



City of Covina/Successor Agency to the
Covina Redevelopment Agency/
Covina Public Finance Authority/
Covina Housing Authority

Mayor Peggy Delach – Mayor Pro Tem John King

Council Members: Walter Allen - Jorge Marquez - Kevin Stapleton

REGULAR MEETING AGENDA

125 E. College Street, Covina, California

Council Chamber of City Hall

Tuesday, March 3, 2015

6:30 p.m.

- As a courtesy to Council/Agency/Authority Members, staff and attendees, everyone is asked to silence any electronic and/or other communication devices.
- Any member of the public may address the Council/Agency/Authority during both the public comment period and on any scheduled item on the agenda. Comments are limited to a maximum of five minutes per speaker unless, for good cause, the Mayor/Chairperson amends the time limit. Anyone wishing to speak is requested to submit a yellow Speaker Request Card to the City Clerk; cards are located near the agendas or at the City Clerk's desk.
- Please provide 10 copies of any information intended for use at the Council/Agency/Authority meeting to the City Clerk prior to the meeting.
- **MEETING ASSISTANCE INFORMATION:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (626) 384-5430. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.
- **DOCUMENT AVAILABILITY:** Any writings or documents provided to a majority of the Council/Agency/Authority regarding any item on this agenda will be made available for public inspection at the City Clerk's Office at City Hall located at 125 E. College Street and the reference desk at the Covina Library located at 234 North Second Avenue during normal business hours. In addition, such writings and documents are available in the City Clerk's Office and posted on the City's website at www.covinaca.gov.
- Pursuant to Government Code Section 54954.2, no matter shall be acted upon by the City Council/Successor Agency to the Covina Redevelopment Agency/Public Finance Authority/Covina Housing Authority unless listed on agenda, which has been posted not less than 72 hours prior to meeting.
- If you challenge in court any discussion or action taken concerning an item on this agenda, you may be limited to raising only those issues you or someone else raised during the meeting or in written correspondence delivered to the City at or prior to the City's consideration of the item at the meeting.
- The Covina City Clerk's Office does hereby declare that the agenda for the **March 3, 2015** meeting was posted on **February 26, 2015** near the front entrance of the City Hall, 125 East College Street, near the front entrance of the Covina Public Library, 234 N. Second Avenue, Covina, near the front entrance of the Joslyn Center, 815 N. Barranca Avenue, Covina, and on the City's website in accordance with Section 54954.2(a) of the California Government Code.

March 3, 2015

**CITY COUNCIL/SUCCESSOR AGENCY TO THE
COVINA REDEVELOPMENT AGENCY/
COVINA PUBLIC FINANCE AUTHORITY/COVINA HOUSING AUTHORITY
JOINT MEETING—CLOSED SESSION
6:30 p.m.**

CALL TO ORDER

ROLL CALL

Council/Agency/Authority Members Allen, Marquez, Stapleton, Mayor Pro Tem/Vice Chairperson King and Mayor/Chairperson Delach

PUBLIC COMMENTS

The Public is invited to make comment on Closed Session items only at this time. To address the Council/Agency/Authority please complete a yellow speaker request card located at the entrance and give it to the City Clerk. Your name will be called when it is your turn to speak. Individual speakers are limited to five minutes each.

The City Council/Successor Agency to the Covina Redevelopment Agency/Covina Public Finance Authority/Covina Housing Authority will adjourn to closed session for the following:

CLOSED SESSION

- A. G.C. §54957- PUBLIC EMPLOYEE APPOINTMENT
Title: Interim City Attorney

RECESS

**CITY COUNCIL/SUCCESSOR AGENCY TO THE
COVINA REDEVELOPMENT AGENCY/
COVINA PUBLIC FINANCE AUTHORITY/COVINA HOUSING AUTHORITY
JOINT MEETING—OPEN SESSION
7:30 p.m.**

RECONVENE AND CALL TO ORDER

ROLL CALL

Council/Agency/Authority Members Allen, Marquez, Stapleton, Mayor Pro Tem/Vice Chairperson King and Mayor/Chairperson Delach

PLEDGE OF ALLEGIANCE

Led by Council Member Allen

INVOCATION

Given by Covina Police Chaplain Dave Truax

PRESENTATIONS

Presentation – Arrow of Light Certificate

Presentation – Library Recognition

PUBLIC COMMENTS

To address the Council/Agency/Authority please complete a yellow speaker request card located at the entrance and give it to the City Clerk/Agency/Authority Secretary. Your name will be called when it is your turn to speak. Those wishing to speak on a LISTED AGENDA ITEM will be heard when that item is addressed. Those wishing to speak on an item NOT ON THE AGENDA will be heard at this time. State Law prohibits the Council/Agency/Authority Members from taking action on any item not on the agenda. Individual speakers are limited to five minutes each.

COUNCIL/AGENCY/AUTHORITY COMMENTS

Council/Agency/Authority Members wishing to make any announcements of public interest or to request that specific items be added to future Council/Agency/Authority agendas may do so at this time.

CITY MANAGER COMMENTS

CONSENT CALENDAR

All matters listed under consent calendar are considered routine, and will be enacted by one motion. There will be no separate discussion on these items prior to the time the Council/Agency/Authority votes on them, unless a member of the Council/Agency/Authority requests a specific item be removed from the consent calendar for discussion.

- CC 1.** City Council to approve the minutes from the February 17, 2015 meeting of the Covina City Council/Successor Agency to the Covina Redevelopment Agency/Public Finance Authority/Covina Housing Authority.
- CC 2.** City Council to adopt **Resolution No. 15-7326**, to review the restroom repairs at City Hall and continuing the emergency action to repair pursuant to Section 22050 of the California Public Contract Code.
- CC 3.** City Council to approve revised Grant Scope/Cost Estimate for the Joslyn Center ADA and Beautification Improvement Project F-1404.
- CC 4.** City Council to adopt **Resolution No. 15-7327**, approving the City's application for, and receipt of, a Transit Oriented Development grant from the Los Angeles County Metropolitan Transportation Authority; and authorize the City Manager, or her designee, to execute all related documents.
- CC 5.** City Council to adopt **Resolution No. 15-7325**, amending the fiscal year 2014-2015 Library Services operating budget to expend the Young Adult Library Services (YALSA) and Dollar General Store stipend funds to support the development of California Libraries.
- CC 6.** City Council to approve the request by Business and Debt Counseling for exemption from the City's business license tax. The organization is located at 599 S. Barranca Avenue, Suite L103, Covina.
- CC 7.** City Council to receive and file the third quarter 2014 Sales Tax Report.

PUBLIC HEARING

- PH 1.** City Council to reconsider its October 7, 2014 denial and to consider reopening the public hearing for General Plan Amendment GPA 14-002, Zone Change ZCH 14-001, Planned Community Development PCD 14-002 and Tentative Tract Map TTM 72121, and Site Plan Review SPR 14-003, for properties located at 777 and 847 East Edna Place and at 731 North Grand Avenue-APNS: 8429-006-018, 8429-006-017 and 8429-006-006 ("Gran Covina" Project).

Staff Recommendation:

- 1) That the City Council reconsider its October 7, 2014 denial of the land use entitlements for the "Gran Covina" Project.
- 2) If the City Council votes to reconsider its October 7, 2014 decision, that the City Council consider reopening the public hearing in order to take further public testimony for the proposed "Gran Covina" Project.
- 3) After the close of the public hearing, that the City Council render a decision with regard to the land use entitlements for the "Grand Covina" Project. *(Continued on next page)*

- a. If the City Council wishes to affirm its October 7, 2014 denial of the land use entitlements, staff recommends that the Council make motions and adopt the attached Resolutions of denial (attached as Exhibit “E”) and take the actions in the order as listed below.
 1. Adopt Resolution No. 15-7328, a Resolution of the City Council of the City of Covina, California, denying General Plan Amendment GPA 14-002, denying Zone Change ZCH 14-001, and denying Planned Community Development Overlay Zone PCD 14-002; for properties located at 777 and 847 Edna Place and 731 North Grand Avenue (aka the “Gran Covina” project- APNS: 8429-006-018, 8429-006-017 and a portion of 8429-006-006)
 2. Adopt Resolution No. 15-7329, a Resolution of the City Council of the City of Covina, California, denying Tentative Tract Map 72721 for the residential development of 67 lots and for commercial development of 2 lots for properties located at 777 and 847 Edna Place and 731 North Grand Avenue (aka the “Gran Covina” project – APNS: 8429-006-018, 8429-006-017 and 8429-006-006)
 3. Adopt Resolution No. 15-7330, a Resolution of the City Council of the City of Covina, California, denying Site Plan Review SPR 14-003 for the residential development of 67 units and the commercial development of 2 buildings with drive-through facilities on properties located at 777 and 847 Edna Place and 731 North Grand Avenue (aka the “Gran Covina” project - APNS: 8429-006-018, 8429-006-017 and a portion of 8429-006-006)
- b. If the City Council wishes to reverse its October 7, 2014 decision and approve the land use entitlements, staff recommends that the Council take the following actions with the attached Resolutions and Ordinances of approval (attached as Exhibit “F”) and take the actions in the order as listed below.
 1. Adopt Resolution No. 15-7331, a Resolution of the City Council of the City of Covina, California, certifying a mitigated negative declaration and approving the Mitigation Monitoring Program for General Plan Amendment GPA 14-002, Zone Change ZCH 14-001, Planned Community Development PCD 14-002, Tentative Tract Map TTM 72721 and Site Plan Review SPR 14-003 – APNS: 8429-006-018, 8429-006-017 and 8429-006-006
 2. Adopt Resolution No. 15-7332, a Resolution of the City Council Of The City Of Covina, California, approving a General Plan Amendment GPA 14-002 to change the General Plan Land Use Map Designation from “General Industrial” to “Medium Density Residential” for properties at 777 and 847 Edna Place; and, from “General Commercial” to “Medium Density Residential” for the western most 128 feet of the property at 731 North Grand Avenue, and approving a Mitigated Negative Declaration – APNS: 8429-006-018, 8429-006-017 and a Portion Of 8429-006-006
 3. Introduce Ordinance No. 15-2038, an Ordinance of the City Council of the City of Covina, California, amending the Official Zoning Map of the City by changing the zoning designations from “M-1, Light Manufacturing” to “RD-3,300, Residential Medium Density Multiple Family” for properties at 777 and 847 Edna Place; and, from “C-2, Neighborhood Shopping

Center” to “RD-3,300, Residential Medium Density Multiple Family” for the western most 128 feet of the property at 731 North Grand Avenue, and, from “C-2, Neighborhood Shopping Center” to “C-4, Highway Commercial,” for the eastern most 149 feet of the property located at 731 North Grand Avenue, and approving a Mitigated Negative Declaration – APNS: 8429-006-018, 8429-006-017 and 8429-006-006

4. Introduce Ordinance No. 15-2039, an Ordinance of the City Council of the City of Covina, California, establishing a Planned Community Development Overlay Zone PCD 14-002 on the Official Zoning Map of the City for properties located at 777 and 847 Edna Place and, 731 North Grand Avenue, and Approving a Mitigated Negative Declaration – APNS: 8429-006-018, 8429-006-017 and 8429-006-006
5. Adopt Resolution No. 15-7333, a Resolution of the City Council of the City of Covina, California, approving Tentative Tract Map 72721 for the residential development of 67 lots and for commercial development of 2 lots and approving a Mitigated Negative Declaration – APNS: 8429-006-018, 8429-006-017 and 8429-006-006
6. Adopt Resolution No. 15-7334, a Resolution of the City Council of the City of Covina, California, approving Site Plan Review SPR 14-003 for the residential development of 67 units and the commercial development of 2 buildings with drive-through facilities and approving a Mitigated Negative Declaration – APNS: 8429-006-018, 8429-006-017 and a portion of 8429-006-006

CONTINUED BUSINESS

CB1. City Council to consider second reading and adoption of an Ordinance modifying the City’s parking requirements citywide concerning automotive repair shops and automotive body and paint shops.

Staff Recommendation:

- 1) City Council to hold second reading and adopt **Ordinance No. 15-2036**, modifying the City’s parking requirement citywide concerning automotive repair shops and automotive body and paint shops.

CB2. City Council to consider second reading and adoption of an Ordinance allowing medical, dental, and therapeutic offices as a permitted use in the “C-2/Neighborhood Shopping Center,” “C-3/Central Business,” “C-3A/Regional or Community Shopping Center,” “C-4/Highway Commercial,” and “C-5/Specified Highway” zoning districts, subject to certain requirements.

Staff Recommendation:

- 1) City Council to hold second reading and adopt **Ordinance No. 15-2035**, allowing medical, dental, and therapeutic offices as a permitted use in the “C-2/Neighborhood Shopping Center,” “C-3/Central Business,” “C-3A/Regional or Community Shopping Center,” “C-4/Highway Commercial,” and “C-5/Specified Highway” zoning districts, subject to certain requirements.

CB3. City Council to consider second reading and adoption of an Ordinance, adding “automobile rental” as a permitted use within and modifying the sign regulations for one property within the Shoppers Lane/Terrado Plaza Planned Community Development Area.

Staff Recommendation:

- 1) City Council to hold second reading and adopt **Ordinance No. 15-2037**, adding “automobile rental” as a permitted use within and modifying the sign regulations for one property within the Shoppers Lane/Terrado Plaza Planned Community Development Area.

NEW BUSINESS

NB1. City Council to adopt Resolutions relating to the annexation of territory to Community Facilities District No. 2007-01 (166 E. Center Street)

Staff Recommendation:

- 1) City Council to adopt **Resolution No. 15-7321**, declaring its intention to authorize the annexation of territory to Community Facilities District No. 2007-1 (Public Services); and
- 2) City Council to adopt **Resolution No. 15-7324**, adopting boundary map showing territory proposed to be annexed in the future to Community Facilities District No. 2007-1 (Public Services).

ADJOURNMENT

The Covina City Council/Successor Agency to the Covina Redevelopment Agency/Covina Public Finance Authority/Covina Housing Authority will adjourn to its next regular meeting of the Council/Agency/Authority scheduled for **Tuesday, March 17, 2015**, 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.

Draft minutes



CC1

MINUTES OF FEBRUARY 17, 2015 REGULAR MEETING OF THE COVINA CITY COUNCIL/SUCCESSOR AGENCY TO THE COVINA REDEVELOPMENT AGENCY /COVINA PUBLIC FINANCE AUTHORITY/COVINA HOUSING AUTHORITY HELD IN THE COUNCIL CHAMBER OF CITY HALL, 125 EAST COLLEGE STREET, COVINA, CALIFORNIA

CALL TO ORDER

Mayor Delach called the Council/Agency/Authority meeting to order at 6:35 p.m. and announced the closed session items. There was no public comment.

ROLL CALL

Council Members Present: ALLEN, DELACH, KING, MARQUEZ, STAPLETON

Council Members Absent: NONE

Elected Members Present: COBBETT

Staff Members Present: Acting City Manager Raney, Assistant City Attorney Hull, Parks and Recreation/Library Director Hall-McGrade, Finance Director De Alwis, Interim Public Works Director Gonzalez, Assistant to the City Manager Brancheau, Public Works Manager/Building Official Hayes, Finance Manager Cole, Senior Management Analyst Smith, Police Captain Povero, L.A. County Fire Chief Enriquez, City Planner Carter, Senior Housing and CDBG Economic Development Manager Gasser, Electronic Resource Analyst Kadir and Chief Deputy City Clerk LaCroix

AGENDA POSTING DECLARATION

The Chief Deputy City Clerk of the City of Covina hereby declares the Council/Agency/Authority agenda for the February 17, 2015 meeting was posted on February 12, 2015 near the front entrance of City Hall, 125 East College Street, Covina, in accordance with §54954.2(a) of the California Government Code.

CLOSED SESSION

- A. G.C. §54957 - PUBLIC EMPLOYEE APPOINTMENT
Title: City Manager
- B. G.C. §54957 - PUBLIC EMPLOYEE EVALUATION
Title: City Attorney
- C. G.C. §54956.9(d)(1) - CONFERENCE WITH LEGAL COUNSEL - Existing Litigation
Name of Case: Aguilar v. City of Covina et. al., U.S.D.C.
Case No.: 2:14-cv-09183-JEM
- D. G.C. §54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: 633-635 S. Citrus Avenue (APN 8453-001-906)
Agency negotiator: Kim Raney, Acting City Manager and
Elizabeth Hull, Assistant City Attorney
Under negotiation: Negotiations to include both price and terms of payment

RECONVENE THE MEETING

The City Council/Successor Agency to the Covina Redevelopment Agency/Public Finance Authority/Housing Authority meeting reconvened at 7:31 p.m., with all members present.

Mayor Delach announced that all Council Members were present and for Closed Session item A, and voted unanimously to appoint Andrea Miller as City Manager pending approval of an employment agreement between the Ms. Miller and the City. Mayor Delach announced there was no reportable action related to Closed Session items B, C, and D.

PLEDGE OF ALLEGIANCE

Mayor Delach led the pledge of allegiance.

INVOCATION

Covina Police Chaplin Dave Truax gave the invocation.

PRESENTATIONS

Mayor Delach invited the entire Covina Jr. Midgets Football Team, athletic director, coaching staff and assistants to the lectern and read a Proclamation recognizing the team for taking first place in the National Youth Football Championship Tournament.

Jean Adair, representing the Champion Family Foundation, presented a \$2,500 donation to the Covina Police Department K-9 Program. Jean stated her efforts continued and she has a \$2,175 donation from Lee Arce Development Company, along with \$500 in donations from members of the Covina Woman's Club. Total donations \$5,175.

Katrina Moramarco introduced Miss Covina 2015, Vivian Tang and second runner up, Julianne Evans. Ms. Tang and Ms. Evans spoke about their commitment in the coming year.

Mayor Delach invited Debbie Quon, Director of Creative Ministries, Covina United Methodist Church to the lectern and presented a certificate of recognition for their participation in the 2015 Homeless Count event.

PUBLIC COMMENTS

Leonard W. Rose, Jr., La Puente resident, spoke about his enthusiasm of a new Senior Pastor at Covina Assembly of God Church. Mr. Rose spoke about his exercise regimen and the importance of staying healthy. Mr. Rose stated cities need to always improve and keep community programs.

Cory Briggs, Briggs Law Corporation in Upland, indicated he did not get notified of public hearing item PH4, reapproving the lease option, even though he represents the party in litigation against the City. Mr. Briggs stated he would have appreciated getting notice because he has a conflict that he has to go to. Mr. Briggs affirmed that he submitted a letter and hopes it would be considered by Council.

COUNCIL/AGENCY/AUTHORITY COMMENTS

Council Member Stapleton reported on his attendance to the Independent Cities Association (ICA) education seminar [AB1234].

Council Member Allen stated he represented Council Member Stapleton at the San Gabriel Valley Council of Government meeting, for their selection process of a new executive director. Council Member Allen requested to adjourn in memory of Christopher Forno, who held a 40-year chiropractic practice in Covina.

Mayor Delach affirmed the appointment of Ken Fields, Planning Checker, to replace Steve Rossi who retired on February 12, 2015, as the City of Covina employee representing on the Oversight Board of the Successor Agency to the Covina Redevelopment Agency.

Mayor Delach requested to adjourn the meeting in memory of Charles Mason, a longtime volunteer at the Joslyn Senior Center.

Mayor Delach announced the following “hold the date” events:

- The State of the City Address Luncheon will be held on Friday, March 6, 2015 at 11:30 a.m. at Hamilton’s Steak House. For information, contact the Covina Chamber of Commerce.
- Covina, along with L.A. County Department of Public Works, is hosting another Smart Gardening Workshop on Saturday, February 28, 2015, 9:30 a.m. to 11:00 a.m. at Charter Oak Park, 20261 Covina Boulevard.

CITY MANAGER COMMENTS

Acting City Manager Raney reported on his attendance to the Independent Cities Association education seminar and his participation as a moderator on a panel regarding unmanned aircraft systems [AB1234].

