



City of Covina/Successor Agency to the
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, March 20, 2012
6:30 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. 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's Office 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/Successor Agency to the Covina 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 **March 20, 2012** meeting was posted on **March 15, 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.

March 20, 2012

**CITY COUNCIL/SUCCESSOR AGENCY TO THE
COVINA REDEVELOPMENT AGENCY/
COVINA PUBLIC FINANCE AUTHORITY/COVINA HOUSING AUTHORITY
JOINT MEETING—CLOSED SESSION
6:30 p.m.**

CALL TO ORDER

ROLL CALL

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

PUBLIC COMMENTS

The Public is invited to make comment on Closed Session items only at this time. To address the Council/Agency/Authority please complete a yellow speaker request card located at the entrance and give it to the City Clerk. Your name will be called when it is your turn to speak. Individual speakers are limited to five minutes each.

The City Council/Successor Agency to the Covina Redevelopment Agency/Covina Public Finance Authority/Covina Housing Authority will adjourn to Closed Session for the following:

CLOSED SESSION

- A. G.C. §54956.9(a) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Name of case: The Johnson Sober Living House v. City of Covina, et. al.
Case No. CV11-02809 RGK, U.S. District Court, Central District of California

- B. G.C. § 54956.9(a) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Name of case: Trevino et. al. v. Planning Commission of the City of Covina, et. al.
Case No. BS 136525, Los Angeles Superior Court

- C. G.C. § 54956.9(a) & (c) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Name of case: People v. Louise Wasilchin, Los Angeles Superior Court
Case No. KA096395

RECESS

**CITY COUNCIL/SUCCESSOR AGENCY TO THE
COVINA 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

CITY COUNCIL REORGANIZATION

1. Rotation of Mayor and Mayor Pro Tempore for a period of one year.

PRESENTATIONS

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/Successor Agency to the Covina 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/Successor Agency to the Covina 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 March 6, 2012 regular meeting of the City Council/Successor Agency to the Covina Redevelopment Agency/Public Finance Authority/Housing Authority.
- CC 2. City Council to receive and file the 3rd Quarter 2011 sales tax report.
- CC 3. City Council to receive and file the update on the strategic plan.
- CC 4. City Council to receive and file the Public Works monthly activity report.
- CC 5. City Council to receive and file the Public Works Department's Calendar Year 2011 Annual Report.
- CC 6. City Council to approve the payment of demands in the amount of \$5,434,413.99.
- CC 7. City Council to approve a use agreement between the City and Farmer Market.
- CC 8. City Council to adopt **Resolution No. 12-7056**, amending the fiscal year 2011-2012 Library Services Division's operating budget to expend the California's Family Place Library Grant Funds under the Library Services and Technology Act (LSTA) grant from the Institute of Museum and Library Services to support the development of California libraries, and the usage of restricted funds from the Kai & Ruth Molich Revocable Living Trust donation.
- CC 9. City Council to adopt **Resolution No. 12-7057**, authorizing budget adjustment for fiscal year 2011-2012.
- CC 10. City Council to adopt **Resolution No. 12-7058**, to consider renewing General Services Agreement with Los Angeles County.
- CC 11. City Council to award a bid to create final designs and construction documents for pedestrian improvements at the Covina Metrolink Station, Project No. T-0841; and adopt **Resolution No. 12-7059**, amending the fiscal year 2011-2012 Public Works Department, Transit Operations operating budget.
- CC 12. Housing Authority to adopt **Authority Resolution No. 12-001**, accepting the dissolved Covina Redevelopment Agency's Housing Assets and Functions, pursuant to Part 1.85 of Division 24 of the California Health and Safety Code.
- CC 13. Housing Authority to adopt **Authority Resolution No. 12-002**, adopting the bylaws by the Covina Housing Authority.
- CC 14. Successor Agency to the Covina Redevelopment Agency to approve the payment of demands in the amount of \$2,196,874.22.
- CC 15. Successor Agency to the Covina Redevelopment Agency to adopt **Agency Resolution No. 12-002**, to recommend oversight board approval of the transfer of the former Covina Redevelopment Agency's housing assets and functions to the Covina Housing Authority.

- CC 16.** Successor Agency to the Covina Redevelopment Agency to approve updated Recognized Obligation Payment Schedule for the period of January 1, 2012 through June 30, 2012.
- CC 17.** Successor Agency to the Covina Redevelopment Agency to approve updated Recognized Obligation Payment Schedule for the period of July 1, 2012 through December 31, 2012 and direct it to be provided to the Successor Agency Oversight Board.
- CC 18.** Successor Agency to the Covina Redevelopment Agency to approve Administrative Budget covering February 2, 2012 through June 30, 2012 and direct it to be provided to the Successor Agency Oversight Board.

CONTINUED BUSINESS

- CB 1.** City Council to adopt **Resolution No. 12-7060**, confirming and ratifying the City's Council October 18, 2011 adoption of Resolution of Necessity and adopt **Resolution No. 12-7061**, amending the fiscal year 2011 – 2012 Community Development Land Account budget.

Staff Recommendation:

- 1) City Council to adopt **Resolution No. 12-7060**, confirming and ratifying the City's Council October 18, 2011 adoption of Resolution of Necessity for the Acquisition of a Fee Interest in Certain Real Property located at 155 E. San Bernardino Road (Assessor Parcel Number 8430-024-012) for the Purpose of developing and maintaining a parking lot for use by the Covina Police Department and County Fire Department;
- 2) City Council to adopt **Resolution No. 12-7061**, to amend the fiscal year 2011-2012 Community Development Land Account budget to provide funding to purchase and develop the property at 155 E. San Bernardino Road (Assessor Parcel Number 8430-024-012).

NEW BUSINESS

- NB 1.** City Council to approve the amended legal services agreement between the City of Covina and Best, Best & Krieger to reduce the monthly retainer.

Staff Recommendation:

- 1) City Council to approve the legal services agreement by and between the City of Covina and Best, Best and Krieger for attorney services.

- NB 2.** Mayor appointments to the Oversight Board for Successor Agency to the Covina Redevelopment Agency.

Staff Recommendation:

- 1) Mayor to appoint two members to the Oversight Board.

ADJOURNMENT

The Covina City Council/Successor Agency to the Covina Redevelopment Agency/Covina Public Finance Authority/Covina Housing Authority will adjourn to its next regular meeting, **Tuesday, April 3, 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.



MINUTES OF THE MARCH 6, 2012 REGULAR MEETING OF THE COVINA CITY COUNCIL/SUCCESSOR AGENCY TO THE COVINA REDEVELOPMENT AGENCY /COVINA PUBLIC FINANCE AUTHORITY/COVINA HOUSING AUTHORITY HELD IN THE COUNCIL CHAMBER OF CITY HALL, 125 EAST COLLEGE STREET, COVINA, CALIFORNIA

CALL TO ORDER

Mayor King called the City Council/Successor Agency to the Covina Redevelopment Agency/Public Finance Authority/Housing Authority meeting to order at 7:31 p.m. Council Member Delach arrived at 7:37 p.m.

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, Human Resources Director, Community Development Deputy Director, Parks and Recreation/Library Director, Finance Director, Police Captain, Risk Manager, Management Analyst and Deputy City Clerk

AGENDA POSTING DECLARATION

The Deputy City Clerk of the City of Covina hereby declares that the agenda for the March 6, 2012 City Council/Successor Agency to the Covina Redevelopment Agency/Public Finance Authority/Housing Authority meeting was posted on March 1, 2012 near the front entrance of City Hall, 125 East College Street, Covina, in accordance with §54954.2(a) of the California Government Code.

PLEDGE OF ALLEGIANCE

Council Member Low led the pledge of allegiance.

INVOCATION

Covina Police Chaplain David Truax gave the invocation.

PRESENTATIONS

Mayor King invited Robert Moreno and the Moreno Family to the lectern and presented a certificate of recognition for their non-profit athletic and academic training center, 212 Training Center, located at 542 N. Second Avenue, Covina.

Mayor King invited the 2012 Miss Covina, Sarah Gleason, and her Court, Rita Garabet and Vanessa Garcia to the lectern and presented certificates of recognition.

PUBLIC COMMENTS

Bill Prescott, Charter Oak Youth Baseball/Softball presented a plaque to each City Council Members, Police Chief and Fire Chief and expressed appreciation for supporting the youth athletes of the community.

Karen Escobedo, of Covina, spoke regarding a recent car accident on her street involving three teenagers. Ms. Escobedo expressed a public safety concern regarding vehicles traveling at high rate of speed in the neighborhood. She wanted to bring the situation to the City's attention and see about installation of additional stop signs or speed bumps.

Council Member Allen and Mayor King requested staff research and provide an update to Council regarding possible road safety improvements.

COUNCIL/AGENCY/AUTHORITY COMMENTS

Mayor Pro Tem Stapleton stated the Jaeger Family expressed appreciation for adjourning the February 7, 2012 meeting in memory of Karl Jaeger.

Council Member Allen reminded everyone that the Relay for Life event is scheduled for April 28, 2012 at Northview High School. All proceeds go to the American Cancer Society.

Council Member Low held up a photo of former Governor of California, George Deukmejian, and read excerpts of various Covina minutes from 1989 regarding the Olmec Head. Council Member Low stated his point is that the Olmec Head deserves care and is important to Hispanic heritage.

Council Member Delach congratulated 2012 Miss Covina and Covina Princess. Council Member Delach stated she is excited about the 2012 youth baseball season and wished everyone a Happy St. Patty's Day.

Mayor Pro Tem Stapleton reported he read to students at Badillo Elementary School on Dr. Seuss' Day and attended four separate opening day ceremonies for youth baseball/softball. Mayor Pro Tem Stapleton stated that Council Comment portion of the agenda is not to air personal agenda platforms.

Mayor King announced nominations are open for the Covina Wall of Honor with the deadline Thursday, March 8, 2012. Further information is available on the City's website.

Mayor King announced that on Sunday, March 17 at 9:30 a.m., the Covina Public Library would be celebrating Saint Patrick's Day with Irish teachings and crafts. Contact the Parks and Recreation Department at (626) 384-5340 for additional information.

Mayor King announced on Friday, March 9, 2012 at 12:00 p.m. is the annual Covina Chamber of Commerce State of the City event, where representatives from Covina Valley Unified School District, Charter Oak Unified School District and the City of Covina will speak. Contact the Covina Chamber of Commerce to RSVP to the event.

CITY MANAGER COMMENTS

City Manager Daryl Parrish stated that historically the City would have a booth at the International Council of Shopping Center (ICSC) conference. City Manager Parrish reported the San Gabriel Valley Economic Partnership would have a booth this year for a relatively low cost to cities of San Gabriel Valley. He suggested that it might be an opportunity to be able to participate at the conference and market the City. City Manager Parrish stated Consent Calendar item CC3 gives a Successor Agency update and that the County of Los Angeles requested the City provide names of those interested in serving on the oversight board with appointments made at the Los Angeles County Board or Supervisor meeting on March 27, 2012.

CONSENT CALENDAR

On a motion made by Mayor Pro Tem Stapleton, seconded by Council Member Delach, the City Council/Successor Agency/Public Finance Authority/Housing Authority approved Consent Calendar items CC1, CC2, CC3, CC4, CC5, CC6, and CC7. **Motion carried 5-0.**

- CC 1.** City Council to approve the minutes from the February 7, 2012 regular meeting of the City Council/Successor Agency to the Covina Redevelopment Agency/Public Finance Authority/Housing Authority.
- CC 2.** City Council to approve the minutes from the February 21, 2012 regular meeting of the City Council/Successor Agency to the Covina Redevelopment Agency/Public Finance Authority/Housing Authority.
- CC 3.** City Council to receive and file the Successor Agency update.
- CC 4.** City Council to receive and file the fiscal year 2011-2012 2nd Quarter update on major funds.
- CC 5.** City Council to adopt **Resolution No. 12-7053**, appropriating Department of Conservation (DOC) funds to the current fiscal year budget and allocating those funds for the purchase of five solar trash compactors for areas of high refuse volume throughout the city.
- CC 6.** City Council to adopt **Resolution No. 12-7054**, supporting the transfer of Ontario International Airport (ONT) from the Los Angeles World Airports (LAWA) to the City of Ontario for local control.

CC 7. City Council to award a bid for the Cypress Reservoir Refurbishment, Project No. W-1102.

PUBLIC HEARING

PH 1. City Council to hold public hearing to consider final acceptance of Heritage Plaza Park project and filing of Notice of Completion and to consider liquidated damages and penalties against MG Enterprises, the Project General Contractor.

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

City Manager Parrish gave a brief report of the item before Council.

At 8:23, Mayor King closed the public hearing.

On a motion made by Council Member Low, seconded by Council Member Allen, the City Council accepted the Heritage Plaza Park project and authorized staff to file the Notice of Completion; applied 111 days of credit to the contract time for the project and waived liquidated damages; and assessed a penalty of \$111,000 to MG Enterprises for using an unlisted subcontractor on the project. **Motion carried 4-1, with Mayor Pro Tem Stapleton voting no.**

NEW BUSINESS

NB 1. City Council to receive and file the report on the “50th Anniversary for the Friends of the Library” event.

Fred Feldheim, Friends of the Covina Public Library Board Member spoke regarding using the Covina Library parking lot for the Friends of the Library 50th anniversary event. Mr. Feldheim explained possible solutions to allow booths in the parking lot, which included placing stanchions over the concrete car stops. He reported negotiations are ongoing to use the Baptist Church’s parking lot for overflow parking. Mr. Feldheim expressed that there would only be one 50th anniversary celebration and he would like to see assistance from the City.

Norma and Pat Klemz, Friends of the Covina Public Library Board Members, introduced several other Board Members in the audience. Mr. Klemz spoke regarding the donations from their organization to the Covina Public Library over the past fifteen years. Mrs. Klemz spoke on the volunteerism that helps support the Covina Public Library. Mr. and Mrs. Klemz stated they are open to any suggestions in order to have the event.

City Manager Daryl Parrish stated the City wants to see the event move forward, however, would like to make sure there is no liability issues created during or because of the event. Staff has concerns regarding having the event in the parking lot.

Council Member Low asked what could be done to mitigate problems in the parking lot and possible tripping of patrons.

Council Member Allen suggested Heritage Park as a possible location for the event.

Council Member Delach asked if the Klemz's could consider staff's recommendation and have the event in the patio area or community room at the library.

Mayor Pro Tem Stapleton stated the parking lot event booths seem to be the principal issue and the City is legally obligated to have handicap parking.

Following further discussion, City Council requested staff have a recommendation on an upcoming agenda.

On a motion made by Mayor Pro Tem Stapleton, seconded by Council Member Allen, the City Council received and filed the report and directed staff to bring forward a recommendation at the April 3, 2012 meeting. **Motion carried 5-0.**

- NB 2.** City Council to introduce, waive further reading and consider adopting **Interim Urgency Ordinance No. 12-2006**, establishing a 45-day moratorium on the permitting of new smoke shop establishments.

City Manager Daryl Parrish gave a brief report of the item before Council.

On a motion made by Council Member Allen, seconded by Council Member Delach, the City Council introduced, waiving further reading, and adopted **Interim Urgency Ordinance No. 12-2006**, establishing a 45-day moratorium on the permitting of new smoke shop establishments; and directed staff to study revisions to the City's existing zoning regulations to address spoke shops and tobacco stores. **Motion carried 5-0.**

- NB 3.** City Council to consider proposed appointment to the Covina Library Board of Trustees.

Mayor King appointed the recommended applicant, Gayle Mitchell.

On a motion made by Mayor Pro Tem Stapleton, seconded by Council Member Delach, the City Council ratified Mayor's appointment to the Covina Library Board of Trustees. **Motion carried 5-0.**

- NB 4.** City Council Reorganization - Election Rotation of Mayor and Mayor Pro Tempore.

At 8:53 p.m., City Clerk Kay Manning opened the nominations for Mayor.

Council Member Allen nominated Mayor Pro Tem Stapleton as Mayor and Mayor King seconded. There was no discussion.

At 8:53 p.m., Mayor Pro Tem Stapleton, upon nomination, disclosed a conflict in accordance with FPPC 18705.05(b) regulation and would recuse himself. He left the dais.

City Clerk Manning closed the nominations and voting took place. **Motion carried 3-1, with Council Member Low voting no.**

Mayor Pro Tem Stapleton returned to the dais at 8:55 p.m.

At 8:55 p.m., City Clerk Manning opened the nominations for Mayor Pro Tempore.

Council Member Delach nominated Council Member Allen as Mayor Pro Tempore and Mayor King seconded. There was no discussion.

8:56 p.m., Council Member Allen, upon nomination, disclosed a conflict in accordance with FPPC 18705.05(b) regulation and would recuse himself. He left the dais.

City Clerk Manning closed the nominations and voting took place. **Motion carried 4-0.**

Council Member Allen returned to the dais at 8:56 p.m.

ADJOURNMENT

At 8:57 p.m., Mayor King adjourned the Covina City Council/Successor Agency to the Covina Redevelopment Agency/Covina Public Finance Authority/Covina Housing Authority to the next regular meeting, **Tuesday, March 20, 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.

Catherine M. LaCroix
Deputy City Clerk/Secretary

Approved this 20th day of March, 2011.

Mayor/Chairperson

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: March 20, 2012

ITEM NO. CC 2

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

ITEM TITLE: Receive and File 3rd Quarter 2011 Sales Tax Report.

STAFF RECOMMENDATION

City Council to receive and file 3rd Quarter 2011 Sales Tax Report.

FISCAL IMPACT

None

BACKGROUND

Sales tax results over the past six quarters have varied significantly. The following table depicts this variation;

		Quarter over Quarter Variance by % (unadjusted)	\$ Variance
1 st Quarter 2009	1 st Quarter 2010	(3.6%)	(\$58,773)
2 nd Quarter 2009	2 nd Quarter 2010	2%	\$32,273
3 rd Quarter 2009	3 rd Quarter 2010	1%	\$15,657
1 st Quarter 2010	1 st Quarter 2011	2%	\$33,939
2 nd Quarter 2010	2 nd Quarter 2011	8%	\$132,442
3 rd Quarter 2010	3 rd Quarter 2011	9.2%	\$148,930

Sales tax continues to stay above the negative territory that the region experienced as recently as the 1st quarter of 2009. This is welcome news that the Covina economy is stabilizing and staff is cautiously optimistic that the coming quarters continue to show marginal growth. As shown in the table above, this is the 5th quarter in a row that the sales tax results have been positive with the current reporting quarter being the highest. Building and Construction, Fuel and Service Stations, Home Furnishings, New Motor Vehicle Dealers & Boats/Motorcycle Dealers categories contributed to push the sales tax upward while Grocery Stores, Specialty Stores and Contractor categories had a negative impact. The City is fortunate that it has well-balanced sales tax generators that offset one-another in down economies.

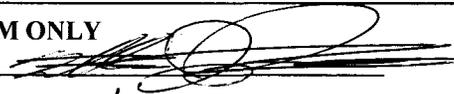
Our hope is that the economy continues move in the positive territory and the sales tax results return to the 2007 levels. Sales tax which makes up approximately 18% of the General Fund budget is a key funding source for many programs including Public Safety and Culture and

RELEVANCE TO THE STRATEGIC PLAN

This informational item is in-line with the Long-Term Financial Stability component of the Strategic Plan under "Enhance Financial Stability".

EXHIBITS

- A. Covina Sales Tax Report
- B. Major Industry Groups 13 Quarter History

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

Q3



City of Covina Sales Tax Update

Fourth Quarter Receipts for Third Quarter Sales (July - September 2011)

Covina In Brief

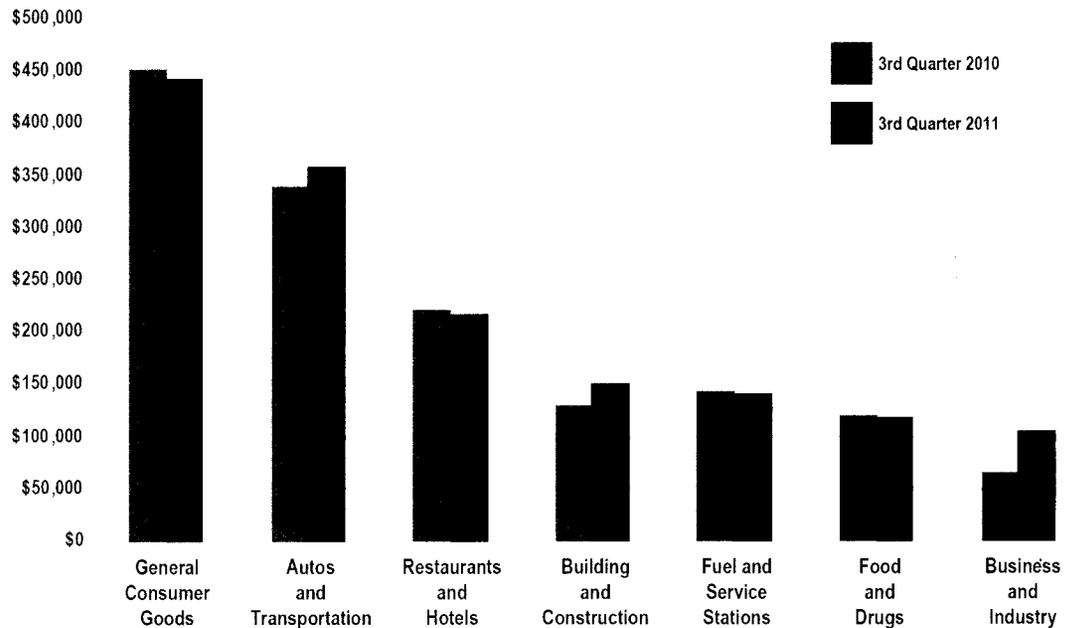
Receipts from Covina's July through September sales were 3.9% higher than the same quarter one year ago. Actual sales activity increased 9.2% after accounting aberrations were factored out.

Onetime payments and reporting aberrations temporarily increased revenues from business & industry. A strong quarter from new motor vehicle dealer sales drove the overall increase in the autos & transportation group. A new business addition boosted returns from the building & construction group.

The gains were partially offset by the correction of a miscoded allocation and business closures negatively impacting general consumer goods. Despite higher fuel prices, the fuel & service station group recorded an overall loss due to payment anomalies.

Adjusted for reporting aberrations, sales and use tax receipts for all of Los Angeles County increased 8.1% from last year's comparable quarter while Southern California as a whole, was up 8.3%.

SALES TAX BY MAJOR BUSINESS GROUP



TOP 25 PRODUCERS

In Alphabetical Order

Albertsons	Lowes
Azusa Shell	Med Legal
Berts Mega Mall	Reynolds GMC Trucks
Bozzani Volkswagen/Kia	Ross
Cleamans North Woods	Smart & Final
Covina Valley Kia	Superior Super Warehouse
Dauntless Molds	Thomas Acura
Enterprise Rent A Car	Toys R Us
Guitar Center	Vincent Arco
Home Depot	Walgreens
Ikea	Walmart
K Mart	World Oil Marketing
Kwik/AI Sal Oil	

REVENUE COMPARISON

Two Quarters – Fiscal Year To Date

	2010-11	2011-12
Point-of-Sale	\$2,970,917	\$3,184,201
County Pool	339,000	350,843
State Pool	2,110	296
Gross Receipts	\$3,312,027	\$3,535,340
Less Triple Flip*	\$(828,007)	\$(883,835)

*Reimbursed from county compensation fund

California Overall

Adjusted for accounting aberrations, statewide local sales and use tax revenues for July through September transactions increased 8.6% over last year's comparison quarter. This is the seventh consecutive quarterly gain since the beginning of the recovery.

All categories were up with receipts from higher fuel prices accounting for much of the statewide increase. Sales of new autos, consumer goods and quick and full service restaurants also exhibited solid growth.

The Foggy Crystal Ball

Although 2011-12 is shaping up to be a period of strong sales tax recovery, most analysts believe that the pace of growth will slow in 2012-13 with the only disagreement being over the degree of slowdown.

Additional state budget cuts, continued high unemployment, further declines in home values and unstable fuel prices are part of the uncertainty. The financial turmoil in Europe is also of concern.

Manufacturers, growers, distributors, transporters and other companies involved in export trade make up 25% of the state's gross product. The European crisis has the potential of slowing the demand for both U.S. and Asian goods which would also pare the growth of California's Asian markets. Comparative strengthening of the U.S. dollar would also make exports more expensive.

Analysts worry about the resulting impact on Silicon Valley's technology industries, the Central Valley's agricultural exports and Southern California's transportation sector.

Sales Tax and the Internet

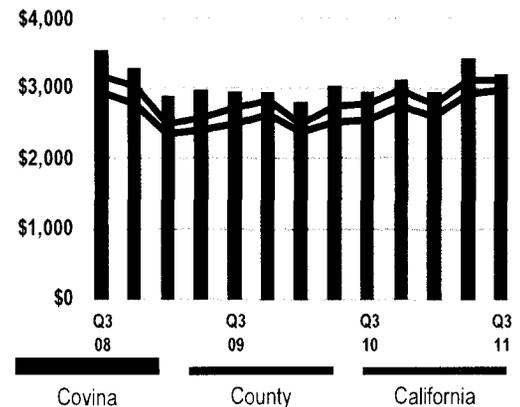
In 1992, the Supreme Court ruled that interstate commerce rules preclude states from requiring sellers without an in-state physical presence to collect local taxes. Since that time, attempts to interest Congress in correcting the problem have been unsuccessful.

With internet sellers becoming a major retail competitive force and more states adopting legislation expanding the definition of what constitutes "physical presence," the need for fairness and uniformity is softening opposition. This year, three competing bills were introduced in Congress that would allow the collection of local taxes. These are: S.1452, H.R. 3179 and S. 1832.

Given the general discord and paralysis in Congress, there is some question of whether any of these will pass. However, a compromise agreement between the State of California and Amazon has resulted

in legislation (AB 155) that requires in-state affiliates of remote sellers to begin collecting and remitting sales and use tax by September 15, 2012. Estimates on the amount of new revenues that will be generated have been difficult to develop but local agencies should not expect gains of more than \$1 per capita. More on the congressional legislation can be found in HdL's December issues paper.

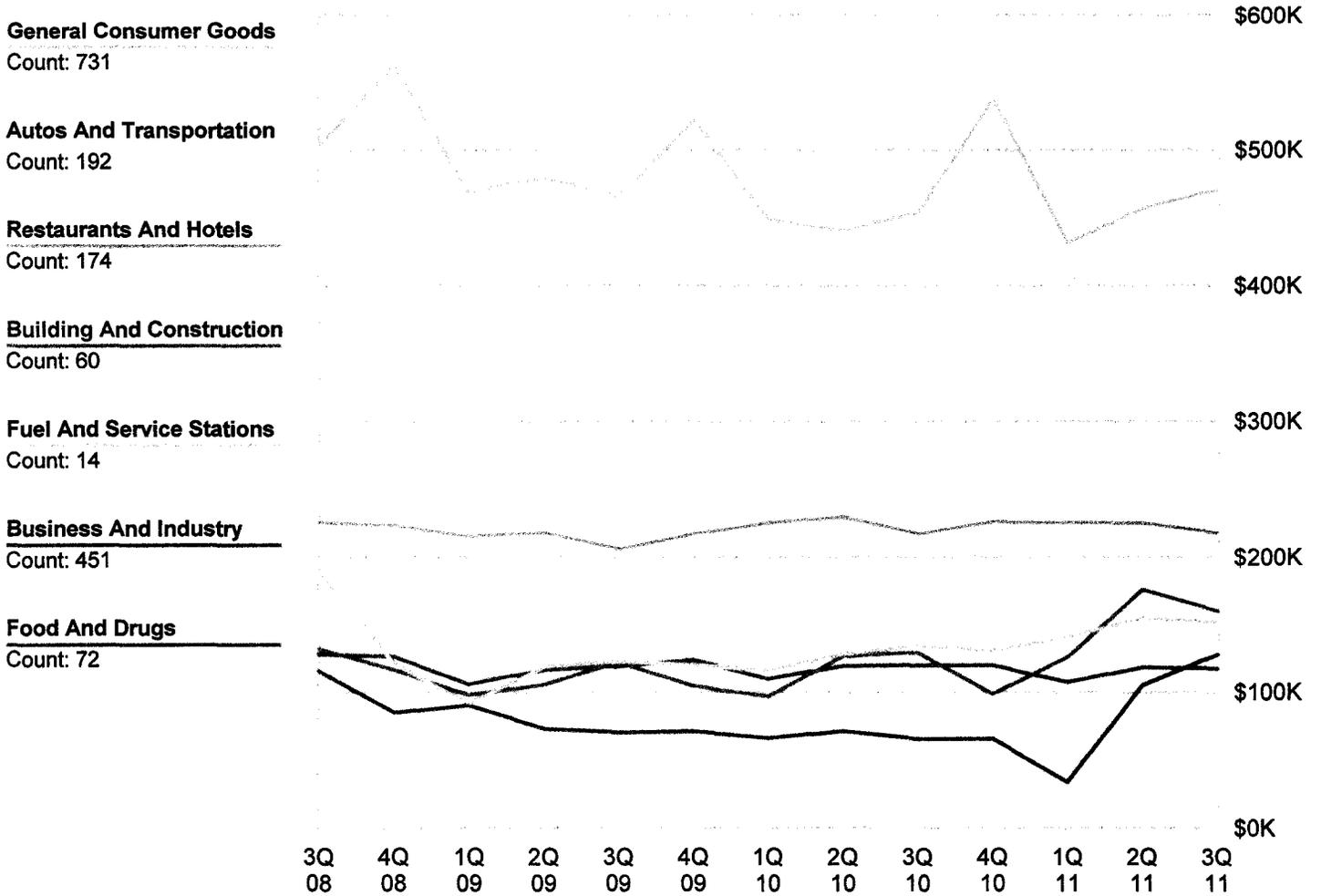
SALES PER CAPITA



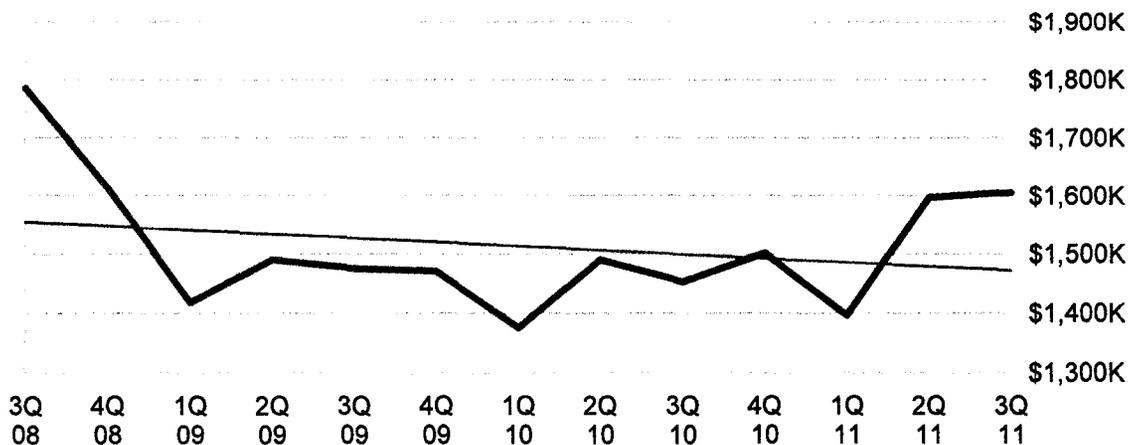
COVINA TOP 15 BUSINESS TYPES

Business Type	Covina		County	HdL State
	Q3 '11*	Change	Change	Change
Auto Repair Shops	37.4	7.8%	-1.9%	4.9%
Automotive Supply Stores	31.3	12.6%	11.8%	12.3%
Boats/Motorcycles	—	CONFIDENTIAL	11.9%	13.1%
Business Services	40.1	na	-15.8%	-4.5%
Discount Dept Stores	—	CONFIDENTIAL	5.2%	3.1%
Grocery Stores Liquor	54.5	-13.2%	16.0%	10.7%
Home Furnishings	202.6	10.0%	8.1%	7.4%
Light Industrial/Printers	36.1	88.9%	20.7%	2.7%
Lumber/Building Materials	136.7	30.8%	4.1%	4.1%
New Motor Vehicle Dealers	130.4	4.7%	13.7%	12.3%
Restaurants Beer And Wine	37.3	-17.5%	0.8%	0.9%
Restaurants Liquor	41.0	4.3%	10.4%	10.8%
Restaurants No Alcohol	132.7	3.1%	7.0%	7.0%
Service Stations	140.5	-1.2%	20.0%	20.5%
Specialty Stores	49.9	-14.2%	7.7%	7.9%
Total All Accounts	\$1,534.7	4.6%	10.3%	9.4%
County & State Pool Allocation	169.1	-2.0%		
Gross Receipts	\$1,703.9	3.9%		<i>*In thousands</i>

Sales Tax by Major Industry Group



Agency Trend



Adjusted by moving retroactive payments into the quarter the sale occurred
Periods shown reflect the period in which the sales occurred - Point of Sale

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CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: March 20, 2012

ITEM NO.: CC 3

STAFF SOURCE: Daryl J. Parrish, City Manager *DP*
Catherine LaCroix, Deputy City Clerk

ITEM TITLE: Update on the Strategic Plan

STAFF RECOMMENDATION

Receive and file the monthly Strategic Plan objectives update.

FISCAL IMPACT

None.

BACKGROUND

City Council along with City Staff held a Strategic Planning Meeting Workshop at First Presbyterian Church on October 24, 2011. In accordance with the Strategic Plan process, progress toward achievement of the outlined objectives will be reported to the City Council at the second meeting of each month. Attached, for the City Council's review, is the Strategic Plan Objectives matrix indicating the progress of each six-month objective for the three-year goals.

The next Strategic Planning Meeting Workshop is scheduled for April 5, 2012.

RELEVANCE TO THE STRATEGIC PLAN

See attached matrix.

EXHIBITS

A. Strategic Plan Objective Matrix

REVIEW TEAM ONLY

City Attorney: _____

Finance Director: _____

City Manager: *R. Anthony Aguirre DP*

Other: _____

CITY OF COVINA ✪ STRATEGIC OBJECTIVES

October 24, 2011 – April 1, 2012

THREE-YEAR GOAL: <i>IMPROVE AND PROMOTE CUSTOMER SERVICE</i>						
WHEN	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
1. By December 1, 2011, if economically feasible	HR Director	Renew the Xit Polls contract.	X			3 devices are renewed for 2012
2. By December 1, 2011	HR Director and City Manager	Set up a confidential suggestion box in City Hall to obtain frank comments on customer service.			X	Acquiring a box from city staff. To be completed by April 30, 2012.
3. By December 1, 2011	City Manager and Council Member Kevin Stapleton	Implement a Secret Shopper Program to evaluate customer service performance throughout the City.			X	To be completed by April 30, 2012.
4. By December 15, 2011	City Manager and Council Member Kevin Stapleton	Identify City employees, working with a consultant, to provide customer service training to other employees.			X	Consultant has not yet been retained.
5. By February 1, 2012	City Manager (lead), HR Director and Council Member Kevin Stapleton, with the Customer Service Committee	Recommend to the City Council for action a customer service trainer.		X		Have made contact with one proposed trainer. Going forward or continuing research depending on quality and cost of proposal.
6. By April 1, 2012 and every six months thereafter	Community Development Director	Create, distribute, analyze and present to the City Council the results of a business survey as a part of the Customer Service Outreach Program.		X		This item may be delayed as a result of the elimination of Redevelopment by the State Legislature.

THREE-YEAR GOAL: *ENHANCE FINANCIAL STABILITY*

WHEN	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
1. By the first City Council meeting in December 2011	Finance Director	Bring to the City Council for action recommendations from a study of the street lighting assessments.	X			1 st phase on Council agenda 12/5/11
2. By the second City Council meeting in January 2012	Finance Director (lead), City Attorney and Public Works Director	Study the feasibility of revising the Business License Ordinance and related ordinances and present the recommendations to the City Council for direction.			X	The delivery date of this goal will be moved to the 2 nd meeting in March 2012
3. At the second City Council meeting of at least each quarter (Jan, Apr, July, Oct)	Finance Director	Present to the City Council updates on State and Federal actions that could impact the financial stability of the City.		X		City Manager has kept the Council informed via email on legislative actions on a regular basis.
4. At the March 6, 2012 City Council meeting	City Manager and Deputy Executive Director for Redevelopment	Provide to the Agency Board/City Council/Housing Authority for consideration a plan to provide funding to eliminate blight in the downtown and for mixed use development site acquisition.			X	This item may be revised or eliminated as a result of the elimination of Redevelopment by the State Legislature
5. By April 1, 2012	City Manager and HR Director	Present to the City Council an update on contract negotiations with employee bargaining groups.			X	Work to begin first quarter 2012; presented to Council early in 2 nd quarter.

THREE-YEAR GOAL: *ENHANCE PARKS & RECREATION AND LIBRARY SERVICES*

WHEN	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
1. By January 1, 2012	Parks and Recreation Director, working with the Communications Manager	Develop and implement a Parks, Recreation and Library Public Awareness Campaign to include presentations and media efforts (e.g., website and City view) to focus on ongoing enhancements to parks and recreation and library services.			X	February 1, 2013
2. At the February 21, 2012 City Council meeting	Parks and Recreation Director	Present a revised Park System Master Plan to the City Council for action.			X	The date has been revised to April 30, 2012.
3. At the March 2012 City Council meeting	Parks and Recreation Director, with input from the Library Board of Trustees and The Friends	Develop and present to the City Council for action fundraising ideas to support the Covina Public Library.		X		
4. At the March 6, 2012 City Council meeting	Parks and Recreation Director and City Attorney	Complete and submit to the City Council for review written policies and procedures to include, but not limited to, donated materials and general contributions made to the Covina Public Library.		X		
5. By April 1, 2012	Parks and Recreation Director	Develop and implement an annual fundraising event to support the Covina Public Library's Literacy Program.		X		

THREE-YEAR GOAL: *BECOME AN ENVIRONMENTALLY SUSTAINABLE COMMUNITY*

WHEN	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
1. By December 31, 2011	Public Works Director	Present to the City Council for action a green purchasing policy.	X			Item approved at the City Council meeting of November 15th
2. At the January 17, February 7, March 20, 2012 April 3, 2012 City Council meeting	Public Works Director with input from a third party contractor	Identify locations for photovoltaic (solar panels) installations and report the findings to the City Council for consideration.			X	Report has been scheduled for the April 3 rd City Council meeting
3. By March 1, 2012	City Manager and Finance Director	Present to the City Council recommendations for street sweeping parking restrictions.		X		Revise to March 31. Preliminary data received by Athens to begin review.
4. By March 4 31, 2012	Public Works Director	Complete the ARRA energy savings projects for the approved city facilities and municipal pool and apply for the Southern California Edison rebates.			X	Pool project is complete; lighting project underway; completion in March
5. At the March 6, March 20 May 1, 2012 City Council meeting	Public Works Director	Submit to the City Council for acquisition one or two properties for community garden(s) and submit design documents for selected site(s).			X	Design progress has been slowed due to hospitalization of Engineering Intern assigned to the project
6. At the March 6, May 1, 2012 City Council meeting	Community Development Director	Present to the City Council for consideration updated zoning codes to encourage environmental sustainability (e.g., water, solar), improve customer service and increase zoning clarity.			X	Revise date to April 30, 2012
7. By April 1, 2012	Public Works Director	Achieve Gold Status with San Gabriel Valley EnergyWise Partnership.		X		Qualifying projects being completed for application filing

THREE-YEAR GOAL: *PROVIDE EFFICIENT, VISIBLE AND RESPONSIVE PUBLIC SAFETY*

WHEN	WHO	WHAT	STATUS			COMMENTS
			DONE	ON TARGET	REVISED	
1. At the February 7, 2012 City Council meeting	Police Chief and Council Member Walt Allen, working with the LA County Fire Department	Develop and present to the City Council a plan to implement a Community Disaster Preparedness Fair in 2012.	x			
2. At the March 6, 2012 City Council meeting	Police Chief and Council Member Walt Allen	Develop and present to the City Attorney for information and direction a comprehensive Security Plan for City facilities and chamber.	x			
3. At the March 20, 2012 City Council meeting	Police Chief and Council Member Walt Allen, working with LA County Battalion Chief	Develop and present to the City Council for action a plan for conducting a "table top" disaster preparedness exercise.	x			EOC training sessions are being arranged and PD will advise staff when tabletop exercise(s) are scheduled.
4. At the March 20, June 19, 2012 City Council meeting	Police Chief, City Attorney and Community Development Director	Explore the feasibility of establishing an extraordinary public safety response policy for restaurant and entertainment establishments and make a recommendation(s) to the City Council for action.			x	Examining similar ordinances and with assistance of City Attorney, will determine feasibility of such a policy/ordinance.

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: March 20, 2012

ITEM NO.: CC 4

STAFF SOURCE: Steve Henley, Director of Public Works
Kalieh Honish, Assistant Director of Public Works 
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 February.

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 February, the following trends were noted:

- Equipment Maintenance numbers were slightly down from previous months due to the decreased business days in the month. However, an exception was in the area of Major repairs over the amount of \$1000, in which there were a total of five. This number usually ranges from one to two for a given month. The increase included several transmission repairs made to units, coupled with the street division's backhoe tractor requiring some needed maintenance and replacement of parts. The Police Department's Jail Van was also completely repainted. One of the units will be submitted for replacement in the 2012-2013 Budget year and two of the units will be reviewed for replacement in the 2013-2014 Budget year.
- Building and Safety saw the area of permit valuation increase back to its par level this month, which is typically around the \$1 million mark, after the Section experienced a substantial dip during the month of January.

- Transportation experienced an increase in Metrolink Monthly Permits Sold, as well as Metrolink Machine Revenue, compared to the month of January. Code Enforcement also saw a slight rise in the number of Inspections conducted.
- All other current KPI's in the remaining Public Works areas were noted to be on par with their service levels.

RELEVANCE TO THE STRATEGIC PLAN:

The Public Works Department consists of the Water Division, Streets and Sewer Division, Central Equipment Division, Building Maintenance, and Development Services which includes Engineering, Environmental Services, Building and Safety, as well as Code Enforcement. The combined activities of each of the divisions continually strives to enhance the safety, development and infrastructure needs of the community in the most cost effective and responsive way possible. In this way, while not directly responsive to any of the currently identified objectives of the Strategic Plan the activities which are reported on herein support several of the specific Strategic Plan's Goals, as follows: Improve and promote customer service; Enhance financial stability; Become an environmentally sustainable community; and Provide efficient, visible and responsive public safety.

EXHIBITS:

A. Public Works Department Monthly Activity Report – February 2012

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

**CITY OF COVINA
PUBLIC WORKS DEPARTMENT MONTHLY ACTIVITY REPORT
FEBRUARY 2012**

DIVISION	ACTIVITY	QUANTITY
Water Utility	Meter replacements	0
	Consumer responses	608
	Backflow tests	0
	Flushed blow-offs	7
	Service line repair/replace	6
	Main line repair/replace	3
	Fire hydrants maintained	4
	Isolation valves exercised	28
	Dig alert responses	30
	Emergency call outs	4
Equipment Maintenance	Preventative Maintenance service	39
	Safety inspections	41
	Daily demand repairs	92
	Tire repairs	19
	Major repairs over \$1000	5
	Emergency call outs	10
Street Maintenance	Traffic sign remove/replace/install	10
	Potholes repaired	142
	Grind sidewalk	193
	Ramp sidewalk	20
	Curb painted (LF)	370
	Illegally dumped items picked up (LBS.)	1,500
	Utility cuts repaired	1
	Trees trimmed	16
	Trees removed	6
Emergency call outs	3	
Environmental Services	Used oil containers distributed	4
	Compost bins distributed	14
	NPDES violations investigated	4
	NPDES Permit Inspections	0
	Waste management consumer contacts	0
	Industrial Waste Permit Inspections	29
	Plans checked for environmental compliance	6
	Environmental legislation & regulations reviewed	11
	Special Waste collection events promoted	3
Engineering	Permits issued	18
	Inspections conducted	34
	Complaint responses	0
	Jobsite meetings	5
	Plan checks conducted	11
	Document research requests	5
	Value of plans prepared	0
Building Maintenance	Service requests completed	19
	Facility heat/air conditioning repairs	2
	Facility lighting/electrical repairs	3
	Emergency call outs	0

**CITY OF COVINA
PUBLIC WORKS DEPARTMENT MONTHLY ACTIVITY REPORT
FEBRUARY 2012**

DIVISION	ACTIVITY	QUANTITY
Transportation	Bus passes sold	90
	Covina Transit total passengers	2,075
	Covina Transit on time performance	99.61%
	Covina Transit passengers per rev hr	3.04
	Metrolink monthly permits sold	801
	Metrolink machine revenue	\$2,952.00
	Municipal Lots monthly permits sold	\$84
Code Enforcement	Number of Inspections	1,154
	Number of signs pulled from public right-of-way	241
	Number of resolved cases	91
	Number of open cases	435
	Industrial waste cases open	49
	Liens filed	10
	Liens released	2
	Total homes in foreclosure	226
	Foreclosed homes registered	9
Trash Can violations	21	
Building & Safety	Pre/Post permit counter visits	193
	Pre/Post Activity (hours)	28.95
	Permits issued	84
	Inspections conducted	476
	Plan checks conducted	21
	Permit valuation	\$1,147,183
Sewer Maintenance	Manholes inspected	103
	Linear feet of main cleaned	73,572
	Hot-spot locations cleaned	33
	Sewer overflow responses	0
	Manholes treated for vermin infestation	41
	Manholes treated for rodent infestation	12
	Routine pump station checks	29
Special Activities of Note	Completion of floor tile install for IT Servers in C.H.	1
	Solar Speed Limit Sign poles installed	7
	Downed tree limbs picked up	15
	Shopping carts picked up from public right-of-way	69

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: March 20, 2012

ITEM NO.: CC 5

STAFF SOURCE: Steve Henley, Director of Public Works
Kalieh Honish, Public Works Manager 
Paul Hertz, Public Works Superintendent

ITEM TITLE: Receive and File the Public Works Department's Calendar Year 2011 Annual Report

STAFF RECOMMENDATION:

Receive and file the Public Works Department's Calendar Year 2011 Annual Report.

FISCAL IMPACT:

The recommended action has no fiscal impact.

BACKGROUND:

In late 2006, the Public Works Department focused on the implementation of Key Performance Indexing (KPI) within the Department, with the intention of utilizing KPI to develop a measurement system of organizational effectiveness by tracking work output over time. At the completion of the 2007 calendar year, staff developed the Department's first comprehensive Annual Report which detailed the accomplishments, activities and budget performance of each of the Department's divisions.

Attached for Council's review and consideration is the Public Works Department's Calendar Year 2011 Annual Report. The Report provides a snapshot of each of the Department's operating Divisions, as well as details on the Department's on-going efforts to maintain the City's various forms of infrastructure in the face of declining traditional revenues, increasing public demands in an ever-changing regulatory climate. The successes experienced over the course of the past year have been entirely due to the hard work, determination, team work, and resourcefulness of the Department's employees. The pride shown in their work and their dedication to their jobs and to the Covina community over the past year have been exemplary.

RELEVANCE TO THE STRATEGIC PLAN:

One of the Strategic Plan's Goals is to become an environmentally sustainable community. The Department-wide efforts in support of this goal inspired the theme and motto for this year's report: "Making Sustainable...Attainable."

EXHIBITS:

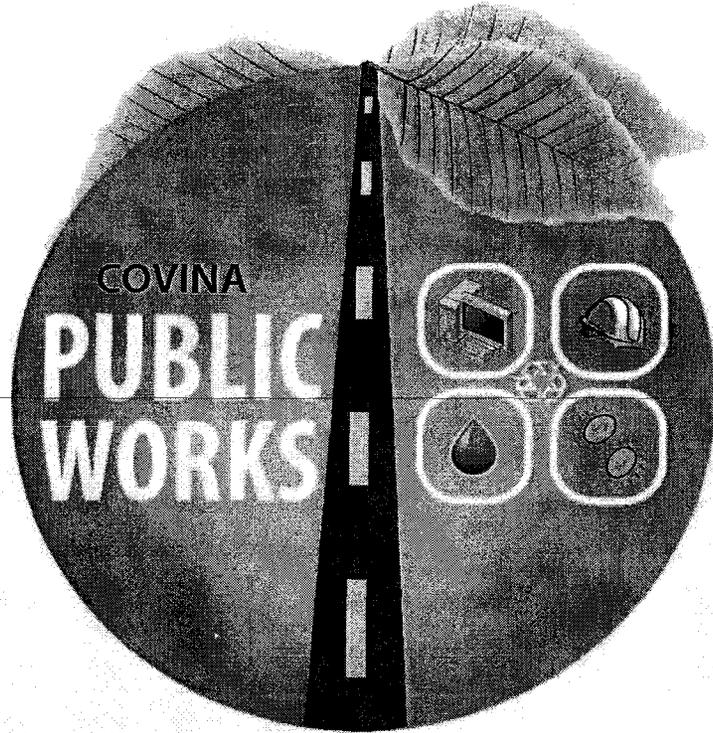
- A. Calendar Year 2011 Annual Report

REVIEW TEAM ONLY

City Attorney:  Finance Director: 

City Manager:  Other: _____

Calendar Year 2011
Annual Report



**Making Sustainable...
ATTAINABLE!**



Department of Public Works

PUBLIC WORKS DEPARTMENT ADMINISTRATORS

Steve Henley, Director
534 North Barranca Avenue
Phone: (626) 384-5215

Admin. & Development Services

Kalieh Honish, Assistant Director
534 North Barranca Avenue
Phone: (626) 384-5217

Field Operations

Paul Hertz, Superintendent
534 North Barranca Avenue
Phone: (626) 384-5219

Environmental Services

Vivian Castro, Manager
125 East College Street
Phone: (626) 858-7252

Building & Safety

Kyle Randall, Building Official
125 East College Street
Phone: (626) 384-5464

Streets & Sewers

Earl Karch, Foreman
534 North Barranca Avenue
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Central Equipment

Bob Hogan, Supervisor
534 North Barranca Avenue
Phone: (626) 384-5241

Transportation & Code Enforcement

Alex Gonzalez, Sr. Mgmt. Analyst
125 East College Street
Phone: (626) 384-5519

Engineering

Leo Tolentino, City Engineer
125 East College Street
Phone: (626) 384-5487

Water Utility

Dean Dospital, Supervisor
534 North Barranca Avenue
Phone: (626) 384-5232

Director's Message

On behalf of the dedicated professionals of the City of Covina's Public Works Department, it is an honor to present the Department's fifth Annual Report, covering the period ending December 31, 2011. This Report memorializes the Department's many accomplishments over the past year and highlights the individual activities and performances of each of the Department's six (6) operating divisions. It is my sincere belief that after reviewing this Report, you will share the enthusiasm and pride I have for the valuable contributions the Department has made on a daily basis for the well-being of the citizens of Covina, and will gain a greater understanding of how your Public Works Department works tirelessly to protect and support your quality of life.

Each year's Annual Report is inscribed with a motto which sets the tone for a theme that is carried throughout the Report. This year's report represents a year-long effort on the part of the Public Works Department to demonstrate our commitment to the City's Strategic Plan goal of "making our community more sustainable." We see that responsibility as falling primarily on our department and we believe in that goal. Our efforts this past year clearly demonstrate we are continually working at "Making Sustainable...Attainable" throughout Covina.

While it is true that many organizations are currently trying to become more sustainable, with varying degrees of success, we are striving to get big-city, big-budget achievements within our smaller, yet vital community. This means more than "thinking green." For us, sustainability is the long-term maintenance of responsibility, which has environmental, economic, and social dimensions, and encompasses the concept of stewardship. That means marshaling resources, stretching budgets, being creative about how and what to maintain, forming strategic partnerships, and constantly searching for industry developments that are able to magnify the success of our efforts, making them even more significant.

In my 2010 Annual Report message, I affirmed that each year would bring continuing increased demands on the Department and that we always strive to meet those needs in an efficient and cost-effective manner, and surpass our previous accomplishments. Doing more with less is part of being a sustainable community. As you review this year's Report, I believe our philosophy of striving to exceed expectations on every level will be self-evident as we focus on this goal of sustainability. And as we look forward to 2012, the men and women of your Public Works Department look forward to continuing to serve your needs in what we anticipate will be a continually challenging environment, and to do so with efficiency, professionalism and pride.

Steve A. Henley
Director of Public Works

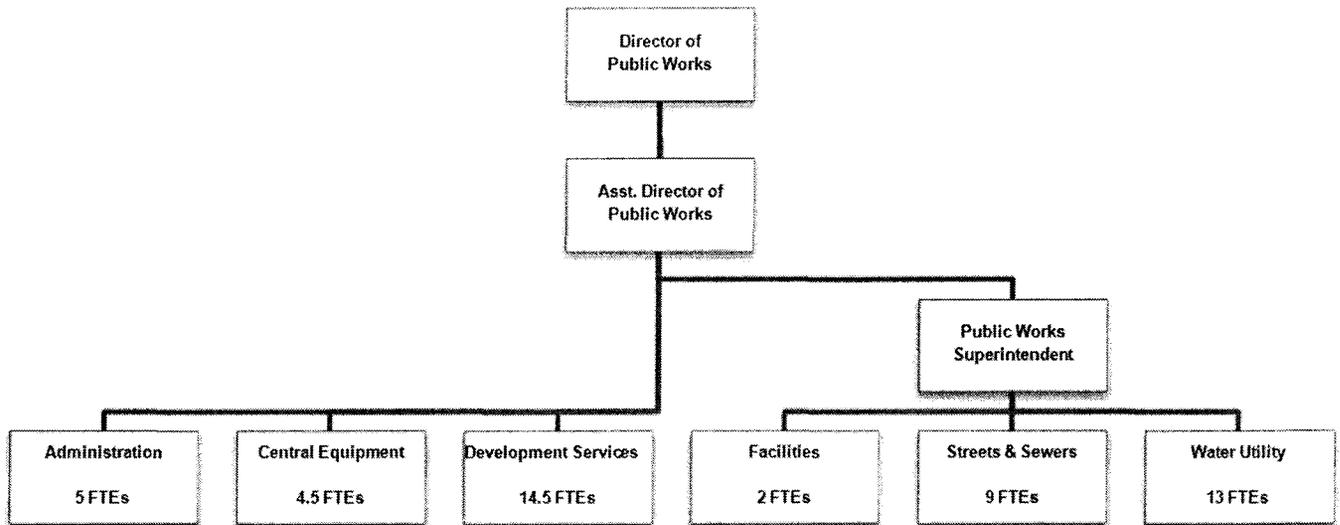
2011 PUBLIC WORKS ORGANIZATION

MISSION STATEMENT

To promote the economic vitality and protect the health, safety and welfare of the people of Covina by developing and operating safe, efficient, and high-quality infrastructure systems and public services.

In its on-going evolution, the Public Works Department again modified its organizational structure; continuing its efforts to deliver a variety of integrated services as efficiently and cost-effectively as possible. In 2011, the Customer Service functions of the Water Utility Billing were moved to the City Yard from the Finance Department. This resulted in a reorganization of our Administrative Services and an increase in staffing in this area, converting two part-time staff to full-time, thereby increasing our total from fifty (50) to fifty-one (51) full-time equivalent positions in Fiscal Year 2012.

PUBLIC WORKS ORGANIZATIONAL CHART

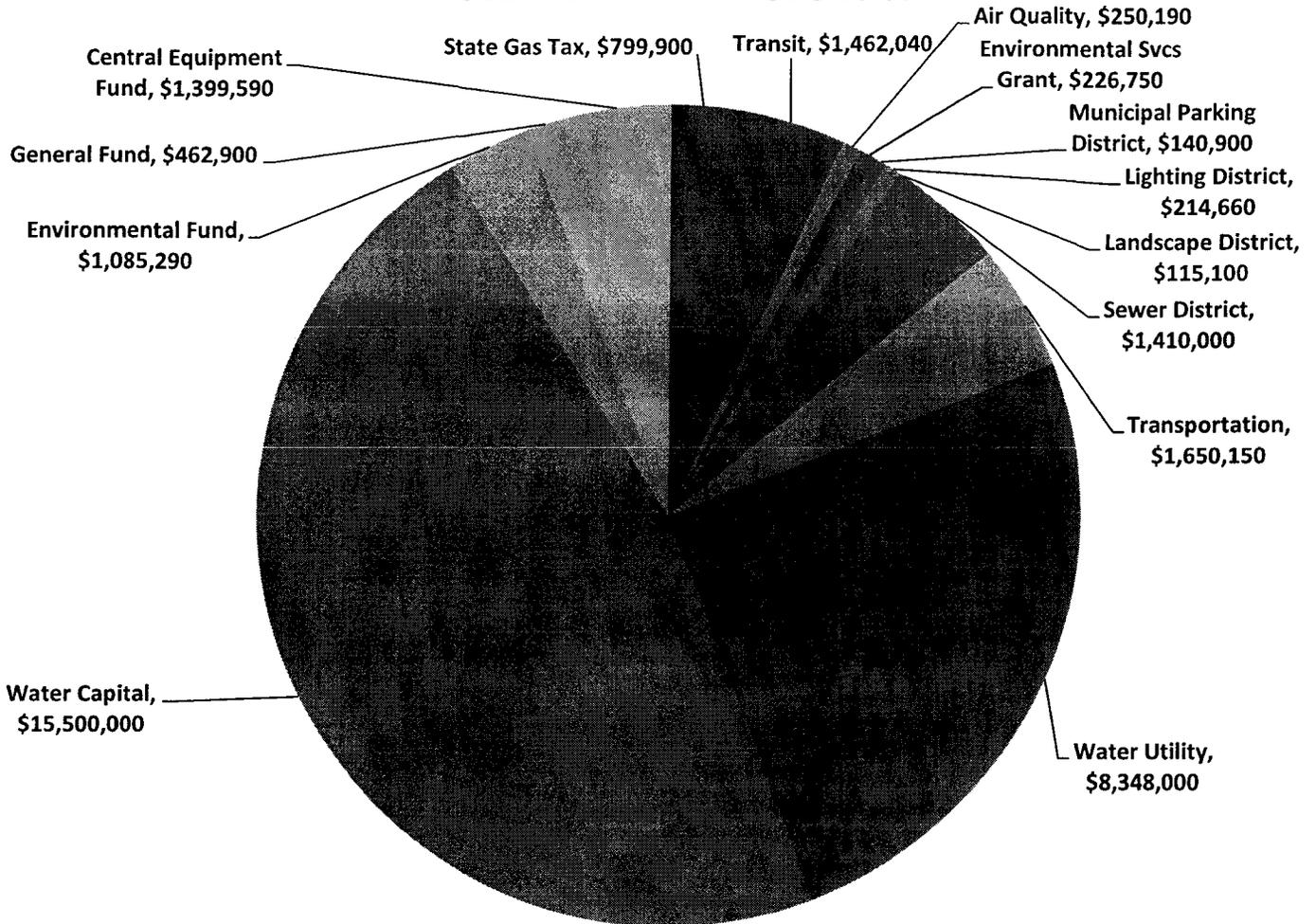


FINANCIAL REVIEW

REVENUES

Operating revenues for FY 2011-2012 total \$33,065,470; consisting of sixteen fund sources. As depicted below, approximately 98.6% of the Department's fiscal year funding currently comes from restricted and/or Enterprise funds while only 1.4% originates from within the City's General Fund. The substantial increase in funding to the Department over the previous fiscal year is primarily due to the influx of Water Capital revenue bond proceeds which are committed to various capital improvement projects as one-time expenditures. Not included in this total are the Sewer Bond proceeds of approximately \$13 million from FY 2011, which were mostly unspent, except for engineering fees for the project design completed in 2011.

