

**MINUTES
Regular Meeting of the
City of Gardena City Council
Tuesday, August 9, 2016**

The regular meeting of the City Council of the City of Gardena, California, was called to order at 7:00 p.m. on Tuesday, August 9, 2016, in the Council Chamber of City Hall at 1700 West 162nd Street, Gardena, California; Mayor Pro Tem Mark E. Henderson presiding.

1. ROLL CALL

Present: Mayor Pro Tem Mark E. Henderson; Council Member Terrence Terauchi; Council Member Dan Medina; and Council Member Tasha Cerda. Other City officials and employees present: City Manager Mitchell G. Lansdell; City Attorney Peter L. Wallin; City Treasurer Ingrid Tsukiyama; City Clerk Mina Semenza; and Deputy City Clerk Becky Romero.

2. CLOSED SESSION

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

Government Code Section 54956.9(d)(4)
(1) One (1) Potential Case: Action on Stop Payment Notice

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

Government Code Section 54956.9(d)(1)
(1) City of Gardena v. Regional Water Quality Control Board, etc., et al
Los Angeles Superior Court Case No. BSI564572

C. CONSULTATION WITH CHIEF OF POLICE REGARDING THREAT TO PUBLIC SERVICES OR FACILITIES

Government Code Section 54957

When Mayor Pro Tem Henderson asked for a Closed Session Report, City Attorney Wallin stated that no reportable action was taken.

3. PLEDGE OF ALLEGIANCE & INVOCATION

A. PLEDGE OF ALLEGIANCE

John Haynes and Jayden Haynes led the Pledge of Allegiance. They are brothers and participants in the Summer Day Camp at Arthur Lee Johnson Park, sponsored by the City of Gardena Recreation, Human Services, Parks & Facilities Department. John is in seventh grade and attends Environmental Charter School; and Jayden is in second grade and attends 186th Street School. Both students introduced their parents who had accompanied them to the meeting.

B. INVOCATION

The Reverend David Cross, Pastor, Liberty Church, led the invocation.

4. PRESENTATIONS, PROCLAMATIONS, & APPOINTMENTS

A. PRESENTATIONS

- (1) Certificate of Commendation to Street Sweeper Operator Benny Gonzales in Special Recognition of his Long-Time Service and Retirement from the City of Gardena – **Mr. Gonzales was not in attendance.**
- (2) Active Shooter Presentation by Chief of Police Ed Medrano – **Chief of Police Ed Medrano made the presentation and answered questions asked by Council. He referred everyone to the website www.lasd.activeshooter.org.**

Mayor Pro Tem Henderson thanked Chief Medrano and stated that it is all that we can do to raise awareness; it can happen any time any place; it's unfortunate, but it's the world we live in and its best to put in our second instinct to run, hide and fight.

Council Member Cerda thanked Chief Medrano and encouraged the public to share this information with their children and people in their churches. She asked Chief Medrano to share the YouTube site where this video can be found.

B. PROCLAMATIONS – No Items

C. APPOINTMENTS

- (1) Council Appointments to Commissions, Committees, Board, and Council
No appointments were made.

5. CONSENT CALENDAR

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

B. CITY CLERK

- (1) **Approved:** Minutes of
 - (a) City Council Regular Meeting, July 26, 2016
- (2) **Approved:** Affidavit of Posting Agenda on August 5, 2016

C. CITY TREASURER

- (1) **Approved:** Warrants / Payroll Register
 - (a) August 9, 2016: Wire Transfer No. 11506-11509; Prepay Nos. 139796-139818 and Check Nos. 139819-139976 for a total amount of \$4,903,201.81; Total Payroll Issued August 5, 2016: \$1,516,873.76.

- (2) **Approved:** Monthly Investment Portfolio Report

(a) June 2016

D. CITY MANAGER

- (1) **Approved:** Personnel Report No. P-2016-14

5. CONSENT CALENDAR (Continued)

Mayor Pro Tem Henderson indicated that he noticed in the Warrant Register that there were payments made to individuals regarding the Home Program and asked City Manager Lansdell, "How would one go about applying for and becoming a participant in that program?"

City Manager Lansdell replied, "One primary program would be the CDBG Handy Worker Program; One could contact our Recreation and Human Services Divisions for that application to be processed; the other is a loan program through our Economic Development Division which is also an application process."

