



CITY OF LAWNDALE

14717 Burin Avenue, Lawndale, California 90260
Phone (310) 973-3200 – www.lawndalecity.org

AGENDA LAWNDALE CITY COUNCIL REGULAR MEETING Monday, April 6, 2020 - 6:30 p.m. Lawndale City Hall Council Chamber 14717 Burin Avenue

*** COVID-19 NOTICE ***

Consistent with Executive Orders No.-25-20 and No. N-29-20 from the Executive Department of the State of California and the Los Angeles County Health Official's "Safer at Home" Order, this City Council meeting will not be physically open to the public as City Councilmembers will be teleconferencing into the meeting via Webex Communications.

How to observe the Meeting:

To maximize public safety while still maintaining transparency and public access, members of the public can observe the meeting on [YouTube "Lawndale CityTV"](#), the [City Website](#), or Lawndale Community Cable Television on Spectrum Channel 22 & Frontier Channel 29.

How to submit Public Comment:

Members of the public may provide public comment by sending comments to the Clerk by email at cityclerk@lawndalecity.org. Please submit your written comments as early as possible, preferably prior to the start of the meeting or if you are unable to email, please call the City Clerk's Office at (310) 973-3213 by 5:30 p.m. on the date of the meeting. Email comments must identify the Agenda Item Number in the subject line of the email. The public comment period will close once the public comment time for the agenda item has concluded. The comments will be entered into the record and provided to the Council. All comments should be a maximum of 500 words, which corresponds to approximately 3 minutes of speaking time. Please see the [Temporary eComment Policy for Public Meetings](#).

Copies of this Agenda packet may be obtained prior to the meeting outside of the Lawndale City Hall foyer or on the [City Website](#). Interested parties may contact the City Clerk Department at (310) 973-3213 for clarification regarding individual agenda items.

This Agenda is subject to revision up to 72 hours before the meeting.

- A. **CALL TO ORDER AND ROLL CALL**
- B. **CEREMONIALS** (Flag Salute and Inspiration)
- C. **PUBLIC SAFETY REPORT**
- D. **ORAL COMMUNICATIONS - ITEMS NOT ON THE AGENDA** (Public Comments)
- E. **COMMENTS FROM COUNCIL**
- F. **CONSENT CALENDAR**

Items 1 through 4, will be considered and acted upon under one motion unless a City Councilmember removes individual items for further City Council consideration or explanation.

1. **Motion to read by title only and waive further reading of all ordinances listed on the Agenda**

Recommendation: that the City Council approve.

2. **Consideration of Claims Against the City**

Recommendation: that the City Council reject the claim filed by Francisco J. Lopez and instruct staff to process the appropriate correspondence to the claimant.

3. **Accounts Payable Register**

Recommendation: that the City Council adopts Resolution No. CC-2004-018, authorizing the payment of certain claims and demands in the amount of \$648,779.99.

4. **Minutes of the Lawndale City Council Regular Meeting – March 16, 2020**

Recommendation: that the City Council approve.

G. **ADMINISTRATION**

5. **Authorizing Application For and Receipt of Local Early Action Planning Grant Funding**

Recommendation: that the City Council (a) that the consideration of Resolution CC-2004-017 is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15378 of the CEQA Guidelines; and (b) adopt Resolution No. CC-2004-017 authorizing staff to submit an application for grant funding from the Local Early Action Planning Grant Program.

6. **Urgency Ordinance Prohibiting Eviction during the COVID-19 Pandemic**

Recommendation: that the City Council consider whether to adopt Urgency Ordinance 1170-20, that prohibits residential and commercial evictions resulting from the COVID-19 pandemic, effective immediately.

7. **Further Modifications to City Operations and Related Issues Due to the COVID-19 Pandemic**

Recommendation: that the City Council consider and approve (a) Ratification of staff's decision to temporarily suspend parking enforcement for street sweeping, and to dismiss street sweeping related parking citations issued on March 16-17, 2020; (b) Cancellation of the April 25, 2020 Community Bike Ride and Youth Day Parade/Spring Extravaganza; (c) Form a City Council budget subcommittee to work with staff in reviewing revenue and expenditure projections and to develop recommendations for City Council consideration; and (d) Provide direction to staff regarding Transient Occupancy Tax collection, and penalties and interest measures.

H. **CITY MANAGER'S REPORT**

I. ITEMS FROM CITY COUNCILMEMBERS

8. Mayor/City Councilmembers Report of Attendance at Meetings and/or Events

J. CLOSED SESSION

9. Conference with Legal Counsel – Anticipated Litigation

The City Council will conduct a closed session, pursuant to Government Code section 54956.9(d)(4), because the City is considering whether to initiate litigation in one case.

10. Conference with Legal Counsel – Existing Litigation

The City Council will conduct a closed session, pursuant to Government Code section 54956.9(d)(1), to confer with legal counsel regarding litigation to which the City is a party. The title of such litigation is as follows: WIA/CTIA Petition for Rulemaking and Declaratory Ruling (WT Docket No. 19-250, RM-11849).

K. ADJOURNMENT

The next regularly scheduled meeting of the City Council will be held at 6:30 p.m. on Monday, April 20, 2020 in the Lawndale City Hall council chamber, 14717 Burin Avenue, Lawndale, California.

It is the intention of the City of Lawndale to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, we will attempt to accommodate you in every reasonable manner. Please contact the City Clerk Department (310) 973-3213 prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible. Please advise us at that time if you will need accommodations to attend or participate in meetings on a regular basis.

I hereby certify under penalty of perjury under the laws of the State of California that the Agenda for the regular meeting of the City Council to be held on April 6, 2020 was posted not less than 72 hours prior to the meeting.

Matthew Ceballos, Assistant City Clerk



CITY OF LAWNDALE
14717 BURIN AVENUE, LAWNDALE, CALIFORNIA 90260
PHONE (310) 973-3200 ♦ www.lawndalecity.org

DATE: April 6, 2020
TO: Honorable Mayor and City Council
FROM: Matthew R. Ceballos, Assistant City Clerk *mc*
SUBJECT: Motion Pertaining to the Reading of Ordinances

BACKGROUND

California Government Code reads, in part, as follows:

"Except when, after reading the title, further reading is waived by regular motion adopted by majority vote, all ordinances shall be read in full either at the time of introduction or passage."

RECOMMENDATION

Staff recommends that the City Council read by title only and waive further reading of all ordinances listed on the agenda.



CITY OF LAWNDALE

14717 BURIN AVENUE, LAWNDALE, CALIFORNIA 90260
PHONE (310) 973-3200 ♦ www.lawndalecity.org

DATE: April 6, 2020
TO: Honorable Mayor and City Council
FROM: Kevin M. Chun, City Manager *[Signature]*
PREPARED BY: Raylette Felton, Assistant to the City Manager/ Human Resources Director *[Signature]*
SUBJECT: CONSIDERATION OF CLAIM AGAINST THE CITY

BACKGROUND

The City of Lawndale received a claim for property damage filed by Francisco J. Lopez (Claimant) on December 12, 2019. The claimant alleged that on or about October 12, 2019, his personal vehicle was damaged on 162nd Street and Osage Avenue in Lawndale, California. Claimant alleged that the tire of his vehicle grazed the curb, causing the tire to flatten.

STAFF REVIEW

This claim was referred to the City's third party claims administrator (Carl Warren & Company) for review and investigation. Based on a thorough investigation completed by Carl Warren, it was determined that the liability for the claim could not be assigned to the City. Therefore, Carl Warren recommends that the City reject the claim as filed.

LEGAL REVIEW

N/A

FUNDING

N/A

RECOMMENDATION

Staff recommends that the City Council reject the claim filed by Francisco J. Lopez and instruct staff to process the appropriate correspondence to the claimant.

Attachment (s): Claim for Damages to Person or Property – Francisco J. Lopez
Rejection Notice – Lopez vs. Lawndale - (2005372 DBG)



CARL WARREN & COMPANY
Claims Management and Solutions

March 13, 2020

To: The City of Lawndale
Attn: Raylette Felton, Risk Management

RE: Claimant: Francisco J. Lopez vs. City of Lawndale
 Date of Loss: 10/12/19
 Date Reported: 12/12/19
 Our File Number: 2005372 DBG

We have reviewed the above captioned claim and request that you take the action indicated below:

- CLAIM REJECTION: *Send a standard rejection letter to the claimant.*

Please provide us with a copy of the notice sent, as requested above. If you have any questions please contact the undersigned.

Very Truly Yours,

CARL WARREN & COMPANY

Debbi Been
Sr. Claims Adjuster



**CITY OF LAWNDALE
CLAIM FOR DAMAGES TO PERSON OR PROPERTY**

Reserve for Filing Stamp

File with the City Clerk
14717 Burin Ave., Lawndale, CA 90260
(310) 973-3200, Fax: (310) 644-4556

19 DEC 12 3:48 PM

Claim No.: _____

Instructions:

1. Claims for death, injury to person or to personal property must be filed not later than six (6) months after the occurrence. (Gov. Code Sec. 911.2)
2. Claims for damages to real property must be filed not later than one (1) year after the occurrence. (Gov. Code Sec. 911.2)
3. Read entire claim form before filing.
4. See page 2 for diagram upon which to locate place of accident.
5. This claim form must be signed on page 2 at bottom.
6. Attach separate sheets, if necessary, to give full details. SIGN EACH SHEET.
7. Claim must be filed with the City Clerk. (Gov. Code Sec. 915a)

CITY OF LAWNDALE			
Claimant's Name	FRANCISCO J. LOPEZ	Claimant's Occupation	Salesman
Claimant's Home Address	[REDACTED]	Claimant's Home Phone #	[REDACTED]
Claimant's Business Address		Claimant's Business Phone #	

Address and telephone number to which you desire notices or communications to be sent regarding this claim:

[REDACTED]

When did DAMAGE or INJURY occur? Date: 10/12/19 Time: 9:24 PM
 If claim is for Equitable Indemnity, give date claimant served with the complaint: Date: _____
 Names of any city employees involved in INJURY or DAMAGE

Where did DAMAGE or INJURY occur? Describe fully, and locate on diagram on reverse side of this sheet. Where appropriate, give street names and address and measurements from landmarks:

happened on 162ndst and Osage on a curb that was sticking far out of its normal position. I parked and the curb grazed and popped my tire.

Describe in detail how the DAMAGE or INJURY occurred.

The curb popped my tire because its sticking out too far!

Why do you claim the city is responsible? *The city is responsible because it was not built the right way.*

Describe in detail each INJURY or DAMAGE

popped TIRE

The amount claimed, as of the date of presentation of this claim, is computed as follows:

Damages incurred to date (exact):	\$ 92.64	Estimated prospective damages as far as known:	\$
Damage to property	\$ 0	Future expenses for medical and hospital care	\$
Expenses for medical and hospital care	\$ 0	Future loss of earnings	\$
Loss of Earnings	\$	Other prospective special damages	\$
Special Damages for	\$	Prospective general damages	\$
		Total estimate prospective damages	\$
General Damages	\$		
Total Damages incurred to date	\$ 92.64		
Total amount claimed as of date of presentation of this claim			\$ 92.64

Was damage and/or injury investigated by police? NO If so, what city? N/A File #: _____

Were paramedics or ambulance called? NO If so, name city or ambulance N/A

If injured, state date, time, _____ NA

name and address of doctor of your first visit _____ N/A

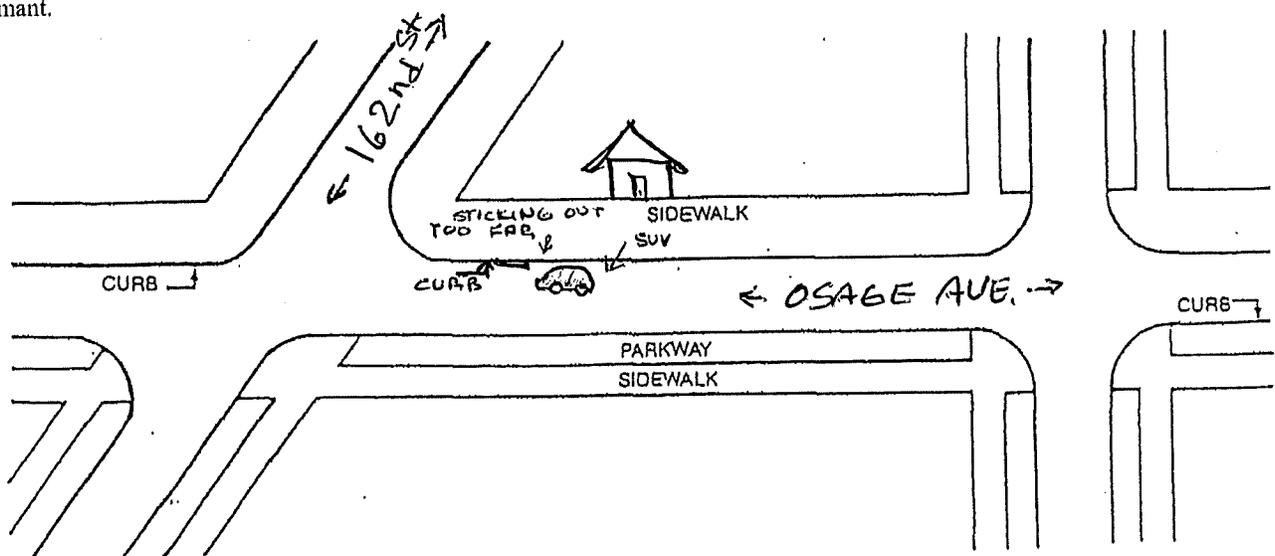
WITNESSES to DAMAGE or INJURY: List all persons and addresses of person known to have information:

Name Alice Najjar Address _____ Phone _____
 Name _____ Address _____ Phone _____
 Name _____ Address _____ Phone _____

DOCTORS and HOSPITALS:

Hospital _____ Address _____ Date of Hospitalization _____
 Doctor _____ Address _____ Date of Treatment _____
 Doctor _____ Address _____ Date of Treatment _____

For all accident claims place on following diagram names of streets, including North, East, South and West; indicate place of accident by "X" and by showing house numbers or distances to street corners. If city vehicle was involved, designate by letter "A" location of city vehicle when you first saw it, and by "B" location of yourself or your vehicle when you first saw city vehicle; location of city vehicle at time of accident by "A-1" and location of yourself or your vehicle at the time of the accident by "B-1" and the point of impact by "X". NOTE: if diagrams below do not fit the situation, attach hereto a proper diagram signed by claimant.



