

**MINUTES OF THE
LOMITA CITY COUNCIL
REGULAR MEETING
TUESDAY, APRIL 18, 2023**

1. OPENING CEREMONIES

a. Call Meeting to Order

The regular meeting of the Lomita City Council was called to order by Mayor Waite at 6:02 p.m. on Tuesday, April 18, 2023, in the Council Chambers at Lomita City Hall, 24300 Narbonne Avenue, Lomita, California.

b. Flag Salute

Council Member Waronek led the salute to the flag.

c. Invocation

Council Member Waronek gave the invocation.

Happy birthday wishes were extended to Council Member Waronek.

d. Roll Call

PRESENT: Council Members: Gazeley, Segawa, Waronek, Mayor Pro Tem Uphoff, and Mayor Waite

ABSENT: None

STAFF PRESENT: City Manager Smoot, City Attorney Rusin, Assistant City Manager Sugano, Administrative Services Director Kamada, Public Works Director Dillon, Community and Economic Development Director Rindge, and City Clerk Gregory

2. APPROVAL OF AGENDA

Council Member Waronek made a motion, seconded by Council Member Uphoff to approve the agenda.

MOTION CARRIED by the following vote:

AYES: Council Members: Gazeley, Segawa, Waronek, Mayor Pro Tem Uphoff, and Mayor Waite

NOES: None

ABSENT: None

3. PRESENTATIONS

None scheduled.

4. ORAL COMMUNICATIONS

Mayor Waite announced the time for public comments on Consent Agenda items or subjects other than those scheduled.

Winona Phillabaum, Lomita Community Library Manager, announced upcoming events and programs.

There being no further requests to speak, Mayor Waite closed Oral Communications.

5. ORAL COMMUNICATIONS AND MEETING ATTENDANCE REPORTS FROM THE CITY COUNCIL

Council Member Segawa reported on the following:

- April 6 – Cal Cities Los Angeles County Local Advocacy Day
- April 8 – Lomita Easter Egg Hunt
- Recent Founders Day Subcommittee Meeting
- April 17 – Funeral for Former Mayor Lawson Pedigo

Mayor Pro Tem Uphoff reported on the following:

- April 5 – South Bay Cities Council of Governments Homeless Services Task Force
- April 6 – Cal Cities Los Angeles County Local Advocacy Day
- April 8 – Lomita Easter Egg Hunt
- April 10 – South Bay Cities Council of Governments Transportation Committee Meeting
- April 12-14 – Cal Cities Leadership Summit

Council Member Waronek reported on the following:

- April 6 – Cal Cities Los Angeles County Local Advocacy Day
- April 8 – Lomita Easter Egg Hunt
- April 12-14 – Cal Cities Leadership Summit
- April 14 – Lunch at Google with State Senator Ben Allen; Republic Recycling Facility Center Tour
- April 17 – Athens Recycling Center and Transfer Station Tour

Council Member Gazeley thanked fellow Council Members for attending his mother's funeral service.

Mayor Waite reported on the following:

- April 6 – Cal Cities Los Angeles County Local Advocacy Day
- April 10 – South Bay Cities Council of Governments Steering Committee Meeting

6. CITY MANAGER'S REPORT (information only)

City Manager Smoot announced upcoming vacancies on the Planning Commission and stated that the application for the General Plan Advisory Committee (GPAC) has been posted to the City's website.

7. CONSENT AGENDA

RECOMMENDED ACTION: That Consent Agenda Items 7a-j be approved.

Council Member Segawa made a motion, seconded by Mayor Pro Tem Uphoff to approve the recommended action.

MOTION CARRIED by the following vote:

- AYES: Council Members: Gazeley, Segawa, Waronek, Mayor Pro Tem Uphoff, and Mayor Waite
NOES: None
ABSENT: None

Approved the following Consent Agenda items:

- a. Motion to Waive Full Reading of Ordinances and that They be Read in Title Only

RECOMMENDED ACTION: Approve motion.

- b. Warrants/Payroll Register

RECOMMENDED ACTION: Approve and file Warrants/Payroll Register.

- c. Monthly Report for the Administrative Services Department

RECOMMENDED ACTION: Receive and file the report.

- d. Monthly Report for the City Manager's Department

RECOMMENDED ACTION: Receive and file the report.

- e. Monthly Report for the Community and Economic Development Department

RECOMMENDED ACTION: Receive and file the report.

