



City of Covina/Covina Redevelopment  
Agency/Covina Public Finance  
Authority/Covina Housing Authority  
Mayor John King – Mayor Pro Tem Kevin Stapleton  
Council Members Walt Allen, III – Peggy Delach – Bob Low

REGULAR MEETING AGENDA  
125 E. College Street, Covina, California  
Council Chamber of City Hall  
**Tuesday, July 5, 2011**  
6:30 p.m.

- **The City Council/Redevelopment Agency/Public Finance Authority/Housing Authority will meet in closed session from 6:30 p.m.-7:30 p.m.**
- As a courtesy to Council/Agency/Authority Members, staff and attendees, everyone is asked to silence all pagers, cellular telephones and any 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. Services such as American Sign Language interpreters, a reader during the meeting, large print copies of the agenda and assisted listening devices are available. 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 counter 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 may be posted on the City's website at [www.covinaca.gov](http://www.covinaca.gov).
- Pursuant to Government Code Section 54954.2, no matter shall be acted upon by the City Council/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 Deputy City Clerk of the Covina City Council hereby declares that the agenda for the **July 5, 2011**, meeting was posted on **June 30, 2011** near the front entrance of the City Hall, 125 East College Street, Covina, in accordance with Section 54954.2(a) of the California Government Code.

*July 5, 2011*

**CITY COUNCIL/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, Delach, Low, Mayor Pro Tem/Vice Chairperson Stapleton and Mayor/Chairperson King

**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/Redevelopment Agency/Covina Public Finance Authority/Covina Housing Authority will adjourn to Closed Session for the following:**

**CLOSED SESSION**

- A. G.C. §54956.8 – CONFERENCE WITH REAL PROPERTY NEGOTIATOR – Negotiations to include both price and terms:  
Property: Northeast Corner San Bernardino Road and Park Avenue (APN: 8430-024-012)  
Negotiating parties: Hassen Development  
Agency negotiator: Robert Neiuber, Community Development Director/CRA Deputy Director
  
- B. G.C. §54956.8 – CONFERENCE WITH REAL PROPERTY NEGOTIATOR – Negotiations to include both price and terms:  
Property: 626 and 602 South Citrus (APN: 8451-001-911)  
Negotiating parties: Mike Luce  
Agency negotiator: Robert Neiuber, Community Development Director/CRA Deputy Director
  
- C. G.C. §54956.8 – CONFERENCE WITH REAL PROPERTY NEGOTIATOR – Negotiations to include both price and terms:  
Property: 120 W. Rowland (APN: 8453-001-003) 611 S. Citrus Ave. (APN: 8453-001-001)  
Negotiating parties: Al Sal Oil Company  
Agency negotiator: Robert Neiuber, Community Development Director/CRA Deputy Director
  
- D. G.C. §54956.8 – CONFERENCE WITH REAL PROPERTY NEGOTIATOR – Negotiations to include both price and terms:  
Property: 635 S. Citrus Avenue (APN: 8453-001-906)  
Negotiating parties: Jules Boand & Alex Alvarez  
Agency negotiator: Robert Neiuber, Community Development Director/CRA Deputy Director

- E. G.C. §54956.8 – CONFERENCE WITH REAL PROPERTY NEGOTIATOR – Negotiations to include both price and terms:  
Property: 151 East College Street (APN: 8445-001-918)  
Negotiating parties: Mercy Moreno  
Agency negotiator: Robert Neiuber, Community Development Director/CRA Deputy Director
- F. G.C. §54956.9(a) - CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Name of case: Donald Sipple, et al. v. City of Covina et al., Case No. BC462270
- G. G.C. §54956.9(a) – CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
Name of case: Badillo Heights, LLC v. City of Covina: Case No. BC448983
- H. G.C. §54956.9(a) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
Name of case: Leah Diane Sanders v. City of Covina: Case No. KCO59172

## **RECESS**

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

## **CALL TO ORDER**

## **ROLL CALL**

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

## **PLEDGE OF ALLEGIANCE**

Led by Council Member Low

## **INVOCATION**

Led by Covina Police Chaplain David Truax

## **PRESENTATIONS**

- Recognition of the Covina Relay for Life Coordinators
- Recognition of those who worked on Community Service Day

