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**CALIFORNIA CITIES FOR SELF RELIANCE JOINT POWERS AUTHORITY**  
**REGULAR SCHEDULED MEETING**

**NOTE THAT THIS MEETING WILL BE CONDUCTED TELEPHONICALLY  
PURSUANT TO ASSEMBLY BILL 361 (“AB 361”), WHICH AMENDED  
GOVERNMENT CODE SECTION 54953 TO ALLOW LOCAL LEGISLATIVE BODIES  
TO HOLD PUBLIC MEETINGS VIA TELECONFERENCING**

**ACCORDINGLY, BOARD MEMBERS WILL BE PROVIDED WITH A CONFERENCE  
CALL NUMBER; THEY WILL NOT BE PHYSICALLY PRESENT IN ANY CHAMBERS.**

**PURSUANT TO AB 361, THE PUBLIC MAY PROVIDE PUBLIC COMMENT  
TELEPHONICALLY BY CALLING (669) 900-6833, 6476620089# OR (ZOOM  
MEETING ID: 647 662 0089).**

**WEDNESDAY, OCTOBER 19, 2022**

**10:00 A.M.**

**A G E N D A**

**CALL TO ORDER & ROLL CALL**

Board Members:      Alejandra Cortez, Vice Chair - *Bell Gardens*  
                                 Hugo Argumedo, Chair – *Commerce*  
                                 Emma Sharif, Treasurer – *Compton*  
                                 Jose Gonzalez, Member – *Cudahy*  
                                 Jesse Alvarado, Secretary – *Hawaiian Gardens*

**PUBLIC PARTICIPATION**

***Public participation is now open. The members of the audience now have the right to speak on agenda items and any item under the jurisdiction of the Authority. This***

***period will be limited to thirty minutes, with no more than three minutes for each speaker. Anyone desiring to speak during the public comment period must submit an email request [juan@sixheron.com](mailto:juan@sixheron.com), or to the Authority Secretary via Zoom prior to the close of public participation. Due to policy and Brown Act requirements, action will not be taken on any issues not on the Agenda.***

*Please state your name and address clearly.*

### **NEW BUSINESS – OPEN SESSION**

1. Consideration and possible adoption of a resolution ratifying the proclamation of a State of Emergency by Governor Newsom on March 4, 2020 and authorize remote teleconference meetings of the Joint Powers Authority for the period from October 19, 2022 through November 18, 2022, pursuant to Brown Act provisions.
2. Consideration and possible action to approve the Minutes of the September 21, 2022 Regular Meeting of the Board.
3. Consideration and possible action to receive and file Financial Summary and Warrant Register dated October 19, 2022.
4. Status update & report from California Advocacy, LLC with respect to legislative matters.
5. Report of General Counsel

Pursuant to Government Code § 54954.2 (a)(3) – A report to the Board of Directors and the public on General Counsel’s activities, including compliance efforts, approval of contracts as to form, receipt of notices, and requests to place matters on subsequent agendas (excluding any matters qualifying for closed session consideration).

6. Executive Director Report/Summary

### **NEW BUSINESS - CLOSED SESSION**

7. Pursuant to Government Code Section 54956.9(d)(2) – Conference with Legal Counsel to Discuss Matter Involving Potential Litigation – One Matter

### **CHAIRMAN AND BOARD MEMBER REPORTS**

***This is the time and place for the Chairman and Board Members to report on any other items of interest. Upon request by an individual Board Member, the Authority may choose to take action on any of the subject matters listed below.***

Member Gonzalez (Cudahy)

Secretary Alvarado (Hawaiian Gardens)

Treasurer Sharif (Compton)

Vice Chair Cortez (Bell Gardens)

Chair Argumedo (Commerce)

**ADJOURN**

The next regular meeting of the California Cities for Self-Reliance Joint Powers Authority will be held at 10:00 a.m., on Wednesday, November 16, 2022, telephonically and via Zoom pursuant to Government Code Section 54953.



