

**MINUTES OF THE
LOMITA CITY COUNCIL
REGULAR MEETING
TUESDAY, SEPTEMBER 6, 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, September 6, 2022.

b. Flag Salute

Council Member Waronek led the salute to the flag.

c. Invocation

Council Member Uphoff gave the invocation.

d. Roll Call

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

ABSENT: None

STAFF PRESENT: City Manager Smoot and City Attorney Rusin were present in the Upstairs Assembly Room; Assistant City Manager Sugano, Administrative Services Director Kamada, Public Works Director Dillon, Administrative Analyst Ibarra, Senior 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

Public Works Director Dillon provided background on the Metropolitan Water District of Los Angeles (MWD) second lower feeder rehabilitation project, which involves pipe replacements throughout Southern California. She stated that during construction Lomita residents will be on a different feeder at a lower pressure, employing booster pumps, as has been done in the past when needed. Christian Ovale, MWD Team Manager, Pipeline Rehab PM Team, introduced Jose Aldrete, Engineer, and Lizeth Martinez, Public Affairs Representative. Mr. Aldrete gave background on the MWD distribution system, project overview, work within Lomita, schedule, and project needs. He responded to Council questions relative to efforts to reduce construction noise and potential impacts on certain residents.

4. ORAL COMMUNICATIONS

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

Mindy Bossler, a Lomita resident, spoke in opposition to a sober living/group home in her neighborhood, and stated that the operators are giving conflicting information relative to the inhabitants of the house to concerned residents.

At the request of the Mayor, City Manager Smoot stated that the City has made contact with the operators to try to get clarification. The City has been given a point of contact should problems arise, and is working with the operators to mitigate the potential for any negative impacts to the neighborhood. In recent years, the City's ability to regulate certain types of facilities has been diminished.

Lisa Jennings, a Lomita resident, stated that neighbors have been given little information about the home so they have been researching regulations and policies relative to this type of operation on their own. She urged the Council to reach out to other cities to see how they have dealt with such facilities in residential neighborhoods.

Kevin Jankowski, a Lomita resident, expressed concerns about the lack of outreach from the operators and the potential for criminal activity in the neighborhood.

Janice Sivard, a Lomita resident, asked about planning restrictions for such a facility in Lomita, and stated that the operators are making building improvements without permits.

Charmaine Highland, a Lomita resident, expressed concerns about the lack of communication between the City and residents near the site.

Lisa McKnight, a Lomita resident, stated that the site is zoned as single-family residence, and has no licensing nor approvals. She added that the house is too small to house so many people and that it is a negative as far as property values in the neighborhood.

Bill Smith, a Lomita resident, expressed concerns relative to the operators' changing stories and suggested that City staff look into this.

Erin Nazary, a Lomita resident, stated that the operators' story changes all the time and that they have no answers for many concerns from neighbors. She also had concerns about secondary crime and property values.

It was the consensus of the Council to place a general discussion of the laws related to the City's ability to regulate similar uses on a future agenda.

Michael Mackavoy, Lomita Library Manager, announced upcoming events and programs.

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

Council Member Waronek reported on the following:

- 8th Annual Fire and Sheriff's Dinner
- Announced that he will be attending Cal Cities 2022 Expo September 7-9

Council Member Uphoff had nothing to report.

Council Member Gazeley reported on the following:

- September 1 – Southern California Association of Governments (SCAG) Meeting

Mayor Pro Tem Waite reported on the following:

- September 1 – Lunch with two new Torrance City Council Members
- September 25 – South Bay Cities Council of Governments Board Meeting
- September 27 – Family Day at the Lomita Railroad Museum

Mayor Segawa had reported on the following:

- August 30 – Lemmy Awards

6. CITY MANAGER'S REPORT (information only)

City Manager Smoot announced the 14th Annual City of Lomita Golf Classic & Mayor's Cup will take place on Monday, October 3, 2022. For more information on sponsorships or participation, please visit www.charitygolftoday.com/citylomita.