Fiscal Year 2012 Revenues

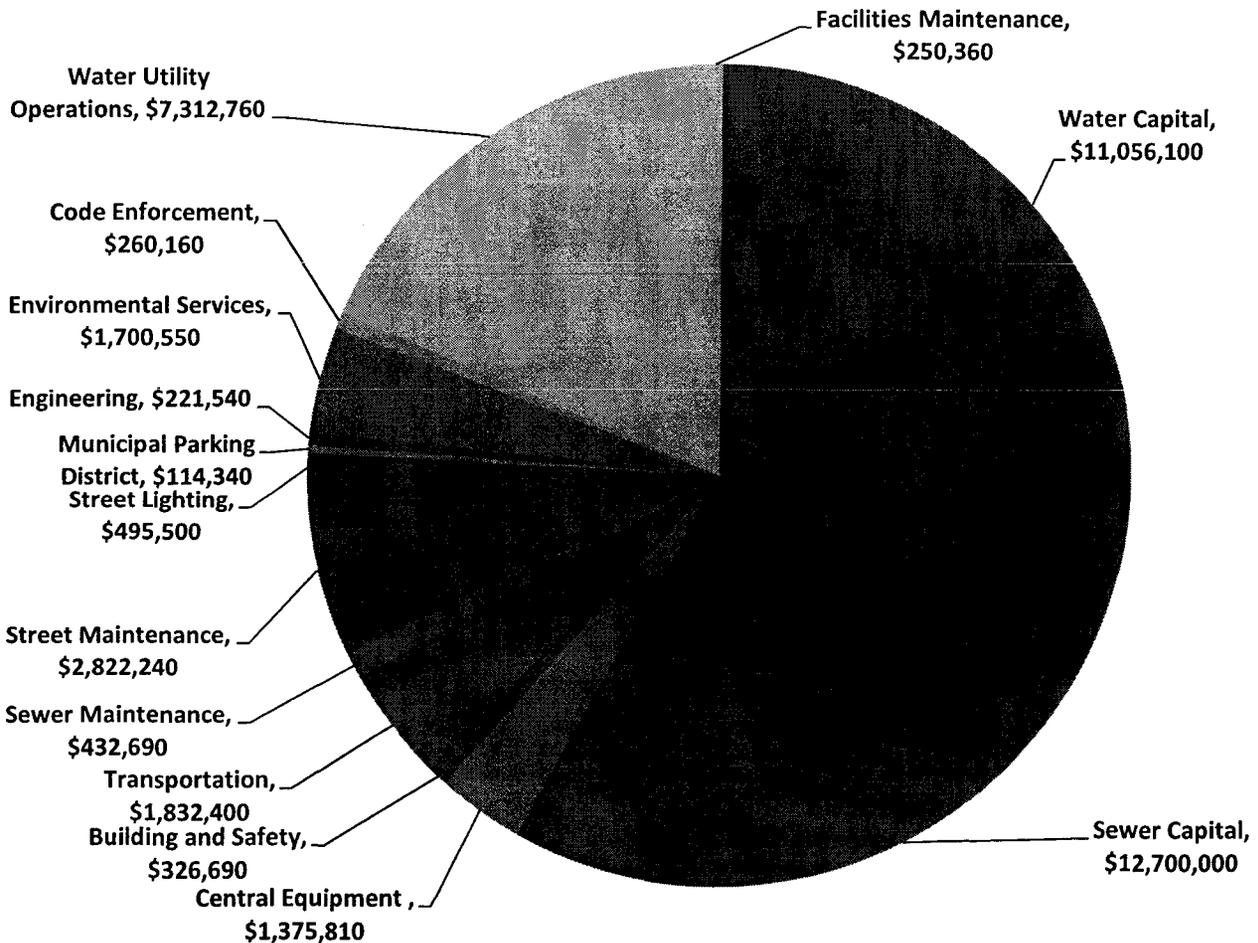


FINANCIAL REVIEW

EXPENDITURES

Operating expenditures for FY 2011-2012 were allocated within fourteen primary operational areas, as shown below. The Water Utility area has historically been the largest expenditure activity area within the Department. However, both Sewer and Water have been infused with bond funds for capital improvement projects. The design work for the Sewer System upgrade projects was completed in 2011 and the projects were put out to bid. The Water Utility also completed the design portion of their capital improvement plans for the system's Production and Storage facilities. The construction for both utilities' bond-funded capital improvement projects are budgeted in the 2012 fiscal year.

Fiscal Year 2012 Expenses



With the continuing unreliable nature of federal and state funding for local infrastructure renovation, maintenance and operation, stable funding sources for the city's utility and roadway systems and facilities continue to be needed. Additionally, as the persistently weak economy continues to pressure the City's General Fund, the Department's strategy of transferring Public Works' operational costs from the General Fund to Special Districts, Enterprise Funds, and User fees to the maximum extent practicable remains the only viable means of providing the levels of service demanded by the community. To this end, the Department has been able to cut its draw against the General Fund in half from approximately 7% of the City's General Fund allocation during Fiscal Year 2007-2008 to 3.4% in Fiscal Year 2011-2012; even with the transfer of Building & Safety, Code Enforcement and Transportation activities to the Department. Accordingly, Public Works continues to be one of the largest departments of the city but one of the smallest receivers of General Fund appropriations.

We anticipate the Department's General Fund allocation will remain flat or continue to be reduced as on-going economic pressures require available General Funds to be diverted to mandatory public safety activities and/or other Departments. As this funds shift continues, it will be essential that Public Works carefully balance its operational activities with available Enterprise, Special District, and fee-for-service funds, and also seek new means of recovering costs for special services provided, in order to maintain the Department's progress towards improvement of the city's infrastructure while obtaining operational sustainability.

CENTRAL EQUIPMENT

Mission Statement: The Central Equipment Division is committed to the protection and preservation of the City's investment in vehicles and rolling equipment. The Division strives to maximize vehicle and equipment life cycles through a comprehensive team approach to management and operations that sustain consistent and high-quality maintenance and repair. The Division utilizes an aggressive and proactive customer service program to ensure safe vehicles and equipment.

Central Equipment has four (4) full-time employees and one (1) part-time employee. Operating funds are derived from the Central Equipment Fund, which totaled \$1,375,810 in FY 2012; a two percent (2%) increase from the previous year.

Fleet Management – Central Equipment procures, maintains, repairs and disposes of all of the City's 112 vehicles and trucks, including the City's 63 police vehicles. This also includes purchasing and operational responsibilities for the Yard's gasoline and diesel fueling station, which are also used by Covina Valley Unified School District and the L.A. County Fire Department, as well as on-site assistance for the public CNG fueling station.

Equipment Maintenance – Central Equipment procures, maintains, repairs and disposes of the City's 100 pieces of portable equipment including such items as backhoes, directional arrow boards, portable generators and lighting, jackhammers, etc. Additionally, Division personnel operate and maintain the City's two emergency generators located at City Hall (approximately 20 years old) and at the Police Department (purchased used in the 1980s), as well as administering their related licensing and tax compliance issues

Because of the varying ages and the spectrum of types of Equipment, this Division lives the tenets of sustainability on a daily basis, basically doing more with less as a result of budget limitations across all departments. To demonstrate their commitment to attaining a maximum utilization of all equipment during the life of each resource, the staff of the Equipment Division uses a 1968 Ford F-350 pick-up truck as their field service vehicle for emergency repair call-outs.

2011 Highlights – All repair and replacement numbers are higher due to a 2011 staff increase, the hiring for which occurred in December 2010. Therefore, the increase service levels were not realized until this past year.

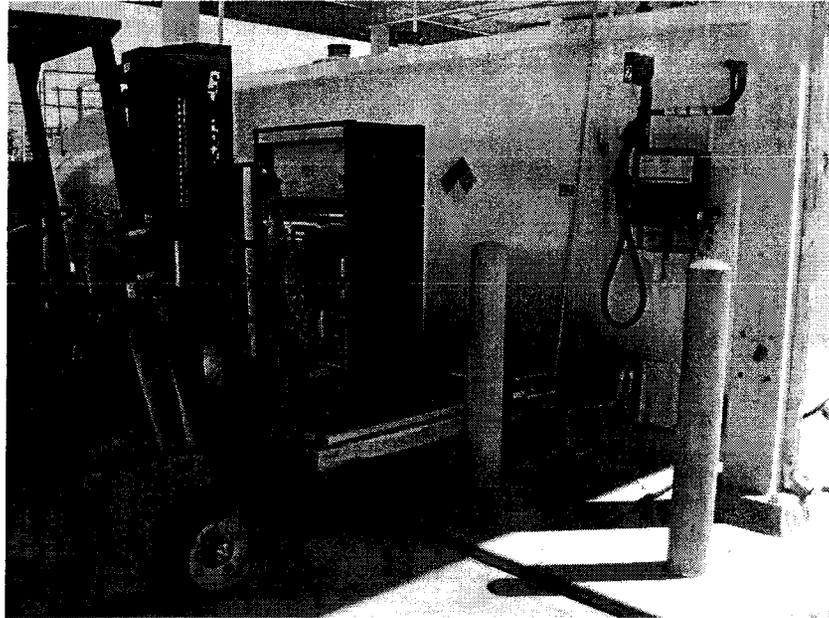
Another important highlight is the upgrade to the fueling station located at the City Yard, which provides diesel and unleaded fuel for all City fleet vehicles, as well as the Covina Valley Unified School District, and Los Angeles County Fire Department vehicles. The fuel station was upgraded as an emergency repair, due to constant breakdowns during the previous year. The upgrade required extensive coordination with Southern California Air Quality Management, to ensure all regulatory requirements for environmental protection purposes were met during the upgrade.

This Division also assisted in creating the specifications for the acquisition of two new generators that were put out for bid in 2011. One will serve as an Emergency generator for the City Yard operations, and the other will be a mobile generator to run the Water System's pumps in the event of an emergency, both of which will be funded through the Water Capital Fund. These generators must also meet strict AQMD standards and regulations, and will have valuable energy-efficiency features.

Their current, self-assigned recycling project is finding a purpose for our old asphalt patch truck, which was replaced due to age, lack of reliability, and no available parts in the repair market. Most fleets auction off obsolete vehicles, once the replacement has been purchased. However, this CNG truck was stripped down, converted back to regular fuel and will be outfitted to function as a utility service vehicle for heavy equipment support purposes.

Performance Measures and Results Central Equipment

Measure	2011 Results
Total number of preventative maintenance service repairs completed	520
Total number of safety inspections completed	526
Total number of daily demand service repairs completed	1188
Total number of tire repairs completed	284
Total number of emergency calls responded to	235
Total amount of fuel purchased (gallons)	374,174
Total amount of fuel sold to others (gallons)	40,230
Total number of miles traveled – all vehicles	713,806
Total number of miles traveled – around the world	28.5
Total number of parts replaced	4,943
Total number of tires replaced	113
Total amount of oil distributed (quarts)	1,798
Total amount of coolant used (gallons)	107
Total amount of grease used (lbs.)	603



Pictured above is the installation of the City's new fueling equipment, researched, coordinated and managed by Central Equipment staff in addition to their normal daily activities.

Development Services

Building & Safety Section

Mission Statement: Building & Safety provides plan review, inspection, and investigative services to advance public safety in the built environment through collaborative and community partnerships which result in safe, accessible, and sustainable structures.

Building & Safety has five (5) employees; all of which are certified inspectors. Funding is provided by the General Fund through permit fees collected for plan checking and inspection services, totaling \$326,690 in FY 2011; a nine percent (9%) decrease from FY 2010.

Plan Checking Services – Ensures that all projects’ structural, mechanical, electrical and plumbing systems meet the applicable code requirements. This includes the review of all on-site grading plans and drainage facilities.

Inspection Services – Provides post-design on-site construction inspection services to ensure that all projects are constructed not only in accordance with the applicable codes, but also in accordance with all approved engineered drawings and documents; industrial waste and NPDES permit inspections for the Environmental Services Section; and specialized structural inspections in support of Code Enforcement and Business License activities.

Emergency Response – Building & Safety personnel routinely respond to localized emergencies such as structure fires or vehicle/structure accidents to determine the safety of damaged structures and if they have become uninhabitable. These responses are closely coordinated with the Los Angeles County Fire Department and Covina Police Department, as well as with local utility providers, and now entail an integrated response by City Street and Water personnel and equipment, if needed.

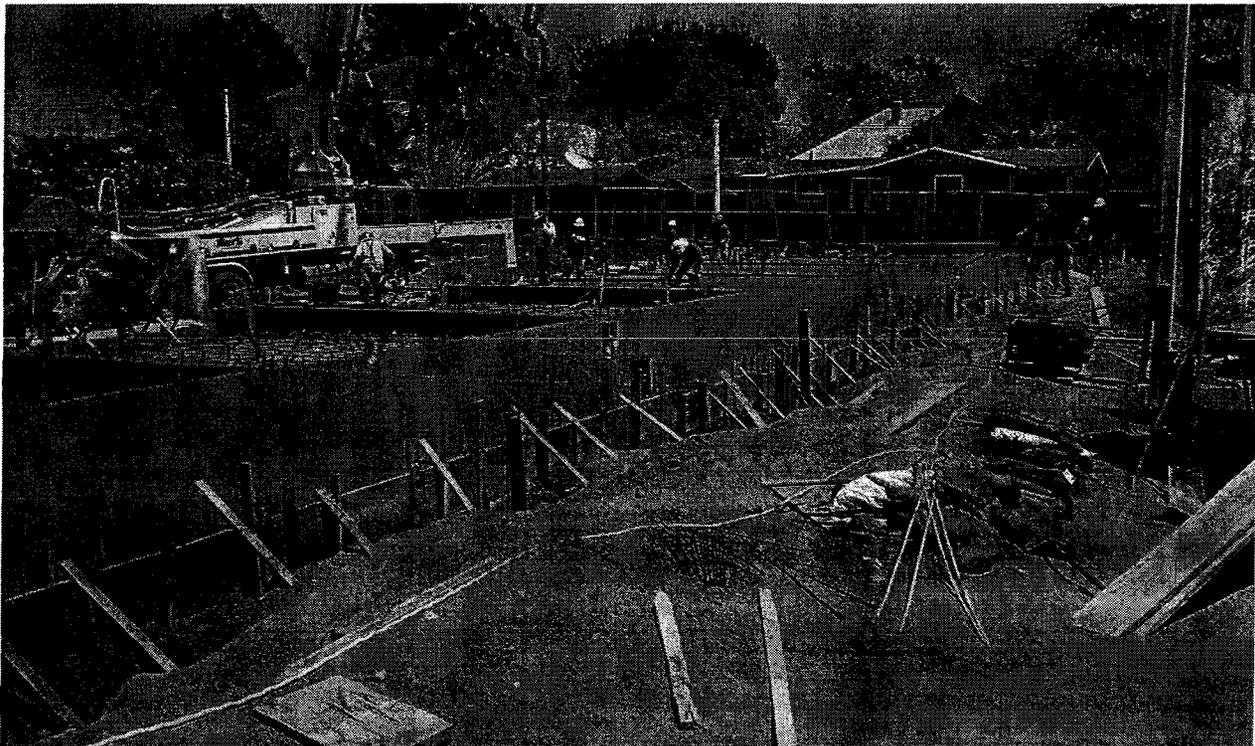
2011 Highlights – 2009 saw the adoption of the 2008 California Green Building Standards Code which formalized the City’s environmental awareness and commitment to public health and safety. The Building Section is committed to supporting all portions of the Code, but the developments in the Green Building arena require vigilance in training and certification. To that end, it is our policy that at least one of our inspectors be LEED certified (or Leadership in Energy and Environmental Design, developed by the U.S. Green Building Council). LEED is redefining the way

we think about the places where we live, work and learn. As an internationally recognized mark of excellence, LEED provides building owners and operators with a framework for identifying and implementing practical and measurable green building design, construction, operations and maintenance solutions.

This level of knowledge helps the Inspectors better serve the public by heightening their awareness of new developments in the field of Green Building, to assist in inspections of new technologies, as well as assist with related funding grants or rebates. To that end, Building Section coordinated with Environmental Services to help identify Covina contractors that would be good candidates for the City's Energy Upgrade California Contractor Scholarship. Martin Espinosa and his partner, Alpha Omega Construction Co., were selected as the scholarship recipient and awarded \$6,000 from federal grant funds. Mr. Espinosa completed over 150 hours of training and passed five separate written and field exams to become a Building Performance Institute (BPI) certified Building Analyst Professional. By supporting a "home-grown", state-certified energy efficient contractor, Covina has taken an important step in building a foundation for residential energy efficiency retrofits in the City.

Performance Measures and Results Building & Safety

Measure	2011 Results
Total number of permits issued	1,034
Total number of Building permit inspections conducted	3,018
Total number of Electrical permit inspections conducted	517
Total number of Mechanical permit inspections conducted	324
Total number of Plumbing permit inspections conducted	646
Total number of Industrial Waster inspections conducted	355
Total number of inspections conducted	4,953
Total number of inspections approved	2,366
Total number of corrections issued	1,484
Total number of permits granted final approval	1,101
Total number of plan checks performed	315
Total valuation of all permits	\$75,670,775



Building's Plan Check and Inspection services ensure that all construction in the city meets the highest standards for the protection of public health and safety. This is an early photograph of the Citrus Walk Project still underway by the Olson Company. In 2011, this project required 250 inspections, which is approximately one-fourth ($\frac{1}{4}$) of the 1,000 inspections anticipated for the entire project.

Code Enforcement Section

Mission Statement: The Code Enforcement Section is committed to maintaining quality of life for Covina residents by partnering with property owners to ensure that health, safety, environmental, and zoning standards are maintained throughout the community to enhance and support property values.

Code Enforcement has two and one-half (2.5) full-time equivalent employees. Funding is provided by the General Fund and was supplemented by an allocation of funds from the redevelopment agency's Low-Moderate Income Housing Fund. Fiscal Year 2011 funding consisted of a combined total of \$260,160, a 10% increase over last year primarily due to increased legal fees for City Prosecutor services and an increase in property abatements completed by the City on non-compliant properties which were later recovered through liens on the properties.

Foreclosed Property Inspections: Code Enforcement Staff proactively monitors the housing stock of Covina. As soon as a lender enters the foreclosure process on a property, City staff contact the lender. Lenders that do not maintain foreclosed properties face fines and property liens.

Maintaining the Value of Community: Code Enforcement staff respond to reports of blight and work with property owners to address issues that can degrade property values in the community.

Maintaining Health, Safety and the Environment: Code Enforcement staff partner with: Building Division staff in addressing substandard properties and in red tagging buildings that are safety threats to building occupants, Environmental Services to enforce industrial waste discharge regulations, Planning to enforce zoning regulations and sign ordinances, L.A. County Vector Control to address green pools, and the Covina Police Department to mitigate abandoned or problem properties.

2011 Highlights: In 2011, Code Enforcement focused on efficiency by streamlining procedures for minor violations and pursuing repeat violators by addressing the 10% of cases that created 40% of the staff's workload. As a result: mortgage lenders such as Bank of America now register all foreclosed properties and partner with City staff to maintain the curb appeal of properties, local volunteers partner with staff to address maintenance issues at properties owned by seniors of limited means, landlords work with staff to address reported pest infestations and the property maintenance concerns of tenants, and grease interceptors were installed at commercial properties that discharged illegally into the sanitary sewer system.

Performance Measures and Results Code Enforcement

Measure	2010 Results
Number of inspections performed	9,325
Total square feet of illegal signs removed from public rights-of-way	32,250
Number of resolved enforcement cases	1,180
Number of open enforcement cases as of December 31 st	227
Number of foreclosed homes monitored for maintenance and safety	2,196



While primarily known for its efforts in enforcement of the City's Zoning Ordinance, Code Enforcement also partners with other Sections in the Development Services Division and other agencies to protect the public from problems like stormwater pollution violations (Environmental Services), building exiting obstructions (Building & Safety) and fire service access obstructions (Fire Department), all of which are shown in the above picture.

Engineering Section

Mission Statement: The mission of Engineering is to ensure quality design, oversight, construction, and renovation of the City's infrastructure to secure a high quality of life for Covina's residents, businesses and visitors.

Engineering has two and one-half (2.5) employees. Funding is provided by the General Fund and transfers from the Water Capital and Sewer District funds for Engineering services rendered to those Enterprise Funds. FY 2012 the General Fund expense totaled \$221,540; an eleven percent (11%) decrease from the previous year, and an overall decrease of fifty-three percent (53%) from funding levels in FY 2010.

Engineering Services – Manage the use of public rights-of-way through the issuance of permits and impose conditional requirements on individuals and parties wishing to utilize the public rights-of-way for personal or construction purposes.

Construction Engineering – Provide post-design engineering work, project inspection, and contract administrative functions for capital improvements to ensure compliance with applicable laws and contract documents.

Multi-Discipline – Design sanitary sewers, storm drains, domestic water storage and transmission systems and public street improvements.

Civil Design – Provide design review and oversight of subdivisions, tract maps and parcel maps throughout 2010. In 2011 this function was transferred to Building & Safety's contract plan check service as a cost-savings measure.

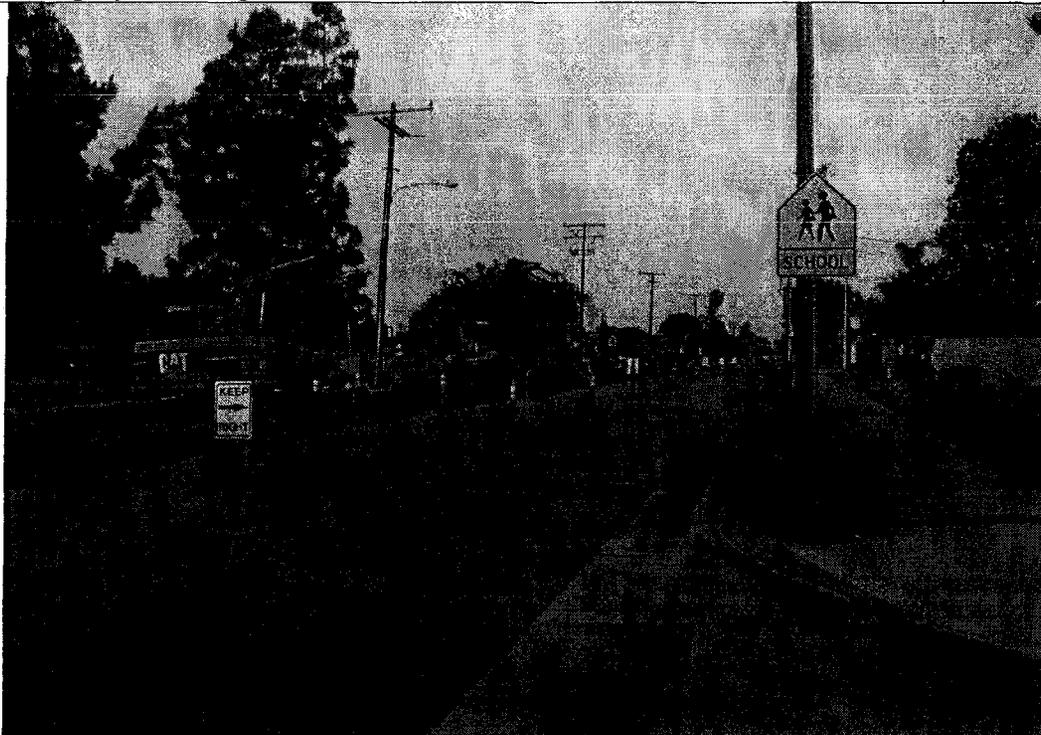
Special Districts – Manage the operation of the City's street lighting special district and coordinate the cadastral engineering for all special district assessment proceedings.

2011 Highlights – The year was highlighted by a wide variety of operational and administrative activities. On the operational side Engineering successfully designed, bid and completed \$1.4 million of sewer, water and street improvements; including the upgrading of underground utilities and roadway rehabilitation of Puente Street. Additionally, inspection services were provided for not only the Department's capital improvements but for the Citrus Walk, Vintage Walk and Heritage Plaza developments, as well. Further, in support of the City's Strategic Plan's Goals, potential community garden sites were identified; with conceptual design drawings and construction cost estimates prepared for each. On the administrative side

previously approved revisions of the Municipal Code related to public rights-of-way controls were integrated and implemented and citywide traffic ordinances were updated; completing the Section’s review and updating of all Engineering-related sections of the Municipal Code including Industrial Waste, Sanitary Sewers, Water, Development, Right-of-Way controls, and Traffic.

**Performance Measures and Results
Engineering**

Measure	2011 Results
Tons of asphalt used for street paving	6,318
Square feet of cold mill street rehabilitation	475,600
Sewer rehabilitation (in linear feet)	1,090
Water main line replacement (in linear feet)	1,820
Total amount of public roadway improved and inspect (in linear feet)	13,118
Permits issued for construction in the public right-of-way	349
Document research requests	293
Inspections made in public right-of-way	597
Complaint Responses	32
Total value of projects designed	\$2,579,500



The Puente Avenue reconstruction project included new water main (pictured), a sewer line upgrade, and then repaving the roadway with federal funds.

Environmental Services Section

Mission Statement: Environmental Services is committed to ensuring a safe and healthy city by providing efficient street sweeping, trash and recycling collection; encouraging the use of alternative energies; and managing programs responsible for the removal of pollutants from our air and waterways.

The Environmental Services section has two (2) employees. Funding is provided by the Environmental Fund and various state and local grants. Total funding in FY 2012 was \$1,7002,550, a decrease of thirty-one percent (31%) from the prior year as a result of transferring all waste collection and recycling billing to Athens Services, the City's residential and commercial franchise waste hauler.

Integrated Waste Management – Environmental Services administers the City's Integrated Waste Management program; consisting of solid waste collection, curbside recycling, solid waste and construction material diversion, street sweeping and household hazardous waste programs. The majority of these services are provided under contract by Athens Services, under the oversight of Environmental Services.

Environmental Protection – Programs that help to protect the local and regional environment are also administered by Environmental Services. These include street sweeping and storm drain catch basin cleaning (as required by the Federal Clean Water Act); administration of the public sale of compressed natural gas (CNG) for alternative fuel vehicles at the Public Works Yard; and investigation of illicit discharges of material to the public street and drainage systems. In 2011 numerous new energy efficiency, sustainability and conservation programs and projects were undertaken by Environmental Services, expanding the Section's workload significantly.

2011 Highlights – The Environmental Services Section held its first Covina Green Fair on March 19, 2011. Over 30 environmental agencies and groups and over 3,000 residents participated in the event, which featured water and energy conservation and smart gardening workshops, kid's recycling crafts, and environmental demonstrations. Additionally, in 2011 Environmental Services established a popular program offering City residents rebates of \$3,500 each to elicit participation in Energy Upgrade California, a statewide home energy retrofit program offering financial incentives to homeowners that complete select energy-saving home improvements. Covina had the second largest number of participating projects in LA County, with 29 projects underway! Other programs initiated by Environmental Services in 2011 include a new Covina School Recycling Program that was kicked-

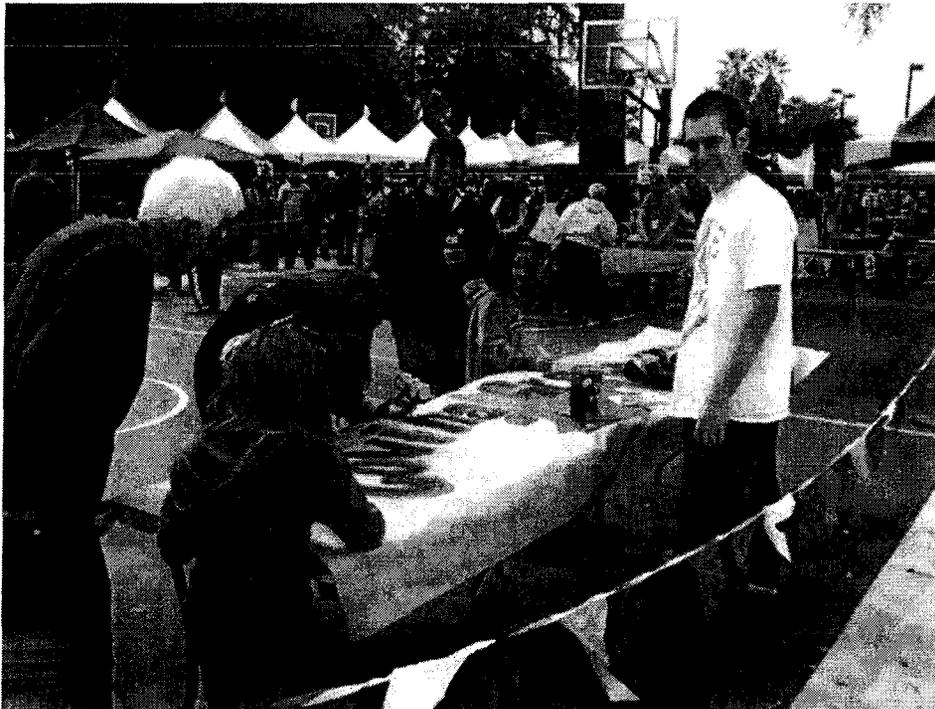
off at Lark Ellen Elementary School and an employee telecommuting program that will allow employees to work remotely while reducing air pollution from transportation.

In recognition of the City's outstanding program and efforts, the San Gabriel Valley Energy Wise Partnership awarded Covina its 2011 Green Leadership Award. The San Gabriel Valley Energy Wise Partnership (SGVEWP) is an alliance between the San Gabriel Valley Council of Governments and Southern California Edison to bring energy savings to the San Gabriel Valley through innovative public education and energy efficiency projects.

On November 15, 2011, the Covina City Council approved the City's Environmentally Preferable Purchasing Policy (EPP Policy). The EPP Policy commits the City to make a good faith effort to incorporate environmentally sustainable products and services into its procurement process. By incorporating environmental considerations into public purchasing, the City intends to further reduce impacts to human health and the environment, reduce its carbon footprint, remove unnecessary hazards from its operations, reduce costs and liabilities, create local markets for environmentally preferable products that require fewer materials and produce less waste, and improve the environmental quality of the region.

Performance Measures and Results Environmental Services

Measure	2011 Results
Total miles of street swept	9,406
Total tons of waste collected	30,978
Total tons of curbside recycling collected	2,380
Total tons of waste diverted from landfills	16,459
Total percentage of waste diverted from landfills	36.1%
Total number of used oil containers distributed	831
Total number of composting bins distributed	40
National Pollutant Discharge Elimination System (NPDES) violations investigated	53
Total number of waste management consumer complaints investigated	61
Total number of Christmas trees recycled	2,948
Total tons of Christmas trees recycled	29.48
Total tons of green waste diverted	6,516
Total gallons of CNG sold	19,386
Gallons of used oil recycled	6,377
Pounds of emissions reduced by employee rideshare program	245
Pounds of emissions reduced by public commuter programs	90



The First Annual Covina Green Fair had booths, activities for the kids, music, food, demonstrations, giveaways and free educational fun for all who attended.

Transportation Section

Mission Statement: To promote and provide safe, courteous, and efficient multi-modal public transportation and parking facilities and services which support a livable community and economic opportunity for the people of Covina.

The Transportation Section consists of two (2) full-time employees. Funding is provided through several sales tax initiatives (Proposition A, Proposition C and Measure R) which deliver revenues to the City's Transit and Transportation funds. Funding for the Section totaled \$2,863,030 in FY 2011, an increase of 18% over last year primarily due to the inclusion of Measure R expenses, the costs related to a new transit contract and a new security contract.

Transit Operations – Develop and manage the Covina Transit Dial-A-Ride program and supporting Taxi Voucher program for seniors and the disabled, fund and operate the bus pass subsidy program, and finance a variety of special event trips attended by seniors, students and the general public.

Transportation Operations – Oversee the maintenance, security and operation of the Metrolink station, parking structures, municipal parking district, and all city bus stops; liaison with other regional transit providers, including Foothill Transit and the Los Angeles County Metropolitan Transportation Authority (MTA); and represent the City's interests with respect to funding and grant opportunities at the MTA.

Non-Motorized Transportation- Acquire funding for and develop bicycle and pedestrian programs in the City of Covina that reduce vehicle use, improve safety, and create a sustainable community.

2011 Highlights – The Transportation Section completed three major transportation planning projects in 2011: the reorganization of Downtown Covina parking to better serve customer needs, the Downtown Covina Pedestrian and Bicycle Planning Study and the Covina Master Bicycle Plan. A successful 2011 MTA Call for Projects applications resulted in: the award of over \$800,000 to develop bike lanes on Citrus Avenue, Badillo Street and Azusa Avenue. The Transportation Section also managed the construction of a sustainability upgrade of the Shoppers Lane parking lot with CRA funds that added solar off-grid lighting and drought resistant landscaping, and permeable paving to reduce stormwater runoff.

Performance Measures and Results Transportation

Measure	2010 Results
Bus passes sold	954
Covina Transit unlinked passenger trips	18,250
Covina Transit total vehicle miles	75,219
Total vehicle miles traveled – around the world	3.02
Covina Transit vehicle revenue hours	5,374
Metrolink shuttle passenger trips	4,578
Metrolink shuttle total vehicle miles	45,004
Metrolink shuttle revenue hours	2,752
Metrolink average daily boardings	781
Metrolink average daily alightings	38
Metrolink East monthly permits sold	2,632
Metrolink West monthly permits sold	4,756
Metrolink West average daily permits sold	117



The Transportation Section installed the “Covina Orange” bicycle racks throughout the Downtown, continuing our efforts to make Covina more bicycle and pedestrian-friendly in an aesthetically pleasing way.

FACILITY MAINTENANCE

Mission Statement: The Facility Maintenance Division is committed to the protection and preservation of the City's investment in buildings and facilities. The Division strives to maximize cost-effective maintenance and repair activities through a coordinated team approach to operations that include both in-house and contractor maintenance and repair services. The Division utilizes an aggressive and proactive customer service approach to ensure rapid responses to all critical needs.

Facility Maintenance has one (1) full-time employee and two (2) part-time employees. Operational funding for this Division comes from the General Fund, which totaled \$250,360 in FY 2012; that is a five percent (5%) increase over FY 2011, but a fifty-six percent (56%) reduction from FY 2010.

Facility Maintenance – Performs general and preventative maintenance and repair services for all City buildings and requested services for various other facilities including water reservoir sites and park facilities. These activities include both in-house and contract electrical, plumbing, HVAC, carpentry and painting repairs; as well as oversight of contract capital repairs and daily custodial services.

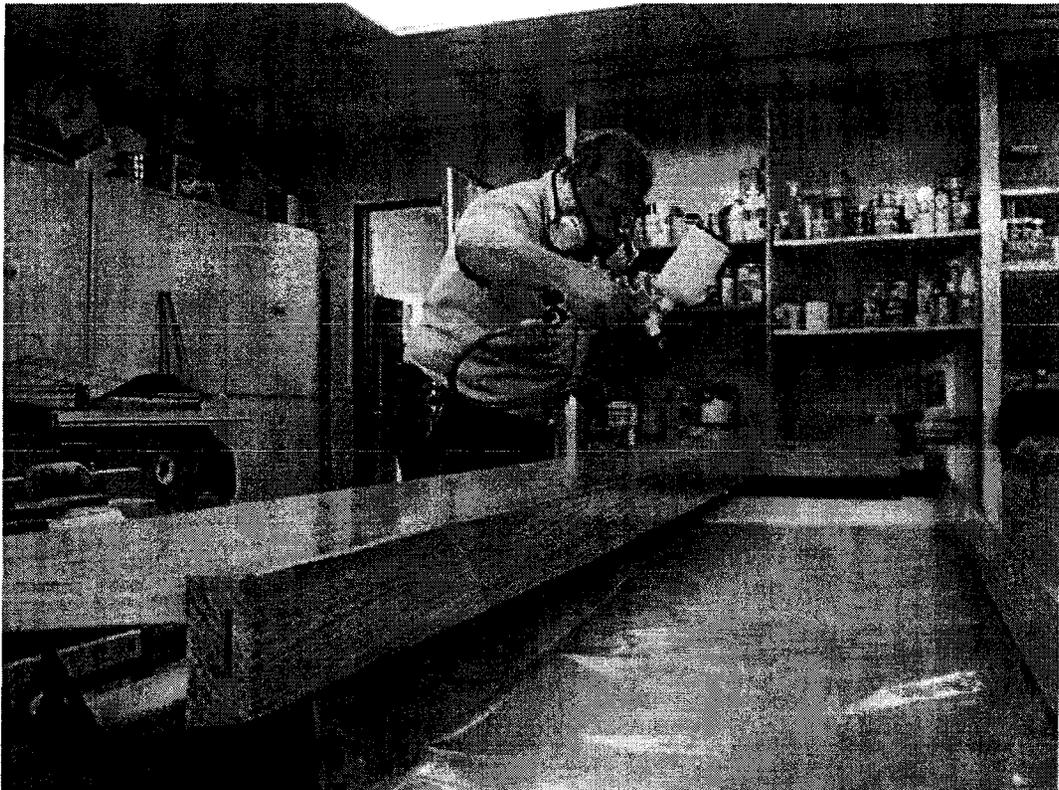
2011 Highlights –

A keynote project completed during the past year was the rehabilitation of the City Hall fountain. With the majority of the fountain's piping leaking and in need of replacement, preliminary repair estimates from various companies were in the range of \$15,000 to \$45,000 and would have required extensive demolition work to take place. In 2010, using their ingenuity and creativity, staff was able to re-activate the fountain in less than two weeks for under \$500. However, that was intended as a temporary measure to allow time to fund, design and complete a more permanent fountain overhaul.

In 2011, Global Water Resources donated the construction of the fountain rehabilitation, designed to be low-maintenance and energy efficient. The fountain retrofit features a lower water use design, surrounded by drought-tolerant California-friendly plantings and LED lighting. The installation of the project was coordinated by Building Maintenance, who took ownership of the fountain once completed.

Performance Measures and Results Facility Maintenance

Measure	2011 Results
Total service requests completed	315
Total facility heating/air conditioning repairs completed	16
Total facility lighting/electrical repairs completed	19
Total number of emergency calls responded to	12
Total number of fluorescent tubes replaced	942
Total number of lights converted to compact fluorescent lamps (CFLs)	30
Manhours allocated to the inspection of city buildings	1090
Manhours allocated to maintenance of downtown parking structure	850



In addition to maintenance and janitorial activities at city offices and facilities, Facilities Maintenance staff also takes it upon themselves to repurpose materials, equipment or supplies discarded by City departments or projects whenever possible, such as this recycled wood that became our new Customer Service counter at the City Yard.

STREETS AND SEWERS

Mission Statement: The Streets and Sewers Division is committed to ensuring a safe and healthy city by providing accessible streets; quality maintenance of the city's roadway infrastructure; efficient sanitary sewer maintenance; along with right-of-way litter and roadway hazards removal.

The Streets and Sewers Division has nine (9) employees, including the Street Maintenance Foreman. Operational funding is provided by State Gas Tax, Landscape District, Street Lighting District, Sewer District, and Water Utility funds and the General Fund, totaling \$2,511,790 in FY 2012.

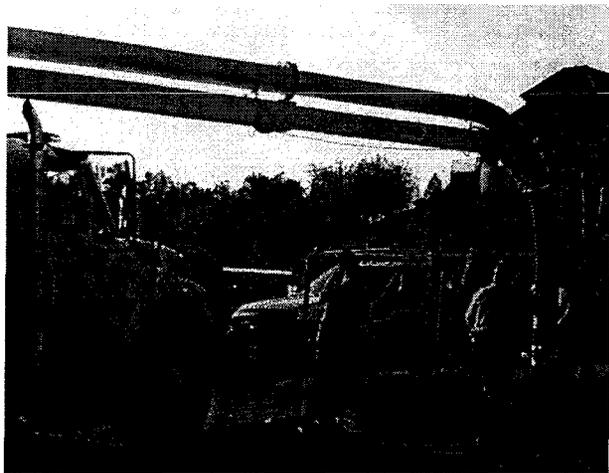
Street Maintenance Program – The Street Maintenance Section is responsible for maintaining 34 miles of arterial roadways, 82 miles of residential roadways, 240 miles of curb and gutter, over 9,000 street trees, nearly 4,000 traffic signs (800 of which are classified as critical), and over 1 million square feet of sidewalk. This Section is also responsible for operation of the City's Zone Maintenance program which handles the cleaning of "orphaned" right-of-way areas, repainting of curb and street markings, cleaning of slot gutters and drainage channels, and weed abatement and general litter control.

Sewer Maintenance Program – The Sewer Maintenance Section is responsible for the maintenance and operation of 121 miles of public sanitary sewer and one sewer lift station. These activities had traditionally been performed under contract but were brought in-house in 2010 to improve the efficiency and effectiveness of the program and to improve emergency response times for potential system overflows. Additionally, while routine cleaning work is currently performed by personnel assigned to sewer maintenance, street maintenance personnel are called upon to supplement the sewer crew as first responders for all system overflows.

2011 Highlights– The Sewer Maintenance Section celebrated a milestone in 2011 when they completed the cleaning of the entire sewer system and inspection of every manhole in the system within a 12-month period; the first time that had ever been accomplished in the history of the city. On the Street Maintenance side, the highlight of the year was the Section's response to the windstorms of December during which the city experienced hurricane-speed winds. Streets personnel worked tirelessly throughout the event to keep streets clear of downed trees, limbs and debris; coordinating their efforts with Police, Fire and local utilities. In all, over 8 tons of debris were removed from the public rights-of-way over the course of the event.

Performance Measures and Results Street & Sewer Maintenance

Measure	2011 Results
Total traffic signs removed/replaced/installed	629
Total number of potholes repaired	1,540
Total square feet of sidewalk removed/replaced	2,933
Total linear feet of curb markings repainted	7,145
Total number of utility cuts repaired	56
Total number of trees trimmed by in-house forces	171
Total number of trees removed by in-house forces	54
Total number of trees trimmed by contract forces	668
Total number of trees removed by contract forces	70
Total number of emergency calls responded to	18
Total linear feet of sanitary sewer pipe cleaned/flushed	854,545
Total number of sanitary sewer overflows (SSOs) responded to	6
Total number of manholes inspected	1,044
Total number of shopping carts removed from rights-of-way	675
Total weight of discarded items removed from rights-of-way (lbs.)	74,885
Total number of storm drain catch basins cleaned	95
Total tons of material used to fill potholes	10
Total tons of asphalt used in skin patching and utility cuts	124
Total tons of trees recycled	275.18
Estimated value of urban forest	\$24,790,205



Left, crews are disposing of some of the estimated 8 tons of tree limbs and debris collected from the wind event of December 2011. Right, Sewer Maintenance staff cleans a sewer main line, via pothole access on private property.

WATER UTILITY

Mission Statement: The Water Utility Division is committed to planning, protecting, operating, and maintaining the potable water system of the city in a manner that ensures the cost-effective delivery of adequate, high-quality water resources to its customers.

The Water Utility Division has thirteen (13) employees assigned to three (3) operational areas: Production and Storage, Transmission and Distribution, and Customer Service. Operating funds are provided by the Water Utility and Water Capital Funds and totaled \$18,368,860 in FY 2012, more than doubling the previous year's allocation as a result of the capital improvement bonds and related projects.

Production and Storage – This Section is responsible for the maintenance and operation of the City's 8 reservoirs and 6 pump stations with a system capacity of 17.545 million gallons. Part of the capital improvement funding has gone toward engineering to increase the capacity of our system. The two pump operators assigned to this Section are responsible for monitoring and adjusting the system **24 hours a day** to ensure adequate water availability for both routine daily use and fire protection needs at all times. They also conduct daily testing of the water for quality assurance, as well as other monthly and annual testing for state regulatory compliance with the Department of Public Health.

Transmission and Distribution – This Section is responsible for the maintenance and operation of 102 miles of water main lines; 8,575 service lines and meters; and 991 fire hydrants. The most visible of the Sections, Transmission and Distribution employees completed 48 main line repairs, 99 service line repairs, and responded to 123 emergency call-outs over the course of the 2010 calendar year.

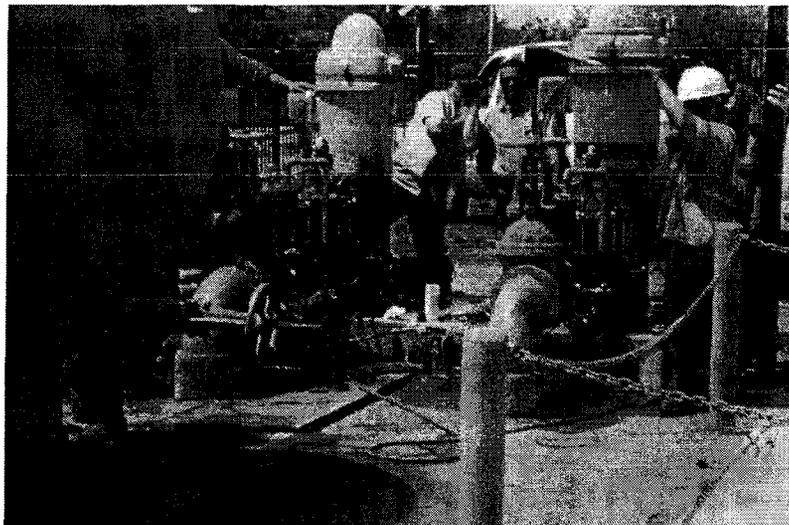
Customer Service – The Customer Service Section is responsible for service turn-ons and offs, meter reading, meter replacements, system flushing and blow-off's, backflow prevention and testing, water conservation programs, and responses to customer usage inquiries. In 2011, Customer Service personnel handled 5,016 consumer inquiries which was a 50% increase.

2011 Highlights – Aside from the multitude of system improvements completed during the year, the research and acquisition of modern and fully-integrated utility billing and automated meter reading systems were the highlighted advances of 2011. The meter upgrade project, begun at the end of 2010, was completed during 2011, resulting in the installation 8,558 new meters (with a 10 year warrantee) and 17 of

our existing largest meters retro-fitted with auto-read computer devices; all of which will transmit and store hourly read information. The system was integrated with other new software features, including a GIS mapping of the system service locations and new streamlined work order software. This modern system allows customers to monitor their usage online, and Water staff can pinpoint leak activity down to within an hour of occurrence in most cases. These innovations are expected to help us meet the upcoming California Department of Water Resources water reduction of 20% for all water purveyors by 2020(also known as Senate Bill X7-7 or “20x2020”).

Performance Measures and Results Water Utility

Measure	2011 Results
Total number of manual meter reads	12,823
Total number of auto-meter reads collected for bill generation	95,878
Total number of daily auto-reads available for review of system-wide usage	205,800
Total number of meter replacements completed (for repair)	82
Total number of consumer responses completed	5,016
Total number of backflow tests completed	74
Total number of flushed/blow-offs completed	64
Total number of service lines repaired/replaced	107
Total number of main lines repaired/replaced	56
Total number of fire hydrants repaired/replaced	118
Total gallons of water supplied	1,594,801,077
Total gallons of water supplied on a daily basis	4,369,326
Total number of emergency calls responded to	57
Average GPM, 24-hours per day, 7-days per week	3,034
Total number of water quality tests done annually	652



A small and flexible staff provides efficient water service to over 60% of the city on a 24/7 basis. Above, staff installs new pump motors at one of the system's six reservoir sites that will increase energy efficiency.

ADMINISTRATIVE SERVICES

Mission Statement: The Administrative Services Division provides timely, high-quality financial and management reports, information, and support services. In addition, it provides invaluable support to the Department's other Divisions to meet their primary goal of serving the citizens of Covina.

The Administrative Services Division has a total of five (5) full-time equivalent employees, consisting of four Senior Administrative Technicians, and one Administrative Technician. This is an increase from last year because two part-time Administrative Technicians were upgraded and made full-time to improve Customer Service in Water Utility Billing. Funding is provided by the Water Utility Fund, Environmental Fund, Central Equipment Fund, Sewer Fund, Transit and the General Fund. Total budget for the Administrative Services Division in FY 2012 was \$905,050, the majority of which is included within the aforementioned Division budgets.

Administrative Services – The Administrative Services Division provides administrative oversight to the Department as a whole, as well as administrative support and customer service for each of the Department's divisions. These activities include such indispensable efforts as the preparation of the Department's operating budget; monthly revenue and expenditure reports; production and management of the Department's Capital Improvement Program budget; projection and monitoring of departmental revenues; maintenance and administration of employee personnel files, reports and information; personnel recruitment, evaluation and training; processing of all purchasing-related documents and monitoring of purchase order status; monitoring of state and federal legislation that may impact the Public Works Department; development and oversight of the Department's safety program including all Cal-OSHA compliance; centralized word-processing for all divisions; and preparation of miscellaneous reports, studies, and analysis, as needed.

2011 Highlights – At the beginning of 2011, the customer service and billing functions of the Water Utility were transferred from the Finance Department to the Public Works City Yard. Additionally, the contract services of Global Water Resources for billing and additional customer service support were added; that contract and those services are managed by this Division. The result of this change to the Division was increased workload, but more flexibility for customers, who now have the following payment options for the first time: credit card, echeck, online, by telephone, City Yard or City Hall, as well as more than one drop box.

Performance Measures and Results Administrative Services

Measure	2011 Results
Total Departmental positions recruited and examined	11
Total number of budgetary activity cost centers prepared and monitored	81
Total number of Dig Alert service tickets processed and tracked	1209
Total number of purchase orders processed	3,123
Total number of work orders processed	5,429
Total number of training internal training sessions conducted	182
Total number of claims Department-wide for job related injuries	11
Total number of At-Risk youth employed and monitored through L.A. Works	9
Total number of public notices and advisories processed and mailed	53,950
Total number of conservation and recycling promotion materials distributed	4,675
Total number of web pages maintained on City Website on behalf of Department	30
Total number of traffic signal or street light outages reported	151
Total number of graffiti requests processed	3,101
Total Department budget administered	\$40,901,140



Customers can sign up for water utility service at the City Yard, as seen here, or they can call our Toll Free customer service line at 1-855-354-7579. We also provide a number of conservation resources at this location and online, to encourage customers to save water and money.

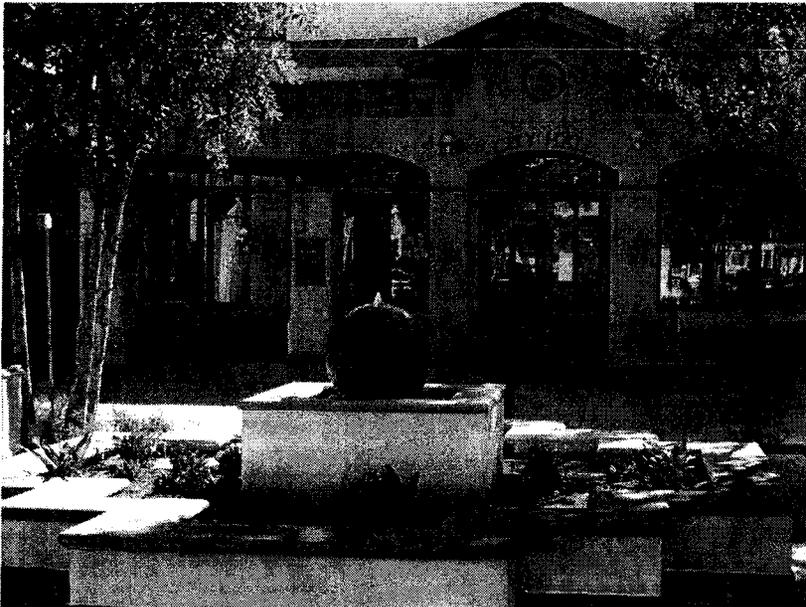
CAPITAL IMPROVEMENT PROGRAM

The Capital Improvement Program (CIP) is a Citywide budgetary expenditure prepared by City Administration and managed by the City's various departments; with the goal of enhancing and/or improving the City's public infrastructure. The Public Works Department designs and manages CIP projects pertaining to improvements of the city's infrastructure including streets, traffic signals, non-park public buildings, sewers, storm drains, water systems, as well as any specific projects that may be requested by other departments.

The development of the CIP is a collaborative process. Every year ideas for new projects are solicited from each of the Department's divisions and from City employees. The project ideas are then evaluated and prioritized for possible inclusion in that fiscal year's CIP which is funded with a combination of revenue sources including grants, restricted state and federal funds, local restricted funds such as Enterprise and assessment district funds, revenue bond proceeds backed by Enterprise Fund rate structures, and General Funds, if those funds are available.

The status of the Department's CIP program includes:

- Appropriations totaling \$25,622,300
- Completed projects totaling \$6,781,438
- Active projects totaling \$33,063,055



The Public Works Department is always searching for creative resource opportunities, such as the partnership with Global Water Resources that resulted in this donated fountain renovation.