Signature of Claimant or person filing on his/her behalf giving relationship to Claimant:

Typed/Printed Name

Date

FRANCISCO SLOPER

12/10/19

RESOLUTION NO. CC- 2004-018

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF LAWNSDALE, CALIFORNIA
AUTHORIZING CERTAIN CLAIMS AND DEMANDS
IN THE SUM OF \$648,779.99**

THE CITY COUNCIL OF THE CITY OF LAWNSDALE, CALIFORNIA, DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That in accordance with Sections 37202 and 37209 of the Government Code, the Finance Director, as certified below, hereby attests to the accuracy of these demands and to the availability of funds for the payment thereof.

SECTION 2. That the following claims and demands have been audited as required by law, and that appropriations for these claims and demands are included in the annual budget as approved by the City Council.

SECTION 3. That the claims and demands paid by check numbers 199236 through 199372 for the aggregate total of \$648,779.99 are hereby authorized.

Effective Date: April 6, 2020

Certified by:


Marla L. Pendleton CPA, Finance Director

PASSED, APPROVED AND ADOPTED this 6th day of April, 2020.

Robert Pullen-Miles, Mayor

ATTEST:

State of California)
County of Los Angeles) SS
City of Lawnsdale)

I, Rhonda Hofmann Gorman, City Clerk of the City of Lawndale, California, do hereby certify that the City Council of the City of Lawndale duly approved and adopted the foregoing Resolution No. CC-2004-018 at a regular meeting of said Council held on the 6th day of April, 2020, by the following roll call vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Robert Pullen-Miles, Mayor					
Bernadette Suarez, Mayor Pro Tem					
James H. Osborne					
Pat Kearney					
Daniel Reid					

Rhonda Hofmann Gorman, City Clerk

City of Lawndale
Summary of Audited Claims and Demands

Claims and Demands Paid By Check:

Check Date	Check Number		Aggregate Total
	Beginning	Ending	
3/12/2020	199236	199291	434,985.65
3/19/2020	199292	199321	119,447.06
3/26/2020	199322	199372	94,347.28
Total Checks			648,779.99

Claims and Demands Paid By Electronic ACH Transfer:

Date	Name of Payee	Description	Amount
Total ACH Payments			0.00

Total Audited Claims and Demands Paid **648,779.99**

Check Register Report

Date: 03/11/2020
 Time: 4:44 pm
 Page: 1

City of Lawndale

BANK: WELLS FARGO BANK N.A

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
WELLS FARGO BANK N.A Checks							
199236	03/12/2020	Printed		7263	ACCOUNTING PRINCIPALS INC	TEMP SVCS W/E DATE 02/23/2020	2,864.25
199237	03/12/2020	Printed		1541	ALESHIRE & WYNDER, LLP	LEGAL SERVICES FEB. 2020	102,552.13
199238	03/12/2020	Printed		3923	AMERICAN SOCCER CO., INC.	SPORTS UNIFORMS QTY 2 1/29/20	37.25
199239	03/12/2020	Printed		4185-WEST	AMERICAN STRUCTURAL PEST	MONTHLY PEST CONTROL SVCS	125.00
199240	03/12/2020	Printed		2207	ASAP SIGN & BANNER	4 SIGNS & BOARDS	242.55
199241	03/12/2020	Printed		0115	AT & T	LONG DISTANCE SVCS DEC. 2019	14.29
199242	03/12/2020	Printed		2263	B & H PHOTO-VIDEO	AUTOCUE/QTV GLASS	1,490.03
199243	03/12/2020	Printed		7194	BAVCO BACKFLOW & APPARATUS	BACKFLOW INSPECTION	540.00
199244	03/12/2020	Printed		0613	BERICOM IT & DESIGN	NTWK MAINT/COMPUTER SUPPLIES	11,229.44
199245	03/12/2020	Printed		7223	CHRISTINA CARROLL	PRSSC MTG STIPEND 2/24/2020	50.00
199246	03/12/2020	Printed		6459	CASC ENGINEERING & CONSULTING	NPDES PERMIT COMPLIANCE SVCS	10,061.97
199247	03/12/2020	Printed		7209	CE FLOOR CARE	UPHOLSTERY CLEANING CITY HALL	444.00
199248	03/12/2020	Printed		5361	ROSALIND COOK	CONTRACT CLASS INSTRUCTOR SVCS	291.20
199249	03/12/2020	Printed		3886	SIRLEY CUEVAS	PLANNING COMMISSION STIPEND	100.00
199250	03/12/2020	Printed		0217	DEPT OF ANIMAL CARE & CONTROL	ANIMAL CONTROL SVCS JAN. 2020	135.15
199251	03/12/2020	Printed		6886	EMPIRE CLEANING SUPPLIES	MAINTENANCE CLEANING SUPPLIES	529.86
199252	03/12/2020	Printed		4832	KIMBERLY D. ESMOND	FROZEN PRINCESS BALLET	313.60
199253	03/12/2020	Printed		1288	EWING IRRIGATION PRODUCTS INC	IRRIGATION CONTROL VALVE	103.61
199254	03/12/2020	Printed		7052	AMALEA FISHER	SENIOR FITNESS YOGA CLASS	520.00
199255	03/12/2020	Printed		6636	FRONTIER COMMUNICATIONS	PHONE CARGES 02/28/03/27/2020	173.42
199256	03/12/2020	Printed		1909	FUN EXPRESS	GOLD CHOCOLATE COINS 2/10/2020	125.29
199257	03/12/2020	Printed		7490	GRAND NATURAL INC.	COMMUNITY CENTER GREASE TRAP	330.00
199258	03/12/2020	Printed		6231	GREENLAND SUPPLY INC.	HERBICIDE SPRAY	204.28
199259	03/12/2020	Printed		4796	ERICA HARBISON	PRSSC COMMISSIONER STIPEND	50.00
199260	03/12/2020	Printed		0283	HINDERLITER, DE LLAMAS & ASSOC	CONTRACT SVCS 1ST QUARTER	2,786.87
199261	03/12/2020	Printed		2307	KALBAN, INC.	ANNUAL STREET IMPROVEMENT PROJ	249,141.58
199262	03/12/2020	Printed		0323	LEGACY TRAVEL & TOURS	TRIP TO WHEEL OF FORTUNE 2/28/	3,536.00
199263	03/12/2020	Printed		7474	LEWIS STANLEY INC	HAWTHORNE 2020 PARKIG PERMITS	1,594.00
199264	03/12/2020	Printed		6134	JOHN MARTINEZ	PLANNING COMMISSION STIPEND	50.00
199265	03/12/2020	Printed		1050	UFFE MOLLER	PLANNING COMMISSION STIPEND	100.00
199266	03/12/2020	Printed		6015	LAYNE NATALE	SENIOR FITNESS CLASS	260.00
199267	03/12/2020	Printed		7227	OCCUPATIONAL HEALTH CENTERS	PRE PLACEMENT PHYSICAL	45.00
199268	03/12/2020	Printed		1140	PACIFIC TIRE SERVICE	S,2020 M&B DISP & ENVIRO FEE	280.00
199269	03/12/2020	Printed		7489	MICHELLE PASCASIO	REFUND SECURITY DEPOSIT	500.00
199270	03/12/2020	Printed		4931	PERRY MAILING SERVICES	MAILING & LETTER SHOP SVCS	970.92
199271	03/12/2020	Printed		0171	CHANDRA PHIPPS	REFUND SECURITY DEPOSIT	250.00
199272	03/12/2020	Printed		6123	PRUDENTIAL OVERALL SUPPLY	UNIFORM CLEANING FEB. 25/2020	71.57
199273	03/12/2020	Printed		7170	RESOURCE RECYCLING & RECOVERY	REIMBURSE BEVERAGE CONTAINER	8,666.00
199274	03/12/2020	Printed		1125	JAMIE RODRIGUEZ	REFUND SECURITY DEPOSIT	250.00
199275	03/12/2020	Printed		7488	RODERICK ROSBY	REFUND SECURITY DEPOSIT	500.00
199276	03/12/2020	Printed		7241	CARLA L ROSE-PRYOR	PLANNING COMMISSION STIPEND	50.00
199277	03/12/2020	Printed		6698	SHIRLEY RUDOLPH	PRSSC MTG STIPEND 2/24/2020	50.00
199278	03/12/2020	Printed		6680	SCOTT SMITH	PLANNING COMMISSION STIPEND	100.00
199279	03/12/2020	Printed		3685	SOUTH BAY GARDENS	GAZANIANS VARIES LOCATIONS	720.51

Check Register Report

Date: 03/11/2020
Time: 4:44 pm
Page: 2

City of Lawndale

BANK: WELLS FARGO BANK N.A

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
WELLS FARGO BANK N.A Checks							
199280	03/12/2020	Printed		0439	SOUTHERN CALIFORNIA EDISON CO.	UTILITIES ELECTRICITY	19,503.09
199281	03/12/2020	Printed		0440	SOUTHERN CALIFORNIA GAS CO.	UTILITY GAS CHARGES	15.72
199282	03/12/2020	Printed		4142	TIME WARNER CABLE	CABLE / SPECTRUM	3,188.58
199283	03/12/2020	Printed		7487	LATANYA TURNER	REFUND YOUTH BASKETBALL PRGM	20.00
199284	03/12/2020	Printed		3672-FLEET	U.S. BANK VOYAGER FLEET SYS	MUNICIPAL , PWD, COMM. SVCS	7,169.84
199285	03/12/2020	Printed		3672-CDD	U.S. BANK	OFFICE SUPPLIES, COURTHSE PRKG	4.26
199286	03/12/2020	Printed		3672-FIN	U.S. BANK	USPS POSTAGE FOR 1099 MAILING	15.50
199287	03/12/2020	Printed		3672-MSD	U.S. BANK	CREDIT CARD CHARGES	552.79
199288	03/12/2020	Printed		2883	UNDERGROUND SERVICE ALERT SC	MTHLY DATABASE MAINTENANCE FEE	66.10
199289	03/12/2020	Printed		7409	WILLDAN FINANCIAL SERVICES	PROFESSIONAL SVCS RENDRED	1,200.00
199290	03/12/2020	Printed		6697	DANIEL T WOODS	PRSSC MTG STIPEND 2/24/2020	50.00
199291	03/12/2020	Printed		7030	WILLIE MAE FLUCAS YOUNG	REFUND SECURITY DEPOSIT	750.00
Total Checks: 56						Checks Total (excluding void checks):	434,985.65
Total Payments: 56						Bank Total (excluding void checks):	434,985.65
Total Payments: 56						Grand Total (excluding void checks):	434,985.65

