



AGENDA

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

Maywood City Council Chambers
4319 E. Slauson Avenue, Maywood, CA 90270
Wednesday, December 12, 2018 at 6:00 p.m.

Rules of Decorum

*"Members of the Public are advised that all **ELECTRONIC DEVICES, CELLULAR TELEPHONES and any OTHER COMMUNICATION DEVICES** are to be turned off upon entering the City Council Chambers." If you need to have a discussion with someone in the audience, kindly step out into the lobby.*

Reglas de Comportamiento

*"Al público en general se le avisa que todos los **teléfonos celulares, pagers y demás aparatos de comunicación deben ser apagados** al entrar a la sala de audiencias del Consejo Municipal de la Ciudad." Si usted necesita tener una conversación con alguien que está en la audiencia, amablemente le pedimos que salga del recinto y tenga su conversación en el vestíbulo de la sala de audiencias.*

ROLL CALL:

Ramon Medina, Mayor
Ricardo Villarreal, Mayor Pro Tem
Eduardo De La Riva, Councilmember
Joaquin Lanuza, Councilmember
Carlos Alvarez, Councilmember
Gloria Viramontes, City Treasurer
Gerardo Mayagoitia, City Clerk
Donald J. Wagner, Interim City Administrator
David Mango, Director of Building and Planning
Ofelia Mancera, Finance Director
Julia Sylva, Assistant City Attorney

*In order to address the Council, please complete a Public Comment Card.
No Public Comment Cards will be accepted after 6:15 p.m. Time allotted per speaker: 3 minutes.
No agenda item may be taken after 9:00 p.m. without a motion to extend time by the majority of Council present.*

INVOCATION* AND PLEDGE OF ALLEGIANCE

**In permitting a nonsectarian invocation, the City does not intend to proselytize, advance, or disparage any faith or belief. Neither the City nor the City Council endorses any particular belief or form of invocation.*

COUNCIL MEMBERS' COMMENTS (3 MINUTES EACH)

PUBLIC PARTICIPATION (Agenda Items Only)

At this time speakers wishing to address the City Council on items on the agenda will be called upon in the order that the speaker card is received. The maximum time allotted for individuals to speak shall not exceed three (3) minutes.

CONSENT CALENDAR

1. Minutes for 11/28/18 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 and Payroll.
3. Receive and file revenue report for November 2018.
4. A Resolution of the City Council, City of Maywood, setting a special tax rate to be imposed on commercial cannabis activity conducted in the City.
5. Set a public hearing for January 9, 2019 to receive input on the Fiscal Year 2019-2020 Community Development Block Grant Program.

DISCUSSION/ACTION ITEMS RELATED TO GENERAL MUNICIPAL ELECTION OF NOVEMBER 6, 2018

6. A Resolution of the City Council, City of Maywood, Certifying the results of the General Municipal election held on November 6, 2018

PRESENTATION(S)

7. Recognition of service and presentation to outgoing Mayor Pro Tem Villarreal.
8. Recognition of service and presentation to outgoing Councilmember Lanuza.

9. Administration of Oaths of Office and Presentation of Certificates of Election in Conference Room:
 - a. Eddie De La Riva, City Councilmember
 - b. Heber Marquez, City Councilmember
 - c. Ricardo Lara, City Councilmember

RECESS AND RECEPTION

CITY COUNCIL MEETING RECONVENES AFTER RECESS

REORGANIZATION

10. Reorganization of the City Council:
 - a. Nomination and Selection of Mayor
 - b. Nomination and Selection of Mayor Pro Tem
11. City Council Appointments to Boards and Committees

PUBLIC HEARING

CLOSED SESSION

12. Public Employment pursuant to Government Code Section 54957; Title: Interim City Attorney.
13. Public Employee Appointment pursuant to Government Code Section 54957; Title: Interim City Attorney.
14. Conference with Labor Negotiator pursuant to Government Code Section 54957.6; City Negotiator: Don Wagner, Interim City Manager; Unrepresented Employee: Interim City Attorney

DISCUSSION/ACTION ITEMS

15. Resignation of City Attorney, dated November 14, 2018, effective December 12, 2018, and Resignation of Elections Official, Julia Sylva, dated December 12, 2018, effective at midnight December 12, 2018. Receive and File.
16. Appointment of Interim City Attorney and approval of an agreement with Richards, Watson & Gershon for Legal Services.

PUBLIC PARTICIPATION (Non-Agenda Items)

At this time speakers wishing to address the City Council on an item not on the agenda will be called upon in the order that the speaker card is received. The maximum time allotted for individuals to speak shall not exceed three (3) minutes.

ADJOURNMENT - The next Regular Meeting of the Maywood City Council is on December 26, 2018.

PUBLIC ACCESS TO CITY COUNCIL MEETING AGENDA AND AGENDA PACKETS

I, Gerardo Mayagoitia, Gerardo Mayagoitia, City Clerk or Guillermo Padilla, 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) 562-5714 within 72 hours prior to the meeting so the City can make reasonable arrangements to ensure  accessibility.



November 28, 2018

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

Mayor opened the meeting at approximately 6:00 p.m.

ROLL CALL:

Ramon Medina, Mayor
Ricardo Villarreal, Mayor Pro Tem (Absent)
Eduardo De La Riva, Councilmember
Joaquin Lanuza, Councilmember (Absent)
Carlos Alvarez, Councilmember

Interim City Administrator, Donald J. Wagner
Director of Building and Planning, David Mango
Director of Finance, Ofelia Mancera
Assistant City Attorney, Julia Sylva
City Clerk, Gerardo Mayagoitia
Deputy City Clerk, Guillermo Padilla
Gloria Viramontes, City Treasurer (Absent)

COUNCIL MEMBERS' COMMENTS (3 MINUTES EACH)

PUBLIC PARTICIPATION (Agenda Items Only)

At this time speakers wishing to address the City Council on items on the agenda will be called upon in the order that the speaker card is received. The maximum time allotted for individuals to speak shall not exceed three (3) minutes.

PRESENTATION(S)

PUBLIC HEARING

CONSENT CALENDAR

1. Minutes for 11/14/18 Council Meeting Motion by De La Riva. Second by Alvarez. AYES: Alvarez, De La Riva and Medina. ABSENT: Lanuza and Villarreal
2. Resolution No. 6000 of the City Council of the City of Maywood and Successor Agency to the Maywood Community Redevelopment Agency Approving Warrants Approving Current Warrants.

Motion by De La Riva. Second by Alvarez. AYES: Alvarez, De La Riva and Medina. ABSENT: Lanuza and Villarreal

3. Receive and file revenue report for the month of October 2018. **Motion by De La Riva. Second by Alvarez. AYES: Alvarez, De La Riva and Medina. ABSENT: Lanuza and Villarreal**

DISCUSSION/ACTION ITEMS

4. Amendment to Resolution No. 5608 adopted on January 10, 2011 to allow a monthly cell phone stipend for the City Clerk retroactive to date first elected. **Motion by Medina. Second by De La Riva. AYES: Alvarez, De La Riva and Medina. ABSENT: Lanuza and Villarreal. Passed with conditions: Payments shall not be retroactive.**
5. Consider providing funding for Heliotrope Elementary School bus field trips. **Motion by Medina. Second by Alvarez. AYES: Alvarez, De La Riva and Medina. ABSENT: Lanuza and Villarreal**

CLOSED SESSION

1. **Conference with Legal Counsel – Existing Litigation** (Government Code § 54956.9);
Name of Case: *DTLA Investments, Inc., v. City of Maywood*, LASC Case No. BC628555
No reportable action
2. **Conference with Real Property Negotiations** (Government Code § 54956.8)
Property: 5102 District Boulevard and 5110 District Boulevard, Maywood CA
Agency Negotiation: Successor Agency Property and Purchaser, New Investors
Negotiating Parties: Donald. J. Wagner, Interim City Administrator and Michael B. Montgomery, City Attorney
Under Negotiation: Terms and Conditions of subject property
The City Council took action to cancel escrow and to refund the deposit to the purchaser, in full.
3. **Conference with Legal Counsel – Anticipated Litigation**
Significant exposure to litigation pursuant to Government Code § 54956.9(b): One Matter
No reportable action

ADJOURNMENT Meeting adjourned at approximately 7:55p.m. Next Regular Meeting of the Maywood City Council is on December 12, 2018 at 6:00pm

Ramon Medina, Mayor

ATTEST:

Gerardo Mayagoitia, City Clerk

RESOLUTION NO. 6002

ITEM No. 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**

WHEREAS, the following listed demands have been audited 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/ACH
Transactions for \$709,488.34 are hereby ratified:

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

PASSED, APPROVED AND ADOPTED THIS 12th day of December, 2018.

