

**MINUTES OF THE
LOMITA CITY COUNCIL
REGULAR MEETING
TUESDAY, DECEMBER 20, 2022**

PURSUANT TO EXECUTIVE ORDER N-08-21 ISSUED BY GOVERNOR NEWSOM AND AB361, THE PUBLIC AND COUNCIL PARTICIPATED IN THIS MEETING IN PERSON AND VIA ZOOM.

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, December 20, 2022, in the Upstairs Assembly Room at Lomita City Hall, 24300 Narbonne Avenue, Lomita, California.

b. Flag Salute

Mayor Pro Tem Uphoff led the salute to the flag.

c. Invocation

Council Member Segawa gave the invocation.

d. Roll Call

PRESENT: Council Members Segawa and Waronek, Mayor Pro Tem Uphoff, and Mayor Waite were present in the Upstairs Assembly Room; Council Member Gazeley participated via Zoom

ABSENT: None

STAFF PRESENT: City Manager Smoot, City Attorney Rusin, Public Works Director Dillon, and Community and Economic Development Director Rindge were present in the Upstairs Assembly Room; Assistant City Manager Sugano, Administrative Services Director Kamada, and City Clerk Gregory participated via Zoom

2. APPROVAL OF AGENDA

Council Member Segawa made a motion, seconded by Council Member Waronek 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

Council Member Segawa presented retiring Narbonne High School teachers Carol Shaw-Loose and Cecelia Yu with certificates of recognition. She also presented former Narbonne office staffer Daniel Moore with a certificate of recognition for becoming a teacher there.

4. ORAL COMMUNICATIONS

Mayor Waite announced the time for oral communications on Consent Agenda items or subjects other than those scheduled. There being no requests from the public to speak, Mayor Waite closed oral communications.

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

Council Member Gazeley had nothing to report.

Council Member Segawa reported on the following:

- Recent motivational speech at Narbonne High School
- December 13 – South Bay Association of Chambers of Commerce Meeting where Council Member Waronek was installed as President

Council Member Waronek reported on the following:

- Recent Lomita Chamber of Commerce Board Meeting
- Recent swearing-in of new Lawndale Council Member Bernadette Suarez

Mayor Pro Tem Uphoff reported on the following:

- December 8 – City of Lomita Employee Appreciation Dinner
- December 11 – Santa Claus at the Railroad Museum
- December 12 – South Bay Cities Council of Governments Meeting
- Recent visit to homeless shelters to distribute food and other items

Mayor Waite reported on the following:

- December 14 – Los Angeles County Economic Development Corporation Meeting
- December 6 – Post-Council Meeting Reception at Lomita-Harbor City Kiwanis Club

6. CITY MANAGER'S REPORT (information only)

City Manager Smoot acknowledged the Narbonne teachers in attendance. He reminded residents that City Hall will be closed for the holidays from noon Thursday, December 22, 2022, through Monday, January 2, 2023. Emergency phone numbers may be found on the City's website.

7. CONSENT AGENDA

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

Council Member Waronek made a motion, seconded by Council Member Segawa to approve the recommended action. Mayor Waite recused himself from voting on item 7m.

MOTION CARRIED by the following vote:

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

NOES: None

ABSENT: None

- 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. October 2022 Treasury & Investment Report

RECOMMENDED ACTION: Receive and file the report.

- i. Authorizing Virtual City Council Meetings as Well as Virtual Meetings for All Other City Commissions and Committees Pursuant to AB 361

RECOMMENDED ACTION: Authorize remote teleconference/virtual meetings of all City of Lomita legislative bodies, including all City commissions and committees, in accordance with Assembly Bill 361 ("AB 361"), by finding that: (1) a statewide state of emergency is currently in place; (2) state and local officials have imposed or recommended measures to promote social distancing in connection with COVID-19.

- j. Amendment to Agreement with Project Partners for Public Works Staffing Support

RECOMMENDED ACTION: 1) Approve the First Amendment to Agreement 2021-47 with Project Partners for engineering services related to capital projects and staff support for a total amount not to exceed \$217,000; and 2) Authorize the City Manager and City Clerk to execute the Agreement.

