



CITY OF WEST COVINA

CITY COUNCIL/SUCCESSOR AGENCY

**JANUARY 14, 2025, 6:00 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 Ollie Cantos
Councilwoman Rosario Diaz
Councilmember Brian Gutierrez**

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 JANUARY 14, 2025, 6:00 PM
SPECIAL MEETING**

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC COMMENTS ON ITEMS ON THE AGENDA

- 1) **CONSIDERATION OF RESOLUTION NO. 2025-3 CONFIRMING AND RATIFYING THE DIRECTOR OF EMERGENCY SERVICES' PROCLAMATION NO. 2025-01 PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO SEVERE WINDSTORM**

Staff recommends that the City Council adopt the following resolution:

RESOLUTION NO. 2025-3 - A RESOLUTION OF THE CITY OF WEST COVINA, CALIFORNIA, RATIFYING PROCLAMATION 2024-01 PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO SEVERE WINDSTORM

- 2) **CONSIDERATION OF COMMISSIONER APPOINTMENTS**

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

ADJOURNMENT

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.

- 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.



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: January 14, 2025

TO: Mayor and City Council

FROM: Paulina Morales, City Manager

SUBJECT: CONSIDERATION OF RESOLUTION NO. 2025-3 CONFIRMING AND RATIFYING THE DIRECTOR OF EMERGENCY SERVICES' PROCLAMATION NO. 2025-01 PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO SEVERE WINDSTORM

RECOMMENDATION:

Staff recommends that the City Council adopt the following resolution:

RESOLUTION NO. 2025-3 - A RESOLUTION OF THE CITY OF WEST COVINA, CALIFORNIA, RATIFYING PROCLAMATION 2024-01 PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO SEVERE WINDSTORM

BACKGROUND:

A strong, widespread, and destructive windstorm began on Tuesday, January 7, 2025, impacting the Los Angeles metropolitan area, including the City of West Covina, and threatening life and safety, public and private property and structures, and other critical infrastructure. On the same day, a series of catastrophic wildfires arose in Los Angeles County, including the Palisades Fire in the Pacific Palisades, the Eaton Fire in the Altadena-Pasadena region, the Hurst Fire in Sylmar, and the Kenneth Fire in West Hills.

During the week of January 7, 2025, the National Weather Service issued a rare Particularly Dangerous Situation (PDS) Red Flag warning for portions of the Los Angeles metropolitan area, which means there is a high risk of extreme fire behavior and very rapid growth due to dangerously high winds, low humidity and extremely dry vegetation.

On January 7, 2025, Governor Newsom proclaimed a state of emergency in Los Angeles County due to the Palisades Fire and windstorm.

On January 8, 2023, President Biden declared that an emergency exists in the State of California and ordered Federal aid to supplement State, tribal, and local response efforts in the areas affected by wildfires and straight-line winds beginning on January 7, 2025, and continuing.

As of January 13, 2025, a Red Flag Warning is in effect for the City of West Covina until January 15, 2025.

DISCUSSION:

California Government Code section 8558 defines a local emergency as “the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of a county, city and county, or city, caused by conditions such as air pollution, fire, flood, storm, epidemic, riot, drought, ... which are or are likely to be beyond the control of the services, personnel, equipment, and facilities of that political subdivision and require the combined forces of other political subdivisions to combat.”

Pursuant to California Government Code section 8630, the City Council, or an official designated by ordinance of the City Council, can proclaim the existence of a local emergency. Under West Covina Municipal Code (WCMC) section 8-7(a)(1), the City Manager, as the Director of Emergency Services, can proclaim the existence of a local emergency if the City Council is not in session. Once the existence of a local emergency is proclaimed, neighboring jurisdictions and the State have the power to provide mutual aid to address the emergency conditions.

Pursuant to California Government Code section 8630, if proclaimed by an official designated by ordinance, the local emergency cannot remain in effect for more than seven (7) days unless it is ratified by the City Council. Further, California Government Code section 8630 requires the City Council to review the need for continuing the local emergency at least every 60 days until the local emergency is terminated, and requires the City Council to proclaim the termination of the local emergency at the earliest possible date that conditions warrant. Pursuant to WCMC section 8-7(a)(2), the City Manager may request that the City Council review the need for continuing the local emergency at least once every thirty (30) days until the City Council terminates the local emergency.

