

CITY OF IRWINDALE

5050 N. IRWINDALE AVE., IRWINDALE CA 91706 • PHONE: (626) 430-2200 • FACSIMILE: 962-4209



AMENDED

NOTICE AND AGENDA FOR THE SPECIAL AND REGULAR MEETING OF THE

CITY COUNCIL

HOUSING AUTHORITY

SUCCESSOR AGENCY TO THE
IRWINDALE COMMUNITY REDEVELOPMENT AGENCY

MAY 11, 2022

SPECIAL MEETING - 5:00 P.M.
REGULAR MEETING - 6:30 P.M.

IRWINDALE CITY COUNCIL CHAMBER

CLOSED SESSION / OPEN SESSION – CITY COUNCIL CHAMBER

Limited Public Access

Pursuant to Irwindale Resolution No. Resolution No. 2022-30-3280

The Irwindale City Council has authorized the conduct of hybrid meetings of the City Council, including all City Commissions and committee meetings, and all regularly scheduled meetings that would normally take place in the City Council Chambers, under the provisions of Government Code Section 54956 § E, as authorized by AB 361.

The public's health and well-being are the top priority for the City, and you are urged to take all appropriate health safety precautions. To facilitate this process, the meeting and opportunities to participate are available through the following:

In-Person at the City Council Chambers (In-Chamber Attendance Limited to nine members of the public with overflow seating available in the Outer Council Chamber)

Via Zoom Webinar at <https://us02web.zoom.us/j/87104592389>

Webinar ID: 871 0459 2389



Spontaneous Communications: The public is encouraged to address the City Council on any matter listed on the agenda or on any other matter within its jurisdiction. The City Council will hear public comments on items listed on the agenda during discussion of the matter and prior to a vote. The City Council will hear public comments on matters not listed on the agenda during the Spontaneous Communications period.

Pursuant to provisions of the **Brown Act**, no action may be taken on a matter unless it is listed on the agenda, or unless certain emergency or special circumstances exist. The City Council may direct staff to investigate and/or schedule certain matters for consideration at a future City Council meeting.

Americans with Disabilities Act: In compliance with the ADA, if you need special assistance to participate in a City Council meeting or other services offered by this City, please contact City Hall at (626) 430-2200. Assisted listening devices are available at this meeting. Ask the Chief Deputy City Clerk if you desire to use this device. Upon request, the agenda and documents in the agenda packet can be made available in appropriate alternative formats to persons with disabilities. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

Note: Staff reports are available for inspection at the office of the Chief Deputy City Clerk, City Hall, 5050 N. Irwindale Avenue, during regular business hours (8:00 a.m. to 6:00 p.m., Monday through Thursday).

Code of Ethics

As City of Irwindale Council Members, our fundamental duty is to serve the public good. We are committed to the principle of an efficient and professional local government. We will be exemplary in obeying the letter and spirit of Local, State and Federal laws and City policies affecting the operation of the government and in our private life. We will be independent and impartial in our judgment and actions.

We will work for the common good of the City of Irwindale community and not for any private or personal interest. We will endeavor to treat all people with respect and civility. We will commit to observe the highest standards of morality and integrity, and to faithfully discharge the duties of our office regardless of personal consideration. We shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of others.

We will inform ourselves on public issues, listen attentively to public discussions before the body, and focus on the business at hand. We will base our decisions on the merit and substance of that business. We will be fair and equitable in all actions, claims or transactions. We shall not use our official position to influence government decisions in which we have a financial interest or where we have a personal relationship that could present a conflict of interest, or create a perception of a conflict of interest.

We shall not take advantage of services or opportunities for personal gain by virtue of our public office that are not available to the public in general. We shall refrain from accepting gifts, favors or promises of future benefit that might compromise our independence of judgment or action or give the appearance of being compromised.

We will behave in a manner that does not bring discredit or embarrassment to the City of Irwindale. We will be honest in thought and deed in both our personal and official lives.

Ultimate responsibility for complying with this Code of Ethics rests with the individual elected official. In addition to any other penalty as provided by law, violation of this Code of Ethics may be used as a basis for disciplinary action or censure of a Council Member.

These things we hereby pledge to do in the interest and purposes for which our government has been established.

IRWINDALE CITY COUNCIL



**SPECIAL MEETING
CITY COUNCIL, SUCCESSOR AGENCY AND HOUSING AUTHORITY
5:00 P.M.**

A. CALL TO ORDER

B. ROLL CALL: Councilmembers: Mark A. Breceda, Manuel R. Garcia; H. Manuel Ortiz;
Mayor Pro Tem Albert F. Ambriz; Mayor Larry G. Burrola

C. INTRODUCTION OF NEW EMPLOYEES/PROMOTIONS

1. Kambiz Borhani, Finance Director / City Treasurer

D. PROCLAMATIONS / PRESENTATIONS / COMMENDATIONS

1. Proclamation proclaiming Public Works Week
2. Chamber of Commerce Quarterly Update
3. Proclamation proclaiming Lupus Awareness Month

SPONTANEOUS COMMUNICATIONS

Spontaneous communications are limited to the special meeting agenda items only.

E. CONSENT CALENDAR

1. A Resolution to Re-Ratify the Existence of a Local Emergency and Authorize Remote Meetings of the Legislative Bodies of the City of Irwindale for the 30-Day Period Beginning May 14, 2022 through June 13, 2022

Department: Administration / City Clerk

Recommendation: City Council, Successor Agency, and Housing Authority **adopt Resolution No. 2022-45-3295, Resolution No. SA 2022-46-3296, and Resolution No. HA 2022-10-120**, entitled, "A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, SUCCESSOR AGENCY TO THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY, AND THE BOARD OF THE HOUSING AUTHORITY OF THE CITY OF IRWINDALE, CALIFORNIA, RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM ON MARCH 4, 2020, AND AUTHORIZING REMOTE HYBRID MEETINGS OF THE LEGISLATIVE BODIES OF THE CITY OF IRWINDALE FOR THE 30-DAY PERIOD BEGINNING MAY 14, 2022 THROUGH JUNE 13, 2022 PURSUANT TO THE RALPH M. BROWN ACT AND ASSEMBLY BILL NO. 361".

2. Appointing a City Treasurer**Department: Finance**

Recommendation: That the City Council, Successor Agency and Housing Authority **adopt Joint Resolution No. 2022-40-3290, Resolution No. SA 2022-41-3291 and Resolution No. HA 2022-08-118** entitled, "A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, SUCCESSOR AGENCY TO THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY ("SUCCESSOR AGENCY"), AND THE BOARD OF THE HOUSING AUTHORITY OF THE CITY OF IRWINDALE, CALIFORNIA, AUTHORIZING THE APPOINTMENT OF THE CITY TREASURER," reading by title only and waiving further reading thereof, thereby adopting the participation agreement.

3. Authorization to Invest Monies into the Local Agency Investment Fund Account**Department: Finance**

Recommendation: That the City Council, Successor Agency and Housing Authority **adopt Joint Resolution No. 2022-42-3292, Resolution No. SA 2022-43-3293, and Resolution No. HA 2022-09-119** entitled: "A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, SUCCESSOR AGENCY TO THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY ("SUCCESSOR AGENCY"), AND THE BOARD OF THE HOUSING AUTHORITY OF THE CITY OF IRWINDALE, CALIFORNIA, AUTHORIZING INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND," reading by title only and waiving further reading thereof.

F.**NEW BUSINESS**1. **Consideration of Approval – Subordination of Home Improvement Loan at 16165 Progress Lane with Cash Out****Department: Authority Counsel**

Recommendation: 1) If the Board approves the cash out request, approve the request by Ignacio S. Miranda and Arline J. Miranda, husband and wife as joint tenants, for the Housing Authority to subordinate its loan to a new loan made in a refinancing taking cash out in the amount of approximately \$25,867, which is subject to all conditions established by the Irwindale Housing Authority's Subordination Policy; (2) Authorize the Executive Director to execute the Subordination Agreement subject to Authority Counsel approval as to form, along with other ancillary documents to further protect the Housing Authority, as determined by Authority Counsel.

***Amended Tuesday, May 10, 2022 to add New Business Item Number F-1**

G. RECESS TO CLOSED SESSION

1. Conference with Legal Counsel – Existing Litigation

Pursuant to California Government Code Section 54956.9

Name of Case: Five Points, LP vs. City of Irwindale

Case Number: 22STCV01394

2. Liability Claims

Pursuant to Government Code Section 54956.95:

Claimant: Fred & Becky Barbosa

Agency claimed against: City of Irwindale, Irwindale Housing Authority

3. Conference with Legal Counsel—Anticipated Litigation (Housing Authority)

Significant Exposure to Litigation

[Pursuant to Government Code section 54956.9 (d)(2), e(1)]

A point has been reached where, in the opinion of the legislative body of the local agency, upon the advice of its legal counsel based on existing facts and circumstances, that there is significant exposure to litigation against the local agency. The facts and circumstances are those that might result in litigation against the local agency but which the local agency believes are not yet known to a potential plaintiff or plaintiffs, which facts and circumstances need not be disclosed.

Number of cases: 1

H. RECONVENE IN OPEN SESSION

I. REPORT FROM CLOSED SESSION

J. ADJOURNMENT

OPEN SESSION – 6:30 P.M.

A. CALL TO ORDER – HOUSING AUTHORITY

B. PLEDGE OF ALLEGIANCE

C. INVOCATION

D. ROLL CALL: Boardmembers: Mark A. Breceda, Manuel R. Garcia; H. Manuel Ortiz;

Vice Chair Albert F. Ambriz; Chair Larry G. Burrola

E. CHANGES TO THE AGENDA

SPONTANEOUS COMMUNICATIONS

This is the time set aside for members of the audience to speak on items not on this agenda. State law prohibits any Council discussion or action on such communications unless 1) the Council by majority vote finds that a catastrophe or emergency exists; or 2) the Council by at least four votes finds that the matter (and need for action thereon) arose within the last five days. Since the Council cannot (except as stated) participate it is requested that all such communications be made in writing so as to be included on the next agenda for full discussion and action. If a member of the audience feels he or she must proceed tonight, then each speaker will be limited to 3 minutes unless such time limits are extended. In the hybrid format, both in-person and hybrid audience members will participate in the following order:

Tier 1: In-person attendees

Tier 2: Teleconference attendees

Tier 3: In-person attendees who have not previously provide comments on the matter(s) being discussed by the legislative body

Tier 4: Teleconference attendees who have not previously provide comments on the matter(s) being discussed by the legislative body

1. CONSENT CALENDAR

The Consent Calendar contains matters of routine business and is to be approved with one motion unless a member of the Housing Authority requests separate action on a specific item. At this time, members of the audience may ask to be heard regarding an item on the Consent Calendar.

A. Minutes

Recommendation: Approve the following minutes:

1. Special meeting held April 13, 2022
2. Special meeting held April 27, 2022
3. Regular meeting held April 27, 2022

2. NEW BUSINESS

At this time, members of the audience may ask to be heard regarding an item on New Business.

A. Las Casitas Eligibility Ranking List and Blind Drawing (Continued from the meeting of April 27, 2022)

Department: Administration

Recommendation: Conduct a random blind drawing to break ties among the Las Casitas Eligibility Ranking List.

B. Verbal Report on the 10-Acre Site

Department: Administration

3. PUBLIC HEARINGS

At this time, members of the audience may ask to be heard regarding an item on Public Hearings.

4. ADJOURN

CITY COUNCIL

A. CALL TO ORDER

B. ROLL CALL: Councilmembers: Mark A. Breceda, Manuel R. Garcia; H. Manuel Ortiz;
Mayor Pro Tem Albert F. Ambriz; Mayor Larry G. Burrola

C. COUNCIL MEMBER TRAVEL REPORTS

D. COUNCILMEMBER COMMENTS

SPONTANEOUS COMMUNICATIONS

This is the time set aside for members of the audience to speak on items not on this agenda. State law prohibits any Council discussion or action on such communications unless 1) the Council by majority vote finds that a catastrophe or emergency exists; or 2) the Council by at least four votes finds that the matter (and need for action thereon) arose within the last five days. Since the Council cannot (except as stated) participate it is requested that all such communications be made in writing so as to be included on the next agenda for full discussion and action. If a member of the audience feels he or she must proceed tonight, then each speaker will be limited to 3 minutes unless such time limits are extended. In the hybrid format, both in-person and hybrid audience members will participate in the following order:

Tier 1: In-person attendees

Tier 2: Teleconference attendees

Tier 3: In-person attendees who have not previously provide comments on the matter(s) being discussed by the legislative body

Tier 4: Teleconference attendees who have not previously provide comments on the matter(s) being discussed by the legislative body

1. CONSENT CALENDAR

The Consent Calendar contains matters of routine business and is to be approved with one motion unless a member of the City Council requests separate action on a specific item. At this time, members of the audience may ask to be heard regarding an item on the Consent Calendar.

A. Minutes

Recommendation: Approve the following minutes:

1. Special meeting held April 18, 2022
2. Special meeting held April 27, 2022
3. Regular meeting held April 27, 2022

B. Warrants/Demands/Payroll

Recommendation: Approve

2. NEW BUSINESS

At this time, members of the audience may ask to be heard regarding an item on New Business.

A. Parking Lots Located at 5223 and 5239 Morada Street

Department: Administration

Recommendation: (1) City Council receive the update regarding the parking lots located at 5223 and 5239 Morada Street; and (2) Provide direction to staff regarding options for parking guidelines and enforcement for the Site.

3. PUBLIC HEARINGS

At this time, members of the audience may ask to be heard regarding an item on Public Hearings.

4. CITY MANAGER'S REPORT

5. AGENDA ITEMS REQUESTED BY COUNCIL MEMBERS

6. ADJOURN

**SUCCESSOR AGENCY TO THE IRWINDALE
COMMUNITY REDEVELOPMENT AGENCY**

SPONTANEOUS COMMUNICATIONS

This is the time set aside for members of the audience to speak on items not on this agenda. Spontaneous Communications for the Successor Agency are subject to the same State prohibitions and City guidelines as cited on the City Council agenda.

1. CONSENT CALENDAR

The Consent Calendar contains matters of routine business and is to be approved with one motion unless a member of the Successor Agency requests separate action on a specific item. At this time, members of the audience may ask to be heard regarding an item on the Consent Calendar.

A. Minutes

Recommendation: Approve the following minutes:

1. Regular meeting held April 27, 2022

B. Warrants

Recommendation: Approve

2. NEW BUSINESS

At this time, members of the audience may ask to be heard regarding an item on New Business.

3. PUBLIC HEARINGS

At this time, members of the audience may ask to be heard regarding an item on Public Hearings.

4. ADJOURN

AFFIDAVIT OF POSTING

I, Laura M. Nieto, Chief Deputy City Clerk, certify that I caused the agenda for the regular meeting of the City Council, Housing Authority, and Successor Agency to the Irwindale Community Redevelopment Agency to be held on May 11, 2022, be posted at the City Hall, Library, and Post Office on May 5, 2022.

Laura M. Nieto, MMC

Laura M. Nieto, MMC
Chief Deputy City Clerk

- ☒ City Council
- ☒ Successor Agency
- ☒ Housing Authority
- ☐ Reclamation Authority
- ☐ Joint Powers Authority

City of
IRWINDALE
AGENDA REPORT

ASP Item
Item E-1

Date: May 11, 2022

To: Honorable Mayor and Members of the City Council
Honorable Chair and Members of the Successor Agency Board
Honorable Chair and Members of the Housing Authority Board

From: Julian A. Miranda, City Manager/Executive Director

Issue: A Resolution to Re-Ratify the Existence of a Local Emergency and Authorize Remote Meetings of the Legislative Bodies of the City of Irwindale for the 30-Day Period Beginning May 14, 2022 through June 13, 2022

City Manager/Executive Director's Recommendation:

Staff recommends City Council, Successor Agency, and Housing Authority adopt Resolution No. 2022-45-3295, Resolution No. SA 2022-46-3296, and Resolution No. HA 2022-10-120, entitled, "A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, SUCCESSOR AGENCY TO THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY, AND THE BOARD OF THE HOUSING AUTHORITY OF THE CITY OF IRWINDALE, CALIFORNIA, RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM ON MARCH 4, 2020, AND AUTHORIZING REMOTE HYBRID MEETINGS OF THE LEGISLATIVE BODIES OF THE CITY OF IRWINDALE FOR THE 30-DAY PERIOD BEGINNING MAY 14, 2022 THROUGH JUNE 13, 2022 PURSUANT TO THE RALPH M. BROWN ACT AND ASSEMBLY BILL NO. 361".

Administrative Action:

Submitted / Prepared by:

Laura Nieto, Chief Deputy City Clerk

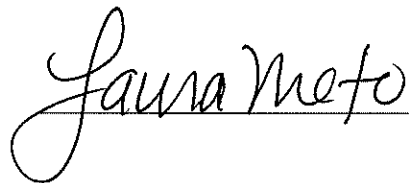
Reviewed by:

Adrian R. Guerra, City Attorney

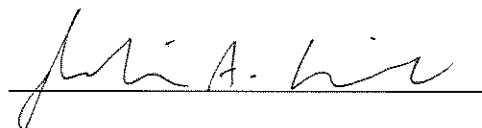
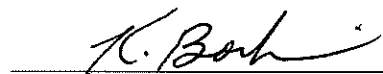
Kambiz Borhani, Finance Director / City Treasurer

Approved by:

Julian A. Miranda, City Manager / Executive Director



Electronically Approved



Background and Analysis:

Since September 29, 2021, the City Council, jointly with the Successor Agency and Housing Authority have adopted resolutions declaring an exemption under AB361, allowing the legislative bodies to meet via teleconference and forego the Brown Act's traditional agenda posting, physical access and quorum requirements for teleconferencing. The City Council, Successor Agency and Housing Authority (collectively, "City") have reviewed and adopted joint resolutions every 30 days, ratifying the existence of a local emergency and authorizing remote hybrid meetings for all legislative bodies.

Since the State's reopening, the number of COVID cases increased, however the number of cases has now decreased. The State of California has implemented a phased rollback of the executive orders that were implemented due to COVID-19, 15 of the remaining orders will expire on June 30, 2022. However, the State's declared emergency will continue after June 30, 2022. Additionally, on March 4, 2022 the Los Angeles County Department of Public Health published the Reducing Risk Guidance (Attachment "B"), which recommends social distancing from people outside your household when their vaccination status is unknown. As a result, the findings exist for the City to continue to conduct the public meetings under the AB 361 exemption, should this be the City's desire.

The attached joint resolution for the City Council, Successor Agency, and Housing Authority, make the findings necessary for the legislative bodies to declare an exemption under AB 361 as (1) there is an existing state of emergency declared by the Governor and (2) the Los Angeles County Department of Public Health's guidance recommends to social distance (about 6 feet away) from people outside your household or when vaccination status is unknown.

As a result, joint Resolution modifies public meetings as follows:

- a. AB 361, attached to the Resolution as Exhibit A, regarding teleconference requirements allowing City legislative bodies to hold public meetings by teleconferencing or electronically, and in-person, without noticing the teleconferenced locations on the agenda, without making teleconferenced locations accessible to the public, without making physical locations accessible to the public, without posting agendas at teleconferenced locations, without requiring members of the legislative bodies to be physically present at the meeting, and without requiring a quorum of the members of the legislative body to participate from locations with the City's jurisdiction, as long as the agenda that is posted at least 72 hours in advance indicates that members of the legislative body may be participating electronically, provides the teleconference or webinar access information by which the public may participate electronically, and lists the procedure for individuals with disabilities to request reasonable accommodations;

- b. All public meeting agendas shall be posted at least 72 hours prior to a regular meeting and at least 24 hours prior to a special meeting;
- c. Members of the public will have the ability to access the meeting and directly address the legislative body via a call-in option, an internet-based service provider, or in-person. Members of the public who wish to access the meeting in-person shall comply with all health and safety protocols imposed for in-person attendance to promote social distancing;
- d. In the event of a service disruption that prevents broadcasting of the meeting, the meeting will stop and no further action on the agenda items will occur until (1) an attempt to restore service for a 10-minute period, and (2) adjourning the meeting to a new date and time when an unresolved issue exceeds the 10-minute time period.

Fiscal Impact:

Conducting remote hybrid public meetings will require city staff to assist with the meeting and public participation, remotely or in-person. The fiscal impact will be based on the amount of staff required and the duration of the meeting. The fiscal impact for all Council and Commission meetings for the 30-day period beginning May 14, 2022 through June 13, 2022 is estimated to be approximately \$900.

