CITY OF WEST COVINA

PLANNING COMMISSION - REGULAR MEETING

TUESDAY, MAY 28, 2024 - 7:00 PM
REGULAR MEETING

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

Shelby Williams, Chair
Sheena Heng, Vice-Chair
Livier Becerra, Commissioner
Nickolas Lewis, Commissioner
Brian Gutierrez, Commissioner

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 need special assistance at Planning Commission meetings, please call (626) 939-8433 (voice) or (626) 960-4422 (TTY) from 8 to 5 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 Planning Commission meetings, please request no less than four working days prior to the meeting.

PUBLIC COMMENTS/ADDRESSING THE COMMISSION
Any person wishing to address the Planning Commission on any matter listed on the agenda or on any other matter within their jurisdiction is asked to complete a speaker card that is provided on the speaker podium and submit the card to a Planning Division staff member.

Please identify on the speaker card whether you are speaking on an agenda item or non-agenda item. Requests to speak on non-agenda items will be heard during "Oral Communications" before the Public Hearing section of the agenda. Generally, comments are limited to five minutes per speaker unless further time is granted by the Chairperson. ***The Chairperson may also, at his or her discretion, further limit the time of each speaker in order to accommodate a large number of speakers and/or to ensure that the business of the Planning Commission is effectively conducted.***

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

MOMENT OF SILENT PRAYER/MEDITATION

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

1. Regular meeting, May 14, 2024

ORAL COMMUNICATIONS

This is the time when any member of the public may speak to the Commission on any matter within the scope of duties assigned to the Commission relating to non-agendized or consent calendar items. Other matters included on this agenda may be addressed when that item is under consideration. For all oral communications, the chairperson may impose reasonable limitations on public comments to assure an orderly and timely meeting. The Ralph M. Brown Act limits the Planning Commission and staff's ability to respond to public comments at this meeting. Thus, your comments may be agendized for a future meeting or referred to staff. The Commission may ask questions for clarification, if desired, at this time.

By policy of the Commission, Oral Communications at this time on the agenda is limited to a total of 15 minutes.

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 Planning Commission request specific items to be removed from the Consent Calendar for separate discussion or action.

PUBLIC HEARINGS

NON-HEARING ITEMS

2. **PLANNING COMMISSION EMAIL ACCOUNTS**

3. **STUDY SESSION - PLANNING COMMISSION STANDING MEETING RULES**

TEN-DAY APPEAL PERIOD: ***Actions taken by the Planning Commission that are not recommendations to the City Council will become final after ten (10) calendar days unless a written appeal with the appropriate fee is lodged with the City Clerk's Office before close of business on the tenth day.***

COMMISSION REPORTS/COMMENTS AND MISCELLANEOUS ITEMS

This is the time when any member of the Commission may bring a matter to the attention of the full Commission that is within the scope of duties assigned to the Commission. Any item that was considered during the Agenda is not appropriate for discussion in this section of the agenda. NO COMMISSION DISCUSSION OR ACTION CAN BE CONSIDERED AT THIS TIME. If the Commission desires to discuss an issue raised by a speaker or take an action, the Commission may vote to agendize the matter for a future meeting.

4. **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT:**

5. **CITY COUNCIL ACTION:**

   This is an oral presentation of City Council matters and actions, which are in the Commission’s area of interest

ADJOURNMENT

City of West Covina
Memorandum
AGENDA

ITEM NO. 1
DATE: May 28, 2024

TO: Planning Commission
FROM: Planning Division
SUBJECT: Regular meeting, May 14, 2024

Submitted by:

Attachments

Draft Minutes 5.14.24

DRAFT

MINUTES
REGULAR MEETING OF THE PLANNING COMMISSION
CITY OF WEST COVINA
Tuesday, May 14, 2024

The regular meeting of the Planning Commission was called to order at 7:00 p.m. in the West Covina City Council Chambers, 1444 West Garvey Avenue, West Covina, California.

MOMENT OF SILENT PRAYER/MEDITATION

PLEDGE OF ALLEGIANCE

Commissioner Lewis led the Pledge of Allegiance.

