



City of Rialto

California

VIA U.S.P.S CERTIFIED MAIL
AND VIA E-MAIL

Jamie T Hall
Channel Law Group, LLP
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Re: Response to Cease and Desist Violation of Brown Act

Dear Mr. Hall,

The City of Rialto has received your cease and desist letter dated March 14, 2024 alleging that the following described past action of the legislative body violates the Ralph M. Brown Act: Action taken on January 9, 2024 on Tab "3" the consideration of a letter opposing proposed Assembly Bill 1000 ("AB 1000") for which you contend was not listed on the City of Rialto City Council's ("Rialto City Council") agenda for the meeting and that there was no applicable exception to the Brown Act's requirement that such action be included in the agenda, specifically that the City's reliance on subdivision (b)(2) of section 54954.2 did not apply because you allege that the City had notice of the matter prior to the posting of the agenda.

By way of clarification and not as a condition on the Rialto City Council's commitment to comply with the Brown Act, the following explanation of the facts are provided. The Rialto City Council agenda for its regular meeting on January 9, 2024 was posted on January 4, 2024. While the City had prior notice of the existence of AB 1000, the Rialto City Council was not aware of the opportunity to provide comments by January 10, 2024 to the Local Government Committee of the California State Assembly ("LGC") regarding proposed Assembly Bill 1000. Rialto Councilmember Rafael Trujillo first learned of this opportunity on January 8, 2024, the day before the Council meeting, after he attended the meeting of a working group within the Cal Cities organization.

Therefore, because the Rialto City Council only learned of the opportunity to provide comments on January 8th and, out of necessity, had to take action before January 10th, the Rialto City Council properly utilized the exception for items of subsequent need under subdivision (b)(2) of section 54954.2 of the Brown Act to add consideration of a comment letter regarding AB 1000 to its agenda for January 9th. The Rialto City Council also afforded an opportunity for members of

the public to comment on the matter with Prince Ogidikpe, representatives of Assembly Member Eloise Gomez Reyes, and several members of the public, making comments on the item.

However, in order to avoid unnecessary litigation and without admitting any violation of the Ralph M. Brown Act, the City Council for the City of Rialto hereby unconditionally commits that it will cease, desist from, and not repeat the challenged past action as described above.

The Rialto City Council may rescind this commitment only by a majority vote of its membership taken in open session at a regular meeting and noticed on its posted agenda as "Rescission of Brown Act Commitment." You will be provided with written notice, sent by any means or media you provide in response to this message, to whatever address or addresses you specify, of any intention to consider rescinding this commitment at least 30 days before any such regular meeting. In the event that this commitment is rescinded, you will have the right to commence legal action pursuant to subdivision (a) of Section 54960 of the Government Code. That notice will be delivered to you by the same means as this commitment, or may be mailed to an address that you have designated in writing.

Very truly yours,

Deborah Robertson
Mayor, City of Rialto