



CITY OF WEST COVINA

CITY COUNCIL/SUCCESSOR AGENCY/ COMMUNITY SERVICES BOARD

Public Comment Instructions

**SEPTEMBER 15, 2026, 7:00 PM
REGULAR MEETING**

**CITY HALL COUNCIL CHAMBERS
1444 W. GARVEY AVENUE SOUTH
WEST COVINA, CALIFORNIA 91790**

**Mayor Letty Lopez-Viado
Mayor Pro Tem Ollie Cantos
Councilwoman Rosario Diaz
Councilmember Brian Gutierrez
Councilman Tony Wu**

Please turn off all cell phones and other electronic devices prior to entering the Council Chambers

AMERICANS WITH DISABILITIES ACT

The City complies with the Americans with Disabilities Act (ADA). If you will need special assistance at a Council meeting, please call (626) 939-8433 (voice) or (626) 960-4422 (TTY) from 8am to 5pm Monday through Thursday. Please call at least one day prior to the meeting date to inform us of your particular needs and to determine if accommodation is possible. For sign language interpreter services at Council meetings, please request no less than four working days prior to the meeting.

AGENDA MATERIAL

Agenda material is available for review at the City Clerk's Office, Room 317 in City Hall, 1444 W. Garvey Avenue South, West Covina and at www.westcovina.org. Any writings or documents regarding any item on this agenda, not exempt from public disclosure, provided to a majority of the City Council that is distributed less than 72 hours before the meeting, will be made available for public inspection in the City Clerk's Office, Room 317 of City Hall located at 1444 W. Garvey Avenue South, West Covina, during normal business hours.

NOTICE

The City Council will regularly convene on the first and third Tuesday of the month. The West Covina Community Development Commission, West Covina Public Financing Authority and the West Covina Community Services Foundation are agencies on which the City Council serves as members. Agendas may contain items for these boards, as necessary.

PUBLIC COMMENTS ADDRESSING THE CITY COUNCIL

Any person wishing to address the City Council on any matter listed on the agenda, excluding any matter set for a public hearing, or on any other matter within their jurisdiction must complete a speaker card that is provided at the entrance to the Council Chambers and submit the card to the City Clerk prior to the commencement of Oral Communications. No speaker cards will be accepted after the commencement of Oral Communications, except at the discretion of the Presiding Officer.

Please identify on the speaker card whether you are speaking on an agenda item or non-agenda. Requests to speak on agenda items will be heard prior to requests to speak on non-agenda items. Comments are limited to three (3) minutes per speaker, unless modified by the Presiding Officer or the City Council.

Any testimony or comments regarding a matter set for a public hearing will be heard during the hearing.

While members of the public are free to level criticism of City policies and the action(s) or proposed action(s) of the City Council or its members, members of the public may not engage in behavior that is disruptive to the orderly conduct of the meeting, including, but not limited to, speaking off topic, speaking beyond the speaker's allotted time limit, making slanderous or profane remarks or using loud, threatening, or abusive language which disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting. Members of the public may not threaten any person with physical harm or act in a manner that may reasonably be interpreted as an imminent threat of physical harm. The City of West Covina will not tolerate harassment based upon a person's race, religious creed, color, national origin, ancestry, disability, medical condition, marital status, gender, sexual orientation, or age.

RULES OF DECORUM

Excerpts from the West Covina Municipal Code and Penal Code pertaining to the Rules of Decorum will be found at the end of agenda.

AGENDA

CITY OF WEST COVINA CITY COUNCIL/SUCCESSOR AGENCY

**TUESDAY SEPTEMBER 15, 2026, 7:00 PM
REGULAR MEETING**

INVOCATION

Led by Pastor Matt Chavez of One and All Church

PLEDGE OF ALLEGIANCE

Led by Mayor Pro Tem Cantos

ROLL CALL

REPORTING OUT FROM CLOSED SESSION

PRESENTATIONS

- Taste of West Covina Presentation Recognizing Code Ninjas
- Taste of West Covina Presentation Recognizing Kumon
- Certificate Celebrating City2City Basketball

CITY MANAGER'S REPORT

City Manager's report on current City projects.

ORAL COMMUNICATIONS - Three (3) minutes per speaker

Please step forward to the podium and state your name and city of residence for the record when recognized by the Mayor.

CONSENT CALENDAR

All matters listed under CONSENT CALENDAR are considered to be routine and can be acted on by one roll call vote. There will be no separate discussion of these items unless members of the City Council/Community Development Commission request specific items to be removed from the Consent Calendar for separate discussion or action.

APPROVAL OF MEETING MINUTES

- 1) **CONSIDERATION OF APPROVAL FOR THE SEPTEMBER 1, 2026, CITY COUNCIL/SUCCESSOR AGENCY/COMMUNITY SERVICES BOARD REGULAR SESSION MEETING MINUTES.**

That the Council approve the September 1, 2026, City Council/Successor Agency/Community Services Board Regular Session Meeting Minutes.

CITY CLERK'S OFFICE

- 2) **BIENNIAL REVIEW OF CONFLICT OF INTEREST CODE**

It is recommended that the City Council receive and file the 2026 Local Agency Biennial Notice.

CITY MANAGER'S OFFICE

- 3) **CONSIDERATION OF A MEMORANDUM OF AGREEMENT WITH THE SAN GABRIEL COUNCIL OF GOVERNMENTS FOR PARTICIPATION IN THE REGIONAL FOOD RECOVERY PROGRAM**

It is recommended that the City Council:

1. Authorize the City Manager to negotiate and execute the Memorandum of Agreement between the San Gabriel Valley Council of Governments and the City of West Covina for Participation in the San Gabriel Valley Regional Food Recovery Program, in such final form as approved by the City Attorney; and
2. Authorize the City Manager to negotiate and execute related documents and future amendments to the agreement.

MAYOR/COUNCILMEMBERS REPORTS

AB 1234 Conference and Meeting Report (verbal, if any)

(In accordance with AB 1234, Councilmembers shall make a brief report or file a written report on any meeting/event/conference attended at City expense.)

CITY COUNCIL REQUESTS FOR REPORTS, STUDIES OR INVESTIGATION

(Per City of West Covina Standing Rules 4.f - Requests for reports, studies, or investigations that are not readily available must be placed on the City Council/Successor Agency agenda as items of business and must be approved by a majority of the City Council/Successor Agency Board.)

- 4) **CONSIDERATION OF PROPOSED AZUSA SYNCHRONIZATION PROJECT**

It is recommended that the City Council receive and file the report.

5) **CONSIDERATION OF A RESOLUTION ESTABLISHING CITY POLICY OPPOSING LARGE-SCALE DATA CENTERS AND COMMERCIAL BATTERY ENERGY STORAGE SYSTEM FACILITIES IN WEST COVINA AND DIRECTING STAFF TO FURTHER EVALUATE AND DEVELOP APPROPRIATE REGULATORY APPROACHES**

It is recommended that the City Council adopt the following resolution:

RESOLUTION NO. 2026-99 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ESTABLISHING A CITY POLICY OPPOSING THE SITING OF LARGE-SCALE DATA CENTERS AND COMMERCIAL BATTERY ENERGY STORAGE SYSTEM FACILITIES WITHIN THE CITY OF WEST COVINA; DIRECTING STAFF TO CONTINUE RESEARCHING AND EVALUATING APPROPRIATE REGULATORY APPROACHES; AND FINDING THAT THE ADOPTION OF THIS RESOLUTION IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15061(b)(3) (COMMON SENSE EXEMPTION)

CITY COUNCIL COMMENTS

ADJOURNMENT

Next Tentative City Council Meeting
October 6, 2026

Regular Meeting

7:00 PM

RULES OF DECORUM

The following are excerpts from the West Covina Municipal Code:

Section 2-47. - Addressing the council.