Recently Completed Projects

FACILITY/LOCATION	PROJECT SCOPE
Puente – Barranca to Armel	Street resurfacing
Rimhurst – Ruddock to northerly terminus	Street resurfacing
Mangrove – Ruddock to northerly terminus	Street resurfacing
Edgecomb – Banna to easterly terminus	Street resurfacing
Edgecomb – Ruddock to easterly terminus	Street resurfacing
Palm – Banna to easterly terminus	Street resurfacing
Adams Park – Banna to easterly terminus	Street resurfacing
Wanamaker – Banna to easterly terminus	Street resurfacing
Wanamaker – Banna to Rimhurst	Street resurfacing
Kinsella – Wanamaker to southerly terminus	Street resurfacing
Darfield – Ruddock to southerly terminus	Street resurfacing
Palm – Darfield to southerly terminus	Street resurfacing
Rimhurst – Wanamaker to southerly terminus	Street resurfacing
Mangrove – Wanamaker to southerly terminus	Street resurfacing
Retford – Ivescrest to westerly terminus	Street resurfacing
Edgecomb – Ivescrest to westerly terminus	Street resurfacing
Puente – Aldenville to Hollenbeck	Sanitary sewer upgrade
Puente – Hollenbeck to Armel	Water main replacement
Puente – Hollenbeck to Barranca	Replace water services
Puente – Citrus to Hollenbeck	Replace water main cross street connections
Easement – Barranca to La Serena	Upgrade storm drain
Water Utility Reservoir Sites	Install auxiliary power system capability
Jalapa Sewage Lift Station	Install auxiliary power system capability
City Hall	Fountain redesign and construction
Citywide	SR2S speed awareness program
Various city facilities	Energy savings improvements
Water Utility	Automated meter reading system
Shoppers Lane	Parking lot renovation demonstration project

Projects In Progress

FACILITY/LOCATION	PROJECT SCOPE
Charter – Covina to northerly terminus	Construct new sanitary sewer
Cedar – 150' s/o Cypress to Cypress	Construct new sanitary sewer
Vincent – Badillo to San Bernardino	Sanitary sewer upgrade
Homerest – Benwood to Cypress	Sanitary sewer upgrade
Devanah – Citrus to Edenfield	Sanitary sewer upgrade
Edenfield – Devanah to Grondahl	Sanitary sewer upgrade
Grondahl – Albertson to Hollenbeck	Sanitary sewer upgrade
Grondahl – Armel to O'Malley	Sanitary sewer upgrade
Azusa – Badillo to Puente	Sanitary sewer upgrade

Park – Benwood to Cypress	Sanitary sewer upgrade
Cypress – Fourth to Azusa	Sanitary sewer upgrade
Cypress – Homerest to Lark Ellen	Sanitary sewer upgrade
Third – Geneva to San Bernardino	Sanitary sewer upgrade
San Bernardino – Third to Cedar	Sanitary sewer upgrade
Various areas in the Downtown	Sanitary sewer upgrade
Rowland – Second to Citrus	Sanitary sewer upgrade
Citrus – Rowland to Workman	Sanitary sewer upgrade
Cummings – Cypress to Edna Place	Sanitary sewer upgrade
Edna – Cummings to Barranca	Sanitary sewer upgrade
Covina – Darfield to Barranca	Sanitary sewer upgrade
Ivescrest – Edgecomb to Ruddock	Sanitary sewer upgrade
Ruddock – Ivescrest to Grand	Sanitary sewer upgrade
Grand – Ruddock to Badillo	Sanitary sewer upgrade
Charter Oak Reservoir	Construct new 3-million gallon concrete tank
Charter Oak Reservoir	Refurbish existing concrete tank
Forestdale Reservoir	Upgrade operating valves
Cypress Reservoir	Refurbish existing concrete reservoir
Holt Avenue	Construct new booster pump station
Public Works Yard	Install auxiliary power system
Citywide	Construct photovoltaic generation systems
Eastland Shopping Center	Water main replacement
Covina Town Center	Water main replacement
Edgecomb – Grand to Jenifer	Water main replacement and street resurfacing
Westridge – Ruddock to Wingate	Water main replacement and street resurfacing
Jenifer – Ruddock to Wingate	Water main replacement and street resurfacing
Nearglen – Ruddock to Wingate	Water main replacement and street resurfacing
Calmgrove – Ruddock to Wingate	Water main replacement and street resurfacing
Danehurst – Ruddock to Wingate	Water main replacement and street resurfacing
Bender – Wanamaker to Ruddock	Water main replacement and street resurfacing
Hollenbeck – Rowland to Puente	Water main replacement
Cedar – Casad to Puente	Water main replacement and street resurfacing
Casad – Hepner to westerly end	Water main replacement and street resurfacing
Swanee – Hepner to westerly end	Water main replacement and street resurfacing
Hepner – Rowland to Puente	Water main replacement and street resurfacing
Albertson – Rowland to Puente	Water main replacement and street resurfacing
Aldenville – Rowland to Puente	Water main replacement and street resurfacing
Fenimore – Rowland to northerly end	Water main replacement and street resurfacing
Fenimore – Rowland to Workman	Water main replacement and street resurfacing
Chaparro – Covina Hills to easterly end	Water main replacement and street resurfacing
Corrida – Chaparro to Chaparro	Water main replacement and street resurfacing
Hollenbeck – Badillo to San Bernardino	Water main replacement
Larkin – Badillo to San Bernardino	Water main replacement and street resurfacing
Heathdale – Badillo to San Bernardino	Water main replacement and street resurfacing
Houser – Badillo to San Bernardino	Water main replacement and street resurfacing
Armel – Badillo to San Bernardino	Water main replacement and street resurfacing

Elspeth – Badillo to San Bernardino	Water main replacement and street resurfacing
Kenoak – Elspeth to easterly end	Water main replacement and street resurfacing
Adams Park – Elspeth to easterly end	Water main replacement and street resurfacing
Palm – Elspeth to easterly end	Water main replacement and street resurfacing
Badillo NSR – Larkin to Elspeth	Water main replacement and street resurfacing
San Bernardino – Azusa to Hollenbeck	Water main replacement
Covina – Barranca to Grand	Water main replacement
Barranca – Cypress to Covina	Water main replacement
Brookport – Barranca to Grandview	Water main replacement and street resurfacing
Bellbrook – Barranca to Grandview	Water main replacement and street resurfacing
Benwood – Barranca to Grandview	Water main replacement and street resurfacing
Benbow – Barranca to Grandview	Water main replacement and street resurfacing
Grandview – Cypress to Covina	Water main replacement and street resurfacing
Prospero – Cypress to Covina	Water main replacement and street resurfacing
Starcrest – Cypress to Covina	Water main replacement and street resurfacing
Virginia – Cypress to Covina	Water main replacement
Benbow – Virginia to easterly end	Water main replacement
Marilyn – Virginia to easterly end	Water main replacement
Bickley – Virginia to easterly end	Water main replacement
Kemp – Virginia to easterly end	Water main replacement
Hollenbeck – RR tracks to San Bernardino	Water main replacement
Front – Hollenbeck to easterly terminus	Water main replacement
Hollenbeck – Arrow to San Dimas Wash	Street resurfacing
Hollenbeck – RR tracks to San Bernardino	Street resurfacing
Cypress – Citrus to Cedar	Street resurfacing
Wingate – Glendora to Banna	Street resurfacing
Rimhurst – Wingate to northerly end	Street resurfacing
Mangrove – Wingate to northerly end	Street resurfacing
Ruddock – Ivescrest to Banna	Street resurfacing
Linda Terrace – Ruddock to San Bernardino	Street resurfacing
Ruddock – Forestdale to Grand	Street resurfacing
Forestdale – Ruddock to southerly terminus	Street resurfacing
Adams Park – Forestdale to Grand	Street resurfacing
Italia – Linda Terrace to easterly terminus	Street resurfacing
Brightview – Adams Park to southerly end	Street resurfacing
De Lay – Adams Park to southerly terminus	Street resurfacing
De Lay – Adams Park to Ruddock	Street resurfacing
Linda Terrace – Adams Park to Italia	Street resurfacing
City Hall	Roof design and repair
City Hall	Envelope and structural failure repair
Joslyn Center	Roof and building envelope design and repair
Covina and Sunflower	Traffic signal system
Cienega and Glendora	Traffic signal system
Various city facilities	Energy savings improvements
Public Works Yard	Upgrade of CNG fueling system
Italia – north of the Library	Construct community garden

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: March 20, 2012

ITEM NO.: CC 6

STAFF SOURCE: Dilu De Alwis, Finance Director

ITEM TITLE: Payment of Demands

STAFF RECOMMENDATION:

Approve Payment of Demands in the amount of: **\$5,434,413.99**

BACKGROUND:

Attached list of warrants, demands, which are being presented for approval for January 2012 are summarized as follows:

<u>DATE OF DEMANDS</u>	<u>DEMAND NUMBERS</u>	<u>AMOUNT</u>
ACCOUNTS PAYABLE WARRANTS		
January, 2012	1652-2308	\$3,808,118.55
PAYROLL		
January 19, 2012		\$233,388.89
January 5, 2012	PAYROLL ADVANCE	\$530,204.86
January 19, 2012	PAYROLL ADVANCE	\$406,107.88
January 31, 2012	PAYROLL ADVANCE	\$385,388.44
VOIDS		
January 31, 2012	93458, 90472	-\$367.60
WORKERS COMPENSATION		
January 3, 2012	Week ending 12/22/11	\$2,055.18
January 3, 2012	Week ending 12/28/11	\$7,544.90
January 6, 2012	Adjust for December shorta;	\$10,000.00
January 9, 2012	Week ending 1/5/12	\$514.24
January 10, 2012	Week ending 1/11/12	\$6,432.17
January 17, 2012	Covering missed checks	\$24,186.20
January 19, 2012	Week ending 1/19/12	\$12,785.26
January 19, 2012	December Shortage	\$1,173.30
January 30, 2012	Week ending 1/26/12	\$6,881.72
GRAND TOTAL:		\$5,434,413.99

EXHIBITS:

A. ACCOUNTS PAYABLE REGISTER

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

CITY OF COVINA
Check Register
JANUARY 2012

Check #	Check Date	Vendor	Name	Amount
1652	01/05/2012	50	ADVANCED	1,430.10
1653	01/05/2012	68	AFLAC ACCT# YQ7	3,413.54
1654	01/05/2012	68	AFLAC ACCT# YQ7	25.00
1655	01/05/2012	69	AFSCME	880.00
1656	01/05/2012	82	AIR-BREE HEATIN	382.50
1657	01/05/2012	96	ALBERTSONS GROC	265.01
1658	01/05/2012	120	ALLANA-BUICK-BE	14,244.00
1659	01/05/2012	160	AMERICAN WEST C	150.00
1660	01/05/2012	254	AZUSA LIGHT & W	732.32
1661	01/05/2012	260	B & K ELECTRIC	21.88
1662	01/05/2012	269	BAKER AND TAYLO	103.83
1663	01/05/2012	291	BARR & CLARK	575.00
1664	01/05/2012	292	BARR LUMBER COM	66.99
1665	01/05/2012	362	BLAKE PAPER CO	65.25
1666	01/05/2012	475	CALIBER POOL AN	1,450.07
1667	01/05/2012	487	CALIFORNIA PUBL	61,132.11
1668	01/05/2012	3284	CARE FOR THE CH	1,000.00
1669	01/05/2012	568	CAT SPECIALTIES	211.41
1670	01/05/2012	581	CCH	107.24
1671	01/05/2012	679	CLEVA TECHNOLOG	89.15
1672	01/05/2012	702	COLLINS, DR GAR	150.00
1673	01/05/2012	710	COMMUNICATIONS	348.54
1674	01/05/2012	775	COVINA POLICE A	3,250.00
1675	01/05/2012	775	COVINA POLICE A	960.00
1676	01/05/2012	783	COVINA WATER &	694.99
1677	01/05/2012	788	COVINA, CITY OF	79,308.03
1678	01/05/2012	788	COVINA, CITY OF	39.80
1679	01/05/2012	788	COVINA, CITY OF	6,049.25
1680	01/05/2012	789	COVINA-FSA, CIT	1,222.00
1681	01/05/2012	819	CSAC-EIA	4,408.70
1682	01/05/2012	819	CSAC-EIA	1,565.26
1683	01/05/2012	826	CSMFO	55.00
1684	01/05/2012	878	DELTA DENTAL OF	6,997.10
1685	01/05/2012	889	DESILVA, ANURA	2,500.00
1686	01/05/2012	896	DH MAINTENANCE	6,089.40
1687	01/05/2012	897	DIAMOND BAR, CI	30.00
1688	01/05/2012	970	EDISON CO	3,494.25
1689	01/05/2012	1012	ESGIL CORPORATI	933.78
1690	01/05/2012	1055	FEDEX	15.25
1691	01/05/2012	1156	GAS COMPANY, TH	1,198.97
1692	01/05/2012	1156	GAS COMPANY, TH	1,147.87
1693	01/05/2012	1191	GLENDORA, CITY	114.00
1694	01/05/2012	1204	GOLDEN STATE WA	54.35

CITY OF COVINA
Check Register
JANUARY 2012

1695	01/05/2012	1247 GREAT WEST LIFE	3,102.50
1696	01/05/2012	1277 HAEBE, CYNTHIA	2,585.00
1697	01/05/2012	1307 HARTFORD LIFE I	9.67
1698	01/05/2012	1364 HOME DEPOT	1,850.35
1699	01/05/2012	1404 ICMA RETIREMENT	5,662.90
1700	01/05/2012	1404 ICMA RETIREMENT	845.47
1701	01/05/2012	1582 KNORR SYSTEMS I	5,990.54
1702	01/05/2012	1609 LA CNTY COUNTY	8,185.59
1703	01/05/2012	1617 LA CNTY REGISTR	16.00
1704	01/05/2012	1691 LEVEL 3 COMMUNI	2,149.70
1705	01/05/2012	1924 MILLERS & ISHAM	86.16
1706	01/05/2012	2033 NATIONWIDE RETI	2,517.50
1707	01/05/2012	2234 PERS	43,828.02
1708	01/05/2012	2235 PERS LONG TERM	250.00
1709	01/05/2012	2281 PORTRAITS BY KA	179.44
1710	01/05/2012	2389 RC KEMP CONSULT	1,620.00
1711	01/05/2012	3282 Rodriguez, Jose	7,850.00
1712	01/05/2012	2676 SMART AND FINAL	493.46
1713	01/05/2012	2737 STAPLES INC	625.62
1714	01/05/2012	2846 THOMAS, TERRI	26.75
1715	01/05/2012	2936 UNION BANK OF C	2,085.86
1716	01/05/2012	2944 UNITED STATES T	200.00
1717	01/05/2012	2946 UNITED WAY OF G	20.00
1718	01/05/2012	2950 UPS	16.12
1719	01/05/2012	2958 US POSTMASTER	483.61
1720	01/05/2012	2999 VERIZON CALIFOR	539.54
1721	01/05/2012	3014 VISION SERVICE	533.58
1722	01/05/2012	3045 WASHINGTON NATI	319.23
1723	01/05/2012	3102 WILLDAN FINANCI	4,279.46
1724	01/05/2012	3134 XEROX CORPORATI	21.00
1725	01/10/2012	21 ABELING, MARY J	2,480.00
1726	01/10/2012	79 AGUILAR, LOURDE	210.00
1727	01/10/2012	207 ASCHENBRENNER,	5,704.00
1728	01/10/2012	218 ASZMAN FAMILY B	2,232.00
1729	01/10/2012	219 AT&T	47.65
1730	01/10/2012	258 AZUSA, CITY OF	3,720.00
1731	01/10/2012	282 BANK OF THE WES	9,494.31
1732	01/10/2012	358 BLACK, FLAVIA	248.00
1733	01/10/2012	383 BOOTH, LOLA J	8,928.00
1734	01/10/2012	385 BORUM, PATRICIA	2,480.00
1735	01/10/2012	412 BRONDINO, JEANN	4,960.00
1736	01/10/2012	440 BUSKEY, CAROLYN	1,364.00
1737	01/10/2012	257 CANYON WATER	2,976.00
1738	01/10/2012	542 CARSON, KENNETH	4,960.00

CITY OF COVINA
Check Register
JANUARY 2012

1739	01/10/2012	605 CHADWICK, GEORG	1,240.00
1740	01/10/2012	617 CHARTER OAK GYM	1,039.80
1741	01/10/2012	698 COLE, MADELINE	496.00
1742	01/10/2012	740 CORBIN, CLARA	1,431.50
1743	01/10/2012	967 EDGAR TRUSTEE,	248.00
1744	01/10/2012	970 EDISON CO	30,637.58
1745	01/10/2012	984 ELLIOTT TRUSTEE	3,968.00
1746	01/10/2012	985 ELLIOTT, DOROTH	3,968.00
1747	01/10/2012	998 ENGLER TRUSTEE,	5,208.00
1748	01/10/2012	1197 GLOBAL WATER MA	18,251.97
1749	01/10/2012	1203 GOLDEN STATE OV	30.73
1750	01/10/2012	1235 GRAINGER	441.06
1751	01/10/2012	3281 GRASS ROOTS	139.80
1752	01/10/2012	1285 HANBY, JOHN W	7,440.00
1753	01/10/2012	1286 HANES, PHILLIP	868.00
1754	01/10/2012	1289 HANSEN, ANN	5,456.00
1755	01/10/2012	1298 HARRAHS RINCON	400.00
1756	01/10/2012	1308 HARTMAN, THOMAS	496.00
1757	01/10/2012	1313 HAWK TRUST,THE	620.00
1758	01/10/2012	1318 HEAD & KAREN SH	1,240.00
1759	01/10/2012	1322 HEINRICH, CAROL	4,960.00
1760	01/10/2012	1324 HENKE, ELDEN H	3,720.00
1761	01/10/2012	1385 HUMPHREY, MARIL	3,224.00
1762	01/10/2012	1389 HUNTINGTON COUR	422.64
1763	01/10/2012	1394 HYDRO CONNECTIO	27.73
1764	01/10/2012	1416 IMPERIAL NOTARY	189.00
1765	01/10/2012	1428 INGRAM DIST GRO	89.54
1766	01/10/2012	1462 J.D. BYGOTT AND	14,012.00
1767	01/10/2012	1475 JAIME, SANDRA	73.50
1768	01/10/2012	1483 JEECO MFG & SUP	142.97
1769	01/10/2012	1505 JOHNNY'S POOL S	30.43
1770	01/10/2012	1509 JOHNSON, OCLYTI	5,456.00
1771	01/10/2012	1561 KEYSTONE UNIFOR	287.88
1772	01/10/2012	1571 KING BOLT CO	228.47
1773	01/10/2012	1576 KLEIN, VIRGINIA	496.00
1774	01/10/2012	1580 KMART STORE 428	53.65
1775	01/10/2012	1638 LAM, LY CHOU	121.33
1776	01/10/2012	1646 LANGUAGE LINE S	60.16
1777	01/10/2012	3209 LAYNE, SHARON	302.16
1778	01/10/2012	1696 LEWIS SAW AND L	69.97
1779	01/10/2012	1715 LIGHTNING OIL C	1,330.00
1780	01/10/2012	1757 LULL, BARBARA J	2,480.00
1781	01/10/2012	1825 MASONIC HOMES O	7,440.00
1782	01/10/2012	1830 MAURER, HAROLD	1,240.00

CITY OF COVINA
Check Register
JANUARY 2012

1783	01/10/2012	1831 MAURER, WILLIAM	2,480.00
1784	01/10/2012	1922 MILLER, JACQUEL	496.00
1785	01/10/2012	1933 MISSION LINEN S	268.11
1786	01/10/2012	1977 MORGAN, HENRY M	248.00
1787	01/10/2012	1978 MORGAN, ROBERT	2,232.00
1788	01/10/2012	1985 MORTENSEN, JAME	248.00
1789	01/10/2012	2014 MUSHIK, ELIZABE	14,322.00
1790	01/10/2012	2015 MUSHIK, MARTIN	372.00
1791	01/10/2012	2029 NASSER REVOCABL	2,480.00
1792	01/10/2012	2084 NOTTI, PAMELA S	171.50
1793	01/10/2012	2092 OAKDALE MEMORIA	139,562.00
1794	01/10/2012	2104 OFFICE DEPOT	3,504.63
1795	01/10/2012	2104 OFFICE DEPOT	77.70
1796	01/10/2012	2179 PALMER, MICHAEL	1,984.00
1797	01/10/2012	2189 PARADA, MIGUEL	692.83
1798	01/10/2012	2233 PERRY, ELEANOR	496.00
1799	01/10/2012	2345 QUILL	89.15
1800	01/10/2012	2393 RECORDED BOOKS	7.47
1801	01/10/2012	2427 REYNOLDS, CAROL	4,216.00
1802	01/10/2012	3276 RISK MANAGEMENT	2,730.00
1803	01/10/2012	2477 ROMAN CATHOLIC	2,480.00
1804	01/10/2012	2568 SAVING CENTER I	9,176.00
1805	01/10/2012	2577 SCHISSLER, ROBE	1,984.00
1806	01/10/2012	2578 SCHLEICH, MARGR	1,240.00
1807	01/10/2012	2607 SERESINGHE, AJI	1,400.00
1808	01/10/2012	2613 SEYMOUR, RICHA	248.00
1809	01/10/2012	2687 SMITH, VIRGINIA	496.00
1810	01/10/2012	2711 SOUTHEAST CONST	6.42
1811	01/10/2012	2775 SUPERB GRAPHICS	2,479.50
1812	01/10/2012	2818 TAVANNA	28.00
1813	01/10/2012	2846 THOMAS, TERRI	310.91
1814	01/10/2012	3185 TOSHIBA FINANCI	1,739.99
1815	01/10/2012	2900 TRIFORMIS CORPO	5,024.25
1816	01/10/2012	2926 TYLER TECHNOLOG	4,917.36
1817	01/10/2012	2933 ULTRA-CHEM INC	871.07
1818	01/10/2012	2942 UNITED SITE SER	209.12
1819	01/10/2012	2954 URBAN GRAFFITI	17,100.00
1820	01/10/2012	2958 US POSTMASTER	190.00
1821	01/10/2012	2969 VALLEY TROPHY	138.66
1822	01/10/2012	2999 VERIZON CALIFOR	198.98
1823	01/10/2012	3010 VILLARREAL, TIF	115.50
1824	01/10/2012	3187 WAGONER, PAMELA	425.13
1825	01/10/2012	3026 WAKAYAMA, ASHLE	94.50
1826	01/10/2012	3034 WALKER, SHEILA	6,200.00

CITY OF COVINA
Check Register
JANUARY 2012

1827	01/10/2012	3055 WEBB, JEWEL M	2,480.00
1828	01/10/2012	3056 WEBBER, CAROL C	496.00
1829	01/10/2012	3070 WEST COAST ARBO	2,380.00
1830	01/10/2012	3092 WHITE, SHELBY	528.00
1831	01/10/2012	3102 WILLDAN FINANCI	71,595.00
1832	01/10/2012	3105 WILLIAMS, JAMES	1,736.00
1833	01/12/2012	2 10-8 RETROFIT	247.09
1834	01/12/2012	3 12 MILES OUT.CO	1,200.00
1835	01/12/2012	23 ABORTA BUG INC	145.00
1836	01/12/2012	32 ACE-1 AUTO SERV	387.95
1837	01/12/2012	50 ADVANCED	1,430.10
1838	01/12/2012	84 AIRGAS-WEST	268.28
1839	01/12/2012	113 ALL CITY MANAGE	3,062.88
1840	01/12/2012	116 ALL STAR GLASS	250.94
1841	01/12/2012	158 AMERICAN TRAFFI	16,185.00
1842	01/12/2012	160 AMERICAN WEST C	268.08
1843	01/12/2012	219 AT&T	144.58
1844	01/12/2012	230 AUDIO GO	16.00
1845	01/12/2012	269 BAKER AND TAYLO	2,124.02
1846	01/12/2012	283 BANK OF THE WES	6,114.28
1847	01/12/2012	307 BEARINGS AND DR	88.51
1848	01/12/2012	343 Best Cuts Salon	133.00
1849	01/12/2012	362 BLAKE PAPER CO	71.10
1850	01/12/2012	380 BOOK WHOLESALER	8.45
1851	01/12/2012	411 BRODART CO	44.23
1852	01/12/2012	475 CALIBER POOL AN	1,450.00
1853	01/12/2012	477 CALIF, STATE OF	226.00
1854	01/12/2012	516 CANON BUS SOLUT	598.95
1855	01/12/2012	3214 Case Power and	335.78
1856	01/12/2012	581 CCH	107.24
1857	01/12/2012	591 CELLIAN, MARY	234.60
1858	01/12/2012	600 CERTIFIED UNDER	77.22
1859	01/12/2012	615 CHARLES E THOMA	858.66
1860	01/12/2012	618 CHARTER OAK HAR	53.79
1861	01/12/2012	639 CHINO TACH & SP	270.00
1862	01/12/2012	3290 Chris Ulmer	232.25
1863	01/12/2012	649 CINTAS CORP #69	623.12
1864	01/12/2012	654 CITRUS CAR WASH	142.80
1865	01/12/2012	664 CIVILTEC ENGINE	39,235.22
1866	01/12/2012	682 CLINICAL LAB OF	427.50
1867	01/12/2012	700 COLLEY FORD	41.86
1868	01/12/2012	707 COMMERCIAL ELEC	1,531.56
1869	01/12/2012	709 COMMISSION ON A	35.00
1870	01/12/2012	749 COUNSELING TEAM	720.00

CITY OF COVINA
Check Register
JANUARY 2012

1871	01/12/2012	776 COVINA REDEVELO	228,068.99
1872	01/12/2012	777 COVINA RENTS	247.94
1873	01/12/2012	783 COVINA WATER &	296.24
1874	01/12/2012	791 CPCA	125.00
1875	01/12/2012	857 DAVID TURCH AND	8,000.00
1876	01/12/2012	866 DEB'S BOOKKEEPL	3,754.41
1877	01/12/2012	880 DEMCO INC	240.54
1878	01/12/2012	906 DIGITAL MAP PRO	15,000.00
1879	01/12/2012	962 EAST DISTRICT S	7,814.00
1880	01/12/2012	962 EAST DISTRICT S	59.00
1881	01/12/2012	964 EBSCO SUBSCRIPT	227.00
1882	01/12/2012	970 EDISON CO	42,380.66
1883	01/12/2012	971 EDS AUTO PARTS	283.64
1884	01/12/2012	3253 FACTUAL DIAGRAM	225.00
1885	01/12/2012	1055 FEDEX	25.81
1886	01/12/2012	1094 FOREST WOOD FIB	2,680.40
1887	01/12/2012	1134 GALE CENGAGE LE	113.48
1888	01/12/2012	1197 GLOBAL WATER MA	916.67
1889	01/12/2012	1198 GLOBALSTAR LLC	42.17
1890	01/12/2012	1203 GOLDEN STATE OV	49.19
1891	01/12/2012	1204 GOLDEN STATE WA	506.10
1892	01/12/2012	1235 GRAINGER	267.10
1893	01/12/2012	1241 GRAND PRINTING	3,550.54
1894	01/12/2012	1275 HAAKER EQUIPMEN	170.86
1895	01/12/2012	1277 HAEBE, CYNTHIA	1,485.00
1896	01/12/2012	3251 HANSON INVESTIG	2,636.01
1897	01/12/2012	3205 HEWITT CONSTRUC	9,544.77
1898	01/12/2012	1352 HINDERLITER DEL	750.00
1899	01/12/2012	1364 HOME DEPOT	94.33
1900	01/12/2012	1389 HUNTINGTON COUR	661.58
1901	01/12/2012	1420 INDEPENDENT CIT	900.00
1902	01/12/2012	1428 INGRAM DIST GRO	517.56
1903	01/12/2012	1429 INLAND EMPIRE S	2,338.50
1904	01/12/2012	3240 INLAND OFFICE P	140.84
1905	01/12/2012	1437 INTER-CON SECUR	4,976.40
1906	01/12/2012	1441 INTERSTATE BATT	237.81
1907	01/12/2012	1463 J.G. TUCKER AND	149.69
1908	01/12/2012	1483 JEECO MFG & SUP	39.73
1909	01/12/2012	1483 JEECO MFG & SUP	91.92
1910	01/12/2012	1488 JH MITCHELL & S	179.33
1911	01/12/2012	1547 KELLY PAPER CO	437.47
1912	01/12/2012	1561 KEYSTONE UNIFOR	634.76
1913	01/12/2012	1599 L.A.S.D.	970.00
1914	01/12/2012	1629 LA WORKS	9,973.00

CITY OF COVINA
Check Register
JANUARY 2012

1915	01/12/2012	1634 LACROIX, CATHER	30.00
1916	01/12/2012	1637 LAKIN TIRE WEST	308.85
1917	01/12/2012	1694 LEWIS ENGRAVING	84.55
1918	01/12/2012	1696 LEWIS SAW AND L	13.54
1919	01/12/2012	1703 LIBRARY ADVANTA	390.00
1920	01/12/2012	1704 LIBRARY STORE	126.15
1921	01/12/2012	1833 MAXIMUS INC	3,625.60
1922	01/12/2012	1846 MCCLURE, LINDA	21.77
1923	01/12/2012	1858 MCMASTER CARR S	88.37
1924	01/12/2012	1864 MEDCO SUPPLY CO	43.99
1925	01/12/2012	1895 MERRIMAC ENERGY	27,898.94
1926	01/12/2012	1908 MICHAEL J O'DAY	285.00
1927	01/12/2012	1924 MILLERS & ISHAM	124.96
1928	01/12/2012	1933 MISSION LINEN S	483.89
1929	01/12/2012	2008 MUNOZ, FELIPE	119.50
1930	01/12/2012	2061 NEWPORT FARMS I	492.15
1931	01/12/2012	2091 O REILLY AUTO P	144.13
1932	01/12/2012	2104 OFFICE DEPOT	532.06
1933	01/12/2012	2104 OFFICE DEPOT	75.51
1934	01/12/2012	99999 ONE TIME PAY	12.99
1935	01/12/2012	99999 ONE TIME PAY	24.13
1936	01/12/2012	99999 ONE TIME PAY	35.00
1937	01/12/2012	99999 ONE TIME PAY	35.00
1938	01/12/2012	99999 ONE TIME PAY	43.60
1939	01/12/2012	99999 ONE TIME PAY	44.00
1940	01/12/2012	99999 ONE TIME PAY	71.00
1941	01/12/2012	99999 ONE TIME PAY	77.00
1942	01/12/2012	99999 ONE TIME PAY	77.22
1943	01/12/2012	99999 ONE TIME PAY	80.00
1944	01/12/2012	99999 ONE TIME PAY	82.96
1945	01/12/2012	99999 ONE TIME PAY	97.00
1946	01/12/2012	2199 PARS	932.52
1947	01/12/2012	2238 PEST OPTIONS IN	265.00
1948	01/12/2012	2243 PETERSON, GREGG	500.00
1949	01/12/2012	2312 PROFORCE LAW EN	391.49
1950	01/12/2012	2380 RANDOM HOUSE IN	270.80
1951	01/12/2012	2407 REGIONAL TAP SE	810.92
1952	01/12/2012	2415 REPUBLIC MASTER	507.14
1953	01/12/2012	2426 REYNOLDS BUICK	775.80
1954	01/12/2012	2434 RICE/ENGLANDER	3,000.00
1955	01/12/2012	2489 ROTO ROOTER SER	205.00
1956	01/12/2012	2509 S & S PORTABLE	1,740.01
1957	01/12/2012	2510 S & S WORLDWIDE	86.56
1958	01/12/2012	2539 SAN DIMAS, CITY	2,938.71

CITY OF COVINA
Check Register
JANUARY 2012

1959	01/12/2012	2584 SCLLN	150.00
1960	01/12/2012	2648 SIEMENS BUILDIN	364.00
1961	01/12/2012	2704 SOS AUTOMOTIVE	729.67
1962	01/12/2012	2719 SPARKLETTS	23.32
1963	01/12/2012	2737 STAPLES INC	555.43
1964	01/12/2012	2839 THERMAL COMBUST	106.13
1965	01/12/2012	2877 TOSHIBA BUSINES	82.96
1966	01/12/2012	2898 TRIANGLE TRUCK	5.74
1967	01/12/2012	2922 TURNER, JOSHUA	119.50
1968	01/12/2012	2933 ULTRA-CHEM INC	779.18
1969	01/12/2012	2942 UNITED SITE SER	444.45
1970	01/12/2012	2945 UNITED TRAFFIC	5,212.88
1971	01/12/2012	2950 UPS	120.25
1972	01/12/2012	2955 US BANK	1,165.00
1973	01/12/2012	2958 US POSTMASTER	776.03
1974	01/12/2012	2969 VALLEY TROPHY	217.50
1975	01/12/2012	2999 VERIZON CALIFOR	945.63
1976	01/12/2012	3004 VICTORY EXTERMI	50.00
1977	01/12/2012	3043 WARREN DISTRIBU	383.35
1978	01/12/2012	3064 WELLDYNERX	25.02
1979	01/12/2012	3070 WEST COAST ARBO	655.20
1980	01/12/2012	3078 WEST PAYMENT CE	1,363.82
1981	01/12/2012	3106 WILLIAMS, SHELB	81.12
1982	01/12/2012	3137 Y TIRE SALES	581.88
1983	01/12/2012	3152 YWCA	2,007.94
1984	01/12/2012	68 AFLAC ACCT# YQ7	3,589.61
1985	01/12/2012	69 AFSCME	900.00
1986	01/12/2012	487 CALIFORNIA PUBL	60,780.88
1987	01/12/2012	775 COVINA POLICE A	4,210.00
1988	01/12/2012	788 COVINA, CITY OF	80,101.16
1989	01/12/2012	789 COVINA-FSA, CIT	1,770.00
1990	01/12/2012	819 CSAC-EIA	6,079.05
1991	01/12/2012	878 DELTA DENTAL OF	6,896.50
1992	01/12/2012	3291 EMBASSY SUITES	834.78
1993	01/12/2012	1247 GREAT WEST LIFE	4,093.50
1994	01/12/2012	1307 HARTFORD LIFE I	9.67
1995	01/12/2012	1405 ICMA RETIREMENT	0.00
1996	01/12/2012	3280 INTERNAL REVENU	200.00
1997	01/12/2012	2033 NATIONWIDE RETI	2,517.50
1998	01/12/2012	2234 PERS	40,896.56
1999	01/12/2012	2235 PERS LONG TERM	250.00
2000	01/12/2012	2936 UNION BANK OF C	1,698.82
2001	01/12/2012	2946 UNITED WAY OF G	20.00
2002	01/12/2012	3014 VISION SERVICE	525.56

CITY OF COVINA
Check Register
JANUARY 2012

2003	01/12/2012	3045 WASHINGTON NATI	285.46
2004	01/19/2012	2 10-8 RETROFIT	65.00
2005	01/19/2012	13 A-1 POWER SWEEP	600.00
2006	01/19/2012	26 ABSOLUTE SECURI	11,434.95
2007	01/19/2012	51 ADVANCED BATTER	86.95
2008	01/19/2012	96 ALBERTSONS GROC	268.76
2009	01/19/2012	111 ALL AMERICAN AS	144.74
2010	01/19/2012	113 ALL CITY MANAGE	6,466.08
2011	01/19/2012	129 ALLIED AIR COND	1,956.34
2012	01/19/2012	134 ALLSTATE POLICE	87.00
2013	01/19/2012	158 AMERICAN TRAFFI	16,185.00
2014	01/19/2012	160 AMERICAN WEST C	160.00
2015	01/19/2012	183 AQUA-METRIC SAL	216.42
2016	01/19/2012	196 ARMORCAST PRODU	637.10
2017	01/19/2012	219 AT&T	357.18
2018	01/19/2012	219 AT&T	43.31
2019	01/19/2012	220 AT&T LONG DISTA	8.71
2020	01/19/2012	221 AT&T MOBILITY	1,186.36
2021	01/19/2012	255 AZUSA PLUMBING	70.82
2022	01/19/2012	260 B & K ELECTRIC	74.96
2023	01/19/2012	269 BAKER AND TAYLO	544.07
2024	01/19/2012	287 BARCO PRODUCTS	414.64
2025	01/19/2012	305 BC CONTINENTAL	652.43
2026	01/19/2012	307 BEARINGS AND DR	28.51
2027	01/19/2012	318 BELL BUILDING M	3,155.00
2028	01/19/2012	341 BEST BEST & KRI	20,844.75
2029	01/19/2012	3287 BLUE WATER BOAT	980.00
2030	01/19/2012	370 BOB BARKER CO I	87.18
2031	01/19/2012	430 BUILDING ELECTR	75.00
2032	01/19/2012	438 BUSCH SYSTEMS I	1,858.00
2033	01/19/2012	475 CALIBER POOL AN	647.06
2034	01/19/2012	476 CALIF BUILDING	253.80
2035	01/19/2012	480 CALIFORNIA ASSO	75.00
2036	01/19/2012	497 CALNENA	820.00
2037	01/19/2012	516 CANON BUS SOLUT	336.17
2038	01/19/2012	600 CERTIFIED UNDER	306.74
2039	01/19/2012	649 CINTAS CORP #69	311.56
2040	01/19/2012	653 CITRUS AUTO UPH	234.84
2041	01/19/2012	654 CITRUS CAR WASH	243.95
2042	01/19/2012	700 COLLEY FORD	962.10
2043	01/19/2012	711 COMMUNITY ACTIO	350.00
2044	01/19/2012	730 CONTEMPORARY IN	36.00
2045	01/19/2012	734 CONTROL AUTOMAT	1,380.00
2046	01/19/2012	3232 COSTA, CHARLENE	10.50

CITY OF COVINA
Check Register
JANUARY 2012

2047	01/19/2012	749 COUNSELING TEAM	900.00
2048	01/19/2012	766 COVINA DISPOSAL	1,532.68
2049	01/19/2012	771 COVINA IRRIGATI	160,698.00
2050	01/19/2012	777 COVINA RENTS	491.94
2051	01/19/2012	798 CRAFTCO INC	1,712.81
2052	01/19/2012	849 DAPEER ROSENBLI	1,605.04
2053	01/19/2012	862 DE ALWIS, DILU	102.50
2054	01/19/2012	889 DESILVA, ANURA	2,500.00
2055	01/19/2012	894 DF POLYGRAPH	250.00
2056	01/19/2012	896 DH MAINTENANCE	6,089.40
2057	01/19/2012	3164 DIVERSIFIED PAR	29,828.82
2058	01/19/2012	3257 ENERGYSOFT SOFT	300.00
2059	01/19/2012	1007 ENVISIONWARE	1,633.91
2060	01/19/2012	1055 FEDEX	45.20
2061	01/19/2012	1075 FLEET SERVICES	129.33
2062	01/19/2012	1092 FORENSIC NURSE	690.00
2063	01/19/2012	1120 FRIEDENTHAL, RO	1,067.76
2064	01/19/2012	3231 GANNA WALSKA LO	287.50
2065	01/19/2012	1197 GLOBAL WATER MA	84,918.65
2066	01/19/2012	1203 GOLDEN STATE OV	11.69
2067	01/19/2012	1218 GONZALEZ, ALEX	51.00
2068	01/19/2012	1235 GRAINGER	379.37
2069	01/19/2012	1251 GREENS LOCK AND	6.47
2070	01/19/2012	1277 HAEBE, CYNTHIA	3,052.50
2071	01/19/2012	1361 HOLLIDAY ROCK C	981.33
2072	01/19/2012	1364 HOME DEPOT	1,017.51
2073	01/19/2012	1389 HUNTINGTON COUR	817.14
2074	01/19/2012	1394 HYDRO CONNECTIO	876.03
2075	01/19/2012	1427 INGLEWOOD, CITY	10,918.35
2076	01/19/2012	1428 INGRAM DIST GRO	211.13
2077	01/19/2012	3240 INLAND OFFICE P	206.85
2078	01/19/2012	1474 JAIME, LUIS	20.00
2079	01/19/2012	3288 JAMES L BARELA	50.00
2080	01/19/2012	1484 JEFFERSON SIGN	195.75
2081	01/19/2012	1513 JOHNSON'S NUMBE	18.00
2082	01/19/2012	1531 JW LOCK CO INC	294.93
2083	01/19/2012	1561 KEYSTONE UNIFOR	45.61
2084	01/19/2012	1571 KING BOLT CO	15.81
2085	01/19/2012	1578 KLYMKIW, MARIE	74.42
2086	01/19/2012	1580 KMART STORE 428	26.06
2087	01/19/2012	1615 LA CNTY MTA	448.00
2088	01/19/2012	1646 LANGUAGE LINE S	90.24
2089	01/19/2012	1663 LAW ENFORCEMENT	160.00
2090	01/19/2012	1694 LEWIS ENGRAVING	34.20

CITY OF COVINA
Check Register
JANUARY 2012

2091	01/19/2012	1696 LEWIS SAW AND L	236.78
2092	01/19/2012	1712 LIGHTHOUSE INC,	507.06
2093	01/19/2012	1771 MACIAS GINI & O	6,762.00
2094	01/19/2012	1786 MALINOSKI, JOHN	25.32
2095	01/19/2012	1789 MANCHESTER GRAN	1,149.54
2096	01/19/2012	1933 MISSION LINEN S	849.42
2097	01/19/2012	2027 NAPA AUTO PARTS	60.27
2098	01/19/2012	2059 NEW PIG CORPORA	669.32
2099	01/19/2012	2061 NEWPORT FARMS I	397.67
2100	01/19/2012	2104 OFFICE DEPOT	70.13
2101	01/19/2012	2104 OFFICE DEPOT	103.81
2102	01/19/2012	99999 ONE TIME PAY	14.72
2103	01/19/2012	99999 ONE TIME PAY	750,000.00
2104	01/19/2012	2134 ORKIN PEST CONT	88.99
2105	01/19/2012	3267 OUTDOOR DIMENSI	958.10
2106	01/19/2012	2181 PALMINTERI, FRA	650.00
2107	01/19/2012	2199 PARS	521.24
2108	01/19/2012	2269 PLUMBERS DEPOT	738.49
2109	01/19/2012	2329 PUENTE READY MI	690.56
2110	01/19/2012	2335 PYRO-COMM SYSTE	135.00
2111	01/19/2012	2345 QUILL	40.53
2112	01/19/2012	2391 REAGAN PRESIDEN	427.50
2113	01/19/2012	2407 REGIONAL TAP SE	533.50
2114	01/19/2012	2415 REPUBLIC MASTER	215.73
2115	01/19/2012	2509 S & S PORTABLE	440.81
2116	01/19/2012	2535 SAN DIEGO ASSOC	200.00
2117	01/19/2012	2557 SANTA ANITA FAM	920.00
2118	01/19/2012	2648 SIEMENS BUILDIN	3,552.32
2119	01/19/2012	2653 SIGUENAS, SONIA	221.09
2120	01/19/2012	2660 SIMPLEX GRINNEL	460.80
2121	01/19/2012	2676 SMART AND FINAL	123.22
2122	01/19/2012	2689 SNAP ON TOOLS	98.10
2123	01/19/2012	3245 SO CAL REMODELI	6,000.00
2124	01/19/2012	2711 SOUTHEAST CONST	17.51
2125	01/19/2012	2714 SOUTHERN CA GAS	575.00
2126	01/19/2012	2737 STAPLES INC	595.50
2127	01/19/2012	3260 SUNSTATE EQUIPM	2,377.92
2128	01/19/2012	2775 SUPERB GRAPHICS	59.81
2129	01/19/2012	3285 Terrascapes	5,850.00
2130	01/19/2012	2846 THOMAS, TERRI	21.00
2131	01/19/2012	2853 THYSSENKRUPP EL	970.67
2132	01/19/2012	2855 TIME WARNER CAB	145.12
2133	01/19/2012	2877 TOSHIBA BUSINES	81.23
2134	01/19/2012	3185 TOSHIBA FINANCI	1,739.99

CITY OF COVINA
Check Register
JANUARY 2012

2135	01/19/2012	2903 TRI-XECUTEX COR	160.00
2136	01/19/2012	2935 UNDERGROUND SER	60.00
2137	01/19/2012	2941 UNITED RENTALS	202.74
2138	01/19/2012	2942 UNITED SITE SER	102.36
2139	01/19/2012	2945 UNITED TRAFFIC	2,954.79
2140	01/19/2012	2999 VERIZON CALIFOR	1,153.77
2141	01/19/2012	3001 VERIZON WIRELES	3,668.36
2142	01/19/2012	3004 VICTORY EXTERMI	50.00
2143	01/19/2012	3023 VULCAN MATERIAL	1,255.64
2144	01/19/2012	3042 WARD, SHERYL	221.09
2145	01/19/2012	3043 WARREN DISTRIBU	49.37
2146	01/19/2012	3064 WELLDYNERX	34.57
2147	01/19/2012	3068 WELLS FARGO FIN	166.45
2148	01/19/2012	3072 WEST COVINA AUT	152.21
2149	01/19/2012	3082 WESTERN WATER W	6,619.29
2150	01/19/2012	3274 WILLDAN	7,732.50
2151	01/19/2012	3102 WILLDAN FINANCI	1,500.00
2152	01/19/2012	3102 WILLDAN FINANCI	8,414.86
2153	01/19/2012	3134 XEROX CORPORATI	159.86
2154	01/19/2012	3137 Y TIRE SALES	60.92
2155	01/19/2012	1405 ICMA RETIREMENT	6,662.98
2156	01/19/2012	1405 ICMA RETIREMENT	845.47
2157	01/23/2012	219 AT&T	43.31
2158	01/23/2012	219 AT&T	694.75
2159	01/23/2012	477 CALIF, STATE OF	4,212.00
2160	01/23/2012	783 COVINA WATER &	442.17
2161	01/23/2012	970 EDISON CO	1,607.33
2162	01/23/2012	1204 GOLDEN STATE WA	54.63
2163	01/23/2012	1601 L3 COMMUNICATIO	42.36
2164	01/23/2012	1614 LA CNTY FIRE DE	626,666.00
2165	01/23/2012	1619 LA CNTY SHERIFF	112.84
2166	01/23/2012	1650 LARA, LAURA	157.50
2167	01/23/2012	1680 LEAGUE OF CALIF	14,278.00
2168	01/23/2012	1681 LEARNING FOR LI	390.00
2169	01/23/2012	1707 LIEBERT CASSIDY	9,438.00
2170	01/23/2012	1748 LOS ANGELES TIM	84.00
2171	01/23/2012	1754 LOWE'S COMPANIE	335.48
2172	01/23/2012	2032 NATIONAL BUSINE	428.33
2173	01/23/2012	99999 ONE TIME PAY	115.00
2174	01/23/2012	2166 PACIFIC STAMP &	125.30
2175	01/23/2012	2198 PARRISH, DARYL	46.75
2176	01/23/2012	2270 PLUMBING WHOLES	220.11
2177	01/23/2012	2312 PROFORCE LAW EN	184.77
2178	01/23/2012	3202 PUMPMAN INC	8,014.00

CITY OF COVINA
Check Register
JANUARY 2012

2179	01/23/2012	2379 RANDALL, KYLE	165.50
2180	01/23/2012	2619 SGV EXAMINER	354.64
2181	01/23/2012	2057 STATE INDUSTRIA	472.93
2182	01/23/2012	2772 SUNGARD BI-TECH	11,244.22
2183	01/23/2012	2786 SUTHERLAND, KEI	25.32
2184	01/23/2012	2957 US IDENTIFICATI	89.30
2185	01/23/2012	2958 US POSTMASTER	424.84
2186	01/23/2012	2958 US POSTMASTER	541.90
2187	01/23/2012	2999 VERIZON CALIFOR	1,637.23
2188	01/23/2012	3037 WALMART	68.48
2189	01/23/2012	3077 WEST LITE SUPPL	463.37
2190	01/23/2012	3102 WILLDAN FINANCI	500.00
2191	01/23/2012	3135 XO COMMUNICATIO	5,323.56
2192	01/23/2012	68 AFLAC ACCT# YQ7	3,561.61
2193	01/23/2012	68 AFLAC ACCT# YQ7	28.00
2194	01/23/2012	69 AFSCME	920.00
2195	01/23/2012	487 CALIFORNIA PUBL	57,691.13
2196	01/23/2012	775 COVINA POLICE A	4,210.00
2197	01/23/2012	788 COVINA, CITY OF	85,715.18
2198	01/23/2012	789 COVINA-FSA, CIT	1,770.00
2199	01/23/2012	819 CSAC-EIA	4,374.69
2200	01/23/2012	819 CSAC-EIA	1,518.86
2201	01/23/2012	878 DELTA DENTAL OF	6,896.50
2202	01/23/2012	1247 GREAT WEST LIFE	4,093.50
2203	01/23/2012	1307 HARTFORD LIFE I	9.67
2204	01/23/2012	1405 ICMA RETIREMENT	7,027.41
2205	01/23/2012	1405 ICMA RETIREMENT	845.47
2206	01/23/2012	3280 INTERNAL REVENU	200.00
2207	01/23/2012	2033 NATIONWIDE RETI	2,267.50
2208	01/23/2012	2234 PERS	44,002.11
2209	01/23/2012	2235 PERS LONG TERM	250.01
2210	01/23/2012	2936 UNION BANK OF C	1,946.64
2211	01/23/2012	2946 UNITED WAY OF G	20.00
2212	01/23/2012	3014 VISION SERVICE	525.56
2213	01/23/2012	3045 WASHINGTON NATI	285.50
2214	01/26/2012	4 1800-RADIATOR	114.19
2215	01/26/2012	84 AIRGAS-WEST	268.28
2216	01/26/2012	255 AZUSA PLUMBING	170.44
2217	01/26/2012	260 B & K ELECTRIC	22.26
2218	01/26/2012	293 BARRACO, PAUL	16.00
2219	01/26/2012	341 BEST BEST & KRI	92.00
2220	01/26/2012	376 BOND LOGISTIX	3,182.67
2221	01/26/2012	411 BRODART CO	45.68
2222	01/26/2012	439 BUSINESS CREDIT	150.00

CITY OF COVINA
Check Register
JANUARY 2012

2223	01/26/2012	455 CA LIBRARY ASSO	500.00
2224	01/26/2012	477 CALIF, STATE OF	410.27
2225	01/26/2012	477 CALIF, STATE OF	212.00
2226	01/26/2012	477 CALIF, STATE OF	288.00
2227	01/26/2012	516 CANON BUS SOLUT	347.02
2228	01/26/2012	566 CASTRUITA, MICH	127.50
2229	01/26/2012	634 CHEVRON PRODUCT	326.10
2230	01/26/2012	649 CINTAS CORP #69	155.78
2231	01/26/2012	679 CLEVA TECHNOLOG	908.00
2232	01/26/2012	692 CODE PUBLISHING	895.20
2233	01/26/2012	700 COLLEY FORD	65.97
2234	01/26/2012	3296 COURTYARD	618.75
2235	01/26/2012	764 COVINA COLLISIO	232.41
2236	01/26/2012	783 COVINA WATER &	34.95
2237	01/26/2012	880 DEMCO INC	248.41
2238	01/26/2012	3218 Egge, Jennifer	94.33
2239	01/26/2012	1012 ESGIL CORPORATI	2,984.76
2240	01/26/2012	1055 FEDEX	5.90
2241	01/26/2012	1114 FRED PRYOR SEMI	199.00
2242	01/26/2012	1235 GRAINGER	831.61
2243	01/26/2012	1251 GREENS LOCK AND	15.00
2244	01/26/2012	3297 Holiday Inn Exp	501.60
2245	01/26/2012	1364 HOME DEPOT	908.87
2246	01/26/2012	1427 INGLEWOOD, CITY	3,090.70
2247	01/26/2012	1437 INTER-CON SECUR	5,233.84
2248	01/26/2012	1441 INTERSTATE BATT	194.79
2249	01/26/2012	1445 INTL ASSOC OF C	120.00
2250	01/26/2012	1483 JEECO MFG & SUP	39.73
2251	01/26/2012	1526 JS CONSULTANTS	14,111.88
2252	01/26/2012	1561 KEYSTONE UNIFOR	58.71
2253	01/26/2012	1569 KIMBALL MIDWEST	209.19
2254	01/26/2012	1578 KLYMKIW, MARIE	60.00
2255	01/26/2012	1580 KMART STORE 428	601.93
2256	01/26/2012	1609 LA CNTY COUNTY	9,027.57
2257	01/26/2012	1629 LA WORKS	8,279.00
2258	01/26/2012	1729 LONG BEACH BMW	12,995.45
2259	01/26/2012	1924 MILLERS & ISHAM	91.35
2260	01/26/2012	1933 MISSION LINEN S	72.04
2261	01/26/2012	2061 NEWPORT FARMS I	565.27
2262	01/26/2012	2091 O REILLY AUTO P	87.17
2263	01/26/2012	2104 OFFICE DEPOT	28.24
2264	01/26/2012	99999 ONE TIME PAY	0.30
2265	01/26/2012	99999 ONE TIME PAY	25.00
2266	01/26/2012	99999 ONE TIME PAY	30.00

CITY OF COVINA
Check Register
JANUARY 2012

2267	01/26/2012	99999 ONE TIME PAY	45.00
2268	01/26/2012	99999 ONE TIME PAY	75.00
2269	01/26/2012	99999 ONE TIME PAY	101.00
2270	01/26/2012	99999 ONE TIME PAY	108.80
2271	01/26/2012	2199 PARS	412.00
2272	01/26/2012	2230 PEREZ, MARIBEL	94.33
2273	01/26/2012	2273 POALAC	50.00
2274	01/26/2012	2288 POWER DISTRIBUT	1,590.49
2275	01/26/2012	2389 RC KEMP CONSULT	1,050.00
2276	01/26/2012	2415 REPUBLIC MASTER	139.96
2277	01/26/2012	2426 REYNOLDS BUICK	126.59
2278	01/26/2012	2480 ROMO PLANNING G	1,265.00
2279	01/26/2012	2489 ROTO ROOTER SER	764.50
2280	01/26/2012	2542 SAN GAB VALLEY	25.00
2281	01/26/2012	2571 SBS-D-EVOC TRAIN	1,920.00
2282	01/26/2012	2619 SGV EXAMINER	801.07
2283	01/26/2012	2658 SILVIA CONSTRUC	45,740.52
2284	01/26/2012	2676 SMART AND FINAL	44.21
2285	01/26/2012	2689 SNAP ON TOOLS	217.44
2286	01/26/2012	2711 SOUTHEAST CONST	161.82
2287	01/26/2012	2736 STAPLES BUSINES	226.20
2288	01/26/2012	2737 STAPLES INC	76.08
2289	01/26/2012	2057 STATE INDUSTRIA	122.39
2290	01/26/2012	2775 SUPERB GRAPHICS	113.46
2291	01/26/2012	2784 SURFACE TECH CO	1,098.40
2292	01/26/2012	3185 TOSHIBA FINANCI	73.95
2293	01/26/2012	2945 UNITED TRAFFIC	6,042.80
2294	01/26/2012	2958 US POSTMASTER	505.44
2295	01/26/2012	3179 UTILITY \$30 BAC	1,020.00
2296	01/26/2012	2980 VARGAS, MONICA	4.27
2297	01/26/2012	3006 VIDEO STORE SHO	146.47
2298	01/26/2012	3028 WALCZAK, MARY L	35.00
2299	01/26/2012	3043 WARREN DISTRIBU	70.72
2300	01/26/2012	3070 WEST COAST ARBO	1,579.10
2301	01/26/2012	3075 WEST COVINA, CI	1,315.00
2302	01/26/2012	3078 WEST PAYMENT CE	2,871.20
2303	01/26/2012	3102 WILLDAN FINANCI	70.10
2304	01/26/2012	3116 WOLVERINE SPORT	135.20
2305	01/26/2012	3152 YWCA	1,901.41
2306	01/26/2012	3247 ZERO ENERGY CON	1,500.00
2307	01/31/2012	776 COVINA REDEVELO	17,370.26
2308	01/31/2012	2944 UNITED STATES T	99.13
			3,808,118.55

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 January 2012; Payroll for 1/05/12, 1/19/12, and 1/31/12; Workers Compensation for 1/03/12, 1/06/12, 1/09/12, 1/10/12, 1/17/12, 1/19/12, and 1/30/12; 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 20th day of March, 2012

Allen M. Hall, Deputy

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: March 20, 2012

ITEM NO.: CC 7

STAFF SOURCE: Amy Hall-McGrade, Parks & Recreation Director 
Lisa Evans, Parks & Recreation Manager 
Melody Hynes, Community Relations Supervisor 

ITEM TITLE: Authorize City Manager to enter into a Facility Use Agreement for the Operation of a State-Certified Farmers' Market and Street Market in the City of Covina with Harry Brown-Hiegel, and Adopt **Resolution No. 12-7055** amending the Parks & Recreation Department's fiscal year 2011-2012 operating budget for the Covina Farmer's Market and Family Night events.

STAFF RECOMMENDATION

Authorize City Manager to enter into a Facility Use Agreement for the Operation of a State-Certified Farmers' Market and Street Market in the City of Covina with Harry Brown-Hiegel, and Adopt **Resolution No. 12-7055** amending the Parks & Recreation Department's fiscal year 2011-2012 operating budget for the Covina Farmer's Market and Family Night events.

FISCAL IMPACT

The City would advance funds, not to exceed \$2,500, to Harry Brown-Hiegel for start-up costs associated with the Market. Harry Brown-Hiegel would reimburse these funds to the City by June 30, 2012. Funds will also be allocated to allow for increased use of park, including utilities and restroom supplies.

Harry Brown-Hiegel will remit to the City 25% of booth fees collected. The estimated annual revenue to the City is \$8,900. The prorated estimated revenue for the current fiscal year is \$3,300.

The account numbers requiring amendment are as follows:

1010340051600 (expenditure)	\$2,500
1010340052120 (expenditure)	\$700
1010340054610 (expenditure)	\$500
1010340043320 (revenue)	\$5,800

BACKGROUND

Harry Brown-Hiegel has operated the Covina Farmers' Market and Family Night events since 2001. The Farmers' Market was previously coordinated by the Redevelopment Agency. The Parks & Recreation Department has worked alongside Harry Brown-Hiegel for several events, with the most recent being the Dia de Los Muertos event and the Covina Christmas Parade. The working relationship between Harry Brown-Hiegel and the Parks & Recreation Department has been a positive one, and the upcoming Farmers' Market season provides an opportunity for a productive partnership. The Market is planned to be operated during the term of this contract, out of Heritage Plaza located on the corner of Citrus Avenue and San Bernardino Road.

RELEVANCE TO THE STRATEGIC PLAN

The estimated revenue will provide an opportunity to enhance recreational programming and also increase exposure of all business in the downtown area.

EXHIBITS

- A. Facility Use Agreement for the Operation of a State-Certified Farmers' Market and Street Market in the City of Covina
- B. Resolution No. 12-7055

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

**FACILITY USE AGREEMENT
FOR THE OPERATION OF A STATE-CERTIFIED
FARMERS' AND STREET MARKET
IN THE CITY OF COVINA**

This FACILITY USE AGREEMENT, by and between the CITY OF COVINA, a municipal corporation ("CITY" hereinafter) and Harry Brown-Hiegel, ("BROWN-HIEGEL" hereinafter) is made on this 20th day of March, 2012.

RECITALS

WHEREAS, CITY desires to generate retail activities at the facility commonly known as Heritage Plaza ("Premises" herein after) located upon City property at 400 North Citrus Avenue, Covina, California; and

WHEREAS, such retail activity will compliment CITY's efforts to revitalize the downtown area and increase exposure to all downtown businesses; and

WHEREAS, BROWN-HIEGEL is an experienced individual who has represented that he is qualified to organize, establish and maintain the successful operation of a state-certified farmers' market and street market in said downtown area.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, and in exchange for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties hereto agree as follows:

TERMS

1. AGREEMENT

BROWN-HIEGEL hereby agrees to provide to CITY all expertise, personnel, equipment, and services necessary to organize, establish, promote and operate a state-certified farmers' market and street fair ("MARKET" hereinafter) in the downtown area on CITY'S premises.

2. TERM

The term of this Agreement shall begin on **March 20, 2012**, and terminate on **March 19, 2013** unless earlier terminated pursuant to the provisions contained herein.

3. MARKET HOURS

BROWN-HIEGEL will operate the MARKET on Fridays between the hours of **5 p.m. and 9 p.m.** BROWN-HIEGEL may setup the MARKET not earlier than 12 p.m. on Fridays and must breakdown all elements of the MARKET not later than 10:30 p.m. on Fridays. **Hours may be adjusted by CITY due to daylight savings, season, and scheduled activities of the CITY.**

4. UTILITIES

CITY shall pay and be solely responsible for all utilities furnished to the Premises.

5. PAYMENT PROCESS AND REPORTING

BROWN-HIEGEL shall establish money handling and recordkeeping mechanisms for the operation of the MARKET and remit twenty-five percent (25%) of fees collected to the CITY by the fifteenth (15th) of each month for the previous month's receipts.

Remittance shall be delivered to: Covina Parks & Recreation Department
1250 N. Hollenbeck Avenue, Covina CA 91722

BROWN-HIEGEL shall provide reports to CITY, containing sufficient financial and other pertinent data, each month with the submittal of the monthly remittance.

6. START-UP COSTS

CITY agrees to provide BROWN-HIEGEL funds, not to exceed two thousand five hundred dollars (\$2,500) to purchase event insurance, agriculture permit, and health permit prior to first operation date of the MARKET. BROWN-HIEGEL agrees to reimburse CITY all such funds by June 30, 2012.

7. SIGNAGE

BROWN-HIEGEL shall not permit or install permanent advertising signs on the Premises without written approval of the CITY'S Parks & Recreation Director. BROWN-HIEGEL shall submit signage installation requests in writing to the Parks & Recreation Director for approval. Requests must include detailed description of signage design and placement.

8. MAINTENANCE

BROWN-HIEGEL, during setup, operation, and breakdown of the MARKET, shall maintain the Premises in a safe, sanitary, neat, and tidy condition. When, in response to calls after normal work hours by members of either BROWN-HIEGEL or the MARKET, CITY repairs or resolves a problem at the MARKET, payment for this "call out" shall be as follows:

a. If, according to this Agreement, the item is within the maintenance responsibility of CITY, CITY will pay for the call out.

b. If, however, the service is within the maintenance responsibility of BROWN-HIEGEL or the MARKET, CITY shall bill BROWN-HIEGEL for the services rendered by CITY staff, including, but not limited to, costs of any materials used in the repair and actual labor and administrative costs. BROWN-HIEGEL shall pay promptly such bills issued by CITY.

CITY contact persons (during normal business hours):

Melody Hynes, Community Relations Supervisor (626) 384-5344
Frank Cisneros, Park Maintenance Supervisor (626) 786-8256

CITY contact persons (after normal business hours):

Covina Police Department (626) 331-3391 or (626) 384-5653

9. LITTER REMOVAL AND JANITORIAL

CITY, at its expense, shall provide garbage disposal facilities, including a metal dumpster with weekly scheduled pickups, for the MARKET. BROWN-HIEGEL shall be responsible for litter pickup on the Premises during setup, operation, and breakdown of the MARKET. CITY, at its expense, shall provide janitorial maintenance of the restroom facilities, including stocking of paper goods, prior to setup of each operating day of the MARKET. BROWN-HIEGEL shall be responsible for maintenance of restroom facility during the hours of MARKET setup, operation, and breakdown including stocking of paper goods as provided by CITY.

10. IMPROVEMENTS

BROWN-HIEGEL shall not construct improvements to the Premises without the express written approval of the Parks & Recreation Director. Such approval shall be at the sole and absolute discretion of the CITY. A request to construct improvements to the Premises shall include a construction plan submitted to the Parks & Recreation Director.

Construction of approved improvements shall both comply with the CITY'S construction standards and be subject to inspections by the CITY'S staff. Copies of the CITY'S construction standards may be obtained at the CITY'S Public Works Department. Approved improvements shall be constructed at BROWN-HIEGEL'S sole cost and expense.

BROWN-HIEGEL shall be as fully responsible to CITY for the negligent acts and omissions of its contractors and subcontractors, and of persons either directly or indirectly employed by them, as it is for the negligent acts and omissions of persons directly employed by BROWN-HIEGEL.

"Improvements" shall have the same meaning and interpretation as "fixtures" as defined by California Civil Code § 660.

11. INSPECTIONS

The MARKET shall be available during hours of setup, operation, and breakdown for inspection by authorized CITY representatives and other proper governmental authorities. Representatives from both CITY and BROWN-HIEGEL shall be available for walk-throughs of the MARKET at request of either party. Safety inspections shall be conducted as deemed necessary by the CITY and cooperation in the inspections set forth above shall not be unreasonably withheld.

BROWN-HIEGEL expressly agrees to comply with the findings of the above inspections, provided the findings are within BROWN-HIEGEL'S responsibilities as set forth in this Agreement. This includes, but is not limited to, findings by the County Health Department.

12. CITY'S RIGHT TO REPAIR AND MAINTAIN – NOTIFICATION

If CITY determines that a condition of vandalism, disrepair and/or improper maintenance exists on the Premises, which are within BROWN-HIEGEL'S maintenance responsibilities as set forth in this Agreement, CITY shall notify BROWN-HIEGEL of such condition.

If such condition is not corrected as set forth in this Agreement, CITY reserves the right to remedy the condition. In such instances, CITY shall contact BROWN-HIEGEL prior to making repair and/or maintenance conducted pursuant to this Paragraph.