ROLL CALL

Present:	Gutierrez, Williams, Becerra, Heng, Lewis
City Staff Present:	Koo, Burns, Machado, Rivera,

APPROVAL OF MINUTES

1. Regular meeting, April 9, 2024 - The minutes were adopted as presented.

ORAL COMMUNICATIONS

This is the time when any member of the public may speak to the Commission on any matter within the scope of duties assigned to the Commission relating to non-agendized or consent calendar items. Other matters included on this agenda may be addressed when that item is under consideration. For all oral communications, the chairperson may impose reasonable limitations on public comments to assure an orderly and timely meeting. The Ralph M. Brown Act limits the Planning Commission and staff's ability to respond to public comments at this meeting. Thus, your comments may be agendized for a future meeting or referred to staff. The Commission may ask questions for clarification, if desired, at this time.

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None

PUBLIC HEARINGS

2. CONDITIONAL USE PERMIT NO. 24-03
   CATEGORICAL EXEMPTION
   APPLICANT: Atabak Youssefzadeh
   LOCATION: 901 N. Sunset Avenue
   REQUEST: The applicant is requesting a Conditional Use Permit (CUP) to allow the sales of beer and wine for off-site consumption (Type 20) within an existing 1,700 square foot convenience store at a service station, known as ARCO. The subject property is located within the Neighborhood

Commercial (N-C) zone.

Assistant Planner Jerry Rivera presented the staff report. Staff recommended approval of this conditional use permit. Applicant, Atabak Youssefzadeh addressed the Commission regarding his request and answered questions from the Commission. There was a short discussion by the Commission.

Chair Gutierrez opened the public hearing.

No one came forward to speak for or against the request.

Chair Gutierrez closed the public hearing.

There was a discussion by the Commission regarding the proposed use.

Motion by Gutierrez, seconded by /Becerra, to waive further reading and adopt Resolution No. 24-6148, approving Conditional Use Permit No. 24-03. Motion carried 5-0.

NON-HEARING ITEMS

3. **PLANNING COMMISSION REVIEW OPTIONS FOR SERVICE STATION CONVENIENCE STORES WITH ACCESSORY BEER AND WINE SALES.**

Jo-Anne Burns, Deputy Community Development Director, presented the staff report. Staff recommended Option 1, to direct staff to continue to work with Code Enforcement to monitor complaints and bring excessive complaints back to the Planning Commission for further review or conditions.

There was a lengthy discussion by the Planning Commission regarding the types of complaints that would trigger a review by the Planning Commission.

Motion by Williams, seconded by Gutierrez, to direct staff to continue with the current practice established by each individual CUP (conditions of approval) of working with code enforcement to monitor related complaints and bring the individual CUP back to the Planning Commission for modification or revocation procedures if the complaints are verified to be valid and are either not immediately addressed and/or become a reoccurring issue. Motion carried 5-0.

4. REORGANIZATION OF THE PLANNING COMMISSION

Motion by Becerra, seconded by Gutierrez, to nominate Commissioner Heng as Vice-Chairperson. Motion carried 5-0.

Motion by Gutierrez, seconded by Lewis, to nominate Commissioner Williams as Chairperson. Motion carried 5-0.

Gutierrez stated that he had been honored to serve as Chair of the Planning Commission. In addition, he commended staff for their work to ensure the City is well-run.

TEN-DAY APPEAL PERIOD: ***Actions taken by the Planning Commission that are not recommendations to the City Council will become final after ten (10) calendar days unless a written appeal with the appropriate fee is lodged with the City Clerk's Office before close of business on the tenth day.***

COMMISSION REPORTS/COMMENTS AND MISCELLANEOUS ITEMS

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5. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT:

Deputy Community Development Director Jo-Anne Burns thanked past-Chair Gutierrez for his service as Chair and welcomed Chair Williams.

Memorial Day celebration, Monday, May 27, 2024, at West Covina Civic Center beginning at 10:00 am.

Monday, May 30, 2024 at West Covina Sportsplex is the 1st Annual Senior Health & Wellness Senior Expo and Senior Softball Tournament.

May 18, 2024 from 9 a.m. to 3 p.m. there will be a Hazardous Waste Round-Up at the West Covina Maintenance Yard.

New members of the Design Review Subcommittee will be appointed at the next regular Planning Commission meeting.

6. CITY COUNCIL ACTION:

This is an oral presentation of City Council matters and actions, which are in the Commission's area of interest

There were no Planning Commission-related items at the last City Council meeting.

ADJOURNMENT

Chair Williams adjourned the meeting at 7:51p.m.

