

CITY COUNCIL MEETING AGENDA STAFF REPORT

Agenda Item No.: 8. A. (2)
 Department: Elected/Administrative Offices
 Meeting Date: 05/10/16

AGENDA TITLE: PUBLIC HEARING: PROPOSED 42ND YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)-ONE YEAR ACTION PLAN FOR USE OF FUNDS FY 2016-2017

RECOMMENDATION:

Staff respectfully recommends that Council approve the recommended 42nd Year Fiscal Year 2016-2017 Community Development Block Grant Program as set forth below:

	PROJECT	Funding
a	Handyworker/Residential Rebate	\$235,000
b	Health and Safety Code Enforcement	\$95,000
c	Youth and Family Services Bureau	\$62,447
d	Multi-Family Housing Rehabilitation (MFRCCP)*	\$90,000
e	Western Commercial Rebate	\$23,329
f	Administration and Planning Includes Fair Housing allocation of \$20,000	\$126,000
	TOTAL Fiscal Year 2016-2017 Allocation	\$631,776
	Program Income to MFRCCP	\$7,700
	Total Available for Fiscal Year 2016-2017 Programs	\$639,476

BACKGROUND:

- **AVAILABLE CDBG FUNDS:** The Fiscal Year 2016-2017 Community Development Block Grant (CDBG) entitlement allocation to Gardena is \$631,776. To supplement this year's allocation, the City will reprogram \$7,700 in program income to the MFRCCP.
- **ELIGIBILITY REQUIREMENTS:** In accordance with CDBG Program Regulations 24 CFR Part 570, each entitlement grantee must ensure that program activities are classified as an *eligible* activity as well as meet a *national objective*. Community Development Block Grant funds must be programmed to give maximum feasible priority to activities that will benefit low and moderate income families and/or aid in the prevention or elimination of slum and blight or, in rare cases, meet an urgent need such as disaster that affects the entire community. Eligible activities include acquisition, public facilities and improvements, public services, assistance with physical deterioration, urban removal, removal of architectural barriers, residential construction or rehabilitation, special economic and community development activities, and planning and administration.

• **RECOMMENDED 42ND YEAR FISCAL YEAR 2016-2017 CDBG PROJECTS:** The recommended 42ND Year Fiscal Year 2016-2017 CDBG Projects are explained in the following:

- a) \$235,000 **Handyworker/Residential Rebate**
This program provides for the administrative, personnel and operating costs of the Housing Repair Program available to low and moderate income families, as well as, elderly and handicapped homeowners. In addition, the program offers a Residential Rebate Program that provides 50% rebates up to \$3,000 made available for costlier improvements such as roofing, major plumbing, electrical, termite control and other health and safety deficiencies. Current year allocation is \$235,000; all funds will be expended this year.

- b) \$95,000 **Health and Safety Code Enforcement**
This project provides for code enforcement officer(s), administrative support and supplies to carry out Code Enforcement in primarily Low/Moderate and Slum/Blight areas of the city in order to eliminate specific conditions that are detrimental to public health and safety. Current year allocation is \$95,000; all funds will be expended this year.

- c) \$62,447 **Youth, Senior and Family Services Bureau**
This project provides funds for staffing of Community Service Counselors to provide individual and group counseling services at after school programs, and the Emergency Services Food Bank for at risk, low and moderate income, elderly and handicapped individuals. Current year allocation is \$62,447; all funds will be expended this year.

- d) \$97,700 **Multi-Family Housing Rehabilitation**
Provides financial assistance to property owners of multi-family units between 5-11 units where 51% of the tenants meet the HUD "low income definition." Qualifying applicants will received up to \$8,000 to make necessary health and safety repairs. Current year allocation is \$90,00 plus program income funds of \$7,700 for a total allocation of \$97,700; all funds will be expended this year.

- e) \$ 23,329 **Western Commercial Rebate**
Provides rebates up to \$10,000 to commercial businesses for façade improvements, signage, various exterior improvements including but not limited to repaving, painting, etc. In addition, funds may be used for administration, supplies, equipment and marketing for this program. Current year allocation is \$23,329; all funds will be expended this year.

- f) \$126,000 **Administration and Planning (includes \$20,000 Fair Housing Allocation)**
Provides for personnel and operating costs related to overall CDBG program administration, economic development, planning and coordination. Also provides for outside contracting for administrative reporting, Fair Housing

assistance, construction compliance, and the City's indirect overhead costs. Current year allocation is \$126,000; all funds will be expended this year.

IN CONCLUSION,

This year, the City received applications for a variety of programs, with funding requests far exceeding the available CDBG funds. Projects were reviewed in relation to the City's Five-Year Housing and Urban Development (HUD) Consolidated Plan. The recommended programs thus reflect an effort to meet expressed needs, carry out activities that are both *eligible* and meet a *national objective*, as well as address the priorities of the City's Five-Year Consolidated Plan. CDBG Funds must be spent in a timely manner in order to ensure continued eligibility as an entitlement grantee. Therefore, projects were also selected based on the time element necessary to implement and complete each project, and certain projects who did not meet the timeliness criteria have had funds reprogrammed.

The Fiscal Year 2016-2017 Action Plan is being recommended following a 30-day citizen comment period, public notices inviting applications for funding, staff review of applications from non-profit agencies and city departments. In accordance with HUD noticing requirements, a Public Hearing was held on February 17, 2016, to receive citizen input prior to developing the recommended projects. Comments received in writing, by telephone, or in person up until the printing of this report have been taken into consideration and are reflected in the recommendations.

Staff respectfully requests the approval of the recommended Fiscal Year 2016-2017 Action Plan. Any comments received at this evening's meeting will be incorporated into the 42nd Year - *HUD Action Plan: One Year Use of Funds* for submission to the United States Department of Housing and Urban Development (HUD) by the May 13, 2016 deadline.

Submitted by: *Clint D. Osorio*
Clint D. Osorio, Chief Fiscal Officer

Date: May 5, 2016

Concurred by: *Mitchell G. Lansdell*
Mitchell G. Lansdell, City Manager

Date: May 5, 2016

CITY OF GARDENA



Annual Action Plan

Fiscal Year 2016-2017

*Prepared by
Elected and Administrative Offices
City of Gardena 1700 West 162nd Street Gardena, CA 90247*

Expected Resources

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

The strategic plan goals included in this Consolidated Plan are based on resources that are reasonably anticipated to be available to the City from federal, state, local and private sources from July 1, 2016 through June 30, 2021. The actual resources available to support activities during the implementation of this Consolidated Plan may vary significantly due to factors outside of the City's control. For example, HUD formula grant allocations are subject to change each year based on a number of factors such as the amount of the national appropriation, changes in ACS population data applied to the CPD grant formulas, statutory changes to the CPD grant formulas, the addition or removal of entitlements receiving a particular CPD grant and the availability of reallocated funds. Additionally, state, local and private resources will vary significantly depending on economic conditions.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1			Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	631,776	7,700	0	639,476	The expected amount available for the remainder of the Consolidated Plan period assumes level funding in future years.
						2,360,524	

Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

As a City with substantial housing and community development needs, Gardena needs to leverage its CDBG entitlement grant with a variety of funding resources in order to maximize the effectiveness of available funds.

Federal Resources

- Continuum of Care (CoC) Program
- HUD Veterans Affairs supportive Housing (HUD-VASH)
- Supportive Housing for the Elderly (Section 202)
- Supportive Housing for Persons with Disabilities (Section 811)
- Housing Opportunities for Persons with AIDS (HOPWA)
- Youthbuild
- Federal Low-Income Housing Tax Credit Program

State Resources

- State Low-Income Housing Tax Credit Program
- Building Equity and Growth in Neighborhoods Program (BEGIN)
- CalHome Program
- Multifamily Housing Program (MHP)
- Housing Related Parks Grant
- CalHFA Single and Multi-Family Program
- Mental Health Service Act (MHSA) Funding

Local Resources

- Los Angeles Homeless Services Authority (LAHSA)
- Housing Authority of the County of Los Angeles (HAclA)
- Los Angeles County Community Development Commission (LACDC)
- Southern California Home Financing Authority (SCHFA) Funding

Private Resources

OMB Control No: 2506-0117 (exp. 07/31/2015)

GARDENA

- Federal Home Loan Bank Affordable Housing Program (AHP)
- Community Reinvestment Act Programs
- United Way Funding
- Private Contributions

HOME Matching Requirements

The City does not received HOME program funds.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

The City has not identified any publically owned land to address identified needs in the plan.

Discussion

Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Affordable Housing Preservation	2016	2017	Affordable Housing	Citywide	Preserve the supply of affordable housing	CDBG: \$235,000	Homeowner Housing Rehabilitated: 7 Household Housing Unit
2	Neighborhood Preservation	2016	2017	Non-Housing Community Development	Low- and Moderate-Income Census Tract/Block Groups	Improve neighborhoods to create a suitable living	CDBG: \$185,000	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 25000 Persons Assisted
3	Public Services for low-income families	2016	2017	Non-Housing Community Development	Citywide	Provide Public Services to low-income residents	CDBG: \$62,447	Public service activities other than Low/Moderate Income Housing Benefit: 125 Persons Assisted
4	Fair Housing Services	2016	2017	Affordable Housing	Citywide	Ensure Equal Access for Housing Opportunities	CDBG: \$20,000	Other: 350 Other
5	Administration	2016	2017	Non-Housing Community Development	Low- and Moderate-Income Census	Improve neighborhoods to create a suitable	CDBG: \$126,000	General Administration of the CDBG Program Low/Moderate Income

Goals Summary

Goal Descriptions

1	Goal Name	Affordable Housing Preservation
	Goal Description	Preserve the quality of existing owner-occupied dwellings and/or rental housing units through rehabilitation including lead-based paint education, inspection, testing and abatement.
2	Goal Name	Neighborhood Preservation
	Goal Description	Preserve and provide code enforcement activities to benefit low and moderate income people or those presumed under HUD regulations to be low- and moderate-income.
3	Goal Name	Public Services for low-income families
	Goal Description	Provide low- and moderate- income families with a range of public services necessary to prevent homelessness and ameliorate the effects of poverty.
4	Goal Name	Fair Housing Services
	Goal	Affirmatively further fair housing choice through the provision of fair housing education, counseling, anti-discrimination and Administration
5	Goal Name	General Administration of the CDBG Program
	Goal Description	

Projects

AP-35 Projects – 91.220(d)

Introduction

To address the high priority needs identified in the Strategic Plan to the 2016-2021 Consolidated Plan, the City of Gardena will invest CDBG funds in projects that preserve affordable housing, provide fair housing services, provide services to low- and moderate-income residents, provide services to residents with special needs, prevent homelessness, preserve neighborhoods, improve public facilities and infrastructure and facilitate the creation or expansion of small businesses. Together, these projects will address the housing, community and economic development needs of Gardena residents- particularly those residents residing in the low- and moderate-income areas.

Projects

#	Project Name
1	Handy-worker/ Residential Rebate
2	Health and Safety Code Enforcement
3	Multi-Family Rehabilitation and Code Correction Program
4	Western/Crenshaw Commercial Rebate
5	Youth and Family Services Bureau (Counselors/Aides)
6	Fair Housing Services
7	CDBG Administration

Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

None

AP-38 Project Summary

Project Summary Information

1	Project Name	Handy-worker/ Residential Rebate
	Target Area	Citywide
	Goals Supported	Affordable Housing Preservation
	Needs Addressed	Preserve the supply of affordable housing
	Funding	CDBG: \$235,000
	Description	Preserve the quality of existing owner-occupied dwellings through rehabilitation
	Target Date	6/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	25 Low- and moderate-income families
	Location Description	Citywide
	Planned Activities	Housing Rehabilitation Program (25 Households) = \$235,000
2	Project Name	Health and Safety Code Enforcement
	Target Area	Citywide
	Goals Supported	Affordable Housing Preservation
	Needs Addressed	Preserve the supply of affordable housing
	Funding	CDBG: \$95,000
	Description	Provide code enforcement located within low and moderate income census tracts in coordinated effort to address code deficiencies in housing occupied by low income households
	Target Date	6/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	2,500 Households
	Location Description	Eligible CDBG Census Tracts
	Planned Activities	Code Enforcement (2,500 Households) = \$95,000

3	Project Name	Multi-Family Rehabilitation and Code Correction
	Target Area	Citywide
	Goals Supported	Affordable Housing Preservation
	Needs Addressed	Preservation of the supply of affordable housing
	Funding	CDBG: \$90,000
	Description	Provide grants to eligible multi-family property owners to make code and health and safety repairs to low income occupied units.
	Target Date	6/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	5 affordable housing units
	Location Description	TBD
	Planned Activities	Rental Rehabilitation Program (5 Rental Units) = \$90,000
4	Project Name	Western/Crenshaw Commercial Rebate
	Target Area	Low- and Moderate-Income Census Tract/Block Groups
	Goals Supported	Neighborhood Preservation
	Needs Addressed	Improve neighborhoods to create a suitable living
	Funding	CDBG: \$100,000
	Description	Preserve and enhance neighborhood aesthetics and improve infrastructure to benefit low- and moderate-income people or those presumed under HUD regulations to be low- and moderate-income.
	Target Date	6/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	25,000 People
	Location Description	CDBG low- and moderate-income area
	Planned Activities	Graffiti Removal Program (25,000 People) = \$100,000

5	Project Name	Youth and Family Services Bureau (Counselors/Aides)
	Target Area	Citywide
	Goals Supported	Public Services for low-income families
	Needs Addressed	Provide Public Services to low-income residents
	Funding	CDBG: \$62,447
	Description	Provide low- and moderate-income families with a range of public services necessary to prevent homelessness and ameliorate the effects of poverty.
	Target Date	6/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	125 Households
	Location Description	Citywide
	Planned Activities	Youth and Family Services (15 Households) = \$62,447
6	Project Name	Fair Housing Services
	Target Area	Citywide
	Goals Supported	Fair Housing Services
	Needs Addressed	Ensure Equal Access for Housing Opportunities
	Funding	CDBG: \$20,000
	Description	Fulfill the HUD regulatory mandate to affirmatively further fair housing choice through the provision of fair housing education, counseling, anti-discrimination and landlord-tenant mediation services.
	Target Date	6/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	150 People
	Location Description	Citywide
	Planned Activities	Housing Rights Center (150 People) = \$20,000

7	Project Name	CDBG Administration
	Target Area	Citywide
	Goals Supported	Affordable Housing Preservation Affordable Homeownership Acquisition of Affordable Rental Housing Neighborhood Preservation Homelessness Prevention Services Public Services for low-income families Fair Housing Services
	Needs Addressed	Preserve the supply of affordable housing Promote Home Ownership Opportunities Expand the supply of affordable housing Improve neighborhoods to create a suitable living Prevent and Eliminate Homelessness Provide Public Services to low-income residents Ensure Equal Access for Housing Opportunities Improve Public Facilities and Infrastructure
	Funding	CDBG: \$106,000
	Description	Administration services of the CDBG program
	Target Date	6/30/2017
	Estimate the number and type of families that will benefit from the proposed activities	N/A
	Location Description	N/A
	Planned Activities	Administration services of the CDBG program

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

Assistance will be primarily directed to the CDBG low- and moderate-income areas are shown on the map included in section SP-10 of the Consolidated Plan. The CDBG low- and moderate-income areas are comprised of low- and moderate-income Census Tract Block Groups as defined by HUD. Residents of the CDBG low- and moderate-income areas have median incomes at or below 80% of the area median income based on family size for the County of Los Angeles.

Geographic Distribution

Target Area	Percentage of Funds
Citywide	100

Geographic Distribution

Rationale for the priorities for allocating investments geographically

For the 2016-2017 program year, the City will invest \$631,776 of CDBG funds and \$7,700 in CDBG program income funds that will benefit low- and moderate-income people throughout the City. Of this amount, at least \$95,000 or 15 percent of all resources will be invested in projects that exclusively benefit the CDBG low- and moderate income areas. Due to the nature of the projects and activities to be undertaken, investments in projects and activities such as Neighborhood Preservation are limited to the CDBG low- and moderate-income areas while other projects and activities benefit low- and moderate-income limited clientele and are available citywide.

Discussion

Based on the Strategic Plan, the City is allocating 96.4 percent of its CDBG funds (excluding CDBG administration) for 2016-2017 projects and activities that benefit low- and moderate-income people. Due to the nature of the projects and activities to be undertaken, investments in projects concerning Neighborhood Preservation and Public Facilities and Infrastructure Improvements are limited to the CDBG low- and moderate-income areas while other projects and activities benefit low- and moderate-income limited clientele and are available citywide.

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

Three high priority affordable housing needs are identified in the 2016-2021 Consolidated Plan and three Strategic Plan goals are established to provide the framework necessary to invest CDBG funds to address the affordable housing needs of the City.

Expand the Supply of Affordable Housing

Based on evaluation of 2007-2011 ACS and CHAS data, there is a high need for housing units affordable for households earning less than 80 percent of AMI. Of the 18,150 households earning 0-80 percent of AMI in the City, 12,092 are cost burdened households—meaning households paying more than 30 percent of their income for housing. Additionally, 6,724 of the cost burdened households are considered severely cost burdened households—meaning that they pay more than 50 percent of their income for housing. Of the 6,724 severely cost burdened households, 5,184 are renters. Of those severely cost burdened renter households, 5,140 households earn less than 50 percent of AMI and are considered the most at risk of becoming homeless.

Preserve the Supply of Affordable Housing

As the City's housing stock ages, a growing percentage of housing units may need rehabilitation to allow them to remain safe and habitable. The situation is of particular concern for low- and moderate-income home owners who are generally not in a financial position to properly maintain their homes.

The age and condition of Gardena's housing stock is an important indicator of potential rehabilitation needs. Commonly, housing over 30 years of age needs some form of major rehabilitation, such as roof replacement, foundation work and plumbing systems. Housing over 15 years of age will generally exhibit deficiencies in terms of paint, weatherization, heating / air-conditioning systems, hot water heaters and finish plumbing fixtures.

According to CHAS data showing the year that housing units were built categorized by owner and renter tenure:

- 5,974 or 80.4 percent of the 7,425 owner-occupied housing units in Gardena were built 34 or more years ago (built prior to 1980);
- 964 or 13 percent of the 7,425 owner-occupied housing units were built between 15 and 34 years ago (built between 1980 and 1999); and
- 15,683 or 75 percent of the 20,954 renter-occupied housing units in Gardena were built 34 or more years ago (built prior to 1980)

- 5,043 or 24 percent of the 20,954 renter-occupied housing units in Gardena were built between 15 and 34 years ago (built between 1980 and 1999)

Preservation of the physical and functional integrity of existing housing units occupied by low- and moderate-income households is a cost-effective way to invest limited resources to retain existing housing units that are already affordable to low- and moderate-income households in the community. Addressing substandard housing conditions through housing preservation activities provide that all economic segments of the community have the means to ensure that their property meets local standards and that all Gardena residents have the opportunity to live in decent housing.

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	125
Special-Needs	0
Total	15

One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	0
Rehab of Existing Units	5
Acquisition of Existing Units	0
Total	5

One Year Goals for Affordable Housing by Support Type

Discussion

The Strategic Plan identifies a high priority need to expand the supply of affordable housing and a high priority need to preserve the supply of affordable housing. During the 2016-2017 program year, the City of Gardena will invest CDBG funds in the preservation of affordable housing units. Specifically, CDBG funds will be used to support affordable housing preservation projects including the City of Gardena Handy-worker/ Residential Rebate and Multi-Family Rehabilitation and Code Correction Program.

AP-60 Public Housing – 91.220(h)

Introduction

The City of Gardena does not administer Section 8 and does not own HUD Public Housing; however, the City is within the service area of the Housing Authority of the County of Los Angeles (HACoLA) for the purposes of Section 8 and Public Housing.

Actions planned during the next year to address the needs to public housing

HACoLA will continue to serve the needs of residents through public housing and Section 8 vouchers. Specifically, the U.S. Census Bureau projects that the elderly in California will have an overall increase of 112 percent from 1990 to 2020. Los Angeles County mirrors this trend. To address the need for the growing senior population, in August of 2013, HUD approved HACoLA's application to designate 13 public housing senior developments as housing for elderly families only (62 years or older).

Actions to encourage public housing residents to become more involved in management and participate in homeownership

HACoLA actively encourages residents to be involved in the organization through resident councils and active participation in housing authority decisions via surveys and other forms of engagement. HACoLA also maintains quarterly newsletters for Section 8 tenants, public housing residents, and Section 8 property owners.

HACoLA encourages residents to explore homeownership opportunities. HACoLA currently administers Family Self-Sufficiency (FSS) program for public conventional housing and Housing Choice Voucher program residents. The FSS program provides critical tools and supportive services to foster a resident's transition from financial and housing assistance to economic and housing self-sufficiency, most importantly homeownership.

To support this effort, HACoLA utilizes marketing materials to outreach and further promote the program's requirements and benefits to all public housing residents. For families that are eligible to participate, a Contract of Participation (COP) is prepared to govern the terms and conditions of their participation and an Individual Training Service Plan (ITSP) is created that outlines the following: supportive services to be provided, activities to be completed by the participant, and agreed upon completion dates for the services and activities. The COP is valid for five years and may be extended to allow the family to meet their ITSP goals.

Once the COP is established and the family experiences an increase in tenant rent as a result of earned income, an escrow account in their name is established and increased earned income is deposited into this account. Escrow accounts are disbursed to the family once the family has graduated successfully from the program. Families are encouraged to utilize these funds towards educational and homeownership endeavors.

Additionally, HACoLA provides residents with information on CDC's homeownership programs.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

N/A, HACoLA is designated as a High Performing Public Housing Agency.

Discussion

The Housing Authority of the County of Los Angeles administers Section 8 to provide rental assistance to low-income families, senior citizens, and disabled individuals. In 2015, 624 Section 8 Housing Choice Vouchers were held by Gardena households.

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

The City will invest CDBG funds during the 2016-2017 program year to address high priority needs identified in the 2016-2021 Consolidated Plan including preventing homelessness and providing public services to special needs populations. This will be accomplished through the City's Youth and Family Services program.

