

**MINUTES
Regular Meeting of the
City of Gardena City Council
Tuesday, October 25, 2016**

The regular meeting of the City Council of the City of Gardena, California, was called to order at 7:00 p.m. on Tuesday, October 25, 2016, in the Council Chamber of City Hall at 1700 West 162nd Street, Gardena, California; Mayor Pro Tem Mark E. Henderson presiding.

1. ROLL CALL

Present: Mayor Pro Tem Mark E. Henderson; Council Member Terrence Terauchi; Council Member Dan Medina; and Council Member Tasha Cerda. Other City officials and employees present: City Manager Mitchell G. Lansdell; City Attorney Peter L. Wallin; City Treasurer Ingrid Tsukiyama and Deputy City Clerk Becky Romero. City Clerk Mina Semenza was away on excused absence and was not present at the meeting.

At 7:00 p.m., the City Council recessed into Closed Session in the Management Information Center of the Council Chamber at City Hall, with the following in attendance: Mayor Pro Tem Mark E. Henderson; Council Member Terrence Terauchi; Council Member Dan Medina; Council Member Tasha Cerda; City Manager Mitchell G. Lansdell; and City Attorney Peter L. Wallin.

2. CLOSED SESSION

**A. CONFERENCE WITH LEGAL COUNSEL
EXISTING LITIGATION**

Government Code Section 54956.9(d)(1)

(1) City of Gardena v. Regional Water Quality Control Board, etc., et al
Los Angeles Superior Court Case No. BS1563472

(2) Kirk Clymer and Frank Lindsay v. City of Gardena, et al
Los Angeles District Court Case No. 2:15-cv-09634-DMG-E

Mayor Pro Tem Henderson reconvened the meeting to the Regular Open Session at 7:40 p.m. and the Deputy City Clerk noted the return of all Council Members who were present at the meeting.

When City Attorney Wallin was asked if there were any reportable actions taken, he stated that there was nothing to report with respect to Item 2.A(1). He did report regarding Item 2.A.(2), indicating that Council had unanimously approved the mediator's recommendation to conditionally settle by the City considering an Ordinance which modifies the concentration restrictions currently in the code. He reported that a modifying Ordinance will be brought before Council at a later date.

3. PLEDGE OF ALLEGIANCE & INVOCATION

A. PLEDGE OF ALLEGIANCE

Darlene Vergas (5th Grade) and Ethan Rhodes, (5th Grade), both of 156th Street Elementary School, led the Pledge of Allegiance. Darlene is the school's Student Council President and Ethan is their Environmental Safety Officer. Both students introduced their families, who brought them to the meeting.

B. INVOCATION

Pastor Layne Wakuta, Youth Ministry Director at Gardena Valley Baptist Church, gave the Invocation.

4. PRESENTATIONS, PROCLAMATIONS, & APPOINTMENTS

A. PRESENTATIONS

- (1) “Conditional Support for West Basin Municipal Water District Proposed Ocean Water Desalination Project” – *was presented by West Basin Municipal Water District Assistant General Manager Shivaji Deshmukh and General Manager Richard Nagel.*
– *the following individuals spoke in support of this project:*

Rudy Rodriguez of Local Steam Fitters Union No. 250

Nolan Jamora, of Gardena Valley Democratic Club

Steve Sherman of Gardena Valley Lions Club

Mayor Pro Tem Henderson then asked about the Project Labor Agreement: How was it negotiated and is there a local hire component? He said he wants to ensure that Gardena residents have an opportunity to participate.

Mr. Deshmukh replied that they entered an agreement with a Building Trades Council to include six (6) specific projects with the Gardena lateral, as well as the Desalination Program. It is a 5-year agreement and, if they were to move forward, they anticipate that it would be one of the biggest projects they would undertake and it will include local hiring focused in West Basin’s service area as the first tier, as well as throughout Los Angeles County.

