

**MINUTES OF THE  
LOMITA CITY COUNCIL  
REGULAR MEETING  
TUESDAY, AUGUST 16, 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 Segawa at 6:00 p.m. on Tuesday, August 16, 2022.

b. Flag Salute

Council Member Uphoff led the salute to the flag.

c. Invocation

Mayor Segawa gave the invocation.

d. Roll Call

**PRESENT:** Council Members Uphoff and Waronek, and Mayor Segawa were present in Council Chambers; Council Member Gazeley and Mayor Pro Tem Waite participated via Zoom

**ABSENT:** None

**STAFF PRESENT:** City Manager Smoot was present in Council Chambers; City Attorney Rusin, Administrative Services Director Kamada, Public Works Director Dillon, Planner Repp Loadsman, Assistant Planner Quintero, Management Analyst Hernandez, and City Clerk Gregory participated via Zoom

**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, Uphoff, Waronek, Mayor Pro Tem Waite, and Mayor Segawa

NOES: None

ABSENT: None

### **3. PRESENTATIONS**

None scheduled.

### **4. ORAL COMMUNICATIONS**

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

Laurie Ellsworth, a Lomita resident, requested red curbs be painted at the intersection of Walnut and 240<sup>th</sup> Streets as larger parked vehicles often create a visibility problem.

Kevin Flarity, a Lomita resident, remarked on heavy traffic on Walnut Street and agreed that parking of oversized vehicles at the southwest corner of Walnut and 240<sup>th</sup> Streets has created a hazard. He also expressed concerns relative to the quality of the street.

Monique Tippie, a Lomita resident, requested that limitations to RV street parking be considered. She also stated that residents had requested red curbs in that area previously but were told that there were not enough accidents to warrant it.

City Manager Smoot stated that he would follow up with Public Works Director Dillon about the previous request. He also stated that the Council had considered RV parking permitting some time ago and will research the history and report back to Council.

Janice Sivard, a Lomita resident, expressed concerns relative to a “halfway house” in her neighborhood.

City Manager Smoot stated that the home has been brought to the attention of Code Enforcement, which is looking into the situation.

City Attorney Rusin stated that such facilities are allowed to operate in residential zones, and regulations are mostly set by the State instead of locally.

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

Council Member Gazeley had nothing to report.

Council Member Waronek reported on the following:

- Announced Lomita – Harbor City Kiwanis Club 8<sup>th</sup> Annual Fire and Sheriff Spaghetti Dinner on August 20

Council Member Uphoff reported on the following:

- August 6 – Completed CERT training
- August 9 – Cal Cities Speaker Series
- August 16 – White House Briefing on the Inflation Reduction Act

Mayor Segawa reported on the following:

- July 21 – 40<sup>th</sup> Anniversary of Lomita Mail & Print
- July 23 – Sixth Anniversary of Still Got It Fitness
- Recent South Bay Botanical Gardens Event

Mayor Pro Tem Waite reported on the following:

- July 20 – Joint Powers Insurance Association (JPIA) Board Meeting
- July 28 – South Bay Cities Council of Governments (SBCCOG) Board Meeting
- August 2 – South Bay Association of Chambers of Commerce (SBACC) Board Meeting

## 6. CITY MANAGER'S REPORT (information only)

City Manager Smoot had nothing to report.

## 7. CONSENT AGENDA

All items under the Consent Agenda are considered by the Council to be routine and will be enacted by one motion in the form listed below. There may be separate discussions of these items prior to the time the Council votes on the motion. Specific items may be removed from the Consent Agenda at the request of any Council Member or staff.

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

Council Member Gazeley made a motion, seconded by Council Member Uphoff to approve the recommended action.

**MOTION CARRIED** by the following vote:

AYES: Council Members: Gazeley, Uphoff, Waronek, Mayor Pro Tem Waite, and Mayor Segawa  
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. Minutes of the Regular City Council Meeting of July 19, 2022, and the Special City Council Meeting of August 2, 2022

**RECOMMENDED ACTION:** Approve minutes.

- c. Warrants/Payroll Register

**RECOMMENDED ACTION:** Approve and file Warrants/Payroll Register.

- d. Monthly Report for the Administrative Services Department

**RECOMMENDED ACTION:** Receive and file the report.

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

**RECOMMENDED ACTION:** Receive and file the report.

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

**RECOMMENDED ACTION:** Receive and file the report.

- g. Monthly Report for the Recreation and Facilities Division

**RECOMMENDED ACTION:** Receive and file the report.

- h. Monthly Report for the Public Works Department

**RECOMMENDED ACTION:** Receive and file the report.

- i. June 2022 Treasury & Investment Report

**RECOMMENDED ACTION:** Receive and file the report.

- j. Second Reading and Adoption of Ordinance No. 837 Pertaining to Regulations Relating to Urban Lot Splits and Two-Unit Developments as Allowed by the State of California Senate Bill 9