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**TO:** Honorable Chair and Members of the Governing Board  
**FROM:** Victor Ponto, General Counsel  
**SUBJECT:** **Consideration and Adoption of a Resolution of the California Cities for Self-Reliance Joint Powers Authority Ratifying the Proclamation of a State of Emergency by Governor Newsom on March 4, 2020, and Authorizing Remote Teleconference Meetings of the Joint Powers Authority for the Period from October 19, 2022, through November 18, 2022, pursuant to Brown Act Provisions**  
**DATE:** October 19, 2022

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### **RECOMMENDATION**

The Members of the Authority are recommended to adopt the attached Resolution of the California Cities for Self-Reliance Joint Powers Authority ratifying the proclamation of a State of Emergency by Governor Newsom on March 4, 2020, and authorizing remote teleconference meetings of the Joint Powers Authority for the period from October 19, 2022, through November 18, 2022, pursuant to Brown Act Provisions (Attachment 1).

### **BACKGROUND/JUSTIFICATION OF RECOMMENDED ACTION**

On March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency throughout the state of California, in response to the rapid spread and threat of the Novel Coronavirus (COVID-19). On the same day, the Los Angeles County Board of Supervisors and Los Angeles County Department of Public Health (“LACDPH”) declared a local emergency and local public health emergency throughout Los Angeles County.

On September 16, 2021, Governor Newsom signed Assembly Bill (AB) 361 (Rivas, 2021), which authorizes local agencies to continue to hold public meetings remotely under modified teleconferencing requirements set forth in the Brown Act (Government Code section 54953(b)(3))

during a state-declared emergency, as that term is defined, and when either state or local health officials have imposed or recommended measures to promote social distancing, or in situations when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees. AB 361 went into effect immediately and sunsets on January 1, 2024.

The most recent Public Health Order (“Health Order”) by the LACDPH, effective as of September 23, 2022, outlines the County’s current guidelines to continue to ensure the reduction in the transmission risk of COVID-19 and protect those persons at elevated risk for severe health outcomes due to COVID-19 infection.

Under AB 361, legislative bodies can meet remotely during a declared State of Emergency by the Governor, if the legislative body determines that one of the following is also true:

1. State or local officials have imposed or recommended social distancing; or
2. To determine, by a majority vote, whether to hold remote meetings as a result of the State of Emergency, because meeting in person would present imminent risks to the health or safety of attendees; or
3. The legislative body holds a meeting having already determined by a majority vote to hold remote meetings.

Modified Brown Act requirements under AB 361, include, among other provisions, that:

- Members of the public must be allowed to address the body and offer comments in real-time during the meeting.
- In the event of a technical disruption, the public agency cannot take any further action on the agenda until the issue is resolved.
- Public agencies may not require public comments be submitted in advance (this is still a permissible option but cannot be the only option).
- Members of the public must be given a reasonable time to register to provide public comment, if necessary, and agencies that provide a timed public comment period shall not close the remote public comment option until that timed period has expired.

Once the initial authorizing resolution is adopted, ongoing authorization every thirty (30) days is required by majority vote. If the legislative body desires to continue using the teleconference exception, it must confirm the circumstances of the State of Emergency thirty (30) days after the first teleconference meeting and every thirty (30) days thereafter.

## **FISCAL IMPACT**

There is currently no fiscal impact on the Authority’s budget.

## **RECOMMENDATION**

Accordingly, it is recommended that the Authority approve the attached Resolution authorizing remote teleconference meetings of the Joint Powers Authority for the period from October 19, 2022, through November 18, 2022 (Attachment 1).

## **ATTACHMENT**

1. Resolution Number 22-09

**A RESOLUTION OF THE CALIFORNIA CITIES FOR SELF-RELIANCE JOINT POWERS AUTHORITY RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM ON MARCH 4, 2020, AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE JOINT POWERS AUTHORITY FOR THE PERIOD FROM OCTOBER 19, 2022, THROUGH NOVEMBER 18, 2022, PURSUANT TO BROWN ACT PROVISIONS**

**WHEREAS**, Coronavirus, also known as COVID-19, was first reported in China in December 2019, it has now spread throughout the state of California, including throughout the member cities of the California Cities for Self-Reliance Joint Powers Authority (“JPA”);

**WHEREAS**, on March 4, 2020, California Governor Gavin Newsom declared a State of Emergency in response to the rising cases of COVID-19 throughout the state of California;

