

**MINUTES OF THE
LAWNDALE CITY COUNCIL REGULAR MEETING
February 20, 2018**

- A. **CALL TO ORDER AND ROLL CALL** – Mayor Pullen-Miles called the meeting to order at 6:30 p.m. in the City Hall council chamber, 14717 Burin Avenue, Lawndale, California. [The City Council met concurrently with the governing board of the Successor Agency of the Lawndale Redevelopment Agency.

Councilmembers Present: Mayor Robert Pullen-Miles, Mayor Pro Tem Daniel Reid, Councilmember James H. Osborne, Councilmember Pat Kearney, Councilmember Bernadette Suarez

Other Participants: City Clerk Rhonda Hofmann Gorman, City Manager Stephen N. Mandoki, City Attorney Tiffany J. Israel, Los Angeles County Sheriff's Department Captain April Tardy, Finance Director Kenneth Louie, Community Development Director Sean Moore, Public Works Director/City Engineer Frank Senteno, Deputy City Clerk Maria Guerra and approximately 16 audience members

- B. **CEREMONIALS** – Councilmember Osborne led the flag salute and Pastor Eddie Vargas provided the inspiration.
- C. **PUBLIC SAFETY REPORT** – Captain Tardy summarized recent law enforcement activities for February 5th through February 19th and spoke about the recent school shooting in Florida. She noted the Sheriff's Department works with schools and other organizations to ensure school safety and encouraged members of the community to report suspicious activities.
- D. **ORAL COMMUNICATIONS - ITEMS NOT ON THE AGENDA**
- Lawndale Library Manager Jose Parra provided an update regarding the upcoming activities at the Lawndale Library including special programs in recognition of African-American History Month and the Classics Book Club focusing on J.D. Salinger's "Catcher in the Rye."
 - Dawn Harris, Republic Services, introduced herself as the new Regional Representative and provided her contact information to the Council, staff, and community.
 - Pam London spoke regarding the recent fireworks moratorium in Gardena, hazards that come from fireworks, the recent school shooting in Florida, and requested the City take a new approach to more aggressively cite residents who park vehicles in their front yard setbacks.
- E. **COMMENTS FROM COUNCIL** – The City Council responded generally to the comments, but did not request placement of any issues on a future meeting agenda.

Councilmember Osborne noted the recent Gardena action will likely be legally challenged on their fireworks moratorium, as the sale of fireworks was allowed via a voter initiative.

Mayor Pullen-Miles stated he did offer advice to the City of Gardena regarding their fireworks moratorium and also, to encourage residents to encourage their neighbors not to park on their front yard setbacks.

F. CONSENT CALENDAR

CITY COUNCIL

General Plan Annual Progress Report 2016. (Recommendation: that the City Council, by motion, accept the General Plan Annual Progress Report and direct staff to submit the report to the Governor's Office of Planning and Research and the Housing and Community Development Department in accordance with Government Code Section 65400.)

Hawthorne Boulevard Marquee Sign Demolition Project. (Recommendation: that City Council award a construction contract in the amount of \$10,477 to PTM General Engineering, Inc. for the demolition of the marquee sign on Hawthorne Blvd. and 147th Street, and approve a project contingency of \$1,047.70 to avoid project delays and facilitate timely project completion.)

Disposal of Surplus Property. (Recommendation: that City Council approve the disposition of the 1985 Dodge Van and the 2001 Ford CNG truck.)

Staff Appointment to Committee to Dissolve the Southern California Consortium. (Recommendation: That the City Council: 1) appoint the city manager as the City's representative to the SCCJPA Committee and 2) that the city manager take the necessary actions to vote to dissolve the Southern California Consortium and Joint Powers Agreement and provide for any refunds due to the City.)

Accounts Payable Register. (Recommendation: that the City Council adopts Resolution No. CC-1802-007, authorizing the payment of certain claims and demands in the amount of \$193,969.12.)