**RECOMMENDED ACTION:** Adopt Ordinance.

**ORDINANCE NO. 837 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOMITA, CALIFORNIA, ESTABLISHING REGULATIONS RELATING TO URBAN LOT SPLITS AND TWO-UNIT RESIDENTIAL DEVELOPMENTS IN SINGLE-FAMILY RESIDENTIAL ZONES AS ALLOWED BY THE STATE OF CALIFORNIA SENATE BILL 9 AND A DETERMINATION THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) (second reading)**

- k. 2022 Most Business-Friendly City Application

**RECOMMENDED ACTION:** Receive and file the 2022 Most Business-Friendly City application.

- l. 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.

**SCHEDULED ITEMS**

**8. DISCUSSION AND CONSIDERATION OF THE DRAFT 5 YEAR WATER RATES AND POSSIBLE DIRECTION FOR SETTING A RATE HEARING FOR OCTOBER 18, 2022**

**RECOMMENDED ACTION:** 1) Review and provide direction on the draft 5-year Water Rate Study; and 2) Direct staff to schedule a public hearing with formal notification to all property owners, as required by Proposition 218, for October 18, 2022.

Director Kamada introduced Chris Fisher, Vice President/Group Manager, and Kevin Burnett, Senior Project Manager, of Willdan Financial Services, who presented the staff report as per the agenda material.

Mayor Segawa asked for comments or questions from the Council.

Mayor Pro Tem Waite suggested that the City perform outreach to residents relative to available funding for those who cannot afford an increase.

There being no more comments or questions from the Council or the public, Mayor Segawa brought the item back to Council for a motion.

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

**MOTION CARRIED** by the following vote:

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

NOES: None

ABSENT: None

**PUBLIC HEARINGS**

**9. RECEIVE PUBLIC COMMENTS ON TRANSITION TO DISTRICT-BASED ELECTIONS UNDER THE CALIFORNIA VOTING RIGHTS ACT (CVRA) – PUBLIC HEARING 1**

**RECOMMENDED ACTION:** Open the public hearing, receive input and questions regarding the process and composition of the districts, and close the public hearing.

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

City Attorney Rusin gave a brief introduction of the item stating that the City received a letter from an attorney alleging racially polarized voting in Lomita. There is a specific time period for cities to consider adopting an ordinance transitioning to district-based voting in order to avoid litigation. The City reached an agreement with the plaintiff attorney and the group they represent and started the process required to consider the transition. He then introduced Andrew Westfall, Principal, Bear Demographics & Research, who gave a brief overview on districting and redistricting law, criteria, and process, as well as a 2022-2023 District Formation Timeline for Lomita.

Brenda Stephens, a Lomita resident and Planning Commissioner, expressed opposition to such a transition because of Lomita's small size and number of registered voters.

Laurie Ellsworth, a Lomita resident, asked if there would be any benefit to such a transition. City Manager Smoot stated that it is argued that a transition might make it easier for individuals to run for office, and that it may allow certain groups to more easily elect a candidate they wish to represent them.

As there were no further requests from the public to speak on this item, Mayor Segawa closed the public hearing at 7:03 p.m.

**10. DISCUSSION AND CONSIDERATION OF AN ORDINANCE AMENDING THE LOMITA MUNICIPAL CODE TO UPDATE REGULATIONS PERTAINING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS** *(continued from the July 19, 2022, City Council meeting)*

**RECOMMENDED ACTION:** After conducting a public hearing, and after the City Attorney reads the title of the ordinance, introduce on first reading Ordinance No. 838 Amending Section 11-1.30.06 (Accessory Dwelling Units and Junior Accessory Dwelling Units) and finding the action is categorically exempt from the California Environmental Quality Act (CEQA).

Assistant Planner Quintero presented the staff report as per the agenda material.

Staff noted an amendment to be made to the final ordinance: In Section 11-1.30.06(E)(1)(a)(1), remove the word "or" at the end of the section.

Mayor Segawa opened the public hearing at 7:38 p.m.

Alexander Dobuzinskis, a Lomita resident, spoke in support of reflecting the individuality of homes in the City in the designs of accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs). He expressed concerns relative to the owner-occupied requirement and added that the City should be as flexible as possible regarding such projects.