- k. Professional Services Agreement with David Evans and Associates, Inc. for Design of Narbonne Avenue South Water Main Replacement and Street Rehabilitation

RECOMMENDED ACTION: 1) Approve a Professional Services Agreement with David Evans and Associates for Engineering Design Services of Narbonne Avenue Water Main Replacement and Street Rehabilitation in the amount of \$173,861 plus a 15% contingency amount of \$26,079; and 2) Authorize the City Manager and City Clerk to execute the Agreement.

- l. Professional Services Agreement with 4LEAF, Inc. for Augmented Code Enforcement Services

RECOMMENDED ACTION: Authorize the City Manager to execute a Professional Services Agreement ("PSA") with 4LEAF, Inc. ("4LEAF") for augmented code enforcement services.

- m. ARPA Business Assistance Program Applications for Façade Improvement and Job Creation Programs

RECOMMENDED ACTION: 1) Approve five (5) applications under the City's ARPA Business Assistance Programs; and 2) Make a finding that Jing's CA Acupuncture & Wellness Center qualifies for funding under the "Office" category of eligible uses under the program guidelines; and 3) Approve the draft Façade Improvement and Job Creation agreements, authorize the City Manager to make minor amendments as may be necessary with approval of the City Attorney, and authorize the City Manager to execute agreements with approved applicants for funding.

- n. Resolution Approving and Authorizing the City Manager to Execute the Transfer Agreement with the Los Angeles County Flood Control District

RECOMMENDED ACTION: 1) Adopt Resolution No. 2022-38, approving and authorizing the City Manager to execute the Transfer Agreement No. 2022RPSSMB01, Safe, Clean Water Program, Regional Program with the Los Angeles County Flood Control District; and 2) Authorize the City Manager to approve non-substantive edits to the Agreement in a form approved by the City Attorney.

RESOLUTION NO. 2022-38 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMITA, CALIFORNIA, APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE TRANSFER AGREEMENT NO. 2022RPSSMB01, SAFE, CLEAN WATER PROGRAM – REGIONAL PROGRAM WITH THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

- o. Professional Services Agreements with Stephen Doreck Equipment Rentals, Inc. and Valverde Construction, Inc. to Provide As-Needed Water Services

RECOMMENDED ACTION: Authorize the City Manager to execute a five-year agreement, with two one-year renewal options, with Stephen Doreck Equipment Rentals, Inc. and Valverde Construction, Inc. to provide professional as-needed electrical services.

8. SCHEDULED ITEMS

- a. **DISCUSSION AND CONSIDERATION OF THE ACCEPTANCE OF THE CITY'S AUDIT REPORT FOR FISCAL YEAR 2021-2022**

RECOMMENDED ACTION: Receive and file the Fiscal Year 2021-2022 Annual Comprehensive Financial Report (ACFR) and the Single Audit Report on Schedule of Expenditures of Federal Awards.

Administrative Services Director Kamada introduced Ron Lopez, CPA/Audit Partner of Gruber and Lopez, Inc., who presented the staff report per the agenda material. He outlined the audit process, audit products produced, and the audit results, which were deemed of the highest opinion an auditor can issue.

Mayor Waite invited comments from the public. There being none, he brought the item back to the Council for discussion or a motion.

Council Member Segawa made a motion, seconded by Council Member Waronek 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

Community and Economic Development Director Rindge introduced representatives from 4LEAF (item 71 above), Marcus Johnson, Director of Southern California Operations, and Pete Roque, Director of Code Enforcement.

b. DISCUSSION AND CONSIDERATION OF A RESOLUTION APPROVING AMENDMENT NO. 4 TO THE CITY MANAGER EMPLOYMENT AGREEMENT

RECOMMENDED ACTION: Adopt Resolution 2022-39 approving Amendment No. 4 to the January 27, 2016, City Manager Employment Agreement (as previously amended).

