SPECIAL MEETING
OF THE
WEST COVINA CITY COUNCIL

Tuesday 5:45 pm
December 1, 2009 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 Hernández, Mayor Pro Tem Sanderson
Councilmembers Herfert, Lane, Touhey

I PUBLIC COMMENT ON ITEMS ON THE AGENDA

II CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Pursuant to Government Code § 54956.9(c)
One case

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code § 54956.9(a)
Mendoza, et al vs. City of West Covina

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

REGULAR MEETING
OF THE
WEST COVINA CITY COUNCIL

Tuesday 7:00 pm
December 1, 2009 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 Pastor Kelly Dupeé
Faith Community Church

PRESENTATION OF COLORS West Covina Police Explorers Post #499

PLEDGE OF ALLEGIANCE Councilmember Touhey

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

REPORTING OUT FROM CLOSED SESSION

CHANGES TO THE AGENDA

PRESENTATIONS * *Presentation*
Resolution of Commendation
Marion Landesman, Retiring Senior Citizens Program Coordinator

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 reports 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)

No minutes for this meeting.

2) Commission Summary of Actions (receive & file)

a) Planning Commission 11/10/09
D-2a
b) Senior Citizens Commission..... 08/27/09
D-2b

3) Traffic Committee Minutes of November 17, 2009 - (accept & file)

I. Request
Jesus Novoa, West Covina Resident
D-3 & Attach1

That the traffic condition on Orange Avenue from North Garvey Avenue to Puente Avenue be reviewed.

Traffic Committee Recommendation:
That stop signs, stop ahead signs, and appropriate pavement markings be placed on the north and southbound approaches on Orange Avenue at Pacific Lane.

That right edge striping be added along Orange Avenue from North Garvey Avenue to Puente Avenue.

That the radar trailer be utilized to make drivers aware of their vehicle speed along Orange Avenue and the Police Department increase speed enforcement as feasible.

That the speed feedback sign be relocated from Morris Avenue and be installed along Orange Avenue between Pacific Lane and Puente Avenue.

D) CONSENT CALENDAR (continued)

3) Traffic Committee Minutes of November 17, 2009 - (accept & file) [continued]

That pedestrian crossing signs and advance warning signs be installed for the marked crosswalk on Orange Avenue at Thelborn Avenue.

That "No Trucks Over 3 tons" signs be installed on Orange Avenue at Puente Avenue and Pacific Lane.

II. Request
Dwanold Davis, West Covina Resident

That parking on Hillward Avenue from 1408 to end of street be restricted to permit only parking.

Traffic Committee Recommendations:

That parking on Hillward Avenue from 1408 to end of street be restricted to permit only parking.

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

Report for the Month October 2009
D-4 City Staff Rpt
D-4 City Qtrly Bds Detail
D-4 City Stmt

5) Miscellaneous – Community Services Department

a) Request to Begin Commercial Marketing Program that will Utilize Go-West and Dial-A-Ride Transit Fleet as Moving Billboards
It is recommended that the City Council approve the concept of utilizing the City's transit fleet as moving billboards; authorize the City Manager to negotiate and execute a contract to operate a segment of the transit marketing program; and direct staff to brand and develop "Shop West Covina" bus wraps. This program would be funded from CDC's Economic Development budget.
D-5a

b) Request for Cameron Park Lighting for the Annual Toys for Tots Tournament
It is recommended that the City Council authorize the use of Cameron Park Field lights on Friday and Saturday, December 11-12, 2009 for the West Covina Girls Softball Toys for Tots Tournament.
D-5b

Miscellaneous – Public Works Department

c) Additional Transfer of Funds to the Residential Street Rehabilitation Work (Project No. SP-09106)
It is recommended that the City Council approve the transfer of $150,000 of Prop 42 Traffic Congestion Relief Funds from Project No. SP-10105 (Account No. 125.81.8026.7200) to Project No. SP-09106 (Account No. 125.81.8925.7200).
D-5c
D-5c Attach1

D) CONSENT CALENDAR (continued)

5) Miscellaneous – Risk Management

d) Award of Contract – Workers' Compensation Third Party Claims Administration Services Contract

It is recommended that the City Council authorize the City Manager and City Clerk to execute a five-year contract with CorVel Corporation, Inc. to provide Workers' Compensation Third Party Administration (TPA) Services, effective January 1, 2010.

D-5d

ACTION ON CONSENT CALENDAR ITEMS NUMBER D-1 THROUGH D-5d:

Motion by _____ second by _____

to approve all items except: _____

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

END OF CONSENT CALENDAR

E) PUBLIC HEARINGS

No public hearings scheduled.

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 REPORTS

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.

J) ELECTION RESULTS AND COUNCIL REORGANIZATION

1) Official Results of the November 3, 2009 General Municipal Election

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

J-1
J-1 Attach1
J-1 Attach1 Exhibit A
J-1 Attach1 Exhibit A1

RESOLUTION NO. _____ - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD NOVEMBER 3, 2009 DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW

Motion by _____ 2nd by _____ to

Approve _____ Disapprove _____ Hold over_____

2) Administration of the Oath of Office

Oath of Office and Certificate of Election presentation to elected officials by City Clerk Laurie Carrico. City Clerk Carrico was administered the Oath of Office and presented a Certificate of Election at a previous ceremony.

a. City Treasurer elect Marian Smithson
b. Member of the City Council elect Sherri Lane
c. Member of the City Council elect Michael Touhey
d. Member of the City Council elect Shelley Sanderson

3) Council Reorganization

a. Appointment of Mayor and Mayor Pro Tem
b. Presentation of Mayoral Plaque to outgoing Mayor Hernández
c. Brief Comments by Mayor, Mayor Pro Tem and Members of the City Council

4) Designation of Alternate to Los Angeles County Sanitation District

a. Appointment of Alternate to the Los Angeles County Sanitation District

Motion by _____ 2nd by _____

To _____

COUNCILMEMBER COMMENTS

ADJOURNMENT

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

Tentative City Council Meetings

Tuesday	December 15	7:00 p.m.	Council Chambers	Regular Meeting