



MINUTES OF SEPTEMBER 20, 2016
REGULAR MEETING OF THE COVINA CITY COUNCIL/SUCCESSOR AGENCY TO
THE COVINA REDEVELOPMENT AGENCY/COVINA PUBLIC FINANCING
AUTHORITY/COVINA HOUSING AUTHORITY HELD IN THE COUNCIL
CHAMBER OF CITY HALL, 125 EAST COLLEGE STREET, COVINA, CALIFORNIA

CALL TO ORDER

Mayor Stapleton called the Council/Agency/Authority meeting to order at 6:37 p.m. with all Councilmembers present. There were no public comments. Mayor Stapleton recessed the Council to closed session at 6:37 p.m.

ROLL CALL

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

Councilmembers Absent: None.

Elected Members Present: City Treasurer Geoffrey Cobbett.

Elected Members Absent: City Clerk Mary Lou Walczak.

Staff Members Present: Interim City Manager Donald E. Penman, City Attorney Candice K. Lee, Interim Police Chief Kim Raney, Community Development Director Brian Lee, Public Works Director Siobhan Foster, Parks and Recreation/Library Director Amy Hall-McGrade, Human Resources Director Danielle Tellez, Finance Director Anita Agramonte, Acting Assistant Fire Chief Jim Enriquez, and Chief Deputy City Clerk/Records Management Director Sharon F. Clark.

CLOSED SESSION

- A. Government Code § 54956.9(d)(1) – CONFERENCE WITH LEGAL COUNSEL:
EXISTING LITIGATION**
- Name of Case: Powers, Justin v. City of Covina, et al; Case No. 2:15 CV 5877
- B. Government Code § 54956.9(d)(1) – CONFERENCE WITH LEGAL COUNSEL:
EXISTING LITIGATION**
- Name of Case: Robert Bobkiewicz v. City of Covina; WCAB No. ADJ7975901
- C. Government Code § 54956.9(d)(2) – CONFERENCE WITH LEGAL COUNSEL:
SIGNIFICANT EXPOSURE TO LITIGATION**

D. Government Code § 54957.6 – CONFERENCE WITH LABOR NEGOTIATORS

Agency Designated Representative: Danielle Tellez, Human Resources Director
Employee Organizations: American Federation of State, County and Municipal Employees (AFSCME); Police Association of Covina (PAC); Police Management Group (PMG); and Police Supervisors of Covina (PSC)

E. Government Code § 54957.6 – CONFERENCE WITH LABOR NEGOTIATORS

Agency Designated Representative: Danielle Tellez, Human Resources Director
Unrepresented Employees: Mid-Management, Supervisory and Professional, and Confidential and Technical Employees; and Executive Employees (excluding the City Manager)

RECONVENE AND CALL TO ORDER

Mayor Stapleton reconvened the meeting into open session at 7:31 p.m.

PLEDGE OF ALLEGIANCE

Councilmember King led the Pledge of Allegiance.

INVOCATION

Covina Police Chaplain Venegas gave the invocation.

CLOSED SESSION REPORT

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

PRESENTATIONS

Daughters of the American Revolution (DAR) Proclamation

Mayor Stapleton presented a proclamation honoring Constitution Week to DAR representatives Susan Nash Barboza, Regent of the Covina Chapter - NSDAR; Debbie King, District X Director; Pam Schulz, Vice Regent; and Lori Duffy, Chaplain & Constitution Week Chairperson.

National Literacy Month Proclamation

Mayor Stapleton presented a proclamation declaring September 2016 as National Literacy Month to Literacy Coordinator Lilly Jimenez who accepted on behalf of the Covina Library.

Covina Chamber of Commerce Check Presentation to the Library

Covina Chamber of Commerce President/Chief Executive Officer Dawn Nelson presented a \$500 check donation to Mayor Stapleton and Literacy Coordinator Lilly Jimenez for the Covina Library.

PUBLIC COMMENTS

Leonard W. Rose, Jr. spoke about religious TV programs, supernatural personages, reporting suspicious activity to the Police and Fire Departments, families working together, and helping people in need.

COUNCIL/AGENCY/AUTHORITY COMMENTS

Councilmember King thanked community members for being present and giving input at the study session meeting for the Senior and Community Center update and commented on the success of Covina Day at the Los Angeles County Fair during which Hometown Hero Joelle Peelgren was honored.