Mayor Pullen-Miles noted the item regarding the Hawthorne Boulevard Marquee Sign Demolition Project will be pulled off from tonight's Consent Calendar.

A motion by Councilmember Suarez to approve the consent calendar and was seconded by Councilmember Kearney and carried by a vote of 5-0

G. ADMINISTRATION

CITY COUNCIL

Approval of Parkway Policy. Public Works Director Frank Senteno presented the item. He provided definitions of the "parkways" in the City. Residents wanted to make landscape improvement to the parkways and there is lack of guidance in the Lawndale Municipal Code. The proposed guidelines give direction to residents to ensure consistency and enforceability. Staff did recommend against 100% hardscape mitigating water runoff. He provided "walkable" and "non-walkable" parkway options and noted the guidelines provide drought-resistant designs. The will be a permitting requirement for "non-walkable" options.

Councilmember Osborne likes these policies because it keeps parkways safe and it is geared towards drought-resistant vegetation.

Mayor Pullen-Miles opened public comments.

Pam London expressed concerns that under the previous guidelines she expended over \$3,000 to meet the requirements. She also expressed concerns regarding the maturity of drought-resistant

plants, the City's plan for enforcement, and the amount of animal feces in the parkways. She reinforced this is "City-owned" property and suggested various changes in the City's Code Enforcement program.

Carolyn Gould expressed concerns with the City's parkway regulations, which she believed prohibited her ability to improve her parkway. She agrees with the intent of the proposed regulations, but finds them impractical. She would prefer more leniency in the policies to encourage residents to improve their parkways.

Mayor Pullen-Miles closed public comments.

Staff responded to several inquiries and comments about the proposed regulations. They noted permit fees have a range depending on the level of engineering review and inspection required for a proposed project. In researching artificial turf, staff found some cities were against it as the materials may degrade over time. There may also be impacts regarding the ability for utility maintenance as it relates to parkways. At this time, staff is recommending the guidelines in order to provide general guidance to residents utilizing guidelines that have worked in Lawndale and other cities. In closing, staff commented that the program is voluntary and not mandatory. It provides options if residents would like to do something different with their parkway, rather than leaving it as just dirt or having grass.

In response to Councilmember inquiries, staff noted that landscaping does assist with erosion, and the guidelines are also provided to promote safety, so that resident's do not install elements that could incur risk. Staff and Councilmember discussion ensued regarding encroachment permit fees, administrative costs for permit view, percentage of landscaping required, the substantial problems with front yard landscaping in the community, and enforcement of drought policies. It was reinforced that the City does not expect residents to have to hire landscape architects to submit compliant plans, it is simply a hybrid policy to make it simple for residents to improve their parkways, maintain the integrity of neighborhoods, and easy for staff to administer and enforce.

A motion by Councilmember Osborne to approve to approve Resolution No. CC-1802-005 adopting Council Policy No. 102-18 pertaining to Parkway Policy was seconded by Mayor Pro Tem Reid and carried by a vote of 5 – 0

Rotary Club Application to Sell 4th of July Fireworks. Director of Finance Louie presented the item stating that there was a request at the last City Council meeting for the staff to provide additional information related to the fireworks permit application submitted by the Rotary Club.

Mayor Pullen-Miles opened public comments.

Joe McMahon, Rotary Club, spoke in support of granting the permit and noted illness, and members being out of town, as the reason the Club missed the mandatory meeting. Rotary has been a long-standing part of the community and utilizes the fundraiser to support their youth-service activities and programs.

Shirley Giltzow, Rotary Club, spoke in support of granting the permit and commented on the various community programs, including programs that specifically support youth, which are provided using the funds raised by the sale of fireworks.

Pam London expressed concerns regarding the granting of the permit, citing the mandatory meeting attendance that is required. She suggested letting the City have the booth in order to raise funds for the Park and Recreation programs.

