



GARDENA CITY COUNCIL

Regular Meeting Notice and Agenda

Council Chamber at City Hall

1700 West 162nd Street, Gardena, California

Website: www.cityofgardena.org

Tuesday, August 22, 2023

Closed Session 7:00 p.m.

Open Session 7:30 p.m.

TASHA CERDA, *Mayor*

MARK E. HENDERSON, *Mayor Pro Tem*

RODNEY G. TANAKA, *Council Member*

PAULETTE C. FRANCIS, *Council Member*

WANDA LOVE, *Council Member*

MINA SEMENZA, *City Clerk*

GUY H. MATO, *City Treasurer*

CLINT OSORIO, *City Manager*

CARMEN VASQUEZ, *City Attorney*

LISA KRANITZ, *Assistant City Attorney*

If you would like to participate in this meeting, you can participate via the following options:

1. **VIEW THE MEETING live on SPECTRUM CHANNEL 22 or ONLINE at**
youtube.com/CityofGardena

2. **PARTICIPATE BEFORE THE MEETING** by emailing the Deputy City Clerk at publiccomment@cityofgardena.org by 5:00p.m. on the day of the meeting and write "Public Comment" in the subject line.

3. **ATTEND THE MEETING IN PERSON**

PUBLIC COMMENT: The City Council will hear from the public on any item on the agenda or any item of interest that is not on the agenda at the following times:

- Agenda Items – At the time the City Council considers the item or during Oral Communications
- Non-agenda Items – During Oral Communications
- Public Hearings – At the time for Public Hearings listed on the Agenda

If you wish to address the Council, please complete a "Speaker Request" form and present it to the City Clerk or Sergeant of Arms. You will be called to the podium by name when it is your turn to address the Council. The City Council cannot legally take action on any item not scheduled on the Agenda. Such items may be referred for administrative action or scheduled on a future Agenda. Members of the public wishing to address the City Council will be given three (3) minutes to speak.

4. The City of Gardena, in complying with the Americans with Disabilities Act (ADA), requests individuals who require special accommodations to access, attend and/or participate in the City meeting due to disability, to please contact the City Clerk's Office by phone (310) 217-9565 or email cityclerk@cityofgardena.org at least 24 business hours prior to the scheduled general meeting to ensure assistance is provided. Assistive listening devices are available.

STANDARDS OF BEHAVIOR THAT PROMOTE CIVILITY AT ALL PUBLIC MEETINGS

- Treat everyone courteously;
- Listen to others respectfully;
- Exercise self-control;
- Give open-minded consideration to all viewpoints;
- Focus on the issues and avoid personalizing debate; and
- Embrace respectful disagreement and dissent as democratic rights, inherent components of an inclusive public process, and tools for forging sound decisions

Thank you for your attendance and cooperation

1. ROLL CALL

PUBLIC COMMENT ON CLOSED SESSION

2. CLOSED SESSION

2.A CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION

Gov. Code Section 54956.9(d)(1)
Sarai Gil-Morales v. City of Gardena, et al.
L.A. Sup. Ct. Case No.: 21STCV16661

2.B CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9
(One [1] Matter)

CITY ATTORNEY REPORT OUT OF CLOSED SESSION

3. PLEDGE OF ALLEGIANCE

Hollis Mason and Hailey Mason
Dodson Middle School

4. INVOCATION

First Presbyterian Church

5. PRESENTATIONS

5.A Gardena Military Veteran Recognition to Honor Richard Suzuki, who served in the U.S. Army. He was chosen at the recommendation of Councilmember Wanda Love *(to be accepted by Richard Suzuki)*

5.B Presentation from the Quilts of Valor Foundation and Recognition of Richard Suzuki as he is awarded a Quilt of Valor for his service - *to be presented by Phyllis Genereux.*

5.C Gardena Events Video Presentation

6. **PROCLAMATIONS**

- 6.A Lemonade Day - August 12, 2023 - *to be accepted by Joanne Burgess-Brown*
[Lemonade Day - 2023.pdf](#)
- 6.B "City of Gardena 93rd Anniversary Day" - September 11, 2023: *To be Proclaimed Only*
[Proclaim Only-93rd Anniv. Day - 2023.pdf](#)

7. **APPOINTMENTS**

- 7.A Senior Citizen Commission - Joyce Warren
(Appointed by Mayor Cerda)

8. **CONSENT CALENDAR**

NOTICE TO THE PUBLIC- Roll Call Vote Required On The Consent Calendar

All matters listed under the Consent Calendar will be enacted by one motion unless a Council Member requests Council discussion, in which case that item will be removed from the Consent Calendar and considered separately following this portion of the agenda.

PUBLIC COMMENT ON CONSENT CALENDAR

- 8.A Waiver of Reading in Full of All Ordinances Listed on this Agenda and that they be Read by Title Only
CONTACT: CITY CLERK
- 8.B Approve Minutes:
Regular Meeting of the City Council, July 25, 2023
CONTACT: CITY CLERK
[07252023 REGULAR Minutes CC Meeting - FINAL.pdf](#)
- 8.C Receive and File of Minutes:
Planning & Environmental Quality Commission, July 18, 2023
CONTACT: COMMUNITY DEVELOPMENT
[23_07_18 PCMIN.pdf](#)
- 8.D Approval of Warrants/Payroll Register, August 8, 2023
CONTACT: CITY TREASURER
[Warrant-Payroll Register 08-08-23.pdf](#)
- 8.E Approval of Warrants/Payroll Register, August 22, 2023
CONTACT: CITY TREASURER
[Warrant-Payroll Register 08-22-23.pdf](#)
- 8.F Monthly Investment Portfolio, July 2023
CONTACT: CITY TREASURER
[July 2023 Investment Report.pdf](#)

- 8.G Personnel Report P-2023-13 8-22-23
CONTACT: HUMAN RESOURCES
[PERS RPT P-2023-13 8-22-23.pdf](#)
- 8.H Ratification of Amendment to Blanket Purchase Order for Shige's Foreign Car Service, Inc. from \$50,000 to \$80,000 to Pay for Vehicle Maintenance Services for Fiscal Year 2022-2023
CONTACT: POLICE DEPARTMENT
- 8.I Approve the revised Agreement for Streetlighting Maintenance between the City of Gardena and the City of Los Angeles related to the Traffic Signal Reconstruction Project on Vermont Avenue at Redondo Beach Boulevard and Rosecrans Avenue Project, JN 930.
CONTACT: PUBLIC WORKS
[Original_Agreement_for_Streetlighting_Maintenance_between_COG___COLAsign](#)
[Revised Street Lighting Maintenance Agreement.pdf](#)
[Vermont Traffic Signal Project Exhibit.pdf](#)
- 8.J Approval of Final Tract Map No. 82437
CONTACT: PUBLIC WORKS
[Tract Map 82437.pdf](#)
- 8.K Acceptance and Notice of Completion for the Fire Station No. 158 Roof Replacement Project - Water Damaged Repair Phase, JN 509.
CONTACT: PUBLIC WORKS
[NOC_FS#158 Roof Replacement_JN 509.pdf](#)
- 8.L Approve Purchase of Six Bus Mobile Validators (BMV) from Cubic Transportation Systems for a total of \$32,376
CONTACT: TRANSPORTATION
[Final Cubic Bus Mobile Validator Quote 8_14_2023.pdf](#)
[Examples of Bus Mobile Validators.pdf](#)

9. **EXCLUDED CONSENT CALENDAR**

10. **PLANNING & ENVIRONMENTAL QUALITY COMMISSION ACTION SHEET**

- 10.A August 1, 2023 MEETING - *Meeting Cancelled*
[2023_08_01 CANCELLATION.pdf](#)
- 10.B AUGUST 15, 2023 MEETING
DISCUSSION OF OUTDOOR DINING REGULATIONS
The Planning Commission considered design standards for outdoor seating areas for restaurants.

Commission Action: The Planning Commission provided Planning Staff with direction on design standards for outdoor dining areas for restaurants.

City Council Action: No action is needed.
[2023_08_15 PCAX](#)

11. **ORAL COMMUNICATIONS (LIMITED TO A 30-MINUTE PERIOD)**

Oral Communications by the public will be heard for one-half hour at or before 8:30 p.m. or at the conclusion of the last agenda item commenced prior to 8:30 p.m. Oral Communications not concluded at that time shall be resumed at the end of the meeting after Council Reports. Speakers are to limit their remarks to three minutes, unless extended by the Mayor. An amber light will appear to alert the speaker when two minutes are complete, and a red light will appear when three minutes are over. Your cooperation is appreciated.

12. **DEPARTMENTAL ITEMS - ADMINISTRATIVE SERVICES**

- 12.A [Amendment to the Contract between the California Public Employees' Retirement System Board of Administration and the City of Gardena](#)
- a. [RESOLUTION NO. 6641, Adopting the Resolution of Intention to Approve an Amendment to the Contract between Board of Administration of the California Public Employees' Retirement System and the City of Gardena](#)
 - b. [INTRODUCE ORDINANCE NO. 1858, Authorizing an Amendment to the Contract Between the Board of Administration the California Public Employees' Retirement System and the City of Gardena](#)

Staff Recommendation: Adopt Resolution No. 6641

Staff Recommendation: Introduce Ordinance No. 1858

[A - City Resolution No. 6641.pdf](#)

[B - CalPERS Resolution of Intention.pdf](#)

[C - Ordinance No. 1858.pdf](#)

[D - CalPERS Amendment to Contract.pdf](#)

[E - PERS-CON-12A Cert of Compliance w Gov Code Section 7507.pdf](#)

[F - PERS-CON12 Certification of Governing Body's Action.pdf](#)

[G - PERS-CON-500 Cert of Compliance w Gov Code Section 20516.pdf](#)

- 12.B [Approval of Blanket Purchase Orders for Fiscal Year 2023-2024](#)

Staff Recommendation: Approve Blanket Purchase Orders for Fiscal Year 2023-2024

[Exhibit A.pdf](#)

13. **DEPARTMENTAL ITEMS - COMMUNITY DEVELOPMENT**

- 13.A [PUBLIC HEARING: ORDINANCE NO. 1854, An Ordinance of the City Council of the City of Gardena, California Amending Title 18 and Adding Chapter 5.76 to Title 5 Relating to Home Sharing Rentals and finding the action exempt from the California Environmental Quality Act Pursuant to the Commonsense Exemption of CEQA Guidelines Section 15061\(B\)\(3\)](#)

Staff Recommendation: Conduct a public hearing, allow three (3) minutes for each speaker, and Introduce Ordinance No. 1854.

[Planning Commission Resolution No. PC 13-23.pdf](#)

[Draft Ordinance No. 1854 \(Home Sharing\).pdf](#)

[Staff Report \(Home Sharing\).pdf](#)

[Attachment A - Staff Reports presented to Planning Commission.pdf](#)

14. **DEPARTMENTAL ITEMS - ELECTED & CITY MANAGER'S OFFICES**

15. **DEPARTMENTAL ITEMS - POLICE**

- 15.A [Approval of 4-Year Lease Extension with Williams Scotsman, Inc. for the Police Modular Building at a Total Cost of \\$109,405](#)

Staff Recommendation: Approve Lease Agreement

[Wilscott Lease 2023](#)

[Site Map.pdf](#)

16. **DEPARTMENTAL ITEMS - PUBLIC WORKS**

- 16.A [Award Construction Contract for the Van Ness Avenue Street Improvement from Redondo Beach Boulevard to Marine Avenue Project, JN 992, to Hardy and Harper, Inc. in the amount of \\$1,382,000. Additionally Award Construction Management and Inspection Services Contract to KOA Corporation, in the amount of \\$124,064, Approved the Project Plans & Specifications, Approve Budget Contingency, and Declare California Environmental Quality Act \(CEQA\) Exemption.](#)

Staff Recommendations:

- **Award Construction Contract**
- **Award Construction Management and Inspection Services**
- **Approve Project Plans and Specifications and Amendment**
- **Approve Expenditures of Remaining Budget as Contingency**
- **Declare CEQA Exemption**

[JN 992 - Hardy & Harper, Inc 08-15-2023.pdf](#)

[Van Ness Plan Set, JN922 and Addendum #1.pdf](#)

[Van Ness Plan Set, JN922.pdf](#)

[CM & Insp Serv Proposal KOA JN992.pdf](#)

[Notice of Exemption JN992.pdf](#)

[Location Map, JN922.pdf](#)

17. **DEPARTMENTAL ITEMS - RECREATION & HUMAN SERVICES**

18. **DEPARTMENTAL ITEMS - TRANSPORTATION**

19. **COUNCIL ITEMS**

20. **COUNCIL DIRECTIVES**

21. **CITY MANAGER REMARKS RE: DIRECTIVES / COUNCIL ITEMS**

22. **COUNCIL REMARKS**

1. MAYOR PRO TEM HENDERSON
2. COUNCIL MEMBER FRANCIS
3. COUNCIL MEMBER TANAKA
4. MAYOR CERDA
5. COUNCIL MEMBER LOVE

23. **ANNOUNCEMENT(S)**

24. **REMEMBRANCES**

25. **ADJOURNMENT**

The Gardena City Council will adjourn to the Closed Session portion of the City Council Meeting at 7:00 p.m. followed by the Regular City Council Meeting at 7:30 p.m. on Tuesday, September 12, 2023.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted in the City Hall lobby not less than 72 hours prior to the meeting. A copy of said Agenda is available on our website at www.CityofGardena.org.

Dated this 18th day of August 2023

/s/ MINA SEMENZA
MINA SEMENZA, City Clerk



PROCLAMATION

WHEREAS, Lemonade Day is a free, community-wide educational program that introduces youth to entrepreneurship by teaching them how to start and operate their own lemonade stand; and

WHEREAS, After youth have completed the Lemonade Day curriculum, they are prepared for the real-world experience of owning their own lemonade business; and

WHEREAS, Lemonade Day exists to infuse today's youth with the spirit of enterprise, teaching the basic business and entrepreneurial skills necessary to become successful, contributing members of the community; and

WHEREAS, Lemonade Day offers opportunities for families, businesses, schools, youth organizations, neighborhoods, institutes of higher learning, and government agencies to unite for a common purpose – to train the next generation of entrepreneurs; and

WHEREAS, The City of Gardena commends the organizers and participants of Lemonade Day and extends best wishes for a successful and rewarding event; and

NOW, THEREFORE, I, TASHA CERDA, MAYOR OF THE CITY OF GARDENA, CALIFORNIA, do hereby proclaim **AUGUST 12, 2023** to be

LEMONADE DAY

in the City of Gardena,

and urge all citizens to participate by either buying or helping our youth entrepreneurs sell lemonade.



Tasha Cerda

MAYOR

Dated: **22nd day of August, 2023**

“ CITY OF GARDENA 93rd ANNIVERSARY DAY ”

~ SEPTEMBER 11, 2023 ~

The City of Gardena, California, was incorporated on Thursday, September 11, 1930, combining the rural communities of Gardena, Moneta, and Strawberry Park into a Municipal Corporation. At that time, Gardena was a small farming community of about 20,000 people.

Ninety-three years later, with a population of over 61,000 residents, Gardena has developed into a busy, desirable destination for new residents and a welcoming setting for visitors and corporate citizens.

In sustained and fitting recognition of Gardena’s 75th Anniversary landmark theme, “Celebrating History, Heritage, and Opportunity,” we have continued over the past eighteen years to celebrate, with great pride, our cultural wealth and remarkable ethnic diversity through annual City and community events and activities.

Now, Therefore, I, TASHA CERDA, Mayor of the City of Gardena, California, am very proud to proclaim **MONDAY, SEPTEMBER 11, 2023**, to be

**CITY OF GARDENA
93rd ANNIVERSARY DAY**

to bring appropriate recognition and awareness of our beautiful community’s multi-faceted history and rich heritage, and to look forward to opportunities to celebrate its progress and success far into our City’s future.

MINUTES
Regular Meeting of the
Gardena City Council
Tuesday, July 25, 2023

The Regular Meeting Notice and Agenda of the Gardena City Council of the City of Gardena, California, was called to order at 7:40 PM on Tuesday, July 25, 2023, in the Council Chamber at City Hall 1700 West 162nd Street, Gardena, California; Mayor Tasha Cerda presiding.

1. ROLL CALL

Present: Mayor Tasha Cerda; Mayor Pro Tem Mark E. Henderson; Council Member Rodney G. Tanaka; Council Member Paulette C. Francis and Council Member Wanda Love; Other City Officials and Employees present: Acting City Manager/Director of Transportation Ernie Crespo; City Attorney Carmen Vasquez; City Clerk Mina Semenza; and Deputy City Clerk Becky Romero. City Manager Clint Osorio was away on an excused absence.

PUBLIC COMMENT ON CLOSED SESSION - None

2. CLOSED SESSION – None

CITY ATTORNEY REPORT OUT OF CLOSED SESSION - None

3. PLEDGE OF ALLEGIANCE

Jeremiah Wright led the Pledge of Allegiance. Jeremiah, a soon-to-be third grader in the gifted program at Amestoy Elementary School, made headlines recently on FOX 11 News for his outstanding achievement of creating a library at his school. Passionate about reading, he raised over 250 books on behalf of the Black Student Achievement Program to promote diversity and inclusion. He did this in only 4 months as a 2nd grader. Besides his academic pursuits, Jeremiah enjoys playing tackle football with the South Bay 49ers, skateboarding, and going on adventures with his mom. He is so excited that everyone is supporting his cause. He hopes this encourages other kids; their voice matters too! He introduced his mother and family friends.

4. INVOCATION

Council Member Rodney G. Tanaka led the Invocation.

5. PRESENTATIONS

5.A Boards & Commissions Presentation - Parks and Recreation - ***Commissioners, Woods “Woody” Woolwine presented a video to update everyone on the events and programs that have taken place. He and Eddy Lee Matthews both spoke and thanked and expressed their appreciation to the Recreation and Parks staff for all their hard work with all the events that they do.***

Both Commissioners thanked and expressed their appreciation to Ms. Pauline Moses, wishing her all the best and letting her know that she will be missed.

5.B Certificate of Recognition to Mary Santamaria in appreciation of service to the community as a Member-At-Large Representative of the Rent Mediation Board – ***Council Member Tanaka thanked Ms. Santamaria for all that she has done and wishes her well in all future endeavors. Ms. Santamaria was not present during the meeting.***

Mayor Cerda asked that she be given a round of applause for all her hard work and dedication in case she is at home watching the meeting.

5.C Certificate of Recognition to Hani Nachef in appreciation of service to the community as a Member of the Gardena Economic Business Advisory Commission – ***Mr. Nachef was present and accepted his Certificate of Recognition. He thanked all Members of the Council for the opportunity that he was given and for their support.***

5.D Certificate of Commendation in Special Recognition of Retirements and Long-Time Service to the City of Gardena:

(a) Pauline Moses, Community Center Coordinator - 29.4 years (Recreation & Human Services Department)

- Ms. Moses was present and accepted her Certificate of Commendation for her long-time City service, she was accompanied by her daughter. Director of Parks and Recreation, Stephany Santin presented a video and read Ms. Moses's bio that expressed her deep appreciation for all her hard work and dedication. Director Santin presented her with gifts on behalf of the City of Gardena.

Mayor Cerda added that she had one more Certificate of Recognition from State Senator Steven Bradford for Ms. Moses.

Ms. Moses' daughter spoke on behalf of her mother and thanked everyone that was present.

6. **PROCLAMATIONS** - None

7. **APPOINTMENTS** – No Appointments were made

8. **CONSENT CALENDAR**

8.A Waiver of Reading in Full of All Ordinances Listed on this Agenda and that they be Read by Title Only

CONTACT: CITY CLERK

8.B Approve Minutes:

Amended Regular Meeting of the City Council, June 27, 2023

Regular Meeting of the City Council, July 11, 2023

CONTACT: CITY CLERK

8.C Receive and File of Minutes:

Planning and Environmental Quality Commission, June 20, 2023

CONTACT: COMMUNITY DEVELOPMENT

8.D Approval of Warrants/Payroll Register, July 25, 2023

CONTACT: CITY TREASURER

July 25, 2023: Wire Transfer: 12457-12471, 12473; Pre-Pay: 172506-172515; Check Numbers: 172516-172752 for a total Warrants issued in the amount of \$3,239,741.86; Total Payroll Issued for July 14, 2023: \$1,901,805.43.

8.E Monthly Investment Portfolio, June 2023

CONTACT: CITY TREASURER

8.F Personnel Report P-2023-12 7-25-23

CONTACT: HUMAN RESOURCES

8.G RESOLUTION NO. 6640, Approving the Modified California Games Collection Rates At Larry Flynt's Lucky Lady Casino

CONTACT: CITY MANAGER

RESOLUTION NO. 6640

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, APPROVING MODIFIED CALIFORNIA GAMES COLLECTION RATES AT LARRY FLYNT'S LUCKY LADY CASINO

8.H SECOND READING OF ORDINANCE NO. 1857, Making amendments to Section 18.12.060 of the Gardena Municipal Code relating to two-unit housing developments and determination that the adoption of the ordinance is exempt from the California Environmental Quality Act pursuant to the terms of Senate Bill 9

CONTACT: COMMUNITY DEVELOPMENT

ORDINANCE NO. 1857

AN ORDINANCE OF THE CITY OF GARDENA, CALIFORNIA, AMENDING SECTION 18.12.060 RELATING TO TWO-UNIT HOUSING DEVELOPMENTS AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM CEQA PURSUANT TO THE TERMS OF SB 9

8.I Approval of Bingo Permit for Annual Obon Festival to be Held August 5th and 6th, 2023 at Gardena Buddhist Church, 1517 West 166th Street, Gardena, CA 90247

CONTACT: COMMUNITY DEVELOPMENT

8.J Acceptance and Notice of Completion for the Budlong Street Improvements from Redondo Beach Boulevard to El Segundo Boulevard and the Halldale Avenue Street Improvements from 135th Street to El Segundo Boulevard, JN 985

CONTACT: PUBLIC WORKS

8.K Approval of Final Tract Map No. 82958

CONTACT: PUBLIC WORKS

- 8.L RESOLUTION NO. 6637, Authorizing the Filing of Federal Fiscal Year 2023 Grant Application for Transportation Assistance
CONTACT: TRANSPORTATION

RESOLUTION NO. 6637

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, AUTHORIZING THE FILING OF APPLICATION WITH THE FEDERAL TRANSIT ADMINISTRATION, AN OPERATING ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FOR FEDERAL TRANSPORTATION ASSISTANCE AUTHORIZED BY 49 U.S.C. CHAPTER 53, TITLE 23 UNITED STATES CODE, AND OTHER FEDERAL STATUTES ADMINISTERED BY THE FEDERAL TRANSIT ADMINISTRATION

- 8.M RESOLUTION NO. 6638, Authorizing the Filing of a Claim with the Los Angeles County Metropolitan Transportation Authority for Local Transportation Funds
CONTACT: TRANSPORTATION

RESOLUTION NO. 6638

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, AUTHORIZING THE FILING OF A CLAIM WITH THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY FOR LOCAL TRANSPORTATION FUNDS

- 8.N RESOLUTION NO. 6639, Authorize Application to the Los Angeles County Metropolitan Transportation Authority ExpressLanes Net Toll Re-Investment Grant Program
CONTACT: TRANSPORTATION

RESOLUTION NO. 6639

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, AUTHORIZING THE FILING OF APPLICATION WITH THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY), FOR ASSISTANCE UNDER THE METRO EXPRESSLANES ROUND 3 NET TOLL REVENUE REINVESTMENT GRANT PROGRAM

It was moved by Mayor Pro Tem Henderson, seconded by Council Member Tanaka, and carried by the following roll call vote to Approve all Items on the Consent Calendar with the exception of Items 8.G, 8.L, 8.M and 8.N:

Ayes: Mayor Pro Tem Henderson, Council Members Tanaka, Francis and Love, and Mayor Cerda

Noes: None

Absent: None

9. EXCLUDED CONSENT CALENDAR

- 8.G CITY MANAGER - RESOLUTION NO. 6640, Approving the Modified California Games Collection Rates At Larry Flynt's Lucky Lady Casino – ***Item pulled by Council Member Francis***

Council Member Francis stated that the item was for a modified California Games Collection rates, but that she was unable to find the modifications. She also asked if it would directly impact their income in terms of how it relates to our income and put us into a positive direction?

Acting City Manager/Director of Transportation Ernie Crespo responded to her questions.

It was moved by Council Member Francis, seconded by Council Member Love, and carried by the following roll call vote to Approve Item 8.G:

Ayes: Council Members Francis and Love, Mayor Pro Tem Henderson, Council Member Tanaka, and Mayor Cerda

Noes: None

Absent: None

- 8.L TRANSPORTATION - RESOLUTION NO. 6637, Authorizing the Filing of Federal Fiscal Year 2023 Grant Application for Transportation Assistance - ***Item pulled by Council Member Francis***

Council Member Francis asked for confirmation, are we receiving money or applying; this is a grant application to receive grant money to purchase more buses, spare parts, and bus stop amenities. She also asked about the type of buses being purchased: CNG or Electric? She also asked if these are in addition to the previous ones.

Acting City Manager/Director of Transportation Ernie Crespo responded to her questions.

It was moved by Council Member Francis, seconded by Council Member Love, and carried by the following roll call vote to Approve Item 8.L:

Ayes: Council Members Francis and Love, Mayor Pro Tem Henderson, Council Member Tanaka, and Mayor Cerda

Noes: None

Absent: None

- 8.M TRANSPORTATION - RESOLUTION NO. 6638, Authorizing the Filing of a Claim with the Los Angeles County Metropolitan Transportation Authority for Local Transportation Funds - ***Item pulled by Council Member Francis***

Council Member Francis stated that this Item is authorizing the filing of a claim with the Los Angeles County Metropolitan Transportation Authority for transportation funds and asked if this is money due to us? Also asked if this was the \$7 million dollars in matching funds?

Acting City Manager/Director of Transportation Ernie Crespo responded to her questions.

It was moved by Council Member Francis, seconded by Council Member Love, and carried by the following roll call vote to Approve Item 8.M:

Ayes: Council Members Francis and Love, Mayor Pro Tem Henderson, Council Member Tanaka, and Mayor Cerda

Noes: None

Absent: None

- 8.N TRANSPORTATION - RESOLUTION NO. 6639, Authorize Application to the Los Angeles County Metropolitan Transportation Authority ExpressLanes Net Toll Re-Investment Grant Program - ***Item pulled by Council Member Francis***

Council Member Francis asked if this item is through ExpressLane Net Toll. She asked if our buses ride on that or is it money that is due to us and we are claiming it; she then asked if this would increase the service?

Acting City Manager/Director of Transportation Ernie Crespo clarified and explained the program in detail.

It was moved by Council Member Francis, seconded by Mayor Pro Tem Henderson, and carried by the following roll call vote to Approve Item 8.N:

Ayes: Council Member Francis, Mayor Pro Tem Henderson, Council Member Tanaka and Love, and Mayor Cerda

Noes: None

Absent: None

10. PLANNING & ENVIRONMENTAL QUALITY COMMISSION ACTION SHEET

10.A JULY 18, 2023 MEETING

ZONE TEXT AMENDMENT #3-23

The Planning Commission reconsidered a recommendation to the City Council on adoption of an ordinance amending Title 18 and adding Chapter 5.76 to Title 5 of the Gardena Municipal Code relating to regulations for short term home sharing rentals and finding the action exempt from the California Environmental Quality Act Pursuant to the Commonsense Exemption of CEQA Guidelines Section 15061(B) (3).

Commission Action: The Planning Commission approved Resolution No. PC 13-23, by a vote of 5-0-0, recommending that the City Council adopt Ordinance No. 1854 as presented.

City Council Action: **Receive and File. This item will be brought forth to the Council for review at a future City Council meeting.**

This Item was Received and Filed. This Item will be brought forth to the Council for review at a future City Council meeting.

10.B JULY 18, 2023 MEETING

ZONE TEXT AMENDMENT #4-23

The Planning Commission considered a recommendation to the City Council on Ordinance No. 1856 making amendments to Chapter 18.13 of the Gardena Municipal Code relating to accessory dwelling units and making a determination that the Ordinance is Exempt from CEQA pursuant to Public Resources Code Section 21080.17.

Commission Action: The Planning Commission approved Resolution No. PC 11-23, by a vote of 4-1-0, recommending that the City Council adopt Ordinance 1856, with a modification to include a discretionary review process to allow an ADU to be increased to 1,200 square feet in size.

City Council Action: **Receive and File. This item will be brought forth to the Council for review at a future City Council meeting.**

This Item was Received and Filed. This Item will be brought forth to the Council for review at a future City Council meeting.

11. ORAL COMMUNICATIONS

- 1) Andrea Simental – Interim Manager for the Mayme Dear Library; she came to announce library events for Gardena Mayme Dear and Masao W. Sato Library

12. DEPARTMENTAL ITEMS - ADMINISTRATIVE SERVICES – No Items

13. DEPARTMENTAL ITEMS - COMMUNITY DEVELOPMENT

- 13.A PUBLIC HEARING: Proposed 49th Year Community Development Block Grant (CDBG) Annual Action Plan for Fiscal Year 2023-2024

Acting City Manager/Director of Transportation Ernie Crespo presented the Staff Report.

At 8:21 p.m., Mayor Cerda announced that the Public Hearing was open. She asked if anyone had asked to speak on this item and if Council had any comments or questions.

No public speakers.

Council Member Francis mentioned that she was looking at the budget and noticed that it included \$98,000 for Administrative Services and asked if all that money is required; is it for one year or the five-year plan; will it come back the following year for an additional \$98,000; I understand its not from our general fund; but there was something that happened that we had to take money from the general fund and put it into the block grant fund and asked for clarification.

Acting City Manager/Director of Transportation Ernie Crespo stated, to his understanding we are planning to hire a consultant that will help manage that part of the program and that portion of the funding is going to help cover the expense for the new consultant.

Director of Community Development Greg Tsujiuchi stepped in and provided additional information about the Consulting costs for CDBG Administration Services.

City Attorney Vasquez stated that Director Tsujiuchi is here tonight for the allocation we have been provided by HUD to the City for the new fiscal year and asked Director Tsujiuchi for clarification.

Director Tsujiuchi confirmed that was correct.

At 8:24 p.m., Mayor Cerda then announced that the Public Hearing was closed.

It was moved by Council Member Love, seconded by Council Member Francis, and carried by the following roll call vote for City Council to conduct a public hearing, receive public comment, allow three (3) minutes for each speaker; approve the 49th Year Community Development Block Grant Program (CDBG) Annual Action Plan for Fiscal Year 2023-2024, and authorize the City Manager to execute and submit all required certifications and related documents and agreements to implement the One-Year Action Plan:

Ayes: Council Members Love and Francis, Mayor Pro Tem Henderson, Council Member Tanaka, and Mayor Cerda

Noes: None

Absent: None

14. DEPARTMENTAL ITEMS - ELECTED & CITY MANAGER'S OFFICES - *No Items*

15. DEPARTMENTAL ITEMS – POLICE - *No Items*

16. DEPARTMENTAL ITEMS - PUBLIC WORKS - *No Items*

17. DEPARTMENTAL ITEMS - RECREATION & HUMAN SERVICES - *No Items*

18. DEPARTMENTAL ITEMS - TRANSPORTATION

18.A Approve Purchase of Two Microtransit Vans for a Total of \$368,005

Acting City Manager/Director of Transportation Ernie Crespo introduced Transit Administrative Officer, Dana Pynn who will be presenting tonight.

Ms. Pynn presented the Staff Report and provided detailed information about the launching of the new GTrans Microtransit service.

Mayor Cerda asked if anyone asked to speak on this item and if the Council had any comments or questions.

Council Member Tanaka asked when are the two (2) additional buses being purchased? Ms. Pynn replied to his question.

Council Member Francis asked if these buses are going to be part of the “G to the Sea” or On-Demand? Ms. Pynn replied to her question.

Mayor Cerda asked what is the red referencing: are they for the oversized chairs or do those areas slide back and forth? Are the buses going to be painted similar like a green color or will they remain white to go with the GTRANS brand?

Mr. Crespo and Ms. Pynn replied to Mayor Cerda’s questions.

Council Member Love asked with the extra storage space, will a fee be charged? Ms. Pynn replied to her question.

It was moved by Council Member Francis, seconded by Council Member Love, and carried by the following roll call vote to Approve Purchase:

Ayes: Council Members Francis and Love, Mayor Pro Tem Henderson, Council Member Tanaka, and Mayor Cerda

Noes: None

Absent: None

19. COUNCIL ITEMS - *No Items*

20. COUNCIL DIRECTIVES - *None*

21. CITY MANAGER REMARKS RE: DIRECTIVES / COUNCIL ITEMS

Acting City Manager/Transportation Director Crespo had nothing to report.

22. COUNCIL REMARKS

(1) COUNCIL MEMBER FRANCIS- Since the last meeting she attended the Ministers Luncheon; the Los Angeles County Vector Control District and briefly mentioned, “we are still expecting a high mosquito season, so if you have a lot of standing water, please make sure you take care of it”. Council Member Francis also attended the African American Leadership Leaders for tomorrow at Cal State Dominguez, Meet and Greet hosted by the Gardena Valley Chamber of Commerce with Assembly Member Al Muratsuchi and Senator Steve Bradford; Hawthorne Quiet Skies meeting and stated “we are expecting the noise to increase at Hawthorne Airport since the Santa Monica Airport already has or will be closing; our goal is to get ahead of it.” Council Member Francis visited the 156th Street School for a site visit and looked at the Boys and Girls Club Program; Council Member Francis attended a District One Neighborhood Watch meeting. Council Member Francis made a statement about Parks and Recreation Month which was, “and as we continue come to an end of our Parks and Recreation Month of July, I would like to say thank you to the Recreation & Human Services Department for an awesome job that they do with all the activities. I believe I heard they did 157 activities a year and they do a phenomenal job. What I really like about when they do an activity or event, when it’s over you come back the next day as if nothing happened. There’s not one-piece of confetti nothing, they leave it very clean and their great customer service, so I really appreciate it. For our city of

our size nobody does it better than our Parks and Recreation Department, so thank you so much.” Lastly, Council Member Francis closes with, “and as I always say I know you hear a lot of crazy stuff going on in the news and strange things are happening but just remember, keep remembering better days are coming.”

(2) COUNCIL MEMBER TANAKA - Since the last meeting he attended the Sonagi Sushi Restaurant ribbon cutting and mentioned, “the owner is a local resident and we are happy that he came to Gardena, it’s a different type of Sushi bar, there’s no menu it’s whatever the chef decides to serve you that night; and he only has two seatings Friday, Saturday, and Sunday. So, if you are trying to get in, he is booked for the entire month. So, you will have to call and make reservations, but I hope they do well.” Council Member Tanaka attended the Therapeutic Recreational Program at Johnson Park and stated, “it was kind of a hot day, so it was a little lightly attended but still the kids that were out there was a great event.” Council Member Tanaka attended the RCC Board meeting and has been re-elected as Board Chair, the Tony the Tiger at Vons and mentioned, “that was really a wonderful event, thank you Chief and Madam Mayor. They gave a \$10,000 donation to Hawthorne Middle School which was an awesome event. We were told that they are going to continue to do more things like that in our communities, so we like to see some of it come to Gardena.” Council Member Tanaka attended the John Lewis Commemorative Stamp Presentation; he thanked Congresswoman Waters; she did a great job presenting that program and congratulations to the family and to Anthony Dixon who is a part of that family.” Council Member Tanaka attended COG Legislative Session and mentioned, “there was a lot of stuff brought up, there were no actual members of the Senator Congress there, but their representatives talked about a lot of things but most of it is centered on homelessness. There is going to be a lot of money and a lot of stuff that’s earmarked towards homelessness. I mean we are talking billions of dollars being spent to help eradicate homelessness. It is a battle that has to be fought but we are going to continue doing that. They are talking about homeless Veterans in West LA they are going to try add three hundred and fifty units to the VA to help homeless Vets. There is going to be like a billion dollars annually fund housing models and rent mediation programs, I think one of the big ones was \$42 billion for broadband deployment. That is going to be something, that is going to be rock solid. Senator Allen Representative talked about the homes that were destroyed up on the hills, that they are trying to do an infrastructure committee to handle that. Assembly Member Muratsuchi talked about we have \$38 billion in reserve for the state, there was some land use stuff that Senator Wiener brought in that are going to try and change things. Lastly, Council Member Tanka apologized to Officer Amanda Belotto for not being an attendance to her pin badging. Council Member Tanaka closes with congratulating the Chief for being in “full complement” and said, “that’s the first time in history that I know we have been in full complement.”

(3) COUNCIL MEMBER LOVE - Since the last meeting she attended the Recreation and Human Services field event for the special needs and mentioned it was “a great event, great meeting some of the attendees that came out to that event”. Council Member Love also attended the Annual Hawaiian Festival at Alondra Park. Council Member Love stated, “I didn’t know that festival went on, I think for some twenty-nine years they have been hosting that event. There was an amazing turn out, a lot of people in Hawaiian Communities, great place to get some Hawaiian outfits. Council

Member Love met with a representative from the Korean Cultural Committee to discuss some partnerships with the Korean Community in Gardena to start hosting some events. Council Member Love attended Lomita's Lemonade Day and briefly mentioned, "they had 31 stands in this small little City of Lomita. I tried to visit as many of those stand as we could to support the little babies and purchase lemonade from every last stand we attended. So, when you hear about Gardena's Lemonade Day coming up on August 12th, come out and support the babies, they are elementary school TK-5th grade and they get to keep all the proceeds from the little lemonade stands; they will be judged on the best lemonade and best lemonade stand." Council Member Love visited the Tony the Tiger Kellogg's event at Vons along with the Olympic Athlete Jordan Chiles. Council Member Love mentioned, "really great event, Tony the Tiger was great to take a few selfies." Council Member Love attended the Metro State Agency Address. Council Member Love stated, "Mayor Karen Bass is taking over as head of the Metro Agency, she is taking over the board at Metro and she has some amazing things anticipating the Olympics and all of the events that is coming to California. She talked about Metro getting their own Police Department and the safety, and how ridership is down for women because they don't feel safe. She is addressing all of those issues and so I'm looking forward to that." Council Member Love hosted the Chambers Meet and Greet with State Senator and Assembly Member. Lastly, Council Member Love closed with the statement she made which was, "giving them an opportunity to meet the business community in the City of Gardena up close and personal, so they can ask about some of the policies and laws that are coming out of Sacramento that impact their industries. We had a really great turn out; the event was hosted by a restaurant that is coming to Gardena that has everyone buzzing. Ensenada Surf and Turf; they did an amazing job, so I want to thank them."

- (4) MAYOR CERDA - Since the last meeting she joined Dave Matthews with his homeless team for a visit in an unincorporated area on Broadway. Mayor Cerda expressed, "I have to say, it is one thing to drive past it but it's another thing to actually get out there and walk and talk to the people who are living in RV's and see what we can do to convince them to possibly leave their RV's and move into housing. Just to see the number of people there, seniors who need medical attention, small kids running around, animals. It was just a lot, but I am happy to say since being out there two weeks ago, I got a phone call from Dave Matthews yesterday; he said they were able to get twenty-three people off the street and these people have turned in their RV's so that they can be removed as well. This homeless team, its not a large amount that they are able to remove at one time, but you know every person they are able to get off the street is that much better. I just want to commend the work that he is doing because I don't know many people who are able to get seventeen, twenty, twenty-five agencies at a time to work together. All the business there donating their time to help clean up the homeless problem there." Mayor Cerda attended the Grand Opening for Sonagi Sushi and said, "it was great, and I was really excited that they are here now." Mayor Cerda attended a meeting with U-Haul and stated, "In the past they have never really been that successful because U-Haul was just very hellbent on just building what they want to build and not really trying to work with the community. Just building storage on a main street like Rosecrans and for the first time I think they are ready to come to the table and compromise with the City of Gardena and build something that I believe residents are going to like. So, I am really excited to see that they are now open to some ideas that I think are going to be very beneficial to the

community; I will keep everybody updated on that as it relates to a retail component.” Mayor Cerda also attended the monthly CCGA meeting, Sanitation meeting, joined the July Home of the Month with Council Member Francis “it was a beautiful home that we had the opportunity to see but was even more exciting is this homeowner’s backyard.” Mayor Cerda attended Serra High School 7th Annual Golf Classic held at Chester Washington Golf Course. Mayor Cerda briefly said, “It was a pretty successful tournament.” Mayor Cerda visited the unveiling of the Atlantic Congressman John Lewis Commemorative Stamp and thanked all her colleagues for coming out on such short notice. Mayor Cerda attended the Tony the Tiger at Vons and said, “I felt that was attended very well.” Lastly, Mayor Cerda closed with the site visit at 156th Street Elementary School Boys and Girls Club and said, “they are doing some really great things over there with their afterschool program, I believe they did it the previous year and I believe they want to continue doing more stuff like that.”

- (5) MAYOR PRO TEM HENDERSON - Since the last meeting Mayor Pro Tem Henderson opened up with thanking those that were texting and emailing me during Open City Hall, he thanked the Parks and Recreation staff for all of their efforts. Mayor Pro Tem Henderson attended the California Legislative Black Caucus African American Leaders of tomorrow event at Cal State Dominguez Hills with Council Member Francis. Mayor Pro Tem Henderson stated, “the stamp presentation that was awesome, that’s actually an awesome Postal facility on Central and 70th. I have never been past a Post Office lobby, so to see all the stuff they got back there was great.” Mayor Pro Tem Henderson attended the TRP event at Johnson Park and a webinar on how the government agencies address transparency demands and briefly said, “More to come from me regards of different tools that we can use as a city to make sure that data, the things we discuss are even more transparent, to our community.” Lastly, Mayor Pro Tem Henderson attended a conference call with a CPUC Rep on the next steps for digital divide in the community.

23. ANNOUNCEMENT(S)

Mayor Cerda announced:

- 1) Parks & Recreation Master Plan Coming Soon! The City of Gardena, in collaboration with RJM Design Group, is conducting a Parks and Recreation Master Plan. Please visit <http://cityofgardena.org/masterplan/>, this will provide updates regarding the project.
- 2) Neighborhood Watch Meeting in District 1, Thursday, July 27, 2023, 6: pm at 129th & Wilton Place – Spring Park Senior Villa Community Room.
- 3) Willows at Dusk, July 28, 2023; August 11, 25, 2023 from 6:00 pm to 8:00 pm. Reserve your spot by visiting: www.cityofgardena.org/events or call the Parks and Recreation Department.
- 4) Join the Gardena Police Department for a Night to Unite! Summer Block Party in celebration of National Night Out, Tuesday, August 1, 2023 from 6:30 ppm – 8:30 pm at City Hall Complex. Stop by and meet your Gardena Police Department Police Officers, City staff, and your Neighbors!
- 5) Back to School Giveaway, Tuesday, August 1, 2023, from 6:30 ppm – 8:30 pm at City Hall Complex. Register your child at www.cityofgardena.org/events, supplies limited for grades K-12. Must be a resident of the City of Gardena or attend a Gardena COS school to be eligible to receive FREE back to school supplies.

- 6) S'mores Day Special Lunch, Wednesday, August 9, 2023, at the Nakaoka Community Center at 12:00 pm. Free Senior event!
- 7) Non-Profit Organizations Meet & Greet with Mayor Tasha Cerda, Thursday, August 10, 2023, from 5:00 pm – 6:30 pm at the Nakaoka Community Center. To RSVP call 310-217-9507.
- 8) End of Summer Candlelight Dinner for Seniors, Thursday, August 17, 2023, at City Hall Complex Lawn: check in 4:30 pm; dinner served 5:15 pm; entertainment begins: 5:45 pm – Jen and the Grumpy Old Men.
- 9) City of Gardena Jazz Festival, Sunday, August 27, 2023, at Rowley Park. General Admission \$25 (\$30 after July 27, 2023); Box Seating \$75 per seat – Headliner Boney James. Gates open at 9:00 am; Performance begin at 11:00 am.
- 10) Keep Gardena Beautiful Day – Community Clean-Up, Saturday, September 16, 2023, from 8:00a.m. to 12:00p.m.
- 11) Food, Wine & Brew, Saturday, September 23, 2023, from 12:00p.m. to 7:00p.m. at the Gardena City Hall Complex. Tickets Sales begin Monday, July 31, 2023: General Admission \$25; Reserved Table Seating \$85. Performances by DW# and Jazz on Jayma. Sponsored by The Original Giuliano's. All proceeds will benefit the Gardena Senior Citizens Bureau and the Alzheimer's Support Program.

24. REMEMBRANCES

Asae Ishida, 86 years of age; volunteer for the Senior Citizens Bureau since 2011. She primarily volunteered during the Senior Bureau Candlelight Dinners where she assisted with the check-in table.

John Roddy, 68 years of age, a long-time resident of Gardena was tragically killed in an automobile accident last Thursday. He is survived by his wife Annie, who is very active in our community, and a member of COPCAT and Neighborhood Watch, his mother La Veda Roddy, his brother Bill and sister Mary and sister-in-law Elinor Barbick. He will be greatly missed.

25. ADJOURNMENT

At 8:54 p.m., Mayor Cerda adjourned the Gardena City Council Meeting to the Closed Session portion of the City Council Meeting at 7:00 p.m., and the Regular City Council Meeting at 7:30 p.m. on Tuesday, August 8, 2023.

MINA SEMENZA
 City Clerk of the City of Gardena and
 Ex-officio Clerk of the Council

APPROVED:

 Tasha Cerda, Mayor

By: _____
 Becky Romero, Deputy City Clerk

**Regular PEQC Meeting Notice and Agenda of the
Planning and Environmental Quality Commission
Tuesday, July 18, 2023**

The Regular PEQC Meeting Notice and Agenda of the Planning and Environmental Quality Commission of the City of Gardena, California, was called to order at 7:00 PM on Tuesday, July 18, 2023, in the Council Chambers at 1700 W. 162nd Street, Gardena, California.

PARTICIPATE BEFORE THE MEETING by emailing the Planning Commission at planningcommissioner@cityofgardena.org by 5:00 PM on the day of the meeting and write "Public Comment" in the subject line

1 **CALL MEETING TO ORDER**

The meeting was called to order at 7:00 PM

2 **PLEDGE OF ALLEGIANCE**

Commissioner Wright-Scherr lead the pledge of allegiance.

3 **ROLL CALL**

Present: Chair Deryl Henderson; Vice Chair Stephen P. Langley; Commissioner Steve Sherman; Commissioner Jules Kanhan; Commissioner Ronald Wright-Scherr

4 **APPROVAL OF MINUTES**

4.A JUNE 20, 2023 MEETING

[23_06_20 PCMIN.pdf](#)

A motion was made by Vice Chair Langley and seconded by Commissioner Sherman.

The motion was passed by the following roll call vote:

Ayes: Langley, Sherman, Wright-Scherr, Henderson

Noes:

Abstain: Kanhan

5. **ORAL COMMUNICATIONS**

No members of the public wished to speak to the Planning Commission under oral communications.

6. **PUBLIC HEARING ITEMS**

6.A **ZONE TEXT AMENDMENT #3-23**

Reconsideration of a recommendation to the City Council on adoption of an ordinance amending Title 18 and adding Chapter 5.76 to Title 5 of the Gardena Municipal Code relating to regulations for short term home sharing rentals and finding the action exempt from the California Environmental Quality Act Pursuant to the Commonsense Exemption of CEQA Guidelines Section 15061(B)(3)

[Staff Report \(STHS\).pdf](#)

[A - City Attorney Memorandum .pdf](#)

[B - Resolution No. PC 13-23 with exhibit .pdf](#)
[Exhibit A - Draft Ordinance 1854.pdf](#)
[C - Public Hearing Notice .pdf](#)

Senior Planner, Amanda Acuna, presented the staff report on Zone Text Amendment #3-23 and explained that staff was bringing a revised draft ordinance back to the Planning Commission for reconsideration with the recommendations Planning Commission provided at the June 20, 2023, meeting.

Chair Henderson opened the public hearing.

Ms. Acuna announced to the Planning Commission that planning staff received a public comment from Mariya Wrightsman, prior to the meeting, and was made available to all Commissioners and a copy was provided in the back of the Council Chambers for the public's review.

Vera Povetina and Mariya Wrightsman each expressed their opposition to the proposed ordinance.

Chair Henderson closed the public hearing.

Chair Henderson asked the planning staff if the State had a regulation that requires an owner to live at the property for a year and/or if a tenant lives at a property for a year, either one of them could be able to short-term rent (STR) the property.

City Attorney, Carmen Vasquez, replied that the tenant could STR a portion of the house if it is written into their lease, and the property owner was notified, so they are made aware.

Chair Henderson said that would be too obscure to have a renting tenant be the STR host rather than the property owner.

Ms. Vasquez replied if the tenant were the applicant, they would have to show a form of property owner permission; however, if the property owner were the applicant, they could just apply for an STR license.

Commissioner Kanhan inquired about a sublease to a tenant and could the tenant also STR at the same time.

Ms. Vasquez responded that the tenant would have to provide a property owner acknowledgment that the tenant would propose to STR a portion of the house.

Chair Henderson asked why shared rentals need to provide a good neighbor policy.

Ms. Acuna stated that the good neighbor policy should be reiterated to the guests since the standards are given to the host. She added that it is meant to have the hosts provide/remind the guests to be conscious that they are residing in residential neighborhoods and should treat the residents as neighbors.

Ms. Vasquez elaborated that it is mainly to remind the guests to be mindful of the neighbors and other residents in the area.

A motion was made by Commissioner Wright-Scherr and seconded by Vice Chair Langley, to approve Resolution No. PC 13-23, recommending that the City Council adopt Ordinance No. 1854.

The motion was passed by the following roll call vote:
Ayes: Wright-Scherr, Langley, Kanhan, Sherman, Henderson
Noes:

6.B ZONE TEXT AMENDMENT #4-23

Recommendation to the City Council on Ordinance No. 1856 making amendments to Chapter 18.13 of the Gardena Municipal Code relating to accessory dwelling units and making a determination that the Ordinance is exempt from CEQA pursuant to Public Resources Code Section 21080.17

[Staff Report \(ADU\).pdf](#)

[Attachment A - Planning Commission Resolution No. PC #11-23.pdf](#) [Exhibit A - Draft Ordinance No. 1856.pdf](#)

[Attachment B - Public Hearing Notice.pdf](#)

Ms. Acuna presented the staff report on Zone Text Amendment #4-23 and explained the changes made to the revised draft ordinance to the Planning Commission.

Ms. Vasquez requested a recess at 7:46 PM.

The Planning Commission returned from recess at 7:51 PM.

The following roll call was made.

Present: Commissioner Wright-Scherr; Commissioner Kanhan, Commissioner Sherman, Vice-Chair Langley, Chair Deryl Henderson

Ms. Acuna continued the staff presentation and clarified draft ordinance language.

Vice Chair Langley questioned the front yard setback and wanted to know if people can build an ADU up to the property line.

Ms. Acuna responded that accessory dwelling units (ADUs) or junior accessory dwelling units (JADUs) are allowed in any residential or mixed-use zone and there are certain setback requirements, but ADUs have their own separate setback requirement. The State imposed that ADUs will have their own setback requirement of four feet from the side and rear property lines. However, this does not include front yard setback requirements, only if there is no other location on the property to have an 800 square feet ADU.

Chair Henderson expressed his opinion on the State imposed setback requirements for ADUs.

Commissioner Wright-Scherr added that it is shocking the state will allow a 25-foot high ADU can be built with 1,200 square feet.

Ms. Vasquez elaborated that the State's main goal is to address the housing crisis and unfortunately does not have much concern for a city's character compared to the main mission to build more housing.

Chair Henderson said that the new amendments are a hard pill to swallow for the foreseeable future and the current problems of enough off-street parking will only get more significant.

Chair Henderson opened the public hearing.

Mariya Wrightsman referred to her public comments and spoke about her opposition to the amendments to the ADU ordinance.

Ms. Vasquez pointed out to the Commission that Ms. Wrightsman's public comments were in the same public comment document as the previous item.

Chair Henderson closed the public hearing.

Ms. Acuna wanted the Commission to recommend the maximum square footage an ADU can be, whether that be a continuation of the 1,000 square feet (SQFT) as it is in the current ordinance, or a new maximum of 1,200 SQFT.

Community Development Director, Greg Tsujiuchi, reiterated the State permits either option Ms. Acuna stated, and the inquired increase in square footage is to comply with one of the Housing Element policies to ask the Commission for reconsideration of the maximum ADU square footage.

Commissioner Kanhan asked if the State allows for the increase.

Mr. Tsujiuchi responded that the State approved planning staff to bring this up for consideration based on the Commission's recommendation.

Vice Chair Langley inquired if an 800 SQFT ADU is permitted right now.

Ms. Acuna answered that at this moment, an 850 SQFT or below is for a one-bedroom or studio, and from 851 SQFT to 1,000 SQFT permits for a 2 bedroom or more based on the minimum allowable room size from the Building Code. Ms. Acuna added that the SQFT is not required to go up to 1,2000 SQFT, but allows for more options if the city chooses to increase the ADU SQFT.

Chair Henderson asked if there is a max ADU size based on a percentage of the lot size.

Ms. Acuna replied that the State only allows a flat SQFT allowance and a limit to a bedroom size unit.

Vice Chair Langley inquired if there could be a limit to the number of bedrooms in an ADU.

Ms. Acuna answered that the Building Code is what can limit the number of bedrooms based on the minimum bedroom size.

Vice Chair Langley

Mr. Tsujiuchi

Commissioner Wright-Scherr

Vice Chair Langley

Mr. Tsujiuchi asked the Commission if the current size limit is maintained or if the Commission would like to provide staff with direction if a 1,200 SQFT ADU should be approved based on the Community Development Director.

Ms. Acuna added that the decision can be made by either the Community Development Director or by Planning Commission review.

Ms. Vasquez recommended a Planning Commission review for ADUs up to 1,200 SQFT.

The Commission was in favor of the applicants to have a discretionary review for ADUS proposed between 1,001 SF and 1,200 SF.

Chair Henderson inquired about the plan check review process for ADUs.

Ms. Acuna replied that for a plan check review of mandatory ADU approvals, they are ministerial and are approved with the streamline act.

Commissioner Wright-Scherr stated his agreement to the idea with ADUs of 1,000 SQFT or less be processed ministerially and any proposed ADU between 1,001 SF to 1,200 SQFT be reviewed by Planning Commission.

A motion was made by Commissioner Wright-Scherr and seconded by Chair Henderson to adopt Resolution No. PC 11-23, recommending that the City Council adopt Ordinance 1856, with a modification to include a discretionary review process to allow an ADU to be increased to 1,200 square feet in size.

The motion was passed by the following roll call vote:
Ayes: Wright-Scherr, Henderson, Kanhan, Sherman
Noes: Langley

7. **COMMUNITY DEVELOPMENT DIRECTOR'S REPORT**

Mr. Tsujiuchi presented upcoming city events to the Commission: National Night Out on August 1st in front of City Hall and a cancellation notice for the Planning Commission meeting the same day will be posted, and the Jazz Festival on August 27th, with tickets being set aside by the Recreation Department for the Commissioners. When tickets are available planning staff will notify the Planning Commissioners about tickets.

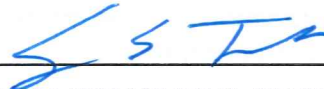
8. **PLANNING & ENVIRONMENTAL QUALITY COMMISSIONERS' REPORTS**

No commissioners had items to report.

9. ADJOURNMENT

Chair Henderson adjourned the meeting at 8:33 PM.

Respectfully submitted,



GREG TSUJIUCHI, SECRETARY
Planning and Environmental Quality Commission

//S// Deryl Henderson

DERYL HENDERSON, CHAIR
Planning and Environmental Quality Commission

MEMORANDUM

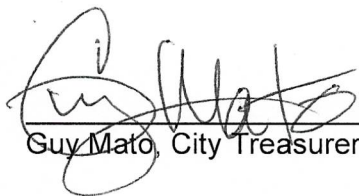
TO: Honorable Mayor and City Council
FROM: City Treasurer's Office
DATE: August 4, 2023
SUBJECT: WARRANT REGISTER
PAYROLL REGISTER

August 8, 2023 TOTAL WARRANTS ISSUED: \$3,241,698.03

Wire Transfer: 12455, 12472, 12474-12501
Prepay: 172753-172755
Check Numbers: 172756-172907
Checks Voided:

Total Pages of Register: 19

July 28, 2023 TOTAL PAYROLL ISSUED: \$2,469,560.94



Guy Mato, City Treasurer

cc: City Clerk

Voucher List
CITY OF GARDENA

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
12455	6/28/2023	109900 U.S. BANK CORPORATE PAYMENT, SYSTEMS	PD TRAINING2 3/22/23		CAL CARD STATEMENT 02/23-03/22/23	2,809.41
					Total :	2,809.41
12472	7/17/2023	112326 LWP CLAIMS SOLUTIONS INC.	071723		WORKERS' COMP CLAIMS	49,266.93
					Total :	49,266.93
12474	7/21/2023	112326 LWP CLAIMS SOLUTIONS INC.	072123		WORKER'S COMP CLAIMS	4,185.58
					Total :	4,185.58
12475	7/21/2023	112326 LWP CLAIMS SOLUTIONS INC.	072023		WORKER'S COMP CLAIMS	12,968.14
					Total :	12,968.14
12476	7/17/2023	111894 HEALTHNOW ADMINISTRATIVE, SERVICES	U4787		HEALTH INSURANCE CLAIMS	2,373.93
					Total :	2,373.93
12477	7/18/2023	111374 LINCOLN NATIONAL LIFE, INSURANCE COMP/	4568575564		LIFE INSURANCE GRP PLANS	3,409.82
					Total :	3,409.82
12478	7/18/2023	112326 LWP CLAIMS SOLUTIONS INC.	071823		WORKERS' COMP CLAIMS	9,429.07
					Total :	9,429.07
12479	7/19/2023	110183 ALLIANT INSURANCE SERVICES, INC.	2023-24	023-01462	ANNUAL INSURANCE RENEWAL - FY 20	389,974.33
					Total :	389,974.33
12480	7/19/2023	110223 PRISM	24100125/24300054	023-01461	ANNUAL INSURANCE PREMIUM - FY 23	1,197,773.00
					Total :	1,197,773.00
12481	7/20/2023	112441 ANTHEM BLUE CROSS LIFE &, HEALTH INSUR	365992927961		HEALTH INSURANCE CLAIMS	28,136.06
					Total :	28,136.06
12482	7/20/2023	110183 ALLIANT INSURANCE SERVICES, INC.	2370616	023-01462	CYBER LIABILITY INSURANCE	36,927.31
					Total :	36,927.31
12483	7/20/2023	112401 PINNACLE CLAIMS MANAGEMENT INC	071923		HEALTH INSURANCE CLAIMS	13,043.00
					Total :	13,043.00
12484	7/25/2023	111894 HEALTHNOW ADMINISTRATIVE, SERVICES	U4788		HEALTH INSURANCE CLAIMS	3,196.66

Voucher List
CITY OF GARDENA

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
12484	7/25/2023	111894	111894 HEALTHNOW ADMINISTRATIVE, SERVICE (Continued)			Total : 3,196.66
12485	7/25/2023	112326	LWP CLAIMS SOLUTIONS INC. 072523		WORKERS' COMP CLAIMS	2,431.04
						Total : 2,431.04
12486	7/27/2023	112441	ANTHEM BLUE CROSS LIFE &, HEALTH INSUF 365991473188		HEALTH INSURANCE CLAIMS	7,951.63
						Total : 7,951.63
12487	7/31/2023	112326	LWP CLAIMS SOLUTIONS INC. 073123		WORKERS' COMP CLAIMS	61,366.01
						Total : 61,366.01
12488	7/31/2023	111894	HEALTHNOW ADMINISTRATIVE, SERVICES U4789		HEALTH INSURANCE CLAIMS	1,121.22
						Total : 1,121.22
12489	7/31/2023	112401	PINNACLE CLAIMS MANAGEMENT INC 072523		HEALTH INSURANCE CLAIMS	3,017.99
						Total : 3,017.99
12490	8/1/2023	103768	U.S. TREASURY FORM 720-2023		QUARTERLY FEDERAL EXCISE TAX RE	1,283.40
						Total : 1,283.40
12491	6/28/2023	109900	U.S. BANK CORPORATE PAYMENT, SYSTEMS SANTIN 06/22/23		CAL CARD STATEMENT 05/23-06/22/23	38,584.25
				034-00595		
				034-00597		
						Total : 38,584.25
12492	6/28/2023	109900	U.S. BANK CORPORATE PAYMENT, SYSTEMS SWEENEY 06/22/23		CAL CARD STATEMENT 05/23-06/22/23	11,369.19
				034-00594		
						Total : 11,369.19
12493	6/28/2023	109900	U.S. BANK CORPORATE PAYMENT, SYSTEMS RECREATION 06/22/23		CAL CARD STATEMENT 05/23-06/22/23	13,665.95
						Total : 13,665.95
12494	6/28/2023	109900	U.S. BANK CORPORATE PAYMENT, SYSTEMS PD TRAINING3 3/22/23		CAL CARD STATEMENT 02/23-03/22/23	1,571.53
						Total : 1,571.53
12495	6/28/2023	109900	U.S. BANK CORPORATE PAYMENT, SYSTEMS PD TRAINING 3/22/23		CAL CARD STATEMENT 02/23-03/22/23	16,792.54
				035-01255		

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12495	6/28/2023	109900	109900 U.S. BANK CORPORATE PAYMENT, SYST (Continued)			Total : 16,792.54		
12496	6/28/2023	109900	U.S. BANK CORPORATE PAYMENT, SYSTEMS PD TRAINING4 3/22/23		CAL CARD STATEMENT 02/23-03/22/23	3,846.62		
						Total : 3,846.62		
12497	6/28/2023	109900	U.S. BANK CORPORATE PAYMENT, SYSTEMS PD TRAINING2 4/24/23		CAL CARD STATEMENT 03/23-04/24/23	4,547.96		
						Total : 4,547.96		
12498	6/28/2023	109900	U.S. BANK CORPORATE PAYMENT, SYSTEMS PD TRAINING4 4/24/23		CAL CARD STATEMENT 03/23-04/24/23	4,940.80		
						Total : 4,940.80		
12499	6/28/2023	109900	U.S. BANK CORPORATE PAYMENT, SYSTEMS PD TRAINING 4/24/23		CAL CARD STATEMENT 03/23-04/24/23	8,535.03		
				035-01258		Total : 8,535.03		
12500	6/28/2023	109900	U.S. BANK CORPORATE PAYMENT, SYSTEMS MACIEL 05/22/23		CAL CARD STATEMENT 04/25-05/22/23	6,058.25		
				035-01254		Total : 6,058.25		
12501	6/28/2023	109900	U.S. BANK CORPORATE PAYMENT, SYSTEMS PD TRAINING3 4/24/23		CAL CARD STATEMENT 03/23-04/24/23	4,540.44		
						Total : 4,540.44		
172753	7/25/2023	503960	CITY OF GARDENA		CERDA 22-23.	COMMUNITY PROMOTION	203.35	
						Total : 203.35		
172754	7/25/2023	102414	ADORAMA		2230893	035-01242	PD PROGRAM SUPPLIES	23,813.15
						Total : 23,813.15		
172755	7/27/2023	503960	CITY OF GARDENA		FRANCIS 22/23	COMMUNITY PROMOTION	250.00	
						Total : 250.00		
172756	8/8/2023	112564	836 TECHNOLOGIES CORPORATION		M10-15-1773	035-01256	CRISIS NEGOTIATION INCIDENT COMM	32,494.11
						Total : 32,494.11		
172757	8/8/2023	106086	ABC COMPANIES		3521898		GTRANS AUTO PARTS	1,342.42
					3523676		GTRANS AUTO PARTS	62.90
						Total : 1,405.32		

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172758	8/8/2023	101602 ADLERHORST INTERNATIONAL, LLC	109762		K9 AGITATOR SEMINAR	900.00
Total :						900.00
172759	8/8/2023	112177 ADVANCE AUTO PARTS	8655317358019		GTRANS AUTO PARTS	144.65
			8655317358021		GTRANS AUTO PARTS	289.30
			8655318758465		GTRANS AUTO PARTS	224.58
Total :						658.53
172760	8/8/2023	101748 AFTERMARKET PARTS COMPANY LLC, THE	83043467	037-09986	GTRANS AUTO PARTS	43,803.40
Total :						43,803.40
172761	8/8/2023	101748 AFTERMARKET PARTS COMPANY LLC, THE	83077311		GTRANS AUTO PARTS	63.10
			83079341		GTRANS AUTO PARTS	92.22
			83085053		GTRANS AUTO PARTS	13.56
			83088748		GTRANS AUTO PARTS	313.87
			83091654		GTRANS AUTO PARTS	154.74
Total :						637.49
172762	8/8/2023	108242 ALL STAR GLASS INC	IHA031853		2021 NISSN FRONTIER REPLACE WIND	89.00
Total :						89.00
172763	8/8/2023	100925 AMERICAN MOVING PARTS	01A146114		GTRANS AUTO PARTS	249.65
Total :						249.65
172764	8/8/2023	110832 ANTHONY'S AUTO DETAILING	111222		CAR WASH DETAIL - PD	210.00
Total :						210.00
172765	8/8/2023	104687 AT&T	20268196		TELEPHONE	31.43
			20268197		TELEPHONE	80.54
			20268211		TELEPHONE	31.43
Total :						143.40
172766	8/8/2023	100474 AT&T LONG DISTANCE	071223		TELEPHONE	98.68
Total :						98.68
172767	8/8/2023	110686 AZTECH ELEVATOR COMPANY	AZ17859	037-10244	ELEVATOR MAINTENANCE - GTRANS M	83.33
			AZ17860	037-10244	ELEVATOR MAINTENANCE - GTRANS M	285.00

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172767	8/8/2023	110686 110686 AZTECH ELEVATOR COMPANY	(Continued)			Total : 368.33
172768	8/8/2023	112608 BABAKAN, ARDESHIR	PERMIT #5022-0579		PERMIT DEPOSIT REFUND - 17920 S W	5,000.00
						Total : 5,000.00
172769	8/8/2023	103641 BECNEL UNIFORMS	58356 59052 59305		BUS UNIFORM SUPPLIES BUS UNIFORM SUPPLIES BUS UNIFORM SUPPLIES	247.47 435.77 185.06
						Total : 868.30
172770	8/8/2023	102135 BEHREND, KENT	189	023-01459	CITY WEBSITE AI PUBLIC ASSISTANT	5,000.00
						Total : 5,000.00
172771	8/8/2023	107747 BENGAR PRODUCTIONS	7213 7217 7219		PRINTING - SUMMER CAMP SHIRTS EMBROIDERY- REC STAFF JACKETS CITY LOGO - REC STAFF POLOS	913.00 1,185.00 1,260.00
						Total : 3,358.00
172772	8/8/2023	111902 BPR CONSULTING GROUP LLC	862	032-00114	CONSULTING SERVICES - JUNE 2023	50,079.17
						Total : 50,079.17
172773	8/8/2023	112600 CALIFORNIA ANIMAL WELFARE, ASSOCIATION	200004133		ANIMAL TRAINING WORKSHOP	35.00
						Total : 35.00
172774	8/8/2023	110538 CANNON COMPANY	85224	024-00909	BUDLONG/HALLDALE STREET IMPROV	12,353.70
						Total : 12,353.70
172775	8/8/2023	303331 CDTFA	APR-JUN 2023 JUNE 2023		UNDERGROUND STORAGE TANK MAIN UNDERGROUND STORAGE TANK MAIN	1,491.82 45.00
						Total : 1,536.82
172776	8/8/2023	108845 CECILE AND MIGHTY, INTERNATIONAL	50050		BACKPACK GIVEAWAY - ENTERTAINME	250.00
						Total : 250.00
172777	8/8/2023	105122 CERDA, TASHA	REIMBURSEMENT 1 REIMBURSEMENT 2 REIMBURSEMENT 3		REIMBURSEMENT - CITY MEMBERSHIP REIMBURSEMENT - PW EVENT SUPPLI REIMBURSEMENT - CITY EVENT SUPP	205.00 55.99 226.65

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172777	8/8/2023	105122 105122 CERDA, TASHA	(Continued)			Total : 487.64
172778	8/8/2023	108378 CHARLES E. THOMAS COMPANY INC.	100042 100284 97046 98869 99628	037-10256 037-10158 037-10158 037-10265	SCAQMD VAPOR REVERIFICATION TESTS GTRANS FUEL TANK CPU REPLACEMENT SCAQMD VAPOR REVERIFICATION TESTS SCAQMD VAPOR REVERIFICATION TESTS DIESEL TANK CHECK VALVE	1,352.80 7,427.37 246.00 294.94 3,107.95 Total : 12,429.06
172779	8/8/2023	503960 CITY OF GARDENA	HENDERSON 2022/23		COMMUNITY PROMOTION	1,000.00 Total : 1,000.00
172780	8/8/2023	503960 CITY OF GARDENA	TANAKA 22/23.		COMMUNITY PROMOTION	500.00 Total : 500.00
172781	8/8/2023	503960 CITY OF GARDENA	FRANCIS 22/23.		COMMUNITY PROMOTION	200.00 Total : 200.00
172782	8/8/2023	320008 CITY OF TORRANCE-AREA "G" ACCT	2022-2023 2022-2023.	035-01261 035-01261	AREA G & ALERT SOUTH BAY PROGRAM AREA G & ALERT SOUTH BAY PROGRAM	20,766.84 5,822.00 Total : 26,588.84
172783	8/8/2023	111534 CLEAN ENERGY	PJI00025387	037-10062	GTRANS FACILITY MODIFICATIONS	266,278.46 Total : 266,278.46
172784	8/8/2023	111740 CLEANCOR LNG LLC	592-001701		QUARTERLY PREVENTATIVE MAINTENANCE	785.00 Total : 785.00
172785	8/8/2023	112587 CONNECTED TO LEAD	FRANCIS 22/23		COMMUNITY PROMOTION	200.00 Total : 200.00
172786	8/8/2023	112406 CORWIN, KATELYN	070623		MGMT ANNUAL HEALTH BENEFIT	419.88 Total : 419.88
172787	8/8/2023	102791 CPAC, INC.	1297487	023-01463	(14) COMPUTER REPLACEMENT PC'S	12,659.58 Total : 12,659.58
172788	8/8/2023	111808 CRITTER SQUAD	11106	331-00069	FCC CLASSROOM SHOWS	3,968.00

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172788	8/8/2023	111808 111808 CRITTER SQUAD	(Continued)			Total : 3,968.00
172789	8/8/2023	103353 CRM COMPANY, LLC.	LA22924 LA23020 LA23021		SCRAP TIRE DISPOSAL FEE SCRAP TIRE DISPOSAL FEE SCRAP TIRE DISPOSAL FEE	69.50 69.50 124.50 Total : 263.50
172790	8/8/2023	120219 CYBER SECURITY SOURCE	11706		CYBERKEY ANNUAL SUPPORT	1,300.00 Total : 1,300.00
172791	8/8/2023	104736 D&R OFFICE WORKS, INC.	0128777		STORAGE FEE	700.00 Total : 700.00
172792	8/8/2023	112618 DE JESUS BARRIOS GONZALEZ, FELIPE	3043899JM		FINAL SETTLEMENT	2,552.00 Total : 2,552.00
172793	8/8/2023	312558 DEPARTMENT OF ANIMAL CARE, & CONTROL	JUNE 2023		MONTHLY ANIMAL SERVICES - JUNE 2023	825.19 Total : 825.19
172794	8/8/2023	303377 DEPARTMENT OF TRANSPORTATION	SL231074		SIGNALS & LIGHTING-ARTESIA BLVD &...	751.79 Total : 751.79
172795	8/8/2023	312117 DEPARTMENT OF WATER & POWER	072423		LIGHT & POWER	101.98 Total : 101.98
172796	8/8/2023	312187 DEPARTMENT OF WATER & POWER	GA204819		CABLE & POLE ATTACHMENT FEE - JAI...	497.98 Total : 497.98
172797	8/8/2023	112553 DOTY BROS. EQUIPMENT CO.	410023005-F		AQUATIC & SENIOR CENTER - UNDERC...	7,851.90 Total : 7,851.90
172798	8/8/2023	106459 ENTERPRISE FM TRUST	FBN4775622		ENTERPRISE LEASE - JULY 2023 - PD...	9,552.83 Total : 9,552.83
172799	8/8/2023	110320 EYEDEAL INTERIORS INC	CG300445	034-00598	INSTALLATION OF ROLLER SHADES IN...	11,738.00 Total : 11,738.00
172800	8/8/2023	106129 FEDEX	3-5130-0062		SHIPPING SERVICES	216.77

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172800	8/8/2023	106129 106129 FEDEX	(Continued)			Total : 216.77
172801	8/8/2023	106129 FEDEX	8-192-30420		SHIPPING SERVICES	135.69
						Total : 135.69
172802	8/8/2023	106129 FEDEX	3270524692		SHIPPING SERVICES	82.00
						Total : 82.00
172803	8/8/2023	108974 FLEX TECHNOLOGIES, INC.	42587 43028		GTRANS AUTO SUPPLIES GTRANS AUTO SUPPLIES	667.29 1,065.13
						Total : 1,732.42
172804	8/8/2023	109726 G SECURITY SERVICES PPO	COGJF2023.6B	034-00599	SECURITY SERVICES - JAZZ FESTIVAL	9,824.00
						Total : 9,824.00
172805	8/8/2023	107813 GARDENA CARSON FAMILY YMCA	FRANCIS 22/23		COMMUNITY PROMOTION	200.00
						Total : 200.00
172806	8/8/2023	111790 GARDENA VALLEY FRIENDS OF THE, LIBRARY	CERDA 22/23		COMMUNITY PROMOTION	100.00
						Total : 100.00
172807	8/8/2023	107436 GARDENA VALLEY JCI	FRANCIS 22/23		COMMUNITY PROMOTION	200.00
						Total : 200.00
172808	8/8/2023	107011 GARDENA VALLEY NEWS, INC.	00132485 00132486 00132487 00132787 00132957 00132958		NOTICE OF PUBLIC HEARING - AN ORI NOTICE OF PUBLIC HEARING - AN ORI NOTICE OF PUBLIC HEARING - CONSI NOTICE INVITING BIDS FOR VAN NESS SUMMARY OF ORDINANCE NO. 1855 - SUMMARY OF ORDINANCE NO. 1857 -	210.00 210.00 210.00 1,337.00 171.50 133.00
						Total : 2,271.50
172809	8/8/2023	619005 GAS COMPANY, THE	072823		GAS	138.65
						Total : 138.65
172810	8/8/2023	619004 GOLDEN STATE WATER CO.	072523		WATER	13,072.94
						Total : 13,072.94

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172811	8/8/2023	107513 GRAINGER	9729513458		BUS FACILITY SUPPLIES	522.31
			9745226028		BUS FACILITY SUPPLIES	84.86
			9748942985		BUS FACILITY SUPPLIES	241.45
			9766453725		BUS FACILITY SUPPLIES	62.86
					Total :	911.48
172812	8/8/2023	112076 HERNANDEZ, ROSA	016		INTERN SERVICES - 07/13-07/26/23	1,449.00
					Total :	1,449.00
172813	8/8/2023	108434 HOME DEPOT CREDIT SERVICES	1903589		REC PROGRAM SUPPLIES	51.72
			2732394		REC PROGRAM SUPPLIES	72.63
					Total :	124.35
172814	8/8/2023	110222 INTERAMERICAN MOTOR, LLC	065-117364		GTRANS AUTO PARTS	93.55
			101-001557		GTRANS AUTO PARTS	362.50
			102-887654		GTRANS AUTO PARTS	30.21
			62300418		GTRANS AUTO PARTS	47.47
					Total :	533.73
172815	8/8/2023	100981 INTERNATIONAL CODE COUNCIL, INC	Q15.000012346		GOVERNMENTAL MEMBER DUES	292.00
					Total :	292.00
172816	8/8/2023	106714 INTERSTATE BATTERIES OF, CALIFORNIA CO.	140076288		GTRANS AUTO PARTS	1,508.21
			150233270		GTRANS AUTO PARTS	1,817.16
					Total :	3,325.37
172817	8/8/2023	110733 J & S PROPERTY MANAGEMENT AND, MAINTI	7466	037-10138	LANDSCAPE MAINTENANCE SERVICE	2,112.66
					Total :	2,112.66
172818	8/8/2023	210100 JALOMO, JEFF R.	06/24-06/27		IMSA TRAFFIC SIGNAL FIELD TECH II	2,019.00
					Total :	2,019.00
172819	8/8/2023	112601 JMAC INTERNATIONAL	64487632603		REFUND - CC PROCESSING FEE	2.75
					Total :	2.75
172820	8/8/2023	110853 JONES & MAYER	116980	020-00042	ATTORNEY SERVICES	10,589.49
			116981		ATTORNEY SERVICES	1,431.75
			116982		ATTORNEY SERVICES	270.15

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172820	8/8/2023	110853 JONES & MAYER	(Continued)			
			116983		ATTORNEY SERVICES	287.97
			116985		ATTORNEY SERVICES	189.10
			116986		ATTORNEY SERVICES	11,697.06
			116987		ATTORNEY SERVICES	351.18
			116988		ATTORNEY SERVICES	199.37
			116989		ATTORNEY SERVICES	15,993.73
			116990		ATTORNEY SERVICES	6,780.48
			116991		ATTORNEY SERVICES	3,187.65
			116992		ATTORNEY SERVICES	3,700.92
					Total :	54,678.85
172821	8/8/2023	211429 KEMP, TAMARA	JUN-JUL 2023		DANCE INSTRUCTOR	2,565.00
					Total :	2,565.00
172822	8/8/2023	110385 KIMLEY-HORN AND ASSOCIATES, INC	25366474	032-00120	DEVELOPMENT SERVICES - 14600 WEI	2,850.35
			25366475	032-00142	DEVELOPMENT SERVICES - 1610 ARTE	8,145.73
					Total :	10,996.08
172823	8/8/2023	111260 KJOS, BARBARA JEAN	JULY 2023		GARDENA FAMILY CHILD CARE PROGF	1,674.00
					Total :	1,674.00
172824	8/8/2023	105900 KONECRANES, INC.	154842865	037-10139	PREVENTATIVE MAINT & INSPECTION I	455.00
					Total :	455.00
172825	8/8/2023	104203 L.A. PAINT & BODY WORKS	25382	037-10237	BUS 737 ACCIDENT REPAIR	2,522.61
					Total :	2,522.61
172826	8/8/2023	112014 LAKESHORE LEARNING MATERIALS	831814070323		FCC PROGRAM SUPPLIES	1,363.28
					Total :	1,363.28
172827	8/8/2023	112598 LANGLEY, STEPHEN	071823		REIMBURSEMENT - COMMISSIONER'S	70.00
					Total :	70.00
172828	8/8/2023	105874 LAWSON PRODUCTS, INC.	9310738258		BUS SHOP SUPPLIES	14.07
					Total :	14.07
172829	8/8/2023	112805 LEAGUE OF CALIFORNIA CITIES	4149		ANNUAL MEMBERSHIP DUES	1,380.75

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172829	8/8/2023	112805 LEAGUE OF CALIFORNIA CITIES	(Continued)			Total : 1,380.75
172830	8/8/2023	112260 LIEBERT CASSIDY WHITMORE	227213 244616		LEGAL SERVICES ERC MEMBERSHIP FEE - FY 2023/24	192.00 4,170.00 Total : 4,362.00
172831	8/8/2023	109517 LOAD N' GO BUILDING MATERIALS	27267		STREET MAINT SUPPLIES	155.42 Total : 155.42
172832	8/8/2023	112407 LOPEZ, LUIS	SPRING 2023		EDUCATIONAL REIMBURSEMENT	457.66 Total : 457.66
172833	8/8/2023	112326 LWP CLAIMS SOLUTIONS INC.	21636		WORKERS' COMP CLAIMS ADMINISTR/	20,666.00 Total : 20,666.00
172834	8/8/2023	112326 LWP CLAIMS SOLUTIONS INC.	21713		WORKERS' COMP CLAIMS ADMINISTR/	20,666.00 Total : 20,666.00
172835	8/8/2023	105082 MAJESTIC LIGHTING, INC.	ML85824		BLDG MAINT SUPPLIES	92.04 Total : 92.04
172836	8/8/2023	813030 MANNING & KASS	777937		LEGAL SERVICES	6,710.00 Total : 6,710.00
172837	8/8/2023	113046 MARX BROS. FIRE EXTINGUISHER, CO., INC.	P31023 P31025		FIRE EXTINGUISHER SERVICE - GTRAI FIRE EXTINGUISHER SERVICE - GTRAI	532.79 1,474.93 Total : 2,007.72
172838	8/8/2023	112613 MATSUOKA, TODD	072523		REIMBURSEMENT - BLDG INSPECTOR	260.00 Total : 260.00
172839	8/8/2023	111675 MCCLAIN, GREGORY	007	032-00119	CONTRACTUAL SERVICES - METRO TC	2,850.00 Total : 2,850.00
172840	8/8/2023	113064 MCMASTER-CARR SUPPLY COMPANY	10360076 10604689 99825705		GTRANS SHOP SUPPLIES GTRANS SHOP SUPPLIES GTRANS SHOP SUPPLIES	60.10 1,488.31 96.44

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172840	8/8/2023	113064	113064 MCMaster-CARR SUPPLY COMPANY		(Continued)	Total : 1,644.85
172841	8/8/2023	110784	MD AUTOBODY	1626	037-10216 BUS 733 COLLISION REPAIR	3,904.00
						Total : 3,904.00
172842	8/8/2023	108699	MEZIERE ENTERPRISES INC.	96014	ELECTRIC WATER PUMP	635.96
				97219	ELECTRIC WATER PUMP	631.62
						Total : 1,267.58
172843	8/8/2023	110206	MICHELIN NORTH AMERICA, INC.	DA0054994982	037-10172 GTRANS' BUS TIRE LEASE SERVICES -	6,386.09
						Total : 6,386.09
172844	8/8/2023	111604	MICRO ELECTRONICS, INC	12543125	034-00596 COMPUTER REPLACEMENT PARTS	9,564.56
						Total : 9,564.56
172845	8/8/2023	112058	MOBILE CAR & TRUCK WASH JBT	2200	037-10184 40' BUS INTERIOR DETAILING	5,110.88
				2253	037-10184 40' BUS INTERIOR DETAILING	5,110.88
						Total : 10,221.76
172846	8/8/2023	112605	MURILLO, ERIK	PERMIT #50021-0037	PERMIT DEPOSIT REFUND - 13108 S	5,000.00
						Total : 5,000.00
172847	8/8/2023	105622	N/S CORPORATION	0117353	037-10165 GTRANS BUS WASH EQUIPMENT MAIN	550.00
						Total : 550.00
172848	8/8/2023	109115	NAGAO, WAYNE	071123	CANDLELIGHT ENTERTAINMENT SERV	300.00
						Total : 300.00
172849	8/8/2023	110685	NRM & ASSOCIATES	013-2023	037-09847 PROJECT MANAGEMENT SERVICES FC	1,375.00
						Total : 1,375.00
172850	8/8/2023	110575	OCCUPATIONAL HEALTH CENTERS, OF CALIF	79775624	RANDOM TESTS	793.00
				79839421	RANDOM TEST	128.00
				79842841	PRE-EMPLOYMENT PHYSICALS	1,669.00
				79919434	RANDOM TESTS	904.00
				79920910	RANDOM TESTS	520.00
						Total : 4,014.00

Voucher List
CITY OF GARDENA

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
172851	8/8/2023	110568 ODANAKA, AYAKO	071723		MGMT ANNUAL HEALTH BENEFIT	500.00
Total :						500.00
172852	8/8/2023	115168 OFFICE DEPOT	320942234 321024597 323001083		CD OFFICE SUPPLIES CD OFFICE SUPPLIES REC OFFICE SUPPLIES	24.24 184.36 92.60
Total :						301.20
172853	8/8/2023	111358 O'REILLY AUTO PARTS	311600 320372		GTRANS AUTO PARTS GTRANS AUTO PARTS	264.59 455.80
Total :						720.39
172854	8/8/2023	115810 ORKIN PEST CONTROL	245106631 245106633		PEST CONTROL - ACCT #27336703 PEST CONTROL - ACCT #27336703	283.99 283.99
Total :						567.98
172855	8/8/2023	112189 PERFECT SCORE ATHLETIC, TRAINING CENT	07/10-08/02/23		GYMNASTICS INSTRUCTOR SERVICES	8,721.00
Total :						8,721.00
172856	8/8/2023	307101 PETTY CASH FUND	06/13-06/30/23 07/07-07/24/23		REPLENISH PETTY CASH REPLENISH PETTY CASH	756.75 166.00
Total :						922.75
172857	8/8/2023	307103 PETTY CASH FUND	080123		REPLENISH UUT PETTY CASH	657.06
Total :						657.06
172858	8/8/2023	108600 PHOENIX GROUP INFORMATION, SYSTEMS	0620231211	035-01175	PARKING CONTRACT SERVICES - JUNI	11.40
Total :						11.40
172859	8/8/2023	112401 PINNACLE CLAIMS MANAGEMENT INC	30604202307071		SUMMARY BENEFIT COVERAGE 2023	900.00
Total :						900.00
172860	8/8/2023	105574 PINNACLE PETROLEUM, INC.	0311671	037-10173	87 OCTANE REGULAR UNLEADED FUE	34,467.00
Total :						34,467.00
172861	8/8/2023	116225 PLUMBERS DEPOT, INC.	PD-54150		SEWER PROGRAM SUPPLIES	292.16
Total :						292.16

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
172862	8/8/2023	106092 PRUDENTIAL OVERALL SUPPLY	42850399		UNIFORM & SUPPLY RENTAL	628.43
			42852269		UNIFORM & SUPPLY RENTAL	330.66
			42852639		UNIFORM & SUPPLY RENTAL	139.64
			42852640		UNIFORM & SUPPLY RENTAL	41.46
			42852641		SUPPLY RENTAL - MATS - GTRANS	50.10
			42852642		SUPPLY RENTAL - MATS- NCC	13.65
			42852643		SUPPLY RENTAL - MATS - CH	19.00
			42852644		SUPPLY RENTAL - MATS - PD	93.10
			42852645		SUPPLY RENTAL - MATS - HS	11.60
			42854163		UNIFORM & SUPPLY RENTAL	330.66
			42854518		UNIFORM & SUPPLY RENTAL	139.64
			42854519		UNIFORM & SUPPLY RENTAL	41.46
			42854520		SUPPLY RENTAL - MATS - GTRANS	50.10
					Total :	1,889.50
172863	8/8/2023	116820 PSOMAS	195039	037-09987	GTRANS DESIGN BUILD CONSTRUCTIO	503.25
			197725	037-09987	GTRANS DESIGN BUILD CONSTRUCTIO	1,006.50
			198564	037-09987	CONSTRUCTION MGMT FOR CNG DES	838.75
					Total :	2,348.50
172864	8/8/2023	114143 QUADIENT LEASING USA, INC	N10033906		POSTAGE MAILING MACHINE LEASE	792.03
					Total :	792.03
172865	8/8/2023	102283 QUICK COLOR PRINTING	16045		GTRANS - BANNERS	132.30
			16050		REC PROGRAM SUPPLIES	198.45
					Total :	330.75
172866	8/8/2023	111574 RACE COMMUNICATIONS	RC956833		FIBER INTERNET SERVICES - AUGUST	5,652.40
					Total :	5,652.40
172867	8/8/2023	112606 RAMIREZ, MARICELA & RAFAEL	PERMIT #50021-0249		PERMIT DEPOSIT REFUND - 12953 S BI	5,000.00
					Total :	5,000.00
172868	8/8/2023	109619 RENTINO, JOBEL	33	037-10054	PROCUREMENT CONSULTING SERVIC	403.75
					Total :	403.75
172869	8/8/2023	118476 RICOH USA, INC.	9031969943		RICOH PRO8100S COPIER BASE LEAS	738.33
			9031969945		RICOH MPC3503 COPIER LEASE - CLEI	175.70

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
172869	8/8/2023	118476 RICOH USA, INC.	(Continued)			
			9031969950		RICOH PRO8100SE COPIER LEASE - PI	459.79
			9031969957		RICOH MPC3503 COPIER LEASE - CM	246.46
			9031969959		RICOH MPC3503 COPIER LEASE - CD	236.10
			9031986577		RICOH MPC6003 COPIER LEASE - PD S	259.91
			9031986983		RICOH MPC3503 COPIER LEASE - CHIE	157.41
					Total :	2,273.70
172870	8/8/2023	100585 RKA CONSULTING GROUP	33714		ENGINEERING & SURVEYING SERVICE	420.00
			33715		ENGINEERING & SURVEYING SERVICE	840.00
					Total :	1,260.00
172871	8/8/2023	107146 ROADLINE PRODUCTS INC. U.S.A.	18850		STREET MAINT SUPPLIES	635.59
					Total :	635.59
172872	8/8/2023	107146 ROADLINE PRODUCTS INC. U.S.A.	18849		STREET MAINT SUPPLIES	533.07
					Total :	533.07
172873	8/8/2023	102988 RODRIGUEZ, DANNY	071223		MGMT ANNUAL HEALTH BENEFIT	394.99
					Total :	394.99
172874	8/8/2023	220288 SECOND TIME AROUND SENIORS, CLUB	FRANCIS 22/23		COMMUNITY PROMOTION	200.00
					Total :	200.00
172875	8/8/2023	108654 SECTRAN SECURITY INC.	070723		OVERPAYMENT OF BANK DEPOSIT	6,590.22
					Total :	6,590.22
172876	8/8/2023	108654 SECTRAN SECURITY INC.	23032088		ARMORED TRANSPORTATION SERVICE	2,233.47
			23042325		ARMORED TRANSPORTATION SERVICE	2,132.36
			23062180		ARMORED TRANSPORTATION SERVICE	2,044.36
					Total :	6,410.19
172877	8/8/2023	110731 SHAW HR CONSULTING, INC	008864		PROFESSIONAL SERVICES	1,120.00
					Total :	1,120.00
172878	8/8/2023	119378 SMARDAN SUPPLY CO.	S3983849		BLDG MAINT SUPPLIES	155.64
					Total :	155.64

Voucher List
CITY OF GARDENA

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
172879	8/8/2023	119375 SOUTH COAST AIR QUALITY, MANAGEMENT I	4203015 4203207 4204489 4205576		ANNUAL OPERATING FEES - SPRAY EC ANNUAL EMISSIONS FEE ANNUAL EMISSIONS FEE ANNUAL EMISSIONS FEE	504.91 298.50 160.35 160.35 Total : 1,124.11
172880	8/8/2023	619003 SOUTHERN CALIFORNIA EDISON	072023		LIGHT & POWER	21,784.42 Total : 21,784.42
172881	8/8/2023	103202 SOUTHERN COUNTIES LUBRICANTS, LLC	185869		BUS AUTOMOTIVE FLUIDS	1,489.26 Total : 1,489.26
172882	8/8/2023	108238 SPARKLETTS	15638236 071423		DRINKING WATER FILTRATION SYSTEM	43.00 Total : 43.00
172883	8/8/2023	104126 SPECTRUM	0027122071123 0851122061223 0851122071223		CABLE & BACKUP INTERNET SERVICE CABLE SERVICES - PD CABLE SERVICES - PD	3,637.27 83.54 83.54 Total : 3,804.35
172884	8/8/2023	100609 TANK SPECIALISTS OF CALIFORNIA	32856		CERTIFIED DESIGNATED OPERATOR S	198.00 Total : 198.00
172885	8/8/2023	112574 THERMO SCIENTIFIC PORTABLE, ANALYTICAL	INV148021	035-01257	HANDHELD NARCOTIC ANALYZER	36,830.41 Total : 36,830.41
172886	8/8/2023	109775 TOMS TRUCK CENTER NORTH COUNTY	1306036 1307887 1307920		GTRANS AUTO PARTS GTRANS AUTO PARTS GTRANS AUTO PARTS	358.13 120.17 23.15 Total : 501.45
172887	8/8/2023	108863 TRACKIT LLC	24371a	037-10262	ACCIDENT & EMPLOYEE MANAGEMEN	13,630.00 Total : 13,630.00
172888	8/8/2023	110851 TRAPEZE SOFTWARE GROUP, INC.	TSPAU230082	037-10231	GTRANS SCHEDULING & OPERATIONS	500.01 Total : 500.01
172889	8/8/2023	111481 TRIO COMMUNITY MEALS, LLC	INV2230032196	034-00584	SENIOR FEEDING PROGRAM	6,062.53

Voucher List
CITY OF GARDENA

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
172889	8/8/2023	111481 111481 TRIO COMMUNITY MEALS, LLC	(Continued)			Total : 6,062.53
172890	8/8/2023	111481 TRIO COMMUNITY MEALS, LLC	A704101471	034-00544	SENIOR FEEDING PROGRAM	2,112.75
					Total :	2,112.75
172891	8/8/2023	109900 U.S. BANK CORPORATE PAYMENT, SYSTEMS	BEEMAN 07/24/23 CRESPO 07/24/23 CRESPO 7/24/23 FCC 07/24/23 FCC 7/24/23 FINANCE 07/24/23 FINANCE 7/24/23		CAL CARD STATEMENT 06/23-07/24/23 CAL CARD STATEMENT 06/23-07/24/23 CAL CARD STATEMENT 06/23-07/24/23 CAL CARD STATEMENT 06/23-07/24/23 CAL CARD STATEMENT 06/23-07/24/23 CAL CARD STATEMENT 06/23-07/24/23 CAL CARD STATEMENT 06/23-07/24/23	917.10 566.66 1,247.69 906.23 2,013.79 227.62 16,149.70
			NOLAN 07/24/23 NOLAN 7/24/23 PYNN 07/24/23 PYNN 7/24/23 TSUJIUCHI 07/24/23 TSUJIUCHI 7/24/23 V.OSORIO 06/22/23 V.OSORIO 6/22/23	023-01453	CAL CARD STATEMENT 06/23-07/24/23 CAL CARD STATEMENT 06/23-07/24/23 CAL CARD STATEMENT 06/23-07/24/23 CAL CARD STATEMENT 06/23-07/24/23 CAL CARD STATEMENT 06/23-07/24/23 CAL CARD STATEMENT 06/23-07/24/23 CAL CARD STATEMENT 05/23-06/22/23 CAL CARD STATEMENT 05/23-06/22/23	820.08 2,592.32 986.14 1,490.85 769.09 2,614.37 2,170.71 119.88
					Total :	33,592.23
172892	8/8/2023	109900 U.S. BANK CORPORATE PAYMENT, SYSTEMS	PD TRAINING2 5/22/23	035-01260	CAL CARD STATEMENT 04/25-05/22/23	5,843.27
					Total :	5,843.27
172893	8/8/2023	109220 U.S. BANK EQUIPMENT FINANCE	507393403		RICOH MPC4503 COPIER LEASE - CD	151.70
					Total :	151.70
172894	8/8/2023	104692 ULINE	165042306 165094761 165095861 165126302 165600005		REC PROGRAM SUPPLIES REC PROGRAM SUPPLIES REC PROGRAM SUPPLIES BUS SHOP SUPPLIES BUS SHOP SUPPLIES	178.17 1,565.40 380.08 33.70 814.71
					Total :	2,972.06
172895	8/8/2023	121010 UNITED RENTALS	219684277-001 219684277-002	037-10224	RENTAL - EQUIPMENT RENTAL - EQUIPMENT	1,946.95 -496.13

Voucher List
CITY OF GARDENA

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
172895	8/8/2023	121010 UNITED RENTALS	(Continued)			
			219693026-001	037-10224	RENTAL - EQUIPMENT	2,422.19
			219693026-002	037-10224	RENTAL - EQUIPMENT	282.33
			219693026-003		RENTAL - EQUIPMENT	-282.33
					Total :	3,873.01
172896	8/8/2023	110586 VARGAS, FLAVIO	072423		MGMT ANNUAL HEALTH BENEFIT	427.87
					Total :	427.87
172897	8/8/2023	111719 WALLACE & ASSOCIATES, CONSULTING, INC	16775	037-10212	CONSTRUCTION MGMT FOR DISPATCH	2,754.00
			W801059	024-00870	FIRE STATION ROOF REPLACEMENT, J	10,320.00
					Total :	13,074.00
172898	8/8/2023	101195 WASTE RESOURCES GARDENA	071923		WASTE COLLECTION	266,144.42
					Total :	266,144.42
172899	8/8/2023	104107 WAXIE SANITARY SUPPLY	81797586		BUS WASH SUPPLIES	84.67
					Total :	84.67
172900	8/8/2023	100107 WAYNE ELECTRIC CO.	210279		GTRANS AUTO PARTS	655.99
			210534		GTRANS AUTO PARTS	644.96
					Total :	1,300.95
172901	8/8/2023	110370 WESTERN COLLISION CENTER, INC	1104	035-01177	2022 FORD INTRCPTR #1630465 BODY	8,410.21
			1107	035-01177	2020 FORD INTRCPTR #1591903 BODY	3,745.56
			1110	035-01177	2011 FORD CV #1367838 BODY REPAIR	4,500.00
			1113	035-01177	2007 CHEVY TAHOE #1327044 BODY RI	2,078.02
			1114	035-01177	2023 FORD INTRCPTR #CP19H77 BOD`	70.00
					Total :	18,803.79
172902	8/8/2023	125001 YAMADA COMPANY, INC.	83253		PARK MAINT SUPPLIES	554.31
					Total :	554.31
172903	8/8/2023	112596 YUKON GLASS INC.	198		PD MAINT SUPPLIES	1,975.00
					Total :	1,975.00
172904	8/8/2023	112235 YUNEX LLC	4620042631	024-00965	EMERGENCY REPAIRS - TRAFFIC SIGN	3,120.00
			5620043344	024-00966	EMERGENCY REPAIRS - TRAFFIC SIGN	3,718.36

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
172904	8/8/2023	112235 112235 YUNEX LLC	(Continued)			Total : 6,838.36
172905	8/8/2023	112604 ZELAYA, MARTIN	PERMIT #50021-0840		PERMIT DEPOSIT REFUND - 13022 SPII	5,000.00
						Total : 5,000.00
172906	8/8/2023	126122 ZEP SALES & SERVICE	9008751636		BUS SHOP SUPPLIES	897.93
						Total : 897.93
172907	8/8/2023	104934 ZUMAR INDUSTRIES, INC.	43913		GTRANS BUS SIGNAGE	540.15
						Total : 540.15
185 Vouchers for bank code : usb						Bank total : 3,241,698.03
185 Vouchers in this report						Total vouchers : 3,241,698.03

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: City Treasurer's Office

DATE: August 17, 2023

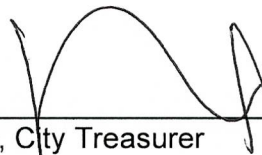
SUBJECT: WARRANT REGISTER
PAYROLL REGISTER

August 22, 2023 TOTAL WARRANTS ISSUED: \$3,456,493.75

Wire Transfer: 12502-12520
Prepay: 172908
Check Numbers: 172909-173135
Checks Voided:

Total Pages of Register: 28

August 11, 2023 TOTAL PAYROLL ISSUED: \$1,762,019.87

for  _____
Guy Mato, City Treasurer

cc: City Clerk

Voucher List
CITY OF GARDENA

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
12502	7/31/2023	112401 PINNACLE CLAIMS MANAGEMENT INC	073123		HEALTH INSURANCE CLAIMS	8,100.00
					Total :	8,100.00
12503	8/1/2023	112326 LWP CLAIMS SOLUTIONS INC.	080123		WORKERS' COMP CLAIMS	6,111.31
					Total :	6,111.31
12504	8/2/2023	303348 EMPLOYMENT DEVELOPMENT, DEPARTMENT	APR-JUN 2023		SUI QUARTER ENDED 06/30/23	5,327.00
					Total :	5,327.00
12505	8/2/2023	112401 PINNACLE CLAIMS MANAGEMENT INC	080223		HEALTH INSURANCE CLAIMS	10,098.92
					Total :	10,098.92
12506	8/3/2023	112326 LWP CLAIMS SOLUTIONS INC.	080323		WORKERS' COMP CLAIMS	13,275.18
					Total :	13,275.18
12507	8/3/2023	112441 ANTHEM BLUE CROSS LIFE &, HEALTH INSURANCE	365991520159		HEALTH INSURANCE CLAIMS	36,214.27
					Total :	36,214.27
12508	8/4/2023	321408 U.S. POSTAL SERVICE	080223		TMX #259234 REPLENISH POSTAGE MI	6,000.00
					Total :	6,000.00
12509	8/4/2023	112401 PINNACLE CLAIMS MANAGEMENT INC	AUGUST 2023		HEALTH & LIFE INSURANCE, SERVICE	115,035.23
					Total :	115,035.23
12510	8/4/2023	111016 KAISER FOUNDATION HEALTH PLAN	AUGUST 2023		HEALTH INSURANCE	365,100.47
					Total :	365,100.47
12511	8/7/2023	111894 HEALTHNOW ADMINISTRATIVE, SERVICES	U4790		HEALTH INSURANCE CLAIMS	318.35
					Total :	318.35
12512	8/7/2023	112326 LWP CLAIMS SOLUTIONS INC.	080723		WORKERS' COMP CLAIMS	20,499.69
					Total :	20,499.69
12513	8/8/2023	112326 LWP CLAIMS SOLUTIONS INC.	080823		WORKERS' COMP CLAIMS	9,452.47
					Total :	9,452.47
12514	8/9/2023	112326 LWP CLAIMS SOLUTIONS INC.	080923		WORKERS' COMP CLAIMS	7,399.40

Voucher List
CITY OF GARDENA

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
12514	8/9/2023	112326 112326 LWP CLAIMS SOLUTIONS INC.	(Continued)			Total : 7,399.40
12515	8/10/2023	112326 LWP CLAIMS SOLUTIONS INC.	081023		WORKERS' COMP CLAIMS	6,956.24
						Total : 6,956.24
12516	8/9/2023	112401 PINNACLE CLAIMS MANAGEMENT INC	080923		HEALTH INSURANCE CLAIMS	14,237.53
						Total : 14,237.53
12517	8/10/2023	112441 ANTHEM BLUE CROSS LIFE &, HEALTH INSUF	365995007374		HEALTH INSURANCE CLAIMS	32,762.22
						Total : 32,762.22
12518	8/11/2023	101641 CALPERS	100000017250183		FEES - GASB 68 REPORTS & SCHEDUL	700.00
						Total : 700.00
12519	8/14/2023	111894 HEALTHNOW ADMINISTRATIVE, SERVICES	U4791		HEALTH INSURANCE CLAIMS	649.75
						Total : 649.75
12520	8/15/2023	112326 LWP CLAIMS SOLUTIONS INC.	081523		WORKERS' COMP CLAIMS	19,827.20
						Total : 19,827.20
172908	8/15/2023	109918 SHIGE'S FOREIGN CAR SERVICE, INC.	063023		PD VARIOUS VEHICLE SERVICE & REP.	13,805.91
						Total : 13,805.91
172909	8/22/2023	101015 AARDVARK TACTICAL, INC.	SO16973	035-01241	LOKI MK2 DRONE SET	23,597.42
						Total : 23,597.42
172910	8/22/2023	106086 ABC COMPANIES	3525791 3528389		GTRANS AUTO PARTS GTRANS AUTO PARTS	119.82 190.34
						Total : 310.16
172911	8/22/2023	111853 ACCESS	10347172		PD SHREDDING SERVICES	100.00
						Total : 100.00
172912	8/22/2023	105149 ADAMSON POLICE PRODUCTS	INV397053	035-01265	PD TACTICAL EQUIPMENT & SUPPLIES	5,481.08
						Total : 5,481.08
172913	8/22/2023	101602 ADLERHORST INTERNATIONAL, LLC	110092	035-01264	SERVICE DOG FOR POLICE DEPARTMI	12,930.00
						Total : 12,930.00

Voucher List
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Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
172914	8/22/2023	112177 ADVANCE AUTO PARTS	8655320158931		GTRANS AUTO PARTS	19.89
			8655320158933		GTRANS AUTO PARTS	13.07
			8655320258954		GTRANS AUTO PARTS	87.31
			8655320759118		GTRANS AUTO PARTS	303.74
			8655321259239		GTRANS AUTO PARTS	75.59
			8655321359311		GTRANS AUTO PARTS	21.27
Total :						520.87
172915	8/22/2023	102730 ALL PRO SIGNS, INC.	13027		PD BUILDING SIGN	334.00
Total :						334.00
172916	8/22/2023	112571 AMBIT CONSTRUCTION &, DESIGN, INC.	1455 JN 512	037-10241	GTRANS DISPATCH REMODELING PRC	41,382.33
Total :						41,382.33
172917	8/22/2023	100925 AMERICAN MOVING PARTS	01A146680		GTRANS AUTO PARTS	207.50
			01A147065		GTRANS AUTO PARTS	1,243.61
			01A147246		GTRANS AUTO PARTS	128.82
Total :						1,579.93
172918	8/22/2023	110832 ANTHONY'S AUTO DETAILING	012123		CAR WASH DETAIL - PD	800.00
			042923		CAR WASH DETAIL - PD	750.00
			062923		CAR WASH DETAIL - PD	900.00
Total :						2,450.00
172919	8/22/2023	108625 ARAD OIL INC.	JULY 2023		CAR WASH	316.00
Total :						316.00
172920	8/22/2023	105293 ARC DOCUMENT SOLUTIONS, LLC	12033137		REPROGRAPHIC SERVICES - RFQ, AQI	41.16
			12059867		REPROGRAPHIC SERVICES - LOCAL S	57.33
			12062404		REPROGRAPHIC SERVICES - BID	518.11
			12083572		REPROGRAPHIC SERVICES - PEDESTI	41.16
			12090418		REPROGRAPHIC SERVICES - PEDESTI	16.37
			12092104		REPROGRAPHIC SERVICES - PEDESTI	232.25
			12101525		REPROGRAPHIC SERVICES - PEDESTI	16.37
			12159791		REPROGRAPHIC SERVICES - VAN NES	57.33
			12164284		REPROGRAPHIC SERVICES - VAN NES	283.35
			12179643		REPROGRAPHIC SERVICES - VAN NES	16.37

Voucher List
CITY OF GARDENA

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
172920	8/22/2023	105293	105293 ARC DOCUMENT SOLUTIONS, LLC (Continued)			Total : 1,279.80
172921	8/22/2023	101459	ASBURY ENVIRONMENTAL SERVICES		HAZARDOUS WASTE DISPOSAL SERVI	463.10
			I500-00952858		HAZARDOUS WASTE DISPOSAL SERVI	20.00
			I500-00954928		HAZARDOUS WASTE DISPOSAL SERVI	175.00
			I500-00956507			Total : 658.10
172922	8/22/2023	101047	ASIAN AMERICAN DRUG ABUSE, PROGRAM	0001	035-01270 TOBACCO GRANT SERVICES	5,250.00
						Total : 5,250.00
172923	8/22/2023	104687	AT&T		20268219 TELEPHONE	31.43
					20268220 TELEPHONE	82.53
					20286594 TELEPHONE	366.70
					20317579 TELEPHONE	1,022.21
						Total : 1,502.87
172924	8/22/2023	616090	AT&T		3103232408 08/01/23 TELEPHONE	3,750.69
						Total : 3,750.69
172925	8/22/2023	111170	AT&T FIRSTNET		287290885074X8102023 CITYWIDE CELL PHONE ACCT #287290	1,886.17
					287293420631X8102023 PD CELL PHONE ACCT #287293420631	148.50
					287303490376X8102023 BUS CELL PHONE ACCT #28730349037	1,557.63
					287324972943X8102023 GTRANS CELL PHONE ACCT #2873249	50.67
						Total : 3,642.97
172926	8/22/2023	100964	AT&T MOBILITY		287275680401X070123 PD CELL PHONE ACCT #287275680401	147.70
					287275680401X080123 PD CELL PHONE ACCT #287275680401	147.67
					835577878X07012023 PD CELL PHONE ACCT #835577878	645.34
					835577878X08012023 PD CELL PHONE ACCT #835577878	645.18
						Total : 1,585.89
172927	8/22/2023	102880	AUTOPLEX, INC.		15265 2011 FORD INTRCPTR #1088998 SERVI	600.00
						Total : 600.00
172928	8/22/2023	110686	AZTECH ELEVATOR COMPANY		AZ17926 037-10244 ELEVATOR MAINTENANCE - GTRANS M	83.33
					AZ17927 037-10244 ELEVATOR MAINTENANCE - GTRANS M	285.00
					AZ17928 024-00958 ELEVATOR MAINTENANCE - CH	100.00
					AZ17929 024-00958 ELEVATOR MAINTENANCE - NCC	100.00

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172928	8/22/2023	110686 AZTECH ELEVATOR COMPANY	(Continued) AZ17947 AZ17952	024-00958 024-00958	ELEVATOR MAINTENANCE - NCC ELEVATOR MAINTENANCE - PW	285.00 285.00
Total :						1,138.33
172929	8/22/2023	109232 B & B JANITORIAL SERVICE	082723		JANITORIAL SERVICES - JAZZ FESTIVA	1,600.00
Total :						1,600.00
172930	8/22/2023	112558 B. ALEXIS MUSIC, LLC	082723	034-00589	ENTERTAINMENT SERVICES - JAZZ FE	4,650.00
Total :						4,650.00
172931	8/22/2023	112503 BARENTINE, LINDA	JUNE 2023 MARCH 2023 MAY 2023		VOLUNTEER DRIVER VOLUNTEER DRIVER VOLUNTEER DRIVER	28.00 7.00 28.00
Total :						63.00
172932	8/22/2023	110190 BASNET FAMILY CHILD CARE	JULY 2023		CHILD CARE PROVIDER	10,746.00
Total :						10,746.00
172933	8/22/2023	104302 BEE N' WASP NEST REMOVAL, SERVICE, LLC	089672 957346		HONEY BEE NEST REMOVAL - 16005 H. HONEY BEE NEST REMOVAL - 14700 PI	95.00 124.00
Total :						219.00
172934	8/22/2023	102135 BEHREND, KENT	196		NETWORK SUPPORT	3,400.00
Total :						3,400.00
172935	8/22/2023	102840 BERLITZ LANGUAGES, INC	001-274-22-02850 001-274-22-03515 001-274-23-00091 001-274-23-01342 001-274-23-01836		BILINGUAL TESTING BILINGUAL TESTING BILINGUAL TESTING BILINGUAL TESTING BILINGUAL TESTING	165.00 275.00 220.00 165.00 110.00
Total :						935.00
172936	8/22/2023	109749 BEVERLY BOY PRODUCTIONS, INC	1877	034-00600	VIDEOGRAPHER SERVICES - JAZZ FE	1,750.00
Total :						1,750.00
172937	8/22/2023	102331 BLUE DIAMOND MATERIALS	3242897		STREET MAINT SUPPLIES	318.29

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172937	8/22/2023	102331 102331 BLUE DIAMOND MATERIALS	(Continued)			Total : 318.29
172938	8/22/2023	108715 BOBBS FAMILY CHILDCARE	JULY 2023		CHILD CARE PROVIDER	4,329.00
						Total : 4,329.00
172939	8/22/2023	112514 CABRERA, JOSMELYE	080223 80223		MGMT ANNUAL HEALTH BENEFIT MGMT ANNUAL HEALTH BENEFIT	300.00 282.21
						Total : 582.21
172940	8/22/2023	112415 CALIFORNIA DEPARTMENT OF, HUMAN RESO	AUGUST 2023		CCPU AUTO DEDUCTIONS	243.05
						Total : 243.05
172941	8/22/2023	110313 CALTIP	94-2023-JULY	037-10245	INSURANCE CLAIMS DEDUCTIBLE - JU	3,717.89
						Total : 3,717.89
172942	8/22/2023	803420 CARPENTER, ROTHANS & DUMONT, LAW OFF	44285		LEGAL SERVICES	44,230.41
						Total : 44,230.41
172943	8/22/2023	803420 CARPENTER, ROTHANS & DUMONT, LAW OFF	44187 44286 44287 44290 44291 44292 44293 44296		LEGAL SERVICES LEGAL SERVICES LEGAL SERVICES LEGAL SERVICES LEGAL SERVICES LEGAL SERVICES LEGAL SERVICES LEGAL SERVICES	216.00 2,395.50 4,494.85 270.00 750.86 108.00 1,186.90 821.90
						Total : 10,244.01
172944	8/22/2023	303331 CDTFA	JULY 2023		UNDERGROUND STORAGE TANK MAIN	21.00
						Total : 21.00
172945	8/22/2023	105122 CERDA, TASHA	07/27-07/28		ICA SUMMER SEMINAR 2023	307.20
						Total : 307.20
172946	8/22/2023	103489 CF UNITED LLC	070123-073123		CAR WASH - JULY 2023	13.00
						Total : 13.00
172947	8/22/2023	112462 CHAO, LOUISE T.	APRIL 2023		VOLUNTEER DRIVER	49.00

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172947	8/22/2023	112462 CHAO, LOUISE T.	(Continued) JUNE 2023 MARCH 2023 MAY 2023		VOLUNTEER DRIVER VOLUNTEER DRIVER VOLUNTEER DRIVER	56.00 63.00 35.00 Total : 203.00
172948	8/22/2023	110719 CHARGEPOINT	IN206958		CHARGING STATION ANNUAL MAINTEN	900.00 Total : 900.00
172949	8/22/2023	108378 CHARLES E. THOMAS COMPANY INC.	101703 101829 102261	037-10246 037-10246 037-10246	ANNUAL FILTER REPLACEMENT DESIGNATED OPERATOR SERVICES DESIGNATED OPERATOR SERVICES	420.00 210.83 210.83 Total : 841.66
172950	8/22/2023	103127 CHILD 2 CHILD CONNECTION, FAMILY DAY C/	JULY 2023		CHILD CARE PROVIDER	6,884.00 Total : 6,884.00
172951	8/22/2023	503960 CITY OF GARDENA	TANAKA 2022/23		COMMUNITY PROMOTION	500.00 Total : 500.00
172952	8/22/2023	503960 CITY OF GARDENA	CERDA 22/23		COMMUNITY PROMOTION	100.00 Total : 100.00
172953	8/22/2023	110215 CLEVER DEVICES LTD	PI00012119	037-09906	PURCHASE AND INSTALLATION OF GR	487,360.95 Total : 487,360.95
172954	8/22/2023	112378 CODE 3 TECHNOLOGY LLC	22-421 23-152	035-01273 035-01273	PD MDC'S VEHICLE BUILDS PD MDC'S VEHICLE BUILDS	18,485.08 13,863.81 Total : 32,348.89
172955	8/22/2023	111708 COMMLINE, INC.	0414855	037-10098	DIGITAL BUS RADIO SYSTEM PURCHA	8,988.00 Total : 8,988.00
172956	8/22/2023	103465 COMMUNITY VETERINARY HOSPITAL	501471		VETERINARY SERVICES - VITO	969.25 Total : 969.25
172957	8/22/2023	112627 CONNOR, CINDI	PERMIT #50022-0797		PERMIT DEPOSIT REFUND - 13801 S	5,000.00

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172957	8/22/2023	112627 112627 CONNOR, CINDI			(Continued)	Total : 5,000.00
172958	8/22/2023	109913 COSTAR REALTY INFORMATION INC.	120415652	032-00141	COSTAR SUITE - AUGUST 2023	860.00
					Total :	860.00
172959	8/22/2023	103512 CRENSHAW LUMBER CO.	87538		STREET MAINT SUPPLIES	8.07
			87539		STREET MAINT SUPPLIES	201.79
			87584		STREET MAINT SUPPLIES	63.55
			87598		STREET MAINT SUPPLIES	118.24
					Total :	391.65
172960	8/22/2023	103353 CRM COMPANY, LLC.	LA23049		SCRAP TIRE DISPOSAL FEE	124.50
					Total :	124.50
172961	8/22/2023	110844 DATA GEAR, INC.	44129	035-01171	VIDEO POLICING SYSTEM MAINTENAN	47,458.21
					Total :	47,458.21
172962	8/22/2023	303459 DEPARTMENT OF JUSTICE	652141	035-01268	FINGERPRINT APPS - APRIL 2023	3,599.00
			658493	035-01269	FINGERPRINT APPS - MAY 2023	3,259.00
			665218	035-01272	FINGERPRINT APPS - JUNE 2023	2,726.00
					Total :	9,584.00
172963	8/22/2023	312117 DEPARTMENT OF WATER & POWER	073123		LIGHT & POWER	80.15
					Total :	80.15
172964	8/22/2023	104343 DISCOUNT SCHOOL SUPPLY	W04355790101	331-00063	FCC PROGRAM SUPPLIES	116.41
			W04954630101		FCC PROGRAM SUPPLIES	116.41
			W04954630102		FCC PROGRAM SUPPLIES	260.42
			W8240718		FCC PROGRAM SUPPLIES	-35.09
					Total :	458.15
172965	8/22/2023	104030 DLT SOLUTIONS, LLC	5188922A	024-00969	AUTOCAD SOFTWARE RENEWAL	2,436.11
					Total :	2,436.11
172966	8/22/2023	112475 DOZIER, LARRY	APRIL 2023		VOLUNTEER DRIVER	21.00
			JUNE 2023		VOLUNTEER DRIVER	35.00
			MARCH 2023		VOLUNTEER DRIVER	28.00
			MAY 2023		VOLUNTEER DRIVER	21.00

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172966	8/22/2023	112475 112475 DOZIER, LARRY	(Continued)			Total : 105.00
172967	8/22/2023	111973 DUDEK	202305842	032-00101	PROFESSIONAL SERVICES - INSITE - 1	12,411.75
						Total : 12,411.75
172968	8/22/2023	109416 E S SPORTS	11723 11726 11728		CUSTOM GRAPHICS FOR UNIT V-1 CUSTOM GRAPHICS FOR UNIT K9-1 CUSTOM GRAPHICS FOR UNIT P-18	682.40 77.50 146.50
						Total : 906.40
172969	8/22/2023	112560 EFURNITUREMAX, LLC	1000011446	034-00590	PORTABLE STAGE FOR SPECIAL EVEN	14,902.81
						Total : 14,902.81
172970	8/22/2023	110534 EL DORADO NATIONAL	90809905 90809918 90810526 90812077		GTRANS BUS VEHICLE SUPPLIES GTRANS BUS VEHICLE SUPPLIES GTRANS BUS VEHICLE SUPPLIES GTRANS BUS VEHICLE SUPPLIES	360.91 367.17 311.37 53.88
						Total : 1,093.33
172971	8/22/2023	112323 ELITE SPECIAL EVENTS, INC.	127 2023	034-00603	WINTER WONDERLAND 2023 SUPPLIE	4,337.00
						Total : 4,337.00
172972	8/22/2023	105418 EMPIRE CLEANING SUPPLY	S5859874	034-00551	CUSTODIAL SUPPLIES	2,093.22
						Total : 2,093.22
172973	8/22/2023	107690 ENLIGHTENMENT CHILD, DEVELOPMENT CEI JULY 2023			CHILD CARE PROVIDER	8,474.00
						Total : 8,474.00
172974	8/22/2023	105392 ENTENMANN-ROVIN COMPANY	0175502		PD UNIFORM SUPPLIES	669.33
						Total : 669.33
172975	8/22/2023	110645 ENTERTAINMENT CREATIVE, CONCEPTS	082723	034-00586	ENTERTAINMENT SERVICES - JAZZ FE	3,750.00
						Total : 3,750.00
172976	8/22/2023	107510 ESCALANTE, WENDY E.	JULY 2023		CHILD CARE PROVIDER	11,210.00
						Total : 11,210.00
172977	8/22/2023	111928 EVANS, PEGGY	MARCH 2023		VOLUNTEER DRIVER	49.00

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172977	8/22/2023	111928	111928 EVANS, PEGGY		(Continued)	Total : 49.00
172978	8/22/2023	105650	EWING IRRIGATION PRODUCTS		20199724 PARK MAINT SUPPLIES 20199756 PARK MAINT SUPPLIES 20230160 PARK MAINT SUPPLIES	166.85 30.76 738.57 Total : 936.18
172979	8/22/2023	106109	FASTSIGNS		0094-111711 BLDG MAINT SUPPLIES 0094-112783 BLDG MAINT SUPPLIES	162.63 208.31 Total : 370.94
172980	8/22/2023	106129	FEDEX		3-5130-0397 SHIPPING SERVICES	68.85 Total : 68.85
172981	8/22/2023	106129	FEDEX		8-213-00113 SHIPPING SERVICES 8-221-03770 SHIPPING SERVICES	37.17 37.25 Total : 74.42
172982	8/22/2023	110241	FERNANDO PULLUM COMMUNITY ARTS, GEN 082723		ENTERTAINMENT SERVICES - JAZZ FE	1,200.00 Total : 1,200.00
172983	8/22/2023	111415	FILTERBUY, INC		BAFEC8C7-0015 GTRANS AUTO PARTS	424.46 Total : 424.46
172984	8/22/2023	103083	FIRST ADVANTAGE LNS OCC HEALTH, SOLUT 2503672307		DRUG TEST/ADMIN FEE	636.30 Total : 636.30
172985	8/22/2023	109315	FLEETCREW, INC.		11530 UNIT #35 DURATHON SERVICE	720.12 Total : 720.12
172986	8/22/2023	112329	FM THOMAS AIR CONDITIONING INC		45494 HVAC REPAIRS FOR CITY HALL 45495 HVAC REPAIRS FOR NCC 45503 HVAC REPAIRS FOR NCC 45521 HVAC PREVENTATIVE MAINTENANCE /	548.16 769.42 1,081.17 19,573.17 Total : 21,971.92
172987	8/22/2023	106465	FOX FIRST AID & SAFETY INC		70513 STREET MAINT SUPPLIES 70726 STREET MAINT SUPPLIES	9.81 308.70