- f. Monthly Report for the Recreation and Facilities Division

RECOMMENDED ACTION: Receive and file the report.

- g. Monthly Report for the Public Works Department

RECOMMENDED ACTION: Receive and file the report.

h. February 2023 Treasury & Investment Report

RECOMMENDED ACTION: Receive and file the report.

i. Second Reading and Adoption of Ordinance No. 847 for Zoning Text Amendment No. 2023-02 Amending Lomita Municipal Code Title XI (Planning and Zoning) to Modify Off-Street Parking Restrictions, to Permit Additional Types of Parking Lot Signs, to Add Definitions, and Finding the Action to be Exempt from the California Environmental Quality Act

RECOMMENDED ACTION: Adopt ordinance.

ORDINANCE NO. 847 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOMITA, CALIFORNIA, APPROVING ZONE TEXT AMENDMENT No. 2023-02 AND AMENDING LOMITA MUNICIPAL CODE TITLE XI (PLANNING AND ZONING) ARTICLE 15 (DEFINITIONS), ARTICLE 66 (OFF-STREET PARKING, STORAGE AND LOADING), AND ARTICLE 67 (SIGNS) AND FINDING THE ACTION TO BE CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT. INITIATED BY BRFI LOMITA II, LLC, 11611 SAN VINCENTE BOULEVARD, SUITE 900, LOS ANGELES, CA 90049 (APPLICANT)

j. Agreement with Race Communications for Internet Service at Lomita City Hall

RECOMMENDED ACTION: Authorize the City Manager to sign a service order and any related documents to renew internet services at Lomita City Hall.

k. Professional Services Agreement with Tetra Tech, Inc. for Roof Design for Appian Way Pump Station

RECOMMENDED ACTION: 1) Approve a Professional Services Agreement with Tetra Tech for Engineering Design Services of New Roof Design for Appian Way Pump Station in the amount of \$ 86,395.00 plus a 20% contingency amount of \$ 17,279.00; 2) Appropriate \$63,674 to the Water Capital Fund for this project; and 3) Authorize the City Manager and City Clerk to execute the Agreement.

l. Purchase of Public Works Vehicles

RECOMMENDED ACTION: 1) Authorize purchase of a new Ford F-350 for approximately \$61,408.79; 2) Authorized the purchase of a new Ford F-350 with a Rugby Dump Bed for approximately \$85,646.11; and 3) Appropriate \$12,051.90 from Equipment Replacement for the purchases.

8. SCHEDULED ITEMS

a. DISCUSSION AND CONSIDERATION TO ADOPT A RESOLUTION DIRECTING THE PUBLIC WORKS DIRECTOR TO PREPARE THE ENGINEER'S REPORT FOR LANDSCAPE MAINTENANCE DISTRICT NO. 1

RECOMMENDED ACTION: Adopt Resolution directing the Public Works Director to prepare the Engineer's report for Landscape Maintenance District No. 1.

Director Dillon presented the staff report per the agenda material. The Engineer's Report is necessary to determine the cost of service and amount of the assessment for next fiscal year.

In early 2022 a survey of the District's residents was conducted which revealed bike path usage patterns and opinions relative to maintenance, including water-saving options. The input received will help guide the City's efforts relative to upkeep in coming years.

Brief discussion was held relative to applying for grants to assist with such costs and the willingness of area residents to pay for the improvements including more drought tolerant materials.

As no members of the public wished to speak on this item, Mayor Waite invited further Council discussion or a motion.

Mayor Pro Tem Uphoff made a motion, seconded by Council Member Segawa to approve the recommended action.

MOTION CARRIED by the following vote:

AYES: Council Members: Gazeley, Segawa, Waronek, Mayor Pro Tem Uphoff, and Mayor Waite

NOES: None

ABSENT: None

Approved the following titled resolution:

RESOLUTION NO. 2023-07 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMITA, CALIFORNIA, ORDERING THE PUBLIC WORKS DIRECTOR TO PREPARE AND FILE THE ENGINEER'S REPORT FOR LOMITA LANDSCAPE MAINTENANCE DISTRICT NO. 1, IN ACCORDANCE WITH THE LANDSCAPING AND LIGHTING ACT OF 1972, DIVISION 15, PART 2 OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, FOR THE FISCAL YEAR COMMENCING JULY 1, 2023, AND ENDING JUNE 30, 2024

9. PUBLIC HEARINGS

- a. **PUBLIC HEARING #4 TO REVIEW DRAFT MAPS, RECEIVE PUBLIC COMMENTS ON THE MAPS, AND AN ORDINANCE TO TRANSITION TO DISTRICT-BASED ELECTIONS UNDER THE CALIFORNIA VOTING RIGHTS ACT**

RECOMMENDED ACTION: 1) Open the public hearing to receive public comments on the draft maps; 2) After the City attorney reads the title of the ordinance, introduce on first reading an ordinance establishing by-district elections in the City, defining the boundaries via the selected map, scheduling elections within the districts; 3) Find the same exempt from the California Environmental Quality Act; and 4) Direct staff to schedule the second reading and adoption of the ordinance.