Homelessness Prevention Services

According to the results of the most recent data available March 2014 from The Los Angeles Homeless Service Authority (LAHSA) Point-in-Time Homeless Count (PIT Count), there are approximately 35,524 people who are homeless in the county (with approximately an additional 18,274 hidden homeless). Of those 35,524 individuals, there are approximately 12,667 people who are homeless in Los Angeles County – District 8 of which the City is a part of (with approximately an additional 5,309 hidden homeless). To address incidences of homelessness in Gardena and to prevent extremely-low income Gardena families from becoming homeless, the City places a high priority on programs that work to prevent homelessness or rapidly assist homeless individuals living in the community. To address this need, the City will support its Youth and Family Services program that will support 2 households over the Consolidated Plan period utilizing its CDBG funds. The TBRA assistance will assist in preventing these families from becoming homeless.

In addition, the City will be supporting the Los Angeles County CoC to prevent and eliminate homelessness including, but not limited to, emergency, homelessness prevention and rapid re-housing programs.

Services for Residents with Special Needs

Analysis of available data and consultation with organizations providing services for special needs populations revealed a high need for a range of additional services including, but not limited to, those concerned with developmentally disabled adults. To address these needs, the City will support three activities that provide services to developmentally disabled adults. The Handy-worker/ Residential Rebate and Multi-Family Rehabilitation and Code Correction Program will provide grants to complete necessary improvements to the dwelling to make the unit accessible. Lastly, through the five year period of the Consolidated Plan, the City will be funding improvements to community facilities to make them ADA accessible for disabled adults who may frequently use these facilities.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

Preventing and ending homelessness is a HUD priority addressed nationally through coordination of regional strategies carried out locally by government agencies and a wide variety of community based organizations and faith-based groups. Consistent with this approach, the City of Gardena supports the efforts of The Los Angeles Homeless Service Authority (LAHSA), County Continuum of Care (CoC), and its member organizations that address homelessness throughout Los Angeles County. In alignment with this strategy, the City will use other non HUD funds to support local service providers as well as City run programs to prevent homelessness and to expand the supply of affordable housing in Gardena for low- and moderate-income residents.

In September 2003, the Los Angeles City and County officials brought together over 60 leaders to establish a working group to develop a 10-year plan to end homelessness in Los Angeles County. Panel members included persons representing government, faith organizations, health and human services agencies, advocacy groups, the entertainment industry, law enforcement, business organizations, among those who have experienced homelessness.

According to the Ten-Year Plan to End Homelessness, the CoC is in the process of implementing several regional strategies that will enhance local coordination to more effectively assist people in need. To more rapidly identify and assess people experiencing homelessness, the CoC is working to create regional homeless access centers that will offer fully coordinated systems of outreach and will facilitate universal assessment, intake, referral and transportation to resources. The CoC is also developing resources of information (such as 2-1-1) to better serve individuals who are homeless or at risk of becoming homeless. In addition, the CoC is working to implement a database using real time information from intake and assessment that is housed in the Homeless Management Information System (HIMS). Collectively these strategies will help minimize duplication of effort and better connect the most vulnerable individuals and families, chronically homeless, and people at risk of becoming homeless to appropriate resources.

Since the adoption of the Ten-Year Plan, the CoC has taken initial steps toward fully coordinated systems of outreach and assessment. With the assistance of 2-1-1, residents are provided a comprehensive informational and referral system. To better understand the nature and extent of homelessness, every two years during the last 10 days of January, HUD requires communities across the country to conduct a comprehensive count of their homeless population. The CoC also conducts informational outreach presentations concerning homelessness in Los Angeles County throughout the community.

Addressing the emergency shelter and transitional housing needs of homeless persons

The ultimate solution to ending homelessness is transitional to permanent housing closely aligned with supportive services that ensure housing stability can be maintained. However, because the demand for affordable housing far outpaces the region's supply, the CoC continues to rely on its emergency and transitional housing system in order to address the immediate needs of Los Angeles County's homeless population.

Los Angeles County has implemented policy and program changes aimed at ensuring homeless persons in Los Angeles County are rapidly housed and offered an appropriate level of support services to meet their circumstances and keep them stably housed. Between 2013 and 2014, a total of 25 shelter (e.g. emergency, transitional and seasonal/overflow) beds were removed from the Homeless Inventory Count (HIC). In contrast, 12 permanent supportive housing beds were added to the HIC.

This increase in permanent supportive housing for the most vulnerable populations is attributed to Los Angeles County homeless service providers re-tooling their programs and shifting their focus to moving people quickly into permanent supportive housing throughout the County. Homelessness can be significantly reduced and the quality of life of our residents, especially those precariously housed or homeless can be improved.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

In support of CoC efforts, this Strategic Plan provides for the use of CDBG funds to support rental assistance activities implemented by the City or a local nonprofit organizations to help prevent and eliminate homelessness.

For the next five years, the new plan recommends the following strategies to reduce homelessness throughout the County:

- Know who is homeless and what they need – Conduct a count of every person living on the streets, shelters, or other places not fit for human habitation to understand the scope of homelessness in each community;
- Create the housing and the services to help people thrive - Create affordable housing units through acquisition or rehabilitation of existing buildings and provide supportive services in permanent supportive housing that are critical to housing retention;

- Shift to a Housing First System, a system through which homeless people are back in permanent housing in less than 30 days and there are few requirements for housing;
- Get involve and get other involved – Encourage others (individual of agency) to commit to partnering with other leaders to end chronic and veteran homelessness by 2016 and volunteer at local organizations.

By fully investing in solutions that work and getting communities to get involved at every level (i.e. federal, state, local, for profit organizations, non-provident organizations, and residents) the end of homelessness throughout Los Angeles County can be possible.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

An individual or family is considered to be at-risk of becoming homeless if it experiences extreme difficulty maintaining their housing and has no reasonable alternatives for obtaining subsequent housing. Homelessness often results from a complex set of circumstances that require people to choose between food, shelter and other basic needs. Examples of common circumstances that can cause homelessness include eviction, loss of income, insufficient income, disability, increase in the cost of housing, discharge from an institution, irreparable damage or deterioration to housing, and fleeing from family violence.

Referred to as “Bring L.A. Home!” The Campaign to End Homelessness”, the plan initiates a 10-year campaign to end homelessness in Los Angeles County by establishing a broad range of strategies that address a multitude of issues related to homelessness. The plan is consistent with State and Federal initiatives for ending homelessness and consists of the following seven guiding principles:

- Preventing homelessness
- Addressing the structural causes of homelessness
- Sustaining the current capacity to serve homeless people and building new capacity where it is needed
- Ensuring rapid return to housing for people who become homeless
- Bringing alienated homeless people into the mainstream of society
- Taking a regional approach to the crisis
- Reaffirming that housing is one of the basic human rights

With the focus of addressing family homelessness, chronic homelessness and mainstream and system changes (homeless prevention), "Bring L.A. Home! The Campaign to End Homelessness" represents a commitment by all stakeholders throughout the County to end homelessness within a decade.

Discussion

With limited CDBG resources available, the City is investing CDBG funds through its Youth and Family Services program to prevent homelessness in Gardena.

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

A barrier to affordable housing is a public policy or nongovernmental condition that constrains the development or rehabilitation of affordable housing, such as land use controls, property taxes, state prevailing wage requirements, environmental protection, cost of land and availability of monetary resources. Barriers to affordable housing are distinguished from impediments to fair housing choice in the sense that barriers are lawful and impediments to fair housing choice are usually unlawful.

Based on information gathered during community meetings, the Consolidated Plan Needs Assessment Survey, the 2014-2021 Housing Element and market analysis, the primary barriers to affordable housing in Gardena are housing affordability and the lack of monetary resources necessary to develop and sustain affordable housing. The two barriers are related in the sense that demand for affordable housing exceeds the supply and insufficient resources are available to increase the supply of affordable housing to meet demand.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

In the development of the 2014-2021 Housing Element, the City evaluated significant public policies affecting affordable housing development such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges and growth limitations. Based on this evaluation, the City determined that it has taken all necessary steps to ameliorate the negative effects of public policies that may have been a barrier to affordable housing. Moreover, the City is actively engaged with affordable housing developers concerning the siting of affordable housing and ensuring that the entitlement process runs smoothly from inception to completion.

Discussion:

To address housing affordability and the lack of monetary resources for affordable housing, the 2016-2021 Consolidated Plan - Strategic Plan calls for the investment of a significant portion of CDBG funds the rehabilitation and preservation of 500 existing affordable housing units over the next five years.

AP-85 Other Actions – 91.220(k)

Introduction:

In the implementation of the 2016-2017 Annual Action Plan, the City will invest CDBG resources to address obstacles to meeting underserved needs, foster and maintain affordable housing, reduce lead-based paint hazards, reduce the number of poverty-level families, develop institutional structure and enhance coordination between public and private housing and social service agencies.

Actions planned to address obstacles to meeting underserved needs

The primary obstacles to meeting the underserved needs of low- and moderate-income people include lack of funding from federal, state and other local sources, the high cost of housing that is not affordable to low-income people and the lack of availability of home improvement financing in the private lending industry. To address these obstacles, the City is investing CDBG funds through the 2016-2017 Action Plan in projects that provide loans to low- and moderate-income homeowners for home improvements, projects that provide public and neighborhood services to low- and moderate-income people and those with special needs, and projects that prevent homelessness. To address underserved needs, the City is allocating 96.4 percent of its non-administrative CDBG investments for program year 2016-2017 to projects and activities that benefit low- and moderate-income people.

Actions planned to foster and maintain affordable housing

In the implementation of the 2016-2017 Annual Action Plan, the City will invest CDBG funds to preserve and maintain affordable housing through the City of Gardena Handy-worker/ Residential Rebate and Multi-Family Rehabilitation and Code Correction Program that will provide up to 30 forgivable grants of between \$500 and \$8,000 and loans of up to \$60,000 (funded by the State HOME Program) to low- and moderate-income owners of single-family housing.

Actions planned to reduce lead-based paint hazards

The Residential Lead Based Paint Hazard Reduction Act of 1992 (Title X) emphasizes prevention of childhood lead poisoning through housing-based approaches. To reduce lead-based paint hazards, the City of Gardena Owner Occupied Housing Rehabilitation Loan Program will conduct lead-based paint testing and risk assessments for each property assisted that was built prior to January 1, 1978 and will incorporate safe work practices or abatement into the scope of work as required to reduce lead-based paint hazards in accordance with 24 CFR Part 35.

Actions planned to reduce the number of poverty-level families

The implementation of CDBG activities meeting the goals established in the 2016-2021 Consolidated Plan - Strategic Plan and this Annual Action Plan will help to reduce the number of poverty-level families by:

- Supporting activities that expand the supply of housing that is affordable to low- and moderate-income households;
- Supporting activities that preserve the supply of decent housing that is affordable to low- and moderate-income households;
- Supporting a continuum of housing programs to prevent and eliminate homelessness; and
- Supporting housing preservation programs that assure low income households have a safe, decent and appropriate place to live.

In addition to these local efforts, mainstream state and federal resources also contribute to reducing the number of individuals and families in poverty. Federal programs such as the Earned Income Tax Credit and Head Start provide pathways out of poverty for families who are ready to pursue employment and educational opportunities. Additionally in California, the primary programs that assist families in poverty are CalWORKS, CalFresh (formerly food stamps) and Medi-Cal. Together, these programs provide individuals and families with employment assistance, subsidy for food, medical care, childcare and cash payments to meet basic needs such as housing, nutrition and transportation. Other services are available to assist persons suffering from substance abuse, domestic violence and mental illness.

Actions planned to develop institutional structure

The institutional delivery system in Gardena is high-functioning and collaborative—particularly the relationship between local government and the nonprofit sector comprised of a network of capable non-profit organizations that are delivering a full range of services to residents. Strong City departments anchor the administration of HUD grant programs and the housing, community and economic development activities that are implemented by the City. support and enhance this existing institutional structure, the City of Gardena will collaborate with affordable housing developers and nonprofit agencies receiving CDBG funds through the 2016-2017 Annual Action Plan to ensure that the needs of low- and moderate-income residents are met as envisioned within the 2016-2021 Consolidated Plan - Strategic Plan.

Actions planned to enhance coordination between public and private housing and social service agencies

To enhance coordination between public and private housing and social service agencies, the City will continue consulting with and inviting the participation of a wide variety of agencies and organizations involved in the delivery of housing and supportive services to low- and moderate-income residents in Gardena—particularly the CDBG low- and moderate-income areas.

Discussion:

In the implementation of the 2016-2017 Annual Action Plan, the City will invest CDBG resources to address obstacles to meeting underserved needs, foster and maintain affordable housing, reduce lead-based paint hazards, reduce the number of poverty-level families, develop institutional structure and enhance coordination between public and private housing and social service agencies.

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(I)(1,2,4)

Introduction:

In the implementation of programs and activities under the 2016-2017 Annual Action Plan, the City of Gardena will follow all HUD regulations concerning the use of program income, forms of investment, overall low- and moderate-income benefit for the CDBG program.

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	7,700
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	7,700

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	100.00%

Citizen Participation Comments

Comments to be added as received.

PUBLIC NOTICE

FFP
7711 cdbg public comment

Affidavit of Publication

STATE OF CALIFORNIA } SS
COUNTY OF LOS ANGELES

Marcela Aguayo, being duly sworn, says:

That she is Legal Ad Mgr. of the Gardena Valley News, 92381, a weekly newspaper of general circulation, printed and published in Gardena, LOS ANGELES County, California; that the publication, a copy of which is attached hereto, was published in the said newspaper on

April 07, 2016, April 21, 2016

That said newspaper was regularly issued and circulated on those dates.

WITNESSED:

Legal Ad Mgr.

Subscribed to and sworn to me this 21st day of April 2016.

GARDENA VALLEY NEWS, LOS ANGELES County,

004357 00040961

CITY OF GARDENA
1700 WEST 162ND STREET
GARDENA, CA 90247-3778

**CITY OF GARDENA
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
(1) AMENDED CITIZEN PARTICIPATION PLAN, (2) DRAFT FY 2016-2021 FIVE YEAR CONSOLIDATED PLAN, (3) 2016-2017 ACTION PLAN AND (4) ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE;
NOTICE OF 30-DAY PUBLIC COMMENT PERIOD AND PUBLIC HEARING**

PUBLIC NOTICE IS HEREBY GIVEN THAT the City of Gardena, under provision of the Housing and Community Development Act (HCDA) of 1974, as amended, will hold a Public Hearing to receive citizen comments regarding the City's Amended Citizen Participation Plan, Draft FY 2016-2021 Five Year Consolidated Plan, 2016-2017 Action Plan and 2016-2021 Analysis of Impediments to Fair Housing Choice. The City will also conduct a 30-day Public Comment Period starting on April 7, 2016 and ending on May 6, 2016 for the Amended Citizen Participation Plan, Draft FY 2016-2021 Five Year Consolidated Plan, 2016-2017 Action Plan and Analysis of Impediments to Fair Housing Choice in order to obtain public comments regarding the contents of these documents.

Five-Year Consolidated Plan

The Consolidated Plan is a five-year planning document designed to be a collaborative process for establishing a community development plan. It outlines a strategy to address needs and identifies funding sources for implementation. Pursuant to the U.S. Department of Housing and Urban Development (HUD), the Consolidated Plan is required to:

- Describe the City's housing and community development needs and market conditions;
- Set forth a strategy that establishes priorities; and
- Establish a five year investment plan that outlines the intended use of resources.

A primary purpose of the Consolidated Plan is to encourage jurisdictions to develop a plan for addressing the needs of low- and moderate-income groups, which are the intended beneficiaries of HUD-funded programs. The three main goals established by HUD, against which the Consolidated Plan will be evaluated include: 1) providing decent housing; 2) providing a suitable living environment; and 3) expanding economic opportunities.

FY 2016-2017 Action Plan

The Action Plan (2016-2017) functions as an annual application for federal CDBG grant funds under the HUD formula grant programs. The City will receive \$631,776 in CDBG funds from HUD to fund eligible projects during Program Year 2016-2017. The following is a summary of the projects being recommended to City Council for consideration of approval on May 10, 2016:

Activity	Recommended Funding
Handyworker Fix-up & Residential Rebate	\$235,000
Youth & Family and Senior Services	\$62,447
Code Enforcement for City of Gardena	\$95,000
Western Ave. Commercial Rebate	\$23,329
Multi-Family Rehabilitation and Code Correction Program	\$90,000
Fair Housing	\$20,000
CDBG Administrative Overhead	\$106,000
TOTAL FY 2016-2017 CDBG FUNDING	\$631,776

Analysis of Impediments to Fair Housing Choice

The 2016-2021 Analysis of Impediments to Fair Housing Choice is a comprehensive planning document that is required to be updated every five (5) years to further fair housing. Fair housing is a condition in which individuals of similar income levels in the same housing market have like ranges of choice available to them regardless of race, color, ancestry, national origin, religion, sex, disability, marital status, familial status, or any other arbitrary factor. The Analysis of Impediments provides an overview of law, regulations, conditions or other possible obstacles that may affect an individual or household's access to housing.

PUBLIC NOTICE IS HEREBY FURTHER GIVEN THAT the Amended Citizen Participation Plan, Draft FY 2016-2021 Five Year Consolidated Plan, 2016-2017 Action Plan and 2016-2021 Analysis of Impediments to Fair Housing Choice will be available to the public for examination and comment for a 30-day period beginning April 7, 2016 and ending May 6, 2016. Copies of this document are available for review on the City's website at ci.gardena.ca.us and at these sites: Gardena City Clerk's Office, 1700 West 162nd Street; Gardena Human Services Division, 1651 West 162nd Street; Mayme Dear Library, 1700 West 162nd Street.; Nakaoka Community Center, 1670 West 162nd Street; City Manager's Office, 1700 W. 162nd Street.

PUBLIC NOTICE IS HEREBY FURTHER GIVEN THAT a Public Hearing to receive comments on the Amended Citizen Participation Plan, Draft FY 2016-2021 Five Year Consolidated Plan, 2016-2017 Action Plan and 2016-2021 Analysis of Impediments to Fair Housing Choice has been set for **Tuesday, May 10, 2016, at 7:30p.m.** in the City Council Chambers at Gardena City Hall, 1700 West 162nd Street, Gardena, California. All persons interested in this matter or subjects related thereto may attend the public hearing and may present any comments or requests deemed relevant to the Amended Citizen Participation Plan, Draft FY 2016-2021 Five Year Consolidated Plan, 2016-2017 Action Plan and 2016-2021 Analysis of Impediments to Fair Housing Choice.

PUBLIC NOTICE IS HEREBY FURTHER GIVEN THAT any person who is unable to attend this hearing may submit comments regarding the Amended Citizen Participation Plan, Draft FY 2016-2021 Five Year Consolidated Plan, 2016-2017 Action Plan and 2016-2021 Analysis of Impediments to Fair Housing Choice during the 30-day period starting April 7, 2016 and ending May 6, 2016, in writing, by telephone: (310) 217-9516, e-mail: msimonell@ci.gardena.ca.us, facsimile: (310) 217-9611, or in person: Mary Simonell, CDBG Coordinator, City of Gardena, 1700 West 162nd Street, Gardena, California 90247.



City of Gardena
City Council Meeting

AGENDA REPORT SUMMARY

Agenda Item No. 8. A. (3)
Department: ELECTED and ADMINISTRATIVE OFFICES
Meeting Date: 05/10/2016
Resolution: No. 6229

TO: THE HONORABLE MAYOR AND CITY COUNCIL

AGENDA TITLE: RESOLUTION NO. 6229, APPROVING MODIFIED CALIFORNIA GAMES COLLECTION RATES AT THE HUSTLER CASINO

<p><u>COUNCIL ACTION REQUIRED:</u></p> <p>Adopt Resolution No. 6229</p>	<p><u>Action Taken</u></p>
<p><u>RECOMMENDATION AND STAFF SUMMARY:</u></p> <p>Staff respectfully recommends that the City Council <u>adopt Resolution No. 6229</u>, which approves the Modified California Games Collection Rates to be used at the Hustler Casino.</p> <p>On April 27, 2015, the Hustler Casino received written approval from the State of California Department of Justice, Bureau of Gambling Control, to modify their gambling establishment's California games collection rates. A copy of the approval, listing the updated rates for the Hustler Casino is attached to Resolution No. 6229, as Exhibit A.</p> <p>This approval by the State of California is subject to the adoption of a formal resolution by the Gardena City Council.</p>	
<p><u>FINANCIAL IMPACT/COST:</u></p> <p>None</p>	
<p><u>ATTACHMENTS:</u></p> <p>1) Resolution No. 6229</p>	
<p>Submitted by <u><i>Mitchell G. Lansdell</i></u>, Mitchell G. Lansdell, City Manager Dated: 05/04/2016</p>	

RESOLUTION NO. 6229

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF GARDENA, CALIFORNIA, APPROVING
MODIFIED CALIFORNIA GAMES COLLECTION
RATES AT THE HUSTLER CASINO**

WHEREAS, Gardena Municipal Code Section 5.24.270 provides that rules of play for all games permitted to be played in licensed card clubs shall be sent to the City Council for final approval; and

WHEREAS, on April 27, 2015, the Hustler Casino received approval from the California Bureau of Gambling Control for modification of its California Games Collection Rates, which letter of approval is attached hereto as Exhibit "A," and incorporated herein by reference; and

WHEREAS, the Hustler Casino has requested that the City Council approve the rates set forth on Exhibit "A."

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE AND DETERMINE, AS FOLLOWS:

SECTION 1. The California Games Collection Rates Modification set forth on Exhibit "A" is hereby approved.

SECTION 2. This Resolution supersedes any previously authorized collection rates for California Games at the Hustler Casino.

SECTION 3. This resolution shall be effective immediately.

BE IT FURTHER RESOLVED that the City Clerk shall certify to the passage and adoption of this resolution; shall cause the same to be entered among the original resolutions of the City; and shall make a minute of the passage and adoption thereof on the records of the proceedings of the City Council for the meeting at which the same is passed and adopted.

