



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, January 17, 2011

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 **January 17, 2012** meeting was posted on **January 12, 2012** 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.

January 17, 2012

**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

- Recognition of Lieutenant Patrick Buchanan's retirement after 32 years of service to the City of Covina

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 from the December 6, 2011 regular meeting of the City Council/Redevelopment Agency/Public Finance Authority/Housing Authority.
- CC 2. City Council to approve the minutes from the December 20, 2011 regular meeting of the City Council/Redevelopment Agency/Public Finance Authority/Housing Authority.
- CC 3. City Council to approve payment of demands in the amount of \$3,632,041.94.
- CC 4. City Council to receive and file the water utility billing and automated meter reading projects quarterly status update.
- CC 5. City Council to receive and file the Public Works Department monthly activity report.
- CC 6. City Council to reject all bids for the Cypress Reservoir Renovation, Project No. W-1102.
- CC 7. City Council to adopt **Resolution No. 12-7030**, authorizing the Finance Department to write-off certain delinquent accounts as of December 1, 2011 and authorizing the City Manager and City Attorney to draft, negotiate and approve a settlement agreement with Athens Services for unbilled services.
- CC 8. City Council to approve **Resolution No. 12-7038**, to accept reprogrammed grant funding from the California Emergency Management Agency (CalEMA) 2008 State Homeland Security Grant Program (SHSGP) (CFDA# 97.067) in the amount of \$150,030.00 for the purchase of UHF portable radios; and adopt **Resolution No. 12-7039**, which authorizes an increase in the 2011-2012 Police Department budget.
- CC 9. City Council to approve **Resolution No. 12-7040**, amending the City of Covina fiscal year 2011-2012 Parks & Recreation Department's operating budget for plaques and signage at Heritage Park.
- CC 10. Redevelopment Agency to approve payment of demands in the amount of \$482,653,01.

PUBLIC HEARING

- PH 1. City Council to hold public hearing to consider adopting an Ordinance amending Section 7.04.010 of Title 7 of the Covina Municipal Code.

Staff Recommendation:

- a) City Council to open the public hearing and consider testimony; and
- b) City Council to have second reading, pass and adopt **Ordinance No. 11-2003**, amending Section 7.04.010 of Title 7 of the Covina Municipal Code to adopt by reference amendments to Chapter 10.37 of Title 10 of the Los Angeles County Code, in order to update the City's animal control ordinance pertaining to potentially dangerous and vicious dogs.

PH 2. City Council to hold public hearing for the consideration of the 2012-2012 Community Development Block Grant (CDBG) Program Budget.

Staff Recommendation:

- a) City Council to open the public hearing and consider testimony; and
- b) City Council to consider the 2012-2013 Community Development Block Grant (CDBG) Program Budget.

PH 3. City Council to hold public hearing to approve Police Chief's proposal for expenditure of State COPS grant funds – 2011.

Staff Recommendation:

- a) City Council to open the public hearing and consider testimony; and
- b) City Council to approve the Police Chief's proposal for expenditure of State COPS grant funds – 2011.

CONTINUED BUSINESS

CB 1. City Council to hold second reading and consider adoption of an Ordinance repealing Urgency Ordinance No. 11-1998, determining that the City would comply with the Voluntary Alternative Redevelopment Program pursuant to AB 1X 27, in order to permit the continued existence and operation of the Redevelopment Agency of the City of Covina.

Staff Recommendation:

City Council to hold second reading and adopt **Ordinance No. 12-2005**, repealing Urgency Ordinance No. 11-1998, determining that the City would comply with the Voluntary Alternative Redevelopment Program pursuant to AB 1X 27, in order to permit the continued existence and operation of the Redevelopment Agency of the City of Covina.

NEW BUSINESS

NB 1. City Council to review the citywide pedestrian crossings.

Staff Recommendation:

City Council to receive and review of the citywide pedestrian crossings report.

ADJOURNMENT

The Covina City Council/Redevelopment Agency/Covina Public Finance Authority/Covina Housing Authority will adjourn to its next regular meeting, **Tuesday, February 7, 2012** 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.



CC 1

MINUTES OF THE DECEMBER 6, 2011 REGULAR MEETING OF THE COVINA CITY COUNCIL/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 King called the City Council/Redevelopment Agency/Public Finance Authority/Housing Authority meeting to order at 6:36 p.m. City Attorney Marco Martinez announced the closed session items listed on the regular meeting agenda. There was no public comment.

ROLL CALL

Council Members Present: ALLEN, DELACH, KING, LOW, STAPLETON

Council Members Absent: NONE

Elected Members Present: MANNING

Staff Members Present: City Manager, City Attorney, Police Chief, Fire Battalion Chief, Public Works Director, Community Development Director/CRA Deputy Director, Finance Director, Police Captain, Assistant Public Works Director, Sr. Redevelopment Manager, Sr. Management Analyst, City Planner, Environmental Services Manager, Redevelopment Manager, Community Services Specialist and Deputy City Clerk

AGENDA POSTING DECLARATION

The Deputy City Clerk of the City of Covina hereby declares that the agenda for the December 6, 2011 regular City Council/Redevelopment Agency/Public Finance Authority/Housing Authority meeting was posted on December 1, 2011 near the front entrance of City Hall, 125 East College Street, Covina, in accordance with §54954.2(a) of the California Government Code.

CONVENED THE MEETING AND RECESSED TO CLOSED SESSION

- A. G.C. §54956.9(a) - CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Case name: In Re Hassen Imports Partnership: Bankruptcy Case No. 2:11-bk-42068-ER
- B. G.C. §54956.9(a) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Case name: City of Covina v. Hassen Imports Partnership (Case No. TBD)

CONVENE THE MEETING

The City Council/Redevelopment Agency/Public Finance Authority/Housing Authority meeting reconvened at 7:31 p.m.

City Attorney Marco Martinez reported City/Agency/Authority met in closed session to discuss the items listed on the agenda with all members present. City Attorney Martinez stated for Closed Session Item A, the City Council heard the results of the City successfully obtaining a relief from bankruptcy stay. Closed Session Item B is related to the eminent domain case. There was no further reportable action.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Stapleton led the pledge of allegiance.

INVOCATION

Covina Police Chaplain Jerry Gunderson gave the invocation.

PRESENTATIONS

Charter Oak High School Choir, under the direction of Rebecca Schmalzbach, sang three Holiday songs.

Mayor King and Police Chief Raney invited Sal Arrivillaga, Covina Police Department Volunteer of the Year, to the lectern and presented him with a certificate of appreciation.

Mayor King invited Vivian Castro, Environmental Services Manager, to the lectern who spoke on the City receiving the Sustainable Community Award at the San Gabriel Valley Energy Wise Partnership Annual awards luncheon.

PUBLIC COMMENTS

Jorge Marquez with Assembly Member Roger Hernandez's Office extended an invitation for a Holiday Open House on Thursday, December 15, 2011, 6:00 p.m. to 8:00 p.m. at the District Office located at 100 S. Vincent, Suite 401. For additional information, call (626) 430-2499.

Fabiola Gomez with The Cake Mamas extended an invitation to the Kids Cupcake Camp fundraiser, in joint-partnership with Shepherd Pantry, on Sunday, December 11, 2011 at Glendora High School. For addition information visit, www.kidscupcakecamp.org.

COUNCIL/AGENCY/AUTHORITY COMMENTS

Council Member Low spoke on how impressed he is with the changes taking place in the City of Azusa and Glendora. He spoke on Project Area No. 2 and that it began with the purpose to improve street drainage and later to have a more viable retail atmosphere. Council Member Low stated that businesses have been forced out of business. He added that Citrus Avenue seems blighted and hopes that in the coming year the council would double their efforts to bring Citrus Avenue back to the way it once was.

Council Member Delach refuted Council Member Low's comments, stating that the Downtown Citrus area looks phenomenal. She commented that the Downtown area is looking better than ever, with more good things coming. Council Member Delach thanked all those that participated in the success of the Christmas Parade.

Council Member Allen expressed his appreciation to Police Volunteer Sal Arrivillaga and to all the staff that assisted with the Christmas Parade. He also thanked all the staff that worked to get the City together after the high winds. Council Member Allen thanked Nuala Gasser, Sr. Redevelopment Manager, for all her work with the San Gabriel Valley Consortium on Homeless.

Mayor Pro Tem Stapleton hoped that everyone had an opportunity to share Thanksgiving with his or her family. He spoke on the 61st Annual Christmas Parade and celebrity Grand Marshall, Trini Lopez, and what a genuine nice person he is. Mayor Pro Tem Stapleton specifically thanked staff members and the Christmas Parade Committee members for their work on the parade.

Mayor King echoed the comments by the other Council Members and noted the entertainment before the start of the parade at the corner of Citrus Avenue and Badillo Street was exceptional. Mayor King referenced the recent windstorm, which caused widespread power outages and tree damage. That many crews have descended to get power restored and that 280 different tree crews have been working in the San Gabriel Valley area.

Mayor King announced there would be a cookie house decorating party at the Covina Public Library on Friday, December 9, 2011 for children ages 5-12. The first decorating session is 2:00 p.m. to 3:30 p.m. and the second session is 4:00 p.m. to 5:30 p.m. Contact the Parks and Recreation Department at (626) 384-5340 for additional information.

Mayor King announced the Spark of Love Toy Drive Metrolink Holiday Toy Express would be stopping in Covina on Sunday, December 11, 2011 at 8:00 p.m. See the City's website for additional information.

Mayor King announced the Covina Police Department is collecting new, unwrapped toys for the Covina Cops for Kids Toy Drive. Toys may be dropped off at the Police Department or at City Hall.

Mayor King reminded everyone about the annual holiday furlough for non-safety City offices, information on the furloughs and holiday on-street parking permit moratorium can be found on the City's website, www.covinaca.gov.

CITY MANAGER COMMENTS

City Manager Daryl Parrish proposed the first meeting, January 3, 2012, be dark and Council would need to adjourn the December 20, 2011 meeting to January 17, 2012. City Manager Parrish reported the January 17, 2012 meeting would be a joint meeting with the Planning Commission.

City Manager Parrish expressed appreciation to the city staff and vendors who assisted in getting the City to full operation after the damage caused by the recent high winds in preparation for the Christmas Parade.

CONSENT CALENDAR

On a motion made by Mayor Pro Tem Stapleton, seconded by Council Member Bob Low, the City Council/Redevelopment Agency/Public Finance Authority/Housing Authority approved Consent Calendar items CC1, CC2, CC3, CC4, CC5, CC6, CC7, CC8, CC10 and CC11. **Motion carried 5-0.** Consent Calendar item CC9 was removed from the agenda for further discussion and consideration.

- CC 1. City Council approved the minutes from the November 15, 2011 regular meeting of the City Council/Redevelopment Agency/Public Finance Authority/Housing Authority.
- CC 2. City Council received and filed the Quarterly Report of the Treasurer to the City Council for the quarter ended September 30, 2011.
- CC 3. City Council received and filed the Fiscal Year 2010-2011 1st Quarter Update on Major Funds.
- CC 4. City Council accepted a letter of resignation from Mr. Stuart Santana of the Cultural Arts Advisory Commission and directed staff to post a notice of unscheduled vacancy.
- CC 5. City Council approved a Determination of Satisfaction of Note and program requirements and terms for the program participants of the Community Development Block Grant Special Economic Development Program.
- CC 6. City Council approved a request by The Man-e Moreno Foundation for exemption from the City's business license tax for calendar year 2011 for the organization located at 542 North Second Avenue, Covina.
- CC 7. City Council approved revisions of the Economic Development Loan/Grant Policy for the Economic Development Program funded through Community Development Block Grant funds.
- CC 8. City Council adopted **City Resolution No. 11-7028**, amending the fiscal year 2011-2012 Police Department Budget to reflect an appropriation to purchase asset management software and hardware.
- CC 9. City Council to authorize the City Manager to execute Professional Service Agreements with Willdan Financial Services for the assessment and potential formation of a Citywide Street Lighting Assessment District; and adopted **City Resolution No. 11-7029**, to authorize an adjustment to fiscal year 2011/2012 budget.

Mayor Pro Tem Stapleton stated he wished to recognize and thank members of the committee for their work on the long-range financial challenges the City faces.

Council Member Low stated the statics indicate that the vast majority of people in Covina do not like to pay lighting taxes; however, he has paid lighting district taxes for over 20 years. Council Member Low feels at the time these taxes were imposed they were not necessary, adding the taxes continue to be unnecessary and unfair.

On a motion made by Mayor Pro Tem Stapleton, seconded by Council Member Allen, the City Council/Redevelopment Agency/Public Finance Authority/Housing Authority approved Consent Calendar item CC9. **Motion carried 4-1, with Council Member Low voting no.**

- CC 10. Redevelopment Agency received and filed the Quarterly Report of the Treasurer to the Covina Redevelopment Agency for the Quarter Ended September 30, 2011.
- CC 11. Redevelopment Agency adopted **Agency Resolution No. 11-695**, amending fiscal year 2011-2012 Covina Redevelopment Agency operating budget to reflect an appropriation of funds for completion of Shopper's Lane Parking Lot Public Improvements.

PUBLIC HEARING

- PH 1. Public hearing was before City Council to consider an appeal of Conditional Use Permit 11-006, a request to establish a proposed full-service restaurant with outdoor and sidewalk dining, alcohol service and entertainment, located at 211 N. Citrus Avenue and determine if the required findings can be justified.

At 8:22, Mayor King opened the public hearing and took public testimony.

Marco Martinez, City Attorney, and Robert Neiuber, Community Development Director/CRA Deputy Director provided a brief summary of the report before Council.

Raul Trevino, of 3Vino's, clarified he welcomes restaurants in the downtown area. He stated that he has a concern regarding the venue and distributed copies of an article published in the San Gabriel Tribune, which does not mention anything about a nightclub at the location, just a restaurant. Mr. Trevino expressed a concern regarding what happens at the location between the hours of 10:00 p.m. and 2:00 a.m. Mr. Trevino noted that the bar lounge area for RED has dancing, audio/visual and entertainment, noting that the intent of the applicant is not really a restaurant, but a nightclub. Mr. Trevino feels that it does not make sense to have a nightclub next to another nightclub, adding there are public safety issues, crowd control and public congestion issues. Mr. Trevino stated that he feels that the Planning Commission insufficiently evaluated, ignored and overlooked all suggestions and recommendations, facts and warnings that the Covina Police Department, property owners, residents and business owners presented. He stated it is offensive, insulting and upsetting that the Planning Commission bypassed the information presented. Mr. Trevino referenced the City of Pasadena and their alcohol overlay district, which indicates separation requirements of 250 feet and suggested that the City of Covina adopt the same policy. Mr. Trevino spoke on two incidents that occurred in the downtown area where the Police Department had to rely on outside law enforcement to help with crowd control, also referencing the Christmas tragedy that took

place in Covina. He expressed a concern with two nightclubs with approximately 700-800 people at 1:00 or 2:00 in the morning, asking who would take care of the limited resources.

James E. Blancarte, representing Mr. Trevino, stated his law firm is City Attorney to various cities in Southern California and comes as a ten-year veteran of the Los Angeles County Fire and Fire Commissioner with 32-years of experience in administrative and municipal law. Mr. Blancarte queried if the City Council cared about public safety and cares if the Conditional Use Permit ("CUP") puts an unreasonable strain on police resources and unreasonable strain or drain on the City's general fund during these hard and challenging economic times. Mr. Blancarte spoke on the Police Department's reported responses to Rude Dog and 3Vino's, adding that 3Vino's has done a good job in responding to everything that has been required to limit police responses. Opening another nightclub disguised as a restaurant on the adjoining common wall doubles the response if the businesses are operating normally. Mr. Blancarte respectfully requested the CUP be denied at this level. If the denial is not part of the political agenda because there is an economic need to revitalize the city, then the matter must be returned to the Planning Commission to present an economic impact report. Mr. Blancarte stated that an economic impact report is critical and leaves one of the most important issues unanswered, what is the drain on the taxpayer. Mr. Blancarte stated this is not about competition; it is about striking a balance. Two competing businesses, side-by-side, is inconsistent with the expressed language of the City's General Plan. Mr. Blancarte read from the City's General Plan regarding land use arrangements providing adequate separation, physical and visual buffers between land uses characterized by different functions. He stated this separation is important to ensure capability and to avoid conflicts, adding that only a common wall separates the two businesses with no buffer. Mr. Blancarte stated if Council starts with a modification of the CUP and allows the business, RED, to show they are going to follow the conditions without incident and without economic cost to the taxpayers, they you can open the CUP to a broader use. He stated this is the last resort; Council would be answering the hard questions when the police department has to respond to over 40 incidents within a one-block area. Mr. Blancarte stated the Planning Commissioners did not ask one question regarding public safety and if they had doubts, they should have addressed their concerns in open session.

Cheryl Lin, Citrus Development Corp. - RED, Philip Mestas translating her comments. Ms. Lin stated that she is happy to have an opportunity to tell the Council that after reviewing the City's principles she is confident that their investment is what the City wants. Ms. Lin stated with their investment, she is confident that everyone would soon achieve a common goal of improving the downtown area through business development with the support of the City and local community. Economic development is a powerful driving force in the United States and it is normal to encounter obstacles during development, but should never be afraid to face those challenges. Ms. Lin stated in the face of the current economic recession, she hopes all business owners and investors that call Covina home could unite and work together and put the best collective effort towards improving the overall quality of services, products and visibility of our business community so when the economy improves, everyone can achieve the economic benefit.

Everett Ramos, owner of JP United – RED, wished to clear up rumors that RED is not a nightclub disguised as a restaurant and will not be showcasing go-go dancers nor be a Mexican restaurant. The rumors are an embarrassment to this process. Mr. Ramos spoke about the project, a modern and contemporary fine dining restaurant that would easily accommodate the seating of 200 patrons, of which 40 would be outside dining. The restaurant theme would be New American or California style cuisine serving fine wine and wide selection of spirits. Mr. Ramos stated there would be a dance floor and stage for live music performances and DJ music. He stated the RED business partners possess a strong and professional management team. Mr. Ramos stated they do not oppose or object to any of the conditions of the CUP and spoke on strategies to manage the crowd control and public safety concerns. They would use as many as eight trained professional security guards, high-tech cameras, require random drug testing of staff, no alcohol consumption by staff on duty, entrance denial of those already intoxicated and deny serving intoxicated individuals. He stated management would schedule regular staff meetings and if necessary include local law enforcement. They would provide taxicab information and offer designated drive discounts. Mr. Ramos stated they provide information to patrons regarding surrounding parking structures, strict dress code, and would hire a cleaning services to maintain clean parking lots and walkways in front and rear of the building.

Jerry Trueman, Absolute International Security, spoke regarding the implementation of the security plan and the placement of security personnel that will be located throughout the establishment.

Alfonso Ramirez, RED Chef, spoke regarding his background in the restaurant industry, noting that he has opened 42 restaurants across the United States. Mr. Ramirez spoke on the food concept with a new and different approach for RED and showed photos of some of the proposed menu items.

City Attorney Marco Martinez explained under consideration tonight and requiring additional review is the use for outdoor eating or sales, which includes the consumption of alcohol that may occur within a public right-of-way.

Council Member Allen inquired if RED is more of a nightclub.

Mr. Ramos responded in order to make the restaurant successful, he would like to take advantage of the opportunity to operate, not as a nightclub, but as a lounge.

Council Member Allen stated there are 31 conditions for this project and a serious concern could arise if those conditions are not maintained. He expressed a concern regarding the business catering to a younger age group and about two similar businesses being located next to each other.

Mr. Ramos explained when he made the age group comment, he was nervous as it was first or second time speaking and is looking to draw young professional to mature adult type of crowd.

Mayor King inquired and Community Development Director/CRA Deputy Director Robert Neiuber responded that condition 2.8 requires the applicant to have food service available for sale during all hours of operation in conformance with their ABC license.

Mayor Pro Tem Stapleton expressed displeasure with Mr. Trevino's comments regarding the victims of the Christmas Eve massacre. Mayor Pro Tem Stapleton spoke regarding repeated instances of business neighbors on Citrus finding vomit, feces, urine and condoms in front of buildings. He stated that it is not acceptable and the businesses have the responsibility for drawing in the customer as well as for when they leave. Mayor Pro Tem Stapleton stated all the businesses in the downtown area are responsible for crowd control and they should want to make sure downtown is safe and secure. He stated if the police department is required to go to the establishment multiple times; the Covina taxpayers should not be responsible for the added expense.

Council Member Low inquired, to which Captain Povero responded, the number of police department calls for the downtown area in the last three years is 572, as reported in the San Gabriel Valley Tribune article, which covers just calls for service, not police self-initiated calls.

Police Chief Raney provided a PowerPoint presentation regarding the reporting districts for downtown Covina, which included the number of calls for service from 2006 through September 2011.

Council Member Low expressed a concern with regard to over-serving of alcohol.

Mr. Ramos responded that RED would have three-onsite managers and staff would be trained regarding patron overconsumption.

Council Member Delach expressed a concern regarding the number of police department calls for 3Vino's and asked Mr. Trevino what he is doing to limit the over serving of alcohol at his business and to maintain crowd control.

Mr. Trevino responded his staff is doing additional training and holding the bartenders and bar manager more accountable for over serving. Mr. Trevino stated the security manager has been instructed to stop serving alcohol to those already intoxicated and in the event that a patron is intoxicated, 3Vino's will pay for the taxicab without seeking reimbursement.

Mr. Trevino questioned if another nightclub is next to his business and there is a call for police service, what business would be accountable. He stated there is no buffer between the businesses and things could escalate. Mr. Trevino suggested Covina implement conditions similar to other cities that have restaurant dining entertainment with no dancing and no nightclub activity.

Council Member Delach inquired if Mr. Trevino would omit dancing, to which Mr. Trevino replied his business was here first and he was upfront about allowing dancing.

Council Member Delach stated it is up to a business owner to develop a tasteful environment and to control their patrons in a restaurant. If a business wants to locate in Covina and believes they will be successful, City Council cannot refuse just because there is competition.

Mr. Trevino stated it does not make any sense to allow RED to be right next door to another establishment that already has a nightclub. Mr. Trevino expressed a concern regarding public safety and sees police service calls doubling or tripling with a new establishment.

Mr. Blancarte stated that Mr. Trevino readily admits there are issues they deal with on an ongoing basis and compounding the number of police calls by allowing another nightclub next door. Mr. Blancarte stated this Council approved 3Vino's first, Mr. Trevino invested the money and worked hand in hand with the Police Department to improve safety concerns. He requested Council to modify the CUP by allowing a restaurant and dining establishment without a dance floor and open bar to close at 2:00 a.m. and that the issues framed in the appeal are a matter of Council discretion when public safety is the concern.

City Attorney Marco Martinez reported the application under consideration is a Conditional Use Permit, which under the Town Center Specific Plan is required because the applicant is requesting an outdoor dining area with service of alcohol in the public right of way.

A brief discussion took place regarding elements of the General Plan, Town Center Specific Plan and public safety.

Council Member Allen inquired if the security cameras on the submitted drawing would be pointing to the alley, to which Police Chief Raney responded that the Police Department would work with RED to choose the best location for camera placement.