Pursuant to the California Government Code, any person wishing to address the city council on any matter on the agenda or on any other matter within their jurisdiction, excluding any matter set for a public hearing, may do so upon first securing the recognition of the presiding officer during the time designated as "Oral Communications" on the agenda. The city council may not act on any item unless it is listed on the agenda.

Section 2-48. - Manner of addressing city council; time limit; persons addressing may be sworn.

- (a) Each person wishing to address the city council shall submit a speaker card to the city clerk prior to the commencement of the time designated for oral communications. No speaker cards will be accepted after the commencement of oral communications, except at the discretion of the presiding officer.*
- (b) When called forward by the presiding officer or the city clerk, each person addressing the city council shall step up to the podium and give his or her name and city of residence in an audible tone of voice for the record.*
- (c) Each person addressing the city council during oral communications shall limit his or her comments to three (3) minutes, unless the time limit is modified by the presiding officer or the city council. In order to provide all speakers the opportunity to participate in oral communications, the presiding officer or the city council may reduce the time limit to allow reasonable time for all speakers to address the city council.*
- (d) All remarks shall be addressed to the city council as a body and not to any member thereof. No*

person, other than the city council and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the city council, without the permission of the presiding officer. No question shall be asked of a council member except through the presiding officer.

(e) The presiding officer may require any person to be sworn as a witness before addressing the city council on any subject. Any such person who, having taken an oath that he or she will testify truthfully, willfully and contrary to such oath states as true any material matter which he knows to be false may be held to answer criminally and subject to the penalty prescribed for perjury by the provisions of the California Penal Code.

Section 2-50. - Decorum—Required.

(a) While the city council is in session, council members shall preserve order and decorum, and a council member shall neither, by conversation or otherwise, delay or disrupt the proceedings or the peace of the council nor interrupt any council member while speaking or refuse to obey the orders of the council or its presiding officer, except as otherwise herein provided.

(b) Members of the public shall not willfully disrupt the meeting or act in a manner that actually disrupts, disturbs, impedes, impairs, or renders infeasible the orderly conduct of the meeting. For the purposes of this Code, "willfully disrupt" includes, but is not limited to, continuing to do any of the following after being warned by the presiding officer that the behavior is disrupting the meeting and failure to cease the behavior may result in removal from the meeting:

(1) Addressing the mayor or city council without first being recognized.

(2) Persisting in addressing a subject or subjects, other than that before the mayor and city council.

(3) Repetitiously addressing the same subject.

(4) Failing to relinquish the podium when directed to do so.

(5) From the audience, interrupting or attempting to interrupt, a speaker, the presiding officer, a council member, or a staff member, or shouting or attempting to shout over a speaker, the presiding officer, a council member or a staff member.

(6) From the audience, engaging in disorderly, disruptive, or boisterous conduct, including, but not limited to, handclapping, stomping of feet, whistling, making noise, use of abusive, threatening or profane language or obscene gestures, yelling, obstructing the view of other audience members, or similar conduct which disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting.

(7) As a speaker, making slanderous or profane remarks or using loud, threatening, or abusive language which disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting; interrupting or attempting to interrupt the presiding officer, a council member, or a staff member; shouting over or attempting to shout over the presiding officer, a council member, or a staff member; or engaging in any other disorderly conduct which disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting. Nothing in this section or any rules of the city council shall be construed to prohibit public criticism of the policies, procedures, programs, or services of the city or of the acts or omissions of the city council.

(8) Engaging in behavior that constitutes use of force or a true threat of force.

(c) It shall be unlawful to violate the provisions of this section. A person violating this section may be removed and barred from further participation at the meeting at which the violation occurs.

(d) If any subsection, sentence, clause, or phrase or word of this section 2-50 is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this section. The city council hereby declares that it would have passed this section and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses, phrases or words had been declared invalid or unconstitutional.

Section 2-51. - Enforcement of decorum.

The chief of police or any member or members of the police department or other members of the city staff may be designated by the council to be sergeant-at-arms when, in the opinion of the presiding officer, the services of a sergeant-at-arms is necessary, and the sergeant-at-arms shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum in accordance with section 2-50 at the council meeting, including, but not limited to, removing and barring

from further participation at the meeting any person who is willfully disrupting the orderly conduct of the meeting.

Section 2-52. Persons authorized to be within council area.

No person, except city officials, their representatives and members of the news media shall be permitted within the rail in front of the council chamber without the express consent of the council.

The following are excerpts from the Penal Code:

Section 148. Resisting public or peace officers or emergency medical technicians in discharge of their duties; Removal of weapon from person or presence of public or peace officer.

(a) (1) Every person who willfully resists, delays, or obstructs any public officer, peace officer, or an emergency medical technician, as defined in Division 2.5 (commencing with Section 1797) of the Health and Safety Code, in the discharge or attempt to discharge any duty of his or her office or employment, when no other punishment is prescribed, shall be punished by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment in a county jail not to exceed one year, or by both that fine and imprisonment.

Section 403. Disturbance of assembly or meeting other than religious or political.

Every person who, without authority of law, willfully disturbs or breaks up any assembly or meeting that is not unlawful in its character, other than an assembly or meeting referred to in Section 302 of the Penal Code or Section 18340 of the Elections Code, is guilty of a misdemeanor.



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: September 15, 2026

TO: Mayor and City Council

FROM: Milan Mrakich, City Manager

SUBJECT: CONSIDERATION OF APPROVAL FOR THE SEPTEMBER 1, 2026, CITY COUNCIL/SUCCESSOR AGENCY/COMMUNITY SERVICES BOARD REGULAR SESSION MEETING MINUTES.

RECOMMENDATION:

That the Council approve the September 1, 2026, City Council/Successor Agency/Community Services Board Regular Session Meeting Minutes.

BACKGROUND:

That the City Council adopt the attached minutes, the September 1, 2026 Closed Session Meeting was cancelled.

Prepared by: Lisa Sherrick, Assistant City Clerk

Attachments

Attachment No. 1 - 9.1.2026 Draft Regular Session Minutes

CITY COUNCIL GOALS & OBJECTIVES: Enhance City Image and Effectiveness

DRAFT



CITY OF WEST COVINA

**CITY COUNCIL/SUCCESSOR AGENCY/
COMMUNITY SERVICES BOARD**

**SEPTEMBER 1, 2026, 7:00 PM
REGULAR MEETING**

**CITY HALL COUNCIL CHAMBERS
1444 W. GARVEY AVENUE SOUTH
WEST COVINA, CALIFORNIA 91790
MINUTES**

INVOCATION

Led by Pastor Al Richards from New Beginning Christian Fellowship of West Covina

PLEDGE OF ALLEGIANCE

Led by Mayor Lopez-Viado

ROLL CALL

Present: Brian Gutierrez, Council Member; Tony Wu, Councilman; Ollie Cantos, Mayor Pro Tem;
Letty Lopez-Viado, Mayor

Absent: Rosario Diaz, Councilwoman

REPORTING OUT FROM CLOSED SESSION

PRESENTATIONS

- Taste of West Covina Presentation Recognizing George's Cafe
- Taste of West Covina Presentation Recognizing Lazy Dog

CITY MANAGER'S REPORT

City Manager's report on current City projects.

