



JL GROUP, LLC
WORKPLACE SOLUTIONS

INVESTIGATION
REPORT OF FINDINGS

IN THE MATTER OF:

Land Acknowledgement Incident at Centennial Event

City of West Covina

INVESTIGATED BY:

Jeff Love, Esq.
Attorney Fact Finder

Jason C. Kravetz
Special Investigator

April 17, 2023

TO: **THOMAS DUARTE**
City Attorney
City of West Covina

FROM: **JEFF LOVE**
Attorney at Law
JL Group, LLC

JASON KRAVETZ
Special Investigator
JL Group, LLC

SUBJECT: **SPECIAL INVESTIGATION**
Land Acknowledgement Incident at Centennial Event

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SCOPE OF INVESTIGATION

The scope of this investigation was to determine the following:

- What are the facts surrounding the land acknowledgement incident on Saturday February 18, 2023, at the Centennial/Spring Festival Event?
- Who authorized the land acknowledgment to take place and how was it put onto the schedule?
- Was the City Council informed about the land acknowledgement in advance?
- Why didn't the acknowledgment take place?

EXECUTIVE SUMMARY

Question #1: What are the facts surrounding the land acknowledgement incident on Saturday February 18, 2023, at the Centennial/Spring Festival Event?

Assistant City Manager Roxanne Lerma lead the efforts with organizing the Centennial Celebration/Spring Festival in February of 2023. The schedule and programs for the event were finalized and printed a week prior to the event.

The celebration started with a Centennial Dinner on Thursday February 16th, which was attended by 460 people. The following day, a three-day outdoor festival began in the downtown area. This festival included informational booths, non-profit organizations, food vendors, carnival rides and entertainment.

On the day the outdoor festival began, Councilmember Brian Tabatabai contacted Lerma to inquire about the inclusion of a local indigenous group in the Centennial/Spring Festival Event. Lerma asked clarifying questions about what he was proposing to which Tabatabai explained that local resident Jamie Rocha had reached out and offered to perform a land acknowledgement ceremony. He also stated Rocha was requesting booth space for her non-profit organization.

Although Rocha was not directed through proper channels to become a vendor or event participant, Lerma did what she could to accommodate Tabatabai's request.

Before moving forward, Lerma reached out to Rocha to ask about the ceremony and was told that it was a blessing by the Gabrielino Shoshone Tongva Kizh Native American Tribe to pay tribute to the native land and animals.

Later the same evening, Lerma reached out to Rocha and offered time for the ceremony on Saturday at 6:30 PM. She also followed up with an offer for booth space after one of the scheduled participants cancelled. Rocha accepted both offers.

On Saturday evening, Rocha arrived near the main stage at 6:00 PM and met up with Councilmember Tabatabai.

Shortly thereafter, other council members discussed the land acknowledgement, openly questioned, and expressed disapproval while debating the matter. Rocha overheard and participated in some of the discussions.

Eventually the Mayor gave the approval to move forward with the ceremony, but Rocha was uneasy about continuing and pulled out of the event entirely.

Question #2: Who authorized the land acknowledgment to take place and how was it put onto the schedule?

As the event organizer, Assistant City Manager Roxanne Lerma had the authorization to approve the participation of Jamie Rocha.

Jamie Rocha was not on any of the pre-printed schedules as those were produced a week prior.

Question #3: Was the City Council informed about the land acknowledgement in advance?

No. Councilmember Brian Tabatabai was aware the land acknowledgement ceremony was going to take place on Saturday evening as he was intending to participate. He showed up with his family and met with Ms. Rocha and her family prior to the event.

Councilmember Tabatabai did not inform any of the other council members as he didn't feel this was the type of situation where notifications needed to be made. He opined that councilmembers are not told in advance about specific religious denominations who perform invocations, and felt this was similar to that.

Assistant City Manager Lerma did not specifically notify councilmembers as she was tasked with running the Centennial/Spring Festival Event and minor details were not being pre-approved by councilmembers.

No other cultural, racial, ethnic, or religious portions of the event planning process had necessitated a pre-approval, so the inclusion of a Native American blessing wouldn't be any different.

Question #4: Why didn't the acknowledgment take place?

Unexpectedly, Assistant City Manager Roxanne Lerma could not be present for the Saturday evening kickoff. In her place, she had Recreation Services Supervisor Vanessa Ibanez run the events for the day. Lerma briefed Ibanez and was in constant contact throughout the day.

On Saturday evening at approximately 6:15 PM, Ibanez made her way towards the main stage area and met with Jamie Rocha and Councilmember Tabatabai. Councilmember Wu approached and asked, "What was going on?" and "Why was the council assembling near the stage?" Ibanez

replied that “*Brian was doing a land acknowledgement ceremony.*” Councilmember Wu immediately stated this was not the time or place for a political statement. He asked Ibanez “*Who approved this?*” and “*Why wasn’t the council told about this?*”

Ibanez immediately called Lerma and expressed that Councilmember Wu was upset. This caused Lerma to call the City Manager to explain what was going on.

This was the first time the City Manager heard about the land acknowledgement ceremony. He stated these were details purposely not being run through him, because he entrusted Lerma to put the event together. Because of this delegation of duties, he provided tacit approval to her event planning process and supported her decision to be inclusive with the land acknowledgement ceremony.

Over the next several minutes, the City Manager made calls to Councilmember Wu and to Mayor Diaz. Wu did not answer.

When Mayor Diaz answered, the City Manager inquired whether this was an event that he and his staff were supposed to be running. She agreed that it was a staff event, and said she would go over to the stage to see what was going on.

In the meantime, the City Manager texted all five councilmembers separately and said that he spoke with the Mayor, and that the land acknowledgement was approved by him and would be taking place.

When Mayor Diaz arrived near the stage, she met with Councilmembers Wu, Cantos and Tabatabai. All expressed their various opinions about the land acknowledgement and whether it should be taking place. Councilmember Wu said this was too political and shouldn’t be occurring at a celebratory event. Wu told the Mayor it was “*her decision to make,*” before walking away from the group and not returning.

The Mayor then asked Councilmember Tabatabai to read the statement he intended to make during the ceremony. Diaz and Cantos inquired about softening a portion to which Tabatabai agreed.

Land Acknowledgement Statement:

The City of West Covina acknowledges the indigenous peoples as the original caretakers of the lands that we now reside on. We acknowledge that the City of West Covina is located on the traditional, ancestral and unceded territories of the Gabrielino Shoshone Tongva Kizh nations. We not only recognize the importance of acknowledging our ancestral history of the City, but to acknowledge that the indigenous communities still thrive here till this day. While the history might be painful and violent to recall, it is not only necessary, but vital, to acknowledge this history, so history will not repeat itself.

At this point, Rocha and her mother had already been watching and listening from a distance. They heard most of the back and forth between Diaz, Cantos, Tabatabai and sometimes Wu. They were also observing the body language of the participants.

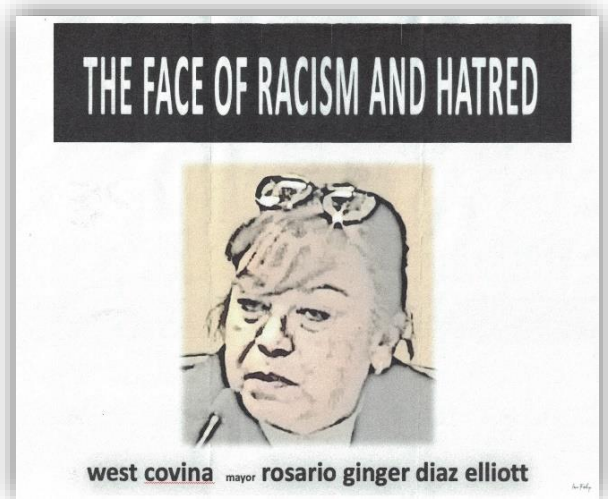
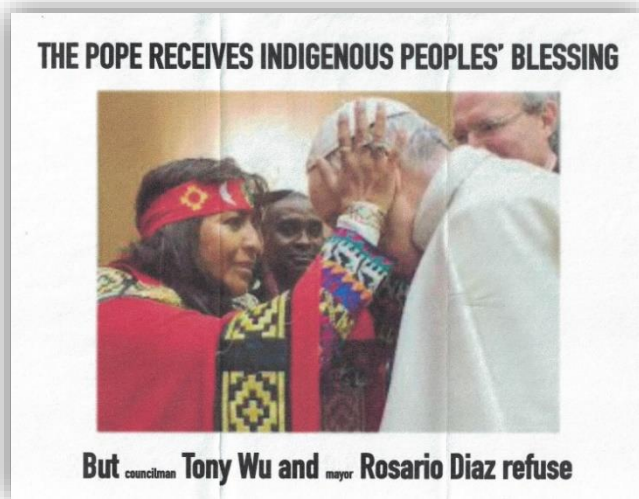
After the councilmembers finished speaking, Mayor Diaz approached Jamie Rocha to ask about the process involved with the land acknowledgement blessing.

Rocha explained the ceremony, but also said she was aware that Councilmember Wu opposed the ceremony. Rocha commented that she was personally offended the ceremony was being deemed a political statement as she felt it marginalized indigenous people.

Diaz then compared Rocha's inclusion as if "[Rocha] was showing up at [Diaz's] quinceanera to celebrate her own 15th birthday."

Rocha became emotional from this comment, at which point Mayor Diaz told her to go ahead with the ceremony and that she approved of it. Rocha said she was too emotional to move forward as the ceremony is supposed to come from a place of peace and happiness and pulled herself from the event as well as from her booth.

Ninety minutes later, Rocha posted on Facebook. Within a day, the story had circulated through many other social media sites and a couple of the councilmembers were immediately branded as racists.



*Photos obtained from Facebook group "West Covina Forum."

Comments:

This independent investigation found the following:

- Rocha was added at the very last minute after Councilmember Tabatabai requested an accommodation from Assistant City Manager Roxanne Lerma.

- Lerma was under no direction to obtain pre-approvals from the City Council for any of the performers, guests or vendors for the event.
- Prior to planning this event, she was tasked with being diverse and inclusive for all cultural, racial, religious, and ethnic groups within West Covina and had already brought Chinese Dragon Dancers, Folklorico Performers, Filipino-American and Latin groups into the event.
- Only Councilmember Tabatabai was aware of the land acknowledgement prior to the event.
- Nothing found during the investigation indicated that the other councilmembers were required to be told in advance, but Lerma had planned on being there to facilitate the ceremony.
- Councilmember Tabatabai agreed to alter the land acknowledgement statement after discussing it with Mayor Diaz and Councilmember Cantos.
- Ultimately, Jamie Rocha was given permission by the Mayor to perform the ceremony, but too much back and forth about her inclusion tainted her opinion about the invitation and she declined.
- Two councilmembers voiced concerns that the City Manager told them he approved of the ceremony, but then allegedly told them he was unaware of it during an agenda meeting the following Tuesday. The investigation determined this was a “play on words” as the City Manager “approved” because he gave direction to the Assistant City Manager to plan the event. He had the trust that Lerma would put together a great three-day festival. He “officially” became aware when Lerma called him on Saturday evening to tell him what was happening.

This independent investigation found no evidence that the discussions or decisions were based upon any implicit bias or overt discrimination against Jamie Rocha or her tribe.

METHODOLOGY

This investigation involved the review of documents, emails, as well as conducting interviews with City of West Covina employees, elected officials and private citizens. Once factual evidence was developed, the various statements of the witnesses were compared and contrasted with one another, as well as other evidence, and determinations of credibility were established.

Once credibility was established along with a factual framework of the alleged events, conclusions were formed based on the greater weight of the credible evidence. For the purpose of findings, direct and circumstantial evidence may be given equal weight. The investigation also involved:

- A. Reviewing applicable City policies;
- B. Reviewing applicable City documents, including any related investigatory records and emails;
- C. Interviewing witnesses;
- D. Following up on other evidentiary leads.
- E. Reviewing all City Council meetings and Agendas between February-March 2023.

INVESTIGATIVE STRATEGY

The strategy of this investigation was to determine the circumstances centering around the invitation for Jamie Rocha to conduct a land acknowledgement ceremony, and the reasons why it didn't take place.

This investigator determined that the best practice would be to obtain relevant documents, and then to conduct interviews with relevant witnesses to determine, based on the greater weight of the credible evidence, what factually occurred.