**WHEREAS**, on March 4, 2020, the Los Angeles County Board of Supervisors and Los Angeles County Department of Public Health (“LACDPH”) declared a local emergency and local public health emergency in response to the spread of COVID-19 throughout the County;

**WHEREAS**, on March 17, 2020, Governor Newsom issued Executive Order N-29-20, which allowed local agencies meet remotely without adherence to the traditional teleconferencing rules set forth in the Ralph M. Brown Act (“Brown Act”), this waiver was extended through September 30, 2021, by Executive Order N-08-21;

**WHEREAS**, on September 16, 2021, Governor Newsom signed into law Assembly Bill No. 361 (“AB 361”), which, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the 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 or when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees;

**WHEREAS**, the most recent Public Health Order (“Health Order”) by the LACDPH, effective as of September 23, 2022, outlines the County’s current guidelines to continue to ensure the reduction in the transmission risk of COVID-19 and protect those persons at elevated risk for severe health outcomes due to COVID-19 infection;

**WHEREAS**, the Health Order continues to strongly recommend masks for all persons, regardless of vaccine status, in indoor public settings and businesses;

**WHEREAS**, AB 361 requires legislative bodies that hold teleconferenced meetings under its 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;

**WHEREAS**, AB 361 requires the legislative body 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;

**WHEREAS**, AB 361 prohibits the legislative body from requiring public comments to be submitted in advance of the meeting and specifies that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time;

**WHEREAS**, AB 361 prohibits 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;

**WHEREAS**, all JPA meetings are open and public, as required by the Brown Act, so that any member of the public may attend, participate, and watch the JPA conduct their business;

**WHEREAS**, the JPA finds that the spread of COVID-19 throughout the community has caused, and will continue to cause, conditions of peril to the safety of persons within the member cities of the JPA that are likely to be beyond the control of the JPA;

**WHEREAS**, in light of the continuing State declaration of emergency resulting from the COVID-19 pandemic, the continuing recommendation by Los Angeles County Public Health officials of measures to promote social distancing, and the imminent risks to the health and safety of attendees at meetings conducted in person due to the spread of COVID-19, the JPA desires to make the findings required by AB 361 to allow the JPA to continue to meet under AB 361's abbreviated teleconferencing procedures.

**NOW, THEREFORE, BE IT RESOLVED by the California Cities for Self-Reliance Joint Powers Authority as follows:**

**SECTION 1.** The above recitals are true and correct and are incorporated herein by reference.

**SECTION 2.** The Joint Powers Authority finds that local officials, specifically, the Los Angeles County Department of Public Health, has continued to recommend social distancing measures.

**SECTION 3.** The Joint Powers Authority hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.



**SECTION 4.** The Chair or designee of the Joint Powers Authority are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, continuing to conduct open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

**SECTION 5.** This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of November 18, 2022, or such time as the Joint Powers Authority adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Joint Powers Authority may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

**SECTION 6.** All portions of this Resolution are severable. If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution.

**SECTION 7.** That the Chair shall certify to the adoption of this Resolution and that the same shall be in full force and effect.

**PASSED, APPROVED and ADOPTED** this 19<sup>th</sup> day of October 2022.

**CALIFORNIA CITIES FOR SELF-  
RELIANCE JOINT POWERS  
AUTHORITY**

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Hugo Argumedo, Chair

**APPROVED AS TO FORM:**

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Victor Ponto, General Counsel



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**CALIFORNIA CITIES FOR SELF-RELIANCE JOINT POWERS AUTHORITY  
REGULAR SCHEDULED MEETING**

**CONDUCTED TELEPHONICALLY PURSUANT TO GOVERNMENT CODE SECTION  
54953 ALLOWING LOCAL LEGISLATIVE BODIES HOLD PUBLIC MEETINGS VIA  
TELECONFERENCING**

**WEDNESDAY, SEPTEMBER 21, 2022**

**10:02 AM**

**MINUTES**

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**ROLL CALL**

Board Members Present:

Hugo Argumedo, *Chair – Commerce*  
Alejandra Cortez, *Vice Chair – Bell Gardens*  
Jesse Alvarado, *Secretary – Hawaiian Gardens*  
Emma Sharif, *Treasurer – Compton*  
Jose Gonzalez, *Member – Cudahy (ABSENT)*

**PUBLIC ATTENDING MEETING**

Juan Garza, Liz Garcia, Linda Hollinsworth, Victor Ponto, Victor Farfan, Keith Sharp,  
Edgar Cisneros, Marvin Pineda

**PUBLIC PARTICIPATION**

None.