ORAL COMMUNICATIONS - Three (3) minutes per speaker

Josh Murry
Jerri Potras
Lisa Mayo
Erilz Figueroa
Herman
Steve Bennett
Miss Nikki
Bill Robinson
Carlos Yado (remote)
John Shewmaker (remote)

CONSENT CALENDAR

APPROVAL OF MEETING MINUTES

- 1) CONSIDERATION OF APPROVAL FOR THE AUGUST 18, 2026, CITY COUNCIL/SUCCESSOR AGENCY CLOSED AND REGULAR SESSION MEETING MINUTES.**

Motion by Councilman Tony Wu, seconded by Mayor Pro Tem Ollie Cantos to remove the motion and the second for the Commissioner Appointment Item #4 on the August 18, 2026, minutes and note that this item was a receive and file.

(Item was pulled by Councilmember Gutierrez)
(Councilwoman Diaz: Absent)

AYES: 3 NOES: None. OTHER: Council Member Brian Gutierrez (ABSTAIN) Motion: Carried

CITY MANAGER'S OFFICE

- 2) CONSIDERATION OF FOOTHILL TRANSIT RIDERSHIP DATA AND UPDATE REGARDING CLEAR CHANNEL OUTDOOR'S SHELTERS**

Recommendation is to receive and file.
(Pulled by Councilmember Gutierrez)

FINANCE DEPARTMENT

3) CONSIDERATION OF THE WEST COVINA COMMUNITY SERVICES FOUNDATION FISCAL YEAR 2025-26 ANNUAL REPORT

Recommendation is to receive and file.
(Pulled by Councilmember Gutierrez)

4) CONSIDERATION OF NEW AGREEMENT WITH DELL MARKETING L.P. FOR MICROSOFT PRODUCTS AND SERVICES

Motion by Councilman Tony Wu, seconded by Mayor Pro Tem Ollie Cantos (Pulled by Councilmember Gutierrez)

AYES: Unanimous. NOES: None. OTHER: None. Motion: Carried

HUMAN RESOURCES/RISK MANAGEMENT

5) CONSIDERATION OF REPEAL AND REPLACEMENT OF THE COMMUNITY SERVICES MANAGER CLASSIFICATION SPECIFICATIONS

Item is pulled by the City Manager

POLICE DEPARTMENT

6) CONSIDERATION OF FISCAL YEAR 2026-27 CANNABIS TAX FUND GRANT PROGRAM (CTFGP) LAW ENFORCEMENT GRANT AND BUDGET AMENDMENT

Motion by Mayor Pro Tem Ollie Cantos, seconded by Councilman Tony Wu

AYES: Unanimous. NOES: None. OTHER: None. Motion: Carried

END OF CONSENT CALENDAR

MAYOR/COUNCILMEMBERS REPORTS

AB 1234 Conference and Meeting Report (verbal, if any)

(In accordance with AB 1234, Councilmembers shall make a brief report or file a written report on any meeting/event/conference attended at City expense.)

None

CITY COUNCIL REQUESTS FOR REPORTS, STUDIES OR INVESTIGATION

(Per City of West Covina Standing Rules 4.f - Requests for reports, studies, or investigations that are not readily available must be placed on the City Council/Successor Agency agenda as items of business and must be approved by a majority of the City Council/Successor Agency Board.)

Mayor Pro Tem Cantos -

1. Requested status of the data center matter. City Manager Mriakich confirmed that it would be brought to Council at the November 15, 2026, meeting.. No objection.
2. Residents facing problems regarding hillside submitted a claim, in some cases twice have not heard back from anyone. The issue was delegated to staff with a date to respond. Residents have not heard from staff members. Can residents hear from the third-party claim's administrator, and can the City Manager dispatch public works to take steps appropriately right away to stop the land shifting? Asked for staff to keep up timeframes. No objection.
3. Asked for protocols to be set in place regarding fires that take place, such as response to issuing notices whenever there are fires, because it has direct implications not only to the fears that people have in the hillsides and other places, but also when there is a lack of communication as to what's happening or what's causing this it can lead to insurance premiums going up. And is Galster park closed? And can Public Safety staff be stationed at the closed park? Mayor Lopez-Viado requested Fire to present an update on the fires. Councilmember Gutierrez requested, in the presentation, to present the resources that are available and in coordination with other agencies, and to have the police explain the drone program in that area. City Manager Mrakick stated that Galster Park is closed every evening. No objection.
4. Requested reporting information for Caltrans to report issues in the jurisdiction of Caltrans. Councilmember Gutierrez referenced the Caltrans website.City Manager Mrakich confirmed to have the Caltrans reporting information on the City's website. No objection.
5. Asked to have a beautification section in the City Manager presentation. No objection

Councilman Wu -

- 1 requested an update on the status of the Azusa synchronization project. City Manager Mrakick stated that an update and presentation will be at the September 15, 2026, Council meeting. The City is waiting for information from Caltrans.No objection.
2. Asked about the Fullerton underpass that is still under construction. Councilmember Gutierrez suggested reaching out to the Assembly Woman's office. No objection.

CITY COUNCIL COMMENTS

Councilmember Gutierrez -

- Congratulated the new Assistant Fire Chief.

ADJOURNMENT

Submitted By:

Lisa Sherrick
Assistant City Clerk

Letty Lopez-Viado
Mayor



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: September 15, 2026

TO: Mayor and City Council

FROM: Milan Mrakich, City Manager

SUBJECT: BIENNIAL REVIEW OF CONFLICT OF INTEREST CODE

RECOMMENDATION:

It is recommended that the City Council receive and file the 2026 Local Agency Biennial Notice.

BACKGROUND:

The Political Reform Act (California Government Code Section 81000 et seq.) requires every local agency to adopt a Conflict of Interest Code. A Conflict of Interest Code designates positions within the agency which make or participate in making governmental decisions which may have a material effect on any financial interest held by them.

California Government Code Section 87306.5 requires every local government agency to review its Conflict of Interest Code biennially (in even numbered years) to determine its accuracy or, alternatively, that the Code must be amended. Typical amendments include the addition of new positions, the elimination of old positions and title changes to positions due to agency reorganizations. In addition, some current positions may need to be reclassified as to disclosure requirements due to increased responsibilities.

DISCUSSION:

Staff has reviewed the City's Code and determined that amendments are needed. The purpose of the Local Agency Biennial Notice is to inform the City Council that the Code requires amendments and outline which amendments are needed. As outlined in the Biennial Notice, amendments include reflecting new positions, revising titles of existing positions and deleting titles of positions that no longer exist. Staff will bring the amended Code for City Council consideration by the end of 2026.

LEGAL REVIEW:

The City Attorney's Office has reviewed this report.

Prepared by: Lisa Sherrick; Assistant City Clerk

Attachments

CITY COUNCIL GOALS & OBJECTIVES: Enhance City Image and Effectiveness

2026 Local Agency Biennial Notice

Name of Agency: City of West Covina
 Mailing Address: 1444 W. Garvey Ave S. West Covina Ca 91790
 Contact Person: Lisa Sherrick Phone No. 626-939-8433
 Email: lsherrick@westcovina.org Alternate Email: city_clerk@westcovina.org

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that *(check one BOX)*:

☒ **An amendment is required. The following amendments are necessary:**

(Check all that apply.)