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172987	8/22/2023	106465 FOX FIRST AID & SAFETY INC	(Continued) 70772		PARK MAINT SUPPLIES	17.64
					Total :	336.15
172988	8/22/2023	303351 FRANCHISE TAX BOARD	592 2023		RESIDENT/NON-RESIDENT WITHHOLD	350.00
					Total :	350.00
172989	8/22/2023	109726 G SECURITY SERVICES PPO	082723	034-00599	SECURITY SERVICES - JAZZ FESTIVAL	9,824.00
					Total :	9,824.00
172990	8/22/2023	112566 GALLS, LLC	BC1917137		PD UNIFORM SUPPLIES	964.35
					Total :	964.35
172991	8/22/2023	107724 GARCIA, CLAUDIA CRISTINA	JULY 2023		CHILD CARE PROVIDER	11,432.00
					Total :	11,432.00
172992	8/22/2023	207133 GARCIA, NANCY C.	JULY 2023		CHILD CARE PROVIDER	10,145.00
					Total :	10,145.00
172993	8/22/2023	207303 GARCIA, PEGGY	APRIL 2023 JUNE 2023 MARCH 2023 MAY 2023		VOLUNTEER DRIVER VOLUNTEER DRIVER VOLUNTEER DRIVER VOLUNTEER DRIVER	56.00 56.00 63.00 56.00
					Total :	231.00
172994	8/22/2023	107030 GARDENA AUTO PARTS	170321 170325 170404 170476 170669		PD AUTO PARTS PD AUTO PARTS PW AUTO PARTS PW AUTO PARTS PW AUTO PARTS	387.65 221.94 72.15 200.72 126.10
					Total :	1,008.56
172995	8/22/2023	107011 GARDENA VALLEY NEWS, INC.	00133381		SUMMARY OF ORDINANCE NO. 1857 -	161.00
					Total :	161.00
172996	8/22/2023	619005 GAS COMPANY, THE	080123 080723		GAS CNG FUEL	5,246.75 1,331.98

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172996	8/22/2023	619005 619005 GAS COMPANY, THE	(Continued)			Total : 6,578.73
172997	8/22/2023	106470 GILLIG LLC	41065976 5054797		GTRANS AUTO PARTS GTRANS AUTO PARTS	1,427.08 -583.42 Total : 843.66
172998	8/22/2023	619004 GOLDEN STATE WATER CO.	080423		WATER	14,917.18 Total : 14,917.18
172999	8/22/2023	112416 GOTTSANKER, GREGORY	APRIL 2023 MARCH 2023 MAY 2023		VOLUNTEER DRIVER VOLUNTEER DRIVER VOLUNTEER DRIVER	28.00 21.00 35.00 Total : 84.00
173000	8/22/2023	107513 GRAINGER	9722654457 9756374683 9774139035 9788094283 9800802838		BUS FACILITY SUPPLIES BUS FACILITY SUPPLIES BUS FACILITY SUPPLIES BUS FACILITY SUPPLIES PW MAINT SUPPLIES	358.31 449.57 107.77 908.96 183.79 Total : 2,008.40
173001	8/22/2023	112611 GUNNER CONCRETE	O-0010117		STREET MAINT SUPPLIES	474.07 Total : 474.07
173002	8/22/2023	104944 HARTWILL, JANINA	080423		REIMBURSEMENT - NATIONAL NIGHT C	143.60 Total : 143.60
173003	8/22/2023	108949 HELM, SUSAN	APRIL 2023 JUNE 2023 MARCH 2023 MAY 2023		VOLUNTEER DRIVER VOLUNTEER DRIVER VOLUNTEER DRIVER VOLUNTEER DRIVER	21.00 21.00 7.00 28.00 Total : 77.00
173004	8/22/2023	108765 HENDERSON, MARK E.	07/26-07/30		ICA SUMMER SEMINAR 2023	457.20 Total : 457.20
173005	8/22/2023	108607 HENDERSON-BATISTE, TANEKA	JULY 2023		CHILD CARE PROVIDER	7,540.00

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173005	8/22/2023	108607 108607 HENDERSON-BATISTE, TANEKA	(Continued)			Total : 7,540.00
173006	8/22/2023	112076 HERNANDEZ, ROSA	017		INTERN SERVICES - 07/27-08/09/23	1,407.00
						Total : 1,407.00
173007	8/22/2023	108434 HOME DEPOT CREDIT SERVICES	0351477 0531611 1900687 3525105 3885524 3900519 5500961 5585555 6028304 7333238 7554395 8021044 8520786		BLDG MAINT SUPPLIES STREET MAINT SUPPLIES PD PROGRAM SUPPLIES PARK MAINT SUPPLIES PD PROGRAM SUPPLIES PD PROGRAM SUPPLIES REC PROGRAM SUPPLIES REC PROGRAM SUPPLIES GTRANS MAINT SUPPLIES REC PROGRAM SUPPLIES BLDG MAINT SUPPLIES REC PROGRAM SUPPLIES BLDG MAINT SUPPLIES	9.27 537.03 213.04 43.75 22.02 108.80 19.59 50.69 531.27 19.26 142.22 90.42 633.93
						Total : 2,421.29
173008	8/22/2023	108430 HOME PIPE & SUPPLY	F45058		BLDG MAINT SUPPLIES	157.76
						Total : 157.76
173009	8/22/2023	112551 HUMPHRIES, LISA M.	PERMIT #50022-0879		PERMIT DEPOSIT REFUND - 1905 W 16	5,000.00
						Total : 5,000.00
173010	8/22/2023	112385 INGRAM, PRESCILLA R.	APRIL 2023 JUNE 2023 MARCH 2023 MAY 2023		VOLUNTEER DRIVER VOLUNTEER DRIVER VOLUNTEER DRIVER VOLUNTEER DRIVER	119.00 112.00 126.00 126.00
						Total : 483.00
173011	8/22/2023	110222 INTERAMERICAN MOTOR, LLC	065-200713 065-200968 065-210161 101-026552 110-634531 110-646712		GTRANS AUTO PARTS GTRANS AUTO PARTS GTRANS AUTO PARTS GTRANS AUTO PARTS GTRANS AUTO PARTS GTRANS AUTO PARTS	43.07 190.60 79.40 151.59 147.31 223.50

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173011	8/22/2023	110222 INTERAMERICAN MOTOR, LLC	(Continued) 110-90903 110-91036 116-498056 350-879613		GTRANS AUTO PARTS GTRANS AUTO PARTS GTRANS AUTO PARTS GTRANS AUTO PARTS	-92.86 -20.95 13.90 112.70 Total : 848.26
173012	8/22/2023	106714 INTERSTATE BATTERIES OF, CALIFORNIA CO.	140076561		GTRANS AUTO PARTS	864.21 Total : 864.21
173013	8/22/2023	108555 JALISCO TIRE & AUTO REPAIR	51023 52423		FLAT REPAIR (2) TIRES MOUNT & BALANCE	15.00 40.00 Total : 55.00
173014	8/22/2023	210100 JALOMO, JEFF R.	080723		REIMBURSEMENT - TRAFFIC SIGNAL C	40.00 Total : 40.00
173015	8/22/2023	105226 JEKAL FAMILY CHILD CARE	JULY 2023		CHILD CARE PROVIDER	10,440.00 Total : 10,440.00
173016	8/22/2023	105098 KENNELLY, JOANN	APRIL 2023 JUNE 2023 MARCH 2023 MAY 2023		VOLUNTEER DRIVER VOLUNTEER DRIVER VOLUNTEER DRIVER VOLUNTEER DRIVER	21.00 14.00 28.00 28.00 Total : 91.00
173017	8/22/2023	110456 KHAIRZADA FAMILY CHILD CARE	JULY 2023		CHILD CARE PROVIDER	4,980.00 Total : 4,980.00
173018	8/22/2023	111517 KIRK'S AUTOMOTIVE INC.	1073465		GTRANS SHOP SUPPLIES	141.66 Total : 141.66
173019	8/22/2023	100671 KJLH RADIO	080223	034-00605	RADIO ADVERTISEMENT SERVICES - J	10,000.00 Total : 10,000.00
173020	8/22/2023	112357 KLASSIC ENGINEERING &, CONSTRUCTION II	062723	024-00902	FIRE STATION #158 ROOF REPLACEME	143,977.45 Total : 143,977.45

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173021	8/22/2023	108349 KOSMONT COMPANIES	2209.6-001	032-00127	CONSULTING SERVICES - AFFORDABL	1,826.50
					Total :	1,826.50
173022	8/22/2023	111813 KWIK FLASH PHOTO	08272023 08272023.		PHOTOGRAPHY SERVICES - JAZZ FES PHOTOGRAPHY SERVICES - JAZZ FES	1,500.00 1,050.00
					Total :	2,550.00
173023	8/22/2023	312039 L.A. COUNTY FIRE DEPARTMENT	C0011370		FIRE PROTECTION SERVICES - SEPTE	959,442.45
					Total :	959,442.45
173024	8/22/2023	102082 L.A. COUNTY POLICE CHIEF'S, ASSOCIATION	10/24-10/27		REGISTRATION - LACPCA 2023 WORKS	300.00
					Total :	300.00
173025	8/22/2023	312113 L.A. COUNTY SHERIFF'S DEPT	233657BL		INMATE MEAL DELIVERY PROGRAM - J	444.40
					Total :	444.40
173026	8/22/2023	109939 LA UNIFORMS & TAILORING	16349 16635 16636 16901 16998 17016 17051 17194 17243 17251 17377		PD UNIFORM SUPPLIES PD UNIFORM SUPPLIES PD UNIFORM SUPPLIES PD UNIFORM SUPPLIES PD UNIFORM SUPPLIES PD UNIFORM SUPPLIES PD UNIFORM SUPPLIES PD UNIFORM SUPPLIES PD UNIFORM SUPPLIES PD UNIFORM SUPPLIES PD UNIFORM SUPPLIES	78.22 117.86 117.86 795.99 93.66 698.21 698.86 660.84 148.78 696.06 1,593.11
					Total :	5,699.45
173027	8/22/2023	112015 LACERDA, DALVANICE	JULY 2023		CHILD CARE PROVIDER	9,568.00
					Total :	9,568.00
173028	8/22/2023	105874 LAWSON PRODUCTS, INC.	9310773656		BUS SHOP SUPPLIES	619.72
					Total :	619.72
173029	8/22/2023	112614 LAX AUTO REPAIR	18691 18709 18710		2018 FORD INTRCPTR #1554674 OIL & 2022 FORD INTRCPTR #1630466 OIL & 2022 FORD INTRCPTR #1630465 OIL &	70.00 70.00 70.00

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173029	8/22/2023	112614	112614 LAX AUTO REPAIR		(Continued)	Total : 210.00
173030	8/22/2023	110777	LEARN N PLAY FAMILY DAYCARE		JULY 2023 CHILD CARE PROVIDER	1,760.00 Total : 1,760.00
173031	8/22/2023	109071	LETTER PUBLICATIONS		2690293-RX TRANSIT ACCESS REPORT - RENEWAL	349.00 Total : 349.00
173032	8/22/2023	102233	LITTLE PEOPLE DAY CARE		JULY 2023 CHILD CARE PROVIDER	6,940.00 Total : 6,940.00
173033	8/22/2023	105279	LOS ANGELES TRUCK CENTERS LLC		RA220032526 2019 FREIGHTLINER UNIT #79 REPAIRS	1,444.22 Total : 1,444.22
173034	8/22/2023	109563	LUCKY LADY CASINO		0850000205 ECONOMIC ASSISTANCE - JULY 2023	35,899.14 Total : 35,899.14
173035	8/22/2023	112607	LUMINATOR TECHNOLOGY GROUP INC		611558 BUS SHOP SUPPLIES	617.63 Total : 617.63
173036	8/22/2023	112615	LU'S LIGHTHOUSE, INC.		01245887 GTRANS SHOP SUPPLIES 01246710 GTRANS SHOP SUPPLIES 01247571 GTRANS SHOP SUPPLIES	184.44 467.42 502.30 Total : 1,154.16
173037	8/22/2023	105082	MAJESTIC LIGHTING, INC.		ML85666 GTRANS MAINT SUPPLIES ML85924 SIGNS/SIGNALS SUPPLIES ML85938 BLDG MAINT SUPPLIES	26.43 791.45 57.33 Total : 875.21
173038	8/22/2023	109203	MAKAI SOLUTIONS		SD1021 037-10163 FACILITIES & EQUIPMENT MAINTENAN SD1087 037-10163 FACILITIES & EQUIPMENT MAINTENAN SD1110 037-10163 FACILITIES & EQUIPMENT MAINTENAN	323.52 1,448.10 1,508.91 Total : 3,280.53
173039	8/22/2023	113036	MANERI SIGN CO., INC.		40014527 STREET MAINT SUPPLIES	123.11 Total : 123.11

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173040	8/22/2023	813030 MANNING & KASS	777925		LEGAL SERVICES	470.18
Total :						470.18
173041	8/22/2023	107644 MARTINEZ, CHERYL NAOMI	JULY 2023		CHILD CARE PROVIDER	7,461.00
Total :						7,461.00
173042	8/22/2023	112337 MARTINEZ, DANIEL	APRIL 2023 MARCH 2023 MAY 2023		VOLUNTEER DRIVER VOLUNTEER DRIVER VOLUNTEER DRIVER	21.00 21.00 7.00
Total :						49.00
173043	8/22/2023	104773 MARTINEZ, KAMBY	JULY 2023		CHILD CARE PROVIDER	4,028.00
Total :						4,028.00
173044	8/22/2023	113064 MCMASTER-CARR SUPPLY COMPANY	11240337 11370238 11619099 11910987 11978151 11979611		GTRANS SHOP SUPPLIES GTRANS SHOP SUPPLIES GTRANS SHOP SUPPLIES GTRANS SHOP SUPPLIES GTRANS SHOP SUPPLIES GTRANS SHOP SUPPLIES	435.11 40.07 157.68 153.73 25.73 344.13
Total :						1,156.45
173045	8/22/2023	113299 MERRIMAC ENERGY GROUP	2226129	037-10260	87 OCTANE REGULAR UNLEADED FUE	34,817.38
Total :						34,817.38
173046	8/22/2023	113299 MERRIMAC ENERGY GROUP	2226130	037-10260	87 OCTANE REGULAR UNLEADED FUE	34,709.50
Total :						34,709.50
173047	8/22/2023	113299 MERRIMAC ENERGY GROUP	2226008	024-00964	87 OCTANE REGULAR UNLEADED FUE	30,446.24
Total :						30,446.24
173048	8/22/2023	108699 MEZIERE ENTERPRISES INC.	95478		ELECTRIC WATER PUMP	635.96
Total :						635.96
173049	8/22/2023	110206 MICHELIN NORTH AMERICA, INC.	CA0062631644 DA0055390072 DA0055727893	037-10266 037-10268	GTRANS' BUS TIRE LEASE SERVICES - GTRANS' BUS TIRE LEASE SERVICES - GTRANS' BUS TIRE LEASE SERVICES -	-6,564.42 6,370.95 6,446.68

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173049	8/22/2023	110206 MICHELIN NORTH AMERICA, INC.	(Continued)			Total : 6,253.21
173050	8/22/2023	101366 MIMS, CORNELIUS	082723		ENTERTAINMENT SERVICES - JAZZ FE	1,000.00
					Total :	1,000.00
173051	8/22/2023	102534 MONCADA, BARBARA	JUNE 2023		VOLUNTEER DRIVER	7.00
					Total :	7.00
173052	8/22/2023	105622 N/S CORPORATION	0117920 0118226	037-10176	GTRANS BUS WASH EQUIPMENT MAIN GTRANS BUS WASH EQUIPMENT MAIN	618.71 550.00
					Total :	1,168.71
173053	8/22/2023	112625 NASH, KEVIN	082723		MC SERVICES - JAZZ FESTIVAL	500.00
					Total :	500.00
173054	8/22/2023	110575 OCCUPATIONAL HEALTH CENTERS, OF CALIF	79547876 79990432 79991805		RANDOM TESTS RANDOM TESTS RANDOM TESTS	187.00 611.00 555.00
					Total :	1,353.00
173055	8/22/2023	115168 OFFICE DEPOT	317233634 319927634 319945483 322073329 322552475 322562093 322562097 323239934 323239934-003 323264997 323288585 323305429 32339934-002 323553908 323554209 324626587 325743831		REC OFFICE SUPPLIES CD OFFICE SUPPLIES CD OFFICE SUPPLIES CT OFFICE SUPPLIES BUS OFFICE SUPPLIES BUS OFFICE SUPPLIES BUS OFFICE SUPPLIES PD OFFICE SUPPLIES PD OFFICE SUPPLIES PD OFFICE SUPPLIES REC OFFICE SUPPLIES REC OFFICE SUPPLIES PD OFFICE SUPPLIES PD OFFICE SUPPLIES PD OFFICE SUPPLIES CD OFFICE SUPPLIES PD OFFICE SUPPLIES	85.84 34.17 39.41 67.58 374.45 32.28 14.65 257.17 46.29 13.10 60.03 529.18 73.85 26.37 31.58 76.36 173.62

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173055	8/22/2023	115168 115168 OFFICE DEPOT	(Continued)			Total : 1,935.93
173056	8/22/2023	112599 OIL PRICE INFORMATION SERVICE, LLC	499944		ANNUAL OPIS REPORT SUBSCRIPTION	1,320.00
						Total : 1,320.00
173057	8/22/2023	110846 ORDORICA, ANTHONY	APRIL 2023 MARCH 2023		VOLUNTEER DRIVER VOLUNTEER DRIVER	7.00 49.00
						Total : 56.00
173058	8/22/2023	115810 ORKIN PEST CONTROL	247720983 247720984 247721818		PEST CONTROL - ACCT #27336703 PEST CONTROL - ACCT #27336703 PEST CONTROL - ACCT #27336703	283.99 283.99 228.99
						Total : 796.97
173059	8/22/2023	112628 OVENSON, ANGELITO	PERMIT #50021-1254		PERMIT DEPOSIT REFUND - 15210 PAF	5,000.00
						Total : 5,000.00
173060	8/22/2023	110403 PENN RECORDS MANAGEMENT	0137402		OFF-SITE STORAGE SERVICES - JULY	61.75
						Total : 61.75
173061	8/22/2023	106246 PRESCOTT, PATRICIA N.	082723		MC SERVICES - JAZZ FESTIVAL	500.00
						Total : 500.00
173062	8/22/2023	112610 PRIETO, THERESE M.	JUNE 20223		VOLUNTEER DRIVER	14.00
						Total : 14.00
173063	8/22/2023	110314 PROBAR	COG_07052023-INV01	037-10227	GTRANS PARTS AND CAPITAL ASSET II	10,780.00
						Total : 10,780.00
173064	8/22/2023	106092 PRUDENTIAL OVERALL SUPPLY	42856422 42856423 42856424 42856425 42856426 42856427 42856428 42857804		UNIFORM & SUPPLY RENTAL UNIFORM & SUPPLY RENTAL SUPPLY RENTAL - MATS - GTRANS SUPPLY RENTAL - MATS- NCC SUPPLY RENTAL - MATS - CH SUPPLY RENTAL - MATS - PD SUPPLY RENTAL - MATS - HS UNIFORM & SUPPLY RENTAL	139.64 41.46 50.10 13.65 19.00 91.60 11.60 628.43

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173064	8/22/2023	106092 106092 PRUDENTIAL OVERALL SUPPLY	(Continued)			Total : 995.48
173065	8/22/2023	104868 PYRO-COMM SYSTEMS, INC.	10002340	037-10210	SECURITY ALARM MONITORING - BLDG	195.00
			10002847	037-10210	FIRE ALARM MONITORING - BLDG A	225.00
			10002851	037-10210	FIRE ALARM MONITORING - BLDG B	225.00
			10002852	037-10210	FIRE ALARM MONITORING - BLDG C	225.00
			10004718	037-10210	ANNUAL FIRE ALARM TESTING - BLDG	360.00
			10004719	037-10210	ANNUAL FIRE ALARM TESTING - BLDG	360.00
			10004721	037-10210	ANNUAL FIRE ALARM TESTING - BLDG	365.00
					Total :	1,955.00
173066	8/22/2023	104901 Q-20 ENTERTAINMENT	23-0827		DJ/EMCEE SERVICES - JAZZ FESTIVAL	1,000.00
					Total :	1,000.00
173067	8/22/2023	102283 QUICK COLOR PRINTING	16057		GTRANS - BANNERS	264.60
			16058		REC PROGRAM SUPPLIES	248.06
					Total :	512.66
173068	8/22/2023	112620 QUILTS OF VALOR FOUNDATION	CERDA 22/23		COMMUNITY PROMOTION	100.00
					Total :	100.00
173069	8/22/2023	103072 REACH	0823085		EAP SERVICES/REACHLINE NEWSLET	902.00
					Total :	902.00
173070	8/22/2023	111777 REMIX TECHNOLOGIES LLC	INV031-979	037-10251	INTEGRATED TRANSIT PLANNING SOF	34,500.00
					Total :	34,500.00
173071	8/22/2023	100836 RESOURCE BUILDING MATERIALS	3634836		STREET MAINT SUPPLIES	228.98
			3636021		PARK MAINT SUPPLIES	98.12
					Total :	327.10
173072	8/22/2023	112623 RICHARDSON, DONTAVIEN	57699099		REFUND - YOUTH SOFTBALL CANCELE	140.00
					Total :	140.00
173073	8/22/2023	118476 RICOH USA, INC.	9031986579		RICOH PRO8100SE COPIER BASE LEA	380.97
			9031986664		RICOH MPC3503 COPIER LEASE - REC	191.25
			9031986819		RICOH DD6650P COPIER LEASE - PRIN	869.13
			9031986820		RICOH MPC3503 COPIER LEASE - HS	153.85

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Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
173073	8/22/2023	118476 RICOH USA, INC.	(Continued)			
			9031986841		RICOH MPC3503 COPIER LEASE - ADM	211.57
			9031986937		RICOH MPC3503 COPIER LEASE - PW	167.02
			9031987046		RICOH MPC3503 COPIER LEASE - GTR	182.17
			9031987077		RICOH MPC3503 COPIER LEASE - FCC	219.45
			9031987224		RICOH MPC3503 COPIER LEASE - SR. I	204.62
			9032017949		RICOH MPC4503 COPIER LEASE - CD	341.74
			9032017949.		RICOH MPC4503 COPIER USAGE CHAF	790.37
			9032041143		RICOH COPIER USAGE CHARGES - VA	1,319.46
					Total :	5,031.60
173074	8/22/2023	112433 RIGHTWAY HEALTHCARE, INC	INV14102		HEALTHCARE NAVIGATION SERVICES	1,813.50
					Total :	1,813.50
173075	8/22/2023	111867 RJM DESIGN GROUP	35667	024-00795	DESIGN & ENGINEERING - AQUATIC &	4,252.50
					Total :	4,252.50
173076	8/22/2023	107146 ROADLINE PRODUCTS INC. U.S.A.	18884		STREET MAINT SUPPLIES	1,902.20
					Total :	1,902.20
173077	8/22/2023	112463 ROMERO, MATTHEW J.	APRIL 2023		VOLUNTEER DRIVER	42.00
			JUNE 2023		VOLUNTEER DRIVER	14.00
			MARCH 2023		VOLUNTEER DRIVER	63.00
			MAY 2023		VOLUNTEER DRIVER	49.00
					Total :	168.00
173078	8/22/2023	119126 S.B.R.P.C.A.	04339	035-01271	Q3 FY 2023 - PD VEHICLE BUILD OUT	12,730.30
			04344	035-01266	PD AUTO PARTS	2,619.63
			04368		PD AUTO PARTS	1,679.09
			04369		PD AUTO PARTS	1,275.07
			04370		PD AUTO PARTS	1,549.08
			04371		PD AUTO PARTS	1,277.86
					Total :	21,131.03
173079	8/22/2023	119022 SAFE MART OF SOUTHERN, CALIFORNIA, INC 89			BLDG MAINT SUPPLIES	148.07
			94379		PD PROGRAM SUPPLIES	394.14
			94393		BLDG MAINT SUPPLIES	87.47

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173079	8/22/2023	119022	119022 SAFE MART OF SOUTHERN, CALIFORNI/ (Continued)			Total : 629.68
173080	8/22/2023	119015	SAFETY-KLEEN CORPORATION	92116288	SERVICE AQUEOUS PARTS WASHER	395.20
						Total : 395.20
173081	8/22/2023	112327	SAMI'S REFEREES LLC	07/16-07/31/23	SPORT REFEREE SERVICES	560.00
						Total : 560.00
173082	8/22/2023	119016	SAM'S CLUB	4793	PARK MAINT SUPPLIES	134.86
						Total : 134.86
173083	8/22/2023	107465	SATO, KATHY	MAY 2023	VOLUNTEER DRIVER	7.00
						Total : 7.00
173084	8/22/2023	109609	SEA COAST DESIGN GROUP	25362	BUS OFFICE TOOLS & SUPPLIES	27.56
						Total : 27.56
173085	8/22/2023	108654	SECTRAN SECURITY INC.	23012391	ARMORED TRANSPORTATION SERVICI	2,288.22
						Total : 2,288.22
173086	8/22/2023	106050	SHEHATA, AMY	JULY 2023	CHILD CARE PROVIDER	4,725.95
						Total : 4,725.95
173087	8/22/2023	109918	SHIGE'S FOREIGN CAR SERVICE, INC.	8095188 8095228 8095272 8095276 8095305 8095347	2018 FORD INTRCPTR #1554895 SERVI 2016 FORD INTRCPTR #1488054 SERVI 2016 FORD INTRCPTR #1488059 SERVI 2018 FORD INTRCPTR #1554895 REPL 2018 FORD INTRCPTR #1554674 SERVI 2022 FORD INTRCPTR #1630468 SERVI	2,615.22 1,577.54 386.43 770.67 697.12 380.71
						Total : 6,427.69
173088	8/22/2023	101649	SILVIA ESPINOZA FAMILY CHILD, CARE	JULY 2023	CHILD CARE PROVIDER	10,089.00
						Total : 10,089.00
173089	8/22/2023	119378	SMARDAN SUPPLY CO.	S3988134 S3988852 S3989959 S3990998	BLDG MAINT SUPPLIES BUS FACILITY MAINT SUPPLIES BLDG MAINT SUPPLIES BLDG MAINT SUPPLIES	292.66 73.89 141.32 42.86

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173089	8/22/2023	119378 SMARDAN SUPPLY CO.	(Continued) S3991583		BLDG MAINT SUPPLIES	41.22
					Total :	591.95
173090	8/22/2023	109531 SMILLIN, MAGE	JULY 2023		CHILD CARE PROVIDER	9,987.00
					Total :	9,987.00
173091	8/22/2023	119447 SOUTH BAY FORD	517539		2017 FORD F350 SERVICE & REPAIR	715.10
					Total :	715.10
173092	8/22/2023	119447 SOUTH BAY FORD	445504 448811		PD AUTO PARTS PW AUTO PARTS	301.73 355.85
					Total :	657.58
173093	8/22/2023	119375 SOUTH COAST AIR QUALITY, MANAGEMENT I	4203073 4204655		ANNUAL OPERATING FEES - I C E (50-€ EMISSIONS FEE - FLAT FEE FOR LAST	504.91 160.35
					Total :	665.26
173094	8/22/2023	619003 SOUTHERN CALIFORNIA EDISON	073123		LIGHT & POWER	113,161.03
					Total :	113,161.03
173095	8/22/2023	619006 SOUTHERN CALIFORNIA EDISON	468660		PANEL UPGRADE	222.58
					Total :	222.58
173096	8/22/2023	103202 SOUTHERN COUNTIES LUBRICANTS, LLC	187719 187724		BUS AUTOMOTIVE FLUIDS BUS AUTOMOTIVE FLUIDS	1,682.98 1,861.58
					Total :	3,544.56
173097	8/22/2023	104126 SPECTRUM	0027122081123		CABLE & BACKUP INTERNET SERVICE	4,138.56
					Total :	4,138.56
173098	8/22/2023	104453 SPICERS PAPER, INC.	3118399	035-01263	PD OFFICE SUPPLIES	2,643.80
					Total :	2,643.80
173099	8/22/2023	112624 SPLINTER & THAI PC	080423		SUBPOENA WITNESS REIMBURSEMEN	275.00
					Total :	275.00
173100	8/22/2023	119594 STANLEY PEST CONTROL	COG 0723		PEST CONTROL SERVICE - 1670 W 162	654.00

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173100	8/22/2023	119594 STANLEY PEST CONTROL	(Continued) COG 0723-1		PEST CONTROL SERVICE -2320 W 149'	117.00
					Total :	771.00
173101	8/22/2023	119010 STAPLES ADVANTAGE	3543496863 3543738259 3543738261		PW OFFICE SUPPLIES PW OFFICE SUPPLIES PW OFFICE SUPPLIES	13.85 193.95 42.42
					Total :	250.22
173102	8/22/2023	303323 STATE CONTROLLER'S OFFICE	FTB-00005747	035-01267	FTB 2022 OFFSETS PROGRAM	2,467.84
					Total :	2,467.84
173103	8/22/2023	119662 STUDIO EFFECTS	27619		PD POLOS & HATS	1,424.43
					Total :	1,424.43
173104	8/22/2023	112626 SWEMIE, ZACH	PERMIT #50022-0729		PERMIT DEPOSIT REFUND - 1248 W 13	5,000.00
					Total :	5,000.00
173105	8/22/2023	112505 T Y LIN INTERNATIONAL	102306041 102307281	037-10236 037-10235	GRID PROJECT MANAGEMENT SOMPIS PROJECT MANAGEMENT	13,403.82 9,956.07
					Total :	23,359.89
173106	8/22/2023	112621 TAYLOR, WILLIAM	PERMIT #50022-0393		PERMIT DEPOSIT REFUND - 13123 ARC	5,000.00
					Total :	5,000.00
173107	8/22/2023	110877 TAYLORING MINDS FAMILY CHILD, CARE	JULY 2023		CHILD CARE PROVIDER	2,640.00
					Total :	2,640.00
173108	8/22/2023	112547 THE FAMILY STONE PROJECT	082723	034-00585	ENTERTAINMENT SERVICES - JAZZ FE	8,750.00
					Total :	8,750.00
173109	8/22/2023	110238 TIREHUB, LLC	35973058		TIRES - GY EAGLE ENFORCER BW 108	1,920.52
					Total :	1,920.52
173110	8/22/2023	105070 T-MOBILE USA, INC.	9539709122 9540073752		GPS LOCATE GPS LOCATE	100.00 100.00
					Total :	200.00

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173111	8/22/2023	109775 TOMS TRUCK CENTER NORTH COUNTY	1309044		GTRANS AUTO PARTS	236.05
Total :						236.05
173112	8/22/2023	111990 TOWNSEND PUBLIC AFFAIRS, INC	20278		CONSULTING SERVICES - AUGUST 202	7,000.00
Total :						7,000.00
173113	8/22/2023	111788 TRAN, CHUNG	01/01/23-06/30/23 07/01/23-07/31/23	035-01274	EOC MANAGEMENT SERVICES EOC MANAGEMENT SERVICES	6,120.00 742.50
Total :						6,862.50
173114	8/22/2023	105556 TRIANGLE SPORTS, INC.	42046 42047 42064	034-00604	YOUTH SPORTS UNIFORM SUPPLIES YOUTH SPORTS UNIFORM SUPPLIES YOUTH SPORTS UNIFORM SUPPLIES	6,269.70 1,310.72 190.53
Total :						7,770.95
173115	8/22/2023	111481 TRIO COMMUNITY MEALS, LLC	INV2230031963 INV2230032418 INV2230032764 INV2230032765	034-00584 034-00584 034-00584 034-00584	SENIOR FEEDING PROGRAM SENIOR FEEDING PROGRAM SENIOR FEEDING PROGRAM SENIOR FEEDING PROGRAM	6,092.59 7,117.76 4,987.15 1,197.48
Total :						19,394.98
173116	8/22/2023	109900 U.S. BANK CORPORATE PAYMENT, SYSTEMS	SANTIN 07/24/23	034-00602	CAL CARD STATEMENT 06/23-07/24/23	36,168.24
Total :						36,168.24
173117	8/22/2023	109900 U.S. BANK CORPORATE PAYMENT, SYSTEMS	C.OSORIO 05/22/23 C.OSORIO 06/22/23 HR 07/24/23 RECREATION 07/24/23 RECREATION 7/24/23 RIGG 07/24/23 SANTIN 7/24/23 SWEENEY 07/24/23 SWEENEY 7/24/23	034-00602	CAL CARD STATEMENT 04/25-05/22/23 CAL CARD STATEMENT 05/23-06/22/23 CAL CARD STATEMENT 06/23-07/24/23 CAL CARD STATEMENT 06/23-07/24/23 CAL CARD STATEMENT 06/23-07/24/23 CAL CARD STATEMENT 06/23-07/24/23 CAL CARD STATEMENT 06/23-07/24/23 CAL CARD STATEMENT 06/23-07/24/23 CAL CARD STATEMENT 06/23-07/24/23 CAL CARD STATEMENT 06/23-07/24/23	1,313.38 1,101.87 71.78 10,185.63 4,507.95 16.79 8,960.13 5,095.53 2,669.25
Total :						33,922.31
173118	8/22/2023	109900 U.S. BANK CORPORATE PAYMENT, SYSTEMS	FOX 07/24/23		CAL CARD STATEMENT 06/23-07/24/23	598.17

Voucher List
CITY OF GARDENA

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
173118	8/22/2023	109900 U.S. BANK CORPORATE PAYMENT, SYSTEMS	(Continued)			
			HR 7/24/23		CAL CARD STATEMENT 06/23-07/24/23	523.30
			LEWIS 07/24/23		CAL CARD STATEMENT 06/23-07/24/23	17.61
			LEWIS 7/24/23		CAL CARD STATEMENT 06/23-07/24/23	329.97
			MACIEL 07/24/23		CAL CARD STATEMENT 06/23-07/24/23	427.48
			OROZCO 07/24/23		CAL CARD STATEMENT 06/23-07/24/23	1,068.30
			PD TRAININ2 07/24/23		CAL CARD STATEMENT 06/23-07/24/23	986.53
			PD TRAININ3 07/24/23		CAL CARD STATEMENT 06/23-07/24/23	2,457.04
			PD TRAININ4 07/24/23		CAL CARD STATEMENT 06/23-07/24/23	323.03
			PD TRAINING 07/24/23		CAL CARD STATEMENT 06/23-07/24/23	3,069.47
			ROMERO 07/24/23		CAL CARD STATEMENT 06/23-07/24/23	3,194.63
			ROMERO 7/24/23		CAL CARD STATEMENT 06/23-07/24/23	397.03
			SAFFELL 07/24/23		CAL CARD STATEMENT 06/23-07/24/23	29.00
					Total :	13,421.56
173119	8/22/2023	107274 U.S. TOW, INC.	02659	037-10146	TOWING SERVICES FOR BUS #736	60.00
			02665	037-10146	TOWING SERVICES FOR BUS #1601	90.00
			02673	037-10146	TOWING SERVICES FOR BUS #725	60.00
			02678	037-10146	TOWING SERVICES FOR DUMPTRUCK	30.00
			02687	037-10263	TOWING SERVICES FOR BUS #728	60.00
			02694	037-10263	TOWING SERVICES FOR BUS #768	110.00
			4481	037-10146	TOWING SERVICES FOR BUS #2917	60.00
			4485	037-10146	TOWING SERVICES FOR BUS #775	113.00
			502038C	037-10146	TOWING SERVICES FOR BUS #726	60.00
					Total :	643.00
173120	8/22/2023	104692 ULINE	165373789		REC PROGRAM SUPPLIES	247.08
			165753561		PD PROGRAM SUPPLIES	392.07
			165898973		PD PROGRAM SUPPLIES	249.77
			166008843		PD PROGRAM SUPPLIES	204.82
			166136636		BUS SHOP SUPPLIES	205.26
					Total :	1,299.00
173121	8/22/2023	121275 UNDERGROUND SERVICE ALERT, OF SC	23-240205		STATE REGULATORY COSTS - BILLABL	55.67
			720230287		UNDERGROUND SERVICE ALERT	269.00
					Total :	324.67

Voucher List
CITY OF GARDENA

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
173122	8/22/2023	105549 VALDEZ, MATILDE	JULY 2023		CHILD CARE PROVIDER	8,680.00
Total :						8,680.00
173123	8/22/2023	112629 VASCULAR & THORACIC ASSOCIATES, OF LO PERMIT #50021-1323			PERMIT DEPOSIT REFUND - 1251 W RE	10,000.00
Total :						10,000.00
173124	8/22/2023	122050 VERIZON WIRELESS	9939313150 9939909139 9940069474		PW CELL PHONE SERVICE BUS CELL PHONE SERVICE REC CELL PHONE SERVICE	973.16 108.89 1,219.27
Total :						2,301.32
173125	8/22/2023	105861 VERSATILE SYSTEMS, INC.	8239	037-10147	FALL PROTECTION INSPECTION & REF	1,200.00
Total :						1,200.00
173126	8/22/2023	105254 VISION TIRE	38453		TIRES - 215/55/R16	110.00
Total :						110.00
173127	8/22/2023	108353 WALTERS WHOLESALE ELECTRIC CO	S123579835 S123579835.002		SIGNS/SIGNALS MAINT SUPPLIES SIGNS/SIGNALS MAINT SUPPLIES	86.83 86.83
Total :						173.66
173128	8/22/2023	110370 WESTERN COLLISION CENTER, INC	1116		2022 FORD INTRCPTR #1630457 BODY	1,929.09
Total :						1,929.09
173129	8/22/2023	119387 WEX BANK	91023057		FUEL PURCHASES	190.42
Total :						190.42
173130	8/22/2023	123050 WILLIAMS SCOTSMAN, INC.	9018079101		MODULAR BUILDING RENTAL CPX-804	2,766.10
Total :						2,766.10
173131	8/22/2023	111582 WITHROW, LYNN M.	23-09PD		FINAL SETTLEMENT	219.99
Total :						219.99
173132	8/22/2023	105568 WORTHY, PATRICIA	APRIL 2023 JUNE 2023 MARCH 2023 MAY 2023		VOLUNTEER DRIVER VOLUNTEER DRIVER VOLUNTEER DRIVER VOLUNTEER DRIVER	49.00 63.00 56.00 70.00

Voucher List
CITY OF GARDENA

Bank code : usb

Voucher	Date	Vendor	Invoice	PO #	Description/Account	Amount
173132	8/22/2023	105568 105568 WORTHY, PATRICIA			(Continued)	Total : 238.00
173133	8/22/2023	125001 YAMADA COMPANY, INC.	83270		PARK MAINT SUPPLIES	38.22
			83281		PARK MAINT SUPPLIES	87.44
			83285		PARK MAINT SUPPLIES	411.71
			83299		TREE PROGRAM SUPPLIES	100.52
					Total :	637.89
173134	8/22/2023	107051 ZAVALETA, MARITZA	JULY 2023		CHILD CARE PROVIDER	4,521.00
					Total :	4,521.00
173135	8/22/2023	104934 ZUMAR INDUSTRIES, INC.	44120		GTRANS BUS SIGNAGE	540.15
			7948		SIGNS/SIGNALS SUPPLIES	763.78
			7960		SIGNS/SIGNALS SUPPLIES	689.40
			7977		SIGNS/SIGNALS SUPPLIES	436.62
					Total :	2,429.95
247 Vouchers for bank code : usb						Bank total : 3,456,493.75
247 Vouchers in this report						Total vouchers : 3,456,493.75

CITY OF GARDENA



INVESTMENT REPORT

July 2023

Prepared by Danny Rodriguez, Deputy City Treasurer
Reviewed by Ray Beeman, Director of Administrative Services



City of Gardena Consolidated - Account #10647

MONTHLY ACCOUNT STATEMENT

JULY 1, 2023 THROUGH JULY 31, 2023

Chandler Team:

For questions about your account, please call (800) 317-4747,
or contact operations@chandlerasset.com

CHANDLER ASSET MANAGEMENT
chandlerasset.com

Information contained herein is confidential. We urge you to compare this statement to the one you receive from your qualified custodian. Please see Important Disclosures.



PORTFOLIO CHARACTERISTICS

Average Modified Duration	0.61
Average Coupon	4.02%
Average Purchase YTM	3.74%
Average Market YTM	4.81%
Average S&P/Moody Rating	AAA/Aa1
Average Final Maturity	0.72 yrs
Average Life	0.65 yrs

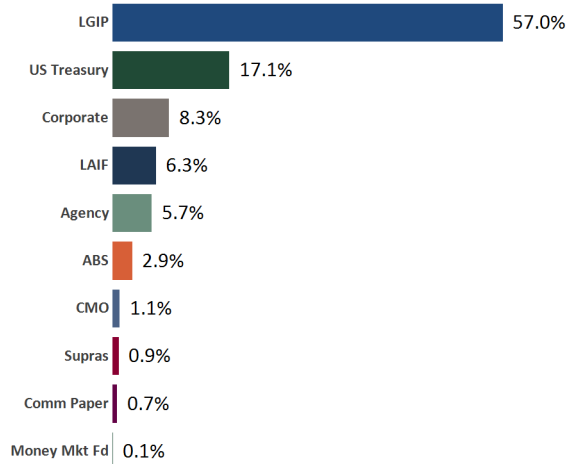
ACCOUNT SUMMARY

	Beg. Values as of 6/30/23	End Values as of 7/31/23
Market Value	84,171,005	84,543,732
Accrued Interest	211,969	193,796
Total Market Value	84,382,974	84,737,528
Income Earned	265,691	283,367
Cont/WD		
Par	79,499,428	79,811,434
Book Value	85,521,123	85,822,664
Cost Value	85,699,527	85,997,822

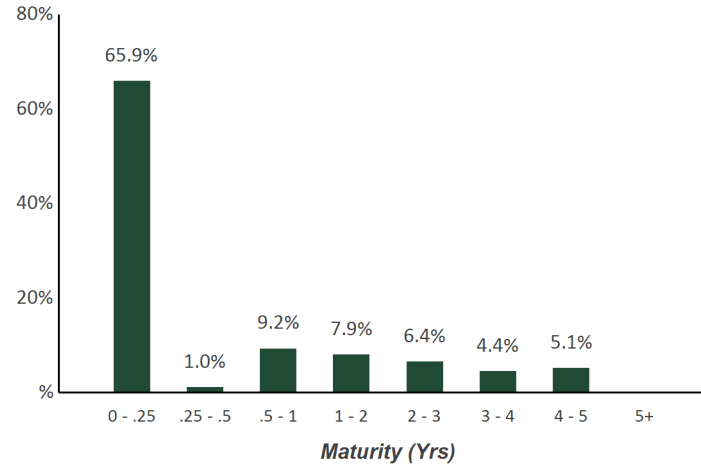
TOP ISSUERS

CAMP	49.3%
Government of United States	17.1%
CalTrust	7.7%
Local Agency Investment Fund	6.3%
Federal Home Loan Mortgage Corp	2.4%
Federal Home Loan Bank	2.3%
Federal Farm Credit Bank	1.3%
Federal National Mortgage Assoc	0.8%
Total	87.2%

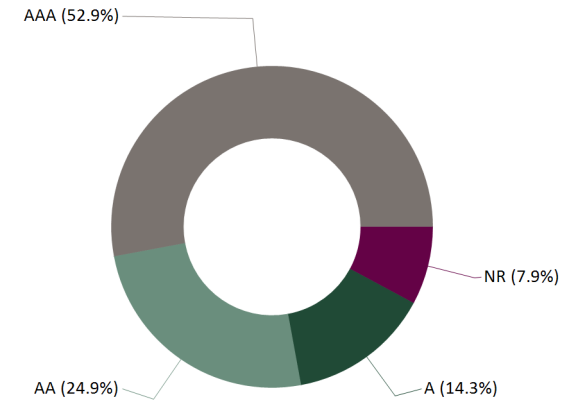
SECTOR ALLOCATION



MATURITY DISTRIBUTION



CREDIT QUALITY (S&P)



Holdings Report

As of July 31, 2023



CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
ABS									
43813KAC6	Honda Auto Receivables Trust 2020-3 A3 0.37% Due 10/18/2024	16,288.84	09/22/2020 0.38%	16,286.44 16,288.61	98.79 5.87%	16,092.19 2.18	0.02% (196.42)	NR / AAA AAA	1.22 0.22
58769KAD6	Mercedes-Benz Auto Lease Trust 2021-B A3 0.4% Due 11/15/2024	45,776.79	06/22/2021 0.40%	45,773.34 45,776.17	98.69 5.60%	45,177.48 8.14	0.05% (598.69)	NR / AAA AAA	1.30 0.25
09690AAC7	BMW Vehicle Lease Trust 2021-2 A3 0.33% Due 12/26/2024	17,892.41	09/08/2021 0.34%	17,890.57 17,892.09	99.03 5.61%	17,718.80 0.98	0.02% (173.29)	Aaa / NR AAA	1.41 0.18
89236XAC0	Toyota Auto Receivables 2020-D A3 0.35% Due 1/15/2025	11,229.38	10/06/2020 0.36%	11,227.29 11,228.66	99.10 5.75%	11,128.59 1.75	0.01% (100.07)	NR / AAA AAA	1.46 0.16
92290BAA9	Verizon Owner Trust 2020-B A 0.47% Due 2/20/2025	10,480.84	08/04/2020 0.48%	10,478.63 10,480.08	99.47 5.13%	10,425.62 1.51	0.01% (54.46)	Aaa / NR AAA	1.56 0.11
05601XAC3	BMW Vehicle Lease Trust 2022-1 A3 1.1% Due 3/25/2025	61,320.51	01/11/2022 1.11%	61,311.34 61,317.78	98.49 5.71%	60,397.27 11.24	0.07% (920.51)	NR / AAA AAA	1.65 0.32
43813GAC5	Honda Auto Receivables Trust 2021-1 A3 0.27% Due 4/21/2025	28,850.19	02/17/2021 0.27%	28,849.67 28,850.08	97.95 5.74%	28,257.75 2.16	0.03% (592.33)	Aaa / NR AAA	1.73 0.37
47788UAC6	John Deere Owner Trust 2021-A A3 0.36% Due 9/15/2025	31,743.87	03/02/2021 0.37%	31,737.78 31,741.83	97.28 5.99%	30,881.80 5.08	0.04% (860.03)	Aaa / NR AAA	2.13 0.48
05593AAC3	BMW Vehicle Lease Trust 2023-1 A3 5.16% Due 11/25/2025	40,000.00	02/07/2023 5.22%	39,999.05 39,999.26	99.41 5.71%	39,764.64 34.40	0.05% (234.62)	Aaa / AAA NR	2.32 1.19
43815GAC3	Honda Auto Receivables Trust 2021-4 A3 0.88% Due 1/21/2026	82,866.70	11/16/2021 0.89%	82,849.23 82,858.30	96.34 5.78%	79,830.22 20.26	0.09% (3,028.08)	Aaa / NR AAA	2.48 0.75
47789QAC4	John Deere Owner Trust 2021-B A3 0.52% Due 3/16/2026	57,890.66	07/13/2021 0.52%	57,885.50 57,888.37	96.03 6.04%	55,593.33 13.38	0.07% (2,295.04)	Aaa / NR AAA	2.63 0.72
89238JAC9	Toyota Auto Receivables Trust 2021-D A3 0.71% Due 4/15/2026	63,508.86	11/09/2021 0.71%	63,507.51 63,508.22	96.19 5.87%	61,088.22 20.04	0.07% (2,420.00)	NR / AAA AAA	2.71 0.74
43815BAC4	Honda Auto Receivables Trust 2022-1 A3 1.88% Due 5/15/2026	165,000.00	02/15/2022 1.89%	164,975.18 164,986.23	95.90 5.78%	158,235.83 137.87	0.19% (6,750.40)	Aaa / AAA NR	2.79 1.06
43815PAC3	Honda Auto Receivables 2022-2 A3 3.73% Due 7/20/2026	105,000.00	08/15/2022 3.76%	104,993.74 104,995.65	97.47 5.58%	102,340.25 141.43	0.12% (2,655.40)	NR / AAA AAA	2.97 1.40

Holdings Report

As of July 31, 2023



CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
ABS									
05602RAD3	BMW Vehicle Owner Trust 2022-A A3 3.21% Due 8/25/2026	300,000.00	01/05/2023 5.44%	292,136.72 293,923.03	97.48 5.62%	292,450.80 160.50	0.35% (1,472.23)	Aaa / AAA NR	3.07 1.06
89238FAD5	Toyota Auto Receivables OT 2022-B A3 2.93% Due 9/15/2026	115,000.00	04/07/2022 2.95%	114,997.31 114,998.38	96.94 5.67%	111,483.76 149.76	0.13% (3,514.62)	Aaa / AAA NR	3.13 1.13
47787JAC2	John Deere Owner Trust 2022-A A3 2.32% Due 9/16/2026	130,000.00	03/10/2022 2.34%	129,971.24 129,982.55	96.55 5.82%	125,516.30 134.04	0.15% (4,466.25)	Aaa / NR AAA	3.13 0.99
47800AAC4	John Deere Owner Trust 2022-B A3 3.74% Due 2/16/2027	135,000.00	07/12/2022 3.77%	134,987.11 134,990.83	97.30 5.73%	131,350.01 224.40	0.16% (3,640.82)	Aaa / NR AAA	3.55 1.39
448979AD6	Hyundai Auto Receivables Trust 2023-A A3 4.58% Due 4/15/2027	155,000.00	04/04/2023 4.63%	154,984.87 154,986.53	98.61 5.38%	152,838.68 315.51	0.18% (2,147.85)	NR / AAA AAA	3.71 1.84
36265WAD5	GM Financial Securitized Auto 2022-3 A3 3.64% Due 4/16/2027	90,000.00	07/06/2022 3.67%	89,999.38 89,999.59	97.39 5.51%	87,648.40 136.50	0.10% (2,351.19)	Aaa / NR AAA	3.71 1.43
43815JAC7	Honda Auto Receivables Owner 2023-1 A3 5.04% Due 4/21/2027	70,000.00	02/16/2023 5.10%	69,986.99 69,988.77	99.41 5.40%	69,589.73 98.00	0.08% (399.04)	Aaa / NR AAA	3.73 1.89
02582JIT8	American Express Credit Trust 2022-2 A 3.39% Due 5/17/2027	185,000.00	05/17/2022 3.42%	184,959.08 184,975.42	96.77 5.35%	179,019.32 278.73	0.21% (5,956.10)	NR / AAA AAA	3.80 1.69
47800BAC2	John Deere Owner Trust 2022-C A3 5.09% Due 6/15/2027	220,000.00	10/12/2022 5.15%	219,982.93 219,986.59	99.17 5.65%	218,183.68 497.69	0.26% (1,802.91)	Aaa / NR AAA	3.88 1.63
58770AAC7	Mercedes-Benz Auto Receivable 2023-1 A3 4.51% Due 11/15/2027	105,000.00	01/18/2023 4.56%	104,987.40 104,989.27	98.39 5.71%	103,312.65 210.47	0.12% (1,676.62)	NR / AAA AAA	4.30 1.40
362583AD8	GM Auto Receivable Trust 2023-2 A3 4.47% Due 2/16/2028	115,000.00	04/04/2023 4.51%	114,996.84 114,997.13	98.24 5.78%	112,973.82 214.19	0.13% (2,023.31)	Aaa / AAA NR	4.55 1.39
02582JIZ4	American Express Credit Trust 2023-1 A 4.87% Due 5/15/2028	125,000.00	06/07/2023 4.92%	124,988.91 124,989.41	99.61 5.07%	124,510.00 270.56	0.15% (479.41)	NR / AAA AAA	4.79 2.54
Total ABS		2,482,849.05	3.52%	2,474,744.05 2,476,618.83	5.62%	2,425,809.14 3,090.77	2.87% (50,809.69)	Aaa / AAA AAA	3.31 1.29

AGENCY									
3137EAEV7	FHLMC Note 0.25% Due 8/24/2023	300,000.00	08/19/2020 0.28%	299,694.00 299,993.59	99.68 5.24%	299,046.00 327.08	0.35% (947.59)	Aaa / AA+ AAA	0.07 0.06

Holdings Report

As of July 31, 2023



CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
AGENCY									
3137EAEW5	FHLMC Note 0.25% Due 9/8/2023	300,000.00	09/11/2020 0.24%	300,093.00 300,003.25	99.46 5.50%	298,387.20 297.92	0.35% (1,616.05)	Aaa / AA+ AAA	0.11 0.10
3135G0U43	FNMA Note 2.875% Due 9/12/2023	350,000.00	09/25/2019 1.63%	366,702.00 350,484.79	99.72 5.28%	349,025.25 3,885.24	0.42% (1,459.54)	Aaa / AA+ AAA	0.12 0.11
3137EAEY1	FHLMC Note 0.125% Due 10/16/2023	225,000.00	10/14/2020 0.25%	224,160.75 224,941.75	98.90 5.48%	222,515.33 82.03	0.26% (2,426.42)	Aaa / AA+ AAA	0.21 0.21
3137EAEZ8	FHLMC Note 0.25% Due 11/6/2023	335,000.00	11/03/2020 0.28%	334,698.50 334,973.32	98.64 5.49%	330,430.94 197.74	0.39% (4,542.38)	Aaa / AA+ AAA	0.27 0.26
3130A0F70	FHLB Note 3.375% Due 12/8/2023	350,000.00	10/30/2019 1.72%	372,781.50 351,960.52	99.28 5.43%	347,481.05 1,739.06	0.41% (4,479.47)	Aaa / AA+ AAA	0.36 0.35
3130AT3H8	FHLB Note 3.375% Due 3/8/2024	700,000.00	08/25/2022 3.46%	699,160.00 699,670.00	98.83 5.37%	691,785.50 9,384.38	0.83% (7,884.50)	Aaa / AA+ NR	0.61 0.58
3130A1XJ2	FHLB Note 2.875% Due 6/14/2024	155,000.00	03/24/2020 0.99%	167,010.95 157,476.97	97.83 5.46%	151,639.45 581.79	0.18% (5,837.52)	Aaa / AA+ NR	0.87 0.84
3133ENKS8	FFCB Note 1.125% Due 1/6/2025	750,000.00	Various 1.60%	740,054.10 745,058.27	94.38 5.26%	707,835.76 585.93	0.84% (37,222.51)	Aaa / AA+ AAA	1.44 1.39
3133ENPG9	FFCB Note 1.75% Due 2/14/2025	415,000.00	02/10/2022 1.84%	413,891.95 414,430.29	95.19 5.04%	395,050.95 3,368.99	0.47% (19,379.34)	Aaa / AA+ AAA	1.55 1.47
3135G06G3	FNMA Note 0.5% Due 11/7/2025	350,000.00	11/18/2020 0.52%	349,639.50 349,835.25	90.76 4.86%	317,650.55 408.33	0.38% (32,184.70)	Aaa / AA+ AAA	2.27 2.20
3130ATS57	FHLB Note 4.5% Due 3/10/2028	700,000.00	03/21/2023 3.99%	715,799.00 714,649.98	100.41 4.40%	702,900.10 12,337.50	0.84% (11,749.88)	Aaa / AA+ AAA	4.61 4.05
Total Agency		4,930,000.00	1.83%	4,983,685.25 4,943,477.98	5.16%	4,813,748.08 33,195.99	5.72% (129,729.90)	Aaa / AA+ AAA	1.36 1.25
CMO									
3137BNGT5	FHLMC K054 A2 2.745% Due 1/25/2026	500,000.00	02/15/2023 4.92%	474,785.16 478,669.93	94.97 4.99%	474,865.50 1,143.75	0.56% (3,804.43)	NR / AAA NR	2.49 2.22
3137FETN0	FHLMC K073 A2 3.35% Due 1/25/2028	465,000.00	05/24/2023 4.34%	446,908.59 447,578.64	94.30 4.79%	438,477.33 259.63	0.52% (9,101.31)	NR / NR AAA	4.49 3.98
Total CMO		965,000.00	4.64%	921,693.75 926,248.57	4.89%	913,342.83 1,403.38	1.08% (12,905.74)	NR / AAA AAA	3.45 3.07

Holdings Report

As of July 31, 2023



CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
COMMERCIAL PAPER									
62479LDC6	MUFG Bank Ltd Discount CP 5.66% Due 4/12/2024	600,000.00	07/25/2023 5.93%	575,284.67 575,945.00	95.99 5.93%	575,945.00 0.00	0.68% 0.00	P-1 / A-1 NR	0.70 0.68
Total Commercial Paper		600,000.00	5.93%	575,284.67 575,945.00	5.93%	575,945.00 0.00	0.68% 0.00	Aaa / AA NR	0.70 0.68
CORPORATE									
06406FAD5	Bank of NY Mellon Corp Callable Note Cont 6/16/2023 2.2% Due 8/16/2023	200,000.00	04/11/2019 2.90%	194,298.00 199,946.00	99.86 5.41%	199,722.20 2,016.67	0.24% (223.80)	A1 / A AA-	0.04 0.04
594918BX1	Microsoft Callable Note Cont 12/6/2023 2.875% Due 2/6/2024	200,000.00	03/05/2020 1.06%	213,320.00 201,237.48	98.66 5.53%	197,329.40 2,795.14	0.24% (3,908.08)	Aaa / AAA NR	0.52 0.49
89114QCB2	Toronto Dominion Bank Note 3.25% Due 3/11/2024	500,000.00	Various 1.53%	523,124.00 505,126.72	98.44 5.88%	492,196.50 6,319.45	0.59% (12,930.22)	A1 / A AA-	0.61 0.59
808513BN4	Charles Schwab Corp Callable Note Cont 2/18/2024 0.75% Due 3/18/2024	245,000.00	Various 0.58%	246,097.00 245,220.77	96.80 5.99%	237,167.60 678.86	0.28% (8,053.17)	A2 / A- A	0.63 0.61
023135BW5	Amazon.com Inc Note 0.45% Due 5/12/2024	130,000.00	05/10/2021 0.50%	129,810.20 129,950.65	96.15 5.56%	124,995.39 128.38	0.15% (4,955.26)	A1 / AA AA-	0.78 0.76
91324PEB4	United Health Group Inc Callable Note Cont 5/15/2022 0.55% Due 5/15/2024	500,000.00	11/24/2021 1.07%	493,760.00 497,998.75	96.17 5.59%	480,826.50 580.56	0.57% (17,172.25)	A2 / A+ A	0.79 0.77
14913R2L0	Caterpillar Financial Service Note 0.45% Due 5/17/2024	500,000.00	Various 0.66%	497,344.65 499,186.55	96.11 5.52%	480,536.00 462.51	0.57% (18,650.55)	A2 / A A+	0.80 0.77
89236TJH9	Toyota Motor Credit Corp Note 0.5% Due 6/18/2024	300,000.00	12/06/2021 1.07%	295,710.00 298,503.38	95.64 5.65%	286,908.60 179.17	0.34% (11,594.78)	A1 / A+ A+	0.88 0.86
79466LAG9	Salesforce.com Inc Callable Note Cont 7/15/2022 0.625% Due 7/15/2024	35,000.00	06/29/2021 0.64%	34,982.15 34,994.33	95.53 5.49%	33,436.83 9.72	0.04% (1,557.50)	A2 / A+ NR	0.96 0.93
69371RR40	Paccar Financial Corp Note 0.5% Due 8/9/2024	80,000.00	08/03/2021 0.52%	79,956.80 79,985.26	95.06 5.54%	76,049.12 191.11	0.09% (3,936.14)	A1 / A+ NR	1.03 0.99

Holdings Report

As of July 31, 2023



CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
CORPORATE									
78015K7C2	Royal Bank of Canada Note 2.25% Due 11/1/2024	500,000.00	Various 0.88%	524,067.75 508,453.21	96.09 5.53%	480,435.00 2,812.51	0.57% (28,018.21)	A1 / A AA-	1.26 1.20
69371RR57	Paccar Financial Corp Note 0.9% Due 11/8/2024	175,000.00	11/02/2021 0.90%	174,989.50 174,995.55	94.45 5.48%	165,290.65 363.13	0.20% (9,704.90)	A1 / A+ NR	1.28 1.23
46647PAH9	JP Morgan Chase & Co Callable Note 2X 3/1/2024 3.22% Due 3/1/2025	500,000.00	Various 1.01%	531,052.10 506,327.20	98.43 5.97%	492,131.50 6,708.33	0.59% (14,195.70)	A1 / A- AA-	1.59 0.56
24422EWB1	John Deere Capital Corp Note 2.125% Due 3/7/2025	130,000.00	03/02/2022 2.14%	129,944.10 129,970.21	95.35 5.19%	123,954.48 1,105.00	0.15% (6,015.73)	A2 / A A+	1.60 1.53
06406RBC0	Bank of NY Mellon Corp Callable Note Cont 3/25/2025 3.35% Due 4/25/2025	280,000.00	04/19/2022 3.35%	279,960.80 279,977.34	96.26 5.64%	269,523.80 2,501.33	0.32% (10,453.54)	A1 / A AA-	1.74 1.64
63743HFE7	National Rural Utilities Note 3.45% Due 6/15/2025	95,000.00	04/27/2022 3.46%	94,974.35 94,984.58	96.39 5.50%	91,568.70 418.79	0.11% (3,415.88)	A2 / A- A	1.88 1.77
931142EW9	Wal-Mart Stores Note 3.9% Due 9/9/2025	80,000.00	09/06/2022 3.92%	79,944.00 79,960.66	98.15 4.83%	78,519.28 1,230.67	0.09% (1,441.38)	Aa2 / AA AA	2.11 1.96
437076CR1	Home Depot Callable Note Cont 8/15/2025 4% Due 9/15/2025	110,000.00	09/12/2022 4.01%	109,960.40 109,971.86	98.15 4.93%	107,965.77 1,662.22	0.13% (2,006.09)	A2 / A A	2.13 1.98
023135CN4	Amazon.com Inc Note 4.6% Due 12/1/2025	395,000.00	11/29/2022 4.60%	394,976.30 394,981.55	99.56 4.80%	393,271.88 3,028.33	0.47% (1,709.67)	A1 / AA AA-	2.34 2.17
857477BR3	State Street Bank Callable Note Cont 2/6/2025 1.746% Due 2/6/2026	90,000.00	02/02/2022 1.75%	90,000.00 90,000.00	93.77 6.11%	84,391.20 763.88	0.10% (5,608.80)	A1 / A AA-	2.52 1.45
037833BY5	Apple Inc Callable Note Cont 11/23/2025 3.25% Due 2/23/2026	400,000.00	05/09/2023 4.05%	391,672.00 392,342.16	96.48 4.73%	385,903.20 5,705.56	0.46% (6,438.96)	Aaa / AA+ NR	2.57 2.38
61747YET8	Morgan Stanley Callable Note Cont 7/17/2025 4.679% Due 7/17/2026	175,000.00	07/18/2022 4.68%	175,000.00 175,000.00	98.03 5.75%	171,549.18 318.43	0.20% (3,450.82)	A1 / A- A+	2.96 1.84
931142ER0	Wal-Mart Stores Callable Note Cont 08/17/2026 1.05% Due 9/17/2026	40,000.00	09/08/2021 1.09%	39,924.40 39,952.68	89.60 4.66%	35,841.04 156.33	0.04% (4,111.64)	Aa2 / AA AA	3.13 3.00



CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
CORPORATE									
665859AW4	Northern Trust Company Callable Note Cont 4/10/2027 4% Due 5/10/2027	450,000.00	10/05/2022 4.71%	436,909.50 439,237.05	96.67 4.98%	434,993.85 4,050.00	0.52% (4,243.20)	A2 / A+ A+	3.78 3.42
931142EX7	Wal-Mart Stores Callable Note Cont 09/09/2027 3.95% Due 9/9/2027	225,000.00	09/27/2022 4.70%	217,588.50 218,844.27	98.25 4.42%	221,052.38 3,505.63	0.27% 2,208.11	Aa2 / AA AA	4.11 3.69
438516CJ3	Honeywell Intl Callable Note Cont 01/15/2028 4.95% Due 2/15/2028	400,000.00	02/13/2023 4.44%	408,972.00 408,137.28	101.42 4.59%	405,673.20 9,130.00	0.49% (2,464.08)	A2 / A A	4.55 3.88
57636QAW4	MasterCard Inc Callable Note Cont 2/9/28 4.875% Due 3/9/2028	290,000.00	04/19/2023 4.17%	298,833.40 298,320.01	101.05 4.61%	293,047.61 5,576.46	0.35% (5,272.40)	Aa3 / A+ NR	4.61 3.95
58933YBH7	Merck & Co Callable Note Cont 4/17/2028 4.05% Due 5/17/2028	90,000.00	05/08/2023 4.07%	89,927.10 89,930.13	98.37 4.43%	88,528.86 749.25	0.11% (1,401.27)	A1 / A+ NR	4.80 4.27
Total Corporate		7,115,000.00	2.44%	7,177,099.00 7,123,535.63	5.33%	6,932,809.72 63,147.42	8.26% (190,725.91)	A1 / A+ A+	1.96 1.69
LAIF									
90LAIF\$00	Local Agency Investment Fund State Pool	5,346,263.84	Various 3.44%	5,346,263.84 5,346,263.84	1.00 3.44%	5,346,263.84 14,955.47	6.33% 0.00	NR / NR NR	0.00 0.00
Total LAIF		5,346,263.84	3.44%	5,346,263.84 5,346,263.84	3.44%	5,346,263.84 14,955.47	6.33% 0.00	NR / NR NR	0.00 0.00
LOCAL GOV INVESTMENT POOL									
09CATR\$05	CalTrust Medium Term Fund	674,649.28	Various 0.36%	6,780,273.62 6,780,273.62	9.69 0.36%	6,537,351.47 0.00	7.71% (242,922.15)	NR / A+ NR	0.00 0.00
90CAMP\$00	California Asset Mgmt Program CAMP	41,750,230.04	Various 5.43%	41,750,230.04 41,750,230.04	1.00 5.43%	41,750,230.04 0.00	49.27% 0.00	NR / AAA NR	0.00 0.00
Total Local Gov Investment Pool		42,424,879.32	4.72%	48,530,503.66 48,530,503.66	4.74%	48,287,581.51 0.00	56.98% (242,922.15)	NR / AAA NR	0.00 0.00

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CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
MONEY MARKET FUND									
31846V203	First American Govt Obligation Fund Class Y	77,442.24	Various 4.87%	77,442.24 77,442.24	1.00 4.87%	77,442.24 0.00	0.09% 0.00	Aaa / AAA AAA	0.00 0.00
Total Money Market Fund		77,442.24	4.87%	77,442.24	4.87%	77,442.24 0.00	0.09% 0.00	Aaa / AAA AAA	0.00 0.00
SUPRANATIONAL									
459058JM6	Intl. Bank Recon & Development Note 0.25% Due 11/24/2023	165,000.00	11/17/2020 0.32%	164,645.25 164,962.74	98.37 5.52%	162,313.64 76.77	0.19% (2,649.10)	Aaa / AAA AAA	0.32 0.31
459058GQ0	Intl. Bank Recon & Development Note 2.5% Due 3/19/2024	225,000.00	01/26/2021 0.26%	240,736.50 228,172.02	98.06 5.66%	220,634.10 2,062.50	0.26% (7,537.92)	Aaa / AAA AAA	0.64 0.61
4581X0DZ8	Inter-American Dev Bank Note 0.5% Due 9/23/2024	260,000.00	09/15/2021 0.52%	259,807.60 259,926.45	94.55 5.47%	245,840.14 462.22	0.29% (14,086.31)	Aaa / AAA NR	1.15 1.11
45950KCR9	International Finance Corp Note 1.375% Due 10/16/2024	160,000.00	07/12/2021 0.54%	164,304.00 161,598.63	95.34 5.41%	152,536.64 641.67	0.18% (9,061.99)	Aaa / AAA NR	1.21 1.17
Total Supranational		810,000.00	0.41%	829,493.35 814,659.84	5.52%	781,324.52 3,243.16	0.93% (33,335.32)	Aaa / AAA AAA	0.84 0.81
US TREASURY									
912828T26	US Treasury Note 1.375% Due 9/30/2023	750,000.00	Various 1.05%	750,579.29 750,406.10	99.35 5.30%	745,107.75 3,465.68	0.88% (5,298.35)	Aaa / AA+ AAA	0.17 0.17
912828V80	US Treasury Note 2.25% Due 1/31/2024	750,000.00	Various 0.83%	776,144.53 755,253.21	98.45 5.43%	738,398.25 45.86	0.87% (16,854.96)	Aaa / AA+ AAA	0.50 0.49
912828B66	US Treasury Note 2.75% Due 2/15/2024	750,000.00	02/15/2022 1.58%	767,255.86 754,686.78	98.59 5.43%	739,394.25 9,514.85	0.88% (15,292.53)	Aaa / AA+ AAA	0.55 0.52
912828W71	US Treasury Note 2.125% Due 3/31/2024	750,000.00	Various 0.67%	775,839.84 757,206.51	97.88 5.41%	734,062.50 5,356.05	0.87% (23,144.01)	Aaa / AA+ AAA	0.67 0.64
91282CBV2	US Treasury Note 0.375% Due 4/15/2024	500,000.00	Various 0.37%	500,162.11 500,032.97	96.55 5.41%	482,754.00 553.28	0.57% (17,278.97)	Aaa / AA+ AAA	0.71 0.69

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CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
US TREASURY									
912828WJ5	US Treasury Note 2.5% Due 5/15/2024	750,000.00	Various 1.11%	779,783.21 758,100.98	97.76 5.43%	733,183.50 3,974.18	0.87% (24,917.48)	Aaa / AA+ AAA	0.79 0.76
91282CCG4	US Treasury Note 0.25% Due 6/15/2024	400,000.00	06/17/2021 0.43%	397,890.63 399,384.37	95.68 5.38%	382,703.20 128.42	0.45% (16,681.17)	Aaa / AA+ AAA	0.88 0.85
912828Y87	US Treasury Note 1.75% Due 7/31/2024	300,000.00	01/31/2020 1.35%	305,203.13 301,155.90	96.49 5.40%	289,476.60 14.27	0.34% (11,679.30)	Aaa / AA+ AAA	1.00 0.97
91282CCT6	US Treasury Note 0.375% Due 8/15/2024	400,000.00	08/25/2021 0.45%	399,109.38 399,688.08	94.98 5.39%	379,937.60 691.99	0.45% (19,750.48)	Aaa / AA+ AAA	1.04 1.01
91282CDH1	US Treasury Note 0.75% Due 11/15/2024	750,000.00	11/18/2021 0.83%	748,125.00 749,189.56	94.40 5.30%	707,988.00 1,192.26	0.84% (41,201.56)	Aaa / AA+ AAA	1.30 1.25
912828Z52	US Treasury Note 1.375% Due 1/31/2025	750,000.00	02/17/2022 1.71%	742,822.27 746,344.55	94.57 5.18%	709,277.25 28.02	0.84% (37,067.30)	Aaa / AA+ AAA	1.51 1.45
912828ZF0	US Treasury Note 0.5% Due 3/31/2025	350,000.00	03/25/2021 0.58%	348,906.26 349,545.46	92.77 5.08%	324,706.90 588.11	0.38% (24,838.56)	Aaa / AA+ AAA	1.67 1.62
912828ZT0	US Treasury Note 0.25% Due 5/31/2025	365,000.00	02/25/2021 0.60%	359,653.32 362,699.72	91.79 4.99%	335,030.22 154.58	0.40% (27,669.50)	Aaa / AA+ AAA	1.84 1.78
91282CEY3	US Treasury Note 3% Due 7/15/2025	550,000.00	06/23/2023 4.71%	531,845.70 532,717.11	96.44 4.93%	530,427.70 762.23	0.63% (2,289.41)	Aaa / AA+ AAA	1.96 1.87
9128284Z0	US Treasury Note 2.75% Due 8/31/2025	750,000.00	Various 0.98%	800,092.78 777,049.93	95.85 4.87%	718,857.76 8,631.12	0.86% (58,192.17)	Aaa / AA+ AAA	2.09 1.97
91282CFP1	US Treasury Note 4.25% Due 10/15/2025	550,000.00	06/23/2023 4.59%	545,982.42 546,154.19	98.85 4.80%	543,683.80 6,897.54	0.65% (2,470.39)	Aaa / AA+ AAA	2.21 2.06
91282CAZ4	US Treasury Note 0.375% Due 11/30/2025	750,000.00	Various 0.88%	734,730.47 741,356.98	90.48 4.73%	678,603.75 476.44	0.80% (62,753.23)	Aaa / AA+ AAA	2.34 2.27
9128286L9	US Treasury Note 2.25% Due 3/31/2026	750,000.00	02/25/2022 1.91%	760,078.13 756,572.40	94.19 4.59%	706,435.50 5,671.11	0.84% (50,136.90)	Aaa / AA+ AAA	2.67 2.52
912828R36	US Treasury Note 1.625% Due 5/15/2026	250,000.00	10/14/2021 0.99%	257,148.44 254,349.74	92.39 4.56%	230,966.75 861.07	0.27% (23,382.99)	Aaa / AA+ AAA	2.79 2.67
912828YG9	US Treasury Note 1.625% Due 9/30/2026	300,000.00	12/28/2021 1.24%	305,296.88 303,527.19	91.71 4.46%	275,121.00 1,638.32	0.33% (28,406.19)	Aaa / AA+ AAA	3.17 3.01
912828U24	US Treasury Note 2% Due 11/15/2026	625,000.00	03/29/2022 2.56%	609,912.11 614,275.20	92.58 4.45%	578,637.50 2,649.46	0.69% (35,637.70)	Aaa / AA+ AAA	3.30 3.11

Holdings Report

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CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
US TREASURY									
91282CEF4	US Treasury Note 2.5% Due 3/31/2027	750,000.00	Various 2.90%	736,449.21 739,692.82	93.77 4.36%	703,242.00 6,301.23	0.84% (36,450.82)	Aaa / AA+ AAA	3.67 3.42
912828X88	US Treasury Note 2.375% Due 5/15/2027	350,000.00	06/09/2022 3.09%	338,666.02 341,291.73	93.13 4.36%	325,951.15 1,761.89	0.39% (15,340.58)	Aaa / AA+ AAA	3.79 3.55
91282CFM8	US Treasury Note 4.125% Due 9/30/2027	570,000.00	10/26/2022 4.19%	568,419.14 568,663.43	99.34 4.30%	566,259.66 7,901.74	0.68% (2,403.77)	Aaa / AA+ AAA	4.17 3.74
9128283F5	US Treasury Note 2.25% Due 11/15/2027	800,000.00	12/20/2022 3.84%	743,625.00 750,648.25	92.11 4.28%	736,875.20 3,815.22	0.87% (13,773.05)	Aaa / AA+ AAA	4.30 4.00
91282CGC9	US Treasury Note 3.875% Due 12/31/2027	500,000.00	05/25/2023 3.98%	497,890.63 497,974.75	98.48 4.26%	492,383.00 1,684.78	0.58% (5,591.75)	Aaa / AA+ AAA	4.42 4.00
Total US Treasury		15,060,000.00	1.85%	15,081,611.76 15,007,967.91	4.94%	14,389,464.79 74,759.70	17.07% (618,503.12)	Aaa / AA+ AAA	1.99 1.87
TOTAL PORTFOLIO		79,811,434.45	3.71%	85,997,821.57 85,822,663.50	4.81%	84,543,731.67 193,795.89	100.00% (1,278,931.83)	Aa1 / AAA AAA	0.72 0.61
TOTAL MARKET VALUE PLUS ACCRUED						84,737,527.56			

Transaction Ledger

As of July 31, 2023



Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
ACQUISITIONS										
Purchase	07/03/2023	31846V203	1,442.44	First American Govt Obligation Fund Class Y	1.000	4.70%	1,442.44	0.00	1,442.44	0.00
Purchase	07/06/2023	31846V203	4,218.75	First American Govt Obligation Fund Class Y	1.000	4.70%	4,218.75	0.00	4,218.75	0.00
Purchase	07/10/2023	31846V203	312.50	First American Govt Obligation Fund Class Y	1.000	4.70%	312.50	0.00	312.50	0.00
Purchase	07/10/2023	31846V203	250,000.00	First American Govt Obligation Fund Class Y	1.000	4.70%	250,000.00	0.00	250,000.00	0.00
Purchase	07/15/2023	31846V203	8,359.38	First American Govt Obligation Fund Class Y	1.000	4.70%	8,359.38	0.00	8,359.38	0.00
Purchase	07/15/2023	90LAIF\$00	49,661.12	Local Agency Investment Fund State Pool	1.000	3.26%	49,661.12	0.00	49,661.12	0.00
Purchase	07/17/2023	31846V203	4,094.13	First American Govt Obligation Fund Class Y	1.000	4.70%	4,094.13	0.00	4,094.13	0.00
Purchase	07/17/2023	31846V203	420.75	First American Govt Obligation Fund Class Y	1.000	4.70%	420.75	0.00	420.75	0.00
Purchase	07/17/2023	31846V203	251.33	First American Govt Obligation Fund Class Y	1.000	4.70%	251.33	0.00	251.33	0.00
Purchase	07/17/2023	31846V203	591.58	First American Govt Obligation Fund Class Y	1.000	4.70%	591.58	0.00	591.58	0.00
Purchase	07/17/2023	31846V203	258.50	First American Govt Obligation Fund Class Y	1.000	4.70%	258.50	0.00	258.50	0.00
Purchase	07/17/2023	31846V203	273.00	First American Govt Obligation Fund Class Y	1.000	4.70%	273.00	0.00	273.00	0.00
Purchase	07/17/2023	31846V203	428.38	First American Govt Obligation Fund Class Y	1.000	4.70%	428.38	0.00	428.38	0.00
Purchase	07/17/2023	31846V203	522.63	First American Govt Obligation Fund Class Y	1.000	4.70%	522.63	0.00	522.63	0.00
Purchase	07/17/2023	31846V203	933.17	First American Govt Obligation Fund Class Y	1.000	4.70%	933.17	0.00	933.17	0.00
Purchase	07/17/2023	31846V203	524.20	First American Govt Obligation Fund Class Y	1.000	4.70%	524.20	0.00	524.20	0.00

Transaction Ledger

As of July 31, 2023



Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
ACQUISITIONS										
Purchase	07/17/2023	31846V203	280.79	First American Govt Obligation Fund Class Y	1.000	4.70%	280.79	0.00	280.79	0.00
Purchase	07/17/2023	31846V203	394.62	First American Govt Obligation Fund Class Y	1.000	4.70%	394.62	0.00	394.62	0.00
Purchase	07/17/2023	31846V203	2,172.83	First American Govt Obligation Fund Class Y	1.000	4.70%	2,172.83	0.00	2,172.83	0.00
Purchase	07/17/2023	31846V203	2,712.03	First American Govt Obligation Fund Class Y	1.000	4.70%	2,712.03	0.00	2,712.03	0.00
Purchase	07/17/2023	31846V203	8,005.61	First American Govt Obligation Fund Class Y	1.000	4.70%	8,005.61	0.00	8,005.61	0.00
Purchase	07/17/2023	31846V203	2,784.61	First American Govt Obligation Fund Class Y	1.000	4.70%	2,784.61	0.00	2,784.61	0.00
Purchase	07/17/2023	31846V203	1,529.60	First American Govt Obligation Fund Class Y	1.000	4.70%	1,529.60	0.00	1,529.60	0.00
Purchase	07/18/2023	31846V203	326.37	First American Govt Obligation Fund Class Y	1.000	4.70%	326.37	0.00	326.37	0.00
Purchase	07/18/2023	31846V203	3,364.06	First American Govt Obligation Fund Class Y	1.000	4.70%	3,364.06	0.00	3,364.06	0.00
Purchase	07/20/2023	31846V203	6,057.73	First American Govt Obligation Fund Class Y	1.000	4.70%	6,057.73	0.00	6,057.73	0.00
Purchase	07/21/2023	31846V203	294.00	First American Govt Obligation Fund Class Y	1.000	4.70%	294.00	0.00	294.00	0.00
Purchase	07/21/2023	31846V203	3,502.81	First American Govt Obligation Fund Class Y	1.000	4.70%	3,502.81	0.00	3,502.81	0.00
Purchase	07/21/2023	31846V203	2,195.63	First American Govt Obligation Fund Class Y	1.000	4.70%	2,195.63	0.00	2,195.63	0.00
Purchase	07/24/2023	31846V203	4,250.00	First American Govt Obligation Fund Class Y	1.000	4.70%	4,250.00	0.00	4,250.00	0.00
Purchase	07/24/2023	31846V203	250,000.00	First American Govt Obligation Fund Class Y	1.000	4.70%	250,000.00	0.00	250,000.00	0.00
Purchase	07/25/2023	31846V203	4,556.29	First American Govt Obligation Fund Class Y	1.000	4.70%	4,556.29	0.00	4,556.29	0.00

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Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
ACQUISITIONS										
Purchase	07/25/2023	31846V203	172.00	First American Govt Obligation Fund Class Y	1.000	4.70%	172.00	0.00	172.00	0.00
Purchase	07/25/2023	31846V203	1,298.13	First American Govt Obligation Fund Class Y	1.000	4.70%	1,298.13	0.00	1,298.13	0.00
Purchase	07/25/2023	31846V203	1,143.75	First American Govt Obligation Fund Class Y	1.000	4.70%	1,143.75	0.00	1,143.75	0.00
Purchase	07/25/2023	31846V203	802.50	First American Govt Obligation Fund Class Y	1.000	4.70%	802.50	0.00	802.50	0.00
Purchase	07/25/2023	31846V203	8,195.70	First American Govt Obligation Fund Class Y	1.000	4.70%	8,195.70	0.00	8,195.70	0.00
Purchase	07/25/2023	62479LDC6	600,000.00	MUFG Bank Ltd Discount CP 5.66% Due 4/12/2024	95.881	5.93%	575,284.67	0.00	575,284.67	0.00
Purchase	07/31/2023	09CATR\$05	1,974.12	CalTrust Medium Term Fund	9.690	0.36%	19,129.18	0.00	19,129.18	0.00
Purchase	07/31/2023	31846V203	16,218.75	First American Govt Obligation Fund Class Y	1.000	4.87%	16,218.75	0.00	16,218.75	0.00
Purchase	07/31/2023	90CAMP\$00	187,595.11	California Asset Mgmt Program CAMP	1.000	5.43%	187,595.11	0.00	187,595.11	0.00
Subtotal			1,432,118.90				1,424,558.63	0.00	1,424,558.63	0.00
TOTAL ACQUISITIONS			1,432,118.90				1,424,558.63	0.00	1,424,558.63	0.00
DISPOSITIONS										
Sale	07/25/2023	31846V203	575,284.67	First American Govt Obligation Fund Class Y	1.000	4.70%	575,284.67	0.00	575,284.67	0.00
Subtotal			575,284.67				575,284.67	0.00	575,284.67	0.00
Paydown	07/17/2023	02582JIT8	0.00	American Express Credit Trust 2022-2 A 3.39% Due 5/17/2027	100.000		0.00	522.63	522.63	0.00
Paydown	07/17/2023	02582JJZ4	0.00	American Express Credit Trust 2023-1 A 4.87% Due 5/15/2028	100.000		0.00	524.20	524.20	0.00



Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
DISPOSITIONS										
Paydown	07/17/2023	362583AD8	0.00	GM Auto Receivable Trust 2023-2 A3 4.47% Due 2/16/2028	100.000		0.00	428.38	428.38	0.00
Paydown	07/17/2023	36265WAD5	0.00	GM Financial Securitized Auto 2022-3 A3 3.64% Due 4/16/2027	100.000		0.00	273.00	273.00	0.00
Paydown	07/17/2023	43815BAC4	0.00	Honda Auto Receivables Trust 2022-1 A3 1.88% Due 5/15/2026	100.000		0.00	258.50	258.50	0.00
Paydown	07/17/2023	448979AD6	0.00	Hyundai Auto Receivables Trust 2023-A A3 4.58% Due 4/15/2027	100.000		0.00	591.58	591.58	0.00
Paydown	07/17/2023	47787JAC2	0.00	John Deere Owner Trust 2022-A A3 2.32% Due 9/16/2026	100.000		0.00	251.33	251.33	0.00
Paydown	07/17/2023	47788UAC6	2,162.66	John Deere Owner Trust 2021-A A3 0.36% Due 9/15/2025	100.000		2,162.66	10.17	2,172.83	0.00
Paydown	07/17/2023	47789QAC4	2,685.78	John Deere Owner Trust 2021-B A3 0.52% Due 3/16/2026	100.000		2,685.78	26.25	2,712.03	0.00
Paydown	07/17/2023	47800AAC4	0.00	John Deere Owner Trust 2022-B A3 3.74% Due 2/16/2027	100.000		0.00	420.75	420.75	0.00
Paydown	07/17/2023	47800BAC2	0.00	John Deere Owner Trust 2022-C A3 5.09% Due 6/15/2027	100.000		0.00	933.17	933.17	0.00
Paydown	07/17/2023	58769KAD6	7,987.69	Mercedes-Benz Auto Lease Trust 2021-B A3 0.4% Due 11/15/2024	100.000		7,987.69	17.92	8,005.61	0.00
Paydown	07/17/2023	58770AAC7	0.00	Mercedes-Benz Auto Receivable 2023-1 A3 4.51% Due 11/15/2027	100.000		0.00	394.62	394.62	0.00
Paydown	07/17/2023	89236XAC0	2,780.52	Toyota Auto Receivables 2020-D A3 0.35% Due 1/15/2025	100.000		2,780.52	4.09	2,784.61	0.00
Paydown	07/17/2023	89238FAD5	0.00	Toyota Auto Receivables OT 2022-B A3 2.93% Due 9/15/2026	100.000		0.00	280.79	280.79	0.00
Paydown	07/17/2023	89238JAC9	1,491.14	Toyota Auto Receivables Trust 2021-D A3 0.71% Due 4/15/2026	100.000		1,491.14	38.46	1,529.60	0.00

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DISPOSITIONS										
Paydown	07/18/2023	43813KAC6	3,358.00	Honda Auto Receivables Trust 2020-3 A3 0.37% Due 10/18/2024	100.000		3,358.00	6.06	3,364.06	0.00
Paydown	07/18/2023	43815PAC3	0.00	Honda Auto Receivables 2022-2 A3 3.73% Due 7/20/2026	100.000		0.00	326.37	326.37	0.00
Paydown	07/20/2023	92290BAA9	6,051.25	Verizon Owner Trust 2020-B A 0.47% Due 2/20/2025	100.000		6,051.25	6.48	6,057.73	0.00
Paydown	07/21/2023	43813GAC5	3,495.53	Honda Auto Receivables Trust 2021-1 A3 0.27% Due 4/21/2025	100.000		3,495.53	7.28	3,502.81	0.00
Paydown	07/21/2023	43815GAC3	2,133.30	Honda Auto Receivables Trust 2021-4 A3 0.88% Due 1/21/2026	100.000		2,133.30	62.33	2,195.63	0.00
Paydown	07/21/2023	43815JAC7	0.00	Honda Auto Receivables Owner 2023-1 A3 5.04% Due 4/21/2027	100.000		0.00	294.00	294.00	0.00
Paydown	07/25/2023	05593AAC3	0.00	BMW Vehicle Lease Trust 2023-1 A3 5.16% Due 11/25/2025	100.000		0.00	172.00	172.00	0.00
Paydown	07/25/2023	05601XAC3	8,132.04	BMW Vehicle Lease Trust 2022-1 A3 1.1% Due 3/25/2025	100.000		8,132.04	63.66	8,195.70	0.00
Paydown	07/25/2023	05602RAD3	0.00	BMW Vehicle Owner Trust 2022-A A3 3.21% Due 8/25/2026	100.000		0.00	802.50	802.50	0.00
Paydown	07/25/2023	09690AAC7	4,550.12	BMW Vehicle Lease Trust 2021-2 A3 0.33% Due 12/26/2024	100.000		4,550.12	6.17	4,556.29	0.00
Paydown	07/25/2023	3137BNGT5	0.00	FHLMC K054 A2 2.745% Due 1/25/2026	100.000		0.00	1,143.75	1,143.75	0.00
Paydown	07/25/2023	3137FETN0	0.00	FHLMC K073 A2 3.35% Due 1/25/2028	100.000		0.00	1,298.13	1,298.13	0.00
Subtotal			44,828.03				44,828.03	9,164.57	53,992.60	0.00
Maturity	07/10/2023	3135G05G4	250,000.00	FNMA Note 0.25% Due 7/10/2023	100.000		250,000.00	0.00	250,000.00	0.00

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Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
DISPOSITIONS										
Maturity	07/24/2023	90331HNV1	250,000.00	US Bank NA Callable Note Cont 6/23/2023 3.4% Due 7/24/2023	100.000		250,000.00	0.00	250,000.00	0.00
Subtotal			500,000.00				500,000.00	0.00	500,000.00	0.00
TOTAL DISPOSITIONS			1,120,112.70				1,120,112.70	9,164.57	1,129,277.27	0.00

OTHER TRANSACTIONS										
Interest	07/06/2023	3133ENKS8	750,000.00	FFCB Note 1.125% Due 1/6/2025	0.000		4,218.75	0.00	4,218.75	0.00
Interest	07/10/2023	3135G05G4	250,000.00	FNMA Note 0.25% Due 7/10/2023	0.000		312.50	0.00	312.50	0.00
Interest	07/15/2023	79466LAG9	35,000.00	Salesforce.com Inc Callable Note Cont 7/15/2022 0.625% Due 7/15/2024	0.000		109.38	0.00	109.38	0.00
Interest	07/15/2023	91282CEY3	550,000.00	US Treasury Note 3% Due 7/15/2025	0.000		8,250.00	0.00	8,250.00	0.00
Interest	07/17/2023	61747YET8	175,000.00	Morgan Stanley Callable Note Cont 7/17/2025 4.679% Due 7/17/2026	0.000		4,094.13	0.00	4,094.13	0.00
Interest	07/24/2023	90331HNV1	250,000.00	US Bank NA Callable Note Cont 6/23/2023 3.4% Due 7/24/2023	0.000		4,250.00	0.00	4,250.00	0.00
Interest	07/31/2023	912828V80	750,000.00	US Treasury Note 2.25% Due 1/31/2024	0.000		8,437.50	0.00	8,437.50	0.00
Interest	07/31/2023	912828Y87	300,000.00	US Treasury Note 1.75% Due 7/31/2024	0.000		2,625.00	0.00	2,625.00	0.00

Transaction Ledger

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Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
OTHER TRANSACTIONS										
Interest	07/31/2023	912828Z52	750,000.00	US Treasury Note 1.375% Due 1/31/2025	0.000		5,156.25	0.00	5,156.25	0.00
Subtotal			3,810,000.00				37,453.51	0.00	37,453.51	0.00
Dividend	07/03/2023	31846V203	59,838.36	First American Govt Obligation Fund Class Y	0.000		1,442.44	0.00	1,442.44	0.00
Dividend	07/15/2023	90LAIF\$00	574,808,928.50	Local Agency Investment Fund State Pool	0.000		49,661.12	0.00	49,661.12	0.00
Dividend	07/31/2023	09CATR\$05	672,675.16	CalTrust Medium Term Fund	0.000		19,129.18	0.00	19,129.18	0.00
Dividend	07/31/2023	90CAMP\$00	41,562,634.93	California Asset Mgmt Program CAMP	0.000		187,595.11	0.00	187,595.11	0.00
Subtotal			617,104,076.95				257,827.85	0.00	257,827.85	0.00
TOTAL OTHER TRANSACTIONS			620,914,076.95				295,281.36	0.00	295,281.36	0.00

Income Earned

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CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Total Income
FIXED INCOME						
023135BW5	Amazon.com Inc Note 0.45% Due 05/12/2024	05/10/2021 05/12/2021 130,000.00	129,945.28 0.00 0.00 129,950.65	79.63 0.00 128.38 48.75	5.37 0.00 5.37 54.12	54.12
023135CN4	Amazon.com Inc Note 4.6% Due 12/01/2025	11/29/2022 12/01/2022 395,000.00	394,980.88 0.00 0.00 394,981.55	1,514.17 0.00 3,028.33 1,514.16	0.67 0.00 0.67 1,514.83	1,514.83
02582JJT8	American Express Credit Trust 2022-2 A 3.39% Due 05/17/2027	05/17/2022 05/24/2022 185,000.00	184,974.25 0.00 0.00 184,975.42	278.73 522.63 278.73 522.63	1.17 0.00 1.17 523.80	523.80
02582JJZ4	American Express Credit Trust 2023-1 A 4.87% Due 05/15/2028	06/07/2023 06/14/2023 125,000.00	124,989.09 0.00 0.00 124,989.41	287.47 524.20 270.56 507.29	0.32 0.00 0.32 507.61	507.61
037833BY5	Apple Inc Callable Note Cont 11/23/2025 3.25% Due 02/23/2026	05/09/2023 05/11/2023 400,000.00	392,088.81 0.00 0.00 392,342.16	4,622.22 0.00 5,705.56 1,083.34	253.35 0.00 253.35 1,336.69	1,336.69
05593AAC3	BMW Vehicle Lease Trust 2023-1 A3 5.16% Due 11/25/2025	02/07/2023 02/15/2023 40,000.00	39,999.22 0.00 0.00 39,999.26	34.40 172.00 34.40 172.00	0.04 0.00 0.04 172.04	172.04
05601XAC3	BMW Vehicle Lease Trust 2022-1 A3 1.1% Due 03/25/2025	01/11/2022 01/19/2022 61,320.51	69,449.05 0.00 8,132.04 61,317.78	12.73 63.66 11.24 62.17	0.77 0.00 0.77 62.94	62.94
05602RAD3	BMW Vehicle Owner Trust 2022-A A3 3.21% Due 08/25/2026	01/05/2023 01/09/2023 300,000.00	293,651.58 0.00 0.00 293,923.03	160.50 802.50 160.50 802.50	271.45 0.00 271.45 1,073.95	1,073.95
06406FAD5	Bank of NY Mellon Corp Callable Note Cont 6/16/2023 2.2% Due 08/16/2023	04/11/2019 04/15/2019 200,000.00	199,834.41 0.00 0.00 199,946.00	1,650.00 0.00 2,016.67 366.67	111.59 0.00 111.59 478.26	478.26

Income Earned

As of July 31, 2023



CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Total Income
06406RBC0	Bank of NY Mellon Corp Callable Note Cont 3/25/2025 3.35% Due 04/25/2025	04/19/2022 04/26/2022 280,000.00	279,976.23 0.00 0.00 279,977.34	1,719.67 0.00 2,501.33 781.66	1.11 0.00 1.11 782.77	782.77
09690AAC7	BMW Vehicle Lease Trust 2021-2 A3 0.33% Due 12/26/2024	09/08/2021 09/15/2021 17,892.41	22,442.04 0.00 4,550.12 17,892.09	1.23 6.17 0.98 5.92	0.17 0.00 0.17 6.09	6.09
14913R2L0	Caterpillar Financial Service Note 0.45% Due 05/17/2024	Various Various 500,000.00	499,099.60 0.00 0.00 499,186.55	275.00 0.00 462.51 187.51	86.95 0.00 86.95 274.46	274.46
24422EWB1	John Deere Capital Corp Note 2.125% Due 03/07/2025	03/02/2022 03/07/2022 130,000.00	129,968.63 0.00 0.00 129,970.21	874.79 0.00 1,105.00 230.21	1.58 0.00 1.58 231.79	231.79
3130A0F70	FHLB Note 3.375% Due 12/08/2023	10/30/2019 10/31/2019 350,000.00	352,431.65 0.00 0.00 351,960.52	754.69 0.00 1,739.06 984.37	0.00 471.13 (471.13) 513.24	513.24
3130A1XJ2	FHLB Note 2.875% Due 06/14/2024	03/24/2020 03/25/2020 155,000.00	157,718.43 0.00 0.00 157,476.97	210.43 0.00 581.79 371.36	0.00 241.46 (241.46) 129.90	129.90
3130AT3H8	FHLB Note 3.375% Due 03/08/2024	08/25/2022 08/26/2022 700,000.00	699,623.50 0.00 0.00 699,670.00	7,415.63 0.00 9,384.38 1,968.75	46.50 0.00 46.50 2,015.25	2,015.25
3130ATS57	FHLB Note 4.5% Due 03/10/2028	03/21/2023 03/22/2023 700,000.00	714,919.83 0.00 0.00 714,649.98	9,712.50 0.00 12,337.50 2,625.00	0.00 269.85 (269.85) 2,355.15	2,355.15
3133ENKS8	FFCB Note 1.125% Due 01/06/2025	Various Various 750,000.00	744,765.91 0.00 0.00 745,058.27	4,101.57 4,218.75 585.93 703.11	292.36 0.00 292.36 995.47	995.47

Income Earned

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CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Total Income
3133ENPG9	FFCB Note 1.75% Due 02/14/2025	02/10/2022 02/15/2022 415,000.00	414,398.92 0.00 0.00 414,430.29	2,763.78 0.00 3,368.99 605.21	31.37 0.00 31.37 636.58	636.58
3135G05G4	FNMA Note Due 07/10/2023	07/08/2020 07/10/2020 0.00	249,995.58 0.00 250,000.00 0.00	296.88 312.50 0.00 15.62	4.42 0.00 4.42 20.04	20.04
3135G06G3	FNMA Note 0.5% Due 11/07/2025	11/18/2020 11/19/2020 350,000.00	349,829.09 0.00 0.00 349,835.25	262.50 0.00 408.33 145.83	6.16 0.00 6.16 151.99	151.99
3135G0U43	FNMA Note 2.875% Due 09/12/2023	09/25/2019 09/26/2019 350,000.00	350,842.60 0.00 0.00 350,484.79	3,046.70 0.00 3,885.24 838.54	0.00 357.81 (357.81) 480.73	480.73
3137BNGT5	FHLMC K054 A2 2.745% Due 01/25/2026	02/15/2023 02/21/2023 500,000.00	477,921.93 0.00 0.00 478,669.93	1,143.75 1,143.75 1,143.75 1,143.75	748.00 0.00 748.00 1,891.75	1,891.75
3137EAEV7	FHLMC Note 0.25% Due 08/24/2023	08/19/2020 08/21/2020 300,000.00	299,984.95 0.00 0.00 299,993.59	264.58 0.00 327.08 62.50	8.64 0.00 8.64 71.14	71.14
3137EAEW5	FHLMC Note 0.25% Due 09/08/2023	09/11/2020 09/14/2020 300,000.00	300,005.89 0.00 0.00 300,003.25	235.42 0.00 297.92 62.50	0.00 2.64 (2.64) 59.86	59.86
3137EAEY1	FHLMC Note 0.125% Due 10/16/2023	10/14/2020 10/16/2020 225,000.00	224,917.99 0.00 0.00 224,941.75	58.59 0.00 82.03 23.44	23.76 0.00 23.76 47.20	47.20
3137EAEZ8	FHLMC Note 0.25% Due 11/06/2023	11/03/2020 11/05/2020 335,000.00	334,964.79 0.00 0.00 334,973.32	127.95 0.00 197.74 69.79	8.53 0.00 8.53 78.32	78.32

Income Earned

As of July 31, 2023



CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Total Income
3137FETN0	FHLMC K073 A2 3.35% Due 01/25/2028	05/24/2023 05/30/2023 465,000.00	447,248.93 0.00 0.00 447,578.64	259.63 1,298.13 259.63 1,298.13	329.71 0.00 329.71 1,627.84	1,627.84
362583AD8	GM Auto Receivable Trust 2023-2 A3 4.47% Due 02/16/2028	04/04/2023 04/12/2023 115,000.00	114,997.05 0.00 0.00 114,997.13	214.19 428.38 214.19 428.38	0.08 0.00 0.08 428.46	428.46
36265WAD5	GM Financial Securitized Auto 2022-3 A3 3.64% Due 04/16/2027	07/06/2022 07/13/2022 90,000.00	89,999.57 0.00 0.00 89,999.59	136.50 273.00 136.50 273.00	0.02 0.00 0.02 273.02	273.02
437076CR1	Home Depot Callable Note Cont 8/15/2025 4% Due 09/15/2025	09/12/2022 09/19/2022 110,000.00	109,970.74 0.00 0.00 109,971.86	1,295.56 0.00 1,662.22 366.66	1.12 0.00 1.12 367.78	367.78
43813GAC5	Honda Auto Receivables Trust 2021-1 A3 0.27% Due 04/21/2025	02/17/2021 02/24/2021 28,850.19	32,345.58 0.00 3,495.53 28,850.08	2.43 7.28 2.16 7.01	0.03 0.00 0.03 7.04	7.04
43813KAC6	Honda Auto Receivables Trust 2020-3 A3 0.37% Due 10/18/2024	09/22/2020 09/29/2020 16,288.84	19,646.49 0.00 3,358.00 16,288.61	2.63 6.06 2.18 5.61	0.12 0.00 0.12 5.73	5.73
43815BAC4	Honda Auto Receivables Trust 2022-1 A3 1.88% Due 05/15/2026	02/15/2022 02/23/2022 165,000.00	164,985.58 0.00 0.00 164,986.23	137.87 258.50 137.87 258.50	0.65 0.00 0.65 259.15	259.15
43815GAC3	Honda Auto Receivables Trust 2021-4 A3 0.88% Due 01/21/2026	11/16/2021 11/24/2021 82,866.70	84,990.91 0.00 2,133.30 82,858.30	20.78 62.33 20.26 61.81	0.69 0.00 0.69 62.50	62.50
43815JAC7	Honda Auto Receivables Owner 2023-1 A3 5.04% Due 04/21/2027	02/16/2023 02/24/2023 70,000.00	69,988.42 0.00 0.00 69,988.77	98.00 294.00 98.00 294.00	0.35 0.00 0.35 294.35	294.35

Income Earned

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CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Total Income
43815PAC3	Honda Auto Receivables 2022-2 A3 3.73% Due 07/20/2026	08/15/2022 08/24/2022 105,000.00	104,995.48 0.00 0.00 104,995.65	141.43 326.37 141.43 326.37	0.17 0.00 0.17 326.54	326.54
438516CJ3	Honeywell Intl Callable Note Cont 01/15/2028 4.95% Due 02/15/2028	02/13/2023 02/15/2023 400,000.00	408,292.23 0.00 0.00 408,137.28	7,480.00 0.00 9,130.00 1,650.00	0.00 154.95 (154.95) 1,495.05	1,495.05
448979AD6	Hyundai Auto Receivables Trust 2023-A A3 4.58% Due 04/15/2027	04/04/2023 04/12/2023 155,000.00	154,986.07 0.00 0.00 154,986.53	315.51 591.58 315.51 591.58	0.46 0.00 0.46 592.04	592.04
4581X0DZ8	Inter-American Dev Bank Note 0.5% Due 09/23/2024	09/15/2021 09/23/2021 260,000.00	259,921.00 0.00 0.00 259,926.45	353.89 0.00 462.22 108.33	5.45 0.00 5.45 113.78	113.78
459058GQ0	Intl. Bank Recon & Development Note 2.5% Due 03/19/2024	01/26/2021 01/28/2021 225,000.00	228,597.70 0.00 0.00 228,172.02	1,593.75 0.00 2,062.50 468.75	0.00 425.68 (425.68) 43.07	43.07
459058JM6	Intl. Bank Recon & Development Note 0.25% Due 11/24/2023	11/17/2020 11/24/2020 165,000.00	164,952.70 0.00 0.00 164,962.74	42.40 0.00 76.77 34.37	10.04 0.00 10.04 44.41	44.41
45950KCR9	International Finance Corp Note 1.375% Due 10/16/2024	07/12/2021 07/14/2021 160,000.00	161,710.75 0.00 0.00 161,598.63	458.33 0.00 641.67 183.34	0.00 112.12 (112.12) 71.22	71.22
46647PAH9	JP Morgan Chase & Co Callable Note 2X 3/1/2024 3.22% Due 03/01/2025	Various Various 500,000.00	507,248.06 0.00 0.00 506,327.20	5,366.67 0.00 6,708.33 1,341.66	0.00 920.86 (920.86) 420.80	420.80
47787JAC2	John Deere Owner Trust 2022-A A3 2.32% Due 09/16/2026	03/10/2022 03/16/2022 130,000.00	129,981.85 0.00 0.00 129,982.55	134.04 251.33 134.04 251.33	0.70 0.00 0.70 252.03	252.03

Income Earned

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CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Total Income
47788UAC6	John Deere Owner Trust 2021-A A3 0.36% Due 09/15/2025	03/02/2021 03/10/2021 31,743.87	33,904.19 0.00 2,162.66 31,741.83	5.43 10.17 5.08 9.82	0.30 0.00 0.30 10.12	10.12
47789QAC4	John Deere Owner Trust 2021-B A3 0.52% Due 03/16/2026	07/13/2021 07/21/2021 57,890.66	60,573.92 0.00 2,685.78 57,888.37	14.00 26.25 13.38 25.63	0.23 0.00 0.23 25.86	25.86
47800AAC4	John Deere Owner Trust 2022-B A3 3.74% Due 02/16/2027	07/12/2022 07/20/2022 135,000.00	134,990.52 0.00 0.00 134,990.83	224.40 420.75 224.40 420.75	0.31 0.00 0.31 421.06	421.06
47800BAC2	John Deere Owner Trust 2022-C A3 5.09% Due 06/15/2027	10/12/2022 10/19/2022 220,000.00	219,986.19 0.00 0.00 219,986.59	497.69 933.17 497.69 933.17	0.40 0.00 0.40 933.57	933.57
57636QAW4	MasterCard Inc Callable Note Cont 2/9/28 4.875% Due 03/09/2028	04/19/2023 04/21/2023 290,000.00	298,476.04 0.00 0.00 298,320.01	4,398.33 0.00 5,576.46 1,178.13	0.00 156.03 (156.03) 1,022.10	1,022.10
58769KAD6	Mercedes-Benz Auto Lease Trust 2021-B A3 0.4% Due 11/15/2024	06/22/2021 06/29/2021 45,776.79	53,763.62 0.00 7,987.69 45,776.17	9.56 17.92 8.14 16.50	0.24 0.00 0.24 16.74	16.74
58770AAC7	Mercedes-Benz Auto Receivable 2023-1 A3 4.51% Due 11/15/2027	01/18/2023 01/25/2023 105,000.00	104,988.96 0.00 0.00 104,989.27	210.47 394.62 210.47 394.62	0.31 0.00 0.31 394.93	394.93
58933YBH7	Merck & Co Callable Note Cont 4/17/2028 4.05% Due 05/17/2028	05/08/2023 05/17/2023 90,000.00	89,928.90 0.00 0.00 89,930.13	445.50 0.00 749.25 303.75	1.23 0.00 1.23 304.98	304.98
594918BX1	Microsoft Callable Note Cont 12/6/2023 2.875% Due 02/06/2024	03/05/2020 03/09/2020 200,000.00	201,539.55 0.00 0.00 201,237.48	2,315.97 0.00 2,795.14 479.17	0.00 302.07 (302.07) 177.10	177.10

Income Earned

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CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Total Income
61747YET8	Morgan Stanley Callable Note Cont 7/17/2025 4.679% Due 07/17/2026	07/18/2022 07/20/2022 175,000.00	175,000.00 0.00 0.00 175,000.00	3,730.20 4,094.13 318.43 682.36	0.00 0.00 0.00 682.36	682.36
63743HFE7	National Rural Utilities Note 3.45% Due 06/15/2025	04/27/2022 05/04/2022 95,000.00	94,983.88 0.00 0.00 94,984.58	145.67 0.00 418.79 273.12	0.70 0.00 0.70 273.82	273.82
665859AW4	Northern Trust Company Callable Note Cont 4/10/2027 4% Due 05/10/2027	10/05/2022 10/07/2022 450,000.00	438,994.92 0.00 0.00 439,237.05	2,550.00 0.00 4,050.00 1,500.00	242.13 0.00 242.13 1,742.13	1,742.13
69371RR40	Paccar Financial Corp Note 0.5% Due 08/09/2024	08/03/2021 08/09/2021 80,000.00	79,984.04 0.00 0.00 79,985.26	157.78 0.00 191.11 33.33	1.22 0.00 1.22 34.55	34.55
69371RR57	Paccar Financial Corp Note 0.9% Due 11/08/2024	11/02/2021 11/08/2021 175,000.00	174,995.25 0.00 0.00 174,995.55	231.88 0.00 363.13 131.25	0.30 0.00 0.30 131.55	131.55
78015K7C2	Royal Bank of Canada Note 2.25% Due 11/01/2024	Various Various 500,000.00	509,025.37 0.00 0.00 508,453.21	1,875.00 0.00 2,812.51 937.51	0.00 572.16 (572.16) 365.35	365.35
79466LAG9	Salesforce.com Inc Callable Note Cont 7/15/2022 0.625% Due 07/15/2024	06/29/2021 07/12/2021 35,000.00	34,993.83 0.00 0.00 34,994.33	100.87 109.38 9.72 18.23	0.50 0.00 0.50 18.73	18.73
808513BN4	Charles Schwab Corp Callable Note Cont 2/18/2024 0.75% Due 03/18/2024	Various Various 245,000.00	245,255.01 0.00 0.00 245,220.77	525.73 0.00 678.86 153.13	1.34 35.58 (34.24) 118.89	118.89
857477BR3	State Street Bank Callable Note Cont 2/6/2025 1.746% Due 02/06/2026	02/02/2022 02/07/2022 90,000.00	90,000.00 0.00 0.00 90,000.00	632.93 0.00 763.88 130.95	0.00 0.00 0.00 130.95	130.95

Income Earned

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89114QCB2	Toronto Dominion Bank Note 3.25% Due 03/11/2024	Various Various 500,000.00	505,839.41 0.00 0.00 505,126.72	4,965.28 0.00 6,319.45 1,354.17	0.00 712.69 (712.69) 641.48	641.48
89236TJH9	Toyota Motor Credit Corp Note 0.5% Due 06/18/2024	12/06/2021 12/08/2021 300,000.00	298,359.30 0.00 0.00 298,503.38	54.17 0.00 179.17 125.00	144.08 0.00 144.08 269.08	269.08
89236XAC0	Toyota Auto Receivables 2020-D A3 0.35% Due 01/15/2025	10/06/2020 10/13/2020 11,229.38	14,008.95 0.00 2,780.52 11,228.66	2.18 4.09 1.75 3.66	0.23 0.00 0.23 3.89	3.89
89238FAD5	Toyota Auto Receivables OT 2022-B A3 2.93% Due 09/15/2026	04/07/2022 04/13/2022 115,000.00	114,998.31 0.00 0.00 114,998.38	149.76 280.79 149.76 280.79	0.07 0.00 0.07 280.86	280.86
89238JAC9	Toyota Auto Receivables Trust 2021-D A3 0.71% Due 04/15/2026	11/09/2021 11/15/2021 63,508.86	64,999.31 0.00 1,491.14 63,508.22	20.51 38.46 20.04 37.99	0.05 0.00 0.05 38.04	38.04
90331HNV1	US Bank NA Callable Note Cont 6/23/2023 Due 07/24/2023	05/17/2019 05/21/2019 0.00	250,000.00 0.00 250,000.00 0.00	3,706.94 4,250.00 0.00 543.06	0.00 0.00 0.00 543.06	543.06
9128283F5	US Treasury Note 2.25% Due 11/15/2027	12/20/2022 12/21/2022 800,000.00	749,671.93 0.00 0.00 750,648.25	2,298.91 0.00 3,815.22 1,516.31	976.32 0.00 976.32 2,492.63	2,492.63
9128284Z0	US Treasury Note 2.75% Due 08/31/2025	Various Various 750,000.00	778,151.84 0.00 0.00 777,049.93	6,893.69 0.00 8,631.12 1,737.43	0.00 1,101.91 (1,101.91) 635.52	635.52
9128286L9	US Treasury Note 2.25% Due 03/31/2026	02/25/2022 02/28/2022 750,000.00	756,781.80 0.00 0.00 756,572.40	4,241.80 0.00 5,671.11 1,429.31	0.00 209.40 (209.40) 1,219.91	1,219.91

Income Earned

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912828B66	US Treasury Note 2.75% Due 02/15/2024	02/15/2022 02/16/2022 750,000.00	755,420.57 0.00 0.00 754,686.78	7,748.62 0.00 9,514.85 1,766.23	0.00 733.79 (733.79) 1,032.44	1,032.44
912828R36	US Treasury Note 1.625% Due 05/15/2026	10/14/2021 10/15/2021 250,000.00	254,482.20 0.00 0.00 254,349.74	518.85 0.00 861.07 342.22	0.00 132.46 (132.46) 209.76	209.76
912828T26	US Treasury Note 1.375% Due 09/30/2023	Various Various 750,000.00	750,615.92 0.00 0.00 750,406.10	2,592.22 0.00 3,465.68 873.46	136.35 346.17 (209.82) 663.64	663.64
912828U24	US Treasury Note 2% Due 11/15/2026	03/29/2022 03/30/2022 625,000.00	613,998.60 0.00 0.00 614,275.20	1,596.47 0.00 2,649.46 1,052.99	276.60 0.00 276.60 1,329.59	1,329.59
912828V80	US Treasury Note 2.25% Due 01/31/2024	Various Various 750,000.00	756,143.09 0.00 0.00 755,253.21	7,039.02 8,437.50 45.86 1,444.34	0.00 889.88 (889.88) 554.46	554.46
912828W71	US Treasury Note 2.125% Due 03/31/2024	Various Various 750,000.00	758,125.85 0.00 0.00 757,206.51	4,006.15 0.00 5,356.05 1,349.90	0.00 919.34 (919.34) 430.56	430.56
912828WJ5	US Treasury Note 2.5% Due 05/15/2024	Various Various 750,000.00	758,972.96 0.00 0.00 758,100.98	2,394.70 0.00 3,974.18 1,579.48	0.00 871.98 (871.98) 707.50	707.50
912828X88	US Treasury Note 2.375% Due 05/15/2027	06/09/2022 06/10/2022 350,000.00	341,096.53 0.00 0.00 341,291.73	1,061.65 0.00 1,761.89 700.24	195.20 0.00 195.20 895.44	895.44
912828Y87	US Treasury Note 1.75% Due 07/31/2024	01/31/2020 01/31/2020 300,000.00	301,254.07 0.00 0.00 301,155.90	2,189.92 2,625.00 14.27 449.35	0.00 98.17 (98.17) 351.18	351.18

Income Earned

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912828YG9	US Treasury Note 1.625% Due 09/30/2026	12/28/2021 12/29/2021 300,000.00	303,621.77 0.00 0.00 303,527.19	1,225.41 0.00 1,638.32 412.91	0.00 94.58 (94.58) 318.33	318.33
912828Z52	US Treasury Note 1.375% Due 01/31/2025	02/17/2022 02/18/2022 750,000.00	746,138.14 0.00 0.00 746,344.55	4,301.62 5,156.25 28.02 882.65	206.41 0.00 206.41 1,089.06	1,089.06
912828ZF0	US Treasury Note 0.5% Due 03/31/2025	03/25/2021 03/29/2021 350,000.00	349,522.28 0.00 0.00 349,545.46	439.89 0.00 588.11 148.22	23.18 0.00 23.18 171.40	171.40
912828ZT0	US Treasury Note 0.25% Due 05/31/2025	02/25/2021 02/26/2021 365,000.00	362,593.13 0.00 0.00 362,699.72	77.29 0.00 154.58 77.29	106.59 0.00 106.59 183.88	183.88
91282CAZ4	US Treasury Note 0.375% Due 11/30/2025	Various Various 750,000.00	741,042.49 0.00 0.00 741,356.98	238.21 0.00 476.44 238.23	314.49 0.00 314.49 552.72	552.72
91282CBV2	US Treasury Note 0.375% Due 04/15/2024	Various Various 500,000.00	500,036.93 0.00 0.00 500,032.97	394.47 0.00 553.28 158.81	5.06 9.02 (3.96) 154.85	154.85
91282CCG4	US Treasury Note 0.25% Due 06/15/2024	06/17/2021 06/18/2021 400,000.00	399,324.54 0.00 0.00 399,384.37	43.72 0.00 128.42 84.70	59.83 0.00 59.83 144.53	144.53
91282CCT6	US Treasury Note 0.375% Due 08/15/2024	08/25/2021 08/26/2021 400,000.00	399,662.63 0.00 0.00 399,688.08	563.54 0.00 691.99 128.45	25.45 0.00 25.45 153.90	153.90
91282CDH1	US Treasury Note 0.75% Due 11/15/2024	11/18/2021 11/19/2021 750,000.00	749,136.33 0.00 0.00 749,189.56	718.41 0.00 1,192.26 473.85	53.23 0.00 53.23 527.08	527.08

Income Earned

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CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Total Income
91282CEF4	US Treasury Note 2.5% Due 03/31/2027	Various Various 750,000.00	739,454.01 0.00 0.00 739,692.82	4,713.11 0.00 6,301.23 1,588.12	238.81 0.00 238.81 1,826.93	1,826.93
91282CEY3	US Treasury Note 3% Due 07/15/2025	06/23/2023 06/26/2023 550,000.00	531,966.73 0.00 0.00 532,717.11	7,611.88 8,250.00 762.23 1,400.35	750.38 0.00 750.38 2,150.73	2,150.73
91282CFM8	US Treasury Note 4.125% Due 09/30/2027	10/26/2022 10/27/2022 570,000.00	568,636.19 0.00 0.00 568,663.43	5,910.25 0.00 7,901.74 1,991.49	27.24 0.00 27.24 2,018.73	2,018.73
91282CFP1	US Treasury Note 4.25% Due 10/15/2025	06/23/2023 06/26/2023 550,000.00	546,006.28 0.00 0.00 546,154.19	4,917.69 0.00 6,897.54 1,979.85	147.91 0.00 147.91 2,127.76	2,127.76
91282CGC9	US Treasury Note 3.875% Due 12/31/2027	05/25/2023 05/26/2023 500,000.00	497,935.83 0.00 0.00 497,974.75	52.65 0.00 1,684.78 1,632.13	38.92 0.00 38.92 1,671.05	1,671.05
91324PEB4	United Health Group Inc Callable Note Cont 5/15/2022 0.55% Due 05/15/2024	11/24/2021 11/29/2021 500,000.00	497,783.34 0.00 0.00 497,998.75	351.39 0.00 580.56 229.17	215.41 0.00 215.41 444.58	444.58
92290BAA9	Verizon Owner Trust 2020-B A 0.47% Due 02/20/2025	08/04/2020 08/12/2020 10,480.84	16,530.83 0.00 6,051.25 10,480.08	2.37 6.48 1.51 5.62	0.50 0.00 0.50 6.12	6.12
931142ERO	Wal-Mart Stores Callable Note Cont 08/17/2026 1.05% Due 09/17/2026	09/08/2021 09/17/2021 40,000.00	39,951.39 0.00 0.00 39,952.68	121.33 0.00 156.33 35.00	1.29 0.00 1.29 36.29	36.29
931142EW9	Wal-Mart Stores Note 3.9% Due 09/09/2025	09/06/2022 09/09/2022 80,000.00	79,959.07 0.00 0.00 79,960.66	970.67 0.00 1,230.67 260.00	1.59 0.00 1.59 261.59	261.59

Income Earned

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931142EX7	Wal-Mart Stores Callable Note Cont 09/09/2027 3.95% Due 09/09/2027	09/27/2022 09/29/2022 225,000.00	218,717.05 0.00 0.00 218,844.27	2,765.00 0.00 3,505.63 740.63	127.22 0.00 127.22 867.85	867.85
			31,840,903.03	164,930.27	6,575.49	
			0.00	46,618.08	10,141.73	
			544,828.03	178,840.42	(3,566.24)	
Total Fixed Income		31,362,849.05	31,292,508.76	60,528.23	56,961.99	56,961.99

CASH & EQUIVALENT						
31846V203	First American Govt Obligation Fund Class Y	Various Various 77,442.24	59,838.36 592,888.55 575,284.67 77,442.24	0.00 1,442.44 0.00 1,442.44	0.00 0.00 0.00 1,442.44	1,442.44
62479LDC6	MUFG Bank Ltd Discount CP 5.66% Due 04/12/2024	07/25/2023 07/25/2023 600,000.00	0.00 575,284.67 0.00 575,945.00	0.00 0.00 0.00 0.00	660.33 0.00 660.33 660.33	660.33
			59,838.36	0.00	660.33	
			1,168,173.22	1,442.44	0.00	
			575,284.67	0.00	660.33	
Total Cash & Equivalent		677,442.24	653,387.24	1,442.44	2,102.77	2,102.77

LOCAL AGENCY INVESTMENT FUND						
90LAIF\$00	Local Agency Investment Fund State Pool	Various Various 5,346,263.84	5,296,602.72 49,661.12 0.00 5,346,263.84	47,038.30 49,661.12 14,955.47 17,578.29	0.00 0.00 0.00 17,578.29	17,578.29
			5,296,602.72	47,038.30	0.00	
			49,661.12	49,661.12	0.00	
			0.00	14,955.47	0.00	
Total Local Agency Investment Fund		5,346,263.84	5,346,263.84	17,578.29	17,578.29	17,578.29

Income Earned

As of July 31, 2023



CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Total Income
INVESTMENT POOL						
09CATR\$05	CalTrust Medium Term Fund	Various Various 674,649.28	6,761,144.44 19,129.18 0.00 6,780,273.62	0.00 19,129.18 0.00 19,129.18	0.00 0.00 0.00 19,129.18	19,129.18
90CAMP\$00	California Asset Mgmt Program CAMP	Various Various 41,750,230.04	41,562,634.93 187,595.11 0.00 41,750,230.04	0.00 187,595.11 0.00 187,595.11	0.00 0.00 0.00 187,595.11	187,595.11
			48,323,779.37	0.00	0.00	
			206,724.29	206,724.29	0.00	
			0.00	0.00	0.00	
Total Investment Pool		42,424,879.32	48,530,503.66	206,724.29	206,724.29	206,724.29
			85,521,123.48	211,968.57	7,235.82	
			1,424,558.63	304,445.93	10,141.73	
			1,120,112.70	193,795.89	(2,905.91)	
TOTAL PORTFOLIO		79,811,434.45	85,822,663.50	286,273.25	283,367.34	283,367.34



Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
08/06/2023	Interest	594918BX1	200,000.00	Microsoft Callable Note Cont 12/6/2023 2.875% Due 2/6/2024	0.00	2,875.00	2,875.00
08/06/2023	Interest	857477BR3	90,000.00	State Street Bank Callable Note Cont 2/6/2025 1.746% Due 2/6/2026	0.00	785.70	785.70
08/09/2023	Interest	69371RR40	80,000.00	Paccar Financial Corp Note 0.5% Due 8/9/2024	0.00	200.00	200.00
08/14/2023	Interest	3133ENPG9	415,000.00	FFCB Note 1.75% Due 2/14/2025	0.00	3,631.25	3,631.25
08/15/2023	Interest	912828B66	750,000.00	US Treasury Note 2.75% Due 2/15/2024	0.00	10,312.50	10,312.50
08/15/2023	Interest	91282CCT6	400,000.00	US Treasury Note 0.375% Due 8/15/2024	0.00	750.00	750.00
08/15/2023	Interest	438516CJ3	400,000.00	Honeywell Intl Callable Note Cont 01/15/2028 4.95% Due 2/15/2028	0.00	9,900.00	9,900.00
08/15/2023	Paydown	448979AD6	155,000.00	Hyundai Auto Receivables Trust 2023-A A3 4.58% Due 4/15/2027	0.00	591.58	591.58
08/15/2023	Paydown	89236XAC0	11,229.38	Toyota Auto Receivables 2020-D A3 0.35% Due 1/15/2025	644.49	3.28	647.77
08/15/2023	Paydown	43815BAC4	165,000.00	Honda Auto Receivables Trust 2022-1 A3 1.88% Due 5/15/2026	0.00	258.50	258.50
08/15/2023	Paydown	02582JJT8	185,000.00	American Express Credit Trust 2022-2 A 3.39% Due 5/17/2027	0.00	522.63	522.63
08/15/2023	Paydown	02582JJZ4	125,000.00	American Express Credit Trust 2023-1 A 4.87% Due 5/15/2028	0.00	507.29	507.29
08/15/2023	Paydown	47788UAC6	31,743.87	John Deere Owner Trust 2021-A A3 0.36% Due 9/15/2025	2,111.45	9.52	2,120.97
08/15/2023	Paydown	47789QAC4	57,890.66	John Deere Owner Trust 2021-B A3 0.52% Due 3/16/2026	2,892.01	25.09	2,917.10
08/15/2023	Paydown	58770AAC7	105,000.00	Mercedes-Benz Auto Receivable 2023-1 A3 4.51% Due 11/15/2027	0.00	394.63	394.63
08/15/2023	Paydown	89238FAD5	115,000.00	Toyota Auto Receivables OT 2022-B A3 2.93% Due 9/15/2026	0.00	280.79	280.79
08/15/2023	Paydown	47787JAC2	130,000.00	John Deere Owner Trust 2022-A A3 2.32% Due 9/16/2026	0.00	251.33	251.33

