

**MINUTES OF THE
REGULAR MEETING OF THE
LA MIRADA CITY COUNCIL/SUCCESSOR AGENCY
SEPTEMBER 13, 2016 – 6:30 P.M.**

1. CALL TO ORDER

Mayor De Ruse called the meeting to order at 6:30 p.m. in the Council Chambers, La Mirada City Hall, 13700 La Mirada Boulevard, La Mirada, California.

2. INVOCATION

The invocation was delivered by Elder Tim Burke of Granada Heights Friends Church.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Boy Scout Troop 985.

4. ROLL CALL

City Council was present with Councilmember Deal, Councilmember Mowles, Councilmember Sarega, Mayor Pro Tem Eng and Mayor De Ruse responding to roll call.

The following staff members were also present: City Manager Jeff Boynton, Deputy City Clerk Leticia Revilla and City Attorney James Markman.

5. PUBLIC COMMENT

La Mirada Symphony President Joseph Yakovetic thanked the City Council for its support of the Symphony's Gala event.

John Lewis expressed his concerns with the letter received from the Mexican American Legal Defense and Educational Fund (MALDEF).

John Sarega commented on the item concerning the City converting its election system from at-large to by-district.

Jeffrey Clark expressed his concerns with the senior discount provided by EDCO Disposal and requested it be expanded to others in need. He also expressed his concerns with item number 8.1 regarding the Functional Classification Change Request to the California Department of Transportation for Tacuba Drive between La Mirada Boulevard and Biola Avenue.

Jim Zoellner provided an update on his request for a public park at Dulles Elementary School. He said he met with representatives from Norwalk-La Mirada Unified School District to inquire about the possibility of creating a public park.

The City Council recessed to Closed Session at 7:02 p.m.

6. CLOSED SESSION

- 6.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION – 1 CASE PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54956.9(d)(2)

The City Council reconvened the City Council meeting at 8:25 p.m. and the City Attorney reported no action was taken during Closed Session.

7. CONSENT CALENDAR

Mayor Pro Tem Eng moved and Councilmember Deal seconded to approve the following Consent Calendar items:

7.1 APPROVAL OF MEETING MINUTES

The City Council approved the minutes of the regular meeting of August 23, 2016.

7.2 APPROVAL OF WARRANT

The City Council approved the warrant register dated September 13, 2016 in the total amount of \$1,444,171.09.

7.3 PROFESSIONAL SERVICES AGREEMENT WITH BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING FOR THE PREPARATION OF AN INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION ENVIRONMENTAL ASSESSMENT

The City Council approved a Professional Services Agreement with Blodgett Baylosis Environmental Planning for the preparation of a complete and comprehensive Initial Study and Mitigated Negative Declaration Environmental Assessment in an amount not to exceed \$78,550 and authorized the City Manager to approve additional work that may be required to complete the environmental assessment up to 15 percent of the authorized proposal amount.

7.4 CALIFORNIA JOINT POWERS INSURANCE AUTHORITY AMERICANS WITH DISABILITIES ACT ASSISTANCE PROGRAM – ACCEPTANCE OF PROPOSAL

The City Council approved the proposal from Disability Access Consultants for the ADA Assistance Program service in the amount of \$85,700 and authorized the City Manager to execute the MOU with CJPIA on behalf of the City.

7.5 CAPITAL IMPROVEMENT PROJECT NO. 2014-20, 2014-21 AND 2014-22, TRAFFIC SIGNAL IMPROVEMENTS AT THE INTERSECTIONS OF LA MIRADA BOULEVARD AND ROSECRANS AVENUE, IMPERIAL

HIGHWAY AND SANTA GERTRUDES AVENUE, AND IMPERIAL
HIGHWAY AND OCASO AVENUE – ACCEPTANCE OF WORK

The City Council accepted the traffic signal improvements constructed by California Professional Engineering, Inc.; authorized the City Clerk to file a Notice of Completion with the County Recorder; and authorized the payment of retention monies pursuant to the agreement.