Respectfully submitted:

Lydia de Zara
Senior Administrative Assistant

AGENDA
ITEM NO. 2
DATE: May 28, 2024

PLANNING DEPARTMENT STAFF REPORT

SUBJECT

PLANNING COMMISSION EMAIL ACCOUNTS

BACKGROUND

The City would like to offer email accounts to the Planning Commission. Conditions for email access are outlined in the City's policy regarding the use of the City's computer/network equipment, software and systems.

DISCUSSION

The City's IT Department will present an overview of how City email access works, the policy that governs it, and the acknowledgment form required to obtain an email account.

STAFF RECOMMENDATIONS

It is recommended that the Planning Commission review the Computer System Use Policy and Computer System Use Policy Receipt Acknowledgment to receive a City email account.

Submitted by: Jo-Anne Burns, Deputy Community Development Director

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Attachments

Attachment No. 1 - Computer System Use Policy

Attachment No. 2 - Computer Use System Policy Receipt Acknowledgement

RECEIVED
'01 DEC 18 P4:27
WEST COVINA CITY CLERK

ADMINISTRATIVE POLICY

COMPUTER SYSTEM USE

City Manager
Andrew Pasmant

Please distribute to your staff and train them. If you have any questions, please call Tom Nguyen at x 8472.

1. PURPOSE

To establish a policy regarding the use of City's computer/network equipment, software and systems. This policy is incorporated by reference into the City of West Covina Employee Handbook. All affected Employees will receive a copy of this policy to be inserted in his or her Employee Handbook.

2. DEFINITIONS

A. The term "Computer System" (the "System") shall mean all computers, hardware, software, and resources owned, leased, rented, or licensed by the City of West Covina ("City") which are made available for official use by City employees ("Employees").

B. The term "Resources" shall include, but is not limited to, electronic mail ("e-mail"), the Internet, and such other similar software or applications available on the System.

C. The term "Hardware" shall include, but is not limited to, computers, computer terminals, network equipment, modems or any other tangible computer device generally understood to comprise hardware.

D. The term "Software" shall include, but is not limited to, all computer programs and applications other than the Resources available on the System.

E. The term "Temporary or Permanent File" or "File" shall mean any electronic document, information or data residing or located, in whole or in part, on the System, including but not limited to spreadsheets, calendar entries, appointments, tasks, notes, or messages.

3. OWNERSHIP

The System, any Temporary or Permanent Files, and any related systems or devices are, and shall remain, the sole property of the City.

4. SYSTEM INSPECTION OR REVIEW AND MONITORING

An Employee's supervisor, with the approval of the Department Head, has the express authority to inspect or review the System, any and all Temporary or Permanent Files, and related electronic systems or devices and any contents thereof so long as such inspection or review is in the ordinary course of the supervisor's supervisory duties.

When requested by an Employee's supervisor, or during the course of regular duties requiring such information, a member(s) of the Information Systems staff ("IS") may extract, download, or otherwise obtain any and all Temporary or Permanent Files residing or located in or on the System.

Reasons for inspection or review may include, but are not limited to, System malfunctions, problems or general System failure, a lawsuit against the City involving the Employee or related to the Employee's duties, violation of a City policy, or a need to perform or provide a service when the Employee is unavailable.

THE CITY RESERVES THE RIGHT TO MONITOR THE SYSTEM FOR ANY REASON, INCLUDING THE RIGHT TO REVIEW, AUDIT AND DISCLOSE ALL MATTERS SENT OVER AND/OR STORED IN THE SYSTEM, IN ORDER TO ENSURE COMPLIANCE WITH THE LAW AND/OR THESE POLICIES.

5. UNAUTHORIZED DUPLICATION OF SOFTWARE

A. Employees shall not copy or duplicate any copyrighted and/or licensed software except for a single copy for backup purposes. To reduce the risk of personal computer virus infection, Employees are not permitted to install personal copies of any software including, but not limited to "screen savers," onto the City's computers. If an Employee must copy data onto a disk and download it on a non-City computer, the Employee shall scan the disk for viruses before reloading the data on a City machine. Guidelines for this purpose shall be developed and distributed to all System users.

B. No Employee shall knowingly make, acquire, or use unauthorized copies of computer software not licensed to the City on the System, or place or use unauthorized software on City premises or the System. Title 17 of the U.S. Code, Section 106, provides that unauthorized duplication of software is a federal offense. Both companies and individuals can be subject to civil damages of as much as $100,000 per title copied, criminal penalties including fines (up to $250,000 per work copied), and imprisonment (up to five years per title copied).