It was moved by Council Member Cerda, seconded by Council Member Medina, and carried by the following roll call vote to Approve all the Items on the Consent Calendar:

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

6. EXCLUDED CONSENT CALENDAR

7. PLANNING & ENVIRONMENTAL QUALITY COMMISSION ACTION SHEET

A. AUGUST 2, 2016, MEETING – Meeting Cancelled

ORAL COMMUNICATIONS

- (1) Karl Henry, resident – asked Council if they could be transparent when and if something is going to be done about the City Manager issue. He spoke about the new Police facility and Senior Center and the additional \$6 million to be spent. He also suggested that the City should find out what the developers' plans are for the hospital on Marine and possibly look into sharing those costs if the return is going to be sufficient.
- (2) Herman Bailey, resident – asked Council if he could be informed regarding the City's Ordinance that prohibits residents from using their balconies as clotheslines; he would like to see more restaurants on Redondo Beach Boulevard.

8. DEPARTMENTAL ITEMS

A. ELECTED & ADMINISTRATIVE OFFICES – No Items

B. POLICE, STREETS & DEVELOPMENT SERVICES

- (1) RESOLUTION NO. 6240, Designating Authority for Certifications for Right of Way to the City Manager

RESOLUTION NO. 6240

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DESIGNATING AUTHORITY FOR CERTIFICATIONS FOR RIGHT OF WAY TO THE CITY MANAGER

City Manager Lansdell presented the Staff Report.

Mayor Pro Tem Henderson asked City Manager Lansdell to elaborate regarding what it means for authority be given to the City Manager for certifications and how long would City Manager authority last.

8. DEPARTMENTAL ITEMS (Continued)

B. POLICE, STREETS & DEVELOPMENT SERVICES (Continued)

- (1) RESOLUTION NO. 6240, Designating Authority for Certifications for Right of Way to the City Manager (Continued)

City Manager Lansdell replied that the authority would stay in place until it is rescinded, and this is for projects in the City of Gardena which are state/federal highways that require the City to get their approval. The City Manager authority is so that we don't have to bring them to Council each time. Staff is recommending that the City Manager be given administrative authority to approve.

Mayor Pro Tem Henderson then asked "Where does our City intersect with these interstates?"

City Manager Lansdell replied, "Vermont Avenue and Artesia Boulevard."

It was moved by Council Member Medina, seconded by Council Member Cerda, and carried by the following roll call vote to Adopt Resolution No. 6240:

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

- (2) Approve Additional Project for 2016-2017 Fiscal Year Capital Improvement Project Budget

City Manager Lansdell presented the Staff Report, indicating that the requested additional project is to cold mill and overly asphalt payment on Crenshaw Boulevard, between Redondo Beach Boulevard and Rosecrans Avenue.

Council Member Cerda asked "Because one side of the street is Gardena and the other is Los Angeles County; will the City only doing asphalt on one side of the street?"

City Manager Lansdell replied, "We are only doing the work authorized on our side of the street."

Council Member Cerda asked "Are we replacing the sidewalks that have been uplifted from the trees?"

City Manager Lansdell responded that if trees are removed, the process would be to evaluate and replace them.

Council Member Terauchi asked "What about the center median; the passing lane on Crenshaw; are we going to do half of a passing lane?"

City Manager Lansdell replied that the work will be done to the edge of the City border and staff will be working with Los Angeles County and the City of Hawthorne to designate it.

It was moved by Council Member Medina, seconded by Council Member Cerda, and carried by the following roll call vote to Approve Additional Project:

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

8. DEPARTMENTAL ITEMS (Continued)

B. POLICE, STREETS & DEVELOPMENT SERVICES (Continued)

(3) Acceptance of Projects and Notice of Completion

- (a) Pedestrian Safety Improvement 2016**
Various Locations, JN 894
- (b) Sidewalk Replacement 2016**
Various Locations, JN 898
Ruiz Concrete and Paving Inc.

City Manager Lansdell presented the Staff Report.

It was moved by Council Member Medina, seconded by Council Member Cerda, and carried by the following roll call vote to Accept Projects and Notice of Completion Ordered:

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

C. RECREATION, HUMAN SERVICES, PARKS & FACILITIES

- (1) Ratify Administrative Approval of Amendment No. 2 to Contract No. MHI21116 between the City of Gardena and Los Angeles County Department of Mental Health for Fiscal Year 2016-2017**

City Manager Lansdell presented the Staff Report.