CONSENT CALENDAR

- CC 1.** City Council approved the minutes from the January 20, 2015 meeting of the Covina City Council/Successor Agency to the Covina Redevelopment Agency/Public Finance Authority/Covina Housing Authority.
- CC 2.** City Council approved the summary action minutes from the January 29, 2015 joint workshop meeting of the Covina City Council/Successor Agency to the Covina Redevelopment Agency/Public Finance Authority/Covina Housing Authority with Covina Planning Commission.
- CC 5.** City Council received and filed the Public Works monthly activity report.
- CC 6.** City Council received and filed the Fiscal Year 2014-2015 2nd Quarter update on Major Funds.

- CC 7. City Council approved the agreements with Blackboard, Inc., and Nixle LLC, for emergency communications systems and authorized the Acting City Manager, or his designee, to execute all related documents on the City's behalf.
- CC 8. City Council approved a participant agreement between Los Angeles County for countywide address management system and authorized the Acting City Manager, or his designee, to execute all related documents on the City's behalf.
- CC 9. City Council approved the pre-qualified consultant lists for provided on-call as needed planning services and environmental services to the City and authorized the Acting City Manager to negotiate and execute said agreements on behalf of the City.
- CC 10. City Council approved the Temporary License and Right of Entry Agreement with MWH Americas Inc., for geotechnical evaluation of Kahler Russell Park.
- CC 11. City Council approved a Professional Services Agreement with John L. Hunter and Associates and authorized the Acting City Manager to sign the Professional Services Agreement.
- CC 13. Successor Agency to the Covina Redevelopment Agency approved the Recognized Obligation Payment Schedule (ROPS 15-16A), covering July 1, 2015 through December 31, 2015 and directed it be provided to the Successor Agency Oversight Board for consideration and approval.
- CC 15. City Council adopted **Resolution No. 15-7316**, amending the fiscal year 2014-2015 Library Services operating budget to expend the UMIGO! You Make It Go and Children's Museum of Manhattan stipend funds to support the development of California Libraries.

On a motion made by Council Member Stapleton, seconded by Council Member Allen, the City Council approved Consent Calendar items CC-1 through CC2, with Council Member Marquez and Mayor Pro Tem King abstaining on Consent Calendar CC2; and approved Consent Calendar items CC5 through CC11, CC13 and CC15. Consent Calendar items CC3, CC4, CC12, CC14 and CC16 were removed from the agenda for further discussion and consideration.

Motion approved the Consent Calendar items CC1, CC2 with King and Marquez abstention, CC5-CC11, CC13 and CC15 as follows:

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

CONSENT CALENDAR ITEMS REMOVED FOR DISCUSSION/CONSIDERATION

CC 3. City Council to receive and file the Downtown parking update.

Council Member Marquez inquired, and Acting City Manager Raney responded, research provides that there are no other cities in the San Gabriel Valley which have a holiday season parking moratorium for a downtown area.

On a motion made by Council Member Marquez, seconded by Council Member Stapleton, the City Council approved Consent Calendar item CC3, thereby receiving and filing the downtown parking update.

Motion carried for Consent Calendar item CC3 as follows:

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

CC 4. City Council to receive and file the report on the 2015 Citywide Homeless Count.

Council Member Allen referred to the increase in the 2015 street homeless count. General discussion took place on the administrative roll and reaching out to outside organizations willing to participate in a course of action.

Following a brief discussion and on a motion made by Council Member Allen, seconded by Mayor Pro Tem King, the City Council approved Consent Calendar item CC4, thereby receiving and filing the 2015 citywide homeless count.

Motion carried for Consent Calendar item CC4 as follows:

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

CC 12. City Council to approve option agreement to purchase equipment from Covina Rents and authorize the Acting City Manager or his designee to execute all related documents on the City's behalf.

Council Member Stapleton spoke about the prospect of the ready-mix concrete equipment and the importance of having qualified operators. Mayor Pro Tem King cautioned the vision.

Following a brief discussion and on a motion made by Council Member Stapleton, seconded by Mayor Pro Tem King, the City Council approved Consent Calendar item CC12, thereby approving an option agreement and authorize execution of all related documents.

Motion carried for Consent Calendar item CC12 as follows:

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

CC 14. City Council to make certain findings as required by California Environmental Quality Act (CEQA) guidelines Section 15301 (repair of existing facility) and Section 15269 (emergency project); and to adopt **Resolution No. 15-7315**, to determine that an emergency condition exists for City Hall repairs and to delegate authority to the Acting City Manager to procure services and equipment without notice for bids to let contracts in the case of a declared emergency under Section 22050 of the California Public Contract Code.

Council Member Stapleton expressed his approval for carrying out the restroom repairs.

On a motion made by Council Member Stapleton, seconded by Council Member Allen, the City Council approved Consent Calendar item CC14, thereby adopting **Resolution No. 15-7315**.

Motion carried for Consent Calendar item CC14 and adopted Resolution No. 15-7315 as follows:

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

CC 16. City Council to adopt **Resolution No. 15-7317**, amending the Fiscal Year 2014-2015 Budget to finalize the funding for the Energy Efficient Projects.

Mayor Pro Tem King announced his abstention from Consent Calendar item CC16 because his employer is Southern California Edison.

On a motion made by Council Member Stapleton, seconded by Council Member Allen, the City Council approved Consent Calendar item CC14, thereby adopting **Resolution No. 15-7317**.

Motion carried for Consent Calendar item CC16 and adopted Resolution No. 15-7317 as follows:

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

NEW BUSINESS

NB1. City Council to consider approval of agreement for employment by and between the City of Covina and Andrea Miller.

On a motion made by Council Member Stapleton, seconded by Council Member Allen, the City Council approved and ratified the employment agreement negotiated by legal counsel and establishing compensation and other terms and conditions of employment of City Manager.

Motion carried for New Business item NB1 as follows:

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

PUBLIC HEARING

PH1. Public Hearing, Continued from the February 3, 2015 cancelled meeting, was before City Council to introduce and waive further reading of an Ordinance regarding Planned Community Development Ordinance 99-001, adding "automobile rental" as a permitted use within and modifying the sign regulations for one property within the Shoppers Lane/Terrado Plaza Planned Community Development Area.

At 8:27 p.m., Mayor Delach opened the public hearing. There was no public comment.

City Planner Alan Carter gave a summary report of the item before City Council.

Tim Williamson, Enterprise Rent a Car District Manager, spoke on the sufficiency of 50 parking spaces for the one-acre plot and that the modification better fits the needs of a rental car facility with returning vehicles.

At 8:33 p.m., Mayor Delach closed the public hearing.

On a motion made by Council Member Allen, seconded by Council Member Stapleton, the City Council made certain findings as required by California Environmental Quality Act (CEQA) guidelines that this is not a project as defined in Sections 15060(c)(2), 15060(c)(3) and Section 15378, that has a potential resulting in physical change to the environment, directly or indirectly; and introduced and waived further reading of **Ordinance No. 15-2037**, first reading, establishing Planned Community Development Ordinance PCD 99-001 (Amendment No. 1) to allow, as a permitted use, “automobile rental” and to allow for the modification to the sign regulations for one property within Shoppers Lane/Terrado Plaza Planned Community Development Area.

Motion carried for Public Hearing item PH1 and introduced Ordinance No. 15-2037 as follows:

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

PH2. Public Hearing was before City Council to introduce and waive further reading of an Ordinance, allowing medical, dental and therapeutic offices as a permitted use in the “C-2/Neighborhood Shopping Center”, “C-3/Central Business”, “C-3A/Regional or Community Shopping Center”, “C-4/Highway Commercial”, and C-5/Specified Highway” zoning districts, subject to certain requirements.

City Planner Carter gave a summary report of the item before City Council.

At 8:40 p.m., Mayor Delach opened the public hearing. There was no public comment.

City Council had discussion regarding the number of offices in particular areas of the City and dialog about the Town Center Specific Plan. There was explanation that medical, dental and therapeutic offices can only occupy no greater than ten percent of the floor area of all buildings on the commercial site or 10,000 square feet, whichever is less.

At 8:50 p.m., Mayor Delach closed the public hearing.

On a motion made by Council Member Stapleton, seconded by Council Member Council Member Allen, the City Council made certain findings as required by California Environmental Quality Act (CEQA) guidelines that this is not a project as defined in Sections 15060(c)(2), 15060(c)(3) and Section 15378, that has a potential resulting in physical change to the environment, directly or indirectly; and introduced and waived further reading of **Ordinance No. 15-2035**, allowing medical, dental and therapeutic offices of a permitted use in the “C-2/Neighborhood Shopping Center”, C-3/Central Business”, “C-3A/Regional or Community Shopping Center”, “C-4/Highway Commercial”, and “C-5/ Specified Highway” zoning districts, subject to certain requirements.

Motion carried for Public Hearing item PH2 and introduced Ordinance No. 15-2035 as follows:

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

PH3. City Council to conduct a public hearing, introduce and waive further reading of an Ordinance, a request to modify the City's parking requirements citywide concerning automotive repair shops and automotive body and paint shops.

City Planner Carter gave a summary report of the item before City Council.

At 8:53 p.m., Mayor Delach opened the public hearing. There was no public comment.

At 8:54 p.m., Mayor Delach closed the public hearing.

On a motion made by Council Member Allen, seconded by Council Member Council Member Marquez, the City Council made certain findings as required by California Environmental Quality Act (CEQA) guidelines that this is not a project as defined in Sections 15060(c)(2), 15060(c)(3) and Section 15378, that has a potential resulting in physical change to the environment, directly or indirectly; and City Council to introduce and waive further reading of **Ordinance No. 15-2036**, modifying the City's parking requirements citywide concerning automotive repair shops and automotive body and paint shops.

Motion carried for Public Hearing item PH3 and introduced Ordinance No. 15-2036 as follows:

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

PH4. City Council to conduct a public hearing and consider adoption of resolutions reapproving Lease with Option to Purchase, approving an Amended and Restate Operating Covenant Agreement, and accepting an Economic Development Subsidy Report as they pertain to 633-635 South Citrus Avenue, Covina, California.

At 8:55 p.m., Mayor Delach opened the public hearing. There was no public comment.

Mayor Delach noted for the record she has a speaker card from Cory Briggs. However he left after public comment. Assistant City Attorney noted that Mr. Briggs' letter raised an issue with the surplus property act.

Acting City Manager Kim Raney gave a brief report of the item before City Council.

At 8:57 p.m., Mayor Delach closed the public hearing.

On a motion made by Mayor Pro Tem King, seconded by Council Member Stapleton, the City Council made certain findings under Section 15162 of the California Environmental Quality Act (CEQA) guidelines that all environmental impacts associated with the project were already analyzed and mitigated by MND adopted on October 21, 2014 and no changes are being undertaken warranting further review; and adopted **Resolution No. 15-7318**, accepting the

economic development subsidy report prepared pursuant to Government Code 53083 for property located at 633-635 South Citrus Avenue, Covina; and adopted **Resolution No. 15-7319**, reapproving a lease with option to purchase by and between the City of Covina and Covina MJL, LLC, for property located at 633-635 South Citrus Avenue, Covina; and adopted **Resolution No. 15-7320**, approving and restated operating covenant agreement by and between the City of Covina and Covina MJL, LLC for property located at 633-635 South Citrus Avenue, Covina.

Motion carried for Public Hearing item PH4 and adopted Resolution No. 15-7318, Resolution No. 15-7319 and Resolution No. 15-7320 as follows:

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

ADJOURNMENT

At 8:58 p.m., the Covina City Council/Successor Agency to the Covina Redevelopment Agency/Covina Public Finance Authority/Covina Housing Authority adjourned in memory of Charles Mason, Christopher Forno and Fred Duran, to its next regular meeting on **Tuesday, March 3, 2015**, at 6:30 p.m., for closed session and 7:30 p.m., for open session in the Council Chamber located inside of City Hall, 125 East College Street, Covina, California, 91723.

Respectfully Submitted:

Catherine M. LaCroix, Chief Deputy City Clerk

Approved this 3rd day of March 2015:

Peggy Delach, Mayor/Chairperson

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: March 3, 2015

ITEM NO.: CC2

STAFF SOURCE: Alex Gonzalez, Interim Director of Public Works ^{AG}

ITEM TITLE: Continue Repairs to City Hall Restrooms under Section 22050 of the California Public Contract Code

STAFF RECOMMENDATION

- a) Adopt **Resolution No. 15-7326** reviewing the restroom repairs at City Hall, and continuing the emergency action to repair the City Hall restrooms pursuant to Section 22050 of the California Public Contract Code.

FISCAL IMPACT

The fiscal impact of the project is yet to be determined, current engineer's/architect's estimates range from \$60,000 to \$80,000. This project will be funded from undesignated funds in Fund 4701 – Impact Fees General Government. A future agenda item will allocate funding for the project.

BACKGROUND

The City's contract engineering firm began work in late October 2014 on assessing and designing a repair for the damaged floor in the City Hall restroom. During design and inspection, it was determined that the restroom floor has suffered significant damage due to wood rot, termites and moisture intrusion. As a result, the men's restroom was closed to all users on January 27, 2015.

On February 17th, the City Council adopted Resolution 15-7315, authorizing the letting of a contract to complete emergency repairs for the restrooms at City Hall pursuant to Section 22050, subdivision (a) of the California Public Contract Code ("Section 22050").

Section 22050 requires a governing body that takes action pursuant to subdivision (a) of that Section to review the emergency action at its next regularly scheduled meeting and, by a four-fifths vote, determine that there is a need to continue the action. On February 17, 2015, the Covina City Council took action pursuant to subdivision (a) of Section 22050 to repair the City Hall restrooms. Therefore, the City Council is required to review this action and determine whether it is necessary to continue this action.

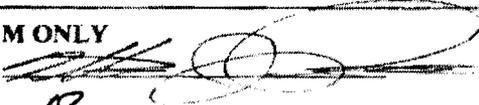
The repairs to the City Hall restrooms are still ongoing. Demolition of the men's restroom was completed on February 23, 2015. Termite work and completion of final plans are expected by February 26, 2015, with the procurement of a contractor to complete the project expected the week of March 2, 2015.

RELEVANCE TO STRATEGIC PLAN

This item is directly relevant to the City's Strategic Plan's Goal of providing efficient, visible and responsive public safety by guaranteeing the safety of public facilities.

EXHIBITS

A. Resolution 15-7326

REVIEW TEAM ONLY	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____

RESOLUTION NO. 15-7326

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
COVINA, CALIFORNIA, CONFIRMING THE CONTINUED
EXISTENCE OF AN EMERGENCY CONDITION FOR CITY HALL
RESTROOM REPAIRS, PURSUANT TO SECTION 22050 OF THE
CALIFORNIA PUBLIC CONTRACT CODE

WHEREAS, the City of Covina is a municipal corporation duly organized and existing pursuant to the Constitution and laws of the State of California (“City”); and

WHEREAS, the City endeavors to provide safe and reliable public facilities for public use; and

WHEREAS, from time-to-time City facilities will experience unexpected failure, stress, or damage in the course of any day or night; and

WHEREAS, the resolution of any unexpected failure, stress or damage may occur at times when the normal purchase order bidding process is not possible in order to bring a swift resolution to interruption of regular services, requiring that the City contract with the vendor who is most readily and reasonably available to address the urgent situation; and

WHEREAS, on February 17, 2015 the Covina City Council adopted Resolution No. 15-7315 declaring an emergency, authorizing the waiver of bidding requirements, and approving the repair of City Hall restrooms pursuant to California Public Code Section 22050; and

WHEREAS, under Section 22050 of the California Public Contract Code “a public agency, pursuant to a four-fifths vote of its governing body may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts”; and

WHEREAS, California Public Contract Code Section 22050, subdivision (c) provides that “If the governing body orders any action specified in subdivision (a), the governing body shall review the emergency action at its next regularly scheduled meeting and . . . at every regularly scheduled meeting thereafter until the action is terminated, to determine, by a four-fifths vote, that there is a need to continue the action”; and

WHEREAS, Resolution 15-7315 constitutes action specified in subdivision (a) of California Public Contract Code Section 22050; and

WHEREAS, repairs to the City Hall restrooms are ongoing.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of the City of Covina, as follows:

SECTION 1. The City Council hereby reviews the emergency action to repair the restrooms at City Hall pursuant to California Public Contract Code Section 22050.

SECTION 2. The City Council hereby determines that the emergency action to repair the City Hall restrooms needs to continue in order to respond to the emergency pursuant to California Public Contract Code Section 22050.

SECTION 3. Such action shall be reviewed by the City Council at subsequent regular meetings to determine whether there is a need to further continue the action.

SECTION 4. The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 3rd day of March, 2015.

, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM;

City Attorney

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: March 3, 2015

ITEM NO.: CC 3

STAFF SOURCE: Amy Hall-McGrade, Parks & Recreation Director 

ITEM TITLE: Approve revised Grant Scope/Cost Estimate for the Joslyn Center ADA and Beautification Improvement Project F-1404.

STAFF RECOMMENDATION:

Approve revised Grant Scope/Cost Estimate for the Joslyn Center ADA and Beautification Improvement Project F-1404.

FISCAL IMPACT:

The Prop A funding amount was reduced from \$300,000 to \$250,000. The additional funds needed to complete the project were Quimby Funds in the amount of \$200,000. Therefore, an additional \$50,000 will be required from Quimby Funds, to now total \$250,000.

BACKGROUND:

In August 2014, Council authorized the Parks & Recreation Department to submit a grant application for the Competitive Excess Funds through the Los Angeles County Regional Park and Open Space District. The Los Angeles County Regional Park and Open Space District has notified the City that the Joslyn Center ADA and Beautification Improvement Project F-1404 was selected. Due to the \$11,742,707 received grant proposals, the City project grant funds were reduced from the requested amount of \$300,000 to \$250,000. To move forward with the grant process, the County has requested a revised Grant Scope/Cost Estimate. In order to complete the project as planned, the Quimby Funds approved in the amount of \$200,000 will need to be increased to \$250,000.

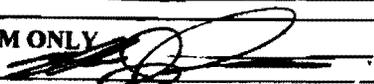
The project will consist of interior restroom renovation and some beautification to the meeting rooms in the building. In addition, the existing parking lot will be resurfaced, including removal of a planter bed area to allow additional parallel parking spaces, widening the park entrance access, and new parking lot adjacent to the outdoor restrooms will be created. If awarded, the project is to be completed within two years of the date of execution of the grant agreement.

RELEVANCE TO THE STRATEGIC PLAN:

The ADA and beautification improvements will provide a better experience for all participants at the Joslyn Center and meets with the Strategic goal of "Enhancing Safety and Quality of Life."

EXHIBITS:

A. Revised Grant Scope/Cost Estimate

REVIEW TEAM ONLY	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____

**Los Angeles County Regional Park Open Space District
Prop A Grant Program**

Grant Scope/Cost Estimate Form

Project Name: Joslyn Center ADA and Beautification Improvement Project **Grant #:** _____

Grant Scope
Renovation of the interior restrooms (Men's and Women's) to meet the current ADA requirements. Resurfacing of the existing parking lot, including widening of the front entrance and creating another lighted parking area neat the front of the building.

Grant Scope Items - Administration (Pre-Construction) <i>(Maximum: 25% of grant amount)</i>			
	Prop A Grant	Other Sources	Total
Plans and Design Services	\$47,500.00		\$ 47,500.00
Permits and Fees	\$9,000.00	\$1,500.00	\$ 10,500.00
Project Management	\$18,500.00		\$ 18,500.00
			\$ -
			\$ -
Subtotal - Pre-Construction	\$ 75,000.00	\$ 1,500.00	\$ 76,500.00

Grant Scope Items - Construction or Acquisition <i>(Minimum: 75% of grant amount)</i>			
	Prop A Grant	Other Sources	Total
Construction	175,000	\$ 243,000.00	\$ 418,000.00
Labor (Youth Employment)		\$ 3,581.00	\$ 3,581.00
			\$ -
			\$ -
			\$ -
Subtotal - Construction/Acquisition	\$ 175,000.00	\$ 246,581.00	\$ 421,581.00

PROP A GRANT AMOUNT	\$ 250,000.00		
Total Project Cost			\$ 498,081

Other Funding Sources (list by name)		Total
City of Covina Park Impact Fees collected from development projects		\$244,500.00
City of Covina General Fund		\$3,581.00
Total of Other Funding Sources		\$ 248,081.00
Prop A Grant		\$ 250,000.00
Total Project Cost		\$ 498,081.00

Notes:

- This form will be used to establish the expected grant deliverables.
- All of the recreation features and major support amenities listed on this form must be completed and open to the public before final grant payment is approved.

