

**MINUTES**  
**Regular Meeting of the**  
**City of Gardena City Council**  
**Tuesday, January 12, 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, January 12, 2016, in the Council Chamber of City Hall at 1700 West 162<sup>nd</sup> Street, Gardena, California; Mayor Paul K. Tanaka presiding.

**1. ROLL CALL**

Present: Mayor Paul K. Tanaka; Mayor Pro Tem Terrence Terauchi; Council Member Dan Medina; Council Member Tasha Cerda; and Council Member Mark Henderson. Other City officials and employees present: City Manager Mitchell G. Lansdell; City Attorney Peter L. Wallin; City Clerk Mina Semenza; and Deputy City Clerk Becky Romero. City Treasurer Ingrid Tsukiyama was not present.

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

**2. CLOSED SESSION**

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

Government Code Section 54956.9(d)(4)

(1) One (1) Potential Case: Claim No. 15-56PD, Francisco Miramontes

**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. BS1563472

Mayor Tanaka reconvened the meeting to the Regular Open Session at 7:30 p.m. and the City Clerk noted the return of all Council Members who were present at the meeting.

**When Mayor Tanaka asked for a Closed Session Report, City Attorney Wallin reported the following:**

**Item 2.A.(1) One (1) Potential Case: Claim No. 15-56PD, Francisco Miramontes – the City Council approved the settlement sum of \$180,000.**

**Item 2.B.(2) – No reportable action was taken.**

### 3. PLEDGE OF ALLEGIANCE & INVOCATION

#### A. PLEDGE OF ALLEGIANCE

Nyla Franklin and Simeon Cooper, 12<sup>th</sup> grade students at Junipero Serra High School, co-led the Pledge of Allegiance. Nyla serves as the Associated Student Body President of Serra High School. Simeon is Serra High's Senior Class President. Both students introduced their parents and family members who had accompanied them to the meeting.

#### B. INVOCATION

The Reverend Christopher Codrington, Pastor of Gardena-Torrance Southern Baptist Church, gave the invocation.

### 4. PRESENTATIONS, PROCLAMATIONS, & APPOINTMENTS

#### A. PRESENTATIONS – No Items

#### B. PROCLAMATIONS

- (1) "Dr. Martin Luther King, Jr. Birthday Week," January 10-17, 2016 – **accepted by Chair Paulette Francis and Dr. Martin Luther King, Jr. Cultural Committee of Gardena including members Jessica Randle, LaVerne Knight, and Gerri Buffett, who were joined by numerous other Committee members**
- (2) "Earned Income Tax Credit/Volunteer Income Tax Assistance Program Month," January 2016 – **proclaimed by Mayor Tanaka**

#### 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, December 8, 2015
- (2) **Approved:** Affidavit of Posting Agenda on January 8, 2016

## 5. CONSENT CALENDAR (Continued)

### C. CITY TREASURER

(1) **Approved:** Warrants / Payroll Register:

- (a) December 22, 2015: Wire Transfer No. 11449-11453, Prepay Nos. 136418-136428; and Check Nos. 136429-136639 for a total amount of \$3,497,977.57; Total Payroll Issued December 11, 2015: \$1,548,720.69.
- (b) January 12, 2016: Wire Transfer No. 11454-11456, Prepay Nos. 136640-136648; and Check Nos. 136649-136864 for a total amount of \$4,192,049.61; Total Payroll Issued December 24, 2015: \$1,977,211.61

(2) **Approved:** Monthly Investments Portfolio Reports

- (a) October 2015
- (b) November 2015

### D. CITY MANAGER

(1) **Approved:** Personnel Report No. P-2016-01

**It was moved by Mayor Pro Tem Terauchi, seconded by Council Member Henderson, and carried by the following roll call vote to approve all of the Items on the Consent Calendar:**