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Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
08/15/2023	Paydown	47800AAC4	135,000.00	John Deere Owner Trust 2022-B A3 3.74% Due 2/16/2027	0.00	420.75	420.75
08/15/2023	Paydown	47800BAC2	220,000.00	John Deere Owner Trust 2022-C A3 5.09% Due 6/15/2027	0.00	933.17	933.17
08/15/2023	Paydown	89238JAC9	63,508.86	Toyota Auto Receivables Trust 2021-D A3 0.71% Due 4/15/2026	3,324.80	37.58	3,362.38
08/15/2023	Paydown	58769KAD6	45,776.79	Mercedes-Benz Auto Lease Trust 2021-B A3 0.4% Due 11/15/2024	7,627.72	15.26	7,642.98
08/16/2023	Maturity	06406FAD5	200,000.00	Bank of NY Mellon Corp Callable Note Cont 6/16/2023 2.2% Due 8/16/2023	200,000.00	2,200.00	202,200.00
08/16/2023	Paydown	362583AD8	115,000.00	GM Auto Receivable Trust 2023-2 A3 4.47% Due 2/16/2028	0.00	428.38	428.38
08/16/2023	Paydown	36265WAD5	90,000.00	GM Financial Securitized Auto 2022-3 A3 3.64% Due 4/16/2027	0.00	273.00	273.00
08/18/2023	Paydown	43813KAC6	16,288.84	Honda Auto Receivables Trust 2020-3 A3 0.37% Due 10/18/2024	4,070.33	5.02	4,075.35
08/18/2023	Paydown	43815PAC3	105,000.00	Honda Auto Receivables 2022-2 A3 3.73% Due 7/20/2026	0.00	326.38	326.38
08/19/2023	Paydown	3137BNGT5	0.00	FHLMC K054 A2 2.745% Due 1/25/2026	0.00	1,143.75	1,143.75
08/20/2023	Paydown	92290BAA9	10,480.84	Verizon Owner Trust 2020-B A 0.47% Due 2/20/2025	549.69	4.10	553.79
08/21/2023	Paydown	43815GAC3	82,866.70	Honda Auto Receivables Trust 2021-4 A3 0.88% Due 1/21/2026	4,352.25	60.77	4,413.02
08/21/2023	Paydown	43813GAC5	28,850.19	Honda Auto Receivables Trust 2021-1 A3 0.27% Due 4/21/2025	3,603.23	6.49	3,609.72
08/21/2023	Paydown	43815JAC7	70,000.00	Honda Auto Receivables Owner 2023-1 A3 5.04% Due 4/21/2027	0.00	294.00	294.00
08/23/2023	Interest	037833BY5	400,000.00	Apple Inc Callable Note Cont 11/23/2025 3.25% Due 2/23/2026	0.00	6,500.00	6,500.00
08/24/2023	Maturity	3137EAEV7	300,000.00	FHLMC Note 0.25% Due 8/24/2023	300,000.00	375.00	300,375.00

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Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
08/25/2023	Paydown	3137BNGT5	500,000.00	FHLMC K054 A2 2.745% Due 1/25/2026	0.00	1,143.75	1,143.75
08/25/2023	Paydown	3137FETN0	465,000.00	FHLMC K073 A2 3.35% Due 1/25/2028	0.00	1,298.13	1,298.13
08/25/2023	Paydown	05593AAC3	40,000.00	BMW Vehicle Lease Trust 2023-1 A3 5.16% Due 11/25/2025	0.00	172.00	172.00
08/25/2023	Paydown	05601XAC3	61,320.51	BMW Vehicle Lease Trust 2022-1 A3 1.1% Due 3/25/2025	7,548.24	56.21	7,604.45
08/25/2023	Paydown	05602RAD3	300,000.00	BMW Vehicle Owner Trust 2022-A A3 3.21% Due 8/25/2026	0.00	802.50	802.50
08/25/2023	Paydown	09690AAC7	17,892.41	BMW Vehicle Lease Trust 2021-2 A3 0.33% Due 12/26/2024	3,576.75	4.92	3,581.67
08/31/2023	Interest	9128284Z0	750,000.00	US Treasury Note 2.75% Due 8/31/2025	0.00	10,312.50	10,312.50
AUG 2023					540,300.96	58,112.75	598,413.71
09/01/2023	Interest	46647PAH9	500,000.00	JP Morgan Chase & Co Callable Note 2X 3/1/2024 3.22% Due 3/1/2025	0.00	8,050.00	8,050.00
09/07/2023	Interest	24422EWB1	130,000.00	John Deere Capital Corp Note 2.125% Due 3/7/2025	0.00	1,381.25	1,381.25
09/08/2023	Interest	3130AT3H8	700,000.00	FHLB Note 3.375% Due 3/8/2024	0.00	11,812.50	11,812.50
09/08/2023	Maturity	3137EAEW5	300,000.00	FHLMC Note 0.25% Due 9/8/2023	300,000.00	375.00	300,375.00
09/09/2023	Interest	931142EW9	80,000.00	Wal-Mart Stores Note 3.9% Due 9/9/2025	0.00	1,560.00	1,560.00
09/09/2023	Interest	931142EX7	225,000.00	Wal-Mart Stores Callable Note Cont 09/09/2027 3.95% Due 9/9/2027	0.00	4,443.75	4,443.75
09/09/2023	Interest	57636QAW4	290,000.00	MasterCard Inc Callable Note Cont 2/9/28 4.875% Due 3/9/2028	0.00	7,068.75	7,068.75
09/10/2023	Interest	3130ATS57	700,000.00	FHLB Note 4.5% Due 3/10/2028	0.00	15,750.00	15,750.00
09/11/2023	Interest	89114QCB2	500,000.00	Toronto Dominion Bank Note 3.25% Due 3/11/2024	0.00	8,125.00	8,125.00

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Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
09/12/2023	Maturity	3135G0U43	350,000.00	FNMA Note 2.875% Due 9/12/2023	350,000.00	5,031.25	355,031.25
09/15/2023	Interest	437076CR1	110,000.00	Home Depot Callable Note Cont 8/15/2025 4% Due 9/15/2025	0.00	2,200.00	2,200.00
09/15/2023	Paydown	47789QAC4	57,890.66	John Deere Owner Trust 2021-B A3 0.52% Due 3/16/2026	2,892.28	23.83	2,916.11
09/15/2023	Paydown	58770AAC7	105,000.00	Mercedes-Benz Auto Receivable 2023-1 A3 4.51% Due 11/15/2027	0.00	394.63	394.63
09/15/2023	Paydown	89238FAD5	115,000.00	Toyota Auto Receivables OT 2022-B A3 2.93% Due 9/15/2026	0.00	280.79	280.79
09/15/2023	Paydown	02582JJT8	185,000.00	American Express Credit Trust 2022-2 A 3.39% Due 5/17/2027	0.00	522.63	522.63
09/15/2023	Paydown	02582JJZ4	125,000.00	American Express Credit Trust 2023-1 A 4.87% Due 5/15/2028	0.00	507.29	507.29
09/15/2023	Paydown	89236XAC0	11,229.38	Toyota Auto Receivables 2020-D A3 0.35% Due 1/15/2025	642.19	3.09	645.28
09/15/2023	Paydown	47787JAC2	130,000.00	John Deere Owner Trust 2022-A A3 2.32% Due 9/16/2026	0.00	251.33	251.33
09/15/2023	Paydown	47788UAC6	31,743.87	John Deere Owner Trust 2021-A A3 0.36% Due 9/15/2025	2,112.13	8.89	2,121.02
09/15/2023	Paydown	47800BAC2	220,000.00	John Deere Owner Trust 2022-C A3 5.09% Due 6/15/2027	0.00	933.17	933.17
09/15/2023	Paydown	43815BAC4	165,000.00	Honda Auto Receivables Trust 2022-1 A3 1.88% Due 5/15/2026	0.00	258.50	258.50
09/15/2023	Paydown	448979AD6	155,000.00	Hyundai Auto Receivables Trust 2023-A A3 4.58% Due 4/15/2027	0.00	591.58	591.58
09/15/2023	Paydown	47800AAC4	135,000.00	John Deere Owner Trust 2022-B A3 3.74% Due 2/16/2027	0.00	420.75	420.75
09/15/2023	Paydown	58769KAD6	45,776.79	Mercedes-Benz Auto Lease Trust 2021-B A3 0.4% Due 11/15/2024	7,628.41	12.72	7,641.13
09/15/2023	Paydown	89238JAC9	63,508.86	Toyota Auto Receivables Trust 2021-D A3 0.71% Due 4/15/2026	3,326.77	35.61	3,362.38
09/16/2023	Paydown	36265WAD5	90,000.00	GM Financial Securitized Auto 2022-3 A3 3.64% Due 4/16/2027	0.00	273.00	273.00

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Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
09/16/2023	Paydown	362583AD8	115,000.00	GM Auto Receivable Trust 2023-2 A3 4.47% Due 2/16/2028	0.00	428.38	428.38
09/17/2023	Interest	931142ER0	40,000.00	Wal-Mart Stores Callable Note Cont 08/17/2026 1.05% Due 9/17/2026	0.00	210.00	210.00
09/18/2023	Interest	808513BN4	245,000.00	Charles Schwab Corp Callable Note Cont 2/18/2024 0.75% Due 3/18/2024	0.00	918.75	918.75
09/18/2023	Paydown	43813KAC6	16,288.84	Honda Auto Receivables Trust 2020-3 A3 0.37% Due 10/18/2024	4,071.58	3.77	4,075.35
09/18/2023	Paydown	43815PAC3	105,000.00	Honda Auto Receivables 2022-2 A3 3.73% Due 7/20/2026	0.00	326.38	326.38
09/19/2023	Interest	459058GQ0	225,000.00	Intl. Bank Recon & Development Note 2.5% Due 3/19/2024	0.00	2,812.50	2,812.50
09/20/2023	Paydown	92290BAA9	10,480.84	Verizon Owner Trust 2020-B A 0.47% Due 2/20/2025	549.90	3.89	553.79
09/21/2023	Paydown	43813GAC5	28,850.19	Honda Auto Receivables Trust 2021-1 A3 0.27% Due 4/21/2025	3,604.10	5.68	3,609.78
09/21/2023	Paydown	43815JAC7	70,000.00	Honda Auto Receivables Owner 2023-1 A3 5.04% Due 4/21/2027	0.00	294.00	294.00
09/21/2023	Paydown	43815GAC3	82,866.70	Honda Auto Receivables Trust 2021-4 A3 0.88% Due 1/21/2026	4,353.27	57.58	4,410.85
09/23/2023	Interest	4581X0DZ8	260,000.00	Inter-American Dev Bank Note 0.5% Due 9/23/2024	0.00	650.00	650.00
09/25/2023	Paydown	05602RAD3	300,000.00	BMW Vehicle Owner Trust 2022-A A3 3.21% Due 8/25/2026	0.00	802.50	802.50
09/25/2023	Paydown	09690AAC7	17,892.41	BMW Vehicle Lease Trust 2021-2 A3 0.33% Due 12/26/2024	3,577.61	3.94	3,581.55
09/25/2023	Paydown	05601XAC3	61,320.51	BMW Vehicle Lease Trust 2022-1 A3 1.1% Due 3/25/2025	7,581.33	49.29	7,630.62
09/25/2023	Paydown	3137FETN0	465,000.00	FHLMC K073 A2 3.35% Due 1/25/2028	0.00	1,298.13	1,298.13
09/25/2023	Paydown	05593AAC3	40,000.00	BMW Vehicle Lease Trust 2023-1 A3 5.16% Due 11/25/2025	0.00	172.00	172.00
09/25/2023	Paydown	3137BNGT5	500,000.00	FHLMC K054 A2 2.745% Due 1/25/2026	0.00	1,143.75	1,143.75

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Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
09/30/2023	Interest	91282CFM8	570,000.00	US Treasury Note 4.125% Due 9/30/2027	0.00	11,756.25	11,756.25
09/30/2023	Interest	9128286L9	750,000.00	US Treasury Note 2.25% Due 3/31/2026	0.00	8,437.50	8,437.50
09/30/2023	Interest	912828ZF0	350,000.00	US Treasury Note 0.5% Due 3/31/2025	0.00	875.00	875.00
09/30/2023	Interest	91282CEF4	750,000.00	US Treasury Note 2.5% Due 3/31/2027	0.00	9,375.00	9,375.00
09/30/2023	Interest	912828W71	750,000.00	US Treasury Note 2.125% Due 3/31/2024	0.00	7,968.75	7,968.75
09/30/2023	Interest	912828YG9	300,000.00	US Treasury Note 1.625% Due 9/30/2026	0.00	2,437.50	2,437.50
09/30/2023	Maturity	912828T26	750,000.00	US Treasury Note 1.375% Due 9/30/2023	750,000.00	5,156.25	755,156.25
SEP 2023					1,440,339.57	125,502.10	1,565,841.67
10/15/2023	Interest	91282CBV2	500,000.00	US Treasury Note 0.375% Due 4/15/2024	0.00	937.50	937.50
10/15/2023	Interest	91282CFP1	550,000.00	US Treasury Note 4.25% Due 10/15/2025	0.00	11,687.50	11,687.50
10/15/2023	Paydown	43815BAC4	165,000.00	Honda Auto Receivables Trust 2022-1 A3 1.88% Due 5/15/2026	7,911.71	258.50	8,170.21
10/15/2023	Paydown	448979AD6	155,000.00	Hyundai Auto Receivables Trust 2023-A A3 4.58% Due 4/15/2027	0.00	591.58	591.58
10/15/2023	Paydown	47800AAC4	135,000.00	John Deere Owner Trust 2022-B A3 3.74% Due 2/16/2027	0.00	420.75	420.75
10/15/2023	Paydown	47800BAC2	220,000.00	John Deere Owner Trust 2022-C A3 5.09% Due 6/15/2027	0.00	933.17	933.17
10/15/2023	Paydown	89238JAC9	63,508.86	Toyota Auto Receivables Trust 2021-D A3 0.71% Due 4/15/2026	3,328.74	33.64	3,362.38
10/15/2023	Paydown	02582JIT8	185,000.00	American Express Credit Trust 2022-2 A 3.39% Due 5/17/2027	0.00	522.63	522.63
10/15/2023	Paydown	47788UAC6	31,743.87	John Deere Owner Trust 2021-A A3 0.36% Due 9/15/2025	2,112.82	8.26	2,121.08

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Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
10/15/2023	Paydown	47789QAC4	57,890.66	John Deere Owner Trust 2021-B A3 0.52% Due 3/16/2026	2,892.54	22.58	2,915.12
10/15/2023	Paydown	58769KAD6	45,776.79	Mercedes-Benz Auto Lease Trust 2021-B A3 0.4% Due 11/15/2024	7,629.12	10.17	7,639.29
10/15/2023	Paydown	58770AAC7	105,000.00	Mercedes-Benz Auto Receivable 2023-1 A3 4.51% Due 11/15/2027	0.00	394.63	394.63
10/15/2023	Paydown	89238FAD5	115,000.00	Toyota Auto Receivables OT 2022-B A3 2.93% Due 9/15/2026	0.00	280.79	280.79
10/15/2023	Paydown	47787JAC2	130,000.00	John Deere Owner Trust 2022-A A3 2.32% Due 9/16/2026	5,337.16	251.33	5,588.49
10/15/2023	Paydown	89236XAC0	11,229.38	Toyota Auto Receivables 2020-D A3 0.35% Due 1/15/2025	639.87	2.90	642.77
10/15/2023	Paydown	02582JJZ4	125,000.00	American Express Credit Trust 2023-1 A 4.87% Due 5/15/2028	0.00	507.29	507.29
10/16/2023	Dividend	90LAIF\$00	164,989,262.24	Local Agency Investment Fund State Pool	0.00	14,950.87	14,950.87
10/16/2023	Interest	45950KCR9	160,000.00	International Finance Corp Note 1.375% Due 10/16/2024	0.00	1,100.00	1,100.00
10/16/2023	Maturity	3137EAEY1	225,000.00	FHLMC Note 0.125% Due 10/16/2023	225,000.00	140.63	225,140.63
10/16/2023	Paydown	362583AD8	115,000.00	GM Auto Receivable Trust 2023-2 A3 4.47% Due 2/16/2028	0.00	428.38	428.38
10/16/2023	Paydown	36265WAD5	90,000.00	GM Financial Securitized Auto 2022-3 A3 3.64% Due 4/16/2027	0.00	273.00	273.00
10/18/2023	Paydown	43813KAC6	16,288.84	Honda Auto Receivables Trust 2020-3 A3 0.37% Due 10/18/2024	4,072.84	2.51	4,075.35
10/18/2023	Paydown	43815PAC3	105,000.00	Honda Auto Receivables 2022-2 A3 3.73% Due 7/20/2026	0.00	326.38	326.38
10/20/2023	Paydown	92290BAA9	10,480.84	Verizon Owner Trust 2020-B A 0.47% Due 2/20/2025	550.12	3.67	553.79
10/21/2023	Paydown	43813GAC5	28,850.19	Honda Auto Receivables Trust 2021-1 A3 0.27% Due 4/21/2025	3,604.97	4.87	3,609.84
10/21/2023	Paydown	43815JAC7	70,000.00	Honda Auto Receivables Owner 2023-1 A3 5.04% Due 4/21/2027	0.00	294.00	294.00

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Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
10/21/2023	Paydown	43815GAC3	82,866.70	Honda Auto Receivables Trust 2021-4 A3 0.88% Due 1/21/2026	4,354.29	54.38	4,408.67
10/25/2023	Interest	06406RBC0	280,000.00	Bank of NY Mellon Corp Callable Note Cont 3/25/2025 3.35% Due 4/25/2025	0.00	4,690.00	4,690.00
10/25/2023	Paydown	05593AAC3	40,000.00	BMW Vehicle Lease Trust 2023-1 A3 5.16% Due 11/25/2025	0.00	172.00	172.00
10/25/2023	Paydown	05601XAC3	61,320.51	BMW Vehicle Lease Trust 2022-1 A3 1.1% Due 3/25/2025	7,614.56	42.34	7,656.90
10/25/2023	Paydown	09690AAC7	17,892.41	BMW Vehicle Lease Trust 2021-2 A3 0.33% Due 12/26/2024	3,578.48	2.95	3,581.43
10/25/2023	Paydown	3137BNGT5	500,000.00	FHLMC K054 A2 2.745% Due 1/25/2026	0.00	1,143.75	1,143.75
10/25/2023	Paydown	05602RAD3	300,000.00	BMW Vehicle Owner Trust 2022-A A3 3.21% Due 8/25/2026	31,802.93	802.50	32,605.43
10/25/2023	Paydown	3137FETN0	465,000.00	FHLMC K073 A2 3.35% Due 1/25/2028	0.00	1,298.13	1,298.13
OCT 2023					310,430.15	42,593.58	353,023.73
11/01/2023	Interest	78015K7C2	500,000.00	Royal Bank of Canada Note 2.25% Due 11/1/2024	0.00	5,625.00	5,625.00
11/06/2023	Maturity	3137EAEZ8	335,000.00	FHLMC Note 0.25% Due 11/6/2023	335,000.00	418.75	335,418.75
11/07/2023	Interest	3135G06G3	350,000.00	FNMA Note 0.5% Due 11/7/2025	0.00	875.00	875.00
11/08/2023	Interest	69371RR57	175,000.00	Paccar Financial Corp Note 0.9% Due 11/8/2024	0.00	787.50	787.50
11/10/2023	Interest	665859AW4	450,000.00	Northern Trust Company Callable Note Cont 4/10/2027 4% Due 5/10/2027	0.00	9,000.00	9,000.00
11/12/2023	Interest	023135BW5	130,000.00	Amazon.com Inc Note 0.45% Due 5/12/2024	0.00	292.50	292.50
11/15/2023	Interest	912828R36	250,000.00	US Treasury Note 1.625% Due 5/15/2026	0.00	2,031.25	2,031.25

Cash Flow Report

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Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
11/15/2023	Interest	9128283F5	800,000.00	US Treasury Note 2.25% Due 11/15/2027	0.00	9,000.00	9,000.00
11/15/2023	Interest	912828U24	625,000.00	US Treasury Note 2% Due 11/15/2026	0.00	6,250.00	6,250.00
11/15/2023	Interest	912828WJ5	750,000.00	US Treasury Note 2.5% Due 5/15/2024	0.00	9,375.00	9,375.00
11/15/2023	Interest	912828X88	350,000.00	US Treasury Note 2.375% Due 5/15/2027	0.00	4,156.25	4,156.25
11/15/2023	Interest	91282CDH1	750,000.00	US Treasury Note 0.75% Due 11/15/2024	0.00	2,812.50	2,812.50
11/15/2023	Interest	91324PEB4	500,000.00	United Health Group Inc Callable Note Cont 5/15/2022 0.55% Due 5/15/2024	0.00	1,375.00	1,375.00
11/15/2023	Paydown	47787JAC2	130,000.00	John Deere Owner Trust 2022-A A3 2.32% Due 9/16/2026	5,344.01	241.01	5,585.02
11/15/2023	Paydown	58769KAD6	45,776.79	Mercedes-Benz Auto Lease Trust 2021-B A3 0.4% Due 11/15/2024	7,629.82	7.63	7,637.45
11/15/2023	Paydown	89236XAC0	11,229.38	Toyota Auto Receivables 2020-D A3 0.35% Due 1/15/2025	637.53	2.71	640.24
11/15/2023	Paydown	47800AAC4	135,000.00	John Deere Owner Trust 2022-B A3 3.74% Due 2/16/2027	0.00	420.75	420.75
11/15/2023	Paydown	89238JAC9	63,508.86	Toyota Auto Receivables Trust 2021-D A3 0.71% Due 4/15/2026	3,330.71	31.67	3,362.38
11/15/2023	Paydown	02582JIT8	185,000.00	American Express Credit Trust 2022-2 A 3.39% Due 5/17/2027	0.00	522.63	522.63
11/15/2023	Paydown	43815BAC4	165,000.00	Honda Auto Receivables Trust 2022-1 A3 1.88% Due 5/15/2026	7,946.40	246.10	8,192.50
11/15/2023	Paydown	448979AD6	155,000.00	Hyundai Auto Receivables Trust 2023-A A3 4.58% Due 4/15/2027	0.00	591.58	591.58
11/15/2023	Paydown	47789QAC4	57,890.66	John Deere Owner Trust 2021-B A3 0.52% Due 3/16/2026	2,892.80	21.33	2,914.13
11/15/2023	Paydown	58770AAC7	105,000.00	Mercedes-Benz Auto Receivable 2023-1 A3 4.51% Due 11/15/2027	0.00	394.63	394.63

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As of July 31, 2023



Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
11/15/2023	Paydown	89238FAD5	115,000.00	Toyota Auto Receivables OT 2022-B A3 2.93% Due 9/15/2026	5,367.61	280.79	5,648.40
11/15/2023	Paydown	02582JJZ4	125,000.00	American Express Credit Trust 2023-1 A 4.87% Due 5/15/2028	0.00	507.29	507.29
11/15/2023	Paydown	47788UAC6	31,743.87	John Deere Owner Trust 2021-A A3 0.36% Due 9/15/2025	2,113.51	7.62	2,121.13
11/15/2023	Paydown	47800BAC2	220,000.00	John Deere Owner Trust 2022-C A3 5.09% Due 6/15/2027	0.00	933.17	933.17
11/16/2023	Paydown	36265WAD5	90,000.00	GM Financial Securitized Auto 2022-3 A3 3.64% Due 4/16/2027	0.00	273.00	273.00
11/16/2023	Paydown	362583AD8	115,000.00	GM Auto Receivable Trust 2023-2 A3 4.47% Due 2/16/2028	0.00	428.38	428.38
11/17/2023	Interest	58933YBH7	90,000.00	Merck & Co Callable Note Cont 4/17/2028 4.05% Due 5/17/2028	0.00	1,822.50	1,822.50
11/17/2023	Interest	14913R2L0	500,000.00	Caterpillar Financial Service Note 0.45% Due 5/17/2024	0.00	1,125.00	1,125.00
11/18/2023	Paydown	43813KAC6	16,288.84	Honda Auto Receivables Trust 2020-3 A3 0.37% Due 10/18/2024	4,074.09	1.26	4,075.35
11/18/2023	Paydown	43815PAC3	105,000.00	Honda Auto Receivables 2022-2 A3 3.73% Due 7/20/2026	0.00	326.38	326.38
11/20/2023	Paydown	92290BAA9	10,480.84	Verizon Owner Trust 2020-B A 0.47% Due 2/20/2025	550.33	3.46	553.79
11/21/2023	Paydown	43813GAC5	28,850.19	Honda Auto Receivables Trust 2021-1 A3 0.27% Due 4/21/2025	3,605.84	4.06	3,609.90
11/21/2023	Paydown	43815GAC3	82,866.70	Honda Auto Receivables Trust 2021-4 A3 0.88% Due 1/21/2026	4,355.30	51.19	4,406.49
11/21/2023	Paydown	43815JAC7	70,000.00	Honda Auto Receivables Owner 2023-1 A3 5.04% Due 4/21/2027	0.00	294.00	294.00
11/24/2023	Maturity	459058JM6	165,000.00	Intl. Bank Recon & Development Note 0.25% Due 11/24/2023	165,000.00	206.25	165,206.25
11/25/2023	Paydown	05601XAC3	61,320.51	BMW Vehicle Lease Trust 2022-1 A3 1.1% Due 3/25/2025	7,647.94	35.36	7,683.30
11/25/2023	Paydown	05593AAC3	40,000.00	BMW Vehicle Lease Trust 2023-1 A3 5.16% Due 11/25/2025	0.00	172.00	172.00

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As of July 31, 2023



Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
11/25/2023	Paydown	05602RAD3	300,000.00	BMW Vehicle Owner Trust 2022-A A3 3.21% Due 8/25/2026	30,072.54	717.43	30,789.97
11/25/2023	Paydown	3137FETN0	465,000.00	FHLMC K073 A2 3.35% Due 1/25/2028	0.00	1,298.13	1,298.13
11/25/2023	Paydown	09690AAC7	17,892.41	BMW Vehicle Lease Trust 2021-2 A3 0.33% Due 12/26/2024	3,579.35	1.97	3,581.32
11/25/2023	Paydown	3137BNGT5	500,000.00	FHLMC K054 A2 2.745% Due 1/25/2026	0.00	1,143.75	1,143.75
11/30/2023	Interest	91282CAZ4	750,000.00	US Treasury Note 0.375% Due 11/30/2025	0.00	1,406.25	1,406.25
11/30/2023	Interest	912828ZT0	365,000.00	US Treasury Note 0.25% Due 5/31/2025	0.00	456.25	456.25
NOV 2023					589,147.78	65,974.28	655,122.06
12/01/2023	Interest	023135CN4	395,000.00	Amazon.com Inc Note 4.6% Due 12/1/2025	0.00	9,085.00	9,085.00
12/06/2023	Call	594918BX1	200,000.00	Microsoft Callable Note Cont 12/6/2023 2.875% Due 2/6/2024	200,000.00	1,916.67	201,916.67
12/08/2023	Maturity	3130A0F70	350,000.00	FHLB Note 3.375% Due 12/8/2023	350,000.00	5,906.25	355,906.25
12/14/2023	Interest	3130A1XJ2	155,000.00	FHLB Note 2.875% Due 6/14/2024	0.00	2,228.13	2,228.13
12/15/2023	Interest	63743HFE7	95,000.00	National Rural Utilities Note 3.45% Due 6/15/2025	0.00	1,638.75	1,638.75
12/15/2023	Interest	91282CCG4	400,000.00	US Treasury Note 0.25% Due 6/15/2024	0.00	500.00	500.00
12/15/2023	Paydown	47787JAC2	130,000.00	John Deere Owner Trust 2022-A A3 2.32% Due 9/16/2026	5,350.86	230.68	5,581.54
12/15/2023	Paydown	47800AAC4	135,000.00	John Deere Owner Trust 2022-B A3 3.74% Due 2/16/2027	0.00	420.75	420.75
12/15/2023	Paydown	47800BAC2	220,000.00	John Deere Owner Trust 2022-C A3 5.09% Due 6/15/2027	0.00	933.17	933.17
12/15/2023	Paydown	58769KAD6	45,776.79	Mercedes-Benz Auto Lease Trust 2021-B A3 0.4% Due 11/15/2024	7,630.51	5.09	7,635.60

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As of July 31, 2023



Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
12/15/2023	Paydown	89238JAC9	63,508.86	Toyota Auto Receivables Trust 2021-D A3 0.71% Due 4/15/2026	3,332.68	29.70	3,362.38
12/15/2023	Paydown	02582JJT8	185,000.00	American Express Credit Trust 2022-2 A 3.39% Due 5/17/2027	0.00	522.63	522.63
12/15/2023	Paydown	02582JJZ4	125,000.00	American Express Credit Trust 2023-1 A 4.87% Due 5/15/2028	0.00	507.29	507.29
12/15/2023	Paydown	47788UAC6	31,743.87	John Deere Owner Trust 2021-A A3 0.36% Due 9/15/2025	2,114.19	6.99	2,121.18
12/15/2023	Paydown	47789QAC4	57,890.66	John Deere Owner Trust 2021-B A3 0.52% Due 3/16/2026	2,893.08	20.07	2,913.15
12/15/2023	Paydown	58770AAC7	105,000.00	Mercedes-Benz Auto Receivable 2023-1 A3 4.51% Due 11/15/2027	0.00	394.63	394.63
12/15/2023	Paydown	89238FAD5	115,000.00	Toyota Auto Receivables OT 2022-B A3 2.93% Due 9/15/2026	5,378.32	267.69	5,646.01
12/15/2023	Paydown	43815BAC4	165,000.00	Honda Auto Receivables Trust 2022-1 A3 1.88% Due 5/15/2026	7,981.22	233.66	8,214.88
12/15/2023	Paydown	448979AD6	155,000.00	Hyundai Auto Receivables Trust 2023-A A3 4.58% Due 4/15/2027	0.00	591.58	591.58
12/15/2023	Paydown	89236XAC0	11,229.38	Toyota Auto Receivables 2020-D A3 0.35% Due 1/15/2025	635.16	2.53	637.69
12/16/2023	Paydown	36265WAD5	90,000.00	GM Financial Securitized Auto 2022-3 A3 3.64% Due 4/16/2027	0.00	273.00	273.00
12/16/2023	Paydown	362583AD8	115,000.00	GM Auto Receivable Trust 2023-2 A3 4.47% Due 2/16/2028	0.00	428.38	428.38
12/18/2023	Interest	89236TJH9	300,000.00	Toyota Motor Credit Corp Note 0.5% Due 6/18/2024	0.00	750.00	750.00
12/18/2023	Paydown	43815PAC3	105,000.00	Honda Auto Receivables 2022-2 A3 3.73% Due 7/20/2026	0.00	326.38	326.38
12/20/2023	Paydown	92290BAA9	10,480.84	Verizon Owner Trust 2020-B A 0.47% Due 2/20/2025	550.55	3.24	553.79
12/21/2023	Paydown	43815GAC3	82,866.70	Honda Auto Receivables Trust 2021-4 A3 0.88% Due 1/21/2026	4,356.31	48.00	4,404.31
12/21/2023	Paydown	43813GAC5	28,850.19	Honda Auto Receivables Trust 2021-1 A3 0.27% Due 4/21/2025	3,606.71	3.25	3,609.96

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Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
12/21/2023	Paydown	43815JAC7	70,000.00	Honda Auto Receivables Owner 2023-1 A3 5.04% Due 4/21/2027	0.00	294.00	294.00
12/25/2023	Paydown	05601XAC3	61,320.51	BMW Vehicle Lease Trust 2022-1 A3 1.1% Due 3/25/2025	7,681.46	28.35	7,709.81
12/25/2023	Paydown	09690AAC7	17,892.41	BMW Vehicle Lease Trust 2021-2 A3 0.33% Due 12/26/2024	3,580.22	0.98	3,581.20
12/25/2023	Paydown	05593AAC3	40,000.00	BMW Vehicle Lease Trust 2023-1 A3 5.16% Due 11/25/2025	0.00	172.00	172.00
12/25/2023	Paydown	05602RAD3	300,000.00	BMW Vehicle Owner Trust 2022-A A3 3.21% Due 8/25/2026	28,338.81	636.98	28,975.79
12/25/2023	Paydown	3137BNGT5	500,000.00	FHLMC K054 A2 2.745% Due 1/25/2026	0.00	1,143.75	1,143.75
12/25/2023	Paydown	3137FETN0	465,000.00	FHLMC K073 A2 3.35% Due 1/25/2028	0.00	1,298.13	1,298.13
12/31/2023	Interest	91282CGC9	500,000.00	US Treasury Note 3.875% Due 12/31/2027	0.00	9,687.50	9,687.50
DEC 2023					633,430.08	40,535.20	673,965.28
01/06/2024	Interest	3133ENKS8	750,000.00	FFCB Note 1.125% Due 1/6/2025	0.00	4,218.76	4,218.76
01/15/2024	Interest	91282CEY3	550,000.00	US Treasury Note 3% Due 7/15/2025	0.00	8,250.00	8,250.00
01/15/2024	Interest	79466LAG9	35,000.00	Salesforce.com Inc Callable Note Cont 7/15/2022 0.625% Due 7/15/2024	0.00	109.38	109.38
01/15/2024	Paydown	89236XAC0	11,229.38	Toyota Auto Receivables 2020-D A3 0.35% Due 1/15/2025	632.77	2.34	635.11
01/15/2024	Paydown	58769KAD6	45,776.79	Mercedes-Benz Auto Lease Trust 2021-B A3 0.4% Due 11/15/2024	7,631.22	2.54	7,633.76
01/15/2024	Paydown	47787JAC2	130,000.00	John Deere Owner Trust 2022-A A3 2.32% Due 9/16/2026	5,357.73	220.34	5,578.07
01/15/2024	Paydown	47788UAC6	31,743.87	John Deere Owner Trust 2021-A A3 0.36% Due 9/15/2025	2,114.88	6.35	2,121.23
01/15/2024	Paydown	47800AAC4	135,000.00	John Deere Owner Trust 2022-B A3 3.74% Due 2/16/2027	0.00	420.75	420.75

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Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
01/15/2024	Paydown	47800BAC2	220,000.00	John Deere Owner Trust 2022-C A3 5.09% Due 6/15/2027	0.00	933.17	933.17
01/15/2024	Paydown	89238JAC9	63,508.86	Toyota Auto Receivables Trust 2021-D A3 0.71% Due 4/15/2026	3,334.65	27.73	3,362.38
01/15/2024	Paydown	43815BAC4	165,000.00	Honda Auto Receivables Trust 2022-1 A3 1.88% Due 5/15/2026	8,016.21	221.15	8,237.36
01/15/2024	Paydown	448979AD6	155,000.00	Hyundai Auto Receivables Trust 2023-A A3 4.58% Due 4/15/2027	0.00	591.58	591.58
01/15/2024	Paydown	47789QAC4	57,890.66	John Deere Owner Trust 2021-B A3 0.52% Due 3/16/2026	2,893.34	18.82	2,912.16
01/15/2024	Paydown	58770AAC7	105,000.00	Mercedes-Benz Auto Receivable 2023-1 A3 4.51% Due 11/15/2027	0.00	394.63	394.63
01/15/2024	Paydown	89238FAD5	115,000.00	Toyota Auto Receivables OT 2022-B A3 2.93% Due 9/15/2026	5,389.07	254.55	5,643.62
01/15/2024	Paydown	02582JIT8	185,000.00	American Express Credit Trust 2022-2 A 3.39% Due 5/17/2027	0.00	522.63	522.63
01/15/2024	Paydown	02582JJZ4	125,000.00	American Express Credit Trust 2023-1 A 4.87% Due 5/15/2028	0.00	507.29	507.29
01/16/2024	Paydown	36265WAD5	90,000.00	GM Financial Securitized Auto 2022-3 A3 3.64% Due 4/16/2027	0.00	273.00	273.00
01/16/2024	Paydown	362583AD8	115,000.00	GM Auto Receivable Trust 2023-2 A3 4.47% Due 2/16/2028	0.00	428.38	428.38
01/17/2024	Interest	61747YET8	175,000.00	Morgan Stanley Callable Note Cont 7/17/2025 4.679% Due 7/17/2026	0.00	4,094.13	4,094.13
01/18/2024	Paydown	43815PAC3	105,000.00	Honda Auto Receivables 2022-2 A3 3.73% Due 7/20/2026	0.00	326.38	326.38
01/20/2024	Paydown	92290BAA9	10,480.84	Verizon Owner Trust 2020-B A 0.47% Due 2/20/2025	550.76	3.03	553.79
01/21/2024	Paydown	43813GAC5	28,850.19	Honda Auto Receivables Trust 2021-1 A3 0.27% Due 4/21/2025	3,607.58	2.44	3,610.02
01/21/2024	Paydown	43815JAC7	70,000.00	Honda Auto Receivables Owner 2023-1 A3 5.04% Due 4/21/2027	0.00	294.00	294.00
01/21/2024	Paydown	43815GAC3	82,866.70	Honda Auto Receivables Trust 2021-4 A3 0.88% Due 1/21/2026	4,357.34	44.80	4,402.14

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As of July 31, 2023



Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
01/25/2024	Paydown	05593AAC3	40,000.00	BMW Vehicle Lease Trust 2023-1 A3 5.16% Due 11/25/2025	0.00	172.00	172.00
01/25/2024	Paydown	05602RAD3	300,000.00	BMW Vehicle Owner Trust 2022-A A3 3.21% Due 8/25/2026	26,601.73	561.18	27,162.91
01/25/2024	Paydown	05601XAC3	61,320.51	BMW Vehicle Lease Trust 2022-1 A3 1.1% Due 3/25/2025	7,715.13	21.31	7,736.44
01/25/2024	Paydown	3137BNGT5	500,000.00	FHLMC K054 A2 2.745% Due 1/25/2026	0.00	1,143.75	1,143.75
01/25/2024	Paydown	3137FETN0	465,000.00	FHLMC K073 A2 3.35% Due 1/25/2028	0.00	1,298.13	1,298.13
01/31/2024	Interest	912828Y87	300,000.00	US Treasury Note 1.75% Due 7/31/2024	0.00	2,625.00	2,625.00
01/31/2024	Interest	912828Z52	750,000.00	US Treasury Note 1.375% Due 1/31/2025	0.00	5,156.25	5,156.25
01/31/2024	Maturity	912828V80	750,000.00	US Treasury Note 2.25% Due 1/31/2024	750,000.00	8,437.50	758,437.50
JAN 2024					828,202.41	41,583.29	869,785.70
02/06/2024	Interest	857477BR3	90,000.00	State Street Bank Callable Note Cont 2/6/2025 1.746% Due 2/6/2026	0.00	785.70	785.70
02/09/2024	Interest	69371RR40	80,000.00	Paccar Financial Corp Note 0.5% Due 8/9/2024	0.00	200.00	200.00
02/14/2024	Interest	3133ENPG9	415,000.00	FFCB Note 1.75% Due 2/14/2025	0.00	3,631.25	3,631.25
02/15/2024	Interest	91282CCT6	400,000.00	US Treasury Note 0.375% Due 8/15/2024	0.00	750.00	750.00
02/15/2024	Interest	438516CJ3	400,000.00	Honeywell Intl Callable Note Cont 01/15/2028 4.95% Due 2/15/2028	0.00	9,900.00	9,900.00
02/15/2024	Maturity	912828B66	750,000.00	US Treasury Note 2.75% Due 2/15/2024	750,000.00	10,312.50	760,312.50
02/15/2024	Paydown	02582JIT8	185,000.00	American Express Credit Trust 2022-2 A 3.39% Due 5/17/2027	0.00	522.63	522.63
02/15/2024	Paydown	47788UAC6	31,743.87	John Deere Owner Trust 2021-A A3 0.36% Due 9/15/2025	2,115.57	5.72	2,121.29



Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
02/15/2024	Paydown	47800AAC4	135,000.00	John Deere Owner Trust 2022-B A3 3.74% Due 2/16/2027	0.00	420.75	420.75
02/15/2024	Paydown	89238JAC9	63,508.86	Toyota Auto Receivables Trust 2021-D A3 0.71% Due 4/15/2026	3,336.62	25.76	3,362.38
02/15/2024	Paydown	448979AD6	155,000.00	Hyundai Auto Receivables Trust 2023-A A3 4.58% Due 4/15/2027	0.00	591.58	591.58
02/15/2024	Paydown	47800BAC2	220,000.00	John Deere Owner Trust 2022-C A3 5.09% Due 6/15/2027	0.00	933.17	933.17
02/15/2024	Paydown	47789QAC4	57,890.66	John Deere Owner Trust 2021-B A3 0.52% Due 3/16/2026	2,893.61	17.56	2,911.17
02/15/2024	Paydown	58770AAC7	105,000.00	Mercedes-Benz Auto Receivable 2023-1 A3 4.51% Due 11/15/2027	0.00	394.63	394.63
02/15/2024	Paydown	89236XAC0	11,229.38	Toyota Auto Receivables 2020-D A3 0.35% Due 1/15/2025	630.34	2.16	632.50
02/15/2024	Paydown	89238FAD5	115,000.00	Toyota Auto Receivables OT 2022-B A3 2.93% Due 9/15/2026	5,399.83	241.40	5,641.23
02/15/2024	Paydown	43815BAC4	165,000.00	Honda Auto Receivables Trust 2022-1 A3 1.88% Due 5/15/2026	8,051.35	208.59	8,259.94
02/15/2024	Paydown	02582JJZ4	125,000.00	American Express Credit Trust 2023-1 A 4.87% Due 5/15/2028	0.00	507.29	507.29
02/15/2024	Paydown	47787JAC2	130,000.00	John Deere Owner Trust 2022-A A3 2.32% Due 9/16/2026	5,364.60	209.98	5,574.58
02/16/2024	Paydown	36265WAD5	90,000.00	GM Financial Securitized Auto 2022-3 A3 3.64% Due 4/16/2027	0.00	273.00	273.00
02/16/2024	Paydown	362583AD8	115,000.00	GM Auto Receivable Trust 2023-2 A3 4.47% Due 2/16/2028	0.00	428.38	428.38
02/18/2024	Call	808513BN4	150,000.00	Charles Schwab Corp Callable Note Cont 2/18/2024 0.75% Due 3/18/2024	150,000.00	468.75	150,468.75
02/18/2024	Paydown	43815PAC3	105,000.00	Honda Auto Receivables 2022-2 A3 3.73% Due 7/20/2026	0.00	326.38	326.38
02/20/2024	Paydown	92290BAA9	10,480.84	Verizon Owner Trust 2020-B A 0.47% Due 2/20/2025	550.98	2.81	553.79
02/21/2024	Paydown	43813GAC5	28,850.19	Honda Auto Receivables Trust 2021-1 A3 0.27% Due 4/21/2025	3,608.46	1.62	3,610.08

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Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
02/21/2024	Paydown	43815GAC3	82,866.70	Honda Auto Receivables Trust 2021-4 A3 0.88% Due 1/21/2026	4,358.35	41.61	4,399.96
02/21/2024	Paydown	43815JAC7	70,000.00	Honda Auto Receivables Owner 2023-1 A3 5.04% Due 4/21/2027	0.00	294.00	294.00
02/23/2024	Interest	037833BY5	400,000.00	Apple Inc Callable Note Cont 11/23/2025 3.25% Due 2/23/2026	0.00	6,500.00	6,500.00
02/25/2024	Paydown	05601XAC3	61,320.51	BMW Vehicle Lease Trust 2022-1 A3 1.1% Due 3/25/2025	7,748.94	14.24	7,763.18
02/25/2024	Paydown	05593AAC3	40,000.00	BMW Vehicle Lease Trust 2023-1 A3 5.16% Due 11/25/2025	0.00	172.00	172.00
02/25/2024	Paydown	05602RAD3	300,000.00	BMW Vehicle Owner Trust 2022-A A3 3.21% Due 8/25/2026	24,861.30	490.02	25,351.32
02/25/2024	Paydown	3137BNGT5	500,000.00	FHLMC K054 A2 2.745% Due 1/25/2026	0.00	1,143.75	1,143.75
02/25/2024	Paydown	3137FETN0	465,000.00	FHLMC K073 A2 3.35% Due 1/25/2028	0.00	1,298.13	1,298.13
02/29/2024	Interest	9128284Z0	750,000.00	US Treasury Note 2.75% Due 8/31/2025	0.00	10,312.50	10,312.50
FEB 2024					968,919.95	51,427.86	1,020,347.81
03/01/2024	Call	46647PAH9	500,000.00	JP Morgan Chase & Co Callable Note 2X 3/1/2024 3.22% Due 3/1/2025	500,000.00	8,050.00	508,050.00
03/07/2024	Interest	24422EWB1	130,000.00	John Deere Capital Corp Note 2.125% Due 3/7/2025	0.00	1,381.25	1,381.25
03/08/2024	Maturity	3130AT3H8	700,000.00	FHLB Note 3.375% Due 3/8/2024	700,000.00	11,812.50	711,812.50
03/09/2024	Interest	931142EW9	80,000.00	Wal-Mart Stores Note 3.9% Due 9/9/2025	0.00	1,560.00	1,560.00
03/09/2024	Interest	931142EX7	225,000.00	Wal-Mart Stores Callable Note Cont 09/09/2027 3.95% Due 9/9/2027	0.00	4,443.75	4,443.75
03/09/2024	Interest	57636QAW4	290,000.00	MasterCard Inc Callable Note Cont 2/9/28 4.875% Due 3/9/2028	0.00	7,068.75	7,068.75
03/10/2024	Interest	3130ATS57	700,000.00	FHLB Note 4.5% Due 3/10/2028	0.00	15,750.00	15,750.00

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Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
03/11/2024	Maturity	89114QCB2	500,000.00	Toronto Dominion Bank Note 3.25% Due 3/11/2024	500,000.00	8,125.00	508,125.00
03/15/2024	Interest	437076CR1	110,000.00	Home Depot Callable Note Cont 8/15/2025 4% Due 9/15/2025	0.00	2,200.00	2,200.00
03/15/2024	Paydown	89236XAC0	11,229.38	Toyota Auto Receivables 2020-D A3 0.35% Due 1/15/2025	627.91	1.97	629.88
03/15/2024	Paydown	02582JJZ4	125,000.00	American Express Credit Trust 2023-1 A 4.87% Due 5/15/2028	0.00	507.29	507.29
03/15/2024	Paydown	47787JAC2	130,000.00	John Deere Owner Trust 2022-A A3 2.32% Due 9/16/2026	5,371.49	199.61	5,571.10
03/15/2024	Paydown	47789QAC4	57,890.66	John Deere Owner Trust 2021-B A3 0.52% Due 3/16/2026	2,893.87	16.31	2,910.18
03/15/2024	Paydown	58770AAC7	105,000.00	Mercedes-Benz Auto Receivable 2023-1 A3 4.51% Due 11/15/2027	0.00	394.63	394.63
03/15/2024	Paydown	89238FAD5	115,000.00	Toyota Auto Receivables OT 2022-B A3 2.93% Due 9/15/2026	5,410.62	228.21	5,638.83
03/15/2024	Paydown	02582JJT8	185,000.00	American Express Credit Trust 2022-2 A 3.39% Due 5/17/2027	0.00	522.63	522.63
03/15/2024	Paydown	47788UAC6	31,743.87	John Deere Owner Trust 2021-A A3 0.36% Due 9/15/2025	2,116.26	5.08	2,121.34
03/15/2024	Paydown	43815BAC4	165,000.00	Honda Auto Receivables Trust 2022-1 A3 1.88% Due 5/15/2026	8,086.64	195.98	8,282.62
03/15/2024	Paydown	448979AD6	155,000.00	Hyundai Auto Receivables Trust 2023-A A3 4.58% Due 4/15/2027	0.00	591.58	591.58
03/15/2024	Paydown	47800AAC4	135,000.00	John Deere Owner Trust 2022-B A3 3.74% Due 2/16/2027	5,496.86	420.75	5,917.61
03/15/2024	Paydown	47800BAC2	220,000.00	John Deere Owner Trust 2022-C A3 5.09% Due 6/15/2027	0.00	933.17	933.17
03/15/2024	Paydown	89238JAC9	63,508.86	Toyota Auto Receivables Trust 2021-D A3 0.71% Due 4/15/2026	3,338.60	23.78	3,362.38
03/16/2024	Paydown	36265WAD5	90,000.00	GM Financial Securitized Auto 2022-3 A3 3.64% Due 4/16/2027	0.00	273.00	273.00
03/16/2024	Paydown	362583AD8	115,000.00	GM Auto Receivable Trust 2023-2 A3 4.47% Due 2/16/2028	0.00	428.38	428.38

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Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
03/17/2024	Interest	931142ER0	40,000.00	Wal-Mart Stores Callable Note Cont 08/17/2026 1.05% Due 9/17/2026	0.00	210.00	210.00
03/18/2024	Maturity	808513BN4	95,000.00	Charles Schwab Corp Callable Note Cont 2/18/2024 0.75% Due 3/18/2024	95,000.00	356.25	95,356.25
03/18/2024	Paydown	43815PAC3	105,000.00	Honda Auto Receivables 2022-2 A3 3.73% Due 7/20/2026	5,514.30	326.38	5,840.68
03/19/2024	Maturity	459058GQ0	225,000.00	Intl. Bank Recon & Development Note 2.5% Due 3/19/2024	225,000.00	2,812.50	227,812.50
03/20/2024	Paydown	92290BAA9	10,480.84	Verizon Owner Trust 2020-B A 0.47% Due 2/20/2025	551.19	2.60	553.79
03/21/2024	Paydown	43815GAC3	82,866.70	Honda Auto Receivables Trust 2021-4 A3 0.88% Due 1/21/2026	4,359.37	38.41	4,397.78
03/21/2024	Paydown	43815JAC7	70,000.00	Honda Auto Receivables Owner 2023-1 A3 5.04% Due 4/21/2027	0.00	294.00	294.00
03/21/2024	Paydown	43813GAC5	28,850.19	Honda Auto Receivables Trust 2021-1 A3 0.27% Due 4/21/2025	3,609.33	0.81	3,610.14
03/23/2024	Interest	4581X0DZ8	260,000.00	Inter-American Dev Bank Note 0.5% Due 9/23/2024	0.00	650.00	650.00
03/25/2024	Paydown	05601XAC3	61,320.51	BMW Vehicle Lease Trust 2022-1 A3 1.1% Due 3/25/2025	7,782.92	7.13	7,790.05
03/25/2024	Paydown	05602RAD3	300,000.00	BMW Vehicle Owner Trust 2022-A A3 3.21% Due 8/25/2026	23,117.51	423.51	23,541.02
03/25/2024	Paydown	05593AAC3	40,000.00	BMW Vehicle Lease Trust 2023-1 A3 5.16% Due 11/25/2025	0.00	172.00	172.00
03/25/2024	Paydown	3137BNGT5	500,000.00	FHLMC K054 A2 2.745% Due 1/25/2026	0.00	1,143.75	1,143.75
03/25/2024	Paydown	3137FETN0	465,000.00	FHLMC K073 A2 3.35% Due 1/25/2028	0.00	1,298.13	1,298.13
03/31/2024	Interest	912828YG9	300,000.00	US Treasury Note 1.625% Due 9/30/2026	0.00	2,437.50	2,437.50
03/31/2024	Interest	912828ZF0	350,000.00	US Treasury Note 0.5% Due 3/31/2025	0.00	875.00	875.00
03/31/2024	Interest	91282CEF4	750,000.00	US Treasury Note 2.5% Due 3/31/2027	0.00	9,375.00	9,375.00

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Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
03/31/2024	Interest	9128286L9	750,000.00	US Treasury Note 2.25% Due 3/31/2026	0.00	8,437.50	8,437.50
03/31/2024	Interest	91282CFM8	570,000.00	US Treasury Note 4.125% Due 9/30/2027	0.00	11,756.25	11,756.25
03/31/2024	Maturity	912828W71	750,000.00	US Treasury Note 2.125% Due 3/31/2024	750,000.00	7,968.75	757,968.75
MAR 2024					2,848,276.87	113,719.09	2,961,995.96
04/12/2024	Maturity	62479LDC6	600,000.00	MUFG Bank Ltd Discount CP 5.66% Due 4/12/2024	600,000.00	0.00	600,000.00
04/15/2024	Interest	91282CFP1	550,000.00	US Treasury Note 4.25% Due 10/15/2025	0.00	11,687.50	11,687.50
04/15/2024	Maturity	91282CBV2	500,000.00	US Treasury Note 0.375% Due 4/15/2024	500,000.00	937.50	500,937.50
04/15/2024	Paydown	448979AD6	155,000.00	Hyundai Auto Receivables Trust 2023-A A3 4.58% Due 4/15/2027	0.00	591.58	591.58
04/15/2024	Paydown	02582JIT8	185,000.00	American Express Credit Trust 2022-2 A 3.39% Due 5/17/2027	0.00	522.63	522.63
04/15/2024	Paydown	43815BAC4	165,000.00	Honda Auto Receivables Trust 2022-1 A3 1.88% Due 5/15/2026	8,122.09	183.31	8,305.40
04/15/2024	Paydown	47788UAC6	31,743.87	John Deere Owner Trust 2021-A A3 0.36% Due 9/15/2025	2,116.94	4.45	2,121.39
04/15/2024	Paydown	47800AAC4	135,000.00	John Deere Owner Trust 2022-B A3 3.74% Due 2/16/2027	5,507.84	403.62	5,911.46
04/15/2024	Paydown	89238JAC9	63,508.86	Toyota Auto Receivables Trust 2021-D A3 0.71% Due 4/15/2026	3,340.57	21.81	3,362.38
04/15/2024	Paydown	47789QAC4	57,890.66	John Deere Owner Trust 2021-B A3 0.52% Due 3/16/2026	2,894.13	15.06	2,909.19
04/15/2024	Paydown	58770AAC7	105,000.00	Mercedes-Benz Auto Receivable 2023-1 A3 4.51% Due 11/15/2027	0.00	394.63	394.63
04/15/2024	Paydown	89236XAC0	11,229.38	Toyota Auto Receivables 2020-D A3 0.35% Due 1/15/2025	625.43	1.79	627.22
04/15/2024	Paydown	89238FAD5	115,000.00	Toyota Auto Receivables OT 2022-B A3 2.93% Due 9/15/2026	5,421.43	215.00	5,636.43

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Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
04/15/2024	Paydown	02582JJZ4	125,000.00	American Express Credit Trust 2023-1 A 4.87% Due 5/15/2028	0.00	507.29	507.29
04/15/2024	Paydown	47787JAC2	130,000.00	John Deere Owner Trust 2022-A A3 2.32% Due 9/16/2026	5,378.38	189.22	5,567.60
04/15/2024	Paydown	47800BAC2	220,000.00	John Deere Owner Trust 2022-C A3 5.09% Due 6/15/2027	0.00	933.17	933.17
04/16/2024	Interest	45950KCR9	160,000.00	International Finance Corp Note 1.375% Due 10/16/2024	0.00	1,100.00	1,100.00
04/16/2024	Paydown	36265WAD5	90,000.00	GM Financial Securitized Auto 2022-3 A3 3.64% Due 4/16/2027	4,865.51	273.00	5,138.51
04/16/2024	Paydown	362583AD8	115,000.00	GM Auto Receivable Trust 2023-2 A3 4.47% Due 2/16/2028	0.00	428.38	428.38
04/18/2024	Paydown	43815PAC3	105,000.00	Honda Auto Receivables 2022-2 A3 3.73% Due 7/20/2026	5,515.64	309.23	5,824.87
04/20/2024	Paydown	92290BAA9	10,480.84	Verizon Owner Trust 2020-B A 0.47% Due 2/20/2025	551.41	2.38	553.79
04/21/2024	Paydown	43815JAC7	70,000.00	Honda Auto Receivables Owner 2023-1 A3 5.04% Due 4/21/2027	0.00	294.00	294.00
04/21/2024	Paydown	43815GAC3	82,866.70	Honda Auto Receivables Trust 2021-4 A3 0.88% Due 1/21/2026	4,360.39	35.21	4,395.60
04/25/2024	Interest	06406RBC0	280,000.00	Bank of NY Mellon Corp Callable Note Cont 3/25/2025 3.35% Due 4/25/2025	0.00	4,690.00	4,690.00
04/25/2024	Paydown	05593AAC3	40,000.00	BMW Vehicle Lease Trust 2023-1 A3 5.16% Due 11/25/2025	0.00	172.00	172.00
04/25/2024	Paydown	3137BNGT5	500,000.00	FHLMC K054 A2 2.745% Due 1/25/2026	0.00	1,143.75	1,143.75
04/25/2024	Paydown	05602RAD3	300,000.00	BMW Vehicle Owner Trust 2022-A A3 3.21% Due 8/25/2026	21,370.35	361.67	21,732.02
04/25/2024	Paydown	3137FETN0	465,000.00	FHLMC K073 A2 3.35% Due 1/25/2028	0.00	1,298.13	1,298.13
APR 2024					1,170,070.11	26,716.31	1,196,786.42
05/01/2024	Interest	78015K7C2	500,000.00	Royal Bank of Canada Note 2.25% Due 11/1/2024	0.00	5,625.00	5,625.00

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Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
05/07/2024	Interest	3135G06G3	350,000.00	FNMA Note 0.5% Due 11/7/2025	0.00	875.00	875.00
05/08/2024	Interest	69371RR57	175,000.00	Paccar Financial Corp Note 0.9% Due 11/8/2024	0.00	787.50	787.50
05/10/2024	Interest	665859AW4	450,000.00	Northern Trust Company Callable Note Cont 4/10/2027 4% Due 5/10/2027	0.00	9,000.00	9,000.00
05/12/2024	Maturity	023135BW5	130,000.00	Amazon.com Inc Note 0.45% Due 5/12/2024	130,000.00	292.50	130,292.50
05/15/2024	Interest	912828U24	625,000.00	US Treasury Note 2% Due 11/15/2026	0.00	6,250.00	6,250.00
05/15/2024	Interest	91282CDH1	750,000.00	US Treasury Note 0.75% Due 11/15/2024	0.00	2,812.50	2,812.50
05/15/2024	Interest	912828R36	250,000.00	US Treasury Note 1.625% Due 5/15/2026	0.00	2,031.25	2,031.25
05/15/2024	Interest	9128283F5	800,000.00	US Treasury Note 2.25% Due 11/15/2027	0.00	9,000.00	9,000.00
05/15/2024	Interest	912828X88	350,000.00	US Treasury Note 2.375% Due 5/15/2027	0.00	4,156.25	4,156.25
05/15/2024	Maturity	91324PEB4	500,000.00	United Health Group Inc Callable Note Cont 5/15/2022 0.55% Due 5/15/2024	500,000.00	1,375.00	501,375.00
05/15/2024	Maturity	912828WJ5	750,000.00	US Treasury Note 2.5% Due 5/15/2024	750,000.00	9,375.00	759,375.00
05/15/2024	Paydown	02582JJT8	185,000.00	American Express Credit Trust 2022-2 A 3.39% Due 5/17/2027	0.00	522.63	522.63
05/15/2024	Paydown	02582JJZ4	125,000.00	American Express Credit Trust 2023-1 A 4.87% Due 5/15/2028	0.00	507.29	507.29
05/15/2024	Paydown	47788UAC6	31,743.87	John Deere Owner Trust 2021-A A3 0.36% Due 9/15/2025	2,117.64	3.81	2,121.45
05/15/2024	Paydown	43815BAC4	165,000.00	Honda Auto Receivables Trust 2022-1 A3 1.88% Due 5/15/2026	8,157.68	170.59	8,328.27
05/15/2024	Paydown	448979AD6	155,000.00	Hyundai Auto Receivables Trust 2023-A A3 4.58% Due 4/15/2027	0.00	591.58	591.58

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Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
05/15/2024	Paydown	47789QAC4	57,890.66	John Deere Owner Trust 2021-B A3 0.52% Due 3/16/2026	2,894.40	13.80	2,908.20
05/15/2024	Paydown	58770AAC7	105,000.00	Mercedes-Benz Auto Receivable 2023-1 A3 4.51% Due 11/15/2027	0.00	394.63	394.63
05/15/2024	Paydown	89238FAD5	115,000.00	Toyota Auto Receivables OT 2022-B A3 2.93% Due 9/15/2026	5,432.26	201.76	5,634.02
05/15/2024	Paydown	89236XAC0	11,229.38	Toyota Auto Receivables 2020-D A3 0.35% Due 1/15/2025	622.94	1.61	624.55
05/15/2024	Paydown	47787JAC2	130,000.00	John Deere Owner Trust 2022-A A3 2.32% Due 9/16/2026	5,385.28	178.83	5,564.11
05/15/2024	Paydown	47800AAC4	135,000.00	John Deere Owner Trust 2022-B A3 3.74% Due 2/16/2027	5,518.84	386.45	5,905.29
05/15/2024	Paydown	47800BAC2	220,000.00	John Deere Owner Trust 2022-C A3 5.09% Due 6/15/2027	0.00	933.17	933.17
05/15/2024	Paydown	89238JAC9	63,508.86	Toyota Auto Receivables Trust 2021-D A3 0.71% Due 4/15/2026	3,342.55	19.83	3,362.38
05/16/2024	Paydown	36265WAD5	90,000.00	GM Financial Securitized Auto 2022-3 A3 3.64% Due 4/16/2027	4,881.07	258.24	5,139.31
05/16/2024	Paydown	362583AD8	115,000.00	GM Auto Receivable Trust 2023-2 A3 4.47% Due 2/16/2028	0.00	428.38	428.38
05/17/2024	Interest	58933YBH7	90,000.00	Merck & Co Callable Note Cont 4/17/2028 4.05% Due 5/17/2028	0.00	1,822.50	1,822.50
05/17/2024	Maturity	14913R2L0	500,000.00	Caterpillar Financial Service Note 0.45% Due 5/17/2024	500,000.00	1,125.00	501,125.00
05/18/2024	Paydown	43815PAC3	105,000.00	Honda Auto Receivables 2022-2 A3 3.73% Due 7/20/2026	5,516.97	292.09	5,809.06
05/20/2024	Paydown	92290BAA9	10,480.84	Verizon Owner Trust 2020-B A 0.47% Due 2/20/2025	551.63	2.16	553.79
05/21/2024	Paydown	43815JAC7	70,000.00	Honda Auto Receivables Owner 2023-1 A3 5.04% Due 4/21/2027	0.00	294.00	294.00
05/21/2024	Paydown	43815GAC3	82,866.70	Honda Auto Receivables Trust 2021-4 A3 0.88% Due 1/21/2026	4,361.40	32.02	4,393.42
05/25/2024	Paydown	05593AAC3	40,000.00	BMW Vehicle Lease Trust 2023-1 A3 5.16% Due 11/25/2025	0.00	172.00	172.00

Cash Flow Report

As of July 31, 2023



Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
05/25/2024	Paydown	3137BNGT5	500,000.00	FHLMC K054 A2 2.745% Due 1/25/2026	0.00	1,143.75	1,143.75
05/25/2024	Paydown	3137FETN0	465,000.00	FHLMC K073 A2 3.35% Due 1/25/2028	0.00	1,298.13	1,298.13
05/25/2024	Paydown	05602RAD3	300,000.00	BMW Vehicle Owner Trust 2022-A A3 3.21% Due 8/25/2026	19,619.82	304.51	19,924.33
05/31/2024	Interest	912828ZT0	365,000.00	US Treasury Note 0.25% Due 5/31/2025	0.00	456.25	456.25
05/31/2024	Interest	91282CAZ4	750,000.00	US Treasury Note 0.375% Due 11/30/2025	0.00	1,406.25	1,406.25
MAY 2024					1,948,402.48	64,541.26	2,012,943.74
06/01/2024	Interest	023135CN4	395,000.00	Amazon.com Inc Note 4.6% Due 12/1/2025	0.00	9,085.00	9,085.00
06/14/2024	Maturity	3130A1XJ2	155,000.00	FHLB Note 2.875% Due 6/14/2024	155,000.00	2,228.13	157,228.13
06/15/2024	Interest	63743HFE7	95,000.00	National Rural Utilities Note 3.45% Due 6/15/2025	0.00	1,638.75	1,638.75
06/15/2024	Maturity	91282CCG4	400,000.00	US Treasury Note 0.25% Due 6/15/2024	400,000.00	500.00	400,500.00
06/15/2024	Paydown	43815BAC4	165,000.00	Honda Auto Receivables Trust 2022-1 A3 1.88% Due 5/15/2026	8,193.44	157.81	8,351.25
06/15/2024	Paydown	47789QAC4	57,890.66	John Deere Owner Trust 2021-B A3 0.52% Due 3/16/2026	2,894.66	12.55	2,907.21
06/15/2024	Paydown	58770AAC7	105,000.00	Mercedes-Benz Auto Receivable 2023-1 A3 4.51% Due 11/15/2027	0.00	394.63	394.63
06/15/2024	Paydown	89236XAC0	11,229.38	Toyota Auto Receivables 2020-D A3 0.35% Due 1/15/2025	620.42	1.43	621.85
06/15/2024	Paydown	89238FAD5	115,000.00	Toyota Auto Receivables OT 2022-B A3 2.93% Due 9/15/2026	5,443.11	188.50	5,631.61
06/15/2024	Paydown	448979AD6	155,000.00	Hyundai Auto Receivables Trust 2023-A A3 4.58% Due 4/15/2027	0.00	591.58	591.58
06/15/2024	Paydown	47800BAC2	220,000.00	John Deere Owner Trust 2022-C A3 5.09% Due 6/15/2027	0.00	933.17	933.17

Cash Flow Report

As of July 31, 2023



Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
06/15/2024	Paydown	89238JAC9	63,508.86	Toyota Auto Receivables Trust 2021-D A3 0.71% Due 4/15/2026	3,344.53	17.85	3,362.38
06/15/2024	Paydown	02582JIT8	185,000.00	American Express Credit Trust 2022-2 A 3.39% Due 5/17/2027	0.00	522.63	522.63
06/15/2024	Paydown	47788UAC6	31,743.87	John Deere Owner Trust 2021-A A3 0.36% Due 9/15/2025	2,118.32	3.18	2,121.50
06/15/2024	Paydown	47800AAC4	135,000.00	John Deere Owner Trust 2022-B A3 3.74% Due 2/16/2027	5,529.87	369.25	5,899.12
06/15/2024	Paydown	02582JJZ4	125,000.00	American Express Credit Trust 2023-1 A 4.87% Due 5/15/2028	0.00	507.29	507.29
06/15/2024	Paydown	47787JAC2	130,000.00	John Deere Owner Trust 2022-A A3 2.32% Due 9/16/2026	5,392.20	168.41	5,560.61
06/16/2024	Paydown	362583AD8	115,000.00	GM Auto Receivable Trust 2023-2 A3 4.47% Due 2/16/2028	0.00	428.38	428.38
06/16/2024	Paydown	36265WAD5	90,000.00	GM Financial Securitized Auto 2022-3 A3 3.64% Due 4/16/2027	4,896.67	243.44	5,140.11
06/18/2024	Maturity	89236TJH9	300,000.00	Toyota Motor Credit Corp Note 0.5% Due 6/18/2024	300,000.00	750.00	300,750.00
06/18/2024	Paydown	43815PAC3	105,000.00	Honda Auto Receivables 2022-2 A3 3.73% Due 7/20/2026	5,518.31	274.94	5,793.25
06/20/2024	Paydown	92290BAA9	10,480.84	Verizon Owner Trust 2020-B A 0.47% Due 2/20/2025	551.84	1.95	553.79
06/21/2024	Paydown	43815GAC3	82,866.70	Honda Auto Receivables Trust 2021-4 A3 0.88% Due 1/21/2026	4,362.42	28.82	4,391.24
06/21/2024	Paydown	43815JAC7	70,000.00	Honda Auto Receivables Owner 2023-1 A3 5.04% Due 4/21/2027	0.00	294.00	294.00
06/25/2024	Paydown	3137FETN0	465,000.00	FHLMC K073 A2 3.35% Due 1/25/2028	0.00	1,298.13	1,298.13
06/25/2024	Paydown	05593AAC3	40,000.00	BMW Vehicle Lease Trust 2023-1 A3 5.16% Due 11/25/2025	3,931.47	172.00	4,103.47
06/25/2024	Paydown	05602RAD3	300,000.00	BMW Vehicle Owner Trust 2022-A A3 3.21% Due 8/25/2026	17,865.91	252.03	18,117.94
06/25/2024	Paydown	3137BNGT5	500,000.00	FHLMC K054 A2 2.745% Due 1/25/2026	0.00	1,143.75	1,143.75

Cash Flow Report

As of July 31, 2023



Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
06/30/2024	Interest	91282CGC9	500,000.00	US Treasury Note 3.875% Due 12/31/2027	0.00	9,687.50	9,687.50
JUN 2024					925,663.17	31,895.10	957,558.27
07/06/2024	Interest	3133ENKS8	750,000.00	FFCB Note 1.125% Due 1/6/2025	0.00	4,218.76	4,218.76
07/15/2024	Interest	91282CEY3	550,000.00	US Treasury Note 3% Due 7/15/2025	0.00	8,250.00	8,250.00
07/15/2024	Maturity	79466LAG9	35,000.00	Salesforce.com Inc Callable Note Cont 7/15/2022 0.625% Due 7/15/2024	35,000.00	109.38	35,109.38
07/15/2024	Paydown	89236XAC0	11,229.38	Toyota Auto Receivables 2020-D A3 0.35% Due 1/15/2025	617.88	1.25	619.13
07/15/2024	Paydown	43815BAC4	165,000.00	Honda Auto Receivables Trust 2022-1 A3 1.88% Due 5/15/2026	8,229.36	144.97	8,374.33
07/15/2024	Paydown	448979AD6	155,000.00	Hyundai Auto Receivables Trust 2023-A A3 4.58% Due 4/15/2027	0.00	591.58	591.58
07/15/2024	Paydown	47800AAC4	135,000.00	John Deere Owner Trust 2022-B A3 3.74% Due 2/16/2027	5,540.91	352.02	5,892.93
07/15/2024	Paydown	47800BAC2	220,000.00	John Deere Owner Trust 2022-C A3 5.09% Due 6/15/2027	8,945.50	933.17	9,878.67
07/15/2024	Paydown	89238JAC9	63,508.86	Toyota Auto Receivables Trust 2021-D A3 0.71% Due 4/15/2026	3,346.51	15.87	3,362.38
07/15/2024	Paydown	02582JIT8	185,000.00	American Express Credit Trust 2022-2 A 3.39% Due 5/17/2027	0.00	522.63	522.63
07/15/2024	Paydown	47788UAC6	31,743.87	John Deere Owner Trust 2021-A A3 0.36% Due 9/15/2025	2,119.01	2.54	2,121.55
07/15/2024	Paydown	02582JJZ4	125,000.00	American Express Credit Trust 2023-1 A 4.87% Due 5/15/2028	0.00	507.29	507.29
07/15/2024	Paydown	47787JAC2	130,000.00	John Deere Owner Trust 2022-A A3 2.32% Due 9/16/2026	5,399.11	157.99	5,557.10
07/15/2024	Paydown	47789QAC4	57,890.66	John Deere Owner Trust 2021-B A3 0.52% Due 3/16/2026	2,894.93	11.29	2,906.22
07/15/2024	Paydown	58770AAC7	105,000.00	Mercedes-Benz Auto Receivable 2023-1 A3 4.51% Due 11/15/2027	0.00	394.63	394.63

Cash Flow Report

As of July 31, 2023



Payment Date	Transaction Type	CUSIP	Quantity	Security Description	Principal Amount	Income	Total Amount
07/15/2024	Paydown	89238FAD5	115,000.00	Toyota Auto Receivables OT 2022-B A3 2.93% Due 9/15/2026	5,453.98	175.21	5,629.19
07/16/2024	Paydown	362583AD8	115,000.00	GM Auto Receivable Trust 2023-2 A3 4.47% Due 2/16/2028	0.00	428.38	428.38
07/16/2024	Paydown	36265WAD5	90,000.00	GM Financial Securitized Auto 2022-3 A3 3.64% Due 4/16/2027	4,912.33	228.58	5,140.91
07/17/2024	Interest	61747YET8	175,000.00	Morgan Stanley Callable Note Cont 7/17/2025 4.679% Due 7/17/2026	0.00	4,094.13	4,094.13
07/18/2024	Paydown	43815PAC3	105,000.00	Honda Auto Receivables 2022-2 A3 3.73% Due 7/20/2026	5,519.64	257.79	5,777.43
07/20/2024	Paydown	92290BAA9	10,480.84	Verizon Owner Trust 2020-B A 0.47% Due 2/20/2025	552.06	1.73	553.79
07/21/2024	Paydown	43815GAC3	82,866.70	Honda Auto Receivables Trust 2021-4 A3 0.88% Due 1/21/2026	4,363.44	25.62	4,389.06
07/21/2024	Paydown	43815JAC7	70,000.00	Honda Auto Receivables Owner 2023-1 A3 5.04% Due 4/21/2027	0.00	294.00	294.00
07/25/2024	Paydown	05602RAD3	300,000.00	BMW Vehicle Owner Trust 2022-A A3 3.21% Due 8/25/2026	16,108.63	204.23	16,312.86
07/25/2024	Paydown	3137FETN0	465,000.00	FHLMC K073 A2 3.35% Due 1/25/2028	0.00	1,298.13	1,298.13
07/25/2024	Paydown	05593AAC3	40,000.00	BMW Vehicle Lease Trust 2023-1 A3 5.16% Due 11/25/2025	3,946.55	155.09	4,101.64
07/25/2024	Paydown	3137BNGT5	500,000.00	FHLMC K054 A2 2.745% Due 1/25/2026	0.00	1,143.75	1,143.75
JUL 2024					112,949.84	24,520.01	137,469.85
TOTAL					12,316,133.37	687,120.83	13,003,254.20



Chandler Asset Management, Inc. ("Chandler") is an SEC registered investment adviser. For additional information about our firm, please see our current disclosures (Form ADV). To obtain a copy of our current disclosures, you may contact your client service representative by calling the number on the front of this statement or you may visit our website at www.chandlerasset.com.

Information contained in this monthly statement is confidential and is provided for informational purposes only and should not be construed as specific investment or legal advice. The information contained herein was obtained from sources believed to be reliable as of the date of this statement, but may become outdated or superseded at any time without notice.

Custody: Your qualified custodian bank maintains control of all assets reflected in this statement and we urge you to compare this statement to the one you receive from your qualified custodian. Chandler does not have any authority to withdraw or deposit funds from/to the custodian account.

Valuation: Prices are provided by IDC, an independent pricing source. In the event IDC does not provide a price or if the price provided is not reflective of fair market value, Chandler will obtain pricing from an alternative approved third party pricing source in accordance with our written valuation policy and procedures. Our valuation procedures are also disclosed in Item 5 of our Form ADV Part 2A.

Performance: Performance results are presented gross-of-advisory fees and represent the client's Total Return. The deduction of advisory fees lowers performance results. These results include the reinvestment of dividends and other earnings. Past performance may not be indicative of future results. Therefore, clients should not assume that future performance of any specific investment or investment strategy will be profitable or equal to past performance levels. All investment strategies have the potential for profit or loss. Economic factors, market conditions or changes in investment strategies, contributions or withdrawals may materially alter the performance and results of your portfolio.

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Index returns assume reinvestment of all distributions. Historical performance results for investment indexes generally do not reflect the deduction of transaction and/or custodial charges or the deduction of an investment management fee, the incurrence of which would have the effect of decreasing historical performance results. It is not possible to invest directly in an index.

Ratings: Ratings information have been provided by Moody's, S&P and Fitch through data feeds we believe to be reliable as of the date of this statement, however we cannot guarantee its accuracy.

Security level ratings for U.S. Agency issued mortgage-backed securities ("MBS") reflect the issuer rating because the securities themselves are not rated. The issuing U.S. Agency guarantees the full and timely payment of both principal and interest and carries a AA+/Aaa/AAA by S&P, Moody's and Fitch respectively.



CITY of GARDENA

TO: THE HONORABLE MAYOR AND CITY COUNCIL
SUBJECT: PERSONNEL REPORT

1. Report the Promotion of the following individuals:
 - a. **MICHIHIKO NAKAI** to the position of Police Records Technician I, Schedule 38, (\$4,270 - \$5,450/month), with the Police Department, effective July 23, 2023.
 - b. **GABRIEL JIMENEZ** to the position of Code Enforcement Supervisor, Schedule 58, (\$6,999 - \$8,932/month), with the Community Development Department, effective July 24, 2023.
 - c. **RENE LOPEZ** to the position of Police Sergeant, Schedule 203, (\$10,094 - \$12,883/month), with the Police Department, effective August 3, 2023.
 - d. **MARVIN POZ** to the position of Lead Mechanic, Schedule 51, (\$5,887 - \$7,514/month) in the Public Works Department, effective August 7, 2023.
 - e. **CRYSTAL CONTRERAS** to the position of Customer Service Clerk I, Schedule 29, (\$3,419 - \$4,365/month) in the City Clerk's Office, effective August 14, 2023.
2. Report the Separation of **DAMIAN COLE**, Police Officer with the Police Department, effective August 9, 2023. Mr. Cole provided 10 months of service to the City.
3. Report the end of Full Time Appointment for **ELFEGA RODRIGUEZ**, Family Child Care Program Assistant II, of the Recreation and Human Services Department, effective August 8, 2023. Ms. Rodriguez has provided the City with 5.25 years of full time service to the City.
4. Report the medical leave of the following individuals:
 - a. Police Officer, **MICHAEL NGUYEN**, of the Police Department, effective May 21, 2023.
 - b. Police Officer, **MATTHEW PECH**, of the Police Department, effective July 5, 2023.
 - c. Administrative Coordinator, **MELYSSA HUTAURUK**, of the Transportation Department, effective August 4, 2023.
5. Report the Recruitment for the Open/Competitive position of Geriatric Aide (Recreation and Human Services Department). This recruitment is open until filled.
6. Report the Recruitment for the Open/Competitive position of On-Demand (Micro/Paratransit) Operator (Transportation Department). This recruitment is scheduled to close August 29, 2023.

7. Report the Recruitment for the Open/Competitive position of On-Demand Transit Dispatcher (Transportation Department). This recruitment is scheduled to close August 29, 2023.
8. Report the Recruitment for the Open/Competitive position of Police Officer/Lateral (Police Department). This is a continuous recruitment.
9. Report the Recruitment for the Open/Competitive position of Police Trainee (Police Department). This is a continuous recruitment.
10. Report the Recruitment for the Open/Competitive position of Recreation Leader I/II (Recreation and Human Services Department). This is a continuous recruitment.
11. Report the Recruitment for the Open/Competitive position of Transit Mechanic (Transportation Department). This recruitment is open until filled.
12. Report the Recruitment for the Open/Competitive position of Transit Training and Safety Supervisor (Transportation Department). This recruitment is open until filled.
13. Report the Recruitment for the Open/Competitive position of Transit Transportation Operations Supervisor (Transportation Department). This recruitment is open until filled.



City of Gardena
Gardena City Council Meeting
AGENDA REPORT SUMMARY

Agenda Item No. 8.H
Section: CONSENT CALENDAR
Meeting Date: August 22, 2023

TO: THE HONORABLE MAYOR AND MEMBERS OF THE GARDENA CITY COUNCIL

AGENDA TITLE: Ratification of Amendment to Blanket Purchase Order for Shige's Foreign Car Service, Inc. from \$50,000 to \$80,000 to Pay for Vehicle Maintenance Services for Fiscal Year 2022-2023

CONTACT: POLICE DEPARTMENT

COUNCIL ACTION REQUIRED:

RECOMMENDATION AND STAFF SUMMARY:

On July 26, 2022, City Council approved a blanket purchase order for Shige's Foreign Car Service, Inc. in the amount of \$50,000 to pay for vehicle maintenance services for the Police Department fleet for Fiscal Year 2022-2023.

With the rise in prices for vehicles parts and maintenance services the department is requesting additional funding for the vehicle maintenance cost allocation for the FY22-23 budget.

The department has exceeded the original blanket purchase order request by \$30,000. Therefore, we are requesting a ratification of the original blanket purchase order amount from \$50,000 to \$80,000 for Fiscal Year 2022-2023.

FINANCIAL IMPACT/COST:

General Fund - \$30,000 for Fiscal Year 2022-2023

ATTACHMENTS:

APPROVED:

Clint Osorio, City Manager



City of Gardena

Gardena City Council Meeting

AGENDA REPORT SUMMARY

Agenda Item No. 8.I
Section: CONSENT CALENDAR
Meeting Date: August 22, 2023

TO: THE HONORABLE MAYOR AND MEMBERS OF THE GARDENA CITY COUNCIL

AGENDA TITLE: Approve the revised Agreement for Streetlighting Maintenance between the City of Gardena and the City of Los Angeles related to the Traffic Signal Reconstruction Project on Vermont Avenue at Redondo Beach Boulevard and Rosecrans Avenue Project, JN 930.

CONTACT: PUBLIC WORKS

COUNCIL ACTION REQUIRED:

RECOMMENDATION AND STAFF SUMMARY:

On April 11, 2023, the City Council of Gardena approved the original Agreement for Streetlighting Maintenance. This agreement was provided to the City of Gardena by City of Los Angeles-Bureau of Street Lights personnel as a standard form they have been using. However, when the signed agreement was given back to the City of Los Angeles, their legal department had further comments after City of Los Angeles staff had represented the agreement was ready for Gardena signature. The comments will result in changes that will remove the option to add or delete Street Lights to the agreement through attached exhibits. The City of Gardena's scope and responsibilities on the revised agreement will remain the same regardless of the changes.

Staff recommends that the City Council approve the revised Agreement for Streetlighting Maintenance between the City of Gardena and the City of Los Angeles in a form approved by the City Attorney.

FINANCIAL IMPACT/COST:

There will be no financial impact on the City of Gardena's Traffic Signal Maintenance cost as the 50/50 cost-sharing arrangement with the City of Los Angeles remains.

ATTACHMENTS:

[Original_Agreement_for_Streetlighting_Maintenance_between_COG___COLAsignedbyCA.pdf](#)

[Revised Street Lighting Maintenance Agreement.pdf](#)

[Vermont Traffic Signal Project Exhibit.pdf](#)

APPROVED:

A handwritten signature in blue ink, appearing to read "Clint Osorio". The signature is fluid and cursive, with a period at the end.

Clint Osorio, City Manager

**BOARD OF PUBLIC WORKS
MEMBERS**

AURA GARCIA
PRESIDENT

M. TERESA VILLEGAS
VICE PRESIDENT

DR. MICHAEL R. DAVIS
PRESIDENT PRO TEMPORE

VAHID KHORSAND
COMMISSIONER

SUSANA REYES
COMMISSIONER

DR. FERNANDO CAMPOS
EXECUTIVE OFFICER

CITY OF LOS ANGELES

CALIFORNIA



KAREN BASS
MAYOR

**DEPARTMENT OF
PUBLIC WORKS**

**BUREAU OF
STREET LIGHTING**

MIGUEL SANGALANG
EXECUTIVE DIRECTOR

1149 S. BROADWAY, SUITE 200
LOS ANGELES, CA 90015-2213

<http://bsl.lacity.org>

E-mail: bsl.streetlighting@lacity.org

AGREEMENT FOR STREET LIGHTING MAINTENANCE

The City of Gardena, a municipal corporation, hereinafter referred to as "Gardena", and the City of Los Angeles, a municipal corporation. Hereinafter referred to as "Los Angeles", do enter into the following agreement:

WHEREAS, GARDENA and LOS ANGELES desire to provide for the maintenance of certain street lighting installations at locations which are partially or wholly under jurisdiction of one or both of the parties hereto, and to arrange herein for the particular maintenance functions to be performed and to specify the proportioning of the cost of such maintenance;

WHEREAS, this agreement supersedes all previous agreements for operation and maintenance of street lighting; and

WHEREAS, in order to effectively identify the equipment and services included under this agreement, the following definitions shall apply:

Equipment: Any lighting constructed or installed for the prime purpose of illuminating the roadway for traffic safety; including electroliers (whether supporting traffic signals or not), streetlights on traffic signal standards, streetlights on brackets installed on wooden power poles, and soffit lighting.

Service: Relamping, furnishing of electrical energy and painting of electroliers and luminaires as required, and the repair or replacement of roadway lighting equipment due to obsolescence, wear, inadequacy, or extensive damage from any cause. Service does not include any work on traffic signals.

Now, THEREFORE, it is mutually agreed as follows:

1. Gardena will furnish all required service at all locations in APPENDIX "B", Los Angeles will furnish all required service at all locations shown in APPENDIX "A".
2. Gardena and Los Angeles will share the expense of such service rendered at each intersection in the same proportion as the number of legs or percentage of legs of an intersection of Gardena and Los Angeles jurisdiction respectively, bears to the total number of legs of each intersection.
3. Gardena and Los Angeles will share the expense of such service rendered along a street segment in the same proportion of dedicated roadway within each respective City or as mutually agreed upon between the City Engineer, City of Gardena, and Director, Bureau of Street Lighting, City of Los Angeles.
4. Bills for all services shall be rendered quarterly. Bills for service shall utility company charges and an itemization of all other costs, including labor, equipment and material

costs. Current percentages may be added to salaries and wages for department administration and overhead. These percentages, if added, shall be shown as separate items on the bill for services.

5. Changes in APPENDIX "A" or APPENDIX "B" may be initiated by either party hereto, and shall become valid upon written notice and concurrence between the City Engineer, City of Gardena, and the Director, Bureau of Street Lighting, City of Los Angeles.
6. In contemplation of the provisions of Section 895.2 of the Government Code of the State of California imposing certain tort liability jointly upon public entities solely by reason of such entities being parties to an agreement as defined in Section 895 of said Code, the parties hereto as between themselves, pursuant to the authorization contained in Sections 895.4 and 895.6 of said Code, will each assume the full liability imposed upon it, or any of its officers, agents or employees by law for injury caused by a negligent or wrongful act or omission occurring in the performance of this agreement the same extent that such a liability would be imposed in the absence of Section 895.2 of said Code. To achieve the above stated purpose, each party indemnifies and holds harmless the other party for any loss, cost or expense that may be imposed upon such other party solely by virtue of said Section 895.2 The rules set forth in Civil Code Section 2778 are hereby made a part of this agreement.
7. This agreement may be terminated upon thirty days written notice by either party.
8. This agreement shall become effective upon its execution by both parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused their names to be subscribed by their officers duly authorized so to do the day and your first hereinabove written.

The City of Los Angeles,
Board of Public Works:

By _____
President

APPROVED AS TO FORM:
Michael N. Feuer, City Attorney

By _____
Ted Jordan
Deputy City Attorney

By _____
Commissioner

ATTEST:

Holly L. Wolcott, City Clerk

By _____
Deputy City Clerk

The City of Gardena:

By _____
Mayor

Attest:

By _____
City Clerk

Approved as to Form:

By _____
City Attorney

ABBREVIATIONS FOR APPENDIX "A" & "B"

Abbreviation

- LED –Light Emitting Diode (in Watts)
- HPS – High Pressure Sodium (in Watts)
- WP – Los Angeles Department of Water and Power
- E – Southern California Edison Company
- LS-1 – Utility Owned Billing Rate
- LS-2 – Customer Owned, Electrolier Billing Rate
- LS-3 – Special Electrolier Billing Rates

AGREEMENT FOR STREET LIGHTING MAINTENANCE

APPENDIX A

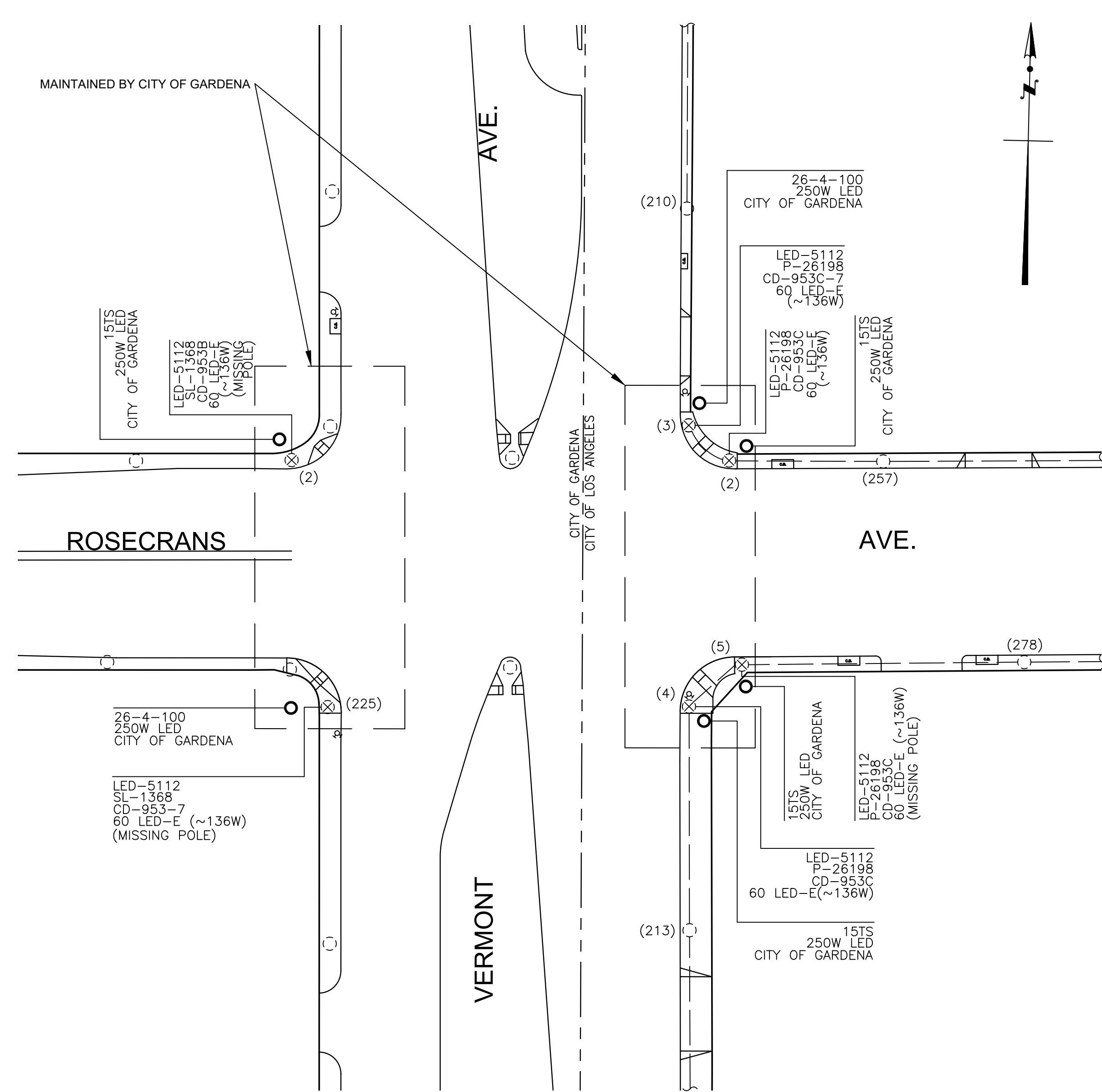
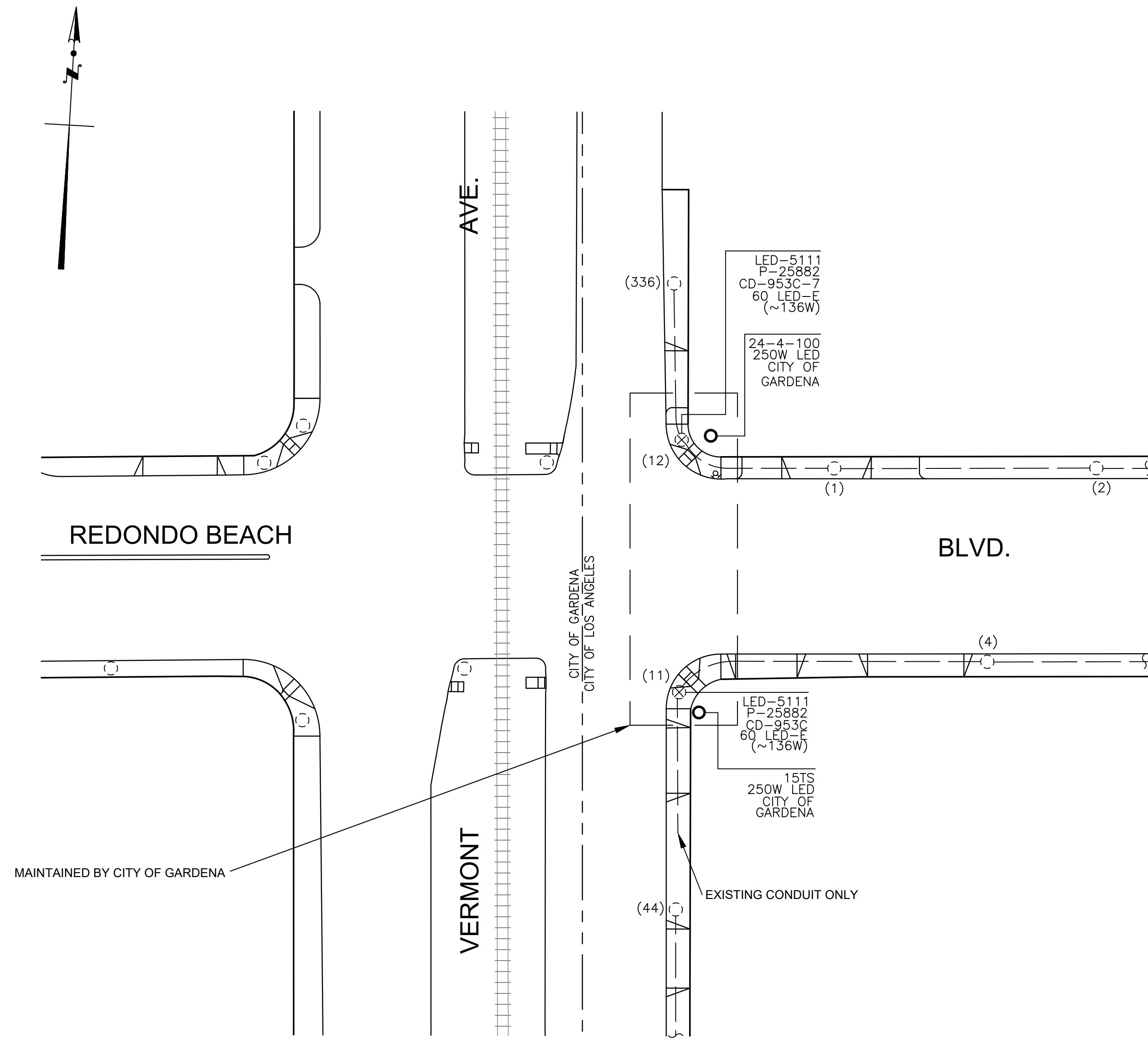
CITY OF GARDENA - CITY OF LOS ANGELES STREET LIGHT MAINTENANCE AGREEMENT CITY OF LOS ANGELES MAINTAINED

	Luminaire Number	Lamp Size & Type	Serv. Co. & Billing Schedule	City of Gardena Share	L.A. Share	
Table left blank for Future Amendment						

APPENDIX B

CITY OF GARDENA - CITY OF LOS ANGELES STREET LIGHT MAINTENANCE AGREEMENT CITY OF GARDENA MAINTAINED

	Luminaire	Lamp Size & Type	Serv. Co. & Billing Schedule	City of Gardena Share	L.A. Share	
Redondo Beach and Vermont Ave (See drawing #1)	N/E corner	250WLED		100%	0%	
	E/S Vermont Ave 1 S/O Redondo Blvd	250WLED		100%	0%	
Rosecrans Ave and Vermont Ave (See drawing #1)	N/S Rosecrans 1 W/O Vermont	250WLED		0%	0%	(does not exist)
	W/S Vermont Ave 1 S/O Rosecrans Ave	250WLED		0%	0%	(does not exist)
	E/S Vermont Ave 1 N/O Rosecrans Ave	250WLED		100%	0%	
	N/S Rosecrans Ave 1 E/O Vermont Ave	250WLED		100%	0%	
	S/S Rosecrans Ave 1 E/O Vermont Ave	250WLED		100%	0%	
	E/S Vermont Ave 1 S/O Rosecrans Ave	250WLED		100%	0%	



GENERAL IMPROVEMENT
 VERMONT AVE. AT ROSECRANS AVE. & REDONDO BEACH BLVD.
 BR-600532

<p>PLANS PREPARED BY:</p> <p>1700 Carnegie Avenue, Suite 100 Santa Ana, CA 92705-5551</p> <p>Phone: (949) 270-9480 Fax: (949) 270-9481</p> <p><i>[Signature]</i> SIGNATURE</p> <p>10/24/22 DATE</p>	<p>REGISTERED PROFESSIONAL ENGINEER PAUL FRISLIE No. 72982 12/31/24 STATE OF CALIFORNIA</p>	<p>SCALE OF ORIGINAL PLAN: 1" = 40'</p> <p>SHEET 6 OF 9 SHEET(S)</p> <p>INDEX NUMBER</p>
---	---	--

**BOARD OF PUBLIC WORKS
MEMBERS**

AURA GARCIA
PRESIDENT

M. TERESA VILLEGAS
VICE PRESIDENT

DR. MICHAEL R. DAVIS
PRESIDENT PRO TEMPORE

VAHID KHORSAND
COMMISSIONER

SUSANA REYES
COMMISSIONER

DR. FERNANDO CAMPOS
EXECUTIVE OFFICER

CITY OF LOS ANGELES

CALIFORNIA



KAREN BASS
MAYOR

**DEPARTMENT OF
PUBLIC WORKS**

**BUREAU OF
STREET LIGHTING**

MIGUEL SANGALANG
EXECUTIVE DIRECTOR

1149 S. BROADWAY, SUITE 200
LOS ANGELES, CA 90015-2213

<http://bsl.lacity.org>

E-mail: bsl.streetlighting@lacity.org

AGREEMENT FOR STREET LIGHTING MAINTENANCE

The City of Gardena, a municipal corporation, hereinafter referred to as "Gardena", and the City of Los Angeles, a municipal corporation. Hereinafter referred to as "Los Angeles", do enter into the following agreement:

WHEREAS, Gardena and Los Angeles desire to provide for the maintenance of certain street lighting installations at locations which are partially or wholly under jurisdiction of one or both of the parties hereto, and to arrange herein for the particular maintenance functions to be performed and to specify the proportioning of the cost of such maintenance;

WHEREAS, this agreement supersedes all previous agreements for operation and maintenance of street lighting; and

WHEREAS, in order to effectively identify the equipment and services included under this agreement, the following definitions shall apply:

Equipment: Any lighting constructed or installed for the prime purpose of illuminating the roadway for traffic safety; including electroliers (whether supporting traffic signals or not), streetlights on traffic signal standards, streetlights on brackets installed on wooden power poles, and soffit lighting.

Service: Relamping, furnishing of electrical energy and painting of electroliers and luminaires as required, and the repair or replacement of roadway lighting equipment due to obsolescence, wear, inadequacy, or extensive damage from any cause. Service does not include any work on traffic signals.

Now, THEREFORE, it is mutually agreed as follows:

1. Gardena will furnish all required Service at all locations in APPENDIX "B", Los Angeles will furnish all required Service at all locations shown in APPENDIX "A".
2. Gardena and Los Angeles will share the expense of such Service rendered at each intersection in the same proportion as the number of legs or percentage of legs of an intersection of Gardena and Los Angeles jurisdiction respectively, bears to the total number of legs of each intersection.
3. Gardena and Los Angeles will share the expense of such Service rendered along a street segment in the same proportion of dedicated roadway within each respective City or as mutually agreed upon between the City Engineer, City of Gardena, and Director, Bureau of Street Lighting, City of Los Angeles.
4. Bills for all services shall be rendered quarterly. Bills for service shall show utility company charges and an itemization of all other costs, including labor, equipment

and material costs. Current percentages may be added to salaries and wages for department administration and overhead. These percentages, if added, shall be shown as separate items on the bill for services.

5. Non-Material changes in APPENDIX "A" or APPENDIX "B" may be initiated by either party hereto, and shall become valid upon written notice and concurrence between the City Engineer, City of Gardena, and the Director, Bureau of Street Lighting, City of Los Angeles. Material changes, including streets and intersections, must be incorporated into this agreement by written amendment and properly executed by both parties.
6. In contemplation of the provisions of Section 895.2 of the Government Code of the State of California imposing certain tort liability jointly upon public entities solely by reason of such entities being parties to an agreement as defined in Section 895 of said Code, the parties hereto as between themselves, pursuant to the authorization contained in Sections 895.4 and 895.6 of said Code, will each assume the full liability imposed upon it, or any of its officers, agents or employees by law for injury caused by a negligent or wrongful act or omission occurring in the performance of this agreement the same extent that such a liability would be imposed in the absence of Section 895.2 of said Code. To achieve the above stated purpose, each party indemnifies and holds harmless the other party for any loss, cost or expense that may be imposed upon such other party solely by virtue of said Section 895.2 The rules set forth in Civil Code Section 2778 are hereby made a part of this agreement.
7. This agreement may be terminated upon thirty days written notice by either party.
8. This agreement shall become effective upon its execution by both parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused their names to be subscribed by their officers duly authorized so to do the day and your first hereinabove written.

APPROVED AS TO FORM:
Hydee Feldstein Soto, City Attorney

By _____
Tanea Ysaguirre
Deputy City Attorney

ATTEST:

Holly L. Wolcott, City Clerk

By _____
Deputy City Clerk

The City of Los Angeles,
Board of Public Works:

By _____
President

By _____
Commissioner

The City of Gardena:

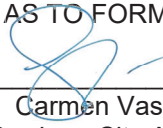
By _____
Mayor

ATTEST:

Mina Semenza, Gardena City Clerk

By _____
City Clerk

APPROVED AS TO FORM:

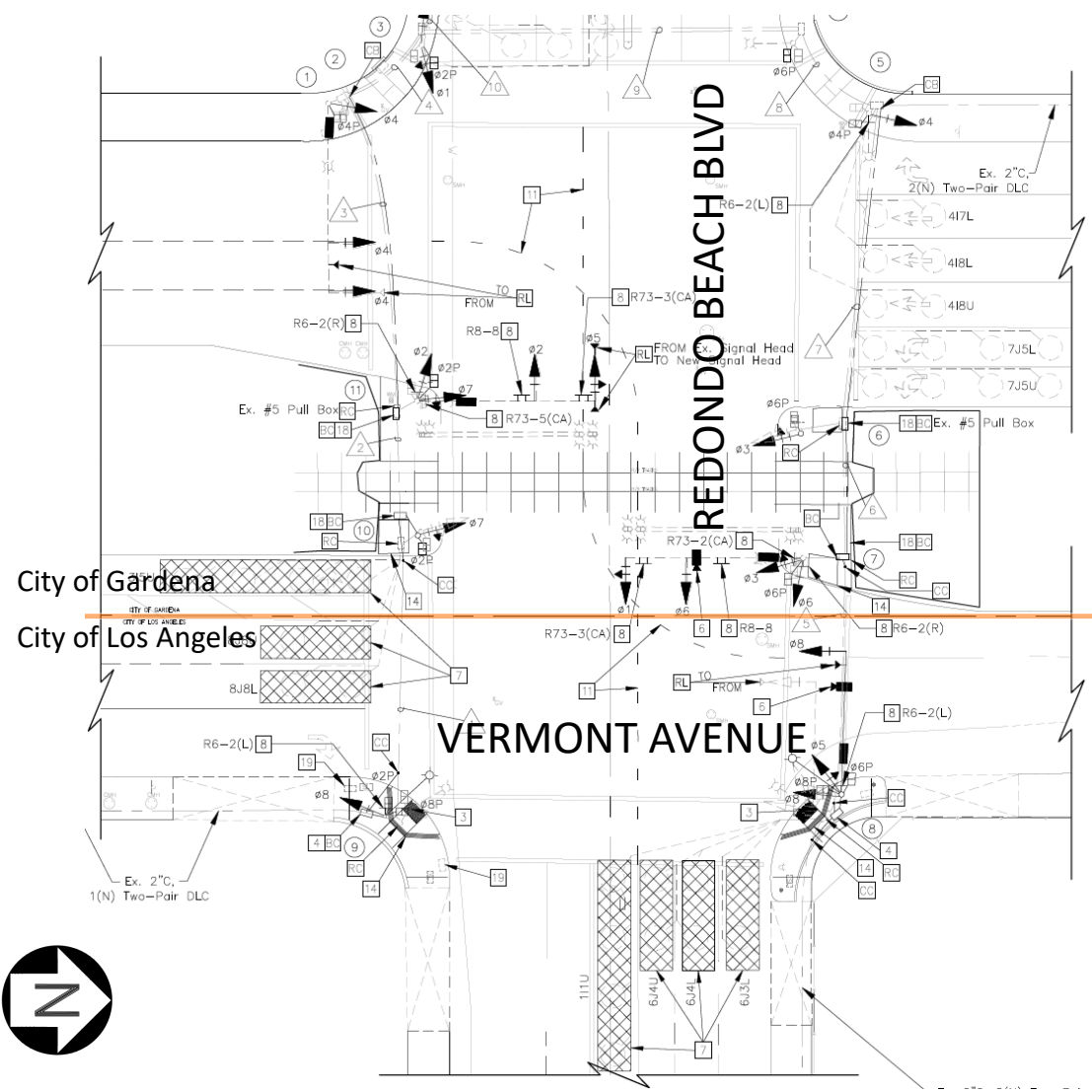
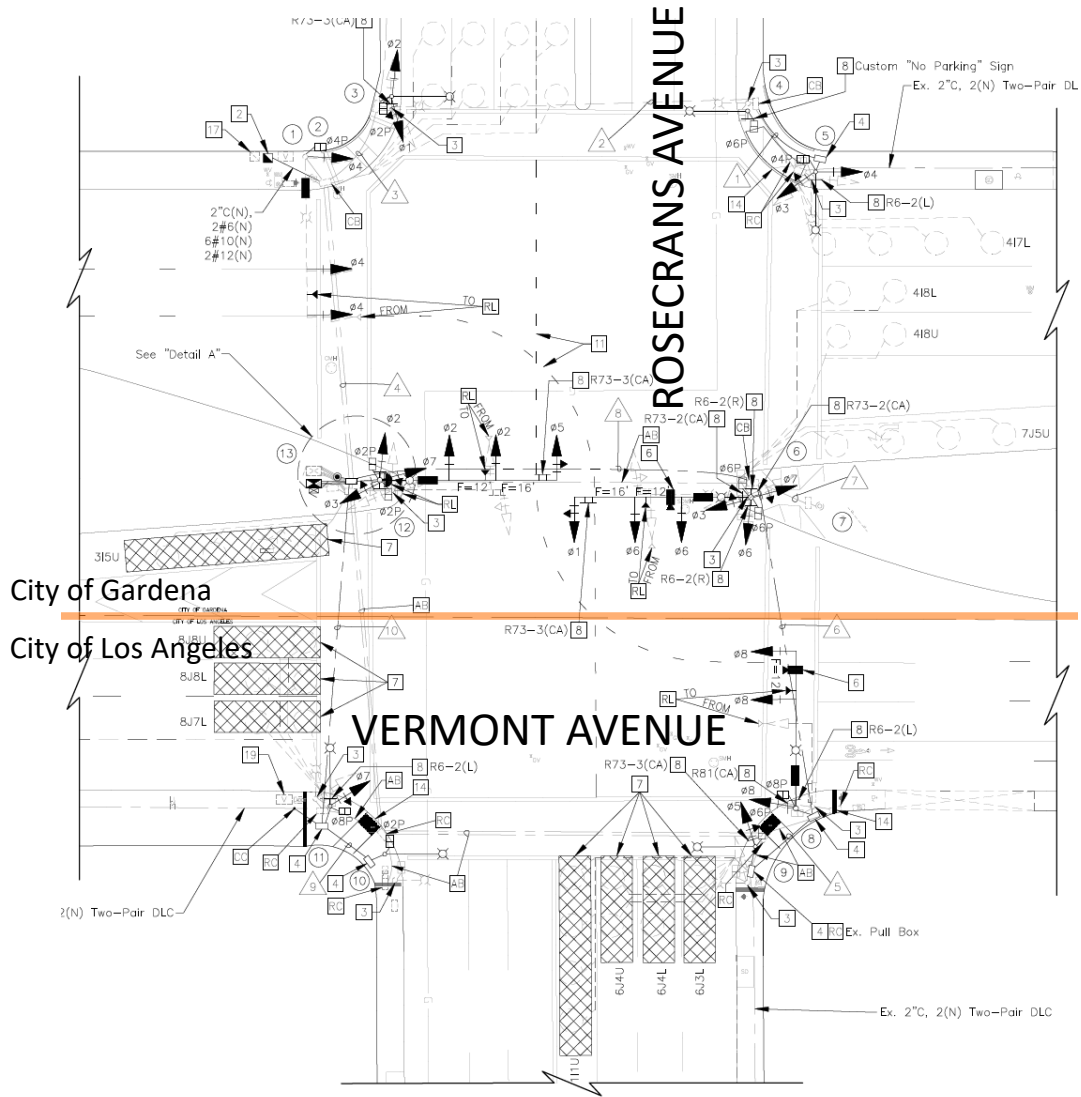
By _____

Carmen Vasquez
Gardena City Attorney

ABBREVIATIONS FOR APPENDIX "A" & "B"

Abbreviation

LED –Light Emitting Diode (in Watts)
HPS – High Pressure Sodium (in Watts)
WP – Los Angeles Department of Water and Power
E – Southern California Edison Company
LS-1 – Utility Owned Billing Rate
LS-2 – Customer Owned, Electrolier Billing Rate
LS-3 – Special Electrolier Billing Rates

TRAFFIC SIGNAL UPGRADE PROJECT – JN 930



TRAFFIC SIGNAL UPGRADE PROJECT – ROSECRANS AVE & S VERMONT AVE



(Existing streetlight with traffic and pedestrian head.)



(New traffic signal pole with lighting fixture installed)

New Gardena Traffic Signal System w/ top lighting fixture are to replace existing City of Los Angeles streetlights. New curb ramps are to be installed along with signal lights.

TRAFFIC SIGNAL UPGRADE PROJECT – W REDONDO BEACH BLVD & S VERMONT AVE



(Existing streetlight with traffic and pedestrian head.)



(New traffic signal pole with lighting fixture installed)

New Gardena Traffic Signal System w/ top lighting fixture are to replace existing City of Los Angeles streetlights. New curb ramps are to be installed along with signal lights.



City of Gardena

Gardena City Council Meeting

AGENDA REPORT SUMMARY

Agenda Item No. 8.J
Section: CONSENT CALENDAR
Meeting Date: August 22, 2023

TO: THE HONORABLE MAYOR AND MEMBERS OF THE GARDENA CITY COUNCIL

AGENDA TITLE: Approval of Final Tract Map No. 82437

CONTACT: PUBLIC WORKS

COUNCIL ACTION REQUIRED:

RECOMMENDATION AND STAFF SUMMARY:

Staff respectfully recommends that the City Council:

1. Find the final map complies with the Subdivision Map Act and the Subdivision Ordinance of the City.
2. Find the final map in compliance and consistent with the previously approved tentative map.
3. Approve the final tract map.

On May 22, 2022, the Planning and Environmental Quality Commission approved tentative Tract Map 82437. The approved tentative tract map incorporated all requirements of the City of Gardena, including the Planning and Environmental Quality Commission. The final map has been checked by the City Surveyor for compliance with the State Subdivision Map Act, the City of Gardena Public Works Department for compliance with local requirements, and Community Development Department for compliance with Land Use General plan Requirements, and the City Treasurer for outstanding assessments.

All departments have reviewed the map and did not find any violations. The map is acceptable and ready for recordation. This map can be found on file in Engineering.

FINANCIAL IMPACT/COST:

N/A

ATTACHMENTS:

[Tract Map 82437.pdf](#)

APPROVED:

A handwritten signature in blue ink, appearing to read "Clint Osorio". The signature is fluid and cursive, with a period at the end.

Clint Osorio, City Manager

1 NUMBERED LOT
31,899 S.F. GROSS
31,299 S.F. NET

VESTING TRACT NO. 82437

SHEET 1 OF 3 SHEETS

IN THE CITY OF GARDENA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
BEING A SUBDIVISION OF A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHEAST
QUARTER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 14
SAN BERNARDINO MERIDIAN, ACCORDING TO THE OFFICIAL PLAT OF SAID LAND FILED IN
THE DISTRICT LAND OFFICE ON APRIL 22, 1868.

EDWARD L. REYNOLDS
L.S. 7725



DATE OF SURVEY:
JULY 2018

FOR CONDOMINIUM PURPOSES

OWNER'S STATEMENT

WE HEREBY STATE THAT WE ARE THE OWNERS OF OR ARE INTERESTED IN THE LANDS INCLUDED WITHIN THE SUBDIVISION SHOWN ON THIS MAP WITHIN THE DISTINCTIVE BORDER LINES, AND WE CONSENT TO THE PREPARATION AND FILING OF SAID MAP AND SUBDIVISION.

WE HEREBY DEDICATE TO THE PUBLIC USE ALL STREETS, HIGHWAYS AND OTHER PUBLIC WAYS SHOWN ON SAID MAP.

WE HEREBY DEDICATE TO THE CITY OF GARDENA, A 15.5-FOOT WIDE EASEMENT FOR PUBLIC UTILITY PURPOSES SO DESIGNATED ON SAID MAP AND ALL USES INCIDENT THERETO, INCLUDING THE RIGHT TO MAKE CONNECTIONS THERewith FROM ANY ADJOINING PROPERTIES.

OWNER: MARINE PLACE, LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: [Signature] BY: _____
NAME: Hubert Gardner NAME: _____
TITLE: DRAINAGE MEMBER TITLE: _____

NOTARY ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA }
COUNTY OF Los Angeles } SS

ON May 31st, 2023, BEFORE ME, Madison Rose Gardner, Notary Public
PERSONALLY APPEARED Hubert Gardner

_____, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:

SIGNATURE [Signature] MY PRINCIPAL PLACE OF BUSINESS IS
NOTARY PUBLIC IN AND FOR SAID STATE IN Los Angeles COUNTY
Madison Rose Gardner MY COMMISSION NO. 2293204
(NAME PRINTED) MY COMMISSION EXPIRES June 15th, 2023

BENEFICIARY

BANNER BANK, A WASHINGTON STATE CHARTERED COMMERCIAL BANK, BENEFICIARY UNDER DEED OF TRUST RECORDED MAY 24, 2023 AS INSTRUMENT NO. 20230338809 OF OFFICIAL RECORDS.

BY: [Signature] BY: _____
NAME: Adam Young NAME: _____
TITLE: VP TITLE: _____

NOTARY ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF CALIFORNIA }
COUNTY OF Orange } SS

ON June 2nd, 2023, BEFORE ME, Madison Rose Gardner, Notary Public
PERSONALLY APPEARED Adam Young

_____, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:

SIGNATURE [Signature] MY PRINCIPAL PLACE OF BUSINESS IS
NOTARY PUBLIC IN AND FOR SAID STATE IN Los Angeles COUNTY
Madison Rose Gardner MY COMMISSION NO. 2293204
(NAME PRINTED) MY COMMISSION EXPIRES June 15th, 2023

SIGNATURE OMISSIONS

THE SIGNATURES OF THE PARTIES NAMED HEREINAFTER AS OWNER OF THE INTEREST SET FORTH HAVE BEEN OMITTED UNDER THE PROVISIONS OF SECTION 66436(a)(3)(A)(i-viii) OF THE SUBDIVISION MAP ACT. THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE TITLE, AND SAID SIGNATURES ARE NOT REQUIRED BY THE LOCAL AGENCY:

RONALD V. FRANCE HOLDER OF AN EASEMENT FOR PARKING AND INCIDENTAL PURPOSES PER DOCUMENT RECORDED OCTOBER 28, 2022 AS INSTRUMENT NO. 20221025787 OF OFFICIAL RECORDS.

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF MARINE PLACE, LLC, ON JULY 5TH, 2018. I HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS BEFORE TWENTY-FOUR MONTHS FROM THE FILING DATE OF THIS MAP, AND THAT THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP; AND THAT TIE NOTES FOR ALL CENTERLINE MONUMENTS ARE, OR WILL BE, ON FILE IN THE OFFICE OF THE CITY ENGINEER WITHIN TWENTY-FOUR MONTHS FROM THE FILING DATE SHOWN HEREON. I HEREBY STATE THAT SAID SURVEY IS TRUE AND COMPLETE AS SHOWN.

[Signature]
EDWARD L. REYNOLDS
L.S. 7725

5/26/23
DATE

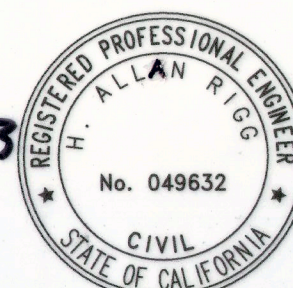


CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP; THAT THE SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF; THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND OF ANY LOCAL SUBDIVISION ORDINANCES OF THE CITY OF GARDENA APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH.

[Signature]
H. ALLAN RIGG
DIRECTOR OF PUBLIC WORKS
CITY ENGINEER
R.C.E. 049632

7/24/23
DATE

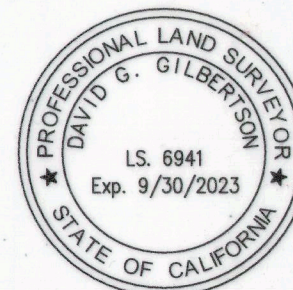


CITY SURVEYOR'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

[Signature]
DAVID G. GILBERTSON
CITY SURVEYOR, CITY OF GARDENA
L.S. NO. 6941

6/5/22
DATE



CITY CLERK'S CERTIFICATE

I HEREBY CERTIFY THAT THE CITY COUNCIL OF THE CITY OF GARDENA ON _____ APPROVED THIS MAP. SAID COUNCIL DID ACCEPT ON BEHALF OF THE PUBLIC ALL STREETS, HIGHWAYS, AND OTHER PUBLIC WAYS SHOWN ON SAID MAP. SAID COUNCIL DID ALSO ACCEPT ON BEHALF OF THE CITY, THE 15.5-FOOT WIDE EASEMENT FOR PUBLIC UTILITY PURPOSES SO DESIGNATED ON SAID MAP.

CITY CLERK, CITY OF GARDENA DATE

SPECIAL ASSESSMENT STATEMENT

I HEREBY STATE THAT ALL SPECIAL ASSESSMENTS LEVIED UNDER THE JURISDICTION OF THE CITY OF GARDENA, TO WHICH THE LAND INCLUDED IN THE WITHIN SUBDIVISION OR ANY PART THEREOF IS SUBJECT, AND WHICH MAY BE PAID IN FULL, HAVE BEEN PAID IN FULL.

[Signature]
CITY TREASURER, CITY OF GARDENA

06/02/2023
DATE

LOS ANGELES COUNTY TAX CERTIFICATES

I HEREBY CERTIFY THAT SECURITY IN THE AMOUNT OF \$ _____ HAS BEEN FILED WITH THE EXECUTIVE OFFICER, BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES AS SECURITY FOR THE PAYMENT OF TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES ON THE LAND SHOWN ON MAP OF TRACT NO. 82437 AS REQUIRED BY LAW.

EXECUTIVE OFFICER, BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BY _____ DEPUTY DATE

I HEREBY CERTIFY THAT ALL CERTIFICATES HAVE BEEN FILED AND DEPOSITS HAVE BEEN MADE THAT ARE REQUIRED UNDER THE PROVISIONS OF SECTIONS 66492 AND 66493 OF THE SUBDIVISION MAP ACT.

EXECUTIVE OFFICER, BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BY _____ DEPUTY DATE

CONDOMINIUM NOTE

THIS SUBDIVISION IS APPROVED AS A CONDOMINIUM PROJECT FOR 22 UNITS, WHEREBY THE OWNERS OF THE UNITS OF AIR SPACE WILL HOLD AN UNDIVIDED INTEREST IN THE COMMON AREAS OF LOT 1 WHICH WILL, IN TURN, PROVIDE THE NECESSARY ACCESS AND UTILITY EASEMENTS FOR THE UNITS.

VESTING TRACT NO. 82437

IN THE CITY OF GARDENA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

EDWARD L. REYNOLDS
L.S. 7725



DATE OF SURVEY:
JULY 2018

FOR CONDOMINIUM PURPOSES

LEGEND

● — INDICATES THE BOUNDARY OF THE LAND BEING SUBDIVIDED BY THIS MAP.

BASIS OF BEARINGS

THE BEARINGS SHOWN HEREON ARE BASED ON THE BEARING OF THE CENTERLINE OF ROSECRANS AVENUE BEING NORTH 89°58'37" WEST AS SHOWN ON TRACT NO 83182, FILED IN BOOK 1431, PAGES 60 THROUGH 62, INCLUSIVE, OF MAPS IN THE OFFICE OF THE LOS ANGELES COUNTY RECORDER.

LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°01'46"E	30.00' M&R2
L2	N89°58'14"W	271.31' [271.20' R2]
L3	N00°01'46"E	10.00' M&R2
L4	N89°58'14"W	59.97'
L5	N00°00'33"E	10.00'
L6	N89°58'14"W	124.40'
L7	N89°58'14"W	31.40' [31.1' R2]
L8	N89°58'14"W	59.96'

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	90°00'00"	25.00'	39.27' M&R

MONUMENT NOTES

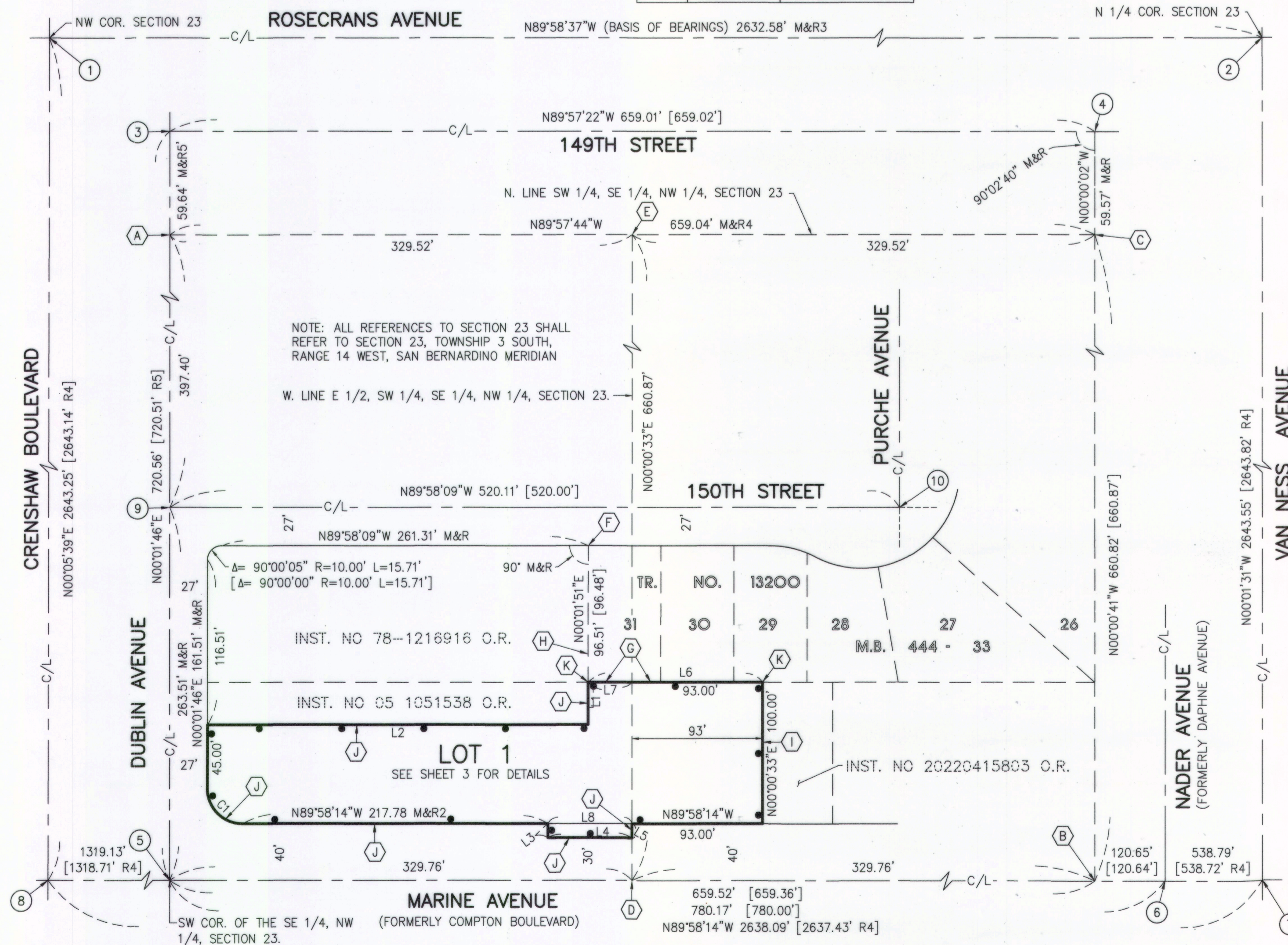
- ① FD. ROUNDHEAD S&W, NO MARKINGS. ACCEPTED AS THE C/L INT. OF CRENSHAW BOULEVARD & ROSECRANS AVENUE PER P.W.F.B. 0718-2680-2681.
 - ② FD. GEAR S&W STAMPED "LS 8294". ACCEPTED AS THE C/L INT. OF ROSECRANS & VAN NESS AVENUES PER R3.
 - ③ FD. GEAR S&W STAMPED "LS 5411", PER PWFB 0719-1773-1774. ACCEPTED AS THE C/L INT. OF 149TH STREET & DUBLIN AVENUE.
 - ④ FD. GEAR S&W STAMPED "LS 5411", PER PWFB 0719-1851-1852.
 - ⑤ FD. MAG NAIL & WASHER STAMPED "LS 5411" PER PWFB 0719-2083-2084. ACCEPTED AS THE C/L INT. DUBLIN & MARINE AVENUES.
 - ⑥ FD. MAG NAIL & WASHER STAMPED "LS 5411", PER PWFB 0719-2085-2086 ACCEPTED AS C/L INT. MARINE AVENUE & NADER AVENUE (FORMERLY DAPHNE AVENUE).
 - ⑦ POINT LANDS ON MANHOLE - EST. BY TIES PER PWFB 0719-2087-2088. ACCEPTED AS C/L INT. OF VAN NESS & MARINE AVENUES & THE CENTER 1/4 COR. SECTION 23.
 - ⑧ FD. S&W, ILLEG. DN. 0.25' PER PWFB 0718-2545 ACCEPTED AS C/L INT. OF CRENSHAW BOULEVARD & MARINE AVENUE & W 1/4 COR. SECTION 23.
 - ⑨ SFN - EST. BY TIES PER PWFB 0719-1659-1660. ACCEPTED AS C/L INT. OF DUBLIN AVENUE & 150TH STREET.
 - ⑩ SFN - EST BY TIES PER CEFB 1086-36. ACCEPTED AS C/L INT. OF PUCHE AVENUE & 150TH STREET.
 - ⑪ FD. L&T IN TOP OF CURB, NO REF., S00°00'33"W 11.88', ACCEPTED. ADD TAG STAMPED "LS 7725". SEE SHEET 3
- INDICATES LEAD, TACK, & TAG "LS 7725", TO BE SET AT ALL TRACT BOUNDARY CORNERS UNLESS OTHERWISE NOTED.

ESTABLISHMENT NOTES

- A SFN - EST. THE NW COR. OF THE SW 1/4, SE 1/4, NW 1/4, SECTION 23 BY PRORATION BETWEEN MONUMENTS ③ & ⑤ PER R1.
- B SFN - EST. THE SE COR. OF THE SW 1/4, SE 1/4, NW 1/4, SECTION 23 BY PRORATION BETWEEN MONUMENTS ⑥ & ⑤ PER R1.
- C SFN - EST. THE NE COR. OF THE SW 1/4, SE 1/4, NW 1/4, SECTION 23 BY REC. ANGLE [90°02'40"] & DISTANCE [59.57'] FROM MONUMENT ④ PER R1.
- D EST. THE SE COR. OF THE W 1/2 OF THE SW 1/4, SE 1/4, NW 1/4, SECTION 23 BY PRORATION BETWEEN ⑥ & ⑤
- E EST. THE NE COR. OF THE W 1/2 OF THE SW 1/4, SE 1/4, NW 1/4, SECTION 23 BY PRORATION BETWEEN A & C
- F EST. THE NW COR. LOT 31 OF R1 BY HOLDING A RECORD DISTANCE [261.31'] PER R1.
- G EST. S. LINE OF R1 140.00' N'LY OF & PARALLEL WITH THE C/L OF MARINE AVENUE.
- H HELD REC. ANGLE [90°] AT ⑥ PER R1 TO EST. BEARING ALONG W. LINE OF LOT 31 OF R1.
- I EST. E. LINE OF R2 93.00' E'LY OF & PARALLEL TO THE W. LINE E. 1/2, SW 1/4, SE 1/4, NW 1/4, SECTION 23.
- J EST. COURSE PER PARCEL 2 OF R2.
- K EST. BY INTERSECTION.

LEGEND

- R1 - TRACT NO. 13200, M.B. 444-33.
- R2 - INSTRUMENT NO. 05-0881203, RECORDED 4/15/05 OF OFFICIAL RECORDS.
- R3 - TRACT NO. 83182, M.B. 1431-60-62.
- R4 - TRACT NO. 12582, M.B. 240-22-26.
- R5 - TRACT NO. 17194, M.B. 403-5.
- [] - RECORD OR CALCULATED DATA PER R1 UNLESS NOTED OTHERWISE.
- M&R - MEASURED AND RECORD DATA PER R1 UNLESS NOTED OTHERWISE.



SCALE: 1" = 30'

VESTING TRACT NO. 82437

SHEET 3 OF 3 SHEETS

IN THE CITY OF GARDENA, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

EDWARD L. REYNOLDS
L.S. 7725

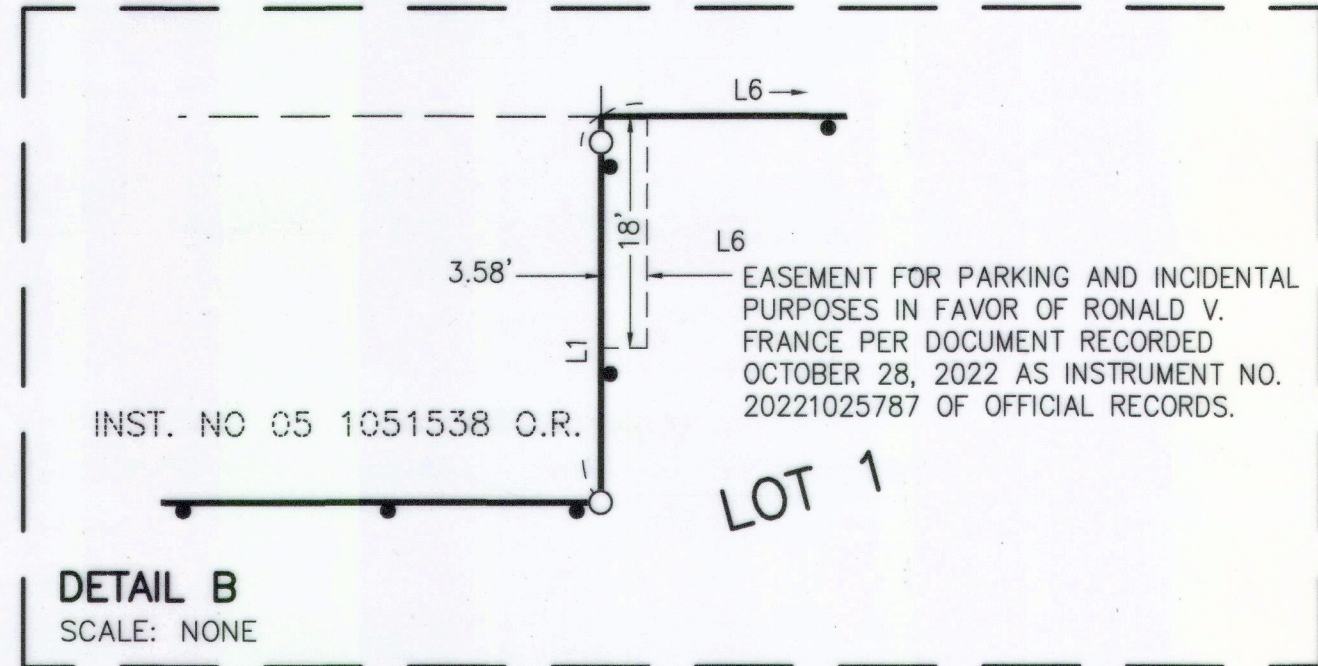


DATE OF SURVEY:
JULY 2018

FOR CONDOMINIUM PURPOSES

LEGEND

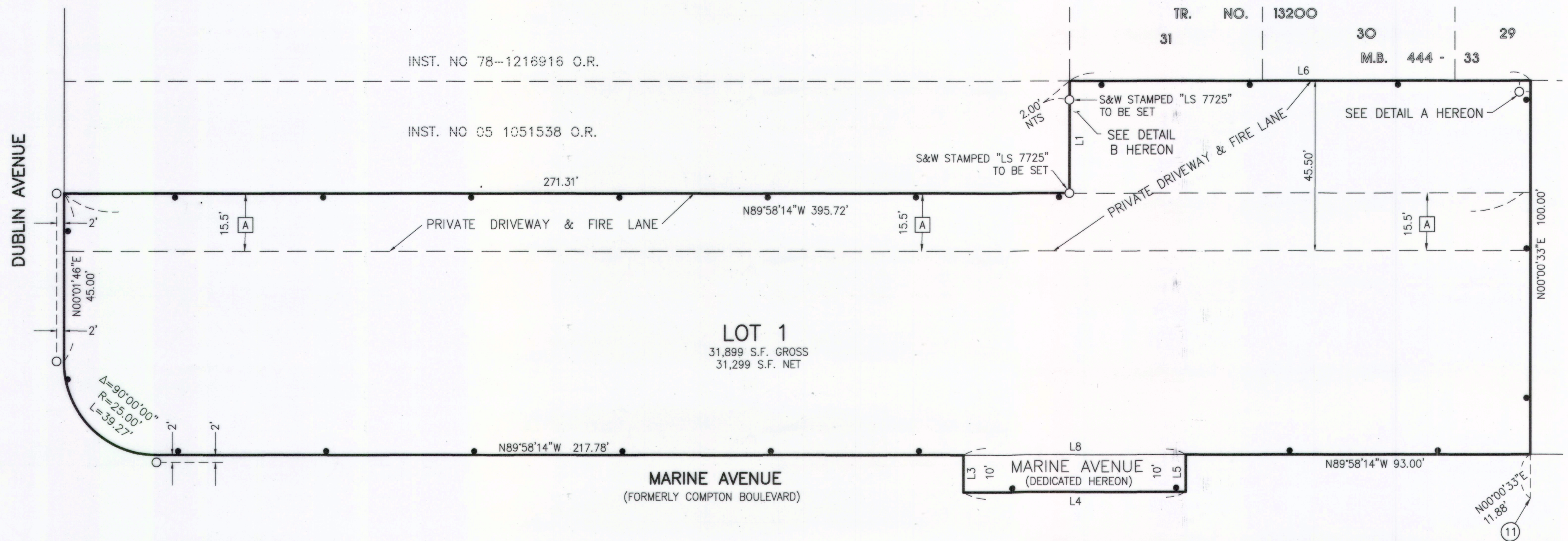
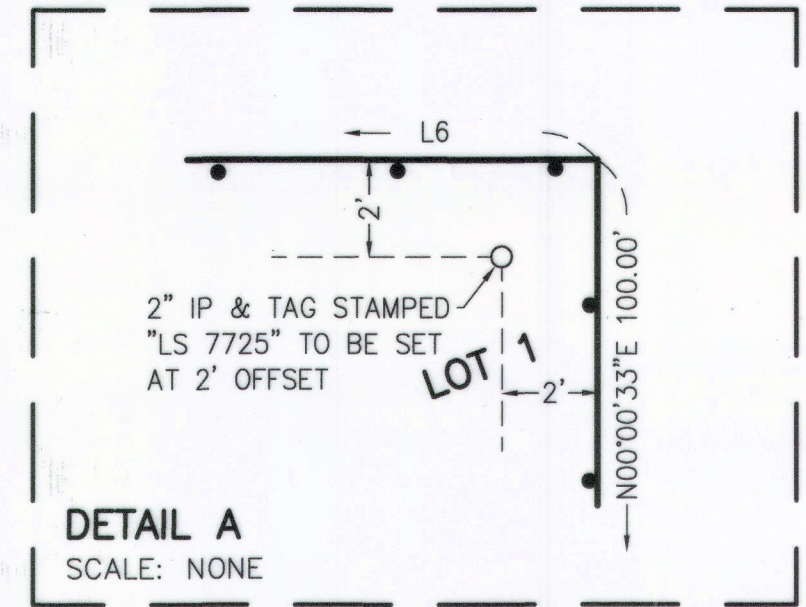
—•—•— INDICATES THE BOUNDARY OF THE LAND BEING SUBDIVIDED BY THIS MAP.



LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°01'46"E	30.00'
L3	N00°01'46"E	10.00'
L4	N89°58'14"W	59.97'
L5	N00°00'33"E	10.00'
L6	N89°58'14"W	124.40'
L8	N89°58'14"W	59.96'

PROPOSED EASEMENT NOTES

[A] INDICATES AN EASEMENT FOR PUBLIC UTILITY PURPOSES DEDICATED TO THE CITY OF GARDENA HEREON.





City of Gardena
Gardena City Council Meeting
AGENDA REPORT SUMMARY

Agenda Item No. 8.K
Section: CONSENT CALENDAR
Meeting Date: August 22, 2023

TO: THE HONORABLE MAYOR AND MEMBERS OF THE GARDENA CITY COUNCIL

AGENDA TITLE: Acceptance and Notice of Completion for the Fire Station No. 158 Roof Replacement Project - Water Damaged Repair Phase, JN 509.

CONTACT: PUBLIC WORKS

COUNCIL ACTION REQUIRED:

RECOMMENDATION AND STAFF SUMMARY:

Staff respectfully recommends that the City Council accept the work performed by Klassic Engineering & Construction, Inc. and order the recordation of the Notice of Completion for the Fire Station No. 158 Roof Replacement Project - Water Damaged Ceiling Repair Phase, JN 509.

This project repaired approximately 7,700 square feet of ceiling area, encompassing all three levels. The repairs included replacement of existing interior light fixtures with LED types, installation of new switches and occupancy sensors, replacement of existing ceiling grid system with new tiles, relocation of HVAC registers, replacement of existing exhaust fans, abatement of asbestos and/or lead and all related incidental work. Additional scope due to change orders included new HVAC insulation and drainage repairs.

Sufficient funds to complete this project were appropriated by the Council during the Fiscal Year 2022-2023 Capital Improvement Budget.

FINANCIAL IMPACT/COST:

Amount of Expense: \$838,989

Funding Source: Deferred Maintenance

ATTACHMENTS:

[NOC_FS#158 Roof Replacement_JN 509.pdf](#)

APPROVED:

A handwritten signature in blue ink, appearing to read "Clint Osorio". The signature is fluid and cursive, with a period at the end.

Clint Osorio, City Manager

RECORDING REQUEST BY AND MAIL TO:

Mina Semenza, City Clerk
City of Gardena
1700 W. 162nd Street
Gardena, CA 90247

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN, that:

1. The undersigned is the duly authorized representative of the City of Gardena, a Municipal Corporation of the State of California located within the County of Los Angeles in said State at 1700 West 162 Street, Gardena, California 90247.
2. That on the 25 day of October, 2022, the City Council of said City entered into contract with Klassic Engineering & Construction, Inc. whose address is 250 S. Tustin Street, Orange, CA 92866 for the improvement titled Fire Station No. 158 Roof Replacement Project – Water Damaged Ceiling Repair Phase, JN 509 in accordance with City of Gardena Plans and Specifications.
3. That all of the work and improvement was located at 1650 W. 162nd Street in said City. The owner of the location is the City of Gardena.
4. That all of the work and improvement contemplated in and under said contract was substantially completed on July 24, 2023.
5. That the City Council formally accepted this work and improvement on August 22, 2023.

The undersigned, being first duly sworn, states: That he is the duly authorized representative of the City of Gardena, the political subdivision of the State of California which conducted the proceedings for the improvement titled Fire Station No. 158 Roof Replacement Project – Water Damaged Ceiling Repair Phase, JN 509 in said City, that he has read the foregoing "Notice of Completion" and knows the facts recited therein are true.

IN WITNESS THEREOF, I have hereunto subscribed my name as the duly authorized representative of said City this _____ day of _____ 2023.

City of Gardena

Matthew Au



City of Gardena

Gardena City Council Meeting

AGENDA REPORT SUMMARY

Agenda Item No. 8.L
Section: CONSENT CALENDAR
Meeting Date: August 22, 2023

TO: THE HONORABLE MAYOR AND MEMBERS OF THE GARDENA CITY COUNCIL

AGENDA TITLE: Approve Purchase of Six Bus Mobile Validators (BMV) from Cubic Transportation Systems for a total of \$32,376

CONTACT: TRANSPORTATION

COUNCIL ACTION REQUIRED:

RECOMMENDATION AND STAFF SUMMARY:

In preparation for GTrans' new On-Demand, Microtransit service, GTrans plans to use the regional Transit Access Pass (TAP) program as one of the main methods of payment aboard the Microtransit service. TAP is a regional smart-card program serving as an electronic fare collection system. It was developed in the mid-2000s along with the Los Angeles County Metropolitan Transportation Authority (Metro) and participating transit operators like the City of Gardena's GTrans. Its purpose was to unify fare media into TAP and allow agencies to charge their own fares using one card, making it easier for customers to seamlessly travel between transit systems. More recently, the regional program has evolved to include a phone application (Tap App) where riders can "tap and ride", holding their device near the TAP validator upon boarding a bus and the fare is deducted immediately. Transit agencies participated in developing regional rules, like fund settlement, usage, and decision-making, and also continue to engage in joint marketing campaigns. Metro is responsible for managing the daily operations of TAP, including system configuration, testing, customer service, financial settlement, and operational oversight.

To integrate TAP as a payment option for the Microtransit service, Bus Mobile Validators will need to be installed on board the existing and proposed Microtransit fleet of two (2) gasoline-powered vans, two (2) battery-electric vans and one (1) cutaway. A Bus Mobile Validator (BVM), also known as a mobile ticketing or fare payment validator, is a device used particularly on smaller vehicles, to facilitate fare collection and passenger boarding.

In order to ensure the BVMs are connected to GTrans' current fare collection system, which in turn, connects with the regional fare system, Cubic Transportation Systems (Cubic) is the sole provider for Bus Mobile Validators in the Los Angeles region. Cubic also has provided many BVMs to transit agencies throughout LA County, and and currently partners with Metro to integrate and install devices on board its MetroMicro service, which is similar to that which GTrans is implementing. Cubic has provided pricing for six devices, shipping, installation, and

sales tax for \$32,376. GTrans has reviewed this pricing and determined that it is fair and reasonable.

Therefore, staff respectfully recommends that Council authorize the purchase of six Bus Mobile Validators from Cubic Transportation Systems for the cost of \$32,376.

FINANCIAL IMPACT/COST:

GTrans has local capital funds available and designated for the purchase of this equipment, and included in FY24 capital budget previously approved by the City Council. There is no impact to the General Fund.

ATTACHMENTS:

[Final Cubic Bus Mobile Validator Quote 8_14_2023.pdf](#)

[Examples of Bus Mobile Validators.pdf](#)

APPROVED:



Clint Osorio, City Manager

Cubic Transportation Systems, Inc.
 9233 Balboa Avenue
 SAN DIEGO CA 92123-1515
 USA

Quotation

Bill To Party
CITY OF GARDENA GARDENA MUNICIPAL BUS LINES 13999 SOUTH WESTERN GARDENA CA 90247 USA

Information
Quotation Number 10010464
Document Date 06/02/2023
Customer Reference TBD
Valid from 05/31/2023
Valid to 08/30/2023
Sales Person

Item	Material / Description	Quantity	Price	Price Unit	Amount
10	5300-10009-1FS MOBILE VALIDATOR ACR312 LOS ANGELES	6 EA	2,649.49 USD	1 EA	15,896.94 USD
20	LOT BMV INSTALL/LABOR	6 EA	752.00 USD	1 EA	4,512.00 USD
30	LOT 4G ROUTER INSTALL	6 EA	387.00 USD	1 EA	2,322.00 USD
40	LOT TEST FIT/INSTALL	1 EA	1,942.00 USD	1 EA	1,942.00 USD
50	LOT CAT5e Shielded LSZH, 1000ft Roll	1 EA	1,130.50 USD	1 EA	1,130.50 USD
60	80.01.0.240.0000 TIME DELAY RELAY,SPDT 240V	6 EA	150.46 USD	1 EA	902.76 USD
70	5700-01024-1 LOAD DUMP MODULE	6 EA	74.38 USD	1 EA	446.28 USD
80	5300-37010-2X MOUNT,MOBILE VALIDATOR	6 EA	49.58 USD	1 EA	297.48 USD
90	5700-06108 CA - PLENUM MV POWER	6 EA	259.39 USD	1 EA	1,556.34 USD
100	5500-01018 VEHICLE CONFIGURATION USB	6 EA	59.87 USD	1 EA	359.22 USD

\$150 Minimum Order is required for all purchase orders
 All repairs are subject to Tennessee tax of 9.75%.

Total Amount 32,375.49 USD

The quotation is based solely on the terms attached hereto. Any additional or different terms are objected to and may be rejected. Any additional term or condition stated in the resulting Purchase Order shall not become part of the Purchase Order unless specifically accepted in writing by Cubic.

NOTES: Lead time on mobile validators are dependent on SAM cards and factory commissioning units.

Your ("Buyer") placing of an order from the Cubic Transportation Systems, Inc. ("Cubic") website, <http://parts.cubic.com>, indicates Buyer's acceptance of these terms and conditions. Buyer is responsible for all activity occurring under its account associated with this site and for maintaining the confidentiality of its account and password and restricting access to the same.

Cubic reserves the right to refuse service, terminate accounts, remove or edit content, or cancel orders at its sole discretion.

I. TERMS OF SALE

A. GENERAL

These Terms and Conditions apply to equipment purchases, spare parts, software licensing, services and repairs obtained from Cubic. These terms apply to electronic sales placed by Buyer through the Cubic website as well as orders placed by the issuance of a purchase agreement or purchase order via email, facsimile, courier or mail.

No understanding, promise or representation, and no waiver, alteration, addition to, or modification of any provision hereof, shall be binding upon Cubic unless agreed to in writing by an authorized representative of Cubic. Cubic's acceptance of any order is subject to Buyer's assent to all of the terms and conditions set forth herein. Buyer shall be deemed to have accepted these terms and conditions upon its receipt of Cubic's order acknowledgment or from Buyer's acceptance of all or any part of the services or products ordered.

The terms and conditions in: (i) Cubic's form(s); (ii) acknowledgments; (iii) quotations; (iv) invoices; (v) websites; (vi) catalogs; and (vii) extension of credit are incorporated herein by reference, and constitute the entire and exclusive agreement between Buyer and Cubic and supersedes all other agreements, oral or written heretofore made between Buyer and Cubic relating to the subject matter contained herein.

B. ELECTRONIC DATA INTERCHANGE

If Cubic and Buyer mutually agree to use an Electronic Data Interchange ("EDI") system to facilitate purchase and sale transactions, Buyer agrees that it will not contest: (i) any contract of sale resulting from an EDI transaction under the provisions of any law relating to whether agreements must be in writing or signed by the party to be bound thereby; or (ii) the admissibility of copies of EDI records under the business records exception to the hearsay rule, the best evidence rule or any other similar rule, on the basis that such records were not originated or maintained in documentary form. Cubic and Buyer will negotiate and agree on technical standards and methods to use in making EDI purchases, and will use reasonable security procedures to protect EDI records from improper access. In the event of a conflict, the business records maintained by Cubic regarding EDI purchases made by Buyer shall be deemed to be conclusive.

Cubic reserves the right to accept or reject any order.

C. PURCHASE ORDERS/PURCHASE AGREEMENTS

Acceptance is strictly limited to the terms and conditions included herein. Cubic expressly rejects any additional terms and conditions contained in any purchase agreement, order or other correspondence submitted by Buyer. Cubic's fulfillment of any such order shall not be construed as assent to any of the terms and conditions proposed by Buyer, and will not constitute a waiver by Cubic of any of the terms and conditions contained herein or in Cubic's order acknowledgment.

D. MINIMUM ORDER

The minimum value for any purchase agreement/purchase order is \$150.00 U.S. dollars. Orders received for a lesser amount will be billed at the minimum \$150.00 amount.

E. PRICING

All prices are in United States Dollars, exclusive of all applicable taxes and are subject to correction or change without notice. Buyer agrees to pay and be solely responsible for the payment of any applicable taxes other than taxes payable based on Cubic's net income.

Export orders may be subject to special pricing.

Market sensitive products will be priced according to current market conditions. Buyer should contact Cubic or check online at <http://parts.cubic.com> for current pricing.

Despite our efforts, occasional pricing errors may occur in the Cubic catalogs and websites. Cubic reserves the right to cancel any and all orders resulting from such pricing errors, even if Buyer has received an order confirmation from Cubic.

F. CHANGES

All changes in any term or condition hereof must be agreed to and accepted by Cubic. Any difference in price, delivery or other terms resulting from such change shall be equitably adjusted and the purchase agreement/purchase order modified accordingly.

G. CATALOG/WEBSITE INFORMATION

Product depictions in the catalogs and websites are for illustrative purposes only. Possession of, or access to, any Cubic catalog, literature or websites does not constitute the right to purchase such products. Cubic reserves the right to revise any publishing errors in its catalogs or any of its websites.

H. TERMINATION/CANCELLATION

In the event of a partial termination or if the entire purchase agreement/purchase order is terminated, the Buyer shall pay 100% of the actual costs incurred by Cubic relating to such termination.

I. DELAY IN SHIPMENT

If the Buyer fails to accept shipment in accordance with the agreed schedule, such failure may be considered by Cubic as a Breach entitling Cubic to terminate this purchase agreement/purchase order in whole or in part, as applicable, in accordance with Clause H hereof.

J. DELIVERY

Delivery date is the date stated in the purchase agreement/purchase order acknowledgment. Cubic may make partial shipments and Buyer agrees to make partial payments net thirty (30) days from date of invoice in connection with such partial shipments at the unit price(s) indicated in the purchase agreement.

K. SHIPMENT and RISK OF LOSS

Shipment will be F.O.B. Destination. Transportation method is at Cubic's option and Cubic shall bear the responsibility for outbound transportation charges. The risk that the ordered goods may be lost, damaged or delayed in transit shall be borne by Cubic until receipt by Buyer in conformity with the terms of the purchase agreement/purchase order. However, in the event Buyer requests a special mode of transportation, all additional charges and risk of loss, damage or delay will pass to the Buyer upon Cubic's timely delivery of the goods, properly packaged with suitable shipping documents, to an appropriate carrier for delivery to Buyer.

L. INVOICING AND PAYMENT TERMS

Invoicing shall take place at time of shipment. Payment terms are net thirty (30) days from date of invoice. Buyer agrees that these same terms will also apply to any partial shipments.

Cubic accepts cash, checks, money orders, Electronic Funds Transfer, Visa, MasterCard, and American Express. All credit extended by Cubic to Buyer and the limits of such credit, is at Cubic's sole discretion, and may be reduced or revoked by Cubic at any time, for any reason.

If Buyer fails to make payment within thirty (30) days of invoice, or fails to comply with Cubic's credit terms, or fails to supply adequate assurance of full performance to Cubic within a reasonable time after requested by Cubic (such time as specified in Cubic's request), Cubic may defer further shipments or interrupt services, if any, until such payment or compliance is made, require cash in advance for any further shipments, demand immediate payment of all amounts then owed, elect to pursue collection action (including without limitation, attorneys' fees and any and all other associated costs of collection), and/or may, at its option, cancel all or any part of an unshipped order in accordance with Clause H hereof. Additionally, Buyer, and each of its subsidiaries and affiliates, agrees to provide to Cubic proper authorization necessary for Cubic to request any financial information from third parties.

Buyer agrees to assume responsibility for, and Buyer hereby unconditionally guarantees payment of, as provided herein, all purchases made by Buyer, its subsidiaries and affiliates. Each of Buyer's subsidiaries and affiliates purchasing from Cubic are jointly and severally liable for purchases with Buyer, and Buyer is also acting as agent for such subsidiaries and affiliates.

M. SALES AND SIMILAR TAXES

The prices provided for in any purchase agreement/purchase order are exclusive of any present or future import duty, federal, state, provincial, county, municipal, or other sales, use, excise, gross receipts, value added or similar tax with respect to the products and services covered hereby, and of any inventory or property tax or other similar charges with respect to the products and services covered hereby, unless such taxes are provided in the applicable quotation.

If Cubic is assessed or is required by applicable law or regulation to pay or collect any such duty, tax, or charge on account of this purchase agreement/purchase order, then such amount of tax or taxes shall be paid by the Buyer to Cubic in addition to the prices otherwise provided in the purchase agreement/purchase order. If the Buyer is exempt from the payment of applicable duty, tax, or charge, the Buyer shall provide Cubic with a suitable copy of the tax exempt certificate or permit at the time the purchase agreement/purchase order is issued.

N. WARRANTY

Cubic warrants to the Buyer that the deliverables hereunder will be free from defects in material and workmanship, and that services will be the kind and quality designated or specified in the quotation. In particular:

See Appendix A, Software License Agreement, for the warranty terms applicable to software.

See Section II below for warranty applicable to services.

The warranty applicable to spare parts and repairs shall apply to defects in materials and workmanship appearing within ninety (90) days from the date of shipment by Cubic.

The warranty applicable to equipment shall be limited to defects appearing within one (1) year from the date of shipment by Cubic.

If any deliverables do not conform to the applicable warranty, and if the Buyer promptly notifies Cubic, Cubic shall thereupon, if it confirms the existence of the claimed defect, including non-conformance with the applicable specification, correct the defect by, at Cubic's option, either repairing the defect at no charge to Buyer, or by making necessary replacement products available at the Buyer's location.

THIS LIMITED WARRANTY DOES NOT COVER LOSS OR DAMAGE WHICH: (i) IS DUE TO IMPROPER INSTALLATION (OTHER THAN INSTALLATION BY CUBIC), MAINTENANCE, MISUSE, NEGLIGENCE, OR ANY CAUSE OTHER THAN THE BUYER'S, OR ITS CUSTOMER'S OR CONTRACTOR'S, USE OF THE PRODUCT IN THE APPLICATION IT WAS INTENDED; (ii) IS DUE TO ADJUSTMENT, REPAIR OR MODIFICATION BY ANY PERSON OTHER THAN AS AUTHORIZED BY CUBIC; OR, (iii) IS DUE TO STORAGE OR USE IN AN IMPROPER ENVIRONMENT, EXCESSIVE OR INADEQUATE HEATING OR AIR CONDITIONING, AND ELECTRICAL POWER FAILURES, SURGES OR OTHER IRREGULARITIES WHILE IN THE CUSTODY OR CONTROL OF BUYER OR ITS CUSTOMER OR CONTRACTORS. CUBIC IS NOT RESPONSIBLE FOR PROBLEMS CAUSED BY HARDWARE OR COMPUTER OPERATING SYSTEMS WHICH ARE NOT COMPATIBLE WITH THE SYSTEM SPECIFICATIONS AS SET FORTH IN CUBIC'S TECHNICAL DOCUMENTATION, OR FOR PROBLEMS IN THE INTERACTION WITH NON-CUBIC SUPPLIED SOFTWARE, THE USE OF WHICH IS NOT APPROVED BY CUBIC.

CUBIC SHALL HAVE NO LIABILITY WITH RESPECT TO DELIVERABLES THAT WERE SUBJECTED TO ABUSE, VANDALISM OR MISUSE. THE WARRANTY SET FORTH HEREIN IS THE SOLE AND EXCLUSIVE WARRANTY, IN LIEU OF ALL OTHER WARRANTIES, AND NO OTHER WARRANTIES OF ANY KIND SHALL APPLY, WHETHER EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, AND FREEDOM FROM THIRD PARTY INFRINGEMENT CLAIMS.

O. RETURN/RESTOCKING CHARGES

No returns, for any reason, will be accepted without Buyer obtaining a Return Material Authorization (RMA) Number in advance from Cubic. A 20% restocking fee based on the item price will be charged to the Buyer for all returns for reasons other than warranty. Freight charges will be the responsibility of the Buyer. Buyer must obtain a Return Material Authorization (RMA) Number from Cubic prior to return shipment of an item.

Before returning any product for any reason, Buyer must: (i) contact the Cubic facility from which the product was purchased; (ii) in the case of an internet order, contact Cubic by logging on to the website from where you purchased, <http://parts.cubic.com>, click on the contact page to obtain an RMA, or (iii) call Customer Care at 1-931-454-1500 to speak to your Customer Service Representative.

P. MAINTENANCE

Buyer shall be responsible for the maintenance of any deliverables provided. In the event Buyer elects to have Cubic perform maintenance, such maintenance will be provided at prevailing service rates.

Q. LIMITATION OF LIABILITY

CUBIC SHALL NOT BE LIABLE FOR ANY SPECIAL, INCIDENTAL, INDIRECT, CONSEQUENTIAL, EXEMPLARY OR PUNITIVE DAMAGES OR LOSSES WHICH MAY BE SUFFERED BY BUYER WITH RESPECT TO THIS PURCHASE AGREEMENT/PURCHASE ORDER, INCLUDING BUT NOT LIMITED TO, LOSS OF PRESENT OR PROSPECTIVE PROFITS, LOSS OF INCOME OR REVENUE, EXPENDITURES, INVESTMENTS OR COMMITMENTS, OR LOSS OF BUSINESS OR DATA, WHETHER IN AN ACTION IN CONTRACT, EQUITY, NEGLIGENCE, INTENDED CONDUCT, TORT, OR OTHERWISE (INCLUDING BREACH OF WARRANTY, NEGLIGENCE, AND STRICT LIABILITY IN TORT), EVEN IF CUBIC HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. THE TOTAL AGGREGATE LIABILITY OF CUBIC FOR CLAIMS ASSERTED UNDER THIS AGREEMENT SHALL BE LIMITED TO THE PURCHASE PRICE PAID FOR THE PRODUCT THAT GIVES RISE TO ANY LIABILITY.

R. TITLE

The title and right of possession of Buyer's equipment repaired or modified hereunder shall remain with the Buyer, subject to any applicable lien rights of Cubic. Cubic shall bear risk of loss for Buyer's property while on Cubic's premises. Reasonable access to this equipment shall be provided to Buyer. Cubic shall retain title for all shipped items until delivery F.O.B. Destination.

S. CHOICE OF LAW / DISPUTES

The validity, interpretation and performance of the purchase agreement/purchase order shall be governed by and construed under the laws of the State of California, excluding its choice of law principles. Any controversy or claim arising out of or relating to the purchase agreement/purchase order, transaction or the breach, termination, or invalidity thereof, shall be settled by binding arbitration in San Diego, California, USA, in accordance with the rules of the American Arbitration Association ("AAA"). There shall be one arbitrator appointed by the AAA trained in the law who shall have experience in arbitration of similar disputes. The language of the arbitration shall be English. Judgment upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof. Each party shall be responsible for its respective costs and attorneys' fees incurred in arbitration, except that costs and fees invoiced by the AAA for the services of the arbitrator(s) and its own fees and expenses shall be borne equally by the parties.

T. PROPRIETARY RIGHTS AND SOFTWARE

Title to all Cubic and third party software (including software embedded within hardware), proprietary data, intangible property, intellectual property, patents, patents pending, trade secrets, copyrights, trade dress, service and trademarks, service and trade names, designs, drawings, and the like, shall remain with Cubic or relevant third party, as applicable. All software usage hereunder shall be governed by the Cubic Software License Agreement, Appendix A.

Buyer shall have no right, title, or interest in the trade names, trademarks, trade dress, copyrights, patents, domain names, product names, catalogs or any other intellectual property rights reserved by Cubic, or any trademarks or service marks owned by suppliers to Cubic. All materials contained on the <http://parts.cubic.com> website are subject to the ownership rights of Cubic and its suppliers. Buyer shall have no right to copy or use any of the intellectual property of Cubic or its suppliers without Cubic's written permission.

U. FORCE MAJEURE

The parties shall not be liable to each other for any loss, damage or other claim whatsoever arising out of a delay, failure or inability to perform any obligation(s) contained in the purchase agreement/purchase order which is beyond a party's reasonable control. Such causes may include, but are not limited to, any act of God, severe weather conditions, catastrophic events, fire, flood, lightning, earthquake, tornado, labor disputes, transportation delays, war, terrorism (actual or threatened), revolution, riot, sabotage, act of the public enemy, explosion, embargo, confiscation or act or failure to act of any government, agency, board or commission. Lack of finances shall in no event be deemed to be a cause beyond a party's reasonable control.

V. CUSTOM PRODUCTS

Cubic may offer products manufactured or assembled to Buyer's specifications ("Custom Product(s)"). Cubic is not responsible for verifying or confirming the accuracy of specifications provided by Buyer to Cubic for Custom Products. CUBIC'S LIMITED WARRANTY TERMS INCLUDED IN THESE TERMS AND CONDITIONS DO NOT APPLY TO CUSTOM PRODUCTS. CUSTOM PRODUCT WARRANTY PROVIDED BY CUBIC SHALL BE LIMITED TO DEFECTS IN MATERIALS AND WORKMANSHIP ARISING IN THE FIRST 90 DAYS AFTER THE DATE OF SHIPMENT AND WILL BE BUYER'S SOLE REMEDY. ALL OTHER WARRANTIES ARE EXPRESSLY DISCLAIMED. All Custom Products are sold on a "FINAL SALE" basis only, and no cancellations, returns, refunds or credits are allowed.

II. ADDITIONAL TERMS AND CONDITIONS RELATED TO THE PERFORMANCE OF SERVICES

IN ADDITION TO THE STANDARD TERMS AND CONDITIONS IN SECTION I, PERFORMANCE OF SERVICES WILL BE GOVERNED BY THE FOLLOWING ADDITIONAL TERMS AND CONDITIONS ("ADDITIONAL SERVICE TERMS"). SERVICES MAY BE PERFORMED BY: (i) CUBIC, ITS EMPLOYEES AND AGENTS ("CUBIC PERSONNEL"); (ii) CUBIC SUBSIDIARIES OR AFFILIATES ("CUBIC SERVICE ENTITIES"); OR THIRD-PARTY SUBCONTRACTORS ("THIRD-PARTY PROVIDERS"). FOR PURPOSES OF THIS SECTION II, CUBIC PERSONNEL, CUBIC SERVICE ENTITIES AND THIRD-PARTY PROVIDERS ARE EACH REFERRED TO AS A "SERVICE PROVIDER" AND EACH SERVICE PROVIDER, TOGETHER WITH ITS PERSONNEL, IS REFERRED TO AS "SERVICE PROVIDER PERSONNEL."

THE TERMS AND CONDITIONS CONTAINED IN THIS SECTION II ARE EXTENDED SOLELY BY THE SPECIFIC SERVICE PROVIDER PERFORMING SERVICES. DEPENDING UPON THE NATURE OF THE SERVICES PROVIDED, THE APPLICABLE SERVICE PROVIDER MAY REQUIRE BUYER TO EXECUTE ADDITIONAL CONTRACTUAL DOCUMENTS PRIOR TO THE PERFORMANCE OF SUCH SERVICES.

IN THE EVENT OF A CONFLICT BETWEEN THE STANDARD TERMS AND CONDITIONS IN SECTION I AND THE ADDITIONAL SERVICE TERMS IN SECTION II, THE ADDITIONAL SERVICE TERMS IN SECTION II SHALL PREVAIL FOR THE PERFORMANCE OF SERVICES.

AA. LIMITED SERVICES WARRANTY

ALL SERVICES WILL (i) BE PERFORMED IN A WORKMANLIKE MANNER; (ii) CONFORM TO THE SPECIFICATIONS (IF ANY) PROVIDED BY THE SERVICE PROVIDER IN A STATEMENT OF WORK; AND (iii) IF SERVICES ARE IMPROPERLY PERFORMED AND BUYER NOTIFIES THE SERVICE PROVIDER OF THE IMPROPERLY PERFORMED SERVICES WITHIN 90 DAYS AFTER PERFORMANCE OF SUCH SERVICES, THEN THE SERVICE PROVIDER WILL RE-PERFORM THOSE SERVICES, IN WHOLE OR IN PART, AS NECESSARY TO CURE THE PARTICULAR BREACH, OR AT THE SERVICE PROVIDER'S SOLE OPTION, REFUND THE AMOUNT PAID BY BUYER FOR THE SERVICES DIRECTLY ATTRIBUTABLE TO THE PARTICULAR BREACH. THE SERVICE PROVIDER'S RE-PERFORMANCE OR REFUND OF AMOUNTS PAID BY BUYER FOR THE SERVICE DIRECTLY ATTRIBUTABLE TO THE PARTICULAR BREACH SHALL BE BUYER'S SOLE AND EXCLUSIVE REMEDY.

BB. WARRANTY DISCLAIMER AND WAIVER FOR SERVICES

TO THE MAXIMUM EXTENT PERMITTED BY APPLICABLE LAW, THE EXPRESS WARRANTIES SET FORTH IN THIS SECTION II FOR SERVICES ARE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND THE SERVICE PROVIDER DISCLAIMS, AND BUYER WAIVES, ALL OTHER WARRANTIES FOR SERVICES, INCLUDING, BUT NOT LIMITED TO, ANY IMPLIED WARRANTIES OF NON-INFRINGEMENT, FITNESS FOR A PARTICULAR PURPOSE AND MERCHANTABILITY. THE WARRANTIES SET FORTH IN THIS SECTION II ARE EXPRESSLY CONDITIONED UPON THE USE OF THE SERVICES FOR THEIR INTENDED PURPOSE AND SHALL NOT APPLY TO SERVICES WHICH HAVE BEEN SUBJECT TO MODIFICATION BY BUYER OR ANY THIRD PARTY.

CC. LIMITATION OF LIABILITY

THE SERVICE PROVIDER EXPRESSLY DISCLAIMS ANY LIABILITY FOR CONSEQUENTIAL, INCIDENTAL, SPECIAL, EXEMPLARY OR PUNITIVE DAMAGES IN THE PERFORMANCE OF SERVICES. THE SERVICE PROVIDER'S LIABILITY IN ALL CIRCUMSTANCES IS LIMITED TO, AND SHALL NOT EXCEED, THE PURCHASE PRICE FOR THE PERFORMANCE OF THE PORTION OF SERVICES THAT GIVES RISE TO ANY PARTICULAR LIABILITY.

DD. PAYMENT AND CREDIT TERMS

Except as otherwise agreed to by the parties, Buyer will be invoiced upon completion of mutually agreed milestone(s) or completion of services. Payment terms are net thirty (30) days from the date of invoice. All other payment terms are as set forth in Section I.

EE. TERMINATION

Either party may terminate the service agreement at any time and for any reason upon sixty (60) days' written notice to the other party. If terminated by Buyer, Buyer shall, in addition to amounts previously paid, pay Service Provider an amount equal to the value of any work completed and not billed plus all reasonable wind-down costs to close out the service agreement the greater of (i) Ten percent (10%) of the total project cost quotation thereto (the "Total Project Cost"), or (ii) an amount equal to the Total Project Cost multiplied by the percentage completion for such project at the time the notice of termination is given, as determined by Service Provider.

FF. INDEMNITY

Buyer or Service Provider, as applicable (in the case of Service Provider, subject to the provisions of sections CC and Q herein) shall defend, indemnify and hold harmless the other party and its respective officers, directors, employees, subcontractors and agents (each individually, an "Indemnified Party") from and against any and all any claims, suits, liabilities, damages, settlements, charges, taxes and any other losses or expenses (including reasonable attorneys' fees) (collectively "Liabilities") for physical injury to, illness or death of, any third party regardless of status and damage to or destruction of any tangible property which the third party may sustain or incur, to the extent such Liabilities relate to the services; except for such Liabilities relating to or arising out of a final judgment of gross negligence or willful misconduct of the Indemnified Party. In any action, suit or proceeding brought against an Indemnified Party by reason of any such claim as specified above, the non-Indemnified Party shall resist and defend such action, suit or proceeding by counsel of its choice with consent from the Indemnified Party, at the sole expense of the non-Indemnified Party, provided that (i) the Indemnified Party notifies non-Indemnified Party promptly in writing of the claim; (ii) non-Indemnified Party's counsel does not give rise to a conflict of interest with respect to the Indemnified Party; (iii) non-Indemnified Party has control of the defense and all related settlement negotiation but shall keep the Indemnified Party reasonably informed of status, provided that non-Indemnified Party shall only settle the legal action with consent from the Indemnified Party; and (iv) the Indemnified Party provides non-Indemnified Party with all reasonably necessary assistance, information, and authority to perform the foregoing at non-Indemnified Party's expense.

GG. ACCESS TO BUYER'S PREMISES

To the extent access to and/or office space within Buyer's premises is required; Buyer shall provide Service Provider personnel such access to and/or office space within Buyer's premises free of charge as necessary for performance of services supplied by Service Provider. Prior to starting any work at Buyer's premises, Buyer will: (i) provide documentation that identifies any existing hazardous materials or dangerous or potentially dangerous conditions on or about Buyer's premises; and (ii) allow Service Provider personnel, at its option, reasonable access to Buyer's premises to perform or have performed a visual site inspection. Service Provider will have no responsibility or liability for the actual existing conditions; or identifying, correcting or advising Buyer of existing conditions on Buyer's premises ("Pre-Existing Conditions"), and Buyer shall be responsible for and shall indemnify each Service Provider and each of the Service Provider personnel from and against any Liabilities arising out of or relating to any Pre-Existing Conditions, regardless of whether previously disclosed to any Service Provider or Service Provider personnel. Buyer shall not attempt to condition the right of Service Provider personnel to obtain free access to Buyer's premises upon the signing of any agreement, waiver, or release which in any way purports to affect the legal rights or obligations of Service Provider or Service Provider personnel. If any Service Provider personnel sign such an agreement, waiver, or release, it shall be of no force and effect.

HH. RIGHT TO SUBCONTRACT

Buyer agrees that the Service Provider may subcontract the performance of services to third parties. Buyer authorizes the Service Provider to disclose all information to the subcontractor, including confidential information necessary for such performance of services by the subcontractor.

**APPENDIX A
SOFTWARE LICENSE AGREEMENT**

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2. **License Grant.** In consideration of the payment of the license fee under separate agreement, Contract Number _____, dated _____ and Licensee's acceptance of the terms of this SLA, Cubic hereby grants to Licensee a royalty free, irrevocable, perpetual, nonexclusive, non-transferable, non-sublicensable license to use the Software on a server (including, as appropriate, with multiple workstations) only in the Licensee's fare collection system for which the Software is licensed. Any revision changes, updates, upgrades or enhancements to the Software that are provided to Licensee shall be subject to all terms of this SLA. Licensee may make one (1) copy of the Software for back-up purposes only. The use, operation, or distribution of the Software at any site or for any purpose or application other than for which it is licensed is prohibited and shall require a separate license and fee unless expressly authorized in writing by Cubic.

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4. **Media Warranty.** For ninety (90) days from the date of delivery (the "Media Warranty Period"), Cubic warrants that the media on which the Software is contained will be free from defects in materials and workmanship. During the Media Warranty Period, Licensee may return the defective media to Cubic and it will be replaced without charge. Replacement of media is Licensee's sole remedy in the event of a media defect in breach of this warranty.

5. **Software Warranty.** Cubic warrants that the Software shall substantially perform as described in the Cubic design documentation, as it exists on the date of delivery, for ninety (90) days from the date of delivery. Cubic's sole obligation under this warranty shall be limited to using reasonable efforts to correct reported defect(s) and to supply a corrected version as soon as is reasonable after Cubic is notified of such defect(s).

6. THE LIMITED WARRANTIES CONTAINED HEREIN DO NOT INCLUDE LOSS OR DAMAGE WHICH: (i) IS DUE TO IMPROPER INSTALLATION (INSTALLATION BY ANYONE OTHER THAN CUBIC OR AS APPROVED BY CUBIC); (ii) IS DUE TO MISUSE, NEGLIGENCE, FAILURE TO PERFORM PROPER AND REQUIRED MAINTENANCE, OR ANY USE OTHER THAN A TRANSIT FARE COLLECTION APPLICATION BY LICENSEE OR ITS CUSTOMER OR CONTRACTORS; (iii) IS DUE TO ADJUSTMENT, REPAIR OR MODIFICATION BY ANY PERSON OTHER THAN CUBIC OR AS AUTHORIZED BY CUBIC; OR, (iv) IS DUE TO STORAGE OR USE IN AN IMPROPER ENVIRONMENT, EXCESSIVE OR INADEQUATE HEATING OR AIR CONDITIONING, AND ELECTRICAL POWER FAILURES, SURGES OR OTHER IRREGULARITIES WHILE IN THE CUSTODY OR CONTROL OF LICENSEE OR ITS CUSTOMER OR CONTRACTORS. IN ADDITION, CUBIC DOES NOT WARRANT THAT OPERATION OF THE SOFTWARE WILL BE UNINTERRUPTED OR ERROR-FREE; THAT THE FUNCTIONS CONTAINED IN THE SOFTWARE SHALL OPERATE IN ALL COMBINATIONS OR SEQUENCE; THAT ALL SOFTWARE ERRORS OR DEFECTS FOR WHICH THERE IS A REASONABLE WORK-AROUND WILL BE CORRECTED; OR THAT THE SOFTWARE IS FREE FROM VIRUS AND ALL LATENT DEFECTS. CUBIC IS NOT RESPONSIBLE FOR PROBLEMS CAUSED BY COMPUTER HARDWARE OR OTHER COMPUTER OPERATING SYSTEMS WHICH ARE NOT COMPATIBLE WITH THE SYSTEM SPECIFICATIONS REQUIRED TO RUN THE SOFTWARE AS SET FORTH IN CUBIC'S TECHNICAL DOCUMENTATION, OR FOR PROBLEMS IN THE INTERACTION OF THE SOFTWARE WITH NON-CUBIC SUPPLIED SOFTWARE, THE USE OF WHICH IS NOT APPROVED BY CUBIC.

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9. **INDEMNIFICATION.** (a) Cubic agrees to defend, or at its option settle, indemnify and hold Licensee harmless from any and all third party intellectual property infringement suits, claims, or proceedings brought against Licensee as a result of Licensee's stand-alone use of the Software where Licensee has (i) given Cubic prompt notice of such suit, claim, or proceeding; (ii) allowed Cubic to have sole control of the defense or settlement of such suit, claim or proceeding; and (iii) given Cubic all necessary assistance to defend the same.

(b) Notwithstanding subparagraph (a) above, Cubic shall not be bound to defend, indemnify, or hold Licensee harmless where (i) such claim or action would have been avoided but for modifications of the Software, or portions thereof, made after delivery to the Licensee; (ii) such claim or action would have been avoided but for the combination or use of the Software, or portions thereof, with other products, processes or materials not supplied or specified in writing by Cubic; (iii) Licensee continues allegedly infringing activity after being notified thereof or after being informed of modifications that would have avoided the alleged infringement; or (iv) Licensee's use of the Software is not strictly in accordance with the terms of this Software License Agreement. Licensee will be liable for all damages, costs, expenses, settlement and attorneys' fees related to any claim of infringement arising as a result of (i) – (iv) in the immediately preceding sentence.

(c) If a third party's claim endangers or disrupts Licensee's use of the Software, Cubic shall, at Cubic's option and at no charge to Licensee, (i) obtain a license so Licensee may continue use of the Software; (ii) modify the Software to avoid the infringement; (iii) replace the Software with a compatible, functionally equivalent and non-infringing product; or (iv) refund to Licensee the amount paid for the Software as depreciated on a straight-line sixty (60) month basis; provided, however, Cubic shall have no such obligation where any of subparagraphs (b)(i)-(iv) apply.

(d) THE FOREGOING PROVISIONS OF THIS SECTION STATE THE ENTIRE LIABILITY AND OBLIGATIONS OF CUBIC, AND THE EXCLUSIVE REMEDY OF LICENSEE, WITH RESPECT TO ANY ACTUAL OR ALLEGED INFRINGEMENT OF ANY INTELLECTUAL PROPERTY RIGHTS BY THE SOFTWARE.

10. **EXPORT REGULATIONS.** If the Software is for use outside of the United States, Licensee agrees to comply fully with all relevant regulations of the United States Department of Commerce and with the United States Export Administration Act to assure that the Software and media are not exported in violation of the United States Export Laws.

11. **MAINTENANCE.** Licensee may obtain maintenance support for the Software by purchasing a software maintenance contract from Cubic at its then current applicable fees.

12. **GOVERNING LAW.** This Software License Agreement shall be deemed to have been made in, and shall be construed pursuant to, the laws of the State of California, USA.

13. **DISPUTE.** In the event of any unresolved dispute between the parties relating to this Software License Agreement, such unresolved dispute shall be submitted to binding arbitration under the Commercial Rules of Arbitration of the American Arbitration Association (AAA). The arbitration shall be held in San Diego, California, USA. There shall be a single arbitrator appointed by the AAA. The decision of the arbitrator shall be final and binding. The prevailing party shall be entitled to recover actual attorney fees and costs, including expert witness fees and associated expenses.

Licensee acknowledges that, due to the unique nature of the Software, there may be no adequate remedy at law for the Licensee's unauthorized use or disclosure of the Software in breach of this Software License Agreement and that such breach may cause immediate and irreparable harm to Cubic. Accordingly, notwithstanding the provisions of the paragraph above, upon any such breach or any threat thereof by the Licensee, Cubic shall be entitled to pursue appropriate equitable or injunctive relief from any court of competent jurisdiction.

14. **NON-WAIVER.** Failure or neglect by Cubic to enforce at any time any of its rights or remedies shall not be deemed a waiver of its rights or remedies nor prejudice Cubic's right to take subsequent action.

15. **SEVERABILITY.** In the event any of these terms are determined to be invalid or unenforceable to any extent such term shall be modified to the limited extent required to permit its enforcement in a manner most closely representing the intention of the Parties as expressed herein, and the remainder of this Software License Agreement shall continue to be valid to the fullest extent permitted by law.

16. **ASSIGNMENT.** Licensee may not assign this Software License Agreement without the prior written consent of Cubic which shall not be unreasonably withheld.

17. **TAXES.** Licensee is responsible for payment of all applicable taxes associated with this Software License Agreement.

18. **ENTIRE AGREEMENT.** No change, waiver, or discharge hereof shall be valid unless in writing and signed by authorized representatives of both the Licensee and Cubic. This Software License Agreement is the exclusive statement of the understanding between the parties with respect to licensing the Software.

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Bus Mobile Validators in the LA Region

August 22, 2023



NOTICE OF CANCELLATION



City of Gardena

Planning & Environmental Quality Commission

Notice is hereby given that the regular meeting of the Planning & Environmental Quality Commission scheduled for August 1, 2023, **has been canceled.**

The next regularly scheduled meeting will be held on August 15, 2023, at 7 p.m.

Dated this 27th day of July 2023

/s/ MINA SEMENZA
City Clerk



PLANNING AND ENVIRONMENTAL QUALITY COMMISSION

Regular PEQC Meeting Notice and Agenda

Website: www.cityofgardena.org

Tuesday, August 15, 2023 – 7:00 PM

1700 W. 162nd Street, Gardena, California

REPORT OF ACTIONS

6. **OTHER MATTERS**

6.A **Discussion of Outdoor Dining Regulations**

Consideration on design standards for outdoor seating areas for restaurants

[PC Staff Report \(Outdoor Dining\) 08.15.2023.pdf](#)

Commission Action: The Planning Commission provided Planning Staff with direction on design standards for outdoor seating areas for restaurants.



City of Gardena

Gardena City Council Meeting

AGENDA REPORT SUMMARY

Agenda Item No. 12.A
Section: DEPARTMENTAL
ITEMS - ADMINISTRATIVE
SERVICES
Meeting Date: August 22, 2023

TO: THE HONORABLE MAYOR AND MEMBERS OF THE GARDENA CITY COUNCIL

AGENDA TITLE: [Amendment to the Contract between the California Public Employees' Retirement System Board of Administration and the City of Gardena](#)

- a. [RESOLUTION NO. 6641, Adopting the Resolution of Intention to Approve an Amendment to the Contract between Board of Administration of the California Public Employees' Retirement System and the City of Gardena](#)
- b. [INTRODUCE ORDINANCE NO. 1858, Authorizing an Amendment to the Contract Between the Board of Administration the California Public Employees' Retirement System and the City of Gardena](#)

COUNCIL ACTION REQUIRED:

Staff Recommendation: Adopt Resolution No. 6641

Staff Recommendation: Introduce Ordinance No. 1858

RECOMMENDATION AND STAFF SUMMARY:

Staff respectfully recommends that the City Council adopt Resolution No. 6641 and Resolution of Intention to approve an amendment to the City's contract with the Board of Administration of the California Public Employees' Retirement System ("CalPERS") to allow cost sharing of the employer contribution pursuant to Government Code Section 20516 for members of the Gardena Municipal Employees Association ("GMEA"), Gardena Management Employees Organization ("GMEO"), and Unrepresented/Confidential Personnel ("Unrepresented").

These resolutions initiate the process to amend the City's contract with CalPERS to allow members of GMEA, GMEO, and Unrepresented to earn credit on the additional one percent (1.0%) paid towards the employer contribution rate, through cost sharing. GMEA agreed to a cost sharing arrangement through the Memorandum of Understanding ("MOU"), adopted by City Council October 12, 2021. GMEO agreed to a cost sharing arrangement through their MOU, adopted by City Council December 14, 2021. The Unrepresented personnel agreed to a cost sharing arrangement through Resolution No. 6565, adopted by City Council March 22, 2022.

There are several steps to amend the City's contract with CalPERS, including approval and certification of attachments included herein. This CalPERS contract-amendment process will be required each of the three (3) years in which the employee groups' cost-sharing contribution will increase each year by 1.0%. This request is the second year of the three-year

employee cost-sharing arrangement.

Proposed Ordinance No. 1858 authorizes an amendment to the contract between CalPERS and the City. This is the first reading of the Ordinance, with a second reading and adoption scheduled for September 12, 2023.

FINANCIAL IMPACT/COST:

ATTACHMENTS:

A - City Resolution No. 6641.pdf

B - CalPERS Resolution of Intention.pdf

C - Ordinance No. 1858.pdf

D - CalPERS Amendment to Contract.pdf

E - PERS-CON-12A Cert of Compliance w Gov Code Section 7507.pdf

F - PERS-CON12 Certification of Governing Body's Action.pdf

G - PERS-CON-500 Cert of Compliance w Gov Code Section 20516.pdf

APPROVED:

A handwritten signature in blue ink, appearing to read "Clint Osorio".

Clint Osorio, City Manager

RESOLUTION NO. 6641

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, ADOPTING THE RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO THE CONTRACT BETWEEN THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY OF GARDENA

THE CITY COUNCIL OF THE CITY OF GARDENA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law; and

WHEREAS, one of the steps in the procedures to amend this contract is the adoption by the governing body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

WHEREAS, the following is a statement of the proposed change:

To provide Section 20516 (Employees Sharing Additional Cost) of 1% for local miscellaneous members in the Gardena Municipal Employees Association, Gardena Management Employees Organization and the Unrepresented Confidential group.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY FIND, DETERMINE, AND RESOLVE, AS FOLLOWS:

SECTION 1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

SECTION 2. The City of Gardena does hereby give notice of intention to approve an amendment to the contract between said public agency and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as an "Exhibit" and by this reference made a part hereof.

BE IT FURTHER RESOLVED that the City Clerk shall certify to the passage and adoption of this Resolution; shall cause the same to be entered among the original Resolutions of said City; and shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council of said City in the minutes of the meeting at which the same is passed and adopted.

Passed, approved and adopted this _____ day of _____, 2023.

CITY OF GARDENA CITY COUNCIL

By: _____
Presiding Officer: TASHA CERDA
Title: Mayor

ATTEST:

MINA SEMENZA, City Clerk

APPROVED AS TO FORM:



CARMEN VASQUEZ, City Attorney

(Amendment)
CON-302 (Rev. 3/9/2016 rc)

**RESOLUTION OF INTENTION
TO APPROVE AN AMENDMENT TO CONTRACT
BETWEEN THE
BOARD OF ADMINISTRATION
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
CITY COUNCIL
CITY OF GARDENA**

WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law; and

WHEREAS, one of the steps in the procedures to amend this contract is the adoption by the governing body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

WHEREAS, the following is a statement of the proposed change:

To provide Section 20516 (Employees Sharing Additional Cost) of an additional 1% for local miscellaneous members in the Gardena Municipal Employees Association, Gardena Management Employees Organization and the Unrepresented Confidential group.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the above agency does hereby give notice of intention to approve an amendment to the contract between said public agency and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as an "Exhibit" and by this reference made a part hereof.

By: _____
Presiding Officer

Title

ORDINANCE NO. 1858

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM ("CALPERS") AND THE CITY OF GARDENA

THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES ORDAIN, AS FOLLOWS:

SECTION 1. That an amendment to the contract between the Gardena City Council of the City of Gardena and the Board of Administration, California Public Employees' Retirement System is hereby authorized, a copy of said amendment being attached hereto, marked Exhibit, and by such reference made a part hereof as though herein set out in full.

SECTION 2. The Mayor of the Gardena City Council is hereby authorized, empowered, and directed to execute said amendment for and on behalf of said Agency.

SECTION 3. This Ordinance shall take effect 30 days after the date of its adoption, and prior to the expiration of 15 days from the passage thereof shall be published at least once in the Gardena Valley News, a newspaper of general circulation, published and circulated in the City of Gardena and thenceforth and thereafter the same shall be in full force and effect.

Adopted and approved this _____ day of _____, 2023.

CITY OF GARDENA CITY COUNCIL

By: _____
Presiding Officer: TASHA CERDA
Title: Mayor

ATTEST:

MINA SEMENZA, City Clerk

APPROVED AS TO FORM:



CARMEN VASQUEZ, City Attorney



EXHIBIT

California
Public Employees' Retirement System



AMENDMENT TO CONTRACT

Between the
Board of Administration
California Public Employees' Retirement System
and the
City Council
City of Gardena



The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective July 1, 1948, and witnessed July 1, 1948, and as amended effective December 1, 1948, July 1, 1956, July 1, 1957, August 1, 1963, January 1, 1967, March 25, 1973, November 1, 1977, December 11, 1977, June 11, 1978, February 4, 1979, April 1, 1979, August 14, 1983, June 1, 1986, December 11, 1988, November 11, 1991, January 2, 1994, June 28, 1998, June 25, 2018, November 18, 2018, and July 24, 2022, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 15 are hereby stricken from said contract as executed effective July 24, 2022, and hereby replaced by the following paragraphs numbered 1 through 15 inclusive:
 1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for classic local miscellaneous members, age 62 for new local miscellaneous members, age 50 for classic local safety members, and age 57 for new local safety members.

2. Public Agency shall participate in the Public Employees' Retirement System from and after July 1, 1948, making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
3. Public Agency agrees to indemnify, defend and hold harmless the California Public Employees' Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees' Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorney fees that may arise as a result of any of the following:
 - (a) Public Agency's election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency's prior non-CalPERS retirement program.
 - (b) Any dispute, disagreement, claim, or proceeding (including without limitation arbitration, administrative hearing, or litigation) between Public Agency and its employees (or their representatives) which relates to Public Agency's election to amend this Contract to provide retirement benefits, provisions or formulas that are different than such employees' existing retirement benefits, provisions or formulas.
 - (c) Public Agency's agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees' Retirement Law.
4. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
 - a. Local Fire Fighters (herein referred to as local safety members);
 - b. Local Police Officers (herein referred to as local safety members);
 - c. Employees other than local safety members (herein referred to as local miscellaneous members).
5. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:

NO ADDITIONAL EXCLUSIONS

6. The percentage of final compensation to be provided for each year of credited prior and current service as a classic local miscellaneous member shall be determined in accordance with Section 21354 of said Retirement Law (2% at age 55 Full).
7. The percentage of final compensation to be provided for each year of credited prior and current service as a new local miscellaneous member shall be determined in accordance with Section 7522.20 of said Retirement Law (2% at age 62 Full).
8. The percentage of final compensation to be provided for each year of credited prior and current service as a classic local safety member shall be determined in accordance with Section 21362.2 of said Retirement Law (3% at age 50 Full).
9. The percentage of final compensation to be provided for each year of credited prior and current service as a new local safety member shall be determined in accordance with Section 7522.25(d) of said Retirement Law (2.7% at age 57 Full).
10. Public Agency elected and elects to be subject to the following optional provisions:
 - a. Section 21573 (Third Level of 1959 Survivor Benefits).
 - b. Section 20042 (One-Year Final Compensation) for classic members only.
 - c. Sections 21624, 21626 and 21628 (Post-Retirement Survivor Allowance).
 - d. Section 21024 (Military Service Credit as Public Service) for local safety members only.
 - e. Section 20614, Statutes of 1978, (Reduction of Normal Member Contribution Rate). From April 1, 1979, and until August 13, 1983, the normal local miscellaneous member contribution rate shall be 3.5% and the normal local safety member contribution rate shall be 3.0%. Legislation repealed said Section effective September 29, 1980.
 - f. Section 20690, Statutes of 1980, (To Prospectively Revoke Section 20614, Statutes of 1978).
 - g. Section 20965 (Credit for Unused Sick Leave).
 - h. Section 20903 (Two Years Additional Service Credit).
 - i. Section 20516 (Employees Sharing Additional Cost):

From and after November 18, 2018, 3% for local police members in the Gardena Police Officers Association.

From and after November 18, 2018, 3% for local police members in the Unrepresented Gardena Police Managers group.

From and after July 24, 2022, and until the effective date of this amendment to contract, 1% for local miscellaneous members in the Gardena Municipal Employees Association.

From and after July 24, 2022, and until the effective date of this amendment to contract, 1% for local miscellaneous members in the Gardena Management Employees Organization.

From and after July 24, 2022, and until the effective date of this amendment to contract, 1% for local miscellaneous members in the Unrepresented Confidential group.

From and after the effective date of this amendment to contract, 2% for local miscellaneous members in the Gardena Municipal Employees Association.

From and after the effective date of this amendment to contract, 2% for local miscellaneous members in the Gardena Management Employees Organization.

From and after the effective date of this amendment to contract, 2% for local miscellaneous members in the Unrepresented Confidential group.

The portion of the employer's contribution that the member agrees to contribute from his or her compensation, over and above the member's normal contribution ("Cost Sharing Percentage"), shall not exceed the Employer Normal Cost Rate, as that rate is defined in the CalPERS Actuarial Valuation for the relevant fiscal year. If the Cost Sharing Percentage will exceed the relevant Employer Normal Cost Rate, the Cost Sharing Percentage shall automatically be reduced to an amount equal to, and not to exceed, the Employer Normal Cost Rate for the relevant fiscal year.

11. Public Agency, in accordance with Government Code Section 20790, ceased to be an "employer" for purposes of Section 20834 effective on June 11, 1998. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20834, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20834.
12. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.
13. Public Agency shall also contribute to said Retirement System as follows:

- a. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
 - b. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
14. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.
15. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the _____ day of _____, _____.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
CITY OF GARDENA

BY _____
MELODY BENAVIDES, CHIEF
PENSION CONTRACTS AND PREFUNDING
PROGRAMS DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY _____
PRESIDING OFFICER

Witness Date

Attest:

Clerk

PLEASE DO NOT SIGN "EXHIBIT ONLY"

PLEASE DO NOT SIGN "EXHIBIT ONLY"



California Public Employees' Retirement System
 Financial Office | Pension Contracts and Prefunding Programs Division
 P.O. Box 942703, Sacramento, CA 94229-2703
 888 CalPERS (or 888-225-7377) | TTY: (877) 249-7442 | www.calpers.ca.gov

Certification of Compliance with Government Code Section 7507

I hereby certify that in accordance with Government Code section 7507, the future annual costs as determined by the California Public Employees' Retirement System for the increase or change in retirement benefit(s) have been made public at a public meeting of the _____ of the _____

(governing body)

(public agency)

on _____ which is at least two weeks prior to the adoption of the Resolution /
(date)

Ordinance. Adoption of the retirement benefit increase or change will not be placed on the consent calendar.

Clerk/Secretary

Title

Date _____



California Public Employees' Retirement System
Financial Office | Pension Contracts and Prefunding Programs Division
P.O. Box 942703, Sacramento, CA 94229-2703
888 CalPERS (or 888-225-7377) | TTY: (877) 249-7442 | www.calpers.ca.gov

Certification of Governing Body's Action

I hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the

_____ of the
(governing body)

(public agency)

on _____.
(date)

Clerk/Secretary

Title



California Public Employees' Retirement System
Financial Office | Pension Contracts and Prefunding Programs Division
P.O. Box 942703, Sacramento, CA 94229-2703
888 CalPERS (or 888-225-7377) | TTY: (877) 249-7442 | www.calpers.ca.gov

Certification of Compliance with Government Code Section 20516

I hereby certify that in accordance with Government Code Section 20516 the City of Gardena and its local miscellaneous employees have agreed in writing to the following:

Section 20516 (Employees Sharing Additional Cost) of an additional 1% for local miscellaneous members in the Gardena Municipal Employees Association, Gardena Management Employees Organization and the Unrepresented Confidential group.

Signature

Title

Witness

Date



City of Gardena

Gardena City Council Meeting

AGENDA REPORT SUMMARY

Agenda Item No. 12.B
Section: DEPARTMENTAL
ITEMS - ADMINISTRATIVE
SERVICES
Meeting Date: August 22, 2023

TO: THE HONORABLE MAYOR AND MEMBERS OF THE GARDENA CITY COUNCIL

AGENDA TITLE: Approval of Blanket Purchase Orders for Fiscal Year 2023-2024

COUNCIL ACTION REQUIRED:

Staff Recommendation: Approve Blanket Purchase Orders for Fiscal Year 2023-2024

RECOMMENDATION AND STAFF SUMMARY:

A blanket purchase order authorizes the City to buy goods or services with predetermined terms or conditions. Since these vendors either have individual contracts, are piggybacking on State contracts, sole source vendors, or provide vital services the City is mandated to use, it is only necessary for the requisitioner to request one purchase order for the estimated amount of the expenditure for the fiscal year. The blanket purchase order is limited by a dollar amount, as approved by Council, and the Purchasing Officer can issue releases of goods or services until the pre-established dollar amount is reached.

Per the City's municipal code, Section 2.60.100 "Purchases greater than thirty thousand dollars shall be approved by the City Council". Therefore, as the estimated budgeted expenditure amount exceeds \$30,000, it is requested that Council approve the following Blanket Purchase Orders for fiscal year 2023-2024 as specified in Exhibit A.

FINANCIAL IMPACT/COST:

General Fund	\$3,537,744
GTrans	\$1,873,215
Other Funds	\$1,246,407
Total Blanket Purchase Orders	\$6,657,366

ATTACHMENTS:

[Exhibit A.pdf](#)

APPROVED:

A handwritten signature in blue ink, appearing to read "Clint Osorio". The signature is fluid and cursive, with a period at the end.

Clint Osorio, City Manager

EXHIBIT A

VENDOR	AMOUNT	DESCRIPTION OF SERVICE	FUNDING SOURCE	DEPARTMENT
AT&T FirstNet	\$ 73,035	Citywide Wireless Telecommunication	General Fund	Administrative Services
Behrends, Kent	50,800	IT Network Support	General Fund	Administrative Services
BPR Consulting Group LLC	1,156,391	Plan Check Services/Building Official/Inspection Services/Permit Technicians	General Fund	Community Development
City of Hawthorne	95,000	Mark 43 (CAD/RMS)	General Fund	Police
Data Gear, Inc	150,000	Video Policing Camera Maintenance	General Fund	Police
Dell Marketing L.P.	129,573	Microsoft Licenses	General Fund	Administrative Services
Department of Justice	40,000	Fingerprint Apps	General Fund	Police
Dooley's Enterprises, Inc	75,000	Ammunition	General Fund	Police
Enterprise FM Trust	169,741	Patrol & City Lease Fleet	General Fund	Citywide
FM Thomas Air Conditioning Inc	78,142	HVAC Preventative Maintenance & Repair	General Fund	Public Works
JL Group LLC	77,000	Investigative Services	General Fund	Police
Jones & Mayer	131,140	City Attorney Services	General Fund	City Manager's Office
Los Angeles County Department of Public Works	145,000	Industrial Waste Services	General Fund	Public Works
Los Angeles Superior Court	430,000	Parking Citation Fees	General Fund	Police
Phoenix Group Information System	140,000	Citation Billing Services	General Fund	Police
Prudential Overall Supply	62,500	Uniform, Towel & Misc Rental Services/Custodial Supplies	General Fund	Recreation/Public Works
Pun Group LLP	41,496	City Audit Services	General Fund	Administrative Services
Ricoh USA, Inc	34,088	Copier Leases	General Fund	Administrative Services
Shige's Foreign Car Service Inc	100,000	Vehicle Repairs	General Fund	Police
SPCALA	112,225	Animal Sheltering Services	General Fund	Community Development
Spicers Paper, Inc	35,000	Paper	General Fund	Administrative Services
Townsend Public Affairs, Inc	56,000	Legislative Advocacy & Grant Writing Services	General Fund	Administrative Services
Tyler Technologies, Inc	55,613	Annual Eden Software Renewal	General Fund	Administrative Services
Western Collision Center, Inc	100,000	Vehicle Repairs	General Fund	Police
Total General Fund	\$ 3,537,744			

VENDOR	AMOUNT	DESCRIPTION OF SERVICE	FUNDING SOURCE	DEPARTMENT
AT&T FirstNet	\$ 18,792	Citywide Wireless Telecommunication	Enterprise	GTrans
Aftermarket Parts Company LLC	150,000	Budget Bus Replacement Parts	Enterprise	GTrans
Clean Energy	1,404,551	Fuel - Compressed Natural Gas	Enterprise	GTrans
Copyland, Inc	50,000	Professional Copying and Printing Services	Enterprise	GTrans
Dell Marketing L.P.	37,820	Microsoft Licenses	Enterprise	GTrans
Inter-Con Security Services Inc	115,444	Security Guard Services	Enterprise	GTrans
N/S Corporation	30,000	Bus Wash Equipment Parts	Enterprise	GTrans
Prudential Overall Supply	22,500	Uniform, Towel & Misc Rental Services	Enterprise	GTrans
Pun Group LLP	10,640	City Audit Services	Enterprise	GTrans
Ricoh USA, Inc	3,468	Copier Leases	Enterprise	GTrans
Toms Truck Center	30,000	Budget Bus Vehicle Parts	Enterprise	GTrans
Total GTrans	\$ 1,873,215			

VENDOR	AMOUNT	DESCRIPTION OF SERVICE	FUNDING SOURCE	DEPARTMENT
Concentra	\$ 36,810	Medical/Drug Screenings/DOT Recertifications	Various	Administrative Services
CPAC, Inc	226,983	Computer Replacement	Internal Service Fund	Administrative Services
Dell Marketing L.P.	1,444	Microsoft Licenses	Sewer	Public Works
Dell Marketing L.P.	108,182	Microsoft Licenses/Server Replacement	Various	Citywide
Enterprise FM Trust	21,636	City Lease Fleet	AQMD	Citywide
Lincoln National Life Insurance Company	43,200	Employee Life Insurance	Internal Service Fund	Administrative Services
Los Angeles County Department of Public Works	30,000	Traffic Signal Maintenance	Gas Tax	Public Works
LWP Claims Solutions Inc	255,460	Work Comp Coverage	Internal Service Fund	Administrative Services
Mariposa Landscapes, Inc	115,724	Tree Trimming Maintenance Service	Gas Tax	Public Works
Mariposa Landscapes, Inc	106,368	Landscape Maintenance Service	Gas Tax	Public Works
Micro Electronics, Inc	60,000	Computer Replacement Parts	Internal Service Fund	Administrative Services
Pinnacle Claims Management Inc	164,545	Health Insurance Coverage	Internal Service Fund	Administrative Services
Pun Group LLP	8,572	City Audit Services	Various	Citywide
Ricoh USA, Inc	2,483	Copier Leases	Various	Citywide
Swarco McCain, Inc	65,000	Traffic Equipment Supplier	Gas Tax	Public Works
Total Other Funds	\$ 1,246,407			

GRAND TOTAL ALL FUNDS \$ 6,657,366



City of Gardena

Gardena City Council Meeting

AGENDA REPORT SUMMARY

Agenda Item No. 13.A
Section: DEPARTMENTAL
ITEMS - COMMUNITY
DEVELOPMENT
Meeting Date: August 22, 2023

TO: THE HONORABLE MAYOR AND MEMBERS OF THE GARDENA CITY COUNCIL

AGENDA TITLE: PUBLIC HEARING: ORDINANCE NO. 1854, An Ordinance of the City Council of the City of Gardena, California Amending Title 18 and Adding Chapter 5.76 to Title 5 Relating to Home Sharing Rentals and finding the action exempt from the California Environmental Quality Act Pursuant to the Commonsense Exemption of CEQA Guidelines Section 15061(B)(3)

COUNCIL ACTION REQUIRED:

Staff Recommendation: Conduct a public hearing, allow three (3) minutes for each speaker, and Introduce Ordinance No. 1854.

RECOMMENDATION AND STAFF SUMMARY:

Staff respectfully recommends that the City Council introduce Ordinance No. 1854, relating to regulations for short term home sharing rentals.

On November 8, 2022, the City Council directed staff to draft an ordinance that would allow for short-term home sharing rentals in certain residential zones.

Since then, staff has worked with the City Council and Planning Commission to draft an ordinance that would allow short term home sharing rentals.

On July 18, 2023, the Planning Commission adopted Resolution No. PC 13-23, recommending that the City Council adopt Ordinance No. 1856.

Tonight, the City Council is being asked to considered the draft Ordinance for introduction. This item is a public hearing and members of the public will have the opportunity to speak on the matter. Additionally, all previous public comments received on this item are attached for the City Council's consideration.

FINANCIAL IMPACT/COST:

ATTACHMENTS:

[Planning Commission Resolution No. PC 13-23.pdf](#)

[Draft Ordinance No. 1854 \(Home Sharing\).pdf](#)

[Staff Report \(Home Sharing\).pdf](#)

[Attachment A - Staff Reports presented to Planning Commission.pdf](#)

APPROVED:

A handwritten signature in blue ink, appearing to read "Clint Osorio".

Clint Osorio, City Manager

RESOLUTION NO. PC 13-23

A RESOLUTION OF THE PLANNING AND ENVIRONMENTAL QUALITY COMMISSION OF THE CITY OF GARDENA, CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL APPROVE ORDINANCE NO. 1854 AMENDING TITLE 18 AND ADDING CHAPTER 5.76 TO TITLE 5 RELATING TO HOME SHARING RENTALS

THE PLANNING COMMISSION OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. RECITALS.

A. Due to close proximity to entertainment venues such as SoFi Stadium, Los Angeles International airport, Fortune 500 companies, beaches, and other Southern California tourist destinations, the City of Gardena has become a popular location for alternative short term lodging.

B. The City of Gardena has never specifically allowed short term rental lodging as an allowed use.

C. Recent case law calls into question whether the City's prohibition on short-term rentals is valid without the use being specifically prohibited.

D. Since 2017, the City has specifically prohibited short-term rentals on properties which have an accessory dwelling unit (ADU), regardless of whether the short-term rental was of the ADU or the main residential structure.

E. The City Council wishes to make clear that short-terms rentals of an entire home are not permitted in the City. The adoption of this ordinance is not meant to indicate that short-term rentals were previously allowed in the City.

F. Short term rentals can create problems in residential areas due to such things as the potential for increased traffic, noise, parking issues, and can cause a change to the residential character of the community which can also lead to safety concerns. The City desires to alleviate these impacts to residential neighborhoods caused by short-term rentals.

G. According to the most recent Regional Housing Needs Allocation which was incorporated into the City's 6th Cycle Housing Element, the City has a total need of 5,735 units, 55 percent of which are for very low, low and moderate income households.

H. Short term rentals impact the supply of long-term rental housing available in the City and increase the cost of housing. The City desires to preserve its available housing stock.

I. Home sharing, the renting of rooms in private homes by hosts for temporary occupancy while the host is present, can create a community benefit by expanding the number and type of lodging facilities available in the City, can assist homeowners and long-term tenants by providing additional income which may be used for living expenses as well as maintenance and upgrade of residential units, and can provide companionship for people living alone without taking rental units off of the market for long-term tenants.

J. Home sharing does not create the same adverse impacts as unsupervised short-term rentals when the home-shares are hosted by the owner or a qualifying resident who lives on site and is present to regulate guests' behavior.

K. Imposing time requirements for owners and tenants to have owned and lived in the property helps ensure that those individuals who are home sharing have a long-term interest in the community.

L. While home sharing can be conducted in harmony with surrounding uses, those activities must still be regulated through a permitting process with restrictions and operational regulations to ensure that public health, safety and general welfare are protected.

M. On May 16, 2023, the Planning Commission of the City of Gardena held a duly noticed public hearing and considered all evidence presented, both written and oral, after which the Planning Commission provided further direction to staff for recommended changes and continued the public hearing to June 20, 2023.

N. On June 20, 2023, the Planning Commission held the continued public hearing and adopted Resolution No. 10-23 recommending that the City Council adopt the draft of the Ordinance presented.

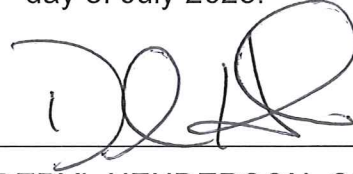
O. On July 18, 2023 staff returned the item to the Planning Commission for an additional duly, noticed public hearing due to state and federal cases that were decided and/or published after the prior Planning Commission which necessitated revisions to the Ordinance.

NOW, THEREFORE, THE PLANNING AND ENVIRONMENTAL QUALITY CONTROL COMMISSION OF THE CITY OF GARDENA DOES HEREBY RESOLVE AS FOLLOWS:

The Planning Commission hereby recommends that the City Council adopt the Ordinance attached hereto as Exhibit A making changes to amend Title 18 and add Chapter 5.76 to Title 5 relating to short term home sharing rentals. For all of the reasons set forth in the reasoning provided by staff, the Planning Commission believes that these

changes represent good land use practices which are required by public necessity, convenience and the general welfare.

PASSED, APPROVED, AND ADOPTED this 18th day of July 2023.



DERYL HENDERSON, CHAIR
PLANNING AND ENVIRONMENTAL
QUALITY COMMISSION

ATTEST:



GREG TSUJIUCHI, SECRETARY
PLANNING AND ENVIRONMENTAL QUALITY COMMISSION
STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF GARDENA

I, Greg Tsujiuchi, Planning and Environmental Quality Commission Secretary of the City of Gardena, do hereby certify that the foregoing Resolution was duly adopted by the Planning and Environmental Quality Commission of the City of Gardena at a regular meeting thereof, held the 18th day of July 2023, by the following vote:

AYES: Wright-Scherr, Langley, Kanhan, Sherman, Henderson

NOES:

ABSENT:

Attachments:

Exhibit A – Draft Ordinance No. 1854

ORDINANCE NO. 1854

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA,
CALIFORNIA AMENDING TITLE 18 AND ADDING CHAPTER 5.76 TO
TITLE 5 RELATING TO HOME SHARING RENTALS**

The City Council of the City of Gardena does hereby ordain as follows:

SECTION 1: Findings. The City Council does hereby find and declare as follows:

A. Due to close proximity to entertainment venues such as SoFi Stadium, Los Angeles International airport, Fortune 500 companies, beaches, and other Southern California tourist destinations, the City of Gardena has become a popular location for alternative short-term lodging.

B. The City of Gardena has never specifically allowed short-term rental lodging as an allowed use and considers such uses to be prohibited in the City.

C. Recent case law calls into question whether the City's prohibition on short-term rentals is valid without the use being specifically prohibited.

D. Since 2017, the City has specifically prohibited short-term rentals on properties which have an accessory dwelling unit (ADU), regardless of whether the short-term rental was of the ADU or the main residential structure.

E. The City Council wishes to make clear that short-terms rentals of an entire home are not permitted in the City. The adoption of this ordinance is not meant to indicate that short-term rentals were previously allowed in the City.

F. Short term rentals can create problems in residential areas due to such things as the potential for increased traffic, noise, parking issues, and can cause a change to the residential character of the community which can also lead to safety concerns. The City desires to alleviate these impacts to residential neighborhoods caused by short-term rentals.

G. According to the most recent Regional Housing Needs Allocation which was incorporated into the City's 6th Cycle Housing Element, the City has a total need of 5,735 units, 55 percent of which are for very low, low and moderate income households.

H. Short term rentals impact the supply of long-term rental housing available in the City and increase the cost of housing. The City desires to preserve its available housing stock.

I. Home sharing, the renting of rooms in private homes by hosts for temporary occupancy while the host is present, can create a community benefit by expanding the number and type of lodging facilities available in the City, can assist homeowners and long-term tenants by providing additional income which may be used for living expenses as well as maintenance and upgrade of residential units, and can provide companionship for people living alone without taking rental units off of the market for long-term tenants.

J. Home sharing does not create the same adverse impacts as unsupervised short-term rentals when the home-shares are hosted by the owner or a qualifying resident who lives on site and is present to regulate guests' behavior.

K. Imposing time requirements for owners and tenants to have owned and lived in the property helps ensure that those individuals who are home sharing have a long-term interest in the community.

L. While home sharing can be conducted in harmony with surrounding uses, those activities must still be regulated through a permitting process with restrictions and operational regulations to ensure that public health, safety and general welfare are protected.

M. On May 16, 2023, the Planning Commission of the City of Gardena held a duly noticed public hearing and considered all evidence presented, both written and oral, after which the Planning Commission provided further direction to staff for recommended changes and continued the public hearing to June 20, 2023.

N. On June 20, 2023, the Planning Commission held the continued public hearing and adopted Resolution No. 10-23 recommending that the City Council adopt the draft of the Ordinance presented.

O. On July 18, 2023 staff returned the item to the Planning Commission for an additional duly, noticed public hearing due to state and federal cases that were decided and/or published after the prior Planning Commission which necessitated revisions to the Ordinance.

P. At the close of the public hearing the Planning Commission adopted a resolution recommending that the City Council adopt the revised Ordinance amending Title 18 and adding Chapter 5.76 to Title 5.

Q. On August 22, 2023, the City Council of the City of Gardena held a duly noticed public hearing and considered all evidence presented, both written, after which it introduced this Ordinance.

R. Adoption of this Ordinance is for public necessity, convenience, and the general welfare as it provides protections to persons living in residential zones and protects the supply of housing in the City while taking into consideration constitutional requirements.

SECTION 2. Chapter 18.04 of the Gardena Municipal Code is hereby amended by adding the following definitions:

18.04.232 Home sharing rental.

“Home sharing rental” shall have the same meaning as that set forth in Section 5.76.020 of this Code.

18.04.417 Short term rental.

“Short term rental” shall have the same meaning as that set forth in Section 5.76.020 of this Code.

SECTION 3. Chapter 18.06 of the Gardena Municipal Code is hereby amended to read as follows:

Chapter 18.06

NEW AND EXISTING USES/SPECIFIC PLAN PROHIBITIONS

18.06.010 New construction and new uses.

All new construction, including buildings, improvements, alterations or enlargements, undertaken and all new uses or occupancy of premises within the city shall conform with the requirements, character and conditions as to use, height and area laid down for each of the several zones or districts as described in this title. No person shall erect, construct, establish, move into, alter, enlarge, or use or cause or permit to be erected, constructed, established, moved into, altered, enlarged or used, any building, structure, improvement or use of premises located in any zone described in this chapter contrary to the provisions of this title.

18.06.020 Specific Plans – uses prohibited.

- A. Short term rentals and home sharing rentals are hereby prohibited in every Specific Plan zone in the city. This prohibition is in addition to the uses specifically identified as permitted or prohibited in each Specific Plan.

SECTION 4. Section 18.12.020 of the Gardena Municipal Code relating to uses allowed in the R-1 zone is hereby amended by adding a subsection J. to read as follows:

- J. Home sharing rentals. Home sharing rentals shall be allowed in a single-family residence in accordance with Chapter 5.76 of this Code. No home sharing

rental shall be allowed in any dwelling unit if there is an accessory dwelling unit or junior accessory dwelling unit on the property.

SECTION 5. Section 18.12.040 of the Gardena Municipal Code is hereby amended to read as follows:

18.12.040 Uses prohibited.

A. All uses not listed in Sections [18.12.020](#) and [18.12.030](#) are deemed to be expressly prohibited in the R-1 zone, except those determined to be similar pursuant to the provisions of Section [18.42.040](#); and

B. Short term rentals.

SECTION 6. Section 18.14.020 of the Gardena Municipal Code relating to uses allowed in the R-2 zone is hereby amended by adding a subsection D to read as follows:

D. Home sharing rentals. Home sharing rentals shall be allowed where there are no more than two units on the property in accordance with Chapter 5.76 of this Code. No home sharing rental shall be allowed in any dwelling unit if there is an accessory dwelling unit or junior accessory dwelling unit on the property.

SECTION 7. Section 18.14.040 of the Gardena Municipal Code is hereby amended to read as follows:

18.14.040 Uses prohibited.

A. All uses not listed in Sections [18.14.020](#) and [18.14.030](#) are deemed to be expressly prohibited in the R-2 zone, except those determined to be similar pursuant to the provisions of Section [18.42.040](#);

B. Short term rentals; and

C. Home sharing rentals if there are more than two dwelling units on the property.

SECTION 8. Section 18.16.040 of the Gardena Municipal Code is hereby amended to read as follows:

18.16.040 Uses prohibited.

A. All uses not listed in Sections [18.16.020](#) and [18.16.030](#) are deemed to be expressly prohibited in the R-3 zone, except those determined to be similar pursuant to the provisions of Section [18.42.040](#);

B. Home sharing rentals; and

C. Short term rentals.

SECTION 9. Section 18.18A.030 of the Gardena Municipal Code is hereby amended to read as follows:

18.18A.030 Uses prohibited.

A. All uses not listed in Sections [18.18A.020](#) are deemed to be expressly prohibited in the R-6 zone, except those determined to be similar pursuant to the provisions of Section [18.42.040](#).

B. The following uses are expressly prohibited:

1. Home sharing rentals; and
2. Short term rentals.

SECTION 10. Section 18.19.050 of the Gardena Municipal Code is hereby amended to read as follows:

18.19.050 Uses prohibited.

A. All uses not listed in Sections [18.19.030](#) and [18.19.040](#) are deemed to be expressly prohibited in the MUO zone, except those determined to be similar pursuant to the provisions of Section [18.42.040](#);

B. Home sharing rentals; and

C. Short term rentals.

SECTION 11. The opening paragraph of Section 18.19A.050 and subsection A of the Gardena Municipal Code are hereby amended to read as follows; all other sections remain the same:

18.19A.050 Uses prohibited.

All uses not listed in Sections 18.19A.030 and 18.19A.040 are deemed to be expressly prohibited, except those determined to be similar pursuant to the provisions of Section 18.42.040. No similar use determination may be made for the following specific uses, which are deemed to be incompatible with the uses permitted in the C-3 zone and are therefore prohibited:

A. Residential:

1. Any residential units other than live-work north of Main Street;

2. Home sharing rentals; and

3. Short term rentals.

SECTION 12. Section 18.20.040 of the Gardena Municipal Code is hereby amended by adding new subsection L and M to read as follows and relettering existing subsection L.

18.20.040 Uses prohibited.

L. Home sharing rentals;

M. Short term rentals; and

~~N.~~ Any other use not listed in Section 18.20.020, 18.20.025, or 18.20.030, except those determined to be similar pursuant to the provisions of Section [18.42.040](#).

SECTION 13. Section 18.21.040 of the Gardena Municipal Code is hereby amended by adding new subsection B.

The following uses shall be explicitly prohibited in the housing overlays:

A. Home sharing rentals; and

B. Short-term rentals.

SECTION 14. Section 18.28.040 of the Gardena Municipal Code is hereby amended by adding new subsection L and M to read as follows and relettering existing subsection L.

18.28.040 Uses prohibited.

L. Home sharing rentals;

M. Short term rentals; and

~~N.~~ Uses other than those specifically set forth or provided for in Sections [18.28.020](#) and [18.28.030](#), except those determined to be similar pursuant to the provisions of Section [18.42.040](#).

SECTION 15. Chapter 5.76 is hereby added to the Gardena Municipal Code to read as follows:

CHAPTER 5.76

HOME SHARING RENTALS

5.76.010 Purpose.

The purpose of this Chapter is to alleviate nuisances, protect the character of the City's residential communities and stabilize the housing market by protecting the City's housing supply while at the same time allowing owners and residents to supplement their income, provide potentially more affordable accommodations, and providing the opportunity for companionship.

5.76.020 Definitions.

For the purpose of this Chapter, the following definitions apply:

ADMINISTRATIVE GUIDELINES: Regulations approved by the City Manager that may include, but are not limited to, application requirements, interpretations, conditions, reporting requirements, hosting platform safe harbor requirements, enforcement procedures, and disclosure requirements to implement the provisions of this Chapter.

BEDROOM: Any habitable space in a dwelling unit other than a kitchen, bathroom or living room that is intended for or capable of being used for sleeping, is at least 70 square feet in area with no dimension less than seven feet, has a window to the outside, is separated from other rooms by a door, and is accessible to a bathroom without crossing another bedroom.

BOOKING: A reservation for home sharing.

BOOKING TRANSACTION: Any reservation or payment service provided by a person who facilitates a transaction for home sharing, between a prospective transient user and a host.

DIRECTOR: The Director of Community Development or his/her designee.

DWELLING UNIT: Any building or portion thereof that is used as a complete, independent living facility for one or more persons containing permanent provisions for living, sleeping, eating, cooking, and sanitation, as required by the California Building Code.

GUEST: A natural person who rents a home sharing rental.

HOME SHARING: Renting, for a period of 30 consecutive days or less, of one or more bedrooms in a dwelling unit that is the primary residence of the host, while the host lives on site, in the dwelling unit, throughout the guest's stay.

HOME SHARING PERMIT (HSP): A permit issued in accordance with this Chapter.

HOME SHARING RENTAL: A dwelling unit that is made available for home sharing. A home sharing rental is included in the definition of "hotel" for purposes of Chapter 3.16 of this Code

HOST: Any natural person who is an owner or a qualifying tenant of a residential dwelling unit offered for use as home sharing rental.

HOSTING PLATFORM: A person or entity that participates in the home sharing rental business by providing booking services through which a host may offer a home sharing rental. Hosting platforms usually, though not necessarily, provide booking services through an online platform that allows a host to advertise the home sharing rental through a website provided by the hosting platform and the hosting platform conducts a transaction by which potential renters arrange use and payment, whether the renter pays rent directly to the operator or to the hosting platform.

LISTING: A webpage or advertisement (online or otherwise) for a home sharing rental or other overnight rented stays located on a hosting Platform or other online platform(s), including the web URL, metadata and other attributes.

LIVES ON-SITE: Maintains a physical presence in the home sharing rental including, without limitation, all of the following: the storing of one's clothes and other personal effects, sleeping overnight, preparing and eating meals, and engaging in other activities of the type typically engaged in by a person residing in a dwelling unit.

OWNER: Any person who, alone or with others, has legal or equitable title to a dwelling unit and has held such interest for a minimum of one year. A person whose interest in the property is solely that of a tenant, subtenant, lessee, or sublessee under an oral or written rental housing agreement shall not be considered an owner.

PERMIT PERIOD: A five-year period of time commencing on April 15, 2024 and ending on April 14, 2029 and every five-years thereafter commencing on April 15 of that year.

PERSON: A natural person or any legal entity.

PRIMARY RESIDENCE: The residential unit where the host resides for at least 183 nights per year. A host can have only one primary residence.

QUALIFYING TENANT: A tenant who has lived at the home sharing rental for a minimum of one year.

SHORT-TERM RENTAL: Any rental of a dwelling unit or any portion thereof for occupancy, dwelling, lodging or sleeping purposes for a period of 30 consecutive calendar days or less which does not qualify as a home sharing rental.

5.76.030 License, permits and taxes required.

A. No person may rent, offer to rent, or advertise a home sharing rental to another person without a valid business license. The business license must be renewed on a yearly basis.

B. No person may rent, offer to rent, or advertise a home sharing rental to another person without a valid home sharing permit approved and issued in the manner set forth in this Chapter.

C. All home sharing hosts shall be subject to the provisions of Title 5 (Business Licenses and Regulations) and Chapter 3.16, including the requirement to pay the City's Transient Occupancy Tax (TOT) and the requirement to have a transient occupancy registration certificate. Unless the applicant has the hosting platform they use collect and remit all TOT on their behalf, the applicant must be registered to pay TOT with the City's Business License Division. Regardless of whether a host utilizes a hosting platform that offers to collect and remit TOT on their behalf, the host is ultimately responsible for the collection and monthly remittance of TOT to the City.

5.76.040 Home Sharing Permit

The following persons are qualified to be a host of a Home Sharing Rental:

A. Home sharing permits shall only be granted to applicants who are the owners or qualifying tenant of the proposed home sharing rental as specified in this Chapter. A host may be issued only one home sharing permit within the City.

B. The following persons are qualified to be a host of a Home Sharing Rental:

1. An owner who lives on the premises and has owned the residence for a minimum of one year prior to the date of the application.

2. An owner who has owned the residence for a minimum of one year prior to the date of the application and who does not live on the premises but has a qualifying tenant and whose lease with the tenant specifies that the owner may use a designated bedroom or bedrooms for home sharing.

3. A qualifying tenant whose lease with the owner specifies that the tenant may use a designated bedroom or bedrooms for home sharing and the owner has owned the residence for a minimum of one year prior to the date of the application.

4. Ownership, including the length of ownership, shall be established by providing a copy of at least one document that identifies the full name or names of the

applicant as owner and the address of the property. Examples of acceptable documents include recent copies of: a property tax bill, mortgage statement, and title report.

5. Primary residency for a host or qualifying tenant shall be established by providing two documents which associate the property as the place which is the base of their personal life activities. Examples of acceptable documents include the following when the name and address match that of the application and there is a date on at least one document establishing residency of one year: valid federal or state-issued photo identification card; passport or alien registration card; valid California voter registration card or status document; vehicle registration certificate; health insurance or vehicle insurance bills; pay stubs with name and address; original utility bills for water, gas or electric service.

C. Home sharing permits shall be valid for a five-year period commencing April 15 of one year and ending on April 14, five years later.

D. The City shall issue a maximum of 100 home sharing permits per five-year period. The application period shall be January 1 through February 15, commencing in calendar year 2024 and then every five years thereafter.

1. If there are more than 100 qualified applications submitted during this time, the City shall issue home sharing permits by way of a lottery.

2. If there are less than 100 qualified applicants submitted during this time and additional home sharing permits are available, such permits may be issued on a first-come, first-served basis through the end rental permit period until 100 permits have been issued. Regardless of when a permit is issued during this time, it shall only be valid until the remainder of the rental permit period.

3. If a lottery is conducted and a qualified applicant is not selected, then the applicant's permit fee shall be refunded.

E. No home sharing permit shall be issued to a host who has previously had a home sharing permit revoked.

F. No home sharing permit shall be issued for a dwelling unit with a pending enforcement action by the City for violations of this Chapter or any provision of the Municipal Code, unless the approval is required to resolve the enforcement action.

5.76.050 Home Sharing Permit – Application and Renewal Procedures

A. Only a proposed host may apply for a home sharing permit.

B. An application for a home sharing permit must meet the following requirements, be made on a form approved by the City, and must contain the following information:

1. The name, address, and telephone number of the host of the residence for which the permit is to be issued.
2. Whether the applicant is an owner or qualifying tenant.
3. Proof that the proposed home sharing rental is the primary residence of the owner, and if applicable, the qualifying tenant.
4. Proof that the owner has owned the proposed home share for at least a year and if applicable, that the qualifying tenant has resided in the proposed home share for at least a year.
5. An acknowledgment that the home sharing permit is only valid for the permit period of five years and subject to renewals which may be through a lottery system if there are more than the allowed number of users which apply.
6. An acknowledgment that the home sharing permit does not create a vested right, is non-transferable, does not run with the land and may not necessarily be renewed for successive five-year periods.
7. If the applicant is a property owner who will reside on site:
 - a. Proof that the proposed home share is the owner's primary residence;
 - b. Proof that the owner has owned the house for a minimum of 365 days prior to the date of the application.
8. If the applicant is an owner who will not reside on site but has a qualifying tenant:
 - a. Proof that the owner has owned the house for a minimum of 365 days prior to the date of the application;
 - b. Proof, other than a rental agreement, that the proposed home share is the qualifying tenant's primary residence;
 - c. Proof that the qualifying tenant has resided at the residence for a minimum of 365 days;
 - d. A copy of the lease naming the qualifying tenant and specifying that the owner can use the residence for a home share rental and designating which rooms can be used for such purposes.
9. If the applicant is a qualified tenant:

a. Proof that the owner has owned the house for a minimum of 365 days prior to the date of the application;

b. Proof, other than a rental agreement, that the proposed home share is the qualifying tenant's primary residence.

c. Proof that the qualifying tenant has resided at the residence for a minimum of 365 days;

d. A copy of the lease naming the qualifying tenant and specifying that the tenant can use the residence for a home share rental and designating which rooms can be used for such purposes;

10. An identification of the number of bedrooms to be home shared.

11. Such other information as required by the Administrative Guidelines or as the City Manager or his/her designee deems reasonably necessary to administer this Chapter.

12. All applications must be signed and notarized by the property owner and, if applicable, by the qualifying tenant.

C. An application for a home sharing permit and for each renewal must be accompanied by a fee established by resolution of the City Council.

D. Once an applicant has been notified that they will receive a home sharing permit for the following period, the applicant shall have 45 days to provide the City with the information listed below. Once the information is provided, the home sharing permit shall be issued.

1. Evidence that the host has applied for or obtained a business license for operating a home sharing rental.

2. Evidence that the host has applied for or obtained a transient occupancy registration certificate for the home sharing rental.

3. Proof of general liability insurance in the amount of \$1,000,000 combined single limit. Insurance must be kept up to date on a yearly basis and a copy of the policy must be provided to the City upon request in subsequent years of the rental period. The insurance requirement may be satisfied if the host lists only on hosting Platforms that provide the host with this level of insurance. In such a case, the host must provide the City with a copy of the agreement between the host and the hosting Platform that evidences the requisite insurance coverage.

E. Renewal applications shall be processed in the same manner as the original application and shall contain the same information.

F. It shall be the obligation of the host to notify the Community Development Department of any changes to the information provided in the application within 15

business days of such change.

5.76.060 Regulatory requirements.

Home sharing permits are subject to the following regulations and conditions:

A. The host must reside on-site in a bedroom, within the home sharing rental, during the time in which guests are present.

B. Home sharing is only allowed in the Single-Family (R-1) and Low-Density Multiple-Family (R-2) zones as further set forth in Title 18 and may not be located on any property on which there is an accessory dwelling unit.

C. At all times the home sharing rental must be used solely for residential purposes.

D. Only bedrooms may be rented and occupancy shall be limited to a maximum of 4 people per bedroom.

E. The host must take responsibility for and actively prevent any nuisance activities that may take place as a result of home-sharing.

F. There must be a minimum of two parking spaces on site per unit, which need not be in an enclosed garage. Parking must meet the requirements of Chapter 18.40 of this Code. At least one parking space per reservation must be made available to guests and such parking may include the required parking as well as driveway spaces. Tandem parking spaces are acceptable provided each tandem space measures at least 9 feet by 20 feet and does not extend into any sidewalk or other public right-of-way. If any of the required parking is provided in a garage, each garage space must be kept clear of debris and able to accommodate a vehicle at all times.

G. The host shall keep records of the vehicle license plate numbers of guests, which shall be provided to the City upon request.

H. The host shall notify all residents within 75 feet of the property on which the home sharing rental is located that the host is operating a home sharing rental from that location.

I. The host shall post contact information on the property on a place that is visible and accessible to the public that provides the following information for the host: name, phone number, e-mail address. The notice shall also include the home sharing permit number. The notice shall be in a minimum 1-inch size font.

J. The home share must at all times have operable basic health and safety features, including fire extinguishers, smoke detectors, and carbon monoxide detectors.

K. The property shall be maintained in a clean and sanitary condition. Trash and refuse shall not be left outdoors and shall not be left stored within public view, except in proper containers for the purpose of collection by the trash collectors.

L. The host must maintain a transient occupancy registration certificate and must ensure the timely remittance of all transient occupancy taxes due in accordance with 3.16 of this Code.

M. A home share is for overnight lodging accommodations only and may not be used for, or advertised for use for weddings, parties of any kind, conferences, or similar events.

N. The host must provide a Good Neighbor Policy notice to all guests that advises, at a minimum, the following:

1. The expectation that guests are expected to be respectful of neighbors and maintain the residential character of the neighborhood;

2. Parking requirements;

3. Rules for trash and recycling;

4. That the City noise provisions require noise levels to be reduced from 10 p.m. to 7 a.m.;

5. That upon a failure to vacate by the expiration of the occupancy term, guests may be deemed trespassers and may be subject to removal by relevant authorities;

6. That pursuant to Chapter 9.68 of the Municipal Code, if the police are called to address public peace, health, safety, or general welfare issues, guests may be responsible for the cost of the police response; and

7. That the rental may only be used for residential purposes and may not be used for weddings, parties of any kind, conferences, or similar events.

O. If there is a change to the information provided in the application which qualified the dwelling unit to be a home sharing rental, such change must be reported to the Community Development Department in accordance with Section 5.76.050F, the host must also remove all listings within 15 business days and cease operations of the home sharing rental.

P. The host shall keep and preserve, for a minimum period of three years, all records regarding each home sharing stay, including the length of stay for each booking and the corresponding rate charged, which shall be provided to the City upon request.

5.76.070 Advertising

A. The host is responsible for the content of all advertising with respect to the home sharing rental.

B. All advertising shall contain the following information:

1. The City-issued registration number
2. The applicable maximum occupancy per bedroom;
3. That the host will be present at all times during the rental.

C. In the event a home sharing permit is revoked, the host must remove all listings within 48 hours.

D. The Director may request a hosting platform to remove a listing for any unpermitted home sharing or short-term rental unit or for any home share unit that had its home sharing permit revoked pursuant to this Chapter.

5.76.080 Ban, termination, and revocation.

A. Ban.

1. If the Director determines that there is fraud on any application, the applicant shall be permanently banned from operating a home sharing rental within the City.

2. If there are three sustained complaints, whether criminal, civil, or administrative, within a 12 month period against a host, the host shall be permanently banned from operating a home sharing rental within the City.

B. Automatic Termination. A home sharing permit shall automatically terminate upon a change of circumstances that would have led to a denial of the home sharing permit in the first instance.

C. Revocation. A home sharing permit may be revoked for non-compliance with any provision of a home sharing permit or this Code after receiving a written Notice of Violation which has become final or for violations of this Code at the location of the home sharing rental. A written Notice of Violation is not required in cases where the violation causes an immediate threat to the health and safety of the guests or other occupants of the home sharing rental or to any surrounding neighbors.

D. Any regulatory actions taken hereunder shall be in writing and issued by the Community Development Director. Such actions shall be appealable pursuant to Chapter 1.12 of the Gardena Municipal Code. This shall not apply to any administrative citation issued pursuant to chapter 1.20 of this Code.

5.76.090 Registry.

All hosts and their respective property permitted for home sharing pursuant to this Chapter shall be listed on a registry created by the City which list shall be periodically updated. This registry shall be a public record and made available to any person upon request.

5.76.100 Administrative Guidelines.

The City Manager or his/her designee may promulgate administrative guidelines, which may include, but are not limited to, application requirements, permit conditions, reporting requirements, inspection frequencies, enforcement procedures, advertising restrictions, disclosure requirements, to implement the provisions of this Chapter. No person shall fail to comply with any such regulation once it is incorporated into the Administrative Guidelines.

5.76.110 Hosting Platform Responsibilities.

A. Unless an alternative arrangement is authorized by the Administrative Guidelines, a hosting platform shall be responsible for collecting all transient occupancy taxes applicable to bookings completed through the hosting platform and for remitting the same to the City. The hosting platform shall be considered an agent of the host for purposes of such transient occupancy tax collections and remittance responsibilities as set forth in Chapter 3.16 of this Code.

B. The hosting platform shall require the host to input the home share unit's corresponding Short-term home sharing permit number, consistent with the City's alphanumeric format, before the listing can be displayed. Any short-term rental unit listing that predates this ordinance and that does not have a corresponding Short-term home sharing permit number shall be removed by the hosting platform consistent with this Section.

C. A hosting platform shall not complete any booking transaction for any residential property or unit unless it is listed on the City's registry created under Section 5.76.090 at the time the hosting platform receives a fee for booking the transaction. Upon request from the Director made in a manner specified in the Administrative Guidelines,

the hosting platform must remove a home share or short-term rental listing or take other action consistent with the Administrative Guidelines.

D. On a quarterly basis, the hosting platform shall provide the City with a report detailing the total number of nights all home sharing rentals were rented through the platform during the applicable reporting period.

E. A hosting platform shall not collect or receive a fee or other financial benefit, directly or indirectly through an agent or intermediary, for facilitating or providing services ancillary to an unregistered home sharing rental, including, but not limited to, insurance, concierge services, catering, restaurant bookings, tours, guide services, entertainment, cleaning, property management, or maintenance of the residential property or unit.

F. Safe Harbor. A hosting platform shall be presumed to be in compliance with this Chapter if it does either of the following:

1. Operates in compliance with subsections A – E above, or
2. Complies with the Administrative Guidelines approved by the City Manager or his/her designee that describe how the hosting platform must satisfy the hosting platform responsibilities in this Chapter.

G. The provisions of this Section shall be interpreted in accordance with otherwise applicable State and Federal laws and will not apply if determined by the City to be in violation of, or preempted by, any such laws.

5.76.120 Prohibitions.

A. It is unlawful to offer, operate, maintain, authorize, aid, facilitate or advertise the home sharing of any portion of any residential dwelling unit in the city without a valid home sharing rental permit.

B. It is unlawful to offer, operate, maintain, authorize, aid, facilitate or advertise the home sharing rental of any portion of any residential dwelling unit in the city, other than for home sharing.

C. It is unlawful to operate or maintain a home sharing unit in violation of the provisions of this Chapter.

D. Only a qualifying residential dwelling unit or portion thereof may be made available for home sharing subject to this Chapter and Title 18.

E. It is unlawful to offer, operate, maintain, authorize, aid, facilitate or advertise the short-term rental of any place or vehicle, other than a permitted home sharing rental, for purposes of overnight lodging (for example, a tree house, recreational vehicle, tent, etc.)

5.76.130 Enforcement; penalties.

A. Any person, including a guest, who violates any provision of this Chapter, or hosting platform that violates its obligations under this Chapter, shall be subject to administrative citations and penalties pursuant to Chapter 1.20 of this Code as well as criminal citations.

B. If the property upon which a home share unit is located is the subject or the site of three final violations of any of the provisions of this Chapter, or of Chapters 8.36 (Noise), 8.64 (Real Property Nuisance), or 9.68 (Unruly Gatherings), Title 15 relating to violation of building codes, or any combination thereof, the home sharing permit for the unit shall be automatically revoked. For purposes of this section, the automatic revocation shall become effective as of the date the third citation becomes final (i.e., the time for administrative and/or judicial review has passed or final judgment of a court has been entered upholding the citation).

C. The remedies provided in this Section are not exclusive, and nothing in this Section shall preclude the City's use or application of any other remedies, penalties or procedures established by law.

5.76.140 Remedies not exclusive.

The remedies listed in this Chapter are not exclusive of any other remedies available to the City under any applicable federal, state or local law and it is within the discretion of the city to seek cumulative remedies.

SECTION 16. Effective Date.

A. This Ordinance shall take effect on the thirty-first day after passage.

B. Notwithstanding subsection A, short-term rentals that were in effect on the date of adoption of this Ordinance shall have until 180 days after the effective date to cease all operations. This extension shall not apply to any vehicle or trailer which is being used as a short-term rental.

C. For any short-term lodging rental remaining in operation on the effective date of this Ordinance, the host shall be required to obtain a business license from the City and pay the Transient Occupancy Tax in accordance with Chapter 3.16 of the Gardena Municipal Code.

SECTION 17. Relief.

A. The owner of any residence being used for a short-term lodging rental may appeal the termination of the use pursuant to the following administrative procedure:

1. No later than 45 days after the adoption date, the owner or other person with an interest in the property may file a written request for relief (“Request”) to the Community Development Director. The Request shall state all reasons, including but not limited to alleged abridgements of the appellant’s constitutional rights, and why the prohibition should not be made effective as set forth in Section 16 of this Ordinance on the 90th day after effective date extension and relief.
2. Within 30 calendar days of filing the Request, the matter shall be set for hearing before a hearing officer.
3. Within 10 business days after the conclusion of the hearing, the hearing officer shall certify the findings and issue a written decision to the owner and the City. The decision of the hearing officer shall be final, subject to judicial review pursuant to Section 1094.5 of the California Code of Civil Procedure and further subject to the time limits for seeking such review pursuant to Section 1094.6 of the Code of Civil Procedure.
4. The cost of the hearing officer shall be paid for by the owner. The owner shall be required to submit a deposit in an amount determined by resolution of the City Council with the Request.
5. The City shall take no enforcement action toward requiring termination of the short-term lodging rental use pending the final decision of the hearing officer.

B. There are no appeal rights regarding vehicles or trailers being used as short-term rentals.

SECTION 18. General Plan Consistency. Adoption of this Ordinance is consistent with the City’s General Plan. Specifically, the Ordinance implements Land Use Goal 1 and policies 1.1 and 1.2 by preserving and protecting single-family and low/medium-density residential neighborhoods as it helps create safe neighborhoods and protects the neighborhoods from incompatible uses of areas becoming commercial districts. The Ordinance also promotes policy 1.10 by insuring there will be adequate off-street parking. The Ordinance promotes Noise Goal 2 by incorporating noise considerations into land use planning decisions. By preventing entire homes from being rented as short term rentals, the Ordinance also promotes Housing Element Goal 1.0 by maintaining and enhancing the stability of the of the City’s housing stock. Lastly, adoption of the

Ordinance helps promote and retain the business community by increasing the customer base of people who will make use of City businesses.

SECTION 19. CEQA. Pursuant to the provisions of the California Environmental Quality Act (“CEQA”), Public Resources Code § 21000 *et seq.* and the CEQA Guidelines, staff has determined that the Ordinance does not qualify as a project as defined in CEQA Guidelines section 15378, and there is no potential for the adoption of the Ordinance to result in a physical change in the environment and therefore is not subject to CEQA. Even if the Ordinance were subject to CEQA, it would be exempt under the common sense exemption of Guidelines section 15061(b)(3) as there is no possibility that the activity may have a significant effect on the environment. Adoption of the Ordinance is also exempt under Guidelines section 15308 as an action to creating a regulatory process to protect the environment. Staff is directed to file a Notice of Exemption.

SECTION 20. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

SECTION 21. Certification. The City Clerk shall certify the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a publication of general circulation.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2023.

TASHA CERDA, Mayor

ATTEST:

MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

CARMEN VASQUEZ, City Attorney



City of Gardena

City Council Meeting

AGENDA STAFF REPORT

AGENDA TITLE:

PUBLIC HEARING: ORDINANCE NO. 1854, An Ordinance of the City Council of the City of Gardena, California Amending Title 18 and Adding Chapter 5.76 to Title 5 Relating to Home Sharing Rentals and finding the action exempt from the California Environmental Quality Act Pursuant to the Commonsense Exemption of CEQA Guidelines Section 15061(B)(3)

RECOMMENDATION:

Conduct a public hearing and introduce Ordinance No. 1854.

BACKGROUND:

After several hearings before the City Council, on November 8, 2022, the City Council directed staff to draft an ordinance that would allow for short-term home sharing rentals in limited residential zones.

A draft ordinance was presented to the Planning Commission in May 2023, revisions directed by the Planning Commission were brought back in June 2023. Right before the Ordinance was to be heard by the Planning Commission, the City Attorney's office became aware of very recent case law that requires that out of state owners be allowed to do rentals in the same manner as in state owners, i.e., those who live on site, in order to be compliant with the Dormant Commerce Clause of the U.S. Constitution. A revised ordinance was then brought back to the Planning Commission in July 2023. The staff reports for these meetings, without attachments, are attached hereto (Attachment A).

All previous public comments that have been received on the issue of short term rentals are attached hereto as Attachment B.

ORDINANCE SUMMARY:

The Ordinance adds a new Chapter 5.76 to the Gardena Municipal Code relating to Home Sharing Rentals. There are a number of definitions that are added, including the following:

- **Bedroom:** Any habitable space in a dwelling unit other than a kitchen, bathroom or living room that is intended for or capable of being used for sleeping, is at least 70 square feet in area with no dimension less than seven feet, has a window to the outside, is separated from other rooms by a door, and is accessible to a bathroom without crossing another bedroom.
- **Home Sharing:** Renting, for a period of 30 consecutive days or less, of one or more bedrooms in a dwelling unit that is the primary residence of the host, while the host lives on site, in the dwelling unit, throughout the guest's stay.
- **Owner:** Any person who, alone or with others, has legal or equitable title to a dwelling unit and has held such interest for a minimum of one year. A person whose interest in the property is solely that of a tenant, subtenant, lessee, or sublessee under an oral or written rental housing agreement shall not be considered an owner.
- **Qualifying Tenant:** A tenant who has lived at the home sharing rental for a minimum of one year.

The following summarizes the major provisions of the draft ordinance for Short-Term Rentals:

- Short-term rentals of entire units are completely prohibited in the City.
- Home sharing rentals are only allowed in the R-1 and R-2 zones where there are 2 units on the property and prohibited everywhere else in the City.
- Home sharing is not allowed if there is an ADU or JADU on the property in either dwelling unit.
- Home sharing rentals will be required to obtain a permit which will be valid for 5 years.
- The following persons are qualified to be a host of Home Sharing Rental and obtain a permit:
 - An owner who lives on the premises and has owned the house for a minimum of one year prior to the date of application;
 - An owner who has owned the residence for a minimum of one year prior to the date of application and who does not live on the premises, but has a qualifying tenant and the lease specifies the owner may use a designated bedroom(s) for home sharing;
 - A qualifying tenant whose lease with the owner specifies that the tenants may use a designated bedroom(s) for home sharing and the owner has

owned the residence for a minimum of one year prior to the date of the application.

- There will be a maximum of 100 permits that may be issued; if more than 100 apply there will be a lottery.
- Applicant will be required to have a \$1,000,000 insurance policy.
- Section 5.76.060 contains regulatory requirements including:
 - Only 4 persons per bedroom may be allowed;
 - There must be a minimum of two parking spaces on site per unit, but they do not need to be in an enclosed garage;
 - Notification requirements to residents within 75 feet;
 - Posting of contact information on the home; and
 - Provision of a Good Neighbor Policy notice to all guests.
- Existing short-term rentals will have until 180 days after the effective date to cease all operations. This does not apply to vehicles or trailers which are being used as short-term rentals as opposed to dwelling units.
 - These rentals will be required to obtain a business license from the City and pay the TOT.
- The ordinance provides for a procedure for owners to seek relief from the effective termination of their short term rentals in order to provide due process.