6. INTERNET USE

A. Internet access shall be limited strictly to City-related business activities during Employees working hours. Personal use of the Internet will be permitted during scheduled breaks and non-working hours with the approval of the Department Head. Internet sites containing information that is not appropriate to the conducting of City business shall not be knowingly accessed by City employees through the System, including but not limited to adult forums, pornography, games, "chat rooms," and similar or related web sites.

B. Information Systems Division tracks and monitors all Internet transactions by Employees using the Internet Management System; Department Heads have the right to request an Internet report of his or her staff for evaluation purposes.

C. Information downloaded through the System shall be limited to messages, mail, and data files. No copyrighted and/or unlicensed software program files shall be downloaded through the System without prior approval of the Information Systems Division.

D. Internet access by City Employees utilizing the City's access provider, Digital Island, shall conform to the standards agreed to between the City and Digital Island as a condition of the access agreement.

E. All Employees using or accessing the Internet through the System hereby acknowledge the serious nature and existence of computer viruses. Employees shall be aware of their individual responsibility to protect the safety and security of the System. No Employee shall download files, material, or information from the Internet without using the proper virus-scanning program to protect the System from potential risk of, or infection from, such a virus.

F. Employees shall report any unauthorized access to the System, or suspected intrusion from outside sources (including the Internet), to their Department Head and/or the Computer Systems Administrator.

G. Internet access of Employees shall be limited to those Employees whose regular duties make Internet access necessary. Individual Employee access shall be determined, on a case-by-case basis, by the Department Head. The Department Head shall take into account factors such as the frequency, duration, and type of access needed by a particular Employee, and the extent to which such access is reasonably necessary to the regular duties of the Employee.

7. PROTECTION OF CITY SYSTEMS AND FILES

A. All Employees have a duty to protect the System and related systems and devices from physical and environmental damage, and are also responsible for the correct use, operation, care, and maintenance of the System. Any City Employee with any questions, concerns or uncertainties about the correct use, operation, care and/or maintenance of the System should immediately directed to IS staff.

B. All Employees shall use a City approved virus scan on all diskettes, files, documents, or other devices which are obtained from a source outside the City or from any non-City computer system.

C. It is expressly prohibited for an Employee to allow an unauthorized user to access the System at any time or for any reason.

D. Employees shall not intentionally use or develop any program that alters or damages the System, or which interferes with or disrupts the use of the System.

8. ELECTRONIC MAIL USE

A. Employees who use electronic mail provided by the City are not guaranteed or warrantied any right of privacy. Messages may, in fact, be subject to disclosure under the provisions of the Public Records Act or for purposes of litigation. Any and all opinions stated or made using these Resources, whether implied or expressed, are those of the individual and not of the City of West Covina, its elected officials, or management.

B. Allowable uses of the City's electronic mail include the following, to the extent that these uses are for the purpose of conducting City business:

1. To facilitate performance of job functions.
2. To facilitate the communication of information in a timely manner.
3. To coordinate meetings of individuals, locations, and City resources.
4. To communicate with departments throughout the City.
5. To communicate with outside organizations as required in order to perform an employee's job functions.
6. To conduct job related research.
7. Occasional personal use on scheduled breaks and during non-working hours with the approval of the Department Head.

C. Prohibited uses of the City's electronic mail includes, but may not limited to, the following:

1. Illegal activities, including any activities which violate federal, State, or local laws, threats, harassments, slander, defamation, obscene, offensive pictures or graphic images, political opinions/endorsements, commercial activities, advertising, solicitation, or any otherwise inappropriate activity or activity that is unrelated to City business.

2. Unauthorized reading/copying of the electronic mail of another Employee without prior written approval of the Employee's Department Head or the City Manager.

3. The use of electronic mail to harass or annoy other Employees or anyone is explicitly and expressly prohibited at all times.

4. Tampering, destruction or theft of others' electronic mail.

5. Any other violation of this policy.

D. An Employee's supervisor may have access to the contents of electronic mail pursuant to Section 4, "System Inspection or Review," of this Policy.

E. Consult with supervisor or department heads before sending electronic mail to City Council or City Manager. The City Manager will need to approve any e-mails before they are sent to the City Council.

9. PASSWORDS / ACCESS CODES

For Systems and/or Files, which contain sensitive information, the use of passwords/access codes on the computer(s) and file(s) is encouraged. Whenever passwords/access codes are used, IS staff will by-pass and access all Systems and Files if requested and approval is received by all of the following: City Manager, Personnel and Police Departments. It is the Employee's responsibility to see that the password/access code information is kept current.

