SPECIAL MEETING REVISED 02/13/10
OF THE
WEST COVINA CITY COUNCIL

Tuesday 5:45 pm
February 16, 2010 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 Sanderson, Mayor Pro Tem Herfert
Councilmembers Hernández, Lane, Touhey

I PUBLIC COMMENT ON ITEMS ON THE AGENDA

II CLOSED SESSION

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

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

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

CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code § 54957.6
City Negotiators: Pasmant, Bachman

- Employee Organizations
  - Confidential Employees
  - Maintenance & Crafts Employees
  - Non-Sworn Safety Support Employees
  - W.C. Police Management Association
  - W.C. Firefighters' Association, I.A.F.F., Local 3226
  - General Employees
  - Mid-Management Employees
  - W.C. Police Officers' Association
  - W. C. Firefighters' Management Assoc.

City Negotiator: Pasmant

- Miscellaneous Unrepresented Management Employee, including
  - -Assistant City Clerk
  - -Assistant City Manager
  - -Community Development Commission Director
  - -Community Services Director
  - -Deputy City Manager
  - -Finance Director
  - -Fire Chief
  - -Director of Human Resources
  - -Planning Director
  - -Police Chief
  - -Public Works Director and City Engineer
  - - Director of Risk Management

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

REGULAR MEETING
OF THE
WEST COVINA CITY COUNCIL

Tuesday
February 16, 2010

7:00 pm
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 Mayor Sanderson

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

REPORTING OUT FROM CLOSED SESSION

CHANGES TO THE AGENDA

PRESENTATIONS

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

Mayor's/Councilmembers Reports

1) Mayor Shelley Sanderson

Annual Appointment of City Council Representatives to Other Agencies

It is recommended that the Mayor make appointments to the various organizations subject to City Council confirmation. It is further recommended that the representatives to the San Gabriel Valley Council of Governments be named in the following resolution and the Council adopt the resolution:

C-1
C-1 AttachA
C-1 AttachB
C-1 AttachC

RESOLUTION NO. _____ - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, NAMING _____ AS THE GOVERNING BOARD REPRESENTATIVE TO SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS, AND _____ AS THE ALTERNATE

Motion by _____ 2nd by _____ to confirm the Mayor's appointments and adopt the resolution as recommended

approve _____ disapprove _____ hold over _____

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 January 19, 2010
  Smin 01-19-10
- Regular Meeting of January 19, 2010
  min 01-19-10

D) CONSENT CALENDAR (continued)

2) Claims Against the City of West Covina

Government Tort Claim Denials (deny & notify claimant)
It is recommended that the following Government Tort Claims be denied and the claimants and/or their respective attorneys be so notified.
D-2

- Benigna Fe vs. City of West Covina
- Marisela N. Quintanilla vs. City of West Covina
- Madeline Chandler vs. City of West Covina
- Guadalupe Avalos vs. City of West Covina
- Theodores Kezios vs. City of West Covina
- Leilani Dalumpines vs. City of West Covina

3) Ordinance for Adoption
Code Amendment No. 08-01
Non-Residential Zone Code Update
This ordinance was introduced at the City Council meeting of February 2, 2010. The purpose of the ordinance is to amend Chapter 26 (Zoning) regarding maintenance standards, land uses, zoning designations, and clarifications of terms to the Nonresidential section of the Zoning Code related to commercial businesses and development, including parking standards, land uses and entitlement procedures. The ordinance will become effective 30 days after its adoption on March 18, 2010. It is recommended that the City Council adopt the following ordinance:
D-3
D-3 Ord
D-3 Attach1

Attachment #2 is available for review at the City Clerk's Office.

ORDINANCE NO. _____ - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING CHAPTER 26 (ZONING) OF THE WEST COVINA MUNICIPAL CODE RELATING TO DEFINITIONS; PROCEDURE, HEARINGS, NOTICES, FEES AND CASES; NONRESIDENTIAL ZONES; MASSAGE PARLORS AND BATHHOUSES; AND ON-SALE ALCOHOL LICENSES SECTIONS OF THE MUNICIPAL CODE (CODE AMENDMENT NO. 08-01)

4) Traffic Committee Minutes of January 26, 2010 - (accept & file)
D-4 and Attach1

I. Request

Michael Sandello, West Covina Resident
That the traffic condition on Vanderhoof Drive from Citrus Street to Mesa Drive be reviewed.

Traffic Committee Recommendation:
That 25 miles per hour speed limit signs with radar enforced plates be installed on eastbound Vanderhoof Drive west of Mesa Drive.