Attachments

A – Previous Staff Reports presented to the Planning Commission

B – All previous Public Comments

CITY OF GARDENA
PLANNING AND ENVIRONMENTAL QUALITY COMMISSION
STAFF REPORT

RESOLUTION NO. PC 10-23
ZONE TEXT AMENDMENT #3-23
AGENDA ITEM #6.C

DATE: May 16, 2023

TO: Chair Henderson and Members of the Planning and Environmental Quality Commission

FROM: Greg Tsujiuchi, Community Development Director

PREPARED BY: Amanda Acuna, Senior Planner

APPLICANT: City of Gardena

LOCATION: Citywide

REQUEST: Recommendation to the City Council on adoption of an ordinance amending Title 18 and adding Chapter 5.76 to Title 5 of the Gardena Municipal Code relating to regulations for short term home sharing rentals.

BACKGROUND

In recent years the Community Development Department has received numerous inquiries regarding the legality of short term rentals (STRs). An STR is any rental of a dwelling of thirty days or less. On August 9, 2022, the City Council discussed various policy options for short term rentals (STRs) and heard concerns from the public on potential loss of neighborhood character and challenges with enforcement. At the same meeting, the Council directed staff to draft an ordinance prohibiting all STRs within residential zones.

On September 6, 2022, the Planning Commission considered a draft ordinance and made a recommendation to the City Council to adopt the prohibition of short term rentals.

On September 13, 2022, the City Council considered this ordinance at a public hearing where there were more than a dozen speakers who spoke in opposition to a ban on STRs. After hearing comments and discussion among the Council, a motion to adopt the ordinance failed.

On November 8, 2022, staff brought to the City Council further information on potential policies and data collected regarding STRs that currently exist in the City. At that time the

City Council directed staff to draft an ordinance that would allow for short-term home sharing rentals in certain residential zones.

What is being asked of the Planning Commission is to make a recommendation to the City Council on an ordinance allowing short-term home sharing rentals.

ANALYSIS

Short-term home sharing would allow the renting of one or more bedrooms in a residential dwelling unit where the property owner, or “host”, is present during the entirety of the renters’ stay, for periods of thirty consecutive days or less. This type of rental expands the number and type of lodging facilities available in the City while also providing assistance to homeowners by providing revenue which may be used for maintenance and upgrade of residential units.

Zoning Changes

The draft ordinance was written to allow for short-term home sharing rentals only in the R-1 (single-family residential homes) and R-2 (maximum of two dwelling units) zones, as home-sharing is intended for when the dwelling unit is the host’s primary residence. No home sharing rental shall be allowed in any dwelling unit if there is an accessory dwelling unit or junior accessory dwelling unit on the property. Further, except as listed above, the ordinance would prohibit all types of short-term rentals in all residential zones and areas zoned for specific plans. As the City’s current code is silent on these matters, proper definitions will be established for these types of rental uses.

If adopted by the City Council, the ordinance would not go into effect until approximately August 9, 2023. The ordinance includes a provision that would require all those properties with an existing short term rental to be able to continue renting until a certain time. Staff is asking the Planning Commission for direction on what would be considered sufficient time that will allow hosts the ability to cancel reservations and to find alternate locations for guests.

Addition of Chapter 5.76

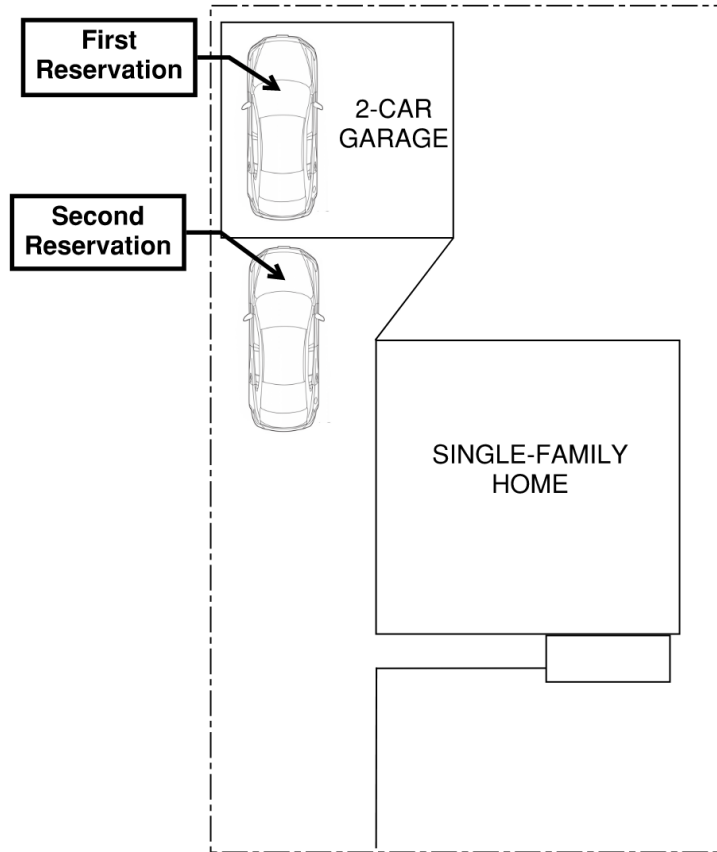
An application procedure and permitting requirements will be established for short-term home sharing rentals. Aside from obtaining proper licensing and registration permits, each host would be required to comply with various provisions, such as the following:

- *Only rooms originally designed as bedrooms may be rented. Occupancy shall be limited to a maximum of 4 people per bedroom.*
- *The Host shall keep records of the vehicle license plate numbers of guests.*

- *The Host shall notify all residents within 75 feet of the property on which the home sharing rental is located that the host is operating a home sharing rental from that location.*
- *The Host shall post contact information on the property on a place that is visible to the public that provides the following information for the host: name, phone number, e-mail address. The notice shall be in a minimum 1-inch size font.*
- *The owner must maintain a transient occupancy registration certificate and must ensure the timely remittance of all transient occupancy taxes due in accordance with 3.16 of this Code.*
- *A home sharing rental is for overnight lodging accommodations only and may not be used for, or advertised for use for weddings, parties of any kind, conferences, or similar events.*

Additionally, the owner must show that the property meets the minimum parking requirements of Gardena Municipal Code Chapter 18.40. For single-family homes in the R-1 zone, the minimum requirement is a two-car garage. In the R-2, the parking requirements is a two-car garage for each dwelling unit, plus ½ space per unit for guest parking. In addition to meeting the minimum parking requirements, the owner must show that the property can also accommodate at least one parking space per reservation that is made available to the renter. Such parking may include the required parking as well as driveway spaces (Figure 1 – Parking Diagram).

Figure 1 – Parking Diagram



Administrative guidelines have been drafted to include application requirements, conditions, reporting requirements, hosting platform safe harbor requirements, enforcement procedures, and disclosure requirements to implement the provisions of the ordinance (Attachment B).

GENERAL PLAN CONSISTENCY

Adoption of this ordinance is consistent with the City's General Plan. Specifically, the ordinance implements Land Use Goal 1 and policies 1.1 and 1.2 by preserving and protecting single-family and low/medium-density residential neighborhoods as it helps create safe neighborhoods and protects the neighborhoods from incompatible uses of areas becoming commercial districts.

The ordinance also promotes policy 1.10 by insuring there will be adequate off-street parking. The ordinance promotes Noise Goal 2 by incorporating noise considerations into land use planning decisions. By preventing entire homes from being rented as short term rentals, the ordinance also promotes Housing Element Goal 1.0 by maintaining and enhancing the stability of the City's housing stock. Lastly, adoption of the ordinance helps

promote and retain the business community by increasing the customer base of people who will make use of City businesses.

ENVIRONMENTAL IMPLICATIONS

Pursuant to the provisions of the California Environmental Quality Act (CEQA), and the CEQA Guidelines, staff has determined that the ordinance does not qualify as a project as there is no potential for the adoption of the ordinance to result in a physical change in the environment and therefore is not subject to CEQA.

Even if the ordinance were subject to CEQA, it would be exempt under the common sense exemption of Guidelines section 15061(b)(3) as there is no possibility that the activity may have a significant effect on the environment. Adoption of the ordinance is also exempt under Guidelines section 15308 as an action to creating a regulatory process to protect the environment.

NOTICING

The public hearing notice for this zoning amendment was published in the Gardena Valley News on May 4, 2023. A copy of Proof of Publication and Affidavit of Mailing are on file in the office of the Community Development Department Room 101, City Hall and are considered part of the administrative record (Attachment C). Additionally, emails were sent to all individuals who previously spoke on this item who provided their email addresses to the City.

On May 11, 2023, a public comment was received regarding this matter and hereto attached as Attachment D.

RECOMMENDATION

Staff recommends the Planning and Environmental Quality Commission to:

- 1) Open the public hearing;
- 2) Receive testimony from the public; and
- 3) Adopt Resolution No. PC 10-23 recommending that the City Council adopt Ordinance No. 1854.

ATTACHMENT

A - Resolution No. PC 10-23 with exhibit
Exhibit A – Draft Ordinance 1854

B – Draft Administrative Guidelines

C – Public Noticing

D – Public Comment Received May 11, 2023

CITY OF GARDENA
PLANNING AND ENVIRONMENTAL QUALITY COMMISSION
STAFF REPORT

RESOLUTION NO. PC 10-23
ZONE TEXT AMENDMENT #3-23
AGENDA ITEM #6.A

DATE: June 20, 2023

TO: Chair Henderson and Members of the Planning and Environmental Quality Commission

FROM: Greg Tsujiuchi, Community Development Director

PREPARED BY: Amanda Acuna, Senior Planner

APPLICANT: City of Gardena

LOCATION: Citywide

REQUEST: Recommendation to the City Council on adoption of an ordinance amending Title 18 and adding Chapter 5.76 to Title 5 of the Gardena Municipal Code relating to regulations for short term home sharing rentals.

BACKGROUND

On May 16, 2023, the Planning Commission held a public hearing on consideration of an ordinance establishing regulations for short term home sharing rentals. At that time the Planning Commission provided further direction to staff for recommended changes and continued the public hearing to June 20, 2023.

What is being asked of the Planning Commission is to make a recommendation to the City Council on the Ordinance with the revised changes for allowing short-term home sharing rentals.

ANALYSIS

At the May 16th meeting the Commission asked that there be a requirement for properties requesting to have short-term home sharing rentals to have a minimum of two parking spaces on site per dwelling unit, which would not necessarily have to be in an enclosed garage. Additionally, the Commission requested that a 90 day timeframe be established for those properties with existing short-term rentals to be come into compliance with the new regulations. Lastly, the Commission recommended that a request for relief process be included in the Ordinance. The Planning Commission is being asked whether the extension of time and relief request should be applied to those existing listings within an

Accessory Dwelling Units (ADUs), as highlighted in yellow in the attached Ordinance. All changes are shown in redline.

RECOMMENDATION

Staff recommends the Planning and Environmental Quality Commission to:

- 1) Continue the public hearing;
- 2) Receive testimony from the public; and
- 3) Adopt Resolution No. PC 10-23 recommending that the City Council adopt Ordinance No. 1854.

ATTACHMENT

A – Resolution No. PC 10-23 with exhibit
Exhibit A – Draft Ordinance 1854

CITY OF GARDENA
PLANNING AND ENVIRONMENTAL QUALITY COMMISSION
STAFF REPORT

RESOLUTION NO. PC 13-23
ZONE TEXT AMENDMENT #3-23
AGENDA ITEM #6.A

DATE: July 18, 2023

TO: Chair Henderson and Members of the Planning and Environmental Quality Commission

FROM: Greg Tsujiuchi, Community Development Director

PREPARED BY: Amanda Acuna, Senior Planner

APPLICANT: City of Gardena

LOCATION: Citywide

REQUEST: Reconsideration of a recommendation to the City Council on adoption of an ordinance amending Title 18 and adding Chapter 5.76 to Title 5 of the Gardena Municipal Code relating to regulations for short term home sharing rentals and finding the action exempt from the California Environmental Quality Act Pursuant to the Commonsense Exemption of CEQA Guidelines Section 15061(B)(3)

BACKGROUND

On May 16, 2023, the Planning Commission held a public hearing on consideration of an ordinance establishing regulations for short term home sharing rentals. At that time the Planning Commission provided further direction to staff for recommended changes and continued the public hearing to June 20, 2023.

On June 20, 2023, the Planning Commission held the continued public hearing and adopted Resolution No. 10-23 recommending that the City Council adopt the draft of the Ordinance presented.

As staff was preparing the item for the City Council's July 11, 2023 meeting, the City Attorney's office became aware of two new cases on short-term rentals in relation to the Dormant Commerce Clause. A memo has been prepared by the City Attorney's office and attached hereto as Attachment A, with further information regarding the recent cases.

What is being asked of the Planning Commission is to reconsider the revised draft Ordinance and make a recommendation to the City Council.

NOTICING

The public hearing notice was published in the Gardena Valley News on July 6, 2023 (Attachment C). A copy of Proof of Publication and Affidavit of Mailing are on file in the office of the Community Development Department Room 101, City Hall and are considered part of the record.

RECOMMENDATION

Staff recommends the Planning and Environmental Quality Commission to:

- 1) Open the public hearing;
- 2) Receive testimony from the public; and
- 3) Adopt Resolution No. PC 13-23 recommending that the City Council adopt Ordinance No. 1854.

ATTACHMENT

A – City Attorney Memorandum

B – Resolution No. PC 13-23 with exhibit

Exhibit A – Draft Ordinance 1854

C – Public Hearing Notice

Date	Name	Pages
08/22/2022	Sherelle	2
09/06/2022	South Bay Association of Realtors	3-4
09/13/2022	Allen Duan	5
09/13/2022	Kims	6-7
09/13/2022	Kindt	8
09/13/2022	South Bay Association of Realtors	9-10
09/13/2022	Vera Povetina	11
09/27/2022	Vera Povetina	12-15
09/27/2022	Monique Johnson	16
09/27/2022	Gretl Young	17
09/27/2022	South Bay Association of Realtors	18-19
09/27/2022	Mariya Wrightsman	20-68
09/27/2022	George Young	69
09/27/2022	Clara Caetano T	70-71
09/27/2022	La Ma	72
09/30/2022	Paul Cass	73-121
09/30/2022	Paul Cass Second Letter	122-128
11/08/2022	Mariya Wrightsman	129
05/16/2023	Paul Cass	130-132
05/16/2023	Vera Povetina	133-136
05/16/2023	Mariya Wrightsman	137-221
06/20/2023	Mariya Wrightsman	222-224
07/18/2023	Mariya Wrightsman	225-351
	Petition	352-356

Becky Romero

From: Alejandra Orozco
Sent: Monday, August 22, 2022 9:53 AM
To: Becky Romero
Subject: FW: Short term rentals

-----Original Message-----

From: Sherelle [REDACTED]
Sent: Saturday, August 20, 2022 8:38 AM
To: City Council.web <CityCouncil.web@cityofgardena.org>
Subject: Short term rentals

Dear City Council

I totally disagree with you all banning Short term rentals. I think Gardena is a progressive city but this ordinance is fear based. Take a step back. Think who is considering buying here. Think of the age bracket condemning this. Think progressively. Do not ban but make rules. We need to attract \$\$ in this city. Not stalemate it.

Thank You
Sherelle
[REDACTED]



Tuesday, September 6, 2022
Via Electronic Mail

City of Gardena
Planning and Environmental Quality Commission
1700 W. 162nd Street, Gardena, CA 90247

RE: Agenda Item 5 (A) – Zone Text Amendment #2-22 (Ordinance No. 1844) Prohibiting short-term rentals

Dear Hon. Members of Planning and Environmental Quality Commission:

The South Bay Association of Realtors® (SBAOR) urges the Commission to **reject** adoption of the proposed ordinance to prohibit short-term rentals (STR) at today's September 6th Commission meeting. We ask that you engage with SBAOR and other key community stakeholders to identify best practices and effective policy solutions that strike a balance between the increasing economic benefits of STRs and the potential impacts.

What SBAOR can offer:

Work with the Mayor and City Council to help identify effective and enforceable STR regulations that both benefit and protect the community.

City can benefit and community be protected:

We encourage the city to do a thorough examination of the benefits and various options related to STR. Other local cities achieve this by some or all of the following: requiring a business license, an annual registry and/or permit (that can be revoked if a certain number of complaints are received on a property), and/or Transient Occupancy Tax (unincorporated Los Angeles County charges 12%). Cities can also institute a series of fines to ensure compliance with regulations.

Regulating STRs is reasonable and benefits everyone:

Rather than outright bans or heavy restrictions, regulating ensures property rights and the well-being of our community are in balance. For instance, we believe in preserving the ability of struggling residents to continue to afford their homes rather than sell to investors. Balancing the benefits to the city, local businesses, homeowners, and all residents are paramount.

Gardena is a growing city. Today, residents want to live, work, and play in cities that have thoughtful, reasonable, and progressive policies. A ban would overshadow this balance and take revenue out.

Stakeholders have not been engaged:

The proposed ordinance is too broad and overreaching. It was drafted without the input and considerations of groups representing the very Gardena residents that would be impacted. The issue of STRs are not new, and other cities have worked to craft workable solutions for all sides, together. We urge the City of Gardena to open dialogue with local stakeholders and implement a reasonable ordinance.

Thank you for your time and consideration. We look forward to working towards solutions. If you have any questions, please contact the SBAOR's Government Affairs Director Julie Tomanpos at Julie@SouthBayAOR.com or (310) 326-3010.

Sincerely,

Jaime Sutachan,
Government Affairs Committee Co-Chair
South Bay Association of REALTORS®

Amanda Acuna

From: Allen Duan <allenduan@hospyhomes.com>
Sent: Tuesday, September 13, 2022 3:47 PM
To: Public Comment
Subject: PUBLIC COMMENT for Today's Meeting

Categories: Completed

Caution! This message was sent from outside your organization.

Hello,

I own and operate a small business managing rental properties in the South Bay and other parts of Los Angeles. We specialize in flexible furnished rentals, some which are short term (less than 30 days), some which are more than 30 days (the industry calls this a mid-term rental). We provide value to our property owners with our management services as well as potentially increasing their rental income. This incentivizes owner's to buy properties in areas where we serve, which includes Gardena. An increase in demand for properties in a given city is a good thing, as I'm sure you know.

The common concerns with short term rentals, such as noise, trash, parking issues, are usually the cause of unprofessional hosts managing short term rentals as a side gig. Professional established businesses like ours have every reason to keep out bad guests who disrupt the neighborhood and are a nuisance to neighbors. We have years of experience screening our guests to avoid such bad guests.

I believe the best solution is something between a total ban and the current free for all situation. Such a solution would remove bad hosts while allowing professional hosts to continue operating and bringing revenue and opportunities to the city of Gardena. Striking the right balance is not an easy task, I'm well aware. I am fully willing and available to be a part of the discussion to help formulate this ordinance. I suggest looking into the city of Fullerton's approach as they created their ordinance in the past few years to allow limited and regulated short term rentals.

Thank you for the opportunity to contribute to this conversation.

Allen Duan
President/Owner
Hospy Homes

Becky Romero

From: The Kim's Adventure <[REDACTED]>
Sent: Tuesday, September 13, 2022 4:46 AM
To: Public Comment
Subject: Public Comment

Caution! This message was sent from outside your organization.

Dear Deputy City Clerk:

Please forward this to the mayor and all city council.

I am writing in regards to city of Gardena trying to ban STR (short term rental).

I have been an Airbnb host and it has benefitted the city and my family.

I recommend that it be CONTINUED and we are in full support.

Bringing new guests to stay in our area has provided the city with great benefits:

- There are not many inexpensive hotels in this area so it means more people can afford to stay here.
- More tourists bring money to local businesses, transportation, restaurants, local city events and concert.
- More jobs: I have given more work to our cleaning crew, handyman, plumber, electrician, landscaper, etc.
- More people know the positive parts of Gardena because where I guide them and they tell other people, return to visit.

Being an Airbnb host has also provided my family with financial support -

- We have an old house that takes a lot of repairs. Through the money I have made from Airbnb I have been able to keep my house maintained.
- Many of the houses in this area are old. The money I have made from Airbnb has helped us pay our mortgage and taxes so we can keep our house and support our family.

Airbnb has helped me develop new relationships with people from around the world.

- We have guided guests when they visited: As tourists, for work, concert, and tournaments.

Most of our guests had been reviewed by us and have great review on airbnb before we accept them to stay at our place. We made sure they accepted our house rules as well as keeping the noise down and respecting our neighbors. Our guests never caused an issue to our neighborhood because they are all exploring the city from early morning to late at night.

As a traveler myself, my family and I benefits the use of airbnb and able to explore more of the local hidden gems in the area than the touristy area.

Airbnb provides a vital service for our city of Gardena and visitors around the world and I recommend that it continue PROTECTED.

Thank You!

The Kims

PS - We are part of the Gardena group on facebook and most of the members in the group have more concerns on the control of homeless and transients than people who are here just for travel/work that brings in money to local businesses in our city like airbnb.

Becky Romero

From: Amanda Kindt <amandakindt823@gmail.com>
Sent: Tuesday, September 13, 2022 6:18 AM
To: Public Comment
Subject: PUBLIC COMMENT

Caution! This message was sent from outside your organization.

To Whom It May Concern:

As a resident of Gardena, I am writing to you this morning regarding Ordinance #1844.

I understand the concerns that communities have regarding short term rentals, and they are valid. However, I also understand the opportunities that short term rentals provide. Many would not be able to afford to continue living in Gardena if it were not for the additional income they receive through short term rental hosting.

Housing costs in Gardena are SKY HIGH. Things like short term rentals, hourly pool rentals, hosting events, etc are critical to keeping long time Gardena residents in Gardena.

There are other options than a simple ban. Other communities like Big Bear have regulated short term rentals to keep them AND to alleviate the community strains they can cause. Collection of occupancy taxes from hosts or an annual registration fee can be used to enforce guidelines that protect the community while providing the opportunity for lower and middle class residents to generate critically needed additional income and stay in their homes. Please take the time to look at Big Bear's program as a model. (<https://www.citybigbearlake.com/index.php/departments/tourism-management/transient-private-home-rental-tphr-program>)

How much time does the city invest, collectively, supporting all of the development and new construction of housing properties that then turn around and draw tenants able to pay \$4000-\$5000 per month? They are ALL OVER the city!!! Could the city invest the same amount of time to research and draft ordinances that support the lower and middle class residents that are already residents of Gardena?

Thank you,

Amanda Kindt



Tuesday, September 13, 2022
Via Electronic Mail

Hon. Mayor Cerda
and the Members of the City Council
1700 W. 162nd Street, Gardena, CA 90247

RE: Agenda Item 10 (A) – Zone Text Amendment #2-22 (Ordinance No. 1844) Prohibiting Short-term Rentals

Dear Hon. Mayor Cerda and City Council:

The South Bay Association of Realtors® (SBAOR) urges the Council to **reject** adoption of the proposed ordinance to prohibit short-term rentals (STR) at the September 13th Council meeting. We ask that you engage with SBAOR and other key community stakeholders to identify best practices and effective policy solutions that strike a balance between the increasing economic benefits of STRs and the potential impacts.

What SBAOR can offer:

Work with the Mayor and City Council to help identify effective and enforceable STR regulations that both benefit and protect the community.

City can benefit and community be protected:

We encourage the city to do a thorough examination of the benefits and various options related to STR. Other local cities achieve this by some or all of the following: requiring a business license, an annual registry and/or permit (that can be revoked if a certain number of complaints are received on a property), and/or Transient Occupancy Tax (unincorporated Los Angeles County charges 12%). Cities can also institute a series of fines to ensure compliance with regulations.

Regulating STRs is reasonable and benefits everyone:

Rather than outright bans or heavy restrictions, regulating ensures property rights and the well-being of our community are in balance. For instance, we believe in preserving the ability of struggling residents to continue to afford their homes rather than sell to investors. Balancing the benefits to the city, local businesses, homeowners, and all residents are paramount.

Gardena is a growing city. Today, residents want to live, work, and play in cities that have thoughtful, reasonable, and progressive policies. A ban would overshadow this balance and take revenue out.

Stakeholders have not been engaged:

The proposed ordinance is too broad and overreaching. It was drafted without the input and considerations of groups representing the very Gardena residents that would be impacted. The issue of STRs are not new, and other cities have worked to craft workable solutions for all sides, together. We urge the City of Gardena to open dialogue with local stakeholders and implement a reasonable ordinance.

Thank you for your time and consideration. We look forward to working towards solutions. If you have any questions, please contact the SBAOR's Government Affairs Director Julie Tomanpos at Julie@SouthBayAOR.com or (310) 326-3010.

Sincerely,

Jaime Sutachan,
Government Affairs Committee Co-Chair
South Bay Association of REALTORS®

From: [Vera Povetina](#)
To: [CDD Planning and Zoning](#)
Subject: Public Comment
Date: Tuesday, September 13, 2022 11:26:45 AM

Caution! This message was sent from outside your organization.

Dear City Council,

In lieu with discussion regarding Short Term Rentals I would like to address some questions to the City Council and expect detailed answers.

1. Whereas in Resolution No. PC 11-22 mentioned that short-term rentals of residences for lodging purposes and short term rentals of residences for other commercial uses are not listed as allowed uses under the Gardena Municipal Code.
 - 1.1. Do I understand correctly that they are also not listed as prohibited?
2. In the same document mentioned: short-term rentals for lodging and other uses have deleterious impacts by increasing noise and traffic, creating parking problems, changing the character of a residential neighborhood, and with the case of housing - creating an impact on housing supply.
 - 2.1. Is there any evidence regarding this statement in the City of Gardena? Can it be disclosed to the public?
 - 2.2. Where measurements made for noise level increase?
 - 2.3. Changes in traffic? Would you be able to specify – how big is the change?
 - 2.4. Parking issues complains increased by how many since establishing current amount of STR in the city? How were these complaints linked to STR?
 - 2.5. What are the changes in character of residential neighborhood happened because of STR? How the housing supply impacted specifically by the factor of STR?

It is about 160-170 rental properties listed in Gardena, not all of them are on the market constantly, but all of them is a source that provides food to the tables to families of our city.

Does City of Gardena have a lot to offer to its people to offset increased inflation? Growing costs for everything?

Why do you feel that it is ok to cut an opportunity to provide for families? To make our city more attractive for guests?

It is not only hosts who benefit. All local small businesses benefit. Additional jobs are created. Shops, restaurants, beauty salons and other businesses get more customers. A lot of guests asking for local attractions and as a host – I recommend local places.

STR Income is taxed as any other. Current local property sales bring a lot of additional income to the city as Property Tax and let us face the truth – available APR influence market much more than STR perspective in Gardena.

The U.S. travel and tourism industry generated \$1.9 trillion in economic output; supporting 9.5 million American jobs and accounted for 2.9% of U.S. GDP. That is huge. At 14.5% of international travel spending globally, international travelers spend more in the United States than any other country.

Tourism accelerated Los Angeles County's economic prosperity in 2018 as visitors pumped an all-time high \$23.9 billion directly into the L.A. economy, generating a record \$36.6 billion in total economic impact. Just nine LA neighborhoods account for 73 percent of the money Airbnb, and Gardena is not one of them, unfortunately.

Gardena should care to attract many more tourists, not to ban them. We need more events, we need pedestrian streets with restaurants, entertainment and parks. Tourist industry could bring

From: [Vera Povetina](#)
To: [CDD Planning and Zoning](#)
Subject: Public Comment
Date: Tuesday, September 27, 2022 10:55:44 AM

Caution! This message was sent from outside your organization.

Dear City Council,

In course of discussion regarding Short Term Rentals, me and my fellow citizens of Gardena would like to address some questions and concerns to the City Council and expect detailed answers to be provided and discussed during Public Hearing regarding the matter. Most of the questions were addressed to you earlier as Public Comment for the City Council meeting happened on 13 September 2022 but none of the specific answers have been provided during the meeting or after.

Whereas in Resolution No. PC 11-22 and not adopted Urgency Ordinance #1843 mentioned that short-term rentals of residences for lodging purposes and short-term rentals of residences for other commercial uses are not listed as allowed uses under the Gardena Municipal Code.

- Do I understand correct that they are also not listed as prohibited?

Whereas in Resolution No. PC 11-22 and in Proposed Ordinance No. 1844 mentioned: short-term rentals for lodging and other uses have deleterious impacts by increasing noise and traffic, creating parking problems, changing the character of a residential neighborhood, and with the case of housing - creating an impact on housing supply.

- Is there any evidence regarding this statement in the City of Gardena? Can it be disclosed to the public?

- Were measurements made for noise level increase? Please disclose the results.

- Changes in traffic? Would you be able to specify – how big is the change?

According to the open-source data it is 164 STR properties in Gardena with average occupancy rate of 75%. Even if we assume that every guest is driving a car and I know from my over 100 guests stay in my house - that it is not the case. It is about 116 cars to add to city traffic with 33,276 cars going through main streets daily or 0.35% increase in variety of locations in the city. How “deleterious” is this? How it would be different from long term rental with same amount of cars?

- Parking issues complains increased by how many since establishing current amount of STR in the city? How were these complaints linked to STR?

- What are the changes in character of residential neighborhood happened? How do you even define and measure the “character of neighborhood”? Would you be able to provide details of changes to the character of neighborhood made by all new constructions of apartment houses in recent 2 years? 5 levels of planned self-storage on Van Ness Avenue (U-Haul)? How does City Council measure it to be considered a factor? May these criteria be disclosed to the public?

City adopted TOT Incentive Program tax in FY17-18 with below intent:

“To continue to sustain economic development, the City has introduced a new Hotel Incentive Program by providing assistance in the form of partial Transient Occupancy Tax credit to hotel owners making substantial improvements to their existing properties, as well as incentives to

developers to build new hotels in Gardena. The City will also continue to provide expedited developer plan approval processes, establish an expedited plan check process to reduce time and cost for developers, and acquire new grants for additional funding of economic development efforts, and to identify and provide tools/incentives that will increase business

expansion along the Rosecrans Corridor.”

This serves as evidence that city is interested in tourists/guests coming to Gardena in general and discussions regarding changes of the "character of the city" are not a real concern.

- How the housing supply impacted specifically by the factor of STR in the City of Gardena? In Agenda Staff report dated Aug 9, 2022, there is a mentioning of some studies regarding house supply and rent and housing price. Were these studies done in the City of Gardena with consideration of all other factors that are influencing housing supplies and prices? How it is different from neighbor cities where STR is not allowed?

- With additional regulation and additional taxation in discussion, what will City of Gardena propose to people in exchange?

- Does City of Gardena have a lot to offer to its people to offset increased inflation?

- Will city of Gardena offer new Eviction law to protect homeowners? Help to offset the costs of hosting non-paying renters long term? Will City of Gardena pay out our mortgage and compensate investments made?

It is 164 short rental properties listed in Gardena, not all of them are on the market constantly, but all of them is a source that provides food to the tables to families of our city.

- Why do you feel that it is ok to cut an opportunity to provide for families?

- During on-line meeting Councilmembers expressed concerns with safety. We would like to know: were similar concerns expressed during adopting HOPE program and converting Travelodge Inn and Suites on Normandie Avenue into a home for convicted criminals and homeless people? How were interests of citizens protected?

During COVID pandemic a lot of us hosted travel nurses who were saving lives while city hosted criminals.

Let me continue with questions to the additional regulations proposals.

- Regarding limitation of number of STRs one person can have. Can you please provide any precedent in the City of Gardena where you limiting any other business owner with similar rules? One cannot have more than one Hotel, Store, Car Wash and so on. Will this limitation be applied to all other businesses? If not - why?

Any additional limitations to types of properties or number of total STR will make harm to property owners and will set precedent of unreliability of the City of Gardena for any current or future small or big investors. Rules for business can be changed anytime without any evidential support by the city officials.

- What is the intent of all these limitations?

It is not only hosts who benefit. All local small businesses benefit. Shops, restaurants, beauty salons and so on. A lot of guests asking for local attractions and as hosts – we recommend local places. Business synergy is already in place and there are no reasons to the city to break it.

There should be no ban for STR out of no evidence of negative impact and City of Gardena should use an opportunity to let citizens use their property to their advantage.

Another thing to discuss is money.

STR Income is taxed as any other. Current local property sales bring a lot of additional income to the city as Property Tax. Average 7.2% annual growth FY19 to FY21 if we take FY18 was a base year and it is over half a million dollars per year and let us face the truth – available APR influence market much more than STR perspective in Gardena.

Application of additional taxation in a form of Transient Occupancy Tax is not viable for this type of business and should not be considered for the reasons below:

1. Excerpts from Title 3, Chapter 16 of the Gardena Municipal Code states:

Sec. 3.16.050 Tax Imposed

A. For the privilege of occupancy in any hotel, each transient shall be subject to and shall pay a tax in the amount of eleven percent (11%) of the rent charged by the operator. Such tax shall

constitute a debt owed by the transient to the city, which shall be extinguished only by payment to the operator or to the city. The transient shall pay the tax to the operator of the hotel at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the transient's ceasing to occupy space in the hotel. If for any reason the tax due is not paid to the operator of the hotel, the tax administrator may require such tax to be paid directly to the tax administrator.

B. For purposes of this Section, unless there is an agreement in writing entered into prior to commencing occupancy between the operator and occupant providing for a period of occupancy longer than thirty days, this tax shall be imposed upon, owed by and collected from the transient for the first thirty days of occupancy, regardless of whether the transient continues occupancy beyond thirty days.

By no means any of the properties can be considered a Hotel and thus cannot be taxed based on that.

Implementing additional taxation will be one more factor to push the inflation rate in Gardena even higher as we, as a business owners, will be forced to increase our rates to offset rising costs.

As a Financial Analyst by trade, I'll go with some numbers sourced from available to the public online analytical tools and information published on the City of Gardena website. Currently Gardena has 164 properties listed. 89 can be considered "entire home" and 75 are private or shared room.

Average price for STR is \$153 per night and occupancy rate is 86%. (source - AirDNA)
Out of about 21,472 residential properties in the City of Gardena (source - Wikipedia) we are discussing 0.8% of all properties.

Currently there are 21 hotels/motels in Gardena with 747 accommodations on the market and this number didn't change a lot during recent years (source - City of Gardena website and propertyshark.com).

I think it will be reasonable to consider fiscal year ended in 2019 for the below calculations regarding Transient Occupancy Tax collected by the City of Gardena as we can exclude influence of COVID to the hotel business.

Hotel accommodations 747

In FY2018-FY2019:

TOT collected by the City of Gardena \$ 1,464,512.00

Average TOT collected per room \$ 1,960.53

If the Hotels in Gardena would work with effectiveness of STR (av. occupancy 86% and av. rate \$153) the actual % or revenues collected by the city would be 4.2% and this number shows that the demand in STR is high and there should be no restrictions, but the City of Gardena should benefit from it too.

City should provide opportunity to obtain business license with cost no more than \$50 per STR and let people continue their business.

As a last resort the City may consider establishing a reasonable tax specifically for STR that should be significantly lower than for Hotels/Motels as our scale of business cannot be compared to them.

STR tax rate in amount of 4% seems to be reasonable and will provide city with about \$304,064.86 (\$1,854.1 per property) per year with just a minor cost to the City for administering new tax on quarterly or semi-annual basis.

The main platform used for STR booking is AirBnB – 96%.

(82% - AirBnB, 4% - VRBO, 14% - both, source AirDNA)

AirBnB and VRBO automatically collect and pay occupancy taxes on behalf of the hosts whenever a guest pays for a booking in specific jurisdiction. Gardena can be included in the

list of specific jurisdictions if needed. It will provide city with transparent data regarding hosts revenue collected and will help to keep new tax administration rate at lowest possible level. Dear City Council, please accept our suggestion as it will benefit everyone, the City of Gardena and Citizens of Gardena.

With best regards,
Vera Povetina



From: [Monique Johnson](#)
To: [Public Comment](#)
Subject: Short Term Rentals
Date: Tuesday, September 27, 2022 12:20:11 PM

Caution! This message was sent from outside your organization.

I think a suspension of short term rentals is warranted until an ordinance is put into place. In my opinion, the individuals should have went down to City Hall and inquired about the requirements of a short term rental (common sense to me). Those people are getting free money because they don't have to pay for a business license or City of Gardena taxes. In addition, I'm sure that they are not including the additional income on their State and Federal taxes. The City of Gardena is rewarding bad behavior.

Until an ordinance is implemented, is the City of Gardena going to suspense or retroactively adjust the taxes and business license that current legitimate business owners have to pay? I had compassion for all the people who spoke last week especially the crying lady who uses the additional income for her children's extracurricular activities, and the other people who talked about supplementing their income because times are difficult now but we are all dealing with the economy situation (inflation). Attorney Vasquez stated that the City of Inglewood currently has an ordinance for short term rentals but it took a while to be written. How long is it going to take the City of Gardena to come up with an ordinance? In the meantime, those people who are currently making money off of short term rentals are making tax free money with no consequences.

I agree with Mayor Pro Tem Francis and Councilmember Henderson that a moratorium on short term rental should be enacted until the City of Gardena writes an ordinance.

From: [G Young](#)
To: [Public Comment](#); [Tasha Cerda](#); [Paulette Francis](#); [Mark Henderson](#); [Rodney Tanaka](#); [Wanda Love](#)
Subject: A letter regarding short term rental concern in Gardena
Date: Tuesday, September 27, 2022 3:08:52 PM

Caution! This message was sent from outside your organization.

Dear Mayor and Gardena City Council members:

Gardena has a vibrant Airbnb community of responsible hosts, respectful guests and a longstanding short-term rental industry.

The Airbnb in Gardena is different from a beach city like Manhattan Beach or Redondo Beach that attracts rowdy visitors. Most visitors in Gardena are people visiting families and friends. Airbnb will bring more revenue to better support our local restaurants and retailers, which means more tax dollars for the Gardena city and also brings our community more vibrancy.

Many local Airbnb in Gardena are just room sharing which will not serve any significant impact to the local family rental market if the short term rental is taken away.

Short term rental provides more benefits to the city and residents. Please do not prohibit the short term rental in Gardena.

Sincerely,

Gretl Young



Tuesday, September 27, 2022
Via Electronic Mail

Hon. Mayor Cerda
and the Members of the City Council
1700 W. 162nd Street, Gardena, CA 90247

RE: Agenda Item 12 (A) – Ordinance No. 1844: Prohibiting Short-Term Rentals

Dear Hon. Mayor Cerda and City Council:

The South Bay Association of Realtors® (SBAOR) urges the Council to **reject** adoption of the proposed ordinance to prohibit short-term rentals (STR) at the September 27th Council meeting. We ask that you REGULATE STRs. Please engage with SBAOR and other key community stakeholders to identify best practices and effective policy solutions that strike a balance between the increasing economic benefits of STRs and the potential impacts.

What SBAOR can offer:

Work with the Mayor and City Council to help identify effective and enforceable STR regulations that both benefit and protect the community.

City can benefit and community be protected:

We encourage the city to do a thorough examination of the benefits and various options related to STR. Other local cities achieve this by some or all of the following: requiring a business license, an annual registry and/or permit (that can be revoked if a certain number of complaints are received on a property), and/or Transient Occupancy Tax (unincorporated Los Angeles County charges 12%). Cities can also institute a series of fines to ensure compliance with regulations.

Regulating STRs is reasonable and benefits everyone:

Rather than outright bans or heavy restrictions, regulating ensures property rights and the well-being of our community are in balance. For instance, we believe in preserving the ability of struggling residents to continue to afford their homes rather than sell to investors. Balancing the benefits to the city, local businesses, homeowners, and all residents are paramount.

Gardena is a growing city. Today, residents want to live, work, and play in cities that have thoughtful, reasonable, and progressive policies. A ban would overshadow this balance and take revenue out.

Stakeholders have not been engaged:

The proposed ordinance is too broad and overreaching. It was drafted without the input and considerations of groups representing the very Gardena residents that would be impacted. The issue of STRs are not new, and other cities have worked to craft workable solutions for all sides, together. We urge the City of Gardena to open dialogue with local stakeholders and implement a reasonable ordinance.

Thank you for your time and consideration. We look forward to working towards solutions. If you have any questions, please contact the SBAOR's Government Affairs Director Julie Tomanpos at Julie@SouthBayAOR.com or (310) 326-3010.

Sincerely,

Jaime Sutachan,
Government Affairs Committee Co-Chair
South Bay Association of REALTORS®

Her Honor, and to the honorable body of the city Council of the City of Gardena, this letter is addressed to each and all council members.

There will be two presentations in this letter. Both will demonstrate how our relationship can be from here forward, and particular attention is warranted as the First, Fifth and Fourteenth Amendments are being violated.

The first, serves as legal notice, and must address how I have been forced into an unamicable relationship based on assumptions without so much as common decency to ask a question and start a conversation, treated like a criminal, not even given the courtesy of respect to be spoken to, let alone listened to, the Council has necessarily required a showing of how our relationship has been so positioned.

The other showing, is what our relationship can also can be, a partnership, a team dedicated towards the same goal, peace of mind and friendship.

I may have a thick accent when speaking, but some background may give insight, I am a Ukrainian medical doctor, raised in the Soviet Union. I fled Ukraine, left a career amidst economic turmoil which imagination is not capable of creating, a week or month's work as a doctor in hopes of earning bread. The only currency we had was honesty, because we were raised in a world of deep mistrust and amidst a solid accepted belief that government knows best, for we were just the simple ones, who could not think for ourselves. I know communism, I know totalitarianism, because I have lived it. They believed they were doing right, they knew better... they were only human. It is hard to start a story more grim than this, no?

To escape, I would dream, and there is only one dream for lives like mine, it is the American dream. Against no odds, I was miracled to this country, and the home I made and the life began, was here in Gardena. Saving every penny, because I know how precious they are. Eventually they turned into a house, then two, and the dream that is America was mine. A little Ukrainian girl, owner of three homes in Southern California, now divorced with two children that were to be raised alone, yet they would go to college because of my income from my investment houses.

To Councilmember Love, the conversation mentioned second, is all that you need to read, not the former half; for you showed deep respect for human dignity and I am humbled.

This will be a little intense, so it is hoped that you can make it to the friendship portion, but when a Russian raised, Ukrainian single mother sees her cubs in danger, things do get... well it

will be seen, but only necessarily as the Council introduced themselves to me in such fashion, and it serves to demonstrate why a friendship is desirable.

THE WRONG FOOT

A maxim of law is that everyone is presumed to know the law, this especially applies to a government of laws, not of humans.

Because this is a mandated “public hearing on the proposed zoning ordinance or amendment to a zoning ordinance” (Gov. Code, § 65804 (b)) and per subdivision (a) to “publish procedural rules for conduct of their hearings” which “shall incorporate the procedures in Section 65854” despite this, the Council has afforded each of us 3 minutes to voice our concerns and lay out a cause of action at the same time, as a result have provided an open opportunity to raise any additional matters, because “[t]he body conducting the public hearing prevented the issue from being raised at the public hearing.” (Gov. Code, § 65009 (b)(1)(B)) This is so because under Chapter 2.04 CITY COUNCIL, of the Garden Municipal Code (GMC) under 2.04.080 Meetings – Rules. “The following rules shall govern the meetings of the council and its transaction of business:

A. Oral Communications. Any person may address the council on any matter concerning the city’s business or on any matter over which the city has control... There shall be a three minute limit on all speakers. **This time limit shall not apply to public hearing items where the property interests of the speaker are affected.**”

Consequent to sending out the documents three days prior and coupled with the 3 minute limitation on this contested issue affecting our property rights, we have not been afforded sufficient notice and an adequate opportunity to be heard in clear violation of the Council’s own rules and the Fourteenth Amendment, and have mandated a rapid response be thrown together. Without waiving any rights, that which was able to be worked up, will now be set forth, for one and all to join, “raising only those issues you or *someone else* raised at the public hearing described in this notice, or in written correspondence delivered to the (public entity conducting the hearing)” (Gov. Code, § 65009 (b)(2)) and for each to follow.

Each property that was already permitted as to the *use* of said property for what is today attempting to be defined as a Short Term Rental, as for me I was expressly previously granted permission for this purpose. As was acknowledged by the assistant city attorney Kranitz on August 9th as a lawful use, “So right now, yes, they’re legal.” (Exhibit C, p. 9 ln. 6), all such properties were in lawful operation and are thus Grandfathered in, any proposed changes are ineffectual to

said properties. “‘Grandfathered’ businesses are nonconforming uses that are not required to seek permits under local zoning ordinances enacted after they were in business. (See *Korean American Legal Advocacy Foundation v. City of Los Angeles* (1994) 23 Cal.App.4th 376, 397.)” (*City of Oakland v. Superior Court* (1996) 45 Cal.App.4th 740, 747 fn. 1)¹

The Council specifically had attempted to disenfranchise homeowner rights with the defective notice, as published:

“If you challenge the nature of the proposed action in court, you will be limited to raising only those issues you or someone else raises at the public hearing described in this notice, or in written correspondence” then changes to either:
“delivered to the Gardena City Council at, or prior to, the public hearing.” (9/15/22) (Exhibit A)
“delivered to the Gardena Planning and Environmental Quality Commission at or prior to the public hearing.” (hereafter PEQC) (8/25/22) (Exhibit B)

Because under Gov. Code, § 65009(b)(2) (“If a public agency desires the provisions of this subdivision to apply to a matter, it shall include in any public notice issued pursuant to this title a notice substantially stating all of the following: ‘If you challenge the (nature of the proposed action) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the (public entity conducting the hearing) at, or prior to, the public hearing.’”) The city knew to replace the latter parenthetical portion with the contact information as shown above, but as to the former, simply omitted the parentheses and left it vague, rather than comply with case law as shown below.

FOR WANT OF NOTICE

As said published rules do not “restrict or limit” (Gov. Code, § 65802) this assertion, as such, on behalf of all such concerned persons, **this general object is lodged** as to the **failure to comply with mandatory notice** which was required because “the proposed ordinance or amendment to a zoning ordinance affects the permitted uses of real property, notice shall also be given pursuant to Section 65091.” (Gov. Code, § 65854) Whereby Gov. Code, § 65091 provides in subdivision (a) “notice shall be given in *all* of the following ways: (1) Notice of the hearing **shall be mailed** or delivered **at least 10 days prior to the hearing to the owner of the subject**

¹ See also, “‘A legal nonconforming use is one that existed lawfully before a zoning restriction became effective and that is not in conformity with the ordinance when it continues thereafter.’ (*Hansen Brothers Enterprises, Inc. v. Board of Supervisors* (1996) 12 Cal.4th 533, 540, fn. 1.) ‘‘Grandfathered’ businesses are nonconforming uses that are not required to seek permits under local zoning ordinances enacted after they were in business.’ (*City of Oakland v. Superior Court* [cited as above].)” (*Bauer v. City of San Diego* (1999) 75 Cal.App.4th 1281, 1286 fn. 1)

real property” and under subdivision (b) “[t]he notice shall include the information specified in Section 65094.”

The Council further failed to provide a portion of notice under Gov. Code, § 65094 mandating “a general explanation of the matter to be considered, and a general description, in text or by diagram, of the location of the real property, if any, that is the subject of the hearing.”

Furthermore, the published noticed hearing for 9/27/22 pertained only to “Ordinance No. 1844” (Exhibit A) stemming from a prior adoption of Resolution No. PC 11-22. But the documents provided on 9/23/22 for this hearing and are here today being discussed by the Council, contained the first ever appearance of the text of Ordinance² No. 1843, as well as 1844. Wherein Ord. No. 1843 states, “the Planning Commission adopted Resolution No. XXX, recommending that the City Council adopt the Ordinance;” not Resolution No. PC 11-22, as Ord. No. 1844 did. But no copy of this “adopted Resolution No. XXX” had been provided. Ord. No. 1843 contained entirely different proposed actions, noticed only in the Regular Meeting Notice and Agenda as “Urgency Moratorium Ordinance” as a document. For all relevant publications and text of Agendas providing notice of actions here discussed see Exhibit D.

Gov. Code, § 65853 “A zoning ordinance or an amendment to a zoning ordinance, which amendment changes any property from one zone to another or imposes any regulation listed in Section 65850 not theretofore imposed or removes or modifies any such regulation theretofore imposed **shall be adopted** *in the manner set forth* in **Sections 65854** to 65857, inclusive.” Which as just shown, there has been a failure to comply with Gov. Code § 65854 by failing to comply with Gov. Code § 65091 (mail notice and publish notice and description notice).

Furthermore, The Council has failed to provide required notice pursuant to Gov. Code, sections 65009(b)(2) “nature of the proposed action” “described in this notice”; 65090(b) “notice shall include the information specified in Section 65094” as quoted above. Easy so far right?

On the merits, we hold that the court did not err in granting plaintiff's request for declaratory relief. Consistent with the Legislature's recognition of "the importance of public participation at every level of the planning process" and the policy of the state to give the public "the opportunity to respond to clearly defined alternative objectives, policies, and actions" (§ 65033), we hold that the 10-day notice of the legislative body's hearing must be given *after* the planning commission's recommendation has been received and must include the planning commission's recommendation as part of the "general explanation of the matter

² Hereafter “Ord.”

to be considered" (§ 65094). We will therefore affirm the trial court's grant of summary judgment in favor of plaintiff.

Environmental Defense Project of Sierra County v. County of Sierra (2008) 158 Cal.App.4th 877, 881 (*Environmental Defense Project*)

The 8/25/22 published notice for the PEQC meeting on 9/6/22 was to discuss "Ordinance No. 1844" (Exhibit B) but as to Ord. 1843 it was not even announced as on the agenda to be put up for a vote by the PEQC, as Director Tsujiuchi declared under penalty of perjury on 9/2/22. (See 9/6/22 PEQC Meeting Notice and Agenda) Therefore there was no findings by the PEQC and today's consideration of Ord. No. 1843 is in direct violation of *Environmental Defense Project*.

"At the same meeting Councilmember Francis made a directive to place a moratorium on all STRs within the City. The directive was seconded by Council Member Henderson and an urgency ordinance is scheduled to go before the City Council at the regularly scheduled meeting of September 13, 2022." (PEQC Report 9/6/22, Tsujiuchi, pp. 1-2) "Recommendation ... Adopt Resolution No. PC 11-22 recommending that the City Council adopt Ordinance No. 1844 (Attachment D)." (*Id.* p.3) The only action was adopting Resolution No. PC 11-22 as to Ord. No. 1844, but other than mentioning that "an urgency ordinance [wa]s scheduled to go before the City Council" no documents were presented to the public before or after regarding the findings of urgency by the planning department.

On 9/13/22, without any published notice to the public and absent any findings by the PEQC, the urgency ordinance 1843 was attempted to be passed, but failed.

"It was moved by Mayor Pro Tem Francis, seconded by Council Member Henderson, and carried by the following roll call vote to Adopt Urgency Ordinance No. 1843 with the added appeal language, by way of a four-fifths vote: Ayes: Mayor Pro Tem Francis and Council Member Henderson Noes: Council Members Tanaka, Love and Mayor Cerda Absent: None Urgency Ordinance No. 1843 did not pass." (9/13/22 Minutes p.12)

Despite this failed motion, the matter appears to be presented again.

For a second time, the Council has disregarded Gov. Code, § 65804 ("publish procedural rules") GMC 2.04.080 Meetings – Rules. "N. Robert's Rules. Upon questions arising not covered by this section, Robert's Rules of Order shall govern unless a majority of the council shall deem otherwise." Under Robert's Rules, "If the motion has been voted down, it can be made again after there has been some progress in the debate." Yet no progress has been shown. That same majority to override Robert's Rules is also required under Robert's Rules to permit the second vote.

The Council attempted to deprive rights to their constituents but the stated reasons do not fall under the protections of Gov. Code, § 65009(a), for its purpose is "essential to reduce delays

and restraints upon expeditiously completing housing projects.” This effort had not to do with building projects, and only to do with a council member’s agenda.

And all of these failures to provide notice as required by law, began after a memorandum declaring these actions as *lawful* was written on Aug. 5, 2022 for the Aug. 9, 2022 meeting, placed on the agenda to educate the Council and seek direction, without published notice to the public.

Francis: Okay. So could we tonight declare moratorium until we have more time to discuss it and do some research and investigate what we can do? Can we do that? Can that be an option?

Cerda: Mayor Pro Tem. So tonight what we're doing is we're just discussing it for it to come back later on. As far as staff can do more research and so they just want to get some direction. We're not taking any action on this tonight, other than just, what are our feelings of this here? So it's going to come back and we will have more time to discuss it.

Francis: Until we take some time discussing all that we couldn't say until right now, we're just going to declare moratorium on all short-term rentals until we can figure out what it is we want to do.

Kranitz: We couldn't do it tonight because it's not on the agenda. And it would have to be added as an urgency item on the agenda. *And I think since it's been going on, you couldn't make the findings to support that there was an immediate need to add it on.* (Exhibit C p. 5 lns. 7-31)

And there still have been no *findings to support that there was an immediate need to add it on*, to even qualify to start the process of “the 10-day notice of the legislative body's hearing must be given *after* the planning commission's recommendation has been received and must include the planning commission's recommendation” (*Environmental Defense Project, supra.*) Despite the only notice on both Agenda and Publication being for Ord. No. 1844, the minutes of 9/13/22 reflect only a conversation about Ord. No. 1843.

“12.A URGENCY ORDINANCE NO. 1843, An Urgency Ordinance of the City Council of the City of Gardena, California, Establishing a Temporary Moratorium on Short-Term Rental.” (9/13/22 Minutes p. 9)

Ord. No. 1843 “a moratorium is hereby established prohibiting all short-term rentals as defined herein.” “SECTION 4. Prohibition. A. All short-term rentals are hereby immediately prohibited in the City.”

The failure to provide lawful notice has left a state of confusion as to what we are even doing today. Evidenced by the statements during the 9/13/22 meeting. Kranitz: “To be effective immediately, it has to be an urgency ordinance. Otherwise its first reading, second reading, thirty days.” Vasquez: “And that’s the method that would be done on September 27th that process will be commenced, the first reading.” Francis: “Yeah, so I think at least for that much, we ought to be

able to just kind of, you know, stop the action, just for a moment, just like I said, it's temporary, there was supposed to have things in place, cause I heard a lot of people say they're opposed to an out right ban. And that's not what we're talking about right now. We're just talking about a temporary situation, where we can discuss it on the 27th that's all. So I'm for it. I call for it.”³

“All short-term rentals are hereby immediately prohibited in the City.” (Ord. No. 1843)

RECIPROCATATE, NOT PLACATE

As further explained in *Environmental Defense Project* at 891-92, the “Legislature's intent [is] that the public be involved in the planning process”, and “there can be little doubt that the purpose of notice” “is to inform the public” “so they will have an opportunity to respond” “and protect any interests they may have”, such participation was reported as “On September 13, 2022 the City Council considered the moratorium ordinance. There were **more than a dozen speakers, all of whom spoke in opposition to a ban** on STRs.” (Agenda Staff Report 9/22/22) There were specifically fifteen speakers that spoke in opposition to the ban, none spoke in favor, two of which were not hosts but citizens in opposition of the ban, the remaining thirteen were people discussing the prejudicial harm and substantial damages that would result from the moratorium, and discussing the great care that they take to screen guests and protect the community. Yet promoted after nothing was offered to substantiate the purported findings based on speculation in Ord. No. 1843, without any notice it was to be heard, with disregard for those fifteen objections, absent any voice in favor, there was an immediate motion to pass this *urgent* matter.

This body has seen too often the complacency of the citizens, in not being involved in their local government, but along came an issue that inspired a memory - - that in this country we have a right to be involved and as Justice Ginsberg wrote, the “choice in exercising that right ‘must be honored out of ‘that respect for the individual which is the lifeblood of the law.’” [Citations.]” (*McCoy v. Louisiana* (2018) 138 S.Ct. 1500, 1507-08). It hardly seems worthy of being said, but apparently it must be reminded that the idea behind these laws, is so “that the public be involved in the planning process” and if the citizens so served are displeased then she is required to consider their voices and not her own. For such is the nature of a public servant, as in, serves the public will, not the public serves her will. It was so written in the rules of conduct for these meetings.

³ <https://youtu.be/6T1z77Zy5Z4?t=9303>

The rules as stated note: Listen to others respectfully; Exercise self-control; Give open-minded consideration to all viewpoints; Focus on the issues; and Embrace democratic rights, inherent components of an inclusive public process, and tools for forging sound decisions. Yet after hearing such passionate opposition and receiving only letters opposing since, after fifteen voices petitioned their government with grievances, “a motion to adopt the moratorium ordinance” was made, which failed to lead by example, as it did not show impartial listening and that embracing of democratic rights.

THE GRAVE HARM PRESENTED

From the Approved Minutes of the 8/9/22 City Council meeting.

“12. DEPARTMENTAL ITEMS - COMMUNITY DEVELOPMENT

12.A Short Term Rentals for Lodging Discussion

City Manager Osorio presented the Staff Report.

Community Development Director, Greg Tsujiuchi gave the presentation. Assistant City Attorney, Lisa Kranitz and Senior Planner, Amanda Acuna were present and available for any questions.

Assistant City Attorney Kranitz explained the City’s position stating that the regulations relating to Short Term Rentals can either be totally permissive, completely prohibitive, or somewhere in between. They also gave information of what our surrounding cities are doing in putting certain regulations in place when it comes to STRs.

Our Mayor and Council Members asked questions, expressed their opinions, and discussed all aspects if we were to allow short term rentals **including hiring extra staff to monitor all the complaints**. Director Tsujiuchi and Assistant City Attorney Kranitz provided answers, along with City Manager Osorio and City Attorney Vasquez. It was also asked if staff could come back with additional findings because having short term rentals could also be a positive experience.

Public Speakers:

- 1) Charisse, asked if Airbnb are legal to have in Gardena.
- 2) Raymond Dennis expressed his concerns and spoke in opposition to this item.

City Attorney Vasquez, then asked for direction clarification from Council: Direction is for staff to draft an Ordinance to Prohibit Short Term Rentals.” (pp.7-8)

“19. COUNCIL DIRECTIVES

Mayor Pro Tem Francis

Asked If we could bring an Ordinance to establish a moratorium regarding Short Term Rentals to our September 13, 2022, Council Meeting. Council Member Henderson seconded it.” (p.11)

Returning to the Agenda Staff Report again, after observing “more than a dozen speakers, **all of whom spoke in opposition to a ban** on STRs.

STR Discussion

As has been **evidenced by public testimony**, there are arguments both for and against STRs.

Arguments in favor of STRs include:

- Provides additional income to individuals

- Introduces new people to Gardena
- Provides additional customers who will utilize businesses in Gardena
- Provides revenue to the City

Arguments against STRs include:

- Impacts the residential character of the neighborhood
- Creates nuisances relating to parking and noise
- Reduces the supply of housing, including affordable housing, as these uses drive up housing prices” (p.1-2 of 3)

“On August 9, 2022, the City Council discussed various policy options for short term rentals (STRs) and **heard concerns** from the public on potential **loss of neighborhood character and challenges with enforcement**. *The Council also had concerns* on the adverse impacts to *noise, trash, crime, traffic, and parking* these uses would have to the residential neighborhoods.” (p.1)

Because the staff report stated, at the 9/13/22 meeting the public voice, “all of whom spoke in opposition to a ban” but earlier on 8/9/22 the public voice was reported as limited to “loss of neighborhood character and challenges with enforcement”, yet the minutes reflect a query about legality to which the answer was, “So right now, yes, they're legal.” (Exhibit C, p. 9 ln. 6). But her statement actually was rather unusual, yet the Council missed it completely. That discussion was not noticed to the public yet two people knew to show up and voice concerns. The woman wanted to stress her question about legality, then made a materially false statement to the Council to send her point home, as she claimed just a few days prior in Gardena “an FBI raid on it. They had the dogs, the Secret Service. They had everybody because somebody was selling guns from the Airbnb on that street” (Exhibit C p. 8 lns. 26-28). That was a significant event to have a gun trafficker be investigated by Secret Service who handles treasury matters and not by ATF, but the FBI, yet not a single news report covered such a large scale operation as described investigated by anyone, not even a raid of any sort from any agency could be located to corroborate her claims.

Despite the minutes reflecting a nondescript expression of concerns from the second speaker, by the vague “spoke in opposition to this item” which could mean opposing the item being proposed to be banned or opposed to STRs; but his message was very poignant and made with an agenda, and successfully steered the Council’s minds as she had intended, then moved for a moratorium. But the real proof of the agenda as it relates to his statement will be revealed below.

The report is inaccurate when it then declared, “[a]rguments against STRs include: ... Creates nuisances relating to parking and noise ; Reduces the supply of housing, including affordable housing, as these uses drive up housing prices” because those were not voiced by the “public testimony” those were only opinions from the “Council also had concerns on the adverse impacts to noise, trash, crime, traffic, and parking”, but have offered no evidence to substantiate

these claims. It was even stated “*And I think since it's been going on, you couldn't make the findings to support that there was an immediate need to add it on*”, yet ever since that time, the speculations from that non-noticed discussion have come to be the findings.

The city has brought this urgency ordinance on a vague number of complaints, since 8/9/22 but the last report written by Director Tsujiuchi on 9/22/22 provided some numbers:

“While the STRs in Gardena have generated complaints, it is difficult to determine to what level. Police were only able to identify 9 calls in the past 3 years that were identified as STR locations. However, officers do not use terms in their police report that would identify a response as one that involves an STR, so officers have likely responded to things such as noise complaints without an identification that the site was an STR.”

It is more correct to say *possibly* responded, “likely” implies probabilistic, meaning greater than 51% chance, there is no data to conclude there is a probability of calls, when the calls come in at a rate of once every four months based on known data, 1 out of 120 days is 0.83%, falling far below probability, and hardly inspiring a need to hire “extra staff to monitor *all* the complaints.”

“Additionally, Community Development has received approximately 8 calls in the last month relating to STRs that were not logged.”

For the past two months, this has been a hot issue, but no one on the staff thought to log a single one of these calls? But they remember them all being negative. Despite the calls coming in at a rate of once per four months, after a month of no calls, now the calls are once a week, which is consistent with an agenda being promoted.

Also on the claimed aspect of crime, during the past three years, there were 9 calls and 8 calls in a month, using the number of 17, it is odd to be found as urgent when also reported during a three year time period were 52 rapes, 14 murders, 23 arsons, 509 robberies, 468 assaults, 878 burglaries, 985 auto thefts, and 2,038 thefts and the city wants to scare away the outside money that is still willing to come here. By spending \$4,000 on a KGB type company to study the money coming into the city, over 17 calls, as this was more correct than that money being spent on the 4,967 calls about serious criminal activity “to protect public health, safety, and welfare,” from the 0.34% of calls.

“In order to protect the public health, safety and welfare of the community and pursuant to the provisions of Government Code section 65858, a moratorium is hereby established prohibiting all short-term rentals as defined herein.” (Ord. 1843)

The Council has been tricked into believing we are covert criminals, and overlooked that we are exactly like all others who worked hard to buy a house and create a business from it, like 50% of all homeowners in this city have done.

THE REASONABLENESS INQUIRY

Despite being Grandfathered in, the city wants to effectuate a taking of an economic interest vested in real property, yet has made no mention of it in the process, “a state statute that substantially furthers important public policies may so frustrate distinct investment-backed expectations as to amount to a ‘taking.’” (*Penn Central Transp. Co. v. New York City* (1978) 438 U.S. 104, 127) The U.S. Supreme Court test for a Fifth Amendment taking under *Goldblatt v. Hempstead* (1962) 369 U.S. 590, 594-95 asks us to look at:

- 1) Do the interests of the public require such interference?
- 2) Are the means reasonably necessary for the accomplishment of the purpose, and not unduly oppressive upon individuals?

To answer these questions, the high court asks us to “evaluate its reasonableness” as to “the nature of the menace against which it will protect”.

In proposed Ord. 1843, the city council found “short-term rentals for lodging and other uses have deleterious impacts by increasing noise and traffic, creating parking problems, changing the character of a residential neighborhood, and with the case of housing - creating an impact on housing supply,” to justify changes in zoning laws, making *Goldblatt* the correct test.

Deleterious is a strong word, defined as “causing harm or damage” (Oxford Dictionary) that is a serious invocation by the honorable members of the city’s council. Thus an investigation of what the Council is being asked to declare as “true and correct” is necessary, for such harms caused by increase in traffic and noise and loss of parking would interfere with the rights as property owners to the use and enjoyment of ownership of lands and “changing the character of a residential neighborhood” is certainly “deleterious”.

Tanaka: And so Mr. Tsujiuchi, you said that there's some issues with code enforcement. What type of issues did we get? Were they like parties? Were they just loud people? What kind of issues?

Tsujiuchi: The ones that came on, I'd say at least three times, were noise. And it's usually some, it's not uncommon for short term rentals, people rent a larger house and then they host a party there. So several of the calls, or I would say three for Mayor Pro Tem, say two to three calls have come in for noise. For sure, I'd say two came in because of parking being taken up in the neighborhood. And then there was one call where it was just a complaint that they said what Ms. Kranitz was saying, that it's taken away from our neighborhood. These are residential neighborhoods. They're not little hotels on our blocks that we want. So it was kind of just a general complaint.

(Exhibit C p. 7 lns. 23-35)

Whereas, these stated reasons establish “the nature of the menace against which it will protect” so we must “evaluate its reasonableness” and “A careful examination of the record reveals a dearth of relevant evidence on these points.” (*Goldblatt* at 595) *More than could be imaged*.

THE ALLEGED ALLEGATIONS

The city made a finding in proposed Ord. 1843 that “the City Council has become aware of new platforms that allows people to rent out their pools [sic] by the hours [sic]”. Yet a Google search for “city of Gardena rent a pool party” resulted in all first page hits about how to rent a pool from the city of Gardena itself. And on 8/9/22, Director Tsujiuchi, reported, “Currently, there do not appear to be any pools for rent in Gardena.”

Starting then, with the first real issue, “adverse impacts to noise”, that weapon has met its demise because Chapter 8.36 Noise, of the Gardena Municipal Code, as set by policy, “8.36.010 Declaration of policy. In order to control unnecessary, excessive and annoying noise and vibration in the City of Gardena, it is hereby declared to be the policy of the City to prohibit such noise and vibration generated from or by *all sources as specified* in this chapter” violates void for vagueness and is overbroad thus no law at all under the First and Fourteenth Amendments, each “ordinance criminalizes a substantial amount of constitutionally protected speech” (*Houston v. Hill*, (1987) 482 U.S. 451, 466) as each ordinance “authorizes or even encourages arbitrary and discriminatory enforcement.” (*Hill v. Colorado* (2000) 530 U.S. 703, 732) Which is exactly what was evidenced in writing, by the city, at this very event, by declaring a noise nuisance.

“[T]he void-for-vagueness doctrine requires that a penal statute define the criminal offense with sufficient definiteness that ordinary people can understand what conduct is prohibited and in a manner that does not encourage arbitrary and discriminatory enforcement.” (*Kolender v. Lawson*, (1987) 461 U.S. 352, 357)

“[I]n a facial challenge to the overbreadth and vagueness of a law, a court's first task is to determine whether the enactment reaches a substantial amount of constitutionally protected conduct.” *Hoffman Estates v. The Flipside, Hoffman Estates, Inc.*, 455 U.S. 489, 494 (1982); *Kolender v. Lawson*, 461 U.S. 352, 359, n. 8 (1983). Criminal statutes must be scrutinized with particular care, *e. g.*, *Winters v. New York*, 333 U.S. 507, 515 (1948); those that make unlawful a substantial amount of constitutionally protected conduct may be held facially invalid even if they also have legitimate application. *E. g.*, *Kolender, supra*, at 359, n. 8. *Houston v. Hill* at 458-59

The Gardena Municipal Code (GMC) proscribes, from 7am to 10pm, the interior noise level if sustained for over 15 minutes at “45 dB(A)” and the peak maximum is “65 dB(A)” but if “speech conveying informational content,” the “noise standards shall be reduced by 5 dB.” (GMC

8.36.050 Interior noise standards). For the same events but outdoors it is, “55 dB(A)” and “75 dB(A)”, respectively, and “speech conveying informational content, ... reduced by 5 dB.” (GMC 8.36.040 Exterior noise standards) and “shall be deemed guilty of a misdemeanor” (GMC 8.36.090 Enforcement) which permits incarceration upon arrest.

Such laws criminalize all speech, and provide no guidance to a reasonable person as to what conduct to avoid. Putting the ordinance in English terms, according to Yale University,⁴ “a household refrigerator” is 55 dB(A) which is 5dB over one’s outdoor speaking limit of 15 minutes, because “normal conversation” is 60-70 dB(A); and qualifies for that 5dB reduction, meaning outside in Gardena the loudest anyone can be is equivalent to “a household refrigerator”. Thus this ordinance is perfect for declaring unwanted aspects in violation of and is now being used as an arbitrary weapon in violation of the federal Constitution.

Moving onto the dire issue of traffic congestion, there are 50 short term hosts in the city of Gardena, with a total maximum of 166 beds at 87 locations, given that we only drive one car if visiting with our family, the number is properly closer to 87, but to console the city’s fears we will analyze using 166 cars from the short term rentals in the city of Gardena on any given day. Compare to the 21 hotels or motels in the city, with a total of 747 rooms, (and yes I counted them all).

The five main city streets with the largest traffic load, average 33,276 cars per day,⁵ assuming all 166 cars from the short term units drove on the same road, that is a traffic increase of 0.49% on any given main road in Gardena, and at 87 cars it is 0.26%. Since they obviously would not all be using the same road, the impact is even lower, the average increased impact on any of the main five streets is 0.098% and 0.05%, which falls well short of harmful.

The claimed reasons of concern for the increase of traffic prove to be disingenuous, not only by the obvious negligible increase of 0.098% per main road but by ordinances recently enacted since March of 2020, see Ords. 1822 & 1823, both increasing zoning to R-4 high density population; Ord. 1824, changes from R-4 high density to General Commercial (C-3) with mixed use overlay (MUO) followed directly after by Ord. 1825 changes to zoning relating to Amenity

⁴ Available here: <https://ehs.yale.edu/sites/default/files/files/decibel-level-chart.pdf>

⁵ The average of all reported counts per block for the largest streets impacted by daily traffic are: El Segundo Blvd. (31,350), Crenshaw Blvd. (27,940), Redondo Beach Blvd. (31,250), Artesia Blvd. (48,800), Western Ave. (27,042), combined average is 33,276. Source: <https://cityofgardena.org/traffic-counts/>

Hotels and other minor revisions. The former two were done to add housing, yet the city voiced concerns about loss of housing. More so, all significantly increase traffic and noise and quite literally serve as “changing the character of a residential neighborhood”.

Further along the deleterious impacts of traffic and noise increases, the city also passed Ord. 1838, permitting lot splits, thereby doubling the traffic impact on the city. Maybe the city can explain how 0.49% increase is more “deleterious” than 200%.

Proposed Ord. 1843, noted a serious concern “creating parking problems” as to the 87 cars parked in the same locations that a resident would park, as a major concern to the city. Which is why in Ord. 1832, the Council found 18.40 of the Gardena Municipal Code “out of synch with the goals and policies of the General Plan, effectively making the over-supply of on-site parking, whether needed or not, the top policy of the City;” the purpose of that ordinance was to allow for more commercial growth by permitting all previously excluded areas to count towards total parking, e.g., ally ways, street parking, drive ways, etc. Stated as a major concern as to the entities the Council are now declaring as commercial short term rentals, after the Council enacted ordinances creating parking concerns.

Returning to the final aspects of the report that could possibly still be characterized as substantiated by evidence, the alleged public argument in favor of the bans is limited to “loss of neighborhood character” because the trash argument is the same trash that would be created by renters. Which is why no proof of these allegations could be offered, and none can be found.

But looking at loss of character for a moment. The city zoning permits the following:

18.12.010 Single-family residential zone (R-1).

“The R-1 single-family residential zone is intended as a low density residential district of single-family homes with one dwelling per lot and customary accessory buildings considered harmonious with low density residential development.”

18.12.020 Uses permitted.

“The following uses shall be permitted in the R-1 zone and other such uses as the commission may deem to be similar to those listed and not detrimental to the public health, safety, and welfare:

- A. Single-family dwellings and accessory buildings customary to such uses located on the same lot or parcel of land;
- D. Family day care homes
- E. Mobile homes
- G. Residential group facility;
- H. Transitional housing, subject only to those restrictions that apply to other residential dwellings of the same type in this zone;

I. Supportive housing, subject only to those restrictions that apply to other residential dwellings of the same type in this zone.

Family day care consists of the beautiful sound of children with their laughter and screams filling the air... and violating the noise ordinance, which is a criminal violation... not by the kids though (see Pen. Code, § 26 (one)), but by the home owner, yet this is not enforced.

The Council is commended and applauded for offering to enact express protection for members of residential group homes, transitional housing, and supportive housing. Many communities reject them, but they are welcome here, sincerely... good job.

It is not intended as any sort of disparagement of these sorts of homes, but it is nonetheless necessary to point out that these homes include multiple unrelated persons, often living 2-4 people to a room, in 3-5 bedroom houses, creating a single family residence that houses 6-20 people. Those are commercial enterprises operated in an R-1, but they are not subject to the same “restrictions that apply to other residential dwellings of the same type in this zone” because other SFRs are being singled out, for having less people, taking up less parking, generating less trash and creating less noise.

With solemnity, the struggles these residents are under going is difficult. But the city accused residents of Airbnb and other platforms of being criminals without basis, yet the very definition of transitional housing is to provide for group support based housing during the transition back into normal society after prolonged prison sentences, and the function of a residential group facility is for those who wish to stop using drugs. Both groups are literally criminals, and turning their lives around, but the city accused law abiding guests as criminals to further a falsely inspired and steadily driven agenda.

At the same meeting to vote on an urgency ordinance “to protect public health, safety, and welfare,” “Marc Panetta: owns apartment property on 147th asked if the policy when obtaining a police report for having disruptive tenants or domestic violence for landlords could be modified;” (9/13/22 Minutes p.6) So the violence, noise, and unruly tenants at apartments is so common that the city has a procedural policy about this? When will those properties be up for an urgency vote?

Proposed Ord. 1843 “short-term rentals of residences for lodging purposes... are not listed as allowed uses under the Gardena Municipal Code”

The Staff Report of 9/6/22, stated:

“An STR is any rental of a dwelling of thirty days or less. The City’s position has been that because STRs are not listed as an allowed use in the zoning code, they are prohibited. This is known as permissive zoning. The recent case of *Keen v. City of Manhattan Beach* decided

in April of this year renders this argument invalid. Due to this decision, the issue of regulating STRs was brought to the City Council for discussion and to provide direction to staff to draft an ordinance.”

Again, cutting the citizens right out of the conversation, because if involved we can ask questions that maybe the city can or cannot answer. One would be, what sort of use is involved when a person is eating, watching TV, relaxing and sleeping at a house? Because the city said this was “not listed as an allowed use.” “The following uses shall be permitted... Single-family dwellings and accessory buildings *customary to such uses* located on the same lot or parcel of land”, it appears that sleeping and eating are customary uses of a house, or no?

Proposed Ord. 1843 claimed it needed to study this new phenomena called short term rentals, that have been around since 2008. While simultaneously drafting an ordinance to prohibit short term rentals under Ord. 1844 with all of the same findings. Which sounds nothing like a desire to study.

Proposed Ord. 1843 concludes its “findings” with:

“WHEREAS, the City Council would like to immediately prohibit short-term residential rentals in order to protect the public health, safety and welfare from the impacts listed above on short-term lodging rentals and make clear that other short-term rentals of residential properties are prohibited until such time as it considers a permanent ordinance and if adopted, such ordinance takes effect;”

The impacts listed above, were proven to be false, unfounded and not supported by any evidence.

“NOW, THEREFORE, the City Council of the City of Gardena does ordain as follows:

SECTION 1. That the above recitals are true and correct and are adopted as the City Council's findings.”

That declaration is simply not true, and has so been proven.

The above major concerns and reasons for changing the laws to take away existing property rights have been proven as false, the high court had already held the city will have to pay for our expected losses under the Fifth Amendment, yet the city persists anyway, even in situations where it actually does “substantially further[any] important public policies may so frustrate distinct investment-backed expectations as to amount to a ‘taking’” (*Penn Central Transp. Co. v. New York City* (1978) 438 U.S. 104, 127) and the city will have to pay for our losses.

CHANGING THE CHARACTER OF A NEIGHBORHOOD

The Council answered this concern for all, as to the finding made by the Council, “changing the character of a residential neighborhood, and with the case of housing - creating an impact on housing supply;” (Proposed Ord. 1843) because the Council had already made another finding, on May 11, 2021, Ord. 1828, “The Zoning Changes will allow the development of a high-density, 265-unit, **first-class** apartment project in the north end of Gardena which will provide new and needed housing opportunities in the City.” The median income of a resident in Gardena is \$55,000, that certainly does not seem like a salary that can afford a “first-class apartment”. Those 265 units adds more than 165% of the cars from all short term rentals to the intersection of El Segundo and Crenshaw, where 58,300 cars cross paths daily. Those 264 units create more trash, take up more parking, and most certainly will create an impact on the housing supply, for rich people.

The city was fully aware that it had the authority to “[r]equire, as a condition of the development of residential rental units, that the development include a certain percentage of residential rental units affordable to, and occupied by, households with incomes that do not exceed the limits for moderate-income, lower income, very low income, or extremely low income households” (Gov. Code, § 65850 (g)) but the city did not so require that. Instead the city authorized “265-unit, **first-class** apartment[s]” that will only cater to the upper class, and serve to increase the rental median price; then claimed that STRs will drive up the rental prices and serve to take away affordable housing.

And as to “changing the character of a residential neighborhood,” all who once enjoyed the billboard ban in this beautiful city, will find the view changed because that same proposal also now amended and added other ordinances, amending Ord. 18.58.050 “Billboards, as defined herein; this does not apply to digital billboards.” And added Ord. 18.58.055 permitting digital billboards, which are known to increase traffic. Not to mention the glaring light changing the character of any neighborhood it is placed in. But those were paramount concerns to justify outlawing rentals in the city. Also in those billboard laws, there was a citation to Bus. & Prof. Code, § 5412 “Eminent Domain Law” “‘Relocation,’ as used in this section, includes removal” but the city has simply tried to violate the Fifth Amendment with this ordinance but without advising the extending that offer or even acknowledgement of rights mentioned above by the U.S. Supreme Court cases *Goldblatt* and *Penn Central Transp. Co.*

But there were some affordable housing units built recently, e.g., “50 contemporary new townhomes” in a “Gated community” at Azalea Walk 1335 W. 141st St. Gardena, CA 90247 “Payments starting as low as \$2,508* a month.” * “\$676,990 with a 20% down payment... 680+ fico credit score and 6 months PITI reserves required” meaning our median income families only have to come up with \$135,000 + \$18,000 reserves, for a total of \$153,000 and that affordable \$2,508 per month is within their reach.

Another stated finding of Ord. 1843 included, “WHEREAS, the desire to operate short-term rentals is expected to increase due to the proximity of Gardena to SoFi Stadium;”

In Ord. 1825 other findings were made:

“WHEREAS, Gardena is situated to be in a position to **capitalize on a demand for new hotel spaces** due to its proximity to SoFi Stadium, Hollywood Park, Dignity Health Sports Park (formerly "Stub Hub"), and other attractions; and
WHEREAS, **during the past year, developers have indicated** that the City's development standards have been an **impediment to new hotel development**; and
WHEREAS, at the City Council meeting on July 14, 2020, the City Council gave direction to staff to implement changes;”

The Council has been pushed by an agenda to ban STRs, steering the city to blame STRs for traffic, forgetting they increased it themselves; blamed for less parking, while causing less parking through Ordinances; declaring STRs will cause prices to go up and a shortage, yet forgetting about creating first class apartments for the rich; declaring STRs will become more proliferent because of SoFi, while declaring that SoFi money is good for the city. Someone has been hiding an agenda.

The meeting that started all this, was not noticed to the public, yet two people showed up to speak in favor of the ban. Observe the words of the second person:

Raymond Dennis: I also think that with the proximity of SpaceX and proximity of Tesla, that they have many short term people that come into those organizations that *instead of using hotels* would be more inclined to bundle up in a Airbnb. ... I understand if you can't do a moratorium right now, but you at least should investigate, investigate quickly because the world cup is coming. You have the Super Bowl. You have the BCS championship coming. You have the final four coming and you have in 2026 World Cup, all of that coming to SoFi, and *people be looking for places to stay*.

(Exhibit C p. 9 lns. 26-28, 34-37; p. 10 ln. 1)

Those are rather unusual concerns for a random citizen at a local city hall meeting to spontaneously show up and be focused on upper class workers desiring a short term place to stay and not using a hotel, that SoFi money will be coming in and needing a place to stay, in a couple

of years, just in time for a hotel to be approved and built. But he also planted fears in his speech, and what was a relatively quiet reception by the council, then turned into a fear fest. Spurned by people randomly present with focused messages to manipulate the Council.

STRS HAVE ALWAYS BEEN LAWFUL AND STILL ARE

The proposed zoning fails the uniformity requirement of Gov. Code, § 65852 because some houses are permitted to a use of their land for hire and are not treated as a business, but every year money is paid by me for a business license, “License Activity Residential Rental Property” one for each of my addresses (Account Numbers 2820, 2821; \$56.75 x2; I am current see Transactions ID’s: 63482405363 and 63482409762). Her Honor declared on 9/13/22, “I’m sure none of these people are paying any type of business license tax or anything like that.”⁶ The city has been approving of my short term rentals for years, because as it acknowledges, it was a lawful activity.

5.04.110 Separate business licenses/permits for each business and for each location.

A. Except as otherwise provided in this Title, a separate license shall be obtained and a separate fee paid for each branch establishment or separate place of business, and for each separate type of business activity which shares a common location, even when conducted under the same ownership.

B. Each license shall authorize the licensee named therein to commence and conduct only that business described in such license and only at the location or place of business which is indicated therein.

5.04.010 Definitions.

“‘Business’ means and includes all kinds of ... enterprises, establishments and all other kinds of activities and matters, ... used or carried on for the purpose of earning in whole or in part a profit or livelihood ... Business, ... shall include, without being limited thereto, trades and occupations of all and every kind of calling carried on within the city; ... the renting or supplying of living quarters or board, or both for guests, tenants or occupants.”

“‘Established business’ means and includes only such persons in cases whereby the nature of their respective modes of operation would clearly be classifiable as a “permanent business.” In all other cases such fact shall be required to be proven ... for a minimum period of six months or more.

During the slide show on 8/9/22, a word had to be defined for the city:

“What is a Short Term Rental (STR)?- Typically defined as a rental of a dwelling unit which is shared, in whole or in part, for periods of 30 days or less as a way of generating rental income.”

That was an admission that the city had yet to define the term legally.

The August 9th Agenda Staff Report

“An STR is any rental of a dwelling of thirty days or less. The City’s position has been that because STRs are not listed as an allowed use in the zoning code, they are prohibited. This is

⁶ <https://youtu.be/6T1z77Zy5Z4?t=8971>

known as permissive zoning. The recent case of *Keen v. City of Manhattan Beach* decided in April of this year renders this argument invalid.

According to the appellate court, Manhattan Beach’s ordinance did not regulate how long a person could stay in a dwelling and therefore rejected the city’s argument that the STRs were prohibited under the theory of permissive zoning. **Based on this decision, if Gardena wishes to regulate or prohibit STRs, it will be required to enact a zoning ordinance to do so.**” (p.1)

“There are now websites that are devoted to hourly rentals of pools in single-family homes, the most popular of which is www.swimply.com. Additionally, owners are renting their homes for use as event spaces. Currently, there do not appear to be any pools for rent in Gardena. Community Development has received inquiries about using private homes for events such as weddings. Use of homes for these purposes turns a single-family home into a commercial enterprise and can cause neighborhood disruptions.

Unlike STRs for lodging, these uses are prohibited under the Gardena Municipal Code as they are not listed as an allowed use. However, staff believes that such uses should be specifically addressed in accordance with the City Council’s desires.” (p.3)

“Submitted by: Greg Tsujiuchi Date: August 4, 2022”

The above is a direct acknowledgment by the Community Development Department Director that STRs were not prohibited but rather are currently permitted, because an appellate court had determined their theory was legally invalid and acknowledged that the Gardena Code did not regulate how long a person could stay, therefore the use as a STR was just like the other 10,000 rentals in this city, except that STRs comprised 0.8% of the volume of rental units in the city, which by no means has ANY meaningful impact on the available housing supply.

As of 2018, there were 20,619 households, comprised of 32% nonfamilies, 68% families; the median income was \$55,351 (City of Gardena 2021-2029 Housing Element p.13) and as of 2020 there were 21,982 housing units with 52% as single family residents (SFR) and 43.6% multiple-family units (MFU), (*id.* p. 15) thus 11,431 SFRs and 9,584 MFUs, but near 50/50 on ownership (10,090) to renter (10,529) ratio (*id.* p. 36).

Under Public Resources Code § 21083.3 when a “parcel has been zoned to accommodate a particular density of development or has been designated in a community plan to accommodate a particular density” which all of our properties were, thus “consistent with the zoning or community plan” any inquiry “shall be limited to effects upon the environment which are peculiar to the parcel” but the city already declared “with certainty that there is no possibility” of an environmental issue under the commonsense exemption set forth in California Code of Regulations title 14, section 15061(b)(3), which the city planner forgot to cite, and further proves there are no concerns with trash, noise, or traffic.

This ordinance is not consistent with the General Plan, Policy 2.2 “Encourage provision of units of various sizes to accommodate the diverse needs of the community, including seniors, students and young workers, and large households.” Rentals of any duration accommodate any degree of temporary worker or visitor, how many will be available to rent to a visiting nurse here for three weeks or worker in for a project for 6 weeks? Or those Tesla or SpaceX workers? And directly violates Policy 5.2 “Provide a range of housing options, locational choices, and price points to accommodate the diverse needs in Gardena and to allow for housing mobility.” One of those public voices on 9/13/22 specifically advised that she uses STRs to house visiting family members when they come to town because they cannot afford the hotel rates.

And the only stated negative aspect is under Policy 2.5, “Discourage the conversion of affordable rental units to condominium ownership.” Which not one of us has contemplated.

Is the Council aware that the General Plan only uses the word “short” one time in the entire plan? And it is under Permit and Processing Procedures. “Development processing time is relatively *short* and expeditious due to a one-stop counter, streamlined procedures, and concurrent processing.” (City of Gardena 2021-2029 Housing Element, p. 49)

Therefore, the proposed zoning is not compliant with Gov. Code, § 65862 as to any “inconsistency between the general plan and zoning arises as a result of adoption of or amendment to a general plan” and the moment the Council attempts to amend the General Plan to make STR’s inconsistent with it, the Council grants each of us standing to attack the General Plan under Gov. Code, § 65860(c).

THE LEGISLATURE PRECLUDED THIS CURRENT ACTION

And that brings us to the stated reason for this urgency measure, as brought under Gov. Code, § 65858 “to protect the public safety, health, and welfare, may adopt as an urgency measure an interim ordinance prohibiting any uses that may be in conflict with a *contemplated* general plan, specific plan, or zoning proposal that the legislative body, planning commission or the planning department is considering or studying or intends to study within a reasonable time.” The Legislative history clarifies that the intended use of this statute is not a contemplated use. From the (Senate Housing & Community Development Committee, Chair Senator Dunn, Analysis of SB No. 1098 (2001-2002 Regular Session) as introduced May 3, 2001, p. 1):

“Existing law allows a local government to adopt an ‘interim ordinance’ - otherwise called a moratorium - prohibiting **any new land use** that may be in conflict with a change to the general plan, specific plan or zoning proposal that the jurisdiction is studying or considering.

The local government must first make legislative findings that there is a current and immediate threat to the public health, safety or welfare and **that the approval of additional permits would result in the realization of that threat.** Upon a 4/5ths vote, the local legislative body can adopt such an ordinance for 45 days and ultimately extend it for as long as two years.”⁷

The Senate disagrees with this council’s intended use to retroactively apply the zoning law, as does our local Court of Appeal. “We conclude that the city council failed to make findings required under Government Code section 65858, subdivision (c) ... therefore was contrary to law and invalid.” (*Hoffman Street, LLC v. City of West Hollywood* (2009) 179 Cal.App.4th 754, 758). Wherein the court also concluded there was no need to follow the administrative remedies because the ordinance was invalid.

Gov. Code, § 65858 subdivision (c) provides “The legislative body **shall not adopt** or extend any interim ordinance pursuant to this section ***unless*** the ordinance contains legislative findings that there is a **current and immediate threat to the public health, safety, or welfare,** ***and*** that **the approval of additional** subdivisions, use permits, variances, building permits, or any other applicable entitlement for use which is required in order to comply with a zoning ordinance would result in that threat to public health, safety, or welfare.” The Council has skipped right over the aspect of any additional future units would cause harm, and only declared then existing lawful uses were the cause of harm, but failed to substantiate it as required by statute and case law.

It is generally understood in this state, that the findings need supporting evidence, which as of now only consists of voices of the public submitting an objection to the unlawful ban.

Three quick points and then done.

The Council’s administrative process is designed to eliminate a cause of action under Gov. Code, sections 65009(c); 65009; 65093 in violation of the Fifth and Fourteenth Amendments pursuant to *Logan v. Zimmerman Brush Co.* (1982) 455 U.S. 422 as a cause of action is a property right that may not be so shortly limited.

Reservation of right is hereby made and no waiver of rights results as under local, state and federal laws, all possible applicable causes of action, and defenses are now raised, reserved and intended to be used.

⁷ Available here:

https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=200120020SB1098#

Finally, and very importantly, in a case where the citizens prevailed over the city regarding zoning issues, the “plaintiffs moved for attorney's fees pursuant to section 1021.5 for prevailing on their challenges to the SNAP variances. After full briefing and a hearing, the trial court granted La Mirada attorney's fees totaling \$793,817.50 and Citizens attorney's fees of \$180,320.” And was affirmed by our local Court of Appeal. (*La Mirada Ave. Neighborhood Ass'n of Hollywood v. City of L. A.* (2018) 22 Cal.App.5th 1149, 1155) Money that could be spent on the homelessness issue.

WHERE DO WE REALLY WANT TO GO FROM HERE?

The above recommendations were made before investigation because the city only began an investigation after the urgency moratorium vote failed, and then a KGB poised company was procured to spy, as if we were hiding.

“After the last City Council meeting, the City Manager authorized entering into a \$4,000 consultant agreement with Deckard Technologies/Rentalscape to provide important information regarding STRs that currently exist in the City. Generally, it takes several weeks for the system to populate the information for the City.”

But how will the city be making good use of that money when it cuts off the source of the data?

“Any modification to Ordinance No. 1844 would need to first go back to the Planning Commission. Given the complexity of drafting an ordinance that allowed STRs, it is unlikely that such an ordinance could be returned to the City Council before late November or early December.”

And that few months is not enough time for the company to be running data to make an informed decision with, but better than no time. Additionally, this “would need to first go back to the Planning Commission” anyway, because 1843 was not voted on by the Planning Commission.

Now, if you do not want to shoot me, that part is all done and we can move on to where we need to be. Do you know that where I am from, this could never be said? After the second page, they would win the argument...

You have no idea the freedom you take for granted here. And how wonderful it is to be able to use it. But disagreement can lead to compromise. Let's take a look at that now.

THE RIGHT FOOT.

Come, sit my friends. Let us try to do what rational people do, talk.

Your people, the proud homeowners of STRs are mostly all immigrants, who came here for the same reasons as I did, because this American dream belongs to the world. Those of us that win the lottery of life, get to live it, and we see so many born into it not even see it.

Each of us worked so hard to build and safe and invest and grow. Do you think for one second we want any harm to come to our property, our investments, our children's futures?

We are dedicated to our success.

I meet every single guest that comes to the property, after running background checks on them, I personally let them into the house; a very small reason is to be a good host, the very large reason is that I was raised to be suspicious and need to check them all out myself.

Her Honor made an interesting comment about the feeling of knowing your neighbors during the 8/9/22 meeting. To this there are two things: first, we do not get to pick them, and sometimes they are *not* at *all* what we want, and that feeling never leaves because they never leave. Second, sometimes its nice to be curious about who is in there now for a little excitement, and find that same familiar comfort in knowing they are leaving in a day or two. Life is how we look at it. I see an attack, and find a reason to make good for all of it.

One of your STR hosts, suffered the ultimate test of a mother, when her son was paralyzed and she had to stop working to become full time caretaker and to supplement the loss of income had to rent out part of the house. Nightmare after nightmare, followed by even worst long term tenants kept arriving and not paying, she switched to Airbnb and has never had a single problem since, finally she is financially worry free.

Councilmember Henderson, you were concerned about 290 registrants, Airbnb makes all members photograph their face and ID to register, then the computer verifies, and also checks against the federal data base made available to social media sites for this very purpose. If one signs up, within minutes the system closes their account permanently. So none can rent from us as hosts, unlike your normal landlord that may not know, we do; simply because they contacted us qualifies them as not.

City Manager Osorio, you were concerned about staffing and timing and costs of enforcement, yet you have the most dedicated staff imaginable, more ready and willing than your staff could ever be (no offense) because we are the owners. There is no reason why our phone

numbers cannot be distributed or connected to law enforcement and the city so if a noise complaint comes in, we are called first.

If there are noise complaints, then we want to know more than you do, because that is a rather large investment and only one of three things are occurring. The guest is unruly and we want them out; a neighbor is the cause of the noise and we want it to stop more than you do to protect our guest's peace and relaxation; or the call is from a busy body with nothing better to do, and we all need to know that, and be able to recognize it when it becomes a pattern.

Which also goes to Councilmember Tanaka's concern about a rave party at a house, which should be clear by now, is completely unacceptable, and the police *will* need to be called, but to protect them from me.

Which leads into Director Tsujiuchi, Counselor Vasquez, and Counselor Kranitz, there was concern about drafting an ordinance; you can be boring and copy one of the many you read from the other cities, or we can all create something to serve as model for them to copy, by combing your drafting and legal knowledge with the practical knowledge of the hosts' who are happy to provide insight. There is no reason why we cannot work out a system that helps everyone, this is America still right? Two brilliant female attorneys and a can-do-attitude and we can make this happen quickly.

From the top of my head, maybe just a simple point system, starting with 3 points, each call that is not resolved by the host that results in another call to address the unresolve complaint loses one point, but if no calls that month gains one point as a reward; then if all points are lost, then they lose; or something that involves punishment and reward. By the time a host gets seasoned enough, it should not be a problem, but maybe cap at 12 or 15 incase somebody spirals down there is still a way to hold them accountable. Putting together packets of preparedness and plans and methods can be symbiotic, and allow us to resolve problems together, rather than spending money.

We do not want bad hosts out there either, and we need your protection too. Rather coincidentally, just this Sunday, I had what appeared to be a normal guest, with good reviews, then because I monitor the property which alerts me when movement occurs outside, I saw she had an unregistered and unverified person on the property, I immediately contacted Airbnb and notified them of the unauthorized person in violation of the agreement, as a result they cancelled the agreement with the guest and Airbnb notified her she must leave now, and notified her several more times but she refused to leave. Then I went over to tell her to leave in person, incredibly she

called the police to have *me* removed. I explained the law and the situation but the officer said this was civil and they do not do civil, when it was clearly a criminal trespass because she could not prove consent with a simple proof of payment as that would show it was cancelled for violating rules. The police left. She then shoved my friend and called the police a second time, luckily my place is fully captured on cameras and I also had my phone and showed the officer who finally, sternly spoke to her and they left. This break down of procedure when a citizen needs police help is not good for anyone, because in the end, the officer was rewarding the criminal.

Also, Director Tsujiuchi, maybe you did not realize it, but many of those people that came to ask if it was legal, were would-be hosts; as I once did the same. Most of us want to do right, we are in business to live, not starve.

Does the city want to make money? Because we do too. Sales taxes and TOT are better than nothing, also Airbnb automatically takes out the TOT and sends it to the city directly on a hosts behalf, so that makes it streamlined. “Asst City Attorney Kranitz gave the amount of STRs we currently have in our city which is about 130 rentals, and an estimation of TOT would be \$125,000 a year but then we would be paying a company to check on them.” (9/13/22 Minutes p.10) As Director Tsujiuchi showed, it will cost the city \$4,000 to make \$121,000, that is an investment that any of us hosts would die for, and you get it for the cost of bringing in *more* money to the city, because that which is even better than taxes is outside dollars brought into the city and spent here, building our economy. Who else is going to shop at your site specific plans?

Mayor Pro Tem Francis, there is so much more that I could have said, but I would rather not fight as it is best if we leave each other be and we both will be happier in the long run in the end. But you are also right, that a cap should occur, because to be rather selfish, we do not want to see the area flooded with hosts either. The only lawful and constitutional way is to enact prospective laws. And for all of the big companies that are trying to be impressed to help the city grow, do you really think multi-hundred million dollar companies are really intimidated by 50 citizens?

Combined we are one hotel. That should scare no one, but rather excite that we bring in a hotel’s worth of business daily, without having to wait for it to be built.

When the hotels are finally built, we won’t matter then either.

Do you know what I love? Korovka milk caramel, I am hopelessly addicted, and I hate Skittles.

Which I am sure someone just shook their head reading that. But you do not need to convince me of what I don't like, nor I you. Some people hate hotels and want a home feel, others love hotels, my closest friend is one of them. If a person wants an Airbnb, they will find one, even if it is not in Gardena, and that is money lost to local shops.

Options stimulate growth, not one sided un-thought out decisions, that result in enacting laws which will result in hundreds of thousands of dollars of attorney fees taken from the city fund, to only find out you have to start over.

And to what end? So outside money is not spent here?

Her Brilliance Councilmember Love saw it, true to her namesake, for she was accepting of the unknown and embraced the possibilities of hope. You inspired me to find the same middle ground.

Working together to solve the problems is where all this energy needs to be spent.

On this note, I will conclude with my favorite passage from a case.

The authentic majesty in our Constitution derives in large measure from the rule of law — principle and process instead of person. Conceived in the shadow of an abusive and unanswerable tyrant who rejected all authority save his own, our ancestors wisely birthed a government not of leaders, but of servants of the law. Nowhere in the Constitution or in the Declaration of Independence, nor for that matter in the Federalist or in any other writing of the Founding Fathers, can one find a single utterance that could justify a decision by any oath-beholden servant of the law to look the other way when confronted by the real possibility of being complicit in the wrongful [deprivation of another's pursuit of happiness]. When the Preamble of the Constitution consecrates the mission of our Republic in part to the pursuit of Justice, it does not contemplate that the power of the state thereby created could be used improperly to abuse its citizens[.]

Northern Mariana Islands v. Bowie, (9th Cir. 2001) 243 F.3d 1109, 1124

I grew up in tyranny, yes it sounds fun, but its not all its cracked up to be, living under a boot of those who mean well by thinking for you is not living.

“It is a melancholy reflection that liberty should be equally exposed to danger whether the Government have too much or too little power, and that the line which defines these extremes should be so inaccurately defined by experience.” James Madison letter to Thomas Jefferson, October 17, 1788

Too little, and liberty is destroyed by crime; too much, and there is no liberty, only a dictatorship.

Thank you for your time, consideration, and for taking care of the men and women in the transitional and group housing, that was very impressive. Let's keep that spirit of community unity going, together.

Most sincerely,

Mariya Wrightsman

September 27, 2022

Attached: Exhibits A-D

EXHIBIT A

gent creditors, and persons who may otherwise be interested in the will or estate, or both, of WILLIAM EARL DAVIDSON. A PETITION for Probate has been filed by: WILLIAM DAVIDSON JR. in the Superior Court of California, County of Los Angeles. The Petition for Probate requests that WILLIAM DAVIDSON JR. be appointed as personal representative to administer the estate of the decedent.

The petition requests the decedent's will and codicils, if any, be admitted to probate. The will and any codicils are available for examination in the file kept by the court.

The petition requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will al-

hearing. Your appearance may be in person or by your attorney.

If you are a creditor or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within four months from the date of first issuance of letters as provided in Probate Code section 9100. The time for filing claims will not expire before four months from the hearing date noticed above.

You may examine the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate

ANGELES. THE PETITION FOR PROBATE requests that Reginald Denzel McDonald be appointed as personal representative to administer the estate of the decedent.

THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an

58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code.

Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law.

YOU MAY EXAMINE the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.

Attorney for petitioner:

PAUL HORN ESQ
SBN 243227
PAUL HORN LAW GROUP PC
11404 SOUTH STREET
CERRITOS CA 90703
CN989776 SIMS Sep 1,8,15, 2022
Gardena Valley News
9/1,8,15/22-122217

without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.

A HEARING on the petition will be held in this court as follows: 10/31/22 at 8:30AM in Dept. 9 located at 111 N. HILL ST., LOS ANGELES, CA 90012 IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four

CITY OF GARDENA
NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT on Tuesday, September 27, 2022, at 7:30 p.m., the City Council of the City of Gardena will conduct a virtual public hearing to consider the following:

ORDINANCE NO. 1844

REQUEST: Consideration of an Ordinance amending Title 18, Zoning, of the Gardena Municipal Code to prohibit short-term rentals of residences for lodging purposes and short-term rentals of residences for other commercial uses not listed as allowed uses under the Gardena Municipal Code. The Ordinance is exempt from the provisions of the California Environmental Quality Act pursuant to the commonsense exemption set forth in Guidelines section 15061(b)(3). On September 6, 2022, the Planning Commission voted 3-1-0, recommending that the City Council adopt the ordinance to prohibit short term rentals.

Applicant: City
Project Location: Citywide

The public hearing will take place via an on-line platform that can be accessed from your computer, smartphone, or tablet. Detailed directions for accessing this hearing will be on the City's website at <https://cityofgardena.org/agendas-city-council/>, no later than **September 23, 2022**.

The related materials will be on file and open for public inspection on the City's website at <https://www.cityofgardena.org/community-development/planning-projects/>. You will have the opportunity to post questions during the hearing. Comments may also be submitted via email to publiccomment@cityofgardena.org or by mail to 1700 W 162nd Street, Gardena, CA 90247.

If you challenge the nature of the proposed action in court, you will be limited to raising only those issues you or someone else raises at the public hearing described in this notice, or in written correspondence delivered to the Gardena City Council at, or prior to, the public hearing. For further information, please contact the Planning Division, at (310) 217-9524.

/s/ MINA SEMENZA
CITY CLERK

Gardena Valley News 9/15/2022-122990

CITY OF GARDENA
VIDEO POLICING SYSTEM PROFESSIONAL SERVICES

NOTICE OF REQUEST FOR PROPOSALS

PUBLIC NOTICE IS HEREBY GIVEN that the City of Gardena, California, invites and will receive proposals via Planet Bids up to the hour of 1:00 p.m., October 25th, 2022, for PROFESSIONAL SERVICES FOR VIDEO POLICING SYSTEM in accordance with the Notice, Scope of Work and the Draft Agreement contained in the City of Gardena Request for Proposals for Video Policing System Professional Services. Copies of this document and the necessary proposal response forms may be obtained from Planet Bids.

A **mandatory** pre-bid proposal conference has been scheduled for prospective bidders at 10 a.m., October 11th, 2022 at the Gardena Police Department, for the purpose of reviewing the City's requirements. To qualify for consideration for award of the contract, potential bidders **MUST** attend this pre-bid proposal conference.

Dated this 15th day of September 2022
/s/ Mina Semenza, City Clerk of the City of Gardena, California
Gardena Valley News 9/15/2022-122901

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EXHIBIT B

ance bond in the amount of 100 percent of the contract price, and a payment bond in the amount of 100 percent of the contract price, both in a form satisfactory to the City Attorney.

The contractor shall have an active "A", "C-10" or "B" license from the Contractor's State License Board at the time of submitting bid. Asbestos and Lead abatement work shall be done by a contractor having the appropriate legal license and certifications.

The prime Contractor must perform at least 25% of the cost of the contract, not including the cost of materials, with its own employees on site.

Pursuant to Public

the escrow agreement, letter of credit, form of security and any other document related to said substitution is reviewed and found acceptable by the City Attorney.

The City reserves the right to reject any or all bids and to waive any informality or irregularity in any bid received and to be the sole judge of the merits of the respective bids received. The award, if made, will be made to the lowest responsive responsible bidder.

Bidders are advised that this Project is a public work for purposes of the California Labor Code, which requires payment of prevailing wages. Accordingly, the bidder awarded the Contract and all subcontractors shall

tions 1777.5 and 1777.6 of the Labor Code concerning the employment of apprentices by Contractor or any Subcontractor under it. Contractor and any Subcontractor under it shall comply with the requirements of said sections in the employment of apprentices.

The Contractor is prohibited from performing work on this project with a subcontractor who is ineligible to perform work on the project pursuant to Section 1777.1 or 1777.7 of the Labor Code.

This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations. All contractors and subcontractors must furnish electronic certified

by a qualifying project labor agreement.

These requirements will apply to all public works projects that are subject to the prevailing wage requirements of the Labor Code without regard to funding source.

The State General Prevailing Wage Determination is as established by the California Department of Industrial Relations (available at <http://www.dir.ca.gov/DLSR/PWD/index.htm>).

Skilled and Trained Workforce: This project is subject to Skilled and Trained Workforce Requirements per Sections 2600 through 2603 of the Public Contract Code.

Award of Contract: The following are conditions to the award of the contract:

- I. Each contractor and subcontractor listed on the bid must be registered with the Department of Industrial Relations pursuant to Labor Code Section 1725.5, subject to the limited exceptions set forth in Labor Code Section 1771.1(a) (regarding the submission of a bid as authorized by Business & Professions Code Section 7029.1 or Public Contract Code Section 10164 or 20103.5 provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract was awarded); and
- II. No contractor or subcontractor may be awarded this contract unless the contractor and each subcontractor listed on the bid is registered with the Department of Industrial Relations pursuant to Section 17265.5.

Any questions regarding this bid package may be referred to Kevin Kwak, Principal Civil Engineer, Public Works Engineering Division at 310.217.9643

the decedent. THE PETITION requests the decedent's will and codicils, if any, be admitted to probate. The will and any codicils are available for examination in the file kept by the court.

THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.

A HEARING on the petition will be held on Sept. 15, 2022 at 8:30 AM in Dept. No. 11 located at 111 N. Hill St., Los Angeles, CA 90012.

IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code.

CITY OF GARDENA
NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT on Tuesday, September 6, 2022, at 7:00 p.m., the Planning Commission of the City of Gardena will conduct a virtual public hearing to consider the following and make a recommendation thereon:

ORDINANCE NO. 1844

REQUEST: Consideration of an Ordinance amending Title 18, Zoning, of the Gardena Municipal Code to prohibit short-term rentals of residences for lodging purposes and short-term rentals of residences for other commercial uses not listed as allowed uses under the Gardena Municipal Code. The Planning Commission will make a recommendation to the City Council. The Ordinance is exempt from the provisions of the California Environmental Quality Act pursuant to the commonsense exemption set forth in Guidelines section 15061(b)(3).

**Project Location: Citywide
Applicant: City**

The public hearing will take place via an on-line platform that can be accessed from your computer, smartphone, or tablet. Detailed directions for accessing this hearing will be on the City's website at <https://cityofgardena.org/agendas-planning-environmental-commission/>, no later than **September 2, 2022**.

The related materials will be on file and open for public inspection on the City's website at <https://www.cityofgardena.org/community-development/planning-projects/>. You will have the opportunity to post questions during the hearing. Comments may also be submitted via email to PlanningCommissioner@cityofgardena.org or by mail to 1700 W 162nd Street, Gardena, CA 90247.

If you challenge the nature of the proposed action in court, you will be limited to raising only those issues you or someone else raises at the public hearing described in this notice, or in written correspondence delivered to the Gardena Planning and Environmental Quality Commission at, or prior to, the public hearing. For further information, please contact the Planning Division, at (310) 217-9524.

Amanda Acuna
Senior Planner

Gardena Valley News 8/25/2022-122309

Aug 25, 2022
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EXHIBIT C

1 Tsujiuchi: Short presentation, if you'd like to hear that first?

2 Cerda: Let's go ahead and do that first, because we may have questions as it relates
3 to that.

4 Tsujiuchi: Okay we're going to share our screen here. Can everyone see the screen?

5 Cerda: Yes.

6 Tsujiuchi: Good evening members of the city council. Tonight's discussion is about
7 short-term rentals. We have a short presentation and we go to next slide
8 here.

9 So just a recap on what a short-term rental is. Typically, it's defined as a
10 renting of a dwelling unit, which is shared in whole or in part, meaning it
11 could be the whole dwelling unit or maybe just a bedroom or actually an
12 amenity that we recently seen for usually periods of 30 days or less as a way
13 of generating rental income. Most recently, we're starting to see not only the
14 dwelling unit being defined as a short-term rental, but we're starting to see
15 it kind of broadened in definition to include things like hourly and daily
16 rentals of swimming pools in people's backyards. And also as a daily special
17 event venue, like maybe hosting weddings. That could also be included in
18 this definition of a short-term rental.

19 So why we're bringing this to you for discussion, our Gardena Municipal
20 Code doesn't specifically prohibit short-term rentals. There's been a recent
21 case law known as Keen versus City of Manhattan Beach. And I'd actually
22 like Lisa to kind of brief you on that.

23 Kranitz: So generally Gardena and other cities use what's called permissive zoning.
24 If a use is not listed in the municipal code, then according to the city, it's
25 prohibited. That's how Gardena functions. That's theoretically how
26 Manhattan Beach functions. Manhattan Beach tried to argue that because
27 short-term rentals weren't listed as an allowed use, they were prohibited
28 under the city's code. The case involved the Coastal Commission, but that's
29 not relevant for how it impacts all other cities. What the court said was
30 because residential uses are allowed in residential zones and residential uses
31 don't specify how many days a person has to stay in a dwelling, short-term
32 rentals are not prohibited under permissive zoning. So therefore, if a city
33 wants to prohibit a short-term rental for lodging, they have to specifically
34 go in and amend their ordinance to provide such prohibition.

35 For the other types of things that Greg was talking about, people who are
36 now renting their backyards out for special event venues or renting their
37 swimming pools by the hour, those we can argue are prohibited under
38 permissive zoning because they're not residential use as far as lodging goes,

1 but it would be better if the council wants to prohibit them to specifically
2 call it out. So it's quite clear in the code.

3 Tsujiuchi: So those first two go hand in hand. Gardena Municipal Code doesn't
4 specifically prohibit it, or it doesn't specifically prohibit short-term rentals.
5 And this new recent case says we ought to, if that's what we're going to do.
6 In addition to that, we are seeing an increase of inquiries on the ability to
7 have STRs in the city. Our planning division has been taking numerous
8 calls, people wanting to do it more and more often. My code enforcement
9 here in community development, they've seen an increase of complaints
10 regarding short-term rentals, usually with noise or parking or the amount of
11 people that they're seeing next to residential homes. We've also done a little
12 research and there's been numerous listings found on different platforms on
13 the internet. Platforms or things such as Airbnb, VRBO, booking.com.
14 There's a few others.

15 And so staff is really looking for direction on two major - - or two options.
16 Either to prohibit the short-term rentals in Gardena, which is what we're
17 currently enforcing, or to permit short-term rentals. And so we kind of
18 looked around at our neighboring South Bay Cities. And so those who are
19 currently prohibiting, would be cities of Redondo Beach. Manhattan Beach,
20 for the most part, they are doing some amendments to it, I think to also
21 include their coastal areas. Inglewood, I think, saw a huge uptick with their
22 SoFi Stadium and whatnot coming up and so they actually put up
23 moratorium on it. I think it became such a harm or nuisance to them.
24 Lawndale prohibits it. There's other cities who are permitting STRs. Lomita
25 is permitting it, but kind of like how Gardena would be, where they're not
26 really specifying it. So by this new case law, it would be permitted.

27 We believe Carson is the same way. We really couldn't find anything that
28 prohibited it, so we assume that they're allowing it because they don't
29 specifically prohibit it. Cities of El Segundo, Hermosa Beach, Torrance, and
30 Hawthorne, they have pretty strict regulations where it can be numbers, how
31 many can be rented or used as short-term rentals at any one time, specific
32 zones, whether or not the owner has to occupy the home or not.

33 And so there's a number of different ways that you could regulate it, but all
34 in all staff is just looking for a direction, whether or not you'd like to prohibit
35 it. And if so, then direct staff to draft an ordinance prohibiting short-term
36 rentals. If you're looking to permit short-term rentals, then direct staff to
37 draft an ordinance either to one allow it pretty much without any regulation,
38 just say get a business license, make sure you're paying your transient orient
39 tax- - ah - - transient occupancy tax, and let them do that, or permit STRs
40 and have regulations. And these regulations can pretty intensive. And so we
41 would request that you direct staff to work with the planning commission,

1 come up with a draft ordinance, and then we would come back to you for
2 more input.

3 So that's where we're at now. I could go more into different options if you
4 decide to permit STRs, but at this point in time of my presentation just
5 wanted to see whether or not you were interested in prohibiting or
6 permitting short-term rentals.

7 Cerda: Okay, thank you. Let's open up for questions. Customer Henderson had his
8 hand up first. Go ahead.

9 Henderson: Thank you Madam Mayor. Thanks for that presentation Greg in regards to
10 that. You brought up another question. In regards to those cities of El
11 Segundo, Hawthorne, Hermosa Beach, Torrance, that kind of have some
12 regulations drafted. What was their criterion in regards to selection, process
13 of properties that would do that? Did they spread them out throughout their
14 city, 20 per district? How did they do that? And then what did that add to
15 the staff administrative overhead as far as all that work now?

16 Tsujiuchi: Well, so I'll speak to a neighboring city that is real near Gardena. They did
17 a rental ordinance that put it in specific zones. It wasn't really in any
18 particular north, south, east, west part of the city, it was just in wherever
19 this type of a zone was located. They allowed it. They limited the number
20 of licenses that they would issue all the way down to, I think they limited it
21 to 10 at any one time. They limited it as far as what they call multiple
22 bookings, meaning that they're renting out multiple rooms only so many
23 could do it at one time. I think in our staff report we identified some
24 Torrance, I believe did they - - we're looking into that [inaudible 00:09:02]

25 Kranitz: A home share only.

26 Tsujiuchi: Oh, they did a home share only, meaning that the owner has to be present.
27 It can't be where they're either on a long-term vacation and while they're
28 gone, they're renting out their home or they own another primary residence
29 maybe in another city and they own this other property in Gardena and so
30 they want to short-term rental that house as a short-term rental, rather than
31 a long-term lease to someone.

32 Kranitz: I think generally what the neighboring city did of only 10 permits per year
33 is unusual. I think usually the cities do it by zones. Be it home share, or you
34 can do the short-term rentals. It could be just the R1 zones or just R2, R3,
35 R4 type zones. Those are all the directions we're looking for if the council
36 wishes to allow short-term rentals. It's really, what is your imagination.
37 Homes which have an ADU or an SB9 unit cannot be used for short-term
38 rentals. That's by law.

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1 Tsujiuchi: Affordable housing units?

2 Kranitz: Affordable housing units, then they wouldn't qualify for a short-term rental
3 because you wouldn't be meeting the income qualifications.

4 Tsujiuchi: There's a whole host of options that we would go through depending on if
5 that's the council's direction.

6 Kranitz: As far as administrative costs, it would be like any other type of city service
7 where a permit fee would be established that would cover the city's
8 expenses. We'd figure out how much staff time was involved in it, and then
9 charge a fee along with business license.

10 Henderson: Okay. Thank you. Then my second question regards to, if we were to come
11 up with some sort of solution in the middle versus fully allowing it all over
12 the place or denying it all together, what about, would it be discriminatory
13 if we said in our regulations, if we permitted this, that if you live near a park
14 or a school zone, you cannot have such a facility because we want to control
15 the potentiality of predators coming into our community and everything.
16 Can that be put in the regulation? And if so, does that open us up to potential
17 liability, because now we're exercising discriminatory practice?

18 Kranitz: It's something we'll have to look at.

19 Henderson: Okay.

20 Tsujiuchi: I've not heard of any of the cities around here doing that, but we'll certainly
21 look into it if that's the council's desire or direction. Thank you.

22 Cerda: Mayor Pro Tem Paulette Francis.

23 Francis: Yes. I have a few questions. So you mentioned there were numerous calls.
24 How many is numerous?

25 Tsujiuchi: From planning for whether there's the ability to use a short-term rental?

26 Francis: No, no, no. You said you received numerous calls regarding short-term
27 rentals. I was just wondering how many is numerous.

28 Tsujiuchi: So the ones that came into planning, with the average two to three a week.

29 Kranitz: Yeah, we get numerous calls like Greg is saying and emails as well.

30 Tsujiuchi: So maybe two to three at a week.

31 Francis: Over a month?

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1 Tsujiuchi: Over the past few months. Over the past, maybe 12 months.

2 Kranitz: Gardena currently has, if you go on various platforms, there's probably at
3 least 20 rentals right now.

4 Francis: I saw that. Thank you. And you say you had numerous complaints with code
5 enforcement?

6 Tsujiuchi: Several complaints from code enforcement. I don't have a specific number,
7 but I would say that it's been enough to bring this up as part of the
8 discussion. So I would say we get, within the last couple of months, I would
9 say I've gotten four or five.

10 Francis: All right. Thank you. I'm not quite sure who to direct this question to. Now
11 you said that since we don't have anything in place, single short-term rentals
12 are not prohibited because of this Keen versus Manhattan Beach rule. Is that
13 correct?

14 Kranitz: Correct.

15 Francis: Okay. So could we tonight declare moratorium until we have more time to
16 discuss it and do some research and investigate what we can do? Can we do
17 that? Can that be an option?

18 Cerda: Mayor Pro Tem. So tonight what we're doing is we're just discussing it for
19 it to come back later on. As far as staff can do more research and so they
20 just want to get some direction. We're not taking any action on this tonight,
21 other than just, what are our feelings of this here? So it's going to come back
22 and we will have more time to discuss it.

23 Francis: Until we take some time discussing all that we couldn't say until right now,
24 we're just going to declare moratorium on all short-term rentals until we can
25 figure out what it is we want to do.

26 Kranitz: We couldn't do it tonight because it's not on the agenda. And it would have
27 to be added as an urgency item on the agenda. And I think since it's been
28 going on, you couldn't make the findings to support that there was an
29 immediate need to add it on. You can certainly come to the city council for
30 the 45-day moratorium at the city council's next meeting. And then after 45
31 days, that moratorium can be renewed up to a year and 11 months and 15
32 days for a total of, 10 months and 15 days for a total of a two-year
33 moratorium while you're working on it.

34 Francis: I was going to say, because we've had moratorium that were 145 days, but
35 since it's not on the agenda, we can't declare a moratorium because it's not

1 on the agenda, but could we put it on the agenda for next meeting to have
2 moratorium in place until we can figure out exactly what is we should do?

3 Kranitz: If that's a council directive.

4 Francis: A majority, not a directive. Okay, so I need to wait until directives. Okay.
5 Thank you so much. I appreciate your response.

6 I just get a little confused if you say numerous. I mean, I like dealing hard
7 numbers and after the meeting, I'll tell you a story of why I don't play with
8 statistics and numerous because I've done some things just based on that
9 and gotten away with it based on numerous. So anyway.

10 Cerda: Any more questions or comments?

11 Oh, tonight we're just discussing it just so that staff can have some direction.
12 It will still go before planning. It would still come before us. And even if
13 we said we're in favor of it and we want limitations on it, we would still do
14 an official vote, but they just need somewhere to start with this. So that's
15 why it's up for some discussion.

16 Love: So I know there's three options: to moratorium, to say no, or to agree with
17 amendments or restrictions, right?

18 Cerda: I think on a permanent basis, it would be called a prohibition, not a
19 moratorium. I think what Inglewood did was essentially what Mayor Pro
20 Tem Francis just said is it became such a problem immediately because of
21 SoFi Stadium that they went in under the emergency regulations and put a
22 moratorium on while they figure out what to do.

23 Francis: They become Super Bowl. They rent out hotels and people rent out their
24 houses, and that's why they did it. It was everywhere. So that's why they did
25 it.

26 Love: Do we have any licensed units like this in the city now?

27 Tsujiuchi: No, we do not have any licensed units. We have people doing it in our city.

28 Love: Yeah, I know.

29 Tsujiuchi: But we don't issue a business license.

30 Love: Okay. So, well, do you need a motion?

31 Cerda: No, no, no. We're not there yet. I need to open it up to the public as well,
32 too. Any other council members have any questions or comments?

1 Tanaka: So Ms. Kranitz home shares are not included in this, correct?

2 Kranitz: Well, that's what we're looking for direction on. So the home share is the
3 idea that you were at your house and maybe you're renting one bedroom out
4 for supplemental income, or to keep because you don't want to be lonely all
5 the time.

6 Tanaka: That's what I was going to say is that because the cog is actually promoting
7 home share it's long term. It's usually a person that has a home that lives by
8 themselves and they are looking for maybe somebody to come in and live
9 with them and help them with the bills, the groceries, the chores, that kind
10 of stuff. And it's actually long term it's not.

11 Kranitz: That wouldn't be included when we're talking in this term of home share,
12 it's still a short term rental for under 30 days. But under a home share, the
13 owner is required to be present in the home while they're renting it out. And
14 the idea there is that if the owner's present, then it's not being used for a
15 party house. So it's just one room, not the whole house. You don't get 15
16 people actually moving in. I mean, some of the rentals that I've looked at in
17 Garden and elsewhere, it's like, "Well, we've put in the two sets of bunk
18 beds that have the full on the bottom and the twin on the top. So you can get
19 six people in one room," and then it becomes you're changing the character
20 of the neighborhood.

21 Tanaka: And so Mr. Tsujiuchi, you said that there's some issues with code
22 enforcement. What type of issues did we get? Were they like parties? Were
23 they just loud people? What kind of issues?

24 Tsujiuchi: The ones that came on, I'd say at least three times, were noise. And it's
25 usually some, it's not uncommon for short term rentals, people rent a larger
26 house and then they host a party there. So several of the calls, or I would
27 say three for Mayor Pro Tem, say two to three calls have come in for noise.
28 For sure, I'd say two came in because of parking being taken up in the
29 neighborhood. And then there was one call where it was just a complaint
30 that they said what Ms. Kranitz was saying, that it's taken away from our
31 neighborhood. These are residential neighborhoods. They're not little hotels
32 on our blocks that we want. So it was kind of just a general complaint.

33 Tanaka: Okay. So the reason I ask that question is I'm kind of against this whole
34 issue because once you open Pandora's box, then all of a sudden you'll start
35 having home parties, just like they're doing in the commercial areas where
36 you'll all of a sudden, they'll take over a house and there'll be 200 people in
37 the house. And then we have a law enforcement issue. Police department
38 staffing is going to have to take that in effect. So that's why I asked. That's
39 why I appreciate that. Thank you.

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1 Cerda: Okay. Any more question? Excuse me, any more questions or comments?