Ramon Medina, Mayor

ATTEST:

APPROVED AS TO FORM:

Gerardo Mayagoitia, City Clerk

Julia Sylva, Assistant City Attorney

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Gerardo Mayagoitia, City Clerk

City of Maywood
Summary Warrants for Payment and Wire Transfers/ACH Transactions
Council Meeting Date
Wednesday, December 12, 2018

Accounts Payable

	Amount
Accounts Payable prepaid warrants for payment: Checks No. 085478 - 085495	\$ 23,242.87
Accounts Payable regular warrants for payment: Checks No. 085496 - 085531	\$ 680,061.96
Sub-total	\$ 703,304.83

Wire Transfers/ACH Transactions

11/20/18	CalPERS for Employer Contribution - Pay Period 10/28/18-11/10/19	\$ 5,312.09
11/23/18	ADP Payroll Fees	\$ 178.75
11/23/18	Lease Payment for Front Counter Cash Registers - Nov 2018	\$ 87.04
11/29/18	Employment Development Dept Invoice - Balance Due	\$ 421.50
12/05/18	Lease Payment for Front Counter Cash Registers - Dec 2018	\$ 184.13
Sub-total		\$ 6,183.51

Total Demands	\$ 709,488.34
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City of Maywood
Detail Warrants for Payment
Warrants No. 085478 to 085531

EXHIBIT B

Check No.	Prepays	Date	Vendor Name	Check Amt	Transaction Description
085478	P	11/28/2018	Lucas Builders, Inc.	9,390.63	City of Maywood Sewer Replacement Project 601890-16
085479	P	11/28/2018	Robert Leach	1,005.00	Retiree Medical Reimbursement November 2018
085480	P	11/29/2018	Allen B. McDade	646.86	Retiree Medical Reimbursement December 2018
085481	P	11/29/2018	Angel Villegas	533.80	Retiree Medical Reimbursement December 2018
085482	P	11/29/2018	Brent Talmo	440.21	Retiree Medical Reimbursement December 2018
085483	P	11/29/2018	Bruce Leflar	1,152.40	Retiree Medical Reimbursement December 2018
085484	P	11/29/2018	Christine M. Locher	249.30	Retiree Medical Reimbursement December 2018
085485	P	11/29/2018	Denis Sanchez	50.00	Planning Commission Stipend 11/20/2018
085486	P	11/29/2018	Edward Ahrens	1,152.40	Retiree Medical Reimbursement December 2018
085487	P	11/29/2018	Elizabeth Yepez	50.00	Planning Commission Stipend 11/20/2018
085488	P	11/29/2018	Hector Ramos	50.00	Planning Commission Stipend 11/20/2018
085489	P	11/29/2018	Ignacio Flores	50.00	Planning Commission Stipend 11/20/2018
085490	P	11/29/2018	Milagro Strategy Group	4,000.00	November 2018 Public Relations Services
085491	P	11/29/2018	Paul Pine	1,152.40	Retiree Medical Reimbursement December 2018
085492	P	11/29/2018	PETTY CASH	239.44	Petty Cash Reimbursement
085493	P	11/29/2018	Robert Leach	1,005.00	Retiree Medical Reimbursement December 2018
085494	P	11/29/2018	Ronald Lindsey	923.03	Retiree Medical Reimbursement December 2018
085495	P	11/29/2018	Scott C. Anderson	1,152.40	Retiree Medical Reimbursement December 2018
085496		12/6/2018	American Elevator Co	190.00	*City Hall Elevator Maintenance: November 2018
085497		12/6/2018	American Paper Plastic	317.07	*YMCA Elevator Maintenance: November 2018
085498		12/6/2018	AT&T	20.69	Janitorial Supplies: City Hall
085499		12/6/2018	California Consulting, Inc.	3,000.00	MTA Line 10/17/2018-11/16/2018
085500		12/6/2018	Calmex Graphics	262.80	Grant Writing Services December 2018
085501		12/6/2018	Counts Unlimited, Inc.	660.00	Business Cards
085502		12/6/2018	Engineering and Environmental Construction, Inc	107,118.46	Funds 04 & 10
					*Traffic Data Collection 60th & Heliotrope/Slauson Avenue
					Fund 07
					*Riverfront Park (Progress Payment)

City of Maywood
Detail Warrants for Payment
Warrants No. 085478 to 085531

Check No.	Prepays	Date	Vendor Name	Check Amt	Transaction Description
085503		12/6/2018	Graffiti Protective Coatings	14,344.80	CityWide Graffiti Removal October 2018
085504		12/6/2018	Interwest Consulting Group	409.81	*Building & Safety Plan Review Services October 2018 *Professional Services for October 2018
085505		12/6/2018	KBJ Auto Detail	552.00	City Vehicle Fleet: Car Wash Service November 2018
085506		12/6/2018	Los Angeles Regional Food Bank	150.00	Mobile Food Pantry November 2018 - Delivery Fee
085507		12/6/2018	Law Offices of Julia Sylva, ALC	19,437.03	November 2018 Legal Services
085508		12/6/2018	Mapcon Technologies, Inc.	73.00	Mapcon Building and Planning Software
085509		12/6/2018	Metro Transit Services	32,404.16	Public Transportation Services Express & Dial-A-Ride Nov 18'
085510		12/6/2018	Law Office of Michael B. Montgomery	3,160.08	City Attorney Service December 2018 Final Billing
085511		12/6/2018	OnTrac	11.28	Document Shipping/Delivery Service: Building & Planning
085512		12/6/2018	Onyx Architects	1,550.00	Maywood Resource Center Program & Budget Design Package
085513		12/6/2018	Pacheco & Neach PC	20,059.50	December 2018 to January 2019 Retainer: CDS Legal Services
085514		12/6/2018	Phoenix Group Information Systems	6,254.29	*June 2018 Parking Citation Processing Fee *October 2018 Minimum Processing Fee: Parking Citations *October 2018 Parking Citation Processing Fee
085515		12/6/2018	Preferred Benefit Insurance Administrators, Inc.	2,433.50	Dental & Vision Insurance: December 2018
085516		12/6/2018	Redfire Technology Services	2,116.00	November 2018 I.T. Services
085517		12/6/2018	Ron's Maintenance, Inc	4,114.00	Catch Basin Cleaning Service (November 26, 2018 - December 1, 2018)
085518		12/6/2018	Salazar Landscaping	16,648.00	Fund 04 *Landscape Maintenance October 2018 & November 2018
085519		12/6/2018	Sheriff's Department	376,829.63	*Public Safety Services: 11-01-2018 to 11-30-2018 *Public Safety Services: City Council Mtg 10/10/18 & 10/24/18
085520		12/6/2018	Siemens Industry, Inc	2,966.35	*Street Light Response Call Out Slauson & Gifford Loop Replace *Traffic Signal Response Call Out Loma Vista & Slauson Oct '18
085521		12/6/2018	Sparkletts Drinking Water Corp	74.92	City Hall Office Water
085522		12/6/2018	Staples Business Advantage	1,037.90	Office Supplies
085523		12/6/2018	State Water Resources Control Board	2,286.00	Annual Permit Fee 07.01.18-06.30.19
085524		12/6/2018	Total Funds by Hasler	167.22	Postage Machine
085525		12/6/2018	Twining	8,320.00	Fund 13 *Slurry Seal Project Geologist & Engineering Services

City of Maywood
Detail Warrants for Payment
Warrants No. 085478 to 085531

Check No.	Prepays	Date	Vendor Name	Check Amt	Transaction Description
085526		12/6/2018	U.S. Bank Corporate Payment System	5,729.50	Credit Card Expense *Office Supplies *CSMFO Membership Dues *CSMFO Conference Registration *Enforcement Uniforms
085527		12/6/2018	V & M Iron Works	43,705.05	*City Hall and Library Maintenance & Repair August 2018 - \$2,377.80 *Park Maintenance August 2018 including Riverfront Park - \$15,756.62 *Street Maintenance August 2018 - \$23,906.44 *Council Approved Monthly Installment payment - \$1,664.19
085528		12/6/2018	Vernon, City of	129.32	*Acct#413 Slauson & Downey 10/03/18-11/01/18
085529		12/6/2018	West Coast Arborists, Inc.	1,240.00	*Acct#414 Slauson & Downey 10/09/18-11/07/18 Tree Trimming: Parks & City Hall various locations
085530		12/6/2018	Willdan Engineering	2,092.50	Maywood Planning Services rendered through 10/26/2018
085531		12/6/2018	Xerox Financial Services	197.10	Copier Lease: 11-15-2018 - 12-14-2018 #020-0069131-001

TOTAL:

\$703,304.83

City of Maywood - Revenue Summary For the Month of November 2018

ITEM No. **3**

Row Labels	GL Title	General Fund 01	Gas Tax 04	CDBG 16	Non Major Funds*	Grand Total
4010	Current Year Secured & Redemptions	466.18				466.18
4020	Current Year Unsecured	6,178.21				6,178.21
4030	Prior Year Secured & Unsecured	4,104.61				4,104.61
4040	Rubbish Assessment	124.57				124.57
4075	Pension Taxes Revenue				13,893.09	13,893.09
4080	Landscape & Lighting Assesments				1,511.76	1,511.76
4090	1/2 Public Safety Augmentation-Prop172	6,150.47				6,150.47
4100	Sales Tax Revenue	279,594.78				279,594.78
4110	Proposition A Allocations				35,923.53	35,923.53
4115	Measure M				23,681.15	23,681.15
4120	Proposition C Allocations				29,805.13	29,805.13
4130	Transient Occupancy Tax	12,538.77				12,538.77
4140	Utility Users Tax	79,546.84				79,546.84
4150	Franchise Fees	16,365.50				16,365.50
4160	Transfer Tax (Real Estate)	3,120.15				3,120.15
4170	Business License	550.00				550.00
4171	SB1186 Fee	48.00				48.00
4172	License Processing Fee	230.00				230.00
4182	Public Works Permit Fees	656.50				656.50
4190	Apartment License	50.00				50.00
4195	Penalties : Apt. & Bus. License	67.90				67.90
4200	Parking Permits	4,104.40				4,104.40
4211	C & D Waste Div Plan - Diversion Deposit	1,000.00				1,000.00
4212	C & D Waste Div Plan - Admin Fee	65.00				65.00
4220	Building Permits	11,057.19				11,057.19
4225	Plumbing Permits	1,234.60				1,234.60
4230	Electrical Permits	897.80				897.80
4231	Comm1 Cannabis Application	10,572.00				10,572.00
4232	Comm1 Cannabis Background Check	424.15				424.15
4234	Comm1 Cannabis Initial Ranking	2,589.00				2,589.00
4240	Mechanical Permits	1,103.40				1,103.40
4245	Miscellaneous Building Permits	95.70				95.70
4250	Occupancy Permits	2,234.80				2,234.80
4253	Pre-sale Property Report Fee	440.00				440.00
4255	Garage Sale Pemits	960.00				960.00
4260	Parking Cites	35,403.00				35,403.00
4265	SEMC: Court Collections	11,134.53				11,134.53
4310	Rents and Concessions	1,890.00				1,890.00
4320	Leased Property Rental Income	4,500.00				4,500.00
4339	Road Maintenance & Rehabilitation (Section2032)				42,912.60	42,912.60
4340	State Gasoline Tax - 2103 Allocation		8,935.32			8,935.32
4345	State Gasoline Tax - 2105 Allocation		13,893.87			13,893.87
4346	State Gasoline Tax - 2106 Allocation		8,127.12			8,127.12
4347	State Gasoline Tax - 2107 Allocation		19,589.46			19,589.46
4351	Measure R				22,368.06	22,368.06
4360	Exchange Funds	461,500.00				461,500.00
4400	JAG.LLEBG.COPS GRANT				24,014.28	24,014.28
4402	HCDA:Graffiti Removal (Proj.407)			13,289.00		13,289.00
4415	HCDA:Code Enforcement (Proj.791)			7,506.00		7,506.00
4430	Copies, Maps, Gen., Plans, Etc.	2.70				2.70
4435	Plan Check Fees	1,276.41				1,276.41
4481	Baseball Field Permit	350.00				350.00
4545	Over/Short	1.05				1.05
4600	MTA Bus Pass Revenue				824.00	824.00
4650	Rebates & Insurance Claim Payments	5.00				5.00
Grand Total		962,633.21	50,545.77	20,795.00	194,933.60	1,228,907.58

* Prop A, Prop C, Measure R, STP-L Fund, Pension/Retirement Fund, Bikeway Fund, Successor Agency, Air Quality Improvement Fund, SLESF Fund (Law Enf. Suppl.Fund), Section 108 Fund, Street Lighting Fund, Measure M, & SBI Transportation Fund



CITY COUNCIL – STAFF REPORT

DATE: DECEMBER 12, 2018

TO: HON. RAMON MEDINA, MAYOR, AND MEMBERS OF THE CITY COUNCIL, AND CITY CLERK

CC: DONALD J. WAGNER, INTERIM CITY ADMINISTRATOR
OFELIA MANCERA, FINANCE DIRECTOR

FROM: JULIA SYLVA, ELECTIONS OFFICIAL / ASSISTANT CITY ATTORNEY

RE: RESOLUTION NO. 6003 OF THE CITY COUNCIL, CITY OF MAYWOOD, SETTING A SPECIAL TAX RATE OF SIX PERCENT (6%) FOR COMMERCIAL CANNABIS ACTIVITY IN THE CITY

RECOMMENDATION

That the City Council consider the adoption of Resolution No.: 6003, setting a Special Tax Rate of Six Percent (6%) on Commercial Cannabis Activity in the City.

BACKGROUND

On **November 6, 2018**, the City conducted a General Municipal Election, wherein the electorate of the City adopted **Measure CT**, which allows for the imposition of a special tax on commercial cannabis activity in the City, not to exceed ten percent (10%) on gross receipts.

At this time, the City Council wishes to set the special tax rate at six percent (6%) of gross receipts, to be imposed on commercial cannabis activity conducted in the City, *effective immediately*.

The City Council may reconsider the special tax rate at any time in the future, not to exceed ten percent (10%) of gross receipts, unless presented to the electorate for an amount to exceed ten percent (10%).

For your information, Attachment 2 is a general survey of special tax rates on commercial cannabis activity imposed by other public entities.

Please note, that in addition to the Special Tax rate to be imposed by the City, the Commercial Cannabis Business Entities are subject to the State of California (Franchise Tax Board), tax, as follows:

Distributors

- A tax on cultivation of cannabis is imposed on cultivators at a rate of:
 - \$9.25 per dry-weight ounce of cannabis flowers,
 - \$2.75 per dry-weight ounce of cannabis leaves, and
 - \$1.29 per ounce of fresh cannabis plant.*
- A 15% excise tax is imposed upon all purchasers of cannabis and cannabis products, including medicinal cannabis and adult-use cannabis.

Retailers

A 15% excise tax is imposed upon retail purchasers of all cannabis and cannabis products, including medicinal cannabis.

Cultivators

A tax on cultivation of cannabis (including medicinal cannabis and adult-use cannabis) is imposed on cultivators at a rate of:

- \$9.25 per dry-weight ounce of cannabis flowers,
- \$2.75 per dry-weight ounce of cannabis leaves, and
- \$1.29 per ounce of fresh cannabis plant*.
- *To qualify for the "fresh" plant category, the unprocessed cannabis must be weighed within two hours of harvesting.

Manufacturers

A cultivation tax on all harvested-cannabis (including medicinal cannabis and adult-use cannabis) that enters the commercial market is imposed on cultivators at a rate of:

- \$9.25 per dry-weight ounce of cannabis flowers,
- \$2.75 per dry-weight ounce of cannabis leaves, and
- \$1.29 per ounce of fresh cannabis plant.*

*To qualify for the "fresh" plant category, the unprocessed cannabis must be weighed within two (2) hours of harvesting.

ACTION ITEM

That the City Council adopt Resolution No.: 6003, setting a Special Tax Rate of Six Percent (6%) on Commercial Cannabis Activity in the City.

ATTACHMENT(S):

Attachment No. 1 - Proposed Resolution No. 6003, setting a Special Tax Rate of Six Percent (6%) on Commercial Cannabis Activity in the City.

Attachment No. 2 - Survey of Special Tax Rates imposed on Commercial Cannabis Activity approved by the Voters on November 6, 2018, in other jurisdictions in the State of California.

RESOLUTION NO. 6003

**A RESOLUTION OF THE CITY COUNCIL, CITY OF MAYWOOD,
TO SET A SPECIAL TAX RATE TO BE IMPOSED ON COMMERCIAL
CANNABIS ACTIVITY CONDUCTED IN THE CITY**

WHEREAS, on **December 13, 2017**, the City Council adopted Ordinance **No.: 17-07**, which superseded all previous ordinances regulating Commercial Cannabis Activity in the City (the "Ordinance"). The Ordinance permits Commercial Cannabis Activity in strict compliance with the Commercial Cannabis Laws of the State of California and the Maywood Municipal Code.

WHEREAS, on **November 6, 2018**, the electorate of the City of Maywood adopted **Measure CT**, which allows for the imposition of a special tax on commercial cannabis activity in the City, not to exceed ten percent (10%) on gross receipts.

WHEREAS, at this time, the City Council wishes to set the special tax rate at six percent (6%) of gross receipts, to be imposed on commercial cannabis activity conducted in the City.

WHEREAS, the City Council may reconsider the tax rate at any time in the future, not to exceed ten percent (10%) of gross receipts, unless presented to the electorate for an amount to exceed ten percent (10%).

NOW THEREFORE, BE IS RESOLVED, by the City Council of the City of Maywood, as follows:

Section 1: Authority. The City Council is authorized to take the action to set the special tax rate, as set forth above.

Section 2: Special Tax Rate. The City Council may, in its sole and absolute discretion, set the special tax rate to be imposed on Commercial Cannabis Activity in the City, not to exceed ten percent (10%) of gross receipts. At this time, the City Council wishes to set the special tax rate at six percent (6%) of gross receipts, to be imposed on Commercial Cannabis Activity conducted in the City, *effective immediately*.

