



CITY OF WEST COVINA

CITY COUNCIL/SUCCESSOR AGENCY

DECEMBER 15, 2020, 7:00 PM
REGULAR MEETING

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

Mayor Tony Wu
Mayor Pro Tem Letty Lopez-Viado
Councilman Dario Castellanos
Councilman Lloyd Johnson
Councilmember Jessica C. Shewmaker

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On March 17, 2020, Governor Newsom issued Executive Order N-29-20, suspending certain requirements of the Brown Act relating to the conduct of public meetings. Pursuant to the Executive Orders, Council Members may attend City Council meetings telephonically and the City Council is not required to make available a physical location from which members of the public may observe the meeting and offer public comment.

On June 18, 2020, the California Department of Public Health issued guidance mandating that people in California wear cloth face coverings in specified circumstances, including when they are inside of, or in line to enter, any indoor public space.

Due to the ongoing COVID-19 emergency and pursuant to State and County public health directives, the City Council Chambers will have limited seating available on a first-come, first-served basis for members of the public to attend and participate in the City Council meeting in person. All persons attending the meeting are required to wear cloth face coverings and observe social distancing protocols.

Members of the public may also watch City Council the meeting live on the City's website at: <https://www.westcovina.org/departments/city-clerk/agendas-and-meetings/current-meetings-and-agendas> under the "Watch Live" tab or through the West Covina City YouTube channel at www.westcovina.org/LIVE.

If you are experiencing symptoms such as fever or chills, cough, shortness of breath or difficulty breathing, fatigue, or sore throat, the City requests that you participate in the meeting from home by watching the meeting live via the links set forth above.

REMOTE PUBLIC PARTICIPATION: In lieu of attending the meeting in person, members of the public can submit public comments via email or address the City Council by telephone using the methods described below.

EMAILED PUBLIC COMMENT:

Members of the public can submit public comments to the City Clerk via e-mail at City_Clerk@westcovina.org. The subject line should specify "Oral Communications – 12/15/2020". Please include your full name and address in your e-mail. All emails received by 4:00 P.M. on the day of the Council meeting will be posted to the City's website under "Current Meetings and Agendas" and provided to the City Council prior to the meeting. No comments will be read out loud during the meeting. All comments received by the start of the meeting will be made part of the official public record of the meeting.

TELEPHONIC ACCESSIBILITY:

Members of the public that wish to address the Council by telephone during Oral Communications or a public hearing may contact the City Clerk by email City_Clerk@westcovina.org or by telephone (626) 939-8433 by 5:30 P.M. on the day of the Council meeting for instructions regarding addressing the City Council by telephone during the meeting.

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 Council meetings, please call (626) 939-8433 (voice) or (626) 960-4422 (TTY) from 8 to 5 Monday through Thursday. Do 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** *(Per WCMC 2-48, Ordinance No. 2150)*

Any person wishing to address the City Council on any matter listed on the agenda or on any other matter within their jurisdiction should complete a speaker card that is provided at the entrance to the Council Chambers and submit the card to the City Clerk.

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. All comments are limited to five (5) minutes per speaker.

Oral Communications may be limited to thirty (30) minutes, unless speakers addressing agenda items have not concluded.

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

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 DECEMBER 15, 2020, 7:00 PM
REGULAR MEETING

INVOCATION

Led by Pastor Jack Hibbs from Calvary Chapel Chino Hills

PLEDGE OF ALLEGIANCE

Led by Councilman Johnson

Nation Anthem - Dave Thomasson

ROLL CALL

PRESENTATIONS

- Recognition of Retirement - Police Sergeant Shishido

ORAL COMMUNICATIONS - Five (5) 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.

DEPARTMENTAL REGULAR MATTERS

CITY CLERK'S OFFICE

1) OFFICIAL ELECTION RESULTS OF THE NOVEMBER 3, 2020 GENERAL MUNICIPAL ELECTION

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

RESOLUTION 2020-120 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD NOVEMBER 3, 2020, DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW

2) CITY COUNCIL REORGANIZATION

RECOGNITION OF OUTGOING COUNCIL MEMBERS:

- **COUNCILMEMBER SHEWMAKER**
- **COUNCILMAN JOHNSON**

REORGANIZATION OF NEWLY ELECTED COUNCIL MEMBERS:

- **CITY COUNCIL DISTRICT 1 - BRIAN TABATABAI**
- **CITY COUNCIL DISTRICT 3 - ROSARIO DIAZ**

Take appropriate action.

