



**CITY OF WEST COVINA**

**CITY COUNCIL/SUCCESSOR AGENCY**

APRIL 5, 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**

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

***AMERICANS WITH DISABILITIES ACT***

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.

***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](http://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 APRIL 5, 2022, 7:00 PM  
REGULAR MEETING

### INVOCATION

Led by Pastor Samuel Martinez from Amazing Love Ministries.

### PLEDGE OF ALLEGIANCE

Led by Councilman Wu

### ROLL CALL

### REPORTING OUT FROM CLOSED SESSION

### PRESENTATIONS

### 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 15, 2022, CITY COUNCIL/SUCCESSOR AGENCY CLOSED SESSION MEETING MINUTES AND THE MARCH 15, 2022, CITY COUNCIL/SUCCESSOR AGENCY REGULAR SESSION MEETING MINUTES.**

It is recommended that the City Council approve the March 15, 2022, Closed Session Meeting Minutes and the March 15, 2022 Regular Session Meeting Minutes.

### COMMISSION SUMMARY OF ACTIONS

- 2) **MINUTES OF COMMUNITY AND SENIOR SERVICES COMMISSION REGULAR MEETING HELD ON NOVEMBER 9, 2021, JANUARY 11, 2022, AND THE SPECIAL MEETING ON FEBRUARY 22, 2022.**

It is recommended that the City Council receive and file the minutes of the regular meetings of the Community and Senior Services Commission held on November 9, 2021 and January 11, 2022, and the Special Meeting held on February 22, 2022.

**ORDINANCES FOR ADOPTION - Procedural Waiver.** *Waive full reading of each ordinance on the agenda and authorize the approval of each ordinance by title only.*

3) **CONSIDERATION OF ADOPTION OF ORDINANCE NO. 2495 - ADOPTING A NEW OFFICIAL COUNCIL DISTRICT MAP FOR THE CITY OF WEST COVINA BASED ON THE RESULTS OF THE 2020 U.S. CENSUS**

It is recommended that the City Council adopt 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**

**CITY MANAGER'S OFFICE**

4) **CONSIDERATION OF RESOLUTION NO. 2022-29 DETERMINING THERE IS A NEED TO CONTINUE THE LOCAL EMERGENCY**

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

**RESOLUTION NO. 2022-29 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DETERMINING THE NEED TO FURTHER CONTINUE THE LOCAL EMERGENCY PROCLAIMED ON MARCH 16, 2020, AND PREVIOUSLY CONTINUED ON APRIL 7, 2020, MAY 5, 2020, JUNE 2, 2020, JUNE 23, 2020, JULY 21, 2020, AUGUST 18, 2020, SEPTEMBER 15, 2020, OCTOBER 6, 2020, OCTOBER 20, 2020, NOVEMBER 17, 2020, DECEMBER 1, 2020, JANUARY 19, 2021, FEBRUARY 16, 2021, MARCH 16, 2021, APRIL 6, 2021, MAY 4, 2021, JUNE 1, 2021, JUNE 15, 2021, JULY 6, 2021, JULY 20, 2021, AUGUST 17, 2021, SEPTEMBER 7, 2021, OCTOBER 5, 2021, NOVEMBER 2, 2021, DECEMBER 7, 2021, JANUARY 4, 2022, FEBRUARY 1, 2022 AND MARCH 1, 2022**

5) **CONSIDERATION OF RESOLUTION NO. 2022-31 DETERMINING THERE IS A NEED TO CONTINUE THE LOCAL EMERGENCY PROCLAIMED ON JANUARY 26, 2022 DUE TO DAMAGES CAUSED BY HIGH WINDS**

Staff recommends that the City Council adopt the following resolution:

**RESOLUTION NO. 2022-31 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DETERMINING THE NEED TO FURTHER CONTINUE THE LOCAL EMERGENCY PROCLAIMED ON JANUARY 26, 2022 AND PREVIOUSLY CONTINUED ON MARCH 1, 2022, DUE TO DAMAGES CAUSED BY HIGH WINDS**

**COMMUNITY DEVELOPMENT**

6) **CONSIDERATION OF AGREEMENT FOR SEWER MAIN REPLACEMENT - PORTION OF AZUSA AVENUE & CITRUS STREET - PROJECT NO. 21011 & 21012**

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

1. Award the construction agreement for the Sewer Main Replacement - Portion of Azusa Avenue & Citrus Street Project (Projects Nos. 21011 & 21012) to GRBCON, Inc. as the lowest responsible bidder;
2. Authorize the City Manager to execute the agreement with GRBCON, Inc. for \$358,911.00;
3. Authorize 10% 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.