As authorized by California Government Code section 8630 and WCMC section 8-7(a)(2), on January 8, 2025, the City Manager, as the City's Director of Emergency Services, proclaimed a local emergency due to the severe windstorm that began on January 7, 2025.

The City has submitted its Proclamation of Local Emergency to the Governor's Office of Emergency Services (Cal OES) and will be requesting state and federal assistance as a result of the severe windstorm. Cal OES requires that the City Council ratify the City Manager's proclamation in order to access funding.

The City Manager is requesting that the City Council adopt the proposed resolution to confirm and ratify the proclamation of the local emergency and continue it due to the continued Red Flag warning issued by the National Weather Service. The local emergency will remain in effect until terminated by the City Council.

LEGAL REVIEW:

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

OPTIONS:

The City Council has the following options:

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

Prepared by: Paulina Morales, City Manager

Fiscal Impact

FISCAL IMPACT:

Approval of the resolution ensures the city is eligible to request state and federal assistance regarding this emergency.

Attachments

Attachment No. 1 - Resolution No. 2025-3

CITY COUNCIL GOALS & OBJECTIVES: Protect Public Safety
Achieve Fiscal Sustainability and Financial Stability
Maintain Good Intergovernmental Relations
Enhance City Image and Effectiveness

RESOLUTION NO. 2025-3

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, CONFIRMING AND RATIFYING THE DIRECTOR OF EMERGENCY SERVICES' PROCLAMATION NO. 2025-01 PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO SEVERE WINDSTORM

WHEREAS, the California Emergency Services Act (California Government Code Section 8550 et seq.), authorizes the City Council, or an official designated by ordinance of the City Council, to proclaim a local emergency when the City is threatened by conditions of disaster or extreme peril to the safety of persons and property within the City that are, or are likely to be, beyond the control of the services, personnel, equipment, and facilities of the City; and

WHEREAS, if the City Council is not in session, West Covina Municipal Code Section 8-7 empowers the City Manager, as the Director of Emergency Services, to proclaim the existence or threatened existence of a local emergency when the City is affected or likely to be affected by a public calamity which is, or is likely to be, beyond the control of the services, personnel, equipment, and facilities of the City, requiring the combined forces of other political subdivisions to combat; and

WHEREAS, a strong, widespread, and destructive windstorm began on Tuesday, January 7, 2025, impacting the Los Angeles metropolitan area, including the City of West Covina, and threatening life and safety, public and private property and structures, and other critical infrastructure; and

WHEREAS, the National Weather Service advised that damaging wind gusts of 50-80 mph, as well as isolated wind gusts of 80-100 mph in the mountains and foothills, were expected across most of the Los Angeles metropolitan area; and

WHEREAS, the National Weather Service issued a Particularly Dangerous Situation (PDS) Red Flag warning for portions of Los Angeles County, including the San Gabriel Valley; and

WHEREAS, areas in a Red Flag warning, especially during the PDS time frame, have increased risk for large fires with very rapid fire spread, extreme fire behavior, and long range spotting; and

WHEREAS, this weather system caused extreme conditions such as damage to power poles, fallen trees, power outages, damage to vehicles, and damage to City facilities; and

WHEREAS, it was anticipated that such conditions would be beyond the control of the services, personnel, equipment, and facilities of the City and require the combined forces of other jurisdictions to combat; and

WHEREAS, the City Council was not in session and could not be immediately called into session; and

WHEREAS, on January 8, 2025, the City Manager, as the City's Director of Emergency Services, proclaimed a local emergency as authorized by California Government Code section 8630 and West Covina Municipal Code section 8-7(a)(1). A true and correct copy of Proclamation No. 2025-01 is attached hereto as Exhibit "A."