Section 3: Passage and Adoption of Resolution. The City Clerk shall certify to the passage and adoption of this resolution; shall enter the same in the book or original resolutions of said City; and shall make a minute of the passage and adoption thereof in the records of the proceeding of the City Council of said City in the minutes of the meeting at which the same is passed and adopted.

Section 4: Effective Date. This resolution shall take effect *immediately* upon its adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Maywood this 12th day of December, 2018.

City of Maywood

Ramon Medina, Mayor

Attest:

City Clerk/Deputy City Clerk

Approved as to form:

Julia Sylva, Assistant City Attorney

CITY OF MAYWOOD

Survey of Special Tax Rates Approved by the Voters on November 6, 2018 - By Public Entity

Public Entity

Special Tax Rate

Adelanto

not to exceed \$5.00 per square foot of space utilized for cannabis cultivation and nurseries, and up to 5% of gross receipts from the retail sale, delivery, manufacturing, processing, testing and distribution of cannabis and related products

Atwater

not to exceed 15% of gross receipts on cannabis businesses and dispensaries

Benicia

not to exceed \$10.00 per canopy square foot for commercial cannabis cultivation (adjustable for inflation) and 6% of gross receipts for all other cannabis businesses

Capitola

not to exceed 7% of gross receipts

Chula Vista

tax of at least 5%, and up to 15%, of gross receipts on cannabis (marijuana) businesses, and at least \$5, and up to \$25, per square foot on space dedicated to cannabis cultivation

Colton

not to exceed \$25 per square foot of space utilized for cannabis cultivation/processing, and up to 10% of gross receipts from the sale of cannabis and related products

County of Contra Costa

not to exceed \$7.00 per canopy square foot for cultivation (adjustable for inflation) and up to 4% of gross receipts for all other cannabis businesses including retailers

County of Lassen

not to exceed \$3.00 per square foot of canopy space, per year for cultivators, and up to 8% on gross receipts of all other cannabis business operating in the unincorporated areas of Lassen County

Emeryville

not to exceed 6% of all gross receipts

Fresno

not to exceed \$12 per canopy square-foot and up to 10% of gross receipts for medical dispensaries and all other cannabis businesses,

CITY OF MAYWOOD

Survey of Special Tax Rates Approved by the Voters on November 6, 2018 - By Public Entity

Goleta	not to exceed 10%, with initial rates of 5% (retailers), 2% (manufacturers), 4% (cultivators), and 1%
Hesperia	tax of 1% to 6% of revenues on all commercial cannabis businesses, excepting cultivation, and a tax of up to \$15 per square foot of space used for commercial cannabis cultivation
Lake	tax of \$1.00 per square foot for nursery cultivation, 4% of gross receipts on a cannabis dispensary, micro-business, or delivery business, and 2.5% of gross receipts on a cannabis manufacturing, processing, transportation, distribution or other type of cannabis business
La Mesa	not to exceed \$10.00 per canopy square foot for cultivation and 6% of gross receipts for all other businesses
Lompoc	tax of 6% on non-medical retail sales proceeds, 1% of cultivation proceeds, a flat \$15,000 for net income less than \$2 Million and \$30,000 for net income of \$2 Million and more of manufacturing/distribution proceeds, a total aggregate tax of six cents per \$1.00 of microbusinesses proceeds, no tax on testing
Malibu	2.5% of gross receipts from sales of non-medical cannabis
Marina	not to exceed 5% of gross receipts
Maywood	not to exceed 10% of gross receipts for all commercial cannabis activities

CITY OF MAYWOOD

Survey of Special Tax Rates Approved by the Voters on November 6, 2018 - By Public Entity Mountain View

not to exceed 9% on gross receipts of cannabis businesses

Morgan Hill

not to exceed \$15.00 per canopy square foot for cultivation (adjustable for inflation) and up to 10% of gross receipts for all other cannabis businesses

Oroville

not to exceed 10% of gross receipts, with initial rates of 5% on retailers and manufacturers; 4% on cultivators; 3% on distributors; 2% on nurseries; 0% on testing laboratories; and 7% on microbusiness

Pomona

not to exceed \$10.00 per canopy square foot for cultivation, and up to 6% of gross receipts for all other cannabis businesses;

San Francisco

tax between 1% and 5% depending on the type of cannabis business activity and amount of gross receipts, but exempting the first \$500,000 of gross receipts and exempting retail sales of medicinal cannabis;

Santa Clara

not to exceed 10% of gross receipts and up to \$25 per square foot for cultivation

Solvang

not to exceed 10%, with initial rate of 5% and a maximum annual increase of 1% up to the maximum rate

Suisun

not to exceed 15% of gross receipts and \$25 per square foot of space used for commercial cannabis activities

Union City

not to exceed \$12.00 per square foot for cultivation and 6% of gross receipts for others

Vista City

tax of \$14/square foot; and gross receipts of marijuana businesses at rates not exceeding 8% on manufacturing and distribution; 10% on medicinal retail; 12% on adult-use retail; and 3.5% on testing

CITY OF MAYWOOD

Survey of Special Tax Rates Approved by the Voters on November 6, 2018 - By Public Entity
Vista City
tax of 7% on gross receipts

ITEM No. 5**AGENDA REPORT**
CITY OF MAYWOOD

DATE: DECEMBER 12, 2018

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: DONALD J. WAGNER, INTERIM CITY ADMINISTRATOR

BY:  DAVID MANGO, DIRECTOR OF BUILDING AND PLANNING

SUBJECT: SET A PUBLIC HEARING FOR JANUARY 9, 2019 TO RECEIVE INPUT ON THE FISCAL YEAR 2019-2020 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

RECOMMENDATION

That the City Council set a public hearing on January 9, 2019, to solicit public input on the proposed Fiscal Year 2019-2020 Community Development Block Grant Program.

FISCAL IMPACT

There are no fiscal impacts associated with this action.

LEGAL REVIEW

The City Attorney has not reviewed this report.

BACKGROUND

Each program year, the City receives an annual Community Development Block Grant (CDBG) program allocation from the Department of Housing and Urban Development (HUD) through the Los Angeles Community Development Commission (LACDC). The City's CDBG allocation for Fiscal Year (FY) 2019-2020 will form part of the City's General Budget

DISCUSSION

It is estimated that the City's allocated CDBG funding will be \$396,631. As a CDBG Subrecipient of the LACDC, the City must submit a Planning Summary of CDBG programs and funding allocations for FY 2019-2020 by February 1, 2019. The intended use of this funding is for various community development programs and projects to benefit low- and moderate-income persons.

Objectives

Staff is recommending the following objectives for the FY 2019-2020 program year:

1. To provide planning and administrative capacity to implement the City's CDBG program objectives.
2. To provide funding for the continuation of a Graffiti Removal Program.
3. To provide Code Enforcement officers to patrol the City to maintain a safe and desirable living and working environment.
4. To provide funding for the design and implementation of a Sewer Repair Project.

All programs will be implemented to provide primary benefit to low- and moderate-income residents of the City.

In the past years, the City has used CDBG funds for housing rehabilitation, economic development, repayment of Section 108 loans, public facilities, graffiti removal, fair housing services, family services, parks and public works improvements, children's lunch program, and program planning and administration activities.

All interested persons are invited to attend the City Council public hearing at 7:00 p.m., on Wednesday, January 9, 2019 in the City Council Chambers, located at 4319 East Slauson Avenue, Maywood. Those wishing to comment on this item may do so in person at the public hearing, or by submitting written comments by 5:00 p.m., Thursday, January 3, 2019, to the address above.

Additional details concerning any of the above information may be obtained by calling the City of Maywood Building and Planning Department at (323) 562-5703. Detailed information concerning eligible activities and past programs is also available in the Building and Planning Department at City Hall.

David Mango
Director of Building and Planning

Posted: 12/6/18 G. Padilla

ATTACHMENT(S):

Attachment No. 1 – Public Notice

Attachment No. 2 – Daily Journal Corporation, Copy of Notice



**PUBLIC NOTICE
CITY OF MAYWOOD**

**FISCAL YEAR (FY) 2019-2020
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

The City of Maywood will receive an estimated \$396,631 in Community Development Block Grant (CDBG) funds based on the current year allocation as a participant in the FY 2019-2020 Los Angeles Urban County CDBG program. These funds will be available to the City on July 1, 2019.

List of FY 2019-2020 CDBG Program and Projects

Graffiti Removal Program	\$ 59,494
Code Enforcement Program	\$150,000
Sewer Repair Project	<u>\$187,137</u>

Total 2019-2020 CDBG Budget	\$396,631
------------------------------------	------------------

The City has scheduled a public hearing to discuss the programs and budget for the CDBG funds. The funds may be used for a variety of community development activities such as residential and commercial property rehabilitation, graffiti removal, land acquisition, public service activities, public works improvements, economic development activities, and planning and administration of the CDBG programs.

The Maywood City Council will conduct a public hearing at its meeting of January 9, 2019. Staff will present details of the proposed use of the CDBG funds.

ACTION PLAN

Goal

To carry out the primary objective of the Housing and Community Development Act of 1974, as amended, to develop a viable urban community by providing decent housing and suitable living environment and expanding economic opportunities, principally for persons of low- and moderate-income.