2 Love: I have a comment. I know that there's some issues with some properties
3 already being used for Airbnb. I've gotten those calls at the Chamber Office
4 about this, but I would hate for us to deny responsible property owners, the
5 opportunity to make some extra money. I mean, we will always have those
6 that are not considerate of other residents or the fact that these are
7 neighborhoods, but I would really like for us to allow staff to come back
8 with some findings and some suggestions and consider approving with
9 restrictions instead of just a blanket moratorium and saying no to
10 everything.

11 Cerda: Any more questions or comments? Madam city, deputy clerk, do we have
12 anybody from the public speak on this item?

13 Romero: Yes we do, Mayor Cerda. We have two hands that are up.

14 Cerda: Okay, go ahead.

15 Cerda: Okay. I think it's Charisse?

16 Charisse: Hello?

17 Cerda: Hi, you can go ahead and begin.

18 Charisse: Okay. I'm sorry. Good evening. I'm listening to everybody speak about the
19 Airbnb. My question is right now are they legal to have in Gardena? Are
20 they permitted to use them as Airbnb? Because really on our side, I know
21 of three that are on our side. And I'm just wondering if it's just legal to have
22 them? I'm done. Those who wanted different traffic there. And one of the
23 houses, I don't know if you guys were aware of that they did an FBI raid on
24 it. They had the dogs, the Secret Service. They had everybody because
25 somebody was selling guns from the Airbnb on that street. So I don't know
26 if it's not legal for them to have it I would like to know that. And if it is legal
27 for them to have it right now, that I would like to know that too. Thank you.

28 Cerda: Okay, Mr. Tsujuchi, can you just relay again what was said?

29 Tsujuchi: Yeah, I'm going to defer our, to our assistant city attorney.

30 Kranitz: So as we said, we used to believe we had the authority to say you can't have
31 them under the concept of permissive zoning. It wasn't allowed in our code.
32 Therefore, it's prohibited. The case that came out earlier this year,
33 Manhattan Beach destroyed that argument, which is why we're now
34 bringing it to the council. If the desire is to regulate or prohibit, we need
35 specific ordinance adopted to that effect. So right now, yes, they're legal.

1 Cerda: Okay. Thank you. Thank you. Deputy Clark, we had another speaker?

2 Romero: Yes, Raymond. Dennis.

3 Cerda: Okay. Go - -

4 Romero: I'm bringing him in.

5 Raymond Dennis: Hello?

6 Cerda: Hello. Mr. Dennis? Go ahead.

7 Raymond Dennis: Yes. Yes. Thank you for allowing me to speak on this topic. I just wanted
8 to go along with the council member Tanaka's comments, as it relates to the
9 activities that could take place to the Airbnb. My particular concern is one,
10 code enforcement. I think code enforcement will be a challenge. Two, the
11 fact that if you don't move quickly, now you're going to have a lot of
12 opportunities for other people to convert to Airbnbs. And then they're going
13 to come after the city saying that the ordinance went in effect after they had
14 been in business for X number of days or months or years. Personally, I
15 would be a proponent to prohibit them because I think the nature and the
16 culture of our neighborhoods and the community of Gardena is more
17 family-oriented. It's more residential oriented. And if you live on a cul-de-
18 sac as I do, it could be problematic if you throw a rave party at the end of
19 the cul-de-sac.

20 I also think that with the proximity of SpaceX and proximity of Tesla, that
21 they have many short term people that come into those organizations that
22 instead of using hotels would be more inclined to bundle up in a Airbnb.
23 And it could present problems there in terms of traffic. Problems in terms
24 of not knowing who your people are. You might as well eliminate the
25 neighborhood watch because you couldn't watch everyone. And so it would
26 make more sense to me that the city get ahead of this thing and not drag its
27 feet to wait and see well how this all plays out.

28 I understand if you can't do a moratorium right now, but you at least should
29 investigate, investigate quickly because the world cup is coming. You have
30 the Super Bowl. You have the BCS championship coming. You have the
31 final four coming and you have in 2026 World Cup, all of that coming to
32 SoFi, and people be looking for places to stay. And I understand that people
33 want to cash out and make as much money off their home as they can, but
34 who's going to clean up the mess when those folks have rented their
35 properties out for \$30, \$40,000 and left the city in rambles? Thank you.

36 Cerda: Thank you. Deputy Clark, do we have anybody else?

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1 Romero: No, we do not Madam Mayor.

2 Cerda: Okay. Any more questions or comments?

3 Tanaka: Madam Mayor, Mr. Dennis just brought up a comment that I think maybe
4 the city manager could probably answer. So if this were allowed, even under
5 certain restrictions, how much more in code enforcement will we have to
6 hire and how much more staff time would this cost?

7 Osorio: I don't have a clear answer. As far as how many more code enforcement
8 officers we're going to need. I know we're going to need at least absolutely
9 one, if not more. Code enforcement is as really strapped already as it is. So
10 what we're doing, Greg can attest to that. And I think without knowing
11 exactly the case loads, we wouldn't be able to tell you if we need two or
12 three.

13 Tanaka: Okay. So would Chief Sobel be able to say how much it would affect his
14 department?

15 Osorio: Maybe. We can certainly ask him, but again, it's a matter of caseloads again.

16 Tanaka: Right? Calls for service. Those kind.

17 Osorio: We just don't have any data on.

18 Tanaka: Okay. Thank you

19 Cerda: Greg, I'm sorry. You were saying something.

20 Tsujiuchi: I was going to say we'd also have to probably with additional officers also
21 adjust schedules. A lot of this stuff happens in the evening hours, early
22 morning. So it would definitely be a challenge.

23 Cerda: So also Mr. Dennis said something else. He mentioned that if somebody
24 already has an Airbnb and then we put this in place, do they get
25 grandfathered in saying that they can have? So once we say this, no matter
26 what they've had, it's just not allowed. Okay, good.

27 Vasquez: That's correct, Madam mayor. They would not get grandfathered in. And I
28 also want to mention just for, so everyone's clear, with any type of
29 moratorium, it does require a four fifths vote. A simple majority is not
30 sufficient to pass a moratorium. So I just want to make sure you guys are
31 all clear in understanding of what's required for moratorium.

32 Cerda: Okay, got it. Go ahead.

1 Love: Again. I hear everybody saying that they don't want it and they wouldn't
2 support it or they kind of leaning that way. There - - isn't there ways that we
3 can offset the cost for additional officers or additional code enforcement by
4 determining the permitting fees and the licensing fees and the taxes that we
5 can probably get as TOT if possible. Because we often hear about the
6 negative stories that always supersede the success stories. And I would
7 really hate to cut out an opportunity for some of our responsible residents
8 to be able to benefit from because of the no ordinance and the free for all
9 that's going on right now. So, I mean, I understand that there are some that
10 are out of control and they rent these spaces, but we can also hold the
11 property owners responsible to a certain degree. We can also set the
12 licensing and the permit fees and that type of stuff to offset the cost. So I
13 really wish we'd take these things into consideration and not just blanket the
14 whole city and consider the regulations.

15 Cerda: Any more questions or comments?

16 So my feelings on this here is I live on a cul-de-sac street and I think there's
17 13 houses on our street. And we have a house that from time to time, they
18 rent a, I guess they have an ADU or something like that, and they rent it out.
19 And about every three months, there's different people. There's four or five
20 different cars on our street. We don't recognize the people. And that's one
21 of the things that I love about our community is that we know our neighbors.
22 We know who should be there and who shouldn't. And when you see people
23 just sitting in their cars and then it takes a day or two to realize that, oh,
24 they're attached to that house. I mean, it can be a little unsettling and I don't
25 think it's fair for a person to choose to rent out their house. If they're renting
26 out their backyard for a wedding or Airbnb, because now we're dealing with
27 parking issues and we already have issues with parking as it stands now.

28 I mean, as neighbors, we don't mind if our neighbor has a party every now
29 and then, if the music's a little loud and they have their guests there. But
30 when you have people who are renting out their backyards for different
31 events, weddings, or banquets, that's not fair to everybody. When you're
32 renting out your house as an Airbnb and now you don't know who's staying
33 there. You're dealing with loud music, things of that sort. If you want to
34 operate a business, there are certain places it should be. I mean, when a
35 person lives in home or an apartment, I mean, unless they're living next to
36 a business area, you shouldn't have to deal with that. I mean, people have
37 quality of life issues.

38 And again, we're already dealing with the state requiring us to allow people
39 to build these ADU's. And I'm already concerned about how just the parking
40 of that's going to affect us. And then to allow people to use their home now,
41 to operate as a business. I understand everybody needs money, but all
42 money's not good money coming to our city like that. And I think for the

1 purposes of people having a decent quality of life, I like to know when I go
2 home that I know all my neighbors. And even if somebody is renting in an
3 area they're usually renting for a longer period of time, long enough for me
4 to get to know their name, who they are, recognize the car, et cetera. So I'm
5 not in favor of this. That's my feeling on it. So Mayor Pro Tem? You're
6 muted.

7 Francis: So I guess I'm going echo your sentiments because I just want to say
8 everything that makes money, doesn't always make sense. And I'm
9 concerned that by allowing a commercial use in a residential neighborhood
10 will change the nature of our neighborhood, our residents, where we live.
11 I'm also concerned as a council member Tanaka mentioned about the impact
12 on services. In terms of our police services, fire services, paramedics, and
13 there will be problems. These wild sorts, we heard about, perhaps they may
14 do abnormality, but we also have to take all those kinds of things to
15 consideration what are the negatives, as well as whatever positives they are.
16 And sometimes the cost doesn't always outweigh the benefit or the benefit
17 doesn't always outweigh the cost. So we have to be constant and do things
18 that are going to keep our residents family-oriented and safe.

19 There's just too much going on there's a world property owners are not going
20 to be able to control who comes in or who comes out. Things say, well, I'm
21 here to rent this for this particular reason. And there's all kind of human
22 trafficking, drugs, all kinds of stuff that's going on. And you say most
23 property owners are responsible, but your responsibility, unless you are
24 there controlling it, you have no clue who you just rented your house to.
25 And you have no clue what they could come out to. So you'll hear my
26 directive read that end, but anyway, thank you so much.

27 Cerda: Okay. So to Greg, do you kind have some inference as far as where we're
28 going with this or comment, do I need to be more exact as far as direction?

29 Vasquez: And what I'm taking is that the direction is that you would like staff to draft
30 an ordinance to prohibit it. That is the direction that we are interpreting from
31 the majority of the council tonight. That is, that will be prepared, taken to
32 the planning commission, depending the planning commission, what they
33 do with it. And it would come back to council. That's separate and aside
34 from any directives, if you guys choose to do that, a directive pertaining to
35 the topic of moratoriums.

36 Kranitz: The next city council meeting, as I understand it, is not until September
37 13th. So the council could also consider putting back the 23rd meeting or
38 maybe having a special meeting on the 30th, if there was a desire to move
39 this up, because otherwise we're over a month away from the next meeting.

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1 Cerda: I'm sorry, you're speaking in terms of moratorium? Or as far as this coming
2 back?

3 Kranitz: Yes.

4 Vasquez: But Lisa, hold on. We're not at the directive

5 Kranitz: To consider when they get to.

6 Francis: We're still not here yet.

7 Vasquez: We're - - we're not there when we get to the directive, I'll bring up that
8 subject of okay, when you guys want to, if that's what you guys choose to
9 go, but for now, for purposes of the ordinance that staff is being asked to
10 draft to take back to the planning commission, the direction that we are
11 hearing from staff from the council is draft and ordinance to prohibit it.

12 Cerda: Correct.

13 Vasquez: Okay. All right.

14 Cerda: And there's no action. I mean there's no vote.

15 Vasquez: There is not Madame Mayor.

16 Cerda: Okay. Okay. So next we're going to move on.

17

EXHIBIT D

**ALL RELEVANT EXCERPTS FROM THE MEETING NOTICE AND AGENDA
REPORTS PERTAINING TO THESE ISSUES;
LIST OF PUBLISHED NOTICES**

(No Published Notice)

City Council Regular Meeting Notice and Agenda 8/9/22

12. DEPARTMENTAL ITEMS - COMMUNITY DEVELOPMENT

12.A [Short Term Rentals for Lodging Discussion](#)

Staff Recommendation: Provide direction to staff to draft an ordinance [Staff Report - Agenda Item 12.A.pdf](#)

8/5/22 *City Clerk Semenza*

(Published notice for PEQC 8/25/22)

PEQC Regular Meeting Notice and Agenda 9/6/22

5. PUBLIC HEARING ITEMS 5.A Zone Text Amendment #2-22 (Ordinance No. 1844)

Consideration of an Ordinance amending Title 18, Zoning, of the Gardena Municipal Code to prohibit short-term rentals of residences for lodging purposes and short-term rentals of residences for other commercial uses not listed as allowed uses under the Gardena Municipal Code. The Ordinance is exempt from the provisions of the California Environmental Quality Act pursuant to the commonsense exemption set forth in Guidelines section 15061(b)(3).

APPLICANT: City

LOCATION: Citywide

[Staff Report.pdf](#)

[Attachment A - Council Agenda Staff Report.pdf](#)

[Attachment B - Council PowerPoint Presentation.pdf](#)

[Attachment C - Public Comment.pdf](#)

[Attachment D - Resolution No. PC 11-22 Draft Ordinance.pdf](#)

9/2/22 *Director Tsujiuchi*

(No Published Notice)

City Council Regular Meeting Notice and Agenda 9/13/22

10.A September 6, 2022 MEETING

Zone Text Amendment #2-22 (Ordinance No. 1844)

The Planning Commission considered an Ordinance amending Title 18, Zoning, of the Gardena Municipal Code to prohibit short-term rentals of residences for lodging purposes and short-term rentals of residences and other commercial uses not listed as allowed uses under the Gardena Municipal Code. The Ordinance is exempt from the provisions of the California Environmental Quality Act pursuant to the commonsense exemption set forth in Guidelines Section 15061(b)(3).

APPLICANT: City

LOCATION: Citywide Commission

Action: The Planning Commission approved Resolution No. PC 11-22 by vote of 3-1, approving Zone Text Amendment #2-22 (Ordinance No. 1844).

City Council Action : Receive and File. This item will be brought forth to the Council for review at a future City Council meeting.

To view the complete Planning Commission packet [CLICK HERE 2022_09_06 PCAX](#)

9/9/22 *City Clerk Semenza*

(Published notice for City Council 9/15/22)

City Council Regular Meeting Notice and Agenda 9/27/22

12.A PUBLIC HEARING : INTRODUCTION OF ORDINANCE NO. 1844 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, AMENDING THE ZONING CODE TO PROHIBIT SHORT-TERM RENTALS

Staff Recommendation: Conduct Public Hearing; Allow three (3) minutes for each speaker; Introduce Ordinance No. 1844 or provide direction to staff to draft a revised Ordinance

[Agenda Staff Report - STR.pdf](#)

[City Council agenda staff report dated August 9, 2022.pdf](#)

[Planning Commission staff report dated September 6, 2022.pdf](#)

[Draft Ordinance No. 1844.pdf](#)

[City Council staff summary dated September 13, 2022.pdf](#)

[Urgency Moratorium Ordinance.pdf](#)

9/23/22 City Clerk Semenza

The first time a document pertaining to Ord. 1843 was made available, was the last linked item “Urgency Moratorium Ordinance”, yet has written above the signature line, “at a regular meeting thereof held on September 13, 2022.”

LIST OF PUBLISHED NOTICES BY DATE

The dates when a public notice pertaining to these issues appeared as published:

9-22-22	No Published Notices
9-15-22	Published Notice for City Hall
9-8-22	No Notices published
9-1-22	No Notices published
8-25-22	Published Notice for Planning
8-18-22	No Notices published
8-11-22	No Notices published
8-4-22	No Notices published
7-28-22	No Notices published
7-21-22	No Notices published

Available here:

<https://gardenavalleynews.org/public-notices/>

From: [George Young](#)
To: [Public Comment](#)
Cc: [Tasha Cerda](#); [Paulette Francis](#); [Mark Henderson](#); [Rodney Tanaka](#); wlove@cityofgardena.com
Subject: Allow Gardena STR
Date: Tuesday, September 27, 2022 4:51:28 PM

Caution! This message was sent from outside your organization.

Honorable Mayor and Councilmembers:

I am writing this letter in full support of short-term rental continuing to operate in Gardena, Ca. It is an invaluable and affordable option for our lower-income families to have access to short-term rentals as it has made visiting family members and friends in Gardena an easier and more enjoyable experience. In addition, STR brings revenue and tax dollars to our retail businesses and the city. Unlike the beach communities where most of the visitors tend to be rowdier, visitors to Gardena are mostly family and friends visits, with the recent Airbnb's strict policy of a global no party ban, the noise problem would be very Minuscule. STR truly will benefit our community and localized economy.

Thank you and please allow STR in our beautiful city.

George Young

From: [Scarlet Sunlight](#)
To: [Public Comment](#)
Subject: Fwd: Short Term Rental ordinance 1844 public comment
Date: Tuesday, September 27, 2022 4:58:04 PM

Caution! This message was sent from outside your organization.

Begin forwarded message:

From: Scarlet Sunlight <scarlet.sunlight@outlook.com>
Subject: Short Term Rental ordinance 1844 public comment
Date: September 27, 2022 at 4:56:23 PM PDT
To: wlove@cityofgardena.org, mhenderson@cityofgardena.org,
pfrancis@cityofgardena.org, rtanaka@cityofgardena.org,
tcerda@cityofgardena.org

Dear Gardena Councilmember,

...To provide leadership and resources that ensure the highest quality of life possible for residents, support business development, welcome visitors, and establish a positive work environment for City employees.

I am strongly opposed to the Short-Term Rental ban in Gardena or any restrictions that will influence negatively any citizen's opportunity to generate legally income, in the present or future.

I have been an **Airbnb/VRBO** guest for the past 27 years all around the US and world. This has allowed my family to travel on a budget, to experiment extraordinary and shared moments with my children and dear friends, to discover many cultures through historical monuments, food, sceneries and to meet wonderful people.

Sharing this experience with others is the main reason **I choose to be a host in the STR business.**

I have been operating a STR business from a single-family home since 2019. The beginning is hard as you must get 5 stars reviews for guests to trust your professionalism.

This first year I had a STR management company in charge. That was a disaster, they did not screen any guests, so the property was badly abused, and they did not take any responsibility. When the contract was cancelled, they refuse to give me back my access to the Airbnb account and I lost all my reviews on top of repairing the house. So, I had to start from scratch to rebuild my host reputation. It took one year and **then ...the COVID hit. Two very difficult years started.**

I am an Airbnb Super host because of the hard, meticulous and continued work to maintain my property and its curve appeal, screen guests (I do not hesitate to refuse a booking if I suspect the guest will not follow the house rules), provide clean and comfortable accommodations, be available 24/7 in case of problem during the guests stay, etc.

My family bought this house in 2016 and lived very happily in this great neighborhood, I was a home maker and when the kids went to school, I had to find extra income with a flexible schedule. My husband and I decided to keep the house as an investment for retirement. I don't have any 401K or Social Security benefits by myself.

The STR are 0.68% of the housing units in Gardena (STR 150/ Gardena housing units 22,000) it is an extremely small amount of housing why do you have to spend time and taxpayer money adding unnecessary ordinances?

We already pay **income taxes** on the earnings, **property taxes** when our guest do not use the school or most of the other facilities, **sales taxes** to recommend local businesses and buying supplies or making repairs or maintenance.

We are mainly sole proprietorships and provide jobs locally linked to our business.

We are law-abiding citizen and a taxpayer not a hedge fund or trust baby, so everything my husband and I own comes from decades of labor, budgeting and leaving within our means.

At this point I don't see any valuable arguments against STR business in Gardena, if you have them please enlighten us because what I witnessed in the Sept 13th zoom meeting was nothing short of abuse of power from elected officials.

Sincerely

Clara Caetano T

From: [le ma](#)
To: [Public Comment](#); [Tasha Cerda](#); [Paulette Francis](#); [Rodney Tanaka](#); [Mark Henderson](#); [Wanda Love](#)
Subject: Needing Short Term Rental agenda postponed
Date: Tuesday, September 27, 2022 7:05:45 PM

Caution! This message was sent from outside your organization.

Dear representatives!

My name is Le Ma. I own a house in Gardena. My spouse and I are in the military. When being deployed, we open our home to Airbnb guests. We survived, My mortgage rate will be increasing to 7.125% from 2.625% since Jan 10th 2023. If airbnb is banned now, I will be falling into big financial trouble immediately while no one is benefiting right away. I hope that agenda will be postponed.

Today we are in a turmoil age, facing war, highest inflation, highest food prices, high mortgage rates. Property taxes are higher and higher yearly. That is NOT a good timing for any big decisions. I want that banning postponed. That will save me.

We are part of the community, so we want Gardena to get better and better in every way. Airbnb is allowed in the city of LA, Torrance, Santa Monica, and most cities in LA county. That means airbnb is not too bad. Why can't Gardena allow it?! Gardena is open enough to allow 2 casinos. I hope all property rights are given back to the property owners. Again banning now, will not benefit anyone in the short run and put me into big trouble.

Banning is the easiest thing for any administration. But good politicians and administration teams are those who are willing and able to balance the interests of all groups of people. My sister cleaned my airbnb space for \$16 an hour. She would lose her job. Then she would become a burden to the public. (she is disable, would not be easy to get hired by others)

The economy is going down. Many companies are laying off. Small businesses are closing. High inflation, no signs to show slowing. We are in a bad timing. Banning airbnb now will hurt more residents like me.

I hope you all can think about it carefully and thoroughly and come up with a better way to balance things.

Sincerely
Thank you
Le Ma

Her Honor, and to the honorable body of the city Council of the City of Gardena, this letter is addressed to each and all council members.

There will be two presentations in this letter. Both will demonstrate how our relationship can be from here forward, and particular attention is warranted as the First, Fifth and Fourteenth Amendments are being violated.

The first, serves as legal notice, and must address how I have been forced into an unamicable relationship based on assumptions without so much as common decency to ask a question and start a conversation, treated like a criminal, not even given the courtesy of respect to be spoken to, let alone listened to, the Council has necessarily required a showing of how our relationship has been so positioned.

The other showing, is what our relationship can also can be, a partnership, a team dedicated towards the same goal, peace of mind and friendship.

I may have a thick accent when speaking, but some background may give insight, I am a Ukrainian medical doctor, raised in the Soviet Union. I fled Ukraine, left a career amidst economic turmoil which imagination is not capable of creating, a week or month's work as a doctor in hopes of earning bread. The only currency we had was honesty, because we were raised in a world of deep mistrust and amidst a solid accepted belief that government knows best, for we were just the simple ones, who could not think for ourselves. I know communism, I know totalitarianism, because I have lived it. They believed they were doing right, they knew better... they were only human. It is hard to start a story more grim than this, no?

To escape, I would dream, and there is only one dream for lives like mine, it is the American dream. Against no odds, I was miracled to this country, and the home I made and the life began, was here in Gardena. Saving every penny, because I know how precious they are. Eventually they turned into a house, then two, and the dream that is America was mine. A little Ukrainian girl, owner of three homes in Southern California, now divorced with two children that were to be raised alone, yet they would go to college because of my income from my investment houses.

To Councilmember Love, the conversation mentioned second, is all that you need to read, not the former half; for you showed deep respect for human dignity and I am humbled.

This will be a little intense, so it is hoped that you can make it to the friendship portion, but when a Russian raised, Ukrainian single mother sees her cubs in danger, things do get... well it

will be seen, but only necessarily as the Council introduced themselves to me in such fashion, and it serves to demonstrate why a friendship is desirable.

THE WRONG FOOT

A maxim of law is that everyone is presumed to know the law, this especially applies to a government of laws, not of humans.

Because this is a mandated “public hearing on the proposed zoning ordinance or amendment to a zoning ordinance” (Gov. Code, § 65804 (b)) and per subdivision (a) to “publish procedural rules for conduct of their hearings” which “shall incorporate the procedures in Section 65854” despite this, the Council has afforded each of us 3 minutes to voice our concerns and lay out a cause of action at the same time, as a result have provided an open opportunity to raise any additional matters, because “[t]he body conducting the public hearing prevented the issue from being raised at the public hearing.” (Gov. Code, § 65009 (b)(1)(B)) This is so because under Chapter 2.04 CITY COUNCIL, of the Garden Municipal Code (GMC) under 2.04.080 Meetings – Rules. “The following rules shall govern the meetings of the council and its transaction of business:

A. Oral Communications. Any person may address the council on any matter concerning the city’s business or on any matter over which the city has control... There shall be a three minute limit on all speakers. **This time limit shall not apply to public hearing items where the property interests of the speaker are affected.**”

Consequent to sending out the documents three days prior and coupled with the 3 minute limitation on this contested issue affecting our property rights, we have not been afforded sufficient notice and an adequate opportunity to be heard in clear violation of the Council’s own rules and the Fourteenth Amendment, and have mandated a rapid response be thrown together. Without waiving any rights, that which was able to be worked up, will now be set forth, for one and all to join, “raising only those issues you or *someone else* raised at the public hearing described in this notice, or in written correspondence delivered to the (public entity conducting the hearing)” (Gov. Code, § 65009 (b)(2)) and for each to follow.

Each property that was already permitted as to the *use* of said property for what is today attempting to be defined as a Short Term Rental, as for me I was expressly previously granted permission for this purpose. As was acknowledged by the assistant city attorney Kranitz on August 9th as a lawful use, “So right now, yes, they’re legal.” (Exhibit C, p. 9 ln. 6), all such properties were in lawful operation and are thus Grandfathered in, any proposed changes are ineffectual to

said properties. “‘Grandfathered’ businesses are nonconforming uses that are not required to seek permits under local zoning ordinances enacted after they were in business. (See *Korean American Legal Advocacy Foundation v. City of Los Angeles* (1994) 23 Cal.App.4th 376, 397.)” (*City of Oakland v. Superior Court* (1996) 45 Cal.App.4th 740, 747 fn. 1)¹

The Council specifically had attempted to disenfranchise homeowner rights with the defective notice, as published:

“If you challenge the nature of the proposed action in court, you will be limited to raising only those issues you or someone else raises at the public hearing described in this notice, or in written correspondence” then changes to either:
“delivered to the Gardena City Council at, or prior to, the public hearing.” (9/15/22) (Exhibit A)
“delivered to the Gardena Planning and Environmental Quality Commission at or prior to the public hearing.” (hereafter PEQC) (8/25/22) (Exhibit B)

Because under Gov. Code, § 65009(b)(2) (“If a public agency desires the provisions of this subdivision to apply to a matter, it shall include in any public notice issued pursuant to this title a notice substantially stating all of the following: ‘If you challenge the (nature of the proposed action) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the (public entity conducting the hearing) at, or prior to, the public hearing.’”) The city knew to replace the latter parenthetical portion with the contact information as shown above, but as to the former, simply omitted the parentheses and left it vague, rather than comply with case law as shown below.

FOR WANT OF NOTICE

As said published rules do not “restrict or limit” (Gov. Code, § 65802) this assertion, as such, on behalf of all such concerned persons, **this general object is lodged** as to the **failure to comply with mandatory notice** which was required because “the proposed ordinance or amendment to a zoning ordinance affects the permitted uses of real property, notice shall also be given pursuant to Section 65091.” (Gov. Code, § 65854) Whereby Gov. Code, § 65091 provides in subdivision (a) “notice shall be given in *all* of the following ways: (1) Notice of the hearing **shall be mailed** or delivered **at least 10 days prior to the hearing to the owner of the subject**

¹ See also, “‘A legal nonconforming use is one that existed lawfully before a zoning restriction became effective and that is not in conformity with the ordinance when it continues thereafter.’ (*Hansen Brothers Enterprises, Inc. v. Board of Supervisors* (1996) 12 Cal.4th 533, 540, fn. 1.) ‘‘Grandfathered’ businesses are nonconforming uses that are not required to seek permits under local zoning ordinances enacted after they were in business.’ (*City of Oakland v. Superior Court* [cited as above].)” (*Bauer v. City of San Diego* (1999) 75 Cal.App.4th 1281, 1286 fn. 1)

real property” and under subdivision (b) “[t]he notice shall include the information specified in Section 65094.”

The Council further failed to provide a portion of notice under Gov. Code, § 65094 mandating “a general explanation of the matter to be considered, and a general description, in text or by diagram, of the location of the real property, if any, that is the subject of the hearing.”

Furthermore, the published noticed hearing for 9/27/22 pertained only to “Ordinance No. 1844” (Exhibit A) stemming from a prior adoption of Resolution No. PC 11-22. But the documents provided on 9/23/22 for this hearing and are here today being discussed by the Council, contained the first ever appearance of the text of Ordinance² No. 1843, as well as 1844. Wherein Ord. No. 1843 states, “the Planning Commission adopted Resolution No. XXX, recommending that the City Council adopt the Ordinance;” not Resolution No. PC 11-22, as Ord. No. 1844 did. But no copy of this “adopted Resolution No. XXX” had been provided. Ord. No. 1843 contained entirely different proposed actions, noticed only in the Regular Meeting Notice and Agenda as “Urgency Moratorium Ordinance” as a document. For all relevant publications and text of Agendas providing notice of actions here discussed see Exhibit D.

Gov. Code, § 65853 “A zoning ordinance or an amendment to a zoning ordinance, which amendment changes any property from one zone to another or imposes any regulation listed in Section 65850 not theretofore imposed or removes or modifies any such regulation theretofore imposed **shall be adopted in the manner set forth in Sections 65854 to 65857, inclusive.**” Which as just shown, there has been a failure to comply with Gov. Code § 65854 by failing to comply with Gov. Code § 65091 (mail notice and publish notice and description notice).

Furthermore, The Council has failed to provide required notice pursuant to Gov. Code, sections 65009(b)(2) “nature of the proposed action” “described in this notice”; 65090(b) “notice shall include the information specified in Section 65094” as quoted above. Easy so far right?

On the merits, we hold that the court did not err in granting plaintiff's request for declaratory relief. Consistent with the Legislature's recognition of "the importance of public participation at every level of the planning process" and the policy of the state to give the public "the opportunity to respond to clearly defined alternative objectives, policies, and actions" (§ 65033), we hold that the 10-day notice of the legislative body's hearing must be given *after* the planning commission's recommendation has been received and must include the planning commission's recommendation as part of the "general explanation of the matter

² Hereafter “Ord.”

to be considered" (§ 65094). We will therefore affirm the trial court's grant of summary judgment in favor of plaintiff.

Environmental Defense Project of Sierra County v. County of Sierra (2008) 158 Cal.App.4th 877, 881 (*Environmental Defense Project*)

The 8/25/22 published notice for the PEQC meeting on 9/6/22 was to discuss “Ordinance No. 1844” (Exhibit B) but as to Ord. 1843 it was not even announced as on the agenda to be put up for a vote by the PEQC, as Director Tsujiuchi declared under penalty of perjury on 9/2/22. (See 9/6/22 PEQC Meeting Notice and Agenda) Therefore there was no findings by the PEQC and today’s consideration of Ord. No. 1843 is in direct violation of *Environmental Defense Project*.

“At the same meeting Councilmember Francis made a directive to place a moratorium on all STRs within the City. The directive was seconded by Council Member Henderson and an urgency ordinance is scheduled to go before the City Council at the regularly scheduled meeting of September 13, 2022.” (PEQC Report 9/6/22, Tsujiuchi, pp. 1-2) “Recommendation ... Adopt Resolution No. PC 11-22 recommending that the City Council adopt Ordinance No. 1844 (Attachment D).” (*Id.* p.3) The only action was adopting Resolution No. PC 11-22 as to Ord. No. 1844, but other than mentioning that “an urgency ordinance [wa]s scheduled to go before the City Council” no documents were presented to the public before or after regarding the findings of urgency by the planning department.

On 9/13/22, without any published notice to the public and absent any findings by the PEQC, the urgency ordinance 1843 was attempted to be passed, but failed.

“It was moved by Mayor Pro Tem Francis, seconded by Council Member Henderson, and carried by the following roll call vote to Adopt Urgency Ordinance No. 1843 with the added appeal language, by way of a four-fifths vote: Ayes: Mayor Pro Tem Francis and Council Member Henderson Noes: Council Members Tanaka, Love and Mayor Cerda Absent: None Urgency Ordinance No. 1843 did not pass.” (9/13/22 Minutes p.12)

Despite this failed motion, the matter appears to be presented again.

For a second time, the Council has disregarded Gov. Code, § 65804 (“publish procedural rules”) GMC 2.04.080 Meetings – Rules. “N. Robert’s Rules. Upon questions arising not covered by this section, Robert’s Rules of Order shall govern unless a majority of the council shall deem otherwise.” Under Robert’s Rules, “If the motion has been voted down, it can be made again after there has been some progress in the debate.” Yet no progress has been shown. That same majority to override Robert’s Rules is also required under Robert’s Rules to permit the second vote.

The Council attempted to deprive rights to their constituents but the stated reasons do not fall under the protections of Gov. Code, § 65009(a), for its purpose is “essential to reduce delays

and restraints upon expeditiously completing housing projects.” This effort had not to do with building projects, and only to do with a council member’s agenda.

And all of these failures to provide notice as required by law, began after a memorandum declaring these actions as *lawful* was written on Aug. 5, 2022 for the Aug. 9, 2022 meeting, placed on the agenda to educate the Council and seek direction, without published notice to the public.

Francis: Okay. So could we tonight declare moratorium until we have more time to discuss it and do some research and investigate what we can do? Can we do that? Can that be an option?

Cerda: Mayor Pro Tem. So tonight what we're doing is we're just discussing it for it to come back later on. As far as staff can do more research and so they just want to get some direction. We're not taking any action on this tonight, other than just, what are our feelings of this here? So it's going to come back and we will have more time to discuss it.

Francis: Until we take some time discussing all that we couldn't say until right now, we're just going to declare moratorium on all short-term rentals until we can figure out what it is we want to do.

Kranitz: We couldn't do it tonight because it's not on the agenda. And it would have to be added as an urgency item on the agenda. *And I think since it's been going on, you couldn't make the findings to support that there was an immediate need to add it on.* (Exhibit C p. 5 lns. 7-31)

And there still have been no *findings to support that there was an immediate need to add it on*, to even qualify to start the process of “the 10-day notice of the legislative body's hearing must be given *after* the planning commission's recommendation has been received and must include the planning commission's recommendation” (*Environmental Defense Project, supra.*) Despite the only notice on both Agenda and Publication being for Ord. No. 1844, the minutes of 9/13/22 reflect only a conversation about Ord. No. 1843.

“12.A URGENCY ORDINANCE NO. 1843, An Urgency Ordinance of the City Council of the City of Gardena, California, Establishing a Temporary Moratorium on Short-Term Rental.” (9/13/22 Minutes p. 9)

Ord. No. 1843 “a moratorium is hereby established prohibiting all short-term rentals as defined herein.” “SECTION 4. Prohibition. A. All short-term rentals are hereby immediately prohibited in the City.”

The failure to provide lawful notice has left a state of confusion as to what we are even doing today. Evidenced by the statements during the 9/13/22 meeting. Kranitz: “To be effective immediately, it has to be an urgency ordinance. Otherwise its first reading, second reading, thirty days.” Vasquez: “And that’s the method that would be done on September 27th that process will be commenced, the first reading.” Francis: “Yeah, so I think at least for that much, we ought to be

able to just kind of, you know, stop the action, just for a moment, just like I said, it's temporary, there was supposed to have things in place, cause I heard a lot of people say they're opposed to an out right ban. And that's not what we're talking about right now. We're just talking about a temporary situation, where we can discuss it on the 27th that's all. So I'm for it. I call for it.”³

“All short-term rentals are hereby immediately prohibited in the City.” (Ord. No. 1843)

RECIPROCATATE, NOT PLACATE

As further explained in *Environmental Defense Project* at 891-92, the “Legislature's intent [is] that the public be involved in the planning process”, and “there can be little doubt that the purpose of notice” “is to inform the public” “so they will have an opportunity to respond” “and protect any interests they may have”, such participation was reported as “On September 13, 2022 the City Council considered the moratorium ordinance. There were **more than a dozen speakers, all of whom spoke in opposition to a ban** on STRs.” (Agenda Staff Report 9/22/22) There were specifically fifteen speakers that spoke in opposition to the ban, none spoke in favor, two of which were not hosts but citizens in opposition of the ban, the remaining thirteen were people discussing the prejudicial harm and substantial damages that would result from the moratorium, and discussing the great care that they take to screen guests and protect the community. Yet promoted after nothing was offered to substantiate the purported findings based on speculation in Ord. No. 1843, without any notice it was to be heard, with disregard for those fifteen objections, absent any voice in favor, there was an immediate motion to pass this *urgent* matter.

This body has seen too often the complacency of the citizens, in not being involved in their local government, but along came an issue that inspired a memory - - that in this country we have a right to be involved and as Justice Ginsberg wrote, the “choice in exercising that right ‘must be honored out of ‘that respect for the individual which is the lifeblood of the law.’” [Citations.]” (*McCoy v. Louisiana* (2018) 138 S.Ct. 1500, 1507-08). It hardly seems worthy of being said, but apparently it must be reminded that the idea behind these laws, is so “that the public be involved in the planning process” and if the citizens so served are displeased then she is required to consider their voices and not her own. For such is the nature of a public servant, as in, serves the public will, not the public serves her will. It was so written in the rules of conduct for these meetings.

³ <https://youtu.be/6T1z77Zy5Z4?t=9303>

The rules as stated note: Listen to others respectfully; Exercise self-control; Give open-minded consideration to all viewpoints; Focus on the issues; and Embrace democratic rights, inherent components of an inclusive public process, and tools for forging sound decisions. Yet after hearing such passionate opposition and receiving only letters opposing since, after fifteen voices petitioned their government with grievances, “a motion to adopt the moratorium ordinance” was made, which failed to lead by example, as it did not show impartial listening and that embracing of democratic rights.

THE GRAVE HARM PRESENTED

From the Approved Minutes of the 8/9/22 City Council meeting.

“12. DEPARTMENTAL ITEMS - COMMUNITY DEVELOPMENT

12.A Short Term Rentals for Lodging Discussion

City Manager Osorio presented the Staff Report.

Community Development Director, Greg Tsujiuchi gave the presentation. Assistant City Attorney, Lisa Kranitz and Senior Planner, Amanda Acuna were present and available for any questions.

Assistant City Attorney Kranitz explained the City’s position stating that the regulations relating to Short Term Rentals can either be totally permissive, completely prohibitive, or somewhere in between. They also gave information of what our surrounding cities are doing in putting certain regulations in place when it comes to STRs.

Our Mayor and Council Members asked questions, expressed their opinions, and discussed all aspects if we were to allow short term rentals **including hiring extra staff to monitor all the complaints**. Director Tsujiuchi and Assistant City Attorney Kranitz provided answers, along with City Manager Osorio and City Attorney Vasquez. It was also asked if staff could come back with additional findings because having short term rentals could also be a positive experience.

Public Speakers:

- 1) Charisse, asked if Airbnb are legal to have in Gardena.
- 2) Raymond Dennis expressed his concerns and spoke in opposition to this item.

City Attorney Vasquez, then asked for direction clarification from Council: Direction is for staff to draft an Ordinance to Prohibit Short Term Rentals.” (pp.7-8)

“19. COUNCIL DIRECTIVES

Mayor Pro Tem Francis

Asked If we could bring an Ordinance to establish a moratorium regarding Short Term Rentals to our September 13, 2022, Council Meeting. Council Member Henderson seconded it.” (p.11)

Returning to the Agenda Staff Report again, after observing “more than a dozen speakers, **all of whom spoke in opposition to a ban** on STRs.

STR Discussion

As has been **evidenced by public testimony**, there are arguments both for and against STRs.

Arguments in favor of STRs include:

- Provides additional income to individuals

- Introduces new people to Gardena
- Provides additional customers who will utilize businesses in Gardena
- Provides revenue to the City

Arguments against STRs include:

- Impacts the residential character of the neighborhood
- Creates nuisances relating to parking and noise
- Reduces the supply of housing, including affordable housing, as these uses drive up housing prices” (p.1-2 of 3)

“On August 9, 2022, the City Council discussed various policy options for short term rentals (STRs) and **heard concerns** from the public on potential **loss of neighborhood character and challenges with enforcement**. *The Council also had concerns* on the adverse impacts to *noise, trash, crime, traffic, and parking* these uses would have to the residential neighborhoods.” (p.1)

Because the staff report stated, at the 9/13/22 meeting the public voice, “all of whom spoke in opposition to a ban” but earlier on 8/9/22 the public voice was reported as limited to “loss of neighborhood character and challenges with enforcement”, yet the minutes reflect a query about legality to which the answer was, “So right now, yes, they're legal.” (Exhibit C, p. 9 ln. 6). But her statement actually was rather unusual, yet the Council missed it completely. That discussion was not noticed to the public yet two people knew to show up and voice concerns. The woman wanted to stress her question about legality, then made a materially false statement to the Council to send her point home, as she claimed just a few days prior in Gardena “an FBI raid on it. They had the dogs, the Secret Service. They had everybody because somebody was selling guns from the Airbnb on that street” (Exhibit C p. 8 lns. 26-28). That was a significant event to have a gun trafficker be investigated by Secret Service who handles treasury matters and not by ATF, but the FBI, yet not a single news report covered such a large scale operation as described investigated by anyone, not even a raid of any sort from any agency could be located to corroborate her claims.

Despite the minutes reflecting a nondescript expression of concerns from the second speaker, by the vague “spoke in opposition to this item” which could mean opposing the item being proposed to be banned or opposed to STRs; but his message was very poignant and made with an agenda, and successfully steered the Council’s minds as she had intended, then moved for a moratorium. But the real proof of the agenda as it relates to his statement will be revealed below.

The report is inaccurate when it then declared, “[a]rguments against STRs include: ... Creates nuisances relating to parking and noise ; Reduces the supply of housing, including affordable housing, as these uses drive up housing prices” because those were not voiced by the “public testimony” those were only opinions from the “Council also had concerns on the adverse impacts to noise, trash, crime, traffic, and parking”, but have offered no evidence to substantiate

these claims. It was even stated “*And I think since it's been going on, you couldn't make the findings to support that there was an immediate need to add it on*”, yet ever since that time, the speculations from that non-noticed discussion have come to be the findings.

The city has brought this urgency ordinance on a vague number of complaints, since 8/9/22 but the last report written by Director Tsujiuchi on 9/22/22 provided some numbers:

“While the STRs in Gardena have generated complaints, it is difficult to determine to what level. Police were only able to identify 9 calls in the past 3 years that were identified as STR locations. However, officers do not use terms in their police report that would identify a response as one that involves an STR, so officers have likely responded to things such as noise complaints without an identification that the site was an STR.”

It is more correct to say *possibly* responded, “likely” implies probabilistic, meaning greater than 51% chance, there is no data to conclude there is a probability of calls, when the calls come in at a rate of once every four months based on known data, 1 out of 120 days is 0.83%, falling far below probability, and hardly inspiring a need to hire “extra staff to monitor *all* the complaints.”

“Additionally, Community Development has received approximately 8 calls in the last month relating to STRs that were not logged.”

For the past two months, this has been a hot issue, but no one on the staff thought to log a single one of these calls? But they remember them all being negative. Despite the calls coming in at a rate of once per four months, after a month of no calls, now the calls are once a week, which is consistent with an agenda being promoted.

Also on the claimed aspect of crime, during the past three years, there were 9 calls and 8 calls in a month, using the number of 17, it is odd to be found as urgent when also reported during a three year time period were 52 rapes, 14 murders, 23 arsons, 509 robberies, 468 assaults, 878 burglaries, 985 auto thefts, and 2,038 thefts and the city wants to scare away the outside money that is still willing to come here. By spending \$4,000 on a KGB type company to study the money coming into the city, over 17 calls, as this was more correct than that money being spent on the 4,967 calls about serious criminal activity “to protect public health, safety, and welfare,” from the 0.34% of calls.

“In order to protect the public health, safety and welfare of the community and pursuant to the provisions of Government Code section 65858, a moratorium is hereby established prohibiting all short-term rentals as defined herein.” (Ord. 1843)

The Council has been tricked into believing we are covert criminals, and overlooked that we are exactly like all others who worked hard to buy a house and create a business from it, like 50% of all homeowners in this city have done.

THE REASONABLENESS INQUIRY

Despite being Grandfathered in, the city wants to effectuate a taking of an economic interest vested in real property, yet has made no mention of it in the process, “a state statute that substantially furthers important public policies may so frustrate distinct investment-backed expectations as to amount to a ‘taking.’” (*Penn Central Transp. Co. v. New York City* (1978) 438 U.S. 104, 127) The U.S. Supreme Court test for a Fifth Amendment taking under *Goldblatt v. Hempstead* (1962) 369 U.S. 590, 594-95 asks us to look at:

- 1) Do the interests of the public require such interference?
- 2) Are the means reasonably necessary for the accomplishment of the purpose, and not unduly oppressive upon individuals?

To answer these questions, the high court asks us to “evaluate its reasonableness” as to “the nature of the menace against which it will protect”.

In proposed Ord. 1843, the city council found “short-term rentals for lodging and other uses have deleterious impacts by increasing noise and traffic, creating parking problems, changing the character of a residential neighborhood, and with the case of housing - creating an impact on housing supply,” to justify changes in zoning laws, making *Goldblatt* the correct test.

Deleterious is a strong word, defined as “causing harm or damage” (Oxford Dictionary) that is a serious invocation by the honorable members of the city’s council. Thus an investigation of what the Council is being asked to declare as “true and correct” is necessary, for such harms caused by increase in traffic and noise and loss of parking would interfere with the rights as property owners to the use and enjoyment of ownership of lands and “changing the character of a residential neighborhood” is certainly “deleterious”.

Tanaka: And so Mr. Tsujiuchi, you said that there's some issues with code enforcement. What type of issues did we get? Were they like parties? Were they just loud people? What kind of issues?

Tsujiuchi: The ones that came on, I'd say at least three times, were noise. And it's usually some, it's not uncommon for short term rentals, people rent a larger house and then they host a party there. So several of the calls, or I would say three for Mayor Pro Tem, say two to three calls have come in for noise. For sure, I'd say two came in because of parking being taken up in the neighborhood. And then there was one call where it was just a complaint that they said what Ms. Kranitz was saying, that it's taken away from our neighborhood. These are residential neighborhoods. They're not little hotels on our blocks that we want. So it was kind of just a general complaint.

(Exhibit C p. 7 lns. 23-35)

Whereas, these stated reasons establish “the nature of the menace against which it will protect” so we must “evaluate its reasonableness” and “A careful examination of the record reveals a dearth of relevant evidence on these points.” (*Goldblatt* at 595) *More than could be imaged*.

THE ALLEGED ALLEGATIONS

The city made a finding in proposed Ord. 1843 that “the City Council has become aware of new platforms that allows people to rent out their pools [sic] by the hours [sic]”. Yet a Google search for “city of Gardena rent a pool party” resulted in all first page hits about how to rent a pool from the city of Gardena itself. And on 8/9/22, Director Tsujiuchi, reported, “Currently, there do not appear to be any pools for rent in Gardena.”

Starting then, with the first real issue, “adverse impacts to noise”, that weapon has met its demise because Chapter 8.36 Noise, of the Gardena Municipal Code, as set by policy, “8.36.010 Declaration of policy. In order to control unnecessary, excessive and annoying noise and vibration in the City of Gardena, it is hereby declared to be the policy of the City to prohibit such noise and vibration generated from or by *all sources as specified* in this chapter” violates void for vagueness and is overbroad thus no law at all under the First and Fourteenth Amendments, each “ordinance criminalizes a substantial amount of constitutionally protected speech” (*Houston v. Hill*, (1987) 482 U.S. 451, 466) as each ordinance “authorizes or even encourages arbitrary and discriminatory enforcement.” (*Hill v. Colorado* (2000) 530 U.S. 703, 732) Which is exactly what was evidenced in writing, by the city, at this very event, by declaring a noise nuisance.

“[T]he void-for-vagueness doctrine requires that a penal statute define the criminal offense with sufficient definiteness that ordinary people can understand what conduct is prohibited and in a manner that does not encourage arbitrary and discriminatory enforcement.” (*Kolender v. Lawson*, (1987) 461 U.S. 352, 357)

“[I]n a facial challenge to the overbreadth and vagueness of a law, a court's first task is to determine whether the enactment reaches a substantial amount of constitutionally protected conduct.” *Hoffman Estates v. The Flipside, Hoffman Estates, Inc.*, 455 U.S. 489, 494 (1982); *Kolender v. Lawson*, 461 U.S. 352, 359, n. 8 (1983). Criminal statutes must be scrutinized with particular care, *e. g.*, *Winters v. New York*, 333 U.S. 507, 515 (1948); those that make unlawful a substantial amount of constitutionally protected conduct may be held facially invalid even if they also have legitimate application. *E. g.*, *Kolender, supra*, at 359, n. 8. *Houston v. Hill* at 458-59

The Gardena Municipal Code (GMC) proscribes, from 7am to 10pm, the interior noise level if sustained for over 15 minutes at “45 dB(A)” and the peak maximum is “65 dB(A)” but if “speech conveying informational content,” the “noise standards shall be reduced by 5 dB.” (GMC

8.36.050 Interior noise standards). For the same events but outdoors it is, “55 dB(A)” and “75 dB(A)”, respectively, and “speech conveying informational content, ... reduced by 5 dB.” (GMC 8.36.040 Exterior noise standards) and “shall be deemed guilty of a misdemeanor” (GMC 8.36.090 Enforcement) which permits incarceration upon arrest.

Such laws criminalize all speech, and provide no guidance to a reasonable person as to what conduct to avoid. Putting the ordinance in English terms, according to Yale University,⁴ “a household refrigerator” is 55 dB(A) which is 5dB over one’s outdoor speaking limit of 15 minutes, because “normal conversation” is 60-70 dB(A); and qualifies for that 5dB reduction, meaning outside in Gardena the loudest anyone can be is equivalent to “a household refrigerator”. Thus this ordinance is perfect for declaring unwanted aspects in violation of and is now being used as an arbitrary weapon in violation of the federal Constitution.

Moving onto the dire issue of traffic congestion, there are 50 short term hosts in the city of Gardena, with a total maximum of 166 beds at 87 locations, given that we only drive one car if visiting with our family, the number is properly closer to 87, but to console the city’s fears we will analyze using 166 cars from the short term rentals in the city of Gardena on any given day. Compare to the 21 hotels or motels in the city, with a total of 747 rooms, (and yes I counted them all).

The five main city streets with the largest traffic load, average 33,276 cars per day,⁵ assuming all 166 cars from the short term units drove on the same road, that is a traffic increase of 0.49% on any given main road in Gardena, and at 87 cars it is 0.26%. Since they obviously would not all be using the same road, the impact is even lower, the average increased impact on any of the main five streets is 0.098% and 0.05%, which falls well short of harmful.

The claimed reasons of concern for the increase of traffic prove to be disingenuous, not only by the obvious negligible increase of 0.098% per main road but by ordinances recently enacted since March of 2020, see Ords. 1822 & 1823, both increasing zoning to R-4 high density population; Ord. 1824, changes from R-4 high density to General Commercial (C-3) with mixed use overlay (MUO) followed directly after by Ord. 1825 changes to zoning relating to Amenity

⁴ Available here: <https://ehs.yale.edu/sites/default/files/files/decibel-level-chart.pdf>

⁵ The average of all reported counts per block for the largest streets impacted by daily traffic are: El Segundo Blvd. (31,350), Crenshaw Blvd. (27,940), Redondo Beach Blvd. (31,250), Artesia Blvd. (48,800), Western Ave. (27,042), combined average is 33,276. Source: <https://cityofgardena.org/traffic-counts/>

Hotels and other minor revisions. The former two were done to add housing, yet the city voiced concerns about loss of housing. More so, all significantly increase traffic and noise and quite literally serve as “changing the character of a residential neighborhood”.

Further along the deleterious impacts of traffic and noise increases, the city also passed Ord. 1838, permitting lot splits, thereby doubling the traffic impact on the city. Maybe the city can explain how 0.49% increase is more “deleterious” than 200%.

Proposed Ord. 1843, noted a serious concern “creating parking problems” as to the 87 cars parked in the same locations that a resident would park, as a major concern to the city. Which is why in Ord. 1832, the Council found 18.40 of the Gardena Municipal Code “out of synch with the goals and policies of the General Plan, effectively making the over-supply of on-site parking, whether needed or not, the top policy of the City;” the purpose of that ordinance was to allow for more commercial growth by permitting all previously excluded areas to count towards total parking, e.g., ally ways, street parking, drive ways, etc. Stated as a major concern as to the entities the Council are now declaring as commercial short term rentals, after the Council enacted ordinances creating parking concerns.

Returning to the final aspects of the report that could possibly still be characterized as substantiated by evidence, the alleged public argument in favor of the bans is limited to “loss of neighborhood character” because the trash argument is the same trash that would be created by renters. Which is why no proof of these allegations could be offered, and none can be found.

But looking at loss of character for a moment. The city zoning permits the following:

18.12.010 Single-family residential zone (R-1).

“The R-1 single-family residential zone is intended as a low density residential district of single-family homes with one dwelling per lot and customary accessory buildings considered harmonious with low density residential development.”

18.12.020 Uses permitted.

“The following uses shall be permitted in the R-1 zone and other such uses as the commission may deem to be similar to those listed and not detrimental to the public health, safety, and welfare:

A. Single-family dwellings and accessory buildings customary to such uses located on the same lot or parcel of land;

D. Family day care homes

E. Mobile homes

G. Residential group facility;

H. Transitional housing, subject only to those restrictions that apply to other residential dwellings of the same type in this zone;

I. Supportive housing, subject only to those restrictions that apply to other residential dwellings of the same type in this zone.

Family day care consists of the beautiful sound of children with their laughter and screams filling the air... and violating the noise ordinance, which is a criminal violation... not by the kids though (see Pen. Code, § 26 (one)), but by the home owner, yet this is not enforced.

The Council is commended and applauded for offering to enact express protection for members of residential group homes, transitional housing, and supportive housing. Many communities reject them, but they are welcome here, sincerely... good job.

It is not intended as any sort of disparagement of these sorts of homes, but it is nonetheless necessary to point out that these homes include multiple unrelated persons, often living 2-4 people to a room, in 3-5 bedroom houses, creating a single family residence that houses 6-20 people. Those are commercial enterprises operated in an R-1, but they are not subject to the same “restrictions that apply to other residential dwellings of the same type in this zone” because other SFRs are being singled out, for having less people, taking up less parking, generating less trash and creating less noise.

With solemnity, the struggles these residents are under going is difficult. But the city accused residents of Airbnb and other platforms of being criminals without basis, yet the very definition of transitional housing is to provide for group support based housing during the transition back into normal society after prolonged prison sentences, and the function of a residential group facility is for those who wish to stop using drugs. Both groups are literally criminals, and turning their lives around, but the city accused law abiding guests as criminals to further a falsely inspired and steadily driven agenda.

At the same meeting to vote on an urgency ordinance “to protect public health, safety, and welfare,” “Marc Panetta: owns apartment property on 147th asked if the policy when obtaining a police report for having disruptive tenants or domestic violence for landlords could be modified;” (9/13/22 Minutes p.6) So the violence, noise, and unruly tenants at apartments is so common that the city has a procedural policy about this? When will those properties be up for an urgency vote?

Proposed Ord. 1843 “short-term rentals of residences for lodging purposes... are not listed as allowed uses under the Gardena Municipal Code”

The Staff Report of 9/6/22, stated:

“An STR is any rental of a dwelling of thirty days or less. The City’s position has been that because STRs are not listed as an allowed use in the zoning code, they are prohibited. This is known as permissive zoning. The recent case of *Keen v. City of Manhattan Beach* decided

in April of this year renders this argument invalid. Due to this decision, the issue of regulating STRs was brought to the City Council for discussion and to provide direction to staff to draft an ordinance.”

Again, cutting the citizens right out of the conversation, because if involved we can ask questions that maybe the city can or cannot answer. One would be, what sort of use is involved when a person is eating, watching TV, relaxing and sleeping at a house? Because the city said this was “not listed as an allowed use.” “The following uses shall be permitted... Single-family dwellings and accessory buildings *customary to such uses* located on the same lot or parcel of land”, it appears that sleeping and eating are customary uses of a house, or no?

Proposed Ord. 1843 claimed it needed to study this new phenomena called short term rentals, that have been around since 2008. While simultaneously drafting an ordinance to prohibit short term rentals under Ord. 1844 with all of the same findings. Which sounds nothing like a desire to study.

Proposed Ord. 1843 concludes its “findings” with:

“WHEREAS, the City Council would like to immediately prohibit short-term residential rentals in order to protect the public health, safety and welfare from the impacts listed above on short-term lodging rentals and make clear that other short-term rentals of residential properties are prohibited until such time as it considers a permanent ordinance and if adopted, such ordinance takes effect;”

The impacts listed above, were proven to be false, unfounded and not supported by any evidence.

“NOW, THEREFORE, the City Council of the City of Gardena does ordain as follows:

SECTION 1. That the above recitals are true and correct and are adopted as the City Council's findings.”

That declaration is simply not true, and has so been proven.

The above major concerns and reasons for changing the laws to take away existing property rights have been proven as false, the high court had already held the city will have to pay for our expected losses under the Fifth Amendment, yet the city persists anyway, even in situations where it actually does “substantially further[any] important public policies may so frustrate distinct investment-backed expectations as to amount to a ‘taking’” (*Penn Central Transp. Co. v. New York City* (1978) 438 U.S. 104, 127) and the city will have to pay for our losses.

CHANGING THE CHARACTER OF A NEIGHBORHOOD

The Council answered this concern for all, as to the finding made by the Council, “changing the character of a residential neighborhood, and with the case of housing - creating an impact on housing supply;” (Proposed Ord. 1843) because the Council had already made another finding, on May 11, 2021, Ord. 1828, “The Zoning Changes will allow the development of a high-density, 265-unit, **first-class** apartment project in the north end of Gardena which will provide new and needed housing opportunities in the City.” The median income of a resident in Gardena is \$55,000, that certainly does not seem like a salary that can afford a “first-class apartment”. Those 265 units adds more than 165% of the cars from all short term rentals to the intersection of El Segundo and Crenshaw, where 58,300 cars cross paths daily. Those 264 units create more trash, take up more parking, and most certainly will create an impact on the housing supply, for rich people.

The city was fully aware that it had the authority to “[r]equire, as a condition of the development of residential rental units, that the development include a certain percentage of residential rental units affordable to, and occupied by, households with incomes that do not exceed the limits for moderate-income, lower income, very low income, or extremely low income households” (Gov. Code, § 65850 (g)) but the city did not so require that. Instead the city authorized “265-unit, **first-class** apartment[s]” that will only cater to the upper class, and serve to increase the rental median price; then claimed that STRs will drive up the rental prices and serve to take away affordable housing.

And as to “changing the character of a residential neighborhood,” all who once enjoyed the billboard ban in this beautiful city, will find the view changed because that same proposal also now amended and added other ordinances, amending Ord. 18.58.050 “Billboards, as defined herein; this does not apply to digital billboards.” And added Ord. 18.58.055 permitting digital billboards, which are known to increase traffic. Not to mention the glaring light changing the character of any neighborhood it is placed in. But those were paramount concerns to justify outlawing rentals in the city. Also in those billboard laws, there was a citation to Bus. & Prof. Code, § 5412 “Eminent Domain Law” “‘Relocation,’ as used in this section, includes removal” but the city has simply tried to violate the Fifth Amendment with this ordinance but without advising the extending that offer or even acknowledgement of rights mentioned above by the U.S. Supreme Court cases *Goldblatt* and *Penn Central Transp. Co.*

But there were some affordable housing units built recently, e.g., “50 contemporary new townhomes” in a “Gated community” at Azalea Walk 1335 W. 141st St. Gardena, CA 90247 “Payments starting as low as \$2,508* a month.” * “\$676,990 with a 20% down payment... 680+ fico credit score and 6 months PITI reserves required” meaning our median income families only have to come up with \$135,000 + \$18,000 reserves, for a total of \$153,000 and that affordable \$2,508 per month is within their reach.

Another stated finding of Ord. 1843 included, “WHEREAS, the desire to operate short-term rentals is expected to increase due to the proximity of Gardena to SoFi Stadium;”

In Ord. 1825 other findings were made:

“WHEREAS, Gardena is situated to be in a position to **capitalize on a demand for new hotel spaces** due to its proximity to SoFi Stadium, Hollywood Park, Dignity Health Sports Park (formerly "Stub Hub"), and other attractions; and
WHEREAS, **during the past year, developers have indicated** that the City's development standards have been an **impediment to new hotel development**; and
WHEREAS, at the City Council meeting on July 14, 2020, the City Council gave direction to staff to implement changes;”

The Council has been pushed by an agenda to ban STRs, steering the city to blame STRs for traffic, forgetting they increased it themselves; blamed for less parking, while causing less parking through Ordinances; declaring STRs will cause prices to go up and a shortage, yet forgetting about creating first class apartments for the rich; declaring STRs will become more proliferent because of SoFi, while declaring that SoFi money is good for the city. Someone has been hiding an agenda.

The meeting that started all this, was not noticed to the public, yet two people showed up to speak in favor of the ban. Observe the words of the second person:

Raymond Dennis: I also think that with the proximity of SpaceX and proximity of Tesla, that they have many short term people that come into those organizations that *instead of using hotels* would be more inclined to bundle up in a Airbnb. ... I understand if you can't do a moratorium right now, but you at least should investigate, investigate quickly because the world cup is coming. You have the Super Bowl. You have the BCS championship coming. You have the final four coming and you have in 2026 World Cup, all of that coming to SoFi, and *people be looking for places to stay*.

(Exhibit C p. 9 lns. 26-28, 34-37; p. 10 ln. 1)

Those are rather unusual concerns for a random citizen at a local city hall meeting to spontaneously show up and be focused on upper class workers desiring a short term place to stay and not using a hotel, that SoFi money will be coming in and needing a place to stay, in a couple

of years, just in time for a hotel to be approved and built. But he also planted fears in his speech, and what was a relatively quiet reception by the council, then turned into a fear fest. Spurned by people randomly present with focused messages to manipulate the Council.

STRS HAVE ALWAYS BEEN LAWFUL AND STILL ARE

The proposed zoning fails the uniformity requirement of Gov. Code, § 65852 because some houses are permitted to a use of their land for hire and are not treated as a business, but every year money is paid by me for a business license, “License Activity Residential Rental Property” one for each of my addresses (Account Numbers 2820, 2821; \$56.75 x2; I am current see Transactions ID’s: 63482405363 and 63482409762). Her Honor declared on 9/13/22, “I’m sure none of these people are paying any type of business license tax or anything like that.”⁶ The city has been approving of my short term rentals for years, because as it acknowledges, it was a lawful activity.

5.04.110 Separate business licenses/permits for each business and for each location.

A. Except as otherwise provided in this Title, a separate license shall be obtained and a separate fee paid for each branch establishment or separate place of business, and for each separate type of business activity which shares a common location, even when conducted under the same ownership.

B. Each license shall authorize the licensee named therein to commence and conduct only that business described in such license and only at the location or place of business which is indicated therein.

5.04.010 Definitions.

“‘Business’ means and includes all kinds of ... enterprises, establishments and all other kinds of activities and matters, ... used or carried on for the purpose of earning in whole or in part a profit or livelihood ... Business, ... shall include, without being limited thereto, trades and occupations of all and every kind of calling carried on within the city; ... the renting or supplying of living quarters or board, or both for guests, tenants or occupants.”

“‘Established business’ means and includes only such persons in cases whereby the nature of their respective modes of operation would clearly be classifiable as a “permanent business.” In all other cases such fact shall be required to be proven ... for a minimum period of six months or more.

During the slide show on 8/9/22, a word had to be defined for the city:

“What is a Short Term Rental (STR)?- Typically defined as a rental of a dwelling unit which is shared, in whole or in part, for periods of 30 days or less as a way of generating rental income.”

That was an admission that the city had yet to define the term legally.

The August 9th Agenda Staff Report

“An STR is any rental of a dwelling of thirty days or less. The City’s position has been that because STRs are not listed as an allowed use in the zoning code, they are prohibited. This is

⁶ <https://youtu.be/6T1z77Zy5Z4?t=8971>

known as permissive zoning. The recent case of *Keen v. City of Manhattan Beach* decided in April of this year renders this argument invalid.

According to the appellate court, Manhattan Beach's ordinance did not regulate how long a person could stay in a dwelling and therefore rejected the city's argument that the STRs were prohibited under the theory of permissive zoning. **Based on this decision, if Gardena wishes to regulate or prohibit STRs, it will be required to enact a zoning ordinance to do so.**" (p.1)

"There are now websites that are devoted to hourly rentals of pools in single-family homes, the most popular of which is www.swimply.com. Additionally, owners are renting their homes for use as event spaces. Currently, there do not appear to be any pools for rent in Gardena. Community Development has received inquiries about using private homes for events such as weddings. Use of homes for these purposes turns a single-family home into a commercial enterprise and can cause neighborhood disruptions.

Unlike STRs for lodging, these uses are prohibited under the Gardena Municipal Code as they are not listed as an allowed use. However, staff believes that such uses should be specifically addressed in accordance with the City Council's desires." (p.3)

"Submitted by: Greg Tsujiuchi Date: August 4, 2022"

The above is a direct acknowledgment by the Community Development Department Director that STRs were not prohibited but rather are currently permitted, because an appellate court had determined their theory was legally invalid and acknowledged that the Gardena Code did not regulate how long a person could stay, therefore the use as a STR was just like the other 10,000 rentals in this city, except that STRs comprised 0.8% of the volume of rental units in the city, which by no means has ANY meaningful impact on the available housing supply.

As of 2018, there were 20,619 households, comprised of 32% nonfamilies, 68% families; the median income was \$55,351 (City of Gardena 2021-2029 Housing Element p.13) and as of 2020 there were 21,982 housing units with 52% as single family residents (SFR) and 43.6% multiple-family units (MFU), (*id.* p. 15) thus 11,431 SFRs and 9,584 MFUs, but near 50/50 on ownership (10,090) to renter (10,529) ratio (*id.* p. 36).

Under Public Resources Code § 21083.3 when a "parcel has been zoned to accommodate a particular density of development or has been designated in a community plan to accommodate a particular density" which all of our properties were, thus "consistent with the zoning or community plan" any inquiry "shall be limited to effects upon the environment which are peculiar to the parcel" but the city already declared "with certainty that there is no possibility" of an environmental issue under the commonsense exemption set forth in California Code of Regulations title 14, section 15061(b)(3), which the city planner forgot to cite, and further proves there are no concerns with trash, noise, or traffic.

This ordinance is not consistent with the General Plan, Policy 2.2 “Encourage provision of units of various sizes to accommodate the diverse needs of the community, including seniors, students and young workers, and large households.” Rentals of any duration accommodate any degree of temporary worker or visitor, how many will be available to rent to a visiting nurse here for three weeks or worker in for a project for 6 weeks? Or those Tesla or SpaceX workers? And directly violates Policy 5.2 “Provide a range of housing options, locational choices, and price points to accommodate the diverse needs in Gardena and to allow for housing mobility.” One of those public voices on 9/13/22 specifically advised that she uses STRs to house visiting family members when they come to town because they cannot afford the hotel rates.

And the only stated negative aspect is under Policy 2.5, “Discourage the conversion of affordable rental units to condominium ownership.” Which not one of us has contemplated.

Is the Council aware that the General Plan only uses the word “short” one time in the entire plan? And it is under Permit and Processing Procedures. “Development processing time is relatively *short* and expeditious due to a one-stop counter, streamlined procedures, and concurrent processing.” (City of Gardena 2021-2029 Housing Element, p. 49)

Therefore, the proposed zoning is not compliant with Gov. Code, § 65862 as to any “inconsistency between the general plan and zoning arises as a result of adoption of or amendment to a general plan” and the moment the Council attempts to amend the General Plan to make STR’s inconsistent with it, the Council grants each of us standing to attack the General Plan under Gov. Code, § 65860(c).

THE LEGISLATURE PRECLUDED THIS CURRENT ACTION

And that brings us to the stated reason for this urgency measure, as brought under Gov. Code, § 65858 “to protect the public safety, health, and welfare, may adopt as an urgency measure an interim ordinance prohibiting any uses that may be in conflict with a *contemplated* general plan, specific plan, or zoning proposal that the legislative body, planning commission or the planning department is considering or studying or intends to study within a reasonable time.” The Legislative history clarifies that the intended use of this statute is not a contemplated use. From the (Senate Housing & Community Development Committee, Chair Senator Dunn, Analysis of SB No. 1098 (2001-2002 Regular Session) as introduced May 3, 2001, p. 1):

“Existing law allows a local government to adopt an ‘interim ordinance’ - otherwise called a moratorium - prohibiting **any new land use** that may be in conflict with a change to the general plan, specific plan or zoning proposal that the jurisdiction is studying or considering.

The local government must first make legislative findings that there is a current and immediate threat to the public health, safety or welfare and **that the approval of additional permits would result in the realization of that threat.** Upon a 4/5ths vote, the local legislative body can adopt such an ordinance for 45 days and ultimately extend it for as long as two years.”⁷

The Senate disagrees with this council’s intended use to retroactively apply the zoning law, as does our local Court of Appeal. “We conclude that the city council failed to make findings required under Government Code section 65858, subdivision (c) ... therefore was contrary to law and invalid.” (*Hoffman Street, LLC v. City of West Hollywood* (2009) 179 Cal.App.4th 754, 758). Wherein the court also concluded there was no need to follow the administrative remedies because the ordinance was invalid.

Gov. Code, § 65858 subdivision (c) provides “The legislative body **shall not adopt** or extend any interim ordinance pursuant to this section ***unless*** the ordinance contains legislative findings that there is a **current and immediate threat to the public health, safety, or welfare,** ***and*** that **the approval of additional** subdivisions, use permits, variances, building permits, or any other applicable entitlement for use which is required in order to comply with a zoning ordinance would result in that threat to public health, safety, or welfare.” The Council has skipped right over the aspect of any additional future units would cause harm, and only declared then existing lawful uses were the cause of harm, but failed to substantiate it as required by statute and case law.

It is generally understood in this state, that the findings need supporting evidence, which as of now only consists of voices of the public submitting an objection to the unlawful ban.

Three quick points and then done.

The Council’s administrative process is designed to eliminate a cause of action under Gov. Code, sections 65009(c); 65009; 65093 in violation of the Fifth and Fourteenth Amendments pursuant to *Logan v. Zimmerman Brush Co.* (1982) 455 U.S. 422 as a cause of action is a property right that may not be so shortly limited.

Reservation of right is hereby made and no waiver of rights results as under local, state and federal laws, all possible applicable causes of action, and defenses are now raised, reserved and intended to be used.

⁷ Available here:

https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=200120020SB1098#

Finally, and very importantly, in a case where the citizens prevailed over the city regarding zoning issues, the “plaintiffs moved for attorney's fees pursuant to section 1021.5 for prevailing on their challenges to the SNAP variances. After full briefing and a hearing, the trial court granted La Mirada attorney's fees totaling \$793,817.50 and Citizens attorney's fees of \$180,320.” And was affirmed by our local Court of Appeal. (*La Mirada Ave. Neighborhood Ass'n of Hollywood v. City of L. A.* (2018) 22 Cal.App.5th 1149, 1155) Money that could be spent on the homelessness issue.

WHERE DO WE REALLY WANT TO GO FROM HERE?

The above recommendations were made before investigation because the city only began an investigation after the urgency moratorium vote failed, and then a KGB poised company was procured to spy, as if we were hiding.

“After the last City Council meeting, the City Manager authorized entering into a \$4,000 consultant agreement with Deckard Technologies/Rentalscape to provide important information regarding STRs that currently exist in the City. Generally, it takes several weeks for the system to populate the information for the City.”

But how will the city be making good use of that money when it cuts off the source of the data?

“Any modification to Ordinance No. 1844 would need to first go back to the Planning Commission. Given the complexity of drafting an ordinance that allowed STRs, it is unlikely that such an ordinance could be returned to the City Council before late November or early December.”

And that few months is not enough time for the company to be running data to make an informed decision with, but better than no time. Additionally, this “would need to first go back to the Planning Commission” anyway, because 1843 was not voted on by the Planning Commission.

Now, if you do not want to shoot me, that part is all done and we can move on to where we need to be. Do you know that where I am from, this could never be said? After the second page, they would win the argument...

You have no idea the freedom you take for granted here. And how wonderful it is to be able to use it. But disagreement can lead to compromise. Let's take a look at that now.

THE RIGHT FOOT.

Come, sit my friends. Let us try to do what rational people do, talk.

Your people, the proud homeowners of STRs are mostly all immigrants, who came here for the same reasons as I did, because this American dream belongs to the world. Those of us that win the lottery of life, get to live it, and we see so many born into it not even see it.

Each of us worked so hard to build and safe and invest and grow. Do you think for one second we want any harm to come to our property, our investments, our children's futures?

We are dedicated to our success.

I meet every single guest that comes to the property, after running background checks on them, I personally let them into the house; a very small reason is to be a good host, the very large reason is that I was raised to be suspicious and need to check them all out myself.

Her Honor made an interesting comment about the feeling of knowing your neighbors during the 8/9/22 meeting. To this there are two things: first, we do not get to pick them, and sometimes they are *not* at *all* what we want, and that feeling never leaves because they never leave. Second, sometimes its nice to be curious about who is in there now for a little excitement, and find that same familiar comfort in knowing they are leaving in a day or two. Life is how we look at it. I see an attack, and find a reason to make good for all of it.

One of your STR hosts, suffered the ultimate test of a mother, when her son was paralyzed and she had to stop working to become full time caretaker and to supplement the loss of income had to rent out part of the house. Nightmare after nightmare, followed by even worst long term tenants kept arriving and not paying, she switched to Airbnb and has never had a single problem since, finally she is financially worry free.

Councilmember Henderson, you were concerned about 290 registrants, Airbnb makes all members photograph their face and ID to register, then the computer verifies, and also checks against the federal data base made available to social media sites for this very purpose. If one signs up, within minutes the system closes their account permanently. So none can rent from us as hosts, unlike your normal landlord that may not know, we do; simply because they contacted us qualifies them as not.

City Manager Osorio, you were concerned about staffing and timing and costs of enforcement, yet you have the most dedicated staff imaginable, more ready and willing than your staff could ever be (no offense) because we are the owners. There is no reason why our phone

numbers cannot be distributed or connected to law enforcement and the city so if a noise complaint comes in, we are called first.

If there are noise complaints, then we want to know more than you do, because that is a rather large investment and only one of three things are occurring. The guest is unruly and we want them out; a neighbor is the cause of the noise and we want it to stop more than you do to protect our guest's peace and relaxation; or the call is from a busy body with nothing better to do, and we all need to know that, and be able to recognize it when it becomes a pattern.

Which also goes to Councilmember Tanaka's concern about a rave party at a house, which should be clear by now, is completely unacceptable, and the police *will* need to be called, but to protect them from me.

Which leads into Director Tsujiuchi, Counselor Vasquez, and Counselor Kranitz, there was concern about drafting an ordinance; you can be boring and copy one of the many you read from the other cities, or we can all create something to serve as model for them to copy, by combing your drafting and legal knowledge with the practical knowledge of the hosts' who are happy to provide insight. There is no reason why we cannot work out a system that helps everyone, this is America still right? Two brilliant female attorneys and a can-do-attitude and we can make this happen quickly.

From the top of my head, maybe just a simple point system, starting with 3 points, each call that is not resolved by the host that results in another call to address the unresolve complaint loses one point, but if no calls that month gains one point as a reward; then if all points are lost, then they lose; or something that involves punishment and reward. By the time a host gets seasoned enough, it should not be a problem, but maybe cap at 12 or 15 incase somebody spirals down there is still a way to hold them accountable. Putting together packets of preparedness and plans and methods can be symbiotic, and allow us to resolve problems together, rather than spending money.

We do not want bad hosts out there either, and we need your protection too. Rather coincidentally, just this Sunday, I had what appeared to be a normal guest, with good reviews, then because I monitor the property which alerts me when movement occurs outside, I saw she had an unregistered and unverified person on the property, I immediately contacted Airbnb and notified them of the unauthorized person in violation of the agreement, as a result they cancelled the agreement with the guest and Airbnb notified her she must leave now, and notified her several more times but she refused to leave. Then I went over to tell her to leave in person, incredibly she

called the police to have *me* removed. I explained the law and the situation but the officer said this was civil and they do not do civil, when it was clearly a criminal trespass because she could not prove consent with a simple proof of payment as that would show it was cancelled for violating rules. The police left. She then shoved my friend and called the police a second time, luckily my place is fully captured on cameras and I also had my phone and showed the officer who finally, sternly spoke to her and they left. This break down of procedure when a citizen needs police help is not good for anyone, because in the end, the officer was rewarding the criminal.

Also, Director Tsujiuchi, maybe you did not realize it, but many of those people that came to ask if it was legal, were would-be hosts; as I once did the same. Most of us want to do right, we are in business to live, not starve.

Does the city want to make money? Because we do too. Sales taxes and TOT are better than nothing, also Airbnb automatically takes out the TOT and sends it to the city directly on a hosts behalf, so that makes it streamlined. “Asst City Attorney Kranitz gave the amount of STRs we currently have in our city which is about 130 rentals, and an estimation of TOT would be \$125,000 a year but then we would be paying a company to check on them.” (9/13/22 Minutes p.10) As Director Tsujiuchi showed, it will cost the city \$4,000 to make \$121,000, that is an investment that any of us hosts would die for, and you get it for the cost of bringing in *more* money to the city, because that which is even better than taxes is outside dollars brought into the city and spent here, building our economy. Who else is going to shop at your site specific plans?

Mayor Pro Tem Francis, there is so much more that I could have said, but I would rather not fight as it is best if we leave each other be and we both will be happier in the long run in the end. But you are also right, that a cap should occur, because to be rather selfish, we do not want to see the area flooded with hosts either. The only lawful and constitutional way is to enact prospective laws. And for all of the big companies that are trying to be impressed to help the city grow, do you really think multi-hundred million dollar companies are really intimidated by 50 citizens?

Combined we are one hotel. That should scare no one, but rather excite that we bring in a hotel’s worth of business daily, without having to wait for it to be built.

When the hotels are finally built, we won’t matter then either.

Do you know what I love? Korovka milk caramel, I am hopelessly addicted, and I hate Skittles.

Which I am sure someone just shook their head reading that. But you do not need to convince me of what I don't like, nor I you. Some people hate hotels and want a home feel, others love hotels, my closest friend is one of them. If a person wants an Airbnb, they will find one, even if it is not in Gardena, and that is money lost to local shops.

Options stimulate growth, not one sided un-thought out decisions, that result in enacting laws which will result in hundreds of thousands of dollars of attorney fees taken from the city fund, to only find out you have to start over.

And to what end? So outside money is not spent here?

Her Brilliance Councilmember Love saw it, true to her namesake, for she was accepting of the unknown and embraced the possibilities of hope. You inspired me to find the same middle ground.

Working together to solve the problems is where all this energy needs to be spent.

On this note, I will conclude with my favorite passage from a case.

The authentic majesty in our Constitution derives in large measure from the rule of law — principle and process instead of person. Conceived in the shadow of an abusive and unanswerable tyrant who rejected all authority save his own, our ancestors wisely birthed a government not of leaders, but of servants of the law. Nowhere in the Constitution or in the Declaration of Independence, nor for that matter in the Federalist or in any other writing of the Founding Fathers, can one find a single utterance that could justify a decision by any oath-beholden servant of the law to look the other way when confronted by the real possibility of being complicit in the wrongful [deprivation of another's pursuit of happiness]. When the Preamble of the Constitution consecrates the mission of our Republic in part to the pursuit of Justice, it does not contemplate that the power of the state thereby created could be used improperly to abuse its citizens[.]

Northern Mariana Islands v. Bowie, (9th Cir. 2001) 243 F.3d 1109, 1124

I grew up in tyranny, yes it sounds fun, but its not all its cracked up to be, living under a boot of those who mean well by thinking for you is not living.

“It is a melancholy reflection that liberty should be equally exposed to danger whether the Government have too much or too little power, and that the line which defines these extremes should be so inaccurately defined by experience.” James Madison letter to Thomas Jefferson, October 17, 1788

Too little, and liberty is destroyed by crime; too much, and there is no liberty, only a dictatorship.

Thank you for your time, consideration, and for taking care of the men and women in the transitional and group housing, that was very impressive. Let's keep that spirit of community unity going, together.

Most sincerely,

Mariya Wrightsman

September 27, 2022

Attached: Exhibits A-D

EXHIBIT A

gent creditors, and persons who may otherwise be interested in the will or estate, or both, of WILLIAM EARL DAVIDSON. A PETITION for Probate has been filed by: WILLIAM DAVIDSON JR. in the Superior Court of California, County of Los Angeles. The Petition for Probate requests that WILLIAM DAVIDSON JR. be appointed as personal representative to administer the estate of the decedent.

The petition requests the decedent's will and codicils, if any, be admitted to probate. The will and any codicils are available for examination in the file kept by the court.

The petition requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will al-

hearing. Your appearance may be in person or by your attorney.

If you are a creditor or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within four months from the date of first issuance of letters as provided in Probate Code section 9100. The time for filing claims will not expire before four months from the hearing date noticed above.

You may examine the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate

ANGELES. THE PETITION FOR PROBATE requests that Reginald Denzel McDonald be appointed as personal representative to administer the estate of the decedent.

THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an

58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code.

Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law.

YOU MAY EXAMINE the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.

Attorney for petitioner:

PAUL HORN ESQ
SBN 243227
PAUL HORN LAW GROUP PC
11404 SOUTH STREET
CERRITOS CA 90703
CN989776 SIMS Sep 1,8,15, 2022
Gardena Valley News
9/1,8,15/22-122217

without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.

A HEARING on the petition will be held in this court as follows: 10/31/22 at 8:30AM in Dept. 9 located at 111 N. HILL ST., LOS ANGELES, CA 90012 IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four

CITY OF GARDENA
NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT on Tuesday, September 27, 2022, at 7:30 p.m., the City Council of the City of Gardena will conduct a virtual public hearing to consider the following:

ORDINANCE NO. 1844

REQUEST: Consideration of an Ordinance amending Title 18, Zoning, of the Gardena Municipal Code to prohibit short-term rentals of residences for lodging purposes and short-term rentals of residences for other commercial uses not listed as allowed uses under the Gardena Municipal Code. The Ordinance is exempt from the provisions of the California Environmental Quality Act pursuant to the commonsense exemption set forth in Guidelines section 15061(b)(3). On September 6, 2022, the Planning Commission voted 3-1-0, recommending that the City Council adopt the ordinance to prohibit short term rentals.

Applicant: City
Project Location: Citywide

The public hearing will take place via an on-line platform that can be accessed from your computer, smartphone, or tablet. Detailed directions for accessing this hearing will be on the City's website at <https://cityofgardena.org/agendas-city-council/>, no later than **September 23, 2022**.

The related materials will be on file and open for public inspection on the City's website at <https://www.cityofgardena.org/community-development/planning-projects/>. You will have the opportunity to post questions during the hearing. Comments may also be submitted via email to publiccomment@cityofgardena.org or by mail to 1700 W 162nd Street, Gardena, CA 90247.

If you challenge the nature of the proposed action in court, you will be limited to raising only those issues you or someone else raises at the public hearing described in this notice, or in written correspondence delivered to the Gardena City Council at, or prior to, the public hearing. For further information, please contact the Planning Division, at (310) 217-9524.

/s/ MINA SEMENZA
CITY CLERK

Gardena Valley News 9/15/2022-122990

CITY OF GARDENA
VIDEO POLICING SYSTEM PROFESSIONAL SERVICES

NOTICE OF REQUEST FOR PROPOSALS

PUBLIC NOTICE IS HEREBY GIVEN that the City of Gardena, California, invites and will receive proposals via Planet Bids up to the hour of 1:00 p.m., October 25th, 2022, for PROFESSIONAL SERVICES FOR VIDEO POLICING SYSTEM in accordance with the Notice, Scope of Work and the Draft Agreement contained in the City of Gardena Request for Proposals for Video Policing System Professional Services. Copies of this document and the necessary proposal response forms may be obtained from Planet Bids.

A **mandatory** pre-bid proposal conference has been scheduled for prospective bidders at 10 a.m., October 11th, 2022 at the Gardena Police Department, for the purpose of reviewing the City's requirements. To qualify for consideration for award of the contract, potential bidders **MUST** attend this pre-bid proposal conference.

Dated this 15th day of September 2022
/s/ Mina Semenza, City Clerk of the City of Gardena, California
Gardena Valley News 9/15/2022-122901

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EXHIBIT B

ance bond in the amount of 100 percent of the contract price, and a payment bond in the amount of 100 percent of the contract price, both in a form satisfactory to the City Attorney.

The contractor shall have an active "A", "C-10" or "B" license from the Contractor's State License Board at the time of submitting bid. Asbestos and Lead abatement work shall be done by a contractor having the appropriate legal license and certifications.

The prime Contractor must perform at least 25% of the cost of the contract, not including the cost of materials, with its own employees on site.

Pursuant to Public

the escrow agreement, letter of credit, form of security and any other document related to said substitution is reviewed and found acceptable by the City Attorney.

The City reserves the right to reject any or all bids and to waive any informality or irregularity in any bid received and to be the sole judge of the merits of the respective bids received. The award, if made, will be made to the lowest responsive responsible bidder.

Bidders are advised that this Project is a public work for purposes of the California Labor Code, which requires payment of prevailing wages. Accordingly, the bidder awarded the Contract and all subcontractors shall

tions 1777.5 and 1777.6 of the Labor Code concerning the employment of apprentices by Contractor or any Subcontractor under it. Contractor and any Subcontractor under it shall comply with the requirements of said sections in the employment of apprentices.

The Contractor is prohibited from performing work on this project with a subcontractor who is ineligible to perform work on the project pursuant to Section 1777.1 or 1777.7 of the Labor Code.

This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations. All contractors and subcontractors must furnish electronic certified

by a qualifying project labor agreement.

These requirements will apply to all public works projects that are subject to the prevailing wage requirements of the Labor Code without regard to funding source.

The State General Prevailing Wage Determination is as established by the California Department of Industrial Relations (available at <http://www.dir.ca.gov/DLSR/PWD/index.htm>).

Skilled and Trained Workforce: This project is subject to Skilled and Trained Workforce Requirements per Sections 2600 through 2603 of the Public Contract Code.

Award of Contract: The following are conditions to the award of the contract:

- I. Each contractor and subcontractor listed on the bid must be registered with the Department of Industrial Relations pursuant to Labor Code Section 1725.5, subject to the limited exceptions set forth in Labor Code Section 1771.1(a) (regarding the submission of a bid as authorized by Business & Professions Code Section 7029.1 or Public Contract Code Section 10164 or 20103.5 provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract was awarded); and
- II. No contractor or subcontractor may be awarded this contract unless the contractor and each subcontractor listed on the bid is registered with the Department of Industrial Relations pursuant to Section 17265.5.

Any questions regarding this bid package may be referred to Kevin Kwak, Principal Civil Engineer, Public Works Engineering Division at 310.217.9643

the decedent. THE PETITION requests the decedent's will and codicils, if any, be admitted to probate. The will and any codicils are available for examination in the file kept by the court.

THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection and shows good cause why the court should not grant the authority.

A HEARING on the petition will be held on Sept. 15, 2022 at 8:30 AM in Dept. No. 11 located at 111 N. Hill St., Los Angeles, CA 90012.

IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code.

CITY OF GARDENA
NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT on Tuesday, September 6, 2022, at 7:00 p.m., the Planning Commission of the City of Gardena will conduct a virtual public hearing to consider the following and make a recommendation thereon:

ORDINANCE NO. 1844

REQUEST: Consideration of an Ordinance amending Title 18, Zoning, of the Gardena Municipal Code to prohibit short-term rentals of residences for lodging purposes and short-term rentals of residences for other commercial uses not listed as allowed uses under the Gardena Municipal Code. The Planning Commission will make a recommendation to the City Council. The Ordinance is exempt from the provisions of the California Environmental Quality Act pursuant to the commonsense exemption set forth in Guidelines section 15061(b)(3).

**Project Location: Citywide
Applicant: City**

The public hearing will take place via an on-line platform that can be accessed from your computer, smartphone, or tablet. Detailed directions for accessing this hearing will be on the City's website at <https://cityofgardena.org/agendas-planning-environmental-commission/>, no later than **September 2, 2022**.

The related materials will be on file and open for public inspection on the City's website at <https://www.cityofgardena.org/community-development/planning-projects/>. You will have the opportunity to post questions during the hearing. Comments may also be submitted via email to PlanningCommissioner@cityofgardena.org or by mail to 1700 W 162nd Street, Gardena, CA 90247.

If you challenge the nature of the proposed action in court, you will be limited to raising only those issues you or someone else raises at the public hearing described in this notice, or in written correspondence delivered to the Gardena Planning and Environmental Quality Commission at, or prior to, the public hearing. For further information, please contact the Planning Division, at (310) 217-9524.

Amanda Acuna
Senior Planner

Gardena Valley News 8/25/2022-122309

Aug 25, 2022
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EXHIBIT C

1 Tsujiuchi: Short presentation, if you'd like to hear that first?

2 Cerda: Let's go ahead and do that first, because we may have questions as it relates
3 to that.

4 Tsujiuchi: Okay we're going to share our screen here. Can everyone see the screen?

5 Cerda: Yes.

6 Tsujiuchi: Good evening members of the city council. Tonight's discussion is about
7 short-term rentals. We have a short presentation and we go to next slide
8 here.

9 So just a recap on what a short-term rental is. Typically, it's defined as a
10 renting of a dwelling unit, which is shared in whole or in part, meaning it
11 could be the whole dwelling unit or maybe just a bedroom or actually an
12 amenity that we recently seen for usually periods of 30 days or less as a way
13 of generating rental income. Most recently, we're starting to see not only the
14 dwelling unit being defined as a short-term rental, but we're starting to see
15 it kind of broadened in definition to include things like hourly and daily
16 rentals of swimming pools in people's backyards. And also as a daily special
17 event venue, like maybe hosting weddings. That could also be included in
18 this definition of a short-term rental.

19 So why we're bringing this to you for discussion, our Gardena Municipal
20 Code doesn't specifically prohibit short-term rentals. There's been a recent
21 case law known as Keen versus City of Manhattan Beach. And I'd actually
22 like Lisa to kind of brief you on that.

23 Kranitz: So generally Gardena and other cities use what's called permissive zoning.
24 If a use is not listed in the municipal code, then according to the city, it's
25 prohibited. That's how Gardena functions. That's theoretically how
26 Manhattan Beach functions. Manhattan Beach tried to argue that because
27 short-term rentals weren't listed as an allowed use, they were prohibited
28 under the city's code. The case involved the Coastal Commission, but that's
29 not relevant for how it impacts all other cities. What the court said was
30 because residential uses are allowed in residential zones and residential uses
31 don't specify how many days a person has to stay in a dwelling, short-term
32 rentals are not prohibited under permissive zoning. So therefore, if a city
33 wants to prohibit a short-term rental for lodging, they have to specifically
34 go in and amend their ordinance to provide such prohibition.

35 For the other types of things that Greg was talking about, people who are
36 now renting their backyards out for special event venues or renting their
37 swimming pools by the hour, those we can argue are prohibited under
38 permissive zoning because they're not residential use as far as lodging goes,

1 but it would be better if the council wants to prohibit them to specifically
2 call it out. So it's quite clear in the code.

3 Tsujiuchi: So those first two go hand in hand. Gardena Municipal Code doesn't
4 specifically prohibit it, or it doesn't specifically prohibit short-term rentals.
5 And this new recent case says we ought to, if that's what we're going to do.
6 In addition to that, we are seeing an increase of inquiries on the ability to
7 have STRs in the city. Our planning division has been taking numerous
8 calls, people wanting to do it more and more often. My code enforcement
9 here in community development, they've seen an increase of complaints
10 regarding short-term rentals, usually with noise or parking or the amount of
11 people that they're seeing next to residential homes. We've also done a little
12 research and there's been numerous listings found on different platforms on
13 the internet. Platforms or things such as Airbnb, VRBO, booking.com.
14 There's a few others.

15 And so staff is really looking for direction on two major - - or two options.
16 Either to prohibit the short-term rentals in Gardena, which is what we're
17 currently enforcing, or to permit short-term rentals. And so we kind of
18 looked around at our neighboring South Bay Cities. And so those who are
19 currently prohibiting, would be cities of Redondo Beach. Manhattan Beach,
20 for the most part, they are doing some amendments to it, I think to also
21 include their coastal areas. Inglewood, I think, saw a huge uptick with their
22 SoFi Stadium and whatnot coming up and so they actually put up
23 moratorium on it. I think it became such a harm or nuisance to them.
24 Lawndale prohibits it. There's other cities who are permitting STRs. Lomita
25 is permitting it, but kind of like how Gardena would be, where they're not
26 really specifying it. So by this new case law, it would be permitted.

27 We believe Carson is the same way. We really couldn't find anything that
28 prohibited it, so we assume that they're allowing it because they don't
29 specifically prohibit it. Cities of El Segundo, Hermosa Beach, Torrance, and
30 Hawthorne, they have pretty strict regulations where it can be numbers, how
31 many can be rented or used as short-term rentals at any one time, specific
32 zones, whether or not the owner has to occupy the home or not.

33 And so there's a number of different ways that you could regulate it, but all
34 in all staff is just looking for a direction, whether or not you'd like to prohibit
35 it. And if so, then direct staff to draft an ordinance prohibiting short-term
36 rentals. If you're looking to permit short-term rentals, then direct staff to
37 draft an ordinance either to one allow it pretty much without any regulation,
38 just say get a business license, make sure you're paying your transient orient
39 tax- - ah - - transient occupancy tax, and let them do that, or permit STRs
40 and have regulations. And these regulations can pretty intensive. And so we
41 would request that you direct staff to work with the planning commission,

1 come up with a draft ordinance, and then we would come back to you for
2 more input.

3 So that's where we're at now. I could go more into different options if you
4 decide to permit STRs, but at this point in time of my presentation just
5 wanted to see whether or not you were interested in prohibiting or
6 permitting short-term rentals.

7 Cerda: Okay, thank you. Let's open up for questions. Customer Henderson had his
8 hand up first. Go ahead.

9 Henderson: Thank you Madam Mayor. Thanks for that presentation Greg in regards to
10 that. You brought up another question. In regards to those cities of El
11 Segundo, Hawthorne, Hermosa Beach, Torrance, that kind of have some
12 regulations drafted. What was their criterion in regards to selection, process
13 of properties that would do that? Did they spread them out throughout their
14 city, 20 per district? How did they do that? And then what did that add to
15 the staff administrative overhead as far as all that work now?

16 Tsujiuchi: Well, so I'll speak to a neighboring city that is real near Gardena. They did
17 a rental ordinance that put it in specific zones. It wasn't really in any
18 particular north, south, east, west part of the city, it was just in wherever
19 this type of a zone was located. They allowed it. They limited the number
20 of licenses that they would issue all the way down to, I think they limited it
21 to 10 at any one time. They limited it as far as what they call multiple
22 bookings, meaning that they're renting out multiple rooms only so many
23 could do it at one time. I think in our staff report we identified some
24 Torrance, I believe did they - - we're looking into that [inaudible 00:09:02]

25 Kranitz: A home share only.

26 Tsujiuchi: Oh, they did a home share only, meaning that the owner has to be present.
27 It can't be where they're either on a long-term vacation and while they're
28 gone, they're renting out their home or they own another primary residence
29 maybe in another city and they own this other property in Gardena and so
30 they want to short-term rental that house as a short-term rental, rather than
31 a long-term lease to someone.

32 Kranitz: I think generally what the neighboring city did of only 10 permits per year
33 is unusual. I think usually the cities do it by zones. Be it home share, or you
34 can do the short-term rentals. It could be just the R1 zones or just R2, R3,
35 R4 type zones. Those are all the directions we're looking for if the council
36 wishes to allow short-term rentals. It's really, what is your imagination.
37 Homes which have an ADU or an SB9 unit cannot be used for short-term
38 rentals. That's by law.

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1 Tsujiuchi: Affordable housing units?

2 Kranitz: Affordable housing units, then they wouldn't qualify for a short-term rental
3 because you wouldn't be meeting the income qualifications.

4 Tsujiuchi: There's a whole host of options that we would go through depending on if
5 that's the council's direction.

6 Kranitz: As far as administrative costs, it would be like any other type of city service
7 where a permit fee would be established that would cover the city's
8 expenses. We'd figure out how much staff time was involved in it, and then
9 charge a fee along with business license.

10 Henderson: Okay. Thank you. Then my second question regards to, if we were to come
11 up with some sort of solution in the middle versus fully allowing it all over
12 the place or denying it all together, what about, would it be discriminatory
13 if we said in our regulations, if we permitted this, that if you live near a park
14 or a school zone, you cannot have such a facility because we want to control
15 the potentiality of predators coming into our community and everything.
16 Can that be put in the regulation? And if so, does that open us up to potential
17 liability, because now we're exercising discriminatory practice?

18 Kranitz: It's something we'll have to look at.

19 Henderson: Okay.

20 Tsujiuchi: I've not heard of any of the cities around here doing that, but we'll certainly
21 look into it if that's the council's desire or direction. Thank you.

22 Cerda: Mayor Pro Tem Paulette Francis.

23 Francis: Yes. I have a few questions. So you mentioned there were numerous calls.
24 How many is numerous?

25 Tsujiuchi: From planning for whether there's the ability to use a short-term rental?

26 Francis: No, no, no. You said you received numerous calls regarding short-term
27 rentals. I was just wondering how many is numerous.

28 Tsujiuchi: So the ones that came into planning, with the average two to three a week.

29 Kranitz: Yeah, we get numerous calls like Greg is saying and emails as well.

30 Tsujiuchi: So maybe two to three at a week.

31 Francis: Over a month?

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1 Tsujiuchi: Over the past few months. Over the past, maybe 12 months.

2 Kranitz: Gardena currently has, if you go on various platforms, there's probably at
3 least 20 rentals right now.

4 Francis: I saw that. Thank you. And you say you had numerous complaints with code
5 enforcement?

6 Tsujiuchi: Several complaints from code enforcement. I don't have a specific number,
7 but I would say that it's been enough to bring this up as part of the
8 discussion. So I would say we get, within the last couple of months, I would
9 say I've gotten four or five.

10 Francis: All right. Thank you. I'm not quite sure who to direct this question to. Now
11 you said that since we don't have anything in place, single short-term rentals
12 are not prohibited because of this Keen versus Manhattan Beach rule. Is that
13 correct?

14 Kranitz: Correct.

15 Francis: Okay. So could we tonight declare moratorium until we have more time to
16 discuss it and do some research and investigate what we can do? Can we do
17 that? Can that be an option?

18 Cerda: Mayor Pro Tem. So tonight what we're doing is we're just discussing it for
19 it to come back later on. As far as staff can do more research and so they
20 just want to get some direction. We're not taking any action on this tonight,
21 other than just, what are our feelings of this here? So it's going to come back
22 and we will have more time to discuss it.

23 Francis: Until we take some time discussing all that we couldn't say until right now,
24 we're just going to declare moratorium on all short-term rentals until we can
25 figure out what it is we want to do.

26 Kranitz: We couldn't do it tonight because it's not on the agenda. And it would have
27 to be added as an urgency item on the agenda. And I think since it's been
28 going on, you couldn't make the findings to support that there was an
29 immediate need to add it on. You can certainly come to the city council for
30 the 45-day moratorium at the city council's next meeting. And then after 45
31 days, that moratorium can be renewed up to a year and 11 months and 15
32 days for a total of, 10 months and 15 days for a total of a two-year
33 moratorium while you're working on it.

34 Francis: I was going to say, because we've had moratorium that were 145 days, but
35 since it's not on the agenda, we can't declare a moratorium because it's not

1 on the agenda, but could we put it on the agenda for next meeting to have
2 moratorium in place until we can figure out exactly what is we should do?

3 Kranitz: If that's a council directive.

4 Francis: A majority, not a directive. Okay, so I need to wait until directives. Okay.
5 Thank you so much. I appreciate your response.

6 I just get a little confused if you say numerous. I mean, I like dealing hard
7 numbers and after the meeting, I'll tell you a story of why I don't play with
8 statistics and numerous because I've done some things just based on that
9 and gotten away with it based on numerous. So anyway.

10 Cerda: Any more questions or comments?

11 Oh, tonight we're just discussing it just so that staff can have some direction.
12 It will still go before planning. It would still come before us. And even if
13 we said we're in favor of it and we want limitations on it, we would still do
14 an official vote, but they just need somewhere to start with this. So that's
15 why it's up for some discussion.

16 Love: So I know there's three options: to moratorium, to say no, or to agree with
17 amendments or restrictions, right?

18 Cerda: I think on a permanent basis, it would be called a prohibition, not a
19 moratorium. I think what Inglewood did was essentially what Mayor Pro
20 Tem Francis just said is it became such a problem immediately because of
21 SoFi Stadium that they went in under the emergency regulations and put a
22 moratorium on while they figure out what to do.

23 Francis: They become Super Bowl. They rent out hotels and people rent out their
24 houses, and that's why they did it. It was everywhere. So that's why they did
25 it.

26 Love: Do we have any licensed units like this in the city now?

27 Tsujiuchi: No, we do not have any licensed units. We have people doing it in our city.

28 Love: Yeah, I know.

29 Tsujiuchi: But we don't issue a business license.

30 Love: Okay. So, well, do you need a motion?

31 Cerda: No, no, no. We're not there yet. I need to open it up to the public as well,
32 too. Any other council members have any questions or comments?

1 Tanaka: So Ms. Kranitz home shares are not included in this, correct?

2 Kranitz: Well, that's what we're looking for direction on. So the home share is the
3 idea that you were at your house and maybe you're renting one bedroom out
4 for supplemental income, or to keep because you don't want to be lonely all
5 the time.

6 Tanaka: That's what I was going to say is that because the cog is actually promoting
7 home share it's long term. It's usually a person that has a home that lives by
8 themselves and they are looking for maybe somebody to come in and live
9 with them and help them with the bills, the groceries, the chores, that kind
10 of stuff. And it's actually long term it's not.

11 Kranitz: That wouldn't be included when we're talking in this term of home share,
12 it's still a short term rental for under 30 days. But under a home share, the
13 owner is required to be present in the home while they're renting it out. And
14 the idea there is that if the owner's present, then it's not being used for a
15 party house. So it's just one room, not the whole house. You don't get 15
16 people actually moving in. I mean, some of the rentals that I've looked at in
17 Garden and elsewhere, it's like, "Well, we've put in the two sets of bunk
18 beds that have the full on the bottom and the twin on the top. So you can get
19 six people in one room," and then it becomes you're changing the character
20 of the neighborhood.

21 Tanaka: And so Mr. Tsujiuchi, you said that there's some issues with code
22 enforcement. What type of issues did we get? Were they like parties? Were
23 they just loud people? What kind of issues?

24 Tsujiuchi: The ones that came on, I'd say at least three times, were noise. And it's
25 usually some, it's not uncommon for short term rentals, people rent a larger
26 house and then they host a party there. So several of the calls, or I would
27 say three for Mayor Pro Tem, say two to three calls have come in for noise.
28 For sure, I'd say two came in because of parking being taken up in the
29 neighborhood. And then there was one call where it was just a complaint
30 that they said what Ms. Kranitz was saying, that it's taken away from our
31 neighborhood. These are residential neighborhoods. They're not little hotels
32 on our blocks that we want. So it was kind of just a general complaint.

33 Tanaka: Okay. So the reason I ask that question is I'm kind of against this whole
34 issue because once you open Pandora's box, then all of a sudden you'll start
35 having home parties, just like they're doing in the commercial areas where
36 you'll all of a sudden, they'll take over a house and there'll be 200 people in
37 the house. And then we have a law enforcement issue. Police department
38 staffing is going to have to take that in effect. So that's why I asked. That's
39 why I appreciate that. Thank you.

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1 Cerda: Okay. Any more question? Excuse me, any more questions or comments?

2 Love: I have a comment. I know that there's some issues with some properties
3 already being used for Airbnb. I've gotten those calls at the Chamber Office
4 about this, but I would hate for us to deny responsible property owners, the
5 opportunity to make some extra money. I mean, we will always have those
6 that are not considerate of other residents or the fact that these are
7 neighborhoods, but I would really like for us to allow staff to come back
8 with some findings and some suggestions and consider approving with
9 restrictions instead of just a blanket moratorium and saying no to
10 everything.

11 Cerda: Any more questions or comments? Madam city, deputy clerk, do we have
12 anybody from the public speak on this item?

13 Romero: Yes we do, Mayor Cerda. We have two hands that are up.

14 Cerda: Okay, go ahead.

15 Cerda: Okay. I think it's Charisse?

16 Charisse: Hello?

17 Cerda: Hi, you can go ahead and begin.

18 Charisse: Okay. I'm sorry. Good evening. I'm listening to everybody speak about the
19 Airbnb. My question is right now are they legal to have in Gardena? Are
20 they permitted to use them as Airbnb? Because really on our side, I know
21 of three that are on our side. And I'm just wondering if it's just legal to have
22 them? I'm done. Those who wanted different traffic there. And one of the
23 houses, I don't know if you guys were aware of that they did an FBI raid on
24 it. They had the dogs, the Secret Service. They had everybody because
25 somebody was selling guns from the Airbnb on that street. So I don't know
26 if it's not legal for them to have it I would like to know that. And if it is legal
27 for them to have it right now, that I would like to know that too. Thank you.

28 Cerda: Okay, Mr. Tsujuchi, can you just relay again what was said?

29 Tsujuchi: Yeah, I'm going to defer our, to our assistant city attorney.

30 Kranitz: So as we said, we used to believe we had the authority to say you can't have
31 them under the concept of permissive zoning. It wasn't allowed in our code.
32 Therefore, it's prohibited. The case that came out earlier this year,
33 Manhattan Beach destroyed that argument, which is why we're now
34 bringing it to the council. If the desire is to regulate or prohibit, we need
35 specific ordinance adopted to that effect. So right now, yes, they're legal.

1 Cerda: Okay. Thank you. Thank you. Deputy Clark, we had another speaker?

2 Romero: Yes, Raymond. Dennis.

3 Cerda: Okay. Go - -

4 Romero: I'm bringing him in.

5 Raymond Dennis: Hello?

6 Cerda: Hello. Mr. Dennis? Go ahead.

7 Raymond Dennis: Yes. Yes. Thank you for allowing me to speak on this topic. I just wanted
8 to go along with the council member Tanaka's comments, as it relates to the
9 activities that could take place to the Airbnb. My particular concern is one,
10 code enforcement. I think code enforcement will be a challenge. Two, the
11 fact that if you don't move quickly, now you're going to have a lot of
12 opportunities for other people to convert to Airbnbs. And then they're going
13 to come after the city saying that the ordinance went in effect after they had
14 been in business for X number of days or months or years. Personally, I
15 would be a proponent to prohibit them because I think the nature and the
16 culture of our neighborhoods and the community of Gardena is more
17 family-oriented. It's more residential oriented. And if you live on a cul-de-
18 sac as I do, it could be problematic if you throw a rave party at the end of
19 the cul-de-sac.

20 I also think that with the proximity of SpaceX and proximity of Tesla, that
21 they have many short term people that come into those organizations that
22 instead of using hotels would be more inclined to bundle up in a Airbnb.
23 And it could present problems there in terms of traffic. Problems in terms
24 of not knowing who your people are. You might as well eliminate the
25 neighborhood watch because you couldn't watch everyone. And so it would
26 make more sense to me that the city get ahead of this thing and not drag its
27 feet to wait and see well how this all plays out.

28 I understand if you can't do a moratorium right now, but you at least should
29 investigate, investigate quickly because the world cup is coming. You have
30 the Super Bowl. You have the BCS championship coming. You have the
31 final four coming and you have in 2026 World Cup, all of that coming to
32 SoFi, and people be looking for places to stay. And I understand that people
33 want to cash out and make as much money off their home as they can, but
34 who's going to clean up the mess when those folks have rented their
35 properties out for \$30, \$40,000 and left the city in rambles? Thank you.

36 Cerda: Thank you. Deputy Clark, do we have anybody else?

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1 Romero: No, we do not Madam Mayor.

2 Cerda: Okay. Any more questions or comments?

3 Tanaka: Madam Mayor, Mr. Dennis just brought up a comment that I think maybe
4 the city manager could probably answer. So if this were allowed, even under
5 certain restrictions, how much more in code enforcement will we have to
6 hire and how much more staff time would this cost?

7 Osorio: I don't have a clear answer. As far as how many more code enforcement
8 officers we're going to need. I know we're going to need at least absolutely
9 one, if not more. Code enforcement is as really strapped already as it is. So
10 what we're doing, Greg can attest to that. And I think without knowing
11 exactly the case loads, we wouldn't be able to tell you if we need two or
12 three.

13 Tanaka: Okay. So would Chief Sobel be able to say how much it would affect his
14 department?

15 Osorio: Maybe. We can certainly ask him, but again, it's a matter of caseloads again.

16 Tanaka: Right? Calls for service. Those kind.

17 Osorio: We just don't have any data on.

18 Tanaka: Okay. Thank you

19 Cerda: Greg, I'm sorry. You were saying something.

20 Tsujiuchi: I was going to say we'd also have to probably with additional officers also
21 adjust schedules. A lot of this stuff happens in the evening hours, early
22 morning. So it would definitely be a challenge.

23 Cerda: So also Mr. Dennis said something else. He mentioned that if somebody
24 already has an Airbnb and then we put this in place, do they get
25 grandfathered in saying that they can have? So once we say this, no matter
26 what they've had, it's just not allowed. Okay, good.

27 Vasquez: That's correct, Madam mayor. They would not get grandfathered in. And I
28 also want to mention just for, so everyone's clear, with any type of
29 moratorium, it does require a four fifths vote. A simple majority is not
30 sufficient to pass a moratorium. So I just want to make sure you guys are
31 all clear in understanding of what's required for moratorium.

32 Cerda: Okay, got it. Go ahead.

1 Love: Again. I hear everybody saying that they don't want it and they wouldn't
2 support it or they kind of leaning that way. There - - isn't there ways that we
3 can offset the cost for additional officers or additional code enforcement by
4 determining the permitting fees and the licensing fees and the taxes that we
5 can probably get as TOT if possible. Because we often hear about the
6 negative stories that always supersede the success stories. And I would
7 really hate to cut out an opportunity for some of our responsible residents
8 to be able to benefit from because of the no ordinance and the free for all
9 that's going on right now. So, I mean, I understand that there are some that
10 are out of control and they rent these spaces, but we can also hold the
11 property owners responsible to a certain degree. We can also set the
12 licensing and the permit fees and that type of stuff to offset the cost. So I
13 really wish we'd take these things into consideration and not just blanket the
14 whole city and consider the regulations.

15 Cerda: Any more questions or comments?

16 So my feelings on this here is I live on a cul-de-sac street and I think there's
17 13 houses on our street. And we have a house that from time to time, they
18 rent a, I guess they have an ADU or something like that, and they rent it out.
19 And about every three months, there's different people. There's four or five
20 different cars on our street. We don't recognize the people. And that's one
21 of the things that I love about our community is that we know our neighbors.
22 We know who should be there and who shouldn't. And when you see people
23 just sitting in their cars and then it takes a day or two to realize that, oh,
24 they're attached to that house. I mean, it can be a little unsettling and I don't
25 think it's fair for a person to choose to rent out their house. If they're renting
26 out their backyard for a wedding or Airbnb, because now we're dealing with
27 parking issues and we already have issues with parking as it stands now.

28 I mean, as neighbors, we don't mind if our neighbor has a party every now
29 and then, if the music's a little loud and they have their guests there. But
30 when you have people who are renting out their backyards for different
31 events, weddings, or banquets, that's not fair to everybody. When you're
32 renting out your house as an Airbnb and now you don't know who's staying
33 there. You're dealing with loud music, things of that sort. If you want to
34 operate a business, there are certain places it should be. I mean, when a
35 person lives in home or an apartment, I mean, unless they're living next to
36 a business area, you shouldn't have to deal with that. I mean, people have
37 quality of life issues.

38 And again, we're already dealing with the state requiring us to allow people
39 to build these ADU's. And I'm already concerned about how just the parking
40 of that's going to affect us. And then to allow people to use their home now,
41 to operate as a business. I understand everybody needs money, but all
42 money's not good money coming to our city like that. And I think for the

1 purposes of people having a decent quality of life, I like to know when I go
2 home that I know all my neighbors. And even if somebody is renting in an
3 area they're usually renting for a longer period of time, long enough for me
4 to get to know their name, who they are, recognize the car, et cetera. So I'm
5 not in favor of this. That's my feeling on it. So Mayor Pro Tem? You're
6 muted.

7 Francis: So I guess I'm going echo your sentiments because I just want to say
8 everything that makes money, doesn't always make sense. And I'm
9 concerned that by allowing a commercial use in a residential neighborhood
10 will change the nature of our neighborhood, our residents, where we live.
11 I'm also concerned as a council member Tanaka mentioned about the impact
12 on services. In terms of our police services, fire services, paramedics, and
13 there will be problems. These wild sorts, we heard about, perhaps they may
14 do abnormality, but we also have to take all those kinds of things to
15 consideration what are the negatives, as well as whatever positives they are.
16 And sometimes the cost doesn't always outweigh the benefit or the benefit
17 doesn't always outweigh the cost. So we have to be constant and do things
18 that are going to keep our residents family-oriented and safe.

19 There's just too much going on there's a world property owners are not going
20 to be able to control who comes in or who comes out. Things say, well, I'm
21 here to rent this for this particular reason. And there's all kind of human
22 trafficking, drugs, all kinds of stuff that's going on. And you say most
23 property owners are responsible, but your responsibility, unless you are
24 there controlling it, you have no clue who you just rented your house to.
25 And you have no clue what they could come out to. So you'll hear my
26 directive read that end, but anyway, thank you so much.

27 Cerda: Okay. So to Greg, do you kind have some inference as far as where we're
28 going with this or comment, do I need to be more exact as far as direction?

29 Vasquez: And what I'm taking is that the direction is that you would like staff to draft
30 an ordinance to prohibit it. That is the direction that we are interpreting from
31 the majority of the council tonight. That is, that will be prepared, taken to
32 the planning commission, depending the planning commission, what they
33 do with it. And it would come back to council. That's separate and aside
34 from any directives, if you guys choose to do that, a directive pertaining to
35 the topic of moratoriums.

36 Kranitz: The next city council meeting, as I understand it, is not until September
37 13th. So the council could also consider putting back the 23rd meeting or
38 maybe having a special meeting on the 30th, if there was a desire to move
39 this up, because otherwise we're over a month away from the next meeting.

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1 Cerda: I'm sorry, you're speaking in terms of moratorium? Or as far as this coming
2 back?

3 Kranitz: Yes.

4 Vasquez: But Lisa, hold on. We're not at the directive

5 Kranitz: To consider when they get to.

6 Francis: We're still not here yet.

7 Vasquez: We're - - we're not there when we get to the directive, I'll bring up that
8 subject of okay, when you guys want to, if that's what you guys choose to
9 go, but for now, for purposes of the ordinance that staff is being asked to
10 draft to take back to the planning commission, the direction that we are
11 hearing from staff from the council is draft and ordinance to prohibit it.

12 Cerda: Correct.

13 Vasquez: Okay. All right.

14 Cerda: And there's no action. I mean there's no vote.

15 Vasquez: There is not Madame Mayor.

16 Cerda: Okay. Okay. So next we're going to move on.

17

EXHIBIT D

**ALL RELEVANT EXCERPTS FROM THE MEETING NOTICE AND AGENDA
REPORTS PERTAINING TO THESE ISSUES;
LIST OF PUBLISHED NOTICES**

(No Published Notice)

City Council Regular Meeting Notice and Agenda 8/9/22

12. DEPARTMENTAL ITEMS - COMMUNITY DEVELOPMENT

12.A [Short Term Rentals for Lodging Discussion](#)

Staff Recommendation: Provide direction to staff to draft an ordinance [Staff Report - Agenda Item 12.A.pdf](#)

8/5/22 *City Clerk Semenza*

(Published notice for PEQC 8/25/22)

PEQC Regular Meeting Notice and Agenda 9/6/22

5. PUBLIC HEARING ITEMS 5.A Zone Text Amendment #2-22 (Ordinance No. 1844)

Consideration of an Ordinance amending Title 18, Zoning, of the Gardena Municipal Code to prohibit short-term rentals of residences for lodging purposes and short-term rentals of residences for other commercial uses not listed as allowed uses under the Gardena Municipal Code. The Ordinance is exempt from the provisions of the California Environmental Quality Act pursuant to the commonsense exemption set forth in Guidelines section 15061(b)(3).

APPLICANT: City

LOCATION: Citywide

[Staff Report.pdf](#)

[Attachment A - Council Agenda Staff Report.pdf](#)

[Attachment B - Council PowerPoint Presentation.pdf](#)

[Attachment C - Public Comment.pdf](#)

[Attachment D - Resolution No. PC 11-22 Draft Ordinance.pdf](#)

9/2/22 *Director Tsujiuchi*

(No Published Notice)

City Council Regular Meeting Notice and Agenda 9/13/22

10.A September 6, 2022 MEETING

Zone Text Amendment #2-22 (Ordinance No. 1844)

The Planning Commission considered an Ordinance amending Title 18, Zoning, of the Gardena Municipal Code to prohibit short-term rentals of residences for lodging purposes and short-term rentals of residences and other commercial uses not listed as allowed uses under the Gardena Municipal Code. The Ordinance is exempt from the provisions of the California Environmental Quality Act pursuant to the commonsense exemption set forth in Guidelines Section 15061(b)(3).

APPLICANT: City

LOCATION: Citywide Commission

Action: The Planning Commission approved Resolution No. PC 11-22 by vote of 3-1, approving Zone Text Amendment #2-22 (Ordinance No. 1844).

City Council Action : Receive and File. This item will be brought forth to the Council for review at a future City Council meeting.

To view the complete Planning Commission packet [CLICK HERE 2022_09_06 PCAX](#)

9/9/22 *City Clerk Semenza*

(Published notice for City Council 9/15/22)

City Council Regular Meeting Notice and Agenda 9/27/22

12.A PUBLIC HEARING : INTRODUCTION OF ORDINANCE NO. 1844 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, AMENDING THE ZONING CODE TO PROHIBIT SHORT-TERM RENTALS

Staff Recommendation: Conduct Public Hearing; Allow three (3) minutes for each speaker; Introduce Ordinance No. 1844 or provide direction to staff to draft a revised Ordinance

[Agenda Staff Report - STR.pdf](#)

[City Council agenda staff report dated August 9, 2022.pdf](#)

[Planning Commission staff report dated September 6, 2022.pdf](#)

[Draft Ordinance No. 1844.pdf](#)

[City Council staff summary dated September 13, 2022.pdf](#)

[Urgency Moratorium Ordinance.pdf](#)

9/23/22 City Clerk Semenza

The first time a document pertaining to Ord. 1843 was made available, was the last linked item “Urgency Moratorium Ordinance”, yet has written above the signature line, “at a regular meeting thereof held on September 13, 2022.”

LIST OF PUBLISHED NOTICES BY DATE

The dates when a public notice pertaining to these issues appeared as published:

9-22-22	No Published Notices
9-15-22	Published Notice for City Hall
9-8-22	No Notices published
9-1-22	No Notices published
8-25-22	Published Notice for Planning
8-18-22	No Notices published
8-11-22	No Notices published
8-4-22	No Notices published
7-28-22	No Notices published
7-21-22	No Notices published

Available here:

<https://gardenavalleynews.org/public-notices/>

City Attorney Carmen Vasquez
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Assistant City Attorney Lisa Kranitz
lkranitz@cityofgardena.org

September 30, 2022

RE MARIYA WRIGHTSMAN AND PROPOSED GARDENA ORDINANCES 1843, 1844
AND FEDERAL RIGHTS AND CONSTITUTIONAL ISSUES

Dear Counselors Vasquez and Kranitz:

This letter finds its way to you as a result of recent events and actions taken in violation of local, state and federal laws and Constitutions as it pertains to Mariya Wrightsman.

As it is rather self-evident, despite rhetoric of an intention to hear from the public's concerns, the contrary holds true in that the council disregarded the express warnings of violations of law as stated in the letter addressed to them by Ms. Wrightsman on 9/27/22; the claims to be delineated herein, are now substantially stronger. As it is also apparent that the two counselors to the Council have the best interest of their client, the city, in mind, as such it seemed more prudent to speak to the voices of reason before filing suit.

Ms. Wrightsman's letter of 9/27/22, specifically set out the numerous violations of notice as required by statute, the interference with opportunity to petition for redress of grievances in express violation of the city's rules mandated by state statute, and the unconstitutional taking that will result from the proposed actions. It is therefore recommended to review the attached document that was submitted on 9/27/22, and went woefully ignored.

This list of grievances clearly set forth the numerous violations of law and how there was no way that the citizens would not prevail in court as a result, costing the city hundreds of thousands of dollars. It further set forth that Ms. Wrightsman was amicable to a cooperative

solution. In response, her First, Fifth and Fourteenth Amendment rights were trampled upon by the Council.

In addition to affording counsel the opportunity to explain to the Council how they are undeniably in the wrong, Ms. Wrightsman is also affording you the opportunity to explain to them the consequences of their conduct the night of 9/27/22. Ms. Wrightsman had preferred for all to be unified and peacefully working together, evidenced by her statements to the city Council the evening of 9/27/22, but the Council has left her in a decisive position to act now because of the federal violations that have occurred and to prevent further harm. Therefore the ramifications, after notice in her 9/27/22 letter, in conjunction with the following, now available causes of action, are generally noticed.¹

Ms. Wrightsman sincerely hopes that the Council will take greater heed to her warnings and offerings of peaceful resolution now that they are personally answerable to a federal lawsuit. The below summarizations are only for the purpose of general guidance and no waiver of any additional claim should be presumed. It was more important to advise of the need for action and why, as opposed to providing more formal detail at the expense of lost time to counsel the Council.

Rule 9(b) does impose a particularity requirement in two specific instances. It provides that, "[i]n all averments of fraud or mistake, the circumstances constituting fraud or mistake shall be stated with particularity." Thus, the Federal Rules do address in Rule 9(b) the question of the need for greater particularity in pleading certain actions, but do not include among the enumerated actions any reference to complaints alleging municipal liability under § 1983. *Expressio unius est exclusio alterius*.

The phenomenon of litigation against municipal corporations based on claimed constitutional violations by their employees dates from our decision in *Monell, supra*, where we for the first time construed § 1983 to allow such municipal liability.

Leatherman v. Tarrant County Narcotics Intelligence & Coordination Unit (1993) 507 U.S. 163, 168 (*Leatherman*)²

42 U.S.C. § 1983 ("Every person who, under color of any statute, ordinance, ... of any State ... subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the **deprivation of any rights**, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress".)

