



AGENDA
REGULAR MEETING OF THE MAYWOOD CITY COUNCIL AND THE
SUCCESSOR AGENCY TO THE MAYWOOD COMMUNITY
REDEVELOPMENT AGENCY

WEDNESDAY, OCTOBER 13, 2021 AT 7:00 PM

Maywood City Council Chambers
4319 E. Slauson Avenue, Maywood, CA 90270
www.cityofmaywood.com

I. CALL TO ORDER/ROLL CALL

CALL TO ORDER
ROLL CALL

II. CITY OFFICIALS

MAYOR
Ricardo Lara

CITY CLERK
Flor Aguiluz

MAYOR PRO TEM
Heber Marquez

CITY TREASURER
Mary Mariscal

COUNCIL MEMBERS
Eduardo De La Riva
Frank Garcia
Jessica Torres

CITY MANAGER
Jennifer E. Vasquez

CITY ATTORNEY
Roxanne Diaz

III. COVID-19 MEETING PROCEDURES

PUBLIC ADVISORY: This meeting will be conducted pursuant to the provisions of Government Code Section 54953(e) (as amended by AB 361), which authorizes teleconferenced meetings under the Brown Act in compliance with Government Code Section 54953(e) during a proclaimed State of Emergency. For the October 13, 2021 regular meeting, members of the City Council and City Staff are permitted to attend the meeting by teleconference and such teleconference locations are not accessible to the public and are not subject to special posting requirements. Some members of the City Council and staff may attend the meeting at City Hall in the City Council Chambers located at 4319 E. Slauson Avenue. The City Council Chambers, however, will not be open to the Public. The meeting will be broadcast using the Zoom platform

as well as broadcasted live on the City's Facebook page.

To maximize public health and safety while still maintaining transparency and public access, members of the public can observe and participate in the meeting virtually via Zoom or follow the meeting live via the City's Facebook page. Public participation is highly encouraged using the virtual platform. Below is information on how the public may observe and participate in the meeting.

If you would like to speak on an agenda item, you can access the meeting remotely via zoom :

Join by phone 1-669-900-6833 Enter Meeting ID: 859 5156 4880 Passcode: 031151
OR

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/85951564880?pwd=VkRUSVdaRzh6RGh3aDh2WFpVWWdLdz09>
Passcode: 031151

To participate in the meeting by providing public comment via teleconference/video conference:

Live real-time verbal public comments may be made by members of the public joining the meeting via Zoom. Zoom access information is provided above. Use the "raise hand" feature (for those joining by phone, press *9 to "raise hand") during the public participation period for agenda items or during the public participation period for non-agenda items. The Zoom Host will call on people to speak by name provided or last 4 digits of phone number.

Before the meeting: You can also submit your public comments for the record in advance by 4:30 pm the day of the meeting by email to shirley.quinones@cityofmaywood.org; or if you are unable to email, please call the City Clerk's Office at (323) 562-5714. Your comment will be made part of the written record but will NOT be read verbally at the meeting.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in the Council meeting, please contact the City Clerk's Office, (323) 562-5714 within 48 hours of the meeting.

IV. MAYOR, COUNCILMEMBERS AND STAFF COMMENTS

V. PUBLIC PARTICIPATION (Agenda Items; Time allotted: 3 minutes)

Speakers wishing to address the City Council on an item on the agenda may use the instructions provided in section **III. COVID - 19 MEETING PROCEDURES** on page 1 of this agenda.

VI. PRESENTATIONS

CITY OF MAYWOOD VOCATIONAL/TECHNICAL SCHOOL AND APPRENTICE SCHOLARSHIP
AWARDED TO GENAVEE PEREZ

NEIGHBORHOOD HOUSING SYSTEMS OF LOS ANGELES COUNTY PRESENTS SERVICES
AND PROGRAMS AVAILABLE TO THE COMMUNITY

CHASE COMMUNITY HOME LENDING, PRESENTED BY ROBER BRUCH

LOS ANGELES NEIGHBORHOOD LAND TRUST PRESENTATION ON RECENT COMMUNITY OUTREACH AND DESIGN PROPOSAL FOR RIVERFRONT PARK

VII. PUBLIC HEARING

VIII. CONSENT CALENDAR

All matters listed under CONSENT CALENDAR are considered to be routine and can be acted on by one roll call vote. There will be no separate discussion of these items unless members of the City Council request specific items to be removed from the Consent Calendar for separate discussion or action.

1. MINUTES OF SEPTEMBER 22, 2021 CITY COUNCIL MEETING
2. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAYWOOD AND SUCCESSOR AGENCY TO THE MAYWOOD COMMUNITY REDEVELOPMENT AGENCY APPROVING THE WARRANTS FOR PAYMENT
3. MONTHLY CASH AND INVESTMENT REPORT TO COUNCIL SEPTEMBER 2021
4. REVENUE REPORT FROM JULY 2021 - SEPTEMBER 2021
5. ADOPT RESOLUTION 6199 AUTHORIZING THE DESTRUCTION OF OBSOLETE DOCUMENTS
6. CONSIDERATION OF APPROVING THE COMMUNITY BENEFIT FUND APPLICATION FROM THE SOUTHEAST RIO VISTA YMCA IN THE AMOUNT OF \$10,000
7. CONSIDERATION OF APPROVING THE COMMUNITY BENEFIT FUND APPLICATION FROM MAYWOOD EDUCATION FAIR – CSU FULLERTON/CREAL/CSUF PHILANTROPIC FOUNDATION IN THE AMOUNT OF \$10,000

IX. DISCUSSION/ACTION ITEMS

8. CONSIDERATION OF RESOLUTION NO. 6200 AUTHORIZING PUBLIC MEETINGS OF THE CITY'S LEGISLATIVE BODIES TO BE HELD VIA TELECONFERENCING PURSUANT TO GOVERNMENT CODE SECTION 54953(e) AND MAKING FINDINGS AND DETERMINATIONS REGARDING THE SAME

9. CONSIDERATION OF A RESOLUTION AMENDING THE CITY'S CLASSIFICATION PLAN TO ADD HUMAN RESOURCES MANAGER, AND COMMUNITY DEVELOPMENT ANALYST AND ADOPTING THE SALARY RANGE FOR THOSE POSITIONS.

X. CLOSED SESSION

Conference with Legal Counsel, Existing Litigation, California Government Code Section 54956.9(d)(1); Jose Mendoza, an individual; LA LABS, Inc., a corporation v. City of Maywood, et. al., Los Angeles County Superior Court Case No. 20NWCV00592

XI. PUBLIC PARTICIPATION (Non-Agenda Items; Time allotted: 3 minutes)

Speakers wishing to address the City Council on a non- agenda item may use the instructions provided in section III. COVID - 19 MEETING PROCEDURES on page 1 of this agenda.

- XII. ADJOURNMENT - The meeting will be adjourned in Memory of Desmond "Desi" Ludym Pelayo until the next Regular Meeting of the Maywood City Council on Wednesday, October 27, 2021 at 7:00 p.m.

PUBLIC ACCESS TO MEETING AGENDA AND AGENDA PACKETS

I, _____, Flor Aguiluz, City Clerk or Shirley Quinones, Deputy City Clerk, hereby certify that this agenda was duly posted by law at 4319 E. Slauson Avenue, Maywood, CA 90270 and the City Website. Any public record, relating to an open session agenda item, that is distributed within 72 hours prior to the meeting is available for public inspection at the Maywood City Hall, 4319 E. Slauson Avenue, Maywood CA 90270. If you challenge in court any discussion or action taken concerning an item on this Agenda, you may be limited to rising only those issues you or someone else raised during the meeting or in written correspondence delivered to the City at or prior to the City's consideration of the item at the meeting. In compliance with the ADA, if you need special assistance for the meeting, call (323) 562-5723 within 72 hours prior to the meeting so the City can make reasonable arrangements to ensure accessibility.





CERTIFICATE OF SCHOLARSHIP

THIS CERTIFICATE IS AWARDED TO

Genavee Perez

On Behalf of the City Council and the City of Maywood, we
congratulate you as recipient of the City of Maywood
Annual Youth Scholarship Program.

10.13.2021

DATE

RICARDO LARA,
MAYOR



AGENDA 1
ITEM NO. _____

MINUTES
REGULAR MEETING OF THE MAYWOOD CITY COUNCIL AND THE
SUCCESSOR AGENCY TO THE MAYWOOD COMMUNITY
REDEVELOPMENT AGENCY

WEDNESDAY, SEPTEMBER 22, 2021 AT 7:00 PM

I. CALL TO ORDER/ROLL CALL

Mayor Lara called to meeting to order, approximately 7:06 p.m.

II. CITY OFFICIALS

MAYOR

Ricardo Lara (present)

CITY CLERK

Flor Aguiluz (teleconference)

MAYOR PRO TEM

Heber Marquez (present)

CITY TREASURER

Mary Mariscal (teleconference)

COUNCIL MEMBERS

Eduardo De La Riva (teleconference)

Frank Garcia (teleconference)

Jessica Torres (teleconference)

CITY MANAGER

Jennifer E. Vasquez (present)

CITY ATTORNEY

Roxanne Diaz (teleconference)

STAFF PRESENT:

Hrant Manuelian, Finance Director (present)

Steve Fowler, Director of Building and Planning (present)

Shirley Quinones, Deputy City Clerk (present)

III. COVID-19 MEETING PROCEDURES

PUBLIC ADVISORY: THE CITY COUNCIL CHAMBERS WILL NOT BE OPEN TO THE PUBLIC PURSUANT TO GOVERNOR GAVIN NEWSOM’S EXECUTIVE ORDER N-29-20 THIS MEETING WAS HELD AS A TELECONFERENCE MEETING.

OBSERVERS WERE ABLE TO VIEW THE MEETING LIVESTREAMED VIA THE CITY’S FACEBOOK AT: <https://www.facebook.com/cityofmaywood> OR BY ZOOM AT:

Teleconference 1-669-900-6833 Meeting ID: 857 6601 2832Passcode: 114058

or

<https://us02web.zoom.us/j/85766012832?pwd=T21oa1pPdIN0bDRLK01iNnpQU1ozZz09>

Passcode: 114058

Comments may have been submitted via e-mail to shirley.quinones@cityofmaywood.org by 4:30 p.m. prior to meeting and by teleconference any time prior to closure of the public comment portion of the item(s) under consideration.

IV. MAYOR, COUNCILMEMBERS AND STAFF COMMENTS

Mayor, Council Members and City Manager provided community updates.

V. PUBLIC PARTICIPATION (Agenda Items; Time allotted: 3 minutes)

The following spoke on Agenda items:

- 1) David Perez (submitted by teleconference)
- 2) Peoples Exhibit 1 (submitted by teleconference)

VI. PRESENTATIONS

10 YEARS OF SERVICE RECOGNITION: NORMA FLORES, CUSTOMER SERVICE REPRESENTATIVE II

Mayor Lara presented Norma Flores a Certificate of Appreciation recognizing her 10 years of service to the City of Maywood.

PROCLAMATION RECOGNIZING HISPANIC HERITAGE MONTH

Mayor Lara proclaimed September 15 - October 15, 2021 as Hispanic Heritage Month for the City of Maywood.

PRESENTATION ON SB 1383: STATE MANDATORY ORGANIC WASTE DISPOSAL REDUCTION

Susan Contreras from Municipal Waste Solutions presented the new law requirements for the City of Maywood regarding SB 1383 Organics Disposal Reduction Requirements.

SHERIFF'S UPDATE

Deputy Aguayo presented crime trends in the City of Maywood.

VII. PUBLIC HEARING

None

VIII. CONSENT CALENDAR

1. MINUTES OF SEPTEMBER 8, 2021 CITY COUNCIL MEETING

Motion to approve the Minutes of September 8, 2021 City Council Meeting by De La Riva. Second by Garcia. AYES: De La Riva, Garcia, Torres, Marquez, Lara. PASSES

2. RESOLUTION NO. 6197 OF THE CITY COUNCIL OF THE CITY OF MAYWOOD AND SUCCESSOR AGENCY TO THE MAYWOOD COMMUNITY REDEVELOPMENT AGENCY APPROVING THE WARRANTS FOR PAYMENT

Motion to adopt Resolution No. 6197 of the City Council of the City of Maywood and Successor Agency to the Maywood Community Redevelopment Agency approving the Warrants for Payment by De La Riva. Second by Garcia. AYES: De La Riva, Garcia, Torres, Marquez, Lara. PASSES

3. REVENUE REPORT FROM JULY 2021 - AUGUST 2021

Motion to receive and file the Revenue Report from July 2021 - August 2021 by De La Riva. Second by Garcia. AYES: De La Riva, Garcia, Torres, Marquez, Lara. PASSES

4. FISCAL YEAR 2021/2022 BUDGET RECLASS FOR THE DEPARTMENT OF HR/RISK MANAGEMENT

Motion to approve the budget reclass for HR/Risk Management from department 605 to department 608 by De La Riva. Second by Garcia. AYES: De La Riva, Garcia, Torres, Marquez, Lara. PASSES

5. CONSIDERATION OF APPROVING AN AGREEMENT BETWEEN THE CITY OF MAYWOOD AND THE CITY OF VERNON FOR TRAFFIC SIGNAL MAINTENANCE AT INTERSECTION OF SLAUSON AVENUE AND DOWNEY ROAD/MALBURG WAY

Motion to approve the agreement between the City of Maywood and the City of Vernon for Traffic Signal Maintenance at intersection of Slauson Avenue and Downey Road/Malburg Way by De La Riva. Second by Mayor Pro Tem Marquez. AYES: De La Riva, Garcia, Torres, Marquez, Lara. PASSES

Item #5 was pulled for further discussion.

IX. DISCUSSION/ACTION ITEMS

6. CONSIDERATION OF APPROVING A PARTNERSHIP WITH HUB CITIES CONSORTIUM TO ESTABLISH THE SOUTH EAST LOS ANGELES (SELA) REGIONAL YOUTH WORKFORCE PROGRAM IN THE CITY OF MAYWOOD AND BUDGET AMENDMENT

Motion to approve the establishment of South East Los Angeles (SELA) Regional Youth Workforce Program in the City of Maywood as proposed by HUB Cities Consortium with the accompanied budget adjustment and with the following revisions: 1) authorize the City Manager and City Attorney to negotiate the final agreement and approve that agreement; 2) increase the number of students from 18 to 25; and 3) approved the budget adjustment and cost of the program of \$98,144 for the 18 youths and not-to-exceed \$5,452 for each additional participant in the final amount negotiated by the City Manager by Mayor Lara. Second by De La Riva. AYES: De La Riva, Garcia, Torres, Marquez, Lara. PASSES

7. COUNCIL DISCUSSION REGARDING MAYWOOD MUNICIPAL CODE SECTION 8-16.01 REGARDING THE REGULATION OF TEMPORARY STRUCTURES, CANOPIES, AND SIMILAR USES.

City Council gave staff direction regarding Maywood Municipal Code Section 8-16.01 regarding the regulation of temporary structures, canopies, and similar uses.

X. CLOSED SESSION

None

XI. PUBLIC PARTICIPATION (Non-Agenda Items; Time allotted: 3 minutes)

The following spoke on Non-Agenda items:

- 1) Vincent Acuna (submitted by teleconference)
- 2) Gabriel Ramirez (submitted by teleconference)
- 3) Veronica Alvarez (submitted by teleconference)
- 4) Peoples Exhibit 1 (submitted by teleconference)
- 5) David Perez (submitted by teleconference)
- 6) Reyna Mendez (submitted by teleconference)

XII. ADJOURNMENT

The meeting adjourned In the Memory of Gloria Rendon, beloved Mother of Speaker Rendon, at approximately 9:27 p.m. to the Next Regular Meeting of the City Council on Wednesday, October 13, 2021 at 7:00 p.m.

Ricardo Lara, Mayor

ATTEST:

Flor Aguiluz, City Clerk

RESOLUTION NO. 6198

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MAYWOOD AND SUCCESSOR AGENCY TO THE MAYWOOD
COMMUNITY
REDEVELOPMENT AGENCY APPROVING THE WARRANTS FOR
PAYMENT**

WHEREAS, the following listed demands have been reviewed by the Director of Finance, and

WHEREAS, the Director of Finance has certified to the accuracy and availability of funds for payment thereof, and

WHEREAS, the register of audited demands is hereby submitted to the City Council of the City of Maywood and Successor Agency to the Maywood Community Redevelopment Agency for approval.