Attachment:

A. Joint Resolution No. 2022-45-3295, Resolution No. SA 2022-46-3296, Resolution No. HA 2022-10-120

B. Reducing Risk Guidelines

**RESOLUTION NO. 2022-45-3295
RESOLUTION NO. SA 2022-46-3296
RESOLUTION NO. HA 2022-10-120**

A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, SUCCESSOR AGENCY TO THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY, AND THE BOARD OF THE HOUSING AUTHORITY OF THE CITY OF IRWINDALE, CALIFORNIA, RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM ON MARCH 4, 2020, AND AUTHORIZING REMOTE HYBRID MEETINGS OF THE LEGISLATIVE BODIES OF THE CITY OF IRWINDALE FOR THE 30-DAY PERIOD BEGINNING MAY 14, 2022 THROUGH JUNE 13, 2022 PURSUANT TO THE RALPH M. BROWN ACT AND ASSEMBLY BILL NO. 361

WHEREAS, all meetings of the legislative body are open and public, as required by the Ralph M. Brown Act, Government Code sections 54950 – 54963, so that any member of the public may attend, observe, and participate in a meaningful way; and

WHEREAS, the Brown Act under Government code section 54953(b)(3), allows a local legislative body to hold public meetings by teleconference and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to attend and to address the local legislative body, as long as the following requirements are met: (1) each teleconference location from which a member is participating is noticed on the agenda; (2) each teleconference location is accessible to the public; (3) members of the public must be able to address the body at each teleconference location; (4) at least one member of the legislative body must be physically present at the location specified in the meeting agenda; and (5) during teleconference meetings, at least a quorum of the members of the local body must participate from locations within the local body's territorial jurisdiction; and

WHEREAS, on March 4, 2020, Governor Newsom declared the existence of a state of emergency for the State of California in response to the outbreak of a novel respiratory illness known as COVID-19; and

WHEREAS, on March 17, 2020 Governor Newsom issued Executive Order N-29-20, suspending the Brown Act teleconferencing requirements allowing legislative bodies to hold public meetings solely by teleconference, or otherwise electronically, without listing the teleconference locations and without any physical location, as long as the agenda that is posted 72 hours in advance indicates that the members of the legislative body will be participating by teleconference, provides the teleconference or webinar access

information by which the public may participate electronically, and lists the procedure for individuals with disabilities to request reasonable accommodations; and

WHEREAS, on March 21, 2021, Governor Newsom issued Executive Order N-35-20, allowing members of a local legislative body to receive updates relevant to the declared emergency and ask questions; and

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 into law, immediately amending the Brown Act to allow teleconference meetings during a state of emergency, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, on September 20, 2021, Governor Newsom signed Executive Order N-15-21 suspending AB 361 until October 1, 2021, allowing legislative bodies to hold teleconference meetings under Executive Order N-35-20; and

WHEREAS, AB 361 allows local agencies to continue to meet via teleconference without complying with the Brown Act's traditional agenda posting, physical access and quorum requirements for teleconferencing, but only during a state of emergency proclaimed by the Governor in which (1) state or local health officials have imposed or recommend measures to promote social distancing, or (2) the legislative body has determined by majority vote that meeting in person would present imminent risk to the health and safety to the attendees; and

WHEREAS, due to the COVID-19 pandemic the County of Los Angeles Department of Public Health recommends social distancing amongst people not of the same household where vaccination status is unknown, resulting in the City Council's desire to adopt a resolution incorporating AB 361 and allowing for teleconference meetings; and

WHEREAS, at a special meeting held on September 29, 2021, the City Council adopted Resolution No. 2021-86-3298 declaring an exemption under the provisions of AB 361, allowing the legislative body to meet via teleconference and forego the Brown Act's traditional agenda posting, physical access and quorum requirements for teleconferencing for the month of October 2021; and

WHEREAS, on October 13, 2021, the Successor Agency and Irwindale Housing Authority adopted Resolution Nos. SA 2021-92-3304 and HA 2021-05-104, which ratified the action taken by the City Council; and

WHEREAS, on October 27, 2021 (joint Resolution No. 2021-94-3306, Resolution No. SA 2021-95-3307, and HA 2021-06-105), November 10, 2021 (joint Resolution No. 2021-100-3312, Resolution No. SA 2021-101-3313 and Resolution No. HA 2021-07-106), December 8, 2021 (joint Resolution No. 2021-109-3321, SA Resolution No. 2021-110-3322, HA Resolution No. HA 2021-09-108 and RA Resolution No. 2021-03-028), January

Resolution No. 2022-45-3295

Resolution No. SA 2022-46-3296

Resolution No. HA 2022-10-120

Page 2

12, 2022 (joint Resolution No. 2022-02-3251, SA Resolution No. 2022-03-3252 and HA Resolution No. 2022-01-111), February 9, 2022 (joint Resolution No. 2022-11-3261, SA Resolution No. 2022-12-3262 and HA Resolution No. 2022-02-112), March 9, 2022 (joint Resolution No. 2022-20-3270, Resolution No. SA 2022-21-3271, Resolution No. HA 2022-04-114 and Resolution No. RA 2022-01-028), and April 13, 2022 (joint Resolution No. 2022-30-3280, SA Resolution No. 2022-31-3281 and Resolution No. HA 2022-06-116) respectively the City Council, Successor Agency Board, Housing Authority Board and Reclamation Authority Board reviewed and declared an exemption under AB 361, allowing the legislative bodies to meet via teleconference and forego the Brown Act's traditional agenda posting, physical access and quorum requirements for teleconferencing for a thirty day period.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF IRWINDALE, SUCCESSOR AGENCY TO THE FORMER IRWINDALE COMMUNITY REDEVELOPMENT AGENCY, AND HOUSING AUTHORITY BOARD OF THE CITY OF IRWINDALE, CALIFORNIA DO HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. The City Council, Successor Agency Board, and Housing Authority Board determine that each of the findings set forth above is true and correct and incorporated herein by this reference.

SECTION 2. The City Council, Successor Agency Board, and Housing Authority Board hereby consider the conditions of the state of emergency as proclaimed by the Governor, the existence of emergency conditions in the City of Irwindale, and reaffirm, reauthorize, and continue the existence of a local emergency throughout the City.

SECTION 3. The City Council, Successor Agency Board, and Housing Authority Board hereby find that the state of emergency declared by Governor Newsom on or about March 4, 2020 remains active and local health agencies continue to recommend measures to promote social distancing, and that the risk of infection due to the Delta and Omicron variants of COVID-19 can cause an imminent risk to attendees to in-person meetings, despite vaccination status, but especially for unvaccinated attendees, and/or those who are immunocompromised, thereby prompting the City Council, Successor Agency Board, and Housing Authority Board to reaffirm, reauthorize, and maintain the existence of a local emergency, as required by Government Code section 54953(e) *et seq.*

SECTION 4. Due to the COVID-19 pandemic, the County of Los Angeles Department of Public Health recommends social distancing amongst people not of the same household where vaccination status is unknown. Based on such facts, findings, and determinations, the City Council Successor Agency Board, and Housing Authority Board authorize staff to conduct remote hybrid meetings for all public meetings regular and special, including City Council, Successor Agency to the Irwindale Community Redevelopment Agency, and Irwindale Housing Authority Board of Commissioners, all City Commission and committee meetings, and any other meetings that would normally take place in the City Council

Chambers under the provisions of Government Code Section 54953(e). As a result, the public meetings are modified as follows:

- a. AB 361, attached hereto as Exhibit A, regarding teleconference requirements allowing City legislative bodies to hold public meetings by teleconferencing or electronically, and in-person, without noticing the teleconferenced locations on the agenda, without making teleconferenced locations accessible to the public, without making physical locations accessible to the public, without posting agendas at teleconferenced locations, without requiring members of the legislative bodies to be physically present at the meeting, and without requiring a quorum of the members of the legislative body to participate from locations with the City's jurisdiction, as long as the agenda that is posted at least 72 hours in advance indicates that members of the legislative body may be participating electronically, provides the teleconference or webinar access information by which the public may participate electronically, and lists the procedure for individuals with disabilities to request reasonable accommodations;
- b. All public meeting agendas shall be posted at least 72 hours prior to a regular meeting and at least 24 hours prior to a special meeting;
- c. Members of the public will have the ability to access the meeting and directly address the legislative body via a call-in option, an internet-based service provider, or in-person. Members of the public who wish to access the meeting in-person shall comply with all health and safety protocols imposed for in-person attendance to promote social distancing;
- d. In the event of a service disruption that prevents broadcasting of the meeting, the meeting will stop and no further action on the agenda items will occur until (1) an attempt to restore service for a 10-minute period, and (2) adjourning the meeting to a new date and time when an unresolved issue exceeds the 10-minute time period.

SECTION 5. The City Manager/Executive Director or his designee is authorized and directed to take all actions reasonably necessary to carry out the intent and purpose of this Resolution, including, continuing to conduct open and public meetings in-person and remotely in accordance with Government Code section 54953(e) *et seq.*, and other applicable provisions of the Brown Act, for all public meetings.

SECTION 6. Pursuant to Government Code section 54953(e)(4), the local legislative body will verify every 30 days that the exemption from traditional teleconference requirements under the Brown Act is still necessary. The legislative body must make findings no later than 30 days after the first teleconference and every 30 days thereafter that:

- a. The legislative body has reconsidered the state of emergency circumstances; and
- b. Either (1) the state of emergency continues to directly impact the ability to meet safely in person, or (2) state or local officials continue to impose or recommend measures to promote social distancing.

SECTION 7. The Chief Deputy City Clerk/Secretary to the Successor Agency/Authority Assistant Secretary shall certify the adoption of this resolution which shall take effect on May 14, 2022 and shall be effective until the earlier of (i) June 13, 2022, or (ii) such time the City Council adopts a subsequent resolution in accordance with Government Code section 54593(e)(3) to extend the time during which the City's legislative bodies may continue to teleconference without compliance with Government Code section 54953(b)(3).

PASSED, APPROVED AND ADOPTED this 11th day of May 2022.

Larry G. Burrola, Mayor/Chair

ATTEST:

Laura M. Nieto, MMC
Chief Deputy City Clerk/Authority Assistant Secretary
/Assistant Agency Secretary

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss.
CITY OF IRWINDALE }

I, Laura M. Nieto, Chief Deputy City Clerk of the City of Irwindale, do hereby certify that the foregoing joint Resolution No. 2022-45-3295, Resolution No. SA 2022-46-3296, and Resolution No. HA 2022-10-120 was duly adopted by the City Council of the City of Irwindale at a regular scheduled meeting thereof held on the 11th day of May 2022, by the following vote:

AYES: Councilmembers/Agency Members:

NOES: Councilmembers/Agency Members:

ABSTAIN: Councilmembers/Agency Members:

ABSENT: Councilmembers/Agency Members:

Laura M. Nieto, MMC
Chief Deputy City Clerk/Authority Assistant
Secretary/Assistant Agency Secretary

Resolution No. 2022-45-3295
Resolution No. SA 2022-46-3296
Resolution No. HA 2022-10-120
Page 5

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.

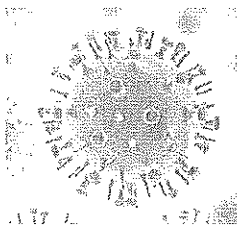
(b) The Legislature finds and declares that Section 1 of this act, which adds and repeals Section 89305.6 of the Education Code, Section 2 of this act, which adds and repeals Section 11133 of the Government Code, and Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government 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.



COVID-19: Reducing Risk Keeping Safe & Preventing Spread

The following information is to help people understand who is most at risk of getting infected and sick from COVID-19 and which situations are riskier. It outlines what steps people can take to stay safe and slow the spread of COVID-19.

To see what the current LA County community COVID-19 level is click [here](#).

WHO IS MOST AT RISK?

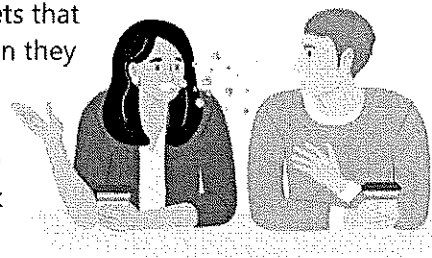
People who are not vaccinated are at the highest risk of getting infected with COVID-19. Unvaccinated adults who are older or who have certain medical conditions are at highest risk of severe COVID-19 disease. In addition, some people with severely weakened immune systems can get very sick from COVID-19 even if they are vaccinated.

Most people who are fully vaccinated are well protected from getting very sick and dying from COVID-19. Booster doses provide added protection. When vaccinated people get infected with COVID-19, they usually get mild symptoms, if any. But they can still spread the virus to other people.

WHICH SITUATIONS ARE RISKIER?

Understanding how the COVID-19 virus is spread is important. It will help you to assess your risk and take steps to protect yourself in different situations.

The virus spreads from person to person mainly through respiratory droplets that are released into the air by a person who has COVID-19. For example, when they speak, sing, cough, shout, sneeze, or breathe heavily. These droplets are then breathed in by other people or land on their eyes, nose, or mouth. A person's risk of getting infected goes up the closer they are to someone with COVID-19. Enclosed places with poor air flow can also increase the risk of getting infected. This is because the droplets that have the virus can concentrate and spread in the air past 6 feet. They can even stay floating in the air after an infected person has left the room.



This is why masks are important. They lower the number of respiratory droplets people release into the air AND also the number that they breathe in.

It is also possible, but less common, for the virus to spread by touching a surface with droplets on it and then touching your eyes, nose, or mouth.

Knowing the level of spread in your area can help you decide what protective measures to take. Everyone needs to take extra precautions when the risk is high. When the risk is low, you can make decisions based on personal preference and comfort level. You should also consider your own level of risk and the level of risk to others in your household or workplace. Consider the following:

- Do you live with others who have a health condition that puts them at higher risk for severe illness from COVID?

- Do you live with anyone who is unvaccinated? This includes young children who are not yet eligible for vaccines.
- Does anyone in your home work in a setting with vulnerable people who are at higher risk of severe illness from COVID?

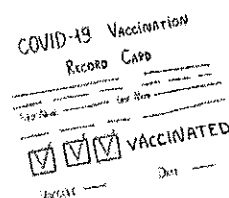
To learn about the current situation in LA County, see [COVID-19 community risk level](#).

There are certain places where COVID-19 spreads more easily

- **Closed spaces** with poor air flow.
- **Crowded places** with many people nearby
- **Close contact settings** especially where people are talking (or breathing heavily) close together

HOW TO REDUCE THE RISK OF COVID-19

- **Get vaccinated and get a booster when you are eligible.** It is the best way to protect against COVID-19 (see [Vaccination](#) below).
- **Wear a mask that fits and filters well.** See ph.lacounty.gov/masks for more information on the types of masks and mask wearing rules and recommendations in Los Angeles County. If you are at [high risk for severe disease](#) or if you are around people who are at high risk, it is very important to wear a highly effective mask indoors and in crowded outdoor places. Children under the age of 2 should not wear a mask.
- **Get medicine to prevent COVID-19.** If you cannot receive a COVID-19 vaccine for medical reasons or your immune system is not strong enough to mount a response to the vaccine, talk to your doctor about treatment to help prevent you from getting COVID-19. See ph.lacounty.gov/covidmedicines for more information.
- **Avoid crowded places.** Being in crowds, especially indoors, puts you at a higher risk. If you need to be indoors, try to go during non-peak hours and wear a more protective mask. Limit how long you are there.
- **Improve air flow.** Go outside. Avoid indoor spaces with poor air flow as much as possible. Open windows and doors, use fans and portable air cleaners, run heating and air, and upgrade filters. (See CDC [Improving Ventilation in Your Home](#).)
- **Choose outdoor spaces** for social and fitness activities.
- **Get a COVID-19 viral test** before gathering indoors with others who are not in your household. This is most important if you will be with people who are at high risk of severe illness, especially if you are not fully vaccinated and boosted or have been in crowded indoor places in the past two weeks. Visit ph.lacounty.gov/covidtests to learn more about when to get a test.
- **Keep your distance.** Use two arms lengths as your guide (about 6 feet) for social distancing with people outside your household when you are not sure that they are vaccinated.
- **Socialize with the same set of friends and relatives** rather than mixing with many different people who are not vaccinated.



- **Be flexible.** Be willing to change your plans or leave if you find yourself in a place where COVID-19 can spread more easily. For example, indoors in a loud crowded restaurant with a lot of people who are not wearing masks.
- **Wash your hands and/or use hand sanitizer often** - especially after being in public spaces where surfaces are touched by many people. Avoid eating and touching your face with unwashed hands.
- **Stay home when sick.** If you have symptoms¹ of COVID-19, talk to a doctor, and get a test. You should stay home and away from others until you get the result of your COVID-19 test or until your provider tells you that you don't have COVID-19. **Contact a doctor right away** if you are at high risk of getting very sick from COVID-19 and you test positive, even if your symptoms are mild. You may be eligible for medicines that help keep people with COVID-19 out of the hospital. Don't delay: the medicines work best when they are given as soon as possible after symptoms start. To learn about symptoms and what to do if you are sick see ph.lacounty.gov/covidcare.
- **Delay travel until you and the people you are traveling with are fully vaccinated and have received their booster, if eligible.** Be sure to review and follow the CDC domestic and international travel guidance. See LAC DPH Travel Advisory and Guidance for more information.



VACCINATION

Vaccination is the best way to protect yourself and your loved ones from COVID-19. It will slow the spread of COVID-19 including variants of the virus.



- If you are already vaccinated, encourage your family, friends, coworkers, and neighbors to get vaccinated. This includes recommended additional doses or booster doses. See COVID-19 Vaccine Schedules.
- If you are not yet fully vaccinated, consider getting vaccinated now. Vaccines are safe, effective, and free to everyone regardless of immigration status. Talk with your doctor about any concerns.

Vaccines are widely available across LA without an appointment. Visit www.VaccinateLACounty.com to find a location near you. Call 1-833-540-0473 if you need help making an appointment, need transportation to a vaccination site, or are homebound. Phone lines are open from 8am to 8:30pm 7 days a week. Information is also available in many languages 24/7 by calling 2-1-1.

¹ Symptoms may appear 2-14 days after being exposed to the virus and may include: fever or chills, cough, shortness of breath/difficulty breathing, new loss of taste or smell, fatigue, runny or stuffy nose, muscle or body aches, headache, sore throat, nausea or vomiting, and diarrhea. This list does not include all possible symptoms of COVID-19. Some people with COVID-19 never get symptoms. Visit ph.lacounty.gov/covidcare to learn more about what to do if you are sick.

- ☒ City Council
- ☒ Successor Agency
- ☒ Housing Authority
- ☐ Reclamation Authority
- ☐ Joint Powers Authority

City of
IRWINDALE
AGENDA REPORT

ASP Item
Item E-2

Date: May 11, 2022

To: Honorable Mayor and Members of the City Council
Successor Agency Board
Housing Authority Board

From: Julian A. Miranda, City Manager/Executive Director

Issue: **Appointing a City Treasurer**

City Manager/Executive Director's Recommendation:

That the City Council, Successor Agency and Housing Authority adopt "A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, SUCCESSOR AGENCY TO THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY ("SUCCESSOR AGENCY"), AND THE BOARD OF THE HOUSING AUTHORITY OF THE CITY OF IRWINDALE, CALIFORNIA, AUTHORIZING THE APPOINTMENT OF THE CITY TREASURER," reading by title only and waiving further reading thereof, thereby adopting the participation agreement.

Administrative Action:

Submitted by:

Kambiz Borhani, Finance Director/City Treasurer
(626) 430-2221



Prepared by:

Jeanette Duran, Finance Manager

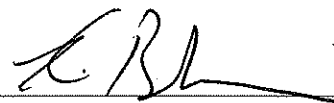


Reviewed by:

Adrian R. Guerra, City Attorney/Authority Counsel

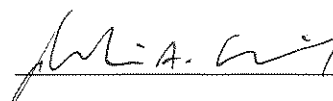
Approved Electronically

Kambiz Borhani, Finance Director/City Treasurer



Approved by:

Julian A. Miranda, City Manager/Executive Director



Background and Analysis:

Irwindale Municipal Code section 2.16.020 authorizes the City Manager to appoint of the director of finance.

On May 2, 2022, Kambiz Borhani was appointed as the City's Finance Director, a position vacated upon the resignation of the previous Finance Director, Eva Carreon, who also served as the City Treasurer and Jeanette Duran as the Interim Finance Director and Interim City Treasurer.

At this time, it is necessary to appoint a City Treasurer, as provided in Irwindale Charter Section 708, which position may be established by Resolution per Irwindale Municipal Code Section 2.12.010

It is therefore recommended that the City Council, the Successor Agency to the Irwindale Community Redevelopment Agency, and the Irwindale Housing Authority Board appoint Kambiz Borhani, as Finance Director, to the appointive position of City Treasurer.

Fiscal Impact:

As provided in the Irwindale Municipal Code Section 2.12.050, the City Treasurer shall receive a salary of fifty dollars per month, payable monthly, which is included in the FY 2021-22 operating budget

Attachment:

Resolution No. 2022-40-3290

Resolution No. SA 2022-41-3291

Resolution No. HA 2022-08-118

**RESOLUTION NO. 2022-40-3290
RESOLUTION NO. SA 2022-41-3291
RESOLUTION NO. HA 2022-08-118**

**A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE,
SUCCESSOR AGENCY TO THE IRWINDALE COMMUNITY REDEVELOPMENT
AGENCY ("SUCCESSOR AGENCY"), AND THE BOARD OF THE HOUSING
AUTHORITY OF THE CITY OF IRWINDALE, CALIFORNIA, AUTHORIZING THE
APPOINTMENT OF THE CITY TREASURER**

WHEREAS, the City Council of the City of Irwindale, Successor Agency to the Irwindale Community Redevelopment Agency (Successor Agency), and Irwindale Housing Authority hereby find that Section 2.12.010 of the Irwindale Municipal Code allows offices and positions in city employment, other than those created or established by state law or by the Municipal Code, to be fixed and established by resolution of the City Council; and

WHEREAS, Irwindale Municipal Code section 2.16.020 authorizes the City Manager to appoint of the director of finance; and

WHEREAS, Kambiz Borhani was appointed by the City Manager as the City's Finance Director on May 2, 2022; and

WHEREAS, Irwindale Charter Section 708 requires that the City Council appoint the City Treasurer.

