SPECIAL MEETING
OF THE
WEST COVINA CITY COUNCIL

Tuesday 5:45 pm
July 6, 2010 City Manager's Conf. Room

A G E N D A

Agenda material is available for review before the meeting at the City Clerk's Office, Room 317 at City Hall, 1444 W. Garvey Avenue, West Covina. The City complies with the Americans with Disabilities Act (ADA). If you will need special assistance at this meeting, the City will try to accommodate you in every reasonable manner. Please call (626) 939-8433 (voice) or (626) 960-4422 (TTY) from 8:00 a.m. to 5:00 p.m. Monday through Friday at least 48 hours prior to the meeting. For sign language interpreter services at Council meetings, please call at least four working days prior to the meeting.

ROLL CALL Mayor Sanderson, Mayor Pro Tem Herfert
Councilmembers Hernández, Lane, Touhey

I PUBLIC COMMENT ON ITEMS ON THE AGENDA

II CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code § 54956.9(a)
City of West Covina and City of West Covina Community Development Commission v. Hassen Imports Partnership, et al., and related cross complaints and cases

CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code § 54957.6
City Negotiators: Pasmant, Bachman

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

City Negotiator: Pasmant

- Miscellaneous Unrepresented Management Employees, including
  - -Assistant City Clerk
  - -Assistant City Manager
  - -Community Development Commission Director
  - -Community Services Director
  - -Deputy City Manager
  - -Finance Director
  - -Fire Chief
  - -Director of Human Resources
  - -Planning Director
  - -Police Chief
  - -Public Works Director and City Engineer
  - - Director of Risk Management

ADJOURNMENT Motion by _____ 2nd by _____ to adjourn the meeting at _____ p.m.

REGULAR MEETING
OF THE
WEST COVINA CITY COUNCIL

Tuesday
July 6, 2010

7:00 pm
Council Chambers

A G E N D A

Agenda material is available for review at the City Clerk's Office, Room 317 in City Hall, 1444 W. Garvey Avenue, West Covina and at ***www.westcovina.org*** 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.

Any writings or documents, not exempt from public disclosure, provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection in the City Clerk's Office, Room 317 of City Hall located at 1444 W. Garvey Avenue, West Covina, during normal business hours.

INVOCATION Andrew Pasmant
City Manager

PLEDGE OF ALLEGIANCE Councilmember Touhey

ROLL CALL Mayor Sanderson, Mayor Pro Tem Herfert
Councilmembers Hernández, Lane, Touhey

REPORTING OUT FROM CLOSED SESSION

CHANGES TO THE AGENDA

PRESENTATIONS * *Presentation*
Donation by Mario Del Fante

ANNOUNCEMENTS

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 must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the council nor disturb any member while speaking or refuse to obey the orders of the council or its presiding officer, except as otherwise herein provided.

(b) Any person making personal, impertinent or slanderous remarks or who shall become boisterous while addressing the council shall be forthwith, by the presiding officer, barred from further audience before the council, unless permission to continue be granted by a majority vote of the council.

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.

ADDRESSING THE CITY COUNCIL/COMMUNITY DEVELOPMENT COMMISSION

(Per WCMC 2-48, Ordinance No. 2150)

Any person wishing to address the City Council/Community Development Commission 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/Secretary.

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 shall 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.

A) 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.

Per Resolution No. 2009-25 adopted June 2, 2009 – When the titles of ordinances and resolutions appear on the City Council agenda, they shall be deemed to have been read by title and further reading is waived.

B) UPDATES/REPORTS FROM CONSULTANTS

No reports for this meeting.

C) ITEMS CARRIED OVER FROM PREVIOUS COUNCIL MEETINGS

No items for this meeting.

D) CONSENT CALENDAR

All matters listed under the 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 request specific items to be removed from the Consent Calendar for separate action.

1) City Council Meeting Minutes (receive & file)

- Special Meeting of June 1, 2010
  smin 06-01-10
- Regular Meeting of June 1, 2010
  min 06-01-10
- Special Meeting of June 15, 2010
  smin 06-15-10
- Regular Meeting of June 15, 2010
  min 06-15-10

2) Ordinance for Adoption

Code Amendment No. 10-01
Churches and Religious Facilities Conditionally Permitted in Manufacturing Zone

This ordinance was introduced at the City Council meeting of June 1, 2010 and was carried over at the Council meeting of June 15, 2010. The purpose of this ordinance is to amend section 26-597 of the Municipal Code to allow churches and religious facilities by conditional use permit in the Manufacturing (M-1) zone. The ordinance will become effective 30 days after its adoption on August 5, 2010. It is recommended that the City Council adopt the following ordinance:
D-2
D-2 Attach1

Attachment #2 is available for review at the City Clerk's Office.

ORDINANCE NO. _____ - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING CHAPTER 26 (ZONING) OF THE WEST COVINA MUNICIPAL CODE TO ALLOW CHURCHES AND RELIGIOUS FACILITIES IN THE MANUFACTURING (M-1) ZONE BY CONDITIONAL USE PERMIT (CODE AMENDMENT NO. 10-01)

D) CONSENT CALENDAR (continued)

3) Award of Bid

Award of Bid for Palmview Park Playground Improvements
Phase I CDBG Funded
(Project No. PP-10212A)

It is recommended that the City Council take the following actions:
D-3 & Attach1

1. Authorize the construction of a new playground "Tot Lot" at Palmview Park per Pacific Design Consultants design dated May 13, 2010.