Mayor Pro Tem Henderson then asked about the \$60 a year increase in perpetuity; does it decrease after the Desalination plant is up and running?

Mr. Deshmukh replied that it’s a rough estimate; based on the fact that they look at the unit costs of the different water supplies. If other water supplies are not available, it’s difficult to compare costs. West Basin is making assumptions about costs if other water supplies are not available. It is a little challenging to factor in the reliability from a rough estimate based on the assumptions used; but it’s approximately a \$60 a year increase.

Mayor Pro Tem Henderson then spoke about their report of wanting the initial desalination site to be in El Segundo and the alternative site in Redondo Beach and asked why they haven’t made their “Conditional Support” presentation to those two cities?

Mr. Deshmukh then replied that their preferred site is in the environmental review process for El Segundo, an NRG Facility that they view as an industrial one, but the EIR requires alternative sites.

Council Member Terauchi then stated and he knows that West Basin has done studies on the impact of desalination. The studies of which he is aware were presented to the South Bay Cities Council of Government had to do with the intake of the water. No study was done of the discharge; the discharge of the residue that was piped out about a mile away in Manhattan Beach. No study has been done about that discharge in the Manhattan Beach area. He asked if that has been resolved, are there any studies and what were the results?

Mr. Deshmukh responded that the number of studies shown in tonight’s presentation showed, especially in Redondo Beach, that it demonstrated that they did a number of studies at the demonstration facility; they did focus on the impact of the discharge to the local marine life to that salty stream. West Basin has exhaustive survey of the marine life affected by the discharge in Redondo Beach. Those studies will help lead to the results of the environmental impact report. As they develop this report they are using those results.

Council Member Medina stated he had the privilege of going to Carlsbad and spoke with some of the directors who do desalination with Israel. They are working to capture the brine and to find other ways to make money; those things are progressively getting bigger and better. One may call Carlsbad and ask to attend one of their tours. They will show visitors how the system works; it comes to a point that desalination may be the only way we get our water in southern California. Two-thirds of the water is up north and one-third is down here and the population is growing more and more every year. He said he is very much in favor of this project.

4. PRESENTATIONS, PROCLAMATIONS, & APPOINTMENTS (Continued)

A. PRESENTATIONS (Continued)

- (1) “Conditional Support for West Basin Municipal Water District Proposed Ocean Water Desalination Project” (Continued)

Council Member Cerda asked, for clarification, if the city of El Segundo is in favor of the project?

Mr. Deshmukh replied that West Basin has not presented it to the El Segundo City Council.

Council Member Cerda then asked if they have other alternative sites to consider.

Mr. Deshmukh replied that right now they only have the two sites.

Mayor Pro Tem Henderson then asked that if they are not in favor, wouldn't we want to get their buy in since we don't live on the shoreline; it will be a direct impact on them.

Mr. Nagel then spoke and replied that it is their plan to present this update to them; that they are in the field with a number of cities and plan to be in touch with other City Councils at their council meetings.

Mayor Pro Tem Henderson then questioned that if the site cities are not in support, what happens to West Basin's project?

Mr. Nagel replied that they feel very confident that they will be in support. If not, they'll have to work with the City of Los Angeles Scattergood plant; it is important to have these conversations and to secure the sites.

Mayor Pro Tem Henderson then asked that if they don't support it, will Gardena still remain in Tier 1 of the PLA relative to employment? He also commented that it seems as though West Basin should have first started with the cities it was going to affect.

Mr. Nagel then replied any project in which West Basin is the lead, it will have a Project Labor Agreement.

Council Member Medina then stated that any city that would be against it would be foolish because it's a win/win situation. Most of the logical cities will say yes.

Council Member Terauchi then added that he thinks the City of Gardena should make a conditional motion before a formal one that the project meet all the required and surpass all of the environmental professional requirements by the State with the West Basin current recycling program.

