



## MINUTES OF JANUARY 19, 2016

### REGULAR MEETING OF THE COVINA CITY COUNCIL/SUCCESSOR AGENCY TO THE COVINA REDEVELOPMENT AGENCY/COVINA PUBLIC FINANCING AUTHORITY/COVINA HOUSING AUTHORITY HELD IN THE COUNCIL CHAMBER OF CITY HALL, 125 EAST COLLEGE STREET, COVINA, CALIFORNIA

#### CALL TO ORDER

Mayor King called the Council/Agency/Authority meeting to order at 7:02 p.m. with all City Councilmembers present. City Attorney Lee announced that the Council would be discussing in closed session potential liability related to LA Works. Mayor Pro Tem Stapleton recused himself from participation in closed session. There were no public comments. Mayor King recessed the Council to closed session at 7:03 p.m.

#### ROLL CALL

**Councilmembers Present:** Walter Allen III, Peggy A. Delach, Jorge Marquez, Mayor Pro Tem/Vice-Chair Kevin Stapleton, and Mayor/Chair John C. King.

**Councilmembers Absent:** None.

**Elected Members Present:** City Treasurer Geoffrey Cobbett and City Clerk Mary Lou Walczak.

**Staff Members Present:** City Manager Andrea M. Miller, City Attorney Candice K. Lee, Interim Police Chief Kim Raney, Public Works Director Siobhan Foster, Community Development Director Brian Lee, Parks and Recreation/Library Director Amy Hall-McGrade, Acting Assistant Fire Chief Jim Enriquez, Assistant to the City Manager Angel Carrillo, GIS Technician James Knox, and Chief Deputy City Clerk Sharon F. Clark.

#### CLOSED SESSION

- A. G.C. §54956.9(d)(2) –  
CONFERENCE WITH LEGAL COUNSEL: SIGNIFICANT EXPOSURE TO LITIGATION

#### RECONVENE AND CALL TO ORDER

Mayor King reconvened the meeting into open session at 7:39 p.m. and announced that all Councilmembers were present except Councilmember Allen. Councilmember Allen took his seat on the dais at 7:41 p.m.

City Attorney Lee announced that there was no reportable action taken and that direction was given to staff.

#### PLEDGE OF ALLEGIANCE

Mayor Pro Tem Stapleton led the Pledge of Allegiance.

**INVOCATION**

Police Chaplain Dr. Patricia Venegas gave the invocation.

**PRESENTATIONS** – None.

**PUBLIC COMMENTS**

Member of the public Galen Metz, representing the Covina Downtown Merchants Association, reported on the Association’s Holiday Wine Walk and Winter Wonderland events which took place in December 2015; announced that the 21<sup>st</sup> Thunderfest event would be held on Saturday, October 8, 2016, requested that the City and Police Department not issue any conditional-use permits (CUP) for car shows for two months prior to the Thunderfest event, and commended the Parks and Recreation Department for their guidance and assistance with Thunderfest; voiced continued concern regarding issues with an increasing homeless population and the negative impression caused by vacant storefronts; and offered the Association’s cooperation to work with the City toward solutions.

Member of the public Dora Gomez, representing Project 2911, recognized Covina elected officials and staff who assisted with the Project’s Christmas event, gave a brief overview of Project services provided to the needy, and solicited help from the City in order to continue to provide those services.

**COUNCIL/AGENCY/AUTHORITY COMMENTS**

Councilmember Allen reported that at the Metrolink Board meeting of Friday, January 15, 2016, in response to having received well over 2000 complaints about scheduling on the San Bernardino line, the Board approved a motion to direct Metrolink employees to come up with a new or modified schedule adding additional cars to the train; and to provide a rider survey after the change is implemented in order to ensure the issues with scheduling have been addressed, and that as a result, there will be no loss of riders or revenue.

Mayor King requested adjournment of tonight’s meeting in memory of long-time Police Volunteer John Butterworth; and announced that at the Covina Chamber of Commerce 106<sup>th</sup> Annual Installation, Covina Police Chief Raney was honored as Citizen of the Year.

**CITY MANAGER COMMENTS** – None.

**CONSENT CALENDAR**

On a motion made by Councilmember Marquez, seconded by Councilmember Delach, the City Council approved Consent Calendar Items CC1 through CC11.