Check Register Report

Date: 03/18/2020
Time: 11:31 am
Page: 1

City of Lawndale

BANK: WELLS FARGO BANK N.A

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
WELLS FARGO BANK N.A Checks							
199292	03/19/2020	Printed		7263	ACCOUNTING PRINCIPALS INC	TEMP SEVCS W/E 2020.03.08	1,094.40
199293	03/19/2020	Printed		0112	ALL CITY MANAGEMENT SVCS, INC	SCHOOL CROSSING GUARD SERVICES	6,846.82
199294	03/19/2020	Printed		4185-WEST	AMERICAN STRUCTURAL PEST	MONTHLY PEST CONTROL 3/4/2020	125.00
199295	03/19/2020	Printed		2207	ASAP SIGN & BANNER	BANNER YOUTH DAY PARADE	2,171.93
199296	03/19/2020	Printed		6922	SVETLANA AVERBUKH	PAYMENT SENIOR CLASS ZUMBA	650.00
199297	03/19/2020	Printed		7382	BLUEPRINT SERVICE	10 SETS FOR T RAFFIC SIGNAL	537.43
199298	03/19/2020	Printed		7395	CASE LAND SURVERYING INC	PLAN CHECK & PARCEL MAP FEE	750.00
199299	03/19/2020	Printed		0179	CITY OF GARDENA	SENIOR CARE MGMT SVCS	400.00
199300	03/19/2020	Printed		0219	COUNTY OF LA DEPT OF PUBLIC WK	TRAFFIC SIGNAL MAINT.SVC	41,812.77
199301	03/19/2020	Printed		6158	COUNTY OF LOS ANGELES	RELEASE OF NOTICE OF VIOLATION	8.00
199302	03/19/2020	Printed		0441	GOLDEN STATE WATER CO.	WATER USAGE SERVICES	8,711.17
199303	03/19/2020	Printed		3377	H F & H CONSULTANTS, LLC	PROFESSIONAL SVC 12/1-12/31/19	7,216.12
199304	03/19/2020	Printed		6970	SKY HALL	REFUND SECURITY DEPOSIT	1,250.00
199305	03/19/2020	Printed		5503	JA'VONDA JONES	INSTRUCTOR - 2020.02.22	1,819.17
199306	03/19/2020	Printed		0211	L.A. NEWSPAPER GROUP	PUBLISHING OF 1ST SUMMARY	129.32
199307	03/19/2020	Printed		6955	L.A. UNIFORMS & TAILORING	SOFTSHELL JACKET PORT POLO	341.56
199308	03/19/2020	Printed		7491	ROSARIO MEZA	REFUND SECURITY DEPOSIT	500.00
199309	03/19/2020	Printed		6445	MICHAEL BAKER INTL, INC	PROFESSIONAL SVC ENDING 3/1/20	2,195.00
199310	03/19/2020	Printed		7227	OCCUPATIONAL HEALTH CENTERS	PRE PLACEMENT PHYSICAL	780.00
199311	03/19/2020	Printed		0367	OFFICE DEPOT	OFFICE SUPPLIES CDD	665.86
199312	03/19/2020	Printed		7047	PRECISION AUTO CARE, INC	FORD F150 VEHICLE INSPECTION	135.34
199313	03/19/2020	Printed		4533	SOUTH BAY LANDSCAPING INC	MTHLY LANDSCAPING MAINT. FEB20	18,775.00
199314	03/19/2020	Printed		0439	SOUTHERN CALIFORNIA EDISON CO.	UTILITIES ELECTRICITY	1,630.02
199315	03/19/2020	Printed		0440	SOUTHERN CALIFORNIA GAS CO.	UTILITY GAS CHARGES	1,931.81
199316	03/19/2020	Printed		7464	SWRCB	ANNUAL FEE SANITARY SEWER	14,230.00
199317	03/19/2020	Printed		7445	THE ALPHA & OMEGA GROUP	UNARMED SECURITY GUARD SVC	1,355.80
199318	03/19/2020	Printed		3672-CCK	U.S. BANK CORPORATE PAYMENT	MEMBERSHIP RENEWAL CITY CLERK	65.00
199319	03/19/2020	Printed		3672-CMD	U.S. BANK	OFFICE SUPPLIES	1,106.16
199320	03/19/2020	Printed		3373	VERIZON WIRELESS	CELL PHONE SVCS	480.88
199321	03/19/2020	Printed		7278	MARTHA ZAMBRANO	MEXICAN FOLKLOIC CLASS	1,732.50
Total Checks: 30						Checks Total (excluding void checks):	119,447.06
Total Payments: 30						Bank Total (excluding void checks):	119,447.06
Total Payments: 30						Grand Total (excluding void checks):	119,447.06

Check Register Report

Date: 03/26/2020
 Time: 11:40 am
 Page: 1

City of Lawndale

BANK: WELLS FARGO BANK N.A

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
WELLS FARGO BANK N.A Checks							
199322	03/26/2020	Printed		7263	ACCOUNTING PRINCIPALS INC	TEMP SVCS-WK END 3/15/2020	1,094.40
199323	03/26/2020	Printed		0112	ALL CITY MANAGEMENT SVCS, INC	SCHOOL CROSSING GUARD SERVICES	5,541.20
199324	03/26/2020	Printed		4185-WEST	AMERICAN STRUCTURAL PEST	CITY HALL KITCHEN SVCS-ROACHES	45.00
199325	03/26/2020	Printed		0372C	AT & T - CALNET3	PHONE CHARGES-2/13/20-3/13/20	1,753.75
199326	03/26/2020	Printed		7494	EVELYN BAHURINSKY	SECURITY DEP REFUND 2/8/20	250.00
199327	03/26/2020	Printed		7495	JOANA L. BRADANOVIC	CONST DEMO DEBRIS DEP REFUND	150.00
199328	03/26/2020	Printed		0163	CAPITAL OF SOUTH BAY INC.	ELECTRICAL & LIGHTING SUPPLIES	243.91
199329	03/26/2020	Printed		7223	CHRISTINA CARROLL	PRSSC COMMISSIONER STIPEND	50.00
199330	03/26/2020	Printed		0615	CLEANSTREET	STREET SWEEPING SVCS- CONTRACT	15,830.00
199331	03/26/2020	Printed		0190	COLONIAL LIFE & ACCIDENTS, INC	MEDICAL BENEFITS	2,424.79
199332	03/26/2020	Printed		4066	DAILY BREEZE	NIB PUB-INTERSECTION PROJECT	602.02
199333	03/26/2020	Printed		0389	DELTA DENTAL INS	DENTAL PREMIUM MAR-20	147.91
199334	03/26/2020	Printed		7493	EVA VERGARA DEMARIN	SECURITY DEP REFUND 3/14/20	750.00
199335	03/26/2020	Printed		0218	DEPARTMENT OF JUSTICE	FINGERPRINT APPS - FEB. 2020	128.00
199336	03/26/2020	Printed		0772	DEPT OF INDUSTRIAL RELATIONS	ELEVATOR INSPECTION FEE	575.00
199337	03/26/2020	Printed		6122	PAUL ELLIS	INSTRUCTOR SVCS-GUITAR WNTR	616.00
199338	03/26/2020	Printed		6886	EMPIRE CLEANING SUPPLIES	MAINTENANCE CLEANING SUPPLIES	1,749.34
199339	03/26/2020	Printed		1909	FUN EXPRESS	St. PATRICK'S DAY DECORATIONS	92.44
199340	03/26/2020	Printed		0441	GOLDEN STATE WATER CO.	WATER USAGE SERVICES	3,759.66
199341	03/26/2020	Printed		6231	GREENLAND SUPPLY INC.	WEED STERILIZER	95.48
199342	03/26/2020	Printed		3377	H F & H CONSULTANTS, LLC	AB939 CONSULTING SERVICES	7,381.50
199343	03/26/2020	Printed		4796	ERICA HARBISON	PRSSC COMMISSIONER STIPEND	50.00
199344	03/26/2020	Printed		7492	HUNG LE CONSTRUCTION	REFUND - DEBRIS DEPOSIT	11,540.00
199345	03/26/2020	Printed		5965	JOHNSON CONTROLS	HVAC SVC REPAIR FOR CITY HALL	2,060.00
199346	03/26/2020	Printed		3071	JEROME JOHNSON	2020 BASKETBALL SEASON OFFICIA	680.00
199347	03/26/2020	Printed		0337	MANAGED HEALTH NETWORK	EMP. ASSIST PROGRAM - MAR-20	96.14
199348	03/26/2020	Printed		5560	MITSUBISHI ELECTRIC & ELECT, I	MONTHLY ELEVATOR SERVICE	1,197.00
199349	03/26/2020	Printed		7247	MUROW CM	INGLEWOOD AVE IMPROVEMENT PROJ	12,491.25
199350	03/26/2020	Printed		6015	LAYNE NATALE	INSTRUCTOR SVCS-SR FITNESS CLA	130.00
199351	03/26/2020	Printed		0367	OFFICE DEPOT	OFFICE SUPPLIES - CDD	1,251.11
199352	03/26/2020	Printed		6526	ARIADNE PALOMERA	SECURITY DEP REFUND 3-14-20	500.00
199353	03/26/2020	Printed		6123	PRUDENTIAL OVERALL SUPPLY	CREDIT MEMO	118.71
199354	03/26/2020	Printed		5068A	QUADIENT FINANCE USA INC	2ND QTR LEASE PAYMENT-MAIL MAC	3,212.16
199355	03/26/2020	Printed		5895	RICOH USA INC	COPIER LEASE / MAINTENANCE SVC	842.41
199356	03/26/2020	Printed		6698	SHIRLEY RUDOLPH	PRSSC COMMISSIONER MTG STIPEND	50.00
199357	03/26/2020	Printed		0419	S & S WORLDWIDE, INC.	BBALL BRAIDED NYLON NET QTY 5	30.94
199358	03/26/2020	Printed		2862	MARC SALDANA	INSTRUCTOR SVCS-SR TAI CHI CLA	520.00
199359	03/26/2020	Printed		6379	SHI	BACKUP TAPES	718.40
199360	03/26/2020	Printed		2051	MADONNA SITKA	PRSSC COMMISSIONER STIPEND	50.00
199361	03/26/2020	Printed		6759	SMARTHIRE	NEW HIRE BACKGROUND CHECK	275.00
199362	03/26/2020	Printed		4533	SOUTH BAY LANDSCAPING INC	BOOM TRUCK RENTAL	1,107.00
199363	03/26/2020	Printed		0346	SPARKLETTS	BOTTLE WATER SVCS - MAR. 2020	717.69
199364	03/26/2020	Printed		0444	SPCA LA	ANIMAL SHELTERING SERVICES	6,265.00
199365	03/26/2020	Printed		0849	THE SAFEMART OF SO CAL INC	3 KEYS FOR EMERGENCY CABINET	9.86

Check Register Report

Date: 03/26/2020
 Time: 11:40 am
 Page: 2

City of Lawndale

BANK: WELLS FARGO BANK N.A

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
WELLS FARGO BANK N.A Checks							
199366	03/26/2020	Printed		0458	THE SALVATION ARMY	SENIOR PROGRAM-MEALS ON WHEELS	127.00
199367	03/26/2020	Printed		2002	THE STANDARD, UNIT 22	LIFE INS, AD&D, & LTD PREMIUMS	1,605.55
199368	03/26/2020	Printed		0462	TODD PIPE & SUPPLY-HAWTHORNE	ANNUAL PLUMBING SUPPLIES	68.06
199369	03/26/2020	Printed		0479	VISION SERVICE PLAN	VISION COBRA MAR-20	1,047.96
199370	03/26/2020	Printed		0480	VISTA PAINT	RESPIRATOR MASK WITH VALVE	228.64
199371	03/26/2020	Printed		7409	WILLDAN FINANCIAL SERVICES	DEV IMPACT FEE STUDY- FEB 2020	4,027.00
199372	03/26/2020	Printed		6697	DANIEL T WOODS	PRSSC COMMISSIONER STIPEND	50.00
Total Checks: 51						Checks Total (excluding void checks):	94,347.28
Total Payments: 51						Bank Total (excluding void checks):	94,347.28
Total Payments: 51						Grand Total (excluding void checks):	94,347.28

**MINUTES OF THE
LAWNDALE CITY COUNCIL REGULAR MEETING
March 16, 2020**

A. CALL TO ORDER AND ROLL CALL

Mayor Pullen-Miles called the meeting to order at 6:33 p.m. in the City Hall council chamber, 14717 Burin Avenue, Lawndale, California.

Councilmembers Present: Mayor Robert Pullen-Miles, Mayor Pro Tem Bernadette Suarez, Councilmember James H. Osborne, Councilmember Pat Kearney, Councilmember Daniel Reid

Other Participants: City Clerk Rhonda Hofmann Gorman, City Manager Kevin M. Chun, City Attorney Tiffany J. Israel, Los Angeles County Sheriff's Department Captain Duane Allen, Community Services Director Mike Estes, Assistant to the City Manager/Human Resources Director Raylette Felton, Municipal Services Director Michael Reyes, Finance Director Marla Pendleton, Community Development Director Sean Moore, Assistant City Clerk Matthew Ceballos and approximately 7 audience members.

B. CEREMONIALS

Mayor Pro Tem Suarez led the flag salute and Pastor Eddie Vargas, Restoration Life Church, provided the inspiration.

Mayor Pullen-Miles recommended adding an item ratifying a Local Emergency Proclamation due to the COVID-19 pandemic to the agenda as an "emergency situation".

A motion by Councilmember Osborne to add an emergency situation item to the agenda was seconded by Councilmember Kearney and carried by a vote of 5-0.

C. ADMINISTRATION

1. Local Emergency Proclamation – COVID-19

City Manager Kevin M. Chun reported on the proposed Local Emergency Proclamation and modifications to City operations.

Councilmember Kearney opposed the cancellation of the Youth Day Parade and Bike Ride. A dialogue ensued between City Council and Community Services Director Mike Estes about events.

City Council reached a general consensus to keep Youth Day Parade and bike ride until more information comes to light.

Councilmember Kearney inquired about staffing of parks and facilities, if closed. City Manager Kevin Chun responded that part-time employees potentially losing hours. Mayor Pullen-Miles responded part-time employees could not be penalized. Councilmember Reid inquired about part-time staffs' current time-off compensation.

Community Services Director Mike Estes and City Manager/Human Resources Director Raylette, explained part-time staff are entitled to 24 hours of sick leave every calendar year and that other agencies are paying for advance paid leave or use the leave they have.

City Council reached a general consensus to keep part-time employees paid and to explore other uses for part-time staffing.

Councilmember Kearney and Mayor Pullen-Miles suggested placing part-time staff on the Meals on Wheels program where they would deliver all meals to Lawndale senior residents.

Mayor Pro Tem Suarez suggested having a hotline about the virus staffed by our part-time workers.

City Manager Kevin Chun spoke of City facilities accessibility. He went on to explain Option 1, close City Hall and other City facilities to the public, have staff available to provide service by appointment only and over the phone or email, in order to practice social distancing, and Option 2, all facilities to remain open but encourage the public to reach staff by phone or email.

City Council reached a general consensus to move forward with option 1, effective March 17, 2020.

City Manager Kevin Chun presented the Public meetings options: Option 1, close City Council and Commission meetings to the public. City Council meetings will be held remotely and public will view meeting online. Public comments will be gathered beforehand and addressed during the meeting. Limit City Council meeting to once a month. Commission meetings to be held only if need to, base on significant issues. Option 2, keep all meetings continue as usual but encourage the public to view online.

