



MINUTES OF AUGUST 16, 2016

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

CALL TO ORDER

Mayor Stapleton called the Council/Agency/Authority meeting to order at 6:32 p.m. with all Councilmembers present except Councilmember Delach. There were no public comments. Mayor Stapleton recessed the Council to closed session at 6:32 p.m.

ROLL CALL

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

Councilmembers Absent: Peggy A. Delach.

Elected Members Present: City Clerk Mary Lou Walczak and City Treasurer Geoffrey Cobbett.

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

CLOSED SESSION

A. Government Code § 54956.9(d)(1) – CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

- Name of Case: Powers, Justin v. City of Covina, et al; Case No. 2:15 CV 5877

B. Government Code § 54957 - PUBLIC EMPLOYEE APPOINTMENT

Title: City Manager

RECONVENE AND CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Marquez led the Pledge of Allegiance.

INVOCATION

Covina Police Chaplain Truax gave the invocation.

PRESENTATIONS

Aliso Canyon Storage Facility Update from Southern California Gas Company

Gas Company Representative Bob Cruz gave an update on a recent natural gas leak at the Aliso Canyon Storage Facility and encouraged energy conservation.

San Gabriel Valley Mosquito & Vector Control District Update

San Gabriel Valley Mosquito & Vector Control District Public Information Officer Jason Farned presented an update and PowerPoint presentation on mosquito prevention and dangers. Councilmember Allen suggested that the information presented be made available to residents on the City's website. Mayor Stapleton concurred.

CLOSED SESSION REPORT

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

PUBLIC COMMENTS

Suzee Della Donna reported on a problem with a neighbor who has allegedly been trapping pet cats, commented that animal control officers have already spoken to the neighbor, and requested additional assistance to remedy the situation. Mayor Stapleton responded that the City Manager's Office will have someone contact her about what can be done to help.

Lisa Mayo, representing the non-profit organization They Will Know, invited the City Council to an upcoming event.

Dora Gomez, on behalf of Covina Assembly of God, gave a report on the recent Project 2911 Back 2 School Blast during which over 1000 backpacks with school supplies were given away; and thanked Covina Police Department and the Los Angeles County Fire Department for their assistance with the event.

COUNCIL/AGENCY/AUTHORITY COMMENTS

Councilmember King thanked Covina Assembly of God and Project 2911 for their great work in the community; and commented on a successful National Night Out event and thanked participants for their involvement.

Councilmember Allen commented he was sorry to have missed the Project 2911 event, and requested adjournment in memory of Van Allen Coleman.

Mayor Pro Tem Marquez commented on a great National Night Out, thanked Covina Assembly of God for the Back 2 School Blast event and the good work they do in the community, and requested adjournment in memory of Ron Capotosto.

Mayor Stapleton announced the passing of Ron Capotosto and that the meeting would be adjourned in his memory and in memory of Van Allen Coleman and Amelia Pearl Zavala; commented that National Night Out was fun; and announced Covina Day at the Los Angeles County Fair on Friday, September 9, 2016, at which Joelle Peelgren will be recognized as Covina's Community Hero.

CITY MANAGER COMMENTS

Interim City Manager Penman explained that the passing of Covina Irrigating Company Board of Directors Member Ron Capotosto creates a vacancy on that Board, requested that New Business item NB 4 Consideration of Vacancy of City Director on Covina Irrigating Company Board of Directors be added to tonight's agenda to discuss the matter due to a restricted timeline in which action must be taken before the Council's next regularly-scheduled meeting of September 20, 2016, and stated that staff became aware of this need yesterday, August 15, 2016.

City Attorney Lee explained that per the Brown Act, the additional of an item to tonight's agenda requires an affirmative vote by two-thirds of the councilmembers present, and findings that there is a need to take immediate action and that the need came to the City's attention after the posting of the agenda.

A motion was made by Councilmember Allen, seconded by Councilmember King, to add New Business item NB 4 Consideration of Vacancy of City Director on Covina Irrigating Company Board of Directors to tonight's agenda, finding that there is a need to take immediate action and that the need came to the City's attention subsequent to the posting of the agenda.