Andrew Westall, Principal with Bear Demographics & Research, presented the staff report per the agenda material. The purpose of this meeting is to conduct the fourth public

hearing, receive public comments on the proposed maps, select a Final Map, determine “sequencing” of elections (which districts will have elections first), and then introduce on first reading an ordinance based on these determinations that provides for by-district elections. He outlined the four final draft maps.

Mayor Waite opened the public hearing at 6:30 p.m.

Lomita resident George Kivett spoke in favor of draft map 4, and stated that he supports having districts.

As there were no further requests from the public to speak on this item, Mayor Waite closed the public hearing at 6:31 p.m. and brought the item back for Council discussion.

The Council noted that it is not in favor of districting in Lomita, due to its small size and population. This requirement could be fought but litigation is expensive and there would be no promise of success.

City Attorney Rusin spoke of various legal challenges to the districting requirement, and pointed out that most cities lose in court.

It was noted that the Lomita City Council has had Latino representation for the past several years, and that even though Council was opposed to districting, it still cost the City money to move forward with it.

Mayor Pro Tem Uphoff made a motion, seconded by Council Member Segawa to approve the recommended action with draft map number 2.

City Attorney Rusin read the title of the ordinance to be introduced.

MOTION CARRIED by the following vote:

AYES: Council Members: Gazeley, Segawa, Waronek, Mayor Pro Tem Uphoff, and Mayor Waite
NOES: None
ABSENT: None

Introduced the following titled ordinance:

ORDINANCE NO. 848 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOMITA, CALIFORNIA, ADDING SECTION 2-1.29.1 TO CHAPTER 1 OF TITLE 2 OF THE LOMITA MUNICIPAL CODE ESTABLISHING BY-DISTRICT ELECTIONS, DEFINING DISTRICT BOUNDARIES, AND SCHEDULING ELECTIONS WITHIN THE DISTRICTS, AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

- b. DISCUSSION AND CONSIDERATION OF ORDINANCE NO. 849, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOMITA, CALIFORNIA AMENDING TITLE 2, CHAPTER 4, SECTION 2-4.01 OF THE LOMITA MUNICIPAL CODE TO ADJUST SALARIES OF CITY COUNCIL MEMBERS; AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

RECOMMENDED ACTION: 1) After the City Attorney reads the title, introduce on first reading Ordinance No. 849 amending Title 2, Chapter 4, Section 2-4.01 of the Lomita Municipal Code pertaining to City Council member compensation; 2) Find the action exempt from CEQA; and 3) Direct staff to schedule second reading and adoption of Ordinance No. 849 for the May 2, 2023, Regular City Council Meeting.

City Manager Smoot presented the staff report per the agenda material. At the last districting public hearing, there was consensus among the Council that election expenses could deter potential candidates, and by increasing salaries, this barrier could be eliminated. The last adjustment to Council salaries was made in 1991, to the current \$390 per month. More recently Council Members became eligible for certain benefits, although they are responsible for those costs themselves. As a General Law City, Lomita is limited by State Code and Council salaries would be capped at \$1014 per month. In 2022 the City commissioned a class and compensation study for employees and the same comparator cities were used to research this item. The average Council Member salary of those cities is \$647 per month, not including benefits of any kind. \$660 per month plus \$200 per month in automotive allowance is recommended, with no changes to existing benefits options, plus reimbursement of actual itemized expenses (other than automotive-related) incurred in the conduct of duties. The changes would not go into effect until after the next City Council election per State Code.

Brief discussion was held relative to the difficulty in comparing the data collected as many of the comparator cities offer full paid medical benefits for Council Members and their spouses, and whether \$660 per month is even adequate considering the time commitment. Additional discussion touched on out-of-pocket, non-reimbursable expenses incurred by Council Members.

Mayor Waite opened the public hearing at 7:02 p.m.

