

## RESOLUTION NO. 6058

### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAYWOOD TO CURE AND CORRECT A POTENTIAL BROWN ACT VIOLATION REGARDING THE JULY 10, 2019 CITY COUNCIL MEETING FOR THE ITEMS LISTED THEREIN

**THE CITY COUNCIL OF THE CITY OF MAYWOOD DOES HEREBY FIND,  
DETERMINE AND RESOLVE AS FOLLOWS:**

Section 1. The Ralph M. Brown Act, commonly known as the "Brown Act" is California's sunshine law for local government. The Brown Act requires local government business to be conducted at open and public meetings, except in certain limited situations.

Section 2. Government Code Section 54954.2 of the Brown Act provides that at least 72 hours before a regular meeting, the designee of the legislative body shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting. The agenda is to be posted in a location that is freely accessible to members of the public and on the local agency's internet website.

Section 3. On July 10, 2019, the City Council held its regular City Council meeting with a large public audience present. At the conclusion of the meeting and after all business items had been discussed and decided, a member of the public during public comment stated that the July 10, 2019 meeting agenda was not posted in the glass case outside of City Hall. After the meeting, it was confirmed that while other notices were posted, the agenda for the July 10, 2019 City Council meeting was not posted. The July 10, 2019 meeting agenda, however, was posted on the City's website beginning on July 5, 2019 in the evening along with the agenda reports for each item of business.

Section 4. Upon further review by the City, it was determined that it was human error on the part of staff and the July 10, 2019 agenda was inadvertently not posted in the glass case outside of City Hall. There was no intent on the part of the City to deprive the public of information. The agenda was posted on the internet in compliance with the Brown Act; notices of the continuance of certain public hearings noticed for July 10th were posted in the glass case; notice of the adjournment of the June 26, 2019 for lack of a quorum to July 10, 2019 was posted in the glass case; and notice of public hearing regarding the delinquent charge report for residential rubbish were mailed to every customer listed on the delinquent charge reports. Neither the City Council members present at the July 10, 2019 meeting nor the City Staff present were aware that the glass case did not contain the July 10, 2019 agenda until the comment was made by a member of the public.

Section 5. While no written demand for cure and correction of the alleged violation pursuant to Government 54960.1 was received, the City and the City Council takes this matter seriously and have taken it upon themselves to publicly recognize the error and take immediate action to cure and correct the alleged violation as provided for in the Brown Act.

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Section 6. Accordingly, the City Council takes action by this Resolution to re-adopt and approve and those items listed on the July 10, 2019 City Council meeting agenda wherein the City Council took affirmative action. Therefore the City Council takes action on those agenda items as follows:


- a. Approve Resolution approving the Annual Sewer Report and levy of the Annual Sewer Service Charge for Fiscal Year 2019/20 and order the Annual Sewer Service Charge to be collected on the County of Los Angeles tax roll.
- b. Approve Resolution adopting the Fiscal Year (FY) 2019/20 Capital Improvement Program (CIP) and Budget.
- c. Approve Resolution No. 6052 approving the final form of the delinquent charges report for past due and payable accounts for residential rubbish services rendered by Republic Services, Inc. and directing that the same be submitted to the Los Angeles County Auditor-Controller for collection on the Property Tax Roll Tax Year 2019.
- d. Approve the minutes for 06/12/19 Special City Council Meeting; minutes for 06/12/19 City Council Meeting; minutes for 06/28/19 Special City Council Meeting; and the minutes for 06/28/19 Adjourned Council Meeting.
- e. Approve Resolution No. 6036 of the City Council of the City of Maywood and Successor Agency to the Maywood Community Redevelopment Agency Approving Prepaid Warrants and Payroll.
- f. Approve Resolution No. 6049 of the City Council of the City of Maywood and Successor Agency to the Maywood Community Redevelopment Agency Approving Prepaid Warrants and Payroll.
- g. Conduct second reading and adopt an Ordinance of the City of Maywood adding a new chapter to the Maywood Municipal Code pertaining to the bidding of the Public Works Projects under the Uniform Public Construction Cost Accounting Act.
- h. Receive and file the Revenue Report for the month of May 2019.
- i. Receive and file the Notice of a Planning Commission decision regarding a Conditional Use Permit appeal of a commercial cannabis dispensary application located at 3580 Fruitland Avenue.
- j. Direct staff to file a Notice of Completion for the Street Lighting Conversion from High Pressure Sodium Vapor (HPSV) to Light Emitting Diode (LED) Street Lights Conversion Project.

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- k. Approve a resolution updating the City's Annual Investment Policy and a resolution authorizing the investment of monies in the local agency investment fund and repealing Resolution No. 5970.
- l. Award a maintenance services contract for Landscape Maintenance Services throughout the City to Northstar in the form approved by the City Attorney.
- m. Award a City-Wide Tree Maintenance and Emergency Response Services Agreement to Northstar in the form approved by the City Attorney.

Section 7. The City Clerk shall certify to the adoption of the resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED, APPROVED AND ADOPTED this 24th day of July 2019.

  
Eduardo De La Riva, Mayor

ATTEST:

  
Gerardo Mayagoitia, City Clerk

APPROVED AS TO FORM:

  
Roxanne Diaz, City Attorney

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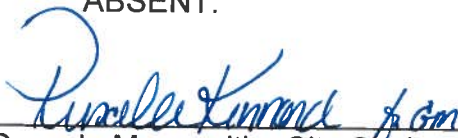
I, Gerardo Mayagoitia, City Clerk of the City of Maywood, do hereby certify that the foregoing Resolution No. 6058 was adopted at a regular meeting of the City Council of the City of Maywood held on the 24th day of July, 2019 by the following vote:

AYES: Alvarez, Marquez, Medina, Lara, and DeLaRiva

NOES:

ABSTAINED:

ABSENT:

  
\_\_\_\_\_  
Gerardo Mayagoitia, City Clerk