Motion adding New Business item NB 4 as follows:

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

CONSENT CALENDAR

The following items were pulled from the Consent Calendar for separate discussion: CC 12 by Councilmember King and CC 4 by Mayor Stapleton.

A motion was made by Councilmember King, seconded by Mayor Pro Tem Marquez, to approve Consent Calendar items CC 1 – 3, 5 – 11, and 13 – 15 as presented.

Motion approved Consent Calendar items CC 1 – 3, 5 – 11, and 13 – 15 as follows:

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

- CC 1. City Council approved the Minutes of the July 19, 2016, Study Session and Regular Meetings of the City Council/Successor Agency to the Covina Redevelopment Agency/Covina Public Financing Authority/Housing Authority.
- CC 2. City Council approved the payment of City Demands in the amount of \$3,577,644.54.
- CC 3. Successor Agency to the Covina Redevelopment Agency approved the payment of Agency Demands in the amount of \$23,059.44.
- CC 5. City Council waived full reading, read by title only and adopted on second reading **Ordinance No. 16-2058** entitled, "AN ORDINANCE OF THE CITY OF COVINA, CALIFORNIA, APPROVING ZONE CHANGE (ZCH) 16-001, TO CHANGE THE ZONING CLASSIFICATION OF REAL PROPERTY LOCATED AT 731 NORTH GRAND AVENUE (APN: 8429-006-006) ON THE NORTHWEST CORNER OF GRAND AVENUE AND EDNA PLACE FROM C-2 'NEIGHBORHOOD SHOPPING CENTER' TO C-4 'HIGHWAY COMMERCIAL,' AND MAKING A DETERMINATION OF EXEMPTION UNDER CEQA."
- CC 6. City Council and the Successor Agency to the Covina Redevelopment Agency received and filed the Quarterly Report of the Treasurer to the City Council and the Successor Agency to the Covina Redevelopment Agency for the Quarter Ended June 30, 2016.
- CC 7. City Council authorized the Interim City Manager to execute the First Amendment to Agreement for Uniform Rental Services with Cintas Corporation No. 3.
- CC 8. City Council awarded the contract for Miscellaneous Concrete and Asphalt Repairs to FS Contractors, Inc. for an amount not-to-exceed \$44,020, and authorized the Interim City Manager to execute the contract.
- CC 9. City Council authorized the Interim City Manager to execute the First Amendment to Agreement for Traffic Striping Maintenance Citywide, Project No. T-1301, with Superior Pavement Markings.
- CC 10. City Council authorized the City Manager to execute a Professional Service Agreement and approved the Letter of Engagement for Audit Services for Fiscal Year 2015-16 with Moss, Levy & Hartzheim, LLP.
- CC 11. City Council: 1) Adopted **Resolution No. 16-7508** for the Charter Oak Reservoir Site – Residual Control System Project, declaring that the public interest and necessity demand the immediate expenditure of public money and completion of certain work without competitive bidding to safeguard life, health, or property pursuant to Chapter 2.5 (Emergency Contracting Procedures) of the Public Contracts Code; 2) Adopted **Resolution Number 16-7509** to amend the FY 2017 Capital Improvement Program Budget to add the Charter Oak Reservoir Site – Residual Control System Project, and appropriate the necessary funds for the project from the Water Capital Improvement Fund balance; and 3) Authorized the Interim City Manager to execute all necessary contracts and documents with qualified contractors and vendors to respond to the emergency conditions at the Charter Oak Reservoir Site.

- CC 13. City Council made a determination that note terms, agreement terms and program requirements are satisfied for M. Mercy Moreno, doing business as City Grill, a Community Development Block Grant Special Economic Development Program participant; authorized removal of the loan/grant restrictions upon approval of program compliance by Los Angeles County Community Development Commission; and authorized the City Manager or his designee to execute related documents.
- CC 14. City Council adopted **Resolution No. 16-7514**, and Housing Authority adopted **Resolution No. 16-003**, finding that the use of the housing funds by the Housing Successor outside the Covina Revitalization Redevelopment Project No. One, Covina Revitalization Redevelopment Project No. Two and Amendment No. One to the Covina Revitalization Redevelopment Project No. Two for the development of affordable housing will benefit the project areas.
- CC 15. City Council approved payment of invoices to ThyssenKrupp Elevator Corporation for Elevator Maintenance Services at Covina Metrolink Parking Structure in an amount of \$2,388.95.