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: March 3, 2015

ITEM NO.: CC 4

STAFF SOURCE: Alex Gonzalez, Interim Director of Public Works ^{AB}

ITEM TITLE: Approve 2014 Transit Oriented Development Funding Application and Award

STAFF RECOMMENDATION

- a) Adopt **Resolution No. 15-7327** approving the City of Covina's application for, and receipt of, a Transit Oriented Development grant from the Los Angeles County Metropolitan Transportation Authority.
- b) Authorize the City Manager, or her designee, to execute all related documents.

FISCAL IMPACT

This grant award of \$366,500 will require a local match of \$80,000 in Proposition A transportation funds (2400) and \$35,000 in General Funds (1010) through an in-kind match of Planning Department labor costs.

BACKGROUND

The City's Public Works Department applied for, and was successful in receiving a \$366,500 grant from the Los Angeles County Metropolitan Transportation Authority's Round 4 Transit Oriented Development (TOD) Planning Grant Program. These grant funds will be used to develop parking and circulation studies that can be used in a proposed future update of the Town Center Specific Plan (TCSP). Based on staff experience with development projects near the commuter rail station, the TCSP requires additional clarification regarding shared parking to more efficiently use available parking near the station to support TOD projects while maintaining daytime parking for train commuters. In addition, the grant will examine the current Downtown parking district to recommend an update of the parking district with an overlay zone that will expand the parking district north to encompass the area adjacent to the Covina Metrolink station and recommend strategies in the area that will improve the utilization of existing parking while protecting existing parking resources.

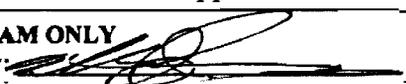
RELEVANCE TO STRATEGIC PLAN

This item is directly relevant to the City's Strategic Plan's Goal of fostering innovation, efficiency and sustainability.

EXHIBITS

- A. Resolution 15-7327
- B. Transit Oriented Grant Application

REVIEW TEAM ONLY

City Attorney: 

Finance Director: 

City Manager: 

Other: _____

RESOLUTION NO. 15-7327

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
COVINA, CALIFORNIA, APPROVING THE SUBMISSION OF A
TRANSIT ORIENTED DEVELOPMENT FUNDING APPLICATION
TO THE LOS ANGELES COUNTY METROPOLITAN
TRANSPORTATION AUTHORITY, AND THE RECEIPT OF SAID
GRANT FUNDS

WHEREAS, the City Manager is authorized by the City of Covina to apply for Transit Oriented Development (TOD) Program funding from the Los Angeles County Metropolitan Transportation Authority (LACMTA); and

WHEREAS, the City Manager is authorized to accept the awarded TOD funding; and

WHEREAS, the City Manager is authorized to execute all documents, including contracts, subcontracts, agreements, extensions, renewals, and amendments required by LACMTA to implement the TOD project.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of the City of Covina, as follows:

SECTION 1. The City Council hereby approves the City's application for the TOD grant program.

SECTION 2. The City Council hereby accepts the TOD funding awarded by the LACMTA to the City of Covina.

SECTION 3. The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 3rd day of March, 2015.

, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

TRANSIT ORIENTED DEVELOPMENT PLANNING GRANT PROGRAM
ROUND 4

APPLICATION

Project Information

Covina Town Center Specific Plan Update

TITLE*

Metrolink San Bernardino Line, Foothill 281, Metro 190, Azusa and Glendora Shuttles

TRANSIT LINE(S)/STATION(S)/CORRIDOR(S)

North - Metrolink ROW, East - Barranca Avenue, West - 4th Street, South - Center Street

BOUNDARIES

BOUNDARIES (CONTINUED)

District 5

SUPERVISORIAL DISTRICT(S)

Applicant Information

City of Covina

SPONSOR(S)

Daryl Parrish - City Manager

EXECUTIVE DIRECTOR & TITLE

Alex Gonzalez - Interim Director of Public Works

CONTACT PERSON & TITLE

125 E. College Street

MAILING ADDRESS

Covina, CA 91723

CITY & ZIP CODE

agonzalez@covinaca.gov

E-MAIL ADDRESS**

(626) 384-5215

TELEPHONE NUMBER

Funding Information

GRANT FUNDS REQUESTED	\$ 366,500	SOURCE	LACMTA
LOCAL MATCH – CASH (IF ANY)	\$ 80,000	SOURCE	Local Return
LOCAL MATCH – IN-KIND (IF ANY)	\$ 35,000	TYPE	General Fund
OTHER SOURCES (IF ANY)	\$	SOURCE	
TOTAL PROJECT COST	\$ 481,500		

* Project title not to exceed 60 characters. This title will be used on all LACMTA summary listings. The purpose of this title is to avoid confusion by attaching an easily identifiable project title that will remain consistent throughout the selection process and, should funds be awarded, through the life of the Project.

**The e-mail address you provide will be used for notification of application status, so it must be accurate. Any change to the e-mail address must be reported to Rufina Juarez: juarezr@metro.net.



Section 1: Project Scope/Description (UP TO 55 POINTS)

A. PROJECT AREA/TARGETED COMMUNITIES (UP TO 5 POINTS)

Briefly describe the proposed project area and targeted communities. Please identify specific transit line(s), station(s), and corridor(s) the proposed project may impact. The description should include a discussion on the line(s), station(s) and corridor(s) significance to the local community and larger region, as well as importance for the transit network and improving transit access and ridership. Attach a proposed project area map(s). Ensure that TOD opportunity sites (see Section 3A) are identified on the map(s) and illustrate the ½ mile radius around the qualifying station(s) to demonstrate project area eligibility.

The Town Center Specific Plan is located in the area generally known as Downtown Covina and is bounded by the Metrolink San Bernardino Line on the north, North First Avenue on the east, Badillo Street on the south, and North Fourth Avenue/Valencia Place/Pollard Lane on the west. Downtown Covina and surrounding neighborhoods are characterized by diverse land use types, including commercial retail and office, light industrial, civic and public uses, a medical center and medical offices, parks, single-family and multi-family housing. The historic Downtown along Citrus Avenue evolved perpendicular to the Pacific Electric's (now Union Pacific) San Bernardino railroad line, which provided a route for the shipment of citrus, cement, oil, gravel, and manufactured products during the 1900s. Covina's early civic, cultural, religious, and trading buildings were either built on or within short walking distance of Citrus Avenue. Most major city and civic land uses are still located downtown. One- and two-story buildings built to the front property line create a traditional Main Street character along Citrus Avenue. Buildings on adjacent streets have larger front setbacks and street-adjacent parking areas.

Downtown Covina is served by a regional bus system operated by Foothill Transit along Citrus Avenue with connections to other fixed routes and local minibus services offered by the cities of Azusa and Glendora. Metro also operates one bus route with stops along Badillo Street just south of the downtown area. Metrolink's San Bernardino Line service connects Downtown Covina with San Bernardino and Downtown Los Angeles. The Covina Metrolink station is located just north of Downtown Covina near Citrus Avenue and is one of the most utilized stations along a service line that has 12,000 boardings every day. Earlier this year, the San Bernardino Associated Governments (SANBAG) and Metro completed a feasibility study on adding capacity for additional express trains to the busy San Bernardino-to-Los Angeles line. The presence of the Metrolink station on the northern border of Downtown Covina provides a direct opportunity to increase Metrolink ridership and significantly enhances utilization of alternative transportation for Downtown Covina's residents, visitors, and workers. Currently, the Covina Metrolink station is not a major destination point; however, the availability of both local and regional transit service significantly enhances opportunities for higher intensity development that directly supports transit use and transit-oriented development. These opportunities presented by maximization of transit use in Downtown Covina will result in an improved multi-modal (bicycle, pedestrian, auto, and local transit) connectivity to demonstrably improve ridership experience by supporting intuitive, safe and recognizable routes to and from the Metrolink station.

B. REGULATORY CONSTRAINTS (UP TO 15 POINTS)

The TOD Planning Grant Program ("Program") is meant to address specific regulatory constraints and/or general land use challenges/barriers (e.g. outdated parking requirements; height or density restrictions; lack of bicycle and pedestrian access; and lack of utilization incentives such as density bonuses). Identify and describe those challenges and constraint within the proposed project area.

The Covina Town Center Specific Plan area the following challenges and constraints on the development of transit-oriented development and connectivity of multiple modes of transportation to the Metrolink Covina station.

Challenge and Constraint #1 - Small Vacant and Underutilized Parcels

The Town Center Specific Plan area contains few large underutilized parcels that exhibit TOD opportunities. The majority of vacant and underutilized parcels in the project area are small, constrained sites that are not individually conducive to new development opportunities. Certain retail and commercial developers work within a relatively limited range of parcel sizes and configurations, which may not be accommodated by parcels in the Downtown area. Property ownership patterns could pose an additional challenge to the revitalization of the project area, as properties are small, and adjacent properties with reuse potential are not under common ownership.

Challenge and Constraint #2 - Outdated Parking Requirements and Lack of Opportunities for Shared Parking

A primary challenge in the Covina Town Center Specific Plan area is a lack of adequate off-street parking. Many residents and visitors travel through or near the area but are less likely to patronize the Town Center area because of the lack of available or convenient parking. Visitors to Downtown are often unaware of off-street parking locations and avoid the area if parking is unavailable along Citrus Avenue or directly adjacent to destinations along Citrus Avenue.

Since the completion of the Call for Projects-funded Covina Metrolink station parking structure, the City has determined that on average three-quarters of the available spaces are occupied during weekdays by Metrolink commuters. Developer interest in the parcels surrounding the Metrolink parking structure has significantly increased in recent months. Recent developer inquiries have requested use of the Metrolink parking structure as additional parking during off-peak hours; however the City does not have adopted regulatory policies or guidelines to implement, manage or enforce shared parking opportunities while protecting commuter parking during weekdays.

Challenge and Constraint #3 - Pedestrian and Bicycle Connectivity

Covina does not have a robust bicycle and pedestrian network or supportive facilities. However, with the future potential for more intense residential and nonresidential development, mobility alternatives such as transit, pedestrian, and bicycle will result in more attractive and viable modes of travel for work and non-work trips. Several major destinations, such as the Citrus Valley Medical Center, City office buildings, the commercial retail core, the Metrolink station, the Covina library, and professional office complexes will be better connected through enhanced pedestrian and bicycle infrastructure improvements.

Recent pedestrian improvements to the project area have experienced higher levels of utilization. The City's next step is to create a network of safe and recognizable routes to and from these major destinations, most notably the Covina Metrolink station, to enhance utilization of public transit and promote transit-oriented development.

Challenge and Constraint #4 - New Uses and Development Standards

The project area contains a mix of uses and building types, including a traditional, historic Main Street on Citrus Avenue, a medical center and medical offices, established office uses, and an existing base of industrial buildings. The City has a significant opportunity to introduce new transit-supportive land uses in the project area, such as higher density residential, mixed-use, retail anchors, live-work, and artist lofts that support and complement public transit in Downtown Covina. The City's current land use policies and development standards do not provide a high level of flexibility and encouragement of transit-supportive land uses and activities in the Downtown

TRANSIT ORIENTED DEVELOPMENT PLANNING GRANT PROGRAM

C. PROPOSED REGULATORY DOCUMENTS (UP TO 20 POINTS)

Identify and describe below each of the regulatory documents that will require revision and/or new regulatory documents that will be developed as part of the proposed project. Explain how each of the documents promote Program objectives, as well as first/last mile solutions and implementation policies consistent with Metro's First Last Mile Strategic Plan (draft).

CHECK ALL THAT APPLY:

- | | |
|--|---|
| <input type="radio"/> NEW SPECIFIC PLAN | <input type="radio"/> SPECIFIC PLAN AMENDMENT |
| <input checked="" type="checkbox"/> NEW OVERLAY ZONE | <input type="radio"/> OVERLAY ZONE AMENDMENT |
| <input type="radio"/> NEW COMMUNITY PLAN | <input type="radio"/> COMMUNITY PLAN AMENDMENT |
| <input type="radio"/> EIR (IF NO EIR EXPLAIN WHY BELOW) | <input type="radio"/> GENERAL PLAN UPDATE/AMENDMENT |
| <input checked="" type="checkbox"/> OTHER: <u>Specific Plan Update</u> | |

DESCRIBE:

The Covina Town Center Specific Plan was originally adopted in 2004 and conceived with the overall goals to facilitate the revitalization of Downtown Covina were:

- Increase the number and variety of retail and other commercial establishments,
- Increase the number of housing units and residents in the Downtown area,
- Stimulate development on vacant infill and underutilized properties,
- Improve public infrastructure, facilities, and services to support new development.

While the Covina Metrolink station has been very successful, the Specific Plan area is significantly underperforming as a viable and cohesive transit-oriented, multi-modal, mixed use district. Recent changes have occurred in the project area and the City since 2004, including changing market and employment trends, recently completed and "in-the-pipeline" developments, the City's latest efforts to improve bicycle and pedestrian infrastructure facilities, and plans for increased capacity on the Metrolink San Bernardino Line. The City would like to take advantage of these recent efforts and projects by updating the Town Center Specific Plan with innovative and up-to-date policies, development standards, and implementation tools. The Specific plan update completes the City's efforts towards increasing access to transit through improved multi-modal connectivity and encouraging infill development in the City of Covina. As required by CEQA, the City of Covina will also update the Environmental Impact Report of the Covina Town Center Specific Plan. The Program EIR will provide the mechanism for streamlined processing of future development proposals in the Downtown area, including transit-oriented development and improvements to the pedestrian and bicycle facilities, by reducing or eliminating the need for additional environmental documentation. A current program-level environmental document will greatly enhance the viability of development through reducing additional costs associated with environmental review.

TRANSIT ORIENTED DEVELOPMENT PLANNING GRANT PROGRAM

D. IMPACT OF PROPOSED REGULATORY CHANGES (UP TO 15 POINTS)

Describe how the regulatory changes identified in Section 1C will directly address constraints identified in Section 1B.

The Covina Town Center Specific Plan Update will include innovative and effective policies, development standards and implementation tools addressing current challenges and constraints in the project area. The Specific Plan update will provide an effective regulatory framework that encourages transit-oriented development around the Covina Metrolink station supporting and facilitating transit use. The Specific Plan update will establish and implement the following principles to address the existing challenges identified in the project area:

- Prioritize the pedestrian experience - maintaining and enhancing walkability;
- Provide an attractive, efficient and user friendly multi-modal circulation network;
- Preserve and enhance Downtown's basic urban form;
- Provide opportunity for exceptional community benefits with new development at opportunity sites;
- Integrate the Covina Metrolink station with urban design and access improvements;
- Address vehicle congestion in the Downtown core;
- Provide the framework for Downtown's economic success;
- Continue to support new housing and mixed-use development in the Downtown; and
- Support continuing preservation of the buildings and facades that define the Downtown's historic character.

The Specific Plan will address the challenges and constraints identified in the project area through the following:

How the Covina Town Center Specific Plan will address Challenge and Constraint #1 Small Vacant and Underutilized Parcels – To encourage the consolidation of small vacant and underutilized parcels, the Specific Plan introduces additional development incentives, such as reduced parking requirements, density bonus, reduced height restrictions, reduced requirements for common and/or private open space, and streamlined processing.

How the Covina Town Center Specific Plan will address Challenge and Constraint #2 Outdated Parking Requirements and Lack of Opportunities for Shared Parking – The Specific Plan establishes an Overlay Parking District and provides policies and guidelines for shared parking opportunities in the project area. Shared parking opportunities can provide multiple benefits for users, including saving time and saving money as drivers will have known parking spaces and be able to choose a parking space closer to their destination.

How the Covina Town Center Specific Plan will address Challenge and Constraint #3 Pedestrian and Bicycle Connectivity – The Specific Plan analyzes the project area's existing bicycle and pedestrian linkages to public transit incorporating principles and strategies from Metro's First Last Mile Strategic Plan. The analysis will result in policies and implementation actions to enhance specific access routes selected to shorten trip length and seamlessly connect transit riders with the Covina Metrolink station and other public transit service.

How the Covina Town Center Specific Plan will address Challenge and Constraint #4 New Uses and Development Standards – The Specific Plan includes policies and implementation actions that expand the Specific Plan's mixed-use zones and create flexible development standards that can be used for different types of land uses, including emerging uses such higher density residential, mixed-use, retail anchors, live-work buildings, and artist lofts.

The updated Specific Plan will be an effective tool to developers and property-owners. Once updated the Specific Plan will be a means for developers, property owners, City staff and decision makers to encourage and streamline the approval of appropriate development in a transit-supportive environment. In turn, new development and public improvements will serve neighborhood residents, the business district/merchants, visitors, and commuters. New construction or rehabilitation on private property will be regulated through land use policies, regulations, development standards and design guidelines. The Specific Plan also sets forth a strategy for public investment and improvements in the area, including circulation, parking and streetscape improvements.

Section 2: Public Participation (UP TO 10 POINTS)

A. OUTREACH PLAN (UP TO 5 POINTS)

Identify all impacted communities and stakeholders directly or indirectly affected by the proposed regulatory changes. Describe the public participation and outreach program that will be conducted to build consensus and bring the regulatory changes forward.

The Covina Town Center Specific Plan update will directly and/or indirectly affect the following communities, constituents and stakeholders:

- City of Covina and surrounding cities;
- Downtown Covina offices and residents;
- Public transit riders and providers (including Metro, Foothill Transit, Metrolink, Cities of Azusa, and Glendora);
- Downtown Covina Merchants Association;
- Covina Chamber of Commerce;
- Covina Parking Board;
- Citrus Valley Medical Center; and
- Additional stakeholders identified during the community outreach process.

Recognizing that people participate in community outreach in different ways, the Town Center Specific Plan Update community engagement process will feature a variety of creative, immersive, meaningful and sustained opportunities for collaboration in the planning process. The community engagement process will emphasize broad collaboration that supports immediate implementation of policies and programs for Downtown Covina.

The community engagement process will begin with a community involvement plan developed in partnership between City staff, key community stakeholders, and the selected consultant. The community involvement plan will uniquely match the various stakeholders with outreach strategies, respond to available City resources, and engage the highest number of participants. The community engagement plan will include the following types outreach activities and materials:

- Covina Town Center Specific Plan Update Website;
- Informational Brochures and Newsletters;
- Print, Television, and Radio Media;
- Electronic Media;
- Tabling at Local Events and Activities;
- Community Leader and Stakeholder Interviews and Focus Groups;
- Chamber of Commerce and Downtown Association Workshop;
- Community Workshops; and
- Planning Commission and City Council Study Sessions.

B. COMMUNITY AND POLICY MAKER SUPPORT (UP TO 5 POINTS)

Provide evidence that community stakeholder and policy maker support for the types of regulatory changes being proposed exist. This could be evidenced through a description of prior actions or plans implementing similar changes elsewhere in the community, letters of support, etc. Supporting documentation may be attached.

Recently completed and proposed projects in Covina have focused on more intense residential development close to transit, unified community design, and an integrated bikeway network. These current and recent projects demonstrate community and development community support to address the similar challenges identified in the Town Center Specific Plan area.

City Ventures Proposed Condominium Development

This 52-unit condominium project located north of the Covina Metrolink station and adjacent to the project area is currently under construction. The project is a higher density development of 10, three-story buildings on a 2.5 acre lot. The project will be constructed using sustainable products and practices, including solar power, energy efficient appliances, and eco-friendly building materials.

Covina 3 Project Residential/Commercial Development

This 72 unit residential, 12,800 square foot retail projects has been approved by the City Council and is currently in plan check. The project encompasses a full block less than ¼ mile south of the Covina Metrolink Station and is surrounded by the following streets: Citrus, San Bernardino, 3rd and Orange.