City Council reached a general consensus to move forward with option 2, effective March 17, 2020.

City Manager Kevin Chun led the meeting into parking enforcement changes.

City Council reached a general consensus to make no changes to parking enforcement during the Local Emergency.

A motion by Councilmember Reid to adopt the Resolution No. CC-2003-016 approving the ratification of the Local Emergency Proclamation (COVID-19) and approving the modifications to City operations, was seconded by Councilmember Kearney and carried by a vote of 5-0.

D. PRESENTATIONS

Mayor Pullen-Miles postponed Item No. 2, a presentation on the 2020 Youth Day Parade “Pop Culture” Artwork Contest.

2. 2020 Youth Day Parade “Pop Culture” Artwork Contest

E. PUBLIC SAFETY REPORT

Captain Allen spoke about the Coronavirus situation regarding the Los Angeles County Sheriff's Department with the summarized recent law enforcement activities.

F. ORAL COMMUNICATIONS - ITEMS NOT ON THE AGENDA

- Pam London, Resident, spoke about the potholes on Grevillea Ave. between 167th Street and 168th Street. Ms. London went on to speak about halting parking tickets during the local emergency.
- Betsy Hamilton, Superintendent of Lawndale Elementary School District, spoke about the partnership of the District and the City, youth events, and school district operations.
- Johnny London, Resident, spoke about the City assisting the public by appointment only and pay for part-time employees.

G. COMMENTS FROM COUNCIL

The City Council responded generally to the comments, but did not request placement of any issues on a future meeting agenda.

Mayor Pullen-Miles inquired about the School Districts meal program. Betsy Hamilton, Superintendent of Lawndale Elementary School District, responded that there will be a combined breakfast and lunch bag being passed out as "Grab and Go" per child, served at participating schools.

H. CONSENT CALENDAR

2. Consideration of Claims Against the City

Recommendation: that the City Council reject the claim filed by Mitra Gouel and instruct staff to process the appropriate correspondence to the claimant.

3. Second Amendment to the Contract Services Agreement for Staff Augmentation Services with KOA Corporation

Recommendation: that the City Council approve the Second Amendment to the Contract Services Agreement with KOA Corporation, extending the agreement to October 31, 2020.

4. Youth Advisory Committee Appointment

Recommendation: that the City Council (a) approve the Mayor's appointment by directing staff to insert the appointees' name in Section 1 of Resolution No. CC-2003-015, and (b) adopt the Resolution as amended.

5. Accounts Payable Register

Recommendation: that the City Council adopts Resolution No. CC-2003-014, authorizing the payment of certain claims and demands in the amount of \$395,581.47.

6. Minutes of the Lawndale City Council Regular Meeting – March 2, 2020

Recommendation: that the City Council approve.

A motion by Councilmember Kearney to approve the consent calendar was seconded by Councilmember Reid and carried by a vote of 5-0.

I. ADMINISTRATION (Continued)

7. Agreement to Update the City of Lawndale's General Plan and Hawthorne Boulevard Specific Plan

Recommendation: that the City Council (a) approve the Contract Service Agreement with De Novo Planning Group, for a term of March 17, 2020 to December 31, 2021, not to exceed \$808,920, to update the City's General Plan and Hawthorne Boulevard Specific Plan, and (b) approve recommended budget adjustments for un-designating reserves, authorizing appropriations and anticipated grant funding, as detailed in the staff report.

Director of Community Development Sean Moore reported on the agreement to update the City of Lawndale's General Plan and Hawthorne Boulevard Specific Plan.

Mayor Pro Tem Suarez inquired on the preliminary approval from Department of Housing, Community Development. Sean Moore responded accordingly.

A motion by Councilmember Osborne to approve the Contract Service Agreement with De Novo Planning Group, for a term of March 17, 2020 to December 31, 2021, not to exceed \$808,920, to update the City's General Plan and Hawthorne Boulevard Specific Plan, and approve recommended budget adjustments for un-designating reserves, authorizing appropriations and anticipated grant funding, as detailed in the staff report was seconded by Councilmember Kearney and carried by a vote of 5-0.

8. Consideration of an Administrative Citation Process

Recommendation: that the City Council (a) authorize staff to draft an Ordinance establishing an Administrative Citation process, and (b) to appropriate funds in the amount of \$4,580 for citation administration.

Municipal Services Director Michael Reyes provided a PowerPoint Presentation on the Consideration of an Administrative Citation Process.

Public Comment

Pam London, Resident, spoke about the proposed Administrative Citation Process.

Mayor Pullen-Miles spoke about the proposed Administrative Citation Process and noted that it was another tool to combat code enforcement issues.

A motion by Mayor Pullen-Miles to approve staff to draft an Ordinance establishing an Administrative Citation process and to appropriate funds in the amount of \$4,580 for citation administration was seconded by Mayor Pro Tem Suarez and carried by a vote of 5-0.

J. CITY MANAGER'S REPORT

City Manager Kevin Chun had nothing to report.

K. ITEMS FROM COUNCILMEMBERS

9. Mayor/City Councilmembers Report of Attendance at Meetings and/or Events

Councilmember Osborne spoke about the current COVID-19 pandemic.

Councilmember Reid spoke about the current COVID-19 pandemic and wanted everyone to stay healthy and wished everyone a happy St. Patrick's Day.

Councilmember Kearney attended the Liability Trust Fund Oversight Committee meeting.

Mayor Pro Tem Suarez attended the South Bay Cities Steering Committee meeting that discussed the COVID-19 pandemic.

Mayor Pullen-Miles spoke about the current COVID-19 pandemic.

L. CLOSED SESSION

At 8:18 p.m. the City Council entered into closed session.

10. Conference with Legal Counsel – Anticipated Litigation

The City Council will conduct a closed session, pursuant to Government Code section 54956.9(d)(4), because the City is considering whether to initiate litigation in one case.

At 8:27 p.m. the City Council entered back into open session.

City Attorney Tiffany Israel reported the City Council met in Closed Session to discuss the items listed on the Closed Session agenda. On item number 10, the City Council unanimously voted to authorize the initiation of a civil abatement against the owners of the 4013 W. 161st Street, Lawndale, CA 90260.

M. ADJOURNMENT

There being no further business to conduct, the mayor adjourned the meeting at 8:28 p.m.

Robert Pullen-Miles, Mayor

ATTEST:

Rhonda Hofmann Gorman, City Clerk

Approved: 4/6/2020

DRAFT



CITY OF LAWDALE

14717 BURIN AVENUE, LAWDALE, CALIFORNIA 90260
PHONE (310) 973-3200 ♦ www.lawndalecity.org

DATE: April 6, 2020

TO: Honorable Mayor and City Council

FROM: Kevin M. Chun, City Manager 

REVIEWED BY: Sean M. Moore, AICP, Director of Community Development 

PREPARED BY: Adrian Gutierrez, Administrative Assistant II AG

SUBJECT: ADOPT RESOLUTION CC-2004-017 AUTHORIZING APPLICATION FOR AND RECEIPT OF LOCAL EARLY ACTION PLANNING GRANT FUNDING

BACKGROUND

On January 27, 2020, the California Department of Housing and Community Development (HCD) released a Notice of Funding Availability (NOFA) of approximately \$119,040,000, for the Local Early Action Planning Grants Program (LEAP). LEAP is a part of the State of California's Local Government Planning Grants Program (LGPPG). The intent of the program is to provide funding to jurisdictions to prepare and adopt planning documents that will facilitate accelerated housing production, and achieve compliance in implementing the sixth cycle of the Regional Housing Needs Allocation (RHNA).

HCD has determined maximum award amounts for large, medium, and small localities based on population estimates from the State Department of Finance. The City of Lawndale is eligible for a minimum amount of \$25,000, and up to a maximum amount of \$150,000, in grant funding from LEAP based on the City's current population which is within the 20,000 to 59,000 people bracket.

Pursuant to the eligibility requirements outlined by LEAP, public agencies must demonstrate a nexus to accelerating housing production and facilitating compliance to implement the sixth-cycle Regional Housing Needs Assessments which may include the following eligible activities:

- *Updates to general plans, community plans, and/or specific plans;*
- *Updates to zoning ordinances;*
- *Procedural changes that reduce permit processing time;*
- *CEQA Streamlining;*
- *Establishing pro-housing policies; and*
- *Local improvements to permit processes that expedite planning review.*

LEAP outlines the following activities as eligible uses that can be funded with the grant monies subject to compliance with certain terms of the grant:

- *Costs of temporary staffing or consulting needs associated with eligible activities, however the use of third parties will not relieve the jurisdiction of its responsibilities under the program;*

- *Costs associated with preparing and adopting the proposed activities;*
- *Eligible expenditures may be incurred and expended for the project(s) subject to the terms and conditions of the Standard Agreement; and*
- *Only approved and eligible costs incurred for the work after the NOFA date, continued past the date of the Standard Agreement, and completed during the grant term, will be reimbursable.*

In addition, other program requirements state that a public agency receiving a grant must:

- *Submit a budget, including timelines, deliverables, sub-steps, and adoption, that demonstrate how funds will be utilized for eligible activities and uses;*
- *Demonstrate how the proposed activities will increase housing planning and implement accelerated local housing production; and*
- *Ensure that any completed or proposed actions are consistent with the State or other applicable planning priorities.*

STAFF REVIEW

The LEAP grant will provide the City with an opportunity to receive funding for eligible planning projects such as general plan updates, zoning code revisions, expedited project review, and specific plan updates. The application for these funds must be authorized by the City Council. The attached resolution authorizes the submission of an application and the execution by the City Manager or his designee of the agreement with the State of California, and other documents if necessary, required to receive the grant funding.

Staff recommends that the City Council designate the grant funding, once awarded, to assist with updating the City's General Plan (GP) and Hawthorne Blvd. Specific Plan (HBSP). The deadline for filing for the grant application is July 1, 2020.

ENVIRONMENTAL REVIEW

Staff is requesting that the City Council determine that the adoption of this resolution and application for this grant is exempt from the California Environmental Quality Act (CEQA) under Section 15378 as the application does not meet CEQA's definition of a "project" under CEQA and would not result in either a direct physical change or a reasonably foreseeable indirect physical change to the environment.

COMMISSION REVIEW

Not applicable

LEGAL REVIEW

The City Attorney has reviewed the resolution and approved it as to form.

FISCAL IMPACT

There will be minimal financial impact incurred, in connection with the utilization of staff resources to prepare the application and other related materials for submittal of the grant application to HCD. LEAP does not require a local financial commitment or matching from jurisdictions requesting grant funding.

RECOMMENDATION

It is recommended that the City Council take the following actions:

- A. Determine that the consideration of Resolution CC-2004-017 is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 15378 of the CEQA Guidelines; and
- B. Approve Resolution No. CC-2004-017 authorizing staff to submit an application for grant funding from the Local Early Action Planning Grant Program.

ATTACHMENTS

- A. Resolution CC-2004-017 Local Early Action Planning Grant Program
- B. Local Early Action Planning Grant Program Guidelines

ATTACHMENT A

**RESOLUTION CC-2004-017
LOCAL EARLY ACTION PLANNING GRANT PROGRAM**

RESOLUTION NO. CC-2004-017

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF LAWNSDALE, CALIFORNIA
AUTHORIZING APPLICATION FOR AND RECEIPT OF,
LOCAL GOVERNMENT SUPPORT GRANT PROGRAM FUNDS**

WHEREAS, pursuant to Health and Safety Code 50515 et. seq, the Department of Housing and Community Development (“Department”) is authorized to issue a Notice of Funding Availability (“NOFA”) as part of the Local Government Planning Support Grants Program (hereinafter referred to by the Department as the Local Early Action Planning Grants program or “LEAP”); and

WHEREAS, the Department has issued a NOFA and Application on January 27, 2020 in the amount of \$119,040,000 for assistance to all California Jurisdictions; and

WHEREAS, the City Council of the City of Lawnsdale desires to submit a LEAP grant application package (“Application”), on the forms provided by the Department, for approval of grant funding for projects that assist in the preparation and adoption of planning documents and process improvements that accelerate housing production and facilitate compliance to implement the sixth cycle of the regional housing need assessment.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAWNSDALE, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Manager, or his designee, is hereby authorized and directed to apply for and submit to the Department the Application package.

SECTION 2. In connection with the LEAP grant, if the Application is approved by the Department, the City Manager, or his designee, is authorized to enter into, execute, and deliver on behalf of the City, a State of California Agreement (Standard Agreement) for the amount of \$150,000.00, and any and all other documents required or deemed necessary or appropriate to evidence and secure the LEAP grant, the City’s obligations related thereto, and all amendments thereto.

SECTION 3. The City shall be subject to the terms and conditions as specified in the NOFA and the Standard Agreement provided by the Department after approval of the Standard Agreement. The City agrees that the Application and any and all accompanying documents are incorporated in full as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the Application will be enforceable through the fully executed Standard Agreement. Pursuant to the NOFA and in conjunction with the terms of the Standard Agreement, the City hereby agrees to use the funds received for eligible uses and allowable expenditures in the manner presented and specifically identified in the approved Application.

////

PASSED, APPROVED, AND ADOPTED this 6th day of April, 2020.