It was moved by Council Member Cerda, seconded by Council Member Medina, and carried by the following roll call vote to Ratify Administrative Approval of the Amendment:

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

D. TRANSPORTATION

- (1) Memorandum of Understanding (MOU) between Los Angeles County Metropolitan Transportation Authority (LACMTA) and the City of Gardena for the Allocation of Proposition C 5% Transit Security Funds**

City Manager Lansdell presented the Staff Report.

It was moved by Council Member Medina, seconded by Council Member Cerda, and carried by the following roll call vote to Approve the Memorandum of Understanding (MOU):

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

D. TRANSPORTATION (Continued)

- (2) Authorize the Upgrade of Existing Bus Wash Air Dryer Blower System to Proto-Vest in the Amount of \$47,748.15

City Manager Lansdell presented the Staff Report.

Mayor Pro Tem Henderson asked if the vendor gave the City any buyback incentives to replace the equipment.’

City Manager Lansdell replied, “No, the current system is at the end of its life.”

It was moved by Council Member Cerda, seconded by Council Member Medina, and carried by the following roll call vote to Authorize the Upgrade:

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

9. COUNCIL ITEMS, DIRECTIVES & REMARKS

A. COUNCIL ITEMS

(1) NOTICE AND GUIDELINES FOR 60 DAYS TO APPOINT VACANT SEAT

Pursuant to Government Code Section 36512 and Gardena Municipal Code 2.04.150, if the Council does not fill the vacancy of the Mayor within 60 days to serve until the next municipal election date, the City Council is then required to call a special election which is to be held on the next regularly-scheduled election date, not less than 114 days from the call of the special election. The next regularly-scheduled election date, which is at least 114 days from the end of the 60-day period the Council has to make an appointment, will be the March 7, 2017, Municipal Election.

- (a) Consideration of an Appointment for the position of Mayor to serve until the next Municipal Election. If no appointment is made, continue consideration until the next Regularly-Scheduled Council Meeting. If no appointment is made by August 26, 2016, the end of the 60-day appointment period, the Election of a Mayor will be at a March 7, 2017, General Municipal Election.

City Manager Lansdell presented the Staff Report and made the recommendation that the current Council remain seated until the March 7, 2017 Election, when five (5) elected positions, including the position of Mayor, will be up for vote by the public.

Mayor Pro Tem Henderson spoke and reiterated to the community that in leadership training one tries and tweaks the process and, in response to the premise of having an application submittal was for the community to fully understand the background of who would be sitting in the Mayoral seat. However, people failed to understand that someone was not to be appointed as a Council Member but to fill the Mayoral seat. The position is a little different because this person would be the City’s leader; and I have always felt that the community should always elect their leader. He then said that, with all the input he received, the process was put in place so that the Council could get all the names and candidates at one time for consideration; he wanted to alleviate the possibility of names being haphazardly thrown out at every meeting. The goal was to have all the candidates considered at one time. The Council did get one candidate and we thank that candidate for participating.

9. COUNCIL ITEMS, DIRECTIVES & REMARKS (Continued)

A. COUNCIL ITEMS (Continued)

(1) NOTICE AND GUIDELINES FOR 60 DAYS TO APPOINT VACANT SEAT (Continued)

Mayor Pro Tem Henderson continued: Upon further discussion and thought, this position should be held by someone who the City needs to decide through an election process because they can then hold this individual accountable. If the Council appoints someone for six (6) months, that person may make a lot of decisions and then their term would be over and there may be a lot of unintentional consequences and people can't hold that individual accountable because they did not elect him or her; the Council would be held responsible because we selected the person and then the community can always remove us in the future by not re-electing us. He then said that this is an opportunity for this four (4) person body to collaborate and demonstrate to the community that we can put aside our differences and work on things such as economic development and the Rosecrans corridor. As the Council looks at the items coming before us, its contracts, conditional use permits, etc. and go back and look at our agendas and minutes; we are better than 90% with moving an item.

Terry Kennedy, Wanda Love, and Dr. Ollie Hadley then spoke on this item.