City Manager Lansdell then reminded the City Council that this item was a presentation only; that any action will have to be brought back as an action Agenda item.

Council Member Cerda asked that if just a letter of support from the Council is needed, does it need to be agendized?

City Manager Lansdell then responded that, if the Council wants to take action as a directive, it will need to be agendized.

4. PRESENTATIONS, PROCLAMATIONS, & APPOINTMENTS (Continued)

B. PROCLAMATIONS

- (1) “2016 Small Business Saturday,” November 26, 2016 – *was proclaimed by Mayor Pro Tem Henderson*

C. APPOINTMENTS

- (1) Council Appointments to Commissions, Committees, Board, and Council

(a) **ADD ON: Human Services Commission**

- (1) Ms. LaWanda Staten – Appointment recommendation by Mayor Pro Tem Henderson
Council unanimously agreed to appoint Ms. Staten to the Human Services Commission and Ms. Staten was sworn into office

5. CONSENT CALENDAR

A. WAIVER OF READING IN FULL OF ALL ORDINANCES LISTED ON THIS AGENDA AND THAT THEY BE READ BY TITLE ONLY

B. CITY CLERK

- (1) **Approved:** Minutes of
(a) City Council Regular Meeting, October 11, 2016
(2) **Approved:** Affidavit of Posting Agenda on October 21, 2016

C. CITY TREASURER

- (1) **Approved:** Warrants / Payroll Register
(a) October 25, 2016: Wire Transfer No. 11532-11535; Prepay Nos. 140810-140817 and Check Nos. 140818-141040 for a total amount of \$1,439,968.06: Total Payroll Issued October 14, 2016: \$1,489,829.72; and

D. CITY MANAGER

- (1) **Approved:** Personnel Report No. P-2016-18

It was moved by Council Member Medina, seconded by Council Member Terauchi, and carried by the following roll call vote to Adopt the Consent Calendar:

Ayes: Council Members Medina, Terauchi, and Cerda, and Mayor Pro Tem Henderson
Noes: None
Absent: None

6. EXCLUDED CONSENT CALENDAR

7. PLANNING & ENVIRONMENTAL QUALITY COMMISSION ACTION SHEET

A. OCTOBER 18, 2016 MEETING – Meeting Cancelled

ORAL COMMUNICATIONS

- (1) Chris Bennett, resident – reported that he feels he was treated unprofessionally by personnel at the Nakaoka Community Center when he tried to make a reservation for an event related to his Ministry. He also suggested that our website be made more user friendly, especially regarding the posting of information about how one would rent out the Nakaoka Center.
- (2) Cheral Sherman, VP of Friends of Gardena Willows Wetland Preserve – invited everyone to the following Willows events: 1) “Big Workday,” an all-day event, on Saturday, November 5, 2016, 8:00 a.m. to 4:00 p.m. Lunch, water, and gloves will be furnished; and 2) The 10th Anniversary of the Preserve Celebration, where past and future goals will be shared on Sunday, November 13, 2016, 1:00 p.m. to 4:00 p.m. Refreshments will be served.

8. DEPARTMENTAL ITEMS

A. ELECTED & ADMINISTRATIVE OFFICES

(1) Resolutions relating to the General Municipal Election to be held on Tuesday, March 7, 2017

- (a) RESOLUTION NO. 6243, Calling and Giving Notice of the Holding of a General Municipal Election to be held on Tuesday, March 7, 2017, for the Election of Certain Officers as Required by the Provisions of the Laws of the State of California relating to General Law Cities

RESOLUTION NO. 6243

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 7, 2017, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES

- (b) RESOLUTION NO. 6244, Requesting the Board of Supervisors of the County of Los Angeles to Direct the Registrar-Recorder/County Clerk to Administer, Manage and Oversee the City of Gardena's General Municipal Election to be held on Tuesday, March 7, 2017; and Request for Consolidation of the General Municipal Election with any Countywide Election held on March 7, 2017