10. UNAUTHORIZED COMPUTER SYSTEM / FILE ACCESS

Except as provided in Section 4, Employees are prohibited from accessing computer Systems or Files unless they are authorized to do so in the normal course of City business.

11. VIOLATIONS OF POLICY

City Employees who violate this policy shall be subject to disciplinary action, up to and including termination.

12. SUPPLEMENTAL GUIDELINES

Supplemental Guidelines on the interpretation and implementation of this policy may be distributed from time to time. These guidelines shall be incorporated by reference into this policy.

13. RETENTION OF ELECTRONIC MAIL

A. The City and its Employees are required by law to retain all electronic mail that is an official public record. Any electronic mail that is part of official public business or is related to the formulation or implementation of policies and decisions would be considered an official public record. In order to retain these records, the Employee must print out the electronic mail message. The printed out hard copy shall be maintained in the appropriate City file. The original electronic mail message shall thereafter be deleted in the same manner as all other electronic mail messages.

B. Drafts or any other documents not retained in the ordinary course of business are *not* official public records. In addition, copies of documents which are distributed for convenience or reference, and internal documents merely designed to further the flow of documents or information, such as cover notes, would not be considered official public records and do not need to be retained.

C. If you have any question or concern about whether to retain a particular record, immediately contact your supervisor or Department Head *before* deleting the electronic mail message.

D. Employees are to delete all electronic messages, including those that are required to be retained so long as the procedure for retaining a copy of that message are followed as set forth above, at least once a week, including messages in the Sent Mail folder.

E. To ensure that the Deleted Mail folder is emptied each time a user signs out of Mail, the "Empty the Deleted Items Folder Upon Exiting" option is to be turned on in the Tools/Options/Other dialog box.

F. Employees are recommended to keep paragraphs and messages short and to the point. Insert attachment if necessary.

Artie Fields
Acting Finance Director

Andrew G. Pasmant
City Manager

Tom Nguyen
Computer Systems Administrator

Immediately
Effective Date

TN/mn

ATTACHMENT NO. 2

Computer System Use Policy Receipt Acknowledgment

I acknowledge that I have received a copy of the Computer System Use Administraive Policy, which establishes a policy regarding the use of the City's computer/network equipment, software and systems. I understand that I should consult the Human Resource department if I have questions.

Since the policy described here is subject to change, I acknowledge that revisions to the policy may occur. I understand that the City may change, modify, suspend, interpret or cancel, in whole or part, any of the published or unpublished policies and procedures, with or without notice, at its sole discretion, without giving cause or justification. Such revised information may supersede, modify or eliminate existing policies.

I understand and agree that I will read and comply with the Computer System Use Policy and any revisions, that I am bound by the provisions contained therein, and that my continued network access and/or email use is contingent on following those policies.

_____

Name (printed)

_____

Signature

_____

Date

AGENDA
ITEM NO. 3
DATE: May 28, 2024

PLANNING DEPARTMENT STAFF REPORT

SUBJECT

STUDY SESSION - PLANNING COMMISSION STANDING MEETING RULES

BACKGROUND

It is vital to utilize established procedures and/or rules in conducting meetings in order to ensure that meetings are productive, allows anyone wishing to speak to be heard, and allows the decision-making body to render clear decisions without confusion.

The Planning Commission rules of order/operation were adopted to allow for procedural guidelines for decision-making, allow for orderly and meaningful discussion, and provide transparency to the public. The Rules were initially adopted by the Planning Commission in 1995, revised in 2003, and last discussed in 2013.

The Planning Commission utilizes Robert's Rules of Order as its basic framework. The decision on how closely to follow Robert's Rules of Order is up to the Planning Commission.

DISCUSSION

The purpose of this study session is to discuss the adopted rules with the revisions recommended by the City Attorney's office (Attachment No. 1).

During the study session, staff and the Deputy City Attorney will summarize the recommended changes and answer questions from the Planning Commission. The Planning Commission will also have the opportunity to have a meaningful discussion on the subject and direct staff to make any further changes/revisions.

STAFF RECOMMENDATIONS

It is recommended that the Planning Commission review the draft Planning Commission Standing Meeting Rules and direct staff to make the revisions for adoption at the next Planning Commission meeting.