NOW, THEREFORE, BE IT RESOLVED, that the listed Warrants and Wire Transfers/Automated Clearing House (ACH) Transactions for \$530,837.84 are hereby ratified:

- Exhibit A – Summary of Warrants and Wire Transfers/ACH Transactions
- Exhibit B – Detail of Warrants

PASSED, APPROVED AND ADOPTED THIS 13th day of October, 2021.

Ricardo Lara, Mayor

ATTEST:

APPROVED AS TO FORM:

Flor Aguiluz, City Clerk

Roxanne Diaz, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF MAYWOOD)

I, Flor Aguiluz, City Clerk of the City Council of the City of Maywood, do hereby certify that foregoing Resolution No. 6198 was duly passed and adopted by the City Council of the City of Maywood, at a regular meeting of the City Council held on the 13th day of October, 2021 by the following roll call vote, to wit:

AYES:

NAYES:

ABSENT:

ABSTAINED:

Flor Aguiluz, City Clerk

City of Maywood
Summary Warrants for Payment and Wire Transfers/ACH Transactions
Council Meeting Date
Wednesday, October 13, 2021

Accounts Payable

Amount

Accounts Payable prepaid warrants for payment: Checks No. 088896 - 088918	\$	45,942.22
Accounts Payable regular warrants for payment: Checks No. 088919 - 088961	\$	259,453.95
Sub-total	\$	305,396.17

Wire Transfers/ACH Transactions

09/17/21 CalPERS Health Premium October 2021	\$	30,921.20
09/24/21 ADP Payroll Fees	\$	197.40
09/30/21 Payroll Pay Period - 9/12/2021 - 9/25/2021	\$	44,431.70
10/01/21 US Bank - Merchant Fees	\$	792.78
10/05/21 8x8 Inc - Monthly Phone Maintenance	\$	409.18
10/05/21 California Joint Powers Insurance Authority (CJPIA) repayment plan agreement - October 2021	\$	12,000.00
10/06/21 CalPERS Unfunded Liability Payment Plan - Safety & Misc. Employees	\$	129,862.92
10/06/21 CalPERS Employer Contribution - 9/12/2021 - 9/25/2021	\$	6,826.49
Sub-total	\$	225,441.67

Total Demands	\$	530,837.84
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City of Maywood
Detail Warrants for Payment
Warrants No. 088896 to 088961

Check No.	Prepays	Date	Vendor Name	Check Amt	Transaction Description	Fund
088896	P	10/5/2021	Angel Villegas	865.08	Retiree Medical Reimbursement October 2021	General Fund - 01
088897	P	10/5/2021	AT&T	835.40	Elevator Emergency Phone Line 08/10/2021 - 09/09/2021	General Fund - 01
088898	P	10/5/2021	AT & T Long Distance	44.63	Elevator Emergency Phone Line 09/06/2021 - 10/06/2021	General Fund - 01
088899	P	10/5/2021	Brent Talmo	617.17	Retiree Medical Reimbursement October 2021	General Fund - 01
088900	P	10/5/2021	Bruce Leflar	1,196.68	Retiree Medical Reimbursement October 2021	General Fund - 01
088901	P	10/5/2021	Carlos Lopez	1,000.00	C & D Recycling Compliance Measure Deposit Return	General Fund - 01
088902	P	10/5/2021	Christine M. Locher	238.25	Retiree Medical Reimbursement October 2021	General Fund - 01
088903	P	10/5/2021	County of Los Angeles Department of Auditor-Controller	465.49	Allocation of LAFCO FY 2021-2022	General Fund - 01
088904	P	10/5/2021	Edward Ahrens	1,196.68	Retiree Medical Reimbursement October 2021	General Fund - 01
088905	P	10/5/2021	Eurmax Canopy, Inc.	2,513.00	Canopies for Special Events	General Fund - 01
088906	P	10/5/2021	FedEx	30.95	Document Shipping - Payroll	General Fund - 01
088907	P	10/5/2021	Genavee Perez	700.00	Scholarship	General Fund - 01
088908	P	10/5/2021	Quadient Leasing USA, Inc.	989.66	Postage Machine Lease: October 2021 to January 2022	General Fund - 01
088909	P	10/5/2021	Tri-City Mutual Water Company	2,971.05	Various Locations 06-24-2021 to 08-25-2021	General Fund - 01
088910	P	10/5/2021	Paul Pine	1,598.58	Retiree Medical Reimbursement October 2021	General Fund - 01
088911	P	10/5/2021	Robert Leach	1,005.00	Retiree Medical Reimbursement October 2021	General Fund - 01
088912	P	10/5/2021	Ronald Lindsey	1,274.32	Retiree Medical Reimbursement October 2021	General Fund - 01
088913	P	10/5/2021	Scott C. Anderson	1,196.68	Retiree Medical Reimbursement October 2021	General Fund - 01
088914	P	10/5/2021	Southern California Edison	23,601.99	Various Locations 08-24-2021 to 09-22-2021	General Fund - 01
088915	P	10/5/2021	Sprint	573.95	Cell Phone Service: 08/24/2021 to 09/23/2021	General Fund - 01
088916	P	10/5/2021	State of California	150.00	SCO Audit Letter	General Fund - 01
088917	P	10/5/2021	U.S. Bank Corporate Payment System	2,788.27	Credit Card Expense 08/27/21-09/13/21	General Fund - 01
088918	P	10/5/2021	Vernon, City of	89.39	Slauson & Downey 08-05-2021 to 09-07-2021	General Fund - 01
088919		10/5/2021	Amazon Capital Services	1,296.25	Office Supplies	General Fund - 01
088920		10/5/2021	Active Universal Capital, LLC	3,194.22	Crossing Guard Services - August 2021	Gas Tax - 04
088921		10/5/2021	Bordin Semmer LLP	30,175.45	Legal Services - June and July 2021 Mena and Tarin Claim	General Fund - 01

City of Maywood
Detail Warrants for Payment
Warrants No. 088896 to 088961

Check No.	Prepays	Date	Vendor Name	Check Amt	Transaction Description	Fund
088922		10/5/2021	Calmex Graphics	423.77	Business Cards City Council/Staff	General Fund - 01
088923		10/5/2021	Carpenter Rothan & Dumont LLP	59.30	Legal Services - October 2020 Ortiz Claim	General Fund - 01
088924		10/5/2021	Cat Specialties, Inc.	186.05	Public Works Uniforms	General Fund - 01
088925		10/5/2021	Colantuono, Highsmith & Whatley, PC	274.61	Under Collection of Utility User Taxes SCE	General Fund - 01
088926		10/5/2021	County of Los Angeles Department of Animal Control	5,960.91	Animal Control Services	General Fund - 01
088927		10/5/2021	Crosstown Electrical & Data, Inc.	617.44	Preventive Maintenance	Street Light Fund - 62
088928		10/5/2021	Dapeer, Rosenblit & Litvak, LLP	31.00	Code Enforcement Legal Services August 2021	General Fund - 01
088929		10/5/2021	Elim HVAC	5,150.00	YMCA A/C Tune Up and Repair	General Fund - 01
088930		10/5/2021	Expert Building Maintenance LLC	14,790.00	City Hall/Police Station/Parks Additional Janitorial Services September and August 2021	General Fund - 01
088931		10/5/2021	Flor Aguiluz	300.00	October 2021 City Clerk Stipend	General Fund - 01
088932		10/5/2021	GWMA	38,443.12	Annual Membership Dues FY 2021/2022 Admin & Cost Sharing for Prop 1 Stormwater Implementation	General Fund - 01
088933		10/5/2021	George Hill Company	1,863.00	City Claims/Adjuster August 2021	General Fund - 01
088934		10/5/2021	Graffiti Protective Coatings	16,820.00	September 2021 Bus Shelter Maintenance CityWide Graffiti Removal August 2021	General Fund - 01
088935		10/5/2021	Myers & Sons Hi-Way Safety, Inc.	1,286.63	Public Works Supplies	General Fund - 01
088936		10/5/2021	Infinity Technologies	3,680.00	Monthly IT Fee for Services September 2021	General Fund - 01
088937		10/5/2021	Interwest Consulting Group	3,622.84	Building & Safety Plan Review Services August 2021	General Fund - 01
088938		10/5/2021	JBX IT & Surveillance, Inc.	1,800.00	Install network cables for Public Works Office	General Fund - 01
088939		10/5/2021	Jerry's Auto Body, Inc.	4,696.79	City Fleet Trucks Ford F-150 Parts & Materials	General Fund - 01
088940		10/5/2021	Juan Acosta	65.00	Planning Commission Stipend 08/17/2021	General Fund - 01
088941		10/5/2021	King Maywood Car Wash & Detail	561.70	Maywood Car Wash	General Fund - 01
088942		10/5/2021	L.B. Johnson Hardware Co.	113.98	Building Supplies Public Works	General Fund - 01
088943		10/5/2021	Mapcon Technologies, Inc.	83.00	Mapcon Building and Planning Software October 2021	General Fund - 01
088944		10/5/2021	Mary Mariscal	50.00	October 2021 Treasurer Stipend	General Fund - 01
088945		10/5/2021	Maywood Car Wash	54.00	Car Wash September 2021	General Fund - 01
088946		10/5/2021	Modern Glass & Mirror Works	285.00	Safety Glass Install for Storefront units	General Fund - 01

City of Maywood
Detail Warrants for Payment
Warrants No. 088896 to 088961

Check No.	Prepays	Date	Vendor Name	Check Amt	Transaction Description	Fund
088947		10/5/2021	Municipal Code Corporation	900.00	Online Code Hosting 10-01-2021 to 09-30-2022	General Fund - 01
088948		10/5/2021	Municipal Waste Solutions	5,320.00	Solid Waste Consulting August 2021	General Fund - 01
088949		10/5/2021	Nationwide Environmental Services	7,410.00	Street Sweeping Services August 2021	General Fund - 01
088950		10/5/2021	North Star Landcare	9,831.25	Landscape Contract Northstar September 2021	General Fund - 01
088951		10/5/2021	Pacific Commercial Truck Body, Inc.	754.99	Materials and Installation Mesh Rack for City Fleet Truck	General Fund - 01
088952		10/5/2021	Phoenix Group Information Systems	7,306.87	August 2021 Citation Processing Collection Agency Services August 2021 Parking Citation Processing August 2021 Permit Processing Fee	General Fund - 01
088953		10/5/2021	Raul Rodriguez	65.00	Planning Commission Stipend 08/17/2021	General Fund - 01
088954		10/5/2021	Reyna Mendez	65.00	Planning Commission Stipend 08/17/2021	General Fund - 01
088955		10/5/2021	Rosa Garza	48.00	Refund on Citation 177128604	General Fund - 01
088956		10/5/2021	Richards, Watson & Gershon	39,117.00	Legal Service General July and August 2021	General Fund - 01
088957		10/5/2021	Staples Business Advantage	563.05	Printer HR Office and Toner	General Fund - 01
088958		10/5/2021	The Home Depot Pro	811.23	Building Repair Supplies	General Fund - 01
088960		10/5/2021	Transtech Engineers, Inc	47,972.50	City Engineering Services	General Fund - 01 Gas Tax - 04 Measure R - 12 Measure M - 20 Sewer Fund - 35 Street Light Fund - 62
088961		10/5/2021	Willdan Financial Services	3,405.00	Professional Services User Fee Study for the City of Maywood August 2021	General Fund - 01
TOTAL:				<u>\$305,396.17</u>		

AGENDA REPORT
CITY OF MAYWOOD



AGENDA ITEM NO. 3.

DATE: October 13, 2021

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: JENNIFER VASQUEZ, CITY MANAGER

BY: HRANT MANUELIAN, FINANCE DIRECTOR

SUBJECT: MONTHLY CASH AND INVESTMENT REPORT TO COUNCIL SEPTEMBER 2021

RECOMMENDATION:

Staff recommends that the City Council receive and file the cash and investments report for September 2021.

BACKGROUND:

The City's Finance Department prepares a monthly cash and investments report for the City Council's review. The report shows the City's cash position at the month's end as well as investments.

DISCUSSION:

The City has historically only invested its cash in the Local Agency Investment Fund (LAIF), which is a state fund with low risk and also low investment returns. As of September 30, 2021, the City has approximately \$5.8M invested in the LAIF. The current return as of 9/30/2021 is 0.21%. In the June 24, 2020 City Council meeting, the Maywood City Council approved the City to invest in the PERS section 115 trust accounts for both the PERS pension liability and the Other Post Employment Benefits (OPEB) liability.

On September 22, 2020, the City invested \$250,000 into each of the section 115 trust accounts. The City transferred \$250,000 into each of the accounts for a total of \$500,000. The City has since increased its position in each of these funds by an additional \$750,000 each. To date, the City has invested \$1,000,000 in each fund for a total of \$2,000,000. The expected annual return on these accounts is 3%-5%. The funds used to invest in the accounts come from unrestricted general funds as the eventual expenditures are also general fund expenditures.

The attached report shows the cash and investments as of September 30, 2021. The cash and investment balances are across all funds of the City and includes restricted, unrestricted, and budgeted amounts. These balances do not represent the available balance for spending as most of these are either restricted or have already been appropriated for in the City budget. The purpose of this report is to show the cash and investment balances as of reported on date only and does not represent the City's available fund balance.

LEGAL REVIEW:

The City Attorney has reviewed this report.

FISCAL IMPACT:

There is no fiscal impact involved with this action.

ATTACHMENT(S)

1. Attachment No. 1 Cash and Investments Report

**City of Maywood
Cash and Investments Report
As of September 30, 2021**

Description	Type	Ending Balance 9/30/2021
US Bank	Cash	9,392,745.26
Local Agency Investment Fund	LAIF	5,877,915.44
CalPers California Employers' Retiree Benefit Trust (CERBT)	Section 115 Trust	1,074,610.06
CalPers California Employers' Pension Prefunding Trust (CEPPT)	Section 115 Trust	1,028,434.74
		<u>17,373,705.50</u>

AGENDA REPORT
CITY OF MAYWOOD



AGENDA ITEM NO. 4.

DATE: October 13, 2021

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: HRANT MANUELIAN, FINANCE DIRECTOR

BY: RAUL HERRERA, ACCOUNTING SPECIALIST

SUBJECT: REVENUE REPORT FROM JULY 2021 - SEPTEMBER 2021

RECOMMENDATION:

Staff recommends that the City Council receive and file the Revenue Report from July – September 2021.

BACKGROUND:

In an effort to maintain transparency, the City's Finance Department prepares a monthly Revenue report for the City Council's review. The Revenue Report is a tool used by the Council to monitor and oversee the financial health of the City.

DISCUSSION:

The total revenue received from July - September 2021 totaled \$6,161,941.90 which is 120.65% higher than the same period last year.

- **GENERAL FUND** - The total General Fund received totaled \$1,223,794.77 which is 4.58% lower than the same period last year. This decrease is due to the CARES Act money that the City received last year, which were one time revenues from the federal government to offset the effect of the COVID pandemic. When this is excluded from the calculation, current year revenues are actually up 10.23% compared to the same period last year.
- **SPECIAL REVENUE FUND** - The total Special Revenue Fund received totaled \$4,938,147.13 which is 227.01% higher than the same period last year. The contributing factor for the difference in Special Revenue Fund is due to the payment received from the American Rescue Plan Act of 2021 (ARPA). These Funds support cities in mitigating the fiscal effects stemming from the public health emergency caused by COVID-19. The first of two installments was received in the amount of \$3,226,257, and the second and final installment is expected to be received in one year.

LEGAL REVIEW:

The City Attorney has reviewed this report.

FISCAL IMPACT:

There is no fiscal impact involved with this action.