7.6 CAPITAL IMPROVEMENT PROJECT NO. 2015-09, MEASURE I, PHASE
3 - NEIGHBORHOOD STREET REHABILITATION - APPROVAL OF
PLANS AND SPECIFICATIONS, AND JOINT PARTICIPATION
AGREEMENT WITH THE CITY OF BUENA PARK

The City Council found that pursuant to the California Environmental Quality Act of 1970, the project is categorically exempt under Section 15301 Class 1 (c) and would have no significant effect on the environment; approved plans and specifications for CIP No. 2015-09, Measure I, Phase 3, Residential Street Rehabilitation; approved the Joint Participation Agreement; and authorized the City Clerk to advertise for sealed bids.

7.7 CAPITAL IMPROVEMENT PROJECT NO. 2015-16, PLAY AREA
REHABILITATION FOR THE GYMNASIUM TOT LOT, FRONTIER PARK
AND ANNA J. MARTIN PARK – ACCEPTANCE OF WORK

The City Council accepted the improvements constructed by Cornerstone Renovation, Inc.; authorized the City Clerk to file a Notice of Completion with the County Recorder; and authorized the payment of retention monies pursuant to the agreement.

7.8 CAPITAL IMPROVEMENT PROJECT NO. 2015-23, ACTIVITY CENTER
AND RESOURCE CENTER CARPET REPLACEMENT – ACCEPTANCE
OF WORK

The City Council accepted the carpet installation by Floor Tech America, Inc.; authorized the City Clerk to file a Notice of Completion with the County Recorder; and authorized the payment of retention monies pursuant to the agreement.

7.9 CAPITAL IMPROVEMENT PROJECT NO. 2016-05, ASPHALT SEAL
COAT, REHABILITATION AND RESTRIPIING OF THE CIVIC CENTER
PARKING LOT AND ASPHALT REHABILITATION AND RESTRIPIING OF
CREEK PARK EAST PARKING LOT – ACCEPTANCE OF WORK

The City Council accepted the improvements constructed by Century Paving, Inc.; authorized the City Clerk to file a Notice of Completion with the County Recorder; and authorized the payment of retention monies pursuant to the agreement.

7.10 CAPITAL IMPROVEMENT PROJECT NO. 2016-07, CIVIC CENTER PEDESTRIAN ACCESS RAMP - APPROVAL OF PLANS AND SPECIFICATIONS

The City Council approved plans and specifications for CIP No. 2016-07, Civic Center Pedestrian Access Ramp and authorized the City Clerk to advertise for sealed bids.

7.11 CAPITAL IMPROVEMENT PROJECT NO. 2016-08, WROUGHT IRON FENCE REPAINTING AT WINDERMERE, BEHRINGER, FRONTIER AND OAK CREEK PARKS – APPROVAL OF PLANS AND SPECIFICATIONS

The City Council approved the plans and specifications for Capital Improvement Project No. 2016-08, Wrought Iron Fence Repainting at Windermere, Behringer, Frontier and Oak Creek Parks and authorized the City Clerk to advertise for sealed bids.

7.12 CAPITAL IMPROVEMENT PROJECT NO. 2016-09, SPORTS COURT RESURFACING AT GARDENHILL, FRONTIER AND NEFF PARKS – APPROVAL OF PLANS AND SPECIFICATIONS

The City Council approved the plans and specifications for Capital Improvement Project No. 2016-09, Sports Court Resurfacing at Gardenhill, Frontier and Neff Parks and authorized the City Clerk to advertise for sealed bids.

7.13 CAPITAL IMPROVEMENT PROJECT NO. 2015-10, FEDERAL-AID PROJECT NO. HSIPL-5364(010), VALLEY VIEW AVENUE AT ADOREE STREET INTERSECTION IMPROVEMENTS – APPROVAL OF CHANGE ORDER NO. 3

The City Council authorized the City Manager to execute Change Order No. 3 in an amount not to exceed \$64,328.95.

