



CITY OF WEST COVINA

CITY COUNCIL/SUCCESSOR AGENCY

**MARCH 15, 2022, 7:00 PM
REGULAR MEETING**

**CITY HALL COUNCIL CHAMBERS
1444 W. GARVEY AVENUE SOUTH
WEST COVINA, CALIFORNIA 91790**

**Mayor Dario Castellanos
Mayor Pro Tem Rosario Diaz
Councilwoman Letty Lopez-Viado
Councilmember Brian Tabatabai
Councilman Tony Wu**

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.

Please turn off all cell phones and other electronic devices prior to entering the Council Chambers

AMERICANS WITH DISABILITIES ACT

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AGENDA MATERIAL

Agenda material is available for review at the City Clerk's Office, Room 317 in City Hall, 1444 W. Garvey Avenue South, West Covina and at www.westcovina.org. Any writings or documents regarding any item on this agenda, not exempt from public disclosure, provided to a majority of the City Council that is distributed less than 72 hours before the meeting, will be made available for public inspection in the City Clerk's Office, Room 317 of City Hall located at 1444 W. Garvey Avenue South, West Covina, during normal business hours.

NOTICE

The City Council will regularly convene on the first and third Tuesday of the month. The West Covina Community Development Commission, West Covina Public Financing Authority and the West Covina Community Services Foundation are agencies on which the City Council serves as members. Agendas may contain items for these boards, as necessary.

**PUBLIC COMMENTS
ADDRESSING THE CITY COUNCIL
(Per WCMC 2-48, Ordinance No. 2150)**

Any person wishing to address the City Council 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.

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 may 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.

RULES OF DECORUM

Excerpts from the West Covina Municipal Code and Penal Code pertaining to the Rules of Decorum will be found at the end of agenda.

AGENDA

**CITY OF WEST COVINA
CITY COUNCIL/SUCCESSOR AGENCY**

**TUESDAY MARCH 15, 2022, 7:00 PM
REGULAR MEETING**

INVOCATION

Led by Pastor Tony Rodriguez from Calvary Chapel New Beginnings West Covina.

PLEDGE OF ALLEGIANCE

Led by Mayor Castellanos

ROLL CALL

REPORTING OUT FROM CLOSED SESSION

PRESENTATIONS

- Presentation of Certificates to the West Covina Reign Girls Soccer team
- Presentation by the San Gabriel Valley Mosquito & Vector Control District

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.

CITY MANAGER'S REPORT

City Manager's report on current City projects.

CONSENT CALENDAR

All matters listed under 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/Community Development Commission request specific items to be removed from the Consent Calendar for separate discussion or action.

APPROVAL OF MEETING MINUTES

- 1) **CONSIDERATION OF APPROVAL OF THE MARCH 1, 2022, CITY COUNCIL/SUCCESSOR AGENCY CLOSED SESSION MEETING MINUTES AND THE MARCH 1, 2022, CITY COUNCIL/SUCCESSOR AGENCY REGULAR SESSION MEETING MINUTES.**

It is recommended that the City Council approve the March 1, 2022, Closed Session Meeting Minutes and the March 1, 2022 Regular Session Meeting Minutes.

CITY MANAGER'S OFFICE

- 2) **NOTICE OF APPOINTMENT TO THE COMMUNITY AND SENIOR SERVICES COMMISSION**

It is recommended that the City Council receive and file this informational report.

COMMUNITY DEVELOPMENT

3) **CONSIDERATION OF CONSTRUCTION AGREEMENT FOR FY 2021-22 RESIDENTIAL STREETS REHABILITATION PROGRAM (CDBG) - PROJECT NO. 22005**

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

1. Award the construction agreement for the FY 2021-22 Residential Streets Rehabilitation Program (CDBG) (Project No. 22005) to R.J. Noble Company as the lowest responsible bidder;
2. Authorize the City Manager execute an agreement with R.J. Noble Company for \$1,867,200.00;
3. Authorize 15% of the awarded contract amount as contingency allowance to be used, if necessary, with the City Manager's approval, for unforeseen conditions; and
4. Authorize the City Manager to negotiate and execute any amendments to the agreement.

FINANCE DEPARTMENT

4) **CONSIDERATION OF ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) AND OTHER RELATED REPORTS FOR THE YEAR ENDED JUNE 30, 2021**

It is recommended that the City Council receive and file the following letters and financial reports for the year ended June 30, 2021:

- Annual Comprehensive Financial Report;
- Government Auditing Standards Letter;
- Audit Communication Letter;
- West Covina Housing Authority Fund Financial Report;
- West Covina Housing Authority Fund Addendum to the Annual Progress Report; and
- Air Quality Improvement Fund Financial Statements.

These documents were reviewed by the Audit Committee on February 9, 2022.

