



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.

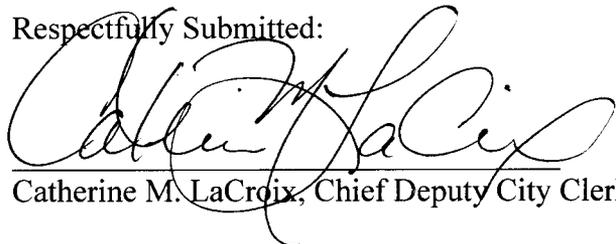
Motion carried for Public Hearing item PH4 and adopted Resolution No. 15-7318, Resolution No. 15-7319 and Resolution No. 15-7320 as follows:

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

ADJOURNMENT

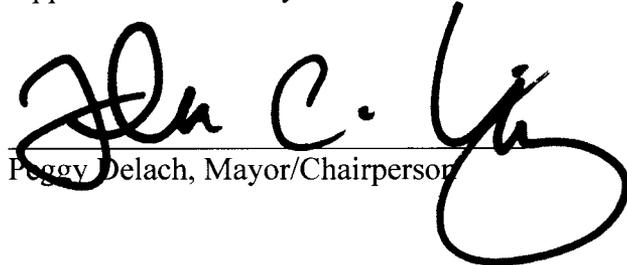
At 8:58 p.m., the Covina City Council/Successor Agency to the Covina Redevelopment Agency/Covina Public Finance Authority/Covina Housing Authority adjourned in memory of Charles Mason, Christopher Forno and Fred Duran, to its next regular meeting on **Tuesday, March 3, 2015**, at 6:30 p.m., for closed 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