

CITY OF HUNTINGTON PARK

City Council

Regular Meeting

Agenda

Tuesday, October 18, 2022

6:00 p.m.
City Hall Council Chambers
6550 Miles Avenue, Huntington Park, CA 90255

Eduardo “Eddie” Martinez
Mayor

Marilyn Sanabria
Vice Mayor

Karina Macias
Council Member



Graciela Ortiz
Council Member

Arturo Flores
Council Member

All agenda items and reports are available for review in the City Clerk's Office and www.hPCA.gov. Any writings or documents provided to a majority of the City Council regarding any item on this agenda (other than writings legally exempt from public disclosure) will be made available for public inspection in the Office of the City Clerk located at 6550 Miles Avenue, Huntington Park, California 90255 during regular business hours, 7:00 a.m. to 5:30 p.m., Monday – Thursday, and at the City Hall Council Chambers during the meeting.

Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the City Clerk's Office either in person at 6550 Miles Avenue, Huntington Park, California or by telephone at (323) 584-6230. Notification in advance of the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

**PLEASE SILENCE ALL CELL PHONES AND OTHER ELECTRONIC EQUIPMENT
WHILE COUNCIL IS IN SESSION. Thank you.**

PLEASE NOTE--The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon request of the Mayor or Members of the City Council. Members of the City Council and the public are reminded that they must preserve order and decorum throughout the Meeting. In that regard, Members of the City Council and the public are advised that any delay or disruption in the proceedings or a refusal to obey the orders of the City Council or the presiding officer constitutes a violation of these rules.

- The conduct of City Council meetings is governed by the portion of the California Government Code commonly known as the "Brown Act" and by the Huntington Park City Council Meeting Rules of Procedure.
- The City Council meeting is for conducting the City's business, and members of the audience must obey the rules of decorum set forth by law. This means that each speaker will be permitted to speak for three minutes to address items that are listed on the City Council agenda or topics which are within the jurisdictional authority of the City.
- No profanity, personal attacks, booing, cheering, applauding or other conduct disruptive to the meeting will be permitted. Any person not adhering to the Rules of Procedure or conduct authorized by the Brown Act may be asked to leave the Council Chambers.
- All comments directed to the City Council or to any member of the City Council must be directed to the Mayor (or Chairperson if Mayor is absent).

We ask that you please respect the business nature of this meeting and the order required for the proceedings conducted in the Council Chambers.

PUBLIC COMMENT

Hybrid virtual/in-person meetings are held pursuant to AB361 because state and local officials are recommending measures to promote social distancing. If you would like to comment on any listed Agenda Items or Non-Agenda Items, please email the City Clerk's office at publiccomment@h pca.gov or Esarmiento@h pca.gov or by telephone, by calling (323) 584-6297, up to one (1) hour, prior to the start of the meeting. Public Comments will then be read during public comment and made part of the record. Below is the virtual link and toll free phone number to participate in the meeting.

JOIN VIRTUALLY AT:

<https://zoom.us/j/97897123169?pwd=NkhsNEFacUZCMmJyVFRkOFBsQXZMdz09>

OR PARTICIPATE BY PHONE AT:

- **Toll Free: 669-900-9128,**
- **Meeting ID: 978 9712 3169, then #**
- **Password: 632516**

ATTENDEES WILL BE MUTED UNTIL THE PUBLIC PARTICIPATION PERIOD IS OPENED. If you are joining by phone, press *9 to be placed in the queue to speak and *6 to unmute your line. Comments from the public are limited to 3 minutes per speaker.

In the interest of Public Health and Safety in order to minimize the spread of the COVID 19 virus, you are strongly encouraged to observe the City Council meetings on the City of Huntington Park's website at www.hpca.gov or virtually via the Zoom link provided above.

The City of Huntington Park thanks you in advance for your cooperation.

For both open and closed session, each speaker will be limited to three minutes per Huntington Park Municipal Code Section 2-1.207. Time limits may not be shared with other speakers and may not accumulate from one period of public comment to another or from one meeting to another. **This is the only opportunity for public input except for scheduled public hearing items.**

All comments or queries shall be addressed to the Council as a body and not to any specific member thereof. Pursuant to Government Code Section 54954.2(a)(2), the Ralph M. Brown Act, no action or discussion by the City Council shall be undertaken on any item not appearing on the posted agenda, except to briefly provide information, ask for clarification, provide direction to staff, or schedule a matter for a future meeting.

Additions/Deletions to Agenda

Items of business may be added to the agenda upon a motion adopted by a minimum two-thirds vote finding that there is a need to take immediate action and that the need for action came to the attention of the City or Agency subsequent to the agenda being posted. Items may be deleted from the agenda upon the request of staff or Council.

Important Notice

The City of Huntington Park shows replays of City Council Meetings on Local Access Channel 3 and over the Internet at www.hpca.gov. NOTE: Your attendance at this public meeting may result in the recording and broadcast of your image and/or voice.

CALL TO ORDER

ROLL CALL

Mayor Eduardo "Eddie" Martinez
Vice Mayor Marilyn Sanabria
Council Member Arturo Flores
Council Member Karina Macias
Council Member Graciela Ortiz

INVOCATION

PLEDGE OF ALLEGIANCE

PRESENTATION(S)

1. PROCLAMATION PROCLAMING OCTOBER LGBTQ+ HISTORY MONTH
2. RECOGNITION OF COMMISSIONERS SELECTED BY THE LATE COUNCILMEMBER MANUEL "MANNY" AVILA

PUBLIC COMMENT

Hybrid virtual/in-person meetings are held pursuant to AB361 because state and local officials are recommending measures to promote social distancing, any emailed public comment will be read into the record at this time.

Pursuant to Government Code Section 54954.3(a) Members of the public will have an opportunity to address the City Council on items listed on this agenda. For items on this agenda each speaker will be limited to three minutes per Huntington Park Municipal Code Section 2-1.207. Time limits may not be shared with other speakers and may not accumulate from one period of public comment to another or from one meeting to another.

STAFF RESPONSE

RECESS TO CLOSED SESSION

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code Section 54956.9(d)(1)
Construction Industry Force Account Council v. City of Huntington Park
Los Angeles Superior Court Case No. 20STCPO3947
2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code Section 54956.9(d)(1)
Catalina Peraza Workers Comp Settlement
3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code Section 54956.9(d)(1)
Jose Luis Maldonado Aguilar v. City of Huntington Park, et al. Case No. 2:21cv-5755-AB-KS. US District Court for the Central District of California
4. PUBLIC EMPLOYMENT – POSITION: DIRECTOR OF FINANCE
Government Code Section 54957 (b)(1) – One Matter

CLOSED SESSION ANNOUNCEMENT

CONSENT CALENDAR

All matters listed under the Consent Calendar are considered routine and will be enacted by one motion. There will be no separate discussion of these items prior to the time the Council votes on the motion unless members of the Council, staff, or the public request specific items to be discussed and/or removed from the Consent Calendar for separate action.

OFFICE OF THE CITY CLERK

1. CITY COUNCIL MEETING MINUTES

RECOMMENDED THAT CITY COUNCIL:

Approve Minute(s) of the following City Council Meeting(s):

1-1. Regular City Council Meeting held October 04, 2022

2. CONSIDERATION AND APPROVAL OF A RESOLUTION AUTHORIZING THE CITY TO CONTINUE ITS TELECONFERENCED OPEN MEETINGS PURSUANT TO ASSEMBLY BILL 361

RECOMMENDED THAT CITY COUNCIL:

1. Adopt Resolution No. 2022-34 to Authorize the City of Huntington Park to Conduct Teleconferenced Open Meetings in Accordance with Assembly Bill 361.

FINANCE

3. CHECK REGISTERS

RECOMMENDED THAT CITY COUNCIL:

1. Approve Accounts Payable and Payroll Warrant(s) dated October 18, 2022;

END OF CONSENT CALENDAR

REGULAR AGENDA

PARKS AND RECREATION

4. AUTHORIZATION AND RATIFICATION OF CERTAIN EXPENDITURES FOR HUNTINGTON PARK 2022 HOLIDAY PARADE

RECOMMENDED THAT CITY COUNCIL:

1. Authorize and ratify the expenditures in a not-to-exceed amount of \$65,000 for TV production, TV Broadcasting and Parade Security for the 2022 Holiday Parade.
2. Authorize the City Manager to enter into an agreement with Magnolia Street Productions for the 2022 Holiday Parade.

5. CONSIDERATION AND APPROVAL OF EXPENDITURES FOR HOLIDAY DECORATIONS AT CITY HALL

RECOMMENDED THAT CITY COUNCIL:

1. Authorize the use of the Arts in Public Places funds for the holiday tree decorations at City Hall; and
2. Authorize Staff to proceed with Bright Life Designs to install and take down the holiday decorations at City Hall; and

6. CONSIDERATION AND APPROVAL OF AUTHORIZATION AND RATIFICATION OF CERTAIN EXPENDITURES FOR HOLIDAY PALM TREE DECORATIONS ON PACIFIC BOULEVARD

RECOMMENDED THAT CITY COUNCIL:

1. Approve authorization of St. Nick's Christmas Lighting & Décor for the installation and removal of Holiday Palm Tree Light Decorations on Pacific Boulevard using account #111-6010-451-74.10 in a not-to-exceed amount of \$17,050.00.

7. CONSIDERATION AND APPROVAL OF EXPENDITURES FOR HOLIDAY LANE AT SALT LAKE PARK

RECOMMENDED THAT CITY COUNCIL:

1. Approve authorization of Brightlife Designs for the rental of holiday lights at Salt Lake Park on Bissell Street in a not-to-exceed amount of \$22,175.00 and;
2. Authorize the City Manager to enter into a 2-year agreement with Brightlife Designs for 2022 and 2023.

COMMUNITY DEVELOPMENT

8. CONSIDERATION AND APPROVAL OF AN AGREEMENT WITH GC HUNTINGTON PARK II, LLC

RECOMMENDED THAT CITY COUNCIL:

1. Approve an Agreement with GC Huntington Park II, LLC; and
2. Authorize the City Manager to negotiate and execute the final terms of the Agreement.

PUBLIC WORKS

9. CONSIDERATION AND APPROVAL SETTING THE PUBLIC HEARING DATE OF NOVEMBER 1, 2022 TO ADOPT THE LOS ANGELES COUNTY REVISED COUNTYWIDE SITING ELEMENT

RECOMMENDED THAT CITY COUNCIL:

1. Approve setting the public hearing date of November 1, 2022 to adopt the Los Angeles County revised Countywide Siting Element.

END OF REGULAR AGENDA

DEPARTMENTAL REPORTS (Information only)

WRITTEN COMMUNICATIONS

COUNCIL COMMUNICATIONS

Council Member Graciela Ortiz

Council Member Karina Macias

Council Member Arturo Flores

Vice Mayor Marilyn Sanabria

Mayor Eduardo "Eddie" Martinez

ADJOURNMENT

The City of Huntington Park City Council will adjourn to a Regular Meeting on Tuesday, November 1, 2022 at 6:00 P.M.

I, Eduardo Sarmiento, hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted at City of Huntington Park City Hall and made available at www.hPCA.gov not less than 72 hours prior to the meeting. Dated this 13th day of October 2022.



Eduardo Sarmiento, City Clerk

ITEM NO. 1

MINUTES

Meeting of the
City of Huntington Park City Council
Tuesday, October 4, 2022

The City Council hybrid virtual/in-person meetings are held pursuant to AB361 because state and local officials are recommending measures to promote social distancing conducted this meeting in accordance with

The regular meeting of the City Council of the City of Huntington Park, California was called to order at 6:03 p.m. on Tuesday, October 04, 2022, in the Council Chambers at City Hall, 6550 Miles Avenue, Huntington Park, California; Mayor Eduardo "Eddie" Martinez presiding.

PRESENT: Councilmember(s): Graciela Ortiz, Karina Macias, Arturo Flores, Vice-Mayor Marilyn Sanabria, and Mayor Eduardo "Eddie" Martinez.

CITY OFFICIALS/STAFF: City Manager Ricardo Reyes - Absent; Cesar Roldan, Director of Public Works; Raul Alvarez Assistant City Manager; Eduardo Sarmiento, City Clerk; Cosme Lozano Chief of Police, Director of Finance & Administrative Services - absent; Steve Foster, Director of Community Development; Sergio Infanzon, Director of Communications; Araceli Almazan City Attorney, Cynthia Norzagaray Director of Parks & Recreation - absent.

INVOCATION

Invocation was led by Mayor Martinez.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Councilmember Flores.

PRESENTATION(S)

1. PRESENTATION BY EAST LOS ANGELES COLLEGE
2. PRESENTATION BY INNER CITY VISIONS ON HOMELESS OUTREACH
3. PROCLAMATION PROCLAMING OCTOBER BREAST CANCER AWARENESS MONTH

PUBLIC COMMENTS

The following people provided public comment:

1. Jennifer Lopez
2. Joann Hernandez
3. Laurentina Peralta

STAFF RESPONSE

Assistant City Manager Raul Alvarez stated that the city has been working diligently to come up with solutions to the described issues mentioned during public comment. He added that staff will be reaching out to Ms. Lopez and will be researching the municipal

code related to Ms. Lopez situation. He then indicated that Huntington Park Police Chief Lozano may be able to provide some additional information.

Police Chief Lozano provided documentation to Council related to enforcement in the areas described during public comment. He also shared the number of citations issued in the area.

Councilmember Flores asked Police Chief Lozano about the parking restrictions and enforcement related to residential driveways.

Police Chief Lozano confirmed that if a vehicle is blocking a resident's driveway, the car could be towed away.

Assistant City Manager Alvarez added that the Public Works department utilizes red tipping areas near residential driveways to clearly delineate areas that cars should not be crossing when parked. He closed by stating he would also be looking into the area described by Ms. Peralta during her public comment.

Mayor Martinez requested that he be invited to the meeting with Ms. Lopez and staff in order to address her concerns.

CLOSED SESSION

City Attorney Araceli Almazan stated that it is appropriate to recess to closed session. Mayor Martinez recessed into closed session at 7:25 p.m.

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code Section 54956.9(d)(1)
Construction Industry Force Account Council v. City of Huntington Park Los Angeles Superior Court Case No. 20STCPO3947
2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code Section 54956.9(d)(1)
Catalina Peraza Workers Comp Settlement
3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Government Code Section 54956.9(d)(4)
Consideration of initiation in one potential case

Mayor Martinez reconvened the Council meeting from Closed Session at 8:03 p.m.

CLOSED SESSION ANNOUNCEMENT

City Attorney Almazan reported that the record should reflect that with Councilmembers Ortiz, Macias, Flores, Vice Mayor Sanabria, and Mayor Martinez two (2) of the three (3) matters listed on the closed session agenda were discussed. Item number two (2) was tabled for a future meeting. Regarding item one (1) Council was briefed, and no final action was taken. Regarding item three (3) Council was briefed and direction given but no final action was taken. This concluded the closed session report.

CONSENT CALENDAR

OFFICE OF THE CITY CLERK

MOTION: Vice Mayor Sanabria moved to approve the consent calendar, seconded by Councilmember Macias. Motion carried by unanimous consent.

AYES: Council Member(s): Ortiz, Macias, Flores, Vice Mayor Sanabria, and Mayor Martinez

NOES: None

1. CITY COUNCIL MEETING MINTUES

Approve Minute(s) of the following City Council Meeting(s):

1-1 Regular City Council Meeting held September 20, 2022

FINANCE

2. CHECK REGISTERS

Approve Accounts Payable and Payroll Warrant(s) dated October 04, 2022

END OF CONSENT CALENDAR

REGULAR AGENDA

PUBLIC WORKS

3. CONSIDERATION AND APPROVAL OF ASSIGNMENT OF JANITORIAL SERVICES CONTRACT

MOTION: Vice Mayor Sanabria moved to approve the assignment of J316 Builder's Janitorial Services professional services contract (PSA) to Coalition for Responsible Community Development (CRCD); and authorize the City Manager to execute the assignment of contract, seconded by Councilmember Ortiz. Motion carried by unanimous consent.

AYES: Council Member(s): Ortiz, Macias, Flores, Vice Mayor Sanabria, and Mayor Martinez

NOES: None

4. CONSIDERATION AND APPROVAL TO AWARD A PROFESSIONAL SERVICES AGREEMENT TO PROVIDE ARBORICULTURIST SERVICES TO UPDATE THE URBAN TREE INVENTORY

MOTION: Vice Mayor Sanabria moved to award a professional services agreement (PSA) to ArborPro Urban Forest Management for a not-to-exceed fee of \$34,540 payable from Account No. 111-8091-434.56-41 (grant reimbursable) to provide arboriculturist services to update the urban tree inventory; and authorize the

remaining not-to-exceed project budget of \$7,960 (grant reimbursable) as program contingency for incidentals and additional work; and authorize the City Manager to execute the PSA and approve all change orders, seconded by Councilmember Macias. Motion carried by unanimous consent.

