



MINUTES OF MARCH 3, 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 7:20 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, WALCZAK

Staff Members Present: City Manager Miller, Interim City Attorney Hull, Assistant City Attorney Priest, Police Chief Raney, Police Captain Webster, L.A. County Fire Chief Enriquez, Parks and Recreation/Library Director Hall-McGrade, Finance Director De Alwis, Interim Public Works Director Gonzalez, Assistant to the City Manager Brancheau, Interim Community Development Director Fong, Public Works Manager/Building Official Hayes, Finance Manager Cole, Finance Manager Pacheco, Senior Management Analyst Smith, City Planner Carter, Senior Housing and CDBG Economic Development Manager Gasser, Library Services Supervisor Blair, Administrative Technician Virbia, Library Clerk Stanton, Officer Ramirez, Electronic Resource Analyst Kadir and Administrative Technician Balsz

AGENDA POSTING DECLARATION

The Chief Deputy City Clerk of the City of Covina hereby declares the Council/Agency/Authority agenda for the March 3, 2015 meeting was posted on February 26, 2015 near the front entrance of City Hall, 125 East College Street, Covina, near the front entrance of the Covina Public Library, 234 N. Second Avenue, Covina, by the front entrance lobby of the Joslyn Center, 815 N. Barranca Avenue, Covina, and on the City's website in accordance with §54954.2(a) of the California Government Code.

CLOSED SESSION

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

RECONVENE THE MEETING

The City Council/Successor Agency to the Covina Redevelopment Agency/Public Finance Authority/Housing Authority meeting reconvened at 7:33p.m., with all members present.

Interim City Attorney Elizabeth Hull announced that all Council Members were present for Closed Session item A, accepting City Attorney Marco Martinez's resignation and she would be acting as Interim City Attorney until Council makes a permanent decision on how to proceed.

PLEDGE OF ALLEGIANCE

Council Member Allen led the pledge of allegiance.

INVOCATION

Covina Police Chaplin Dave Truax gave the invocation.

PRESENTATIONS

Mayor Delach invited Jonathan Buenaventura, Nathan Quintana and Marco Valadez, Cub Scouts from Troop 446, to the lectern and presented them with certificates for their accomplishments within the past years earning the Arrow of Light Award.

Mayor Delach invited Library staff, Mercedes Stanton, Krizia Virbia and Jennifer Blair to the lectern and presented each of them with certificates for their diligence in furthering their education and training in the field of Library Services.

PUBLIC COMMENTS

David and Frances Munoz, residents at 1129 N. Reeder Avenue, requested the City's assistance with an ongoing dispute with their neighbors at 1139 N. Reeder Avenue who built a wall which encroaches on their property. City Manager Andrea Miller advised the Munoz's that she would check into the matter with staff, develop a plan of action and call them back before noon the following day.

Irene Snavelly invited Council, staff, and those present to the 1st annual Be The Match Walk on Sunday, March 15, 2015 from 1:00 p.m., to 5:00 p.m., at Royal Homes & Loans, 658 Shoppers Lane, Covina. Ms. Snavelly shared the walk would be honoring the memory of Covina Police Officer Jordan Corder as well Michael Miyamoto who was diagnosed with Leukemia at 5, but was able to have his life extended twice due to Be The Match.Org. Staff from Be The Match will be on site to register those interested in potentially becoming a bone marrow donor. Council Member Allen reminded everyone to be eligible for testing you have to be between the ages of 18 to 40.

Leonard W. Rose, Jr., La Puente resident, invited everyone to Covina Assembly of God's Easter Musical, I Will Follow Christ. Showtime is 7 p.m., on Sunday March 29, April 1 - 5, along with a 3 p.m. showing on Saturday April 4th.

COUNCIL/AGENCY/AUTHORITY COMMENTS

Council Member Marquez remarked on the cancelled election and congratulated Mayor Delach and Council Member Allen on their re-election. Council Member Marquez spoke of his attendance with Mayor Delach at the grand opening of the PACE Facility at 535 S. Second Avenue, Covina. PACE is an all-inclusive care program for individuals over the age of 55.

Council Member Marquez announced The Charter Oak Education Foundation is hosting First Annual March Madness Elementary School Basketball Tournament at Royal Oak Middle School Gymnasium. Games will be held all week at 3:30 p.m., with a championship game on Monday March 9.

Mayor Pro Tem King shared that the coaches for the games are Covina Police Department Officers who have volunteered their time. Mayor Pro Tem King participated in The Eagle Scout Code of Honor Ceremony for Dylan Grover and remarked on what a blessing it was. Mayor Pro Tem King thanked Chief Raney for his leadership, diligence and guidance as Acting City Manager and welcomed new City Manager Andrea Miller. Mayor Pro Tem King requested to adjourn the meeting in memory of Betty Felton. Ms. Felton was a long time Covina resident, National Night Out host, volunteer at the Joslyn Center and accomplished pianist, graduating from the New York School for the Performing Arts.