Objectives

Staff is recommending the following objectives for the FY 2019-2020 program year:

1. To provide planning and administrative capacity to implement the City's CDBG program objectives.
2. To provide funding for the continuation of a Graffiti Removal Program.
3. To provide Code Enforcement officers to patrol the City to maintain a safe and desirable living and working environment.
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David Mango
Director of Building and Planning

Posted: 12/20/18 G. Padilla

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PRISCILLA KINNARD
MAYWOOD CITY CLERK
4319 E SLAUSON AVE
MAYWOOD, CA 90270

PRE# 3200180

COPY OF NOTICE

Notice Type: GPN GOVT PUBLIC NOTICE
Ad Description FISCAL YEAR (FY) 2019-2020 COMMUNITY
DEVELOPMENT BLOCK GRANT PROGRAM

To the right is a copy of the notice you sent to us for publication in the BELL/MAYWOOD INDUSTRIAL POST. Please read this notice carefully and call us with any corrections. The Proof of Publication will be filed with the County Clerk, if required, and mailed to you after the last date below.
Publication date(s) for this notice is (are):

12/20/2018

The charge(s) for this order is as follows. An invoice will be sent after the last date of publication. If you prepaid this order in full, you will not receive an invoice.





**PUBLIC NOTICE
CITY OF MAYWOOD**

**FISCAL YEAR (FY) 2019-2020
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM**

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Graffiti Removal Program	\$ 59,484
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Sewer Repair Project	<u>\$187,137</u>

Total 2019-2020 CDBG Budget	\$396,631
------------------------------------	------------------

The City has scheduled a public hearing to discuss the programs and budget for the CDBG funds. The funds may be used for a variety of community development activities such as residential and commercial property rehabilitation, graffiti removal, land acquisition, public service activities, public works improvements, economic development activities, and planning and administration of the CDBG programs.

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ACTION PLAN

Goal

To carry out the primary objective of the Housing and Community Development Act of 1974, as amended, to develop a viable urban community by providing decent housing and suitable living environment and expanding economic opportunities, principally for persons of low- and moderate-income.

Objectives

Staff is recommending the following objectives for the FY 2019-2020 program year:

1. To provide planning and administrative capacity to implement the City's CDBG program objectives.
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4. To provide funding for the design and implementation of a Sewer Repair Project.

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All interested persons are invited to attend the City Council public hearing at 7:00 p.m., on Wednesday, January 9, 2019 in the City Council Chambers, located at 4319 East Stauson Avenue, Maywood. Those wishing to comment on this item may do so in person at the public hearing, or by submitting written comments by 5:00 p.m., Thursday, January 3, 2019, to the address above.

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David Mango
Director of Building and Planning

Posted: 12/20/18 G. Padilla

CNS-3200180#



CITY COUNCIL – STAFF REPORT

DATE: DECEMBER 12, 2018

TO: HON. RAMON MEDINA, MAYOR, AND MEMBERS OF THE CITY COUNCIL, AND CITY CLERK

CC: DONALD J. WAGNER, INTERIM CITY ADMINISTRATOR
OFELIA MANCERA, FINANCE DIRECTOR

FROM: JULIA SYLVA, ELECTIONS OFFICIAL / ASSISTANT CITY ATTORNEY

RE: RESOLUTION NO. 6004 OF THE CITY OF MAYWOOD CERTIFYING THE RESULTS OF GENERAL MUNICIPAL ELECTION CONDUCTED ON NOVEMBER 6, 2018

RECOMMENDATION

That the City Council consider the adoption of Resolution No.: 6004 certifying the results of the General Municipal Election conducted on **November 6, 2018**.

BACKGROUND

On November 6, 2018, the City conducted a General Municipal Election.

Pursuant to Resolution No. 5879, the City Council appointed Julia Sylva as the Elections Official, effective as of **September 28, 2016**. The Elections Official is empowered to perform all duties necessary and legal for the proper conduct of all elections and elections related matters in the City. "Elections official" means any... person who is charged with the duty of conducting an election" (Elections Code Section 320).

Pursuant to Resolution No. 5957, and pursuant to recommendation by the Elections Official, the City Council, took action to request the Los Angeles County Registrar-Recorder to render specified elections services to the City (Elections Code Section 10002). Specifically, the Registrar-Recorder was retained to perform all services related to the handling of ballots, including the canvas of ballots.

Notice of the election was given in the manner provided by law. Pursuant to Resolution No. 5957, adopted by the City Council on July 11, 2018, and Resolution No.5981, adopted by the City Council July 25, 2018, the Los Angeles County Election Information and Preparation Division canvassed the returns of the election and has certified the results to this City Council. The results are attached as Exhibit "A," and incorporated by reference.

The whole number of ballots cast in the precincts, except vote-by-mail ballots and provisional ballots, was 3,464. The number of vote-by-mail ballots and provisional ballots cast in the City was 1,427, making a total of 4,891 ballots cast in the City.

The names of persons voted for and votes cast for each person at the election for Members of the City Council are as follows:

<u>Candidate</u>	<u>Votes Cast</u>
Eduardo "Eddie" De La Riva	2,484
Cesar Flores	1,003
Joaquin Lanuza	1,012
Ricardo Lara	2,681
Heber Marquez	2,882
Diana Ruiz	1,400

The City Council declares and determines that Eduardo "Eddie" De La Riva, Ricardo Lara, and Heber Marquez were elected as Members of the City Council for full terms of four (4) years.

The following Special Tax Measure ("Measure CT") was presented to the Voters:

To fund general municipal expenses such as police, fire, roads, and recreation, shall the City tax cannabis (marijuana) businesses at an annual rate not to exceed 10% of gross receipts for all commercial cannabis activities conducted in the City which is expected to generate an estimated \$1.2 million to \$1.6 million annually and will be levied until repealed by the voters or the City Council?

	<u>Votes Cast</u>	<u>Percentage</u>
Yes:	3103	70.25%
No:	1314	29.75%

Measure CT garnered the required two-thirds vote for adoption. Consequently, Measure CT is adopted.

In accordance with Elections Code Section 10262, the Elections Official certified the results to the City Council. The number of votes given at each precinct and the number of votes given in the City to each of the persons named above for the respective offices for which the persons were candidates and the ballot measure are as listed Exhibit "A" to proposed Resolution.

The Elections Official is required to enter in the City's records a statement of the result of the election, showing: (1) the whole number of ballots cast in the City; (2) the names of the persons voted for; (3) the measure voted upon; (4) the number of votes given at each precinct to each person and the number of votes given for and against the measure; and (5) the total number of votes given to each person and the total number of votes given for or against the measure.

The Elections Official will immediately make and deliver to each of the persons so elected a Certificate of Election signed by the Elections Official and authenticated; the City Clerk, or the Elections Official, will also administer to each person elected the Oath of Office prescribed in the Constitution of the State of California and will have them subscribe to it and file it in the Office of the City Clerk. Each and all of the persons so elected will then be inducted into the respective office to which they have been elected.

ACTION ITEM

That the City Council adopt Resolution No.: 6004 certifying the results of the General Municipal Election conducted on **November 6, 2018**.

ATTACHMENT(S):

Attachment No. 1 - Proposed Resolution No.6004, Certifying the Results of the General Municipal Election of November 6, 2018.

RESOLUTION NO. 6004

**A RESOLUTION OF THE CITY OF MAYWOOD CERTIFYING
THE RESULTS OF THE GENERAL MUNICIPAL ELECTION
CONDUCTED ON NOVEMBER 6, 2018**

WHEREAS, on **November 6, 2018**, the City of Maywood conducted a General Municipal Election as required by law (the "Election").

NOW THEREFORE, BE IS RESOLVED, by the City Council of the City of Maywood, as follows:

Section 1: Authority. The City Council is authorized to take action to certify the results of the Election, as set forth herein.

Section 2. Appointment of Elections Official. Pursuant to Resolution No. 5879, the City Council appointed Julia Sylva as the Elections Official, effective as of **September 28, 2016**. The Elections Official is empowered to perform all duties necessary and legal for the proper conduct of all elections and elections related matters in the City. "Elections official" means any... person who is charged with the duty of conducting an election" (Elections Code Section 320).

Section 3. Los Angeles County Registrar-Recorder Rendered Specified Elections Services. Pursuant to Resolution No. 5957, and pursuant to recommendation by the Elections Official, the City Council, took action to request the Los Angeles County Registrar-Recorder to render specified elections services to the City (Elections Code Section 10002). Specifically, the Registrar-Recorder was retained to perform all services related to the handling of ballots, including the canvas of ballots.

Section 4: Notice and Canvas of Election Returns. Notice of the election was given in the manner provided by law. Pursuant to Resolution No. 5957, adopted by the City Council on July 11, 2018, and Resolution No. 5981, adopted by the City Council July 25, 2018, the Los Angeles County Election Information and Preparation Division canvassed the returns of the election and has certified the results to this City Council. The results are attached as Exhibit "A," and incorporated by reference.