RESOLUTION NO. 2022-39 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMITA, CALIFORNIA, APPROVING AMENDMENT NO. 4 TO THE CITY MANAGER'S EMPLOYMENT AGREEMENT

City Attorney Rusin presented the staff report per the agenda material. He explained that the City Manager does not receive annual cost of living adjustments like other City staff. This adjustment will put him near the middle of the compensation range for his peers.

Mayor Waite invited comments from the public. There being none, he brought the item back to the Council for discussion or a motion.

Council Member Waronek 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

9. PUBLIC HEARINGS

a. DISCUSSION AND CONSIDERATION OF ADOPTING AN ORDINANCE AMENDING LOMITA MUNICIPAL CODE TITLE V, CHAPTER 9 "LOW IMPACT DEVELOPMENT IMPLEMENTATION"

RECOMMENDED ACTION: 1) Conduct a public hearing; and 2) After City Attorney reads the title, introduce on first reading Ordinance No. 841, an ordinance amending Lomita Municipal Code Title V, Chapter 9, Section 5-9.020 (Scope of chapter), Section 5-9.030, (Definitions), Section 5-9.060 (Stormwater pollution control and design standards for best management practices (BMPs)), and Section 5-9.180 (Site-specific mitigation requirements for new development and redevelopment with potential adverse impacts on post-development stormwater quality).

Public Works Director Dillon presented the staff report per the agenda material.

Mayor Waite opened and closed the public hearing at 6:31 p.m., as no members of the public wished to speak on this item.

There being no comments or questions from the Council, Mayor Waite brought the item back for a motion.

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

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

Introduced the following titled ordinance:

ORDINANCE NO. 841 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOMITA, CALIFORNIA, AMENDING LOMITA MUNICIPAL CODE TITLE V, CHAPTER 9, "LOW IMPACT DEVELOPMENT IMPLEMENTATION"

b. DISCUSSION AND CONSIDERATION TO ADOPT PROPOSED ORDINANCE ADOPTING BY REFERENCE THE 2022 LOS ANGELES COUNTY BUILDING CODES

RECOMMENDED ACTION: 1) Conduct public hearing, and after the City Attorney reads the title, adopt urgency Ordinance No. 842U making other revisions thereto and declaring the urgency thereof; and 2) Introduce on first reading Ordinance No. 843. and direct staff to schedule a public hearing for the second reading and adoption of the ordinance for the January 17, 2023, City Council meeting. This procedure is in accordance with California government code, section 50022.3.

Community and Economic Development Director Rindge presented the staff report per the agenda material. As the County has yet to adopt the Fire Code, the City must adhere to the requirements of the unamended State Fire Code effective January 1, 2023.

Mayor Waite opened and closed the public hearing at 6:34 p.m., as no members of the public wished to speak on this item.

There being no comments or questions from the Council, Mayor Waite brought the item back for a motion.

City Attorney Rusin read the titles of the urgency ordinance and the ordinance to be introduced.

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

Adopted the following titled urgency ordinance:

ORDINANCE NO. 842U - AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOMITA, CALIFORNIA, CODE AMENDMENT NO. 2022-03 ADOPTING BY REFERENCE THE LOS ANGELES COUNTY CODE AMENDING LOMITA MUNICIPAL CODE SECTIONS 10-1 (BUILDING CODE), 10-2 (ELECTRICAL CODE), 10-3 (PLUMBING CODE), 10-4 (MECHANICAL CODE), 10-7 (RESIDENTIAL CODE), 10-8 (GREEN BUILDING STANDARDS), AND 10-9 (EXISTING BUILDING CODE) INCORPORATING THE CALIFORNIA BUILDING CODE, 2022 EDITION; TITLE 26 OF THE LOS ANGELES COUNTY CODE ADOPTING THE CALIFORNIA BUILDING CODE, 2022 EDITION; TITLE 27 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA ELECTRICAL CODE, 2022 EDITION; TITLE 28 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA PLUMBING CODE, 2022 EDITION; TITLE 29 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA MECHANICAL CODE, 2022 EDITION; TITLE 30 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA RESIDENTIAL CODE, 2022 EDITION; TITLE 31 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2022 EDITION; AND TITLE 33 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA EXISTING BUILDING CODE, 2022 EDITION; WITH CERTAIN CHANGES AND MODIFICATIONS, AND MAKING OTHER REVISIONS THERETO AND DECLARING THE URGENCY THEREOF