Council Member Allen asked Police Chief Raney for feedback regarding public safety in terms of the project conditions of approval.

Police Chief Raney reported as the downtown area changes from restaurant/retail to entertainment there would be police service demands. He added the Police Department does not oppose the RED project, staff wants to go in with open eyes and that is the reasoning for the 31 conditions of approval. Police Chief Raney stated 3Vino's only has seven conditions and the Police Department has learned from experience with one venue and applied the lessons learned.

Council Member Allen asked if the City finds that there are issues, what action could Council take, which Police Chief Raney explained the current provision calls that if there are six calls for service by the Police Department within any 90-calendar day period, staff could return to Council and request their business license be revoked.

Council Member Allen stated he would like to see ways to address financial remedies and possibly charge business owners for the cost of excessive police services.

Police Chief Raney stated that one condition in this application, condition 2.26.30, has language that allows the City to try to recover costs and refers back to the entertainment permit section if additional police deployment is required. Staff would need to work with the City Attorney's Office and provide a proposal to City Council.

City Manager Parrish inquired about the physical transition at RED between 9:30 p.m. – 10:00 p.m. from restaurant to a lounge, to which Mr. Ramos explained patrons would finish eating and then transition themselves to the entertainment portion of the venue.

Mr. Ramos stated that he would not allow one person to purchase alcohol beverages for an entire group and that each person would have to purchase their own alcohol beverage, which would diminish the over intoxication of individuals.

Mayor King inquired if RED would have bottle service, to which Mr. Ramos stated they have not made that determination, yet would have a fine wine list.

Police Chief Raney reported the consensus of field staff regarding the increase in calls to Downtown Covina is because of over serving of alcohol. He added the Police Department, working with ABC, offers annual training on how to deal with over-serving. At the last training, not all venues participated.

Mr. Ramos stated that some businesses that have bottle service would only have the cocktail waitress/waiter serve the alcohol, which controls over intoxication. Mr. Ramos stated RED has not determined if they would offer bottle service.

Dan Carbajal stated that it seems that RED is being held accountable for some of the statistics of increased police calls and they are not yet open. Mr. Carbajal stated RED is willing to meet every condition placed before them and when the same requests are posed to 3Vino's the answer seems to be they have done all they can. He stated RED wishes to raise the bar and lower the platform upon which they are being judged.

Karen Galeana spoke regarding the findings for Resolution No. 11-7031. She read an excerpt from Government Code Section 65103(e) regarding Planning Agency functions, addressing buffers and spacing. Ms. Galeana stated the Government Code asks that the City Council and Planning Commission listen to its citizens. Ms. Galeana presented a petition, which contains 304 signatures with 141 signatures from Covina citizens. She requested Council consider the concerns of these citizens.

Richard Rodriguez, 3Vino's Manager, spoke on accountability and police service calls. Mr. Rodriguez stated that 70% of telephone calls he has made to the police are regarding vehicle accidents, over intoxicated individuals in the parking lot and hearing gunfire. He stated that he can choose not to report an incident if it is going to be considered a service call or he can take action.

Police Chief Raney stated the calls for service at the business locations are calls for inside the location, not the reporting party. The Police Department encourages the business managers to be proactive; it is part of being responsible.

Gary Rodriguez, of 3Vino's, spoke regarding security management at the establishment. He stated he has worked for Los Angeles County Public Works Department for 17 years and continuously works on public safety. Mr. Rodriguez stated that opening another club is good, just not so close to an existing business. He stated they have called for the police for many different reasons, not just for brawls or fights. Mr. Rodriguez invited the Council to come to 3Vino's on a Saturday, witness the long lines, and crowd control.

Luz Rosas, Philip Mestas translating her comments, stated she is a senior citizen that lives on Citrus Avenue and is opposed to the opening of an additional club. Ms. Rosas spoke on existing disorderly conduct and improper language by current patrons, noting that there is no security for the residents. She stated she no longer is able to walk freely at night without encountering intoxicated patrons.

Mercy Moreno, of Casa Moreno, stated that she is happy that a new business is coming to downtown yet understands the feelings of Mr. Trevino having a similar business located next door. She expressed a concern regarding her rental tenants vacating and a concern if RED would be introducing a Mexican menu. Ms. Moreno hoped that RED would comply with all the requirements and with integrity to provide a nice atmosphere for the community. She suggested if Council could find a way to protect the existing businesses in Covina.

Maurice de la Fuente spoke in opposition of RED opening and questioned if the business is going to be a lounge why the need to have 8-10 security guards. He stated downtown Covina should promote businesses, restaurants and family environment. Mr. de la Fuente stated having two clubs next door to one another each with 200 patrons, there would be intoxicated patrons, fight, and problems. Mr. de la Fuente stated RED is not just a lounge or restaurant, further adding that the money is in the sale of alcohol.

Stuart Scott, 40-year Covina resident, stated he chose to live in Covina because of the small town feel. He stated that he recently walked to the farmers market with his grandchildren, yet would not have let his wife walk alone because of the patrons going to the existing establishments on Citrus Avenue. Mr. Scott expressed that the City of Covina is headed in a non-moral direction.

Jose Moctezuma stated he is here to support Raul Trevino and has worked with Mr. Trevino for the last three years. Mr. Moctezuma stated that he understands how bar establishments work since working for the bars in downtown Pasadena for 18 years. He stated the signage outside of RED advertises live music, entertainment and dancing, it does not advertise dining, lunch or dinner. Mr. Moctezuma stated he wanted to advise that at last call, about 1:45 a.m., there would be about 400 to 500 patrons on Citrus Avenue.

Lillian Crana, Covina resident, asked how much of the utility tax would be used for the increase in public safety personnel needed for the additional business. Ms. Crana spoke about senior citizens feeling safe when going to the Covina Center for Performing Arts and walking past patrons outside of Rude Dog, adding seniors do not go downtown in the evening because they do not feel safe. Ms. Crana feels RED is the wrong opportunity.

Michelle Trevino, Covina resident, stated that her father is the owner of 3Vino's. Ms. Trevino stated that she has worked with many other Covina businesses and put on fashion shows at 3Vino's each Tuesday in order to bring in additional revenue to the City. Ms. Trevino stated her father put the clock back on the top of building, which shows how her father embraces the City as his home. Ms. Trevino spoke of a friend who passed away in May and how two police cars responded to that scene and how a minimum of four police SUV's respond for calls of service at 3Vino's. She expressed a concern about public safety.

At 11:06 p.m., Mayor King called for a five-minute recess. The meeting reconvened at 11:11 p.m.

Ken Kang, Covina resident, stated he cares about the City and likes the direction of mixed-usage in Downtown Covina. He provided examples of other cities, such as San Diego and Fullerton, which have changed to mix usage. Mr. Kang stated if RED was just a nightclub he would not be supportive, however, he likes that it will be a mixed-use establishment. He also is partial to RED wanting to hire local residents and feels they should have a fair opportunity for competition.

Philip Mestas, of RED, spoke of the redevelopment of Old Town Pasadena, noting that he could count sixteen different alcohol-serving establishments in Old Town Pasadena. Mr. Mestas stated he is working with RED to bring a fantastic menu and hopes everyone come and enjoy with family and friends.

Raul Trevino spoke and provided examples of other establishments in the City of Rancho Cucamonga that have conditions with no dancing at the restaurant/lounge. Mr. Trevino expressed a concern for public safety and crowd control with two clubs next door to one another.

James Blancarte spoke about the number of residents that have expressed strong feelings this evening, adding that Council does have the discretion to modify the CUP to address these concerns. Mr. Blancarte stated to let the establishment compete fairly restricting live entertainment and dancing.

Mayor King inquired why RED purchased the building next door to an existing club.

Everett Ramos stated that three years ago, he met with Raul Trevino about opening 3Vino's together, however he lost his business partner and could not financially commit. Mr. Ramos stated that about a year ago he and Mr. Trevino discussed opening the wall between the businesses or leasing the other building. Mr. Ramos explained his business associates purchased the building and it is his dream to open a restaurant.

Sylvia, Raul Trevino's sister, stated that she wanted her brother to purchase the building next door; however, Raul did not want to purchase the building.

At 11:27 p.m., Mayor King closed the public hearing.

Council Member Allen stated his concern was regarding public safety and the Police Chief addressed those concerns and gave the reminder that the item for consideration is outdoor sidewalk dining and alcohol service.

Council Member Low stated under consideration is the sidewalk dining and outside alcohol service and finds it difficult to make those findings because sidewalks are for pedestrians. Council Member Low stated he is concerned about the over serving of alcohol and the number of calls for service in Downtown Covina and how that reduces police patrol for the rest of the City.

Council Member Delach stated Council is considering the CUP and has faith that RED will meet all the conditions of the CUP. Council Member Delach stated it is important that Staff and Council be able to review and adjust any of the conditions after the facility is open.

Mayor Pro Tem Stapleton stated he feels compelled to allow the CUP because of the way the City's municipal code is written, adding that all parties should make the best of the situation.

Mayor King stated Council worked hard to make sure 3Vino's has had a successful run and welcomes the opportunity to bring another business to Downtown Covina. He appreciates that both businesses have come to and work with the City on concerns, encouraging both businesses to show good faith.

Council Member Allen requested an additional condition, that staff provide 90-day status reports for the first year RED is operational.

On a motion made by Council Member Allen, seconded by Council Member Delach, the City Council adopted **City Resolution No. 11-7031**, denying the appeal and upholding the Planning Commission's decision to approve CUP 11-006, a request to establish a proposed full-service restaurant with outdoor and sidewalk dining, alcohol service and entertainment on property located at 211 N. Citrus Avenue and making certain finding in support thereof, with the added condition of 90-day status reports for the first year of operation. **Motion carried 4-1, with Council Member Low voting no.**

NEW BUSINESS

NB 1. City Council to consider approval of use of funds from the Community Development Block Grant 2011-2012 funding allocation through the Special Economic Development Program for JP United, LLC, doing business as, RED, located at 211 N. Citrus Avenue, Covina.

City Manager Daryl Parrish provided a brief summary of the report before Council.

Laura Fay, RED, stated they are investing over 2 million dollars, have already hired a chef, management team, and are paying a lease even when they are not yet open. Ms. Fay stated that Southern California Edison and the Planning Department required

building improvements, which are costs they did not expect. Ms. Fay requested an increase of additional CDBG grant award.

Following a brief discussion and on a motion made by Council Member Delach, seconded by Council Member Allen, the City Council approved the Community Development Block Grant award of \$100,000 between the City of Covina and JP United, dba, RED, contingent upon execution of a Guarantee of Note by the owners, and authorized the City Manager or his designee to execute the documents necessary to complete the grant/loan transactions when all conditions are met. **Motion carried 4-1, with Council Member Low voting no.**

NB 2. City Council to Award of Bid for the project titled, City Sewer System Replacement Project.

Public Works Director Steve Henley provided a brief summary of the report before Council.

Azzam Saad, representing Mamco Construction, stated that the City had admittedly not included the non-conclusion affidavit in the bid packet, which California Public Contract Code 7.106 requires. Mr. Saad stated Council has the right to waive; however, the law that gives the discretion is the same law that requires the executed affidavit. Mr. Saad requested Council reconsider awarding the bid tonight and rebid the project.

Marwan Alabbas, President of Mamco Construction, provided the example of a Riverside County bid where he was rejected because he did not include the non-conclusion affidavit in the packet. Mr. Alabbas stated he did not submit the bid for this project because he was aware that the non-conclusion affidavit was not included. Mr. Alabbas requested Council to reconsider the position and rebid the contract.

Mayor Pro Tem Stapleton stated it is clear that we must rebid the project.

Following a brief discussion and on a motion made by Mayor Pro Tem Stapleton, seconded by Council Member Low, the City Council rejected all bids and directed staff to rebid Project No. S-1112. **Motion carried 5-0.**

NB 3. City Council to introduce an Ordinance amending Section 7.04.010 of Title 7 of the Covina Municipal Code.

On a motion made by Mayor Pro Tem Stapleton, seconded by Council Member Allen, the City Council introduced and waived further reading **Ordinance No. 11-2003**, amending Section 7.04.010 of Title 7 of the Covina Municipal Code by incorporating by reference amendments to Chapter 10.37 of Title 10 of the Los Angeles County Code, in order to update the City's animal control ordinance pertaining to potentially dangerous and vicious dogs. **Motion carried 5-0.**

ADJOURNMENT

At 12:10 a.m., Mayor King adjourned the Covina City Council/Redevelopment Agency/Covina Public Finance Authority/Covina Housing Authority to the regular meeting to be held on **Tuesday, December 20, 2011**, at 6:30 p.m. for closed session and 7:30 p.m. for open session in the Council Chamber of City Hall, 125 East College Street, Covina, California, 91723.

Catherine M. LaCroix
Deputy City Clerk/Agency/Authority Secretary

Approved this 17th day of January 2012.

John C. King, Mayor/Chairperson



MINUTES OF THE DECEMBER 20, 2011 REGULAR MEETING OF THE COVINA CITY COUNCIL/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 King called the City Council/Redevelopment Agency/Public Finance Authority/Housing Authority meeting to order at 6:33 p.m. City Attorney Marco Martinez announced the closed session items listed on the regular meeting agenda. There was no public comment.

ROLL CALL

Council Members Present: ALLEN, KING, LOW, STAPLETON

Council Members Absent: DELACH

Elected Members Present: MANNING

Staff Members Present: City Manager, City Attorney, Fire Battalion Chief, Public Works Director, Human Resources Director, Community Development Director/CRA Deputy Director, Finance Director, Police Captain, Police Lieutenant, Sr. Redevelopment Manager, Sr. Planner, Community Relations Supervisor and Deputy City Clerk

AGENDA POSTING DECLARATION

The Deputy City Clerk of the City of Covina hereby declares that the agenda for the December 20, 2011 regular City Council/Redevelopment Agency/Public Finance Authority/Housing Authority meeting was posted on December 15, 2011 near the front entrance of City Hall, 125 East College Street, Covina, in accordance with §54954.2(a) of the California Government Code.

CONVENED THE MEETING AND RECESSED TO CLOSED SESSION

- A. G.C. §54956.9(a) - CONFERENCE WITH LEGAL COUNSEL – Existing Litigation
Name of case: The Johnson Sober Living House et al. v. City of Covina et al.
Case No. CV 11-02809
- B. G.C. §54956.9(b) - CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation
Name of case: One (1) potential clam from the BKK Working Group Re: Exposure to litigation related to disposal of waste at BKK landfill

CONVENE THE MEETING

The City Council/Redevelopment Agency/Public Finance Authority/Housing Authority meeting reconvened at 7:31 p.m.

City Attorney Marco Martinez reported City/Agency/Authority met in closed session to discuss the items listed on the agenda with all members present. City Attorney Martinez stated there was no reportable action related to Closed Session Item A; with respect to Closed Session Item B, the City Council agreed to extend the tolling agreement to February 2015.

PLEDGE OF ALLEGIANCE

Council Member Allen led the pledge of allegiance.

INVOCATION

Covina Police Chaplain Jerry Gunderson gave the invocation.

PRESENTATIONS

Mayor King invited members of the 2011 Christmas Parade Executive Committee to the lectern and recognized them for their work on the 61st Annual Christmas Parade.

Mayor King invited members of the Cultural Arts Advisory Commission to the lectern and recognized them for the Dia de Los Muertos (Day of the Dead) and the 2011 entry into the Covina Christmas Parade.

PUBLIC COMMENTS

Raul Trevino, 3Vino's, wished to address concerns regarding the December 6, 2011 Council meeting, recalling that Mayor King requested everyone speaking be professional, respectful and to keep emotions in check. Mr. Trevino feels that some of the City Council Members dismissed the request and understands that some Council Members do not agree with the examples or concerns addressed on December 6, 2011; however, it does not give the right to be disrespectful or insulting. Mr. Trevino referenced one incident pertaining to trash and condoms found in a parking lot in the two years since opening and after being made aware of the trash, he hired people to clean the debris. Mr. Trevino distributed a letter to Council Members from the Covina Downtown Association, which congratulates him on doing an excellent job. Mr. Trevino stated he has implemented many different policies since opening, cleans and maintains the rear parking lot, installed additional lighting in the rear of the building and feels his improvements have been disregarded and ignored.

Karen Galeana inquired if there was a public safety commission and how she could have something placed on the City Council agenda regarding public safety.

City Manager Daryl Parrish and Mayor King responded there was not a public safety commission outside of the Covina Police Department and to put her request in writing and Staff would review and respond accordingly.

COUNCIL/AGENCY/AUTHORITY COMMENTS

Council Member Low wished everyone a Merry Christmas and a Happy New Year and hopes that 2012 is more productive than 2011.

Council Member Allen wished everyone a Merry Christmas, Happy Hanukkah and a Happy New Year. Council Member Allen gave recognition to Dora Gomez, Pastor Johnson and Covina Assembly of God Church for the Christmas Community Party event held on December 10, 2011.

Mayor Pro Tem Stapleton spoke regarding the Christmas Parade and expressed his appreciation to everyone who worked on the event. Mayor Pro Tem Stapleton spoke regarding Channel 5 doing a report on family owned local businesses Powell Camera and Tin Frogs, located in Covina. He mentioned tonight was the first night of Hanukkah and wished everyone a Merry Christmas and a prosperous New Year.

Mayor King expressed appreciation for the calls and messages he received as a result of the tragic incident at the Irwindale Southern California Edison Office.

Mayor King announced the Covina Police Department is collecting new, unwrapped toys for the Cops for Kids Toy Drive. Toys may be brought to the Police Department as late as Christmas day.

Mayor King reminded everyone of the holiday furlough for non-emergency offices for City Hall, Covina Public Library and the Covina Joslyn Center. Information on holiday season hours can be found on the City's website: www.covinaca.gov.

Mayor King reminded residents of the holiday moratorium on overnight parking. Overnight on-street parking permits will not be needed Monday, December 19, 2011 through January 1, 2012 with enforcement resuming at 2:00 a.m. on Monday, January 2, 2012.

CITY MANAGER COMMENTS

City Manager Daryl Parrish wished the community happy holidays. City Manager Parrish and Fire Battalion Chief Vince Pena spoke on Fire Battalion Chief Bruce Dean who recently suffered a cerebral hemorrhage and asked everyone to keep him and his family in thoughts and prayers.

CONSENT CALENDAR

On a motion made by Mayor Pro Tem Stapleton, seconded by Council Member Low, the City Council/Redevelopment Agency/Public Finance Authority/Housing Authority approved Consent Calendar items CC1, CC3, CC5, CC6, CC8, and CC9. **Motion carried 4-0, with Council Member Delach absent.** Consent Calendar items, CC2, CC4, CC7 and CC10 were removed from the agenda for further discussion and consideration.

CC 1. City Council approved the Payment of Demands in the amount of \$2,940,772.17.

CC 2. City Council to receive and file the monthly strategic plan objectives update.

Council Member Low referenced the strategic goal for the wall/board to recognize contributors that support reading in the Covina Library and expressed a concern that it was to be accomplished by February 2010. He inquired why that goal has not moved forward with more enthusiasm.

City Manager Parrish reported there have been a series of meetings regarding the wall with all parties progressing on the project and the matrix referring to completion date of March 2012.

On a motion made by Mayor Pro Tem Stapleton, seconded by Council Member Allen, the City Council/Redevelopment Agency/Public Finance Authority/Housing Authority approved Consent Calendar item CC2. **Motion carried 3-1, with Council Member Low voting no and Council Member Delach absent.**

CC 3. City Council received and filed the Public Works Department monthly activity report.

CC 4. City Council to award the bid for the Holt Avenue Pump Station, Project No. W-1103.

Mr. Fred Soroudi, Environmental Construction, stated he feels there was grave favoritism in awarding HEI Construction this bid. Mr. Soroudi stated HEI Construction neglected to list a subcontractor for an item of work and requested that the City Council have the City Attorney review the award of bid.

Public Works Director Steve Henley reported that the bid specifications require a specific prefabricated building which must be installed by the manufacture and that every bidder is required to use the same manufacture. HEI made a mistake and listed this manufacture as a vendor versus a subcontractor, which is an inconsequential error and does not change the bid. Public Works Director Henley stated staff contacted HEI to verify, and HEI provided documentation and that they would be using the appropriate manufacture.

Following a brief discussion and on a motion made by Mayor Pro Tem Stapleton, seconded by Council Member Allen, the City Council/Redevelopment Agency/Public Finance Authority/Housing Authority approved Consent Calendar item CC4. **Motion carried 4-0, with Council Member Delach absent.**

CC 5. City Council adopted **City Resolution No. 11-7032**, approving and authorizing the destruction of obsolete City Clerk Department records.

CC 6. City Council adopted **City Resolution No. 11-7033**, approving and adopting a consolidated salary resolution for both part-time and full-time classifications.

CC 7. City Council to adopt Resolution of Necessity, **Resolution No. 11-7035**, confirming and ratifying the City Council's October 18, 2011 adoption of a Resolution of Necessity for the Acquisition of a Fee Interest in Certain Real Property, located at 155

E. San Bernardino Road for the purpose of developing and maintaining a parking lot for use by the Covina Police Department and County Fire Department; and to adopt **City Resolution No. 11-7036**, amending fiscal year 2011-2012 Community Development Land Account budget to provide funding to purchase the property at 155 E. San Bernardino Road, Covina.

Council Member Low stated he has a problem with the commitment of \$600,000 from the general fund and does not feel this is a top priority or vital interest.

On a motion made by Mayor Pro Tem Stapleton, seconded by Council Member Allen, the City Council/Redevelopment Agency/Public Finance Authority/Housing Authority approved Consent Calendar item CC7. **Motion carried 3-1, with Council Member Low voting no and Council Member Delach absent.**

CC 8. City Council adopted **City Resolution No. 11-7037**, amending the City of Covina fiscal year 2011-2012 Redevelopment and Housing budget to reflect the Supportive Housing Program budget for the McGill House.

CC 9. Redevelopment Agency approved the Payment of Demands in the amount of \$356,658.99.

CC 10. Redevelopment Agency adopted **Agency Resolution No. 11-696**, approving and adopting the Annual Report for the Covina Redevelopment Agency Project Nos. One and Two for fiscal year ended June 30, 2011, and submitting the report to the City Council.

Council Member Low inquired as to why has the report not been completed and is troubled that it has taken six months to accomplish the audit.

Finance Director Dilu DeAlwis reported June 30 is year-end; however, the audit does not generally start until the middle or end of September. The Finance Department has until year-end to have the report finished and it is their intent to have it completed and submitted to the State Controller's Office by December 31, 2011.

Following a brief discussion and on a motion made by Council Member Allen, seconded by Mayor Pro Tem Stapleton, the City Council/Redevelopment Agency/Public Finance Authority/Housing Authority approved Consent Calendar item CC10. **Motion carried 3-1, with Council Member Low voting no and Council Member Delach absent.**

PUBLIC HEARING

PH 1. Public hearing was before City Council to consider an application for an Additional Permitted Use (APU 11-001) to allow the operation of a "Sky Zone" Indoor Trampoline Park (Pinot Holdings, LLC) from an existing commercial building upon property located at 1314 North Azusa Avenue, Covina, a C3-A Zone and consider making this an approved use in the Zone.