Randall Abram expressed concerns regarding the granting of the permit, citing the mandatory meeting attendance that is required. He inquired whether Councilmembers who are members of the Rotary Club should disclose that information for transparency purposes.

Mayor Pullen-Miles closed public comments.

Discussion ensued regarding the issuance of the permit, and it was noted there was no competition for the final permit. It was strongly stated that there are requirements for the fireworks' sale permit, and that this cannot be a recurring request from community groups. The requirements are in place for a reason.

A motion by Councilmember Osborne to approve awarding a conditional permit to the Rotary Club of Lawndale for the sale of 4th of July Fireworks was seconded by Councilmember Kearney and carried by a vote of 5 – 0

Presentation from Lew Edwards Group Regarding Possible Ballot Measure and Ballot Requirements. Director of Finance Louie presented the item and stated that in recent City Council meetings there has been significant discussion regarding the long-term budget forecast, with the indicators pointing toward a structural deficit. It was noted the Sheriff's contract increases every year. Staff suggested that the City Council consider whether the community should be engaged in regard of financial support for City services. The consultant utilized for community polling on previous City projects was introduced.

Ross Miletich, consultant, introduced himself and his organization and noted he was here to discuss the potential partnership between his organization and the City, citing their past partnerships as related to 2002 and 2008 ballot measure initiatives. He would provide detail regarding aspects of their community engagement program, their current best practices, and successful history working with various agencies.

He further noted the shorter timeline by which the City is currently operating as related to the upcoming election, and that other collaborations with the City started much earlier. They would like to begin March 1st. He described the project plan including statistically valid opinion research, polling methods, and the City's long-standing tradition of presenting a unified Council especially while presenting major issues to the community.

He spoke briefly about the various types of tax measures, including general purpose measures which require a simple majority (plus 1) vote, and are the most flexible. There are strict legal requirements as to how funds may be spent unless the City's decides to make a unanimous declaration of fiscal emergency. Otherwise, the general purpose tax must be scheduled during the City's regular general municipal election (November 2018).

The other option is the special purpose revenue measure which requires a substantially higher threshold to pass (2/3rds of 66.7%). With this type, you can lay out specific projects and purposes for the funding. Fewer of these types of measures are viable, however, the City should not close out any option until the scientifically valid research has been conducted. There is currently a proposed state-wide initiative being circulated by the California Business Roundtable that may affective the specifics regarding these types of initiatives.

He spoke about his firm's main overall action steps including the update to the opinion research to create a two-way dialogue between the City and residents, to determine what the community really wants. He also spoke about creating a robust community engagement plan to let residents know

what is at stake. Direct mail and internet-based feedback programs were described as well as stakeholder engagement. Other communication vehicles, such as local newspapers will be used.

He provided samples of the materials utilized in these types of campaigns and provided the parameters for this type of community engagement process. There are strict legal prohibitions on advocating for any sort of partisan position. The City's communication vehicles will be strictly educational and designed to let constituents know exactly what is at stake. The firm has a long standing relationship with the City Attorney and will work collaboratively to ensure the City maintains its good legal standing as it proceeds with this process.

The firm will also work with City staff, based on the results from the community engagement process, to draft ballot language and informational materials. The thumbnail timeline for the process would include a March/April foundation-laying period to develop the community engagement strategies. Then the actual community engagement efforts would take place from July through August should the Council elect to place the measure on the ballot and to finalize the voter handbook and impartial analysis information. From September to October, the City can continue its legally permissible information activities. And then, on Election Day, the firm would encourage people to vote to voice their opinions on the matter.

Councilmember Kearney thanked the presenter and inquired about the impacts of these types of measures relative to seeking support for public safety services in the community and how the City's ability to put forth a measure would be impacted by any County tax increase.