Introduced the following titled ordinance:

ORDINANCE NO. 843 - AN ORDINANCE OF THE CITY OF LOMITA, CALIFORNIA, CODE AMENDMENT NO. 2022-03 ADOPTING BY REFERENCE THE LOS ANGELES COUNTY CODE AMENDING LOMITA MUNICIPAL CODE SECTIONS 10-1 (BUILDING CODE), 10-2 (ELECTRICAL CODE), 10-3 (PLUMBING CODE), 10-4 (MECHANICAL CODE), 10-7 (RESIDENTIAL CODE), 10-8 (GREEN BUILDING STANDARDS), AND 10-9 (EXISTING BUILDING CODE) INCORPORATING THE CALIFORNIA BUILDING CODE, 2022 EDITION; TITLE 26 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA BUILDING CODE, 2022 EDITION; TITLE 27 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA ELECTRICAL CODE, 2022 EDITION; TITLE 28 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA PLUMBING CODE, 2022 EDITION; TITLE 29 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA MECHANICAL CODE, 2022 EDITION; TITLE 30 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA RESIDENTIAL CODE, 2022 EDITION; TITLE 31 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2022 EDITION; AND TITLE 33 OF THE LOS ANGELES COUNTY CODE INCORPORATING THE CALIFORNIA EXISTING BUILDING CODE, 2022 EDITION; WITH CERTAIN CHANGES AND MODIFICATIONS, AND MAKING OTHER REVISIONS THERETO

- c. **DISCUSSION AND CONSIDERATION OF ZONING TEXT AMENDMENT NO. 2022-02, AN ORDINANCE AMENDING LOMITA MUNICIPAL CODE SECTION 11-1.27.12 TO**

MODIFY SIGN REGULATIONS OF THE 24000 CRENSHAW BOULEVARD SPECIFIC PLAN ZONE, AND FINDING THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

RECOMMENDED ACTION: 1) Introduce on first reading an ordinance modifying Lomita Municipal Code Section 11-1.27.12 and finding the project is categorically exempt from the California Environmental Quality Act, and 2) Direct staff to schedule a public hearing for the second reading and adoption of the ordinance for the January 17, 2023, City Council meeting.

Community and Economic Development Director Rindge presented the staff report per the agenda material. She stated that typically such amendments do not fall under a Zone Text Amendment but in this case the property is governed by the Specific Plan.

Mayor Waite opened and closed the public hearing at 6:42 p.m., as no members of the public wished to speak on this item.

There being no comments or questions from the Council, Mayor Waite brought the item back for a motion.

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

Council Member Waronek 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

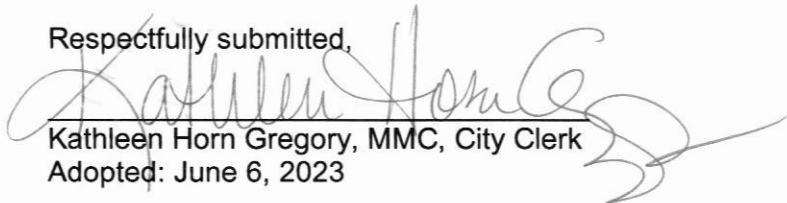
Introduced the following titled ordinance:

ORDINANCE NO. 844 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOMITA, CALIFORNIA, APPROVING ZONE TEXT AMENDMENT 2022-02 AMENDING LOMITA MUNICIPAL CODE SECTION 11-1.27.12, MODIFYING SIGN REGULATIONS FOR THE 24000 CRENSHAW BOULEVARD SPECIFIC PLAN ZONE AND A DETERMINATION THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

10. ADJOURNMENT

There being no further business to discuss, Mayor Waite adjourned the meeting, in memory of Vafa Kalani, at 6:45 p.m.

Respectfully submitted,


Kathleen Horn Gregory, MMC, City Clerk
Adopted: June 6, 2023