

# **CITY OF HUNTINGTON PARK City Council Regular Meeting Agenda**

**Tuesday, February 21, 2023**

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](http://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@hpcg.gov](mailto:publiccomment@hpcg.gov) or [Esarmiento@hpcg.gov](mailto:Esarmiento@hpcg.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](http://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](http://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 PROCLAIMING FEBRUARY AMERICAN HEART HEALTH MONTH**
- 2. CERTIFICATE OF RECOGNITION TO THE WRESTLING GUY STORE  
CELEBRATING TEN YEARS OF BUSINESS IN HUNTINGTON PARK**

## **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. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE  
Government Code Section 54957(b)(1)

## **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.

## **CITY CLERK**

### **1. CITY COUNCIL MEETING MINUTES**

RECOMMENDED THAT CITY COUNCIL:

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

1. Regular City Council Meeting held February 7, 2023

### **2. CONSIDERATION AND APPROVAL OF A RESOLUTION AUTHORIZING THE CITY TO CONTINUE ITS TELECONFERENCED OPEN MEETINGS PURSUANT TO ASSEMBLY BILL 361 AND ASSEMBLY BILL 2449**

RECOMMENDED THAT CITY COUNCIL:



1. Adopt a Resolution to Authorize the City of Huntington Park to Conduct Teleconferenced Open Meetings in Accordance with Assembly Bill 361 and Assembly Bill 2449.

## **FINANCE**

### **3. CHECK REGISTERS**

RECOMMENDED THAT CITY COUNCIL:

1. Approve Accounts Payable and Payroll Warrant(s) dated February 21, 2023;

## **END OF CONSENT CALENDAR**

## **REGULAR AGENDA**

## **PUBLIC WORKS**

### **4. CONSIDERATION AND APPROVAL AUTHORIZING THE CITY MANAGER TO EXECUTE SOUTHERN CALIFORNIA EDISON'S INNOVATIVE UTILITY ELECTRIC VEHICLE STREET CHARGING PILOT AGREEMENT AND BESTFIT FLO SERVICES USA, INC.'S MAINTENANCE AGREEMENT ADDENDUM**

RECOMMENDED THAT CITY COUNCIL:

1. Authorize the City Manager to execute the Southern California Edison (SCE) Innovative Utility Electric Vehicle Street Charging Pilot Agreement (Attachment 1) and the FLO Services USA Inc. (FLO) Maintenance Addendum exclusively as part of the BESTFIT project agreement.

## **POLICE DEPARTMENT**

### **5. APPROVE THE PURCHASE OF TWO POLICE DEPARTMENT PATROL OPERATIONS DIVISION VEHICLES AND SUPPLEMENTARY EQUIPMENT**

RECOMMENDED THAT CITY COUNCIL:

1. Authorize the requisition of funds to purchase two Police Department Patrol Services Division police patrol vehicles from the FORD MOTOR COMPANY, specifically Grieco Ford in Raynham, MA.; and,
2. Approve an appropriation in the amount not to exceed \$160,990 to account number 741-8060-431.74-10, capital equipment – vehicles in the City's Vehicle Maintenance Fund; and
3. Authorize the Chief of Police to purchase the vehicle and equip the vehicles with associated technology and emergency response equipment.

## **CITY CLERK**

### **6. COUNCIL APPOINTMENTS TO VARIOUS COMMISSIONS**

RECOMMENDED THAT CITY COUNCIL:

1. Make appointments and/or re-appointments to various commissions consistent with provisions set forth in Resolution No. 2015-19 and Ordinance 939-NS.
1. Adopt a Resolution authorizing the appropriations requested in the Spending Appropriations request for FY 2022-23.

### **END OF REGULAR AGENDA**

### **PUBLIC HEARINGS**

## **COMMUNITY DEVELOPMENT**

### **7. CONSIDERATION AND APPROVAL OF SUBSTANTIAL AMENDMENT NUMBER TWO TO THE FY 2022-2023 ANNUAL ACTION PLAN (AAP) FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AND HOME INVESTMENT PARTNERSHIPS (HOME) FUNDS**

RECOMMENDED THAT CITY COUNCIL:

1. Conduct a public hearing.
2. Take public testimony.
3. Approve Substantial Amendment Number Two to the Annual Action Plan for FY 2022-2023, inclusive of any comments received by the City Clerk during the 30-day public comment period.
4. Authorize City Manager to make the appropriate amendments as described in Substantial Amendment Number 2.
5. Authorize City Manager to execute all required documents for transmittal to the U.S. Department of Housing and Urban Development Department (HUD); and
6. Amend the Fiscal Year 2022-2023 Budget in accordance with the approved Substantial Amendment as follows:

### **END OF PUBLIC HEARINGS**

## **DEPARTMENTAL REPORTS**

## **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, March 7, 2023 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](http://www.hpca.gov) not less than 72 hours prior to the meeting. Dated this 17<sup>th</sup> day of February 2023.



Eduardo Sarmiento, City Clerk

## ITEM 1

## **MINUTES**

### **Meeting of the City of Huntington Park City Council Tuesday, February 7, 2023**

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 6:05 p.m. on Tuesday, February 7, 2023, 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.

**ABSENT:** None

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

### **INVOCATION**

Invocation was led by Mayor Martinez.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Vice Mayor Sanabria.

### **PRESENTATION(S)**

Prior to starting the presentation portion of the meeting Mayor Martinez requested a motion to add a presentation item to the agenda titled Certificate of recognition to Aircraft X-Ray for 2022 CWEA Facility of the Year Award.

**MOTION:** Councilmember Sanabria moved to add a presentation item to the agenda titled Certificate of recognition to Aircraft X-Ray for 2022 CWEA Facility of the Year Award seconded by Councilmember Flores. Motion carried by unanimous consent.

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

**NOES:** None

1. **RECOGNITION OF LOCAL RESTAURANTS FOR SENIOR MEALS**
2. **RECOGNITION OF PARENT VOLUNTEERS FOR CONTRIBUTIONS IN**

## **OPENING OF LUCILLE ROYBAL ELEMENTARY**

### **3. CERTIFICATE OF RECOGNITION TO AIRCRAFT X-RAY FOR 2022 CWEA FACILITY OF THE YEAR AWARD**

#### **PUBLIC COMMENTS**

The following members of the public provided public comment related to the police involved incident that occurred on January 26, 2023:

1. Steve Allan
2. Ramon Rodriguez
3. Ebony
4. Milton Montague
5. Christian Contreras
6. Ty
7. Cliff Smith
8. Mr. Rodolfo
9. Ms. Brittoni
10. Jaslyne Hilberto
11. Joseph Moreno
12. Rodolfo Cortez
13. Nicole Lopez
14. Maria Cruz
15. Laura
16. Terez Sanogo
17. Jennifer Ganado

The following members of the public provided public comment:

Veronica Alvarez spoke regarding tenant right's issue.

Viri Jimenez spoke regarding tenant right's issue.

Francisco Rivera spoke in support of the Huntington Park Police Department.

Nancy Juarez spoke on various non-agenda items related to her personal life.

Daniela spoke regarding the lack of progress with the aquatic center at Salt Lake Park.

Yvonne Correa submitted written public comment regarding agenda item 11.

Marisela Talamante requested her name be added in support of Yvonne Correa's public comment.

Sandra Hueso requested her name be added in support of Yvonne Correa's public comment.

Maria Guadalupe De La Rosa requested her name be added in support of Yvonne Correa's public comment.

#### **STAFF RESPONSE**

Councilmember Ortiz stated that the aquatic center is coming and explained that the city is working with Los Angeles County regarding some environmental issues. She then deferred to Community Development Director Steve Forster to elaborate further.

Director Forster explained that the aquatic center is a design build type project and preliminary plan phases have been completed. Upon excavation the city has done environmental remediation of the entire site and they are waiting on the Los Angeles County Health Department local enforcement agency to validate our post closure land use plan. The County agency recently provided the city with comments which are being responded to and anticipate clearance within the next 60 to 90 days.

City Manager Ricardo Reyes asked Mr. Forster to clarify that the city is not holding up the project but rather the County.

Director Forster responded in the affirmative and restated that it is the Los Angeles County Health Department local enforcement agency who has stopped the project.

Councilmember Ortiz then addressed the comments made by Ms. Juarez and shared that they have spoken on a number of occasions but only through messenger. She requested Ms. Juarez phone number, but she had already left Council Chambers. Councilmember Ortiz then asked Director Forster to address Ms. Alvarez's concern regarding the fire near St. Francis.

Director Forster stated that when the public meeting related to this issue was held best and worst-case scenarios were provided regarding timetable for getting people back into their homes. Unfortunately it has taken longer to do a lead and asbestos abatement of the building that burned at 2700 Slauson Ave. At this point removal of the entire building was directed and construction is currently taking place as we speak and the demolition of that sight should be completed by no later than February 10, 2023. He added that Community Development staff has reached out to Los Angeles County for help in securing housing for anyone who has requested accommodations through February 10, 2023.

### **CLOSED SESSION**

City Attorney Arnold Alvarez-Glasman stated that it is appropriate to recess to closed session. Mayor Martinez recessed into closed session at 7:35 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

Mayor Martinez reconvened the Council meeting from Closed Session at 8:15 p.m.

### **CLOSED SESSION ANNOUNCEMENT**

City Attorney Almazan reported that the record should reflect that with all five Councilmembers present, the item on the closed session agenda was discussed. With regard to item number one (1) on the closed session agenda, Council was briefed but no final action was taken. This concluded the closed session report.

### **CONSENT CALENDAR**

#### **OFFICE OF THE CITY CLERK**

**MOTION:** Vice Mayor Sanabria agreed to the friendly amendment by Councilmember Ortiz and moved to approve the consent calendar with the removal of the Successor Agency meeting minutes from the consent calendar and directed they be placed on future Successor Agency meeting agenda, 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. Regular Successor Agency held January 17, 2023

**FINANCE**

**2. CHECK REGISTERS**

1. Approve Accounts Payable and Payroll Warrant(s) dated February 7, 2023;

**END OF CONSENT CALENDAR**

**REGULAR AGENDA**

Prior to item three (3) of the regular agenda being introduced Councilmember Ortiz recused herself from the item.

**PUBLIC WORKS**

**3. CONSIDERATION AND APPROVAL OF AWARD OF A CONSTRUCTION CONTRACT FOR CIP 2022-01 SB1 SLURRY SEAL PROJECT FY 2022-23**

RECOMMENDED THAT CITY COUNCIL:

**MOTION:** Vice Mayor Sanabria moved to award the construction contract to All American Asphalt for the construction of CIP 2022-01 SB1 Slurry Seal Project FY 2022-23 as the lowest responsive, responsible bidder for a not-to-exceed amount of \$561,540; and appropriate \$561,540 from Account No. 111-8010-431.76-32; and appropriate a ten percent (10%) construction contingency of \$56,154 payable from Account No. 111-0000.206.00-00; and authorize the City Manager to execute the construction contract agreement, seconded by Councilmember Flores. Motion carried by unanimous consent.

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

**NOES:** None

**RECUSED:** Council Member Ortiz

**4. CONSIDERATION AND APPROVAL TO SOLICIT PROPOSALS FOR THE PREPARATION OF PLANS, SPECIFICATIONS AND ESTIMATE OF NEW PLAYGROUNDS AT SALT LAKE AND FREEDOM PARKS**



**MOTION:** Councilmember Flores moved to authorize staff to publish and solicit a Request for Proposal (RFP) from qualified architectural/engineering firms for the preparation of Plans, Specifications and Estimate of new playgrounds as part of CIP 2022-03 Salt Lake Park and CIP 2022-06 Freedom Park, 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

**5. CONSIDERATION AND APPROVAL TO SOLICIT PROPOSALS FROM QUALIFIED CONTRACTORS TO RESURFACE THE BASKETBALL COURTS AS PART OF CIP 2022-05 SALT LAKE PARK BASKETBALL COURT**

**MOTION:** Vice Mayor Sanabria moved to approve Environmental Assessment pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption under the California Environmental Quality Act (CEQA); and authorize staff to proceed with the advertisement of the Request for Proposal (RFP), seconded by Councilmember Flores. Motion carried by unanimous consent.

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

**NOES:** None

**6. CONSIDERATION AND APPROVAL TO SUBMIT A FUNDING APPLICATION FOR TWO ELECTRIC BUS SHUTTLES TO THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT**

**MOTION:** Councilmember Macias moved to authorize staff to submit a funding application for two bus shuttles to the South Coast Air Quality Management District; and authorize the City Manager to sign all applicable documents, seconded by Councilmember Flores. Motion carried by unanimous consent.

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

**NOES:** None

**7. ADOPTION OF RESOLUTION APPROVING A RENEWAL OF THE GENERAL SERVICES AGREEMENT WITH LOS ANGELES COUNTY**

**MOTION:** Councilmember Flores moved to adopt Resolution approving the renewal of the City General Services Agreement with the County of Los Angeles for a period ending June 30, 2028; and authorize the mayor to execute the agreement, 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

## **FINANCE**

### **8. CONSIDERATION AND APPROVAL OF THE SPENDING AUTHORIZATION PLAN AND SPENDING APPROPRIATIONS RESOLUTION FOR FISCAL YEAR 2022-23**

**MOTION:** Councilmember Ortiz moved to retitle the Mid-Year Budget Review staff report, continued by Council from the January 17, 2023 agenda, now titled as the Spending Authorization Plan request; and approve the FY 2022-23 Spending Authorization Plan document; and adopt a Resolution authorizing the appropriations requested in the Spending Appropriations request for FY 2022-23, seconded by Councilmember Flores. Motion carried by unanimous consent.

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

**NOES:** None

## **CITY CLERK**

### **9. CONSIDERATION AND ADOPTION OF RESOLUTION AND RETENTION SCHEDULES**

**MOTION:** Vice Mayor Sanabria moved to Adopt a Resolution and Records Retention Schedules, seconded by Councilmember Flores. Motion carried by unanimous consent.

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

**NOES:** None

### **10. COUNCIL APPOINTMENTS TO VARIOUS COMMISSIONS**

City Manager Ricardo Reyes requested the item be pulled from the agenda.

## **PARKS AND RECREATION**

### **11. CONSIDERATION AND APPROVAL OF FACILITY RENTAL PERMIT AND FEE WAIVER REQUEST BY GENERAL FEDERATION OF WOMEN'S CLUB OF HUNTINGTON PARK'S FOR THE INTERNATIONAL WOMEN'S MONTH & SCHOLARSHIP LUNCHEON**

**MOTION:** Vice Mayor Sanabria moved to approve the Facility Rental Permit for the General Federation of Women's Club of Huntington Parks for the International Women's Month event on March 11, 2023 and the Scholarship Luncheon on June 24, 2023; and consider approving the Parks and Recreation Commission recommendation on the fee waiver.

**SUBSTITUTE MOTION:** Councilmember Ortiz moved to approve the Facility Rental Permit for the General Federation of Women's Club of Huntington Parks for the International Women's Month event on March 11, 2023 and the Scholarship Luncheon on June 24, 2023; and approve the Parks and Recreation Commission recommendation on the fee waiver with the condition of allowing Huntington Park staff to set up a table at the Women's Club event to provide city resources, seconded by Councilmember Flores.

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

**NOES:** None

**12. CONSIDERATION AND APPROVAL OF AUTHORIZATION AND RATIFICATION OF CERTAIN EXPENDITURES FOR PRODUCTION SERVICES WITH PAGEANTRY PARADES TO PLAN AND PRODUCE THE CITY OF HUNTINGTON PARK'S 2023 AND 2024 HOLIDAY PARADES**

**MOTION:** Vice Mayor Sanabria moved to approve authorization of Pageantry Parades as a sole source, in the amount of \$33,100 for the Annual Holiday Parade Production of 2023 and 2024; and authorize City Manager to enter into a 2-year agreement with Pageantry Parades to complete the Holiday Parade Production for 2023 and 2024, seconded by Councilmember Macias. Motion carried by unanimous consent.

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

**NOES:** None

**END OF REGULAR AGENDA**

**DEPARTMENTAL REPORTS**

Steve Forster, Community Development Director reminded everyone that February 14, 2023 is Valentine's Day and have received four applications from Huntington Park businesses to sell flowers in front of their business. These types of sales and businesses will be monitored by staff accordingly.

Communications Director Sergio Infanzon shared information related Huntington Park upcoming events and resources.

Parks and Recreation department shared that a blood drive will be held on February 14, 2023 in collaboration with American Red Cross at Salt Lake Park from 10am to 4pm.

**WRITTEN COMMUNICATIONS**

None

## **COUNCIL COMMUNICATIONS**

Councilmember Ortiz thanked staff for the Key Club event. She also thanked Huntington Park Police for working with Miles Elementary in coordinating the new dismissal area. She emphasized the positive feedback received from parents regarding the improved safety and convenience when picking up their child afterschool. She closed by thanking all staff for the work they do.

Councilmember Macias thanked staff and Director Forster and his team for speaking with the kids at Huntington Park Elementary School. She emphasized the importance of teamwork and going the extra mile to connect with the community. She then thanked all departments for their hard work especially Finance for putting in the long hours necessary to get the budget item prepared. She closed by wishing everyone a Happy Valentine's Day.

Councilmember Flores shared that February 25, 2023 the city will be hosting in collaboration with the West Los Angeles Greater Los Angeles Veterans Association a veterans brunch at Salt Lake Community Center. He then thanked City Manager Ricardo Reyes and Police Chief Lozano for their ongoing leadership. He closed by thanking staff for all their efforts and emphasized how proud he is of staff and the work they do.

Vice Mayor Sanabria thanked staff and everyone who participated in the homeless count. She closed by wishing everyone a Happy Valentine's Day.

Mayor Martinez wished everyone a Happy Valentine's Day and encouraged everyone to donate blood. He then thanked staff for always keeping everyone safe. He closed by expressing how we are currently living through challenging times here and around the world and encouraged everyone to think of ways to show more compassion to one another and improve oneself as an individual and a city.

## **ADJOURNMENT**

Mayor Martinez adjourned the meeting at 8:37 p.m. The next City of Huntington Park City Council meeting will be held on Tuesday February 21, 2023 at 6:00 pm

Respectfully submitted

  
\_\_\_\_\_  
Eduardo Sarmiento, City Clerk

## ITEM 2

### List of Funds - City of Huntington Park

| FUND | DESCRIPTION               | FUND | DESCRIPTION                |
|------|---------------------------|------|----------------------------|
| 111  | General Fund              | 230  | Homeland Security Fund     |
| 112  | Waste Collection/Disposal | 231  | Parking System Fund        |
| 114  | Spec Events Contributions | 232  | Art in Public Places Fund  |
| 115  | General Fund Reserve      | 233  | Bullet Proof Vest Grant    |
| 116  | Retirement Fund           | 234  | Congressional Earmark      |
| 120  | Special Revenue DNA ID    | 235  | Federal Street Improvmnt   |
| 121  | Special Revnu Welfare Inm | 236  | HUD Economic Empowerment   |
| 122  | Prevention Intervention   | 237  | Community Planning         |
| 123  | Board of Corrections LEAD | 238  | Air Pollution Grant        |
| 124  | Auto Theft Prevention     | 239  | Federal CDBG Fund          |
| 150  | Emergency Preparedness    | 240  | HUD EZ/EC Soc Sec Block    |
| 151  | Economic Development      | 241  | CalHome                    |
| 152  | Greenway Linear Park Proj | 242  | HUD Home Program           |
| 200  | LACTMA TOD                | 243  | HUD 108 B03MC060566        |
| 201  | Environmental Justice     | 244  | HUD EDI Grant              |
| 202  | CFP Crosswalks            | 245  | EPA Brownfield             |
| 203  | ATP Randolph Rail-Trail   | 246  | LBPHCP-Lead Base           |
| 204  | SR2S Middleton Safe Route | 247  | Neighborhood Stabilization |
| 205  | CFP Pacific Blvd          | 248  | Homelessness Prevention    |
| 206  | CFP I Park Pay Station    | 249  | DEPT OF TOXIC SUBSTANCES   |
| 207  | CFP Signal Synchronizatio | 250  | DTSC Grant                 |
| 208  | CMAQ Metro Rapid          | 251  | Land & Water Conservation  |
| 209  | CFP City Street Resurfac  | 252  | ABC                        |
| 210  | Measure M                 | 253  | DEBT SERVICE FUND          |
| 211  | Road Maint & Rehab SB1    | 257  | CDC Merged Project Fund    |
| 212  | P & R Grants              | 258  | CDC Merged Debt Service    |
| 213  | Park Facilities           | 259  | CDC Low/Mod Income Housin  |
| 214  | Recreation Field Charter  | 262  | CDC Neighbor Preservn Cap  |
| 215  | Trees for A Better Enviro | 263  | CDC Neighbor Presrvn Debt  |
| 216  | Employees Retirement Fund | 264  | CDC Nghbr Prsrvn Low/Mod   |
| 217  | OPEB                      | 267  | CDC Sta Fe Redev Project   |
| 218  | PARS                      | 268  | CDC Sta Fe Debt Service    |
| 219  | Sales Tax-Transit Fund A  | 269  | CDC Sta Fe Low/Mod Income  |
| 220  | Sales Tax-Transit C       | 270  | Successor Agency Merge     |
| 221  | State Gasoline Tax Fund   | 271  | Successor Agency Merg Prj  |
| 222  | Measure R                 | 272  | Successor Agency Low Mod   |
| 223  | Local Origin Program Fund | 273  | Successor Agency NHP       |
| 224  | Office of Traffc & Safety | 274  | Successor Agency NHP Prj   |
| 225  | Cal Cops Fund             | 275  | Successor Agency           |
| 226  | Air Quality Improv Trust  | 276  | SUCCESSOR AGENCY-GF        |
| 227  | Offc of Criminal Justice  | 283  | Sewer Maintenance Fund     |
| 228  | State Dept. of Justice    | 285  | Solid Waste Mgmt Fund      |
| 229  | Police Forfeiture Fund    | 286  | Illegal Disposal Abatemnt  |

| FUND | DESCRIPTION               |
|------|---------------------------|
| 287  | Solid Waste Recycle Grant |
| 288  | COMPBC                    |
| 293  | PUBLIC FIN. AUTHOR.L/T DT |
| 299  | CDC Special Revenue Fund  |
| 322  | STIP Transportation Fund  |
| 334  | Ped/Bike Path Fund        |
| 335  | Energy Efficient Grant    |
| 345  | Rails To Trails Randolph  |
| 346  | Bike Lane State Street    |
| 347  | SRTS Middleton Elementary |
| 348  | Pacific Blvd Ped Improve  |
| 349  | Capital Improvement Fund  |
| 475  | HP PUBLIC FINANCE AUTHOR  |
| 533  | Business Improv Dist Fund |
| 535  | Strt Lght & Lndscp Assess |
| 681  | Water Department Fund     |
| 741  | Fleet Maintenance         |
| 742  | Information Technology    |
| 745  | Self Insurance            |
| 746  | Employee Benefit Fund     |
| 748  | Veh & Equip Replacement   |
| 779  | Deferred Comp. Trust Fund |
| 800  | Pooled Cash               |
| 801  | Pooled Cash Fund          |
| 802  | Pooled Interest           |
| 993  | Public Fin Authority LTD  |
| 994  | General Fixed Assets Acct |
| 995  | General LTD Account Grp   |
| 996  | General Long Term Debt    |
| 997  | CDC Gnrl LTD Account Grp  |
| 998  | Reserve Template Fund     |
| 999  | Pooled Cash/Template      |

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| 4IMPRINT INC                     | 10772723       | 239-6060-490.61-60 | CDBG SUPPLIES              | 999.83             |
|                                  |                |                    |                            | <b>\$999.83</b>    |
| AARON CRUZ                       | 5155           | 111-6060-466.33-20 | DANCING CLASSES            | 288.00             |
|                                  | 5156           | 111-6060-466.33-20 | DANCING CLASSES            | 288.00             |
|                                  | 5157           | 111-6060-466.33-20 | DANCING CLASSES            | 224.00             |
|                                  |                |                    |                            | <b>\$800.00</b>    |
|                                  |                |                    |                            | <b>\$200.00</b>    |
| ACCESS AUTO GLASS LLC            | 1117           | 741-8060-431.43-20 | TINT WINDOWS FOR PD UNIT   | 150.00             |
|                                  | 1119           | 741-8060-431.43-20 | TINT WINDOWS FOR PD UNIT   | 75.00              |
|                                  |                |                    |                            | <b>\$225.00</b>    |
| ADLERHORST INTERNATIONAL LLC     | 109487         | 111-7022-421.61-24 | K-9 RELATED EXPENSES       | 328.64             |
|                                  | 109488         | 111-7022-421.61-24 | K-9 RELATED EXPENSES       | 107.75             |
|                                  | 109494         | 111-7022-421.61-24 | K-9 RELATED EXPENSES       | 180.00             |
|                                  |                |                    |                            | <b>\$616.39</b>    |
| ALADDIN LOCK & KEY SERVICE       | 32690          | 111-8020-431.43-10 | KEYS JANITORIAL STAFF      | 339.84             |
|                                  | 32689          | 111-8020-431.43-20 | KEYS FOR PARKS AND REC     | 279.29             |
|                                  | 32648          | 741-8060-431.43-20 | KEYS FOR PUBLIC WORKS      | 16.39              |
|                                  | 32691          | 741-8060-431.43-20 | KEYS FOR PUBLIC WORKS      | 5.00               |
|                                  | 32812          | 741-8060-431.43-20 | REMOTE KEY FOR PD UNIT     | 246.38             |
|                                  | 32814          | 741-8060-431.43-20 | KEYS FOR PW UNITS          | 21.86              |
|                                  |                |                    |                            | <b>\$908.76</b>    |
| ALL CITY MANAGEMENT SERVICES,INC | 82905          | 111-7022-421.56-41 | SCHOOL CROSSING GUARD SVC  | 11,376.48          |
|                                  |                |                    |                            | <b>\$11,376.48</b> |
| AMAZON.COM SERVICES, INC.        | 19LJ-L6TD-M94J | 111-6020-451.61-35 | CULTURAL ART SUPPLIES      | 55.11              |
|                                  | 146R-4WNW-LKHC | 239-6060-490.61-60 | CDBG SENIOR PROGRAM SUPPLY | 995.38             |
|                                  |                |                    |                            | <b>\$1,050.49</b>  |
| AT&T                             | 1/23-2/22      | 111-9010-419.53-10 | PUBLIC WORDS YARD INTERNET | 180.49             |
|                                  | 12/01-12/31    | 111-9010-419.53-10 | SALT LAKE PARK INTERNET    | 37.45              |
|                                  | 12/28-02/27    | 111-9010-419.53-10 | RAUL PEREZ INTERNET        | 27.46              |
|                                  | 12/28-02/27    | 111-9010-419.53-10 | FREEDOM PARK INTERNET      | 27.46              |
|                                  | 2/1-2/28       | 111-9010-419.53-10 | COMMUNITY CENTER INTERNET  | 250.74             |
|                                  |                |                    |                            | <b>\$523.60</b>    |
| AT&T MOBILITY                    | XO1252023      | 111-7010-421.53-10 | PD WIRELESS PHONES         | 4,889.59           |
|                                  |                |                    |                            | <b>\$4,889.59</b>  |
| AT&T PAYMENT CENTER              | 12/28-01/27    | 111-7010-421.53-10 | PD PHONE SERVICE           | 3,169.35           |
|                                  |                |                    |                            | <b>\$3,169.35</b>  |
| AUTO ZONE                        | 4075467963     | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 75.39              |
|                                  | 4075468701     | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 379.25             |
|                                  | 4075475275     | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 39.65              |
|                                  | 4075475296     | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 159.42             |
|                                  | 4075476491     | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 122.83             |
|                                  | 4075477822     | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 429.97             |
|                                  | 4075478647     | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 578.81             |
|                                  | 4075483040     | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 17.19              |