AYES: Council Member(s): Ortiz, Flores, Macias, Vice Mayor Sanabria, and Mayor Martinez

NOES: None

POLICE DEPARTMENT

5. APPROVE DONATION OF A POLICE SERVICE DOG FOR NARCOTICS DETECTION AND SUSPECT APPREHENSION

MOTION: Vice Mayor Sanabria moved to authorize the City Manager to receive a Police Service Dog for narcotics detection and suspect apprehension from Adlerhorst International, LLC.; and authorize the Chief of Police to take physical possession of the Police Service Dog and assign the canine to the police department's Patrol Division K9 program for police service in the community, seconded by Councilmember Macias. Motion carried by unanimous consent.

AYES: Council Member(s): Ortiz, Macias, Flores, Vice Mayor Sanabria, and Mayor Martinez

NOES: None

6. CONSIDERATION OF RETIREMENT AND OWNERSHIP TRANSFER OF POLICE SERVICE DOG "KAZ"

MOTION: Vice Mayor Sanabria moved to approve the retirement of Police Service Dog KAZ; and approve the transfer of ownership of KAZ to its handler, Sergeant Miguel Fuentes, for the amount of one dollar (\$1.00); and authorize the City Manager to execute the Release and Waiver of Liability and Indemnity Agreement to effectuate the transfer of ownership of KAZ, seconded by Councilmember Macias. Motion carried by unanimous consent.

AYES: Council Member(s): Ortiz, Macias, Flores, Vice Mayor Sanabria, and Mayor Martinez

NOES: None

7. CONSIDERATION TO ACCEPT REIMBURSIBLE GRANT FUNDING IN THE AMOUNT OF \$174,185 AND APPROVE THE STATE HOMELAND SECURITY PROGRAM SUBRECIPIENT AGREEMENT FOR GRANT YEAR 2020 BETWEEN THE COUNTY OF LOS ANGELES AND THE CITY OF HUNTINGTON PARK

MOTION: Councilmember Macias moved to accept reimbursable grant funding and increase estimated revenues in the amount of \$174,185 to account number 230-0000-335.30-70 (State Homeland Security Program (SHSP); and approve a budget appropriation in the amount of \$160,000 to account number 230-7134-421.74-10 for

the purchase of automated license plate reader technology and \$14,185 to account number 230-7134-421.13-00 for police officers overtime pay associated with police active shooter training; and authorize the City Manager to be designated as the Grantee Official for the purpose of executing grant objectives, the grant agreement, and documentation; and authorize the Chief of Police to acquire the license plate reader technology and accomplish the active shooter training for Huntington Park Police Officers, seconded by Vice Mayor Sanabria. Motion carried by unanimous consent.

AYES: Council Member(s): Ortiz, Macias, Flores, Vice Mayor Sanabria, and Mayor Martinez

NOES: None

COMMUNITY DEVELOPMENT

8. RETENTION OF CONSULTANT FOR COMMUNITY EDUCATIONAL PROGRAM FOR MEASURE PP

MOTION: Councilmember Ortiz moved to authorize the retention of consultant to conduct an educational and informational program to the City's residents regarding Measure PP; and authorize the City Manager to execute a professional services agreement with consultant consistent with their proposal attached herewith; seconded by Vice Mayor Sanabria. Motion carried by unanimous consent.

AYES: Council Member(s): Ortiz, Macias, Flores, Vice Mayor Sanabria, and Mayor Martinez

NOES: None

CITY MANAGER

9. AUTHORIZATION OF DELEGATION OF MEDICAL/DISABILITY DETERMINATION FOR CALPERS TO CITY MANAGER

MOTION: Councilmember Ortiz moved to adopt the attached Resolution entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK, CALIFORNIA, AUTHORIZING THE DELEGATION OF MEDICAL/DISABILITY DETERMINATION FOR CALPERS"; and authorize the City Manager to make a medical/disability determination in the Government Code section 21156 as to whether a local public safety officer or law enforcement officer employed by the City qualifies for CalPERS industrial disability retirement; or alternatively, City Council would be required to make a medical/disability determination in the Government Code section 21156 as to whether a local public safety officer or law enforcement officer employed by the City qualifies for CalPERS industrial disability retirement on its own, seconded by Vice Mayor Sanabria. Motion carried by unanimous consent.

AYES: Council Member(s): Ortiz, Macias, Flores, Vice Mayor Sanabria, and Mayor Martinez

NOES: None

DEPARTMENTAL REPORTS

Assistant City Manager Alvarez wished Councilmember Macias a Happy Birthday.

Community Development Director Steve Forster reported that the Housing Element has been submitted to HCD as required. He added that the Environmental Justice Element has been published and the community will be able to provide feedback for the next seven days.

Police Chief Lozano provide a reminder to Council, staff, and residents that tomorrow October 5, 2022 is National Coffee with a Cop day and encouraged everyone to come to the event being held at Starbucks on Slauson and State from 6:00 p.m. to 8:00 p.m.

Director of Communications Sergio Infanzon shared the August and September Community Newsletter and mentioned that it will be published monthly moving forward.

WRITTEN COMMUNICATIONS

None

COUNCIL COMMUNICATIONS

Councilmember Ortiz began by wishing Councilmember Macias a Happy Birthday and also wished a Happy Birthday to the late Manuel “Manny” Avila.

Councilmember Macias thanked staff for all their hard work and for the birthday wishes. She also wished a Happy Birthday to the late Manuel “Manny” Avila.

Councilmember Flores also wished Councilmember Macias a Happy Birthday. He also acknowledged Police Chief Lozano for allowing him to join officer De La O and thanked the entire Police Department for their hard work. He also welcomed the new code enforcement Manager Paul Bollier. He closed by sharing that he met with many of the department directors and thanked them for a productive discussion regarding each department.

Vice Mayor Sanabria echoed her colleague’s comments and wished a Happy Birthday to both Councilmember Macias and the late Manuel “Manny” Avila. She closed by reminding everyone of the Halloween event on October 31, 2022 at Keller Park from 4:00 p.m. to 8:00 p.m. and thanking Sergio Infanzon for the great newsletter.

Mayor Martinez echoed his colleague’s comments and thanked staff for keeping everyone safe. He then thanked all participants for last weekend’s community clean up event. He closed by wishing both Councilmember Macias and the late Manuel “Manny” Avila a Happy Birthday

ADJOURNMENT

Mayor Martinez adjourned the meeting in memory of Luz Ramona Agredano Lozano who was a valued Huntington Park resident at 8:24 p.m. The next City of Huntington Park City Council meeting will be held on Tuesday October 18, 2022 at 6:00 pm.

Respectfully submitted



Eduardo Sarmiento, City Clerk

ITEM NO. 2

CITY OF HUNTINGTON PARK



City Clerk's Office
City Council Agenda Report

October 18, 2022

Honorable Mayor and Members of the City Council
City of Huntington Park
6550 Miles Avenue
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

CONSIDERATION AND APPROVAL OF A RESOLUTION AUTHORIZING THE CITY TO CONTINUE ITS TELECONFERENCED OPEN MEETINGS PURSUANT TO ASSEMBLY BILL 361

IT IS RECOMMENDED THAT CITY COUNCIL:

Adopt Resolution No. 2022-34 to Authorize the City of Huntington Park to Conduct Teleconferenced Open Meetings in Accordance with Assembly Bill 361.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of this resolution is to clarify that cities may continue to meet remotely in accordance with the procedures outlined by previous executive orders issued. Assembly Bill (AB) 361 allows cities to continue to meet remotely during gubernatorial states of emergency under modified Brown Act provisions. The provisions enacted in AB 361 providing flexibility to meet remotely during a proclaimed emergency ***will sunset on January 1, 2024.***

AB 361 amends Government Code § 54953 to provide more clarity on the Brown Act's rules and restrictions surrounding the use of teleconferencing to conduct meetings. AB 361 provides relief from teleconferencing requirements, including the obligation to post meeting agendas at all teleconference locations for local agencies. However, the meeting must still be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Meaning, although local agencies are relieved from this obligation, local agencies should endeavor to post meeting agendas at all usual locations where it remains feasible to do so.

Additionally, AB 361 clarifies on the following:

(A) State of Emergency: Teleconferencing will be Allowed as long as There is an Active Gubernatorial State of Emergency

ADOPT RESOLUTION NO. 2022-15 AUTHORIZING THE CITY TO IMPLEMENT

TELECONFERENCED OPEN MEETINGS PURSUANT TO ASSEMBLY BILL 361

October 18, 2022

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The bill amends the Brown Act to allow local agencies to continue using teleconferencing and virtual meeting technology **as long as there is a gubernatorial “proclaimed state of emergency.”** It is not sufficient that county and/or city officials have issued a local emergency declaration – the emergency declaration must be one that is made pursuant to the California Emergency Services Act (Gov’t Code § 8625).

(B) Public Participation and Public Comment

(1) Local agencies must ensure that the opportunity for the public to participate in a meeting remains as accessible as possible

This means that local agencies cannot discriminate against members of the public participating either remotely or in-person. For instance, local agencies must clearly advertise how members of the public can observe a public meeting or offer comment during a meeting remotely, via either a call-in or internet-based option. Additionally, local agencies are required to provide the remote access information which includes the URL, email addresses, phone numbers, etc. Any of the information related to participation must be included in the relevant meeting notice(s) and meeting agenda(s).

(2) Legislative Bodies must offer the public a chance to comment in real time and until comment period is closed

Additionally, AB 361 requires a public comment period where the public can address the legislative body directly. It expressly prohibits the board from limiting public comments to only comments submitted in advance. Additionally, the legislative body must allow for public comment (written and/or remote) up until the public comment period is closed at the meetings. Until such time during a meeting that the chairperson (or other authorized person) calls for a close to the public comment period, members of the public are allowed to submit their public comments directly or indirectly, orally, written, or otherwise. An individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body that requires registration to log in to a teleconference, may be required to register as required by the third-party internet website or online platform to participate.

(C) Technical Issues

As discussed above, the agenda must include information on the way the public may access the meeting and provide comments remotely. ***If technical problems arise that result in the public’s access being disrupted, the local agency may not take any vote or other official action until the technical disruption is corrected and public access is restored.*** (Gov’t Code § 54953(e)(2)(D).)

(D) Local agency must make findings every 30 days by majority vote to continue exemptions to teleconferencing rules

A local agency acting under the teleconference exemptions ***must make findings about whether the circumstances explained above still apply.*** Specifically, when there is a

**ADOPT RESOLUTION NO. 2022-15 AUTHORIZING THE CITY TO IMPLEMENT
TELECONFERENCED OPEN MEETINGS PURSUANT TO ASSEMBLY BILL 361**

October 18, 2022

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continuing state of emergency, or when state or local officials have imposed or recommended measures to promote social distancing, AB 361 requires a legislative body to make ***specified findings*** not later than 30 days after the first teleconferenced meeting pursuant to these provisions, and ***to make those findings every 30 days thereafter***, in order to continue to meet under these abbreviated teleconferencing procedures pursuant to AB 361.

As a result, it is recommended that a resolution be considered by City Council to make said findings (i.e., The legislative body has reconsidered the circumstances of the state of emergency; AND, Any of the following circumstances exist: (i) The state of emergency continues to directly impact the ability of the members to meet safely in person; and/or (ii) State or local officials continue to impose or recommend measures to promote social distancing), consistent with AB 361, and reconsider said resolution every 30 days thereafter by a majority vote, should the City desire to move in that direction.

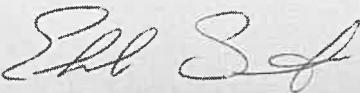
FISCAL IMPACT/FINANCING

There is no fiscal impact with this action.

CONCLUSION

The goal of AB 361 is "to improve and enhance public access to local agency meetings during the Covid-19 pandemic and future applicable state of emergencies, by allowing wider access through conducting teleconferencing meetings consistent with Executive Order N-29-20. In accordance, the City Attorney's Office has prepared a Resolution for City Council's consideration that would authorize the City to conduct teleconferenced public meetings in accordance to AB 361. Upon Council approval, we will proceed with the recommended actions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Eduardo Sarmiento".

EDUARDO SARMIENTO
City Clerk

ARNOLD M. ALVAREZ-GLASMAN
City Attorney

ATTACHMENT(S)

- A. Resolution No. 2022-34 Authorizing the City to Implement Teleconferenced Open Meetings Pursuant to Assembly Bill 361
- B. Full Text of Assembly Bill 361

**ADOPT RESOLUTION NO. 2022-15 AUTHORIZING THE CITY TO IMPLEMENT
TELECONFERENCED OPEN MEETINGS PURSUANT TO ASSEMBLY BILL 361**

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ATTACHMENT "A"

RESOLUTION NO. 2022-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
HUNTINGTON PARK, CALIFORNIA AUTHORIZING THE CITY TO
IMPLEMENT TELECONFERENCED OPEN MEETINGS PURSUANT TO
ASSEMBLY BILL 361

WHEREAS, City of Huntington Park values and places the highest priority on public safety and protecting its community; and

WHEREAS, the City Council of the City of Huntington Park continues to respond to the spread of coronavirus disease, and now hereby finds that international, national, state, and local health and governmental authorities are continuing to respond to an outbreak of said respiratory disease caused by a novel coronavirus, also known and abbreviated as COVID-19, ("COVID-19"); and

WHEREAS, the City of Huntington Park remains vigilant with federal, state, and county official updates related to COVID-19 because information, orders, and directives continue to change; and

WHEREAS, Chapter 4-4.06, et seq. of the Huntington Park Municipal Code authorizes the City Council to proclaim the existence or threatened existence of a local emergency, and further authorizes the Director of Emergency Services with enumerated powers when the Governor or County has declared a state of emergency, which has been the case as discussed hereinabove as it relates to COVID-19; and

WHEREAS, the City of Huntington Park is committed to preserving and nurturing public access and participation in meetings of City Council; and

WHEREAS, all meetings of the City of Huntington Park's City Council are open and public, as required by the Ralph M. Brown Act (Gov't Code § 54950 – 54963), so that any member of the public may attend, participate, and watch the City's Council conduct their business; and

WHEREAS, the Brown Act, Government Code § 54953(e), makes provisions for remote teleconferencing participation in meetings by members of local agencies, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, on March 17, 2020, the Governor issued Executive Order N-29-20, which suspended and modified the teleconferencing requirements under the Brown Act (Gov't. Code § 54950 et seq.) so that local agencies can hold public meetings via teleconferences (with audio or video communications, without a physical meeting location), as long as the meeting agenda identifies the teleconferencing procedures to be used; and

WHEREAS, on June 11, 2021, the Governor issued Executive Order N-08-21, which extended the provision of N-29-20 concerning the conduct of public meetings through September 30, 2021; and

1 **WHEREAS**, California Assembly Bill 361 was signed into law on September 16,
2 2021 and amended Government Code Section 54953; and

3 **WHEREAS**, Assembly Bill 361 has several requirements to ensure the public can
4 view and make public comments during the teleconferenced open meetings, including:

- 5 • To provide notice of how members of the public may access the meeting
6 and offer public comments, including the chance for all persons to attend
7 the meeting via a call-in or internet-based service option;
- 8 • The City Council cannot take further action on agenda items when there is
9 a disruption which prevents the public agency from broadcasting the
10 meeting, or in the event of a disruption within the City Council's control
11 which prevents members of the public from offering public comments, until
12 public access is restored;
- 13 • Prohibiting City Council from requiring public comments to be submitted in
14 advance of the meeting and would specify that the City Council must
15 provide an opportunity for the public to address the City Council and offer
16 comments in real time;
- 17 • Prohibiting City Council from closing the public comment period until the
18 public comment period has elapsed or until a reasonable amount of time
19 has elapsed; and

20 **WHEREAS**, Government Code Section 54953(e)(3)(A-B) permits public
21 meetings by teleconference but requires agendas be posted at all teleconference
22 locations, each teleconference location shall be identified in the notice and agenda of
23 the meeting or proceeding, and each teleconference location shall be accessible to
24 the public; and

25 **WHEREAS**, Government Code Section 54953(b)(3) provides an alternative to
26 having public meetings in accordance with Government Code Section 54953(b)(3) when
27 City Council has reconsidered the circumstances of the COVID-19 state of emergency
28 and that the following circumstances exists;

- 29 1. The state of emergency as a result of COVID-19 continues to directly impact
30 the ability of the members of City Council and the members of the City's
31 subordinate Committees, Commissions, and Boards to meet safely in
32 person; and
- 33 2. The State of California and the City of Huntington Park continue to impose or
34 recommend measures to promote social distancing

35 **WHEREAS**, the City of Huntington Park continues to impose or recommend
36 measures to promote social distancing, which includes, but is not limited to:

- 37 1. For the safety of everyone and due to COVID-19, not allowing the public to
38 attend City Council meetings in person.
- 39 2. Posting COVID-19 safety measures.