CITY POLICIES & OTHER DOCUMENTS

The relevant administrative policies of the City of West Covina were reviewed. Some of these documents included:

- Email exchanges
- City Memorandums and City 2022/23 Adopted Budget
- Photos from Facebook and Instagram Accounts
- Municipal Code Sections
- Review of Council Meetings from 2019- March 2023

SOURCE OF THE COMPLAINT

- A. Rosario Diaz
Mayor
City of West Covina

ACCUSED/FOCUS EMPLOYEES

Not applicable for this investigation.

WITNESSES

- B. Jamie Rocha
Resident/Student/Non-Profit Employee
City of West Covina
- C. Eileen Rocha
Jamie Rocha's Mother
West Covina Resident
- D. Phil Perez
DJ for Centennial Event/Spring Festival
West Covina Resident
- E. Roxanne Lerma
Assistant City Manager
City of West Covina
- F. Vanessa Ibanez
Recreation Services Supervisor
City of West Covina
- G. David Carmany
City Manager
City of West Covina
- H. Letty Lopez-Viado
Councilmember
City of West Covina
- I. Ollie Cantos
Councilmember
City of West Covina

- J. Brian Tabatabai
Mayor Pro-Tem
City of West Covina

- K. Celenia Calderon
Councilmember Tabatabai's Spouse/Educator
West Covina Resident

- L. Tony Wu
Councilmember
City of West Covina

CREDIBILITY OF THE WITNESSES

The analysis of the credibility of the witnesses is an important aspect of a fact-finding investigation. As an accepted rule of evidence, a fact finder can disregard the statements of a witness who has been found to have provided false or unreliable information during their testimony in a matter. Those witnesses' statements can be disregarded in their entirety and not believed unless there is compelling evidence to conclude that individual statements otherwise are true.¹

Concerning the witnesses' statements, this fact finder considered:

- A. The witness' demeanor while providing a statement and the manner in which they provided the statement.

- B. The character of the witness' statement.

- C. The extent of the witness' capacity to perceive, to recollect, or to communicate any matter about which they gave a statement.

- D. The extent of the witness' opportunity to perceive any matter about which he/she gave a statement.

- E. The witness' character for honesty or veracity or their opposites.

- F. The existence or nonexistence of a bias, interest, or other motive.

- G. A statement previously made by the witness that is consistent with their statement during the fact-finding investigation.

- H. A statement made by the witness that is inconsistent with any part of their statement during the fact-finding investigation.

¹ See *California Civil Jury Instruction* Section 5003.

- I. The existence or nonexistence of any fact given in statements by the witness.
- J. The witness' attitude toward the fact-finding investigation in which they gave a statement or toward the giving of a statement.

Credibility Discussion

JAMIE ROCHA

Ms. Rocha was determined to be a credible witness in this matter. She asked to host a booth for her non-profit and to participate in a land acknowledgement ceremony. Ms. Rocha felt the Council and Staff were unaware of what a land acknowledgment entailed and attempted to explain it at the last moment. She was emotional in her recitation of events and appeared to be honest and credible.

EILEEN ROCHA

Eileen Rocha is the mother of Jamie Rocha. She was interviewed over the phone and found to be credible and forthcoming. She was upset about the treatment her daughter received, and her statements were tempered with firsthand accounting, along with comments she has heard from other people since the February 18th event.

PHIL PEREZ

Mr. Perez was found to be a very credible witness in this matter. He presented the facts as he knew them and wasn't involved in the decision making for whether Jamie Rocha was allowed to take the stage for the land acknowledgement ceremony.

ROXANNE LERMA

Roxanne Lerma was a very credible witness in this matter. As the organizer for this event, it was expected that she would be more defensive about the public attacks on her team. Instead, she was methodical and organized with her thoughts and opinions about the event and what transpired. There was no part of the interview where she was misleading or overstating to the staff's benefit.

VANESSA IBANEZ

Recreation Services Supervisor Vanessa Ibanez was a friendly person to interview and determined to be a credible witness. She appeared to be forthcoming, but a little hesitant and reserved at times. Ibanez kept a notebook which contained all her memorialized details from the incident, and she used it in her verbal testimony. At no time did she appear to be deviating from the truth as she knew it, but she gave the impression that some of her comments were tempered.

DAVE CARMANY

City Manager Carmany was found to be a credible witness in this investigation. He assisted with providing text messages and phone records which showed his constant involvement in the attempt to keep the land acknowledgement ceremony moving forward. He said this was approved at

Roxanne Lerma's level and did not need Council support or approval since he and his team were the organizers of the event.

LETTY LOPEZ-VIADO

Councilmember Lopez-Viado was determined to be a credible witness in the investigation. While not present when the land acknowledgement ceremony was about to take place, she became aware of it when she received a call from Councilmember Tony Wu and a text from the City Manager.

OLLIE CANTOS

Councilmember Cantos was determined to be a credible witness in this investigation. He was present during the majority of this incident and provided his version of events. At no point in the interview did he appear to be downplaying or misconstruing anything which occurred.

BRIAN TABATABAI

Councilmember Tabatabai was found to be a credible witness in this investigation. He provided his version of how Jamie Rocha was invited to the Centennial Event and the aftermath of her interactions with the other councilmembers. He felt that the outcome of this event had less to do with the land acknowledgement and more to do with the fact that he was the person presenting it.

CELENIA CALDERON

Calderon was determined to be a credible witness in the matter. She is the spouse of Councilmember Tabatabai and witnessed some of the interactions between the councilmembers and Jamie Rocha on Saturday February 18th.

TONY WU

Councilmember Wu was a credible witness in this matter. He was not aware that a land acknowledgement was about to take place, and admittingly said he felt this was not the right time or place since they were celebrating the Centennial Celebration. His comments appeared to be truthful and forthright as he was upset that the Council had not approved this, nor been notified in advance by staff.

ROSARIO DIAZ

Mayor Diaz was also found to be a credible witness in this investigation. She gave an emotional accounting of the evening, and explained how she blindly walked into this, and eventually tried to resuscitate it near the end. She felt the fallout from the Jamie Rocha supporters was simply unfair and she desired an investigation to determine the facts.

SUMMARY OF INTERVIEWS

Summary of Interview with Jamie Rocha

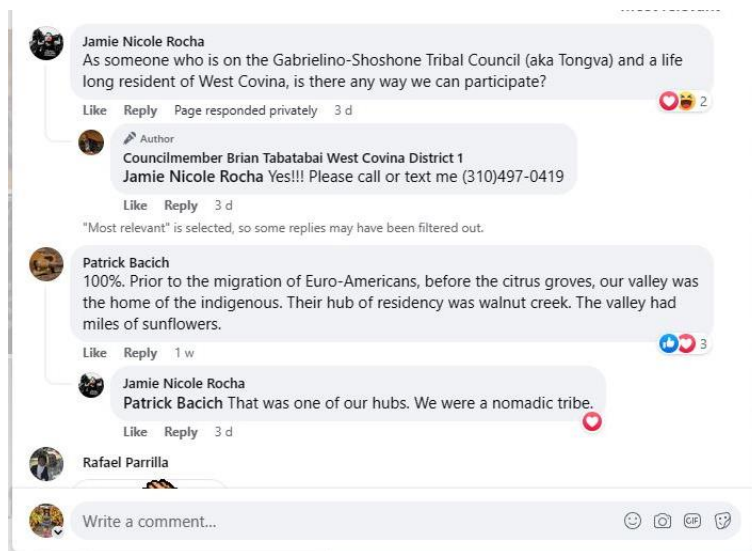
On March 1, 2023, this investigator conducted an audio recorded interview with Jamie Rocha inside a conference room located in the Human Resources Department in the City of West Covina.

This investigator began the interview by requesting Rocha provide her version of events as it pertained to the Centennial Celebration and the Land Acknowledgement Ceremony which was added to the Saturday evening event.

Rocha explained that she has been a lifelong resident of West Covina and a member of the local tribal region called Gabrielino Shoshone. Part of her goal is to educate others about the native American ancestry, and she looks for events where she can talk about that, in conjunction with the non-profit that she works for called Native Ways 2 College. This is an organization which assists Native Americans teenagers with a pathway to college.

Rocha became aware that the City was hosting a three-day Centennial Celebration which included something similar to a street fair. She started looking through social media and came across an article from the Mt. Sac college paper. The article contained an interview with Councilmember Brian Tabatabai where he discussed West Covina and indigenous history. She was excited to see a councilmember talk about this.

Rocha went to Tabatabai's Facebook and left a message identifying herself and asking how she could get involved. He responded in a positive way, and they arranged to have a telephone call the following day at 1:00 PM.



**Facebook string provided by Councilmember Wu*

During this call, Rocha explained her heritage and attachments to West Covina as a member of the Gabrielino Shoshone tribe.

Tabatabai responded by explaining that he was trying to increase indigenous involvement, and previously reached out to another Gabrielino Shoshone tribe member named Jessa Calderon. He said that he had not heard back from her.

Rocha explained that Jessa Calderon was in Germany on a music tour, and instead offered her services for a land acknowledgement ceremony.

At the end of the call, Tabatabai told Rocha that he needed to do things officially, so he would reach out to Assistant City Manager Roxanne Lerma and talk to her about the event. He would then place Lerma and Rocha in contact with one another.

Later that day, she received a phone call from Lerma. She said Lerma explained she couldn't guarantee anything, and would investigate the possibility of conducting a land acknowledgement. Rocha also asked about booth space for her non-profit Native Ways 2 College. Lerma explained that they were already at capacity, but she would notify her if anyone backed out. Rocha understood and said she lives down the street so last-minute notice would be fine.

Rocha ended up going to the Centennial Event during the Friday evening kick off, where she met Councilmember Tabatabai and Assistant City Manager Roxanne Lerma. Rocha felt it was important for them to see her and hear about the land acknowledgement.

At the end of the conversation, Lerma told her that she could fit her into the schedule on Saturday evening at 6:30 PM. Lerma said it wouldn't be on the printed schedule because those had been done in advance, but that she was approved to be there and conduct the land acknowledgment. As far as the booth space was concerned, Lerma told her she was still waiting to see if anyone cancelled and would contact her if this occurred.

Later that evening, Lerma did text Rocha to offer space because someone cancelled.

Rocha said she left the event on Friday, so excited to see that her local community would be talking about indigenous people. She said she even posted something on the Facebook group "West Covina Buzz" to increase the turnout.

The following day, Rocha showed up at 9:30 AM and began to set up her booth for the Native Ways 2 College non-profit. She said that she met with Councilmember Tabatabai that morning as he came around to say hello. She worked in the booth until 6:00 PM.

Rocha said she sensed that Tabatabai and the others, staff and Council, might not be aware of what a land acknowledgement ceremony entails, so she wrote the verbal portion of the event.

Near the start of the ceremony, she found Councilmember Tabatabai near the stage area and approached him to discuss the ceremony process. She said that she told Tabatabai that he would give the land acknowledgement and she would conduct the ceremonial process and do a traditional welcome song.

She texted him the land acknowledgement statement and told him he was free to change it as he saw fit. She also said that if anyone else needs to change it, that was fine as this was a working draft. The texted statement was:

The City of West Covina acknowledges the indigenous peoples as the original caretakers of the lands that we now reside on. We acknowledge that the City of West Covina is located on the traditional, ancestral and unceded territories of the Gabrielino Shoshone Tongva Kizh nations. We not only recognize the importance of acknowledging our ancestral history of the City, but to acknowledge that the indigenous communities still thrive here till this day. While the history might be painful and violent to recall, it is not only necessary, but vital, to acknowledge this history, so history will not repeat itself.

Rocha said it was pretty much a “blanket land acknowledgement” as the Los Angeles City Council uses a similar statement. She said it wasn’t meant as a political statement as it was a traditional ceremony and statement.

After giving him the statement, she then asked Councilmember Tabatabai if he would like to be smudged with white sage and abalone shell with a white feather. It is a way of centering oneself before the ceremony occurs. Tabatabai agreed and she smudged him for the event.

After they finished, they were standing around and waiting for other councilmembers to arrive. She said that Tabatabai wanted to wait so he could run this by the other members and get their “ok.”

Rocha: I know the councilmembers are not in charge of the schedules, but I was coming into this completely blind.

Investigator: Was he texting them?