**NEW BUSINESS – OPEN SESSION**

1. Consideration and possible adoption of a resolution ratifying the proclamation of a State of Emergency by Governor Newsom on March 4, 2020 and authorizing

remote teleconference meetings of the Joint Powers Authority for the period from September 21, 2022 through October 21, 2022, pursuant to Brown Act provisions.

Vice Chair Cortez moved and Secretary Alvarado seconded to adopt resolution.

The motion was approved by the following vote:

Bell Gardens	Yes
Commerce	Yes
Compton	Yes
Cudahy	Absent
Hawaiian Gardens	Yes

2. Consideration and possible action to approve the Minutes of the August 17, 2022 Regular Meeting of the Board.

Secretary Alvarado moved and Chair Argumedo seconded to approve the Minutes.

The motion was approved by the following vote:

Bell Gardens	Yes
Commerce	Yes
Compton	Yes
Cudahy	Absent
Hawaiian Gardens	Yes

3. Consideration and possible action to receive and file Financial Summary and Warrant Register dated September 21, 2022.

Treasurer Sharif moved and Chair Argumedo seconded to receive and file Financial Summary and Warrant Register.

The motion was approved by the following vote:

Bell Gardens	Yes
Commerce	Yes
Compton	Yes
Cudahy	Absent
Hawaiian Gardens	Yes

4. Status update & report from California Advocacy, LLC with respect to legislative matters.

Mr, Marvin Pineda provided a comprehensive report on cardroom moratorium legislative activities and potential next steps, California Gambling Commission activities.

Secretary Alvarado moved and Chair Argumedo seconded to receive and file the report.

The motion was approved by the following vote:

Bell Gardens	Yes
Commerce	Yes
Compton	Yes
Cudahy	Absent
Hawaiian Gardens	Yes

5. Report of General Counsel

Mr, Ponto reported on COVID 19 monitoring and legal issues monitoring with regards to moratorium legislation and Proposition 26, with additional discussion to be held on one upcoming closed session item.

Secretary Alvarado moved and Vice Chair Cortez seconded to receive and file the report.

The motion was approved by the following vote:

Bell Gardens	Yes
Commerce	Yes
Compton	Yes
Cudahy	Absent
Hawaiian Gardens	Yes

6. Executive Director Report/Summary

Executive Director Garza reported on:

- 1) COVID-19 Status in CA & LA County
- 2) PRA Request – Satisfied
- 3) Cardroom Briefing – LA County Supervisor Janice Hahn – September 8
- 4) SB 576 / Moratorium Legislative Results-Activity-Next Steps
  - i. Testimony - Assembly GO Committee – Monday, August 29

- 5) Online Gaming Statewide Initiatives Efforts –
  - a. Proposition 26 – California Sports Wagering Regulation and Unlawful Gambling Enforcement Act (tribal initiative).
  - b. Proposition 27 – California Solutions to Homelessness and Mental Health Act (Draft King initiative).
  - c. San Diego Union-Tribune Editorial Board – September 12
  - d. KABC Channel 7 Television Interview – September 14
  - e. KCRW Radio Interview – September 15
  - f. Campaigns

Secretary Alvarado moved and Treasurer Sharif seconded to receive and file the report.

The motion was approved by the following vote:

Bell Gardens	Yes
Commerce	Yes
Compton	Yes
Cudahy	Absent
Hawaiian Gardens	Yes

*(The Board recessed into Closed Session at 10:30 AM)*

#### **NEW BUSINESS - CLOSED SESSION**

1. Pursuant to Government Code Section 54956.9(d)(2) – Conference with Legal Counsel to Discuss Matter Involving Potential Litigation – One Matter

General Counsel Ponto updated all in attendance that there was no reportable action taken by the Board on closed session items.