2001 City Design Guidelines

The 2001 City Design Guidelines are implemented through the City's site plan review process. They are intended to ensure quality design and construction compatible with the existing built environment. The Design Guidelines address seven elements of site and building development: architecture, form, site design, landscape architecture, parking and circulation, craftsmanship, and signs.

Covina Master Bicycle Plan

On Tuesday, September 20, 2011 the Covina City Council approved the 2011 Covina Bicycle Master Plan (BMP). The BMP provides a broad vision of actions and strategies to improve conditions for bicycling in the City and the surrounding region. The BMP recommends improvements and policies to increase the bicycling population; increase cyclists' trip frequency and distance; improve bicyclist, pedestrian and motorist safety; and increase public awareness and support for bicycling. In terms of infrastructure, the BMP provides direction for expanding the City's existing bikeway network and integrating the system into the surrounding countywide bikeway and public transit network. The system-wide approach for connecting gaps will ensure greater local and regional connectivity. In addition to providing and design guidelines for bikeways and support facilities, the BMP offers recommendations for education, encouragement, enforcement, and evaluation programs.

Covina Bike Station

In 2009, the nation's first Bikestation Secure Bike Module was approved and contracted for installation at the Covina Metrolink station. The module is a new cost-effective, compact, multi-use bicycle transit center concept. This facility is 250 square feet of high tech, LEED 3.0-compliant "green" design -- offering members 36 electronically secured indoor bicycle parking spaces, 24 hours a day, seven days a week. Valet bicycle repair service and retail discounts are available through an operating partnership with Covina Valley Cyclery, located adjacent to the Covina Metrolink station.

Letters of Support (Attachment X)

The City of Covina has included the attached letter of support for the Town Center Specific Plan Update from Mayor Peggy Delach.

Section 3: Future Implementation (UP TO 10 POINTS)

A. OPPORTUNITY SITES (UP TO 5 POINTS)

Describe existing TOD opportunity sites. TOD opportunity sites are parcel(s) of land within the proposed project area that could be developed or redeveloped using principles of TOD. Ensure that the TOD opportunity sites are identified on the proposed project area map(s) in Section 1A.

Within 1/4 mile of the Covina Metrolink Station, nineteen (17) properties are either in discussion for development or on the market for mixed used development:

- (1) 137 W. San Bernardino Road (APN 8431-015-042) in discussion for development
- (2) 141 W. Geneva Place (APN 8431-014-015) in discussion for development
- (3) 545 N. Citrus Avenue (APN 8431-014-094) in escrow, pending retail development
- (4) 547 N. Citrus Avenue Public Parking Lot (APN 8431-014-904)
- (5) 619 N. Citrus Avenue (APN 8431-013-013) in discussion for development
- (6) 621 N Citrus Avenue (APN 8431-013-015) in discussion for development
- (7) 554 N. Citrus Avenue (APN 8430-025-020) in discussion for development
- (8) 129 E. San Bernardino Road (APN 8430-025-018) for sale for development
- (9) Private parking lot on San Bernardino Road (APN 8430-024-012) in discussion for development
- (10) 251 E Front Street (APN 8430-018-014) for sale for development
- (11) 707 N. Barranca (APN 8430-018-009) in discussion for development
- (12) 707 N. Barranca owned by MTA (APN 8430-018-902) owner in legal proceedings against MTA to obtain ownership
- (13) 301 E Front Street (APN 8430-018-013) in discussion for development
- (14) 633 N. Barranca (APN 8430-015-020) for sale for development
- (15) 375 E. San Bernardino Road (APN 8430-020-031) developer purchase closed on June 20, 2014
- (16) 135 E. Badillo Street (APN 8445-009-911) in discussion for development
- (17) 457 E San Bernardino Road (APN 8430-020-036) for sale for development

These properties are all infill commercial/industrial properties, and their numbers and general locations are noted on the attached area map.

Much of the Specific Plan area is underdeveloped as measured by the City's current zoning and potentially supportable development densities from a market perspective. Some larger underutilized parcels are potentially available for future redevelopment activities in Downtown Covina. The several properties that comprise the Chevrolet and Ford auto-dealerships north and south of San Bernardino Road and west of Citrus Avenue represent the largest contiguous and potentially contiguous parcels. These are especially well suited opportunity sites due to large areas of common ownership, and proximity both to Downtown Covina and the Covina Metrolink station.

An additional opportunity area for mixed-use redevelopment is along Front Street, between Citrus Avenue and First Avenue. Most of the current businesses have located in this area due to convenience and low rents. Other opportunity areas exist along College Street, between Citrus Avenue and First Avenue, and along First Avenue from Italia Street to College Street for higher density residential or mixed-use development. The City has also recently identified a number of parcels surrounding the Metro-funded Covina Metrolink parking structure as potential TOD opportunity sites.

B. NEXT STEPS (UP TO 5 POINTS)

Describe the long term implementation plan for building a successful TOD area after grant funded regulatory changes are adopted.

The updated Covina Town Center Specific Plan establishes a vision achieved by adopting policies, implementation actions and projects for Downtown Covina. Successfully implementing these actions and projects will create a sustainable, multi-modal, pedestrian-oriented environment.

Specific Plan Implementation/Development Tracking: To ensure proper monitoring and adjustment of Specific Plan policies and actions, the City will carry out the following activities:

- Annual review of the Specific Plan to check progress in meeting goals and objectives;
- Interim modifications to the Specific Plan, as needed; and
- Monitor the effectiveness of streamlined permit procedures for project approval and completion.

Marketing and Economic Development: To promote development on the TOD opportunity sites and the overall Specific Plan project area, the City will carry out the following activities:

- Outreach and advertisement of Specific Plan area, especially TOD opportunity sites;
- Update the City's available sites inventory for potential development opportunities; and
- Maintain a citywide land database to track completed and pending projects.

Focus of Improvements/Capital Improvement Programming: To build the infrastructure to support future transit-oriented development within the project area, the City will carry out the following activities:

- Phase capital improvements to maximize available funding and leverage other City projects;
- Research potential funding sources for capital improvement projects, including impact fees, assessment district, private investment, direct City financing, and other government funding sources.

Section 4: Project Implementation Plan (UP TO 25 POINTS)

A. PROJECT TASKS, SCHEDULE, AND BUDGET (UP TO 20 POINTS)

Use Attachments A and B provided to demonstrate the overall approach for project completion within the 36-month grant period. Identify and describe the principle tasks that will be undertaken to complete the proposed project, the budget (both local and grant sources), the timeline for completion, approach, and deliverables for each task.

The following is a sample list of typical tasks:

- > Consultant Procurement
- > Kick-off Meeting
- > Project Management
- > Existing Conditions and Opportunity Sites
- > Parking Study and Management Plan
- > Market Study
- > Public Participation/Outreach
- > Preparation of Regulatory Documents
- > Environmental Analysis
- > Adoption Process

The above list is only a sample. Applicants may make project-specific modification by adding or deleting tasks, as well as making adjustments to the proposed project timeline. Attachments submitted in any format other than the one provided will not be accepted.

If applicable, please describe any activities and/or planning efforts which may potentially delay the proposed project.

No activities or planning efforts are projected to potentially affect the proposed project.

B. PROJECT MANAGEMENT (UP TO 5 POINTS)

Describe the team composition, including the roles and responsibilities of city/county staff and/or consultants.

The project team will be comprised of City of Covina staff and a project consultant selected through the City's procurement process. The team structure and responsibilities are provided below:

Team Member Role/Responsibilities

City of Covina

- Select consultant
- Manage Metro TOD Grant
- Assist and participate in community engagement program
- Provide related background information and data
- Review all draft documents
- Provide comments and revisions on all draft documents
- Approve final documents

Consultant

- Provide project scope of work and fee to City of Covina
- Implement community engagement program
- Review related background information and data made available by the City
- Prepare draft documents
- Respond to comments from stakeholders, City staff, Planning Commission, and City Council
- Prepare final documents
- Present and participate at public hearings

TRANSIT ORIENTED DEVELOPMENT PLANNING GRANT PROGRAM

Application Signature Page

A person duly authorized to sign for the organization (city manager, general manager, executive director, planning director, or high-ranking officer) must sign and certify the application.

If this application is selected for funding, the information contained in this application will become the foundation of the contract with Metro. Applicants should be aware that the scope approved by the Metro Board may differ from that contained in the original application and that Metro may place stipulations on the project as a condition of approval. These will be noted at the time of the funding recommendation.

To the best of my knowledge, all information contained in this application is true and correct. If awarded a grant from Metro, I agree that I will adhere to the Program guidelines, as well as provide a local resolution evidencing authorization to execute a grant agreement and receive funds.

_____ SIGNATURE	_____ PRINT NAME
_____ TITLE	_____ DATE

REQUIRED DOCUMENTATION

- APPLICATION FORM AND SIGNATURE PAGE
- ATTACHMENT A – TASKS, SCHEDULE, AND BUDGET
- ATTACHMENT B – TASK DESCRIPTION, APPROACH, AND DELIVERABLES
- MAP(S) OF PROPOSED PROJECT AREA INCLUDING OPPORTUNITY SITES

NUMBER OF COPIES AND FORMAT:

- > TWO (2) HARD COPIES OF THE COMPLETE APPLICATION PACKAGE WITH ORIGINAL WET SIGNATURES
- > ONE (1) CD OR DVD CONTAINING:
 - APPLICATION FORM IN ORIGINAL PDF
 - ATTACHMENT A AND B IN EXCEL
 - COMPLETE APPLICATION PACKAGE IN PDF

FAILURE TO INCLUDE ANY OF THE REQUIRED DOCUMENTS WILL RESULT IN A REDUCED APPLICATION SCORE AND POTENTIAL INELIGIBILITY.

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: March 3, 2015

ITEM NO.: CC 5

STAFF SOURCE: Amy Hall-McGrade, Parks & Recreation Director *AH*
Jennifer Blair, Library Services Supervisor *JB*

ITEM TITLE: Adopt Resolution No.15-7325 amending the fiscal year 2014-2015 Library Services operating budget to expend the Young Adult Library Services Association (YALSA) and Dollar General Store stipend funds to support the development of California Libraries

STAFF RECOMMENDATION:

Adopt Resolution No.15-7325 amending the fiscal year 2014-2015 Library Services operating budget to expend the Young Adult Library Services Association (YALSA) and Dollar General Store stipend funds to support the development of California Libraries

FISCAL IMPACT:

There is no General Fund impact. The account numbers requiring amendment are as follows:

28303900-48500 SRP	Revenue	\$1,000
28303900-51600 SRP	Recreation Program Fees	125
28303900-53590 SRP	Books	825
28303900-54410 SRP	Food, Supplies, and Meals	50

BACKGROUND:

Young Adult Library Services Association (YALSA) announced a grant opportunity with Dollar General Store in November 2014. The grant application required that libraries provide Young Adult Library Services Association (YALSA) and Dollar General Store with information regarding the library's target audience and population served, proposals for how the funds for the grant will meet specific educational goals, how success will be measured, how the funds will be used to enhance resources for the community, and a summary of the library's financial need.

Jennifer Blair, Library Services Supervisor researched and prepared the summary. The grant focuses on promoting the importance of reading comprehension and supportive events correlated with the Summer Reading Program. The majority of the funds will promote book resources according to the Summer Reading Program theme and in support of reading comprehension for struggling and ESL readers. Additionally, Covina Public Library will host several activities and events for Summer Reading Program, two of which will be supported by the grant. The first event will include a musical host that will teach the origins of several musical instruments of which funds will go toward payment to the entertainer. The second event will involve hosting a movie marathon of movies that support the Summer Reading Program theme. Costs will include light refreshments and snacks. Library staff will promote the events and grant via Summer Reading Program flyers and other promotions. The \$1,000 stipend is expected to cover \$825 in

young adult and Summer Reading Program-related book resources, \$50 for food and supplies for the movie event, and \$125 for payment towards the entertainer for the music event.

The following summary was prepared and submitted to American Library Association, in partnership with Young Adult Library Services Association (YALSA) and Dollar General Store on December 4, 2014:

According to the U.S. census, the City of Covina's total population is 47,796 and is composed of:

Adults (18+): 34,323

Teens (10-19): 7,393

Children (9 and younger): 6,080

According to the California State Library public library survey, the surrounding area of Covina is composed of 6,547 children between ages 5-14. As reported by the United States Census, 7,393 children (ages 10-19) live in the city of Covina. From this report, it is estimated that 4,518 are teens ages 13-18. A report provided by the Covina Public Library demonstrates 2,920 out of the 4,518 teens are library cardholders. From this estimation, the library currently serves 2,920-3,600 teens, including non-card holders.

Our target audience consists of teens ages 13-18 who struggle with reading for various reasons including: being an English language learner, life experience or circumstances, learning disabilities, and struggling with comprehension and skill development. Other audiences include teens who utilize our public computers, study areas, and checkout services.

Teens that fall within this target audience will be given opportunities to check out various resources that not only encourage reading comprehension, but encourage reading as a whole. In keeping with the Summer Reading Program theme, "Read to the Rhythm" for the state of California, teens who enjoy music and reading about or learning music will also be targeted. This is also in support of a study from the Psychology of Music journal, proving that those who learn music have increased cognitive performance in reading skills.

In meeting recreational and educational needs, resources geared toward interests and needs would be purchased for the Summer Reading Program with supplementary inspiration from the theme "Read to the Rhythm." Resources will include popular young adult fiction geared towards multiculturalism, characters who overcome school struggles, and music. Nonfiction items will include subjects of multiculturalism, ESL, reading comprehension, skills building for ESL and struggling readers, music, and the relation between reading comprehension and music. For instance, studies find that the ability to read and play music increases reading comprehension skills.

Each item purchased will meet the specific reading/literacy related needs of teens by integrating educational and entertaining exercises and incentives through various forms of participation (incentives will include prizes obtained from in-kind and monetary donations from the community). For example, encouragement to read items on display meets literacy needs through comprehension and progression of intellectual capacity. The musical guest allows verbalization of literacy and creativity via active participation from the audience, thus encouraging comprehension. Games including a music-themed

crossword puzzle, music-themed compare and contrast, and pop song word challenge, promote literacy through advancing analytical skills. Finally, the movie marathon of music and school-themed titles including “Pitch Perfect,” and “If I Stay,” allows a passive and rewarding approach for participating in the Summer Reading Program. The reading resources purchased with this grant will enable the library to host related activities for the Summer Reading Program. More importantly, it will facilitate the opportunity to provide teens with access to literary development resources.

Participation will be measured during the Summer Reading Program via reading logs, retention rates, participation in activities, and circulation rates. Through participation, teens will qualify for small and large prizes (obtained through in-kind and monetary donations from the community and the library) including gift cards and resources that promote reading and music. The more activities teens participate in, the more times they will be entered into a grand and weekly prize drawing. This will include checking out items obtained through the grant from a book display, participating in skills building games such as a music-themed crossword puzzle, music-themed compare and contrast, and pop song word challenge, and attending a movie marathon and musical edutainment show.

Measuring the impact and success of the project will be possible through proof of participation/attendance of each activity, retention rates of teens participating in the Summer Reading Program, the number of teens qualifying for Summer Reading Program prizes, and circulation rates throughout Summer Reading Program in comparison to regular circulation periods. Qualification for drawing prizes will entail participating in at least 1 event or activity. The most vital measurement of success will include comparison of teen retention rates and participation to the previous year. For instance, if the number of participants and retention rates increases by 10%, this would result in higher circulation rates, indicating an increase in the amount of books read which, overall, will result in a rise of reading comprehension rates.

The \$1,000 will be used for resources that will enhance our Summer Reading Program, the library collection, promote literacy and inspire teens with the theme of “Read to the Rhythm.” Funds will be divided with 75% towards collection development and the remaining 25% towards programming, specifically compensation for a musical guest. Incentives will also be given to teens based on their level of participation in various activities. Participation will include checking out items from the book display purchased through the grant, attending a musical or movie event and completing games that support reading comprehension such as a music-themed crossword puzzle, music-themed compare and contrast, and pop song word challenge. Incentives will include book prizes, coupons for free meals, etc. which will be obtained from in-kind and monetary donations from our local community.

The grant will be used to enhance nonfiction, fiction, music, and Spanish-language items (Spanish language is most prevalent in our community). Due to the library’s limited budget, the primary focus will be enhancing nonfiction in support of reading comprehension and music to support the theme “Read to the Rhythm.” The total amount for collection development will be \$750. The remaining \$250 will be dedicated to promotion of the Summer Reading Program and the grant through compensation for a local musician. The local musician will provide an entertaining and educational hour that

will include music and interludes of information. The musician will be directed to engage with the audience and encourage them to participate.

The teen department at the Covina Public Library has a yearly budget for collection development in the amount of \$4,200, with \$3,000 towards fiction and graphic novels, \$400 in nonfiction and \$800 for books on CD. Regarding programming, the teen department has a yearly budget of \$275 for the cost of supplies and refreshments.

Financial support received from the community includes donations from the Friends of the Covina Public Library and local businesses for the Summer Reading Program. Donations from the Friends of the Covina Public Library include prizes and materials for the Summer Reading Program. Donations received from local businesses include gift certificates and prizes for the Summer Reading Program such as free meal vouchers. Support received from the Friends and businesses does not include collection development funds and/or minimal funding for teen programming.

Financial assistance is greatly needed for collection development, particularly in non-fiction. With a budget of only \$400 per year for nonfiction, the library struggles to provide necessary resources for educational development. With \$275 budgeted yearly for programming, the library also struggles to provide necessary supplies (i.e. materials and refreshments) that support recreational development. Additionally, the majority of support from the community, although not discounted, is centered towards children ages 0-12. Teens are at a turning point in their life, particularly regarding educational development. Without necessary funding, the library will not be able to provide resources that assist teens with reading comprehension, and increase their capability to succeed.

RELEVANCE TO THE STRATEGIC PLAN:

The Young Adult Library Services Association (YALSA) and Dollar General Store grant funds will provide an opportunity to enhance customer service to young adults by providing an opportunity to enhance book resources and encourage participation through the Summer Reading Program via a dedicated entertainment event and Summer Reading Program activities.

EXHIBITS:

A. Resolution No. 15-7325

REVIEW TEAM ONLY City Attorney: 	Finance Director: 
City Manager: 	Other: _____

RESOLUTION NO. 15-7325

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, TO AMEND THE FISCAL YEAR 2014-2015 LIBRARY SERVICES OPERATING BUDGET TO EXPEND THE YOUNG ADULT LIBRARY SERVICES ASSOCIATION (YALSA) AND DOLLAR GENERAL STORE STIPEND FUNDS TO SUPPORT THE DEVELOPMENT OF CALIFORNIA LIBRARIES.

WHEREAS, the City of Covina is a municipal corporation duly organized and existing pursuant to the Constitution and laws of the State of California (“City”); and

WHEREAS, the budget for the City of Covina for fiscal year commencing July 1, 2014 and ending June 30, 2015 was approved on June 17, 2014; and

WHEREAS, the approved budget is in accordance with all applicable ordinances of the City and all applicable statutes of the State; and

WHEREAS, the reallocation of the appropriations between departmental activities may be made by the City Manager, amendments (increases/decreases) to the Budget shall be by approval and Resolution of the City Council;

WHEREAS, the intent for all expenditures for program supplies will be covered through Young Adult Library Services Association (YALSA) and Dollar General Store grant funds

NOW THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of the City of Covina, as follows:

SECTION 1. Amend the fiscal year 2014-2015 Parks & Recreation Department’s Library Services Division operating budget as follows:

28303900-48500 SRP	Revenue	\$1,000
28303900-51600 SRP	Recreation Program Fees	125
28303900-53590 SRP	Books	825
28303900-54410 SRP	Food, Supplies, and Meals	50

SECTION 2. The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 3rd day of March, 2015.