Robert Pullen-Miles, Mayor

ATTEST:

State of California)
County of Los Angeles) SS
City of Lawndale)

I, Rhonda Hofmann Gorman, City Clerk of the City of Lawndale, California, do hereby certify that the City Council of the City of Lawndale duly approved and adopted the foregoing Resolution No. CC-2004-017 at a regular meeting of said Council held on the 6th day of April, 2020, by the following roll call vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Robert Pullen-Miles, Mayor					
Bernadette Suarez, Mayor Pro Tem					
Pat Kearney					
James H. Osborne					
Daniel Reid					

Rhonda Hofmann Gorman, City Clerk

APPROVED AS TO FORM:

Tiffany J. Israel, City Attorney

ATTACHMENT B

LOCAL EARLY ACTION PLANNING GRANT PROGRAM GUIDELINES

**LOCAL EARLY ACTION PLANNING GRANTS PROGRAM
(LEAP)
2020 NOTICE OF FUNDING AVAILABILITY**



**State of California
Governor Gavin Newsom**

**Alexis Podesta, Secretary
Business, Consumer Services and Housing Agency**

**Douglas R. McCauley, Acting Director
California Department of Housing and Community Development**

**Zachary Olmstead, Deputy Director
California Department of Housing and Community Development
Division of Housing Policy Development**

2020 West El Camino Avenue, Suite 500
Sacramento, CA 95833
Telephone: (916) 263-2911

Website: <https://www.hcd.ca.gov/grants-funding/active-funding/leap.shtml>

Email: EarlyActionPlanning@hcd.ca.gov

January 27, 2020

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2019 NOTICE OF FUNDING AVAILABILITY LOCAL EARLY ACTION PLANNING GRANTS PROGRAM

I. Introduction

The California Department of Housing and Community Development (Department) is pleased to announce the release of this Notice of Funding Availability (NOFA) for approximately \$119,040,000 as part of the Local Early Action Planning Grants Program (LEAP or Program). LEAP is made available as a portion of the Local Government Planning Support Grants Program pursuant to Chapter 3.1 of Health and Safety Code (Sections 50515.03 (Chapter 159, Statutes of 2019)). The Program provides funding to jurisdictions for the preparation and adoption of planning documents, process improvements that accelerate housing production, and facilitate compliance in implementing the sixth cycle of the RHNA.

II. Authority and Scope

This NOFA is authorized pursuant to Chapter 3.1 of Health and Safety Code (Sections 50515 to 50515.05). The NOFA implements, interprets, and makes specific provisions for purposes of implementing planning grants to jurisdictions pursuant to 50515.03 (hereinafter "LEAP").

This NOFA establishes terms, conditions, forms, procedures and other mechanisms as the Department deems necessary to exercise the powers and perform the duties conferred by Chapter 3.1.

The matters set forth herein are regulatory mandates, and are adopted in accordance with the authorities set forth below:

Quasi-legislative regulations ... have the dignity of statutes ... [and]... delegation of legislative authority includes the power to elaborate the meaning of key statutory terms...

Ramirez v. Yosemite Water Co., 20 Cal. 4th 785, 800 (1999)

Further, the Department may implement the Program through the issuance of forms, guidelines, and one or more NOFAs, as the Department deems necessary, to exercise the powers and perform the duties conferred on it by this chapter. Any forms, guidelines, and notices of funding availability adopted pursuant to this section are hereby exempted from the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code). (Health and Safety Code Section 50515.04(f)).

The Department reserves the right, at its sole discretion, to suspend or amend the provisions of this NOFA, including, but not limited to, grant award amounts.

III. Program Summary

The Local Early Action Planning Grants Program (LEAP or Program) is part of the broader Program formerly known as the Local Government Planning Support Grants Program, which was established as part of the 2019-20 Budget Act. The 2019-20 Budget Act provides a spectrum of support, incentives, resources and accountability to meet California's housing goals. Some specific elements include:

- Planning Support (local and regional planning grants)
- Incentives (Prohousing preference and infill incentive grants)
- Funding Resources
- Accountability (penalties for noncompliant housing plans)
- Reform (collaborative processes to reform regional housing needs)

The Local Government Planning Support Grants Program provides one-time grant funding to regions and jurisdictions for technical assistance, preparation and adoption of planning documents, and process improvements. The over-arching goals of the Program are to (1) accelerate housing production; and (2) facilitate compliance to implement the sixth cycle of the regional housing need assessment (RHNA).

IV. Program Timeline

Grants will be available to eligible applicants on a noncompetitive, Over-the-Counter (OTC) basis. Applications will be accepted from the date of the release of this NOFA and up until July 1, 2020. See Table 1 below for the anticipated timeline for awards for the OTC period.

Event	Date
NOFA Release	January 27, 2020
NOFA Application Webinar	February 14, 2020
NOFA Application Workshops	February and March 2020
Final Due Date for OTC Applications	July 1, 2020
Technical Assistance	February 2020 through December 31, 2023
Expenditure Deadline	December 31, 2023

The Department will review applications within 30 days and target award of applications within 60 days, with subsequent Standard Agreements processed within 60 days of award. Applicants are encouraged to submit early in the application window.

The Department will hold workshops and a webinar to review the LEAP NOFA and application and will be conducting technical assistance to aid applicants throughout the OTC period and implementation of the grant. For a list of dates, times, and locations for the workshops as well as information on technical assistance, please visit the Department’s website at <https://www.hcd.ca.gov/grants-funding/active-funding/leap.shtml>.

V. Award Amounts

This Program will make \$119,040,000 dollars available to jurisdictions for Program implementation, including state operations and expenditures, and technical assistance. Maximum award amounts are based on population estimates as of January 1, 2019.¹ The minimum award amount is \$25,000. The maximum amount that a jurisdiction may receive pursuant to this subdivision shall be as follows:

Jurisdiction Size (in population)	Maximum Award Amount
750,000 or greater	\$1,500,000
300,000 to 749,999	\$750,000
100,000 to 299,999	\$500,000
60,000 to 99,999	\$300,000
20,000 to 59,999	\$150,000
Less than 20,000	\$65,000

Applicants seeking partnerships with other local governments will be additive. For example, two jurisdictions between 100,000 and 299,999 people could submit a proposal for up to \$1.0 million.

VI. Eligible Applicants

Eligible applicants are limited to local governments, i.e., cities and counties. However, local governments may partner through legally binding agreements with other forms of governments or entities where the proposal will have a direct effect

¹ Population estimates, posted as of January 1, 2019, are based on the Department of Finance E-1 report. Official maximum amounts per jurisdiction can be found at the Department’s website at <https://www.hcd.ca.gov/grants-funding/active-funding/leap.shtml>.

on land-use or development within the participating localities. This includes, but is not limited to, partnerships with other localities, regional governments, housing authorities, school districts, special districts, community-based organizations, or any duly constituted governing body of an Indian Reservation or Rancheria. Applicants forming partnerships, must submit separate, completed and signed application packages, including resolutions and a copy of the signed agreement between partners to the Department in order to be awarded funds.

VII. Eligible Activities

Eligible activities must demonstrate an increase in housing related planning activities and facilitate accelerated housing production. Eligible activities may be part of a larger planning effort (e.g., a comprehensive zoning code update) if proposed activities have not been completed prior to the NOFA date, are distinct, and demonstrate a nexus to accelerating housing production. Eligible activities are not necessarily jurisdiction-wide and may include a smaller geography with a significant impact on housing production. For example, eligible activities may include a housing development-related project with a significant community level impact, or planning or process improvement for a project with an ongoing community impact beyond the project. Eligible activities may include a variety of planning documents and processes, including, but not limited to, the following as set forth in Health and Safety Code section 50515.03(c):

1. Rezoning and encouraging development by updating planning documents and zoning ordinances, such as General Plans, community plans, specific plans, implementation of sustainable communities' strategies, and local coastal programs;
2. Completing environmental clearance to eliminate the need for project-specific review;
3. Establishing housing incentive zones or other area-based housing incentives beyond State Density Bonus Law such as a workforce housing opportunity zone pursuant to Article 10.10 (commencing with Section 65620) of Chapter 3 of Division 1 of Title 7 of the Government Code, or a housing sustainability district pursuant to Chapter 11 (commencing with Section 66200) of Division 1 of Title 7 of the Government Code;
4. Performing infrastructure planning, including for sewers, water systems, transit, roads, or other public facilities necessary to support new housing and new residents;
5. Planning documents to promote development of publicly-owned land, such as partnering with other local entities to identify and prepare excess or surplus property for residential development;
6. Revamping local planning processes to speed up housing production;
7. Developing or improving an accessory dwelling unit ordinance in compliance with Section 65852.2 of the Government Code;
8. Planning documents for a smaller geography (less than jurisdiction-wide) with a significant impact on housing production, including an overlay district, project level specific plan, or development standards modifications proposed for significant areas of a locality, such as corridors, downtown or priority growth areas;

9. Rezoning to meet requirements pursuant to Gov. Code Section 65583(c)(1), and other rezoning efforts to comply with Housing Element requirements, including Gov. Code Section 65583.2(c) (AB 1397, Statutes of 2018);
10. Upzoning or other implementation measures to intensify land use patterns in strategic locations, such as close proximity to transit, jobs or other amenities;
11. Rezoning for multifamily housing in high resource areas (according to Tax Credit Allocation Committee/Housing Community Development Opportunity Area Maps);
12. Establishing pre-approved architectural and site plans;
13. Preparing and adopting Housing Elements of the General Plan that include an implementation component to facilitate compliance with the sixth cycle RHNA;
14. Adopting planning documents to coordinate with suballocations under Regional Early Action Planning Grants (REAP) pursuant to Health and Safety Code Section 50515.02(f) that accommodate the development of housing and infrastructure, and accelerate housing production in a way that aligns with state planning priorities, housing, transportation equity and climate goals, including hazard mitigation or climate adaptation;
15. Zoning for by-right supportive housing, pursuant to Gov. Code section 65651 (Chapter 753, Statutes of 2018);
16. Zoning incentives for housing for persons with special needs, including persons with developmental disabilities;
17. Planning documents related to carrying out a local or regional housing trust fund;
18. Environmental hazard assessments; data collection on permit tracking; feasibility studies, site analysis, or other background studies that are ancillary (e.g., less than 15 percent of the total grant amount) and part of a proposed activity with a nexus to accelerating housing production; and
19. Other planning documents or process improvements that demonstrate an increase in housing related planning activities and facilitate accelerating housing production; and
20. Establishing Prohousing Policies, as follows:

Prohousing Policies

The Department encourages applicants to consider LEAP funds to facilitate designation as a Prohousing jurisdiction.

The 2019-20 Budget Act requires the Department to develop the Prohousing designation emergency regulations by no later than July 1, 2021. This program will allow the Department to designate jurisdictions as "Prohousing," when they demonstrate policies and strategies to accelerate housing production. In turn, Prohousing jurisdictions will be awarded additional points or preference in programs such as the Affordable Housing and Sustainable Communities (AHSC), Transformative Climate Communities (TCC), Infill Infrastructure Grant (IIG) programs and other state funding programs. The Department anticipates developing emergency regulations and Prohousing designations prior to July 1, 2021, and will seek to designate jurisdictions prior to future rounds of AHSC, TCC and IIG

programs.

Pursuant to Gov. Code Section 65589.9(f)(2), "Prohousing" policies mean policies that facilitate the planning, approval, or construction of housing. These policies may include, but are not limited to, the following:

- A. Planning for local financial incentives for housing, including, but not limited to, establishing a local housing trust fund;
- B. Reducing parking requirements for sites that are zoned for residential development;
- C. Adoption of zoning allowing for use by right for residential and mixed-use development;
- D. Zoning more sites for residential development or zoning sites at higher densities than is required to accommodate the minimum existing RHNA for the current Housing Element cycle;
- E. Adoption of accessory dwelling unit ordinances or other mechanisms that reduce barriers for property owners to create accessory dwelling units beyond the requirements outlined in Section 65852.2, as determined by the Department;
- F. Process improvements that reduce permit processing time;
- G. Creating of objective development standards;
- H. Studies and implementing actions that reduce development impact fees; and
- I. Establishing a Workforce Housing Opportunity Zone, as defined in Section 65620, or a housing sustainability district, as defined in Section 66200."

VIII. Ineligible Activities

- 1. Activities unrelated to preparation and adoption of planning documents, and process improvements to accelerate housing production and facilitate compliance to implement the sixth cycle of the RHNA;
- 2. Activities that obstruct or hinder housing production, e.g., moratoriums, downzoning, planning documents with conditional use permits that significantly impact supply, cost, approval certainty and timing, planned development, or other similarly constraining processes; and
- 3. Project specific planning documents that do not have a significant impact on accelerating housing production or significant community level or re-occurring benefit beyond the project.
- 4. The Department may consider proposals that are combined with larger proposals that have a positive housing component and the net effect on accelerating housing production is significant. For example, an applicant may propose combining an open-space designation, downzoning, or anti-displacement measures with by-right upzoning that has a significant net gain in housing capacity.

IX. Eligible Uses

1. Grant funds may cover the costs of temporary staffing or consultant needs associated with eligible activities;
2. Grant funds shall be used for the costs of preparing and adopting the proposed activity;
3. A jurisdiction that receives funds under this Program may use a subcontractor. The subcontract shall provide for compliance with all the requirements of the Program. The subcontract shall not relieve the jurisdiction of its responsibilities under the Program;
4. Eligible expenditures may be incurred and expended for the project(s) subject to the terms and conditions of the Standard Agreement; and
5. Only approved and eligible costs incurred for work after the NOFA date, continued past the date of the Standard Agreement, and completed during the grant term, will be reimbursable.