POLICE DEPARTMENT

5) **CONSIDERATION OF PURCHASING AND EQUIPPING POLICE VEHICLES**

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

1. In accordance with Section 2-333(i)(2) of Division 2 of Article VII of Chapter 2 of the West Covina Municipal Code, and the findings of the West Covina Finance Department/Purchasing Officer, waive the formal bidding procedures and requirements set forth in Section 2-333 of the West Covina Municipal Code in connection with the procurement of twelve (12) Ford Police SUV Interceptor vehicles from Wondries Fleet Group of Alhambra through Sourcewell Master Vehicle Contract # 091521-NAF.
2. Authorize the purchase of a total of twelve (12) Ford Police SUV Interceptor vehicles per specifications, directly from Wondries Fleet Group of Alhambra (part of National Auto Fleet Group) for a total of \$458,931.37, including taxes and fees, using previously budgeted federal asset forfeiture funds.
3. Authorize the purchase of vehicle mounted equipment and installation services for these new vehicles from Black & White Emergency Vehicles (the City's currently authorized public safety equipment purchase and installation vendor), totaling \$161,079.23, using previously budgeted federal asset forfeiture funds.

PUBLIC SERVICES

6) CONSIDERATION OF AN URGENCY ORDINANCE TO IMPLEMENT THE REQUIREMENTS OF CALIFORNIA'S SHORT-LIVED CLIMATE POLLUTANT REDUCTION LAW (SB 1383)

It is recommended that the City Council, introduce, by title only, further reading waived, and adopt, by four-fifths (4/5) vote, the following urgency ordinance:

URGENCY ORDINANCE NO. 2494- AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADDING A NEW ARTICLE IV (MANDATORY ORGANIC WASTE DISPOSAL REDUCTION) TO CHAPTER 12 (GARBAGE AND RUBBISH COLLECTION), ADDING A NEW ARTICLE XXI (MODEL WATER EFFICIENT LANDSCAPING ORDINANCE) TO CHAPTER 7 (BUILDINGS AND BUILDING REGULATIONS) AND ADDING A NEW SECTION 2-336 (SB 1383 PROCUREMENT REQUIREMENTS) TO DIVISION 2 (PURCHASING SYSTEM) OF ARTICLE VII (PURCHASES AND SALES) OF CHAPTER 2 (ADMINISTRATION) OF THE WEST COVINA MUNICIPAL CODE TO IMPLEMENT THE REQUIREMENTS OF SENATE BILL 1383

END OF CONSENT CALENDAR

HEARINGS

PUBLIC HEARINGS

Public Hearing Item No. 7 will be held at 8:30 P.M.

7) CONSIDERATION OF ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA ADJUSTING THE BOUNDARIES OF CITY COUNCIL DISTRICTS AND ADOPTING A NEW COUNCIL DISTRICT MAP

It is recommended that the City Council, introduce for first reading, by title only, further reading waived, the following ordinance:

ORDINANCE NO. 2495 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADJUSTING THE BOUNDARIES OF CITY COUNCIL DISTRICTS AND ADOPTING A NEW OFFICIAL COUNCIL DISTRICT MAP FOR THE CITY OF WEST COVINA BASED ON THE RESULTS OF THE 2020 U.S. CENSUS

DEPARTMENTAL REGULAR MATTERS

PUBLIC SERVICES

8) TRANSIT SERVICE EVALUATION

It is recommended that the City Council provide direction.

MAYOR/COUNCILMEMBERS REPORTS

AB 1234 Conference and Meeting Report (verbal, if any)

(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.)

CITY COUNCIL REQUESTS FOR REPORTS, STUDIES OR INVESTIGATION

(Per City of West Covina Standing Rules 4.f - Requests for reports, studies, or investigations that are not readily available must be placed on the City Council/Successor Agency agenda as items of business and must be approved by a majority of the City Council/Successor Agency Board.)

CITY COUNCIL COMMENTS

ADJOURNMENT

Next Tentative City Council Meeting

Regular Meeting

April 5, 2022

7:00 PM

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 shall preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or disrupt the proceedings or the peace of the council nor interrupt any member while speaking or refuse to obey the orders of the council or its presiding officer, except as otherwise herein provided.
- b. Members of the public shall not willfully disrupt the meeting or act in a manner that actually impairs the orderly conduct of the meeting. For the purposes of this code, "willfully disrupt" includes, but is not limited to, continuing to do any of the following after being warned by the Mayor that continuing to do so will be a violation of the law:
 - a. Addressing the Mayor and City Council without first being recognized.
 - b. Persisting in addressing a subject or subjects, other than that before the Mayor and City Council.
 - c. Repetitiously addressing the same subject.
 - d. Failing to relinquish the podium when directed to do so.
 - e. From the audience, interrupting or attempting to interrupt, a speaker, the Mayor, a council member, or a staff member or shouting or attempting to shout over a speaker, the Mayor, a council member or a staff member.
 - f. As a speaker, interrupting or attempting to interrupt the Mayor, a council member, or a staff member, or shouting over or attempting to shout over the Mayor, a council member, or a staff member. Nothing in this section or any rules of the council shall be construed to prohibit public criticism of the policies, procedures, programs, or services of the City or of the acts or omissions of the City Council. It shall be unlawful to violate the provisions of this Section.

If any subsection, sentence, clause, or phrase or word of this Section 2-50 is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Section. The City Council hereby declares that it would have passed this section and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses, phrases or words had been declared invalid or unconstitutional.

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.