- ☒ Include new positions
- ☐ Revise disclosure categories
- ☒ Revise the titles of existing positions
- ☒ Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- ☐ Other *(describe)* _____

☐ **The code is currently under review by the code reviewing body.**

☐ **No amendment is required.** (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer

Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2026**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: September 15, 2026

TO: Mayor and City Council

FROM: Milan Mrakich, City Manager

SUBJECT: CONSIDERATION OF A MEMORANDUM OF AGREEMENT WITH THE SAN GABRIEL COUNCIL OF GOVERNMENTS FOR PARTICIPATION IN THE REGIONAL FOOD RECOVERY PROGRAM

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize the City Manager to negotiate and execute the Memorandum of Agreement between the San Gabriel Valley Council of Governments and the City of West Covina for Participation in the San Gabriel Valley Regional Food Recovery Program, in such final form as approved by the City Attorney; and
2. Authorize the City Manager to negotiate and execute related documents and future amendments to the agreement.

BACKGROUND:

In September 2016, the passage of Senate Bill (SB) 1383 established statewide targets to reduce the disposal of organic waste from landfills and increase recovery of currently disposed edible food for human consumption. SB 1383 requires local jurisdictions to implement and maintain a food recovery program and strengthen their existing food recovery networks.

On November 3, 2022, West Covina entered into an MOA with SGVCOG to participate in the Regional Edible Food Recovery Program. The program was established by SGVCOG to help member cities comply with SB 1383's food recovery mandate and reduce food waste in the San Gabriel Valley.

In Spring 2022, the City was awarded Round One SB 1383 Local Assistance Grant funding from CalRecycle in the amount of \$195,787. This non-competitive grant program provided funding to local jurisdictions to assist with the implementation of regulation requirements associated with SB 1383.

In December 2023, the City approved a Letter of Authorization to join SGVCOG's regional joint application for the SB 1383 grant program through CalRecycle on behalf of its member cities. The combined joint SB 1383 grant funds were used to fund the program and pay for the services that the participating cities received from the program, including edible food recovery site visits, inspections and enforcement.

The Regional Food Recovery Program, now known as FRESH SGV, was established to help member

agencies comply with SB 1383's food recovery mandates and reduce food waste in the San Gabriel Valley. Known as one of the largest regional food recovery programs in California, this program assesses commercial edible food waste generators, identifies, and fosters partnerships with local food recovery organizations, implements outreach and education endeavors, and develops and implements inspection protocols.

In 2022, the State of California approved the SB 1383 Local Assistance Grant for local agencies to be used for the implementation of SB 1383 related programs. In the first round of the grant program administered by CalRecycle, each participating city had individual grant agreements, which imposed limitations on program administration. The following grant cycle, CalRecycle updated the program guidelines to allow Joint Powers Authorities to apply on behalf of its member agencies, allowing cities to designate an administering body to provide regional solutions.

West Covina, along with eighteen (18) other participating cities, joined the SGVCOG's regional application for SB 1383 grant funding. SGVCOG used the joint grant funds for the development and implementation of FRESH SGV, including the development of food recovery organizations and funding inspection and enforcement services for participating cities.

DISCUSSION:

West Covina has received significant benefits from FRESH SGV. The inspection and education services provided through FRESH SGV have resulted in most of West Covina's food generators becoming compliant with SB 1383 requirements. The SB 1383 Local Assistance Grant program will end November 2, 2026. For cities that wish to continue receiving FRESH SGV services, they must provide the funding necessary for SGVCOG to continue implementing the program.

FRESH SGV Program services, which are described in Exhibit A to the proposed MOA, will include:

- Program Management — SGVCOG will oversee overall program implementation and coordination.
- Careit Software Subscription — SGVCOG will retain a Careit Executive Account to help increase commercial edible food generator access to food recovery organizations and food recovery services.
- Inspections — SGVCOG and its consultants will complete inspections of Tier 1 and Tier 2 edible food generators (EFGs) and food recovery organizations (FROs),
- Edible Food Recovery Program Implementation — SGVCOG will implement projects that ensure and enhance the region's capacity to recover edible food, as required by SB 1383.

If approved, the MOA term would be for 20 months, from November 1, 2026 to June 30, 2028. The cost would be \$23,267 for FY 2026-2027 and \$46,515 for FY 2027-2028. The total cost to the City for program participation would be \$69,782.

LEGAL REVIEW:

The City Attorney's Office has reviewed the agreement and approved it as to form.

OPTIONS:

The City Council has the following options:

1. Approve the staff recommendation; or
2. Provide alternative direction.

Prepared by: Kelly McDonald, Assistant to the City Manager

Additional Approval: Roxanne E. Lerma, Assistant City Manager

FISCAL IMPACT:

Sufficient funding is available in Fund 129 (AB939) of the approved FY 2026-2027 budget. The cost for FY 2027-2028 will be included in next year's Budget, accordingly.

Attachments

Attachment No. 1 - FRESH SGV MOA with SGVCOG rev 2026.09.09

CITY COUNCIL GOALS & OBJECTIVES: Maintain Good Intergovernmental Relations

**MEMORANDUM OF AGREEMENT
BETWEEN THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS AND
THE CITY OF WEST COVINA FOR PARTICIPATION IN THE SAN GABRIEL
VALLEY REGIONAL FOOD RECOVERY PROGRAM**

This Memorandum of Agreement (“MOA”) is made and entered into to be effective as of the 1st day of November, 2026 (“Effective Date”) by and between the City of West Covina, a municipal corporation (“City”), and the San Gabriel Valley Council of Governments, a California joint powers authority (“SGVCOG”). City and SGVCOG may be referred to herein collectively as the “Parties” or individually as a “Party.”

RECITALS

- A. The passage of SB 1383 (Lara, 2016) implemented statewide targets to reduce statewide disposal of organic waste and increase recovery of currently disposed edible food for human consumption. Specifically, SB 1383 aims to recover at least 20% of currently disposed edible food for human consumption by 2025. The California Department of Resources Recycling and Recovery (CalRecycle) has developed regulations entitled “Short-lived Climate Pollutants: Organic Waste Reductions” (hereafter “SLCP Regulations”), which regulations are codified at Chapter 12 of Division 7 of Title 14 of the California Code of Regulations, sections 18981.1 et seq.
- B. To recover 20% of edible food that would otherwise be sent to landfills by 2025, SB 1383 requires local jurisdictions to establish food recovery programs and strengthen their existing food recovery networks.
- C. The SGVCOG was established to have a unified voice to maximize resources and advocate for regional and member interests to improve the quality of life in the San Gabriel Valley by the member cities and other local governmental agencies and has established and is administering a Regional Food Recovery Program (the “Program”).
- D. The CalRecycle 1383 Local Assistance Grant funding for the Program expires on November 2, 2026. The City desires to continue receiving Program services and agrees to provide the necessary funding to the SGVCOG for the ongoing implementation of the Program.
- E. City and SGVCOG desire to set forth the terms of their ongoing collaboration with respect to this effort in this MOA and further agree as follows:

NOW, THEREFORE, the Parties agree to the following:

I. RECITALS

The above Recitals are made a substantive part of this MOA.

II. SCOPE OF SERVICES

The Scope of Services is attached hereto as Exhibit “A” and incorporated herein by this reference.

III. TERM

The term of this MOA shall commence on November 1, 2026, and shall continue through June 30, 2028. The term of this MOA may be extended by mutual written MOA of the Parties.