At 8:35 p.m., Mayor King opened the public hearing and took public testimony.

Robert Neiuber, Community Development Director/CRA Deputy Director provided a brief summary of the report.

David Ruiz, of Skyzone, spoke regarding the indoor trampoline park with the focus on giving kids a fun activity. Mr. Ruiz stated a partnership with the American Heart Association has found that a child jumping for one hour can burn up to 1,000 calories. Mr. Ruiz provided price points and discussed safety procedures for the venue. He anticipates an opening date of April 2012, if Council approves the APU.

At 8:44 p.m., Mayor King closed the public hearing.

Council Member Low inquired about the requirements for landscaping parking lots, to which City Planner Shelby Williams responded, included with the standard conditions, the applicant has been asked to replant creeping vines and repair the irrigation, which will protect the building from graffiti. City Planner Williams reported Kimco Commercial owns the main parking lot.

Following a brief discussion regarding landscaping in the Kimco Commercial parking lot located at the southeast corner of Arrow Highway and Azusa Avenue, Mayor King requested that staff provide a report in February regarding the replacement of landscaping.

On a motion made by Mayor Pro Tem Stapleton, seconded by Council Member Allen, the City Council adopted **City Resolution No. 11-7034**, directing that "Indoor Trampoline Parks" be added to the list of permitted uses for the C-3A Regional or Community Shopping Center Zone District, pursuant to Covina Municipal Code, Chapter 17.60. **Motion carried 4-0, with Council Member Delach absent.**

NEW BUSINESS

NB 1. City Council to consider proposed appointment to the Cultural Arts Advisory Commission.

On a motion made by Council Member Low, seconded by Mayor King, the City Council appointed Yessica Campos and Alisha VonLewis-Honeycutt to fill the unexpired terms of two vacancies on the Cultural Arts Advisory Commission. **Motion carried 4-0, with Council Member Delach absent.**

CONTINUED NEW BUSINESS

CB 1. City Council to continue the public hearing on proposed **Ordinance No. 11-2003**.

On a motion made by Mayor Pro Tem Stapleton, seconded by Council Member Allen, the City Council continued the public hearing on **Ordinance No. 11-2003**, amending Section 7.04.010 of Title 7 of the Covina Municipal Code to adopt by reference amendments to Chapter 10.37 of Title 10 of the Los Angeles County Code, pertaining to

potentially dangerous and vicious dogs. **Motion carried 4-0, with Council Member Delach absent.**

ADJOURNMENT

At 8:49 p.m., Mayor King adjourned the Covina City Council/Redevelopment Agency/Covina Public Finance Authority/Covina Housing Authority to the regular meeting to be held on **Tuesday, January 17, 2011**, at 6:30 p.m. for closed session and 7:30 p.m. for open session in the Council Chamber of City Hall, 125 East College Street, Covina, California, 91723.

Catherine M. LaCroix
Deputy City Clerk/Agency/Authority Secretary

Approved this 17th day of January 2012.

John C. King, Mayor/Chairperson

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: January 17, 2012

ITEM NO.: CC 3

STAFF SOURCE: Dilu De Alwis, Finance Director 

ITEM TITLE: Payment of Demands

STAFF RECOMMENDATION:

Approve Payment of Demands in the amount of: **\$3,632,041.94**

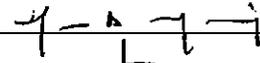
BACKGROUND:

Attached list of warrants, demands, which are being presented for approval for November 2011 are summarized as follows:

<u>DATE OF DEMANDS</u>	<u>DEMAND NUMBERS</u>	<u>AMOUNT</u>
ACCOUNTS PAYABLE WARRANTS		
November 1 - November 23, 2011	562-1217	\$2,538,190.34
<u>PAYROLL</u>		
November 10, 2012		\$141,292.94
November 23, 2012		\$141,875.21
November 8, 2011 PAYROLL ADVANCE		\$390,000.00
November 23, 2011 PAYROLL ADVANCE		\$408,000.00
<u>VOIDS</u>		
November 30, 2012	94382, 34354, 94352, 94275, 94355	(\$291.00)
<u>WORKERS COMPENSATION</u>		
November 16, 2011	30006-30009	\$958.08
November 30, 2011	300010-300032	\$12,016.37
	GRAND TOTAL:	\$3,632,041.94

EXHIBITS:

A. ACCOUNTS PAYABLE REGISTER

REVIEW TEAM ONLY	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____

CITY OF COVINA

Check Register

November, 2011

CHECK #	Check Date	Vendor #	Vendor Name	Amount
562	11/1/2011	59	RODRIGUEZ, ERNEST M	196.00
563	11/1/2011	68	AFLAC ACCT# YQ792 WORLDWI	3,544.76
564	11/1/2011	68	AFLAC ACCT# YQ792 WORLDWI	25.00
565	11/1/2011	69	AFSCME	940.00
566	11/1/2011	71	HOWE, DOUG	600.00
567	11/1/2011	72	AGENCIES TOOL CENTER	305.32
568	11/1/2011	73	AGGERS, MICHAEL PAUL	1,416.00
569	11/1/2011	74	AGI ACADEMY	188.42
570	11/1/2011	79	AGUILAR, LOURDES	183.75
571	11/1/2011	84	AIRGAS-WEST	98.38
572	11/1/2011	86	AKEY, MARJORIE	79.80
573	11/1/2011	91	ALAS, NINA	121.34
574	11/1/2011	129	ALLIED AIR CONDITIONING C	498.75
575	11/1/2011	140	ALVAREZ, DANIEL	234.60
576	11/1/2011	165	ANDERSON, ALLEN	1,567.44
577	11/1/2011	166	ANDERSON, PATRICIA GRACE	1,416.00
578	11/1/2011	174	ANGELES, LEAH	106.17
579	11/1/2011	289	BARKER, BEN	3,091.66
580	11/1/2011	308	BEAVER, PAUL B	234.60
581	11/1/2011	321	BELL, DONALD R	234.60
582	11/1/2011	330	BENNINGTON, WILLIAM	102.00
583	11/1/2011	332	BERGENER, WALTER	93.60
584	11/1/2011	344	Best Office Products	159.79
585	11/1/2011	345	BETHKE, BETTY JO	102.09
586	11/1/2011	360	BLADES, STEVEN	1,416.00
587	11/1/2011	362	BLAKE'S PAPER CO	44.45
588	11/1/2011	379	BONNELL, EVELYN	234.60
589	11/1/2011	390	BOWMAN, CLAUDE	234.60
590	11/1/2011	405	BRINEGAR, ROBERT	234.60
591	11/1/2011	410	BRITZ, IRENE	234.60
592	11/1/2011	415	BROWN, ELAINE	234.60
593	11/1/2011	416	BROWN, JULIE C	93.60
594	11/1/2011	418	BROWNE, ROBERT	1,567.44
595	11/1/2011	421	BROWNING, BETTY	234.60
596	11/1/2011	422	BRUBAKER, JERRY	234.60
597	11/1/2011	423	BRUNSWICK COVINA BOWL	35.00
598	11/1/2011	464	CAGLE, MARY	93.60
599	11/1/2011	3192	CAL-LIFT INC.	68.80
600	11/1/2011	477	CALIF, STATE OF	416.00
601	11/1/2011	487	CALIFORNIA PUBLIC EMPLOYE	59,838.52
602	11/1/2011	487	CALIFORNIA PUBLIC EMPLOYE	202.09
603	11/1/2011	495	CALLISON, JACQUELYN	204.17
604	11/1/2011	529	CAREW, CAROL ANN	102.00
605	11/1/2011	569	CATANIA, MARY ELLEN	234.60
606	11/1/2011	579	CHARLOTTE CANO	105.00
607	11/1/2011	589	CELAYA, VERA FLORES	125.42

CITY OF COVINA

Check Register

November, 2011

CHECK #	Check Date	Vendor #	Vendor Name	Amount
608	11/1/2011	591	CELLIAN, MARY	234.60
609	11/1/2011	617	CHARTER OAK GYMNASTICS IN	1,336.54
610	11/1/2011	670	CLARK, HUBERT	1,416.00
611	11/1/2011	673	CLARK, RONNIE	1,416.00
612	11/1/2011	677	CLEMENS, ROBERT	234.60
613	11/1/2011	678	CLEMENT, LARRY	234.60
614	11/1/2011	689	COAKLEY, RAYMOND J	234.60
615	11/1/2011	3235	COOK, SHAWNA	263.16
616	11/1/2011	740	CORBIN, CLARA	1,471.00
617	11/1/2011	742	CORDER, MARK C	1,650.00
618	11/1/2011	766	COVINA DISPOSAL CO	14,495.35
619	11/1/2011	775	COVINA POLICE ASSOCIATION	960.00
620	11/1/2011	775	COVINA POLICE ASSOCIATION	3,300.00
621	11/1/2011	788	COVINA, CITY OF	4,959.90
622	11/1/2011	788	COVINA, CITY OF	79,892.70
623	11/1/2011	788	COVINA, CITY OF	39.80
624	11/1/2011	788	COVINA, CITY OF	6,070.50
625	11/1/2011	789	COVINA-FSA, CITY OF	1,222.00
626	11/1/2011	819	CSAC-EIA	4,399.28
627	11/1/2011	819	CSAC-EIA	1,531.06
628	11/1/2011	875	DELL MARKETING L.P.	4,307.03
629	11/1/2011	878	DELTA DENTAL OF CALIFORNI	6,062.63
630	11/1/2011	892	DEWHIRST, DEL	234.60
631	11/1/2011	896	DH MAINTENANCE SERVICES	5,956.28
632	11/1/2011	938	DOWDY, WAYNE	234.60
633	11/1/2011	945	DUKE, WILMA	102.00
634	11/1/2011	962	EAST DISTRICT SUPERIOR CO	10,579.00
635	11/1/2011	962	EAST DISTRICT SUPERIOR CO	128.00
636	11/1/2011	962	EAST DISTRICT SUPERIOR CO	13,701.50
637	11/1/2011	1004	USA PROTECT LLC	75.00
638	11/1/2011	1010	ESCALANTE, RICHARD J.	234.60
639	11/1/2011	1011	ESCOBEDO, JOSEPH	105.00
640	11/1/2011	1020	ESTRADA, EDWARD	234.60
641	11/1/2011	1055	FEDEX	13.45
642	11/1/2011	1072	FISHER, MARGARET	93.60
643	11/1/2011	1095	FORNES JR, JAMES C	234.60
644	11/1/2011	1101	FOURZAN, SERGIO	234.60
645	11/1/2011	1112	FRANKLIN-VALDEZ, VALERIE	1,416.00
646	11/1/2011	1123	FRIZE, PAT	234.60
647	11/1/2011	1137	GALLIVAN, KAREN SU ANN	1,416.00
648	11/1/2011	1139	GALLON, JOHN DARREL	1,416.00
649	11/1/2011	1159	GATTONE, DONALD	234.60
650	11/1/2011	1161	GAULDIN, HAROLD A	234.60
651	11/1/2011	1186	GILMAN, ROBERT ERIC	1,416.00
652	11/1/2011	1187	GIOVANNIS RISTORANTE	48.00
653	11/1/2011	3175	GLAUDINI, MARK	20.00

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654	11/1/2011	1201	GOETZ, MARCIA DALE	1,416.00
655	11/1/2011	1223	GOODMAN, GLEN	93.60
656	11/1/2011	1225	GOODWIN, PAUL	234.60
657	11/1/2011	1236	GRAMMATIKAS, DOLORES	234.60
658	11/1/2011	1243	GRAVES, KENNETH A	234.60
659	11/1/2011	1247	GREAT WEST LIFE & ANNUITY	3,902.50
660	11/1/2011	1250	GREENER, CHARLES	102.00
661	11/1/2011	1257	GROSS, RUTH	234.60
662	11/1/2011	1277	ESTRADA - HAEBE, CYNTHIA	2,282.50
663	11/1/2011	1283	HALSTED, MARILYN	1,416.00
664	11/1/2011	1292	HANSON, ALLISON	1,416.00
665	11/1/2011	1296	HARO, DAVID	234.60
666	11/1/2011	1300	HARRIS	3,147.00
667	11/1/2011	1301	HARRIS, KENNETH	1,416.00
668	11/1/2011	1307	HARTFORD LIFE INS	9.67
669	11/1/2011	1309	HARVEY, ANDREW J	1,650.00
670	11/1/2011	1310	HASEMEYER, CLYDE	102.00
671	11/1/2011	1372	HOSTETLER, DARREL	234.60
672	11/1/2011	1378	HOWELL, CLAUDE	331.50
673	11/1/2011	1404	ICMA RETIREMENT TRUST	6,597.98
674	11/1/2011	1404	ICMA RETIREMENT TRUST	845.48
675	11/1/2011	1426	INGERSOLL, SCOTT	182.88
676	11/1/2011	1455	IVY, RICHARD	1,416.00
677	11/1/2011	1469	JACOBS, DANIEL	1,416.00
678	11/1/2011	1475	JAIME, SANDRA	289.34
679	11/1/2011	1479	JANES, NORMAN G	234.60
680	11/1/2011	1485	JENNINGS, ERMONT	234.60
681	11/1/2011	1510	JOHNSON, PAUL DAVID	1,416.00
682	11/1/2011	1519	JONES, RITA	234.60
683	11/1/2011	1522	JORDAN, RICHARD	102.00
684	11/1/2011	1536	KAVANAGH, JOHN	4,835.24
685	11/1/2011	1541	KEEN, WILLIAM	93.60
686	11/1/2011	1549	KEMP, BOBBI	1,416.00
687	11/1/2011	1555	KEOHEN, WILLIAM P.	1,416.00
688	11/1/2011	1570	KIMBALL, MARILYN	234.60
689	11/1/2011	1577	KLINGELBERG, KENTON	234.60
690	11/1/2011	1592	KREBS, ROBERT LEE	234.60
691	11/1/2011	1597	KYLE, PATRICIA	566.57
692	11/1/2011	1617	LA CNTY REGISTRAR RECORDE	16.00
693	11/1/2011	1638	LAM, LY CHOU	410.17
694	11/1/2011	1641	LAMUNYON, STEVEN	2,488.22
695	11/1/2011	1645	LANGHAM, MARJORIE A	234.60
696	11/1/2011	3190	LAYNE, JONATHAN DANIEL	236.25
697	11/1/2011	3209	LAYNE, SHARON	228.67
698	11/1/2011	1685	LENTZ, JOHN	102.00
699	11/1/2011	1687	LEO, RACHEL LOUISE	1,650.00

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700	11/1/2011	1689	LETOURNEAU, RAYMOND H	93.60
701	11/1/2011	1694	LEWIS ENGRAVING INC	8.16
702	11/1/2011	1754	LOWE'S COMPANIES INC	65.24
703	11/1/2011	1781	MAGAN, PAUL	93.60
704	11/1/2011	1790	MANGIAPANE, JAMES	1,416.00
705	11/1/2011	1791	MANNERS, NANCY	234.60
706	11/1/2011	1806	MARQUEZ, MICHAEL	102.00
707	11/1/2011	1812	MARTEENY-HAUS, STACY	1,416.00
708	11/1/2011	1839	MC GUIRE, ANNE	102.00
709	11/1/2011	1840	MC KEE, RONALD T.	1,567.44
710	11/1/2011	1842	MCAFEE, GENE	234.60
711	11/1/2011	1868	MEDINA, MARIA	130.90
712	11/1/2011	1897	MESSINEO, JACQUELINE	1,416.00
713	11/1/2011	1918	MILES, DAVID L.	1,567.44
714	11/1/2011	1935	MITCHELL, C JOANNE	102.00
715	11/1/2011	1936	MITCHELL, HAROLD	234.60
716	11/1/2011	3236	MUNOZ, VINCENT	189.00
717	11/1/2011	2012	MURPHY, JAMES	234.60
718	11/1/2011	2013	MURRAY, DENNIS	93.60
719	11/1/2011	2033	NATIONWIDE RETIREMENT SOL	3,042.50
720	11/1/2011	2049	NEILSON, RALEIGH	234.60
721	11/1/2011	2051	NELSON, WILLIAM	141.60
722	11/1/2011	2084	NOTTI, PAMELA SUE	147.00
723	11/1/2011	2096	OBLONSKY, JERRY	102.00
724	11/1/2011	2104	OFFICE DEPOT	550.06
725	11/1/2011	2113	OLIVE, ROBERT J	234.60
726	11/1/2011	2118	OLSON, ZAN	234.60
727	11/1/2011	99999	TREVOR CHEVOL SILVERA	39.00
728	11/1/2011	99999	RAMIRO NAVAR	45.00
729	11/1/2011	99999	SCHINDLER ELEVATOR CORP	45.00
730	11/1/2011	99999	OTTO R. PEREZ	70.00
731	11/1/2011	99999	TIMOTHY MINJAREZ JR.	70.00
732	11/1/2011	99999	ROSARIO MONTERO	70.00
733	11/1/2011	99999	JOSE MONTES	70.00
734	11/1/2011	99999	ANGEL MUNOZ	70.00
735	11/1/2011	99999	JACQUELINE S. OROURKE	70.00
736	11/1/2011	99999	BRANDON R. SALCE	70.00
737	11/1/2011	99999	TORUS STEPNEY	70.00
738	11/1/2011	2126	ONTARIO, CITY OF	450.00
739	11/1/2011	2126	ONTARIO, CITY OF	450.00
740	11/1/2011	2146	OSBORN, MICHAEL	1,416.00
741	11/1/2011	2189	PARADA, MIGUEL	686.00
742	11/1/2011	2197	PARRIS, ERNEST	234.60
743	11/1/2011	2234	PERS	44,148.59
744	11/1/2011	2235	PERS LONG TERM CARE PROGR	250.00
745	11/1/2011	2254	PHILIPS, PAUL JULE	2,250.00

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CHECK #	Check Date	Vendor #	Vendor Name	Amount
746	11/1/2011	2261	PIERSON, SCOTT BRETT	1,650.00
747	11/1/2011	2283	POSSNER, ROGER DUDLEY	102.00
748	11/1/2011	2285	POVERO, DAVID	50.00
749	11/1/2011	2332	PURCELL, CHRISTOPHER SCOT	1,416.00
750	11/1/2011	2399	REDDEN, CHARLES	102.00
751	11/1/2011	2409	REIGEL, WILLIAM	234.60
752	11/1/2011	2421	REVIS, CATHY	1,416.00
753	11/1/2011	2444	RIO HONDO COLLEGE	60.00
754	11/1/2011	2456	ROBISON, MIKE	61.62
755	11/1/2011	2472	RODRIGUEZ, PHILIP	234.60
756	11/1/2011	2484	ROSALES, CHARLES	1,416.00
757	11/1/2011	2501	RUMPLER, JOANNE	1,416.00
758	11/1/2011	2519	SALAMONE, KIMBERLY	196.00
759	11/1/2011	2529	SALINAS, CHRISTOPHER	506.87
760	11/1/2011	2567	SANTOS, ROGER	93.60
761	11/1/2011	2579	SCHLEIF, FRANCISCA ISABEL	1,416.00
762	11/1/2011	2580	SCHMID, FRANK	1,416.00
763	11/1/2011	2607	SERESINGHE, AJITH	1,400.00
764	11/1/2011	2612	SEVOLD, CHERYL	196.00
765	11/1/2011	2619	SGV EXAMINER	122.21
766	11/1/2011	2630	SHAUP, JOY ANN	93.60
767	11/1/2011	2676	SMART AND FINAL IRIS CORP	27.57
768	11/1/2011	2679	SMITH, DEANNA	234.60
769	11/1/2011	2685	SMITH, RICHARD MICHAEL	93.60
770	11/1/2011	2710	SOUTHALL, MARY JO	234.60
771	11/1/2011	3208	SOWARD, KATHERINE	57.17
772	11/1/2011	2735	STANFIELD, DEWEY	93.60
773	11/1/2011	2737	STAPLES INC	289.15
774	11/1/2011	2747	STATLER, TIMOTHY	61.26
775	11/1/2011	2758	STEVENSON, ROY	280.00
776	11/1/2011	2785	SUTHERLAND, DALE	93.60
777	11/1/2011	2786	SUTHERLAND, KEITH	40.00
778	11/1/2011	2792	SWEENEY, PAUL	1,416.00
779	11/1/2011	2812	TARIN, LORENA	93.60
780	11/1/2011	2818	TAVANNA	225.17
781	11/1/2011	2828	TESKE, OSCAR	234.60
782	11/1/2011	2845	THOMAS, DON R	234.60
783	11/1/2011	2846	THOMAS, TERRI	955.79
784	11/1/2011	2847	THOMPSON, MARGARET A	93.60
785	11/1/2011	2849	THOMSON, JOHN R	234.60
786	11/1/2011	2864	TOLENTINO, LEOPOLD AGUILA	102.00
787	11/1/2011	2901	TODD, ANDREW II	1,050.00
788	11/1/2011	2936	UNION BANK OF CALIFORNIA	2,317.74
789	11/1/2011	2944	UNITED STATES TREASURY IN	200.00
790	11/1/2011	2946	UNITED WAY OF GREATER LA	20.00
791	11/1/2011	2958	US POSTMASTER TMS ACCOUNT	476.49

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CHECK #	Check Date	Vendor #	Vendor Name	Amount
792	11/1/2011	2973	VAN LEEUWEN, JOACHIM	70.00
793	11/1/2011	3234	VELARDE-KUBANIK, MONICA	66.50
794	11/1/2011	2991	VELEZ, RAUL	93.60
795	11/1/2011	2997	VER KUILEN, VALERIE	1,416.00
796	11/1/2011	3010	VILLARREAL, TIFFANY	354.52
797	11/1/2011	3014	VISION SERVICE PLAN (CA)	529.14
798	11/1/2011	3187	WAGONER, PAMELA	247.33
799	11/1/2011	3028	WALCZAK, MARY LOU	19.49
800	11/1/2011	3032	WALKER, EVELINE V	234.60
801	11/1/2011	3038	WALTON, MARLA	93.60
802	11/1/2011	3045	WASHINGTON NATIONAL INSUR	285.85
803	11/1/2011	3048	WASILCHIN, LOUISE MARY	1,416.00
804	11/1/2011	3061	WEISS, MOREY	1,416.00
805	11/1/2011	3072	WEST COVINA AUTO BODY	57.01
806	11/1/2011	3100	WILCOX, MARILYN	234.60
807	11/1/2011	3112	WINTER, JOAN L	93.60
808	11/1/2011	3126	WOOTEN, HUBERT	234.60
809	11/1/2011	3130	WORTHY, WILLIAM	3,091.66
810	11/1/2011	3138	YAP, ALBERTO	63.00
811	11/1/2011	3155	ZAVALA, ANTONIO	40.00
812	11/1/2011	3161	ZVALO, PEARL	234.60
813	11/7/2011	19	AARDVARK TACTICAL INC	164.82
814	11/7/2011	26	ABSOLUTE SECURITY	5,810.40
815	11/7/2011	3177	ALLIANCE ENVIRONMENTAL	1,000.00
816	11/7/2011	158	AMERICAN TRAFFIC SOLUTION	10,245.00
817	11/7/2011	219	AT&T	136.29
818	11/7/2011	260	B & K ELECTRIC WHOLESALE	248.58
819	11/7/2011	282	BANK OF THE WEST	9,042.20
820	11/7/2011	516	CANON BUS SOLUTIONS INC	336.17
821	11/7/2011	3239	CRISTANDO HOUSE	234.00
822	11/7/2011	649	CINTAS CORP #693	153.78
823	11/7/2011	654	CITRUS CAR WASH	23.90
824	11/7/2011	692	CODE PUBLISHING COMPANY	379.05
825	11/7/2011	710	COMMUNICATIONS CENTER	202.50
826	11/7/2011	746	CORRPRO WATERWORKS	1,410.00
827	11/7/2011	764	COVINA COLLISION REPAIR	943.75
828	11/7/2011	798	CRAFCO INC	1,141.88
829	11/7/2011	849	DAPEER ROSENBLIT & LITVAK	279.41
830	11/7/2011	862	DE ALWIS, DILU	54.24
831	11/7/2011	903	DIEHL EVANS & COMPANY LLP	550.00
832	11/7/2011	3164	DIVERSIFIED PARATRANSIT	30,255.12
833	11/7/2011	970	EDISON CO	50,717.47
834	11/7/2011	1055	FEDEX	7.28
835	11/7/2011	1067	FILEONQ INTEGRATED SOFTWA	4,620.60
836	11/7/2011	1156	GAS COMPANY, THE	253.94
837	11/7/2011	3163	GENTRY BROTHERS INC	278,383.40