NOW, THEREFORE, the City Council of the City of Irwindale, California, the Successor Agency to the Irwindale Community Redevelopment Agency, and the Irwindale Housing Authority Board, do hereby resolve, determine, and order as follows:

SECTION 1. Kambiz Borhani shall be appointed to the position of the City Treasurer.

SECTION 2. The Deputy City Clerk shall attest to the adoption of this resolution which shall, in turn, have immediate effect.

PASSED, APPROVED AND ADOPTED this 11th day of May 2022.

Larry G. Burrola, Mayor

ATTEST:

Laura Nieto,
Deputy City Clerk

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss.
CITY OF IRWINDALE }

I, Laura Nieto, Deputy City Clerk of the City of Irwindale, do hereby certify that the foregoing Joint Resolution No. 2022-40-3290, Resolution No. SA 2022-41-3291, and Resolution No. HA 2022-08-118 adopted at an adjourned meeting of the City Council of the City of Irwindale as Successor Agency to the Irwindale Community Redevelopment Agency, and the Irwindale Housing Authority held on May 11, 2022, by the following vote:

Councilmembers:

NOES: Councilmembers:

ABSTAIN: Councilmembers:

ABSENT: Councilmembers:

Laura Nieto
Deputy City Clerk

- ☒ City Council
- ☒ Successor Agency
- ☒ Housing Authority
- ☐ Reclamation Authority
- ☐ Joint Powers Authority

City of
IRWINDALE
AGENDA REPORT

ASP Item
Item E-3

Date: May 11, 2022

To: Honorable Mayor and Members of the City Council
Successor Agency Board
Housing Authority Board

From: Julian A. Miranda, City Manager/Executive Director

Issue: Authorization To Invest Monies Into the Local Agency Investment Fund
Account

City Manager/Executive Director's Recommendation:

That the City Council, Successor Agency and Housing Authority adopt Joint Resolution No. 2022-42-3292, Resolution No. SA 2022-43-3293, and Resolution No. HA 2022-09-119 entitled: **"A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, SUCCESSOR AGENCY TO THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY ("SUCCESSOR AGENCY"), AND THE BOARD OF THE HOUSING AUTHORITY OF THE CITY OF IRWINDALE, CALIFORNIA, AUTHORIZING INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND,"** reading by title only and waiving further reading thereof.

Administrative Action:

Submitted by:

Kambiz Borhani, Finance Director/City Treasurer
(626) 430-2221

Prepared by:

Jeanette Duran, Finance Manager

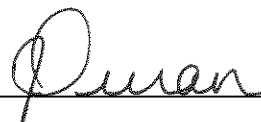
Reviewed by:

Adrian R. Guerra, City Attorney/Authority Counsel

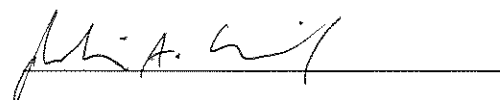
Kambiz Borhani, Finance Director/City Treasurer

Approved by:

Julian A. Miranda, City Manager/Executive Director



Electronically Approved



Background and Analysis:

Irwindale has invested a portion of its surplus monies in the California Local Agency Investment Fund ("LAIF") since 1977 because of the convenience of having liquidity at a corresponding reasonable yield that LAIF provides to local government.

LAIF requires that no transaction can be processed in LAIF accounts without evidence that the individual requesting the transaction is authorized. The attached joint resolutions is to update the officers and successors in office that are authorized to make deposits into and withdrawals from monies in LAIF.

Fiscal Impact: None

Attachment:

Resolution No. 2022-42-3292

Resolution No. SA 2022-43-3293

Resolution No. HA 2022-09-119

**RESOLUTION NO. 2022-42-3292
RESOLUTION NO. SA 2022-43-3293
RESOLUTION NO. HA 2022-09-119**

**A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE,
SUCCESSOR AGENCY TO THE IRWINDALE COMMUNITY REDEVELOPMENT
AGENCY ("SUCCESSOR AGENCY"), AND THE BOARD OF THE HOUSING
AUTHORITY OF THE CITY OF IRWINDALE, CALIFORNIA, AUTHORIZING
INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND**

WHEREAS, pursuant to Chapter 730 of the Statutes of 1976, Section 16429.1 was added to the California Government Code to create a Local Agency Investment Fund in the State Treasury for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

WHEREAS, the City Council of the City of Irwindale, Successor Agency to the Irwindale Community Redevelopment Agency (Successor Agency), and Irwindale Housing Authority each does hereby find that the deposit and withdrawal of money in the Local Agency Invest Fund in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated therein as in the best interest of the City of Irwindale, Successor Agency, and Irwindale Housing Authority; and

WHEREAS, each of the agencies desire to rescind their respective resolution numbers 2021-120-3242, SA 2021-121-3243, and HA 2021-11-110 that were adopted in December 8, 2021, and replace them with this joint resolution to update the officers to order the deposits or withdrawal of monies in the Local Agency Invest Fund.

NOW, THEREFORE, the City Council of the City of Irwindale ("City Council") as Successor Agency to the Irwindale Community Redevelopment Agency, and the Board of Directors of the Irwindale Housing Authority does hereby find and determine as follows:

SECTION 1. The City Council/Board of Directors does hereby authorize the deposit and withdrawal of monies of the City of Irwindale, Successor Agency, and Irwindale Housing Authority in the Local Agency Investment Fund in accordance with Government Code section 16429.1 et. seq for the purpose of investment as provided therein; and

SECTION 2. The City Council/Board of Directors authorizes the following officers to order the deposit or withdrawal of monies in the Local Agency Investment Fund and may execute and deliver any and all documents necessary or advisable in order to effectuate the purposes of this resolution and the transactions completed hereby:

**Resolution No. 2022-42-3292
Resolution No. SA 2022-43-3293
Resolution No. HA 2022-09-119**

Kambiz Borhani
Finance Director/City Treasurer



Signature

Jeanette Duran
Finance Manager



Signature

Eileen Diep
Senior Finance Analyst



Signature

Claudia Carlos
Finance Analyst



Signature

SECTION 3. The Deputy City Clerk shall certify to the passage and adoption of these joint resolutions, and the same shall thereupon take effect and be in force.

PASSED, APPROVED, AND ADOPTED this 11th day of May 2022.

Larry G. Burrola, Mayor

ATTEST:

Laura Nieto
Deputy City Clerk

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss.
CITY OF IRWINDALE }

I, Laura Nieto, Deputy City Clerk of the City of Irwindale, do hereby certify that the foregoing Joint Resolution No. 2022-42-3292, Resolution No. SA 2022-43-3293, and Resolution No. HA 2022-09-119 adopted at an adjourned meeting of the City Council of the City of Irwindale as Successor Agency to the Irwindale Community Redevelopment Agency, and the Irwindale Housing Authority held on May 11, 2022, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: Councilmembers:

Laura Nieto
Deputy City Clerk

- ☐ City Council
- ☐ Successor Agency
- ☒ Housing Authority
- ☐ Reclamation Authority
- ☐ Joint Powers Authority

City of
IRWINDALE
AGENDA REPORT

ASP Agenda
Item F-1

Date: May 11, 2022
To: Honorable Chair and Members of the Housing Authority
From: Marilyn Simpson, Community Development Director
Issue: Consideration of Approval – Subordination of Home Improvement Loan at 16165 Progress Lane with Cash Out

Executive Director's Recommendation:

- 1) If the Board approves the cash out request, approve the request by Ignacio S. Miranda and Arline J. Miranda, husband and wife as joint tenants, for the Housing Authority to subordinate its loan to a new loan made in a refinancing taking cash out in the amount of approximately \$25,867, which is subject to all conditions established by the Irwindale Housing Authority's Subordination Policy.
- 2) Authorize the Community Development Director to execute the Subordination Agreement subject to Authority Counsel approval as to form, along with other ancillary documents to further protect the Housing Authority, as determined by Authority Counsel.

Prepared and Submitted by:

Robert J. Lee, Assistant Authority Counsel

Electronically Approved

Reviewed by:

Adrian R. Guerra, Authority Counsel

Electronically Approved

Kambiz Borhani, Finance Director / City Treasurer

K. Borhani

Approved by:

Marilyn Simpson, Community Development Director

Marilyn Simpson

Analysis:

1. As part of the City of Irwindale/Irwindale Community Redevelopment Agency Low and Moderate Home Improvement Program (HIP), the Irwindale Housing Authority received a written request from Mr. Ignacio Miranda and Ms. Arline Miranda (Owners) for the Authority to subordinate its loan (Authority Loan) made to Owners by the former Irwindale Redevelopment Agency in connection with a proposed refinance of their existing mortgage for the property located at 16165 Progress Lane (Property) and take cash out to address Property-related repairs and updates. The current balance of the original first trust deed loan taken out by Owners is \$283,158.00, and the new loan (New Loan) including cash out would be for the amount of \$320,000. The original amount of the Authority Loan was \$99,801.90.
2. Any subordination of the Authority Loan to the New Loan for the proposed refinance will require the Authority lien to be ranked behind the New Loan for purposes of collecting repayment from a debtor, and this would be effectuated via a subordination agreement. The priority of debts is significant when the property owner defaults on payments or declares bankruptcy, as the Authority's debt will be collected when and only if the first lien has been fully satisfied in the event of foreclosure and liquidation and only if there are monies left over. Therefore, when an affordable homeowner seeks to refinance its existing loan obtained from a private lender and asks the Authority to subordinate its loan to that new loan, the Authority, if it agrees to subordinate, will be assuming the risk of not being repaid either partly or in full. It should be noted, however, that Authority agreement to subordinate to the New Loan essentially places the Authority in the same lien priority position as the status quo and will therefore, not place Authority in any worse priority position.¹
3. Any approval of the requested subordination would comply with the requirement stated in the Subordination Policy ("Policy") adopted by the Board on December 8, 2021, that all debt on the property must not exceed 80% of the property value. The loan-to-value ratio on the Property after the requested subordination would be 70%.

The Policy allows owners to take cash out of their new loan (cash out) where owners can prove that the cash will be used only to cure an emergency situation pertaining to the condition of the property, which is verified by the Authority. The cash out of the refinancing may not be used to consolidate existing household or credit card bills. Curing an emergency likely means the funds will be used to address adverse or potentially adverse health and safety conditions that currently exist on the property. Owners propose to take out approximately \$25,867 in cash as part of the refinance to make the following repairs and upgrades to their home:

¹ California is a race notice state which means as a general rule, under California's race notice recording statute, a bona fide purchaser for value without notice who first records wins a priority dispute. Civ. Code § 1214. Because the Authority Deed of Trust was recorded before the deed of trust that will be recorded to secure payment of the New Loan, the lender of the New Loan is requesting subordination of the Authority Deed of trust to the New Loan.

- a. Drywall to address water damage
- b. Interior paint
- c. Remodel of two bathrooms
- d. Roof replacement
- e. HVAC replacement

The estimated cost for the above total \$80,844.04; however, Owners state they will have the work completed at a severely reduced cost by various relatives who are licensed contractors in the respective trades.

The estimates and letters that purport to justify the Property-related emergencies are attached to this report.

4. Approval of this request would permit the Owners to close escrow on the New Loan before the rate lock-in expires.

FISCAL IMPACT:

There is no immediate impact because the Authority will be maintaining the status quo with respect to its lien position.

ATTACHMENTS:

1. Rick Devito Construction Estimate
2. Eskimo Air Estimate
3. Rick Devito Construction Letter Dated May 9, 2022
4. Chris Miranda Letter Dated May 9, 2022

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:
IRWINDALE HOUSING AUTHORITY
5050 N IRWINDALE AVENUE
IRWINDALE, CA 91706

ESCROW NO: 003246-CP
TITLE ORDER NO: 22-373345

SPACE ABOVE THIS LINE FOR RECORDER'S USE

This document is exempt from payment of a recording fee pursuant to Government Code Section 6103

APN: 8417-031-015
16165 Progress Lane
Irwindale, CA 91706

SUBORDINATION AGREEMENT

NOTICE: THIS SUBORDINATION AGREEMENT RESULTS IN YOUR SECURITY INTEREST IN THE PROPERTY BECOMING SUBJECT TO AND OF LOWER PRIORITY THAN THE LIEN OF SOME OTHER OR LATER SECURITY INSTRUMENT.

THIS AGREEMENT, is made May ____, 2022, by IGNACIO S. MIRANDA AND ARLINE J. MIRANDA, husband and wife as joint tenants, owners of the land hereinafter described and hereinafter referred to as "Owner," and IRWINDALE HOUSING AUTHORITY, a public body and housing successor to the IRWINDALE REDEVELOPMENT AGENCY, present owner and holder of the Affordable Housing Agreement, Option to Purchase and Declaration of Covenants Running with Land ("Affordable Housing Agreement") and Deed of Trust with Assignment of Rents and Rider to Deed of Trust with Assignment of Rents ("Agency Deed of Trust"), both dated March 22, 2005, hereinafter referred to as "Beneficiary";

WITNESSETH

THAT WHEREAS, Owner did execute the Agency Deed of Trust in favor of the IRWINDALE REDEVELOPMENT AGENCY to First American Title Insurance Company, Trustee, which Agency Deed of Trust was recorded on May 3, 2005 as document no. 05-1028785, and Owner did execute the Affordable Housing Agreement in favor of IRWINDALE REDEVELOPMENT AGENCY, which Affordable Housing Agreement was recorded May 3, 2005 as document no. 05-1028786, Official Records of said county covering:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

LOT 15 OF TRACT NO. 29197, IN THE CITY OF IRWINDALE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS SHOWN ON A MAP IN BOOK 729, PAGES 61 AND 62 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

WHEREAS, Owner has executed, or is about to execute, a Deed of Trust and note not to exceed the sum of THREE HUNDRED TWENTY THOUSAND DOLLARS (\$320,000.00), in favor of:

ROCKET MORTGAGE, LLC, ISAOA

hereinafter referred to as "Lender," payable with interest and upon the terms and conditions described therein, which deed of trust ("Lender Deed of Trust") is to be recorded concurrently herewith; and

WHEREAS, it is a condition precedent to obtaining said loan that said Lender Deed of Trust shall unconditionally be and remain at all times a lien or charge upon the land hereinbefore described, prior and superior to the lien or charge of the Agency Deed of Trust; and

WHEREAS, Lender is willing to make said loan provided the Lender Deed of Trust securing the same is a lien or charge upon the above described property prior and superior to the lien or charge of the Agency Deed of Trust and Affordable Housing Agreement first above mentioned and provided that Beneficiary will specifically and unconditionally subordinate the lien or charge of the Agency Deed of Trust and Affordable Housing Agreement first above mentioned to the lien or charge of the Lender Deed of Trust in favor of Lender; and

WHEREAS, it is to the mutual benefit of the parties hereto that Lender make such loan to Owner; and Beneficiary is willing that the Lender Deed of Trust securing the same shall, when recorded, constitute a lien or charge upon said land which is unconditionally prior and superior to the lien or charge of the Agency Deed of Trust and Affordable Housing Agreement first above mentioned.

NOW, THEREFORE, in consideration of the mutual benefits accruing to the parties hereto and other valuable consideration, the receipt and sufficiency of which consideration is hereby acknowledged, and in order to induce Lender to make the loan above referred to, it is hereby declared, understood and agreed as follows:

- (1) That said Lender Deed of Trust securing said note in favor of Lender, and any renewals or extensions thereof, shall unconditionally be and remain at all times a lien or charge on the property therein described, prior and superior to the lien or charge of the Agency Deed of Trust and Affordable Housing Agreement above mentioned.
- (2) That Lender would not make its loan above described without this subordination agreement.
- (3) That this agreement shall be the whole and only agreement with regard to the subordination of the lien or charge of the Agency Deed of Trust and Affordable Housing Agreement first above mentioned to the lien or charge of the Lender Deed of Trust in favor of Lender above referred to and shall supersede and cancel, but only insofar as would affect the priority between the deeds of trust hereinbefore specifically described, any prior agreement as to such subordination including, but not limited, those provisions, if any, contained in the Agency Deed of Trust and Affordable Housing Agreement first above mentioned, which provide for the subordination of the lien or charge thereof to another deed or deeds of trust or to another mortgage or mortgages.

Beneficiary declares, agrees and acknowledges that:

- (A) It intentionally and unconditionally waives, relinquishes and subordinates the lien or charge of the Agency Deed of Trust and Affordable Housing Agreement first above mentioned in favor of the lien or charge upon said land of the Lender Deed of Trust in favor of Lender above referred to and understands that in reliance upon, and in consideration of, this waiver, relinquishment and subordination, specific loans and advances are being and will be made and, as part and parcel thereof, specific monetary and other obligations are being and will be entered into which would not be made or entered into but for said reliance upon this waiver, relinquishment and subordination; and
- (B) An endorsement has been placed upon the note secured by the Agency Deed of Trust and Affordable Housing Agreement first above mentioned that said Agency Deed of Trust and Affordable Housing Agreement have by this instrument been subordinated to the lien or charge of the Lender Deed of Trust in favor of Lender above referred to.

NOTICE: THIS SUBORDINATION AGREEMENT CONTAINS A PROVISION WHICH ALLOWS THE PERSON OBLIGATED ON YOUR REAL PROPERTY SECURITY TO OBTAIN A LOAN, A PORTION OF WHICH MAY BE EXPENDED FOR OTHER PURPOSES THAN IMPROVEMENT OF THE LAND.

IT IS RECOMMENDED THAT, PRIOR TO THE EXECUTION OF THIS SUBORDINATION AGREEMENT, THE PARTIES CONSULT WITH THEIR ATTORNEYS WITH RESPECT THERETO.

“BENEFICIARY”

IRWINDALE HOUSING AUTHORITY, a public body,
as Housing Successor to the Irwindale Redevelopment Agency

Julian Miranda, Executive Director

ATTEST:

Laura M. Nieto, Authority Secretary

APPROVED AS TO FORM:

ALESHIRE & WYNDER, LLP

Adrian Guerra, Authority Counsel

“OWNER”

IGNACIO S. MIRANDA

Ignacio S. Miranda

ARLINE J. MIRANDA

Arline J. Miranda

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.
--

STATE OF CALIFORNIA)
) §
County of _____)

On _____, before me, _____ a Notary Public,
personally appeared _____ who proved to me on the basis of satisfactory evidence
to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they
executed the same in his/her/their authorized capacities, and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and
correct

WITNESS my hand and official seal.

Signature of Notary

(Affix seal here)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the
document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) §
County of _____)

On _____, before me, _____ a Notary Public,
personally appeared _____ who proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacities, and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

WITNESS my hand and official seal.

Signature of Notary

(Affix seal here)

Attachment "1"

Rick Devito Construction

910 Rose Dr. Glendora Ca 91741 626-410-7788 CaLic. #645403

May 3, 2022

Ignacio and Arline Miranda
16165 Progress Lane
Irwindale, CA 91706
626-337-6890

Estimate for: 16165 Progress Lane, Irwindale 91706

Drywall Fix or Replacement

Install new drywall where needed throughout house and ceiling where water damaged. Patch and repair existing drywall as needed \$4,500

Interior Paint

Prep and Paint interior ceilings \$3,500

Two Bathroom Remodels

Remodel one of two bathroom with new, new walk in bath-tub with tile surrounding and safety grab rails as needed. All work to meet ADA Code.

Remodel second bathroom to walk in shower to meet ADA Code. Wheelchair accessible, complete tile on floor, walls and grab rails as needed.

All plumbing, fixtures to be installed to meet ADA Code.

\$32,500

Roof Tear Off all old existing roof and plywood/ Install new CDX plywood and Asphalt Shingles

Tear off all layers of old composition roof and old plywood. Replace new CDX plywood. Install 15lb felt underlayment on the entire roof structure prior to roof installation

Replace pipe jacks as needed

Install 30 year shingles with 30 year manufacture warranty

At fascia scrape, prep and paint exterior fascia wood 4" -6" wide as needed

Remove and or replace gutters as needed

Install Step Flashing at all vertical walls on structure

Install all new Hip and Ridge shingles to meet manufactures specs on the structure with the installation of the new roof

Seal or flash and vents, flues or walls as needed

Project: 16165 Progress Lane, Irwindale CA 91706

Customer to select roof color	\$17,800
-------------------------------	----------

Mold test due to water damage	\$9,800
-------------------------------	---------

Clean up and haul away all debris at completion of work and left in broom clean condition.