In response to a question from Council Member Uphoff, Assistant Planner Quintero stated that the sunset on the owner-occupied requirement that applies to ADUs is December 31, 2024.

As there were no further requests from the public to speak on this item, Mayor Segawa closed the public hearing at 7:47 p.m.

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

Council Member Gazeley made a motion, seconded by Council Member Uphoff to approve the recommended action with the noted amendment to the final ordinance.

**MOTION CARRIED** by the following vote:

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

**Introduced the following titled ordinance:**

**ORDINANCE NO. 838 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOMITA AMENDING LOMITA MUNICIPAL CODE TITLE XI [(PLANNING AND ZONING, CHAPTER 1 (ZONING)], REVISING THE CITY’S REGULATIONS FOR ACCESSORY AND JUNIOR ACCESSORY DWELLING UNITS AND A DETERMINATION THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) (FIRST READING)**

**11. DISCUSSION AND CONSIDERATION OF AN ORDINANCE AMENDING THE LOMITA MUNICIPAL CODE TITLE XI (PLANNING AND ZONING), AND GENERAL PLAN AMENDMENT NO. 2022-01 TO THE LOMITA GENERAL PLAN LAND USE ELEMENT TO MODIFY THE ALLOWABLE DENSITY INTENSITY WITH THE AGRICULTURAL RESIDENTIAL, LOW DENSITY RESIDENTIAL AND MEDIUM DENSITY RESIDENTIAL CATEGORIES**

**RECOMMENDED ACTION:** After conducting a public hearing, and after the City Attorney reads the title of the ordinance, 1) Introduce on first reading Ordinance No. 839 Amending Lomita Municipal Code Title XI (Planning and Zoning), Chapter 1 (Zoning), Amending and Revising the City’s Regulations for Article 15 – Definitions, Article 30 – Residential Zones, Article 49 – D-C (Downtown Commercial), Article 58 – Mixed Overlay District, Article 66 – Off-Street Parking, Storage and Loading, Article 70 – Zoning Ordinance Administration; 2) Adopt Resolution No. 2022-29 approving General Plan Amendment 2022-01; and 3) Determine that the actions are categorically exempt from the California Environmental Quality Act.

Planner Repp Loadsman presented the staff report as per the agenda material. She noted that revisions to the City’s Housing Element were sent to the State’s Housing and Community Development Department Monday, and staff hopes it will be certified soon.

Mayor Segawa opened and closed the public hearing at 8:06 p.m., as no members of the public wished to speak on this item.

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

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



**MOTION CARRIED** by the following vote:

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

NOES: None

ABSENT: None

**Introduced the following titled ordinance:**

**ORDINANCE NO. 839 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOMITA AMENDING LOMITA MUNICIPAL CODE TITLE XI (PLANNING AND ZONING, CHAPTER 1 (ZONING), AMENDING AND REVISING THE CITY'S REGULATIONS FOR ARTICLE 15 - DEFINITIONS, ARTICLE 30 - RESIDENTIAL ZONES, ARTICLE 49 D-C (DOWNTOWN COMMERCIAL), ARTICLE 58 - MIXED OVERLAY DISTRICT, ARTICLE 66 OFF-STREET PARKING, STORAGE AND LOADING, ARTICLE 70 - ZONING ORDINANCE ADMINISTRATION AND A DETERMINATION THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). (FIRST READING)**

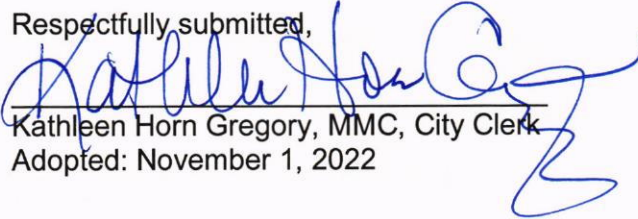
**Adopted the following titled resolution:**

**RESOLUTION NO. 2022-29 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMITA APPROVING GENERAL PLAN AMENDMENT NO. 2022-01 AMENDING THE CITY OF LOMITA GENERAL PLAN LAND USE DEVELOPMENT STANDARDS TO MODIFY THE DENSITY FOR AGRICULTURAL – RESIDENTIAL, LOW DENSITY RESIDENTIAL, AND MEDIUM DENSITY RESIDENTIAL LAND USE DESIGNATIONS**

## 12. ADJOURNMENT

There being no further business to discuss, Mayor Segawa adjourned the meeting, in memory of Gabriel Estrada and Carmen Ramirez, at 8:09 p.m.

Respectfully submitted,

  
Kathleen Horn Gregory, MMC, City Clerk

Adopted: November 1, 2022