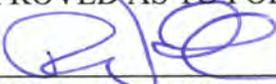
Passed, approved, and adopted this 10th day of May, 2016.

PAUL K. TANAKA, Mayor

ATTEST:

MINA SEMENZA, City Clerk

APPROVED AS TO FORM:



PETER L. WALLIN, City Attorney

KAMALA D. HARRIS
Attorney General

EXHIBIT "A"
Resolution No. 6229

State of California
DEPARTMENT OF JUSTICE



BUREAU OF GAMBLING CONTROL
P.O. BOX 168024
SACRAMENTO, CA 95816

April 27, 2015

Mr. Elijah Zuniga
Hustler Casino
1000 West Redondo Beach Blvd.
Gardena, CA 90247

BGC ID: GEGA-003476

RE: California Games Collection Rate Modification Approval

Dear Mr. Zuniga:

The Bureau of Gambling Control (Bureau) has reviewed Hustler Casino's request to modify the California Games Collection Rates. This letter is to inform you the Bureau has approved the gambling establishment's request to offer these modified rates for play. Hustler Casino may begin offering the modified collection rates, as enclosed, upon approval from the local jurisdiction. This letter of approval and the enclosed rules shall be kept on file, at the Hustler Casino, and be readily available for review during all hours of operation. Any changes to the rules of play, as enclosed, shall constitute a new game and invalidate this approval. **In addition, this approval letter shall supersede the previous approval letters for California Games Collection Rates offered at Hustler Casino dated January 1, 2013, March 26, 2013 and July 31, 2013.**

The Bureau reserves the right to: (1) review the lawfulness of the modified California Games Collection Rates; (2) notify all law enforcement agencies and gambling establishments if further review determines the modified California Games Collection Rates to be unlawful; (3) require gambling establishments to cease and desist utilizing the modified California Games Collection Rates if found to be unlawful; and (4) take action against those gambling establishments that decline to abide by the Bureau's cease and desist notification.

The Hustler Casino shall offer the California Games Collection Rates in accordance with the Bureau approved rules, as enclosed.

The details of the modifications to the California Games Collection Rates, as approved, are as follows:

Modifications to the California Games Collection Rates

The previously approved table limits and collection rates for all California Games offered for play at the Hustler Casino are no longer valid. Only those table limits and collection rates, as identified below, are approved to be offered at the Hustler Casino.

- *Schedule options for CA Baccarat, 21st Century Baccarat w/early and late tie bets, 21st Century Baccarat 8.0, 21st Century Lucky 7 Baccarat, 21st Century Baccarat 9.0 and EZ Baccarat, have changed.*

The modified California games wagering limits and collection fees are in compliance with the laws and regulations for the State of California. Although the modifications to the California Games Collection Rates have been approved by the Bureau, the local ordinance for the City of Gardena states the following:

5.24.210 Rules and regulations.

Rules and regulations may be established and promulgated by resolution adopted by the council to enhance, preserve or ensure security and safety in and about the premises of the card club, to establish maximum and minimum wagering limits and to otherwise regulate the operations of licensees. Such rules and regulations shall have the force of law, and any violation thereof shall be considered a violation of this chapter.

5.24.250 Seat rental fees.

B. ...The convenience dealer, at the start of each half-hour collection period, shall inform each player of the rental fee schedule in effect for the following half-hour.

Moneys collected on a fee per hand basis shall immediately be placed by the convenience dealer into a locked box at each table. The city shall have the right to inspect and audit the contents of such boxes at any time and for any reason.

5.24.270 Rules of play.

Rules of play for all games permitted to be played pursuant to this chapter, including rules establishing wagering limits in each game to be played, shall first be filed with the chief of police who shall make a recommendation and then send to the city council for final approval. During hours of operation copies of such rules shall be made available to patrons upon request or shall be clearly posted at the gaming tables where the games are offered.

Therefore, the modified wagering limits and collection rates for the California Games are in compliance with the local ordinance for the City of Gardena. However, Hustler Casino is not authorized to offer any games for play until approval has been received from the local jurisdiction.

Bureau Regulations 2070, Article 7 subd. (b) states:

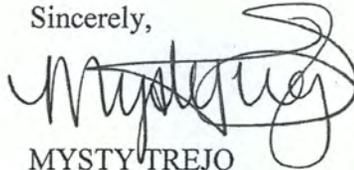
It shall be an unsuitable method of operation for a gambling establishment to:

(b) Offer for play any gaming activity which is not authorized by the Bureau pursuant to the Act and these regulations for play at that gambling establishment;

Therefore, any changes Hustler Casino may wish to make in the future to the approved California Games Collection Rates, as enclosed, shall be submitted to the Bureau along with the required fees, and will not be authorized until written notification of approval from the Bureau is received.

If you have any questions regarding this approval, please contact Scott Greer at (916) 227-7524 or via email at Scott.Greer@doj.ca.gov.

Sincerely,



MYSTY TREJO
Manager, Game Review Unit

For KAMALA D. HARRIS
Attorney General

Enclosure

cc: Cheryleen Kau, Special Agent Supervisor
Compliance and Enforcement Section
Bureau of Gambling Control, Los Angeles

California Games Collection Rates

APPROVED

Although the Bureau has approved these collection rates, games offering a ~~California~~ collection are currently under Bureau review. The Bureau reserves the right to: (1) review the lawfulness of the California Games Collection Rates; (2) notify all law enforcement agencies and gambling establishments if further review determines the California Games Collection Rates to be unlawful; (3) require ~~Bureau of Gambling Control~~ establishments to cease and desist offering the California Games Collection Rates if found to be unlawful; and (4) take action against those gambling establishments that decline to abide by the Bureau's cease and desist notification.

CA Baccarat (GEGA-001494), 21st Century Baccarat w/early and late tie bets (GEGA-000017), 21st Century Baccarat 8.0 (GEGA-002443), 21st Century Lucky 7 Baccarat (GEGA-003149), 21st Century Baccarat 9.0 (GEGA-002666) - For schedule options 1 through 6, a collection fee shall be taken per hand from the player-dealer position. A collection fee shall also be taken from each player per controlled game wager placed. There shall be no fee taken from a player for placing a bonus bet. The collection fees shall be collected prior to cards being dealt or any round of play being conducted.

Schedule Option	Table Limit	Player Fee	Player-Dealer Fee
1	\$5 - \$50	\$0.50	\$2
2	\$10 - \$100	\$1	\$2
3	\$50 - \$300	\$2	\$4
4	\$100 - \$500	\$3	\$5
5	\$100 - \$1,000	\$6	\$10
6	\$500 - \$1,000	\$6	\$10

EZ Baccarat (GEGA-002822) - For schedule options 1 through 7, a collection fee shall be taken per hand from the player-dealer position. A collection fee shall also be taken from each player per controlled game wager placed. There shall be no fee taken from a player for placing a bonus bet. The collection fees shall be collected prior to cards being dealt or any round of play being conducted.

Schedule Option	Table Limit	Player Fee	Player-Dealer Fee
1	\$5 - \$50	\$0.50	\$2
2	\$10 - \$100	\$1	\$2
3	\$25-\$100	\$1	\$2
4	\$50 - \$300	\$2	\$4
5	\$100 - \$500	\$3	\$5
6	\$100 - \$1,000	\$6	\$10
7	\$500 - \$1,000	\$6	\$10

For schedule options 8 through 12, a collection fee shall be taken per hand from the player-dealer position. A collection fee shall also be taken from each player per controlled game wager, Dragon 7 Bonus Bet, Panda 8 Bonus Bet, and Tie Bet when placed without a controlled game wager.

Schedule Option	Table Limit	Player Fee	Dragon 7 Fee	Panda 8 Fee	Tie Bet Fee	Player-Dealer Fee
8	\$10 - \$100	\$1	\$1	\$1	\$1	\$2
9	\$25 - \$100	\$1	\$1	\$1	\$1	\$2
10	\$50 - \$300	\$2	\$1	\$1	\$1	\$3
11	\$100 - \$500	\$3	\$1	\$1	\$1	\$5
12	\$500 - \$1,000	\$6	\$1	\$1	\$1	\$10

California Games Collection Rates

APPROVED



For **schedule options 13 through 19**, a collection fee shall be taken per hand from the player-dealer position based on the total amount all players have wagered on the Player line, Banker line, Tie Bet, and any bonus bets at the table, prior to cards being dealt or any round of play being conducted. There shall be no collection fee for players when placing a wager on the Player line, Banker line, Tie Bet, or any bonus bets. All bonus bets and the Tie Bet may be less than, equal to, or greater than the game wager but must be within the minimum and maximum table limits.

Schedule Option	Wager Limit Per Betting Circle	Total Table Action	Player-dealer Fee	Player Fee
13	\$10-\$100	\$10 - \$100	\$1	\$0
		\$101 - \$300	\$2	
		\$301 - \$500	\$3	
		\$501 - \$1100	\$7	
		\$1101 +	\$15	
14	\$10-\$100	\$10 - \$300	\$2	\$0
		\$301 - \$500	\$3	
		\$501 - \$1100	\$7	
		\$1101 +	\$15	
15	\$10-\$100	\$10 - \$50	\$2	\$0
		\$51 - \$300	\$2.50	
		\$301 - \$500	\$3	
		\$501 - \$1100	\$7	
		\$1101 +	\$15	
16	\$25-\$100	\$25 - \$100	\$1	\$0
		\$101 - \$300	\$2	
		\$301 - \$500	\$3	
		\$501 - \$1100	\$7	
		\$1101 +	\$15	
17	\$50-\$300	\$50 - \$100	\$1	\$0
		\$101 - \$300	\$2	
		\$301 - \$600	\$4	
		\$601 - \$1200	\$10	
		\$1201 +	\$15	
18	\$100-\$500	\$100 - \$300	\$2	\$0
		\$301 - \$800	\$5	
		\$801 - \$1200	\$10	
		\$1201 - \$1800	\$15	
		\$1801 +	\$25	

California Games Collection Rates

19	\$300-\$500	\$300 - \$800	\$5	 APPROVED APR 28 2015 \$0 Bureau of Gambling Control
		\$801 - \$1200	\$10	
		\$1201 - \$1800	\$15	
		\$1801 - \$3500	\$25	
		\$3501 +	\$30	

No Bust 21st Century Blackjack (GEGA-001491), LA Blackjack (GEGA-001493), Hustler Casino Blackjack (GEGA-001506), No Bust 21st Century Blackjack Second Chances (GEGA-001508), No Bust 21st Century Blackjack 4.0a (GEGA-000114), No Bust 21st Century Blackjack 6.2 (GEGA-002665), No Bust 21st Century Blackjack 4.0B (GEGA-003532) - For schedule options 1 through 5, a collection fee shall be taken per hand from the player-dealer position. A collection fee shall also be taken from each player per controlled game wager placed. No collection fee shall be taken for placing a bonus bet, any double down, split, insurance or surrender. The collection fees shall be collected prior to cards being dealt or any round of play being conducted.

Schedule Option	Table Limit	Player Fee	Player-Dealer Fee
1	\$5 - \$25	\$0.50	\$1.50
2	\$10 - \$100	\$1	\$2
3	\$25 - \$100	\$1	\$2
4	\$50 - \$300	\$2	\$4
5	\$100 - \$500	\$3	\$5

For **schedule options 6 through 9**, a collection fee shall be taken per hand from the player-dealer position based on the total amount all players have wagered and any bonus bets at the table, prior to cards being dealt or any round of play being conducted. There shall be no collection fee for players when placing a wager. All bonus bets may be less than or equal to the game wager but must be within the minimum and maximum table limits.

Schedule Option	Wager Limit Per Betting Circle	Total Table Action	Player-dealer Fee	Player Fee
6	\$5-\$25	\$5 - \$25	\$0.50	\$0.00
		\$26 - \$100	\$1	
		\$101 - \$300	\$2	
		\$301 - \$500	\$3	
		\$501 +	\$6	
7	\$10-\$100	\$10 - \$100	\$1	\$0.00
		\$101 - \$300	\$2	
		\$301 - \$500	\$4	
		\$501 - \$1500	\$7	
		\$1501 +	\$13	

California Games Collection Rates

				APPROVED
8	\$25-\$100	\$25 - \$100	\$1	Bureau of Gambling Control APR 28 2015 \$0.00
		\$101 - \$400	\$2	
		\$401 - \$700	\$7	
		\$701 - \$1500	\$9	
		\$1501 +	\$13	
9	\$100-\$500	\$100-\$500	\$2	\$0.00
		\$501 - \$1000	\$6	
		\$1001 - \$1500	\$10	
		\$1501 - \$3500	\$17	
		\$3501 +	\$25	

Three Card Poker (GEGA-000112), Three Card Poker 6 Card Bonus (GEGA-003525) - For schedule option 1 and 2, a collection fee shall be taken per hand from the player-dealer position. A collection fee shall also be taken from each player per controlled game wager placed. There shall be no fee taken from a player for placing a bonus bet. The collection fees shall be collected prior to cards being dealt or any round of play being conducted.

Schedule Option	Table Limit	Player Fee	Player-Dealer Fee
1	\$5 - \$100	\$1	\$2
2	\$5 - \$100	\$1	\$3

For **schedule options 3 through 6,** a collection fee shall be taken per hand from the player-dealer position based on the total amount all players have wagered and any bonus bets at the table, prior to cards being dealt or any round of play being conducted. There shall be no collection fee for players when placing a wager or bonus bet.

Schedule Option	Wager Limit Per Betting Circle	Total Table Action	Player-dealer Fee	Player Fee
3	\$1-\$100	\$1 - \$75	\$1	\$0
		\$76 - \$200	\$2	
		\$205 - \$500	\$4	
		\$505 - \$1500	\$5	
		\$505 +	\$10	
4	\$10-\$100	\$5 - \$75	\$1	\$0
		\$76 - \$200	\$2	
		\$205 - \$500	\$4	
		\$505 - \$1500	\$5	
		\$1501 +	\$10	
5	\$25-\$100	\$25 - \$100	\$1	\$0
		\$105 - \$400	\$3	
		\$405 - \$1000	\$7	
		\$1005 - \$3000	\$18	
		\$3005 +	\$25	

California Games Collection Rates

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6	\$50-\$300	\$50 - \$600	\$4	 APR 28 2016 \$0 Bureau of Gambling Control
		\$605 - \$1500	\$9	
		\$1505 - \$3000	\$15	
		\$3005 - \$6000	\$20	
		\$6005 +	\$30	

Fortune Pai Gow Poker 1.0 (GEGA-002516), Pai Gow Poker (GEGA-001504) - For schedule options 1 through 5, a collection fee shall be taken per hand from the player-dealer position. A collection fee shall also be taken from each player per controlled game wager placed. There shall be no fee taken from a player for placing a bonus bet. The collection fees shall be collected prior to cards being dealt or any round of play being conducted.

Schedule Option	Table Limit	Player Fee	Player-Dealer Fee
1	\$10 - \$100	\$1	\$2
2	\$25 - \$100	\$1	\$2
3	\$50 - \$300	\$2	\$4
4	\$100 - \$500	\$3	\$5
5	\$300 - \$1,000	\$5	\$10

For **schedule options 6 through 9**, a collection fee shall be taken per hand from the player-dealer position based on the total amount all players have wagered and any bonus bets at the table, prior to cards being dealt or any round of play being conducted. There shall be no collection fee for players when placing a wager.

Schedule Option	Wager Limit Per Betting Circle	Total Table Action	Player-dealer Fee	Player Fee
6	\$1-\$100	\$1 - \$100	\$1	\$0
		\$105 - \$300	\$2	
		\$305 - \$500	\$4	
		\$505 - \$1500	\$7	
		\$1501 +	\$13	
7	\$10-\$100	\$5 - \$100	\$1	\$0
		\$105 - \$300	\$2	
		\$305 - \$500	\$4	
		\$505 - \$1500	\$7	
		\$1505 +	\$13	
8	\$25-\$100	\$25 - \$100	\$1	\$0
		\$105 - \$400	\$3	
		\$405 - \$1000	\$7	
		\$1005 - \$3000	\$18	
		\$3005 +	\$25	

California Games Collection Rates

9	\$50-\$300	\$50-\$1200	\$5	<div style="text-align: right; font-weight: bold; font-size: 1.2em;">APPROVED</div> <div style="text-align: center;"> APR 28 2016 \$0 Bureau of Gambling Control </div>
		\$1205 - \$3600	\$1	
		\$3605 - \$9000	\$24	
		\$9005 - \$24000	\$36	
		\$24005 +	\$50	

Pai Gow Tiles (GEGA-001505) - For **schedule option 1 through 6**, a collection fee shall be taken per hand from the player-dealer position. A collection fee shall also be taken from each player per controlled game wager placed. The collection fees shall be collected prior to tiles being dealt or any round of play being conducted.

Schedule Option	Table Limit	Player Fee	Player-Dealer Fee
1	\$10 - \$100	\$1	\$2
2	\$25 - \$100	\$1	\$2
3	\$50 - \$300	\$2	\$4
4	\$100 - \$500	\$3	\$5
5	\$200 - \$700	\$4	\$8
6	\$300 - \$1,000	\$5	\$10

For **schedule options 7 through 10**, a collection fee shall be taken per hand from the player-dealer position based on the total amount all players have wagered and any bonus bets at the table, prior to cards being dealt or any round of play being conducted. There shall be no collection fee for players when placing a wager.

Schedule Option	Wager Limit Per Betting Circle	Total Table Action	Player-dealer Fee	Player Fee
7	\$1-\$100	\$1 - \$100	\$1.00	\$0
		\$105 - \$300	\$2.00	
		\$305 - \$500	\$4.00	
		\$505 - \$1500	\$7.00	
		\$1501 +	\$13.00	
8	\$10-\$100	\$5 - \$100	\$1.00	\$0
		\$105 - \$300	\$2.00	
		\$305 - \$500	\$4.00	
		\$505 - \$1500	\$7.00	
		\$1505 +	\$13.00	
9	\$25-\$100	\$25 - \$100	\$1.00	\$0
		\$105 - \$400	\$3.00	
		\$405 - \$1000	\$7.00	
		\$1005 - \$3000	\$18.00	
		\$3005 +	\$25.00	

California Games Collection Rates

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10	\$50-\$300	\$50-\$1200	\$5.00	APR 28 2016 \$0 Bureau of Gambling Control
		\$1205 - \$3600	\$12.00	
		\$3605 - \$9000	\$24.00	
		\$9005 - \$24000	\$36.00	
		\$24005 +	\$50.00	

Super Pan 9 (GEGA-001492) - For **schedule options 1 through 7**, a collection fee shall be taken per hand from the player-dealer position. A collection fee shall also be taken from each player per controlled game wager placed. There shall be no fee taken from a player for placing a bonus bet. The collection fees shall be collected prior to cards being dealt or any round of play being conducted.

Schedule Option	Table Limit	Player Fee	Player-Dealer Fee
1	\$10 - \$100	\$1	\$2
2	\$25 - \$100	\$1	\$2
3	\$50 - \$300	\$2	\$4
4	\$100 - \$500	\$3	\$5
5	\$200 - \$700	\$4	\$8
6	\$300 - \$1,000	\$5	\$10
7	\$500 - \$2,000	\$10	\$20

Eazy Poker (GEGA-001503) - For **schedule option 1**, a collection fee shall be taken per hand from the player-dealer position. A collection fee shall also be taken from each player per controlled game wager placed. There shall be no fee taken from a player for placing a bonus bet. The collection fees shall be collected prior to cards being dealt or any round of play being conducted.

Schedule Option	Table Limit	Player Fee	Player-Dealer Fee
1	\$5 - \$100	\$1	\$2

Caribbean Stud Poker (GEGA-001502) - For **schedule options 1 through 3**, a collection fee shall be taken per hand from the player-dealer position. A collection fee shall also be taken from each player per controlled game wager placed. There shall be no fee taken from a player for placing a bonus bet. The collection fees shall be collected prior to cards being dealt or any round of play being conducted.

Schedule Option	Table Limit	Player Fee	Player-Dealer Fee
1	\$5 - \$50	\$0.50	\$1
2	\$10 - \$100	\$1	\$2
3	\$50 - \$300	\$2	\$3

Let it Ride Bonus (GEGA-002162) - For **schedule options 1 through 5**, a collection fee shall be taken per hand from the player-dealer position. A collection fee shall also be taken from each player per controlled game wager placed. There shall be no fee taken from a player for placing a bonus bet. The collection fees shall be collected prior to cards being dealt or any round of play being conducted.

California Games Collection Rates

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Schedule Option	Table Limit	Player Fee	Player-Dealer Fee
1	\$5 - \$25	\$0.50	\$1
2	\$10 - \$100	\$1	\$2
3	\$25 - \$100	\$1	\$2
4	\$50 - \$300	\$2	\$3
5	\$100 - \$500	\$3	\$4

APR 28 2015
Bureau of Gambling Control

Ultimate Texas Hold'em (GEGA-001214) - For **schedule option 1**, a collection fee shall be taken per hand from the player-dealer position. A collection fee shall also be taken from each player per controlled game wager placed. There shall be no fee taken from a player for placing a bonus bet. The collection fees shall be collected prior to cards being dealt or any round of play being conducted.

Schedule Option	Table Limit	Player Fee	Player-Dealer Fee
1	\$5 - \$100	\$1	\$3

For **schedule options 2 through 5**, a collection fee shall be taken per hand from the player-dealer position based on the total amount all players have wagered and any bonus bets at the table, prior to cards being dealt or any round of play being conducted. There shall be no collection fee for players when placing a wager.