Staff responded that State law allows a limit of 10 ¼ percent for sales tax and the majority of Los Angeles County is at 9 ½ percent. There are other taxing entities in Los Angeles County that may be exploring increases in taxes which would "chip-away" at the remaining amount that could be collected by cities. This would be a pre-emptive action by the City that could protect funding for services that are currently utilized by the City. We are not increasing taxes arbitrarily, it is a preemptive measure to protect services should costs rise.

It was also noted that an important matter to consider is preparing adequately should survey results return from the community that this measure is not viable. The costs for proceeding with this type of community engagement are also important to consider. Discussion ensued among the City Council regarding timing, especially in light of Los Angeles County's ability to place a measure that would cap the City's ability to increase revenues through tax measures. Discussion also ensued regarding the types of questions to ask on the survey, especially regarding contingency plans, and Transportation Occupancy Tax (TOT).

The consultant reminded the City Council that while there is an ability to test different mechanisms in the same survey, however, he did caution that testing more than two different mechanisms within the same survey may result in "diminishing returns" since the project is budgeted for a twenty minute survey. We do not want to confuse residents; however, the consultant does have the ability to test different rates and sunsets and all sorts of different mechanisms for a sales tax.

Mayor Pullen-Miles opened public comments. Noting there were no members of the public who elected to make public comments, Mayor Pullen-Miles closed public comments.

A motion by Councilmember Osborne to proceed with the initial community engagement efforts relative to a proposed tax measure for placement on a City election ballot was seconded by Councilmember Kearney and carried by a vote of 5 – 0

H. ITEMS FROM COUNCILMEMBERS

Request for Waiver of Fees, Memorial Service at the Harold E. Hofmann Community Center – Requested and presented by Mayor Pro Tem Reid.

Brief discussion ensued regarding the proposed waiver of deposit and fees for the memorial service for Ms. Fran Ramsey

A motion by Mayor Pro Tem Reid to approve the waiver of fees for the Celebration of Life/Memorial Services at the Harold E. Hofmann Community Center on Friday, March 16, 2018, from 3:00 p.m. until 7:00 p.m. seconded by Councilmember Osborne and carried by a vote of 5 – 0

City Council Subcommittee – Labor Negotiations – Requested by Councilmember Kearney. City Manager Mandoki presented the item.

Discussion on this item was initiated by Councilmember Kearney. Discussion ensued regarding the status of labor negotiations. They are currently in the middle and moving toward the end of negotiations and the labor group has approached the City Council about having a direct meeting with Councilmembers. Provisions of the Brown Act were discussed and the only permissible way for these types of meetings to occur would be one-on-one with each of the Councilmembers. Those type of meetings would require extensive disclosure in the public forum. Another option would be to form a subcommittee of two members of the City Council to meet with a small association of the labor group in an informational setting. The subcommittee would not have the authority to make decisions on behalf of the City Council, but they can meet with them and bring information back to the full body of the City Council.

A motion by Councilmember Kearney to form a City Council subcommittee of two to meet with the City's labor group for information purposes and to assign Mayor Pullen-Miles and Councilmember Pat Kearney to serve as members seconded by Councilmember Osborne and carried by a vote of (5 – 0)

Mayor/Councilmember Report of Attendance at Meetings and/or Events

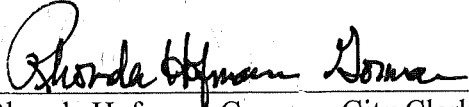
Councilmember Kearney reported attendance with Mayor Pullen-Miles to the Ribbon Cutting Ceremonies at the Torrance Desalt Plant and also attended with the City Manager the Liability Trust Committee for the Sheriff's Department.

J. ADJOURNMENT – There being no further business to conduct, the mayor adjourned the meeting at 8:17 p.m.



Robert Pullen-Miles, Mayor

ATTEST:

A handwritten signature in cursive script, reading "Rhonda Hofmann Gorman". The signature is written in black ink and is positioned above a horizontal line.

Rhonda Hofmann Gorman, City Clerk

Approved: 3/19/18