



MAYWOOD CITY COUNCIL SPECIAL MEETING AGENDA

WEDNESDAY, APRIL 8, 2020 AT 2:00 P.M.

I. CALL TO ORDER/ROLL CALL

CALL TO ORDER
ROLL CALL

II. CITY OFFICIALS

MAYOR

Eduardo De La Riva

CITY CLERK

Gerardo Mayagoitia

MAYOR PRO TEM

Ricardo Lara

CITY TREASURER

Gloria Viramontes

COUNCIL MEMBERS

Ramon Medina

Carlos Alvarez

Heber Marquez

CITY MANAGER

Jennifer E. Vasquez

CITY ATTORNEY

Roxanne Diaz

III. COVID-19 MEETING PROCEDURES

PUBLIC ADVISORY: THE CITY COUNCIL CHAMBERS WILL NOT BE OPEN TO THE PUBLIC

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the special meeting of the City Council for April 8, 2020 will be conducted telephonically through Zoom and broadcast live on the City's Facebook page. Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the Council Chambers will not be open for the meeting. Council Members will be participating telephonically and will not be physically present in the Council Chambers.

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

Join by phone *67 1-669-900-6833

Enter Meeting ID: 808 328 546

If you want to comment during the public comment portion of the agenda, Press *9 and we will select you from the meeting cue. NOTE: Your phone number will appear on the screen unless you first dial *67 before dialing the numbers as shown above.

The City wants you to know that you can also submit your comments by email to shirley.quinones@cityofmaywood.org. To give adequate time to print out your comments for consideration at the meeting, please submit your written comments prior to 12:30 p.m.; or if you are unable to email, please call the City Clerk's Office at (323) 562-5714 by 12:30 p.m.

If you wish to have your comments read to the Council Members during the appropriate Public Comment period, please indicate in the Subject Line "FOR PUBLIC COMMENT" and list the item number you wish to comment on. Comments that you want read to the Council will be subject to the three minute time limitation (approximately 350 words). Written comments that are only to be provided to Council and not read at the meeting will be distributed to the Council prior to the meeting.

Pursuant to the Executive Order, and 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) 562-5723 within 48 hours of the meeting.

IV. PRESENTATIONS

V. PUBLIC HEARING

VI. 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 for 03/25/2020 Special City Council Meeting.
2. Resolution of the City Council of the City of Maywood and Successor Agency to the Maywood Community Redevelopment Agency Approving Prepaid Warrants.
3. Revenue Report from July 2019 to March 2020
4. Consideration of a contribution to the Southeast Rio Vista YMCA at Maywood Center for supplies needed to continue Grab-N-Go meals to Maywood residents' students.
5. Resolution Designating Agents of the City of Maywood for the California Governor's Office of Emergency Services Public Assistance Grants.

VII. DISCUSSION/ACTION ITEMS

VIII. CLOSED SESSION

1. Conference with Legal Counsel, Existing Litigation, Government Code Section 54956.9(d)(1); Marcelina Ortiz v. City of Maywood, Los Angeles Superior Court Case No. 18TCV05445,
2. Conference with Legal Counsel, Existing Litigation, Government Code Section 54956.9(d)(1); Ashely Gonzalez v. City of Maywood, Los Angeles Superior Court Case No. 19STCV21142
3. Conference with Legal Counsel, Anticipated Litigation, Significant Exposure to Litigation, Government Code Section 54956.9(d)(2), Number of Cases: 1. A point has been reached where, in the opinion of the City Council based on the advice of legal counsel that there are existing facts and circumstances that there is significant exposure to litigation against the local agency based on a personnel matter.

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

Speakers wishing to address the City Council on an item not on the agenda may use the following:

By phone: *67 1-669-900-6833

Enter Meeting ID: 808 328 546

If you want to comment during the public comment portion of the agenda, Press *9 and we will select you from the meeting cue.

NOTE: Your phone number will appear on the screen unless you first dial *67 before dialing the numbers as shown above.

- X. **ADJOURNMENT** - The next Regular Meeting of the Maywood City Council is on April 22, 2020.

PUBLIC ACCESS TO CITY COUNCIL MEETING AGENDA AND AGENDA PACKETS

I, Gerardo Mayagoitia, Gerardo Mayagoitia, City Clerk or Guillermo Padilla 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.



AGENDA 1
ITEM NO. _____

March 25, 2020

**MINUTES OF THE SPECIAL MEETING
OF THE MAYWOOD CITY COUNCIL HELD IN THE COUNCIL CHAMBERS,
4319 EAST SLAUSON AVENUE, MAYWOOD, CALIFORNIA**

Pursuant to Governor Newson's Executive Order N-29-20, in-person participation by the public will not be permitted and no physical location from which the public may observe the meeting will be available. Remote public participation is allowed as described below. In addition, consistent with Executive Order N-29-20, members of the Maywood City Council and City Staff are permitted to attend the meeting by teleconference and such locations are not accessible to the public and are not subject to special posting requirements.

Mayor opened the meeting at approximately 2:00 p.m.

ROLL CALL:

Eduardo De La Riva, Mayor
Ricardo Lara, Mayor Pro Tem (Teleconference)
Ramon Medina, Councilmember (Teleconference)
Carlos Alvarez, Councilmember (Excused Absent)
Heber Marquez, Councilmember (Teleconference)
Gloria Viramontes, City Treasurer (Absent)
Gerardo Mayagoitia, City Clerk (Teleconference)

STAFF PRESENT:

Jennifer Vasquez, City Manager
David Mango, Director of Building and Planning
Hrant Manuelian, Director of Finance (Teleconference)
Roxanne Diaz, City Attorney (Teleconference)
Guillermo Padilla, Deputy City Clerk
Shirley Quinones, Deputy City Clerk
Gisselle Delgado, Community Services Liaison

COUNCIL MEMBERS' COMMENTS (3 MINUTES EACH)

Mayor, Council Members, and City Manager provided community updates.

PUBLIC PARTICIPATION (Agenda Items Only)

There were no speakers.

PRESENTATION(S)

None

PUBLIC HEARING

None

CONSENT CALENDAR

1. Minutes for 03/11/2020 Regular City Council Meeting. **Motion to approve by Medina. Second by Lara. AYES: Marquez, Medina, Lara, and De La Riva. ABSENT: Alvarez. PASSES**
2. Minutes for 03/11/2020 Special City Council Meeting. **Motion to approve by Medina. Second by Lara. AYES: Marquez, Medina, Lara, and De La Riva. ABSENT: Alvarez. PASSES**
3. Minutes for 03/13/2020 Special City Council Meeting. **Motion to approve by Medina. Second by Lara. AYES: Marquez, Medina, Lara, and De La Riva. ABSENT: Alvarez. PASSES**
4. Minutes for 03/17/2020 Special City Council Meeting. **Motion to approve by Medina. Second by Lara. AYES: Marquez, Medina, Lara, and De La Riva. ABSENT: Alvarez. PASSES**
5. Resolution of the City Council of the City of Maywood and Successor Agency to the Maywood Community Redevelopment Agency Approving Prepaid Warrants. **Motion to approve by Medina. Second by Lara. AYES: Marquez, Medina, Lara, and De La Riva. ABSENT: Alvarez. PASSES**
6. Award a contract for citywide janitorial services to Expert Building Maintenance, LLC. in the amount of \$273,600 for a Three-Year Term. **Motion to approve by De La Riva. Second by Lara. AYES: Marquez, Lara, and De La Riva. ABSTAIN: Medina. ABSENT: Alvarez. PASSES**

DISCUSSION/ACTION ITEMS

None

CLOSED SESSION

None

PUBLIC PARTICIPATION (Non-Agenda Items)

There following spoke on Non-Agenda Items.