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

**Noes: None**

## 6. EXCLUDED CONSENT CALENDAR – No Items

## 7. PLANNING & ENVIRONMENTAL QUALITY COMMISSION ACTION SHEETS

A. DECEMBER 15, 2015, MEETING – Meeting Cancelled

B. JANUARY 5, 2016, MEETING – Meeting Cancelled

## ORAL COMMUNICATIONS

- (1) Kimberly Hatten, representative for Junipero Serra High School – reported news about student and school accomplishments and upcoming events.
- (2) Terry Kennedy, resident – suggested that the Council consider providing seating arrangements at the speaker lectern, instead of making people stand, for those who address the Council during Oral Communications, Proclamations, and Presentations.
- (3) Cheral Sherman, V.P. of Friends of Gardena Willows Wetland Preserve – made an announcement about what the preserve does and encouraged those who are interested in the Willows to become a member or renew their membership. She also invited everyone to this coming Saturday's monthly Work Restoration Day, January 16, 2016, from 8:00 a.m. to 11:00 a.m.

## 8. DEPARTMENTAL ITEMS

### A. ELECTED & ADMINISTRATIVE OFFICES

- (1) ORDINANCE NO. 1765, Amending Chapter 9.64 of the Gardena Municipal Code Relating to Sex Offender Residency Restrictions

#### ORDINANCE NO. 1765

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, AMENDING CHAPTER 9.64 OF THE GARDENA MUNICIPAL CODE RELATING TO SEX OFFENDER RESIDENCY RESTRICTIONS

City Manager Lansdell presented the Staff Report.

Council Member Henderson asked, “The lawsuits that have been filed against other cities; what has been the success rate of those lawsuits?”

City Attorney Wallin replied, “They have just been filed; most of the cities that I have talked to have just entered into agreements to repeal the Ordinance, because the Supreme Court says it’s unenforceable.”

**Ordinance No. 1765 was introduced by Council Member Cerda.**

- (2) RESOLUTION NO. 6208, Amending the List of Authorized Games and Authorizing the Play of Certain Games in Licensed Card Clubs

#### RESOLUTION NO. 6208

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, AMENDING THE LIST OF AUTHORIZED GAMES AND AUTHORIZING THE PLAY OF CERTAIN GAMES IN LICENSED CARD CLUBS

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 Adopt Resolution No. 6208:**

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

**Noes: None**

- (3) RESOLUTIONS Consenting to Inclusion of the City of Gardena Properties in the California Home Finance Authority PACE Programs and Associate Membership in California Home Finance Authority JPA

## 8. DEPARTMENTAL ITEMS (Continued)

### A. ELECTED & ADMINISTRATIVE OFFICES (Continued)

#### (3) RESOLUTIONS (Continued)

- (a) RESOLUTION NO. 6209, Consenting to Inclusion of Properties with the City's Jurisdiction in the California Home Finance Authority Community Facilities District No. 2014-1 (Clean Energy) to Finance Renewable Energy Improvements, Energy Efficiency and Water Conservation Improvements, and Electric Vehicle Charging Infrastructure, and Approving Associate Membership in the Joint Exercise of Powers Authority Related Thereto

#### RESOLUTION NO. 6209

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE CITY'S JURISDICTION IN THE CALIFORNIA HOME FINANCE AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 2014-1 (CLEAN ENERGY) TO FINANCE RENEWABLE ENERGY IMPROVEMENTS, ENERGY EFFICIENCY AND WATER CONSERVATION IMPROVEMENTS, AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE, AND APPROVING ASSOCIATE MEMBERSHIP IN THE JOINT EXERCISE OF POWERS AUTHORITY RELATED THERETO

- (b) RESOLUTION NO. 6204, Consenting to Inclusion of Properties within the City's Jurisdiction in the California Home Finance Authority Program to Finance Renewable Energy Generation, Energy and Water Efficiency Improvements, and Electric Vehicle Charging Infrastructure, and Approving Associate Membership in the Joint Exercise of Powers Authority Related Thereto

#### RESOLUTION NO. 6204

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE CITY'S JURISDICTION IN THE CALIFORNIA HOME FINANCE AUTHORITY, PROGRAM TO FINANCE RENEWABLE ENERGY GENERATION, ENERGY AND WATER EFFICIENCY IMPROVEMENTS, AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE, AND APPROVING ASSOCIATE MEMEBERSHIP IN THE JOINT EXERCISE OF POWERS AUTHORITY RELATED THERETO

City Manager Lansdell presented the Staff Report for both, related resolutions.