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: Councilmembers Deal, Mowles, Sarega, Mayor Pro Tem Eng, Mayor De Ruse

NOES: None

ABSENT: None

ABSTAIN: None

8. ORDINANCES AND RESOLUTIONS

8.1 RESOLUTION NO. 16-29 AUTHORIZING THE SUBMITTAL OF A FUNCTIONAL CLASSIFICATION CHANGE REQUEST TO THE

CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR TACUBA DRIVE BETWEEN LA MIRADA BOULEVARD AND BIOLA AVENUE

Senior Administrative Analyst Andrew Vialpando reported that several months ago, residents requested the installation of speed humps on Tacuba Drive due to concerns with motorists exceeding the speed limit. He said at a recent Public Safety Commission meeting, the Traffic Engineer reported that the speed limit on Tacuba Drive is 25 miles per hour (mph) and radar speed measurements indicated that motorists were driving at an average 85th percentile speed of 34 mph. He said due to the current functional classification of Tacuba Drive between Biola Avenue and La Mirada Boulevard as a “major collector” road on the 2015 Functional Classification System (FCS) maps on file with the Federal Highway Administration (FHA), a formal Engineering and Traffic Survey would have resulted in increasing the speed limit to 35 mph to accommodate the average speed of traffic. He said in order to conduct radar enforcement and perform additional speed surveys and traffic studies that would not result in raising the speed limit on Tacuba Drive, a change to the street’s functional classification from a “collector” to a “local” roadway and California Road Systems (CRS) map is recommended.

Councilmember Mowles moved and Mayor Pro Tem Eng seconded to adopt Resolution No. 16-29 authorizing the submittal of a Functional Classification Change Request to the California Department of Transportation for Tacuba Drive between La Mirada Boulevard and Biola Avenue.

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: Councilmembers Deal, Mowles, Sarega, Mayor Pro Tem Eng, Mayor De Ruse
NOES: None
ABSENT: None
ABSTAIN: None

9. PUBLIC HEARING

9.1 CERTIFICATE OF COMPATIBILITY NO. 50 AND MITIGATED NEGATIVE DECLARATION TO CONSTRUCT A NEW 78,752 SQUARE FOOT WAREHOUSE BUILDING AT 14860 ALONDRA BOULEVARD WITHIN THE INDUSTRIAL (M-2) ZONING DISTRICT

Mayor De Ruse opened the Public Hearing.

Associate Planner Eric Garcia reported that the project would consist of a new 78,752 square foot warehouse building on a 2.62-acre site. He said the proposed floor area includes a 22,287 square foot second floor storage area and a 320 square foot office area. Additionally, the proposed building would have

seven dock doors. He said parking for the new warehouse would be located along the north, east, and west sides of the proposed building. He said the loading and receiving area, including the seven truck high doors, would be located at the mid-point of the west-facing elevation. He said a review of the environmental impacts was completed by an environmental consultant Blodgett/Bayloysis Environmental Planning via a Mitigated Negative Declaration.

John Sarega spoke in favor of the item.

No residents spoke in opposition.

Mayor De Ruse closed the Public Hearing.

Councilmember Mowles moved and Mayor Pro Tem Eng seconded to adopt Resolution No. 16-30 approving Certificate of Compatibility No. 50 and the associated Mitigated Negative Declaration to construct a new 78,752 sq. ft. industrial building at 14860 Alondra Boulevard within the Industrial (M-2) Zoning District.

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

**AYES: Councilmembers Deal, Mowles, Sarega, Mayor Pro Tem Eng,
Mayor De Ruse**
NOES: None
ABSENT: None
ABSTAIN: None

**9.2 RESOLUTION NO. 16-31 ADOPTING LINE DRAWING CRITERIA FOR
ADJUSTING COUNCIL DISTRICT BOUNDARIES**

Mayor De Ruse opened the Public Hearing.

City Manager Boynton said the City received a letter from a representative of the Mexican American Legal Defense and Educational Fund (MALDEF) requesting the City comply with the California Voting Rights Act of 2001 (CVRA). He said the representative requested the City convert its election system from at-large to by-district. He said the proposed resolution declares the City's intent to elect future City Councilmembers using by-district elections rather than a citywide vote beginning with the March 2017 election.