1. Laura Cortex
2. Kathy Tapia
3. Selvyn Menendez

ADJOURNMENT – Meeting adjourned at approximately 2:24 p.m. on March 25, 2020 to April 8, 2020 at 7:00 pm for the regular meeting of the Maywood City Council.



Eduardo De La Riva, Mayor

ATTEST:



Gerardo Mayagoitia, City Clerk

Shirley Quiñones, Deputy City Clerk

COUNCIL AGENDA

ITEM No. 2

RESOLUTION NO. 6101

**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 \$380,963.55 are hereby ratified:

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

PASSED, APPROVED AND ADOPTED THIS 8th day of April, 2020.

Eduardo De La Riva, Mayor

ATTEST:

APPROVED AS TO FORM:

Gerardo Mayagoitia, City Clerk

Roxanne Diaz, City Attorney

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

I, Gerardo Mayagoitia, City Clerk of the City Council of the City of Maywood, do hereby certify that foregoing Resolution No. 6101 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 8th of April, 2020 by the following roll call vote, to wit:

AYES:

NAYES:

ABSENT:

ABSTAINED:

Gerardo Mayagoitia, City Clerk

City of Maywood
Summary Warrants for Payment and Wire Transfers/ACH Transactions
Council Meeting Date
Wednesday, April 8, 2020

Accounts Payable

Accounts Payable prepaid warrants for payment: Checks No. 086997 - 087009	\$ 292,091.90
Accounts Payable regular warrants for payment: Checks No. 087010 - 087021	\$ 68,696.70
Sub-total	\$ 360,788.60

Wire Transfers/ACH Transactions

03/20/20 CalPERS Employer Contribution - Pay Period 3/1/2020-3/14/2020	\$ 6,828.46
03/25/20 California Joint Powers Insurance Authority (CJPIA) repayment plan agreement	\$ 12,000.00
03/25/20 Lease Payment for Front Counter Cash Registers - March 2020	\$ 127.10
03/27/20 ADP Payroll Fee	\$ 1,219.39
Sub-total	\$ 20,174.95

Total Demands	\$ 380,963.55
----------------------	----------------------

City of Maywood
Detail Warrants for Payment
Warrants No. 086997 to 087021

Check No.	Prepays	Date	Vendor Name	Check Amt	Transaction Description
086997	P	3/19/2020	U.S. Bank Corporate Payment System	13,875.01	Credit Card Expense
086998	P	3/26/2020	VOID		VOID
086999	P	3/26/2020	City of Manhattan Beach	273,973.00	Prop A Exchange Fiscal Year 2019-2020 with Manhattan Beach
087000	P	3/31/2020	American Paper Plastic	96.49	Janitorial Supplies: City Hall
087001	P	3/31/2020	AT&T	21.04	MTA Line 02/17/20 to 03/16/20
087002	P	3/31/2020	Los Angeles Regional Food Bank	150.00	Mobile Food Pantry February 2020
087003	P	3/31/2020	L.B. Johnson Hardware Co.	335.29	Public Works Supplies
087004	P	3/31/2020	Mail Finance	989.66	Postage Machine Lease: April 2020 - July 2020
087005	P	3/31/2020	So Cal Industries	461.13	Portable Restroom 4801 E 58th St (Maywood Park/Baseball Field)
087006	P	3/31/2020	Southern California Edison	76.82	Various Locations 02/14/2020-03/17/2020
087007	P	3/31/2020	Sprint	549.80	Cell Phone Service: 02-24-2020-03-23-2020
087008	P	3/31/2020	Staples Business Advantage	1,390.73	Office Supplies
087009	P	3/31/2020	Vernon, City of	172.93	Slauson & Downey 02-06-2020 to 03-06-2020
087010		3/31/2020	Airgas USA, LLC	462.19	First Aid Kits (City Hall) and PPE
087011		3/31/2020	County of Los Angeles Department of Animal Control	4,185.86	Animal Control Services February 2020
087012		3/31/2020	HF&H Consultants, LLC	16,755.75	Solid Waste Consulting Services February 2020
087013		3/31/2020	Hinderlitter, de Llamas & Associates	1,058.59	1st Quarter Sales Tax and Audit Service
087014		3/31/2020	Interwest Consulting Group	1,690.00	Professional Services February 2020 Bldg Permit Research
087015		3/31/2020	Los Angeles County Metropolitan Transportation Authority	3,782.50	March 2020 Metro TAP Cards
087016		3/31/2020	Las Flores Escrow, Inc.	2,180.00	Escrow Cancellation Fee Sale of 5102 District Property
087017		3/31/2020	Mapcon Technologies, Inc.	83.00	Mapcon Building & Planning Software
087018		3/31/2020	National Plant Services, Inc.	3,400.00	Clean Siphons at Heliotrope/Inspect Sewer Line Riverfront
087019		3/31/2020	North Star Landcare	9,831.25	Landscape Services March 2020
087020		3/31/2020	Phoenix Group Information Systems	13,449.72	February 2020 Permit Fulfillment Processing Fees February 2020 Parking Citations Processing Fees
087021		3/31/2020	Richards, Watson & Gershon	11,817.84	Legal Services - General (February 2020)
TOTAL:				\$360,788.60	



AGENDA 3
ITEM NO. _____

CITY COUNCIL STAFF REPORT

DATE: APRIL 8, 2020

TO: HONORABLE MAYOR, AND MEMBERS OF THE CITY COUNCIL

FROM: JENNIFER E. VASQUEZ, CITY MANAGER

BY: HRANT MANUELIAN, FINANCE DIRECTOR

RE: REVENUE REPORT FROM JULY 2019 TO MARCH 2020

RECOMMENDATION

Staff recommends that the City Council receive and file the Revenue Report from July 2019 – March 2020.

FISCAL IMPACT

There is no fiscal impact involved with this action.

LEGAL REVIEW

The City Attorney has reviewed this report.

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 attached analysis (see Attachment 1) compares prior YTD and current YTD Revenue

The total revenue received¹ from July 2019 to March 2020 totaled \$11,238,270.98 which is 9.73% higher than the same period last year.

- *GENERAL FUND – TAXES:* A contributing factor of the reduction in User Utility Tax & Franchise & Collectors Fee is the failure of Commercial Waste Services (CWS) remitting their quarterly payments, however, this reduction is offset by Cannabis Sales Tax. The City has collected more than \$1.3M in Cannabis sales tax. Overall there is a 31.02% increase in total taxes.
- *GENERAL FUND – LICENSES & PERMITS:* Overall there is an 11.82% increase in total Licenses & Permits. The contributing factors of the increase are the renewals of Business/Apartment Licenses & Commercial Cannabis.
- *GENERAL FUND – FINES AND FORFEITURES:* A contributing factor of the reduction in Parking Fines & SEMC: Court Collections (DMV) revenue is the loss of parking enforcement coverage on weekends. Since April 2019 there has been a vacancy for the Part-time Parking Enforcement Officer position that diminished our capacity to issue parking citations.
- *GENERAL FUND – MISCELLANEOUS:* Miscellaneous Revenues received totaled \$320,420.45 which is 51.15% lower than the same period last year. The contributing factor for the overall variance in Miscellaneous Revenue is due to the Proposition A Funds exchange with the City of West Hollywood and the holiday street fair held in September 2018. The City expects to complete its second Prop A exchange for the year before June 30, which will bring in more than \$200K.