Council Member Stapleton thanked Council for their receptiveness and willingness to hire City Manager Andrea Miller and also thanked staff for their patience and cooperation during the transition. Council Member Stapleton thanked Parks and Recreation/Library Services Director Hall-McGrade and staff for their hard work at City Manager's Miller's meet and greet event.

Mayor Delach also commented on the grand opening of the PACE Facility on Second Avenue and expressed what a great addition it is to the City.

Mayor Delach announced the following "hold the date" events:

- St. Patricks' Day Party, March 17, 2015 from 11:30 a.m. to 1:00 p.m. at the Joslyn Center, 815 N. Barranca Avenue, Covina.

CITY MANAGER COMMENTS

City Manager Miller thanked Chief Raney for an excellent job with her transition to the City. City Manager Miller expressed how excited she is to be working for the City and is confident that by working together, she and staff will be able to move Covina forward. City Manager Miller thanked Council, staff and the community for their efforts in welcoming her.

CONSENT CALENDAR

- CC 1.** City Council approved 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 adopted **Resolution No. 15-7326**, reviewing 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 approved revised Grant Scope/Cost Estimate for the Joslyn Center ADA and Beautification Improvement Project F-1404.

- CC 4. City Council adopted **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 authorized the City Manager, or her designee, to execute all related documents.
- CC 5. City Council adopted **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 approved 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 received and filed the third quarter 2014 Sales Tax Report.

On a motion made by Council Member Stapleton, seconded by Council Member Marquez the City Council approved Consent Calendar items CC1 through CC7.

Motion approved the Consent Calendar items CC1 – CC7 as follows:

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

At the request of Mayor Delach, with Council consensus, the items listed below were discussed out of order of the posted agenda with the Public Hearing being the last order of business.

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.

City Manager Miller gave a brief report of the item and noted it was a second reading.

On a motion made by Mayor Pro Tem King, seconded by Council Member Marquez, the City Council held second reading thereby adopting Ordinance No. 15-2036, modifying the City’s parking requirements citywide concerning automotive repair shops and automotive body and paint shops.

Motion carried for Continued Business item CB1 and adopted Ordinance No. 15-2036 as follows:

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

CB2. City Council to consider second reading and adoption of an Ordinance allowing medical, dental, and therapeutic offices.

City Manager Miller gave a brief report of the item and noted it was a second reading.

On a motion made by Council Member Stapleton, seconded by Council Member Allen, the City Council held second reading thereby adopting 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.

Motion carried for Continued Business item CB2 and adopted Ordinance No. 15-2035 as follows:

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

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

City Manager Miller gave a brief report and noted it was a second reading.

On a motion made by Council Member Stapleton, seconded by Council Member Allen, the City Council held second reading thereby adopting 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.

Motion carried for Continued Business item CB3 and adopted Ordinance No. 15-2037 as follows:

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

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)

City Manager Miller gave a brief report on the item.

On a motion made by Council Member Allen, seconded by Council Member Stapleton, the City Council adopted Resolution No. 15-7321, declaring its intention to authorize the annexation of territory to Community Facilities District No. 2007-1 (Public Services); and adopted 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).

Motion carried for New Business item NBI and adopted Resolutions No. 15-7321 and 15-7324 as follows:

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

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).

At 8:12 p.m., Mayor Delach asked if Council chooses to entertain a motion and second to consider the previous action and move to reconsider the City Council 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 for the proposed for property generally located at 777 and 847 East Edna Place and 731 North Grand Avenue. Motion was made by Mayor Pro Tem King and seconded by Council Member Stapleton.

Motion carried to reconsider the City Council previous October 7, 2014 denial (Gran Covina Project) as follows:

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

City Attorney suggested Council Members disclose any ex-parte communications related to the item.

Council Member Allen reported he received a call from the developer, but declined to meet and suggested the developer address his comments at a public meeting.

Council Member Stapleton reported he did not meet with anyone.

Council Member Marquez reported he met with the developer to review the project changes.

Mayor Pro Tem King reported he exchanged emails with Mr. Schwartz after the October hearing; and did meet with the developer regarding the revised proposal.

Mayor Delach reported she received a text message offering a meeting date and declined.

Mayor Delach announced this is the time and place set for the public hearing on the reconsideration of the October 7, 2014 denial and reopening the public hearing for General Plan Amendment 14-002, Zone Change 14-002, Planned Community Development 14-002, Tentative Tract Map 72121, and Site Plan review 14-003 for the properties located at 777 and 847 East Edna Place and 731 North Grand Avenue (“Gran Covina” Project).