Submitted by: Jo-Anne Burns, Deputy Community Development Director

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Attachments

Attachment No. 1 - Planning Commission Standing Meeting Rules

ATTACHMENT NO. 1

PLANNING COMMISSION
STANDING MEETING RULES ~~OF OPERATION~~

1. TIME AND LOCATION OF MEETINGS

There shall be two regular meetings of the Planning Commission during each calendar month and such meetings shall be held on the second and fourth Tuesdays thereof at the hour of 7:00 p.m., provided, however, that if the date of any such regular meeting falls on a holiday, said regular meeting shall be held on the next succeeding Wednesday. No public hearing shall be commenced by the Planning Commission after the hour of 11:00 p.m., except by vote of the Commission.

The regular meeting place of the Planning Commission shall be in the City Council Chambers in the City Hall located at 1444 West Garvey Avenue South.

Special meetings may be called by the Chairperson~~man~~ provided reasonable notice is given in compliance with the Brown Act. The Secretary shall provide such notice.

2. OFFICERS, ELECTION AND DUTIES

A. Officers

Officers of the Planning Commission shall include the Chairperson, Vice Chairperson, and Secretary.

B. Election

At the first regular meeting of the Planning Commission held in the month of May, the Commission shall elect the Commission's Chairperson and the Vice Chairperson. Such election shall be for a term of one year. The ~~Planning Director~~ Community Development Director, Deputy Community Development Director, or designee shall serve as Secretary to the Commission.

The election of officers shall be based on a rotation system. ~~Beginning in 2003, the initial order of succession for Chairperson and Vice-Chairperson shall be determined on length of time since having last served as Chairperson. The first order of succession (beginning in 2003) shall be as follows: (1) Corey Warshaw, (2) Stuart York, (3) William Tarozzi, Jr., (4) Bill Roe, and (5) Sherri Lane.~~ The order of succession for Chairperson and Vice Chairperson shall be determined on the length of time since having last served as Chairperson. The Commissioner who is listed first in the order of succession shall be elected as Chairperson, and

the Commissioner who is listed second in the order of succession shall be elected as Vice-Chairperson.

In ensuing years, the outgoing Chairperson's name shall rotate to the bottom of the succession list, with all other names moving up one position. Newly appointed Commissioners shall assume a position at the bottom of the succession list regardless of the position held by the Commissioner whom they replaced.

When new Commissioners are appointed as result of new Councilmembers taking office following a municipal election, new Commissioners appointed by or before the date of the Commission's annual reorganization meeting shall assume a position on the succession list above that year's outgoing Chairperson. When more than one new Commissioner is appointed by newly-elected Councilmembers by or before the Commission's annual reorganization meeting, the placement in the order of succession shall be based on the number of votes received by the Councilmember making the appointment, with the Commissioner appointed by the Councilmember with the highest number of votes in the election receiving the highest placement in the order of succession and so on.

Any appointments of new Commissioners made by newly-elected Councilmembers following the date of the Commission's annual reorganization meeting shall assume a position below the previous year's outgoing Chairperson. When more than one appointment is made by newly-elected Councilmembers in this case, the placement in the order of succession shall be based on the date of the appointment regardless of the number of votes received by the newly-elected Councilmembers making the appointments.

The Planning Commission, by a minimum of four (4) votes, may modify the succession list, or remove and replace the Chairperson and/or Vice-Chairperson at any time.

Should a vacancy occur in any of the elected positions at any time different that the scheduled time for formal elections, the Planning Commission should immediately proceed to conduct such elections to fill such vacancies.

C. Duties

The Chairperson shall preserve strict order and ~~govern~~ enforce decorum at all meetings of the Planning Commission. The Chairperson shall state every question coming before the Commission, announce the decision of the Commission on all matters and decide all questions of order, subject to appeal of the Commission in which event a majority vote of the Commission present shall govern and conclusively determine such question of order. Once a motion is called for a vote, discussion is terminated. Voting on all resolutions shall be by roll call vote and the Chairperson shall be entitled to vote on all questions. His/her/their name being called last. The Chairperson shall be permitted to either

make or second motions of the Commission. The Chairperson shall preside at all regular meetings of the Commission and at other special meetings of the Commission when required.

The Vice Chairperson shall serve as Chairperson in the absence of the Chairperson or at the request of the Chairperson. In the event of permanent absence of the Chairperson, the Vice Chairperson shall perform the duties of the Chairperson until such time that the Planning Commission shall elect a new Chairperson.