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| AUTO ZONE                          | 4075483977     | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT        | 345.07             |
|                                    | 4075484903     | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT        | 199.21             |
|                                    |                |                    |                                  | <b>\$2,346.79</b>  |
| BDG LAW GROUP                      | 32207          | 745-9031-413.32-70 | LEGAL SERVICES                   | 3,443.41           |
|                                    |                |                    |                                  | <b>\$3,443.41</b>  |
| BEAR ELECTRICAL SOLUTIONS, INC     | 17108          | 221-8014-429.56-41 | TRAFFIC SIGNAL SVCS              | 5,305.00           |
|                                    | 17820          | 221-8014-429.56-41 | TRAFFIC SIGNAL SVCS              | 3,313.40           |
|                                    | 17821          | 221-8014-429.56-41 | TRAFFIC SIGNAL SVCS              | 6,350.00           |
|                                    |                |                    |                                  | <b>\$14,968.40</b> |
| BENEFIT ADMINISTRATION CORPORATION | 6030970-IN     | 111-2030-413.56-41 | MONTHLY FEES DEC. 22             | 50.00              |
|                                    |                |                    |                                  | <b>\$50.00</b>     |
| BIG BELLY SOLAR, INC               | 44421          | 287-8055-432.61-20 | SOFTWARE RENEWAL                 | 8,782.56           |
|                                    | 44430          | 287-8055-432.61-20 | BATTERY FOR COMPACTORS           | 1,852.21           |
|                                    |                |                    |                                  | <b>\$10,634.77</b> |
| BLACK AND WHITE EMERGENCY VEHICLES | 4853           | 111-7022-421.61-24 | PARTS FOR PD UNIT                | 1,210.34           |
|                                    | 4756           | 741-8060-431.74-10 | INSTALLATION FOR PD UNIT         | 5,185.68           |
|                                    | 4757           | 741-8060-431.74-10 | INSTALLATION EMERGENCY EQUIPMENT | 5,185.68           |
|                                    |                |                    |                                  | <b>\$11,581.70</b> |
| BRIZUELA'S IRON WORK               | 126            | 681-8030-461.43-30 | REPAIRS TO WELL 16               | 3,000.00           |
|                                    |                |                    |                                  | <b>\$3,000.00</b>  |
| CALIFORNIA CONTRACT CITIES ASSN.   | 3561           | 111-0210-413.64-00 | MEMBERSHIP DUES 22-23            | 4,700.00           |
|                                    |                |                    |                                  | <b>\$4,700.00</b>  |
| CALIFORNIA DEPARTMENT OF TAX AND   | HW123122       | 741-8060-431.42-05 | HAZARDOUS WASTE FEE              | 318.00             |
|                                    | UST123122      | 741-8060-431.42-05 | TANK MAINTENANCE                 | 1,818.00           |
|                                    |                |                    |                                  | <b>\$2,136.00</b>  |
| CANNON CORPORATION                 | 83115          | 111-8010-431.76-12 | CONSTRUCTION MANAGEMENT          | 27,302.78          |
|                                    | 83360          | 681-8030-461.43-30 | WATER ENGINEERING SVCS           | 1,877.75           |
|                                    |                |                    |                                  | <b>\$29,180.53</b> |
| CENTRAL FORD                       | 20539          | 219-8085-431.43-21 | CAR PARTS FOR PW BUS             | 376.11             |
|                                    | 20900          | 219-8085-431.43-21 | CAR PARTS FOR SHUTTLE            | 239.89             |
|                                    | 20901(20900)   | 219-8085-431.43-21 | CAR PARTS FOR SHUTTLE            | 40.88              |
|                                    | 21182          | 219-8085-431.43-21 | CAR PARTS FOR SHUTTLE            | 211.45             |
|                                    | 20126          | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT        | 136.95             |
|                                    | 20127          | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT        | 63.50              |
|                                    | 20247          | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT        | 81.95              |
|                                    | 20389          | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT        | 117.06             |
|                                    | 20452          | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT        | 86.68              |
|                                    | 20457          | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT        | 57.67              |
|                                    | 20742          | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT        | 80.54              |
|                                    | 20812          | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT        | 103.49             |
|                                    | 20826          | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT        | 20.12              |
|                                    | 20899          | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT        | 74.57              |
|                                    | 20905          | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT        | 185.69             |

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| CENTRAL FORD                        | 20930           | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT     | 64.58              |
|                                     | 21099           | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT     | 352.95             |
|                                     | 21135           | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT     | 61.95              |
|                                     | 21184           | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT     | 29.03              |
|                                     |                 |                    |                               | <b>\$2,385.06</b>  |
| CHAMPION CJD                        | 680058          | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT     | 219.65             |
|                                     |                 |                    |                               | <b>\$219.65</b>    |
| CHARTER COMMUNICATIONS              | 0467069010723   | 111-7010-421.53-10 | FIBER INTERNET                | 1,650.00           |
|                                     | 511379011323    | 111-7010-421.53-10 | INTERNET CLOUD BACK UP POLICE | 159.98             |
|                                     | 514415013023    | 111-7010-421.53-10 | INTERNET CLOUD BACK UP POLICE | 669.85             |
|                                     | 0511353011923   | 111-9010-419.53-10 | CITY HALL MAIN SB             | 199.97             |
|                                     | 0702507011523   | 111-9010-419.53-10 | CITY HALL PUBLIC WIFI         | 407.91             |
|                                     | 0389644013123   | 121-7040-421.56-14 | TV SERVICES JAIL AREA         | 355.92             |
|                                     |                 |                    |                               | <b>\$3,443.63</b>  |
| CINDI CAYAX                         | 2527            | 111-6065-451.57-46 | ZUMBA CLASS FOR SENIORS       | 210.00             |
|                                     |                 |                    |                               | <b>\$210.00</b>    |
| CINTAS CORPORATION NO 3             | 4142859726      | 741-8060-431.56-41 | UNIFORM DRY CLEANING          | 417.68             |
|                                     | 4143590959      | 741-8060-431.56-41 | UNIFORM DRY CLEANING          | 417.68             |
|                                     | 4144250475      | 741-8060-431.56-41 | UNIFORM DRY CLEANING          | 417.68             |
|                                     | 4144950953      | 741-8060-431.56-41 | UNIFORM DRY CLEANING          | 417.68             |
|                                     |                 |                    |                               | <b>\$1,670.72</b>  |
| CITY OF BELL                        | 204             | 111-9050-462.56-41 | SALVATION AMY SHELTER PRG     | 6,947.00           |
|                                     |                 |                    |                               | <b>\$6,947.00</b>  |
| CITY TRAFFIC COUNTERS               | 30113           | 202-8080-431.76-21 | TURNING MOVEMENT COUNT        | 7,140.00           |
|                                     |                 |                    |                               | <b>\$7,140.00</b>  |
| COALITION FOR RESPONSUBLE COMMUNITY | FM1248          | 111-7024-421.56-41 | CITY PURCHASES                | 4,247.80           |
|                                     | FM1259          | 111-7024-421.56-41 | JANITORIAL SVCS               | 4,182.57           |
|                                     | FM1278          | 111-7024-421.56-41 | JANITORIAL SVCS               | 3,889.30           |
|                                     | FM1248          | 111-8020-431.56-41 | CITY PURCHASES                | 1,728.73           |
|                                     | FM1259          | 111-8020-431.56-41 | JANITORIAL SVCS               | 1,689.60           |
|                                     | FM1278          | 111-8020-431.56-41 | JANITORIAL SVCS               | 1,513.63           |
|                                     | FM1248          | 111-8022-419.56-41 | JANITORIAL SVCS               | 5,073.99           |
|                                     | FM1259          | 111-8022-419.56-41 | JANITORIAL SVCS               | 4,987.03           |
|                                     | FM1278          | 111-8022-419.56-41 | JANITORIAL SVCS               | 4,595.99           |
|                                     | FM1248          | 111-8023-451.56-41 | JANITORIAL SVCS               | 13,516.52          |
|                                     | FM1259          | 111-8023-451.56-41 | JANITORIAL SVCS               | 13,273.03          |
|                                     | FM1278          | 111-8023-451.56-41 | JANITORIAL SVCS               | 12,178.12          |
|                                     |                 |                    |                               | <b>\$70,876.31</b> |
| COMMERCIAL TIRE COMPANY             | 1-176641        | 219-8085-431.43-21 | TIRES FOR CITY SHUTTLES       | 778.53             |
|                                     |                 |                    |                               | <b>\$778.53</b>    |
| COUNTY OF L.A. DEPT OF PUBLIC WORKS | IN230000193     | 221-8014-429.56-41 | TRAFFIC SIGNAL REPAIR         | 1,702.61           |
|                                     | REPW23011703592 | 221-8014-429.56-41 | TRAFFIC SIGNAL MAINT          | 985.39             |
|                                     |                 |                    |                               | <b>\$2,688.00</b>  |

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| CR&R INCORPORATED                   | 150854         | 111-8027-431.56-59 | WASTE & RECYCLING SVC FEB  | 16,680.00           |
|                                     |                |                    |                            | <b>\$16,680.00</b>  |
| CRAFCO INC                          | 9402863020     | 221-8010-431.61-21 | ASPHALT COLD MIX           | 4,996.97            |
|                                     |                |                    |                            | <b>\$4,996.97</b>   |
| CREATIVE BUS SALES, INC.            | RA101003461:01 | 219-8085-431.43-21 | COMPUTER MODULE SHUTTLE    | 2,509.21            |
|                                     | RA101003970:01 | 219-8085-431.43-21 | EMERG. WINDOW EXIT DECAL   | 91.45               |
|                                     | RA101003996:01 | 219-8085-431.43-21 | CAR PARTS FOR SHUTTLE      | 4,676.85            |
|                                     | RA101003996:01 | 219-8085-431.43-21 | REPLACEMENT BODY MOUNTS    | 756.25              |
|                                     |                |                    |                            | <b>\$8,033.76</b>   |
| CSMFO                               | 300011345      | 111-3010-415.59-15 | MEMBERSHIP DUES            | 125.00              |
|                                     |                |                    |                            | <b>\$125.00</b>     |
| DATA TICKET INC.                    | 146489         | 111-3010-415.56-41 | MONTHLY FEES DEC. 22       | 17.50               |
|                                     | 146377         | 111-5055-419.56-41 | MONTHLY FEES DEC. 22       | 517.60              |
|                                     | 146525         | 111-7010-421.61-20 | MONTHLY FEES               | 22.50               |
|                                     | 146425         | 111-7065-441.61-20 | MONTHLY FEES               | 36.50               |
|                                     |                |                    |                            | <b>\$594.10</b>     |
| DE LAGE LANDEN                      | 75774570       | 111-9010-419.44-10 | PAYMENT FOR APRIL 2022     | 104.61              |
|                                     | 78513581       | 111-9010-419.44-10 | MONTHLY BILLING JAN. 2023  | 2,196.73            |
|                                     |                |                    |                            | <b>\$2,301.34</b>   |
| DEANNA DUCTOC                       | 2000011 004    | 111-0000-228.20-00 | DEPOSIT REFUND             | 500.00              |
|                                     |                |                    |                            | <b>\$500.00</b>     |
| DELTA DENTAL                        | BE005354228    | 111-0000-217.50-20 | DELTA CARE DPO BENEFITS    | 8,288.16            |
|                                     |                |                    |                            | <b>\$8,288.16</b>   |
| DELTA DENTAL INSURANCE COMPANY      | BE005351820    | 111-0000-217.50-20 | MONTHLY FEES FEB. 2023     | 1,964.23            |
|                                     |                |                    |                            | <b>\$1,964.23</b>   |
| DEPARTMENT OF ANIMAL CARE & CONTROL | 01/25/2023     | 111-7065-441.56-41 | ANIMAL CARE AND CONTROL    | 19,225.43           |
|                                     | 12/25/2022     | 111-7065-441.56-41 | ANIMAL CARE AND CONTROL    | 15,366.91           |
|                                     |                |                    |                            | <b>\$34,592.34</b>  |
| DF POLYGRAPH                        | 2023/1         | 111-7010-421.56-41 | POLYGRAPH EXAMINATIONS     | 525.00              |
|                                     |                |                    |                            | <b>\$525.00</b>     |
| DUNN EDWARDS CORPORATION            | 2009ZB9995     | 111-8095-431.61-50 | PAINT FOR GRAFFITI REMOVAL | 859.30              |
|                                     |                |                    |                            | <b>\$859.30</b>     |
| EDWIN RUANO                         | 8176           | 111-8020-431.43-10 | POLICE DEPARTMENT SUPPLIES | 4,786.00            |
|                                     |                |                    |                            | <b>\$4,786.00</b>   |
| ELECNR BELCO ELECTRIC, INC          | 14-0726-005    | 202-8080-431.76-20 | CONSTRUCTION PROJECT       | 309,440.00          |
|                                     |                |                    |                            | <b>\$309,440.00</b> |
| ELITE IRON DOORS & FENCES INC       | 21821          | 535-8090-452.61-20 | PARTS FOR RAUL PEREZ PARK  | 200.00              |
|                                     |                |                    |                            | <b>\$200.00</b>     |
| EXCEL PAVING COMPANY                | 6              | 221-8010-431.76-12 | ST ENHANCEMENT PROJECT     | 375,355.59          |
|                                     |                |                    |                            | <b>\$375,355.59</b> |
| EXPRESS TRANSPORTATION SERVICES LLC | HPE02012023    | 111-0000-362.20-15 | TRANSIT SVCS FOR JAN 2023  | -2,500.00           |
|                                     | HPE02012023    | 219-0000-340.30-00 | TRANSIT SVCS FOR JAN 2023  | -1,375.00           |
|                                     | HPE02012023    | 219-8085-431.56-43 | TRANSIT SVCS FOR JAN 2023  | 34,959.80           |

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| EXPRESS TRANSPORTATION SERVICES LLC | DAR02012023    | 219-8085-431.56-45 | MONTHLY FEES               | 70,223.33           |
|                                     | HPE02012023    | 220-8085-431.56-43 | TRANSIT SVCS FOR JAN 2023  | 34,959.80           |
|                                     | HPE02012023    | 222-8010-431.56-43 | TRANSIT SVCS FOR JAN 2023  | 34,959.80           |
|                                     |                |                    |                            | <b>\$171,227.73</b> |
| FEDEX                               | 8-027-81193    | 111-7010-421.61-20 | EXPRESS SHIPMENT CHARGES   | 31.06               |
|                                     |                |                    |                            | <b>\$31.06</b>      |
| FERGUSON ENTERPRISES INC            | 2156008        | 111-8022-419.43-10 | SUPPLIES FOR CITY HALL     | 90.78               |
|                                     | 2174464        | 111-8023-451.43-10 | SUPPLIES FOR PARKS & REC   | 118.02              |
|                                     |                |                    |                            | <b>\$208.80</b>     |
| FM THOMAS AIR CONDITIONING INC      | 44870          | 111-8022-419.56-41 | CITY HALL AC REPAIRS       | 4,942.00            |
|                                     |                |                    |                            | <b>\$4,942.00</b>   |
| GEORGE CHEVROLET                    | 127391CVW      | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 10.56               |
|                                     | 128197CVW      | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 60.81               |
|                                     | 130210CVW      | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 198.94              |
|                                     | 130211CVW      | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 642.44              |
|                                     | 130302CVW      | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 442.12              |
|                                     | 130750CVW      | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 361.88              |
|                                     | 131405CVW      | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 75.33               |
|                                     | 131406CVW      | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 99.01               |
|                                     | 131646CVW      | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 742.74              |
|                                     | 20113          | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 872.14              |
|                                     | CVCS412955     | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 3,958.50            |
|                                     | CVCS414405     | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 893.87              |
|                                     |                |                    |                            | <b>\$8,358.34</b>   |
| GRAINGER                            | 9527311691     | 535-8016-431.61-45 | PARTS FOR STREET LIGHTS    | 158.87              |
|                                     | 9583243192     | 741-8060-431.43-20 | SHOP SUPPLIES              | 31.23               |
|                                     |                |                    |                            | <b>\$190.10</b>     |
| H.P. TEST ONLY                      | 22619          | 219-8085-431.43-21 | CAR PARTS FOR SHUTTLE      | 35.00               |
|                                     | 22706          | 219-8085-431.43-21 | CAR PARTS FOR SHUTTLE      | 35.00               |
|                                     | 21569          | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 35.00               |
|                                     | 21579          | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 35.00               |
|                                     | 21588          | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 35.00               |
|                                     | 21600          | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 35.00               |
|                                     | 21647          | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 35.00               |
|                                     | 21996          | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 35.00               |
|                                     | 22360          | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 35.00               |
|                                     | 22376          | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 35.00               |
|                                     | 22391          | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 35.00               |
|                                     | 22395          | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 35.00               |
|                                     | 22434          | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 35.00               |
|                                     | 22583          | 741-8060-431.43-20 | SMOG CHECK FOR POLICE UNIT | 35.00               |
|                                     | 22615          | 741-8060-431.43-20 | SMOG CHECK FOR POLICE UNIT | 35.00               |
|                                     | 22620          | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 35.00               |

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| H.P. TEST ONLY                     | 22643           | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT   | 35.00               |
|                                    | 22648           | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT   | 35.00               |
|                                    | 22673           | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT   | 35.00               |
|                                    | 22692           | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT   | 35.00               |
|                                    | 22801           | 741-8060-431.43-20 | SMOG CHECK FOR POLICE UNIT  | 35.00               |
|                                    |                 |                    |                             | <b>\$735.00</b>     |
| HAJOCA CORPORATION                 | S166704119.001  | 111-8020-431.43-10 | SUPPLIES FOR DRAIN MACHINE  | 374.38              |
|                                    | S166709081.001  | 111-8023-451.43-10 | SUPPLIES FOR PARKS DEPT     | 1,404.68            |
|                                    | S166694669.002  | 111-8024-421.43-10 | PLUMBING SUPPLIES PD DEPT   | 77.20               |
|                                    |                 |                    |                             | <b>\$1,856.26</b>   |
| HASA, INC.                         | 868473          | 681-8030-461.41-00 | SODIUM HYPOCHLORITE WELL 14 | 382.17              |
|                                    | 868487          | 681-8030-461.41-00 | SODIUM HYPOCHLORITE WELL 18 | 448.87              |
|                                    | 869385          | 681-8030-461.41-00 | SODIUM HYPOCHLORITE WELL 18 | 392.24              |
|                                    | 870128          | 681-8030-461.41-00 | SODIUM HYPOCHLORITE WELL 18 | 339.94              |
|                                    | 870129          | 681-8030-461.41-00 | SODIUM HYPOCHLORITE WELL 12 | 545.54              |
|                                    | 870134          | 681-8030-461.41-00 | SODIUM HYPOCHLORITE WELL 14 | 272.78              |
|                                    |                 |                    |                             | <b>\$2,381.54</b>   |
| HDL COREN & CONE                   | SIN024860       | 111-9010-419.56-41 | CONTRACT SERVICES           | 2,240.20            |
|                                    |                 |                    |                             | <b>\$2,240.20</b>   |
| HECTOR G. MORENO                   | 5148            | 111-6060-466.33-20 | TAEKWONDO 5148              | 1,152.00            |
|                                    | 5149            | 111-6060-466.33-20 | TAEKWONDO 5149              | 1,008.00            |
|                                    | 5150            | 111-6060-466.33-20 | TAEKWONDO 5150              | 432.00              |
|                                    |                 |                    |                             | <b>\$2,592.00</b>   |
| HERNANDEZ SIGNS, INC.              | 5489            | 111-8022-419.43-10 | SNEEZE GUARD                | 192.94              |
|                                    |                 |                    |                             | <b>\$192.94</b>     |
| IBE DIGITAL                        | 450670          | 111-9010-419.44-10 | TONER FOR COPIER            | 2,456.80            |
|                                    | 451115          | 111-9010-419.44-10 | INSTALLATION OF MACHINE     | 240.00              |
|                                    |                 |                    |                             | <b>\$2,696.80</b>   |
| INFINITY BACKGROUND INVESTIGATIONS | 106             | 111-7010-421.56-41 | BACKGROUND INVESTIGATION    | 1,000.00            |
|                                    |                 |                    |                             | <b>\$1,000.00</b>   |
| INFRAMARK LLC                      | 89355           | 283-8040-432.56-41 | MAINTENANCE FEES            | 13,880.62           |
|                                    | 89355           | 681-8030-461.56-41 | MONTHLY MAINTENANCE         | 107,001.69          |
|                                    |                 |                    |                             | <b>\$120,882.31</b> |
| INFRASTRUCTURE ENGINEERS           | 281722819228178 | 111-5010-419.56-49 | CONTRACTUAL SERVICES        | 88,423.74           |
|                                    |                 |                    |                             | <b>\$88,423.74</b>  |
| JC SIGNS                           | 698             | 111-5010-419.61-20 | LEXAN FACES LED ON BOX      | 1,400.00            |
|                                    |                 |                    |                             | <b>\$1,400.00</b>   |
| JERRY'S AUTO BODY, INC.            | 32706           | 741-8060-431.43-20 | DOOR REPAIR FOR UNIT 902    | 997.61              |
|                                    |                 |                    |                             | <b>\$997.61</b>     |
| JTB SUPPLY COMPANY INC             | 111059          | 535-8016-431.74-10 | PUBLIC WORK SUPPLIES        | 6,456.24            |
|                                    |                 |                    |                             | <b>\$6,456.24</b>   |
| KIMBALL MIDWEST                    | 100674155       | 741-8060-431.43-20 | FLEET SHOP SUPPLIES         | 714.48              |
|                                    | 100679799       | 741-8060-431.43-20 | FLEET SHOP SUPPLIES         | 547.68              |
|                                    | 100688712       | 741-8060-431.43-20 | FLEET SHOP SUPPLIES         | 319.34              |

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| KIMBALL MIDWEST                     | 100728144      | 741-8060-431.43-20 | FLEET SHOP SUPPLIES        | 752.08             |
|                                     |                |                    |                            | <b>\$2,333.58</b>  |
| LACMTA                              | HP11152022     | 219-8085-431.58-50 | BUS PASSES FOR OCT. 2022   | 796.02             |
|                                     | HP1132023      | 219-8085-431.58-50 | BUS PASSES FOR DEC 2023    | 694.02             |
|                                     | HP12152022     | 219-8085-431.58-50 | BUS PASSES FOR NOV 2022    | 897.27             |
|                                     |                |                    |                            | <b>\$2,387.31</b>  |
| LAN WAN ENTERPRISE, INC             | 73866          | 111-7010-419.43-15 | IT SVCS MONTHLY MAINT FEE  | 25,106.00          |
|                                     | 73896          | 111-7010-421.56-41 | MONTHLY FEES FEB. 2023     | 4,369.00           |
|                                     | 73854          | 111-7010-421.61-20 | LCD PROJECTOR FOR PD       | 777.78             |
|                                     | 73839          | 111-7010-421.74-10 | LABEL PRINTER FOR PD       | 1,139.71           |
|                                     | 73866          | 111-9010-419.43-15 | IT SVCS MONTHLY MAINT FEE  | 25,106.00          |
|                                     | 73897          | 111-9010-419.56-41 | PROJECT SVCS CYBERSECURITY | 3,084.00           |
|                                     |                |                    |                            | <b>\$59,582.49</b> |
| LAURIE KAJIWARA                     | HP0024         | 111-9010-419.56-41 | ADMIN CONSULTING SVCS      | 17,553.75          |
|                                     |                |                    |                            | <b>\$17,553.75</b> |
| LEAGUE OF CALIFORNIA CITIES         | 643353         | 111-0210-413.64-00 | MEMBERSHIP DUES YEAR 2023  | 19,549.00          |
|                                     |                |                    |                            | <b>\$19,549.00</b> |
| LOS ANGELES COUNTY POLICE CHIEF ASN | APR-23         | 111-7010-421.59-15 | PD CONFERENCE              | 300.00             |
|                                     |                |                    |                            | <b>\$300.00</b>    |
| LOZADA'S TRANSMISSIONS INC.         | 4796           | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT  | 1,864.98           |
|                                     |                |                    |                            | <b>\$1,864.98</b>  |
| LUXURY AUTO BODY                    | PW6004         | 741-8060-431.43-20 | BODYWORK REPAINTING POLICE | 4,545.75           |
|                                     | PW6005         | 741-8060-431.43-20 | PARTS FOR POLICE UNIT      | 988.17             |
|                                     |                |                    |                            | <b>\$5,533.92</b>  |
| MAINTEX                             | 1020789-00     | 741-8060-431.43-20 | CLEANING SUPPLIES          | 745.67             |
|                                     |                |                    |                            | <b>\$745.67</b>    |
| MANAGED HEALTH NETWORK              | PRM-078322     | 111-0000-217.50-60 | MONTHLY MGMT HEALTH NTW    | 338.40             |
|                                     |                |                    |                            | <b>\$338.40</b>    |
| MARIA MALDONADO                     | 77500          | 111-0000-228.20-00 | DEPOSIT REFUND             | 150.00             |
|                                     |                |                    |                            | <b>\$150.00</b>    |
| MICHAEL BAKER INTERNATIOAL INC.     | 1166161        | 239-5060-463.56-41 | PROFESSIONAL SVCS          | 14,590.00          |
|                                     | 1168755        | 239-5060-463.56-41 | PROFESSIONAL SVCS          | 16,671.94          |
|                                     |                |                    |                            | <b>\$31,261.94</b> |
| MOTOROLA SOLUTIONS, INC             | 1187093070     | 741-8060-431.74-10 | RADIO EQUIPMENT PD UNIT    | 10,003.23          |
|                                     | 1187093072     | 741-8060-431.74-10 | RADIO EQUIPMENT PD UNIT    | 10,003.23          |
|                                     |                |                    |                            | <b>\$20,006.46</b> |
| MUNICIPAL WASTE SOLUTIONS           | 1061           | 287-8055-432.56-41 | BEVERAGE CONTAINER RECYCLE | 4,500.00           |
|                                     |                |                    |                            | <b>\$4,500.00</b>  |
| NAPA AUTO PARTS                     | 4832-542594    | 741-8060-431.43-20 | PW SUPPLIES                | 33.98              |
|                                     | 4832-542980    | 741-8060-431.43-20 | DOOR LOCK FOR PD UNIT      | 54.99              |
|                                     |                |                    |                            | <b>\$88.97</b>     |
| NATIONWIDE ENVIRONMENTAL SERVICES   | 32897          | 111-8030-461.56-42 | CONTRACTUAL SERVICES       | 5,480.49           |
|                                     | 32897          | 111-8031-433.56-41 | CONTRACTUAL SERVICES       | 13,750.00          |
|                                     | 32917          | 111-8031-433.56-41 | STREET SWEEPING SVCS       | 5,904.17           |