3) REORGANIZATION OF INCOMING MAYOR AND MAYOR PRO TEM

- **Oath of Office - Lucy Armendariz, Judge of Los Angeles County Superior Court**

Take appropriate action.

CITY COUNCIL COMMENTS

ADJOURNMENT

Next Tentative City Council Meeting

Regular Meeting

January 19, 2020

7:00 PM

RULES OF DECORUM

The following are excerpts from the West Covina Municipal Code:

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

- Each person addressing the council shall step up to the rostrum, shall give his or her name and city of residence in an audible tone of voice for the record and unless further time is granted by the council, shall limit his or her address to five (5) minutes.
- The city council may establish a limit on the duration of oral communications.
- All remarks shall be addressed to the council as a body and not to any member thereof. No person, other than the council and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the council, without the permission of the presiding officer. No question shall be asked of a councilmember except through the presiding officer.
- The presiding officer may require any person to be sworn as a witness before addressing the 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 Penal Code of the state.

Sec. 2-50. Decorum--Required.

- While the council is in session, the members shall preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or disrupt the proceedings or the peace of the council nor interrupt any member while speaking or refuse to obey the orders of the council or its presiding officer, except as otherwise herein provided.
- Members of the public shall not willfully disrupt the meeting or act in a manner that actually impairs 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 Mayor that continuing to do so will be a violation of the law:

- a. Addressing the Mayor and City Council without first being recognized.
- b. Persisting in addressing a subject or subjects, other than that before the Mayor and City Council.
- c. Repetitiously addressing the same subject.
- d. Failing to relinquish the podium when directed to do so.
- e. From the audience, interrupting or attempting to interrupt, a speaker, the Mayor, a council member, or a staff member or shouting or attempting to shout over a speaker, the Mayor, a council member or a staff member.
- f. As a speaker, interrupting or attempting to interrupt the Mayor, a council member, or a staff member, or shouting over or attempting to shout over the Mayor, a council member, or a staff member. Nothing in this section or any rules of the 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. It shall be unlawful to violate the provisions of this Section.

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.

Sec. 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

148(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.

403 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 303 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: December 15, 2020

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: OFFICIAL ELECTION RESULTS OF THE NOVEMBER 3, 2020 GENERAL MUNICIPAL ELECTION

RECOMMENDATION:

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

RESOLUTION 2020-120 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD NOVEMBER 3, 2020, DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW

BACKGROUND:

Pursuant to Ordinance No. 2303, the City's general municipal election was held on November 3, 2020. The purpose of the election was to elect one Member of the City Council to represent District 1 for the full term of four years and one Member of the City Council to represent District 3 for the full term of four years. The election was consolidated with the Los Angeles County local and municipal elections.

The results of the November 3, 2020 election have been certified and the certification of the results and Statement of Votes are attached to the resolution as Exhibit "A."

DISCUSSION:

The Registrar-Recorder/County Clerk has certified the results of the election and has submitted a Certificate of Canvass and Final Official Statement of Votes Cast.

The number of votes cast in the election was:

- District 1: 9,123
- District 2: 10,117
- Total: 19,240

The number of votes cast for each candidate was as follows:

Councilmember, District 1

Brian Tabatabai

3,337

Brian Gutierrez	3,053
Lloyd Johnson	1,710

Councilmember, District 2

Rosario Diaz	3,738
Colleen B. Rozatti	1,731
Jessica C. Shewmaker	1,691
Steve Bennett	1,668

The results indicate Brian Tabatabai received the most votes for District 1 and Rosario Diaz received the most votes for District 3.

The City Council is required by state law to adopt a resolution reciting the fact of the election and other matters outlined in Elections Code section 10264.

LEGAL REVIEW:

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

Prepared by: Lisa Sherrick; Assistant City Clerk

Attachments

Attachment No. 1 - Resolution No. 2020-120

Attachment No. 2 - Exhibit A to Resolution No. 2020-120

CITY COUNCIL GOALS & OBJECTIVES: Enhance the City Image and Effectiveness

RESOLUTION NO. 2020-120

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 3, 2020, DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW

WHEREAS, a General Municipal Election was held and conducted in the City of West Covina, California, on Tuesday, November 3, 2020, as required by law; and

WHEREAS, notice of the election was given in time, form and manner as provided by law; voting precincts were properly established; election officers were appointed; and in all respects the election was held and conducted and the votes were cast, received and canvassed and the returns made and declared in time, form and manner as required by the provisions of the California Elections Code for holding elections in general law cities; and

WHEREAS, the County Election Department, which conducted the election on behalf of the City, canvassed the returns of the election and has certified the results to this City Council. The results are received and are attached hereto as Exhibit "A" and incorporated herein.

