M I N U T E S

REGULAR MEETING
OF THE
WEST COVINA CITY COUNCIL
August 17, 2004

Mayor Miller called to order the regular meeting of the West Covina City Council at 7:03 pm in the City Hall Council Chambers, 1444 W. Garvey Avenue, West Covina. Rev. Regina Deloach-Bennett of Shalom Community Church gave the invocation and Mayor Pro Tem Sanderson led the Pledge of Allegiance.

ROLL CALL

Mayor Miller, Mayor Pro Tem Sanderson
Councilmembers: Herfert, Hernandez, Wong

Others Present: Fields, Nichols, Anderson, Samaniego, Durbin, Taylor, Houser, Wills, Berry

REPORTING OUT FROM CLOSED SESSION

Assistant City Attorney Nichols reported that all members of the Council were present for the closed session and that the scheduled item for discussion concerning existing litigation was held. There was no final action taken and nothing further to report.

CHANGES TO THE AGENDA

None

APPROVAL OF MINUTES

The minutes of the special meeting of July 12 and 13, 2004, were approved as presented.

PRESENTATION

The City's Blue Star program video was aired.

ORAL COMMUNICATIONS

The following individuals addressed Council regarding a company called "Jam Packed Productions" operating in West Covina that swindled them and others. They also felt that the Police Department was not doing enough to help them.

Tanya Fitzgerald, Baldwin Park
Teresa Hsieh, Temple City
Melva Fitzgerald, Baldwin Park
Tina from Rancho Cucamonga

Police Chief Wills assured the Council and the citizens that this is an ongoing, active investigation and that the Police want and need to take reports from anyone who feels they were victimized.

Robert Moreno, West Covina resident, who was a victim of the same situation above, but added additional complaints against the Police Department. Assistant City Manager was asked to investigate and report back to Council concerning Mr. Moreno's issue.

John Scheuplein, West Covina resident, stated that in general the City Council should seriously review contract proposals, issue a contract and stick with it, unless something horrible requires cancellation. He was referring to graffiti removal issues surrounding the current contract for graffiti abatement.

Lloyd Johnson, West Covina resident, read his Letter to the Editor of the Daily Tribune and parts of a response letter from Mayor Miller.

Maria Gutierrez of Urban Graffiti Removal addressed Council with supportive remarks for canceling the current graffiti removal contract and hiring Urban Graffiti Removal.

Juan Reinoso of Urban Graffiti Removal presented a chart of his own survey of comparisons between Urban Graffiti Removal and the Girls and Boys Club of San Gabriel Valley and a listing of graffiti spots in West Covina with corresponding removal times.

Councilmember Hernandez stated his displeasure with the current graffiti removal provider and requested staff to place the contract on the next agenda for termination with the intent to hire Urban Graffiti Removal immediately thereafter.

Mayor Miller requested staff to respond back to Council regarding the listing that submitted by Mr. Reinoso.

Joanne Wilner, West Covina resident, addressed two Consent Calendar issues: concerns regarding the Art in Public Places ordinance proposed for adoption and recommendations for records contained in the Records Management Manual proposed for approval.

Royal Brown, West Covina resident, commented on the statements made by Mr. Reinoso regarding the current graffiti removal contractor. He also noted that the current provider operates a juvenile delinquency program in conjunction with the court system, a very valuable service to the community.

ITEMS CARRIED OVER FROM PREVIOUS COUNCIL MEETINGS

City Manager's Office –
Payment of San Gabriel Valley Council of Governments
FY 2004/2005 Dues

COG Annual Dues

Assistant City Manager Fields presented the staff report with information concerning the COG's requirement for back dues if the City Council were to seek reinstatement to the organization once it has cancelled its membership.

John Scheuplein, West Covina resident, wondered if the Mayor's stipend for sitting on the COG Board should prohibit the Mayor from voting on this issue. The Assistant City Attorney answered in the negative.

Councilmembers expressed their opinions.