Rocha: Yeah, he was kind of texting and Ms. Vanessa, who was guiding me throughout the day said “hey you are on at 6:30.”...Finally Mayor Diaz comes to where we are at.

Investigator: Was she alone?

Rocha: She was alone. I think she had someone else with her. Now I’m trying to remember. Yeah, she had someone with her because this is kind of important...I met her, and it wasn’t particularly warm. She asked me, “what is this all about.” I put on a smile and explained we are doing a land acknowledgment ceremony...She just responded “ok” and began whispering to the person next to her. Brian was just standing there also..

A very short time later, Rocha removes herself from the immediate vicinity and begins to see a group of four councilmembers congregating: Tony Wu, Ollie Cantos, Brian Tabatabai and Rosario Diaz. She said it appeared as if Tabatabai was reading the land acknowledgment statement to them

and she immediately saw Wu getting upset. She said he began gesturing in an angry manner and pointing in her direction. Rocha walked over to her mother to explain what was happening and her mother told her to rejoin their group.

Before she arrived, she saw Councilmember Wu “*stomp away in an angry manner*” towards the City of West Covina tent. She watched as he continued to talk to some of the employees in an angry fashion. Rocha was concerned that the councilmember made no attempt to speak with her.

At this point, Rocha made her way back to Mayor Diaz and asked her, “*Was Mr. Wu upset?*” She said that Diaz responded, “*he just thinks this is too political.*”

Rocha: Oh, interesting. How is my culture political...Mayor Diaz then said, “this was all sprung on us. We didn’t know this was happening. We didn’t approve this happening.”...At this point I didn’t know that she didn’t have no say in the schedule so I didn’t know where she was coming from.

Rocha then said the Mayor offered to have her come on a different date for a different event. She said that Mayor Diaz suggested that they might bring dancers.

Rocha: We don’t have prepared groups...It’s all prayer. It’s not a show.

The conversation with Mayor Diaz continued and Rocha said that she “*honed in*” on her and began asking questions about the ceremony and the community.

Rocha: I knew I could have gone political, but this wasn’t the event for me to do that...Diaz then said, “this is about the West Covina 100th year anniversary. It’s like you coming to my quinceanera and wanting to celebrate your sweet 16.”

She explained she wasn’t there to invade and was invited by Roxanne, but “*Diaz was coming at me like this was her show.*” She said that Diaz continued telling her this was a celebration of the 100th birthday and Rocha told her the indigenous people were part of this history.

Rocha: I became emotional.

Investigator: Anger emotional or crying emotional?

Rocha: Both. (Rocha then began crying during this interview.)...After awhile she could see that I was becoming very upset and she said, “Here’s what we can do. We can let you go do your thing.”

Investigator: When she said “go do your thing” this meant you could go on stage?

Rocha: Yeah. Go do my prayer, ceremony, and I’m not sure about the land acknowledgement...It was literally right before

the band was about to play...She said it again, but my mind was blurred and I was emotionally upset and I'm very offended...They are calling my existence political...At a certain point I told her I needed to pull myself out of this. Prayers should not be sad and come with respect and love. I cannot do this now with this heavy burden. I had saged myself and was no longer centered. She was saying that she understood...Brian, his wife and my mom were all upset...for my mental health I needed to walk away.

Investigator: Did the Mayor follow you?

Rocha: No. She just said, "sorry to hear that."

Investigator: In between Saturday, and the Council meeting on Tuesday, did any councilmembers reach out to you?

Rocha: Letty Lopez (Viado) and Mr. Carmany. The City Manager apologized and said I had been approved to conduct the ceremony.

Investigator: After the Council meeting on Tuesday, did any councilmembers reach out to you?

Rocha: Only Tabatabai. He was checking on me and said "I don't know what happened. This was approved by the City Manager and Roxanne."

Near the end of the interview, Rocha said she just didn't feel as if she was "*welcome at the table.*" She expressed that she felt unwanted, singled out, discriminated against, and the subject of condescending comments by Mayor Wu.

Investigator: Were you surprised that she (Mayor Diaz) called for this investigation?


Rocha: A little yeah. I was wondering if this is on her dime...Like, who do you know...Who is in your back pocket...No offense until I met you.

Investigator: Did you post when you got home that night?

Rocha: I did...I wanted to stress in my posts that these two (Wu and Diaz) did this to me, not Brian or anyone else.

She admitted that her posts "*gained traction*" and people started reposting her statement. Others started reaching out to share their opinions and encourage her to attend the council meeting.

The below social media post on Facebook was made less than 90 minutes after the land acknowledgment was due to take place.

 **Jamie Nicole Rocha** 18 February at 20:04 · 🌐

please excuse the typos. I wrote while in a very emotional state

I write this with a sad and upset heart. But I am also angry.

I was invited last minute to represent my nation by the wonderful Mayor Pro Tem / Councilmember Brian Tabatabai to the City of West Covina's 100th birthday celebration. Mr. Tabatabai not only was ecstatic to have me there but made it possible for me to table for Native Ways 2 College to outreach.

I was also invited to do a prayer and a traditional song right after a land acknowledgement. This was last minute but I thought this was welcomed since there were cultural performances as well as a pastor preaching and performing a prayer the night before.

When the time came for the land acknowledgement, I was ready to go with Mr. Tabatabai. Even did protocol by doing a blessing with sage for the both of us.

I was then introduced to Mayor Rosario Diaz and she questioned me what I was planning on doing. I told her about the acknowledgement and the rest. Pretty standard stuff.

Immediately, I knew something was going on. When Mr. Tabatabai went over to the rest of the council to discuss the plans, he was IMMEDIATELY met by resistance by Councilmember Tony Wu. I couldn't hear the discussion but by his mannerisms and facial expressions, he was NOT happy that a land acknowledgement was about to take place. He walked away angrily and even ranted to WC employees by the tent. He didn't even have the DECENCY to come and talk to me.

Apparently a land acknowledgement was "too political."

You read that right. Acknowledging the history and existence of a community is POLITICAL.

This was doubled down by West Covina mayor Rosario Diaz. She compared it to wanting to celebrate my sweet 16 during a quinceanera. I'm not kidding. She really said that. She also said that this was about West Covina and the 100 years of its history.

But she forgets that Indigenous history IS West Covina history. We didn't cease to exist once it became WC. Why are we not allowed to showcase our culture but it was okay for a church to come on and lead a Christian prayer?

Diaz wanted to compromise and let me do it after she saw that I was upset. But it was too late. You can't go into prayer mad. You can't go in with a negative heart and bad energies. I told her no.

I feel not only discriminated against but once again have my culture erased and ignored. The city that I have been a life long resident of has massively betrayed my trust.

I will write more later when I calm down.

I will write more later when I calm down.

that I have been a life long resident of has massively betrayed my trust

I feel not only discriminated against but once again have my culture erased and ignored. The city

no.

The below social media posts were edited versions made by Rocha after posting her original comment above. Also attached to the social media post is a response from Councilmember Tabatabai.

Call to Action

11:21 LTE

Jamie Nicole Rocha 3h ·

I write this with a sad and upset heart. But I am also angry.

I was invited last minute to represent my nation by the wonderful Mayor Pro Tem / Councilmember Brian Tabatabai to the City of West Covina's 100th birthday celebration. Mr. Tabatabai not only was ecstatic to have me there but made it possible for me to table for Native Ways 2 College to outreach.

I was also invited to do a prayer and a traditional song right after a land acknowledgement. This was last minute but I thought this welcomed since there were cultural performances as well as a pastor preaching and performing a prayer the night before.

When the time came for the land acknowledgement, I was ready to go with Mr. Tabatabai. Even did protocol by doing a blessing with sage for the both of us.

I was then introduced to Mayor Rosario Diaz were questioned me what I was planning on doing. I told her about the acknowledgement and the rest. Pretty standard stuff.

Jamie Nicole Rocha 3h ·

Immediately, I knew something was going on. When Mr. Tabatabai went over to the rest of the council to discuss the plans, he was IMMEDIATELY met by resistance by Councilmember Tony Wu. I couldn't hear the discussion but by his mannerisms and facial expressions, he was NOT happy that a land acknowledgement was about to take place. He walked away angrily and even ranted to WC employees by the tent. He didn't even have the DECENCY to come and talk to me.

Apparently a land acknowledgement was "too political."

You read that right. Acknowledging the history and existence of a community is POLITICAL.

This was doubled down by West Covina mayor Rosario Diaz. She compared it to wanting to celebrate my sweet 16 during a quinceanera. I'm not kidding. She really said that. She also said that this was about West Covina and the 100 years of its history.

Indigenous

History Will Not Be Erased



Jamie Nicole Rocha

3h · 🌐

But she forgets that Indigenous history IS West Covina history. We didn't cease to exist once it became WC. Why are we not allowed to showcase our culture but it was okay for a church to come on and lead a Christian prayer?

Diaz wanted to compromise and let me do it after she saw that I was upset. But it was too late. You can't go into prayer mad. You can't go in with a negative heart and bad energies. I told her no.

I feel not only discriminated against but once again have my culture erased and ignored. The city that I have been a life long resident of has massively betrayed my trust.

I will write more later when I calm down.

But PROPS to Councilmember Brian Tabatabai and his wife for not only fighting for me to be there but also standing up to his colleagues for what was right. I will always have his back.



Councilmember Brian Tabatabai West
Covina District 1

Posted by Brian Tabatabai

Just now · 🌐

Tonight we as a city failed. Prior to tonight's program, a member of the Gabrielino-Shoshone Tribal Council and a descendant of one of the original families was scheduled to give a land acknowledgment, a small blessing on the city and share some history. Due to the objection of a Council Member and some unfortunate discussion the ceremony did not occur. I extend my deepest apologies to the Gabrielino-Shoshone, Tongva and Kizh Nations and will continue to work to bring our communities together.



Summary of Interview with Eileen Rocha

This investigator conducted a recorded phone interview with Eileen Rocha on March 30, 2023.

Rocha was asked to provide a statement regarding what she witnessed on Saturday February 18th.

She explained that her daughter Jamie was at the festival all day and running her booth. Eileen and her mother arrived around 4:00 PM to watch Jamie do the land acknowledgement at 6:30 PM.

Near the beginning of the land acknowledgement ceremony, Jamie came over to her mother and said, “*Mom, he is really mad,*” pointing towards Tony Wu. Eileen inquired why he might be mad, and Jamie told her he said it was “*too political.*” She said it just “*got ugly*” at that point.

When Wu walked away, Jamie and her mother approached the remaining councilmembers, Diaz, Cantos and Tabatabai. There was a conversation about the land acknowledgement and Mayor Diaz was asking about the blessing. Eileen said her daughter was so upset at this point and began to cry. In the end, the Mayor told her she “*could go do her thing.*”

Eileen was so upset herself that she left the area and started to look for Tony Wu. She was unable to find him and returned to the stage area.

Eileen Rocha: As a mother, I was really mad...They were busy with the other things like the dragons, and I couldn't understand why Jamie couldn't do it...They were trying to bring Brian down with them and kept saying that "nobody told us what was going on."

Later in the interview, Eileen Rocha was asked to express why she felt Tony Wu was upset. She told this investigator that she could see him swinging his arms and hands around. She was unable to specifically hear what he was saying because she and Jamie didn't rejoin the remaining councilmembers until he left. When they did walk over, that's when the Mayor made a comment about Jamie trying to have her own 15th birthday during the Mayor's quinceanera.

Since the incident, Eileen said that the Mayor's husband, Bill Elliott, has been posting negative things about the Rocha's on social media and alleging that they are not a real tribe. She said she is thinking about obtaining a restraining order against him.

Summary of Interview with Phil Perez

This investigator interviewed Phil Perez via phone on March 30, 2023. This call was recorded.

Perez explained that he had been hired by the City of West Covina to perform DJ and Master of Ceremony duties at the Centennial Event/Spring Festival. He was set up on the side of the stage and played music in between any of the various acts that were taking the stage. It was his job to run the flow of the program which had been provided to him on Tuesday February 14th by Vanessa Ibanez.

On the flow/agenda, which was provided to him, he noted that there wasn't a notation for the land acknowledgement ceremony to take place at 6:30 PM on February 18th. As far as he knew, he was supposed to play music until 7:00 PM and then have councilmembers say a few words before the Kelly Boyz Band took the stage.