ATTACHMENT(S)

1. July - Sept 2021 - City of Maywood FY2021-22

	C - Prior Fiscal Year to Date Revenue	B - Current Fiscal Year to Date Revenue	D - Current YTD versus Prior YTD \$ Difference <i>(C minus B)</i>	E - Current YTD Prior YTD % Difference <i>(C divided by B minus 1)</i>	G - Adopted Budget FY 2021-22	H - % of FY 2021-2022 YTD Revenue Received <i>(C divided by G)</i>
GENERAL FUND						
Taxes: A tax is a compulsory monetary contribution to the City's revenue, assessed and imposed by the City on the activities, expenditure, income, occupation, privilege, property, etc., of individuals and organizations.						
Franchise & Collectors Fee			\$0.00	0.00%	\$325,000.00	0.00%
Property Taxes	\$199,908.05	\$219,310.97	\$19,402.92	9.71%	\$778,480.00	28.17%
Utility Users Tax	\$164,624.90	\$175,219.73	\$10,594.83	0.00%	\$900,000.00	19.47%
Transfer Tax (Real Estate)	\$5,157.63	\$3,456.20	(\$1,701.43)	0.00%	\$20,000.00	17.28%
Transient Occupancy Tax			\$0.00	0.00%	\$60,000.00	0.00%
Cannabis Sales Tax		\$21,270.00	\$21,270.00	0.00%	\$3,000,000.00	0.71%
Sales Tax Revenue	\$156,717.04	\$175,278.32	\$18,561.28	0.00%	\$2,355,904.00	7.44%
Taxes Totals	\$526,407.62	\$594,535.22	\$68,127.60	12.94%	\$7,439,384.00	7.99%
GENERAL FUND						
Licenses & Permits: FEES: A fee is a charge imposed on an individual for a service that the person chooses to receive. A fee may not exceed the estimated reasonable cost of providing the particular service or product for which the fee is charged, plus overhead. Fees are charged for specific services, and fee revenue may fund only those services and related expenses. LICENSES and PERMITS are types of fees allowing for the operation within the City.						
Compliance Program Fee			\$0.00	0.00%	\$45,000.00	0.00%
Residential & Building Permits	\$2,981.32	\$4,243.92	\$1,262.60	42.35%	\$29,500.00	14.39%
Public Works Permit Fees	\$33,885.90	\$55,185.50	\$21,299.60	62.86%	\$50,000.00	110.37%
Other Fees & Permits	\$4,556.34	\$4,944.80	\$388.46	8.53%	\$27,100.00	18.25%
Occupancy Permits	\$7,678.60	\$5,404.50	(\$2,274.10)	-29.62%	\$13,000.00	41.57%
Building Permits	\$14,677.62	\$11,803.83	(\$2,873.79)	-19.58%	\$60,000.00	19.67%
Compliance and Review Fees - Cannabis			\$0.00	0.00%	\$105,000.00	0.00%
Commercial Cannabis Renewal	\$14,960.00		(\$14,960.00)	-100.00%	\$0.00	0.00%
Parking Permits	\$8,678.20	\$8,118.00	(\$560.20)	-6.46%	\$90,000.00	9.02%
Apartment License	\$300.00	\$201.25	(\$98.75)	-32.92%	\$20,000.00	1.01%
Business License	\$5,156.88	\$5,828.00	\$671.12	13.01%	\$190,000.00	3.07%
Vehicle License Fee - LA County			\$0.00	0.00%	\$3,173,048.00	0.00%
Licenses and Permits Totals	\$92,874.86	\$95,729.80	\$2,854.94	3.07%	\$3,802,648.00	2.52%
GENERAL FUND						
Charges for Services: CHARGES FOR SERVICES: Charges to cover administrative costs for the provision of services.						
Rubbish Assessment			\$0.00	0.00%	\$15,000.00	0.00%

	C - Prior Fiscal Year to Date Revenue	B - Current Fiscal Year to Date Revenue	D - Current YTD versus Prior YTD \$ Difference	E - Current YTD Prior YTD % Difference	G - Adopted Budget FY 2021-22	H - % of FY 2021-2022 YTD Revenue Received
			(C minus B)	(C divided by B minus 1)		(C divided by G)
Plan Check Fees	\$10,590.69	\$13,831.67	\$3,240.98	30.60%	\$45,000.00	30.74%
Rents & Concessions	\$5,953.50	\$5,953.50	\$0.00	0.00%	\$24,000.00	24.81%
Charges for Services Totals	\$16,544.19	\$19,785.17	\$3,240.98	19.59%	\$84,000.00	23.55%
GENERAL FUND FINES AND FORFEITURES: Penalties imposed by the City in the form of money or goods for a violation of an ordinance, law, regulation or rule.						
Fines and Forfeitures:						
Penalties: Apt & Bus License	\$1,256.10		(\$1,256.10)	-100.00%	\$2,500.00	0.00%
SEMC: Court Collections (DMV)	\$14,452.04	\$16,907.61	\$2,455.57	0.00%	\$100,000.00	16.91%
Administrative Citations	\$4,000.00	\$600.00	(\$3,400.00)	-85.00%	\$15,000.00	4.00%
Parking Fines	\$9,212.50	\$8,633.28	(\$579.22)	-6.29%	\$150,000.00	5.76%
Fines and Forfeitures Totals	\$28,920.64	\$26,140.89	(\$2,779.75)	-9.61%	\$267,500.00	9.77%
GENERAL FUND LEASES AND CONCESSIONS: A rent or lease or payment for the use of a the City's property.						
Leases and Concessions:						
Leased Property Rental Income	\$11,147.91	\$13,336.34	\$2,188.43	19.63%	\$39,345.00	33.90%
Leases and Concessions Totals	\$11,147.91	\$13,336.34	\$2,188.43	19.63%	\$39,345.00	33.90%
GENERAL FUND MISCELLANEOUS: A General Fund revenue not covered in another revenue category.						
Miscellaneous:						
Good Corporate Citizen Program			\$0.00	0.00%	\$40,000.00	0.00%
Interest Income			\$0.00	0.00%	\$16,500.00	0.00%
Miscellaneous Revenue	\$19,127.43	\$23,515.23	\$4,387.80	22.94%	\$17,000.00	138.32%
CARES Act Reimbursement	\$172,266.00		(\$172,266.00)	-100.00%	\$0.00	0.00%
Other (Recycle + ABx1 Reimbursement)			\$0.00	0.00%	\$0.00	0.00%
Miscellaneous Revenue Totals	\$191,393.43	\$23,515.23	(\$167,878.20)	-87.71%	\$73,500.00	31.99%
GENERAL FUND RETIREE PENSION LEVY: An amount of revenue from the property tax levy approved by the voters for the purpose of paying the cost to the City of the Public Employees Retirement System (PERS).						
Retiree Pension Levy:						
Retiree Pension Levy	\$415,217.46	\$450,752.12	\$35,534.66	8.56%	\$1,158,911.00	38.89%
Retiree Pension Levy Totals	\$415,217.46	\$450,752.12	\$35,534.66	8.56%	\$1,158,911.00	38.89%
General Fund Revenue Totals	\$1,282,506.11	\$1,223,794.77	(\$58,711.34)	-4.58%	\$12,865,288.00	9.51%
SPECIAL REVENUE FUND SPECIAL REVENUE FUND: Collections of revenues in special funds that must be used for the established purposes of the funds to provide an extra level of accountability and transparency.						
Gas Tax	\$170,701.86	\$192,229.56	\$21,527.70	12.61%	\$672,770.00	28.57%
Transportation Development Act (TDA)						
Bikeway			\$0.00	0.00%	\$20,448.00	0.00%
Proposition A	\$137,531.91	\$174,735.45	\$37,203.54	27.05%	\$563,507.00	31.01%
Proposition C	\$114,073.19	\$144,942.38	\$30,869.19	27.06%	\$467,414.00	31.01%
Measure R	\$85,501.97	\$108,625.37	\$23,123.40	27.04%	\$350,561.00	30.99%
Measure M	\$97,062.18	\$122,853.51	\$25,791.33	26.57%	\$397,302.00	30.92%
Senate Bill 1 (SB 1)	\$42,096.91	\$46,956.86	\$4,859.95	0.00%	\$536,044.00	8.76%

	C - Prior Fiscal Year to Date Revenue	B - Current Fiscal Year to Date Revenue	D - Current YTD versus Prior YTD \$ Difference <i>(C minus B)</i>	E - Current YTD Prior YTD % Difference <i>(C divided by B minus 1)</i>	G - Adopted Budget FY 2021-22	H - % of FY 2021-2022 YTD Revenue Received <i>(C divided by G)</i>
Community Development Block Grant (CDBG)		\$6,202.00	\$6,202.00	0.00%	\$718,020.00	0.86%
Air Quality Management District (AQMD) Grant			\$0.00	0.00%	\$36,375.00	0.00%
Supplemental Law Enforcement Services Fund (SLESF) Grant			\$0.00	0.00%	\$155,000.00	0.00%
Measure A			\$0.00	0.00%	\$353,000.00	0.00%
Lighting & Landscaping			\$0.00	0.00%	\$189,000.00	0.00%
Successor Agency Trust Fund - City of Maywood serves as the Successor Agency to the Maywood Redevelopment Agency	\$862,558.00	\$915,345.00	\$52,787.00	6.12%	\$1,226,567.00	74.63%
Sewer Fund	\$544.00		(\$544.00)	0.00%	\$299,000.00	0.00%
Grant/Reimb (Fed/State/County)			\$0.00	0.00%	\$531,000.00	0.00%
Local Fiscal Recovery Fund		\$3,226,257.00	\$3,226,257.00	0.00%	\$0.00	0.00%
Special Revenue Totals	\$1,510,070.02	\$4,938,147.13	\$3,428,077.11	227.01%	\$6,516,008.00	75.78%
Total Revenues	\$2,792,576.13	\$6,161,941.90	\$3,369,365.77	120.65%	\$19,381,296.00	31.79%

AGENDA REPORT
CITY OF MAYWOOD



AGENDA ITEM NO. 5.

DATE: October 13, 2021

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: JENNIFER VASQUEZ, CITY MANAGER

BY: SHIRLEY QUINONES, EXECUTIVE ASSISTANT/DEPUTY CITY CLERK

SUBJECT: ADOPT RESOLUTION 6199 AUTHORIZING THE DESTRUCTION OF OBSOLETE DOCUMENTS

RECOMMENDATION:

Staff recommends that the City Council adopt Resolution No. 6199 authorizing the destruction of obsolete documents.

BACKGROUND:

State law allows public agencies to purge and destroy obsolete public records. In general, the Government Code sets a two-year minimum as a starting point for retention of records. However, other laws and regulations impose longer retention periods for certain records.

Government Code Section 34090 et. seq. sets forth the process for permissibly destroying obsolete City records and provides that unless otherwise provided by law, "with the approval of the legislative body by resolution and the written consent of the city attorney, the head of a city department may destroy any city record, document, instrument, book or paper, under his charge, without making a copy thereof, after the same is no longer required." However, Section 34090 does not permit destruction of: (a) records affecting the title to real property or liens thereon; (b) court records; (c) records required to be kept by statute; (d) records less than two years old; and (e) the minutes, ordinances, or resolutions of the legislative body or of a city board or commission. Other laws and regulations impose specific retention periods for certain records. If a public officer or employee does not have proper authorization, Government Code Sections 6200 and 6201 make it a crime to destroy a City record.

In summary, unless a law specifically requires a particular type of document to be kept, the general rule is that a City record falls under the minimum two-year retention rule or a longer retention period as specified in a retention schedule if so adopted by the public entity.

DISCUSSION:

In 2009, the City Council adopted Resolution 5478 adopting a "Records Retention and Destruction Policy" ("Policy") for the retention and destruction of City records. The Policy also includes a request form for the destruction of obsolete records and a records retention schedule. The retention schedule is organized by categories of records with the retention period for each category. The following procedure is outlined in the policy:

- Department Head completes and signs a request form, listing the date and description of documents to be destroyed, and submits the form to the City Clerk.
- City Clerk checks the documents listed on the form to confirm the documents are not required to be permanently retained and that the document has been retained for the legally required period of time. City Clerk also confirms the applicable reproduction of the documents is complete and that the documents must not be retained for any other reason, such as being relevant to a lawsuit in progress or reasonably anticipated.
- City Clerk submits the form to the City Attorney to review, sign, and return the form to the Clerk.
- City Clerk submits the form and a resolution to the City Council for approval to destroy the documents.
- After City Council approval, the City Clerk oversees the destruction, indicating method of destruction on the form and signing the form.
- City Clerk retains all original signed request forms for a minimum of two years.
- City Clerk keeps a master log of all destroyed documents.

Staff has determined that certain records set forth in Exhibit A of Resolution 6199 (attached) are obsolete and are older than the applicable retention period as set forth in the City's Records Retention Schedule. Accordingly, in order to destroy such records, the proposed Resolution is required to be approved by the City Council.

In summary, the records in Exhibit A of the attached Resolution include fiscal records within the range from 1926 through 2017.

LEGAL REVIEW:

The City Attorney has reviewed this staff report.

FISCAL IMPACT:

It is estimated that the shredding service will cost \$500 or less. No additional budget is needed as there is adequate budget for this item.

ATTACHMENT(S)

1. Resolution No. 6199 Request of Destruction of Obsolete Documents

RESOLUTION NO. 6199

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAYWOOD
AUTHORIZING THE DESTRUCTION OF OBSOLETE CITY RECORDS**

WHEREAS, Resolution 5478 sets forth the City of Maywood's ("City") adopted Records Retention Policy in conformance with Government Code Section 34090 ("Policy");

WHEREAS, the Policy sets forth the retention period for records of the City and authorizes the destruction of certain records and documents by a department head, with the approval of the legislative body by resolution and the written consent of the City Attorney; and

WHEREAS, staff has recommended that certain obsolete records identified on Exhibit A are no longer required or necessary; and

WHEREAS, the City Attorney has given written consent for the destruction of the records herein set forth as Exhibit A;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MAYWOOD DOES
HEREBY FIND, RESOLVE AND ORDER AS FOLLOWS:**

Section 1. The City Council hereby finds and determines that the records identified on Exhibit A are older than the applicable retention period set forth in the City's Policy and are no longer needed or required to be kept by statute or law.

Section 2. The City Council hereby authorizes and directs the destruction of the records described on Exhibit A in accordance with the terms and conditions of the City's Policy.

Section 3. This Resolution shall be effective immediately upon its passage and approval.

Section 4. The City Clerk shall certify to the passage and adoption of this Resolution and shall enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 13th day of October, 2021.

Ricardo Lara, Mayor

ATTEST:

Flor Aguiluz, City Clerk

APPROVED AS TO FORM:

Roxanne Diaz, City Attorney

I, Flor Aguiluz, City Clerk of the City of Maywood, do hereby certify that the foregoing Resolution No. 6199 was adopted at a regular meeting of the City Council of the City of Maywood held on the 13th day of October, 2021 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Flor Aguiluz, City Clerk

EXHIBIT A



**MEMORANDUM
REQUEST FOR DESTRUCTION
OF OBSOLETE RECORDS**

To: City Clerk

From: Veronica Alvarez, Fund Accountant

Subject: Request for Destruction of Obsolete Records

Hrant Manuelian
Department Head

Date

Date of Record	Description of Record	Retention
JAN 1965-JAN 1971	ACCOUNTS REIEVABLE – REGISTER OF FINANCE RECEIPTS	Until audited +4 years
JAN 1974-DEC 1976	ACCOUNTS PAYBLE - WARRANTS	Until audited +4 years

(If additional space is needed to describe records, please attach additional pages)

APPROVED

City Attorney

Date

The obsolete records described above (and on any attached pages) were approved by the city council for destruction on:

Date: _____ Resolution No. _____

- Shredding
 Burning
 Other (specify method)

I certify that such destruction meets the requirements of the City's Records Retention and Destruction Policy and all applicable requirements of State and federal law.

City Clerk

Date of Record Destruction



MEMORANDUM REQUEST FOR DESTRUCTION OF OBSOLETE RECORDS

To: City Clerk

From: Veronica Alvarez, Fund Accountant

Subject: Request for Destruction of Obsolete Records

Hrant Manuelian
Department Head

Date

Date of Record	Description of Record	Retention
MAR 1964- JAN 1973	ACCOUNTS PAYABLE – WARRANTS	until audited +4 years
JUL 1979- JUNE 1991	CORRESPONDENCE – MEETING NOTICES, PAC CORRESPONDENCE, STATE OF CA DEPT FINANCE	2 years
JULY 2014 -JUNE 2015	GENERAL LEDGER/PAYROLL, REGISTER – GENERAL LEDGER REPORTS, PAYROLL REGISTERS	until audited +4 years
JUNE 2016 - OCT 2017	PAYROLL, REGISTERS – PAYROLL REGISTER & ENTRIES, JOURNAL ENTRIES & REGISTERS	3 years
JULY 2014 - JUNE 2015	ACCOUNTS PAYABLE – VENDOR FILES A-G	until audited +4 years

(If additional space is needed to describe records, please attach additional pages)

APPROVED

City Attorney

Date

The obsolete records described above (and on any attached pages) were approved by the city council for destruction on:

Date: _____ Resolution No. _____

- Shredding
 Burning
 Other (specify method)

I certify that such destruction meets the requirements of the City's Records Retention and Destruction Policy and all applicable requirements of State and federal law.