IV. RESPONSIBILITIES OF THE PARTIES

A. SGVCOG:

1. Designate a point-of-contact with name, title, and contact information who will serve as the SGVCOG’s Project Manager. If the point-of-contact is reassigned or no longer with the SGVCOG, a new point-of-contact will be promptly designated.
2. Oversee and implement Program Management, Inspections, and Edible Food Recovery Program Implementation, as defined in the Program’s Scope of Work (Exhibit A).
3. Undertake procurements, execute contracts, and manage contracts, including administration, project management, and invoicing, to complete the Program set forth in the Program’s Scope of Work (Exhibit A).
4. Respond to and address City questions regarding Program implementation.
5. Coordinate regional and City-specific conference calls, meetings, and other communication with City and consultant monthly or as necessary.
6. Provide Annual Inspection Reports and other materials to City to support the Electronic Annual Report (EAR) and other CalRecycle Reporting.

B. City:

1. Maintain membership in the SGVCOG during the entire term of this MOA.
2. Designate a point-of-contact to serve as the City’s Project Manager to coordinate with the SGVCOG and consultants.
3. Respond to data and information requests from the SGVCOG and its consultants in a timely manner to support the implementation of the Program.
4. Participate in scheduled monthly conference calls and/or meetings with the SGVCOG and consultants throughout the implementation of the Program.

5. Provide comments and feedback on Program implementation, Program materials, and other Program deliverables to consultants or the SGVCOG, on deliverables as necessary.
6. Implement the Inspection requirements, as defined in the Program's Scope of Work (Exhibit A).
7. Comply with requirements of jurisdictions under SB 1383. SGVCOG will provide guidance and make recommendations to facilitate compliance with SB 1383 but the City is the party responsible for ensuring compliance with the regulation.
8. Remit payment to the SGVCOG for the City's share of Program costs within thirty (30) days of receipt of an invoice. If an invoice is not paid within ninety (90) days of receipt, SGVCOG reserves the right to not provide the services outlined in Exhibit A.

V. INVOICING

- A. SGVCOG shall invoice City upon the execution of this Agreement for FY2026-27 and by June 1, 2027, for FY 2027-2028.
- B. For FY 2026-27, City must remit payment prior to November 1, 2026. For FY 2027-28, City must remit payment to SGVCOG within thirty (30) days of receipt by City. If an invoice is more than thirty (30) calendar days past due, SGVCOG reserves the right to cease Program implementation on behalf of the City until payment is received.
- C. SGVCOG shall reconcile the actual cost of services to the amount budgeted in Exhibit B. If the actual cost of the City's Task 2 Estimated Inspection Implementation is less than the budgeted amount, SGVCOG shall credit these unspent funds to the City on the City's next invoice. If there are no future City invoices, the SGVCOG will reimburse the City for that amount at the end of the Agreement. If the actual cost for Task 2 Estimated Inspection Implementation is more than the budgeted amount, SGVCOG shall invoice the City for the actual cost of Task 2 program implementation. SGVCOG shall inform the City of any changes and anticipated total costs prior to completing any activity beyond the budgeted amount. If the actual cost of Task 2 implementation is anticipated to be more than 10% of the budgeted cost, the City may elect to opt-out of Task 2 with no penalty.

VI. AMENDMENTS

Except as specifically provided herein, any change in any of the terms and conditions of this MOA shall not have any force and effect unless a written amendment has been prepared and executed by authorized representatives of the Parties.

VII. PROGRAM MANAGEMENT

A. Program Managers.

1. For the purposes of this MOA, SGVCOG designates the following individual as its Program Manager:

Luis Garcia Chavez
Management Analyst
San Gabriel Valley Council of Governments
1333 S. Mayflower Avenue, Suite 360
Monrovia, CA 91016
626-962-3552
lgchavez@sgvcog.org

2. For the purposes of this MOA, the City designates the following individual as its Program Manager:

Kelly McDonald
Assistant to the City Manager
(626) 939-8494
kmcdonald@westcovina.org

Either Party may change the designations set forth herein upon written notice to the other Party.

VIII. TERMINATION

- A. This MOA may be terminated by either Party at any time, with or without cause, by providing written notice of termination to the other Party. Such termination will be effective thirty (30) days after such notice is received.
- B. If either Party terminates this MOA prior to the completion of the MOA term, SGVCOG will reconcile the actual cost of services and Program implementation incurred up to the effective date of termination against the advance payments made by the City:
 1. If the actual costs are less than the amount paid by the City, SGVCOG shall reimburse the unspent funds to the City within thirty (30) days of the effective date of termination.
 2. If the actual costs incurred prior to termination exceed the amount paid, SGVCOG shall issue a final invoice to the City for the difference, which the City shall pay within thirty (30) days of receipt.

IX. INDEMNIFICATION

- A. Neither the SGVCOG, its member agencies, or their respective officers, employees,

consultants or volunteers (the “SGVCOG Indemnitees”), shall be responsible for any damage or liability occurring by reason of anything done or committed to be done by the City under or in connection with the performance of this MOA.

- B. The City shall indemnify, defend and hold the SGVCOG Indemnitees harmless from and against any liability, claims, losses, actions, and expenses, including without limitation, defense costs, any costs or liability on account of bodily injury, death or personal injury of any person or for damage to or loss of use of property, any legal fees and any claims for damages of any nature whatsoever arising out of or resulting from the City’s obligations under this MOA, unless caused by the active negligence or willful misconduct of the SGVCOG Indemnitees.
- C. SGVCOG agrees to defend, indemnify, and hold free and harmless the City, its elected and appointed officials, officers, employees, and volunteers, at SGVCOG’s sole expense, from and against any and all claims, actions, suits, or other legal proceedings brought against the City, its employees, and volunteers arising out of or relating to the acts or omissions of SGVCOG in connection with this MOA.

X. INSURANCE

City and SGVCOG shall maintain and keep in full force and effect during the term of this MOA insurance or a program of self-insurance against claims for injuries to persons or damages to property which may arise in connection with City’s or SGVCOG’s performance of its obligations hereunder.

XI. OTHER TERMS AND CONDITIONS

- A. Notices. All notices required or permitted to be given under this MOA shall be in writing and shall be personally delivered, or sent by electronic mail or certified mail, postage prepaid and return receipt requested, addressed as follows:

To SGVCOG: Mackenzie Bolger
 Acting Sustainability Manager
 San Gabriel Valley Council of Governments
 1333 S. Mayflower, Suite 360
 Monrovia, CA 91016
 (626) 214-1316
 mbolger@sgvcog.org

with a copy to: Marisa Creter
 Executive Director
 San Gabriel Valley Council of Governments
 1333 S. Mayflower, Suite 360
 Monrovia, CA 91016
 (626) 457-1800
 mcreter@sgvcog.org

To City: Kelly McDonald
Assistant to the City Manager
1444 W. Garvey Ave. S.
West Covina, CA 91790
(626) 939-8494
kmcdonald@westcovina.org

with a copy to: Milan Mrakich
City Manager
1444 W. Garvey Ave. S.
West Covina, CA 91790
(626) 939-8401
mmrakich@westcovina.org