Mr. Boynton introduced Doug Johnson with National Demographics Corporation (NDC). Mr. Johnson gave a presentation on the process to convert to by-district elections. He said five City Council districts would be proposed and would comply with all legal criteria. He said NDC would develop at least three district options for the public's review and City Council's consideration. He said NDC would create and launch a website where residents could draw their own map proposals for consideration. He said a website could be launched in two to three

weeks. Mr. Johnson said the district boundaries would need to be set by November 8 to ensure the districts are ready for the City's March 2017 election. He also provided a proposed timeline to consider three public hearings and final adoption by November 8.

No members of the public spoke on the item. Mayor De Ruse closed the Public Hearing.

Mayor Pro Tem Eng moved and Councilmember Mowles seconded to adopt Resolution No. 16-31 adopting line drawing criteria for adjusting City Council district boundaries.

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: Councilmembers Deal, Mowles, Sarega, Mayor Pro Tem Eng, Mayor De Ruse
NOES: None
ABSENT: None
ABSTAIN: None

10. NEW BUSINESS

10.1 CONSIDERATION OF APPROVAL OF AN AGREEMENT WITH NATIONAL DEMOGRAPHICS CORPORATION FOR DISTRICTING SERVICES

City Manager Boynton provided information on the proposed agreement with National Demographics Corporation (NDC) for districting services. He said NDC has 37 years of experience providing districting and redistricting services to local jurisdictions and working with jurisdictions to comply with the California Voting Rights Act. NDC has successfully assisted many clients with the process of moving from at-large to by-district elections. He said NDC has expertise with the Federal and California Voting Rights Act requirements, the technical challenges of districting, and public education and outreach on these items. He said the agreement with NDC would not exceed the cost of \$40,000.

Mayor Pro Tem Eng moved and Councilmember Deal seconded to approve an agreement with National Demographics Corporation for districting services.

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: Councilmembers Deal, Mowles, Sarega, Mayor Pro Tem Eng, Mayor De Ruse
NOES: None
ABSENT: None
ABSTAIN: None

10.2 CONSIDERATION OF APPROVAL OF AN AGREEMENT WITH THE MEXICAN AMERICAN LEGAL DEFENSE AND EDUCATIONAL FUND (MALDEF)

City Attorney Markman reported on the proposed agreement with the Mexican American Legal Defense and Educational Fund (MALDEF). He said MALDEF submitted a letter requesting the City comply with the California Voting Rights Act of 2001 (CVRA). The representative requested the City convert the election system from at-large to by-district. He said the City doesn't believe it's in violation of the California Voting Rights Act of 2001. He said based on other cities' litigation, he recommended complying with the request from MALDEF. He also recommended a settlement in the amount of \$30,000 to reimburse MALDEF for the cost of legal fees.

Councilmember Mowles moved and Mayor Pro Tem Eng seconded to approve an agreement with the Mexican American Legal Defense and Educational Fund (MALDEF).

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: Councilmembers Deal, Mowles, Mayor Pro Tem Eng, Mayor De Ruse
NOES: Councilmember Sarega
ABSENT: None
ABSTAIN: None

CITY COUNCIL ACTING IN ITS CAPACITY AS THE SUCCESSOR AGENCY
TO THE LA MIRADA REDEVELOPMENT AGENCY

11. CONSENT CALENDAR:

Councilmember Mowles moved and Councilmember Deal seconded to approve the following Consent Calendar item:

11.1 APPROVAL OF WARRANT REGISTER

The Successor Agency approved the warrant register dated September 13, 2016 in the total amount of \$41.56.

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: Councilmembers Deal, Mowles, Sarega, Mayor Pro Tem Eng, Mayor De Ruse
NOES: None
ABSENT: None
ABSTAIN: None

12. ADMINISTRATIVE REPORTS FROM STAFF

There were no administrative reports given by staff.

13. CITY COUNCIL REPORTS AND ANNOUNCEMENTS

Members of the City Council reported on meetings and events they attended.

14. CITY ATTORNEY ANNOUNCEMENTS

There were no City Attorney announcements.

15. CITY MANAGER ANNOUNCEMENTS

There were no City Manager announcements.

16. ADJOURNMENT

There being no further business to come before the Council, the City Council adjourned the meeting at 9:07 p.m.

Leticia Revilla, Deputy City Clerk

Attest:

Steve De Ruse, Mayor