Project total: \$ 68,120

Approved by:

Contractor :

Date:

Homeowner:

Date:

We appreciate your business and look forward to working with you. All work will be performed with our licensing and bonded contractors.



Attachment "2"

Date: 06/22/2021

Name: Ignacio & Arline Miranda

Address: 16165 Progress Lane, Irwindale Ca 91706

Proposal:

Regarding: above location

1. Demo and haul away the existing 3-ton split system, furnace, evaporator coil and condenser and dispose of properly.
2. Provide and install (1)-3-ton Carrier Comfort series condensing unit, 14 seer 410-A refrigerant, 230 volt, 1-phase, 410 a refrigerant, model#24AAA536A003.
3. Provide and install (1) – manufacturer pad for the condenser.
4. Provide and install (1) – 3 -ton Low Nox multi-positional gas furnace, 80 %, 60,000 BTU's model# 58SU0A.
5. Provide and install (1) -3-ton ADP multi-positional evaporator coil 410- A refrigerant with a 410-A TXV valve.
6. Provide and install (1) – Venstar T-2800 7-day programmable thermostat.
7. Provide and install supply air and return air registers/ bar type for maximum air flow.
8. Flush out the existing copper line set with nitrogen.
9. Reconnect the existing primary and secondary drain line.
10. Reconnect the existing B vent for the furnace.
11. Reconnect the line voltage and low voltage.
12. Reconnect the existing condensation line.
13. Reconnect the existing gas line.
14. Provide and install supply air sheet metal plenum.
15. Provide and install new gas flex connector.
16. Provide and install return air filter.
17. Provide and install fuses in the disconnect box.
18. Modify the ductwork as necessary.
19. Provide and install all necessary materials to complete the above job.
20. Start up system and check operation.

Warranty: 20-years heat exchanger/10- year compressor/10-years parts/1- year labor

Total: \$12,724.04 (includes all sales tax, labor, equipment, and material)

Eskimo Air Conditioning Inc.

Ignacio & Arline Miranda

Attachment “3”

Rick Devito Construction

910 Rose Dr. Glendora Ca 91741 626-410-7788 CaLic. #645403

May 9, 2022

Ignacio and Arline Miranda
16165 Progress Lane
Irwindale, CA 91706
626-337-6890

RE: Estimate for: 16165 Progress Lane, Irwindale 91706

This letter is to confirm the estimate for the damage that is needed to be repaired to Ignacio & Arline Miranda's Residence. There are health, safety, and liability concerns for the Miranda's. Now that I have provided the estimate, I recommended to Mr. & Mrs. Miranda as a Professional Contractor the repairs should be done as soon as possible. I advised they should always obtain multiple quotes. Below are a few reasons why I believe the repairs need to be done with urgency.

Roof – Replaced in 2005 (17 Year old Roof) numerous shingles have separated from the cement/tar. Damage apparently began over a year ago. There are a couple areas where you can see separation where water can enter and has already damaged their ceiling. Wind and Rain will pull up tiles that are not cemented properly. The Miranda's Kitchen, living room, and northwest bedroom have sustained water damage on the ceiling. The kitchen dining room has sustained the most ceiling damage.

Due to the age of the roof and damage already sustained from the numerous areas that I saw needed repair I would of course recommend a new roof. Also, based on my experience and damage sustained, the roofs underlaying was not properly laid including the asphalt tiles. Wind damage is imminent and will eventually lift tiles from the roof since they are not cemented down properly. The wind along with the rain are more likely how the water entered the residence. I would have to have one my contracted Roofers come and provide a more detailed estimate if the Miranda's were looking for a repair only, but I do not recommend it.

Ceiling Drywall – Needs to be replaced as soon as possible for a few reasons which can relate to both Health & Safety. It is a known fact water damage and continue moisture leads to Mold. The Miranda's are an older couple, and this should be repaired to be proactive and safe. Mold is a known toxin that will comes with moisture in any home and there is no reason to wait to see if the Miranda's become ill before they fix the water damaged drywall. Also, with any new rain and continue water damage the drywall could eventually fall on someone in the household which is a concerning safety issue.

Large Bathroom / Drywall – This Drywall is wet and does not appear to be drying due to the continuous use of the shower and bathtub. Its more likely there is a small leak inside wall piping which is traveling to that area and appears to be affecting the adjoining back bathroom wall as well due to that drywall crumbling apart in the back bathroom. I did not test for Mold but based on my experience if it is not drying it will eventually lead to Mold. Again, for Health and Safety reasons this should not be a late response for the repair. It is very important to be proactive and repair the damage as soon as possible.

ADA Bathrooms / Walk-in Bathtub – As I met Mr. & Mrs. Miranda, I saw they both are elderly and have difficult moving. Mr. Miranda walks with a walker majority of the time and communicated to

me it is very difficult for him to take a shower and wash all his lower body parts. He said its actually very dangerous and he is always worried about falling. Mrs. Miranda also voiced the same concerns due to her medical conditions (I believe she said she has vertigo and constant leg cramps).

Of course, I am not a doctor, but these are all the reasons the elderly remodel their bathrooms to ADA assisted bathrooms. It is needed, it's a great decision, and very common all for safety and comfort (increase their quality of life). Again, it is more important to be proactive and remodel it before one of them hurt themselves. Waiting to remodel it after an injury occurs should not be anyone's recommendation. My professional opinion dealing with health-related repairs I always recommend being proactive and not reactive as the consequences of waiting can be dire. These safety repair concerns should be given the utmost respect and should be dealt with expediently.

We appreciate your business and look forward to working with you. All work will be performed with our licensing and bonded contractors.

Attachment "4"

May 9th, 2022 – Ignacio & Arline Miranda HVAC Quote

To Whom it May Concern,

This letter is to address the emergency/ urgency for the replacement and not repair of the HVAC system for my parents Ignacio & Arline Miranda.

I spoke with the Contract Johnny Rodriguez owner of Eskimo Air 1240 Coronado St, Upland Ca 91786 who came out and provided the HVAC estimate. I asked the question that was asked to me by Jesus Hernandez, City of Irwindale Community Development. Why did Contractor Rodriguez provide a replacement quote and not a repair quote.

Contractor Rodriguez stated his company would not repair that old of a model nor would he recommend it to be repaired. He said the refrigerant is low and it is an old non efficient unit. He said the parts for that unit are obsolete. His company does not repair older units like my parents. He said if he were to find any parts for that HVAC Unit the replacement parts are from third party vendors that are not warrantied and overly priced. Contractor Rodriguez said due to that fact he can't warranty the repair; he reiterated his company would not provide a repair quote or recommend the repair.

He stated due to my parents age and health they need to be living in cool peaceful conditions to improve their quality of life. This older unit will not handle the upcoming heat wave due to the low refrigerant (it should be noted Irwindale Police Department called to check on my parents approximately 10 times due to the summer heat in 2021). He also stated as the refrigerant is running low the unit is working harder and less efficiently. This will cause their electric bill to increase immensely.

It should be noted Contractor Rodriguez came out on May 3rd and provided the quote on short notice due to the fact he only had a few hours that was given to me by the city. Contractor Rodriguez also wanted it stated and he would work with my parents for any HVAC energy programs and shop around for quality systems that are less expensive when he is provided more time.

Thank you,

Chris Miranda

**CITY OF IRWINDALE
HOUSING AUTHORITY**

MAY 10 2022

RECEIVED

**IRWINDALE CITY COUNCIL CHAMBERS
5050 N. IRWINDALE AVENUE
IRWINDALE, CALIFORNIA 91706**

HA Item
Item 1A1

**APRIL 13, 2022
WEDNESDAY
5:30 P.M.**

The Irwindale **HOUSING AUTHORITY** met in special session at the above time and place.

ROLL CALL:

Present: Board Member H. Manuel Ortiz; Vice Chair Albert F. Ambriz;
Mayor Larry G. Burrola

Absent: Board Members Mark A. Breceda, Manuel R. Garcia

Present: Julian A. Miranda, Executive Director, and Adrian Guerra,
Board Attorney

**SPONTANEOUS
COMMUNICATIONS**

None.

**RECESS TO
CLOSED SESSION**

At 5:32 p.m., the Housing Authority met in Closed Session to discuss
the following:

Conference with Real Property Negotiators
Pursuant to Government Code Section 54956.8

Property: Las Casitas
5164 Ayon Avenue
Parties: Northridge Group & Housing Authority
Under Negotiation: Price and terms of potential sale

ACTION: Discussed, no direction provided

**RECONVENE IN
OPEN SESSION**

At 7:05 p.m., the Housing Authority reconvened in Open Session.

ADJOURNMENT

There being no further business to conduct, the meeting was
adjourned at 7:07 p.m.

Laura M. Nieto, MMC
Chief Assistant Authority Secretary

**IRWINDALE CITY COUNCIL CHAMBERS
5050 N. IRWINDALE AVENUE
IRWINDALE, CALIFORNIA 91706**

HA Item
Item 1A2

**APRIL 27, 2022
WEDNESDAY
5:31 P.M.**

The Irwindale **HOUSING AUTHORITY** met in special session at the above time and place.

ROLL CALL:

Present: Board Members Mark A. Breceda, Manuel R. Garcia,
H. Manuel Ortiz; Vice Chair Albert F. Ambriz;
Chair Larry G. Burrola

Present: Julian A. Miranda, Executive Director, and Adrian Guerra,
Board Attorney

**SPONTANEOUS
COMMUNICATIONS**

None.

**RECESS TO
CLOSED SESSION**

At 5:32 p.m., the Housing Authority met in Closed Session to discuss
the following:

Liability Claims

Pursuant to Government Code Section 54956.95

Claimant: Fred & Becky Barbosa

Agency claimed against: City of Irwindale, Irwindale Housing
Authority

ACTION: Discussed, no action taken

**RECONVENE IN
OPEN SESSION**

At 7:52 p.m., the Housing Authority reconvened in Open Session.

ADJOURNMENT

There being no further business to conduct, the meeting was
adjourned at 7:52 p.m.

Laura M. Nieto, MMC
Chief Deputy City Clerk

**IRWINDALE CITY COUNCIL CHAMBERS
5050 N. IRWINDALE AVENUE
IRWINDALE, CALIFORNIA 91706**

HA Item
Item 1A3

**APRIL 27, 2022
WEDNESDAY
7:52 P.M.**

The Irwindale **HOUSING AUTHORITY** met in regular session at the above time and place.

ROLL CALL:

Present: Board Members Mark A. Breceda, Manuel R. Garcia,
H. Manuel Ortiz, Vice Chair Albert F. Ambriz; Chair Larry G. Burrola

Also present: Julian A. Miranda, Executive Director; Theresa Olivares, Assistant Executive Director; Adrian Guerra, Board Attorney; Jamie Traxler, Assistant Board Attorney; Ty Henshaw, Chief of Police; Arsanious Hanna, Director of Engineering / Building Official; Jeanette Duran, Interim Finance Director / City Treasurer; Marilyn Simpson, Community Development Director; Mary Hull, Human Resources Manager, Elizabeth Rodriguez, Public Services Director; Jeff Wagner, Information Technology Manager; Iris Espino, Assistant to the City Manager; and Laura Nieto, Chief Assistant Authority Secretary

**SPONTANEOUS
COMMUNICATIONS**

There were no speakers.

CONSENT CALENDAR

MOTION

A motion was made by Board Member Ortiz, seconded by Vice Chair Ambriz, to approve Consent Calendar. The motion was unanimously approved, Board Member Breceda abstaining on Item Nos. 1D and 1E, and Item No. 1A1 corrected.

**ITEM NO. 1A
MINUTES**

MINUTES

The following minutes were approved as corrected:

1) Regular meeting held April 13, 2022

**ITEM NO. 1B
INVESTMENT
QUARTERLY REPORT
MARCH 31, 2022**

INVESTMENT QUARTERLY REPORT – MARCH 31, 2022 (Joint Item on City Council and Successor Agency agendas)

The Investment Quarterly Report for March 31, 2022, was received and filed.

**ITEM NO. 1C
APPROVAL OF
EXTENSION OF
CONTRACT FOR
ANNUAL AUDIT
SERVICES**

APPROVAL OF EXTENSION OF CONTRACT FOR ANNUAL AUDIT SERVICES (Joint Item on City Council and Successor Agency agendas)

The extension of the existing contract with Lance, Soll & Lunghard, LLP, to provide annual audit services for two additional years, was approved.

ITEM NO. 1D
APPROVING AND
AUTHORIZING USE
OF THE 10-ACRE
SITE FOR THE CITY
OF IRWINDALE'S
JULY 4, 2022
FIREWORKS DISPLAY
SPECTACULAR EVENT

APPROVING AND AUTHORIZING USE OF THE 10-ACRE SITE,
ASSESSOR'S PARCEL NUMBER 8417-34-912, FOR THE CITY OF
IRWINDALE'S JULY 4, 2022 FIREWORKS DISPLAY
SPECTACULAR EVENT

RESOLUTION NO.
HA 2022-07-117
ADOPTED

Resolution No. HA 2022-07-117, entitled:

"A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
IRWINDALE HOUSING AUTHORITY AUTHORIZING AND
APPROVING THE USE OF THE 10-ACRE SITE ON ALLEN DRIVE,
ASSESSOR'S PARCEL NUMBER 8417-34-912, FOR THE CITY OF
IRWINDALE'S JULY 4, 2022 FIREWORKS DISPLAY
SPECTACULAR EVENT," was adopted.

NEW BUSINESS

ITEM NO. 2A
LAS CASITAS
ELIGIBILITY RANKING
LIST AND BLIND
DRAWING

LAS CASITAS ELIGIBILITY RANKING LIST AND BLIND DRAWING

BOARD MEMBER
BRECEDA

Board Member Breceda declared a potential conflict of interest, exited the Council Chambers at 7:55 p.m., and did not participate in the discussion.

DIRECTOR
SIMPSON

Director Simpson presented the staff report.

VICE CHAIR AMBRIZ

Vice Chair Ambriz expressed his belief that, during the recent meeting that was held to address the appeal of an applicant of the Las Casitas Senior Apartment Complex, it was understood that a "homelessness category" would be created and implemented in the program policy, to be applied to all applicants, to which Assistant Board Attorney Traxler advised that a specific category for homelessness was not added. Rather, the policy was amended previously to add a "catch-all" category that could be applied, for example, to individuals who claim homelessness, which was necessary since the existing policy classified all applicants as either "renters" or "homeowners"; applicants that were neither renters nor homeowners would be placed under this "catch-all" category.

Vice Chair Ambriz stated that he was under the impression that homeless individuals would have their own category in the policy, to

which Assistant Board Attorney Traxler indicated that this option was presented to the Board for consideration; however, the Board elected to add the "catch-all" category instead.

Vice Chair Ambriz repeated his understanding of the outcome of the meeting to address the appeal, to which Assistant Board Attorney Traxler advised that staff processed the appellant's application in accordance with the Board-approved policy, which was amended on November 10 to add the catch-all category. She clarified that this category did not specifically add a "homelessness" category; instead, it applied to any applicant that could not be classified as either a renter or a homeowner.

Vice Chair Ambriz stated that he thought that, after the appeal was considered, a homelessness category would be added to the policy, to which Assistant Board Attorney Traxler reiterated that the option to add such category was previously presented to the Board. However, the Board elected against adding it since it did not wish to prolong the award of the vacant apartments any further. The Board instead elected to add the catch-all category.

CHAIR BURROLA

Chair Burrola asked about the rights of homeless individuals and expressed his understanding that a homelessness category would be added to the Las Casitas policy, to which Assistant Board Attorney Traxler repeated that no such category was added to the policy. She added that, although she would be unable to advise on the specific rights that homeless individuals have, she noted that the Board may amend the guidelines to add a homelessness category, though the change would not affect tonight's proposed lottery.

Chair Burrola then asked about the rights of homeless individuals, to which Assistant Board Attorney Traxler emphasized that she is unable to discuss this topic at this time; however, the Board can direct staff to prepare a response and present the information to the Board at a later date.

BOARD MEMBER
ORTIZ

Board Member Ortiz agreed that the guidelines should be amended, but suggested that the change be applied to future vacancies.

CHAIR BURROLA

Responding to a question by Chair Burrola, Assistant Board Traxler advised that the Board is not being requested to make any decisions at this time. Rather, the purpose of this item is to break any tie scores in the applicant ranking list.

BOARD ATTORNEY
GUERRA

Board Attorney Guerra added that the action would essentially consist of conducting a lottery in public so the public can see the names drawn. He stated that the drawing could be done after the Board Members' questions are answered and the public is afforded the opportunity to offer their comments.

BOARD MEMBER GARCIA	Board Member Garcia noted that the top three applicants have already been determined and that a fourth applicant may not need to be identified.
CHAIR BURROLA	Chair Burrola urged for a resolution to be adopted to assist the homeless individuals on the applicant ranking list.
DENA ZEPEDA	Dena Zepeda spoke against what she perceives to be discrimination against homeless individuals and offered her home to house the homeless. She then complained that there are individuals on the list that are not Irwindale residents.
REBECCA BARBOSA	Rebecca Barbosa questioned whether the individuals on the list reside in Irwindale and asked whether the Housing Authority would purchase additional land to establish more housing. She spoke in favor of amending the current policy to favor the homeless.
LINDA MAREZ	Linda Marez spoke on the need to follow rules and regulations, and the need to apply them consistently and fairly. She stated that the Board should not choose who is awarded the vacant apartments solely by their relationship with the applicant. She also commended housing staff for doing the best they can.
DOLORES BARBOSA	Dolores Barbosa spoke on her previous experiences with the Housing Authority's programs and stated her belief that she was in a situation where she needed to choose whether her sister or her daughter would be able to live with her.
MEGAN ZEPEDA	Megan Zepeda stated her belief that Irwindale residents should be at the top of the list and said that the Board Attorney is trying to trick the Board Members.
FRED BARBOSA	Fred Barbosa stated that the program policy is confusing and wrong.
CHAIR BURROLA	Chair Burrola stated his desire to ask the Board Attorney regarding the laws protecting veterans and the homeless. He also asked whether the city's design guidelines needed to be amended.
MOTION	A motion was made by Chair Burrola to table this matter until guidance is provided regarding how to adopt a resolution to "put this in our design guidelines."
VICE CHAIR AMBRIZ	Vice Chair Ambriz stated that, for fairness, compassion, and transparency's sake, the Board must be consistent. He stated that the Board needs to consider how to incorporate a homeless category in the policy and determine whether the amendment would change the rankings of the individuals on the list. He stated his willingness to table the matter until the amendment could be incorporated in the Las

Casitas policy and guidelines. He further stated that the amendment should be applied to all current applicants.

ASSISTANT BOARD
ATTORNEY TRAXLER

Assistant Board Attorney Traxler noted that, should the Board desire, the guidelines could be amended to include a priority category for homelessness, though this would cause the progress made thus far to be scrapped and the process would need to start over with the amended guidelines, which would prolong the process even further.

BOARD ATTORNEY
GUERRA

Board Attorney Guerra added that the program guidelines establish priorities, which have been in effect since before he started as the Board's attorney. He noted that the amendment to the guidelines that were approved in November of last year did not amend what was considered a priority nor its criteria. Staff presented the Board with the following options to define how a homeless individual would rank: 1) introduce a "catch-all" category, where the priority categories would not be changed, but it allowed for the ranking of homeless individuals. This quicker process is what the Board approved; 2) create a brand new priority that would address homelessness. However, this option would have prolonged the process, which the Board opposed.

Board Attorney Guerra added that the Board may add a priority for homelessness if that is what it desires. He further noted that there are programs from housing authorities across the state that give preference to homeless people, which this Board may also implement. However, such action would first need to be implemented in the policy, and said policy would have to be in place before the application process begins, since the policy should not be changed once the process is underway since it raises fairness questions.

Board Attorney Guerra reiterated that the matter could be tabled if the Board so chooses. However, should the Board desire to add a homelessness priority, he recommended restarting the process so that the policy is in place before individuals begin to apply so that the policy could be applied fairly. Alternatively, if the Board wishes to complete the process with current regulations, staff can do so, and the policy could be amended afterward to adopt the homelessness preference per the Board's direction.

CHAIR BURROLA

Chair Burrola stated his desire to table this matter to amend the policy via a resolution in order to assist those that are homeless and / or veterans.

BOARD MEMBER
ORTIZ

Board Member Ortiz noted that the individuals that have applied for the vacant apartments have been waiting for years, with at least one of them having passed away during the wait. He agreed on the need to amend the policy in order to assist the homeless and veterans, but spoke against creating further delays in awarding the apartments.