40 **WHEREAS**, the proposed action is exempt from the requirements of the California
41 Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section

1 15378(b)(5), in that adopting a Resolution authorizing the City Manager to conduct
2 teleconferenced public meetings for all City's Committees, Commissions, and Boards,
3 does not meet CEQA's definition of a "project", because the action does not have the
4 potential for resulting in either a direct physical change in the environment or a reasonably
5 foreseeable indirect physical change in the environment, and because the action
6 constitutes organizational or administrative activities of governments that will not result in
7 direct or indirect physical changes in the environment and is exempt pursuant to Section
8 15269(c) of the CEQA Guidelines, as specific actions necessary to prevent or mitigate an
9 emergency; and

10 **WHEREAS**, the City Council has considered all information related to this
11 matter, as presented at the public meetings of the City Council identified herein;

12 **WHEREAS**, the City Council finds it is in the best interest of the City to
13 implement teleconferenced open meetings pursuant to Assembly Bill 361; and

14 **WHEREAS**, the Huntington Park City Council have determined that the provisions
15 contained herein are necessary for the preservation of the public health and safety;

16 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HUNTINGTON
17 PARK DOES HEREBY RESOLVE AS FOLLOWS:**

18 **SECTION 1.** The City of Huntington Park shall charge the fee amount specified
19 in Exhibit A – Proposed Fee Changes to the Master Fee Schedule for Fiscal Year
20 2018-19, attached hereto and incorporated herein by this reference, for each itemized
service listed herein.

21 **SECTION 2.** That based on the City's powers, City Council may at its sole and
22 absolute discretion, establish by resolution to authorize the City to conduct
23 teleconferenced open meetings pursuant to Assembly Bill 361; and

24 **SECTION 3.** That the City Council of the City of Huntington Park has reconsidered
25 the circumstances of COVID-19 state of emergency and that the following circumstances
26 continue to exist:

- 27 • The state of emergency as a result of COVID-19 continues to directly impact
28 the ability of the members of City Council and the City's subordinate
Committees, Commissions, and Boards to meet safely in person; and
- The State of California and the City of Huntington Park continue to impose
or recommend measures to promote social distancing.

25 **SECTION 4.** Adoption of this Resolution declares and affirms that the City Council
26 of the City of Huntington Park authorizes that public meetings be teleconferenced in
accordance to the provisions within AB 361.

27 **SECTION 5.** It is hereby proclaimed and ordered that during the existence of said
28 local emergency, the powers, functions, and duties of the emergency organization of the
City shall be as prescribed by federal, state, and county law, as well as the laws,
ordinances and resolutions of the City of Huntington Park.

1 **SECTION 6.** If any section, subsection, paragraph, sentence, clause, phrase,
2 or portion thereof, of this Resolution is declared by a court of competent jurisdiction
3 to be unconstitutional or otherwise invalid, such decision shall not affect the validity
4 of the remaining portions of this Resolution. The City Council declares that it would
5 have adopted this Resolution, and each section, subsection, paragraph, sentence,
6 clause, phrase, or portion thereof, irrespective of the fact that any one or more
7 sections, subsections, paragraphs, sentences, clauses, phrases, or portions thereof,
8 be declared invalid or unconstitutional. To this end, the provisions of this Resolution
9 are declared to be severable.

10 **SECTION 7.** That the City Clerk shall certify to the passage and adoption of
11 this Resolution and enter it into the book of original Resolutions and is directed to
12 transmit a certified copy of this Resolution to the Board of Supervisors and the County
13 Clerk of the County of Los Angeles.

14 **PASSED, APPROVED AND ADOPTED** this 18th day of October 2022.

15

16 Eduardo Martinez,
17 Mayor

18 **ATTEST:**

19

20 Eduardo Sarmiento,
21 City Clerk

Attachment "B"

Assembly Bill No. 361

CHAPTER 165

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

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

LEGISLATIVE COUNSEL'S DIGEST

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

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

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

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

resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 1, 2024, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency, as that term is defined, when state or local health officials have imposed or recommended measures to promote social distancing, during a proclaimed state of emergency held for the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees, and during a proclaimed state of emergency when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees, as provided.

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

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

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

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

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

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

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

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

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

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a legislative body, as defined for purposes of the act, to hold public meetings through teleconferencing and

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

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

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

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

This bill would make legislative findings to that effect.

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

This bill would make legislative findings to that effect.

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

The people of the State of California do enact as follows:

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

89305.6. (a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a legislative body may hold public meetings through teleconferencing

and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the legislative body.

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

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

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

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

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

(D) Post agendas at all teleconference locations.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(D) Post agendas at all teleconference locations.

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

(c) A state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(B) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3.

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

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

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

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

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

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

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

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

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

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

(B) Any of the following circumstances exist:

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

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

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

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

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

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

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

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

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body

shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

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

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

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

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

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

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

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

2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

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

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

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

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

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

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

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

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

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

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for

the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

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

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

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

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

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

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

(B) Any of the following circumstances exist:

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

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

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

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

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

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting

of the legislative body of a local agency, except as otherwise provided in this chapter.

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

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

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

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

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

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

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

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting,

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

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

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

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

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

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

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

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

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the

legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

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

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

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

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

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

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

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint

powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

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

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

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

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

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

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

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

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

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

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

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

ITEM NO. 3

City of Huntington Park
List of Funds

Fund	Description
111	General Fund
121	Special Revenue Welfare Inmate
122	Prevention Intervention
152	Greenway Linear Park Project
210	Measure M
216	Employees Retirement Fund
217	OPEB
219	Sales Tax - Transit Proposition A
220	Sales Tax - Transit Proposition C
221	State Gasoline Tax Fund
222	Measure R
224	Office of Traffic & Safety
225	Cal Cops Fund
226	Air Quality Improvement Trust
227	Office of Criminal Justice
228	Bureau of Justice Fund
229	Police Forfeiture Fund
231	Parking System Fund
232	Art in Public Places Fund
233	Bullet Proof Vest Grant
239	Federal Community Development Block Grant
242	HUD Home Program
275	Successor Agency
283	Sewer Maintenance Fund
285	Solid Waste Management Fund
287	Solid Waste Recycle Grant
334	Ped/Bike Path Fund
475	Public Financng Authority
535	Street Lighting and Landscape
681	Water Department Fund
741	Fleet Maintenance
745	Self-Insurance Fund

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Payee Name	Invoice Number	Account Number	Description	Transaction Amount
ADLERHORST INTERNATIONAL LLC	108913 108947	111-7010-421.61-20 111-7010-421.61-20	K9 RELATED EXPENSES K9 RELATED EXPENSES	360.96 23.71
ALADDIN LOCK & KEY SERVICE	32458	741-8060-431.43-20	KEYS FOR PW UNITS	\$384.67
ALI ALQAZA	30626	111-0000-341.10-00	PARKLAND FEE REFUND	137.94
ALL CITY MANAGEMENT SERVICES,INC	79826	111-7022-421.56-41	SCHOOL CROSSINGS GUARD SVC	\$12,959.50
ALVAREZ-GLASMAN & COLVIN	2022-07-20390 2022-07-20391 2022-07-20392 2022-07-20393 2022-07-20394 20210420206 20210111220215 202203060720357	111-0220-411.32-70 111-0220-411.32-70 111-0220-411.32-70 111-0220-411.32-70 111-0220-411.32-70 745-9031-413.52-30 745-9031-413.52-30 745-9031-413.52-30	LEGAL SERVICES LEGAL SERVICES LEGAL SERVICES LEGAL SERVICES LEGAL SERVICES SETTLEMENT PAYMENT SETTLEMENT PAYMENT SETTLEMENT PAYMENT	55,816.12 4,331.00 5,576.73 2,663.50 9,029.90 108.00 4,338.00 4,288.70
AMAZON.COM SERVICES, INC.	1369-G44H-Q7TF 14FV-FDY6-L1M3	239-6060-466.61-20 239-6065-466.61-20	CBDG AFTER SCHOOL PRG SENIOR PROGRAM SUPPLIES	\$86,151.95 880.00 871.86
AT&T	7/28-8/27 8/1-8/31 8/29-10/27 9/21-10/20 9/23-10/22	111-9010-419.53-10 111-9010-419.53-10 111-9010-419.53-10 111-9010-419.53-10 111-9010-419.53-10	BACKUP INTERNET SERVICES BACKUP INTERNET SERVICES BACKUP INTERNET SERVICES BACKUP INTERNET SERVICES BACKUP INTERNET SERVICES	\$1,751.86 79.54 79.54 59.56 14.27 70.25
AT&T MOBILITY	X09252022	111-7010-421.53-10	PD WIRELESS PHONES	4,145.71
AUTO ZONE	4075353769 4075344546 4075346529 4075352780	219-8085-431.43-21 741-8060-431.43-20 741-8060-431.43-20 741-8060-431.43-20	PARTS FOR PW CAR PARTS FOR PW CAR PARTS FOR PW CAR PARTS FOR PW CAR	85.10 392.46 54.23 171.55
BDG LAW GROUP	31592	745-9031-413.32-70	LEGAL SVC FOR MONTH AUG	\$703.34
BEAR ELECTRICAL SOLUTIONS, INC	16569	221-8014-429.56-41	TRAFFIC SIGNAL MAINT SVC	48,706.11 6,350.00
BRINKS INCORPORATED	5158623	111-9010-419.33-10	BANKS SVCS TRANSPORTATION	\$6,350.00 266.42
BRIZUELA'S IRON WORK	0112	111-8010-415.61-20	12 COVERS PARKING SIGN	266.42 1,708.20
BUENA PARK HONDA	492489	741-8060-431.43-20	CAR PARTS FOR POLICE UNIT	\$1,708.20 104.58
				\$104.58

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Payee Name	Invoice Number	Account Number	Description	Transaction Amount
CALIFORNIA FRAME & AXLE	70132	219-8085-431.43-21	CAR PARTS FOR PW SHUTTLE	690.00
CENTRAL FORD				
	14585	219-8085-431.43-21	PARTS FOR PW CAR	111.31
	14646	219-8085-431.43-21	PARTS FOR PW CAR	-232.89
	14900	219-8085-431.43-21	PARTS FOR PW CAR	162.92
	14958	219-8085-431.43-21	PARTS FOR PW CAR	533.57
	15040	219-8085-431.43-21	PARTS FOR PW CAR	168.02
	14334(14225)	741-8060-431.43-20	PARTS FOR PW CAR	61.59
	14564	741-8060-431.43-20	PARTS FOR PW CAR	45.53
	14790	741-8060-431.43-20	PARTS FOR PW CAR	26.24
	15003	741-8060-431.43-20	PARTS FOR PW CAR	121.51
CHARTER COMMUNICATIONS	0514415093022	111-7010-421.53-10	INTERNET, CLOUD BACKUP SECURITY SUITE	997.80
CINTAS CORPORATION NO 3				
	4130420835	741-8060-431.56-41	UNIFORM DRY CLEANING	414.26
	4131066843	741-8060-431.56-41	UNIFORM DRY CLEANING	543.26
	4131739183	741-8060-431.56-41	UNIFORM DRY CLEANING	414.26
	4132430967	741-8060-431.56-41	UNIFORM DRY CLEANING	414.26
CLINICAL LAB OF SAN BERNARDINO, INC	2201448	681-8030-461.56-41	WATER QUALITY TESTING AUG	1,786.04
COLLINS COMPANY	617582	535-8090-4522.61-20	SCREENAQUATIC CENTER SLP	282.25
CONCENTRA MEDICAL CENTERS	76713696	111-2030-413.56-41	PRE EMPLOYMENT PHYSICAL	1,616.25
	76795013	111-2030-413.56-41	PRE EMPLOYMENT PHYSICAL	580.00
COUNTY OF L.A. DEPT OF PUBLIC WORKS	REPW-220912014	221-8014-429.56-41	SHARED TRAFFIC SIGNAL AUG	603.00
COUNTY OF LA DEPT OF PUBLIC WORKS	D11230000004	221-8010-431.76-22	PRELIMINARY ENGINEERING	1,058.82
CR&R INCORPORATED	000138679	111-8027-431.56-59	WASTE RECYCLING SVCS OCT.	1,058.82
DAPEER, ROSENBLIT & LITVAK	20633	111-0220-411.32-70	GENERAL CODE ENFORCEMENT	290,000.00
DATA TICKET INC.	142007	111-3010-415.56-41	CODE ENFORCEMENT PROCESS	3,706.87
	142679	111-3010-415.56-41	DAILY CITATION PROCESSING	99.50
	141942	111-7065-441.61-20	ANIMAL ENFORCEMENT	12,354.64
DAY WIRELESS SYSTEMS	INV743897	111-7010-421.56-41	INSTALLATION PROGRAMMING	12,650.58
DEPARTMENT OF ANIMAL CARE & CONTROL	09252022	111-7065-441.56-41	HOUSING COSTS AUGUST 22	16,048.42
DF POLYGRAPH	2022/7	111-7010-421.56-41	POLYGRAPH EXAMINATION	16,048.42
				350.00
				\$350.00

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Payee Name	Invoice Number	Account Number	Description	Transaction Amount
DOG WASTE DEPOT	509294	535-8090-452.61-20	ROLL BAG SYSTEM VET. PARK	\$3,141.96 3,141.96
DUNN EDWARDS CORPORATION	2009A01131	111-8024-421.43-10	PAINT FOR JAIL CELLS PD	\$3,141.96 1,366.34
	2009345762	111-8095-431.61-50	SUPPLIES GRAFFITI REMOVAL	429.62
	2009345767	111-8095-431.61-50	TRIGGER FOR PAINT SPRAYER	64.61
	2009A01402	111-8095-431.61-50	SUPPLIES GRAFFITI REMOVAL	257.78
ESTELA RAMIREZ	5121	111-6060-466.33-20	AEROBIC CLASS	\$2,118.35 224.00
FEDEX	7-899-59498	111-7010-421.61-20	EXPRESS SHIPMENT CHARGES	\$224.00 4.98
FERGUSON ENTERPRISES INC	1653614	111-8023-451.43-10	CAP SPIGOT RAUL P PARK	\$15.74 100.23
	1802778	535-8090-452.43-20	IRRIGATION PIPES	
GEORGE CHEVROLET	122018CVW	741-8060-431.43-20	PARTS FOR PW CAR	\$105.21 748.64
	122127CVW	741-8060-431.43-20	PARTS FOR PW CAR	98.69
	122128CVW	741-8060-431.43-20	PARTS FOR PW CAR	60.44
GLORIA'S RESTAURANT, INC.	0803_0805	239-0280-490.51-03	SENIOR MEAL PROGRAM	\$907.77 2,352.00
	0810_0812	239-0280-490.51-03	SENIOR MEAL PROGRAM	2,352.00
	0817_0819	239-0280-490.51-03	SENIOR MEAL PROGRAM	2,352.00
	0824_0826	239-0280-490.51-03	SENIOR MEAL PROGRAM	2,352.00
	0831	239-0280-490.51-03	SENIOR MEAL PROGRAM	1,128.00
GOLD COAST K9	HPPD-15	111-7010-421.59-15	SEPT 22 MAINT TRAINING K9	\$10,536.00 250.00
GOVERNMENT FINANCE OFFICERS ASSN.	2152005	111-3010-415.59-15	GFOA MEMBERSHIP 10/2-9/30	\$250.00 595.00
GRANGER	9455626920	741-8060-431.43-20	CHEMICAL DESPENSER PW UNIT	\$595.00 39.10
	9456150714	741-8060-431.43-20	DISPOSABLE GLOVE FLEET	238.42
H.P. TEST ONLY	22279	741-8060-431.43-20	SMOG CHECK POLICE UNIT	\$277.52 35.00
HAJOCA CORPORATION	S165971993.001	111-8020-431.43-10	DRAIN AND CLEANING MACHINE	\$35.00 1,858.93
	S165971993.001	111-8023-451.43-10	DRAIN AND CLEANING MACHINE	1,884.00
HASA, INC.	844234	631-8030-461.41-00	SODIUM HYPOCHLORITE WELL 12	\$3,742.93 246.80
	844237	631-8030-461.41-00	SODIUM HYPOCHLORITE WELL 18	392.24
	844238	631-8030-461.41-00	SODIUM HYPOCHLORITE WELL 14	441.63
	851294	631-8030-461.41-00	SODIUM HYPOCHLORITE WELL 12	363.70
	851297	631-8030-461.41-00	SODIUM HYPOCHLORITE WELL 18	444.54
	851298	631-8030-461.41-00	SODIUM HYPOCHLORITE WELL 14	259.78
	852831	631-8030-461.41-00	SODIUM HYPOCHLORITE WELL 12	259.78
	852832	631-8030-461.41-00	SODIUM HYPOCHLORITE WELL 14	444.54