## **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 City Council/Redevelopment Agency/Public Finance Authority/Housing 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/Redevelopment Agency/Public Finance Authority/Housing 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 of the June 7, 2011 regular meeting of the City Council/Redevelopment Agency/Public Finance Authority/Housing Authority.
- CC 2.** City Council to approve the minutes of the June 21, 2011 regular meeting of the City Council/Redevelopment Agency/Public Finance Authority/Housing Authority.
- CC 3.** City Council to re-establish the position of Support Services Manager to the Unaffiliated Group.
- CC 4.** City Council to approve the Memorandum of Understanding with Charter Oak Unified School District for School Resources Officer for 2011-2012 school year.
- CC 5.** City Council to approve the Memorandum of Understanding with Covina-Valley Unified School District for School Resource Officer for 2011-2012 school year.
- CC 6.** City Council to approve the Memorandum of Understanding with Azusa Unified School District for School Resource Officer for 2011-2012 school year.
- CC 7.** City Council to adopt **City Resolution No. 11-6984**, finding the City to be in conformance with the Congestion Management Program (CMP) and adopting the CMP Local Development Report for Los Angeles County.
- CC 8.** City Council to adopt **City Resolution No. 11-6985**, establishing the 2011-2012 Appropriation Limit for the City of Covina.
- CC 9.** City Council to approve the Covina Parking Study Implementation Strategies, 1 through 6.
- CC 10.** City Council to approve of Letter of Support for the Los Angeles County Department of Public Health grant proposal for the Community Transformation Grants (CTG).

- CC 11.** Redevelopment Agency to adopt **Agency Resolution No. 11-673**, approving an Exclusive Right to Negotiate Agreement (“ERN”) between the Covina Redevelopment Agency and Jules Boand and Alex Alvarez.
- CC 12.** Redevelopment Agency to adopt **Agency Resolution No. 11-680**, approving modification to criteria for a Moderate Income Housing Down Payment Assistance Program.
- CC 13.** City Council/Redevelopment Agency/Housing Authority to adopt **Agency Resolution No. 11-681**, amending the fiscal year 2011-2012 Covina Redevelopment Agency budget to reflect an appropriation of \$150,000 from housing set-aside undesignated funds to provide funding for the moderate Income Borrower, Down Payment Assistance Program.

## **PUBLIC HEARING**

- PH 1.** Public hearing of the City Council to receive and file the proposed program for expenditure of 2011 Edward Byrne Memorial Justice Assistance Grant (JAG).

Staff Recommendation:

- a) City Council to open the public hearing and take public testimony; and
- b) City Council to receive and file the proposed program for expenditure for 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) awarded by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice.

- PH 2.** Public hearing of the City Council and second reading to consider adoption of **Ordinance No. 11-1996**, repealing Section 17.62.193 of Chapter 17.62 and adding Chapter 17.65 to Title 17 (Zoning) of the Covina Municipal Code in order to update the City’s regulations for wireless communication facilities and making various conforming changes to Title 17 (Zoning) of the Covina Municipal Code.

Staff Recommendation:

- a) City Council to open the public hearing and take public testimony; and
- b) City Council to pass and adopt **Ordinance No. 11-1996**, repealing Section 17.62.193 of Chapter 17.62 and adding Chapter 17.65 to Title 17 (Zoning) of the Covina Municipal Code in order to update the City’s regulations for wireless communication facilities and making various conforming changes to Title 17 (Zoning) of the Covina Municipal Code.

- PH 3.** Public hearing of the City Council and second reading to consider adoption of **Ordinance No. 11-1997**, amending Chapter 5.36 of Title 5 (Business Licenses and Regulations) of the Covina Municipal Code pertaining to regulation of massage practitioners and massage establishments and amending portions of Title 17 (Zoning) of the Covina Municipal Code reclassifying “Barber and Beauty Shops” as Conditional uses.

Staff Recommendation:

- a) City Council to open the public hearing and take public testimony; and
- b) City Council to pass and adopt **Ordinance No. 11-1997**, amending Chapter 5.36 of Title 5 (Business Licenses and Regulations) of the Covina Municipal Code pertaining to regulation of massage practitioners and massage establishments and amending portions of Title 17 (Zoning) of the Covina Municipal Code reclassifying “Barber and Beauty Shops” as Conditional uses.

**PH 4.** Joint public hearing of the City Council/Redevelopment Agency to consider a Fifth Amendment to lease of real property by the Agency to WaltersBayer Automotive Group.

Staff Recommendation:

- a) City Council/Redevelopment Agency to open the public hearing and take public testimony, and
- b) City Council/Redevelopment Agency to adopt **City Resolution No. 11-6986** and **Agency Resolution No. 11-683**, making certain findings pursuant to Health and Safety Code §33433 and approving the Fifth Amendment to Lease for real property located at 626 and 602 S. Citrus Avenue, Covina, California.

**ADJOURNMENT**

The Covina City Council/Redevelopment Agency/Covina Public Finance Authority/Covina Housing Authority will adjourn to its next regular meeting, **Tuesday, July 19, 2011** at 6:30 p.m. for closed session and at 7:30 p.m. for open session in the Council Chamber of City Hall, 125 East College Street, Covina, California, 91723.