Schedule Option	Wager Limit Per Betting Circle	Total Table Action	Player-dealer Fee	Player Fee
2	\$1-\$100	\$1 - \$75	\$1.00	\$0
		\$76 - \$200	\$2.00	
		\$205 - \$500	\$4.00	
		\$505 - \$1500	\$5.00	
		\$1501 +	\$10.00	
3	\$10-\$100	\$5 - \$75	\$1.00	\$0
		\$76 - \$200	\$2.00	
		\$205 - \$500	\$4.00	
		\$501 - \$1500	\$5.00	
		\$1501 +	\$10.00	
4	\$25-\$100	\$25 - \$100	\$1.00	\$0
		\$105 - \$400	\$3.00	
		\$405 - \$1000	\$7.00	
		\$1005 - \$3000	\$18.00	
		\$3005 +	\$25.00	
5	\$50-\$300	\$50-\$600	\$4.00	\$0
		\$605 - \$1500	\$9.00	
		\$1505 - \$3000	\$15.00	
		\$3005 - \$6000	\$20.00	
		\$6005 +	\$30.00	

California Games Collection Rates

2 Way Winner (GEGA-004621) - For schedule options 1 through 5, the collection fees shall be taken per hand, from the player and the player-dealer position before each round of play. The wagering limit for the 7-Card Bonus shall be \$1 - \$100. There shall be no collection taken for the 7-Card Bonus Bet. The collection fees shall be collected prior to cards being dealt or any round of play being conducted.

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Schedule Option	Table Limit	Player Fee	Player-Dealer Fee
1	\$5-\$25	\$.50	\$2
2	\$10-\$100	\$1	\$3
3	\$25-\$100	\$1	\$3
4	\$50-\$300	\$2	\$4
5	\$100-\$500	\$3	\$5

Collection Fees for California Games

- The collection fees shall be pre-determined and conspicuously posted on each table prior to any cards being dealt or a round of play commencing.
- Collection rates and fees shall be determined prior to the start of play of any hand or round.
- Only one collection schedule option, which utilizes one table limit and the specified collection fees for that table limit, as listed above, shall be used at a table at any one time.
- Rates may not be calculated as a fraction or percentage of wagers made or winnings earned.
- Flat fees on wagers may be assessed at different collection rates; however, no more than five collection rates may be established per table.
- Hustler Casino shall provide ample notice to patrons regarding the collection rates and fees, as well as the procedure for collecting them.
- Collection fees shall be conspicuously posted on or within view of every gaming table.

Nancy Ward

From: Mitchell G. Lansdell
Sent: Friday, April 29, 2016 3:05 PM
To: Nancy Ward
Cc: Ed Medrano; Peter Wallin
Subject: FW: From T. Candy [Scanned][Spam score:9%]
Attachments: Cover Ltr CA Games Collection Rate Modification Approval.pdf; GEGA-004724 Hustler Casino California Games Collection Rates Modification Approval.pdf

Nancy,

Please prepare administrative approval letter, so collection under new rates can begin immediately. Then update resolution at the May 10,2016 Council meeting.

Thank You

Mitch

From: Dawn Rolland [mailto:DawnR@HustlerCasinoLA.com]
Sent: Friday, April 29, 2016 1:23 PM
To: Mitchell G. Lansdell
Cc: Tom Candy; Daniel Sanbrotti
Subject: From T. Candy [Scanned][Spam score:9%]

Mitch,

Attached please find Dan Sanbrotti's letter requesting approval of the California Games Collection Rate Modification from the City of Gardena. Also, attached is the approval letter from the Bureau of Gambling Control. Tom would like to know if we can get immediate approval, so that we can implement the modified collection rates now.

Thanks,

Dawn Rolland

Executive Assistant

LARRY FLYNT'S
HUSTLER CASINO
LOS ANGELES
PLAY HARDER

1000 W. Redondo Beach Blvd.

Gardena, CA 90247

Office: (310) 719-9800 ext. 7013

Direct: (310) 630-8886

E-Fax: (310) 630-1431

Email: dawnr@hustlercasinoLA.com

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City of Gardena
City Council Meeting

Agenda Item No. 8. A. (4)
Department: ELECTED and ADMINISTRATIVE OFFICES
Meeting Date: 05/10/2016
Ordinance: No. 1767

AGENDA REPORT SUMMARY

TO: THE HONORABLE MAYOR AND CITY COUNCIL

AGENDA TITLE: ORDINANCE NO. 1767, INCORPORATING, BY REFERENCE, AMENDMENTS TO CHAPTER 8.04 (PUBLIC HEALTH LICENSES) OF THE LOS ANGELES COUNTY CODE RELATING TO INSPECTION AND POSTING OF LETTER GRADES FOR MOBILE FOOD FACILITIES

COUNCIL ACTION REQUIRED: <ul style="list-style-type: none">• Introduce Ordinance No. 1767• Set Public Hearing re. Ordinance No. 1767 for June 14, 2016	<u>Action Taken</u>
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RECOMMENDATION AND STAFF SUMMARY:

The County of Los Angeles Health Department has requested that the Gardena Health Code be amended to incorporate an amendment to the County Health Code relating to inspection and posting of letter grades for mobile food facilities.

The Ordinance adds mobile food facilities to the definition of “food facility;” establishes a semiannual letter grading and scoring program for mobile food facilities; requires owners of mobile food and support units to disclose route and location information; and establishes an annual certification inspection to ensure that food equipment meets applicable installation and design standards.

Adoption of this amendment will facilitate Los Angeles County’s enforcement of public health requirements for mobile food facilities.

Staff respectfully recommends that the City Council introduce Ordinance No. 1767, and set a Public Hearing for the June 14, 2016, City Council meeting.

FINANCIAL IMPACT/COST:
None

- ATTACHMENTS:**
- 1) April 4, 2016, Letter Request from County of Los Angeles Public Health Department
 - 2) County Ordinance No. 2010-0045
 - 3) Ordinance No. 1767

Submitted by *Mitchell G. Lansdell*, Mitchell G. Lansdell, City Manager Dated: 05/04/2016



cc: City Mgr.
City Atty



CYNTHIA A. HARDING, M.P.H.
Interim Director

JEFFREY D. GUNZENHAUSER, M.D., M.P.H.
Interim Health Officer

ANGELO J. BELLOMO, REHS, QEP
Deputy Director for Health Protection

TERRI S. WILLIAMS, REHS
Acting Director of Environmental Health

5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 430-5100 • FAX (626) 813-3000

www.publichealth.lacounty.gov

APR 21 16 PM 1:52
BOARD OF SUPERVISORS

Hilda L. Sells
First District
Mark Ridley-Thomas
Second District
Sheila Kuehl
Third District
Don Knabe
Fourth District
Michael D. Antonovich
Fifth District

April 4, 2016

City of Gardena
1700 W. 162nd Street
Gardena, CA 90247
Attn: City Clerk Mina Semenca

Dear Ms. Semenca,

On October 19, 2010, the Los Angeles County Board of Supervisors adopted the enclosed County Ordinance No. 2010-0045 enhancing the current public health requirements for inspection grading and posting of letter grades to include mobile food facilities. This ordinance took effect on November 18, 2010.

The development of a grading program for mobile food facilities, as with restaurants and food markets, is intended to minimize the risk of foodborne illness by identifying high risk violations and bringing these conditions to the attention of the facility owner/operator and the public. The use of letter grades will provide the public with an easily recognizable method of making informed choices based on the food safety practices found on the mobile food facility at the time of inspection. Additionally, the grading program will benefit the public by providing a means to easily differentiate between unpermitted and permitted food vendors.

The purpose of this communication is to encourage your City Council to adopt a conforming municipal ordinance and thereby ensure Countywide enforcement of Ordinance No. 2010-0045.

If you have any questions about the contents of the ordinance, please contact Graceline Shin, Environmental Health Services Manager, Bureau of Specialized Surveillance and Enforcement, at (626) 430-5150. You are also requested to advise our office when your city has adopted the ordinance.

Very truly yours,

Veronica Bauchman, Director
Bureau of Specialized Surveillance and Enforcement

VB:am

Enclosure

4/21/16
cc: Kelly Fujio

ORDINANCE NO. 2010-0045

An ordinance amending Title 8 – Consumer Protection and Business Regulations of the Los Angeles County Code, relating to letter grading, route location disclosure and annual certification for mobile food facilities.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 8.04.142 is hereby amended to read as follows:

8.04.142 Food facility.

"Food facility" means any food establishment, food warehouse, milk warehouse, mobile food facility, mobile support unit, vehicle, vending machine, swap meet prepackaged food stand, mobile preparation unit, or any place used in conjunction with the operation of the above, including, but not limited to, storage facilities for food utensils, equipment, and materials.

SECTION 2. Section 8.04.200 is hereby amended to read as follows:

8.04.200 Food vehicle, retail.

A. "Retail food vehicle" means any motorized or nonmotorized conveyance or portable food service unit upon which prepackaged or approved unpackaged food is sold or offered for sale at retail. Categories of retail food vehicles include:

1. Animal food vehicle;
2. Bakery distributor vehicle (independent, retail);
3. Fish peddler vehicle;
4. Food vehicle – Department of Motor Vehicles exempt;
5. Food salvage distributor vehicle;

6. Fruit and vegetable vehicle;
7. Grocery distributor vehicle;
8. Independent ice distributor vehicle;
9. Independent retail meat vehicle;
10. Independent milk distributor vehicle, not a processor-owned milk delivery vehicle;
11. Industrial catering vehicle;
12. Limited food vehicle, ~~from which the operator dispenses the food items described in Section 114265 of the California Health and Safety Code, and which has been designed, constructed and equipped to prevent the entrance of dust, debris and harborage of animals, birds and vermin, permitting storage out of doors at a commissary or other approved facility;~~
13. Unpackaged food vehicle, ~~such as a food cart, from which the operator dispenses the food items described in Section 114265 of the California Health and Safety Code, and which must be stored inside a commissary or other approved facility;~~
14. Prepackaged food cart, a nonmotorized vehicle, from which the operator dispenses prepackaged and labeled food;
15. Any combination of the above;
16. Or any vehicle, including, but not limited to, a mobile food facility, from which animal food, bakery products, fish, shellfish, seafood, fruits, vegetables, meats, poultry, preserves, jelly, relish, milk or other dairy products, food or food

products, ice or beverages, whether in bulk, canned, wrapped, bottled, packaged, or any other form, are sold or kept for sale at retail or are distributed to the consumer.

B. Vehicles owned and operated by a fixed-location food market, restaurant or other business having a valid public health permit under this chapter to deliver food products from said establishment to other locations shall not be required to have a separate public health permit under this chapter.

SECTION 3. Section 8.04.225 is hereby amended to read as follows:

8.04.225 Grading, scoring method and letter grade card.

A. "Grading" means the letter grade issued by the county health officer at the conclusion of the routine inspection of a food establishment facility. The grade shall be based upon the scoring method set forth in this section resulting from the food official inspection report and shall reflect the food establishment's facility's degree of compliance with all applicable federal, state and local statutes, orders, ordinances, quarantines, rules, regulations, or directives relating to the public health.

B. "Scoring method" means a procedure used by the county health officer where a score is calculated by adding values predefined on the food official inspection report for violations that are observed during an inspection, and subtracting that total from 100. The resulting numerical sum, stated as a percentage, constitutes the score for the inspection.

BC. "Letter grade card" means a card that may be posted by the county health officer at a food establishment facility upon completion of a routine inspection that indicates the letter grade of the establishment facility as determined by the county

health officer using the scoring method set forth in this section. For the purposes of this provision, a food establishment facility shall include a food establishment facility operating in conjunction with a food processing establishment. ~~Nothing in this chapter shall prohibit the county health officer from creating and using a letter grade card in combination with an inspection score card. The county health officer, in his discretion, shall determine whether to post the letter grade card, or the inspection score card, or both.~~

GD. The county health officer, in his discretion, may immediately close any food establishment facility which, upon completion of the routine inspection, does not achieve at least a "C" grade as defined herein. Nothing in this provision shall prohibit the county health officer from immediately closing any food establishment facility if, in his discretion, immediate closure is necessary to protect the public health.

DE. The letter grade for a food facility shall be based upon the final numerical percentage score set forth in the food official inspection report, as follows:

1. A grade of "A" shall indicate a final score of 90 percent or higher as determined by the county health officer;
2. A grade of "B" shall indicate a final score less than 90 percent but not less than 80 percent as determined by the county health officer;
3. A grade of "C" shall indicate a final score less than 80 percent but not less than 70 percent as determined by the county health officer.

SECTION 4. Section 8.04.275 is hereby amended to read as follows:

8.04.275 Inspection score card.

A. "Inspection score card" means a card that may be posted by the county health officer at a food establishment facility, upon completion of a routine inspection, that indicates the total numerical percentage score for the establishment facility as determined by the county health officer and as set forth in the food official inspection report. For the purposes of this provision, a food establishment facility shall include a food establishment facility operating in conjunction with a food processing establishment. ~~Nothing in this chapter shall prohibit the county health officer from creating and using an inspection score card in combination with a letter grade card. The county health officer, in his discretion, shall determine whether to post the inspection score card, the letter grade card, or both.~~

B. The county health officer, in his discretion, may immediately close any food establishment facility which, upon completion of the routine inspection, achieves a total numerical percentage score less than 70 percent as set forth in Section 8.04.225. Nothing in this provision shall prohibit the county health officer from immediately closing any food establishment facility if, in his discretion, immediate closure is necessary to protect the public health.

SECTION 5. Section 8.04.306 is hereby added to read as follows:

8.04.306 Mobile food facility.

"Mobile food facility" means any vehicle used in conjunction with a commissary or other permanent food facility upon which food is sold or distributed at retail. "Mobile food facility" does not include a "transporter" used to transport packaged food from a food facility, or other approved source to the consumer.

SECTION 6. Section 8.04.311 is hereby added to read as follows:

8.04.311 Mobile support unit.

"Mobile support unit" means a vehicle used in conjunction with a commissary or other permanent food facility that travels to and services mobile food facilities as needed to replenish supplies, including food and potable water, clean the interior of the unit, or dispose of liquid or solid wastes. The county health officer shall have the discretion to score a mobile support unit pursuant to the method set forth in Section 8.04.225.

SECTION 7. Section 8.04.337 is hereby amended to read as follows:

8.04.337 Notice of closure.

"Notice of closure" means a public notice that may be posted by the county health officer at a food establishment facility upon suspension or revocation of the establishment's facility's public health permit and that results in the immediate closure of the establishment facility and the discontinuance of all operations of the food establishment facility, by order of the county health officer, because of violations of applicable federal, state and local statutes, orders, ordinances, quarantines, rules, regulations, or directives relating to the public health.

SECTION 8. Section 8.04.403 is hereby added to read as follows:

8.04.403 Route location.

The owner/operator of a mobile food facility or mobile support unit shall complete a Mobile Food Facility Route Sheet, obtained from the county health officer, listing the complete address, telephone number and arrival/departure times of each location where

the retail food business is being conducted. The Mobile Facility Route Sheet shall be maintained on file at the Vehicle Inspection Program. The owner/operator of a mobile food facility or mobile support unit shall notify the county health officer of any significant changes to the Mobile Food Facility Route Sheet. Failure to provide an accurate and current Mobile Food Facility Route Sheet may result in suspension or revocation of the public health license or permit.

SECTION 9. Section 8.04.595 is hereby added to read as follows:

8.04.595 Public health license and permit - Annual certification inspection.

The owner/operator of a mobile food facility or mobile support unit shall obtain an annual certification inspection from the county health officer. The enforcement agency shall initially approve all mobile food facilities and mobile support units as complying with California Health and Safety Code Chapters 1-8, inclusive, 10 and 13. The county health officer shall then issue a certification sticker which shall be affixed to the mobile food facility or mobile support unit. The sticker will be valid during the fiscal year corresponding to the mobile food facility's or mobile support unit's current public health operating permit. Failure to secure an annual certification sticker shall result in a suspension or revocation of the public health license or permit.

SECTION 10. Section 8.04.752 is hereby amended to read as follows:

8.04.752 Posting requirements -- Penalty for noncompliance -- Documents available for public review.

A. Upon issuance by the county health officer, the health officer shall post at every food establishment facility the letter grade card, or the inspection score card, or

both, as determined by the county health officer, so as to be clearly visible to the general public and to patrons entering the establishment facility. "Clearly visible to the general public and to patrons" means:

1. ~~Posted in the front window of the establishment~~ food facility within five (5) feet of the front door or posted in a display case mounted on the outside front wall of the food facility within five (5) feet of the front door;

2. ~~Posted in a display case mounted on the outside front wall of the establishment within five feet of the front door~~ Posted adjacent to the pass out window on a mobile food facility, or on the customer service side of an unenclosed mobile food facility; or

3. Posted in a location as directed and determined in the discretion of the county health officer to ensure proper notice to the general public and to patrons.

B. In the event that a food ~~establishment~~ facility is operated in the same building or space as a separately licensed or permitted business, or in the event that a food ~~establishment~~ facility shares a common patron entrance with such a separately licensed or permitted business, or in the event of both, the county health officer shall post the letter grade card, or the inspection score card, or both, in the initial patron contact area, or in a location as determined in the discretion of the county health officer.

C. The letter grade card and the inspection score card shall not be defaced, marred, reproduced, copied, camouflaged, hidden or removed. It is unlawful to operate a food ~~establishment~~ facility unless the letter grade card, or the inspection score card, or both, as determined by the county health officer, is ~~or are~~ in place as set forth

hereunder. Removal of the letter grade card, or the inspection score card, or both, is a violation of this chapter and may result in the suspension or revocation of the public health permit and shall be punishable as specified in Section 8.04.930.

D. Every food establishment facility shall post a legibly lettered sign which displays the following information so as to be clearly visible to the general public and to patrons entering the establishment facility:

Any public health concerns regarding this establishment facility should be directed to the County of Los Angeles, Environmental Health office located at:

_____ (local office address and telephone number to be provided by the county health officer).

E. The food official inspection report upon which the letter grade card, or the inspection score card, or both, are is based and all subsequent reports issued by the county health officer shall be maintained at the food establishment facility and shall be available to the general public and to patrons for review upon request. The food establishment facility shall keep the food official inspection report and all subsequent reports until such time as the county health officer completes the next routine inspection of the establishment facility and issues a new food official inspection report.

SECTION 11. Section 8.04.755 is hereby amended to read as follows:

8.04.755 Letter grade card and inspection score card – Period of validity.

A letter grade card, ~~an~~ or inspection score card, ~~or both,~~ shall remain valid until the county health officer completes the next routine inspection of the food establishment facility.

SECTION 12. Section 8.04.943 is hereby amended to read as follows:

8.04.943 Public health permit suspension or revocation—Notice of closure.

A. Upon issuance of a written notice of suspension or revocation of the public health permit by the county health officer, the health officer shall post a notice of closure at the food establishment facility so as to be clearly visible to the general public and to patrons.

B. Upon issuance of the written notice of suspension or revocation of the public health permit by the county health officer, the food establishment facility shall immediately close to the general public and to patrons and shall discontinue all operations until the public health permit has been reissued or reinstated by order of the county health officer or until the establishment facility no longer operates as a food establishment facility.

C. The notice of closure shall remain posted until removed by the county health officer. Removal of the notice of closure by any person other than the county health officer or the refusal of a food establishment facility to close upon issuance of the written notice of suspension of the public health permit is a violation of this chapter and

may result in the suspension or revocation of the food establishment's facility's public health permit and shall be punishable as specified in Section 8.04.930.

[804069DMCC]

SECTION 13. This ordinance shall be published in The Daily Commerce a newspaper printed and published in the County of Los Angeles.



Gloria Molina
Chair

ATTEST:

Sachi A. Hamai
Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that at its meeting of October 19, 2010 the foregoing ordinance was adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to wit:

<u>Ayes</u>		<u>Noes</u>	
Supervisors	<u>Mark Ridley-Thomas</u>	Supervisors	<u>None</u>
	<u>Zev Yaroslavsky</u>		
	<u>Don Knabe</u>		
	<u>Michael D. Antonovich</u>		
	<u>Gloria Molina</u>		

Effective Date: November 18, 2010

Operative Date: _____

Sachi A. Hamai
Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that pursuant to Section 25103 of the Government Code, delivery of this document has been made.

SACHI A. HAMAI
Executive Officer
Clerk of the Board of Supervisors

By [Signature]
Deputy



APPROVED AS TO FORM:
ANDREA SHERIDAN ORDIN
County Counsel

By [Signature]
Leela Kapur
Chief Deputy County Counsel

ORDINANCE NO. 1767

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, INCORPORATING, BY REFERENCE, AMENDMENTS TO CHAPTER 8.04 (PUBLIC HEALTH LICENSES) OF THE LOS ANGELES COUNTY CODE RELATING TO INSPECTION AND POSTING OF LETTER GRADES FOR MOBILE FOOD FACILITIES

WHEREAS, the City of Gardena has heretofore adopted by reference Title 11, "Health and Safety," of the Los Angeles County Code and Chapter 8.04, "Public Health Licenses," of the Los Angeles County Code as the Gardena Health Code; and

WHEREAS, the County of Los Angeles has adopted amendments to Chapter 8.04 to provide requirements for inspection grading and posting of letter grades for mobile food facilities; and

WHEREAS, the City wishes to update its Health Code to incorporate the amendment pertaining to mobile food facilities; and

WHEREAS, on June 14, 2016, the City Council held a duly noticed public hearing to consider adoption of the amendment to the Health Code.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY ORDAIN, AS FOLLOWS:

SECTION 1. Section 8.04.010 of the Gardena Municipal Code is amended to read as follows:

8.04.010 County Health Code – Adopted.

A. Subject to the additions, amendments and deletions set forth in this chapter, the city adopts Title 11, "Health and Safety," of the Los Angeles County Code by reference, including all amendments thereto through June 30, 2010, and Chapter 8.04, "Public Health Licenses," of the Los Angeles County Code by reference, including all amendments thereto through October 19, 2010, and together these provisions shall be referred to as the Gardena Health Code.

B. The adoption of Title 11 and Chapter 8.04 of the Los Angeles County Code does not authorize any use not otherwise authorized by Title 18 of the Gardena Municipal Code.

C. For purposes of the adoption of the County Health Code, references to the county or to unincorporated areas of the county shall mean the city of Gardena.

D. The provisions of the Gardena health code may be enforced by appropriate personnel of both the city and the county.

SECTION 2. In accordance with Government Code Section 50022.4, the following penalty clauses are contained in Chapter 8.04 of the Los Angeles County Code and are hereby adopted:

8.04.930.1.1 - Violation—Penalty.