2. Authorize the Public Works Director/City Engineer to purchase new playground equipment and construction materials using State Procurement Agreements when available, in an amount not to exceed $40,000.

3. Authorize the Public Works Director/City Engineer to award a construction contract to the lowest qualified bidder for the construction of the first phase of this park improvement project, in an amount not to exceed $35,000.

4) Traffic Committee Meeting Minutes of June 15, 2010 accept & file)
D-4 & Attach1

I. Request:

Yvonne Santos, West Covina Resident
That no parking on street sweeping days be implemented on Linda Vista Street from Hillward Avenue to Hillborn Avenue every Wednesday of each month from 7:00 a.m. to 3:30 p.m.

Traffic Committee Recommendation:
That no parking on street sweeping days be implemented on Linda Vista Street from Hillward Avenue to Hillborn Avenue every Wednesday of each month from 7:00 a.m. to 3:30 p.m.

II. Request:

Walter Fujinami, West Covina Resident
That no parking on street sweeping days be implemented on Erica Avenue from Erica Avenue from Evangelina Street to end of street every Friday of each month from 7:00 a.m. to 3:30 p.m.

Traffic Committee Recommendation:
That no parking on street sweeping days be implemented on Erica Avenue from Evangelina Street to end of street every Friday of each month from 7:00 a.m. to 3:30 p.m.

III. Request:

Guadelupe Arellano, West Covina Resident
That no parking on street sweeping days be implemented on Willow Avenue from Pacific Avenue to Bromley Avenue every Tuesday of each month from 7:00 a.m. to 3:30 p.m.

Traffic Committee Recommendation:
That no parking on street sweeping days be implemented on Willow Avenue from Pacific Avenue to Bromley Avenue every Tuesday of each month from 7:00 a.m. to 3:30 p.m.

D) CONSENT CALENDAR (continued)

5) City Treasurer's Report (receive & file)

Report for the Month of May 2010.
D-5 City Staff Rpt
D-5 City Mthly Detail
D-5 City Stmt

6) Miscellaneous – Finance Department

a) Prop A Fund Exchange – City of Hawaiian Gardens
It is recommended that the City Council take the following actions:
D-6a

a) Approve the attached agreement authorizing the additional sale of Prop A Funds to the City of Hawaiian Gardens;
b) Appropriate $360,000 in Prop A Expenditures for this project, and;
c) Approve a $270,000 increase in General Fund Revenues

Miscellaneous – Risk Management

b) Payment of FY 2010/11 Excess Liability Insurance Coverage and Approval of Continued Membership with the Big Independent Cities Excess Pool (BICEP)
It is recommended that the City Council:
D-6b

1. Authorize payment of the City's 2010/11 excess liability insurance coverage with the Big Independent Cities Excess Pool (BICEP) in the amount of $350,376 to be paid from account 361.15.1530.6411.
2. Approve West Covina's continued membership in BICEP for an additional three years beginning July 1, 2010.

c) Payment of FY 2010/11 Excess Workers' Compensation Insurance Coverage
It is recommended that the City Council authorize payment of the City's 2010/11 Excess Workers' Compensation coverage with the Big Independent Cities Excess Pool (BICEP) in the amount of $64,820 to be paid from account 363.15.1530.6418.
D-6c

ACTION ON CONSENT CALENDAR ITEMS NUMBER D-1 THROUGH D-6c:

Motion by _____ second by _____
to approve all items on the Consent Calendar as recommended

except: _____
ROLL CALL: Herfert, Hernández, Lane, Touhey, Sanderson

END OF CONSENT CALENDAR

E) PUBLIC HEARINGS

1) Public Hearing

West Covina Citywide Sewer Service Charge

The purpose of this public hearing is to adopt a schedule of charges to fund the maintenance and operation of the City's sewer system and implement the collection of the sewer service charge as part of the annual County Secured Property Tax Bill.

E-1 & Attach A-E

a) Verification of publication
b) Open hearing
c) Staff presentation
d) Public testimony
e) Close hearing
f) Council discussion
g) Recommendation: It is recommended that the City Council approve Option 1 as described in the staff report and adopt the following resolution:

RESOLUTION NO. _____ - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, SETTING THE RATE AND AUTHORIZING THE COLLECTION OF THE ANNUAL SEWER SERVICE CHARGE THROUGH THE COUNTY TAX BILL

Motion by _____ 2nd by _____

approve _____ disapprove _____ hold over _____

F) COMMUNITY DEVELOPMENT COMMISSION

Recess the City Council meeting at _____ p.m. to convene the CDC.
Reconvene the City Council meeting at _____ p.m.

CDC Agenda

G) DEPARTMENTAL MATTERS

No reports for this meeting.

H) MAYOR'S/COUNCILMEMBERS REPORT

No reports for this meeting.

AB 1234 Conference and Meeting Report

(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.)

If applicable, Councilmembers may make a verbal report at this time.

I) COUNCILMEMBERS' REQUEST FOR REPORTS, STUDIES OR INVESTIGATIONS

(Per City of West Covina Standing Rules 4.f – Requests by Councilmembers for reports, studies, or investigations that are not readily available must be placed on the City Council agenda as items of business and must be approved by a majority of the City Council.)

No reports for this meeting.

COUNCILMEMBER COMMENTS

ADJOURNMENT

Motion by _____ 2nd by _____ to adjourn the meeting at _____ p.m.

Tentative City Council Meetings

Tuesday	July 20	7:00 p.m.	Council Chambers	Regular Meeting
Tuesday	August 3			National Night Out