Section 5: Ballots Cast. The whole number of ballots cast in the precincts, except vote-by-mail ballots and provisional ballots, was 3,464. The number of vote-by-mail ballots and provisional ballots cast in the City was 1,427, making a total of 4,891 ballots cast in the City.

Section 6: Names of Persons Voted For. The names of persons voted for and votes cast for each person at the election for Members of the City Council are as follows:

<u>Candidate</u>	<u>Votes Cast</u>
Eduardo "Eddie" De La Riva	2,484
Cesar Flores	1,003
Joaquin Lanuza	1,012
Ricardo Lara	2,681
Heber Marquez	2,882
Diana Ruiz	1,400

Section 7: Declaration of Members Elected. The City Council declares and determines that Eduardo "Eddie" De La Riva, Ricardo Lara, and Heber Marquez were elected as Members of the City Council for full terms of four (4) years.

Section 8: Special Tax "Measure CT." The following was presented to the Voters:

To fund general municipal expenses such as police, fire, roads, and recreation, shall the City tax cannabis (marijuana) businesses at an annual rate not to exceed 10% of gross receipts for all commercial cannabis activities conducted in the City which is expected to generate an estimated \$1.2 million to \$1.6 million annually and will be levied until repealed by the voters or the City Council?

	<u>Votes Cast</u>	<u>Percentage</u>
Yes:	3103	70.25%
No:	1314	29.75%

Section 9: Adoption of "Measure CT." Measure CT garnered the required two-thirds vote for adoption. Consequently, Measure CT is adopted.

Section 10: Certification of Election Results. In accordance with Elections Code Section 10262, the Elections Official certified the results to the City Council. The number of votes given at each precinct and the number of votes given in the City to each of the persons named above for the respective offices for which the persons were candidates and the ballot measure are as listed in attached Exhibit "A."

Section 11: Statement re Election Results. The Elections Official is directed to enter in the City's records a statement of the result of the election, showing: (1) the whole number of ballots cast in the City; (2) the names of the persons voted for; (3) the measure voted upon; (4) the number of votes given at each precinct to each person and the number of votes given for and against the measure; and (5) the total

number of votes given to each person and the total number of votes given for or against the measure.

Section 12: Delivery of Certificate of Election. The Elections Official will immediately make and deliver to each of the persons so elected a Certificate of Election signed by the Elections Official and authenticated; the City Clerk, or the Elections Official, will also administer to each person elected the Oath of Office prescribed in the Constitution of the State of California and will have them subscribe to it and file it in the Office of the City Clerk. Each and all of the persons so elected will then be inducted into the respective office to which they have been elected.

Section 13: Certification as to Passage and Adoption of Resolution. The City Clerk will certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

Section 14: Effective Date. This resolution shall take effect *immediately* upon its adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Maywood this 12th day of December, 2018.

City of Maywood

Ramon Medina, Mayor

Attest:

City Clerk/Deputy City Clerk

Approved as to form:

Julia Sylva, Assistant City Attorney

Exhibit "A"



Los Angeles County Registrar-Recorder/County Clerk

DEAN C. LOGAN
Registrar-Recorder/County Clerk

November 30, 2018

Ms. Julia Sylva, Elections Official
City of Maywood
4319 East Slauson Avenue
Maywood, California 90270

Dear Ms. Sylva:

Enclosed are the Official Canvass Certificate and the Official Statement of Votes Cast by precinct for the City of Maywood General and Special Municipal Election consolidated with the General Election held on November 6, 2018.

Please call the Election Planning Section at (562) 462-2317, if you have any questions.

Sincerely,

DEAN C. LOGAN
Registrar-Recorder/County Clerk

LATICIA MCCORKLE, Assistant Division Manager
Election Information and Preparation Division

Enclosures
Official Canvass Certificate
Official Statement of Votes Cast

Los Angeles County
Registrar-Recorder/County Clerk

Certificate of the Canvass of the Election Returns

I, DEAN C. LOGAN, Registrar-Recorder/County Clerk of the County of Los Angeles, of the State of California, DO HEREBY CERTIFY that pursuant to the provisions of Section 15300 et seq. of the California Elections Code, I did canvass the returns of the votes cast for each elective office and/or measure(s) for

Maywood City

at the General Election, held on the 6th day of November 2018.

I FURTHER CERTIFY that the Statement of Votes Cast, to which this certificate is attached, shows the total number of ballots cast in said jurisdiction, and that the whole number of votes cast for each candidate and/or measure(s) in said jurisdiction in each of the respective precincts therein, and the totals of the respective columns and the totals as shown for each candidate and/or measure(s) are full, true and correct.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 30th day of November 2018.



Dean C. Logan
DEAN C. LOGAN
Registrar-Recorder/County Clerk
County of Los Angeles

FINAL OFFICIAL STATEMENT OF VOTES CAST BY PRECINCT			MAYWOOD CITY GENERAL MUNI COUNCILMEMBER									
LOCATION	REGIST- RATION	BALLOTS CAST	DIANA RUIZ	RICARDO LARA	JOAQUIN LANUZA	CESAR FLORES	EDUARDO DE LA RIVA	HEBER A MARQUEZ				
MAYWOOD - 4200001D	1422	545	135	307	75	100	292	313				
VOTE BY MAIL	0	198	83	95	58	64	84	109				
TOTAL	1422	743	218	402	133	164	376	422				
MAYWOOD - 4200005A	1275	465	122	268	83	88	262	278				
VOTE BY MAIL	0	169	57	95	44	36	71	90				
TOTAL	1275	634	179	363	127	124	333	368				
MAYWOOD - 4200006A	1347	549	170	267	116	112	236	297				
VOTE BY MAIL	0	194	74	108	72	59	93	113				
TOTAL	1347	743	244	375	188	171	329	410				
MAYWOOD - 4200009A	1443	516	113	297	90	71	299	334				
VOTE BY MAIL	0	223	73	127	55	44	129	149				
TOTAL	1443	739	186	424	145	115	428	483				
MAYWOOD - 4200010B	1402	506	122	294	68	83	284	305				
VOTE BY MAIL	0	241	71	137	55	51	106	142				
TOTAL	1402	747	193	431	123	134	370	447				
MAYWOOD - 4200013A	1170	423	128	218	81	107	213	245				
VOTE BY MAIL	0	171	54	99	47	44	94	107				
TOTAL	1170	594	182	317	128	151	307	352				
MAYWOOD - 4200015A	1389	460	119	240	102	82	236	278				
VOTE BY MAIL	0	231	79	129	66	62	105	122				
TOTAL	1389	691	198	369	168	144	341	400				

FINAL OFFICIAL STATEMENT OF VOTES CAST BY PRECINCT	MAYWOOD CITY GENERAL MUNI COUNCILMEMBER												
	LOCATION	REGIST- RATION	BALLOTS CAST	DIANA RUIZ	RICARDO LARA	JOAQUIN LANUZA	CESAR FLORES	EDUARDO DELA RIVA	HEBER A MARQUEZ				
PRECINCT TOTAL		9448	3454	909	1891	615	643	1802	2050				
VBM TOTAL		0	1427	491	790	397	360	682	832				
GROUP TOTAL		0	0	0	0	0	0	0	0				
GRAND TOTAL		9448	4881	1400	2681	1012	1003	2484	2882				

**CITY OF MAYWOOD
CITY COUNCIL APPOINTMENTS TO BOARDS/COMMITTEES
AS OF JANUARY 26, 2017**

Committee	Delegate	Alternate	Date/Time	Stipend/ Voluntary
California Contract Cities 11027 Downey Avenue Downey, CA 90241 562-622-5533	Ramon Medina	Joaquin Lanuza	3 rd Wednesday of the month 6:30 p.m.	Voluntary
Eco-Rapid Transit - Formerly: Orangeline Development Authority 16401 Paramount Blvd. Paramount, CA 90273 310-972-9609	Ricardo Villarreal	Eddie De La Riva	2 nd Wednesday of the month 6:30 p.m.	Stipend \$100
Gateway Cities Council of Governments 16401 Paramount Boulevard Paramount, CA 90723 562-663-6850	Joaquin Lanuza	Sergio Calderon	1 st Wednesday of the month 6:30 p.m.	Stipend \$125
Greater LA County Vector Control District (GLACVCD) 12545 Florence Avenue Santa Fe, CA 90678 562-944-9656	Eddie De La Riva (2 year term)	No Alternate Required	2 nd Thursday of the month 7:00 p.m.	Stipend \$100
HUB Cities Board of Directors 2677 Zoe Avenue Huntington Park, A 90255 323-586-4700	Ramon Medina	Carlos Alvarez	3 rd Thursday of the month 5:30 p.m.	Stipend \$200
League of California Cities; Los Angeles Division M.W.D. Headquarters 700 N. Alameda, Los Angeles, CA 90012 626-786-5142	Joaquin Lanuza	Ramon Medina	1 st Thursday of the month 6:30 p.m.	Voluntary
Los Angeles County Sanitation Districts 1955 Workman Mill Road Whittier, CA 90607 562-908-4288	Ramon Medina	Ricardo Villarreal	2 nd Wednesday of the month 1:30 p.m.	Stipend \$125
Oversight Board 4319 E. Slauson Avenue Maywood, CA 90270	Ramon Medina	N/A	2 nd Wednesday of the month 9:30 a.m.	Voluntary