*(The Board reconvened Into Open Session at 11:16 AM)*

#### **CHAIRMAN AND BOARD MEMBER REPORTS**

***This is the time and place for the Chairman and Board Members to report on any other items of interest. Upon request by an individual Board Member, the Authority may choose to take action on any of the subject matters listed below.***

Member Gonzalez (Cudahy)

Secretary Alvarado (Hawaiian Gardens)

Treasurer Sharif (Compton)

Vice Chair Cortez (Bell Gardens)

Chair Argumedo (Commerce)

**ADJOURN (11:21 AM)**

The next regular meeting of the California Cities for Self-Reliance Joint Powers Authority will be held at 10:00 am on Wednesday, October 19, 2022, telephonically and via Zoom pursuant to Government Code Section 54953.

\_\_\_\_\_  
Hugo Argumedo, Chair

ATTEST:

\_\_\_\_\_  
Jesse Alvarado, Secretary



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**CALIFORNIA CITIES FOR SELF-RELIANCE  
JOINT POWERS AUTHORITY**

**WARRANT REPORT AND FINANCIAL  
SUMMARY – SEPTEMBER 2022**

**WEDNESDAY, OCTOBER 19, 2022.**

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**BALANCE SHEET**

JPA MEETING 10/18/2022

Page: 1

10/18/2022

4:20 pm

City of Hawaiian Gardens

As of: 9/30/2022

Balances

Fund: 50 - CA CITIES FOR SELF RELIANCE

Assets

1000.0000 CASH

165,948.31

Total Assets

165,948.31

Liabilities

2100.0000 ACCOUNTS PAYABLE

14,978.00

2182.0000 UNEARNED REVENUE

0.01

Total Liabilities

14,978.01

Reserves/Balances

2900.0000 FUND BALANCE-UNASSIGNED

73,542.25

2920.0000 CHANGE IN FUND BALANCE

77,428.05

Total Reserves/Balances

150,970.30

Total Liabilities & Balances

165,948.31



**Edit List of Invoices - Summary**

JPA MEETING 10/19/2022

Date: 10/18/2022

Time: 4:06 pm

Page: 1

City of Hawaiian Gardens

Ref. No.	Vendor Name	Invoice No.	Posting Date	PONumber	Invoice Date	Invoice Description	Invoice Amount	
167959	JESSE ALVARADO	2022-09-21	09/21/2022		09/21/2022	09.21.22 MTG STIPEND	125.00	
						Vendor Total:	125.00	
167960	HUGO ARGUMEDO	2022-09-21	09/21/2022		09/21/2022	09.21.22 MTG STIPEND	250.00	
						Vendor Total:	250.00	
167961	ALEJANDRA CORTEZ	2022-09-21	09/21/2022		09/21/2022	09.21.22 MTG STIPEND	250.00	
						Vendor Total:	250.00	
167962	VICTOR FARFAN	2022-09-21	09/21/2022		09/21/2022	09.21.22 MTG STIPEND	125.00	
						Vendor Total:	125.00	
167964	CHRISTOPHER GARCIA	CRJPAMI0922	09/30/2022		10/04/2022	SEP 2022 SVCS	1,200.00	
						Vendor Total:	1,200.00	
167965	JUAN GARZA	2022-09-30	09/30/2022		09/30/2022	SEP 2022 SALARY	5,000.00	
						Vendor Total:	5,000.00	
167966	OLIVAREZ MADRUGA LAW	20501	09/30/2022		09/30/2022	SEP 2022 SVCS - GENERAL	1,112.00	
						Vendor Total:	1,112.00	
167967	EVELYN PINEDA	2022-09-01	09/01/2022		09/01/2022	SEP 2022 SVCS	6,666.00	
						Vendor Total:	6,666.00	
167963	EMMA SHARIF	2022-09-21	09/21/2022		09/21/2022	09.21.22 MTG STIPEND	250.00	
						Vendor Total:	250.00	
<b>Grand Total:</b>							<b>14,978.00</b>	
<b>Less Credit Memos:</b>							<b>0.00</b>	
<b>Net Total:</b>							<b>14,978.00</b>	
<b>Less Hand Check Total:</b>							<b>0.00</b>	
<b>Outstanding Invoice Total:</b>							<b>14,978.00</b>	
Total Invoices: 9								

