

**MINUTES OF THE
LAWNDALE CITY COUNCIL REGULAR MEETING
MARCH 6, 2017**

- A. CALL TO ORDER AND ROLL CALL** – Mayor Pullen-Miles called the meeting to order at 6:31 p.m. in the City Hall council chamber, 14717 Burin Avenue, Lawndale, California.

Councilmembers Present: Mayor Robert Pullen-Miles, Mayor Pro Tem Pat Kearney, Councilmember James H. Osborne, Councilmember Daniel Reid, Councilmember Bernadette Suarez

Other Participants: City Clerk Rhonda Hofmann Gorman, City Manager Stephen N. Mandoki, City Attorney Tiffany J. Israel, Los Angeles County Sheriff's Department Lieutenant John Hocking, Community Services Director Mike Estes, Assistant City Clerk Pamela Giamario, Finance Director Ken Louie, Community Development Director Sean Moore, and approximately 20 audience members

- B. CEREMONIALS** – Councilmember Suarez led the flag salute and Pastor Robert Dobranski provided the inspiration.

C. PRESENTATIONS

American Red Cross Awareness Month, March 2017. There being no one present to receive the proclamation, the mayor read the proclamation and requested that staff forward it to the appropriate parties.

- D. PUBLIC SAFETY REPORT** –Lieutenant Hocking summarized recent law enforcement activities.

E. ORAL COMMUNICATIONS - ITEMS NOT ON THE AGENDA

- Gary Adams – request for council appeal of a 41 unit condominium development on 153rd Street that was recently approved by the Planning Commission
- Lyda Truick, Lawndale Library Manager – appreciation for participation by Mayor Pro Tem Kearney and Councilmember Osborne in "Read Across America" event, upcoming events
- Jerry Finley – request for council appeal of condominium development
- Jim & Carrie Holland – appreciation for participation by Councilmembers Osborne and Suarez at OneLegacy/Donate Life's Rose Bowl Parade float rose dedication, upcoming DMV Donate Life month
- Randall Abram – request for administrative citation program for fireworks
- Pam London – the condominium development, rental business licenses, request for fireworks user permits
- Johnny London – request for fireworks user permits, fireworks booth signage, suggestion to give parking enforcement officers recorders to report code violations, school traffic at Marine/Inglewood
- Doris Hofmann – the condominium development

F. **COMMENTS FROM COUNCIL** – The City Council responded generally to the comments, but did not refer any matters to staff or request placement of any issues on a future meeting agenda. Council received additional information regarding fireworks citations, the traffic studies done for the condominium development, appeals of Planning Commission actions, and legal considerations related to employee use of voice recorders.

G. **CONSENT CALENDAR**

Motion to read by title only and waive further reading of all ordinances listed on the agenda. (Recommendation: that council approves.)

Use of the South Bay Galleria Terminal as a Lawndale Beat Bus Stop.

(Recommendation: that the City Council approve the agreement between the City of Lawndale and the City of Redondo Beach for use of the Redondo Beach Transit Center for Lawndale Beat fixed-route transportation service to pick up and drop off passengers and to layover when necessary.)

Records Management Program Update. (Recommendation: that the City Council adopt Resolution No. CC-1703-010, approving revisions of the Administrative Services, City Clerk and Community Development Departments' records retention schedule.)

Obsolete Records. (Recommendation: that the City Council adopt Resolution No. CC-1703-011, approving the requests from the City Clerk, Community Development, Finance and Municipal Services Departments for authorization to destroy the records listed in exhibits of the resolution.)

Accounts Payable Register. (Recommendation: that the City Council adopts Resolution No. CC-1703-009, authorizing the payment of certain claims and demands in the amount of \$649,860.81.)

Minutes of the Lawndale City Council Regular Meeting – February 21, 2017.

(Recommendation: that council approves.)

A motion by Councilmember Reid to approve the consent calendar was seconded by Mayor Pro Tem Kearney and carried by a vote of 5-0.

H. **PUBLIC HEARINGS**

Reauthorization of Cable Television Company Franchise Fees to Support Public, Educational and Government (PEG) Programming and Finding of Exemption from the California Environmental Quality Act. City Attorney Israel reported that some of the ten-year franchises the California Public Utilities Commission issues to cable television companies would expire soon. While cities are authorized to establish PEG fees, the state statute was not clear about duration. She, therefore, recommended that council reauthorize the existing fees as an urgency measure.

The public hearing was opened and closed immediately, there being no one wishing to testify.

The city attorney responded to questions about the history of the fee and confirmed that the obligation to pay automatically transfers when a company is acquired by another entity.

Councilmember Osborne moved to find that Urgency Ordinance No. 1133-17 (a) is necessary for the immediate preservation of the public peace, health, or safety, as those terms are defined in Government Code Section 36937(b), in that the city only recently received notice of the expiration of the state-issued franchise held by the city's cable provider, resulting in the need for reauthorization of Ordinance No. 1013-08 before March 30, 2017, and (b) is exempt from the California Environmental Quality Act under CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility the amendment may have a significant effect on the environment, and (c) adopt Urgency Ordinance No. 1133-17 reauthorizing the Public, Educational, or Governmental Access Channel fee. Mayor Pro Tem Kearney seconded the motion which carried by a vote of 5-0 following the city attorney's reading of the ordinance title.