Violation of this chapter is punishable by a fine of not more than five hundred dollars (\$500.00) or by imprisonment in the county jail for not more than six (6) months, or by both such fine and imprisonment. Each day during any portion of which any violation of any provision of this chapter is committed, continued or permitted, makes such violation a separate offense.

8.04.934 - Operating without a public health license or permit - Deemed misdemeanor—Penalty.

Violation of Section 8.04.932 is a misdemeanor punishable by fine, or imprisonment in the county jail for a period not exceeding six months, or both. Such fine shall not be more than \$500.00, and shall:

- A. For the first violation, not be less than \$100.00; and
- B. For the second and any subsequent violation, be \$500.00.

8.04.936 - Operating without a public health license or permit—Injunctive relief.

Any person violating Section 8.04.932 may be enjoined from such violation by any court of competent jurisdiction. The remedy provided by this section is cumulative to any other remedy provided by law.

8.04.938 - Violation of injunction—Civil penalty.

Any person who intentionally violates any injunction issued pursuant to Section 8.04.936 shall be liable for a civil penalty collected by the county health officer not to exceed \$500.00 for each violation.

SECTION 3. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

SECTION 4. Certification. The City Clerk shall certify to the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, cause the same to be published as required by law, in a publication of general circulation.

SECTION 5. Effective Date. This ordinance shall not become effective or be in force until thirty (30) days from and after the date of its adoption.

Passed, approved, and adopted this _____ day of _____, 2016.

PAUL K. TANAKA, Mayor

ATTEST:

MINA SEMENZA, City Clerk

APPROVED AS TO FORM:



PETER L. WALLIN, City Attorney



City of Gardena City Council Meeting

Agenda Item No. 8. B. (1)
Department: POLICE, STREETS & DEVELOPMENT SVCS.
Meeting Date: 05/10/2016
Resolution No. 6227

AGENDA REPORT SUMMARY

TO: THE HONORABLE MAYOR AND CITY COUNCIL

AGENDA TITLE: **RESOLUTION NO. 6227, AUTHORIZING A JOINT POWERS AGREEMENT TO ESTABLISH A JOINT POWERS AGENCY TO CREATE A WIDE-AREA INTEROPERABLE PUBLIC SAFETY COMMUNICATIONS NETWORK**

COUNCIL ACTION REQUIRED:	<u>Action Taken</u>
Adopt Resolution No. 6227	

RECOMMENDATION AND STAFF SUMMARY:

Staff respectfully recommends that the City Council authorize the City Manager to approve and sign a Joint Powers Agreement (JPA) authorizing Gardena to participate in a Joint Powers Agency that will create the Interoperability Network of the South Bay (INSB).

On July 8, 2014, the City Council Adopted Resolution No. 6143, withdrawing from the Los Angeles Regional Interoperable Communications System (LA-RICS) Authority Joint Powers Agreement. The Los Angeles County Police Chiefs Association (LACPCA) and the Los Angeles Fire Chiefs Association (LACFCA) recognized the need for interoperability in the region and decided to pursue a different direction and move towards having all agencies join an interoperability system currently being utilized by 12 cities in Los Angeles County called the Interagency Communications Interoperability System (ICI).

The JPA's primary operational goal will be to establish and maintain a regional, interoperable radio system to be shared by its members. The system provides radio system coverage throughout the Area G jurisdiction and operate as a regional subsystem interdependent with the Glendale-based ICI. The shared regional system will place its (7) seven members and their 4000+ field unit radios on the same radio platform, expanding mutual aid communication and roaming coverage throughout the Area G region. Adopting the ICI infrastructure model makes possible direct interoperability with law, fire and local government agencies from over 80 cities beyond the Area G region.

The (7) seven proposed INSB JPA members include the cities of Gardena, El Segundo, Hawthorne, Hermosa Beach, Manhattan Beach, Redondo Beach and Torrance. Subject to each agency's approval, the JPA would officially form as of May 10, 2016.

Entering into this agreement does not require funding from the City. The creation of INSB will affect the current assessment by the South Bay Regional Public Communications Authority (SBRPCA) to provide communication services to the City. The extent of this effect is unknown at this time due to the number of variables involved. Since the creation of the new system would replace the legacy systems we currently have in place, it would be the intent of INSB and SBRPCA to keep the costs for communications as cost neutral as possible. Once INSB is operational the owning members of the SBRPCA would have any costs associated with INSB included as a part its annual assessment with the authority. This annual assessment is subject to approval by the City Council during each budget cycle.

FINANCIAL IMPACT/COST:

None at this time

ATTACHMENTS:

Staff Report
Resolution No. 6227
Exhibit A: JPA for INSB

Submitted by: <u>Edward Medrano</u>	Edward Medrano, Director Police, Streets & Development Services	Date: <u>5/3/16</u>
Concurred by: <u>Mitchell G. Lansdell</u>	Mitchell G. Lansdell, City Manager	Date: <u>5/5/16</u>

CITY COUNCIL MEETING AGENDA STAFF REPORT

Agenda Item No.	8. B. (1)
Department:	POLICE, STREETS & DEVELOPMENT SVCS.
Meeting Date:	05/10/2016
Resolution No.	6227

AGENDA TITLE:

RESOLUTION NO. 6227, AUTHORIZING A JOINT POWERS AGREEMENT TO ESTABLISH A JOINT POWERS AGENCY TO CREATE A WIDE-AREA INTEROPERABLE PUBLIC SAFETY COMMUNICATIONS NETWORK

RECOMMENDATION:

Staff respectfully recommends that the City Council authorize the City Manager to approve and sign a Joint Powers Agreement (JPA) authorizing Gardena to participate in a Joint Powers Agency that will create the Interoperability Network of the South Bay (INSB).

BACKGROUND:

On July 8, 2014, the City Council Adopted Resolution No. 6143, withdrawing from the Los Angeles Regional Interoperable Communications System (LA-RICS) Authority Joint Powers Agreement. The vast majority of independent cities in Los Angeles County elected to withdraw from LA-RICS. The Los Angeles County Police Chiefs Association (LACPCA) and the Los Angeles Fire Chiefs Association (LACFCA) recognized the need for interoperability in the region and decided to pursue a different direction and move towards having all agencies join an interoperability system currently being utilized by 12 cities in Los Angeles County. This system is called the Interagency Communications Interoperability system (ICI). LACPCA and LACFCA had been lobbying to obtain grant funding for independent cities to fund the development of the communications infrastructure to provide the capacity for all independent cities to join ICI if they elected to. Over a series of State Homeland Security and Urban Area Security Initiative grant cycles the funding became available to begin expanding the ICI infrastructure throughout LA County.

The South Bay Cities in Disaster Management Area-G worked with ICI, the City of Torrance and the South Bay Regional Public Communications Authority (SBRPCA) to develop a strategic plan to build the infrastructure to the expansion of ICI into the South Bay.

On August 11, 2015, the Torrance City Council accepted a 2014 State Homeland Security Program (SHGP) grant, appropriated the \$1M award to build a Prime Site, and authorized the City Manager as the City's signatory for the grant contract. The Prime site is the first and most important component required for connectivity to the ICI communications network.

On December 22, 2015, the Torrance City Council approved the Public Safety Committee's proposal to establish the Area G JPA to deploy an interoperable radio system with Torrance as the Prime Site hub interconnected to the Interagency Communications Interoperability System (ICI) Master Site in Glendale.

the Prime Site hub interconnected to the Interagency Communications Interoperability System (ICI) Master Site in Glendale.

In order to proceed with the with further development of the infrastructure necessary for South Bay Cities to join ICI a JPA is required to provide for grant funding opportunities and a governance structure for our regional system.

ANALYSIS:

The Joint Powers Agreement (JPA) primary operational goal shall be to establish and maintain a regional, interoperable radio system to be shared by its members. The system shall provide radio system coverage throughout the Area G jurisdiction and operate as a regional subsystem interdependent with the Glendale-based ICI. The Interagency Communications Interoperability System (ICI) was formally known as ICIS.

The shared regional system will place its (7) seven members and their 4000+ field unit radios on the same radio platform expanding mutual aid communication and roaming coverage throughout the Area G region. Adopting the ICI infrastructure model makes possible direct interoperability with law, fire and local government agencies from over 80 cities beyond the Area G region.

Remaining an independent operating system fails to leverage future grant opportunities and makes it very difficult to achieve high levels of regional or wide area interoperability.

Directly joining ICI would not result in the regional benefits of forming a local JPA and building a shared system to serve the region. And, joining the Los Angeles - Regional Interoperability Communications System (LA-RICS) was not a viable governance or cost alternative.

The formation of the JPA shall establish a governance board of voting directors representing all parties to the agreement. The board shall meet regularly and follow Brown Act requirements. It shall adopt a budget for administrative expenses, seek capital project funding, allocate shared system costs, and contract for goods and services.

The (7) seven proposed Interoperability Network of the South Bay (INSB) JPA members include the Cities of Gardena, El Segundo, Hawthorne, Hermosa Beach, Manhattan Beach, Redondo Beach and Torrance. Subject to each agency's approval, the JPA would officially form as of May 10, 2016. The INSB would become a member agency of the ICI JPA and a single representative would sit on the ICI Governance Board.

In the near future, the newly formed INSB JPA would seek grant funding and award a construction contract to build the \$5M Area G Wide-Area System establishing 5 shared radio transmitter sites. In the long-term, INSB would obtain, coordinate, or assist in the funding of approximately \$20M in replacements for each member agency's mobile and portable radio inventory.

Once the wide-area system is placed into production, INSB would allocate costs to its members for the operation of the shared infrastructure and ICI membership. Per the JPA agreement, shared costs would be allocated based on each member's 3-year average calls for police and

fire service. Annual costs to participate in the INSB would be partially offset by replacement savings when the existing legacy radio system is reduced.

Therefore, it is the recommendation of the Police, Streets and Development Services Director Edward Medrano, that City Council authorize the City Manager to execute a JPA agreement to join the INSB.

Fiscal Impact

Entering into this agreement does not require funding from the City.

The creation of INSB will affect the current assessment by SBRPCA to provide communication services to the City. The extent of this effect is unknown at this time due to the number of variables involved. Since the creation of the new system would replace the legacy systems we currently have in place, it would be the intent of INSB and SBRPCA to keep the costs for communications as cost neutral as possible.

Once INSB is operational, the owning members of the SBRPCA would have any costs associated with INSB included as a part its annual assessment with the authority. This annual assessment is subject to approval by the City Council during each budget cycle.

IN CONCLUSION, staff respectfully recommends that the City Council formalize the JPA to form the Interoperability Network of the South Bay.

Submitted by: Edward Medrano Date: 5/3/16
Edward Medrano, Director
Police, Streets & Development Services

Attachments:

- (1) Resolution No. 6227
- (2) Exhibit A: JPA for INSB

RESOLUTION NO. 6227

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, AUTHORIZING A JOINT POWERS AGREEMENT TO ESTABLISH A JOINT POWERS AGENCY TO CREATE A WIDE-AREA INTEROPERABLE PUBLIC SAFETY COMMUNICATIONS NETWORK

A. WHEREAS, the Cities of Gardena, El Segundo, Hawthorne, Hermosa Beach, Manhattan Beach, Redondo Beach and Torrance wish to establish a wide-area interoperable public safety communications network and these cities acting independently do not have the resources to construct a communications network providing the required capabilities; and

B. WHEREAS, the cities are each empowered, pursuant to Section 6500 et. seq. of the California Government Code to execute agreements with other public agencies to jointly exercise powers commonly held by each of the contracting public agencies ("joint powers agreements") and other powers applicable to joint powers agencies; and

C. WHEREAS the cities have prepared a Joint Exercise of Powers Agreement to Establish a Joint Powers Agency to Create the Interoperability Network of the South Bay (the "Agreement") which Agreement is attached hereto as to Exhibit "A" to this Resolution.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

SECTION 1: The Agreement is hereby approved, and the Mayor is authorized to execute the Agreement on behalf of the City.

SECTION 2: This Resolution shall be effective immediately.

BE IT FURTHER RESOLVED that the City Clerk shall certify to the passage and adoption of this Resolution; shall cause the same to be entered among the original Resolutions of said City; and shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council of said City in the minutes of the meeting at which the same is passed and adopted.

Passed, approved, and adopted this ____ day of _____, 2016.

PAUL K. TANAKA, Mayor

ATTEST:

MINA SEMENZA, City Clerk

APPROVED AS TO FORM:



PETER L. WALLIN, City Attorney

**JOINT EXERCISE OF POWERS AGREEMENT
TO ESTABLISH A JOINT POWERS AGENCY TO CREATE
THE INTEROPERABILITY NETWORK OF THE SOUTH BAY**

THIS JOINT EXERCISE OF POWERS AGREEMENT (the "Agreement") is made this [DATE]
by, between and among the following public agencies:

CITY OF EL SEGUNDO, a municipal corporation in the State of California;
CITY OF GARDENA, a municipal corporation in the State of California;
CITY OF HAWTHORNE, a municipal corporation in the State of California;
CITY OF HERMOSA BEACH, a municipal corporation in the State of California;
CITY OF MANHATTAN BEACH, a municipal corporation in the State of California
CITY OF REDONDO BEACH, a municipal corporation in the State of California
CITY OF TORRANCE, a municipal corporation in the State of California, and

Each of the public agencies executing this Agreement shall individually be referred to as
"Member" or collectively referred to as "Members."

RECITALS

- A. Whereas the Members require wide area and interoperable communications, and no Member acting independently has the resources to construct a communications network providing these capabilities; and
- B. Whereas the County of Los Angeles and City of Los Angeles each independently operate and maintain radio communications systems which provide wide area radio communications capability; and are constructed for optimal coverage within the areas for which these entities have responsibility; and
- C. Whereas the Members have determined that working in concert and sharing their radio communications resources is in the public interest as it provides the most effective and economical radio communications network for all participating public entities; and
- D. Whereas the goals of the Members are to provide wide area radio communications for the Members, and to provide the Members with interoperability with the County of Los Angeles, the City of Los Angeles, the Members, and the other independent cities of Los Angeles, as well as the Interagency Communications interoperability System ("ICIS") Master Site in the City of Glendale; and

- E. Whereas the Members agree that it is their goal to evaluate and if feasible, it is cost effective and appropriate for each Member to cause to be established and to participate in a public safety radio network hereinafter referred to as the "South Bay Communications Network," or "SBC-NET" to meet or enhance their current public safety radio communications needs and to provide an architecture capable of expanding to meet future needs; and
- F. Whereas the Members are each empowered, pursuant to Section 6500 et. seq. of the California Government Code to execute agreements with other public agencies to jointly exercise powers commonly held by each of the contracting public agencies ("joint powers agreement") and other powers applicable to joint powers agencies by law.

NOW, THEREFORE, in consideration of the recitals and mutual obligations of the Members as herein contained, Members agree as follows:

ARTICLE I GENERAL PROVISIONS

1.01 Purpose.

This Agreement is made pursuant to the provisions of Article 1, Chapter 5, Division 7, Title 1 of the California Government Code (commencing with Section 6500, hereinafter the "Joint Exercise of Powers Act"), relating to the joint exercise of powers common to public agencies. The purpose of this agreement is to create an agency that will engage in regional and cooperative planning and coordination of governmental services to establish a wide-area interoperable public safety communications network. As part of this purpose, members will seek to meet or enhance the current public safety radio communications needs, and provide an architecture capable of expanding to meet future needs; develop funding mechanisms; and resolve technical and operational issues in the development and management of a wide-area interoperable public safety communications network. Such purposes are to be accomplished and said common power exercised in the manner hereinafter set forth.

1.02 Creation of Authority.

Pursuant to Government Code Section 6507, there is hereby created a public entity to be known as the "Interoperability Network of the South Bay" (hereinafter referred to as the "Authority"). The Authority shall be a public entity separate and apart from the Members and shall administer this Agreement.

1.03 Governance Board.

The Authority shall be administered by a governance board ("Board") consisting of as many directors as there are Members who are parties to this Agreement, unless and until such number is changed by amendment of this Agreement. At such point the Board shall consist of as many directors as there are Members of the Authority after such amendment of this Agreement becomes effective. The governance board shall consist of the City Manager of each City Member or the City Member's designee ("Director"). Each Governance Board Director shall have an alternate appointed by the City Manager of each Member or the City Member's designee, who may act in the Director's absence ("Alternate Director"). The names of the Directors and Alternate Directors shall be provided to the Chairman of the Governance Board at the first meeting of the Board. Any change of the Directors or Alternate Directors shall be provided to the Chairman of the Board in writing in advance of any subsequent meeting. Any vacancy shall be filled in the same manner as described herein for

appointment. The Board shall be called the "Interoperability Network of the South Bay Powers Authority Governance Board" or "the Board." All voting power of the Authority shall reside in the Board.

1.04 Fiscal Year.

For purposes of this Agreement, the term "Fiscal Year" shall mean the period from July 1 of each year to and including the following June 30.

1.05 Meetings of the Board.

1.05.1 Regular Meetings. The Board shall provide for its regular meetings; provided, however, that at least one regular meeting shall be held every four months. The date, hour and place of the holding of regular meetings shall be fixed by resolution of the Board and a copy of such resolution shall be filed with the City Clerk of each of the Members.

1.05.2 Special Meetings. Special meetings of the Board may be called in accordance with the provisions of the Ralph M. Brown Act (commencing with California Government Code Section 54950).

1.05.3 Call, Notice and Conduct of Meetings. All meetings of the Board, including without limitation, regular, adjourned regular and special meetings, shall be called, noticed, held and conducted in accordance with the provisions of the Ralph M. Brown Act.

1.06 Minutes.

The Secretary of the Board shall cause to be kept minutes of the meetings of the Board and shall, as soon as possible after each meeting, cause a copy of the minutes to be forwarded to each Director and to the Members.

1.07 Voting.

Each Director shall have one vote. An Alternate Director may participate and vote in the proceedings of the Board only in the absence of that Member's Director. No absentee ballot or proxy shall be permitted.

1.08 Quorum; Required Votes; Approvals.

A majority of the Board shall constitute a quorum for the transaction of business, except that less than a quorum may adjourn meetings of the Board from time to time. The affirmative votes of a majority of the Directors shall be required to take any action by the Board, except, two-thirds (2/3) vote shall be required to take any action on the following: payment of surplus revenue to Members. A unanimous vote will be required for the issuance of revenue bonds.

1.09 Annual Budget and Administrative Expenses.

The Board shall adopt a budget for administrative expenses, which shall include all expenses not included in any financing issue of the Authority, prior to the commencement of each Fiscal Year. Administrative expenses as defined in this Section include expenses incurred to perform the duties of Treasurer of the Authority pursuant to Section 2.02.

1.10 Bylaws.

The Board may adopt, from time to time, such bylaws, rules and regulations for the conduct of its meetings as are necessary for the purposes hereof.

ARTICLE II OFFICERS AND EMPLOYEES

2.01 Chairperson, Vice-Chairperson and Secretary.

The Board shall elect a Chairperson and Vice-Chairperson from among the Directors, and shall appoint a Secretary who need not be a Director, in July of each calendar year. In the event that the Chairperson, the Vice-Chairperson or Secretary so elected resigns from such office or its represented Member ceases to be a Member of the Authority, the resulting vacancy shall be filled at the next regular meeting of the Governance Board held after such vacancy occurs. The officers shall perform the duties normal to said offices. The Chairperson shall sign all contracts on behalf of the Authority, and shall perform such other duties as may be imposed by the Board. In the absence of the Chairperson, the Vice-Chairperson shall sign contracts and perform all of the Chairperson's duties.

2.02 Treasurer.

Pursuant to Government Code Sections 6505.5 and 6505.6, the treasurer of the Authority shall be the Finance Director of the City of Torrance, unless and until the Board by resolution designates another treasurer, who shall be (1) the treasurer or finance director of one of the Members; (2) a certified public accountant; or (3) such other officer or employee as the board shall deem qualified to act as treasurer of the Authority ("Treasurer"). The Treasurer shall be the depository, shall have custody of all of the accounts, funds and money of the Authority from whatever source, shall have the duties and obligations set forth in Government Code Sections 6505, 6505.5 and 6547.9.

2.03 Auditor.

The Board shall appoint an auditor who shall be (1) the auditor of one of the Members; or (2) such other officer or employee as the Authority shall deem qualified to act as auditor of the Authority, ("Auditor"). The Auditor shall perform the functions of auditor for the Authority and shall make or cause an independent annual audit of the accounts and records of the Authority by a certified public accountant, in compliance with the requirements of Sections Government Code Sections 6505, 6505.5 and 6505.6 and generally accepted auditing standards.

2.04 Other Employees.

The Board shall have the power by resolution to appoint and employ such other officers, employees, consultants and independent contractors as may be necessary for the purpose of this Agreement.

2.05 Privileges and Immunities from Liability.

All of the privileges and immunities from liability, exemption from laws, ordinances and rules, all pension, relief, disability, workers' compensation and other benefits which apply to the activities of officers, agents or employees of a public agency when performing their respective functions shall apply to the officers, agents or employees of the Authority to the same degree and extent while engaged in the performance of any of the functions and other duties of such officers, agents or employees under this Agreement. None of the officers, agents or employees directly employed by the Board shall be deemed, by reason of their employment by the Board to be employed by the Members or by reason of their employment by the Board, to be subject to any of the requirements of the Members.

2.06 Bonding of Persons Having Access to Property.

Pursuant to Government Code Section 6505.1, the Members shall designate the public office or officers or person or persons who have charge of, handle, or have access to any property of the Authority and shall require such public officer or officers or person or persons to file an official bond in an amount to be fixed by the Members.

**ARTICLE III
STANDING COMMITTEES**

3.01 Standing Committees.

The Board shall establish two standing committees to be known as the "Operations Committee" and the "Technical Committee" for purposes of making recommendations to the Board. Each Director shall appoint one representative to each standing committee. Each Committee shall have a Chairperson appointed by the Board and a Vice Chairperson elected by the members of the respective Committee subject to the concurrence of the Board. The Operations Committee members shall be comprised of First Responding Personnel from each Member. The Technical Committee shall be comprised of Radio Communications Personnel from each Member. A quorum of a Committee shall be a majority of its membership. All meetings of each Committee shall be held in accordance with the Ralph M. Brown Act.