City Clerk

Date of Record Destruction



**MEMORANDUM
REQUEST FOR DESTRUCTION
OF OBSOLETE RECORDS**

To: City Clerk
From: Veronica Alvarez, Fund Accountant
Subject: Request for Destruction of Obsolete Records

Hrant Manuelian
Department Head

Date

Date of Record	Description of Record	Retention
JULY 2013 - JUNE 2014	ACCOUNTS PAYABLE – VENDOR FILES T-Z	until audited +4 years
DEC 2006 - DEC 2011	ACCOUNTS RECEIVABLE – INACTIVE BUSINESS LICENSES	until audited +4 years
DEC 2006 - DEC 2011	ACCOUNTS RECEIVABLE – INACTIVE BUSINESS LICENSES	until audited +4 years
NOV 2008 - MAR 2009	ACCOUNTS RECEIVABLE – DAILY RECEIPT PARKING PERMITS	until audited +4 years
JULY 2001 - JUNE 2003	ACCOUNTS RECEIVABLE – COPIES OF CHECKS REC'D	until audited +4 years

(If additional space is needed to describe records, please attach additional pages)

APPROVED

City Attorney

Date

The obsolete records described above (and on any attached pages) were approved by the city council for destruction on:

Date: _____ Resolution No. _____

- Shredding Burning Other (specify method)

I certify that such destruction meets the requirements of the City's Records Retention and Destruction Policy and all applicable requirements of State and federal law.

City Clerk

Date of Record Destruction



**MEMORANDUM
REQUEST FOR DESTRUCTION
OF OBSOLETE RECORDS**

To: City Clerk

From: Veronica Alvarez, Fund Accountant

Subject: Request for Destruction of Obsolete Records

Hrant Manuelian
Department Head

Date

Date of Record	Description of Record	Retention
JULY 2001 - JUNE 2003	ACCOUNTS RECEIVABLE – COPIES OF CHECKS REC'D	until audited +4 years
MAY 2002 - JAN 2003	ACCOUNTS RECEIVABLE – TR RECEIPTS FROM 65429-67357	until audited +4 years
JULY 2005 - SEPT 2006	ACCOUNTS RECEIVABLE – UUT COPIES OF CHECKS	until audited +4 years
OCT 2007 - SEPT 2008	ACCOUNTS RECEIVABLE – UUT COPIES OF CHECKS	until audited +4 years
MAR 2009 - MAR 2014	CORRESPONDENCE – COPIES OF CORRESPONDENCES	2 years

(If additional space is needed to describe records, please attach additional pages)

APPROVED

City Attorney

Date

The obsolete records described above (and on any attached pages) were approved by the city council for destruction on:

Date: _____ Resolution No. _____

- Shredding Burning Other (specify method)

I certify that such destruction meets the requirements of the City's Records Retention and Destruction Policy and all applicable requirements of State and federal law.

City Clerk

Date of Record Destruction



**MEMORANDUM
REQUEST FOR DESTRUCTION
OF OBSOLETE RECORDS**

To: City Clerk

From: Veronica Alvarez, Fund Accountant

Subject: Request for Destruction of Obsolete Records

Hrant Manuelian
Department Head

Date

Date of Record	Description of Record	Retention
JAN 2013 – JUNE 2013	ACCOUNTS RECIEVABLE – CASH RECEIPTS	Until audited +4 years
JULY 2012 -NOV 2012	ACCOUNTS RECIEVABLE – CASH RECEIPTS	Until audited +4 years
SEPT 2013–NOV 2013	ACCOUNTS RECIEVABLE – CASH RECEIPTS	Until audited +4 years
DEC 2013 – FEB 2014	ACCOUNTS RECIEVABLE – CASH RECEIPTS	Until audited +4 years

(If additional space is needed to describe records, please attach additional pages)

APPROVED

City Attorney

Date

The obsolete records described above (and on any attached pages) were approved by the city council for destruction on:

Date: _____ Resolution No. _____

- Shredding
 Burning
 Other (specify method)

I certify that such destruction meets the requirements of the City's Records Retention and Destruction Policy and all applicable requirements of State and federal law.

City Clerk

Date of Record Destruction



MEMORANDUM REQUEST FOR DESTRUCTION OF OBSOLETE RECORDS

To: City Clerk

From: Veronica Alvarez, Fund Accountant

Subject: Request for Destruction of Obsolete Records

Hrant Manuelian
Department Head

Date

Date of Record	Description of Record	Retention
FEB 2014 - JUNE 2014	ACCOUNTS RECEIVABLE – CASH RECEIPTS	until audited +4 years
JULY 2013 - SEPT 2013	ACCOUNTS RECEIVABLE – CASH RECEIPTS	until audited +4 years
OCT 2014 - DEC 2014	ACCOUNTS RECEIVABLE – CASH RECEIPTS	until audited +4 years
AUG 2014 - OCT 2014	ACCOUNTS RECEIVABLE – CASH RECEIPTS	until audited +4 years
JULY 2014 - AUG 2014	ACCOUNTS RECEIVABLE – CASH RECEIPTS	until audited +4 years

(If additional space is needed to describe records, please attach additional pages)

APPROVED

City Attorney

Date

The obsolete records described above (and on any attached pages) were approved by the city council for destruction on:

Date: _____ Resolution No. _____

- Shredding
 Burning
 Other (specify method)

I certify that such destruction meets the requirements of the City's Records Retention and Destruction Policy and all applicable requirements of State and federal law.

City Clerk

Date of Record Destruction



**MEMORANDUM
REQUEST FOR DESTRUCTION
OF OBSOLETE RECORDS**

To: City Clerk
From: Veronica Alvarez, Fund Accountant
Subject: Request for Destruction of Obsolete Records

Hrant Manuelian
Department Head

Date

Date of Record	Description of Record	Retention
DEC. 2002 - MAY 2003	PAYROLL, REGISTERS – PAYROLL 1ST & 2ND QTR	3 years
MAR. 2007 - JUNE 2007	PAYROLL, REGISTERS – 2ND QTR PAYROLL	3 years
DEC. 2006 - DEC. 2007	GENERAL LEDGER– ACCRUAL REPORT	until audited +4 years
JULY 2005 - AUG. 2005	ANNUAL FINANCIAL REPORT – FINANCIAL STATEMENTS	until audited +2 years
JULY 2007 - JUNE 2008	ACCOUNTS PAYABLE – PURCHASE ORDERS	until audited +4 years

(If additional space is needed to describe records, please attach additional pages)

APPROVED

City Attorney

Date

The obsolete records described above (and on any attached pages) were approved by the city council for destruction on:

Date: _____ Resolution No. _____

- Shredding
 Burning
 Other (specify method)

I certify that such destruction meets the requirements of the City's Records Retention and Destruction Policy and all applicable requirements of State and federal law.

City Clerk

Date of Record Destruction



MEMORANDUM REQUEST FOR DESTRUCTION OF OBSOLETE RECORDS

To: City Clerk

From: Veronica Alvarez, Fund Accountant

Subject: Request for Destruction of Obsolete Records

Hrant Manuelian
Department Head

Date

Date of Record	Description of Record	Retention
AUG. 2007 - OCT. 2007	ACCOUNTS PAYABLE – WARRANT REG. REVENUE ADJ. ENTRIES	until audited +4 years
DEC. 2007 - APR. 2008	ACCOUNTS PAYABLE – WARRANT REGISTER & REVENUE	until audited +4 years
JULY 2006 - AUG. 2006	BUDGETS– BUDGET REVENUE FUND	Current +2 years
DEC. 2006 - MAR. 2007	PAYROLL, REGISTERS – 1ST QTR PAYROLL	3 years
JULY 2006 - JUNE 2007	PAYROLL, REGISTERS – PERS REPORTS	3 years

(If additional space is needed to describe records, please attach additional pages)

APPROVED

City Attorney

Date

The obsolete records described above (and on any attached pages) were approved by the city council for destruction on:

Date: _____ Resolution No. _____

- Shredding
 Burning
 Other (specify method)

I certify that such destruction meets the requirements of the City's Records Retention and Destruction Policy and all applicable requirements of State and federal law.

City Clerk

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**MEMORANDUM
REQUEST FOR DESTRUCTION
OF OBSOLETE RECORDS**

To: City Clerk
From: Veronica Alvarez, Fund Accountant
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Hrant Manuelian
Department Head

Date

Date of Record	Description of Record	Retention
MAY 2006 - JUNE 2006	ANNUAL FINANCIAL REPORT – FINANCIAL STATEMENTS	until audited +2 years
JAN. 2009 - SEPT. 2009	PAYROLL, REGISTERS – PERS REPORTS	3 years
MAR. 2006 - APR. 2006	ANNUAL FINANCIAL REPORT – FINANCIAL STATEMENTS	until Audited +2 years
JULY 2003 - JUNE 2004	GENERAL LEDGER – DETAILED GENERAL LEDGER	until audited +4 years
JULY 1974 - JUNE 1986	PAYROLL, REGISTERS – PERS REPORTS	3 years

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City Attorney

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Department Head

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Date of Record	Description of Record	Retention
JAN 2015 – OCT 2015	ACCOUNTS RECIEVABLE – CITATION INVOICES	Until audited +4 years
APR. 2011 -DEC 2012	ACCOUNTS RECIEVABLE – MTA TAP RECEIPTS	Until audited +4 years
JAN.2013– DEC.2014	ACCOUNTS RECIEVABLE – MTA TAP RECEIPTS	Until audited +4 years
JULY 2012 – JUN 2013	ACCOUNTS PAYABLE – A/P F/Y (A-D)	Until audited +4 years

(If additional space is needed to describe records, please attach additional pages)

APPROVED

City Attorney

_____ Date

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City Clerk

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**MEMORANDUM
REQUEST FOR DESTRUCTION
OF OBSOLETE RECORDS**

To: City Clerk

From: Veronica Alvarez, Fund Accountant

Subject: Request for Destruction of Obsolete Records

Hrant Manuelian
Department Head

Date

Date of Record	Description of Record	Retention
JUL 2012 – JUN 2013	ACCOUNTS RECIEVABLE – PARKING PERMIT APPLIC	Until audited +4 years
JUL. 2013 -JUN 2014	ACCOUNTS RECIEVABLE – PARKING PERMIT APPLIC	Until audited +4 years
JUL.2014– DEC.2015	ACCOUNTS RECIEVABLE – PARKING PERMIT APPLIC	Until audited +4 years

(If additional space is needed to describe records, please attach additional pages)

APPROVED

City Attorney

Date

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City Clerk

Date of Record Destruction



MEMORANDUM REQUEST FOR DESTRUCTION OF OBSOLETE RECORDS

To: City Clerk

From: Veronica Alvarez, Fund Accountant

Subject: Request for Destruction of Obsolete Records

Hrant Manuelian
Department Head

Date

Date of Record	Description of Record	Retention
JAN.2009 – SEPT.2009	ACCOUNTS RECIEVABLE – PARKING ADMINISTRATION REVIEW (A-M)	Until audited +4 years
JAN.2009 - SEPT.2009	ACCOUNTS RECIEVABLE – PARKING ADMINISTRATION REVIEW (N-Z)	Until audited +4 years
SEPT.2009 –JULY 2013	ACCOUNTS RECIEVABLE – CR UUT	Until audited +4 years
FEB.1997 – FEB.2006	ACCOUNTS RECIEVABLE – CR UUT	Until audited+4 years

(If additional space is needed to describe records, please attach additional pages)

APPROVED

City Attorney

Date

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Date: _____ Resolution No. _____

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 Burning
 Other (specify method)

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City Clerk

Date of Record Destruction



MEMORANDUM REQUEST FOR DESTRUCTION OF OBSOLETE RECORDS

To: City Clerk

From: Veronica Alvarez, Fund Accountant

Subject: Request for Destruction of Obsolete Records

 Hrant Manuelian
Department Head

Date

Date of Record	Description of Record	Retention
SEPT. 2012 - DEC. 2012	ACCOUNTS RECEIVABLE – PARKING PERMITS APPLIC	until audited +4 years

(If additional space is needed to describe records, please attach additional pages)

APPROVED

City Attorney

Date

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Date: _____ Resolution No. _____

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 Burning
 Other (specify method)

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City Clerk

Date of Record Destruction

AGENDA REPORT
CITY OF MAYWOOD



AGENDA ITEM NO. 6.

DATE: October 13, 2021

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: JENNIFER VASQUEZ, CITY MANAGER

BY: CLAUDIA ZAVALA, COMMUNITY SERVICES LIAISON

SUBJECT: CONSIDERATION OF APPROVING THE COMMUNITY BENEFIT FUND APPLICATION FROM THE SOUTHEAST RIO VISTA YMCA IN THE AMOUNT OF \$10,000

RECOMMENDATION:

Staff recommends that the City Council approves the Community Benefit Fund application to the Southeast Rio Vista YMCA in the amount of \$10,000.

BACKGROUND:

The Application is dated September 27, 2021 and was received by email. The City of Maywood has established a "Community Based Fund" to support community-based programs and activities. Applicant eligibility is determined by the City's Community Benefit Fund Guidelines and Procedures ("Guidelines") for the distribution of funds to eligible organizations that provide community-based programs, community activities and educational activities.

DISCUSSION:

Only an "Eligible Organization" may apply for this grant. Per the grant guidelines, this includes non-profit agencies that provide programs or services to residents of the city, a school or school-based/affiliated organization in the city or other city-based organizations. The Eligible Organization must also be in existence prior to submitting an application and have a record of successfully providing the services for which funding is requested.

According to the requester's application, Southeast Rio Vista YMCA has been in existence since 1882, and is a non-profit organization located in the City. Due to the requestor being part of an organization that is located within the City, they fit into a category that makes them eligible to receive funds.

The Guidelines also require that an Eligible Organization provide an eligible service or activity defined as a program, service, activity, event, or other similar activity that has a benefit to the residents of the City or a specified target group by: (i) enhancing the quality of life or the delivery of services in the City; or (ii) providing educational opportunities for the residents of the City. The applicant states that the Southeast Rio Vista YMCA is requesting funds to provide meals and toys for families and individuals living in Maywood. They will also participate and contribute pumpkins and candies at the City's Annual Trunk or Treat event, and offer Grab & Go Turkey Dinners and Toys to assist families in our community that continue to struggle financially during the Holidays due to the pandemic. This proposed service for the community is consistent with the guidelines.

Furthermore, as explained in the application, it is the applicant's mission to strengthen communities through youth development, healthy living, and social responsibility.

On August 26, 2020, the City Council adopted Resolution XXXX, which amended the Guidelines to give the City Council discretion to award an allocation of funds of up to \$10,000. Accordingly, based on the documentation provided by the Applicant in support of their application, Staff recommends that the City Council approve their request.

LEGAL REVIEW:

The City Attorney has reviewed this report.

FISCAL IMPACT:

The City currently has budgeted \$75,000 in the Community Benefit Fund for fiscal year 2021/2022. To date, \$700 has been spent from this account. Therefore, there is adequate budget and no additional budget appropriation is needed.

ATTACHMENT(S)

1. CBF- YMCA SEP 2021
2. Community Benefit Fund Guidelines and Procedures

**City of Maywood
Community Benefit Fund Application**

Internal Contact

Jennifer Vasquez
City Manager
City of Maywood
4319 E. Slauson Ave. Maywood, CA 90270
T: 323 562-5764 | M: 323 273-3179

Application Funding Cycle (checkbox): S1: July 1 – December 31

Date of Application: September 27, 2021

Amount Requested: \$10,000

Organization Name: YMCA BRANCH

Phone Number: 213 500 8697

Street Address: 4801 58th Street

Fax Number:

City, State, Zip: Maywood CA, 90270

Federal EIN: 95-1644052

Contact Person: Gerry Salcedo

Contact Email Address: gerardosalcedo@ymcaLA.org

Provide a detailed description of your organization. For example, are you a school, school-based or affiliated entity, youth program, community based organization. Etc.?

The mission of the Southeast-Rio Vista YMCA community-serving non-profit organization is to strengthen communities through youth development, healthy living, and social responsibility.

Does your organization have a non-profit status with the IRS? [\[attach non profit status documentation\]](#)

Yes

How long has this organization been in existence (provide date)?

139 years – since 1882

Is the organization located/based in Maywood or does it provide programs or services to Maywood residents?

Yes

Explanation:

The Southeast-Rio Vista YMCA (SERV Y) is one of the YMCA's Cradle to Career Success branches in the core of urban LA County where communities are among the most in need of health, fitness, and community programs for youth, families, and seniors. The SERV Y provides quality, year-round sports and fitness programming for youth, including those who could not otherwise access any; wellness programming to families who often lack access to nutrition education and safe, free play space; a variety of senior programs, including health and wellness activities, volunteer opportunities, and even meal support; services to immigrant populations via its New American Welcome Center (NAWC); and, more.