In light of the recent COVID-19 pandemic it is expected that certain revenues will be negatively impacted. We expect that Sales Tax, Property Tax, Permits and Fees, and Parking Fines may be negatively impacted. At this point it is too early to tell by how much revenues will decrease. We are continually monitoring and will provide updates as we get more information.

ATTACHMENT(S)

Attachment No. 1 – July 2019 to March 2020 Revenue Report

¹ See row entitled Total Revenues

ATTACHMENT NO. 1

	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 2019-20	H - % of FY 2019-2020 YTD Revenue Received
--	--	---	--	---	----------------------------------	--

(C minus B)

(C divided by B minus 1)

(C divided by G)

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.

Taxes:

Franchise & Collectors Fee	\$148,947.83	\$55,745.95	(\$93,201.88)	-62.57%	\$40,000.00	139.36%
Property Taxes	\$400,894.12	\$369,310.77	(\$31,583.35)	-7.88%	\$685,000.00	53.91%
Utility Users Tax	\$717,202.45	\$701,480.81	(\$15,721.64)	-2.19%	\$950,000.00	73.84%
Transfer Tax (Real Estate)	\$21,945.31	\$13,332.84	(\$8,612.47)	-39.25%	\$20,000.00	66.66%
Transient Occupancy Tax	\$55,040.07	\$55,535.73	\$495.66	0.90%	\$95,000.00	58.46%
Cannabis Sales Tax	\$407,244.49	\$1,373,048.71	\$965,804.22	237.16%	\$1,500,000.00	91.54%
Sales Tax Revenue	\$1,359,960.56	\$1,507,858.20	\$147,897.64	10.89%	\$1,800,000.00	83.77%
Taxes Totals	\$3,111,234.83	\$4,076,313.01	\$965,078.18	31.02%	\$5,090,000.00	80.08%

GENERAL FUND

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.

Licenses & Permits:

Compliance Program Fee	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	0.00%
Residential & Building Permits	\$27,198.90	\$33,213.62	\$6,014.72	22.11%	\$34,000.00	97.69%
Public Works Permit Fees	\$39,997.00	\$62,926.50	\$22,929.50	57.33%	\$88,000.00	71.51%
Other Fees & Permits	\$25,320.10	\$24,023.45	(\$1,296.65)	-5.12%	\$30,000.00	80.08%
Occupancy Permits	\$19,109.80	\$10,853.70	(\$8,256.10)	-43.20%	\$12,500.00	86.83%
Building Permits	\$55,171.52	\$55,197.41	\$25.89	0.05%	\$56,000.00	98.57%
Commercial Cannabis Applications	\$57,031.77	\$38,787.00	(\$18,244.77)	-31.99%	\$28,387.00	136.64%
Commercial Cannabis Renewal	\$0.00	\$147,840.00	\$147,840.00	0.00%	\$117,810.00	125.49%
Parking Permits	\$70,598.00	\$61,597.53	(\$9,000.47)	-12.75%	\$100,000.00	61.60%
Apartment License	\$20,809.50	\$20,417.94	(\$391.56)	-1.88%	\$30,000.00	68.06%
Business License	\$187,847.36	\$191,234.53	\$3,387.17	1.80%	\$290,000.00	65.94%
Vehicle License Fee - LA County	\$1,415,294.24	\$1,499,114.77	\$83,820.53	5.92%	\$2,820,000.00	53.16%
Licenses and Permits Totals	\$1,918,378.19	\$2,145,206.45	\$226,828.26	11.82%	\$3,606,697.00	59.48%

GENERAL FUND**Charges for Services:**

CHARGES FOR SERVICES: Charges to cover administrative costs for the provision of services.

All Other Charges for Services	\$4,659.40	\$17,740.80	\$13,081.40	281%	\$19,000.00	93.37%
Compliance and Review Fees - Cannabis	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	0.00%
Rubbish Assessment	\$3,114.23	\$20,630.07	\$17,515.84	562%	\$35,000.00	58.94%

	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 2019-20	H - % of FY 2019-2020 YTD Revenue Received
Plan Check Fees	\$16,114.06	\$46,594.96	\$30,480.90	189%	\$60,000.00	77.66%
Rents & Concessions	\$15,120.00	\$19,284.10	\$4,164.10	28%	\$23,000.00	83.84%
Charges for Services Totals	\$39,007.69	\$104,249.93	\$65,242.24	167%	\$137,000.00	76.09%
(C minus B) (C divided by B minus 1)						
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	\$5,751.21	\$2,747.70	(\$3,003.51)	-52.22%	\$1,000.00	274.77%
SEMC: Court Collections (DMV)	\$97,853.87	\$85,538.72	(\$12,315.15)	-12.59%	\$120,000.00	71.28%
Parking Fines	\$240,195.56	\$148,253.97	(\$91,941.59)	-38.28%	\$170,000.00	87.21%
Fines and Forfeitures Totals	\$343,800.64	\$236,540.39	(\$107,260.25)	-31.20%	\$291,000.00	81.29%
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	\$43,024.00	\$46,861.28	\$3,837.28	8.92%	\$61,400.00	76.32%
Leases and Concessions Totals	\$43,024.00	\$46,861.28	\$3,837.28	8.92%	\$61,400.00	76.32%
GENERAL FUND	MISCELLANEOUS: A General Fund revenue not covered in another revenue category.					
Miscellaneous:						
Interest Income	\$27,249.77	\$99,622.78	\$72,373.01	265.59%	\$220,000.00	45.28%
Miscellaneous Revenue	\$110,818.42	\$20,797.67	(\$90,020.75)	-81.23%	\$32,000.00	64.99%
Other (Recycle + ABx1 Reimbursement)	\$7,262.00	\$0.00	(\$7,262.00)	-100.00%	\$0.00	0.00%
Street Fair Revenue	\$49,120.00	\$0.00	(\$49,120.00)	-100.00%	\$0.00	0.00%
Trade of Prop A Funds	\$461,500.00	\$200,000.00	(\$261,500.00)	-56.66%	\$387,800.00	51.57%
Miscellaneous Revenue Totals	\$655,950.19	\$320,420.45	(\$335,529.74)	-51.15%	\$639,800.00	50.08%
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	\$512,875.14	\$543,216.67	\$30,341.53	5.92%	\$950,000.00	57.18%
Retiree Pension Levy Totals	\$512,875.14	\$543,216.67	\$30,341.53	5.92%	\$950,000.00	57.18%
General Fund Revenue Totals	\$6,624,270.68	\$7,472,808.18	\$848,537.50	12.81%	\$10,775,897.00	69.35%

	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 2019-20	H - % of FY 2019-2020 YTD Revenue Received
--	--	---	--	---	----------------------------------	--

(C minus B) (C divided by B minus 1)

(C divided by G)

ENTERPRISE FUND**Sewer:****SEWER SERVICE CHARGE:** Annual sewer charges to be collected on the Los Angeles County tax roll.