7. CONSENT AGENDA

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

Council Member Waronek/ made a motion, seconded by /Mayor Pro Tem Waite 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 5, 2022

RECOMMENDED ACTION: Approve minutes.

- c. Warrants/Payroll Register

RECOMMENDED ACTION: Approve and file Warrants/Payroll Register.

- d. Memoranda of Understanding (MOUs) with the Lomita City Employees Association (LCEA) Administrative and Field Services Units and Amendment to the Non-Represented Comp Plan Relative to Salary and Benefits

RECOMMENDED ACTION: Adopt resolutions amending the authorized positions and salary schedule for full-time employees for fiscal year commencing on the first full pay period following July 1, 2022, and ending June 30, 2024; and approve the attached MOUs with the Administrative and Field Service Units of the LCEA providing for an agreement through June 30, 2025; and approve a Revised Compensation and Benefits Plan for the Non-Represented Employees.

RESOLUTION NO. 2022-31 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMITA, CALIFORNIA, ESTABLISHING A SALARY SCHEDULE AND AUTHORIZED POSITIONS FOR EMPLOYEES FOR THE FISCAL YEAR COMMENCING JULY 1, 2022, AND ENDING JUNE 30, 2023

RESOLUTION NO. 2022-32 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMITA, CALIFORNIA, APPROVING MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF LOMITA AND THE ADMINISTRATIVE AND FIELD SERVICES UNITS OF THE LOMITA CITY EMPLOYEES ASSOCIATION (LCEA)

RESOLUTION NO. 2022-33 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMITA, CALIFORNIA, APPROVING A COMPENSATION PLAN FOR NONREPRESENTED EMPLOYEES FOR FISCAL YEARS 2022-23 THROUGH 2024-25 AND RESCINDING RESOLUTION NO. 2022-27

- e. Amendment No. 2 with Willdan Financial Services (WFS) to Extend the Term of Agreement - Water Rate Study

RECOMMENDED ACTION: 1) Approve Amendment No. 2 with Willdan Financial Services; 2) Authorize the City Manager and City Clerk to execute the amendment; and 3) Authorize a budget appropriation of \$11,126.

- f. Agreement with Tyler Technologies for Software as a Service Enterprise Resource Planning (ERP) System

RECOMMENDED ACTION: Authorize the City Manager to enter into an agreement with Tyler Technologies to provide Software as a Service (SaaS) for the City's Enterprise Resource Planning (ERP) system in an amount not to exceed \$70,000.

- g. Agreement with OpenGov Inc. for Budget and Planning Software and Support Services

RECOMMENDED ACTION: Authorize the City Manager to enter into an agreement with OpenGov Inc. (OpenGov) to provide Budget and Planning software set-up, training, implementation for a one-time not to exceed fee of \$40,330; and enter into an agreement for annual licensing and maintenance for five years at a cost of \$16,500 for the first year and \$20,000 annually with a 5% increase for each year.

- h. Second Reading and Adoption of Ordinance No. 838 Pertaining to Amending the City's Regulations for Accessory and Junior Accessory Dwelling Units to Comply with State Law

RECOMMENDED ACTION: Adopt Ordinance.

ORDINANCE NO. 838 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOMITA, CALIFORNIA, 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)

- i. Second Reading and Adoption of Ordinance No. 839 Pertaining to Amending and Revising the City's Regulations for Article 15 – Definitions, Article 30- Residential Zones, Article 49 D-C (Downtown Commercial), Article 58 – Mixed Use Overlay District, Article 66 Off-Street Parking, Storage and Loading, Article 70 – Zoning Ordinance Administration

RECOMMENDED ACTION: Adopt Ordinance.

ORDINANCE NO. 839 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOMITA, CALIFORNIA, 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)

- j. 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; and (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 TO APPROVE APPLICATIONS UNDER THE CITY'S ARPA BUSINESS ASSISTANCE PROGRAM AND DISCUSSION AND CONSIDERATION OF AMENDMENTS TO THE PROGRAM'S GUIDELINES

RECOMMENDED ACTION: 1) Approve three (3) applications under the City's ARPA Business Assistance Program; and 2) Adopt amendments to the City of Lomita ARPA-Business Assistance Program guidelines.