- B. No Partnership. This MOA is not intended to be, and shall not be construed as, an agreement to form a partnership, agency relationship, or a joint venture between the Parties. Except as otherwise specifically provided in the MOA, neither Party shall be authorized to act as an agent of or otherwise to represent the other Party.
- C. Entire MOA. This MOA and any exhibits attached hereto constitute the entire understanding between the Parties with respect to the subject matter herein and supersedes any and all other prior writings and oral negotiations. This MOA may be modified only in writing and signed by the Parties in interest at the time of such modification.
- D. Governing Law. This MOA shall be governed by and construed under California law and any applicable federal law without giving effect to that body of laws pertaining to conflict of laws. In the event of any legal action to enforce or interpret this MOA, the Parties hereto agree that the sole and exclusive venue shall be a court of competent jurisdiction located in Los Angeles County, California.
- E. Attorneys' Fees. In the event that there is any litigation or other legal proceeding between the Parties in connection with this MOA, each Party shall bear its own costs and expenses, including attorneys' fees.
- F. Excusable Delays. Neither Party shall be considered in default in the performance of its obligations hereunder to the extent that the performance of any such obligation is prevented or delayed by unforeseen causes including acts of God, floods, earthquakes, fires, acts of a public enemy, pandemic, epidemic, and government acts beyond the control and without fault or negligence of the affected Party. Each Party hereto shall give notice promptly to the other of the nature and extent of any such circumstances claimed to delay, hinder, or prevent performance of any obligations under this MOA.
- G. Waiver. Waiver by any Party to this MOA of any term, condition, or covenant of this MOA shall not constitute a waiver of any other term, condition, or covenant. No waiver of any provision of this MOA shall be effective unless in writing and signed by a duly authorized representative of the Party against whom enforcement of a waiver is sought.

- H. Headings. The section headings contained in this MOA are for convenience and identification only and shall not be deemed to limit or define the contents to which they relate.
- I. Assignment. Neither Party may assign its interest in this MOA, or any part thereof, without the prior written consent of the other Party. Any assignment without consent shall be void and unenforceable.
- J. Severability. If any provision of this MOA is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions shall nevertheless continue in full force without being impaired or invalidated in any way.
- K. Authority to Execute. The person executing this MOA on behalf of a Party warrant that they are duly authorized to execute this MOA on behalf of said Party, and that by doing so said Party is formally bound to the provisions of this MOA.
- L. Counterparts. This MOA may be executed in multiple counterparts, each of which shall be deemed an original, but all of which taken together shall constitute one and the same instrument.
- M. Electronic Signatures. This MOA may be executed with electronic signatures in accordance with Government Code Section 16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

IN WITNESS WHEREOF, the Parties hereto have caused this MOA to be executed as of the day and year first above written.

“CITY”

“SGVCOG”

City of West Covina

San Gabriel Valley Council of Governments

By: _____
Milan Mrakich,
City Manager

By: _____
Marisa Creter,
Executive Director

Approved as to form:

Approved as to form:

By: _____
Thomas P. Duarte,
City Attorney

By: _____
Cassie Trapesonian,
General Counsel

Exhibit “A”
Scope of Services

Task 1: Program Management

SGVCOG will oversee Program implementation, including but not limited to managing consultants, facilitating the completing of inspections, managing the inspection contract (including the inspection, education, and enforcement process) and supporting compliance reporting with the City for its annual CalRecycle reporting.

Task 1a: Careit Software Subscription

SGVCOG will retain a Careit Executive Account to help municipalities increase commercial edible food generator access to food recovery organizations and food recovery services. Careit is a digital food donation marketplace that matches any type of business with extra edible food to a nearby nonprofit. Nonprofits find donations in their area that match their food requirements and set up a pick-up or drop-off with the donor and their staff or volunteers. Careit includes all necessary SB 1383 record-keeping requirements for edible food generators, food recovery organizations, and food recovery services.

Through Careit:

- Businesses and nonprofits can download the Careit app and login to post their available food donations.
- Nonprofits can reserve the donations and enter the final weights.
- Businesses can view a tiled photo list of all donations showing the name and contact info of the food recovery organization, list, and category of items donated, date of donation, and quantity of items donated.
- Businesses and nonprofits can see a running tally of the donations’ weight, which can be filtered by the past day, week, month, year, or all time.
- Businesses and nonprofits can auto-generate a written agreement between each party for every donation recovered through the app. Written agreements are available to download on the user’s profile through their online dashboard.

With the Executive Account, all participating jurisdictions and businesses within their jurisdictions have access to the Basic Careit Account subscription. Through this subscription, all participating jurisdictions can:

- Comply with SB 1383 Section 18995.2 requirements for an implementation record
- Provide a list of users from their zone to be uploaded into the Careit database
- Request Careit to create user accounts for each business or organization
- Generate and provide reports monthly and annually for inclusion in the CalRecycle EAR
- View all donation information from entities that reside within the zone to determine SB 1383 compliance
- View aggregated information to evaluate program implementation progress communitywide

Through this subscription, all businesses within each jurisdiction can:

- Export all donation data.
- Post once and edit recurring donations to reflect scheduled pickups or reduce the need to

log in and create a new donation every day.

- Track basic inventory to assist with enhanced tax deduction calculations, with automated year-end tax receipt letters.

Task 2: Inspections and Enforcement

Inspections: SGVCOG and its consultants will complete Inspections of Tier 1 and Tier 2 edible food generators (EFGs) and food recovery organizations (FROs) based on the schedule shown in Table 1.

- **Compliance Inspections:** Inspections of all Tier 1 and Tier 2 EFGs and FROs to determine compliance with SB 1383, as enumerated in Table 3 of Exhibit B. The following Tier and Tier 2 businesses are defined by CalRecycle:
 - **Tier 1:** Businesses that may have more produce, fresh grocery, and shelf-stable food to donate, including: wholesale food vendors, food service providers, food distributors, and supermarkets & grocery store equal to or less than 10,000 sq. ft.
 - **Tier 2:** Businesses that may have prepared food to donate, which often require more careful handling to meet food safety requirements, including: hotels, restaurant facilities, health facilities, state agency cafeterias, local education agencies, and large venues & events.
- **Non-Compliance Inspections:** Inspections of non-compliant businesses at least 60 days following enforcement actions by the City (including letters of non-compliance and Notices of Violation). For the purposes of this MOA, SGVCOG assumes that 65% of Tier 1 and Tier 2 businesses will require 2 non-compliant inspections, which will be completed in alignment with Table 1. Should the actual percentage of non-compliant businesses be different, SGVCOG and its consultants will complete non-compliant inspections of the actual number of non-compliant businesses.

Enforcement: City staff will be responsible for completing enforcement actions in conjunction with the SGVCOG in accordance with the schedule in Table 1. SGVCOG and its consultants will provide all necessary documentation to City following inspections to facilitate City's enforcement actions (e.g. notices of violation (NOVs), letters of non-compliance, or financial penalties).

- **Notice of Violation (NOV):** Formal notice issued to a non-compliant EFG or FRO specifying SB 1383 violations, required corrective actions, and a timeline for compliance and financial penalties.
- **Letter of Non-Compliance:** Notice issued to a non-compliant EFG or FRO specifying SB 1383 violations and corrective actions needed to achieve compliance without issuing financial penalties.
- **Financial Penalties:** Monetary fines issued to EFGs or FROs that remain out of compliance after a non-compliance inspection following the issuance of an NOV.

Table 1. Inspection and Enforcement Timeline

Inspection Type and Enforcement	Time Frame	Responsible Party
Non-Compliance Inspections	Nov 2026 – Jan 2027	SGVCOG
Financial Penalties	Dec 2026 – Feb 2027	City
Compliance Inspections	Sept – Nov 2027	SGVCOG
NOVs or Letters of Non-Compliance	Oct – Dec 2027	City

Non-Compliance Inspections	Jan – Mar 2028	SGVCOG
Financial Penalties	Feb – Apr 2028	City

Task 3: Edible Food Recovery Program Implementation

SGVCOG will implement projects that ensure and enhance the region's capacity to recover edible food, as required by SB 1383. Activities may include but are not limited to supporting the food recovery capacity of FROs or piloting other innovative approaches to increasing edible food recovery capacity.