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Payee Name	Invoice Number	Account Number	Description	Transaction Amount
HASA, INC.	852833	681-8030-461.41-00	SODIUM HYPOCHLORITE WELL 14	\$3,113.13 260.12
HECTOR G. MORENO	5122 5123 5124	111-6060-466.33-20 111-6060-466.33-20 111-6060-466.33-20	TAEKWONDO CLASS TAEKWONDO CLASS TAEKWONDO CLASS	1,200.00 1,200.00 816.00
IDEAL LIGHTING	122339 122363	111-8022-419.43-10 111-8022-419.43-10	LIGHTS FOR CITY HALL LIGHTS FOR CITY HALL	308.42 1,101.40
INFINITY BACKGROUND INVESTIGATIONS	104	111-7010-421.56-41	BACKGROUND INVESTIGATION	\$1,409.82
INFRA MARK LLC	83587 83587	283-8040-432.56-41 681-8030-461.56-41	ROUTINE MAINT OCTOBER ROUTINE MAINT OCTOBER	\$1,000.00 13,880.62 107,001.69
INFRASTRUCTURE ENGINEERS	27876 27878 27892 27894 27897 27923 27927 27897 27861 27928 27897 27897	111-5010-419.56-49 111-5010-419.56-49 111-5010-419.56-49 111-5010-419.56-49 111-8080-431.56-62 210-8080-431.73-10 210-8080-431.73-10 221-8010-431.56-41 221-8010-431.76-12 222-8010-431.76-06 222-8080-431.56-41 681-8030-461.56-41	PLANNING SVCS BUILDING AND SAFETY BUILDING AND SAFETY ENGINEERING PLAN SVC CITY ENGINEERING SVCS AS BUILD PLANS RANDOLPH TRAFFIC RADAR SPEED CITY ENGINEERING SERVICES MGMT AND INSPECTION SVCS RELIEF IMPROVEMENT PROJECT CITY ENGINEERING SERVICES CITY ENGINEERING SERVICES	\$120,882.31 15,200.00 44,083.50 23,947.15 924.00 17,616.00 4,060.51 990.00 5,733.00 12,462.00 12,255.00 25,000.00 14,500.00
INNER CITY VISIONS	1006 1007	111-5010-419.56-49 111-5010-419.56-49	HOMELESS OUTREACH HOMELESS OUTREACH	\$176,771.16 14,138.43 14,580.85
INTOXIMETERS INC	717004	111-7022-421.61-29	INTOXIMETERS	\$28,719.28
J SQUARED	00106	681-8030-461.56-41	PROFESSIONAL SERVICES	\$1,029.24 700.00
J316 BUILDER	1-SEPT2022 2-SEPT2022 1-SEPT2022 2-SEPT2022 1-SEPT2022 2-SEPT2022 1-SEPT2022	111-7024-421.56-41 111-7024-421.56-41 111-8020-431.56-41 111-8020-431.56-41 111-8022-419.56-41 111-8022-419.56-41 111-8023-451.56-41	JANITORIAL SVCS SUPPLIES FOR JANITORIAL JANITORIAL SVCS SUPPLIES FOR JANITORIAL JANITORIAL SVCS SUPPLIES FOR JANITORIAL JANITORIAL SVCS SUPPLIES FOR JANITORIAL	3,700.84 624.90 1,440.58 374.94 4,305.23 833.20 11,472.56 2,332.96
				\$25,085.21

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Payee Name	Invoice Number	Account Number	Description	Transaction Amount
JOHN RUANO	34262	111-0000-341.10-00	PARKLAND DEDICATION REFUND	\$13,931.54 13,931.54
JOSE MARIO LOPEZ	LS74929	111-8024-421.43-10	CAR PARTS FOR POLICE UNIT	297.40 297.40
LAKESHORE LEARNING MATERIALS	551104092822	239-6060-466.61-20	CDBG AFTERSCHOOL SUPPLY	\$297.40 987.27
LAN WAN ENTERPRISE, INC	72519	111-0210-413.61-20	HARD DRIVE FOR OLD MAILER	\$987.27 2,832.75
	72698	111-1010-411.61-20	WEBCAM CITY CLERK	95.20 95.20
	72511	111-6010-451.56-41	PARKS MONITOR AND USB	688.04 688.04
	73511	111-7010-419.43-15	IT SVC MAINT FEE OCTOBER	25,106.00 205.50
	73536	111-7010-419.43-15	IT SVCS MONTHLY MAINT FEE	205.50 205.50
	73534	111-7010-421.56-41	AGREEMENT MONTH RECURRING	1,704.00 1,704.00
	72843	111-8020-431.61-20	ACCESS POINT FOR PW	148.78 148.78
	72513	111-9010-419.43-15	IT EQUIPMENT FINANCE	1,517.25 1,517.25
	73511	111-9010-419.43-15	IT SVC MAINT FEE OCTOBER	25,106.00 25,106.00
	73536	111-9010-419.43-15	IT SVCS MONTHLY MAINT FEE	205.50 205.50
LAURIE KAJIWARA	HP0020	111-9010-419.56-41	ADMIN CONSULTING SVC SEPT	\$57,609.02 5,208.75
LB JOHNSON HARDWARE CO.	123200	535-8016-431.61-45	PARTS STREET LIGHT REPAIR	\$5,208.75 2,111.62
LEXIPOL LLC	INVLEX12544	111-7022-421.56-41	ANNUAL JAIL POLICY	\$211.62 4,487.95
LONG BEACH BMW	72926	741-8060-431.43-20	REPAIR AND MAINTENANCE	\$4,487.95 2,102.85
MANAGED HEALTH NETWORK	PRM-075394	111-0000-217.50-60	OCTOBER HEALTH NETWORK	\$2,102.85 340.80
MCMASTER-CARR SUPPLY CO.	85061570	111-8022-419.43-20	PUSH BUTTON DOOR CITY HALL	\$340.80 580.79
	85386155	111-8022-419.43-20	REPAIRMENTS FOR CITY HALL	233.11 233.11
MERRIMAC ENERGY GROUP	2220904	741-8060-431.62-30	FUEL PURCHASE 5796	\$813.90 29,177.04
MICHAEL BAKER INTERNATIONAL INC.	1157606	111-5010-419.56-41	PROFESSIONAL SVC AUG 28	\$29,177.04 1,580.00
NATIONWIDE ENVIRONMENTAL SERVICES	32641	111-8031-433.56-41	STREET SWEEPING SVCS	\$1,580.00 5,904.17
	32642	220-8070-431.56-41	BUS STOP MAINT SVC	20,411.91 20,411.91
	32641	221-8010-431.56-41	STREET SWEEPING SVCS	51,282.37 51,282.37
NEW CHEF FASHION INC.	1040192	111-7010-421.61-20	EMPLOYEE NEW ASSIGN UNIFORM	\$77,598.45 99.20
NOBEL SYSTEMS, INC	15503	210-8010-415.56-41	WATER METER MODULE	\$99.20 0.00
	15503	681-8030-461.56-41	WATER METER MODULE	5,100.00 5,100.00
NORMAN A. TRAUB ASSOCIATES	19077.1	111-2030-413.56-41	CONTRACTUAL SVCS	1,850.00 1,850.00

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Payee Name	Invoice Number	Account Number	Description	Transaction Amount
NORMAN A. TRAUB ASSOCIATES	21017	111-2030-413.56-41	CONTRACTUAL SVCS	690.00
NORTH STAR LAND CARE				
	1601-343	535-8090-452.56-60	MAY MAINTENANCE TREE SVC	\$2,540.00
	1601-344	535-8090-452.56-60	MAY EMERGENCY TREE SVC	4,320.00
	1601-405	535-8090-452.56-60	CONTRACTUAL SVCS	3,420.00
O'REILLY AUTO PARTS				
	2959-206045	535-8016-431.61-45	ELECTRICAL PARTS-LIGHTS	\$45,357.75
	2959-203361	741-8060-431.43-20	CAR PARTS FOR POLICE UNIT	433.37
	2959-210009	741-8060-431.43-20	CAR PARTS FOR POLICE UNIT	39.62
	2959-210202	741-8060-431.43-20	CAR PARTS FOR POLICE UNIT	34.31
OK PRINTING DESIGN & DIGITAL PRINT	2632	111-7030-421.61-20	BUSINESS CARDS DETECTIVE	718.96
PACIFIC PRODUCTS & SERVICES LLC	30884	221-8012-429.61-20	BLANK TRAFFIC SIGNS	\$1,226.26
PACIFICA SERVICES INC.	346-03	221-8010-431.76-12	CIP ST RECONSTRUCTION	60.00
PHONE SUPPLEMENTS INC.	121248	111-7040-421.61-32	COMMUNICATION CENTER	\$60.00
PSYCHOLOGICAL CONSULTING ASSOC, INC	525744	111-7010-421.56-41	PRE EMPLOYMENT EVALUATION	\$60.00
	525824	111-7010-421.56-41	PRE EMPLOYMENT EVALUATION	\$60.00
	525850	111-7010-421.56-41	PRE EMPLOYMENT EVALUATION	\$60.00
RADIANY FIRE & INTEGRATION INC.	1124	111-8020-431.76-27	FIRE LIFE SAFETY SYSTEM	\$1,320.00
REFRIGERATION SUPPLIES DISTRIBUTOR	1594465-01	681-8030-461.61-20	PARTS FOR PW	1,375.00
RINCON CONSULTANTS, INC.	42502	111-5010-419.56-49	HP PLANNING SVC	1,320.00
RIO HONDO COLLEGE	F22-46-ZHPK	111-7010-421.59-15	ACT COURSE ENROLLMENT	\$4,095.00
RIVERSIDE COUNTY SHERIFF'S DEPT	BCTC0050418	111-7010-421.59-20	POLICE ATTENDING TRAINING	25,005.14
ROADLINE PRODUCTS INC	17975	221-8012-429.61-20	HIGH PRESSURE HOSE	\$25,005.14
SANCHEZ AWARDS	2076	111-6010-451.56-41	HP GREENWAY LINEAR PLAQUE	\$82,476.00
SERGIO GONZALEZ JR	113281289576090	111-8010-431.15-25	BOOT REIMBURSEMENT	84.31
SHARPLINE SOLUTIONS, INC.	2424	221-8012-429.61-20	TRAFFIC AUTHORITY REQUEST	82,476.00
SHIRLEY RICO	76791	111-0000-347.20-00	SPORTS REFUND	25.00
				\$25.00

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Payee Name	Invoice Number	Account Number	Description	Transaction Amount
SUPERION, LLC	363451	111-9010-419-43-15	AUGUST 2022 AGREEMENT	\$591.90 591.90
T-MOBILE USA	8/21-9/20	111-0110-411-53-10	CELLPHONE CHARGES COUNCIL	\$193.55 193.55
	8/21-9/20	11-0210-413-53-10	CELLPHONE CHARGES ADMIN	128.26 128.26
	8/21-9/20	11-1010-411-53-10	CELLPHONE CHARGES CITY CLERK	38.71 38.71
	8/21-9/20	11-2030-413-53-10	CELLPHONE CHARGES FINANCE	28.58 28.58
	8/21-9/20	11-3010-415-53-10	CELLPHONE CHARGES HR	28.58 28.58
	9/23/2022	11-6010-451-56-41	MOBILE SERVICE FOR PARKS	301.96 301.96
	9/23/2022	11-8010-431-53-10	CELLPHONE CHARGES PUBLIC WORK	802.88 802.88
	9/23/2022	11-8095-431-53-10	CELLPHONE CHARGES PUBLIC WORK	228.88 228.88
	9/23/2022	681-8030-461-53-10	CELLPHONE CHARGES PUBLIC WORK	154.84 154.84
T2 SYSTEMS CANADA INC.	IRIS0000112417	111-8010-415-56-41	DIGITAL IRIS SVCS OCTOBER	\$1,906.24 1,906.24
TEN-X AMMUNITION INC	12345	11-7022-421-61-24	FTU EQUIPMENT	\$2,370.00 2,370.00
THE GAS COMPANY	810/22-9/9/22	111-7024-421-62-10	GAS SERVICES GOV. BUILDINGS	\$725.38 725.38
	810/22-9/9/22	111-8020-431-62-10	GAS SERVICES GOV. BUILDINGS	243.03 243.03
	810/22-9/9/22	111-8022-419-62-10	GAS SERVICES GOV. BUILDINGS	16.23 16.23
	810/22-9/9/22	111-8023-451-62-10	GAS SERVICES GOV. BUILDINGS	561.97 561.97
THE HTT COMPANIES, INC	OE-112008	111-0110-411-66-05	NAME PLATE FOR CM	\$990.41 990.41
	OE-112011	111-1010-411-54-00	CUSTOM ENGRAVED PLATES	56.92 56.92
	OE-112166	111-1010-411-54-00	DESK HOLDER	156.56 156.56
	OE-112173	111-1010-411-54-00	DESK HOLDER	44.58 44.58
	OE-111764	111-6010-451-56-41	INK STAMP	35.27 35.27
	OE-111388	111-7040-421-61-31	INK STAMP RECORDS	46.22 46.22
TIREHUB, LLC	29930376	741-8060-431-43-20	TIRES FOR PD UNITS	\$672.11 672.11
TOTAL OFFICE FURNITURE	11383	111-010-411-61-20	BROWN DESK CHAIR	\$1,069.16 1,069.16
TOWN HALL STREAMS	14315	111-1010-411-56-41	FACEBOOK LIVE	\$487.28 487.28
TRITECH SOFTWARE SYSTEMS	354433	111-7010-421-56-41	LICENSING ANNUAL MAINT	\$300.00 300.00
UHAUL COMPANY ARIZONA	HP120007544	111-0000-351-10-10	PARKING CITATION REFUND	\$54,184.77 54,184.77
ULINE	153512303	111-8024-421-43-10	CARDBOARD CARGO BOXES	55.00 55.00
UNDERGROUND SERVICE ALERT OF SO CAL	22-2300934	221-8014-429-56-41	CA STATE FEE SEPTEMBER	\$55.00 55.00
	920220134	221-8014-429-56-41	NEW TICKET CHARGES SEPT	110.64 110.64
UNITED STORMWATER INC	SW39989	111-8031-433-76-17	CIP CONNECTOR SCREEN	\$397.14 397.14
				8,914.50 8,914.50

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Payee Name	Invoice Number	Account Number	Description	Transaction Amount
UPWARD SOLUTIONS	22-0905	111-0210-413.56-41	PUBLIC AFFAIRS SERVICE	\$5,000.00
VALLEY ALARM				
	1082505	111-8020-431.56-41	FIRE& SECURITY ALARM	665.34
	1082505	111-8022-419.56-41	FIRE& SECURITY ALARM	665.33
	1082505	111-8023-451.56-41	FIRE& SECURITY ALARM	715.28
WALTERS WHOLESALE ELECTRIC COMPANY	S121384214.002	111-8023-451.43-10	LIGHTS FOR PEREZ PARK	\$2,045.95
WATER REPLENISHMENT DISTRICT OF	08312022	681-8030-461.41-00	GROUNDWATER AUGUST 22	\$150.93
WEST GOVERNMENT SERVICES	847128065	111-7030-421.56-41	ONLINE SUBSCRIPTION CHARGE	\$111,200.16
	847205700	111-7030-421.56-41	LIBRARY PLAN CHARGES	77.74
WESTERN EXTERMINATOR COMPANY				
	119574C	111-7024-421.56-41	EXTERMINATOR SVC JULY	\$857.05
	119574C	111-8020-431.56-41	EXTERMINATOR SVC JULY	58.85
	119574C	111-8022-419.56-41	EXTERMINATOR SVC JULY	73.60
	119574C	111-8023-451.56-41	EXTERMINATOR SVC JULY	53.45
	119574C	535-8090-452.56-60	EXTERMINATOR SVC JULY	100.90
				431.30
WILLDAN FINANCIAL SERVICES	010-52474	111-9010-419.56-41	SPECIAL TAX REFUSE COLLECT	\$778.10
	010-52473	535-8016-431.56-41	SPECIAL TAX DISTRICT ADMIN	125.00
				2,648.33
				\$2,773.33
				\$1,512,479.25

ITEM NO. 4



CITY OF HUNTINGTON PARK

Department of Parks and Recreation
City Council Agenda Report

October 18, 2022

Honorable Mayor and Members of the City Council
City of Huntington Park
6550 Miles Avenue
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

**AUTHORIZATION AND RATIFICATION OF CERTAIN EXPENDITURES FOR
HUNTINGTON PARK 2022 HOLIDAY PARADE**

IT IS RECOMMENDED THAT CITY COUNCIL:

1. Authorize and ratify the expenditures in a not-to-exceed amount of \$65,000 for TV production, TV Broadcasting and Parade Security for the 2022 Holiday Parade.
2. Authorize the City Manager to enter into an agreement with Magnolia Street Productions for the 2022 Holiday Parade.

HOLIDAY PARADE MEDIA PRODUCTION:

The annual Holiday Parade has been a part of the City of Huntington Park for over seventy years and continues to be a traditional holiday event that the community looks forward to. The parade has been estimated to attract over 15,000 attendees and continues to grow with each year. This year, the Parade will take place on Saturday December 10, 2022 from 6:00 p.m. – 8:00 p.m. The costs associated with the media production and security are outlined below:

TV Production services and closed captioning: A private contractor is necessary in order to oversee the filming, production and closed captioning required for the parade to be televised. Staff made attempts to contact production contractors to submit quotes and was only successful in obtaining one from Magnolia Street Productions, who is available to provide the services and has experience with parade productions. The cost to produce the Annual Holiday Parade is \$13,273.60. The Holiday Parade Committee recommends this contractor as this is all inclusive of producing, directing, lighting, sound engineering, technical support, set up, announcer, 8 cameras, On Air

AUTHORIZATION AND RATIFICATION OF CERTAIN EXPENDITURES FOR THE HUNTINGTON PARK 2022 HOLIDAY PARADE

October 18, 2022

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Hosts, 1 Field Reporter, Post Production services and editing as well as delivery of digital format for television broadcasting, 3 complete show recordings and a duplicate recording for website upload.