Mayor, City of Covina

ATTEST:

City Clerk, City of Covina

APPROVED AS TO FORM;

City Attorney

CERTIFICATION

I, Catherine M. LaCroix, Deputy City Clerk of the City of Covina, hereby CERTIFY that Resolution No. 15-7325 was adopted by the Covina City Council at a regular meeting of the City Council held this 3rd day of March, 2015, and was approved and passed by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Catherine M. LaCroix
Senior Deputy City Clerk

CITY OF COVINA
AGENDA ITEM COMMENTARY

CC 6

MEETING DATE: March 3, 2015

STAFF SOURCE: Dilu De Alwis, Finance Director
Tanya Nguyen, Account Clerk

ITEM TITLE: Approval of request by Business And Debt Counseling for exemption from the City's business license tax. The organization is located at 599 S Barranca Ave., Suite L103, Covina, CA 91723

STAFF RECOMMENDATION

Approve Business And Debt Counseling business license tax exemption.

FISCAL IMPACT

Forfeit business license tax of \$52 (account: 1010-0000-40500).

BACKGROUND

Nonprofit organizations are exempt from paying the City's business license tax if the organization submits an application for the exemption and they provide proof of their nonprofit status (Covina Municipal Code Sections 5.04.100 through 5.04.140). Upon presentation of the required information, the City Council shall direct the City's Finance Director to issue the business license to the nonprofit organization without charging the normal tax (CMC 5.04.130).

Business And Debt Counseling is a nonprofit Public Benefit Corporation, and is organized and operated exclusively for charitable purposes. The corporation is organized as a charitable 501(c)(3) Not-For-Profit credit/debt-counseling agency and housing counseling agency. The purpose of the organization is to provide credit/debt management and provide a safe, decent and affordable housing to aid very-low to moderate income families.

Business And Debt Counseling is seeking exemption from the City's business license tax in order to conduct the charitable business of the organization. The organization has met all of the requirements for exemption of the business license tax contained in Sections 5.04.100 through 5.04.140.

RELEVANCE TO THE STRATEGIC PLAN

None

EXHIBITS

- A. Internal Revenue Tax Exempt Ruling- on file in the Finance Department.
- B. Bylaws – on file in the Finance Department.
- C. Articles Of Incorporation - on file in the Finance Department.
- D. Fee Exempt Business License Application – on file in the Finance Department.

REVIEW TEAM ONLY	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: March 3, 2015

ITEM NO. CC 7

STAFF SOURCE: Dilu de Alwis, Finance Director *DA*

ITEM TITLE: Receive and File 3rd Quarter 2014 Sales Tax Report.

STAFF RECOMMENDATION

City Council to receive and file 3rd Quarter 2014 Sales Tax Report.

FISCAL IMPACT

None

BACKGROUND

Sales tax results over the past five quarters have varied significantly. The following table depicts this variation;

		Quarter over Quarter Variance by % (unadjusted)	\$ Variance
3 rd Quarter 2012	3 rd Quarter 2013	-7.7%	(\$163,019)
4 th Quarter 2012	4 th Quarter 2013	20.7%	\$348,281
1 st Quarter 2013	1 st Quarter 2014	9.1%	\$167,285
2 nd Quarter 2013	2 nd Quarter 2014	12.3%	\$229,132
3 rd Quarter 2013	3 rd Quarter 2014	-1.9%	(\$36,908)

On an unadjusted basis, the City's 3rd quarter 2014 sales tax results show a minor move into the negative territory over the same period the previous year. This quarter represents sales during the months of July through September and cash received October through December. Sales tax receipts for the reporting quarter was \$1,906,182 whereas the same quarter in 2013 generated \$1,943,090. During this quarter after the adjustments for late payments, make-up payments, double payments etc., the variance moves into the positive territory of 5.0% or \$98,985 higher than the same quarter 2013. On an adjusted basis sales tax generated for this quarter was \$2,059,543 whereas the same quarter 2013 on an adjusted basis was \$1,960,558.

With the assistance of HdL Companies (our sales tax consultants) staff will monitor the performance of this very important revenue source that is the life-line to funding of essential services and report any trends that we observe. With new business interest in Covina with significant sales tax generating potential, staff anticipates that this revenue source will at minimum maintain this upward trend helping offset the increase in General Fund expenses.

RELEVENCE TO THE STRATEGIC PLAN

This informational item is in-line with the Long-Term Financial Stability component of the Strategic Plan under "Enhance Financial Stability".

EXHIBITS

- A. Covina Sales Tax Report
- B. Major Industry Groups 13 Quarter History

REVIEW TEAM ONLY	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____

Q3



City of Covina Sales Tax Update

Fourth Quarter Receipts for Third Quarter Sales (July - September 2014)

Covina In Brief

Receipts for Covina's July through September sales were 1.9% lower than the same quarter one year ago. Actual sales activity however, was up 5.0% when reporting aberrations were factored out.

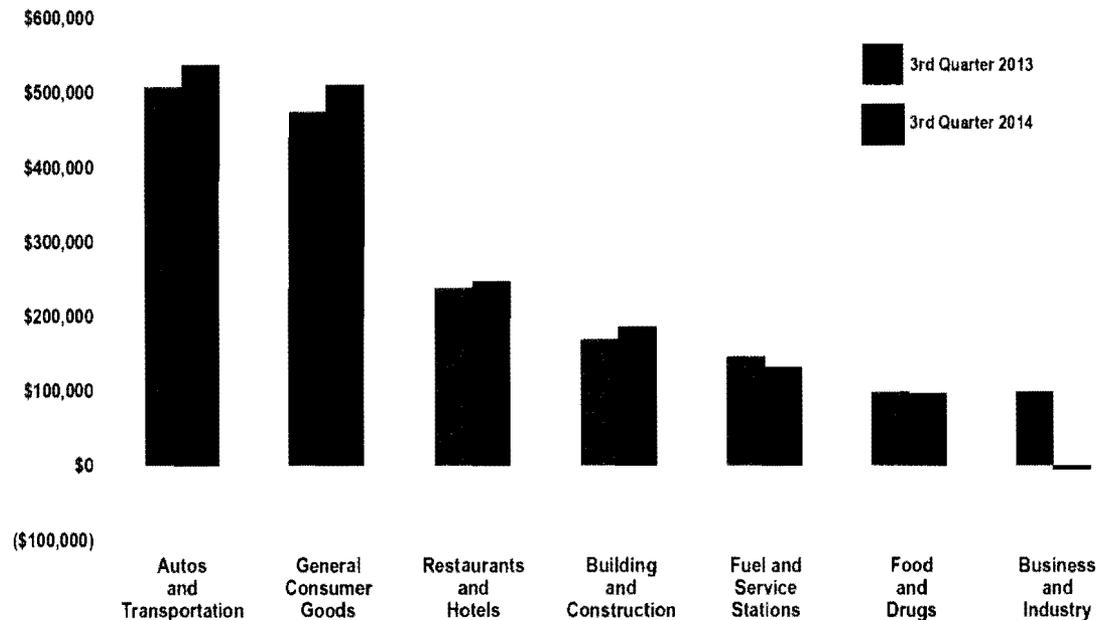
A large audit adjustment refund to a taxpayer in the business and industry group was mainly responsible for the drop in overall receipts. Similarly, negative fund transfers of payments previously misallocated to the city lowered fuel and service stations and food and drugs receipts and contributed to the overall decline.

On the positive side, higher sales in multiple retail categories combined with a new outlet and a payment aberration in family apparel to lift general consumer goods. Another strong quarter for new vehicle sales boosted autos and transportation.

Modestly higher sales and a new business produced a gain in building and construction. New quick-service eateries and higher sales at many restaurants offset dining outlet closures and payment aberrations to generate a small increase in restaurants and hotels.

Adjusted for aberrations, taxable sales for all of Los Angeles County increased 5.7% over the comparable time period, while the Southern California region as a whole was up 5.1%.

SALES TAX BY MAJOR BUSINESS GROUP



TOP 25 PRODUCERS

IN ALPHABETICAL ORDER

Azusa Shell	Ikea
Berts Mega Mall	Jo Ann Fabrics & Crafts
Bozzani Volkswagen	K Mart
Citrus Fuel Mart	Lowes
Cleamans North Woods	Med Legal
Covina Valley Kia	Reynolds GMC Trucks
DD's Discounts	Smart & Final
Enterprise Rent A Car	Superior Grocers
Golden State Enterprises	Thomas Acura
Harbor Freight Tools	Vincent Arco
Home Depot	Walgreens
Hyundai Lease	Walmart
Titting Trust	World Oil

REVENUE COMPARISON

Two Quarters – Fiscal Year To Date

	2013-14	2014-15
Point-of-Sale	\$3,420,003	\$3,578,814
County Pool	384,332	416,977
State Pool	1,816	2,586
Gross Receipts	\$3,806,152	\$3,998,376
Less Triple Flip*	\$(951,538)	\$(999,594)

*Reimbursed from county compensation fund

California Overall

With payment aberrations removed, local sales tax revenues rose 5.5% over the comparable quarter of July through September 2013.

The largest gains were from the countywide use tax pools which have been boosted by the rising shift to online shopping and involve a larger portion of goods shipped from out-of-state. Rising sales from auto dealers and restaurants, high tech Silicon Valley business activities, and Southern California construction also contributed.

Among general consumer goods, discount department stores, value priced apparel, home goods, pet and personal care products outperformed other categories.

The Impact of Falling Gas Prices on Sales Tax

Fuel prices plunged to a 5 year low in December with predictions that expanded North American oil production, gains in fuel efficiency and a sluggish international economy will sustain lower gas prices through much of 2015.

Not all of the estimated \$50 to \$75 per month family savings will be spent on taxable goods. Part will be absorbed by rising costs of food and other non-taxable necessities and by the ongoing shift in buying habits from purchases of taxable goods to non-taxable services, cellphone fees and internet access.

Among the various economic segments that make up each agency's sales tax base, grocers, drug stores and restaurants should benefit most. Extra disposable income translates into more travel, dining out and impulse purchases of taxable items while shopping for food and necessities.

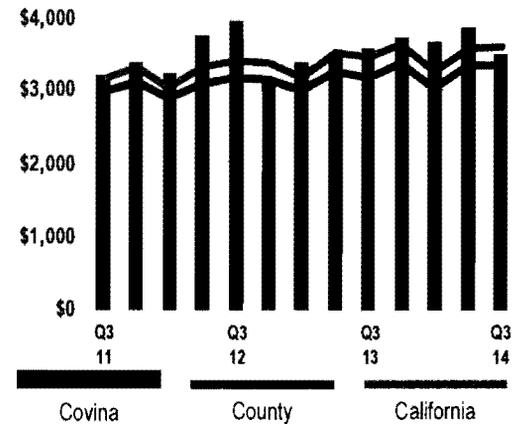
Despite intensive price competition, tax gains from general con-

sumer goods can also be expected although accelerating online shopping will shift much of the growth to the countywide allocation pools rather than brick and mortar stores.

Agencies with auto dealerships are also benefiting as lower fuel prices and increased fuel efficiency have buyers choosing more costly SUVs and accessories. Gains in home improvement purchases are anticipated although the tax will be distributed via countywide pools if the sale includes onsite installation.

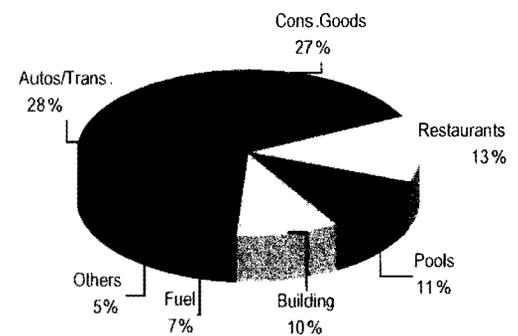
The major losing tax segment will be in fuel/service stations. The losses will be partially offset by increased travel/fuel consumption and by added costs associated with new green emission requirements that went into effect January 1. Even so, substantial declines from service stations, truck stops, bulk and jet fuel operators and petroleum industry suppliers should be anticipated. In the business/industry segment, tax from capital investment in new alternative energy and oil production projects is likely to slow.

SALES PER CAPITA



REVENUE BY BUSINESS GROUP

Covina This Quarter



COVINA TOP 15 BUSINESS TYPES

Business Type	*In thousands		Covina		County	HdL State
	Q3 '14*	Change	Change	Change	Change	
Auto Repair Shops	46.8	6.5%	12.6%	6.5%		
Automotive Supply Stores	34.0	18.7%	-0.6%	-0.1%		
Boats/Motorcycles	—	CONFIDENTIAL	-9.8%	9.8%		
Casual Dining	108.9	12.4%	6.2%	6.2%		
Discount Dept Stores	—	CONFIDENTIAL	2.5%	2.5%		
Drug Stores	29.0	1.5%	1.8%	0.9%		
Family Apparel	24.3	70.1%	6.5%	6.0%		
Grocery Stores Liquor	43.6	-2.3%	12.9%	8.6%		
Home Furnishings	—	CONFIDENTIAL	7.4%	6.6%		
Light Industrial/Printers	29.4	10.2%	8.5%	5.4%		
Lumber/Building Materials	—	CONFIDENTIAL	0.2%	4.6%		
New Motor Vehicle Dealers	238.1	19.0%	7.6%	8.0%		
Quick-Service Restaurants	134.2	8.2%	7.9%	8.4%		
Service Stations	131.4	-10.0%	-2.2%	1.2%		
Specialty Stores	21.9	4.1%	6.7%	5.6%		
Total All Accounts	\$1,703.3	-1.8%	5.7%	5.5%		
County & State Pool Allocation	\$202.9	-2.8%	4.6%	10.2%		
Gross Receipts	\$1,906.2	-1.9%	5.6%	6.1%		

Sales Tax by Major Industry Group

Autos And Transportation
Count: 203

General Consumer Goods
Count: 756

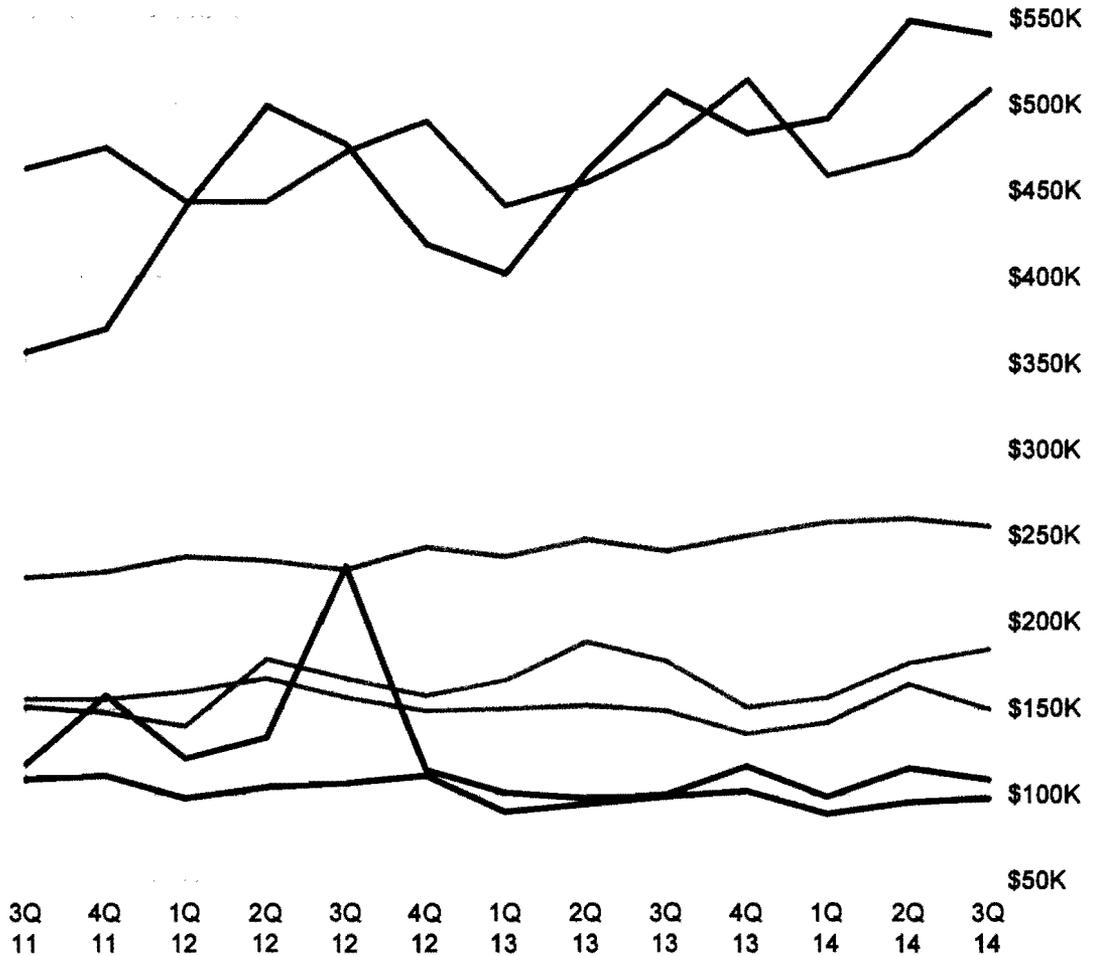
Restaurants And Hotels
Count: 195

Building And Construction
Count: 62

Fuel And Service Stations
Count: 17

Business And Industry
Count: 483

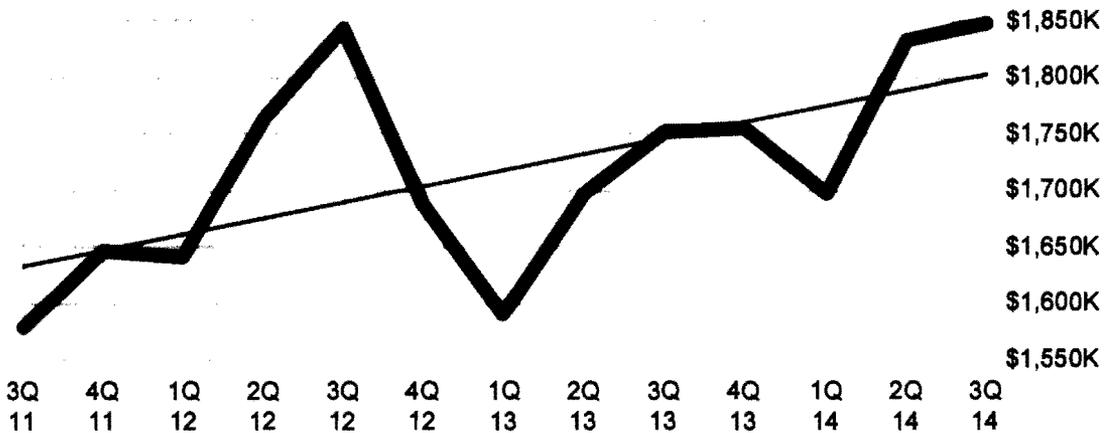
Food And Drugs
Count: 73



Covina

13 Quarter Trend: +10.4%

Agency Trend



Periods shown reflect the period in which the sales occurred - Point of Sale

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: March 3, 2015

ITEM NO.: PH1

STAFF SOURCE: Nancy Fong, Interim Director of Community Development

ITEM TITLE: City Council to reconsider its October 7, 2014 denial and to consider reopening the public hearing for General Plan Amendment GPA 14-002, Zone Change ZCH 14-001, Planned Community Development PCD 14-002 and Tentative Tract Map TTM 72121, and Site Plan Review SPR 14-003, for properties located at 777 and 847 East Edna Place and at 731 North Grand Avenue-APNS: 8429-006-018, 8429-006-017 and 8429-006-006 (“Gran Covina” Project).