Describe how the requested funds will be used / Proposed Budget:

Funds will be used to purchase items for (3) Three Grab N Go Special Events. First event will be to purchase Pumpkins and Bags of candy for Halloween event, Second event will be to Purchase 200 -250 Frozen Turkeys(10-12 lbs.) for Turkey Giveaway and Third Event will be to purchase Toys for 400 youths which will be distributed during Toy Giveaway Event. All events will be held at the YMCA Parking lot and Golden Tickets will be given to City Staff & Council to be distributed to their Maywood Residents.

Transportation (fuel, vehicle purchase, etc): Transportation provided from headquarters
Program outreach (flyers, banners, ads, etc): flyers and marketing materials for the Turkey Giveaway and Toy Giveaway distribution

Giveaway Service supplies: distribution bags of Turkey Giveaway donated from partners or provided in-kind or from other funding sources

What is the anticipated time-frame to provide the proposed program, service, event activity or goods and the expenditure of the requested funds?

The Halloween event will be held on Thursday, October 28, 2021, Turkey Giveaway is scheduled for Monday, November 22, 2021 and the Toy Giveaway will be held on Saturday, December 18, 2021. Halloween event will be held at City Hall and other events will be a Grab N Go and held in the YMCA Parking lot.

Describe the organization's efforts in obtaining funding from other sources?

The remainder of the budget will be supported by the YMCA of Metropolitan Los Angeles and SERV Y's board members, and other partners, donors, foundations, such as Anthem Blue Cross Foundation, Republic Services, North Star Land Care, and the City of Vernon.

How will the requested funds have a benefit to Maywood residents?

The requested funds will be used to support the Southeast-Rio Vista YMCA, which is providing emergency response services to meet needs stemming from the COVID-19 pandemic. At the Southeast-Rio Vista YMCA at the Maywood Center, to benefit Maywood residents, \$10,000 is requested to support the residents through providing these Special Events. We have seen many families struggling during this pandemic and a little help with a Turkey dinner and a Special Toy can help many of these families during the Holidays.

How will the requested funds enhance the quality of life or the delivery of services for Maywood residents?

The Southeast-Rio Vista Y aims to ensure that our families have the food they need, either through Grab & Go, delivery, or other food distribution mechanisms. With this Special Holiday event, a Turkey can assist many families in our community that continue to struggle financially during the pandemic. The same can be said in regards to our Toy Giveaway, our community can always use additional assistance, the Holidays can always be difficult for families and we would like to aid our Maywood residents.

How will the requested funds provide educational opportunities for Maywood residents or students?

Over the past decade, the Southeast-Rio Vista Y has placed a special focus on supporting the most under-resourced neighborhoods, where community members in Maywood are in profound need of access to affordable programs and services, and where more than half of all members depend on scholarships to cover program fees. Due to the location of this Y in a historically disinvested community, Maywood residents have had relatively limited access to private individuals and/or businesses who are able to invest significantly in their capacity.

The Y is grateful for past City of Maywood support that ensures that the Y will continue to offer partially or fully subsidized programs to 100% of its participants.

The Southeast-Rio Vista Y's is committed to COVID-19 recovery for community members to rebound from the pandemic, reengaging the community and focusing on youth learning and educational recovery. This includes efforts such as:

- Digital Divide: The Y has installed secure, content-restricted network nodes, promoting access to online learning through the Y. Parking lots and outdoor areas have been converted to large-scale outdoor student learning areas to utilize the Y's network access. In addition, the Y has digital device loans, including hotspots, to high-need students identified through its existing, active partnerships with dozens of district, charter, and other schools.

- Distance Learning Pods: The Y has augmented access issues with on-site tutors before-school, during school, and after-school hours. Within current coronavirus protocols, they act as a roving support for all young people who come to the Y for help, across subject matters, and will support students to stay connected with, and successful in, their online schooling. In addition, virtual "office hours" are available to reach young people unable to make it to Y location.

Has your organization previously received funding from the City of Maywood? (If yes, identify the use of the funds, total amount, and fiscal year in which the funds were received.)

The Southeast-Rio Vista YMCA received support from the City of Maywood to support with COVID-19 relief efforts for City of Maywood community members through a \$20,000 grant in 2020, and a \$10,000 grant in 2021.

Is a member of your organization's board or executive leadership a City employee, an elected or appointed City official, or a family member of a City employee or elected or appointed City official? (If yes, please explain.)

No

Signature

Date:9/27/2021

Signature: Gerry Salcedo

Print Name and Title:

Gerry Salcedo, Executive Director

**CITY OF MAYWOOD
COMMUNITY BENEFIT FUND
GUIDELINES AND PROCEDURES**

I. BACKGROUND

The City of Maywood has established a "Community Benefit Fund" to support community based programs and activities.

II. PURPOSE

The purpose of this policy is to provide guidelines and procedures for the distribution of public funds, which will in turn fund community programs, activities and educational activities conduct by Eligible Organizations that meet the requirements and guidelines set forth by the City Council in this policy.

III. ELIGIBILITY AND POLICY

A. Eligible Organizations. The requesting organization must be: (1) a non-profit agency as defined by the Internal revenue Service (IRS) with a tax exempt status of 501(c)(3) and is in good standing in the State of California based in the City or provides programs or services to residents of the City; a school or school-based/affiliated organization located in the City; or other City-based organization such as athletic organizations or community groups (collectively called "Eligible Organizations"); (2) must be in existence prior to submittal of an application; and (3) must have a record of successfully providing the type of service, activity or program for which funding is requested.

B. Eligible Services and Activities. To apply for a grant under the City Community Benefit Fund, the Eligible Organization must provide a service, activity or other community benefit to the residents or the specified target group within the City by: (i) enhancing the quality of life or the delivery of services in the City; or (ii) providing educational opportunities for the residents or students of the City. Categories of services and activities eligible for grants include but are not limited to educational programs, cultural activities (i.e. music, art, dance, recreation), youth athletics, civic projects, health and safety programs, services sponsored by Maywood community organizations and public services (i.e. senior services, youth programs, health services). if the request relates to a community event, the event must be advertised and open to the public. Grants will be awarded in maximum amounts of no more than \$ 5,000.00.

C. Restrictions and Ineligible Organizations.

1. Grants shall not be used for religious activities or political campaigning purposes or activities.

2. A non-profit entity, a school or school-based/affiliated organization or other City-based organizations such as athletic organizations or community groups that have as a member of their board or executive leadership a City employee, a City elected or appointed official or members of their family, are not eligible to apply for a Community

**CITY OF MAYWOOD
COMMUNITY BENEFIT FUND
GUIDELINES AND PROCEDURES**

Benefit Fund grant. Family members include spouse or domestic partner, child, parent, grandparent, grandchild, cousin, aunt, uncle, sibling, niece, nephew, parent-in-law, brother-in-law or sister-in-law, as well as all step relationships.

D. City Projects. This policy does not preclude the City from undertaking and funding projects on its own initiative that would be a benefit to the community.

IV. APPLICATION PROCEDURES

A. Submittal of an Application. Applicants must use the Community Benefit Fund application form. Forms are available on the City website at www.cityofmaywood.org and at Maywood City Hall at 4319 E. Slauson Avenue, Maywood, CA 90270. Applications may be requested by email at _veronica.alvarez@cityofmaywood.org.

B. Application Deadline. The City Council will have quarterly application cycles available to consider requests contingent upon monies being available under the program. The application cycles and deadlines are as follows:

<u>Application Cycle</u>	<u>Application Deadline</u>
Semester 1: July 1 - December 31	June 1
Semester 2: January 1 - June 30	December 1

The application must be submitted by 5:00 p.m. on the applicable deadline date addressed to: City of Maywood, Attention: Community Benefit Fund via City Manager's Office, 4319 E. Slauson Avenue, Maywood, CA 90270.

C. General Information.

1. Applicants may apply for funds during any application cycle. Notwithstanding, funds must be requested and spent during the same fiscal year in which the award was approved by the City Council.

2. Organizations may submit only one application per fiscal year.

3. Funding to an Eligible Organization will not constitute a precedent for contributions in subsequent fiscal years.

**CITY OF MAYWOOD
COMMUNITY BENEFIT FUND
GUIDELINES AND PROCEDURES**

V. EVALUATION OF APPLICATION AND SELECTION PROCESS

A. Review of Applications. Following the application deadline, City Staff will review the applications. Applicants may be contacted if further information is requested, to answer questions, clarify their application, etc. All applications will be evaluated to ensure that the applicant is an "Eligible Organization" and that purpose for which the grant is sought is consistent with this policy. Applications and recommendations of Staff, if any, will be presented to the City Council during a regular scheduled City Council meeting for the Council's consideration and approval.

B. City Council Action. The City Council will take final action on award of all grants and maintains the discretion to fund in whole or in part any request or not to fund any or all requests during the Application Cycle. Alternatively, the City Council may hold-over any application into the next Application Cycle. In the case of multiple applications that are competing for limited available funds, consideration may be given to applications based on the following criteria: (i) the number of residents who are expected to benefit, participate in or be positively impacted by the program; (ii) the performance of the applicant in prior years, including demonstrated fiscal responsibility and compliance with applicable requirements; (iv) the amount of funding previously award to the applicant or the program or event in prior years; and (v) the total amount of funding requested as a proportion of the total available funds for the applicable fiscal year.

VI. POST AWARD REQUIREMENTS

A. Agreement. All Eligible Organizations elected to receive funds will be required to sign and execute an agreement with the City of Maywood.

B. Reporting. Eligible Organizations must complete a report, within 45 days of fund expenditure, describing the use of the grant and amount expended, the number of participants in the event or program, copies of any publicity of the event or program, and a narrative regarding the benefit to the City of Maywood. The City reserves the right to conduct an audit and/or require additional back-up information to substantiate how funds received from the City were expended. Failure to submit this required report will make the Eligible Organization ineligible for allocation of future funds until the required report is submitted. These reports will be reviewed and taken into account for evaluating subsequent funding proposals from that entity.

C. Request for Funds. The Eligible Organization receiving the funds is responsible for submitting a funds request to the City's Finance Director and shall allow the City up to 30 days to process the request. If a third-party vendor is the recipient of the funds (i.e. bus company used for field trip), then the request shall include the information regarding that vendor including their Tax Identification Number and the check shall be made payable to that vendor. If the grant is to be used to purchase tangible goods or services,

**CITY OF MAYWOOD
COMMUNITY BENEFIT FUND
GUIDELINES AND PROCEDURES**

the City has the discretion to purchase the goods or services directly and pass-through the goods or services to the Eligible Organization rather than provide the funding.

D. Return of Funds to the City. Unexpended funds must be returned to the City at the end of the fiscal year. Funds must also be returned to the City if the City determines that the applicant has not performed in accordance with the approved application listing the use of the funds.

E. Failure to Abide by Policy. The failure of an Eligible Organization to abide by this Policy will result in the Eligible Organization being denied for funding in the future.

AGENDA REPORT
CITY OF MAYWOOD



AGENDA ITEM NO. 7.

DATE: October 13, 2021

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: JENNIFER VASQUEZ, CITY MANAGER

BY: CLAUDIA ZAVALA, COMMUNITY SERVICES LIAISON

SUBJECT: CONSIDERATION OF APPROVING THE COMMUNITY BENEFIT FUND APPLICATION FROM MAYWOOD EDUCATION FAIR – CSU FULLERTON/CREAL/CSUF PHILANTROPIC FOUNDATION IN THE AMOUNT OF \$10,000

RECOMMENDATION:

Staff recommends that the City Council approves the Community Benefit Fund application from the Maywood Education Fair CSU Fullerton/CREAL/CSFU Philanthropic Foundation for the amount of \$10,000.

BACKGROUND:

The Application is dated June 1, 2021 and was received by email on October 4, 2021. The City of Maywood has established a “Community Based Fund” to support community-based programs and activities. Applicant eligibility is determined by the City’s “Community Benefit Fund” Guidelines and Procedures (“Guidelines”) for the distribution of funds to eligible organizations that provide community-based programs, community activities and educational activities.

Since 2009, CSU Fullerton/C-REAL/CSFU Philanthropic Foundation has partnered with the City of Maywood to provide the Maywood Education Fair in the community. In October 2019, over 1,300 residents turned out for the event, located at Santa Rosa de Lima School. This year, 2021 will be their 12th year and second year holding an online event.

DISCUSSION:

Only “Eligible Organization” may apply for this grant. Per the grant guidelines, this includes non-profit agencies that provide programs or services to residents of the city, a school or school-based/affiliated organization in the city or other city-based organizations. The Eligible Organization must also be in existence prior to submitting an application and have a record of successfully providing the services for which funding is requested.

According to the requester’s application, Cal State University Fullerton (C-REAL) is a non-profit organization. The C-REAL organization has been in existence since 2009 and has focused on providing services for the public good, open to residents in our City, which provides educational opportunities and college resources.

The Guidelines also require that an Eligible Organization provide an eligible service or activity defined as a program, service, activity, event, or other similar activity that has a benefit to the residents of the City or a specified target group by: (i) enhancing the quality of life or the delivery of services in the City; or (ii) providing

educational opportunities for the residents of the City.

According to the US Census education data, from 2009 to 2019 there was an increase of 4.4% in students attending college and 2.3% increase in students obtaining a bachelor's degree or higher in the years 2000 to 2015. If this Community Benefit Fund request is awarded, the funds will go towards CSUF's non-profit efforts to grow and duplicate numbers of minority students completing college. In return, this commitment will have an enormous impact by transforming the Southeast cities of Los Angeles into more college-conscious communities, which will have numerous benefits for our City.

The applicant states that the CSU Fullerton/C-REAL/CSFU Philanthropic Foundation is requesting funds to provide the following services:

- Through a competitive process, they will offer eight \$1000 college scholarships for qualified students in the community, which will total \$8000. Scholarships are provided to students that attend high school in Maywood and/or live in Maywood.
- \$2000 of these funds will assist in paying for giveaways, prizes, gift certificates and food for the Education Fair, including the scholarship awards event and the Leadership Development Institute required of all scholarship recipients. Many Maywood students and their families attend the Education Fair every year.

It is the applicant's mission to work toward developing a college culture and provide educational opportunities and college resources to underserved communities. This recommendation is based on the applicant providing documentation to support their application and its evaluation.

On August 26, 2020, the City Council adopted Resolution 6138, which amended the Guidelines to give the City Council discretion to award an allocation of funds of up to \$10,000. Staff recommends approval of this request.

LEGAL REVIEW:

The City Attorney has reviewed this report.

FISCAL IMPACT:

The City currently has budgeted \$75,000 in the Community Benefit Fund for fiscal year 2021/2022. To date, \$700 has been spent from this account. Therefore, there is adequate budget and no additional budget appropriation is needed.

ATTACHMENT(S)

1. CBF APP CSU CREALCSUF Philanthropic Foundation
2. Community Benefit Fund Guidelines and Procedures

CITY OF MAYWOOD

COMMUNITY BENEFIT FUND APPLICATION

Please Type/Print Information
(attach additional pages as needed)

Application Funding Cycle

Date of Application: June 1, 2021

S1: July 1 - December 31

S2: January 1 - June 30

Amount Requested: \$10,000

Organization Name: Maywood Education Fair--CSU Fullerton/CREAL/CSUF Philanthropic Foundation	Phone Number: 626 848-4800
Street Address: 2600 Nutwood Ave; College Park 620	Fax Number:
City, State, Zip: Fullerton, CA 92831	Federal EIN: 33-0567945
Contact Person: Eugene Fujimoto	
Contact Email Address: efujimoto@fullerton.edu	

Provide a detailed description of your organization. For example, are you a school, school-based or affiliated entity, youth program, community based organization, etc.

The Masters degree program in Educational Leadership is at California State University Fullerton. C-REAL is a research center on campus. We are a non-profit organization working through the CSUF Philanthropic Foundation, committed to partnering with the City of Maywood toward developing a college-going culture.

Does your organization have non-profit status with the Internal Revenue Service?

Yes No (If yes, attach documentation)

How long has this organization been in existence (provide date)? Since 2009

Is the organization located/based in Maywood or does it provide programs or services to Maywood residents? Yes No If yes, please explain.

Since 2009 we have partnered with the City of Maywood to provide the Maywood Education Fair in the Maywood community. In October 2019, over 1,300 residents turned out for the event, located at Santa Rosa de Lima School. 2021 will be our 12th year and second year holding an online event.