Mayor Delach inquired and City Clerk Mary Lou Walczak confirmed notice of the public hearing was posted, mailed and published in the San Gabriel Valley Examiner in the manner and form as required by law.

Interim Community Development Director Nancy Fong stated this item is a continuation of a complex land use issue that requires council consideration. The proposed project site consists of three parcels and approximately 6.1 acres of land. The applicant proposed to change the industrial land to residential use to build 67 units consisting of 35 single family homes and 32 townhomes on approximately five-acres of land with one-acre maintained for commercial development. In August 2014, the Planning Commission recommended denial to the City Council. The City Council then considered the project and after a long deliberation reversed the Commissions' decision and directed staff to return with the appropriate resolutions and ordinances for approval. At the October Council meeting, the City Council took in additional public input and after deliberations, at a 3-2 vote, denied the proposed project. Subsequent to the October meeting, there were multiple requests to reopen the public hearing and at the November 4, 2014 meeting, Council directed staff to re-advertise and re-notice a public hearing. A week prior to the meeting this evening, the applicant submitted an amended proposed project. The new amended project consists of a better land use alternative. The residential portion has been reduced in scope and size; the potential land use conflict between the two still exists to some extent. Community Development Director Fong briefed City Council on the staff recommendations listed on the agenda for consideration.

There was a brief general question and answer period regarding the proposed project.

At 8:32 p.m., Mayor Delach opened the public hearing and advised that this is a public hearing for the receipt of oral and written public testimony for and against the reconsideration of the project. You are not required to provide oral testimony in order to submit a comment. If you wish, you may simply submit your written comment to the City Clerk.

Anthony Kim, representing The Inland Oversight Committee, Upland, stated that his client pointed out a number of deficiencies in the Mitigated Negative Declaration. The project issues will be exacerbated because the applicant is proposing changes to the project by making a separate application to the Planning Commission at a later date and CEQA prohibits piecemeal environmental review. Mr. Kim asked Council to deny the project.

Greg Okura, representing the property owners of 731 N. Grand and 837 Edna Place, extended his support of the project and hopes the Council will see fit to continue to hear the project revisions. Mr. Okura believes the project would be a good way for the property to become a positive for the City and provide additional new housing.

Angela Thomas, Covina resident, spoke in favor of the project.

Johanne Schwartz, Covina business owner, read a statement regarding Edna Place being the heart of the M1 Zone in Covina. Ms. Schwartz outlined the need for a balanced community and that Edna Place M1 Zone has existed for over 50 years. She encouraged a no vote on the M1 Zone change.

Seth Schwartz, Covina business owner, spoke in opposition of the M1 Zone change.

Matt Begin, Covina business owner, stated the Council should be looking at what is best for the City in the long run. Mr. Begin indicated this is only going to bring problems if residential is on an active industrial street.

Dawn Nelson, Executive Director for the Covina Chamber of Commerce, spoke in support of the project. The Chamber feels this is a unique property and the proposed project will stimulate the local economy.

Rosa Roman, on behalf of Mr. and Mrs. Ko, read a letter which explains the Ko's project support and feeling that the mix of residential and restaurant would be a significant improvement.

Carol Greenberg, Covina business owner, spoke in support of the project. She reported that currently there are only 28 homes for sale under a \$500 price point and discussed the shortage of affordable homes.

Kevin Lee, Covina resident and representing the Blackard Family who owns the vacant lot on the south side of the project, supports the project and feels it is better than a vacant lot. . Mr. Lee pointed out of the lack of residential property currently available in Covina.

Greg Cook, spoke on behalf of the applicant, gave a PowerPoint presentation regarding the project site. Mr. Cook discussed that they listed the property for sale for less than the purchase price with no offers on the industrial portion; there is interest in the commercial portion. Mr. Cook outlined the proposal to reduce the number of homes, townhomes and adding an industrial commercial component to the proposed project.

Frank Geraci, Covina business owner, recounted witnessing two young boys walking on Grandview when one boy ran into the street with a large semi-truck on Edna Place. Mr. Geraci spoke of a concern with having more kids at the location with the proposed project.

Katherine Jenson, Rutan & Tucker, land use and CEQA legal counsel for the project applicant, reported on the project revisions and stated there should be no further CEQA analysis because of the footprint reduction. Ms. Jenson extended statue example that the revised project should not have to return before the Planning Commission.

Don Cook, project applicant, reported that this project accounts for less than one-percent change to all the M1 zones in Covina and that industrial is being added to address the concerns of the neighboring businesses about the change. He stated this project would create 40 new jobs, would extend curbing and gutter and is offering to put in sidewalks to Grandview.

