



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 19, 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.
- 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 19, 2011**, meeting was posted on **July 14, 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 19, 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: 120 West Rowland (APN: 8453-001-003) and 611 S. Citrus Avenue (APN: 8453-001-001)
Negotiating parties: Al Sal Oil Company
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: 635 S. Citrus Avenue (APN: 8453-001-906)
Negotiating parties: Jules Boand & Alex Alvarez
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 of a back-up offer:
Property: Southwest corner San Bernardino Rd. and Hollenbeck Avenue (APN: 8432-023-012)
Negotiating parties: The Curtis Company
Agency negotiator: Robert Neiuber, Community Development Director/CRA Deputy Director

E. 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

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 Delach

INVOCATION

Led by Covina Police Chaplain David Truax

PRESENTATIONS

- Presentation by Air Quality Management District
- Proclamation – 2011 National Night Out

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

NEW BUSINESS

NB 1. City Council/Redevelopment Agency to adopt **Urgency Ordinance No. 11-1998**, urgency ordinance determining it will comply with the Voluntary Alternative Redevelopment Program pursuant to Part 1.9 of Division 24 of the California Health and Safety Code in order to permit the continued existence and operation of the Redevelopment Agency of the City of Covina, and introduce and waive further reading of **Ordinance No. 11-1999**, first reading of an ordinance, determining it will comply with the Voluntary Alternative Redevelopment Program pursuant to Part 1.9 of Division 24 of the California Health and Safety Code in order to permit the continued existence and operation of the Redevelopment Agency of the City of Covina.

Staff Recommendation:

- a) City Council/Redevelopment Agency to adopt **Urgency Ordinance No. 11-1998**, urgency ordinance determining it will comply with the Voluntary Alternative Redevelopment Program pursuant to Part 1.9 of Division 24 of the California Health and Safety Code in order to permit the continued existence and operation of the Redevelopment Agency of the City of Covina; and
- b) Introduce and waive further reading of **Ordinance No. 11-1999**, first reading of an ordinance, determining it will comply with the Voluntary Alternative Redevelopment Program pursuant to Part 1.9 of Division 24 of the California Health and Safety Code in order to permit the continued existence and operation of the Redevelopment Agency of the City of Covina and schedule second reading and consideration of adoption of the Ordinance for August 16, 2011.

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 July 5, 2011 regular meeting of the City Council/Redevelopment Agency/Public Finance Authority/Housing Authority.
- CC 2.** City Council to approve Payment of Demands in the amount of \$2,442,022.09.
- CC 3.** City Council to accept the letter of resignation from Eugenia Gainor of the Library Board of Trustees.
- CC 4.** City Council to adopt **City Resolution No. 11-6988**, approving the destruction of obsolete Human Resources Department and Risk Management records.
- CC 5.** City Council to adopt **City Resolution No. 11-6989**, adopting a position of support on Senate Bill 910.
- CC 6.** City Council to adopt **City Resolution No. 11-6991**, declaring its intention to authorize the annexation of territories to Community Facilities District No. 2007-1, known as Annexation No. 5 (Public Services); and adopt **City Resolution No. 11-6992**, adopting

boundary maps showing territory proposed to be annexed in the future to Community Facilities District No. 2007-1, known as Annexation No. 5 (Public Services).

- CC 7. City Council to adopt **City Resolution No. 11-6993**, approving the City of Covina Mayor's Scholarship Fund Program.
- CC 8. City Council to renew the Parking Lease Agreement between Citrus Valley Health Partners and the City of Covina.
- CC 9. City Council to receive and file report on potential fiscal impact resulting from State and Federal Legislative action.
- CC 10. City Council to receive and file the Public Works Department Monthly Activity Report.
- CC 11. City Council to approve the repayment of funds to Los Angeles County Community Development Commission on Draw Down from Community Development Block Grant (CDBG) for Joslyn Center Project.
- CC 12. Redevelopment Agency to approve Payment of Demands in the amount of \$1,032,414.07.
- CC 13. Redevelopment Agency to receive and file the report on the Operating Covenant Agreement regarding business retention and expansion at 618 Shoppers Lane, Covina, Covina Revitalization Redevelopment Project No. 1.
- CC 14. Redevelopment Agency to adopt **Agency Resolution No. 11-673**, approving an Exclusive Right to Negotiate Agreement between the Covina Redevelopment Agency and Jules Boand and Alex Alvarez regarding development of the property at 635 S. Citrus Avenue, 611 S. Citrus Avenue and 120 W. Rowland Street.
- CC 15. Redevelopment Agency to adopt **Agency Resolution No. 11-686**, approving and authorizing the increase in budget and the transfer of funds from Redevelopment Project Funds for the repayment of the loans to the City from the Covina Redevelopment Agency for Fiscal Year 2010-2011.
- CC 16. City Council/Redevelopment Agency to adopt **City Resolution No. 11-6987**, approving the destruction of obsolete City Clerk Office records.
- CC 17. City Council/Redevelopment Agency to adopt **City Resolution No. 11-6990** and **Agency Resolution No. 11-685**, authorizing the destruction of obsolete records for Fiscal Year ended June 30, 2011.
- CC 18. City Council/Redevelopment Agency/Housing Authority to authorize the modification of Contingent Promissory Note for the affordable housing units in the Vintage Walk development.
- CC 19. City Council/Redevelopment Agency/Housing Authority to adopt **Agency Resolution No. 11-680**, approving modification to criteria for a Moderate Income Housing Down Payment Assistance Program.

- CC 20.** 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 Housing Down Payment Assistance Program.

CONTINUED PUBLIC HEARING

- CPH 1.** Continued public hearing of the City Council to consider amended application Variance 10-011 related to a single-family residence located at 247 East Edna Place and determine if the required findings can be justified.

Staff Recommendation:

- a) Continue the public hearing and consider public testimony; and
- b) Consider amended application VAR 10-011, a Variance to reduce the required five (5) foot side yard area, to reduce the required fire safety access for the R-1-7500 Residential Zone, to exceed the permitted 35 percent maximum land coverage of all buildings on the site (38.6%), to reduce the rear yard setback from 25 feet to 20.9 feet, and to reduce the distance from the front property line to the garage from 75 feet to 73.5 feet; and
- c) Close the public hearing; determine if the required findings can be made. If the Council wants to approve the amended application that the applicant has submitted and related environmental determination, it can do so tonight. If the Council wants to refer this back to the Planning Commission to consider the changes, it can do so tonight. If the Council wishes to approve the initial Variance or deny the application, the Council should continue this matter to allow staff the time to prepare the appropriate findings or resolution.

- CPH 2.** Continued joint public hearing of the City Council/Redevelopment Agency to consider a fifth amendment to lease real property with SAI Auto Group, LLC and WaltersBayer Automotive Group for property located at 626 and 602 S. Citrus Avenue, Covina.

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, August 16, 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.