Describe how the requested funds will be used? Attach a proposed budget.

\$8,000 Through a competitive process, we will offer eight \$1000 college scholarships for qualified students in the community.

\$2000 The funds will assist in paying for giveaways, prizes, gift certificates and food for the Education Fair including scholarship awards event and the Leadership Development Institute required of all scholarship recipients. We prefer to purchase all items from local companies and will seek a donor in Southeast Los Angeles to offer discounted refreshments.

What is the anticipated time-frame to provide the proposed program, service, event activity or goods and the expenditure of the requested funds?

We will order all supplies and materials for the Fair between now and Saturday, October 23, 2021. All invoices will be paid before Friday, December 17, 2021

Describe the organization’s efforts in obtaining funding from other sources?

The students in the Masters of Science in Higher Education Program raise over \$10k each year to pay for food, supplies, and scholarships. They also request funding form the CSUF Dean of the College of Education as well as funds from the University Instructionally Related Activities budget.

How will the requested funds have a benefit to Maywood residents?

Our research reveals that 1) Community participation has increased ten-fold in 7 years, 2) Student participants report advanced outcomes in useful information provided, and 3) Parent/guardian participants show increased understanding of their role in their children’s academic success.

How will the requested funds enhance the quality of life or the delivery of services for Maywood residents?

From 2009 to 2013 there was a 4.4% increase in students attending college (249 students) (U.S. Census). From 2000 to 2016 there was an increase in the number of Bachelors degree or higher obtained from 2.3% to 4.7% (U.S. Census).

How will the requested funds provide educational oppourtunities for Maywood residents or students?

Out of 100 Latina/o students who begin elementary school, 52 will graduate from high school, and 10 will obtain a college degree. To increase this rate, we will offer workshops, free food, resource information, and scholarships to support the community cultural wealth that exists in Maywood by offering the information necessary to help the students from Maywood to get college degrees.

Has your organization previously received funding from the City of Maywood?

Yes No If yes, identify the use of the funds, total amount and fiscal year in which the funds were received.

We received \$10,000 last year in 2020. All funds were used for student scholarships for last year’s Maywood Education Fair.

Is a member of your organization’s board or executive leadership a City employee, an elected or appointed City official, or a family member of a City employee or elected or appointed City official? Yes No If yes, please explain.

By my signature below, I hereby certify, under penalty of perjury, that I am qualified to sign for and bind the named organization and that the information contained within and submitted with this application is complete, true and accurate. I have received a copy of the Community Benefit Fund Guidelines and Procedures and agree to abide by its provisions. If awarded funding, an agreement will be required to be executed.

Date: June 1, 2021		Signature: <i>Eugene Fujimoto</i>		
Print Name and Title: Eugene Fujimoto, Dept Chair and Associate Professor, CSU Fullerton				
Date Received	Eligibility Verified	Date Approved	Date Denied	Amount Awarded

**CITY OF MAYWOOD
COMMUNITY BENEFIT FUND
GUIDELINES AND PROCEDURES**

I. BACKGROUND

The City of Maywood has established a "Community Benefit Fund" to support community based programs and activities.

II. PURPOSE

The purpose of this policy is to provide guidelines and procedures for the distribution of public funds, which will in turn fund community programs, activities and educational activities conduct by Eligible Organizations that meet the requirements and guidelines set forth by the City Council in this policy.

III. ELIGIBILITY AND POLICY

A. Eligible Organizations. The requesting organization must be: (1) a non-profit agency as defined by the Internal revenue Service (IRS) with a tax exempt status of 501(c)(3) and is in good standing in the State of California based in the City or provides programs or services to residents of the City; a school or school-based/affiliated organization located in the City; or other City-based organization such as athletic organizations or community groups (collectively called "Eligible Organizations"); (2) must be in existence prior to submittal of an application; and (3) must have a record of successfully providing the type of service, activity or program for which funding is requested.

B. Eligible Services and Activities. To apply for a grant under the City Community Benefit Fund, the Eligible Organization must provide a service, activity or other community benefit to the residents or the specified target group within the City by: (i) enhancing the quality of life or the delivery of services in the City; or (ii) providing educational opportunities for the residents or students of the City. Categories of services and activities eligible for grants include but are not limited to educational programs, cultural activities (i.e. music, art, dance, recreation), youth athletics, civic projects, health and safety programs, services sponsored by Maywood community organizations and public services (i.e. senior services, youth programs, health services). if the request relates to a community event, the event must be advertised and open to the public. Grants will be awarded in maximum amounts of no more than \$ 5,000.00.

C. Restrictions and Ineligible Organizations.

1. Grants shall not be used for religious activities or political campaigning purposes or activities.

2. A non-profit entity, a school or school-based/affiliated organization or other City-based organizations such as athletic organizations or community groups that have as a member of their board or executive leadership a City employee, a City elected or appointed official or members of their family, are not eligible to apply for a Community

**CITY OF MAYWOOD
COMMUNITY BENEFIT FUND
GUIDELINES AND PROCEDURES**

Benefit Fund grant. Family members include spouse or domestic partner, child, parent, grandparent, grandchild, cousin, aunt, uncle, sibling, niece, nephew, parent-in-law, brother-in-law or sister-in-law, as well as all step relationships.

D. City Projects. This policy does not preclude the City from undertaking and funding projects on its own initiative that would be a benefit to the community.

IV. APPLICATION PROCEDURES

A. Submittal of an Application. Applicants must use the Community Benefit Fund application form. Forms are available on the City website at www.cityofmaywood.org and at Maywood City Hall at 4319 E. Slauson Avenue, Maywood, CA 90270. Applications may be requested by email at _veronica.alvarez@cityofmaywood.org.

B. Application Deadline. The City Council will have quarterly application cycles available to consider requests contingent upon monies being available under the program. The application cycles and deadlines are as follows:

<u>Application Cycle</u>	<u>Application Deadline</u>
Semester 1: July 1 - December 31	June 1
Semester 2: January 1 - June 30	December 1

The application must be submitted by 5:00 p.m. on the applicable deadline date addressed to: City of Maywood, Attention: Community Benefit Fund via City Manager's Office, 4319 E. Slauson Avenue, Maywood, CA 90270.

C. General Information.

1. Applicants may apply for funds during any application cycle. Notwithstanding, funds must be requested and spent during the same fiscal year in which the award was approved by the City Council.

2. Organizations may submit only one application per fiscal year.

3. Funding to an Eligible Organization will not constitute a precedent for contributions in subsequent fiscal years.

**CITY OF MAYWOOD
COMMUNITY BENEFIT FUND
GUIDELINES AND PROCEDURES**

V. EVALUATION OF APPLICATION AND SELECTION PROCESS

A. Review of Applications. Following the application deadline, City Staff will review the applications. Applicants may be contacted if further information is requested, to answer questions, clarify their application, etc. All applications will be evaluated to ensure that the applicant is an "Eligible Organization" and that purpose for which the grant is sought is consistent with this policy. Applications and recommendations of Staff, if any, will be presented to the City Council during a regular scheduled City Council meeting for the Council's consideration and approval.

B. City Council Action. The City Council will take final action on award of all grants and maintains the discretion to fund in whole or in part any request or not to fund any or all requests during the Application Cycle. Alternatively, the City Council may hold-over any application into the next Application Cycle. In the case of multiple applications that are competing for limited available funds, consideration may be given to applications based on the following criteria: (i) the number of residents who are expected to benefit, participate in or be positively impacted by the program; (ii) the performance of the applicant in prior years, including demonstrated fiscal responsibility and compliance with applicable requirements; (iv) the amount of funding previously award to the applicant or the program or event in prior years; and (v) the total amount of funding requested as a proportion of the total available funds for the applicable fiscal year.

VI. POST AWARD REQUIREMENTS

A. Agreement. All Eligible Organizations elected to receive funds will be required to sign and execute an agreement with the City of Maywood.

B. Reporting. Eligible Organizations must complete a report, within 45 days of fund expenditure, describing the use of the grant and amount expended, the number of participants in the event or program, copies of any publicity of the event or program, and a narrative regarding the benefit to the City of Maywood. The City reserves the right to conduct an audit and/or require additional back-up information to substantiate how funds received from the City were expended. Failure to submit this required report will make the Eligible Organization ineligible for allocation of future funds until the required report is submitted. These reports will be reviewed and taken into account for evaluating subsequent funding proposals from that entity.

C. Request for Funds. The Eligible Organization receiving the funds is responsible for submitting a funds request to the City's Finance Director and shall allow the City up to 30 days to process the request. If a third-party vendor is the recipient of the funds (i.e. bus company used for field trip), then the request shall include the information regarding that vendor including their Tax Identification Number and the check shall be made payable to that vendor. If the grant is to be used to purchase tangible goods or services,

**CITY OF MAYWOOD
COMMUNITY BENEFIT FUND
GUIDELINES AND PROCEDURES**

the City has the discretion to purchase the goods or services directly and pass-through the goods or services to the Eligible Organization rather than provide the funding.

D. Return of Funds to the City. Unexpended funds must be returned to the City at the end of the fiscal year. Funds must also be returned to the City if the City determines that the applicant has not performed in accordance with the approved application listing the use of the funds.

E. Failure to Abide by Policy. The failure of an Eligible Organization to abide by this Policy will result in the Eligible Organization being denied for funding in the future.

AGENDA REPORT
CITY OF MAYWOOD



AGENDA ITEM NO. 8.

DATE: October 13, 2021

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: JENNIFER VASQUEZ, CITY MANAGER

BY: SHIRLEY QUINONES, EXECUTIVE ASSISTANT/DEPUTY CITY CLERK

SUBJECT: CONSIDERATION OF RESOLUTION NO. 6200 AUTHORIZING PUBLIC MEETINGS OF THE CITY'S LEGISLATIVE BODIES TO BE HELD VIA TELECONFERENCING PURSUANT TO GOVERNMENT CODE SECTION 54953(e) AND MAKING FINDINGS AND DETERMINATIONS REGARDING THE SAME

RECOMMENDATION:

Staff recommends that the City Council adopt Resolution No. 6200 authorizing that public meetings of the City's legislative bodies be held via teleconferencing pursuant to Government Code Section 54953(e) and making the findings and determinations regarding the same.

BACKGROUND:

The City Council and the other legislative bodies (i.e. planning commission) have been meeting remotely on the technology platform "Zoom" pursuant to the Governor's Executive Order N-29-20 issued on March 17, 2020 ("EO N-29-20") since April 22, 2020. This followed Governor Newsom's declaration of a State of Emergency because of the COVID-19 pandemic. EO N-29-20 relaxed the teleconferencing requirements of the Brown Act to facilitate virtual meetings during the COVID-19 declared emergency. EO N-29-20's provisions concerning public meetings expired as of September 30, 2021. The State Legislation, however, recently passed and the Governor signed Assembly Bill 361 ("AB 361"), urgency legislation to allow cities to continue meeting remotely without following the Brown Act's standard teleconferencing provisions. The Delta variant has emerged, causing a spike in cases throughout the state. As a result, on July 24, 2021, the Los Angeles County Health Department is requiring masks indoors in public places, regardless of vaccination status.

DISCUSSION:

Under the Brown Act, in order for a member of a legislative body to attend a meeting remotely or by teleconference, there are certain requirements that must be met: (i) the legislative body's agendas must be posted at all teleconference locations; (2) the teleconference location must be identified in the notice and agenda of the meeting or proceeding, and (3) the teleconference location must be accessible to the public. With the continuation of the Delta variant of COVID-19, the State Legislature enacted urgency legislation (AB 361) that authorizes local agencies to continue meeting remotely without following the Brown Act's standard teleconferencing provisions, including that meetings be conducted in physical locations where the public is allowed, if the meeting is held during a state of emergency proclaimed by the Governor and either of the following applies: (1) state or local officials have imposed or recommended measures to promote social distancing; or (2) the agency has already determined or is determining whether, as a result of the emergency,

meeting in person would present imminent risks to the health or safety of attendees.

The declared State of Emergency is still in effect. Furthermore, the Los Angeles County Department of Public Health has recommended measures to promote social distancing in "public settings" and has adopted Guidelines entitled "COVID-19 Prevention in Public Settings" which continues to recommend social distancing even for fully vaccinated individuals in addition to other guidance recommending that employers take steps to reduce crowding indoors and to support physical distancing between employees and customers. The Centers for Disease Control and Prevention continue to advise that COVID-19 spreads more easily indoors than outdoors and that people are more likely to be exposed to COVID-19 when they are closer than 6 feet apart from others for longer periods of time. Additionally, the Los Angeles County Department of Public Health encourages people at risk for severe illness or death from COVID-19 to take protective measures such as social distancing and, for those not yet fully vaccinated, to physically distance from others whose vaccination status is unknown.

In addition, the Delta variant continues to be dominant in the County of Los Angeles and there are news media reports of a new variant. Recognizing that the City of Maywood's current vaccination rate is 69.7% and in light of the Delta variant, allowing the continuation of the City's business on a remote teleconference format would ensure that Council or Commission meetings would not have to be cancelled should members have health concerns and/or are sick. Adopting the proposed resolution would provide the flexibility for members of the legislative body to determine for themselves based on their own health matters whether attending a meeting will be a risk to their health and safety. Also, this would allow the City to make adjustments if needed should COVID-19 cases rise or new variants threaten the health and safety of the public, including staff and members of the Council and the Commission. The City's Chambers would continue to be closed to the public. The City, however, would continue to provide the meeting in a format so that members of the public can view the meeting and participate in providing public comments on agenda items and non-agenda items as we have been doing since April 2020.

If the City adopts Resolution No. 6200, AB 361 adds new procedures and clarifies the requirements for conducting remote meetings as follows:

- **Public Comment Opportunities in Real Time:** A legislative body that meets remotely pursuant to AB361 must allow members of the public to access the meeting via a call-in option or an internet-based service option, and the agenda for the remote meeting must provide an opportunity for members of the public to directly address the body in real time. A legislative body cannot require public comments to be submitted in advance of the meeting.
- **No Action During Disruptions:** In the event of a disruption that prevents the local agency from broadcasting the remote meeting, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the cin-in option or internet-based service option, AB361 prohibits the legislative body from taking any further action on items appearing on the meeting agenda until public access to the meeting via call-in or internet-based options is restored.
- **Periodic Findings:** To continue meeting remotely pursuant to AB 361, a legislative body must make periodic findings concerning the declared emergency and its effects. The Council must make these findings no later than 30 days after the first teleconferenced meeting is held after September 30, 2021, and must also make these findings every 30 days thereafter, in order to continue to allow teleconference accessibility for conducting public meetings. AB 361 will sunset on January 1, 2024.

LEGAL REVIEW:

The City Attorney has reviewed and approved this report.

FISCAL IMPACT:

There is no fiscal impact related to this item.