Mr. Kissinger, representative from South Bay Realtors Association, spoke about the concerns the Association has expressed about the Ygrene program and that he had spoken with representatives of Ygrene and all their concerns had been addressed; they have submitted paperwork with additional information for the Council's consideration. He stated that he was here tonight to withdraw the Association's concerns and support the Resolution, as stated.

Mr. Ross, representative of Ygrene, also spoke, introducing himself, indicating he is ready to answer any questions the Council may have.

Mayor Tanaka then asked City Manager Lansdell if everyone was in agreement with the additional protection by Ygrene. as stated by Mr. Ross.

## 8. DEPARTMENTAL ITEMS (Continued)

### A. ELECTED & ADMINISTRATIVE OFFICES (Continued)

#### (3) RESOLUTIONS (Continued)

##### (b) RESOLUTION NO. 6209 and NO. 6204 (Continued)

City Manager Lansdell replied that, in the email from Crystal Crawford of Ygrene, she addressed the issues that were raised regarding acceptable practices and the consumer protection policy, and those things will be incorporated into Council's approval tonight.

Council Member Henderson then asked to hear the differences between Ygrene versus HERO and FIG.

Mr. Ross then replied that most of the PACE programs opted into the AB811 legislation; that Ygrene wants to distinguish themselves from the other programs, so they are not the only PACE program that operates under the SB555 motto, which allows Ygrene financing to be levied as a mello-roos tax as opposed to a bulk assessment lien on the property. He stated that they can provide financing for multi-family, and commercial buildings, as well. They are not limited to residential; they can also offer 30 year options for certain measures to offer the lowest financing possibilities.

Council Member Henderson then, through Mayor Tanaka, asked if Ygrene would be willing to be open to having educational activities so that folks could be educated about their program.

Mr. Ross replied that he would seriously love to do that.

Mayor Pro Tem Terauchi then asked who would be eligible for these loans. Would they have to qualify with the California Housing Financing Authority and have income requirements?

Mr. Ross replied that it would be based on the equity in the property; the home owner would have to have at least 10% equity in the property, Ygrene would not finance beyond a 90% loan to value ratio.

Mayor Pro Tem Terauchi asked again – would they have to qualify under the California Housing Financing Authority?

Mr. Ross replied that their JPA is the California Home Financing Authority; that's who oversees their program and who process their documents.

Mayor Pro Tem Terauchi continued, seeking clarification: So, the people who obtain loans through these programs; they are the only ones who can participate in the programs that Ygrene is offering.

Mr. Ross replied it is within your jurisdiction, as long as the equity is there. It's completely voluntary, as well.

Mayor Pro Tem Terauchi asked, again, if there are any income requirements for those people participating under the California Home Financing Authority.

Mr. Ross replied that Ygrene is looking at the equity available on the property.

**8. DEPARTMENTAL ITEMS (Continued)**

**A. ELECTED & ADMINISTRATIVE OFFICES (Continued)**

**(3) RESOLUTIONS (Continued)**

**(b) RESOLUTION NO. 6209 and NO. 6204 (Continued)**

City Manager Lansdell then replied there is no income criteria; it is based on the income in the property; there is no income requirement to participate.

Mayor Pro Tem Terauchi then asked City Manager Lansdell whether loans under the California Home Financing Authority are subject to income limitations.

City Manager Lansdell responded that the California Home Financing Authority has authorized this vendor to sell these loans for “green” projects.