Council Member Cerda spoke, commenting that she was happy that Dr. Hadley submitted an application. At the July 26 Council Meeting, Mayor Pro Tem Henderson suggested that anyone who was interested in the position should submit an application and the rest of Council agreed to that. She continued, indicating that Mr. Hadley met the criteria and she doesn't think it's fair for the Council to change and say that we shouldn't appoint anybody. She said she thinks that the four (4) of us can do a good job, yes; that it is an important role to fill, but she believes that Dr. Hadley can fill the criteria of what is needed. When one looks over his resume, it is impeccable the job that he has done as a teacher, the work that he has done with his non-profit, and the many things that speak about his character. She thinks that, in all fairness, the Council should give him an opportunity.

Council Member Cerda continued, stating that, for all these reasons, she is making a motion to appoint Dr. Hadley as Mayor, and she expressed the hope that one of her colleagues would second the nomination. The motion to nominate Dr. Hadley was not seconded. Thus, the motion died.

Mayor Pro Tem Henderson then made the motion that the City Council forego an appointment for the Mayoral seat and allow the people of Gardena to elect their leader at the regularly-scheduled election on March 7, 2017.

Council Member Terauchi asked City Attorney Wallin if the City Council could overturn the statutes? He stated that he is making a motion that the Council forego on the 60-day requirement.

City Attorney Wallin replied that the nature of the motion is not to make an appointment, and he believes it is appropriate to leave it to the March 7, 2017, Election.

Council Member Medina asked, "Isn't the premise that if we don't do anything, it's going to happen anyway? Is a motion necessary?"

City Manager Lansdell replied, "The sixty (60) day time period runs out August 26, 2016. If the Council doesn't make the decision tonight, it can be made on August 23, 2016, but the City Manager is going to ask, (as we have done for the last 20 years) that there not be a second meeting in August. Therefore, this would be your last chance, unless you carry this item forward as the only item for the August 23, 2016 meeting."

Council Member Terauchi commented that, unless the majority of the Council calls for a special session, this is our last opportunity anyway, and asked if it is necessary to have this motion?

9. COUNCIL ITEMS, DIRECTIVES & REMARKS (Continued)

A. COUNCIL ITEMS (Continued)

(1) NOTICE AND GUIDELINES FOR 60 DAYS TO APPOINT VACANT SEAT (Continued)

Council Member Cerda commented that it wouldn't necessarily be a special meeting on August 23, 2016, if a Council Meeting is already scheduled. If we said 60 days and that is what is in the Ordinance, I think we should comply; we are always talking about how we want to be transparent; we should give Dr. Hadley person the opportunity; and in all fairness, I think we should consider that.

It was moved by Mayor Pro Tem Henderson, seconded by Council Member Terauchi, and carried by the following roll call vote to forego an appointment and have the people of Gardena elect their Mayor at the March 7, 2017, Election:

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

Noes: Council Member Cerda

Absent: None

B. COUNCIL DIRECTIVES

- (1) Council Member Cerda asked if we will be enforcing having no campaign signs or large banners at the Jazz Festival this year. Council Member Medina seconded the request.

C. COUNCIL REMARKS

- (1) COUNCIL MEMBER MEDINA – reported that he had the opportunity to participate but was unable to assist in the actual monthly deliveries of the birthday cakes to local convalescent homes; this was the first time since 2006 that he was unable to physically deliver the cakes. He acknowledged and thanked Commissioner Fred Purifoy from the Senior Citizen Commission for his assistance in taking on the task of the deliveries on his behalf. He, along with Mayor Pro Tem, attended the National Night Out. It was a great night; it seemed that there were more people in attendance this year than last year. He closed by reminding the community of the next City-sponsored “Concert on the Lawn and Ice Cream Social” taking place on Saturday, August 13; it will be the last one for the year. There will be all you can eat ice cream and other goodies will be served free of charge.
- (2) COUNCIL MEMBER CERDA – reported that she attended the grand opening of a new restaurant in Gardena called Asiana, specializing in Mongolian and Japanese cuisine. She sampled the food and had a great time; she was glad that she was in attendance and encouraged everyone to stop in and try the food out. She did not attend the “National Night Out,” however she wanted to commend the Gardena Police Department for doing a great job in getting the message out to the community about the event. Lastly, she commented about the CHASE Bank on Purche Avenue. The city is currently working with the property owner to address the concerns of the community concerning the blighted condition of the property.
- (3) COUNCIL MEMBER TERAUCHI – asked that the City adjourn tonight’s City Council meeting in memory of Mr. Alton Knight, beloved husband of Mrs. La Verne Knight, President of the Second-Time Around Senior Citizens Club and Past President of the Dr. Martin Luther King Jr. Cultural Committee of Gardena; he expressed his condolences to Mrs. Knight and said some kind words in his remembrance. He plans to attend the “Movie in the Park” at Mas Fukai Park, starting at 8 P.M. on Saturday, August 13. He then spoke about how pleased he is with the “Live, Work & Play” booklets and all the valuable information they contain. He feels that everyone should have one in their home; that it is a tremendous service for the community. He ended by reminding everyone to watch the 2017 Olympics, paying close attention to an up and coming Olympian, Simone Biles.