**REVENUE/EXPENDITURE REPORT**  
10/18/2022 JPA MEETING

City of Hawaiian Gardens

For the Period: 7/1/2022 to 9/30/2022	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund Type: SR SPECIAL REVENUE FUNDS							
<b>Fund: 50 - CA CITIES FOR SELF RELIANCE</b>							
Revenues							
Function:							
Dept: 0000 ASSETS							
Acct Class: REV REVENUE							
3742.0050 JPA MEMBERSHIP FUNDING	135,000.00	135,000.00	105,000.00	0.00	0.00	30,000.00	77.8
3742.0052 CASINO DONATIONS	100,000.00	100,000.00	17,500.00	0.00	0.00	82,500.00	17.5
REVENUE	235,000.00	235,000.00	122,500.00	0.00	0.00	112,500.00	52.1
ASSETS	235,000.00	235,000.00	122,500.00	0.00	0.00	112,500.00	52.1
Function:	235,000.00	235,000.00	122,500.00	0.00	0.00	112,500.00	52.1
Revenues	235,000.00	235,000.00	122,500.00	0.00	0.00	112,500.00	52.1
Expenditures							
Function:							
Dept: 4908 JOINT POWERS AUTHORITY							
Acct Class: OPER OPERATING COSTS							
4200.0050 CONTRACT SVC-EX DIR JPA	80,925.00	80,925.00	15,000.00	5,000.00	0.00	65,925.00	18.5
4200.0052 COMMUNICATIONS	10,200.00	10,200.00	3,600.00	1,200.00	0.00	6,600.00	35.3
4202.0000 AUDIT SERVICES	8,000.00	8,000.00	0.00	0.00	0.00	8,000.00	0.0
4211.0000 MEETING STIPENDS	16,875.00	16,875.00	2,875.00	1,000.00	0.00	14,000.00	17.0
4213.0000 OTHER OPERATING COSTS	9,000.00	9,000.00	26.95	0.00	0.00	8,973.05	0.3
4250.0001 LEGISLATIVE ADVOCATE/JPA	80,000.00	80,000.00	19,998.00	6,666.00	0.00	60,002.00	25.0
4252.0000 SPECIAL COUNSEL - CONTRACT	30,000.00	30,000.00	3,572.00	1,112.00	0.00	26,428.00	11.9
OPERATING COSTS	235,000.00	235,000.00	45,071.95	14,978.00	0.00	189,928.05	19.2
JOINT POWERS AUTHORITY	235,000.00	235,000.00	45,071.95	14,978.00	0.00	189,928.05	19.2
Function:	235,000.00	235,000.00	45,071.95	14,978.00	0.00	189,928.05	19.2
Expenditures	235,000.00	235,000.00	45,071.95	14,978.00	0.00	189,928.05	19.2
Net Effect for CA CITIES FOR SELF RELIANCE	0.00	0.00	77,428.05	-14,978.00	0.00	-77,428.05	0.0
Change in Fund Balance:			77,428.05				
Net Effect for SPECIAL REVENUE FUNDS	0.00	0.00	77,428.05	-14,978.00	0.00	-77,428.05	
Grand Total Net Effect:	0.00	0.00	77,428.05	-14,978.00	0.00	-77,428.05	

California Cities for Self-Reliance  
Special Assessment Fund  
Balance as of September 30, 2022

Collected  
To Date  
09/30/22

Special Assessment:

City of Bell Gardens	\$33,000.00	\$33,000.00
City of Commerce	\$33,000.00	\$33,000.00
City of Compton	\$33,000.00	\$33,000.00
City of Cudahy	\$33,000.00	\$33,000.00
City of Gardena	\$33,000.00	\$33,000.00
City of Hawaiian Gardens	\$33,000.00	\$33,000.00
City of Inglewood	\$33,000.00	\$33,000.00

Total Revenues:	\$231,000.00	\$231,000.00
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Expended:

	Month	Paid	Year-to-Date 09/30/22
Aprea & Micheli, Inc.	Feb. 2019	\$2,857.12	
Aprea & Micheli, Inc.	Mar. 2019	\$10,000.00	
Aprea & Micheli, Inc.	Apr. 2019	\$10,000.00	
Aprea & Micheli, Inc.	May 2019	\$10,065.72	
Aprea & Micheli, Inc.	Jun. 2019	\$10,042.48	
Aprea & Micheli, Inc.	Jul. 2019	\$10,203.28	
Aprea & Micheli, Inc.	Aug. 2019	\$10,127.25	
Aprea & Micheli, Inc.	Sep. 2019	\$11,314.73	
Aprea & Micheli, Inc.	Oct. 2019	\$4,193.54	
Sub-Total			\$78,804.12

Reilly Consulting	Mar. 2019	\$4,903.23	
Reilly Consulting	Apr. 2019	\$8,000.00	
Reilly Consulting	May 2019	\$8,000.00	
Reilly Consulting	Jun. 2019	\$27,888.45	
Reilly Consulting	Jul. 2019	\$8,000.00	
Reilly Consulting	Aug. 2019	\$17,484.25	
Reilly Consulting	Sep. 2019	\$8,000.00	
Reilly Consulting	Oct. 2019	\$6,182.84	
Sub-Total			\$88,458.77

City of Inglewood	June 2020	9,105.30
City of Hawaiian Gardens	May 2022	9,105.30
City of Bell Gardens	May 2022	9,105.30
City of Commerce	May 2022	9,105.30
City of Compton	May 2022	9,105.30
City of Cudahy	May 2022	9,105.30
City of Gardena	May 2022	9,105.30
Total Expended:		\$230,999.99

**Balance Remaining To Date:**

**09/30/22**

**\$0.01**



A LIMITED LIABILITY PARTNERSHIP

[WWW.OMLOLAW.COM](http://WWW.OMLOLAW.COM)

500 SOUTH GRAND AVENUE ■ 12TH FLOOR ■ LOS ANGELES, CA 90071  
PHONE 213.744.0099 ■ FAX 213.744.0093

## **MEMORANDUM**

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To: California Cities for Self-Reliance Joint Powers Authority

From: General Counsel's Office

Date: October 18, 2022

Subject: **Overview of Assembly Bill 2449 Modifying Brown Act Teleconferencing Procedures**

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### **EXECUTIVE SUMMARY**

On September 13, 2022, California Governor Gavin Newsom signed Assembly Bill 2449 (“AB 2449”) into law. Effective January 1, 2023, AB 2449 establishes four periods with differing options for remote access to, and member attendance of, local agency public meetings under the Ralph M. Brown Act (“Brown Act”).

- **From the present to January 1, 2023**, public agencies may choose between traditional, pre-COVID teleconferencing rules or, to the extent there is an ongoing declared state of emergency, the significantly relaxed rules afforded under AB 361.
- **From January 1, 2023 to January 1, 2024**, public agencies may also avail themselves of a set of new procedures established under AB 2449 which do not require a declared state of emergency but which are subject to certain requirements and restrictions, including limitations on the number of times a member may participate remotely and limitations on the types of circumstances under which a member is allowed to participate remotely. During this period, public agencies may continue to avail themselves of traditional pre-COVID teleconferencing rules and, to the extent there is an ongoing declared state of emergency, the relaxed rules of AB 361.
- **From January 1, 2024 to January 1, 2026**, public agencies may avail themselves of the traditional, pre-COVID procedures and the new procedures of AB 2449 only. The procedures of AB 361 will cease to be effective by this time.
- **After January 1, 2026**, public agencies will only be able to avail themselves of the traditional, pre-COVID teleconferencing rules.

This memorandum focuses on the rules unique to AB 2449 which more or less constitute a procedural middle-ground between what is required under traditional teleconferencing procedures and the significantly relaxed procedures permitted under AB 361 during a declared state of emergency.

### **OVERVIEW OF AB 2449 REMOTE PARTICIPATION PROCEDURES**

To avail itself of the teleconferencing rules established under AB 2449, a public agency must comply with the following meeting requirements:

- 1) A quorum of the members of the agency's legislative body must participate in person from a singular physical location identified on the agenda;
- 2) The legislative body must provide either (i) a two-way audiovisual platform, such as Zoom or WebEx, which allows the meeting to be viewed and heard from a remote location, or (ii) a two-way telephonic service and a live webcasting of the meeting, this requirement may be satisfied with any combination of platforms that allows the meeting to be viewed and heard from a remote location;
- 3) The agenda must give notice of the means by which members of the public may access the meeting and offer public comment; and
- 4) The meeting must be paused (and no action may be taken), if the broadcasting platform, either audio or visual, is interrupted.