*Motion approved the Consent Calendar items CC1 – CC11 as follows:*

- AYES: ALLEN, DELACH, KING, MARQUEZ, STAPLETON**
- NOES: NONE**
- ABSTAIN: NONE**
- ABSENT: NONE**

- CC 1. City Council approved the Minutes of January 5, 2016 Regular Joint meeting of the City Council/Successor Agency to the Covina Redevelopment Agency/Public Financing Authority/Housing Authority.
- CC 2. City Council approved the payment of City demands in the amount of \$2,240,079.85.
- CC 3. Successor Agency to the Redevelopment Agency approved the payment of Agency demands in the amount of \$60,931.69.
- CC 4. City Council gave approval for the Department of Public Works to spend over \$10,000, not to exceed \$25,000 for supplies, services, and equipment in certain instances.
- CC 5. City Council waived full reading, read by title only, and adopted on second reading **Ordinance No. 16-2049** entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY BY CHANGING THE ZONING DESIGNATION FROM 'R-1-7500, SINGLE FAMILY' TO 'RD-3000 (MULTIPLE FAMILY) – PLANNED COMMUNITY DEVELOPMENT OVERLAY' FOR PROPERTY GENERALLY LOCATED AT 800 NORTH BANNA AVENUE – APN: 8427-003-901."
- CC 6. City Council waived full reading, read by title only, and adopted on second reading **Ordinance No. 16-2050** entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, ESTABLISHING A PLANNED COMMUNITY DEVELOPMENT OVERLAY ZONE PCD 15-001 ON THE OFFICIAL ZONING MAP OF THE CITY FOR PROPERTY GENERALLY LOCATED AT 800 NORTH BANNA AVENUE – APN: 8427-003-90."
- CC 7. City Council waived full reading, read by title only, and adopted on second reading **Ordinance No. 16-2048** entitled, "AN ORDINANCE OF THE CITY OF COVINA, CALIFORNIA, APPROVING AND ADOPTING A DEVELOPMENT AGREEMENT BETWEEN ONE CHARTER OAK, LLC AND THE CITY OF COVINA RELATED TO A PROPOSED DEVELOPMENT CONSISTING OF 63 SINGLE FAMILY LOTS ON 6.15 ACRES AND A PROPOSED PUBLIC PARK ON APPROXIMATELY 2 ACRES FOR PROPERTY GENERALLY LOCATED AT 800 NORTH BANNA AVENUE – APN: 8427-003-901."
- CC 8. City Council waived full reading, read by title only, and adopted on second reading **Ordinance No. 16-2051** entitled, "AN ORDINANCE OF THE CITY OF COVINA, CALIFORNIA, ADDING SECTION 2.20.210 TO CHAPTER 2.20 (PURCHASING DIVISION) OF TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE COVINA MUNICIPAL CODE PROVIDING FOR JOINT PURCHASING AGREEMENTS WITH GOVERNMENTAL ENTITIES."
- CC 9. City Council adopted **Resolution No. 16-7453** entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, CONFIRMING THE CONTINUED EXISTENCE OF AN EMERGENCY CONDITION FOR ROYCOVE RESERVOIR AND PUMP STATION EMERGENCY REPAIR PROJECT,

PURSUANT TO SECTION 22050 OF THE CALIFORNIA PUBLIC CONTRACT CODE.”

CC 10. City Council adopted **Resolution No. 16-7455** entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, TO AMEND THE FISCAL YEAR 2015-2016 CITY OF COVINA OPERATING BUDGET TO REFLECT AN APPROPRIATION OF A TOTAL OF \$75,000 FROM THE RULE 20A SWAP TO CREATE THE COVINA iTEC PROJECT FUND (ACCOUNT NO. 4060-4000-55020).”

CC 11. City Council approved the City’s co-sponsorship and promotion assistance for the Los Angeles County Department of Children and Family Services Adoption and Foster Parent Program EXPO on April 9, 2016, at Citrus College in Glendora, California.

## **PUBLIC HEARING**

### **PH 1. Public Hearing to consider approval of the fiscal year 2016-2017 Community Development Block Grant (CDBG) program budget.**

Mayor King opened the public hearing.

City Manager Miller introduced the item. Community Development Director Lee presented the staff report and a PowerPoint presentation.

Discussion included that five requests for funding had been received and the Finance Advisory Committee has recommended funding four of the five, due to a limitation of funds available.

There was no public comment.

Mayor King closed the public hearing.

A motion was made by Councilmember Allen, seconded by Councilmember Delach to:

1. Approve the FY 2016-2017 CDBG program budget as recommended in Column 4 of the Table on Attachment A with the provision that (1) the amount be amended as shown in Column 5 of Attachment A when the Los Angeles County Community Development District (LACDC) freeze on unprogrammed funds is lifted; and (2) the allocations be adjusted based on the final allocation as determined by LACDC, with a maximum of 15 percent of funding allocated for public service programs.
2. Adopt **Resolution No. 16-7452**, authorizing the allocation of the Forty-Second Year CDBG funds for FY 2016-2017.
3. Authorize the City Manager or her designee to execute documents related to the FY 2016-2017 CDBG funds.

