REGULAR MEETING
OF THE
WEST COVINA CITY COUNCIL

Tuesday 7:00 pm
May 18, 2010 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 Pro Tem Herfert

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

REPORTING OUT FROM CLOSED SESSION

CHANGES TO THE AGENDA

PRESENTATIONS

**** Certificates of Recognition***
Title I Academic Achievement Award Honorees
- Orangewood Elementary School
- San Jose Edison Academy

**** Presentation***
Chuck Foote – Baker to Vegas Coordinator

**** Presentation***
South Hills High School Percussion Squad
Gold Medal Winners at WGI Percussion World Championships

**** Proclamation***
Public Works Week
May 16 – 22, 2010

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 items 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 April 20, 2010
  smin 04.20.10.pdf
- Regular Meeting of April 20, 2010
  min 04.20.10.pdf

2) Commission Summary of Actions (receive & file)

Planning Commission 05/11/10
D-2.pdf

3) Miscellaneous – City Manager's Office

a) Ordinance Amending Section 2-68 and 2-69(c) of the West Covina Municipal Code to Eliminate Staggering of City Commissioner's Term of Office

It is recommended that the City Council introduce the following ordinance:
D-3a.pdf
D-3b & Reso.pdf

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AMENDING SECTIONS 2-68 AND 2-69(c) OF CHAPTER 2, ARTICLE III, OF THE WEST COVINA MUNICIPAL CODE TO ELIMINATE THE STAGGERING OF COMMISSIONERS TERMS OF OFFICE

D) CONSENT CALENDAR (continued)

Miscellaneous – Community Services Department

b) Authorization to Apply for a State Grant for Construction of a Permanent Facility to House the Galster Nature Center

It is recommended that the City Council:
D-3b & Reso.pdf

1. Authorize the application to the Nature Education Facility Program Funds Grant for construction of a permanent facility to house the Galster Nature Center.

2. Approve and adopt the following Resolution:

   RESOLUTION NO. _____ - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, APPROVING THE APPLICATION FOR NATURE EDUCATION FACILITY PROGRAM FUNDS SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006

Miscellaneous - Police Department

c) 2009 Supplemental Law Enforcement Services Fund (SLESF) Grant

It is recommended that the City Council:
D-3c.pdf

1. Accept the Supplemental Law Enforcement Services Fund (SLESF) grant, and appropriate the $100,000 grant from the fund balance of Fund 155 as follows:
   - $29,630 into 155.31.3110.6120 for Graffiti Tracker service
   - $14,200 into 155.31.3110.7160 for LIDAR traffic enforcement items
   - $56,170 INTO 155.31.3110.7170 for two patrol vehicles, conversion costs, etc.

2. Find that Los Angeles County RFB#IS-232810-1 for Ford Police Interceptors satisfies West Covina's bid process and authorize the purchase of two (2) vehicles per specifications, directly from Wondries Fleet Group of Alhambra for $48,614.80 including taxes and fees, from account 155.31.3110.7170.

d) 2010 BJA Justice Assistance Grant

It is recommended that the City Council approve the 2010 BJA Justice Assistance Grant and authorize the appropriation of an estimated $43,896 for future grant purchases, as follows:
D-3d.pdf

- $5,811 into 208.31.3115.5113 for supplemental overtime for enforcement and training
- $5,000 into 208.31.3115.6220 for public safety and counter terrorism items
- $5,000 into 208.31.3115.6215 for police computer supplies
- 28,085 into 208.31.3115.7170 for one patrol vehicle

D) CONSENT CALENDAR (continued)

3) Miscellaneous – Police Department (continued)

e) Private Grant (Kaiser Permanente) for Victim Services Overtime and Training

It is recommended that the City Council accept the new Kaiser Permanente grant and appropriate this $5,000 grant as follows:
D-3e.pdf

- $3,000 into 221.31.3114.5113 for overtime
- $2,000 into 221.31.3114.6050 for training

f) Asset Forfeiture Funds for West Covina Service Group Development and Implementation Projects

It is recommended that the City Council appropriate $375,939 in federal asset forfeiture from the fund balance of Fund 117 to fund supplemental West Covina Service Group development and implementation projects, and make the following appropriations:
D-3f.pdf

- $25,000 into 117.31.3119.5113 for overtime
- $10,000 into 117.31.3119.6050 for training and materials
- $240,939 into 117.31.3119.6220 for project supplies
- $100,000 into 117.31.3119.7160 for project equipment

4) Councilmember Reports

Request from Mayor Shelley Sanderson Requesting the City Council Amend the Municipal Code to Adopt Clear and Concise Regulations to Address Auto Repair Businesses Operating in Residential Zones

It is recommended that the City Council adopt the following resolution:
D-4.pdf
D-4 Reso.pdf

RESOLUTION NO. _____ - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, INITIATING CODE AMENDMENT NO. 10-02 RELATED TO AUTO REPAIR BUSINESSES OPERATING IN RESIDENTIAL ZONES

ACTION ON CONSENT CALENDAR ITEMS NUMBER D-1 THROUGH D-4:

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

No hearings scheduled.

F) COMMUNITY DEVELOPMENT COMMISSION

Recess the City Council meeting at _____ p.m. to convene the CDC.
Reconvene the City Council meeting at _____ p.m.

No hearings scheduled.

G) DEPARTMENTAL MATTERS

FINANCE DEPARTMENT

1) 2010-11 Fiscal Year Preliminary Budget Preview

1. It is recommended that the City Council review and discuss the 2010-11 Preliminary Budget, and take action as appropriate.

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

   G-1 with Attachments.pdf

   RESOLUTION NO. _____ - 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 2, 2010 AND ENDING JUNE 30, 2011

   Motion by _____ 2nd by _____

   to _____

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	June 1	7:00 p.m.	Council Chambers	Regular Meeting
Tuesday	June 15	7:00 p.m.	Council Chambers	Regular Meeting