RESOLUTION NO. 6244

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO DIRECT THE REGISTRAR-RECORDER/COUNTY CLERK TO ADMINISTER, MANAGE AND OVERSEE THE CITY OF GARDENA'S GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 7, 2017; AND REQUEST FOR CONSOLIDATION OF THE GENERAL MUNICIPAL ELECTION WITH ANY COUNTYWIDE ELECTION HELD ON MARCH 7, 2017

- (c) RESOLUTION NO. 6246, Adopting Regulations for Candidates for Elective Office pertaining to Candidates Statements submitted to the Voters at an Election to be held on Tuesday, March 7, 2017

RESOLUTION NO. 6246

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, MARCH 7, 2017

City Manager Lansdell presented the Staff Report for Resolutions Nos. 6243, 6244, and 6246.

Mayor Pro Tem Henderson asked if we will be using the same Election Consultant that we have used in the past, and when is the filing period? He then asked if the candidates who have outstanding debts to the City be required to have those debts paid in full before they can run for another office?

8. DEPARTMENTAL ITEMS (Continued)

A. ELECTED & ADMINISTRATIVE OFFICES (Continued)

- (1) Resolutions relating to the General Municipal Election to be held on Tuesday, March 7, 2017
(Continued)

City Manager Lansdell responded to the questions and said that the City will not be using Martin & Chapman since Los Angeles County is conducting the election; the filing period will be from November 14, 2016 through December 9, 2016; and the City will require a deposit when the required paperwork is filed and any outstanding debts will need to be fulfilled before another deposit can be accepted.

Council Member Cerda asked will the polling locations be spread further apart?

City Manager Lansdell replied polling locations have not yet been determined by the County.

Council Member Medina asked if the deposits made by the Candidate will be a public record?

City Manager Lansdell replied that yes, they are public record.

It was moved by Council Member Medina, seconded by Council Member Terauchi, and carried by the following roll call vote to Adopt Resolution Nos. 6243, 6244, and 6246:

Ayes: Council Members Medina, Terauchi, and Cerda, and Mayor Pro Tem Henderson

Noes: None

Absent: None

- (2) U.S. Department of Housing and Urban Development (HUD) CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) for Program Year 2015-2016

City Manager Lansdell presented the Staff Report.

Mayor Pro Tem Henderson asked about when there are any funds remaining after a project is completed, what happens with that money? Does it remain in the CDBG Fund or does it go into the General Fund? He also asked how businesses are notified that they can participate in this program? He continued if a third inquiry, regarding if the City wanted to create new rebate programs for Crenshaw Boulevard or Normandie Avenue, would it take Council action?

City Manager Lansdell replied the grant program that must be used and allocated is set forth by HUD; each year as we go through the Action Plan that money is reprogrammed; we report how much money is spent and what was accomplished for that year; information is distributed within our community and is also on our website; currently, the approved rebate program for businesses is Western, as well as Rosecrans; if you wanted to create additional new ones, they could be added at the time we review the Action Plan.

– By Council consensus, the Report was Received and Filed

- (3) URGENCY ORDINANCE NO. 1771: Amending Chapter 18.66 of the Gardena Municipal Code Relating to Medical Cannabis, Adding Urgency Provisions relating to Personal Cultivation of Marijuana, and Adopting a Moratorium on All Commercial Marijuana Activities

Before considering this item, Staff respectfully requested, and Council unanimously agreed, that Urgency Ordinance No. 1771 would be tabled and brought back for consideration at the December 13, 2016, Council Meeting, if needed, following the outcome of Proposition 64 at the November 8, 2016, Election.