When asked if anyone told him that the land acknowledgement was going to occur, he said, "no." He commented that the first thing which caught his attention, was when he smelled burning sage near him. He looked around his shoulder and saw Jamie Rocha performing a blessing on Councilmember Tabatabai. He briefly watched what was going on, before turning his attention the other direction.

As he looked forward, he saw Mayor Diaz, Councilmember Wu, and "another councilmember," who was later confirmed to be staff member Vanessa Ibanez, speaking in a group nearby. He said the councilmembers appeared to be in a deep discussion but wouldn't characterize it as an argument. He said there were "some crossed arms" but nothing which caused him to think that something was going on.

Perez said he couldn't hear what they were talking about because his speakers were projecting in their direction and drowned out all the other noise. He could only visually see that they were speaking.

He did notice that the woman who had been blessing Councilmember Tabatabai eventually went over to the group, but Perez was unable to hear anything.

When the Kelly Boyz Band was ready to take the stage and it appeared that nothing involving the City Council was going to occur, Perez made an announcement that the band was starting.

Perez never spoke to anyone about this until he saw some sort of news alert about the incident. He was shocked that this had become some sort of discriminatory claim as he hadn't noticed anything pertaining to it, but he reiterated that he couldn't hear what was being said in their group.

At no time did he notice any members of the Council group yelling, arguing, or pointing fingers at one another. He also didn't see any mistreatment of others who were nearby or joined the group to talk.

Summary of Interview with Roxanne Lerma

This investigator interviewed Assistant City Manager Roxanne Lerma on Tuesday March 14, 2023, in her West Covina City Hall Office. Lerma was aware of the investigation initiated into this incident and was asked to share her version of events.

Lerma explained that this three-day spring festival/centennial celebration was a combination of paid and volunteer entertainers that appeared on the stage between Friday-Sunday. There were also roughly 70 different booths for food vendors, non-profits, and people selling various goods.

Lerma was tasked with putting together the three-day event which also included a large centennial dinner on the Thursday evening beforehand, which was the kickoff to this celebration.



**Program for Kick Off Dinner on Thursday Evening*

She explained that she and her staff had the responsibility of organizing, staffing, and managing the event. This included getting the various city staff in place to host the festivities. Some of these staff members included police officers for security and road closures, public works personnel for clean-up and signage, community services personnel to work with vendors and fire department staff to ensure proper ingress and egress.

As far as the vendor space was concerned, she said the City had advertised on their social and local media for food, non-profit, and for-profit vendors. There was an associated application period, and she thinks the cut off was approximately one week before the event. The cut off for food vendors was even sooner because Lerma needed to work with the health department for their permits.

Amid this, there was an emphasized effort to make this event as diverse and inclusive as possible with representation from all groups within West Covina.

Lerma said that she was contacted by Mayor Pro-Tem Tabatabai on the afternoon of Friday February 17th, he said, “*I know this is super late notice, but do you have any booth space?*” She told the Mayor Pro-Tem that they were sold out, but “*what are you looking for?*”

He said he was reaching out on behalf of the Gabrielino Shoshone Nation on behalf of a local resident named Jamie who also has an associated non-profit.

Tabatabai: I wanted to see if I could get her some booth space.

Lerma: It’s completely sold out.

Tabatabai: I understand. This is completely last minute.

At this point Lerma told him that if someone does not show up, and it is a similar type of booth (information for information), then she can see about putting her in.

Tabatabai: I understand Roxanne. I also wanted to ask about her doing a blessing.

Lerma: What kind of a blessing?

Tabatabai: A land acknowledgement. It’s a type of blessing, like an invocation.

Lerma said that she told Tabatabai that she needed more information about this because land acknowledgements were not her expertise, and in her previous workings with indigenous groups, it was pretty specific and there are certain things that take place. He responded that he did not know all the ins and outs and said to give Rocha a call to find out. Tabatabai then provided Jamie Rocha’s name and number to Roxanne Lerma.

Lerma followed up with a phone call to Rocha that Friday afternoon. She said that Rocha was very pleasant and walked her through the land acknowledgement and explained that it was a blessing for the land and animals and similar to an invocation. She said the acknowledgement was very positive and a good start for an event.

Lerma made no promises at this point and said the event was starting in a few hours. She told Rocha that she needed to speak with her staff about the land acknowledgment and only would be able to offer a booth if a “*like for like*” cancelled.

Later that evening, Lerma did receive a cancellation and she sent a text to Rocha indicating that she could come on Saturday. She also sent Rocha the staff contact information to get started.

After Lerma spoke with her staff, she said that she was mindful of the pre-scheduled activities, but also mindful that she was told this event was supposed to be about inclusivity. Thus, adding an indigenous group kept with this platform.

Since the pre-planning for this event was centered around diversity and inclusivity, some of the entertainers and cultural groups consisted of:

- Ballet Folklorico
- Japanese American Group
- Filipino-American Group
- Belly Dancing
- Chinese American Dragon Dancers
- Various Latin Groups



*Photos from Tony Wu Facebook

In the end, Lerma made a last-minute decision to include the Gabrielino Shoshone group for the land acknowledgement at 6:30 PM on Saturday evening.

Investigator: Did you take any action to remind the Council this might be happening?

Lerma: On Thursday, I sent an email with the rundown for the times to be where, at the festival. Since I wasn't there on Saturday, I sent a text message to them telling them that if they are interested in being there, to be there...Normally when I am present, I go looking for them or I call them.

Investigator: Do you put them all on a group text or do you do individuals?

Lerma: I do individuals.

Investigator: Did your staff member Vanessa, who was there, get back to you to tell you how many had made their way to the stage?

Lerma: Yes...She and I had been communicating most of the day on Saturday...She texted me around the time the

acknowledgement was going to take place...She told me how many staff members were present...

Lerma then read the text messages between she and Vanessa Ibanez:

Ibanez	Lerma
6:01 PM-We are just waiting for the Mayor Pro-Tem to do the land acknowledgement.	
	Cool
Then they will get introduced	
	Thanks
You're welcome. Will you be able to text the Council and have them come to the stage. I don't know where everyone went.	
	Yes
Thank you	

Lerma: Later on, I received a call from her, and she was upset because she said the councilmembers were yelling at her, that the Mayor Pro-Tem's wife was yelling at her, and that they were arguing. One group was saying to take away the microphone while another group was telling her to give her the microphone...She said she was concerned about her job, and I told her to remove herself from the situation.

Lerma ended up contacting her manager, David Carmany, to tell him what was going on. Carmany told Lerma that he ended up trying to call Councilmember Wu, but Wu didn't answer. Carmany said he also sent a text message to Mayor Diaz telling her that this had been approved.

In another set of text messaging with Vanessa Ibanez, Lerma relates this information, but Ibanez responds, "*They don't want to do it.*" Her last text to Lerma was, "*OMG, they are so mad.*"

During the earlier phone call, Ibanez had told Lerma that there was something on Tabatabai's phone which appeared to upset the group. She said it had to do with a statement that Tabatabai was showing the group.

Lerma: When I had spoke to Jamie, she walked me through...She talks about nature...She talks about nature and individuals and how we are all together...A positive blessing because of the City Centennial.

Lerma also said that Mayor Pro-Tem Tabatabai called her in the midst of this alleged disagreement and said, “*What is going on? Are we doing this or not?*” She said he was upset, and she told him to hold on as she was getting information from Vanessa and that she was caught in the middle. He agreed that she was being yelled at and caught in the middle. He then responded, “*What should I do?*” Lerma told him that she encouraged him to work this out with his colleagues and speak to them. His tone and demeanor changed at that point, and “*we got off the call.*”

Another staff member named Steve Zaragosa also texted Lerma and said that Councilmember Wu was upset over “*something to do with politics.*” Lerma said that something triggered Zaragosa to tell her about this as she wasn’t in regular contact with him throughout the day.

Investigator: Had any other councilmembers contacted you about this three-day event to ask for any other waivers?

Lerma: Yeah. Not so much as waivers as other accommodations. Councilwoman Lopez-Viado had asked if she could have additional booth space for her Film It West Covina group, which is another non-profit organization...so we get requests from City Councilmembers and as staff, we try to accommodate those requests when we can...When you honor one councilmembers request, it puts you in a tough spot if you don’t honor another councilmembers request...Until distinctions are made, it puts staff in a precarious position.

Investigator: I can’t imagine this is the first, or last time, you have received councilmember requests for these events.

Lerma: I’ll give you an example...Whether it is for additional booth space, or they recommend certain entertainment or they make recommendations for certain groups to contact...I’ll give you another example; the Summer Concerts. The Mayor has a friend in a band, and he will contact us to see if there is any availability and cc’ing the mayor on those emails.

Investigator: In this process, nothing was done out of the ordinary? If somebody had not cancelled, she wouldn’t have been given the booth space?

Lerma: Exactly.

She went on to explain that Councilmember Wu had recommended a Chinese American Dragon Group which also entertained at the Centennial event and last years’ spring festival.

Investigator: Did any of these groups get vetted before the event?

Lerma: Some of these groups have worked with the City before...If there is a group we haven't included before, we want all backgrounds represented. It makes the spring festival a little more special in that sense and to learn about the other cultures.

The interview concluded with Lerma explaining that she made it to the Saturday night event after the 6:30 PM land acknowledgment was due to take place. She found Councilmember Lopez-Viado and asked her if she had spoken to any of the other members. Lopez-Viado said she did speak with Councilmember Wu and Mayor Diaz. She expressed that they were upset because this was supposed to be a positive event and there was something in the statement that Tabatabai showed them which was negative. They felt it wasn't appropriate for a city celebration.

Summary of Interview with Vanessa Ibanez

On Thursday March 9, 2023, this investigator conducted an audio recorded interview with Recreation Services Supervisor Vanessa Ibanez inside a conference room located in the Human Resources Department in the City of West Covina. Vanessa Ibanez was the only staff member present during the land acknowledgement which was due to take place on Saturday evening February 18th. She was also extremely familiar with the registration process for the booth vendors and the layout for the event.

The interview began with a request for Ibanez to explain the series of events which took place that day.

Ibanez said that Lerma had called her on Saturday morning to explain that Rocha would be showing up for booth space and that she would be doing a land acknowledgment at 6:30 PM. Ibanez greeted Rocha when she arrived and went through the program with her.

Prior to 6:30 PM, Rocha showed up near the stage, but Ibanez didn't see any of the councilmembers, so she asked Lerma to text them as a reminder.

Ibanez then noticed that Councilmembers Wu and Cantos made their way to the stage area just before Mayor Tabatabai arrived. Tabatabai knew Jamie Rocha so he walked over to greet her, and I saw "*some type of blessing*" taking place.