CHAIR BURROLA	Chair Burrola disagreed with Board Member Ortiz and suggested that a resolution be drafted to amend the program guidelines, since he believed that the amendment would probably not result in very many changes in the applicant rankings. He also expressed his belief that the amendment would probably not take another year to process, and repeated his request to table the matter to determine how homeless and veteran residents may be assisted.
BOARD MEMBER GARCIA	Board Member Garcia suggested that the existing applicant ranking list be honored. He also stated that, if it is the Board's desire to prioritize the homeless and veterans from Irwindale, that this would need to be specified in the guidelines. He noted that some of the individuals have been on the list for many years and that it would not be fair to them to have to reinstate the entire process.
CHAIR BURROLA	Chair Burrola stated that the Board does not know how the applicants would be affected until the specific amendments are adopted. He stated his belief that any changes probably would not affect the existing list by much, and repeated his request to table this matter to discuss which changes the Board would like to implement to the guidelines.
BOARD MEMBER GARCIA	Board Member Garcia noted that the Board could opt to simply take no action at this time, to which Chair Burrola repeated his preference to table this matter in order to adopt a resolution to amend the guidelines to assist the homeless. He also repeated his belief that the applicant ranking list would remain the same.
BOARD ATTORNEY GUERRA	Board Attorney Guerra recommended that, should the Board opt to amend the program priorities, that the application process be restarted since additional people may choose to apply, which in turn would affect the ranking list. He added that staff needs direction from the Board as to which specific changes the Board would like to implement, and which priority should be given to the homeless, disabled individuals, and veterans, for example.
VICE CHAIR AMBRIZ	Vice Chair Ambriz stated that staff has an idea of the Board's desire. He recommended that staff consider the input that the Board has provided and return with additional information to be considered at the next meeting. He repeated his understanding that the guidelines would previously be amended to categorize homeless applicants, and stated his preference that the process remain fair. He then seconded Chair Burrola's motion.
ROLL CALL	Upon roll call vote for the above-mentioned motion, Board Members Garcia and Ortiz abstained, Vice Chair Ambriz and Chair Burrola voted in favor, and Board Member Breceda was absent.

HOUSING AUTHORITY MINUTES
REGULAR MEETING

APRIL 27, 2022
PAGE 7

RECESS	At 8:53 p.m., Board Attorney Guerra requested a short recess to determine the results of the roll call vote.
RECONVENE	At 9:05 p.m., the Board reconvened in Open Session.
BOARD ATTORNEY GUERRA	Board Attorney Guerra advised that motions require a majority of the quorum in order to pass. However, the motion made does not have a clear majority; as such, the safe presumption is that the motion was not approved.
VICE CHAIR AMBRIZ	Vice Chair Ambriz suggested taking no action and tabling the matter for a future meeting, to which Board Attorney Guerra advised that staff could simply bring back the same staff report at the next meeting for further discussion.
MOTION	A motion was made by Vice Chair Ambriz, seconded by Board Member Ortiz, to continue this matter at the next meeting. The motion was approved, with Board Member Ortiz, Vice Chair Ambriz, and Chair Burrola in favor, Board Member Garcia opposed, and Board Member Breceda absent.
BOARD MEMBER BRECEDA	At 9:09 p.m., Board Member Breceda returned to the meeting.
<u>PUBLIC HEARINGS</u>	None.
<u>ADJOURNMENT</u>	There being no further business to conduct, the meeting was adjourned at 9:09 p.m.

Laura M. Nieto, MMC
Chief Assistant Authority Secretary

- ☐ City Council
- ☐ Successor Agency
- ☒ Housing Authority
- ☐ Reclamation Authority
- ☐ Joint Powers Authority

City of
IRWINDALE
AGENDA REPORT

HA Item
Item 2A

Date: May 11, 2022
To: Honorable Chair and Members of the Housing Authority
From: Julian A. Miranda, Executive Director
Issues: Las Casitas Eligibility Ranking List and Blind Drawing

Executive Director's Recommendation:

That the Housing Authority Board conduct a random blind drawing to break ties among the Las Casitas Eligibility Ranking List

Submitted by:

Julian A. Miranda, Executive Director

Prepared by:

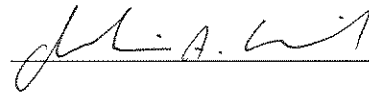
Jamie L. Traxler, Assistant Authority Counsel

Reviewed by:

Adrian R. Guerra, Authority Counsel

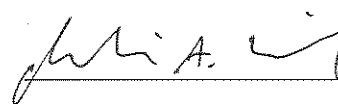
Approved by:

Julian A. Miranda, Executive Director



Electronically Approved

Electronically Approved



BACKGROUND AND ANALYSIS:

This item was presented to the Housing Authority Board on April 27, 2022. This item was tabled and is being presented to the Board at the meeting of May 11, 2022 for further discussion.

There are currently three (3) units at the Las Casitas Senior Apartment Complex that are available for rent. All three (3) units are designated as Extremely Low Income units. In

June 2021, the Housing Authority opened the application period for the available units. The deadline to submit all application materials in person was no later than July 15, 2021 at 6:00 p.m., or if mailed, the application packet must have been postmarked before midnight on July 15, 2021.

When the Housing Authority opened the application period, fifty-eight (58) applications were distributed for the three available (3) units. Thirty-seven (37) applications were received. Of the thirty-seven (37) applications, twenty-seven (27) have been deemed complete and eligible according to the Las Casitas Guidelines Policies and Procedures For Senior Low/Moderate Income Housing Apartment Rental Program ("Guidelines") for the Extremely Low Income priority.

At the Board's regular meeting of November 10, 2021, the Board considered a change to the Guidelines in order for Authority staff to finalize the current application ranking process. While processing applications for the three (3) available units, Staff had been unable to rank all of the applications because the Priority categories did not provide a way to rank applicants who do not qualify for any of the preferences. Options were presented to the Board.

Authority Staff recommended an amendment to the Third Priority category to provide for a "None of the above" option, which would be a "catch-all" option and allow the Authority to rank those applicants who do not qualify for any of the preferences listed. This change would allow staff to finalize the current application ranking process.

Alternatively, the Authority Board was given the option to adopt a priority or preference for homeless individuals, and direct staff to amend the Third Priority criteria with a priority number of the Board's choosing. This option would have required staff to amend the Guidelines, inform applicants, allow for a re-submission of information period, and time for staff to re-analyze and re-score the eligible applications, which would have caused a delay in the application process.

Three changes were made to the Guidelines based on a 4-0 vote of the Board: (1) Adding priority 6 "None of the above" to the 3rd Priority category; (2) providing for an affidavit procedure to verify information submitted under penalty of perjury which cannot otherwise be authenticated or confirmed; (3) Administrative hearing procedures for the Board to hear appeals as to applicant eligibility status, if necessary. (A copy of the November 10, 2021 Staff Report and redlined Guidelines, as well as the Minutes of the November 10, 2021 Meeting of the Board are attached hereto as Exhibit "A".) The current and revised final Guidelines are attached hereto as Exhibit "B."

Staff have now finalized their review of all applications. In accordance with the Guideline Application Procedures section D(1)(h), the Executive Director is vested with the authority to make the final determination of priority ratings. Attached hereto as Exhibit "C" is the current Las Casitas Eligibility Ranking List. Staff will now notify the top three ranked applicants of their eligibility and mail the necessary rental agreement documents to begin processing the rental agreements. The names of the top three ranked applicants are being provided to the Board for informational purposes only. (Guidelines, section D(1)(h).)

In the event that any of the top three ranked applicants are unable to complete a rental agreement, Staff will need to contact the fourth applicant on the eligibility list but there is currently a tie in the rankings between two or more eligible applicants.

For this reason, and in accordance with the Guidelines, in the event a tie in rankings occurs between two (2) or more applicants, the total priority rank order will be assigned by a random blind drawing publicly conducted by the Board during a duly noticed Board meeting. (Guidelines, section D(1)(h).) It is therefore recommended that the Board conduct a blind drawing to finalize priority ranking order among the applicants who are tied for the fourth place ranking. Once the Board conducts the Blind drawing, the list will be final.

FISCAL IMPACT:

None.

ATTACHMENTS:

- A. November 10, 2021 Staff Report and Minutes of the Authority Board
- B. Las Casitas Guidelines, Policies, and Procedures for Senior Low/Moderate Income Housing Apartment Rental Program
- C. Las Casitas Eligibility Ranking List

- ☐ City Council
- ☐ Successor Agency
- ☒ Housing Authority
- ☐ Reclamation Authority
- ☐ Joint Powers Authority

City of
IRWINDALE
AGENDA REPORT

Date: November 10, 2021
To: Honorable Chair and Members of the Housing Authority
From: William K. Tam, Executive Director
Issues: Amendment to the Guidelines, Policies and Procedures for Senior Low/Moderate Income Housing Apartment Rental Program

Executive Director's Recommendation:

1. Adopt Resolution No. HA 2021-08-107, entitled, "A RESOLUTION OF THE BOARD OF DIRECTORS OF THE IRWINDALE HOUSING AUTHORITY APPROVING AN AMENDMENT TO THE GUIDELINES, POLICIES AND PROCEDURES FOR SENIOR LOW/MODERATE INCOME HOUSING APARTMENT RENTAL PROGRAM," reading by title only and waiving further reading thereof.

Prepared and Submitted by:

Jamie Traxler, Assistant Authority Counsel

Electronically Approved

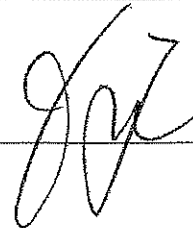
Reviewed by:

Adrian R. Guerra, Authority Counsel

Electronically Approved

Approved by:

William K. Tam, Executive Director



BACKGROUND AND ANALYSIS:

There are currently three (3) units at the Las Casitas Senior Apartment Complex that are available for rent. All three (3) units are designated as extremely low income units. Irwindale Housing Authority staff have been in the process of reviewing applications for eligibility and have put together a preliminary ranking list, based on the priority ranking requirements of the Guidelines, Policies and Procedures For Senior Low/Moderate Income Housing Apartment Rental Program ("Guidelines").

The Guidelines provide detailed requirements for tenant selection and break down the process into four priority categories listed below:

First Priority:

- Must be a senior age 62 or older; and
- income eligible based on the designated income level for the available apartment unit.

Second Priority:

- Disabled – Priority 1
- Veteran – Priority 2
- None of the above - Priority 3

Third Priority:

- Shared Renter for longer than one (1) year prior to Application - Priority 1.
- Shared Renter for less than (1) year prior to Application - Priority 2.
- Persons residing in rental accommodations (single/married) for longer than one (1) year prior to Application - Priority 3.
- Persons residing in rental accommodations (single/married) for less than one (1) year prior to Application - Priority 4.
- Persons owning residence or other residential real property - Priority 5.

Final Priority:

- Category A Continuous Irwindale Resident - Priority 1
- Category B Continuous Resident - Priority 2
- Interrupted Resident - Priority 3
- Former Resident - Priority 4
- Immediate Family Member-Priority 5
- None of the above - Priority 6

These priorities can also be described as preferences. They work by giving applicants a priority or preference for fitting into the above-described categories. The applicant who receives the greatest number of priorities scores the lowest total number of points and would be awarded a unit.

Priority Ranking

While processing applications for the three (3) available units, Staff have been unable to rank all of the applications because the Priority categories do not provide a way to rank applicants who do not qualify for any of the preferences.

For example, for applicants who claim that they are homeless or more generally, claim that they are neither renting nor a homeowner, there is no way to achieve a total ranked score because the Third Priority category assumes that the applicant is either a renter or homeowner and doesn't provide an alternative.

Authority Staff are now recommending an amendment to the Third Priority category to provide for a "None of the above" option, which would be a "catch-all" option and allow the Authority to rank those applicants who do not qualify for any of the preferences listed.

Alternatively, the Authority Board may adopt a priority or preference for homeless individuals, and direct staff to amend the Third Priority criteria with a priority number of the Board's choosing.

Affidavit Procedure

Similar to the First Time Homebuyer's Program, Housing Authority Staff are now recommending an amendment to the Guidelines for applicants to submit affidavits signed and submitted under penalty of perjury in order to verify information that cannot be verified through Documentation as described in Section (D)(1)(j) of the Guidelines, such as birth certificates, current pay check stubs, income tax returns, employment/salary verification, bank statements for all checking and/or savings accounts, telephone records and utility records, hospital admittance records, medical care records, and records of educational institutions and public agencies as the same are relevant to matters pertaining to verification of information submitted.

A formal amendment to the Guidelines would authorize Staff to accept affidavits signed and submitted under penalty of perjury in order to verify information which cannot be readily verified through other means of Documentation.

Administrative Hearing Procedure

The Guidelines require ineligible applicants to be notified, in writing, with a statement why the Applicant has been denied and advising the Applicant of his or her right to appeal the determination in writing within ten (10) days of the letter of denial. Appeals will be heard by the Authority Board and the Authority Board's determination shall be final. In the next few weeks, Staff will be sending letters of ineligibility to many applicants. The Guidelines do not currently provide an appeal procedure for applicants to appeal their ineligibility determination.

Authority Staff are now recommending the adoption of administrative hearing guidelines which will provide a framework for the Board to hold quasi-judicial appeal

hearings. Due process requires at a minimum, sufficient notice of Staff's proposed action and a reasonable opportunity to be heard and present objections to the proposed action by the Board.

In adopting these guidelines, the Authority is ensuring that if a decision of the Board is challenged in court, the proceedings are preserved for the court to review, including a transcript of the hearing and that the relevant party was afforded adequate due process. On judicial review of a decision pursuant to these guidelines, a court would determine whether the relevant party was afforded due process, and whether the Board abused its discretion in making its decision.

Abuse of discretion is determined by an inquiry into whether the decision was supported by substantial evidence. By issuing a written decision that is based on substantial evidence presented at the Board hearing and relevant legal authority, the court is able to determine the whether the reasoning behind the Board's decision was sound. Well-reasoned decisions of the Board which apply the facts of the evidence presented at the hearing to applicable legal authority are less likely to be overturned based on a finding of an abuse of discretion. These guidelines provide a framework and record for the Board to be able to defend the basis and reasoning for its final decision.

Conclusion

It is therefore recommended that the Board Adopt Resolution No. HA 2021-XX-XXX, entitled, "A RESOLUTION OF THE IRWINDALE HOUSING AUTHORITY APPROVING AN AMENDMENT TO THE GUIDELINES, POLICIES AND PROCEDURES FOR SENIOR LOW/MODERATE INCOME HOUSING APARTMENT RENTAL PROGRAM."

FISCAL IMPACT:

None.

ATTACHMENTS:

1. Resolution No. HA 2021-08-107, entitled, "A RESOLUTION OF THE BOARD OF DIRECTORS OF THE IRWINDALE HOUSING AUTHORITY APPROVING AN AMENDMENT TO THE GUIDELINES, POLICIES, AND PROCEDURES FOR SENIOR LOW/MODERATE INCOME HOUSING APARTMENT RENTAL PROGRAM."
2. Redlined Guidelines, Policies and Procedures For Senior Low/Moderate Income Housing Apartment Rental Program

Attachment 1

RESOLUTION NO. HA 2021-08-107

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE IRWINDALE HOUSING AUTHORITY APPROVING AN AMENDMENT TO THE GUIDELINES, POLICIES, AND PROCEDURES FOR SENIOR LOW/MODERATE INCOME HOUSING APARTMENT RENTAL PROGRAM

WHEREAS, pursuant to California Health & Safety Code § 34310 *et seq.*, the Authority has the power to make any by-laws and regulations to carry into the effect of the powers and purposes of the Authority; and

WHEREAS, the Senior Low/Moderate Income Housing Apartment Rental Program provides priorities to those applicants who meet certain criteria listed in the Guidelines, Policies, and Procedures For Senior Low/Moderate Income Housing Apartment Rental Program ("Guidelines"); and

WHEREAS, Staff have been unable to rank all of the applications for the Program because the priority categories do not provide a way to rank applicants who do not qualify for any of the priorities listed; and

WHEREAS, the Irwindale Housing Authority Board wishes to amend the Guidelines to provide a way to rank those applicants who do not qualify for any of the priorities listed; and

WHEREAS, the Irwindale Housing Authority Board wishes to amend the Guidelines to authorize Authority Staff to accept affidavits signed and submitted under penalty of perjury by applicants in order to verify information which cannot be readily verified through other means of Documentation, as defined in the Guidelines; and

WHEREAS, the Irwindale Housing Authority Board wishes to amend the Guidelines, to allow the Irwindale Housing Authority Board to hold administrative hearings on, *inter alia*, appeals by applicants and further review of applications and determinations of eligibility; and

WHEREAS, the adoption of administrative hearing guidelines and procedures is necessary to ensure that applicants are afforded due process and in order to establish and preserve the Authority's administrative record upon judicial review.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE IRWINDALE HOUSING AUTHORITY DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. The Board of Directors of the Irwindale Housing Authority hereby approves the Guidelines, Policies and Procedures For Senior Low/Moderate Income Housing Apartment Rental Program, attached hereto as **Exhibit "A"**.

SECTION 2. The Executive Director is hereby directed to make available to interested persons copies of said Guidelines for use by such persons in the application or administrative hearing process.

SECTION 3. The Chief Authority Assistant Secretary shall certify to the passage and adoption of this Resolution, and the same shall thereupon take immediate effect.

PASSED, APPROVED, AND ADOPTED this 10th day of November, 2021.

H. Manuel Ortiz, Authority Chair

ATTEST

Laura M. Nieto, MMC
Chief Authority Assistant Secretary

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss.
CITY OF IRWINDALE }

I, Laura M. Nieto, Chief Authority Assistant Secretary of the Irwindale Housing Authority, do hereby certify that the foregoing Resolution No. HA 2021-08-107 was adopted at a regular meeting of the Irwindale Housing Authority held on November 10, 2021, by the following vote:

AYES: Authority Member:

NOES: Authority Member:

ABSENT: Authority Member:

ABSTAIN: Authority Member:

Laura M. Nieto, MMC
Chief Authority Assistant Secretary
Irwindale Housing Authority

Resolution No. HA 2021-08-107
Page 2

ATTACHMENT 2

**IRWINDALE HOUSING AUTHORITY
GUIDELINES, POLICIES AND
PROCEDURES FOR
SENIOR LOW/MODERATE INCOME
HOUSING APARTMENT RENTAL
PROGRAM**

Adopted by the:

Irwindale Housing Authority

Approved: March 9, 2011

Revised: May 26, 2021

**IRWINDALE CITY COUNCIL CHAMBERS
5050 N. IRWINDALE AVENUE
IRWINDALE, CALIFORNIA 91706**

**NOVEMBER 10, 2021
WEDNESDAY
9:23 P.M.**

The Irwindale **HOUSING AUTHORITY** met in regular session at the above time and place.

ROLL CALL:

Present: Board Members Albert F. Ambriz, Mark A. Breceda, Manuel R. Garcia, Vice Chair Larry G. Burrola; Chair H. Manuel Ortiz

Also present: William Tam, Executive Director; Theresa Olivares, Assistant Executive Director; Adrian Guerra, Board Attorney; Ty Henshaw, Chief of Police; Arsanious Hanna, Director of Engineering / Building Official; Eva Carreon, Finance Director / City Treasurer; Jeanette Duran, Finance Manager; Marilyn Simpson, Community Development Director; Mary Hull, Human Resources Manager, Elizabeth Rodriguez, Public Services Director; Jeff Wagner, Information Technology Manager; Iris Espino, Assistant to the City Manager; and Laura Nieto, Chief Assistant Authority Secretary

**SPONTANEOUS
COMMUNICATIONS**

There were no speakers.

CONSENT CALENDAR

MOTION

A motion was made by Board Member Breceda, seconded by Chair Ortiz, to approve Consent Calendar, reading resolutions and ordinances by title only and waiving further reading thereof. The motion was unanimously approved.

**ITEM NO. 1A
MINUTES**

MINUTES

The following minutes were approved:

- 1) Regular meeting held September 8, 2021
- 2) Regular meeting held September 22, 2021

**ITEM NO. 1B
A RESOLUTION TO
RE-RATIFY THE
EXISTENCE OF A
LOCAL EMERGENCY
AND AUTHORIZE
REMOTE HYBRID
MEETINGS OF THE
LEGISLATIVE BODIES
OF THE CITY OF
IRWINDALE FOR THE
MONTH OF
DECEMBER 2021**

A RESOLUTION TO RE-RATIFY THE EXISTENCE OF A LOCAL EMERGENCY AND AUTHORIZE REMOTE HYBRID MEETINGS OF THE LEGISLATIVE BODIES OF THE CITY OF IRWINDALE FOR THE MONTH OF DECEMBER 2021 (Joint Item on the City council and Successor Agency)

RESOLUTION NO.
HA 2021-07-106
ADOPTED

Resolution No. HA 2021-07-106, entitled:

"A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, SUCCESSOR AGENCY TO THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY, AND THE BOARD OF THE HOUSING AUTHORITY OF THE CITY OF IRWINDALE, CALIFORNIA, RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM ON MARCH 4, 2020, AND AUTHORIZING REMOTE HYBRID MEETINGS OF THE LEGISLATIVE BODIES OF THE CITY OF IRWINDALE FOR THE 30-DAY PERIOD BEGINNING DECEMBER 1, 2021, THROUGH DECEMBER 30, 2021, PURSUANT TO THE RALPH M. BROWN ACT AND ASSEMBLY BILL NO. 361," was adopted.