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

SECTION 1. The whole number of ballots cast in the City of West Covina was 19,240. For the Office of Councilmember, 1st District, the total number of votes cast was 9,123. For the Office of Councilmember, 3rd District, the total number of votes cast was 10,117.

SECTION 2. The names of the persons voted for at the election for Member of the West Covina City Council are as follows:

COUNCILMEMBER, 1ST DISTRICT

Brian Tabatabai
Lloyd Johnson
Brian Gutierrez

COUNCILMEMBER, 3RD DISTRICT

Jessica C. Shewmaker
Rosario Diaz
Steve Bennett
Colleen B. Rozatti

SECTION 3. The number of votes given at each precinct and the number of votes given in the City to each of the persons above named for the respective offices for which the persons were candidates are set forth in "Exhibit A."

SECTION 4. The City Council declares and determines that Brian Tabatabai was elected as Member of the City Council (1st District) for the full term of four years, and Rosario Diaz was elected as Member of the City Council (3rd District) for the full term of four years.

SECTION 5. The City Clerk shall enter into the records of the City Council of the City a statement of the result of the election, showing: (1) the whole number of ballots cast in the City; (2) the names of the persons voted for; (3) for what office each person was voted for; (4) the number of votes given at each precinct to each person, and (5) the total number of votes given to each person.

SECTION 6. The City Clerk shall immediately make and deliver to each of the persons so elected a Certificate of Election signed by the City Clerk and authenticated. The City Clerk shall also administer to each person elected the Oath of Office prescribed in the Constitution of the State of California and shall have them subscribe to it and file it in the Office of the City Clerk. Each and all of the persons so elected shall then be inducted into the respective office to which they have been elected.

SECTION 7. 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 December, 2020.

Tony Wu
Mayor

APPROVED AS TO FORM

ATTEST

Thomas P. Duarte
City Attorney

Lisa Sherrick
Assistant City Clerk

I, LISA SHERRICK, ASSISTANT CITY CLERK of the City of West Covina, California, do hereby certify that the foregoing Resolution No.2020-120 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 December, 2020, by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lisa Sherrick
Assistant City Clerk



Los Angeles County Registrar-Recorder/County Clerk

DEAN C. LOGAN
Registrar-Recorder/County Clerk

November 30, 2020

Ms. Lisa Sherrick, Assistant City Clerk
City of West Covina
1444 West Garvey Avenue South
West Covina, California 91790

Dear Ms. Sherrick:

Enclosed are the Official Canvass Certificate and the Official Statement of Votes Cast by precinct for the City of West Covina General Municipal Election consolidated with the General Election held on November 3, 2020.

Please call the Election Planning Section at (562) 462-2317, if you have any questions.

Sincerely,

DEAN C. LOGAN
Registrar-Recorder/County Clerk

LATICIA MCCORKLE, Assistant Division Manager
Election Information and Preparation Division

Enclosures
Official Canvass Certificate
Official Statement of Votes Cast

Los Angeles County
Registrar-Recorder/County Clerk

Certificate of the Canvass of the Election Returns

I, DEAN C. LOGAN, Registrar-Recorder/County Clerk of the County of Los Angeles, of the State of California, DO HEREBY CERTIFY that pursuant to the provisions of Section 15300 et seq. of the California Elections Code, I did canvass the returns of the votes cast for each elective office and/or measure(s) for

West Covina City

at the General Election, held on the 3rd day of November, 2020.

I FURTHER CERTIFY that the Statement of Votes Cast, to which this certificate is attached, shows the total number of ballots cast in said jurisdiction, and that the whole number of votes cast for each candidate and/or measure(s) in said jurisdiction in each of the respective precincts therein, and the totals of the respective columns and the totals as shown for each candidate and/or measure(s) are full, true and correct.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 30th day of November, 2020.