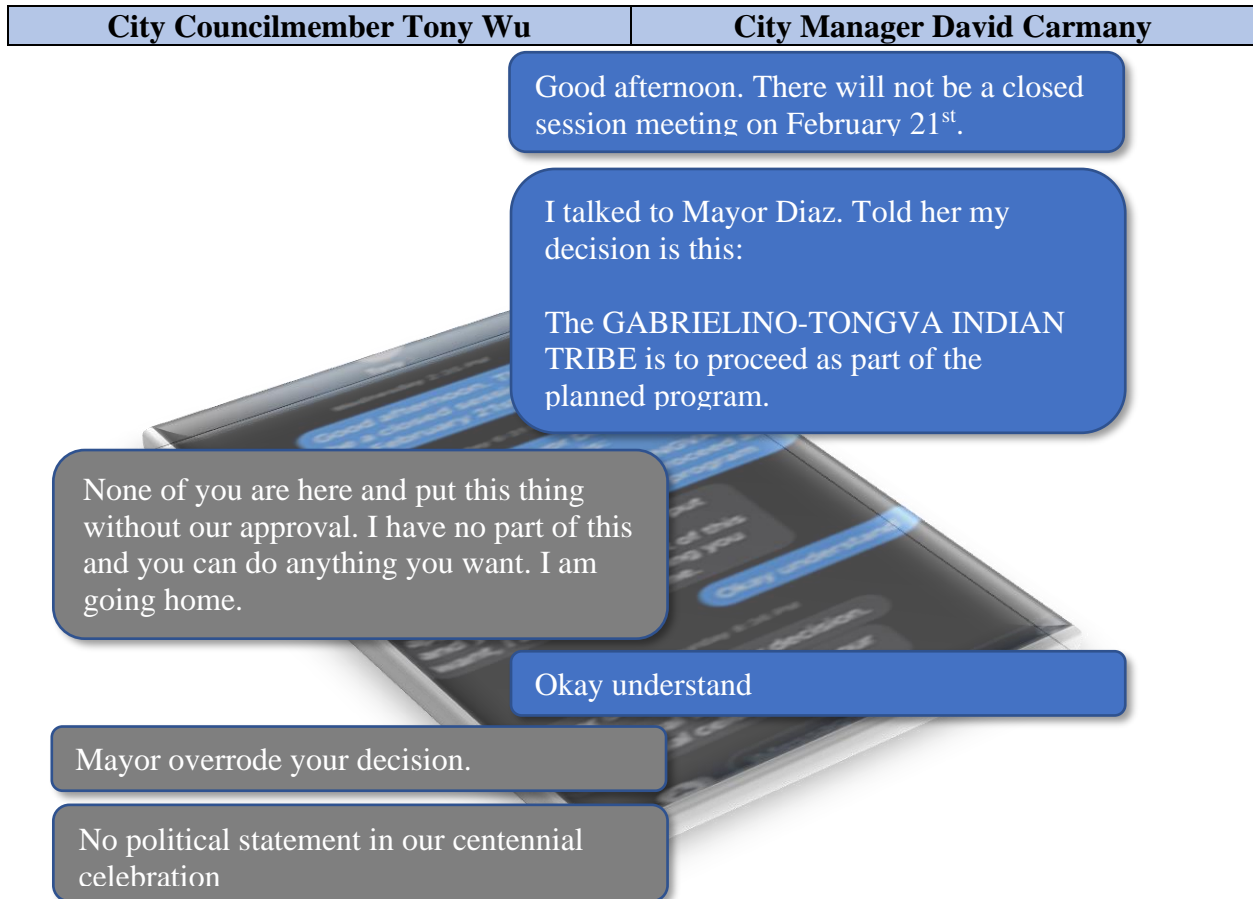
Ibanez said that Wu came over to her and said, "*what are we here for?*" Ibanez told him there was going to be a land acknowledgement and he instantly became upset. He started saying, "*What is going on. What is this land acknowledgement?*" Then the Mayor came up and started asking the same questions. Ibanez explained what it was, but didn't know what it consisted of.

Ibanez continued by saying that "*Tony was upset and said this is too political to be occurring at a City Centennial celebration.*"

Ibanez: Ollie and Rosario agreed that it was too political for this celebration...I stepped away and called Roxanne to

tell her they weren't happy and that they felt it was too political...She told me she was going to call the City Manager and have him contact them...I know it happened because Tony showed me his phone and said, "Look, the (expletive) City Manager is telling me this needs to go on."

Transcript of the text from City Manager Carmany to Councilmember Tony Wu:



*Text from City Manager to Councilmember Wu that was shown to Ibanez

Ibanez also became aware that Roxanne Lerma and Brian Tabatabai were having a side phone conversation about the position this was putting Roxanne's staff in. Ibanez felt caught in the middle and Roxanne Lerma was attempting to mediate the situation over the phone.

When the call ended, Ibanez saw Tabatabai walk over to his council colleagues and heard him read the land acknowledgement statement from his phone. She said the other members "*were not happy.*" and that there were some statements about violence and stolen land. They began telling Tabatabai that they didn't feel this was appropriate for a celebration.

Ibanez: Tony then came to me and said this should be the Mayor's decision and the Mayor is the one that decides these things, if this is going to happen.

They all continued talking about this while in their group. She said Wu continued to be upset and then walked away from the group. He went over to the City employee tent and said a few words before leaving.

Ibanez removed herself from the situation, but noticed Jamie Rocha crying.

She said she was in between a “*rock and a hard place*” and it didn’t get better when Councilmember Tabatabai’s wife came over and started yelling at her. She was saying things like, “*Is this thing going to happen. Where is Roxanne.*”

Ibanez said the Mayor was calm throughout the situation. She felt as if the Mayor and Councilmember Cantos were trying to understand what the land acknowledgement was about. While against it, they asked questions of Jamie and Brian Tabatabai.

Investigator: Did anyone come over and start yelling at you like this was your fault?

Ibanez: I didn’t feel like they made me feel like that. Tony was very expressive. It’s just how he expresses himself. He was yelling, “this is too political. The Mayor needs to make these types of decisions.” Like when he showed me his phone and the text from the CM and said “f’ing CM, look at what he is telling me.” Just at that point, but like I said, he ended up leaving.

Summary of Interview with David Carmany

This investigator conducted an interview with City Manager David Carmany on April 3, 2023. Since the City Manager was aware of the nature of this investigation, he was asked to recite his version of events as he knew them.

Carmany explained that the staff, specifically Assistant City Manager Roxanne Lerma, was tasked with putting the three-day Centennial Celebration/Spring Festival together. Not only did it include an outdoor event with carnival rides, entertainers, and vendors, but it was also kicked off by a Thursday evening Centennial dinner which was attended by 460 people. From the onset of the planning, Carmany said it was Lerma’s event to plan and he stayed out of the details. He had every faith that an exceptional event would come out of the planning process.

After the Thursday dinner and the Friday evening festival opening, Carmany had pre-arranged plans on Saturday evening in Pasadena. His intention was to go to the festival after his function.

A little after 6:00 PM on Saturday, he said his “*phone started blowing up*” and he had to remove himself from his dinner table on 4-5 occasions. The initial call came from Roxanne Lerma who told him that something was going on at the festival and that a councilmember was upset about a land acknowledgement prayer which was supposed to occur at 6:30 PM. Lerma told Carmany that

Vanessa Ibanez was put in an awkward position, and she felt her job was being threatened. He couldn't specifically elaborate on why Ibanez felt her job was in peril because he wasn't present.

After Carmany ended the call with Lerma, he called Mayor Diaz who was at dinner with her family. He told the Mayor about the situation and asked if *"the City Manager has the authority to be running these events."* The Mayor agreed with him that this is a staff run festival and she concurred with his comments. She told him she would go over and see what was going on.

Carmany then attempted to call Councilmember Wu, but was unable to reach him. His next call was to Mayor Pro-Tem Tabatabai who also told him that Councilmember Wu was upset about the land acknowledgement which was due to take place.

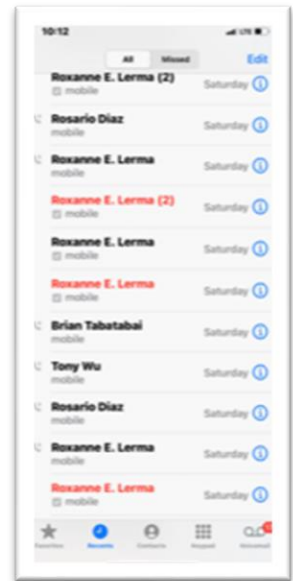
At 6:31 PM, the City Manager sent all five councilmembers separate text messages about the land acknowledgement being approved by him. He didn't hear much more about the land acknowledgement until he showed up at the festival later in the evening and spoke with Vanessa Ibanez. He wanted to reassure her that she had done nothing wrong, but she came out and asked if she was going to be fired. He said he was thinking the opposite since she was doing a fine job of running the entire festival.

On Sunday evening, Carmany reached out to Jamie Rocha to apologize. He also followed up with a public apology at the next Council meeting. Carmany said it was important to tell her that this appeared to be a censure of her right to free speech and he was sincerely sorry. Carmany said he strongly feels that West Covina is a city where free speech and human rights are emphasized.

Carmany was asked about his impressions when councilmembers reach out directly to staff members and don't go through his office. He commented that it places his staff in tough situations because they are trying to please the council while also performing their regular duties and event planning.

He said he was unaware of any city policy which states that councilmembers need to approve details in the event planning process. He commented that the municipal code actually says the opposite and directs the City Manager to be responsible for these tasks.

At the conclusion of the interview, Carmany said while he specifically didn't know about the land acknowledgement until Lerma called him, he approved of it because Lerma is his Assistant City Manager and he had implicit trust that she was doing the right thing for the City of West Covina.



**City Manager Call
Log for February 18th*

Summary of Interview with Letty Lopez-Viado

This investigator interviewed Councilmember Letty Lopez-Viado on Tuesday March 29, 2023. Lopez-Viado said she was present for the entire festival because she was also running a booth for her non-profit.

During the Friday night kickoff, all the councilmembers had a chance to greet the crowd. Each spoke, but she noticed that Tabatabai made comments about a 1,000-year history instead of the 100-year celebratory centennial event. She was confused for a minute, but then said it had something to do with the indigenous groups.

The following day, she was busy with her booth, but saw Councilmember Wu walking around. She asked him if they had anything scheduled for the evening. He said “no”, and she told him she was going to leave for a few minutes so she could get her jacket.

When she walked out, she received a call from Tony Wu. He told her “*they are trying to do this thing*” and “*I’m leaving.*” Lopez-Viado asked him what he was talking about, and he said that it was a land acknowledgement.

Lopez-Viado came back inside and walked over to the stage area. She said, “*whatever had occurred was over,*” and she asked DJ Phil “*what was happening?*” He said he just heard fighting and could smell incense burning. He told her he needed to continue with the show and brought the band on stage.

As the evening progressed, Councilmember Cantos came by Lopez-Viado’s booth and told her what had happened. Mayor Diaz also walked by and gave her thoughts on the incident.

While the evening was ending, Assistant City Manager Roxanne Lerma came over to Lopez-Viado and asked what had happened. Lopez-Viado told Lerma that there was going to be a land acknowledgement, but it had statements about stealing land and violence.

The following day, social media was blasting the Mayor and Councilmember Wu. Lopez-Viado spoke to the City Manager about it, and he said he had reached out to Jamie Rocha. Lopez-Viado asked for her telephone number because she wanted to reach out and talk to her.

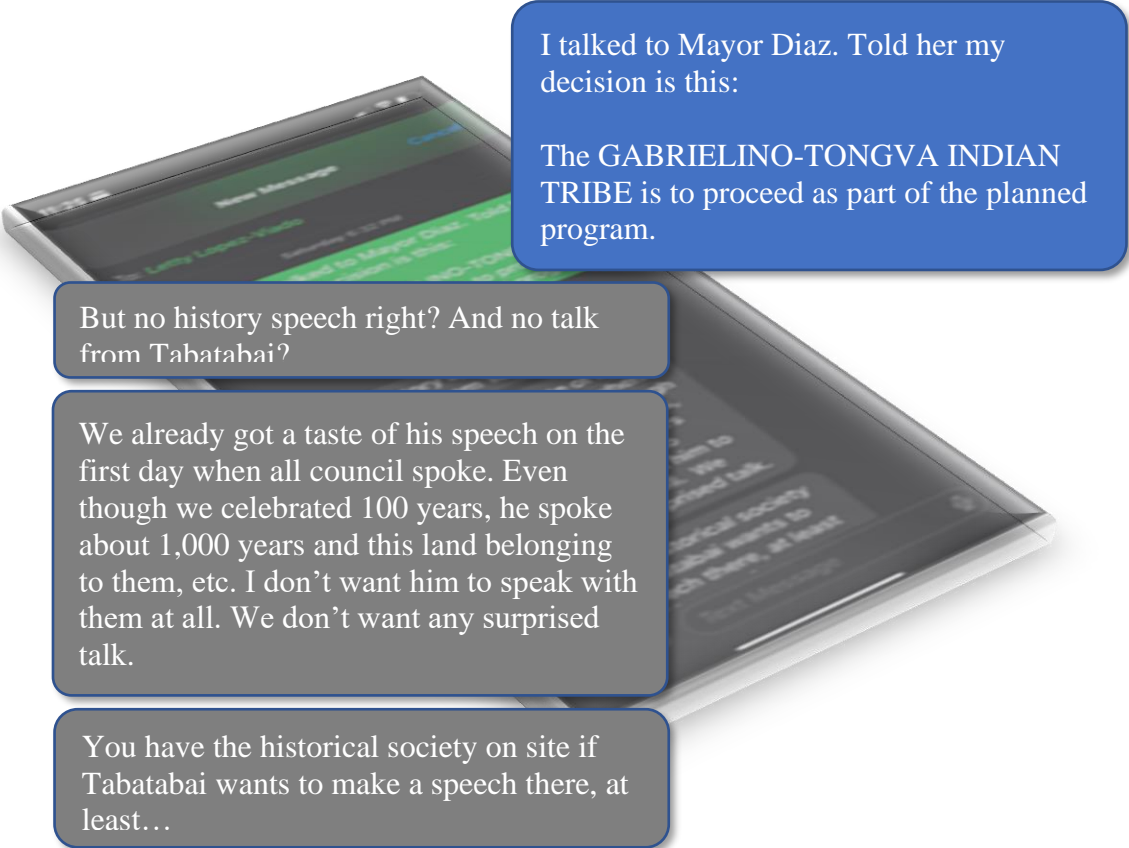
Lopez-Viado said the City Manager reminded her that they met Jamie Rocha and her father at a restaurant a few years beforehand when Lopez-Viado was mayor. At the time, they spoke about having them participate in a future event or council meeting. Because of this, Lopez-Viado felt it was appropriate for her to reach out and touch base.