#### ***Motion approved Public Hearing item PH1 as follows:***

**AYES: ALLEN, DELACH, KING, MARQUEZ, STAPLETON**

**NOES: NONE**

**ABSTAIN: NONE**

**ABSENT: NONE**

### **PH 2. Public Hearing to consider issuing a report and subsequent adoption of Urgency Ordinance No. 16-2052, extending a moratorium on issuing any permits for any new**

**used merchandise, secondhand and/or thrift stores or the expansion of any existing used merchandise, secondhand and/or thrift stores.**

Mayor King opened the public hearing.

City Manager Miller introduced the item. Community Development Director Lee presented the staff report.

Discussion included clarification that this moratorium does not affect antique stores.

City Manager Miller commented that regarding urgency ordinances, staff will work as quickly as possible to update codes to provide safeguards for the community, certainty for businesses, and to ensure that codes are enforceable.

There was no public comment.

Mayor King closed the public hearing.

A motion was made by Councilmember Allen, seconded by Councilmember Marquez to:

1. Adopt and issue the report on measures taken during the moratorium per Government Code Section 65858 (Attachment B).
2. Waive full reading, read by title only and adopt **Urgency Ordinance No. 16-2052** entitled, "AN URGENCY ORDINANCE OF THE CITY OF COVINA, CALIFORNIA, EXTENDING THE TERM OF ORDINANCE NO. 15-2047 ENACTED PURSUANT TO GOVERNMENT CODE SECTION 65858 ESTABLISHING A MORATORIUM ON THE ESTABLISHMENT OF ANY NEW USED MERCHANDISE STORES AND SECONDHAND STORES, OR THRIFT STORES IN THE CITY OF COVINA, OR THE EXPANSION OF ANY EXISTING USED MERCHANDISE STORES, SECONDHAND STORES OR THRIFT STORES, DECLARING THE URGENCY THEREOF AND MAKING A DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT."
3. Direct staff to draft revisions to Chapter 17 of the Covina Municipal Code relating to Used Merchandise, Secondhand and/or Thrift Stores and return to the City Council for consideration of the proposed revisions by April 2016.

***Motion approved Public Hearing item PH2 as follows:***

**AYES: ALLEN, DELACH, KING, MARQUEZ, STAPLETON**

**NOES: NONE**

**ABSTAIN: NONE**

**ABSENT: NONE**

**CONTINUED BUSINESS** – None.

## **NEW BUSINESS**

### **NB 1. Towing services contract options.**

City Manager Miller presented an overview of the item.

Member of the public Laura Santos, on behalf of Royal Coaches Auto Body and Towing, respectfully requested that the contract go out to bid.

Councilmember Marquez commended Jan's Towing for their excellent service to the community, requested putting the contract out to bid in order to get the best pricing for the City, and made a motion to extend the contract with Jan's Towing for six months and direct staff to initiate a request for proposals for a new towing contract. No second was received.

A motion was made by Mayor Pro Tem Stapleton, seconded by Councilmember Allen, to approve staff's recommendation to renew the existing contract with Jan's Towing for a period of five years with no additional contract changes.

***Motion approved New Business item NB1 as follows:***

**AYES: ALLEN, DELACH, KING, STAPLETON**

**NOES: MARQUEZ**

**ABSTAIN: NONE**

**ABSENT: NONE**

**NB 2. Professional Services Agreement with Gonzalez Goodale Architects to provide planning, programming, architectural, and engineering services for the Initial Phase of the Covina Senior Center Project; and Resolution No. 16-7454 to appropriate necessary funds for contract.**

City Manager Miller introduced the item. The staff report and a PowerPoint presentation were presented by Public Works Director Foster and Parks and Recreation/Library Director Hall-McGrade. Armando Gonzales and Henry Drake from Gonzalez Goodale Architects presented their vision and process for the project.

Members of the public Edgar K. Russell and Joan Kucharski spoke in favor of locating the senior center in Covina Park and requested that seniors be allowed to give input on the needs of seniors for the center.

Discussion included moving to Covina Park does not change the project monetarily; Gonzalez Goodale is amenable to the change of location; the Request for Proposals (RFP) allows for a transition to design-build; the Master Plan for Covina Park which encompasses a senior center; minimization of tree removal for the project; the City moving ahead with the project because of concerns for senior safety at the current Joslyn Center; solicitation of support from various agencies including the County for renovation of Kelby Park for an athletic facility; the close proximity to Intercommunity Hospital may provide additional opportunity for seniors and the Hospital has been cooperative in working toward parking solutions; and that grants related to the Joslyn Center have expired and the City has no further obligation.

A motion was made by Councilmember Delach, seconded by Councilmember Allen to:

1. Authorize the City Manager to execute the Professional Services Agreement with Gonzalez Goodale Architects to provide planning, programming, architectural, and engineering services for the Initial Phase of the Covina Senior Center Project in an amount not-to-exceed \$100,000.