ATTACHMENT(S)

1. AB-361

RESOLUTION NO. 6200
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAYWOOD
AUTHORIZING PUBLIC MEETINGS OF THE CITY TO BE HELD VIA
TELECONFERENCING PURSUANT TO GOVERNMENT CODE
SECTION 54953(e) AND MAKING FINDINGS AND
DETERMINATIONS REGARDING THE SAME

WHEREAS, the City Council is committed to public access and participation in its meetings while balancing the need to conduct public meetings in a manner that reduces the likelihood of exposure to COVID-19 and to support physical distancing during the COVID-19 pandemic; and

WHEREAS, all meetings of the City Council and the City's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the City Council and the City's Commissions conduct their business; and

WHEREAS, on March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for a broader spread of COVID-19 (coronavirus); and

WHEREAS, on March 13, 2020, the Director of Emergency Services of the City of Maywood did proclaim the existence of a local emergency within this City; and

WHEREAS, on March 17, 2020, the City Council adopted Resolution Number 6099 proclaiming the Existence of a Local Emergency, as issued by the Director of Emergency Services; and

WHEREAS, on March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings telephonically or by other means; and

WHEREAS, on June 11, 2021 Governor Newsom issued Executive Order N-08-21, which placed an end date of September 30, 2021, for agencies to meet remotely; and

WHEREAS, pursuant to Assembly Bill 361, signed by Governor Newsom and effective on September 16, 2021, legislative bodies of local agencies may hold public meetings via teleconferencing pursuant to Government Code Section 54953(e), without complying with the requirements of Government Code Section 54953(b)(3), if the legislative body complies with certain enumerated requirements in any of the following circumstances:

1. The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.
2. The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
3. The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, new variants of COVID-19 (Delta) have emerged, causing a spike in COVID-19 cases throughout the state; and

WHEREAS, the California Department of Public Health (“CDPH”) and the Centers for Disease Control caution that the Delta variant of COVID-19, currently the dominant strain of COVID-19 in Los Angeles County and the country, is more transmissible than prior variants of the virus, may cause more severe illness, and even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations; and

WHEREAS, the vaccination rate in the City of Maywood is currently at 69.7%; and

WHEREAS, the Los Angeles County Public Health Department has ordered all individuals to wear masks when inside public spaces and has issued guidance for prevention in public settings (COVID-19 Prevention in Public Settings), which includes maintaining social distancing even if vaccinated; and

WHEREAS, the Los Angeles County Public Health Department “Responding together at Work and in the Community Order (9.28.21)” provides that all individuals and businesses are strongly encouraged to follow the Los Angeles County Public Health Department Best Practices. The Los Angeles County Public Health Department “Best Practices to Prevent COVID-19 Guidance for Businesses and Employers”, updated on September 13, 2021, recommends that employers take steps to reduce crowding indoors and to support physical distancing between employees and customers; and

WHEREAS, due to the ongoing COVID-19 pandemic and the need to promote social distancing to reduce the likelihood of exposure to COVID-19, the City Council intends to hold public meetings for itself and its commissions via teleconferencing pursuant to Government Code Section 54953(e); and

WHEREAS, the unique characteristics of public governmental buildings is another reason for continuing teleconferenced meetings, including the increased mixing associated with bringing people together from across several communities, the need to enable those who are immunocompromised or unvaccinated to be able to safely continue to fully participate in public meetings and the challenge of achieving compliance with safety requirements and recommendations in such settings;

NOW, THEREFORE, THE CITY COUNCIL FOR THE CITY OF MAYWOOD DOES HEREBY RESOLVE, FIND, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The City Council finds that the recitals set forth above are true and correct and are incorporated into this Resolution as if set forth in full.

SECTION 2. The City Council hereby determines that as a result of the State of Emergency due to the COVID-19 pandemic and the current variants of COVID-19, that Federal, State and County officials have continued to recommend measures to promote social distancing in public settings.

SECTION 3. The City Council hereby determines that as a result of the State of Emergency due to the COVID-19 pandemic and the current variants of COVID-19, meeting in person presents imminent risks to the health and safety of attendees of City Council and Commission meetings.

SECTION 4. The City Council and other legislative bodies of the City of Maywood shall conduct their meetings pursuant to Government Code section 54953(e).

SECTION 5. The City Manager and her designee(s) are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution.

PASSED, APPROVED AND ADOPTED THIS 13th day of OCTOBER, 2021.

Ricardo Lara, Mayor

ATTEST:

APPROVED AS TO FORM:

Flor Aguiluz, City Clerk

Roxanne Diaz, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF MAYWOOD)

I, Flor Aguiluz, City Clerk of the City Council of the City of Maywood, do hereby certify that foregoing Resolution No. **6200** was duly passed and adopted by the City Council of the City of Maywood, at a regular meeting of the City Council held on the **13th** day of **October**, 2021 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Flor Aguiluz, City Clerk

the


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AB-361 Open meetings: state and local agencies: teleconferences. (2021-2022)

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Date Published: 09/17/2021 09:00 PM

Assembly Bill No. 361

CHAPTER 165

An act to add and repeal Section 89305.6 of the Education Code, and to amend, repeal, and add Section 54953 of, and to add and repeal Section 11133 of, the Government Code, relating to open meetings, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 16, 2021. Filed with Secretary of State September 16, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

AB 361, Robert Rivas. Open meetings: state and local agencies: teleconferences.

(1) Existing law, the Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to directly address the legislative body on any item of interest to the public. The act generally requires all regular and special meetings of the legislative body be held within the boundaries of the territory over which the local agency exercises jurisdiction, subject to certain exceptions. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. The act authorizes the district attorney or any interested person, subject to certain provisions, to commence an action by mandamus or injunction for the purpose of obtaining a judicial determination that specified actions taken by a legislative body are null and void.

Existing law, the California Emergency Services Act, authorizes the Governor, or the Director of Emergency Services when the governor is inaccessible, to proclaim a state of emergency under specified circumstances.

Executive Order No. N-29-20 suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic provided that notice and accessibility requirements are met, the public members are allowed to observe and address the legislative body at the meeting, and that a legislative body of a local agency has a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 1, 2024, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency, as that term is defined, when state or local health officials

have imposed or recommended measures to promote social distancing, during a proclaimed state of emergency held for the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees, and during a proclaimed state of emergency when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees, as provided.

This bill would require legislative bodies that hold teleconferenced meetings under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option, and to conduct the meeting in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body. The bill would require the legislative body to take no further action on agenda items when there is a disruption which prevents the public agency from broadcasting the meeting, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments, until public access is restored. The bill would specify that actions taken during the disruption are subject to challenge proceedings, as specified.

This bill would prohibit the legislative body from requiring public comments to be submitted in advance of the meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. The bill would prohibit the legislative body from closing the public comment period and the opportunity to register to provide public comment, until the public comment period has elapsed or until a reasonable amount of time has elapsed, as specified. When there is a continuing state of emergency, or when state or local officials have imposed or recommended measures to promote social distancing, the bill would require a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting pursuant to these provisions, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures.

Existing law prohibits a legislative body from requiring, as a condition to attend a meeting, a person to register the person's name, or to provide other information, or to fulfill any condition precedent to the person's attendance.

This bill would exclude from that prohibition, a registration requirement imposed by a third-party internet website or other online platform not under the control of the legislative body.

(2) Existing law, the Bagley-Keene Open Meeting Act, requires, with specified exceptions, that all meetings of a state body be open and public and all persons be permitted to attend any meeting of a state body. The act requires at least one member of the state body to be physically present at the location specified in the notice of the meeting.

The Governor's Executive Order No. N-29-20 suspends the requirements of the Bagley-Keene Open Meeting Act for teleconferencing during the COVID-19 pandemic, provided that notice and accessibility requirements are met, the public members are allowed to observe and address the state body at the meeting, and that a state body has a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a state body to hold public meetings through teleconferencing and to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the state body. With respect to a state body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the state body at each teleconference location. Under the bill, a state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the state body allow members of the public to attend the meeting and offer public comment. The bill would require that each state body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge state bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

(3) Existing law establishes the various campuses of the California State University under the administration of the Trustees of the California State University, and authorizes the establishment of student body organizations in

connection with the operations of California State University campuses.

The Gloria Romero Open Meetings Act of 2000 generally requires a legislative body, as defined, of a student body organization to conduct its business in a meeting that is open and public. The act authorizes the legislative body to use teleconferencing, as defined, for the benefit of the public and the legislative body in connection with any meeting or proceeding authorized by law.

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a legislative body, as defined for purposes of the act, to hold public meetings through teleconferencing and to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the legislative body. With respect to a legislative body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the legislative body at each teleconference location. Under the bill, a legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the legislative body allow members of the public to attend the meeting and offer public comment. The bill would require that each legislative body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge legislative bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

(4) This bill would declare the Legislature's intent, consistent with the Governor's Executive Order No. N-29-20, to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future emergencies by allowing broader access through teleconferencing options.

(5) This bill would incorporate additional changes to Section 54953 of the Government Code proposed by AB 339 to be operative only if this bill and AB 339 are enacted and this bill is enacted last.

(6) The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

(7) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

(8) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 89305.6 is added to the Education Code, to read:

89305.6. (a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a legislative body may hold public meetings through teleconferencing and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the legislative body.

(b) (1) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the legislative body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.

(2) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:

(A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.

(B) Each teleconference location be accessible to the public.

(C) Members of the public may address the legislative body at each teleconference conference location.

(D) Post agendas at all teleconference locations.

(E) At least one member of the legislative body be physically present at the location specified in the notice of the meeting.

(c) A legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the legislative body allow members of the public to attend the meeting and offer public comment. A legislative body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

(d) If a legislative body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the legislative body shall also do both of the following:

(1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.

(2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).

(e) Except to the extent this section provides otherwise, each legislative body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:

(1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.

(2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a legislative body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the legislative body's internet website.

(f) All legislative bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to legislative body meetings.

(g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.

SEC. 2. Section 11133 is added to the Government Code, to read:

11133. (a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a state body may hold public meetings through teleconferencing and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the state body.

(b) (1) For a state body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the state body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.

(2) For a state body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:

(A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.

(B) Each teleconference location be accessible to the public.

(C) Members of the public may address the state body at each teleconference conference location.

(D) Post agendas at all teleconference locations.

(E) At least one member of the state body be physically present at the location specified in the notice of the meeting.

(c) A state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the state body allow members of the public to attend the meeting and offer public comment. A state body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

(d) If a state body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the state body shall also do both of the following:

(1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.

(2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).

(e) Except to the extent this section provides otherwise, each state body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:

(1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.

(2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a state body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the state body's internet website.

(f) All state bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to state body meetings.

(g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.

SEC. 3. Section 54953 of the Government Code is amended to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all

otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(A) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(B) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3. In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.

(D) In the event of a disruption which prevents the public agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(G) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.

(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.

(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

(4) For the purposes of this subdivision, "state of emergency" means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 3.1. Section 54953 of the Government Code is amended to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency in person, except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and federal civil rights laws, including, but not limited to, any applicable language access and other nondiscrimination obligations.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(A) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(B) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3. In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.

(D) In the event of a disruption which prevents the public agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(G) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.

(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.

(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

(4) For the purposes of this subdivision, "state of emergency" means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 4. Section 54953 is added to the Government Code, to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5

(commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) This section shall become operative January 1, 2024.

SEC. 4.1. Section 54953 is added to the Government Code, to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, in person except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and federal civil rights laws, including, but not limited to, any applicable language access and other nondiscrimination obligations.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) This section shall become operative January 1, 2024.

SEC. 5. Sections 3.1 and 4.1 of this bill incorporate amendments to Section 54953 of the Government Code proposed by both this bill and Assembly Bill 339. Those sections of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2022, but this bill becomes operative first, (2) each bill amends Section 54953 of the Government Code, and (3) this bill is enacted after Assembly Bill 339, in which case Section 54953 of the Government Code, as amended by Sections 3 and 4 of this bill, shall remain operative only until the operative date of Assembly Bill 339, at which time Sections 3.1 and 4.1 of this bill shall become operative.

SEC. 6. It is the intent of the Legislature in enacting this act to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future applicable emergencies, by allowing broader access through teleconferencing options consistent with the Governor's Executive Order No. N-29-20 dated March 17, 2020, permitting expanded use of teleconferencing during the COVID-19 pandemic.

SEC. 7. The Legislature finds and declares that Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, further, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

This act is necessary to ensure minimum standards for public participation and notice requirements allowing for greater public participation in teleconference meetings during applicable emergencies.

SEC. 8. (a) The Legislature finds and declares that during the COVID-19 public health emergency, certain requirements of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code) were suspended by Executive Order N-29-20. Audio and video teleconference were widely used to conduct public meetings in lieu of physical location meetings, and public meetings conducted by teleconference during the COVID-19 public health emergency have been productive, have increased public participation by all members of the public regardless of their location in the state and ability to travel to physical meeting locations, have protected the health and safety of civil servants and the public, and have reduced travel costs incurred by members of state bodies and reduced work hours spent traveling to and from meetings.

(b) The Legislature finds and declares that Section 1 of this act, which adds and repeals Section 89305.6 of the Education Code, Section 2 of this act, which adds and repeals Section 11133 of the Government Code, and Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, all increase and potentially limit the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

(1) By removing the requirement that public meetings be conducted at a primary physical location with a quorum of members present, this act protects the health and safety of civil servants and the public and does not preference the experience of members of the public who might be able to attend a meeting in a physical location over members of the public who cannot travel or attend that meeting in a physical location.

(2) By removing the requirement for agendas to be placed at the location of each public official participating in a public meeting remotely, including from the member's private home or hotel room, this act protects the personal, private information of public officials and their families while preserving the public's right to access information concerning the conduct of the people's business.

SEC. 9. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure that state and local agencies can continue holding public meetings while providing essential services like water, power, and fire protection to their constituents during public health, wildfire, or other states of emergencies, it is necessary that this act take effect immediately.

AGENDA REPORT
CITY OF MAYWOOD



AGENDA ITEM NO. 9.

DATE: October 13, 2021

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: JENNIFER VASQUEZ, CITY MANAGER

BY: STEVE FOWLER, DIRECTOR OF BUILDING AND PLANNING

SUBJECT: CONSIDERATION OF A RESOLUTION AMENDING THE CITY'S CLASSIFICATION PLAN TO ADD HUMAN RESOURCES MANAGER, AND COMMUNITY DEVELOPMENT ANALYST AND ADOPTING THE SALARY RANGE FOR THOSE POSITIONS.

RECOMMENDATION:

Staff recommends that the City Council adopt the proposed Resolution amending the Employee Classification Plan to add Human Resources Manager and Community Development Analyst and adopt the corresponding salary range, authorize the funding for the additional positions and allocate \$79,000 from the available general fund balance for the salary and benefits of these two positions.

BACKGROUND:

It is the intent of the city staff to be efficient, transparent, and customer-service oriented. Given this goal, the City Manager is proposing the following professional classifications: Human Resources Manager and Community Development Analyst be added to the city classification plan.

Currently, the City Manager's Office oversees the Human Resources and Risk Management functions for the City of Maywood. In addition to these functions, the Office also provides significant support to the City Council and City Clerk. There are currently, only two support staff members that assist the City Manager with these duties. They include the Executive Assistant and Administrative Analyst. Combining their individual duties and those included within Human Resources and Risk Management has proven to be difficult given the extent of human resources and risk management needs in our organization. These needs include recruitment, benefits administration, performance evaluation, labor relations, employee engagement, organizational development, risk assessment, safety training, claims administration, worker's compensation, and other areas. This position will be designated as Confidential within the Classification Plan as the position will have significant responsibility in administering employee relations and labor negotiations. Furthermore, the position will be designated as an exempt classification. In order to meet such criteria, staff referred to the exemption definition provided under the Fair Labor Standards Act.

The City's Building and Planning Department oversees the orderly physical growth of the community while promoting the quality of life and safety of those who live and work in the city. As part of this department, we have staff in the Building, Code Enforcement, Planning, Parking Enforcement and Public Works Divisions. These divisions all utilize outside consultants and contractors to assist with duties that are necessary to

provide the services to keep a city functioning properly with minimal staff and costs. These contracts have become more complex and require more oversight to ensure the services are being completed as stipulated in these contracts.

DISCUSSION:

The position of Human Resources Manager is being proposed to better meet our citywide human resources and risk management needs going forward. The position can take on high level assignments, such as overseeing the risk management program. The risk management program would include ensuring that risks upon the city are transferred to other parties accordingly and assist with preventing losses to the City; such as employee injury, injury to the public, and equipment and property loss. Prevention programs established and overseen by this classification can include employee safety training, hazard identification, risk control and health monitoring programs.

The Human Resources Manager classification is used in other cities of similar size and provides flexibility in handling other assignments beyond the human resources role as described above.

Staff is also recommending the addition of Community Development Analyst to the employee classification plan. With the loss of our Public Works Coordinator, staff analyzed the needs of the department. The proposed analyst position will perform a variety of professional analyses, surveys, and studies involving administrative, financial, and statistical data. This position would also perform administrative and analytical functions in support of City programs and services. The analyst position would include overseeing and preparing Requests for Proposals (RFP) for new and renewing of contracts in any of the divisions of the Building and Planning Department. This position would also help to administer those contracts by working with the contractors. Keep records of these contracts and any future needs to assist the director with preparing the annual budget and meeting the needs of the community. Knowledge of sustainable concepts and environmental matters will be beneficial to understanding what is necessary for compliance with grants and conditions of approval for California Environmental Quality Act (CEQA) requirements. Also, as a small staff, this position would assist with providing information to the public and assisting with various general duties that deal with the department's needs. The chosen title, Community Development Analyst, reflects the many divisions that are overseen by the Building and Planning Director.

LEGAL REVIEW:

The City Attorney has reviewed this report.

FISCAL IMPACT:

The City currently has the following full-time vacant position: Public Works Coordinator. The remaining budget for the position, including benefits, totals \$67,282.03; this position recently became vacant; thus, some funds have been expended on the position this fiscal year. Staff is proposing to utilize the remaining funds for the position of Community Development Analyst. The Public Works Coordinator position would remain in the classification plan but become unfunded for the remainder of this fiscal year.