She called and left a nice voicemail but never received a return call. Someone forwarded to her that Jamie Rocha posted a statement about councilmembers trying to contact her. She essentially said she wasn’t going to call anyone back. Lopez-Viado polled the other councilmembers and figured out that she, and probably Tabatabai, were the only members to try and speak with Jamie Rocha.

The text and transcription below are between City Manager Carmany and Councilmember Lopez-Viado regarding the Gabrielino-Shoshone tribe performing the land acknowledgement blessing on Saturday February 18th.

Transcript of Text:

Councilmember Letty Lopez-Viado	City Manager David Carmany
But no history speech right? And no talk from Tabatabai?	I talked to Mayor Diaz. Told her my decision is this: The GABRIELINO-TONGVA INDIAN TRIBE is to proceed as part of the planned program.
We already got a taste of his speech on the first day when all council spoke. Even though we celebrated 100 years, he spoke about 1,000 years and this land belonging to them, etc. I don't want him to speak with them at all. We don't want any surprised talk.	
You have the historical society on site if Tabatabai wants to make a speech there, at least...	



Lopez-Viado feels that the council should have been notified about this in advance so they could decide whether they wanted to attend. She feels that the lack of notification would have caused Councilmember Tabatabai to say that none of the other councilmembers cared enough to attend and he “*could turn it around on us.*”

While she acknowledged receiving the text from the City Manager, she said that this group should have gone through the same process everyone else had to go through, along with the application deadlines.

Summary of Interview with Ollie Cantos

This investigator interviewed Councilmember Ollie Cantos on March 28, 2023. Cantos was aware of the nature of the investigation. He was asked to provide a detailed statement about his involvement and any of the things he might have witnessed prior to, and after, the event.

Cantos explained that Saturday February 18th was the second day of the outdoor festival. According to the Council schedule, they thought there was going to be some sort of Council comments near the stage area at 6:30 PM. With this in mind, Cantos made his way towards the stage around 6:10 PM. Upon arriving, he encountered Councilmember Wu.

Cantos: Somehow, I walked up on this and there was some discussion about a land acknowledgement. Tony was not happy about this land acknowledgement...Tony, Rosario and Brian were there. There was a real intense exchange...Tony was essentially saying that we cannot have anything political. There shouldn't be any political statement about this land acknowledgement, stolen land, or anything like that. That's not what this festival is for. It's supposed to be for everybody no matter what their political affiliation is.

Cantos said that Mayor Diaz was telling the group that they are trying to keep this event positive while at the same time Mayor Pro-Tem Tabatabai was trying to explain to Councilmember Wu that this was not a political ceremony.

Cantos: Tony was just vehemently upset about that. He just said, "we didn't know anything about this." "When was this added?" "Why are we just finding out 20 minutes before this is happening?"

At this point, Cantos picked up on the fact that the Rocha family was nearby and could possibly hear what was being said. Cantos and Diaz said that since Rocha was already there, they decided to see how this could work out so she could perform the ceremony.

Diaz then asked Tabatabai what he planned on saying. Amid this dialogue, Tony continued to protest and eventually said he was leaving.

Tabatabai then took out his phone and read the prepared land acknowledgement statement to Diaz and Cantos. When he was done, Cantos asked him if he could just remove the part about the violent past to keep the statement positive. Cantos suggested a replacement statement such as, "*No matter who we are, and no matter our backgrounds, including Native Americans, we all come together.*" He said that Tabatabai quickly agreed to make this change.

Cantos thought the matter was settled at that point and walked over to speak with a constituent.

When Cantos returned to the council group, he said the tone had changed. He heard the Mayor telling Rocha that this was similar to her showing up to celebrate her 15th birthday during someone else's quinceanera. Rocha responded, "*I'm not doing this. I am pulling out.*"

Diaz started explaining to Rocha that she didn't need to pull out, she just wanted to keep this positive. Cantos said that Diaz was very calm and was trying to be nurturing.

Jamie Rocha told the group this was supposed to be a peaceful blessing and she wasn't emotionally prepared to perform the ceremony, then walked away from the group.

Cantos said none of the councilmembers, outside of Tabatabai, knew this was added to the schedule. He was concerned that this particular tribe was not vetted in advance, and he was worried the City was sponsoring a group who was not recognized per California Assembly Bill 52.

Cantos strongly felt that there needs to be a policy in place about the planning of these events. He said that rules need to be followed as far as application dates so these "*ad-hoc additions don't take place.*" He said that if the current rules call for these situations to go through the City Manager, then this is the rule which should be followed.

Investigator: Who do you think should have told the council? Either staff or Brian? Or a combination?

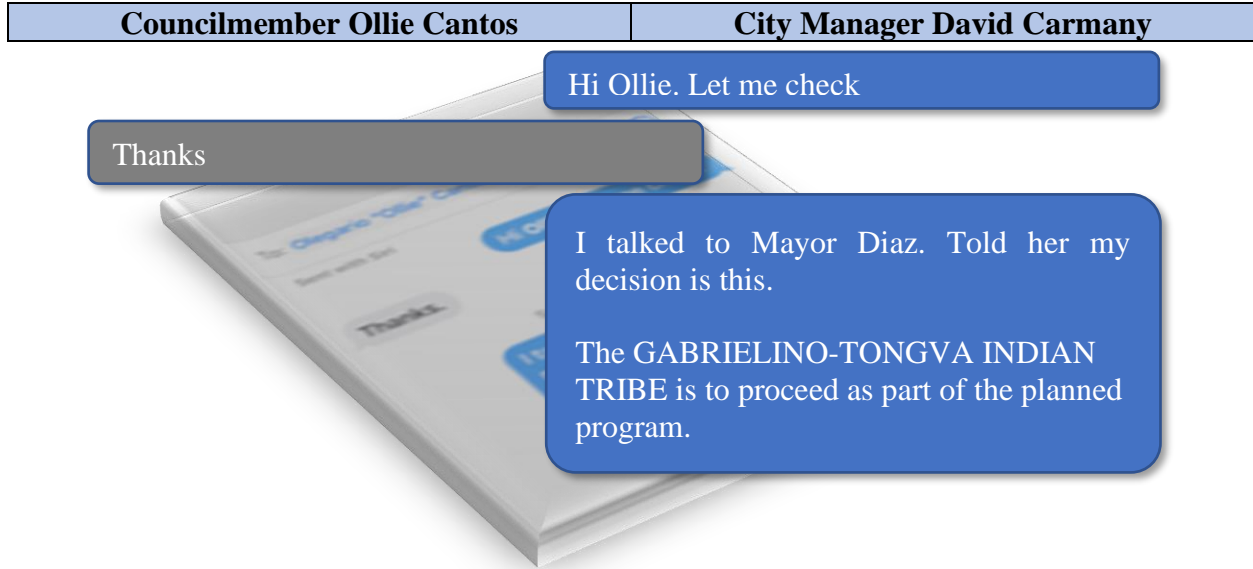
Cantos: In a perfect world, what should have happened is, the City Manager should have said, "Mayor Pro-Tem, I'm really sorry. I know you want this in the program. We just don't have the time to go through our vetting procedures. I wish I had known this before, but under our procedures, we just don't have a way to go through our proper procedures. Not because of bureaucracy, we just don't have the time to go through our process of vetting. So, while this is a good idea, we just don't have the time to do our due diligence. So, therefore, we are just going to have to hold off on this one. By the way, the other councilmembers don't even know about this anyway. They should be part of the process. Since they don't know about it, we will just have to forego it this time, and next time, let's say during the summer, we can plan ahead."

Cantos felt that if the preceding statement was given to Tabatabai, then none of this would have happened.

Since the City Manager approved it, Tabatabai rested upon, "*staff approved it.*" Cantos commented that if this was approved, why wasn't anything said to the other councilmembers. He surmised that the answer would be something similar to; "*we don't tell you about all the other minor details.*"

Cantos said there is a difference between the technical and the practical because the councilmembers like to be told about anything which might be controversial. "*As a courtesy, we should be told.*"

Transcript of Text:



Summary of Interview with Brian Tabatabai

This investigator conducted an interview with Councilmember Brian Tabatabai on March 28, 2023. He was asked to provide his version of events beginning with his contact with Jamie Rocha.

Tabatabai explained that he has been trying to reach out to members of the Native American community to conduct a land acknowledgement ceremony, or to have indigenous representation at some of the city sponsored events such as the Centennial/Spring Festival. He had reached out to Jessa Calderon from the Gabrielino Shoshone tribe and tried to connect her with Assistant City Manager Roxanne Lerma. He said this ended up not taking place because Calderon was in Germany performing and was unavailable.

In the meantime, he participated in an interview with the Mount San Antonio College newspaper and provided details about wanting to be inclusive for indigenous groups. Jamie Rocha saw this article and reached out to him via Facebook. He felt it is common throughout California to have the ancestral peoples give a land acknowledgement.

He said that he had previous conversations with David Carmany and Roxanne Lerma about this.

On Thursday evening, Rocha reached out to him via Facebook, and he responded back to her with his phone number. They spoke on the phone, and Tabatabai obtained her information and put her in touch with Roxanne Lerma for two reasons; to obtain space for her Native Ways 2 College non-profit, and to provide cultural representation via the land acknowledgement.

Tabatabai said the following night, Jamie Rocha showed up at the opening event for the festival and introduced herself to Tabatabai and Roxanne Lerma.

Tabatabai couldn't remember if he was told on Friday night or Saturday that Rocha was approved for the land acknowledgement blessing to take place at 6:30 PM on Saturday. He said he was asked to do the land acknowledgement statement, because it isn't necessarily appropriate to have the tribe do it. He planned on the ceremony taking up approximately five minutes of stage time.

He and his family showed up on Saturday evening and he met with Rocha near the stage area around 6:15 PM. They talked briefly and Rocha provided him with a blessing.

After the blessing, both Rocha and Tabatabai were standing near the stage and waiting for the music to end. Then Tabatabai's wife came over with the cellphone and handed it to him. She told her husband that the City Manager was calling. When he picked up, the City Manager told him that *"Tony Wu was not to interfere, and that Jamie was allowed to be on stage."* Carmany said it was the *"City Manager's call and she was to be on stage."*

Tabatabai then looked over and saw Councilmembers Cantos, Wu and staff member Vanessa Ibanez standing nearby.

Diaz then approached Tabatabai and asked, *"What is this all about?"* He said he explained the ceremony, and she then walked towards the other councilmembers.

At this time, Roxanne Lerma called him and said, *"I am not going to put my staff in a position where they are feeling that their job is threatened. I need you to work this out with your colleagues."*

Tabatabai then approached the other councilmembers and said Wu seemed upset. Wu told him *"this is too political."*

Tabatabai: He said he was worried how the white residents would react to this land acknowledgement and that this was too political... (He later clarified and said that Wu used the words European residents and not "white residents.")

Tabatabai said that Wu ended up leaving and he read the land acknowledgement statement to the two remaining members, Diaz and Cantos. He said that both had an issue with one section which mentioned violence. Tabatabai told them, *"we could get rid of that."*

Tabatabai said he summoned Rocha over so they could talk about the rest of the ceremony, and this is when Diaz told her it was like her *"crashing her quinceanera."* Rocha began to get emotional and cry and Diaz told her that she could *"just go do her thing."*

Rocha told her that she couldn't do it at this point and *"Jamie said no. I am not going to do this to my ancestors. I am not going to go on."* He said the band then took the stage because it was already 7:00 PM.

