

**MINUTES OF THE
REGULAR MEETING OF THE
LA MIRADA CITY COUNCIL/SUCCESSOR AGENCY
NOVEMBER 8, 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 Pastor Javier Toyos of La Mirada Church of the Nazarene.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Cub Scout Troop 803.

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 Manager/City Clerk Anne Haraksin and City Attorney James Markman.

5. PUBLIC COMMENT

Victoria Pflanzler thanked the City Council for hosting the Arts Colony's art show at the Activity Center on November 19.

Brock Godwin introduced himself to City Council and said he was the new owner of Cabo Taco Grill. He provided information on his business and requested the fee for a Conditional Use Permit be waived.

CITY COUNCIL

6. CONSENT CALENDAR

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

6.1 APPROVAL OF MEETING MINUTES

The City Council approved the minutes of the regular meeting of October 25, 2016.

6.2 REPLACEMENT GENERATOR FOR CITY EVENTS – APPROVAL OF PURCHASE

The City Council approved the purchase of the MQ Power Series WhisperWatt Generator offered by Cummins Pacific in the amount of \$81,950, as provided through the CMAS Program, to replace the current generator for City events.

6.3 APPROVAL OF WARRANT REGISTER

The City Council approved the warrant register dated November 8, 2016 in the total amount of \$1,594,953.98.

6.4 CAPITAL IMPROVEMENT PROJECT NO. 2015-15, RESIDENTIAL STREETS SLURRY SEAL NORTH OF FOSTER ROAD AND SOUTH OF IMPERIAL HIGHWAY FROM OCASO AVENUE TO EASTERLY CITY LIMITS - ACCEPTANCE OF WORK

The City Council accepted the improvements constructed by Doug Martin Contracting Company, 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 contract.

6.5 CAPITAL IMPROVEMENT PROJECT NO. 2016-08, WROUGHT IRON FENCE REPAINTING AT WINDERMERE, BEHRINGER, FRONTIER AND OAK CREEK PARKS – REVIEW OF BIDS AND AWARD OF CONTRACT

The City Council awarded the contract for Capital Improvement Project No. 2016-08, Wrought Iron Fence Repainting at Windermere, Behringer, Frontier and Oak Creek Parks, to A. J. Fistes Corporation in the amount of \$14,637; authorized the City Manager to execute the contract on behalf of the City; and authorized the City Manager to approve additional work up to 20 percent of the total project cost including construction, and construction testing and inspection.

6.6 LEASE AGREEMENT WITH PRODUCTSGO, LLC FOR THE PROPERTY LOCATED AT 14515 ALONDRA BOULEVARD

The City Council approved the Lease Agreement and Memorandum of Lease and authorized the City Manager to execute the agreements and any amendments on behalf of the City.

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

7. PUBLIC HEARING

7.1 CONSIDERATION OF DRAFT CITY COUNCIL DISTRICT MAPS

Mayor De Ruse opened the Public Hearing.

City Manager Boynton introduced the item.

Dr. Justin Levitt of NDC provided information on the recently submitted draft maps 11 and 12. He said all the submitted draft maps meet the basic legal requirements for districting. He said he was available to answer questions from the City Councilmembers and the public regarding the draft maps.

Zurich Lewis spoke in favor of maps 8 and 12. He said he submitted a petition signed by residents who support draft map 8.

Noel Jaimes said he was the author of draft map 10. He said he was supportive of draft maps 10 or 12.

Jack Miranda requested additional information on draft maps 3 and 4.

Dr. Justin Levitt explained the compactness and contiguousness criteria and how it relates to draft maps 3 and 4.

John Sarega expressed support for the map drafted by MALDEF.

Teri Aguilar said the approved map should be submitted by a resident and not MALDEF.

Diego De Lama spoke in support of draft maps 8 and 12.

Don Johnson spoke in favor of having two Councilmembers represent the industrial area.

Mayor De Ruse closed the Public Hearing.