Sewer	\$159,777.81	\$176,911.33	\$17,133.52	10.72%	\$284,000.00	62.29%
Sewer Revenue Totals	\$159,777.81	\$176,911.33	\$17,133.52	10.72%	\$284,000.00	62.29%
Enterprise Fund Revenue Totals	\$159,777.81	\$176,911.33	\$17,133.52	10.72%	\$284,000.00	62.29%

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.

Transportation Development Act (TDA) Bikeway	\$389,975.09	\$472,359.88	\$82,384.79	21.13%	\$735,800.00	64.20%
Proposition A	\$431,356.18	\$439,428.01	\$8,071.83	1.87%	\$568,800.00	77.26%
Proposition C	\$370,509.92	\$370,819.72	\$309.80	0.08%	\$482,500.00	76.85%
Measure R	\$268,988.27	\$288,116.06	\$19,127.79	7.11%	\$355,000.00	81.16%
Measure M	\$302,317.23	\$307,203.08	\$4,885.85	1.62%	\$401,000.00	76.61%
Senate Bill 1 (SB 1)	\$354,401.14	\$394,489.54	\$40,088.40	11.31%	\$460,900.00	85.59%
Surface Transportation Program (STP) Federal Grant	\$0.00	\$0.00	\$0.00	0.00%	\$200.00	0.00%
Community Development Block Grant (CDBG)	\$740,526.00	\$734,301.00	(\$6,225.00)	-0.84%	\$545,700.00	134.56%
Air Quality Management District (AQMD) Grant	\$17,587.09	\$35,977.44	\$18,390.35	104.57%	\$34,100.00	105.51%
Supplemental Law Enforcement Services Fund (SLESF) Grant	\$148,746.54	\$155,947.62	\$7,201.08	4.84%	\$140,000.00	111.39%
Grant/Reimbursements from Federal/State/County Governments	\$328,278.65	\$0.00	(\$328,278.65)	-100.00%	\$134,000.00	0.00%
Measure A	\$0.00	\$0.00	\$0.00	0.00%	\$143,500.00	0.00%
Lighting & Landscaping	\$104,149.57	\$104,978.12	\$828.55	0.80%	\$174,500.00	60.16%
Successor Agency Trust Fund - City of Maywood serves as the Successor Agency to the Maywood Redevelopment Agency	\$606.57	\$284,931.00	\$284,324.43	46874.13%	\$1,258,700.00	22.64%
Special Revenue Totals	\$3,457,453.63	\$3,588,551.47	\$131,097.84	3.79%	\$5,455,100.00	65.78%
Total Revenues	\$10,241,502.12	\$11,238,270.98	\$996,768.86	9.73%	\$16,514,997.00	68.05%

AGENDA REPORT

CITY OF MAYWOOD



AGENDA **4**
ITEM NO. _____

DATE: APRIL 8, 2020

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: JENNIFER E. VASQUEZ, CITY MANAGER

BY: SHIRLEY QUINONES, EXECUTIVE ASSISTANT

SUBJECT: CONSIDERATION OF A CONTRIBUTION TO THE SOUTHEAST RIO VISTA YMCA AT MAYWOOD CENTER FOR SUPPLIES NEEDED TO CONTINUE GRAB-N-GO MEALS TO MAYWOOD RESIDENTS' STUDENTS

RECOMMENDATION:

Staff recommends that the City Council consider contribution to the Southeast Rio Vista YMCA (Young Men's Christian Association) at Maywood Center in the amount of \$5,000 to provide staffing, protection, and supplies to continue the Grab-N-Go Meals to Maywood's school children.

BACKGROUND/DISCUSSION:

As the community is aware, the Coronavirus pandemic (COVID-19) has caused the closure of restaurants, schools, businesses and other establishments throughout the County of Los Angeles, including the City of Maywood. These closures have mostly been the result of the County and State orders to close businesses or limit the number of persons that can gather in contained areas. As a result of this public health emergency and the precautions recommended by health authorities, many tenants in Maywood have experienced or expect soon to experience sudden and unexpected income loss.

In efforts to provide meals to Maywood's school children Southeast Rio Vista YMCA at Maywood Center was schedule to give out 100 Breakfast and 100 lunch meals on their

first day of distribution. Due to the high turnout of Maywood residents collecting meals for their school children the YMCA distributed 648 breakfast and 648 lunch meals.

In order for Southeast Rio Vista YMCA at Maywood Center to continue meeting the high demand of distribution of meals, they are requesting the City to contribute \$5,000 toward the purchase of protection and supplies to their staff and program.

LEGAL REVIEW:

City Attorney has reviewed this report.

FISCAL IMPACT:

F.Y. 19-20 Impact: \$5,000	Current F.Y. Budget: \$
Fund Impacted: General Funding	Budget adjustment requested : \$
Source of funds: Community Services	Updated Account Budget: \$
Account number:	For fiscal year:



AGENDA ~~6~~⁵
ITEM NO. _____

CITY COUNCIL STAFF REPORT

DATE: APRIL 8, 2020

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: JENNIFER E. VASQUEZ, CITY MANAGER

BY: EDITH CARRILLO, ADMINISTRATIVE ANALYST

RE: RESOLUTION DESIGNATING AGENTS OF THE CITY OF MAYWOOD FOR THE CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES PUBLIC ASSISTANCE GRANTS

RECOMMENDATION

It is recommended that the City Council adopt the Resolution designating the City Manager, the Finance Director, and Fund Accountant as authorized agents on behalf of the City of Maywood for the purpose of obtaining post-disaster public assistance grants from the California Governor's Office of Emergency Service (Cal OES) and FEMA.

FISCAL IMPACT

This has no fiscal impact.

LEGAL REVIEW

The City Attorney has reviewed this report.

BACKGROUND

Cal OES requires a Designation of Subrecipient's Agent Resolution for Non-State Agencies to be on file for the purpose of obtaining certain federal financial assistance under Public Law 93 - 288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.

A new Designation of Applicant's Agent Resolution for Non-State Agencies is required if the previously submitted document is older than three (3) years from the last date of approval or if changes are required to the name and/or title of authorized agents. The attached Resolution designates the City Manager, Director of Finance, and the Fund Accountant as authorized agents for the City of Maywood.

DISCUSSION

CalOES has provided guidance to the City as to form of resolution required to apply for emergency grants and funding. Their Form 130 contains the very language they will require in the City resolution's with clear instructions to provide titles, rather than names. The three authorized signers recommended in the resolution are the City Manager, Finance Director and the Fund Accountant. These three positions have the highest level of financial oversight and will likely be directing the staff working most closely to the financial recovery efforts in current and future events. Accordingly, the Resolution for adoption by the City Council follows the format and text of CalOES Form 130.

Approval of the renewing designation Resolution will allow the County to continue to seek reimbursement for eligible disaster-related expenditures under the FEMA and Cal OES disaster assistance programs.