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838	11/7/2011	1172	GEOGRAPHICS	15.74
839	11/7/2011	1204	GOLDEN STATE WATER COMPAN	296.79
840	11/7/2011	1232	GPSit INC	113.20
841	11/7/2011	1235	GRAINGER	45.98
842	11/7/2011	1241	GRAND PRINTING	495.25
843	11/7/2011	1344	HICKEY, STEVEN	38.20
844	11/7/2011	1389	HUNTINGTON COURT REPORTER	362.00
845	11/7/2011	1394	HYDRO CONNECTIONS	1.67
846	11/7/2011	1410	IIMC	150.00
847	11/7/2011	1428	INGRAM DIST GROUP	20.29
848	11/7/2011	3240	W & J OFFICE PRODUCTS CO	145.25
849	11/7/2011	1441	INTERSTATE BATTERY SYSTEM	79.33
850	11/7/2011	1483	JEECO MFG & SUPPLY	66.27
851	11/7/2011	1526	JS CONSULTING ENGINEERS,	47,986.85
852	11/7/2011	1547	KELLY PAPER CO	657.75
853	11/7/2011	1561	KEYSTONE UNIFORM DEPOT	11.36
854	11/7/2011	1615	LA CNTY MTA	462.00
855	11/7/2011	1694	LEWIS ENGRAVING INC	16.31
856	11/7/2011	1707	LIEBERT CASSIDY WHITMORE	9,115.95
857	11/7/2011	1707	LIEBERT CASSIDY WHITMORE	210.00
858	11/7/2011	1748	LOS ANGELES TIMES	75.00
859	11/7/2011	1786	MALINOSKI, JOHN	168.90
860	11/7/2011	1807	MARQUEZ, RAY	100.00
861	11/7/2011	3228	Newage La Mirada Inn, LLC	959.20
862	11/7/2011	1846	MCCLURE, LINDA	20.91
863	11/7/2011	1858	MCMA5TER CARR SUPPLY CO	83.14
864	11/7/2011	1924	MILLERS & ISHAMS	81.50
865	11/7/2011	1933	MISSION LINEN SUPPLY	148.95
866	11/7/2011	2000	MUFFLerville	65.25
867	11/7/2011	2027	NAPA AUTO PARTS	73.36
868	11/7/2011	2104	OFFICE DEPOT	432.67
869	11/7/2011	2104	OFFICE DEPOT	36.96
870	11/7/2011	2188	PAPER MART	126.20
871	11/7/2011	2198	PARRISH, DARYL	19.95
872	11/7/2011	2270	PLUMBING WHOLESALE OUTLET	166.48
873	11/7/2011	2275	POIRIER, ROBERT	38.20
874	11/7/2011	2344	QUICK, DEBBIE	89.22
875	11/7/2011	2345	QUILL	152.25
876	11/7/2011	2415	REPUBLIC MASTER CHEFS	138.41
877	11/7/2011	2426	REYNOLDS BUICK INC	850.00
878	11/7/2011	2447	RIVERSIDE CNTY SHERIFF'S	147.00
879	11/7/2011	2571	SBSD-EVOC TRAINING CENTER	2,400.00
880	11/7/2011	2614	SGV CITY MANAGERS' ASSOC	30.00
881	11/7/2011	2651	SIGN A RAMA COVINA	96.60
882	11/7/2011	2692	SNIDER EDUCATION & COMM	1,300.00
883	11/7/2011	2926	TYLER TECHNOLOGIES INC.	54,894.02

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884	11/7/2011	2954	URBAN GRAFFITI ENTERPRISE	5,000.00
885	11/7/2011	2958	US POSTMASTER TMS ACCOUNT	365.62
886	11/7/2011	3179	UTILITY \$30 BACKFLOW TEST	525.00
887	11/7/2011	2999	VERIZON CALIFORNIA	224.70
888	11/7/2011	3028	WALCZAK, MARY LOU	33.94
889	11/7/2011	3070	WEST COAST ARBORISTS INC	8,663.70
890	11/7/2011	3137	Y TIRE SALES	59.00
891	11/7/2011	3155	ZAVALA, ANTONIO	255.00
892	11/10/2011	32	ACEVES, JORGE L.	45.00
893	11/10/2011	52	ADVANCED GRAPHIX INC	141.29
894	11/10/2011	68	AFLAC ACCT# YQ792 WORLDWI	3,487.44
895	11/10/2011	68	AFLAC ACCT# YQ792 WORLDWI	25.00
896	11/10/2011	69	AFSCME	880.00
897	11/10/2011	84	AIRGAS-WEST	169.90
898	11/10/2011	113	ALL CITY MANAGEMENT SVC	5,019.72
899	11/10/2011	150	AMERICAN INDUSTRIAL SUPPL	2,223.98
900	11/10/2011	158	AMERICAN TRAFFIC SOLUTION	16,185.00
901	11/10/2011	219	AT&T	599.58
902	11/10/2011	220	AT&T LONG DISTANCE	8.68
903	11/10/2011	221	AT&T MOBILITY	1,183.16
904	11/10/2011	254	AZUSA LIGHT & WATER	2,517.72
905	11/10/2011	291	BARR & CLARK	275.00
906	11/10/2011	341	BEST BEST & KRIEGER LLP	29,811.21
907	11/10/2011	487	CALIFORNIA PUBLIC EMPLOYE	59,392.55
908	11/10/2011	600	CERTIFIED UNDERCAR PARTS	251.89
909	11/10/2011	608	CHAMPION CHEMICAL COMPANY	125.61
910	11/10/2011	618	CHARTER OAK HARDWARE	31.25
911	11/10/2011	649	CINTAS CORP #693	153.78
912	11/10/2011	664	CIVILTEC ENGINEERING INC.	38,633.01
913	11/10/2011	682	CLINICAL LAB OF SAN BERNA	420.00
914	11/10/2011	700	COLLEY FORD	165.99
915	11/10/2011	710	COMMUNICATIONS CENTER	433.22
916	11/10/2011	720	COMPUTER SERVICE COMPANY	33,825.63
917	11/10/2011	730	CONTEMPORARY INFO CORP	48.00
918	11/10/2011	771	COVINA IRRIGATING CO	205,664.25
919	11/10/2011	775	COVINA POLICE ASSOCIATION	3,300.00
920	11/10/2011	775	COVINA POLICE ASSOCIATION	960.00
921	11/10/2011	783	COVINA WATER & REFUSE, CI	624.68
922	11/10/2011	788	COVINA, CITY OF	379.12
923	11/10/2011	788	COVINA, CITY OF	75,458.05
924	11/10/2011	788	COVINA, CITY OF	39.80
925	11/10/2011	788	COVINA, CITY OF	2.50
926	11/10/2011	788	COVINA, CITY OF	33.32
927	11/10/2011	788	COVINA, CITY OF	6,041.34
928	11/10/2011	789	COVINA-FSA, CITY OF	1,222.00
929	11/10/2011	819	CSAC-EIA	4,372.00

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930	11/10/2011	819	CSAC-EIA	1,531.03
931	11/10/2011	862	DE ALWIS, DILU	195.25
932	11/10/2011	878	DELTA DENTAL OF CALIFORNI	5,967.53
933	11/10/2011	889	DESILVA, ANURA K T	2,500.00
934	11/10/2011	962	EAST DISTRICT SUPERIOR CO	9,753.50
935	11/10/2011	970	EDISON CO	42,945.72
936	11/10/2011	971	EDS AUTO PARTS	45.43
937	11/10/2011	3246	ARI KALECHSTEIN	4,060.00
938	11/10/2011	1197	GLOBAL WATER MANAGEMENT L	51,345.55
939	11/10/2011	1198	GLOBALSTAR LLC	42.17
940	11/10/2011	1235	GRAINGER	190.35
941	11/10/2011	1247	GREAT WEST LIFE & ANNUITY	3,902.50
942	11/10/2011	1275	HAAKER EQUIPMENT CO	391.46
943	11/10/2011	1276	HACH CO	316.08
944	11/10/2011	1307	HARTFORD LIFE INS	9.68
945	11/10/2011	1317	HDL SOFTWARE LLC	117.82
946	11/10/2011	1361	HOLLIDAY ROCK CO INC	938.69
947	11/10/2011	3200	HOME PERFORMANCE MATTERS	3,960.00
948	11/10/2011	1394	HYDRO CONNECTIONS	172.65
949	11/10/2011	1397	HYNES, MELODY	310.97
950	11/10/2011	1404	ICMA RETIREMENT TRUST	6,637.98
951	11/10/2011	1404	ICMA RETIREMENT TRUST	845.47
952	11/10/2011	1427	INGLEWOOD, CITY OF PTS PR	704.68
953	11/10/2011	1430	INLAND WATER WORKS	571.81
954	11/10/2011	1441	INTERSTATE BATTERY SYSTEM	1,078.36
955	11/10/2011	1463	J.G. TUCKER AND SON	305.26
956	11/10/2011	1474	JAIME, LUIS	20.00
957	11/10/2011	1531	JW LOCK CO INC	27.13
958	11/10/2011	1547	KELLY PAPER CO	792.64
959	11/10/2011	1549	KEMP, BOBBI	17.39
960	11/10/2011	1561	KEYSTONE UNIFORM DEPOT	38.01
961	11/10/2011	1650	LARA, LAURA	157.50
962	11/10/2011	1658	LASER TECHNOLOGY INC	1,416.31
963	11/10/2011	1663	LAW ENFORCEMENT MEDICAL	385.00
964	11/10/2011	1694	LEWIS ENGRAVING INC	145.73
965	11/10/2011	1696	LEWIS SAW AND LAWNMOWER	14.14
966	11/10/2011	1712	LIGHTHOUSE INC, THE	95.57
967	11/10/2011	1754	LOWE'S COMPANIES INC	28.42
968	11/10/2011	1895	MERRIMAC ENERGY GROUP	59,504.33
969	11/10/2011	1924	MILLERS & ISHAMS	849.93
970	11/10/2011	1933	MISSION LINEN SUPPLY	251.22
971	11/10/2011	2027	NAPA AUTO PARTS	39.66
972	11/10/2011	2033	NATIONWIDE RETIREMENT SOL	2,892.50
973	11/10/2011	2061	NEWPORT FARMS INC	260.00
974	11/10/2011	2091	O REILLY AUTO PARTS	403.34
975	11/10/2011	2198	PARRISH, DARYL	39.00

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CHECK #	Check Date	Vendor #	Vendor Name	Amount
976	11/10/2011	2234	PERS	41,891.56
977	11/10/2011	2235	PERS LONG TERM CARE PROGR	250.01
978	11/10/2011	2277	POLLARDWATER DOT COM	467.13
979	11/10/2011	2299	PRESENTA PLAQUE CORP	319.15
980	11/10/2011	2312	PROFORCE LAW ENFORCEMENT	6,673.01
981	11/10/2011	2345	QUILL	171.15
982	11/10/2011	2357	RAETECH	2,569.55
983	11/10/2011	2389	RC KEMP CONSULTING LLC	1,530.00
984	11/10/2011	2415	REPUBLIC MASTER CHEFS	121.31
985	11/10/2011	2426	REYNOLDS BUICK INC	1,459.25
986	11/10/2011	2434	RICE/ENGLANDER & ASSOCIAT	3,000.00
987	11/10/2011	2444	RIO HONDO COLLEGE	50.40
988	11/10/2011	2590	SCRRA	2,000.00
989	11/10/2011	2660	SIMPLEX GRINNELL LP	165.77
990	11/10/2011	2676	SMART AND FINAL IRIS CORP	165.78
991	11/10/2011	2686	SMITH, STEVEN	18.25
992	11/10/2011	2691	SNIDER, MARILYN M.	3,248.91
993	11/10/2011	2775	SUPERB GRAPHICS INC	402.86
994	11/10/2011	2796	SYNTECH	1,200.00
995	11/10/2011	2852	THREE VALLEY MUN WATER DI	3,672.86
996	11/10/2011	2855	TIME WARNER CABLE	145.12
997	11/10/2011	2903	TRI-XECUTEX CORP	80.00
998	11/10/2011	2912	TT MAILING SERVICE	150.00
999	11/10/2011	2935	UNDERGROUND SERVICE ALERT	85.50
1000	11/10/2011	2936	UNION BANK OF CALIFORNIA	2,667.54
1001	11/10/2011	2942	UNITED SITE SERVICES OF C	102.36
1002	11/10/2011	2944	UNITED STATES TREASURY IN	200.00
1003	11/10/2011	2945	UNITED TRAFFIC	207.50
1004	11/10/2011	2946	UNITED WAY OF GREATER LA	20.00
1005	11/10/2011	3179	UTILITY \$30 BACKFLOW TEST	35.00
1006	11/10/2011	2999	VERIZON CALIFORNIA	1,353.58
1007	11/10/2011	3004	VICTORY EXTERMINATING INC	25.00
1008	11/10/2011	3014	VISION SERVICE PLAN (CA)	515.89
1009	11/10/2011	3043	WARREN DISTRIBUTING INC	1,370.90
1010	11/10/2011	3045	WASHINGTON NATIONAL INSUR	285.90
1011	11/10/2011	3062	WELCH COMPANY, THE	39,419.00
1012	11/10/2011	3064	WELLDYNERX	105.30
1013	11/10/2011	3070	WEST COAST ARBORISTS INC	6,648.30
1014	11/10/2011	3082	WESTERN WATER WORKS SUPPL	1,654.49
1015	11/16/2011	2958	US POSTMASTER	615.00
1016	11/18/2011	2	10-8 RETROFIT	1,167.32
1017	11/18/2011	3	12 MILES OUT.COM	1,200.00
1018	11/18/2011	13	A-1 POWER SWEEPING CO INC	600.00
1019	11/18/2011	19	AARDVARK TACTICAL INC	717.71
1020	11/18/2011	23	ABORTA BUG INC	70.00
1021	11/18/2011	26	ABSOLUTE SECURITY	5,756.60

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CHECK #	Check Date	Vendor #	Vendor Name	Amount
1022	11/18/2011	50	ADVANCED	1,430.10
1023	11/18/2011	84	AIRGAS-WEST	98.38
1024	11/18/2011	120	ALLANA-BUICK-BERS	11,373.25
1025	11/18/2011	204	ARROYO, R. ANTHONY	60.00
1026	11/18/2011	217	ASTRA INDUSTRIAL SERVICES	76.57
1027	11/18/2011	219	AT&T	691.65
1028	11/18/2011	281	BANK OF THE WEST	233.18
1029	11/18/2011	283	BANK OF THE WEST	8,805.41
1030	11/18/2011	350	BIG D'S BILLARDS	72.44
1031	11/18/2011	437	BURRO CANYON ENT INC	170.00
1032	11/18/2011	475	CALIBER POOL AND SPA SVC	1,450.00
1033	11/18/2011	477	CALIF, STATE OF	16,096.74
1034	11/18/2011	516	CANON BUS SOLUTIONS INC	119.39
1035	11/18/2011	600	CERTIFIED UNDERCAR PARTS	192.40
1036	11/18/2011	634	CHEVRON PRODUCTS COMPANY	375.42
1037	11/18/2011	638	CHINESE DAILY NEWS	180.00
1038	11/18/2011	649	CINTAS CORP #693	155.78
1039	11/18/2011	654	CITRUS CAR WASH	357.05
1040	11/18/2011	680	CLIFFS RESORT	373.16
1041	11/18/2011	700	COLLEY FORD	743.15
1042	11/18/2011	739	COPWARE	920.00
1043	11/18/2011	777	COVINA RENTS	650.33
1044	11/18/2011	783	COVINA WATER & REFUSE, CI	442.17
1045	11/18/2011	791	CPCA	555.00
1046	11/18/2011	857	DAVID N. M. TURCH	16,000.00
1047	11/18/2011	889	DESILVA, ANURA K T	2,500.00
1048	11/18/2011	894	DF POLYGRAPH	375.00
1049	11/18/2011	956	DYNO TUNE	1,640.00
1050	11/18/2011	970	EDISON CO	1,376.52
1051	11/18/2011	1055	FEDEX	39.26
1052	11/18/2011	1075	FLEET SERVICES	119.10
1053	11/18/2011	1156	GAS COMPANY, THE	561.93
1054	11/18/2011	1218	GONZALEZ, ALEX	41.00
1055	11/18/2011	1235	GRAINGER	919.49
1056	11/18/2011	3251	HANSON, HARLAND ULYSSES	4,140.12
1057	11/18/2011	1317	HDL SOFTWARE LLC	1,160.07
1058	11/18/2011	3249	BARTELL HOTELS	371.67
1059	11/18/2011	3249	BARTELL HOTELS	371.67
1060	11/18/2011	1364	HOME DEPOT	1,436.41
1061	11/18/2011	3200	HOME PERFORMANCE MATTERS	500.00
1062	11/18/2011	1389	HUNTINGTON COURT REPORTER	661.92
1063	11/18/2011	1394	HYDRO CONNECTIONS	4.84
1064	11/18/2011	1429	INLAND EMPIRE STAGES	1,455.00
1065	11/18/2011	1440	INTERNATIONAL TIME RECORD	192.95
1066	11/18/2011	1441	INTERSTATE BATTERY SYSTEM	1.75
1067	11/18/2011	3230	Bobadilla, Jesus	1,646.00

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CHECK #	Check Date	Vendor #	Vendor Name	Amount
1068	11/18/2011	1545	KELLEY BLUE BOOK INC	75.08
1069	11/18/2011	1547	KELLY PAPER CO	398.03
1070	11/18/2011	1561	KEYSTONE UNIFORM DEPOT	130.45
1071	11/18/2011	1571	KING BOLT CO	15.92
1072	11/18/2011	1612	LA CNTY DEPT OF PUBLIC WO	6,050.26
1073	11/18/2011	1620	LA CNTY TAX COLLECTOR	366.85
1074	11/18/2011	1620	LA CNTY TAX COLLECTOR	366.85
1075	11/18/2011	1646	LANGUAGE LINE SERVICES IN	59.22
1076	11/18/2011	1694	LEWIS ENGRAVING INC	963.09
1077	11/18/2011	1807	MARQUEZ, RAY	612.00
1078	11/18/2011	1858	MCMASTER CARR SUPPLY CO	9.59
1079	11/18/2011	1895	MERRIMAC ENERGY GROUP	31,119.84
1080	11/18/2011	1924	MILLERS & ISHAMS	307.36
1081	11/18/2011	1933	MISSION LINEN SUPPLY	156.13
1082	11/18/2011	2027	NAPA AUTO PARTS	208.21
1083	11/18/2011	2061	NEWPORT FARMS INC	284.15
1084	11/18/2011	2091	O REILLY AUTO PARTS	16.60
1085	11/18/2011	2104	OFFICE DEPOT	3,848.55
1086	11/18/2011	2104	OFFICE DEPOT	13.78
1087	11/18/2011	99999	MARK ANTHONY LOPEZ	30.00
1088	11/18/2011	99999	VICTOR RODRIQUEZ	45.00
1089	11/18/2011	99999	ALLESSANDRA SIGLER	45.00
1090	11/18/2011	99999	RACHEL BLOSS	45.00
1091	11/18/2011	99999	MARK LOPEZ	140.00
1092	11/18/2011	2163	PACIFIC PARKING SYS INC	252.84
1093	11/18/2011	2285	POVERO, DAVID	115.00
1094	11/18/2011	2389	RC KEMP CONSULTING LLC	1,755.00
1095	11/18/2011	2403	REGAN, DAN	76.50
1096	11/18/2011	2407	REGIONAL TAP SERVICE CENT	960.30
1097	11/18/2011	2426	REYNOLDS BUICK INC	1,362.89
1098	11/18/2011	2456	ROBISON, MIKE	76.50
1099	11/18/2011	2510	S & S WORLDWIDE INC	41.20
1100	11/18/2011	2546	SAN GABRIEL VALLEY TRIBUN	2,944.98
1101	11/18/2011	263S	SHERATON GATEWAY HOTEL	330.84
1102	11/18/2011	2636	SHERATON SAN DIEGO HOTEL	1,908.00
1103	11/18/2011	2648	SIEMENS BUILDING TECHNOLO	364.00
1104	11/18/2011	2651	SIGN A RAMA COVINA	96.60
1105	11/18/2011	3248	SIGN INDUSTRIES INC	1,363.83
1106	11/18/2011	2658	SILVIA CONSTRUCTION INC	411,664.70
1107	11/18/2011	2676	SMART AND FINAL IRIS CORP	14.40
1108	11/18/2011	3245	SO CAL REMODELING PRODUCT	1,500.00
1109	11/18/2011	2719	SPARKLETTES	22.35
1110	11/18/2011	2737	STAPLES INC	514.47
1111	11/18/2011	2772	SUNGARD BI-TECH INC	427.20
1112	11/18/2011	2796	SYNTECH	4,280.40
1113	11/18/2011	2853	THYSSENKRUPP ELEVATOR	1,369.32

