M I N U T E S

REGULAR MEETING OF THE
WEST COVINA CITY COUNCIL
June 17, 2008

Mayor Lane called to order the regular meeting of the West Covina City Council at 7:03 p.m. in the City Hall Council Chambers, 1444 W. Garvey Avenue, West Covina.

INVOCATION City Manager Andrew Pasmant

PLEDGE OF ALLEGIANCE Councilmember Herfert

ROLL CALL Mayor Lane,
Councilmembers Herfert, Sanderson, Touhey

Absent: Mayor Pro Tem Hernandez

CHANGES TO THE AGENDA City Manager announced that minor corrections were made to Item E-3, *Continued Public Hearing of Fee and Charges Schedule*.

The following items were removed from the agenda:

Item E-4 *Authorizing an Election and the CDC's and City Council's Votes on a Special Tax Levy and Extension of the Coastal Sage and Scrub Community Facilities District's Authorized Facilities and Services*;

Item E-5, *Election on the Extension of the Coastal Sage and Scrub Community Facilities District's Public Facilities and Services and the Levy of Special Taxes, and Certification of the Election Results; and*

Related Item II-A on the CDC agenda, *Authorizing an Election and CDC's and City Council's Votes On a Special Tax Levy and Extension of the Coastal Sage and Scrub Community Facilities District's Authorized Facilities And Services*

PRESENTATIONS: Blue Star Video was aired.

Mayor Lane presented Ernie Clark, Grand Knight of the Father Maguire Council #3851 of the Knights of Columbus from St. Christopher Church with a certificate recognizing the Knights of Columbus who were named the number one Council in the State for their support of the community, church, families, and the youth of West Covina.

ANNOUNCEMENTS None.

ORAL COMMUNICATIONS

Lloyd Johnson — Lloyd Johnson, West Covina resident, spoke on the lack of response to Animal Control issues, and temporary banners on businesses.

Fred Sykes — Fred Sykes, West Covina resident, addressed the budget report on the agenda and restructuring of the departments, and inquired

about part-time staff layoffs and proposed elimination of cable television programming.

Joanne Wilner

Joanne Wilner, West Covina resident, addressed items contained in the 2008/2009 Budget Review; elimination of cable, availability of agenda materials if City implements closing on Fridays.

CONSENT CALENDAR

Councilmember Touhey stated his appreciation of Item D-5f, regarding sexual offenders wearing GPS devices, and Item D-5b, the introduction of an ordinance requiring residency and loitering restrictions for sex offenders, coming forward for action.

Councilmember Touhey also declared for the record, that in regards to Item D-3, his family has owned a business since 1977 and land since 1979 in the referenced project area.

Councilmember Herfert made comments in reference to the economy and the City's budget.

D-1

City Council Meeting Minutes (receive & file)
No minutes for this meeting.

D-2
Summary of Actions

Commission Summary of Actions (receive & file)
a) Planning 06/10/08

D-3

Ordinance for Adoption (waive reading & adopt)
Recovery of Lost Tax Increment Revenues by Extending Redevelopment Plan Time Limits for the Central Business District Project Areas and the Eastland Project Areas as Authorized by SB 1096

Ordinance No. 2177

ORDINANCE NO. 2177 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING CERTAIN TIME LIMITATIONS WITH RESPECT TO THE REDEVELOPMENT PLANS FOR THE CENTRAL BUSINESS DISTRICT PROJECT AREA AND THE EASTLAND PROJECT AREA PURSUANT TO THE PROVISIONS OF THE HEALTH AND SAFETY CODE SECTION 33333.6(E)(2)(D)

Award of Bid

D-4a
Housing Element Consultant

Consultant Agreement for Housing Element Update

Recommendation is that the City Council authorize the execution of an agreement with Hogle-Ireland in the amount of $71,930 to provide consulting services associated with updating the Housing Element of the General Plan.

D-4b
Major Street Rehab

Award of Bid for Major Street Rehabilitation Improvement – Proposition 1B (Project No. SP-08108)

Recommendation is that the City Council:

1. Accept the bid of All American Asphalt in the amount of $1,787,000 as submitted at the bid opening on June 4, 2008 and authorize the Public Works Director/City Engineer to execute an agreement with All American Asphalt of Corona, California, for the work to be done.
2. Transfer $70,000 from Account No. 124.81.8844.7200; $2,700 from Account No. 124.81.8741.7200 to Project No. SP-08108 Account No. 124.81.8843.7200, and $8,400 from Account No. 125.81.8741.7200; and $48,894 from Account No. 125.81.8749.7200 to Project No. SP-08108 Account No. 125.81.8843.7200.