Councilmember Sarega thanked the residents for participating in the districting process. He said all the submitted maps meet the legal criteria. He said a map should be chosen that keeps neighborhoods intact. He said the map submitted by MALDEF is the best proposed map because it splits the City in a fair manner, keeps neighborhoods intact, and keeps the City Council cohesive by giving the current City Councilmembers an opportunity to continue to serve. He spoke in support of the map submitted by MALDEF.

Councilmember Sarega made a motion to approve the map submitted by MALDEF. The motion was then withdrawn by Councilmember Sarega so Councilmembers could further discuss the proposed maps.

Mayor Pro Tem Eng thanked residents who contacted him regarding proposed maps. He said he considered the merits of each map and also took into consideration the City's Strategic Plan. He said the Strategic Plan identifies key areas for the City to focus on including Biola University, La Mirada High School, the I-5 Corridor, Splash! La Mirada Regional Aquatics Center and the La Mirada Theatre for the Performing Arts. He spoke in favor of draft map 12 and said it places an area of focus in each district.

Councilmember Deal said by-district elections can create division in the community because the focus is on district boundaries. She said the City could have new Councilmembers elected in March 2017 and March 2019 and it could result in a wider breadth of views and representation. She spoke in support of draft map 12.

Councilmember Mowles said it didn't matter who submitted the maps. He said draft map 11 was unsupportable. He spoke in support of draft map 12.

Mayor De Ruse said the challenge is for the City Council to continue to operate as a Council of five. He said the district process sets the course for the future. He spoke in favor of dividing the industrial area. He spoke in favor of draft map 12 and said it divides the community by natural neighborhoods and boundaries.

Councilmember Sarega said he disagreed with the selection of the draft map 12.

Mayor Pro Tem Eng moved and Councilmember Mowles seconded to select draft map 12 to establish the boundaries and identification number of each City Council District.

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

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

8. ORDINANCES AND RESOLUTIONS

8.1 ORDINANCE NO. 684 PROVIDING FOR THE ELECTION OF MEMBERS OF THE CITY COUNCIL BY FIVE DISTRICTS, ESTABLISHING THE BOUNDARIES AND IDENTIFICATION NUMBER OF EACH DISTRICT, ESTABLISHING THE ELECTION ORDER OF EACH DISTRICT AND ADDING CHAPTER 2.02 TO THE LA MIRADA MUNICIPAL CODE

City Attorney Markman provided information on the proposed ordinance. He said the ordinance would take effect immediately and add Chapter 2.02 to Title 2 of the La Mirada Municipal Code. He said the selected Council District Map

establishing boundaries and identifying numbers would be attached to the ordinance and referred to as Exhibit A. He said that pursuant to the ordinance, City Councilmembers shall be elected by district, and a person shall not be eligible to be elected a Councilmember for a specific district unless he or she resides in the geographical area comprising the district at the time nomination papers are submitted. Registered voters signing nomination papers or voting for a candidate shall be residents of the geographical area making up the district from which the Councilmember is to be elected. Additionally, he said commencing with the general municipal election in March of 2017 and thereafter the voters in districts 1 and 2 shall elect City Councilmembers by district. At the general municipal election in 2019 and thereafter, the voters in districts 3, 4 and 5 shall elect City Councilmembers by district.

Councilmember Mowles moved and Councilmember Deal seconded to adopt Ordinance No. 684 providing for the election of members of the City Council by five districts, establishing the boundaries and identification number of each district, establishing the election order of each district and adding Chapter 2.02 to the La Mirada Municipal Code.