STAFF RECOMMENDATION

- 1) That the City Council reconsider its October 7, 2014 denial of the land use entitlements for the “Gran Covina” Project.
- 2) If the City Council votes to reconsider its October 7, 2014 decision, that the City Council consider reopening the public hearing in order to take further public testimony for the proposed “Gran Covina” Project.
- 3) After the close of the public hearing, that the City Council render a decision with regard to the land use entitlements for the “Grand Covina” Project.
 - a. If the City Council wishes to affirm its October 7, 2014 denial of the land use entitlements, staff recommends that the Council make motions and adopt the attached Resolutions of denial (attached as Exhibit “E”) and take the actions in the order as listed below.
 1. Adopt **Resolution No. 15-7328**, a Resolution of the City Council of the City of Covina, California, denying General Plan Amendment GPA 14-002, denying Zone Change ZCH 14-001, and denying Planned Community Development Overlay Zone PCD 14-002; for properties located at 777 and 847 Edna Place and 731 North Grand Avenue (aka the “Gran Covina” project- APNS: 8429-006-018, 8429-006-017 and a portion of 8429-006-006)
 2. Adopt **Resolution No. 15-7329**, a Resolution of the City Council of the City of Covina, California, denying Tentative Tract Map 72721 for the residential development of 67 lots and for commercial development of 2 lots for properties located at 777 and 847 Edna Place and 731 North Grand Avenue (aka the “Gran Covina” project – APNS: 8429-006-018, 8429-006-017 and 8429-006-006)

3. Adopt **Resolution No. 15-7330**, a Resolution of the City Council of the City of Covina, California, denying Site Plan Review SPR 14-003 for the residential development of 67 units and the commercial development of 2 buildings with drive-through facilities on properties located at 777 and 847 Edna Place and 731 North Grand Avenue (aka the “Gran Covina” project - APNS: 8429-006-018, 8429-006-017 and a portion of 8429-006-006)
 - b. If the City Council wishes to reverse its October 7, 2014 decision and approve the land use entitlements, staff recommends that the Council take the following actions with the attached Resolutions and Ordinances of approval (attached as Exhibit “F”) and take the actions in the order as listed below.
 1. Adopt **Resolution No. 15-7331**, a Resolution of the City Council of the City of Covina, California, certifying a mitigated negative declaration and approving the Mitigation Monitoring Program for General Plan Amendment GPA 14-002, Zone Change ZCH 14-001, Planned Community Development PCD 14-002, Tentative Tract Map TTM 72721 and Site Plan Review SPR 14-003 – APNS: 8429-006-018, 8429-006-017 and 8429-006-006
 2. Adopt **Resolution No. 15-7332**, a Resolution of the City Council Of The City Of Covina, California, approving a General Plan Amendment GPA 14-002 to change the General Plan Land Use Map Designation from “General Industrial” to “Medium Density Residential” for properties at 777 and 847 Edna Place; and, from “General Commercial” to “Medium Density Residential” for the western most 128 feet of the property at 731 North Grand Avenue, and approving a Mitigated Negative Declaration – APNS: 8429-006-018, 8429-006-017 and a Portion Of 8429-006-006
 3. Introduce **Ordinance No. 15-2038**, an Ordinance of the City Council of the City of Covina, California, amending the Official Zoning Map of the City by changing the zoning designations from “M-1, Light Manufacturing” to “RD-3,300, Residential Medium Density Multiple Family” for properties at 777 and 847 Edna Place; and, from “C-2, Neighborhood Shopping Center” to “RD-3,300, Residential Medium Density Multiple Family” for the western most 128 feet of the property at 731 North Grand Avenue, and, from “C-2, Neighborhood Shopping Center” to “C-4, Highway Commercial,” for the eastern most 149 feet of the property located at 731 North Grand Avenue, and approving a Mitigated Negative Declaration – APNS: 8429-006-018, 8429-006-017 and 8429-006-006
 4. Introduce **Ordinance No. 15-2039**, an Ordinance of the City Council of the City of Covina, California, establishing a Planned Community Development Overlay Zone PCD 14-002 on the Official Zoning Map of the City for properties located at 777 and 847 Edna Place and, 731 North Grand Avenue, and Approving a Mitigated Negative Declaration – APNS: 8429-006-018, 8429-006-017 and 8429-006-006

5. Adopt **Resolution No. 15-7333**, a Resolution of the City Council of the City of Covina, California, approving Tentative Tract Map 72721 for the residential development of 67 lots and for commercial development of 2 lots and approving a Mitigated Negative Declaration – APNS: 8429-006-018, 8429-006-017 and 8429-006-006
6. Adopt **Resolution No. 15-7334**, a Resolution of the City Council of the City of Covina, California, approving Site Plan Review SPR 14-003 for the residential development of 67 units and the commercial development of 2 buildings with drive-through facilities and approving a Mitigated Negative Declaration – APNS: 8429-006-018, 8429-006-017 and a portion of 8429-006-006

c. If the Council wishes to consider the Amended Proposed Project (see Analysis below), staff recommends that the Council refer it back to the Planning Commission for review and recommendation. After the Amended Proposed Project has been reviewed by the Planning Commission, it will be re-advertised for another City Council public hearing later this year.

FISCAL IMPACT

The residential component of the project would generate recurring property tax revenue for the City, though this revenue would likely be offset by increased costs associated with various City services. The commercial component would also generate property taxes on an ongoing basis as and may generate sale tax revenue depending on the uses that locate in the proposed building.

BACKGROUND

On September 16, 2014, the City Council held a public hearing to consider the proposed project named “Gran Covina” that consisted of a mixed development of 67 dwelling units on approximately 5 acres of land and two 2,500-square foot commercial-retail buildings with drive-through facilities on approximately 1 acre of land. The City Council considered presentations from staff and the applicant as well as received testimony and comments from proponents and opponents of the proposed project. For more details, a copy of the September 16 Agenda Item Commentary is attached as Exhibit “D”. The City Council closed the public hearing and on a 3 to 2 vote directed Staff to prepare appropriate ordinances and resolutions for approval of the Project at the October 7, 2014 meeting.

On September 30, 2014, the City Council received a letter from an attorney (Zubiate-Beauchamp letter, attached as Exhibit “A”) representing surrounding business owners on Edna Place. The letter requested a re-opening of the public hearing so that the Council could consider additional testimony and asked the Council to defer a final vote on the land use entitlement applications.

At its October 7, 2014 meeting, the City Council received a letter from another attorney (Briggs letter, attached as Exhibit “B”) representing surrounding business owners challenging approval of the project on grounds that it violated the California Environmental Quality Act (CEQA), the Subdivision Map Act and the Covina Municipal Code. While the City Council did not officially reopen the public hearing on this matter, additional public comment was made by both proponents and opponents of the project, including the attorney representing opponents of the Project (Briggs). Mr. Briggs also requested that the Council re-notice and re-open the public

hearing. For more details, a copy of the October 7 Agenda Item Commentary is attached as Exhibit “D”. Thereafter, the City Council on a 3 to 2 vote reversed its prior direction and denied approval of all of the project components.

On October 17, 2014, the City Council received a letter from an attorney (Rutan & Tucker letter, attached as Exhibit “C”) representing the applicant. That letter raised certain objections about the City Council’s action to deny the project. To the extent that the Council considered public comments after the public hearing was closed, the letter also requested that the hearing be reopened to consider further evidence and rebuttal. On November 4, 2014, the City Council directed staff to bring back the proposed project for reconsideration and possible reopening of the public hearing.

Per State Zoning Law, staff has re-noticed the public hearing for this evening by publication in the local newspaper and by mailed notices to property owners within 300 feet of the project site at least 10 days prior to tonight.

ANALYSIS

1. The Original Proposed Project and the Amended Proposed Project: The original proposed project has not changed since the City Council last reviewed it. As a refresher, attached is a copy of the Applicant’s original proposed development plans (Exhibit “G”).

However, on February 23, 2015, staff received from the applicant a letter requesting the City Council to consider an amended proposed project (Exhibit “J”). Due to time constraints, staff was only able to conduct a cursory review and comparison of the amended proposed project with the original. The amended proposed project significantly decreases the number of dwelling units from 67 units to 49 units, adds a large common open space of approximately 15,034 square feet to the west side of the site as a buffer from the industrial use, and removes a 50,578 (1.16 acres) square foot lot on the westernmost portion of the site from the project entirely, so that it will remain as a General Industrial Land Use. The applicant indicates that this lot will be developed for an industrial purpose at a later date as a separate project.

The fundamental question for the Council is whether the amended proposed project is a better land use alternative. While the project would be reduced in size and scope, the potential land use conflicts between industrial and residential uses will remain to a certain extent. The increase in common open space area does provide a buffer from some of the nuisances of industrial uses such as noise, vibration, and odor. However it does not address the conflict between residential auto traffic and truck traffic. Staff is also concerned that the remaining 50,578 square feet (1.16 acres) set aside for future industrial development may not be large enough to attract prospective developers. The applicant has yet to provide information that the industrial market will support it. Larger parcel size is more conducive to developing multi-tenant industrial buildings with the appropriate loading doors or docks and sufficient parking spaces. Staff believes that this amended proposed project is a “band-aid” approach and the fundamental land use issue still exists.

At the very least, the amended proposed project raises new and significant questions that have not yet been analyzed. If the Council is open to considering the proposed amended

project, it should refer the project back to the Planning Commission for review as required by City Code. Staff also believes that such significant changes will trigger additional work to update the CEQA/environmental documents. Additionally, the amended proposed project will require, at a minimum, a review by staff for compliance with various development standards and by the Los Angeles County Fire Department, Land Development Unit review.

2. Consideration of Land Use Changes: The City Council should note that while this matter was pending, the City held a Joint City Council and Planning Commission workshop on November 20, 2014. The Council/Commission discussed General Plan land uses and concluded that the City's General Plan needs to be updated. They also said that the City should consider a city-wide economic analysis to identify targeted opportunities that are both realistic and compatible with the City's Long term vision as expressed in the General Plan. Staff is following through with this directive.

Under the proposed project, the applicant seeks a number of land use changes through the GPA, ZCH, and PCD entitlements. If the Council decides to reconsider this matter, the City Council should review the project again in order to determine if these land use changes are consistent with the City's current General Plan vision and policies.

The City's General Plan establishes a framework of programs for guiding the future physical development in the city. The General Plan sets various polices that focus on maintaining existing land use, accommodating moderate residential growth, and maintaining and facilitating the expansion and/or revitalization of businesses for employment and sales tax enhancement. *Whether it is the original proposed project or the amended proposed project*, the fundamental question the City Council must answer is whether the current general land use pattern and its quantities of land use is balanced. With the improving economy and the upswing of the housing industry, there will be increasing development pressures to convert industrially or commercially zoned land to residential uses. Of particular importance are several competing guidelines and statements contained in the General Plan that stress the protection of industrial areas over other land use changes. While these competing guidelines and statement appear very generalized, they nevertheless provide some insight into the focus of the current general plan document. Therefore, the Council must consider the consequences of altering the established land use pattern of the City to accommodate such development.

SUGGESTED PROCEDURE

Because this is matter involves re-opening of a closed public hearing concerning a matter that was appealed from a decision of the planning commission, the procedures that are recommended will be different than past public hearings. The Council should consider the following procedures:

1. **Motion to Reconsider and Re-open Public Hearing**. Because the Council previously voted on this matter, it is necessary to first entertain a motion to Reconsider the previous action. Such a motion would read as follows:

“MOVE TO RECONSIDER THE CITY COUNCIL’S PREVIOUS DENIAL OF THE GRAN COVINA PROJECT ENTITLEMENTS, AND REOPEN THE PUBLIC HEARING CONCERNING THE GENERAL PLAN AMENDMENT, ZONE CHANGE, PLANNED COMMUNITY DEVELOPMENT OVERLAY, TENTATIVE TRACT MAP AND SITE PLAN REVIEW APPLICATIONS PROPOSED FOR PROPERTY GENERALLY LOCATED AT 777 AND 847 EAST EDNA PLACE AND 731 NORTH GRAND AVENUE.”

In order to be effective, such a motion has to be made by a Councilmember that voted on the prevailing side at the October 7 meeting (Stapleton, Delach or King).

2. **Announcement of Additional Evidence Received.** Due to the lapse of time since the October 7 decision and intervening joint workshop held by the Council and Commission, it is appropriate for Councilmembers to disclose any oral, written or other evidence or contacts they may have received and could rely upon as part of the re-consideration of this item.

3. **Re-Open Public Hearing.** If such a motion is successful, the Mayor should request a brief staff report and re-open the public hearing. The order of speakers should adhere to the following:

1. Presentation by Appellants
 - a. Questions from Council
2. Public Speakers
3. Review of Written Information Received (if any)
4. Responses by Staff to Questions (if any)
5. Appellant Rebuttal
6. Close Public Hearing

4. **Consideration of Legislative Acts.** At the close of the public hearing, the Council should deliberate on the requested entitlements. Because this matter involves certain legislative actions (GPA, Zone Change, and PCD) that are required to be approved in order for the other entitlements to be effective, staff recommends the Council focus this portion of its deliberations on the legislative actions (only).

5. **Vote on Legislative Actions.**

A. If the Council wishes to Uphold the Planning Commission’s denial of the legislative acts, it should entertain a:

“MOTION TO ADOPT RESOLUTION NO. 15-7328 TO DENY THE GENERAL PLAN AMENDMENT, ZONE CHANGE, AND PLANNED COMMUNITY DEVELOPMENT OVERLAY APPLICATIONS FOR THE GRAN COVINA PROJECT ON PROPERTY GENERALLY LOCATED AT 777 AND 847 EAST EDNA PLACE AND 731 NORTH GRAND AVENUE”

B. On the other hand, if the Council wishes to overturn the Planning Commission’s decision and approve the legislative acts, it should entertain a:

MOTION TO ADOPT RESOLUTION No. 15-7331 APPROVING A MITIGATED NEGATIVE DECLARATION, ADOPT RESOLUTION NO. 15-7332 APPROVING A GENERAL PLAN AMENDMENT; INTRODUCE ORDINANCE NO. 15-2038 TO CHANGE THE ZONE DESIGNATION, AND INTRODUCE ORDINANCE NO. 15-2039 TO ADOPT A PLANNED COMMUNITY DEVELOPMENT OVERLAY FOR THE GRAN COVINA PROJECT ON PROPERTY GENERALLY LOCATED AT 777 AND 847 EAST EDNA PLACE AND 731 NORTH GRAND AVENUE

C. *However, if the Council is open to consider the amended proposed project, it should entertain a:*

MOTION TO REFER THE AMENDED PROPOSED PROJECT TO THE PLANNING COMMISSION FOR REVIEW AND RECOMMENDATION

6. **Vote on Other Entitlements if the Council chooses Options A or B.** Once the Council has voted on the legislative actions for this project, it should consider the other related entitlements. Depending on the vote on the legislative acts, the Council has two options:

A. If the Council voted to deny the legislative actions, the Council should entertain a motion to deny the related entitlements as follows:

“MOTION TO ADOPT RESOLUTION NO. 15-7328 AND RESOLUTION NO. 15-7329 DENYING TENTATIVE TRACT MAP NO. 72721 AND SITE PLAN REVIEW NO. 14-003 FOR PROPERTY GENERALLY LOCATED AT 777 AND 847 EAST EDNA PLACE AND 731 NORTH GRAND AVENUE.”

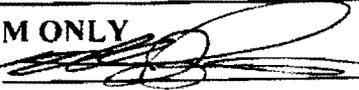
B. Alternatively, if the Council has approved the legislative acts for the project, it could entertain the following:

“A MOTION TO ADOPT RESOLUTION NO. 15-7333 AND RESOLUTION NO. 15-7334 APPROVING TENTATIVE TRACT MAP NO. 72721 AND SITE PLAN REVIEW NO. 14-003 FOR PROPERTY GENERALLY LOCATED AT 777 AND 847 EAST EDNA PLACE AND 731 NORTH GRAND AVENUE”

EXHIBITS

- A. September 30, 2014 letter - Zubiate-Beauchamp
- B. October 7, 2014 letter – Briggs
- C. October 17, 2014 - Rutan & Tucker
- D. October 7, 2014 AIC, September 16, 2014 AIC, August 12, 2014 Planning Commission Staff Report
- E. Resolutions of Denial
- F. Resolutions of Approval and Ordinances with Conditions of Approval
- G. Proposed Development Plans
- H. January 13, 2015 letter – Blodgett Baylous Environmental Planning
- I. January 12, 2015 letter – Bob Low
- J. February 23, 2015 letter and Amended Proposed Project – Applicant

REVIEW TEAM ONLY

City Attorney:  Finance Director: 

City Manager:  Other: _____

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: March 3, 2015

ITEM NO.: CB 1

STAFF SOURCE: Nancy Fong, AICP, Interim Director of Community Development
Alan Carter, City Planner *a.c.*

ITEM TITLE: City Council to consider second reading and adoption of an Ordinance modifying the City's parking requirements citywide concerning automotive repair shops and automotive body and paint shops.

STAFF RECOMMENDATION

Hold second reading and adopt **Ordinance No. 15-2036**, modifying the City's parking requirements citywide concerning automotive repair shops and automotive body and paint shops.

FISCAL IMPACT

None.

BACKGROUND

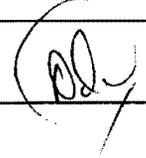
The City Council is requested to adopt the subject Ordinance concerning the City's parking requirements citywide pertaining to automotive repair shops and automotive body and paint shops. The Ordinance, which was introduced at the previous Council meeting/public hearing (by a 5-0 vote), would do so by amending certain Zoning provisions. For more details, please refer to the agenda item commentary from the February 17, 2015 meeting.

RELEVANCE TO THE STRATEGIC PLAN

None.

EXHIBITS:

A. Ordinance No. 15-2036.

REVIEW TEAM ONLY	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____

ORDINANCE NO. 15-2036

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, AMENDING SECTION 17.72.010 OF CHAPTER 17.72 OF TITLE 17 (ZONING) OF THE COVINA MUNICIPAL CODE, TO CHANGE OFF-STREET PARKING STANDARDS FOR AUTOMOTIVE REPAIR SHOPS AND TO ADD OFF-STREET PARKING STANDARDS FOR AUTOMOTIVE BODY AND PAINT SHOPS.

THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 17.72.010 of Chapter 17.72 of Title 17 (Zoning) of the Covina Municipal Code is hereby amended to read as follows:

“17.72.010 Off-street parking – Space requirements.

At the time of the erection of any building and/or structure permitted hereinafter listed or at the time any such building or structure is enlarged or increased in capacity by adding dwelling units, guest rooms, second dwelling units, floor area or seats, or at such time that a higher usage is applied, there shall be provided for such new construction or intensified use, enlargement or increased capacity and use of land the following minimum off-street parking space with adequate provisions for safe ingress and egress, and the parking space or spaces shall thereafter be maintained in connection with such building or structure and use of land:

Use	Parking Spaces Required
Animal hospital, shelter and kennel	Two for each employee
Automobile courts and motels	One for each sleeping unit or dwelling unit, plus one for each employee (covered or uncovered)
Automotive repair shops	One for each 200 square feet of gross floor area <i>Three per service bay or roll-up door, whichever is greater, plus additional parking spaces based on the applicable floor area standard for office/retail/customer areas.</i>

<i>Automotive body and paint shops</i>	<i>Three per service bay or roll-up door, whichever is greater, plus additional parking spaces based on the applicable floor area standard for office/retail/customer areas.</i>
Batting cage	Two for each cage, plus one for each employee
Bowling alleys	Five for each alley

...."

SECTION 2. Effective Date. This ordinance shall take effect thirty (30) days after its adoption.

SECTION 3. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

SECTION 4. CEQA. This ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) because the activity, which involves amending the City's off-street parking regulations will not result in a direct or reasonably foreseeable indirect physical change in the environment; and 15060(c)(3) because the activity is not a project as defined in Section 15378 of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. As specific projects subject to this ordinance are proposed to the City, appropriate CEQA analysis will be conducted on a project-specific basis.

SECTION 5. Certification. The City Clerk shall certify the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a local newspaper of general circulation and which is hereby designated for that purpose.

ORDINANCE PASSED AND APPROVED on this 3rd day of March, 2015.