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| NATIONWIDE ENVIRONMENTAL SERVICES  | 32918          | 220-8070-431.56-41 | BUS STOP MAINTENANCE      | 20,411.91          |
|                                    | 32917          | 221-8010-431.56-41 | STREET SWEEPING SVCS      | 51,282.37          |
|                                    |                |                    |                           | <b>\$96,828.94</b> |
| NEW CHEF FASHION INC.              | 1047847        | 111-7010-421.61-20 | PD UNIFORMS               | 99.20              |
|                                    |                |                    |                           | <b>\$99.20</b>     |
| NEXSTAR MEDIA, INC                 | 3749932-1      | 111-6010-483.55-35 | PARADE AIRING             | 12,500.00          |
|                                    |                |                    |                           | <b>\$12,500.00</b> |
| NICK ALEXANDER RESTORATION         | 4071           | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT | 350.00             |
|                                    | 4076           | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT | 395.00             |
|                                    |                |                    |                           | <b>\$745.00</b>    |
| NORM REEVES FORD SUPERSTORE        | 983400         | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT | 150.00             |
|                                    |                |                    |                           | <b>\$150.00</b>    |
| NORTH STAR LAND CARE               | 1601-479       | 535-8090-452.56-60 | CONTRACTUAL SERVICES      | 26,640.00          |
|                                    | 1601-494       | 535-8090-452.56-60 | CONTRACTUAL SERVICES      | 16,560.00          |
|                                    |                |                    |                           | <b>\$43,200.00</b> |
| O'REILLY AUTO PARTS                | 2959-247346    | 219-8085-431.43-21 | CAR PARTS FOR SHUTTLE     | 469.29             |
|                                    | 2959-248264    | 219-8085-431.43-21 | CAR PARTS FOR SHUTTLE     | 48.65              |
|                                    | 2959-261033    | 219-8085-431.43-21 | CAR PARTS FOR SHUTTLE     | 315.01             |
|                                    | 2959-247146    | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT | 103.46             |
|                                    | 2959-247346    | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT | 378.36             |
|                                    | 2959-252814    | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT | 64.22              |
|                                    | 2959-253105    | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT | 19.29              |
|                                    | 2959-253107    | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT | 146.48             |
|                                    | 2959-256685    | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT | 13.26              |
|                                    | 2959-258238    | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT | 124.80             |
|                                    | 2959-258245    | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT | 73.77              |
|                                    | 2959-258395    | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT | 40.97              |
|                                    | 2959-258585    | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT | 75.72              |
|                                    | 2959-261331    | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT | 328.20             |
|                                    | 2959-261357    | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT | 7.61               |
|                                    | 2959-261361    | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT | 7.64               |
|                                    | 2959-261682    | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT | 190.72             |
|                                    | 2959-262109    | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT | 32.84              |
|                                    | 2959-262157    | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT | 10.46              |
|                                    | 2959-262185    | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT | 35.04              |
|                                    | 2959-262217    | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT | 103.46             |
|                                    | 2959-262236    | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT | 19.54              |
|                                    | 2959-264953    | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT | 547.50             |
|                                    | 2959-264973    | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT | 106.76             |
|                                    | 2959-264994    | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT | 470.93             |
|                                    |                |                    |                           | <b>\$3,733.98</b>  |
| OEM AUTO PAINT SUPPLIES            | 149104         | 111-8095-431.61-50 | PAINT FOR BASKETBALL RIMS | 131.40             |
|                                    |                |                    |                           | <b>\$131.40</b>    |
| OK PRINTING DESIGN & DIGITAL PRINT | 2756           | 111-7030-421.61-20 | OFFICE SUPPLIES           | 600.50             |
|                                    |                |                    |                           | <b>\$600.50</b>    |

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| ORANGE LINE DEVELOPMENT AUTHORITY | 14              | 111-5010-419.56-41 | CONSULTING SVCS           | 8,721.45           |
|                                   | 15              | 111-5010-419.56-41 | CONSULTING SVCS           | 7,414.00           |
|                                   |                 |                    |                           | <b>\$16,135.45</b> |
| PACIFIC PRODUCTS & SERVICES LLC   | 31404           | 221-8012-429.61-20 | TRAFFIC SIGNS             | 12,937.84          |
|                                   | 31412           | 221-8012-429.61-20 | PARKING SIGNS             | 241.89             |
|                                   |                 |                    |                           | <b>\$13,179.73</b> |
| PACIFICA SERVICES INC.            | 346-07          | 221-8010-431.76-12 | ST RECONSTRUCTION PROJECT | 850.00             |
|                                   |                 |                    |                           | <b>\$850.00</b>    |
| PARS                              | 52251           | 111-9010-419.56-41 | MONTHLY FEES              | 544.23             |
|                                   |                 |                    |                           | <b>\$544.23</b>    |
| PURCHASE POWER                    | 800090900355810 | 111-9010-419.53-20 | MONTHLY BILLING JAN. 2023 | 2,283.86           |
|                                   |                 |                    |                           | <b>\$2,283.86</b>  |
| QDOXS                             | IN48783         | 111-8020-431.43-05 | XEROX COPIER CONTRACT     | 21.90              |
|                                   | IN48783         | 285-8050-432.43-05 | XEROX COPIER CONTRACT     | 21.90              |
|                                   | IN48783         | 681-8030-461.43-05 | XEROX COPIER CONTRACT     | 21.90              |
|                                   |                 |                    |                           | <b>\$65.70</b>     |
| R & A TANK TECHNOLOGIES LLC       | 011123-33       | 741-8060-431.43-20 | OPERATOR INSPECTION       | 150.00             |
|                                   |                 |                    |                           | <b>\$150.00</b>    |
| RAHUL SETHI                       | 02142023        | 111-0220-411.32-70 | SETTLEMENT PAYMENT        | 34,565.20          |
|                                   |                 |                    |                           | <b>\$34,565.20</b> |
| REGIONAL TRAINING CENTER          | 61968           | 111-7010-421.59-15 | PD TRAINING               | 1,754.00           |
|                                   | 64410           | 111-7010-421.59-20 | TRAINING FOR PD           | 576.00             |
|                                   |                 |                    |                           | <b>\$2,330.00</b>  |
| REXEL COMMERCIAL & INDUSTRIAL     | S135011664.001  | 535-8016-431.61-45 | PUBLIC WORK SUPPLIES      | 9,807.84           |
|                                   |                 |                    |                           | <b>\$9,807.84</b>  |
| RICHARD A. VIRGEN                 | 3033268         | 745-9031-413.52-30 | CLAIM SETTLEMENT          | 1,962.80           |
|                                   |                 |                    |                           | <b>\$1,962.80</b>  |
| RINCON CONSULTANTS, INC.          | 45164           | 111-9050-462.56-41 | CONSULTING SVCS           | 21,209.50          |
|                                   |                 |                    |                           | <b>\$21,209.50</b> |
| RIO HONDO COLLEGE                 | F22-423-ZHPK    | 111-7010-421.59-20 | PD TRAINING               | 100.00             |
|                                   | S23-85-ZHPK     | 111-7010-421.59-20 | PD TRAINING               | 118.55             |
|                                   | S2310-34-ZHPK   | 111-7010-421.59-20 | PD TRAINING               | 1,483.00           |
|                                   |                 |                    |                           | <b>\$1,701.55</b>  |
| ROADLINE PRODUCTS INC             | 18320           | 221-8012-429.61-20 | STRIPPING MACHINE         | 744.41             |
|                                   | 18325           | 221-8012-429.61-20 | STRIPPING MACHINE         | 516.13             |
|                                   | 18326           | 221-8012-429.61-20 | STRIPPING MACHINE         | 516.13             |
|                                   | 18327           | 221-8012-429.61-20 | STRIPPING MACHINE         | 516.13             |
|                                   |                 |                    |                           | <b>\$2,292.80</b>  |
| SC FUELS                          | IN0000208985    | 741-8060-431.62-30 | FUEL PURCHASE 6000 GAL    | 22,476.43          |
|                                   |                 |                    |                           | <b>\$22,476.43</b> |
| SCHAEFFER MANUFACTURING COMPANY   | LP1966-INV1     | 741-8060-431.62-30 | PURCHASE OF MOTOR OIL     | 3,197.91           |
|                                   |                 |                    |                           | <b>\$3,197.91</b>  |
| SMART & FINAL                     | 3192200018101   | 111-7010-421.61-20 | PD SUPPLIES               | 94.90              |
|                                   |                 |                    |                           | <b>\$94.90</b>     |



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| SOUTHERN CALIFORNIA EDISON    | 1/2-1/9/23      | 535-8016-431.62-10 | ELECTRICAL BILL COTTAGE ST | 2,457.88           |
|                               |                 |                    |                            | <b>\$2,457.88</b>  |
| SOUTHERN CALIFORNIA MUNICIPAL | 89761           | 111-6010-451.64-00 | MEMBERSHIP DUES            | 145.00             |
|                               |                 |                    |                            | <b>\$145.00</b>    |
| SPARKLETTS                    | 15142085012623  | 111-0110-411.66-05 | DRINKING WATER SVCS        | 53.64              |
|                               | 15142085012623  | 111-0210-413.61-20 | DRINKING WATER SVCS        | 53.64              |
|                               | 15142085012623  | 111-1010-411.61-20 | DRINKING WATER SVCS        | 65.45              |
|                               | 15142085012623  | 111-2030-413.61-20 | DRINKING WATER SVCS        | 66.44              |
|                               | 15142085012623  | 111-3010-415.61-20 | DRINKING WATER SVCS        | 133.88             |
|                               | 15142085012623  | 111-5010-419.61-20 | DRINKING WATER SVCS        | 76.13              |
|                               | 15142085012623  | 111-5055-419.61-20 | DRINKING WATER SVCS        | 50.74              |
|                               | 15142085012623  | 111-6010-451.56-41 | DRINKING WATER SVCS        | 134.55             |
|                               |                 |                    |                            | 162.36             |
|                               |                 |                    |                            | <b>\$796.83</b>    |
| STANDARD INSURANCE COMPANY    | 3789170001      | 111-0000-217.50-70 | MONTHLY FEES FEB. 2023     | 7,260.22           |
|                               |                 |                    |                            | <b>\$7,260.22</b>  |
| STAPLES ADVANTAGE             | 80639087377     | 111-0110-411.61-20 | OFFICE SUPPLIES            | 35.56              |
|                               | 8068775046      | 111-0110-411.61-20 | OFFICE SUPPLIES            | 48.53              |
|                               | 8068775046      | 111-1010-411.61-20 | OFFICE SUPPLIES            | 81.77              |
|                               | 8068775046      | 111-2030-413.61-20 | OFFICE SUPPLIES            | 164.71             |
|                               | 80639087377     | 111-3010-415.61-20 | OFFICE SUPPLIES            | 1,311.83           |
|                               | 8068775046      | 111-3010-415.61-20 | OFFICE SUPPLIES            | 1,342.30           |
|                               | 80639087377     | 111-5010-419.61-20 | OFFICE SUPPLIES            | 321.84             |
|                               | 8068775046      | 111-5010-419.61-20 | OFFICE SUPPLIES            | 240.48             |
|                               | 80639087377     | 111-6010-451.61-20 | OFFICE SUPPLIES            | 88.32              |
|                               | 8068775046      | 111-6010-451.61-20 | OFFICE SUPPLIES            | 163.78             |
|                               | 8068775046      | 111-6020-451.61-35 | OFFICE SUPPLIES            | 57.03              |
|                               | 80639087377     | 111-6065-466.61-20 | OFFICE SUPPLIES            | 487.00             |
|                               | 8068775046      | 111-6065-466.61-20 | OFFICE SUPPLIES            | 119.78             |
|                               | 8068775046      | 111-7022-421.61-27 | OFFICE SUPPLIES            | 751.00             |
|                               | 8068775046      | 111-7030-421.61-20 | OFFICE SUPPLIES            | 775.42             |
|                               | 8068775046      | 111-7040-421.61-31 | OFFICE SUPPLIES            | 181.06             |
|                               | 80639087377     | 111-8020-431.61-20 | OFFICE SUPPLIES            | 239.76             |
|                               | 8068775046      | 111-8020-431.61-20 | OFFICE SUPPLIES            | 359.67             |
|                               | 80639087377     | 239-6060-490.61-60 | OFFICE SUPPLIES            | 659.89             |
|                               |                 |                    |                            | <b>\$7,429.73</b>  |
| STAR2STAR COMMUNICATIONS LLC  | SUBC00009972    | 111-9010-419.53-10 | VOIP SERVICES              | 10,928.32          |
|                               | SUBC00010160    | 111-9010-419.53-10 | VOIP SERVICES              | 10,924.99          |
|                               |                 |                    |                            | <b>\$21,853.31</b> |
| STEVE FORSTER                 | 053606-0480     | 111-5010-419.59-15 | CERTIFIED MAIL             | 9.20               |
|                               | 3216375116      | 111-5010-419.59-15 | DRINKS FOR HOMELESS COUNT  | 13.80              |
|                               | 3826            | 111-5010-419.59-15 | BUSINESS LUNCH             | 176.49             |
|                               | 47489           | 111-5010-419.59-15 | PIZZA FOR HOMELESS COUNT   | 80.00              |
|                               | 112631360410706 | 111-5010-419.61-20 | COMM DEV SUPPLIES          | 25.72              |
|                               |                 |                    |                            | <b>\$305.21</b>    |

**City of Huntington Park  
Demand Register  
WR 02/21/2023**

| Payee Name                          | Invoice Number  | Account Number     | Description                        | Transaction Amount |
|-------------------------------------|-----------------|--------------------|------------------------------------|--------------------|
| SUNBELT RENTALS INC                 | 133526772-0002  | 741-8060-431.43-20 | RENTAL-DIESEL GENERATOR            | 8,255.47           |
|                                     |                 |                    |                                    | <b>\$8,255.47</b>  |
| T-MOBILE USA                        | 122122-012023   | 111-0110-411.53-10 | CELLPHONE FOR CITY HALL            | 194.00             |
|                                     | 122122-012023   | 111-0110-411.53-10 | CELLPHONE FOR CITY HALL            | -11.81             |
|                                     | 122122-012023   | 111-0210-413.53-10 | CELLPHONE FOR CITY HALL            | 167.22             |
|                                     | 122122-012023   | 111-1010-411.53-10 | CELLPHONE FOR CITY HALL            | 38.80              |
|                                     | 122122-012023   | 111-2030-413.53-10 | CELLPHONE FOR CITY HALL            | 28.66              |
|                                     | 122122-012023   | 111-3010-415.53-10 | CELLPHONE FOR CITY HALL            | 28.66              |
|                                     | 975956264-JAN23 | 111-5055-419.53-10 | CELLPHONE CHARGES CODE ENFORCEMENT | 187.94             |
|                                     | 1242023         | 111-6010-451.56-41 | MOBILE SERVICE FOR PARKS           | 381.47             |
|                                     | 12423           | 111-8010-431.53-10 | PHONE SERVICES PUBLIC WORKS        | 882.25             |
|                                     | 12423           | 111-8095-431.53-10 | PHONE SERVICES PUBLIC WORKS        | 228.98             |
|                                     | 12423           | 681-8030-461.53-10 | PHONE SERVICES PUBLIC WORKS        | 155.20             |
|                                     |                 |                    |                                    | <b>\$2,281.37</b>  |
| THE GAS COMPANY                     | 069-922-7211-9  | 111-7024-421.62-10 | GAS SVC GOV BUILDINGS              | 960.99             |
|                                     | 069-922-7211-9  | 111-8020-431.62-10 | GAS SVC GOV BUILDINGS              | 1,368.00           |
|                                     | 069-922-7211-9  | 111-8022-419.62-10 | GAS SVC GOV BUILDINGS              | 3,956.60           |
|                                     | 069-922-7211-9  | 111-8023-451.62-10 | GAS SVC GOV BUILDINGS              | 1,284.76           |
|                                     | 12/09-01/10     | 111-8023-451.62-10 | COURT HOUSE GAS CHARGES            | 303.95             |
|                                     |                 |                    |                                    | <b>\$7,874.30</b>  |
| THE HITT COMPANIES, INC             | OE-115400       | 111-0110-411.66-05 | CITY HALL SUPPLIES                 | 23.77              |
|                                     | OE-115383       | 111-7030-421.61-20 | OFFICE SUPPLIES                    | 41.02              |
|                                     |                 |                    |                                    | <b>\$64.79</b>     |
| THORSON MOTOR CENTER                | 463858ISR       | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT          | 440.18             |
|                                     | 464677          | 741-8060-431.43-20 | CAR PARTS FOR POLICE UNIT          | 578.18             |
|                                     |                 |                    |                                    | <b>\$1,018.36</b>  |
| TIME WARNER CABLE                   | 106964801020123 | 111-7010-421.53-10 | ICI SYSTEM PD                      | 1,403.58           |
|                                     |                 |                    |                                    | <b>\$1,403.58</b>  |
| TIREHUB, LLC                        | 32375762        | 741-8060-431.43-20 | TIRES FOR POLICE UNIT              | 565.77             |
|                                     |                 |                    |                                    | <b>\$565.77</b>    |
| TOWN HALL STREAMS                   | 14582           | 111-1010-411.56-41 | MONTHLY TOWN HALL STREAMS          | 300.00             |
|                                     |                 |                    |                                    | <b>\$300.00</b>    |
| U.S. BANK EQUIPMENT FINANCE         | 493421416       | 111-0210-421.44-10 | IBE DIGITAL FINANCING JAN          | 2,672.37           |
|                                     |                 |                    |                                    | <b>\$2,672.37</b>  |
| ULINE                               | 158409675       | 111-7040-421.61-33 | PD SUPPLIES                        | 1,551.89           |
|                                     | 157813547       | 111-8020-431.43-10 | SUPPLIES FOR PW                    | 660.08             |
|                                     | 159234719       | 535-8016-431.61-45 | SUPPLIES FOR ST LIGHTS             | 938.88             |
|                                     |                 |                    |                                    | <b>\$3,150.85</b>  |
| UNDERGROUND SERVICE ALERT OF SO CAL | 120230133       | 221-8014-429.56-41 | MONTHLY MAINTENANCE                | 242.75             |
|                                     | 951-808-8133    | 221-8014-429.56-41 | MONTHLY BILLING JAN. 2023          | 110.64             |
|                                     |                 |                    |                                    | <b>\$353.39</b>    |
| UPWARD SOLUTIONS                    | 23-0106         | 111-0210-413.56-41 | PUBLIC AFFAIR SERVICES             | 5,000.00           |
|                                     |                 |                    |                                    | <b>\$5,000.00</b>  |
| VALLEY ALARM                        | 1001240         | 111-8020-431.56-41 | MONTHLY FEES                       | 662.61             |
|                                     | 1001240         | 111-8022-419.56-41 | MONTHLY FEES JAN. 23               | 662.67             |

**City of Huntington Park  
Demand Register  
WR 02/21/2023**

| Payee Name                         | Invoice Number | Account Number     | Description               | Transaction Amount    |
|------------------------------------|----------------|--------------------|---------------------------|-----------------------|
|                                    | 1001240        | 111-8023-451.56-41 | MONTHLY FEES JAN. 23      | 720.67                |
|                                    |                |                    |                           | <b>\$2,045.95</b>     |
| VISION SERVICE PLAN-CA             | 817014512      | 111-0000-217.50-30 | MONTHLY VISION PLAN       | 58.44                 |
|                                    | 817014514      | 111-0000-217.50-30 | MONTHLY VISION SVC FEB    | 3,859.30              |
|                                    |                |                    |                           | <b>\$3,917.74</b>     |
| VULCAN MATERIALS COMPANY           | 73530256       | 221-8010-431.61-21 | ASPHALT FOR CITY STREETS  | 1,229.79              |
|                                    | 73537834       | 221-8010-431.61-21 | ASPHALT FOR HOLE REPAIRS  | 769.69                |
|                                    | 73542119       | 221-8010-431.61-21 | ASPHALT FOR HOLE REPAIRS  | 766.71                |
|                                    | 73546326       | 221-8010-431.61-21 | ASPHALT FOR HOLE REPAIRS  | 928.71                |
|                                    | 73546327       | 221-8010-431.61-21 | ASPHALT FOR HOLE REPAIRS  | 522.73                |
|                                    |                |                    |                           | <b>\$4,217.63</b>     |
| WALNUT PARK MUTUAL WATER CO.       | 2022           | 283-8040-432.56-41 | BI MONTHLY SVC FEE        | 60.00                 |
|                                    |                |                    |                           | <b>\$60.00</b>        |
| WALTERS WHOLESALE ELECTRIC COMPANY | S122165356.001 | 111-8022-419.43-10 | PARTS FOR AC CITY HALL    | 320.59                |
|                                    |                |                    |                           | <b>\$320.59</b>       |
| WATER REPLENISHMENT DISTRICT OF    | 12312022       | 681-8030-461.41-00 | GROUNDWATER PROD DECEMBER | 89,150.01             |
|                                    |                |                    |                           | <b>\$89,150.01</b>    |
| WEST & ASSOCIATES ENGINEERING, INC | 1008.16.05-15  | 111-5010-419.56-41 | STAFFING AUGMENTATION SVC | 2,580.00              |
|                                    | 1008-16.23-01B | 111-8031-433.76-17 | MANAGEMENT OF NPDES       | 9,500.00              |
|                                    | 1008-16.23-02B | 111-8031-433.76-17 | MANAGEMENT OF NPDES       | 1,950.00              |
|                                    | 1008.16.06-11  | 202-8080-431.76-21 | PROJECT SVCS              | 3,600.00              |
|                                    |                |                    |                           | <b>\$17,630.00</b>    |
| WEST GOVERNMENT SERVICES           | 847782561      | 111-7030-421.56-41 | ONLINE LEGAL RESEARCH SVC | 1,716.80              |
|                                    | 847863229      | 111-7030-421.56-41 | ONLINE LEGAL RESEARCH SVC | 77.31                 |
|                                    |                |                    |                           | <b>\$1,794.11</b>     |
| WESTERN COLLOID S.C. INC.          | 26848          | 111-8020-431.43-10 | ROOFING MATERIAL PW       | 533.81                |
|                                    |                |                    |                           | <b>\$533.81</b>       |
| WEX BANK                           | 87092319       | 741-8060-431.62-30 | FUEL PURCHASE             | 576.99                |
|                                    |                |                    |                           | <b>\$576.99</b>       |
| XEROX FINANCIAL SERVICES           | 3698481        | 111-8020-431.43-05 | MONTHLY BILLING           | 59.99                 |
|                                    | 3698481        | 285-8050-432.43-05 | MONTHLY BILLING           | 59.98                 |
|                                    | 3698481        | 681-8030-461.43-05 | MONTHLY BILLING           | 59.99                 |
|                                    |                |                    |                           | <b>\$179.96</b>       |
| XPRESS WASH INC                    | 15890          | 741-8060-431.43-20 | CAR WASH SERVICES         | 275.00                |
|                                    |                |                    |                           | <b>\$275.00</b>       |
|                                    |                |                    |                           | <b>\$2,039,938.06</b> |

ITEM 3



# CITY OF HUNTINGTON PARK

City Clerk's Office  
City Council Agenda Report

February 21, 2023

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 AND ASSEMBLY BILL 2449**

### **IT IS RECOMMENDED THAT CITY COUNCIL:**

1. Adopt a Resolution to Authorize the City of Huntington Park to Conduct Teleconferenced Open Meetings in Accordance with Assembly Bill 361 and Assembly Bill 2449.

### **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 states of emergency under modified Brown Act provisions. The Governor is ending California's State of Emergency on February 28, 2023, and in order for local governments to continue the use of remote meeting provisions under AB 361 local officials are required to impose or recommend measures to promote social distancing. However, the provisions enacted in AB 361 providing flexibility to meet remotely during a proclaimed emergency ***will sunset on January 1, 2024.***

However, **AB 2449**, which also amended the Brown Act, allows local governments to hold public meetings remotely if at least a quorum of the members of the governing body participates in person from a single location. Members participating remotely must give notice and just cause at the earliest opportunity, or else must request and receive permission to participate remotely. Even then, AB 2449 limits the number of times a member may participate remotely. While local governments have limited time to utilize the authority provided under AB 361, they may continue to hold public meetings remotely pursuant to the requirements set forth under AB 2449.

# ADOPT RESOLUTION AUTHORIZING THE CITY TO IMPLEMENT TELECONFERENCED OPEN MEETINGS PURSUANT TO ASSEMBLY BILL 361

February 21, 2023

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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 State of Emergency**

The bill amends the Brown Act to allow local agencies to continue using teleconferencing and virtual meeting technology *as long as there is a local "proclaimed state of emergency."*

## **(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**

**ADOPT RESOLUTION AUTHORIZING THE CITY TO IMPLEMENT  
TELECONFERENCED OPEN MEETINGS PURSUANT TO ASSEMBLY BILL 361**

February 21, 2023

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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 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.

Additionally, AB 2449 clarifies on the following:

AB 2449 does not extend AB 361, which still sunsets on January 1, 2024. Instead, the bill implements another temporary exception authorizing agencies to meet by teleconference without strict compliance with the traditional notice and physical access requirements. Notably, where AB 361 is based on an agency's need for teleconferencing, AB 2449's new framework is based on the circumstances of individual members of the legislative body.

Beginning January 1, 2023, the legislative body of a local agency can use teleconferencing without noticing each teleconference location or making it publicly accessible, provided at least a quorum of the body participates in person at a single physical location that is identified on the agenda, open to the public, and within the boundaries of the agency, and provided that other requirements regarding accessibility are met. However, an individual member of the legislative body may participate remotely only in one of two circumstances:

1. With "just cause", the member can participate remotely after giving notice as soon as possible. AB 2449 defines "just cause" as (a) a family childcare or caregiving need; (b) a contagious illness; (c) a need related to a physical or mental disability that is not otherwise accommodated; or (d) travel while on

**ADOPT RESOLUTION AUTHORIZING THE CITY TO IMPLEMENT  
TELECONFERENCED OPEN MEETINGS PURSUANT TO ASSEMBLY BILL 361**

February 21, 2023

Page 2 of 2

official business. The bill also limits a member to participating remotely under this provision to two meetings per calendar year.