CONSENT CALENDAR ITEMS PULLED FOR SEPARATE DISCUSSION

- CC 4. Ordinance No. 16-2057 - Zoning Code Amendment (ZCA) 16-002, Amending Section 17.54.030(S)(T)(U) of Chapter 17.04 to Title 17 (Zoning Ordinance) of the Covina Municipal Code to Eliminate the Distance Requirement of 1,000 Feet for On-site Wine Tasting in Conjunction with a Winery and On-site Beer Tasting in Conjunction with a Small Brewery, Which Affects Properties Citywide – Second Reading and Adoption.

Mayor Stapleton stated he pulled this item because he could not vote for it.

A motion was made by Councilmember King, seconded by Councilmember Allen, to waive full reading, read by title only and adopt on second reading **Ordinance No. 16-2057** entitled, “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, AMENDING SUBSECTIONS S., T. AND U. OF SECTION 17.54.030 (USES PERMITTED SUBJECT TO CONDITIONAL-USE PERMIT) OF CHAPTER 17.54 (LIGHT MANUFACTURING ZONE) OF TITLE 17 (ZONING) OF THE COVINA MUNICIPAL CODE TO ELIMINATE THE ONE THOUSAND FOOT DISTANCE REQUIREMENT BETWEEN ON-SITE BEER AND WINE TASTING IN CONJUNCTION WITH CRAFT MICRO-BREWERIES AND ARTISAN WINE-MAKING IN THE M-1 ZONE.”

Motion approved Consent Calendar item CC 4 as follows:

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

- CC 12. Substitution of Collateral for the Community Development Block Grant Economic Development Program Participant, Tortano, LLC, Doing Business as Pan e Vino, 143 N. Citrus Avenue, Covina.

Councilmember King requested more information about this item. Community Development Director Lee explained that the Community Development Block Grant (CDBG) is Housing and

Urban Development (HUD) money the City receives for several purposes, one of which can be job creation. Each year the Council creates categories for how that money is spent. In prior years, as part of a job-creation category, certain businesses who met the criteria could receive a loan which would be forgiven if they met their obligations in a certain time period. Meanwhile, the loans require collateral. In 2014, Pan e Vino entered the program and they now wish to transfer their loan collateral to another asset. In response to a question from Councilmember King, Community Development Director Lee replied that he did not have concerns about this transfer.

A motion was made by Mayor Pro Tem Marquez, seconded by Councilmember King, to approve the substitution of collateral requested by Tortano, LLC, doing business as Pan e Vino, and to authorize the City Manager or his designee to execute the documents necessary to complete the transactions when all conditions are met.

Motion approved Consent Calendar items CC 12 as follows:

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

PUBLIC HEARING

PH 1. Tentative Tract Map (TTM) 73588 and Site Plan Review (SPR) 15-036 for the Development of Three Multi-tenant Industrial Condominium Buildings Totaling 99,272 Square Feet on 4.38 acres of Land in the M-1 Light Manufacturing Zoning District, Located Generally at 777 Edna Place – APN: 8429-006-017 and 018.

Mayor Stapleton opened the public hearing.

Community Development Director Lee introduced the item, and the staff report and PowerPoint presentation were presented by Planning Consultant Nancy Fong.

Planning Consultant Fong answered questions from Council about the separation between the development and residents on the north side of the project by explaining the large setbacks and landscaping elements that would provide a noise buffer; and detailed parking requirements including no RV parking on-site, number of parking spaces, and formation of a property-owner association to manage and assign parking spaces.

There was no public comment.

Applicant Don Cook commented on the size of various units in the project, sales price per square foot for similar units, the adequacy of parking, landscaping plans, consideration of noise elements for neighboring residents, and parking related to roll-up doors.

Mayor Stapleton closed the public hearing.