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CHECK #	Check Date	Vendor #	Vendor Name	Amount
1114	11/18/2011	3185	TOSHIBA FINANCIAL SERVICE	1,757.42
1115	11/18/2011	2907	TRUGREEN LANDSCAPE	8,932.49
1116	11/18/2011	2945	UNITED TRAFFIC	3,082.57
1117	11/18/2011	2958	US POSTMASTER TMS ACCOUNT	2,755.99
1118	11/18/2011	2969	VALLEY TROPHY	1,133.43
1119	11/18/2011	2999	VERIZON CALIFORNIA	1,038.53
1120	11/18/2011	3001	VERIZON WIRELESS	3,578.09
1121	11/18/2011	3004	VICTORY EXTERMINATING INC	50.00
1122	11/18/2011	3006	VIDEO STORE SHOPPER, THE	94.11
1123	11/18/2011	3023	VULCAN MATERIALS COMPANY	405.86
1124	11/18/2011	3029	WALCZAK, RIC	76.50
1125	11/18/2011	3042	WARD, SHERYL	116.00
1126	11/18/2011	3068	WELLS FARGO FINANCIAL LEA	166.45
1127	11/18/2011	3070	WEST COAST ARBORISTS INC	1,663.11
1128	11/18/2011	3102	WILLDAN FINANCIAL SERVICE	70.21
1129	11/18/2011	3134	XEROX CORPORATION	149.58
1130	11/18/2011	3135	XO COMMUNICATIONS	5,586.04
1131	11/18/2011	3137	Y TIRE SALES	4,206.50
1132	11/18/2011	3247	ZERO ENERGY CONTRACTING I	500.00
1133	11/23/2011	84	AIRGAS-WEST	169.90
1134	11/23/2011	96	ALBERTSONS GROCERY WAREHO	275.41
1135	11/23/2011	113	ALL CITY MANAGEMENT SVC	4,892.10
1136	11/23/2011	219	AT&T	116.02
1137	11/23/2011	225	ATKINSON, ANDELSON, LOYA,	132.50
1138	11/23/2011	255	AZUSA PLUMBING & HEATNG S	165.05
1139	11/23/2011	269	BAKER AND TAYLOR INC	478.93
1140	11/23/2011	281	BANK OF THE WEST	2,200.00
1141	11/23/2011	328	BENLO CO	32.64
1142	11/23/2011	341	BEST BEST & KRIEGER LLP	1,196.00
1143	11/23/2011	362	BLAKE'S PAPER CO	72.74
1144	11/23/2011	411	BRODART CO	326.28
1145	11/23/2011	457	CA PARKS AND REC SOCIETY	155.00
1146	11/23/2011	477	CALIF, STATE OF	608.00
1147	11/23/2011	3214	Case Dealer Holding Compa	1,105.50
1148	11/23/2011	600	CERTIFIED UNDERCAR PARTS	329.12
1149	11/23/2011	618	CHARTER OAK HARDWARE	53.16
1150	11/23/2011	664	CIVILTEC ENGINEERING INC.	35,507.50
1151	11/23/2011	682	CLINICAL LAB OF SAN BERNA	510.00
1152	11/23/2011	700	COLLEY FORD	44.81
1153	11/23/2011	749	COUNSELING TEAM, THE	960.00
1154	11/23/2011	766	COVINA DISPOSAL CO	21,278.89
1155	11/23/2011	1004	USA PROTECT LLC	75.00
1156	11/23/2011	3252	Equarius Waterworks	1,140.45
1157	11/23/2011	1055	FEDEX	7.12
1158	11/23/2011	1156	GAS COMPANY, THE	1,431.15
1159	11/23/2011	3241	GLUEPLACE.COM	172.46

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CHECK #	Check Date	Vendor #	Vendor Name	Amount
1160	11/23/2011	1235	GRAINGER	374.37
1161	11/23/2011	1249	GREENE, ALEJANDRA	163.17
1162	11/23/2011	1255	GRISWOLD INDUSTRIES	1,824.80
1163	11/23/2011	1364	HOME DEPOT	202.14
1164	11/23/2011	1371	HOSE MAN INC, THE	23.38
1165	11/23/2011	1401	ICC CERTIFICATION RENEWAL	50.00
1166	11/23/2011	1430	INLAND WATER WORKS	4,106.40
1167	11/23/2011	1437	INTER-CON SECURITY SYSTEM	5,335.69
1168	11/23/2011	3230	Bobadilla, Jesus	7,165.00
1169	11/23/2011	1571	KING BOLT CO	26.45
1170	11/23/2011	1580	KMART STORE 4281	19.60
1171	11/23/2011	1612	LA CNTY DEPT OF PUBLIC WO	6,400.00
1172	11/23/2011	1614	LA CNTY FIRE DEPARTMENT	1,950.00
1173	11/23/2011	1629	LA WORKS	7,186.00
1174	11/23/2011	1710	LIFELOC TECHNOLOGIES INC	37.46
1175	11/23/2011	1748	LOS ANGELES TIMES	180.00
1176	11/23/2011	1778	MADRID, VICKI	20.00
1177	11/23/2011	1908	O'DAY, MICHAEL J.	285.00
1178	11/23/2011	3264	MILLS, JUSTIN	80.00
1179	11/23/2011	1933	MISSION LINEN SUPPLY	509.55
1180	11/23/2011	2091	O REILLY AUTO PARTS	231.62
1181	11/23/2011	2104	OFFICE DEPOT	2,687.83
1182	11/23/2011	99999	CARLA AYALA	315.87
1183	11/23/2011	2134	ORKIN PEST CONTROL	88.99
1184	11/23/2011	2199	PARS	492.77
1185	11/23/2011	2238	PEST OPTIONS INC	265.00
1186	11/23/2011	2270	PLUMBING WHOLESALE OUTLET	38.02
1187	11/23/2011	2277	POLLARDWATER DOT COM	442.22
1188	11/23/2011	3258	QUICK FIX	364.87
1189	11/23/2011	2345	QUILL	58.66
1190	11/23/2011	2379	KYLE RANDALL	200.25
1191	11/23/2011	2529	SALINAS, CHRISTOPHER	506.87
1192	11/23/2011	2546	SAN GABRIEL VALLEY TRIBUN	1,833.33
1193	11/23/2011	2619	SGV EXAMINER	439.08
1194	11/23/2011	2646	SHOWCASES	417.96
1195	11/23/2011	2737	STAPLES INC	1,120.68
1196	11/23/2011	2737	STAPLES INC	240.61
1197	11/23/2011	2775	SUPERB GRAPHICS INC	944.16
1198	11/23/2011	2795	SWRCB	12,131.00
1199	11/23/2011	2796	SYNTECH	2,956.89
1200	11/23/2011	3244	TERMINIX PROCESSING CENTE	1,910.00
1201	11/23/2011	2852	THREE VALLEY MUN WATER DI	3,672.86
1202	11/23/2011	2859	TISUTHIWONGSE, SUCHOT	227.12
1203	11/23/2011	2877	TOSHIBA BUSINESS SOLUTION	186.62
1204	11/23/2011	2914	TUCKER TIRE	88.21
1205	11/23/2011	2926	TYLER TECHNOLOGIES INC.	5,161.87

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CHECK #	Check Date	Vendor #	Vendor Name	Amount
1206	11/23/2011	3263	UNITED STATES MEDIA TELEV	19,800.00
1207	11/23/2011	2950	UPS	3.60
1208	11/23/2011	2958	US POSTMASTER TMS ACCOUNT	451.96
1209	11/23/2011	2999	VERIZON CALIFORNIA	596.33
1210	11/23/2011	3004	VICTORY EXTERMINATING INC	50.00
1211	11/23/2011	3023	VULCAN MATERIALS COMPANY	513.58
1212	11/23/2011	3043	WARREN DISTRIBUTING INC	92.27
1213	11/23/2011	3064	WELLDYNERX	52.68
1214	11/23/2011	3070	WEST COAST ARBORISTS INC	3,931.20
1215	11/23/2011	3082	WESTERN WATER WORKS SUPPL	3,274.79
1216	11/23/2011	3261	WESTIN GASLAMP QUARTER	379.73
1217	11/23/2011	3134	XEROX CORPORATION	21.00
			Total	\$ 2,538,190.34

STATE OF CALIFORNIA)
) ss:
COUNTY OF LOS ANGELES)

I, Dilu De Alwis being first duly sworn, declare that I am the Finance Director of the City of Covina and have read the attached Register(s) of Audited Demands for the City of Covina dated Accounts Payable for November, 2011; Payroll for 11/08/11, 11/10/11 and 11/23/11; Workers Compensation for 11/16/11 and 11/30/11; know the contents thereof, and do CERTIFY as to the accuracy of the attached Demands and the availability of funds for their payment pursuant to the government Code, Section 37202.

Dilu De Alwis
Finance Director

Subscribed and sworn to before me

this 17th day of January, 2012

Calvin M. Lopez, Deputy

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: January 17, 2011

ITEM NO.: CC 4

STAFF SOURCE: Steve Henley, Director of Public Works
Kalieh Honish, Assistant Director of Public Works *KH*

ITEM TITLE: Water Utility Billing and Automated Meter Reading Projects Quarterly Status Update

STAFF RECOMMENDATION

Receive and file the Water Utility Billing and Automated Meter Reading Projects Quarterly Status Update.

FISCAL IMPACT

This is an informational status report only and carries no fiscal impact.

BACKGROUND

At its regular meeting of January 18, 2011, the City Council directed staff to provide regular status updates on the on-going implementation of the Water Utility's new billing system and automated meter reading system. The following is key performance information for both projects for the second quarter of the current fiscal year:

Utility Billing System

	OCT	NOV	DEC
Total Call Center Calls Received	1,732	1,277	1,244
Abandoned Call Rate	9%	8.0%	3.6%
% Answered <60 seconds	63.5%	68.7%	82.2%
% Answered <30 seconds			
Average Wait Time	2 min. 6 sec.	1 min. 5 sec.	37 sec.
Total Payments	8,147	7,689	7,543
# of Payments by Credit Card	1,165	1,074	1,101
Total Number of Bills Mailed	8,156	8,343	8,420
% in 25-35 Day Read Window	100%	100%	100%

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: January 17, 2012

ITEM NO.: CC 5

STAFF SOURCE: Steve Henley, Director of Public Works
Kalieh Honish, Assistant Director of Public Works *PH*
Paul Hertz, Public Works Superintendent

ITEM TITLE: Public Works Department Monthly Activity Report

STAFF RECOMMENDATION

Receive and file the Public Works Department Monthly Activity Report

FISCAL IMPACT

This report is informational only and has no budgetary impact.

BACKGROUND

Attached for the City Council's review and information are the Public Works Department's Monthly Activity Report for December.

In conjunction with the implementation of a revised Zone Maintenance Program in 2007, the Department implemented a renewed focus on Key Performance Indexing (KPI). KPI is a useful tool for developing a measurement system of organizational effectiveness by identifying activities important to the community and tracking their output over time.

During December, the following trends were noted:

- Service levels for Street Maintenance in several areas have declined somewhat as the crews spent the month focusing on cleanup operations as a result from the abnormal wind storm experienced early in the month. Accordingly, the number of trees removed by in house crews spiked dramatically. Street crews also focused on the installation of new parking signs in municipal lots as a result of the recently amended downtown parking regulations.
- Code Enforcement saw an approximate 40% drop in the number of inspections performed due to staff furloughs, vacations, and scheduled training.
- In comparison to last month, open Industrial Waste Permit cases dramatically dropped due to progress made on continued outstanding cases.
- Service levels for the Water Division are noted lower this month with the exception of Consumer responses as crews attended to a large repair to the main service feed of the Rancho Simi Reservoir.

**CITY OF COVINA
PUBLIC WORKS DEPARTMENT MONTHLY ACTIVITY REPORT
DECEMBER 2011**

DIVISION	ACTIVITY	QUANTITY
Water Utility	Meter replacements	1
	Consumer responses	578
	Backflow tests	0
	Flushed blow-offs	0
	Service line repair/replace	1
	Main line repair/replace	4
	Fire hydrants maintained	4
	Isolation valves exercised	4
	Dig alert responses	27
	Emergency call outs	4
	Equipment Maintenance	Preventative Maintenance service
Safety inspections		42
Daily demand repairs		86
Tire repairs		12
Major repairs over \$1000		2
Emergency call outs		14
Street Maintenance	Traffic sign remove/replace/install	275
	Potholes repaired	49
	Curb and gutter remove/replace (LF)	0
	Sidewalk remove/replace (SF)	0
	Curb painted (LF)	2,000
	Illegally dumped items picked up (LBS.)	10,000
	Utility cuts repaired	3
	Trees trimmed	0
	Trees removed	25
Emergency call outs	6	
Environmental Services	Used oil containers distributed	6
	Compost bins distributed	1
	NPDES violations investigated	2
	NPDES Permit Inspections	9
	Waste management consumer contacts	4
	Industrial Waste Permit Inspections	5
	Plans checked for environmental compliance	10
	Environmental legislation & regulations reviewed	123
	Special Waste collection events promoted	1
Engineering	Permits issued	12
	Inspections conducted	29
	Complaint responses	1
	Jobsite meetings	3
	Plan checks conducted	8
	Document research requests	3
	Value of plans prepared	1,689,750
Building Maintenance	Service requests completed	16
	Facility heat/air conditioning repairs	3
	Facility lighting/electrical repairs	0
	Emergency call outs	1

**CITY OF COVINA
PUBLIC WORKS DEPARTMENT MONTHLY ACTIVITY REPORT
DECEMBER 2011**

DIVISION	ACTIVITY	QUANTITY
Transportation	Bus passes sold	83
	Covina Transit passengers	1,982
	Metrolink monthly permits sold	755
	Metrolink Avg. daily permits sold	107
	Municipal lots blue zone permits sold	84
	Municipal lots monthly machine revenues	\$1,409
Code Enforcement	Number of Inspections	634
	Number of signs pulled from public right-of-way	172
	Number of resolved cases	55
	Number of open cases	286
	Industrial waste cases open	22
	Liens filed	4
	Liens released	6
	Total homes in foreclosure	253
	Foreclosed homes registered	18
Cases referred for possible litigation	3	
Building & Safety	Pre/Post permit counter visits	202
	Pre/Post Activity (hours)	30.3
	Permits issued	88
	Inspections conducted	505
	Plan checks conducted	25
	Permit valuation	\$1,003,676
Sewer Maintenance	Manholes inspected	91
	Linear feet of main cleaned	71,461
	Hot-spot locations cleaned	33
	Sewer overflow responses	0
	Manholes treated for vermin infestation	15
	Manholes treated for rodent infestation	65
Routine pump station checks	31	
Special Activities of Note	Christmas parade traffic closure & equipment set up	1
	Trees removed from wind storm damage on 12/1	25
	Tree limbs picked up from wind storm damage on 12/1	78
	Repair main water feed line to the Rancho Simi Reservoir	1

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: January 17, 2012

ITEM NO.: CC 6

STAFF SOURCE: Steve Henley, Director of Public Works
Kalieh Honish, Assistant Director of Public Works
Laura Lara, Assistant Civil Engineer



ITEM TITLE: Reject All Bids for the Cypress Reservoir Renovation –
Project No. W-1102

STAFF RECOMMENDATION

That the City Council:

- a. Approve the project plans; and
- b. Reject all bids received for the Cypress Reservoir Renovation, Project No. W-1102, and direct staff to re-advertise the project.

FISCAL IMPACT

The recommended action will have no fiscal impact.

BACKGROUND

Originally constructed in 1896, the Cypress Reservoir is the Water Utility's oldest active reservoir and pump station. Project No. W-1102 consists of the complete renovation of this reservoir and pump station including replacement of the existing deteriorated wooden roof with an aluminum dome; cleaning and sealing of the reservoir tanks; reconstruction of the tank floor; reconstruction of the control room; and re-piping of the inlet and outlet pipe systems.

The project was duly noticed and advertised and bids for the project were received in the City Clerk's office on January 3, 2012. As shown on the attached Exhibit B, United Engineering and Construction, Incorporated's (UECI) bid was the lowest monetary bidder with a bid of \$1,172,141.00. The highest bid was received by MMC in the amount of \$1,643,640.00. The Engineer's Estimate for the project was \$1,535,000.00.

During staff's review of the bids received, it was noted that UECI had not listed any subcontractors even though the specs required the use of a specific firm (CST Covers of Gardena, California) for the reservoir's roofing system. During conversations with this contractor, UECI stated that they had inadvertently omitted CST as a subcontractor; thinking of them as a vendor or supplier. UECI subsequently filed a revised subcontractor's list reflecting CST as a subcontractor for the project. However under state law, this revised submittal was not deemed to be timely.

On January 6, 2012, SCW Contracting (SCW) filed a written protest of UECEI's bid for its failure to list a subcontractor and opined that SCW should be awarded the bid as the lowest responsive and responsible bidder. However, as SCW's bid is approximately \$210,000 higher than UECEI's bid, staff feels it imprudent to accept such a significant project cost increase due to, essentially, an error on the part of UECEI.

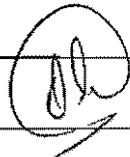
Based on the fact that the City would be placed in the position of having to pay significantly more money for the same work solely due to the discrepancy in the lowest monetary bidder's bid packet, staff's recommendation is that the City Council reject all bids and re-advertise the project.

RELEVANCE TO THE STRATEGIC PLAN

While not directly responsive to any of the currently identified objectives of the Strategic Plan improvements of the City's water supply system to develop operational redundancy support the specific Strategic Plan's Goals of enhancing financial stability and becoming an environmentally sustainable community.

EXHIBITS

- A. Project Plans on file with the Public Works Department
- B. Bid Summary

REVIEW TEAM ONLY	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: January 17, 2012

ITEM NO.: CC 7

STAFF SOURCE: Dilu de Alwis, Finance Director 
Steven Smith, Management Analyst

ITEM TITLE: Resolution Authorizing the Finance Department to Write-Off Certain Delinquent Accounts as of December 1, 2011 and Authorizing City Manager and City Attorney to Draft, Negotiate and Approve a Settlement Agreement with Athens Services for Unbilled Services.

STAFF RECOMMENDATION

Adopt Resolution No. 11-7030 authorizing the write-off of certain delinquent refuse accounts at December 1, 2011 and authorize the City Manager and City Attorney to draft, negotiate and approve a settlement agreement with Athens Services for an amount not to exceed \$100,000.

FISCAL IMPACT

The settlement amount is intended to be paid over two fiscal years from Franchise Fee revenue 1010-0000-40880. This impact to the General Fund will be spread out over fiscal years 2011-2012 and 2012-2013.

BACKGROUND

The City of Covina has contracted with Athens for many years to provide solid waste hauling for commercial and residential customers. Prior to February 2011 the City was responsible for residential refuse billing. Residential billing responsibilities were transferred to Athens in February 2011.

In late 2010, during the transition of the residential billing function from the City to Athens, an audit revealed that 346 residential accounts had received refuse services from Athens but were never billed by the City. The reasons for this include; (a) previous customer moves and barrels not being transferred to the new customer resulting in continued service without billing, (b) request to pull barrels sent to Athens for non-payment but barrels not pulled and services provided with no billing or payment, etc.

The total unpaid amount for 346 accounts as determined by the audit for the period of March, 2008 through February, 2011 is \$300,995. The breakdown is as follows; (a) amount owed by the City to Athens for services rendered under the Franchise Agreement - \$266,560; (b) AB939 fees - \$23,419.20; and (c) City of Covina Franchise Fees - \$11,016.

Write-Off of Accounts:

Staff is requesting the City Council to take two actions this evening. The first action is to adopt **Resolution No. 11-7030** authorizing the write-off of \$300,995 in uncollected refuse service fees for 346 residential accounts. Initiating collection procedures now would create many challenges, including customers who have moved, incomplete historical records and a host of other sundry customer service and collections related issues. Examples include the fact that administrative

costs associated with the collection process diminishes return on investment and to the extent that some of the 346 customers can be located and retroactively billed, no doubt numerous billing disputes would arise out of this action and customers would not necessarily understand why they are receiving bills for service received as long as four years ago. The law requires City Council approval by resolution before the write-off of any account.

Settlement Agreement with Athens Services:

Staff is also requesting City Council authorization for the City Manager and City Attorney to draft, negotiate and approve a settlement agreement with Athens Services. As indicated above, the audit revealed that \$266,560 in refuse fees were not paid by the City to Athens for prior services rendered. Athens has filed a claim with the City for this amount under the California Government Claims Act. City staff maintains that legal defenses exist to significantly reduce Athens' claim (including, but not limited to applicable statutes of limitation). As a result staff and Athens have been negotiating settlement terms in good faith. In order to litigation, Athens has tentatively agreed to a settlement of \$100,000 for the unpaid amount. Staff is therefore requesting that the City Council authorize the City Manager and City Attorney to draft, negotiate and approve a settlement agreement with Athens on the following deal terms:

- Total settlement amount not to exceed \$100,000;
- Settlement amount payable over two fiscal years – 50% in FY 2011-2012 and 50% in FY 2012-2013;
- Athens will be required to waive and release all further claims it has or may have against the City for the unpaid fees as mentioned above;
- No admission of liability by either party;

The settlement would be funded with General Fund monies generated by future refuse franchise fees. Staff believes that funding the settlement through collection of unpaid fees from refuse customers is not feasible for the reasons discussed in the "write-off" segment above.

RELEVANCE TO STRATEGIC PLAN

Complying with GAAP (Generally Acceptable Accounting Principles) and removing from our books uncollectable accounts receivable balances is well received by the auditors and is in keeping with enhancing Covina's financial stability. Additionally in keeping with Council policy of providing excellent customer service, it is recommended that the City not seek collection action against these customer accounts.

EXHIBITS

A. Resolution No. 11-7030

REVIEW TEAM ONLY	
City Attorney: <u>[Signature]</u>	Finance Director: <u>[Signature]</u>
City Manager: <u>[Signature]</u>	Other: _____

RESOLUTION NO. 11-7030

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF COVINA, CALIFORNIA, AUTHORIZING THE
FINANCE DIRECTOR TO WRITE-OFF CERTAIN DELINQUENT
ACCOUNTS AS OF DECEMBER 1, 2011**

WHEREAS, the City of Covina has established that certain delinquent refuse accounts, and miscellaneous receivables have been determined uncollectible by the City staff, and

WHEREAS, the City's independent auditors recommend that City Council approval be obtained prior to staff write-offs to highlight the removal of said accounts from the City's active records; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF COVINA, AS FOLLOWS:

BE FURTHER RESOLVED, the City Manager or designee, is authorized to modify or waive certain service user fees on an individual need basis;

Section 1. The City Council does hereby give its approval to write-off and remove from the City's active records certain accounts determined uncollectible as of December 1, 2011.

Section 2. The City Clerk shall certify to the passage and adoption of this resolution and the same shall thereupon take effect and is in force.

APPROVED AND ADOPTED this 17th day of January 2012.

John C. King, Mayor

ATTEST:

Kay Manning, City Clerk

APPROVED AS TO FORM:

Marco Martinez, City Attorney

EXHIBIT A

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: January 17, 2012

ITEM NO.: CC 8

STAFF SOURCE: Kim J. Raney, Chief of Police 

ITEM TITLE: Resolution of the City Council of the City of Covina, County of Los Angeles, State of California, amending the Fiscal Year 2011-2012 Police Department Budget to reflect an appropriation to purchase portable radios.

STAFF RECOMMENDATION:

Adopt **Resolution No.12-7038** to accept reprogrammed grant funding from the California Emergency Management Agency (CalEMA) 2008 State Homeland Security Grant Program (SHSGP) (CFDA# 97.067) in the amount of \$150,030 for the purchase of UHF portable radios; and, Adopt **Resolution No. 12-7039** which authorizes an increase in the 2011-2012 Police Department Budget.

GENERAL FUND IMPACT:

There is no additional appropriation needed from the general fund; however, the adoption of both these resolutions will increase the Police Department appropriation account 2278-1130-55700 and the revenue account by 2278-1130-42035 by \$150,030 which is the amount allocated for the Covina Police Department.