2. In “emergency circumstances,” defined as a physical or family emergency that prevents the member from attending in person, the member can participate remotely by requesting approval to do so from the legislative body. The legislative body may take action on the request as soon as possible, including at the beginning of the meeting, even if there was not sufficient time to place the request formally on the agenda.

Under either circumstance, the member in question must give a general description of the circumstances relating to their need to appear remotely, but need not disclose any medical diagnosis, disability, or other confidential medical information.

In addition, AB 2449 provides that a member cannot participate solely by teleconference under the new teleconference framework for more than 3 consecutive months or more than 20 percent of the agency’s regular meetings (more than two meetings if the agency meets fewer than 10 times per year).

Outside of the limited circumstances authorized by AB 2449 (and until January 2024, AB 361) public meetings can still occur via teleconference if the legislative body complies with the general (pre-pandemic) agenda, notice, and quorum requirements of the Brown Act.

The new statutory authorization expires by its own terms on January 1, 2026. At that point, absent further legislation, the Brown Act’s teleconferencing provisions will revert to essentially the same language as before the pandemic.

**FISCAL IMPACT/FINANCING**

There is no fiscal impact with this action.

**CONCLUSION**

The goal of AB 361 and AB 2449 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,

EDUARDO SARMIENTO  
City Clerk

**ATTACHMENT(S)**



**ADOPT RESOLUTION AUTHORIZING THE CITY TO IMPLEMENT  
TELECONFERENCED OPEN MEETINGS PURSUANT TO ASSEMBLY BILL 361**

February 21, 2023

Page 2 of 2

**ATTACHMENT(S)**

- A. Resolution Authorizing the City to Implement Teleconferenced Open Meetings Pursuant to Assembly Bill 361 and Assembly Bill 2449
- B. Full Text of Assembly Bill 361 and Assembly Bill 2449

## ATTACHMENT "A"

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**, AB 2449, which also amended the Brown Act, allows local  
11 governments to hold public meetings remotely if at least a quorum of the members of the  
12 governing body participates in person from a single location. Members participating  
13 remotely must give notice and just cause at the earliest opportunity, or else must request  
14 and receive permission to participate remotely. Even then, AB 2449 limits the number of  
15 times a member may participate remotely. While local governments have limited time to  
16 utilize the authority provided under AB 361, they may continue to hold public meetings  
17 remotely pursuant to the requirements set forth under AB 2449; and

18 **WHEREAS**, assembly Bill 2449 has several requirements and beginning January  
19 1, 2023, the legislative body of a local agency can use teleconferencing without noticing  
20 each teleconference location or making it publicly accessible, provided at least a quorum  
21 of the body participates in person at a single physical location that is identified on the  
22 agenda, open to the public, and within the boundaries of the agency, and provided that  
23 other requirements regarding accessibility are met. However, an individual member of  
24 the legislative body may participate remotely only in one of two circumstances:

- 25 • With "just cause", the member can participate remotely after giving notice  
26 as soon as possible. AB 2449 defines "just cause" as (a) a family childcare  
27 or caregiving need; (b) a contagious illness; (c) a need related to a physical  
28 or mental disability that is not otherwise accommodated; or (d) travel while  
29 on official business. The bill also limits a member to participating remotely  
30 under this provision to two meetings per calendar year.
- 31 • In "emergency circumstances," defined as a physical or family emergency  
32 that prevents the member from attending in person, the member can  
33 participate remotely by requesting approval to do so from the legislative  
34 body. The legislative body may take action on the request as soon as  
35 possible, including at the beginning of the meeting, even if there was not  
36 sufficient time to place the request formally on the agenda; and

37 **WHEREAS**, under either circumstance, the member in question must give a  
38 general description of the circumstances relating to their need to appear remotely, but  
39 need not disclose any medical diagnosis, disability, or other confidential medical  
40 information. In addition, AB 2449 provides that a member cannot participate solely by  
41 teleconference under the new teleconference framework for more than 3 consecutive  
42 months or more than 20 percent of the agency's regular meetings (more than two  
43 meetings if the agency meets fewer than 10 times per year); and

44 **WHEREAS**, outside of the limited circumstances authorized by AB 2449 (and until  
45 January 2024, AB 361) public meetings can still occur via teleconference if the legislative  
46 body complies with the general (pre-pandemic) agenda, notice, and quorum  
47 requirements of the Brown Act; and

1       **WHEREAS**, The new statutory authorization expires by its own terms on January  
2 1, 2026. At that point, absent further legislation, the Brown Act's teleconferencing  
3 provisions will revert to essentially the same language as before the pandemic; and

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

6       **WHEREAS**, the City Council finds it is in the best interest of the City to  
7 implement teleconferenced open meetings pursuant to Assembly Bill 361 and  
8 Assembly Bill 2449; and

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

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

13       **SECTION 1.** That based on the City's powers, City Council may at its sole and  
14 absolute discretion, establish by resolution to authorize the City to conduct  
15 teleconferenced open meetings pursuant to Assembly Bill 361; and

16       **SECTION 2.** That the City Council of the City of Huntington Park has reconsidered  
17 the circumstances of COVID-19 state of emergency and that the following circumstances  
18 continue to exist:

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

24       **SECTION 3.** Adoption of this Resolution declares and affirms that the City Council  
25 of the City of Huntington Park authorizes that public meetings be teleconferenced in  
26 accordance to the provisions within AB 361.

27       **SECTION 4.** 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.

29       **SECTION 5.** If any section, subsection, paragraph, sentence, clause, phrase,  
30 or portion thereof, of this Resolution is declared by a court of competent jurisdiction  
31 to be unconstitutional or otherwise invalid, such decision shall not affect the validity  
32 of the remaining portions of this Resolution. The City Council declares that it would  
33 have adopted this Resolution, and each section, subsection, paragraph, sentence,  
34 clause, phrase, or portion thereof, irrespective of the fact that any one or more  
35 sections, subsections, paragraphs, sentences, clauses, phrases, or portions thereof,  
36 be declared invalid or unconstitutional. To this end, the provisions of this Resolution  
37 are declared to be severable.

1       **SECTION 6.** That the City Clerk shall certify to the passage and adoption of  
2 this Resolution and enter it into the book of original Resolutions and is directed to  
3 transmit a certified copy of this Resolution to the Board of Supervisors and the County  
4 Clerk of the County of Los Angeles.

5                   **PASSED, APPROVED AND ADOPTED** this 21th day of February 2023.  
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7 \_\_\_\_\_  
8 Eduardo Martinez,  
9 Mayor

10 **ATTEST:**

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12 Eduardo Sarmiento,  
13 City Clerk  
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## 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.



## **AB-2449 Open meetings: local agencies: teleconferences.** (2021-2022)

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Date Published: 09/14/2022 09:00 PM

### **Assembly Bill No. 2449**

#### **CHAPTER 285**

An act to amend, repeal, and add Sections 54953 and 54954.2 of the Government Code, relating to local government.

[ Approved by Governor September 13, 2022. Filed with Secretary of State September 13, 2022. ]

#### **LEGISLATIVE COUNSEL'S DIGEST**

AB 2449, Blanca Rubio. Open meetings: local agencies: teleconferences.

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 generally requires posting an agenda at least 72 hours before a regular meeting that contains a brief general description of each item of business to be transacted or discussed at the meeting, and prohibits any action or discussion from being undertaken on any item not appearing on the posted agenda. The act authorizes a legislative body to take action on items of business not appearing on the posted agenda under specified conditions. The act contains specified provisions regarding providing for the ability of the public to observe and provide comment. 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.

Existing law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with those specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health.

This bill would revise and recast those teleconferencing provisions and, until January 1, 2026, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements that each teleconference location be identified in the notice and agenda and that each teleconference location be accessible to the public if at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction. Under this exception, the bill would authorize a member to participate remotely under specified circumstances, including participating remotely for just cause or due to emergency circumstances. The emergency circumstances basis for remote participation would be contingent on a request to, and action by, the legislative body, as prescribed. The bill, until January 1, 2026, would authorize a legislative body to consider and

take action on a request from a member to participate in a meeting remotely due to emergency circumstances if the request does not allow sufficient time to place the proposed action on the posted agenda for the meeting for which the request is made. The bill would define terms for purposes of these teleconferencing provisions.

This bill would impose prescribed requirements for this exception relating to notice, agendas, the means and manner of access, and procedures for disruptions. The bill would require the legislative body to implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with federal law.

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.

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.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

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

**SECTION 1.** Section 54953 of the Government Code, as amended by Section 3 of Chapter 165 of the Statutes of 2021, 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. If the legislative body of a local agency elects to use teleconferencing, the legislative body of a local agency shall comply with all of the following:

(A) All votes taken during a teleconferenced meeting shall be by rollcall.

(B) The teleconferenced meetings shall 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.

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

(D) 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.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations. 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).

(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 (Division 10 (commencing with Section 7920.000) 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) The legislative body of 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) 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.

(B) In the event of a disruption that prevents the legislative body 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 that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative 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 that prevents the legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(C) 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.

(D) 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.

(E) (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) This subdivision shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(f) (1) The legislative body of a local agency may use teleconferencing without complying with paragraph (3) of subdivision (b) if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda, which location shall be open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction and the legislative body complies with all of the following:

(A) The legislative body shall provide at least one of the following as a means by which the public may remotely hear and visually observe the meeting, and remotely address the legislative body:

(i) A two-way audiovisual platform.

(ii) A two-way telephonic service and a live webcasting of the meeting.

(B) 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.

(C) The agenda shall identify and include an opportunity for all persons to attend and address the legislative body directly pursuant to Section 54954.3 via a call-in option, via an internet-based service option, and at the in-person location of the meeting.

(D) In the event of a disruption that prevents the legislative body 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 that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative 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 that prevents the legislative body 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.

(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.

(2) A member of the legislative body shall only participate in the meeting remotely pursuant to this subdivision, if all of the following requirements are met:

(A) One of the following circumstances applies:

(i) The member notifies the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstances relating to their need to appear remotely at the given meeting. The provisions of this clause shall not be used by any member of the legislative body for more than two meetings per calendar year.

(ii) The member requests the legislative body to allow them to participate in the meeting remotely due to emergency circumstances and the legislative body takes action to approve the request. The legislative body shall request a general description of the circumstances relating to their need to appear remotely at the given meeting. A general description of an item generally need not exceed 20 words and shall not require the member to disclose any medical diagnosis or disability, or any personal medical information that is already exempt under existing law, such as the Confidentiality of Medical Information Act (Chapter 1 (commencing with Section 56) of Part 2.6 of Division 1 of the Civil Code). For the purposes of this clause, the following requirements apply:

(I) A member shall make a request to participate remotely at a meeting pursuant to this clause as soon as possible. The member shall make a separate request for each meeting in which they seek to participate remotely.

(II) The legislative body may take action on a request to participate remotely at the earliest opportunity. If the request does not allow sufficient time to place proposed action on such a request on the posted agenda for the meeting for which the request is made, the legislative body may take action at the beginning of the meeting in accordance with paragraph (4) of subdivision (b) of Section 54954.2.

(B) The member shall publicly disclose at the meeting before any action is taken, whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with any such individuals.

(C) The member shall participate through both audio and visual technology.

(3) The provisions of this subdivision shall not serve as a means for any member of a legislative body to participate in meetings of the legislative body solely by teleconference from a remote location for a period of more than three consecutive months or 20 percent of the regular meetings for the local agency within a calendar year, or more than two meetings if the legislative body regularly meets fewer than 10 times per calendar year.

(g) The legislative body shall have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in favor of accessibility. In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the procedure for receiving and resolving requests for accommodation.

(h) The legislative body shall conduct meetings subject to this chapter consistent with applicable civil rights and nondiscrimination laws.

(i) (1) Nothing in this section shall prohibit a legislative body from providing the public with additional teleconference locations.

(2) Nothing in this section shall prohibit a legislative body from providing members of the public with additional physical locations in which the public may observe and address the legislative body by electronic means.

(j) For the purposes of this section, the following definitions shall apply:

(1) "Emergency circumstances" means a physical or family medical emergency that prevents a member from attending in person.

(2) "Just cause" means any of the following:

(A) A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. "Child," "parent," "grandparent," "grandchild," and "sibling" have the same meaning as those terms do in Section 12945.2.

(B) A contagious illness that prevents a member from attending in person.

(C) A need related to a physical or mental disability as defined in Sections 12926 and 12926.1 not otherwise accommodated by subdivision (g).

(D) Travel while on official business of the legislative body or another state or local agency.

(3) "Remote location" means a location from which a member of a legislative body participates in a meeting pursuant to subdivision (f), other than any physical meeting location designated in the notice of the meeting. Remote locations need not be accessible to the public.

(4) "Remote participation" means participation in a meeting by teleconference at a location other than any physical meeting location designated in the notice of the meeting. Watching or listening to a meeting via webcasting or another similar electronic medium that does not permit members to interactively hear, discuss, or deliberate on matters, does not constitute remote participation.

(5) "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).

(6) "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.

(7) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic function.

(8) "Two-way telephonic service" means a telephone service that does not require internet access, is not provided as part of a two-way audiovisual platform, and allows participants to dial a telephone number to listen and verbally participate.

(9) "Webcasting" means a streaming video broadcast online or on television, using streaming media technology to distribute a single content source to many simultaneous listeners and viewers.

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

**SEC. 2.** Section 54953 of the Government Code, as added by Section 4 of Chapter 165 of the Statutes of 2021, 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. If the legislative body of a local agency elects to use teleconferencing, the legislative body of a local agency shall comply with all of the following:

(A) All votes taken during a teleconferenced meeting shall be by rollcall.

(B) The teleconferenced meetings shall 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.

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

(D) 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.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations. 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).

(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 (Division 10 (commencing with Section 7920.000) 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) The legislative body of a local agency may use teleconferencing without complying with paragraph (3) of subdivision (b) if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda, which location shall be open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction and the legislative body complies with all of the following:

(A) The legislative body shall provide at least one of the following as a means by which the public may remotely hear and visually observe the meeting, and remotely address the legislative body:

(i) A two-way audiovisual platform.

(ii) A two-way telephonic service and a live webcasting of the meeting.

(B) 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.



(C) The agenda shall identify and include an opportunity for all persons to attend and address the legislative body directly pursuant to Section 54954.3 via a call-in option, via an internet-based service option, and at the in-person location of the meeting.

(D) In the event of a disruption that prevents the legislative body 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 that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative 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 that prevents the legislative body 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.

(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.

(2) A member of the legislative body shall only participate in the meeting remotely pursuant to this subdivision, if all of the following requirements are met:

(A) One of the following circumstances applies:

(i) The member notifies the legislative body at the earliest opportunity possible, including at the start of a regular meeting, of their need to participate remotely for just cause, including a general description of the circumstances relating to their need to appear remotely at the given meeting. The provisions of this clause shall not be used by any member of the legislative body for more than two meetings per calendar year.

(ii) The member requests the legislative body to allow them to participate in the meeting remotely due to emergency circumstances and the legislative body takes action to approve the request. The legislative body shall request a general description of the circumstances relating to their need to appear remotely at the given meeting. A general description of an item generally need not exceed 20 words and shall not require the member to disclose any medical diagnosis or disability, or any personal medical information that is already exempt under existing law, such as the Confidentiality of Medical Information Act (Chapter 1 (commencing with Section 56) of Part 2.6 of Division 1 of the Civil Code). For the purposes of this clause, the following requirements apply:

(I) A member shall make a request to participate remotely at a meeting pursuant to this clause as soon as possible. The member shall make a separate request for each meeting in which they seek to participate remotely.

(II) The legislative body may take action on a request to participate remotely at the earliest opportunity. If the request does not allow sufficient time to place proposed action on such a request on the posted agenda for the meeting for which the request is made, the legislative body may take action at the beginning of the meeting in accordance with paragraph (4) of subdivision (b) of Section 54954.2.

(B) The member shall publicly disclose at the meeting before any action is taken whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with any such individuals.

(C) The member shall participate through both audio and visual technology.

(3) The provisions of this subdivision shall not serve as a means for any member of a legislative body to participate in meetings of the legislative body solely by teleconference from a remote location for a period of more than three consecutive months or 20 percent of the regular meetings for the local agency within a calendar year, or more than two meetings if the legislative body regularly meets fewer than 10 times per calendar year.

(f) The legislative body shall have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities

Act of 1990 (42 U.S.C. Sec. 12132), and resolving any doubt in favor of accessibility. In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the procedure for receiving and resolving requests for accommodation.

(g) The legislative body shall conduct meetings subject to this chapter consistent with applicable civil rights and nondiscrimination laws.

(h) (1) Nothing in this section shall prohibit a legislative body from providing the public with additional teleconference locations.

(2) Nothing in this section shall prohibit a legislative body from providing members of the public with additional physical locations in which the public may observe and address the legislative body by electronic means.

(i) For the purposes of this section, the following definitions shall apply:

(1) "Emergency circumstances" means a physical or family medical emergency that prevents a member from attending in person.

(2) "Just cause" means any of the following:

(A) A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely. "Child," "parent," "grandparent," "grandchild," and "sibling" have the same meaning as those terms do in Section 12945.2.

(B) A contagious illness that prevents a member from attending in person.

(C) A need related to a physical or mental disability as defined in Sections 12926 and 12926.1 not otherwise accommodated by subdivision (f).

(D) Travel while on official business of the legislative body or another state or local agency.

(3) "Remote location" means a location from which a member of a legislative body participates in a meeting pursuant to subdivision (e), other than any physical meeting location designated in the notice of the meeting. Remote locations need not be accessible to the public.

(4) "Remote participation" means participation in a meeting by teleconference at a location other than any physical meeting location designated in the notice of the meeting. Watching or listening to a meeting via webcasting or another similar electronic medium that does not permit members to interactively hear, discuss, or deliberate on matters, does not constitute remote participation.

(5) "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.

(6) "Two-way audiovisual platform" means an online platform that provides participants with the ability to participate in a meeting via both an interactive video conference and a two-way telephonic function.

(7) "Two-way telephonic service" means a telephone service that does not require internet access, is not provided as part of a two-way audiovisual platform, and allows participants to dial a telephone number to listen and verbally participate.

(8) "Webcasting" means a streaming video broadcast online or on television, using streaming media technology to distribute a single content source to many simultaneous listeners and viewers.

(j) This section shall become operative January 1, 2024, shall remain in effect only until January 1, 2026, and as of that date is repealed.

**SEC. 3.** 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, 2026.

**SEC. 4.** Section 54954.2 of the Government Code is amended to read:

**54954.2.** (a) (1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public and on the local agency's Internet Web site, if the local agency has one. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42

U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

(2) For a meeting occurring on and after January 1, 2019, of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an Internet Web site, the following provisions shall apply:

(A) An online posting of an agenda shall be posted on the primary Internet Web site homepage of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda. The direct link to the agenda shall not be in a contextual menu; however, a link in addition to the direct link to the agenda may be accessible through a contextual menu.

(B) An online posting of an agenda including, but not limited to, an agenda posted in an integrated agenda management platform, shall be posted in an open format that meets all of the following requirements:

(i) Retrievable, downloadable, indexable, and electronically searchable by commonly used Internet search applications.

(ii) Platform independent and machine readable.

(iii) Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.

(C) A legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an Internet Web site and an integrated agenda management platform shall not be required to comply with subparagraph (A) if all of the following are met:

(i) A direct link to the integrated agenda management platform shall be posted on the primary Internet Web site homepage of a city, county, city and county, special district, school district, or political subdivision established by the state. The direct link to the integrated agenda management platform shall not be in a contextual menu. When a person clicks on the direct link to the integrated agenda management platform, the direct link shall take the person directly to an Internet Web site with the agendas of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state.

(ii) The integrated agenda management platform may contain the prior agendas of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state for all meetings occurring on or after January 1, 2019.

(iii) The current agenda of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state shall be the first agenda available at the top of the integrated agenda management platform.

(iv) All agendas posted in the integrated agenda management platform shall comply with the requirements in clauses (i), (ii), and (iii) of subparagraph (B).

(D) For the purposes of this paragraph, both of the following definitions shall apply:

(i) "Integrated agenda management platform" means an Internet Web site of a city, county, city and county, special district, school district, or political subdivision established by the state dedicated to providing the entirety of the agenda information for the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state to the public.

(ii) "Legislative body" has the same meaning as that term is used in subdivision (a) of Section 54952.

(E) The provisions of this paragraph shall not apply to a political subdivision of a local agency that was established by the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state.

(3) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in

response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

(b) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item.

(1) Upon a determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.

(2) Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).

(3) The item was posted pursuant to subdivision (a) for a prior meeting of the legislative body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

(4) To consider action on a request from a member to participate in a meeting remotely due to emergency circumstances, pursuant to Section 54953, if the request does not allow sufficient time to place the proposed action on the posted agenda for the meeting for which the request is made. The legislative body may approve such a request by a majority vote of the legislative body.

(c) This section is necessary to implement and reasonably within the scope of paragraph (1) of subdivision (b) of Section 3 of Article I of the California Constitution.

(d) For purposes of subdivision (a), the requirement that the agenda be posted on the local agency's Internet Web site, if the local agency has one, shall only apply to a legislative body that meets either of the following standards:

(1) A legislative body as that term is defined by subdivision (a) of Section 54952.

(2) A legislative body as that term is defined by subdivision (b) of Section 54952, if the members of the legislative body are compensated for their appearance, and if one or more of the members of the legislative body are also members of a legislative body as that term is defined by subdivision (a) of Section 54952.

(e) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

**SEC. 5.** Section 54954.2 is added to the Government Code, to read:

**54954.2.** (a) (1) At least 72 hours before a regular meeting, the legislative body of the local agency, or its designee, shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. A brief general description of an item generally need not exceed 20 words. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public and on the local agency's Internet Web site, if the local agency has one. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. The agenda shall include information regarding how, to whom, and when a request for disability-related modification or accommodation, including auxiliary aids or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting.

(2) For a meeting occurring on and after January 1, 2019, of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an Internet Web site, the following provisions shall apply:

(A) An online posting of an agenda shall be posted on the primary Internet Web site homepage of a city, county, city and county, special district, school district, or political subdivision established by the state that is accessible through a prominent, direct link to the current agenda. The direct link to the agenda shall not

be in a contextual menu; however, a link in addition to the direct link to the agenda may be accessible through a contextual menu.

(B) An online posting of an agenda including, but not limited to, an agenda posted in an integrated agenda management platform, shall be posted in an open format that meets all of the following requirements:

(i) Retrievable, downloadable, indexable, and electronically searchable by commonly used Internet search applications.

(ii) Platform independent and machine readable.

(iii) Available to the public free of charge and without any restriction that would impede the reuse or redistribution of the agenda.

(C) A legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an Internet Web site and an integrated agenda management platform shall not be required to comply with subparagraph (A) if all of the following are met:

(i) A direct link to the integrated agenda management platform shall be posted on the primary Internet Web site homepage of a city, county, city and county, special district, school district, or political subdivision established by the state. The direct link to the integrated agenda management platform shall not be in a contextual menu. When a person clicks on the direct link to the integrated agenda management platform, the direct link shall take the person directly to an Internet Web site with the agendas of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state.

(ii) The integrated agenda management platform may contain the prior agendas of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state for all meetings occurring on or after January 1, 2019.

(iii) The current agenda of the legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state shall be the first agenda available at the top of the integrated agenda management platform.

(iv) All agendas posted in the integrated agenda management platform shall comply with the requirements in clauses (i), (ii), and (iii) of subparagraph (B).

(D) For the purposes of this paragraph, both of the following definitions shall apply:

(i) "Integrated agenda management platform" means an Internet Web site of a city, county, city and county, special district, school district, or political subdivision established by the state dedicated to providing the entirety of the agenda information for the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state to the public.

(ii) "Legislative body" has the same meaning as that term is used in subdivision (a) of Section 54952.

(E) The provisions of this paragraph shall not apply to a political subdivision of a local agency that was established by the legislative body of the city, county, city and county, special district, school district, or political subdivision established by the state.

(3) No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3. In addition, on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Furthermore, a member of a legislative body, or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.

(b) Notwithstanding subdivision (a), the legislative body may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any item pursuant to this subdivision, the legislative body shall publicly identify the item.

(1) Upon a determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.

(2) Upon a determination by a two-thirds vote of the members of the legislative body present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted as specified in subdivision (a).

(3) The item was posted pursuant to subdivision (a) for a prior meeting of the legislative body occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

(c) This section is necessary to implement and reasonably within the scope of paragraph (1) of subdivision (b) of Section 3 of Article I of the California Constitution.

(d) For purposes of subdivision (a), the requirement that the agenda be posted on the local agency's Internet Web site, if the local agency has one, shall only apply to a legislative body that meets either of the following standards:

(1) A legislative body as that term is defined by subdivision (a) of Section 54952.

(2) A legislative body as that term is defined by subdivision (b) of Section 54952, if the members of the legislative body are compensated for their appearance, and if one or more of the members of the legislative body are also members of a legislative body as that term is defined by subdivision (a) of Section 54952.

(e) This section shall become operative January 1, 2026.

**SEC. 6.** The Legislature finds and declares that Sections 1 and 2 of this act, which amend Section 54953 of the Government Code, impose a limitation on 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:

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 hospital 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. 7.** The Legislature finds and declares that Sections 1 and 2 of this act, which amend 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.

## ITEM 4





# CITY OF HUNTINGTON PARK

Public Works Department  
City Council Agenda Report

February 21 ,2023

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 AUTHORIZING THE CITY MANAGER TO EXECUTE SOUTHERN CALIFORNIA EDISON'S INNOVATIVE UTILITY ELECTRIC VEHICLE STREET CHARGING PILOT AGREEMENT AND BESTFIT FLO SERVICES USA, INC.'S MAINTENANCE AGREEMENT ADDENDUM**

**IT IS RECOMMENDED THAT CITY COUNCIL:**

1. Authorize the City Manager to execute the Southern California Edison (SCE) Innovative Utility Electric Vehicle Street Charging Pilot Agreement (Attachment 1) and the FLO Services USA Inc. (FLO) Maintenance Addendum exclusively as part of the BESTFIT project agreement (Attachment 2).

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

SCE and Los Angeles Cleantech Incubator (LACI) approached City staff approximately four years ago seeking a collaborative opportunity to place electric vehicle (EV) curbside charging stations on local streets. This pilot program allows patrons to charge their EV while shopping in the downtown business district. Two of the Program's objectives are to install EV charging stations and establish new utility standards pertaining to the installation, operation and regulation of curbside EV charging infrastructure that utilizes existing utility infrastructure.