PEGGY DELACH, MAYOR

ATTEST:

Mary Lou Walczak, City Clerk

APPROVED AS TO FORM:

Marco Martinez, City Attorney

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: March 3, 2015

ITEM NO.: CB 2

STAFF SOURCE: Nancy Fong, AICP, Interim Director of Community Development
Alan Carter, City Planner *a.c.*

ITEM TITLE: City Council to consider second reading and adoption of an Ordinance allowing medical, dental, and therapeutic offices as a permitted use in the "C-2/Neighborhood Shopping Center," "C-3/Central Business," "C-3A/Regional or Community Shopping Center," "C-4/Highway Commercial," and "C-5/Specified Highway" zoning districts, subject to certain requirements.

STAFF RECOMMENDATION

Hold second reading and adopt **Ordinance No. 15-2035**, allowing medical, dental, and therapeutic offices as a permitted use in the "C-2/Neighborhood Shopping Center," "C-3/Central Business," "C-3A/Regional or Community Shopping Center," "C-4/Highway Commercial," and "C-5/Specified Highway" zoning districts, subject to certain requirements.

FISCAL IMPACT

None.

BACKGROUND

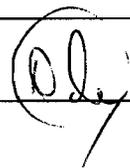
The City Council is requested to adopt the subject Ordinance allowing medical, dental, and therapeutic offices as a permitted use on the City's retail-focused commercial properties. The Ordinance, which was introduced at the previous Council meeting/public hearing (by a 5-0 vote), would do so by amending certain Zoning provisions. For more details, please refer to the agenda item commentary from the February 17, 2015 meeting.

RELEVANCE TO THE STRATEGIC PLAN

None.

EXHIBITS

A. Ordinance No. 15-2035

REVIEW TEAM ONLY	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____

ORDINANCE NO. 15-2035

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, AMENDING SECTIONS 17.38.020, 17.44.020 AND 17.46.020 OF TITLE 17 (ZONING) OF THE COVINA MUNICIPAL CODE, TO ALLOW LIMITED MEDICAL, DENTAL AND THERAPEUTIC CLINICS AS A PERMITTED USE IN THE CITY'S C-2, C-3, C-3A, C-4 AND C-5 COMMERCIAL ZONES.

THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. Subsection (C)(1) of Section 17.38.020 of Chapter 17.38 of Title 17 (C-2 Zoning) of the Covina Municipal Code is hereby amended to read as follows:

“17.38.020 Permitted uses. Buildings, structures and land shall be used, and buildings and structures shall hereafter be erected, structurally altered or enlarged only for the following uses, plus such other uses as the commission and council may deem (pursuant to Chapter 17.60 CMC) to be similar and not more obnoxious or detrimental to the public health, safety and welfare. All uses shall be subject to the property development standards in CMC 17.38.050 through 17.38.210:

....

C. Other:

1. Administrative or professional offices (any offices in which chattels or goods, wares or merchandise are not manufactured or sold). *Medical, dental and therapeutic offices for chiropractors, physical therapists and similar uses are also permitted, provided that the sum total of such uses occupy no greater than ten percent (10%) of the floor area of all buildings on the commercial site or 10,000 square feet, whichever is less; and no individual use occupies greater than 3,500 square feet of floor area;*
2. Bank and financial institutions;

....”

SECTION 2. The first listed use in Section 17.44.020 of Chapter 17.44 of Title 17 (C-4 Zoning) of the Covina Municipal Code is hereby amended to read as follows:

“17.44.020 Permitted uses. Buildings, structures and land shall be used, and buildings and structures shall hereafter be erected, structurally altered or enlarged only for the following uses, plus such other uses as the commission and council may deem (pursuant to Chapter 17.60 CMC) to be similar and not more obnoxious or detrimental to the public health, safety and welfare. All uses shall be subject to the property development standards in CMC 17.44.050 through 17.44.220:

Administrative or professional offices (any office in which chattels or goods, wares or merchandise are not manufactured or sold), *Medical, dental and therapeutic offices for chiropractors, physical therapists and similar uses are also permitted, provided that the sum total of such uses occupy no greater than ten percent (10%) of the floor area of all buildings on the commercial site or 10,000 square feet, whichever is less; and no individual use occupies greater than 3,500 square feet of floor area;*

Aerial photography and survey service;

...."

SECTION 3. The first listed use in Section 17.46.020 of Chapter 17.46 of Title 17 (C-5 Zoning) of the Covina Municipal Code is hereby amended to read as follows:

“17.46.020 Permitted uses. Buildings, structures and land shall be used, and structures shall hereafter be erected, structurally altered or enlarged only for the following uses, plus such other uses as the commission and council may deem (pursuant to Chapter 17.60 CMC) to be similar and not more obnoxious or detrimental to the public health, safety and welfare. All uses shall be subject to the property development standards in CMC 17.46.050 through 17.46.210:

Administrative or professional offices (any office in which chattels or goods, wares or merchandise are not manufactured or sold). *Medical, dental and therapeutic offices for chiropractors, physical therapists and similar uses are also permitted, provided that the sum total of such uses occupy no greater than ten percent (10%) of the floor area of all buildings on the commercial site or 10,000 square feet, whichever is less; and no individual use occupies greater than 3,500 square feet of floor area;*

Animal hospital;

...."

SECTION 4. Effective Date. This ordinance shall take effect thirty (30) days after its adoption.

SECTION 5. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof is for any reason held to

be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

SECTION 6. CEQA. This ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) because the activity, which involves a minor amendment to the City's commercial zoning rules to allow limited medical, dental and therapeutic offices on commercial sites will not result in a direct or reasonably foreseeable indirect physical change in the environment; and 15060(c)(3) because the activity is not a project as defined in Section 15378 of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. As specific projects subject to this ordinance are proposed to the City, appropriate CEQA analysis will be conducted on a project-specific basis.

SECTION 7. Certification. The City Clerk shall certify the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a local newspaper of general circulation and which is hereby designated for that purpose.

ORDINANCE PASSED AND APPROVED on this 3rd day of March, 2015.

PEGGY DELACH, MAYOR

ATTEST:

Mary Lou Walczak, City Clerk

APPROVED AS TO FORM:

Marco Martinez, City Attorney

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: March 3, 2015

ITEM NO.: CB 3

STAFF SOURCE: Nancy Fong, AICP, Interim Director of Community Development
Alan Carter, City Planner *a.c.*

ITEM TITLE: City Council to consider second reading and adoption of an Ordinance adding “automobile rental” as a permitted use within and modifying the sign regulations for one property within the Shoppers Lane/Terrado Plaza Planned Community Development Area.

STAFF RECOMMENDATION

Hold second reading and adopt Ordinance No. 15-2037, adding “automobile rental” as a permitted use within and modifying the sign regulations for one property within the Shoppers Lane/Terrado Plaza Planned Community Development Area.

FISCAL IMPACT

None.

BACKGROUND

The City Council is requested to adopt the subject Ordinance, adding “automobile rental” as a permitted use within and modifying the sign regulations for one property within the Shoppers Lane/Terrado Plaza Planned Community Development Area. The Ordinance, which was introduced at the previous Council meeting/public hearing (by a 5-0 vote), would do so by amending certain Zoning provisions. For more details, please refer to the agenda item commentary from the February 17, 2015 meeting.

RELEVANCE TO THE STRATEGIC PLAN

None.

EXHIBITS

A. Ordinance No. 15-2037.

REVIEW TEAM ONLY	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____

ORDINANCE NO. 15-2037

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, AMENDING ORDINANCE 99-1851 (PCD 99-001) TO ADD “AUTOMOBILE RENTAL” AS A PERMITTED USE AND MODIFYING THE SIGN REGULATIONS FOR ONE PROPERTY WITHIN THE SHOPPERS LANE/TERRADO PLAZA PLANNED COMMUNITY DEVELOPMENT AREA, AND MAKING CERTAIN FINDINGS AND CONDITIONS.

THE CITY COUNCIL OF THE CITY OF COVINA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Pursuant to a Council public hearing conducted on February 17, 2015, and processing in the manner set forth by State law and local ordinance, and after recommendation thereon by the Planning Commission after a duly noticed public hearing on December 9, 2014, this modification (“Modification”) to Planned Community Development (PCD 99-001) is made for the reasons of public interest, convenience, and necessity.

SECTION 2. The following described real property in the City of Covina, County of Los Angeles, State of California, is hereby subject to the Modification:

Lots 1 through 7 and 20 through 46 of Tract 15166; and Lots 1 through 24 of Tract 19651; and Lots 1 through 9 of Tract 18945, as documented in Official Records in the County of Los Angeles Registrar/Recorder’s Office, State of California, also known as the “Shoppers Lane/Terrado Plaza Planned Community Development Area” at 602 – 770 South Citrus Avenue; 750 Terrado Plaza; 112 – 672 Shoppers Lane; and 130 – 186 East Rowland Street (the “Area”).

SECTION 3. The proposed Modification amends paragraph B of subsection 11 of Section 4 of Ordinance 99-1851 (PCD 99-001) to state as follows:

“11. Uses of property in the subject area shall conform with the following:

Permitted Uses:

.....

B. Other:

1. Administrative or professional offices (any offices in which chattels or goods, wares or merchandise are not manufactured or sold).
2. ***Auto rental,***
3. Bank and financial institutions,
4. Bill paying office,
5. Insurance brokers, adjusters and agents,
6. Libraries and reading rooms,
7. Museums,
8. Notary public,
9. Off-street parking,
10. Optometrists,
11. Parking lot, public,
12. Real estate brokers.”

SECTION 4. The proposed Modification also adds subsection 12 to Section 4 of Ordinance 99-1851 (PCD 99-001) to state as follows:

“12. Permitted Signage at 728 South Citrus Avenue:

With respect only to the Building located at 728 South Citrus Avenue, (presently occupied by “Enterprise Rent-a-Car”), up to four (4) signs may be located thereon, subject to the following standards:

***Sign “A”:* The existing legal non-conforming and freestanding pylon sign along the Building’s west-facing frontage along South Citrus Avenue may be modified, provided that the total new sign copy area shall not exceed fifty (50) square feet.**

***Sign “B”:* A building-mounted sign may be erected above the Building’s western entrance facing South Citrus Avenue, provided that the total sign copy area may not exceed 16.5% of the building face, and the total sign height may not exceed seven (7) feet.**

***Signs “C-1” and “C-2”:* Two wall-mounted signs may be erected on the northern and southern sides of the Building, provided that the total sign height of either sign may not exceed three (3) feet.**

Except as provided herein, all signage within the property covered by this PCD Ordinance shall comply with the provisions of the Covina Municipal Code and Covina Design Guidelines.”

SECTION 5. After giving full consideration to all evidence presented at said hearing, both oral and documentary, reviewing the recommendation of the Planning Commission, and after being fully informed, the City Council hereby finds as follows:

1. The Modification to PCD 99-001 is consistent with the Covina General Plan because:
 - A. With respect to the “auto rental” use, it merely makes certain technical and clarifying amendments to the PCD Ordinance so that it conforms with those uses already permitted by the Covina Municipal Code for “C-3A” zoning. Overall, this technical amendment to the PCD Ordinance remains consistent with the objectives and policies of each element of the General Plan and does not obstruct their attainment.
 - B. With respect to the signage regulations, the Area will continue to conform to the existing “General Commercial” land use designation set forth in the General Plan. Further, the Ordinance fosters the occupancy of vacant tenant spaces within the Area and will enhance their ability to attract customers along South Citrus Avenue, thereby boosting the economic base of the City. On the other hand, the amendment made by this Ordinance is relatively minor, focused on one building within the Center (728 S. Citrus Ave.) and, therefore, will not result in excessive signage or visual blight which would be contrary to the goals and policies of the Covina General Plan.
2. The Modification only makes minor clarifying amendments with respect to “auto rental” use, and alterations to the existing sign program only affect one building within the Area. This Modification does not alter the existing layout of buildings and other structures, on-site parking, vehicle and pedestrian circulation, or other physical elements of the Area. Therefore, the site remains adequate in size and shape to accommodate the use, as amended by this Modification;
3. No additional buildings within the Area are proposed by this Modification. Further, although this Modification may result in additional customer traffic coming to the Area, the impact on traffic will be negligible relative to South Citrus Avenue and Workman Avenue. Both are four-lane primary arterial streets serving the Area and will remain adequate in width and pavement to carry the quantity and kind of traffic generated by the proposed uses benefitting from this Modification;

4. The Modification is relatively minor in the context of the entire Area. With the exception of allowing additional and slightly larger signage on one building within the Area, all signage within the Area must continue to comply with all applicable local ordinances and regulations to minimize its impact on neighboring properties. Further, the additional signage would not dominate or detract from the architectural integrity of the building at 728 S. Citrus Avenue. The additional signage allowed by this Modification will either face westerly into South Citrus Avenue or toward the adjacent commercial parking lots. It will not face toward any residential properties nor toward any other sensitive uses in the vicinity. Therefore, this Modification is not detrimental to the surrounding property or uses permitted in the Area;
5. The additional signage allowed by this Modification will result in a more balanced combination of signage and design on the southerly, western and northerly sides of the building at 728 S. Citrus Avenue. In addition, the change would be consistent with prior direction about signage from the City Council and Planning Commission. Therefore, the Modification is necessary to protect the public peace, health, and safety.

SECTION 6. In considering this application, the City Council affirms the determination of the Planning Commission that this Modification is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) because the activity, which merely involves making certain technical and clarifying amendments to the PCD Ordinance, will not result in a direct or reasonably foreseeable indirect physical change in the environment; and 15060(c)(3) because the activity is not a project as defined in Section 15378 of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Should specific projects subject to this Ordinance be proposed to the City, appropriate CEQA analysis will be conducted on a project-specific basis.

SECTION 7. The Modification to PCD 99-001, as set forth in Sections 3 and 4 above, is hereby granted, subject to the following conditions of approval which are deemed necessary to protect the public health, safety, and general welfare of the community:

(Conditions of Approval attached behind this Ordinance)

SECTION 8. The City Clerk shall certify the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute

passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a local weekly newspaper of general circulation and which is hereby designated for that purpose.

PASSED AND APPROVED on this 3rd day of March, 2015.

PEGGY DELACH, MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: March 3, 2015

ITEM NO.: NB 1

STAFF SOURCE: Dilu de Alwis, Director of Finance *de Alwis*
Nuala Gasser, Senior Housing and CDBG Economic Development *Gasser*
Manager

ITEM TITLE: Resolutions relating to the annexation of territory to Community Facilities District No. 2007-1 (166 E. Center Street)

STAFF RECOMMENDATION

- a). Adopt City **Resolution No. 15-7321**, declaring its intention to authorize the annexation of territory to Community Facilities District No. 2007-1 (Public Services); and
- b). Adopt City **Resolution No. 15-7324**, adopting boundary map showing territory proposed to be annexed in the future to Community Facilities District No. 2007-1 (Public Services).

FISCAL IMPACT

There are five residential units in the proposed annexation area, of which three are subject to the special tax. The “Special Tax” authorized by the proposed annexation to Community Facilities District 2007-1 (the “CFD”) will generate up to \$1,392.51 annually based on the 2014-2015 tax rate of \$464.17 per multi-family unit, and will be deposited to Account No. 2740-4800-45800. The Special Tax shall be used to pay for the following services: police, fire protection and suppression, paramedic services, and park maintenance. The Special Tax will increase annually by the greater of two percent (2.00%), or the percentage change in the Consumer Price Index.

BACKGROUND

The purpose of the subject resolutions is to 1) notice the intent of the City to annex property to the CFD, 2) identify the boundaries of the proposed annexation, 3) identify the types of services to be funded by the CFD, and 4) notice that a public hearing will be held on April 7, 2015, where the City Council will consider the proposed annexation. The subject resolutions are hereby presented to the City Council, pursuant to the Conditions of Approval for a 5-unit condominium/apartment development at 166 E. Center Street, Covina, CA, Assessor’s Parcel Number 8445-019-002.

On June 5, 2007, the City Council held a public hearing and formed CFD 2007-1. Pursuant to the Conditions of Approval for a 5-unit apartment development at 166 E. Center Street, the builder agreed to annex to the CFD, or to pay an in-lieu fee based on the financial impact on Police, Fire, Emergency and Parks services. The builder has opted to annex into the CFD. Under the CFD, in Fiscal Year 2014-2015, any newly constructed residential units are charged \$464.17 per year for the following services: police, fire protection and suppression, paramedic services, and park maintenance. This Special Tax appears on the annual Property Tax bill for each parcel. The Special Tax authorized by the CFD shall be levied on all parcels for which

building permits were issued on or before May 1 of the preceding fiscal year. Because two existing dwelling units on the property will be demolished and replaced, there is a net increase of three residential units subject to the special tax.

The purpose of the CFD is to finance the aforementioned public safety and park services that are in addition to those currently provided for the territory within the District. In Fiscal Year 2014-2015, the estimated amount for these services, for each additional multi-family residential unit, is \$464.17. This program has been conceived with the intention that all future residential development, which results in a net increase of residential units, will annex to the CFD or pay an equivalent mitigation fee. Residential units constructed prior to formation of the CFD are not subject to the Special Tax.

RELEVANCE TO THE STRATEGIC PLAN

This action will assist the City to reach the goal of enhancing financial stability, as the special tax assessed on all future residential development will provide some of the needed funding to provide public safety and park services.

EXHIBITS:

- A. Resolution No. 15-7321
- B. Resolution No. 15-7324

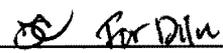
REVIEW TEAM ONLY	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____

EXHIBIT A

RESOLUTION NO. 15-7321

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA,
CALIFORNIA, DECLARING ITS INTENTION TO AUTHORIZE THE
ANNEXATION OF TERRITORY TO COMMUNITY FACILITIES
DISTRICT NO. 2007-1 (PUBLIC SERVICES)**

WHEREAS, the City Council of the City of Covina, California, (hereafter referred to as the “City Council”), at this time desires to authorize the annexation of territory to City of Covina Community Facilities District No. 2007-1 (Public Services) (“CFD No. 2007-1”) pursuant to the terms and provisions of the “Mello-Roos Community Facilities Act of 1982”, being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California, as amended (the “Act”); and

WHEREAS, CFD No. 2007-1 was formed to finance new police services, fire protection and suppression services, paramedic services, and park maintenance and other public services in addition to those provided in or required for the territory within CFD No. 2007-1 and will not be replacing services already available; and

WHEREAS, certain territory is proposed to be annexed to CFD No. 2007-1 and such territory shall be known and designated as Community Facilities District No. 2007-1 (Public Services), Annexation No. 7 (“Annexation No. 7”).

WHEREAS, this legislative body now desires to proceed to adopt its Resolution of Intention to annex Annexation No. 7 into CFD No. 2007-1, to describe the territory proposed to be annexed, Annexation No. 7, to specify the services to be financed from the proceeds of the levy of special taxes within Annexation No. 7, to set and specify the special taxes that would be levied within the territory to finance such services, and to set a time and place for a public hearing relating to the annexation of Annexation No. 7 into CFD No. 2007-1; and

WHEREAS, a map showing the boundaries of Annexation No. 7 proposed to be annexed has been submitted, and a copy of the map shall be kept on file with the transcript of these proceedings.

NOW THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of the City of Covina, as follows:

SECTION 1 Recitals. The above recitals are all true and correct.

SECTION 2 Authorization. The proceedings for annexing Annexation No. 7 into CFD No. 2007-1 are authorized and initiated by this legislative body pursuant to the authorization of the Act.

SECTION 3 Intention to Annex. This legislative body hereby determines that the public convenience and necessity requires that Annexation No. 7 be added to CFD No. 2007-1 in order to pay the costs and expenses for the required and authorized new services generated from new

development within the City and this City Council declares its intention to annex Annexation No. 7 to CFD No. 2007-1.

SECTION 4 Boundaries. A general description of the boundaries of Annexation No. 7 proposed to be annexed is as follows:

All that territory proposed to be annexed to CFD No. 2007-1, as such property is shown on a map designated as “Annexation Map No. 7 of Community Facilities District No. 2007-1 (Public Services), City of Covina, County of Los Angeles, State of California,” attached hereto as Exhibit “A” and hereby incorporated by reference.

SECTION 5 Name of District. The name of the district is “City of Covina Community Facilities District No. 2007-1 (Public Services)” and the designation for the territory to be annexed shall be “City of Covina Community Facilities District No. 2007-1 (Public Services), Annexation No. 7.”