ATTACHMENT(S)

Attachment 1- City of Maywood Resolution
Attachment 2- Cal EOS 130

ATTACHMENT NO. 1

RESOLUTION NO. 6102

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAYWOOD,
CALIFORNIA FOR THE DESIGNATION OF THE CITY'S AGENT
RELATED TO ASSISTANCE FROM THE CALIFORNIA OFFICE OF
EMERGENCY SERVICES**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MAYWOOD, that the City Manager, Finance Director and the Fund Accountant (collectively Agents) are hereby authorized to execute for and on behalf of the City of Maywood, a public entity, established under the laws of the State of California, this application and to file it with the California Governor's Office of Emergency Services for the purpose of obtaining certain federal financial assistance under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.

THAT THE CITY OF MAYWOOD, a public entity established under the laws of the State of California, hereby authorizes its Agent(s) to provide to the Governor's Office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreements required.

Please check the appropriate box below:

☒ This is a universal resolution and is effective for all open and future disasters up to three (3) years following the date of approval below.

☐ This is a disaster specific resolution and is effective for only disaster number(s) _____.

PASSED, APPROVED AND ADOPTED this 8th day of April, 2020.

Eduardo De La Riva, Mayor

ATTEST:

Gerardo Mayagoitia, City Clerk

APPROVED AS TO FORM:

Roxanne Diaz, City Attorney

I, Gerardo Mayagoitia, City Clerk of the City of Maywood, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Maywood held on the 8th day of April, 2020 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Gerardo Mayagoitia, City Clerk

ATTACHMENT NO. 2

**DESIGNATION OF APPLICANT'S AGENT RESOLUTION
FOR NON-STATE AGENCIES**

BE IT RESOLVED BY THE _____ OF THE _____
(Governing Body) (Name of Applicant)

THAT _____, OR
(Title of Authorized Agent)

_____, OR
(Title of Authorized Agent)

(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the _____, a public entity
(Name of Applicant)

established under the laws of the State of California, this application and to file it with the California Governor's Office of Emergency Services for the purpose of obtaining certain federal financial assistance under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.

THAT the _____, a public entity established under the laws of the State of California,
(Name of Applicant)

hereby authorizes its agent(s) to provide to the Governor's Office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreements required.

Please check the appropriate box below:

☐ This is a universal resolution and is effective for all open and future disasters up to three (3) years following the date of approval below.

☐ This is a disaster specific resolution and is effective for only disaster number(s) _____

Passed and approved this _____ day of _____, 20____

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

CERTIFICATION

I, _____, duly appointed and _____ of
(Name) (Title)

_____, do hereby certify that the above is a true and correct copy of a
(Name of Applicant)

Resolution passed and approved by the _____ of the _____
(Governing Body) (Name of Applicant)

on the _____ day of _____, 20____.

(Signature)

(Title)

Cal OES Form 130 Instructions

A Designation of Applicant's Agent Resolution for Non-State Agencies is required of all Applicants to be eligible to receive funding. A new resolution must be submitted if a previously submitted Resolution is older than three (3) years from the last date of approval, is invalid or has not been submitted.

When completing the Cal OES Form 130, Applicants should fill in the blanks on page 1. The blanks are to be filled in as follows:

Resolution Section:

Governing Body: This is the group responsible for appointing and approving the Authorized Agents.

Examples include: Board of Directors, City Council, Board of Supervisors, Board of Education, etc.

Name of Applicant: The public entity established under the laws of the State of California. Examples include: School District, Office of Education, City, County or Non-profit agency that has applied for the grant, such as: City of San Diego, Sacramento County, Burbank Unified School District, Napa County Office of Education, University Southern California.

Authorized Agent: These are the individuals that are authorized by the Governing Body to engage with the Federal Emergency Management Agency and the Governor's Office of Emergency Services regarding grants applied for by the Applicant. There are two ways of completing this section:

1. **Titles Only:** If the Governing Body so chooses, the titles of the Authorized Agents would be entered here, not their names. This allows the document to remain valid (for 3 years) if an Authorized Agent leaves the position and is replaced by another individual in the same title. If "Titles Only" is the chosen method, this document must be accompanied by a cover letter naming the Authorized Agents by name and title. This cover letter can be completed by any authorized person within the agency and does not require the Governing Body's signature.
2. **Names and Titles:** If the Governing Body so chooses, the names **and** titles of the Authorized Agents would be listed. A new Cal OES Form 130 will be required if any of the Authorized Agents are replaced, leave the position listed on the document or their title changes.

Governing Body Representative: These are the names and titles of the approving Board Members.

Examples include: Chairman of the Board, Director, Superintendent, etc. The names and titles **cannot** be one of the designated Authorized Agents, and a minimum of two or more approving board members need to be listed.

Certification Section:

Name and Title: This is the individual that was in attendance and recorded the Resolution creation and approval.

Examples include: City Clerk, Secretary to the Board of Directors, County Clerk, etc. This person **cannot** be one of the designated Authorized Agents or Approving Board Member (if a person holds two positions such as City Manager and Secretary to the Board and the City Manager is to be listed as an Authorized Agent, then the same person holding the Secretary position would sign the document as Secretary to the Board (not City Manager) to eliminate "Self Certification."



MAYWOOD CITY COUNCIL SPECIAL MEETING AGENDA

(ADDITIONAL CONCURRENT SPECIAL MEETING)

WEDNESDAY, APRIL 8, 2020 AT 2:00 P.M.

I. CALL TO ORDER/ROLL CALL

CALL TO ORDER
ROLL CALL

II. CITY OFFICIALS

MAYOR

Eduardo De La Riva

CITY CLERK

Gerardo Mayagoitia

MAYOR PRO TEM

Ricardo Lara

CITY TREASURER

Gloria Viramontes

COUNCIL MEMBERS

Ramon Medina

Carlos Alvarez

Heber Marquez

CITY MANAGER

Jennifer E. Vasquez

CITY ATTORNEY

Roxanne Diaz

III. COVID-19 MEETING PROCEDURES

PUBLIC ADVISORY: THE CITY COUNCIL CHAMBERS WILL NOT BE OPEN TO THE PUBLIC

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the special meeting of the City Council for April 8, 2020 will be conducted telephonically through Zoom and broadcast live on the City's Facebook page. Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the Council Chambers will not be open for the meeting. Council Members will be participating telephonically and will not be physically present in the Council Chambers.

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

Join by phone *67 1-669-900-6833 Enter Meeting ID: 808 328 546

If you want to comment during the public comment portion of the agenda, Press *9 and we will select you from the meeting cue. NOTE: Your phone number will appear on the screen unless you first dial *67 before dialing the numbers as shown above.

The City wants you to know that you can also submit your comments by email to shirley.quinones@cityofmaywood.org. To give adequate time to print out your comments for consideration at the meeting, please submit your written comments prior to 12:30 p.m.; or if you are unable to email, please call the City Clerk's Office at (323) 562-5714 by 12:30 p.m.

If you wish to have your comments read to the Council Members during the appropriate Public Comment period, please indicate in the Subject Line "FOR PUBLIC COMMENT" and list the item number you wish to comment on. Comments that you want read to the Council will be subject to the three minute time limitation (approximately 350 words). Written comments that are only to be provided to Council and not read at the meeting will be distributed to the Council prior to the meeting.

Pursuant to the Executive Order, and 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) 562-5723 within 48 hours of the meeting.