WHEREAS, the Governor's Office of Emergency Services (Cal OES) requires that the City Council ratify the Director of Emergency Services' proclamation to access funding; and

WHEREAS, as of January 13, 2025, a Red Flag Warning is in effect for the City of West Covina until January 15, 2025; and

WHEREAS, conditions of disaster or of extreme peril to the safety of persons and property within the City of West Covina continue to exist.

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

SECTION 1. The City Council hereby confirms and ratifies the City Manager's proclamation of local emergency, Proclamation No. 2025-01, dated January 8, 2025.

SECTION 2. As contemplated in the Emergency Services Act contained in California Government Code Section 8550 et seq. and Chapter 8 of the West Covina Municipal Code, the City Council finds that a local emergency exists throughout the City of West Covina based on the existence of conditions of disaster or of extreme peril to the safety of persons and property caused by the severe windstorms that started on January 7, 2025, as detailed in the recitals set forth above.

SECTION 3. During the existence of this local emergency, the powers, functions, and duties of the emergency organization of this City shall be those prescribed by State law and by ordinances, resolutions, and orders of this City, including, but not limited to, the City's Emergency Plan.

SECTION 4. This local emergency shall continue to exist until the City Council proclaims the termination of the local emergency. The City Council shall review the need for continuing the local emergency in the manner required by law.

SECTION 5. The City Manager shall forward a copy of this resolution to the Director of the California Governor's Office of Emergency Services requesting that the

Director find it acceptable in accordance with State law; that recovery assistance be made available under the California Disaster Assistance Act; and that the State expedite access to State and Federal resources and any other appropriate Federal disaster relief programs.

APPROVED AND ADOPTED this 14th day of January, 2025.

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. 2025-3 was duly adopted by the City Council of the City of West Covina, California, at a special meeting thereof held on the 14th day of January, 2025, by the following vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lisa Sherrick
Assistant City Clerk

EXHIBIT A

PROCLAMATION NO. 2025-01

**CITY OF WEST COVINA
PROCLAMATION NO. 2025-01**

**A PROCLAMATION BY THE CITY MANAGER OF THE CITY OF WEST
COVINA, CALIFORNIA, ACTING AS THE DIRECTOR OF EMERGENCY
SERVICES, PROCLAIMING THE EXISTENCE OF A LOCAL
EMERGENCY DUE TO SEVERE WINDSTORM**

WHEREAS, the California Emergency Services Act (California Government Code section 8550 et seq.), authorizes the City Council, or an official designated by ordinance of the City Council, to proclaim a local emergency when the City is threatened by conditions of disaster or extreme peril to the safety of persons and property within the City that are, or are likely to be, beyond the control of the services, personnel, equipment, and facilities of the City; and

WHEREAS, if the City Council is not in session, West Covina Municipal Code section 8-7 empowers the City Manager, as the Director of Emergency Services, to proclaim the existence or threatened existence of a local emergency when the City is affected or likely to be affected by a public calamity which is, or is likely to be, beyond the control of the services, personnel, equipment, and facilities of the City, requiring the combined forces of other political subdivisions to combat; and

WHEREAS, a strong, widespread, and destructive windstorm began on Tuesday, January 7, 2025 and is expected at least through Wednesday, January 8, 2025, and possibly extending through the end of the week, impacting the Los Angeles metropolitan area, including the City of West Covina, and threatening life and safety, public and private property and structures, and other critical infrastructure; and

WHEREAS, the National Weather Service has advised that damaging wind gusts of 50-80 mph, as well as isolated wind gusts of 80-100 mph in the mountains and foothills, are expected across most of the Los Angeles metropolitan area; and

WHEREAS, the National Weather Service issued a Particularly Dangerous Situation (PDS) Red Flag warning for portions of Los Angeles County, including the San Gabriel Valley; and

WHEREAS, areas in a Red Flag warning, especially during the PDS time frame, have increased risk for large fires with very rapid fire spread, extreme fire behavior, and long range spotting; and

WHEREAS, this weather system has caused, or is substantially likely to cause, extreme conditions such as power outages, damage to power poles, fallen trees, and extreme fire behavior; and

WHEREAS, it is anticipated that such conditions are beyond the control of the services, personnel, equipment, and facilities of the City and require the combined forces of other political subdivisions to combat; and

WHEREAS, the City's ability to mobilize local resources, coordinate interagency response, accelerate procurement of vital supplies, use mutual aid, and allow for future reimbursement by the state and federal governments will be critical to responding to this emergency; and

WHEREAS, the City Council is not in session and cannot be immediately called into session; and

WHEREAS, the City Manager, as the City's Director of Emergency Services, has the power to declare a local emergency pursuant to California Government Code section 8630 and West Covina Municipal Code section 8-7(a)(1).

