SPECIAL MEETING
OF THE
WEST COVINA CITY COUNCIL

Tuesday 5:45 pm
October 20, 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

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

REGULAR MEETING
OF THE
WEST COVINA CITY COUNCIL

Tuesday 7:00 pm
October 20, 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 Reverend Alexandra Conrads
St. Martha's Episcopal Church

PLEDGE OF ALLEGIANCE Councilmember Herfert

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

REPORTING OUT FROM CLOSED SESSION

CHANGES TO THE AGENDA

PRESENTATIONS

* *Los Angeles County Fair's West Covina Hometown Heroes*
Glenn Kennedy
Tony Saldana

* *Presentation*
Helen Putnam Award for Excellence
West Covina Commercial Center and Sportsplex

* *Certificates of Recognition*
West Covina Police Explorer Post

* *Proclamation*
America Recycles Day – November 15, 2009

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)

- Special Meeting of June 2, 2009
  smin 06-02-09
- Regular Meeting of June 2, 2009
  min 06-02-09

2) Commission Summary of Actions (receive & file)

a) Planning 10/13/09
D-2a

3) Award of Bid

a) Addendum to Award of Contract to Tyler Technologies, Inc. for Purchase of a Project Accounting Software System

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

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

1. Authorize the Assistant City Manager to execute an amendment to its current Software License and Use Agreement with Tyler Technologies, Inc. (formerly Eden Systems) to purchase a new project accounting software system in an amount not to exceed $37,198 including license fees, taxes and all professional services necessary to implement the system, and
2. Appropriate an additional $5,398 to 161.84.8008.7900 from the Construction Tax Fund balance reserves of Fund 161.

D) CONSENT CALENDAR (continued)

4) Miscellaneous by Department

Finance Department

a) Proposition 1A Securitization Program [Tax-Exempt Proceeds]
It is recommended that the City Council adopt the following resolution:
D-4a
D-4a Reso

RESOLUTION NO. _____ - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE AND SALE AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE SALE OF THE SELLER'S PROPOSITION 1A RECEIVABLE FROM THE STATE; AND DIRECTING AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

ACTION ON CONSENT CALENDAR ITEMS NUMBER D-1 through D-4a:

Motion by _____ second by _____
to adopt the resolution as recommended

and approve all items except: _____
ROLL CALL: Herfert, Lane, Sanderson, Touhey, Hernández

END OF CONSENT CALENDAR

E) PUBLIC HEARINGS

1) Appeal Hearing
Appeal of Precise Plan No. 07-07
Appeal of Conditional Use Permit No. 08-05
Appeal of Tree Removal Permit No. 08-05
Negative Declaration of Environmental Impact
Applicant/Appellant: Roland Cordero (Foothill Transit)

Due to scheduling conflicts, Foothill Transit is requesting this hearing be continued. It is recommended that this hearing be continued to December 15, 2009.

E-1

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

Motion by _____ 2nd by _____

approve _____ disapprove _____ hold over _____

F) COMMUNITY DEVELOPMENT COMMISSION

No meeting scheduled.

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.

COUNCILMEMBER COMMENTS

ADJOURNMENT

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

Tentative City Council Meetings

Tuesday	November 3	7:00 p.m.	Council Chambers	Regular Meeting
Tuesday	November 17	7:00 p.m.	Council Chambers	Regular Meeting