2. Adopt **Resolution No. 16-7454** appropriating \$500,000 in available Special General Fund – Rule 20A Swap balance (account no. 1060-0000-59140) to the fiscal year 2015-16 budget and allocating the funds to Capital Improvement (Parks and Recreation) – Park Facilities – Buildings & Structures – Covina Senior Center (account no. 4600-3400-55100-P-1601) for the Initial Phase of the Covina Senior Center Project, topographic survey and soils and geologic analysis, and seed money for subsequent phases of the project.
3. Direct City staff to pursue placement of the Covina Senior Center in Covina Park.

*Motion approved New Business item NB2 as follows:*

**AYES: ALLEN, DELACH, KING, MARQUEZ, STAPLETON**  
**NOES: NONE**  
**ABSTAIN: NONE**  
**ABSENT: NONE**

**NB 3. Urgency Ordinance No. 16-2053 prohibiting the cultivation of marijuana in all zones in the City, including the cultivation by qualified patients, primary caregivers and persons with identification cards.**

City Manager Miller introduced the item and explained it is necessitated by a change in state law with an action deadline of March 1, 2016. Community Development Director Lee presented the staff report.

There was no public comment.

A motion was made by Mayor Pro Tem Stapleton, seconded by Councilmember Allen, to waive full reading, read by title only, and adopt **Ordinance No. 16-2053** entitled, “AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA AMENDING CHAPTER 17.04 OF THE COVINA MUNICIPAL CODE TO EXPRESSLY PROHIBIT CULTIVATION OF MEDICAL MARIJUANA, INCLUDING CULTIVATION BY QUALIFIED PATIENTS, PRIMARY CAREGIVERS, AND PERSONS WITH IDENTIFICATION CARDS.”

*Motion approved New Business item NB3 as follows:*

**AYES: ALLEN, DELACH, KING, MARQUEZ, STAPLETON**  
**NOES: NONE**  
**ABSTAIN: NONE**  
**ABSENT: NONE**

**NB 4. Gun Violence and Active Shooter Report**

City Manager Miller introduced the item. The staff report was presented by Police Chief Raney.

Member of the public Jen Johnson of Covina requested the formation of a citizen’s commission to review actions that can be taken at a local level and submitted a document for the Council’s review.

A motion was made by Mayor Pro Tem Stapleton, seconded by Councilmember Delach, to receive and file the report.

Councilmember Marquez thanked Chief Raney for the report and requested future consideration of what our local community can do.

Councilmember Delach commented that since portions of the Covina Municipal Code are already being reviewed, it doesn't hurt to also review codes related to guns.

Councilmember Allen commented on the rules for being issued a federal firearms license.

***Motion approved New Business item NB4 as follows:***

**AYES: ALLEN, DELACH, KING, MARQUEZ, STAPLETON**  
**NOES: NONE**  
**ABSTAIN: NONE**  
**ABSENT: NONE**

**NB 5. 2016 Legislative Platform.**

City Manager Miller introduced the item. Assistant to the City Manager Carrillo presented the staff report.

City Manager Miller noted that adopting the platform assists the City in reacting quickly as changes are made in the legislative process.

Mayor Pro Tem Stapleton commented that the overriding principle is maintenance of local control, and expressed a desire for the addition of verbiage to that effect. Councilmember Delach concurred.

Chief Raney commented that in relation to the moratorium on medical marijuana adopted by Council earlier this evening, SB 21 will be heard again tomorrow regarding medical marijuana related to local control, and recommended reaching out to the City's legislative advocate, Tony Rice, to emphasize the City's desire for local control.

A motion was made by Mayor Pro Tem Stapleton, seconded by Councilmember Delach to adopt the 2016 Legislative Platform with the addition of a preamble emphasizing local control.

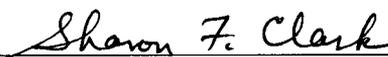
***Motion approved New Business item NB5 as follows:***

**AYES: ALLEN, DELACH, KING, MARQUEZ, STAPLETON**  
**NOES: NONE**  
**ABSTAIN: NONE**  
**ABSENT: NONE**

**ADJOURNMENT**

At 9:13 p.m., the Covina City Council/Successor Agency to the Covina Redevelopment Agency/Covina Public Financing Authority/Covina Housing Authority was adjourned in memory of John Butterworth to its next regular meeting of the Council/Agency/Authority scheduled for Tuesday, February 2, 2016, at 6:30 p.m. for closed session and 7:30 p.m. for open session inside the Council Chamber, 125 East College Street, Covina, California, 91723.

Respectfully Submitted:



Sharon F. Clark, CMC  
Chief Deputy City Clerk

Approved this 16<sup>th</sup> day of February, 2016:



John C. King, Mayor/Chair