NOW, THEREFORE, IT IS PROCLAIMED AND ORDERED by the City Manager of the City of West Covina, acting as the Director of Emergency Services, as follows:

- A. As contemplated in the Emergency Services Act contained in California Government Code section 8550 et seq. and Chapter 8 of the West Covina Municipal Code, a local emergency now exists throughout the City of West Covina.
- B. During the existence of this local emergency, the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law and by ordinances, resolutions, and orders of this City, including but not limited to the City's Emergency Plan.
- C. This emergency proclamation shall expire seven (7) days after issuance unless confirmed and ratified by the City Council of the City of West Covina.
- D. The Assistant City Clerk shall forward a copy of this proclamation to the Director of the California Governor's Office of Emergency Services requesting that the Director find it acceptable in accordance with State law; that recovery assistance be made available under the California Disaster Assistance Act; and that the State expedite access to State and Federal resources and any other appropriate Federal disaster relief programs.

PROCLAIMED this 8th day of January, 2025.



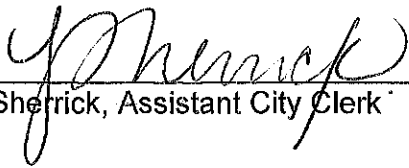
Paulina Morales, City Manager

APPROVED AS TO FORM:



Thomas P. Duarte, City Attorney

ATTEST:



Lisa Sherrick, Assistant City Clerk



AGENDA STAFF REPORT

City of West Covina | Office of the City Manager

DATE: January 14, 2025

TO: Mayor and City Council

FROM: Paulina Morales, City Manager

SUBJECT: CONSIDERATION OF COMMISSIONER APPOINTMENTS

RECOMMENDATION:

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

BACKGROUND:

Article III (Advisory Commissions) of Chapter 2 (Administration) of the West Covina Municipal Code (WCMC) establishes the City's three commissions and sets forth provisions relating to appointment, vacancies, removal, terms of office, meetings, and responsibilities of City Commissioners. Commissioners must be at least eighteen (18) years of age, and be a resident and registered voter of the City at the time of appointment and throughout their term of office.

DISCUSSION:

Pursuant to Section 2-67(a) of Article III of Chapter 2 of the WCMC, each Councilmember has the power to appoint one (1) commissioner to each the Human Resources Commission and the Planning Commission, and two (2) commissioners to the Community and Senior Services Commission.

Pursuant to Section 2-68 of Article III of Chapter 2 of the WCMC, the terms of office of commissioners run concurrently with that of the appointed Councilmember.

Due to the recent elections, there are some vacancies on the commissions; 2 on the Planning Commission, 1 on the Human Resources Commission, and 2 on the Community & Senior Services Commission.

The City has advertised the vacancies and accepted applications in the manner required by law.

Mayor Pro Tem Letty Lopez Viado is announcing the following appointment:

- Dario Castellanos - Planning Commissioner

Councilmember Gutierrez is announcing the following appointments:

- Garrett Viado - Community and Senior Services Commissioner
- Paul Karsten Schrieffer - Human Resources Commissioner

LEGAL REVIEW:

The City Attorney's Office has reviewed this report.

Prepared by: Lisa Sherrick, Assistant City Clerk

Fiscal Impact**FISCAL IMPACT:**

This is strictly an administrative item, therefore; there is no fiscal impact associated with this action.

CITY COUNCIL GOALS & OBJECTIVES: A Creative and Active Community
A Well-Planned Community
Enhance City Image and Effectiveness