**It was moved by Council Member Medina, seconded by Council Member Henderson, and carried by the following roll call vote to Adopt Resolutions No. 6209 and No. 6204:**

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

**Noes: None**

**B. POLICE STREETS, & DEVELOPMENT SERVICES**

- (1) Authorization to Purchase Two Motorcycles from Huntington Beach Honda in the Amount of \$57,255.00

City Manager Lansdell presented the Staff Report.

**It was moved by Council Member Medina, seconded by Mayor Pro Tem Terauchi, and carried by the following roll call vote to Authorize the Purchase of Two Motorcycles:**

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

**Noes: None**

- (2) PUBLIC HEARING: ORDINANCE NO. 1764, Adding Chapter 18.66 to the Gardena Municipal Code Prohibiting All Commercial Medical Marijuana Uses in the City and Prohibiting Cultivation for Medical Uses by a Qualified Patient or Primary Caregiver, Repealing Section 18.04.143, and Amending Section 18.42.040 Relating to Medical Marijuana Dispensaries

ORDINANCE NO. 1764

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, ADDING CHAPTER 18.66 TO THE GARDENA MUNICIPAL CODE PROHIBITING ALL COMMERCIAL MEDICAL MARIJUANA USES IN THE CITY AND PROHIBITING CULTIVATION FOR MEDICAL USE BY A QUALIFIED PATIENT OR PRIMARY CAREGIVER, REPEALING SECTION 18.04.143, AND AMENDING SECTION 18.42.040 RELATING TO MEDICAL MARIJUANA DISPENSARIES

8. **DEPARTMENTAL ITEMS (Continued)**

B. **POLICE STREETS, & DEVELOPMENT SERVICES (Continued)**

(2) **PUBLIC HEARING: ORDINANCE NO. 1764 (Continued)**

City Manager Lansdell presented the Staff Report.

The Public Hearing was opened by Mayor Tanaka at 8:20 p.m.

No comments were made by the public.

Mayor Pro Tem Terauchi stated that all cities who want to have control of these types of establishments in the future would want to adopt an Ordinance such as this. If our City does nothing, state regulation will take effect. He added that the only way to have a hand in this is to adopt this Ordinance by March 1, 2016, and is urging the adoption of the Ordinance.

Mayor Tanaka closed the Public Hearing at 8:23 p.m.

**Ordinance No. 1764 was introduced by Mayor Pro Tem Terauchi.**

C. **RECREATION, HUMAN SERVICES, PARKS, & FACILITIES** – No Items

D. **TRANSPORTATION** – No Items

9. **COUNCIL ITEMS, DIRECTIVES & REMARKS**

A. **COUNCIL ITEMS** – No Items

B. **COUNCIL DIRECTIVES**

C. **COUNCIL REMARKS**

(1) **COUNCIL MEMBER MEDINA** – Reported that, along with members of Gardena Elks Lodge #1919, he went on their quarterly visits to the Long Beach Veterans Hospital. This year's donations were valued at over \$8,000 dollars. Items included clothing, hats, shoes, and other items needed. The Veterans were very happy. He also delivered birthday cakes to local Gardena convalescent homes at the end of December. He reminded everyone about the annual Dr. Martin Luther King Youth Night Program and Gardena's Annual Parade.

(2) **COUNCIL MEMBER CERDA** – She reported that, since the last Council Meeting, she attended an "El Nino" stakeholders meeting, sponsored by Assemblymember Burke, which was somewhat of a workshop. The purpose of the meeting was to prepare and inform residents of the potential dangers. Gardena residents can visit [www.lacounty.gov](http://www.lacounty.gov) for more information. She gave some examples of what to expect during a heavy rainstorm and gave suggestions regarding safety. She invited residents to a free Certificate Management Training workshop by the Fair Housing Foundation, on Tuesday, January 19, 2016, at the Nakaoka Community Center. This training class will cover lots of legal aspects regarding landlord responsibilities.

## 9. COUNCIL ITEMS, DIRECTIVES & REMARKS (Continued)

### C. COUNCIL REMARKS (Continued)

- (3) COUNCIL MEMBER HENDERSON – He opened his report by thanking the community for their interest in the Council Meetings by attending in person and by viewing the meetings at home on their televisions. Along with Councilwoman Cerda, he also attended the “El Nino” workshop. He received lots of information regarding preparedness. He attended a tour at the Edward C. Little Water Recycling Plant in El Segundo. On the tour he was able to see how purple pipe water can be cleansed and can be made drinkable. He even drank multiple cups of the recycled water and is doing just fine. He stated that he was honored and privileged to be a presenter at the welcome address for the Alpha Esquires mentoring program, which helps young men prepare for college. He reminded everyone that January is Volunteer Income Tax Assistance (VITA) program month. For more information, residents may visit the website: [www.boe.ca.gov](http://www.boe.ca.gov). He made a request, asking that there be a reintroduction regarding the Rosecrans Corridor Project, to reassess and reconsider options.
- (4) MAYOR PRO TEM TERAUCHI – He said that he had no reportable activities. He invited and reminded everyone about the upcoming city sponsored Dr. Martin Luther King Jr. Birthday Celebration Annual Youth Night Event and the Parade.
- (5) MAYOR TANAKA – He made several announcements, as follows:

## 10. ANNOUNCEMENTS

Mayor Tanaka announced that, on Wednesday, February 3, 2016, at 7:00 p.m. at the Nakaoka Community Center, in conjunction with Los Angeles County, there will be a community meeting regarding “Create the Future of Your Parks.” All comments and concerns will be heard and considered. Contact Nikki Sweeney at the Gardena Recreation Division for more information.

Mayor Tanaka announced that the next City Council Meeting will be held on Tuesday, January 26, 2016.

Mayor Tanaka also announced that The Dr. Martin Luther King Jr. Cultural Committee of Gardena is sponsoring their Annual Celebration of Dr. King’s Birthday Activities, as follows: Annual Youth Essay Night, Friday, January 15, 2016, 7:00 p.m., at Nakaoka Community Center; and Gardena’s Annual Parade, 10:00 a.m. start, on Saturday, January 16, 2016, traveling north on Van Ness Avenue, from Marine Avenue (Serra High School) to Rowley Park.

Council Member Cerda announced that a Presentation about El Niño will be given at a Neighborhood Watch Meeting to be held at GTrans, on Tuesday, January 26, 2016; also, a Fair Housing Foundation Certificate Management Training workshop will be held at Nakaoka Community Center, on Tuesday, January 19, 2016, from 1:00 to 5:00 p.m.

## 11. REMEMBRANCES

Mr. Wally Roker, 78 years of age, singer with *The Heartbeats*, and member of the Rock & Roll Hall of Fame; Mr.°Henry°Henderson, 79 years of age, beloved uncle of Council Member Mark E. Henderson; Mrs. Jean Henderson, 78 years old, beloved aunt of Council Member Mark E. Henderson; Ms. Emily L. Saenz, 56 years of age, long-time resident of Gardena and a dedicated Tenant Representative on the Gardena Rent Mediation Board for 10½ years; Mrs.°Teri°Lynn°Kaskanyan, 55 years old, beloved wife of Sam Kaskanyan, a Gardena businessman and member of the Gardena Police Foundation Board of Directors, also the beloved sister-in-law of Planning and Environmental Quality Commissioner Art Kaskanian; Mrs. May Sato, 77 years of age, a life-long resident of Gardena who also worked in Gardena; and Mrs. Velma Swanger, 99 years old, beloved mother of Ms. Donna Hallgrimson, who retired in January 2008, after serving 18 years as Executive Legal Secretary in the City of Gardena City Manager and City Attorney Offices.

## 12. ADJOURNMENT

At 8:38 p.m., Mayor Tanaka announced that the Gardena City Council will adjourn to the next Regular City Council Meeting, at 7:00 p.m., on Tuesday, January 26, 2016.

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

By: \_\_\_\_\_  
Becky Romero, Deputy City Clerk

APPROVED:

\_\_\_\_\_  
Paul K. Tanaka, Mayor