Notification of Hazardous Conditions: If the CITY notifies BROWN-HIEGEL of a hazardous condition caused by the setup, operation, or breakdown of the MARKET, the condition shall be corrected within twenty-four (24) hours. If the condition is not repaired within this time, CITY staff will cause the repairs to be made. In such instances, BROWN-HIEGEL shall be billed for the direct actual cost of the CITY'S labor and materials. It is expressly agreed by the parties that BROWN-HIEGEL will pay for such repairs.

Notification of Non-Hazardous Conditions: If CITY notifies BROWN-HIEGEL of a vandalism/disrepair other than a hazardous condition caused by or during the setup, operation, or breakdown of the MARKET, the condition shall be corrected within fifteen (15) business days. If the condition is not repaired within this time, CITY staff may cause the repairs to be made. In such instances, BROWN-HIEGEL shall be billed for direct actual cost of labor and materials. It is expressly agreed by the parties that BROWN-HIEGEL will pay for such repairs.

Contact List: BROWN-HIEGEL shall provide CITY with an up-to-date list, in priority order, of the names and telephone numbers of at least two (2) other contact persons for problems or emergencies associated with the MARKET.

13. PARK UPGRADES/PROJECTS

CITY shall have the right to perform park upgrades or park projects during the term of this Agreement, which may effect the Premises and render the Premises unusable at certain times. CITY will provide BROWN-HIEGEL as much notice as possible in the event an upgrade or project is scheduled.

14. BROWN-HIEGEL OBLIGATIONS

In consideration of the CITY'S approval to operate the Covina Farmers' Market and Street Market, it is expressly agreed by the parties that BROWN-HIEGEL shall:

- a. Obtain and maintain all licenses and permits required by the State of California, County of Los Angeles, City (including an annual event business license from the Finance Department) and any and all public authorities having jurisdiction with respect to the operation of the MARKET, and respond to and maintain professional relationships with all such agencies.
- b. Recruit, retain and maintain contact with quality farmers and products, vendors, artisans and entertainers for the MARKET. The MARKET will be limited to no more than fifty percent (50%) of booths selling manufactured goods;
- c. Provide all advertising and marketing efforts related to the opening and continued operations of the MARKET;
- d. Collect all monies from farmers and vendors and other market income and disburse all MARKET monies, pay MARKET expenses and maintain all financial and other MARKET records in accordance with generally accepted applicable principles and standards. The CITY reserves the right to review the financial records of BROWN-HIEGEL at any time;

- e. Provide any and all management services related to the operation of the MARKET in a professional manner;
- f. Receive, process and respond to all City customer concerns related to the operation of the MARKET;
- g. Promote the MARKET locally and regionally;
- h. Supplement promotional activities through the conduct of special events, statewide media, and other outreach outside the CITY;
- i. Provide advice and cooperate with any volunteer organization within the community that is willing to aid in the success of the MARKET;
- j. Provide all equipment essential to implementing the MARKET on a weekly basis, including any generators necessary to supplement electrical power available on the sites listed above.
- k. Provide a safe and healthful environment for vendors and customers by setting and enforcing safety measures at all times during setup, operation, and breakdown of the MARKET. Examples, **but not limited to**, taping of cords, immediately taking care of spills, keeping tools and other working material in a safe place away from the general event area, supply proper lighting for event teardown, etc. Do not block sidewalks or walkways at any time during setup, operation and breakdown of the MARKET. Report all maintenance issues to the CITY immediately so that repairs can be made as soon as possible.

15. HAZARDOUS SUBSTANCES

BROWN-HIEGEL shall not generate, use, store or dispose of any hazardous substance on the premises except in accordance with all applicable federal, State and local laws and regulations. BROWN-HIEGEL shall hold CITY harmless from and indemnify CITY against and from any damage, loss, expenses or liability resulting from any generation, use, storage or disposal by BROWN-HIEGEL of any hazardous substance on the premises. "Hazardous substance" shall be interpreted broadly to mean any substance or material defined or designated as hazardous or toxic waste, hazardous or toxic material, or other similar term of any federal, State or local environmental law, regulation or rule now in effect or promulgated in the future as such laws, regulation or rules may be amended from time to time; and it shall be interpreted to include, but not be limited to, gasoline and other fuel, oil, grease and battery acid, or any substance which after release into environment will or may reasonably be anticipated to cause sickness, death or disease.

16. SALE OF ALCOHOLIC BEVERAGES

No beer, wine or other alcoholic beverage sales shall be conducted.

17. INSURANCE

BROWN-HIEGEL shall maintain in full force and effect during the term of this Agreement a comprehensive public liability and property damage insurance policy issued by a reputable insurance company acceptable to CITY. This policy shall be in an amount of not less than two million dollars (\$2,000,000) combined single limit for all bodily injury and property damage claims. Said insurance policy shall name CITY as an additional insured, protecting the interests of CITY, BROWN-HIEGEL, its subcontractors and agents from all loss, damage or liability of whatever nature (including BROWN-HIEGEL indemnification of CITY hereunder) arising out of or in connection with BROWN-HIEGEL use or enjoyment of the premises. BROWN-HIEGEL insurance shall be a primary policy and not contributory to or in excess of any policy of CITY. Said insurance policy shall provide that it shall not be cancelled or reduced in amount of coverage until thirty (30) days written notice of cancellation or reduction in coverage shall have been mailed to CITY.

BROWN-HIEGEL shall furnish CITY with an annual insurance endorsement prior to the exercise of any of the rights and privileges granted by this Agreement and each subsequent year of this Agreement. Upon request of CITY, BROWN-HIEGEL shall provide CITY with a copy of its insurance policy evidencing the issuance of the foregoing policy.

If BROWN-HIEGEL employs any individual on the premises or contracts for services to be rendered by a contractor's employee on the premises, any such employee on the premises shall be covered by applicable workers' compensation insurance as required by law. BROWN-HIEGEL shall submit proof of current, effective workers' compensation insurance to CITY both annually and upon request by CITY.

18. INDEMNIFICATION AND HOLD HARMLESS

BROWN-HIEGEL shall defend, indemnify and hold harmless CITY, its officers, officials, employees, agents and volunteers from and against all claims, damages, demands, liability, costs, losses and expenses, including, without limitation, court costs and reasonable attorney's fees, arising out of or in connection with any act or omission of BROWN-HIEGEL, its officers, employees, volunteers, contractors and subcontractors with respect to the use, enjoyment or improvement of the Premises or the MARKET, except such loss or damage which was caused by the negligence or willful misconduct of CITY. CITY shall not be liable for any theft, vandalism, or any other damages to the MARKET.

19. NOTICES

All notices to be delivered pursuant to this Agreement shall be given by personal service or by depositing the written notice in the custody of the United States Postal Service or its lawful successor, postage prepaid, addressed as follows:

To CITY: City of Covina Parks & Recreation Department
Attn: Parks & Recreation Director
1250 North Hollenbeck Avenue, Covina, CA 917232

To BROWN-HIEGEL: Harry Brown-Hiegel
1906 West 22nd Street, Los Angeles, CA 90018-1644

20. EARLY TERMINATION

Either party may terminate this Agreement upon ninety (90) days written notice. CITY may also terminate this Agreement with thirty (30) days written notice prior to expiration of the term hereof upon the happening of one or more of the following events, and the occurrence of any such event shall constitute an event of default:

- a. BROWN-HIEGEL remains in arrears in any payment of fees required by Paragraph 5 for a period of at least five (5) days following receipt of written notice of such arrearage from CITY;
- b. BROWN-HIEGEL fails or refuses to obtain or maintain the insurance required by this Agreement;
- c. BROWN-HIEGEL fails to maintain the MARKET as set forth in this Agreement;
- d. BROWN-HIEGEL files a voluntary petition in any proceedings in Bankruptcy Court;
- e. Except as otherwise provided, default by BROWN-HIEGEL in the performance of any promise, term, condition, duty or covenant required of it hereunder, provided BROWN-HIEGEL fails to cure such default within thirty (30) calendar days following receipt of written notice of such default from CITY.

Early termination by CITY pursuant to subparagraphs (a) through (e) of this paragraph shall be upon not less than ten (10) days advance written notice to BROWN-HIEGEL. This notice shall state both the basis of such termination and the effective date thereof.

Failure to serve notice of termination upon the happening of any of the events described in Subparagraphs (a) through (e) of this paragraph shall not operate to bar or otherwise cause the waiver of CITY'S right to thereafter declare such termination upon the subsequent happening of any such event.

21. RELATIONSHIP OF PARTIES

It is understood and agreed that the parties hereto will be acting in a wholly independent capacity and neither party will act as the agent, employee, partner or joint venturer of another party.

- a. The Parties expressly intend and agree that BROWN-HIEGEL or the MARKET in performing this Agreement shall act as an independent contractor and shall have control over its work and the manner in which it is performed by it and its employees. BROWN-HIEGEL or the MARKET acknowledges that it is not an agent or employee of CITY and is not entitled to participate in any benefits that CITY provides for its employees.
- b. If any term, condition or covenant of this Agreement, or the application thereof to any person or circumstance, shall be invalid or unenforceable, the remainder of this Agreement, other than those terms, conditions, or covenants held invalid or unenforceable, shall be unaffected thereby and shall be valid and shall be enforced to the fullest extent permitted by law.

22. ASSIGNMENT

BROWN-HIEGEL shall not assign, delegate, transfer or hypothecate this Agreement or any interest therein, directly or indirectly, by operation of law or otherwise, without the prior written consent of CITY. Any attempt to do so without such consent shall be null and void and confer no right on any third party.

23. TAXES AND ASSESSMENTS

BROWN-HIEGEL shall pay in a timely manner all lawful taxes, assessments, fees or charges which may be levied by the State of California, County of Los Angeles, City of Covina or any tax or assessment levying body based upon BROWN-HIEGEL'S interest in this Agreement.

BROWN-HIEGEL, under this Agreement, is not in any way employed by the CITY, and therefore, no deductions will be taken from any payments made to BROWN-HIEGEL by the CITY. BROWN-HIEGEL must comply with State and Federal regulations, including obtaining a City of Covina Business License and all Los Angeles County Department of Health Services requirements.

24. NON-WAIVER OF RIGHTS

No waiver of default by either party hereto of any of the terms, promises, covenants, or conditions hereof to be performed, kept, and observed by the other party shall be construed as, or shall operate as, a waiver of any subsequent default by such party.

25. FORCE MAJEURE

Neither CITY nor BROWN-HIEGEL shall be deemed to be in breach of this Agreement if either is prevented from performing any of its obligations hereunder by reason of strike, boycott, labor dispute, embargo, shortage of energy or material, act of God, act of a public enemy, act of a superior governmental authority, weather conditions, rebellion, riot, sabotage, or any other circumstance for which it is not responsible, or which is not within its control.

26. SEVERABILITY

Nothing contained herein shall be construed so as to require the commission of any act contrary to law, and wherever there is any conflict between any provision contained herein and any present or future statute, law, ordinance or regulation contrary to which the parties have no legal right to contract or act, the latter shall prevail and the provision of this Agreement which is affected shall be curtailed and limited but only to the extent necessary to bring it within the requirements of the law. If such curtailment or limitation is not possible, the affected provision shall be of no force and effect. Except as aforesaid, such illegality shall not affect the validity of this Agreement.

27. AMENDMENT

Except as provided herein, this Agreement may be amended or modified only by the written, mutual agreement of all parties.

28. COMPLETE AGREEMENT

This Agreement supersedes any and all agreements, either oral or in writing, between the parties with respect to the subject matter herein. Each party to this Agreement acknowledges that no representation by any party which is not embodied herein or any other agreement, statement or promise not contained in this Agreement shall be valid and binding.

29. AUTHORITY TO EXECUTE

Each signatory to this Agreement warrants that he or she is authorized to enter into this Agreement on behalf of his or her principal.

30. INTERPRETATION

The parties hereto acknowledge and agree that each has been given the opportunity to independently review this Agreement with legal counsel, and/or has the requisite experience and sophistication to understand, interpret and agree to the particular language of the provisions of the Agreement.

In the event of a controversy or dispute between the parties concerning the provisions herein, this document shall be interpreted according to the provisions herein and no presumption shall arise concerning the draftsmanship of such provision.

31. APPLICABLE LAW

The parties hereto understand and agree that the terms of this Agreement, and its Exhibits, have been negotiated and executed within the State of California and shall be governed by and construed under the laws of the State of California.

In the event of a dispute concerning the terms of this Agreement, the parties hereto expressly agree that the venue for any legal action shall be with the appropriate court in the County of Los Angeles, State of California.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be properly executed, as of the date hereinabove set forth:

CITY OF COVINA

By: _____
City Manager Date

BROWN-HIEGEL

By: _____
Signature Date

Name: _____ Title: _____

APPROVED AS TO FORM:

City Attorney Date

RESOLUTION NO. 12-7055

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, AMENDING THE PARKS & RECREATION DEPARTMENT'S FISCAL YEAR 2011-2012 OPERATING BUDGET FOR THE COVINA FARMER'S MARKET AND FAMILY NIGHT EVENTS.

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; and

WHEREAS, the City of Covina will advance funds to Harry Brown-Hiegel for start-up costs associated with the Market. Harry Brown-Hiegel, of the Covina Farmers' Market and Family Night will reimburse these funds to the City by June 30, 2012. In addition, Harry Brown-Hiegel agrees to remit to the City twenty-five percent (25%) of booth fees collected.

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's operating budget as follows:

1010340051600 (expenditure)	\$2,500
1010340052120 (expenditure)	\$700
1010340054610 (expenditure)	\$500
1010340043320 (revenue)	\$5,800

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

PASSED, APPROVED AND ADOPTED this 20th day of March, 2012.

Mayor, City of Covina

ATTEST:

City Clerk, City of Covina

APPROVED AS TO FORM;

City Attorney

CERTIFICATION

I, Catherine M. LaCroix, Deputy City Clerk of the City of Covina, hereby CERTIFY that Resolution No. 12-7055 was adopted by the Covina City Council at a regular meeting of the City Council held this 20th day of March, 2012, and was approved and passed by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Catherine M. LaCroix
Deputy City Clerk

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: March 20, 2012

ITEM NO.: CC 8

STAFF SOURCE: Amy Hall-McGrade, Parks & Recreation Director *JHA*
Veronica Van Anrooy, Management Analyst *WA*

ITEM TITLE: Adopt **Resolution No. 12-7056** amending the fiscal year 2011-2012 Library Services Division's operating budget to expend the California's Family Place Library Grant Funds under the Library Services and Technology Act (LSTA) grant from the Institute of Museum and Library Services to support the development of California libraries and the usage of restricted funds from the Kai & Ruth Molich Revocable Living Trust donation.

STAFF RECOMMENDATION

Adopt **Resolution No. 12-7056** amending the fiscal year 2011-2012 Library Services Division's operating budget to expend the California's Family Place Library Grant Funds under the Library Services and Technology Act (LSTA) grant from the Institute of Museum and Library Services to support the development of California libraries and the usage of restricted funds from the Kai & Ruth Molich Revocable Living Trust donation.

FISCAL IMPACT

The Family Place grant expenditures will be \$15,000. In addition to the grant, it is estimated that we will use \$10,000 for the building improvements which will be covered by the donation received in August 2010. The account numbers requiring amendment are as follows:

28203900-54590 FAMPL Recreation Supplies	\$8,774
28203900-54100 FAMPL Books	\$4,871
28203900-54510 FAMPL Arts and Crafts Supplies	\$1,355
28203900-51600 FAMPL Recreation Program Fees	\$750
29703900-53990 Other Services and Charges	\$2,000
29703900-52400 Building Maintenance	\$10,000
28203900-42090 FAMPL Revenue	\$15,750
29703900-48100 Donation – Library Services Donation	\$12,000

BACKGROUND

In August 2011, the Library staff applied for the "California's Family Place Library Program" Training Institute. The training was valued at \$10,000 for each library and was awarded to ten libraries in the State. The Children's Librarian and the Parks & Recreation Director attended the Family Place Training Institute held in the city of Carson, September 19-22, 2011. Attending the Training Institute was the first step required for the Covina Public Library to become a Family Place Library.

The next phase of the process was to submit a grant application for \$15,000 that would be used to redesign the children's area, purchase educational/manipulative toys, and develop parenting collections for the children's area (and possibly in the adult section as well). In addition, the funds would be used

to create removable children's play spaces in the Community Room for the mandatory family workshops. At the October 18, 2011 City Council meeting authorization was given to apply for the grant. The Library was successful in receiving the \$15,000 grant.

The Family Place Library Model was developed in 1979 at the Middle Country Public Library in Centereach, New York. A Family Place Library is defined as a center for early childhood information, parent education, emergent literacy, socialization, and family support. Expanding the traditional role of children's services, Family Place builds on the knowledge that good health, early learning, parental involvement, and supportive communities play a critical role in young children's growth and development.

There are seven core components of a Family Place Library, which include:

- Collections of books, educational toys, music and multimedia materials for babies, toddlers, parents, and service providers;
- A specially designed, welcoming space within the children's area for families with young children;
- The Parent/Child Workshop – a five-week program that engages toddlers and their parents and caregivers; features local professionals who serve as resources for parents; emphasizes the role of parents as the first teachers of their children; facilitates early intervention; and teaches strategies for healthy child development and early literacy;
- Coalition-building with community agencies that serve families and young children to connect parents to community resources and develop programs and services tailored to meet local needs;
- Outreach to new and nontraditional library users, especially parents and very young children (beginning at birth);
- Developmentally appropriate programming for very young children and their parents;
- Library staff trained in family support, child development, parent education, and best practices.

The Library staff are in the process of developing the first Parent/Child Workshop, creating a family-friendly place in the children's area, developing a print collection for parents/caregivers, and collaborating with local service providers to bring a variety of early childhood resource specialists to participate in the Parent/Child Workshop. These steps will aid the Library in significantly augmenting its level of service to parents and caregivers in the community. The long-range goal is to improve and enhance library services for all ages in the community, and in so doing, build a rich readership and stronger community involvement.

Due to specific grant requirements, the building improvements including but not limited to painting and carpet replacement cannot be completed with the grant funds. Therefore, the use of the restricted funds from the Kai & Ruth Molich Revocable Living Trust donation will assist in creating a welcoming atmosphere in the Children's service area.

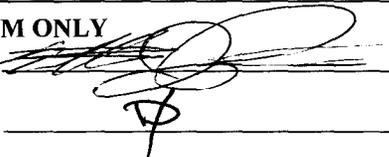
RELEVANCE TO THE STRATEGIC PLAN

The Family Place grant funds will provide an opportunity to enhance the children's area and provide the Library with the ability to serve young children and families in a healthy and appropriately designed environment. This is one of the three-year goals of the current Strategic Plan.

EXHIBITS

- A. Resolution No. 12-7056

REVIEW TEAM ONLY

City Attorney: 

Finance Director: 

City Manager: 

Other: _____

RESOLUTION NO. 12-7056

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, TO AMEND THE FISCAL YEAR 2011-2012 LIBRARY SERVICES DIVISION'S OPERATING BUDGET TO EXPEND THE CALIFORNIA'S FAMILY PLACE LIBRARY GRANT FUNDS UNDER THE LIBRARY SERVICES AND TECHNOLOGY ACT (LSTA) GRANT FROM THE INSTITUTE OF MUSEUM AND LIBRARY SERVICES TO SUPPORT THE DEVELOPMENT OF CALIFORNIA LIBRARIES AND THE USAGE OF RESTRICTED FUNDS FROM THE KAI & RUTH MOLICH REVOCABLE LIVING TRUST DONATION.

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 program supplies and building improvements for the Library will be covered through Family Place grant funds and donations from the Library Services donation funds.

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 Library's operating budget as follows:

28203900-54590 FAMPL Recreation Supplies	\$8,774
28203900-54100 FAMPL Books	\$4,871
28203900-54510 FAMPL Arts and Crafts Supplies	\$1,355
28203900-51600 FAMPL Recreation Program Fees	\$750
29703900-53990 Other Services and Charges	\$2,000
29703900-52400 Building Maintenance	\$10,000
28203900-42090 FAMPL Revenue	\$15,750
29703900-48100 Donation – Library Services Donation	\$12,000

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

PASSED, APPROVED AND ADOPTED this 20th day of March, 2012.

Mayor, City of Covina

ATTEST:

City Clerk, City of Covina

APPROVED AS TO FORM;

City Attorney

CERTIFICATION

I, Catherine M. LaCroix, Deputy City Clerk of the City of Covina, hereby CERTIFY that Resolution No. 12-7056 was adopted by the Covina City Council at a regular meeting of the City Council held this 20th day of March, 2012, and was approved and passed by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Catherine M. LaCroix
Deputy City Clerk

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: March 20, 2012

ITEM NO.: CC 9

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

ITEM TITLE: Resolution Authorizing Fiscal Year 2011-12 Budget Adjustments

STAFF RECOMMENDATION

Adopt **Resolution No. 12-7057** authorizing budget adjustments for Fiscal Year 2011-2012.

FISCAL IMPACT

The fiscal impact is detailed in Exhibit A. Because these requests include increases to revenue, there is a net positive benefit to the General Fund of \$750.

BACKGROUND

Annually, the City adopts a budget including revenue and expenditures. The appropriation is amended by prior-year carryovers and changes authorized by the City Council during the fiscal year. Any increases in appropriation require Council approval.

The requested increases are due in part, emergency tree trimming that was required during the last serious wind storm in late 2011, as well as added responsibilities due to the elimination of CRA. Other increases are requested as a result of increased participation in Senior Service classes, and emergency repair to a pool filter controller, and the costs of providing the hanging of banners in the City. As noted in the Fiscal Impact section, all of the requested increases are offset by additional revenue, resulting in budgeted net increase of revenue over expenditures.

RELEVANCE TO STRATEGIC PLAN:

There is no relevance to the strategic plan.

EXHIBITS

- A) Schedule of budget adjustments
- B) Resolution No. 12-7057

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

City of Covina
 Budget Adjustments
 FY 11-12

Fund	Account Number	Activity	Requested Amount	Description
1010				
1010	1010-3100-52990	Other Property Services	1,000	Banner hanging charges
1010	1010-3100-43328	Community Involvement	(2,500)	Banner hanging fees
1010	1010-3400-52690	Rentals - Other Equipment	1,500	Fencing rental for Puente Avenue property
1010	1010-3400-43320	Park Facility Fees	(750)	Fencing rental reimbursement from CVUSD
1010	1010-3400-52330	Tree Trimming	3,000	Emergency tree trimming due to high winds
1010	1010-AQ06-42240	Prop A Revenue	(6,000)	Prop A reimbursement
1010	1010-AQ06-52405	General Maintenance	6,000	Pool filter controller emergency repair
1010	1010-SS03-43337	Senior Class Revenue	(10,500)	Increased class registration
1010	1010-SS03-50015	Part-Time Salaries	1,500	Increase in part-time salaries for arthritis exercise staff
1010	1010-SS03-51350	Instructor Fees	6,000	Increase instructor payments
1010 Total			\$ (750)	

RESOLUTION NO. 12-7057

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
COVINA, CALIFORNIA, AUTHORIZING FISCAL YEAR 2011-12
BUDGET ADJUSTMENTS**

WHEREAS, on June 21, 2011, the City Council of the City of Covina adopted Resolution No. 11-6982, approving a spending plan and authorizing a budget appropriation of the City Council; and

WHEREAS, certain programs included in the FY11-12 budget will have expenditures which vary from the adjusted budget; and

WHEREAS, the City Council desires that the FY11-12 budget be adjusted for each of these programs to assure budgetary compliance; and

WHEREAS, the cost center adjustments are reported in Exhibit A of this resolution; and

NOW, THEREFORE, the City Council of the City of Covina does hereby resolve that certain budget adjustments (listed in Exhibit A) in the City of Covina Fiscal Year 2011-2012 Budget are adopted and the City Manager is authorized to implement the same.

PASSED, APPROVED AND ADOPTED this 20th day in March, 2012.

Mayor of the City of Covina, California

ATTEST:

Kay Manning
City Clerk

APPROVED AS TO FORM:

City Attorney

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: March 20, 2012

ITEM NO.: CC 10

STAFF SOURCE: Daryl Parrish, City Manager

ITEM TITLE: Consider renewing General Services Agreement with County of Los Angeles

STAFF RECOMMENDATION:

Adopt **Resolution No. 12-7058**, requesting the County of Los Angeles to renew the General Services Agreement between the City of Covina and the County of Los Angeles for a five-year period commencing July 1, 2012 through June 30, 2017.

FISCAL IMPACT:

Services provided and accounted for in the General Fund will be affected by the agreement and will be included in the appropriate budgets each fiscal year.

BACKGROUND:

Since 1977 the City of Covina has entered into a General Services Agreement (GSA) with the County of Los Angeles. This agreement is subject to renewal every five years and has a current expiration date of June 30, 2012. Services provided under the GSA primarily consist of miscellaneous services which the City requests from the County on an "as-needed" basis. They include functions such as prosecution of city ordinances, direct assessment collection, and a variety of public works services. This agreement does not cover ongoing and specific services such as animal care and control as these services are provided by County Departments through Specific Service Agreements.

RELEVENCE TO STRATEGIC PLAN:

Meets the customer service requirement of the Strategic Plan

EXHIBITS:

- A. General Services Agreement
- B. Resolution No. **12-7058**

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

RESOLUTION NO. 12-7058

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF COVINA, CALIFORNIA, REQUESTING THE COUNTY
OF LOS ANGELES TO RENEW THE GENERAL SERVICES
AGREEMENT BETWEEN THE CITY OF COVINA AND THE COUNTY
OF LOS ANGELES FOR A PERIOD OF FIVE YEARS COMMENCING
JULY 1, 2012 AND EXPIRING JUNE 30, 2017**

WHEREAS, since 1977 the City of Covina has received General Services on an “as needed” basis from the County of Los Angeles; and

WHEREAS, these services consist of miscellaneous services such as prosecution of city ordinances, direct assessment collections and a variety of public works activities.

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

Section 1. The City of Covina is requesting to renew the General Services Agreement between the City of Covina and the County of Los Angeles for a period of five years commencing July 1, 2012 and expiring June 30, 2017.

Section 2. The City Clerk shall certify to the passage and adoption of this resolution and shall send a certified copy to the Chief Administrative Officer of the County of Los Angeles.

APPROVED AND ADOPTED this 20th day of March 2012.

Mayor

ATTEST:

, City Clerk

APPROVED AS TO FORM:

Marco Martinez, City Attorney

EXHIBIT B

GENERAL SERVICES AGREEMENT

COPY

THIS GENERAL SERVICES AGREEMENT ("Agreement"), dated for purposes of reference only, June 1, 2012, is made by and between the County of Los Angeles, hereinafter referred to as the "County", and the City of Covina, hereinafter referred to as the "City."

RECITALS:

(a) The City is desirous of contracting with the County for the performance by its appropriate officers and employees of City functions.

(b) The County is agreeable to performing such services on the terms and conditions hereinafter set forth.

(c) Such contracts are authorized and provided for by the provisions of Section 56½ of the Charter of the County of Los Angeles and Section 51300, *et seq.*, of the Government Code.

THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. The County agrees, through its officers and employees, to perform those City functions, which are hereinafter provided for.

2. The City shall pay for such services as are provided under this Agreement at rates to be determined by the County Auditor-Controller in accordance with the policies and procedures established by the Board of Supervisors.

These rates shall be readjusted by the County Auditor-Controller annually effective the first day of July of each year to reflect the cost of such service in accordance with the policies and procedures for the determination of such rates as adopted by the Board of Supervisors of County.

3. No County officer or department shall perform for said City any function not coming within the scope of the duties of such officer or department in performing services for the County.

4. No service shall be performed hereunder unless the City shall have available funds previously appropriated to cover the cost thereof.

5. No function or service shall be performed hereunder by any County officer or department unless such function or service shall have been requested in writing by the City on order of the City Council thereof or such officer as it may designate and approved by the Board of Supervisors of the County, or such officer as it may designate, and each such service or function shall be performed at the times and under circumstances which do not interfere with the performance of regular County operations.

6. Whenever the County and City mutually agree as to the necessity for any such County officer or department to maintain administrative headquarters in the City, the City shall furnish at its own cost and expense all necessary office space, furniture, and furnishings, office supplies, janitorial service, telephone, light, water, and other utilities. In all instances where special supplies, stationery, notices, forms and the like must be issued in the name of the City, the same shall be supplied by the City at its expense.

It is expressly understood that in the event a local administrative office is maintained in the City for any such County officer or department, such quarters may be used by the County officer or department in connection with the performance of its duties in territory outside the City and adjacent thereto provided, however, that the performance of such outside duties shall not be at any additional cost to the City.

7. All persons employed in the performance of such services and functions for the City shall be County employees, and no City employee as such shall be taken over by the County, and no person employed hereunder shall have any City pension, civil service, or other status or right.

For the purpose of performing such services and functions, and for the purpose of giving official status to the performance hereof, every County officer and employee engaged in performing any such service or function shall be deemed to be an officer or employee of said City while performing service for the City within the scope of this agreement.

8. The City shall not be called upon to assume any liability for the direct payment of any salary, wages or other compensation to any County personnel performing services hereunder for the City, or any liability other than that provided for in this agreement.

Except as herein otherwise specified, the City shall not be liable for compensation or indemnity to any County employee for injury or sickness arising out of his employment.

9. The parties hereto have executed an Assumption of Liability Agreement approved by the Board of Supervisors on December 27, 1977 and/or a Joint Indemnity Agreement approved by the Board of Supervisors on October 8, 1991. Whichever of these documents the City has signed later in time is currently in effect and hereby made a part of and incorporated into this agreement as set out in full herein. In the event that the Board of Supervisors later approves a revised Joint Indemnity Agreement and the City executes the revised agreement, the subsequent agreement as of its effective date shall supersede the agreement previously in effect between the parties hereto.

10. Each County officer or department performing any service for the City provided for herein shall keep reasonably itemized and in detail work or job records covering the cost of all services performed, including salary, wages and other compensation for labor; supervision and planning, plus overhead, the reasonable rental value of all County-owned machinery and equipment, rental paid for all rented machinery or equipment, together with the cost of an operator thereof when furnished with said machinery or equipment, the cost of all machinery and supplies furnished by the County, reasonable handling charges, and all additional items of expense incidental to the performance of such function or service.

11. All work done hereunder is subject to the limitations of the provisions of Section 23008 of the Government Code, and in accordance therewith, before any work is done or services rendered pursuant hereto, an amount equal to the cost or an amount 10% in excess of the estimated cost must be reserved by the City from its funds to insure payment for work, services or materials provided hereunder.

12. The County shall render to the City at the close of each calendar month an itemized invoice which covers all services performed during said month, and the City shall pay County therefore within thirty (30) days after date of said invoice.

If such payment is not delivered to the County office which is described on said invoice within thirty (30) days after the date of the invoice, the County is entitled to recover interest thereon. Said interest shall be at the rate of seven (7) percent per annum or any portion thereof calculated from the last day of the month in which the services were performed.

13. Notwithstanding the provisions of Government Code Section 907, if such payment is not delivered to the County office which is described on said invoice within

thirty (30) days after the date of the invoice, the County may satisfy such indebtedness, including interest thereon, from any funds of any such City on deposit with the County without giving further notice to said City of County's intention to do so.

14. This Agreement shall become effective on the date herein-above first mentioned and shall run for a period ending June 30, 2017, and at the option of the City Council of the City, with the consent of the Board of Supervisors of County, shall be renewable thereafter for an additional period of not to exceed five (5) years.

15. In the event the City desires to renew this Agreement for said five-year period, the City Council shall not later than the last day of May 2017, notify the Board of Supervisors of County that it wishes to renew the same, whereupon the Board of Supervisors, not later than the last day of June 2017, shall notify the City Council in writing of its willingness to accept such renewal. Otherwise such Agreement shall finally terminate at the end of the aforescribed period.

Notwithstanding the provisions of this paragraph herein-above set forth, the County may terminate this Agreement at any time by giving thirty (30) days' prior written notice to the City. The City may terminate this Agreement as of the first day of July of any year upon thirty (30) days' prior written notice to the County.

16. This Agreement is designed to cover miscellaneous and sundry services which may be supplied by the County of Los Angeles and the various departments thereof. In the event there now exists or there is hereafter adopted a specific contract between the City and the County with respect to specific services, such contract with respect to specific services shall be controlling as to the duties and obligations of the parties anything herein to the contrary notwithstanding, unless such special contract adopts the provisions hereof by reference.

COPY

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officers.

Executed this _____ day of _____ 2012.

The City of Covina

By _____
Mayor

ATTEST:

City Clerk

THE COUNTY OF LOS ANGELES

By _____
Deputy

By _____
Chairman, Board of Supervisors

ATTEST:

SACHI A. HAMAI
Executive Officer/Clerk
of the Board of Supervisors

By _____
Deputy

APPROVED AS TO FORM:

JOHN F. KRATTLI
Acting County Counsel

By _____
Deputy

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: March 20, 2012

ITEM NO.: CC 11

STAFF SOURCE: Steve Henley, Public Works Director
Kalieh Honish, Assistant Director of Public Works
Alex Gonzalez, Senior Management Analyst



ITEM TITLE: Award Bid and Appropriation of Funds for Engineering Services to Create Final Designs and Construction Documents for Pedestrian Improvements at the Covina Metrolink Station, Project No. T-0814B, Federal Project No. HPLUL-5118(016)

STAFF RECOMMEDATION:

- a. Award Bid for Engineering Services to create Final Designs and Construction Documents for Pedestrian Improvements at the Covina Metrolink Station, Project No. T-0814B, Federal Project No. HPLUL-5118(016) to JMDiaz, Incorporated as the most qualified respondent in the amount of \$232,000.00; and
- b. Adopt **Resolution No. 12-7059** amending the Fiscal Year 2011-2012 Public Works Department, Transit Operations operating budget to reflect an appropriation of \$232,000.00 from Proposition A reserve funds 2400-0000-33000 to 2400-4350-55200-T814B for professional services to create Final Designs and Construction Documents for Pedestrian Improvements at the Covina Metrolink Station; and
- c. Authorize the City Manager or designee thereof to execute all related documents.

FISCAL IMPACT:

The Engineering Services portion of this project will be funded with Proposition A transportation funds and is not eligible for Federal reimbursement. The Construction portion of this project, which is estimated at \$1,030,860.00, will be funded with a Federal grant of \$500,000.00 and Proposition A and Proposition C transportation funds. Final design approval is expected to return to the City Council in October of 2012 and construction award is expected to return to the City Council in the spring of 2013.

BACKGROUND:

The City of Covina has been awarded a \$500,000.00 Federal earmark for construction of pedestrian and bicycle improvements at the Covina Metrolink station. In 2010 City staff completed preliminary environmental clearances on the project and also completed a separate federally funded bicycle and pedestrian planning study in the Covina Downtown area that studied the movements and interactions of pedestrians, bicycles and vehicles in and around the Covina Metrolink station. Using the results of the Downtown Covina Bicycle and Pedestrian Planning Study, which was approved by the City Council on September 20, 2011, staff developed a Request for Qualifications (RFQ) for Engineering Services to construct improvements at the Metrolink Station.

The RFQ was duly noticed and advertised in the local paper of record on October 27, 2011, with four engineering firms (Advantec Consulting Engineers, DMC Design Group, JMDiaz and KOA Corporation) submitting qualifications and sealed price proposals on November 14, 2011. As an engineering services procurement, company qualifications and references were the sole determining factors, price was not a determining factor in the initial selection of the top-rated respondents. The proposals were reviewed by the City Engineer, the Assistant Civil Engineer, and the Senior Management Analyst. JMDiaz was chosen based on: their extensive experience on SCRRA and UPRR rail projects, their experience in Covina on the Metrolink Parking Structure and the Covina Grade Crossing Study, their understanding of the financial constraints of the project as stated in their Statement of Qualifications (SOQ), the work history of the principals assigned to the project, and the recommendations for the project area contained in the SOQ. After the selection of JMDiaz, City staff began scope and price negotiations in December of 2011 and returned sealed price proposals to all other respondents. Staff provided a review of the procurement process to KOA Corporation on January 4, 2012 upon the request of KOA's Vice President.

The negotiated price of \$232,000.00 includes final designs, final construction and specifications documents and construction management services for full improvements at the Covina Metrolink Station that would include the installation of a pedestrian plaza, lighting, landscape, parking lot, signage and vehicle circulation improvements. The negotiated price also includes final design and construction documents for a second project that includes improvements on Citrus Avenue between Front Street and San Bernardino Road. The total estimated construction cost of the two projects that JMDiaz will provide engineering services for are \$1,785,664.00, leading to a total estimated cost of \$2,017,664.00 if both projects are designed and built. Based on the estimated cost of both projects, JMDiaz's engineering and design services would account for 8.69% of total project costs. This estimate was determined to be reasonable based on the cost of design and engineering services for similar projects. Although there are currently no funds to construct the improvements on Citrus Avenue between Front Street and San Bernardino Road, having design and construction documents in hand will facilitate the City's ability to apply for state and federal funding for these improvements in the future.

RELEVANCE TO THE STRATEGIC PLAN:

The redesign of the Covina Metrolink Station would contribute to the City's goal of being a sustainable community, as it would enhance the use of alternative modes of transportation, provide improvements to pedestrian safety and update the twenty year old Covina Metrolink station so that it remains an important regional transportation hub in the San Gabriel Valley.

EXHIBITS:

- A. Resolution No. 12-7059
- B. JMDiaz Scope of Services
- C. JMDiaz Statement of Qualifications

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

EXHIBIT A

RESOLUTION NO. 12-7059

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, TO AMEND THE FISCAL YEAR 2011-2012 PUBLIC WORKS DEPARTMENT, TRANSIT OPERATIONS OPERATING BUDGET TO REFLECT AN APPROPRIATION OF \$232,000.00 FROM PROPOSITION A RESERVE FUNDS 2400-0000-33000 TO 2400-4350-55200-T814B FOR PROFESSIONAL SERVICES TO CREATE FINAL DESIGNS AND CONSTRUCTION DOCUMENTS FOR PEDESTRIAN IMPROVEMENTS AT THE COVINA METROLINK STATION.

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; and

WHEREAS, the City of Covina wishes to design and develop construction and bidding documents which will lead to the construction of pedestrian improvements at the Covina Metrolink Station.

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 Public Works Department, Transit Operations operating budget as follows: \$232,000.00 from Proposition A reserve funds 2400-0000-33000 to 2400-4350-55200-T814B for professional services to create Final Designs and Construction Documents for Pedestrian Improvements at the Covina Metrolink Station, Project No. T-0814B, Federal Project No. HPLUL-5118(016)

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

PASSED, APPROVED AND ADOPTED this 20th day of March, 2012.

Kevin Stapleton, Mayor

ATTEST:

Kay Manning, City Clerk

APPROVED AS TO FORM:

Marco Martinez, City Attorney



Scope of Work

JMD has developed the following scope of services for Pedestrian Improvements at the Covina Metrolink Station (Alternative A) as well as Citrus Avenue roadway improvements (Option C) to meet the City's objectives.

Phase I – Preliminary Design

Task I-1: Project Management, Meetings & Coordination

JMD will provide project administration, attend up to six (6) project coordination meetings with City staff and conduct coordination activities for the project. JMD will provide monthly progress reports along with monthly invoicing.

Task I-2: Research, Data Collection, Utility Coordination

JMD will gather available data consisting of as-built plans, studies including existing topography, utilities and proposed improvements from the City. JMD will prepare preliminary base plans to verify existing features relevant to the proposed improvements during field reviews. JMD will also conduct utility coordination to verify the presence of existing utilities in the proposed improvement areas.

Task I-3: Field Survey, ROW Engineering and Mapping

JMD's, surveying subconsultant, CNC Engineering, Inc. (CNC), will conducting detailed field survey, right of way engineering and topographic mapping for the following project elements:

Alternative A (Metrolink Station Parking Lot)

1. Establish vertical and horizontal controls using the nearest County bench mark and the basis of bearing of the nearest parcel map to the site available.
2. Survey grades and surface culture including planters, signs as well as surface utility features such as light poles, vaults and meters within the parking lot which measures approximately 800' long by 182' wide and within the railroad track area between N. Citrus Ave and 200' east.
3. Spot grade and finish surface elevations along approximately 300' of the easterly half of N.

Citrus Ave beyond the raised medians along the back of sidewalk, top of curb, gutter flow line and edge of gutter at 25-ft intervals, at grade breaks, angle points, BC's and EC's.

Survey data will be electronically downloaded to our computer and processed for mapping. Mapping will be at 1"=20' with 1-foot contour intervals. Mapping will also show right-of-way and parcel boundary lines based on the latest available parcel maps and centerline monument ties found in the field.

Option C (Citrus Avenue Improvements)

1. Using vertical and horizontal controls established under Alternative A, CNC will perform cross section survey of N. Citrus Ave at 50' intervals from the centerline of W. Geneva Place to the south to approximately 50' beyond the curb returns at Front Street. Cross sections will include elevations at the back of sidewalk, top of curb and flow line, edge of gutter, lane lines and crown line.
2. Survey grades and surface culture including planters, signs as well as surface utility features such as light poles, vaults and meters within the limits described in item 1.

Deliverables:

- Field notes and digital map of the field survey including contours, spot elevations and property boundaries.

Utility Investigation

1. CNC will request copies of available record drawings of existing utilities within the project limits from utility purveyors serving the area and transfer the information on the record drawings onto the base map.

Assumptions

1. If necessary, the City and/or LACMTA will provide a flagman during field survey adjacent to tracks.
2. Fees for permitting and flagging are not included in this proposal.

Exclusions

Work relating to any of the following tasks is not included, but can be completed by CNC if requested



under an addendum to this proposal/contract for an additional fee.

1. Design services for any improvements
2. Construction Survey services
3. Utility Potholing
4. Payment of any fees for permits, processing, recordation or approval of any documents
5. Coordination or processing through any outside agencies

Additional scope details and assumptions are included in CNC's proposal enclosed.

Task I-4: Advance Preemption Time (APT) Calculations

JMD will perform Advance Preemption Time (APT) calculations to determine the minimum required APT for the Citrus Avenue at-grade crossing in order to clear vehicles between Front Street and the grade crossing prior to the arrival of a train.

Task I-5: Lighting Analysis

JMD will perform parking lot lighting analysis of current conditions along with a comparison of proposed lighting conditions. The analysis findings will consist of a proposed lighting level plan of the proposed Covina Metrolink Station parking lot.

Task I-6: Project Design Concept Report

JMD will prepare a concise Project Design Concept Report (PDCR), following project definition of proposed landscaping, station signage and parking lot improvements. The PDCR will define the desired improvements, cost and schedule to verify available funding is sufficient for the project.

Phase II – 60% PS&E Design

Task II-1: 60% PS&E Design

Following approval of the PDCR by the City, JMD will prepare preliminary construction plans, specifications and opinion of probable construction costs for the proposed station and roadway improvements. Plans will comply with regulations and standards of the City and State of California, as applicable. The following describes the specific design plans included in this proposal:

a. Title Sheet

JMD will prepare a title sheet containing a vicinity map, general and construction notes, construction legend, list of affected utilities, a drawing list and other details.

b. Typical Sections and Detail Plans

JMD will prepare typical sections and details at appropriate scales to illustrate existing and proposed parking lot and roadway structural pavement sections as well as provide miscellaneous construction sections and details.

c. Site Layout Plan

JMD will prepare a site layout plan, at a scale of 1"=40', illustrating the proposed parking lot layout including entrance details at Citrus Avenue.

d. Grading and Drainage Plans

JMD will prepare grading and drainage plans illustrating proposed grading contours as well as surface drainage facilities.

e. Composite Utility Plan

JMD will prepare a composite utility plan showing existing and proposed utilities within the project area.

f. Erosion Control Plan

JMD will prepare an erosion control plan denoting measures (i.e., sandbags) to protect inlets within the project area during construction.

g. Roadway Improvement Plans

JMD will prepare detailed roadway plans consisting of plan and profile at a scale of 1"=20' (horizontal) and 1"=4' (vertical), on City title block and detailing existing and proposed roadway features and details. The roadway plans will include recommended access ramps, driveways, and sidewalk improvements, as appropriate.

h. Signing and Striping Plans

JMD will prepare detailed signing and striping plans at a scale of 1"=40' using the City-provided title block. These plans will identify existing and proposed signing and striping features including bikeway features.



i. Station Signage Plans

Our subconsultant, SKA Design, will prepare station signage plans consistent with Metrolink's standards. Signage plans will include a station entrance sign as well as directional signage between the Metrolink Station and parking structure on each side of Citrus Avenue, respectively.

In preparing these plans, SKA Design proposes the following tasks:

D.1 Planning and Schematic Design

- D.1.1 Review project goals and objectives with the Project Team.
- D.1.2 Define the requirements for project signing, including:
 - D.1.2a Review of architectural and landscape plans, and material specifications.
 - D.1.2b Review Client's existing graphics and signage standards.
 - D.1.2c Conduct a walk-through of the project area to photo-survey and document existing conditions.
- D.1.3 Prepare a preliminary programming package consisting of:
 - D.1.3a Understanding and analysis of site conditions and architectural plans.
 - D.1.3b Identification and location of key decisions points for vehicular and pedestrian traffic.
 - D.1.3c Drawings that describe each sign type in simple graphic form (Sign Type Menu).
 - D.1.3d Site plans showing typical locations of sign types (Sign Location Plans).
 - D.1.4 Develop schematic design concepts for primary sign types.
 - D.1.5 Meet with Project Team to review the preliminary programming and designs for approval.

- D.1.6 Two (2) meetings are included in this phase.

D.2 Design Development

- D.2.1 Develop design concepts for signs based on Metrolink and City of Covina sign standards.
- D.2.2 Prepare preliminary signage design development documents consisting of design drawings for sign types that include proposed materials, dimensions and illumination methods.
- D.2.3 Submit preliminary designs to the Project Team.
- D.2.4 Finalize designs based upon review comments.
- D.2.5 Prepare preliminary budget estimate for fabrication and installation costs.
- D.2.6 Prepare final design submittal.
- D.2.7 Issue final designs to Project Team.
- D.2.8 Attend one (1) design coordination/presentation meeting with Project Team.

D.3 Contract Documentation

- D.3.1 Review with Project Team final comments to design development documents.
- D.3.2 Prepare comprehensive sign programming documentation consisting of:
 - D.3.2a Site plans showing locations of all sign types (Sign Location Plans).
 - D.3.2b A list of sign messages, locations, type and quantity (Graphics Schedule).
- D.3.3 Prepare detailed drawings of each sign type.
- D.3.4 Prepare technical specifications for sign fabrication and installation.
- D.3.5 Submit preliminary documentation package to Project Team for review and comment.
- D.3.6 Revise all sign programming and design documents per Project Team review comments.



- D.3.7 Submit revised documentation package to Project Team for review and final comment.
- D.3.8 Prepare 100% documentation bid package.
- D.3.9 Issue 100% documentation package to Project Team for bidding.
- D.3.10 One (1) meeting is included in this phase.

D.4 Bidding and Construction Observation

- D.4.1 Assist Client in bidding and negotiating with fabricators.
- D.4.2 Answer questions and clarify documents during fabrication.
- D.4.3 Review shop drawings and material submittals.
- D.4.4 Visit contractor's shop to inspect product once during fabrication to ensure proper execution of work.
- D.4.5 Conduct one (1) on-site review with fabricator prior to installation to ensure proper execution of contract.
- D.4.6 Conduct post-installation site walk with Project Team.
- D.4.7 Prepare punch list of sign fabrication and installation corrections.
- D.4.8 Prepare as-built drawings for signage.
- D.4.9 Three (3) meetings are included in this phase.

E. DELIVERABLES

- E.1 One (1) planning/schematic design submittal
- E.2 One (1) design development presentation and submittal
- E.3 Two (2) contract documentation submittals (90% and 100%)

Additional scope details and assumptions are included in SKA Design's proposal enclosed.

j. Traffic Signal Modification Plans

JMD will prepare traffic signal modification plans for two signalized intersections to be modified. The traffic signal modification plans will be prepared at

a scale of 1"=20' and will include equipment schedules, conductor schedules as well as detail signal equipment modifications and traffic signal loop replacement.

k. Parking Lot Lighting Plans

JMD will analyze illumination levels required and prepare parking lot lighting plans at a scale of 1"=40' and detailing proposed and existing lighting conditions. Lighting plan designs will be coordinated with our landscape architect, Larry Moss and Associates, to ensure that proposed trees do not conflict and impede illumination levels required for proposed lighting.

l. Landscaping and Irrigation Plans

Our landscape architect subconsultant, Larry Moss and Associates (LRMA), will prepare landscaping and irrigation plans at appropriate scales to detail proposed landscaping features and related irrigation within proposed sidewalks and raised median islands, as applicable.

In preparing these plans, LRMA proposes the following tasks:

I. Conceptual Design Phase

- Plant Palette: LRMA proposes an extensive plant palette for each type of planting zone located within the project limits. The deliverable for this task includes a plan showing the delineation of the various planting zones and a visual graphics board showing the corresponding plants of each zone. An emphasis will be made on using drought tolerant plant species, if possible.
- Coordination Meetings: LRMA will attend and participate in a site investigation meeting and coordination meeting to review the proposed plant palette. This task assumes two (2) meetings.

II. Construction Documents

- The Construction document package will comprise of plans, details, specifications and construction cost estimates. They will be submitted to the City, via JMD, for review at 60%, 90% and 100% completion. After which a final set of bid documents will be submitted.



- Planting Plan & Details: LRMA will revise and complete a detailed planting plan and corresponding details per the City's review. LRMA's deliverable for this task will be a drafted planting plan.
- Irrigation Plan & Details: LRMA will provide a detailed layout plan and supporting details for all site amenities designated within LRMA's scope and within the project limits.
- Specifications: LRMA will revise the specifications for all work designated within LRMA's scope of work.
- Cost Estimate: LRMA will revise and update the cost estimate of all the labor and materials related to the landscape and site amenities.
- Coordination Meetings: LRMA will participate in total of (2) coordination meetings with JMD and the City and any other interested parties.

III. Bid & Construction Support

- LRMA's services for bid support will be provided on an "As-needed" basis, to be billed hourly. These services will include attending a pre-bid meeting, product submittal reviews and responding to Requests for Information/Clarification (RFIs/RFCs). Other services or services exceeding the (12) hour limit of this proposal will be charged as additional services.

Additional scope details and assumptions are included in LRMA's proposal enclosed.

m. Cross Sections

JMD will prepare cross sections at every 50 feet along Citrus Avenue between Front Street and Geneva Place.

n. Los Angeles County Storm Drain Connection Plan

JMD will develop a storm drain connection plan for proposed storm drain connections to storm drain systems owned and maintained by Los Angeles County. The plans will consist of plan and profile and will be prepared at a scale of 1"=20' (horizontal) and 1"=4' (vertical). The plans will detail catch basin relocations, if any.

o. Storm Water Pollution Prevention Plans (SWPPP)

JMD will prepare a Storm Water Pollution Prevention Plans (SWPPP) documentation including proposed best management practices (BMP) measures designed to prevent storm water pollution during construction and requiring installation of permanent post construction treatment measures for compliance with requirements established by the Regional Water Quality Control Board (RWQCB).

Optional Drawings

The following drawings are not currently included in this proposal due to the straightforward nature of the project as confirmed with City staff. JMD, however, can prepare optional plans described below following negotiation and scope amendment with City staff.

Intersection Plans

JMD will prepare detailed intersection plans at a scale of 1"=10', including intersection grids with elevations. The intersection plans will detail proposed widening and include curb ramps.

Grade Crossing Plan

JMD will prepare a detailed grade crossing plan consisting of plan and profile at a scale of 1"=20', on City title block and detailing existing and proposed grade crossing protection, features and details. The grade crossing plan will be prepared to comply with SCRR/Metrolink, UPRR and CPUC requirements.

Traffic Signal Interconnect Plans

JMD will prepare traffic signal interconnect plans covering the signalized intersections along Citrus Avenue between Cypress Street and San Bernardino Road. The traffic signal interconnect plans will be prepared at a scale of 1"=40' and will include interconnected signal details.

Traffic Control Plans

JMD will prepare detailed traffic control plans at a scale of 1"=40' for up to two construction phases for roadway segments and up to nine construction stages at major intersections, as needed.



Utility Relocation Plans

Due to the limited nature of the rehabilitation improvements, JMD has assumed that major utility relocation plans will not be necessary and are, therefore, not included in this proposal. However, JMD can prepare utility relocation plans, if required.

Task II-2: Hydrologic, Hydraulic and SUSMP Calculations and Report

JMD will perform hydrologic, hydraulic and Standard Urban Storm Water Mitigation Plan (SUSMP) calculations to determine the peak flow rate and mitigation flow rate required for the design of drainage facilities. The calculations and results will be presented in report format.

Task II-3: Specifications/Special Provisions

JMD will prepare technical specifications and Bid Package using the current Green Book format as provided by the City. JMD will provide hard copy and digital (MS Word) formatted specifications to the City. This task assumes that the City will provide boilerplate specifications and ultimately package these.

Task II-4: Construction Bid Items and Opinion of Probable Construction Cost

JMD will prepare a list of construction bid item quantities and construction cost estimates for the project elements, which will include a proposed item list, estimated quantities, and current unit cost resulting in line-item cost estimates. At the first plan check, a preliminary cost estimate will be developed for comparison with previous project budget estimates. Back-up of cost estimate calculations showing quantities and unit costs per sheet will be provided to the City for review with each submittal. During final design, JMD will prepare a final estimate to validate construction bids by contractors during the bidding process.

Task II-5: CPUC Diagnostic Meeting and Permitting

JMD will initiate the permitting process by scheduling and conducting a diagnostic meeting with representatives from the City, SCRRA, UPRR and CPUC to discuss the proposed improvements and initiate the railroad review process, if necessary. Upon the completion of preliminary

design, JMD will prepare and assist the City in submitting an application for proposed traffic signal and APT improvements at the intersection of Citrus Avenue and Front Street.

Phase III – Pre-Final (90%) PS&E Design

Task III-1: Address/Incorporate Comments and Prepare 90% Design

Based upon the comments received from the City's review of the preliminary design developed during the previous phase, construction documents for the project will be prepared in accordance with the Standard Plans for Public Works Construction (latest edition) and City of Covina Standard Plans, if applicable.

Phase IV – Final (100%) PS&E Design

Task IV-1: Address/Incorporate Comments and Prepare 100% Design

JMD will incorporate review comments from the reviewing entities for the plans, specifications and opinion of probable construction cost (PS&E).

Phase V – Approved/Camera Ready Design

Task V-1: Address/Incorporate Comments and Prepare Approved/Camera Ready Documents

JMD will address/incorporate appropriate final review comments and prepare the final approved PS&E package for bidding and advertising purposes. Signed and sealed original mylars of the plans, along with a sealed original hard copy and a diskette in MS Word format of the technical specifications, utility response files and all calculations and notes generated by the project will be submitted to the City. It is understood that the City will then duplicate the plans and specifications for bidding purposes.

Phase VI – Bidding and Advertisement

Task VI-1: Addenda Support and Responding to RFIs

JMD will assist the City with bidding and advertising support including the following:

- Issuing Addenda
- Attending the Pre-Bid Meeting
- Responses to RFI's
- Reviewing Bids



Phase VII – Design Support During Construction

JMD will assist the City during the construction phase by providing design support services including the following tasks:

Task VII-1: Pre-Construction Meeting Assistance

JMD will assist the City by attending the project's pre-construction meeting.

Task VII-2: Review RFIs, Shop Drawings, Submittals and Change Orders

JMD will assist the City by reviewing Requests for Information (RFIs), shop drawings, submittals and change orders, as applicable.

Task VII-3: Field Visits/Design Support

JMD will assist the City by conducting field visits and providing design support during the construction phase.

Task VII-4: Preparation of As-Built Plans

At the completion of construction, JMD will assist the City by preparing as-built plans for the project.

Deliverables

The following are the estimated plan sheets and related quantities for the project:

Plan Sheets	Qty
Title Sheet	1
Typical Sections and Detail Plan	1
Site Layout Plan	1
Grading and Drainage Plans	2
Composite Utility Plan	1

Erosion Control Plan	1
Roadway Improvement Plans	2
Signing and Striping Plans	3
Station Signage Plans	4
Traffic Signal Modification Plans	2
Traffic Signal Interconnect Plan	-
Parking Lot Lighting Plans	2
Landscaping Plans	3
Irrigation Plans	3
Traffic Control Plans (Optional)	-
Cross Sections	1
LA County Storm Drain Connection Plan	1
Total	28

Six (6) sets of plans will be provided to the City for review purposes during the project schedule.

Final specifications prepared in MS Word will be submitted to the City in CD digital format.

A SWPPP document will be prepared utilizing the RWQCB template and uploaded to the RWQCB website. A copy will be provided to the City for its records.

Assumptions

This scope of work has been prepared based on the following assumptions:

- Phase VII services are based on time and materials.
- Construction staking is an optional task.
- Engineering review time costs by Metrolink are assumed to be paid for by the City.