**7) CONSIDERATION OF AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR PREPARATION OF A LOCAL ROAD SAFETY PLAN (LRSP)**

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

1. Approve a Professional Services Agreement with Kimley-Horn and Associates, Inc. in the amount of \$79,933., to prepare a Local Road Safety Plan; and
2. Authorize the City Manager to negotiate and execute the agreement and any future amendments to the agreement; and
3. Adopt the following resolution:

**RESOLUTION NO. 2022-023 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADOPTING A BUDGET AMENDMENT FOR THE FISCAL YEAR COMMENCING JULY 1, 2021 AND ENDING JUNE 30, 2022 (LOCAL ROAD SAFETY PLAN GRANT)**

**8) CONSIDERATION OF THE GENERAL PLAN ANNUAL REPORT FOR 2021**

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

**9) CONSIDERATION OF AGREEMENT FOR CITY HALL 1ST FLOOR RESTROOM IMPROVEMENTS - PROJECT NO. 22023**

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

1. Waive the minor irregularities in the bid submitted by Fino Builders Inc. and award the construction agreement for the City Hall 1st Floor Restroom Improvements (Project No. 22023) to Fino Builders Inc. as the lowest responsible bidder;
2. Authorize the City Manager to execute the agreement with Fino Builders Inc. for \$95,000.00;
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;
4. Authorize the City Manager to negotiate and execute any amendments to the agreement; and
5. Adopt the following resolution to establish a project budget:

**RESOLUTION NO. 2022-27 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADOPTING A BUDGET AMENDMENT FOR THE FISCAL YEAR COMMENCING JULY 1, 2021 AND ENDING JUNE 30, 2022 (CITY HALL FIRST FLOOR RESTROOM IMPROVEMENTS)**

**10) CONSIDERATION OF CONTRACT AGREEMENT FOR CAMERON PARK RESTROOM IMPROVEMENTS - PROJECT NO. 22024**

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

1. Award the construction agreement for the Cameron Park Restroom Improvements Project (Project No. 22024) to ACE Construction, Inc. as the lowest responsible bidder;
2. Authorize the City Manager to execute the agreement with ACE Construction, Inc. for \$183,116.79;
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;
4. Authorize the City Manager to negotiate and execute any amendments to the agreement; and
5. Adopt the following resolution to establish a project budget:

**RESOLUTION NO. 2022-28 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADOPTING A BUDGET AMENDMENT FOR THE FISCAL YEAR COMMENCING JULY 1, 2021 AND ENDING JUNE 30, 2022 (CAMERON PARK RESTROOM IMPROVEMENTS)**

## FINANCE DEPARTMENT

11) **CONSIDERATION OF LONG-RANGE FINANCIAL FORECAST FOR FISCAL YEARS ENDING 2023-2027**

It is recommended that City Council receive and file the Long-Range Financial Forecast for fiscal years ending 2023-2027.

12) **CONSIDERATION OF RESOLUTION NO. 2022-26 - AUTHORIZING EXAMINATION OF SALES AND USE TAX RECORDS**

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

**RESOLUTION NO. 2022-26 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AUTHORIZING EXAMINATION OF SALES AND USE TAX RECORD**

## HUMAN RESOURCES/RISK MANAGEMENT

13) **CONSIDERATION OF RESOLUTION NO. 2022-24 REPEALING AND REPLACING THE SALARY SCHEDULE FOR FULL TIME CLASSIFICATIONS**

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

**RESOLUTION NO. 2022-24- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, REPEALING AND REPLACING THE SALARY SCHEDULE FOR FULL-TIME CLASSIFICATIONS OF THE CITY OF WEST COVINA**

**END OF CONSENT CALENDAR**

## HEARINGS

### PUBLIC HEARINGS

14) **Consideration of Resolution of Intent and first reading of Ordinance Amending the Contract Between the California Public Employees' Retirement System and the City of West Covina to Implement Cost-Sharing in Accordance with Section 20516 of the California Government Code and the Memorandum of Understanding Between the City of West Covina and West Covina Police Officers' Association**

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

1. Adopt the following resolution:

**RESOLUTION NO. 2022-25 - A RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, TO APPROVE AN AMENDMENT TO THE CONTRACT BETWEEN THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY OF WEST COVINA**

2. Introduce for first reading, by title only, further reading waived, the following ordinance:

**ORDINANCE NO. 2496 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF WEST COVINA AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM**

3. Authorize the City Clerk to execute all certifications required by CalPERS related to the contract amendment.

## **DEPARTMENTAL REGULAR MATTERS**

### **PUBLIC SERVICES**

#### **15) CONSIDERATION OF AN AGREEMENT WITH LOS ANGELES CENTERS FOR ALCOHOL AND DRUG ABUSE (LA CADA) TO PROVIDE HOMELESS SERVICES**

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

1. Provide direction regarding an agreement with the Los Angeles Centers for Alcohol and Drug Abuse (LA CADA);
2. Authorize the City Manager to negotiate and execute all necessary documents, in such final form as approved by the City Attorney, to carry out the City Council's direction; and
3. Adopt the following Resolution:

**RESOLUTION NO. 2022-32 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADOPTING A BUDGET AMENDMENT FOR THE FISCAL YEAR COMMENCING JULY 1, 2021 AND ENDING JUNE 30, 2022 (LA CADA)**

### **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 19, 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.