NEW BUSINESS

ITEM NO. 2A
UPDATE ON STATUS
OF LAS CASITAS
VACANCIES

UPDATE ON STATUS OF LAS CASITAS VACANCIES (verbal)

DIRECTOR SIMPSON

Director Simpson provided the update. She advised that, of the 58 applications distributed for the three vacant apartments, 37 were returned. Of those, 23 were complete and met the HA Board approved guidelines. However, some of the applicants did not fit into the existing criteria of the guidelines and, in order to rank the qualified applications, the Board would need to provide direction. This will be discussed in detail during the next agenda item.

ITEM NO. 2B
AMENDMENT TO THE
GUIDELINES,
POLICIES, AND
PROCEDURES FOR
SENIOR LOW /
MODERATE INCOME
HOUSING APARTMENT
RENTAL PROGRAM

AMENDMENT TO THE GUIDELINES, POLICIES, AND
PROCEDURES FOR SENIOR LOW/MODERATE INCOME
HOUSING APARTMENT RENTAL PROGRAM

BOARD MEMBER
BRECEDA

Board Member Breceda declared a potential conflict of interest and exited the Council Chambers at 9:29 p.m.

ASSISTANT BOARD
ATTORNEY TRAXLER

Assistant Board Attorney Traxler presented the staff report.

BOARD MEMBER
AMBRIZ

Replying to several question by Board Member Ambriz, Assistant Board Attorney Traxler discussed the requirements under the Guidelines for Continuous Irwindale residents.

Board Member Ambriz suggested shortening the length of time that residents must prove residency through documents in order to qualify for Category A residency, from 15 years down to 5 years.

CHAIR ORTIZ

Chair Ortiz asked about utilizing affidavits under the guidelines, to which Assistant Board Attorney Traxler advised that affidavits could be utilized for any documentation that cannot be verified. She also noted that the documentation of 15 years of residency in order to be classified a Category A resident is applicable to all Irwindale housing programs.

BOARD MEMBER
AMBRIZ

In response to a question by Board Member Ambriz, Assistant Board Attorney Traxler advised that the three vacant apartment units have all been designated for extremely low-income households. She also advised that the complete removal of the moderate-income classification under this program would need to be negotiated with Northridge Management and implemented in the Disposition and Development Agreement as well as the Regulatory Agreement.

Board Member Ambriz asked whether the Board may discuss the purchase of the lease agreement with Northridge, to which Assistant Board Attorney Traxler indicated that it may not since it is not on the agenda. Board Member Ambriz requested that the matter be placed on the next agenda for discussion.

CHAIR ORTIZ

Chair Ortiz concurred with lowering the documentation requirement from 15 years to 5 years. He then asked whether this change would need to be relayed to the current applicants, to which Assistant Board Attorney Traxler advised that changing the guidelines that defines a Category A resident would cause staff to have to re-analyze and re-score the eligible applications, which would cause a delay.

EXECUTIVE DIRECTOR
TAM

Executive Director Tam reminded the Board that the purpose of this report was to take action that would permit staff to finalize the current application ranking process. The potential to change the residency requirements and the possible removal of eligibility of moderate-income households from the program would be addressed in the future.

RESOLUTION NO.
HA 2021-08-107
ADOPTED

Resolution No. HA 2021-08-107, entitled:

"A RESOLUTION OF THE BOARD OF DIRECTORS OF THE IRWINDALE HOUSING AUTHORITY APPROVING AN AMENDMENT TO THE GUIDELINES, POLICIES AND PROCEDURES FOR SENIOR LOW/MODERATE INCOME HOUSING APARTMENT RENTAL PROGRAM," was passed, approved, and adopted, with the addition of a "Priority 6" category of "None of the Above" under the Third Priority Criteria, and the Guidelines were amended to provide for an affidavit procedure

whereby applicants may submit an affidavit to verify information under penalty of perjury in order to verify information that cannot be verified through documentation requested, and to provide for an administrative hearing procedure to determine applicant eligibility, if necessary, on the motion of Board Member Ambriz, seconded by Vice Chair Burrola, and unanimously approved.

ITEM NO. 2C
CONSIDERATION OF
FINANCIAL ASPECTS
OF REQUEST FOR
PROPOSALS FOR
DEVELOPMENT OF
AFFORDABLE
HOUSING UNITS ON
SOUTHERN THREE
(3) ACRES OF LAND
LOCATED AT 5100
ALLEN DRIVE

CONSIDERATION OF FINANCIAL ASPECTS OF REQUEST FOR PROPOSALS FOR DEVELOPMENT OF AFFORDABLE HOUSING UNITS ON SOUTHERN THREE (3) ACRES OF LAND LOCATED AT 5100 ALLEN DRIVE

The Board reach consensus to continue this matter to the next meeting.

ITEM NO. 2D
PROJECT
ACCEPTANCE AND
RATIFY THE
CONTRACT CHANGE
ORDERS FOR THE
MAYANS HOUSING
PROJECT PHASE 2,
PHASE 3,
AND PHASE 4

PROJECT ACCEPTANCE AND RATIFY THE CONTRACT CHANGE ORDERS (CCOs) FOR THE MAYANS HOUSING PROJECT PHASE 2 (IRWINDALE AVENUE), PHASE 3 (BACA AVENUE) AND PHASE 4 (MOUNTAIN AVENUE / AMBRIZ STREET)

EXECUTIVE DIRECTOR
TAM

Executive Director Tam presented the staff report.

CHAIR ORTIZ

Replying to a question by Chair Ortiz, Executive Director Tam advised that the Housing Authority pays the fees for the construction as well as for change order items not included in the original project proposal.

Chair Ortiz also asked about the moneys that Mayans still owes, to which Executive Director Tam advised that the amount would be applied toward the closing costs of the final home. He added that the Finance Director will ensure that this is part of the conditions that must be met before the close of escrow.

MOTION

A motion was made by Vice Chair Burrola, seconded by Chair Ortiz, to: 1) ratify the contract change orders for the Mayans Housing Project Phase 2 (Irwindale Avenue), Phase 3 (Baca Avenue), and Phase 4 (Mountain Avenue / Ambriz Street), and accept the project; 2) approve the final construction contract change orders 1 through 3 for Phase 2

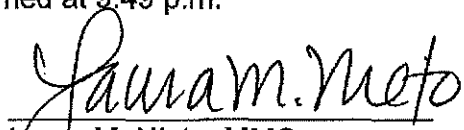
(Irwindale Avenue) in the amount of \$167,315.00; 3) approve the final construction contract change order 4 for Phase 3 (Baca Avenue) in the amount of \$19,229.00; 4) approve the final construction contract change order 5 for Phase 3 (Mountain Avenue / Ambriz Street) in the amount of \$386,909.00; 5) accept a construction credit in the amount of \$125,032.00 issued by California American Water for construction of a water main to service the seven new homes on Ambriz Street (Phase 4 Mountain Avenue); 6) authorize the Chief Authority Assistant Secretary to file the notice of completion; and 7) authorize the Finance Director to release the project retention amount, including the approved contract change orders, for the Mayans Housing Project Phase 2 (Irwindale Avenue), Phase 3 (Baca Avenue), and Phase 4 (Mountain Avenue / Ambriz Street) at the close of escrow of 704 Ambriz Street. The motion was unanimously approved, with Board Member Garcia abstaining and Board Member Breceda absent.

PUBLIC HEARINGS

None.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 9:49 p.m.



Laura M. Nieto, MMC
Chief Assistant Authority Secretary

Approved as submitted at the meeting held January 12, 2022.

ATTACHMENT "B"

Revised: November 10, 2021

GUIDELINES, POLICIES, AND PROCEDURES

SECTION 1. GENERAL

The Irwindale Housing Authority ("Authority") has a goal of providing a multi-family housing stock for Irwindale residents to replace existing substandard housing units and to create safe and sanitary rental opportunities for seniors.

SECTION 2. PROGRAM GUIDELINES, POLICIES AND PROCEDURES

A. Definitions

1. Applicant

A person/family submitting a formal application for consideration and determination of eligibility to rent an apartment hereunder.

2. Application Deadline

The Application Deadline shall be the date established by the Authority as the deadline for submitting Applications for each apartment unit that becomes available.

3. Conflict of Interest

Authority Board members and officers, or management level employees of the Authority are deemed to have a conflict of interest and may not participate in this program. Persons who exercise operational responsibilities relative to any financing pertaining to the apartment project are similarly deemed to have a conflict of interest.

4. Continuous Resident

A "Continuous Resident(s)" shall be placed in two (2) subcategories thereof: Those persons/families continuously residing in Irwindale since at least fifteen (15) year period immediately preceding the Application Deadline shall be identified as "Category A" Continuous Resident. Those persons/families continuously residing in Irwindale for at least thirty-six (36) months but establishing residence on or after fifteen (15) year period immediately preceding the Application Deadline shall be identified as "Category B" Continuous Resident.

5. Disabled Family

- (a) Any person or his/her family member who has a disability or handicap recognized under the Americans with Disabilities Act of 1990, as amended, which includes:
 - (i) a physical or mental impairment that substantially limits one or more of the major life activities of such individual; .
 - (ii) a record of such an impairment; or
 - (iii) being regarded as having such an impairment (42 U.S.C. §12102.)
- (b) A handicap does not include current, illegal use of or addiction to a controlled substance. For purposes of this part, an individual shall not be considered to have a handicap solely because that individual is a transvestite. (24 C.F.R. § 100.201) As used in this definition:
- (c) "Physical or mental impairment" includes:
 - (i) Any physiological disorder or condition, cosmetic; disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological; musculoskeletal; special sense organs; respiratory, including speech organs, cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine; or
 - (ii) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness; and specific learning disabilities. The term "physical or mental impairment" includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, Human Immunodeficiency Virus infection, mental retardation, emotional illness, drug addiction (other than addiction caused by current, illegal use of a controlled substance) and alcoholism.
- (d) "Major life activities" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.
- (e) "Has a record of such an impairment" means has a history of, or has been misclassified as having, a mental or physical . impairment that substantially limits one or more major life activities.
- (f) "Is regarded as having an impairment" means:

- (i) Has a physical or mental impairment that does not substantially limit one or more major life activities but that is treated by another person as constituting such a limitation;
- (ii) Has a physical or mental impairment that substantially limits one or more major life activities only as a result of the attitudes of other toward such impairment; or
- (iii) Has none of the impairments defined in paragraph (i) of this definition but is treated by another person as having such an impairment.

Medical certification of a disability or handicap is required from persons claiming disability who are not recipients of benefits under either 42 U.S.C. § 423 (Social Security Act) or § 102 (b) (5) of the Development Services and Facilities Construction Amendments of 1970. The laws and regulations cited in this Section may be amended from time to time by the appropriate governmental authority. Any such amendments that modify the definitions contained herein shall be automatically incorporated without formal action by the Authority.

6. Former Resident

Persons who previously resided within Irwindale for at least thirty-six (36) consecutive months within the fifteen (15) year period immediately preceding the Application Deadline, but who do not currently reside in Irwindale, shall be considered to be Former Residents.

7. Handicapped Person

A person having a disability or handicap, which (a) is expected to be of long continued and indefinite duration, (b) substantially impedes the person's ability to live independently, and (c) is of such a nature that such ability could not be improved by more suitable housing. Any member of a family who is handicapped qualifies that family as a Disabled Family, (See: "*Disabled Family*".)

8. Immediate Family Member

Parents, grandparents, siblings, or children of Continuous Residents are considered to be Immediate Family Members.

9. Income Qualification Criteria

Extremely low, very low, low and moderate income qualification criteria shall be as set forth in Exhibit "A" hereto, which may be amended from time to time without formal action by the Authority or CRA to be consistent with state laws and regulations (Subchapter 2 of Chapter 6.5 of Division 1

of Title 25, California Code of Regulations; see also: California Health and Safety Code §§ 50106, 50105, 50079.5 and 50093.)

10. Interrupted Resident

Any person (or family) who resided in Irwindale for at least thirty-six (36) consecutive months within the fifteen (15) year period immediately preceding the Application Deadline, moved away for a period of time, but has reestablished a bona fide residence within the City limits of Irwindale for at least one year prior to the Application Deadline shall be considered to be an Interrupted Resident.

11. Non-resident

Any person (or family) who is not now and has not been a resident of Irwindale for at least thirty-six (36) consecutive months within the fifteen (15) year period immediately preceding the Application Deadline.

12. Renter

An applicant successfully completing the application process and renting an apartment hereunder.

13. Senior

A Senior is a person who is at least sixty-two (62) years of age or older.

14. Shared Renter

Persons sharing rental accommodations with unrelated persons.

15. Veteran

Any person who has been honorably discharged from one of the military services of the United States shall be considered a Veteran.

B. Eligibility Criteria

Since the Senior Apartment Rental Program is an apartment rental program, there are two (2) primary criteria which must be met to determine eligibility:

1. Income eligibility under § 2.A.9, above.
2. Be a Senior as specified in § 2.A.12, above.

C. Priorities

Eligible applications from persons/families meeting basic income (extremely low, very low, low or moderate income) criteria, shall be processed based upon the following priority schedule and the application procedures in Section 2.D:

1. First Priority Criteria

- (a) Extremely low income persons/family - nine (9) apartment units
[subject to modification]
- (b) Very low income persons/family - six (6) apartment units
[subject to modification]
- (c) Low income persons/families - five (5) apartment units
[subject to modification]
- (d) Moderate income persons/families - five (5) apartment units
[subject to modification]

A primary goal of the Authority is to create, to the extent feasible, sufficient new rental units to meet the projected needs of Irwindale Seniors. Accordingly, and notwithstanding the initial allocations established in § 2. C.1, above, pertaining to the number of units allocated among the income categories, the Authority reserves the right to reallocate the final number of units specified for each income category, if deemed necessary and appropriate, to meet the quantified needs of Irwindale Seniors.

2. Second Priority Criteria

- (a) Disabled Family Priority 1
- (b) Veteran Priority 2
- (c) None of the above Priority 3

3. Third Priority Criteria

- (a) Shared Renter for longer than one (1) year prior to Application - Priority 1.
- (b) Shared Renter for less than (1) year prior to Application - Priority 2.
- (c) Persons residing in rental accommodations (single/married) for longer than one (1) year prior to Application - Priority 3.
- (d) Persons residing in rental accommodations (single/married) for less than one (1) year prior to Application - Priority 4.

(e) Persons owning residence or other residential real property - Priority 5.

(e)(f) None of the above – Priority 6.

4. Final Priority Criteria

- (a) Category A Continuous Irwindale Resident - Priority 1
- (b) Category B Continuous Resident - Priority 2
- (c) Interrupted Resident - Priority 3
- (d) Former Resident - Priority 4
- (e) Immediate Family Member - Priority 5
- (f) None of the above - Priority 6

D. Application Procedure

1. Applications

- (a) Upon commencement of the application process, interested persons will be required to complete and sign an Application. As a material part of the Application, interested persons will be required to execute an authorization and waiver form for release of information from persons, firms, public entities and others who may retain data necessary for a complete analysis of the Application. Data needed will include name, address, telephone number, family composition and ages, declaration of income and assets, declaration of outstanding financial obligations, veteran status, declaration of physical status (with appropriate medical confirmation), declaration of home ownership status. (See: § 2.D.1(i)). Appropriate assistance in completing the Application will be provided to interested persons, if requested.
- (b) Applications shall be submitted for review and screening.
- (c) Applications will then be assigned to the appropriate First Priority classification under § 2.C.1.
- (d) Within each primary eligibility classification (or priority), the Applications will be further prioritized according to the Second Priority Criteria set forth in § 2.C.2, above.
- (e) Applications will be further prioritized with each category by the Third Priority Criteria set forth in § 2.C.3, above.

- (f) Applications will be finally prioritized within each classification by the Final Eligibility Criteria set forth in § 2.C.4.
- (g) Within the numerical allotments provided by the First Eligibility Criteria (§ 2.C.1), the final order of priority will be established by adding the numerical priority rating assigned to each Application. The Applications will be ranked, in order of descending priority, with the smallest total number assigned being the highest priority. For example, an Applicant who is a Displaced Person (Priority 1), Shared Renter (Priority 1) and a Continuous Resident (Priority 1) will have a total Priority Rating of 3 and would be ranked higher than a person who is a "none of the above" (Priority 4), Property Owner (Priority 5) and an Immediate Family Member (Priority 5) with a total Priority Rating of 13.
- (h) The Executive Director shall be vested with the authority to make the final determination of priority ratings. In the event a tie occurs between two (2) or more Applicants, the total Priority Rating rank order will be assigned by a random blind drawing publicly conducted by the Board during a duly noticed Board meeting.
- (i) The Authority staff will verify the following data:
 - (i) name and address
 - (ii) residence requirement
 - (iii) employment
 - (iv) income
 - (v) existing equity/assets (if applicable)
 - (vi) credit history
 - (vii) property ownership
- (j) Documentation necessary to verify income, age, handicap (disability), and residency requirements shall be submitted with application documents and may include, but is not limited to: birth certificates, current pay check stubs, income tax returns, employment/salary verification, bank statements for all checking and/or savings accounts, telephone records and utility records, hospital admittance records, medical care records, and records of educational institutions and public agencies as the same are relevant to matters pertaining to verification of information submitted.

~~(j)~~(k) If Authority staff is unable to verify necessary information through Documentation as described in Section (D)(1)(i) herein, Authority staff may request and accept a submitted affidavit signed under penalty of perjury to verify any such required information.

~~(k)~~(l) All data submitted shall be verified as true and correct under penalty of perjury of the laws of the State of California. Failure to so verify shall result in application rejection.

~~(l)~~(m) Ineligible Applicants shall be notified, in writing, with a statement indicating why the Applicant has been denied and advising the Applicant of his or her right to appeal the determination in writing within ten (10) days of the letter of denial. Appeals will be heard by the Authority Board and the Authority Board's determination shall be final.

~~(m)~~(n) Eligible Applicants shall be mailed the necessary rental agreement documents to begin processing the rental application. The Authority will provide such assistance as may be necessary to ensure timely and complete submissions.

2. Insufficient Eligible Applications

- (a) If there are insufficient eligible Applicants during the first thirty (30) days of the Application Deadline, the Board may authorize additional time for further applications which will be processed in accordance with the procedures set forth in § 2.D.1, above.
- (b) Priority for Applicants shall be strictly maintained in accordance with the application period during which submittal occurred. Additional Applicants authorized by the Board after the first thirty (30) days shall not be included with the first group of Applicants.
- (c) Once rental agreement documents have been approved, then a move-in date will be established.

3. Hearing Procedures

- (a) Matters Subject to a Hearing. The following matters shall be subject to a hearing under these guidelines:
 - (i) Appeals by an Applicant whom has been deemed ineligible for the housing Program;
 - (ii) Revocation or Termination of any housing award given under this housing program due to improper determinations of Applicant eligibility including;

(A) Failure to provide accurate statements of all information requested in the application, including, but not limited to, address, residency, income, assets, expenses, and family composition at the time of the application such that, the Applicant was ineligible for the housing program at the time of the award;

(B) Housing awards that are inconsistent with, or not authorized by, policy.

(b) **Notice Requirements.** Irwindale Housing Authority staff is authorized and shall provide an Applicant a minimum ten (10) calendar days written notice of a hearing scheduled to take place under these Guidelines. Notice shall include the date, time, and place of the public hearing, the identity of the hearing body, a general explanation of the matter to be considered or action to be taken by the Irwindale Housing Authority, and a general description of the location of the real property, if any, that is the subject of the hearing.

The Irwindale Housing Authority will provide reasonable accommodation for persons with disabilities to participate in the hearing. The Housing Authority must be notified within three (3) calendar days of the scheduled time of the hearing if special accommodations are required.

(c) **Administrative Hearing Panel.** The Irwindale Housing Authority Board shall be the designated Hearing Panel presiding over a hearing under this section. In order to conduct a hearing under these guidelines, a quorum of the Irwindale Housing Authority Board must be present on the Hearing Panel at all times in accordance with Irwindale Municipal Code section 2.32.050. The Board shall have the option, in its sole discretion, to designate a different hearing officer or panel. All procedures described herein shall apply to the designated hearing officer or panel.

(d) **Hearing Procedures and Evidence.** The hearing shall be informal in nature, and formal rules of evidence and discovery do not apply. The hearing shall be open to public observation and nothing herein shall preclude the use of telephonic or other electronic means of communication if deemed appropriate by the Hearing Panel.

(i) The Irwindale Housing Authority shall make available a copy of these governing procedures to the Applicant whom the action is directed.