NEW APPOINTMENTS

CITY OF MAYWOOD CITY COUNCIL APPOINTMENTS TO BOARDS/COMMITTEES AS OF JANUARY __, 2019

Committee	Delegate	Alternate	Date/Time	Stipend/ Voluntary
California Contract Cities 11027 Downey Avenue Downey, CA 90241 562-622-5533			3 rd Wednesday of the month 6:30 p.m.	Voluntary
Eco-Rapid Transit - Formerly: Orangeline Development Authority 16401 Paramount Blvd. Paramount, CA 90273 310-972-9609			2 nd Wednesday of the month 6:30 p.m.	Stipend \$100
Gateway Cities Council of Governments 16401 Paramount Boulevard Paramount, CA 90723 562-663-6850			1 st Wednesday of the month 6:30 p.m.	Stipend \$125
Greater LA County Vector Control District (GLACVCD) 12545 Florence Avenue Santa Fe, CA 90678 562-944-9656			2 nd Thursday of the month 7:00 p.m.	Stipend \$100
HUB Cities Board of Directors 2677 Zoe Avenue Huntington Park, A 90255 323-586-4700			3 rd Thursday of the month 5:30 p.m.	Stipend \$200
League of California Cities; Los Angeles Division M.W.D. Headquarters 700 N. Alameda, Los Angeles, CA 90012 626-786-5142			1 st Thursday of the month 6:30 p.m.	Voluntary
Los Angeles County Sanitation Districts 1955 Workman Mill Road Whittier, CA 90607 562-908-4288			2 nd Wednesday of the month 1:30 p.m.	Stipend \$125
Oversight Board 4319 E. Slauson Avenue Maywood, CA 90270			2 nd Wednesday of the month 9:30 a.m.	Voluntary



City of Maywood

4319 East Slauson Avenue • Maywood, California 90270
Tel: (323) 562-5700 • Fax (323) 773-2806

November 14, 2018

City of Maywood
4319 E. Slauson Ave.,
Maywood, CA 90270

Re: Resignation of City Attorney And Assistant City Attorney

To Present and Prospective Council Members of Maywood City Council:

Due to a distinct change in Council membership, and at the request of an elected council member, I am resigning as City Attorney effective upon the swearing in of the new majority. I expect this to be on December 12, 2018, after the County certifies the election. I will devote the rest of my last month furnishing your successive council with status reports on pending and potential litigation.

Since I was her pointing authority, Ms. Sylva's position as Assistant City Attorney terminates concurrently with mine. She is still special counsel unless and until you change that designation. Thank you for the opportunity have been of service.

Cc: Show carbon copy to City Administrator, Ms. Julia Sylva

Very Truly Yours,

Michael B. Montgomery



City of Maywood

4319 East Slauson Avenue • Maywood, California 90270
Tel: (323) 562-5700 • Fax (323) 773-2806

December 7, 2018

Hon. Ramon Medina, Mayor
and Members of the City Council
City of Maywood
4319 East Slauson Avenue
Maywood, CA 90270

Re: Resignation of Elections Official, Julia Sylva

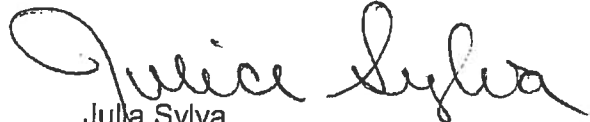
Dear Mayor Medina and Members of the City Council:

Please accept my resignation as the Elections Official, City of Maywood, effective December 12, 2018, midnight.

It has been a pleasure and an honor to be of service to the City of Maywood.

Sincerely,

City of Maywood


Julia Sylva
Elections Official

cc: Hon. Ramon Medina, Mayor, and Members of the City Council
Councilmembers-Elect Lara and Marquez
Donald J. Wagner, Interim City Administrator
Ofelia Mancera, Finance Director
David Mango, Building and Planning Director



CITY COUNCIL STAFF REPORT

DATE: DECEMBER 12, 2018
TO: HONORABLE MAYOR, AND MEMBERS OF THE CITY COUNCIL
FROM: DONALD WAGNER, INTERIM CITY ADMINISTRATOR *DW*
RE: CONSIDERATION OF AGREEMENT WITH RICHARDS, WATSON & GERSHON FOR LEGAL SERVICES

RECOMMENDATION

Approve the attached agreement with Richards, Watson & Gershon to serve as interim City Attorney and concur that the waiver of the bidding requirements is in the best interests of the City. Roxanne Diaz would serve in that capacity.

FISCAL IMPACT

The funds are included in the 2018-19 Budget as adopted by the City Council.

LEGAL REVIEW

City staff has reviewed this agreement.

BACKGROUND

The late Mike Montgomery resigned his position as City Attorney, effective December 12th. The Assistant City Attorney, Julia Sylva has also resigned her position effective that date.

DISCUSSION

Richards, Watson & Gershon is a well-respected law firm and has an excellent reputation in their field. In addition to City Attorney services they would also provide Interim Assistant City Attorney services on an as needed basis to support the designated Interim City Attorney, Roxanne Diaz, in an as needed basis. They will handle any pending litigation that the City is involved in previously handled by the City Attorney and Assistant City Attorney and will assist in the transition of Maywood legal files in the possession of Mike Montgomery's Law Office to City Hall. Accordingly, as provided for in the City's municipal code, the retention of these interim services will serve the best interests of the City taking into account their competence, professional qualifications and suitability for the services needed by the City.

The firm will assist the City in soliciting Request for Qualifications for a permanent City Attorney. It does not preclude the firm from also applying for the position.

Because of the City Attorney's passing and resignation and the need to continue with provision of legal services for the City, Staff has determined that it is in the best interests of the City and its administrative operations to dispense with municipal code provision regarding an informal bidding process for these interim legal services. Pursuant to the Section 3-4.13 of the City's Municipal Code, staff is requesting the City Council concur with this determination as this is an interim position. This concurrence requires a four-fifths vote of the Council.

The Agreement will commence on December 12, 2018 and will continue until termination by each party with 30 days written notice.

ACTION

It would be appropriate for the City Council to concur that the waiver of the bidding requirements is in the best interests of the City and approve the attached for Legal Services Agreement between the City of Maywood and Richards, Watson & Gershon.

ATTACHMENT(S):

Attachment No. 1 - Legal Services Agreement between the City of Maywood and Richards, Watson & Gershon

LEGAL SERVICES AGREEMENT

THIS LEGAL SERVICES AGREEMENT ("Agreement") is made and entered into as of December 12, 2018, by and between the City of Maywood ("City"), a California Municipal Corporation, and the law firm of Richards, Watson & Gershon ("RWG"), A Professional Corporation. In consideration of the mutual promises set forth herein, the parties agree as follows:

1. **Recitals.** This Agreement is made with respect to the following purposes and facts that each party agrees are true and correct:

A. The City desires to retain RWG, having expertise in municipal law, to serve as the Interim City Attorney.

B. RWG is engaged in the business of furnishing expert legal services in municipal issues and is fully competent, authorized, and able to perform the legal services required under this Agreement.

C. RWG represents the firm has the knowledge, skills, resources, necessary licenses, and professional expertise to perform the services called for by this Agreement.

2. **Scope of Work.** RWG serve as Interim City Attorney and shall perform all legal services for the City as directed by the City Council, except as provided in Section 6 with respect to matters in which RWG has a conflict under the Rules of Professional Conduct or California law. RWG shall at all times, without limitation, faithfully and competently perform all tasks described herein in a manner satisfactory to City and consistent with that level of care and skill ordinarily exercised by members of the profession currently practicing in the same locality under similar conditions. Legal services shall include the following:

A. Attendance at City Council meetings, and any other meeting directed by the City Manager (hereafter "City Manager" shall include the City Manager's designee), unless excused therefrom by the City Manager;

B. Attendance at staff meetings when directed by the City Manager;

C. Legal research and legal advice to the City Council, Planning Commission, other City commissions, various committees and sub-committees, the City Manager and City Staff;

D. Preparation and review of ordinances, resolutions, and agreements as requested;

E. Representation of the City in non-adversarial administrative proceedings, legislative hearings and other intergovernmental matters;

F. Representation of the City and City officials and employees in claims and litigation filed by or against the City as requested;

- G. Oversight of legal matters handled by outside counsel;
- I. Legal services for entities created by the City Council;
- J. Bond counsel, disclosure counsel and issuer counsel services in connection with the issuance of bonds or other obligations by the City, or any entity created by the City; and
- K. Such other legal services as may be directed by the City Council or City Manager from time to time.

3. **Term.** This Agreement shall commence on December 12, 2018 and shall continue in effect until terminated by the City or RWG. City or RWG may terminate this Agreement at any time, with or without cause, by giving thirty (30) days written notice to the other party prior to termination of this Agreement. In the event of termination, RWG shall comply with all provisions of the Rules of Professional Conduct for the termination of a client relationship, shall assist the City in transition to a new firm, and shall be compensated for such assistance at the rates provided for in this Agreement.