LACI is a non-profit organization working in partnership with public and private agencies to accelerate the commercialization of clean technologies. SCE and LACI discussed several potential locations with City staff and the following are the locations that were chosen based on available space and infrastructure:

- Level 2 charger using an underground vault configuration on Saturn Avenue one block east-west of Pacific Boulevard
- Level 2 charger using an underground vault configuration on Zoe Avenue one block east-west of Pacific Boulevard

# **RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE SOUTHERN CALIFORNIA EDISON'S INNOVATIVE UTILITY ELECTRIC VEHICLE STREET CHARGING PILOT AGREEMENT AND BESTFIT FLO SERVICES USA, INC.'S MAINTENANCE AGREEMENT ADDENDUM**

February 21, 2023

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- Level 2 charger using an underground vault configuration on Clarendon Avenue one block east-west of Pacific Boulevard
- Level 2 charger using an existing streetlight configuration on Miles Avenue adjacent to City Hall
- Level 2 charger using a new streetlight configuration on Miles Avenue adjacent to City Hall

The L2 charge runs at higher input voltage, 240 V, than the Level 1 charger. Level 2 charging stations are universally compatible with EVs equipped with the industry-standard J-plug. Level 2 charging stations tend to top out at 12 kW, restoring up to 12 miles per hour charge, about 100 miles every 8 hours. The average motorist drives 37 miles per day, which would require about 3 hours of charge time. Every charging station has a service fee that varies. Level 2 charging stations cost the consumer approximately \$1 per hour and are billed by the minute.

LACI selected FLO Charging Solutions USA Inc.'s (FLO) as the preferred infrastructure for the pilot Program. FLO has been in the market since 2011. FLO will provide the EV charging equipment and operating network for this pilot Program, which will focus on the deployment of full-scale, equitable public charging infrastructure in Huntington Park.

The City in this collaborative agreement agrees to provide the host sites for the Program. City will not be responsible for purchasing or maintenance of equipment. City will not be responsible to pay SCE for the use of electricity. LACI will track the trends and use of the charging stations and FLO will provide operation and maintenance of their equipment. The pilot Program will last 1-year and the City has an option to continue with the Program after the initial year. If the City chooses the continue with the program, the City will assume the cost of the repairs to the charging stations and pay SCE for the electrical consumption. LACI is working on finding options to extend the pilot Program beyond the first year.

## **LEGAL REQUIREMENT**

Attachment 1 contains SCE's protective language that serves the purpose of defining the points of interest and roles and responsibilities of all parties. Attachment 2 provides certain particulars and terms and conditions with regard to the operation and maintenance requirements to support the FLO Smart 2 Curbside Charging Station and SmartDC DCFC Charging Station. Attachment 2 is exclusively offered to upkeep the chargers installed by SCE as part of the California Energy Commission Grant awarded to FLO, ARUP, SCE and LACI. This is a no-cost maintenance service to the City for the duration of the pilot program.

City Attorney's Office reviewed, commented and approved the language contained in the agreements in August of 2022.

## **FISCAL IMPACT/FINANCING**

**RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE SOUTHERN CALIFORNIA EDISON'S INNOVATIVE UTILITY ELECTRIC VEHICLE STREET CHARGING PILOT AGREEMENT AND BESTFIT FLO SERVICES USA, INC.'S MAINTENANCE AGREEMENT ADDENDUM**

February 21, 2023

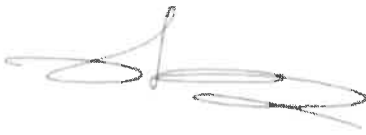
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The Program is funded by the California Energy Commission (CEC) through the BESTFIT Innovative Charging Solutions under the Clean Transportation Program. City funds will not be impacted during the duration of the pilot Program.

**CONCLUSION**

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

Respectfully submitted,



**RICARDO REYES**  
City Manager



**CESAR ROLDAN**  
Director of Public Works

**ATTACHMENT(S)**

1. SCE Innovative Charging Pilot Agreement
  - a. Exhibit A - Flowdown Provisions from the California Energy Commission's Clean Transportation Program
2. FLO Service Proposal - BESTFIT

## ATTACHMENT "A"

## Innovative Utility EV Street Charging Pilot Agreement

**The City of Huntington Park hereby agrees to participate in the Innovative Utility EV Street Charging Pilot (the "Program") in accordance with the following terms and conditions (hereinafter referred to as the "Agreement").**

**Description of the Program:** The Innovative Utility EV Street Charging Pilot (the "Program") is a demonstration project funded by the California Energy Commission (CEC) through the BESTFIT Innovative Charging Solutions under the Clean Transportation Program. Following a competitive process, FLO Charging Solutions USA Inc.'s ("FLO") proposal for a pilot project was selected by the CEC for Grant Agreement No. ARV-21-004 to fund the Program. Two of the objectives of the Program are (a) to install specified electric vehicle charging equipment at installation sites, and (b) to establish new utility standards pertaining to the installation, operation and regulation of curbside EV charging infrastructure that utilizes existing utility infrastructure. The City of Huntington Park has agreed to provide the host sites for the program as identified in this Agreement.

### APPROVED CHARGING STATIONS

**Total Number of Approved Charging Stations Pilot Installed at the Site:**

City of Huntington Park agrees to the installation of the following Charging Stations:

1.
  - Level 2 charging stations using an underground vault configuration
  - Level 2 charging stations using a streetlight configuration

### APPROVED SITE LOCATION AND DESIGN

**Description of Approved Location at the Site:**

Brief description of the mutually approved location within the City of Huntington Park's Site where SCE will deploy the charging infrastructure:

2.
  - Level 2 charger using an underground vault configuration on Saturn Ave one block east-west of Pacific Blvd
  - Level 2 charger using an underground vault configuration on Zoe Ave one block east-west of Pacific Blvd
  - Level 2 charger using an underground vault configuration on Clarendon Ave one block east-west of Pacific Blvd
  - Level 2 charger using an existing streetlight configuration on Miles Ave adjacent to City Hall
  - Level 2 charger using a new streetlight configuration on Miles Ave adjacent to City Hall

**Design of the charger deployment on City of Huntington Park's Site(s):**

Physical location and engineered design to be completed during phase 1 of project by SCE and reviewed and approved by the City.

**Land rights agreement:**

The Infrastructure will be installed within SCE's existing franchise right-of-way.

City of Huntington Park agrees that its participation in the Program is subject to the following terms and conditions:

## 1. Definitions:

- a. **CEC BESTFIT EV Street Charging Team:** All team members within the grant submission, including FLO, Arup, Electric Power Research Institute (EPRI), SCE, and Los Angeles Cleantech Incubator (LACI).
- b. **Charging Equipment.** The equipment used to supply electric power for charging electric vehicles at the Charging Stations. The Charging Equipment will be selected by and provided by FLO and is being provided at no cost to the City of Huntington Park.
- c. **Conceptual Design:** Map and related documents, as applicable, that show the proposed layout of the Infrastructure and Charging Stations, including but not limited to, conduit routing and equipment placement. The Conceptual Design is high level and will be completed prior to execution of the Agreement, and it will be refined after funds are reserved.
- d. **Infrastructure:** All work and facilities, as determined by SCE, in SCE's sole discretion and subject to change in SCE's sole discretion, to be located, designed and installed by SCE, necessary to allow the CEC BESTFIT EV Street Charging team along with the City of Huntington Park to operate the Charging Stations. Infrastructure may include, but is not limited to new transformers, services, and meters, new panels, stepdown transformers, conduits, wires, connectors, and any other hardware installed by SCE on the Site.
- e. **City of Huntington Park:** The SCE customer and municipality that is a party to this Agreement.
- f. **Preliminary Design:** The set of engineered, working drawings of the Infrastructure. The design includes project specifications, conduit routing, electrical equipment specifications and calculations, project related Site improvements and construction details.
- g. **Program:** Innovative Utility EV Street Charging Pilot.
- h. **Site:** The premises, owned, leased, or operated by City of Huntington Park, where the Charging Stations will be installed.

## 2. Representations of City of Huntington Park

During the Term of the Agreement, City of Huntington Park:

- a. Agrees to participate in the Innovative Utility EV Street Charging Pilot and provide the identified host sites for the identified Charging Stations.
- b. Agrees to ensure parking rights are updated to provide 24-hour public parking and charging service at the sites in accordance with standard city policies.
- c. Acknowledges and agrees that the City of Huntington Park will be the customer of record and is responsible for the meter billing at the applicable TOU rate.
- d. Acknowledges and agrees that FLO will be the Charging Equipment provider, that FLO is responsible for all maintenance and repair for the Charging Equipment and that FLO will provide the interface to the driver and implement pricing and payment methods in subsequent phases to complete objectives of Innovative Utility EV Street Charging pilot during the duration of the pilot.
- e. Acknowledges and agrees that SCE does not own the Charging Stations and that transfer of title to the Charging Equipment from FLO to the City of Huntington Park is outside the scope of this Agreement and shall be addressed, if at all, in a separate written agreement to be negotiated between FLO and the City of Huntington Park.
- f. Agrees to participate in Demand Response program(s), when and if such programs become available, specifically tailored to the electric vehicle charging load and associated electric service.
- g. Approves SCE's designs.

- h. Acknowledges and agrees that the actual Infrastructure may vary from the design, if, in SCE's sole discretion, actual Site conditions require such changes.
- i. Acknowledges and agrees that at all times, SCE shall have the right to disconnect, disable, remove and/or deactivate the Charging Equipment in case of safety or other utility need.
- j. Represents and warrants that the execution and delivery of this Agreement, and the performance by City of Huntington Park of its obligations under this Agreement, have been duly and validly authorized, and this Agreement is a legal, valid and binding obligation of City of Huntington Park.
- k. Agrees to provide feedback and lessons learned following completion of deployment, upon request by SCE, and to provide reasonable support and cooperation with any Program-related reporting obligations upon written request.
- l. Agrees to comply with all applicable federal, State and local laws and requirements of the Grant funding award that are applicable to the Program, whether or not expressly listed in this Agreement, including but not limited to the items listed in Exhibit A, which is incorporated by reference into this Agreement.

### 3. SCE Representations

- a. **Infrastructure:** SCE, at its sole discretion and in accordance with its applicable tariffs and design standards, will locate, design, and install the Infrastructure. SCE is responsible for all costs associated with Infrastructure deployed by SCE pursuant to this Agreement.
- b. **Charging Equipment:** SCE, at its sole discretion and in accordance with its applicable tariffs and design standards, will locate, design, and install the Charging Equipment at the Charging Stations. SCE is responsible for all costs associated with installing the Charging Equipment pursuant to this Agreement.

### 4. Term and Termination:

- a. **Term:** The term of this Agreement shall run until the through the end of the pilot. In the event the CEC extends the period of performance of the Program beyond the end of the pilot, the term of this Agreement shall be likewise extended upon the provision of written notice by SCE to the City of Huntington Park. Term may also be extended by mutual written agreement by SCE and City of Huntington Park.
- c. **Termination:** If the City of Huntington Park fails to comply with any of the terms and/or conditions of this Agreement, SCE, in its sole discretion, may terminate this Agreement after sending City of Huntington Park a notice of default that remains uncured for five (5) business days from receipt, except in the case of a safety or security violation, in which case, SCE may terminate the Agreement immediately and take all other actions, including but not limited to, disconnecting the Charging Stations, necessary, in SCE's sole discretion, to cure such safety or security violation(s).
- d. **Termination Costs:** Removal of equipment will be performed by SCE, if necessary.

### 5. Indemnification and Liability; No Representations or Warranties

- a. City of Huntington Park understands that SCE makes no representations regarding manufacturers, dealers, contractors, materials, or workmanship of the Charging Stations. Further, SCE makes no warranty whether express or implied, including without limitation the implied warranties of merchantability and fitness for any particular purpose, use, or application of the products and services under the Program. City of Huntington Park agrees that SCE has no liability whatsoever concerning (1) the quality, safety and/or installation of such products, including their fitness for any purpose, (2) the workmanship of any third parties, (3) the installation or use of the products. City of Huntington Park

hereby waives any and all claims against SCE, its parent companies, directors, officers, employees, or agents, arising out of activities conducted by or on behalf of SCE under the Program. Without limiting the generality of the foregoing, none of such parties shall be liable hereunder for any type of damages, whether direct, or indirect, incidental, consequential, exemplary, reliance, punitive or special damages, including damages for loss of use, regardless of the form of action, whether in contract, indemnity, warranty, strict liability or tort, including negligence of any kind.

- b. **Indemnification of SCE.** To the fullest extent permitted by law, City of Huntington Park shall indemnify, defend, and hold harmless SCE, and its parent company, subsidiaries, affiliates, and their respective shareholders, officers, directors, employees, agents, representatives, successors, and assigns (collectively, the "Indemnified Parties"), from and against any and all claims, actions, suits, proceedings, losses, liabilities, penalties, fines, damages, costs, or expenses, including without limitation reasonable attorneys' fees (a "Claim"), resulting from (a) any breach of the representations, warranties, covenants, or obligations of City of Huntington Park under this Agreement, (b) any act or omission of City of Huntington Park, whether based upon City of Huntington Park's negligence, strict liability, or otherwise, in connection with the performance of this Agreement, or any third party claims of any kind, whether based upon negligence, strict liability, or otherwise, arising out of or connected in any way to City of Huntington Park's performance or nonperformance under this Agreement. This indemnification obligation shall not apply to the extent that such injury, loss, or damage is caused by the willful misconduct of SCE or SCE's sole negligence.
- c. **Defense of Claim.** Subject to California Civil Code Section 2782.8 if a Claim is brought against the Indemnified Parties, City of Huntington Park shall assume the defense of such Claim subject to each Parties proportionate percentage of fault, with counsel reasonably acceptable to the Indemnified Parties, unless in the opinion of counsel for the Indemnified Parties a conflict of interest between the Indemnified Parties and City of Huntington Park may exist with respect to such Claim. If a conflict precludes City of Huntington Park from assuming the defense, then City of Huntington Park shall reimburse the Indemnified Parties on a monthly basis for the Indemnified Parties' proportionate share of defense costs through separate counsel reasonably acceptable and selected by both Parties. If City of Huntington Park assumes the defense of the Indemnified Parties with acceptable counsel, the Indemnified Parties, at their sole option and expense, may participate in the defense with counsel of their own choice without relieving City of Huntington Park of any of its obligations hereunder.

- 6. **Environmental Remediation:** It is the City of Huntington Park's responsibility to provide a clean and suitable site, free of hazardous contamination, other safety hazards, and other environmental or physical conditions impacting the ability to perform work on or at the site, before any obligation to perform work, including obtaining easements or other property rights or commencing construction arises. To that end, before commencing any work, SCE may require the City of Huntington Park to fully complete, to the best of its ability, an SCE questionnaire regarding the relevant condition and history of the site; and SCE and/or its contractors or agents shall have the right to visually inspect all of the site. Based on the questionnaire and site visual inspection and any other available information, SCE, in its reasonable discretion: (i) may decline to proceed with any further work at the site; or (ii) may decline to proceed with any further work at the site except with the City of Huntington Park's agreement to further, reasonable environmental and other review and investigation of the site, at the City of Huntington Park's expense, and reasonable remediation or mitigation of any such identified environmental or safety conditions, at the City of Huntington Park's expense. Similarly, even after work has commenced, if SCE at any time discovers any such conditions, then SCE in its reasonable discretion may decline to proceed with any



further work at the site, unless and until such conditions are remediated to SCE's reasonable satisfaction, at the City of Huntington Park's expense. The City of Huntington Park also agrees as a term and condition to participate in the program to indemnify, hold harmless, and release SCE from any harm or cost, known or unknown, associated with any hazardous materials, conditions, or site contamination, including, but not limited to, harm to SCE personnel, third parties, or customer applicant's employees, contractors, agents, and assigns. If the City of Huntington Park fails to satisfy any of the foregoing safety and environmental requirements, SCE reserves the right, in its sole discretion, to halt all work and terminate the agreement for, among other things, failure to cure a safety violation.

## 7. Miscellaneous

- a. **All Applicable Tariffs Apply:** All applicable SCE tariffs apply to service provided pursuant to this Agreement, with the following exceptions:
  1. **Rules 15 and 16** – Distribution Line and Service Extensions: Because SCE will design and install the Infrastructure at no cost to City of Huntington Park, sections in Rules 15 and 16 that address applicant responsibilities or options are not applicable to City of Huntington Park while participating in the Innovative Utility EV Street Charging Pilot. This may include, but is not limited to, allowances, contributions or advances, payments, refunds, and design and installation options. This exception does not apply to certain responsibilities found in Rule 16, such as, but not limited to, Section A.10, providing rights of way or easements; Section A.11, providing access to the location; and Section D.1, providing a clear route for the Service Extension.
- b. **Survival.** City of Huntington Park's obligation to pay Termination Costs shall survive the expiration or termination of this Agreement.
- c. **Assignment.** City of Huntington Park shall not assign this Agreement without the prior written consent of SCE; to be granted or denied in SCE's sole discretion. Any assignment and assumption shall be in a form acceptable to SCE, in SCE's sole discretion.
- d. **Subject to Change by Operation of Law:** This Agreement is subject to the applicable provisions of SCE's tariffs filed and authorized by the California Public Utilities Commission. This Agreement shall, at all times, be subject to such changes or modifications by the Public Utilities Commission of the State of California, as said Commission may, from time to time, direct in the exercise of its jurisdiction.
- e. **Severability:** If any section, provision, or portion of the Agreement is held to be invalid, illegal, or void by a court of proper jurisdiction, this decision shall not impair, affect, or invalidate the remainder of the document. The invalid or unenforceable provision shall be reformed so that each Party shall have the obligation to perform reasonably to give the other Party the benefit of its bargain. In the event that the invalid or unenforceable provision cannot be reformed, the remainder of the document shall subsist and continue in full force and effect, and the invalid or unenforceable provision shall be deemed stricken from the Agreement.
- f. **Entire Agreement:** Unless otherwise stated, this Agreement contains the complete understanding between the Parties and merges and supersedes all prior representations and discussions pertaining to the Agreement. Any changes, exceptions, or different terms and conditions any Party to the Agreement are rejected unless expressly stated in the Agreement.
- g. **Amendment and Waiver:** The Agreement may not be amended or modified unless the amendment or modification is in writing and signed by both Parties. None of the provisions of the Agreement shall be considered waived by either Party unless the waiver is in writing and signed by the waiving Party. The waiver of a provision by one Party will not be construed to mean a waiver of that provision by the Party for any subsequent action, or a waiver of any other provision.

### AGREEMENT BY CITY OF HUNTINGTON PARK

By signing in the space below, you represent that the information provided in this Agreement is true, accurate and complete. You also represent and warrant that you are a duly authorized representative of City of Huntington Park with the requisite authority to enter into this Agreement.

|  |   |
|--|---|
| 5.   | <b>Name Printed:</b> Name of the individual signing this Agreement.<br><input type="text"/>   |
| 6.   | <b>Title:</b> Title of the individual signing this Agreement.<br><input type="text"/>   |
| This Agreement will be signed via DocuSign. After City of Huntington Park has emailed the completed Agreement to lindsey.dattels@sce.com, SCE will return the Agreement to the customer for electronic signature and date. |   |
| 7.   | <b>City of Huntington Park Signature:</b> Electronic signature by a representative of your organization with the relevant authority to sign this Agreement.<br><input type="text"/>   |
| 8.   | <b>Agreement Date:</b> Date of execution of this Agreement on behalf of your organization. Failure to provide the required proof of purchase and easement agreement(s) signed by the Property Owner of the Site (and notarized) within 30 days following funding reserved and participation confirmed by SCE will void any funding reserved for City of Huntington Park in connection with the Innovative Utility EV Street Charging Pilot.<br><input type="text"/> |

### APPROVAL BY SCE

|     |   |
|-----|---|
| 13. | <b>Date:</b> Date of Execution by SCE<br><input type="text"/>   |
| 14. | <b>Approval:</b> Signature by an authorized SCE representative.<br><input type="text"/>   |
| 15. | <b>SCE Representative Name:</b> Name of the authorized SCE representative.<br><input type="text"/>  |
| 16. | <b>Title:</b> Title of authorized SCE representative.<br><input type="text"/>   |
| 17. | <b>Date Reservation Approved:</b> Below is the date of SCE's approval of your participation in the Innovative Utility EV Street Charging Pilot.<br><input type="text"/> |

**Exhibit A**  
**Flowdown Provisions from the**  
**California Energy Commission's Clean Transportation Program**

The City of Huntington Park (hereinafter "Project Participant") hereby agrees to the following terms and conditions of participate in the Innovative Utility EV Street Charging Pilot (the "Program") in accordance with the following terms and conditions. Project Participant shall include the provisions of this Exhibit in all agreements to perform work related to this Agreement and Project Participant shall be responsible ensure that all of its subcontractors and project partners shall comply with these requirements.

1. **Site Visits.** Project Participant acknowledges that the Energy Commission/or its designees have the right to make site visits at reasonable times. Project Participant must provide reasonable facilities and assistance for the safety and convenience of the government representatives in the performance of their duties.
2. **Nondiscrimination Statement of Compliance.** During the performance of this Agreement, Project Participant shall not unlawfully discriminate, harass or allow harassment, against any employee or applicant for employment because of sex, sexual orientation, race, color, ancestry, religious creed, national origin, disability (including HIV and AIDS), medical condition (cancer), age, marital status, and denial of family care leave. Project Participant and its subcontractors shall insure that the evaluation and treatment of their employees and applicants for employment are free of such discrimination and harassment. Recipient shall comply with the provisions of the Fair Employment and Housing Act (Government Code Sections 12990 et seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 11000 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code Section 12990 (a-f), set forth in Chapter 5 of Division 4.1 of Title 2 of the California Code of Regulations are incorporated into this Agreement by reference and made a part of it as if set forth in full. Recipient shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other Agreement.
3. **Standard of Performance**
  - a. Project Participant, in the performance of its work under this Agreement, shall be responsible for exercising the degree of skill and care required by customarily accepted good professional practices and procedures used in the Project Participant's field.

- b. Any costs for failure to meet the foregoing standard or to correct otherwise defective work that requires re-performance of the work, as directed by the Energy Commission Agreement Manager (CAM), shall be borne in total by Project Participant and not the Energy Commission. The failure of a project to achieve the performance goals and objectives stated in the Work Statement is not a basis for requesting re-performance unless the work conducted by Project Participant is deemed by the Energy Commission to have failed the foregoing standard of performance.
- c. In the event Project Participant fails to perform in accordance with the above standard:
  - i. Project Participant will re-perform, at its own expense, any task which was not performed to the reasonable satisfaction of the CAM. Any work re-performed pursuant to this paragraph shall be completed within the time limitations originally set forth for the specific task involved. Project Participant shall work any overtime required to meet the deadline for the task at no additional cost to the Energy Commission;
  - ii. The Energy Commission shall provide a new schedule for the re-performance of any task pursuant to this paragraph in the event that re-performance of a task within the original time limitations is not feasible; and
  - iii. The Energy Commission shall have the option to direct Project Participant not to re-perform any task which was not performed to the reasonable satisfaction of the CAM pursuant to application of (1) and (2) above. In the event the Energy Commission directs Project Participant not to re-perform a task, the Energy Commission and Project Participant shall negotiate a reasonable settlement for satisfactory work performed. No previous payment shall be considered a waiver of the Energy Commission's right to reimbursement.
  - iv. Nothing contained in this section is intended to limit any of the rights or remedies which the Energy Commission may have under law.
- 4. **Indemnification.** In addition to the other indemnification provisions in the Agreement, to the fullest extent allowed by law, the Project Participant agrees to indemnify, defend, and save harmless the State, its officers, agents, and employees from any and all claims and losses accruing or resulting to Project Participant and to any and all contractors, subcontractors, materialmen, laborers, and any other person, firm, or corporation furnishing or supplying work, services, materials, or supplies in connection with the performance of this Agreement, and

from any and all claims and losses accruing or resulting to any person, firm, or corporation who may be injured or damaged by the Project Participant in the performance of this Agreement.

**5. Public Works -- Payment of Prevailing Wages.** This clause applies to Agreements with the Project Participant is engaging in construction, alternation, demolition installation, repair or maintenance work over \$1,000.

- a. Generally Required by Law. Projects that receive an award of public funds from the Energy Commission often involve construction, alteration, demolition, installation, repair or maintenance work over \$1,000.

**NOTE: Projects that receive an award of public funds from the Energy Commission are likely to be considered public works under the California Labor Code. See Chapter 1 of Part 7 of Division 2 of the California Labor Code, commencing with Section 1720 and Title 8, California Code of Regulations, Chapter 8, Subchapter 3, commencing with Section 16000.**

Accordingly, the Energy Commission assumes that all projects it funds are public works. Projects deemed to be public works require among other things the payment of prevailing wages.

NOTE: Prevailing wage rates can be significantly higher than non-prevailing wage rates.

By accepting this Agreement, Project Participant as a material term of this Agreement shall be fully responsible for complying with all California public works requirements including but not limited to payment of prevailing wage. Therefore, as a material term of this Agreement, Project Participant must either:

(a) Proceed on the assumption that the project is a public work and ensure that:

(i) prevailing wages are paid; and

(ii) the project budget for labor reflects these prevailing wage requirements; and

(iii) the project complies with all other requirements of prevailing wage law including but not limited to keeping accurate payroll records, and complying with all working hour requirements and apprenticeship obligations;

or,

(b) Timely obtain a legally binding determination from DIR or a court of competent jurisdiction before work begins on the project that the proposed project is not a public work.

**NOTE: Only the California Department of Industrial Relations (DIR) and courts of competent jurisdiction have jurisdiction to issue legally binding determinations that a particular project is or is not a public work.**

If the Project Participant is unsure whether the project receiving this award is a “public work” as defined in the California Labor Code, it may wish to seek a timely determination from the California Department of Industrial Relations (DIR) or an appropriate court.

**NOTE: Such processes can be time consuming and therefore it may not be possible to obtain a timely determination before the date for performance of the award commences.**

If the Project Participant does not timely obtain a binding determination from DIR or a court of competent jurisdiction that the project is not a public work, before this Agreement from the Energy Commission is executed, the Project Participant shall assume that the project is a public work and that payment of prevailing wages is required and shall pay prevailing wages unless and until such time as the project is subsequently determined to not be a public work by DIR or a court of competent jurisdiction.

**NOTE: California Prevailing Wage law provides for substantial damages and financial penalties for failure to pay prevailing wages when payment of prevailing wages is required.**

- b. Subcontractors and Flow-down Requirements. Project Participant shall ensure that its subcontractors, if any, also comply with above requirements with respect to public works/prevailing wage. Project Participant shall ensure that all agreements with its contractors/subcontractors to perform work related to this Project contain the above terms regarding payment of prevailing wages on public works projects. Project Participant shall be responsible for any failure of its subcontractors to comply with California prevailing wage and public works laws.
- c. Indemnification and Breach. Any failure of Project Participant or its subcontractors to comply with the above requirements shall constitute a breach of this Agreement that excuses the Energy Commission’s performance of this Agreement at the Energy Commission’s option, and shall be at Project Participant’s sole risk. In such a case, Energy

Commission may refuse payment to Project Participant of any amount under this Agreement and Energy Commission shall be released, at its option, from any further performance of this award or any portion thereof. By accepting this Agreement, and as a material term of this Agreement, Project Participant agrees to indemnify the Energy Commission and hold the Energy Commission harmless for any and all financial consequences arising out of or resulting from the failure of Project Participant and/or any of Project Participant's subcontractors to pay prevailing wages or to otherwise comply with the requirements of prevailing wage law.