Council Member Waronek recused himself from discussion of this item and left the Upstairs Assembly Room.

Administrative Analyst Ibarra presented the staff report as per the agenda material.

Mayor Segawa asked if there were any requests from the public to speak on this item. There being no requests, she brought the item back to Council for discussion or a motion.

Council Member Uphoff clarified that the total allocations of ARPA funding to the various categories can be changed in the future should the Council desire to do so.

City Attorney Rusin stated that staff recommends adding the following language to the motion: "Authorize the City Manager and City Attorney to make any changes required to comply with the ARPA to ensure that funds are properly used."

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

MOTION CARRIED by the following vote:

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

Council Member Waronek returned to the room.

PUBLIC HEARINGS

9. PUBLIC HEARING #2 TO RECEIVE PUBLIC COMMENTS ON TRANSITION TO DISTRICT-BASED ELECTIONS UNDER THE CALIFORNIA VOTING RIGHTS ACT (CVRA)

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 6:31 p.m.

City Attorney Rusin introduced Andrew Westfall, Principal, Bear Demographics & Research, who stated that information relative to districting may be found on the City's website at www.lomitacity.com/districting. A public workshop on the matter is to be held at 7:00 p.m., Thursday, September 15, 2022, via Zoom.

Council Members Waronek and Gazeley expressed opposition to districting because of Lomita's small size and population.

City Clerk Gregory stated she had received three comments via the website and would distribute them to Council.

The Council received and filed the comments.

As there were no additional requests to speak on this item, she closed the public hearing at 6:41 p.m.

10. DISCUSSION AND CONSIDERATION OF AN ORDINANCE AMENDING THE LOMITA MUNICIPAL CODE TO CHANGE THE ALLOTTED TIME A MEMBER OF THE AUDIENCE MAY ADDRESS THE CITY COUNCIL DURING A PUBLIC MEETING FROM FIVE (5) MINUTES TO THREE (3) MINUTES (first reading)

RECOMMENDED ACTION: Conduct public hearing and after City Attorney reads the title of the ordinance, introduce on first reading an ordinance amending the allotted time for oral communications to three (3) minutes per speaker.

Senior Management Analyst Hernandez presented the staff report as per the agenda material.

Mayor Segawa opened the public hearing at 7:35 p.m. As there were no requests to speak on this item, she closed the public hearing at 7:35 p.m. and brought the item back to Council for a motion.

City Attorney Rusin noted a minor edit to the ordinance in section 2-1.18(a). Instead of "Each person desiring to address the Council *shall* step up to the microphone, state his name and address for the record..." it will state "*Each person desiring to address the Council shall be requested to step up to the microphone, state his name and address for the record...*" as speakers cannot be required to share their name or address. He then read the title of the ordinance to be introduced.

Council Member Waronek made a motion, seconded by Mayor Pro Tem Waite approve the recommended action with the edits as noted above.

MOTION CARRIED by the following vote:

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

NOES: None

ABSENT: None

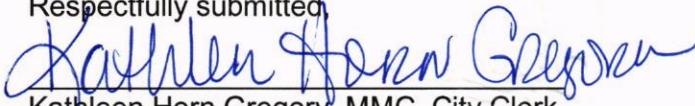
Introduced the following ordinance:

ORDINANCE NO. 840 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOMITA, CALIFORNIA, AMENDING SECTION 2-1.18(a) OF THE LOMITA MUNICIPAL CODE CHANGING THE ALLOTTED TIME A MEMBER OF THE AUDIENCE MAY ADDRESS THE CITY COUNCIL DURING A PUBLIC MEETING FROM FIVE (5) MINUTES TO THREE (3) MINUTES AND FINDING THE SAME EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

11. ADJOURNMENT

There being no further business to discuss, Mayor Segawa adjourned the meeting at 7:43 p.m.

Respectfully submitted,



Kathleen Horn Gregory, MMC, City Clerk

Adopted: October 18, 2022