Exhibit “B”
Budget & Invoicing Schedule

Table 2. FRESH SGV Budget Breakdown

Fresh SGV Implementation Costs Nov 1, 2026 – June 30, 2028						
Task	Est. Unit Cost	Est. # of Inspections	Est. # of EFGs/FROs	FY 26-27	FY 27-28	Total
Task 1: Inspection Program Management*				\$1,365.00	\$3,465.00	\$4,830.00
Task 1a: Careit Software Subscription (20 months)**				\$2,652.00		\$2,652.00
Task 2: Estimated Inspection Implementation***				\$13,650.00	\$34,650.00	\$48,300.00
Task 2a: Compliance Inspections	\$500	1	42	\$0	\$21,000.00	\$21,000.00
Task 2b: Non-Compliance Inspections	\$500	2	27****	\$13,650.00	\$13,650.00	\$27,300.00
Task 3: Edible Food Recovery Program Implementation*****				\$5,600.00	\$8,400.00	\$14,000.00
Total				\$23,267.00	\$46,515.00	\$69,782.00

*Program Management cost is calculated as 10% of the budgeted cost of the compliance and non-compliance inspections.

** Careit Software Subscription is based on the number of EFGs and FROs.

***Task 2 costs are estimated based on the anticipated unit cost of each inspection and the estimated number of non-compliance inspections that are required. If the actual cost for the implementation of Task 2 is less than the budgeted amount, SGVCOG shall credit any unspent funds to the City on the City’s next invoice. If the actual cost for the implementation of Task 2 is more than the budgeted amount, SGVCOG shall invoice the City for the actual cost of program implementation. If the actual cost of implementation is anticipated to be more than 10% of the budgeted cost, the City may elect to opt-out of Task 2 with no penalty.

****Assumes that 65% of EFGs and FROs enumerated in Table 3 will require non-compliance inspections.

*****Edible Food Recovery Program Implementation costs are based on the number of EFGs.

Table 3. Number of EFGs and FROs

Number of EFGs	42
Number of FROs	0
Total Sites	42

Invoice Schedule

The SGVCOG will invoice the City on the following schedule:

- **Fiscal Year 26-27:** Invoice will be issued upon MOA execution for services rendered from November 1, 2026, through June 30, 2027.
- **Fiscal Year 27-28:** Invoice will be issued by June 1, 2027, for services rendered from July 1, 2027, through June 30, 2028.

At the end of each fiscal year, SGVCOG will reconcile the actual cost of the City's inspections against the amount budgeted in Table 2.



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: September 15, 2026

TO: Mayor and City Council

FROM: Milan Mrakich, City Manager

SUBJECT: CONSIDERATION OF PROPOSED AZUSA SYNCHRONIZATION PROJECT

RECOMMENDATION:

It is recommended that the City Council receive and file the report.

BACKGROUND:

At the September 1, 2026, City Council Meeting, Councilman Wu asked staff to provide a presentation on the status of the proposed Azusa synchronization project.

LEGAL REVIEW:

The City Attorney's Office did not review this report

Prepared by: Lisa Sherrick, Assistant City Clerk

Attachments

ATTACHMENT NO. 1 - AZUSA TSSP AND STREET REHAB

CITY COUNCIL GOALS & OBJECTIVES: Protect Public Safety
A Well-Planned Community
Enhance City Image and Effectiveness

CITY COUNCIL MEETING

SEPTEMBER 15, 2026

ITEM #X – AZUSA AVENUE TRAFFIC SIGNAL SYNCHRONIZATION PROJECT & STREET REHAB
UPDATE

Engineering Division

UPDATE OVERVIEW

Azusa Traffic Signal Synchronization Scope

Azusa Street Rehabilitation Scope

Project Funding

Project Timeline

Next Steps

AZUSA AVENUE TRAFFIC SIGNAL SYNCHRONIZATION SCOPE



- 1) Traffic signal synchronization along Azusa Avenue from north City limit to south City Limit
 - 1) Wireless controllers to synchronize signal timing throughout the corridor
 - 2) Updated timing sheets for City intersections along the corridor
- 2) ADA improvements per the ADA Transition Plan
 1. Curb ramp replacement
 2. ADA Ped Countdown Heads and Push Buttons
- 3) Pole relocations at 2 intersections
 - 1) East Garvey Avenue North and North Azusa Avenue
 - 2) Manilla Way and South Azusa Avenue

AZUSA AVENUE STREET REHABILITATION SCOPE



- 1) Grind and overlay on Azusa Avenue north of Vine Avenue to City limit
- 2) Micro surfacing on Azusa Avenue south of Vine Ave to City limit
- 3) ADA improvements per the ADA Transition Plan
 1. Curb ramp replacement
- 4) Striping installation and improved crosswalk markings

PROJECT FUNDING

- Estimated Costs

Project	Construction Estimate
Azusa Traffic Signal Synchronization	\$3,400,000
Azusa Avenue Street Rehabilitation	\$9,000,000
Total	\$12,400,000

- Available Funds

*Grant Funds

Project	Available Funds
Project No. 23023, Federal Funds - Azusa Pedestrian & Signal Improvements	\$7,000,000*
Project No. 19006, Federal Funds - Azusa Ave Street Rehab	\$2,624,000*
Project No. 23008, Measure M - Regional Signal Synchronization	\$1,433,591
Project No. 26018, Measure R – Arterial Road Rehabilitation	\$2,000,000
Project No. 21023, Measure R – Video Detection Citywide	\$100,000
Total	\$13,157,591

PROJECT TIMELINE



08/06/2025
Engineering Division completed designs and received state authorization for street rehabilitation construction funding



07/01/2025 City Council award of Design Contract to Kimley-Horn & Associates for Azusa TSSP



08/11/2025 90% plans received state authorization for Azusa Signal Synchronization construction funding



Fall 2026 – 100% plans anticipated to go out to bid. Bid package includes improvements for both projects



Late 2026/start of 2027 – Construction contract anticipated to come to the City Council for approval



12/31/28 – Construction fund expenditure due date. Construction anticipated to be completed in Spring 2028

NEXT STEPS:

100% Plan Completion and preparation of Notice Inviting Bids (anticipated for September/October 2026)

Notice Inviting Bids Release (anticipated for October/November 2026)

Contract Award by City Council (anticipated for end of 2026/start of 2027)

Contractor to order long lead time materials once contract has been executed and submittals approved by City

Start of signal improvements construction after materials received. Street repaving once all signal related work has been completed

Thank you
&
Questions



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: September 15, 2026

TO: Mayor and City Council

FROM:

SUBJECT: CONSIDERATION OF A RESOLUTION ESTABLISHING CITY POLICY OPPOSING LARGE-SCALE DATA CENTERS AND COMMERCIAL BATTERY ENERGY STORAGE SYSTEM FACILITIES IN WEST COVINA AND DIRECTING STAFF TO FURTHER EVALUATE AND DEVELOP APPROPRIATE REGULATORY APPROACHES

RECOMMENDATION:

It is recommended that the City Council adopt the following resolution:

RESOLUTION NO. 2026-99 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ESTABLISHING A CITY POLICY OPPOSING THE SITING OF LARGE-SCALE DATA CENTERS AND COMMERCIAL BATTERY ENERGY STORAGE SYSTEM FACILITIES WITHIN THE CITY OF WEST COVINA; DIRECTING STAFF TO CONTINUE RESEARCHING AND EVALUATING APPROPRIATE REGULATORY APPROACHES; AND FINDING THAT THE ADOPTION OF THIS RESOLUTION IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15061(b)(3) (COMMON SENSE EXEMPTION)

BACKGROUND:

The City Council has expressed interest in establishing a clear policy regarding the potential siting of large-scale data centers and commercial Battery Energy Storage System (BESS) facilities within the City.