9. COUNCIL ITEMS, DIRECTIVES & REMARKS (Continued)

C. COUNCIL REMARKS

- (4) MAYOR PRO TEM HENDERSON – began his report by thanking City staff for the success of the “Open City Hall.” He reported that he has received lots of positive feedback from the community. He commended the Chief of Police for the success of the National Night Out. He reminded everyone about the “Budget in a Brief” pamphlet put together by city staff and that copies of the pamphlets can be obtained in the City Clerk’s office. He went on to say that he would like his fellow Council Members to consider moving forward towards using electronic devices for the purpose of the agenda packets. There are cost benefits and convenient uses verses the hard copies in the preparation of the agenda packets in using binders. He reported that he met with The Gas Company so that he could get a better understanding of the franchise agreement with regard to monies received from The Gas Company that is paid into an account; it was very interesting. Lastly, he reported that he has been working with the Veterans caucus to work to expand the Veterans bill of rights in the State of California for issues such as housing, fair treatment, dignity and a better understanding.

10. ANNOUNCEMENTS

- (1) “Concert on the Lawn and Ice Cream Social,” Saturday, August 13, 2016, from 5:00 p.m. to 7:00p.m., on the City Hall Complex Grounds. The Fabulous Esquires Big Band will perform.
- (2) “Movie in the Park,” Saturday, August 13, 2016 at Mas Fukai Park. The movie “The Good Dinosaur” will start at 8:00 p.m.

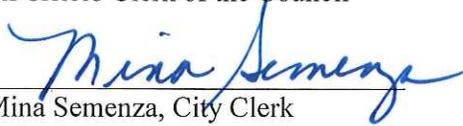
11. REMEMBRANCES

Mr. Darrel E. Beatty, 88 years of age, military veteran, former Police Lieutenant who retired in 1978 after serving in the City of Gardena Police Department for 23 years. Following Lt. Beatty’s retirement, he served as a Licensed California Private Investigator for 18 years, as a Contract Background Investigator for over 13 years, and as a Member and Senior Volunteer for the California Highway Patrol for 3 years; Mr. Ross Weddle, 71 years old, former Deputy Chief of Police who retired in May 1998 after serving in the City of Gardena Police Department for almost 30 years; Mr. Alton ‘Al’ Knight, 77 years of age, long-time resident of Gardena and beloved husband of Mrs. LaVerne Knight, President of the Second-Time Around Senior Citizens Club and Past President of the Dr. Martin Luther King Jr. Cultural Committee of Gardena; and Mrs. Laura Hisako Sunada, 63 years old, waitress at Cherrystones since it opened in Gardena 26 years ago. Born in the territory of Hawaii, she leaves one daughter, two sons, and three grandchildren.

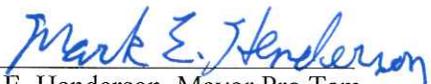
12. ADJOURNMENT

At 9:07 p.m., Mayor Pro Tem Henderson indicated that, as has been the long-time custom of the City Council to cancel their second meeting in August, therefore, the August 23, 2016, City Council meeting would be cancelled and that the Gardena City Council would adjourn this meeting until the next Regular City Council Meeting in September, which is scheduled on Tuesday, September 13, 2016, at 7:00 p.m.

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

By: 
Mina Semenza, City Clerk

APPROVED:


Mark E. Henderson, Mayor Pro Tem