IV. PRESENTATIONS

V. PUBLIC HEARING

VI. CONSENT CALENDAR

VII. DISCUSSION/ACTION ITEMS

1. An Urgency Ordinance of the City of Maywood Amending the Maywood Municipal Code to Make Violations of the County Health Code and County Health Officer Orders Subject to an Administrative Citation and Amending the Provisions Regarding the Administrative Fine Schedule
2. Resolution of the City Council of the City of Maywood Adopting a Fine Schedule for Violations of the County Health Officer Orders

VIII. CLOSED SESSION

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

Speakers wishing to address the City Council on an item not on the agenda may use the following:

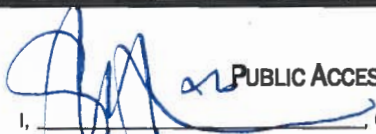
By phone: *67 1-669-900-6833

Enter Meeting ID: 808 328 546

If you want to comment during the public comment portion of the agenda, Press *9 and we will select you from the meeting cue.

NOTE: Your phone number will appear on the screen unless you first dial *67 before dialing the numbers as shown above.

X. ADJOURNMENT - The next Regular Meeting of the Maywood City Council is on April 22, 2020.



PUBLIC ACCESS TO CITY COUNCIL MEETING AGENDA AND AGENDA PACKETS

I, _____, Gerardo Mayagoitia, City Clerk or Guillermo Padilla 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 raising 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.

URGENCY ORDINANCE NO. 20-03-U

AN URGENCY ORDINANCE OF THE CITY OF MAYWOOD AMENDING THE MAYWOOD MUNICIPAL CODE TO MAKE VIOLATIONS OF THE COUNTY HEALTH CODE AND COUNTY HEALTH OFFICER ORDERS SUBJECT TO AN ADMINISTRATIVE CITATION AND AMENDING THE PROVISIONS REGARDING THE ADMINISTRATIVE FINE SCHEDULE

THE CITY COUNCIL OF THE CITY OF MAYWOOD DOES ORDAIN AS FOLLOWS:

Section 1. A new Section 6-3.05 is hereby added to Chapter 3 (Health Code) of Title 4 (Sanitation and Health) of the Maywood Municipal Code to read as follows:

“6-3.05 - Penalties-Administrative Citations.

In addition to the penalties set forth in Section 11.02.080 for any violation of the Public Health Code, the City may issue an administrative citation for any violation of the Public Health Code, including any violation of County Public Health Orders issued pursuant to Section 11.02.020 and 11.02.030.D. Such administrative remedy may be exercised in place of, or in addition to, any administrative, criminal, civil, or equitable remedy allowed by law. The amount of the fine associated with the administrative citation will be assessed according to a schedule of fines adopted by Resolution of the City Council.”

Section 2. Paragraph (c) of Section 6-4.30 (Administrative Citations) of Chapter 4 (Property Maintenance) of Title 6 (Sanitation and health) is hereby amended in to read as follows:

“(c) *Uses of the administrative citation.* Whenever an Enforcement Officer determines that a violation of this Municipal Code has occurred, the Enforcement Official may issue an administrative citation to each and any responsible person. The procedures established in this section may be in addition to criminal, civil or any other legal remedy established by law which may be pursued to address violations of the Municipal Code. The use of the issuance of an administrative citation shall not be deemed a waiver of any other enforcement remedies found within this Municipal Code.”

Section 3. Paragraph (d) of Section 6-4.30 (Administrative Citations) of Chapter 4 (Property Maintenance) of Title 6 (Sanitation and health) is hereby amended in to read as follows:

(d) *Fines.* Except as otherwise provided for in this Municipal Code, any responsible person who receives an administrative citation shall not be required to pay a fine in excess of the following:

(1) One Hundred and No/100ths (\$100.00) Dollars for a first issued administrative citation;

(2) Two Hundred and No/100ths (\$200.00) Dollars for a second issued administrative citation for a violation of a same ordinance within a twelve (12) consecutive month period; and

(3) Five Hundred and No/100ths (\$500.00) Dollars for any subsequent issued administrative citation for violations of the same ordinance within a twelve (12) consecutive month period.

The failure of any person to pay the civil fines assessed by an administrative citation may result in the matter being referred for collection which includes but is not limited to the filing of a small claims court action.”

Section 4. Urgency Findings.

The City Council of the City of Maywood deems it necessary to adopt an urgency ordinance pursuant to Government Code Sections 37100 and 36937(b) to amend the Maywood Municipal Code to stem the local transmission of what is known as “COVID-19” based on the on the following facts.

International, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus named “SARS-CoV-2,” and the disease it causes has been named “coronavirus disease 2019,” abbreviated COVID-19, (“COVID-19”). On March 4, 2020, the Governor of the State of California 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 broader spread of COVID-19. On March 13, 2020, the President of the United States of America declared a national emergency because of COVID-19. On that same day, the City Manager, as Directory of Emergency Services, declared a state of local emergency, pursuant to Section 8568 of the California Emergency Services Act and Maywood Municipal Code Section 4-1.06.

On March 19, 2020, the Governor of the State of California issued Executive Order N-33-20, directing all residents of the State of California to heed directives issued by the State Health Officer on the same date instructing all Californians to stay home except as needed to maintain continuity of operations of the federal critical infrastructure sectors (the “State Stay at Home Order”). Concurrently, the Los Angeles County Department of Public Health (“County Public Health”) has issued similar orders and further guidance, the most recent is the order dated March 21, 2020 ordering the closing of all nonessential businesses and prohibiting all public and private group events and gatherings among persons not in the same households (the “County Stay at Home Order”). The City of Maywood has adopted the County Public Health Code as the City’s health code and has made itself subject to the jurisdiction of County Public Health. Therefore the County Stay

at Home order applies to the City. Violation of the County Stay at Home Order is a misdemeanor and punishable by a fine or imprisonment, or both, pursuant to Government Code Section 8665 and the Maywood Municipal Code. Alternatively, pursuant to Section 6-4.30, any violation of the City's Municipal Code may be subject to an administrative citation which would allow City staff to quickly and efficiently issue administrative citations, similar to a parking ticket, for violations of the County Stay at Home Order. The fines for such citations, however, are nominal in that the first violation is subject to a \$100 fine.

The City has been informed of persons violating the County Stay at Home Order and the issuance of a \$100 fine is not a deterrent. It is imperative that persons living, working or otherwise located in the City of Maywood abide by the order which prohibits the gathering of persons not in the same household and prohibits public and private group events. In order to send a deterrent, a higher fine amount is required stem the local transmission of COVID-19 as there are 6,360 confirmed cases of COVID-19 in the County of Los Angeles with that number rising every day.

Article XI, Section 7 of the California Constitution and California Government Code Section 37100 provide the City with authority to enact local ordinances to protect the health, safety, and welfare of its residents; and Government Code Section 36937(b) also authorizes the City Council to adopt an urgency ordinance to become effective immediately upon a four-fifths (4/5) vote, when such an ordinance is necessary for the immediate preservation of public peace, health, and safety. This urgency ordinance is required to enact penalties that can be issued easily and quickly to those persons that violate the County Stay at Home Order to stem the transmission of COVID-19. Persons within the City of Maywood are violating the order and the City needs to quickly impose higher penalties to deter the actions of these persons and to ensure that the order directing all Californians to stay at home.

Unless this ordinance takes effect immediately as provided herein, there is a possibility that persons will continue to violate the Governor's order and the County Stay at Home Order because there is no monetary deterrent. Having gatherings of persons in our city will be a detriment to the public health, safety and welfare of our residents but the County at large.