3. Appropriate $94,200 from North Azusa Avenue Relinquishment fund balance to Project No. SP-08108 (215.81.8843.7200).
4. Appropriate $25,000 from Prop "A" fund (has been approved by MTA) to Project No. SP-08108 (121.81.8843.7200).
5. Appropriate $60,000 Community Development Block Grant (CDBG) fund from the unappropriated CDBG fund balance (pending HUD and City Council approval) to Project No. SP-08108 (131.81.8843.7200).
6. Appropriate $243,920 Proposition "C" funds (has been approved by MTA) to Project No. SP-08108 (122.81.8843.7200).

Miscellaneous – Finance Department

D-5a
Appropriations Limits

Appropriations Limit for Fiscal Year 2008-2009

Recommendation is that the City Council adopt the following resolution:

Resolution No. 2008-35

RESOLUTION NO. 2008-35 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, SETTING THE ANNUAL APPROPRIATIONS LIMIT FOR THE FISCAL YEAR ENDING JUNE 30, 2009

D-5b
Citywide Project Area Loan

Annual City Loan for the City –Wide Project Area

Recommendation is that the City Council adopt the following resolution:

Resolution No. 2008-36

RESOLUTION NO. 2008-36 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING A LOAN TO THE WEST COVINA COMMUNITY DEVELOPMENT COMMISSION FOR THE PAYMENT OF PROJECT AND ADMINISTRATIVE EXPENSES FOR THE "CITY-WIDE" PROJECT AREA

D-5c
Redevelopment Project Area Loan

Annual City Loan for the West Covina Merged Redevelopment Project Area

Recommendation is that the City Council adopt the following resolution:

Resolution No. 2008-37

RESOLUTION NO. 2008-37 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING A LOAN TO THE WEST COVINA COMMUNITY DEVELOPMENT COMMISSION FOR THE PAYMENT OF PROJECT AND ADMINISTRATIVE EXPENSES FOR THE WEST COVINA MERGED REDEVELOPMENT PROJECT AREA

Miscellaneous – Fire Department

D-5d
Regents UCLA Medical Center

Authorize an "Amendment to Services" Agreement Between the Regents of the University of California, on Behalf of the UCLA Medical Center, Center for Prehospital Care and the City of West Covina, on Behalf of the Fire Department

Recommendation is that the City Council approve and sign the amendment of the services agreement with the Regents of the University of California, on behalf of the UCLA Medical Center to extend the current contract through June 30, 2010.

Miscellaneous – Police Department

D-5e
BJA Justice Assistance Grant

2008 BJA Justice Assistance Grant

Recommendation is that the City Council approve the 2008 BJA Justice Assistance Grant and authorize the appropriation of

$13,428 into 208.31.3112.6999 for unfunded public safety supplies.

D-5f
GPS Tracking Devices

Consideration of a Resolution Providing for the Monitoring of Sexual Offenders Required to Wear GPS Tracking Devices Pursuant to Jessica's Law

Recommendation is that the City Council adopt the following resolution:

Resolution No. 2008-38

RESOLUTION NO. 2008-38 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ESTABLISHING A COMPREHENSIVE PROCESS BY WHICH THE WEST COVINA POLICE DEPARTMENT WILL MONITOR CONVICTED SEX OFFENDERS THAT ARE REQUIRED TO WEAR GPS DEVICES AND AUTHORIZING STAFF TO UNDERTAKE APPROPRIATE ACTIONS TO IMPLEMENT SUCH PROCESS

D-5g
Homeland Security Grant

2007 Homeland Security Grant

Recommendation is that the City Council accept the 2007 State Homeland Security Grant Program (SHSGP) and authorize the appropriation of $9,824 into 222.31.3110.6999 for police protective supplies.

D-5h
Residency Requirements for Sex Offenders

Introduction of an Ordinance Imposing Residency Requirements and Loitering Prohibitions on Registered Sex Offenders

Recommendation is that the City Council introduce the following ordinance:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING THE WEST COVINA MUNICIPAL CODE BY REPEALING SECTION 15-19 IN ITS ENTIRETY AND BY ADDING A NEW SECTION 15-19 TO INCLUDE RESIDENCY AND LOITERING RESTRICTIONS FOR SEX OFFENDERS

Miscellaneous – Risk Management Department

D-5i
City Property Insurance

Placement of Property Insurance for Fiscal Year 2008/09

Recommendation is that the City Council approve renewing the City's property insurance coverage for FY 2008/2009 with The Hartford at a cost of $66,970.