TV Broadcasting air time and live streaming: In order to televise the Holiday Parade and ensure it caters to a large viewer population within and outside the City of Huntington Park, it required identifying well known broadcasting stations. Staff reached out to three television stations (ABC7, KTLA5 and KVEA) and received various quotes offering available air time, talent and promotions.

Television Station	ABC 7	KTLA 5	NBC Universal Channel 52
Package details	1-hour available following college basketball but no guarantee on full hour; would be “joined in progress” (JIP) at conclusion of game. They can only guarantee 30 minutes.	1-hour broadcast and; Ten 15-second “snipes” to be run on news segments and; One 30-second promotional bonus to be aired as well.	1-hour broadcast
Date/Time	Dec. 19, 2022 From 2-3pm* *JIP	Dec. 25, 2022 From 1:00 p.m. – 2:00 p.m.	Dec. 2022 Date TBD
Cost	TBD	Cost: \$12,500	Cost: \$16,000-\$20,000

The Holiday Parade Committee recommends KTLA5.

Parade Security: In order to provide an enjoyable experience for all participants and spectators of the Holiday Parade, it is necessary to obtain security guard services to assist the Huntington Park Police Department in ensuring safety. Staff reached out to three security guard companies and received quotes.

Security Guard Co.	A-ONE Security	Coldwater Security Services	American Eagle
Personnel	56 Guards	56 Guards	56 Guards
Time	From 4:00p.m. - 10:00 p.m.	From 4:00 p.m. – 10:00 p.m.	From 4:00 p.m. – 10:00 p.m.
Cost	Cost: \$12,226.50	Cost: \$8,736	Cost: \$16,800

The Holiday Parade Committee recommends going with Coldwater Security Services.

AUTHORIZATION AND RATIFICATION OF CERTAIN EXPENDITURES FOR THE
HUNTINGTON PARK 2022 HOLIDAY PARADE

October 18, 2022

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PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The Holiday Parade Committee has been working diligently to ensure that all aspects are covered and that it is always completed with careful consideration of the costs and expenses associated with it. Therefore, the Committee recommends Magnolia Street Productions, as that is the only production contractor who submitted a quote, is available on our parade date and has a tremendous amount of production experience. The Holiday Committee also recommends KTLA 5, as they have a large viewership, great ratings and can guarantee an hour of time. Lastly, the Holiday Committee recommends going with Coldwater Security Services as they provided the most reasonable bid and they have significant experience in security.

FISCAL IMPACT/FINANCING

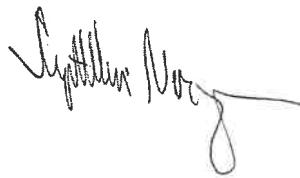
Funding for the 2022 Holiday Parade would be paid for with account #111-6010-483.55-35

CONCLUSION

Upon Council approval, staff will proceed with the recommended actions.

Respectfully submitted,

RICARDO REYES
City Manager



CYNTHIA NORZAGARAY
Director of Parks and Recreation

ITEM NO. 5



CITY OF HUNTINGTON PARK

Parks and Recreation Department
City Council Agenda Report

October 18, 2022

Honorable Mayor and Members of the City Council
City of Huntington Park
6550 Miles Avenue
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

CONSIDERATION AND APPROVAL OF EXPENDITURES FOR HOLIDAY DECORATIONS AT CITY HALL

IT IS RECOMMENDED THAT CITY COUNCIL:

1. Authorize the use of the Arts in Public Places funds for the holiday tree decorations at City Hall; and
2. Authorize Staff to proceed with Bright Life Designs to install and take down the holiday decorations at City Hall; and

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Holiday Decorations – City Hall

The live Sequoia tree has been a large part of the City's celebrations and is a fixture of the community during the holidays, especially for the City's annual Tree Lighting Ceremony. The addition of light decorations at City Hall has served to enhance the overall appearance since it is a focal point of the City.

Staff is requesting authorization to proceed with Bright Life Designs for the installation and take down of the holiday decorations of the live Sequoia tree, the installation and removal of lights for the exterior of the City Hall balcony and arches (facing Miles Avenue and facing Keller Park), as well as the interior of the arches which extend from City Hall to the Police Department. City Staff contacted several vendors equipped to rent and install the lights as well as all the decorations for City Hall, particularly the lights on the arches without causing structural damage. Bright Life Designs is the only vendor that submitted a quote for \$15,960.00 for the services.

CONSIDERATION AND APPROVAL OF EXPENDITURES FOR HOLIDAY DECORATIONS AT CITY HALL

October 18, 2022

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	Dekra	Bright Life Designs	Ambius
Tree (lights, decorations); Walkway arches, City Hall balcony and palm trees			
Total Cost	No estimate	\$15,960.00	No estimate

FISCAL IMPACT/FINANCING

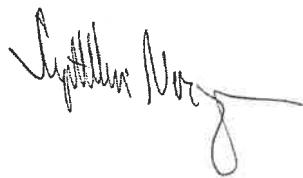
Funding for the 2022 Holiday Decorations at City Hall will be paid for from account #232-6010-419-56.41

CONCLUSION

Upon Council approval, staff will proceed with the recommended actions.

Respectfully submitted,

RICARDO REYES
City Manager



CYNTHIA NORZAGARAY
Director of Parks and Recreation

ATTACHMENT(S)

A. Bright Life Designs Estimate

ATTACHMENT "A"



Attorney, unless terminated earlier in accordance with Section 15, below. We would like to accept the renewal for 2022 season.

Rental: Yes, Installation & Removal Services, Holiday Decor
Purchase: N/A
Installation Date: First week of Nov. 1st 2022- Tree Lights earlier if applicable
Working Hours: Business Hours & Night Hours
Strike Date: First Week of January 2022
Installation Address: 6603 Miles Ave, Huntington Park CA
City Permits: * Price does not include city permits, additional cost for required permits.
Insurance: All additionally insured COI request will have a \$200 insurance fee applied to each invoice.
Multi Year Contracts: Every multi-Year contract will have a annual CPI increase applied each recurring year of the contract.

Total Cost \$15,960.00

Amount Due upon Acceptance of Proposal **\$7,980.00**

Amount Due Prior to Installation Commencing **\$7,980.00**

Total \$15,960.00

To execute this agreement, sign this proposal and the Terms and Conditions. Please note the payment schedule above, in addition any delinquent accounts with a past due balances are subject to a \$90.00 late fee. Upon receipt of initial payment, the dates of installation & removal will be secured. This quote is valid for **15 days**. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Castro".

Joe Castro

Confirmed By and on Behalf of
City of Huntington Park

Authorized Signer

Printed Name

Date



August 31, 2022

Contact Name: Rene Rubalcava
Title: Management Analyst
Client Name: City of Huntington Park
Email: RRubalcava@hPCA.gov
Phone: (323) 584-6218

City of Huntington Park Proposal 2022

“Scope of Services”

Installation, Removal & Rental of Decorations

SUMMARY REPORT:

- Eleven (11) Arches with C9 LED Warm White Lights.
- Ten (10) Palm Trees wrapped with Mini Light.
- City Hall balcony decorated with Garland and Bows.
- One (1) 50' Live tree decorated with Lights and Ornaments.

DETAILED REPORT:

50' Live Tree

- One (1) 50' Live tree, in front of City Hall. Tree will be decorated with warm white LED mini lights on stringer wire. Approximately 2,550 total lights used. Tree will also be decorated with an assortment of ornaments. Different finishes and sizes, traditional colors.
- Tree will be topped with a 4' red star tree topper.
- Outdoor present package around the base.

Civic Center Walkway Arches

- Eleven (11) Arches outlined with Warm-White LED C9 lights. All four sides of the arches. Approximately 750 feet of lights.

Palm Trees

- Ten (10) Medium to small palm trees wrapped with LED mini lights. Palms will be wrapped with four inch spacing.

City Hall Balcony

- Four (4) 9' sections of lit garland decorated in traditional colors. Garland will be swagged on the balcony railing.
- Four (4) 24" Red bows with Gold trim.

Timing and Agreement:

This Agreement shall commence on October 30, 2022, the date first written above for a **one (1) year term** with the option for the City to grant up to a **two-year** renewals, exercisable by writing by the City Manager and the City

ITEM NO. 6



CITY OF HUNTINGTON PARK

Parks and Recreation Department
City Council Agenda Report

October 18, 2022

Honorable Mayor and Members of the City Council
City of Huntington Park
6550 Miles Avenue
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

CONSIDERATION AND APPROVAL OF AUTHORIZATION AND RATIFICATION OF CERTAIN EXPENDITURES FOR HOLIDAY PALM TREE DECORATIONS ON PACIFIC BOULEVARD

IT IS RECOMMENDED THAT CITY COUNCIL:

1. Approve authorization of St. Nick's Christmas Lighting & Décor for the installation and removal of Holiday Palm Tree Light Decorations on Pacific Boulevard using account #111-6010-451-74.10 in a not-to-exceed amount of \$17,050.00;

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The Parks and Recreation Department has the joyful task of preparing the City for the holidays and making Pacific Boulevard festive. In determining the re-installation of palm tree lights for the upcoming Holiday Season several vendors were considered.

Holiday Decorations for Palm Trees along Pacific Boulevard:

Staff reached out to multiple vendors to obtain quotes for the cost of installing lights for all of the 31 palm trees along Pacific Boulevard. The complete lighting of the trees includes the base wrap (trunk) and individual fronds (5-6 leaves). St. Nick's provided the lowest quote of \$17,050.00 for the rental, installation and take-down.

The costs estimates are listed below:

Brightlife Designs	Christmas Light Decorators	St. Nick's Commercial Design & Décor
\$39,050.00	No Estimate	\$17,050.00

**CONSIDERATION AND APPROVAL OF AUTHORIZATION AND RATIFICATION OF
CERTAIN EXPENDITURES FOR HOLIDAY PALM TREE DECORATIONS ON
PACIFIC BOULEVARD**

October 18, 2022

Page 2 of 2

FISCAL IMPACT/FINANCING

The palm tree holiday lights would be paid for out of account #111-6010-451-74.10.

CONCLUSION

Upon Council approval, staff will proceed with the recommended action.

Respectfully submitted,

Ricardo Reyes
City Manager



Cynthia Norzagaray
Director of Parks and Recreation

ITEM NO. 7



CITY OF HUNTINGTON PARK

Parks and Recreation Department
City Council Agenda Report

October 18, 2022

Honorable Mayor and Members of the City Council
City of Huntington Park
6550 Miles Avenue
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

CONSIDERATION AND APPROVAL OF EXPENDITURES FOR HOLIDAY LANE AT SALT LAKE PARK.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Approve authorization of Brightlife Designs for the rental of holiday lights at Salt Lake Park on Bissell Street in a not-to-exceed amount of \$22,175.00 and;
2. Authorize the City Manager to enter into a 2-year agreement with Brightlife Designs for 2022 and 2023.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

For the last two years due to the pandemic, the City of Huntington Park created a "Holiday Lane" of lights at Salt Lake Park along Bissell Avenue. The idea was to provide a joyous holiday experience in a safe, socially distanced manner. During this time, residents of Huntington Park of all ages drove down the street that was filled with holiday lights for several days. On one of the evenings, toys were distributed to the children of Huntington Park with the assistance of our City Council Members. The several days long event was extremely well received by everyone from the City. We would like to recreate this experience again.

Staff has reached out to multiple vendors to obtain quotes for the rental of lights for Salt Lake Park along Bissell Street.

Brightlife Designs	St. Nick's	Dekra-Lite
\$22,175.00	\$40,500	No quote

**CONSIDERATION AND APPROVAL OF EXPENDITURES FOR HOLIDAY LANE AT
SALT LAKE PARK**

October 18, 2022

Page 2 of 2

FISCAL IMPACT/FINANCING

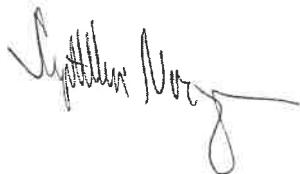
Funding for the lights on Holiday Lane will be paid for from account #111-6010-451-74.10

CONCLUSION

Upon Council approval, staff will proceed with the recommended action.

Respectfully submitted,

Ricardo Reyes
City Manager



Cynthia Norzagaray
Director of Parks and Recreation

ATTACHMENTS

A: Brightlife Design Quote
B: St. Nick's Quote

ATTACHMENT "A"

BrightLife Designs LLC

16351 Gothard St, Ste. C
 Huntington Beach, CA 92647 US
 Hello@Brightlifedesigns.com
 www.brightlifedesigns.com



Estimate

ADDRESS	SHIP TO	ESTIMATE # 1027
City of Huntington Park 6550 Miles Avenue Huntington Park, CA 90255	City of Huntington Park 6550 Miles Avenue Huntington Park, CA 90255	DATE 08/31/2022
		EXPIRATION DATE 12/01/2022

PRODUCT/SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
Location	Salt Lake Park: 7017 Bissell St, Huntington Park CA Saturn Ave- E Florence Ave	1	0.00	0.00T
Installation & Removal	Forty-One (41) Trees wrapped from Ground level to 12-15ft up the tree. Trees will be wrapped with Warm-White LED mini lights spaced 5-6" apart (close wraps). Partial Branches- With Red, and Gold 18" Spheres in each tree. Total of 2-4 spheres per tree.	41	375.00	15,375.00
	Note: Client will provide power at each tree.			
Installation & Removal	Several Christmas lighted Elements along the entire drive. 3' and 5' snowflakes, lighted Reindeer, Happy Holiday signs (two locations), 24" and 36" Red and Gold lighted Spheres spread out along the drive, Other holiday lighted elements to enhance the the experience. 24' Horse and Carriage Photo Op Lighted Element.	1	5,000.00	5,000.00
Labor	Labor to install power from tree to tree. Client will provide three main power locations, (generators) etc. We will run extension cords to each tree.	1	1,800.00	1,800.00

Agreement Terms:

Insurance: All additionally insured COI request will have a \$200 insurance fee applied to each invoice.

Multi Year Contracts: Every multi-Year contract will have a annual CPI increase applied each recurring year of the contract.

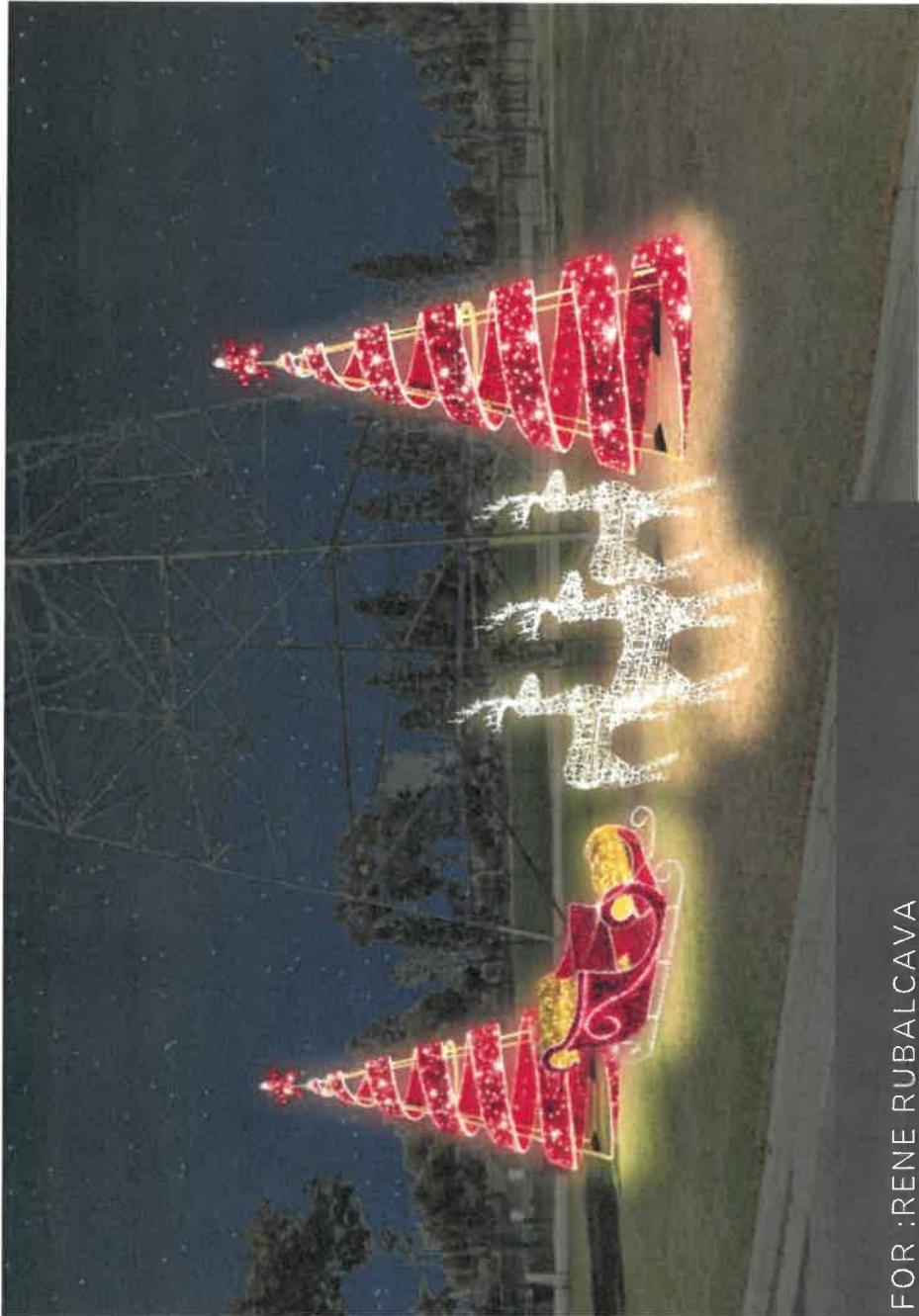
We would like to request a two year agreement from the City.