3.02 First Responding Personnel.

For purposes of this Agreement, First Responding Personnel shall mean personnel of the departments of fire, police or emergency medical services.

3.03 Radio Communications Personnel.

For purposes of this Agreement, Radio Communications Personnel shall mean personnel responsible for radio system management, planning, maintenance and operation.

**ARTICLE IV
POWERS**

4.01 General Powers.

The Authority shall have the powers common to each of its Members and shall do all acts necessary or convenient to the accomplishment of the purposes of this Agreement, subject to the restrictions set forth in Section 4.04 of this Agreement. As provided in the Joint Exercise of Powers Act, the Authority shall be a public entity separate from the Members.

4.02 Power to Issue Revenue Bonds.

The Authority shall have all of the powers provided in Articles 2 and 4 of Chapter 5, Division 7, Title 1 of the California Government Code (hereinafter the "Bond Act"), including the power to issue bonds thereunder, ("Bonds").

4.03 Specific Powers.

The Authority is hereby authorized, in its own name, to do all acts necessary for the exercise of the foregoing powers, including but not limited to, any or all of the following:

4.03.1 To make and enter into contracts, provided that under no circumstance shall the Board enter into any contract or commit any act of omission which may result in a debt, liability or obligation, either present or future, for any individual Member, unless such Member expressly agrees in writing to be bound by such contract or conduct;

4.03.2 To acquire, construct, maintain, or operate telecommunications systems or service and to provide the equipment necessary to deliver public services therefrom;

4.03.3 To employ or engage contractors, agents, or employees;

4.03.4 To sue and be sued in its own name;

4.03.5 To apply for, receive and utilize grants and loans from federal, state or local governments or from any other available source in order to pursue the purpose of the Authority;

4.03.6 To issue bonds and otherwise to incur debts, liabilities and obligations, provided that no such bond, debt, liability or obligation shall constitute a debt, liability or obligation to the Members;

4.03.7 To invest any money in the treasury pursuant to Government Code Section 6505.5 which is not required for the immediate necessities of the Authority, as the Authority determines is advisable, in the same manner and upon the same conditions as local agencies, pursuant to Government Code Section 53601; and

4.03.8 To promulgate, adopt, and enforce any rules and regulations, as may be necessary and proper to implement and effectuate the terms, provisions, and purposes of this Agreement.

4.03.9 To establish the procedures and costs for adding new Members and Subscribers.

4.03.10 To establish a cost allocation procedure that will be based upon the total incident numbers generated by Computer Aided Dispatch (CAD) for each Member in 2013, 2014, and 2015. The total incident numbers for each Agency will be reviewed every two years. The cost allocation procedure will provide for a true up based on the biennial review. Withdrawal of any Member will require the cost allocation to be revised.

4.03.11 To adjust the cost allocation procedure to take into account a Member providing staff to the JPA under Sections 2.02 and 2.03. This could be a credit against the Member's cost allocation.

4.03.12 To determine costs and obligations subject to the following criteria:

(a) Costs and obligations stemming from grants issued directly to individual members will be the responsibility of the Member, not the Authority.

(b) Costs and obligations stemming from grants issued directly to the Authority will be the responsibility of the Authority, will be based upon the adopted cost allocation procedure.

(c) Costs and obligations related to an asset transferred to the Authority will be the responsibility of the Authority, will be based upon the adopted cost allocation procedure.

(d) Any costs incurred related to grants to the Authority, assets transferred to the Authority, or assets acquired by the Authority will be based upon the adopted cost allocation procedure.

4.04 Limitation on Exercise of Powers.

All common powers exercised by the Board shall be exercised in a manner consistent with, and subject to, the restrictions and limitations upon the exercise of such powers as are applicable to the City of Torrance and as set forth in this Agreement.

4.05 Obligations of Authority.

The debts, liabilities and obligations of the Authority shall not be the debts, liabilities and obligations of the Members. In addition, pursuant to Government Code Section 6547.8, no Director shall be personally liable on the Bonds or subject to any personal liability or accountability by reason of the issuance of Bonds.

**ARTICLE V
CONTRIBUTION; ACCOUNTS AND REPORTS; FUNDS**

5.01 Contributions.

The Members may, in the appropriate circumstance, when required hereunder: (a) make contributions from their treasuries for the purposes set forth herein; (b) make payments of public funds to defray the cost of such purposes; (c) make advances of public funds for such purposes, such advances to be repaid as provided herein; (d) use its personnel, equipment or property in lieu of other contributions or advances; or (e) recovery of costs for staff labor and duties pursuant to Section 2.02 and Section 4.03.12. Contributions will be set pursuant to the procedures found in Section 4.03.10. The provisions of Government Code Section 6513, as it may be amended from time to time, are hereby incorporated into this Agreement by reference.

5.02 Accounts and Reports.

To the extent not covered by the duties assigned to a trustee chosen by the Authority, the Treasurer shall establish and maintain such funds and accounts as may be required by good accounting practice or by any provision of any trust agreement entered into with respect to the proceeds of any bonds issued by the Authority. The books and records of the Authority in the hands of a trustee or the Treasurer shall be open to inspection at all reasonable times by duly appointed representatives of the Members. The Treasurer, within 180 days after the close of each Fiscal Year, shall give a complete written report of all financial activities for such Fiscal Year to the Members to the extent that such activities are not covered by the report of such trustee. The trustee appointed under any indenture or trust agreement shall establish suitable funds, furnish financial reports and provide suitable accounting procedures to carry out the provisions of said trust agreement. Said trustee may be given such duties in said indenture or trust agreement as may be desirable to carry out this Agreement.

5.03 Funds.

Subject to the applicable provisions of any instrument or agreement which the Authority may enter into which may provide for a trustee to receive, have custody of and disburse Authority funds, the Treasurer of the Authority shall receive, have custody and disburse Authority funds in accordance with laws applicable to public agencies and generally accepted accounting practices, and shall make the disbursements required by this Agreement or to carry out any of the purposes of this Agreement.

5.04 Use of Prime Site and Infrastructures.

The City of Torrance shall permit the use of its Prime Site and use of its infrastructure to the Authority. Members that currently maintain Infrastructure or Members that intend to develop Infrastructure in

the future may permit the use of such Infrastructure to the Authority. Members not developing an Infrastructure may permit the use of radio stations and/or trunking-capable frequencies.

5.05 Sharing of Frequencies.

Members holding licenses to frequencies ("Licenses") may authorize the Authority to share the use of such frequencies and/or radio stations in accordance with the Code of Federal Regulations, (47 CFR 90.179). Such authorization may be revoked by the Member holding the License at any time, upon 90 days advanced written notice to the Authority. Licenses to frequencies shall remain primary to the Member holding the License. Any authorization for the use of such License shall be made pursuant to a written agreement between the Member and Authority. Member Agencies shall permit the use of their current or future sites as shared sites.

5.06 Infrastructure.

For purposes of this Agreement, Infrastructure shall mean an interconnected trunked radio system or remote site, not including the Prime Site or improvements thereto, or any system microwave.

5.07 Prime Site.

For purposes of this Agreement, Prime Site shall mean the City of Torrance's systems and equipment through which the infrastructure components are interconnected and which controls subscribers roaming through remote sites.

5.08 Upgrade and Replacement

Subject to the Board's approval based on an interval or criteria of its own choosing, the costs related to equipment upgrades and replacements shall be allocated per the approved model, provided that they improve the capabilities or extend the useful life of the overall system. This shall apply to jointly-owned JPA assets and agency-owned assets, as unanimously agreed upon by the Board.

ARTICLE VI TERM, WITHDRAWAL AND TERMINATION

6.01 Term.

This Agreement shall become effective, and the Authority shall come into existence, on the date when at least two Members have approved and executed this Agreement, and this Agreement and the Authority shall thereafter continue in full force and effect so long as there are at least two Members who are participating as part of the Authority. However, if any Bonds have been issued and remain outstanding, this Agreement cannot be terminated, and Members benefiting from such Bonds shall not withdraw from the Authority, until all revenue bonds or other forms of indebtedness issued pursuant hereto, and the interest thereon, shall have been paid or adequate provision for such payment shall have been made in accordance with the resolution (or indenture) adopted by the Board. No termination or amendment shall be made which is contrary to the language, spirit or intent of any contract and/or grant agreement entered into by the Authority.

6.02 Withdrawal by Members.

Subject to the restriction on withdrawal contained in Section 6.01 above, members of the Authority may withdraw from membership based upon the following provisions. Members who do not provide Infrastructure to the Authority shall provide ninety (90) days advanced written notice of intent to withdraw from the Authority to the Chairperson. Members which provide Infrastructure to the Authority, shall provide twelve (12) months advanced written notice of intent to withdraw from the Authority to

the Chairperson. The City of Torrance shall provide twenty-four (24) months advanced written notice of intent to withdraw from the Authority to the Chairperson. In the event the City of Torrance withdraws from the Authority, the Authority and/or the remaining Members independently shall have the right and option, for consideration received, to remain interconnected with City of Torrance's Prime Site, provided City of Torrance radio users retain the right to roam onto those Members' Infrastructure, and the Members provide funds that are mutually agreeable and sufficient for the maintenance of that portion of the Prime Site used by the Members. This option must be exercised by entering into a separate agreement between the City of Torrance and by the adoption of a resolution by the Board or by the governing body of the Member on or before sixty (60) days prior to the last day for withdrawal of the City of Torrance.

6.03 Financial Liability of Withdrawing Members

(a) A withdrawing Member shall remain liable for all financial liabilities incurred during its membership in the Authority; however, the Member shall not be liable for any new financial liabilities incurred after submitting written notice to withdraw.

(b) The withdrawing Member must continue to pay its share of operating costs during the ninety day, twelve month, or twenty-four month notice period, as applicable, after submitting its written notice of the intent to withdraw.

(c) The Authority and the withdrawing Member may negotiate a buy-out agreement for early termination of membership to retire any ongoing financial obligations the Member shares with the Authority.

(d) If a withdrawing Member holds a seat on the Board, that Member's participation on the Board shall immediately cease when the written notice to withdraw is submitted.

6.04 Retention of Assets by Withdrawing Members.

Each Member shall hold its licenses and retain sole ownership of its licenses, including those authorized for use by the Member to the Authority. The licenses and any System Components provided by a Member to the Authority shall remain the sole asset of that Member unless otherwise negotiated. If requested by the Authority, the withdrawing member shall consider options for the Authority's continued use of Member assets. Acceptance of any option is at the sole discretion of the withdrawing Member. In addition, the use by the Authority of the withdrawing Member's System Components shall be terminated upon the effective date of withdrawal, and such System Components shall remain the sole asset of the withdrawing Member, unless otherwise agreed. Such withdrawing Member shall have no interest or claim in any remaining assets of the Authority, the Board, or of any of the remaining Members.

6.05 Termination of Authority and Disposition of Assets.

Upon termination of this Agreement and dissolution of the Authority by all Members then party to this Agreement and after payment of all obligations of the Authority, all property of the Authority, both real and personal, shall be divided among such Members in shares proportionate to the total contributions for the acquisition of said property made by such Members. Upon a vote of a two-thirds majority of the Board, the Board may sell such property and distribute the proceeds of such sale among such Members in shares proportionate to the total contributions for the acquisition of said property made by such Members. If the assets consist of money, any money in the possession of the Authority shall be divided in proportion to the contributions made by the Members then party to this Agreement. Members shall hold their licenses and retain their licensing rights to the shared frequencies authorized to the Authority. In addition, each Member shall hold their Licenses and retain their Licensing rights to the

shared frequencies authorized to the Authority pursuant to Section 5.05 and any Infrastructure provided by the Member to the Authority shall remain the sole asset of that Member.

6.06 Inability to Contribute

Should a Member not be able to pay their share of any Board approved cost, they agree to withdraw from the JPA and forfeit any prior real or financial contributions. All other provisions in this Agreement shall remain intact as described (i.e. frequency sharing, site sharing). At the Board's discretion, based on a majority vote, it may allow a Member a 30-day late payment grace period or a 1-time adjusted allocation with the Member owing nothing.

ARTICLE VII MISCELLANEOUS PROVISIONS

7.01 Notices.

Any notice required or permitted to be made hereunder shall be in writing and shall be delivered in person or by certified or registered mail, postage prepaid, addressed to the attention of the Secretary of the Authority and to the City Clerk of each of the City Members and the Executive Director of the Authority at their principal place of business. Any written notice sent by first class United States mail shall be deemed given on the third (3rd) business day after deposit. Any written notice sent via certified return receipt requested shall be deemed given on the date such return receipt is signed by the addressee.

7.02 Amendment; Addition of Members.

7.02.1 In addition to the original signatories to this Agreement, any local agency may become a Member of the Authority. The addition of any local agency shall become effective upon:

- (i) the execution on behalf of such local agency of a counterpart of this Agreement and the delivery of such executed counterpart to the Board; and
- (ii) the adoption of a resolution of the Board admitting that local agency to the Authority. As used in this Section, local agency shall mean a county, a city, whether general law or chartered, or a joint powers agency.

7.02.2 This Agreement may be amended at any time by a minimum two-thirds (2/3) agreement of the then existing Members, evidenced by the execution of a written amendment to this Agreement.

7.03 Membership.

Notwithstanding any other provisions of this Agreement, if all the Members named on the first page of this Agreement have not approved and executed this Agreement on or before May 1, 2016, but two or more of the Members have approved and executed this Agreement on or before said date, then the Authority shall be deemed created by only those Members who have approved and executed this Agreement on or before said date, and only those agencies shall be parties to this Agreement. After May 1, 2016, any agencies who are not then parties to this Agreement may become parties in the manner set forth in Section 7.02.1.

7.04 Consents and Approvals.

Any consents or approvals required under this Agreement shall not be unreasonably withheld.

7.05 Enforcement of Authority.

The Authority is hereby authorized to take any or all legal or equitable actions, including but not limited to injunction and specific performance, necessary or permitted by law to enforce this Agreement.

7.06 Severability.

If anyone or more of the terms, provisions, promises, covenants, or conditions of this Agreement shall to any extent be adjudged invalid, unenforceable, void, or voidable for any reason whatsoever by a court of competent jurisdiction, each and all of the remaining terms, provisions, promises, covenants, and conditions of this Agreement shall not be affected thereby and shall be valid and enforceable to the fullest extent permitted by law.

7.07 Successors.

This Agreement shall be binding upon and shall inure to the benefit of the successors of each Member.

7.08 Assignment.

No Member shall assign any rights or obligations under this Agreement without the prior written consent of all other Members.

7.09 Governing Law.

This Agreement is made in the State of California under the Constitution and laws of such state and is to be so construed.

7.10 Headings.

The section headings herein are for convenience only and are not to be construed as modifying or governing the language of this Agreement.

7.11 Counterparts.

This Agreement may be executed in counterparts

7.12 No Third-Party Beneficiaries.

This Agreement and the obligations hereunder are not intended to benefit any party other than the SBC-NET JPA and its Members, except as expressly provided otherwise herein. No entity not a signatory to this Agreement shall have any rights or causes of action against any party to this Agreement as a result of that party's performance or nonperformance under this Agreement, except as expressly provided otherwise herein.

7.13 Filing of Notice of Agreement.

Within 30 days after this Agreement becomes effective, the City of Torrance shall file with the Secretary of State the notice of Agreement required by Government Code Section 6503.5.

7.14 Conflict of Interest Code.

The Board shall adopt a conflict of interest code as required by law.

7.15 Indemnification.

The Authority shall defend, indemnify and hold harmless each of the Members from any and all claims,

the Authority's negligence or willful misconduct. The indemnity granted under this Section shall extend to the officers, agents, employees and contractors of each indemnified party.

7.16 Dispute Resolution/Legal Proceedings.

Disputes regarding the interpretation or application of any provision of this Agreement shall, to the extent reasonably feasible, be resolved through good faith negotiations between the Members and/or the Authority. If any action at law or in equity is brought to enforce or interpret this Agreement, the prevailing party in such action shall be entitled to reasonable attorney's fees, costs and necessary disbursements, in addition to such other relief as may be sought and awarded.

IN WITNESS WHEREOF, the Members have caused this Agreement to be executed and attested by their proper officers thereunto duly authorized, as follows:

CITY OF EL SEGUNDO

Approved as to form

Mayor, City of El Segundo

City Attorney, City of El Segundo

CITY OF GARDENA

Approved as to form

Mayor, City of Gardena



City Attorney, City of Gardena

CITY OF HAWTHORNE

Approved as to form

Mayor, City of Hawthorne

City Attorney, City of Hawthorne

CITY OF HERMOSA BEACH

Approved as to form

Mayor, City of Hermosa Beach

City Attorney, City of Hermosa Beach

CITY OF MANHATTAN BEACH

Approved as to form

Mayor, City of Manhattan Beach

City Attorney, City of Manhattan Beach

CITY OF REDONDO BEACH

Approved as to form

Mayor, City of Redondo Beach

City Attorney, City of Redondo Beach

CITY OF TORRANCE

Approved as to form

Mayor, City of Torrance

City Attorney, City of Torrance



City of Gardena City Council Meeting

Agenda Item No. 8. B. (2)

Department: POLICE, STREETS & DEVELOPMENT SVCS.

Meeting Date: 05/10/2016

Resolution No. 6225

AGENDA REPORT SUMMARY

TO: THE HONORABLE MAYOR AND CITY COUNCIL

AGENDA TITLE: PUBLIC HEARING: RESOLUTION NO. 6225, CONFIRMING THE DIAGRAM AND ASSESSMENT CONTAINED IN THE ENGINEER'S REPORT DATED APRIL 12, 2016, FOR THE GARDENA ARTESIA BOULEVARD LANDSCAPING ASSESSMENT DISTRICT AND ORDERING THE LEVY OF ASSESSMENTS ON THE SAME FOR FISCAL YEAR 2016-2017

<u>COUNCIL ACTION REQUIRED:</u>	Action Taken
Conduct Hearing Related Thereto and Adopt Resolution No. 6225	

RECOMMENDATION AND STAFF SUMMARY:

Staff respectfully recommends that the City Council adopt Resolution No. 6225, subsequent to holding a hearing to consider any and all protests related to the levy of the proposed annual assessment under the Gardena Artesia Boulevard Landscaping Assessment District for Fiscal Year 2016-2017.

On March 8, 2016, the City Council adopted Resolution No. 6217, ordering the Director of Police, Streets and Development Services to order the City Engineer to prepare and file a report according to the provisions of the "Landscaping and Lighting Act of 1972" of the State of California Streets and Highways Code, Division 15, Part 2, for assessments to be levied upon and collected through the said assessment district.

On April 12, 2016, the City Council adopted Resolution No. 6220, approving the Engineer's Report, filed in the office of the City Clerk, and declaring its intention to levy upon and collect assessments from the said assessment district for Fiscal Year 2016-2017.

The adoption of this Resolution No. 6225, confirms the diagram and assessment contained in the Engineer's Report and constitutes the levy of the assessment that will pay for the service and maintenance costs of landscaping and appurtenant improvements within the median islands on Artesia Boulevard between Western Avenue and Normandie Avenue.

FINANCIAL IMPACT/COST:

Funding Source: Assessment District
Anticipated Revenue: \$ 21,662.00

ATTACHMENT:

Resolution No. 6225

Submitted by: Edward Medrano, Edward Medrano, Director
Police, Streets & Development Services Date: 5/4/16

Concurred by: Mitchell G. Lansdell, Mitchell G. Lansdell, City Manager Date: _____

RESOLUTION NO. 6225

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT CONTAINED IN THE ENGINEER'S REPORT DATED APRIL 12, 2016, FOR THE GARDENA ARTESIA BOULEVARD LANDSCAPING ASSESSMENT DISTRICT AND ORDERING THE LEVY OF ASSESSMENTS ON THE SAME FOR FISCAL YEAR 2016-2017.

WHEREAS, on March 8, 2016, the City Council of the City of Gardena, California, adopted Resolution No. 6217, ordering the Director of Police, Streets and Development Services to order the City Engineer to prepare and file a report according to the provisions of the "Landscaping and Lighting Act of 1972" of the State of California Streets and Highways Code, Division 15, Part 2, for assessments to be levied upon and collected through the Gardena Artesia Boulevard Landscaping Assessment District for Fiscal Year 2016-2017; and

WHEREAS, the Engineering Report was prepared and was filed in the office of the City Clerk; and

WHEREAS, on April 12, 2016, the City Council adopted Resolution No. 6220 approving the Engineer's Report for the Gardena Artesia Boulevard Landscaping Assessment District for Fiscal Year 2016-2017, declaring its intention to levy upon and collect assessments for Fiscal Year 2016-2017; and

WHEREAS, the City Council scheduled a hearing to consider any and all protests related to the levy of the proposed annual assessment for Tuesday, May 10, 2016, at 7:30 p.m. in the City of Gardena Council Chambers, 1700 West 162nd Street, City of Gardena, California; and

WHEREAS, on May 10, 2016, the City Council held the duly noticed hearing and considered all protests and comments regarding the assessments.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY RESOLVE, AS FOLLOWS:

SECTION 1. A written majority protest was not filed against the annual levy of the assessment of the Gardena Artesia Boulevard Landscaping Assessment District.

SECTION 2. The adoption of this Resolution confirms the diagram and the assessment contained in the Engineer's Report and constitutes the levy of the assessment on the Gardena Artesia Boulevard Landscaping Assessment District for Fiscal Year 2016-2017.

SECTION 3. The City Council orders and directs the City Treasurer to establish a special fund according to the State of California Streets and Highways Code, Division 15, Part 2, for Fiscal Year 2016-2017 entitled, "Gardena Artesia Boulevard Landscaping Assessment District," and place into the fund all payments of assessments received from the County Tax Collector.