8. DEPARTMENTAL ITEMS (Continued)

- B. POLICE, STREETS & DEVELOPMENT SERVICES – *No Items*
- C. RECREATION, HUMAN SERVICES, PARKS & FACILITIES – *No Items*
- D. TRANSPORTATION – *No Items*

9. COUNCIL ITEMS, DIRECTIVES & REMARKS

- A. COUNCIL ITEMS – *No Items*
- B. COUNCIL DIRECTIVES – *No Items*
- C. COUNCIL REMARKS

(1) COUNCIL MEMBER TERAUCHI – reported that he attended the ribbon cutting for the ground breaking of the new KB Home development. Land that was formerly a Japanese nursery is now set for development of 96-units located on Normandie Avenue just south of Rosecrans Avenue. It looks very promising and is going to be great. This development will certainly give a boost to the local community.

(2) COUNCIL MEMBER MEDINA – shared that, since the last Council Meeting he attended the Vector Control District regular meeting and was told in the meeting that the Zika Virus is becoming a major problem in the Southeast area of the state, such as in San Diego, and even as close as Carlsbad. The District is actively working to develop new ways to help eliminate the Zika Virus from spreading. This is especially critical for women who are pregnant and for very young children. He asked the residents to be aware of areas around their homes, to clear standing water.

Medina also attended a meeting regarding ongoing litigation amongst cities in the State of California and everything looks positive; he attended and entertained at the annual AYSO Soccer tournament for physically challenged children; it was very uplifting. Along with Mayor Pro Tem Henderson, he attended a special awards dinner, the 2016 Franklin and Eleanor Roosevelt Democrat dinner and made a “shout out” to his wife, Susana Medina, who was the recipient of the 2016 Democrat of the Year Award from the 66th State Assembly District.

(3) COUNCIL MEMBER CERDA – reported that she attended several events since the last Council Meeting: the Japanese Cultural Institute (JCI) Community Shake Out and Emergency Preparedness Fair; a 24-hour Voter Registration Marathon hosted by Congresswoman Maxine Waters; the KB Home ribbon cutting, ground breaking ceremony; the South Bay Workforce Investment Board (SBWIB) Annual Alumni Awards and spoke about some positive examples of the benefits of participating in the many programs they offer. She ended her report with a reminder that, on Friday, November 11, 2016, starting at 11:00 a.m. the 44th Annual Veterans Days Service will be held at the Civic Center Lawn, honoring our local Veterans.

(4) MAYOR PRO TEM HENDERSON – reported that he also attended the Annual Alumni Awards at the SBWIB; the JCI Community Shake Out & Emergency Preparedness Fair; and the 24-hour Voter Registration Marathon. He encouraged everyone to get out and vote on Tuesday, November 8, 2016. He spoke about the “Open City Hall” he hosts and said he wants to make sure that he is always available for the community.

10. ANNOUNCEMENTS

- (1) “Veterans Day Services” to be held on Friday, November 11, 2016, 11:00 a.m., on the steps and lawn in front of Nakaoka Community Center.
- (2) “2016 Small Business Saturday” on November 26, 2016; come out and support all the small businesses in our community.

11. REMEMBRANCES

Ms. Kazuye Oye, 90 years old, long-time resident of Gardena, survived by her sister, Fumi Ishino, and many loving nieces and nephews.

12. ADJOURNMENT

At 9:15 p.m., Mayor Pro Tem Henderson adjourned the Gardena City Council Meeting.

With the consensus of the Members of City Council, because the next Regular Meeting of the City Council will fall on the National and State Election Day, November 8, 2016, that meeting will not be held. Also, due to the fact that the Regular City Council Meeting that would be held next month on Tuesday, November 22, 2016, falls in the week prior to Thanksgiving, that Meeting will also be cancelled.

Therefore, the Council Meeting was adjourned to a Regular City Council Meeting to be held on Tuesday, December 13, 2016, beginning at 7:00 p.m.

MINA SEMENZA
City Clerk of the City of Gardena and
Ex-officio Clerk of the Council

By: _____
Becky Romero, Deputy City Clerk

APPROVED:

Mark E. Henderson, Mayor Pro Tem