Accepted By

Accepted Date

SUBTOTAL	22,175.00
TAX	0.00
TOTAL	\$22,175.00

Attachment "B"



PREPARED FOR :RENE RUBALCAVA
City of Huntington Park - Drive Through
Experience

All rendering artwork, photos, and
design concepts are property of:



PROPOSAL PRESENTED BY:
DANIEL CHRISTENSEN - DIRECTOR OF SALES
PROPOSAL DESIGNED BY:
STEPHANIE ESCOBAR - CREATIVE DIRECTOR

Wade Francis: Chief Financial Officer
Brenda Sheridan: Director of Operations
Daniel Christenson: Director of Sales
Stephanie Escobar: Creative Director
Bret Green, PE, PMP: Structural Engineer
Sergio Onate: Warehouse Manager
Alonso Salazar: Senior Installer
Carlos Vasquez
Alex Lopez: Senior Installer



NICHOLAS ADAMS

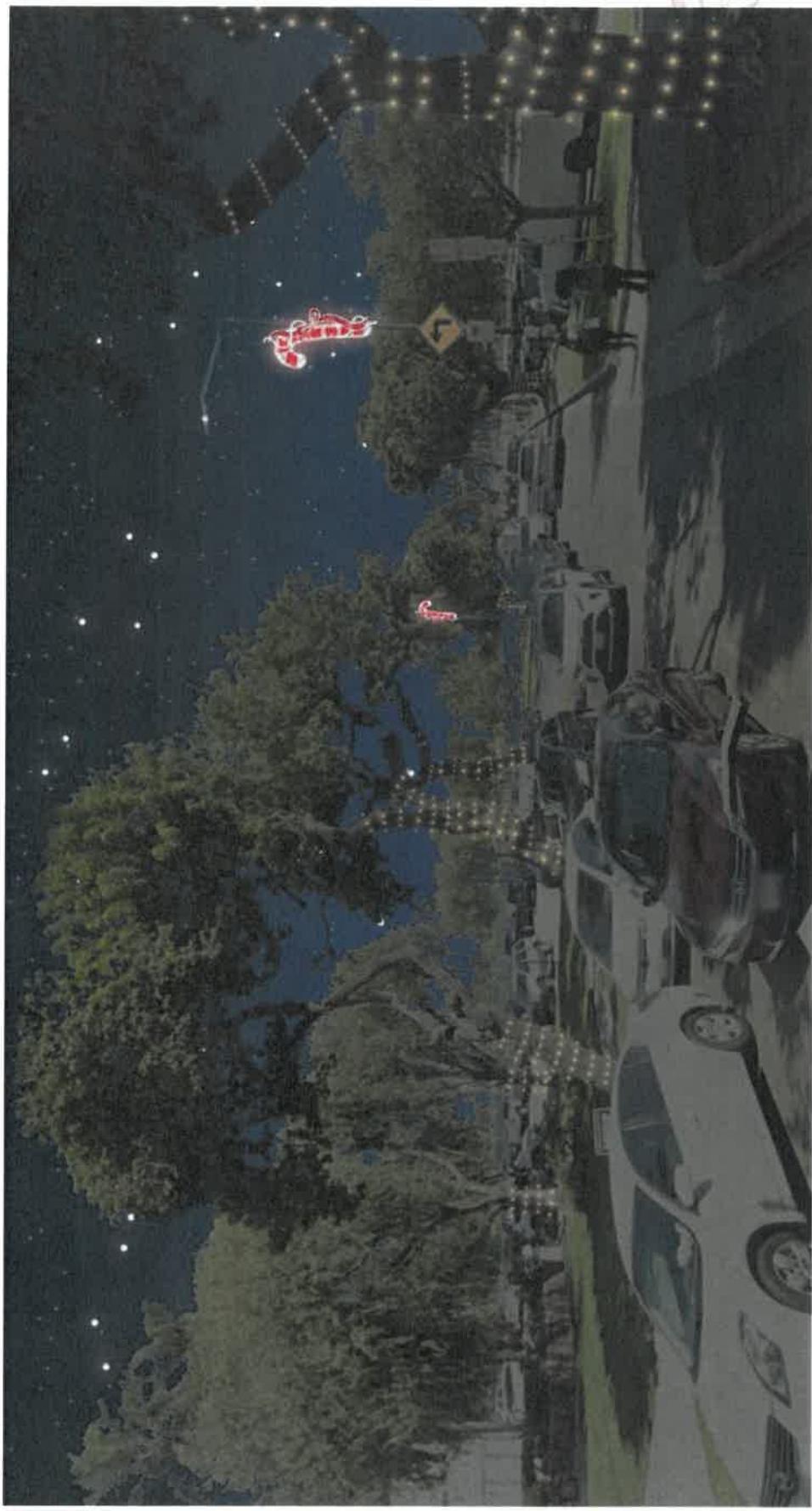
Founder
Designer
Legal Compliance

• Founded 1998 business, dba St. Nick's (23 years)

- TG Global, LLC (CA)
- Tax ID #68-0636192
- 14 full-time employees, 30-45 seasonal staff
- B-General Building Contractor #990427
- Certified Small Business Supplier #1626660
- County of Los Angeles Small Business Enterprise (LSBE) Vendor #16942501
- Business Address: 6861 Walker Street, La Palma, CA 90623
- Telephone: (562) 438-0017
- Fax: (562) 437-4242
- Contact Name: Daniel Christenson, Account Executive
- Website: www.St-Nicks.com

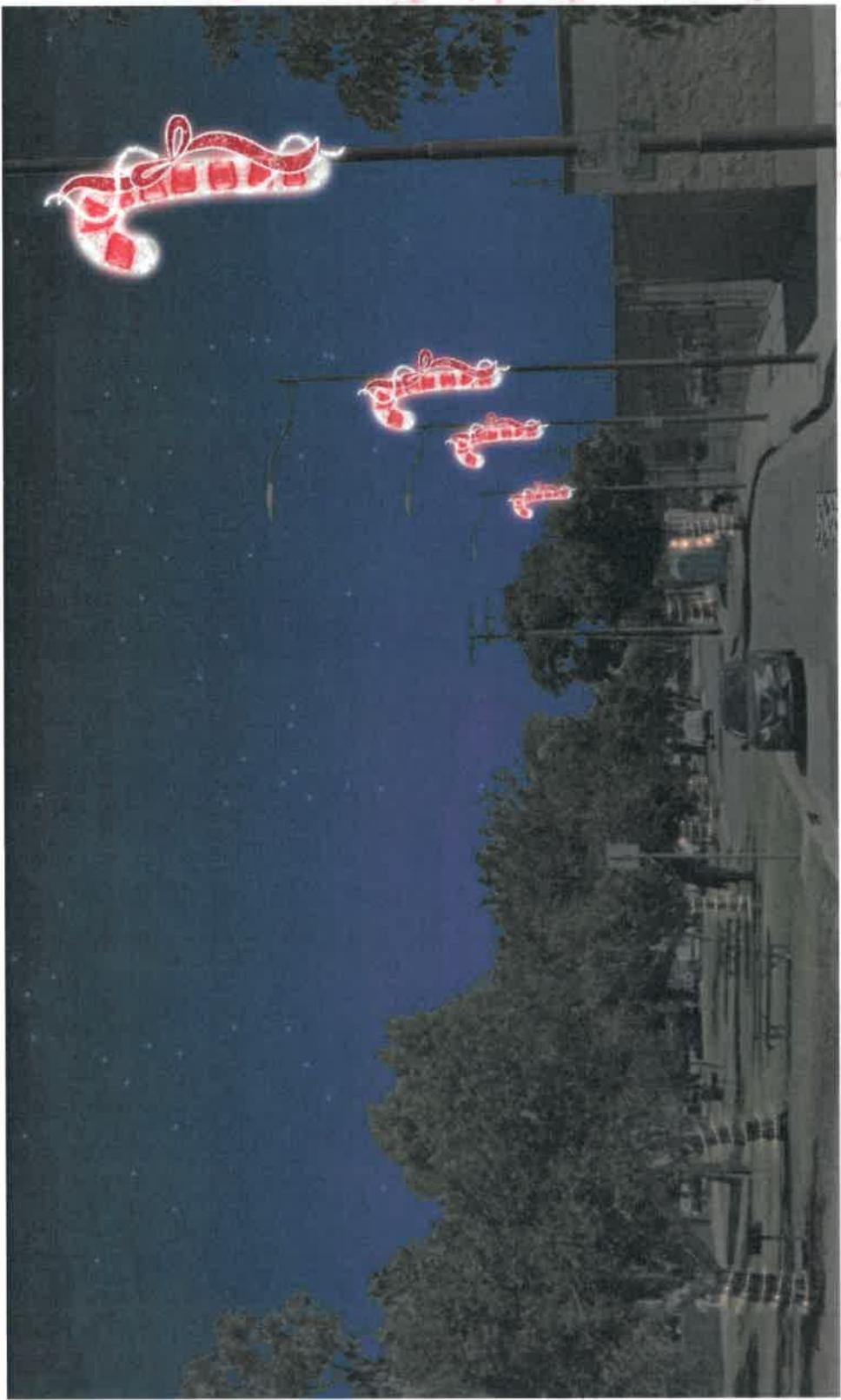


St. Nick's Huntington Park - Drive Through Experience



\$375/ea. - Trees Wrapped with approximately 12 strands of 50ct mini light strands (Qty. 35)

Huntington Park - Drive Through Experience



\$650/ea. - 7FT LED Candy Cane Pole Mounts (Qty. 12)



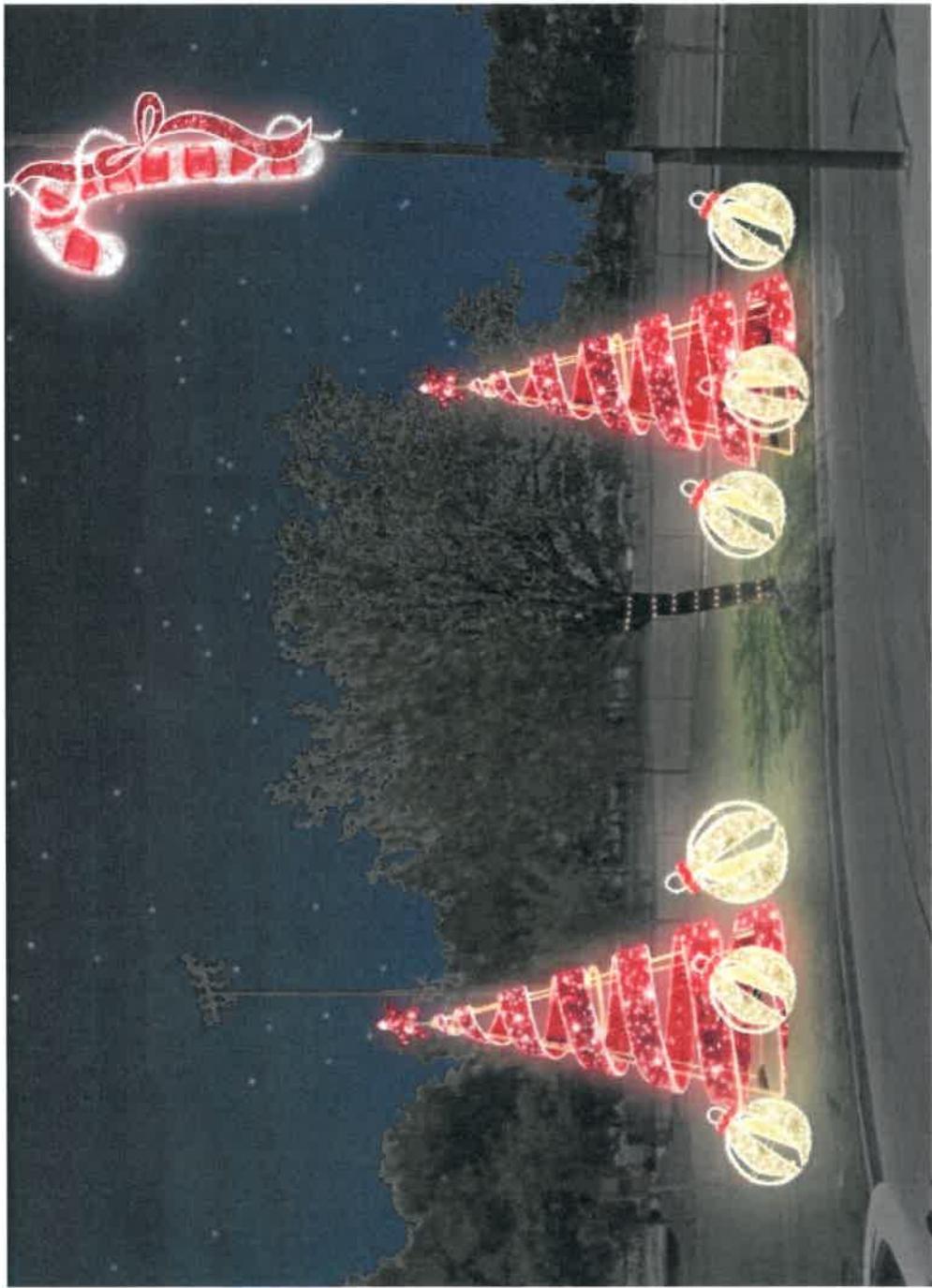
St. Nick's Huntington Park - Drive Through Experience



\$7,950 - Rental of Warm White Star Vignette. Includes: 12FT Giant Star, 10FT Geometric tree (Qty. 2), 7FT Geometric Tree (Qty. 2), 4FT Warm White Stars (Qty. 4)



St. Nick's Huntington Park - Drive Through Experience



\$5,275 - Red Spiral Tree Vignette. Includes: 12FT Red Tinsel LED Spiral Tree (Qty. 2) & 3FT Silver Tinsel Oversized Ornament (Qty. 6)

Huntington Park - Drive Through Experience



\$6,350 - Santa Sleigh and Spiral Trees. Includes: 12FT Red Tinsel LED Spiral Tree (Qty. 2) & 8FT Lighted Santa Sleigh with 6FT LED Reindeer (Qty. 3)

Pricing

Description	Qty	PPQ	Price
Trees Wrapped with approximately 12 strands of 50ct mini light strands	35	\$ 375.00	\$ 13,125.00
7FT LED Candy Cane Pole Mounts	12	\$ 650.00	\$ 7,800.00
Rental of Warm White Star Vignette. Includes: 12FT Giant Star, 10FT Geometric tree (Qty. 2), 7FT Geometric Tree (Qty. 2), 4FT Warm White Stars (Qty. 4)	1	\$7,950.00	\$ 7,950.00
Red Spiral Tree Vignette. Includes: 12FT Red Tinsel LED Spiral Tree (Qty. 2) & 3FT Silver Tinsel Oversized Ornament (Qty. 6)	1	\$5,275.00	\$ 5,275.00
Santa Sleigh and Spiral Trees. Includes: 12FT Red Tinsel LED Spiral Tree (Qty. 2) & 8FT Lighted Santa Sleigh with 6FT LED Reindeer (Qty. 3)	1	\$6,350.00	\$ 6,350.00
Total			\$ 40,500.00



Service: Rental, Installation & Removal of Holiday Décor

Contact: Rene Rubalcava | RRubalcava@hpca.gov

Project Date: December 2022

Installation Address: Bissell St. Huntington Park, CA 90255

This quote is valid for 30 days. To execute installation, please initial each additional option and sign below. Final agreement to follow.

Printed Name

Date

Thank you for sharing the holidays with us,



Daniel Christenson, Director of Sales

All material appearing on the St. Nick's Christmas Lighting & Décor Proposal ("content") is protected by copyright under U.S. Copyright laws and is the property of St. Nick's Christmas Lighting & Décor. You may not copy, reproduce, distribute, publish, display, perform, modify, create derivative works, transmit, or in any way exploit any such content, nor may you distribute any part of this content over any network, including a local area network, sell or offer it for sale, or use such content to construct any kind of database, or to show a preferred layout for presenting creative concepts. You may not alter or remove any copyright or other notice from copies of the content on St. Nick's Christmas Lighting & Décor Proposal. For questions or concerns please contact stephanie@st-nicks.com

ITEM NO. 8



CITY OF HUNTINGTON PARK

Community Development Department
City Council Agenda Report

October 18, 2022

Honorable Mayor and Members of the City Council
City of Huntington Park
6550 Miles Avenue
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

CONSIDERATION AND APPROVAL OF AN AGREEMENT WITH GC HUNTINGTON PARK II, LLC

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Approve an Agreement with GC Huntington Park II, LLC; and
2. Authorize the City Manager to negotiate and execute the final terms of the Agreement.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The City of Huntington Park ("City") and GC Huntington Park II, LLC, a California limited liability company ("Owner") have a mutual interest to enter into an agreement for specific development elements of the property located at 6360 Pacific Boulevard, Huntington Park, CA 90255. The owner possesses the property located at 6360 Pacific Boulevard Huntington Park, CA 90255 ("Property") which he intends to develop for retail use. As such, the owner engaged the City to request dispensation on three essential elements as follows: waiving the in-lieu parking fees, use of the existing rooftop sign facing Pacific Boulevard, and a defined loading zone behind the proposed retail development.