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

8.2 RESOLUTION NO. 16-37 CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 7, 2017, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES

City Manager Boynton said that as a General Law City, La Mirada is required to follow certain procedures in the conduct of municipal elections including the adoption of specific resolutions. He said in order to begin the process to conduct the General Municipal Election, it is necessary to adopt Resolution No. 16-37 calling for the holding of a General Municipal Election to be held on Tuesday, March 7, 2017. He said a resolution establishing regulations for candidates and candidate statements and a resolution requesting the Los Angeles County Board of Supervisors to direct the Registrar-Recorder/County Clerk to administer, manage and oversee the City's General Municipal Election on March 7, 2017 were adopted at the October 25 City Council meeting.

Mayor Pro Tem Eng moved and Councilmember Mowles seconded to adopt Resolution No. 16-37 calling for the holding of a General Municipal Election to be held on Tuesday, March 7, 2017, for the election of certain officers as

required by the provisions of the laws of the State of California relating to General Law cities.

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

8.3 INTERIM ORDINANCE NO. 685-U PROHIBITING ALL COMMERCIAL NON-MEDICAL MARIJUANA ACTIVITY IN THE CITY OF LA MIRADA, PROHIBITING OUTDOOR MARIJUANA CULTIVATION ON PRIVATE RESIDENCES AND DECLARING THE URGENCY THEREOF

Senior Administrative Analyst Mark Rounds provided information on the proposed ordinance. He said the ordinance prohibits, in all zones and all specific plan areas, commercial non-medical marijuana activity. He said no person shall be permitted to establish, operate, maintain, conduct or allow commercial non-medical marijuana activity anywhere within La Mirada. No application for a building permit, business license, or any other entitlement authorizing the establishment, operation, maintenance, development, or construction of any use that allows for commercial non-medical marijuana activity shall be approved during the term of the prohibition established in the ordinance. He said indoor marijuana cultivation is allowed consistent with State law, which permits no more than six live marijuana plants to be planted, cultivated, harvested, dried, or processed within a single private residence or inside an accessory structure located upon the grounds of a private residence that is fully enclosed and secured. He said the ordinance takes effect immediately and the prohibition it establishes terminates 45 days after the date of adoption unless extended by the City Council pursuant to California Government Code Section 65858.

Councilmember Mowles moved and Councilmember Deal seconded to adopt Interim Ordinance No. 685-U prohibiting all commercial non-medical marijuana activity in the City of La Mirada, prohibiting outdoor marijuana cultivation on private residences and declaring the urgency thereof, by title only, and waive further reading.

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

8.4 FIRST READING OF ORDINANCE NO. 686 ESTABLISHING PROCEDURES AND REQUIREMENTS FOR CONDUCTING MOTION PICTURE FILMING, AND AMENDING TITLE 4 OF THE LA MIRADA MUNICIPAL CODE

Senior Administrative Analyst Rounds provided information on the proposed ordinance. He said the ordinance would amend Title 4 of the La Mirada Municipal Code and establish procedures and requirements for conducting motion picture filming. He said the City Council reviewed and discussed the proposed ordinance at the October 11 Study Session meeting.

Councilmember Sarega moved and Mayor Pro Tem Eng seconded to introduce for first reading Ordinance No. 686 establishing procedures and requirements for conducting motion picture filming, and amending Title 4 of the La Mirada Municipal Code, by title only, and waive further reading.

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

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

9. CONSENT CALENDAR

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

9.1 APPROVAL OF WARRANT REGISTER

The Successor Agency approved the warrant register dated November 8, 2016 in the total amount of \$44.01.

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. ADMINISTRATIVE REPORTS FROM STAFF

There were no administrative reports from staff.

11. CITY COUNCIL REPORTS AND ANNOUNCEMENTS

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

12. CITY ATTORNEY ANNOUNCEMENTS

There were no City Attorney announcements.

13. CITY MANAGER ANNOUNCEMENTS

City Manager Boynton invited the public to attend a meeting on November 9 regarding the I-5 project's Valley View Avenue segment.

14. ADJOURNMENT

There being no further business to come before the Council, the City Council adjourned the meeting at 8:16 p.m.

Anne Haraksin, City Clerk

Attest:

Steve De Ruse, Mayor