- d. Budget. Project Participant's budget on public works projects must indicate which job classifications are subject to prevailing wage. For detailed information about prevailing wage and the process to determine if the proposed project is a public work, Project Participant may wish to contact the California Department of Industrial Relations (DIR) or a qualified labor attorney of their choice for guidance.
  - e. Covered Trades. For public works projects, Project Participant may contact DIR for a list of covered trades and the applicable prevailing wage.
  - f. Questions. If Project Participant has any questions about this contractual requirement or the wage, record keeping, apprenticeship or other significant requirements of California prevailing wage law, it is recommended that Project Participant consult DIR and/or a qualified labor attorney of its choice before accepting this Agreement.
  - g. Certification. Project Participant shall certify to the Energy Commission on each Payment Request Form, either that (1) prevailing wages were paid to eligible workers who provided labor for work covered by the payment request and that the Project Participant and all contractors and subcontractors otherwise complied with all California prevailing wage laws, or (2) that the project is not a public work requiring the payment of prevailing wages. In the latter case, Project Participant shall provide competent proof of a DIR or court determination that the project is not a public work requiring the payment of prevailing wages. Prior to the release of any retained funds under this Agreement, the Project Participant shall submit to the Energy Commission the above-described certificate signed by the Project Participant and all contractors and subcontractors performing public works activities on the project. Absent such certificate, Project Participant shall have no right to any funds under this Agreement, and Energy Commission shall be relieved of any obligation to pay said funds.
6. **Assembly Bill 841 (2020)**. This clause applies to Agreements where the Project Participant is engaging in activities covered by Assembly Bill 841.

- a. By signing this Agreement, Project Participant as a material term of this Agreement shall be fully responsible for complying with this section. AB 841 (Ting, 2020) added Public Utilities Code (PUC) section 740.20, which requires Electric Vehicle Infrastructure Training Program (EVITP) certification to install electric vehicle charging infrastructure and equipment for work performed on or after January 1, 2022, subject to certain exceptions. As a policy matter, the CEC is applying the EVITP certification requirements to project work funded under this Agreement, regardless of whether it might be performed prior to January 1, 2022, unless an exception applies.
- b. All electric vehicle charging infrastructure and equipment located on the customer side of the electrical meter shall be installed by a contractor with the appropriate license classification, as determined by the Contractors' State License Board, and at least one electrician on each crew, at any given time, who holds an EVITP certification. Projects that include installation of a charging port supplying 25 kilowatts or more to a vehicle must have at least 25 percent of the total electricians working on the crew for the project, at any given time, who hold EVITP certification. One member of each crew may be both the contractor and an EVITP certified electrician. The requirements stated in this paragraph do not apply to any of the following:
  - i. (1) Electric vehicle charging infrastructure installed by employees of an electrical corporation or local publicly owned electric utility.
  - ii. (2) Electric vehicle charging infrastructure funded by moneys derived from credits generated from the Low Carbon Fuel Standard Program (Subarticle 7 (commencing with Section 95480) of Article 4 of Subchapter 10 of Chapter 1 of Division 3 of Title 17 of the California Code of Regulations).
  - iii. (3) Single-family home residential electric vehicle chargers that can use an existing 208/240-volt outlet.

## **7. Information Practices Act**

- a. Project Participant shall comply with the Information Practices Act. The Information Practices Act ("IPA") is codified at California Civil Code sections 1798 et seq. Personal Information is defined in the IPA at Civil Code section 1798.3(a). Project Participant shall comply the IPA relative to the activities under this Agreement. This includes but is not limited to complying with Section 1798.16 (Personal Information; maintaining sources of information) and Section 1798.17 (Notice; periodic provision; contents). For example:



- i. Sources of information. Project Participant shall maintain a record of the source of an individual's Personal Information in accordance with § 1798.16. Per IPA § 1798.16, this requirement does not apply if the data subject is the source of the Personal Information.
- ii. Use of information. Pursuant to IPA § 1798.14, Project Participant shall only use Personal Information for the purposes of this Agreement. Project Participant shall not disclose any Personal Information to any person or entity other than the Energy Commission and Energy Commission employees.
- iii. Security. Pursuant to IPA § 1798.21, Project Participant shall employ appropriate and reasonable safeguards to ensure the security and confidentiality of Personal Information and to protect against anticipated threats or hazards to their security or integrity which could result in any injury.
- iv. Notice. On or with any form used to collect Personal Information from individuals, Project Participant shall provide the notice required in § 1798.17. At the time of executing this agreement, § 1798.17 requires the following:
  1. The name of the agency and the division within the agency that is requesting the information.
  2. The title, business address, and telephone number of the agency official who is responsible for the system of records and who shall, upon request, inform an individual regarding the location of his or her records and the categories of any persons who use the information in those records.
  3. The authority, whether granted by statute, regulation, or executive order which authorizes the maintenance of the information.
  4. With respect to each item of information, whether submission of such information is mandatory or voluntary.
  5. The consequences, if any, of not providing all or any part of the requested information.
  6. The principal purpose or purposes within the agency for which the information is to be used.
  7. Any known or foreseeable disclosures which may be made of the information pursuant to subdivision (e) or (f) of Section 1798.24.

8. The individual's right of access to records containing personal information which are maintained by the agency.
- b. Project Participant has no Ownership or other Rights to the Personal Information. Project Participant has no ownership, license, or other rights in Personal Information or in any form in which it is used (e.g., Products). In this regard, the Personal Information shall NOT be treated like Data, Products, Intellectual Property, or other provisions in the Agreement that may indicate that Project Participant has ownership, license, or other rights.
  - c. Rights to Anonymized Information Derived from Personal Information. To the extent that the Project Participant uses Personal Information to derive anonymized information that no longer meets the definition of Personal Information, the rights to derived all anonymized information that are included in a Product, are subject to the rights of the Energy Commission to use and reproduce all reports and data produced and delivered under this Program, and reserves the right to authorize others to use or reproduce such materials. Each report becomes the property of the Energy Commission.
  - d. Retention and Destruction of Personal Information. Upon the request of the Energy Commission, or upon termination of this Agreement, whichever is earlier, Project Participant shall promptly deliver to the Energy Commission or destroy all Personal Information, regardless of form (e.g., written or electronic) and all copies, abstracts, media, and backups thereof, however stored in Project Participant's and all of its subcontractors' and project partners' possession. No Personal Information shall remain with Project Participant, its subcontractors, or its project partners upon request of the Energy Commission or after the termination of this Agreement, whichever occurs first.
  - e. Survival. The terms of this section shall remain in full force and effect in perpetuity.

## ATTACHMENT "B"

|            |   |
|------------|---|
| Subject    | BESTFIT: FLO Pilot Maintenance Agreement Addendum |
| Job No/Ref | 289506-00   |
| Date       | December 20, 2022                                 |

---

## **BESTFIT: FLO Maintenance Agreement Addendum**

FLO Services USA Inc. (FLO) has prepared a Maintenance Addendum exclusively as part of the BESTFIT project agreement in the City of Huntington Park, California, host city for the pilot project to install five Level 2 charging stations for one year, beginning in approximately early 2023. The Maintenance Addendum details the operations and maintenance services that will be provided to the host city for the duration of the pilot.

The operations and maintenance services will be provided at **no cost to the host city**, per the terms of the Maintenance Addendum, for the duration of the one-year pilot.

The host city has expressly stated their desire to continue the charging station program if alternative funding is identified to support operations and maintenance expenses, at no cost to the city, upon conclusion of the pilot period. If no additional funding is identified during the pilot period, the host city will seek removal of the five charging stations upon conclusion of the pilot.

The host city is not beholden to continue hosting the five charging stations beyond the pilot period for any reasons the host city deems necessary.



**Maintenance Addendum to California Energy Commission  
Grant GFO-20-605  
BESTFIT Innovative Charging Solutions  
Pilot Charging Stations**

**December 2022**

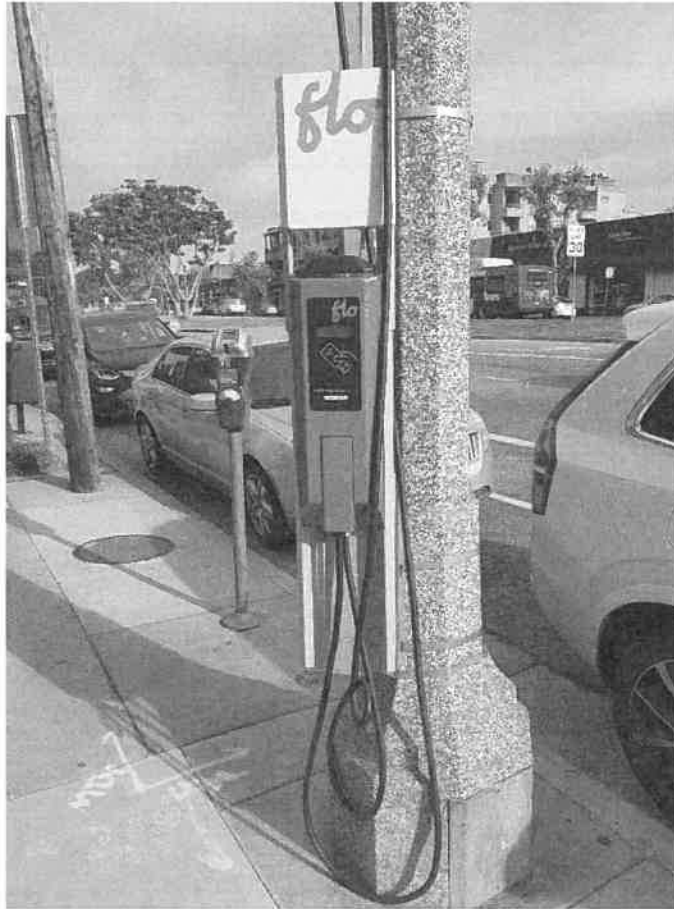
Submitted By: FLO Services USA Inc.  
Primary Contact: Frank Fata  
E: [ffata@flo.com](mailto:ffata@flo.com)



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## Introduction



This document entitled (“Maintenance Addendum”) provides certain particulars and terms and conditions with regard to the Operation and Maintenance (O&M) requirements to support the FLO SmartTWO Curbside Charging Station and SmartDC DCFC Charging Station.

This Maintenance Addendum is exclusively offered to upkeep the chargers installed by SCE as part of the California Energy Commission Grant awarded to FLO, ARUP, SCE and LACI.

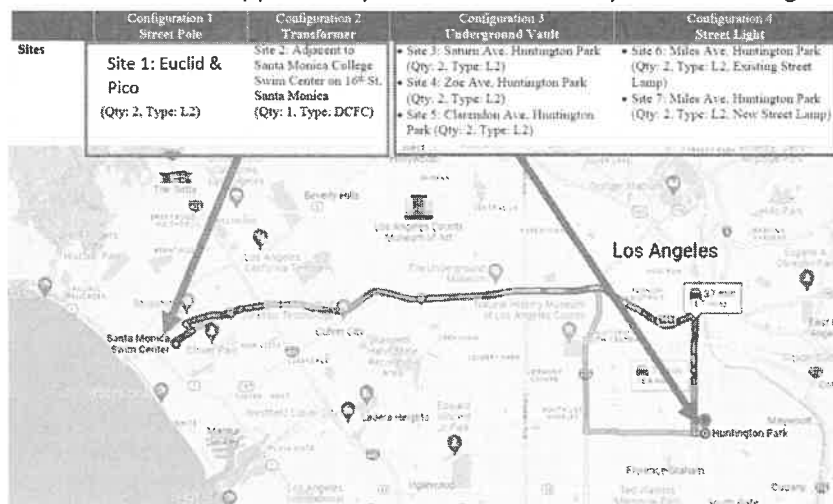
The purpose of this Operations & Maintenance Service is to provide no-cost maintenance services to the grant host cities for the duration of the pilot program.

Budgetary pricing for post-pilot services is on p13.

The EV chargers are specifically designed for public right-of-way curbside applications and are being deployed at various locations as described in the CEC Award dated April 16, 2021 and can be verified here:

GFO-20-605 NOPA Cover Letter 4-16-2021 ADA.docx | California Energy Commission

Specific sites are to be verified and approved by SCE and the host city. The following sites were proposed:



The content provided within this document sets out the key O&M activities to be undertaken in support of the charging station deployment as part of the CEC Grant GFO-20-605 Pilot only.

## Definitions

|  |   |
|--|---|
| <b>BESTFIT Stakeholder Sites</b>       | <b>Locations in participating host cities p.15</b>  |
| <b>Corrective Maintenance Services</b> | <p>On-site maintenance required to rectify and repair a Charging Station that is faulty, regardless of the origin of the failure. The purpose of <b>Corrective Maintenance</b> is to restore ability of the Charging Station to provide service.</p> <p>A Corrective Maintenance Event <b>applies to a single charger</b>. If two <b>chargers (dual post)</b> are serviced, this counts as two Corrective Maintenance Events.</p> |
| <b>Applicable Charging Station(s)</b>  | SmartTWO Curbside Charging Station<br>SmartDC DC Fast Charger   |
| <b>EV</b>                              | Electric Vehicle  |
| <b>FLO</b>                             | Charging Station Supplier, Network Operator and Maintenance Service Provider  |
| <b>GMS</b>                             | Global Management Services  |
| <b>NOC</b>                             | Network Operations Centre operated by FLO   |
| <b>Preventive Maintenance Services</b> | On-site maintenance that can be conducted in order to ensure that the Charging Station remains in good working order.   |
| <b>Site</b>                            | Specific Charger Location by Address  |
| <b>User</b>                            | An EV driver who charges a vehicle at a Charging Station  |



## FLO's Standard Services

FLO provides a vertically integrated EV charging solution that combines both the supply of Charging Stations and Network Management Services – including Operations & Maintenance. For the BESTFIT Sites deployment, the standard services cover:

- **Charging Stations**– Supply of the FLO SmartTWO Curbside Charging Station with various accessories as pre-determined for each Site (pole or streetlight or DCFC base mount)
- **Warranty** – Each Charging Station is supplied with a one (1)-year\* warranty covering parts and limited on-site labor included in the supply cost. \*FLO warranty covers the duration of the BESTFIT Pilot project.
- **Commissioning** – FLO's NOC team will remotely commission and connect the Charging Stations to FLO's network.
- **Global Management Services** – the Charging Stations will be connected to FLO's Network through the provision of Global Management Services, which is an annual license that enables FLO to remotely monitor and manage the charging stations. An initial term of one (1)-year (flexible\*) access to Global Management Services has been allocated to the BESTFIT project to the completion of the pilot.  
\*FLO GMS Network Subscription will cover the duration of the BESTFIT Pilot project.

The provision of FLO's warranty and GMS is support by standard service level commitments which is achieved through interactions between key stakeholders as outlined in the following section.

### Customer Service Overview

EV drivers and charging station owners are supported by FLO's customer experience team, who ensure 24/7/365 live phone support, proactive charging station monitoring, and field services.

### 24/7 Frontline Phone Support

All Charging Stations deployed at BESTFIT Sites will display a 1-800 telephone number which enables drivers to obtain immediate assistance with their charging experience. Call Center representatives are available 24/7 and are provided with access to a knowledge base and ticket management system to track activities and help users with:

- General troubleshooting e.g., how to activate and pay for my first charging session?
- Driver account inquiries e.g., how to create a FLO user account and link a credit card to my account?
- Billing services e.g., where can I find a statement of my recent transaction activity?

Most issues or questions raised by the EV driver can be resolved immediately on the phone.

### **Network Operations Centre**

Should the 24/7 Frontline team be unable to directly resolve a driver request, the representative will open a service ticket and escalate the issue to the NOC (Network Operations Center), who will take over and start resolution sequence.

In addition to receiving a service tickets from the 24/7 Frontline team, FLO's Network Operations team proactively monitors all Charging Stations in the field and can respond to any change in station status in real-time. This means the Network Operations team can proactively identify hardware issues and initiate the corrective action plan almost immediately. Depending on the issue ticket, the network operations team may reach out to the site host or utility to inform them of a potential fault and service interruption while escalating the issue to the FLO Deployment and Support team for expert support or an onsite visit for issue resolution.

### **Deployment and Support**

The D&S team provide troubleshooting services in cases where the NOC team is unable to diagnose and solve issues immediately. The team goes further in the remote diagnostics of a Charging Station to remotely identify and resolve the reported equipment failure. The team will either resolve the ticket and close the case with the customer or escalate it to the Field Services Team for onsite intervention, the terms of which are set out in the Warranty.

### **Deployment and Support - Field Services**

Where an ongoing issue requires an onsite intervention to resolve, the D&S team will escalate the case to Field Services and will mark the affected charging station "Out of service" on the network management backend to clearly show Users that the Charging Station is unavailable. Marking a Charging Station as out of service will trigger an automatic update on public maps indicating the status. The FLO Field Support team will use all commercially reasonable efforts to return the Charging Station to service, including coordination with the site host and utility (if required).

## Collaborative Service Offer

FLO is responsible for all FLO EV charger maintenance costs during the 12-month pilot period.

In addition to FLO's standard services that are available to support the BESTFIT project, FLO will provide additional O&M services for the Charging Stations including:

- Maintenance services for the Charging Stations covering both Preventative Maintenance (graffiti removal, cleaning) and Corrective Maintenance\*, repair costs and expenses due to vandalism, improper use, etc.
- Removing, replacing, re-installing a Charging Station; and
- Acquiring, storing, and handling of spare parts necessary to maintain exemplary station uptime for the charging stations.

\* Corrective Maintenance coverage excludes station replacement due to vandalism, improper use, excessive wear and tear or accident as described in further detail below.

### 1. Maintenance Services




#### **Preventative Maintenance:**

As an additional service beyond the requirements of the Charging Station Warranty, FLO will be responsible for providing routine preventative maintenance for each Charging Station Site based on the following schedule:

- A minimum of 1 (one) system inspection for preventative maintenance every 6 months, with at least 5 months between system inspections.
- A minimum of 1 (one) yearly visit to perform preventative maintenance of the Charging Stations.
- A minimum of 2 (two) site inspections and external cleanings every month, with at least 10 days in between inspections.

To meet these requirements, FLO will undertake the following tasks as outlined below:

| Description                                    | Site Inspection<br>(min two per month, junior technician) | System Inspection<br>(every 6 months, senior technician) | Yearly Maintenance<br>(senior technician) |
|--|---|--|---|
| <b>General inspection</b>                      |   |  |   |
| Inspect glass screen printing                  | X   | X  | X   |
| Verify and remove graffiti where possible      | X   | X  | X   |
| Verify if all the LEDs are operational         | X   | X  | X   |
| Verify the charging station sign               | X   | X  | X   |
| Verify external damages                        | X   | X  | X   |
| Perform external cleaning services (see below) | X   | X  | X   |
| Inspect all the external screws                | X   | X  | X   |
| Verify the XBee antenna                        |   |  | X   |

| Description  | Site Inspection<br>(min two per month, junior technician) | System Inspection<br>(every 6 months, senior technician) | Yearly Maintenance<br>(senior technician) |
|--|---|--|---|
| Verify the cellular antenna  |   |  | X   |
| <b>Cable management inspection and cleaning</b>  |   |  |   |
| Verify the integrity of the steel cables   | X   | X  | X   |
| Clean the steel cables   |   |  | X   |
| Verify the steel cable exit guide  |   | X  | X   |
| Verify the integrity of the interior and exterior stops  |   | X  | X   |
| Make sure that the steel cable goes back in its place  | X   | X  | X   |
| <b>Charging cable / Charging connector inspection</b>  |   |  |   |
| Inspect the condition of the charging connector  | X   | X  | X   |
| Verify and clean the charging connector  |   |  | X   |
| Verify the operation of the door lock  |   | X  | X   |
| Lubricate the door pivot point   |   |  | X   |
| Verify the detection of the presence of the connector in the station (Charging Stations Network Management System reports "Door opened" state as expected)                     |   | X  | X   |
| Inspect the condition of the charging cable  | X   | X  | X   |
| Inspect the condition of the charging connector lock   |   | X  | X   |
| Verify the integrity of the cable-ties   |   | X  | X   |
| <b>Tuxedo box enclosure</b>  |   |  |   |
| Verify the overall integrity   | X   | X  | X   |
| Open the panel and verify if there is a presence of humidity   |   | X  | X   |
| Verify the tightness of the contacts on the circuit breakers                                |   |  | X   |
| <b>Interior of the station</b>   |   |  |   |
| Lift the terminal head and verify the power connector that connect the terminal head with the pedestal   |   |  | X   |
| Verify the tightness of the input terminal block screws downstream of the main power panel  |   |  | X   |
| <b>Functionality tests</b>   |   |  |   |
| Verify the station communication with the server   |   |  | X   |
| Validate in Charging Stations Network Management System (CSNMS) the vehicle detection  |   |  | X   |
| Validate in CSNMS the measurement by the station of the energy transfer (amps, volts watts)  |   |  | X   |
| With a voltmeter, take a reading of the voltage transferred to the simulator.               |   |  | X   |

## **External Cleaning Services**

Site inspections will include general inspection of site conditions and necessary work to maintain each Charging Station including the charge post/pole/base or bracket, Charging Station head units, cables, and tuxedo box, including:

- Where possible, remove any flyers, stickers, or other items adhered to the Charging Station.
- Where possible, remove any graffiti marked on the Charging Station; report any un-removed graffiti to Site Host.
- Wipe clean all external Charging Station components: remove any dirt, grease, film, or residue.
- Clean the user interface on the front of each Charging Station.
- Inspect any Lexan infographic\* (optional) incorporated into the tuxedo panel of the Charging Station and report any significant damage. Notify relevant stakeholders if the Lexan infographic requires replacement.

\*Lexan infographic and general surface scratching or damage to decals will be dealt with on a case-by-case basis and FLO will coordinate all decal replacement services with the associated media consultant for repair or replacement. Costs of infographic replacement will be billed separately. Decal replacement is not covered by the Preventative Maintenance and will not count as a Corrective Maintenance action.

## **Reporting**

O&M Maintenance Reports (Preventative and Corrective Maintenance Reports including Incident Reports and Performance Metrics) will be provided per the pilot scope.

## **Corrective Maintenance**

As an additional service beyond the requirements of the Charging Station Warranty, FLO will be responsible for providing Corrective Maintenance which includes on-site maintenance required to rectify and repair a faulty charging station and restore service, regardless of the origin of the failure.

Corrective Maintenance can be triggered by a Preventative Maintenance inspection, FLO proactive device monitoring or through an inbound phone call or email reported by an EV driver while visiting a charging site.

A Corrective Maintenance event may be initiated unexpectedly due to an emergency situation. Corrective Maintenance events may require FLO to respond on a 24/7 schedule with the capability to remotely lock-off\* the Charging Station from further use and to notify the site host and utility if needed.

To meet the requirements of Corrective Maintenance status, FLO's NOC will perform the frontline support for the Charging Stations, including acknowledging and categorizing the equipment failure, performing remote diagnostics, and where necessary allocating field resources to undertake any onsite repairs to restore charging station service. In support of Corrective Maintenance, FLO will provide the following Service Level commitments:

- For any on-demand Corrective Maintenance necessary to maintain site safety as reported by users, maximum initial response time is two (2) hours from the moment of the service request opening. Following the initial response, within a maximum of twelve (12) hours from the moment of the service request opening, FLO will remotely lock-off\* the Charging Station so it is not available for use and will notify the site host and utility if needed.
- In this case, a 'back in operation' date will be confirmed once the detailed site evaluation and reporting from all relevant authorities (i.e., police, fire inspectors, insurance evaluators, etc.) are received and approved.
- For all other Corrective Maintenance, maximum initial response time is eight (8) hours from the moment of the service request Opening. In this case, back in operation date will be confirmed following the detailed site evaluation and reporting.

\*Remote lock-off requires cellular network connectivity and a fully functional Charging Station

### **Charging Station Replacement**

In support of FLO's Preventative and Corrective Maintenance program, it may be deemed necessary to completely remove and relocate a Charging Station, including the post, bolts, brackets, base and all other components of the FLO-owned equipment. In this situation, FLO will determine if a Charging Station can be repaired or needs to be replaced. In the event of a replacement, FLO will manage the Charging Station removal and replacement process, including securing and making the site safe following removal, and overseeing the installation of the replacement Charging Stations. This work is out of scope and related costs will be managed under a separate scope in coordination with the BESTFIT stakeholders.

### **Safety of Technicians**

The safety of curbside workers is a priority for both FLO and all stakeholders. Every effort shall be supported by all stakeholders to ensure a safe workplace. Any assistance from the BESTFIT Sites and SCE will be welcomed. FLO may setup worksite sidewalk barricades, cones, barrels, or control pedestrian curbside street traffic for their safety and to protect workers during maintenance operations. FLO will make every effort not to interfere with normal traffic movement near the sites during service calls, however there may be a safety perimeter established around the site for ladders or service vehicle accessibility. FLO reserves the right to setup service operations near and around the Charger Sites which may inconvenience public or private property. FLO will be responsible for securing required permits for Maintenance Work; BESTFIT Sites will support FLO in obtaining all required permits allowing FLO to service all sites for the duration of the pilot.

### **Training**

FLO will provide a formal training program to certify FLO technicians and labor with the required skills to perform maintenance services tasks under this Maintenance Addendum. FLO will be required to maintain staff maintenance certifications for the duration of the engagement under this Maintenance Addendum. Some key topics covered by the training program will include:

1. Product knowledge, including Charging Stations Service and Remote Network Management Services
2. Installation and commissioning standards
3. Operating standards
4. Critical operating systems and possible failure modes
5. Corrective and preventative maintenance best practices
6. Proactive monitoring services and alarm management
7. Spare parts inventory and management

FLO is responsible for providing, at its own cost and to all its employees, applicable health and safety training, including OSHA 10 for General Industry training for non-skilled staff.

### **Sub-contracting**

FLO may subcontract to one or more third parties all or a portion of the Services to be performed hereunder; provided, however, the use of any subcontractors will not relieve FLO of its responsibilities and obligations under this Maintenance Addendum.

#### **Exceptional Circumstances**

FLO will be entitled to stop and/or suspend performance of any of its obligations under this Maintenance Addendum in the following circumstances:

- (a) the occurrence of a Force Majeure Event\* (defined next page);
- (b) access to the Charging Stations is blocked, revoked or suspended;
- (c) delays or interference with the performance of FLO's obligations resulting from the acts or omissions of BESTFIT Stakeholder Sites, or any other parties acting at their direction; or
- (d) the occurrence of an event relating to a Charging Station which renders the performance by FLO of its obligations under this Maintenance Addendum hazardous or contrary to prudent industry or health and safety practices.