X. Ineligible Uses

1. Program grant funds may not be used for administrative costs of persons employed by the grantee for activities not directly related to the preparation and adoption of the proposed activity;
2. No more than 5 percent of the grant amount may be used for administrative costs for any proposed use, to be approved by the Department upon disbursement; and
3. Approved and eligible costs incurred prior to the NOFA date are ineligible.

XI. Application Requirements

Until July 1, 2020, a jurisdiction may request an allocation of funds pursuant to this section by submitting a complete application to the Department that demonstrates:

1. A budget, including timelines, deliverables, sub-steps and adoption, that demonstrates funds will be utilized for eligible activities and uses;
2. How proposed activities will increase housing planning and facilitate accelerating local housing production;
3. Completed or proposed activities consistent with the state or other planning priorities; and
4. All other required information contained in the Department's application

Applicants will demonstrate consistency with these requirements utilizing the forms and manner prescribed in the Department application.

Accelerating Housing Production: Applicants must propose and document plans or processes that increase housing planning and facilitate accelerating local housing production. The application must demonstrate a significant positive effect on accelerating housing production through timing, cost, approval certainty, entitlement streamlining, feasibility, infrastructure capacity, or impact on housing

supply and affordability. An application must include an explanation and documentation of the nexus to accelerating housing production based on a reasonable and verifiable methodology and must utilize the Department's form (see the Department's application). A verifiable methodology may include a statement of support from a non-profit or for-profit developer that is active in the locality.

State and Other Planning Priorities: Consistency with state or other planning priorities may be demonstrated through proposed activities in the application **OR** activities that were completed within the last five years. Applicants must self-certify utilizing the Department's form (see Department's application).

XII. Application Submission Requirements

In order to be eligible for grant funding, an applicant must submit a completed, signed original application and an electronic copy on CD or USB flash drive. Applications will be accepted on an OTC basis as of the date of this NOFA through July 1, 2020. The Department encourages early applications and will accept applications post-marked by the July 1, 2020 deadline. Applicants may utilize various carrier services, such as the U.S. Postal Service, UPS, FedEx, or other carrier services. All applications must be submitted to the Department at the following address:

**California Department of Housing and Community Development
Division of Housing Policy Development
2020 West El Camino Ave, Suite 500
Sacramento, CA 95833**

Applications must be on Department forms and cannot be altered or modified by the applicant. Program applications and forms are available on the Department's website located at <https://www.hcd.ca.gov/grants-funding/active-funding/leap.shtml>.

XIII. Application Review

1. The Program will not utilize a competitive process to award funds.
2. Funds will be available to eligible applicants on a rolling OTC basis that begins as of the date of this NOFA and ends July 1, 2020.
3. An application form will be available upon release of the NOFA and will include forms to demonstrate meeting eligibility requirements such as, among other forms, a resolution, a proposed budget and timeline table and self-certified attachments demonstrating a nexus to housing production and consistency with state planning and other priorities;
4. Applications will first be reviewed for, among other things, completeness, eligibility requirements, and accuracy;
5. In order to be considered complete, an application must contain requested

- information and supporting documentation where appropriate;
6. All applications must meet the eligibility requirements as specified in this NOFA;
 7. If the application is ineligible, it will not be considered for funding, but may be amended and resubmitted;
 8. The Department may request additional information to complete and approve the application for funding;
 9. Applications recommended for funding are subject to conditions specified by the Department;
 10. Applications will be reviewed within 30 days from the date the Department receives the application; and
 11. All applicants not meeting the eligibility requirements will be informed within 30 days from the date the Department receives the application.

XIV. Award Letter and Standard Agreement

Successful applicants will receive an Award Letter from the Department and will be awarded funds. Applicants will enter into a state Standard Agreement (Standard Agreement) for distribution of funds. The Standard Agreement process will specify, among other things, the amount of funds granted, timeline for expenditure of funds, and the approved use of funds. Expenditure report dates and other requirements will also be identified in the Standard Agreement.

XV. Appeals

1. Basis of Appeals:
 - A. Upon receipt of the Department's notice deeming an application incomplete or ineligible, applicants under this NOFA may appeal such decision(s) to the Department Director.
 - B. The decision of the Director is final and not subject to further administrative or judicial review.
 - C. No applicant shall have the right to appeal a decision of the Department relating to another applicant's eligibility, award, denial of award, or any other related matter.
2. Appeals Process and Deadlines:
 - A. Process. In order to lodge an appeal, applicants must submit to the Director by the deadline set forth in subsection (b) below, a written appeal which states all relevant facts, arguments, and evidence upon which the appeal is based. No new or additional information will be accepted. Once the written appeal is submitted to the Director, no further information or materials is required to be accepted or considered thereafter. Appeals are to be submitted to the Director at following address:

California Department of Housing and Community Development
Division of Housing Policy Development
2020 W. El Camino Avenue, Suite 500
Sacramento, California 95833
EarlyActionPlanning@hcd.ca.gov

The Director will accept appeals delivered through a carrier service such as the U.S. Postal Service, UPS, Fed-Ex, or other carrier services that provide date stamp verification of delivery. Deliveries must be received during the Department's weekday (non-state holiday) business hours of 9:00 a.m. to 5:00 p.m. Pacific Standard Time. Additionally, emails to the email address listed above will be accepted if the email time stamp is prior to the appeal deadline.

- B. Filing Deadline. Appeals must be received by the Director no later than (5) five business days from the date of the Department's determination.

3. Decision:

Any request to amend the Department's decision shall be reviewed for compliance with this NOFA and its application. The Director shall render his/her decision in writing within fifteen (15) business days of receipt of the applicant's written appeal. The decision of the Director shall be the Department's final decision, and shall not be appealable to any court or tribunal.

XVI. Administration

1. Grant Execution and Term

- A. The Department will notify the grantee if they have been selected for a grant award;
- B. After the Standard Agreement has been drawn, the grantee will be provided instructions for signing all required documents. The grantee must submit all supporting materials and a signed Standard Agreement within the timeline provided in the instructions, or risk forfeiting the grant award;
- C. The grant term begins on the day the Department and the grantee have fully executed the Standard Agreement. The Department will notify the grantee and partners when work may proceed under the agreement. However, eligible activities that are approved by the Department may be retroactively reimbursed to the date of the NOFA; and
- D. The end of the grant term will be determined by the state based on the availability of grant funds and the administrative requirements for liquidation.

2. Payment and Accounting of Grant Funds

- A. Grant funds cannot be disbursed until the Standard Agreement has been fully executed;
- B. The grantee will be responsible for compiling and submitting all invoices and reporting documents. Grantees will submit for reimbursements to the Department based on actual cost incurred;
- C. The grantee must bill the state based on clear deliverables outlined in the Standard Agreement or budget timeline. Only approved and eligible costs incurred for work after the NOFA date, continued past the date of the Standard Agreement, and completed and processed prior to the expenditure deadline, will be reimbursable. Approved and eligible costs incurred prior to the NOFA date are ineligible;
- D. Work must be completed prior to requesting reimbursement;
- E. Grant fund payment will be made on a reimbursement basis; advance payments are not allowed. The grantee and partners must have adequate cash flow to pay all grant-related expenses prior to requesting reimbursement from the Department. Project invoices will be submitted to the Department by the grantee on a quarterly basis;
- F. In unusual circumstances, the Department may consider alternative arrangements to reimbursement and payment methods based on documentation demonstrating cost burdens, including the inability to pay for work;
- G. Supporting documentation may include, but is not limited to: receipts, progress payments, subcontractor invoices, time cards, etc.;
- H. Invoices must be accompanied by reporting materials where appropriate. Invoices without the appropriate reporting materials will not be paid. The Department may withhold 10 percent of the grant until grant terms have been fulfilled; and
- I. Each recipient of funds under the Program shall expend those funds no later than December 31, 2023.

3. Accounting Records and Audits

- A. The grantee must establish a separate ledger account for receipts and expenditures of grant funds and maintain expenditure details in accordance with the budget and timeline. Separate bank accounts are not required;
- B. The grantee shall maintain documentation of its normal procurement policy and competitive bid process (including the use of sole source purchasing), and financial records of expenditures incurred during the course of the project, in accordance with generally accepted accounting principles;
- C. The grantee agrees that the state or designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of the Standard Agreement;
- D. The grantee agrees to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated;
- E. Subcontractors employed by the grantee and paid with moneys under the

terms of this Standard Agreement shall be responsible for maintaining accounting records as specified above;

- F. At any time during the term of the Standard Agreement, the Department may perform, or cause to be performed, a financial audit of any and all phases of the award. At the Department's request, the awardee shall provide, at its own expense, a financial audit prepared by a certified public accountant. The State of California has the right to review project documents and conduct audits during project implementation and over the project life;
- G. The Department may request additional information, as needed, to meet other applicable audit requirements; and
- H. The Department may monitor expenditures and activities of an applicant, as the Department deems necessary, to ensure compliance with Program requirements.

4. Remedies of Nonperformance

- A. In the event that it is determined, at the sole discretion of the state, that the grantee is not meeting the terms and conditions of the Standard Agreement, immediately upon receiving a written notice from the Department to stop work, the grantee shall cease all work under the Standard Agreement. The Department has the sole discretion to determine that the grantee meets the terms and conditions after a stop work order, and to deliver a written notice to the grantee to resume work under the Standard Agreement;
- B. Both the grantee and the Department have the right to terminate the Standard Agreement at any time upon 30 days written notice. The notice shall specify the reason for early termination and may permit the grantee or the Department to rectify any deficiency(ies) prior to the early termination date. The grantee will submit any requested documents to the Department within 30 days of the early termination notice; and
- C. There must be a strong implementation component for the funded activity through this Program, including, where appropriate, agreement by the locality to formally adopt the completed planning document. Localities that do not formally adopt the funded activity could be subject to repayment of the grant.
- D. The Department may, as it deems appropriate or necessary, request the repayment of funds from an applicant, or pursue any other remedies available to it by law for failure to comply with Program requirements (Health and Safety Code section 50515.04(e)).

5. Reporting

- A. At any time during the term of the Standard Agreement, the Department may request a performance report that demonstrates satisfaction of all requirements identified in the Standard Agreement with emphasis on eligible activities, eligible uses, ineligible uses, and expenditures, according to timelines and budgets referenced in the Standard Agreement;
- B. Awardees shall submit a report, in the form and manner prescribed by

the Department, to be made publicly available on its internet website, by April 1 of the year following the receipt of those funds, and annually thereafter until those funds are expended, that contains the following information:

- The status of the proposed uses listed in the entity's application for funding and the corresponding impact on housing within the region or jurisdiction; and
 - A summary of building permits, certificates of occupancy, or other completed entitlements issued by entities within the region, or by the jurisdiction, as applicable.
- C. The awardee must, in lieu of a separate report, provide the above described information as part of its annual report pursuant to Gov. Code Section 65400;
- D. The Department may request additional information, as needed, to meet other applicable reporting requirements;
- E. Upon completion of all deliverables within the Standard Agreement, the awardee shall submit a close out report. See Attachment 1; and
- F. The Department shall maintain records of the following and provide that information publicly on its internet website:
- The name of each applicant for Program funds and the status of that entity's application;
 - The number of applications for Program funding received by the Department; and
 - The information described in 5(B) above for each recipient of Program funds.

XVII. Right to Modify or Suspend the NOFA, and Final Decision-making

The Department reserves the right, at its sole discretion, to suspend, amend, or modify the provisions of this NOFA at any time, including, without limitation, the amount of funds available hereunder. If such an action occurs, the Department will notify all interested parties and will post the revisions to the Department's website. You may subscribe to the Department's email list here: http://www.hcd.ca.gov/HCD_SSI/subscribe-form.html.

Further, the Department's decision to approve or deny an application or request for funding pursuant to the Program, and its determination of the amount of funding to be provided, shall be final.

XVIII. Definitions

All terms not defined below shall, unless their context suggests otherwise, be interpreted in accordance with the meanings of terms described in Health and Safety Code section 50470.

- A. "Accelerating Housing Production" means improving the timing, cost, feasibility, approval and amount of development through various mechanisms such as zoning incentives (e.g., increased density and heights, reduced parking requirements), upzoning, zoning amendments to permit residential in non-residential zones, corridor planning, development standards modifications, non-discretionary review, financing strategies, sliding scale fee modifications, facilitating adequate infrastructure to support development, approval streamlining that addresses quickness and ease of entitlements, and other mechanisms that promote production or remove or mitigate regulatory barriers.
- B. "Affordability" means a housing unit that satisfies at least one of the following criteria:
 - 1. It is available at an "affordable rent" as that term is used and defined in Section 50053 of the Health & Safety Code;
 - 2. It is offered at an "affordable housing cost", as that term is used and defined in Section 50052.5 of the Health & Safety Code; or
 - 3. It is available at an "affordable rent" or an "affordable housing cost" according to the alternative percentages of income for agency-assisted rental and cooperative housing developments pursuant to Department regulations adopted under Health and Safety Code section 50462(f).
- C. "Annual Progress Report" (APR) means the annual report required to be submitted to the Department pursuant to paragraph (2) of subdivision (a) of Section 65400 of the Government Code.
- D. "Completed entitlement" means a housing development project that has received all the required land use approvals or entitlements necessary for the issuance of a building permit and for which no additional action, including environmental review or appeals, is required to be eligible to apply for and obtain a building permit.
- E. "Council of governments" means a single or multicounty council created by a joint powers agreement pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code that is responsible for allocating regional housing need pursuant to Sections 65584, 65584.04, and 65584.05 of the Government Code.
- F. "Department" means the California Department of Housing and Community Development.