- A motion was made by Councilmember Allen, seconded by Mayor Pro Tem Marquez, to:
1. Issue a Notice of Categorical Exemption for a Class 32 In-fill Development Project (CEQA §15332).
 2. Adopt **Resolution No. 16-7510** approving Applications Tentative Tract Map (TTM) No. 73588 and Site Plan Review (SPR) No. 15-036, the development of three multi-tenant industrial buildings for condominium purposes totaling 99,272 square feet on 4.38 acres of land within the

M-1 Light Industrial Zoning District, generally located at 777 Edna Place – APN: 8429-006-017 and 018.

Motion approved Consent Calendar items CC 12 as follows:

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

CONTINUED BUSINESS

CB 1. Boards and Commissions Policies Update.

The staff report was presented by Interim City Manager Penman.

There was no public comment.

A motion was made by Councilmember King, seconded by Councilmember Allen, to:

1. Adopt **Resolution No. 16-7505** amending policies related to the City’s advisory boards and commissions and rescinding Resolution No. 16-7480.
2. Waive full reading, read by title only, and introduce for first reading **Ordinance No. 16-2059** entitled, “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, AMENDING SECTIONS OF COVINA MUNICIPAL CODE CHAPTER 14 TO DELETE THE BOARD OF APPEALS AS AN ADVISORY BODY OF THE CITY.”
3. Waive full reading, read by title only, and introduce for first reading **Ordinance No. 16-2060** entitled, “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINA, CALIFORNIA, AMENDING CHAPTER 17.81 OF THE COVINA MUNICIPAL CODE, TO DELETE THE HISTORIC PRESERVATION BOARD AS AN ADVISORY BODY OF THE CITY AND TRANSFER ALL DUTIES THEREOF TO THE PLANNING COMMISSION.”
4. Adopt **Resolution No. 16-7506** restructuring the Cultural Arts Commission and renaming it as the Parks and Recreation Commission.
5. Adopt **Resolution No. 16-7507** renaming the Finance Advisory Committee as the Finance Advisory Commission and approving and recommending changes to the Bylaws thereof.

City Attorney Lee read the ordinance titles into the record.

Motion approved Continued Business item CB 1 as follows:

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

NEW BUSINESS

NB 1. Exception to the 180-Day Wait Period to Hire a Retired Annuitant.

The staff report was presented by Police Captain Webster.

There was no public comment.

In response to a question from Mayor Pro Tem Marquez, Police Captain Webster responded that it is hoped the Public Safety Communication Supervisor position will be filled by the first of the year.

A motion was made by Councilmember Allen, seconded by Mayor Pro Tem Marquez, to:

1. Adopt **Resolution No. 16-7511** authorizing an exception to the 180-day wait period for employment of a retiree.
2. Adopt **Resolution No. 16-7512** appointing Sheryl Ward to limited-duration employment as a retired annuitant.

Motion approved New Business item NB 1 as follows:

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

- NB 2. Appointments and/or Reappointments to Fill Scheduled Vacancies and Other Vacant Positions on Various City of Covina Boards and Commissions.

Interim City Manager Penman introduced the item and the staff report was presented by Chief Deputy City Clerk Clark.

There was no public comment.

In response to a question from Councilmember King about appointments to the Finance Advisory Commission, Chief Deputy City Clerk Clark explained that at the time the agenda for this meeting was finalized, no applications for the Finance Advisory Commission had been received; and that since two applications had been received subsequently, an item for appointments to the Commission would be brought to Council at the next regularly-scheduled meeting of September 20, 2016.

In response to a request from Mayor Pro Tem Marquez to have the opportunity to interview new applicants, Mayor Stapleton clarified that interviews for new applicants to the Planning Commission, Traffic Advisory Commission, and Youth Accountability Board were already scheduled for the study session meeting of September 20, 2016, per the staff report.

In response to a question from Councilmember King, Chief Deputy City Clerk Clark listed the names of applicants and corresponding terms of office recommended for appointments to the Library Board of Trustees, Personnel Advisory Board, Traffic Advisory Commission, and Youth Accountability Board.

A motion was made by Councilmember Allen, seconded by Mayor Pro Tem Marquez, to:

1. Appoint Charles Kemp to the Library Board of Trustees for a full three-year term ending June 30, 2019.
2. Appoint to the Personnel Advisory Board: Kevin Radar and Leona Ramirez for terms expiring June 30, 2019; and Henry Medina for an unexpired term expiring June 30, 2018.
3. Appoint Kay Manning and Tom Melendrez to the Traffic Advisory Commission for terms expiring June 30, 2019.