BACKGROUND:

On December 12, 2011, The Covina Police Department was notified that the Los Angeles County Office of Emergency Management accepted reprogrammed funds from the 2008 SHSGP on behalf of local public safety agencies in the County. The Department will receive \$150,030 which will be used to purchase thirty (30) UHF portable handheld radios and equipment which will be interoperable with surrounding agencies and first responders. The State has selected the model and type of equipment to be purchased and has based the grant award on government pricing secured with Motorola. The radios/equipment will be purchased from the company "Communications Center" as the sole source provider of Motorola equipment as requested by the Los Angeles County Office of Emergency Management and approved by the State through CalEMA. The Covina Municipal Code 2.20.200 authorizes the City Manager to waive formal bid procedures in cases such as these where joint bidding with other governmental entities is more advantageous.

The decision to purchase the specified radios is the culmination of numerous State Homeland Security Grant meetings with key public services agencies throughout Los Angeles County. Interoperable communication is the main goal of this coordinated purchase as agencies move away from VHF to the UHF standard. Interoperability is critical for first responders to effectively manage the next major disaster in our area.

RESOLUTION NO. 12-7038

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, TO ACCEPT \$150,030 IN FUNDING RESULTING FROM A GRANT AWARD THROUGH THE 2008 STATE HOMELAND SECURITY GRANT PROGRAM (SHSGP).

WHEREAS, the City of Covina is a municipal corporation duly organized and existing pursuant to the Constitution and laws of the State of California ("City"); and

WHEREAS, the City of Covina was awarded State Homeland Security Grant Program 2008 (reprogrammed) in the amount of \$150,030 on December 12, 2011; and

WHEREAS, accepting this award will increase the Police Department's appropriation and revenue accounts by the same amount; and

WHEREAS, the reallocation of appropriations may be made by the City Manager, amendments (increases/decreases) to the Budget shall be by approval and Resolution of the City Council;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of the City of Covina, as follows:

SECTION 1. Authorize the City Manager or his designee to the execute the agreement and submit the necessary documentation to obtain the grant award.

SECTION 2. The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 17TH DAY OF JANUARY 2012.

John C. King, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM;

Marco Martinez, City Attorney

RESOLUTION NO. 12-7039

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, TO INCREASE THE POLICE DEPARTMENT 2011-2012 BUDGET BY \$150,030 RESULTING FROM A GRANT AWARD BY THE CALIFORNIA STATE HOMELAND SECURITY GRANT PROGRAM (SHSGP).

WHEREAS, the City of Covina is a municipal corporation duly organized and existing pursuant to the Constitution and laws of the State of California ("City"); and

WHEREAS, the City of Covina was awarded State Homeland Security Grant Program 2008 (reprogrammed) in the amount of \$150,030 on December 12, 2011; and

WHEREAS, accepting this award will increase the Police Department's appropriation and revenue accounts by the same amount; and

WHEREAS, the reallocation of appropriations may be made by the City Manager, amendments (increases/decreases) to the Budget shall be by approval and Resolution of the City Council;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of the City of Covina, as follows:

SECTION 1. Amend the fiscal year 2011-2012 Police Department Budget as follows:

Appropriation account	2278-1130-55700	
Revenue account	2278-1130-42035	\$150,030

SECTION 2. The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 17TH DAY OF JANUARY 2012.

John C. King, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM;

Marco Martinez, City Attorney

From: Singh, Heather [mailto:hsingh@ceo.lacounty.gov]
Sent: Monday, December 12, 2011 1:41 PM
To: Castro, Robert
Cc: Tim.Jackman@SMGOV.NET; jcisneros@huntingtonparkpd.org; Edey, Raymond; brendah@earthlink.net; Kindler, Carol
Subject: 2008 SHSGP Reprogramming Projects - City of Covina

Good Afternoon –

Your agency has been approved for the following project(s) with funds reprogrammed from the 2008 SHSGP grant.

Covina	112	B	Purchase 30 portable P25 UHF radios to equip personnel to access LARICS and ICIS regional systems	06CP-01-PORT	Radio, Portable	SHSGP		
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Please let us know ASAP if you will be accepting this project and what changes (if any) you are requiring (i.e. description, quantity change, etc).

Attached you will find a sole source request form. If you are purchasing an item that is to be sole sourced and it is greater than \$100,000, you MUST get State approval prior to procurement if required. Please fill out the attached sole source form and return it to me ASAP.

Attached you will also find the reimbursement claim for the 2008 SHSGP grant. All activities for this project (purchase, invoice, receipt, payment and reimbursement request) must be completed and submitted no later than 3/31/12.

If you have any questions, please call me or Carol Kindler at (213) 974-1154.

Heather Singh, CPA
 Principal Accountant-Auditor
 500 W. Temple St. Room 754
 Los Angeles, CA 90012
 Phone - (213) 974-2319
 Fax - (213) 687-3765
hsingh@ceo.lacounty.gov

 Please consider the environment before printing this e-mail.

EDMUND G. BROWN JR.
GOVERNOR



Cal E·M·A
CALIFORNIA EMERGENCY
MANAGEMENT AGENCY

MIKE DAYTON
ACTING SECRETARY

December 20, 2011

Ms. Carol Kindler
County of Los Angeles
500 W. Temple Drive, Room 754
Los Angeles, CA 90012

Dear Ms. Kindler:

SUBJECT: APPROVAL OF SOLE SOURCE CONTRACT REQUEST
FY2008 HOMELAND SECURITY GRANT PROGRAM (HSGP)
Grant #2008-0006, Cal EMA ID #037-00000

The California Emergency Management Agency (Cal EMA) has received, reviewed, and approved Los Angeles County's Sole Source contract request dated December 19, 2011, based on the information your office provided regarding the proposed purchase of interoperable communications equipment from Communications Center.

If you have any questions about this letter, please contact your Program Representative, Leo LaMattina, at 916-324-6347 or leo.lamattina@calema.ca.gov.

Thank you for your work in protecting California. We look forward to your continued collaboration towards our homeland security strategy and appreciate your cooperation and support.

Sincerely,

A handwritten signature in cursive script that reads "Ursula Harelson".

Ursula Harelson, Chief
Homeland Security Grants Section



RESOLUTION NO. 12-7040

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, TO AMEND THE FISCAL YEAR 2011-2012 PARKS & RECREATION DEPARTMENT'S OPERATING BUDGET FOR PLAQUES AND SIGNAGE AT HERITAGE PLAZA.

WHEREAS, the City of Covina is a municipal corporation duly organized and existing pursuant to the Constitution and laws of the State of California ("City"); and

WHEREAS, the budget for the City of Covina for fiscal year commencing July 1, 2011 and ending June 30, 2012 was approved on June 21, 2011; and

WHEREAS, the approved budget is in accordance with all applicable ordinances of the City and all applicable statutes of the State; and

WHEREAS, the reallocation of the appropriations between departmental activities may be made by the City Manager, amendments (increases/decreases) to the Budget shall be by approval and Resolution of the City Council;

WHEREAS, the intent for all expenditures for the plaques and signage at Heritage Plaza will be covered through sponsorships/donations;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the City Council of the City of Covina, as follows:

SECTION 1. Amend the fiscal year 2011-2012 Parks & Recreation Department's operating budget as follows:

2959340054990 (expenditure) \$5,400

2959340048100 (revenue) \$5,400

SECTION 2. The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 17th day of January 2012.

Mayor

ATTEST:

Deputy City Clerk

Approved as to form:

Legal Counsel

CERTIFICATION

I, Catherine M. LaCroix, Deputy City Clerk of the City of Covina, hereby CERTIFY that Resolution No. 12-7040 was adopted by the Covina City Council at a regular meeting of the City Council held this 17th day of January 2012, and was approved and passed by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Catherine M. LaCroix
Deputy City Clerk

COVINA REDEVELOPMENT AGENCY
AGENDA ITEM COMMENTARY

MEETING DATE: January 17, 2012

ITEM NO.: CC 10

STAFF SOURCE: Dilu De Alwis, Finance Director *DL*

ITEM TITLE: Payment of Demands

STAFF RECOMMENDATION:

Approve Payment of Demands in the amount of

BACKGROUND:

Attached list of warrants, demands, which are being presented for approval for November 2011 are summarized as follows:

<u>DATE OF DEMANDS</u>	<u>DEMAND NUMBERS</u>	<u>AMOUNT</u>
ACCOUNTS PAYABLE WARRANTS		
November 3 - November 28, 2011	24-57	\$407,981.74
November 10, 2011 (Reimburse PR Insurance)		\$10,024.20
November 23, 2011 (Reimburse PR Insurance)		\$9,987.90

PAYROLL

November 10, 2011	\$29,116.29
November 23, 2011	\$25,542.88

VOIDS

GRAND TOTAL: \$482,653.01

RELEVANCE TO STRATEGIC PLAN: Not applicable

EXHIBITS:

A. ACCOUNTS PAYABLE REGISTER

REVIEW TEAM ONLY	
City Attorney: <u><i>T. A. Tri</i></u>	Finance Director: <u><i>DL</i></u>
City Manager: <u><i>Φ</i></u>	Other: _____

COVINA REDEVELOPMENT AGENCY

Check Register

November, 2011

Check #	Check date	Vendor #	Vendor Name	Amount
24	11/3/2011	254	AZUSA LIGHT & WATER	107.27
25	11/3/2011	282	BANK OF THE WEST	352.87
26	11/3/2011	783	COVINA WATER & REFUSE, CI	171.48
27	11/3/2011	970	EDISON CO	99.02
28	11/3/2011	1156	GAS COMPANY, THE	38.93
29	11/3/2011	1172	GEOGRAPHICS	1,409.40
30	11/3/2011	1352	HINDERLITER DELLAMAS & AS	1,700.00
31	11/3/2011	2503	RUSS DAVIS INC	153.09
32	11/3/2011	3135	XO COMMUNICATIONS	205.61
33	11/14/2011	138	ALTA PLANNING & DESIGN	67.50
34	11/14/2011	3163	GENTRY BROTHERS INC	52,251.38
35	11/14/2011	3255	POMONA VALLEY HABITAT FOR	19,253.97
36	11/14/2011	1352	HINDERLITER DELLAMAS & AS	1,500.00
37	11/14/2011	1629	LA WORKS	8,625.00
38	11/14/2011	1695	LEWIS OPERATING CORP	3,299.84
39	11/14/2011	1771	MACIAS GINI & O'CONNELL L	4,740.00
40	11/14/2011	2942	UNITED SITE SERVICES OF C	172.57
41	11/18/2011	137	AL-SAL OIL COMPANY INC	11,539.05
42	11/18/2011	283	BANK OF THE WEST	49.95
43	11/18/2011	341	BEST BEST & KRIEGER LLP	7,723.47
44	11/18/2011	896	DH MAINTENANCE SERVICES	95.00
45	11/18/2011	970	EDISON CO	24.19
46	11/18/2011	1973	MORENO, MERCY	528.00
*47	11/18/2011	2104	OFFICE DEPOT	-
48	11/18/2011	2942	UNITED SITE SERVICES OF C	104.56
49	11/18/2011	2999	VERIZON CALIFORNIA	66.86
50	11/18/2011	3015	VISTA POINTE APARTMENTS	862
51	11/18/2011	3135	XO COMMUNICATIONS	209.16
52	11/28/2011	128	ALLIANT INSURANCE SERVICE	5,642.38
53	11/28/2011	341	BEST BEST & KRIEGER LLP	9,789.59
54	11/28/2011	783	COVINA WATER & REFUSE, CI	158.77
55	11/28/2011	1907	MG ENTERPRISES	258,450.27
56	11/28/2011	2953	URBAN FUTURES INC	6,500.00
57	11/28/2011	2955	US BANK	12,090.56
			Totals	\$407,981.74

*Void

STATE OF CALIFORNIA)
) ss:
COUNTY OF LOS ANGELES)

I, Dilu De Alwis being first duly sworn, declare that I am the Finance Director of the City of Covina and have read the attached Register(s) of Audited Demands for the Covina Redevelopment Agency dated Accounts Payable for November 2011; Payroll for 11/10/11 and 11/23/11; know the contents thereof, and do CERTIFY as to the accuracy of the attached Demands and the availability of funds for their payment pursuant to the government Code, Section 37202.

Dilu De Alwis,
Finance Director

Subscribed and sworn to before me

this 17th day of January, 2012

A handwritten signature in cursive script, appearing to read "Calvin W. Salas", written over a horizontal line.

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: January 17, 2012

ITEM NO.: PH 1

STAFF SOURCE: Kim J. Raney, Chief of Police 
Raymond Navera, Management Analyst
William J. Priest, Assistant City Attorney

ITEM TITLE: Public Hearing of the City Council and second reading to consider adoption of Ordinance No. 11-2003, amending Section 7.04.010 of Title 7 of the Covina Municipal Code to adopt by reference amendments to Chapter 10.37 of Title 10 of the Los Angeles County Code, pertaining to potentially dangerous and vicious dogs.

STAFF RECOMMENDATION:

That the City Council:

- 1.) Open the public hearing and take public testimony; and
- 2.) Pass and adopt Ordinance No. 11-2003, (attached hereto as Exhibit "A"), amending Section 7.04.010 of Title 7 of the Covina Municipal Code to adopt by reference amendments to Chapter 10.37 of Title 10 of the Los Angeles County Code, pertaining to potentially dangerous and vicious dogs.

FISCAL IMPACT:

None.

BACKGROUND/ANALYSIS:

On December 6, 2011, the City Council introduced Ordinance No. 11-2003 amending Section 7.04.010 of Title 7 of the Covina Municipal Code to adopt by reference amendments to Chapter 10.37 of Title 10 of the Los Angeles County Code, pertaining to potentially dangerous and vicious dogs. For added background regarding this Ordinance, a copy of the December 6, 2011 Agenda Item Commentary is attached hereto as Exhibit "B".

On December 20, 2011, the City Council continued the item to this evening in order to give staff sufficient time to publish notice of this hearing in the City's newspaper of general circulation as required by State law. For background regarding the continuance, a copy of the December 20, 2011 Agenda Item Commentary is attached hereto as Exhibit "C".

Staff confirms that all required legal notices have been published. The Council may therefore conduct the public hearing and consider adoption of this Ordinance this evening. Staff believes that the proposed amendments are consistent with the City's Code and policy and will enhance the County's providing of Animal Control services to Covina residents. Therefore, staff is requesting that the City Council pass and adopt the Ordinance as proposed.

ORDINANCE NO. 11-2003

AN ORDINANCE OF THE CITY OF COVINA, CALIFORNIA AMENDING SECTION 7.04.010 OF THE COVINA MUNICIPAL CODE BY INCORPORATING BY REFERENCE AMENDMENTS TO CHAPTER 10.37 OF TITLE 10 OF THE LOS ANGELES COUNTY CODE, IN ORDER TO UPDATE THE CITY'S ANIMAL CONTROL ORDINANCE PERTAINING TO POTENTIALLY DANGEROUS AND VICIOUS DOGS.

WHEREAS, City of Covina ("City") Ordinance No. 95-1791 adopted by reference Title 10 of the Los Angeles County Code ("Los Angeles County Animal Control Ordinance"); and

WHEREAS, on July 26, 2011, Los Angeles County adopted Ordinance No. 2011-0038 which amended portions of Chapter 10.37 of Title 10 of the Los Angeles County Animal Control Ordinance in order to address potentially dangerous and vicious dogs; and

WHEREAS, the City desires to amend its Municipal Code to reflect these changes to the Los County Animal Control Ordinance; and

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINA DOES ORDAIN AS FOLLOWS:

SECTION 1. Covina Municipal Code Section 7.04.010 is amended to read:

"7.04.010 Adoption.

The Animal Control Ordinance of the County of Los Angeles contained in Title 10 of the Los Angeles County Code, adopted and amended through Ordinance No. 2011-0038, passed on July 26, 2011, is adopted by reference as the Animal Control Ordinance of the City (hereinafter referred to as "Animal Control Ordinance")."

SECTION 2. Penalty Clauses.

For reference, the following amended penalty clauses contained in Los Angeles County Ordinance No. 2011-0038, and which are incorporated by this Ordinance, are set forth in full herein:

(a) **"Section 10.37.130 Conditions of ownership of potentially dangerous dogs.**

....

J. If the determination that a dog is potentially dangerous under

Section 10.37.010, is made pursuant to a court hearing, the judicial officer shall impose a fine on the owner not to exceed \$500.00 for each separate basis upon which the determination was made. The fine shall be paid to the department for the purpose of defraying the costs of the implementation of this chapter.”

(b) “Section 10.37.140 Consequences of vicious dog determination.

....

F. If the determination that a dog is vicious under Section 10.37.010, is made pursuant to a court hearing, the judicial officer shall impose a fine on the owner not to exceed \$1,000.00 for each separate basis upon which the determination was made. The fine shall be paid to the department for the purpose of defraying the costs of the implementation of this chapter.”

(c) “Section 10.37.150 Compliance with conditions and consequences of violation of conditions.

....

B. Consequences that may result from the failure of an owner or custodian of a dog released after a hearing pursuant to Section 10.37.110 or Section 10.37.120 to comply with any of the conditions imposed under Section 10.37.130 or Section 10.37.140 include, but are not limited to the following:

1. The failure to comply with any condition is a misdemeanor punishable by a fine not exceeding \$1,000.00 or by imprisonment in the County Jail for a period not exceeding six months, or by both such fine and imprisonment;

2. A violation of any part of an administrative decision or court order may be the subject of a civil action for injunctive relief to enjoin the person who violated the decision or order. The filing and prosecution of an action for injunctive relief shall not limit the authority or ability of the County to take any other action permitted by law;

3. A violation of an administrative decision or court order following a determination that a dog is potentially dangerous, may result in the filing of an action to determine if the dog is vicious under Section 10.37.030 C.”

SECTION 3. If any section, sub-section, sentence, clause, phrase, word or portion of this ordinance is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this ordinance. The City Council of the City of Covina hereby declares that it would have adopted this ordinance, and its sections, sub-sections, sentences, clauses, phrases, words or portions thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases, words or portions may be declared invalid or unconstitutional.

SECTION 4. Upon the effective date of this Ordinance, the provisions hereof shall supersede any conflicting provisions of the Title 10 of Los Angeles County Code as the same were adopted by City Ordinance No. 95-1791 and any other prior Ordinance of the City.

SECTION 5. This ordinance shall take effect 30 days after its final passage.

SECTION 6. The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published and or posted according to law.

PASSED, APPROVED AND ADOPTED this ____ day of January, 2012.

JOHN C. KING, MAYOR

ATTEST:

Kay Manning, City Clerk

APPROVED AS TO FORM:

City Attorney

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: December 6, 2011

Exhibit to
January 17, 2012

STAFF SOURCE: Kim J. Raney, Chief of Police 
Raymond Navera, Management Analyst
William J. Priest, Assistant City Attorney

ITEM TITLE: Waiver further reading, read by title only, and introduce Ordinance No. 11-2003, amending Section 7.04.010 of Title 7 of the Covina Municipal Code to adopt by reference amendments to Chapter 10.37 of Title 10 of the Los Angeles County Code, pertaining to potentially dangerous and vicious dogs.

STAFF RECOMMENDATION:

That the City Council:

1.) Waiver further reading, read by title only, and introduce Ordinance No. 11-2003, (attached hereto as Exhibit "A"), amending Section 7.04.010 of Title 7 of the Covina Municipal Code by to adopt by reference amendments to Chapter 10.37 of Title 10 of the Los Angeles County Code, pertaining to potentially dangerous and vicious dogs.

FISCAL IMPACT:

None.

BACKGROUND/ANALYSIS:

For many years, the City of Covina Municipal Code has incorporated by reference Title 10 of the Los Angeles County Animal Control Code, governing dogs, cats and other animals.

On July 26, 2011, the Los Angeles County Board of Supervisors adopted Ordinance 2011-0038, which made certain amendments to Chapter 10.37 of Title 10 of the Los Angeles County Code. In summary, the amendments accomplished the following: (i) updated certain definitions pertaining to "vicious dogs" and "severe injury", (ii) added an administrative hearing option to determine whether a dog is potentially dangerous or vicious, and (iii) made some minor amendments with regard to penalties and conditions that may be imposed upon owners of dangerous or vicious dogs. A more detailed description of the amendments is provided in a letter sent by the County to the City on August 22, 2011 (attached hereto as Exhibit "B"). By that same letter, the County has requested that Covina adopt an ordinance incorporating these amendments into its Code by reference.

Pursuant to State law, this ordinance must be introduced at a regular meeting and subsequently adopted at a noticed public hearing. Further, the penalty clauses set forth in the County ordinance must be set out in full in the City ordinance. This ordinance does so in Section 2.

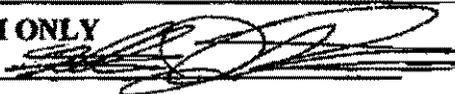
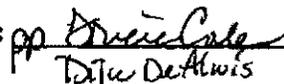
Staff believes that the proposed amendments are consistent with the City's Code and policy and will enhance the County's providing of Animal Control services to Covina residents. Therefore, Staff supports the amendments set forth herein.

RELEVANCE TO THE STRATEGIC PLAN

None.

EXHIBITS

- A. Ordinance No. 11-2003
- B. August 22, 2011 Letter for Los Angeles County (with attachments)

REVIEW TEAM ONLY	
City Attorney: 	Finance Director: pp  T. DeAlwis
City Manager: 	Other: _____



Marcia Mayeda
Director

8/25
K...
F...
A...
August 22, 2011

County of Los Angeles
Department of Animal Care and Control
Administrative Office
5898 Cherry Avenue
Long Beach, California 90805
(562) 728-4610 • Fax (562) 422-3408
<http://animalcare.lacounty.gov>

EXHIBIT B



Shelter Locations

Downey Shelter
11258 S. Garfield Ave.
Downey, CA 90242
(562) 940-6898

Carson Shelter
216 W. Victoria St.
Gardena, CA 90248
(310) 523-9566

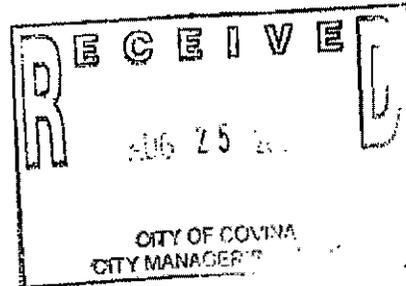
Baldwin Park Shelter
4275 N. Elton St.
Baldwin Park, CA 91708
(626) 982-3577

Lancaster Shelter
5210 W. Avenue I
Lancaster, CA 93536
(661) 940-4191

Castaic Shelter
31044 N. Charlie Cyn.
Road
Castaic, CA 91394
(661) 257-3191

Agoura Shelter
29525 Agoura Rd.
Agoura, CA 91301
(818) 891-0071

The Honorable Peggy Delach
City of Covina
125 East College Street
Covina, CA 91723



Dear Mayor Delach:

CHANGES TO THE LOS ANGELES COUNTY CODE, TITLE 10 - ANIMALS

On July 26, 2011, the County of Los Angeles Board of Supervisors unanimously adopted changes to the Los Angeles County Code Title 10 - Animals, which had been approved at the July 19, 2011, meeting of the Board of Supervisors. These changes affect the potentially dangerous and vicious dog sections of the ordinance and will become effective on August 25, 2011. We strongly recommend that your municipality consider adopting these changes into your local ordinance.

