



**CITY OF WEST COVINA**

**CITY COUNCIL/SUCCESSOR AGENCY**

**JUNE 23, 2020, 7:00 PM  
SPECIAL 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.

On June 11, 2020, the Los Angeles County Public Health Officer issued a revised Health Officer Order directing, among other things, that all persons living within the Los Angeles County Public Health Jurisdiction remain in their residences whenever practicable. Pursuant to the Order, people leaving their residences must strictly comply with specified social (physical) distancing protocols.

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 the City Council meeting in person. All persons attending the meeting shall wear cloth face coverings and shall observe social distancing protocols. Members of the public may also watch City Council meetings live through the West Covina City YouTube channel at [www.westcovina.org/LIVE](http://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 via the City's YouTube channel ([//www.westcovina.org/LIVE](http://www.westcovina.org/LIVE)) and/or providing public comments by email or telephone. If you are in the group of individuals who are at high-risk for severe illness from COVID-19, including those over the age of 65 and those with underlying health conditions, please consider participating in the meeting from home.

In lieu of attending the meeting in person, members of the public can submit public comments to the City Clerk at [City\\_Clerk@westcovina.org](mailto:City_Clerk@westcovina.org). The subject line should specify either "Oral Communications – 6/23/2020" or "Public Hearing Item # [X] – 6/23/2020". Please include your full name and address in your e-mail. The City

Clerk will read emails received by 6:30 P.M. the day of the meeting out loud into the public record. All comments received will be made part of the official public record of the meeting.?

If you wish to address the Council by telephone during Oral Communications or a public hearing, you may contact the City Clerk by email [City\\_Clerk@westcovina.org](mailto:City_Clerk@westcovina.org) or by telephone (626) 939-8433 by 6:30 P.M. on the day of the meeting to advise the City Clerk that you would like to address the Council during Oral Communications or a public hearing.

Please be advised that members of the public will only receive one opportunity to address the Council during Oral Communications or a public hearing – either in person, via email, or by telephone.

*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](http://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 JUNE 23, 2020, 7:00 PM  
SPECIAL MEETING**

## **INVOCATION**

Pastor Jillian Lutes from the West Covina Hills Seventh Day Adventist Church.

## **PLEDGE OF ALLEGIANCE**

Led by Mayor Wu

## **ROLL CALL**

## **REPORTING OUT FROM CLOSED SESSION**

## **PRESENTATIONS**

- **Nogales High School - Graduating Class of 2020**

## **PUBLIC COMMENTS ON ITEMS ON THE AGENDA**

*Public comments are limited to the items described on this agenda (Government Code section 54954.3)*

## **CONSENT**

### **1) CONSIDERATION OF A RESOLUTION OF INTENTION TO LEVY ASSESSMENTS FOR THE AUTO PLAZA BUSINESS IMPROVEMENT DISTRICT**

It is recommended that the City Council:

1. Approve the Annual Report for the West Covina Auto Plaza Business Improvement District.
2. Adopt the following resolution:

**RESOLUTION NO. 2020-67- A RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AN ASSESSMENT WITHIN THE BUSINESS IMPROVEMENT AREA KNOWN AS THE WEST COVINA AUTO PLAZA BUSINESS IMPROVEMENT DISTRICT FOR FISCAL YEAR 2020-21 AND SETTING THE TIME AND PLACE FOR A PUBLIC HEARING THEREON.**

### **2) CONSIDERATION OF RESOLUTION NO. 2020-68 EXTENDING THE LOCAL EMERGENCY DECLARATION**

It is recommended that the City Council:

1. Adopt Resolution 2020-68 as follows:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DETERMINING THE NEED TO FURTHER CONTINUE THE LOCAL EMERGENCY PROCLAIMED ON MARCH 16, 2020 AND PREVIOUSLY CONTINUED ON APRIL 7, 2020, MAY 5, 2020 AND JUNE 2, 2020**

### **3) ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2020-21**

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

**RESOLUTION NO. 2020-65 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DETERMINING AND ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2020-2021**

**PUBLIC HEARING**

**4) PUBLIC HEARING REGARDING WEST COVINA CITYWIDE SEWER SERVICE CHARGES TO BE COLLECTED ON TAX ROLL FOR FY 2020-21**

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

**RESOLUTION NO. 2020-61 — A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA APPROVING THE SEWER SERVICE CHARGES TO BE COLLECTED ON THE FISCAL YEAR 2020-21 TAX ROLL**

**5) PUBLIC HEARING REGARDING ASSESSMENTS FOR FISCAL YEAR 2020-21 FOR WEST COVINA CITYWIDE LIGHTING AND MAINTENANCE DISTRICT**

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

**RESOLUTION NO. 2020-62 — A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT FOR THE CITYWIDE LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT FOR FISCAL YEAR 2020-21**

**DEPARTMENTAL REGULAR MATTERS**

**6) ADOPTION OF THE CITY OF WEST COVINA FISCAL YEAR 2020-21 ANNUAL OPERATING AND CAPITAL IMPROVEMENT PROGRAM BUDGET**

It is recommended that the City Council approve the Fiscal Year 2020-21 Proposed Operating and Capital Improvement Program Budget by adopting the following resolution:

**RESOLUTION NO. 2020-64 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, ADOPTING THE OPERATING AND CAPITAL IMPROVEMENT PROGRAM BUDGET FOR THE CITY OF WEST COVINA, WEST COVINA PUBLIC FINANCING AUTHORITY, WEST COVINA HOUSING AUTHORITY, AND THE SUCCESSOR AGENCY TO THE FORMER WEST COVINA REDEVELOPMENT AGENCY FOR FISCAL YEAR 2020-21**

**ADJOURNMENT**

<b>RULES OF DECORUM</b>
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*The following are excerpts from the West Covina Municipal Code:*

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

- a. 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.
- b. The city council may establish a limit on the duration of oral communications.
- c. 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.

- d. 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.**

- a. 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.
- b. 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.