The Secretary shall assist the Chairperson in the preparation and distribution of an agenda for Planning Commission meetings, shall prepare and send out notices for regular and special meetings, shall provide for the preparation and distribution of Planning Commission agenda materials, and shall transmit reports, plans, and recommendations to the City Council.

3. AGENDA

All reports, communications, resolutions, documents, or other matters to be submitted to the Commission shall be delivered to the Secretary in advance of each Commission meeting prior to the final preparation of the Commission agenda for the subsequent meeting. The Secretary shall arrange a list of the matters to be brought before the Commission according to the order of business and furnish each member of the Commission with a copy of the agenda preceding the regular Commission meeting. No matter may be considered by the Planning Commission other than those matters published on the noticed agenda. The Commission may request an item be agendized for a subsequent meeting.

The Agenda, including all required notices thereof, shall comply with the requirements of the Ralph M. Brown Act, as codified in Chapter 9 of Part 1 of Division 2 of Title 5 of the Government Code, as may be amended from time to time by the State legislature.

4. ROLL CALL

Before proceeding with the business of the Commission at each meeting, and after each recess, the roll call of the members shall be ~~called~~ conducted and the names of those present or absent shall be entered in the minutes. Should quorum be lacking, no business shall be conducted.

5. ORDER OF BUSINESS

The business of the Commission shall be taken up for consideration and disposition in the following order:

~~a. Roll Call~~
~~b. Consent Calendar (and related public comment)~~
~~c. Public Hearings (continued hearings shall be heard prior to new public hearing items)~~
~~d. Non-Hearing Items~~
~~e. Other Matters or Oral Communications~~
~~f. Commission Reports/Comments and Miscellaneous Items~~
~~g. Adjournment~~

a. Call to Order
b. Roll call
c. Moment of silence/prayer/meditation
d. The Pledge of Allegiance
e. Oral communications (including disclosures of ex parte communications, conflicts of interest, and recusals)
f. Consent calendar
    a. Approval of minutes
    b. Other Consent Items
g. Public hearings (continued hearings shall be heard prior to new public hearing items)
h. Non-hearing Discussion items (including study sessions)
i. Commission reports/comments and miscellaneous items
j. Community Development Director's report
k. Report on City Council action
l. Adjournment

6. MINUTES

At all Planning Commission meetings, there shall be minutes taken of all proceedings. Unless a reading of the minutes of a Commission meeting is requested by a member of the Commission, such minutes may be approved by unanimous consent without reading if the Secretary has previously furnished each member of the Commission with a copy thereof.

7. RULES OF DEBATE

A motion shall precede and open the matter for debate, discussion, and deliberation by the Planning Commission. Debate upon all matters pending before the Planning Commission shall be under the direct supervision of the Chairperson and conducted in such a manner as to expedite the business of the Commission and subject to the rules hereinafter provided.

Unless otherwise specified herein, the Commission will adhere to, and all questions of parliamentary procedure shall be resolved by, The Robert's Rules of Order (current edition) for meeting procedure.

8. RECOGNITION BY THE CHAIRPERSON

Every Commission member desiring to speak shall address the Chairperson, and upon recognition by the Chairperson, shall confine discussion to the question under debate, avoiding all personalities and indecorous language.

9. INTERRUPTIONS

A member, once recognized, shall not be interrupted when speaking unless it ~~be~~ is to call a member to order, to call a vote, or as otherwise provided herein. If a member, while speaking, is called to order, the member shall cease speaking until the question of order ~~be~~ is determined and, if in order, member shall be permitted to proceed.

10. PRIVILEGE OF CLOSING DEBATE

The Commission member making the motion ~~moving the adoption of a Resolution~~ shall have the privilege of closing debate by calling for a vote on the motion. Once the roll call vote has commenced, it shall continue without interruption until completed.

11. MOTION TO RECONSIDER

A motion to reconsider any action taken by the Commission may be made only immediately during the same session, or at an extension or continued meeting of the same session. Such motion must be made by ~~one~~ a member who voted on~~f~~ the prevailing side of the successful motion, but may be seconded by any member, and may be made at any time and have precedence over all other motions or while a member has the floor; it shall be debatable. ~~Nothing herein shall be construed to prevent any member of the Commission from making or remaking the same or any other motion at a subsequent meeting of the Commission.~~

12. REMARKS OF COMMISSIONER

A Commission member may request, through the Chairperson, the privilege of having verbatim copy of his/her statement on a~~y~~ subject under consideration by

the Commission entered in the minutes. If a majority of the Commission consents thereto, such a statement shall be entered in the minutes.