Cost Summary^a
Covina Pedestrian Improvements
 City of Covina
 Submitted by: JMD
 January 27, 2012

Draft

TASK	DESCRIPTION	NO. SHEETS	PRINCIPAL PROJ MGR \$250	Sr. PROJ ENGINEER \$180	Sr. DESIGNER/ENGINEER \$85	CADD DESIGNER \$85	INTERV. CLERICAL \$45	TOTAL LABOR HOURS	DIRECT COST ^b	TOTAL COST ^c	REMARKS
PHASE I - PRELIMINARY DESIGN											
I-1	Project Management/Meetings/Coordination (6 meetings) ^d		24	24			12	60	\$200	\$8,880	* Deliveries/Mileage/Reproduction
I-2	Research/Data Collection/Utility Coordination		2	8	16	24	24	74	\$1,600	\$7,040	* Potoling (2 locations)
I-3	Field Survey, ROW Engineering and Mapping		1	4	8	16	4	33	\$16,960	\$19,580	* CNC Engineering, Inc.
I-4	Advance Preemption Time Calculations ^c		1	8		12		21	\$60	\$2,080	* Deliveries/Mileage/Reproduction
I-5	Lighting Analysis ^c		1	8	12	8	2	31	\$50	\$2,920	* Deliveries/Mileage/Reproduction
I-6	Project Design Concept Report		8		8		8	24	\$12,440	\$15,080	* LMA and SKA
PHASE II - 80% PS&E DESIGN											
II-1a	Title Sheet (1 sheet)	1	1	2	4	12	8	27	\$60	\$2,000	* Deliveries/Mileage/Reproduction
II-1b	Typical Sections and Detail Plan (1 sheet)	1	1	2	4	16	12	35	\$70	\$2,450	* Deliveries/Mileage/Reproduction
II-1c	Site Layout Plan (1 sheet)	1	1	4	4	16	4	29	\$70	\$2,350	* Deliveries/Mileage/Reproduction
II-1d	Grading and Drainage Plans (2 sheets)	2	2	12	16	32	12	74	\$180	\$6,120	* Deliveries/Mileage/Reproduction
II-1e	Composite Utility Plan (1 sheet)	1	1	4	4	16	2	27	\$60	\$2,250	* Deliveries/Mileage/Reproduction
II-1f	Erosion Control Plan (1 sheet)	1	1	4	4	16	6	31	\$70	\$2,440	* Deliveries/Mileage/Reproduction
II-1g	Roadway Improvement Plans (2 sheets)	2	2	12	12	40	8	74	\$170	\$6,110	* Deliveries/Mileage/Reproduction
II-1h	Signing and Striping Plans (3 sheets)	3	1	8	8	28	4	49	\$120	\$4,040	* Deliveries/Mileage/Reproduction
II-1i	Station Signage Plans (10 sheets)	10	1	1				2	\$9,440	\$9,770	* SKA Design
II-1j	Traffic Signal Modification Plans (2 sheets)	2	2	16	32	64	30	144	\$320	\$11,030	* Deliveries/Mileage/Reproduction
II-1k	Parking Lot Lighting Plans (2 sheets)	2	1	8	8	20	6	43	\$100	\$3,580	* Deliveries/Mileage/Reproduction
II-1l	Landscaping and Irrigation Plans (6 sheets)	6	4	4				8	\$14,707	\$16,027	* Larry Moss & Associates
II-1m	Cross Sections	1		2	2	8	2	14	\$30	\$1,070	* Deliveries/Mileage/Reproduction
II-1n	LA County Storm Drain Connection Plan and Permit (1 sheet)	1	8	4	4	4	4	24	\$50	\$2,950	* Deliveries/Mileage/Reproduction
II-1o	Storm Water Pollution Prevention Plans (SWPPP) Documentation	2	2	8	4	12	6	32	\$90	\$2,920	* Deliveries/Mileage/Reproduction
II-2	Hydrologic, Hydraulic and SUSMP Calculations and Report	4	4	4	4	4	2	18	\$60	\$2,070	* Deliveries/Mileage/Reproduction
II-3	Specifications/Special Provisions	2	2	16				16	\$100	\$3,300	* Deliveries/Mileage/Reproduction
II-4	Construction Bid Items and Opinion of Probable Construction Cost	2	2	8		16	16	42	\$100	\$3,300	* Deliveries/Mileage/Reproduction
II-5	CPUC Diagnostic Meeting and Permitting	8			16	24	16	64	\$150	\$5,300	* Deliveries/Mileage/Reproduction
PHASE III - PRE-FINAL (90%) PS&E DESIGN											
III-1	Address/Incorporate Comments and Prepare 90% Design		22	80	80	270	80	532	\$1,850	\$44,600	* Deliveries/Mileage/Reproduction
PHASE IV - FINAL (100%) PS&E DESIGN											
IV-1	Address/Incorporate Comments and Prepare 100% Design		8	40	40	100	60	248	\$680	\$20,080	* Deliveries/Mileage/Reproduction
PHASE V - APPROVED/CAMERA READY PLANS											
V-1	Address/Incorporate Comments and Prepare Approved/Camera Ready Plans		2	2	8	20	8	40	\$100	\$3,100	* Deliveries/Mileage/Reproduction
PHASE VI - BIDDING AND ADVERTISING											
VI-1	Addenda Support and Responding to RFIs			2	2	4	1	9	\$20	\$755	* Deliveries/Mileage/Reproduction
PHASE VII - DESIGN SUPPORT DURING CONSTRUCTION											
VII-1	Preconstruction Meeting Assistance		1	8	4		2	15	\$40	\$1,710	* Deliveries/Mileage/Reproduction
VII-2	Review RFIs, Shop Drawings, Submittals and Change Orders		1	12	8		4	25	\$40	\$2,660	* Deliveries/Mileage/Reproduction
VII-3	Field Visits/Design Support		2	6	16	4			\$40	\$2,840	* Deliveries/Mileage/Reproduction
VII-4	Preparation of As-Built Plans		1	2	8	8	4	23	\$50	\$1,890	* Deliveries/Mileage/Reproduction
TOTAL ESTIMATED SHEETS/LABOR HOURS			34	118	323	336	794	363	1906		
TOTAL ESTIMATED DESIGN COST										\$222,172	

Notes:
 a Rates are subject to a 5% annual increase on January 1.
 b Assumes six (6) meetings for the entire project.
 c Assumes calculations/analysis for one scenario.
 d See scope of work for additional assumptions.



1. PROJECT TEAM



JMDiaz, Inc. (JMD), a California corporation, offers a wide range of transportation planning and civil engineering covering highways, land development, traffic, rail and transit projects for local and regional agencies, railroads and private entities in California.

Founded in 2001, JMD serves over 60 clients from its office in the City of Industry, California. Currently, JMD has a growing staff of 16 professionals and administrative staff.

Through the proven experience of its professionals and technical staff, JMD has earned a reputation of quality, commitment and responsiveness by providing innovative and timely design solutions on projects sponsored by private developers and public agencies. JMD's reputation is complemented by its values and commitment to improve quality of life as expressed in its mission statement:

"To provide responsive, innovative and effective solutions that improve quality of life."

In addition to its comprehensive qualifications, JMD is also certified with local agencies as a:

- Disadvantaged Business Enterprise (DBE)
- Minority Business Enterprise (MBE)
- Small Business Enterprise (SBE)
- Community Business Enterprise (CBE)

Services

JMD offers a wide range of services covering planning, engineering and management for public and private sector clients. These services, outlined in the table to the right, cover all phases of project development from conceptual design through construction. Such depth and diversity of services are among JMD's unique and distinguishing characteristics that have contributed to its growth and success.

Planning

- **Civil and Land Development**
Master Plans
Concept Design/Feasibility Studies
- **Highways/Roadways**
Project Study Reports/Project Reports
- **Rail**
Rail Corridor Feasibility Studies
Rail Safety/Grade Crossing Studies
Advance Preemption/Quiet Zone Studies
- **Structures**
Grade Separation Feasibility Studies
- **Traffic/Transit**
Parking Studies and Lighting Analysis
Safe Route to School Studies
Traffic Impact/Safety/Transit Studies
Traffic Calming Studies
Warrant Analysis

Engineering

- **Civil/Land Development**
Residential/Commercial Sites
Campus Expansions/Master Plans
- **Highway/Roadway Design**
Mainlines/Ramps/Interchanges
Roadway Rehabilitation/Streetscapes
Bikeways/Trails
- **Rail Design (Light, Commuter & Freight)**
Mainline/Industry/Shoofly Alignment
Grade Crossings/Stations/Quiet Zones
- **Structures**
Rail/Highway Grade Separations
- **Traffic/Transit Design**
Signing and Striping
Traffic Signals/Lighting/Traffic Control
Bus Rapid Transit Corridors/Stations
Parking Facilities

Management

- Project/Program Management
- Construction Observation



Services

JMD offers a wide range of services covering planning, engineering and management for public and private sector clients. These services cover all phases of project development from conceptual design through construction. Such depth of services is one of JMD's unique and distinguishing characteristics that have contributed to its success.

Service Areas

Planning

JMD develops planning studies for a host of transportation and land development projects. Planning studies for transportation projects include the development of project study reports and project reports related to highway projects involving State agencies such as Caltrans. JMD professionals are very familiar with Caltrans project development procedures, standards and requirements for State highways.

In addition, JMD prepares feasibility studies for a variety of projects including roadway and rail corridor projects as well as rail/highway grade separations, rail crossing safety and quiet zone projects requiring careful coordination with sensitive stakeholders, railroads and communities.

JMD staff is experienced in the development of traffic studies for site development and transportation projects. JMD staff have prepared traffic impact studies for land development projects including commercial, residential, school and large resort projects. These studies include traffic impact, access, circulation and parking studies.

Engineering

JMD offers expertise in several areas of civil engineering including highway, land, rail and traffic engineering. JMD experience includes the development of plans, specifications and estimates for a variety of facilities including freeways, roadways, streetscapes, traffic signals, lighting systems, light rail corridors, railroads, grade crossings and development sites. These projects have required JMD's expertise in roadway, grading, drainage, utility, signing & striping, traffic signals, lighting, traffic control, grade crossing, and track alignment design.

JMD has thorough knowledge of Federal, State, local agency and private entity project requirements as they relate to transportation and development projects. JMD staff are often coordinating project approvals with public agencies at all levels as well as developing sensitive projects requiring close coordination with political officials, railroads and local communities.

Management

JMD provides two types of management services, namely, project related management services and private business management consulting/advisory services. First, JMD provides project and program management services to public agencies in the development of transportation projects. These services include assisting local agencies in applying for State and local funding for the development of public works projects including roadway, trackwork and rail/highway grade separation projects. Second, JMD assists private companies by providing expert management consulting services to assist firms in developing strategies (e.g. growth, diversification, etc.) that focus on market penetration, management and project delivery to improve short and long-term performance.



CNC Engineering, Inc. has been in business in California for over 26 years providing County and municipal agencies and private clients with reliable, efficient and cost effective civil engineering and land surveying services. CNC has two (2) offices located in Industry and in Irvine that serve both within Los Angeles and Orange counties and beyond. CNC is a certified California Small Business Enterprise (SBE) and a certified Minority Owned Business Enterprise (MBE).

CNC's professional staff includes highly qualified professional civil and traffic engineers, registered land surveyors, land surveyors in training (LSITs), civil designers and CAD specialists. The staff relies on modern facilities with state-of-the-art equipment and automated design tools.



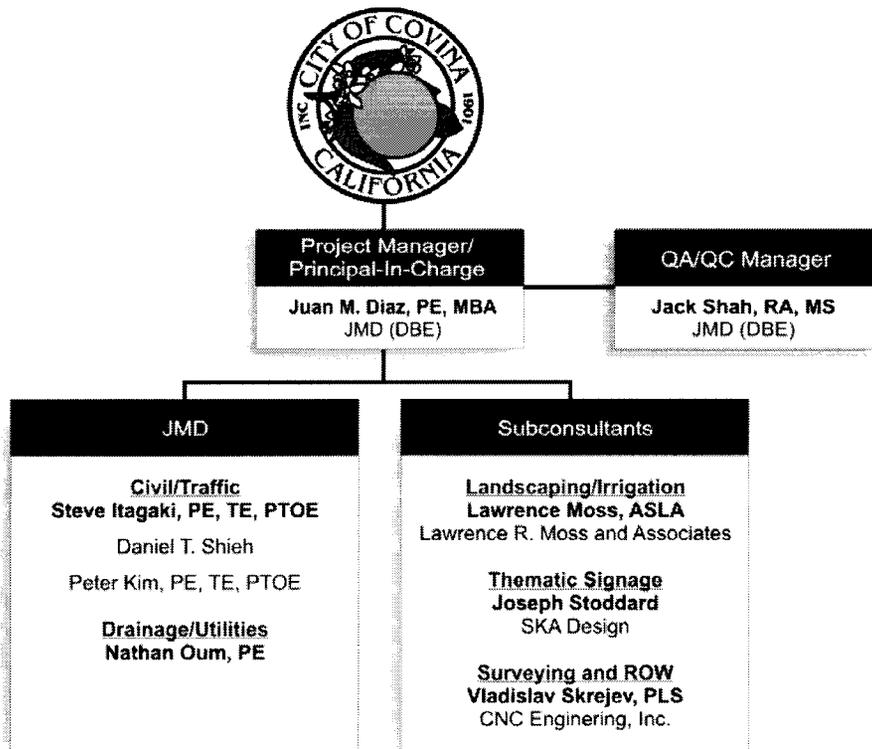
Lawrence R. Moss and Associates is a full service Landscape Architectural firm with over 43 years experience in all aspects of landscape design. LRM's experience includes streetscapes and urban spaces, parks and recreational facilities, commercial/industrial projects, as well as schools, colleges, and other institutional projects. LRM has also prepared design guidelines, landscaping and tree preservation ordinances, and developed signage and identity programs. LRM's services range from preliminary design and design development, through preparation of construction documents, bidding assistance, and construction management. LRM also performs master planning and site planning services, site analysis, and facilities needs assessments.



SKA Design is a professional consulting firm that provides environmental graphic design services. Environmental graphic design incorporates graphic elements into a signage and wayfinding program so that people may identify and navigate both the natural and built environment. This establishes, in concert with the architectural and engineering program, a cohesive statement that best complements the project and accomplishes the goal of wayfinding by using elements such as a variety of signage, graphics, maps, colors, materials and lighting.

Key Personnel

The JMD Team is composed of highly qualified staff which specializes in transit, highway, roadway and traffic engineering. Each member of the team has produced stations, highway, roadway, grade crossing, utility, traffic signal, signing and striping, traffic control and street lighting projects for a variety of clients in AutoCAD and MicroStation formats. The following are brief summaries of our professionals on the team.





Juan M. Diaz, PE, MBA

Role:	Project Manager/Principal-In-Charge
Registration:	PE, CA #C050813
Education:	<u>Cal. State Polytechnic Univ., Pomona:</u> Faculty, Railroad Eng., 2010-Present M.B.A. Business Administration, 1991 B.S. Civil Engineering, 1986 <u>Don Bosco Tech. Institute, Rosemead:</u> A.S. Building Technology, 1982
Firm:	JMDiaz, Inc. (JMD)

Mr. Diaz has over 26 years of professional engineering experience in the transportation planning and engineering industry. His extensive expertise in highway, rail, traffic and transit engineering has resulted in his management of major highway and rail transit projects in Southern California. Mr. Diaz has conducted studies and prepared designs for numerous agencies including Caltrans, LACMTA, SCRRA/Metrolink, OCTA, CPUC, Caltrans, NDOT, County of Los Angeles and numerous local agencies as well as local railroads in California and Nevada. His experience includes analysis and design of PS&E packages for rail transit and freight corridor projects.

As a former Metrolink representative and on-call railroad consultant, he has participated in numerous diagnostic review teams and developed CPUC exhibits for more than 320 at-grade crossing and grade separations within the Los Angeles Metro Rail and Metrolink systems. His diverse background and experience has resulted in his direct involvement in the analysis of train/vehicle/pedestrian circulation issues at rail/highway interfaces including interchanges, grade crossings and stations as well as quality of life projects including soundwalls and "quiet zones" associated with mitigating noise along rail corridors. His experience includes the following projects:

Relevant Experience

Commuter Rail (Metrolink)

- Metrolink Staff Augmentation, Public Projects Engineer – track alignment, crossings, stations, grade separations, bikeways, and utilities.
- Covina (Citrus Avenue) Grade Crossings, SCRRA/Metrolink

Transit Stations/Parking Facilities

- Metrolink Station Parking Structure, City of Covina
- Placentia Metrolink Station, OCTA
- Metrolink Station, City of Buena Park
- Metrolink Station Feasibility Study, City of Yorba Linda
- Oxnard Transportation Center (OTC) – Long-Term Parking Lot, City of Oxnard
- OTC – E. Fourth Street Parking Lot, City of Oxnard

Grade Crossings

- San Dimas Av. Grade Crossing, City of San Dimas
- Rancho Capistrano Grade Crossing, Continuing Life Communities
- Magnolia Av. Queue Cutter Signal, Riverside County
- Glendon Wy./El Centro Av. Rail Crossing Modification, South Pasadena
- Hueneme Road/Ventura County Railroad Crossing PS&E, Oxnard, CA
- Railroad St. Grade Crossing, Industry, CA

Quiet Zones

- Grade Crossing Safety Study, City of Covina
- Riverside (BNSF and UPRR) Quiet Zones, City of Riverside
- Perris Valley Line Quiet Zone, City of Riverside/RCTC
- Colton Quiet Zone, SANBAG/City of Colton
- Downtown San Diego Quiet Zone, CCDC

Streetscapes

- Santa Ana Street (Streetscape), Anaheim Redevelopment Agency
- Empire Av. Streetscape Project, City of Burbank
- Market St. (Streetscape) Project, City of Inglewood

Bikeway Facilities

- Redondo Beach Portion of Bay Cities Regional Bikeway (Class I, II and III), City of Redondo Beach
- Oxnard Boulevard Bicycle and Pedestrian (Class I) Facility, City of Oxnard
- Pasadena Subdivision Bike Trail (Class I, II and III), La Verne to Pomona, LACMTA



Jack Shah, R.A., M.S.

Role:	QA/QC Manager
Registration:	Registered in CA, TX and PA
Education:	M.S., Civil Eng. (Transportation & CM), Drexel University, Philadelphia, PA B.A., Architecture, M. S. University, Baroda, India
Firm:	JMDiaz, Inc. (JMD)

Mr. Shah has over 43 years of progressive managerial experience with governmental agencies and private organizations in program management, engineering design and construction. A former Manager of Stations for SCRRA/Metrolink, Mr. Shah oversaw and directed the design of over 47 rail stations in Southern California. Mr. Shah's experience includes extensive involvement in commuter rail station design, grade separations, QA/QC, VE, ADA compliance, design/construction management, scheduling software, CAE/CADD, budget preparation, and long range planning. His experience includes the following projects:

Relevant Experience

Metrolink Station Facilities

- Metrolink Station Parking Structure, City of Covina
- Anaheim Metrolink Station
- Burbank Multimodal Metrolink Station
- Burbank/Bob Hope Airport Metrolink Station
- Chatsworth Metrolink Station
- Commerce Metrolink Station
- Covina Metrolink Station
- Glendale Metrolink Station
- Industry Multimodal Metrolink Station
- Irvine Multimodal Transportation Center
- Laguna Niguel/Mission Viejo Metrolink Station
- Montclair Multimodal Metrolink Station
- Montebello Multimodal Metrolink Station
- Northridge Metrolink Station
- Ontario Multimodal Metrolink Station
- Orange Metrolink Station
- Placentia Metrolink Station
- Pomona Multimodal Metrolink Station
- Riverside Multimodal Metrolink Station
- San Bernardino Multimodal Metrolink Station
- San Clemente Multimodal Metrolink Station
- Santa Clarita Metrolink Station

- San Juan Capistrano Metrolink Station
- Simi Valley Metrolink Station
- Sun Valley Metrolink Station
- Sylmar/San Fernando Metrolink Station
- Van Nuys Metrolink Station
- Via Princessa Metrolink Station
- W. Corona Multimodal Metrolink Station

Steve Itagaki, PE, TE, PTOE

Role:	Task Manager – Civil/Traffic
Registration:	PE, CA #C 67470 TE, CA #TR2394 PTOE, CA #2156
Education:	B.S. Civil Engineering, California State Polytechnic University, Pomona, 1991
Firm:	JMDiaz, Inc. (JMD)

With over 20 years of civil engineering experience as a Project Manager, Steve has worked on a variety of highway, civil and traffic engineering projects for client cities, outside agencies, private sectors and California Department of Transportation (Caltrans). He is responsible for managing and preparing plans, specifications and estimates for highways, roadway improvements, traffic signal, street lighting, signing, striping and traffic control projects utilizing AutoCAD with AutoTurn, Microstation, and Lighting Programs ALADAN and Visual. His experience also includes traffic studies and reports utilizing the Highway Capacity Software (HCS), Intersection Capacity Utilization (ICU), Synchro, and SPEEDPLOT. Steve has been with JMD since June 2005. His experience includes the following projects:

Relevant Experience

Stations and Parking Facilities

- Placentia Metrolink Station, OCTA
- Oxnard Transportation Center, City of Oxnard

Bikeways

- BNSF Railroad Corridor Soundwall and Bike Trail Feasibility Study, City of Anaheim
- Cross Valley Connector Gap Closure and Class 1 Bike Trail, City of Santa Clarita

Roadways

- Rancho California Road Roadway Improvements, City of Temecula
- Highway 111 Signal and Street Improvements, City of Palm Desert



- Magnesia Falls Drive Street Improvements and New Bridge, City of Palm Desert

Traffic Signals

- Little Morongo Road/Mission Lakes Traffic Signal Design, City of Desert Hot Springs
- Jefferson Avenue/Sanborn Avenue and Redhawk Parkway/Overland Trail Traffic Signal Design, City of Temecula
- Hacienda Ave. at Mountain View Rd. Traffic Signal Design, City of Desert Hot Springs
- Country Club Drive/Via Scena-Plaza de Monterey, City of Palm Desert

Street Lighting

- Cypress Street Lighting, City of Irwindale (c/o Stephen A. Ormenyi and Associates)
- Balboa Peninsula Street Lighting Modification, City of Newport Beach
- Newport Heights Street Lighting Modification, City of Newport Beach
- Street Lighting Master Plan, City of Rosemead

Signing and Striping

- Patricia Birdsall Sports Complex Signing and Striping Improvements, City of Temecula
- Azusa Avenue Properties Street Improvements, City of Industry
- Engineering Design Services for Pechanga Parkway Phase II Improvements at Wolf Creek Drive South, City of Temecula
- Ramona Blvd./Montecito Dr., City of El Monte

Grade Crossings and Quiet Zones

- Glendon Way/El Centro Avenue Rail Crossing Modification, South Pasadena
- Hueneme Road/Ventura County Railroad Crossing PS&E, Oxnard, CA
- Railroad Street Grade Crossing Repairs, City of Industry, CA
- UPRR (Los Nietos Sub) Quiet Zone, City of Santa Fe Springs

Streetscapes

- Empire Avenue Streetscape, City of Burbank
- Market Street Streetscape, City of Inglewood
- Santa Ana Street Streetscape, City of Anaheim

Daniel Shieh

Role:	Civil
Registration:	EIT, PE (in process)
Education:	B.S. Civil Engineering, California State Polytechnic University, Pomona 1991 Associate of Science, General Engineering, El Camino College, Torrance, CA, 1988
Firm:	JMDiaz, Inc. (JMD)

Mr. Shieh has over 20 years of experience in transportation projects with emphasis in rail transit, highway, traffic, utility and land development. Mr. Shieh has completed multi-disciplined projects consisting of the preparation of plans, specifications (PS&E) for highways, roadway widening/ rehabilitation and light rail transit corridor projects in both AutoCAD and MicroStation platforms. His experience includes the following:

Relevant Experience

Stations

- Placentia Metrolink Station, OCTA
- Oxnard Transportation Center - East Fourth Street Parking Lot, City of Oxnard
- Oxnard Transportation Center Long Term Parking and Transit Related Improvements

Highways/Roadways

- I-710 Corridor EIR/EIS, LACMTA
- Rancho California Road Roadway Improvements, City of Temecula
- SR-134 Freeway Off-ramp at Buena Vista St.

Streetscapes

- Santa Ana Street Streetscape, Anaheim
- Valley Blvd. Beautification, City of Rosemead

Bikeway Facilities

- Oxnard Boulevard Bicycle and Pedestrian Facility, City of Oxnard
- Redondo Beach Portion of Bay Cities Regional Bikeway, City of Redondo Beach



Peter Kim, PE, TE, PTOE

Role:	Traffic
Registration:	PE, CA #51616 TE, CA #1871 PTOE, CA #263
Education:	B.S. Civil Engineering, Cal Poly Pomona, 1989 Certificate for the Management for Engineering and Technical Professionals, University of Irvine, 1999
Firm:	JMDiaz, Inc. (JMD)

With over 22 years of civil engineering experience, Mr. Kim has completed traffic engineering projects for local agencies, schools, railroads and private entities in California. His comprehensive experience includes numerous traffic studies, traffic signal designs, preparation of signing & striping, lighting, grading and traffic control plans. His experience includes the following projects:

Relevant Experience

Traffic Signals

- Florence Avenue 50 Signalized Intersections, County of Los Angeles
- Glenoaks Boulevard 30 Signalized Intersections, County of Los Angeles

Bikeway Facilities

- BNSF Railroad Corridor Bike Trail Feasibility Study, City of Anaheim
- Cross Valley Connector Gap Closure and Class 1 Bike Trail, City of Santa Clarita

On Call Traffic Engineering Services

- On-Call Traffic Engineering, City of Irvine
- On-Call Traffic Engineering, City of Corona
- On-Call Traffic Engineering, City of Chino

Nathan Oum, PE

Role:	Task Manager – Drainage/Utilities
Registration:	PE, CA (2007) #71418
Education:	B.S./Civil Engineering/2002 California State University Long Beach
Firm:	JMDiaz, Inc. (JMD)

Mr. Oum has over 11 years of experience in transportation projects with emphasis in rail transit, highway, roadway, traffic, utility and construction management. Mr. Oum has been involved in construction cost estimates, earthwork volume computations, utility relocation, track alignment,

and grading, storm drain, water and sewer design. His experience includes the following projects:

Relevant Experience

Drainage/Utilities

- Brea Canyon Rd. Grade Separation, ACE
- Fullerton Sewer Rehabilitation Project, Fullerton, CA

Stations

- Metrolink Station Improvements, Montclair, CA

Railroad/Rail Transit

- Expo Metro Line Construction Authority, E2 Storage Yard, Los Angeles, California
- LACMTA Goldline Extension, Monrovia, California
- BNSF Bayside Spur, Everett, WA
- BNSF Coal Route Study, Fallbridge, WA
- Sprinter Rail Project, Oceanside, California

Roadways

- 3rd and 5th Street Project, San Bernardino, CA
- ARTIC, Anaheim, California
- Ben Weston Road, Catalina Island, California
- Americana at Brand, Glendale, California

Grade Crossings

- Metrolink Van Nuys Grade Crossing, Van Nuys, California

Lawrence Moss, ASLA

Role:	Task Manager – Landscaping/Irrigation
Registration:	Licensed Landscape Architect #1201, 6/29/68
Education:	Chouinard Art Institute, 1956 Art Center School of Design, 1952 - 55
Firm:	Lawrence R. Moss and Associates

Mr. Larry Moss has over 46 years' experience in the field of landscape architecture. As Principal and President of Lawrence R. Moss and Associates, Inc., Larry involves himself in every project. He provides principal management for all design while he directs design concepts and oversees all phases of design development, including time frames and budget reviews. His municipal work spans thirty-five years, and includes on-going relationships with Community Development and Redevelopment Departments of various cities. Larry's experience includes master plan administration and coordination, design and



landscaping of prominent municipal facilities, consulting assistance and active participation with community review boards. His experience includes the following projects:

Relevant Experience

Metrolink Commuter Rail Stations

- Bellflower
- Burbank
- Bob Hope Airport
- Chatsworth
- El Monte
- Moorpark
- Pomona
- Riverside
- Simi Valley
- Sylmar

Additional Metrolink Projects

- Metrolink Right-of-Way Seeding Plan
- Metrolink Redline Specification Review
- Metrolink Rail Landscape Development Plan
- Bellflower Train Depot

Joseph Stoddard

Role:	Task Manager – Thematic Signage Package
Education:	Bachelor of Fine Arts, Denver Institute of Art, CO
Firm:	SKA Design

Mr. Stoddard has 35 years experience in architectural signage, corporate identity, and print and exhibit design. Since joining SKA Design in 1984, he has worked on civic centers, corporate offices, college campuses and transportation venues. His experience includes the following:

Relevant Experience

- Corona Transit Station (Bus), Corona, CA
- Los Angeles Metro Blue Line, Los Angeles, CA
- Los Angeles Metro Gold Line Arroyo Seco/Pasadena Extension, Los Angeles, CA
- Los Angeles Metro Gold Line Eastside Extension, Los Angeles, CA
- LACMTA Metro Green Line, Los Angeles, CA
- Metro Gold Line Station Information Kiosks, Pasadena, CA
- Metrolink Commuter Rail Line, Metropolitan Los Angeles, CA

- Modesto Transportation Center, Modesto, CA
- MTDB Nobel Drive Coaster Station, San Diego, CA
- MTDB San Diego Trolley, El Centro, CA
- Santa Ana Regional Transportation Center, Santa Ana, CA
- Santa Clarita Transit McBean Transfer Station, Santa Clarita, CA
- Union Station Passenger Terminal, Los Angeles, CA

Vladislav Skrejev, PLS

Role:	Task Manager - Surveying/Right of Way
Registration:	Licensed Land Surveyor, CA #8363, 2006
Education:	Master of Science in Geodesy, University of Architecture, Civil Engineering and Geodesy, Sofia, Bulgaria, 2000
Firm:	CNC Engineering, Inc.

Mr. Skrejev has 11 years of experience in the survey industry. He has performed topographic, boundary, A.L.T.A., construction and control surveys. Throughout his career he has been involved in preparation of legal descriptions, final maps, survey data processing and calculation, and supervision of multitask projects involving application of various survey techniques. As a task manager he is proficient of preparing cost estimates of diverse projects, has directed and trained teams of technicians in doing research, abstracting, surveying field procedures and data processing. He is familiar with the latest trends in survey instruments and software, including static and RTK GPS, total stations, digital leveling, advance knowledge of survey data collection and processing, adjustment software and CADD. His experience includes the following projects:

Relevant Experience

- Harbor Blvd. and Adams Ave. Intersection Improvement, Costa Mesa, CA.
- Broadway Improvements from Main St. to Alondra Blvd, Carson, CA.
- Joann Street Bike Trail, Costa Mesa, CA.
- Topographic Survey of Four Intersections for the Rosedale Traffic Mitigation, Azusa, CA.
- Boundary Survey – 600 Acres, Industry, CA.



Staff Availability

The JMD Team is committed to delivering quality and timely services within the City's time and budget goals. We have planned sufficient resource capacity to perform the projects or tasks in a timely manner, and confirm that the key personnel proposed for the project will be available for the duration of the project. Currently, our work level is estimated at approximately 70 percent of capacity and declines to 50 percent over the anticipated life of this project. Mr. Diaz, proposed Project Manager, is available over 75 percent of his time during the next 12 months. Our key team members are available as described in Table 1 below.

Table 1 – Staff Availability

Key Team Member	Availability (%)*
Juan M. Diaz, PE, MBA	75
Jack Shah, RA, MS	50
Steve Itagaki, PE, TE, PTOE	70
Peter Kim, PE, TE, PTOE	70
Daniel Shieh	80
Nathan Oum, PE	80
Lawrence Moss, ASLA	60
Joseph Stoddard	60
Vladislav Skrejev, PLS	60

*Beginning December 2011

2. PROJECT UNDERSTANDING AND APPROACH

Project Understanding

The City of Covina Public Works Department is seeking a consultant to provide professional engineering services to create final designs and construction documents for pedestrian improvements on Citrus Avenue between Edna Place and San Bernardino Road in the vicinity of the Covina Metrolink Station. The primary objectives of the City consist of the following:

- Utilize available funding for proposed improvements within funding requirements.
- Provide a pedestrian and bicycle environment consistent with the City's recent 2011 Downtown Covina Pedestrian and Bicycle Planning Study as well as the 2011 Covina Bicycle Master Plan.
- Improve current safety and circulation along Citrus Avenue, between Edna Place and San Bernardino Road, with particular focus on improving pedestrian safety and linkage to Metrolink Station operations in Covina.
- Improve access and circulation within the current Metrolink Station.
- Ensure that proposed improvements will not generate crossing related improvements but adhere to SCRR/Metrolink, CPUC and FRA requirements and accommodate future

projects such as station platform extensions and quiet zone implementation.

JMD is a uniquely qualified full service engineering firm with diverse expertise in roadway, traffic, rail and transit engineering with particular emphasis in grade crossing, quiet zones and commuter rail stations. JMD's staff has extensive Metrolink experience developing transportation related projects in the City of Covina and throughout Southern California. In fact, JMD staff oversaw and directed the design the current Metrolink Station, designed all grade crossings (including Citrus Avenue) in Covina, and managed the Metrolink Station Parking Structure for the City of Covina. In addition, JMD's local presence and project experience includes lighting and advance preemption time (APT) analysis as well as design of roadways, station parking lots, bikeways, streetscapes, traffic signal installation/modification, traffic signal interconnect, street lighting, signing and striping and worksite traffic control plans most of which are anticipated for this project. Finally, JMD understands local agency requirements, including funding requirements, which must be met for successful delivery within funding deadlines.

Key Issues

Relying on its local presence and extensive experience working for the City and Metrolink, the



JMD Team has identified key project issues anticipated to be addressed by the JMD Team.

Safety

The current Citrus Avenue grade crossing has visible risky behavior issues by Metrolink patrons seeking to cross Citrus Avenue (from the parking structure) during crossing gate activations to avoid losing departing trains. Proposed fencing along the westerly sidewalk of Citrus Avenue and possible fencing within the existing raised median islands as well as low lying shrubs along the east side can be designed in a way that discourages such behavior while encouraging pedestrians to utilize existing and proposed crosswalks across Citrus Avenue. JMD has extensive experience in the design of crossing improvements designed to deter and/or eliminate risky behavior which could later complicate quiet zone development by the City.

Advanced Preemption Time

The proposed crosswalk at Citrus Avenue/Front Street is designed to improve access but will result in the need for advance preemption analysis to determine whether current crossing preemption is adequate for clearing southbound departure lanes by approaching trains. Providing additional advance preemption time (in seconds) can be a very costly (\$50k to \$300k) item which could easily exhaust City funding for the subject project.

Access

Station accessibility is always an important element to any proposed station project. In the case of Covina, current station access is well defined and provided for vehicles and pedestrians while transit buses (i.e., Metro and Foothill), who cannot enter the station must provide loading and offloading away from the station entrance to not complicate entrance and rail crossing operations. Accessibility can be improved through improved signage and modifying the station entrance to eliminate conflicting inbound movements and queues caused by outbound movements.

Circulation

Pedestrian and vehicular circulation is an important element of this project considering the various modes of transportation that must be provided for. Optimizing circulation through proper signage,

channelization and coordination of intersections with the Citrus Avenue grade crossing will be a primary goal of this project. JMD has developed many projects involving multiple modes of transportation that are properly integrated for effective and optimum circulation.

ADA

The current facilities within the proposed project site appear to mostly address ADA requirements with some minor exceptions. However, new crosswalks as well as modifications to the existing parking lot will require addressing and providing for adequate ADA compliant facilities such as curb ramps and properly striped handicap stalls.

Security

Security through adequate lighting is a vital element of every transit station project. Although the current Metrolink Station appears to have several light standards within the parking lot, existing trees appear to be grown to the point of preventing lighting levels from being met within the station. JMD has extensive experience analyzing lighting levels and addressing conflicts caused by existing and proposed trees.

Parking

Parking is an important element of any transit station project. There are currently approximately 240 parking stalls at the station, of which 16 appear to be handicap stalls. Although such ratio appears to be more than adequate, it will be very important to optimize the number of stalls for current conditions as well as for future extension of the station platform which could reduce the number of current regular and handicap stalls. The JMD Team has extensive experience in the design of station parking facilities that adhere to City and Metrolink requirements.

Visibility/Sight Distance

Visibility and sight distance are critical requirements that must be provided at all intersections and the existing Citrus Avenue at-grade crossing. Such sight distance may be impaired by conceptually proposed trees along the east side of Citrus Avenue between the Metrolink Station entrance and Front Street. Standard grade crossing design does not allow the installation of



trees which prevent visibility to crossing gate flashers. In addition, existing street lights and trees appear to already limit sight distance of the grade crossing. JMD is an expert grade crossing (and quiet zone) analyst and designer and will ensure that optimum visibility is provided without losing attractive features such as low level landscaping (i.e., shrubs) that can provide an aesthetic appeal while helping to reduce risky behavior by patrons.

Drainage/NPDES/SUSMP

Drainage facilities are essential elements of most roadway and station facilities requiring thorough understanding of National Pollutant Discharge Elimination System (NPDES) permitting procedures including addressing Storm Water Pollution Prevention Plan (SWPPP) and Standard Urban Storm Water Mitigation Plan (SUSMP) requirements. Such requirements depend on the size of the project footprint and/or the amount of disturbance proposed by a project. JMD has thorough experience with analysis and design of drainage facilities including preparation of SWPPP and Best Management Practices (BMPs) as well as SUSMP packages for permitting purposes.

Currently Planned and Future Projects

Current planned and future projects can significantly influence a City's proposed project. In the case of Covina, a future station platform extension and possible quiet zone implementation must be evaluated to ensure that proposed improvements do not impede future projects and to avoid "throwaway" costs as much as possible.

Cost

Maintaining overall project costs within available funding is an important element of this project which requires that proposed improvements be accurately defined for ultimate implementation. Currently, the conceptual estimates included in the 2011 Downtown Covina Pedestrian and Bicycle Planning Study have been reviewed for completeness and various items appear to be missing. These items are: traffic signal modifications, catch basin relocation, possible Advanced Preemption Time (APT) due to the new crosswalk at Citrus Avenue/Front Street, and street improvements related to sidewalk widening along the west side of Citrus Avenue between Front

Street and Geneva Place. Recognizing the significance of these costs, JMD has provided two Alternatives layouts in Figure 1 at the end of this section. Alternative A represents the current proposal to convert current 90 degree stalls to diagonal stalls. Alternative B illustrates a proposed layout to maintain the current 90 degree layout should funding become a limiting factor. In addition, offsite improvements on Citrus Avenue between Front Street and Geneva Pl. are also illustrated in Figure 2 to show the limits of encroachment including roadway improvements needed on Citrus Avenue.

Agency Requirements and Standards

Meeting agency requirements and standards will be necessary for cost containment and timely project delivery. JMD uniquely knows agency (City, County, SCRRA, CPUC, FRA, LACMTA, State Water Resources Control Board, etc) requirements and standards due to its extensive track record on public works and Metrolink projects.

Responsiveness

The City's workload and project schedules will require immediate responsiveness by JMD to ensure that the project schedule is maintained. JMD will provide such responsiveness by providing a Project Manager who understands the critical path in the roadway/transit design process and has the working relationships with the key decision makers at the City, SCRRA/Metrolink, CPUC, FRA, and County to streamline project activities whenever feasible.

JMD believes that the success of this project will depend upon adequately addressing these key issues during preparation of preliminary and final submittal packages.

Approach

JMD's approach is to be *Service-Oriented* and keep the City informed throughout the project. We will meet with City staff early to verify expectations for the project including our proposed scope, schedule and process.

Once we are issued a Notice to Proceed for each phase, we will begin three initial tasks including:



- 1) Collection of existing conditions via field reviews & photo logging of existing conditions;
- 2) Preparation of a preliminary base map which will be utilized to develop and validate an understanding of the conceptual plans and for use as base plan sheets for plan preparation;
- 3) Mailing letters of notification to impacted utility owners requesting verification of existing facilities and proposed improvements.

JMD will present the base map to the City during a brief job walk to identify existing constraints and confirm the specific improvements to be designed based on available project funding.

After approval of the base mapping and conceptual/preliminary plan sheets by the City, JMD will proceed with the preparation of preliminary plans. Preliminary and final plans will be prepared along with a bid item list and construction cost estimate.

JMD will process the submittal packages with the City for approval. JMD will meet with City staff responsible for review of design elements of the 30%, 60% and 90% plans as we are working on them. Draft copies of this work will be submitted for significant work items before milestone submittal dates with follow-up meeting to solicit input.

Scope of Work

Due to page limits, the following is an abbreviated scope of services outline anticipated for the project.

1. Project Management, Meetings & Coordination
2. Data Collection & Field Review
3. Survey & Right of Way Engineering (Optional)
4. APT Calculations
5. Lighting Analysis (Optional)
6. Project Concept Report – to define actual improvements based on available funding.
7. Preliminary Engineering
 - Title Sheet
 - Typical Sections and Details

- Roadway Improvement Plans
- Parking Lot Plans
- Drainage Plans and Details
- Signing and Striping Plans
- Traffic Signal Modification Plans
- Traffic Signal Interconnect (Optional)
- Traffic Control Plans (Optional)
- Hardscape Plans
- Landscaping Plans
- Irrigation Plans
- Station Signage Plans

8. Utility Coordination and Permitting

9. Final Plans, Specifications and Estimate

- Title Sheet
- Typical Sections and Details
- Roadway Improvement Plans
- Parking Lot Plans
- Drainage Plans and Details
- Signing and Striping Plans
- Traffic Signal Modification Plans
- Traffic Signal Interconnect (Optional)
- Traffic Control Plans (Optional)
- Hardscape Plan
- Landscaping Plans
- Irrigation Plans
- Station Signage Plans
- Specifications and Special Provisions
- Opinion of Probable Construction Cost

10. Advertising and Bidding Support

- Attend Pre-Bid Meeting
- Responses to RFI's

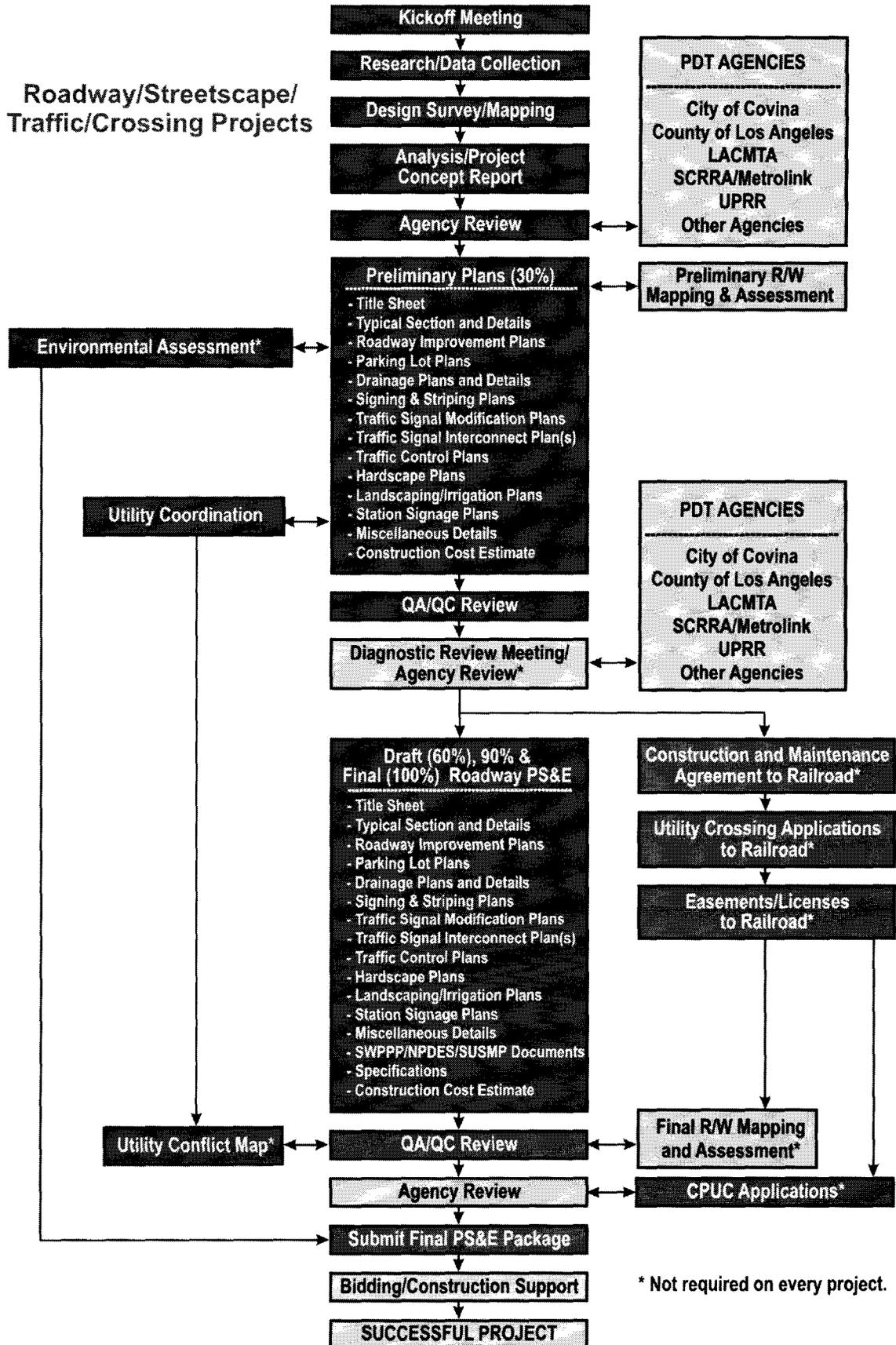
11. Design Support During Construction

- Responses to RFIs
- Attend Pre-Construction Meeting
- Review Change Orders
- Construction Observation (Optional)
- Project Closeout Support (Optional)
- As-Built Plans

Our project approach is illustrated in the Design Process Flow Chart included on the following page.



Roadway/Streetscape/
Traffic/Crossing Projects

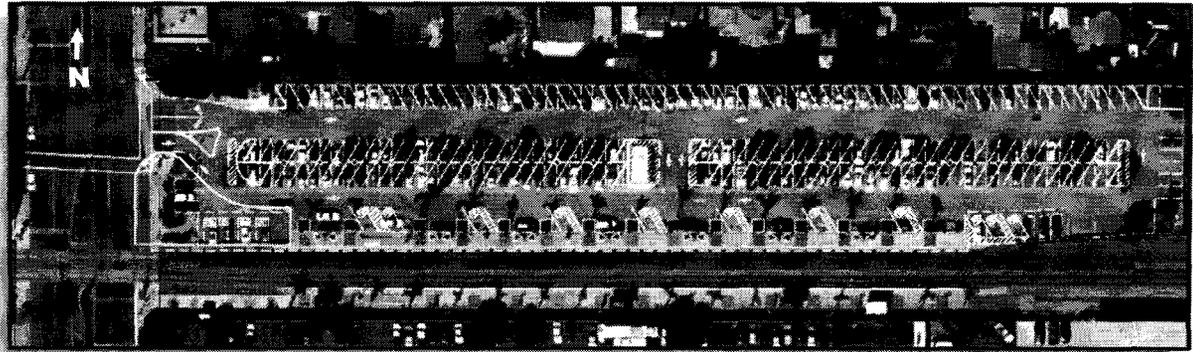


* Not required on every project.



Figure 1 – Covina Metrolink Commuter Rail Station Improvements

Alternative A



Alternative B

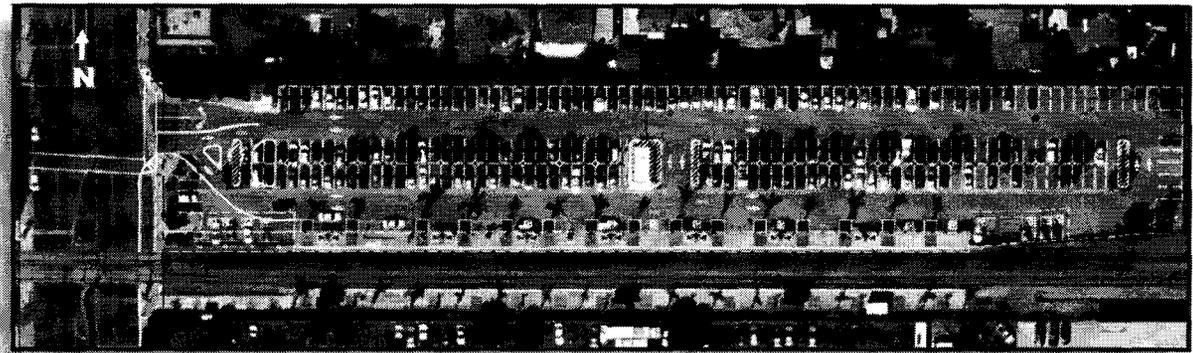


Figure 2 – Improvements within 1/4 Mile of Commuter Rail Station





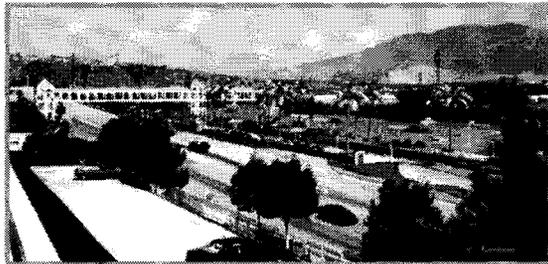
3. Relevant Projects and References

The JMD Team has extensive experience in performing similar work for local agencies, LACMTA and Metrolink. Our related project experience is briefly described below.



Placentia Metrolink Station

JMD is currently assisting OCTA with the design of a new Metrolink station in the City of Placentia, California. JMD is responsible for designing the proposed station footprint including platforms, parking lots, an ADA compliant pedestrian access plan, walkways, a signage plan for on-site and off-site directional signage, and a comprehensive multi-modal/transit access plan that accommodates buses, shuttles and bicyclists.



Reference: Anaheim Redevelopment Agency
David Gottlieb, Redevelopment Mgr.
201 South Anaheim Boulevard, #1003
Anaheim, CA 92805
(714) 765-4306 Tel.
Project Duration: 2005 - 2010
Key Personnel: J.Diaz, S.Itagaki, D.Shieh

Reference: OCTA (c/o Willdan)
Mr. Dave Anderson, PE, Project Mgr.
2401 East Katella Avenue
Suite 450
Anaheim, CA 92806-6073
(714) 943-4068 Tel.
Project Duration: Ongoing
Design Fee: \$246,000
Key Personnel: J.Diaz, J.Shah, S.Itagaki, D.Shieh

Industry (Alhambra Subdivision) Quiet Zone

JMD is responsible for the improvements of four at-grade crossings located on the Alhambra Subdivision owned and operated by the Union Pacific Railroad Company (UPRR) in the City of Industry, California. The project includes conducting a quiet zone assessment report, preliminary and final grade crossing design as well as timely coordination with UPRR and the California Public Utilities Commission (CPUC). The project also included the preparation of signing and striping and traffic control plans to facilitate the grade crossing improvements. The objective of the project is to establish a quiet zone including four at grade crossings between Fairway Drive and Benton Road in the Cities of Industry, Walnut and West Covina as well as Los Angeles County.

Santa Ana Street Streetscape Project

JMD served as prime consultant to the City of Anaheim's Redevelopment Agency providing on call engineering services for various projects within the City of Anaheim, including streetscape design services for Santa Ana Street near downtown Anaheim. JMD provided analysis (traffic study and hydrology study) and design services. Design services have included roadway, rail crossing, rail/highway grade separation, signing, striping, street lighting, landscaping and irrigation design.





Reference: City of Industry
(c/o CNC Engineering)
Eduardo Pereira,
Senior Project Manager
255 N. Hacienda Boulevard, Suite 220
City of Industry, CA 91744
(626) 333-0336 Tel.

Project Duration: 2009
Design Fee: \$48,759
Key Personnel: J.Diaz, S.Itagaki

The parking structure, located on the west side of Citrus Avenue, provided over 400 parking stalls and included linkage improvements to the Metrolink station on the east side of Citrus Avenue. Program management services included design development, contract documentation, and consultant selection services on behalf of the City of Covina. In addition, close coordination with Metrolink was required.

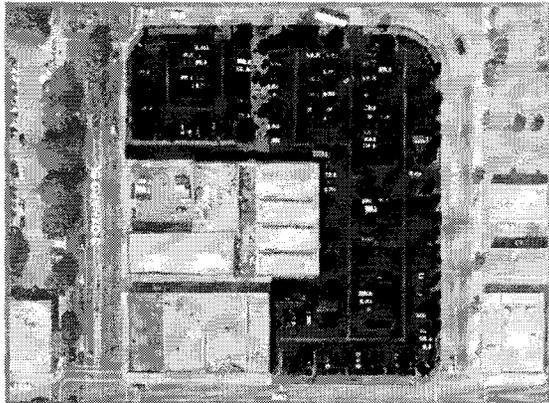
Oxnard Transportation Center – E. Fourth St. Parking Lot

JMD is currently providing engineering services to plans, specifications and estimate (PS&E) for the proposed improvements at the Oxnard Transportation Center's East Fourth Street Parking Lot in the City of Oxnard. The project included surveying and mapping, signing and striping, grading, drainage, lighting, landscaping, irrigation, geotechnical analysis, and traffic control as well as timely coordination with Caltrans and the City of Oxnard.



Reference: City of Covina
Mr. Vince Mastro Simone
Public Works Director
125 East College Street
Covina, CA 91723-2199
(626) 858-7248 Tel.

Project Duration: 2003
Design Fee: \$300,000 (est.)
Key Personnel: J.Diaz, J.Shah

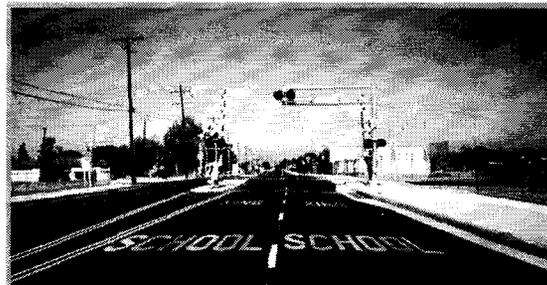


Reference: City of Oxnard
Capital Projects Management Division
Cynthia Daniels, AICP, Project Manager
1060 Pacific Avenue, Building 2
Oxnard, CA 93030
(805) 385-7871 Tel.

Project Duration: 2007
Design Fee: \$130,000
Subconsultant: Coast Surveying, Inc.
Key Personnel: J.Diaz, S.Itagaki, D.Shieh

Grade Crossing Safety Study, City of Covina

Juan M. Diaz served as J.L. Patterson's and Tetra Tech Inc.'s Project Manager responsible for the analysis of 12 at-grade crossings in the City of Covina along Metrolink's San Gabriel Subdivision. The study's purpose was to analyze the feasibility of implementing various supplemental safety measures (i.e., median islands, pedestrians gates, etc.) to implement a citywide "quiet zone" with the cooperation of the City, County, Caltrans, SCRRA, UPRR, CPUC and the Federal Railroad Administration (FRA). These measures included four quadrant gates and median islands.



Metrolink Parking Structure

JMD staff served as Korve Engineering's Program Manager to the City of Covina for the development of a new multistory parking structure at the Metrolink station in downtown Covina, California.



Reference: City of Covina
Mr. Vince Mastro Simone
Public Works Director
125 East College Street
Covina, CA 91723-2199
(626) 858-7248 Tel.

Key Personnel: J.Diaz

Lane to Robinson Street with portions within SCE right of way. The project involved community outreach and was funded by LACMTA's Call for Projects program.



Staff Augmentation - Public Projects Engineering, SCRRRA/Metrolink and LACMTA

Prior to forming JMD, Juan M. Diaz served as SCRRRA's Public Projects Engineer responsible for overseeing a variety of projects in Los Angeles, San Bernardino, Riverside and Orange Counties. Projects included: stations, grade separations, grade crossings, major pipelines, bikeways, industry tracks, utility crossings and various other projects.

Reference: City of Redondo Beach
John Mate, Transportation Engineer
415 Diamond Street, Door E
Redondo Beach, CA 90277
(310) 372-1171 x 2277 Tel

Project Duration: 2004-2009
Design Fee: \$806,000
Key Personnel: J.Diaz, D.Shieh



Oxnard Boulevard Bicycle and Pedestrian Facility

Juan M. Diaz served as the original Project Manager (for Korve Engineering) responsible for preparing plans, specifications and estimates for a new bike trail within the Union Pacific Railroad (UPRR) corridor in the City of Oxnard. The 2-mile long bike trail, between Vineyard Avenue and the Oxnard Transportation Center, was mostly a Class I bikeway and included paved shoulders with signage and landscaping. Special treatments were required at grade crossings. Close coordination with UPRR and the California Public Utilities Commission (CPUC) was required.

Reference: SCRRRA/Metrolink
Ron Mathieu, Manager, Public Projects
700 South Flower Street, 26th Floor
Los Angeles, CA 90017
(213) 452-0249 Tel.

Project Duration: 1996-1998
Design Fee: \$300,000
Key Personnel: Juan M. Diaz, Jack Shah



Bay Cities / North Redondo Beach Bikeway

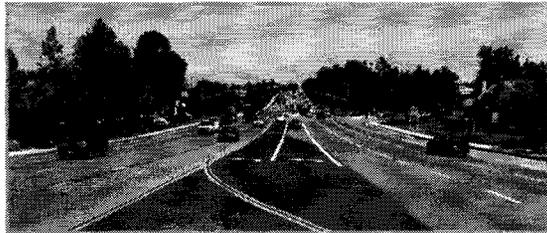
Juan M. Diaz (JMD) served as Korve Engineering's Project Manager for preliminary and final design of the Bay Cities/North Redondo Beach Bikeway Project, approximately 2 miles long, for the City of Redondo Beach. The bikeway provides a critical "green" transportation link between corporate employers in the northern sections of the South Bay and residential communities to the south. The bikeway begins at the final segment of the Torrance bikeway at Anza and 190th Street and ends at LACMTA's Metro Green Line Redondo Beach Station on Marine Avenue. A 1.0 mile stretch of Class I bike path runs from Rockefeller



Reference: City of Oxnard
Capital Projects Management Division
Cynthia Daniels, AICP, Project Manager
1060 Pacific Avenue, Building 2
Oxnard, CA 93030
(805) 385-7871 Tel.
Project Duration: 2012 (est.)
Design Fee: \$160,000
Key Personnel: J.Diaz, D. Shieh

Rancho California Road Improvements

JMD was responsible for preliminary and final PS&E design and construction related services for Rancho California Road between Interstate 15 and Ynez Road. The project included roadway, median, landscaping, striping and traffic signal modification improvements to add capacity along Rancho California Road just east of Interstate 15. The project involved close agency coordination and careful data collection due to high traffic volumes on a very congested roadway segment. Agency coordination included Caltrans District 8 for pavement delineation and traffic signal work at the northbound I-15 on/off ramps.



Reference: City of Temecula
Mayra De La Torre, Project Manager
43200 Business Park Drive
Temecula, CA 92589
(951) 694-6411 Tel.
Project Duration: 2006
Design Fee: \$31,000
Subconsultant: Coast Surveying, Inc.
Key Personnel: J.Diaz, S.Itagaki, D.Shieh



**Valley Boulevard and Grand Avenue
Improvements**

CNC prepared plans, specifications and estimates as well as all topographic design and boundary survey services for the intersection improvements at the intersection of Valley Blvd. and Grand Ave. The project widened Valley Blvd. to six lanes and upgraded curb return landings to meet ADA

requirements. The traffic signal was upgraded to current Los Angeles County standards. The intersection was repaved to include median modifications, new curb and gutter, additional left turn storage and signing and striping as well as traffic control plans. Multi-jurisdictional stakeholder coordination (City of Industry, City of Walnut and Los Angeles County) was critical for successful project completion.



Reference: City of Industry
John D. Ballas, City Engineer
(626) 333-2211 Tel.
Project Duration: 2006-2007
Design Fee: \$140,000

Industry Hills Equestrian and Bike Trails

CNC prepared the plans, specifications and estimates for construction of 2.5 miles a dual use bicycle and equestrian trail within the Industry Hills Resort in the City of Industry. Work included design of two signalized crossings at Azusa and Temple Streets, planting and irrigation along the entire project, drainage design, and extensive grading to construct the trail in to the hillside.

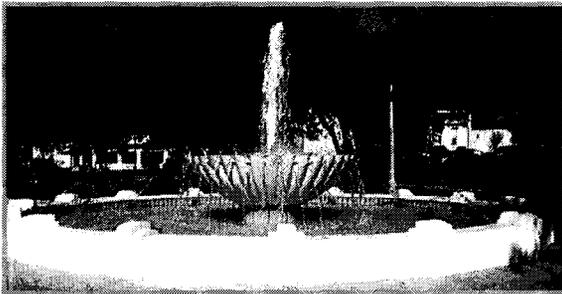


Reference: City of Industry
John D. Ballas, City Engineer
(626) 333-2211 Tel.
Project Duration: 1998-1999
Construction: \$5,000,000



Library Park

Library Park serves as the central gathering space for the City of Monrovia. With the creation of a new main library, the surrounding site required a park that created a visual axis to Monrovia's historic downtown. The site featured a number of large specimen trees that were showcased by new paths, retaining walls and lawn stairs. The design also featured a Veterans Memorial, a 30 foot wide water fountain, an ADA accessible playground, and various areas for the City's many programmatic needs. The project received a LEED silver rating.