- G. "Housing" means any development that satisfies both of the following criteria:
1. At least two-thirds of the square footage of the development must be designated for residential use; and
 2. Includes a house, an apartment, a mobile home or trailer, a group of rooms, or a single room that is occupied as separate living quarters, or, if vacant, is intended for occupancy as separate living quarters. Separate living quarters are those in which the occupants live separately from any other individuals in the building, and which have a direct access from the outside of the building, or through a common hall.
- Note: accessory dwelling units (ADU) and junior accessory dwelling units (JADU) pursuant to Gov. Code sections 65852.2 and 65852.22 meet the definition above.
- H. "Housing Element" or "element" means the Housing Element of a community's General Plan, as required pursuant to subdivision (c) of Section 65302 of the Government Code and prepared in accordance with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7 of the Government Code.
- I. "Jurisdiction" means any city, including a charter city, county, including a charter county or city and county, including a charter city and county.
- J. "Local government" or "Locality" means any city, including a charter city, county, including a charter county or city and county, including a charter city and county.
- K. "Objective zoning standard", "objective subdivision standard", and "objective design review standard" means standards that involve no personal or subjective judgment by a public official, and are uniformly verifiable by reference to an external and uniform benchmark or criterion available, and knowable by both the development applicant or proponent and the public official prior to submittal. "Objective design review standards" means only objective design standards published and adopted by ordinance or resolution by a local jurisdiction before submission of a development application, which are broadly applicable to development within the jurisdiction.
- L. "Other Planning Priorities" means planning, policies, programs or investments to promote housing choices and affordability to lower and moderate income households, the encouragement of conservation of the existing affordable housing stock, and efforts to take into account current and future impacts of climate change, including hazard mitigation.
- M. "Regional housing need assessment" means the existing and projected need for housing for each region, as determined by the Department pursuant to Section 65584.01 of the Government Code.

- N. "State Planning Priorities" means priorities which are intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety in the state, including in urban, suburban, and rural communities pursuant to Gov. Code Section 65041.1.

- O. "Streamlined Housing Production" means improving the entitlement process through actions such as removing, mitigating or minimizing local regulatory requirements, reforming the local approval process to reduce processing times, the number of local discretionary approvals and permits needed for projects, improving approval certainty, establishing non-discretionary processes, modifying development standards, such as reducing parking requirements and increasing height limits, or other efforts, such as taking the fullest advantage of existing streamlining mechanisms provided in state law.



CITY OF LAWDALE

14717 BURIN AVENUE, LAWDALE, CALIFORNIA 90260
PHONE (310) 973-3200 ♦ www.lawndalecity.org

DATE: April 6, 2020
TO: Honorable Mayor and City Council
FROM: Kevin M. Chun, City Manager 
PREPARED BY: Tiffany J. Israel, City Attorney

SUBJECT: **CITY COUNCIL CONSIDERATION OF AN URGENCY ORDINANCE
PROHIBITING EVICTIONS DURING THE COVID-19 PANDEMIC**

BACKGROUND

On March 4, 2020, Governor Newsom declared the existence of a state of emergency for the State of California due to threats to people within the State from the novel coronavirus known as COVID-19 and the County declared the existence of a local emergency for Los Angeles County.

On March 16, 2020, the Los Angeles County Health Officer (Health Officer) issued an order (“County Order”) prohibiting all indoor and outdoor, public and private events and gatherings within a confined space, where 50 or more members of the public are expected to attend at the same time and to require social distancing measures and temporary closure of certain businesses. The order explains that it was based on evidence of increasing community transmission requiring the immediate implementation of additional community mitigation efforts to help reduce the spread of COVID-19. To further protect against the spread of COVID-19, the County Order also requires persons in charge of events and gatherings attended by 10-49 persons to ensure that attendees follow specific social distancing measures and infection control guidelines for the duration of the event. The Health Officer has authority over all cities within the County of Los Angeles, not just the unincorporated areas.

Also on March 16, 2020, the City proclaimed the existence of a local emergency as a result of the spread of COVID-19 within Los Angeles County and activated the City’s Emergency Operations Center.

On March 17, 2020, the Governor issued Executive Order N-28-20, which waived any provisions of State law that would preempt or otherwise restrict a local government’s exercise of its police power to impose substantive limitations on residential or commercial evictions, including but not limited to Civil Code Sections 1940 *et seq.* or 1954.25 *et seq.*, until May 31, 2020, unless extended.

On March 19, 2020, because of the continued rapid spread of COVID-19 and the need to protect the community, the County Order was expanded to prohibit (1) all indoor public and private gatherings, (2) all outdoor public and private events within a confined space where at least 10 people are expected to be in attendance at the same time, and (3) all nonessential businesses to close.

On March 19, 2020, the Governor issued Executive Order N33-20, effective that night, requiring people within the State to stay at home, other than to obtain food and other essential services. As a result of this public health emergency and the precautions mandated, many residential and commercial tenants in Lawndale have experienced or expect soon to experience sudden and unexpected income loss. Individuals exposed to COVID-19 may be temporarily unable to report to work due to illness caused by COVID-19 or quarantines related to COVID-19, and such individuals and their families may experience potential loss of income, health care and medical coverage, and ability to pay for housing and basic needs, thereby placing increased demands on already strained regional and local health and safety resources, including shelters and food banks.

On March 21, 2010, the County Order was further updated to comply with the Governor's Executive Order N-33-20, which ordered all individuals living in the State of California to stay home except as needed to maintain continuity of operations of critical infrastructure and to extend the list of the types of businesses required to be closed.

On March 27, 2020, the Governor issued Executive Order N-37-20, supplementing Executive Order N-28-20, prohibiting the eviction (though May 31) of residential tenants who advise their landlord within 7 days after their rent due date that they are unable to pay rent because the tenant has lost income as a result of the COVID-19 crisis.

Using the authority Governor Newsom issued with Executive Order N-28-20, more than thirty California cities and counties, including the City of Los Angeles, have passed eviction bans due to the novel coronavirus outbreak according to the California Apartment Association.

STAFF REVIEW

As much as COVID-19 is a novel disease, it is a novel experience for landlords, tenants, attorneys, and governments as the laws are rapidly changing and evolving daily. Under the proposed Urgency Ordinance, during the COVID-19 emergency, if a residential or commercial tenant within the City of Lawndale fails to pay rent that was due on or after March 16, 2020, the date the City proclaimed this emergency the landlord may not endeavor to evict a tenant in either of the following situations:

- (1) For nonpayment of rent if the tenant demonstrates that the tenant is unable to pay rent due to financial impacts related to COVID-19, or
- (2) For a no-fault eviction unless necessary for the health and safety of tenants, neighbors, or the landlord.

A landlord who knows that a tenant cannot pay some or all of the rent temporarily for the reasons set forth above shall not serve a notice to terminate tenancy, file or prosecute an unlawful detainer action based on a 3-day pay or quit notice, or otherwise seek to evict for nonpayment of rent.

A tenant must give the landlord notice of the tenant's inability to pay rent within 30 days after the date that rent is due by notifying the landlord in writing of lost income and inability to pay full rent due to financial impacts related to COVID-19, and provides documentation to support the claim.

Nothing in the Urgency Ordinance relieves a tenant of liability for the unpaid rent, which the landlord may seek after expiration of the local emergency, and the tenant must pay within six months of the expiration of the local emergency. The landlord would also be prohibited from charging or collecting a

late fee for rent that is delayed for the reasons stated in this Urgency Ordinance. A violation of the Urgency Ordinance is punishable as a misdemeanor.

Hence, the moratorium does not relieve tenants of their obligation to pay rent. Rather, it suspends a landlord's right to move forward with evicting a tenant who has accurately documented their COVID-19 caused financial hardship while the Stay at Home Order is in place.

This Urgency Ordinance would provide more tenant protections than Executive Order N-37-20, the Governor's eviction moratorium. For example, the Urgency Ordinance, which is written to have a term through May 31 unless the Governor extends the duration permissible under Executive Order N-28-20, (1) also applies to commercial tenants, (2) prohibits "no - fault" evictions (an eviction where the tenant has done nothing wrong) unless the eviction is needed to protect the health and safety of other tenants, neighbors, or the landlord, (3) gives a tenant 30 days (versus 7) after the rent due date to notify the landlord in writing of lost income and inability to pay full rent due to financial impacts related to COVID-19, and provide documentation to support the claim, and (4) requires a landlord to give a tenant 6 months to catch up on any rent not paid this spring because the tenant's income was reduced as a result of the crisis.

This item is proposed as a Urgency Ordinance which means that if approved by a vote of at least four-fifths of the City Council the Urgency Ordinance is effective immediately.

LEGAL REVIEW

The Urgency Ordinance was prepared by the City Attorney's office.

FISCAL IMPACT

None.

RECOMMENDATION

Staff recommends that the City Council consider whether to adopt Urgency Ordinance 1170-20.

Attachments: Urgency Ordinance 1170-20

URGENCY ORDINANCE NO. 1170-20

**AN URGENCY ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF LAWNSDALE, CALIFORNIA
PROHIBITING RESIDENTIAL AND COMMERCIAL TENANT
EVICTIONS RELATED TO THE
COVID-19 PANDEMIC AND EXEMPTION FROM CEQA**

SUMMARY: Effective immediately, this ordinance prohibits residential and commercial evictions resulting from the COVID-19 pandemic.

WHEREAS, in December of 2019, an outbreak of respiratory illness due to a novel coronavirus (a disease now known as COVID-19) was first identified in Wuhan City, Hubei Province, China; and

WHEREAS, COVID-19 has since spread outside of China, impacting more than 177 countries, including the United States; and

WHEREAS, the California Department of Public Health has activated its Medical and Health Coordination Center, and the Office of Emergency Services has activated the State Operations Center to provide support and guide actions to preserve public health; and

WHEREAS, on March 4, 2020, Governor Newsom declared the existence of a state of emergency for the State of California due to threats to people within the State from COVID-19 and the County declared the existence of a local emergency for Los Angeles County; and

WHEREAS, on March 16, 2020, the Los Angeles County Health Officer (Health Officer) issued an order (“County Order”) prohibiting all indoor and outdoor, public and private events and gatherings within a confined space where 50 or more members of the public are expected to attend at the same time and to require social distancing measures and the temporary closure of certain businesses within the County. The order explains that it is based on evidence of increasing community transmission requiring the immediate implementation of additional community mitigation efforts to help reduce the spread of COVID-19 within the county. To further protect against the spread of COVID-19, the County Order also requires persons in charge of events and gatherings attended by 10-49 persons to ensure that attendees follow specific social distancing measures and follow infection control guidelines for the duration of the event; and

WHEREAS, also on March 16, 2020, the City Manager, in his role as the City’s Director of Emergency Services, proclaimed the existence of a local emergency to activate the City’s Emergency Operations Center as a result of the spread of COVID-19, which local emergency proclamation was ratified by the City Council on March 16, 2020; and

WHEREAS, the Centers for Disease Control and Prevention, the California Department of Health, and the Los Angeles County Department of Public Health have all issued recommendations and/or orders including but not limited to social distancing, staying home if sick, canceling or postponing large group events, working from home, and other precautions to protect public health and prevent transmission of this communicable virus; and

WHEREAS, on March 17, 2020, the Governor issued Executive Order N-28-20, which waived any provisions of state law that would preempt or otherwise restrict a local government's exercise of its police power to impose substantive limitations on residential or commercial evictions, including but not limited to Civil Code Sections 1940 *et seq.* or 1954.25 *et seq.*, until May 31, 2020, unless extended; and

WHEREAS, on March 19, 2020, because of the continued rapid spread of COVID-19 and the need to protect the community, the County Order was expanded to prohibit all indoor public and private gatherings and all outdoor public and private events within a confined space where at least 10 people are expected to be in attendance at the same time through at least April 19, 2020. This updated County Order also required all nonessential businesses to close; and

WHEREAS, also on March 19, 2020, the Governor issued Executive Order N-33-20, effective that night, requiring people within the State to stay at home, other than to obtain food and other essential services. As a result of this public health emergency and the precautions mandated, many tenants in Lawndale have experienced or expect soon to experience sudden and unexpected income loss; and

WHEREAS, the Governor has stated that individuals exposed to COVID-19 may be temporarily unable to report to work due to illness caused by COVID-19 or quarantines related to COVID-19, and such individuals and their families may experience potential loss of income, health care and medical coverage, and ability to pay for housing and basic needs, thereby placing increased demands on already strained regional and local health and safety resources, including shelters and food banks; and

WHEREAS, the County Order was further updated on March 21, 2020 to comply with the Governor's Executive Order N-33-20, which ordered all individuals living in the State of California to stay home except as needed to maintain continuity of operations of critical infrastructure and to extend the list of the types of businesses required to be closed. To the extent there remain differences in the standards adopted by the State and County, the stricter standards apply; and

WHEREAS, the City Council the power, under Government Code sections 36934 and 36937, to adopt an ordinance that takes effect immediately if it is an ordinance "[f]or the immediate preservation of the public peace, health or safety, containing a declaration of the facts constituting the urgency, and is passed by a four-fifths vote of the City Council"; and

WHEREAS, based on the forgoing, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the City Council believes it is necessary to issue and implement this Urgency Ordinance to protect life, property and civil order.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAWNDALE, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The foregoing recitals are true and correct, and are incorporated herein by reference as findings of fact.