13. SYNOPSIS OF DEBATE AND WHEN ENTERED IN MINUTES

The Secretary may be directed by the Chairperson, with consent of the Commission, to enter in the minutes a synopsis of the discussion on any question coming regularly before the Commission.

~~14. ROBERTS RULES OF ORDER~~

~~Except as otherwise provided herein, all questions of parliamentary procedure shall be resolved according to Roberts Rules of Order.~~

14. ADDRESSING THE COMMISSION

Any person desiring to address the Commission on an agenda item may do so at the time the matter is considered on the agenda. Items not on the agenda may be addressed during the Oral Communications portion of the agenda.

15. MANNER OF ADDRESSING THE COMMISSION

Each person addressing the Commission shall step up to the ~~rostrum~~podium, and shall ~~give his/her name~~ address the Commission in an audible tone of voice for the record and ~~shall~~ will be requested to ~~write his/her name and address on the~~ complete a speaker sign-in sheet. All remarks shall be addressed to the Commission as a body and not to any individual member thereof. No person, other than the Commission and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Commission, without the permission of the Chairperson. The standard time limit for public comment shall be five (5) minutes per speaker. At the discretion of the Chairperson, with a consensus of the Commission, public testimony time limits and hearing procedures may be ~~established~~modified. No question shall be asked to a Commission member or staff member except through the Chairperson. ~~No testimony shall be accepted from the audience except as provided for above and the~~ The Chairperson shall be responsible for maintaining decorum.

16. HEARINGS AND FINDINGS

Planning Commission hearings need not be conducted according to statutory or technical rules relating to evidence and witnesses. The ~~Chairperson~~Chair shall

close the public hearing prior to Commission's discussion and vote upon receiving all evidence.

On any matter for which Federal or State law or regulations, or the West Covina Municipal Code requires the preparation of written findings, the staff report and any resultant Resolution shall contain written findings. Any motion rejecting the proposed findings shall include a statement of alternative or modified findings.

18. DECORUM

While the Commission is in session, the members of the Commission must preserve order and decorum, and ~~a~~no member shall ~~neither~~, by conversation or otherwise delay or interrupt the proceedings or refuse to obey the orders of the Commission or its Chairperson, except as otherwise provided herein.

Commission members shall refrain from using their electronic devices while the Commission is in session.

19. ENFORCEMENT OF DECORUM

A member or members of the Police Department or other members of the City staff may be designated by the Commission to be Sergeant at Arms when, in the opinion of the Chairperson, the services of a Sergeant at Arms is necessary, and he~~/~~, she, or they shall carry out all orders and instructions given by the Chairperson for the purpose of maintaining order and decorum at the Commission meeting.

In the event of a planned or spontaneous disruption of a meeting, the following procedures will be used:

a. The Chairperson shall advise the person(s) that unless the disruption ceases, they will be escorted from the Council Chambers by the Sergeant at Arms. If refusal of escort is made, the~~y~~ person(s) causing the disruption of the meeting may ~~will~~ be arrested.

b. If disruption continues, the Chairperson may recess the meeting. (Commission members should recess to the Executive Session Chamber.)

c. The Commission may ~~report back~~return to the meeting following recess, and ~~recommence~~ resume the meeting upon ~~report of staff~~ roll call.

d. If disruption starts again, the Chairperson shall warn of escort and possible arrest (Procedure "a").

e. Upon failure to cease disruption, after second warning, the Chairperson should request that the Sergeant at Arms escort the person(s) from the Council Chambers. If there is a refusal to be escorted, the Chairperson should request the Sergeant at Arms to arrest the person(s) in violation. Determination to call for assistance, if situation is warranted, will be made.

20. PERSONS AUTHORIZED TO BE WITHIN THE COUNCIL AREA

No person, except City officials and their representatives shall be permitted within the rail or bar at the front of the City Council Chamber without the express consent of the Commission.

21. SPECIAL COMMITTEES

All special committees shall be appointed by the Chairperson, subject to confirmation by a majority vote of the Commission members present.

22. PROTEST AGAINST COMMISSION ACTION

Any member of the Commission shall have the right to have his/her/their reasons for the dissent from, or protest against, any action of the Commission entered in the minutes.