Reference: City of Monrovia
Ron Bow, Director of Public Works
(626) 932-5544 Tel.
Project Duration: 2008-2009

Bellflower Civic Plaza

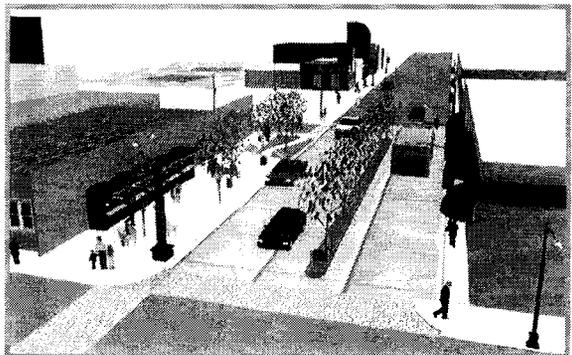
LRM provided design development, construction drawings, and construction administration services for the redevelopment of the City's Towncenter Plaza, which is the cornerstone of Bellflower's Downtown Revitalization Vision Strategy. The plaza includes a 14,880 square foot outdoor plaza, an interactive water fountain for children, a stage for community concerts and plays, trees, tables, benches, and adaptation of a Verizon switching facility wall as a movie screen for outdoor film screenings. The construction of the City Hall Town Center plaza resulted in creating a community hub within the downtown area.



Reference: City of Bellflower
Brian Lee, Dir. of Community Dev.
(562) 804-1424 x2224 Tel.
Project Duration: 2003-2004

Bellflower Towncenter Gateway Plaza

LRM designed a small urban plaza to enhance the pedestrian connection between two larger public plazas. An empty building was removed so that a long, linear walkway along Belmont Boulevard could be created. This street improvement included custom designed booths for vendors to sell newspapers and magazines, art, and shoe shining services. The materials chosen were meant to enhance the historic character of the former building's brickwork. LRM worked with a local sign builder and lighting manufacturer to create unique directional and landmark signage to add further charm and create an "old time" feel to the site.



Reference: City of Bellflower
Brian Lee, Dir. of Community Dev.
(562) 804-1424 x2224 Tel.
Project Duration: 2007-2008



Metrolink Commuter Rail, SCRRA

SKA created graphic standards guidelines for all SCRRA signage as well as developed the distinctive logo and graphics applied to rail vehicles, stationery and collateral materials for rail lines in this five county region. SKA also developed a series of maps identifying the Metrolink routes, Metro Blue and Green light rail lines, and key bus routes. In total, the firm has developed signage programs for more than 50 Metrolink stations.



Reference: Metrolink (c/o JMDiaz, Inc.)
Jack Shah, RA, MS
18645 East Gale Avenue, Suite 212
City of Industry, CA 91748
(626) 820-1137

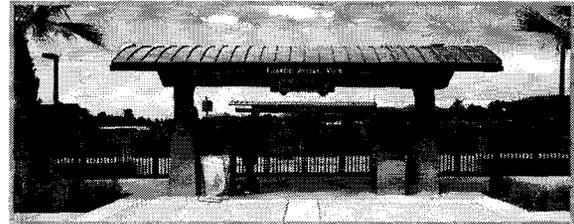
Los Angeles Metro Lines, LACMTA

SKA developed a comprehensive signage program and implemented a color code system to distinguish the region's four rail lines. The challenge included establishing a graphic standards for multiple applications, signage for 49 stations in Los Angeles county, rail line maps, ticket vending machine graphics, ticket graphics, and design consultation on the Metro logo.



Sprinter Commuter Rail, NCTD

SKA developed a comprehensive sign program for the North County Transit District Sprinter Commuter Rail System. This light rail line serves communities along the Oceanside and Escondido route and consists of 14 stations, park-and-ride lots, and bicycle trails. Sign types include station identification, directional/wayfinding signs, and information/restrictive signs.



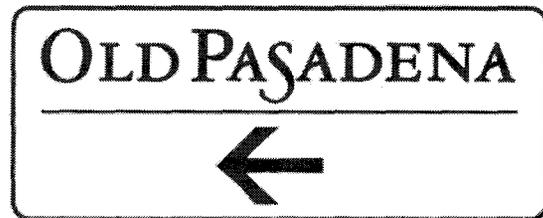
El Centro Bikeway

SKA prepared a comprehensive signage program for this bicycle trail system. The program includes route markers, trail identification and directional signs based on Caltrans standards. A project logo unifies the system at key points.



Old Pasadena Streetscapes

SKA developed a project logo, identification and directional signage for historic Old Pasadena, a high traffic retail and mixed-use area. The program featured full-color directory maps, brass alley names inset into pavement, cast bronze historic markers, and porcelain enamel street markers.



**CITY OF COVINA/COVINA HOUSING AUTHORITY/
SUCCESSOR AGENCY TO THE COVINA REDEVELOPMENT
AGENCY**

AGENDA ITEM COMMENTARY

MEETING DATE: March 20, 2012

ITEM NO.: CC 12

STAFF SOURCE: Robert Neiuber, Deputy Executive Director *rn*
Nuala Gasser, Senior Redevelopment Manager *mg*

ITEM TITLE Consideration of Resolution of the Covina Housing Authority, accepting the dissolved Covina Redevelopment Agency's Housing Assets and Functions, pursuant to Part 1.85 of Division 24 of the California Health and Safety Code.

STAFF RECOMMENDATION—COVINA HOUSING AUTHORITY

Adopt Covina Housing Authority ("Authority") **Resolution No. 12-001** accepting the housing assets and functions of the dissolved Covina Redevelopment Agency ("Agency").

FISCAL IMPACT

There is no dedicated funding source for the Authority to take on the Agency's housing functions and assets. Funding may be provided with existing funding sources (if SB 654 (Steinberg) and/or AB 1585 (Perez) passes) and from assets (see Exhibit A).

BACKGROUND

On January 30, 2012, the City Council approved Resolution 12-7045, electing not to retain the housing assets and functions of the Agency, and transferring all rights, powers, assets, liabilities, duties and obligations associated with the housing activities to the Authority. This action was taken subject to the requirements of AB 1X 26. Exhibit B to this Agenda Item Commentary is a Resolution of the Authority accepting the housing assets and functions of the dissolved Agency.

Housing assets that transfer to the Authority include real property, personal property, contracts, leases, books and records, buildings, equipment and other revenues of the former Agency. However, the unencumbered balances in the former Agency's Low and Moderate Income Housing Fund do not transfer to the Authority.

Exhibit A to this Agenda Item Commentary lists the assets of the Agency, including a residual receipts loan of \$4,742,000, which will be due and payable in fifty-five years.

On March 1, 2011, by Resolution No. 11-003, the Authority accepted transfer of two properties improved with housing from the Agency owned by the Agency, located at 147-151 E. College Street and other property improved with transitional housing for homeless women and children ("Transitional House"). The transfers of the property at 147-151 E. College and the Transitional House were recorded on March 11, 2011. The transfer of these properties is subject to the approval of the oversight board to the successor agency of the dissolved Agency.

Pursuant to Health and Safety 34176(c), the Authority, as the entity assuming the housing functions formerly performed by the Agency, may enforce affordability covenants and perform related activities pursuant to applicable provisions of the Community Redevelopment Law (Health & Saf. Code, § 33000 et seq.), including, but not limited to, Health and Safety Code Section 33418, which discusses monitoring of affordable projects and posting of required information on the Authority's website.

RELEVANCE TO THE STRATEGIC PLAN

The dissolution of the Agency will impact the goal of enhancing financial stability in regard to the provision of funding to eliminate blight.

EXHIBITS

- A. Listing of Housing Assets
- B. Covina Housing Authority Resolution electing to accept housing assets and functions

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

Housing Account Receivables

Receivable	Description	Potential Receivable Value	Due Date
Down Payment Assistance Program	Forgivable loans to home buyers in the Vintage Walk 1 project (6 loans)	\$180,000	Original Date: 2006 Program provided for grants to be forgiven after 20 years. Dates and amount receivable will vary. CONTINUING MONITORING REQUIRED
Single Family Rehabilitation Program	Deferred loans to homeowners who make improvements	TBD by Council Meeting	Due on sale of property, date unknown. Typically not paid back for many years.
200 W. Rowland St	Residual Loan to purchase affordability covenants and to rehabilitate the property.	\$4,742,000	Original Date: June 17, 2010 Note is due on or before June 17, 2065 CONTINUING MONITORING REQUIRED
Habitat for Humanity 436 E Cypress St	Note for value of property	N/A	Original Date: August 19, 2011 Note will automatically terminate on Feb. 19, 2013, contingent on sale to qualified buyer. CONTINUED MONITORING REQUIRED
Transitional House	Home for homeless women and children	\$425,000	The residence is in use as affordable housing for homeless women and children where they can live rent-free for a period of time.
147-151 E College	Property was purchased with housing funds for housing purpose	\$715,000	Upon sale

Additional properties to be monitored annually

Village Green Apts , 152 E Covina Blvd, Covina CA 91722
 Smith Family Trust Apts, 227 N Citrus Ave, Covina CA 91723
 Cienega Gardens Apts, 1211 N. Lyman, Covina CA 91724
 Las Palmas Apts, 777 W. Covina Blvd, Covina CA 91722
 Vista Pointe Apts, 1400 N Grand Ave, Covina CA 91724
 YWCA Wings domestic violence home, confidential location

RESOLUTION NO. 12-001

**A RESOLUTION OF THE COVINA HOUSING AUTHORITY
ACCEPTING THE HOUSING ASSETS AND FUNCTIONS OF THE
DISSOLVED COVINA REDEVELOPMENT AGENCY**

WHEREAS, pursuant to the Community Redevelopment Law (Health & Saf. Code, § 33000 et seq.) (“CRL”), the City Council of the City of Covina (“City”) created the Covina Redevelopment Agency (“Agency”); and

WHEREAS, prior to February 1, 2012, the Covina Redevelopment Agency (“Agency”) has been engaged in activities to execute and implement 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 pursuant to the provisions of the CRL; and

WHEREAS, on December 29, 2011, in *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, Case No. S194861, the California Supreme Court upheld AB 1X 26, and invalidated AB 1X 27, and extended all statutory deadlines under AB 1X 26, dissolving all redevelopment agencies throughout the State effective February 1, 2012; and

WHEREAS, the City of Covina is a municipal corporation of the State of California (“City”); and

WHEREAS, the Covina Housing Authority (CHA) is a California housing authority formed and existing pursuant to the Housing Authorities Law (Health & Saf. Code, § 34200 et seq.); and

WHEREAS, pursuant to Health and Safety Code Section 34176, the City may elect to assume the housing assets and functions previously performed by the Agency or allow transfer of those assets and functions to the CHA; and

WHEREAS, the City Council declined to assume such housing assets and functions and stated its desire that the CHA assume all rights, powers, assets, liabilities, duties and obligations associated with the housing activities of the former Agency; and

WHEREAS, pursuant to Health and Safety Code Section 34176, if the City has declined to retain the responsibility for performing housing functions previously performed by the former Agency, all rights, powers, assets, liabilities, duties, and obligations associated with the housing activities of the Agency, including encumbered Low and Moderate Income Housing Funds, shall be transferred to the local housing authority; and

WHEREAS, the CHA desires to accept said responsibility and assets.

NOW, THEREFORE, the Covina Housing Authority does resolve and order as follows:

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

Section 2. CHA accepts the transfer of all rights, powers, assets, liabilities, duties, and obligations associated with the housing activities of the Covina Redevelopment Agency, including encumbered Low and Moderate Income Housing Funds, from the Covina Redevelopment Agency pursuant to Section 34176.

Section 3. The Executive Director is hereby authorized to take any action necessary to implement this Resolution and effectuate the transfer of the dissolved Covina Redevelopment Agency's housing assets and functions.

Section 4. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The CHA hereby declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion thereof.

Section 5. The Authority Secretary shall certify to the adoption of this Resolution.

Section 6. This Resolution shall become effective immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 20th day of March, 2012.

Kevin Stapleton, Chairman

ATTEST:

Daryl Parrish, Housing Authority Secretary

APPROVED AS TO FORM;

Housing Authority Counsel

CERTIFICATION

I, Daryl Parrish, Secretary of the Covina Housing Authority, hereby CERTIFY that the above referenced resolution was adopted by the Covina Housing Authority at a regular meeting held this 20th day of March, 2012, and was approved and passed by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Daryl Parrish
Secretary of the Covina Housing Authority

COVINA HOUSING AUTHORITY

AGENDA ITEM COMMENTARY

MEETING DATE: March 20, 2012

ITEM NO.: CC 13

STAFF SOURCE: Robert Neuber, Deputy Executive Director *RN*
Nuala Gasser, Senior Redevelopment Manager *NG*

ITEM TITLE Consideration of Resolution of the Covina Housing Authority, approving and adopting the bylaws for the Authority pursuant to Health and Safety Code section 34311.

STAFF RECOMMENDATION

Adopt Covina Housing Authority **Resolution No. 12-002** approving and adopting the bylaws for the Authority pursuant to Health and Safety Code section 34311.

FISCAL IMPACT

There is no fiscal impact associated with the adoption of the bylaws for the Authority.

BACKGROUND

On January 25, 2011, by Resolution No. 11-6926, the City Council of the City of Covina ("City Council") declared a need for the Covina Housing Authority ("Authority") and made appropriate findings under the Housing Authorities Law ("Health & Saf. Code, § 34200 et seq.") ("HAL") in order to activate the Authority. In addition, the City Council declared itself as the Authority's Board of Commissioners ("Authority Board") and the Mayor was designated as the Authority Board's chairperson.

The Authority Board needs to take the following action under the HAL in order to provide clarity for the operation of the Authority under the HAL:

- (1) Section 34278 also requires the Authority Board to adopt personnel rules and regulations applying to all Authority employees. Those rules shall contain procedures affecting conflicts of interest, use of funds, and personnel procedures on hiring and firing, including removal of personnel for inefficiency, neglect of duties, or misconduct in office.
- (2) Section 34283 of the HAL requires the Authority Board to provide by resolution for the time and place of holding the Board's regular meetings.
- (3) Sections 34278 and 34279 of the HAL allow the Authority Board, at its option, to employ a secretary, who shall be the executive director of the Authority, and other officers, and legal counsel according to the Authority's need.

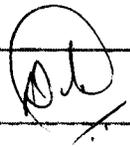
Section 34311 of the HAL provides that the Authority may make bylaws and regulations to carry into effect the powers and purposes of the Authority. It is recommended that the Authority Board adopt Authority Resolution No. 12-002 providing for the adoption of the bylaws, which includes all of the actions stated above.

RELEVANCE TO THE STRATEGIC PLAN

Not applicable.

EXHIBITS

A. Covina Housing Authority Resolution approving and adopting Authority bylaws

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

RESOLUTION NO. 12-002

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF
THE COVINA HOUSING AUTHORITY APPROVING AND
ADOPTING THE BYLAWS FOR THE AUTHORITY
PURSUANT TO HEALTH AND SAFETY CODE SECTION
34311**

WHEREAS, pursuant to the Housing Authorities Law (Health & Saf. Code, § 34200 et seq.) (“HAL”), the City Council of the City of Covina (“City”) permitted the Covina Housing Authority (“Authority”) to transact business and exercise any power inferred thereon by the provisions of the HAL as provided in Resolution No. 11-6926, dated January 25, 2011; and

WHEREAS, the Authority is responsible for addressing unsanitary or unsafe dwelling accommodations for persons of low income within the City; and

WHEREAS, the HAL sets forth the general procedures for creating and operating the Authority; and

WHEREAS, the Board of Commissioners of the Authority (“Authority Board”) is required to adopt personnel rules and regulations applying to all Authority employees and to provide by resolution for the time and place of holding Authority Board meetings; and

WHEREAS, specifically, Health and Safety Code section 34311 authorizes the Authority to make bylaws and regulations, if not inconsistent with the HAL, to carry into effect the powers and purposes of the Authority; and

WHEREAS, the Authority is interested in adopting bylaws, as set forth in Exhibit A attached hereto and incorporated herein by reference (“Bylaws”) to memorialize Authority procedures and powers; and

WHEREAS, the Bylaws provide the powers and purposes of the Authority, including but not limited to, the following: (1) that the City’s personnel rules and regulations, as amended from time to time, shall be applicable to all Authority employees; and (2) the Authority Board regular meetings shall be held every first and third Tuesday of each month at 7:30 p.m., in accordance with the regular meeting time and day of the City Council, unless the regular meeting is adjourned for lack of a quorum, and the Authority Board annual meeting shall be held on the first regular meeting of the Authority Board in the month of April of each year, at 7:30 p.m.

NOW, THEREFORE, THE COVINA HOUSING AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Incorporation of Recitals. The Recitals set forth above are true and correct and incorporated herein by reference.

SECTION 2. CEQA. The determination given in this Resolution does not commit the Covina Housing Authority to any action that may have a significant effect on the environment. As a result, such determination does not constitute a project subject to the requirements of the California Environmental Quality Act. The Authority Board directs Covina Housing Authority staff to file a Notice of Exemption within five (5) days following adoption of this Resolution with the Clerk of the Board of Supervisors of the County of Los Angeles.

SECTION 3. Adoption of Bylaws. In accordance with Health and Safety Code section 34311, and based on the Recitals set forth above, the Authority Board hereby approves and adopts the Bylaws of the Covina Housing Authority, attached to this Resolution as Exhibit A, together with non-substantive changes and amendments as may be approved by both the Executive Director and Authority Counsel.

SECTION 4. Implementation. The Board of Commissioners hereby authorizes and directs the Executive Director, or his or her designee, to take any action and execute any documents necessary to carry out the purposes of this Resolution.

SECTION 5. Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Authority Board hereby declare that they would have adopted this Resolution irrespective of the invalidity of any particular portion thereof.

SECTION 6. Certification. The Chairperson shall sign, and the Authority Secretary shall certify to, the passage and adoption of this Resolution.

SECTION 7. Effective Date. This Resolution shall become effective upon its adoption.

PASSED, APPROVED AND ADOPTED this 20th day of March, 2012.

Kevin Stapleton, Chairperson
Covina Housing Authority

ATTEST:

Daryl Parrish, Secretary
Covina Housing Authority

EXHIBIT A

BYLAWS OF THE COVINA HOUSING AUTHORITY

[See attached behind this page]

CERTIFICATION

I, Daryl Parrish, Secretary of the Covina Housing Authority, do hereby CERTIFY that the above referenced resolution was adopted by the Covina Housing Authority, at a regular meeting held this 20th day of March, 2012, and was approved and passed by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Daryl Parrish, Secretary
Covina Housing Authority

(SEAL)

BYLAWS OF THE COVINA HOUSING AUTHORITY

ARTICLE I THE AUTHORITY; OFFICE; SEAL

Section 1. NAME OF AUTHORITY - The name of the organization shall be the Covina Housing Authority (“Authority”). The Board of Commissioners of the Authority, the governing body of the Authority, shall be referred to as the “Board,” the “Authority Board” or the “Housing Authority.” Each member of the Board shall be referred to as a “Board member.”

Section 2. SEAL AUTHORITY - The official seal of the Authority shall be in the form of a circle and shall bear the name of the Authority and the year of its organization.

Section 3. PRINCIPAL OFFICE - The principal office of the Authority shall be 125 E. College Street, Covina, California, or such other location in the City of Covina as the Authority may from time to time designate.

ARTICLE II OFFICERS AND PERSONNEL

Section 1. OFFICERS - The officers of the Authority shall be a Chairperson, a Vice Chairperson, a Secretary, and a Treasurer.

Section 2. CHAIRPERSON - The Chairperson of the Board shall be the Mayor of the City Council of the City of Covina (“City Council”). The Chairperson shall preside at all meetings of the Authority. The Chairperson shall sign all contracts, deeds and other instruments made by the Authority, in the name of the Authority, as required by the Department of Housing and Urban Development, the Housing Authorities Law as set forth in Section 34200 et seq. of the California Health and Safety Code, or other applicable federal or state laws.

Section 3. VICE-CHAIRPERSON - The Vice-Chairperson shall be the Mayor Pro Tem of the City Council. The Vice-Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson; and in case of the resignation or death of the Chairperson, the Vice-Chairperson shall perform such duties as are imposed on the Chairperson until such time as the Authority shall select a successor Chairperson.

Section 4. SECRETARY - The Executive Director of the Authority, who shall serve at the pleasure of the Board, or his or her designee, shall be the Secretary. The Secretary shall attend all meetings of the Authority, record all votes, maintain a full and thorough record of all proceedings of the Authority, including all resolutions of the Board, in a journal of proceedings to be kept for such purposes. The Secretary shall keep all official records of the Authority, maintain custody of the seal of the Authority and shall have power to affix such seal to all contracts and instruments authorized to be executed by the Board, and perform all other duties incident to the Office of Secretary.

Section 5. TREASURER - The Finance Director of the City of Covina, who shall serve at the pleasure of the Board, shall be the Treasurer. The Treasurer shall have the care and custody of all funds of the Authority and shall deposit the same in the name of the Authority in such bank or banks as the Authority may select. The Treasurer may sign all orders and checks for the payment of money and shall pay out and disburse such monies under the direction of the Board. Except as otherwise authorized by resolution of the Board, all such orders and checks shall be countersigned by the Chairperson of the Covina Housing Authority and the Executive Director. The Treasurer shall keep regular books of accounts showing receipts and expenditures and shall render to the Board on a monthly basis, or more often when requested by any member of the Board, an account of transactions and of the financial condition of the Authority. The Treasurer shall give such bond for the faithful performance of the Treasurer's duties as the Board may determine.

Section 6. ADDITIONAL DUTIES - The officers of the Authority shall perform such other duties and functions as may from time to time be required by the Board or the Bylaws.

Section 7. EXECUTIVE DIRECTOR - The Executive Director of the Authority shall be the City Manager of the City of Covina, shall serve at the pleasure of the Board and shall be responsible, subject to the policies and directions of the Board, for the general supervision over the administration of the business and affairs of the Authority and the execution of the Authority policies. The Executive Director shall be charged with the management of the housing projects owned and or administered by the Authority. The Executive Director shall sign, on behalf of the Authority, all contracts and other documents approved by the Board unless federal or state regulations require otherwise; appoint, remove, discipline, and supervise the Authority's personnel; supply the Board with such information and recommendations as necessary or as may be requested by the Board; authorize and certify payrolls, requisitions, and other documents relating to the financial affairs of the Authority; and perform such other duties as may from time to time be prescribed for the Executive Director by the Board. The Executive Director may delegate such administrative duties and authority as are consistent with these Bylaws and such other rules and regulations as may from time to time be approved by the Board. The compensation of the Executive Director shall be determined by the Board.

Section 8. DEPUTY EXECUTIVE DIRECTOR - The Deputy Executive Director of the Authority shall be designated by the Executive Director. During the absence of the Executive Director and at other appropriate times, the Deputy Executive Director shall have the same duties and responsibilities as the Executive Director and is authorized to perform in that capacity.

Section 9. AUTHORITY COUNSEL – The City Attorney of the City of Covina shall serve as the Authority Counsel.

Section 10. NUMBER AND APPOINTMENT OF COMMISSIONERS; TERM

(a) Number and Appointment. The five (5) members of the City Council shall serve as the Board in accordance with California Health and Safety Code Section 34290. In addition, two (2) additional Board members shall be appointed by the City Council. The two (2) additional members shall be tenants of the Authority (“Tenant Commissioners”), at least one (1) of whom shall also be over sixty-two (62) years of age, if the Authority has tenants over sixty-two (62) years of age. A Tenant Commissioner shall have the same powers, duties, privileges, and immunities as any other Board member. If a Tenant Commissioner ceases to be a tenant of the Authority, he or she shall be disqualified as Commissioner and another tenant shall be appointed by the City Council to fill the unexpired term.

(b) Term. The terms for the City Councilmembers serving as the Board shall be coterminous with and equal to their terms as Councilmembers. The term for a Tenant Commissioner shall be two (2) years pursuant to California Health and Safety Code Section 34272(a). A certificate of appointment or reappointment of any Tenant Commissioner shall be filed with the City Clerk and the certificate is conclusive evidence of the due and proper appointment of the Tenant Commissioner, as prescribed under the Laws of the State of California. A copy of said certificate shall be filed with the Secretary of the Authority.

Section 11. CONFLICTS OF INTEREST; CODE OF CONDUCT – Board members, Tenant Commissioners and Authority staff are honored with the public’s trust, and shall conduct all Authority business in an impartial, objective manner not tainted by financial conflicts of interest. Board members, Tenant Commissioners and Authority staff shall abide by the disclosure and disqualification requirements of the Fair Political Practices Act and implementing regulations, the provisions of California Government Code 1090 and all other applicable rules regarding conflicts of interest. In addition, Board members and Tenant Commissioners shall abide by all rules of conduct duly adopted by the Board. Board members, Tenant Commissioners and Authority employees shall not acquire any direct or indirect interest in a housing project or in any property included or planned to be included in any project, nor shall he or she have any direct or indirect interest in a contract or proposed contract for materials or services to be furnished or used in connection with the housing project, in accordance with California Health and Safety Code Section 34281. If a Board member, Tenant Commissioner or Authority employee owns or controls a direct or indirect interest in any such property, he or she shall immediately make a written disclosure of it to the Authority and the disclosure shall be entered into the minutes. This Section 11 shall not be construed as precluding a Tenant Commissioner from serving, provided the fact of such tenancy is disclosed to the Authority in writing and entered into the minutes immediately upon a Tenant Commissioner assuming office.

Section 12. PERSONNEL RULES – Pursuant to California Health and Safety Code Section 34278, the Authority is required to adopt personnel rules and regulations applying to all employees. Those rules shall contain procedures affecting conflicts of interest, use of funds, and personnel procedures on hiring and firing, including removal of personnel for inefficiency, neglect of duties, or misconduct in office. The Authority adopts the City of Covina’s personnel rules and

regulations, as amended from time to time, which shall apply to all Authority employees. These rules and regulations shall be of public record.

Section 13. COMPENSATION – In accordance with the Housing Authorities Law, members of the Board may receive a per diem payment for attendance at not more than four (4) meetings per month of the Authority, which shall not exceed fifty dollars (\$50) per day, and shall receive necessary traveling and subsistence expenses incurred in the discharge of their duties. The Board may fix and determine the compensation of all Authority employees, counsels, consultants and agents from time to time in accordance with the law.

ARTICLE III MEETINGS

Section 1. PLACE FOR MEETINGS - Meetings of the Board shall be held at the principal office of the Authority, unless another place is stated in the notice of the meeting.

Section 2. ANNUAL MEETING - The annual meeting of the Board shall be held for the purpose of electing officers and the transacting of such other business as may properly be brought before the Board on the first regular meeting of the Board in the month of April, at 7:30 p.m., as described in Section 3 below. If the annual meeting time shall be a legal holiday, the annual meeting shall be held on the next succeeding business day.

Section 3. REGULAR MEETINGS - Regular meetings shall be held with notice on the first and third Tuesday of each month at 7:30 p.m., in accordance with the regular meeting day and time of the City Council, unless the regular meeting is adjourned for lack of a quorum. If a regular meeting time shall be a legal holiday, that regular meeting shall be held on the next succeeding business day.

Section 4. SPECIAL MEETINGS - The Chairperson or a majority of the members of the Board may call a special meeting of the Board for the purpose of transacting business of the Authority. The notice for a special meeting shall (a) be personally delivered to each member of the Board or mailed, by postal service or electronically, to the business or home address of each member of the Board, at least forty-eight (48) hours prior to the date of such special meeting, and (b) set forth the business to be transacted at the special meeting. At such special meeting, no business shall be considered other than the business designated in the notice.

Section 5. QUORUM - The powers of the Authority shall be vested in the Board members in office. A majority of the Board members empowered to vote shall constitute a quorum for the purpose of conducting the business and exercising the powers of the Authority, and for all other purposes, but a smaller number may recess or adjourn from time to time until a quorum is obtained.

Section 6. CONDUCT OF MEETINGS - Notwithstanding any other provision in these Bylaws, all regular and special meetings of the Board shall be held in compliance with the

requirements of the Housing Authorities Law, the Ralph M. Brown Act as set forth in Section 54950 et seq. of the California Government Code, and acceptable business meeting practices. The Board shall consider all appropriate business matters to come before the Board.

Section 7. MANNER OF VOTING - The voting on all matters coming before the Board shall be by voice vote or roll call, and the ayes and nays shall be entered upon the minutes of such meeting.

Section 8. ATTENDANCE AT MEETINGS – Board members shall attend all regular and special meetings of the Board unless there is good cause for the Board member’s absence. In the event a Board member ceases to discharge the duties of his or her office for the period of three (3) consecutive months, except when prevented from discharging such duties due to sickness, the remaining Board members may request that the members of the City Council terminate the term of the absent Board member for inefficiency, neglect, and/or abandonment of duty, in accordance with California Health and Safety Code Section 34282.

Section 9. PUBLIC MEETINGS; NOTICES - All meetings of the Board shall be open and public, and all persons shall be permitted to attend any meeting of the Board, except as otherwise provided in the Ralph M. Brown Act and other applicable laws. The Authority shall comply with all public noticing required by the Ralph M. Brown Act and other applicable law.

Section 10. PUBLIC COMMENT; REASONABLE LIMITATIONS - The Board encourages and welcomes public comment on all items on the Board’s agenda and, during the public comment period, on any matters not on the Board’s agenda but within the subject matter jurisdiction of the Board. For reasons of efficiency, speakers will be limited to five (5) minutes each. No action shall be taken on any item not appearing on the agenda unless otherwise authorized by law.

Section 11. USE OF TELECONFERENCING FOR MEETINGS

(a) As authorized by Government Code Section 54953(b), as may be amended from time to time, the Board may use teleconferencing in connection with any meeting or proceeding authorized by law and within the subject matter jurisdiction of the Board. Any and all costs associated with facilitating teleconferencing for any meeting or proceeding of the Board authorized by law shall be borne by the Authority. As defined by Government Code Section 54953(b)(4), “teleconference” means “a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both.”

(b) In accordance with any provision of applicable Federal or State law or regulation to the contrary, as such may be amended from time to time, teleconferencing is available to all members of the Board so long as a quorum of the members of the Board participate in the Board meeting from the same or different locations within the geographic boundaries of the Authority. As set forth in Government Code Section 54953(b), as may be amended from time to time, each teleconference location must meet all of the following requirements:

- (1) Be open to the public.
 - (2) Be identified in the Board meeting notice and agenda.
 - (3) Be posted with the Board meeting agenda.
 - (4) Allow members of the public, including but not limited to, residents of the District, to address the Board.
 - (5) Take all Board votes by roll call.
- (c) The Board shall conduct teleconference meetings in accordance with the Ralph M. Brown Act and any other applicable provisions of law.

ARTICLE IV AMENDMENTS

Section 1. AMENDMENTS TO BYLAWS - The Bylaws of the Authority shall be amended only with the approval of a majority of the Board members empowered to vote at a regular or a special meeting, but no amendment shall be considered unless at least five (5) days written notice thereof has been previously given to all members of the Board.

ARTICLE V MISCELLANEOUS

Section 1. INDEMNIFICATION - To the fullest extent permitted by law, the Board may authorize indemnification by the Authority of any person who is or was a member of the Board, officer, employee or other agent of the Board, and who was or is a party or is threatened to be made a party to a proceeding by reason of the fact that such person is or was such a member of the Board, officer, employee or other agent of the Authority, against expenses, judgments, fines settlements and other amounts actually and reasonably incurred in connection with such proceeding, if such person acted in good faith and in a manner such person reasonably believed to be in the best interests of the Authority and, in the case of a criminal proceeding, had no reasonable cause to believe the conduct of such person was unlawful and, in the case of an action by or in the right of the Authority, acted with such care, including reasonable inquiry, as an ordinarily prudent person in a like position would use under similar circumstances.

BYLAWS
OF THE
COVINA HOUSING AUTHORITY

CERTIFICATE OF SECRETARY

I, the undersigned, do hereby certify:

1. That I the duly elected and acting Secretary of the Covina Housing Authority (“Authority”), a public body corporate and politic; and

2. That the foregoing Bylaws, consisting of six (6) pages, are the Bylaws of the Authority, as duly approved by the Board of the Authority, at a meeting duly held on March 20, 2012.

In Witness Whereof, I have hereunto subscribed my name and affixed the seal of the Corporation this _____ day of _____, 2012.

Secretary

**SUCCESSOR AGENCY TO THE
COVINA REDEVELOPMENT AGENCY
AGENDA ITEM COMMENTARY**

MEETING DATE: March 20, 2012

ITEM NO.: CC 14

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

ITEM TITLE: Payment of Demands

STAFF RECOMMENDATION:

Approve Payment of Demands in the amount of \$385,322.61

BACKGROUND:

Attached list of warrants, demands, which are being presented for approval for January 2012 are summarized as follows:

<u>DATE OF DEMANDS</u>	<u>DEMAND NUMBERS</u>	<u>AMOUNT</u>
ACCOUNTS PAYABLE WARRANTS		
January, 2012	85-147	\$2,080,478.70
January 5, 2012	(Reimburse PR Insurance)	\$10,052.57
January 19, 2012	(Reimburse PR Insurance)	\$10,115.58
February 2, 2012	(Reimburse PR Insurance)	\$10,115.58

PAYROLL

January 5, 2012		\$25,812.92
January 19, 2012		\$25,780.02
February 2, 2012		\$26,986.38
February 16, 2012	(Accrued for 1/30, 1/31)	\$7,547.06

VOIDS

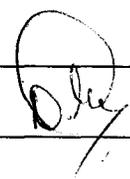
6468 (\$14.59)

GRAND TOTAL: \$2,196,874.22

RELEVANCE TO STRATEGIC PLAN: Not applicable

EXHIBITS:

A. ACCOUNTS PAYABLE REGISTER

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

SUCCESSOR AGENCY TO THE
COVINA REDEVELOPMENT AGENCY

Check Register

JANUARY 2012

Check #	Check Date	Vendor	Name	Amount
85	01/10/2012	279	BANK OF NEW YOR	4,016.00
86	01/10/2012	282	BANK OF THE WES	370.51
87	01/10/2012	783	COVINA WATER &	148.72
88	01/10/2012	970	EDISON CO	57.25
89	01/10/2012	1156	GAS COMPANY, TH	180.74
90	01/10/2012	2452	RJS FINANCIAL	33,332.00
91	01/12/2012	137	AL-SAL OIL COMP	7,333.33
92	01/12/2012	283	BANK OF THE WES	76.75
93	01/12/2012	788	COVINA, CITY OF	155,134.40
94	01/12/2012	788	COVINA, CITY OF	15,000.00
95	01/19/2012	341	BEST BEST & KRI	3,337.54
96	01/19/2012	788	COVINA, CITY OF	8,998.40
97	01/19/2012	970	EDISON CO	21.99
98	01/19/2012	3163	GENTRY BROTHERS	26,705.20
99	01/19/2012	1695	LEWIS OPERATING	3,430.12
100	01/19/2012	1771	MACIAS GINI & O	1,131.00
101	01/30/2012	341	BEST BEST & KRI	3,473.00
102	01/30/2012	376	BOND LOGISTIX	4,773.99
103	01/30/2012	619	CHARTER OAK USD	326.77
104	01/30/2012	3299	Covina Gardens	58,494.00
105	01/30/2012	776	COVINA REDEVELO	10.00
106	01/30/2012	783	COVINA WATER &	153.74
107	01/30/2012	788	COVINA, CITY OF	246.03
108	01/30/2012	788	COVINA, CITY OF	821.02
109	01/30/2012	788	COVINA, CITY OF	2,750.00
110	01/30/2012	788	COVINA, CITY OF	3,754.41
111	01/30/2012	788	COVINA, CITY OF	4,130.00
112	01/30/2012	788	COVINA, CITY OF	4,737.90
113	01/30/2012	788	COVINA, CITY OF	89,960.02
114	01/30/2012	788	COVINA, CITY OF	982,760.00
115	01/30/2012	896	DH MAINTENANCE	95.00
116	01/30/2012	970	EDISON CO	74.87
117	01/30/2012	3255	HABITAT FOR HUM	10,393.14
118	01/30/2012	1605	LA CNTY AUDITOR	768.03
119	01/30/2012	1612	LA CNTY DEPT OF	6,566.13
120	01/30/2012	1616	LA CNTY OFFICE	617.29
121	01/30/2012	1618	LA CNTY SANITAT	7,463.11
122	01/30/2012	1621	LA CTY FORESTER	2,390.39
123	01/30/2012	1771	MACIAS GINI & O	5,507.00
124	01/30/2012	1903	METROPOLITAN WA	1,875.29
125	01/30/2012	1907	MG ENTERPRISES	205,426.73
126	01/30/2012	2452	RJS FINANCIAL	8,333.00
127	01/30/2012	2852	THREE VALLEY MU	370.56

SUCCESSOR AGENCY TO THE
COVINA REDEVELOPMENT AGENCY

Check Register

JANUARY 2012

128	01/30/2012	2942 UNITED SITE SER	68.01
129	01/30/2012	2949 UPPER SGV MUNIC	302.89
130	01/30/2012	2955 US BANK	12,090.56
131	01/30/2012	2999 VERIZON CALIFOR	60.13
132	01/30/2012	3102 WILLDAN FINANCI	2,000.00
133	01/30/2012	3135 XO COMMUNICATIO	199.21
134	01/31/2012	279 BANK OF NEW YOR	2,173.00
135	01/31/2012	341 BEST BEST & KRI	1,265.88
136	01/31/2012	572 CATHOLIC CHARIT	1,294.47
137	01/31/2012	3299 Covina Gardens	393,588.00
138	01/31/2012	788 COVINA, CITY OF	138.58
139	01/31/2012	3532 GAGE ELECTRIC	145.00
140	01/31/2012	1156 GAS COMPANY, TH	181.15
141	01/31/2012	1157 GASSER, NUALA	79.34
142	01/31/2012	1287 HANEY'S LANDSCA	245.00
143	01/31/2012	2050 NEIUBER, ROBERT	178.41
144	01/31/2012	2942 UNITED SITE SER	68.01
145	01/31/2012	397 BRANCHEAU, LISA	25.00
146	01/31/2012	1157 GASSER, NUALA	14.59
147	01/30/2012	619 CHARTER OAK USD	816.10

2,080,478.70

**CITY OF COVINA/COVINA HOUSING AUTHORITY/
SUCCESSOR AGENCY TO THE COVINA REDEVELOPMENT
AGENCY**

AGENDA ITEM COMMENTARY

MEETING DATE: March 20, 2012

ITEM NO.: CC 15

STAFF SOURCE: Robert Neiuber, Deputy Executive Director *YN*
Nuala Gasser, Senior Redevelopment Manager *mg*

ITEM TITLE Successor Agency consideration of resolution to recommend oversight board approval of the transfer of the former Covina Redevelopment Agency's housing assets and functions to the Covina Housing Authority

STAFF RECOMMENDATION

Adopt Successor Agency to the Covina Redevelopment Agency ("Successor Agency") Resolution No. **12-002** recommending approval of the following from the oversight board of the Successor Agency ("Oversight Board"), which will be meeting on April 5, 2012:

- (1) Transfer of the former Covina Redevelopment Agency ("Agency")'s housing responsibilities and all rights, powers, duties and obligations along with any encumbered amounts in the Low and Moderate Income Housing fund to the Covina Housing Authority ("Authority") per Section 34181(c) of the Health and Safety Code; and
- (2) Transfer of the housing assets and properties of the former Agency to the Authority per Section 34181(a) of the Health and Safety Code.

FISCAL IMPACT

None.

BACKGROUND

Approval of transfer of housing responsibilities

As specified in AB 1X 26, Section 34181(c) of the Health and Safety Code requires that the oversight board direct the successor agency to "*transfer housing responsibilities and all rights, powers, duties and obligations*".

On January 30, 2012, the City Council approved Resolution 12-7045 pursuant to Health and Safety Code Section 34176, electing not to retain the housing assets and functions of the Agency, and transferring all rights, powers, assets, liabilities, duties and obligations associated with the housing activities of the Agency to the Authority.

The Oversight Board is requested by the Successor Agency, as set forth in Resolution No. **12-002**, attached hereto as Exhibit D, to approve the Authority as the entity to receive all housing responsibilities and all rights, powers, duties and obligations of the dissolved Agency and to carry them out for the City of Covina under Health and Safety Code Section 34181(c).

Approval of transfer of housing assets and properties

Under Health and Safety Code Section 34177(e), the Successor Agency is charged with disposing the *“assets and properties of the former redevelopment agency as directed by the oversight board; provided, however, that the oversight board may instead direct the successor agency to transfer ownership of certain assets pursuant to subdivision (a) of Section 34181”*. Under Section 34181(a), properties that are used for a governmental purpose may be transferred to the appropriate jurisdiction.

The Oversight Board is requested by the Successor Agency in Resolution No. **12-002** to approve the Authority as the entity to receive the housing assets of the dissolved Agency under Health and Safety Code Sections 34177(e) and 34181(a). The housing assets are listed in Exhibit A attached to this Agenda Item Commentary.

In March 2011, a property located at 147-151 E. College Street and another property used as transitional housing for homeless women and children (“Transitional House”), both owned by the Agency, were transferred to the Authority, subject to the resolutions authorizing the transfers. On March 1, 2011, by Resolution No. 11-003, the Authority accepted the transfer of the two properties. The transfers of ownership were recorded on March 11, 2011. A copy of the staff report regarding the transfer of the properties is attached as Exhibit B.

The Oversight Board is requested in Resolution No. **12-002** to approve the transfer of the following two housing properties to the Covina Housing Authority under Section 34181(a):

1. 147-151 E. College Street, Covina, CA
2. Transitional House

In addition, pursuant to Health and Safety Code Section 34177(d), the Successor Agency is required to remit only the unencumbered balances of Agency funds to the county-auditor controller, including the unencumbered balance of the Low and Moderate Income Housing Fund (“Housing Fund”). Pursuant to Health and Safety Code Section 34177(l), the Successor Agency has submitted, for Oversight Board approval, a recognized obligation payment schedule (“ROPS”) setting forth the debts and obligations of the dissolved Agency, including debts and obligations related to housing projects to be paid from the Housing Fund. Health and Safety Code Section 34181(c) provides that the Oversight Board will direct the Successor Agency transfer *“any amounts on deposit in the Low and Moderate Income Housing fund to the appropriate entity pursuant to Section 34176.”*

The Oversight Board is requested in Resolution No. **12-002** to approve the transfer of Housing Fund monies encumbered for housing projects set forth in the ROPS to the Authority for the Authority to be able to carry out such housing projects. The encumbered Housing Fund monies and housing projects set forth in the ROPS are listed in Exhibit C attached hereto.

RELEVANCE TO THE STRATEGIC PLAN

The dissolution of the Redevelopment Agency will impact the goal of enhancing financial stability in regard to the provision of funding to eliminate blight.

EXHIBITS

- A. Listing of Housing Assets

- B. Staff report of March 1, 2011
- C. Encumbered Funds and Housing Projects in the ROPS
- D. Successor Agency Resolution 12-002

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

EXHIBIT A

HOUSING ASSETS OF THE DISSOLVED COVINA REDEVELOPMENT AGENCY

[Attached behind this page]

Housing Account Receivables

Receivable	Description	Potential Receivable Value	Due Date
Down Payment Assistance Program	Forgivable loans to home buyers in the Vintage Walk 1 project (6 loans)	\$180,000	Original Date: 2006 Program provided for grants to be forgiven after 20 years. Dates and amount receivable will vary. CONTINUING MONITORING REQUIRED
Single Family Rehabilitation Program	Deferred loans to homeowners who make improvements	TBD by Council Meeting	Due on sale of property, date unknown. Typically not paid back for many years.
200 W. Rowland St	Residual Loan to purchase affordability covenants and to rehabilitate the property.	\$4,742,000	Original Date: June 17, 2010 Note is due on or before June 17, 2065 CONTINUING MONITORING REQUIRED
Habitat for Humanity 436 E Cypress St	Note for value of property	N/A	Original Date: August 19, 2011 Note will automatically terminate on Feb. 19, 2013, contingent on sale to qualified buyer. CONTINUED MONITORING REQUIRED
Transitional House	Home for homeless women and children	\$425,000	The residence is in use as affordable housing for homeless women and children where they can live rent-free for a period of time.
147-151 E College	Property was purchased with housing funds for housing purpose	\$715,000	Upon sale

Additional properties to be monitored annually

Village Green Apts , 152 E Covina Blvd, Covina CA 91722
 Smith Family Trust Apts, 227 N Citrus Ave, Covina CA 91723
 Cienega Gardens Apts, 1211 N. Lyman, Covina CA 91724
 Las Palmas Apts, 777 W. Covina Blvd, Covina CA 91722
 Vista Pointe Apts, 1400 N Grand Ave, Covina CA 91724
 YWCA Wings domestic violence home, confidential location

**CITY OF COVINA/
COVINA REDEVELOPMENT AGENCY/
COVINA HOUSING AUTHORITY**

AGENDA ITEM COMMENTARY

MEETING DATE: March 1, 2011

ITEM NO.: JPH 3

STAFF SOURCE: Daryl Parrish, City Manager/Executive Director *DP*
Robert Neiuber, Director of Community Development/
Deputy Executive Director Redevelopment *RN*
Dilu De Alwis, Director of Finance

ITEM TITLE: City Council/Redevelopment Agency/Covina Housing Authority to authorize the transfer of Redevelopment Agency properties described as Assessor Parcel Numbers 8445-001-918 and 8434-002-904 from the Redevelopment Agency to the Covina Housing Authority.

STAFF RECOMMENDATION

- a) Conduct the joint public hearing, consider public testimony, and
- b) City Council to adopt **Resolution No. 11-6937**, approving the transfer of certain real properties owned by the Covina Redevelopment Agency within and outside the Covina Revitalization Redevelopment Project No. One and Project No. Two to the Covina Housing Authority pursuant to California Health and Safety Code Sections 33430, 33431, 33445 and 33445.1 and making certain findings with regard thereto, and
- c) Covina Redevelopment Agency to adopt **Resolution No. 11-661** approving the transfer of certain Agency owned real properties within and outside the Covina Revitalization Redevelopment Project No. One and Project No. Two to the Covina Housing Authority pursuant to California Health and Safety Code Sections 33430, 33431, 33445 and 33445.1 and making certain findings with regard thereto, and
- d) Covina Housing Authority to adopt **Resolution No. 11-003** accepting the transfer of certain real properties owned by the Covina Redevelopment Agency within and outside the Covina Revitalization Redevelopment Project No. One and Project No. Two.

FISCAL IMPACT

Approval of this action will decrease the assets of the Agency and increase the assets of the Housing Authority. Fund accounts will not be affected.

BACKGROUND

According to California Health and Safety Code Section 33445, a redevelopment agency may, with the consent of the City Council, pay with tax increment funds all or part of the value of land for affordable housing located inside or contiguous to a project area, if the City Council makes the following findings: (i) the acquisition of land is of benefit to the project area by helping

eliminate blight within the project area; (ii) no other reasonable means of financing the acquisition of land is available; (iii) the payment of funds for the acquisition of land is consistent with the implementation plan adopted pursuant to California Health and Safety Code Section 33490. The City Council makes such findings in City Council Resolution No. 11-6937 and the Agency's Governing Board affirms such findings in Agency Resolution No. 11-661 with regard to the transfer of the following property ("College Street Property") from the Agency to the City:

<u>APN</u>	<u>Description</u>
8445-001-918	147-151 E. College Street

According to California Health and Safety Code Section 33445.1, a redevelopment agency may, with the consent of the City Council, pay with tax increment funds all or part of the value of land for affordable housing located outside and not contiguous to a project area, if the City Council makes the following findings: (i) the acquisition of land is of primary benefit to the project area; (ii) the acquisition of land benefits the project area by helping to eliminate blight within the project area, or will directly assist in the provision of housing for low- or moderate-income persons; (iii) no other reasonable means of financing the acquisition of the land are available to the community, including, but not limited to, general obligation bonds, revenue bonds, special assessment bonds, or bonds issued pursuant to the Mello-Roos Community Facilities Act, taking into account relevant legal, economic and political factors; (iv) the payment of funds for the acquisition of land is consistent with the implementation plan adopted pursuant to California Health and Safety Code Section 33490; and (v) the acquisition of land is provided for in the redevelopment plan. The City Council makes such findings in City Council Resolution No. 11-6937 and the Agency's Governing Board affirms such findings in Agency Resolution No. 11-661 with regard to the transfer of the following property ("Residential Property") from the Agency to the City:

<u>APN</u>	<u>Description</u>
8434-002-904	Residential Property

In response to the Governor's proposed State budget package and proposals for FY 2011-2012 which include recommending the elimination of redevelopment agencies "to realign the delivery of state services to counties and local governments" and eliminate a projected State deficit of \$25.4 billion, the City Manager and Agency Executive Director proposes the recommended actions intended to provide flexibility to preserve local public assets.

Pursuant to Health and Safety Code Section 33430 and 33431, an agency may transfer any real or personal property or any interest in property and must provide public notice. The public hearing is properly noticed, and the Agency proposes to transfer to the Housing Authority ownership of the College Street and Residential Properties by quitclaim deed for public use.

RELEVANCE TO THE STRATEGIC PLAN

Preservation of local control of public properties in the City is of benefit to the financial stability of the City.

EXHIBITS

- A. City Resolution No. 11-6937
- B. Agency Resolution No. 11-661
- C. Housing Authority Resolution No. 11-003

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

EXHIBIT A

RESOLUTION NO. 11-6937

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA APPROVING THE TRANSFER OF CERTAIN REAL PROPERTIES OWNED BY THE COVINA REDEVELOPMENT AGENCY WITHIN AND OUTSIDE THE COVINA REVITALIZATION REDEVELOPMENT PROJECT NO. ONE AND PROJECT NO. TWO TO THE COVINA HOUSING AUTHORITY PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 33430, 33431, 33445 AND 33445.1 AND MAKING CERTAIN FINDINGS WITH REGARD THERETO

WHEREAS, the City Council of the City of Covina ("City") approved and adopted redevelopment plans ("Redevelopment Plan") for a redevelopment project area known as Project Area No. 1 on July 15, 1974 and a redevelopment project area known as Project Area No. 2 on September 19, 1983, and amended on July 13, 1987 to add territory (collectively, the "Project Areas" and individually the "Project Area"); and

WHEREAS, the Covina Redevelopment Agency ("Agency") is engaged in activities to execute and implement the Redevelopment Plans for the Project Areas pursuant to the provisions of the California Community Redevelopment Law (Health and Safety Code § 33000, *et seq.*) ("CRL"); and

WHEREAS, for the improvement of the Project Areas and the immediate neighborhoods in which the Project Areas are located, the Agency has recognized the need to provide affordable housing and affordable housing sites, which properties are located within the boundaries of, and in close proximity to, the Project Areas as well as throughout the City, and

WHEREAS, pursuant to CRL Section 33445, a redevelopment agency may, with the consent of the City Council, pay all or part of the value of land located inside or contiguous to a project area, if the City Council makes certain findings and transfer such property; and

WHEREAS, as provided in this Resolution, the City Council has made the required findings pursuant to CRL Section 33445; and

WHEREAS, in accordance with CRL Section 33445, the Agency has used its housing set-aside funds received pursuant to CRL Section 33334.3 to pay for all or part of the cost of the value of land for that certain property located within the Project Area ("College Street Property"), to increase, improve and preserve the supply of low- and moderate-income housing within the territorial jurisdiction of the Agency, as listed below:

<u>APN</u>	<u>Description</u>
8445-001-918	147-151 E. College Street, Covina

WHEREAS, pursuant to CRL Section 33445.1, a redevelopment agency may, with the consent of the City Council, pay all or part of the value of land located outside and not contiguous to a project area, if the City Council makes certain findings and transfer such property; and

WHEREAS, as provided in this Resolution, the City Council has made the required findings pursuant to CRL Section 33445.1; and

WHEREAS, in accordance with CRL Section 33445.1, the Agency has used its housing set-aside funds received pursuant to CRL Section 33334.3 to pay for all or part of the cost of the value of land for that certain property located outside and not contiguous to the Project Area ("Residential Property"), to increase, improve and preserve the supply of low and moderate income housing within the territorial jurisdiction of the City, as listed below:

<u>APN</u>	<u>Description</u>
8434-002-904	Residential Property, Covina

WHEREAS, the Covina Housing Authority ("Authority") was activated by the City of Covina on January 25, 2011, to collaborate with the City and the Agency to provide sanitary and safe housing for people of very low, low or moderate income within the City, through participation in housing projects, and

WHEREAS, the City and Agency and Authority entered into an Agreement for Services on January 25, 2011 and on February 15, 2011, and

WHEREAS, the Agency desires to transfer the College Street Property and the Residential Property (collectively, "Properties") to the Authority and the Authority desires to acknowledge acceptance of the Properties; and

WHEREAS, CRL Section 33430 authorizes a redevelopment agency to sell real property and CRL Section 33431 provides that such sale may be made without public bidding only after a public hearing, notice of which shall be given by publication for not less than once a week for two weeks in a newspaper of general circulation published in the county in which the land lies; and

WHEREAS, pursuant to Health CRL Section 33431, notice of the public hearing held on March 1, 2011 was published in a newspaper of general circulation on February 10 and February 17, 2011; and

WHEREAS, pursuant to provisions of the California Community Redevelopment Law, the City Council and the Redevelopment Agency and the Authority held a duly noticed joint public hearing on the proposed transfer of the Properties on March 1, 2011; and

WHEREAS, the City Council has considered all terms and conditions of the

proposed transfer, and has determined that the proposed action is in the best interests of the City and in accord with the public purposes and provisions of applicable State and local laws; and

WHEREAS, in accordance with the California Environmental Quality Act (codified as Public Resources Code Sections 21000 *et seq*) (“CEQA”) and the State CEQA Guidelines, City staff has determined that the transfer of the Properties is exempt pursuant to CEQA Guidelines Section 15378(b)(5), which provides that the authorization of such a transfer is not considered a project subject to CEQA review because the transfer of the Properties is an organizational activity that will not result in direct or indirect physical changes in the environment.

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

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

Section 2. 33445 Findings. The City Council finds and determines, based on the information made available in the staff report accompanying this Resolution, the oral presentation of City staff, and all other written and oral evidence presented to the City at or prior to the public hearing, that:

- (i) That the Agency’s transfer of the College Street Property is of benefit to the Project Areas because the transfer of the College Street Property and the residential development on it will improve the quality of life in the Project Areas and is in the best interest of the City and the health, safety, morals and welfare of its residents, businesses, tenants, and property owners by providing needed affordable housing and affordable housing sites.
- (ii) That there are no other reasonable means of preserving the affordable housing and the affordable housing site on the College Street Property available to the City. The City cannot fully assume the costs of affordable housing development within the City without the assistance of property tax increment funding or other funding from the Project Areas. Capital public improvements in other parts of the City and other necessary uses of the City’s general fund revenues would have to be deferred or eliminated in order to provide affordable housing.
- (iii) That the transfer of the College Street Property will benefit the Project Areas by assisting in the elimination of one or more blighting conditions in the Project Areas. The transfer will assist the City, Agency and Authority in providing and preserving needed affordable housing. Transfer of the College Street Property and the associated provision of the housing will provide housing for low- and moderate-income families and eliminate blight by improving property within the Project Area with housing and making the Project Areas attractive to private

investment, which subsequently will contribute to an appreciation of the value of both businesses and property within the Project Areas.

- (iv) The transfer of the College Street Property is consistent with the implementation plan adopted pursuant to Section 33490 in that the implementation plan contemplates the increase and improvement of the supply of housing affordable to very low-, low- and moderate-income households. Implementation Plan goals includes giving priority to affordable housing proposals that will eliminate or prevent the spread of blight citywide, and to continue to stimulate construction of affordable infill housing units on a citywide basis.
- (v) The development of affordable housing is provided for in the Redevelopment Plans which authorize the development of buildings or other improvements in areas which benefit the Project Areas.

Section 3. 33445.1 Findings. The City Council finds and determines, based on the information made available in the staff report accompanying this Resolution, the oral presentation of City staff, and all other written and oral evidence presented to the City at or prior to the public hearing, that:

- (i) That the Agency's transfer of the Residential Property is of primary benefit to the Project Areas because the transfer of the Residential Property and the residential development on it will increase the supply of affordable housing options within or in close proximity to the Project Areas and is thus in the best interest of the City and the health, safety, morals and welfare of its residents, businesses, tenants, and property owners.
- (ii) That there are no other reasonable means of preserving the affordable housing and the affordable housing site on the Residential Property available to the City, including general obligation bonds, revenue bonds, special assessment bonds or bonds issued pursuant to the Mello-Roos Community Facilities Act. In addition, the City cannot fully assume the costs of affordable housing development within the City without the assistance of property tax increment funding or other funding from the Project Areas. Capital public improvements in other parts of the City and other necessary uses of the City's general fund revenues would have to be deferred or eliminated in order to provide such affordable housing.
- (iii) That the transfer of the Residential Property will directly assist in preserving and providing affordable housing options for low- and moderate-income families.
- (iv) The transfer of the Residential Property is consistent with the implementation plan adopted pursuant to Section 33490 in that the implementation plan contemplates the increase and improvement of the supply of housing affordable to very low, low and moderate-income households. Implementation Plan goals includes giving priority to affordable housing proposals that will eliminate or

prevent the spread of blight citywide, and to continue to stimulate construction of affordable infill housing units on a citywide basis.

- (v) The development of affordable housing is provided for in the Redevelopment Plans which authorize the development of buildings or other improvements in areas which benefit the Project Areas.

Section 4. Authorization. The City Council hereby authorizes the transfer of the Properties from the Agency to the Authority.

Section 5. CEQA. The City Council directs and authorizes that a Notice of Exemption shall be filed with the Clerk of the Board of Supervisors of the County of Los Angeles, California, within five (5) working days following the date of adoption of this Resolution.

Section 6. Effective Date. This Resolution shall take effect immediately upon its adoption.

Section 7. Certification. The City Clerk shall certify to the passage and adoption of this Resolution and the same shall thereupon take effect and be in force immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 1st day of March, 2011.