Councilmember Osborne moved to find that non-urgency Ordinance 1134-17 is exempt from the California Environmental Quality Act under CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility the amendment may have a significant effect on the environment and approve the introduction and first reading of this ordinance reauthorizing the Public, Educational, or Governmental Access Channel Fee. Mayor Pro Tem Kearney seconded the motion which carried by a vote of 5-0 following the city attorney's reading of the ordinance title.

I. ADMINISTRATION

Filling a Council Advisory Body Vacancy. Assistant City Clerk Giamario reported that one person had applied to fill the vacancy created in December when a former Beautification Committee member resigned.

Mayor Pullen-Miles appointed Blanca Cueva to the Beautification Committee.

Councilmember Osborne's motion to ratify the appointment by adopting Resolution No. CC-1703-012 was seconded by Councilmember Reid and carried by a vote of 5-0.

Upgrade of Community Services Delivery Driver to Transit Operator. Community Services Director Estes discussed the need for increased transportation services for senior residents. Should council approve the appropriation request, an amendment to the memorandum of understanding with the employee union would follow.

Mayor Pro Tem Kearney moved to approve the request for an additional appropriation of California State Proposition A local transit program funds in the amount of \$7,800 to fund the difference between the part-time delivery driver position and the new part-time transit operator position in the Community Services Department.

Councilmember Suarez seconded the motion which carried by a vote of 5-0.

General Fund Midyear Budget Adjustments. Finance Director Louie summarized the midyear adjustments, highlighting lower than estimated gas and sales tax revenues and personnel related expenditures. Council and staff discussed gas tax revenues and replenishing general fund reserves.

Councilmember Reid moved to a) receive and file the mid-year report, b) decrease estimated revenue by \$126,325 in the general fund, c) increase general fund expenditure appropriations by \$8,850, and d) appropriate \$135,175 from general fund reserves. Mayor Pro Tem Kearney seconded the motion which carried by a vote of 5-0.

Planning Commission Review of City Marijuana Regulations. Community Development Director Moore reported that the commission reviewed an ordinance that was essentially the same as the urgency ordinance adopted by council in November and decided that it wished to consider medical, recreational and testing facilities in commercial and industrial areas and to explore revenue producing uses of marijuana. Prior to expending resources to investigate these matters, however, the commission sought general direction from the City Council. None of the councilmembers supported legalizing marijuana-related commerce.

Public comment: Johnny London suggested that the city should consider the potential for revenue, especially if the number of dispensaries allowed would be very small. Jerry Finley and Gary Adams pointed out that recreational marijuana use was still prohibited in federal law.

J. ITEMS FROM COUNCILMEMBERS

Councilmember Report of Attendance at Meetings and/or Events – see below

Councilmembers Suarez and Osborne and Mayor Pullen-Miles attended and discussed the South Bay Cities Council of Governments general assembly.

Councilmember Osborne and Mayor Pro Tem Kearney enjoyed participating in the library event.

Councilmember Osborne reminded all to vote tomorrow and noted council's endorsement of Measure H to help with the homeless problem.

Councilmember Reid attended West Basin Water District and California Contract Cities Association meetings, and met with the school boards about Measure CL funds.

Mayor Pro Tem Kearney attended a Blue and Gold Cub Scouts ceremony. He and Mayor Pullen-Miles attended a school board town hall meeting where the health department provided information about a recent meningitis case.

Mayor Pullen-Miles discussed the town hall meeting and benefits he received from the general assembly, particularly related to transportation. He attended an LAX World Airports meeting about the environmental impact report for the landside access modernization plan.

Mayor Pro Tem Kearney encouraged public participation in cleanup day later in the month and extended happy St. Patrick's Day wishes.

K. CLOSED SESSION

Conference with Legal Counsel – Existing Litigation – The City Council conducted a closed session, pursuant to Government Code section 54956.9(d)(1), to confer with legal counsel regarding litigation to which the City was a party. The title of such litigation was as follows: The City of Lawndale vs. Casey Cook; Case Number 5SY03674; Los Angeles County Superior Court. The city attorney reported that council was updated and no reportable action was taken.

Conference with Legal Counsel – Anticipated Litigation - The City Council conducted a closed session, pursuant to Government Code sections 54956.9(d)(2) and (d)(3), because there was a significant exposure to litigation in one case as the city had received a claim

from Arroyo Seco Development Group. The city attorney reported that council was updated and unanimously voted to reject the claim.

- L. ADJOURNMENT** – There being no further business to conduct, the mayor adjourned the meeting at 8:19 p.m. in memory of John Dragone, Sr.

Robert Pullen-Miles, Mayor

ATTEST:

Rhonda Hofmann Gorman, City Clerk

/plg.

Approved: 3/20/17