Lomita resident George Kivett supported an increase in the monthly stipend, and recommended \$980 per month and \$220 per month for the automotive allowance due to higher maintenance and fuel costs.

Lomita resident and former Council Member Henry Sanchez Jr. supported a \$1000 per month salary and \$200 per month for the automotive allowance.

As there were no further requests from the public to speak on this item, Mayor Waite closed the public hearing at 7:05 p.m. and brought the item back for further discussion or a motion.

Council Member Waronek made a motion, seconded by Council Member Gazeley to increase the monthly salary to \$1014 and to provide a \$200 per month automotive allowance.

City Attorney Rusin read the title of the ordinance to be introduced.

MOTION CARRIED by the following vote:

AYES: Council Members: Gazeley, Segawa, Waronek, Mayor Pro Tem Uphoff, and Mayor Waite
NOES: None

ABSENT: None

Introduced the following titled ordinance:

ORDINANCE NO. 849 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOMITA, CALIFORNIA, AMENDING TITLE 2, CHAPTER 4, SECTION 2-4.01 OF THE LOMITA MUNICIPAL CODE PERTAINING TO COUNCIL MEMBER COMPENSATION AND FINDING THE ACTION EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

- c. **DISCUSSION AND CONSIDERATION OF AN ORDINANCE AMENDING LOMITA MUNICIPAL CODE TITLE VI (BUSINESSES, PROFESSIONS AND TRADES), CHAPTER 8 (MASSAGE BUSINESSES AND PRACTITIONERS) TO CLARIFY LANGUAGE AND SPECIFY REGULATIONS, AND FINDING THE ACTION TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT** *(continued from the April 4, 2023, City Council meeting)*

RECOMMENDED ACTION: 1) After the City Attorney reads the title, introduce on first reading an ordinance amending Lomita Municipal Code Title VI (Businesses, Professions and Trades), Chapter 8 (Massage Businesses and Practitioners) to clarify language and specify regulations; 2) Find the action exempt from the California Environment Quality Act (CEQA), and 3) Direct staff to schedule the second reading and adoption of the ordinance.

Director Rindge presented the staff report per the agenda material. This is a cleanup ordinance, as various changes have taken place since adoption of the previous ordinance in 2014. In addition, some parts of the City's Code were a bit unclear and inconsistent before. Input was received from both the City Attorney's Office and the Director of the California Massage Therapy Council.

Mayor Waite opened the public hearing at 7:12 p.m. As there were no requests from the public to speak on this item, he closed the public hearing at 7:12 p.m. and brought the item back for further discussion or a motion.

Council Member Segawa made a motion, seconded by Mayor Pro Tem Uphoff to approve the staff recommendation.

City Attorney Rusin read the title of the ordinance to be introduced. He noted that the draft ordinance title contains the CEQA exemption language twice, which will be edited before adoption and signature.

MOTION CARRIED by the following vote:

AYES: Council Members: Gazeley, Segawa, Waronek, Mayor Pro Tem Uphoff, and Mayor Waite
NOES: None
ABSENT: None

Introduced the following titled ordinance:

ORDINANCE NO. 850 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOMITA, CALIFORNIA, APPROVING AN AMENDMENT TO AN ORDINANCE TO AMEND LOMITA MUNICIPAL CODE TITLE VI (BUSINESSES, PROFESSIONS AND TRADES), CHAPTER 8 (MASSAGE BUSINESSES AND PRACTITIONERS) TO CLARIFY LANGUAGE AND SPECIFY REGULATIONS, AND FINDING THE ACTION TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

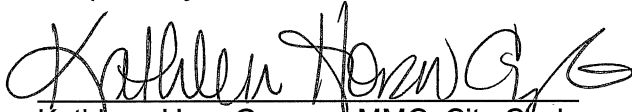
Mayor Waite invited Lomita Chamber of Commerce President/CEO Heidi Butzine forward to speak.

Ms. Butzine announced Lemonade Day will take place on July 22. For more information, visit lomitachamber.org.

10. ADJOURNMENT

There being no further business to discuss, Mayor Waite adjourned the meeting at 7:17 p.m. in memory of Council Member Gazeley's mother Lorraine Frances Manfrass, former Lomita Traffic Commissioner Marty Spain, Ken Thompson of Thompson Building Materials, and former Mayor Lawson Pedigo.

Respectfully submitted,


Kathleen Horn Gregory, MMC, City Clerk
Adopted: *July 18, 2023* 