David Diaz, El Monte resident, spoke in favor of the project as someone who frequents Covina and is in the market to purchase a home. Mr. Diaz feels the project will meet the needs of the millennial generation and revitalize Covina.

Gemma Shallito, Covina resident, spoke in support of the project.

Dario Castellanos, Covina business owner, spoke in support of the project. He stated businesses need more customers and affordable housing.

Natalie McBurney, Covina resident, spoke in support of the project and the importance of having affordable housing.

Robert Fry, Covina resident, spoke in favor of the project, stating that buyers want new construction.

Gregg Tuttle, Baldwin Park business owner, spoke in favor of the project. Mr. Tuttle explained that every city needs revenue by bringing in sales tax and property tax, and that Council should look at what is good for the City.

Kenny King, unincorporated Covina business owner, believes the project is an unfavorable mix and there is a need to keep commercial property in Covina. Mr. King provided development suggestions for the property.

City Attorney Elizabeth Hull reported the following written comments were received and would be included with the record: Booklet from The “Just Say NO” Committee, the QuarterLee Newsletter, Commercial Real Estate Services, Lee & Associates, email from Matthew Begin, Briggs Law Corporation on behalf of clients, The Inland Oversight Committee and Covina Residents for Responsible Development.

Kevin Oros, Hacienda Heights resident, spoke in favor of the project and as a young professional sees the serious lack of affordable housing. Mr. Oros spoke of his excitement for the project because he would like to live in the community.

Josh Mason, Covina business owner, spoke in opposition and expressed a concern for his business directly across the street from residential.

At 9:33 p.m., Mayor Delach closed the public hearing.

On a motion made by Council Member Stapleton, seconded by Mayor Pro Tem King, the City Council to adopt **Resolution No. 15-7328**, 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).

Council Member Stapleton expressed that he is not in favor of spot zoning and not overruling the Planning Commission’s decision regarding the project. Council Member Stapleton suggested reviewing all of the City’s zoning in a comprehensive manner.

Mayor Delach spoke in favor of having a balanced community with places to live, work, shop and play. The General Plan was set up to create that balance. Mayor Delach feels the project is not a good mix for the City and that Council and staff need to look at pursuing commercial and industrial market.

Council Member Allen reported he is in favor of the project. Council Member Allen stated that the property has been vacant and blighted for so long and would like to see it developed; he hopes there is an effort to improve the property.

Council Member Marquez recounted that the property has had no construction in the past 30 years and is currently blighted. Council Member Marquez believes the project is good and would help increase funding for local schools and encourage young families to move to Covina.

Mayor Pro Tem King asserted that he feels the project is a good project, but believes the project is wrong for the location.

City Manager Miller suggested the Council be afforded an opportunity to come together and look at the City’s General Plan and Zoning provisions, while staff addresses issues with the development review process. City Manager Miller noted that code enforcement will continue to enforce property standards.

Motion carried adopting Resolution No. 15-7328, thereby denying GPA 14-002, ZCH 14-001, PCD 14-002 Overlay Zone, as follows:

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

On a motion made by Council Member Stapleton, seconded by Mayor Delach, the City Council to adopt **Resolution No. 15-7329**, 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 a portion of 8429-006-006).

Motion carried adopting Resolution No. 15-7329, thereby denying TTM 72721, as follows:

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

On a motion made by Council Member Stapleton, seconded by Mayor Pro Tem King, the City Council to adopt **Resolution No. 15-7330**, 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).

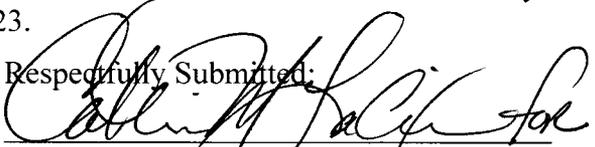
Motion carried adopting Resolution No. 15-7330, thereby denying SPR 14-003, as follows:

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

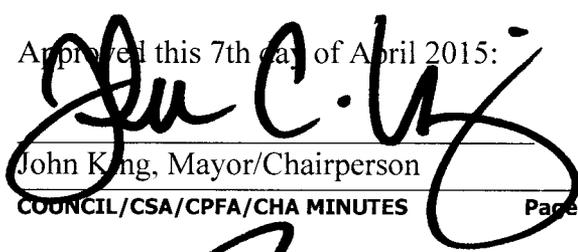
ADJOURNMENT

At 10:02 p.m., the Covina City Council/Successor Agency to the Covina Redevelopment Agency/Covina Public Finance Authority/Covina Housing Authority adjourned in memory of Betty Felton, to its next regular meeting on **Tuesday, March 17, 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:


Madeline M. Balsz, Administrative Technician

Approved this 7th day of April 2015:


John King, Mayor/Chairperson