4. Appoint members to the Youth Accountability Board: Bill Prescott, Audrey Connor, and Anita White for terms expiring June 30, 2017; and Kay Manning, Henry Medina, and Roxanne Medina for terms expiring June 30, 2018.
5. Direct staff to schedule interviews of new applicants to the Planning Commission, Traffic Advisory Commission, and Youth Accountability Board for the September 20, 2016, study session meeting.
6. Direct staff to continue accepting application for vacancies on the Library Board of Trustees, Parking Place Commission, Parks and Recreation Commission, Personnel Advisory Board, Traffic Advisory Commission, and Youth Accountability Board.

Motion approved New Business item NB 2 as follows:

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

- NB 3. Residential and Commercial Solid Waste Services – Proposed Rate Structure for the Period of July 1, 2016 through June 30, 2019 (FY 2017 through FY 2019).

Public Works Director Foster presented the staff report and PowerPoint presentation.

Councilmembers King and Allen thanked Public Works Director Foster and Interim City Manager Penman for the great report and for answering questions earlier this evening at the study session meeting, and thanked Athens Services for their partnership.

There was no public comment.

A motion was made by Councilmember King, seconded by Councilmember Allen, to:

1. Conceptually approve the residential and commercial refuse collection services rate structure for the period of July 1, 2016 through June 30, 2019 (FY 2016-17 through FY 2018-19) as outlined in the staff report;
2. Authorize the initiation of the State-mandated public hearing process to increase residential and commercial refuse collection services fees as outlined in Attachment F;
3. Set a public hearing on October 18, 2016 regarding the proposed refuse collection fee increases;
4. Adopt **Resolution No. 16-7513** establishing procedures for the conduct of a public hearing relating to the proposed increase to refuse collection services charges increase.

Motion approved New Business item NB 3 as follows:

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

- NB 4. Consideration of Vacancy of City Director on Covina Irrigating Company (CIC) Board of Directors.

Interim City Manager Penman presented the staff report, explained that Council needs to decide how to nominate someone to replace Board Member Capatosto and that the nominee's name must be submitted by CIC by September 15, 2016, and suggested that Council could submit

names to the City Manager's Office for distribution to Council, with the nominee to be decided at a Council meeting on Sept 6, 2016.

Discussion followed as to the date names should be submitted by, the desire for a resume or other background information for candidates, the alternative of nominating Jack Fielding as a temporary measure, and the desirability of a nominee familiar with Covina and its water issues.

A motion was made by Councilmember King, seconded by Councilmember Allen, to have a regular City Council meeting on Sept 6, 2016, at which a nominee will be chosen; and for councilmembers to submit names for the new City representative to the CIC Board of Directors by Aug 29, 2016, to Interim City Manager Penman.

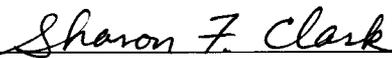
Motion approved New Business item NB 4 as follows:

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

ADJOURNMENT

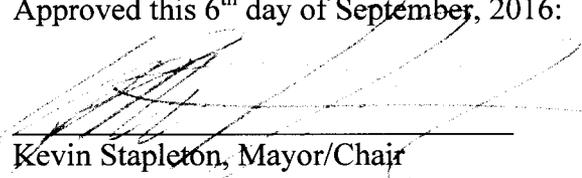
At 9:01 p.m., the meeting of the Covina City Council/Successor Agency to the Covina Redevelopment Agency/Covina Public Financing Authority/Covina Housing Authority was adjourned in memory of Ronald Francis Capotosto Sr., Amelia Pearl Zvalo, and Van Allen Coleman to its next regular meeting of the Council/Agency/Authority scheduled for Tuesday, September 6, 2016, at 6:30 p.m. for closed session and 7:30 p.m. for open session inside the Council Chamber, 125 East College Street, Covina, California, 91723.

Respectfully submitted:



Sharon F. Clark, CMC
Chief Deputy City Clerk

Approved this 6th day of September, 2016:



Kevin Stapleton, Mayor/Chair