D-6
Contract Cities Conference Report

AB1234 Conference and Meeting Report (receive & file)

Contract Cities Conference and Meeting Report

Recommendation is that the City Council receive & file this report.

CONSENT CALENDAR ACTION

Motion by Herfert and second by Touhey to waive further reading of the resolutions/ordinance and adopt, and approve all items. Motion carried 4 – 0 by the following roll call vote:

AYES: Herfert, Sanderson, Touhey, Lane
ABSENT: Hernandez

PUBLIC HEARINGS

E-1
Citywide Landscape & MD

Public Hearing

West Covina Citywide Lighting and Maintenance District

Mayor Lane announced the public hearing matter. Assistant City Clerk Rush verified that proper legal notice had been given and Mayor Lane opened the hearing. Public Works Director Yauchzee presented the staff report which recommended a voter approved CPI increase of 2% which will cover operating expenses and allow

for reserves that are necessary for future Capital Improvements and emergency repairs for the maintenance of city street trees and citywide street lighting.
Assistant City Clerk Rush verified that no written comments or objections had been received.

Public Testimony

Mayor Lane opened the public testimony portion of the hearing and asked for public comments.

Closed testimony

With no others wishing to speak on the matter, Mayor Lane closed the public testimony portion of the hearing.

Resolution No. 2008-40

Assistant City Clerk Rush presented:
RESOLUTION NO. 2008-40 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, CONFIRMING THE ENGINEER'S REPORT AND THE PLANS, SPECIFICATIONS, ESTIMATES, DIAGRAM AND ASSESSMENTS CONTAINED THEREIN; ORDERING LIGHTING FIXTURES AND ELECTRICAL CURRENT TO BE FURNISHED FOR LIGHTING FIXTURES AND TO ORDER STREET TREES TO BE INSTALLED AND MAINTAINED IN THE WEST COVINA CITYWIDE LIGHTING AND MAINTENANCE DISTRICT FOR FISCAL YEARS BEGINNING JULY 1, 2008

Motion

Motion by Touhey and second by Herfert to waive further reading of the resolution and adopt. Motion carried by 4 – 0.

Appeal Hearing
Appeal of Planning Director's Modification No. 08-14
(Undergrounding of Power Lines)
Appellant: Sean Yuan
Location: 1838 E. Workman Avenue

E-2
Appeal of Undergrounding Lines

Mayor Lane announced the hearing matter. Assistant City Clerk Rush verified that proper legal notice had been given and Mayor Lane opened the hearing. Planning Director McIsaac presented the staff report. Due to the proximity of the existing power lines to the proposed building, Southern California Edison had requested that there be a greater separation. The existing lines are at a height of 35 feet and the buildings are proposed to be 29 feet. The applicant had requested the Planning Commission allow raising the existing power lines rather than relocate underground as required by the municipal code in order to meet the separation as required by Edison.

Public Testimony

Mayor Lane opened the public testimony portion of the hearing and asked for public comments.

In favor

Dan Pierce, Civil Engineer for the project, provided a history of the project and discussed the placement of the utility lines and the related cost factors.

Sean Yuan, appellant and Engineering Contractor, addressed the requirements of underground lines, the current need to raise the existing lines and the financial impact on the project if required to relocate the above ground line to underground lines.

Opposed

Fredrick Sykes, West Covina resident, opposed the granting of the appeal and asked the Council to follow the recommendation of the commission and staff and addressed liability issues to the city if approved.

Joanne Wilner, West Covina resident, recommended Council deny approval of the appeal and follow staffs recommendation.

Royall Brown, West Covina resident, supported the requirement to place the utility lines underground.

Rebuttal

Sean Yuan, appellant, stated that all new lines of the project will be installed underground and the issue is in regards to the existing lines in the side yard. The request is to raise the existing lines and not relocate, which would be required by our code to then be underground, requiring a modification.

Close Testimony

With no others wishing to address the council, Mayor Lane closed the public testimony portion of the hearing.

Council discussion

Councilmember Touhey stated the situation is unique and an above ground pole will need to be installed regardless due to the design, therefore not eliminating above ground lines for the project.