SECTION 4. The City Council orders all payments shall be made out of the special fund and only for the purposes provided for in the State of California Streets and Highways Code, Division 15, Part 2.

SECTION 5. That the City Clerk is ordered to transmit to the County Auditor of Los Angeles County, State of California, a certified copy of the diagram and assessment no later than the third Monday in August, 2016.

SECTION 6. That the City Engineer, or his authorized agent, is designated as the person for the transmittal of the data processing tapes for the Assessment Roll.

SECTION 7. That this Resolution shall take effect immediately.

SECTION 8. That the City Clerk shall certify to the passage and adoption of this Resolution; shall enter the resolution among the original resolutions of the City; and shall make a record of the passage and adoption in the records of the proceedings of the City Council of the City in the minutes of the meeting at which the resolution is passed and adopted.

Passed, approved and adopted this _____ day of _____, 2016.

Paul K. Tanaka, Mayor
City of Gardena, California

ATTEST:

City Clerk

APPROVED AS TO FORM:



City Attorney



City of Gardena City Council Meeting

Agenda Item No. 8. B. (3)

Department: POLICE, STREETS & DEVELOPMENT SVCS.

Meeting Date: 05/10/2016

Resolution No. 6226

AGENDA REPORT SUMMARY

TO: THE HONORABLE MAYOR AND CITY COUNCIL

AGENDA TITLE: PUBLIC HEARING: RESOLUTION NO. 6226, CONFIRMING THE DIAGRAM AND ASSESSMENT CONTAINED IN THE ENGINEER'S REPORT DATED APRIL 12, 2016, FOR THE GARDENA CONSOLIDATED STREET LIGHTING ASSESSMENT DISTRICT AND ORDERING THE LEVY OF ASSESSMENTS ON THE SAME FOR FISCAL YEAR 2016-2017

<u>COUNCIL ACTION REQUIRED:</u>	<u>Action Taken</u>
Conduct Hearing Related Thereto and Adopt Resolution No. 6226	

RECOMMENDATION AND STAFF SUMMARY:

Staff respectfully recommends that the City Council adopt Resolution No. 6226, subsequent to holding a hearing to consider any and all protests related to the levy of the proposed annual assessment under the Gardena Consolidated Street Lighting Assessment District for Fiscal Year 2016-2017.

On March 8, 2016, the City Council adopted Resolution No. 6218, instructing the Director of Police, Streets and Development Services to order the City Engineer to prepare and file a report according to the provisions of the "Landscaping and Lighting Act of 1972" of the State of California Streets and Highways Code, Division 15, Part 2, for assessments to be levied upon and collected through the said assessment district.

On April 12, 2016, the City Council adopted Resolution No. 6221, approving the Engineer's Report, filed in the office of the City Clerk, and declaring its intention to levy upon and collect assessments from the said assessment district for Fiscal Year 2016-2017.

The adoption of this resolution confirms the diagram and assessment contained in the Engineer's Report and constitutes the levy of the assessment that will pay for all energy, construction and maintenance costs of street lighting, including safety lights that are above traffic signals. These fees are assessed and collected through the Los Angeles County Office of the Assessor and the Los Angeles County Treasurer and Tax Collector, and are remitted to the City on a biannual basis.

FINANCIAL IMPACT/COST:

Funding Source: Assessment District
Anticipated Revenue: \$682,106.31

ATTACHMENT:

Resolution No. 6226

Submitted by: Edward Medrano, Edward Medrano, Director
Police, Streets & Development Services Date: 5/14/16

Concurred by: Mitchell G. Lansdell, Mitchell G. Lansdell, City Manager Date: 5/15/16

RESOLUTION NO. 6226

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT CONTAINED IN THE ENGINEER'S REPORT DATED APRIL 12, 2016, FOR THE GARDENA CONSOLIDATED STREET LIGHTING ASSESSMENT DISTRICT AND ORDERING THE LEVY OF ASSESSMENTS ON THE SAME FOR FISCAL YEAR 2016-2017.

WHEREAS, on March 8, 2016, the City Council of the City of Gardena, California, adopted Resolution No. 6218, ordering the Director of Police, Streets and Development Services to order the City Engineer to prepare and file a report according to the provisions of the "Landscaping and Lighting Act of 1972" of the State of California Streets and Highways Code, Division 15, Part 2, for assessments to be levied upon and collected through the Gardena Consolidated Street Lighting Assessment District for Fiscal Year 2016-2017; and

WHEREAS, the Engineering Report was prepared and was filed in the office of the City Clerk; and

WHEREAS, on April 12, 2016, the City Council adopted Resolution No. 6221 approving the Engineer's Report for the Gardena Consolidated Street Lighting Assessment District for Fiscal Year 2016-2017, declaring its intention to levy and collect assessments for Fiscal Year 2016-2017; and

WHEREAS, the City Council scheduled a hearing to consider any and all protests related to the levy of the annual proposed assessment for Tuesday, May 10, 2016, at 7:30 p.m., in the City of Gardena Council Chambers, 1700 West 162nd Street, City of Gardena, California; and

WHEREAS, on May 10, 2016, the City Council held the duly noticed hearing and considered all protests and comments regarding the assessments.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY RESOLVE, AS FOLLOWS:

SECTION 1. A written majority protest was not filed against the annual levy of the assessment of the Gardena Consolidated Street Lighting Assessment District.

SECTION 2. The adoption of this Resolution confirms the diagram and the assessment contained in the Engineer's Report and constitutes the levy of the assessment on the Gardena Consolidated Street Lighting Assessment District for Fiscal Year 2016-2017.

SECTION 3. The City Council orders and directs the City Treasurer to establish a special fund according to the State of California Streets and Highways Code, Division 15, Part 2, for Fiscal Year 2016-2017 entitled, "Gardena Consolidated Street Lighting Assessment District," and place into the fund all payments of assessments received from the County Tax Collector.

SECTION 4. The City Council orders all payments shall be made out of the special fund and only for the purposes provided for in the State of California Streets and Highways Code, Division 15, Part 2.

SECTION 5. The City Clerk is ordered to transmit to the County Auditor of Los Angeles County, State of California, a certified copy of the diagram and assessment no later than the third Monday in August, 2016.

SECTION 6. That the City Engineer, or his authorized agent, is designated as the person for the transmittal of the data processing tapes for the Assessment Roll.

SECTION 7. That this Resolution shall take effect immediately.

SECTION 8. That the City Clerk shall certify to the passage and adoption of this Resolution; shall enter the resolution among the original Resolutions of the City; and shall make a record of the passage and adoption in the records of the proceedings of the City Council of the City in the minutes of the meeting at which the resolution is passed and adopted

Passed, approved and adopted this _____ day of _____, 2016.

Paul K. Tanaka, Mayor
City of Gardena, California

ATTEST:

City Clerk

APPROVED AS TO FORM:



City Attorney



City of Gardena City Council Meeting

Agenda Item No. 8. B. (4)
Department: POLICE, STREETS & DEVELOPMENT SVCS.
Meeting Date: 05/10/2016

AGENDA REPORT SUMMARY

TO: THE HONORABLE MAYOR AND CITY COUNCIL

AGENDA TITLE: **AWARD CONTRACT
TRAFFIC SIGNAL UPGRADE, JN 911
VARIOUS LOCATIONS
WHITMAN ELECTRIC IN THE AMOUNT OF \$72,979.00**

<u>COUNCIL ACTION REQUIRED:</u>	<u>Action Taken</u>								
Award Contract									
<p><u>RECOMMENDATION AND STAFF SUMMARY:</u></p> <p>Staff respectfully recommends that the City Council:</p> <ol style="list-style-type: none"> 1) Award the contract for Traffic Signal Upgrade, JN 911, to Whitman Electric, 20523 Summertown Street, Walnut, CA 91789, in the amount of \$72,979.00. 2) Approve expenditure of remaining budget as needed. <p>The following bids were received on April 12, 2016:</p> <table border="0"> <tr> <td>1. Whitman Electric, Walnut</td> <td>\$72,979.00</td> </tr> <tr> <td>2. Traffic Development Services, Inc., Moorpark</td> <td>\$94,505.00</td> </tr> <tr> <td>3. California Professional Engineering, Inc., La Puente</td> <td>\$95,425.00</td> </tr> <tr> <td>4. L.A. Traffic Signal Transportation, Inc., Pasadena</td> <td>\$119,518.00</td> </tr> </table> <p>The apparent low bidder, Whitman Electric is a state licensed contractor with verified successful construction experience in this field. They will be required to meet all bonding and financial standards.</p> <p>This project will remove and replace traffic signal luminaires with more energy efficient LED luminaires at various signalized intersections within the City.</p> <p>Sufficient funds to complete this project were appropriated by the City Council in the 2015-2016 Capital Improvement Budget using Proposition C local return funds.</p>		1. Whitman Electric, Walnut	\$72,979.00	2. Traffic Development Services, Inc., Moorpark	\$94,505.00	3. California Professional Engineering, Inc., La Puente	\$95,425.00	4. L.A. Traffic Signal Transportation, Inc., Pasadena	\$119,518.00
1. Whitman Electric, Walnut	\$72,979.00								
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3. California Professional Engineering, Inc., La Puente	\$95,425.00								
4. L.A. Traffic Signal Transportation, Inc., Pasadena	\$119,518.00								
<p><u>FINANCIAL IMPACT/COST:</u></p> <p>Budget Amount: \$100,000 (Construction, Inspections and Engineering) Funding Source: Proposition C local return funds Anticipated Revenue: \$100,000</p>									
<p><u>ATTACHMENTS:</u></p> <p>Project Location Map</p>									
<p>Submitted by: <u>Edward Medrano</u>, Edward Medrano, Director Police, Streets & Development Services Date: <u>5/3/16</u></p> <p>Concurred by: <u>Mitchell G. Lansdell</u>, Mitchell G. Lansdell, City Manager Date: <u>5/5/16</u></p>									



City of Gardena City Council Meeting

AGENDA REPORT SUMMARY

Agenda Item No. 8. B. (5)
Department: POLICE, STREETS & DEVELOPMENT SVCS.
Meeting Date: 05/10/2016

TO: THE HONORABLE MAYOR AND CITY COUNCIL

AGENDA TITLE: **ACCEPTANCE AND NOTICE OF COMPLETION
LOCAL STREET OVERLAY 2015
VARIOUS LOCATIONS, JN 889
EXCEL PAVING CO.**

<u>COUNCIL ACTION REQUIRED:</u>	<u>Action Taken</u>
<p>Acceptance and Order the Recordation of Notice of Completion</p> <p><u>RECOMMENDATION AND STAFF SUMMARY:</u></p> <p>Staff respectfully recommends that the City Council accept the work and order the recordation of Notice of Completion.</p> <p>This project removed and replaced approximately 770,000 square feet of asphalt pavement.</p> <p>Sufficient funds to complete this project were appropriated by the City Council in the 2014-2015 Capital Improvement Budget using Gas Tax Funds.</p>	
<p><u>FINANCIAL IMPACT/COST:</u></p> <p>Budget Amount: \$1,270,000 (Construction Contract, Design, Management and Inspection) Funding Source: Gas Tax Funds Anticipated Revenue: \$1,270,000</p>	
<p><u>ATTACHMENTS:</u></p> <p>Notice of Completion Project Location Map</p>	
<p>Submitted by: <u>Edward Medrano</u>, Edward Medrano, Director Police, Streets & Development Services Date: <u>05/03/16</u></p> <p>Concurred by: <u>Mitchell G. Lansdell</u>, Mitchell G. Lansdell, City Manager Date: <u>5/15/16</u></p>	

RECORDING REQUEST BY AND MAIL TO:

Mina Semenza, City Clerk
City of Gardena
1700 W. 162nd Street
Gardena, CA 90247

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN, that:

1. The undersigned is the duly authorized representative of the City of Gardena, a Municipal Corporation of the State of California located within the County of Los Angeles in said State at 1700 West 162 Street, Gardena, California 90247.
2. That on the 8th day of September, 2015 the City Council of said City entered into contract with Excel Paving Co. whose address is 2230 Lemon Avenue Long Beach, CA 90806 for the improvement titled Local Street Overlay 2015, JN 889 in accordance with City of Gardena Plans and Specifications.
3. That all of the work and improvement was located at Various Locations in said City. The owner of the location is the City of Gardena.
4. That all of the work and improvement contemplated in and under said contract was substantially completed on April 28, 2016.
5. That the City Council formally accepted this work and improvement on May 10, 2016.
6. That the Surety on the Performance Bond and the Labor and Material Bond of said Contractor under said contract was, and is, the Federal Insurance Co. whose address is 15 Mountain View Rd. Warren, N.J. 07059.

The undersigned, being first duly sworn, states: That he is the duly authorized representative of the City of Gardena, the political subdivision of the State of California which conducted the proceedings for the improvement titled Local Street Overlay 2015, JN 889 in said City, that he has read the foregoing "Notice of Completion" and knows the facts recited therein are true.

IN WITNESS THEREOF, I have hereunto subscribed my name as the duly authorized representative of said City this _____ day of _____ 2016.

City of Gardena, California

State of California
County of _____

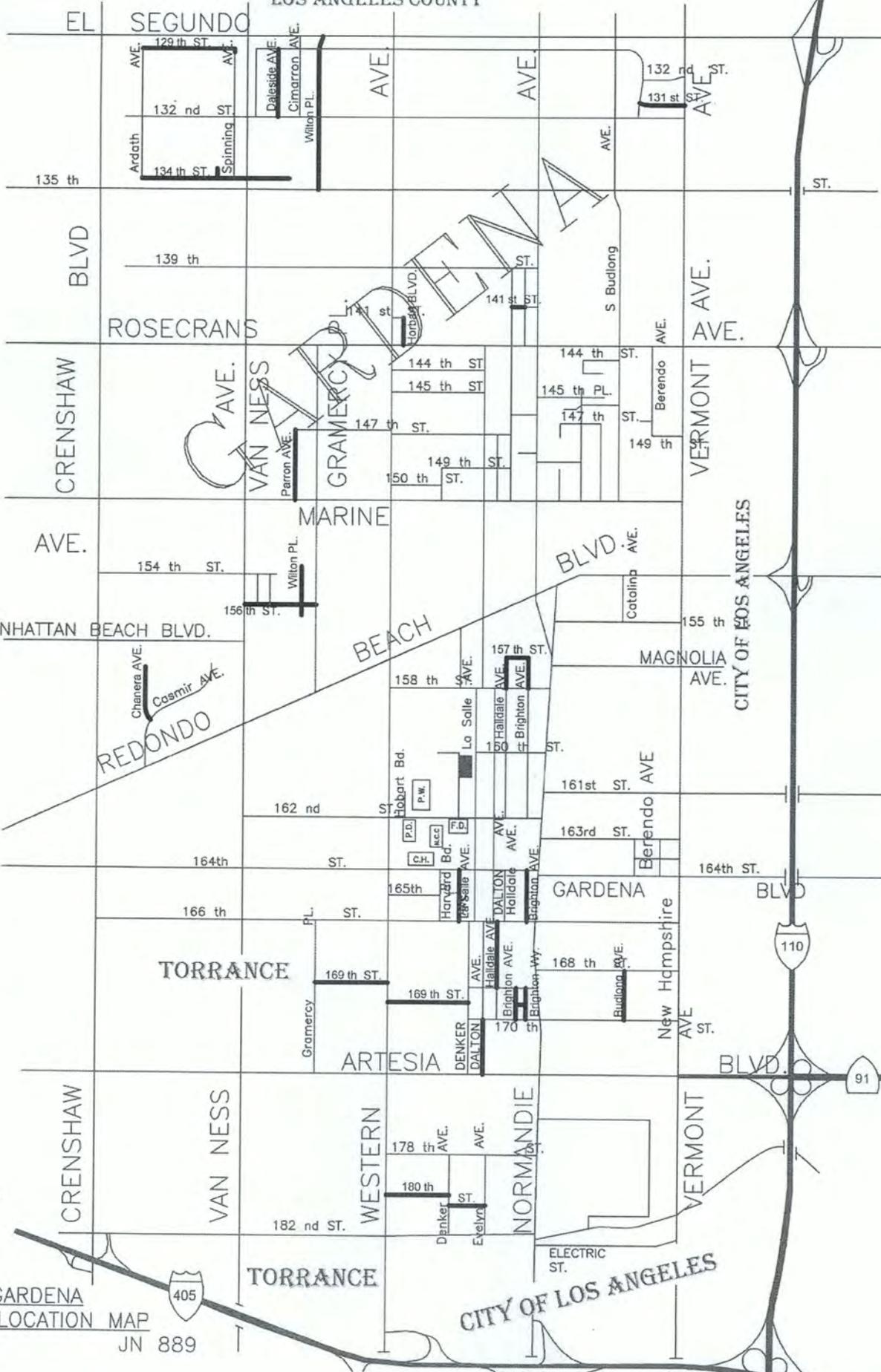
Subscribed and sworn to (or affirmed) before me on this _____ day of _____, 20____, by
_____, proved to me on the basis of satisfactory
evidence to be the person(s) who appeared before me.

Signature _____

Seal

LOS ANGELES COUNTY

HAWTHORNE



LOS ANGELES COUNTY

MANHATTAN BEACH BLVD.

REDONDO

MARINE

BEACH

BLVD.

MAGNOLIA AVE.

GARDENA

TORRANCE

ARTESIA

NORMANDIE

TORRANCE

CITY OF LOS ANGELES



CITY OF GARDENA
PROJECT LOCATION MAP
JN 889

LEGEND:
— STREET LOCATION



City of Gardena City Council Meeting

Agenda Item No. 8. B. (5)

Department: POLICE, STREETS & DEVELOPMENT SVCS.

Meeting Date: 05/10/2016

AGENDA REPORT SUMMARY

TO: THE HONORABLE MAYOR AND CITY COUNCIL

AGENDA TITLE: **ACCEPTANCE AND NOTICE OF COMPLETION
LOCAL STREET OVERLAY 2015
VARIOUS LOCATIONS, JN 889
EXCEL PAVING CO.**

	Action Taken
<p><u>COUNCIL ACTION REQUIRED:</u></p> <p>Acceptance and Order the Recordation of Notice of Completion</p> <p><u>RECOMMENDATION AND STAFF SUMMARY:</u></p> <p>Staff respectfully recommends that the City Council accept the work and order the recordation of Notice of Completion.</p> <p>This project removed and replaced approximately 770,000 square feet of asphalt pavement.</p> <p>Sufficient funds to complete this project were appropriated by the City Council in the 2014-2015 Capital Improvement Budget using Gas Tax Funds.</p>	
<p><u>FINANCIAL IMPACT/COST:</u></p> <p>Budget Amount: \$1,270,000 (Construction Contract, Design, Management and Inspection) Funding Source: Gas Tax Funds Anticipated Revenue: \$1,270,000</p>	
<p><u>ATTACHMENTS:</u></p> <p>Notice of Completion Project Location Map</p>	
<p>Submitted by: <u>Edward Medrano</u>, Edward Medrano, Director Police, Streets & Development Services Date: <u>05/03/16</u></p> <p>Concurred by: <u>Mitchell G. Lansdell</u>, Mitchell G. Lansdell, City Manager Date: <u>5/5/16</u></p>	

RECORDING REQUEST BY AND MAIL TO:

Mina Semenza, City Clerk
City of Gardena
1700 W. 162nd Street
Gardena, CA 90247

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN, that:

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The undersigned, being first duly sworn, states: That he is the duly authorized representative of the City of Gardena, the political subdivision of the State of California which conducted the proceedings for the improvement titled Local Street Overlay 2015, JN 889 in said City, that he has read the foregoing "Notice of Completion" and knows the facts recited therein are true.

IN WITNESS THEREOF, I have hereunto subscribed my name as the duly authorized representative of said City this _____ day of _____ 2016.

City of Gardena, California

State of California
County of _____

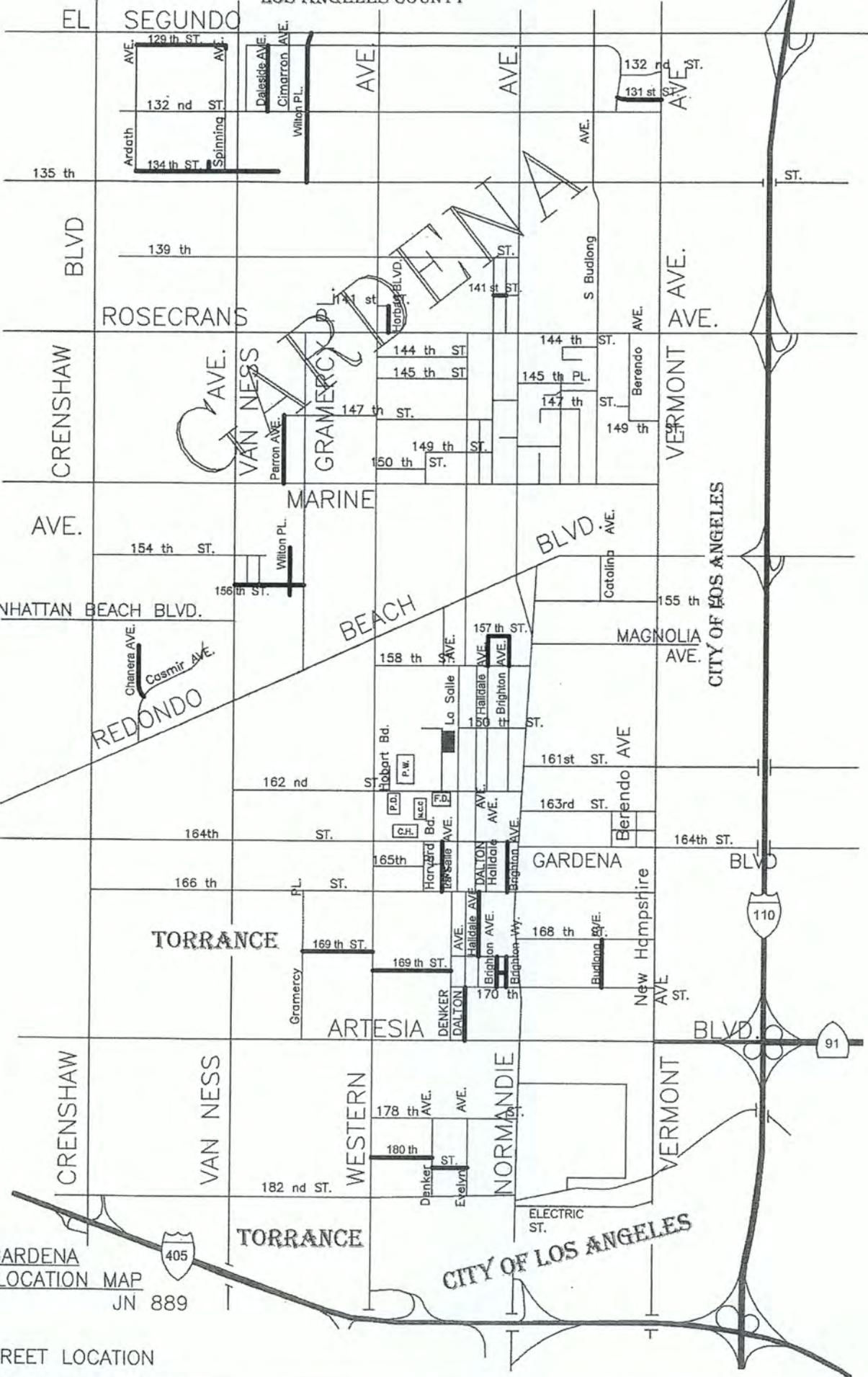
Subscribed and sworn to (or affirmed) before me on this _____ day of _____, 20____, by
_____, proved to me on the basis of satisfactory
evidence to be the person(s) who appeared before me.