The roof top sign remaining at the location is contingent on the owner providing structural calculations that ensure compliance with the City's building code. The Agreement allows the City to facilitate the creating of a new retail-space in a location that has been vacant for four plus years. Additionally, this agreement ensures that the City maintains full control of its City-owned facilities with a limited scope of use and term that ceases if the tenant stops operations in any capacity. At which time, the owner will have to re-negotiate with the City for any future retail use. It is important to note that the Agreement does not limit the ability of the City to explore future opportunities for development at the adjacent Rita Parking Lot. All stipulations for this proposed agreement are set forth in Exhibit A of this staff report. Staff recommends the approval of the Agreement.

CONSIDERATION AND APPROVAL OF AN AGREEMENT WITH GC HUNTINGTON

PARK II, LLC

October 18, 2022

Page 2 of 2

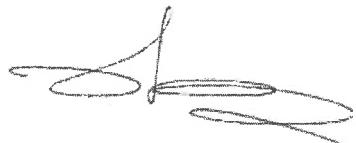
FISCAL IMPACT/FINANCING

This item does not have a fiscal impact to the City's general fund.

CONCLUSION

Upon Council approval, staff will proceed with the recommended actions.

Respectfully submitted,



RICARDO REYES
City Manager

STEVE FORSTER

Interim Community Development Director

ATTACHMENT(S)

A: Agreement

ATTACHMENT "A"

ATTACHMENT A

AGREEMENT REGARDING PROPERTY 6360 PACIFIC BLVD.

This Agreement Regarding Property 6360 Pacific Blvd. (this “Agreement”) dated this [] of October, 2022 (the “Effective Date”), is made and entered into by and between the **CITY OF HUNTINGTON PARK**, a municipal corporation (“City”), whose address is 6550 Miles Avenue, Huntington Park, California 90255 and GC HUNTINGTON PARK II, LLC, a California limited liability company (“Owner”), whose address is 133 Lomita Street, Suite A, El Segundo, CA 90245. Each of the City and Owner are sometimes referred to herein as, individually, a “Party” and collectively, “Parties”.

R E C I T A L S

WHEREAS, the City is the owner of that certain real property measuring approximately 65,850 +/- square feet and having Assessor’s Parcel Number 6320-030-906 and more commonly referred to as 6335 Rita Avenue located in the City of Huntington Park, Los Angeles County, California, consisting of 164 of parking spaces (the “City Parking Lot”);

WHEREAS, Owner is the owner of that certain real property having Parcel Number 6320-030-035, more commonly referred to as 6360 Pacific Blvd. located in the City of Huntington Park, Los Angeles County, California (the “Property”). Owner leases the Property to Ross Dress for Less, Inc. (“Ross”) pursuant to a lease entered into by and between Ross and Owner as of _____, 2022 (as such lease may be amended and/or supplemented, from time to time, the “Ross Lease”). For purposes of this Agreement, “Ross” shall include any entity (a) with which Ross Dress for Less, Inc. may merge or consolidate; or (b) to which Ross Dress for Less, Inc. sells at least ten (10) stores; or (c) any parent, affiliate or subsidiary of Ross Dress for Less, Inc.; or (d) an affiliate or subsidiary of Ross Dress for Less, Inc.’s parent (collectively, a “Permitted Assignee”); provided, however, that the foregoing shall not be deemed to permit the operation of a “dd’s DISCOUNTS” store at the Property.

WHEREAS, in connection with the Ross Lease, and subject to the terms and provisions set forth in this Agreement: (i) the City has agreed to waive certain parking fees and parking requirements relating to the Property; (ii) Owner and the City have agreed that Owner and/or Ross may use the existing rooftop sign at the Property (the “Rooftop Sign”) to display Ross’s name and logo subject to the terms and provisions of this Agreement; and (iii) the City desires to grant to Owner, and Owner desires to accept, a license to use the Loading Zone Area (as defined below) as a loading zone for the Property, all subject to the Ross Operating Condition as defined herein.

WHEREAS, on August ___, 2022, Ross submitted to the City Building Department plans for the proposed Ross Dress for Less Store at the Property, attached hereto as Exhibit “A” and made a part of hereof (“Ross’s Plans”). On August 30, 2022, the City provided Plan Check Corrections on Ross’s Plans (“Plan Check Corrections”).

WHEREAS, the City has agreed, by executing this Agreement, that the proposed Ross Store as described in Ross's Plans substantially complies with the Huntington Park Municipal Code, including but not limited to the Zoning Code, Building Code, Fire Code, General Plan, Huntington Park Downtown Specific Plan, and any other applicable requirements set forth in the Huntington Park Municipal Code (collectively, the "Code") requirements.

WHEREAS, the City and Owner desire to enter into this Agreement to memorialize their agreements relating to the foregoing Ross Plans, Rooftop Sign, loading zone matters and the Plan Check Corrections, and certain other items relating to the Property, all as further set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants, promises and conditions contained herein, and for other good and valuable consideration, the Parties agree as follows:

1. **Ross Plans Consistency Determination**. The City hereby represents and warrants that (i) the use of the Property as shown on Ross's Plans is approved as to form; and (ii) the proposed Ross Store as described in Ross's Plans substantially complies with all Code requirements. The City further finds that the Parking Requirements Waiver set forth in Section 2 of this Agreement satisfies the Downtown Huntington Park Specific Plan and Code, because the Property is within 500 feet of Pacific Boulevard, and is adjacent to the City parking lot, and under the terms of this Agreement, the Property will continue to operate subject to the terms of Section 2, below. Moreover, the City further acknowledges and agrees that that the Rooftop Sign is an existing legal non-conforming sign for which Owner and Ross have agreed to maintain the sign in a structurally sound manner in accordance with the terms of Section 3, below. The City agrees that the proposed Ross Store as described in Ross's Plans shall only require (i) sign approval in accordance with Section 3 of this Agreement, and (ii) a building permit, which the City shall issue in accordance with Section 6 of this Agreement.

2. **Parking Requirements Waiver**. The City hereby agrees that, so long as Ross (i) opens the store to the public as a "Ross Dress for Less" store on any portion of the Property and (ii) Ross does not convert the Ross Dress for Less store to a "dd's DISCOUNTS" store" (herein, the "**Ross Operating Condition**"), effective as of the Effective Date, the City shall waive the following requirements (collectively, the "**Parking Requirements Waiver**") (i) any and all in lieu parking fees applicable to the Property (and neither Owner nor Ross shall be required to pay any in lieu parking fees in connection with the Property or the Ross Lease) so long as the Ross Operating Condition is satisfied; and (ii) any and all parking requirements relating to the Property, including, without limitation, any minimum parking space or parking ratio requirement or requirement for ADA parking spaces. By execution of this Agreement, the City hereby represents and warrants to Owner that the City has provided all requisite approvals, consents, and/or permits from any agency, department, division, person or organization (including any third parties) necessary to effectuate and accommodate the aforementioned Parking Requirements Waiver. Subject to the satisfaction of the Ross Operating Condition, the Parking Requirements Waiver set forth in this Section 2 is irrevocable. In no event shall the City take any action to set aside, invalidate or change the Parking Requirements Waiver, nor shall the City take any action to create any new or modified parking requirements or parking fees applicable to the Property so long as the Ross Operating Condition is satisfied. In the event that Ross is unable to meet the requirements of the Ross Operating Condition for a period of more than one hundred eighty (180) days, and Ross terminates its operations as a "Ross Dress for Less" store, this Agreement shall terminate

pursuant to Section 12, below. In such event, Ross shall not be required to pay a parking in lieu fee, or any other fee waived pursuant to this Agreement. Notwithstanding any provision to the contrary in this section 2 of this Agreement, nothing in this Agreement shall be construed as containing a covenant (express or implied) requiring Ross to continuously operate a business on the Property, and Ross may, in its sole discretion, cease the operation of its business at any time, and Owner and the City hereby waive any action, whether administrative, legal, or equitable, as a result of such cessation of business activity by Ross.

3. **Rooftop Sign**. Notwithstanding any Code requirement to the contrary, the City shall approve the use of the Rooftop Sign by Owner and/or Ross for Owner and/or Ross to display Ross's name and logo thereon (the "**Rooftop Sign**") as set forth in the sign package submitted by Ross on August ___, 2022 in connection with Ross's Plans ("**Ross's Sign Package**"). The City's approval shall not be unreasonably withheld, conditioned or delayed (it being understood that the sole requirement for the City's approval of the Rooftop Sign is that the Rooftop Sign is structurally sound and City shall not disapprove Ross's Sign Package solely based on Owner's/Ross's use of the Rooftop Sign) pursuant to consistency with Ross's Sign Package. As requested by the City, Owner or Ross shall deliver to the City either (a) reasonable evidence that the Rooftop Sign is structurally sound, or (b) to the extent the Rooftop Sign is determined to be structurally unsound in its current state, reasonable evidence that Owner or Ross has made modifications to the Rooftop Sign, as necessary, to mitigate any structural concerns relating to such Rooftop Sign ("**Sign Stability Information**"). The City covenants to undertake all necessary actions and issue or authorize all approvals necessary to accommodate the use of the Rooftop Sign as set forth in this Section 3. For purposes of this Agreement, the date that the City provides such approvals shall be referred to herein as the "**Sign Approval Issuance Date**". The City covenants the Sign Approval Issuance Date shall occur (i) pursuant to final approval of the structural calculations of the rooftop sign or (ii) the City's receipt of the Sign Stability Information (the "**Rooftop Sign Effective Date**"). Owner and/or Ross may use the Rooftop Sign as provided in this Section 3, and thereafter, for so long as the Ross Operating Condition is satisfied; provided, however, the City agrees that, as long as the Rooftop Sign Effective Date has occurred, Owner and/or Ross may use the Rooftop Sign to display Ross's name and logo prior to Ross's initial opening for business at the Property and in connection with readying the Property for business operations as a Ross Dress for Less Store (it being acknowledged and agreed that the City shall not prohibit Owner or Ross from displaying Ross's name and logo on the Rooftop Sign solely because Ross has not yet opened for business in the Property). In the event the Ross Operating Condition is not satisfied, Owner shall not use the Rooftop Sign for any other use or other tenant signage without the prior written authorization and consent of the City. In addition, the City's approval to any change in Ross's name and logo pursuant to a corporate-wide change of Ross's logo, shall not be unreasonably withheld, conditioned or delayed (it being understood that the sole requirement for the City's approval of the Rooftop Sign is that the Rooftop Sign is structurally sound).

4. **City Parking Lot Representation/Loading Zone License**.

4.1 **City Parking Lot**. The City hereby represents and warrants to Owner that the City has not and shall not grant any rights to any other tenant or property owner rights that would infringe upon Ross' ability to conduct business, including Ross's use of the Loading Zone Area.

4.2 Loading Zone License. Effective as of the Effective Date and so long as the Ross Operating Condition is satisfied, the City hereby grants to Owner and Owner hereby licenses from the City, upon and subject to the terms and conditions of this Section 4, for use by Owner and Ross, and their respective employees, visitors, licensees, and invitees (collectively, the “**Owner Parties**”), a license to use, on a non-exclusive basis, that certain portion of the City Parking Lot as depicted on Exhibit “B” attached hereto (the “Loading Zone Area”) as a loading zone for the Property, and in connection therewith, Owner and the Owner Parties shall have non-exclusive access to those portions of the City Parking Lot adjacent to the Loading Zone Area as reasonably necessary for ingress and egress to and from the Loading Zone Area and the adjacent public streets. Owner and/or Ross shall have the right to post signage (the “Loading Zone Sign”) indicating the Loading Zone Area is for use by Ross, only, seven (7) days per week during the hours of 4:00 a.m. to 9:00 a.m. The license set forth in this Section 4 includes the right of Owner and/or Ross, at its sole cost, to tow vehicles parked in the Loading Zone Area during the days and hours indicated on the Loading Zone Sign. By execution of this Agreement, the City hereby represents and warrants to Owner that the City has provided all requisite approvals, and/or permits from any agency, department, division, person or organization (including any third parties) necessary to effectuate and accommodate the loading zone license set forth in this Section 4. In no event shall the City take any action to set aside or invalidate the loading zone license set forth in this Section 4, nor shall the City take any action to create any new loading zone requirements so long as such loading zone license is in effect and the Ross Operating Condition is satisfied.

4.3 Loading Zone Work. Prior to Ross’s occupancy of the Property (including any occupancy relating to the performance of any tenant improvement work within the Property the Owner or Ross, at its sole cost, will submit for approval, design, and construct the improvements necessary so that the Loading Zone Area is ready for use by Ross for loading zone purposes (“Loading Zone Work”).

4.4 Term of License; City Termination Right. The license set forth herein is effective from and after the Effective Date, and thereafter, for so long as the Ross Operating Condition is satisfied; provided, however, the City agrees that, Owner and/or Ross may use the Loading Zone Area (and related City Parking Lot areas for access thereto as provided in this Section 4) prior to Ross’s initial opening for business at the Property and in connection with readying the Property for the Business (as defined below) (it being acknowledged that the City shall not prohibit Owner and/or Ross from using the license set forth in this Section 4 solely because Ross has not yet opened for business in the Property). Without limiting the foregoing, the license and rights granted to Owner and Ross in this Section 4 are irrevocable so long as (a) Ross satisfies the Ross Operating Condition, and (b) neither Owner nor Ross is in default of the terms of this Agreement. City agrees that Ross’s use of the Loading Zone complies with all applicable Code requirements. Subject to Owner and/or Ross’s use of the Loading Zone Area (and related rights under this license) prior to Ross’s initial opening for business at the Property (which use the City acknowledges and agrees is permitted), if, following Ross’s initial opening for business at the Property the Ross Operating Condition is not satisfied, then the City shall have the right to terminate the license set forth in this Section 4 (but not the other provisions of this Agreement) on thirty (30) days’ prior written notice to Owner.

4.5 Indemnification Relating the License. Owner hereby agrees to indemnify, defend, and hold harmless the City, and its officials, officers, directors and employees

(collectively, “**City Indemnified Parties**”) from and against all liability, obligations, claims, damages, penalties; causes of action, costs and expenses, including reasonably attorneys’ fees (collectively, the “**Claims**”), imposed upon, incurred by or asserted against any of the City Indemnified Parties by reason of (i) Owner and/or the Owner Parties’ use of and access to the Loading Zone Area, and/or (ii) Owner’s failure to perform its obligations under the license set forth in this Section 4. Notwithstanding the foregoing, Owner shall not be required to indemnify, defend, or hold harmless the City Indemnified Parties from any Claims arising out of or resulting from the negligence or willful conduct of the City Indemnified Parties nor from any act or occurrence arising prior to the Effective Date of this Agreement or after any termination of the license pursuant to Section 4.4 above.

4.6 **Notification of Incidents.** Owner shall report to City any accident or incident relating to the use of the Loading Zone Area under this Section 4 which involves injury or property damage which might reasonably be thought to result in the filing of a claim or lawsuit against Owner and/or City. Owner shall use commercially reasonable efforts to report to the City any such incident in writing or by email to the City within forty-eight (48) hours of Owner’s knowledge of such occurrence.

5. **Further Assurances.** Each of the Parties agrees to execute and deliver all further documents and to take all further actions reasonably necessary or appropriate to effectuate the purposes of this Agreement.

6. **Building Permit Issuance.** City shall issue all required building permits for the use of the Property as shown on Ross’s Plans within thirty (30) days of the earlier of the Effective Date or the Rooftop Sign Effective Date so long as Ross takes corrective action on identified errors in plans submitted for City’s approval.

7. **Consideration.** City and Owner each expressly agree and warrant that this Agreement is supported by good and adequate consideration, the receipt and adequacy of which is expressly acknowledged by the Parties.

8. **Insurance.**

8.1 Beginning on the date that that Owner or Ross uses the Loading Zone Area in connection with the license in Section 4 above, Owner, at its sole cost and expense, shall carry, maintain, and keep in full force and effect insurance against claims for loss, death, or injuries to persons, and damage, loss, or injury to property in connection with Owner’s use of the Loading Zone Area pursuant to Section 4. Such insurance shall be of the types and in the amounts as set forth below. To the extent Ross carries the insurance coverages required herein and provides the requisite insurance certificates required herein, then Owner’s obligations in this Section 8 shall be deemed to be satisfied.