That Centerline on approaches to the intersection of Vanderhoof Drive and Mesa Drive be painted and marked with raised reflective pavement markers.

That side road sign (W2-2) be installed on Vanderhoof Drive east of Mesa Drive.

D) CONSENT CALENDAR (continued)

5) Miscellaneous – City Clerk's Office

Destruction of Documents as Prescribed by Law

It is recommended that the City Council adopt the following resolution authorizing the destruction of specific records:

D-5 and Page2
D-5 Reso
D-5 Reso ExhibitA

RESOLUTION NO. _____ - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AUTHORIZING THE DESTRUCTION OF CERTAIN DOCUMENTS AS PRESCRIBED BY LAW

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

Motion by _____ second by _____
to approve all items on the Consent Calendar as recommended

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

END OF CONSENT CALENDAR

E) PUBLIC HEARINGS

1) Public Hearing

Restricting Parking Citywide During Street Sweeping Hours

This is a public hearing to consider a resolution establishing new fees and service charges related to parking permits for on-street parking on street sweeping days.

E-1
E-1 Attach1
E-1 Attach2 & ExhibitA

a) Verification of publication
b) Open hearing
c) Staff presentation
d) Public testimony
e) Close hearing
f) Council discussion
g) Recommendation: It is recommended that the City Council take the following actions:

1. Introduce the following Ordinance to implement Option 1:

   AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADDING SECTION 22-192 OF THE WEST COVINA MUNICIPAL CODE RELATING TO THE PROHIBITION OF PARKING TO FACILITATE STREET SWEEPING

2. Appropriate $68,000 from unappropriated Sewer Fund (189) balance for start-up costs.

3. Adopt the following resolution to establish annual parking permit fee for street sweeping exemptions:

   RESOLUTION NO. _____ - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, SETTING AND INCREASING CERTAIN FEES (PARKING PERMIT REVIEW FEE)

   Motion by _____ second by _____
   to approve all items as recommended

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

E) PUBLIC HEARINGS (continued)

2) Public Hearing
Del Norte Park Master Plan Amendment No. 2
Categorical Exemption
Applicant: City of West Covina
Location: Del Norte Park, 1598 W. Rowland Avenue

This is a hearing to consider a request for extension of the evening use of the sports field and sports field lighting from 9:00 p.m. to 10:15 p.m.

E-2
E-2 Attach1
E-2 Attach2
E-2 Attach3
E-2 Attach4
E-2 Attach5
E-2 Attach6
E-2 Attach7
E-2 Attach8
E-2 Attach9

a) Verification of publication/mailing
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 resolution:

RESOLUTION NO. _____ - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING DEL NORTE PARK MASTER PLAN, AMENDMENT NO. 2

Motion by _____ 2nd by _____

adopt _____ disapprove _____ hold over _____

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

1) 2009-10 Fiscal Year Mid-Year Budget Update

It is recommended that the City Council take the following actions:
G-1 and Attach1&2

1. The City Council receive and file this report.
2. Transfer CIP Project appropriation in the Amount of $25,000 from account number 172.83.8812.7900 (Municipal Pool Study) as follows:
   a. $9,000 to 172.xx.xxxx.xxxx for the purchase and installation of rink-curtains at the West Covina Roller Hockey Facility, and
   b. $16,000 to 172.xx.xxxx.xxxx for the purchase of tables, chairs, canopies and trash cans at City recreational facilities, including the municipal pool.

H) MAYOR'S/COUNCILMEMBERS REPORTS

1) Councilmember Roger Hernández
Report on the Permit Process and Fee Structure for Solar Panel Installation
It is recommended that the City Council receive and file this report.
H-1

Motion by _____ 2nd by _____

to receive and file.

2) Councilmember Roger Hernández
Tobacco Retail-Licensing Ordinance to Reduce Youth Access to Tobacco
It is recommended that the City Council direct staff accordingly.
H-2
H-2 Attach1 Page1
H-2 Attach1 Page2
H-2 Attach1 Page3
H-2 Attach1 Page4
H-2 Attach2

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) Councilmember Roger Hernández
Request from Councilmember Roger Hernández Instructing City Staff to Prepare a Report for the City Council to Reconsider Providing Funding to Televise City Council Meetings
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	February 16	7:00 p.m.	Council Chambers	Regular Meeting
Tuesday	March 2	7:00 p.m.	Council Chambers	Regular Meeting