¹ Councilmember Love is excluded from the Council as discussed herein, for she has proven herself to be a decent and honorable public servant.

² Reaffirmed in *Johnson v. City of Shelby* (2014) 574 U.S. 10, 11 (per curiam)

Ms. Wrightsman's First Amendment rights were expressly denied the night of 9/27/22, after she reminded the Council that in securing her property interests she was at the "public hearing on the proposed zoning ordinance or amendment to a zoning ordinance" (Gov. Code, § 65804 (b)) at whereby the Council had complied per subdivision (a) to "publish procedural rules for conduct of their hearings"³ which under Gardena Municipal Code (GMC) 2.04.080 Meetings – Rules. "The following rules shall govern the meetings of the council and its transaction of business:

A. Oral Communications. Any person may address the council on any matter concerning the city's business or on any matter over which the city has control... There shall be a three minute limit on all speakers. **This time limit shall not apply to public hearing items where the property interests of the speaker are affected.**"

While promoting peace and unity, when petitioning her government for a redress of grievances, according to the reasonable time, place and manner as afforded by law, she was cut off, after expressly providing notice that the limitation of three minutes was unlawful on this topic. She further expressly advised that pursuant to numerous Gov. Code sections the city failed to provide the required notices, yet the city placed Ms. Wrightsman and others under extreme emotional distress by threatening all like persons and attempting to vote on a prior failed motion, the lack of notice required by law and inadequate opportunity to be heard was expressly noticed to the city. She further advised the city that they were effectuating an unlawful taking in violation of the Fifth Amendment, and this again went ignored. All clear violations of § 1983, which also negates any Council member's qualified immunity they may have enjoyed, and any absolute immunity they also may have enjoyed under state law. She provided notice and warned them, they disregarded this immigrant because they think themselves above the law.

This argument wrongly equates freedom from liability with immunity from suit. To be sure, we reaffirmed in *Monell* that "a municipality cannot be held liable under § 1983 on a *respondeat superior* theory." 436 U.S., at 691. But, contrary to respondents' assertions, this protection against liability does not encompass immunity from suit. Indeed, this argument is flatly contradicted by *Monell* and our later decisions involving municipal liability under § 1983. In *Monell*, we overruled *Monroe v. Pape*, 365 U.S. 167 (1961), insofar as it held that local governments were wholly immune from suit under § 1983, though we did reserve decision on whether municipalities are entitled to some form of limited immunity. 436 U.S., at 701. Yet, when we took that issue up again in *Owen v. City of Independence*, 445 U.S. 622, 650 (1980), we rejected a claim that municipalities should

³ 28 U.S.C. § 1652 ("The laws of the several states, except where the Constitution or treaties of the United States or Acts of Congress otherwise require or provide, shall be regarded as rules of decision in civil actions in the courts of the United States, in cases where they apply.")

be afforded qualified immunity, much like that afforded individual officials, based on the good faith of their agents. These decisions make it quite clear that, unlike various government officials, municipalities do not enjoy immunity from suit — either absolute or qualified — under § 1983. In short, a municipality can be sued under § 1983, but it cannot be held liable unless a municipal policy or custom caused the constitutional injury. We thus have no occasion to consider whether our qualified immunity jurisprudence would require a heightened pleading in cases involving individual government officials.
Leatherman at 166-67

When the Council disregarded the state statutory scheme of required notices after being advised of them, that is not good faith. When a councilmember makes express and repeated assurances of a temporary hold only, then moves for a permanent ban, that proves scienter, which is the opposite of good faith. When the Council threatened law abiding persons and attempted to take away existing rights beyond their power to do so, that is bad faith. The express provisions of the Gardena Municipal Code affording exemption from time limitations when petitioning for redress on property then imposed time limitations arbitrarily on those opposed to an unlawful course of action, that equally established bad faith and liability to the city.

42 U.S.C. § 1981 (“**(a) Statement of equal rights.** All persons within the jurisdiction of the United States shall have the same right in every State ... to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and to no other. **(b) ‘Make and enforce contracts’ defined.** For purposes of this section, the term ‘make and enforce contracts’ includes the making, performance, modification, and termination of contracts, and the enjoyment of all benefits, privileges, terms, and conditions of the contractual relationship. **(c) Protection against impairment** The rights protected by this section are protected against impairment by nongovernmental discrimination and impairment under color of State law.”)⁴

As the 9/27/22 letter highlights (at p. 19), she was lawfully using her property, under a contract with the city by way of business license that authorized her use to rent, GMC 5.04.110 (B), yet she is specifically being threatened to be denied the protections afforded by law, that she noticed to the Council, denying her rights to equal protection and due process of law.

42 U.S.C. § 1982 (“All citizens of the United States shall have the same right, in every State and Territory, as is enjoyed by white citizens thereof to inherit, purchase, lease, sell, hold, and convey real and personal property.”)⁵

⁴ The notes show the Congressional intent was that this is applicable to Ms. Wrightsman. “CODIFICATION R.S. §1977 derived from act May 31, 1870, ch. 114, §16, 16 Stat. 144. Section was formerly classified to section 41 of Title 8, Aliens and Nationality.”

⁵ CODIFICATION R.S. §1978 derived from act Apr. 9, 1866, ch. 31, §1, 14 Stat. 27. Section was formerly classified to section 42 of Title 8, Aliens and Nationality.

Ms. Wrightsman's right to use her property, is currently lawful, as such may not be interfered with on a retroactive arbitrary and wholly unfounded basis, as expressly set forth in the 9/27/22 letter.

The self-evident nature of the advanced discussion and agreement to disregard the rights of Ms. Wrightsman and those like her (42 U.S.C. § 1982(3) conspiring to deprive rights) as to her rights as were set forth in the 9/27/22 letter is abundantly evidenced by the conduct and words used the night of 9/27/22. The act of attempting to move to enact Ordinance 1843, despite no notice whatsoever afforded by law, was the sufficient overt act to complete the conspiracy to deprive federal rights. The abusive threats and unfounded accusations of wrong doing by her class, when it was proven in the letter that no harm could be attributed to them and to claim so was false and fraudulent, despite these warnings, the Council continued with their predesigned plan.

28 U.S.C. § 1343 Civil rights and elective franchise (“(a) The district courts shall have original jurisdiction of any civil action authorized by law to be commenced by any person:

(1) To recover damages for injury to his person or property, or because of the deprivation of any right or privilege of a citizen of the United States, by any act done in furtherance of any conspiracy mentioned in section 1985 of Title 42;

(2) To recover damages from any person who fails to prevent or to aid in preventing any wrongs mentioned in section 1985 of Title 42 which he had knowledge were about to occur and power to prevent;

(3) To redress the deprivation, under color of any State law, statute, ordinance, regulation, custom or usage, of any right, privilege or immunity secured by the Constitution of the United States or by any Act of Congress providing for equal rights of citizens or of all persons within the jurisdiction of the United States;

(4) To recover damages or to secure equitable or other relief under any Act of Congress providing for the protection of civil rights, including the right to vote.”

Aside from the above violations of law and current actionability, the case is additionally ripe to federally litigate the proposed actions in violation of the law.

28 U.S.C. § 2201 Creation of Remedy (“(a) In a case of actual controversy within its jurisdiction, ... any court of the United States, upon the filing of an appropriate pleading, may declare the rights and other legal relations of any interested party seeking such declaration, whether or not further relief is or could be sought. Any such declaration shall have the force and effect of a final judgment or decree and shall be reviewable as such.”)

28 U.S.C. § 2202 (“Further necessary or proper relief based on a declaratory judgment or decree may be granted, after reasonable notice and hearing, against any adverse party whose rights have been determined by such judgment.”)

Our decisions have required that the dispute be “definite and concrete, touching the legal relations of parties having adverse legal interests”; and that it be “real and substantial” and “admi[t] of specific relief through a decree of a conclusive character, as distinguished from an opinion advising what the law would be upon a hypothetical state of facts.” *Id.*, at 240–241, 57 S.Ct. 461. In *Maryland Casualty Co. v. Pacific Coal & Oil Co.*, 312 U.S. 270, 273, 61 S.Ct. 510, 85 L.Ed. 826 (1941), we summarized as follows: “Basically, the question in each case is whether the facts alleged, under all the circumstances, show that there is a substantial controversy, between parties having adverse legal interests, of sufficient immediacy and reality to warrant the issuance of a declaratory judgment.” [Fn. omitted.]

Medimmune, Inc. v. Genentech, Inc. (2007) 549 U.S. 118, 127

Our analysis must begin with the recognition that, where threatened action by *government* is concerned, we do not require a plaintiff to expose himself to liability before bringing suit to challenge the basis for the threat—for example, the constitutionality of a law threatened to be enforced. The plaintiff’s own action (or inaction) in failing to violate the law eliminates the imminent threat of prosecution, but nonetheless does not eliminate Article III jurisdiction.

Id. at 128-29

We concluded that “the requirements of [a] case or controversy are met where payment of a claim is demanded as of right and where payment is made, but where the involuntary or coercive nature of the exaction preserves the right to recover the sums paid or to challenge the legality of the claim.” [Citation and fn. omitted.]

Id. at 131

The Council disregarded the laws of California with callous indifference, thus they will be able to enjoy the regard of federal laws enforced by a federal judge.

42 U.S.C. § 1988 (“The jurisdiction in civil and criminal matters conferred on the district courts by the provisions of titles 13, 24, and 70 of the Revised Statutes for the protection of all persons in the United States in their civil rights, and for their vindication, shall be exercised and enforced in conformity with the laws of the United States, so far as such laws are suitable to carry the same into effect; but in all cases where they are not adapted to the object, or are deficient in the provisions necessary to furnish suitable remedies and punish offenses against law, the common law, as modified and changed by the constitution and statutes of the State wherein the court having jurisdiction of such civil or criminal cause is held, so far as the same is not inconsistent with the Constitution and laws of the United States, shall be extended to and govern the said courts in the trial and disposition of the cause, and, if it is of a criminal nature, in the infliction of punishment on the party found guilty.”)

The total cost of each Council member’s need for a separate attorney, save for Councilmember Love, combined with the attorney fees from the plaintiff’s side that will be awarded when we prevail, not to mention the actual damages, is going to be very costly for the city, who will end up right here, but with several hundreds of thousands of dollars unavailable. It is still the desire of Ms. Wrightsman to work together to create a system that protects all

concerned, which entails the class under attack giving up rights they are not under any obligation to do, but do so in the hopes of establishing a system to better the community that can serve as a model for other communities. Which is a significantly better path for the city to pursue and permits significant money to be used to better the city's true needs warranting attention, like homelessness and crime.

Please keep me apprised of events so that I know actions are being taken, and so that I know to continue to refrain from filing the federal action. It appears that November 8, 2022 is the next time the matter will be discussed by city council, as is the custom and habit of the city to provide written notice of the aspects to be discussed three days prior, and thus shall serve as our notice of intended action, absent advisement to the contrary. Therefore as November 7th is a Monday, unless resolved otherwise, will be our filing date in federal court, seeking an immediate stay, and we can litigate the issue before a fair and impartial federal judge who will assure law and order are preserved.

Thank you in advance for your time and consideration and dedication towards lawful resolution.

Best,

PAUL L. CASS, ESQUIRE SBN 158,323

Thank you for affording us another opportunity to exercise and protect our rights,¹ I am Maryia Wrightsman speaking about my real property that is affected by the proposed directives. I had submitted documents showing the extensive factual and legal incorrectness of the city council's actions, which were ignored in favor of pushing forward. Today's directive is motivated by proposed Ord. 1844, wherein the city council before commencing investigation alleged to have found "short-term rentals for lodging and other uses have deleterious impacts by increasing noise and traffic, creating parking problems, changing the character of a residential neighborhood, and with the case of housing - creating an impact on housing supply;" the stated concern leading to those findings was, "the desire to operate short-term rentals is expected to increase due to the proximity of Gardena to SoFi Stadium."

On April 13, 2021, this city council adopted Ord. 1825, which found, "Gardena is situated to be in a position **to capitalize on a demand for new hotel spaces** due to its proximity to SoFi Stadium" and found "during the past year, developers have indicated that the City's development standards have been an **impediment to new hotel development**". Which means the city is blaming us for the very thing, the city wants to bring into our city.

The city was very concerned about the impact that STRs as 0.8% of the volume of rental locations will have on affordable housing in the city. But on May 11, 2021, the city council adopted Ord. 1828, "The Zoning Changes will allow the development of a high-density, 265-unit, **first-class** apartment project in the north end of Gardena which will provide new and needed housing opportunities in the City." The mean income of a resident in Gardena is \$60,000.

Through official action, the only ones impacting affordable housing, traffic, noise, and changing the character of our neighborhood is this council. So that you can capitalize on Sofi.

The report states "most" are non-owner occupied to create a negative appearance, in truth the report highlights that 62% are non-owner occupied, and ignores that all houses in the city are 50% non-owner occupied.

You persisting in seeking to remove short term rentals when there has been a public out cry against this proposed action. Each time you state you will listen to us, then proceed as if we said nothing at all. The company you hired is great at using a computer to provide data but that data was presented entirely slanted in favor of the predetermined agenda to ban STRs. Which is understandable since they advertise themselves as destroyers of STRs. The council hired a company that will work towards its agenda after knowing there was great resistance by the community.

According to the Supreme Court, *Penn Central Transp. Co.*, 438 U.S. 104, page 12, the disingenuous claims by the council "frustrate distinct investment-backed expectations as to amount to a 'taking'" under the Takings Clause of the Fifth Amendment. The Gardena city council offered money to billboard owners when lifting the billboard ban to allow electronic billboards for a takings clause violation but now same Gardena city council is ignoring the same conduct when it comes to STRs home owners.

The city was put on express notice of the constitutional violations it was committing against its citizens and yet persist as if nothing was said at all.

Your concern for the affordable housing is now expressed in being given \$500,000 a year for three years by the state, to patch up existing locations, while putting forth great effort towards changing our city to accommodate for the rich, and oppress the handful of citizens all in favor of corporate greed.

Mariya Wrightsman.



PAUL L. CASS LL.M.
ATTORNEY AT LAW

May 11, 2023

RE: SHORT TERM RENTALS GARDENA

MY CLIENT: MARIYA WRIGHTSMAN PROPERTY OWNER

DEAR PLANNING COMMISSION:

As the City Attorney was specifically advised in October of 2022, the City of Gardena has violated my client's (Ms. Wrightsman's) constitutional rights and based on the last public notice apparently intend to do so again. The City of Gardena is prohibited from violating my client's constitutional property rights and any effort to do so would invite a lawsuit for equitable relief to have the local legislation deemed void and unenforceable as a matter of law.

The City of Gardena is engaging in harassment in violation of the US and State constitution. As was spelled out to the City Attorney in an October 2022 letter, the Council Members are not immune under a 1983 action for violating these rights, nor is the City itself. This letter serves to put the City of Gardena on notice that pursuant to Civil Code, § 827, the right to charge "rent" for "tenancies for less than one month" as to "a residential dwelling" is granted by the State of California. [See also Civil Code, § 1946 "hiring of real property" "not exceeding 30 days" "the rent shall be due and payable"]. The City of Gardena is preempted in this field by the State law.

Not to mention the constitutional issues. Below are the Airbnb terms of use:

8. Terms specific for Guests

"8.2 Booking Accommodations

8.2.1 You understand that a confirmed booking of an Accommodation ("**Accommodation Booking**") is a limited license granted to you by the Host to enter, occupy and use the Accommodation for the duration of your stay, during which time the Host (only where and to the extent permitted by applicable law) retains the right to re-enter the Accommodation, in accordance with your agreement with the Host."

The interests which enjoy constitutional protection as “property” are generally defined by state law. (Civ. Code, § 755; *Lucas v. South Carolina Coastal Council* (1992) 505 U.S. 1003, 1030.) In California “[t]he right to acquire and possess property, guaranteed by the constitution, includes the right to dispose of it, or any part of it, and for that purpose to divide it in any possible manner, either by separating it into estates for successive periods or otherwise, and to dispose of one or more of such estates.” (*Tennant v. John Tennant Memorial Home* (1914) 167 Cal. 570, 575; *Gregory v. City of San Juan Capistrano* (1983) 142 Cal.App.3d 72, 88.) Just as that right encompasses the power to grant a license to use a portion of the owner’s property temporarily (see *Ex Parte Quarg* (1906) 149 Cal. 79 [theater ticket]), it includes the right to create a leasehold estate. *Kavanau v. Santa Monica Rent Control Bd.* (1997) 16 Cal.4th 761, 794-95

““If otherwise valid local legislation conflicts with state law, it is preempted by such law and is void.” (*Sherwin-Williams Co. v. City of Los Angeles* (1993) 4 Cal.4th 893, 897)” (*Action v. City of Santa Monica* (2007) 41 Cal.4th 1232, 1242) “As we observed more than a century ago, ‘[e]very constitutional provision is self-executing to this extent, that everything done in violation of it is void.’ [Citation]” (*Katzberg v. Regents of the University of California* (2002) 29 Cal.4th 300, 307) “[V]oid may be attacked anywhere, directly or collaterally whenever it presents itself, either by parties or strangers. It is simply a nullity, and can be neither a basis nor evidence of any right whatever.” (*Andrews v. Superior Court* (1946) 29 Cal.2d 208, 214)

Void in legal terms means it never existed.

Please present this letter to the City Attorney’s Office, whom will be able to advise of the correctness of the law that prohibits the current course of action.

If the City wishes to readdress this issue, it is suggested to pursue the only correct legal avenue available, by sponsoring an initiative to amend the California Constitution and also lobby the California state Legislature to change existing laws. Because the City can only proceed in this manner, future attempts to enact local legislation which is void will result in a Federal action under 42 U.S.C. §§ 1983 and 1985 pursuant to the equal protection clause of the Fourteenth Amendment. Due process protections are necessary "to insure that the state-created right is not arbitrarily abrogated." (*Vitek v. Jones* (1980) 445 U.S. 480, 489, quoting *Wolff v. McDonnell*, (1974) 418 U.S. 539, 557) and see *Vitek* at 491 fn. 6. In reality the amount of rentals of less than 30 days is minimal within the boundaries of Gardenia. However, since my client invested heavily before any attempt was made to change the laws, then this fact inures to my client's benefit. Legally under existing laws the City may not unilaterally change the rules without subjecting the City to a costly legal battle. The City's plan of action would be deemed arbitrary and is a form of "taking" which is prohibited.

The issue of "**grandfathering**" existing Gardena rentals (which are few in number) is not before us at this time but may in the future be a remedy especially if there is a situation where the City affirms its plan and the client is forced to file a Federal Lawsuit and tack-on the State law claims. If this event of a total ban on rentals of less than 30 days occurs then such action will cause all concerned parties to waste resources in a quagmire of litigation. If the City wanted to bypass litigation and to that end it inserted a grandfather provision in its expected law this would make it where the City might have some leverage as to new units (post legislation), assuming some future attempt by a property owner to engage in rentals of less than 30 days. However, that possibility is not yet before us. The current understanding is that the City will be seeking a total ban on rentals of less than 30 days which would trigger a lawsuit / petition.

Best,

A handwritten signature in blue ink, appearing to read "P.L. Cass". The signature is fluid and cursive, with a large initial "P" and "L" followed by "Cass".

PAUL L. CASS, ESQUIRE SBN 158,323

Amanda Acuna

From: Vera Povelina <vera.povelina@gmail.com>
Sent: Tuesday, May 16, 2023 4:16 PM
To: CDD Planning and Zoning
Subject: Public Comment

Categories: Completed

Caution! This message was sent from outside your organization.

Dear City Council and People of Gardena,

This is to express my position and the position of many other STR hosts in Gardena on the proposed regulation that would restrict short-term rentals in the City of Gardena, California.

This regulation would limit our rights and effectively crush the way of living of many property owners who rely on these rentals to survive. Short-term rentals have become a part of Gardena's economy, providing a valuable source of income for many families. These rentals also contribute to the local economy by bringing in tourists who shop at local businesses and eat at local restaurants.

However, this proposed regulation would do more than just hurt the local economy. It would also infringe on the property rights of homeowners. We have invested our time, energy, and money into creating comfortable living spaces for visitors, and we should have the right to rent out our properties as we see fit.

Moreover, this proposed regulation is based on fearmongering and misinformation. Council members have made unfounded claims about the impact of short-term rentals on neighborhoods and have failed to provide evidence to support their claims. The truth is that most short-term rentals operate without incident and are a valuable addition to the community.

The proposed restrictions are also based on biases from certain Council members. The Mayor seems to have a personal issue with her neighbor and their guests' cars and is using her power to retaliate against them. Council member Tanaka appears to be protecting the interests of a hotel business, believing that their business is better than ours. Mayor Pro Tem Francis concerned about changes in unexplainable character of quiet residential neighborhood. How about adding 5,735 Dwelling Units to the City of which only 160 are ADU and all other are full Dwelling Units? Or U-Haul project on Van Ness Ave 177,573-square foot, five-story storage facility with separate 8,000-square foot single-story building for retail sales and office use that would provide a total of 1,620 storage units. How about that noise and traffic and character itself. Right by a few new development projects finished or in process. And there are already at least 6 storage facilities within only a mile.

Did all of you put your power to restrict them?

With potential growth of population in next 5 years (considering average 2.5 people per household, City of Gardena use higher numbers) of over 14 thousand people you still blaming STR hosts for welcoming less than 100 cars disseminated in Gardena per day and implying additional parking requirements?

Members of City Council do not feel that changing of zoning for a huge chunk of city's territory to higher density zones would increase noise, traffic, crime, and residential character of the city but STR will. This is a form of hypocrisy.

Speaking of crimes, two of my guests have already become victims of crimes in Gardena. One car was vandalized, and another was robbed. Yet, the City welcomes convicted criminals during the pandemic. However, STR hosts are considered a crime threat by the City.

Now let me go through the Resolution No. PC 10-23 considering we were given only 2 days to formulate informed opinion on proposed this Resolution and new Ordinance that City has been working on since November 2022. Shortage of time given is totally unacceptable.

1. Let's start with Analysis. It defines STR as "Short-term home sharing would allow the renting of one or more bedrooms in a residential dwelling unit where the property owner, or "host", is present during the entirety of the renters' stay, for periods of thirty consecutive days or less." That is incorrect proposition. That will restrict every person who want to rent out their entire house or room in the house while on vacation, traveling, performing Military duty, sick in the hospital. It is a discrimination and over restriction of owners by the City. ***Every type of STR should be allowed by the city with reasonable rules and regulation.***
2. Proposed Zoning Changes are totally unacceptable. If I have ADU used by my family or rented out long term, why I cannot rent out one of the bedrooms in my main house as STR or while I'm deployed or any other reasons I am not present at the moment?
3. Adding Chapter 5.76 is nonsensical in terms of the phrase "Only rooms originally designed as bedrooms may be rented." May I please maintain my right to define what part of my house is used for what purpose, whether originally intended or not, without City Officials inspecting my bedrooms?
4. The host is not responsible for recording guests' license plate numbers, nor should they be.
5. Regarding notifications, this can be accepted with the addition that the City must provide all names and contact information, including email addresses, of all residents within 75 feet of the property.
6. Regarding providing contact information, the City is attempting to jeopardize my safety and expose my personal information to people who have no business knowing it, potentially putting me at risk.
7. I agree with the TO registration, but the tax amount should be reduced to no more than 5%, and the city should not impose restrictions on what and how properties should be rented, as defined in Definitions 3.16.020.
8. Limitations for "accommodations only" are understandable and acceptable.
9. Parking requirements are unreasonable. Many R-1 zone houses have been built without two-car garages, and sometimes without any garages at all. The City allowed such construction, and now demands it for qualification. A third of guests do not use cars at all. Are you changing requirements for hotels too? Should they have one parking spot for each bed, plus one for each hotel employee? This is discriminatory and entirely unacceptable.
10. Regarding General Plan Consistency, this part is inconsistent with the City's actions to change zoning RESOLUTION NO. 6621. You have increased density for 191.8 acres of territory, but you consider STR owners responsible for preserving the rest, I presume. This is discriminatory, inconsistent, hypocritical, and unacceptable.

Now, let's move to proposed Ordinance No. 1854.

Proposed Section 1 restates some unfounded claims about the negative impact of short-term rentals on neighborhoods (in 1.E, 1.F, 1.K) and falsely states in Section 1.D. that "short-term rentals of an entire home are not permitted in the City." This is a manipulative attempt to enforce a rule that either never existed or was recently adopted without proper public notification regarding the matter.

In 1.J, the statement "City Council of the City of Gardena held a duly noticed public hearing and considered all evidence presented, both written and oral, after which it introduced this Ordinance" is false, as "duly noticed" means publication in a newspaper of general circulation in the municipality or county with jurisdiction. The notice must appear on at least two separate days, one of which must be at least seven days before the meeting. The City informed the public about the meeting itself, but full information on the proposed Resolution, Ordinance, and Guidance was published only on May 12, 2023. As I mentioned earlier, this is unacceptable. City employees spent six months creating 42 pages of documents, but STR owners are expected to read and react in less than three working days.

The City Council or other City Officials have never provided evidence or a basis for the restrictions they want to implement. Moreover, they have disregarded all data analysis support provided by the public in writing as comments for previous meetings on the matter and for the current regulation proposals. None of the public's questions and requests for evidence have been addressed.

I have observed the process of creating the rules and restrictions now laid out in the proposed Resolution, Ordinance, and Guidance regarding STRs, and it seems arbitrary and based on biases and fears.

The City Council was unable to impose a ban on STRs in the City and instead chose a longer path to achieve the same result.

They have created rules and regulations so strict that it is impossible for people to comply, forcing most hosts to shut down their small businesses.

Proposed changes and additions to the Gardena Municipal Code Chapters and all subchapters under them: 18.04, 18.06, 18.12, 18.14, 18.16, 18.18A, 18.19, 18.19A, 18.20, 18.21, 5.76, are unacceptable and discriminatory towards the people of Gardena and should not be accepted without full revision by a working group that includes volunteer STR owners.

Now, I want to focus on the Administrative Guidance.

Not only is it entirely based on unreasonable and overly restrictive Resolution and Ordinance, but it also adds more potential for power abuse. The City Council has limited the number of permits to 100 per year. Why 100? What if it were 1 or 5,000? There are no reasons or evidence of impact provided, simply because they feel they can.

I wasn't able to find any rules as strict for any other types of rentals in Gardena, including "Hotels" as defined by the Municipal Code of Gardena, nor any citation amounts as high for other small businesses with less than \$50,000 of annual revenue, or even higher. What makes STRs so exceptional for City Council members, other than personal biases and opposition to the idea of homeowners making money from their properties?

Let me reiterate: Any person who owns property has the liberty to use it as they wish, within consideration of the liberties of others and existing regulations. There is no need to create rules simply for the sake of making rules and showing power.

Reasonable restrictions and regulations may include registration requirements, a 5% TOT, noise level enforcement, and "no parties" regulations, but not all the nonsense that hurts STR owners and their guests.

I am not sure that the City Council even understands the situation we are in. I have witnessed the ease with which they spend city money, which we, as homeowners, contribute through taxes. They awarded \$562,570 for the next three years to a Health Care Concierge Service for city employees. This is not insurance for employees but a service to "help navigate the healthcare system." I think there is a significant difference between how we perceive reasonable expenses. Our City spends \$2 million on elected officials' and the City Manager's salaries and benefits for 10 to 12 people, with a median household income in the city of \$55,351 - a 328% difference on average. It is difficult to comprehend the scale of the problem for us, as they have their own measures of financial impact.

I want to make it very clear that with the proposed limitations, the City Council is not pursuing an undefined "Greater Good" but rather cutting essential healthcare treatment for one STR owner's child, cutting my children's volleyball club participation and Japanese language classes, harming the military community, and many other seemingly small yet significant aspects of the lives of Gardena citizens.

In conclusion, I urge the City Council to reconsider the proposed regulations. We must support the growth and development of short-term rentals in Gardena, not stifle it with overreaching regulations. Together, we can create a vibrant and prosperous community that benefits everyone. Thank you.

With best regards,

Vera Povetina

Air National Guard Military member, SSgt

Contractor Budget Analyst for Space Systems Command

Citizen of Gardena and proud host

Here we are yet again, despite an outcry of opposition 8 months ago and only the city council's endorsement of once made objections by two people that knew to appear the first time before announced to the city and have not shown since. Clearly the planning department has had months to prepare this ordinance, and despite knowing it was highly contested, released the text of the proposed ordinance 4 days prior to the hearing. In other words, the planning department has been working on this draft for 185 days and provided 4 days to the citizens to engage in the same work.

With 46 days to every one day that we were afforded, the city failed to notice as mandated by law and prevented the ability to adequately respond, all rights are reserved and no waiver of any such rights may be or should be inferred. Generally, the city can be advised, and to which it already knows, that the city has failed to state any grant of authority to enact this ordinance 1854, the city was not afforded power to enact 1854 pursuant to Cal. Const. art. XI § 2 and the language of 1854 is void under preemption (*Big Creek Lumber Co. v. County of Santa Cruz* (2004) 115 Cal.App.4th 952, 983-84) as it violates Cal. Const. art. XI § 7, per Gov. Code, § 65852.2 (expressly preempts), Gov. Code, § 65852 (violates uniformity requirement), occupied field under Civ. Code, §§ 827, 1946 (rents for less than 30 days), no authority to prohibit conduct authorized per Civil Code § 1945.5, and this is not a contemplated use of the zoning laws per Gov. Code, § 65850(a).

Civ. Code, § 679 (“The ownership of property is absolute when a single person has the absolute dominion over it, and may use it or dispose of it according to his pleasure, subject only to general laws.”) The general laws authorize every aspect of my pre-engaged in uses of my real property as I pleased, the city has been unlawfully attempting to pass a law without authority to do so. This is arbitrary government action depriving vested liberty interests in violation of due process under both the federal and state constitutions, and all without a factual basis (*People v. Ramirez* (1979) 25 Cal.3d 260, 268, 276; *Naidu v. Superior Court of Riverside Cnty.* (2018) 20 Cal.App.5th 300, 308, 312; *Hipsher v. L.A. Cnty. Emps. Ret. Ass'n* (2020) 58 Cal.App.5th 671, 699-700 (2nd Dist. Div. 4))

Despite having six months to write something valid, returning with a proposed ordinance that violates this many fundamental aspects of the law is embarrassing for the city, and then to

throw procedure at the citizens to attempt to deprive them of judicial remedy turned that embarrassment into shame.

This body's public notice issued ten days prior to this hearing included language that clearly intended to invoke Gov. Code, § 65009(b)(2) (“If you challenge the (nature of the proposed action) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the (public entity conducting the hearing) at, or prior to, the public hearing.”) But ignored the language that would allow such a limitation, Gov. Code, § 65009 (b)(1)(“decision of a public agency made pursuant to this title at a *properly* noticed public hearing,”) which instead was:

“If you challenge the nature of the proposed action in court, you will be limited to raising only those issues you or someone else raises at the public hearing described in this notice, or in written correspondence delivered to the Gardena Planning and Environmental Quality Commission at, or prior to, the public hearing. For further information, please contact the Planning Division, at (310) 217-9524” Just as was pointed out prior, the city knew to replace the latter parenthesized text with relevant facts, but again failed to describe the nature of the proposed action in the language.

The city has been engaged in surveillance and snooping on its citizens in violation of Cal. Const. art. I § 1 *White v. Davis* (1975) 13 Cal.3d 757, 774 (“The proliferation of government snooping and data collecting is threatening to destroy our traditional freedoms. Government agencies seem to be competing to compile the most extensive sets of dossiers of American citizens. Computerization of records makes it possible to create ‘cradle-to-grave’ profiles of every American. [¶] *At present there are no effective restraints on the information activities of government and business. This amendment creates a legal and enforceable right of privacy for every Californian.*’ (Italics in original.)”) The Council hired a private company to engage in this exact purpose and sent them to our properties under false guises to collect data and build dossiers on people engaged in the lawful business of renting, just as half of this city does.

Despite the city being put on notice last September of 2022 of its obligation to cause notice to be given to each landowner that would be affected by the ordinance “shall be mailed or delivered at least 10 days prior to the hearing to the owner of the subject real property as shown on the latest equalized assessment roll.” (Gov. Code, § 65091) And failed to perform even publication notice as it did not “plac[e] a display advertisement of at least one-eighth page ” (*id.*)

The city believes that the language of Gov. Code, § 65093 permits them to disregard the use of “shall” in the notice statutes, but the forgiveness was on a claim of not receiving and had nothing to do with willful failure to send, thus is voidable on that ground too. “The failure of any person or entity to receive notice given pursuant to this title, or pursuant to the procedures established by a chartered city, shall not constitute grounds for any court to invalidate the actions of a local agency for which the notice was given.” (Gov. Code, § 65093)

The MOST important failure of the notice, was the failure to give notice of the intention of the city to deprive the entire city of their rights because the notice was limited to a foreign topic, “relating to *regulations* for short term home sharing rentals in residential zoning districts throughout the city.” Since September the city has only been focused on short term rentals and defined it then as it does now, yet the city sent out notice for some foreign topic as its intended state created business model, and not noticing short term rentals nor its intention to disenfranchise the entire city of their state granted rights.

Agenda Staff Report Aug. 9, 2022:

“An STR is any rental of a dwelling of thirty days or less. The City’s position has been that because STRs are not listed as an allowed use in the zoning code, they are prohibited. This is known as permissive zoning. The recent case of *Keen v. City of Manhattan Beach* decided in April of this year **renders this argument invalid.**

According to the appellate court, Manhattan Beach’s ordinance did not regulate how long a person could stay in a dwelling and therefore rejected the city’s argument that the STRs were prohibited under the theory of permissive zoning. Based on this decision, if Gardena wishes to regulate or prohibit STRs, it will be required to enact a zoning ordinance to do so.” (p.1)

“Submitted by: Greg Tsujiuchi Date: August 4, 2022” (p.3)

This exact failure of notice has been preserved at every prior meeting, but the city continues to disregard it. The planning department knew it was changing zoning city wide, Gov. Code, § 65853, then filed to provide notice as required Gov. Code, §§ 65853, 65854, 65091 which mandated “a general explanation of the matter to be considered,” Gov. Code, § 65094, this department was not short on words to describe what it repeatedly claimed was not applicable as to the CEQA but could not even muster a complete sentence as to an explanation of what was being considered, and have failed to provide notice to all.

At these stages — indeed at “every level of the planning process” — the Legislature “recognizes the importance of public participation.” (§ 65033.) To this end, the Planning and Zoning Law has declared “the policy of the state and the intent of the Legislature that each state, regional, and local agency concerned in the planning process involve the public through public hearings, informative meetings, publicity and other means available to them,

and that at such hearings and other public forums, the public be afforded the opportunity to respond to *clearly defined alternative objectives, policies, and actions.*" (§ 65033, italics added.)

With this broader perspective in mind, we return to the statutory language at issue here. As stated, the notice of the legislative body's hearing must contain "a general explanation of the matter to be considered." (§ 65094.) This must be read in conjunction with the state's policy and Legislature's intent that the public be involved in the planning process and be given "the opportunity to respond to clearly defined alternative objectives, policies, and actions." (§ 65033.) Together, there can be little doubt that the purpose of notice in cases such as this one is to inform the public of the legislative body's hearing so they will have an opportunity to respond to the planning commission's recommendation and protect any interests they may have before the legislative body approves, modifies, or disapproves that recommendation. If notice could be given before the planning commission made its recommendation and, therefore, without inclusion of what that recommendation was, the purpose behind the notice provision would be ill served, as the notice would not inform the public to what "clearly defined alternative objectives, policies, and actions" they would be responding.

Environmental Defense Project of Sierra County v. County of Sierra (2008) 158 Cal.App.4th 877, 891-92

Given the outcry against this city action there is no lawful reason to continue to pursue it, and the fact that all purported regulations are aimed at characteristics particular to me demonstrates retaliatory animus because I have been the strongest force opposing this repeated unlawful effort, and for exercising my constitutional rights.

Gov. Code, § 65008 (“(a) Any action pursuant to this title by any city, county, city and county, or other local governmental agency in this state is null and void if it denies to any individual or group of individuals the enjoyment of residence, landownership, tenancy, or any other land use in this state because of any of the following reasons: (A) The lawful occupation, age, or any characteristic of the individual or group of individuals listed in subdivision (a) or (d) of Section 12955, as those bases are defined in Sections 12926, 12926.1, subdivision (m) and paragraph (1) of subdivision (p) of Section 12955 and Section 12955.2.”)

After dozens and dozens of papers were filed by person opposing this action, on the link from the news paper the planning department provides almost all of these comments, yet omitted my Feb. 15, 2023 opposition and then on the agenda omitted all of them except for my attorney’s letter succinctly advising the city its actions were void, which was the only public comment attached. Regarding the city’s effort to outlaw, in violation of state law, the rights and lawful business conducted by home owners. In total the city knowingly plans to prohibit 96% of current operators so that possibly three could operate, but could only do so by violating a plethora of laws and constitutional provisions, without any factual basis.

The scienter is present as is the imminent harm intended, all while failing notice and engaging in deception at a legislative level.

Mariya Wrightsman 5/16/23

P.S. Because the city forgot to make all prior objections part of this record, I am helping out by attaching them to this letter.

It appears that prior public comments were "inadvertently" omitted from the agenda as posted on the planning committee web page, that were posted on a different planning committee web page as directed to by the notice by publication sent out for Short Term Rentals. Since they were clearly a part of the record on public comment, they should be so included in the record on public comment, and are hereby resubmitted to assist with this oversight.

RE Feb. 15, 2023 Proposed Ordinances and Urgency Ordinances on Special Hearing
To her honor, Mayor Cerda, and esteemed Members of the Gardena City Council,

This letter sets forth the liability resulting from official action, with specific actual factual findings made, expresses the vulnerability the City has placed itself, and the positions needed to be taken to relieve any conflict. Else the current course is “not only detrimental to petitioners but to public trust in local government.” (*Kieffer v. Spencer* (1984) 153 Cal.App.3d 954, 964)

URGENCY ORDINANCE NO. 1847 entirely focuses on zoning yet failed to make a statement of facts to support the improperly cited and relied upon general statute, Gov. Code, § 36937(b).

Not once was any mention made of fact relating to *public peace, health or safety*. The only aspect of a loss, was money, the proposed circumvention of statutory procedure is void. “WHEREAS, HCD has recently informed the City that the City must adopt it housing element and complete the required rezoning by February 15, 2023 in order to receive its 2019 PLHA grant in the amount of \$329,877;”

Counsel for the City need no lecture on a cardinal principle of statutory construction, that the specific statute always applies over the general, part of the stated amendments was to prohibit uses in two zones, specifically targeting short-term rentals. Thus the specific law was ignored. The haste in procrastinating and squandering time on assaulting the civil rights of a tiny minority of the population has cost the City. And the haste in attempting to enact a law that is void for failure to comply with mandatory procedure is the price to pay for this neglect of office.

Gov. Code, § 65858 is clearly the statute on point, expressly addressing every issue raised in these proposals and permits foregoing the mandatory zoning procedure in specific circumstances and only for a temporary purpose. The claimed actions are to thwart the possibility of business due to neglect by those charged with these very functions.

Recent history supported by ample evidence shows the actions by the City to have been dealing with its citizens in bad faith for months. The facts are in writing, and recorded on video. There is no escaping it. Rather than follow the law, more disregard for the law and procedure is shown. Since no one has bothered to read the applicable statute, it is set forth at the end of this letter so that the City is on notice of the law it is disregarding, and the Ordinance is void as a result, which has no effect and the money gained will have to be returned regardless.

Despite disregard for requisite findings under Gov. Code, §§ 65858 or 36937(b), the City then claims these as its findings of fact:

“SECTION 1. Findings.

A. The foregoing recitals are *true and correct*.

B. The adoption of the Zoning Map and changes to Title 18 are consistent with the City’s General Plan. More specifically, these changes implement changes required by the Housing Element and the changes create consistency with the City’s Land Use Plan.

C. The changes set forth herein represent good land use practices which are required by the public necessity, convenience and the general welfare.

SECTION 2. Adoption of Zoning Map. The City Council hereby adopts the zoning map attached hereto as Exhibit A as the zoning map for the City.

SECTION 3. The term “multiple-family” is hereby replaced with the term “multi-family” throughout the Gardena Municipal Code.

After making no relevant findings whatsoever, the ordinance then launches into the very subject matter covered by the statute ignored.

The “findings” of “recitals are *true and correct*” state as the sum total of factual findings: “represent good land use practices which are required by the public necessity, convenience and the general welfare”.

“*public peace, health or safety*”, (Gov. Code, §§ 65858 & 36937(b))

“public necessity, convenience and the general welfare” (no statute citable)

Even in the conclusionary findings, there was not a single finding made relevant to the required basis to enact such urgent legislation.

The reason there can be no findings of fact was a finding of fact already made:

Community Development Meeting Date: February 15, 2023 Agenda Staff Report:

“Adoption of Resolution No. 6620 Updating the Land Use Plan, including changes to the Land Use Map and adoption of **Urgency Ordinance No. 1847**, *amending the Zoning Code and revising the Zoning Map*”

“**While it is not likely** that there would be many Builder’s Remedy projects used in Gardena, it is *not impossible*. Staff has had at least **one inquiry** regarding a **100 percent affordable development** on El Segundo Boulevard. Without a compliant housing element and

the adoption of development standards, staff would have had **no authority to prevent** the project from being built.” p.2

The stated purpose is to **stop** affordable housing, but 1847 states different facts:

“WHEREAS, projects under the Builder’s Remedy **are likely** to be submitted to the City prior to the certification of the EIR and adoption of the changes as the City **has already received inquiry into projects on certain sites;**”

“Under the Builder’s Remedy, if a city does not have a housing element that substantially complies with state law, then the city has only very limited grounds **on which to deny an affordable housing project,**” p.2

The true facts and urgency have nothing to do with the public. “Ordinance No. 1847 therefore adds a new chapter...” followed by the only reason for the urgency:

“Therefore, in order for the City to have access to needed grant funding as well as to be able to impose objective development standards, **it is necessary to immediately rezone** the Inventory Sites so that the City has a compliant Housing Element. In order to qualify for the PLHA grant, HCD recommended a program which was included in the Housing Element which required the City, by February 15, 2023, to **amend the Land Use Plan and adopt an urgency ordinance** which provided that any project with a minimum of 20 percent affordable housing would be ministerially approved. (Housing Program 4.1.)” p.3

That is the true reason for this urgency and has nothing to do with “*public peace, health or safety*”, unless of course one looks at the problem from the clear agenda of those involved.

“100 percent affordable development” is bad, with “no authority to prevent”, but the desirable and pushed for agenda is “minimum of 20 percent affordable” which equally states, “maximum of 80 percent high end housing” just like the projects we have been approving to push the poor out. While attacking short-term rentals declaring us detrimental to the affordable housing supply.

It is rather interesting that the word “short” is not even present in that Staff Report, yet a necessity to single out short-term rental as the sole prohibited activity was made, without any supported findings whatsoever.

“18.21.040 Prohibited uses in housing overlays. The following uses shall be **explicitly prohibited** in the housing overlays: A. **Short-term rentals.**”

“18.18A.030 Uses prohibited. A. All uses not listed in Sections 18.18A.020 are deemed to be prohibited in the R-6 zone, except those determined to be similar pursuant to the provisions of Section 18.42.040. B. The following uses are expressly prohibited:

1. Short-term rental of residential units.”

Out of all documents submitted in connection with the proposals, some version of a word with “short” in it appears 18 times, i.e., shortfalls (11), short (1), shortage (2), short-term rental (2), short-term bicycle parking (2). Not once is there a discussion to justify an outright ban, no reference to any findings, not even proposed in any reports leading up to the drafting. Yet an outright ban is implemented.

Given the inconsistent statements, that can only be characterized politely as deliberate misrepresentations, in the final product compared to the reports generated to create the ordinances, the bad faith referenced above must be presumed as the facts lend to such a finding.

As this is an unfounded assault on the short term rental community, it is taken to mean there is a desire to litigate this entire proposal, where it will be found void for failure to comply with jurisdictional authorizations, if that is not plain enough English, then the documents prove the passage of the enactment was *ultra vires*. In simple terms, it “means a want of authority to exercise in a particular manner a power” (*Abelleira v. District Court of Appeal* (1941) 17 Cal.2d 280, 290) and all money received will have to be returned, and start over.

If however, due to haste in preparing the documents, this language was merely included in an earlier draft and was intended to be removed yet overlooked when compiling, and now that it is brought to your attention it will be promptly excised prior to adoption, then it is forgiven and other projects will require my time rather than litigating and destroying this entire enactment and causing all monies to be returned as gained from a void passage. If short-term ban continues to find its way in the text, then my position on the matter is perfectly clear.

Very truly,

Mariya Wrightsman

Post script, case law says I have already won.

At no point in RPI's argument on appeal do they take issue with the material *facts* alleged by petitioners and alluded to at the hearing below by the trial court. RPI's appellate presentation has been made with skill and is replete with highly technical arguments seeking to persuade us that City has followed the letter of the law in dealing with petitioners.

The legal argument made with respect to the moratorium ordinance is a case in point: RPI relies on both section 36937 of the Government Code (which authorizes emergency

ordinances “[f]or the immediate preservation of the public peace, health or safety . . .”) and section 65858 of the Government Code (which provides for interim ordinances prohibiting certain kinds of land use when a study of broader implication is pending), as justification for RPI’s enactment, on August 18, 1981, of the moratorium ordinance with which we are concerned in the case at bench.

RPI's argument misses the thrust of the trial court's ruling: the *basic* factual finding made below was that RPI had acted *in bad faith* insofar as the petitioners were concerned. There was substantial evidence supporting that finding. That being so, it matters very little whether Government Code sections exist authorizing emergency enactments and whether RPI did or did not follow them to the letter. The record inescapably establishes that RPI, instead of facing in the first instance the “dilemma” which had arisen with respect to petitioners, and arriving at fair resolution of the situation, has exacerbated the situation by engaging in administrative, legislative and legal conduct calculated to avoid responsibility for the substantial damages incurred by petitioners.

Kieffer v. Spencer (1984) 153 Cal.App.3d 954, 961

Presently, the City has been acting in bad faith and failed procedure. That is a very weak position to litigate from.

The law referenced is now provided, so that the City cannot claim ignorance on the matter, which is no defense, but being placed on express notice of its violations of law, before violating it, is an express aggravator.

Gov. Code, § 65858 (“**(a)** Without following the procedures otherwise required prior to the adoption of a zoning ordinance, the legislative body of a county, city, including a charter city, or city and county, to protect the public safety, health, and welfare, may adopt as an urgency measure an interim ordinance prohibiting any uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that the legislative body, planning commission or the planning department is considering or studying or intends to study within a reasonable time. That urgency measure shall require a four-fifths vote of the legislative body for adoption. The interim ordinance shall be of no further force and effect 45 days from its date of adoption. After notice pursuant to Section 65090 and public hearing, the legislative body may extend the interim ordinance for 10 months and 15 days and subsequently extend the interim ordinance for one year. Any extension shall also require a four-fifths vote for adoption. Not more than two extensions may be adopted.**(b)** Alternatively, an interim ordinance may be adopted by a four-fifths vote following notice pursuant to Section 65090 and public hearing, in which case it shall be of no further force and effect 45 days from its date of adoption. After notice pursuant to Section 65090 and public hearing, the legislative body may by a four-fifths vote extend the interim ordinance for 22 months and 15 days.**(c)** The legislative body shall not adopt or extend

any interim ordinance pursuant to this section unless the ordinance contains legislative findings that there is a current and immediate threat to the public health, safety, or welfare, and that the approval of additional subdivisions, use permits, variances, building permits, or any other applicable entitlement for use which is required in order to comply with a zoning ordinance would result in that threat to public health, safety, or welfare. In addition, any interim ordinance adopted pursuant to this section that has the effect of denying approvals needed for the development of projects with a significant component of multifamily housing may not be extended except upon written findings adopted by the legislative body, supported by substantial evidence on the record, that all of the following conditions exist:

(1) The continued approval of the development of multifamily housing projects would have a specific, adverse impact upon the public health or safety. As used in this paragraph, a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date that the ordinance is adopted by the legislative body.

(2) The interim ordinance is necessary to mitigate or avoid the specific, adverse impact identified pursuant to paragraph (1).

(3) There is no feasible alternative to satisfactorily mitigate or avoid the specific, adverse impact identified pursuant to paragraph (1) as well or better, with a less burdensome or restrictive effect, than the adoption of the proposed interim ordinance.

(d) Ten days prior to the expiration of that interim ordinance or any extension, the legislative body shall issue a written report describing the measures taken to alleviate the condition which led to the adoption of the ordinance.

(e) When an interim ordinance has been adopted, every subsequent ordinance adopted pursuant to this section, covering the whole or a part of the same property, shall automatically terminate and be of no further force or effect upon the termination of the first interim ordinance or any extension of the ordinance as provided in this section.

(f) Notwithstanding subdivision (e), upon termination of a prior interim ordinance, the legislative body may adopt another interim ordinance pursuant to this section provided that the new interim ordinance is adopted to protect the public safety, health, and welfare from an event, occurrence, or set of circumstances different from the event, occurrence, or set of circumstances that led to the adoption of the prior interim ordinance.

(g) For purposes of this section, "development of multifamily housing projects" does not include the demolition, conversion, redevelopment, or rehabilitation of multifamily housing that is affordable to lower income households, as defined in Section 50079.5 of the Health and Safety Code, or that will

result in an increase in the price or reduction of the number of affordable units in a multifamily housing project.**(h)** For purposes of this section, "projects with a significant component of multifamily housing" means projects in which multifamily housing consists of at least one-third of the total square footage of the project.”)

Thank you for affording us another opportunity to exercise and protect our rights,¹ I am Maryia Wrightsman speaking about my real property that is affected by the proposed directives. I had submitted documents showing the extensive factual and legal incorrectness of the city council's actions, which were ignored in favor of pushing forward. Today's directive is motivated by proposed Ord. 1844, wherein the city council before commencing investigation alleged to have found "short-term rentals for lodging and other uses have deleterious impacts by increasing noise and traffic, creating parking problems, changing the character of a residential neighborhood, and with the case of housing - creating an impact on housing supply;" the stated concern leading to those findings was, "the desire to operate short-term rentals is expected to increase due to the proximity of Gardena to SoFi Stadium."

On April 13, 2021, this city council adopted Ord. 1825, which found, "Gardena is situated to be in a position **to capitalize on a demand for new hotel spaces** due to its proximity to SoFi Stadium" and found "during the past year, developers have indicated that the City's development standards have been an **impediment to new hotel development**". Which means the city is blaming us for the very thing, the city wants to bring into our city.

The city was very concerned about the impact that STRs as 0.8% of the volume of rental locations will have on affordable housing in the city. But on May 11, 2021, the city council adopted Ord. 1828, "The Zoning Changes will allow the development of a high-density, 265-unit, **first-class** apartment project in the north end of Gardena which will provide new and needed housing opportunities in the City." The mean income of a resident in Gardena is \$60,000.

Through official action, the only ones impacting affordable housing, traffic, noise, and changing the character of our neighborhood is this council. So that you can capitalize on Sofi.

The report states "most" are non-owner occupied to create a negative appearance, in truth the report highlights that 62% are non-owner occupied, and ignores that all houses in the city are 50% non-owner occupied.

You persisting in seeking to remove short term rentals when there has been a public out cry against this proposed action. Each time you state you will listen to us, then proceed as if we said nothing at all. The company you hired is great at using a computer to provide data but that data was presented entirely slanted in favor of the predetermined agenda to ban STRs. Which is understandable since they advertise themselves as destroyers of STRs. The council hired a company that will work towards its agenda after knowing there was great resistance by the community.

According to the Supreme Court, *Penn Central Transp. Co.*, 438 U.S. 104, page 12, the disingenuous claims by the council "frustrate distinct investment-backed expectations as to amount to a 'taking'" under the Takings Clause of the Fifth Amendment. The Gardena city council offered money to billboard owners when lifting the billboard ban to allow electronic billboards for a takings clause violation but now same Gardena city council is ignoring the same conduct when it comes to STRs home owners.

The city was put on express notice of the constitutional violations it was committing against its citizens and yet persist as if nothing was said at all.

Your concern for the affordable housing is now expressed in being given \$500,000 a year for three years by the state, to patch up existing locations, while putting forth great effort towards changing our city to accommodate for the rich, and oppress the handful of citizens all in favor of corporate greed.

Mariya Wrightsman.

From: [Scarlet Sunlight](#)
To: [Public Comment](#)
Subject: Fwd: Short Term Rental ordinance 1844 public comment
Date: Tuesday, September 27, 2022 4:58:04 PM

Caution! This message was sent from outside your organization.

Begin forwarded message:

From: Scarlet Sunlight <scarlet.sunlight@outlook.com>
Subject: Short Term Rental ordinance 1844 public comment
Date: September 27, 2022 at 4:56:23 PM PDT
To: wlove@cityofgardena.org, mhenderson@cityofgardena.org,
pfrancis@cityofgardena.org, rtanaka@cityofgardena.org,
tcerda@cityofgardena.org

Dear Gardena Councilmember,

...To provide leadership and resources that ensure the highest quality of life possible for residents, support business development, welcome visitors, and establish a positive work environment for City employees.

I am strongly opposed to the Short-Term Rental ban in Gardena or any restrictions that will influence negatively any citizen's opportunity to generate legally income, in the present or future.

I have been an **Airbnb/VRBO** guest for the past 27 years all around the US and world. This has allowed my family to travel on a budget, to experiment extraordinary and shared moments with my children and dear friends, to discover many cultures through historical monuments, food, sceneries and to meet wonderful people.

Sharing this experience with others is the main reason **I choose to be a host in the STR business.**

I have been operating a STR business from a single-family home since 2019. The beginning is hard as you must get 5 stars reviews for guests to trust your professionalism.

This first year I had a STR management company in charge. That was a disaster, they did not screen any guests, so the property was badly abused, and they did not take any responsibility. When the contract was cancelled, they refuse to give me back my access to the Airbnb account and I lost all my reviews on top of repairing the house. So, I had to start from scratch to rebuild my host reputation. It took one year and **then ...the COVID hit. Two very difficult years started.**

I am an Airbnb Super host because of the hard, meticulous and continued work to maintain my property and its curve appeal, screen guests (I do not hesitate to refuse a booking if I suspect the guest will not follow the house rules), provide clean and comfortable accommodations, be available 24/7 in case of problem during the guests stay, etc.

My family bought this house in 2016 and lived very happily in this great neighborhood, I was a home maker and when the kids went to school, I had to find extra income with a flexible schedule. My husband and I decided to keep the house as an investment for retirement. I don't have any 401K or Social Security benefits by myself.

The STR are 0.68% of the housing units in Gardena (STR 150/ Gardena housing units 22,000) it is an extremely small amount of housing why do you have to spend time and taxpayer money adding unnecessary ordinances?

We already pay **income taxes** on the earnings, **property taxes** when our guest do not use the school or most of the other facilities, **sales taxes** to recommend local businesses and buying supplies or making repairs or maintenance.

We are mainly sole proprietorships and provide jobs locally linked to our business.

We are law-abiding citizen and a taxpayer not a hedge fund or trust baby, so everything my husband and I own comes from decades of labor, budgeting and leaving within our means.

At this point I don't see any valuable arguments against STR business in Gardena, if you have them please enlighten us because what I witnessed in the Sept 13th zoom meeting was nothing short of abuse of power from elected officials.

Sincerely

Clara Caetano T

From: [George Young](#)
To: [Public Comment](#)
Cc: [Tasha Cerda](#); [Paulette Francis](#); [Mark Henderson](#); [Rodney Tanaka](#); wlove@cityofgardena.com
Subject: Allow Gardena STR
Date: Tuesday, September 27, 2022 4:51:28 PM

Caution! This message was sent from outside your organization.

Honorable Mayor and Councilmembers:

I am writing this letter in full support of short-term rental continuing to operate in Gardena, Ca. It is an invaluable and affordable option for our lower-income families to have access to short-term rentals as it has made visiting family members and friends in Gardena an easier and more enjoyable experience. In addition, STR brings revenue and tax dollars to our retail businesses and the city. Unlike the beach communities where most of the visitors tend to be rowdier, visitors to Gardena are mostly family and friends visits, with the recent Airbnb's strict policy of a global no party ban, the noise problem would be very Minuscule. STR truly will benefit our community and localized economy.

Thank you and please allow STR in our beautiful city.

George Young

From: [Monique Johnson](#)
To: [Public Comment](#)
Subject: Short Term Rentals
Date: Tuesday, September 27, 2022 12:20:11 PM

Caution! This message was sent from outside your organization.

I think a suspension of short term rentals is warranted until an ordinance is put into place. In my opinion, the individuals should have went down to City Hall and inquired about the requirements of a short term rental (common sense to me). Those people are getting free money because they don't have to pay for a business license or City of Gardena taxes. In addition, I'm sure that they are not including the additional income on their State and Federal taxes. The City of Gardena is rewarding bad behavior.

Until an ordinance is implemented, is the City of Gardena going to suspense or retroactively adjust the taxes and business license that current legitimate business owners have to pay? I had compassion for all the people who spoke last week especially the crying lady who uses the additional income for her children's extracurricular activities, and the other people who talked about supplementing their income because times are difficult now but we are all dealing with the economy situation (inflation). Attorney Vasquez stated that the City of Inglewood currently has an ordinance for short term rentals but it took a while to be written. How long is it going to take the City of Gardena to come up with an ordinance? In the meantime, those people who are currently making money off of short term rentals are making tax free money with no consequences.

I agree with Mayor Pro Tem Francis and Councilmember Henderson that a moratorium on short term rental should be enacted until the City of Gardena writes an ordinance.

From: [le ma](#)
To: [Public Comment](#); [Tasha Cerda](#); [Paulette Francis](#); [Rodney Tanaka](#); [Mark Henderson](#); [Wanda Love](#)
Subject: Needing Short Term Rental agenda postponed
Date: Tuesday, September 27, 2022 7:05:45 PM

Caution! This message was sent from outside your organization.

Dear representatives!

My name is Le Ma. I own a house in Gardena. My spouse and I are in the military. When being deployed, we open our home to Airbnb guests. We survived, My mortgage rate will be increasing to 7.125% from 2.625% since Jan 10th 2023. If airbnb is banned now, I will be falling into big financial trouble immediately while no one is benefiting right away. I hope that agenda will be postponed.

Today we are in a turmoil age, facing war, highest inflation, highest food prices, high mortgage rates. Property taxes are higher and higher yearly. That is NOT a good timing for any big decisions. I want that banning postponed. That will save me.

We are part of the community, so we want Gardena to get better and better in every way. Airbnb is allowed in the city of LA, Torrance, Santa Monica, and most cities in LA county. That means airbnb is not too bad. Why can't Gardena allow it?! Gardena is open enough to allow 2 casinos. I hope all property rights are given back to the property owners. Again banning now, will not benefit anyone in the short run and put me into big trouble.

Banning is the easiest thing for any administration. But good politicians and administration teams are those who are willing and able to balance the interests of all groups of people. My sister cleaned my airbnb space for \$16 an hour. She would lose her job. Then she would become a burden to the public. (she is disable, would not be easy to get hired by others) The economy is going down. Many companies are laying off. Small businesses are closing. High inflation, no signs to show slowing. We are in a bad timing. Banning airbnb now will hurt more residents like me.

I hope you all can think about it carefully and thoroughly and come up with a better way to balance things.

Sincerely
Thank you
Le Ma

From: [Vera Povetina](#)
To: [CDD Planning and Zoning](#)
Subject: Public Comment
Date: Tuesday, September 27, 2022 10:55:44 AM

Caution! This message was sent from outside your organization.

Dear City Council,

In course of discussion regarding Short Term Rentals, me and my fellow citizens of Gardena would like to address some questions and concerns to the City Council and expect detailed answers to be provided and discussed during Public Hearing regarding the matter. Most of the questions were addressed to you earlier as Public Comment for the City Council meeting happened on 13 September 2022 but none of the specific answers have been provided during the meeting or after.

Whereas in Resolution No. PC 11-22 and not adopted Urgency Ordinance #1843 mentioned that short-term rentals of residences for lodging purposes and short-term rentals of residences for other commercial uses are not listed as allowed uses under the Gardena Municipal Code.

- Do I understand correct that they are also not listed as prohibited?

Whereas in Resolution No. PC 11-22 and in Proposed Ordinance No. 1844 mentioned: short-term rentals for lodging and other uses have deleterious impacts by increasing noise and traffic, creating parking problems, changing the character of a residential neighborhood, and with the case of housing - creating an impact on housing supply.

- Is there any evidence regarding this statement in the City of Gardena? Can it be disclosed to the public?

- Were measurements made for noise level increase? Please disclose the results.

- Changes in traffic? Would you be able to specify – how big is the change?

According to the open-source data it is 164 STR properties in Gardena with average occupancy rate of 75%. Even if we assume that every guest is driving a car and I know from my over 100 guests stay in my house - that it is not the case. It is about 116 cars to add to city traffic with 33,276 cars going through main streets daily or 0.35% increase in variety of locations in the city. How “deleterious” is this? How it would be different from long term rental with same amount of cars?

- Parking issues complains increased by how many since establishing current amount of STR in the city? How were these complaints linked to STR?

- What are the changes in character of residential neighborhood happened? How do you even define and measure the “character of neighborhood”? Would you be able to provide details of changes to the character of neighborhood made by all new constructions of apartment houses in recent 2 years? 5 levels of planned self-storage on Van Ness Avenue (U-Haul)? How does City Council measure it to be considered a factor? May these criteria be disclosed to the public?

City adopted TOT Incentive Program tax in FY17-18 with below intent:

“To continue to sustain economic development, the City has introduced a new Hotel Incentive Program by providing assistance in the form of partial Transient Occupancy Tax credit to hotel owners making substantial improvements to their existing properties, as well as incentives to

developers to build new hotels in Gardena. The City will also continue to provide expedited developer plan approval processes, establish an expedited plan check process to reduce time and cost for developers, and acquire new grants for additional funding of economic development efforts, and to identify and provide tools/incentives that will increase business

expansion along the Rosecrans Corridor.”

This serves as evidence that city is interested in tourists/guests coming to Gardena in general and discussions regarding changes of the "character of the city" are not a real concern.

- How the housing supply impacted specifically by the factor of STR in the City of Gardena? In Agenda Staff report dated Aug 9, 2022, there is a mentioning of some studies regarding house supply and rent and housing price. Were these studies done in the City of Gardena with consideration of all other factors that are influencing housing supplies and prices? How it is different from neighbor cities where STR is not allowed?

- With additional regulation and additional taxation in discussion, what will City of Gardena propose to people in exchange?

- Does City of Gardena have a lot to offer to its people to offset increased inflation?

- Will city of Gardena offer new Eviction law to protect homeowners? Help to offset the costs of hosting non-paying renters long term? Will City of Gardena pay out our mortgage and compensate investments made?

It is 164 short rental properties listed in Gardena, not all of them are on the market constantly, but all of them is a source that provides food to the tables to families of our city.

- Why do you feel that it is ok to cut an opportunity to provide for families?

- During on-line meeting Councilmembers expressed concerns with safety. We would like to know: were similar concerns expressed during adopting HOPE program and converting Travelodge Inn and Suites on Normandie Avenue into a home for convicted criminals and homeless people? How were interests of citizens protected?

During COVID pandemic a lot of us hosted travel nurses who were saving lives while city hosted criminals.

Let me continue with questions to the additional regulations proposals.

- Regarding limitation of number of STRs one person can have. Can you please provide any precedent in the City of Gardena where you limiting any other business owner with similar rules? One cannot have more than one Hotel, Store, Car Wash and so on. Will this limitation be applied to all other businesses? If not - why?

Any additional limitations to types of properties or number of total STR will make harm to property owners and will set precedent of unreliability of the City of Gardena for any current or future small or big investors. Rules for business can be changed anytime without any evidential support by the city officials.

- What is the intent of all these limitations?

It is not only hosts who benefit. All local small businesses benefit. Shops, restaurants, beauty salons and so on. A lot of guests asking for local attractions and as hosts – we recommend local places. Business synergy is already in place and there are no reasons to the city to break it.

There should be no ban for STR out of no evidence of negative impact and City of Gardena should use an opportunity to let citizens use their property to their advantage.

Another thing to discuss is money.

STR Income is taxed as any other. Current local property sales bring a lot of additional income to the city as Property Tax. Average 7.2% annual growth FY19 to FY21 if we take FY18 was a base year and it is over half a million dollars per year and let us face the truth – available APR influence market much more than STR perspective in Gardena.

Application of additional taxation in a form of Transient Occupancy Tax is not viable for this type of business and should not be considered for the reasons below:

1. Excerpts from Title 3, Chapter 16 of the Gardena Municipal Code states:

Sec. 3.16.050 Tax Imposed

A. For the privilege of occupancy in any hotel, each transient shall be subject to and shall pay a tax in the amount of eleven percent (11%) of the rent charged by the operator. Such tax shall

constitute a debt owed by the transient to the city, which shall be extinguished only by payment to the operator or to the city. The transient shall pay the tax to the operator of the hotel at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the transient's ceasing to occupy space in the hotel. If for any reason the tax due is not paid to the operator of the hotel, the tax administrator may require such tax to be paid directly to the tax administrator.

B. For purposes of this Section, unless there is an agreement in writing entered into prior to commencing occupancy between the operator and occupant providing for a period of occupancy longer than thirty days, this tax shall be imposed upon, owed by and collected from the transient for the first thirty days of occupancy, regardless of whether the transient continues occupancy beyond thirty days.

By no means any of the properties can be considered a Hotel and thus cannot be taxed based on that.

Implementing additional taxation will be one more factor to push the inflation rate in Gardena even higher as we, as a business owners, will be forced to increase our rates to offset rising costs.

As a Financial Analyst by trade, I'll go with some numbers sourced from available to the public online analytical tools and information published on the City of Gardena website. Currently Gardena has 164 properties listed. 89 can be considered "entire home" and 75 are private or shared room.

Average price for STR is \$153 per night and occupancy rate is 86%. (source - AirDNA)
Out of about 21,472 residential properties in the City of Gardena (source - Wikipedia) we are discussing 0.8% of all properties.

Currently there are 21 hotels/motels in Gardena with 747 accommodations on the market and this number didn't change a lot during recent years (source - City of Gardena website and propertyshark.com).

I think it will be reasonable to consider fiscal year ended in 2019 for the below calculations regarding Transient Occupancy Tax collected by the City of Gardena as we can exclude influence of COVID to the hotel business.

Hotel accommodations 747

In FY2018-FY2019:

TOT collected by the City of Gardena \$ 1,464,512.00

Average TOT collected per room \$ 1,960.53

If the Hotels in Gardena would work with effectiveness of STR (av. occupancy 86% and av. rate \$153) the actual % or revenues collected by the city would be 4.2% and this number shows that the demand in STR is high and there should be no restrictions, but the City of Gardena should benefit from it too.

City should provide opportunity to obtain business license with cost no more than \$50 per STR and let people continue their business.

As a last resort the City may consider establishing a reasonable tax specifically for STR that should be significantly lower than for Hotels/Motels as our scale of business cannot be compared to them.

STR tax rate in amount of 4% seems to be reasonable and will provide city with about \$304,064.86 (\$1,854.1 per property) per year with just a minor cost to the City for administering new tax on quarterly or semi-annual basis.

The main platform used for STR booking is AirBnB – 96%.

(82% - AirBnB, 4% - VRBO, 14% - both, source AirDNA)

AirBnB and VRBO automatically collect and pay occupancy taxes on behalf of the hosts whenever a guest pays for a booking in specific jurisdiction. Gardena can be included in the

list of specific jurisdictions if needed. It will provide city with transparent data regarding hosts revenue collected and will help to keep new tax administration rate at lowest possible level. Dear City Council, please accept our suggestion as it will benefit everyone, the City of Gardena and Citizens of Gardena.

With best regards,
Vera Povetina





Tuesday, September 27, 2022
Via Electronic Mail

Hon. Mayor Cerda
and the Members of the City Council
1700 W. 162nd Street, Gardena, CA 90247

RE: Agenda Item 12 (A) – Ordinance No. 1844: Prohibiting Short-Term Rentals

Dear Hon. Mayor Cerda and City Council:

The South Bay Association of Realtors® (SBAOR) urges the Council to **reject** adoption of the proposed ordinance to prohibit short-term rentals (STR) at the September 27th Council meeting. We ask that you REGULATE STRs. Please engage with SBAOR and other key community stakeholders to identify best practices and effective policy solutions that strike a balance between the increasing economic benefits of STRs and the potential impacts.

What SBAOR can offer:

Work with the Mayor and City Council to help identify effective and enforceable STR regulations that both benefit and protect the community.

City can benefit and community be protected:

We encourage the city to do a thorough examination of the benefits and various options related to STR. Other local cities achieve this by some or all of the following: requiring a business license, an annual registry and/or permit (that can be revoked if a certain number of complaints are received on a property), and/or Transient Occupancy Tax (unincorporated Los Angeles County charges 12%). Cities can also institute a series of fines to ensure compliance with regulations.

Regulating STRs is reasonable and benefits everyone:

Rather than outright bans or heavy restrictions, regulating ensures property rights and the well-being of our community are in balance. For instance, we believe in preserving the ability of struggling residents to continue to afford their homes rather than sell to investors. Balancing the benefits to the city, local businesses, homeowners, and all residents are paramount.

Gardena is a growing city. Today, residents want to live, work, and play in cities that have thoughtful, reasonable, and progressive policies. A ban would overshadow this balance and take revenue out.

Stakeholders have not been engaged:

The proposed ordinance is too broad and overreaching. It was drafted without the input and considerations of groups representing the very Gardena residents that would be impacted. The issue of STRs are not new, and other cities have worked to craft workable solutions for all sides, together. We urge the City of Gardena to open dialogue with local stakeholders and implement a reasonable ordinance.

Thank you for your time and consideration. We look forward to working towards solutions. If you have any questions, please contact the SBAOR's Government Affairs Director Julie Tomanpos at Julie@SouthBayAOR.com or (310) 326-3010.

Sincerely,

Jaime Sutachan,
Government Affairs Committee Co-Chair
South Bay Association of REALTORS®

Her Honor, and to the honorable body of the city Council of the City of Gardena, this letter is addressed to each and all council members.

There will be two presentations in this letter. Both will demonstrate how our relationship can be from here forward, and particular attention is warranted as the First, Fifth and Fourteenth Amendments are being violated.

The first, serves as legal notice, and must address how I have been forced into an unamicable relationship based on assumptions without so much as common decency to ask a question and start a conversation, treated like a criminal, not even given the courtesy of respect to be spoken to, let alone listened to, the Council has necessarily required a showing of how our relationship has been so positioned.

The other showing, is what our relationship can also can be, a partnership, a team dedicated towards the same goal, peace of mind and friendship.

I may have a thick accent when speaking, but some background may give insight, I am a Ukrainian medical doctor, raised in the Soviet Union. I fled Ukraine, left a career amidst economic turmoil which imagination is not capable of creating, a week or month's work as a doctor in hopes of earning bread. The only currency we had was honesty, because we were raised in a world of deep mistrust and amidst a solid accepted belief that government knows best, for we were just the simple ones, who could not think for ourselves. I know communism, I know totalitarianism, because I have lived it. They believed they were doing right, they knew better... they were only human. It is hard to start a story more grim than this, no?

To escape, I would dream, and there is only one dream for lives like mine, it is the American dream. Against no odds, I was miracled to this country, and the home I made and the life began, was here in Gardena. Saving every penny, because I know how precious they are. Eventually they turned into a house, then two, and the dream that is America was mine. A little Ukrainian girl, owner of three homes in Southern California, now divorced with two children that were to be raised alone, yet they would go to college because of my income from my investment houses.

To Councilmember Love, the conversation mentioned second, is all that you need to read, not the former half; for you showed deep respect for human dignity and I am humbled.

This will be a little intense, so it is hoped that you can make it to the friendship portion, but when a Russian raised, Ukrainian single mother sees her cubs in danger, things do get... well it

will be seen, but only necessarily as the Council introduced themselves to me in such fashion, and it serves to demonstrate why a friendship is desirable.

THE WRONG FOOT

A maxim of law is that everyone is presumed to know the law, this especially applies to a government of laws, not of humans.

Because this is a mandated “public hearing on the proposed zoning ordinance or amendment to a zoning ordinance” (Gov. Code, § 65804 (b)) and per subdivision (a) to “publish procedural rules for conduct of their hearings” which “shall incorporate the procedures in Section 65854” despite this, the Council has afforded each of us 3 minutes to voice our concerns and lay out a cause of action at the same time, as a result have provided an open opportunity to raise any additional matters, because “[t]he body conducting the public hearing prevented the issue from being raised at the public hearing.” (Gov. Code, § 65009 (b)(1)(B)) This is so because under Chapter 2.04 CITY COUNCIL, of the Garden Municipal Code (GMC) under 2.04.080 Meetings – Rules. “The following rules shall govern the meetings of the council and its transaction of business:

A. Oral Communications. Any person may address the council on any matter concerning the city’s business or on any matter over which the city has control... There shall be a three minute limit on all speakers. **This time limit shall not apply to public hearing items where the property interests of the speaker are affected.**”

Consequent to sending out the documents three days prior and coupled with the 3 minute limitation on this contested issue affecting our property rights, we have not been afforded sufficient notice and an adequate opportunity to be heard in clear violation of the Council’s own rules and the Fourteenth Amendment, and have mandated a rapid response be thrown together. Without waiving any rights, that which was able to be worked up, will now be set forth, for one and all to join, “raising only those issues you or *someone else* raised at the public hearing described in this notice, or in written correspondence delivered to the (public entity conducting the hearing)” (Gov. Code, § 65009 (b)(2)) and for each to follow.

Each property that was already permitted as to the *use* of said property for what is today attempting to be defined as a Short Term Rental, as for me I was expressly previously granted permission for this purpose. As was acknowledged by the assistant city attorney Kranitz on August 9th as a lawful use, “So right now, yes, they’re legal.” (Exhibit C, p. 9 ln. 6), all such properties were in lawful operation and are thus Grandfathered in, any proposed changes are ineffectual to

said properties. “‘Grandfathered’ businesses are nonconforming uses that are not required to seek permits under local zoning ordinances enacted after they were in business. (See *Korean American Legal Advocacy Foundation v. City of Los Angeles* (1994) 23 Cal.App.4th 376, 397.)” (*City of Oakland v. Superior Court* (1996) 45 Cal.App.4th 740, 747 fn. 1)¹

The Council specifically had attempted to disenfranchise homeowner rights with the defective notice, as published:

“If you challenge the nature of the proposed action in court, you will be limited to raising only those issues you or someone else raises at the public hearing described in this notice, or in written correspondence” then changes to either:
“delivered to the Gardena City Council at, or prior to, the public hearing.” (9/15/22) (Exhibit A)
“delivered to the Gardena Planning and Environmental Quality Commission at or prior to the public hearing.” (hereafter PEQC) (8/25/22) (Exhibit B)

Because under Gov. Code, § 65009(b)(2) (“If a public agency desires the provisions of this subdivision to apply to a matter, it shall include in any public notice issued pursuant to this title a notice substantially stating all of the following: ‘If you challenge the (nature of the proposed action) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the (public entity conducting the hearing) at, or prior to, the public hearing.’”) The city knew to replace the latter parenthetical portion with the contact information as shown above, but as to the former, simply omitted the parentheses and left it vague, rather than comply with case law as shown below.

FOR WANT OF NOTICE

As said published rules do not “restrict or limit” (Gov. Code, § 65802) this assertion, as such, on behalf of all such concerned persons, **this general object is lodged** as to the **failure to comply with mandatory notice** which was required because “the proposed ordinance or amendment to a zoning ordinance affects the permitted uses of real property, notice shall also be given pursuant to Section 65091.” (Gov. Code, § 65854) Whereby Gov. Code, § 65091 provides in subdivision (a) “notice shall be given in *all* of the following ways: (1) Notice of the hearing **shall be mailed** or delivered **at least 10 days prior to the hearing to the owner of the subject**

¹ See also, “‘A legal nonconforming use is one that existed lawfully before a zoning restriction became effective and that is not in conformity with the ordinance when it continues thereafter.’ (*Hansen Brothers Enterprises, Inc. v. Board of Supervisors* (1996) 12 Cal.4th 533, 540, fn. 1.) ‘‘Grandfathered’ businesses are nonconforming uses that are not required to seek permits under local zoning ordinances enacted after they were in business.’ (*City of Oakland v. Superior Court* [cited as above].)” (*Bauer v. City of San Diego* (1999) 75 Cal.App.4th 1281, 1286 fn. 1)

real property” and under subdivision (b) “[t]he notice shall include the information specified in Section 65094.”

The Council further failed to provide a portion of notice under Gov. Code, § 65094 mandating “a general explanation of the matter to be considered, and a general description, in text or by diagram, of the location of the real property, if any, that is the subject of the hearing.”

Furthermore, the published noticed hearing for 9/27/22 pertained only to “Ordinance No. 1844” (Exhibit A) stemming from a prior adoption of Resolution No. PC 11-22. But the documents provided on 9/23/22 for this hearing and are here today being discussed by the Council, contained the first ever appearance of the text of Ordinance² No. 1843, as well as 1844. Wherein Ord. No. 1843 states, “the Planning Commission adopted Resolution No. XXX, recommending that the City Council adopt the Ordinance;” not Resolution No. PC 11-22, as Ord. No. 1844 did. But no copy of this “adopted Resolution No. XXX” had been provided. Ord. No. 1843 contained entirely different proposed actions, noticed only in the Regular Meeting Notice and Agenda as “Urgency Moratorium Ordinance” as a document. For all relevant publications and text of Agendas providing notice of actions here discussed see Exhibit D.

Gov. Code, § 65853 “A zoning ordinance or an amendment to a zoning ordinance, which amendment changes any property from one zone to another or imposes any regulation listed in Section 65850 not theretofore imposed or removes or modifies any such regulation theretofore imposed **shall be adopted in the manner set forth in Sections 65854 to 65857, inclusive.**” Which as just shown, there has been a failure to comply with Gov. Code § 65854 by failing to comply with Gov. Code § 65091 (mail notice and publish notice and description notice).

Furthermore, The Council has failed to provide required notice pursuant to Gov. Code, sections 65009(b)(2) “nature of the proposed action” “described in this notice”; 65090(b) “notice shall include the information specified in Section 65094” as quoted above. Easy so far right?

On the merits, we hold that the court did not err in granting plaintiff's request for declaratory relief. Consistent with the Legislature's recognition of "the importance of public participation at every level of the planning process" and the policy of the state to give the public "the opportunity to respond to clearly defined alternative objectives, policies, and actions" (§ 65033), we hold that the 10-day notice of the legislative body's hearing must be given *after* the planning commission's recommendation has been received and must include the planning commission's recommendation as part of the "general explanation of the matter

² Hereafter “Ord.”

to be considered" (§ 65094). We will therefore affirm the trial court's grant of summary judgment in favor of plaintiff.

Environmental Defense Project of Sierra County v. County of Sierra (2008) 158 Cal.App.4th 877, 881 (*Environmental Defense Project*)

The 8/25/22 published notice for the PEQC meeting on 9/6/22 was to discuss "Ordinance No. 1844" (Exhibit B) but as to Ord. 1843 it was not even announced as on the agenda to be put up for a vote by the PEQC, as Director Tsujiuchi declared under penalty of perjury on 9/2/22. (See 9/6/22 PEQC Meeting Notice and Agenda) Therefore there was no findings by the PEQC and today's consideration of Ord. No. 1843 is in direct violation of *Environmental Defense Project*.

"At the same meeting Councilmember Francis made a directive to place a moratorium on all STRs within the City. The directive was seconded by Council Member Henderson and an urgency ordinance is scheduled to go before the City Council at the regularly scheduled meeting of September 13, 2022." (PEQC Report 9/6/22, Tsujiuchi, pp. 1-2) "Recommendation ... Adopt Resolution No. PC 11-22 recommending that the City Council adopt Ordinance No. 1844 (Attachment D)." (*Id.* p.3) The only action was adopting Resolution No. PC 11-22 as to Ord. No. 1844, but other than mentioning that "an urgency ordinance [wa]s scheduled to go before the City Council" no documents were presented to the public before or after regarding the findings of urgency by the planning department.

On 9/13/22, without any published notice to the public and absent any findings by the PEQC, the urgency ordinance 1843 was attempted to be passed, but failed.

"It was moved by Mayor Pro Tem Francis, seconded by Council Member Henderson, and carried by the following roll call vote to Adopt Urgency Ordinance No. 1843 with the added appeal language, by way of a four-fifths vote: Ayes: Mayor Pro Tem Francis and Council Member Henderson Noes: Council Members Tanaka, Love and Mayor Cerda Absent: None Urgency Ordinance No. 1843 did not pass." (9/13/22 Minutes p.12)

Despite this failed motion, the matter appears to be presented again.

For a second time, the Council has disregarded Gov. Code, § 65804 ("publish procedural rules") GMC 2.04.080 Meetings – Rules. "N. Robert's Rules. Upon questions arising not covered by this section, Robert's Rules of Order shall govern unless a majority of the council shall deem otherwise." Under Robert's Rules, "If the motion has been voted down, it can be made again after there has been some progress in the debate." Yet no progress has been shown. That same majority to override Robert's Rules is also required under Robert's Rules to permit the second vote.

The Council attempted to deprive rights to their constituents but the stated reasons do not fall under the protections of Gov. Code, § 65009(a), for its purpose is "essential to reduce delays

and restraints upon expeditiously completing housing projects.” This effort had not to do with building projects, and only to do with a council member’s agenda.

And all of these failures to provide notice as required by law, began after a memorandum declaring these actions as *lawful* was written on Aug. 5, 2022 for the Aug. 9, 2022 meeting, placed on the agenda to educate the Council and seek direction, without published notice to the public.

Francis: Okay. So could we tonight declare moratorium until we have more time to discuss it and do some research and investigate what we can do? Can we do that? Can that be an option?

Cerda: Mayor Pro Tem. So tonight what we're doing is we're just discussing it for it to come back later on. As far as staff can do more research and so they just want to get some direction. We're not taking any action on this tonight, other than just, what are our feelings of this here? So it's going to come back and we will have more time to discuss it.

Francis: Until we take some time discussing all that we couldn't say until right now, we're just going to declare moratorium on all short-term rentals until we can figure out what it is we want to do.

Kranitz: We couldn't do it tonight because it's not on the agenda. And it would have to be added as an urgency item on the agenda. *And I think since it's been going on, you couldn't make the findings to support that there was an immediate need to add it on.* (Exhibit C p. 5 lns. 7-31)

And there still have been no *findings to support that there was an immediate need to add it on*, to even qualify to start the process of “the 10-day notice of the legislative body's hearing must be given *after* the planning commission's recommendation has been received and must include the planning commission's recommendation” (*Environmental Defense Project, supra.*) Despite the only notice on both Agenda and Publication being for Ord. No. 1844, the minutes of 9/13/22 reflect only a conversation about Ord. No. 1843.

“12.A URGENCY ORDINANCE NO. 1843, An Urgency Ordinance of the City Council of the City of Gardena, California, Establishing a Temporary Moratorium on Short-Term Rental.” (9/13/22 Minutes p. 9)

Ord. No. 1843 “a moratorium is hereby established prohibiting all short-term rentals as defined herein.” “SECTION 4. Prohibition. A. All short-term rentals are hereby immediately prohibited in the City.”

The failure to provide lawful notice has left a state of confusion as to what we are even doing today. Evidenced by the statements during the 9/13/22 meeting. Kranitz: “To be effective immediately, it has to be an urgency ordinance. Otherwise its first reading, second reading, thirty days.” Vasquez: “And that’s the method that would be done on September 27th that process will be commenced, the first reading.” Francis: “Yeah, so I think at least for that much, we ought to be

able to just kind of, you know, stop the action, just for a moment, just like I said, it's temporary, there was supposed to have things in place, cause I heard a lot of people say they're opposed to an out right ban. And that's not what we're talking about right now. We're just talking about a temporary situation, where we can discuss it on the 27th that's all. So I'm for it. I call for it.”³

“All short-term rentals are hereby immediately prohibited in the City.” (Ord. No. 1843)

RECIPROCATATE, NOT PLACATE

As further explained in *Environmental Defense Project* at 891-92, the “Legislature's intent [is] that the public be involved in the planning process”, and “there can be little doubt that the purpose of notice” “is to inform the public” “so they will have an opportunity to respond” “and protect any interests they may have”, such participation was reported as “On September 13, 2022 the City Council considered the moratorium ordinance. There were **more than a dozen speakers, all of whom spoke in opposition to a ban** on STRs.” (Agenda Staff Report 9/22/22) There were specifically fifteen speakers that spoke in opposition to the ban, none spoke in favor, two of which were not hosts but citizens in opposition of the ban, the remaining thirteen were people discussing the prejudicial harm and substantial damages that would result from the moratorium, and discussing the great care that they take to screen guests and protect the community. Yet promoted after nothing was offered to substantiate the purported findings based on speculation in Ord. No. 1843, without any notice it was to be heard, with disregard for those fifteen objections, absent any voice in favor, there was an immediate motion to pass this *urgent* matter.

This body has seen too often the complacency of the citizens, in not being involved in their local government, but along came an issue that inspired a memory - - that in this country we have a right to be involved and as Justice Ginsberg wrote, the “choice in exercising that right ‘must be honored out of ‘that respect for the individual which is the lifeblood of the law.’” [Citations.]” (*McCoy v. Louisiana* (2018) 138 S.Ct. 1500, 1507-08). It hardly seems worthy of being said, but apparently it must be reminded that the idea behind these laws, is so “that the public be involved in the planning process” and if the citizens so served are displeased then she is required to consider their voices and not her own. For such is the nature of a public servant, as in, serves the public will, not the public serves her will. It was so written in the rules of conduct for these meetings.

³ <https://youtu.be/6T1z77Zy5Z4?t=9303>

The rules as stated note: Listen to others respectfully; Exercise self-control; Give open-minded consideration to all viewpoints; Focus on the issues; and Embrace democratic rights, inherent components of an inclusive public process, and tools for forging sound decisions. Yet after hearing such passionate opposition and receiving only letters opposing since, after fifteen voices petitioned their government with grievances, “a motion to adopt the moratorium ordinance” was made, which failed to lead by example, as it did not show impartial listening and that embracing of democratic rights.

THE GRAVE HARM PRESENTED

From the Approved Minutes of the 8/9/22 City Council meeting.

“12. DEPARTMENTAL ITEMS - COMMUNITY DEVELOPMENT

12.A Short Term Rentals for Lodging Discussion

City Manager Osorio presented the Staff Report.

Community Development Director, Greg Tsujiuchi gave the presentation. Assistant City Attorney, Lisa Kranitz and Senior Planner, Amanda Acuna were present and available for any questions.

Assistant City Attorney Kranitz explained the City’s position stating that the regulations relating to Short Term Rentals can either be totally permissive, completely prohibitive, or somewhere in between. They also gave information of what our surrounding cities are doing in putting certain regulations in place when it comes to STRs.

Our Mayor and Council Members asked questions, expressed their opinions, and discussed all aspects if we were to allow short term rentals **including hiring extra staff to monitor all the complaints**. Director Tsujiuchi and Assistant City Attorney Kranitz provided answers, along with City Manager Osorio and City Attorney Vasquez. It was also asked if staff could come back with additional findings because having short term rentals could also be a positive experience.

Public Speakers:

- 1) Charisse, asked if Airbnb are legal to have in Gardena.
- 2) Raymond Dennis expressed his concerns and spoke in opposition to this item.

City Attorney Vasquez, then asked for direction clarification from Council: Direction is for staff to draft an Ordinance to Prohibit Short Term Rentals.” (pp.7-8)

“19. COUNCIL DIRECTIVES

Mayor Pro Tem Francis

Asked If we could bring an Ordinance to establish a moratorium regarding Short Term Rentals to our September 13, 2022, Council Meeting. Council Member Henderson seconded it.” (p.11)

Returning to the Agenda Staff Report again, after observing “more than a dozen speakers, **all of whom spoke in opposition to a ban** on STRs.

STR Discussion

As has been **evidenced by public testimony**, there are arguments both for and against STRs.

Arguments in favor of STRs include:

- Provides additional income to individuals

- Introduces new people to Gardena
- Provides additional customers who will utilize businesses in Gardena
- Provides revenue to the City

Arguments against STRs include:

- Impacts the residential character of the neighborhood
- Creates nuisances relating to parking and noise
- Reduces the supply of housing, including affordable housing, as these uses drive up housing prices” (p.1-2 of 3)

“On August 9, 2022, the City Council discussed various policy options for short term rentals (STRs) and **heard concerns** from the public on potential **loss of neighborhood character and challenges with enforcement**. *The Council also had concerns* on the adverse impacts to *noise, trash, crime, traffic, and parking* these uses would have to the residential neighborhoods.” (p.1)

Because the staff report stated, at the 9/13/22 meeting the public voice, “all of whom spoke in opposition to a ban” but earlier on 8/9/22 the public voice was reported as limited to “loss of neighborhood character and challenges with enforcement”, yet the minutes reflect a query about legality to which the answer was, “So right now, yes, they're legal.” (Exhibit C, p. 9 ln. 6). But her statement actually was rather unusual, yet the Council missed it completely. That discussion was not noticed to the public yet two people knew to show up and voice concerns. The woman wanted to stress her question about legality, then made a materially false statement to the Council to send her point home, as she claimed just a few days prior in Gardena “an FBI raid on it. They had the dogs, the Secret Service. They had everybody because somebody was selling guns from the Airbnb on that street” (Exhibit C p. 8 lns. 26-28). That was a significant event to have a gun trafficker be investigated by Secret Service who handles treasury matters and not by ATF, but the FBI, yet not a single news report covered such a large scale operation as described investigated by anyone, not even a raid of any sort from any agency could be located to corroborate her claims.

Despite the minutes reflecting a nondescript expression of concerns from the second speaker, by the vague “spoke in opposition to this item” which could mean opposing the item being proposed to be banned or opposed to STRs; but his message was very poignant and made with an agenda, and successfully steered the Council’s minds as she had intended, then moved for a moratorium. But the real proof of the agenda as it relates to his statement will be revealed below.

The report is inaccurate when it then declared, “[a]rguments against STRs include: ... Creates nuisances relating to parking and noise ; Reduces the supply of housing, including affordable housing, as these uses drive up housing prices” because those were not voiced by the “public testimony” those were only opinions from the “Council also had concerns on the adverse impacts to noise, trash, crime, traffic, and parking”, but have offered no evidence to substantiate

these claims. It was even stated “*And I think since it's been going on, you couldn't make the findings to support that there was an immediate need to add it on*”, yet ever since that time, the speculations from that non-noticed discussion have come to be the findings.

The city has brought this urgency ordinance on a vague number of complaints, since 8/9/22 but the last report written by Director Tsujiuchi on 9/22/22 provided some numbers:

“While the STRs in Gardena have generated complaints, it is difficult to determine to what level. Police were only able to identify 9 calls in the past 3 years that were identified as STR locations. However, officers do not use terms in their police report that would identify a response as one that involves an STR, so officers have likely responded to things such as noise complaints without an identification that the site was an STR.”

It is more correct to say *possibly* responded, “likely” implies probabilistic, meaning greater than 51% chance, there is no data to conclude there is a probability of calls, when the calls come in at a rate of once every four months based on known data, 1 out of 120 days is 0.83%, falling far below probability, and hardly inspiring a need to hire “extra staff to monitor *all* the complaints.”

“Additionally, Community Development has received approximately 8 calls in the last month relating to STRs that were not logged.”

For the past two months, this has been a hot issue, but no one on the staff thought to log a single one of these calls? But they remember them all being negative. Despite the calls coming in at a rate of once per four months, after a month of no calls, now the calls are once a week, which is consistent with an agenda being promoted.

Also on the claimed aspect of crime, during the past three years, there were 9 calls and 8 calls in a month, using the number of 17, it is odd to be found as urgent when also reported during a three year time period were 52 rapes, 14 murders, 23 arsons, 509 robberies, 468 assaults, 878 burglaries, 985 auto thefts, and 2,038 thefts and the city wants to scare away the outside money that is still willing to come here. By spending \$4,000 on a KGB type company to study the money coming into the city, over 17 calls, as this was more correct than that money being spent on the 4,967 calls about serious criminal activity “to protect public health, safety, and welfare,” from the 0.34% of calls.

“In order to protect the public health, safety and welfare of the community and pursuant to the provisions of Government Code section 65858, a moratorium is hereby established prohibiting all short-term rentals as defined herein.” (Ord. 1843)

The Council has been tricked into believing we are covert criminals, and overlooked that we are exactly like all others who worked hard to buy a house and create a business from it, like 50% of all homeowners in this city have done.

THE REASONABLENESS INQUIRY

Despite being Grandfathered in, the city wants to effectuate a taking of an economic interest vested in real property, yet has made no mention of it in the process, “a state statute that substantially furthers important public policies may so frustrate distinct investment-backed expectations as to amount to a ‘taking.’” (*Penn Central Transp. Co. v. New York City* (1978) 438 U.S. 104, 127) The U.S. Supreme Court test for a Fifth Amendment taking under *Goldblatt v. Hempstead* (1962) 369 U.S. 590, 594-95 asks us to look at:

- 1) Do the interests of the public require such interference?
- 2) Are the means reasonably necessary for the accomplishment of the purpose, and not unduly oppressive upon individuals?

To answer these questions, the high court asks us to “evaluate its reasonableness” as to “the nature of the menace against which it will protect”.

In proposed Ord. 1843, the city council found “short-term rentals for lodging and other uses have deleterious impacts by increasing noise and traffic, creating parking problems, changing the character of a residential neighborhood, and with the case of housing - creating an impact on housing supply,” to justify changes in zoning laws, making *Goldblatt* the correct test.

Deleterious is a strong word, defined as “causing harm or damage” (Oxford Dictionary) that is a serious invocation by the honorable members of the city’s council. Thus an investigation of what the Council is being asked to declare as “true and correct” is necessary, for such harms caused by increase in traffic and noise and loss of parking would interfere with the rights as property owners to the use and enjoyment of ownership of lands and “changing the character of a residential neighborhood” is certainly “deleterious”.

Tanaka: And so Mr. Tsujiuchi, you said that there's some issues with code enforcement. What type of issues did we get? Were they like parties? Were they just loud people? What kind of issues?

Tsujiuchi: The ones that came on, I'd say at least three times, were noise. And it's usually some, it's not uncommon for short term rentals, people rent a larger house and then they host a party there. So several of the calls, or I would say three for Mayor Pro Tem, say two to three calls have come in for noise. For sure, I'd say two came in because of parking being taken up in the neighborhood. And then there was one call where it was just a complaint that they said what Ms. Kranitz was saying, that it's taken away from our neighborhood. These are residential neighborhoods. They're not little hotels on our blocks that we want. So it was kind of just a general complaint.

(Exhibit C p. 7 lns. 23-35)

Whereas, these stated reasons establish “the nature of the menace against which it will protect” so we must “evaluate its reasonableness” and “A careful examination of the record reveals a dearth of relevant evidence on these points.” (*Goldblatt* at 595) *More than could be imaged*.

THE ALLEGED ALLEGATIONS

The city made a finding in proposed Ord. 1843 that “the City Council has become aware of new platforms that allows people to rent out their pools [sic] by the hours [sic]”. Yet a Google search for “city of Gardena rent a pool party” resulted in all first page hits about how to rent a pool from the city of Gardena itself. And on 8/9/22, Director Tsujiuchi, reported, “Currently, there do not appear to be any pools for rent in Gardena.”

Starting then, with the first real issue, “adverse impacts to noise”, that weapon has met its demise because Chapter 8.36 Noise, of the Gardena Municipal Code, as set by policy, “8.36.010 Declaration of policy. In order to control unnecessary, excessive and annoying noise and vibration in the City of Gardena, it is hereby declared to be the policy of the City to prohibit such noise and vibration generated from or by *all sources as specified* in this chapter” violates void for vagueness and is overbroad thus no law at all under the First and Fourteenth Amendments, each “ordinance criminalizes a substantial amount of constitutionally protected speech” (*Houston v. Hill*, (1987) 482 U.S. 451, 466) as each ordinance “authorizes or even encourages arbitrary and discriminatory enforcement.” (*Hill v. Colorado* (2000) 530 U.S. 703, 732) Which is exactly what was evidenced in writing, by the city, at this very event, by declaring a noise nuisance.

“[T]he void-for-vagueness doctrine requires that a penal statute define the criminal offense with sufficient definiteness that ordinary people can understand what conduct is prohibited and in a manner that does not encourage arbitrary and discriminatory enforcement.” (*Kolender v. Lawson*, (1987) 461 U.S. 352, 357)

“[I]n a facial challenge to the overbreadth and vagueness of a law, a court's first task is to determine whether the enactment reaches a substantial amount of constitutionally protected conduct.” *Hoffman Estates v. The Flipside, Hoffman Estates, Inc.*, 455 U.S. 489, 494 (1982); *Kolender v. Lawson*, 461 U.S. 352, 359, n. 8 (1983). Criminal statutes must be scrutinized with particular care, *e. g.*, *Winters v. New York*, 333 U.S. 507, 515 (1948); those that make unlawful a substantial amount of constitutionally protected conduct may be held facially invalid even if they also have legitimate application. *E. g.*, *Kolender, supra*, at 359, n. 8. *Houston v. Hill* at 458-59

The Gardena Municipal Code (GMC) proscribes, from 7am to 10pm, the interior noise level if sustained for over 15 minutes at “45 dB(A)” and the peak maximum is “65 dB(A)” but if “speech conveying informational content,” the “noise standards shall be reduced by 5 dB.” (GMC

8.36.050 Interior noise standards). For the same events but outdoors it is, “55 dB(A)” and “75 dB(A)”, respectively, and “speech conveying informational content, ... reduced by 5 dB.” (GMC 8.36.040 Exterior noise standards) and “shall be deemed guilty of a misdemeanor” (GMC 8.36.090 Enforcement) which permits incarceration upon arrest.

Such laws criminalize all speech, and provide no guidance to a reasonable person as to what conduct to avoid. Putting the ordinance in English terms, according to Yale University,⁴ “a household refrigerator” is 55 dB(A) which is 5dB over one’s outdoor speaking limit of 15 minutes, because “normal conversation” is 60-70 dB(A); and qualifies for that 5dB reduction, meaning outside in Gardena the loudest anyone can be is equivalent to “a household refrigerator”. Thus this ordinance is perfect for declaring unwanted aspects in violation of and is now being used as an arbitrary weapon in violation of the federal Constitution.

Moving onto the dire issue of traffic congestion, there are 50 short term hosts in the city of Gardena, with a total maximum of 166 beds at 87 locations, given that we only drive one car if visiting with our family, the number is properly closer to 87, but to console the city’s fears we will analyze using 166 cars from the short term rentals in the city of Gardena on any given day. Compare to the 21 hotels or motels in the city, with a total of 747 rooms, (and yes I counted them all).

The five main city streets with the largest traffic load, average 33,276 cars per day,⁵ assuming all 166 cars from the short term units drove on the same road, that is a traffic increase of 0.49% on any given main road in Gardena, and at 87 cars it is 0.26%. Since they obviously would not all be using the same road, the impact is even lower, the average increased impact on any of the main five streets is 0.098% and 0.05%, which falls well short of harmful.

The claimed reasons of concern for the increase of traffic prove to be disingenuous, not only by the obvious negligible increase of 0.098% per main road but by ordinances recently enacted since March of 2020, see Ords. 1822 & 1823, both increasing zoning to R-4 high density population; Ord. 1824, changes from R-4 high density to General Commercial (C-3) with mixed use overlay (MUO) followed directly after by Ord. 1825 changes to zoning relating to Amenity

⁴ Available here: <https://ehs.yale.edu/sites/default/files/files/decibel-level-chart.pdf>

⁵ The average of all reported counts per block for the largest streets impacted by daily traffic are: El Segundo Blvd. (31,350), Crenshaw Blvd. (27,940), Redondo Beach Blvd. (31,250), Artesia Blvd. (48,800), Western Ave. (27,042), combined average is 33,276. Source: <https://cityofgardena.org/traffic-counts/>

Hotels and other minor revisions. The former two were done to add housing, yet the city voiced concerns about loss of housing. More so, all significantly increase traffic and noise and quite literally serve as “changing the character of a residential neighborhood”.

Further along the deleterious impacts of traffic and noise increases, the city also passed Ord. 1838, permitting lot splits, thereby doubling the traffic impact on the city. Maybe the city can explain how 0.49% increase is more “deleterious” than 200%.

Proposed Ord. 1843, noted a serious concern “creating parking problems” as to the 87 cars parked in the same locations that a resident would park, as a major concern to the city. Which is why in Ord. 1832, the Council found 18.40 of the Gardena Municipal Code “out of synch with the goals and policies of the General Plan, effectively making the over-supply of on-site parking, whether needed or not, the top policy of the City;” the purpose of that ordinance was to allow for more commercial growth by permitting all previously excluded areas to count towards total parking, e.g., ally ways, street parking, drive ways, etc. Stated as a major concern as to the entities the Council are now declaring as commercial short term rentals, after the Council enacted ordinances creating parking concerns.

Returning to the final aspects of the report that could possibly still be characterized as substantiated by evidence, the alleged public argument in favor of the bans is limited to “loss of neighborhood character” because the trash argument is the same trash that would be created by renters. Which is why no proof of these allegations could be offered, and none can be found.

But looking at loss of character for a moment. The city zoning permits the following:

18.12.010 Single-family residential zone (R-1).

“The R-1 single-family residential zone is intended as a low density residential district of single-family homes with one dwelling per lot and customary accessory buildings considered harmonious with low density residential development.”

18.12.020 Uses permitted.

“The following uses shall be permitted in the R-1 zone and other such uses as the commission may deem to be similar to those listed and not detrimental to the public health, safety, and welfare:

- A. Single-family dwellings and accessory buildings customary to such uses located on the same lot or parcel of land;
- D. Family day care homes
- E. Mobile homes
- G. Residential group facility;
- H. Transitional housing, subject only to those restrictions that apply to other residential dwellings of the same type in this zone;

I. Supportive housing, subject only to those restrictions that apply to other residential dwellings of the same type in this zone.

Family day care consists of the beautiful sound of children with their laughter and screams filling the air... and violating the noise ordinance, which is a criminal violation... not by the kids though (see Pen. Code, § 26 (one)), but by the home owner, yet this is not enforced.

The Council is commended and applauded for offering to enact express protection for members of residential group homes, transitional housing, and supportive housing. Many communities reject them, but they are welcome here, sincerely... good job.

It is not intended as any sort of disparagement of these sorts of homes, but it is nonetheless necessary to point out that these homes include multiple unrelated persons, often living 2-4 people to a room, in 3-5 bedroom houses, creating a single family residence that houses 6-20 people. Those are commercial enterprises operated in an R-1, but they are not subject to the same "restrictions that apply to other residential dwellings of the same type in this zone" because other SFRs are being singled out, for having less people, taking up less parking, generating less trash and creating less noise.

With solemnity, the struggles these residents are under going is difficult. But the city accused residents of Airbnb and other platforms of being criminals without basis, yet the very definition of transitional housing is to provide for group support based housing during the transition back into normal society after prolonged prison sentences, and the function of a residential group facility is for those who wish to stop using drugs. Both groups are literally criminals, and turning their lives around, but the city accused law abiding guests as criminals to further a falsely inspired and steadily driven agenda.

At the same meeting to vote on an urgency ordinance "to protect public health, safety, and welfare," "Marc Panetta: owns apartment property on 147th asked if the policy when obtaining a police report for having disruptive tenants or domestic violence for landlords could be modified;" (9/13/22 Minutes p.6) So the violence, noise, and unruly tenants at apartments is so common that the city has a procedural policy about this? When will those properties be up for an urgency vote?

Proposed Ord. 1843 "short-term rentals of residences for lodging purposes... are not listed as allowed uses under the Gardena Municipal Code"

The Staff Report of 9/6/22, stated:

"An STR is any rental of a dwelling of thirty days or less. The City's position has been that because STRs are not listed as an allowed use in the zoning code, they are prohibited. This is known as permissive zoning. The recent case of *Keen v. City of Manhattan Beach* decided

in April of this year renders this argument invalid. Due to this decision, the issue of regulating STRs was brought to the City Council for discussion and to provide direction to staff to draft an ordinance.”

Again, cutting the citizens right out of the conversation, because if involved we can ask questions that maybe the city can or cannot answer. One would be, what sort of use is involved when a person is eating, watching TV, relaxing and sleeping at a house? Because the city said this was “not listed as an allowed use.” “The following uses shall be permitted... Single-family dwellings and accessory buildings *customary to such uses* located on the same lot or parcel of land”, it appears that sleeping and eating are customary uses of a house, or no?

Proposed Ord. 1843 claimed it needed to study this new phenomena called short term rentals, that have been around since 2008. While simultaneously drafting an ordinance to prohibit short term rentals under Ord. 1844 with all of the same findings. Which sounds nothing like a desire to study.

Proposed Ord. 1843 concludes its “findings” with:

“WHEREAS, the City Council would like to immediately prohibit short-term residential rentals in order to protect the public health, safety and welfare from the impacts listed above on short-term lodging rentals and make clear that other short-term rentals of residential properties are prohibited until such time as it considers a permanent ordinance and if adopted, such ordinance takes effect;”

The impacts listed above, were proven to be false, unfounded and not supported by any evidence.

“NOW, THEREFORE, the City Council of the City of Gardena does ordain as follows:

SECTION 1. That the above recitals are true and correct and are adopted as the City Council's findings.”

That declaration is simply not true, and has so been proven.

The above major concerns and reasons for changing the laws to take away existing property rights have been proven as false, the high court had already held the city will have to pay for our expected losses under the Fifth Amendment, yet the city persists anyway, even in situations where it actually does “substantially further[any] important public policies may so frustrate distinct investment-backed expectations as to amount to a ‘taking’” (*Penn Central Transp. Co. v. New York City* (1978) 438 U.S. 104, 127) and the city will have to pay for our losses.

CHANGING THE CHARACTER OF A NEIGHBORHOOD

The Council answered this concern for all, as to the finding made by the Council, “changing the character of a residential neighborhood, and with the case of housing - creating an impact on housing supply;” (Proposed Ord. 1843) because the Council had already made another finding, on May 11, 2021, Ord. 1828, “The Zoning Changes will allow the development of a high-density, 265-unit, **first-class** apartment project in the north end of Gardena which will provide new and needed housing opportunities in the City.” The median income of a resident in Gardena is \$55,000, that certainly does not seem like a salary that can afford a “first-class apartment”. Those 265 units adds more than 165% of the cars from all short term rentals to the intersection of El Segundo and Crenshaw, where 58,300 cars cross paths daily. Those 264 units create more trash, take up more parking, and most certainly will create an impact on the housing supply, for rich people.

The city was fully aware that it had the authority to “[r]equire, as a condition of the development of residential rental units, that the development include a certain percentage of residential rental units affordable to, and occupied by, households with incomes that do not exceed the limits for moderate-income, lower income, very low income, or extremely low income households” (Gov. Code, § 65850 (g)) but the city did not so require that. Instead the city authorized “265-unit, **first-class** apartment[s]” that will only cater to the upper class, and serve to increase the rental median price; then claimed that STRs will drive up the rental prices and serve to take away affordable housing.

And as to “changing the character of a residential neighborhood,” all who once enjoyed the billboard ban in this beautiful city, will find the view changed because that same proposal also now amended and added other ordinances, amending Ord. 18.58.050 “Billboards, as defined herein; this does not apply to digital billboards.” And added Ord. 18.58.055 permitting digital billboards, which are known to increase traffic. Not to mention the glaring light changing the character of any neighborhood it is placed in. But those were paramount concerns to justify outlawing rentals in the city. Also in those billboard laws, there was a citation to Bus. & Prof. Code, § 5412 “Eminent Domain Law” “‘Relocation,’ as used in this section, includes removal” but the city has simply tried to violate the Fifth Amendment with this ordinance but without advising the extending that offer or even acknowledgement of rights mentioned above by the U.S. Supreme Court cases *Goldblatt* and *Penn Central Transp. Co.*

But there were some affordable housing units built recently, e.g., “50 contemporary new townhomes” in a “Gated community” at Azalea Walk 1335 W. 141st St. Gardena, CA 90247 “Payments starting as low as \$2,508* a month.” * “\$676,990 with a 20% down payment... 680+ fico credit score and 6 months PITI reserves required” meaning our median income families only have to come up with \$135,000 + \$18,000 reserves, for a total of \$153,000 and that affordable \$2,508 per month is within their reach.

Another stated finding of Ord. 1843 included, “WHEREAS, the desire to operate short-term rentals is expected to increase due to the proximity of Gardena to SoFi Stadium;”

In Ord. 1825 other findings were made:

“WHEREAS, Gardena is situated to be in a position to **capitalize on a demand for new hotel spaces** due to its proximity to SoFi Stadium, Hollywood Park, Dignity Health Sports Park (formerly "Stub Hub"), and other attractions; and WHEREAS, **during the past year, developers have indicated** that the City's development standards have been an **impediment to new hotel development**; and WHEREAS, at the City Council meeting on July 14, 2020, the City Council gave direction to staff to implement changes;”

The Council has been pushed by an agenda to ban STRs, steering the city to blame STRs for traffic, forgetting they increased it themselves; blamed for less parking, while causing less parking through Ordinances; declaring STRs will cause prices to go up and a shortage, yet forgetting about creating first class apartments for the rich; declaring STRs will become more proliferent because of SoFi, while declaring that SoFi money is good for the city. Someone has been hiding an agenda.

The meeting that started all this, was not noticed to the public, yet two people showed up to speak in favor of the ban. Observe the words of the second person:

Raymond Dennis: I also think that with the proximity of SpaceX and proximity of Tesla, that they have many short term people that come into those organizations that *instead of using hotels* would be more inclined to bundle up in a Airbnb. ... I understand if you can't do a moratorium right now, but you at least should investigate, investigate quickly because the world cup is coming. You have the Super Bowl. You have the BCS championship coming. You have the final four coming and you have in 2026 World Cup, all of that coming to SoFi, and *people be looking for places to stay*.

(Exhibit C p. 9 lns. 26-28, 34-37; p. 10 ln. 1)

Those are rather unusual concerns for a random citizen at a local city hall meeting to spontaneously show up and be focused on upper class workers desiring a short term place to stay and not using a hotel, that SoFi money will be coming in and needing a place to stay, in a couple

of years, just in time for a hotel to be approved and built. But he also planted fears in his speech, and what was a relatively quiet reception by the council, then turned into a fear fest. Spurned by people randomly present with focused messages to manipulate the Council.

STRS HAVE ALWAYS BEEN LAWFUL AND STILL ARE

The proposed zoning fails the uniformity requirement of Gov. Code, § 65852 because some houses are permitted to a use of their land for hire and are not treated as a business, but every year money is paid by me for a business license, “License Activity Residential Rental Property” one for each of my addresses (Account Numbers 2820, 2821; \$56.75 x2; I am current see Transactions ID’s: 63482405363 and 63482409762). Her Honor declared on 9/13/22, “I’m sure none of these people are paying any type of business license tax or anything like that.”⁶ The city has been approving of my short term rentals for years, because as it acknowledges, it was a lawful activity.

5.04.110 Separate business licenses/permits for each business and for each location.

A. Except as otherwise provided in this Title, a separate license shall be obtained and a separate fee paid for each branch establishment or separate place of business, and for each separate type of business activity which shares a common location, even when conducted under the same ownership.

B. Each license shall authorize the licensee named therein to commence and conduct only that business described in such license and only at the location or place of business which is indicated therein.

5.04.010 Definitions.

“‘Business’ means and includes all kinds of ... enterprises, establishments and all other kinds of activities and matters, ... used or carried on for the purpose of earning in whole or in part a profit or livelihood ... Business, ... shall include, without being limited thereto, trades and occupations of all and every kind of calling carried on within the city; ... the renting or supplying of living quarters or board, or both for guests, tenants or occupants.”

“‘Established business’ means and includes only such persons in cases whereby the nature of their respective modes of operation would clearly be classifiable as a “permanent business.” In all other cases such fact shall be required to be proven ... for a minimum period of six months or more.

During the slide show on 8/9/22, a word had to be defined for the city:

“What is a Short Term Rental (STR)?- Typically defined as a rental of a dwelling unit which is shared, in whole or in part, for periods of 30 days or less as a way of generating rental income.”

That was an admission that the city had yet to define the term legally.

The August 9th Agenda Staff Report

“An STR is any rental of a dwelling of thirty days or less. The City’s position has been that because STRs are not listed as an allowed use in the zoning code, they are prohibited. This is

⁶ <https://youtu.be/6T1z77Zy5Z4?t=8971>

known as permissive zoning. The recent case of *Keen v. City of Manhattan Beach* decided in April of this year renders this argument invalid.

According to the appellate court, Manhattan Beach's ordinance did not regulate how long a person could stay in a dwelling and therefore rejected the city's argument that the STRs were prohibited under the theory of permissive zoning. **Based on this decision, if Gardena wishes to regulate or prohibit STRs, it will be required to enact a zoning ordinance to do so.**" (p.1)

"There are now websites that are devoted to hourly rentals of pools in single-family homes, the most popular of which is www.swimply.com. Additionally, owners are renting their homes for use as event spaces. Currently, there do not appear to be any pools for rent in Gardena. Community Development has received inquiries about using private homes for events such as weddings. Use of homes for these purposes turns a single-family home into a commercial enterprise and can cause neighborhood disruptions.

Unlike STRs for lodging, these uses are prohibited under the Gardena Municipal Code as they are not listed as an allowed use. However, staff believes that such uses should be specifically addressed in accordance with the City Council's desires." (p.3)

"Submitted by: Greg Tsujiuchi Date: August 4, 2022"

The above is a direct acknowledgment by the Community Development Department Director that STRs were not prohibited but rather are currently permitted, because an appellate court had determined their theory was legally invalid and acknowledged that the Gardena Code did not regulate how long a person could stay, therefore the use as a STR was just like the other 10,000 rentals in this city, except that STRs comprised 0.8% of the volume of rental units in the city, which by no means has ANY meaningful impact on the available housing supply.

As of 2018, there were 20,619 households, comprised of 32% nonfamilies, 68% families; the median income was \$55,351 (City of Gardena 2021-2029 Housing Element p.13) and as of 2020 there were 21,982 housing units with 52% as single family residents (SFR) and 43.6% multiple-family units (MFU), (*id.* p. 15) thus 11,431 SFRs and 9,584 MFUs, but near 50/50 on ownership (10,090) to renter (10,529) ratio (*id.* p. 36).

Under Public Resources Code § 21083.3 when a "parcel has been zoned to accommodate a particular density of development or has been designated in a community plan to accommodate a particular density" which all of our properties were, thus "consistent with the zoning or community plan" any inquiry "shall be limited to effects upon the environment which are peculiar to the parcel" but the city already declared "with certainty that there is no possibility" of an environmental issue under the commonsense exemption set forth in California Code of Regulations title 14, section 15061(b)(3), which the city planner forgot to cite, and further proves there are no concerns with trash, noise, or traffic.

This ordinance is not consistent with the General Plan, Policy 2.2 “Encourage provision of units of various sizes to accommodate the diverse needs of the community, including seniors, students and young workers, and large households.” Rentals of any duration accommodate any degree of temporary worker or visitor, how many will be available to rent to a visiting nurse here for three weeks or worker in for a project for 6 weeks? Or those Tesla or SpaceX workers? And directly violates Policy 5.2 “Provide a range of housing options, locational choices, and price points to accommodate the diverse needs in Gardena and to allow for housing mobility.” One of those public voices on 9/13/22 specifically advised that she uses STRs to house visiting family members when they come to town because they cannot afford the hotel rates.

And the only stated negative aspect is under Policy 2.5, “Discourage the conversion of affordable rental units to condominium ownership.” Which not one of us has contemplated.

Is the Council aware that the General Plan only uses the word “short” one time in the entire plan? And it is under Permit and Processing Procedures. “Development processing time is relatively *short* and expeditious due to a one-stop counter, streamlined procedures, and concurrent processing.” (City of Gardena 2021-2029 Housing Element, p. 49)

Therefore, the proposed zoning is not compliant with Gov. Code, § 65862 as to any “inconsistency between the general plan and zoning arises as a result of adoption of or amendment to a general plan” and the moment the Council attempts to amend the General Plan to make STR’s inconsistent with it, the Council grants each of us standing to attack the General Plan under Gov. Code, § 65860(c).

THE LEGISLATURE PRECLUDED THIS CURRENT ACTION

And that brings us to the stated reason for this urgency measure, as brought under Gov. Code, § 65858 “to protect the public safety, health, and welfare, may adopt as an urgency measure an interim ordinance prohibiting any uses that may be in conflict with a *contemplated* general plan, specific plan, or zoning proposal that the legislative body, planning commission or the planning department is considering or studying or intends to study within a reasonable time.” The Legislative history clarifies that the intended use of this statute is not a contemplated use. From the (Senate Housing & Community Development Committee, Chair Senator Dunn, Analysis of SB No. 1098 (2001-2002 Regular Session) as introduced May 3, 2001, p. 1):

“Existing law allows a local government to adopt an ‘interim ordinance’ - otherwise called a moratorium - prohibiting **any new land use** that may be in conflict with a change to the general plan, specific plan or zoning proposal that the jurisdiction is studying or considering.

The local government must first make legislative findings that there is a current and immediate threat to the public health, safety or welfare and **that the approval of additional permits would result in the realization of that threat.** Upon a 4/5ths vote, the local legislative body can adopt such an ordinance for 45 days and ultimately extend it for as long as two years.”⁷

The Senate disagrees with this council’s intended use to retroactively apply the zoning law, as does our local Court of Appeal. “We conclude that the city council failed to make findings required under Government Code section 65858, subdivision (c) ... therefore was contrary to law and invalid.” (*Hoffman Street, LLC v. City of West Hollywood* (2009) 179 Cal.App.4th 754, 758). Wherein the court also concluded there was no need to follow the administrative remedies because the ordinance was invalid.

Gov. Code, § 65858 subdivision (c) provides “The legislative body **shall not adopt** or extend any interim ordinance pursuant to this section ***unless*** the ordinance contains legislative findings that there is a **current and immediate threat to the public health, safety, or welfare,** ***and*** that **the approval of additional** subdivisions, use permits, variances, building permits, or any other applicable entitlement for use which is required in order to comply with a zoning ordinance would result in that threat to public health, safety, or welfare.” The Council has skipped right over the aspect of any additional future units would cause harm, and only declared then existing lawful uses were the cause of harm, but failed to substantiate it as required by statute and case law.

It is generally understood in this state, that the findings need supporting evidence, which as of now only consists of voices of the public submitting an objection to the unlawful ban.

Three quick points and then done.

The Council’s administrative process is designed to eliminate a cause of action under Gov. Code, sections 65009(c); 65009; 65093 in violation of the Fifth and Fourteenth Amendments pursuant to *Logan v. Zimmerman Brush Co.* (1982) 455 U.S. 422 as a cause of action is a property right that may not be so shortly limited.

Reservation of right is hereby made and no waiver of rights results as under local, state and federal laws, all possible applicable causes of action, and defenses are now raised, reserved and intended to be used.

⁷ Available here:

https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=200120020SB1098#

Finally, and very importantly, in a case where the citizens prevailed over the city regarding zoning issues, the “plaintiffs moved for attorney's fees pursuant to section 1021.5 for prevailing on their challenges to the SNAP variances. After full briefing and a hearing, the trial court granted La Mirada attorney's fees totaling \$793,817.50 and Citizens attorney's fees of \$180,320.” And was affirmed by our local Court of Appeal. (*La Mirada Ave. Neighborhood Ass'n of Hollywood v. City of L. A.* (2018) 22 Cal.App.5th 1149, 1155) Money that could be spent on the homelessness issue.

WHERE DO WE REALLY WANT TO GO FROM HERE?

The above recommendations were made before investigation because the city only began an investigation after the urgency moratorium vote failed, and then a KGB poised company was procured to spy, as if we were hiding.

“After the last City Council meeting, the City Manager authorized entering into a \$4,000 consultant agreement with Deckard Technologies/Rentalscape to provide important information regarding STRs that currently exist in the City. Generally, it takes several weeks for the system to populate the information for the City.”

But how will the city be making good use of that money when it cuts off the source of the data?

“Any modification to Ordinance No. 1844 would need to first go back to the Planning Commission. Given the complexity of drafting an ordinance that allowed STRs, it is unlikely that such an ordinance could be returned to the City Council before late November or early December.”

And that few months is not enough time for the company to be running data to make an informed decision with, but better than no time. Additionally, this “would need to first go back to the Planning Commission” anyway, because 1843 was not voted on by the Planning Commission.

Now, if you do not want to shoot me, that part is all done and we can move on to where we need to be. Do you know that where I am from, this could never be said? After the second page, they would win the argument...

You have no idea the freedom you take for granted here. And how wonderful it is to be able to use it. But disagreement can lead to compromise. Let's take a look at that now.

THE RIGHT FOOT.

Come, sit my friends. Let us try to do what rational people do, talk.

Your people, the proud homeowners of STRs are mostly all immigrants, who came here for the same reasons as I did, because this American dream belongs to the world. Those of us that win the lottery of life, get to live it, and we see so many born into it not even see it.

Each of us worked so hard to build and safe and invest and grow. Do you think for one second we want any harm to come to our property, our investments, our children's futures?

We are dedicated to our success.

I meet every single guest that comes to the property, after running background checks on them, I personally let them into the house; a very small reason is to be a good host, the very large reason is that I was raised to be suspicious and need to check them all out myself.

Her Honor made an interesting comment about the feeling of knowing your neighbors during the 8/9/22 meeting. To this there are two things: first, we do not get to pick them, and sometimes they are *not* at *all* what we want, and that feeling never leaves because they never leave. Second, sometimes its nice to be curious about who is in there now for a little excitement, and find that same familiar comfort in knowing they are leaving in a day or two. Life is how we look at it. I see an attack, and find a reason to make good for all of it.

One of your STR hosts, suffered the ultimate test of a mother, when her son was paralyzed and she had to stop working to become full time caretaker and to supplement the loss of income had to rent out part of the house. Nightmare after nightmare, followed by even worst long term tenants kept arriving and not paying, she switched to Airbnb and has never had a single problem since, finally she is financially worry free.

Councilmember Henderson, you were concerned about 290 registrants, Airbnb makes all members photograph their face and ID to register, then the computer verifies, and also checks against the federal data base made available to social media sites for this very purpose. If one signs up, within minutes the system closes their account permanently. So none can rent from us as hosts, unlike your normal landlord that may not know, we do; simply because they contacted us qualifies them as not.