Data centers are specialized facilities that accommodate computer servers, telecommunications equipment, electrical infrastructure, cooling systems, and other associated equipment. Depending on their size and operation, these facilities may generate substantial demands for electrical power and supporting infrastructure and may operate continuously.

Commercial-scale BESS facilities are specialized energy infrastructure facilities used to store and discharge electrical energy. These facilities may involve large battery installations and associated electrical, mechanical, fire protection, and control equipment. BESS facilities also present unique fire and emergency-response considerations, including the potential for thermal runaway, fire, explosion, and the release of hazardous or irritating gases, requiring specialized fire prevention, suppression,

monitoring, and emergency response measures.

The City is a substantially built-out community with established residential neighborhoods, commercial areas, employment centers, public facilities, and other sensitive land uses. The scale, operational characteristics, infrastructure demands, and potential public safety and land use compatibility considerations associated with these facilities warrant consideration of whether such uses are appropriate within the City.

There is currently no pending application for a data center or commercial BESS facility in the City of West Covina. As such, the proposed Resolution is not intended to address or determine the outcome of any specific development proposal.

DISCUSSION:

The proposed Resolution would establish a City Council policy opposing the siting of large-scale data centers and commercial-scale BESS facilities within West Covina.

The Resolution is intended to provide clear policy direction regarding these emerging land uses based on considerations including:

- Land use compatibility;
- Public health and safety;
- Fire and emergency response;
- Infrastructure and utility demands;
- Noise and operational characteristics;
- Community compatibility; and
- The City's substantially built-out development pattern.

The proposed Resolution would not itself amend the West Covina Municipal Code or establish a permanent zoning prohibition. Rather, it would establish the City Council's policy position regarding these uses.

Following adoption of the Resolution, staff will continue to research and evaluate potential regulatory approaches for solidifying and codifying the City's policy, including consideration of appropriate Development Code provisions and other available land use tools. Any proposed regulatory changes would be brought forward separately for consideration in accordance with applicable State law and the City's established procedures.

LEGAL REVIEW:

The City Attorney's Office has reviewed the resolution and approved it as to form.

OPTIONS:

The options available to the City Council are as follows:

1. Approve staff's recommendation; or
2. Provide alternative direction.

ENVIRONMENTAL REVIEW:

The Resolution is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3), the common-sense exemption, because there is no possibility that adoption of this Resolution, in and of itself, will result in a significant effect on the environment. Any future ordinance, Development Code amendment, development regulation, or project implementing or related to this policy shall be evaluated for compliance with CEQA as required by law.

Prepared by: Arturo Cervantes, Deputy Community Development Director

Attachments

Attachment No. 1 - Resolution No. 2026-99

CITY COUNCIL GOALS & OBJECTIVES: Protect Public Safety
A Well-Planned Community

RESOLUTION NO. 2026-99

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ESTABLISHING A CITY POLICY OPPOSING THE SITING OF LARGE-SCALE DATA CENTERS AND COMMERCIAL BATTERY ENERGY STORAGE SYSTEM FACILITIES WITHIN THE CITY OF WEST COVINA; DIRECTING STAFF TO CONTINUE RESEARCHING AND EVALUATING APPROPRIATE REGULATORY APPROACHES; AND FINDING THAT THE ADOPTION OF THIS RESOLUTION IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15061(b) (3) (COMMON SENSE EXEMPTION)

The City Council of the City of West Covina hereby finds and declares as follows:

WHEREAS, the City of West Covina (“City”) is substantially built out and has limited opportunities for new large-scale industrial and infrastructure-intensive development; and

WHEREAS, data centers are specialized facilities containing significant server, telecommunications, electrical, mechanical, cooling, and related infrastructure, and may involve substantial electricity and utility demands, continuous operations, noise, and other operational characteristics that may affect surrounding land uses; and

WHEREAS, commercial Battery Energy Storage System (“BESS”) facilities are specialized energy infrastructure facilities that may include large-scale battery systems, electrical equipment, mechanical equipment, fire protection systems, and associated control and monitoring infrastructure; and

WHEREAS, commercial BESS facilities present unique public safety and emergency response considerations, including the potential for thermal runaway, fire, explosion, and the release of hazardous or irritating gases, requiring specialized fire prevention, suppression, monitoring, and emergency response measures; and

WHEREAS, the City Council recognizes that the siting and operation of large-scale data centers and commercial BESS facilities may create significant land use, infrastructure, public safety, emergency response, noise, operational, and community compatibility considerations; and

WHEREAS, the City Council desires to establish a clear policy regarding the siting of large-scale data centers and commercial BESS facilities within the City while allowing the City to continue evaluating appropriate land use and regulatory approaches; and

WHEREAS, the City Council has determined that, based on the City's built-out character, existing land use pattern, infrastructure considerations, public safety considerations, and the operational characteristics of these uses, it is appropriate to establish a City policy opposing the siting of large-scale data centers and commercial BESS facilities within the City; and

WHEREAS, the City Council further desires that City staff continue researching and evaluating appropriate regulatory approaches to implement the policy established by this Resolution, including consideration of applicable land use regulations, code amendments, establishing development standards, permitting requirements, and other available regulatory mechanisms.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Recitals. The foregoing recitals are true and correct and are incorporated herein by this reference.

SECTION 2. City Policy. The City Council hereby establishes a City policy opposing the siting of large-scale data centers and commercial Battery Energy Storage System (BESS) facilities within the City of West Covina.

SECTION 3. Continued Research and Evaluation. The City Council directs City staff to continue researching and evaluating appropriate regulatory approaches to implement the City's policy regarding the siting of large-scale data centers and commercial Battery Energy Storage System facilities. Any future proposals shall be presented for consideration in accordance with applicable State law and City procedures.

SECTION 4. No Project-Specific Determination. This Resolution establishes a general City policy and does not constitute a final determination regarding any specific development application, property, or future project. Any application submitted to the City shall be reviewed in accordance with the applicable laws, regulations, and procedures in effect at the time of application.

SECTION 5. California Environmental Quality Act. The City Council finds that adoption of this Resolution is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3), the common-sense exemption, because there is no possibility that adoption of this Resolution, in and of itself, will result in a significant effect on the environment. Any future ordinance, Development Code amendment, development regulation, or project implementing or related to this policy shall be evaluated for compliance with CEQA as required by law.

SECTION 6. Certification. The City Clerk shall certify to the adoption of this Resolution and shall enter the same in the book of original resolutions and it shall become effective immediately.

APPROVED AND ADOPTED this 15th day of September, 2026.

Letty Lopez-Viado
Mayor

APPROVED AS TO FORM

ATTEST

Thomas P. Duarte
City Attorney

Lisa Sherrick, CMC
Assistant City Clerk

I, LISA SHERRICK, ASSISTANT CITY CLERK, CMC of the City of West Covina, California, do hereby certify that the foregoing Resolution No. 2026-99 was duly adopted by the City Council of the City of West Covina, California, at a regular meeting thereof held on the 15th day of September, 2026, by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lisa Sherrick, CMC
Assistant City Clerk