\*A Force Majeure Event means any event which is beyond the reasonable control of the affected party (the party claiming a Force Majeure Event), and with the exercise of due diligence, could not reasonably be foreseen, prevented, avoided or removed by such party, and does not result from such party's negligence or the negligence of its agents, employees or subcontractors, which causes the party affected to be delayed, in whole or in part, or unable to partially or wholly perform some or all of its obligations under this Agreement, including, without limitation, any act of God, fire, power surges, casualty, flood, earthquake, war, strike, lockout, pandemic, epidemic, illness or injury to workers, delayed or failed deliveries by subcontractors, power failure, damage or destruction of production facilities, lighting strike, riot, insurrection, transportation delays or defaults, delay in supply or shortages of fuel, components, raw materials or supplies, labor shortage, acts or omissions of third parties, action of any governmental authority, or any other cause beyond the reasonable control of the affected party. In such event, the affected party must promptly provide the other party with written notice of the Force Majeure Event with full particulars of the cause of any delay within 48 hours after its occurrence and thereafter shall provide updates on a bi-weekly basis. Delays on account of the COVID-19 pandemic and any subsequent expressions, characterizations or iterations associated therewith shall not be excusable delay. Delay in the affected party's receipt of subcontracted supplies or services for reasons beyond the affected party's control shall not be excusable delay to the extent that the supplies or services are available to the affected party from another source. The time for performance in any such instance shall be extended by a period equal to the time lost by reason of the excusable delay. Such extension shall be the affected party's sole and exclusive remedy for such delay and the other party shall not be liable for any damages or additional costs incurred as a result of such delay.



## 2. Budgetary Pricing Beyond the Pilot Period

FLO will provide the following Operations and Maintenance Services for the BESTFIT Project Charging Stations including:

- Preventative Maintenance: repair costs and expenses due to normal use during warranty period.
- Corrective Maintenance: repair costs and expenses due to vandalism, improper use, excessive wear and tear.
- Acquisition, storage, and handling of spare parts inventory necessary to maintain exemplary station uptime for the charging stations.

### Budgetary Pricing Beyond the Pilot Period

Budgetary Cost for Level 2 Maintenance Services for a 12-month period:

|                                    |                               |               |         |
|------------------------------------|-------------------------------|---------------|---------|
| Software & Network Monitoring      | GMS Global Management Service | Per Unit      | 180.00  |
| Yearly Maintenance Services        | Annual On-Site Service        | Per Unit      | 515.00  |
| Bimonthly Inspection and Cleaning: | On-site Services x 12 months  | Per Unit      | 3840.00 |
| Estimated Corrective Maintenance   | \$545 per event per unit      | 3 events      | 1635.00 |
|                                    |                               | Per Unit Cost | 6170.00 |

Budgetary Cost for Level 3 Maintenance Services for a 12-month period:

|                                    |                               |               |          |
|------------------------------------|-------------------------------|---------------|----------|
| Software & Network Monitoring      | GMS Global Management Service | Per Unit      | 350.00   |
| Yearly Maintenance Services        | Annual On-Site Service        | Per Unit      | 850.00   |
| Bimonthly Inspection and Cleaning: | On-site Services x 12 months  | Per Unit      | 6960.00  |
| Estimated Corrective Maintenance   | \$1050 per event per unit     | 3 events      | 3150.00  |
|                                    |                               | Per Unit Cost | 11310.00 |

Payment of FLO invoices for out-of-scope services including parts, labor and related costs are payable Net 30.

Any invoices are subject to applicable taxes or fees.

At any time, either party may submit to the other party, a written notice of approval of any desirable or necessary changes to the Services to be performed (a "Change Order."). A Change Order shall include an estimate of the costs associated with such alteration or change. Upon the other party's written acceptance of a Change Order, such Change Order shall be incorporated into this Agreement and the Agreement shall be modified accordingly.

### Specific Terms for Spare Parts Beyond the Pilot Term

- Parts under Warranty will be provided at no additional cost to BESTFIT Sites.
- Parts required for Corrective Maintenance not covered by Warranty are chargeable and may include shipping, taxes, duty, handling and storage costs to be invoiced separately.

### 3. Services outside the scope of this proposal

#### **Specific Out of Scope Elements**

Three elements are to be handled jointly between FLO and SCE and/or the Site Host; they are formally 'out of scope' per the project mandate.

1. Safety Emergency: Emergency Response for an installation requiring de-energization will require a SCE or first responder intervention.
2. Station Replacement or Relocation due to vandalism, improper use, excessive wear and tear, accident: Damage by theft, abuse, accidents and/or vandalism that requires station replacement or relocation will require a separate evaluation and remedy acceptable by the Parties. Pricing will be done on a quote per site basis (time/materials) based on the extent of the restoration.

#### **Charging Station Replacement and Relocation**

Replacing, re-installing, and/or moving the Charging Stations, if necessary, will be done on a quote per site basis.

#### **Sample Hourly Rates**

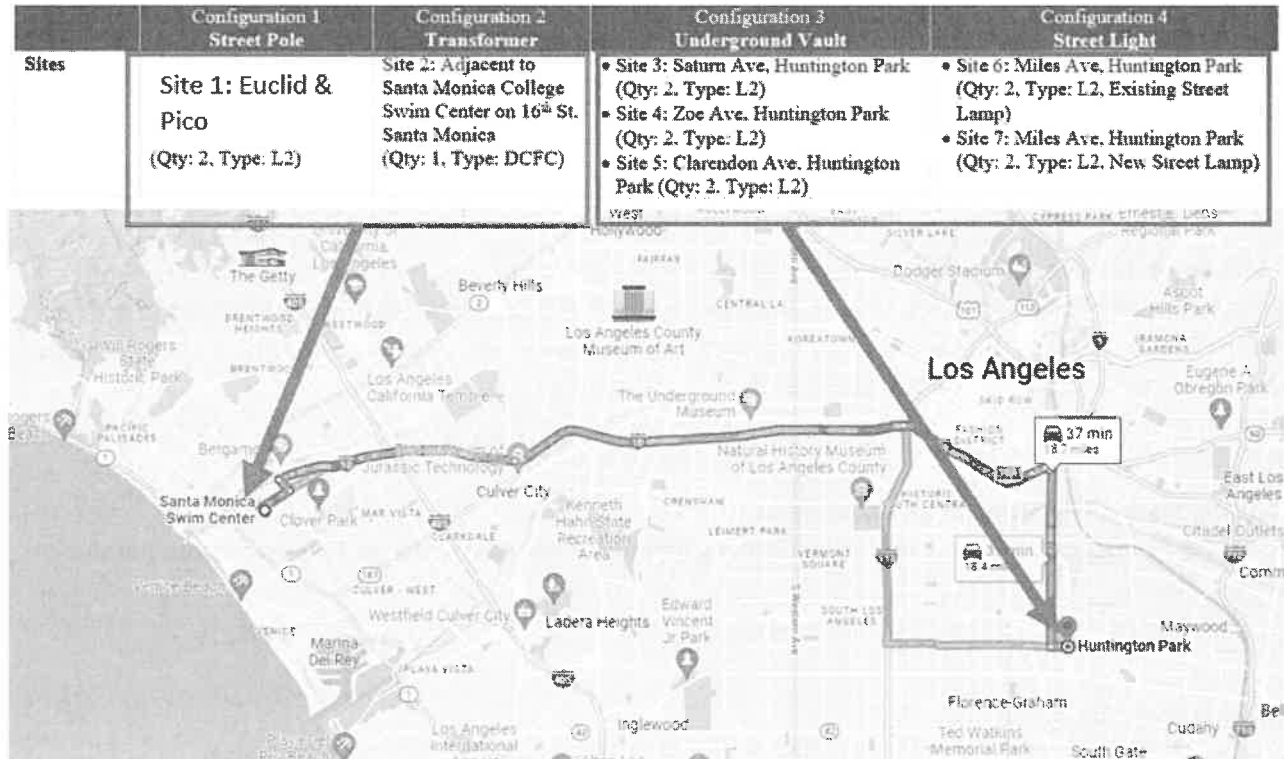
For any On Demand response not covered by this proposal, the Fee Schedule is set forth below:

|   |  |
|---|--|
| Standard Service Times<br>Regular Business Hours                      | Technician L2 - \$135/hr with 3-hr minimum<br>Technician DC - \$150/hr with 3-hr minimum |
| Expedited / Emergency Service Times<br>Outside Regular Business Hours | Technician L2 - \$235/hr with 3-hr minimum<br>Technician DC - \$245/hr with 3-hr minimum |

The minimum billing shall be three (3) hours on a Service Order.

Travel time is billed at appropriate billing rates of the Orders.

## Service Area Map



#### 4. Renewal Option: Transfer of Services to the Host City at the end of the pilot

A deliverable of the BESTFIT Pilot is to decide if the chargers shall continue to serve the community or be removed. FLO intends to donate the chargers to their respective communities should the units remain in place.

This Agreement may be renewed by transferring the Maintenance Service Agreement to the Site Host City at the conclusion of the BESTFIT pilot. FLO will consider a post-pilot service agreement with **ChargerHelp!** to continue the maintenance program on donated units.

Mutual written agreement of the Parties hereto, executed not less than two (2) months prior to the expiration of the Initial Term or any Renewal Term, as applicable. Pricing for an additional term including hourly rates will be subject to a renegotiated price reflective of the market value and parties involved at that time.

IN WITNESS WHEREOF, the parties hereto have caused this Addendum to be executed by their respective duly authorized representative and made effective as of the date of last signature.

#### **FLO SERVICES USA INC.**

|                      |
|----------------------|
| Signature:           |
| Name: Martin Brière  |
| Title: VP Operations |
| Date:                |

#### **Host City Name:**

|            |
|------------|
| Signature: |
| Name:      |
| Title:     |
| Date:      |

#### **Host City Name:**

|            |
|------------|
| Signature: |
| Name:      |
| Title:     |
| Date:      |

## ITEM 5



# CITY OF HUNTINGTON PARK

Police Department  
City Council Agenda Report

February 21, 2023

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:

## **APPROVE THE PURCHASE OF TWO POLICE DEPARTMENT PATROL OPERATIONS DIVISION VEHICLES AND SUPPLEMENTARY EQUIPMENT**

### **IT IS RECOMMENDED THAT CITY COUNCIL:**

1. Authorize the requisition of funds to purchase two Police Department Patrol Services Division police patrol vehicles from the FORD MOTOR COMPANY, specifically Grieco Ford in Raynham, MA.; and,
2. Approve an appropriation in the amount not to exceed \$160,990 to account number 741-8060-431.74-10, capital equipment – vehicles in the City's Vehicle Maintenance Fund; and
3. Authorize the Chief of Police to purchase the vehicle and equip the vehicles with associated technology and emergency response equipment.

### **BACKGROUND**

The Police Department maintains a fleet of police patrol vehicles that are black and white in color and have distinct "Police" graphics identifying them as police service vehicles. These vehicles are driven by sworn police officers in the performance of their duties. In order to provide effective and efficient police service to the community, the Police Department must maintain an adequate number of police patrol vehicles in operation. The current number of patrol vehicles assigned to the Police Department fleet is strained due to on-going repairs/preventive maintenance of patrol vehicles in the fleet, which limit the overall number of patrol vehicles available for service.

### **RECOMMENDATION**

# **APPROVE THE PURCHASE OF TWO POLICE DEPARTMENT PATROL OPERATIONS DIVISION VEHICLES AND SUPPLEMENTARY EQUIPMENT**

February 21, 2023

Page 2 of 3

In order to meet the growing demand for reliable patrol vehicles to deploy in the field, while recognizing the expense impact on the City's budget to replace patrol vehicles, it is recommended the Council authorize the purchase of only two patrol vehicles at this time. The recommended replacement patrol vehicle is the 2022 Ford Explorer Police Interceptor SUV, manufactured specifically for police service to meet high speed pursuit ratings and safety standards.

## **ANALYSIS**

The Ford Explorer Police Interceptor SUV has become a standard in police vehicles across the nation for various practical reasons, including; a larger interior passenger and cargo space than police sedans, higher profile for added field of vision, all-wheel drive for enhanced handling during emergency operations, easier ability for officers to enter and exit the vehicle, and the enhanced image and confidence the SUV provides to the community.

Police patrol vehicles spend substantial time idling while in service, which is one reason the 2022 Ford Explorer Police Interceptor SUV is the ideal choice, because it offers significant improvements in fuel economy along with across-the-board improvements in performance, capability, and overall value.

## **PROCUREMENT PROCESS**

The City Council is asked to consider the purchase of two 2022 Ford Explorer Police Interceptors SUV from Grieco Ford. Staff recognizes the City's usual procurement process requires three bids for a purchase of this nature. However, staff has found it difficult, if not impossible, to obtain bids from other Ford dealers not only in California, but throughout the country, due continued lack of inventory of this particular police SUV model, due to the lingering COVID pandemic manufacturing slow-down. This lack of inventory is evidenced by the fact that staff literally searched the entire country for inventory immediately available for delivery and Grieco Ford in Massachusetts is the only dealer staff could locate with limited in-stock inventory.

Huntington Park Municipal Code 2-5.14 / Sole Source Vendors provides the following purchasing guidance; *"Formal bidding requirements shall be waived in areas where only a single vendor can reasonably provide the service, product or project being purchased. The Purchasing Agent will establish requirements and procedures for sole source purchases"*.

Additional costs outlined below are associated with installation of associated technology and emergency response equipment for the police units.

## **FISCAL IMPACT/FINANCING**

**APPROVE THE PURCHASE OF TWO POLICE DEPARTMENT PATROL  
OPERATIONS DIVISION VEHICLES AND SUPPLEMENTARY EQUIPMENT**

February 21, 2023

Page 3 of 3

The total fiscal impact for this requested expenditure is not to exceed \$161,488.00, to be drawn from account number 111-8060-431.74-10, for which a budget appropriation for this amount is recommended for City Council approval. This will include installation of a police radio, mobile data computer, overhead emergency lights, police decals, and other associated equipment.

| Item                | Base cost per vehicle     |
|---------------------|---------------------------|
| Vehicle             | 39,495 (x2)               |
| Police Radio        | 10,000 (x2-not to exceed) |
| Emergency Equipment | 23,000 (x2-not to exceed) |
| Police Decals       | 1,500 (x2-not to exceed)  |
| Mobile Computer     | 6,500 (x2-not to exceed)  |
| Total: \$160,990    |                           |

**CONCLUSION**

Upon Council approval, staff will proceed with recommended actions.

Respectfully submitted,



RICARDO REYES  
City Manager



COSME LOZANO  
Chief of Police

**ATTACHMENT(S)**

A. Grieco Ford Quotation



## ATTACHMENT "A"



January 31, 2023

Senior Detective Mike Parsa  
City of Huntington Park PD  
6542 Miles Avenue  
Huntington Park, CA 90255

Dear Mike,

In response to your inquiry, we are pleased to submit the following for your consideration:  
Grieco Ford of Raynham, MA, will sell the department two 2022 Ford Interceptor Explorers.

Unit price of each: \$39,000 per unit x 2 = \$78,000

Dealer Fees: \$495 per unit x 2 = \$990

Total for the two units = \$78,990

Terms are net 30 days. Please let me know if you have additional questions.

A handwritten signature in dark ink, appearing to read "Robert Childs", with a stylized flourish at the end.

Robert Childs

Product Specialist

Grieco Ford of Raynham

1651 New State Hwy - Rt 44

Rayham, MA 02767

[www.griecocars.com](http://www.griecocars.com)

## ITEM 6



# CITY OF HUNTINGTON PARK

Office of the City Clerk  
City Council Agenda Report

February 21, 2023

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:

## **COUNCIL APPOINTMENTS TO VARIOUS COMMISSIONS**

### **IT IS RECOMMENDED THAT CITY COUNCIL:**

1. Make appointments and/or re-appointments to various commissions consistent with provisions set forth in Resolution No. 2015-19 and Ordinance 939-NS.

- Planning Commission
- Youth Commission
- Parks and Recreation Commission
- Historic Preservation Commission
- Health and Education Commission
- Civil Service Commission

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

On May 18, 2015, the City Council adopted Resolution No. 2015-19 which established a new process for making appointments to various City Commissions.

On June 1, 2015, the City Council adopted Ordinance No. 939-NS, Establishing a Youth Commission. All members shall be between the ages of 14 and 19 years of age at the time of appointment. Each member shall remain in good academic standing with their respective schools as defined by each school, and/or submit two letters of recommendations as a requirement of the application process.

Individuals appointed to Commissions will be required to submit to a LiveScan and subsequently take an Oath of Office.

## **COUNCIL APPOINTMENTS TO VARIOUS COMMISSION**

February 21, 2023

Page 2 of 2

### **FISCAL IMPACT**

There is no fiscal impact. Compensation for added Commissioners has been budgeted for FY 2023/24 to account 111-0123-413.19-05.

### **CONCLUSION**

Terms will run concurrent with the Council Member who appoints. After appointment City Clerk will notify applicants of their appointments.

Respectfully submitted,



**RICARDO REYES**  
City Manager



**EDUARDO SARMIENTO,**  
City Clerk

### **ATTACHMENT(S)**

- A. Commission Applications.
- B. Resolution No. 2015-19, Adopting Revised Rules, Method of Appointment, Guidelines for the Conduct of Meetings and Structure for all Commissions of the city and Repealing all Prior Resolutions or Provisions in Conflict with the Provisions Contained Herein.
- C. Ordinance No. 939-NS, establishing a Youth Commission and Adding Title 2, Chapter 11 to the Huntington Park Municipal Code.

# ATTACHMENT "A"



# CITY OF HUNTINGTON PARK

## Application for Service on City Commission

(Please check the commission on which you wish to serve)

|                          |                                  |                                     |                                 |
|--------------------------|----------------------------------|-------------------------------------|---------------------------------|
| <input type="checkbox"/> | Civil Service Commission         | <input type="checkbox"/>            | Health & Education Commission   |
| <input type="checkbox"/> | Historic Preservation Commission | <input checked="" type="checkbox"/> | Parks and Recreation Commission |
| <input type="checkbox"/> | Planning Commission              | <input type="checkbox"/>            |                                 |

Name Emily Cortez

Telephone: Day [REDACTED]

E-mail address [REDACTED]

Evening [REDACTED]

Residence address [REDACTED]

Resident of HP for 44 years

Do you work in HP? No

If yes, how long?

Describe any qualifications, experience and education, as well as any technical or professional background you may have relative to the duties of this position.

I have over 10 years experience working in health care administration. I also have experience in organizing community health fairs.

Other volunteer activities or organizations you are involved with.

None

Briefly state reasons why you are interested in serving on a commission.

I have lived in Huntington Park my whole life and would like to serve to improve my community.

List city, county, or other commissions or committees on which you have served and year(s) served.

none

What are your goals in serving on this commission?

To help the city connect more with its residents .

*Each person seeking a position on a Commission shall complete an application and submit to a Live Scan background check upon appointment and before sworn into office. Some Commissions may be requested to file a Conflict of Interests Statement pursuant to Fair Political Practices regulations. Information will be provided by the Office of the City Clerk.*

I hereby certify that the information contained in this application and any accompanying documents is true and correct to the best of my knowledge.

Signature

Date

9/9/22

Print Name

Emily Cortez

### **Membership.**

All City Commissions shall consist of five (5) members, with the exception of the Youth Commission which shall consist of ten (10) youth. All members of each Commission shall be a resident of the City of Huntington Park, however, at the City Council's discretion, no more than two (2) Commissioners for any Commission may be non-Huntington Park residents. Each person seeking appointment to a Commission shall complete an application provided by the City and upon appointment shall submit to a Live Scan background check before sworn into office. (*Resolution No. 2015-19, Ordinance No. 939-NS*).

### **Term of Office.**

Each Commissioner's term shall be for a period of four (4) years, unless removed by the appointing Council Member or as a result of disqualification, no Commissioner shall serve for a period which exceeds the time in office for the Council Member appointing the Commissioner. In the event that the appointing Council Member completes his or her term, vacates their office or otherwise is no longer holding office, the term of the Commissioner appointed by said Council Member shall end. However, nothing contained in this section shall prevent another Council Member of the new Council Member from appointing the individual back to the same Commission or to a different Commission. (*Resolution No. 2015-19*).

### **Meetings.**

Meetings of each Commission varies as set by the Commission.

Please note: applications will be kept on file two (2) years for consideration for future vacancies. When completed, mail/submit original to the Office of the City Clerk, City of Huntington Park, 6550 Miles Avenue, Room 148, Huntington Park, CA 90255.

-----Office Use Only-----

\_\_\_\_\_ Date of Appointment \_\_\_\_\_

\_\_\_\_\_ Date of Reappointment \_\_\_\_\_

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# CITY OF HUNTINGTON PARK

## Application for Service on City Commission

(Please check the commission on which you wish to serve)

|                          |                                  |                          |                                 |
|--------------------------|----------------------------------|--------------------------|---------------------------------|
| <input type="checkbox"/> | Civil Service Commission         | <input type="checkbox"/> | Health & Education Commission   |
| <input type="checkbox"/> | Historic Preservation Commission | <input type="checkbox"/> | Parks and Recreation Commission |
| <input type="checkbox"/> | Planning Commission              | <input type="checkbox"/> |                                 |

Name Liselda Fabian Telephone: Day [REDACTED]

E-mail address [REDACTED] Evening same

Residence address [REDACTED]

Resident of HP for 0 years

Do you work in HP? No If yes, how long?

Describe any qualifications, experience and education, as well as any technical or professional background you may have relative to the duties of this position.

My current position with the Workforce Development department at AltaMed Health Services makes me a great candidate for this role. In my position I oversee both our internship and high school programs. The internship program is aimed at providing students with the practicum or externship opportunity that they need to complement their course of study. For our high school programs we provide opportunities for college attainment (Escalera) and leadership skills (Youth Champions) for students in grades 10<sup>th</sup>-12<sup>th</sup> grades. The Youth Champions program currently works with Huntington Park Institute of Applied Medicine High School. In addition, AltaMed's service area includes Huntington Park where we do get some interns and additional participants for our programs.

Other volunteer activities or organizations you are involved with.

I am a member of the National Association of Colleges & Employers that provides resources for employers on hiring/industry trends.

In addition, I was accepted to Southern California's CORO Workforce Leadership Network for an intensive 10 week program for industry professionals that begins in February 2023.

Briefly state reasons why you are interested in serving on a commission.

This will be a good intersection between what is going on in a community we serve and how we could best support the youth in Huntington Park.

List city, county, or other commissions or committees on which you have served and year(s) served.  
None at this time.

What are your goals in serving on this commission?

To gain a better sense of the community and their needs and how AltaMed can help. What additional resources can we provide the community and more specifically to the youth in the community.

*Each person seeking a position on a Commission shall complete an application and submit to a Live Scan background check upon appointment and before sworn into office. Some Commissions may be requested to file a Conflict of Interests Statement pursuant to Fair Political Practices regulations. Information will be provided by the Office of the City Clerk.*

I hereby certify that the information contained in this application and any accompanying documents is true and correct to the best of my knowledge.

Signature \_\_\_\_\_

Date 2/2/2023

Print Name Liselda Fabian

**Membership.**

All City Commissions shall consist of five (5) members, with the exception of the Youth Commission which shall consist of ten (10) youth. All members of each Commission shall be a resident of the City of Huntington Park, however, at the City Council's discretion, no more than two (2) Commissioners for any Commission may be non-Huntington Park residents. Each person seeking appointment to a Commission shall complete an application provided by the City and upon appointment shall submit to a Live Scan background check before sworn into office. *(Resolution No. 2015-19, Ordinance No. 939-NS).*

**Term of Office.**

Each Commissioner's term shall be for a period of four (4) years, unless removed by the appointing Council Member or as a result of disqualification, no Commissioner shall serve for a period which exceeds the time in office for the Council Member appointing the Commissioner. In the event that the appointing Council Member completes his or her term, vacates their office or otherwise is no longer holding office, the term of the Commissioner appointed by said Council Member shall end. However, nothing contained in this section shall prevent another Council Member of the new Council Member from appointing the individual back to the same Commission or to a different Commission. *(Resolution No. 2015-19).*

**Meetings.**

Meetings of each Commission varies as set by the Commission.

Please note: applications will be kept on file two (2) years for consideration for future vacancies. When completed, mail/submit original to the Office of the City Clerk, City of Huntington Park, 6550 Miles Avenue, Room 148, Huntington Park, CA 90255.

.....Office Use Only.....

\_\_\_\_\_ Date of Appointment \_\_\_\_\_ Date of Reappointment

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# CITY OF HUNTINGTON PARK

## Application for Service on City Commission

(Please check the commission on which you wish to serve)

|                          |                                  |                                     |                                 |
|--------------------------|----------------------------------|-------------------------------------|---------------------------------|
| <input type="checkbox"/> | Civil Service Commission         | <input type="checkbox"/>            | Health & Education Commission   |
| <input type="checkbox"/> | Historic Preservation Commission | <input checked="" type="checkbox"/> | Parks and Recreation Commission |
| <input type="checkbox"/> | Planning Commission              | <input type="checkbox"/>            |                                 |

Name Michelle Ybarra Telephone: Day [REDACTED]

E-mail address [REDACTED] Evening

Residence address [REDACTED]

Resident of HP for 11 years

Do you work in HP? No If yes, how long?

Describe any qualifications, experience and education, as well as any technical or professional background you may have relative to the duties of this position.

I am currently a sitting memeber of the Vernon Community Fund. In my professional career I am a Vice President for City National Bank and have been in the banking industry for 31 years. I have worked as part of various internal committees and done project management as well for projects.

Other volunteer activities or organizations you are involved with.

I have been involved with the Huntington Park Youth Football team for the past 9 years as a Coach, and board member. I am currently the Treasurer. I have also been a Softball and T Ball Coach for Salt Lake Park

Briefly state reasons why you are interested in serving on a commission.

I would like to give back to the community that has been there for me as I was growing up as well as now for my children and grandchildren

List city, county, or other commissions or committees on which you have served and year(s) served.

Vernon CommUNITY fund since 2022

What are your goals in serving on this commission?

To help mend relations between the community and the commissions. I advocate for the youth sports programs as I feel they are a key part of ensuring the health and wellbeing of our future.

*Each person seeking a position on a Commission shall complete an application and submit to a Live Scan background check upon appointment and before sworn into office. Some Commissions may be requested to file a Conflict of Interests Statement pursuant to Fair Political Practices regulations. Information will be provided by the Office of the City Clerk.*

I hereby certify that the information contained in this application and any accompanying documents is true and correct to the best of my knowledge.

Signature  Date 1/18/2023  
Print Name Michelle Ybarra

**Membership.**

All City Commissions shall consist of five (5) members, with the exception of the Youth Commission which shall consist of ten (10) youth. All members of each Commission shall be a resident of the City of Huntington Park, however, at the City Council's discretion, no more than two (2) Commissioners for any Commission may be non-Huntington Park residents. Each person seeking appointment to a Commission shall complete an application provided by the City and upon appointment shall submit to a Live Scan background check before sworn into office. (Resolution No. 2015-19, Ordinance No. 939-NS).