If a member of a legislative body wishes to participate remotely under the new procedures, all of the following requirements, (1) through (4), below, must apply:

- 1) The request to remotely participate must be on the basis of a circumstance that qualifies as a **“just cause”** or **“emergency”** circumstance within the meaning of AB 2449:
  - (i) **Just Cause Circumstance:** At the earliest opportunity possible (including at the start of a regular meeting), the requesting member must notify the legislative body that he/she has a **“just cause”** reason for participating remotely. The request must generally describe the specific circumstances that prevent in person participation. Under AB 2449, **“just cause”** is specifically defined to mean any of the following circumstances:
    - a. A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely;
    - b. A contagious illness that prevents a member from attending in person;
    - c. A need related to certain statutorily defined forms of physical or mental disability;  
or
    - d. Travel while on official business of the public agency or for another state or local agency.

It is important to note that under AB 2449, members are limited to a maximum of two (2) times per calendar year to invoke the **“just cause”** exception to in-person participation.

- (ii) Emergency Circumstance: An “**emergency circumstance**” is defined to mean a “*physical or family medical emergency that prevents a member from attending a meeting in person.*” To invoke the “**emergency circumstance**” exception, the requesting member, as soon as possible, must request that the legislative body allow him/her to participate remotely due to some specified “**emergency circumstance.**” In turn, the member’s legislative body must take action to approve the request at the earliest opportunity. The legislative body shall also request a general description (not exceeding 20 words) that describes the circumstances relating to the requesting members “*emergency.*” The requesting member is not, however, required to disclose any medical diagnosis or disability, or any personal medical information that is already exempt under existing law. The member must also make a separate request for each meeting in which he/she seeks to participate remotely under the “*emergency*” exception.

Participation via teleconference under the “*emergency circumstance*” exception *does not* count toward the two-meeting limitation applicable to the “*just cause*” exception to in-person participation.

- 2) The member must 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.
- 3) The member must participate through *both* audio and visual technology.
- 4) A member’s remote participation may not exceed (i) three consecutive months, or (ii) 20% of a legislative body’s regular meetings within a single calendar year. Also, if the legislative body regularly meets fewer than 10 times per calendar year, a member’s participation from a remote location cannot be for more than two meetings total.

### CONCLUSION AND RECOMMENDATION

AB 2449 establishes teleconferencing procedures that are not as stringent or involved as traditional, pre-COVID procedures but not as relaxed as those afforded under AB 361 when a declared state of emergency and other requirements of AB 361 are in place. It should be noted that AB 2449 does not do away with traditional teleconferencing procedures which survive all four phases of AB 2449 referenced in the Executive Summary above. AB 2449 does seem intended to eventually take the place of the procedures established under AB 361 but only until AB 361 expires under its own terms on January 1, 2024.

AB 2449 does not spell out how to resolve instances when multiple members wish to avail themselves of the “*just cause*” or “*emergency circumstance*” exceptions at the same time and in excess of the number members who may participate remotely at any one meeting. Accordingly, it may be advisable to establish polices for resolving these situations (e.g., establishing a “*first come first serve*” policy etc.).

If you have any further questions, please feel free to contact our office.



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**TO:** Honorable Chair and Members of the Governing Board

**FROM:** Juan Garza, Executive Director

**SUBJECT:** **Executive Director Report/Summary**

**DATE:** October 19, 2022

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- 1) COVID-19 Status in CA & LA County
- 2) Online Gaming Statewide Initiatives Efforts –
  - a. Proposition 26 – California Sports Wagering Regulation and Unlawful Gambling Enforcement Act (tribal initiative).
  - b. Proposition 27 – California Solutions to Homelessness and Mental Health Act (Draft King initiative).
  - c. Statewide Newspaper Editorial Boards
  - d. San Luis Obispo Channel Television Interview – October 7
  - e. KBLA Live Phone Radio Interview – October 28
  - f. Campaigns