The changes are intended to promote public safety and streamline the process in which potentially dangerous and vicious dogs are handled. The key elements of the modifications to the Los Angeles County Code include:

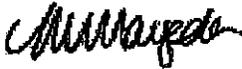
1. The addition of an administrative hearing option to determine whether a dog is potentially dangerous or vicious. In the past, the Department of Animal Care and Control pursued limited civil actions in Superior Court to have a dog declared potentially dangerous or vicious. These cases require the services of legal counsel and can be costly to resolve.
2. The definition of severe injury has been revised to include a serious injury other than a bite, laceration, or fracture. An example would be a person who suffers a brain injury while being attacked by a dog.
3. The definition of vicious dog has been revised to allow the hearing officer to consider prior attacks that occurred outside of your city's jurisdiction. This would address the problem of a dog determined to be dangerous in another jurisdiction that is moved to your city and subsequently attacks again.

The Honorable Peggy Delach
August 22, 2011
Page 2

The revisions to the ordinance submitted and subsequently adopted by the County of Los Angeles Board of Supervisors are attached for your review. Again, we strongly urge you to adopt these changes as soon as possible.

If you have any questions or require additional information, please have your staff contact our Contract City Liaison, Whitney Duong, at (562) 256-2412 or via e-mail at wduong@animalcare.lacounty.gov.

Sincerely,

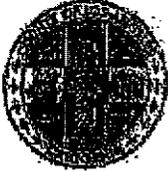


MARCIA MAYEDA
Director

MM:DD:in

Attachment

c: City Manager



Marcia Mayeda
Director

County of Los Angeles
Department of Animal Care and Control
Administrative Office
5898 Cherry Avenue
Long Beach, California 90805
(562) 728-4670 • Fax (562) 422-3478
<http://animalcare.lacounty.gov>



July 19, 2011

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

21 July 19, 2011

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Dear Supervisors:

**AMENDMENTS TO LOS ANGELES COUNTY CODE,
TITLE 10 - ANIMALS**

SUBJECT

Approval of the recommended amendments to Title 10 of the Los Angeles County Code will enhance public safety related to potentially dangerous or vicious dogs. This ordinance adds an administrative hearing option for deciding potentially dangerous or vicious dog cases; expands the definition of severe injury; and expands the definition of vicious dog.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve the Ordinance amending Title 10 - ANIMALS of the Los Angeles County Code to add, delete, and modify the relevant sections related to potentially dangerous and vicious dogs; and
2. Introduce, waive reading, and adopt the Ordinance.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The proposed changes add an administrative hearing option to determine whether a dog is potentially dangerous or vicious. Currently, the Department must pursue a limited civil action in Superior Court to have a dog declared potentially dangerous or vicious. By adding an administrative hearing option to decide these cases, the Department will save time and money while maintaining its ability to seek restrictions on the dog's owner or custodian to ensure public safety. The Department currently uses administrative hearings when animals are seized due to animal neglect or abuse

The Honorable Board of Supervisors
7/19/2011
Page 2

concerns, and can apply the same process to potentially dangerous and vicious dog cases.

The definition of severe injury is revised to include a serious injury other than a bite, laceration, or fracture. An example would be a person that suffers a heart attack as a result of a dog attack.

The definition of vicious dog is revised in the attached Ordinance to allow the hearing officer to consider prior attacks that occurred outside the Department's jurisdiction. This would address the problem of a dog determined to be dangerous in another jurisdiction that is moved to our jurisdiction and attacked again.

Implementation of Strategic Plan Goals

Approval of the recommended actions is consistent with the County's Strategic Plan Goals in the areas of Operational Effectiveness (Goal 1), Community and Municipal Services (Goal 3) and Public Safety (Goal 5).

FISCAL IMPACT/FINANCING

The Department will see a reduction in legal costs since counsel is not required to prepare for or be present at administrative hearings.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The proposed amendments will allow the Department to better regulate and enforce the potentially dangerous and vicious dog provisions of the Ordinance. It is recommended that your Board approve the proposed amendments to the Ordinance:

Amend the definition of vicious dog in Los Angeles County Code §10.37.030 C to include prior determinations that a dog is a dangerous or vicious dog in another jurisdiction.

Amend the definition of severe injury in Los Angeles County Code §10.37.040 to include physical harm that results in a serious illness or injury.

Amend Los Angeles County Code §10.37.110 to include an administrative hearing option to decide potentially dangerous or vicious dog cases.

Amend Los Angeles County Code §10.37.120 to differentiate the appeal process of a court hearing from judicial review of an administrative hearing.

Amend Los Angeles County Code §10.37.121 to add the notice of decision and judicial review of an administrative decision.

Amend Los Angeles County Code §10.37.130 to specify requirements for dog obedience courses ordered by the hearing officer or judicial officer and to clarify that fines may be imposed by a judicial officer.

Amend Los Angeles County Code §10.37.140 to describe the authority of judicial officers and hearing officers to impose restrictions on owners.

The Honorable Board of Supervisors
7/19/2011
Page 3

Amend Los Angeles County Code §10.37.150 to provide for follow-up hearing dates to confirm compliance with conditions, and consequences of violations of conditions imposed by administrative hearing officers or judicial officers.

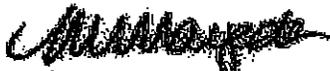
IMPACT ON CURRENT SERVICES (OR PROJECTS)

The recommended action will enhance the Department's ability to protect public safety regarding potentially dangerous and vicious dogs. The administrative hearing process is an efficient and cost effective means of obtaining a determination of whether a dog is potentially dangerous or vicious.

CONCLUSION

Approval of the recommended changes to Title 10 of the County Code will enhance public safety by providing an administrative hearing option to hear potentially dangerous and vicious dog cases; expand the definition of severe injury; and expand the definition of vicious dog. Please return one adopted copy of this letter to the Department of Animal Care and Control.

Respectfully submitted,



MARCIA MAYEDA
Director

MM:mtm

Enclosures

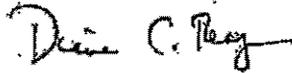
c: Chief Executive Office
County Counsel
Executive Office, Board of Supervisors

Analysis

This ordinance amends Title 10 -- Animals of the Los Angeles County Code, relating to Potentially Dangerous and Violent Dogs.

There are three reasons for the amendments to Chapter 37 of Title 10. First, to provide a cost effective administrative hearing option to the current ordinance requiring a court hearing to determine if a dog is potentially dangerous or violent. Second, to expand the definition of "severe injury" to include serious physical illness and injuries caused by an attack, other than fractures and lacerations. Third, to expand the definition of "violent dog" to include findings from other jurisdictions that a dog is a threat to public safety.

ANDREA SHERIDAN GRON
County Counsel

By 
DIANE C. REAGAN
Principal Deputy County Counsel
Health Services Division

DCR:wn

Requested: 04/28/11
Revised: 05/11/11

HQA:789418.7

ORDINANCE NO. 2011-0038

An ordinance amending Title 10 - Animals of the Los Angeles County Code, relating to Potentially Dangerous and Vicious Dogs.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 10.37.030 is hereby amended to read as follows:

10.37.030 Vicious dog -- definition.

"Vicious dog" means any of the following:

- A. Any dog that engages in or has been found to have been trained to engage in exhibitions of fighting;
- B. Any dog which, when unprovoked, in an aggressive manner, inflicts severe injury on or kills a person;
- C. Any dog ~~previously determined to be and currently listed as a potentially dangerous dog in Los Angeles County, or to be a dangerous or vicious dog in another jurisdiction, which, after its owner or custodian has been notified of this determination, continues the behavior described in Section 10.37.020 or is maintained in violation of Section 10.37.130 or other restrictions placed upon it by another jurisdiction.~~

SECTION 2. Section 10.37.040 is hereby amended to read as follows:

10.37.040 Severe Injury -- Definition.

"Severe" injury means any physical ~~harm~~injury to a human being that results in a serious illness or injury, including but not limited to a major fracture, muscle tears or disfiguring lacerations or requiring multiple sutures or corrective or cosmetic surgery.

SECTION 3. Section 10.37.110 is hereby amended to read as follows:

10.37.110 Potentially dangerous or vicious dog hearing.

A. Hearing.

If an animal control officer or a law enforcement officer has investigated and determined that there exists probable cause to believe that a dog is potentially dangerous or vicious, the director of the department of animal care and control shall petition the Superior Court, within the judicial district wherein the dog is owned or kept, for a hearing, or shall conduct an administrative hearing, for the purpose of determining whether or not the dog in question should be declared potentially dangerous or vicious.

B. Notice of Hearing and Petition.

Whenever possible, a complaint received from a member of the public which serves as the evidentiary basis for the animal control officer or law enforcement officer to find probable cause shall be sworn to and verified by the complainant and shall be attached to the petition. The director of the department of animal care and control shall notify the owner or custodian of the dog that a hearing will be held by the Superior Court or that an administrative hearing will be held, at which time he or she may present evidence as to why the dog should not be declared potentially dangerous or vicious. The owner or custodian of the dog shall be served with notice of the hearing and a copy of the petition, either personally or by first class mail with return receipt requested. The hearing shall be held promptly within no less than five (5) working days nor more than ten (10) working days after the service of the notice upon the owner or custodian of the dog.

C. Conduct of Hearing.

The hearing shall be conducted as an administrative hearing, or a limited civil case pursuant to Code of Civil Procedure Section 85, et seq., and shall be open to the public. The judicial officer or administrative hearing officer may admit into evidence all relevant evidence, including incident reports and the affidavits of witnesses, limit the scope of discovery, and may shorten the time to produce records or witnesses. A jury shall not be available. The judicial officer or administrative hearing officer may find, upon a preponderance of the evidence, that the dog is potentially dangerous or vicious and shall make other orders or findings required or authorized by this chapter. The judicial officer or administrative hearing officer may decide all issues for or against the owner or custodian of the dog even if the owner or custodian fails to appear at the hearing.

D. Administrative hearing officer.

If the dog owner is notified that an administrative hearing will be held, the hearing shall be conducted by a neutral hearing officer. The department may authorize its own officer or employee to conduct the hearing if the hearing officer is not the same person who signed the petition or directed the seizure or impoundment of the dog, and is not junior in rank to that person(s). In the alternative, the department may utilize the services of a hearing officer from outside the department.

SECTION 4. Section 10.37.120 is hereby amended to read as follows:

10.37.120 Notice of determination and appeal from court hearing.

A. Following a court the hearing conducted pursuant to Section 10.37.110, the owner or custodian of the dog shall be notified in writing of the determination and order

issued, either personally or by first class mail, postage prepaid by the court. If the petitioner or the owner or custodian of the dog contests the determination, he or she may, within five (5) days of the receipt of the notice of determination, appeal the decision, which appeal shall be made to the Superior Court before a judge other than the judge who originally heard the petition. The fee for filing an appeal shall be the fee provided for by Section 31622(a) of the Food and Agricultural Code and shall be payable to the county clerk. The petitioner or the owner or custodian of the dog shall serve notice of the appeal upon the other party personally or by first class mail, postage prepaid.

B. The court hearing the appeal shall conduct a hearing de novo, without a jury, and make its own determination as to potential danger and viciousness and make other orders authorized by this chapter, based upon the evidence presented. The hearing shall be conducted in the same manner and within the time periods set forth in Section 1037.110. The court may admit all relevant evidence, including incident reports and the affidavits of witnesses, limit the scope of discovery, and may shorten the time to produce records or witnesses. The issue shall be decided upon the preponderance of the evidence.

C. The court hearing the appeal may decide all issues for or against the owner or custodian of the dog even if the owner or custodian fails to appear at the hearing.

D. The determination of the court hearing the appeal shall be final and conclusive upon all parties.

SECTION 5. Section 10.37.121 is hereby added to read as follows:

10.37.121 Notice of decision and judicial review of administrative decision.

Following an administrative hearing conducted pursuant to Section 10.37.110, the department and the owner or custodian of the dog shall be notified in writing of the decision of the hearing officer, either personally or by first class mail. If the department or the owner or custodian of the dog desires to contest the decision, the department or the owner/custodian must notify the other party within five (5) days of the intention to seek judicial review of the decision. The party seeking judicial review by the Superior Court must comply with all requirements of Code of Civil Procedure Section 1094.5 et seq.

SECTION 6. Section 10.37.130 is hereby amended to read as follows:

10.37.130 Conditions of ownership of potentially dangerous dogs.

A. The dog shall be properly licensed, micro chipped, and vaccinated at the owner's expense, prior to release to the dog's owner or custodian. The department may include the designation in the registration records of the dog, after the court has determined that this designation applies to the dog.

B. The dog, while on the owner's property, shall, at all times, be kept indoors, or in a securely fenced yard or enclosure from which the dog cannot escape, and into which children cannot trespass. The yard or enclosure must be inspected and approved in writing by the department prior to release of the dog to its owner or custodian.

C. The dog may be off the owner's premises only if it is muzzled and restrained by a substantial leash, not exceeding six (6) feet in length, and if it is under

the control of an adult capable of restraining and controlling the dog. At no time may the dog be left unattended while off the owner's premises.

D. The owner or custodian of the dog shall notify the department immediately in the event the dog is at large, or has committed an attack on any person or animal, has been sold or otherwise disposed of, or has died.

E. The dog must complete an obedience course for a minimum of ten (10) hours of training with the owner at the owner's expense within sixty (60) days after release of the dog to its owner or custodian. The course shall be a course approved by the department prior to the release of the dog to the owner or custodian.

F. The dog must be spayed or neutered at the expense of the owner or custodian prior to the release of the dog to its owner or custodian.

G. The dog may be required to wear a bright fluorescent yellow collar visible at 50 feet in normal daylight, which will be provided by the department at the owner's expense.

H. The owner or custodian of the dog may be required to maintain general liability insurance covering property damage and bodily injury caused by a potentially dangerous or vicious dog, with a combined single limit of \$300,000.00 per occurrence, and may be required to show proof of such insurance within fourteen (14) days after the court has made its determination.

I. All charges for services performed by the department pursuant to this Section 10:37.130 and all fines shall be paid prior to the release of the dog to its owner

or custodian. If ~~these~~ charges and fines are not paid within ~~fourteen (14)~~30 days after the date the services are performed or the fines are ordered to be paid, the dog shall be deemed to be abandoned ~~and may be disposed of~~ by the department.

J. ~~If the determination that a dog is potentially dangerous under Section 10.37.020 is made pursuant to a court hearing, the judicial officer shall impose a fine on~~ The owner of a dog which has been determined to be a potentially dangerous dog as defined in Section 10.37.020, shall pay a fine not to exceed \$500.00 for each separate basis upon which ~~the~~said determination was made. ~~The~~Said fine shall be paid to the department for the purpose of defraying the costs of the implementation of this chapter.

K. A judicial officer ~~or administrative hearing officer~~ may impose such other reasonable conditions as are deemed necessary to protect the public safety and welfare.

SECTION 7. Section 10.37.140 is hereby amended to read as follows:

10.37.140 Consequences of vicious dog determination.

A. A dog determined to be a vicious dog may be destroyed by the department when it is found, after proceedings conducted under Section 10.37.140, that the release of the dog would create a significant threat to the public health, safety and welfare.

B. If it is determined that a dog found to be vicious shall not be destroyed, the ~~judicial authority officer or administrative hearing officer~~ shall impose the conditions upon ownership of potentially dangerous dogs required by Section 10.37.130, the conditions required by this section, and any other conditions necessary to protect the public health, safety, and welfare.

C. The enclosure that is required pursuant to subsection B of Section 10.37.130 shall be an enclosure which is enclosed on all sides, and which is locked by a padlock. It may be required to have a top and a cement floor. The enclosure must be approved in writing by the department.

D. The owner or custodian of a vicious dog must give written notice of the vicious dog determination to United States Post Office (local branch) and all utility companies which provide services to the premises where the dog is kept. The owner or custodian shall provide a copy of ~~these~~ notice to the department within thirty (30) days after the court determination that the dog is vicious.

E. The owner or custodian of the dog shall post one or more signs on the premises at a location(s) approved by the department stating that a dog which has been determined to be vicious resides on the premises.

F. If the determination that a dog is vicious under Section 10.37.030 is made pursuant to a court hearing, the judicial officer shall impose a fine on ~~The owner of a dog which has been determined to be a vicious dog pursuant to the provisions of Section 10.37.030 shall pay a fine not to exceed \$1,000.00 for each separate basis upon which ~~the~~ determination was made. ~~The~~ fine shall be paid to the department for the purpose of defraying the cost of the implementation of this chapter.~~

G. The owner of a dog determined to be a vicious dog may be prohibited from owning, possessing, controlling, or having custody of any dog for a period of up to three years, if it is found at the hearing conducted pursuant to the petition to declare the dog vicious, that ownership or possession of a dog by that person would create a significant threat to the public health, safety, and welfare.

SECTION 8. Section 10.37.150 is hereby amended to read as follows:

10.37.150 Penalty Compliance with conditions and consequences of for violation of conditions.

A. The hearing officer or judicial officer who heard the petition to determine if a dog is dangerous or vicious may schedule follow-up hearing dates to ensure compliance with all conditions imposed.

B. Consequences that may result from the failure of an owner or custodian of a dog released after a hearing pursuant to Section 10.37.110 or Section 10.37.120 to comply with any of the conditions imposed under Section 10.37.130 or Section 10.37.140 include, but are not limited to the following:

1. The failure to comply with any condition by the court is a misdemeanor punishable by a fine not exceeding \$1,000.00 or by imprisonment in the County Jail for a period not exceeding six months, or by both such fine and imprisonment;

2. A violation of any part of an administrative decision or court order may be the subject of a civil action for injunctive relief to enjoin the person who violated the decision or order. The filing and prosecution of an action for injunctive relief shall not limit the authority or ability of the County to take any other action permitted by law;

3. A violation of an administrative decision or court order following a determination that a dog is potentially dangerous, may result in the filing of an action to determine if the dog is vicious under Section 10.37.030 C.

10370300000

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: December 20, 2011

Exhibit to
January 17, 2012

STAFF SOURCE: Kim J. Raney, Chief of Police 
Raymond Navera, Management Analyst
William J. Priest, Assistant City Attorney

ITEM TITLE: Continue Public Hearing on Ordinance No. 11-2003, amending Section 7.04.010 of Title 7 of the Covina Municipal Code to adopt by reference amendments to Chapter 10.37 of Title 10 of the Los Angeles County Code, pertaining to potentially dangerous and vicious dogs.

STAFF RECOMMENDATION:

That the City Council:

Continue the public hearing on Ordinance No. 11-2003, amending Section 7.04.010 of Title 7 of the Covina Municipal Code to adopt by reference amendments to Chapter 10.37 of Title 10 of the Los Angeles County Code, pertaining to potentially dangerous and vicious dogs.

FISCAL IMPACT:

None.

DISCUSSION:

On December 6, 2011, the City Council introduced Ordinance No. 11-2003 amending Section 7.04.010 of Title 7 of the Covina Municipal Code to adopt by reference amendments to Chapter 10.37 of Title 10 of the Los Angeles County Code, pertaining to potentially dangerous and vicious dogs. At that meeting, it was represented to the Council that this item would be brought back to the Council for a second reading/public hearing at its next meeting.

However, because Ordinance No. 11-2003 incorporates another jurisdiction's Code by reference, the notice of public hearing must be published for two consecutive weeks over a period of 14 days. (Govt. Code, Sections 50022.3; 6066). Because the City's newspaper of general circulation publishes only on Thursdays, the notices cannot be published for the legally required time prior to December 20.

Therefore, staff is requesting that this item be continued to the Council's next available meeting on January 17, 2011. This will permit the notices to be published according to law. Staff anticipates no adverse impacts due to the continuance.

RELEVANCE TO THE STRATEGIC PLAN

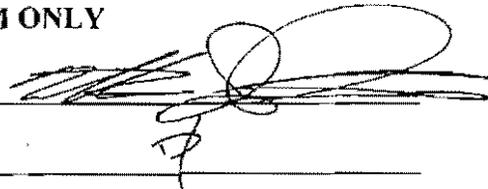
None.

EXHIBITS

None.

REVIEW TEAM ONLY

City Attorney: _____



Finance Director: _____



City Manager: _____



Other: _____

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: January 17, 2012

ITEM NO: PH 2

STAFF SOURCE: Robert Neiuber, Director of Community Development *RN*
Debbie Pacheco, Sr. Management Analyst

ITEM TITLE: City Council to hold public hearing to consider approval of the 2012-2013 Community Development Block Grant (CDBG) Program Budget.

STAFF RECOMMENDATION

- a. City Council to receive the staff report and open the public hearing and consider testimony; and
- b. Consider approval of the the fiscal year 2012-2013 Community Development Block Grant Program budget as recommended selecting Column C of the Table on Exhibit A with the provision that allocations be adjusted based on the final allocation as determined by the Community Development Commission, with a maximum of 15% of funding allocated for public service programs; and
- c. Authorize the City Manager or his designee to execute documents related to the fiscal year 2012-2013 Community Development Block Grant.

FISCAL IMPACT

None. The City anticipates that no more than \$304,342 of federal CDBG funds will be available to the City. These funds will reimburse the expenditures of the programs. This is a reduction of \$76,464 from the amount that we originally anticipated receiving next year. It will result in a reduction of \$11,470 available for the public service programs funded by CDBG.

BACKGROUND

The City of Covina receives federal Community Development Block Grant funds which are budgeted under the Redevelopment and Housing cost center in the Community Development Department budget. Because our municipal population is below 50,000 the City cannot receive the money directly from the federal government, and instead participates in the Urban County Program and receives our funds via the Los Angeles County Community Development Commission (CDC).

The CDC requires we submit our preliminary budget and spending contracts by February 3rd of each year. Specific projects must be approved by the CDC and found in compliance with federal regulations.

The CDC has notified us of the City's estimated final allocation for fiscal year 2012-2013 will be \$304,342. These funds can only be spent on activities that:

- benefit low- and moderate-income persons
- prevent or eliminate slum and blight, or
- Meet community development needs having a particular urgency (must pose a serious and immediate threat to the health or welfare of the community).

Under the Community Development Block Grant program, public service (non-capital/non-construction) projects are limited to 15% of the annual allocation. The public service allocation for fiscal year 2012-2013 will be \$45,651. The reduction in the City's allocation has caused the elimination of the Teen After School public service program.

In the past, expenses of administering the program have been limited to 10% of the annual allocation, which for the current fiscal year 2011-2012, was reduced to 7.5%. However, in the fiscal year 2012-2013, there will be no allowance for administering the program. Instead, expenses of administering the program will only be allowed for project related tasks, and will be charged directly to the projects.

Total requests for funding for other programs for fiscal year 2012-2013 amounted to \$258,691 as shown in Exhibit A.

The Housing and Community Development Advisory (HCDA) Committee did not consider any requests, or staff recommendations, at their December 14, 2011 meeting as their meeting was cancelled due to lack of quorum. Today's meeting was properly noticed and provides the public with a forum to provide comments on this matter.

