, hazard mitigation, enforcement and disposition of illegal fireworks for the 4th of July holiday.
2. Police and Fire Management will reduce these plans and strategy onto the appropriate ICS Forms (ICS201, et seq.) and distribute the plans to all affected personnel during the incident briefing. An Incident Action Plan (IAP) will be developed by the unified command team.

B. Advertisement and Education

1. The Police Department will partner with other City Departments to display two banners; Amar/Azusa and Glendora/West Covina Pkwy, advising citizens that no fireworks are permitted in West Covina City (April/May deployment).
2. Repeat Public Service Announcement (PSA) will be broadcast via all current social media platforms including Nixle, Twitter, Facebook, and Instagram. These notifications should be sent weekly in the 8 weeks

preceding the July 4th Holiday. In addition, similar public notification should appear in the *Discover Newsletter* (May/June deployment).

3. City mobile message boards will be deployed to varying conspicuous locations with high vehicle traffic to educate motorists on the firework prohibition (2 weeks prior to the holiday).

C. Deployment

1. A Unified Command will be deployed with the Police and Fire Departments, during each day of operations.
2. Police and Fire personnel will hold a joint incident briefing and discuss responsibilities, expectations and strategies each day of operations.
3. The Police and Fire Department will deploy additional resources to include:
 - Four 3-person units consisting of 2-police officers and 1-firefighter (as personnel availability allows).
 - One additional Public Safety Dispatcher, exclusively dedicated to the efficient and timely broadcasting of firework related calls.
 - One dedicated police field supervisor whose sole responsibility is to direct the activities of the involved personnel, manage call volume, and ensure timely service delivery.
4. Regularly scheduled Patrol Officers will generally focus on other calls for service but should be used when available to support firework call management to avoid response delays.
5. Regularly scheduled Firefighters will focus on other calls for service but when available can enforce illegal fireworks ordinances.
6. Fire Station #2 will be the host location for all confiscated fireworks and stage of fireworks. The Fire Department will be responsible for State Fire Marshall notification and the disposition of any seized fireworks.
7. Any actual or suspected explosives located will be disposed of through departments standard operating procedures.

D. Enforcement

1. The Police and Fire Enforcement teams dedicated to enforcing will use Federal, State and Local laws during city canvassing and when responding to fireworks-related calls for service to proactively enforce the law.
2. Absent a bona fide public safety demand to the contrary, assigned personnel shall refrain from other enforcement activities.

E. After Action Report

An After Action Report (AAR) will be generated by the Police and Fire Departments directed to the City Manager regarding the deployments efforts. This AAR shall be used in the preparation of the July 4, 2021 event planning.

Prepared by: Richard Bell, Chief of Police

Fiscal Impact

FISCAL IMPACT:

The deployment of 4 Firefighters, 8 Police Officers, 1 Police Sergeant, and 1 dedicated Public Safety Dispatcher for fireworks related calls will cost approximately \$16,819.80. This will cover two 10-hour shifts from 4pm to 2am for deployment on July 3rd and July 4th.

CITY COUNCIL GOALS & OBJECTIVES: Enhance Public Safety



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: January 21, 2020

TO: Mayor and City Council

FROM: David Carmany
City Manager

**SUBJECT: CONSIDERATION OF REQUEST FROM MAYOR PRO TEM LETTY
LOPEZ-VIADO REGARDING A CITY SPONSORED 4TH OF JULY PATRIOTIC EVENT.**

RECOMMENDATION:

It is recommended that the City Council provide direction to staff for a 4th of July Patriotic Event.

BACKGROUND:

July 4th 2018 was the most recent city-sponsored firework show, which was held at the Big League Dreams Sports Park. On July 3, 2019 the City sponsored a laser light show in conjunction with a summer concert held that evening. Starting last summer the City Council has been informally discussing options for July 4th 2020. Additionally, a community group led by West Covina Buzz has been meeting with staff regularly since late summer to help formulate ideas. Staff has identified a series of options for Council consideration.

DISCUSSION:

Five options have been identified and researched. Costs vary depending on the event type (fireworks show, laser light show, drone show, parade), and resources needed to support the event; staff, traffic control and equipment. Advertising and outreach costs and methods are the same regardless of the option selected. Media outreach will include: press releases, social media posts, website postings, digital reader boards, the Discover (city newsletter) and flyer distribution at all city facilities. Additionally, the selected event will feature community activities such as a family fun zone, food and craft vendors and live entertainment. Staff is seeking City Council input and direction as the City moves forward with event planning.

Based upon City Council direction staff will proceed to initiate contracts with service providers. Staff will also continue to work with the community group to finalize the event details. One of the hardest costs to determine has been for fireworks. Companies that offer a fireworks show are already committed for 2020 and therefore unable to make a final commitment or provide the City a firm price. If the Council is interested in pursuing a fireworks show on July 4th, staff would need formal direction immediately.

OPTIONS:

The five options staff has identified for City Council consideration are as follows:

1. Approve Option 1 – 4th of July Fireworks Show (Big League of Dreams Sports Complex)

SERVICE	ESTIMATED COST
Public Services Personnel	\$10,000
Police Department	\$20,000
Fire Department	\$5,000
Fireworks Show	\$25,000 - \$35,000
Traffic Control	\$30,000
Band	\$5,000
Supplies and Equipment	\$20,000
TOTAL	\$115,000 - \$125,000

2. Approve Option 2 – Parade (community organized), Pancake Breakfast, Car Show and Picnic (Cortez Park)

SERVICE	ESTIMATED COST
Public Services Personnel	\$3,000
Police Department	\$10,000
Fire Department	\$2,000
Traffic Control	\$10,000
Band	\$2,000
Supplies and Equipment	\$4,000
TOTAL	\$31,000

3. Approve Option 3 – 4th of July Drone Show with evening parade (S. Glendora Ave.)

SERVICE	ESTIMATED COST
Public Services Personnel	\$5,000
Police Department	\$5,000
Fire Department	\$2,000
80 Drones – 8 Design Show	\$20,000
Band	\$5,000
Supplies and Equipment	\$4,000
TOTAL	\$41,000

4. Approve Option 4 – Laser Light Show in conjunction with Summer Concert (Civic Center Courtyard)

SERVICE	ESTIMATED COST
Public Services Personnel	\$3,000
Police Department	\$2,000
Fire Department	\$2,000
Laser Light Show	\$8,000*
Band	\$5,000*
Supplies and Equipment	\$10,000*
TOTAL	\$35,000

* \$23,000 is currently funded in fiscal year 2019/2020 through the Community Services Foundation.

5. Approve Option 5 - Provide both option 2 & 4 events

Combined cost for the 4th of July Morning Patriotic (Community Organized) Parade and Laser Light Show is approximately \$64,000.00, however, the additional general fund appropriation necessary is \$41,000.

All option costs are estimates and will be finalized once direction is provided by City Council. For example traffic control costs cannot be finalized until the parade route is determined. Once approved, staff will finalize all parade routes and patriotic displays. If costs vary widely, staff will return with updated costs.

Prepared by: Susie Perez

Additional Approval: Mike Cresap

Fiscal Impact

FISCAL IMPACT:

If the City Council selects option 1 (fireworks show), staff will provide a detailed summary of costs and amend the current general fund budget as part of the mid-year budget adjustment. Options 2 through 5 will be covered using existing budgeted amounts.

CITY COUNCIL GOALS & OBJECTIVES: Enhance the City Image and Effectiveness
Enhance City Programs and Activities