**Term of Office.**

Each Commissioner's term shall be for a period of four (4) years, unless removed by the appointing Council Member or as a result of disqualification, no Commissioner shall serve for a period which exceeds the time in office for the Council Member appointing the Commissioner. In the event that the appointing Council Member completes his or her term, vacates their office or otherwise is no longer holding office, the term of the Commissioner appointed by said Council Member shall end. However, nothing contained in this section shall prevent another Council Member of the new Council Member from appointing the individual back to the same Commission or to a different Commission. (Resolution No. 2015-19).

**Meetings.**

Meetings of each Commission varies as set by the Commission.

Please note: applications will be kept on file two (2) years for consideration for future vacancies. When completed, mail/submit original to the Office of the City Clerk, City of Huntington Park, 6550 Miles Avenue, Room 148, Huntington Park, CA 90255.

-----Office Use Only-----

\_\_\_\_\_ Date of Appointment \_\_\_\_\_ Date of Reappointment

Rev 8/2016



|  |                                  |  |                                 |
|--|----------------------------------|--|---------------------------------|
|  | Civil Service Commission         |  | Health & Education Commission   |
|  | Historic Preservation Commission |  | Parks and Recreation Commission |
|  | Planning Commission              |  |                                 |

Do you work in HP? NO If yes, how long? N/A

I have a background in being a member of my school's leadership class, therefore I have experience working in teams and groups to help run an event or succeed in working together to get something done in a certain time. I have taken health classes at both my high school and LATTC. I have worked with students in my grade to come up with a presentation and present it in front of a list of panelists. I have also been interviewed at my school to prepare me for the real world when it comes to applying for a job.

I am part of the leadership class at my high school (Huntington Park Institute of Applied Medicine) and I am in charge of creating and planning school-wide events and making sure everything goes well. I am also a member of the Link Crew group at my school where we advise incoming freshmen and help them along their journey during their first year of high school. I also have experience volunteering at my community church (Presentation of Mary Church) where I help out with giving people food during the holidays at the church.

I am interesting in a serving on a commission because I want to help the community that has allowed me to attend the current school that I go to even though it isn't near where I live. I want to give back to this community and improve their needs. I want to protect and enhance the lives of the citizens. I also want to give the commission a student/teenager point of view on decisions.

I have not serve in any commissions or committees as of yet.

What are your goals in serving on this commission?

My goals in serving on this commission is first and for most be a someone who can give the commissioner the point of view of a student body and provide them the information they need from me in order to have ideas support by students/teenagers like me. I hope to be able to create new programs and come up with new ideas that create a better environment for the citizens in our community and for the community its self.

---

*Each person seeking a position on a Commission shall complete an application and submit to a Live Scan background check upon appointment and before sworn into office. Some Commissions may be requested to file a Conflict of Interests Statement pursuant to Fair Political Practices regulations. Information will be provided by the Office of the City Clerk.*

I hereby certify that the information contained in this application and any accompanying documents is true and correct to the best of my knowledge.

Signature \_\_\_\_\_

Date 1/27/23

Print Name Francisco Mares

### **Membership.**

All City Commissions shall consist of five (5) members, with the exception of the Youth Commission which shall consist of ten (10) youth. All members of each Commission shall be a resident of the City of Huntington Park, however, at the City Council's discretion, no more than two (2) Commissioners for any Commission may be non-Huntington Park residents. Each person seeking appointment to a Commission shall complete an application provided by the City and upon appointment shall submit to a Live Scan background check before sworn into office. (*Resolution No. 2015-19, Ordinance No. 939-NS*).

### **Term of Office.**

Each Commissioner's term shall be for a period of four (4) years, unless removed by the appointing Council Member or as a result of disqualification, no Commissioner shall serve for a period which exceeds the time in office for the Council Member appointing the Commissioner. In the event that the appointing Council Member completes his or her term, vacates their office or otherwise is no longer holding office, the term of the Commissioner appointed by said Council Member shall end. However, nothing contained in this section shall prevent another Council Member of the new Council Member from appointing the individual back to the same Commission or to a different Commission. (*Resolution No. 2015-19*).

### **Meetings.**

Meetings of each Commission varies as set by the Commission.

Please note: applications will be kept on file two (2) years for consideration for future vacancies. When completed, mail/submit original to the Office of the City Clerk, City of Huntington Park, 6550 Miles Avenue, Room 148, Huntington Park, CA 90255.

-----Office Use Only-----

\_\_\_\_\_ Date of Appointment \_\_\_\_\_ Date of Reappointment

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## ATTACHMENT "B"

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1           **SECTION 3: Appointment, Reappointment and Removal.**

2           Each member of the City Council shall have authority to appoint one (1)  
3 member to each Commission, with the exception of the Youth Commission, which  
4 shall consist of two (2) members appointed by each City Councilmember. Each  
5 Councilmember shall appoint their Commissioners within sixty (60) days of assuming  
6 office, or from the adoption of this Resolution, or from a vacancy occurring for said  
7 Commission position for that respective Councilmember appointment. If no  
appointment is made within sixty (60) days of assuming office, or from the adoption of  
this Resolution, or from a vacancy occurring for said Commission position, the Mayor  
shall appoint a member to the vacant seat.

8           Commission members may be removed from their appointment due to  
9 disqualification as provided for in this Resolution or upon the sole decision by the  
10 Councilmember who appointed that Commissioner. All appointments or removal of  
11 Commissioners shall occur at an open meeting of the City Council. If removal of a  
Commissioner occurs, the City Clerk shall send notice to that Commissioner at the last  
address on file with the City.

12           **SECTION 4: Term of Office.**

13           Each Commissioner's term shall be for a period of four years, unless removed  
14 by the appointing Councilmember or as a result of disqualification as set forth herein.  
15 Notwithstanding the foregoing, no Commissioner shall serve for a period which  
16 exceeds the time in office for the Councilmember appointing that Commissioner. In  
17 the event that the appointing Councilmember completes his or her term, vacates their  
18 office or otherwise is no longer holding office, the term of the Commissioner appointed  
by said Councilmember shall end. However, nothing contained in this section shall  
prevent another Councilmember or the new Councilmember from appointing the  
individual back to the same Commission or to a different Commission.

19           **SECTION 5: Vacancy Due to Disqualification.**

20           When a member no longer meets the qualifications for the Commission, the  
21 member is therefore disqualified, and the office shall thereupon become vacant.

22           **SECTION 6: Vacancy.**

23           If for any reason a vacancy occurs, it shall be filled by appointment by the  
24 member of the City Council who appointed said Commissioner for the unexpired  
portion of such term.

25           **SECTION 7: Quorum.**

26           A majority of the total number of members of the Commission shall constitute a  
27 quorum for the transaction of business, but a lesser number may adjourn from time to  
28 time for want of quorum and until a quorum can be obtained.

1       **SECTION 8: Purpose.**

2       The purpose, duties and responsibilities of each Commission shall be  
3 established by the City Council by ordinance and codified in the Huntington Park  
4 Municipal Code.

5       **SECTION 9: Organization.**

6       Annually in the month of March, the Commission shall elect one of its members  
7 as Chair and Vice-Chair. City staff shall act as the Commission Secretary. Staff  
liaisons shall act as the conduit for all communications to the City Council.

8       **SECTION 10: Meetings.**

9       Regular meetings of the Commission shall be as set by each Commission. The  
10 place of such meetings shall be at City Hall unless otherwise designated by the City  
11 Council or approved by a majority of the total membership of the Commission. When  
12 the day for such regular meetings falls on a legal holiday, the meeting shall not be  
13 held on such holiday, but shall be held at the same hour on the next succeeding day  
14 thereafter which is not a holiday. All meetings of the Commission shall be open and  
15 public, and subject to all laws of the state of California e.g. the Brown Act, governing  
open public meetings. The Commission shall adopt its own rules for the transaction of  
its business and keep a record of resolutions, findings and recommendations and  
actions voted upon. A report of each meeting of the Commission shall be given to the  
City Council.

16       **SECTION 11: Termination of Commission.**

17       Termination of the Commission shall be done at the will and vote of the City  
18 Council.

19       **SECTION 12: Compensation.**

20       Commission member compensation shall be set by resolution of the City  
21 Council.

22       **SECTION 13: Commission Handbook.**

23       All Commission Members must adhere to the provisions contained and  
24 referenced in the City of Huntington Park Commission Handbook as approved by the  
City Council.

25       **SECTION 14:**


26       The City Clerk shall certify to the adoption of this Resolution.  
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**PASSED, APPROVED AND ADOPTED THIS 18<sup>th</sup> day of May, 2015.**

  
Karina Macias  
Mayor

ATTEST:

  
Donna G. Schwartz, CMC  
City Clerk

CERTIFICATION

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) SS  
CITY OF HUNTINGTON PARK )


I, Donna G. Schwartz, City Clerk of the City of Huntington Park, California, do hereby certify that the foregoing Resolution No. 2015-19 was duly passed and adopted by the City Council of the City of Huntington Park at a regular meeting of the City Council held on the 18<sup>th</sup> day of May, 2015, by the following vote, to wit:

AYES: Council Member(s): Pineda, Sanabria, Vice Mayor Ortiz, Mayor Macias

NOES: Council Member(s): None

ABSENT: Council Member(s): Amezcuita

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the City of Huntington Park, this 20<sup>th</sup> day of May 2015.

  
Donna G. Schwartz, CMC, City Clerk

## ATTACHMENT "C"

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**WHEREAS**, the City Council has determined that involving the youth of the City in the process of governance is an important and vital aspect of creating an open door to the operations of local government; and

**WHEREAS**, the City Council wishes to establish a Youth Commission in order to engage and involve the young people of the community and facilitate in their participation in the governmental process.

**TITLE 2 ADMINISTRATION**  
**CHAPTER 11 CITY COMMISSIONS**  
**ARTICLE 6. YOUTH COMMISSION**

That there is created a Youth Commission ("Youth Commission") of, and for the city, which shall be composed of ten (10) members. Each City Council member shall appoint two (2) members to the Youth Commission. All members shall be between the ages of fourteen and nineteen years of age at the time of appointment. Each member shall remain in good academic standing with their respective schools as defined by each school, and/or submit two letters of recommendations as a requirement of the application process.

The term of office for a member of the Youth Commission shall be as set forth by City Council Resolution. In addition to the provisions governing the duration of a

1 member's term, a Youth Commission member's term shall also immediately expire  
2 upon the member's reaching twenty-one years of age.

3 2-11.603 - Powers and duties.

4 The Youth Commission shall be for all purposes an advisory commission to the  
5 city council for matters relating specifically to youth. This includes activities orientated  
6 toward recreation and civic programs, and those activities that pertain to life issues,  
7 thus addressing leisure needs and creating awareness and improving quality of life for  
8 our youth. In addition the commission shall review and recommend policies and  
9 programs which directly impact youth issues and the quality of life not only for the  
10 youth of the City but for all residents of the City of Huntington Park.

11 2-11.604 - Meetings—Frequency—Place.

12 That the commission shall hold regular meetings, at least once per month, at  
13 the city hall, and may hold such additional meetings at the place as it may deem  
14 necessary or expedient. Each commissioner shall attend other commission meetings  
15 and City Council meetings on rotation basis as a method of gaining valuable insight to  
16 the functions of the government process.

17 2-11.605 - Meeting—Absence from.

18 A. If a member of the commission shall be absent from three consecutive  
19 regular meetings of the commission, without cause, the secretary of the  
20 commission shall immediately inform the City Council of such absences.

21 B. An absence due to illness or other unavoidable absence from a meeting  
22 shall be reported to the secretary of the commission in advance of such  
23 regular meeting, otherwise it shall be deemed an unexcused absence.

24 2-11.606 - Quorum—Officers.

25 A majority of the total members of the commission shall constitute a quorum for  
26 the purposes of transacting business. The commission shall annually select one of its  
27 members to act as chairperson and another to act as vice chairperson. The terms of  
28 office of both the chairperson and vice chairperson shall be for a period of one year.

2-11.607 - Records.

1 The secretary of the commission shall keep a record of all the proceedings,  
2 resolutions, findings, determinations and transactions of the commission, which record  
3 shall be filed with the city clerk.

4 2-11.608 - Advisory capacity.

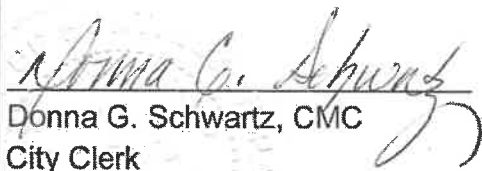
5 Nothing in this chapter shall be construed as restricting or curtailing any of the  
6 powers of the city council, or as a delegation to the commission, of any of the authority  
7 or discretionary powers vested and imposed by law in the City Council. The City  
8 Council declares that the public interest, convenience, welfare and necessity require  
9 the appointment of a Youth Commission, to act in a purely advisory capacity to the  
10 City Council, for the purposes herein enumerated. The commission shall provide  
11 periodic reports, but at least twice a year, to the City Council concerning the activities  
12 of the Youth Commission and the recommendations approved by the commission.

13 **PASSED, APPROVED AND ADOPTED THIS 1<sup>st</sup> day of June 2015.**

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17 Karina Macias  
18 Mayor

19 ATTEST:

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22 Donna G. Schwartz, CMC  
23 City Clerk  
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**CERTIFICATION**

STATE OF CALIFORNIA       )  
COUNTY OF LOS ANGELES    )  SS  
CITY OF HUNTINGTON PARK)

I, Donna Schwartz, City Clerk of the City of Huntington Park, California, do hereby certify that the foregoing Ordinance No. 939-NS, was introduced on May 18, 2015 and adopted and dully passed by the City Council of the City of Huntington Park at a regular meeting of the City Council held on the 1<sup>st</sup> day of June, 2015 by the following vote, to wit:

AYES:           Council Members – Amezquita, Pineda, Sanabria, Vice Mayor Ortiz  
Mayor Macias

NOES:           Council Members – None

IN WITNESS WHEREOR, I have hereunto set my hand and affixed the Seal of the City of Huntington Park, this 3<sup>rd</sup> day of June 2015

  
Donna G. Schwartz, CMC, City Clerk

ITEM 7



# CITY OF HUNTINGTON PARK

Community Development Department  
City Council Agenda Report

February 21, 2023

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

Honorable Mayor and Members of the City Council:

**CONSIDERATION AND APPROVAL OF SUBSTANTIAL AMENDMENT NUMBER TWO TO THE FY 2022-2023 ANNUAL ACTION PLAN (AAP) FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AND HOME INVESTMENT PARTNERSHIPS (HOME) FUNDS**

**IT IS RECOMMENDED THAT THE CITY COUNCIL:**

1. Conduct a public hearing.
2. Take public testimony.
3. Approve Substantial Amendment Number Two to the Annual Action Plan for FY 2022-2023, inclusive of any comments received by the City Clerk during the 30-day public comment period.
4. Authorize City Manager to make the appropriate amendments as described in Substantial Amendment Number 2.
5. Authorize City Manager to execute all required documents for transmittal to the U.S. Department of Housing and Urban Development Department (HUD); and
6. Amend the Fiscal Year 2022-2023 Budget in accordance with the approved Substantial Amendment as follows:
  - **COVID-19 EMERGENCY RENTAL ASSISTANCE PROGRAM ("ERAP")** - Allocate CDBG-CV FY2020 funds in the amount of \$500,000 to the FY2022 ERAP.
  - **MINOR HOME REPAIR PROGRAM** - Reallocate FY2015/2016/2017/2018/2019 HOME funds in the total amount of \$2,338,670 to the Minor Home Repair Program.

## CONSIDERATION AND ADOPTION OF THE CITY OF HUNTINGTON PARK'S FISCAL YEAR 2022-2023 ANNUAL ACTION PLAN

February 21, 2023

Page 2 of 6

- **FIRST TIME HOME BUYER PROGRAM** - Reallocate 2020/2021/2022 HOME funds in the amount of \$1,772,749 to the First Time Home Buyer Program. Please note \$64,093 was subtracted from FY2022/23 which will be allocated for HOME Administration.
  - **HOME ADMINISTRATION** – Reallocate FY2022/23 HOME funds in the amount of \$64,093 from the CDBG Fund to HOME Program Administration.
  - **ADA SIDEWALK & PEDESTRIAN PUBLIC IMPROVEMENT PROJECT**  
- Allocate FY2019/2022 CDBG funds in the amount of \$794,433 to the FY2022 Street Repair Project.
  - **CHELSEY PARK** - Allocate FY2019/2020 CDBG funds in the amount of \$299,279 to the FY2022 Chelsey Park Americans with Disabilities Act (ADA) Improvement Project.
7. Authorize City staff to electronically transmit the amended components of the FY 2022-2023 Annual Action Plan to the U.S Department of Housing and Urban Development (HUD) via Integrated Disbursement and Information System (IDIS).

### PURPOSE/JUSTIFICATION OF RECOMMENDED ACTIONS

Each year, the City prepares an Annual Action Plan in connection with the Five-Year Consolidated Plan which details how the City will spend its entitlement funds from the Department of Housing and Urban Development (HUD). The Annual Action Plan is a multi-purpose document with two principal purposes:

- The Annual Action Plan identifies the projects and programs to be undertaken during the upcoming fiscal year, and the proposed objectives and outcomes to be achieved within the overall context of the Five-Year Consolidated Plan: and
- The Annual Action Plan acts as the City's application process for federal formula grants, principally comprised of the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) programs.

The purpose of this agenda item is to present Substantial Amendment Number Two to the FY2022-2023 Annual Action Plan. Pursuant to the City's Citizen Participation Plan, when the City contemplates making substantial revisions to its adopted Annual Action Plan, a Substantial Amendment is necessary.

According to 24 CFR 91.505 and the City's Citizen Participation Plan, the City of Huntington Park has determined that the following actions will require a substantial amendment to the FY2022-23 Annual Action Plan:

- **COVID-19 EMERGENCY RENTAL ASSISTANCE PROGRAM ("ERAP")** - Allocate CDBG-CV FY2020 funds in the amount of \$500,000 to the FY2022 ERAP.

# CONSIDERATION AND ADOPTION OF THE CITY OF HUNTINGTON PARK'S FISCAL YEAR 2022-2023 ANNUAL ACTION PLAN

February 21, 2023

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- **MINOR HOME REPAIR PROGRAM** - Reallocate FY2015/2016/2017/2018/2019 HOME funds in the total amount of \$2,338,670 to the Minor Home Repair Program.
- **FIRST TIME HOME BUYER PROGRAM** - Reallocate 2020/2021/2022 HOME funds in the amount of \$1,772,749 to the First Time Home Buyer Program. Please note \$64,093 was subtracted from FY2022/23 which will be allocated for HOME Administration.
- **HOME ADMINISTRATION** – Reallocate FY2022/23 HOME funds in the amount of \$64,093 from the CDBG Fund to HOME Program Administration.
- **ADA SIDEWALK & PEDESTRIAN PUBLIC IMPROVEMENT PROJECT** - Allocate FY2019/2022 CDBG funds in the amount of \$794,433 to the FY2022 Street Repair Project.
- **CHELSEY PARK** - Allocate FY2019/2020 CDBG funds in the amount of \$299,279 to the FY2022 Chelsey Park Americans with Disabilities Act (ADA) Improvement Project.

## DISCUSSION

In accordance with HUD regulations, CDBG and HOME funds must be expended in a timely manner. Funds that have not been expended within the prescribed time period are subject to recapture by HUD. Staff has conducted a comprehensive review of the CDBG and HOME accounts and determined funding available for allocation/re-allocation to several newly approved programs/activities.

A description of each program and the action to be taken in the Second Substantial Amendment are as follows.

### **COVID-19 EMERGENCY RENTAL ASSISTANCE PROGRAM (“ERAP”)**

The ERAP has the objective of mitigating homelessness and displacement of existing Huntington Park residents who are experiencing a decrease in household income due to the COVID-19 pandemic related impacts, and thus, unable to pay their rent. By providing a grant to assist eligible tenants pay for delinquent rent, the City is providing a much-needed resource to ensure residents of Huntington Park stay in their homes and do not become homeless. In accordance with recently adopted ERAP Program Guidelines, the City will provide a maximum of three (3) months of rental assistance to those that qualify. This program is funded through the CDBG program, including special one-time funding available through the CARES Act.

This action will allocate CDBG-CV FY2020 funds in the amount of \$500,000 to the FY2022 ERAP.

### **MINOR HOME REPAIR PROGRAM**

## **CONSIDERATION AND ADOPTION OF THE CITY OF HUNTINGTON PARK'S FISCAL YEAR 2022-2023 ANNUAL ACTION PLAN**

February 21, 2023

Page 4 of 6

The Minor Home Repair Program provides direct monetary assistance to homeowners up to \$25,000 per unit (Single Family Residence) to cover the cost of all labor, equipment, supplies, administrative support, community outreach, determination of eligibility of program participants, and documentation necessary for the implementation of a minor home rehabilitation improvements.

Eligible activities include interior and exterior repairs, energy conservation improvements, security/safety improvements, exterior refurbishing, property clean-up service, plumbing, air purifiers, flooring accessibility upgrades, ADA improvements, electrical upgrades and rewiring, window replacement, and roof repair. This action will assist those of low- and moderate-income.

This action will reallocate HOME funds from Fiscal Year 2015/2016/2017/2018/2019 HOME funds to the Minor Home Repair Program totaling \$2,338,670.

### **FIRST TIME HOME BUYER PROGRAM**

The First Time Home Buyer program provides direct monetary assistance to first-time home buyers up to \$100,000 to assist creditworthy, income-qualified applicants who wish to purchase their first home within the City of Huntington Park.

This action will reallocate FY2020/2021/2022 HOME funds to the First Time Home Buyer Program totaling \$1,772,749.

### **ADA SIDEWALK & PEDESTRIAN PUBLIC IMPROVEMENT PROJECT**

The CDBG ADA Sidewalk & Pedestrian Public Improvement project includes the full depth removal and reconstruction of non- American with Disabilities Act (ADA) compliant sidewalks and pedestrian ramps at the following areas:

- Streets south of Florence Avenue, north of Santa Ana Street, east of State Street and west of Salt Lake Avenue. (Census Tract: 5345.01 and 5345.02)
- Street south of Slauson Avenue, north of Randolph Street, east of Maywood Avenue and west of Fishburn Avenue. (Census Tract 5335.01 and 5335.04)
- Streets south of Slauson Avenue, north of Randolph Street, east of Santa Fe Avenue and west of Pacific Boulevard. (Census Tract 5326.07 and 5326.05)

This action will allocate CDBG funds in the amount of \$794,433 to the FY2022 CDBG ADA Sidewalk & Pedestrian Public Improvement project. This action will also improve a low- and moderate-income area.

### **CHELSEY PARK ADA IMPROVEMENTS**

The proposed park improvements will include sidewalk and walkway ADA improvements and the installation of new ADA compliant play equipment.

This action will allocate the FY2019/20 Unallocated CDBG funds of \$ \$299,279 to the Chelsey Park ADA Improvement Project. This action will also improve a low- and moderate-income area.

### **HOME ADMINISTRATION**

HUD allows 10 percent of its total entitlement amount to be used for program administration. Currently, the CDBG Program has been funding HOME Program Administration in error.

This action will correctly fund the HOME Administration Program in IDIS with HOME funds instead of CDBG funds in the amount of \$64,093.

**CONSIDERATION AND ADOPTION OF THE CITY OF HUNTINGTON PARK'S  
FISCAL YEAR 2022-2023 ANNUAL ACTION PLAN**

February 21, 2023

Page 5 of 6

**SUBSTANTIAL AMENDMENT CDBG SUMMARY**

A summary of the substantial amendment actions are as follows:

| <b>CDBG AMENDMENTS</b>              |                  |
|-------------------------------------|------------------|
| <b>SOURCE</b>                       | <b>AMOUNT</b>    |
| FY2019/2022 CDBG Funds              | \$794,433        |
| <b>USES</b>                         |                  |
| FY2022 Street Repair Program        | \$794,433        |
| <b>TOTAL</b>                        | <b>\$794,433</b> |
| <b>SOURCE</b>                       | <b>AMOUNT</b>    |
| FY2019/2020 CDBG Funds              | \$299,279        |
| <b>USES</b>                         |                  |
| Chelsey Park ADA Improvements       | \$299,279        |
| <b>TOTAL</b>                        | <b>\$299,279</b> |
| <b>SOURCE</b>                       | <b>AMOUNT</b>    |
| FY2020 CDBG-CV Funds                | \$500,000        |
| <b>USES</b>                         |                  |
| Emergency Rental Assistance Program | \$500,000        |
| <b>TOTAL</b>                        | <b>\$500,000</b> |

**SUBSTANTIAL AMENDMENT HOME SUMMARY**

A summary of the substantial amendment actions is listed to include the sources and uses of funds:

| <b>HOME AMENDMENTS</b>                |                    |
|---------------------------------------|--------------------|
| <b>SOURCE</b>                         | <b>AMOUNT</b>      |
| FY2015/2016/2017/2018/2019 HOME Funds | \$2,338,670        |
| <b>USES</b>                           |                    |
| FY2022 Minor Home Repair Program      | \$2,388,670        |
| <b>TOTAL</b>                          | <b>\$2,338,670</b> |
| <b>SOURCE</b>                         | <b>AMOUNT</b>      |
| FY2020/2021/2022 HOME Funds           | \$1,772,749        |
| <b>USES</b>                           |                    |
| FY2022 First Time Home Buyer          | \$1,772,749        |
| <b>TOTAL</b>                          | <b>\$1,772,749</b> |
| <b>SOURCE</b>                         | <b>AMOUNT</b>      |
| FY2022 HOME Funds                     | \$64,093           |
| <b>USES</b>                           |                    |
| FY2022 HOME Administration            | \$64,093           |
| <b>TOTAL</b>                          | <b>\$64,093</b>    |

# **CONSIDERATION AND ADOPTION OF THE CITY OF HUNTINGTON PARK'S FISCAL YEAR 2022-2023 ANNUAL ACTION PLAN**

February 21, 2023

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This substantial amendment request will allow the addition of the aforementioned actions to the Program Year 2022 Annual Action Plan.

## **Public Comment Period**

The City will address and incorporate any comments received during the 30-day public comment period from January 19, 2023, through February 20, 202 and at today's public hearing.

## **FISCAL IMPACT**

There will be no fiscal impact to the General Fund. These programs and projects will be funded through the Housing and Urban Development grants via Community Development Building Block Grant (CDBG) and HOME Investment Partnerships Program (HOME). The funds are reimbursable to the City.

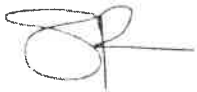
## **CONCLUSION**

Upon the Council's direction, staff will proceed with actions as directed.

Respectfully submitted,



**RICARDO REYES**  
City Manager



**Steve Forster**  
Community Development Director