SECTION 2. Urgency and Emergency Findings. The City Council finds that there is a current and immediate threat to public health, safety, and welfare posed by COVID-19, and there is an

immediate need for the preservation of public peace, health or safety of the residents and community of the City. One of the many effects of the COVID-19 pandemic is that the stay at home order precludes many residents of the City from working or significantly reduces the hours that may be worked or requires residents to refrain from working or to work fewer hours to take care of children who are home because schools are closed, take care of ill family members, or because they themselves are ill. The City Council further finds that during this local emergency, and in the interest of protecting the public health and preventing transmission of COVID-19, it is essential to avoid unnecessary housing displacement, to protect the City's affordable housing stock, and to prevent housed individuals from falling into homelessness. Additionally, the loss of income as a result of COVID-19 may inhibit City residents and businesses from fulfilling their financial obligations, including paying rent, while further economic impacts are anticipated, leaving tenants vulnerable to eviction.

SECTION 3. Prohibition on Evictions. A temporary moratorium on eviction for non-payment of rent by residential and commercial tenants impacted by the COVID-19 crisis is imposed as follows:

a. During the period of local emergency declared in response to COVID-19, no landlord shall endeavor to evict a tenant in either of the following situations: (1) for nonpayment of rent if the tenant demonstrates that the tenant is unable to pay rent due to financial impacts related to COVID-19 or (2) for a no-fault eviction unless necessary for the health and safety of tenants, neighbors, or the landlord. A landlord who knows that a tenant cannot pay some or all of the rent temporarily for the reasons set forth above shall not serve a notice pursuant to Code of Civil Procedure Section 1161(2), file or prosecute an unlawful detainer action based on a 3-day pay or quit notice, or otherwise seek to evict for nonpayment of rent. A landlord knows of a tenant's inability to pay rent within the meaning of this Ordinance if the tenant, within 30 days after the date that rent is due, notifies the landlord in writing of lost income and inability to pay full rent due to financial impacts related to COVID-19, and provides documentation to support the claim. For purposes of this Ordinance "in writing" includes email or text communications to a landlord or the landlord's representative with whom the tenant has previously corresponded by email or text. Any medical or financial information provided to the landlord shall be held in confidence, and only used for evaluating the tenant's claim. Nothing in this Ordinance shall relieve a tenant of liability for the unpaid rent, which the landlord may seek after expiration of the local emergency and the tenant must pay within six months of the expiration of the local emergency. A landlord may not charge or collect a late fee for rent that is delayed for the reasons stated in this Ordinance; nor may a landlord seek rent that is delayed for the reasons stated in this Ordinance through the eviction process.

b. For purposes of this Ordinance, "financial impacts related to COVID-19" include, but are not limited to, tenant lost household income as a result of any of the following: (1) being sick with COVID-19, or caring for a household or family member who is sick with COVID-19; (2) lay-off, loss of hours, or other income reduction resulting from business closure or other economic or employer impacts of COVID-19; (3) compliance with a recommendation from a government health authority to stay home, self-quarantine, or avoid congregating with others during the state of emergency; (4) extraordinary out-of-pocket medical expenses; or (5) child care needs arising from school closures related to COVID-19.

c. For purposes of this Ordinance, "no-fault eviction" refers to any eviction for which the notice to terminate tenancy is not based on alleged fault by the tenant, including but not limited

to eviction notices served pursuant to Code of Civil Procedure sections 1161(1), 1161(5), or 1161c.

d. This Ordinance applies to nonpayment eviction notices, no-fault eviction notices, and unlawful detainer actions based on such notices, served or filed on or after March 16, 2020, the date on which a local emergency was proclaimed through May 31, 2020 as authorized in the Governor’s Executive Order N-28-20, or such longer period if this authorization is extended by the Governor.

e. The violation of this Ordinance shall be punishable as a misdemeanor as set forth in Section 1.08.020 of the Lawndale Municipal Code. In addition, this Ordinance grants a defense in the event that an unlawful detainer action is commenced in violation of this Ordinance.

f. This Ordinance may be superseded by a duly enacted Ordinance of the City Council that expressly supersedes this Ordinance.

SECTION 4. Adoption; Effective Date. Pursuant to Government Code Section 36937, this ordinance shall take effective immediately upon approval of the same by a four-fifths (4/5) affirmative vote of the City Council. The City Council finds and determines that the same is necessary to the preservation of the public peace, health or safety, in that adoption of the same will help prevent price gouging during declared states of emergency.

SECTION 5. CEQA. This Urgency Ordinance is exempt from the California Environmental Quality Act (“CEQA”) under Section 15061(b)(3) of the CEQA Guidelines, which provides that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where, as here, it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The adoption of a temporary moratorium on evictions would not cause a significant effect on the environment.

SECTION 6. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of any competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each and every section, subsection, sentence, clause and phrase thereof not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 7. The City Clerk shall certify to the passage and adoption of this Urgency Ordinance, and shall make a minute of the passage and adoption thereof in the records of and the proceedings of the City Council at which the same is passed and adopted. This ordinance shall be in full force and effect immediately and the City Clerk shall cause it to be posted and published in a newspaper of general circulation in the manner required by law.

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PASSED, APPROVED, AND ADOPTED this 6th day of April, 2020.

Robert Pullen-Miles, Mayor

ATTEST:

State of California)
County of Los Angeles) SS
City of Lawndale)

I, Rhonda Hofmann Gorman, City Clerk of the City of Lawndale, California, do hereby certify that the City Council duly adopted the foregoing Urgency Ordinance No. 1170-20 at its meeting held on the 6th day of April, 2020, by the following roll call vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Robert Pullen-Miles, Mayor					
Bernadette Suarez, Mayor Pro Tem					
James H. Osborne					
Pat Kearny					
Daniel Reid					

Rhonda Hofmann Gorman, City Clerk

Date

APPROVED AS TO FORM:

Tiffany J. Israel, City Attorney



CITY OF LAWDALE

14717 BURIN AVENUE, LAWDALE, CALIFORNIA 90260
PHONE (310) 973-3200 ♦ www.lawndalecity.org

DATE: April 6, 2020

TO: Honorable Mayor and City Council

FROM: Kevin M. Chun, City Manager 

SUBJECT: **Consideration of Further Modifications to City Operations and Related Issues Due to the COVID-19 Pandemic**

BACKGROUND

The COVID-19 (Coronavirus) pandemic continues to impact the social and financial fabric of our society. The effects are also being felt in Lawndale with the disruption to businesses, schools, and the daily routines of our residents.

In order to protect the health and safety of City employees and the public, and in compliance with orders issued by the County of Los Angeles Department of Public Health (DPH) and Governor Gavin Newsom, operational modifications were initially made by the City Council on March 16th, with others modifications done administratively over the last two weeks. This report is intended to bring one previously made operational modification to the City Council for ratification, and to consider additional changes and issues.

STAFF REVIEW

Parking Enforcement – On March 16th, the City Council decided to maintain parking enforcement for street sweeping unchanged. However, over the next two days, the City received approximately 50-60 complaints from residents that parking enforcement should be suspended as more residents were home due to school closure orders, resulting in many more cars parked on City streets on street sweeping days. After receiving input from City Councilmembers on this matter, staff made the decision to temporarily suspend parking enforcement for street sweeping, and to dismiss parking citations issued on March 16th & 17th. This decision was made in support of the City Council's desire to provide immediate parking enforcement relief in the community. All other safety related parking enforcement remains in place (e.g., for parking in the red zone or in front of fire hydrants). As this was a change to a decision previously made by the City Council, staff requests ratification of this decision.

Public Events – Also on March 16th, the City Council decided to cancel all public events through April except for the Community Bike Ride and Youth Day Parade/Spring Extravaganza scheduled for April 25th. At the time, these events were more than a month away and the City Council chose not to cancel these events and to make further decisions as needed at a later time closer to the events. Since then, there have been significant developments as a result of the COVID-19 situation, including: State and County stay at home orders were issued, the Lawndale Elementary School District closed their schools for the rest of the current academic year, the Lawndale high schools

have closed until at least early May, the Sheriff's Department has indicated they will not be able provide services for public events until after April 30th, and it does not appear likely the County will issue the City a permit for use of Alondra Park (a definitive answer has not been received yet). Based on the above, unfortunately, staff recommends formally cancelling the 2020 Community Bike Ride and Youth Day Parade/Spring Extravaganza.

The next large public events are the Memorial Day Ceremony on May 25th and the Health, Safety, and Pet Fair on June 6th. Since those events are about 2 months away, staff suggests taking a wait and see approach for now.

Financial Condition – In addition to the operational changes made on March 16th, the City Council also decided to continue paying all employees including part-time employees that may be off of work due to the suspension of Community Services programs and activities. As the new operational changes were rather sudden, the City Council wanted to ensure the City's employees were not immediately impacted financially. From a budgetary perspective, all employee positions are accounted for in the FY 2019-20 Budget. However, the City's budget is based on revenue assumptions made in June 2019. Now, because of COVID-19, stay at home orders, and impacts to local businesses, the City's revenue projections are anticipated to be lower through the end of the current fiscal year (and possibly into the next fiscal year depending on how long the COVID-19 crisis continues). Staff has not yet had an opportunity to complete its revised projections, but lower than expected revenues will require a reassessment of the City's overall operations.

As such, staff recommends that the City Council form a budget subcommittee to work with staff in reviewing revenue and expenditure projections and to develop recommendations for City Council consideration. Difficult recommendations may be necessary and staff would like a budget subcommittee's input.

Transient Occupancy Tax (TOT) – One such City revenue source that will be significantly impacted is TOT. Customers at hotels and motels in the City pay a tax of 9% per night which is collected by the business and paid to the City. Local hotels and motels have experienced a large drop-off in bookings due to traveler concerns during this COVID-19 crisis. One of the larger Lawndale hotels has stated that occupancy is currently down to approximately 5-10% versus its typical 60% occupancy at this time of year. As a result, one local hotel has requested relief from the City from paying its quarterly TOT to help with their business cash flow. The hotel stated that this relief is needed temporarily to continue paying their employees.

TOT is specifically addressed in the Lawndale Municipal Code (LMC). While the LMC provisions do not directly address relief in terms of forgiveness of payments of the tax itself, it does allow for a waiver of penalties and interest for late payments with the City Council's approval. In order to be granted a waiver, individual hotels/motels would have to submit a waiver request that would then be presented to the City Council for consideration.

Other forms of relief or assistance may be available to hotels/motels and other businesses through the federal "Cares Act" that was recently enacted. This is the \$2 trillion federal stimulus legislation that was passed to help the country weather the financial impacts of COVID-19. Clearly, the federal government is in a better position to provide financial assistance to businesses; the City's resources are limited and even granting a TOT waiver could be impactful.

With the City's uncertain financial and budget situation, staff does not recommend forgiveness of TOT payments or other forms of relief beyond the current provision for waiver of penalties and

interest in the LMC. TOT is a significant revenue source for the City and changing its method of collection could potentially set a precedent for other types of businesses to ask for similar relief from important taxes the City relies on for its operations. In the end, however, staff is seeking direction from the City Council for either continuing with what is allowable per the LMC, or to approve other TOT relief measures for local hotels and motels.

LEGAL REVIEW

N/A

FISCAL IMPACT

Dismissing the street sweeping parking citations will have a minimal financial impact to the City. Cancelling the Community Bike Ride and Youth Day Parade/Spring Extravaganza will result in some cost savings in staff time. The potential impact from City Council direction on TOT are not known at this time.

RECOMMENDATIONS

Staff recommends that the City Council consider and approve the following:

1. Ratification of staff's decision to temporarily suspend parking enforcement for street sweeping, and to dismiss street sweeping related parking citations issued on March 16-17, 2020.
2. Cancellation of the April 25, 2020 Community Bike Ride and Youth Day Parade/Spring Extravaganza.
3. Form a City Council budget subcommittee to work with staff in reviewing revenue and expenditure projections and to develop recommendations for City Council consideration.
4. Provide direction to staff regarding Transient Occupancy Tax collection, and penalties and interest measures.



CITY OF LAWDALE
14717 BURIN AVENUE, LAWDALE, CALIFORNIA 90260
PHONE (310) 973-3200 ♦ www.lawndalecity.org

DATE: April 6, 2020
TO: Honorable Mayor and City Council
FROM: Matthew R. Ceballos, Assistant City Clerk *mc*
SUBJECT: Mayor/Councilmember Report of Attendance at Meetings and/or Events

No supporting documentation was forwarded to the City Clerk Department for this item.



CITY OF LAWNDALE
14717 BURIN AVENUE, LAWNDALE, CALIFORNIA 90260
PHONE (310) 973-3200 ♦ www.lawndalecity.org

DATE: April 6, 2020
TO: Honorable Mayor and City Council
FROM: Matthew R. Ceballos, Assistant City Clerk *mc*
SUBJECT: Conference with Legal Counsel – Anticipated Litigation (The City is considering whether to initiate litigation in one case)

No public documents were forwarded to the City Clerk Department for this item.



CITY OF LAWNDALE
14717 BURIN AVENUE, LAWNDALE, CALIFORNIA 90260
PHONE (310) 973-3200 ♦ www.lawndalecity.org

DATE: April 6, 2020
TO: Honorable Mayor and City Council
FROM: Matthew R. Ceballos, Assistant City Clerk *MC*
SUBJECT: Conference with Legal Counsel – Existing Litigation [WIA/CTIA Petition for Rulemaking and Declaratory Ruling (WT Docket No. 19-250, RM-11849)]

No public documents were forwarded to the City Clerk Department for this item.