Motion

Motion by Touhey and second by Herfert to overturn the decision of the Planning Commission and approve the appeal as presented. Motion carried by 4 – 0.

Public Hearing

E-3

Fee and Charges Schedule

Fees & Charges Schedule

Mayor Lane announced the hearing matter. Assistant City Clerk Rush verified that proper legal notice had been given and Mayor Lane then opened the hearing. Finance Controller Swink presented the staff report. As proposed, new fees are estimated to generate an additional $165,000 in revenues with $147,000 to the General Fund.

Public Testimony

Mayor Lane opened the public testimony portion of the hearing and asked for public comments.

Joanne Wilner, West Covina resident, inquired about the change in a fee for Ridge Rider corral usage and inquired how a paving fee was arrived at.

Community Services Director McNeill stated the change in the corral usage fee is actually a correction [previous misprint] to the fee and charge schedule, there is not actual change in fee.

Close Testimony

With no others wishing to address the council, Mayor Lane closed the public testimony portion of the hearing.

Councilmember Herfert stated that due to the current state of the economy, the increases are measures to bring in additional revenue.

Assistant City Clerk Rush presented the following resolution:

Resolution No. 2008-41

RESOLUTION NO. 2008-41 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, SETTING AND INCREASING CERTAIN FEES

Motion by Herfert and seconded by Sanderson to waive further reading of the resolution and adopt. Motion carried 4-0.

CONTINUED JOINT PUBLIC HEARING

E-4 **Authorizing an Election and CDC's and City Council's Votes on a Special Tax Levy and Extension of the Coastal Sage and Scrub Community Facilities District's Authorized Facilities and Services**

E-5 **Election on the Extension of the Coastal Sage and Scrub Community Facilities District's Public Facilities and Services and the Levy of Special Taxes, and Certification of the Election Results**

Coastal Sage & Scrub Special Tax

City Attorney Alvarez-Glasman stated that this item was removed from the agenda by the City Manager at the beginning of the City Council meeting, there is no need to continue to a future date and no action is required.

COMMUNITY DEVELOPMENT COMMISSION

Mayor Lane recessed the City Council meeting at 8:13 p.m. to convene the CDC. The City Council reconvened at 8:15 p.m. with all members present except Councilmember Hernandez.

DEPARTMENTAL MATTERS

Finance Department

G-1 **2008-09 Fiscal Year Preliminary Budget Review**

Budget Review

City Manager Pasmant made introductory comments regarding the current state of the budget. Pasmant stated that a status quo budget will result with a budget deficit of approximately $7.9 million. Several of the proposed recommendations include the restructuring of departments, reduced services levels, suspension of cable programming, and reduced City Hall hours. All departments have been directed to reduce their budgets by 5%.

Finance Director Bachman presented the report along with a PowerPoint presentation overview. The presentation highlighted approved reductions: pre-paying of CalPERS contributions; department restructurings, police officer signing bonus suspension, 5% reduction for all departments, various new fees, and miscellaneous changes, all which will total an approximately $5.2 million in reductions, resulting in a proposed 2008-09 General Fund deficit of $2,125,183. In summary, the proposed budget will continue through the year as a work in progress.

Council discussion

Discussion followed by the Council on the current economic status and the difficult times ahead. Councilmember Sanderson expressed her concern with the elimination of cable programming and requested that staff continue promoting City events and informing residents of City news through all other avenues.

Assistant City Clerk Rush presented the following resolution:

Resolution No. 2008-42

RESOLUTION NO. 2008-42 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADOPTING THE CITY OF WEST COVINA OPERATING BUDGET, COMMUNITY DEVELOPMENT COMMISSION BUDGET, CAPITAL IMPROVEMENT PROGRAM AND LOCAL ENFORCEMENT AGENCY BUDGET AND APPROVING THE APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2008 AND ENDING JUNE 30, 2009

Motion

Motion by Herfert and second by Sanderson to waive further reading of the resolution and adopt. Motion carried by 4 – 0.

COUNCILMEMBER COMMENTS

Councilmember Touhey addressed making difficult budget choices and negative comments directed towards councilmembers through blogs.

ADJOURNMENT

Motion by Lane and second by Herfert to adjourn the meeting at 8:45 p.m. in memory of Rogelio Hernandez, Councilmember Hernandez' father; and Norm Papas of West Covina Elks. Motion carried by 4 – 0.

Submitted by:

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Assistant City Clerk Susan Rush

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Mayor Sherri Lane