4. **Designation of City Attorney.** Roxanne Diaz shall be designated as Interim City Attorney for the City, to serve at the will and pleasure of the City Council. The designation may be changed by the City Council without amending this Agreement. Roxanne Diaz will be the RWG attorney with responsibility for providing legal services for the City, and will be the principal contact for the City, the City Council, and City staff. Other RWG attorneys, including Assistant City Attorneys, will be assigned by Roxanne Diaz, to work on legal matters for the City on an “as-needed” basis under her supervision.

5. **Compensation, Expenses and Billing.**

A. **Compensation Rates.** RWG shall be compensated for the performance of legal services in accordance with the compensation rate schedule for the City (“Compensation Rate Schedule”), attached to this Agreement as Exhibit A and incorporated herein as though set forth in full. The terms of this Agreement and the Compensation Rate Schedule shall apply to legal services performed for entities affiliated with the City that may be established. The Compensation Rate Schedule, attached as Exhibit A, shall remain in effect until amended by mutual agreement of the parties.

B. **Reimbursable Expenses and other Costs.** RWG shall be compensated for the expenses and costs as set forth in the attached “Compensation Rate Schedule.”

C. **Billing.** RWG shall provide to City a monthly invoice for services provided, time spent providing those services, and costs incurred in the form customarily supplied by RWG to public agency clients being billed on an hourly basis. City shall process and cause such invoices to be paid promptly and no later than within thirty (30) days of receipt of invoice.

6. **Conflicts of Interest.** RWG shall comply with all applicable laws and professional rules and standards relating to any known conflict of interest involving the City and

matters upon which RWG is providing legal services under this Agreement. RWG shall not reveal confidential information of the City except with the consent of the City Manager, City Council or as otherwise required by law. RWG shall notify the City Manager or City Council, depending on the circumstances, of any conflict of interest related to matters upon which it is providing legal services under this Agreement upon discovery of any such conflicts. In the event that such conflict is not or cannot be waived or resolved, City shall retain alternate legal counsel and RWG shall assist and cooperate with such legal counsel retained by the City on the matter for which the conflict arose.

7. **Client Files.**

A. At the conclusion of RWG's legal representation of the City, the original client files for the work performed under this Agreement for the City shall be made available to City. RWG will be entitled to make copies of the client files. City shall take possession of any and all original contracts, and other such important documents that may be in the client files and RWG shall have no further responsibility with regard to such documents.

B. If City does not take possession of client files at the conclusion of RWG's legal representation of the City, RWG shall store such client files for a period of at least one (1) year. At the conclusion of such one (1) year period, RWG may send to City a notice, advising of RWG's intention to dispose of the client files. The City shall have sixty (60) days from the date of such notice to take possession of the client files. If City does not take possession of the client files during that time, City agrees that RWG may dispose of the client files without further notice.

C. This section shall survive the expiration of this Agreement.

8. **Insurance.**

A. **Coverage Levels.** RWG shall maintain at all times during the term of this Agreement policies of insurance with at least the minimum coverage specified below:

1) General liability insurance with a combined single limit of not less than Two Million Dollars (\$2,000,000);

2) Workers' compensation coverage in compliance with California law;

3) Professional liability coverage with a minimum limit of liability of Two Million Dollars (\$2,000,000.00) per claim and Four Million Dollars (\$4,000,000.00) in the aggregate. Such insurance may be subject to a self-insured retention or deductible to be borne entirely by RWG which shall not exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) per claim, without prior approval of the City Manager;

B. All such policies of insurance specified above shall:

1) Except as to professional liability insurance, provide minimum thirty (30) days notice of cancellation by insurer, except in the event of non-payment of premium, in which case ten (10) days notice is to be provided;

2) Be maintained in full force and effect throughout the term of this Agreement; and

3) Be placed with insurance carriers with an A.M. Best rating of no less than A-:VII or otherwise acceptable to City.

9. **Independent Contractor.** No employment relationship is created by this Agreement. RWG shall be an independent contractor of City, except that at all times providing services under the Agreement, RWG's shareholders and employees shall be acting as public officials.

10. **General Provisions.**

A. **Non-Discrimination.** In the performance of this Agreement, RWG shall not unlawfully discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, sexual orientation or medical condition.

B. **Assignment/Delegation.** This Agreement contemplates the personal professional services of RWG to City and neither this Agreement, nor any portion thereof, shall be assigned or delegated by either party without the prior written consent of both parties.

C. **Interpretation.** The following rules of legal construction shall apply:

1) This Agreement is made and entered into in the State of California and shall in all respects be interpreted, enforced and governed under the substantive laws of the State of California.

2) The article and section captions and headings in this Agreement have been inserted for convenience only, and shall not be considered or referred to in resolving questions of interpretation or construction.

3) Whenever in this Agreement the context may so require, the masculine gender shall be deemed to refer to and include the feminine and neuter, and the singular shall refer to and include the plural.

D. **Attorney's Fees.** The parties acknowledge and agree that each will bear its own costs, expenses and attorney's fees arising out of or connected with the negotiation, drafting and execution of this Agreement.

E. **Notices, etc.** Any notice required to be given shall be deemed to have been given by depositing such notice in the United States mail, postage prepaid, and addressed as follows:

TO CITY:

City of Maywood
4319 E. Slauson Avenue
Maywood, California 90270
Attention: City Manager

TO RWG:

Roxanne Diaz
Richards, Watson & Gershon
355 South Grand Avenue, 40th Floor
Los Angeles, California 90071-3101

Either party may, from time to time, by written notice to the other, designate a different address or contact person, which shall be substituted for the one above specified. Notices, invoices and other documents delivered under this Agreement shall be deemed delivered upon receipt by personal service or as of the third (3rd) day after deposit in the United States mail.

F. Signatories. Each signatory warrants and represents that he or she is competent and authorized to execute this Agreement on behalf of the party for whom he or she purports to sign.

G. Entire Agreement. This Agreement contains the entire understanding between the parties relating to the obligations of the parties described in this Agreement. All prior or contemporaneous agreements, understandings, representations and statements, oral or written, are merged into this Agreement and shall be of no further force or effect. Each party is entering into this Agreement based solely upon the representations set forth herein and upon each party's own independent investigation of any and all facts such party deems material.

H. Modification of Agreement. This Agreement and the provisions set forth herein may be modified only by way of a written amendment to this Agreement that has been approved and executed by and on behalf of both RWG and the City.

IN WITNESS WHEREOF, the parties have caused their duly authorized representatives to sign below.

December ____, 2018

Mayor

Attest:

City Clerk

RICHARDS, WATSON & GERSHON,
A Professional Corporation

Kayser O. Sume
Chairman, Board of Directors

EXHIBIT A

RICHARDS, WATSON & GERSHON COMPENSATION RATE SCHEDULE FOR CITY OF MAYWOOD (EFFECTIVE DECEMBER 12, 2018)

Legal services provided by Richards, Watson & Gershon ("RWG") to the City of Maywood ("City") shall be billed to, and compensated by, the City as follows:

A. Advisory Services.

All legal services that are not defined below as Litigation Services or Bond Counsel Services shall be defined as Advisory Services. Advisory Services shall be billed to, and compensated by, the City at a composite hourly rate for all attorneys of \$275 per hour.

B. Litigation Services.

Litigation Services will be defined as representation of the City in all aspects of the initiation, advancement, or defense of claims in litigation, arbitration, or mediation. Additionally, Litigation Services will include representation of the City in administrative proceedings before other public agencies.

Litigation Services will be billed to, and compensated by, the City at a composite hourly rate for all attorneys of \$315 per hour.

C. Bond Counsel Services.

Bond Counsel Services are defined as bond counsel, disclosure counsel, and issuer counsel services in connection with the issuance of bonds or other obligations by the City, or any entity created by the City. Bond Counsel Services shall be billed to, and compensated by, the City as follows:

1. RWG shall charge a composite hourly rate for all attorneys of \$395 per hour for any of these services. The maximum total fee charged for each issue or series shall not exceed an amount that the City Manager deems fair and reasonable.
2. In the event the proceedings for issuance of the bonds or other obligations are terminated before closing, RWG would expect to be paid for its services to the date of abandonment at the hourly rate set forth above, but the amount of that payment would not exceed an amount that the City Manager deems fair and reasonable.

D. Paralegal Services.

Paralegal services will be billed to, and compensated by, the City at a composite hourly rate of \$150 per hour for all paralegals.

E. Reimbursable Costs and Other Expenses.

Mileage will be billed at the standard rate established by the IRS for deducting the operating expenses of an automobile used for business purposes. Copying costs will be charged at 5 cents per page. There will be no charge for facsimiles. All other costs, such as long distance telephone charges, messenger and delivery services, and legal research services will be charged at RWG's actual out-of-pocket expenses. RWG will not charge for word processing and similar clerical tasks.