Mayor

ATTEST:

City Clerk

(SEAL)

APPROVED AS TO FORM;

City Attorney

CERTIFICATION

I, Catherine M. LaCroix, Deputy City Clerk, City of Covina, do hereby CERTIFY that Resolution No. 11-6937 was adopted by the Covina City Council at a regular meeting of the City Council held this 1st day of March, 2011, and was approved and passed by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Catherine M. LaCroix

Deputy City Clerk, City of Covina

EXHIBIT B

RESOLUTION NO. 11-661

A RESOLUTION OF THE COVINA REDEVELOPMENT AGENCY APPROVING THE TRANSFER OF CERTAIN AGENCY OWNED REAL PROPERTIES WITHIN AND OUTSIDE THE COVINA REVITALIZATION REDEVELOPMENT PROJECT NO. ONE AND PROJECT NO. TWO TO THE COVINA HOUSING AUTHORITY PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 33430, 33431, 33445 AND 33445.1 AND MAKING CERTAIN FINDINGS WITH REGARD THERETO

WHEREAS, the City Council of the City of Covina ("City") approved and adopted redevelopment plans ("Redevelopment Plan") for a redevelopment project area known as Project Area No. 1 on July 15, 1974 and a redevelopment project area known as Project Area No. 2 on September 19, 1983, and amended on July 13, 1987 to add territory (collectively, the "Project Areas" and individually the "Project Area"); and

WHEREAS, the Covina Redevelopment Agency ("Agency") is engaged in activities to execute and implement the Redevelopment Plans for the Project Areas pursuant to the provisions of the California Community Redevelopment Law (Health and Safety Code § 33000, *et seq.*) ("CRL"); and

WHEREAS, the Covina Housing Authority ("Authority") was activated by the City of Covina on January 25, 2011, to collaborate with the City and the Agency to provide sanitary and safe housing for people of very low, low or moderate income within the City, through participation in housing projects, and

WHEREAS, the City and Agency and Authority entered into an Agreement for Services on January 25, 2011 and on February 15, 2011, and

WHEREAS, for the improvement of the Project Areas and the immediate neighborhoods in which the Project Areas are located, the Agency has recognized the need to provide affordable housing and affordable housing sites, which properties are located within the boundaries of, and contiguous to, the Project Areas as well as throughout the City, and

WHEREAS, pursuant to CRL Section 33445, a redevelopment agency may, with the consent of the City Council, pay all or part of the value of land located inside or contiguous to a project area, if the City Council makes certain findings and transfer such property; and

WHEREAS, in accordance with CRL Section 33445, the Agency has used its housing set-aside funds received pursuant to CRL Section 33334.3 to pay for all or part of the cost of the value of land for that certain property located within the Project Area ("College Street

Property"), to increase, improve and preserve the supply of low- and moderate-income housing within the territorial jurisdiction of the Agency, as listed below:

<u>APN</u>	<u>Description</u>
8445-001-918	147-151 E. College Street, Covina

WHEREAS, the City Council made the required findings for the transfer of the College Street Property pursuant to CRL Section 33445 as set forth in City Council Resolution No. 11-6937 on March 1, 2011; and

WHEREAS, pursuant to CRL Section 33445.1, a redevelopment agency may, with the consent of the City Council, pay all or part of the value of land located outside and not contiguous to a project area, if the City Council makes certain findings and transfer such property; and

WHEREAS, in accordance with CRL Section 33445.1, the Agency has used its housing set-aside funds received pursuant to CRL Section 33334.3 to pay for all or part of the cost of the value of land for that certain property located outside and not contiguous to the Project Area ("Residential Property"), to increase, improve and preserve the supply of low and moderate income housing within the territorial jurisdiction of the City, as listed below:

<u>APN</u>	<u>Description</u>
8434-002-904	Residential Property, Covina

WHEREAS, the City Council made the required findings for the transfer of the Residential Property pursuant to CRL Section 33445.1 as set forth in City Council Resolution No. 11-6937 on March 1, 2011; and

WHEREAS, the Agency desires to transfer the College Street Property and the Residential Property (collectively, "Properties") to the Authority in accordance with a quitclaim deed attached to this Resolution as Exhibit "A"; and

WHEREAS, CRL Section 33430 authorizes a redevelopment agency to sell real property and CRL Section 33431 provides that such transfer may be made without public bidding only after a public hearing, notice of which shall be given by publication for not less than once a week for two weeks in a newspaper of general circulation published in the county in which the land lies; and

WHEREAS, pursuant to Health CRL Section 33431, notice of the public hearing held on March 1, 2011 was published in a newspaper of general circulation on February 10 and February 17, 2011; and

WHEREAS, pursuant to provisions of the California Community Redevelopment Law, the City Council and the Redevelopment Agency and the Authority held a duly noticed joint public hearing on the proposed transfer of the Properties on March 1, 2011; and

WHEREAS, the City Council has considered all terms and conditions of the proposed transfer, and has determined that the proposed action is in the best interests of the City and in accord with the public purposes and provisions of applicable State and local laws; and

WHEREAS, the Agency is the lead agency pursuant to the California Environmental Quality Act (codified as Public Resources Code Sections 21000 *et seq*) (“CEQA”) and the State CEQA Guidelines; and

WHEREAS, Agency staff has determined that the Agency’s authorization of the transfer is exempt from CEQA, pursuant to the CEQA Guidelines set forth in California Code of Regulations, Title 14, Section 15378(b)(5), which provides that such authorizations are not considered a project subject to CEQA review because the transfer of the Properties is an organizational activity that will not result in direct or indirect physical changes in the environment.

NOW, THEREFORE, BE IT RESOLVED by the Governing Board of the Covina Redevelopment Agency as follows:

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

Section 2. 33445 Findings. The City Council has found, and the Governing Board affirms, finds and determines, based on the information made available in the staff report accompanying this Resolution, the oral presentation of Agency staff, and all other written and oral evidence presented to the Governing Board at or prior to the public hearing, that:

- (i) That the Agency’s transfer of the College Street Property is of benefit to the Project Areas because the transfer of the College Street Property and the residential development on it will improve the quality of life in the Project Areas and is in the best interest of the City and the health, safety, morals and welfare of its residents, businesses, tenants, and property owners by providing needed affordable housing and affordable housing sites.
- (ii) That there are no other reasonable means of preserving the affordable housing and the affordable housing site on the College Street Property available to the City. The City cannot fully assume the costs of affordable housing development within the City without the assistance of property tax increment funding or other funding from the Project Areas. Capital public improvements in other parts of the City and other necessary uses of the City’s general fund revenues would have to be deferred or eliminated in order to provide affordable housing.
- (iii) That the transfer of the College Street Property will benefit the Project Areas by assisting in the elimination of one or more blighting conditions in the Project Areas. The transfer will assist the City, Agency and Authority in providing and

preserving needed affordable housing. Transfer of the College Street Property and the associated provision of the housing will provide housing for low- and moderate-income families and eliminate blight by improving property within the Project Area with housing and making the Project Areas attractive to private investment, which subsequently will contribute to an appreciation of the value of both businesses and property within the Project Areas.

- (iv) The transfer of the College Street Property is consistent with the implementation plan adopted pursuant to Section 33490 in that the implementation plan contemplates the increase and improvement of the supply of housing affordable to very low, low and moderate-income households. Implementation Plan goals includes giving priority to affordable housing proposals that will eliminate or prevent the spread of blight citywide, and to continue to stimulate construction of affordable infill housing units on a citywide basis.
- (v) The development of affordable housing provided for in the Redevelopment Plans which authorize the development of buildings or other improvements in areas which benefit the Project Areas.

Section 3. 33445.1 Findings. The City Council has found, and the Governing Board affirms, finds and determines, based on the information made available in the staff report accompanying this Resolution, the oral presentation of Agency staff, and all other written and oral evidence presented to the Governing Board at or prior to the public hearing, that:

- (i) That the Agency's transfer of the Residential Property is of primary benefit to the Project Areas because the transfer of the Residential Property and the residential development on it will increase the supply of affordable housing options within or in close proximity to the Project Areas and is thus in the best interest of the City and the health, safety, morals and welfare of its residents, businesses, tenants, and property owners.
- (ii) That there are no other reasonable means of preserving the affordable housing and the affordable housing site on the Residential Property available to the City, including general obligation bonds, revenue bonds, special assessment bonds or bonds issued pursuant to the Mello-Roos Community Facilities Act. In addition, the City cannot fully assume the costs of affordable housing development within the City without the assistance of property tax increment funding or other funding from the Project Areas. Capital public improvements in other parts of the City and other necessary uses of the City's general fund revenues would have to be deferred or eliminated in order to provide such affordable housing.
- (iii) That the transfer of the Residential Property will directly assist in preserving and providing affordable housing options for low- and moderate-income families.
- (iv) The transfer of the Residential Property is consistent with the implementation plan adopted pursuant to Section 33490 in that the implementation plan

Exhibit B Page 4 of 11

contemplates the increase and improvement of the supply of housing affordable to very low, low and moderate-income households. Implementation Plan goals includes giving priority to affordable housing proposals that will eliminate or prevent the spread of blight citywide, and to continue to stimulate construction of affordable infill housing units on a citywide basis.

- (v) The development of affordable housing is provided for in the Redevelopment Plans which authorize the development of buildings or other improvements in areas which benefit the Project Areas.

Section 4. Quitclaim Deed Authorization. The Governing Board authorizes and directs the Executive Director of the Agency, with the concurrence of the Agency Counsel, to execute and deliver on behalf of the Agency, a quitclaim deed, substantially in the form attached hereto as Exhibit "A" for each of the two Properties owned by the Agency.

Section 5. Implementation. The Governing Board hereby authorizes and directs the Executive Director of the Agency at his discretion to make decisions to take any action and execute any documents necessary to implement the property transfer and this Resolution, as may be approved by both the Executive Director and the Redevelopment Counsel.

Section 6. CEQA. The Governing Board directs and authorizes that a Notice of Exemption shall be filed with the Clerk of the Board of Supervisors of the County of Los Angeles, California, within five (5) working days following the date of adoption of this Resolution.

Section 7. Effective Date. This Resolution shall take effect immediately upon its adoption.

Section 8. Certification. The Agency Secretary shall certify to the passage and adoption of this Resolution and the same shall thereupon take effect and be in force immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 1st day of March, 2011.

Chairperson, Covina Redevelopment Agency

ATTEST:

Secretary, Covina Redevelopment Agency

APPROVED AS TO FORM;

Agency Counsel

CERTIFICATION

I, Catherine M. LaCroix, Secretary of the Redevelopment Agency of the City of Covina, do hereby CERTIFY that Resolution No. 11-661 was adopted by the Covina Redevelopment Agency at a regular meeting of the Agency held this 1st day of March, 2011, and was approved and passed by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Catherine M. LaCroix, Secretary

Exhibit B Page 6 of 11

Exhibit "A"

Quitclaim Deed

[see attached behind this page]

Exhibit B Page 7 of 11

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

Covina Redevelopment Agency
125 E. College Street
Covina, CA 91723-2199
Attention: Executive Director

SPACE ABOVE THIS LINE FOR RECORDER'S USE
EXEMPT FROM RECORDING FEES – GOVERNMENT
CODE SECTION 27383

APN:

COVINA REDEVELOPMENT AGENCY
QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COVINA REDEVELOPMENT AGENCY, a public body, corporate and politic
("Transferor"),

does hereby remise, release and forever quitclaim to

COVINA HOUSING AUTHORITY, a public body, corporate and politic
("Transferee"),

all right, title and interest of Transferor in that certain real property in the City of Covina, County
of Los Angeles, State of California, specifically described in Exhibit "A" attached to this
Quitclaim Deed ("Property") and made a part of this Quitclaim Deed by this reference.

Dated: _____ **COVINA REDEVELOPMENT AGENCY**, a public
body, corporate and politic

By: _____
Daryl Parrish
Executive Director

[SIGNATURE MUST BE NOTARY ACKNOWLEDGED FOR RECORDING]

Exhibit B Page 8 of 11

Exhibit "A"
To
Covina Redevelopment Agency
Quitclaim Deed

Property Legal Description

To be provided

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the above Quitclaim Deed from the COVINA REDEVELOPMENT AGENCY, a public body, corporate and politic, to COVINA HOUSING AUTHORITY, a public body, corporate and politic, is hereby accepted by the undersigned officer on behalf of the Covina Housing Authority and the Covina Housing Authority consents to recordation of such Quitclaim Deed in the official records of the County of Los Angeles, California.

Covina Housing Authority,
a public body, corporate and politic

By: _____
Peggy Delach
Chairperson

NOTARY ACKNOWLEDGEMENT
(California All-Purpose Acknowledgement)

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

On _____, before me, _____, notary public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

EXHIBIT C

RESOLUTION NO. 11-003

A RESOLUTION OF THE BOARD OF THE COVINA HOUSING AUTHORITY ACCEPTING THE TRANSFER OF CERTAIN REAL PROPERTIES OWNED BY THE COVINA REDEVELOPMENT AGENCY WITHIN AND OUTSIDE THE COVINA REVITALIZATION REDEVELOPMENT PROJECT NO. ONE AND PROJECT NO. TWO

WHEREAS, the City Council of the City of Covina (“City”) approved and adopted redevelopment plans (“Redevelopment Plan”) for a redevelopment project area known as Project Area No. 1 on July 15, 1974 and a redevelopment project area known as Project Area No. 2 on September 19, 1983, and amended on July 13, 1987 to add territory (collectively, the “Project Areas” and individually the “Project Area”); and

WHEREAS, the Covina Redevelopment Agency (“Agency”) is engaged in activities to execute and implement the Redevelopment Plans for the Project Areas pursuant to the provisions of the California Community Redevelopment Law (Health and Safety Code § 33000, *et seq.*) (“CRL”); and

WHEREAS, the Covina Housing Authority (“Authority”) was activated by the City of Covina on January 25, 2011, to collaborate with the City and the Agency to provide sanitary and safe housing for people of very low, low or moderate income within the City, through participation in housing projects, and

WHEREAS, the City and Agency and Authority entered into an Agreement for Services on January 25, 2011 and on February 15, 2011, and

WHEREAS, for the improvement of the Project Areas and the immediate neighborhoods in which the Project Areas are located, the Agency has recognized the need to provide affordable housing and affordable housing sites, which properties are located within the boundaries of, and in close proximity to, the Project Areas as well as throughout the City, and

WHEREAS, pursuant to CRL Section 33445, a redevelopment agency may, with the consent of the City Council, pay all or part of the value of land located inside or contiguous to a project area, if the City Council makes certain findings and transfer such property; and

WHEREAS, as provided in Resolution No. 11-6937, adopted on March 1, 2011, the City Council has made the required findings pursuant to CRL Section 33445; and

WHEREAS, in accordance with CRL Section 33445, the Agency has used its housing set-aside funds received pursuant to CRL Section 33334.3 to pay for all or part of the cost of the value of land for that certain property located within the Project Area (“College Street

Property"), to increase, improve and preserve the supply of low- and moderate-income housing within the territorial jurisdiction of the Agency, as listed below:

<u>APN</u>	<u>Description</u>
8445-001-918	147-151 E. College Street, Covina

WHEREAS, pursuant to CRL Section 33445.1, a redevelopment agency may, with the consent of the City Council, pay all or part of the value of land located outside and not contiguous to a project area, if the City Council makes certain findings and transfer such property; and

WHEREAS, as provided in Resolution No. 11-6937, adopted on March 1, 2011, the City Council has made the required findings pursuant to CRL Section 33445.1; and

WHEREAS, in accordance with CRL Section 33445.1, the Agency has used its housing set-aside funds received pursuant to CRL Section 33334.3 to pay for all or part of the cost of the value of land for that certain property located outside and not contiguous to the Project Area ("Residential Property"), to increase, improve and preserve the supply of low and moderate income housing within the territorial jurisdiction of the City, as listed below:

<u>APN</u>	<u>Description</u>
8434-002-904	Residential Property, Covina

WHEREAS, the Agency desires to transfer the College Street Property and the Residential Property (collectively, "Properties") to the Authority and the Authority desires to accept the Properties; and

WHEREAS, CRL Section 33430 authorizes a redevelopment agency to sell real property and CRL Section 33431 provides that such sale may be made without public bidding only after a public hearing, notice of which shall be given by publication for not less than once a week for two weeks in a newspaper of general circulation published in the county in which the land lies; and

WHEREAS, pursuant to Health CRL Section 33431, notice of the public hearing held on March 1, 2011 was published in a newspaper of general circulation on February 10 and February 17, 2011; and

WHEREAS, pursuant to provisions of the California Community Redevelopment Law, the City Council and the Agency and the Authority held a duly noticed joint public hearing on the proposed transfer of the Properties on March 1, 2011; and

WHEREAS, in accordance with the California Environmental Quality Act (codified as Public Resources Code Sections 21000 *et seq*) ("CEQA") and the State CEQA Guidelines, Authority staff has determined that the transfer of the Properties is exempt pursuant to CEQA Guidelines Section 15378(b)(5), which provides that the authorization of such a

transfer is not considered a project subject to CEQA review because the transfer of the Properties is an organizational activity that will not result in direct or indirect physical changes in the environment.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Covina Housing Authority as follows:

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

Section 2. Quitclaim Deed Authorization. The Board hereby authorizes and directs the Chairperson of the Authority to execute and deliver on behalf of the Authority, a certificate of acceptance, substantially in the form attached hereto as Exhibit "A" as part of the quitclaim deed for each of the two Properties and to take any action and execute any other documents as may be necessary to implement this Resolution.

Section 3. CEQA. The Board directs and authorizes that a Notice of Exemption shall be filed with the Clerk of the Board of Supervisors of the County of Los Angeles, California, within five (5) working days following the date of adoption of this Resolution.

Section 4. Effective Date. This Resolution shall take effect immediately upon its adoption.

Section 5. Certification. The Secretary shall certify to the passage and adoption of this Resolution and the same shall thereupon take effect and be in force immediately upon its adoption.

PASSED, APPROVED AND ADOPTED this 1st day of March, 2011.

Chairperson

ATTEST:

City Clerk

(SEAL)

APPROVED AS TO FORM;

Attorney

Exhibit C Page 3 of 8

CERTIFICATION

I, Catherine M. LaCroix, Secretary, Covina Housing Authority, do hereby CERTIFY that Resolution No. 11-003 was adopted by the Covina Housing Authority at a regular meeting of the Board held this 1st day of March, 2011, and was approved and passed by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Catherine M. LaCroix, Secretary

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

Covina Redevelopment Agency
125 E. College Street
Covina, CA 91723-2199
Attention: Executive Director

SPACE ABOVE THIS LINE FOR RECORDER'S USE
EXEMPT FROM RECORDING FEES – GOVERNMENT
CODE SECTION 27383

APN:

COVINA REDEVELOPMENT AGENCY
QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

COVINA REDEVELOPMENT AGENCY, a public body, corporate and politic
("Transferor"),

does hereby remise, release and forever quitclaim to

COVINA HOUSING AUTHORITY, a public body, corporate and politic
("Transferee"),

all right, title and interest of Transferor in that certain real property in the City of Covina, County of Los Angeles, State of California, specifically described in Exhibit "A" attached to this Quitclaim Deed ("Property") and made a part of this Quitclaim Deed by this reference.

Dated: _____ **COVINA REDEVELOPMENT AGENCY**, a public
body, corporate and politic

By: _____
Daryl Parrish
Executive Director

[SIGNATURE MUST BE NOTARY ACKNOWLEDGED FOR RECORDING]

Exhibit C Page 5 of 8

Exhibit "A"
To
Covina Redevelopment Agency
Quitclaim Deed

Property Legal Description

To be provided

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the above Quitclaim Deed from the COVINA REDEVELOPMENT AGENCY, a public body, corporate and politic, to COVINA HOUSING AUTHORITY, a public body, corporate and politic, is hereby accepted by the undersigned officer on behalf of the Covina Housing Authority and the Covina Housing Authority consents to recordation of such Quitclaim Deed in the official records of the County of Los Angeles, California.

Covina Housing Authority,
a public body, corporate and politic

By: _____
Peggy Delach
Chairperson

NOTARY ACKNOWLEDGEMENT
(California All-Purpose Acknowledgement)

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

On _____, before me, _____, notary public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

EXHIBIT C

Encumbered Funds and Housing Projects set forth in the ROPS

(Attached behind this page)

Will be provided at Council Meeting

RESOLUTION NO. 12-002

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA,
CALIFORNIA, SERVING AS THE SUCCESSOR AGENCY TO THE DISSOLVED
COVINA REDEVELOPMENT AGENCY, RECOMMENDING THE FOLLOWING TO
THE OVERSIGHT BOARD: DESIGNATION OF HOUSING ASSETS AND
FUNCTIONS TO BE TRANSFERRED TO THE COVINA HOUSING AUTHORITY
AND TRANSFER OF ENCUMBERED LOW AND MODERATE INCOME HOUSING
FUNDS DESIGNATED FOR HOUSING PROJECTS TO THE COVINA HOUSING
AUTHORITY**

WHEREAS, pursuant to Health and Safety Code section 34173(d), the City of Covina (“RDA Successor Agency”) is the successor agency to the dissolved Covina Redevelopment Agency (“Agency”), confirmed by Resolution No. 12-7041 adopted on January 11, 2012; and

WHEREAS, pursuant to Health and Safety Code section 34176, the City of Covina, as the entity that authorized the creation of the Agency, elected not to retain the housing assets and functions previously performed by the Agency, and instead elected to transfer all rights, powers, assets, liabilities, duties and obligations associated with the housing activities of the Agency, excluding any amounts on deposit in the Low and Moderate Income Housing Fund, to the Covina Housing Authority (“Authority”), as provided in Resolution No. 12-7045 adopted on January 30, 2012; and

WHEREAS, pursuant to Health and Safety Code section 34177(g), the RDA Successor Agency is required to effectuate the transfer of housing functions and assets to the appropriate entity designated pursuant to Health and Safety Code section 34176; and

WHEREAS, a list of all Agency housing assets recommended to be transferred by the RDA Successor Agency to the Authority is attached to this Resolution as Exhibit A, including the transfer of two properties owned by the Agency (147-151 E. College Street, and real property used as transitional housing for homeless women and children) to the Authority, as accepted by the Authority through Resolution No. 11-003, dated March 1, 2011, which transfers of ownership were recorded on March 11, 2011; and

WHEREAS, pursuant to Health and Safety Code section 34177(d), the RDA Successor Agency is required to remit only the unencumbered balances of Agency funds to the county-auditor controller, including the unencumbered balance of the Low and Moderate Income Housing Fund (“Housing Fund”); and

WHEREAS, pursuant to Health and Safety Code section 34177(l), the RDA Successor Agency has submitted, for Oversight Board approval, a Recognized Obligation Payment Schedule (“ROPS”) setting forth the debts and obligations of the dissolved Agency which need to be paid, including debts and obligations related to housing projects to be paid from the Housing Fund; and

WHEREAS, the RDA Successor Agency desires to transfer funds from the Housing Fund encumbered for housing projects set forth in the ROPS, to the Authority for the Authority to be able to carry out such housing projects, which are provided in Exhibit B attached to this Resolution; and

WHEREAS, pursuant to Health and Safety Code section 34181(c), the RDA Successor Agency's oversight board ("Oversight Board") is to direct the RDA Successor Agency to transfer housing responsibilities and all rights, powers, duties and obligations along with any amounts on deposit in the Low and Moderate Income Housing Fund to the appropriate entity pursuant to Health and Safety Code section 34176;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINA, SERVING AS THE SUCCESSOR AGENCY TO THE COVINA REDEVELOPMENT AGENCY, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. CEQA Compliance. The recommendation to transfer housing assets and functions and encumbered Housing Fund monies through this Resolution does not commit the RDA Successor Agency to any action that may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act. The City Clerk, acting on behalf of the RDA Successor Agency, is authorized and directed to file a Notice of Exemption with the appropriate official of the County of Riverside, California, within five (5) days following the date of adoption of this Resolution.

Section 3. Designation and Transfer of Housing Assets and Functions. The RDA Successor Agency hereby approves and recommends to the Oversight Board the designation of the assets set forth in Exhibit A attached to this Resolution as the housing assets of the dissolved Agency to be transferred to the Authority, along with the transfer of all rights, powers, liabilities, duties and obligations associated with the housing activities of the dissolved Agency, to the Authority pursuant to Health and Safety Code sections 34176, 34177 and 34181.

Section 4. Transfer of Encumbered Funds from the Housing Fund for Housing Projects. The RDA Successor Agency hereby approves and recommends to the Oversight Board the transfer of the encumbered funds from the Housing Fund designated for housing projects set forth in the ROPS, all as provided in Exhibit B attached to this Resolution, to the Authority, pursuant to Health and Safety Code section 34181.

Section 5. Implementation. The City Manager, acting on behalf of the RDA Successor Agency, is hereby authorized and directed to take any action necessary to carry out the purposes of this Resolution and comply with applicable law, including taking any actions necessary to inform the Oversight Board of the recommended housing assets and Housing Fund monies for transfer and the transfer of all rights, powers, assets, liabilities, duties and obligations associated with the housing activities of the dissolved Agency and monies from the Housing Fund.

Section 6. Severability. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The RDA Successor Agency declares that the RDA Successor Agency would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

Section 7. Certification. The City Clerk, acting on behalf of the RDA Successor Agency, shall certify to the adoption of this Resolution.

Section 8. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED, APPROVED AND ADOPTED THIS 20th day of March, 2012.

Kevin Stapleton, Mayor of the City of
Covina, serving as the successor agency to
the dissolved Covina Redevelopment
Agency

ATTEST:

Catherine M. LaCroix
City Clerk of the City of Covina,
serving as the successor agency to the
dissolved Covina Redevelopment Agency

EXHIBIT A

HOUSING ASSETS OF THE DISSOLVED COVINA REDEVELOPMENT AGENCY

[Attached behind this page]

Will be provided at Council Meeting

EXHIBIT B

ENCUMBERED FUNDS AND HOUSING PROJECTS SET FORTH IN THE ROPS

[Attached behind this page]

Will be provided at Council Meeting

CERTIFICATION

I, Catherine M. LaCroix, Deputy City Clerk of the City of Covina, serving as the successor agency to the dissolved Covina Redevelopment Agency, hereby CERTIFY that the above referenced resolution was adopted by the City of Covina, serving as the successor agency to the dissolved Covina Redevelopment Agency, at a regular meeting held this 20th day of March, 2012, and was approved and passed by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Catherine M. LaCroix
City Clerk of the City Covina, serving as the
successor agency to the dissolved Covina
Redevelopment Agency

**SUCCESSOR AGENCY TO THE
COVINA REDEVELOPMENT AGENCY
AGENDA ITEM COMMENTARY**

MEETING DATE: March 20, 2012

ITEM NO.: CC 16

STAFF SOURCE: Robert Neiuber, Deputy Executive Director of Successor Agency *RN*
Elizabeth Hull, Agency Attorney

ITEM TITLE: Approve updated Recognized Obligation Payment Schedule covering January 1, 2012, through June 30, 2012, and direct it be provided to the Successor Agency Oversight Board for consideration and approval.

STAFF RECOMMENDATION

Successor Agency to the Covina Redevelopment Agency review and approve the updated Recognized Obligation Payment Schedule (ROPS) covering January 1, 2012, through June 30, 2012, and direct it be provided to the Successor Agency Oversight Board for consideration and approval.

FISCAL IMPACT

Once the successor agency adopts the ROPS and it is approved by the oversight committee and the State Department of Finance then fiscal impact will be the Agency funds necessary for the enforceable obligations to be paid each month.

BACKGROUND

The successor document to the Enforceable Obligation Payment Schedule (EOPS), the Recognized Obligation Payment Schedule ("ROPS"), was intended to set forth the enforceable obligations of the Agency and be operative on January 1, 2012, after the expiration of the EOPS under Health and Safety Code section 34177(1)(3). However, as a result of the Litigation, the Supreme Court extended the operative date of the ROPS to May 1, 2012. Health and Safety Code section 34177(a)(1), enacted by AB 1X 26, provides that until an ROPS becomes operative, only payments required pursuant to the EOPS shall be made, even after the redevelopment agency is dissolved. Therefore, the revised EOPS budget is effective from January 1, 2012 through April 30, 2012 and the ROPS assuming is it approved by the oversight committee and the State Department of Finance becomes effective May 1, 2012. At the Agency Boards direction we will provide the ROPS to the Successor Agency Oversight Board for consideration and approval.

The updated sets forth changes requested by La County regarding bond payments and sets forth amounts for programmatic costs based on the latest information from the State Department of Finance. The ROPS also reflects long term employee costs such as retiree medical and pension costs.

This ROPS covers the period of January 1, 2012 through June 30, 2012 even though the EOPS is in effect until the ROPS is adopted by the Oversight Board and approved by the Department of Finance.

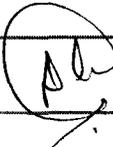
At the time that this Agenda Item is being prepared we do not yet have any appointments to the Oversight Board, the first meeting of the Oversight Board is scheduled for April 5th at 3:00 PM because of the deadlines set forth in the legislation for the adoption of the ROPS.

RELEVANCE TO THE STRATEGIC PLAN

Approving the ROPS and the funding for current obligations the Agency is enhancing its financial stability, which is one of the Strategic Plan's three-year goals.

EXHIBITS

1. ROPS for January 1, 2012, through June 30, 2012

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

Name of Redevelopment Agency: Covina Redevelopment Agency
 Project Area(s) Project Areas 1 and 2

RECOGNIZED OBLIGATION PAYMENT SCHEDULE

Per AB 26 - Section 34171 and 34177

Project Name / Debt Obligation	Project Area	Payee	Description	Payment Source	Jan	Feb	Mar	Apr	May	Jun	Total
1) 1997 Tax Allocation Bonds Series A	PA2	Bank of New York	Bond issue to fund non-housing projects	Redevelopment Property	0.00				33,230.00		\$ 33,230.00
2) 1997 Tax Allocation Bonds Series B	PA1	Bank of New York	Bond issue to fund non-housing projects	Redevelopment Property	0.00				74,550.00		\$ 74,550.00
3) 2002 Tax Allocation Bonds Series A	PA1	Bank of New York	Bond issue to fund non-housing projects	Redevelopment Property	0.00				57,798.00		\$ 57,798.00
4) 2004 Tax Allocation Bonds Series A	PA1	Bank of New York	Bond issue to fund non-housing projects	Redevelopment Property	0.00				278,348.00		\$ 278,348.00
5) 2004 Tax Allocation Bonds Series B-1	Hsg	Bank of New York	Bond issue to fund housing projects	Redevelopment Property	0.00				90,439.00		\$ 90,439.00
6) Note Payable 626 S Citrus Avenue	PA1	US Bank	Property purchased for redevelopment	Redevelopment Property	12,160.25	12,160.25	12,160.25	12,160.25	12,160.25	12,160.25	\$ 72,961.50
7) Lease Payable 611 S Citrus	PA1	Al-Sai Oil	Property lease	Redevelopment Property	7,333.33	7,333.33	7,333.33	7,333.33	7,333.33	7,333.33	\$ 43,999.98
8) Lease Payable RJS Financial	PA1	RJS Financial	Property lease	Redevelopment Property	249,200.00	49,840.00	49,840.00	49,840.00	49,840.00	49,840.00	\$ 498,400.00
9) Shoppers Lane	PA1	Gentry Brothers, Inc	Public Improvements	Bond Proceeds	53,284.00						\$ 53,284.00
10) 200 W Rowland	Hsg	Covina Gardens KBS L.P	Low-Mod housing renovations	Bond Proceeds	58,494.00	100,000.00	500,000.00	500,000.00	500,000.00	500,000.00	\$ 2,158,494.00
11) Habitat - 436 E Cypress	Hsg	Habitat for Humanity	Grant for building of affordable home	Bond Proceeds	6,596.56	6,956.56	6,596.56				\$ 20,149.68
12) Heritage Plaza	PA2	MG Enterprises	Park Construction	Bond Proceeds	377,355.74	377,355.74					\$ 754,711.48
13) Heritage Plaza	PA2	Willdan	Project management	Bond Proceeds	8,988.00						\$ 8,988.00
14) Heritage Plaza	PA2	Willdan	Project design	Bond Proceeds							\$ -
15) Heritage Plaza	PA2	Willdan	Special Inspection	Bond Proceeds	30,000.00						\$ 30,000.00
16) Badillo Heights	PA2	Steve Eide	Litigation - settlement	Redevelopment Property	15,000.00						\$ 15,000.00
17) Fiscal Agent Fees	ALL	Bank of New York	Fiscal agent fees to maintain bond funds	Redevelopment Property	13,500.00					10,000.00	\$ 23,500.00
18) Arbitrage Calculations	ALL	Willdan	Calculations required by law	Redevelopment Property	2,000.00						\$ 2,000.00
19) Land Exchange Agreement	PA1	Covina Valley USD	Equipment removal and site preparation	Bond Proceeds		50,000.00					\$ 50,000.00
20) Vocational Facility	PA1	Covina Valley USD	Build new educational facility	Bond Proceeds						1,300,000.00	\$ 1,300,000.00
21) Transitional House	Hsg	CCLA & others	Low-moderate Transitional housing	Low/Mod Income Housin	4,353.61	4,353.61	4,353.61	4,353.61	4,353.61	4,353.61	\$ 26,121.66
22) Low-Mod Housing Program	Hsg	City of Covina/Covina Hou	low/mod programs, admin, consultant, empl	Low/Mod Income Housin	40,037.50	40,037.50					\$ 80,075.00
23) Neighborhood Preservation Services	Hsg	City of Covina	Neighborhood Preservation Employee Cost	Low/Mod Income Housin	16,728.33	16,728.33					\$ 33,456.66
24) Employee Obligations	PA1	City of Covina	Redevelopment Employee costs	Redevelopment Property	44,342.50	44,342.50	112,707.00	6,500.00	6,500.00	6,500.00	\$ 220,892.00
25) City Services and Overhead	PA1	City of Covina	Administration, overhead, etc	Redevelopment Property	148,370.00						\$ 148,370.00
26) Redevelopment Programs	ALL	Petroleum Environmental	Programs, capital proj, consultants, marketing	Redevelopment Property	48,478.33						\$ 48,478.33
27) Rental Subsidy Program	Hsg	City of Covina/Covina Hou	Low-Moderate housing rental subsidy	Low/Mod Income Housin	0.00						\$ -
28) Hospital Project	PA1	City of Covina	Citrus Valley Health Partners Intercommunity	Campus Project Area 1	0.00						\$ -
29) DPAP	Hsg	City of Covina/Covina Hou	Downpayment assistance program	Low/Mod Income Housin	0.00						\$ -
30) 135 E Badillo (old BofA)	Hsg	City of Covina/Covina Hou	Low-moderate housing	Low/Mod Income Housin	0.00					50,000.00	\$ 50,000.00
											\$ -
Totals - This Page					\$ 1,136,222.15	\$ 709,107.82	\$ 692,990.75	\$ 580,187.19	\$ 1,114,552.19	\$ 1,940,187.19	\$ 6,173,247.29
Totals - Page 2					\$ -	\$ 90,000.00	\$ 65,900.00	\$ -	\$ 90,000.00	\$ 65,900.00	\$ 7,582,800.00
Totals - Other Obligations					\$ 617,023.00	\$ -	\$ -	\$ -	\$ 11,820.00	\$ -	\$ 628,843.00
Grand total - All Pages					\$ 1,753,245.15	\$ 799,107.82	\$ 758,890.75	\$ 580,187.19	\$ 1,216,372.19	\$ 2,006,087.19	\$ 14,384,890.29

Name of Redevelopment Agency: Covina Redevelopment Agency
 Project Area(s) Project Areas 1 and 2

RECOGNIZED OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34171 and 34177

Project Name / Debt Obligation	Project Area	Payee	Description	Payment Source	Jan	Feb	Mar	Apr	May	Jun	Total
31) Rehabilitation and Preservation Programs	Hsg	City of Covina/Covina Ho	Affordable housing programs	Low/Mod Income Housing Fund							\$ 250,000.00
32) Downtown Site	Hsg	City of Covina/Covina Ho	New housing Initiatives-affordable housing	Low/Mod Income Housing Fund							\$ 3,000,000.00
33) Scattered Multi-family	Hsg	City of Covina/Covina Ho	Affordable housing Rehab Sites	Low/Mod Income Housing Fund							\$ 2,000,000.00
34) Scattered Single-family	Hsg	City of Covina/Covina Ho	Affordable housing sites	Low/Mod Income Housing Fund							\$ 2,000,000.00
35) Land Acquisition	ALL	City of Covina	Elimination of blight	Redevelopment Property Tax Trust Fund							\$ -
36) Parking Lot Acquisition and Construction	Hsg	City of Covina	Elimination of blight & creation of LMH	Redevelopment Property Tax Trust Fund							\$ -
37) Corridor Revitalization & Streetscape Impr	ALL	City of Covina	Elimination of blight	Redevelopment Property Tax Trust Fund							\$ -
38) Corners of Citrus & Rowland	PA1	City of Covina	Elimination of blight Project Area 1	Redevelopment Property Tax Trust Fund							\$ -
39) Radisson Freeway Sign	PA1	City of Covina	Elimination of blight Project Area 1	Redevelopment Property Tax Trust Fund							\$ -
40) South Citrus Auto Corridor	PA1	City of Covina	Elimination of blight Project Area 1	Redevelopment Property Tax Trust Fund							\$ -
41) Public Infrastructure & Facilities	PA2	City of Covina	Elimination of blight Project Area 2	Redevelopment Property Tax Trust Fund							\$ -
42) Potential Mixed use Projects	Hsg	City of Covina/Covina Ho	Elimination of blight/provide affordable housin	Redevelopment Property Tax Trust Fund							\$ -
43) Public Infrastructure & Facilities	PA2	City of Covina	Elimination of blight Project Area 2	Redevelopment Property Tax Trust Fund							\$ -
44) Downtown Revitalization	PA2	City of Covina	Elimination of blight Project Area 2	Redevelopment Property Tax Trust Fund							\$ -
45) 147-151 E College St	Hsg	Housing fund	Repayment to LMH	Redevelopment Property Tax Trust Fund							\$ -
46) Consulting & Legal Services	ALL	BB&K, Robert Neuber, N	Legal and consulting for oversight and windo	Redevelopment Property Tax Trust Fund		40,000.00	40,000.00	40,000.00	40,000.00	40,000.00	\$ 200,000.00
47) Investment sales	ALL	Wells Fargo, H.Beck, Inc.	loss on liquidation of investments	Redevelopment Property Tax Trust Fund		50,000.00					\$ 50,000.00
48) Audit Fees	ALL		Required audit services	Redevelopment Property Tax Trust Fund						16,000.00	\$ 16,000.00
49) Heritage Park	PA2	City of Covina	Direct program administration	Redevelopment Property Tax Trust Fund			15,250.00	15,250.00			\$ 30,500.00
50) Transitional House	Hsg	City of Covina	Direct program administration	Redevelopment Property Tax Trust Fund			4,500.00	4,500.00	4,500.00	4,500.00	\$ 18,000.00
51) 200 West Rowland	Hsg	City of Covina	Direct program administration	Redevelopment Property Tax Trust Fund			2,250.00	2,250.00	2,250.00	2,250.00	\$ 9,000.00
52) Habitat - 436 E Cypress	Hsg	City of Covina	Direct program administration	Redevelopment Property Tax Trust Fund			750.00	750.00	750.00	750.00	\$ 3,000.00
53) Continuing Disclosure	ALL	HDL	Required calculations for bonds	Redevelopment Property Tax Trust Fund			3,150.00			3,150.00	\$ 6,300.00
54)											\$ -
55)											\$ -
56)											\$ -
57)											\$ -
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65)											\$ -
66)											\$ -
67)											\$ -
68)											\$ -
Totals - This Page					\$ -	\$ 90,000.00	\$ 65,900.00	\$ 62,750.00	\$ 47,500.00	\$ 66,650.00	\$ 7,582,800.00

Project Area(s)

RECOGNIZED OTHER OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34171 and 34177

Project Name / Debt Obligation	Project Area	Payee	Description	Jan	Feb	Mar	Apr	May	Jun	Total
1) Housing Set Aside Deferral 1995	PA1	Housing Fund	Repayment for housing fund	44,000.00						\$ 44,000.00
2) SERAF loan from Housing 2010	PA1	Housing Fund	Repayment for housing fund							\$ -
3) SERAF loan from Housing 2011	PA1	Housing Fund	Repayment for housing fund							\$ -
4) SB211 Statutory Tax Sharing	PA1	various taxing entities	Payments per CRL 33607.5 & .7	372,000.00						\$ 372,000.00
5) Statutory Payments	PA1	Los Angeles County	Payments per CRL 33607.5 & .7	101,690.00						\$ 101,690.00
6) Statutory Payments	PA2	Los Angeles County	Payments per CRL 33676	13,946.00						\$ 13,946.00
7) Statutory Payments	PA2	various taxing entities	Payments per CRL 33676							\$ -
8) SB211 Statutory Tax Sharing	PA2	various taxing entities	Payments per CRL 33607.5 & .7	85,000.00						\$ 85,000.00
9) Property Tax Administration	ALL	Los Angeles County	Property Tax Administration	387.00						\$ 387.00
10) Maintenance of Agency owned prop	ALL	Andy Gump/United fencing	Maintain assets under AB1X 26					9,300.00		\$ 9,300.00
11) Rental Covenants	Hsg	ULI/Covina Housing Autho	Monitor affordable housing compliance							\$ -
12) For Sale Covenants	Hsg	Covina Housing Authority/	Monitor affordable housing compliance					2,520.00		\$ 2,520.00
13)										\$ -
14)										\$ -
15)										\$ -
16)										\$ -
17)										\$ -
18)										\$ -
19)										\$ -
20)										\$ -
21)										\$ -
22)										\$ -
23)										\$ -
24)										\$ -
25)										\$ -
26)										\$ -
27)										\$ -
28)										\$ -
Totals - Other Obligations				\$ 617,023.00	\$ -	\$ -	\$ -	\$ 11,820.00	\$ -	\$ 628,843.00

**SUCCESSOR AGENCY TO THE
COVINA REDEVELOPMENT AGENCY
AGENDA ITEM COMMENTARY**

MEETING DATE: March 20, 2012

ITEM NO.: CC 17

STAFF SOURCE: Robert Neiuber, Deputy Executive Director of Successor Agency ✓
Elizabeth Hull, Agency Attorney

ITEM TITLE: Approve updated Recognized Obligation Payment Schedule covering July 1, 2012, through December 31, 2012, and direct it be provided to the Successor Agency Oversight Board for consideration and approval.

STAFF RECOMMENDATION

Successor Agency to the Covina Redevelopment Agency review and approve the updated Recognized Obligation Payment Schedule (ROPS) covering July 1, 2012, through December 31, 2012, and direct it be provided to the Successor Agency Oversight Board for consideration and approval.

FISCAL IMPACT

Once the successor agency adopts the ROPS and it is approved by the oversight committee and the State Department of Finance then fiscal impact will be the Agency funds necessary for the enforceable obligations to be paid each month.

BACKGROUND

The Recognized Obligation Payment Schedule ("ROPS"), sets forth the enforceable obligations of the Agency. This ROPS covers the period of July 1, 2012 through December 31, 2012. With the approval of the Oversight Board, the ROPS would be transferred to the State Department of Finance for review and approval.

RELEVANCE TO THE STRATEGIC PLAN

Approving the ROPS and the funding for current obligations the Agency is enhancing its financial stability, which is one of the Strategic Plan's three-year goals.

EXHIBITS

1. ROPS for July 1, 2012, through December 31, 2012,

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

Name of Redevelopment Agency: Covina Redevelopment Agency
 Project Area(s) Project Areas 1 and 2

RECOGNIZED OBLIGATION PAYMENT SCHEDULE

Per AB 26 - Section 34171 and 34177

Project Name / Debt Obligation	Project Area	Payee	Description	Payment Source	Jul	Aug	Sep	Oct	Nov	Dec	Total
1) 1997 Tax Allocation Bonds Series A	PA2	Bank of New York	Bond issue to fund non-housing projects	Redevelopment Property Tax Trust Fund					113,231.00		\$ 113,231.00
2) 1997 Tax Allocation Bonds Series B	PA1	Bank of New York	Bond issue to fund non-housing projects	Redevelopment Property Tax Trust Fund					424,550.00		\$ 424,550.00
3) 2002 Tax Allocation Bonds Series A	PA1	Bank of New York	Bond issue to fund non-housing projects	Redevelopment Property Tax Trust Fund					382,798.00		\$ 382,798.00
4) 2004 Tax Allocation Bonds Series A	PA1	Bank of New York	Bond issue to fund non-housing projects	Redevelopment Property Tax Trust Fund					1,843,348.00		\$ 1,843,348.00
5) 2004 Tax Allocation Bonds Series B-1	Hsg	Bank of New York	Bond issue to fund housing projects	Redevelopment Property Tax Trust Fund					305,439.00		\$ 305,439.00
6) Note Payable 626 S Citrus Avenue	PA1	US Bank	Property purchased for redevelopment	Redevelopment Property	12,160.25	12,160.25	12,160.25	12,160.25	12,160.25	12,160.25	\$ 72,961.50
7) Lease Payable 611 S Citrus	PA1	Al-Sal Oil	Property lease	Redevelopment Property	7,333.33	7,333.33	7,333.33	7,333.33	7,333.33	7,333.35	\$ 44,000.00
8) Lease Payable RJS Financial	PA1	RJS Financial	Property lease	Redevelopment Property	49,840.00	49,840.00	49,840.00	49,840.00	49,840.00	49,840.00	\$ 299,040.00
9) Fiscal Agent Fees	ALL	Bank of New York	Fiscal agent fees to maintain bond funds	Redevelopment Property	10,000.00						\$ 10,000.00
10) Arbitrage Calculations	ALL	Willdan	Calculations required by law	Redevelopment Property	2,000.00						\$ 2,000.00
11) Employee Obligations	PA1	City of Covina	Redevelopment Employee costs	Redevelopment Property	6,500.00	6,500.00	6,500.00	6,500.00	6,500.00	6,500.00	\$ 39,000.00
12) Transitional House	Hsg	City of Covina	Direct program administration	Redevelopment Property	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00	\$ 18,000.00
13) 200 West Rowland	Hsg	City of Covina	Direct program administration	Redevelopment Property	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00	\$ 12,000.00
14) Continuing Disclosure	ALL	HDL	Required calculations for bonds	Redevelopment Property Tax Trust Fund			3,150.00			3,150.00	\$ 6,300.00
15) 147-151 E College St	Hsg	Housing fund	Repayment to LMH	Redevelopment Property Tax Trust Fund			715,000.00				\$ 715,000.00
16) 200 W Rowland	Hsg	Covina Gardens KBS L.P.	Low-Mod housing renovations	Bond Proceeds	341,506.00						\$ 341,506.00
17)											\$ -
18)											\$ -
19)											\$ -
20)											\$ -
21)											\$ -
22)											\$ -
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25)											\$ -
26)											\$ -
27)											\$ -
28)											\$ -
29)											\$ -
30)											\$ -
Totals - This Page					\$ 434,339.58	\$ 80,833.58	\$ 798,983.58	\$ 80,833.58	\$ 3,150,199.58	\$ 83,983.60	\$ 4,629,173.50
Totals - Other Obligations					\$ -	\$ -	\$ -	\$ -	\$ -	\$ 19,020.00	\$ -
Grand total - All Pages					\$ 434,339.58	\$ 80,833.58	\$ 798,983.58	\$ 80,833.58	\$ 3,150,199.58	\$ 103,003.60	\$ 4,629,173.50

Name of Redevelopment Agency: Covina Redevelopment Agency
 Project Area(s) Project Area 1 and 2

RECOGNIZED OTHER OBLIGATION PAYMENT SCHEDULE
 Per AB 26 - Section 34171 and 34177

Project Name / Debt Obligation	Project Area	Payee	Description								Total
				Jul	Aug	Sep	Oct	Nov	Dec		
1) Housing Set Aside Deferral 1995	PA1	Housing Fund	Repayment for housing fund								\$ -
2) SERAF loan from Housing 2010	PA1	Housing Fund	Repayment for housing fund								\$ -
3) SERAF loan from Housing 2011	PA1	Housing Fund	Repayment for housing fund								\$ -
4) Maintenance of Agency owned prop	ALL	Andy Gump/United fencing	Maintain assets under AB1X 26							10,000.00	\$ 10,000.00
5) Rental Covenants	Hsg	Covina Housing Authority/	Monitor affordable housing compliance							6,500.00	\$ 6,500.00
6) For Sale Covenants	Hsg	Covina Housing Authority/	Monitor affordable housing compliance							2,520.00	\$ 2,520.00
7)											\$ -
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26)											\$ -
27)											\$ -
28)											\$ -
Totals - Other Obligations				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 19,020.00	\$ -

**SUCCESSOR AGENCY TO THE
COVINA REDEVELOPMENT AGENCY
AGENDA ITEM COMMENTARY**

MEETING DATE: March 20, 2012

ITEM NO.: CC 18

STAFF SOURCE: Robert Neuber, Deputy Executive Director of Successor Agency *M*
Elizabeth Hull, Agency Attorney

ITEM TITLE: Approve Successor Agency Administrative Budget covering February 1, 2012, through June 30, 2012, and direct it be provided to the Successor Agency Oversight Board for consideration and approval.

STAFF RECOMMENDATION

Successor Agency to the Covina Redevelopment Agency review and approve the Successor Agency Administrative Budget covering February 1, 2012, through June 30, 2012, and direct it be provided to the Successor Agency Oversight Board for consideration and approval.

FISCAL IMPACT

\$250,000 of Successor Agency property tax funds in accordance with the "Administrative Cost Allowance" set forth in Health and Safety Code 34171.

BACKGROUND

Under the requirements of Health and Safety Code 34171 the Successor Agency (Agency) should adopt an Administrative Budget for administrative costs of the Agency. According to the code the budget should be based on an administrative cost allowance of not less than \$250,000 of property tax revenue from the former project areas and any administrative costs that can be paid from bond proceeds or from sources other than property tax.

Health and Safety Code 34177

(k) Provide administrative cost estimates, from its approved administrative budget that are to be paid from property tax revenues deposited in the Redevelopment Property Tax Trust Fund, to the county auditor-controller for each six-month fiscal period.

Health and Safety Code 34171

The following terms shall have the following meanings:

(a) "Administrative budget" means the budget for administrative costs of the successor agencies as provided in Section 34177.

(b) "Administrative cost allowance" means an amount that, subject to the approval of the oversight board, is payable from property tax revenues of up to 5 percent of the property tax allocated to the successor agency for the 2011-12 fiscal year and up to 3 percent of the property tax allocated to the Redevelopment Obligation Retirement Fund money that is allocated to the successor agency for each fiscal year thereafter; provided, however, that the amount shall not be less

than two hundred fifty thousand dollars (\$250,000) for any fiscal year or such lesser amount as agreed to by the successor agency. However, the allowance amount shall exclude any administrative costs that can be paid from bond proceeds or from sources other than property tax.

The proposed Administrative Budget reflects personnel costs for employees carrying out the Administrative functions of the Agency to be \$130,000 and operating costs of \$142,000 covering such things as legal costs, audit services, appraisals, office supplies, meeting costs, and city staff support (See exhibit A). Staff is asking the Agency to approve the Administrative Cost Allowance of \$250,000 and the Administrative Budget of \$272,000 and direct them to be provided to the oversight board and with their approval to the State Department of Finance for approval. Staff would work to reduce operating costs to remain within the constraints of the Administrative Costs Allowance.

RELEVANCE TO THE STRATEGIC PLAN

Approving the Agency administrative budget and assuring funding for the administration of the Agency provides for financial stability, which is one of the Strategic Plan's three-year goals.

EXHIBITS

A. Successor Agency Budget February 1, 2012, through June 30, 2012,

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

Successor Agency Administrative Budget

Administrative Costs Allowance \$250,000

Personnel Costs \$130,000 Provides for full-time Redevelopment Manager, Senior Administrative Technician, part-time Deputy Executive Director, and partial costs of a Sr. Management Analyst during the 5 months during initial wind down period

Operating Costs \$142,000

Legal Fees	\$60,000
Support (payroll/Finance/HR/ Clerk)	\$20,000
Consultants (appraisals, arbitrage)	\$25,000
Meeting Costs	\$3,000
Photocopy	\$1,000
Postage	\$500
Office Supplies	\$1,500
Telephone	\$1,000
Auditing	\$20,000
Office Space	\$10,000
	<u>\$142,000</u>

Total \$272,000

We will reduce Operating costs to meet Administrative Cost Allowance restraint

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: March 20, 2012

ITEM NO.: CB 1

STAFF SOURCE: Lisa Brancheau, Redevelopment Manager
Marco Martinez, City Attorney

LB

ITEM TITLE: Adopt Resolution of Necessity 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 (Assessor Parcel Number 8430-024-012) by Eminent Domain for the Purpose of Developing and Maintaining a Parking Lot for Use by the Covina Police Department and County Fire Department

STAFF RECOMMENDATION

1. Adopt **Resolution No. 12-7060** 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 (Assessor Parcel Number 8430-024-012) for the purpose of developing and maintaining a parking lot for use by the Covina Police Department and County Fire Department; and
2. Adopt **Resolution 12-7061** of the City Council of the City of Covina, California, to amend the fiscal year 2011-2012 Community Development Land Account budget to provide funding to purchase and develop the property at 155 E. San Bernardino Road, Covina, CA (Assessor Parcel Number 8430-024-012).

FISCAL IMPACT

Because of the vital importance of this site to the City, funds for the purchase and construction, of the parking lot along with the cost of legal services will be paid from a reserve account. Resolution 12-7061 proposes to amend Resolution 11-7036 that was adopted by the City Council at the Regular Meeting of December 20, 2011 by requesting a budget amendment to allow for an additional \$73,000 for legal costs that are anticipated to be incurred from this point through to the completion of the eminent domain process. This results in a budget increase of \$73,000 for legal fees, resulting in a total of \$700,000 to be drawn from Undesignated Fund Balance Account 1010-0000-33000, and \$700,000 will be expended from Community Development Land Account 1010-4000-55010.

BACKGROUND

On October 18, 2011, the City Council held a public hearing and adopted Resolution of Necessity No. 11-7018, declaring its intent to acquire a fee interest in certain real property described as 155 E. San Bernardino Road, Assessor Parcel Number 8430-024-012 (see Exhibit

A), through eminent domain proceedings for the continued use and maintenance of a public parking lot to serve the police/fire facility in Covina, California.

Assessor Parcel Number 8430-024-012 is involved in bankruptcy proceedings and it was necessary to request relief from the bankruptcy stay in order to proceed with the filing of an eminent domain lawsuit for the acquisition of the property. The motion was heard on November 21, 2011 by the United States Bankruptcy Court, Central District, Los Angeles Division (Court). The Court granted the City's motion for relief from the automatic stay.

The Court's order authorized the City to enter a new resolution to reflect the City Council's prior October 18, 2011 vote and authorized the City to file an eminent domain lawsuit and commence eminent domain proceedings in state court. On December 20, 2011, the City Council adopted a resolution confirming these facts and the October 18, 2011 Resolution of Necessity. The vote for that resolution was 3 members in favor, 1 against and 1 absent. Subsequent to this adoption, the City filed its eminent domain lawsuit.

The property owner has responded to the City's lawsuit by arguing that the December 20, 2011 resolution adopted by the City Council did not satisfy the court's order because it received only 3 affirmative votes, rather than 4/5 votes received for the original October 18, 2011 Resolution of Necessity. (Recall that only 4 council members were present at this meeting) Although, staff and the City Attorney's office disagree with this interpretation of the Court's order, rather than argue these points in the City's reply papers, it has been recommended that the City Council simply conduct another vote with all City Council members present.

Prior CEQA Determination

As noted in the October 18, 2011 staff report, continued use of this property as a parking lot will not have a significant effect on the environment and is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Article 19, Section 15301 of the CEQA Guidelines which permits existing facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

RELEVANCE TO THE STRATEGIC PLAN

While there is no direct correlation with the Strategic Plan, the goal of providing efficient, visible and responsive public safety will be addressed by the provision of adequate and secure parking for public safety employees.

EXHIBITS

- A. Legal Description and Maps
- B. Adopted Resolution of Necessity
- C. Budget Resolution
- D. Order- Relief From Stay
- E. Objection Letter from Hassen Imports Partnerships

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

LEGAL DESCRIPTION
APN 8430-024-012

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF COVINA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

LOTS 26, 27, 28, 29,30 AND 31 IN BLOCK "B" ADDITION NO. 1 TO COVINA, IN THE CITY OF COVINA, AS PER MAP RECORDED IN BOOK 59 PAGE 1 OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, TOGETHER WITH THE WEST HALF OF THAT PORTION OF THE ALLEY ADJOINING SAID LOTS 26, 27, 28, 29, 30 AND 31 ON THE EAST AS VACATED BY RESOLUTION OF THE CITY OF COVINA, RECORDED MAY 10, 1971 AS INSTRUMENT NO. 2946.

EXCEPT ALL OIL GAS, HYDROCARBONS OR OTHER MINERALS IN AND UNDER THE ABOVE DESCRIBED PARCEL OF LAND WITHOUT THE RIGHT OF SURFACE ENTRY FOR DEVELOPMENT THEREOF, AS RESERVED IN A DEED RECORDED DECEMBER 5, 1977 AS INSTRUMENT NO. 77-1336490.

APN: 8430-024-12

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FRONT ST

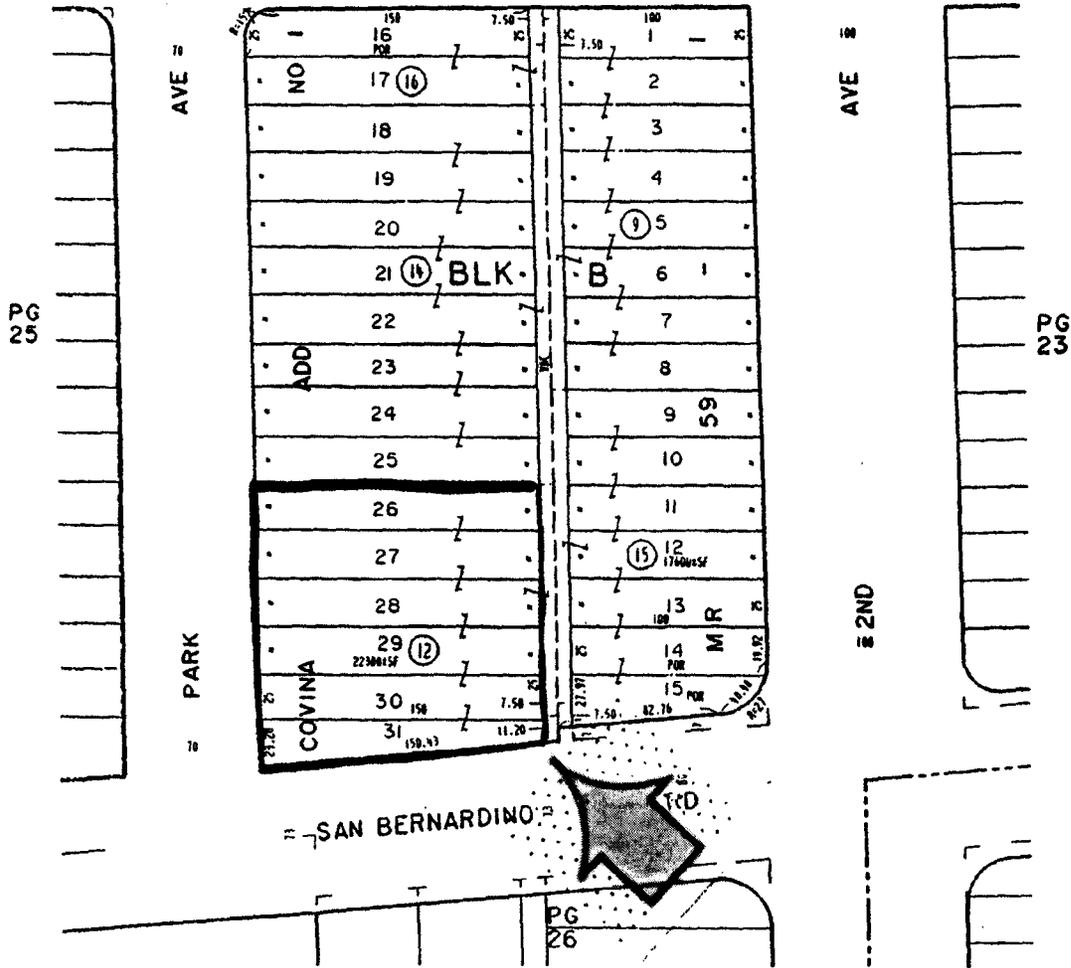


EXHIBIT B

RESOLUTION NO. 12-7060

A RESOLUTION OF NECESSITY 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, ASSESSOR PARCEL NUMBER 8430-024-012, FOR THE PURPOSE OF DEVELOPING AND MAINTAINING A PARKING LOT FOR USE BY THE COVINA POLICE DEPARTMENT AND COUNTY FIRE DEPARTMENT.

