REGULAR MEETING
OF THE
WEST COVINA CITY COUNCIL

Tuesday 7:00 pm
December 15, 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 Andrew Pasmant, City Manager

PLEDGE OF ALLEGIANCE Councilmember Hernández

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

REPORTING OUT FROM CLOSED SESSION

CHANGES TO THE AGENDA

PRESENTATIONS

* *Presentation*
Nation Blue Ribbon Award
San Jose Edison Academy

* *Presentation*
City Top 20 Green Fleet Award

* *Presentation*
SCMAF Citation Award to Mike Cresap, Community Services

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 July 7, 2009
  smin 07-07-09
- Regular Meeting of July 7, 2009
  min 07-07-09

2) Commission Summary of Actions (receive & file)

a) Planning 11/24/09
D-2a

3) Miscellaneous – Community Services Department

a) Amendment to the City of West Covina's 1992 & 1996 Los Angeles County Proposition "A" Safe Neighborhood Parks – Youth Employment Plan

It is recommended that the City Council approve an amendment to the City of West Covina's 1992 & 1996 Los Angeles County Proposition "A" Safe Neighborhood Parks – Youth Employment Plan to include the five projects referenced in the report.
D-3a & Attach1

Miscellaneous – Finance Department

b) Comprehensive Annual Financial Report for the Year Ended June 30, 2009

It is recommended that the City Council receive and file this report.
D-3b

D) CONSENT CALENDAR (continued)

3) Miscellaneous – Police Department

c) Appropriation of Federal Bulletproof Vest Partnership (BVP) Grant Funds

D-3c

It is recommended that the City Council appropriate reimbursable Bulletproof Vest Partnership (BVP) grant funds totaling $4,574.78 into 195.31.3120.6999.

Miscellaneous – Public Works Department

d) Safe Routes to School Study (Project No. TP-09504 and TP-10505)

D-3d

It is recommended that the City Council take the following actions:

1. Accept the proposal from Alta Planning + Design in the amount of $93,000 to update the City's Safe Routes to School study and authorize the Public Works Director/City Engineer and City Clerk to execute the contract.
2. Transfer $15,000 from Account No. 126.81.8844.7200 to Project No. TP-10505, Account No. 128.85.8034.7800.

e) State Grant for Technical Assistance

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

D-3e

D-3e Reso

RESOLUTION NO. _____ -A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AUTHORIZING AND DIRECTING THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO APPLY FOR TECHNICAL ASSISTANCE FROM THE CALIFORNIA ENERGY COMMISSION

Miscellaneous – Community Development Commission

f) Resolution Designating the City of West Covina Recovery Zone in Accordance with the American Recovery and Reinvestment Act of 2009 for the Purposes of Issuing Taxable Recovery Zone Economic Development Bonds and Tax-Exempt Private Activity Recovery Zone Facility Bonds

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

D-3f

D-3f Attach1 & ExhibitA

RESOLUTION NO. _____ - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DESIGNATING THE WEST COVINA RECOVERY ZONE IN ACCORDANCE WITH THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FOR THE PURPOSES OF ISSUING TAXABLE RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS AND TAX-EXEMPT RECOVERY ZONE FACILITY BONDS

ACTION ON CONSENT CALENDAR ITEMS NUMBER D-1 THROUGH D-3f:

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

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

END OF CONSENT CALENDAR

E) 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

F) PUBLIC HEARINGS

1) 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)

It is recommended that the City Council continue the hearing to January 19, 2010.
F-1
F-1 Attach1

Motion by _____ 2nd by _____ to

approve _____ disapprove _____ hold over _____

2) Public Hearing
Code Amendment No. 09-03
Density Bonuses

This project consists of a request for a zone change to change the designation from "Specific Plan No. 22" to "Multiple-Family Residential" to allow the development of a three-story, 65-unit affordable, senior housing project.
F-2
F-2 Attach1
F-2 Attach2
F-2 Attach3
F-2 Attach4

a) Verification of publication
b) Open hearing
c) Staff presentation
d) Public testimony
e) Close hearing
f) Council discussion
g) Recommendation: The Planning Commission and staff recommend that the City Council introduce the following ordinance:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING CHAPTER 26 (ZONING) OF THE WEST COVINA MUNICIPAL CODE RELATED TO LOW AND MODERATE INCOME AND SENIOR HOUSING AND DENSITY BONUSES (CODE AMENDMENT NO. 09-03)

Motion by _____ 2nd by _____ to

introduce _____ disapprove _____ hold over _____
Roll Call: Herfert, Hernández, Lane, Touhey, Sanderson

F) PUBLIC HEARINGS

3) Public Hearing
Zone Change No. 09-01
Mitigated Negative Declaration of Environmental Impact
Applicant: Tom Corley, Pacific Development
Location: 1838 E. Workman Avenue

The proposed code amendment consists of amendments to Chapter 26 (Zoning) of the Municipal Code related to low and moderate-income and senior citizen housing.

F-3
F-3 Attach1
F-3 Attach2
F-3 Attach3
F-3 Attach4
F-3 Attach5
F-3 Attach6
F-3 Attach7

a) Verification of publication
b) Open hearing
c) Staff presentation
d) Public testimony
e) Close hearing
f) Council discussion
g) Recommendation: The Planning Commission and staff recommend that the City Council adopt the following resolutions:

RESOLUTION NO. _____ - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, CERTIFYING THE NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT FOR ZONE CHANGE NO. 09-01, CONDITIONAL USE PERMIT NO. 09-04, AND PRECISE PLAN NO. 09-03, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970, AS AMENDED

Motion by _____ 2nd by _____ to

adopt _____ disapprove _____ hold over _____

The Planning Commission and staff further recommend that the City Council introduce the following ordinance:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING ZONE CHANGE NO. 09-01

Motion by _____ 2nd by _____ to

introduce _____ disapprove _____ hold over _____
Roll Call: Herfert, Hernández, Lane, Touhey, Sanderson

G) DEPARTMENTAL MATTERS

No Departmental Matters for this meeting.

H) MAYOR'S/COUNCILMEMBERS REPORTS

1) Mayor Shelley Sanderson
Restructuring of City Commissions' Appointment Process, Commission Sizes & Compensation
It is recommended that the City Council direct staff accordingly.
H-1

Motion by _____ 2nd by _____

to _____

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.)

1) Request from Councilmember Touhey
Requesting the City Council Instruct City Staff to Prepare a Report to Provide a One Stop Counter on Friday, Saturday, and Sunday to Conduct City Business
It is recommended that the City Council direct staff accordingly.
I-1

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