For all these reasons, *inter alia*, the City Council finds there is a current and immediate threat to the public health, safety and welfare absent the implementation of the provisions contained in this ordinance. Accordingly, there is an urgent need for the immediate preservation of the public peace, health, and safety to enact this ordinance on an urgency basis.

Section 5. Severability.

If any section, subsection, sentence, clause, or phrase of this ordinance, or any part thereof, is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance or any part thereof. The City Council hereby declares that it

would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause, or phrase would be subsequently declared invalid or unconstitutional.

Section 6. **Compliance with California Environmental Quality Act.** The City Council finds that this Ordinance is not subject to the California Environmental Quality Act pursuant to Section 15060(c)(2), as it constitutes an activity that will not result in a direct or reasonably foreseeable indirect physical change in the environment, and pursuant to Section 15060(c)(3) it constitutes an activity that is not a project as defined in Section 15378.

Section 7. **Effective Date.** This Ordinance is an urgency ordinance for the immediate preservation of the public peace, health, and safety within the meaning of Government Code Section 36937(b); and therefore shall be passed immediately upon its introduction and shall become effective immediately upon its adoption.

Section 8. **Certification and Publication.** The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be published or posted in the manner prescribed by law.

PASSED, APPROVED AND ADOPTED this 8th day of April, 2020.

Eduardo De La Riva, Mayor

ATTEST:

Gerardo Mayagoitia, City Clerk

APPROVED AS TO FORM:

Roxanne Diaz, City Attorney

I, Gerardo Mayagoitia, City Clerk of the City of Maywood, do hereby certify that the foregoing Urgency Ordinance was adopted at a regular meeting of the City Council of the City of Maywood held on the 8th day of April, 2020 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Gerardo Mayagoitia, City Clerk



Discussion/Action Item

AGENDA 1
ITEM NO. _____

CITY COUNCIL STAFF REPORT

DATE: MARCH 17, 2020

TO: HONORABLE MAYOR, AND MEMBERS OF THE CITY COUNCIL

FROM: ROXANNE DIAZ, CITY ATTORNEY

RE: CONSIDERATION OF AN URGENCY ORDINANCE TO MAKE VIOLATIONS OF THE COUNTY HEALTH CODE AND COUNTY HEALTH OFFICER ORDERS SUBJECT TO AN ADMINISTRATIVE CITATION AND AMENDING THE PROVISIONS REGARDING THE ADMINISTRATIVE FINE SCHEDULE; and

A RESOLUTION ADOPTING A FINE SCHEDULE FOR VIOLATIONS OF THE COUNTY HEALTH OFFICERS ORDERS THEREOF

RECOMMENDATION

Staff recommends that City Council: (1) waive full reading of the ordinance, read the ordinance by title only: An Urgency Ordinance of the City of Maywood Amending the Maywood Municipal Code to Make Violations of the County Health Code and County Health Officer Orders Subject to an Administrative Citation and Amending the Provisions regarding the Administrative Fine Schedule; and (2) Adopt the Resolution adopting a Fine Schedule for Violations of the County Health Officer Order.

FISCAL IMPACT

The fiscal impact for the City's response to COVID-19 is being tracked by the Finance department.

LEGAL REVIEW

The City Attorney has drafted this report.

BACKGROUND/DISCUSSION

On March 19, 2020, the Governor of the State of California issued Executive Order N-33-20, directing all residents of the State of California to heed directives issued by the State Health Officer on the same date instructing all Californians to stay home except as needed to maintain continuity of operations of the federal critical infrastructure sectors. Concurrently, the Los Angeles County Department of Public Health ("County Public Health") has issued similar orders and further guidance, the most recent is the order dated March 21, 2020 ordering the closing of all nonessential businesses and prohibiting all public and private group events and gatherings among persons not in the same households (the "County Stay at Home Order"). The City of Maywood has adopted the County Public Health Code as the City's health code and has made itself subject to the jurisdiction of County Public Health. Therefore, the County Stay at Home order applies to the City.

Violation of the County Stay at Home Order is a misdemeanor and punishable by a fine or imprisonment, or both, pursuant to Government Code Section 8665 and the Maywood Municipal Code. Alternatively, pursuant to Section 6-4.30, any violation of the City's Municipal Code may be subject to an administrative citation which would allow City staff to quickly and efficiently issue administrative citations, similar to a parking ticket, for violations of the County Stay at Home Order. The fines for such citations, however, are nominal in that the first violation is subject to a \$100 fine.

City officials have been informed that persons within the City are violating the County Stay at Home Order. While the Sheriff's department can issue misdemeanor citations, those must be processed with the District Attorney and the court system. The City, however, has the ability to issue administrative citations and these would have a more immediate impact in curbing the violations of the County Order. The fines, however, need to be increased in order for a citation to be a deterrent for those that violate the orders. In order to slow the local transmission of COVID-19, the City needs all its residents, workers and visitors to obey the County order and stay at home. This in turn will contribute to the stem of transmission. There are currently as of April 6th, 6,360 confirmed cases of COVID-19 in the County of Los Angeles. To provide some context as to how quickly this number is rising, on April 1st there were 3,518 confirmed cases.

The urgency findings for the adoption of the proposed ordinance are set forth in the ordinance and adoption requires a 4/5 vote of the City Council.

Attachment 1: Ordinance No. 20-03-U

Attachment 2: Resolution No. 6103

ATTACHMENT NO. 1

URGENCY ORDINANCE NO. 20-03-U

AN URGENCY ORDINANCE OF THE CITY OF MAYWOOD AMENDING THE MAYWOOD MUNICIPAL CODE TO MAKE VIOLATIONS OF THE COUNTY HEALTH CODE AND COUNTY HEALTH OFFICER ORDERS SUBJECT TO AN ADMINISTRATIVE CITATION AND AMENDING THE PROVISIONS REGARDING THE ADMINISTRATIVE FINE SCHEDULE

THE CITY COUNCIL OF THE CITY OF MAYWOOD DOES ORDAIN AS FOLLOWS:

Section 1. A new Section 6-3.05 is hereby added to Chapter 3 (Health Code) of Title 4 (Sanitation and Health) of the Maywood Municipal Code to read as follows:

“6-3.05 - Penalties-Administrative Citations.

In addition to the penalties set forth in Section 11.02.080 for any violation of the Public Health Code, the City may issue an administrative citation for any violation of the Public Health Code, including any violation of County Public Health Orders issued pursuant to Section 11.02.020 and 11.02.030.D. Such administrative remedy may be exercised in place of, or in addition to, any administrative, criminal, civil, or equitable remedy allowed by law. The amount of the fine associated with the administrative citation will be assessed according to a schedule of fines adopted by Resolution of the City Council.”

Section 2. Paragraph (c) of Section 6-4.30 (Administrative Citations) of Chapter 4 (Property Maintenance) of Title 6 (Sanitation and health) is hereby amended in to read as follows:

“(c) *Uses of the administrative citation.* Whenever an Enforcement Officer determines that a violation of this Municipal Code has occurred, the Enforcement Official may issue an administrative citation to each and any responsible person. The procedures established in this section may be in addition to criminal, civil or any other legal remedy established by law which may be pursued to address violations of the Municipal Code. The use of the issuance of an administrative citation shall not be deemed a waiver of any other enforcement remedies found within this Municipal Code.”