Councilmember Delach thanked the seniors who attended the study session meeting and those who came to the recent iTEC meeting, and commented on Covina Day at the Fair and the funeral for Ron Capotosto.

Councilmember Allen agreed with comments by Councilmembers King and Delach, and congratulated Joelle Peelgren for being Covina's Hometown Hero.

At Mayor Stapleton's invitation, Covina Chamber of Commerce President/Chief Executive Officer Dawn Nelson announced the 33rd Annual Police and Firefighter luncheon during which a police officer, firefighter and civilian employee will be honored.

Mayor Stapleton acknowledged the following recent City events: Covina Day at the Los Angeles County Fair; Covina Forward Development meeting for the project proposed on the former Kmart site; Covina Library's September 11th Memorial and Tribute; Covina Police Department Community Lunch; and the appointment of Covina Police Captain John Curley as Covina's new Chief of Police.

He announced the following upcoming events:

- San Gabriel Valley Mosquito & Vector Control District community-based workshop to "Keep Zika Out" of Los Angeles County on Saturday, September 24, 2016 from 8:00 a.m. to 12:00 p.m. at the Dharma Seal Temple, 3027 Del Mar Avenue, Rosemead.
 - 21st Annual Thunderfest Event on Saturday, October 8, 2016, from 2:00 to 9:00 p.m. in Downtown Covina.
 - Youth Sports Programs, registering now.
 - Flu Shot Clinic on Tuesday, October 25, 2016, from 9:00 to 11:30 a.m. at the Covina Public Library for persons 50 years old or older and those with chronic health conditions.
 - Dia de los Muertos Event on Sunday, October 30, 2016, from 2:00 to 8:00 p.m. at Forest Lawn – Covina Hills.
 - Halloween Carnival Sponsorships still needed to support the annual Halloween carnival on October 31.
- Covina Public Library Events:
- Banned Books Week from September 25 to October 1, 2016.
 - Baby Story Time beginning September 30, 2016, at 10:30 a.m. for ages 0-2; and Toddler Story Time beginning October 4, 2016, at 11:30 a.m. for ages 2-3; both registering now.

- Wednesday Whodunit Mystery Book Club – Local author Isla Morley speaking on Wednesday, October 5, 2016, at 6:30 p.m.
- Play & Learn Workshops beginning October 12, 2016; registering now.

Councilmember King commented that Isla Morley is a local author and it is nice to hear she will be at the Library.

Police Chief Raney honored Chaplains Venegas and Truax for their service and introduced new PD employees: Officers Mark Fraijo and Tremell Reed, and Chaplains Deacon Ron Butler and Pastor Michael Callahan. In closing, he recognized Sergeant Gregg Peterson for his recruiting success.

CITY MANAGER COMMENTS – None.

CONSENT CALENDAR

A motion was made by Councilmember King, seconded by Mayor Pro Tem Marquez, to approve Consent Calendar items CC 1 – 11 as presented.

Motion approved Consent Calendar items CC 1 – 11 as follows:

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

- CC 1. City Council approved the Minutes of the August 16, 2016, Study Session Meeting and September 6, 2016, Regular Meeting of the City Council/Successor Agency to the Covina Redevelopment Agency/Covina Public Financing Authority/Housing Authority.
- CC 2. City Council approved the payment of City Demands in the Amount of \$2,027,200.14.
- CC 3. Successor Agency to the Covina Redevelopment Agency approved the payment of Agency Demands in the Amount of \$58,294.45.
- CC 4. City Council adopted **Resolution No. 16-7522** Confirming Continued Existence of An Emergency Condition for the Residual Control System at the Charter Oak Reservoir Site Pursuant to Chapter 2.5 (Emergency Contracting Procedures) of the Public Contracts Code.
- CC 5. City Council adopted **Resolution No. 16-7523** amending the City of Covina Conflict of Interest Code and rescinding Resolution No. 14-7280.
- CC 6. City Council authorized the Interim City Manager to execute the Sixth Amendment to Agreement between City of Covina and Interwest Consulting Group, Inc. for Planning and Transit Consulting Services to increase the compensation for transit consulting services by a not-to-exceed amount of \$17,680.
- CC 7. City Council authorized the Director of Public Works to execute the Request to California Public Utilities Commission (CPUC) Staff for Authorization to Alter the Citrus Avenue Highway-Rail Crossing Pursuant to General Order 88-B.