Motion by Sanderson and seconded by Hernandez to disapprove the authorization of payment of dues for the San Gabriel Valley Council of Governments in the amount of $29,736 ($3,000 of which would come from the General Fund). Motion to disapprove carried 3-2 with Wong and Miller voting.

CONSENT CALENDAR

Ordinance for Adoption
Art in Public Places Ordinance (waive reading & adopt)

Ordinance 2117 -
Art in Public Places

ORDINANCE NO. 2117 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING CHAPTER 17 (Planning) OF THE WEST COVINA MUNICIPAL CODE ESTABLISHING AN ARTS IN PUBLIC PLACES PROGRAM

Miscellaneous – City Clerk's Office
Records Management Manual and Retention Schedules

Records Management Manual

Recommendation is to approve the revised records management manual with retention schedules concerning the retention and disposition of City documents and materials.

City Treasurer's Office
Report for the Month of June 2004

Recommendation is to receive and file.

CONSENT CALENDAR ACTION

Motion by Wong and seconded by Hernandez to approve all items listed on the Consent Calendar, except C-1. Motion carried by roll call vote:

AYES: Herfert, Hernandez, Sanderson, Wong, Miller
NOES: None

Item C-1

In relation to Item C-1 (Art in Public Places ordinance), Councilmember Sanderson stated her opposition to the financial structure behind the ordinance and would therefore vote no.

Councilmember Wong favored suggestions made by Mrs. Wilner to the ordinance and asked if the changes could be made this evening. Assistant City Attorney Nichols stated that the changes could be incorporated into the ordinance, but it would have to be reintroduced this evening with a second reading at the next meeting.

Motion by Wong and seconded by Miller to reintroduce the ordinance with the following changes to Section 17-11 concerning the use of funds: Item C (Art in Education Programs), limit the plaques and signage to identification only (Item D), eliminate Items E, F, and G. Motion failed 2-3 with Herfert, Hernandez, and Sanderson voting no.

Ordinance 2117 -
Art in Public Places

City Clerk Berry presented Ordinance No. 2117.

Motion by Herfert and seconded by Hernandez to waive reading of the ordinance and adopt. Motion carried by roll call vote:

AYES: Herfert, Hernandez, Wong
NOES: Sanderson, Miller

PUBLIC HEARING

Exchange of Property Taxes with the County of Los Angeles Resulting from the Annexation of 3/09 Acres of Land to the City of West Covina

Location: Northwesterly corner of the Nogales High School Campus

City Clerk Berry verified the affidavit of publication and Mayor Miller opened the public hearing. Assistant Planning Director Anderson presented the staff report.

Public Testimony

none

Testimony closed

Mayor Miller opened the public testimony portion of the hearing and asked for comments in favor of the property tax exchange. No one addressed the City Council and he then asked for comments in opposition to the property tax exchange. No one spoke to the City Council and Mayor Miller closed the public portion of the hearing.

Resolution 2004-71
Exchange of property taxes

City Clerk presented:

RESOLUTION NO. 2004-71 – A JOINT RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES AND THE CITY OF WEST COVINA APPROVING AND ACCEPTING THE NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUE RESULTING FROM ANNEXATION 2004-03 TO THE CITY OF WEST

COVINA AND DETACHMENT FROM THE LOS ANGELES COUNTY CONSOLIDATED FIRE PROTECTION DISTRICT AND LOS ANGELES COUNTY ROAD DISTRICT NO. 1

Motion by Hernandez and seconded by Sanderson to waive further reading of the resolution and adopt. Motion carried 5-0.

COMMUNITY DEVELOPMENT COMMISSION

Mayor Miller recessed the City Council meeting at 8:47 pm in order to convene the CDC. The City Council reconvened at 8:48 pm with all members present.

MAYOR'S REPORTS

No reports.

COUNCILMEMBER REPORTS

No reports.

ADJOURNMENT

Motion by Herfert and seconded by Hernandez to adjourn the meeting at 8:50 pm in memory of Muriel Lane, a long time resident of West Covina. Motion carried 5-0.