- (ii) Each party shall have the opportunity to provide testimony and evidence in support of his or her case. The evidentiary record submitted by the parties shall be accepted by the Hearing Panel as prima facie evidence of the respective facts contained therein. Any document or evidence not submitted at the hearing may not be relied upon by the Hearing Panel in rendering a decision. The Hearing Panel may only consider evidence that is made part of the record at the hearing and relevant to the issues raised in the notice and may disregard any other matter.
- (iii) The failure of any applicant to appear at the hearing will constitute a forfeiture of the hearing, a failure to exhaust administrative remedies, and the order of the Hearing Panel will become the final determination.
- (iv) An audio recording or transcript shall be taken of any hearing which takes place under these guidelines. A copy of any such audio recording or transcript shall be provided to the Appellant upon request, and the Irwindale Housing Authority may charge a fee sufficient to cover the actual cost of copying said transcript or audio recording.
- (e) **Written Decision.** After considering all of the testimony and evidence submitted at the hearing, the Hearing Panel must issue a written decision within seven (7) business days of the hearing. The written decision may be in the form of a resolution adopted by the Housing Authority Board. The Hearing Panel will use preponderance of the evidence as the standard of evidence in deciding issues. The written decision shall include a statement of the factual and legal basis for the decision.
 - (i) The statement of the factual basis for the decision shall be based exclusively on the evidence of record in the proceeding and on matters officially noticed in the proceeding. The written decision shall include a reference to judicial review of the Hearing Panel's final decision pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. The decision of the Hearing Panel shall be final when issued.
 - (ii) The written decision shall be sent to all parties by certified mail, return receipt requested. The written decision shall be deemed issued and final when adopted by the Board, or in the case of a designated hearing officer or panel, when mailed.

~~(e)~~(f) **Judicial Review.** A final decision issued by the Hearing Panel may be subject to judicial review within ninety (90) days following the date of the final decision pursuant to California Code of Civil Procedure sections 1094.5 and 1094.6. Computation of the time to appeal shall be governed by the Code of Civil Procedure.

ATTACHMENT "C"

Las Casitas Eligibility Ranking List

Ranking	Score	Applicant's Name	Application Number
1	5	Christina Fraijo	35
2	8	Luis Escoto	26
3	8	Martha Davalos	28
4	10	Linda Armendariz	3
4	10	Maria E. Duenas	6
4	10	Gloria Calderon	12
4	10	Maria Zavala de Nunez	14
4	10	Evangelina Flores	17
4	10	Maria Lourdes Martinez	29
4	10	Antonia Lozano	44
4	10	Luisito V. Arca	45
4	10	Jose Esparza	46
5	11	Veronica S. Lara	9
5	11	Lorene Burrola	25
5	11	Isabel Huanes	34
5	11	Olivia Venegas Maldonado	E9
6	12	Gilbert Guzman	16
6	12	Esperanza Verjan	1
6	12	Olga Himenez	7
6	12	Jacqueline Rodriguez	20
6	12	Telma Ramirez	22
6	12	Romel Lopez	39
6	12	Teresa Fraijo Munoz	40
6	12	Patricia Hall	47
6	12	Beatriz Cruz	E3
7	13	Jesus Raul Sanchez	15
8	14	Joey Hernandez	10

IRWINDALE CITY COUNCIL CHAMBERS
5050 N. IRWINDALE AVENUE
IRWINDALE, CALIFORNIA 91706

CC Item
Item 1A1

APRIL 18, 2022
WEDNESDAY
5:30 P.M.

The Irwindale **CITY COUNCIL** met in special session, beginning at the above time and place.

ROLL CALL:

Present: Councilmembers Mark A. Breceda; H. Manuel Ortiz;
Mayor Pro Tem Albert F. Ambriz; Mayor Larry G. Burrola

Absent: Councilmember Manuel R. Garcia

Present: Julian A. Miranda, City Manager; Adrian Guerra, City Attorney; and Laura Nieto, Chief Deputy City Clerk

SPONTANEOUS
COMMUNICATIONS

CARMEN ROMAN

Carmen Roman complained that holding special meetings is disrespectful to individuals that attend regular meetings. She also spoke against organizations from other cities setting up fireworks booths for fundraisers in Irwindale, and spoke on her perception of conflicts of interest. She stated that allowing additional non-profit organizations to sell fireworks would siphon revenue from the existing non-profits.

DENA ZEPEDA

Dena Zepeda stated that she has worked for several non-profit organizations, and that the new non-profits would compete for revenue with the existing non-profits.

DOLORAS AMADOR

Doloras Amador expressed her belief that it would be unfair to allow additional non-profit organizations to sell fireworks to raise funds since the existing non-profits rely on the funds they raise to support the community. She also noted that allowing additional non-profit organizations to sell fireworks would actually cost the city funding, which would need to be expended to pick up the increased amount of used firework debris.

NEW BUSINESS

ITEM C
INTRODUCTION AND
FIRST READING OF
ORDINANCE NO. 760,
AMENDMENT TO
IMC 8.16.010
DEFINITION OF
"ORGANIZATION"

INTRODUCTION AND FIRST READING OF ORDINANCE NO. 760,
AMENDMENT TO IMC 8.16.010 DEFINITION OF "ORGANIZATION"

CITY MANAGER
MIRANDA

City Manager Miranda advised that he would recuse himself from participating in this matter since he belongs to an organization that sells fireworks in Irwindale.

CITY ATTORNEY GUERRA	City Attorney Guerra presented the staff report and noted revisions to the draft ordinance.
CARMEN ROMAN	Carmen Roman clarified her previous comment.
CITY ATTORNEY GUERRA	City Attorney Guerra noted that the draft ordinance would add the Covina Vikings Youth Football Organization as an entity that may sell fireworks in Irwindale through the end of the fireworks sales period for the year 2022. This will clearly delineate that the organization may not operate beyond the 4 th of July season for 2022, and that the organization would be permitted to return next year to seek permission to sell fireworks for that future season.
CARMEN ROMAN	Carmen Roman noted that the municipal code requires that non-profit organizations reside in Irwindale for at least one year in order to apply to sell fireworks, to which City Attorney Guerra advised that staff could draft the necessary revisions to the application process in order for the Covina Vikings Youth Football Organization to be permitted to submit an application.
COUNCILMEMBER ORTIZ	Councilmember Ortiz stated that he previously voted in favor of allowing the Northview Vikings to sell fireworks since children from Irwindale participate in activities with the organization. He noted that the existing non-profit organizations have been greatly impacted by the pandemic, and that they rely on fireworks sales to fund their activities. He concurred that additional non-profit organizations should not be allowed to sell fireworks in Irwindale. Responding to several questions by Councilmember Ortiz, City Attorney Guerra advised that if the Council votes against allowing Covina Vikings to sell fireworks in Irwindale, then there is no need to adopt the draft ordinance included in the staff report.
MAYOR PRO TEM AMBRIZ	Mayor Pro Tem Ambriz noted that the subject has become more complicated than he anticipated. He acknowledged that the public appears to be against non-profit organizations outside of Irwindale from selling fireworks within the city, and as such, neither the Covina Vikings nor the Northview Vikings should be allowed to sell fireworks in Irwindale.
CITY ATTORNEY GUERRA	City Attorney Guerra noted that, at the previous City Council meeting, staff indicated that the Northview Vikings organization would not be able to sell fireworks in Irwindale since they could not provide the required documentation. Accordingly, this organization is not included in the draft ordinance being presented. The only entity that would have been included in the draft ordinance would be the Covina Vikings. He clarified that, should the Council wish to allow the Covina Vikings organization to sell fireworks in Irwindale, then the ordinance should be adopted. However, if the Council elects to deny the request

from the Covina Vikings to sell fireworks in Irwindale, then there is no need to take any action.

**COUNCILMEMBER
BRECEDA**

Councilmember Breceda stated that he only intended for one additional non-profit to sell fireworks in Irwindale. He further stated that he has no issues with the Northview Vikings since many residents have previously or currently attend Northview High School, and his intent was for this organization to sell fireworks as a way to help fund their activities.

MAYOR BURROLA

Mayor Burrola stated his support for youth sports organizations. He noted the financial impacts that the pandemic has had on local non-profit organizations and stated that authorizing just one additional non-profit to raise funds by selling fireworks in Irwindale would affect the established non-profits.

**COUNCILMEMBER
BRECEDA**

Councilmember Breceda spoke on his financial support of youth sports organizations, and indicated that he would speak to his Covina Council colleagues to identify other ways that these organizations may hold fundraisers.

MOTION

A motion was made by Councilmember Ortiz, seconded by Mayor Pro Tem Ambriz, to deny the draft ordinance.

**CITY ATTORNEY
GUERRA**

City Attorney Guerra recommended revising the motion to simply receive and file the report and take no action on the ordinance.

REVISED MOTION

Councilmember Ortiz revised his motion to receive and file the report and take no action on the ordinance.

ROLL CALL

The above-mentioned motion, which was seconded by Mayor Pro Tem Ambriz, was unanimously approved; Councilmember Garcia absent.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 6:11 p.m.

Laura M. Nieto, MMC
Chief Deputy City Clerk

**IRWINDALE CITY COUNCIL CHAMBERS
5050 N. IRWINDALE AVENUE
IRWINDALE, CALIFORNIA 91706**

CC Item
Item 1A2

**APRIL 27, 2022
WEDNESDAY
5:31 P.M.**

The Irwindale **CITY COUNCIL** met in special session at the above time and place.

ROLL CALL:

Present: Councilmembers Mark A. Breceda, Manuel R. Garcia,
H. Manuel Ortiz; Mayor Pro Tem Albert F. Ambriz;
Mayor Larry G. Burrola

Also Present: Julian A. Miranda, City Manager; Adrian Guerra, City
Attorney.

**SPONTANEOUS
COMMUNICATIONS**

There were no speakers.

**RECESS TO
CLOSED SESSION**

At 5:33 p.m., the City Council met in Closed Session to discuss the
following:

Conference with Legal Counsel – Existing Litigation
Pursuant to California Government Code Section 54956.9

Name of Case: Five Points, LP vs. City of Irwindale
Case Number: 22STCV01394

ACTION: Discussed, update given, direction provided to staff

Conference with Real Property Negotiators
Pursuant to California Government Code Section 54956.8

Property: Olive Pit (APN 8415-001-906, 908)
Agency Negotiator: Julian A. Miranda, City Manager
Negotiating Parties: United Rock Products Corp.
Under Negotiation: Sublease Price and Terms

ACTION: Discussed; direction provided to staff

Liability Claims
Pursuant to Government Code Section 54956.95

Claimant: Fred & Becky Barbosa
Agency claimed against: City of Irwindale, Irwindale Housing
Authority

ACTION: Discussed, no action taken

**RECONVENE IN
OPEN SESSION**

At 6:47 p.m., the City Council reconvened in Open Session.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 6:48 p.m.

Laura M. Nieto, MMC
Chief Deputy City Clerk

**IRWINDALE CITY COUNCIL CHAMBERS
5050 N. IRWINDALE AVENUE
IRWINDALE, CALIFORNIA 91706**

CC Item
Item 1A3

**APRIL 27, 2022
WEDNESDAY
6:48 P.M.**

The Irwindale **CITY COUNCIL** met in regular session, beginning at the above time and place.

ROLL CALL:

Present: Councilmembers Mark A. Breceda, Manuel R. Garcia,
H. Manuel Ortiz; Mayor Pro Tem Albert F. Ambriz;
Mayor Larry G. Burrola

Present: Julian A. Miranda, City Manager; Theresa Olivares,
Assistant City Manager; Adrian Guerra, City Attorney; Ty Henshaw,
Chief of Police; Arsanious Hanna, Director of Engineering / Building
Official; Jeanette Duran, Interim Director of Finance / City Treasurer;
Marilyn Simpson, Community Development Director; Mary Hull,
Human Resources Manager, Elizabeth Rodriguez, Public Services
Director; Jeff Wagner, Information Technology Manager; Iris Espino,
Assistant to the City Manager; and Laura Nieto, Chief Deputy City
Clerk

**CHANGES TO THE
AGENDA**

**CITY MANAGER
MIRANDA**

City Manager Miranda advised that Item No. 5 would not be
discussed tonight and will be placed on a future agenda at the request
of Mayor Burrola.

**COUNCILMEMBER
TRAVEL REPORTS**

**COUNCILMEMBER
BRECEDA**

Councilmember Breceda reported on his recent attendance at an
Independent Cities Association conference held in Indian Wells,
where topics such as homelessness and public transportation were
discussed.

**COUNCILMEMBER
COMMENTS**

MAYOR BURROLA

Mayor Burrola spoke positively of a recent joint meeting between the
City Council and the Planning Commission to discuss the General
Plan update. He requested that the public be informed of future joint
meetings.

**MAYOR PRO TEM
AMBRIZ**

Mayor Pro Tem Ambriz thanked staff for coordinating the Mayor's
State of the City address as well as for the joint meeting between the
City Council and the Planning Commission. He noted that the joint
meeting included discussion regarding housing and the related state
mandates. He stated that he was unsure whether the Council ever
reached a final decision as to its vision for the use of the 10-acre site,
including the 3-acre portion that has been reserved for housing. He
suggested holding a community workshop as soon as possible to
gauge the public's preferences for the site.

COUNCILMEMBER
ORTIZ

Councilmember Ortiz commended the Recreation Department staff and the Parks & Recreation Commission for their involvement in the successful Easter Eggstravaganza event. He also thanked staff for coordinating the Mayor's State of the City event, and noted the high level of participation at the recent City Council/Planning Commission joint meeting. He suggested that additional joint meetings be held in the future.

MAYOR BURROLA

In response to a question by Mayor Burrola, City Attorney Guerra advised that the City has previously transferred land to the Housing Authority, and that a community workshop could be held anytime to discuss what should be developed at the site. City Attorney Guerra noted that Mayor Pro Tem Ambriz asked about the Council's vision for the site, and further advised that it is his understanding that the 3-acre portion of the site has been identified as being reserved for housing in the General Plan, though he was unsure whether the portion has been zoned for such use. He noted that, should the City wish to include more than 3 acres for housing, the General Plan and the Zoning Code would likely need to be amended.

CITY ATTORNEY
GUERRA

City Attorney Guerra requested for the Council to provide input to staff on what it envisions for placement at the 10-acre site, after which staff would be equipped to carve out a path forward with regard to the General Plan and the Zoning Code.

**INTRODUCTION OF
NEW EMPLOYEES /
PROMOTIONS**

None.

**PROCLAMATIONS /
PRESENTATIONS /
COMMENDATIONS**

CHAMBER OF
COMMERCE
BUSINESS OF THE
MONTH – SCE
FEDERAL CREDIT
UNION

CHAMBER OF COMMERCE BUSINESS OF THE MONTH – SCE
FEDERAL CREDIT UNION

The presentation was made.

VETERANS
MONUMENT
PRESENTATION BY
SEVENTH STREET
DEVELOPMENT

VETERANS MONUMENT PRESENTATION BY SEVENTH STREET
DEVELOPMENT

The presentation was made.

PROCLAMATION
PROCLAIMING
MUNICIPAL CLERK'S
WEEK

PROCLAMATION PROCLAIMING MUNICIPAL CLERK'S WEEK

The proclamation was made.

PROCLAMATION
PROCLAIMING
PUBLIC SERVICE
WEEK

PROCLAMATION PROCLAIMING PUBLIC SERVICE WEEK

The proclamation was made.

PROCLAMATION
PROCLAIMING DENIM
DAY

PROCLAMATION PROCLAIMING DENIM DAY

The proclamation was made.

**SPONTANEOUS
COMMUNICATIONS**

CARMEN ROMAN

Carmen Roman made allegations of illegal business deals and demanded that documentation relating to the 10-acre site be presented at the next Council meeting.

RALPH GALVAN

Ralph Galvan, Director of the Valley County Water District, invited the community to a water awareness event to be held on May 13.

DENA ZEPEDA

Dena Zepeda thanked Recreation Department staff for the Easter Eggstravaganza and the State of the City address. She also asked about setting up a post for veterans, asked about zoning at the 10-acre site, and complained about delays in awarding the vacant Las Casitas apartments to applicants.

MICHELLE DURAN

Michelle Duran noted that certain streets that surround Irwindale Park are closed during the 4th of July and requested that Juarez and Hidalgo Streets also be closed since event attendees that arrive in vehicles create dangerous situations by traveling up and down the narrow streets.

MAYOR BURROLA

Mayor Burrola asked staff look into Mrs. Duran's request.

REBECCA BARBOSA

Rebecca Barbosa complained that the company that is re-paving city streets has recently unloaded paving equipment as early as 3:20 a.m., causing noise and lighting nuisances.

MAYOR BURROLA

Mayor Burrola asked staff to look into Mrs. Barbosa's complaint.

CONSENT CALENDAR

MOTION

A motion was made by Mayor Pro Tem Ambriz, seconded by Councilmember Ortiz, to approve the Consent Calendar, with the exception of Item No. 1C, which was removed for separate consideration, and a correction to Item No. 1A2. The motion was unanimously approved;

ITEM NO. 1A
MINUTES

MINUTES

The following minutes were approved as amended:

- 1) Special meeting held April 13, 2022
- 2) Regular meeting held April 13, 2022

ITEM NO. 1B
WARRANTS /
DEMANDS / PAYROLL

WARRANTS / DEMANDS / PAYROLL

The warrants / demands / payroll were approved.

ITEM NO. 1D
INVESTMENT
QUARTERLY REPORT
MARCH 31, 2022

INVESTMENT QUARTERLY REPORT – MARCH 31, 2022 (Joint Item on Successor Agency and Housing Authority agendas)

The Investment Quarterly Report for March 31, 2022, was received and filed.

ITEM NO. 1E
APPROVAL OF
EXTENSION OF
CONTRACT FOR
ANNUAL AUDIT
SERVICES

APPROVAL OF EXTENSION OF CONTRACT FOR ANNUAL AUDIT SERVICES (Joint Item on Successor Agency and Housing Authority agendas)

The extension of the existing contract with Lance, Soll & Lunghard, LLP, to provide annual audit services for two additional years, was approved.

ITEM NO. 1F
RESOLUTION TO
MODIFY THE
EFFECTIVE PERIOD
OF ELIGIBILITY LISTS
FOR RECRUITMENTS
FOR PART-TIME
POSITIONS

CONSIDERATION OF RESOLUTION NO. 2022-36-3286, AMENDING THE CITY'S PERSONNEL RULES TO MODIFY THE EFFECTIVE PERIOD OF ELIGIBILITY LISTS FOR RECRUITMENTS FOR PART-TIME POSITIONS

RESOLUTION NO.
2022-36-3286
ADOPTED

Resolution No. 2022-36-3286, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRVINDALE REPLACING RESOLUTION NO. 2015-31-2760, AMENDING SECTION 4.50 OF THE CITY'S PERSONNEL RULES REGARDING THE LENGTH OF ELIGIBILITY LISTS FOR RECRUITMENTS FOR PART-TIME POSITIONS," was adopted.

ITEM NO. 1D
APPROVE
OUT-OF-STATE
TRAVEL TO THE
AMERICAN PUBLIC
WORKS
ASSOCIATION'S 2022
ANNUAL CONFERENCE
AND PUBLIC WORKS
EXPO IN CHARLOTTE,
NORTH CAROLINA

APPROVE OUT-OF-STATE TRAVEL TO THE AMERICAN PUBLIC WORKS ASSOCIATION'S 2022 ANNUAL CONFERENCE AND PUBLIC WORKS EXPO IN CHARLOTTE, NORTH CAROLINA FOR CITY STAFF

FOR CITY STAFF

RESOLUTION NO.
2022-37-3287
ADOPTED

Resolution No. 2022-37-3287, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING OUT-OF-STATE TRAVEL TO THE AMERICAN PUBLIC WORKS ASSOCIATION'S 2022 ANNUAL CONFERENCE AND PUBLIC WORKS EXPO IN CHARLOTTE, NORTH CAROLINE FOR ONE CITY STAFF MEMBER," was approved.

END OF CONSENT CALENDAR

ITEM NO. 1C
WAIVE THE FORMAL
BIDDING PROCEDURES
AND AUTHORIZE THE
CITY MANAGER TO
ENTER INTO AN
AGREEMENT WITH
PYRO SPECTACULARS
FOR THE 4TH OF JULY
FIREWORKS SHOW

WAIVE THE FORMAL BIDDING PROCEDURES AND AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH PYRO SPECTACULARS FOR THE 4TH OF JULY FIREWORKS SHOW

DIRECTOR
RODRIGUEZ

Director Rodriguez presented the staff report.

COUNCILMEMBER
ORTIZ

Councilmember Ortiz asked clarifying questions regarding the differences between Program A and Program B as noted in the staff report, to which Director Rodriguez reported that Program A offers a shorter show with larger shells, while Program B offers a longer shell with shorter show. He also asked about the type and length of time of last year's show, to which Director Rodriguez noted that last year's show was of the "Program A" type, which lasted between 15 and 20 minutes.

Councilmember Ortiz noted that many people praised last year's fireworks show, and asked about the term of the proposed contract, to which Director Rodriguez noted that staff proposes to approve it for one year, although the verbiage allows for extending the term for three years.

Councilmember Ortiz suggested that staff ask which company puts on the fireworks show at the Speedway since they also offer a great show.

RESOLUTION NO.
2022-38-3288
ADOPTED

Resolution No. 2022-38-3288, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, WAIVING FORMAL BIDDING

SECTION 3.44.080(H), AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH PYRO SPECTACULAR INC. TO PROVIDE A FIREWORKS DISPLAY SHOW AT THE HOUSING AUTHORITY OWNED 10-ACRE SITE ON ALLEN DRIVE,” was passed, approved, and adopted, on the motion of Councilmember Ortiz, seconded by Mayor Pro Tem Ambriz, and unanimously approved; Councilmember Breceda abstaining.