The staff recommendation is as follows, providing for \$45,651 in public service projects, and \$258,691 for housing rehabilitation and economic development programs, for a total allocation of \$304,342 as shown in Exhibit A, Column C. Two local non-profits, Cory's Kitchen and Kommah Seray Inflammatory Breast Cancer Foundation submitted applications for funding as well (Exhibit C CDBG Applications Received). Staff is recommending the four City programs (Senior Case management, Senior Information and Referral, Senior Nutrition, and Second Start Literacy) as the funding is needed for these community programs to continue in their current role.

Update on FY 2011-2012 CDBG status

The City's original allocation for CDBG funds for the current fiscal year, 2011-2012 was \$365,805. However, there were \$622,974 of unspent funds at June 30, 2011, which have been carried over, bringing the total amount of CDBG funds available for this fiscal year 2011-2012 to \$988,779. See Exhibit C for a breakdown of current year funding.

There is \$193,207 available for residential rehabilitation. Staff is in the process of working with qualified owners of residences with health and safety deficiencies/violations in order to provide assistance to these individuals. To date, \$124,374 has been expended and 4 homeowners have been assisted. Staff anticipates spending the majority of the remainder of the residential rehabilitation funds by the end of June, 2012.

Three businesses have been approved for participation in the Economic Development Program for \$300,000 in funding in FY 2011-2012. \$353,831 is available for additional programming;

two applications will be presented to the Council for consideration in February 2012 for an additional \$150,000. To date, \$41,289.88 has been expended.

RELEVANCE TO THE STRATEGIC PLAN

This CDBG funding assists enhancing parks and recreation and library services by providing funding for public service programs such as Second Start Literacy.

EXHIBITS

- A. Recommended Funding Table
- B. Current Year Funding Table
- C. CDBG Applications Received

REVIEW TEAM ONLY	
City Attorney: 	Finance Director: 
City Manager: 	Other: _____

Recommended Funding Table

For Planning Purposes 2012-2013:

Estimated Funding Available

New Year Funds Available (12-13) estimated allocation \$304,342

Public Services (15%)

\$45,651

Other (78%)

\$258,691

Estimated

A	B	C	D	E
Program Name	Original Funding Requests 2012-2013	Staff Recommendation	City of Covina Program?	Meets the need of City Programs?
<u>PUBLIC SERVICE PROGRAMS</u>				
Sr. Case Mgmt	\$10,399.00	\$10,000.00	Yes	Yes
Senior Info & Referral	\$13,923.00	\$10,000.00	Yes	Yes
Senior Nutrition	\$10,399.00	\$10,000.00	Yes	Yes
Second Start Literacy	\$12,000.00	\$15,651.00	Yes	Yes
Subtotal Public Service	\$57,120.00	\$45,651.00		
<u>Other Programs</u>				
Residential Rehabilitation	\$100,000.00	\$100,000.00	Yes	Yes
Economic Development	\$200,000.00	\$158,691.00	Yes	Yes
Subtotal Other Programs	\$300,000.00	\$258,691.00		
Total Funding Requested	\$357,120.00	\$304,342.00		

Recommended Funding Table

Program Name	Original Funding Approved 2011- 2012	Carryover from 2010-2011	Final Allocation
<u>PUBLIC SERVICE PROGRAMS</u>			
Sr. Case Mgmt	\$10,399.00	\$0.00	\$10,399.00
Senior Info & Referral	\$13,923.00	\$0.00	\$13,923.00
Senior Nutrition	\$10,399.00	\$0.00	\$10,399.00
Second Start Literacy	\$12,000.00	\$0.00	\$12,000.00
Subtotal Public Service	\$46,721.00	\$0.00	\$46,721.00
<u>Program Administration</u>	\$28,560.00	\$0.00	\$28,560.00
<u>Other Programs</u>			
Residential Rehabilitation	\$93,207.00	\$100,000.00	\$193,207.00
Economic Development	\$186,918.00	\$522,974.00	\$709,892.00
Subtotal Other Programs	\$280,125.00	\$622,974.00	\$903,099.00
Total Funding Requested	\$355,406.00	\$622,974.00	\$978,380.00

TABLE OF CONTENTS

Program Name	Funding Requested FY 12-13	See Application No.
<u>PUBLIC SERVICE PROGRAMS</u>		
Senior Case Mgmt	\$10,399.00	1
Senior Info & Referral	\$13,923.00	2
Senior Nutrition	\$10,399.00	3
Second Start Literacy	\$12,000.00	4
Teen After School	\$10,399.00	5
Kommah Seray Inflammatory Breast Cancer Foundation	\$15,000.00	6
Cory's Kitchen, Inc.	\$11,000.00	7
Subtotal Public Service Programs	\$83,120.00	
Estimated Amount Available for Public Service Programs	\$49,497.00	
Amount over/(under)	\$33,623.00	
<hr/>		
Residential Rehabilitation	\$100,000.00	8
Economic Development	\$200,000.00	9
Total Funding Req	\$300,000.00	
Total Planning Funding Available	\$280,486.00	
Amount over/(under)	\$19,514.00	

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: January 17, 2012

ITEM NO.: PH 3

STAFF SOURCE: Kim J. Raney, Chief of Police 

ITEM TITLE: Public Hearing to approve Police Chief's proposal for expenditure of State COPS grant funds-2011.

STAFF RECOMMENDATION:

Approve the Police Chief's recommendations for use of the State's Citizens' Option for Public Safety (COPS) grant funds.

FISCAL IMPACT:

Funding is exclusively from the State, through the Citizens' Option for Public Safety Program (COPS) - Supplemental Law Enforcement Services Fund (SLESF) per California Government Code Section 30061-30065. The City of Covina is eligible to receive an annual amount of \$100,000, which is based on population. The funding is received quarterly from the State and is appropriated using account numbers 22461110 42110 and 22461110 50015; and, 22461130 42110 and 22461130 50010. These figures are included in the Police Department's annual budget.

BACKGROUND:

The City has been a recipient of State COPS grant funds since 1995. The funds are designated for funding of front-line police services and are based on population. No application process is required. Funds are distributed from the State through the County Controllers Office to the City of Covina. The law requires that the City maintain the funds in a separate, interest bearing account. Beginning with funding for 2008, the State began distributing the funds on a quarterly basis and changed the source of funding to the State Vehicle License Fee Fund.

It is the recommendation of the Chief of Police to use the State COPS grant for the continued employment of two full-time Community Services Officers and one part-time Community Services Specialist. The Community Services Officers provide support for officers in the field and the part time Community Services Specialist position is assigned to the Crime Prevention Unit.

RELEVANCE TO THE STRATEGIC PLAN:

None.

EXHIBITS:

None.

**CITY OF COVINA/
COVINA REDEVELOPMENT AGENCY
AGENDA ITEM COMMENTARY**

MEETING DATE: January 17, 2012

ITEM NO.: CB 1

STAFF SOURCE: Robert Neiuber, Deputy Executive Director of Redevelopment *(R)*
Elizabeth Hull, Agency Attorney

ITEM TITLE: Repeal Urgency Ordinance No. 11-1998, an Urgency Ordinance of the City Council of the City of Covina, California, which was approved to comply with the Voluntary Alternative Redevelopment Program pursuant to AB 1X 27 in order to permit the continued existence and operation of the Redevelopment Agency of the City of Covina.

STAFF RECOMMENDATION

Adopt **Ordinance No. 12-2005** repealing Urgency Ordinance No. 11-1998 determining that the City would comply with the Voluntary Alternative Redevelopment Program pursuant AB 1X 27, in order to permit the continued existence and operation of the Redevelopment Agency of the City of Covina.

FISCAL IMPACT

None.

BACKGROUND

As part of the 2011-12 State budget bill, the California Legislature enacted, and the Governor signed, companion bills Assembly Bill 1X 26 ("AB 1X 26") and Assembly Bill 1X 27 ("AB 1X 27"), requiring that each redevelopment agency be dissolved unless the community that created the redevelopment agency enacts an ordinance ("Continuation Ordinance") agreeing to participate in an Alternative Voluntary Redevelopment Program ("Alternative Redevelopment Program") committing the community to making certain "community remittance" payments.

On July 18, 2011, a Petition for Writ of Mandate was filed in the Supreme Court of the State of California (*California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. S194861) ("Legal Action"), challenging the constitutionality of AB 1X 26 and AB 1X 27 on behalf of cities, counties and redevelopment agencies and requesting a stay of enforcement.

On July 19, 2011, the City Council approved Urgency Ordinance No. 11-1998, which was necessary at the time to allow the Redevelopment Agency of the City of Covina ("Agency") to continue in effect, in compliance with AB 1X 27. Under the Urgency Ordinance, the City agreed to participate in the Alternate Redevelopment Program and pay the City's share of the community remittance payment in order to prevent the Agency from being dissolved.

ORDINANCE NO. 12-2005

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, REPEALING URGENCY ORDINANCE NO. 11-1998 DETERMINING THAT THE CITY WOULD COMPLY WITH THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM PURSUANT TO AB 1X 27 IN ORDER TO PERMIT THE CONTINUED EXISTENCE AND OPERATION OF THE REDEVELOPMENT AGENCY OF THE CITY OF COVINA

WHEREAS, pursuant to the Community Redevelopment Law (Health and Safety Code Sections 33000 *et seq.*), the City Council of the City of Covina (“City”) created the Covina Redevelopment Agency (“Agency”); and

WHEREAS, the Agency has been responsible for implementing the Redevelopment Plans for the Covina Revitalization Redevelopment Project Area No. One and Covina Revitalization Redevelopment Project Area No. Two, covering certain properties within the City (“Project Areas”); and

WHEREAS, as part of the 2011-12 State budget bill, the California Legislature enacted, and the Governor signed, companion bills AB 1X 26 and AB 1X 27, requiring that each redevelopment agency be dissolved unless the community that created the redevelopment agency enacts an ordinance (“Continuation Ordinance”) agreeing to participate in an Alternative Voluntary Redevelopment Program (“Alternative Redevelopment Program”) committing the community to making certain “community remittance” payments; and

WHEREAS, a Petition for Writ of Mandate was filed in the Supreme Court of the State of California on July 18, 2011 (*California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. S194861), challenging the constitutionality of AB 1X 26 and AB 1X 27 on behalf of cities, counties and redevelopment agencies and requesting a stay of enforcement; and

WHEREAS, on July 19, 2011, by Urgency Ordinance No. 11-1998, the City, as the creator of the Agency, enacted the Continuation Ordinance committing the City to making community remittance payments in order to prevent the Agency from dissolving; and

WHEREAS, on August 11, 2011, and modified on August 17, 2011, the Supreme Court stayed portions of AB 1X 26, and AB 1X 27 in its entirety during the pendency of the matter; and

WHEREAS, on December 29, 2011, the Supreme Court issued its final decision in the aforesaid litigation, upholding AB 1X 26, invalidating AB 1X 27, extending all statutory deadlines under AB 1X 26, and dissolving all redevelopment agencies throughout the State of California, effective February 1, 2012; and

WHEREAS, because AB 1X 27 is invalid, any Continuation Ordinance enacted pursuant to AB 1X 27 is also invalid; and

WHEREAS, the City desires to repeal the adoption of Urgency Ordinance No. 11-1998 because it is no longer valid.

THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and incorporated herein by reference.

Section 2. CEQA Compliance. The action taken in this Ordinance does not commit the City to any action that may have a significant effect on the environment. As a result, such approval does not constitute a project pursuant to Title 14, California Code of Regulations, Chapter 3, California Environmental Quality Act, Article 20, Section 15378 (Project), and is exempt.

Section 3. Urgency Ordinance No. 11-1998 Repealed. The City Council hereby repeals Urgency Ordinance No. 11-1998 in its entirety as it is no longer valid.

Section 4. Implementation. The City Council hereby authorizes and directs the City Manager to take any action and execute any documents necessary to implement this Ordinance.

Section 5. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The City Council hereby declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof.

Section 6. Certification; Publication. The City Clerk shall certify to the adoption of this Ordinance and cause it, or a summary of it, to be published once within 15 days of adoption in a newspaper of general circulation printed and published within the City of Covina, and shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk in accordance with Government Code section 36933.

Section 7. Effective Date. This Ordinance shall become effective thirty (30) days from its adoption.

PASSED, APPROVED AND ADOPTED this 17th day of January, 2012.

John C. King, Mayor

ATTEST:

Deputy City Clerk

APPROVED AS TO FORM;

City Attorney

CERTIFICATION

I, Catherine LaCroix, Deputy City Clerk of the City of Covina, do hereby certify that the Ordinance 12-2005 was introduced at a special meeting of the City Council of the City of Covina, duly held the 11th day of January, 2012, and thereafter at a regular meeting held on the 17th day of January 2012, it was duly passed and adopted by the following vote of the Council:

AYES:

NOES:

ABSTAIN:

ABSENT:

Catherine LaCroix
Deputy City Clerk

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: January 17, 2012

ITEM NO.: NB 1

STAFF SOURCE: Steve Henley, Director of Public Works
Kalieh Honish, Assistant Director of Public Works *KH*

ITEM TITLE: Review of Citywide Pedestrian Crossings

STAFF RECOMMENDATION

Receive and file the Review of Citywide Pedestrian Crossings Report.

FISCAL IMPACT

The recommended action entails no fiscal impact.

BACKGROUND

At a previous meeting, the City Council instructed staff to review the pedestrian crossings in existence throughout the city and to report back to the Council with recommendations related thereto. As it was understood that the Council's primary interest was with uncontrolled pedestrian crossings, staff's review did not include any crossings controlled by either stop signs or automated traffic signals.

Guidelines for the location, installation, and maintenance of pedestrian crossings are found within Parts 3 (Markings) and 7 (Traffic Controls for School Areas) of the California Manual of Uniform Traffic Control Devices (CAMUTCD). These Parts of the CAMUTCD provide, in part, the following guidance relative to crosswalks:

- Crosswalk markings provide guidance for pedestrians who are crossing roadways by defining and delineating pedestrian travel paths.
- Crosswalk markings also serve to alert road users of a pedestrian crossing point across roadways not controlled by traffic signals or stop signs.
- Marked crosswalks should be provided at appropriate points of pedestrian concentration, such as loading islands, mid-block pedestrian crossings, or where pedestrians could not otherwise recognize the proper place to cross.
- Crosswalk markings should not be used indiscriminately.
- Mid-block pedestrian crossings are generally unexpected by the motorist and should be discouraged unless there is strong justification in favor of such installation

With the foregoing in mind, per the attached Exhibit A, the city currently has fifty-four (54) uncontrolled pedestrian crossings; with a mix of both general pedestrian crossings and school crossings. Of these, only seven (7) are true, mid-block crossings:

- 1) Conwell Avenue adjacent to Valencia Elementary
- 2) Cutter Way adjacent to Industrial Park Street
- 3) Citrus Avenue between Badillo Street and College Street
- 4) Citrus Avenue between College Street and Italia Street
- 5) Cypress Street between Fourth Avenue and Fifth Avenue
- 6) Cypress Street adjacent to the Metrolink tracks
- 7) Covina Hills Road adjacent to the Walnut Creek overcrossing

A cursory review of these seven locations has convinced staff that crossing nos. 5, 6 and 7 are justified as they provide necessary access to active school sites and an equestrian trail. However, the same review suggests that crossing nos. 1, 2, 3 and 4 may not be needed. In the case of crossing no. 1, Valencia Elementary appears to no longer be an active elementary school; currently being utilized as an Education Center. With this change, no elementary school-aged children have been observed utilizing the existing crosswalk; suggesting that it may need to be removed. Regarding crossing no. 2, during staff's observations Las Palmas Intermediate had the access gate adjacent to this crossing secured; with no pedestrian access being allowed to the rear of the school property. If this condition is found to be the norm, then this crossing would be a good candidate for removal as no longer being necessary. However, further study and follow-up with the District would be required before that determination could be made. With respect to crossing nos. 3 and 4, while these crossings do provide additional pedestrian circulation movements within the Downtown District, they do so at the expense of vehicular traffic flow and both are located less than two hundred feet (200') from either a controlled crossing or an uncontrolled intersection. Both should be further evaluated to determine if their existence continues to service established pedestrian circulation needs in the Downtown.

Of the remaining forty-eight (48) crossings, staff's cursory review identified fourteen (14) crossings that may not meet the criteria contained within the CAMUTCD as either servicing an institutional facility whose primary function has changed or appear not to serve an established pedestrian need. Those fourteen crossings and the reason for their identification are found within the attached Exhibit B. Similar to crossing nos. 2, 3 and 4, above, these fourteen crossings should be further evaluated to determine if their existence continues to service established pedestrian needs.

If any crossings are found to be a strong candidate for removal, pursuant to California Vehicle Code Section 21950.5, before a crosswalk may be removed the City is required to post a public notice at the crosswalk advising the public of the intent to remove the crosswalk and informing the public how to provide input related to the scheduled removal. This notice must be posted at least 30 days prior to the scheduled removal. At the conclusion of that time period, a public hearing would be conducted relative to any proposed crosswalk removals before the Traffic Advisory Board for their determination and recommendation for action to the City Council.

In addition to further review to determine if any of the aforementioned crossings should be recommended for removal, staff intends to also conduct a more detailed analysis of each of the listed school crossings and any identified high frequency/volume pedestrian crossings to

**CITY OF COVINA
PUBLIC WORKS DEPARTMENT
UNCONTROLLED PEDSTRIAN CROSSING INVENTORY
DECEMBER 2011**

Zone	Primary Street	Cross Street	School X-ing / Ped X-ing	Services
1	Conwell Avenue	Mid-block	School	Valencia Elementary *
1	Cutter Way	Industrial Park Street	School	Las Palmas Intermediate
1	Lark Ellen Avenue	Bridger Street	School	Las Palmas Intermediate
3	Badillo Street	Armel Drive	School	Traweek Intermediate / Covina High
3	Citrus Avenue	Between Badillo Street and College Street	Ped	Downtown District
3	Citrus Avenue	Between College Street & Italia Street	Ped	Downtown District
3	Citrus Avenue	Geneva Place	Ped	Commercial area
3	Citrus Avenue	Italia Street	Ped	Downtown District
3	Covina Boulevard	Calvados Avenue	School	Cypress Elementary
3	Cypress Street	Between Fourth Avenue & Fifth Avenue	School	Cypress Elementary
3	Fourth Avenue	College Street	Ped	Covina Park
3	Fourth Avenue	San Bernardino	Ped	Covina Park
3	San Bernardino Road	Armel Drive	School	Traweek Intermediate / Covina High
3	San Bernardino Road	Elspeth Way	School	Traweek Intermediate / Covina High
3	San Bernardino Road	Fourth Avenue	Ped	Covina Park
3	San Bernardino Road	Valencia Avenue	Ped	Covina Park
3	Third Avenue	Cottage Street	Ped	Intercommunity Hospital
4	Badillo Street	Fourth Avenue	Ped	Covina Park
4	Badillo Street	Third Avenue	Ped	Hospital/Commercial area
4	Citrus Avenue	Center Street	Ped	Circulation
4	Citrus Avenue	Dexter Street	Ped	Circulation
4	Puente Street	Armel Drive	School	Traweek Intermediate / Covina High
4	Puente Street	Heathdale Avenue	School	Covina High School
4	Workman Street	Aldenville Avenue	School	Sacred Heart School
5	Barranca Avenue	Benwood Street	Ped	Circulation
5	Citrus Avenue	Benbow Street	Ped	Commercial area
5	Covina Boulevard	DeLay Avenue	Ped	Commercial area
5	Covina Boulevard	Fairvalley Avenue	School	Saint John School *
5	Covina Boulevard	Prospero Drive	School	Ben Lomond Elementary
5	Cypress Street	Prospero Drive	School	Ben Lomond Elementary
5	Nubia Street	Ranger Drive	School	Fairvalley Elementary
6	Barranca Avenue	Hurst Street	Ped	Kelby Park
6	Barranca Avenue	Italia Street	School	Covina Elementary *
6	Second Avenue	Italia Street	Ped	City Library

**CITY OF COVINA
PUBLIC WORKS DEPARTMENT
UNCONTROLLED PEDSTRIAN CROSSINGS
REQUIRE FURTHER STUDY**

Zone	Primary Street	Cross Street	School X-ing / Ped X-ing	Services
3	Citrus Avenue	Geneva Place	Ped	Little use/within 200' of 2 controlled crossings
3	San Bernardino Road	Elsbeth Way	School	Duplication of crossing at Arnel/San Bernardino
4	Citrus Avenue	Dexter Street	Ped	Little use/no identified area being serviced
4	Puente Street	Heathdale Avenue	School	Duplicaton of crossing at Puente/Arnel
4	Workman Street	Aldenville Avenue	School	Within 300' of controlled crossing at Albertson
5	Barranca Avenue	Benwood Street	Ped	Little use/no identified area being serviced
5	Citrus Avenue	Benbow Street	Ped	Little use/no identified area being serviced
5	Covina Boulevard	DeLay Avenue	Ped	Little use/safer crossing at Grand intersection
5	Covina Boulevard	Fairvalley Avenue	School	School may no longer be active
6	Barranca Avenue	Italia Street	School	School may no longer be active
7	Rowland Street	Eremland Drive	Ped	Little use/no identified area being serviced
7	Second Avenue	Dexter Street	Ped	Little use/no identified area being serviced
7	Workman Street	Palmetto Avenue	Ped	Within 200' of Second Avenue crossing
8	Sunflower Avenue	Benwood Street	School	Within 300' of controlled crossing at Cypress

**CITY OF COVINA
PUBLIC WORKS DEPARTMENT
UNCONTROLLED PEDSTRIAN CROSSING INVENTORY
DECEMBER 2011**

6	Second Avenue	School Street	Ped	Fire/PD/Heritage Park
7	Puente Street	DeLay Avenue	School	Sierra Vista Middle School
7	Puente Street	Monte Vista Avenue	School	Sierra Vista Middle School
7	Puente Street	San Jose Avenue	School	Barranca Elementary
7	Rowland Street	Eremland Drive	Ped	Circulation
7	Rowland Street	First Avenue	Ped	Circulation
7	Second Avenue	Center Street	Ped	Circulation
7	Second Avenue	Dexter Street	Ped	Circulation
7	Workman Street	Palmetto Avenue	Ped	Commercial area
7	Workman Street	San Antonio Drive	Ped	Commercial area
7	Workman Street	Second Avenue	Ped	Commercial area
8	Covina Boulevard	Cummings Road	Ped	Charter Oak Hospital
8	Covina Boulevard	Reeder Avenue	School	St. Louise de Merillac School
8	Cypress Street	Metrolink Railroad Tracks	School	Charter Oak High School
8	Sunflower Avenue	Benwood Street	School	Glen Oak Elementary
9	Cypress Street	Lyman Avenue	School	Glen Oak Elementary
9	Glendora Avenue	Colver Place	Ped	Kahler-Russell Park
9	Glendora Avenue	Wingate Street	Ped	Circulation
10	Covina Hills Road	Walnut Creek Crossing	Equestrian/Ped	Trail
10	Holt Avenue	Parkview Drive	Ped	Xalapa Park

* Based on information currently available these schools are no longer functioning as elementary schools