Signature _____

Seal

LOS ANGELES COUNTY

HAWTHORNE



CITY OF GARDENA
PROJECT LOCATION MAP
JN 889

LEGEND:
— STREET LOCATION



City of Gardena
City Council Meeting

Agenda Item No. 8. B (6)
 Department: POLICE, STREETS, & DEVELOPMENT SVCS.
 Meeting Date: 05/10/2016
 Ordinance No.: 1766

AGENDA REPORT SUMMARY

TO: THE HONORABLE MAYOR AND CITY COUNCIL

AGENDA TITLE: *ORDINANCE NO. 1766, AMENDING CHAPTER 18.34 OF THE GARDENA MUNICIPAL CODE RELATING TO THE HEAVY COMMERCIAL (C-4) ZONE, AMENDING CHAPTER 18.46 OF THE GARDENA MUNICIPAL CODE RELATING TO CONDITIONAL USE PERMITS, AND REZONING PROPERTY GENERALLY LOCATED ON WEST ROSECRANS AVENUE BETWEEN SOUTH NORMANDIE AVENUE AND BRIGHTON AVENUE FROM GENERAL COMMERCIAL (C-3) TO HEAVY COMMERCIAL (C-4) (ZC#1-15) (ZCA#1-16) (INTRODUCED BY COUNCILMEMBER DAN MEDINA, APRIL 26, 2016)*

<u>COUNCIL ACTION REQUIRED</u>	<u>Action Taken</u>
Adopt Ordinance No. 1766	
<p><u>RECOMMENDATION AND STAFF SUMMARY</u></p> <p>Staff respectfully recommends that the City Council adopt Ordinance No. 1766.</p> <p>At the April 26, 2016 City Council Meeting, the Council introduced Ordinance No. 1766. Ordinance No. 1766 amends Chapter 18.34 of the Gardena Municipal Code (GMC) relating to the C-4 zone, amends Chapter 18.46 of the GMC relating to conditional use permits, and rezone property generally located on West Rosecrans Avenue between South Normandie Avenue and Brighton Avenue from General Commercial (C-3) to Heavy Commercial (C-4).</p>	
<p><u>FINANCIAL IMPACT/COST</u></p> <p>N/A</p>	
<p><u>ATTACHMENTS</u></p> <p>Ordinance No. 1766 Exhibit A – Map of property to be rezoned</p>	
<p>Submitted by: <u><i>Edward Medrano</i></u>, Edward Medrano, Director Police, Streets & Development Services Date: <u><i>5/5/16</i></u></p> <p>Concurred by: <u><i>Mitchell G. Lansdell</i></u>, Mitchell G. Lansdell, City Manager Date: <u><i>5/5/16</i></u></p>	

ORDINANCE NO. 1766

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, AMENDING CHAPTER 18.34 OF THE GARDENA MUNICIPAL CODE RELATING TO THE HEAVY COMMERCIAL (C-4) ZONE, AMENDING CHAPTER 18.46 OF THE GARDENA MUNICIPAL CODE RELATING TO CONDITIONAL USE PERMITS, AND REZONING PROPERTY GENERALLY LOCATED ON WEST ROSECRANS AVENUE BETWEEN SOUTH NORMANDIE AVENUE AND BRIGHTON AVENUE FROM GENERAL COMMERCIAL (C-3) TO HEAVY COMMERCIAL (C-4)

WHEREAS, Republic Services, Inc. owns a Waste Transfer Station ("Transfer Station") which is located at 1449 West Rosecrans Avenue at the northwest corner of Brighton Avenue and West Rosecrans Avenue; and

WHEREAS, the Transfer Station produces a number of deleterious side effects from its business, including trash and odors; and

WHEREAS, the City is the owner of a 1.24 acre property which lies across from the Transfer Station with frontage on the eastern side of Brighton Avenue, the western side of South Normandie Avenue and the northern side of West Rosecrans Avenue ("City Property"); and

WHEREAS, it has been difficult to make productive use of the City property due to the impacts of the Transfer Station; and

WHEREAS, there are also other properties comprising an additional 0.6 acres in the immediate vicinity of the Transfer Station which are located at 14216 Brighton Avenue which is developed with a nonconforming residential use and 1401 and 1425 West Rosecrans Avenue which are developed with underutilized automotive uses; and

WHEREAS, the current General Plan land use designation for the properties across the street from the Transfer Station, including the City Property is General Commercial with a Mixed Use Overlay; and

WHEREAS, the Project Properties have a General Plan land use designation of General Commercial with a Mixed Use Overlay. The maximum FAR for the commercial development is 0.5. The Project Properties have a zoning designation of General Commercial (C-3) with a Mixed Use Overlay (MUO) that allows residential property of up to 30 units per acre; and

WHEREAS, it is highly unlikely that residential uses will ever be developed in this location due to the presence of the Transfer Station; and

WHEREAS, in March 2015, the City entered into a Sales and Purchase Agreement with The William Warren Group, Inc. to sell the City Property for \$1.4 million; the sale is contingent upon obtaining the land use entitlements that will allow the development of the self-storage facility; and

WHEREAS, on September 3, 2015, the applicant, The William Warren Group, Inc., submitted an application for a conditional use permit and site plan review to develop the property at 14215 South Normandie Avenue with a 131,752 square foot self-storage facility and retail center (collectively referred to as the "StorQuest Project"); and

WHEREAS, prior to adoption of this Ordinance, the City Council adopted Resolution No. 6223, which adopted the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring Program for the General Plan Amendment increasing the maximum FAR in the General Commercial land use designation from 0.5 to 2.75 when self-storage facilities are involved, changed the zoning of the property shown on Exhibit A from General Commercial (C-3) with a Mixed Use Overlay to Heavy Commercial (C-4) with a Mixed Use Overlay, and made changes to the City's Zoning Code relating to self-storage facilities; and

WHEREAS, Resolution No. 6223 also increased the maximum FAR in the General Commercial land use designation from 0.5 to 2.75 when self-storage facilities are involved; and

WHEREAS, the City Council would like to change the zoning of those properties shown on Exhibit A that are currently undeveloped or underutilized to a higher intensity zone which would allow additional uses which would be more compatible with the surrounding area; and

WHEREAS, the City Council would like to make changes to the Zoning Code regarding self-storage facilities; and

WHEREAS, the Planning and Environmental Quality Commission held a duly noticed public hearing on March 15, 2016, at which time it adopted Resolution No. PC 02-16 which approved the Mitigated Negative Declaration and Mitigation Monitoring Program for the StorQuest Project, approved the StorQuest Project, recommended that the City Council approve the Mitigated Negative Declaration and the Mitigation Monitoring Program for the Land Use Project, and recommended that the City Council approve the Land Use Project; and

WHEREAS, on March 24, 2016, Councilmember Medina requested a Call for Review of the StorQuest Project; and

WHEREAS, at the April 12, 2016, City Council meeting, Staff requested that the project be opened and continued to the April 26, 2016, City Council meeting so public noticing of the entire project could be completed. Since the April 12, 2016, City Council meeting, all noticing requirements were completed; and

WHEREAS, the City Council held the continued public hearing on the Land Use Project on April 26, 2016, at which time it considered all evidence before it, both written and oral;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY ORDAIN, AS FOLLOWS:

Section 1. The City Council finds that the Whereas clauses listed above are true and correct.

Section 2. Section 18.34.030 of the Gardena Municipal Code, relating to conditional uses allowed in the C-4 zone, is hereby amended by adding a new subsection W to read as follows and relettering the existing subsection W as subsection X:

W. Self-storage facilities provided that the self-storage units do not exceed more than 75 feet of ground floor street frontage on a major collector or arterial street, or are otherwise buffered by another allowed, or conditionally allowed, use, including a retail component of the facility, and subject to the requirements set forth in Section 18.46.030(C)(17); and

X. Those uses permitted with a conditional use permit, pursuant to Section 18.46.030C.

Section 3. Section 18.34.050(C) of the Gardena Municipal Code, relating to development standards in the C-4 zone, is hereby amended, as follows:

C. Building height/FAR: Building heights shall not exceed sixty-five feet in general, and shall not exceed thirty-five feet within one hundred feet of a zone boundary line between the C-4 zone and any R-1 or R-2 zone, and shall not exceed forty-five feet within one hundred feet of a zone boundary line between the C-4 zone and R-3 zones. The gross floor area of buildings or structures on a lot or lots that comprise a project site shall not exceed 0.50 FAR with the exception of a development where at least eighty percent (80%) of the development includes self-storage facilities, in which case the FAR shall not exceed 2.75.

Section 4. Section 18.46.030(C)(17) relating to conditional use permits, is hereby amended to read as follows:

17. Self-storage facilities in the C-4, M-1, and M-2 zones; provided, that:
- a. Minimum lot area shall be not less than one acre.
 - b. At least forty feet of clear, unobstructed driveway depth will be provided from the road to the primary access gate or principal entry point of the facility.
 - c. Interior driveway drive aisle widths shall be not be less than twenty-five feet.
 - d. Facility layout, design, and exterior building materials and treatment for all structures including, but not limited to, fences, walls, gates, buildings, and landscaping shall be of high quality and be aesthetically pleasing when viewed from adjacent properties and the public right-of-way.
 - e. Buildings shall be designed and located so that overhead doors and the interior driveways within such facilities are not visible from the adjacent public right-of-way. This provision does not apply to overhead doors that are within an enclosed self-storage building and that are visible only through windows of the building.
 - f. No door openings for any storage unit shall be visible at ground level from any residentially zoned property.
 - g. All buildings and structures shall be set back a minimum of ten feet from the front property line; such setback area shall be totally landscaped with lawn, shrubbery, trees, and/or flowers. There shall be at least one twenty-four-inch boxed tree for every twenty feet of property frontage.
 - h. All fences or walls visible from the public right-of-way shall be constructed of decorative building materials such as slump stone masonry, concrete block, wrought iron, or other similar materials.
 - i. Boats, campers, recreational vehicles, and travel trailers may be stored outside of an enclosed building, but only in an area designated for such outside storage on an approved site plan and not visible from the public right-of-way or adjacent property when viewed from the ground level.
 - j. A resident manager unit not to exceed nine hundred square feet in size may be permitted; provided, it is for the exclusive use of the resident manager of the facility and one other adult. Such unit shall be integrated into the storage facility.

k. The resident manager shall be responsible for ensuring compliance with all conditions of approval; occupancy of the residential unit shall immediately cease upon termination or cessation of the self-storage use or operation;

Section 5. Those properties across the street from the Transfer Station located north of West Rosecrans Avenue, east of Brighton Avenue, and west of South Normandie Avenue as more particularly shown on Exhibit A are hereby rezoned from General Commercial (C-3) with a Mixed Use Overlay (MUO) to Heavy Commercial (C-4) with a Mixed Use Overlay (MUO) and changes to the zoning map shall be made accordingly.

Section 6. In making this zone change and Zoning Code amendments the City Council specifically finds as follows:

- A. The Heavy Commercial (C-4) zone is consistent with the General Commercial land use designation for the property.
- B. The zoning changes are in the best interests of the health, safety, and welfare of the citizens of Gardena as the change will encourage development of undesirable properties by allowing additional uses at a higher density without impacting the residents of Gardena.
- C. Including the properties to the immediate east and west of the City's Property makes logical planning sense as it avoids creating an "island" effect.
- D. Allowing a FAR of 2.75 for developments including self-storage facilities is acceptable as self-storage facilities have much lower impacts than other commercial uses, including but not limited to, parking and traffic impacts.
- E. This is the only area of the City which will have a Heavy Commercial zoning designation and thus the only commercial area in the City where self-storage uses will be allowed. Allowing this use in this location makes sense as this use will not be impacted by the negative impacts created by the Waste Transfer Station immediately across the street on Brighton Avenue.
- F. The zoning changes will ensure that someone will not be able to develop a few storage units on a property in order to receive a higher density than otherwise allowed in the commercial zone. The other zoning changes recognize that self-storage units now develop in a different manner than before (i.e., vertically instead of horizontally).

Section 7. The complete record of proceedings upon which this action is based is located in the Community Development Department of the City of

Gardena located at 1700 West 162nd Street, Gardena, California 90247. The custodian of records is Raymond Barragan, Community Development Manager.

Section 8. Severability. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause, or phrase be declared unconstitutional.

Section 9. Certification. The City Clerk shall certify the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a publication of general circulation.

Section 10. Effective Date. This ordinance shall not become effective or be in force until the thirty-first day after the date of its adoption.

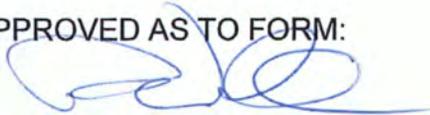
Passed, approved, and adopted this _____ of _____, 2016.

PAUL K. TANAKA, Mayor

ATTEST:

MINA SEMENZA, City Clerk

APPROVED AS TO FORM:



PETER L. WALLIN, City Attorney

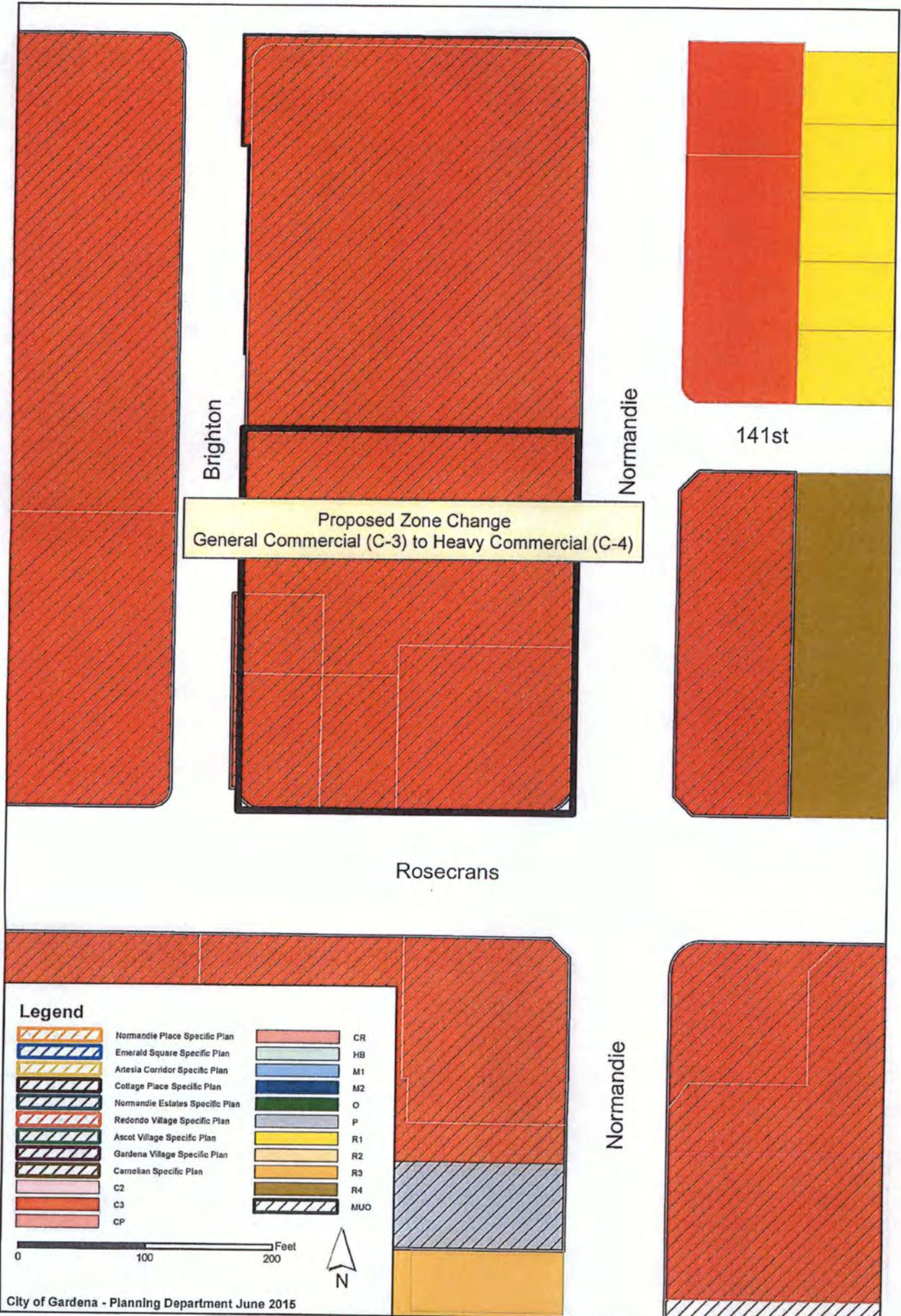
Attachment:

Exhibit A – Map of property to be rezoned

Adopted Zone Change #1-15



Proposed Zone Change #1-15





City of Gardena
City Council Meeting

AGENDA REPORT SUMMARY

Agenda Item No. 9. A. (1)

COUNCIL ITEMS

Meeting Date: 05/10/2016

Resolution No. 6228

TO: THE HONORABLE MAYOR AND CITY COUNCIL

AGENDA TITLE: RESOLUTION NO. 6228, SUPPORTING THE ISSUANCE OF A U.S. COMMEMORATIVE POSTAGE STAMP HONORING THE JAPANESE AMERICAN SOLDIERS OF WORLD WAR II

<u>COUNCIL ACTION REQUIRED:</u> • Adopt Resolution No. 6228	<u>Action Taken</u>
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<u>RECOMMENDATION AND STAFF SUMMARY:</u> Staff respectfully recommends that the City Council adopt Resolution No. 6228. At the April 26, 2016, City Council meeting, Councilmember Terauchi directed that the City Council consider approving City of Gardena support for the issuing of a commemorative stamp. The directive was seconded by Councilmember Medina. Councilman Terauchi indicated that he had been contacted by the members of <i>The Nisei World War II Stamp Campaign</i> , in conjunction with the group <i>They Deserve A Stamp</i> , expressing their desire that the City of Gardena support and share in their goal to have a U.S. Stamp issued to honor World War II Japanese American soldiers. It is reported that the commemorative postage stamp campaign has collected over 10,000 written petitions and over 6,000 sign-ups online, letters of support from Members of Congress, veterans and civic organization, and resolutions from city legislatures.
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<u>FINANCIAL IMPACT/COST:</u> N/A

<u>ATTACHMENTS:</u> • Resolution No. 6228

Submitted by *Mitchell G. Lansdell*, Mitchell G. Lansdell, City Manager Date: 05/03/2016

RESOLUTION NO. 6228

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA,
CALIFORNIA, SUPPORTING THE ISSUANCE OF A UNITED STATES
COMMEMORATIVE POSTAGE STAMP HONORING THE JAPANESE
AMERICAN SOLDIERS OF WORLD WAR II**

WHEREAS, the Japanese American community has been a significant contributor to the growth and vitality of the City of Gardena for more than 100 years; and

WHEREAS, Gardena citizens of Japanese ancestry have faithfully served as members of American armed forces including the 100th Battalion, 442nd Regimental Combat Team, Military Intelligence Service, and have been recognized for their service with the awarding of the Congressional Gold Medal; and

WHEREAS, these members of the American armed forces, who felt compelled to help our Nation win the war and show their American loyalty in the face of the war hysteria and prejudice against them, had volunteered for military duty to support America in the war effort; and

WHEREAS, these Japanese American volunteers mainly served in segregated units, and their heroics and valor are now legendary, as the 100th/442nd Regimental Combat Team would become the most decorated unit of the war for its size and length of service, earning over 18,000 medals, 9,000 Purple Hearts, and 21 Medals of Honor, in just two years of service in World War II;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

SECTION 1. That the City Council supports the efforts of The Nisei World War II Stamp Campaign to issue a U.S. commemorative stamp.

SECTION 2. That the City Council urges appropriate Federal officials, veterans organizations, and the U.S. Postal Service to direct that a commemorative stamp, giving well-deserved honor to the Japanese Americans of World War II, be issued.

SECTION 3. That this Resolution shall be effective immediately.

BE IT FURTHER RESOLVED that the City Clerk shall certify to the passage and adoption of this Resolution; shall cause the same to be entered among the original Resolutions of said City; and shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council of said City in the minutes of the meeting at which the same is passed and adopted.

Passed, approved, and adopted this 10th day of May, 2016.

PAUL K. TANAKA, Mayor

ATTEST:

MINA SEMENZA, City Clerk

APPROVED AS TO FORM:



PETER L. WALLIN, City Attorney