- CC 8. City Council authorized the Interim City Manager to execute the First Amendment to the Agreement between City of Covina and Urban Graffiti Enterprises, Inc. for Citywide Transit Maintenance, Graffiti Abatement, and Code Enforcement Property Abatement Services to extend the term of the agreement by one year through September 30, 2017, and increase the total compensation by \$122,100.
- CC 9. City Council: 1) Awarded Bid to Power Security Group for Security Services at the Covina Metrolink Station Parking Complex and Park Restroom Locking Services; 2) Authorized the Interim City Manager to execute the Professional Services Agreement with Power Security Group for Security Services at the Covina Metrolink Station Parking Complex and Park Restroom Locking Services for a three-year period between November 1, 2016, and November 1, 2019, for an amount not-to-exceed \$307,956.50; and 3) Approved 3,973 security hours at the Covina Metrolink Station Parking Complex and 242 days of park restroom locking services between November 1, 2016, and June 30, 2017.
- CC 10. City Council approved the Second Amendment to the Facility Use Agreement for a Farmers' and Street Market in the City of Covina and authorized the Interim City Manager or his designee to execute the Amendment on behalf of the City.
- CC 11. City Council: 1) Adopted **Resolution No. 16-7520** appropriating \$31,750.05 for the renewal of the following annual maintenance service agreements that support technology programs currently operating at the Police Department totaling \$31,750.05 for Leverage Information Systems, NetMotion Wireless, 2FA, VeriPic and S&J Sales; and 2) Authorized the Interim City Manager or his designee to execute these maintenance service contracts.

PUBLIC HEARING

PH 1. Ordinance No. 16-2061 for Zoning Code Amendment (ZCA) 16-003, Amending Chapters 17.62 (Conditional Use Permits); 17.78 (Variances); and 17.80 (Zoning Amendments and Zone Changes) of Title 17 of the Covina Municipal Code Concerning Public Hearing Date and Noticing Requirements.

Mayor Stapleton opened the public hearing.

The staff report was presented by Community Development Director Lee. There was no public comment.

Mayor Stapleton closed the public hearing.

City Attorney Lee read the Ordinance title.

A motion was made by Councilmember Allen, seconded by Councilmember King, to waive full reading, read by title only, and introduce for first reading **Ordinance No. 16-2061** entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, AMENDING CHAPTERS 17.62 (CONDITIONAL USE PERMITS), 17.78 (VARIANCES) AND 17.80 (ZONING AMENDMENTS AND ZONE CHANGES) OF TITLE 17 (ZONING) OF THE COVINA MUNICIPAL CODE CONCERNING PUBLIC HEARING DATE AND

NOTICING REQUIREMENTS, AND MAKING A DETERMINATION OF EXEMPTION UNDER CEQA.”

Motion approved Public Hearing item PH 1 as follows:

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

CONTINUED BUSINESS

CB 1. Appointments and/or Reappointments to Fill Vacancies on Various City of Covina Boards and Commissions.

The staff report was presented by Chief Deputy City Clerk Clark. There was no public comment.

Mayor Stapleton instructed councilmembers to mark the ballots for appointments to the Planning Commission which had been distributed to them and return them to Chief Deputy City Clerk Clark for tallying.

Upon Mayor Stapleton’s suggestion, there was a consensus of the City Council to defer appointments to the Finance Advisory Commission and direct staff to bring back an agenda item at the October 4, 2016, regular meeting to expand the composition of the Finance Advisory Commission from five to seven members, and consider appointments to the Finance Advisory Commission at that time.

There was a consensus of the City Council to appoint Nick Lopez to the Traffic Advisory Commission for an unexpired term ending June 30, 2018.

A motion was made by Councilmember King, seconded by Mayor Pro Tem Marquez, to appoint Pedro Ramirez, Jr. to a member position on the Youth Accountability Board for a term ending June 30, 2017, and to direct staff to ascertain whether Nick Lopez would be interested in a position as an alternate on the Youth Accountability Board.