The annual range for Community Development Analyst is proposed to be \$64,272 to \$82,029. This range is comparable to the range established for professional mid-management positions in the City and is competitive within the surrounding area.

Additionally, it is proposed that the Human Resource Manager's annual range remains comparable to the professional management positions in the City and the surrounding cities; as such, the proposed range is \$80,000 to \$97,240.

In total, it is recommended that the City Council appropriate \$79,000 from the available general fund balance for the salary and benefits for these two positions.

ATTACHMENT(S)

1. Exhibit A Classification Plan
2. Human Resources Manager 9-2021
3. Community Development Analyst

RESOLUTION NO. 6201

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAYWOOD, CALIFORNIA,
AMENDING THE CITY’S CLASSIFICATION PLAN TO ADD HUMAN RESOURCES MANAGER,
AND COMMUNITY DEVELOPMENT ANALYST AND ADOPTING THE SALARY RANGE FOR
THOSE POSITIONS**

WHEREAS, the City Manager is appointed as the Personnel Officer and per the City’s Personnel Rules and Regulations, shall prepare and maintain the classification plan; and

WHEREAS , the City Manager reviewed the current classification plan resulting in the development of new job classifications and titles based on the current and future needs of the City; and

WHEREAS , the City Manager is recommending the addition of Human Resources Manager and Community Development Analyst to the classification plan; and

WHEREAS, the City Council, per the City’s Personnel Rules and Regulations, shall approve any additions or deletions to the classification plan.

NOW, THEREFORE, THE CITY COUNCIL FOR THE CITY OF MAYWOOD DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The recitals set forth above are true and correct and incorporated herein as if set forth in full.

SECTION 2. The City Council adopts the amended Classification Plan by adding the Human Resources Manager and Community Development Analyst positions as set forth in Exhibit A.

SECTION 3. The City Council hereby established and approves the salary ranges for the newly added positions as follows:

Position (Job Title) - Full Time	Range (Annual)
Human Resources Manager	\$80,000 - \$97,240
Community Development Analyst	\$64,272 - \$82,029

SECTION 4. The City Council authorizes the City Manager to take all necessary steps to implement the Classification Plan and set the salary range for each position.

SECTION 5. This Resolution shall be effective immediately upon its passage and approval.

SECTION 6. The City Clerk shall certify the passage and adoption of this Resolution and shall enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED THIS 13th day of October 2021.

Ricardo Lara, Mayor

ATTEST:

APPROVED AS TO FORM:

Flor Aguiluz, City Clerk

Roxanne Diaz, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF MAYWOOD)

I, Flor Aguiluz, City Clerk of the City Council of the City of Maywood, do hereby certify that foregoing Resolution No. 6201 was duly passed and adopted by the City Council of the City of Maywood, at a regular meeting of the City Council held on the 13th day of October 2021 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Flor Aguiluz, City Clerk

**CITY OF MAYWOOD
CLASSIFICATION PLAN**

Accounting Specialist I
Accounting Specialist II
Administrative Analyst
Administrative Assistance
Assistant Planner
Building Inspection/Code Compliance Supervisor
City Manager
Code Compliance Officer I
Community Development Analyst
Community Service Officer
Community Services Liaison
Customer Service Rep I
Customer Service Rep II
Director of Building and Planning
Executive Assistant
Finance Director
Finance Specialist
Fund Accountant
Human Resources Manager
Parking Enforcement Officer I
Parking Enforcement Officer II
Public Works Coordinator
Public Works Lead Maintenance Worker
Public Works Maintenance Worker
Secretary of Building and Planning
Senior Parking Enforcement Officer



CITY OF MAYWOOD

HUMAN RESOURCES MANAGER (Full-Time, Confidential Position)

DEFINITION:

Under general direction, to manage, supervise, administer and coordinate the human resources activities and operations for the City including recruitment, selection, benefits administration, classification and compensation, workers' compensation, employee relations, labor negotiations, training, employee safety, risk management and related functions; to coordinate assigned activities with other divisions, departments and outside agencies; and to provide highly responsible and complex administrative and management support to the City Manager.

EXAMPLES OF ESSENTIAL DUTIES:

The duties and responsibilities listed below are intended to provide a representative list of the various types of work that may be performed. Specifications are not intended to reflect all duties performed within the job class, and incumbents may expect to perform other related duties.

- Plan, coordinate, administer and supervise programs and services for the City's human resources services and activities including recruitment and selection, benefits administration, classification and compensation plan administration, worker's compensation, employer-employee relations, labor negotiations, training, safety, risk management and related functions.
- Manage and participate in the development and implementation of goals, objectives, policies, and priorities for assigned programs; recommends and administers policies and procedures.
- Assist City Manager with labor agreements with associations and resolve sensitive and controversial issues in the course of managing the responsibility for all human resources services and activities; nurture a continuous positive working relationship with employee representation units.
- Monitor and evaluate the efficiency and effectiveness of service delivery policies, practices, methods, and procedures; make recommendations for improvement.
- Plan, direct, coordinate and review the work plan for human resources, assigns work activities, projects, and programs; review and evaluate work products, methods, and procedures; meet with staff to identify and resolve problems.
- Coordinate and conduct the recruitment and selection process; screen applicants and list job candidate qualifications; recommend eligible candidates for examination or interview; coordinate the oral board and participates in the interview process.
- Coordinate city-wide training and assess training needs for all City staff.
- Conduct employee orientation; review City policies, procedures, and employee benefits; conduct exit interviews.

- Administer and maintain the City's classification and compensation plan; conduct job analysis studies, salary, and benefit surveys; receive appeals and recommend appropriate solutions.
- Administer the Workers' Compensation Program including reviewing initial workers' compensation claims and determining type of claim to be established; serve as liaison with injured workers, City staff, attorneys, medical providers, and investigators in the management of injured worker claims; and work closely with injured employees, managers, and supervisors regarding return-to-work issues.
- Assists in the overall administration of health benefits program including conducting open enrollment for health benefits and coordinating information with third party benefit administrator.
- Select, train, motivate and evaluate staff; provide and/or coordinate staff training; works with employees to correct deficiencies; implements discipline and termination procedures.
- Participate in the development and administration of the annual budget for department.
- Serve as the liaison for personnel services with other divisions, and outside agencies; assist with disciplinary issues, advise managers, supervisors, and City Manager on handling employee issues; negotiate and resolve sensitive and controversial issues.
- Prepare and present staff reports to City Council; prepare necessary correspondence.
- Coordinate with City Attorney's Office as needed related to legal issues.
- Conduct a variety of organizational studies, investigations, and operational studies; recommend modifications to personnel administration programs, policies, and procedures as appropriate.
- Coordinate the City's risk management activities with carrier, and in consultation with the City Attorney and City Manager.
- Develop, coordinate, and administer an effective safety program and maintain required records; such as DMV Pull Notice Program.
- Develop, coordinate, and administer effective employee recognition and rewards programs, wellness programs, and annual events.
- Establish positive working relationships with City staff and the general public.
- Assume responsibility for ensuring the duties of the position are performed in a safe and efficient manner.
- Perform other duties as assigned.

QUALIFICATIONS:

Knowledge of: Operations, services, and activities of a personnel program; principles, practices, and procedures of personnel administration in the areas of employment, compensation and classification, workers' compensation, employee development, training, and benefits administration; screening and selection practices, including application formats, test construction and interviewing techniques; resources to sustain current understanding of modern trends and legal issues in the field of personnel management; employment and employee relations issues; methods and techniques of research and analysis of personnel administrative and statistical data; principles of city government organization, functions, and

management; basic labor relations, negotiation processes and employment law; workers' compensation and related contract principles and theories; workers' compensation claims adjusting, investigation, and administrative techniques necessary to participate in the management of claims from reporting of injury to settlement; risk management principles; safety programs, reporting and regulatory requirements; basic principles and procedures of record keeping; business letter writing and report preparation; principles and practices of customer service; office procedures, methods, and equipment including computers and applicable software applications; pertinent federal, state, and local laws, codes, and regulations.

Ability to: Plan and administer an effective and compliant human resources program; Perform professional level managerial and analytical duties in the administration of the City's personnel functions; make independent decisions; establish goals and objectives; design effective recruitment programs to obtain qualified candidates; develop valid and effective selection procedures; research, collect, compile, and analyze information and data; understand and analyze statistical information; make complete and accurate analyses, reports, and recommendations in a variety of personnel areas; prepare clear, concise, oral and written reports both narrative and statistical; work tactfully with and gain confidence and cooperation of other internal personnel, the public, and outside agencies and organizations; understand the organization and operation of the City and of outside agencies as necessary to assume assigned responsibilities; understand, interpret, and apply general and specific administrative and human resources policies and procedures as well as applicable federal, state, and local policies, laws, and regulations; formulate and conduct presentations to employees, supervisors, and division managers; plan and organize work to meet changing priorities and deadlines; operate office equipment including computers and supporting software applications; respond tactfully, clearly, concisely, and appropriately to inquiries from the public, City staff, or other agencies on sensitive issues in area of responsibility; exercise good judgment and maintain confidentiality in maintaining critical sensitive information, records, and reports; utilize public relations techniques in responding to inquiries and complaints; communicate clearly and concisely, both orally and in writing; establish and maintain effective working relationships with those contacted in the course of work.

Education and Experience: Any combination of education and experience which may provide the required knowledge and abilities and skills is qualifying. A typical way is graduation from an accredited college or university with a Bachelor's degree in human resources management, industrial or organizational psychology, business administration, or a related field; and three (3) years of professional generalist experience in human resources, preferable including one (1) supervisory experience. Public agency experience is highly desirable. Ability to speak Spanish is preferred, but not required.

Necessary Special Requirements: Possession of a valid Class C motor vehicle operator's license from the State of California.

OTHER QUALIFICATIONS:

The physical demands described below are representative of those that must be met by an employee to successfully perform the essential functions of the job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions on a case-by-case basis.

While performing the duties of this classification, an incumbent is regularly required to use hands and fingers to handle or feel. The employee is frequently required to talk, hear, and to sit and reach with hands and arms. The employee is occasionally required to stand, walk, climb, or balance and stoop, kneel, crouch or crawl. The employee must regularly lift and/or move up to ten (10) pounds, frequently lift and/or move up to twenty-five (25) pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception and ability to adjust focus.

FLSA Status: Exempt

Effective Date:



City of Maywood, CA

4319 East Slauson Ave.

COMMUNITY DEVELOPMENT ANALYST

Salary Range (\$- \$)

DEFINITION

Under general direction, performs a variety of professional analyses, surveys, and studies involving administrative, financial, and statistical data; performs administrative and analytical functions in support of City programs and services; and performs related work as required. The Community Development Analyst provides professional support to a Department Head and/or City Manager and works with minimal supervision and may provide direction and supervision over assigned support staff. This classification may be assigned to work in any division, or specialized function within the Building and Planning Department. The position would need a versatile individual that is adaptive with a customer friendly approach, a focus on quality customer service that enjoys working with the public. This person should be a self-starter as well as thriving in a team environment.

The intent of this position description is to provide a representative summary of the major duties and responsibilities performed by the incumbent(s) in this position. Incumbent(s) may not be required to perform all duties in this description and incumbent(s) may be required to perform position-related tasks other than those specifically listed in this description.

ESSENTIAL FUNCTION STATEMENTS--Essential and other important responsibilities and duties may include, but are not limited to, the following:

Essential Functions:

- Applicable Federal, State, and local laws, rules, regulations, ordinances, and organizational policies and procedures relevant to assigned area of responsibility.
- Principles, practices, and methods of administrative, economic, and organizational analysis.
- Financial, statistical, and comparative analysis methods.
- Principles and practices of budget development and expenditure control in a municipal setting.
- Business letter writing and the standard format for reports and correspondence.
- Modern office practices, methods, and computer equipment and applications related to the work, department, and assignment being performed.
- English usage, grammar, spelling, vocabulary, and punctuation.
- Techniques for effectively representing the City in contacts with governmental agencies, community groups, various business, professional, educational, and regulatory organizations, and the public.
- Techniques for providing a high level of customer service by effectively dealing with the public, vendors, contractors, and City staff. Answers incoming phone calls
- Provides administrative support to Director of Building and Planning
- May handle various, specially assigned administrative activities as designated by the Director including facilitating projects, programs, research, or report preparation.
- Uploads pertaining information to the City's website and Social Media platforms.

QUALIFICATIONS GUIDELINES

Education and/or Experience

Equivalent to graduation from an accredited four-year college or university with major coursework in business administration, public administration, or a closely related field is required. Possession of a Master's Degree is highly desirable. At least two (2) years of increasingly responsible professional experience in administrative, management, personnel, and analytical functions.

Knowledge of:

- Modern principles and practices of technical and legal issues of urban and regional planning, zoning, urban economics, demographics, and environmental planning and program management.
- Geographic, socio-economic, transportation, political, and other elements related to city planning.
- General concepts of architecture, landscaping, grading, drainage, and traffic and transportation engineering as they relate to the process of urban planning.
- Applicable Federal, State, and local laws, rules, regulations, ordinances, and organizational policies and procedures relevant to assigned area of responsibility.
- Project management and contract administration principles and techniques.
- Researching and reporting methods, techniques, and procedures.
- Practices of researching planning and land use issues, evaluating alternatives, making sound recommendations, and preparing and presenting effective staff reports.
- Bilingual fluency in English and Spanish is highly desired.
- Proficiency in the use of computers and related equipment, hardware and software.
- Strong knowledge of Microsoft Office including Outlook, Word, and Excel
- Basic business letter writing and report preparation techniques

Skill in:

Effective oral and written communications. Interpersonal interactions with individuals at all levels. Making independent judgements and decisions based on standard policy or procedure. Organizing and prioritizing assignments. Utilizing a variety of Microsoft Office software, including Outlook, Excel and Powerpoint.

Ability to:

- Recommend and implement goals, objectives, and practices for providing effective and efficient services to both internal and external customers.
- Analyze administrative and operational problems, evaluate alternatives, reach sound conclusions, and make appropriate recommendations.
- Participate in the preparation of department budget, including gathering and analyzing data related to expenditures and projected charges and monitoring budget expenditures and revenues.
- Evaluate and develop improvements in operations, procedures, policies, or methods.
- Maintain confidentiality and exercise good judgement and discretion in the handling and processing confidential information and data.
- Interpret, apply, explain, and ensure compliance with applicable Federal, State, and local laws, rules, regulations, policies, and procedures.
- Understand the organization and operation of the City and of outside agencies as necessary to assume assigned responsibilities.
- Compose correspondence and reports independently with minimal instructions.
- Research, analyze, and summarize data and prepare accurate and logical written reports.
- Organize and prioritize a variety of projects and multiple tasks in an effective and timely manner; organize own work, set priorities, and meet critical time deadlines.
- Operate office equipment and computer applications related to the work.
- Use English effectively to communicate in person, over the telephone, and in writing.
- Conduct research and analyze laws, regulations, contracts, policies, and standards related to management programs and services.
- Administer and participate in surveys; draft and present study findings and conclusions.
- Establish and maintain effective working relationships with applicants, staff, management, vendors,

consultants, brokers, the City Attorney, the general public, and others encountered in the course of the work.

- Organize and prioritize tasks to meet deadlines.
- Exercise tact and diplomacy in dealing with sensitive and complex personnel issues and employee situations; organize and maintain confidential personnel files.
- Operate a personal computer for and use word processing, spreadsheets, graphics and other applications software.
- Establish, maintain, and foster positive and effective working relationships with those contacted in the course of work.
- Perform related duties as required. Ability to speak another language would be ideal.

WORKING CONDITIONS

Environmental Conditions:

Standard office environment with continual exposure to computer screens and attention to general public.

Physical Conditions:

Essential and secondary functions may require sporadic light lifting and carrying; sitting for prolonged periods of time.

LICENSES

A valid California Class C driver's license is required.

Physical Demands

Must possess mobility to work in a standard office setting and use standard office equipment, including a computer, to inspect City development sites, including traversing uneven terrain, climbing ladders, stairs, and other temporary or construction access points; to operate a motor vehicle and to visit various City and meeting sites; vision to read printed materials and a computer screen; and hearing and speech to communicate in person, before groups, and over the telephone. This is primarily a sedentary office classification although standing and walking between work areas may be required. Finger dexterity is needed to access, enter, and retrieve data using a keyboard or calculator and to operate standard office equipment. Positions in this classification occasionally bend, stoop, kneel, reach, push, and pull drawers open and closed to retrieve and file information. Employees must possess the ability to lift, carry, push, and pull materials and objects weighing up to 25 pounds.