8.2 Comprehensive General Liability Insurance with coverage limits of not less than One Million Dollars (\$1,000,000) combined single limit, bodily injury, personal injury and property damage, per occurrence, which insurance shall contain an endorsement naming the City as an Additional Insured. On written request by the City, Owner shall provide to the City’s Risk Manager (at the address for City set forth in the notice provisions of this Agreement below) a valid

certificate of insurance showing that the aforesaid policy is in effect and in the required amount. The insurance required under this Section 8 shall be primary to any coverage available to the City. Any insurance or self-insurance maintained by the City or its officers, employees, agents or volunteers, shall be in excess of Owner's insurance and shall not contribute with it.

9. **Indemnification.** Each of the City and Owner (each, an "**Indemnifying Party**") shall indemnify the other Party (herein, "**Indemnified Party**") for all Claims to the extent arising out of the Indemnifying Party's breach of this Agreement, except to the extent caused by the negligence or willful misconduct of the Indemnified Party or its members, agents or employees.

10. **Representations and Warranties.**

10.1 So long as Owner is not in default under this Agreement, beyond any applicable notice and cure period, the City shall be estopped from asserting that the (i) Property fails to comply with applicable City parking requirements and (ii) the use of the Rooftop Sign violates applicable City sign requirements, including without limitation, any requirements set forth in the Code.

10.2 Each Party to this Agreement represents and warrants to the other Party that it has the power and authority to enter into this Agreement binding such Party to the terms and conditions contained herein.

11. **Compliance with Law.** Except as otherwise provided herein (including with regard to City parking requirements, and the use of the Rooftop Sign), Owner shall comply with the Code and all applicable laws.

12. **Agreement Runs With The Land.** This Agreement shall run with the land and be binding upon the City and all future owner(s) of the Property so long as the Ross Operating Condition is satisfied.

13. **Third Party Beneficiary.** Owner and the City acknowledge and agree that Ross is a third party beneficiary of this Agreement.

14. **No Discrimination.** Owner shall not discriminate against any employee, subcontractor, or applicant for employment because of race, color, creed, religion, sex, marital status, national origin, ancestry, age, physical or mental handicap, or medical condition.

15. **Notices.** All notices and other communications under this Agreement shall be in writing and shall be deemed duly given: (a) when delivered if personally delivered to the recipient; (b) when transmitted by email of a PDF document during normal business hours (with confirmation of transmission), provided an original is deposited in first-class mail within one (1) business day after such transmittal addressed as set forth below; (c) on the first business day following delivery to an overnight delivery service, provided delivery is confirmed by the delivery service; and (d) on the earlier of actual receipt or three (3) days following deposit in United States registered or certified mail, postage prepaid, and return receipt requested, addressed to the Parties as set forth below. Any Party may change its address for notices by giving written notice to the other Party in the manner set forth above. Each notice or other communication shall be addressed

to the Party to whom such notice or communication is to be given at the respective Party's address set forth below:

To City: City of Huntington Park
6550 Miles Avenue
Huntington Park, CA 90255
Attn: Ricardo Reyes, City Manager
Tel: (323) 582-6161
Email: rreyes@hPCA.gov

To Owner: GC Huntington Park II, LLC
133 Lomita Street; Suite A
El Segundo, CA 90245
Attn: Chris Shane
Tel: (310) 928-0992
Email: cshane@gcapinc.com

To Ross: Ross Dress for Less, Inc.
5130 Hacienda Drive
Dublin, CA 94568-7579
Attn: Real Estate Law Department
Facsimile #: (925) 965-4174
Phone #: (925) 965-4400

16. Miscellaneous.

16.1 Mortgagee Protection. No breach of any of the provisions of this Agreement nor the enforcement of this Agreement shall defeat or render invalid the lien of any mortgage, deed of trust, or other security interest against the Property or the City Parking Lot, but all of the provisions of this Agreement shall be binding on and effective against any person whose title is derived through foreclosure or otherwise; provided, however, that any such person shall have no liability for any breach occurring before the date such person succeeds to title. It is the express intent of the Parties that this Agreement and the licenses granted herein shall at all times be superior to the lien of any deed of trust, mortgage, security interest, or other monetary lien or encumbrance that may exist against the Property and/or the City Parking Lot as of, or at any time after, the Effective Date of this Agreement.

16.2 Governing Law. This Agreement shall be governed and construed in accordance with the laws of the State of California.

16.3 Entire Agreement; Amendments. Owner and City each hereby agree that such Party has not relied upon or regarded as binding any prior or contemporaneous agreements, negotiations, representations, or understandings, whether oral or written, except as expressly set forth herein. This Agreement, together with any documents and exhibits referred to herein, embodies the entire understanding among the Parties, and constitutes the final, complete, and exclusive statement of the terms of the Parties' agreement. No amendment or modification of this Agreement shall be valid or binding unless in writing and executed by both Parties.

16.4 Remedies. A loss of use of the Property, the Rooftop Sign and/or the Loading Zone Area or other breach of this Agreement by a Party (herein "**Breaching Party**") shall entitle the non-breaching Party ("**Non-Breaching Party**") to pursue any remedies available to it at law or in equity, including, without limitation, specific performance and injunctive relief, it being the understanding and agreement of the Parties that such a breach may cause the Non-Breaching Party to suffer material and irreparable injury and damage not compensable in money. For purposes of this Section 16.4, Ross, as a third party beneficiary of this Agreement, shall have the right, as a Non-Breaching Party, to enforce the remedies set forth herein if the City is the Breaching Party.

16.5 Successors and Assigns. This Agreement shall be binding on and shall inure to the benefit of the Parties to this Agreement and their respective heirs, personal and legal representatives, successors, and assigns. Any transferee of title to either the Property or the City Parking Lot shall be deemed, by acceptance of that title, to have automatically assumed all obligations under this Agreement with respect to the transferred property, but only to the extent that those obligations accrue after the date of the transfer of title. Effective on the transfer, the transferor shall be relieved of all further liability under this Agreement except for any liability which may have arisen during its period of ownership and that remains unsatisfied as of the time of the transfer.

16.6 Estoppel Certificates. Not later than ten (10) business days after receipt of a request for an estoppel certificate from either Party to this Agreement, the other Party shall provide an estoppel certificate stating that this Agreement has not been modified, or, if modified, stating the nature of the modification, and certifying that this Agreement, as modified, is in full force and effect. The estoppel certificate also shall identify any monetary or other obligations then due or unperformed and contain any additional information regarding this Agreement as may be reasonably set forth in the request.

16.7 Attorney, Expert, Consultant Fees and Costs. The prevailing party in any action or proceeding to enforce or interpret this Agreement or otherwise arising out of or in connection with the subject matter of this Agreement (including, but not limited to, any suit, arbitration, entry of judgment, post judgment motion, or enforcement, appeal, bankruptcy litigation, attachment, or levy) shall be entitled to recover its costs and expenses, including, but not limited to, reasonable attorneys', experts', and consultants' fees and costs.

16.8 No Partnership or Third Party Beneficiary. This Agreement and any further documents or actions executed by the Parties in connection with this Agreement shall not create nor be deemed under any circumstances to create any joint venture or partnership between the Parties or to render the Parties joint venturers or partners. This Agreement is made solely for the benefit of the Parties to this Agreement and their respective successors and assigns, and no other person or entity shall have or acquire any rights or remedies under this Agreement.

16.9 Severability. If any provision or provisions of this Agreement shall be held to be invalid, illegal, unenforceable or in conflict with the law of any jurisdiction, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

16.10 Counterparts. This Agreement may be executed in counterparts, each of which shall constitute an original and all of which, when taken together, shall constitute one and the same instrument.

[END OF TEXT; SIGNATURES ON FOLLOWING PAGE(S)]

DRAFT

TO EFFECTUATE THIS AGREEMENT, the Parties have caused their duly authorized representatives to execute this Agreement on the dates set forth below.

OWNER:

**GC HUNTINGTON PARK II, LLC, A
CALIFORNIA LIMITED LIABILITY
COMPANY**

By: _____

Its: _____

Date: _____

CITY:

CITY OF HUNTINGTON PARK, a
municipal corporation

By: _____
Rick Reyes, City Manager

Date: _____

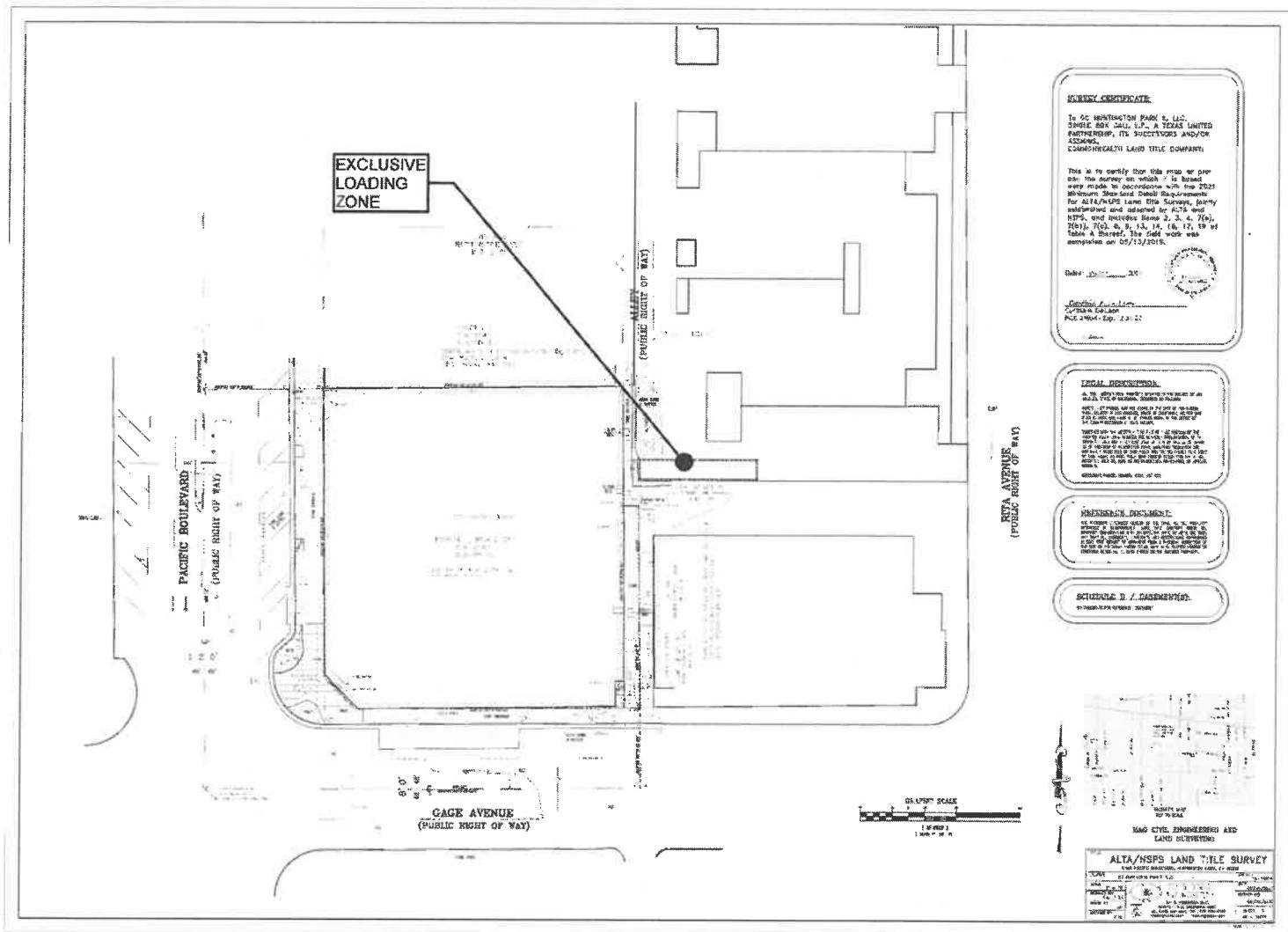
Exhibit "A"

ROSS PLANS

DRAE

Exhibit "B"

LOADING ZONE AREA



ITEM NO. 9

CITY OF HUNTINGTON PARK

Public Works Department
City Council Agenda Report



October 18, 2022

Honorable Mayor and Members of the City Council
City of Huntington Park
6550 Miles Avenue
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

CONSIDERATION AND APPROVAL SETTING THE PUBLIC HEARING DATE OF NOVEMBER 1, 2022 TO ADOPT THE LOS ANGELES COUNTY REVISED COUNTYWIDE SITING ELEMENT

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Approve setting the public hearing date of November 1, 2022 to adopt the Los Angeles County revised Countywide Siting Element.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The California Integrated Waste Management Act of 1989 (AB 939), as amended (Section 40000 et seq. of the California Public Resources Code), requires the County of Los Angeles to prepare a countywide siting element that describes how the county, and the cities within the county, plan to manage the disposal of their solid waste for a 15-year planning period. The existing Los Angeles County Countywide Siting Element (CSE) was last approved and adopted in January of 1998.

The Siting Element contains specific criteria developed to assist the 88 cities and County unincorporated areas in permitting or denying the expansion of existing solid waste disposal facilities, or new landfills and/or transformation of facilities to incineration facilities. Program goals are integral to protecting public health and regional natural resources as listed below:

- Protect residents
- Ensure the structural stability and safety of the facility
- Protect surface water
- Protect groundwater
- Protect air quality
- Protect environmentally sensitive areas
- Ensure safe transportation of solid waste

CONSIDERATION AND APPROVAL SETTING THE PUBLIC HEARING DATE OF NOVEMBER 1, 2022 TO ADOPT THE LOS ANGELES COUNTY REVISED COUNTYWIDE SITING ELEMENT

October 18, 2022

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- Protect the social and economic development goals of the community

Population growth requires the future consideration of space necessary to mitigate the proper disposal of solid waste through addressing potential expansions of several existing in-County Class III landfills within the 15-year planning period. Diversion of construction debris, recyclables, etc. from landfills are ways in which the City complies with AB 939.

Public involvement during the planning process is important when properly development the CSE. For this reason, City is doing its part by holding a public hearing so that our residents have an opportunity to review and comment. Public meetings are meant to provide a forum where residents exchange ideas, information and concerns regarding the solid waste needs of our community.

The Preliminary Draft CSE has been released for public review and comments for a 45-day period. Additional information may be obtained from the Los Angeles County Department of Public Works' website: <https://dpw.lacounty.gov/epd/cse/AboutUs/>

Upon receiving approval from a majority of the cities containing more than half of the population within the 88 cities, the final Draft CSE will then be submitted to the County Board of Supervisors for acceptance and CalRecycle's ultimate approval. Resolution are due to the County on or before December 1, 2022.

ENVIRONMENTAL

The California Environmental Quality Act (CEQA) is a statute that requires the identification of significant environmental impacts based on determining actions taken on a project or program. Recommendation are made to mitigate impacts associated with the actions taken.

On August 2, 2022, the County of Los Angeles Board of Supervisors certified the Final Environmental Impact Report and its associated environmental documents for the Los Angeles County Revised Countywide Siting Element (Revised CSE), as well as authorized Los Angeles County Public Works, acting as the lead agency, to release and submit the Revised CSE to each city within Los Angeles County for a State-mandated 90-day approval period, in accordance with Public Resources Code Sections 41721 and 41760.

LEGAL REQUIREMENT

State law requires cities and counties to divert and reduce 25 percent of their solid waste from landfills and solid waste facilities by 1995 and 50 percent by the year 2000, through source reduction, recycling and composting programs. State law also has recognized that after these diversion goals are met, the remaining waste must be properly disposed of in order to protect the public health and safety. As such, State law requires counties to prepare a plan to address management of this residual waste at landfills and transformation facilities for a 15-year planning period. Purpose of the CSE is to provide a

CONSIDERATION AND APPROVAL SETTING THE PUBLIC HEARING DATE OF NOVEMBER 1, 2022 TO ADOPT THE LOS ANGELES COUNTY REVISED COUNTYWIDE SITING ELEMENT

October 18, 2022

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planning mechanism to address the disposal needs of the 88 cities and the County unincorporated areas over the next 15-years.

As required by Public Resources Code Sections 41721 and 41760, the city has 90 days to either take formal action to adopt, or take no action, or disapprove, at the cities' individual discretion, as described below:

Formal Action by City

- Take formal action to adopt a resolution after conducting a duly noticed public hearing for the purpose of approving or disapproving the Revised CSE.

No Action by City

- If a city does not act within the 90-day period, the document will be considered "tacitly approved" by that city.

City Disapproves

- Pursuant to Title 14, California Code of Regulations, Sections 18783, if a city disapproves the Revised CSE, the city shall give written notice to the Los Angeles County Solid Waste Management Committee/Integrated Waste Management Task Force, the Board, and the Department of Resources Recycling and Recovery (CalRecycle) of the deficient areas in the Revised CSE, within 30 days of disapproval.

FISCAL IMPACT/FINANCING

There is no fiscal impact associated with the approval of this recommendation.

CONCLUSION

Upon Council approval, staff will proceed with the recommended actions.

Respectfully submitted,



RICARDO REYES
City Manager



CESAR ROLDAN
Director of Public Works