Dean C. Logan
DEAN C. LOGAN
Registrar-Recorder/County Clerk
County of Los Angeles

FINAL OFFICIAL STATEMENT OF VOTES CAST BY PRECINCT			WEST COVINA CITY GEN MUNI COUNCILMEMBER 1ST DISTRICT									
LOCATION	REGIST- RATION	BALLOTS CAST	BRIAN TABATABAI	BRIAN GUTIERREZ	LLOYD A JOHNSON							
WEST COVINA - 7700001A*		182	69	75	20							
VOTE BY MAIL		463	151	174	80							
TOTAL	882	645	220	249	100							
WEST COVINA - 7700003A		407	119	135	99							
VOTE BY MAIL		1221	425	398	267							
TOTAL	2120	1628	544	533	366							
WEST COVINA - 7700004A		442	171	141	79							
VOTE BY MAIL		1321	488	475	226							
TOTAL	2314	1763	659	616	305							
WEST COVINA - 7700022A		377	161	103	74							
VOTE BY MAIL		881	334	279	167							
TOTAL	1579	1258	495	382	241							
WEST COVINA - 7700033A		361	136	132	57							
VOTE BY MAIL		1075	474	321	156							
TOTAL	1825	1436	610	453	213							
WEST COVINA - 7700036B		390	118	146	62							
VOTE BY MAIL		1149	412	409	223							
TOTAL	1996	1539	530	555	285							
WEST COVINA - 7700037B*		175	49	63	43							
VOTE BY MAIL		569	186	162	146							
TOTAL	934	744	235	225	189							
WEST COVINA - 7700140B*		21	12	6	2							
VOTE BY MAIL		89	32	34	9							
TOTAL	147	110	44	40	11							

FINAL OFFICIAL STATEMENT OF VOTES CAST BY PRECINCT				WEST COVINA CITY GEN MUNI COUNCILMEMBER 1ST DISTRICT									
LOCATION		REGIST- RATION	BALLOTS CAST										
PRECINCT TOTAL			2355										
VBM TOTAL			6768										
GRAND TOTAL		11797	9123										

FINAL OFFICIAL STATEMENT OF VOTES CAST BY PRECINCT			WEST COVINA CITY GEN MUNI COUNCILMEMBER 3RD DISTRICT									
LOCATION	REGIST- RATION	BALLOTS CAST	STEVE BENNETT	J C SHEWMAKER	ROSARIO DIAZ	COLLEEN B ROZATTI						
WEST COVINA - 7700015A		290	87	27	102	40						
VOTE BY MAIL		878	169	119	318	141						
TOTAL	1447	1168	256	146	420	181						
WEST COVINA - 7700019A*		15	3	2	4	3						
VOTE BY MAIL		15	2	4	6	1						
TOTAL	42	30	5	6	10	4						
WEST COVINA - 7700019B*		101	17	18	24	16						
VOTE BY MAIL		235	27	42	95	33						
TOTAL	430	336	44	60	119	49						
WEST COVINA - 7700141A*		190	47	44	58	16						
VOTE BY MAIL		652	79	147	254	82						
TOTAL	1157	842	126	191	312	98						
WEST COVINA - 7700142A		500	122	54	174	94						
VOTE BY MAIL		1551	246	245	587	253						
TOTAL	2571	2051	368	299	761	347						
WEST COVINA - 7700144A		500	108	57	185	90						
VOTE BY MAIL		1464	194	285	562	259						
TOTAL	2491	1964	302	342	747	349						
WEST COVINA - 7700149A		491	107	50	177	94						
VOTE BY MAIL		1646	218	273	635	349						
TOTAL	2576	2137	325	323	812	443						
WEST COVINA - 7700156A*		118	24	14	40	21						
VOTE BY MAIL		493	87	95	159	91						
TOTAL	762	611	111	109	199	112						
WEST COVINA - 7700158A*		194	27	38	71	27						
VOTE BY MAIL		784	104	177	287	121						
TOTAL	1248	978	131	215	358	148						



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: December 15, 2020

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: CITY COUNCIL REORGANIZATION

RECOGNITION OF OUTGOING COUNCIL MEMBERS:

- COUNCILMEMBER SHEWMAKER
- COUNCILMAN JOHNSON

REORGANIZATION OF NEWLY ELECTED COUNCIL MEMBERS:

- CITY COUNCIL DISTRICT 1 - BRIAN TABATABAI
- CITY COUNCIL DISTRICT 3 - ROSARIO DIAZ

RECOMMENDATION:

Take appropriate action.

BACKGROUND:

Take appropriate action.

DISCUSSION:



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: December 15, 2020

TO: Mayor and City Council

FROM: David Carmany
City Manager

SUBJECT: REORGANIZATION OF INCOMING MAYOR AND MAYOR PRO TEM

- Oath of Office - Lucy Armendariz, Judge of Los Angeles County Superior Court

RECOMMENDATION:

Take appropriate action.

BACKGROUND:

Take appropriate action.

DISCUSSION:
