

**MINUTES**  
**Regular Meeting of the**  
**City of Gardena City Council**  
**Tuesday, January 26, 2016**

The regular meeting of the City Council of the City of Gardena, California, was called to order at 7:30 p.m. on Tuesday, January 26, 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; and Council Member Mark Henderson. Council Member Cerda was not present but was on her way. 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 – The following Item was scheduled for Closed Session, but the Closed Session portion was cancelled prior to the regularly-scheduled Council Meeting.**

A. CONFERENCE WITH LEGAL COUNSEL  
ANTICIPATED 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

**3. PLEDGE OF ALLEGIANCE & INVOCATION**

A. PLEDGE OF ALLEGIANCE

Jasmine Huynh and Roman Torres, 5<sup>th</sup> grade students at Chapman Elementary School, co-led the Pledge of Allegiance. Both Jasmine and Roman were chosen because they are responsible students, and demonstrate good leadership in their classrooms. Both students introduced their parents and family members who had accompanied them to the meeting.

B. INVOCATION

The Reverend Rick Fasullo, Pastor New Hope Fellowship, gave the Invocation.

**4. PRESENTATIONS, PROCLAMATIONS, & APPOINTMENTS**

A. PRESENTATIONS

- (1) “Recognition of the Gardena Police Department’s Explorer Post 142 for their accomplishments in winning the 2016 Chandler Tactical Explorer Competition” – **Presentation was made by Chief Edward Medrano and accepted by the members of Explorer Post 142**

#### **4. PRESENTATIONS, PROCLAMATIONS, & APPOINTMENTS (Continued)**

##### **A. PRESENTATIONS (Continued)**

- (2) “West Nile Virus and Mosquito Threats in Gardena: 2015 Recap” – **Presentation was made by Mr. Levy Sun, Public Information Officer, Greater Los Angeles County Vector Control District**

##### **B. PROCLAMATIONS**

- (1) “BLACK HISTORY MONTH,” February 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, January 12, 2016
- (2) **Approved:** Affidavit of Posting Agenda on January 22, 2016

##### **C. CITY TREASURER**

- (1) **Approved:** Warrants / Payroll Register:
  - (a) January 26, 2016: Wire Transfer No. 11457-11460, Prepay Nos. 136865-136871; and Check Nos. 136872-137080 for a total amount of \$1,138,281.45; Total Payroll Issued January 8, 2016: \$1,547,486.15 and Total Payroll Issued January 22, 2016: \$1,791,893.75.
- (2) **Approved:** Monthly Investments Portfolio Report
  - (a) December 2015

##### **D. CITY MANAGER**

- (1) **Approved:** Personnel Report No. P-2016-02
  - (a) Approval of Retainer Agreement with Bergman Dacey Goldsmith, Attorneys at Law, for Defense of Action – Lydia Partida v. City of Gardena, LASC Case No. BC 604044

**It was moved by Mayor Pro Tem Terauchi, seconded by Council Member Medina, 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 Medina, Cerda, and Henderson, and Mayor Tanaka**

Noes: None

6. **EXCLUDED CONSENT CALENDAR – No Items**

7. **PLANNING & ENVIRONMENTAL QUALITY COMMISSION ACTION SHEET**

A. JANUARY 19, 2016, MEETING – Meeting Cancelled

**ORAL COMMUNICATIONS**

- (1) Mark Allen, attorney for Church of God Ministry of Jesus Christ International – Spoke, on behalf of the members of this church, to raise awareness regarding the City’s Municipal Code 18.46.030, which they feel makes it impossible to locate and allow a meeting place for the church within the community, based on current zoning regulations.
- (2) Juan Beltran, representative of Church of God Ministry of Jesus Christ International – did not speak.
- (3) Jorge Guandique, representative for South Bay Communities Creating Change – Provided information and extended an invitation to attend a South Bay Marijuana Awareness Event, “Truths & Trends About Youth & Marijuana,” scheduled on Wednesday, February 3, 2016, from 6:00pm to 8:00pm, at the Nakaoka Community Center.
- (4) Cheral Sherman, V.P. of Friends of Gardena Willows Wetland Preserve – Announced there will be a last “Big Work Day” at the Willows site, which will be held on Saturday, February 20, 2016, from 8:00 a.m. to 4:00 p.m. Volunteers are needed!

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 regarding the lawsuits that have been filed against several of the cities, what has been the outcome?

City Manager Lansdell replied that, just like what is being done tonight, most of the cities have elected to amend their Ordinances since they are invalidated by the constitutional determination that was made by the Supreme Court.

Council Member Henderson then asked about Parole Officers. “Since they still have control over the Parolees, are we notified when someone makes a decision with those people?”

8. **DEPARTMENTAL ITEMS (Continued)**

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

(1) **ORDINANCE NO. 1765 (Continued)**

City Manager Lansdell replied that the Gardena Police Department maintains “Megan’s List,” so the City knows the location of these individuals.

Council Member Cerda asked, “Does the Parole Officer have to get complaints from the community about this person or is it at his discretion that this person shouldn’t be so close?”

City Manager Lansdell responded that it can happen both ways; with the number of people who come under that category out there now, monitoring by Parole Officers is stretched pretty thinly.

**It was moved by Council Member Medina, seconded by Council Member Cerda, and carried by the following roll call vote to Adopt Ordinance No. 1765:**

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

**Noes: None**

(2) **RESOLUTION NO. 6210**, Amending the List of Authorized Games and Authorizing the Play of Certain Games in Licensed Card Clubs

**RESOLUTION NO. 6210**

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. 6210:**

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

**Noes: None**

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

(1) **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

8. DEPARTMENTAL ITEMS (Continued)

B. POLICE STREETS, & DEVELOPMENT SERVICES (Continued)

(1) ORDINANCE NO. 1764 (Continued)

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

City Manager Lansdell presented the Staff Report.

Council Member Henderson stated that he would like to make a point of clarification. “With us adopting this Ordinance tonight, would this allow the City to have control of where we allow these marijuana dispensaries, if we choose to, within our City?”

City Manager Lansdell replied that this Ordinance essentially says that the City doesn’t allow them at all.

Mayor Pro Tem Terauchi commented that this is a complete ban on marijuana dispensaries in Gardena. However, he can foresee in the future that a marijuana dispensary may go through the planning process and he’s assuming the City will start considering restrictions and conditions. He stated that, in his opinion, that Ordinance No. 1764 is like an urgency Ordinance; that the State of California has adopted regulations that will go into effect on March 1, and the City is doing this so we can control future placements of marijuana dispensaries in our City.

Mayor Tanaka stated, for the record, that it is to be noted that the City Council received an email from Elizabeth Conway on January 24, 2016, asking that this Ordinance be rejected; she is speaking on behalf of a technology firm by the name of “Eaze” that enables safe deliveries of medical cannabis. It was also noted that the email was received prior Council’s consideration of the matter.

**It was moved by Mayor Pro Tem Terauchi, seconded by Council Member Henderson, and carried by the following roll call vote to Adopt Ordinance No. 1764:**

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

**Noes: None**

8. **DEPARTMENTAL ITEMS (Continued)**

C. **RECREATION, HUMAN SERVICES, PARKS, & FACILITIES**

- (1) **RESOLUTION NO. 6211**, Approval of Amendment 01 to Local Agreement Number CCTR-5075 with the California Department of Education (CDE) and Adoption of Resolution No. 6211 for FY 2015-16

**RESOLUTION NO. 6211**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, APPROVING AMEMDMMENT 01 TO LOCAL AGREEMENT CCTR-5075 WITH THE CALIFORNIA DEPARTMENT OF EDUCATION

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 Approve the Amendment and to Adopt Resolution No. 6211:**

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

**Noes: None**

D. **TRANSPORTATION** – No Items

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

A. **COUNCIL ITEMS**

- (1) **RESOLUTION NO. 6212**, Supporting the Ad-Hoc Committee to Save Keiro

**RESOLUTION NO. 6212**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, SUPPORTING THE AD HOC COMMITTEE TO SAVE KEIRO

City Manager Lansdell presented the Staff Report.

Council Member Medina mentioned that he attended the press conference on January 14, 2016, along with Congresswoman Maxine Waters and Congresswoman Judy Chu and indicated that one of the reasons the letter was sent to Attorney General Kamala Harris is because they received a waiver stating there was no need for a public hearing; they could just do a quick sale saying that there is no interest in the Keiro Rest Homes. He then stated that Congresswoman Waters and Congresswoman Chu held the press conference to show their support of the Ad Hoc Committee.

**It was moved by Council Member Medina, seconded by Mayor Pro Tem Terauchi, and carried by the following roll call vote to Adopt Resolution No. 6212:**

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

**Noes: None**

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

B. COUNCIL DIRECTIVES – No directives were given

C. COUNCIL REMARKS

- (1) COUNCIL MEMBER HENDERSON – congratulated and thanked the community for attending Gardena’s Dr. Martin Luther King Jr. parade celebration. He mentioned that the night before the parade there was an event that Martin Luther King Jr. committee hosted an excellent program honoring scholars from local schools. The Grand Marshal for the MLK parade, Omarosa Manigault-Stallworth, was wonderful. There were approximately 78 entrees in the parade. The weather was great. He announced that he and his family will be participating in the Los Angeles County “Homeless Count,” in conjunction with the Gardena Police Department. He encouraged other community members to participate. He ended his report by thanking City recreation staff for the MLK parade and the City employees who are responsible for compiling the City’s Department staff reports.
- (2) COUNCIL MEMBER MEDINA – reported that he attended the Dr. Martin Luther King Jr., parade and the Friday night MLK celebration. He thanked Kelly Fujio, Recreation Director, and the members of the Gardena Police Department for a successful parade. He attended the press conference with Congresswomen Maxine Waters and Judy Chu in support of the Keiro long term rest home. He stated that he would like to add Mr. Bruce Dutton, a longtime resident of Gardena, to the memorial adjournments. He briefly spoke about Mr. Dutton and of his life in Gardena.
- (3) COUNCIL MEMBER CERDA – she opened her report announcing that the new “In n Out” Burger franchise is now open in Gardena. She asked for an adjourned in memory of Mr. Louis Jelks, a long-time resident of Gardena.
- (4) MAYOR PRO TEM TERAUCHI – He attended the long awaited opening of a new business in Gardena by the name of “In & Out” Burger. He stated that this will have a very positive affect on the City of Gardena.
- (5) MAYOR TANAKA – He provided some announcements, as follows:

## 10. ANNOUNCEMENTS

Mayor Tanaka announced that there will be a Needs Assessment community meeting for “Create the Future of your Parks!” on Wednesday, February 3, 2016, at 7:00 p.m., at the Nakaoka Community Center. One may contact the Recreation Division for more information at (310) 217-9537; and

Mayor Tanaka also announced that, to facilitate the completion of the City’s 5-Year Strategic Plan, staff has prepared a community survey that will highlight City’s current mission statement, community involvement, public safety, transportation, public programs and financial transparency. The survey will be discussed during the Public Forum to be held at the Nakaoka Community Center on February 18, 2016, from 7:00 p.m. to 8:30 p.m. Administrative Services staff will be present to answer any questions.

Council Member Henderson announced that he will be attending at the “2016 Greater Los Angeles Homeless Count” happening in Gardena on Wednesday, January 27, 2016 at 8:00 p.m. at the Police Department.

**11. REMEMBRANCES**

Mrs. Helen Mercadel, 76 years old, beloved mother of Bus Operator Carolyn Reed, with City of Gardena GTrans; Mrs. Jo Grady-Stone, 63 years old, beloved wife of former Administrative Aide Daniel Stone, who retired from the City of Gardena Administrative Services Division in May 2014, after 31 years, 8 months of City Service; Mr. Louis Jelks, 25-year Gardena resident, and dedicated member of the Hollypark Home Owners Association and the Second Time-Around Seniors Club; Mr. Bruce George Dutton, 60 years of age, life-long resident of Gardena, Trustee of Gardena Elks Lodge #1919, and beloved son of former City of Gardena Planning and Environmental Quality Commissioner Bruce H. Dutton; and Mr. Shohichi Kato, 90 years old, a resident of Gardena who passed away on January 4, 2016.

**12. ADJOURNMENT**

At 8:34 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, February 9, 2016.

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

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

APPROVED:

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Paul K. Tanaka, Mayor