Tabatabai: The entire event...I was never asked about anyone on the schedule; whether it was appropriate when we had the Chinese Dragon Dancers, Ballet Folklorico or when we had the Christian invocation on Friday. Staff did not run

through the agenda with us. We give staff direction to have the festival and then they run the festival. Once the City Manager called and said, "you are supposed to be on stage," that's when the discussion should have ended.

Investigator: How do you think the City Manager knew to call you and tell you that?

Tabatabai: ...From my understanding it was text messaging between Councilmember Wu and him. We all received text messages (from the City Manager).

Tabatabai said that he had provided his own land acknowledgement on the Friday evening opening ceremony for the Gabrielino-Shoshone Tribe, and he didn't know why this second land acknowledgement was stirring up controversy with the City Council.

Investigator: Do you think the other councilmembers are more upset that they didn't hear about this from you or staff?

Tabatabai: I think they are more upset because this is connected to me. If it hadn't been connected to me, there would have been no problem.

Investigator: Do you think the staff should have told them about this?

Tabatabai: No. There was nothing controversial about this. It's not something new. It's very common at these events. If staff thought this was going to cause problems, this doesn't make sense...Should they be telling us what elementary schools are performing because they aren't in a certain district?

The remaining portions of the interview asked for speculation on why Councilmember Cantos wasn't included with the "call to action" by the indigenous groups. Tabatabai gave his opinion but felt it was important to mention that this investigation was a "one off" when there has been an ongoing pattern of behavior by some members of the council.

Summary of Interview with Celenia Calderon

This investigator interviewed Celenia Calderon on April 3, 2023. Calderon is the spouse of Brian Tabatabai and was present for a portion of the interaction between councilmembers and Jamie Rocha on February 18th. She was asked to provide a statement with her version of events for that evening.

Calderon said that she, her son, mother-in-law and Brian Tabatabai arrived near the stage area before the land acknowledgement was due to begin. Brian had given her his phone so she could record the event from the audience.

While she and the family got seated, Brian was speaking with Jamie Rocha and was receiving a blessing.

Calderon saw Mayor Diaz coming into the area looking flustered. She said that Diaz approached Rocha and asked, “*What’s this all about?*” “*What do you want to do?*”

At the same time, Brian’s phone rang, and Calderon could see that it was Carmany, the City Manager. Calderon picked up the call and got Brian, he took the phone and walked away from the group momentarily.

When Brian came back to the group, he said, “*What is this that you want me to remove?*” Brian, Rosario Diaz and Ollie Cantos then began to talk about the land acknowledgement statement and removing the final sentence.

Calderon was tending to her family and only witnessed portions of the councilmembers’ interactions.

When Calderon reapproached the group, she heard Diaz telling Rocha that “*this is not about history.*” “*This is a celebratory event.*”

Calderon spoke up and told Diaz, “*This is about history.*”

Rocha began to cry, and Diaz told her, “*you can go on.*” Rocha told Diaz she was too upset and wasn’t going to do it.

Calderon said the group broke apart at this point and Calderon approached Rocha and said that “*this is wrong and I apologize on behalf of West Covina.*”

At the conclusion of the interview, Calderon said that while the councilmembers were discussing the land acknowledgement, Tony Wu left the area early, Rosario Diaz did most of the talking while Ollie Cantos did not say too much.

Calderon was concerned that the Assistant City Manager or City Manager were not there because she didn’t know who was in charge as Vanessa Ibanez didn’t seem to know what was going on.

Summary of Interview with Tony Wu

This investigator interviewed Councilmember Tony Wu on Wednesday March 15, 2023, in his Temple City business office. Wu was aware of the investigation as he was supportive of an independent review of the matter.

Wu started the interview by commending the Thursday evening kick off dinner stating that it was a wonderful event attended by 500-600 people with the food being prepared by the staff. Wu said it was a great time and he was proud of the staff for putting it together.

The following day was the kickoff for the Centennial/Spring Festival. He said there were many vendors and performers to show the diversity of West Covina. Wu was present for the event all three days.

Wu: We are the hosts as the City Council. We try to entertain the people...Our role is to unite people together.

Wu continued by saying that there was a schedule that he was following for each of the day's events. Wu knew on Saturday there was a DJ playing near the stage from 6:00 PM to 7:00 PM and then a county band was taking the stage.

Wu commented that he didn't see the City Manager or Assistant City Manager in attendance but stated: *"Saturday night, I didn't see the staff, but everyone is doing their thing. You cannot expect to see them there all the time. There were other staff like Vanessa was there."*

Investigator: What happened when you and the other councilmembers got near the stage around 6:30 PM?

Wu: I saw the country music people because they knew me...Because I am an Asian guy who is line dancing...They call me the "Dancing Mayor." ...Vanessa came over to me and said there was an insert to the program. She said it was a land acknowledgement. I had no idea what a land acknowledgement was. I asked her, "Why is that?" and she told me it came from Mayor Pro-Tem Brian Tabatabai.

Ibanez: He wants to do it.

Wu: How can we do it? We did not approve this. It is not on the program. It is not approved. How can we have this surprise like this? The City Manager did not notify us...If we can do this, I could say, "Hey, tomorrow before the show starts, I'm going to read something." Other city council would not agree with this.

Wu and Vanessa were alone having this conversation, standing near the DJ booth, when Wu saw Councilmember Cantos and approached him to inquire about the land acknowledgement, but stated that Cantos was also unaware of it.

After asking Cantos, Wu saw Mayor Rosario Diaz speaking with Mayor Pro-Tem Tabatabai. Both Wu and Cantos walked over and joined them.

Diaz also saw them (Wu and Cantos) and started walking in their direction. As all three of them got together, Diaz asked Wu if he was aware of this land acknowledgement.

Wu: Rosario said, "what the heck is this?" She said she texted the City Manager, but had no response...Later I see a text from the City Manager saying he approved it, but he didn't tell us the day before...

Investigator: How do you think the City Manager knew to text the City Council about this?

Wu: I think it is possible that Rosario called him.

Wu continued by saying that councilmembers Cantos, Diaz and himself continued to discuss this in their group. Tabatabai approached, Wu said, and was very confrontational saying, "*What is the problem? What is the problem man?*"

Wu: And I said, "Brian why didn't you tell us about this." He said it was approved by the City Manager.

Tabatabai told them that he wanted the Native Americans to do a prayer and he wanted to make a statement. Cantos and Diaz asked to see the statement. Tabatabai showed them the script and Wu said, "*I want no part of this. This is too political.*"

Cantos and Diaz were asking him to soften the statement.

Wu: I said goodnight and walked away. I'm leaving...I didn't scream. I didn't yell. I didn't rant.

Investigator: It sounds like you never met Jamie Rocha.

Wu: No. We never met. I don't know who she is.

Investigator: It sounds like before you left, they were working with Brian to soften the statement?

Wu: Yes, They were trying to accommodate and be very nice...I totally disagreed because this was not approved by the City Council, and we were hijacked.

Wu characterized the land acknowledgment as an illegitimate insert into the program and was confused why Rocha said she was "*cancelled,*" when the land acknowledgement wasn't on the program. He felt it was unfair to the councilmembers who were unaware of it and wanted to know how it got approved.

Investigator: Let's switch places on this and say you contacted the City Manager on a Friday with something similar to this. Would you tell the Mayor?

Wu: Yes, I would tell Rosario. I would absolutely tell the other city councilmembers, especially the Mayor.

Wu stated that the City talks about transparency, but it didn't occur in this instance. Wu was concerned that if they chose the wrong group to do this, they could be sued by the ones who should be doing it.

Wu then described a Tuesday pre-agenda meeting on February 21st, which was held with the City Manager, two Assistant City Managers, Mayor Diaz and himself. He said the Mayor began asking

the City Manager what happened on Saturday night. Wu said that Carmany responded with a lot of, *“I don’t know. I was with my family and my phone was blowing up at 6:00 PM.”*

Wu’s question is why would the City Manager say he pre-approved the land acknowledgement and then say at Tuesday’s meeting that he didn’t know about it.

Wu: If he approved it the prior day, on Friday, why didn’t he tell us?

Investigator: Do you think he thought Brian told you?

Wu: No. It is City Manager’s responsibility. No surprises for the City Council...It is very uncalled for.

Investigator: Does the Council ever get involved in other City events where they approve the planning?

Wu: Yes. I helped last year with the Spring Festival, and I provided numbers for vendors.

Investigator: Is there a rule that the council needs to approve these?

Wu: No. There are no rules, but it is courtesy...You need to double check. You cannot walk into the trap...We felt we walked into a trap...We were supposed to be country line dancing.

Investigator: Do you think Brian purposely didn’t tell the council?

Wu: I think so. I think he knew we would not agree due to this being political. It is purely political...There was a right way to do this, but this was not the time.

Wu felt that Tabatabai helped brand he and Diaz as racists for not wanting this to take place and wondered why Ollie Cantos was not included. Wu said it was even more confusing since he removed himself from the group before the issues came to any sort of resolution.

Within a couple days of the event, the following social media posts began to appear:

CALL TO ACTION

**WE DEMAND ACCOUNTABILITY FROM WEST COVINA
MAYOR ROSARIO "GINGER" DIAZ ELLIOT & COUNCILMEMBER TONY WU
FOR DENYING INDIGENOUS HISTORY & PAST RACIST REMARKS!
AND TO SUPPORT COUNCILMEMBER BRIAN TABATABAI!**

ROSARIO.DIAZ@WESTCOVINA.ORG | TONY.WU@WESTCOVINA.ORG

GABRIELINO-SHOSHONE NATION
OF SOUTHERN CALIFORNIA

WE ARE THE LAND

TUESDAY, FEB. 21ST | 7PM
(6PM IN FRONT FOR PRAYER & PROTOCOL)
WEST COVINA CITY HALL COUNCIL CHAMBERS
1444 W GARVEY AVE S., WEST COVINA, CA 91790

SIGN UP FOR PUBLIC COMMENT UPON ARRIVAL

Show Up:

West Covina City Council Meeting
Tues. 2/21/23 7pm

Sign Up for Public Comment Upon Arrival.

Demand a Public Apology to Native Communities & the Gabrielino-Shoshone Tribal Council.

You can also attend next Tuesday at 7pm. As City Council meetings are 1st & 3rd Tuesday of the month.

Email Your Concerns to:
Rosario.Diaz@WestCovina.org
Tony.Wu@WestCovina.org

Wu admitted that he told Tabatabai his land acknowledgement statement was too political, but was also confused as to why the Mayor was not brought into this decision-making process by Tabatabai or City Management. Wu said the council had previously discussed similar issues and he knew this would cause conflict amongst them.

Wu: Here's the issue, Brian...Why didn't he tell us...Why did he want to do this...He knows this thing, we are not going to approve it because it's so political and this shouldn't be in the celebration. Second, why did City Staff, or the City Manager, ok, approve this thing. They know we have issue with...we already argue at city council...Why he allow it, not only, didn't tell us.

Investigator: Was he (David Carmany) the City Manager when this came up before?

Wu: Yes, because a lot of time he (Tabatabai) talk about his ideology in the city council. He has his belief and I have my belief. (He switched to talking about Tabatabai.)

Wu explained that he would have been “100% supportive” of the land acknowledgement if some of the statements were removed or reworded. He desired a land acknowledgement which was celebratory since this was a 100-year birthday party for the City of West Covina.

Investigator: Do you think he purposely didn't tell you in advance because he knew how you guys were going to react?

Wu: Absolutely, I think he cooked this thing up, and make this thing, so we could walk into the trap. Everyone know that we were going to walk into a trap. So obviously he cooked this, and had the lady Jamie Rocha on the Facebook and the Instagram flood the entire California to say that West Covina has two racist city councilmembers who denied their rights and stopped their program. We didn't stop their program. Mayor Diaz still allowed them to be on stage.

Wu felt strongly that Tabatabai's intention, with the land acknowledgement statement, was to make a political statement. Wu said it contained references to stolen land and genocide when this event was about love and “*there was a country band with a bunch of cowboys*” about to take the stage.

He reiterated that Mayor Diaz was ready to compromise.

Wu acknowledged that City staff are placed in tough positions when councilmembers are making requests, but he feels that they should still tell the others so they are not walking “*into a trap.*” He also acknowledged having a good working relationship with Dave Carmany and Roxanne Lerma and said they work hard and are doing a good job. He just felt they should have said something to him in advance.