Section 3. Paragraph (d) of Section 6-4.30 (Administrative Citations) of Chapter 4 (Property Maintenance) of Title 6 (Sanitation and health) is hereby amended in to read as follows:

(d) *Fines.* Except as otherwise provided for in this Municipal Code, any responsible person who receives an administrative citation shall not be required to pay a fine in excess of the following:

(1) One Hundred and No/100ths (\$100.00) Dollars for a first issued administrative citation;

(2) Two Hundred and No/100ths (\$200.00) Dollars for a second issued administrative citation for a violation of a same ordinance within a twelve (12) consecutive month period; and

(3) Five Hundred and No/100ths (\$500.00) Dollars for any subsequent issued administrative citation for violations of the same ordinance within a twelve (12) consecutive month period.

The failure of any person to pay the civil fines assessed by an administrative citation may result in the matter being referred for collection which includes but is not limited to the filing of a small claims court action.”

Section 4. Urgency Findings.

The City Council of the City of Maywood deems it necessary to adopt an urgency ordinance pursuant to Government Code Sections 37100 and 36937(b) to amend the Maywood Municipal Code to stem the local transmission of what is known as “COVID-19” based on the on the following facts.

International, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by a novel coronavirus named “SARS-CoV-2,” and the disease it causes has been named “coronavirus disease 2019,” abbreviated COVID-19, (“COVID-19”). On March 4, 2020, the Governor of the State of California 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 broader spread of COVID-19. On March 13, 2020, the President of the United States of America declared a national emergency because of COVID-19. On that same day, the City Manager, as Directory of Emergency Services, declared a state of local emergency, pursuant to Section 8568 of the California Emergency Services Act and Maywood Municipal Code Section 4-1.06.

On March 19, 2020, the Governor of the State of California issued Executive Order N-33-20, directing all residents of the State of California to heed directives issued by the State Health Officer on the same date instructing all Californians to stay home except as needed to maintain continuity of operations of the federal critical infrastructure sectors (the “State Stay at Home Order”). Concurrently, the Los Angeles County Department of Public Health (“County Public Health”) has issued similar orders and further guidance, the most recent is the order dated March 21, 2020 ordering the closing of all nonessential businesses and prohibiting all public and private group events and gatherings among persons not in the same households (the “County Stay at Home Order”). The City of Maywood has adopted the County Public Health Code as the City’s health code and has made itself subject to the jurisdiction of County Public Health. Therefore the County Stay

at Home order applies to the City. Violation of the County Stay at Home Order is a misdemeanor and punishable by a fine or imprisonment, or both, pursuant to Government Code Section 8665 and the Maywood Municipal Code. Alternatively, pursuant to Section 6-4.30, any violation of the City's Municipal Code may be subject to an administrative citation which would allow City staff to quickly and efficiently issue administrative citations, similar to a parking ticket, for violations of the County Stay at Home Order. The fines for such citations, however, are nominal in that the first violation is subject to a \$100 fine.

The City has been informed of persons violating the County Stay at Home Order and the issuance of a \$100 fine is not a deterrent. It is imperative that persons living, working or otherwise located in the City of Maywood abide by the order which prohibits the gathering of persons not in the same household and prohibits public and private group events. In order to send a deterrent, a higher fine amount is required stem the local transmission of COVID-19 as there are 6,360 confirmed cases of COVID-19 in the County of Los Angeles with that number rising every day.

Article XI, Section 7 of the California Constitution and California Government Code Section 37100 provide the City with authority to enact local ordinances to protect the health, safety, and welfare of its residents; and Government Code Section 36937(b) also authorizes the City Council to adopt an urgency ordinance to become effective immediately upon a four-fifths (4/5) vote, when such an ordinance is necessary for the immediate preservation of public peace, health, and safety. This urgency ordinance is required to enact penalties that can be issued easily and quickly to those persons that violate the County Stay at Home Order to stem the transmission of COVID-19. Persons within the City of Maywood are violating the order and the City needs to quickly impose higher penalties to deter the actions of these persons and to ensure that the order directing all Californians to stay at home.

Unless this ordinance takes effect immediately as provided herein, there is a possibility that persons will continue to violate the Governor's order and the County Stay at Home Order because there is no monetary deterrent. Having gatherings of persons in our city will be a detriment to the public health, safety and welfare of our residents but the County at large.

For all these reasons, *inter alia*, the City Council finds there is a current and immediate threat to the public health, safety and welfare absent the implementation of the provisions contained in this ordinance. Accordingly, there is an urgent need for the immediate preservation of the public peace, health, and safety to enact this ordinance on an urgency basis.

Section 5. Severability.

If any section, subsection, sentence, clause, or phrase of this ordinance, or any part thereof, is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance or any part thereof. The City Council hereby declares that it

would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause, or phrase would be subsequently declared invalid or unconstitutional.

Section 6. **Compliance with California Environmental Quality Act.** The City Council finds that this Ordinance is not subject to the California Environmental Quality Act pursuant to Section 15060(c)(2), as it constitutes an activity that will not result in a direct or reasonably foreseeable indirect physical change in the environment, and pursuant to Section 15060(c)(3) it constitutes an activity that is not a project as defined in Section 15378.

Section 7. **Effective Date.** This Ordinance is an urgency ordinance for the immediate preservation of the public peace, health, and safety within the meaning of Government Code Section 36937(b); and therefore shall be passed immediately upon its introduction and shall become effective immediately upon its adoption.

Section 8. **Certification and Publication.** The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be published or posted in the manner prescribed by law.

PASSED, APPROVED AND ADOPTED this 8th day of April, 2020.

Eduardo De La Riva, Mayor

ATTEST:

Gerardo Mayagoitia, City Clerk

APPROVED AS TO FORM:

Roxanne Diaz, City Attorney

I, Gerardo Mayagoitia, City Clerk of the City of Maywood, do hereby certify that the foregoing Urgency Ordinance was adopted at a regular meeting of the City Council of the City of Maywood held on the 8th day of April, 2020 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Gerardo Mayagoitia, City Clerk

ATTACHMENT NO. 2

RESOLUTION NO. 6103

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MAYWOOD ADOPTING A FINE SCHEDULE FOR
VIOLATIONS OF THE COUNTY HEALTH OFFICER
ORDERS**

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

Section 1. Any responsible person who receives an administrative citation for violation of public health orders issued by the County of Los Angeles Public Health Officer pursuant to Section 11.02.020 and 11.02.030.D of the Los Angeles County Code, as adopted by reference by the City of Maywood, shall be required to pay an administrative fine of one-thousand dollars (\$1,000) for each and every citation issued to such responsible person.

Section 2. This Resolution shall be effective immediately upon its passage and approval.

Section 3. 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 8th day of April, 2020.

Eduardo De La Riva, Mayor

ATTEST:

Gerardo Mayagoitia, City Clerk

APPROVED AS TO FORM:

Roxanne Diaz, City Attorney

I, Gerardo Mayagoitia, City Clerk of the City of Maywood, do hereby certify that the foregoing Resolution No. 6103 was adopted at a regular meeting of the City Council of the City of Maywood held on the 8th day of April 2020 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Gerardo Mayagoitia, City Clerk