RECESS

At 7:52 p.m., the Council took a recess to convene the Housing Authority portion of the meeting.

RECONVENE

At 9:09 p.m., the Council reconvened with all members present to resume its meeting.

NEW BUSINESS

ITEM NO. 2A
SCHOOL / CHARTER
BUS VIDEO
SURVEILLANCE
SYSTEM POLICY

SCHOOL / CHARTER BUS VIDEO SURVEILLANCE SYSTEM
POLICY

DIRECTOR
RODRIGUEZ

Director Rodriguez presented the staff report.

COUNCILMEMBER
GARCIA

In reply to a question by Councilmember Garcia, Director Rodriguez advised that the rules and regulations for the bus outline which activities are permitted on the bus and which are not as well as the consequences for not following the rules. She further discussed how video inquiries are processed and spoke on staff's plans to ensure that the equipment works correctly.

COUNCILMEMBER
BRECEDA

Councilmember Breceda asked whether the bus cameras would be similar to the cameras that are used in police vehicles, to which Director Rodriguez advised that she was not sure; however, she noted that the Bus Drivers would not have access to the video recordings. She also noted that the cameras begin video recording the moment the bus is turned on.

MAYOR PRO TEM
AMBRIZ

Mayor Pro Tem Ambriz voiced his support for the policy.

MAYOR BURROLA

In response to a question by Mayor Burrola, Director Rodriguez advised that the cameras are specifically for use on busses, and noted that staff selected this specific vendor since they offered the best fit and equipment effectiveness.

RESOLUTION NO.
2022-39-3289
ADOPTED

Resolution No. 2022-39-3289, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE ADOPTING AND APPROVING A SCHOOL / CHARTER BUS VIDEO SURVEILLANCE SYSTEM POLICY," was adopted on the motion of Mayor Pro Tem Ambriz, seconded by Mayor Burrola, and unanimously approved.

PUBLIC HEARINGS

None.

**CITY MANAGER'S
REPORT**

CITY MANAGER
MIRANDA

City Manager Miranda reported that:

- 1) The Planning Department will hold an environmental scoping meeting for the Speedway Commerce Center Specific Plan tomorrow at 6 pm at the Irwindale Community Center and online via zoom.
- 2) Tomorrow is deadline for interested individuals to apply for the city's Summer Youth program.
- 3) Police continues to work with the Los Angeles County Parks Division to address a staffing shortage that affected traffic since the beginning of the Renaissance Faire.
- 4) Due to construction, the bus stop on Calle de Paseo will temporarily be relocated on April 28 to Calle del Norte near the plaza restroom.
- 5) Residents of Allen Drive and Peppertree Lane are advised to place their trash bins at the curb by 6 am on Friday to avoid construction delays during the resurfacing project work on their streets.
- 6) He thanked all the volunteers that assisted with the Easter Eggstravaganza event.
- 7) He also congratulated the Irwindale Cheer participants for placing at their last competition.

COUNCILMEMBER
ORTIZ

Replying to a question by Councilmember Ortiz, City Manager Miranda advised that the residents of Peppertree and Allen were provided written notices regarding their trash bins.

**AGENDA ITEMS
REQUESTED BY
COUNCILMEMBERS**

ITEM NO. 5
REQUEST BY MAYOR
BURROLA TO DISCUSS
THE RESIDENT ID
PROGRAM DOCUMENT
REQUIREMENTS

REQUEST BY MAYOR BURROLA TO DISCUSS THE RESIDENT ID PROGRAM DOCUMENT REQUIREMENTS

This matter was pulled from the agenda and not discussed.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 9:31 p.m.

Laura M. Nieto, MMC
Chief Deputy City Clerk

CITY OF IRWINDALE
PAYROLL WARRANT REGISTER
April 2022

Payroll Batch DATE OF ISSUE 4/7/22	402-04-22, 403-04-22 DEPARTMENT	AMOUNT
	11 City Council	1,731.15
	13 City Administrative Office	55,015.31
	14 Finance Department	19,779.12
	35 Police Department	196,006.44
	40 Recreation Department	22,509.12
	41 Aquatics Department	5,023.76
	42 Senior Citizens' Center	16,083.82
	44 Library	13,953.54
	51 Planning & Community Development	23,192.25
	52 Public Works - Engineering	30,589.95
	57 Public Works - Services	47,235.08
	Gross Payroll	431,119.54
	Required Deductions	(119,797.10)
	Voluntary Deductions	(16,832.22)
	Net Payroll	294,490.22
Payroll Batch DATE OF ISSUE 4/21/22	416-04-22, 417-04-22, 418-04-22 DEPARTMENT	AMOUNT
	11 City Council	5,347.41
	13 City Administrative Office	50,959.67
	14 Finance Department	19,019.67
	35 Police Department	255,484.09
	40 Recreation Department	22,438.29
	41 Aquatics Department	6,684.60
	42 Senior Citizens' Center	16,532.70
	44 Library	13,281.83
	51 Planning & Community Development	24,743.96
	52 Public Works - Engineering	31,379.30
	57 Public Works - Services	47,235.09
	Gross Payroll	493,106.61
	Required Deductions	(127,986.26)
	Voluntary Deductions	(18,466.16)
	Net Payroll	346,654.19
Payroll Batch DATE OF ISSUE 4/28/22	428-04-22 DEPARTMENT	AMOUNT
	51 Planning & Community Development	3,928.06
	Gross Payroll	3,928.06
	Required Deductions	(1,024.32)
	Voluntary Deductions	-
	Net Payroll	2,903.74

Accounts Payable

Checks by Date - Summary by Check Number

User: imarin
Printed: 5/4/2022 3:57 PM



Check No	Vendor No	Vendor Name	Check Date	Check Amount
76788	AMAZON	Amazon	04/28/2022	5,528.23
76789	AMERIFID	American Fidelity Assurance	04/28/2022	7,111.86
76790	AMERIC34	American Fidelity Assurance Co	04/28/2022	2,733.64
76791	AT&T06	AT & T	04/28/2022	1,666.56
76792	AZUSALW	Azusa Light & Water	04/28/2022	245.25
76793	BAXTER01	Badge Frame, Inc	04/28/2022	48.49
76794	NEST01	Blue Triton Brands, Inc.	04/28/2022	529.89
76795	CALIFO02	California American Water	04/28/2022	18.83
76796	CALIFO03	California JPIA	04/28/2022	1,125.00
76797	CITYOF23	City Of West Covina	04/28/2022	6,830.00
76798	CONCE01	Concentra	04/28/2022	275.00
76799	PMIDEN	Delta Dental Insurance Company	04/28/2022	1,038.86
76800	GAMBINO1	Rosalia Gambino	04/28/2022	5.00
76801	PADILLAM	Melissa Marez	04/28/2022	179.28
76802	OLIVAR01	Theresa Olivares	04/28/2022	938.13
76803	PETTYC05	City of Irwindale Petty Cash	04/28/2022	409.39
76804	PURCHA	Purchase Power	04/28/2022	2,020.99
76805	INVEST01	James Rodino	04/28/2022	1,054.95
76806	SCFUELS	SC Fuels	04/28/2022	7,344.87
76807	SHAR02	Neetu Sharma	04/28/2022	20.00
76808	SCE02	Southern California Edison	04/28/2022	995.45
76809	STANDA01	Standard Insurance Co. RV	04/28/2022	459.95
76810	TPX 01	TPX Communications	04/28/2022	2,483.26
76811	VISION01	Vision Service Plan - (CA)	04/28/2022	4,573.00
76812	VISION01	Vision Service Plan - (CA)	04/28/2022	1,428.00
76813	WAGN02	Jeanette Wagner	04/28/2022	550.00
76814	A1PART	A-1 Party Rentals	05/11/2022	1,020.30
76815	ALLC101	All City Management Services, Inc	05/11/2022	825.30
76816	ALTE01	Alternative Hose Incorporated	05/11/2022	21.76
76817	ARC03	ARC Document Solutions, Inc.	05/11/2022	813.49
76818	AZBUS01	A-Z Bus Sales	05/11/2022	82.58
76819	BAKER01	Baker & Taylor Books	05/11/2022	220.67
76820	MIJACA	Balcon Holdings, Inc.	05/11/2022	184.00
76821	BILLST	Bill's Truck Repair, Inc.	05/11/2022	218.54
76822	CARQUEST	Carquest	05/11/2022	143.81
76823	CINTAS	Cintas Corporation #693	05/11/2022	269.32
76824	CIVIC02	CivicPlus	05/11/2022	2,418.99
76825	COUN01	Counts Umlimited, Inc.	05/11/2022	750.00
76826	COUNTY04	County of Los Angeles	05/11/2022	6,649.82
76827	CREATI04	Creative Bus Sales, Inc.	05/11/2022	277.86
76828	FCG01	FCG Consultants Inc.	05/11/2022	768.65
76829	FEDEX	FedEx	05/11/2022	12.58
76830	FILLG01	Fill Good Landscaping	05/11/2022	375.00
76831	GARVEY	Garvey Equipment Co	05/11/2022	227.19
76832	1Glendor	Glendora Chevrolet	05/11/2022	89.16
76833	HASA01	Hasa Inc.	05/11/2022	928.51
76834	HDLCOR	HdL Coren & Cone	05/11/2022	1,575.00

Check No	Vendor No	Vendor Name	Check Date	Check Amount
76835	HIGHPE	HPC Computers, Inc.	05/11/2022	797.18
76836	INTELL01	Intelli-tech, Inc.	05/11/2022	576.00
76837	IIMC02	International Institute of	05/11/2022	175.00
76838	INTER01	Interwest Consulting Group	05/11/2022	15,457.50
76839	JCSPLU	JC's Plumbing & Backflow Svc	05/11/2022	150.00
76840	KATZ01	Jeff Katz Architecture	05/11/2022	10,024.00
76841	JOHNNY02	Johnny's Pool Service	05/11/2022	30.84
76842	JUSTIRE	Just Tires	05/11/2022	439.79
76843	KAESER	Kaesar & Blair	05/11/2022	11,261.44
76844	COORYE	Samir M. Khoury	05/11/2022	8,372.00
76845	LAKESH01	Lakeshore Learning Materials	05/11/2022	87.47
76846	LANCES	Lance, Soll & Lunghard LLP	05/11/2022	6,175.00
76847	LANDSC	Landscape Warehouse III Inc.	05/11/2022	162.39
76848	LAWE01	Law Enforcement Medical Services, Inc.	05/11/2022	75.00
76849	MAINTE01	Maintex	05/11/2022	68.19
76850	MIDAS	Manuel C Muratalla	05/11/2022	616.00
76851	MOUNT01	MNRO Holdings, LLC	05/11/2022	1,937.17
76852	MONROV07	Monrovia Chrysler Dodge Jeep Ram	05/11/2022	1,250.13
76853	PEARSO01	NCS Pearson, Inc	05/11/2022	33.00
76854	OFFICE03	Office Depot	05/11/2022	1,745.14
76855	ORKINP	Orkin Pest Control	05/11/2022	492.00
76856	PROFOR01	ProForce Law Enforcement	05/11/2022	481.80
76857	RETT01	Rett's Automotive	05/11/2022	563.29
76858	RICOH02	Ricoh USA, Inc	05/11/2022	1,673.13
76859	SIERRA01	Sierra Chevrolet	05/11/2022	712.85
76860	LEES01	Chad A. Streelman	05/11/2022	2,715.60
76861	SWANK01	Swank Motion Pictures, Inc.	05/11/2022	465.00
76862	TRIANG01	Triangle Truck Parts	05/11/2022	44.11
76863	UNITED11	United Site Services of CA Inc	05/11/2022	589.40
76864	V&V01	V & V Manufacturing, Inc.	05/11/2022	159.93
Report Total (77 checks):				134,816.76

Electronic Payments

April 2022

April 16 - 30, 2022



Number	Vendor Name	Date	Amount
ACH	CalPERS	4/27/2022	82,228.66
ACH	EDD	4/27/2022	24,501.47
ACH	Federal Tax	4/27/2022	66,098.78
ACH	Nationwide-457 Plan & Trust	4/21/2022	15,102.27
ACH	Nationwide-Roth Cotribution-457 Plan & Trust	4/21/2022	3,322.00
ACH	ICMA	4/21/2022	14.89
ACH	PARS-FT	4/21/2022	26,014.71
ACH	PARS-PT	4/21/2022	1,680.95
	Report Total:		<u>218,963.73</u>

- ☒ City Council
- ☐ Successor Agency
- ☐ Housing Authority
- ☐ Reclamation Authority
- ☐ Joint Powers Authority

City of
IRWINDALE
AGENDA REPORT

Date: May 11, 2022
To: Honorable Mayor and Members of the City Council
From: Julian A. Miranda, City Manager
Issue: Parking Lots Located at 5223 and 5239 Morada Street

City Manager/Executive Director's Recommendation:

1. City Council receive the update regarding the parking lots located at 5223 and 5239 Morada Street.
2. Provide direction to staff regarding options for parking guidelines and enforcement for the Site.

Administrative Action:

Submitted / Prepared by:

Theresa Olivares, Assistant City Manager

Electronically Approved

Reviewed by:

Adrian R. Guerra, City Attorney

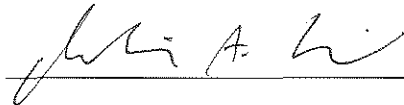
Electronically Approved

Kambiz Borhani, Finance Director / City Treasurer



Approved by:

Julian A. Miranda, City Manager



Background and Analysis:

On April 13, 2022, staff provided an update regarding public parking at the two City-owned properties located at 5223 and 5239 Morada Street (Site). Pursuant to the Amended and Restated DDA between the Housing Authority and Panattoni Development, Panattoni is required to improve the Site with parking lots for the benefit of the City (Morada Parking Lots). Panattoni has made the necessary improvement to the Site and staff requests the City Council to provide direction regarding the parking guidelines and signage. The Council was also informed that an application had been submitted to Southern California Edison (SCE) for power connection to the Site. The process with SCE is nearly complete, and expected to be finalized within one to two weeks.

In preparation of utilization of the Morada Parking Lots by the public, on April 13, 2022, staff requested the Council discuss and provide direction regarding the parking of vehicles at the lots. Staff understands that the Morada Parking Lots are to be used by the general public, including individuals who reside on Morada Street, guests of the Morada Street residents, and for guests attending events at the Our Lady of Guadalupe Mission. By Council consensus, staff was directed to provide the Council possible parking guidelines and enforcement for consideration.

Constitutional Analysis

An initial question that arises regarding the City's desire for use of the Morada Parking Lots is whether the City is allowed to restrict use of the Morada Parking Lots to certain residents. The City Attorney's Office was directed to conduct research regarding the permissibility of adopting preferential parking. The City Attorney's Office will be providing an oral report.

Guidelines and Enforcement

The Irwindale Municipal Code (IMC) contains various general parking provisions under Chapter 10.28 – Stopping, Standing, and Parking. Under IMC Section 10.28.190, it is unlawful to park in any public property owned by the City for a period of time longer than thirty minutes between the hours of 12 a.m. and 5 a.m., so long as the City has posted a sign that identifies this IMC section and states that parking overnight is a violation constituting an infraction punishable by a fine. This Section does not prevent the City from issuing permits to allow overnight parking. Under this IMC section, the City may choose to generally prohibit overnight parking, but issue permits to residents of Morada Street and their guests, so that they may park at the Morada Parking Lots overnight. During the day, the City may choose to keep the Morada Parking Lots open to the general public. However, Staff has been informed by the Police Department that there is currently no infrastructure in place for the issuance of permits. Thus, this option would require funding and additional coordination for permit administration and implementation.

Further, under IMC Section 10.28.120, no vehicle shall be parked upon any street or alley for more than a consecutive period of seventy-two (72) hours. Under this IMC section, the City may enforce the 72-hour parking restriction at the Morada Parking Lots. This would limit vehicles from being parked and remaining unmoved for extended periods of time. This would authorize the Police Department to cite and remove vehicles, as necessary.

As another option, the Council may also desire to restrict oversize vehicle parking and auto repairs. However, the IMC would need to be amended specific to the Site in order to restrict oversized parking by establishing guidelines in order for this to be enforceable by the Police Department. There are various cities that include oversize parking regulations in their municipal code such as the City of Gardena, which restricts oversized vehicle parking overnight by requiring a permit for oversized vehicle parking from 10 p.m. and 6 a.m. (City of Garden Municipal Code section 10.60.030.)

Creation and Installation of Any Parking Signage

The Department of Public Works has provided that it will take approximately three weeks to receive any signs once they have been ordered and approximately two days to install.

If the City desires to prohibit overnight parking, the sign should state vehicles may not be stored overnight with a sign that identifies IMC Section 1.28.190 and that a violation hereof shall constitute an infraction, punishable by a fine pursuant to Section 1.12.020 of the Irwindale Municipal Code. The prohibition shall apply to the property so designated once posted in plain view at all entrances to the property, and on a sign which is not less than seventeen inches by twenty-one inches in size with lettering not less than one inch in height.

Example: "NO OVERNIGHT PARKING from 12:00 a.m. to 5:00 a.m. except for Authorized Persons. Violation of this sign constitutes an infraction, punishable by a fine pursuant to Section 1.12.020 of the Irwindale Municipal Code."

If the City desires to only enforce the 72 hour parking limit, the City Attorney's Office will confirm if there is any specific language required by the Vehicle Code to be included in any signage added to the Morada Parking Lots.

There is currently a fence placed around the Morada Parking Lots, but they will be removed once the signage is in place and the lots are opened to the public.

Recommendation:

Staff requests the City Council to provide direction regarding the parking guidelines and enforcement for the Morada Parking Lots.

Staff recommends the City pursue general parking guidelines for the Morada Parking Lots by enforcing the seventy-two hour parking limit found in IMC Section 10.28.120. The City may choose to recommend initial parking guidelines for the Morada Parking Lots and explore additional guidelines at a later date.

Fiscal Impact:

Funds are available in the FY 2021-2022 budget for the purchase and installation of the signs at the Site.

IRWINDALE CITY COUNCIL CHAMBERS
5050 N. IRWINDALE AVENUE
IRWINDALE, CALIFORNIA 91706

SA Item
Item 1A1

APRIL 27, 2022
WEDNESDAY
9:31 P.M.

The Irwindale **SUCCESSOR AGENCY TO THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY** met in regular session at the above time and place.

ROLL CALL:

Present: Councilmembers Mark A. Breceda, Manuel R. Garcia,
H. Manuel Ortiz; Mayor Pro Tem Albert F. Ambriz;
Mayor Larry G. Burrola

Present: Julian A. Miranda, City Manager; Theresa Olivares,
Assistant City Manager; Adrian Guerra, City Attorney; Ty Henshaw,
Chief of Police; Arsanious Hanna, Director of Engineering / Building
Official; Jeanette Duran, Interim Finance Director / City Treasurer;
Marilyn Simpson, Community Development Director; Mary Hull,
Human Resources Manager, Elizabeth Rodriguez, Public Services
Director; Jeff Wagner, Information Technology Manager; Iris Espino,
Assistant to the City Manager; and Laura Nieto, Chief Deputy City
Clerk

**SPONTANEOUS
COMMUNICATIONS**

There were no speakers.

CONSENT CALENDAR

MOTION

A motion was made by Councilmember Breceda, seconded by
Councilmember Ortiz, to approve Consent Calendar, reading
resolutions and ordinances by title only and waiving further reading
thereof. The motion was unanimously approved.

ITEM NO. 1A1
MINUTES

MINUTES

The following minutes were approved:

- 1) Regular meeting held April 13, 2022

ITEM NO. 1B
WARRANTS

WARRANTS

The warrants were approved.

ITEM NO. 1C
INVESTMENT
QUARTERLY REPORT
MARCH 31, 2022

**INVESTMENT QUARTERLY REPORT – MARCH 31, 2022 (Joint
Item on City Council and Housing Authority Agendas)**

The Investment Quarterly Report for March 31, 2022, was received
and filed.

ITEM NO. 1D
APPROVAL OF
EXTENSION OF
CONTRACT FOR
ANNUAL AUDIT

**APPROVAL OF EXTENSION OF CONTRACT FOR ANNUAL AUDIT
SERVICES (Joint Item on City Council and Housing Authority
Agendas)**

The extension of the existing contract with Lance, Soll & Lunghard,

SUCCESSOR AGENCY MINUTES
REGULAR MEETING

APRIL 27, 2022
PAGE 2

SERVICES LLP, to provide annual audit services for two additional years, was approved.

END OF CONSENT CALENDAR

NEW BUSINESS None.

PUBLIC HEARINGS None.

ADJOURNMENT There being no further business to conduct, the meeting was adjourned at 9:32 p.m.

Laura M. Nieto, MMC
Chief Deputy City Clerk

SA Item
Item 1B

Electronic Payments

April 2022

April 1 - 30, 2022

Successor Agency



<u>Number</u>	<u>Vendor Name</u>	<u>Date</u>	<u>Amount</u>
3851912	2006 Sub Lien TA Rfd Bond	4/27/2022	178,612.50
		Report Total:	<u>178,612.50</u>