Summary of Interview with Rosario Diaz

This investigator interviewed Mayor Rosario Diaz on March 28, 2023. The Mayor was the first person to call for an investigation, she was well aware of the circumstances of the incident and the nature of the inquiry.

Diaz said she was enjoying dinner with her husband and her granddaughter when she received a call from City Manager Carmany. Her recitation of the conversation is:

Carmany: Something is going on at the festival and Tony was starting something there...Is it ok, or do you agree...is our Assistant City Manager allowed to run the show?

Diaz: Sure, sure, I understand.

Carmany: Okay I'm out here in Pasadena having dinner with my family. I just wanted to call you to let you know what is going on.

Diaz: Sure, I'll go over there.

Diaz left her family and walked over to the festival area. She found Wu and Cantos taking photos with the Filipino American group.

Diaz then encountered staff member Vanessa Ibanez who told her that Councilmember Tabatabai wanted to *“have some sort of acknowledgement.”* Diaz was unaware of what it was, and started asking Ibanez questions. Ibanez redirected her to where Tabatabai was standing.

Diaz walked over to Tabatabai and Jamie Rocha and was introduced to Rocha, Rocha's mother and grandmother.

Diaz asked Tabatabai what was going on, and he explained that Rocha was going to do a land acknowledgement. Diaz asked Tabatabai questions about the nature of the acknowledgement and how it came to be part of the festival.

After a short conversation she noticed Wu and Cantos nearby and approached them to ask about the acknowledgement.

When she approached, Wu said, *“He [Tabatabai] wants to do a land acknowledgement. This is not in the program and we were never told about this. You are the Mayor. You are going to have to decide.”*

Tabatabai approached the group and said, *“What is the problem.” “What is going on?”*

Wu said to him: *I am not involved with this. This is not part of the program...I am not the Mayor and you [Diaz] are going to have to handle this. You do what you want to do. I am leaving because I don't agree with this insert...Goodnight everybody, you guys decide what you want to do. I respect that. Goodbye.*

Tabatabai continued to ask Wu, *“What? What is the problem?”* Wu said he didn't want to argue and he was stepping away.

Diaz asked Tabatabai what he was planning to say. He took out his phone and read the land acknowledgement.

She and Ollie Cantos asked him about the last sentence and the part about taking the land. They worked through the statement and Diaz then asked what Jamie Rocha intended to say.

They walked over to Rocha and she began to recite her statement, but Diaz worried this might be a *“loose cannon.”* Diaz suggested that Brian Tabatabai speak, and Rocha do the prayer.

At this point, Tabatabai's wife started talking and said, *“I cannot believe we are not inclusive and we are exclusive.”* Diaz said something similar to *“that isn't true.”* She then turned her attention back to Jamie Rocha and said, *“This is like I'm having my quinceanera and you are coming into*

my party to take it over. This is the 100th anniversary and I want to keep this positive. I don't think the people need to know about this past. We are celebrating when this City was incorporated."

Rocha then told her that she didn't want to do this anymore because "*this was too negative*" and "*this is supposed to be positive.*"

Diaz then told Rocha, "*Jamie, I am really sorry that we put you in this predicament. I have to blame Brian Tabatabai because he should have never put you in this predicament without us all knowing what was going on.*"

Investigator: Was Brian nearby?

Diaz: Yes. They were all together...He then said, "I got approval from the City Manager and the Assistant City Manager."

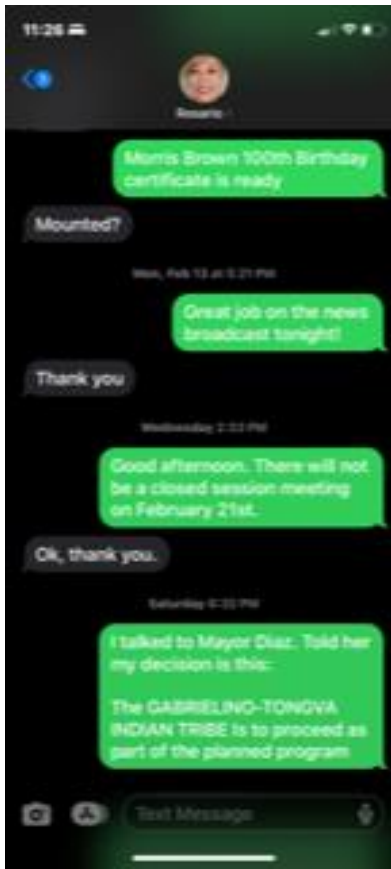
Diaz told Rocha she was more than welcome to conduct the ceremony, but she was going to walk away with her family now. Diaz left the area and "*left it at that.*"

She said the next day she saw that Tabatabai posted on his Facebook page that it was a sad day in West Covina because "*we didn't allow her to do this.*" Diaz then checked Rocha's Facebook and saw a powerful message about "*Mayor Diaz and Tony Wu are racists and should resign.*"

Diaz said she was instantly shocked and upset about what she was seeing. She found it quite interesting that Wu wasn't even there when a decision was made to let Rocha continue, it was Diaz, Cantos and Tabatabai. Wu had nothing to do with the final decision.

Diaz went on to say that the following Tuesday she had an agenda setting meeting with the City Manager and Tony Wu. She said the City Manager claimed he didn't know anything about this and that his phone was blowing up on Saturday when this was going on. Diaz found this interesting since the City Manager had told her that he was aware, and had approved of the land acknowledgement.

The text messages between the City Manager and the Mayor on the day of the incident were:



Investigator: Ultimately, who should have warned the other four? Was it Brian who should have warned you or should staff have contacted you?

Diaz: Well, the staff knows how I feel about certain things that Brian likes to do. I mean. He is very controversial, and the previous night, which was the opening night of the festival on Friday. He had already lectured the residents about how, "this land, let us not forget, this land, whatever Indians." I couldn't hear him that well. He basically gave his proclamation about what this land is all about. That doesn't sit well when we are trying to celebrate the 100th birthday. The staff knows how I felt so why would you move forward with something so controversial?

Diaz said the land acknowledgement had nothing to do with the centennial celebration and she wanted to keep things positive.

Diaz: I didn't want this done, but I wanted to compromise.

She felt there was a time and place for all of this, and the city centennial was not the right place.

Diaz said she was really upset for “*Brian causing this*” and the misinformation about Rocha not being allowed to perform her blessing. Diaz said Rocha was allowed to perform the ceremony, but Rocha didn’t want to do it anymore.

INVESTIGATIVE FINDINGS AND CONCLUSIONS

The scope of this investigation was to determine the following:

- What are the facts surrounding the land acknowledgement incident on Saturday February 18, 2023, at the Centennial/Spring Festival Event.
- Who authorized the land acknowledgment to take place and how was it put onto the schedule?
- Was the City Council informed about the land acknowledgement in advance?
- Why didn’t it take place?

The Facts surrounding the land acknowledgement incident on Saturday February 18, 2023, at the Centennial/Spring Festival Event.

The facts in this case indicated that Councilmember Tabatabai made a personal call to Assistant City Manager Roxanne Lerma on Friday February 17, 2023, and asked if he could obtain booth space and speaking time for Jamie Rocha.

While hesitant about the request, Lerma said she would reach out to Jamie Rocha and ask about both items. Lerma was aware of the fact that the event was also celebrating inclusivity and diversity in West Covina. She also wanted to be fair and consistent as other councilmembers had either made requests for this festival or similar requests for previous events.

Lerma ended up approving the land acknowledgement blessing and incorporated Jamie Rocha into the Saturday evening schedule. Since this was last minute, it was not noted on the printed schedules near the stage or the schedules previously sent to the council.

Lerma planned on being at the blessing and would ensure everything worked smoothly. Unfortunately a family issue arose, and she handed off the duty to her staff member (Vanessa Ibanez). Ibanez had been briefed about everything on that Saturday morning.

When it was nearing the time for the ceremony to begin, Councilmember Wu began asking Ibanez questions about the ceremony. When she explained it was a land acknowledgement event with

Councilmember Tabatabai involved, he immediately became angry and demanded to know who had approved it. Wu was opposed, and didn't want it to take place because he felt it was too political for a centennial celebration.

This interaction put Ibanez in an awkward position which also made her fearful of losing her job. Ibanez reached out to Lerma for guidance and told her she was worried about her job. Lerma calmed the situation and told Ibanez to remove herself from the area while she reached out to the City Manager and Councilmember Tabatabai.

The City Manager was contacted, and he reached out to the Mayor to reaffirm that it was his, and his staff's, responsibility to put these events together without council interference. The Mayor agreed and the City Manager followed up with a call to Councilmember Tabatabai, and an unanswered phone call to Councilmember Wu. Carmany then sent out a text at 6:31 PM to all five councilmembers which stated that Jamie Rocha was approved to be on stage and conduct the blessing.

In the midst of this interaction, councilmembers were meeting near the stage to give their thoughts and opinions about the land acknowledgement issue.

At times, their conversations were overheard by Jamie Rocha, Rocha's mother Eileen, and Brian Tabatabai's wife Celenia. At various points, all three of them became upset about comments being made and interjected themselves into the council discussions.

Mayor Diaz told Jamie Rocha that she was allowed to move forward with her blessing, but this was nearly 45 minutes after the councilmembers' questioning of the acknowledgement. Rocha refused the invitation from the Mayor and said that she wasn't emotionally prepared to do so.

Rocha returned home and posted her version of events on her Facebook page by 8:04 PM the same evening. The following day, Councilmember Tabatabai also posted his version of events on Facebook.

After the social media posts, the story took on a life of its own and many assumptions were made.

This investigation has made NO connection between the council discussions and racial or ethnic discrimination.

Who authorized the land acknowledgment to take place and how was it put onto the schedule?

Assistant City Manager Roxanne Lerma oversaw the event and had the authority to make the decision allowing the land acknowledgement. Lerma believed the acknowledgement was more of a spiritual blessing about the beauty of West Covina and the nature surrounding it.

Since it was tacitly approved by a councilmember who moved this forward, she felt there was no mal intent involved on anyone's part. Lerma felt this was akin to one of the invocations which occurs before council meetings or other city sponsored events.

At the time of Lerma's approval, she had every intention of being at the blessing and guiding the councilmembers through the opening of the second evening of festival activities.

Outside of her control, a family issue arose which required her attention. It was not an option to disregard her family matter and still make it to the 6:30 PM blessing, however, she did arrive later in the evening.

City Manager Dave Carmany was not specifically aware of the land acknowledgement blessing, but gave his approval because Lerma was tasked with running the event. He only became aware of it when he started to receive phone calls from Lerma. Carmany followed up with a call to the Mayor to confirm if it was his job to run this event. After receiving the Mayor's affirmation, Carmany sent a text to all the councilmembers stating his approval for the acknowledgement.

His comments to the Mayor and Councilmember Wu during the Tuesday agenda meeting appear to be a play on words. Technically he was not aware of the land acknowledgement in advance, but professionally he approved of it, via his office, because Lerma was acting at his direction. It is merely a situation where he didn't know specifics, but he did know that Lerma made an appropriate decision.

Was the City Council informed about the land acknowledgement?

Councilmember Brian Tabatabai was aware the land acknowledgement ceremony was going to take place on Saturday evening as he was intending to participate. He showed up with his family and met with Ms. Rocha and her family prior to the event.

Councilmember Tabatabai did not inform any of the other council members as he didn't feel this was the type of situation where notifications needed to be made. He opined that councilmembers are not told in advance about specific religious denominations who perform invocations, and felt this was similar to that.

Assistant City Manager Lerma did not specifically notify councilmembers as she was tasked with running the Centennial/Spring Festival Event and minor details were not being pre-approved by councilmembers.

No other cultural, racial, ethnic or religious portions of the event planning process had necessitated a pre-approval, so the inclusion of a Native American blessing wouldn't be any different.

Why didn't it take Place?

Near the end of the back and forth discussions, Mayor Diaz spoke with Jamie Rocha and approved her appearance on stage for the blessing.

There is no confusion about this, as all interviewed parties said that Rocha was ultimately allowed to move forward.

After watching councilmembers' reactions and conversations for 30-45 minutes, Rocha decided that she was not emotionally ready to continue and backed out. She commented that this ceremony is supposed to come from a place of love and peace, and she didn't feel that way when she was finally given the approval to move forward. Rocha commented that she felt as if she "*didn't have a seat at this table.*"