Motion was approved as follows:

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

Chief Deputy City Clerk Clark tallied the votes for the Planning Commission and displayed the results as follows:

Planning Commission						Vote for Three (3)		
	Allen	Delach	King	Marquez	Stapleton		Round 1 Voting	Results
John Connors (Incumbent)	1	1	1		1		4	4
Brad Manning (Incumbent)	1	1	1	1	1		5	5
Dan McMeekin (Incumbent)	1	1	1	1	1		5	5
Susan Zermeno				1			1	1

Chief Deputy City Clerk Clark announced that John Connors, Brad Manning and Dan McMeekin had been appointed to the Planning Commission. There was a consensus of the City Council for Brad Manning and Dan McMeekin to serve terms ending June 30, 2019, and John Connors to serve a term ending June 30, 2020.

There was a consensus of the City Council to direct staff to ascertain whether applicant Susan Zermeno would be interested in serving on any of the other City advisory bodies that have current vacancies.

A motion was made by Councilmember King, seconded by Councilmember Delach, to authorize the establishment of staggered first terms for the Parking Place Commission and Parks and Recreation Commission.

Motion was approved as follows:

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

A motion was made by Councilmember King, seconded by Councilmember Allen, to direct staff to continue accepting applications for remaining vacancies on all advisory bodies.

Motion was approved as follows:

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

NEW BUSINESS

NB 1. Authorization to Provide Written Notice of Intention to Withdraw the City of Covina from the Joint Powers Agreement with LA Works as of June 30, 2016.

The staff report was presented by Interim City Manager Penman. There was no public comment.

A motion was made by Councilmember Delach, seconded by Mayor Pro Tem Marquez, to authorize the Interim City Manager to submit Notice of Intention to withdraw the City of Covina from the Joint Powers Agreement with LA Works as of June 30, 2016.

Motion approved New Business item NB 1 as follows:

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

NB 2. Nomination for San Gabriel Basin Water Quality Authority Board Member and Alternate Representing Cities with Prescriptive Water Pumping Rights.

The staff report was presented by Assistant to the City Manager Carrillo. There was no public comment.

A motion was made by Councilmember Allen, seconded by Councilmember King, to nominate Mayor Pro Tem Marquez for San Gabriel Basin Water Quality Authority Board Member.

Motion was approved as follows:

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

A motion was made by Councilmember King, seconded by Councilmember Delach to direct staff to send a resolution naming the nomination for Board Member to the San Gabriel Basin Water Quality Authority.

Motion was approved as follows:

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

NB 3. Opposition of Proposition 64 - The Control, Regulate and Tax Adult Use of Marijuana Act, also known as the Adult Use of Marijuana Act (AUMA).

The staff report was presented by Interim Police Chief Raney. There was no public comment.

In response to a question from Councilmember King about organized opposition, Interim Police Chief Raney responded that we are not hearing about opposition because it costs money, and agencies who oppose the Proposition don't have the revenue stream that proponents have.

Councilmember Allen gave examples of negative results happening in other states which have passed similar legislation and stated that passage of the Proposition would be detrimental to California.

Councilmember Delach stated she had requested this item because it is important for the City to make a statement and maybe other cities will follow suite.

Mayor Pro Tem Marquez commented that he is opposed to the Proposition for healthcare reasons and doesn't feel that it is written well for patient rights.

Mayor Stapleton stated that he is opposed to the Proposition for public safety reasons.

A motion was made by Councilmember Delach, seconded by Councilmember Allen, to adopt **Resolution No. 16-7521** opposing Proposition 64, known as the Adult Use of Marijuana Act (AUMA).

Motion approved New Business item NB 3 as follows:

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

ADJOURNMENT

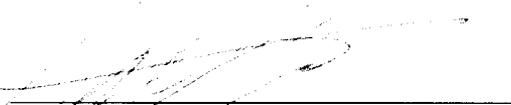
At 8:30 p.m., the meeting of the Covina City Council/Successor Agency to the Covina Redevelopment Agency/Covina Public Financing Authority/Covina Housing Authority was adjourned to its next regular meeting of the Council/Agency/Authority scheduled for Tuesday, October 4, 2016, at 6:30 p.m. for closed session and 7:30 p.m. for open session inside the Council Chamber, 125 East College Street, Covina, California, 91723.

Respectfully submitted:



Sharon F. Clark, CMC
Chief Deputy City Clerk

Approved this 4th day of October, 2016:


Kevin Stapleton, Mayor/Chair