WHEREAS, the City of Covina (the "City") proposes to acquire a fee interest in certain real property, located at 155 E. San Bernardino Road, in Los Angeles County, California, more particularly described as Assessor Parcel Number 8430-024-012 ("Subject Property"), for the construction and maintenance of a public parking lot to serve the police/fire facility in Covina, California, pursuant to the authority granted to it by section 37350 of the California Government Code; and

WHEREAS, pursuant to section 1245.235 of the California Code of Civil Procedure, the City Council scheduled a public hearing for Tuesday, October 18, 2011 at 7:30 p.m., at the Covina City Hall, City Council Chambers, at 125 East College Street, Covina, California, and gave to each person whose property is to be acquired and whose name and address appeared on the last equalized county assessment roll, notice and a reasonable opportunity to appear at said hearing and be heard on the matters referred to in section 1240.030 of the California Code of Civil Procedure; and

WHEREAS, said hearing has been held by the City Council, and each affected property owner was afforded an opportunity to be heard on said matters; and

WHEREAS, on October 18, 2011, the City Council adopted a Resolution of Necessity pursuant to section 1240.040 of the California Code of Civil Procedure; and

WHEREAS, the City Council determined that acquisition of the Subject Property was exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the state CEQA Guidelines which permit existing facilities involving negligible or no expansion of use beyond that was existing at the time of the lead agency's determination.

WHEREAS, the Subject Property is involved in bankruptcy proceedings, and it was necessary to request relief from the bankruptcy stay in order to proceed with an offer to purchase the Subject Property; and

WHEREAS, the United States Bankruptcy Court, Central District, Los Angeles Division granted a motion for relief from automatic stay under 11 U.S.C. Section 362 to acquire the Subject Property by eminent domain; and

WHEREAS, the Court Order includes the authority for the City to ratify the October 18, 2011 City Council adoption of the Resolution of Necessity.

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

SECTION 1. Compliance with California Code of Civil Procedure. There has been compliance by the City Council with the requirements of section 1245.235 of the California Code of Civil Procedure regarding notice and hearing.

SECTION 2. Public Use. The public use of the fee interest in the property to be acquired is the construction and maintenance of a public parking lot to serve the police/fire facility in Covina, Los Angeles County, California. Section 37350 of the California Government Code authorizes the City Council to acquire by eminent domain property necessary for such purposes.

SECTION 3. Description of Property. Attached and marked as Exhibit "A" is the legal description and depiction of the interest to be acquired by the City, which describes the general location and extent of the property with sufficient detail for reasonable identification.

SECTION 4. Findings. The City Council hereby finds and determines each of the following:

- (a) The public interest and necessity require the proposed project;
- (b) The proposed project is planned or located in the manner that will be most compatible with the greatest public good and least private injury;
- (c) The property described in Exhibit "A" is necessary for the proposed project; and
- (d) The offer required by section 7267.2 of the California Government Code was made.

SECTION 5. Use Not Unreasonably Interfering with Existing Public Use. Some or all of the real property affected by the interest to be acquired is subject to easements and rights-of-way appropriated to existing public uses. The legal descriptions of these easements and rights-of-way are on file with the City Council and describe the general location and extent of the easements and rights-of-way with sufficient detail for reasonable identification. In the event the herein described use or uses will not unreasonably interfere with or impair the continuance of the public use as it now exists or may reasonably be expected to exist in the future, counsel for the City Council is authorized to acquire the herein described interest subject to such existing public use(s) pursuant to section 1240.510 of the California Code of Civil Procedure.

SECTION 6. More Necessary Public Use. Some or all of the real property affected by the interest to be acquired is subject to easements and rights-of-way appropriated to existing public uses. To the extent that the herein described use or uses will unreasonably interfere with or impair the continuance of the public use as it now exists or may reasonably be expected to exist in the future, the City Council finds and determines that the herein described use or uses are more necessary than said

existing public use. Counsel for the City Council is authorized to acquire the herein described real property appropriated to such existing public uses pursuant to section 1240.610 of the California Code of Civil Procedure. Staff is further authorized to make such improvements to the affected real property that it determines are reasonably necessary to mitigate any adverse impact upon the existing public use.

SECTION 7. Further Activities. Counsel for the City is hereby authorized to acquire the hereinabove described real property in the name of and on behalf of City Council by eminent domain, and counsel is authorized to institute and prosecute such legal proceedings as may be required in connection therewith. Legal counsel is further authorized to take such steps as may be authorized and required by law, and to make such security deposits as may be required by order of court, to permit the City to take possession of and use said real property at the earliest possible time. Counsel is further authorized to correct any errors or to make or agree to non-material changes in the legal description of the real property that are deemed necessary for the conduct of the condemnation action, or other proceedings or transactions required to acquire the subject real property. Counsel is further authorized to reduce or modify the extent of the interests or property to be acquired so as to reduce the compensation payable in the action where such change would not substantially impair the construction and operation of the project for which the real property is being acquired.

SECTION 8. Vote by City Council. The City Council voted 5-0 in favor of the Resolution of Necessity on October 18, 2011 for the purpose of developing and maintaining a parking lot for use by the Covina Police Department and County Fire Department, and by this resolution the City Council confirms and ratifies that action.

SECTION 9. CEQA Determination. The City Council re-affirms the determination made in the October 18, 2011 staff report that the continued use of the Subject Property as a parking lot will not have a significant effect on the environment and is exempt from the requirements of the California Environmental Quality Act, pursuant to Section 15301 of the state CEQA Guidelines.

SECTION 10. Effective Date.

This Resolution shall take effect upon adoption.

PASSED, APPROVED AND ADOPTED this 20th day of March, 2012.

Kevin Stapleton
Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM;

City Attorney

CERTIFICATION

I, Catherine M. LaCroix, Deputy City Clerk of the City of Covina, hereby CERTIFY that Resolution No. 11-7035 was adopted by the Covina City Council at a regular meeting of the City Council held this 20th day of March, 2012, and was approved and passed by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Catherine M. LaCroix
Deputy City Clerk

EXHIBIT C

RESOLUTION NO. 12-7061

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, TO AMEND THE FISCAL YEAR 2011-2012 COMMUNITY DEVELOPMENT LAND ACCOUNT BUDGET TO PROVIDE FUNDING TO PURCHASE AND DEVELOP THE PROPERTY AT 155 E. SAN BERNARDINO ROAD, COVINA, CA, (ASSESSOR PARCEL NUMBER 8430-024-012)

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; and

WHEREAS, in order to proceed with an order for prejudgment possession of the property at 155 E. San Bernardino Road, Assessor Parcel Number 8430-024-012, it is necessary to deposit the probable amount of just compensation into court; and

WHEREAS, additional costs will be entailed to develop the parking lot, which will include but not be limited to securing the lot with an enclosed fence with a controlled entry point; and

WHEREAS, the purchase of this property and construction of the parking lot is of vital importance to the City, even though the funding of the purchase will cause economic strife for the City,

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 Community Development Land Account budget as follows, allowing \$73,000 for legal fees :

- Decrease by \$73,000, the Undesignated Fund Balance, Account Number 1010-0000-33000
- Increase by \$73,000 the Community Development Land Account Number 1010-4000-55010

SECTION 2. The City Clerk shall certify to the passage and adoption of this resolution and the same shall be effective upon its adoption.

PASSED, APPROVED AND ADOPTED this 20th day of March, 2012.

John C. King, Mayor

ATTEST:

Deputy City Clerk

APPROVED AS TO FORM:

City Attorney

CERTIFICATION

I, Catherine M. LaCroix, Deputy City Clerk of the City of Covina, hereby CERTIFY that Resolution No. 7036 was adopted by the Covina City Council at a regular meeting of the City Council held this 20th day of March, 2012, and was approved and passed by the following vote:

AYES:

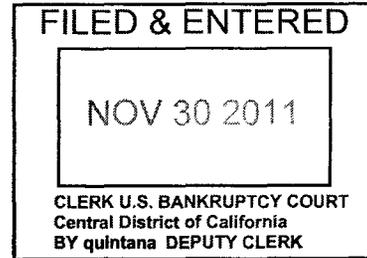
NOES:

ABSTAIN:

ABSENT:

Catherine M. LaCroix
Deputy City Clerk

1 FRANKLIN C. ADAMS, Bar No. 85351
franklin.adams@bbkllaw.com
2 MARK A. EASTER, Bar No. 143435
mark.easter@bbkllaw.com
3 CATHY TA, Bar No. 261880
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4 BEST BEST & KRIEGER LLP
3750 University Avenue, Suite 400
5 P.O. Box 1028
Riverside, CA 92502
6 Telephone: (951) 686-1450
Facsimile: (951) 686-3083
7



8 Attorneys for CITY OF COVINA, CALIFORNIA,
Movant
9

10 UNITED STATES BANKRUPTCY COURT
11 CENTRAL DISTRICT OF CALIFORNIA
12 LOS ANGELES DIVISION
13

14 In re
15 HASSEN IMPORTS PARTNERSHIP, a
California limited partnership,
16 Debtor.
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Case No. 2:11-bk-42068-ER

Chapter: 11

**ORDER GRANTING, IN PART, AND
DENYING, IN PART, MOTION FOR
RELIEF FROM THE AUTOMATIC STAY
UNDER 11 U.S.C. § 362 REGARDING REAL
PROPERTY**

Hearing:

Date: November 21, 2011
Time: 10:00 a.m.
Place: Courtroom 1568
255 E. Temple Street
Los Angeles, CA 90012

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ORDER

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2 On November 21, 2011 at 10:00 a.m., the Court held a hearing on the Motion For Relief
3 From The Automatic Stay Under 11 U.S.C. § 362 Regarding Real Property (the "Motion") filed
4 by the CITY OF COVINA, CALIFORNIA (the "City") (docket no. 168) in the above-referenced
5 bankruptcy case of HASSEN IMPORTS PARTNERSHIP ("Debtor"). Counsel for the City,
6 Mark A. Easter and Cathy Ta for Best Best & Krieger LLP, and counsel for Debtor, Marina
7 Fineman for Stutman, Treister & Glatt, PC, appeared.

8 For the reasons stated on the record, and for good cause appearing, it is hereby
9 ORDERED:

- 10 1. The City's request for relief from stay to acquire Debtor's real property located at
11 155 E. San Bernardino Road, Covina, California, 91723 with Los Angeles County
12 Assessor Parcel Number 8430-024-012 (the "Property") by eminent domain is
13 GRANTED. Such granted relief from stay includes but is not limited to the
14 authority for the City to: (1) enter a new resolution of necessity to reflect the City
15 Council's October 18, 2011 vote that authorized the City to acquire the Property
16 by eminent domain (the "October 18, 2011 Vote"); and (2) to commence State
17 court eminent domain proceedings.
- 18 2. The City's general request for a comfort order or an annulment of the stay with
19 respect to its post-petition acts is DENIED, except the City's specific request for
20 an annulment of the stay with respect to the October 18, 2011 Vote is GRANTED.
- 21 3. The 14-day stay described in Rule 4001(a)(3) of the Federal Rules of Bankruptcy
22 Procedure is WAIVED.

23 (continued on next page)

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4. This Order shall be binding and effective despite any conversion of this case to a case under any other chapter of Title 11.

APPROVED AS TO FORM:

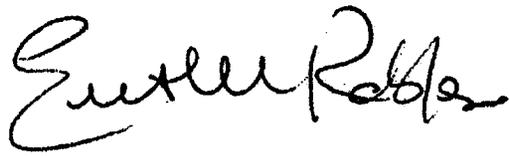
STUTMAN, TREISTER & GLATT, PC

By: /s/ Marina Fineman
THEODORE B. STOLMAN
MARINA FINEMAN
CHRISTINE M. PAJAK
MICHAEL S. NEUMEISTER
Attorneys for HASSEN IMPORTS
PARTNERSHIP, Debtor

BEST BEST & KRIEGER LLP

By: /s/ Cathy Ta
FRANKLIN C. ADAMS
MARK A. EASTER
CATHY TA
Attorneys for CITY OF COVINA,
CALIFORNIA, Movant

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DATED: November 30, 2011

United States Bankruptcy Judge

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4. This Order shall be binding and effective despite any conversion of this case to a case under any other chapter of Title 11.

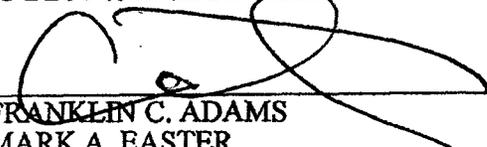
APPROVED AS TO FORM:

STUTMAN, TREISTER & GLATT, PC

By: 

THEODORE H. STOLMAN
MARINA FINEMAN
CHRISTINE M. PAJAK
MICHAEL S. NEUMEISTER
Attorneys for HASSEN IMPORTS
PARTNERSHIP, Debtor

BEST BEST & KRIEGER LLP

By: 

FRANKLIN C. ADAMS
MARK A. EASTER
CATHY TA
Attorneys for CITY OF COVINA,
CALIFORNIA, Movant

###

In re: HASSEN IMPORTS PARTNERSHIP	CHAPTER: 11
Debtor(s).	CASE NUMBER: 2:11-bk-42068-ER

NOTE TO USERS OF THIS FORM:

- 1) Attach this form to the last page of a proposed Order or Judgment. Do not file as a separate document.
- 2) The title of the judgment or order and all service information must be filled in by the party lodging the order.
- 3) **Category I.** below: The United States trustee and case trustee (if any) will always be in this category.
- 4) **Category II.** below: List ONLY addresses for debtor (and attorney), movant (or attorney) and person/entity (or attorney) who filed an opposition to the requested relief. **DO NOT** list an address if person/entity is listed in category I.

NOTICE OF ENTERED ORDER AND SERVICE LIST

Notice is given by the court that a judgment or order entitled (*specify*)
**ORDER GRANTING, IN PART, AND DENYING, IN PART, MOTION FOR RELIEF FROM THE
AUTOMATIC STAY UNDER 11 U.S.C. § 362 REGARDING REAL PROPERTY** was entered on the date
indicated as "Entered" on the first page of this judgment or order and will be served in the manner indicated below:

I. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF") – Pursuant to controlling General Order(s) and Local Bankruptcy Rule(s), the foregoing document was served on the following person(s) by the court via NEF and hyperlink to the judgment or order. As of 11/28/2011, the following person(s) are currently on the Electronic Mail Notice List for this bankruptcy case or adversary proceeding to receive NEF transmission at the email address(es) indicated below.

Service information continued on attached page

II. SERVED BY THE COURT VIA U.S. MAIL: A copy of this notice and a true copy of this judgment or order was sent by United States Mail, first class, postage prepaid, to the following person(s) and/or entity(ies) at the address(es) indicated below:

Service information continued on attached page

III. TO BE SERVED BY THE LODGING PARTY: Within 72 hours after receipt of a copy of this judgment or order which bears an "Entered" stamp, the party lodging the judgment or order will serve a complete copy bearing an "Entered" stamp by U.S. Mail, overnight mail, facsimile transmission or email and file a proof of service of the entered order on the following person(s) and/or entity(ies) at the address(es), facsimile transmission number(s), and/or email address(es) indicated below:

Service information continued on attached page

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

In re: HASSEN IMPORTS PARTNERSHIP	CHAPTER:
Debtor(s).	CASE NUMBER: 2:11-bk-42068-ER

ADDITIONAL SERVICE INFORMATION (if needed):

No. I (NEF)

Marina Fineman mfineman@stutman.com

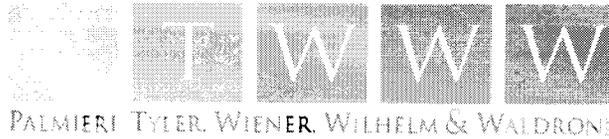
Dare Law dare.law@usdoj.gov

Cathy Ta cathy.ta@bbklaw.com, Arthur.Johnston@bbklaw.com;Kenneth.Burgess@bbklaw.com

United States Trustee (LA) ustpregion16.la.ecf@usdoj.gov

No. II (U. S. Mail)

Hassen Imports Partnership
100 North Barranca Avenue
Suite 900
West Covina, CA 91791



PALMIERI TYLER WIENER WILHELM & WALDRON

ANGELO J. PALMIERI (1926-1996)
ROBERT F. WALDRON (1927-1998)

ALAN H. WIENER* MICHAEL L. D'ANGELO
ROBERT C. IHRKE* STEPHEN A. SCHECK
DENNIS G. TYLER* DONNA E. SNOW
MICHAEL J. GREENE* RYAN M. EASTER
DENNIS W. GHAN* ELISE M. KERN
DAVID D. PARR* MELISSA R. PEREZ
CHARLES H. KANTER* MICHAEL J. KEHOE
PATRICK A. HENNESSEY CHADWICK C. BUNCH
DON FISHER ELIZABETH VALADEZ
GREGORY N. WEILER ANISH J. BANKER
WARREN A. WILLIAMS ROBERT H. GARRETSON
JOHN R. LISTER RYAN M. PRAGER
GARY C. WEISBERG BLAINE M. SEARLE
MICHAEL H. LEIFER JERAD BELTZ
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March 12, 2012

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REFER TO FILE NO.
36817.000

VIA FACSIMILE & OVERNIGHT DELIVERY

Kay Manning
City Clerk
Covina City Hall
125 E. College Street
Covina, CA 91723

**Re: Objection to Proposed Adoption of "Third" Resolution of
Necessity for Acquisition of Certain Real Property Located At
155 E. San Bernardino Road, Covina, California (APN 8430-024-
012)**

Dear City Clerk:

This firm represents Hassen Imports Partnership, a California limited partnership ("HIP"), owner of the above-referenced property (the "Property" or "Subject Property"). HIP vehemently objects to the City's continual violation of its private property and due process rights.

The City's proposed March 20, 2012 hearing is a mockery of the eminent domain law. The City has already filed an eminent domain action to take HIP's Property without first adopting a valid resolution of necessity as required by law. Attached hereto as Exhibit "A" is a conformed copy of the City's complaint in eminent domain entitled *City of Covina v. Hassen Imports Partnership et al.*, Los Angeles County Superior Court Case No. KC062804, filed on December 29, 2011.

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Kay Manning
March 12, 2012
Page 2

In recognition of its violation of the eminent domain law, the City now proposes to conduct a hearing to adopt a resolution of necessity in a belated attempt to confer upon itself the authority to do what it has already done. But it is too late to close the barn door. The horse left the barn months ago. The City's attempt to ratify its earlier adoption of an illegal resolution is not a solution to the problem that the City has created for itself. It only compounds it. The only solution available to the City at this juncture is the immediate dismissal of the pending condemnation proceeding.

The hearing on what shall be the City's *third* resolution is set for March 20, 2012, at 7:30 p.m., in the Council Chambers of the Covina City Hall located at 125 E. College Street, Covina, California. The purpose of this letter is to provide written objections on behalf of HIP to the adoption of a resolution of necessity. Accordingly, we request that this letter be included as part of the formal record on that agenda item.

HIP objects to the adoption of another resolution of necessity on each of the following specific grounds:

1. The City Cannot Adopt a *Third* Resolution of Necessity to Retroactively Confer Upon Itself the Power of Eminent Domain After Having Already Commenced An Eminent Domain Proceeding.

"The proceeding to condemn land for a public use is special and statutory and the prescribed method in such cases must be strictly pursued especially if those methods benefit the [property] owner." (*City of Needles v. Griswold* (1992) 6 Cal.App.4th 1881, 1895, quoting *Harrington v. Superior Court* (1924) 194 Cal. 185, 191 and *City of Los Angeles v. Glassell* (1928) 203 Cal. 44, 46 [emphasis added].)

Irrespective of the circumstances, a public entity may *not* first commence an eminent domain proceeding until *after* its governing body has adopted a valid resolution of necessity that meets the requirements of Article 2 of the Eminent Domain Law. (Code Civ. Proc., § 1245.220.) The resolution of necessity is the cornerstone of every California eminent domain case. It is the document that gives that entity the right to file a lawsuit to take private property for a public use.

But *before* an eminent domain action can be filed, a valid resolution must *first* be adopted by a two-thirds (2/3rds) vote of the public entity's governing body *after* providing the property owner with advance written notice and an opportunity to be heard at a public hearing as to why the proposed action should not be taken. (Code Civ. Proc.,

Kay Manning
March 12, 2012
Page 3

§§ 1245.235, et seq.) This is a matter of black-letter law. There is **no** exception to this rule because of the due process safeguards in place for the protection of the property owner's rights. The fundamental precept of due process is that *before* official action may be taken in derogation of an individual's rights, liberties, or property, the individual must be permitted a fair opportunity to appear before the decisional authority and show, if he or she can, why the proposed action should not be taken. A public entity's failure to comply with these due process safeguards shall automatically invalidate the resolution and necessitate dismissal of any subsequently filed condemnation proceeding. (See, e.g., *Conejo Recreation & Park Dist. v. Armstrong* (1981) 114 Cal.App.3d 1016.)

In this case, the City's initial adoption of a resolution was invalid. On October 18, 2011, HIP's bankruptcy counsel notified the City in advance of the public hearing that since it previously filed for chapter 11 protection the Property was the subject of a bankruptcy proceeding and all actions against both HIP and the Property were stayed pursuant to the automatic bankruptcy stay. (Ex. "B"). Based on the foregoing, HIP did not appear at this illegal hearing to raise any further objections to the City's right to take since, under 11 U.S.C. § 362, the automatic bankruptcy stay prohibited the City from acting or otherwise adopting a resolution of necessity to condemn the Subject Property. (See, 11 U.S.C. § 362.)

Notwithstanding HIP's objection and/or the City's knowledge of the bankruptcy proceeding, later that evening, the City went forward with its public hearing and attempted to adopt resolution of necessity number 11-7018, purportedly conferring on itself the power of eminent domain to condemn the Subject Property. (Ex. "C").

Quickly realizing its error, on or about November 30, 2011, the City sought an order from the bankruptcy court relieving the Subject Property from the automatic stay and granting the City the authority to "enter a *new* resolution" to condemn the Subject Property. (Ex. "D"). Pursuant to such order, the City held a *second* hearing to ratify its illegal adoption of the original resolution by adopting resolution number 11-7035. However, this attempt to ratify the original resolution was fatally flawed because the City (i) did not provide *any* notice to HIP in advance of the hearing; and, (ii) did not obtain a qualified majority.

Resolution number 11-7035 was adopted by only 3 (of 5 possible) votes (or three-fifths majority) because one council member was absent and "Council Member Low stated he has a problem with the commitment of \$600,000 from the general fund and does not feel this [condemnation] is a top priority or vital interest." (Ex. "E"). The City's

Kay Manning
March 12, 2012
Page 4

three-fifths (or 60%) majority is less than the two-thirds (or 66.67%) majority required by law to adopt a valid resolution of necessity. Without a qualified majority, the City could not grant onto itself the power of eminent domain or otherwise proceed with the pending condemnation action. Nonetheless, the City did.

Now, long after the eminent domain action has been pending, the City is, again, attempting to correct its prior mistakes and ratify an invalid resolution by adopting a third resolution to file an eminent domain action *after* it has already done so without the requisite authority. There is, however, no legal authority to permit the City to act in the manner in which it has. Rather, the City *must* dismiss the pending condemnation action against HIP.

2. The City Is Incapable of Conducting A Fair, Legal, And Impartial Hearing On The Proposed Adoption of The Resolution of Necessity.

Notwithstanding the fact that the City cannot adopt a resolution of necessity post-hoc to "cleanse" its "sin" of prematurely filing of an eminent domain action, any subsequent hearing resulting in the adoption of a third resolution would be a predetermined result. The City has already committed itself to the purported Project, and taking. The City's third proposed resolution hearing is a pretense and artifice and any resolution adopted under these circumstances would be voidable by a court of competent jurisdiction. (See, *Redevelopment Agency v. Norm's Slauson* (1985) 173 Cal.App.3d 1121, 1127.)

The fundamental purpose of a resolution hearing is to provide a forum for a good-faith examination of the positive and negative attributes of a proposed project and whether public interest and necessity requires the taking of certain real property for the project *absent any pre-commitment on the part of the City Council.*

In *Norm's Slauson*, the Court held that the condemning agency's approval of the resolution of necessity was invalid since the agency "simply 'rubber stamped' a predetermined result because, prior to any hearing on the resolution, it (i) entered into an agreement with a developer by which the agency agreed to transfer a portion of defendant/property owner's restaurant, and the developer agreed to construct a condominium thereon; and, (ii) issued and sold tax exempt bonds to pay for the acquisition. (*Norm's Slauson, supra*, 173 Cal.App.3d at p. 1127.) "In short, the agency, without any notice to Norm's [the property owner], in effect sold the property and issued

Kay Manning
March 12, 2012
Page 5

bonds to obtain the money to acquire the property all before taking any steps to condemn the property." (*Id.*, at p. 1125.)

As a condition precedent to the exercise of the power of eminent domain, a public agency "must hold a public hearing to determine whether a particular taking meets the [requirements of Civil Code section 1245.235, i.e., is for a public use, necessary, and designed in such a manner to cause the least private injury]...." (*Norm's Slauson, supra*, 173 Cal.App.3d at p. 1125 [Emphasis added].) "Implicit in this requirement...is the concept that...the [a]gency engage in a good faith and judicious consideration of the pros and cons of the issue and that the decision to take be buttressed by substantial evidence...." (*Id.*, at pp. 1125-6.) "[A]n agency that would take private property...must...conduct a fair hearing and make its determination on the basis of evidence presented in a judicious and nonarbitrary fashion." (*Id.*, at p. 1129.) In the absence of a fair and impartial hearing, the resolution of necessity is void.

The City's egregious conduct in this case is equal to, if not worse than, the redevelopment agency's conduct in *Norm's Slauson*. The City has filed an eminent domain action to take private property before obtaining the authority to do so. It is evident that the third resolution hearing is merely a belated attempt to legitimize the City's premature filing of a condemnation action by conferring upon itself the power of eminent domain, post-hoc. The City cannot argue with a "straight face" that it will objectively consider HIP's good faith objections when the City has already taken the action to which HIP objects. Rather, the City's proposed adoption of a third resolution will be a sham predicated on a predetermined result.

If the third resolution is adopted, the hearing which led to its adoption will have been a pretense and the City's policy-making board will simply be "rubber stamping" a pre-determined result. Such an action would constitute more than a gross abuse of discretion; it would represent the elimination of any discretion whatsoever. Accordingly, if the resolution is adopted, it will be invalid because the City had no discretion but to approve the resolution since it has already committed itself to the taking by its premature filing of the eminent domain action. (See, e.g., *Norm's Slauson, supra*, 173 Cal.App.3d at pp. 1127-30; Code Civ. Proc. § 1245.255, subd. (b).)

Kay Manning
March 12, 2012
Page 6

3. The Proposed Project Is Not Planned Or Located In A Manner That Will Be Most Compatible With The Greatest Public Good And the Least Private Injury.

In addition to the foregoing deficiencies, the City's adoption of a third resolution would be in error since HIP is informed and believes that the City did not consider any alternative sites, despite the fact that a number of viable project alternatives exist, that would enable the City to obtain all of the purported amenities of the Project as proposed but at a substantially reduced cost and with less private property.

One of the necessity components that must be analyzed when considering the adoption of a resolution to authorize the taking of private property is whether the proposed project for which the property is sought to be taken is planned or located in a manner that is most compatible with the greatest public good and causes the least private injury. (Code Civ. Proc., § 1240.030, subd. (b).) In the absence of substantial evidence supporting the City Council's determination as to the planning and location of the proposed project, the Resolution of Necessity is invalid.

In this case, the City's planning and location of the proposed Project violates the "least private injury" prong of the necessity calculus. HIP is informed and believes that the City has not conducted any investigation of alternative sites within the surrounding community and compared such sites to the Subject Property when conducting its "least private injury" analysis. A list of alternative Project sites that exist and would enable the City to obtain all of the purported amenities of the Project as proposed but at a substantially reduced cost and with less private property include, without limitation, the following:

- A former auto body shop located across the street from the Subject Property at 129 East San Bernardino Road that is approximately the same size as the Subject Property. The former auto body shop is paved, has parking, and is improved with a small building. Moreover, since this alternative site is already fenced, the City would be able to forego the costs associated with having to erect a fence in connection with the Subject Property. Finally, this alternative site is also vacant and no longer being utilized as an auto body shop. HIP is also informed and believes that the value of this alternative site is substantially less than the appraised value of the Subject Property. Despite the foregoing, the City has not considered this site as a prospective site.

Kay Manning
March 12, 2012
Page 7

- A private parking lot located immediately south of the police department. This is a secured site that is underutilized by its current owner. The site is located closer to the police department than the Subject Property. HIP is informed and believes that the City could purchase this site at a much lower price than the Subject Property or, at the very least, acquire a parking easement or lease for police/fire parking purposes.
- A City owned parking lot adjacent to City Hall and utilized by City employees. This lot is underutilized. Accordingly, the City could also fence a portion of this City-owned lot to provide a "secured" parking lot for its fire and police personnel. Since the City already owns this lot, this alternative would have little to no cost impact on the City's General Fund.
- A City-owned parking structure located across City Hall that could be fully or partially utilized for police and fire personnel. Again, since the City already owns this property, this alternative would also have little to no cost impact on the City's General Fund.

Because the City has refused to consider any of these alternative sites, the City has not made an informed determination that the Project as proposed has been planned and located in the manner that will be most compatible with the greatest public good and the least private injury.

For this independent reason, the City's adoption of a third resolution would also be invalid.

4. The Property Sought To Be Acquired Is Not Necessary For the Project.

Finally, the City's adoption of a third resolution would also be in error since HIP is informed and believes that the City has ample secured indoor parking for police and fire personnel. HIP is further informed and believes that there is insufficient evidence to support the adoption of a resolution to condemn the Subject Property based on the City's ostensible "need" for additional parking.

One of the mandatory components to the necessity determination is that the property sought to be acquired must be necessary for the project. (Code Civ. Proc.

Kay Manning
March 12, 2012
Page 8

§ 1240.030, subd. (c).) The Eminent Domain Law defines "property" to include real and personal property and any interest thereon. (Code Civ. Proc., § 1235.170.) Thus, the City must not only consider whether the property is necessary for the project but also whether the particular interest in property that the City seeks to take is necessary. In the absence of substantial evidence supporting such a determination, the resolution of necessity will be invalid.

In this case, there does not appear to be any need for additional secured parking and accordingly, no public project at all, since the City's existing secured, indoor parking appears sufficient to meet the fire and police departments' respective needs. Rather, it is HIP's belief that the taking of the Subject Property is motivated by an improper purpose not related to the fire/police departments' parking needs.

Based upon the foregoing objections, HIP respectfully requests that the City not adopt the resolution and, instead, dismiss the pending eminent domain action immediately.

Very truly yours,



Patrick A. Hennessey

PAH:ajb
cc: Mark A. Easter

CITY OF COVINA
AGENDA ITEM COMMENTARY

MEETING DATE: March 20, 2012

ITEM NO.: NB 1

STAFF SOURCE: Daryl Parrish, City Manager 

ITEM TITLE: Approve the Amended and Restated City Attorney Legal Services Agreement between the City of Covina and Best Best and Krieger LLP

STAFF RECOMMENDATION

Approve the Amended and Restated Agreement for City Attorney Legal Services between the City of Covina and Best Best and Krieger LLP (BBK).

FISCAL IMPACT

Funding is allocated in the 2011-12 budget for legal fees; and sufficient funds are available to cover the new contract for the current fiscal year. Funds will be budgeted in the 2012-13 budget to account for the revised agreement.

BACKGROUND

The current agreement with BBK has been in effect since August 1, 2006. Since then, there have been some changes to the contractual relationship between the city and BBK. Since 2011, staff has been working closely with representatives of BBK to reduce the costs of legal representation. For example, in 2011, BBK did not increase their annual fee by 4%, which was stated in its contract. Because of these changes, it is necessary to bring forward for City Council approval a revised agreement to memorialize the changes.

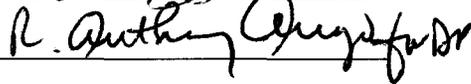
For the contract being presented to the City Council, city staff and BBK have again worked on an agreement that will provide for approximately \$70,000 in savings. This is partially a function of City Administration's call to each General Fund Department to reduce expenses by 3% for fiscal year 2012/13 over 2011/12. Some of the changes to the former agreement include:

- A monthly retainer of \$24,250 (or \$291,000 per annum) which will cover all basic legal work (i.e., preparation of resolutions and ordinances, basic agreements, legal advice, attendance at all meetings, and 10 office hours per month). In 2011, the city spent approximately \$361,000 on these same services.
- Special attorney rates will remain the same; rates for paralegals will increase from \$98.00 per hour to \$150.00 per hour; this rate is still below the average.
- The standard bond rates and reimbursable service rates will remain the same;
- The annual cost of living adjustment not to exceed 4% remains the same but will not be effective until 2013; in 2011, the cost of living adjustment of approximately 1.5% was waived by BBK.

- Marco Martinez will serve the City of Covina's City Attorney with Elizabeth Hull serving as his assistant. Mr. Martinez has been representing the city since September 2010; Ms. Hull has represented the city at various meetings specifically relating to the abolishment of the redevelopment agency.

EXHIBITS

1. Amended and Restated Agreement for City Attorney Legal Services between the City of Covina and Best Best & Krieger LLP

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

**AMENDED AND RESTATED AGREEMENT FOR
CITY ATTORNEY LEGAL SERVICES
BETWEEN
THE CITY OF COVINA &
BEST BEST & KRIEGER LLP**

1. PARTIES AND DATE.

This Amended and Restated Agreement for City Attorney Legal Services is made and entered into as of the 20th day of March, 2012, by and between the City of Covina, a California municipal corporation (“Client”), and Best Best & Krieger LLP, a limited liability partnership engaged in the practice of law (“BB&K”).

2. RECITALS.

2.1 Client wishes to continue to engage the services of BB&K as its City Attorney to perform all necessary legal services for the Client on the terms set forth below. For purposes of this Agreement, the term “Client” shall include the former Covina Redevelopment Agency, the Successor Agency to the Covina Redevelopment Agency, the Covina Public Finance Authority, the Covina Housing Authority, and any other affiliated entities.

3. TERMS.

3.1 Term. The term of this Agreement shall commence on April 1, 2012 and shall continue in full force and effect until terminated in accordance with Section 3.12.

3.2 Scope of Services. BB&K shall serve as City Attorney and shall perform legal services (“Services”) as may be required from time to time by the Client as set forth by this Agreement, unless otherwise agreed to by the Client and BB&K. As part of the Services to be performed hereunder, BB&K shall be responsible for the following:

3.2.1 Preparation for, and attendance at, regular meetings of the Client;

3.2.2 Provision of legal counsel at such other meetings as directed by the Client;

3.2.3 Preparation or review of all Client ordinances and resolutions, together with such staff reports, orders, agreements, forms, notices, declarations, certificates, deeds, leases and other documents as requested by the Client;

3.2.4 Rendering to the officers and employees of the Client legal advice and opinions on all legal matters affecting the Client, including new legislation and court decisions, as directed by the Client;

3.2.5 Researching and interpreting laws, court decisions and other legal authorities in order to prepare legal opinions and to advise the Client on legal matters pertaining to Client operations, as directed by the Client;

3.2.6 Performing legal work pertaining to property acquisition, property disposal, public improvements, public rights-of-way and easements, as directed by the Client;

3.2.7 Responding to inquiries and review for legal sufficiency ordinances, resolutions, contracts, and administrative and personnel matters, as directed by the Client;

3.2.8 Representing and assisting on litigation matters, as directed by the Client. Such services shall include, but shall not be limited to, the preparation for and making of appearances, including preparing pleadings and petitions, making oral presentations, and preparing answers, briefs or other documents on behalf of the Client, and any officer or employee of the Client, in all federal and state courts of this State, and before any governmental board or commission, including reviewing, defending or assisting any insurer of the Client or its agents or attorneys with respect to any lawsuit filed against the Client or any officer or employee thereof, for money or damages.

3.3 Designated City Attorney. Marco A. Martinez shall be designated as City Attorney, and shall be responsible for the performance of all Services under this Agreement, including the supervision of Services performed by other members of BB&K. Elizabeth Hull shall be designated as Assistant City Attorney, and shall attend such meetings as may be requested by the City Attorney. No change in these assignments shall be made without the consent of the Client.

3.4 Time of Performance. The Services of BB&K shall be performed expeditiously in the time frames and as directed by the Client.

3.5 Assistance. The Client agrees to provide all information and documents necessary for the attorneys at BB&K to perform their obligations under this Agreement.

3.6 Independent Contractor. BB&K shall perform all legal services required under this Agreement as an independent contractor of the Client and shall remain, at all times as to the Client, a wholly independent contractor with only such obligations as are required under this Agreement. Neither the Client, nor any of its employees, shall have any control over the manner, mode or means by which BB&K, its agents or employees, render the legal services required under this Agreement, except as otherwise set forth. The Client shall have no voice in the selection, discharge, supervision or control of BB&K's employees, representatives or agents, or in fixing their number, compensation, or hours of service.

3.7 Fees and Costs. BB&K shall render and bill for legal services in the following categories and at rates set forth in Exhibit "A" and in accordance with the BB&K Billing Policies set forth in Exhibit "B", both of which are attached hereto and incorporated herein by reference. In addition, the Client shall reimburse BB&K for reasonable and necessary expenses incurred by it in the performance of the Services under this Agreement. Authorized reimbursable expenses shall include, but are not limited to, printing and copying expenses, mileage expenses at the rate allowed by the Internal Revenue Service, toll road expenses, long distance telephone and facsimile tolls, computerized research time (e.g. Lexis or Westlaw), research services performed by BB&K's library staff, extraordinary mail or delivery costs (e.g. courier, overnight and express

delivery), court fees and similar costs relating to the Services that are generally chargeable to a client. However, no separate charge shall be made by BB&K for secretarial or word processing services.

3.8 Billing. BB&K shall submit monthly to the Client a detailed statement of account for Services. The Client shall review BB&K's monthly statements and pay BB&K for Services rendered and costs incurred, as provided for in this Agreement, on a monthly basis.

3.9 Annual Reviews. The Client and BB&K agree that a review of performance and the compensation amounts referenced in this Agreement should occur at least annually.

3.10 Insurance. BB&K carries errors and omissions insurance with Lloyd's of London. After a standard deductible, this insurance provides coverage beyond what is required by the State of California. A separate schedule containing BB&K's insurance policies will be available for inspection upon Client's request.

3.11 Attorney-Client Privilege. Confidential communication between the Client and BB&K shall be covered by the attorney-client privilege. As used in this article, "confidential communication" means information transmitted between the Client and BB&K in the course of the relationship covered by this Agreement and in confidence by a means that, so far as the Client is aware, discloses the information to no third persons other than those who are present to further the interests of the Client in the consultation or those to whom disclosure is reasonably necessary for the transmission of the information or the accomplishment of the purpose for which BB&K is consulted, and includes any legal opinion formed and advice given by BB&K in the course of this relationship.

3.12 Termination of Agreement and Legal Services. This Agreement and the Services rendered under it may be terminated at any time upon thirty (30) days' prior written notice from either party, with or without cause. In the event of such termination, BB&K shall be paid for all Services authorized by the Client and performed up through and including the effective date of termination. BB&K shall also be reimbursed for all costs associated with transitioning any files or other data or documents to a new law firm or returning them to the Client.

3.13 Entire Agreement. This Agreement contains the entire Agreement of the parties with respect to the subject matter hereof, and supersedes all prior negotiations, understandings or agreements.

3.14 Governing Law. This Agreement shall be governed by the laws of the State of California. Venue shall be in Los Angeles County.

3.15 Amendment; Modification. No supplement, modification or amendment of this Agreement shall be binding unless executed in writing and signed by both parties.

3.16 Waiver. No waiver of any default shall constitute a waiver of any other default or breach, whether of the same or other covenant or condition. No waiver, benefit, privilege, or

service voluntarily given or performed by a party shall give the other party any contractual rights by custom, estoppel, or otherwise.

3.17 Invalidity; Severability. If any portion of this Agreement is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

3.18 Delivery of Notices. All notices permitted or required under this Agreement notices shall be deemed made when personally delivered or when mailed, forty-eight (48) hours after deposit in the U.S. Mail, first class postage prepaid and addressed to the party at its applicable address. Actual notice shall be deemed adequate notice on the date actual notice occurred, regardless of the method of service. All notices permitted or required under this Agreement shall be given to the respective parties at the following address, or at such other address as the respective parties may provide in writing for this purpose:

Client: City of Covina
125 E. College St.
Covina, CA 91789
Attention: City Manager

BB&K: Best Best & Krieger LLP
3500 Porche Way, Suite 200
Ontario, CA 91761
Attention: Marco A. Martinez, Partner

3.19 Counterparts. This Agreement may be signed in counterparts, each of which shall constitute an original.

IN WITNESS WHEREOF, THE CLIENT AND BB&K HAVE EXECUTED THIS AMENDED AND RESTATED AGREEMENT FOR CITY ATTORNEY LEGAL SERVICES AS OF THE DATE FIRST WRITTEN ABOVE.

CITY OF COVINA

By: _____
Kevin Stapleton
Mayor

Attest:

Kay Manning
City Clerk

BEST BEST & KRIEGER LLP

By: _____
Marco A. Martinez
Partner

EXHIBIT “A”

General, Special, and Complex Legal Service Rates (Un-Capped Retainer)

1. Basic Legal Services – Description and Rate. Basic Legal Services shall include all services provided to Client that are not otherwise specifically identified below as either Special Legal Services, Third Party Reimbursable Legal Services, or Public Finance Legal Services (“Basic Legal Services”). Basic Legal Services shall also include ten (10) hours per month of office hours time at City’s offices. The Client shall pay for Basic Legal Services at the flat rate monthly retainer amount of **\$24,250 per month.**

2. Special Legal Services - Description. Special Legal Services shall include the following types of services:

- A. Litigation and formal administrative or other adjudicatory hearing matters
- B. Labor relations and employment matters.
- C. Non-routine real estate matters (e.g. CC&R’s, deed or title work)
- D. Land acquisition and disposal matters (including pre-condemnation)
- E. Redevelopment/successor agency and housing matters
- F. Electric utility matters
- G. Taxes, fees and charges matters (e.g. Prop. 218 & Mitigation Fee Act)
- H. Public construction disputes
- I. Non-routine contract negotiation matters (including non-BB&K model agreements and franchise agreements)
- J. Non-routine land use and development matters (including general plan updates, Williamson Act issues, annexations and development agreements)
- K. Bankruptcy-related matters
- L. CEQA and complex environmental matters
- K. Other matters mutually agreed upon

3. Special Legal Services – Rates. The Client shall pay for Special Legal Services at the following rates:

Partner/Of Counsel:	\$243
Associates:	\$211
Paralegals/Law Clerks	\$150

5. Third Party Reimbursable Legal Services - Description. Third Party Reimbursable Legal Services shall include legal services provided to the City for which the City receives reimbursement from a developer or other third party. These reimbursable legal services typically include review of CC&Rs; establishment of financing districts (i.e., Community Facilities Districts; Assessment Districts; Landscape and Lighting Maintenance Districts); and land use/environmental projects for which the City is entitled to reimbursement.

6. Third Party Reimbursable Legal Services - Rates. The Client shall pay for Third Party Reimbursable Legal Services at BB&K's then current published standard private client rates, minus ten percent (10%). Upon execution of this Agreement, BB&K shall provide a copy of its published rate schedule to the Client. BB&K shall also provide annual written updates to the Client when changes are made to the published rate schedule.

7. Public Finance Legal Services – Description & Rates. The Client shall pay for Public Finance Legal Services at the rates set forth for Public Finance Legal Services, below. For bond counsel and special counsel services in connection with the financing of public facilities, BB&K shall be compensated, depending upon the type of bonds, certificates of participation or other obligations that are to be issued, based on the following schedules. Unless otherwise mutually agreed, our fees as bond counsel on these financings will be payable from proceeds of each series of the bonds upon their issuance.

A. Certificates of Participation and Revenue Bonds. For services in connection with the issuance and sale of certificates of participation and revenue bonds, BB&K shall be paid a fee, which will be the greater of (i) \$35,000 or (ii) an amount based on the total principal amount of the certificates of participation or bonds to be sold, computed as follows:

.50% of the first \$10 million of the amount of the certificates or bonds issued,
plus

.25% of the next \$10 million of the amount thereof, plus

.125% of the amount thereof, if any, over \$20 million.

Notwithstanding the foregoing, in those cases where the fees are reimbursable by a third party, at BB&K's option it may proceed on a hourly basis and utilize the Third Party Reimbursable Legal Services category provided for in this Agreement.

B. Community Facilities Districts. For services in connection with the issuance and sale of bonds of community facilities districts, BB&K shall be paid a fee, which will be the greater of (i) \$35,000 or (ii) an amount based on the total principal amount of the bonds to be sold, computed as follows:

.50% of the first \$10 million of the amount of the bonds issued, plus

.25% of the next \$10 million of the amount thereof, plus

.125% of the amount thereof, if any, over \$20 million.

Notwithstanding the foregoing, in those cases where the fees are reimbursable by a third party, at BB&K's option it may proceed on a hourly basis and utilize the Third Party Reimbursable Legal Services category provided for in this Agreement with respect to services rendered for the formation of or annexation to a CFD, as well as the negotiation and preparation of funding agreements and joint financing agreements. Hourly compensation shall be payable

solely from deposits of third parties and bond counsel fees shall be payable solely from the proceeds of the sale of bonds.

C. Assessment Districts. For services in connection with the issuance and sale of bonds of assessment districts, BB&K shall be paid a fee, which will be the greater of (i) \$35,000 or (ii) an amount based on the total principal amount of the bonds to be sold, computed as follows:

.50% of the first \$6 million of the amount of the bonds issued, plus

.25% of the next \$10 million of the amount thereof, plus

.125% of the amount thereof, if any, over \$16 million.

Notwithstanding the foregoing, in those cases where the fees are reimbursable by a third party, at BB&K's option it may proceed on a hourly basis and utilize the Third Party Reimbursable Legal Services category provided for in this Agreement with respect to services rendered for the formation of or annexation to an AD, as well as the negotiation and preparation of funding agreements and joint financing agreements. Hourly compensation shall be payable solely from deposits of third parties and bond counsel fees shall be payable solely from the proceeds of the sale of bonds.

D. Tax Allocation Bonds. For services in connection with the issuance and sale of tax allocation bonds. BB&K shall be paid a fee, which will be the greater of (i) \$35,000, or (ii) an amount based on the total principal amount of the bonds to be sold, computed as follows:

.50% of the first \$6 million of the amount of bonds issued, plus

.25% of the next \$4 million of the amount of bonds issued, plus

.20% of the next \$5 million of the amount of bonds issued, plus

.15% of the next \$5 million of the amount of bonds issued, plus

.125% of the amount thereof, if any, over \$20 million.

Notwithstanding the foregoing, in those cases where the fees are reimbursable by a third party, at BB&K's option it may proceed on a hourly basis and utilize the Third Party Reimbursable Legal Services category provided for in this Agreement.

E. Investment and Other Agreements. For investment agreements, derivative transactions or interest rate swaps relating to of any bond issue, a separate fee will be charged depending on the type of derivative. Generally, our fee for a derivative transaction mirrors our bond counsel fee. Review of investment agreements will be charged at our hourly rates.

F. Issuer's Counsel Opinions. For all Issuer's Counsel opinions provided by BB&K in connection with any bond financing, fees shall be the following: (1) for opinions on financings

for which BB&K does not provide bond counsel and disclosure counsel services, \$10,000; (2) for opinions on financings for which BB&K provides bond counsel services only, \$5,000; (3) for opinions on financings for which BB&K provides disclosure counsel services only, \$2,500; and (4) for opinions on financings for which BB&K provides both bond and disclosure counsel services, there will be no charge.

G. Other Public Finance Services. If other services are requested by the City that are not within the scope of those provided for above, they will be performed on an hourly basis at the Complex Legal Services category provided for in the Agreement.

8. Agreement Regarding Rate Categories. If BB&K believes that a matter falls within the Special Legal Services, Complex Legal Services, Third Party Reimbursable Legal Services, or Public Finance Legal Services rate categories, BB&K shall seek approval from the City Manager or his/her designee. The City Manager's or her designee's approval of such a request from BB&K shall not be unreasonably withheld.

9. Annual Adjustments; Other Mutual Adjustments. The rates or amounts provided for in Sections 1 through 7 shall be automatically increased as follows: On July 1, 2013 and every July 1st thereafter during the term of this Agreement, they shall be increased for the change in the cost of living for twelve (12) month period published for the month of May, as shown by the U.S. Department of Labor in its All Urban Consumers Index set forth for the Los Angeles-Anaheim-Riverside area; provided, however, that such adjustment shall never be lower than zero percent (0%) nor more than four percent (4%). In addition to the automatic rate increases, either BB&K or the Client may initiate consideration of a rate increase at anytime.

EXHIBIT "B"

BB&K BILLING POLICIES

Our century of experience has shown that the attorney-client relationship works best when there is mutual understanding about fees, expenses, billing and payment terms. Therefore, this statement is intended to explain our billing policies and procedures. Clients are encouraged to discuss with us any questions they have about these policies and procedures. Clients may direct specific questions about a bill to the attorney with whom the client works or to Judy Ismael of our Accounting Department. Any specific billing arrangements different from those set forth below will be confirmed in a separate written agreement between the client and the firm.

Fees for Professional Services

Unless a flat fee is set forth in our engagement agreement with a client, our fees for the legal work we will undertake will be based in substantial part on time spent by personnel in our office on that client's behalf. In special circumstances which will be discussed with the client and agreed upon in writing, fees will be based upon the novelty or difficulty of the matter, or the time or other special limitations imposed by the client.

Hourly rates are set to reflect the skill and experience of the attorney or other legal personnel rendering services on the client's behalf. Time is accrued on an incremental basis for such matters as telephone calls (minimum .3 hour) and letters (minimum .5 hour), and on an actual basis for all other work. Our attorneys are currently billed at rates from \$200 to \$550 per hour, and our administrative assistants, research assistants, paralegals and law clerks are billed at rates from \$110 to \$225 per hour. These hourly rates are reviewed annually to accommodate rising firm costs and to reflect changes in attorney status as lawyers attain new levels of legal experience. Any increases resulting from such reviews will be instituted automatically and will apply to each affected client, after advance notice.

Fees For Other Services, Costs and Expenses

We attempt to serve all our clients with the most effective support systems available. Therefore, in addition to fees for professional legal services, we also charge separately for some other services and expenses to the extent of their use by individual clients. These charges include but are not limited to, mileage at the current IRS approved rate per mile, extraordinary telephone and document delivery charges, copying charges, computerized research, court filing fees and other court-related expenditures including court reporter and transcription fees. No separate charge is made for secretarial or word processing services; those costs are included within the above hourly rates.

We may need to advance costs and incur expenses on your behalf on an ongoing basis. These items are separate and apart from attorneys' fees and, as they are out-of-pocket charges, we need to have sufficient funds on hand from you to pay them when due. We will advise the client from time to time when we expect items of significant cost to be incurred, and it is required that the client send us advances to cover those costs before they are due.

Advance Deposit Toward Fees And Costs

Because new client matters involve both a substantial undertaking by our firm and the establishment of client credit with our accounting office, we require an advance payment from clients. The amount of this advance deposit is determined on a case-by-case basis discussed first with the client, and is specified in our engagement agreement.

Upon receipt, the advance deposit will be deposited into the firm's client trust account. Our monthly billings will reflect such applications of the advance deposit to costs and not to attorney's fees. At the end of engagement, we will apply any remaining balance first to costs and then to fees. We also reserve the right to require increases or renewals of these advanced deposits.

By signing the initial engagement agreement, each client is agreeing that trust account balances may be withdrawn and applied to costs as they are incurred and to our billings, after presentation to the client. If we succeed in resolving your matter before the amounts deposited are used, any balance will be promptly refunded.

Monthly Invoices and Payment

Best Best & Krieger LLP provides our clients with monthly invoices for legal services performed and expenses incurred. Invoices are due and payable upon receipt.

Each monthly invoice reflects both professional and other fees for services rendered through the end of the prior month, as well as expenses incurred on the client's behalf that have been processed by the end of the prior month. Processing of some expenses is delayed until the next month and billed thereafter.

Our fees are not contingent upon any aspect of the matter and are due upon receipt. All billings are due and payable within ten days of presentation unless the full amount is covered by the balance of an advance held in our trust account. If a bill is not paid within 30 days, a late charge of one percent per month on the unpaid invoice shall be added to the balance owed, commencing with the next statement and continuing until paid.

It is our policy to treat every question about a bill promptly and fairly. It is also our policy that if a client does not pay an invoice within 60 days of mailing, we assume the client is, for whatever reason, refusing to pay. We will then advise the client by letter that the client may pay the invoice within 14 days or the firm will take appropriate steps to withdraw as attorney of record. If the delay is caused by a problem in the invoice, we must rely upon the client to raise that with us during the 14-day period. This same policy applies to fee arrangements which require the client to replenish fee deposits or make deposits for anticipated costs.

From time to time clients have questions about the format of the bill or description of work performed. If you have any such questions, please ask them when you receive the bill so we may address them on a current basis.

Changes in Fee Arrangements and Budgets

It may be necessary under certain circumstances for a client to increase the size of required advances for fees after the commencement of our engagement and depending upon the scope of the work. For example, prior to a protracted trial or hearing, the firm may require a further advance payment to the firm's trust account sufficient to cover expected fees. Any such changes in fee arrangements will be discussed with the client and mutually agreed in writing.

Because of the uncertainties involved, any estimates of anticipated fees that we provide at the request of a client for budgeting purposes, or otherwise, can only be an approximation of potential fees.

BEST BEST & KRIEGER LLP

**SUCCESSOR AGENCY TO THE
COVINA REDEVELOPMENT AGENCY
AGENDA ITEM COMMENTARY**

MEETING DATE: March 20, 2012

ITEM NO.: NB 2

STAFF SOURCE: Robert Neiuber, Deputy Executive Director of the Successor Agency ^{RN}
Elizabeth Hull, Agency Attorney

ITEM TITLE: Mayoral appointments to the Successor Agency Oversight Board and
Successor Agency Update

STAFF RECOMMENDATION

Mayor to consider appointments to the Successor Agency Oversight Board and Successor Agency to review and file update.

FISCAL IMPACT

None.

BACKGROUND

Mayoral Appointments to the Oversight Board Update – The City is represented on the oversight board by two appointees. The two city appointees are made by the Mayor. The first appointee is within the Mayor's discretion and can be anyone of their choosing. The second Mayoral appointee must be a representative from the recognized employee organization representing the largest number of former redevelopment employees employed by the successor agency. The second appointment is limited in that there were only four represented employees (union employees) whose costs were wholly or partially paid for with redevelopment funds (Alan Carter, Steve Rossi, Hector Alikhan, and Chris Ulmer).

AB 1X 26 does not require the appointments to be made at a public meeting. However, as the tentative date for the first Oversight Board Meeting is April 5, 2012 at 3:00 PM in the City Council Chambers, staff wanted to provide the Mayor with the ability to discuss his appointments with his fellow Councilmembers if he so chooses prior to providing the names to staff.

135 East Badillo – Staff will be bringing the issue of Redevelopment Agency assets that were constructed and used for a governmental purpose that were transferred to the appropriate public entity before the successor Agency and the oversight board later in April or early May. For that reason staff would ask Council to defer any action on this site until we get approvals from the Agency, Oversight Board, and Department of Finance. Staff is still preparing estimates of the cost to complete the conversion of the portion of the lot not historically used as a public parking lot to open space

Legislative Update – On Wednesday, March 14, the Assembly Housing & Community Development Committee heard **AB 1585 (Perez)** which makes various technical fixes to AB X1

26 to clarify the functions of successor agencies and oversight boards and to protect affordable housing funds.

Other legislation addressing the fallout from the dissolution of redevelopment agencies has been introduced and is being scheduled for hearings. **SB 986 (Dutton) Redevelopment: Bond Proceeds**, is being heard on March 21 in the Senate Governance and Finance Committee. **SB 1156 (Steinberg) Community Development & Housing Joint Powers Authority** will be heard in Senate Transportation & Housing Committee on April 10. **SB 1151 (Steinberg) Redevelopment: Long Range Asset Management Plan** will be heard in the Senate Governance and Finance Committee on Wednesday, April 18.

The City of Rancho Cucamonga and Senator Bob Dutton worked together to introduce **SB 986**, which would address bond proceeds and tax-exemption issues arising out of AB X1 26. On March 21, the City of Rancho Cucamonga and others will be testifying at the Senate Governance and Finance Committee's hearing on SB 986. Staff is preparing a letter in support of this legislation, which will be provided to the Agency Board at the meeting and forwarded onto the Committee and its members, including Senator Dr. Ed Hernandez, at the Boards direction.

RELEVANCE TO THE STRATEGIC PLAN

Understanding the Successor Agency's roles and responsibilities will help the Successor Agency assure its funding for current obligations and maintain its financial stability, a requirement of the law and one of the City's Strategic Plan's three-year goals.

EXHIBITS

1. March 8, 2012, LA County letter on Town Hall Meeting on Redevelopment Dissolution Implementation

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



WILLIAM T FUJIOKA
Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

March 8, 2012

All Successor Agencies in Los Angeles County :

TOWN HALL MEETING ON REDEVELOPMENT DISSOLUTION IMPLEMENTATION

Since implementation of ABx1 26 (Redevelopment Dissolution Bill) has commenced, many questions have arisen on specific procedures and timeframes regarding this complex and challenging process. Many of these questions pertain to the County Auditor-Controller's role in implementing the Redevelopment Dissolution Bill. In an effort to address these issues in a joint forum and promote maximum coordination and consistency, the County of Los Angeles has scheduled two alternative dates for Town Hall Meetings.

All Successor Agencies in the County are invited, as well as representatives from the State Controller's Office and California Department of Finance. Representatives from the County's Auditor-Controller's Office, County Counsel, Executive Officer of the Board, and Chief Executive Office will also be in attendance.

You may choose to attend on one or both of the two following dates:

Monday, March 19, 2012, 1:30 – 4:30 p.m.
Wednesday, March 21, 2012, 9:00 a.m. – noon

Both meetings will be held in the **Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, CA 90012, in Room 140-A.** (The County will also be offering training to oversight board appointees in the near future. Dates and locations for this training will be announced at a later date.)

EXHIBIT A Page 1 of 2

"To Enrich Lives Through Effective And Caring Service"

***Please Conserve Paper – This Document and Copies are Two-Sided
Intra-County Correspondence Sent Electronically Only***

All Successor Agencies in Los Angeles County
March 8, 2012
Page 2

It would be very helpful in our preparation for these meetings if you would submit questions and/or discussion topics in advance. Please direct questions and topics to the attention of: **Arlene Barrera** at Successor@auditor.lacounty.gov. If you have any questions regarding the meetings, please contact Ileana Lopez-Martinez at ILOPEZ@auditor.lacounty.gov or call (213) 974-8390.

Thank you and we look forward to seeing you later this month.

Sincerely,



WILLIAM T FUJIOKA
Chief Executive Officer



WENDY J. WATANABE
Auditor-Controller

WTF:EFS
MKZ:dmt

c: Each Supervisor
All Department Heads
State Controller
California Department of Finance