SECTION 6 Services Authorized to be Financed by CFD No. 2007-1, Annexation No. 7. The services that are authorized to be financed by CFD No. 2007-1 are certain services which are in addition to those provided in or required for the territory within CFD No. 2007-1 and Annexation No. 7 and will not be replacing services already available. A general description of the services to be financed by CFD No. 2007-1 and Annexation No. 7 is as follows:

PUBLIC SERVICES

New police services, fire protection and suppression services, paramedic services, and park maintenance, including but not limited to (i) the costs of contracting services, (ii) related facilities, equipment, vehicles, ambulances, fire apparatus and supplies, (iii) the salaries and benefits of City staff that directly provide police services, fire protection and suppression services, paramedic services, and park maintenance respectively, and (iv) City overhead costs associated with providing such services within CFD No. 2007-1 and Annexation No. 7. The Special Tax provides only partial funding for Public Services.

The same types of services which are authorized to be financed by CFD No. 2007-1 are the types of services to be provided in Annexation No. 7. If, and to the extent possible, such services shall be provided in common within CFD No. 2007-1 and Annexation No. 7.

SECTION 7 Special Taxes. It is the further intention of this City Council body that, except where funds are otherwise available, a special tax sufficient to pay for such services to be provided in CFD No. 2007-1 and Annexation No. 7, and related incidental expenses authorized by the Act, secured by recordation of a continuing lien against all non-exempt real property in Annexation No. 7, will be levied annually within the boundaries of such Annexation No. 7. For further particulars as to the rate and method of apportionment of the proposed special tax, reference is made to the attached and incorporated Exhibit “B” (the “First Amended Rate and Method of Apportionment”), which sets forth in sufficient detail the method of apportionment to allow each landowner or resident within proposed Annexation No. 7 to clearly estimate the maximum amount that such person will have to pay.

The special tax proposed to be levied within Annexation No. 7 for services to be supplied within Annexation No. 7 shall be equal to the special tax levied to pay for the same services in CFD No. 2007-1, to the extent that the actual cost of providing the services in Annexation No. 7 is equivalent to the cost of providing those services in CFD No. 2007-1. Notwithstanding the foregoing, the special tax may not be levied at a rate that is higher than the maximum special tax authorized to be levied pursuant to the First Amended Rate and Method of Apportionment.

The special taxes herein authorized, to the extent possible, shall be collected in the same manner as ad valorem property taxes and shall be subject to the same penalties, procedure, sale and lien priority in any case of delinquency as applicable for ad valorem taxes. Any special taxes that may not be collected on the County tax roll shall be collected through a direct billing procedure by the City Treasurer.

The maximum special tax rate in CFD No. 2007-1 shall not be increased as a result of the annexation of Annexation No. 7 to CFD No. 2007-1.

SECTION 8 Public Hearing. Notice is given that on the 7th day of April, 2015, at the hour of 7:30 p.m., in the regular meeting place of the City Council being the Covina City Hall located at 125 E. College Street Covina, CA 91723, a public hearing will be held where this City Council will consider the authorization for the annexation of Annexation No. 7 to CFD No. 2007-1, the proposed method and apportionment of the special tax to be levied with Annexation No. 7 and all other matters as set forth in this Resolution of Intention.

At such public hearing, the testimony of all interested persons for or against the annexation of Annexation No. 7 or the levying of special taxes within Annexation No. 7 will be heard.

At such public hearing, protests against the proposed annexation of Annexation No. 7, the levy of special taxes within Annexation No. 7 or any other proposals contained in this resolution may be made orally by any interested person. Any protests pertaining to the regularity or sufficiency of the proceedings shall be in writing and shall clearly set forth the irregularities or defects to which objection is made. All written protests shall be filed with the City Clerk prior to the time fixed for the public hearing. Written protests may be withdrawn at any time before the conclusion of the public hearing.

SECTION 9 Majority Protest. If (a) 50% or more of the registered voters, or six (6) registered voters, whichever is more, residing within CFD No. 2007-1, (b) 50% or more of the registered voters, or six (6) registered voters, whichever is more, residing within Annexation No. 7, (c) owners of one-half or more of the area of land in the territory included in CFD 2007-1, or (d) owners of one-half or more of the area of land in the territory included in Annexation No. 7, file written protests against the proposed annexation of Annexation No. 7 to CFD No. 2007-1 and such protests are not withdrawn so as to reduce the protests to less than a majority, no further proceedings shall be undertaken for a period of one year from the date of the decision by the City Council on the annexation of Annexation No. 7 to CFD 2007-1.

SECTION 10 Notice. Notice of the time and place of the public hearing shall be given by the City Clerk by publication in a legally designated newspaper of general circulation, in the territory

of Annexation No. 7 and CFD 2007-1 pursuant to Section 6061 of the Government Code. Said publication shall be completed at least seven (7) days prior to the date set for the public hearing and shall contain the information prescribed in Section 53322 of the Act.

SECTION 11 The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 3rd day of March, 2015.

Peggy Delach, Mayor

ATTEST:

Senior Deputy City Clerk, City of Covina

APPROVED AS TO FORM;

City Attorney

CERTIFICATION

I, Catherine M. LaCroix, Senior Deputy City Clerk of the City of Covina, hereby CERTIFY that Resolution No. 15-7321 was adopted by the Covina City Council at a regular meeting of the City Council held this 3rd day of March, 2015, and was approved and passed by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Catherine M. LaCroix
Senior Deputy City Clerk

EXHIBIT A TO RESOLUTION

ANNEXATION MAP

**ANNEXATION MAP NO. 7
COMMUNITY FACILITIES DISTRICT NO. 2007-1
(PUBLIC SERVICES)**

SHEET 1 OF 1

CITY OF COVINA
COUNTY OF LOS ANGELES
STATE OF CALIFORNIA



FILED IN THE OFFICE OF THE CITY CLERK THIS _____ DAY OF _____, 2015.

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF ANNEXATION NO. 7 TO COMMUNITY FACILITIES DISTRICT NO. 2007-1 (PUBLIC SERVICES), CITY OF COVINA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF COVINA AT A REGULAR MEETING THEREOF, HELD ON THE _____ DAY OF _____, 2015, BY ITS RESOLUTION NO. _____.

CITY CLERK
CITY OF COVINA

FILED THIS _____ DAY OF _____, 2015, AT THE HOUR OF _____ O'CLOCK _____ IN THE BOOK OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, PAGE(S) _____ AND AS INSTRUMENT NO. _____ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA.

BY DEPUTY
COUNTY RECORDER
COUNTY OF LOS ANGELES
STATE OF CALIFORNIA

REFERENCE IS MADE TO THAT BOUNDARY MAP OF COMMUNITY FACILITIES DISTRICT NO. 2007-1 (PUBLIC SERVICES) OF THE CITY OF COVINA RECORDED WITH THE LOS ANGELES COUNTY RECORDER'S OFFICE ON MAY 18, 2007, AS DOCUMENT NO. 20071218337 IN THE BOOK OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS.

THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL SHOWN ON THIS DIAGRAM SHALL BE THOSE LINES AND DIMENSIONS AS SHOWN ON THE LOS ANGELES COUNTY ASSESSOR'S MAPS FOR THOSE PARCELS LISTED.

THE LOS ANGELES COUNTY ASSESSOR'S MAPS SHALL GOVERN FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS OR PARCELS.



LEGEND

-  Assessor's Boundary
-  MAP REFERENCE NUMBER

MAP REFERENCE NUMBER	ASSESSOR'S PARCEL NUMBER
1	8445-019-002

+

EXHIBIT B TO RESOLUTION
FIRST AMENDED RATE AND METHOD OF APPORTIONMENT

FIRST AMENDED RATE AND METHOD OF APPORTIONMENT

CITY OF COVINA

COMMUNITY FACILITIES DISTRICT NO. 2007-1 (PUBLIC SERVICES)

A special tax as hereinafter defined shall be levied on and collected for Community Facilities District No. 2007-1 (Public Services) of the City of Covina ("CFD No. 2007-1") each Fiscal Year, commencing in Fiscal Year 2007-2008, in an amount determined by the City Council of the City of Covina through the application of the appropriate Special Tax for "Developed Property," as described below. All of the real property in CFD No. 2007-1, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent, and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Act" means the Mello-Roos Communities Facilities Act of 1982 as amended, being Chapter 2.5, Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means any actual ordinary and necessary expense of the City of Covina, or designee thereof or both, to carry out the administration of CFD No. 2007-1 related to the determination of the amount of the levy of the Special Tax, the collection of the Special Tax including the expenses of collecting delinquencies, the payment of a proportional share of salaries and benefits of any City employee whose duties are directly related to the administration of CFD No. 2007-1, fees and expenses for counsel, Special Tax consultant and other consultants hired by the City in relation to CFD No. 2007-1, costs associated with responding to public inquiries regarding CFD No. 2007-1, and costs otherwise incurred in order to carry out the authorized purposes of CFD No. 2007-1.

"Affordable Housing" means any Unit within CFD No. 2007-1 that is subject to a written and recordable covenant, deed restriction, resale restriction, regulatory agreement or similar agreement with either the City of Covina or the Redevelopment Agency of the City of Covina, which restricts the amount of rent for that Unit to "affordable rent" (as that term is defined in California Health and Safety Code Section 50053) for a period of not less than fifty-five (55) years, or which restricts the purchase price for that Unit to "affordable housing cost" (as that term is defined in California Health and Safety Code Section 50052.5) for a period of not less than forty-five (45) years. A Unit shall no longer be considered Affordable Housing following the expiration or termination of the applicable covenant, restriction or agreement.

"Annual Escalation Factor" means for the Special Tax, the greater of (i) two percent (2.00%), or (ii) the percentage change in the Consumer Price Index for the Calendar Year ending in December of the prior Fiscal Year.

"Assessor's Parcel" means a lot or parcel of land designated on an Assessor's Parcel Map with an assigned Assessor's Parcel number within the boundaries of CFD No. 2007-1.

“Assessor’s Parcel Map” means an official map of the Assessor of the County designating parcels by Assessor’s Parcel number.

“Base Year” means Fiscal Year ending June 30, 2008.

“Boundary Map” means the map of the boundaries for CFD No. 2007-1, as approved by the City Council, and recorded with the County in maps of assessments and community facilities districts.

“Building Permit” means a permit for new construction for a residential dwelling Unit. For purposes of this definition, “Building Permit” shall not include permits for construction or installation of retaining walls, utility improvements, or other such improvements not intended for human habitation.

“Calendar Year” means the period commencing January 1 of any year and ending the following December 31.

“CFD Administrator” means an official of the City, or designee thereof, responsible for determining the Special Tax Requirements and providing for the levy and collection of the Special Tax.

“CFD No. 2007-1” means Community Facilities District No. 2007-1 (Public Services) established by the City under the Act.

“City” means the City of Covina.

“City Council” means the City Council of the City, acting as the Legislative Body of CFD No. 2007-1, or its designee.

“Consumer Price Index” means the index published by the U.S. Department of Labor, Bureau of Labor Statistics for all urban consumers in the Los Angeles-Riverside-Orange County area.

“County” means the County of Los Angeles.

“Developed Property” means all Assessor’s Parcels within CFD No. 2007-1 for which Building Permits were issued on or before May 1 preceding the Fiscal Year for which the Special Tax is being levied, provided that a Final Map was created on or before January 1 of the prior Fiscal Year and that each such Assessor's Parcel is associated with a Lot, as determined reasonably by the City and/or CFD administrator.

“Exempt Property” means all Assessor’s Parcels within CFD No. 2007-1 designated as being exempt from the Special Tax as determined in Section F.

“Final Map” means a subdivision of property evidenced by the recordation of a final map, parcel map, or lot line adjustment, pursuant to the Subdivision Map Act (California Government Code Section 66410 et seq.) or the recordation of a condominium plan pursuant to California Civil Code 1352 that creates individual lots for which Building Permits may be issued without further subdivision.

“Fiscal Year” means the period commencing on July 1 of any year and ending the following June 30.

“Lot” means an individual legal lot created by a Final Map for which a Building Permit could or has been issued.

“Maximum Special Tax” means the Maximum Special Tax determined in accordance with Section C, which can be levied by CFD No. 2007-1 in any Fiscal Year on Taxable Property within CFD No. 2007-1.

“Mixed-Use Property” means all Assessor’s Parcels of Developed Property for which Building Permit(s) have been issued for purposes of constructing Non-Residential Property and Residential Property. Residential Units on Mixed-Use Property shall be classified as Multi-Family Residential.

“Multi-Family Residential” means all Assessor’s Parcels of Developed Property for which a Building Permit has been issued for purposes of constructing a residential structure consisting of two or more residential Units that share common walls, including, but not limited to, duplexes, triplexes, town homes, condominiums, apartment Units, and residential Units on Assessor’s Parcels that are considered Mixed-Use Property.

“Non-Residential Property” means all Assessor’s Parcels for which a Building Permit was issued for any type of non-residential use.

“Public Property” means any property within the boundaries of CFD No. 2007-1 that is owned by or irrecoverably dedicated to the City, the federal government, the State of California, the County, CFD No. 2007-1, or other public agency. For purposes of this definition, property owned by the Redevelopment Agency of the City of Covina is **not** considered Public Property and any property owned by the Redevelopment Agency will be subject to the levy of a Special Tax in accordance with Sections C and D herein.

“Public Services” means new police services, fire protection and suppression services, paramedic services, and park maintenance, including but not limited to (i) the costs of contracting services, (ii) related facilities, equipment, vehicles, ambulances, fire apparatus and supplies, (iii) the salaries and benefits of City and Fire District staff that directly provide police services, fire protection and suppression services, paramedic services, and park maintenance, and (iv) City and Fire District overhead costs associated with providing such services within CFD No. 2007-1. The Special Tax provides only partial funding for police, fire protection services, paramedic services, and park maintenance.

“Special Tax” means any special tax authorized to be levied by CFD No. 2007-1 pursuant to the Act to fund the Special Tax Requirement.

“Single-Family Residential” means all Assessor’s Parcels of Developed Property for which a Building Permit has been issued for purposes of constructing one single-family residential dwelling Unit.

“Taxable Property” means all Assessor’s Parcels within CFD No. 2007-1 that are not exempt from the levy of the Special Tax.

“Tax Class” means any of the classes listed in Table 1 below.

“Undeveloped Property” means all Assessor’s Parcels within CFD No. 2007-1 for which Building Permits have not been issued and that is not classified as Approved Property or Public Property.

“Unit” means any separate residential dwelling unit in which a person or persons may live, which comprises an independent facility capable of conveyance separate from adjacent residential dwelling units and is not considered to be for commercial or industrial use.

B. CLASSIFICATION OF ASSESSOR’S PARCELS

Each Fiscal Year, beginning with Fiscal Year 2007-2008, each Assessor’s Parcel within CFD No. 2007-1 shall be classified as Developed Property or Exempt Property. In addition, each Fiscal Year, beginning with Fiscal Year 2007-2008, each Assessor’s Parcel of Developed Property shall be further classified as Single-Family Residential, Multi-Family Residential, or Mixed-Use Property.

C. MAXIMUM ANNUAL SPECIAL TAX

The Maximum Special Tax for each Assessor’s Parcel classified as Single-Family Residential, Multi-Family Residential, and Mixed-Use Property in Fiscal Year 2007-2008 shall be equal to the Maximum Special Tax set forth in Table 1.

TABLE 1
MAXIMUM ANNUAL SPECIAL TAX RATES
Fiscal Year 2007-2008

Tax Class	Description	Maximum Special Tax
1	Single-Family Residential	\$527 per Unit
2	Multi-Family Residential	\$395 per Unit
3	Mixed-Use Property	\$395 per Unit

For each subsequent Fiscal Year following the Base Year, the Maximum Special Tax for each Assessor’s Parcel classified as Developed Property shall be adjusted by the Annual Escalation Factor.

Multiple Tax Classes

In some instances an Assessor’s Parcel may contain more than one Tax Class. The Maximum Special Tax levied on such Assessor’s Parcel shall be the sum of the Maximum Special Tax that can be imposed on all Tax Classes located on that Assessor’s Parcel.

D. METHOD OF APPORTIONMENT OF SPECIAL TAX

Commencing with Fiscal Year 2007-2008, and for each subsequent Fiscal Year, the Special Tax shall be levied on each Assessor’s Parcel of Developed Property at the applicable Maximum Special Tax as set forth in Section C.

E. TERMINATION OF SPECIAL TAX

The Special Tax shall be levied in perpetuity to fund Public Services provided to CFD No. 2007-1.

F. EXEMPTIONS

The City shall classify as Exempt Property: (i) Public Property, (ii) Non-Residential Property, (iii) Undeveloped Property, (iv) Affordable Housing, or (v) Assessor's Parcels with public or utility easements making impractical their utilization for other purposes than those set forth in the easement.

G. APPEALS

Any property owner claiming that the amount or application of the Special Tax is not correct may file a written notice of appeal with the City Council not later than twelve months after having paid the first installment of the Special Tax that is disputed. A representative(s) of CFD No. 2007-1 shall promptly review the appeal, and if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and rule on the appeal. If the representative's decision requires that the Special Tax for an Assessor's Parcel be modified or changed in favor of the property owner, a cash refund shall not be made, but an adjustment shall be made to the Special Tax on that Assessor's Parcel in the subsequent Fiscal Year(s).

H. MANNER OF COLLECTION

The annual Special Taxes shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that CFD No. 2007-1 may collect the Special Taxes at a different time or in a different manner if necessary to meet its financial obligations.

EXHIBIT B

RESOLUTION NO. 15-7324

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, ADOPTING BOUNDARY MAP SHOWING TERRITORY PROPOSED TO BE ANNEXED IN THE FUTURE TO COMMUNITY FACILITIES DISTRICT NO. 2007-1 (PUBLIC SERVICES)

WHEREAS, the City Council of the City of Covina, California, (hereafter referred to as the “City Council”), formed a Community Facilities District, designated as Community Facilities District No. 2007-1 (Public Services) (“CFD No. 2007-1”), pursuant to the terms and provisions of the “Mello-Roos Community Facilities Act of 1982”, being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California, as amended (the “Act”); and

WHEREAS, the City Council desires to initiate proceedings to annex certain territory to CFD No. 2007-1; and

WHEREAS, there has been submitted a map showing the territory proposed to be annexed to CFD No. 2007-1, said area to be designated as Community Facilities District No. 2007-1 (Public Services), Annexation No. 7 (hereafter referred to as “Annexation No. 7”).

NOW THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of the City of Covina, as follows:

SECTION 1 Recitals. The above recitals are all true and correct.

SECTION 2 Annexation Map. The map showing Annexation No. 7 to be subject to the levy of a special tax upon the annexation of such territory to CFD No. 2007-1 is hereby approved and adopted. Such map is designated by the name of “Annexation Map No. 7 of Community Facilities District No. 2007-1 (Public Services), City of Covina, County of Los Angeles, State of California.”

SECTION 3 Certificate. A certificate shall be endorsed on the original and on at least one (1) copy of the map of Annexation No. 7, evidencing the date and adoption of this Resolution, and within fifteen days after the adoption of the Resolution of Intention fixing the time and place of the Public Hearing to annex Annexation No. 7 to CFD No. 2007-1, a copy of said map shall be filed with the correct and proper endorsements thereon with the Los Angeles County Recorder, all in the manner and form provided for Section 3111 of the Streets and Highways Code of the State California.

SECTION 4 The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 3rd day of March, 2015.

Peggy Delach, Mayor

ATTEST:

Senior Deputy City Clerk, City of Covina

APPROVED AS TO FORM;

City Attorney

CERTIFICATION

I, Catherine M. LaCroix, Senior Deputy City Clerk of the City of Covina, hereby CERTIFY that Resolution No. 15-7324 was adopted by the Covina City Council at a regular meeting of the City Council held this 3rd day of March, 2015, and was approved and passed by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Catherine M. LaCroix
Senior Deputy City Clerk