City Manager Osorio, you were concerned about staffing and timing and costs of enforcement, yet you have the most dedicated staff imaginable, more ready and willing than your staff could ever be (no offense) because we are the owners. There is no reason why our phone

numbers cannot be distributed or connected to law enforcement and the city so if a noise complaint comes in, we are called first.

If there are noise complaints, then we want to know more than you do, because that is a rather large investment and only one of three things are occurring. The guest is unruly and we want them out; a neighbor is the cause of the noise and we want it to stop more than you do to protect our guest's peace and relaxation; or the call is from a busy body with nothing better to do, and we all need to know that, and be able to recognize it when it becomes a pattern.

Which also goes to Councilmember Tanaka's concern about a rave party at a house, which should be clear by now, is completely unacceptable, and the police *will* need to be called, but to protect them from me.

Which leads into Director Tsujiuchi, Counselor Vasquez, and Counselor Kranitz, there was concern about drafting an ordinance; you can be boring and copy one of the many you read from the other cities, or we can all create something to serve as model for them to copy, by combing your drafting and legal knowledge with the practical knowledge of the hosts' who are happy to provide insight. There is no reason why we cannot work out a system that helps everyone, this is America still right? Two brilliant female attorneys and a can-do-attitude and we can make this happen quickly.

From the top of my head, maybe just a simple point system, starting with 3 points, each call that is not resolved by the host that results in another call to address the unresolve complaint loses one point, but if no calls that month gains one point as a reward; then if all points are lost, then they lose; or something that involves punishment and reward. By the time a host gets seasoned enough, it should not be a problem, but maybe cap at 12 or 15 incase somebody spirals down there is still a way to hold them accountable. Putting together packets of preparedness and plans and methods can be symbiotic, and allow us to resolve problems together, rather than spending money.

We do not want bad hosts out there either, and we need your protection too. Rather coincidentally, just this Sunday, I had what appeared to be a normal guest, with good reviews, then because I monitor the property which alerts me when movement occurs outside, I saw she had an unregistered and unverified person on the property, I immediately contacted Airbnb and notified them of the unauthorized person in violation of the agreement, as a result they cancelled the agreement with the guest and Airbnb notified her she must leave now, and notified her several more times but she refused to leave. Then I went over to tell her to leave in person, incredibly she

called the police to have *me* removed. I explained the law and the situation but the officer said this was civil and they do not do civil, when it was clearly a criminal trespass because she could not prove consent with a simple proof of payment as that would show it was cancelled for violating rules. The police left. She then shoved my friend and called the police a second time, luckily my place is fully captured on cameras and I also had my phone and showed the officer who finally, sternly spoke to her and they left. This break down of procedure when a citizen needs police help is not good for anyone, because in the end, the officer was rewarding the criminal.

Also, Director Tsujiuchi, maybe you did not realize it, but many of those people that came to ask if it was legal, were would-be hosts; as I once did the same. Most of us want to do right, we are in business to live, not starve.

Does the city want to make money? Because we do too. Sales taxes and TOT are better than nothing, also Airbnb automatically takes out the TOT and sends it to the city directly on a hosts behalf, so that makes it streamlined. “Asst City Attorney Kranitz gave the amount of STRs we currently have in our city which is about 130 rentals, and an estimation of TOT would be \$125,000 a year but then we would be paying a company to check on them.” (9/13/22 Minutes p.10) As Director Tsujiuchi showed, it will cost the city \$4,000 to make \$121,000, that is an investment that any of us hosts would die for, and you get it for the cost of bringing in *more* money to the city, because that which is even better than taxes is outside dollars brought into the city and spent here, building our economy. Who else is going to shop at your site specific plans?

Mayor Pro Tem Francis, there is so much more that I could have said, but I would rather not fight as it is best if we leave each other be and we both will be happier in the long run in the end. But you are also right, that a cap should occur, because to be rather selfish, we do not want to see the area flooded with hosts either. The only lawful and constitutional way is to enact prospective laws. And for all of the big companies that are trying to be impressed to help the city grow, do you really think multi-hundred million dollar companies are really intimidated by 50 citizens?

Combined we are one hotel. That should scare no one, but rather excite that we bring in a hotel’s worth of business daily, without having to wait for it to be built.

When the hotels are finally built, we won’t matter then either.

Do you know what I love? Korovka milk caramel, I am hopelessly addicted, and I hate Skittles.

Which I am sure someone just shook their head reading that. But you do not need to convince me of what I don't like, nor I you. Some people hate hotels and want a home feel, others love hotels, my closest friend is one of them. If a person wants an Airbnb, they will find one, even if it is not in Gardena, and that is money lost to local shops.

Options stimulate growth, not one sided un-thought out decisions, that result in enacting laws which will result in hundreds of thousands of dollars of attorney fees taken from the city fund, to only find out you have to start over.

And to what end? So outside money is not spent here?

Her Brilliance Councilmember Love saw it, true to her namesake, for she was accepting of the unknown and embraced the possibilities of hope. You inspired me to find the same middle ground.

Working together to solve the problems is where all this energy needs to be spent.

On this note, I will conclude with my favorite passage from a case.

The authentic majesty in our Constitution derives in large measure from the rule of law — principle and process instead of person. Conceived in the shadow of an abusive and unanswerable tyrant who rejected all authority save his own, our ancestors wisely birthed a government not of leaders, but of servants of the law. Nowhere in the Constitution or in the Declaration of Independence, nor for that matter in the Federalist or in any other writing of the Founding Fathers, can one find a single utterance that could justify a decision by any oath-beholden servant of the law to look the other way when confronted by the real possibility of being complicit in the wrongful [deprivation of another's pursuit of happiness]. When the Preamble of the Constitution consecrates the mission of our Republic in part to the pursuit of Justice, it does not contemplate that the power of the state thereby created could be used improperly to abuse its citizens[.]

Northern Mariana Islands v. Bowie, (9th Cir. 2001) 243 F.3d 1109, 1124

I grew up in tyranny, yes it sounds fun, but its not all its cracked up to be, living under a boot of those who mean well by thinking for you is not living.

“It is a melancholy reflection that liberty should be equally exposed to danger whether the Government have too much or too little power, and that the line which defines these extremes should be so inaccurately defined by experience.” James Madison letter to Thomas Jefferson, October 17, 1788

Too little, and liberty is destroyed by crime; too much, and there is no liberty, only a dictatorship.

Thank you for your time, consideration, and for taking care of the men and women in the transitional and group housing, that was very impressive. Let's keep that spirit of community unity going, together.

Most sincerely,

Mariya Wrightsman

September 27, 2022

Attached: Exhibits A-D

EXHIBIT A

gent creditors, and persons who may otherwise be interested in the will or estate, or both, of WILLIAM EARL DAVIDSON. A PETITION for Probate has been filed by: WILLIAM DAVIDSON JR. in the Superior Court of California, County of Los Angeles. The Petition for Probate requests that WILLIAM DAVIDSON JR. be appointed as personal representative to administer the estate of the decedent.

The petition requests the decedent's will and codicils, if any, be admitted to probate. The will and any codicils are available for examination in the file kept by the court.

The petition requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will al-

hearing. Your appearance may be in person or by your attorney.

If you are a creditor or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within four months from the date of first issuance of letters as provided in Probate Code section 9100. The time for filing claims will not expire before four months from the hearing date noticed above.

You may examine the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate

ANGELES. THE PETITION FOR PROBATE requests that Reginald Denzel McDonald be appointed as personal representative to administer the estate of the decedent.

THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an

58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code.

Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law.

YOU MAY EXAMINE the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.

Attorney for petitioner:

PAUL HORN ESQ
SBN 243227
PAUL HORN LAW GROUP PC
11404 SOUTH STREET
CERRITOS CA 90703
CN989776 SIMS Sep 1,8,15, 2022
Gardena Valley News
9/1,8,15/22-122217

without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.

A HEARING on the petition will be held in this court as follows: 10/31/22 at 8:30AM in Dept. 9 located at 111 N. HILL ST., LOS ANGELES, CA 90012 IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four

CITY OF GARDENA
NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT on Tuesday, September 27, 2022, at 7:30 p.m., the City Council of the City of Gardena will conduct a virtual public hearing to consider the following:

ORDINANCE NO. 1844

REQUEST: Consideration of an Ordinance amending Title 18, Zoning, of the Gardena Municipal Code to prohibit short-term rentals of residences for lodging purposes and short-term rentals of residences for other commercial uses not listed as allowed uses under the Gardena Municipal Code. The Ordinance is exempt from the provisions of the California Environmental Quality Act pursuant to the commonsense exemption set forth in Guidelines section 15061(b)(3). On September 6, 2022, the Planning Commission voted 3-1-0, recommending that the City Council adopt the ordinance to prohibit short term rentals.

Applicant: City
Project Location: Citywide

The public hearing will take place via an on-line platform that can be accessed from your computer, smartphone, or tablet. Detailed directions for accessing this hearing will be on the City's website at <https://cityofgardena.org/agendas-city-council/>, no later than **September 23, 2022**.

The related materials will be on file and open for public inspection on the City's website at <https://www.cityofgardena.org/community-development/planning-projects/>. You will have the opportunity to post questions during the hearing. Comments may also be submitted via email to publiccomment@cityofgardena.org or by mail to 1700 W 162nd Street, Gardena, CA 90247.

If you challenge the nature of the proposed action in court, you will be limited to raising only those issues you or someone else raises at the public hearing described in this notice, or in written correspondence delivered to the Gardena City Council at, or prior to, the public hearing. For further information, please contact the Planning Division, at (310) 217-9524.

/s/ MINA SEMENZA
CITY CLERK

Gardena Valley News 9/15/2022-122990

CITY OF GARDENA
VIDEO POLICING SYSTEM PROFESSIONAL SERVICES

NOTICE OF REQUEST FOR PROPOSALS

PUBLIC NOTICE IS HEREBY GIVEN that the City of Gardena, California, invites and will receive proposals via Planet Bids up to the hour of 1:00 p.m., October 25th, 2022, for PROFESSIONAL SERVICES FOR VIDEO POLICING SYSTEM in accordance with the Notice, Scope of Work and the Draft Agreement contained in the City of Gardena Request for Proposals for Video Policing System Professional Services. Copies of this document and the necessary proposal response forms may be obtained from Planet Bids.

A **mandatory** pre-bid proposal conference has been scheduled for prospective bidders at 10 a.m., October 11th, 2022 at the Gardena Police Department, for the purpose of reviewing the City's requirements. To qualify for consideration for award of the contract, potential bidders **MUST** attend this pre-bid proposal conference.

Dated this 15th day of September 2022
/s/ Mina Semenza, City Clerk of the City of Gardena, California
Gardena Valley News 9/15/2022-122901

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Attorney
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EXHIBIT B

ance bond in the amount of 100 percent of the contract price, and a payment bond in the amount of 100 percent of the contract price, both in a form satisfactory to the City Attorney.

The contractor shall have an active "A", "C-10" or "B" license from the Contractor's State License Board at the time of submitting bid. Asbestos and Lead abatement work shall be done by a contractor having the appropriate legal license and certifications.

The prime Contractor must perform at least 25% of the cost of the contract, not including the cost of materials, with its own employees on site.

Pursuant to Public

the escrow agreement, letter of credit, form of security and any other document related to said substitution is reviewed and found acceptable by the City Attorney.

The City reserves the right to reject any or all bids and to waive any informality or irregularity in any bid received and to be the sole judge of the merits of the respective bids received. The award, if made, will be made to the lowest responsive responsible bidder.

Bidders are advised that this Project is a public work for purposes of the California Labor Code, which requires payment of prevailing wages. Accordingly, the bidder awarded the Contract and all subcontractors shall

tions 1777.5 and 1777.6 of the Labor Code concerning the employment of apprentices by Contractor or any Subcontractor under it. Contractor and any Subcontractor under it shall comply with the requirements of said sections in the employment of apprentices.

The Contractor is prohibited from performing work on this project with a subcontractor who is ineligible to perform work on the project pursuant to Section 1777.1 or 1777.7 of the Labor Code.

This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations. All contractors and subcontractors must furnish electronic certified

by a qualifying project labor agreement.

These requirements will apply to all public works projects that are subject to the prevailing wage requirements of the Labor Code without regard to funding source.

The State General Prevailing Wage Determination is as established by the California Department of Industrial Relations (available at <http://www.dir.ca.gov/DLSR/PWD/index.htm>).

Skilled and Trained Workforce: This project is subject to Skilled and Trained Workforce Requirements per Sections 2600 through 2603 of the Public Contract Code.

Award of Contract: The following are conditions to the award of the contract:

- I. Each contractor and subcontractor listed on the bid must be registered with the Department of Industrial Relations pursuant to Labor Code Section 1725.5, subject to the limited exceptions set forth in Labor Code Section 1771.1(a) (regarding the submission of a bid as authorized by Business & Professions Code Section 7029.1 or Public Contract Code Section 10164 or 20103.5 provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract was awarded); and
- II. No contractor or subcontractor may be awarded this contract unless the contractor and each subcontractor listed on the bid is registered with the Department of Industrial Relations pursuant to Section 17265.5.

Any questions regarding this bid package may be referred to Kevin Kwak, Principal Civil Engineer, Public Works Engineering Division at 310.217.9643

the decedent. THE PETITION requests the decedent's will and codicils, if any, be admitted to probate. The will and any codicils are available for examination in the file kept by the court.

THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.

A HEARING on the petition will be held on Sept. 15, 2022 at 8:30 AM in Dept. No. 11 located at 111 N. Hill St., Los Angeles, CA 90012.

IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code.

CITY OF GARDENA NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT on Tuesday, September 6, 2022, at 7:00 p.m., the Planning Commission of the City of Gardena will conduct a **virtual** public hearing to consider the following and make a recommendation thereon:

ORDINANCE NO. 1844

REQUEST: Consideration of an Ordinance amending Title 18, Zoning, of the Gardena Municipal Code to prohibit short-term rentals of residences for lodging purposes and short-term rentals of residences for other commercial uses not listed as allowed uses under the Gardena Municipal Code. The Planning Commission will make a recommendation to the City Council. The Ordinance is exempt from the provisions of the California Environmental Quality Act pursuant to the commonsense exemption set forth in Guidelines section 15061(b)(3).

**Project Location: Citywide
Applicant: City**

The public hearing will take place via an on-line platform that can be accessed from your computer, smartphone, or tablet. Detailed directions for accessing this hearing will be on the City's website at <https://cityofgardena.org/agendas-planning-environmental-commission/>, no later than **September 2, 2022**.

The related materials will be on file and open for public inspection on the City's website at <https://www.cityofgardena.org/community-development/planning-projects/>. You will have the opportunity to post questions during the hearing. Comments may also be submitted via email to PlanningCommissioner@cityofgardena.org or by mail to 1700 W 162nd Street, Gardena, CA 90247.

If you challenge the nature of the proposed action in court, you will be limited to raising only those issues you or someone else raises at the public hearing described in this notice, or in written correspondence delivered to the Gardena Planning and Environmental Quality Commission at, or prior to, the public hearing. For further information, please contact the Planning Division, at (310) 217-9524.

Amanda Acuna
Senior Planner

Gardena Valley News 8/25/2022-122309

TO ALL PERSONS TROYN THOMAS RIOS for S E A M THOMAS THOMAS with decreed names JOEL PELTS- JOEL PELTS THE C DERS THE interester shall this cou ing indic show c why the change d not be person c name of scribed a a written includes for the least tw before schedule and mus hearing why the not be q written timely fi may gra without NOTICE 10 8:30 a Super C Cou A 825 Torran A copy of Show C publishe each we cessive the date ing on t the follo per of g tion, pr county: ley New DATE: 0 Deidre H Judge of Superior Gardena 8/18,25 121945

EXHIBIT C

1 Tsujiuchi: Short presentation, if you'd like to hear that first?

2 Cerda: Let's go ahead and do that first, because we may have questions as it relates
3 to that.

4 Tsujiuchi: Okay we're going to share our screen here. Can everyone see the screen?

5 Cerda: Yes.

6 Tsujiuchi: Good evening members of the city council. Tonight's discussion is about
7 short-term rentals. We have a short presentation and we go to next slide
8 here.

9 So just a recap on what a short-term rental is. Typically, it's defined as a
10 renting of a dwelling unit, which is shared in whole or in part, meaning it
11 could be the whole dwelling unit or maybe just a bedroom or actually an
12 amenity that we recently seen for usually periods of 30 days or less as a way
13 of generating rental income. Most recently, we're starting to see not only the
14 dwelling unit being defined as a short-term rental, but we're starting to see
15 it kind of broadened in definition to include things like hourly and daily
16 rentals of swimming pools in people's backyards. And also as a daily special
17 event venue, like maybe hosting weddings. That could also be included in
18 this definition of a short-term rental.

19 So why we're bringing this to you for discussion, our Gardena Municipal
20 Code doesn't specifically prohibit short-term rentals. There's been a recent
21 case law known as Keen versus City of Manhattan Beach. And I'd actually
22 like Lisa to kind of brief you on that.

23 Kranitz: So generally Gardena and other cities use what's called permissive zoning.
24 If a use is not listed in the municipal code, then according to the city, it's
25 prohibited. That's how Gardena functions. That's theoretically how
26 Manhattan Beach functions. Manhattan Beach tried to argue that because
27 short-term rentals weren't listed as an allowed use, they were prohibited
28 under the city's code. The case involved the Coastal Commission, but that's
29 not relevant for how it impacts all other cities. What the court said was
30 because residential uses are allowed in residential zones and residential uses
31 don't specify how many days a person has to stay in a dwelling, short-term
32 rentals are not prohibited under permissive zoning. So therefore, if a city
33 wants to prohibit a short-term rental for lodging, they have to specifically
34 go in and amend their ordinance to provide such prohibition.

35 For the other types of things that Greg was talking about, people who are
36 now renting their backyards out for special event venues or renting their
37 swimming pools by the hour, those we can argue are prohibited under
38 permissive zoning because they're not residential use as far as lodging goes,

1 but it would be better if the council wants to prohibit them to specifically
2 call it out. So it's quite clear in the code.

3 Tsujiuchi: So those first two go hand in hand. Gardena Municipal Code doesn't
4 specifically prohibit it, or it doesn't specifically prohibit short-term rentals.
5 And this new recent case says we ought to, if that's what we're going to do.
6 In addition to that, we are seeing an increase of inquiries on the ability to
7 have STRs in the city. Our planning division has been taking numerous
8 calls, people wanting to do it more and more often. My code enforcement
9 here in community development, they've seen an increase of complaints
10 regarding short-term rentals, usually with noise or parking or the amount of
11 people that they're seeing next to residential homes. We've also done a little
12 research and there's been numerous listings found on different platforms on
13 the internet. Platforms or things such as Airbnb, VRBO, booking.com.
14 There's a few others.

15 And so staff is really looking for direction on two major - - or two options.
16 Either to prohibit the short-term rentals in Gardena, which is what we're
17 currently enforcing, or to permit short-term rentals. And so we kind of
18 looked around at our neighboring South Bay Cities. And so those who are
19 currently prohibiting, would be cities of Redondo Beach. Manhattan Beach,
20 for the most part, they are doing some amendments to it, I think to also
21 include their coastal areas. Inglewood, I think, saw a huge uptick with their
22 SoFi Stadium and whatnot coming up and so they actually put up
23 moratorium on it. I think it became such a harm or nuisance to them.
24 Lawndale prohibits it. There's other cities who are permitting STRs. Lomita
25 is permitting it, but kind of like how Gardena would be, where they're not
26 really specifying it. So by this new case law, it would be permitted.

27 We believe Carson is the same way. We really couldn't find anything that
28 prohibited it, so we assume that they're allowing it because they don't
29 specifically prohibit it. Cities of El Segundo, Hermosa Beach, Torrance, and
30 Hawthorne, they have pretty strict regulations where it can be numbers, how
31 many can be rented or used as short-term rentals at any one time, specific
32 zones, whether or not the owner has to occupy the home or not.

33 And so there's a number of different ways that you could regulate it, but all
34 in all staff is just looking for a direction, whether or not you'd like to prohibit
35 it. And if so, then direct staff to draft an ordinance prohibiting short-term
36 rentals. If you're looking to permit short-term rentals, then direct staff to
37 draft an ordinance either to one allow it pretty much without any regulation,
38 just say get a business license, make sure you're paying your transient orient
39 tax- - ah - - transient occupancy tax, and let them do that, or permit STRs
40 and have regulations. And these regulations can pretty intensive. And so we
41 would request that you direct staff to work with the planning commission,

1 come up with a draft ordinance, and then we would come back to you for
2 more input.

3 So that's where we're at now. I could go more into different options if you
4 decide to permit STRs, but at this point in time of my presentation just
5 wanted to see whether or not you were interested in prohibiting or
6 permitting short-term rentals.

7 Cerda: Okay, thank you. Let's open up for questions. Customer Henderson had his
8 hand up first. Go ahead.

9 Henderson: Thank you Madam Mayor. Thanks for that presentation Greg in regards to
10 that. You brought up another question. In regards to those cities of El
11 Segundo, Hawthorne, Hermosa Beach, Torrance, that kind of have some
12 regulations drafted. What was their criterion in regards to selection, process
13 of properties that would do that? Did they spread them out throughout their
14 city, 20 per district? How did they do that? And then what did that add to
15 the staff administrative overhead as far as all that work now?

16 Tsujiuchi: Well, so I'll speak to a neighboring city that is real near Gardena. They did
17 a rental ordinance that put it in specific zones. It wasn't really in any
18 particular north, south, east, west part of the city, it was just in wherever
19 this type of a zone was located. They allowed it. They limited the number
20 of licenses that they would issue all the way down to, I think they limited it
21 to 10 at any one time. They limited it as far as what they call multiple
22 bookings, meaning that they're renting out multiple rooms only so many
23 could do it at one time. I think in our staff report we identified some
24 Torrance, I believe did they - - we're looking into that [inaudible 00:09:02]

25 Kranitz: A home share only.

26 Tsujiuchi: Oh, they did a home share only, meaning that the owner has to be present.
27 It can't be where they're either on a long-term vacation and while they're
28 gone, they're renting out their home or they own another primary residence
29 maybe in another city and they own this other property in Gardena and so
30 they want to short-term rental that house as a short-term rental, rather than
31 a long-term lease to someone.

32 Kranitz: I think generally what the neighboring city did of only 10 permits per year
33 is unusual. I think usually the cities do it by zones. Be it home share, or you
34 can do the short-term rentals. It could be just the R1 zones or just R2, R3,
35 R4 type zones. Those are all the directions we're looking for if the council
36 wishes to allow short-term rentals. It's really, what is your imagination.
37 Homes which have an ADU or an SB9 unit cannot be used for short-term
38 rentals. That's by law.

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1 Tsujiuchi: Affordable housing units?

2 Kranitz: Affordable housing units, then they wouldn't qualify for a short-term rental
3 because you wouldn't be meeting the income qualifications.

4 Tsujiuchi: There's a whole host of options that we would go through depending on if
5 that's the council's direction.

6 Kranitz: As far as administrative costs, it would be like any other type of city service
7 where a permit fee would be established that would cover the city's
8 expenses. We'd figure out how much staff time was involved in it, and then
9 charge a fee along with business license.

10 Henderson: Okay. Thank you. Then my second question regards to, if we were to come
11 up with some sort of solution in the middle versus fully allowing it all over
12 the place or denying it all together, what about, would it be discriminatory
13 if we said in our regulations, if we permitted this, that if you live near a park
14 or a school zone, you cannot have such a facility because we want to control
15 the potentiality of predators coming into our community and everything.
16 Can that be put in the regulation? And if so, does that open us up to potential
17 liability, because now we're exercising discriminatory practice?

18 Kranitz: It's something we'll have to look at.

19 Henderson: Okay.

20 Tsujiuchi: I've not heard of any of the cities around here doing that, but we'll certainly
21 look into it if that's the council's desire or direction. Thank you.

22 Cerda: Mayor Pro Tem Paulette Francis.

23 Francis: Yes. I have a few questions. So you mentioned there were numerous calls.
24 How many is numerous?

25 Tsujiuchi: From planning for whether there's the ability to use a short-term rental?

26 Francis: No, no, no. You said you received numerous calls regarding short-term
27 rentals. I was just wondering how many is numerous.

28 Tsujiuchi: So the ones that came into planning, with the average two to three a week.

29 Kranitz: Yeah, we get numerous calls like Greg is saying and emails as well.

30 Tsujiuchi: So maybe two to three at a week.

31 Francis: Over a month?

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1 Tsujiuchi: Over the past few months. Over the past, maybe 12 months.

2 Kranitz: Gardena currently has, if you go on various platforms, there's probably at
3 least 20 rentals right now.

4 Francis: I saw that. Thank you. And you say you had numerous complaints with code
5 enforcement?

6 Tsujiuchi: Several complaints from code enforcement. I don't have a specific number,
7 but I would say that it's been enough to bring this up as part of the
8 discussion. So I would say we get, within the last couple of months, I would
9 say I've gotten four or five.

10 Francis: All right. Thank you. I'm not quite sure who to direct this question to. Now
11 you said that since we don't have anything in place, single short-term rentals
12 are not prohibited because of this Keen versus Manhattan Beach rule. Is that
13 correct?

14 Kranitz: Correct.

15 Francis: Okay. So could we tonight declare moratorium until we have more time to
16 discuss it and do some research and investigate what we can do? Can we do
17 that? Can that be an option?

18 Cerda: Mayor Pro Tem. So tonight what we're doing is we're just discussing it for
19 it to come back later on. As far as staff can do more research and so they
20 just want to get some direction. We're not taking any action on this tonight,
21 other than just, what are our feelings of this here? So it's going to come back
22 and we will have more time to discuss it.

23 Francis: Until we take some time discussing all that we couldn't say until right now,
24 we're just going to declare moratorium on all short-term rentals until we can
25 figure out what it is we want to do.

26 Kranitz: We couldn't do it tonight because it's not on the agenda. And it would have
27 to be added as an urgency item on the agenda. And I think since it's been
28 going on, you couldn't make the findings to support that there was an
29 immediate need to add it on. You can certainly come to the city council for
30 the 45-day moratorium at the city council's next meeting. And then after 45
31 days, that moratorium can be renewed up to a year and 11 months and 15
32 days for a total of, 10 months and 15 days for a total of a two-year
33 moratorium while you're working on it.

34 Francis: I was going to say, because we've had moratorium that were 145 days, but
35 since it's not on the agenda, we can't declare a moratorium because it's not

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1 on the agenda, but could we put it on the agenda for next meeting to have
2 moratorium in place until we can figure out exactly what is we should do?

3 Kranitz: If that's a council directive.

4 Francis: A majority, not a directive. Okay, so I need to wait until directives. Okay.
5 Thank you so much. I appreciate your response.

6 I just get a little confused if you say numerous. I mean, I like dealing hard
7 numbers and after the meeting, I'll tell you a story of why I don't play with
8 statistics and numerous because I've done some things just based on that
9 and gotten away with it based on numerous. So anyway.

10 Cerda: Any more questions or comments?

11 Oh, tonight we're just discussing it just so that staff can have some direction.
12 It will still go before planning. It would still come before us. And even if
13 we said we're in favor of it and we want limitations on it, we would still do
14 an official vote, but they just need somewhere to start with this. So that's
15 why it's up for some discussion.

16 Love: So I know there's three options: to moratorium, to say no, or to agree with
17 amendments or restrictions, right?

18 Cerda: I think on a permanent basis, it would be called a prohibition, not a
19 moratorium. I think what Inglewood did was essentially what Mayor Pro
20 Tem Francis just said is it became such a problem immediately because of
21 SoFi Stadium that they went in under the emergency regulations and put a
22 moratorium on while they figure out what to do.

23 Francis: They become Super Bowl. They rent out hotels and people rent out their
24 houses, and that's why they did it. It was everywhere. So that's why they did
25 it.

26 Love: Do we have any licensed units like this in the city now?

27 Tsujiuchi: No, we do not have any licensed units. We have people doing it in our city.

28 Love: Yeah, I know.

29 Tsujiuchi: But we don't issue a business license.

30 Love: Okay. So, well, do you need a motion?

31 Cerda: No, no, no. We're not there yet. I need to open it up to the public as well,
32 too. Any other council members have any questions or comments?

1 Tanaka: So Ms. Kranitz home shares are not included in this, correct?

2 Kranitz: Well, that's what we're looking for direction on. So the home share is the
3 idea that you were at your house and maybe you're renting one bedroom out
4 for supplemental income, or to keep because you don't want to be lonely all
5 the time.

6 Tanaka: That's what I was going to say is that because the cog is actually promoting
7 home share it's long term. It's usually a person that has a home that lives by
8 themselves and they are looking for maybe somebody to come in and live
9 with them and help them with the bills, the groceries, the chores, that kind
10 of stuff. And it's actually long term it's not.

11 Kranitz: That wouldn't be included when we're talking in this term of home share,
12 it's still a short term rental for under 30 days. But under a home share, the
13 owner is required to be present in the home while they're renting it out. And
14 the idea there is that if the owner's present, then it's not being used for a
15 party house. So it's just one room, not the whole house. You don't get 15
16 people actually moving in. I mean, some of the rentals that I've looked at in
17 Garden and elsewhere, it's like, "Well, we've put in the two sets of bunk
18 beds that have the full on the bottom and the twin on the top. So you can get
19 six people in one room," and then it becomes you're changing the character
20 of the neighborhood.

21 Tanaka: And so Mr. Tsujiuchi, you said that there's some issues with code
22 enforcement. What type of issues did we get? Were they like parties? Were
23 they just loud people? What kind of issues?

24 Tsujiuchi: The ones that came on, I'd say at least three times, were noise. And it's
25 usually some, it's not uncommon for short term rentals, people rent a larger
26 house and then they host a party there. So several of the calls, or I would
27 say three for Mayor Pro Tem, say two to three calls have come in for noise.
28 For sure, I'd say two came in because of parking being taken up in the
29 neighborhood. And then there was one call where it was just a complaint
30 that they said what Ms. Kranitz was saying, that it's taken away from our
31 neighborhood. These are residential neighborhoods. They're not little hotels
32 on our blocks that we want. So it was kind of just a general complaint.

33 Tanaka: Okay. So the reason I ask that question is I'm kind of against this whole
34 issue because once you open Pandora's box, then all of a sudden you'll start
35 having home parties, just like they're doing in the commercial areas where
36 you'll all of a sudden, they'll take over a house and there'll be 200 people in
37 the house. And then we have a law enforcement issue. Police department
38 staffing is going to have to take that in effect. So that's why I asked. That's
39 why I appreciate that. Thank you.

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1 Cerda: Okay. Any more question? Excuse me, any more questions or comments?

2 Love: I have a comment. I know that there's some issues with some properties
3 already being used for Airbnb. I've gotten those calls at the Chamber Office
4 about this, but I would hate for us to deny responsible property owners, the
5 opportunity to make some extra money. I mean, we will always have those
6 that are not considerate of other residents or the fact that these are
7 neighborhoods, but I would really like for us to allow staff to come back
8 with some findings and some suggestions and consider approving with
9 restrictions instead of just a blanket moratorium and saying no to
10 everything.

11 Cerda: Any more questions or comments? Madam city, deputy clerk, do we have
12 anybody from the public speak on this item?

13 Romero: Yes we do, Mayor Cerda. We have two hands that are up.

14 Cerda: Okay, go ahead.

15 Cerda: Okay. I think it's Charisse?

16 Charisse: Hello?

17 Cerda: Hi, you can go ahead and begin.

18 Charisse: Okay. I'm sorry. Good evening. I'm listening to everybody speak about the
19 Airbnb. My question is right now are they legal to have in Gardena? Are
20 they permitted to use them as Airbnb? Because really on our side, I know
21 of three that are on our side. And I'm just wondering if it's just legal to have
22 them? I'm done. Those who wanted different traffic there. And one of the
23 houses, I don't know if you guys were aware of that they did an FBI raid on
24 it. They had the dogs, the Secret Service. They had everybody because
25 somebody was selling guns from the Airbnb on that street. So I don't know
26 if it's not legal for them to have it I would like to know that. And if it is legal
27 for them to have it right now, that I would like to know that too. Thank you.

28 Cerda: Okay, Mr. Tsujuchi, can you just relay again what was said?

29 Tsujuchi: Yeah, I'm going to defer our, to our assistant city attorney.

30 Kranitz: So as we said, we used to believe we had the authority to say you can't have
31 them under the concept of permissive zoning. It wasn't allowed in our code.
32 Therefore, it's prohibited. The case that came out earlier this year,
33 Manhattan Beach destroyed that argument, which is why we're now
34 bringing it to the council. If the desire is to regulate or prohibit, we need
35 specific ordinance adopted to that effect. So right now, yes, they're legal.

1 Cerda: Okay. Thank you. Thank you. Deputy Clark, we had another speaker?

2 Romero: Yes, Raymond. Dennis.

3 Cerda: Okay. Go - -

4 Romero: I'm bringing him in.

5 Raymond Dennis: Hello?

6 Cerda: Hello. Mr. Dennis? Go ahead.

7 Raymond Dennis: Yes. Yes. Thank you for allowing me to speak on this topic. I just wanted
8 to go along with the council member Tanaka's comments, as it relates to the
9 activities that could take place to the Airbnb. My particular concern is one,
10 code enforcement. I think code enforcement will be a challenge. Two, the
11 fact that if you don't move quickly, now you're going to have a lot of
12 opportunities for other people to convert to Airbnbs. And then they're going
13 to come after the city saying that the ordinance went in effect after they had
14 been in business for X number of days or months or years. Personally, I
15 would be a proponent to prohibit them because I think the nature and the
16 culture of our neighborhoods and the community of Gardena is more
17 family-oriented. It's more residential oriented. And if you live on a cul-de-
18 sac as I do, it could be problematic if you throw a rave party at the end of
19 the cul-de-sac.

20 I also think that with the proximity of SpaceX and proximity of Tesla, that
21 they have many short term people that come into those organizations that
22 instead of using hotels would be more inclined to bundle up in a Airbnb.
23 And it could present problems there in terms of traffic. Problems in terms
24 of not knowing who your people are. You might as well eliminate the
25 neighborhood watch because you couldn't watch everyone. And so it would
26 make more sense to me that the city get ahead of this thing and not drag its
27 feet to wait and see well how this all plays out.

28 I understand if you can't do a moratorium right now, but you at least should
29 investigate, investigate quickly because the world cup is coming. You have
30 the Super Bowl. You have the BCS championship coming. You have the
31 final four coming and you have in 2026 World Cup, all of that coming to
32 SoFi, and people be looking for places to stay. And I understand that people
33 want to cash out and make as much money off their home as they can, but
34 who's going to clean up the mess when those folks have rented their
35 properties out for \$30, \$40,000 and left the city in rambles? Thank you.

36 Cerda: Thank you. Deputy Clark, do we have anybody else?

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1 Romero: No, we do not Madam Mayor.

2 Cerda: Okay. Any more questions or comments?

3 Tanaka: Madam Mayor, Mr. Dennis just brought up a comment that I think maybe
4 the city manager could probably answer. So if this were allowed, even under
5 certain restrictions, how much more in code enforcement will we have to
6 hire and how much more staff time would this cost?

7 Osorio: I don't have a clear answer. As far as how many more code enforcement
8 officers we're going to need. I know we're going to need at least absolutely
9 one, if not more. Code enforcement is as really strapped already as it is. So
10 what we're doing, Greg can attest to that. And I think without knowing
11 exactly the case loads, we wouldn't be able to tell you if we need two or
12 three.

13 Tanaka: Okay. So would Chief Sobel be able to say how much it would affect his
14 department?

15 Osorio: Maybe. We can certainly ask him, but again, it's a matter of caseloads again.

16 Tanaka: Right? Calls for service. Those kind.

17 Osorio: We just don't have any data on.

18 Tanaka: Okay. Thank you

19 Cerda: Greg, I'm sorry. You were saying something.

20 Tsujiuchi: I was going to say we'd also have to probably with additional officers also
21 adjust schedules. A lot of this stuff happens in the evening hours, early
22 morning. So it would definitely be a challenge.

23 Cerda: So also Mr. Dennis said something else. He mentioned that if somebody
24 already has an Airbnb and then we put this in place, do they get
25 grandfathered in saying that they can have? So once we say this, no matter
26 what they've had, it's just not allowed. Okay, good.

27 Vasquez: That's correct, Madam mayor. They would not get grandfathered in. And I
28 also want to mention just for, so everyone's clear, with any type of
29 moratorium, it does require a four fifths vote. A simple majority is not
30 sufficient to pass a moratorium. So I just want to make sure you guys are
31 all clear in understanding of what's required for moratorium.

32 Cerda: Okay, got it. Go ahead.

1 Love: Again. I hear everybody saying that they don't want it and they wouldn't
2 support it or they kind of leaning that way. There - - isn't there ways that we
3 can offset the cost for additional officers or additional code enforcement by
4 determining the permitting fees and the licensing fees and the taxes that we
5 can probably get as TOT if possible. Because we often hear about the
6 negative stories that always supersede the success stories. And I would
7 really hate to cut out an opportunity for some of our responsible residents
8 to be able to benefit from because of the no ordinance and the free for all
9 that's going on right now. So, I mean, I understand that there are some that
10 are out of control and they rent these spaces, but we can also hold the
11 property owners responsible to a certain degree. We can also set the
12 licensing and the permit fees and that type of stuff to offset the cost. So I
13 really wish we'd take these things into consideration and not just blanket the
14 whole city and consider the regulations.

15 Cerda: Any more questions or comments?

16 So my feelings on this here is I live on a cul-de-sac street and I think there's
17 13 houses on our street. And we have a house that from time to time, they
18 rent a, I guess they have an ADU or something like that, and they rent it out.
19 And about every three months, there's different people. There's four or five
20 different cars on our street. We don't recognize the people. And that's one
21 of the things that I love about our community is that we know our neighbors.
22 We know who should be there and who shouldn't. And when you see people
23 just sitting in their cars and then it takes a day or two to realize that, oh,
24 they're attached to that house. I mean, it can be a little unsettling and I don't
25 think it's fair for a person to choose to rent out their house. If they're renting
26 out their backyard for a wedding or Airbnb, because now we're dealing with
27 parking issues and we already have issues with parking as it stands now.

28 I mean, as neighbors, we don't mind if our neighbor has a party every now
29 and then, if the music's a little loud and they have their guests there. But
30 when you have people who are renting out their backyards for different
31 events, weddings, or banquets, that's not fair to everybody. When you're
32 renting out your house as an Airbnb and now you don't know who's staying
33 there. You're dealing with loud music, things of that sort. If you want to
34 operate a business, there are certain places it should be. I mean, when a
35 person lives in home or an apartment, I mean, unless they're living next to
36 a business area, you shouldn't have to deal with that. I mean, people have
37 quality of life issues.

38 And again, we're already dealing with the state requiring us to allow people
39 to build these ADU's. And I'm already concerned about how just the parking
40 of that's going to affect us. And then to allow people to use their home now,
41 to operate as a business. I understand everybody needs money, but all
42 money's not good money coming to our city like that. And I think for the

1 purposes of people having a decent quality of life, I like to know when I go
2 home that I know all my neighbors. And even if somebody is renting in an
3 area they're usually renting for a longer period of time, long enough for me
4 to get to know their name, who they are, recognize the car, et cetera. So I'm
5 not in favor of this. That's my feeling on it. So Mayor Pro Tem? You're
6 muted.

7 Francis: So I guess I'm going echo your sentiments because I just want to say
8 everything that makes money, doesn't always make sense. And I'm
9 concerned that by allowing a commercial use in a residential neighborhood
10 will change the nature of our neighborhood, our residents, where we live.
11 I'm also concerned as a council member Tanaka mentioned about the impact
12 on services. In terms of our police services, fire services, paramedics, and
13 there will be problems. These wild sorts, we heard about, perhaps they may
14 do abnormality, but we also have to take all those kinds of things to
15 consideration what are the negatives, as well as whatever positives they are.
16 And sometimes the cost doesn't always outweigh the benefit or the benefit
17 doesn't always outweigh the cost. So we have to be constant and do things
18 that are going to keep our residents family-oriented and safe.

19 There's just too much going on there's a world property owners are not going
20 to be able to control who comes in or who comes out. Things say, well, I'm
21 here to rent this for this particular reason. And there's all kind of human
22 trafficking, drugs, all kinds of stuff that's going on. And you say most
23 property owners are responsible, but your responsibility, unless you are
24 there controlling it, you have no clue who you just rented your house to.
25 And you have no clue what they could come out to. So you'll hear my
26 directive read that end, but anyway, thank you so much.

27 Cerda: Okay. So to Greg, do you kind have some inference as far as where we're
28 going with this or comment, do I need to be more exact as far as direction?

29 Vasquez: And what I'm taking is that the direction is that you would like staff to draft
30 an ordinance to prohibit it. That is the direction that we are interpreting from
31 the majority of the council tonight. That is, that will be prepared, taken to
32 the planning commission, depending the planning commission, what they
33 do with it. And it would come back to council. That's separate and aside
34 from any directives, if you guys choose to do that, a directive pertaining to
35 the topic of moratoriums.

36 Kranitz: The next city council meeting, as I understand it, is not until September
37 13th. So the council could also consider putting back the 23rd meeting or
38 maybe having a special meeting on the 30th, if there was a desire to move
39 this up, because otherwise we're over a month away from the next meeting.

City Hall Meeting – City of Gardena, California – County of Los Angeles
August 9, 2022

1 Cerda: I'm sorry, you're speaking in terms of moratorium? Or as far as this coming
2 back?

3 Kranitz: Yes.

4 Vasquez: But Lisa, hold on. We're not at the directive

5 Kranitz: To consider when they get to.

6 Francis: We're still not here yet.

7 Vasquez: We're - - we're not there when we get to the directive, I'll bring up that
8 subject of okay, when you guys want to, if that's what you guys choose to
9 go, but for now, for purposes of the ordinance that staff is being asked to
10 draft to take back to the planning commission, the direction that we are
11 hearing from staff from the council is draft and ordinance to prohibit it.

12 Cerda: Correct.

13 Vasquez: Okay. All right.

14 Cerda: And there's no action. I mean there's no vote.

15 Vasquez: There is not Madame Mayor.

16 Cerda: Okay. Okay. So next we're going to move on.

17

EXHIBIT D

**ALL RELEVANT EXCERPTS FROM THE MEETING NOTICE AND AGENDA
REPORTS PERTAINING TO THESE ISSUES;
LIST OF PUBLISHED NOTICES**

(No Published Notice)

City Council Regular Meeting Notice and Agenda 8/9/22

12. DEPARTMENTAL ITEMS - COMMUNITY DEVELOPMENT

12.A [Short Term Rentals for Lodging Discussion](#)

Staff Recommendation: Provide direction to staff to draft an ordinance [Staff Report - Agenda Item 12.A.pdf](#)

8/5/22 *City Clerk Semenza*

(Published notice for PEQC 8/25/22)

PEQC Regular Meeting Notice and Agenda 9/6/22

5. PUBLIC HEARING ITEMS 5.A Zone Text Amendment #2-22 (Ordinance No. 1844)

Consideration of an Ordinance amending Title 18, Zoning, of the Gardena Municipal Code to prohibit short-term rentals of residences for lodging purposes and short-term rentals of residences for other commercial uses not listed as allowed uses under the Gardena Municipal Code. The Ordinance is exempt from the provisions of the California Environmental Quality Act pursuant to the commonsense exemption set forth in Guidelines section 15061(b)(3).

APPLICANT: City

LOCATION: Citywide

[Staff Report.pdf](#)

[Attachment A - Council Agenda Staff Report.pdf](#)

[Attachment B - Council PowerPoint Presentation.pdf](#)

[Attachment C - Public Comment.pdf](#)

[Attachment D - Resolution No. PC 11-22 Draft Ordinance.pdf](#)

9/2/22 *Director Tsujiuchi*

(No Published Notice)

City Council Regular Meeting Notice and Agenda 9/13/22

10.A September 6, 2022 MEETING

Zone Text Amendment #2-22 (Ordinance No. 1844)

The Planning Commission considered an Ordinance amending Title 18, Zoning, of the Gardena Municipal Code to prohibit short-term rentals of residences for lodging purposes and short-term rentals of residences and other commercial uses not listed as allowed uses under the Gardena Municipal Code. The Ordinance is exempt from the provisions of the California Environmental Quality Act pursuant to the commonsense exemption set forth in Guidelines Section 15061(b)(3).

APPLICANT: City

LOCATION: Citywide Commission

Action: The Planning Commission approved Resolution No. PC 11-22 by vote of 3-1, approving Zone Text Amendment #2-22 (Ordinance No. 1844).

City Council Action : Receive and File. This item will be brought forth to the Council for review at a future City Council meeting.

To view the complete Planning Commission packet [CLICK HERE 2022_09_06 PCAX](#)

9/9/22 *City Clerk Semenza*

(Published notice for City Council 9/15/22)

City Council Regular Meeting Notice and Agenda 9/27/22

12.A PUBLIC HEARING : INTRODUCTION OF ORDINANCE NO. 1844 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, AMENDING THE ZONING CODE TO PROHIBIT SHORT-TERM RENTALS

Staff Recommendation: Conduct Public Hearing; Allow three (3) minutes for each speaker; Introduce Ordinance No. 1844 or provide direction to staff to draft a revised Ordinance

[Agenda Staff Report - STR.pdf](#)

[City Council agenda staff report dated August 9, 2022.pdf](#)

[Planning Commission staff report dated September 6, 2022.pdf](#)

[Draft Ordinance No. 1844.pdf](#)

[City Council staff summary dated September 13, 2022.pdf](#)

[Urgency Moratorium Ordinance.pdf](#)

9/23/22 City Clerk Semenza

The first time a document pertaining to Ord. 1843 was made available, was the last linked item “Urgency Moratorium Ordinance”, yet has written above the signature line, “at a regular meeting thereof held on September 13, 2022.”

LIST OF PUBLISHED NOTICES BY DATE

The dates when a public notice pertaining to these issues appeared as published:

9-22-22	No Published Notices
9-15-22	Published Notice for City Hall
9-8-22	No Notices published
9-1-22	No Notices published
8-25-22	Published Notice for Planning
8-18-22	No Notices published
8-11-22	No Notices published
8-4-22	No Notices published
7-28-22	No Notices published
7-21-22	No Notices published

Available here:

<https://gardenavalleynews.org/public-notices/>

From: [G Young](#)
To: [Public Comment](#); [Tasha Cerda](#); [Paulette Francis](#); [Mark Henderson](#); [Rodney Tanaka](#); [Wanda Love](#)
Subject: A letter regarding short term rental concern in Gardena
Date: Tuesday, September 27, 2022 3:08:52 PM

Caution! This message was sent from outside your organization.

Dear Mayor and Gardena City Council members:

Gardena has a vibrant Airbnb community of responsible hosts, respectful guests and a longstanding short-term rental industry.

The Airbnb in Gardena is different from a beach city like Manhattan Beach or Redondo Beach that attracts rowdy visitors. Most visitors in Gardena are people visiting families and friends. Airbnb will bring more revenue to better support our local restaurants and retailers, which means more tax dollars for the Gardena city and also brings our community more vibrancy.

Many local Airbnb in Gardena are just room sharing which will not serve any significant impact to the local family rental market if the short term rental is taken away.

Short term rental provides more benefits to the city and residents. Please do not prohibit the short term rental in Gardena.

Sincerely,

Gretl Young



Tuesday, September 13, 2022
Via Electronic Mail

Hon. Mayor Cerda
and the Members of the City Council
1700 W. 162nd Street, Gardena, CA 90247

RE: Agenda Item 10 (A) – Zone Text Amendment #2-22 (Ordinance No. 1844) Prohibiting Short-term Rentals

Dear Hon. Mayor Cerda and City Council:

The South Bay Association of Realtors® (SBAOR) urges the Council to **reject** adoption of the proposed ordinance to prohibit short-term rentals (STR) at the September 13th Council meeting. We ask that you engage with SBAOR and other key community stakeholders to identify best practices and effective policy solutions that strike a balance between the increasing economic benefits of STRs and the potential impacts.

What SBAOR can offer:

Work with the Mayor and City Council to help identify effective and enforceable STR regulations that both benefit and protect the community.

City can benefit and community be protected:

We encourage the city to do a thorough examination of the benefits and various options related to STR. Other local cities achieve this by some or all of the following: requiring a business license, an annual registry and/or permit (that can be revoked if a certain number of complaints are received on a property), and/or Transient Occupancy Tax (unincorporated Los Angeles County charges 12%). Cities can also institute a series of fines to ensure compliance with regulations.

Regulating STRs is reasonable and benefits everyone:

Rather than outright bans or heavy restrictions, regulating ensures property rights and the well-being of our community are in balance. For instance, we believe in preserving the ability of struggling residents to continue to afford their homes rather than sell to investors. Balancing the benefits to the city, local businesses, homeowners, and all residents are paramount.

Gardena is a growing city. Today, residents want to live, work, and play in cities that have thoughtful, reasonable, and progressive policies. A ban would overshadow this balance and take revenue out.

Stakeholders have not been engaged:

The proposed ordinance is too broad and overreaching. It was drafted without the input and considerations of groups representing the very Gardena residents that would be impacted. The issue of STRs are not new, and other cities have worked to craft workable solutions for all sides, together. We urge the City of Gardena to open dialogue with local stakeholders and implement a reasonable ordinance.

Thank you for your time and consideration. We look forward to working towards solutions. If you have any questions, please contact the SBAOR's Government Affairs Director Julie Tomanpos at Julie@SouthBayAOR.com or (310) 326-3010.

Sincerely,

Jaime Sutachan,
Government Affairs Committee Co-Chair
South Bay Association of REALTORS®

From: [Vera Povetina](#)
To: [CDD Planning and Zoning](#)
Subject: Public Comment
Date: Tuesday, September 13, 2022 11:26:45 AM

Caution! This message was sent from outside your organization.

Dear City Council,

In lieu with discussion regarding Short Term Rentals I would like to address some questions to the City Council and expect detailed answers.

1. Whereas in Resolution No. PC 11-22 mentioned that short-term rentals of residences for lodging purposes and short term rentals of residences for other commercial uses are not listed as allowed uses under the Gardena Municipal Code.
 - 1.1. Do I understand correctly that they are also not listed as prohibited?
2. In the same document mentioned: short-term rentals for lodging and other uses have deleterious impacts by increasing noise and traffic, creating parking problems, changing the character of a residential neighborhood, and with the case of housing - creating an impact on housing supply.
 - 2.1. Is there any evidence regarding this statement in the City of Gardena? Can it be disclosed to the public?
 - 2.2. Where measurements made for noise level increase?
 - 2.3. Changes in traffic? Would you be able to specify – how big is the change?
 - 2.4. Parking issues complains increased by how many since establishing current amount of STR in the city? How were these complaints linked to STR?
 - 2.5. What are the changes in character of residential neighborhood happened because of STR? How the housing supply impacted specifically by the factor of STR?

It is about 160-170 rental properties listed in Gardena, not all of them are on the market constantly, but all of them is a source that provides food to the tables to families of our city.

Does City of Gardena have a lot to offer to its people to offset increased inflation? Growing costs for everything?

Why do you feel that it is ok to cut an opportunity to provide for families? To make our city more attractive for guests?

It is not only hosts who benefit. All local small businesses benefit. Additional jobs are created. Shops, restaurants, beauty salons and other businesses get more customers. A lot of guests asking for local attractions and as a host – I recommend local places.

STR Income is taxed as any other. Current local property sales bring a lot of additional income to the city as Property Tax and let us face the truth – available APR influence market much more than STR perspective in Gardena.

The U.S. travel and tourism industry generated \$1.9 trillion in economic output; supporting 9.5 million American jobs and accounted for 2.9% of U.S. GDP. That is huge. At 14.5% of international travel spending globally, international travelers spend more in the United States than any other country.

Tourism accelerated Los Angeles County's economic prosperity in 2018 as visitors pumped an all-time high \$23.9 billion directly into the L.A. economy, generating a record \$36.6 billion in total economic impact. Just nine LA neighborhoods account for 73 percent of the money Airbnb, and Gardena is not one of them, unfortunately.

Gardena should care to attract many more tourists, not to ban them. We need more events, we need pedestrian streets with restaurants, entertainment and parks. Tourist industry could bring

Becky Romero

From: Amanda Kindt <[REDACTED]>
Sent: Tuesday, September 13, 2022 6:18 AM
To: Public Comment
Subject: PUBLIC COMMENT

Caution! This message was sent from outside your organization.

To Whom It May Concern:

As a resident of Gardena, I am writing to you this morning regarding Ordinance #1844.

I understand the concerns that communities have regarding short term rentals, and they are valid. However, I also understand the opportunities that short term rentals provide. Many would not be able to afford to continue living in Gardena if it were not for the additional income they receive through short term rental hosting.

Housing costs in Gardena are SKY HIGH. Things like short term rentals, hourly pool rentals, hosting events, etc are critical to keeping long time Gardena residents in Gardena.

There are other options than a simple ban. Other communities like Big Bear have regulated short term rentals to keep them AND to alleviate the community strains they can cause. Collection of occupancy taxes from hosts or an annual registration fee can be used to enforce guidelines that protect the community while providing the opportunity for lower and middle class residents to generate critically needed additional income and stay in their homes. Please take the time to look at Big Bear's program as a model. (<https://www.citybigbearlake.com/index.php/departments/tourism-management/transient-private-home-rental-tphr-program>)

How much time does the city invest, collectively, supporting all of the development and new construction of housing properties that then turn around and draw tenants able to pay \$4000-\$5000 per month? They are ALL OVER the city!!! Could the city invest the same amount of time to research and draft ordinances that support the lower and middle class residents that are already residents of Gardena?

Thank you,

Amanda Kindt

Becky Romero

From: The Kim's Adventure <[REDACTED]>
Sent: Tuesday, September 13, 2022 4:46 AM
To: Public Comment
Subject: Public Comment

Caution! This message was sent from outside your organization.

Dear Deputy City Clerk:

Please forward this to the mayor and all city council.

I am writing in regards to city of Gardena trying to ban STR (short term rental).

I have been an Airbnb host and it has benefitted the city and my family.

I recommend that it be CONTINUED and we are in full support.

Bringing new guests to stay in our area has provided the city with great benefits:

- There are not many inexpensive hotels in this area so it means more people can afford to stay here.
- More tourists bring money to local businesses, transportation, restaurants, local city events and concert.
- More jobs: I have given more work to our cleaning crew, handyman, plumber, electrician, landscaper, etc.
- More people know the positive parts of Gardena because where I guide them and they tell other people, return to visit.

Being an Airbnb host has also provided my family with financial support -

- We have an old house that takes a lot of repairs. Through the money I have made from Airbnb I have been able to keep my house maintained.
- Many of the houses in this area are old. The money I have made from Airbnb has helped us pay our mortgage and taxes so we can keep our house and support our family.

Airbnb has helped me develop new relationships with people from around the world.

- We have guided guests when they visited: As tourists, for work, concert, and tournaments.

Most of our guests had been reviewed by us and have great review on airbnb before we accept them to stay at our place. We made sure they accepted our house rules as well as keeping the noise down and respecting our neighbors. Our guests never caused an issue to our neighborhood because they are all exploring the city from early morning to late at night.

As a traveler myself, my family and I benefits the use of airbnb and able to explore more of the local hidden gems in the area than the touristy area.

Airbnb provides a vital service for our city of Gardena and visitors around the world and I recommend that it continue PROTECTED.

Thank You!

The Kims

PS - We are part of the Gardena group on facebook and most of the members in the group have more concerns on the control of homeless and transients than people who are here just for travel/work that brings in money to local businesses in our city like airbnb.

Becky Romero

From: Alejandra Orozco
Sent: Monday, August 22, 2022 9:53 AM
To: Becky Romero
Subject: FW: Short term rentals

-----Original Message-----

From: Sherelle [REDACTED]
Sent: Saturday, August 20, 2022 8:38 AM
To: City Council.web <CityCouncil.web@cityofgardena.org>
Subject: Short term rentals

Dear City Council

I totally disagree with you all banning Short term rentals. I think Gardena is a progressive city but this ordinance is fear based. Take a step back. Think who is considering buying here. Think of the age bracket condemning this. Think progressively. Do not ban but make rules. We need to attract \$\$ in this city. Not stalemate it.

Thank You
Sherelle
[REDACTED]



Tuesday, September 6, 2022
Via Electronic Mail

City of Gardena
Planning and Environmental Quality Commission
1700 W. 162nd Street, Gardena, CA 90247

RE: Agenda Item 5 (A) – Zone Text Amendment #2-22 (Ordinance No. 1844) Prohibiting short-term rentals

Dear Hon. Members of Planning and Environmental Quality Commission:

The South Bay Association of Realtors® (SBAOR) urges the Commission to **reject** adoption of the proposed ordinance to prohibit short-term rentals (STR) at today's September 6th Commission meeting. We ask that you engage with SBAOR and other key community stakeholders to identify best practices and effective policy solutions that strike a balance between the increasing economic benefits of STRs and the potential impacts.

What SBAOR can offer:

Work with the Mayor and City Council to help identify effective and enforceable STR regulations that both benefit and protect the community.

City can benefit and community be protected:

We encourage the city to do a thorough examination of the benefits and various options related to STR. Other local cities achieve this by some or all of the following: requiring a business license, an annual registry and/or permit (that can be revoked if a certain number of complaints are received on a property), and/or Transient Occupancy Tax (unincorporated Los Angeles County charges 12%). Cities can also institute a series of fines to ensure compliance with regulations.

Regulating STRs is reasonable and benefits everyone:

Rather than outright bans or heavy restrictions, regulating ensures property rights and the well-being of our community are in balance. For instance, we believe in preserving the ability of struggling residents to continue to afford their homes rather than sell to investors. Balancing the benefits to the city, local businesses, homeowners, and all residents are paramount.

Gardena is a growing city. Today, residents want to live, work, and play in cities that have thoughtful, reasonable, and progressive policies. A ban would overshadow this balance and take revenue out.

Stakeholders have not been engaged:

The proposed ordinance is too broad and overreaching. It was drafted without the input and considerations of groups representing the very Gardena residents that would be impacted. The issue of STRs are not new, and other cities have worked to craft workable solutions for all sides, together. We urge the City of Gardena to open dialogue with local stakeholders and implement a reasonable ordinance.

Thank you for your time and consideration. We look forward to working towards solutions. If you have any questions, please contact the SBAOR's Government Affairs Director Julie Tomanpos at Julie@SouthBayAOR.com or (310) 326-3010.

Sincerely,

Jaime Sutachan,
Government Affairs Committee Co-Chair
South Bay Association of REALTORS®

To the City of Gardena Planning Commission

June 20, 2023

The Gardena City Council Minutes of May 23, 2023 state:

“10.C MAY 16, 2023

MEETING ZONE TEXT AMENDMENT #3-23

The Planning Commission considered a recommendation to the City Council on the adoption of an ordinance amending Title 18 and Title 5, Zoning, of the Gardena Municipal Code relating to regulations for short-term home sharing rentals in residential zoning districts throughout the city and direction to staff to file a Notice of Exemption pursuant to CEQA Guidelines Section 15061(b)(3) and 15308.

Commission Action: A motion was made to reopen the public hearing and continue it to the June 20, 2023 meeting, and direction to staff to make modifications to the draft ordinance *relating to onsite parking space requirements, timeframe for compliance properties with existing listings, and to add a time extension process for compliance.* The motion was passed by a vote of 4-0-0 page 6 of the City Council minutes of 5/23/23” pp. 4-5

From the June 20, 2023 Agenda Packet:

“The Planning Commission is being asked whether the extension of time and relief request should be applied to those existing listings within an Accessory Dwelling Units (ADUs), as **highlighted in yellow** in the attached Ordinance. *All changes are shown in redline.*” pp.1-2

“SECTION 16. Effective Date.

A. This Ordinance shall take effect on the thirty-first day after passage.

B. Notwithstanding subsection A, short term rentals that were in effect on the date of adoption of this Ordinance shall have until 90 days after the effective date to cease all operations. **This extension shall not apply to any property that has an accessory dwelling unit. This extension shall not apply to any vehicle or trailer which is being used as a short term rental.**” pp.13-14

“SECTION 17. Relief.

A. The Owner of any residence being used for a short-term lodging rental may appeal the termination of the use pursuant to the following administrative procedure:

...

B. **There are no appeal rights regarding accessory dwelling units, including junior accessory dwelling units, as the prohibition is a declaration of existing law.**

C. **There are no appeal rights regarding vehicles or trailers being used as short term rentals.**” pp.14-15

The additional text included in this draft were not shown in red. No changes were shown in redline, because no changes were made. The blue highlight over the last sentence of every section was added language from the last hearing.

I very aptly noted at the last hearing when addressing this body in public, there is no reason to speak to those that will not listen. The staff then read aloud from my attorney’s letter

noting that this course of conduct was void for want of power to enact these laws, yet made no changes despite the void nature.

While not in red, the staff did include: “The Request shall state all reasons, including but not limited to alleged abridgements of the appellant’s constitutional rights, and why the prohibition should not be made effective as set forth in Section 16 of this Ordinance on the 90th day after effective date extension and relief.” Under the heading “Relief” p. 14

But the staff did prove that they were listening to me, by adding the language that was not noted in red, as the blue highlighted text on the previous page is language that is specific to only me. Despite the city’s claim that ADU’s are prohibited from short term rentals being a clear misreading of the state law that controls this subject and specifically my properties are exempted under state law, the city has arbitrarily and capriciously extended the reach to the entire property, not isolating the ADU. Yet, on the very next line noted that the appeal and extension rights were denied specific to the unit (vehicle), not the entire property, i.e., “not apply to any property”; “not apply to any vehicle”. Therefore, the adjournment can only be seen as an excuse to amend the laws in a manner that is specific to me, intended as punishment for speaking out.

The toll exacted from my rights, has been targeted at me for exercising my constitutional right “to petition the Government for a redress of grievances.” (U.S. Const. Amendment I)

It did not matter that under the California Constitution art. I sec. 3 that “(a) The people have the right to instruct their representatives, petition government for redress of grievances, and assemble freely to consult for the common good.” Because it is clear by presenting punitive laws that directly apply to me alone, out of the entire group of hosts, animus is intended to silence me.

Nor does it matter that under the California Constitution art. I sec. 1 that “All people are by nature free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and privacy.” Because in defending my inalienable property rights, the city has exacted a toll, to punish me for presenting the law that expressly put the city on notice that it was acting without a grant of authority. Thus, I have learned my lesson, exercising rights is dangerous to my rights.

Having left Ukraine over twenty years ago, but still raised as a child in the Soviet Union, I confess that I had forgotten this lesson. Thank you for reminding me comrades.

I am forced to cease enjoyment of my rights due to the cost that will be imposed on me for engaging in that which is guaranteed to all others in this county.

**The theory of Communism may be summed up in the single sentence:
Abolition of private property.**

- Karl Marx

I had forgotten the old party lines instilled in us soviet children:

Идеи Ленина живут и побеждают!

Lenin's ideas live and win!

Слава великому Сталину!

Glory to the great Stalin!

Spaciba,

Mariya Wrightsman

Dear Planning Board Members,

Mariya Wrightsman 7/18/23

Thank you for another opportunity to conduct legal research for the City of Gardena. This time, the City made the task far easier than previous times, all thanks to the new law firm hired specifically to draft this new version, which despite its many illegalities, was much cleaner and actually resembled legislation.

Great and sincere gratitude is expressed to Ms. Acuna, for providing notice as required by law and personally emailing me the notice of the upcoming hearing. I have been pointing out this fundamental failure of notice for 11 months, and finally Ms. Acuna stepped up and served the constitution by providing notice of the hearing. Thank you Ms. Acuna.

The new law firm, apparently is not that new. Never before was there reference to the law firm Jones & Mayer, where our very own “CARMEN VASQUEZ, City Attorney” is listed as an associate. With her profile noting: “Ms. Vasquez serves as the Assistant City Attorney for the city of West Covina and as a deputy city attorney for the cities of Whittier, Fullerton and Costa Mesa.” But just because the position as City Attorney is not listed for Gardena, does not mean that Gardena was not listed with the other 131 government entities this 38 lawyer power house firm represents.

I simply had no idea the citizens were up against such a well oiled machine. To think of all the time those 38 lawyers had to work on these ordinances and then the City gives the citizens only 4 days to review their work, each and every time this highly contested issue returns.

Only because this is an Ordinance with findings on its face that are not true statements is the following noted:

Draft Ord. 1854

N. On June 20, 2023, the Planning Commission held the continued public hearing and adopted Resolution No. 10-23 recommending that the City Council adopt the draft of the Ordinance presented.

Minutes from said meeting at p.5:

“A motion was made by Vice Chair Langley and seconded by Commissioner Wright-Scherr to approve Resolution No. PC 10-23, recommending that the City Council adopt Ordinance 1854, with **modifications** to permit issuance, timeframes for compliance, and applicability to extension.”

Draft Ord. 1854

O. On July 18, 2023 staff returned the item to the Planning Commission for an additional duly, noticed public hearing due to state and federal cases that were decided and/or published after the prior Planning Commission which necessitated revisions to the Ordinance.

So if that is true, the decisions were after June 20, 2023, of course wiggle room was left by saying prior, but those changes were already noted.

M. On May 16, 2023, the Planning Commission of the City of Gardena held a duly noticed public hearing and considered all evidence presented, both written and oral, after which the Planning Commission provided further direction to staff for recommended changes and continued the public hearing to June 20, 2023.

It is confusing because the notice for this hearing and those changes was prepared “DATE: June 30, 2023” but the Memorandum from “Lisa Kranitz, Assistant City Attorney” is dated “July 7, 2023” and is on Jones & Mayer letterhead but Ms. Kranitz is not listed as one of their attorneys. “On June 20, 2023, the Planning Commission held a continued public hearing and recommended approval. As staff was preparing the item for the City Council’s July 11, 2023 meeting, the City Attorney’s office became aware of two new cases on short-term rentals in relation to the Dormant Commerce Clause.” Clarifying “decided and/or published after the prior Planning Commission”.

Now those cases were never cited, but the City is clearly referring to the Jun. 20, 2023 opinion of *S. Lake Tahoe Prop. Owners Grp. v. City of S. Lake Tahoe* (June 20, 2023, C093603) After that memo, was “Order Filed Date 7/12/23” referring to amendments modifying the opinion.

THE COURT:

It is ordered that the opinion filed herein on June 20, 2023, be modified as follows:

On page 22, the last sentence in the first paragraph beginning with “The City's argument is meritless” is replaced with the following:

The City's argument is meritless, as it is not necessary to look beyond Measure T's text to determine the ordinance discriminates against interstate commerce where the text expressly distinguishes between residential homeowners who reside in their South Lake Tahoe homes and all other residential property owners, including out-of-state owners. (See *Camps Newfound/Owatonna, Inc. v. Town of Harrison* (1997) [520 U.S. 564, 575-576.](#)) The complaint's undisputed allegations of Measure T's adoption and its terms were the only facts necessary to plead a facial dormant Commerce Clause violation.

Id. at pp. 1-2

So that is not a good start for a case claimed to be favorable, but good news for the City, the order modifying on 7/12/23 means under Rules of Court, rule 8.366(b), that opinion becomes final 30 days after and per Rule 8.500(e)(1) an additional 10 days thereafter to petition for Supreme Court review, which usually is decided in a month, but assuming not granted then 60 days after that to Petition for United States Supreme Court review, meaning it is a long way from

being any law, despite its many useful aspects to be addressed. Plus the Supreme Court has not approved its publication so it could just be non-citable authority.

The City did not mean the district judge (trial court) opinion in *Short Term Rental All. of San Diego v. City of San Diego* (S.D. Cal., June 12, 2023, 22cv1831-L-BGS), did they? Because that is barely persuasive authority, its not like it's a Circuit Court of Appeal case. San Diego is listed as one of the cities they represent but the attorney for defendant San Diego is "Tyler Louis Fischer Krentz San Diego City Attorney's Office".

But more good news, this time for the citizens, the good thing about the City willfully failing to cite the authority it was relying on, is that it caused a broader to search to ensue. The result was the uncovering of the most factually on point case to date. Thanks to that law firm's swift work and recommendation to look at the dormant commerce clause, which had not even occurred to me, the result was a case the Fifth Circuit (court of appeals is stronger than trial court) on facts exactly as attempted now, held the commerce clause was violated per se, due to the exact constitutional violations occurring here, discrimination.

In response to being called out for retaliating against exercising my constitutional rights, the city of Gardena opted for clear cut and well established discrimination against a population of 85% non-whites, as the City's plan refers to minorities, despite the whites being the minority. "First, the City imposed a residency requirement for STRs in residential neighborhoods. Its new policy provided that no person could obtain a license to own such an STR unless the property was also 'the owner's primary residence.'" (*Hignell-Stark v. The City of New Orleans* (5th Cir. 2022) 46 F.4th 317, 321) (*Hignell-Stark*)

"[T]wo primary principles ... mark the boundaries of a [s]tate's authority to regulate interstate commerce": A state (1) "may not discriminate against interstate commerce" and (2) may not "impose undue burdens on interstate commerce." *South Dakota v. Wayfair, Inc.*, — U.S. —, [138 S. Ct. 2080, 2090](#), [201 L.Ed.2d 403](#) (2018). But those principles do not apply with equal force.

If a law discriminates against interstate commerce, it is in big trouble because "[a] discriminatory law is virtually *per se* invalid." *Dep't of Revenue v. Davis*, , [553 U.S. 328, 338](#), [128 S.Ct. 1801](#), [170 L.Ed.2d 685](#) (2008) (quotation omitted). It may be upheld "only if it advances a legitimate local purpose that cannot be adequately served by reasonable nondiscriminatory alternatives." *Ibid.* (quotation omitted). If there are "any available alternative methods for enforcing [the government's] legitimate policy goals," the law is unconstitutional. *Dickerson v. Bailey*, [336 F.3d 388, 402](#) (5th Cir. 2003) (emphasis added).

Hignell-Stark at 325

When a federal circuit court is quoting the United States Supreme Court and follows it with “big trouble” that cannot be good.

The City's residency requirement discriminates against interstate commerce. A law is discriminatory when it produces "differential treatment of in-state and out-of-state economic interests that benefits the former and burdens the latter." *United Haulers* , 550 U.S. at 338, 127 S.Ct. 1786 (quotation omitted). A law may discriminate on its face, in purpose, or in effect. See *Wal-Mart Stores, Inc. v. Tex. Alcoholic Beverage Comm'n* , [945 F.3d 206, 213](#) (5th Cir. 2019) ; *Allstate Ins. Co. v. Abbott* , [495 F.3d 151, 160](#) (5th Cir. 2007). But the only form of discrimination that implicates the dormant Commerce Clause is discrimination between "substantially similar entities." *Davis* , [553 U.S. at 342, 128 S.Ct. 1801](#) (quotation omitted).
Hignell-Stark at 326

Now the City really needs to pay attention here:

“Indeed, the residency requirement even discriminates against *other residents of the City*—specifically, those who live in non-residential zones. But none of that matters. As the Supreme Court has repeatedly held, local ordinances that discriminate against interstate commerce are not valid simply because they also discriminate against intrastate commerce.(fn.17)” (*Hignell-Stark* at 327) *ibid.*, fn. 17:

C & A Carbone , [511 U.S. at 391, 114 S.Ct. 1677](#) ; *Fort Gratiot Sanitary Landfill, Inc. v. Mich. Dep't of Nat. Res.* , [504 U.S. 353, 361, 112 S.Ct. 2019, 119 L.Ed.2d 139](#) (1992) ; *Dean Milk Co. v. City of Madison* , [340 U.S. 349, 354 n.4, 71 S.Ct. 295, 95 L.Ed. 329](#) (1951) ; cf. *Brimmer v. Rebman* , [138 U.S. 78, 82–83, 11 S.Ct. 213, 34 L.Ed. 862](#) (1891).

Just look at all of those Supreme Court decisions that declare the City is discriminating against me, wow.

Our conclusion that the residency requirement is discriminatory puts it on death's doorstep. Recall that "[a] discriminatory law is virtually *per se* invalid." *Davis* , [553 U.S. at 338, 128 S.Ct. 1801](#) (quotation omitted). This case is no exception. The residency requirement can "survive only if it advances a legitimate local purpose that cannot be adequately served by reasonable nondiscriminatory alternatives." *Id.* (quotation omitted).
Hignell-Stark at 328

To be certain, the City attorneys are no doubt saying out loud, that’s why we amended it! Great. But let’s see where this thing takes us.

On appeal, the City offers three interests served by the residency requirement: preventing nuisances, promoting affordable housing, and protecting neighborhoods' residential character. There's no question that those are legitimate local purposes. But all those objectives can adequately be served by reasonable nondiscriminatory alternatives, so none of them can justify the requirement.
Hignell-Stark at 328

Well that didn't take long.

F. Short term rentals can create problems in residential areas due to such things as the potential for increased traffic, noise, parking issues, and can cause a change to the residential character of the community which can also lead to safety concerns. The City desires to alleviate these impacts to residential neighborhoods caused by short-term rentals.

Despite not possessing any facts to back those legal conclusions, federal law says not enough anyway. But as written the Supreme Court of the United States holds as to all of these so called findings: “*Papasan v. Allain*, [478 U.S. 265, 286](#), [106 S. Ct. 2932](#), (on a motion to dismiss, courts ‘are not bound to accept as true a legal conclusion couched as a factual allegation’).” (*Bell Atl. Corp. v. Twombly* (2007) 550 U.S. 544, 555)

I am so grateful that the law firm raised dormant commerce clause as that opened the door to commerce clause cases under the Supreme Court of the United States, on facts identical to ours, and that means the Ninth Circuit would have no reason to uphold discrimination attempted after retaliation.

Because all issues I raise can be used by any one else later, some important legal principles will be laid out. Just about one year ago, the City drafted a memo and cited a case under the Second District, which means its findings are binding on them, and federal court will defer to state court interpretations. Well, the City appears to have forgotten all about that case because everything it is doing now, is in direct defiance of the holdings of, *Keen v. City of Manhattan Beach* (2022) 77 Cal.App.5th 142, 148-50:

The trial court correctly interpreted the City's ordinances: they always permitted short-term, as well as long-term, residential rentals. The City's ban on short-term rentals thus amended the status quo. This amendment required Commission approval, which the City never got. So the City's ban was not valid.

The issue reduces to whether the City's old ordinances permitted short-term rentals. The following analysis demonstrates they did.

The City always has allowed people to rent apartments and homes in the City on a long-term basis. In other words, it always has been legal to live in Manhattan Beach as a renter. No one disputes this. One would be rather surprised to discover a community anywhere that banned renting completely.

Because rentals that are *long* -term have always been permissible under the City's ordinances, however, the City has been forced to distinguish between *long* -term residential rentals the City allows and *short* -term residential rentals the platforms promote and the City dislikes. Unfortunately for the City, its old residential zoning ordinances contain no long-term/short-term distinction.

Absent some distinction in the law, then, the law must treat long-term rentals the same as short-term rentals. If long-term rentals are legal, so too are short-term rentals. The ordinances offer no textual basis for a temporal distinction about the duration of rentals. The City could have enacted a distinction like that, but it never did.

Because its ordinances say nothing about the duration of rentals, the City cannot credibly insist its ordinances permit long-term residential rentals but have always banned short-term rentals. That interpretation makes no sense.

The crucial text is ordinance A.08, which defines "Use Classifications" for the City's zoning code. One use is "Single-Family Residential," defined as "[b]uildings containing one dwelling unit located on a single lot." A second use is "Multi-family Residential," which is defined as "[t]wo or more dwelling units on a site." This ordinance contains a chart that shows the City permits both uses in residential areas.

In other words, it is legal to build a residential house or an apartment building in the City's residential zones. Once it is built, you can reside there. Anyone can. This all makes sense. It would be surprising if it were otherwise.

The reasonable interpretation of permitting a "Single-Family Residential" building in a residential area is that people are allowed to reside in that building, whether they are owners or renters.

Why, under the text of the ordinance, are renters allowed in? Because residential renters are common in cities, as everyone knows, and nothing in the ordinance takes the unusual step of banning all renting in the residential areas of the City.

Use of the word "residence" does not imply some minimum length of occupancy. (Cf. *People v. Venice Suites, LLC* (2021) [71 Cal.App.5th 715, 726](#), [286 Cal.Rptr.3d 598](#) (*Venice Suites*) ["A 'residential building' is used for human habitation without regard to length of occupancy"]; *Greenfield, supra*, [21 Cal.App.5th at p. 899](#), [230 Cal.Rptr.3d 827](#) [the city in question historically treated short term rentals as a "residential" activity].)

It is possible to reside somewhere for a night, a week, or a lifetime. The City points to no legally precedented way to draw a line between the number of days that makes some place a "residence" and the number that shows it is not. (Cf. *Venice Suites, supra*, [71 Cal.App.5th at p. 732](#), [286 Cal.Rptr.3d 598](#) ["the dictionary definitions for apartment house do not indicate a required length of occupancy"].)

The same analysis applies to "Multi-family Residential," where the common form of a multi-family building is an apartment building. Apartment dwellers commonly rent. The City's zoning thus permits you to rent a house or an apartment in Manhattan Beach, which accords with common experience. The City's zoning does not regulate how long your stay can be.

The City's proposed distinction between long- and short-term rentals—the former always allowed, and the latter always forbidden—has no textual or logical basis. The City thus loses this appeal as a matter of textual interpretation.

The City incorrectly argues short-term rentals are more similar to, and therefore fall under the definition of, "Hotels, Motels, and Time-Share Facilities." With our emphasis, the ordinances define these facilities as "[e]stablishments offering lodging on a weekly or less than weekly basis, and *having kitchens in no more than 60 percent of guest units* ." The short-

term rentals the City is trying to prohibit are of single- and multi-family residences in residential neighborhoods. Houses and apartments conventionally have kitchens. This argument is untenable. The City asks us to take judicial notice of a 1964 ordinance that defines a hotel a particular way. The City argues we should import this definition into the ordinance in the local coastal program. This is illogical. The different definition from decades before cannot prevail over the definition enacted by the City and certified by the Commission in the ordinance at issue. The older document is not relevant. We deny this request.

The zoning ordinances certified by the Commission thus allow rentals of single- and multi-family residences in residential zones for any duration, including short-term rentals of the Airbnb variety.

That shuts down almost all of this purported draft ordinance. But also there is that golden oldie:

The City relies heavily on the principle of permissive zoning. It argues California has adopted this doctrine: zoning ordinances prohibit any use they do not permit. But the City's ordinances *do* permit short-term rentals in residential zones. That is the only reasonable interpretation of the ordinances, as we have shown. This interpretation is not an affront to permissive zoning.

Keen at 150

“We affirm the judgment and award costs to Keen.” (*Keen* at 151)

Good times. Let’s take a stroll down memory lane and compare the present ordinance (blue).

“Findings. The City Council does hereby find and declare as follows:

A. Due to close proximity to entertainment venues such as SoFi Stadium, Los Angeles International airport, Fortune 500 companies, beaches, and other Southern California tourist destinations, the City of Gardena **has become a popular location for alternative short-term lodging.**”

Has become means only in recent times has there been a boom in STRs. Yet, in my objection from last September, I noted:

Another stated finding of Ord. 1843 included, “WHEREAS, the desire to operate short-term rentals is expected to increase due to the proximity of Gardena to SoFi Stadium;”

In Ord. 1825 other findings were made:

“WHEREAS, Gardena is situated to be in a position **to capitalize on a demand for new hotel spaces** due to its proximity to SoFi Stadium, Hollywood Park, Dignity Health Sports Park (formerly "Stub Hub"), and other attractions; and

WHEREAS, **during the past year, developers have indicated** that the City's development standards have been an **impediment to new hotel development**; and

WHEREAS, at the City Council meeting on July 14, 2020, the City Council gave direction to staff to implement changes;

The City desperately wants to preserve, not the neighborhood’s character, but its relationship with the big business agenda that significantly changes the character of the City. As I

have noted, the total number of available beds is around the size of a hotel, thus this agenda is for the purpose of promoting private enterprise, as written in public documents.

B. The City of Gardena has never specifically allowed short-term rental lodging as an allowed use and considers such uses to be prohibited in the City.

Again from the same letter:

Proposed Ord. 1843 “short-term rentals of residences for lodging purposes... are not listed as allowed uses under the Gardena Municipal Code”

The Staff Report of 9/6/22, stated:

“An STR is any rental of a dwelling of thirty days or less. The City’s position has been that because STRs are not listed as an allowed use in the zoning code, they are prohibited. This is known as permissive zoning. The recent case of *Keen v. City of Manhattan Beach* decided in April of this year renders this argument invalid. Due to this decision, the issue of regulating STRs was brought to the City Council for discussion and to provide direction to staff to draft an ordinance.”

The city has stated many times that STRs were never prohibited and permissive zoning was the only theory relied on.

C. Recent case law calls into question whether the City’s prohibition on short-term rentals is valid without the use being specifically prohibited.

Case law expressly declared the City never had a prohibition. If the City is going to make findings, then they should be based on fact.

D. Since 2017, the City has specifically prohibited short-term rentals on properties which have an accessory dwelling unit (ADU), regardless of whether the short-term rental was of the ADU or the main residential structure.

Finally, an almost true statement. As it was specific under 18.13.040

“C. Neither the accessory dwelling unit nor the primary residence shall be rented out for less than thirty-one consecutive calendar days. A covenant shall be recorded to this effect in a form approved by the city attorney.”

You know what else was specific?

“This section only applies to accessory dwelling units **built before** January 28, 2020. (Ord. 1814 § 6 (part), 2020: Ord. 1778 § 5 (part), 2017. Formerly 18.13.030)”

18.13.070

“3. A restriction from renting either the **junior** accessory dwelling unit or the single-family dwelling for less than thirty-one consecutive, calendar days;” (Ord. 1814 § 6 (part), 2020)

So that was a partial truth, while not defining what a short term rental was, the City did venture into preemption by regulating the state occupied field when no constitutional grant of authority authorized this enactment regulating “less than thirty-one consecutive calendar days” in

the former that limited its application to pre-2020 builds and the latter was enacted in 2020 not 2017. Regardless, these declarations are void.

“As we observed more than a century ago, ‘[e]very constitutional provision is self-executing to this extent, that everything done in violation of it is void.’ [Citation]” (*Katzberg v. Regents of the University of California* (2002) 29 Cal.4th 300, 307)

The City was reminded of its constitutional limitations many times, yet insists on violating them.

Cal. Const. art. VI, § 2 (a) “The Legislature shall prescribe uniform procedure for city formation and provide for city powers.”

Cal. Const. art. VI, § 7 “A county or city may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws.”

Moreover, the "general principles governing state statutory preemption of local land use regulation are well settled. 'The Legislature has specified certain minimum standards for local zoning regulations (Gov. Code, § 65850 et seq.)' even though it also 'has carefully expressed its intent to retain the maximum degree of local control (see, e.g., *id.*, §§ 65800, 65802).' (*IT Corp. v. Solano County Bd. of Supervisors* [*supra*], 1 Cal.4th [at p.] 89.) (4) 'A county or city may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations *not in conflict with general laws.*" (Cal. Const., art. XI, § 7, italics added.) "**Local legislation in conflict with general law is void.** Conflicts exist if the ordinance duplicates [citations], contradicts [citation], or enters an area fully occupied by general law, either expressly or by legislative implication [citations]."" (*Morehart v. County of Santa Barbara* (1994) 7 Cal.4th 725, 747 [29 Cal.Rptr.2d 804, 872 P.2d 143].) Local legislation is "duplicative" of general law when it is **coextensive** therewith and "contradictory" to general law when it is **inimical** thereto. Local legislation enters an area "fully occupied" by general law when the Legislature has expressly manifested its intent to fully occupy the area or when it has impliedly done so in light of recognized indicia of intent. (*Great Western Shows, Inc. v. County of Los Angeles*, *supra*, 27 Cal.4th at pp. 860-861.) [Emphasis added.]

Big Creek Lumber Co. v. County of Santa Cruz (2006) 38 Cal.4th 1139, 1150

Inimical means “tending to obstruct or harm” (Oxford)

Coextensive means “extending over the same space or time; corresponding exactly in extent.”

(*Id.*)

State law expressly regulates rents, and authorizes less than 30 days. The ADU field is extensively covered by state law, and this City efforts to enact legislation that is coextensive with it is void.

In the absence of a statutory definition, we assume that the Legislature intended that "rent" would have its ordinary meaning, which is compensation for the use of land (*Shintaffer v. Bank of Italy etc. Assn.* (1932) [216 Cal. 243, 246](#) [[13 P.2d 668](#)]) and the means by which landlords make a profit on their property (*Action Apartment Assn. v. Santa Monica Rent Control Bd.* (2001) [94 Cal.App.4th 587, 598](#) [[114 Cal.Rptr.2d 412](#)]).
Cacho v. Boudreau (2007) 40 Cal.4th 341, 349

Civil Code Title 5, Chapter 2 Hiring of Real Property

Civ. Code, § 1940 (“**(a)** Except as provided in subdivision (b), this chapter shall apply to all persons who hire dwelling units located within this state including tenants, lessees, boarders, lodgers, and others, however denominated.

(b) The term "persons who hire" shall not include a person who maintains either of the following:**(1)** Transient occupancy in a hotel, motel, residence club, or other facility when the transient occupancy is or would be subject to tax under Section 7280 of the Revenue and Taxation Code. The term "persons who hire" shall not include a person to whom this paragraph pertains if the person has not made valid payment for all room and other related charges owing as of the last day on which his or her occupancy is or would be subject to tax under Section 7280 of the Revenue and Taxation Code.

(2) Occupancy at a hotel or motel where the innkeeper retains a right of access to and control of the dwelling unit and the hotel or motel provides or offers all of the following services to all of the residents:**(A)** Facilities for the safeguarding of personal property pursuant to Section 1860.**(B)** Central telephone service subject to tariffs covering the same filed with the California Public Utilities Commission.**(C)** Maid, mail, and room services.**(D)** Occupancy for periods of less than seven days.**(E)** Food service provided by a food establishment, as defined in Section 113780 of the Health and Safety Code, located on or adjacent to the premises of the hotel or motel and owned or operated by the innkeeper or owned or operated by a person or entity pursuant to a lease or similar relationship with the innkeeper or person or entity affiliated with the innkeeper.

(c) "Dwelling unit" means a structure or the part of a structure that is used as a home, residence, or sleeping place by one person who maintains a household or by two or more persons who maintain a common household.

(d) Nothing in this section shall be construed to limit the application of any provision of this chapter to tenancy in a dwelling unit unless the provision is so limited by its specific terms.”)

Civ. Code, § 1944 (“A hiring of lodgings or a dwelling house for an unspecified term is presumed to have been made for such length of time as the parties adopt for the estimation of the rent. Thus a hiring at a monthly rate of rent is presumed to be for one month. In the absence of any agreement respecting the length of time or the rent, the hiring is presumed to be monthly.”)

Civ. Code, § 1946 (“A hiring of real property, for a term not specified by the parties, is deemed to be renewed as stated in Section 1945, at the end of the term implied by law unless one of the

parties gives written notice to the other of that party's intention to terminate the same, at least as long before the expiration thereof as the term of the hiring itself, not exceeding 30 days;”)

The claimed power to regulate who can rent and under what conditions, as set forth, was preempted by state law.

Civ. Code, § 1946.5 (“**(a)** The hiring of a room by a lodger on a periodic basis within a dwelling unit **occupied by the owner** may be terminated by either party giving written notice to the other of his or her intention to terminate the hiring, at least as long before the expiration of the term of the hiring as specified in Section 1946. The notice shall be given in a manner prescribed in Section 1162 of the Code of Civil Procedure or by certified or registered mail, restricted delivery, to the other party, with a return receipt requested.**(b)** Upon expiration of the notice period provided in the notice of termination given pursuant to subdivision (a), any right of the lodger to remain in the dwelling unit or any part thereof is terminated by operation of law. The lodger's removal from the premises may thereafter be effected pursuant to the provisions of Section 602.3 of the Penal Code or other applicable provisions of law.**(c)** As used in this section, "lodger" means a person contracting with the owner of a dwelling unit for a room or room and board within the **dwelling unit personally occupied by the owner**, where the owner retains a right of access to all areas of the dwelling unit occupied by the lodger and has overall control of the dwelling unit.**(d)** This section applies only to owner-occupied dwellings **where a single lodger** resides. Nothing in this section shall be construed to determine or affect in any way the rights of persons residing as lodgers in an owner-occupied dwelling where more than one lodger resides.”)

E. The City Council wishes to make clear that short-terms rentals of an entire home are not permitted in the City. The adoption of this ordinance is not meant to indicate that short-term rentals were previously allowed in the City.

They certainly were not prohibited, thus *Keen* applies. The City is precluded by the constitutions from attempting to regulate rent while simultaneously discriminating.

Civ. Code, § 1947 (“When there is no usage or contract to the contrary, rents are payable at the termination of the holding, when it does not exceed one year. If the **holding is by the day**, week, month, quarter, or year, rent is payable at the termination of the respective periods, as it successively becomes due.”)

Your claimed finding [under F](#), was destroyed by the U.S. Supreme Court above, and equally destroys below:

[R. Adoption of this Ordinance is for public necessity, convenience, and the general welfare as it provides protections to persons living in residential zones and protects the supply of housing in the City while taking into consideration constitutional requirements.](#)

Which ties into the next incredible aspect the City is trying to employ.

[G. According to the most recent Regional Housing Needs Allocation which was incorporated into the City's 6th Cycle Housing Element, the City has a total need of 5,735 units, 55 percent of which are for very low, low and moderate income households.](#)

To address that aspect, which the City really should have thought of sooner, again the Sept. letter addressed the most disingenuously claim of all:

The Council answered this concern for all, as to the finding made by the Council, “changing the character of a residential neighborhood, and with the case of housing – creating an impact on housing supply;” (Proposed Ord. 1843) because the Council had already made another finding, on May 11, 2021, Ord. 1828, “The Zoning Changes will allow the development of a high-density, 265-unit, **first-class** apartment project in the north end of Gardena which will provide new and needed housing opportunities in the City.” The median income of a resident in Gardena is \$55,000, that certainly does not seem like a salary that can afford a “first-class apartment”. Those 265 units adds more than 165% of the cars from all short term rentals to the intersection of El Segundo and Crenshaw, where 58,300 cars cross paths daily. Those 264 units create more trash, take up more parking, and most certainly will create an impact on the housing supply, for rich people.

The city was fully aware that It had the authority to “[r]equire, as a condition of the development of residential rental units, that the development include a certain percentage of residential rental units affordable to, and occupied by, households with incomes that do not exceed the limits for moderate-income, lower income, very low income, or extremely low income households” (Gov. Code, § 65850 (g)) but the city did not so require that. Instead the city authorized “265-unit, **first-class** apartment[s]” that will only cater to the upper class, and serve to increase the rental median price; then claimed that STRs will drive up the rental prices and serve to take away affordable housing.

[H. Short term rentals impact the supply of long-term rental housing available in the City and increase the cost of housing. The City desires to preserve its available housing stock.](#)

Now that is a tough one, what in the world could anyone say to rebut such a contention.

Well, of course, this body said plenty on this point.

“MOTION: It was moved by Vice Chair Langley and seconded by Commissioner Kanhan to approve Resolution No. PC 9-23 approving Vesting Tentative Map #1-22 and directed staff to file a Notice of Exemption The motion was passed by the following roll call vote:

Ayes: Langley, Kanhan, Wright-Scherr, Henderson

Noes:” (Minutes 5-16-23 pp.2-3) (Approved 6-6-23 minutes p.1)

The Commission knows where I am going with this one.

“6.B VESTING TENTATIVE MAP #1-22 A request for a vesting tentative map per Chapter 17.08 of the Gardena Municipal Code, for the subdivision of airspace to create five **condominium units** for a property located in the Medium Residential Multiple-Family Residential Zone (R-3) zone and direct staff to file a Notice of Exemption pursuant to Guidelines section 15061(b)(3). Project Location: 1715 West 149th Street (APN: 6103-022-091)” (*Id.*)

HOUSING STOCK

17.12.010 Purpose.

G. The council finds that the conversion of existing **apartment buildings into condominiums diminishes the supply of rental housing** and displaces residents and will tend to require them to move outside the city when a housing shortage exists. The council finds and declares that **when the number of vacant dwelling units in the city is equal to or less than three percent of the total number of dwelling units in the city, a housing shortage exists** which is inconsistent with the purposes of this chapter and with the goals and policies set forth in the housing element of the general plan of the city; and

If anyone on the Commission does not know where this is going, you should pay close attention.

17.12.020

A. To insure a reasonable balance of rental and ownership housing in the city and a variety of individual choices of tenure, type, price and location of housing and at the same time provide an additional mode of property ownership;

B. To maintain the supply of rental housing for low and moderate-income persons and families and to provide an additional mode of property ownership;

C. To reduce and avoid the displacement of long-term residents, particularly senior citizens and families with school-age children, who may be required to move from the community due to a shortage of replacement rental housing;

G. **A condominium project**, as the same is defined in Section 1351 of the Civil Code of the state, which is divided into five or more condominium units shall be subject to the requirements and procedures applicable to subdivisions as generally set forth in Chapters 17.04 and 17.08 and to the additional requirements and procedures set forth in this chapter.

L. “Vacancy deficiency” means the number of vacant apartment units needed to raise the vacancy rate to three percent.

M. “Vacancy rate” means the number of apartments being offered for rent or lease in the city shown as a percentage of the total number of apartments offered for or under rental or lease agreement in the city.

N. “Vacancy surplus” means the number of vacant apartments being offered for rent or lease in excess of a three percent vacancy rate.

17.12.030 Determination of vacancy rate and surplus.

In **December of each year**, the **community development director** shall determine the vacancy rate and the vacancy surplus, if any, which **shall apply for the entire year**.

A. **No application** for the approval of a tentative tract or parcel map for a condominium or stock cooperative conversion **shall be filed unless there is a vacancy surplus**.

B. **When there is a vacancy surplus** as of the **most recent determination**, an application for the approval of a tentative tract or parcel map **for a conversion may be filed with the community development department** if the number of lots, parcels, units, or rights of exclusive occupancy proposed by all such filings does not exceed the vacancy surplus by more than ten percent. (Prior code § 10-2.22.1)

“On November 28, 2022, the City received an application requesting the approval of a new vesting tentative map for the subdivision of the property at 1715 W. 149th Street to create five condominium units.”

“lot located in the Medium Density Multiple-Family Residential (R-3) zoning district”

“The applicant is requesting the approval of Vesting Tentative Map #1-22 for the subject parcel to create five condominium lots in accordance with Gardena Municipal Code

(“GMC”) Chapter 17.08. **Staff recommends** the Planning and Environmental Quality Commission **approve the vesting tentative map**. The analysis supports the findings set forth in the accompanying resolution”

CITY OF GARDENA

PLANNING AND ENVIRONMENTAL QUALITY COMMISSION

STAFF REPORT

VESTING TENTATIVE MAP #1-22

AGENDA ITEM #6.B

DATE: May 16, 2023

According to the City’s own laws, the above proves as a matter of law, the claims of need to preserve housing stock is an outright lie. Intended to actually be communicated to a court. Drafted by attorneys no less, that is a disbarable offense, and done in public record.

Bus. & Prof. Code, § 6068 (“It is the duty of an attorney to do all of the following:

(a) To support the Constitution and laws of the United States and of this state.

(c) To counsel or maintain those actions, proceedings, or defenses only as appear to him or her legal or just, except the defense of a person charged with a public offense.

(d) To employ, for the purpose of maintaining the causes confided to him or her those means only as are consistent with truth, and **never to seek to mislead the judge** or any judicial officer by an artifice or false statement of fact or law.

(g) Not to encourage either the commencement or the continuance of an action or proceeding from any corrupt motive of passion or interest.

(h) Never to reject, for any consideration personal to himself or herself, the cause of the defenseless or the oppressed.”)

Bus. & Prof. Code, § 6106 (“The commission of any act involving moral turpitude, dishonesty or corruption, whether the act is committed in the course of his relations as an attorney or otherwise, and whether the act is a felony or misdemeanor or not, constitutes a cause for disbarment or suspension. If the act constitutes a felony or misdemeanor, conviction thereof in a criminal proceeding is not a condition precedent to disbarment or suspension from practice therefor.”)

This was pointed out, and yet the laws were ignored. Civil Code, § 827, the right to charge “rent” for “tenancies for less than one month” as to “a residential dwelling” is granted by

the state. See also Civil Code, § 1946 “hiring of real property” “not exceeding 30 days” “the rent shall be due and payable”. The City of Gardena is preempted in this field by the state.

Sections I through L and 18.06.020, 18.12.040, 18.18A.030, 18.19.050, 18.19A.050, 18.20.040, 18.28.040 and CHAPTER 5.76

Each and all violate *Keen* and Gov. Code, § 65852 (“All such regulations shall be uniform for each class or kind of building or use of land throughout each zone, but the regulation in one type of zone may differ from those in other types of zones.”)

Did the drafters of this ordinance really think that it would go unnoticed that the ordinance was constructed from various statutes, none of which apply, but the parts therein are the very aspects enacted. But the failure of a whole statute’s commands, does not grant partial. The City is failing to comply with: Gov. Code, § 65852.21, Gov. Code, § 65860, Gov. Code, § 65862, Gov. Code, § 7060, Gov. Code, § 7061, Gov. Code, § 65853, Gov. Code, § 65854, Gov. Code, § 65855

The entire scheme of this ordinance claimed as zoning, whereby the City claims power to create business, then regulate it, and regulate the affairs of persons not subject to its jurisdiction, while dictating how and when and what the business shall do, is completely foreign to capitalism and outside of the grant of authority provided by the legislature.

Gov. Code, § 65850 (“The legislative body of any county or city may, pursuant to this chapter, adopt ordinances that do any of the following: **(a)** Regulate the use of buildings, structures, and land **as between** industry, business, residences, open space, including agriculture, recreation, enjoyment of scenic beauty, use of natural resources, and other purposes. **(b)** Regulate signs and billboards. **(c)** Regulate all of the following:**(1)** The location, height, bulk, number of stories, and size of buildings and structures.**(2)** The size and use of lots, yards, courts, and other open spaces.**(3)** The percentage of a lot which may be occupied by a building or structure.**(4)** The intensity of land use. **(d)** Establish requirements for offstreet parking and loading. **(e)** Establish and maintain building setback lines.**(f)** Create civic districts around civic centers, public parks, public buildings, or public grounds, and establish regulations for those civic districts.**(g)** Require, as a condition of the development of residential rental units, that the development include a certain percentage of residential rental units affordable to, and occupied by, households with incomes that do not exceed the limits for moderate-income, lower income, very low income, or

extremely low income households specified in Sections 50079.5, 50093, 50105, and 50106 of the Health and Safety Code. The ordinance shall provide alternative means of compliance that may include, but are not limited to, in-lieu fees, land dedication, off-site construction, or acquisition and rehabilitation of existing units.”)

The zoning laws most certainly grant local power, but what has been misunderstood is that the legislature used words that the City ignores, *use of land as between residences*. The principles of statutory construction dictate that we cannot read a word out of a statute nor construct it to make any words superfluous.

Code Civ. Proc. § 1858

In the construction of a statute or instrument, the office of the Judge is simply to ascertain and declare what is in terms or in substance contained therein, not to insert what has been omitted, or to omit what has been inserted; and where there are several provisions or particulars, such a construction is, if possible, to be adopted as will give effect to all.

Code Civ. Proc. § 1866

When a statute or instrument is equally susceptible of two interpretations, one in favor of natural right, and the other against it, the former is to be adopted.

Since our state believes that the use of land is a constitutional right, to interpret the zoning lands as a grant of plenary authority by disregard of the use of “between” and diminish a natural right as a liberty interest over property.

In the statute, the word “between” is a preposition. It is used to show the relationship and distribution of various uses of buildings, structures, and land. The preposition “between” is used to indicate a connection or relationship between two or more things. In this case, it is used to indicate the relationship between different uses of buildings, structures, and land.

In the statute, the preposition “between” is used to express the relationship or distribution between various uses of buildings, structures, and land. The statute lists different types of uses that are relevant for the regulation of buildings, structures, and land. These uses include industry, business, residences, open space, agriculture, recreation, enjoyment of scenic beauty, use of natural resources, and other purposes.

The use of “between” suggests that these uses are related to each other and that there is a distribution or allocation of these uses across the available buildings, structures, and land. For example, the sentence implies that there should be a balance or proportionate distribution between different uses, such as industry and open space, or residential and recreational uses. The preposition

“between” suggests that there is an interrelationship between these different uses, and that they need to be regulated and managed in a way that is fair and sustainable.

The law did not grant power to create and dictate business. The rental units in this city are not all subjected to this enormous complex web that runs afoul of the authority that was granted. Gov. Code, § 65852.150 (“(b) It is the intent of the Legislature that an accessory dwelling unit ordinance adopted by a local agency has the effect of providing for the creation of accessory dwelling units and that provisions in this ordinance relating to matters including unit size, parking, fees, and other requirements, are not so arbitrary, excessive, or burdensome so as to unreasonably restrict the ability of homeowners to create accessory dwelling units in zones in which they are authorized by local ordinance.”)

As to the laughable grievance procedure, the California Supreme Court says no way, after the complete disregard and repeated attempts without doing legal research and only in the face of opposition, the City ignores our right to be heard. “The fundamental requisite of due process of law is the opportunity to be heard.” (*Grannis v. Ordean* (1914) 234 U.S. 385, 394)

In any event, apart from the inadequacy of the notice, the... evaluation process itself does not fairly constitute an adequate "hearing." ... procedures are intended only to evoke and record a public response... of a proposed project. ... process does not guarantee an affected landowner a "meaningful" predeprivation hearing (*Bell v. Burson*, *supra*, 402 U.S. 535, 541; *Beaudreau v. Superior Court*, *supra*, 14 Cal.3d 448, 458) at which his *specific* objections to the threatened interference with his property interests may be raised. Accordingly, the existence...[of] procedures neither satisfies the due process demands of plaintiff's claim nor constitutes a "remedy" which he was required to exhaust. (See *Ramos v. County of Madera* (1971) 4 Cal.3d 685, 691 [94 Cal.Rptr. 421, 484 P.2d 93].) *Horn v. County of Ventura* (1979) 24 Cal.3d 605, 619

The hearing required by the Due Process Clause must be "meaningful," *Armstrong v. Manzo*, 380 U.S. 545, 552 (1965), and "appropriate to the nature of the case." *Mullane v. Central Hanover Bank Trust Co.*, *supra*, at 313. It is a proposition which hardly seems to need explication that a hearing which excludes consideration of an element essential to the decision whether licenses of the nature here involved shall be suspended does not meet this standard.

Bell v. Burson (1971) 402 U.S. 535, 541-42

It was bad enough that the City sent a private company in to snoop around on us and collect information in violation of Cal. Const. art. I § 1, but now... the federal constitution too?

G. The host shall keep records of the vehicle license plate numbers of guests, which shall be provided to the City upon request.

P. The host shall keep and preserve, for a minimum period of three years, all records regarding each home sharing stay, including the length of stay for each booking and the corresponding rate charged, which shall be provided to the City upon request.

This was declared a specific violation of the Fourth Amendment.

“*Ferguson v. Charleston*, [532 U.S. 67, 86, 121 S.Ct. 1281, 149 L.Ed.2d 205](#) (2001) (holding that a hospital policy authorizing "nonconsensual, warrantless, and suspicionless searches" contravened the Fourth Amendment);” *City of L. A. v. Patel* (2015) 576 U.S. 409, 417

The Court has held that business owners cannot reasonably be put to this kind of choice. *Camara*, [387 U.S., at 533, 87 S.Ct. 1727](#) (holding that "broad statutory safeguards are no substitute for individualized review, particularly when those safeguards may only be invoked at the risk of a criminal penalty"). Absent an opportunity for precompliance review, the ordinance creates an intolerable risk that searches authorized by it will exceed statutory limits, or be used as a pretext to harass hotel operators and their guests. Even if a hotel has been searched 10 times a day, every day, for three months, without any violation being found, the operator can only refuse to comply with an officer's demand to turn over the registry at his or her own peril.

City of L. A. at 421

“Over the past 45 years, the Court has identified only four industries that "have such a history of government oversight that no reasonable expectation of privacy ... could exist for a proprietor over the stock of such an enterprise," *Barlow's, Inc.*, [436 U.S., at 313, 98 S.Ct. 1816.](#)” (*City of L. A.* at 424)

the Court rejected as a basis for deeming "the entirety of American interstate commerce" to be closely regulated in *Barlow's, Inc.* [436 U.S., at 314, 98 S.Ct. 1816.](#) If such general regulations were sufficient to invoke the closely regulated industry exception, it would be hard to imagine a type of business that would not qualify. See Brief for Google Inc. as *Amicus Curiae* 16–17; Brief for the Chamber of Commerce of United States of America as *Amicus Curiae* 12–13.

City of L. A. at 425

The City wants to take on Google... good luck.

Finally...

The one aspect the City pretends it never heard, is the one thing the City is powerless over.

““If otherwise valid local legislation conflicts with state law, it is preempted by such law and is void.” (*Sherwin-Williams Co. v. City of Los Angeles* (1993) 4 Cal.4th 893, 897)” (*Action v. City of Santa Monica* (2007) 41 Cal.4th 1232, 1242)

Civil Code § 1946 and § 1947 contemplate rents under 30 days, as noted compensation for any use of the land, which by Airbnb contract is a license grant to hosts. A subject the City is powerless to regulate.

The interests which enjoy constitutional protection as "property" are generally defined by state law. (Civ. Code, § 755; *Lucas v. South Carolina Coastal Council* (1992) 505 U.S. 1003, 1030 [112 S.Ct. 2886, 2901, 120 L.Ed.2d 798].) In California "[t]he right to acquire and possess property, guaranteed by the constitution, includes the right to dispose of it, or any part of it, and for that purpose to divide it in any possible manner, either by separating it into estates for successive periods or otherwise, and to dispose of one or more of such estates." (*Tennant v. John Tennant Memorial Home* (1914) 167 Cal. 570, 575 [140 P. 242]; *Gregory v. City of San Juan Capistrano* (1983) 142 Cal.App.3d 72, 88 [191 Cal.Rptr. 47].) Just as that right encompasses the power to grant a license to use a portion of the owner's property temporarily (see *Ex Parte Quarg*(1906) 149 Cal. 79 [84 P. 766] [theater ticket]), it includes the right to create a leasehold estate.

Kavanau v. Santa Monica Rent Control Bd. (1997) 16 Cal.4th 761, 794-95

The City is violating so many constitutional provisions it is not possible to count. After retaliating against me, the City opted for widespread discrimination, then continued its retaliation against me specifically. All prior objections submitted are incorporated by reference to establish the many violations.

5.76.130 Enforcement; penalties.

SECTION 17. Effective Date.

A. This Ordinance shall take effect on the thirty-first day after passage.

B. Notwithstanding subsection A, short-term rentals that were in effect on the date of adoption of this Ordinance shall have until 180 days after the effective date to cease all operations. This extension shall not apply to any vehicle or trailer which is being used as a short-term rental.

SECTION 18. Relief.

B. There are no appeal rights regarding vehicles or trailers being used as short-term rentals.

There has never been a law regarding trailers, this is specific to only me as the only one with high-end Airstream trailers as options that people love. The retaliation for speaking out is shameful.

Controlling business by government enterprise, spying on citizens, punishing them for speaking out and petitioning for redress of grievances is the very essence of communism. I fled it over 25 years ago, only to run right to the City that is practicing it.

Правители не заботятся о людях, которым они призваны служить, мы крестьяне, предназначенные только для того, чтобы служить интересам богатых, которым вы служите.

Mariya Wrightsman

Мария Райтсман

THE ADU LAWS CANNOT APPLY TO MY PROPERTY

Mariya Wrightsman 7/16/23

Planning Commission

The City knows this is a contested issue, yet provides us little time to face its army of lawyers, reservation of right is made to raise any additional issues due to the time limitations imposed by throwing extensive and multiple laws directed at us and specifically me with only 4 days despite holding on to the ordinance for many days prior. All prior objections submitted are incorporated by reference to establish the many violations, only a few of which there was time to touch upon herein.

The City has no authority to impose either the live in requirement or its false claim that my property cannot have an STR anywhere in the property because of the ADU. The law certainly does require the City under Gov. Code, § 65852.2 (e)(5) “A local agency shall require that a rental *of the* accessory dwelling unit **created pursuant to this subdivision** be for a term longer than 30 days.” That does not prohibit any location on the remainder of the premises from being used as an STR. But even to impose that limitation on the ADU only, such ADU must have been created pursuant to subdivision (e)

Which given the specifics of my property it was not. I will explain in brackets why it cannot apply under the rule.

(e)(1) Notwithstanding subdivisions (a) to (d), inclusive, a local agency **shall ministerially approve an application** for a building permit within a residential or mixed-use zone to create any of the following:

[First it was not ministerial, as the City demanded numerous follow up papers and took around 7 months to approve.]

(A) One accessory dwelling unit **and** one junior accessory dwelling unit **per lot** with a proposed or existing single-family dwelling if all of the following apply:

[My properties are duplexes, not single family.]

(i) The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion

beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.

(ii) The space has exterior access from the proposed or existing single-family dwelling.

(iii) The side and rear setbacks are sufficient for fire and safety.

(iv) The junior accessory dwelling unit complies with the requirements of Section 65852.22.

(B) One detached, new construction, accessory dwelling unit that does not exceed four-foot side and rear yard setbacks for a lot with a proposed or existing single-family dwelling. The accessory dwelling unit may be combined with a junior accessory dwelling unit described in subparagraph

(A). A local agency may impose the following conditions on the accessory dwelling unit:

[My property was a remodel not new construction.]

(i) A total floor area limitation of not more than 800 square feet.

(ii) A height limitation as provided in clause (i), (ii), or (iii) as applicable, of subparagraph (D) of paragraph (2) of subdivision (c).

(C)(i) Multiple accessory dwelling units within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if each unit complies with state building standards for dwellings.

[My ADU was a detached garage and not within the existing dwelling.]

(ii) A local agency shall allow at least one accessory dwelling unit within an existing multifamily dwelling and shall allow up to 25 percent of the existing multifamily dwelling units.

(D)(i) Not more than two accessory dwelling units that are located on a lot that has an existing or proposed **multifamily dwelling**, *but are detached from that multifamily dwelling and are* **subject to a height limitation** in clause (i), (ii), or (iii), as applicable, of subparagraph (D) of paragraph (2) of subdivision (c) and rear yard and side setbacks of *no more than four feet*.

[I have two lots, one unit on each and expressly only subjected to (c)(D)(iv) because of 18.13.050.G. “the height of an attached or detached accessory dwelling unit shall not be any higher than the primary residence and in no event shall the height exceed twenty-five feet.”]

(ii) If the existing multifamily dwelling has a rear or side setback of less than four feet, the local agency shall not require any modification of the existing multifamily dwelling

as a condition of approving the application to construct an accessory dwelling unit that satisfies the requirements of this subparagraph.

(2) A local agency shall not require, as a condition for ministerial approval of a permit application for the creation of an accessory dwelling unit or a junior accessory dwelling unit, the correction of nonconforming zoning conditions.

(3) The installation of fire sprinklers shall not be required in an accessory dwelling unit if sprinklers are not required for the primary residence. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing multifamily dwelling.

(4) A local agency may require owner-occupancy for either the primary dwelling or the accessory dwelling unit on a **single-family lot**, subject to the requirements of paragraph (8) of subdivision (a).

[Mine is multifamily.]

(5) A local agency shall require that a rental *of the* accessory dwelling unit **created pursuant to this subdivision** be for a term longer than 30 days.

[Mine was not created pursuant to (e) because of the Gardena ordinance above and as set forth herein, and not ministerially approved.]

(6) A local agency may require, as part of the application for a permit to create an accessory dwelling unit connected to an onsite wastewater treatment system, a percolation test completed within the last five years, or, if the percolation test has been recertified, within the last 10 years.

(7) Notwithstanding subdivision (c) and paragraph (1) a local agency that has adopted an ordinance by July 1, 2018, providing for the approval of accessory dwelling units in multifamily dwelling structures shall ministerially consider a permit application to construct an accessory dwelling unit that is described in paragraph (1), and may impose objective standards including, but not limited to, design, development, and historic standards on said accessory dwelling units. These standards shall not include requirements on minimum lot size.”

And the attempt to force me to place a convent on my land is too late, Gov. Code, § 65852.2 (“(a)(1) A local agency may, by ordinance, provide for **the creation** of accessory dwelling units in areas zoned to allow single-family or multifamily dwelling residential use.”)

Thus no authority to do so after the fact.

The City is violating so many constitutional provisions it is not possible to count. After retaliating against me, the City opted for widespread discrimination, then continued its retaliation against me specifically. All prior objections submitted are incorporated by reference to establish the many violations.

5.76.130 Enforcement; penalties.

SECTION 17. Effective Date.

A. This Ordinance shall take effect on the thirty-first day after passage.

B. Notwithstanding subsection A, short-term rentals that were in effect on the date of adoption of this Ordinance shall have until 180 days after the effective date to cease all operations. This extension shall not apply to any vehicle or trailer which is being used as a short-term rental.

SECTION 18. Relief.

B. There are no appeal rights regarding vehicles or trailers being used as short-term rentals.

There has never been a law regarding trailers, this is specific to only me as the only one with high-end Airstream trailers as options that people love.

For the Second time now:

It appears that prior public comments were "inadvertently" omitted from the agenda as posted on the planning committee web page, that were posted on a different planning committee web page as directed to by the notice by publication sent out for Short Term Rentals. Since they were clearly a part of the record on public comment, they should be so included in the record on public comment, and are hereby resubmitted to assist with this oversight.



PAUL L. CASS LL.M.
ATTORNEY AT LAW

May 11, 2023

RE: SHORT TERM RENTALS GARDENA

MY CLIENT: MARIYA WRIGHTSMAN PROPERTY OWNER

DEAR PLANNING COMMISSION:

As the City Attorney was specifically advised in October of 2022, the City of Gardena has violated my client's (Ms. Wrightsman's) constitutional rights and based on the last public notice apparently intend to do so again. The City of Gardena is prohibited from violating my client's constitutional property rights and any effort to do so would invite a lawsuit for equitable relief to have the local legislation deemed void and unenforceable as a matter of law.

The City of Gardena is engaging in harassment in violation of the US and State constitution. As was spelled out to the City Attorney in an October 2022 letter, the Council Members are not immune under a 1983 action for violating these rights, nor is the City itself. This letter serves to put the City of Gardena on notice that pursuant to Civil Code, § 827, the right to charge "rent" for "tenancies for less than one month" as to "a residential dwelling" is granted by the State of California. [See also Civil Code, § 1946 "hiring of real property" "not exceeding 30 days" "the rent shall be due and payable"]. The City of Gardena is preempted in this field by the State law.

Not to mention the constitutional issues. Below are the Airbnb terms of use:

8. Terms specific for Guests

"8.2 Booking Accommodations

8.2.1 You understand that a confirmed booking of an Accommodation ("**Accommodation Booking**") is a limited license granted to you by the Host to enter, occupy and use the Accommodation for the duration of your stay, during which time the Host (only where and to the extent permitted by applicable law) retains the right to re-enter the Accommodation, in accordance with your agreement with the Host."

The interests which enjoy constitutional protection as “property” are generally defined by state law. (Civ. Code, § 755; *Lucas v. South Carolina Coastal Council* (1992) 505 U.S. 1003, 1030.) In California “[t]he right to acquire and possess property, guaranteed by the constitution, includes the right to dispose of it, or any part of it, and for that purpose to divide it in any possible manner, either by separating it into estates for successive periods or otherwise, and to dispose of one or more of such estates.” (*Tennant v. John Tennant Memorial Home* (1914) 167 Cal. 570, 575; *Gregory v. City of San Juan Capistrano* (1983) 142 Cal.App.3d 72, 88.) Just as that right encompasses the power to grant a license to use a portion of the owner’s property temporarily (see *Ex Parte Quarg* (1906) 149 Cal. 79 [theater ticket]), it includes the right to create a leasehold estate. *Kavanau v. Santa Monica Rent Control Bd.* (1997) 16 Cal.4th 761, 794-95

““If otherwise valid local legislation conflicts with state law, it is preempted by such law and is void.” (*Sherwin-Williams Co. v. City of Los Angeles* (1993) 4 Cal.4th 893, 897)” (*Action v. City of Santa Monica* (2007) 41 Cal.4th 1232, 1242) “As we observed more than a century ago, ‘[e]very constitutional provision is self-executing to this extent, that everything done in violation of it is void.’ [Citation]” (*Katzberg v. Regents of the University of California* (2002) 29 Cal.4th 300, 307) “[V]oid may be attacked anywhere, directly or collaterally whenever it presents itself, either by parties or strangers. It is simply a nullity, and can be neither a basis nor evidence of any right whatever.” (*Andrews v. Superior Court* (1946) 29 Cal.2d 208, 214)

Void in legal terms means it never existed.

Please present this letter to the City Attorney’s Office, whom will be able to advise of the correctness of the law that prohibits the current course of action.

If the City wishes to readdress this issue, it is suggested to pursue the only correct legal avenue available, by sponsoring an initiative to amend the California Constitution and also lobby the California state Legislature to change existing laws. Because the City can only proceed in this manner, future attempts to enact local legislation which is void will result in a Federal action under 42 U.S.C. §§ 1983 and 1985 pursuant to the equal protection clause of the Fourteenth Amendment. Due process protections are necessary "to insure that the state-created right is not arbitrarily abrogated." (*Vitek v. Jones* (1980) 445 U.S. 480, 489, quoting *Wolff v. McDonnell*, (1974) 418 U.S. 539, 557) and see *Vitek* at 491 fn. 6. In reality the amount of rentals of less than 30 days is minimal within the boundaries of Gardenia. However, since my client invested heavily before any attempt was made to change the laws, then this fact inures to my client's benefit. Legally under existing laws the City may not unilaterally change the rules without subjecting the City to a costly legal battle. The City's plan of action would be deemed arbitrary and is a form of "taking" which is prohibited.

The issue of "**grandfathering**" existing Gardena rentals (which are few in number) is not before us at this time but may in the future be a remedy especially if there is a situation where the City affirms its plan and the client is forced to file a Federal Lawsuit and tack-on the State law claims. If this event of a total ban on rentals of less than 30 days occurs then such action will cause all concerned parties to waste resources in a quagmire of litigation. If the City wanted to bypass litigation and to that end it inserted a grandfather provision in its expected law this would make it where the City might have some leverage as to new units (post legislation), assuming some future attempt by a property owner to engage in rentals of less than 30 days. However, that possibility is not yet before us. The current understanding is that the City will be seeking a total ban on rentals of less than 30 days which would trigger a lawsuit / petition.

Best,

A handwritten signature in blue ink, appearing to read "P.L. Cass". The signature is fluid and cursive, with a large initial "P" and "L" followed by "Cass".

PAUL L. CASS, ESQUIRE SBN 158,323

To the City of Gardena Planning Commission

June 20, 2023

The Gardena City Council Minutes of May 23, 2023 state:

“10.C MAY 16, 2023

MEETING ZONE TEXT AMENDMENT #3-23

The Planning Commission considered a recommendation to the City Council on the adoption of an ordinance amending Title 18 and Title 5, Zoning, of the Gardena Municipal Code relating to regulations for short-term home sharing rentals in residential zoning districts throughout the city and direction to staff to file a Notice of Exemption pursuant to CEQA Guidelines Section 15061(b)(3) and 15308.

Commission Action: A motion was made to reopen the public hearing and continue it to the June 20, 2023 meeting, and direction to staff to make modifications to the draft ordinance *relating to onsite parking space requirements, timeframe for compliance properties with existing listings, and to add a time extension process for compliance.* The motion was passed by a vote of 4-0-0 page 6 of the City Council minutes of 5/23/23” pp. 4-5

From the June 20, 2023 Agenda Packet:

“The Planning Commission is being asked whether the extension of time and relief request should be applied to those existing listings within an Accessory Dwelling Units (ADUs), as **highlighted in yellow** in the attached Ordinance. *All changes are shown in redline.*” pp.1-2

“SECTION 16. Effective Date.

A. This Ordinance shall take effect on the thirty-first day after passage.

B. Notwithstanding subsection A, short term rentals that were in effect on the date of adoption of this Ordinance shall have until 90 days after the effective date to cease all operations. **This extension shall not apply to any property that has an accessory dwelling unit. This extension shall not apply to any vehicle or trailer which is being used as a short term rental.**” pp.13-14

“SECTION 17. Relief.

A. The Owner of any residence being used for a short-term lodging rental may appeal the termination of the use pursuant to the following administrative procedure:

...

B. **There are no appeal rights regarding accessory dwelling units, including junior accessory dwelling units, as the prohibition is a declaration of existing law.**

C. **There are no appeal rights regarding vehicles or trailers being used as short term rentals.**” pp.14-15

The additional text included in this draft were not shown in red. No changes were shown in redline, because no changes were made. The blue highlight over the last sentence of every section was added language from the last hearing.

I very aptly noted at the last hearing when addressing this body in public, there is no reason to speak to those that will not listen. The staff then read aloud from my attorney’s letter

noting that this course of conduct was void for want of power to enact these laws, yet made no changes despite the void nature.

While not in red, the staff did include: “The Request shall state all reasons, including but not limited to alleged abridgements of the appellant’s constitutional rights, and why the prohibition should not be made effective as set forth in Section 16 of this Ordinance on the 90th day after effective date extension and relief.” Under the heading “Relief” p. 14

But the staff did prove that they were listening to me, by adding the language that was not noted in red, as the blue highlighted text on the previous page is language that is specific to only me. Despite the city’s claim that ADU’s are prohibited from short term rentals being a clear misreading of the state law that controls this subject and specifically my properties are exempted under state law, the city has arbitrarily and capriciously extended the reach to the entire property, not isolating the ADU. Yet, on the very next line noted that the appeal and extension rights were denied specific to the unit (vehicle), not the entire property, i.e., “not apply to any property”; “not apply to any vehicle”. Therefore, the adjournment can only be seen as an excuse to amend the laws in a manner that is specific to me, intended as punishment for speaking out.

The toll exacted from my rights, has been targeted at me for exercising my constitutional right “to petition the Government for a redress of grievances.” (U.S. Const. Amendment I)

It did not matter that under the California Constitution art. I sec. 3 that “(a) The people have the right to instruct their representatives, petition government for redress of grievances, and assemble freely to consult for the common good.” Because it is clear by presenting punitive laws that directly apply to me alone, out of the entire group of hosts, animus is intended to silence me.

Nor does it matter that under the California Constitution art. I sec. 1 that “All people are by nature free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and privacy.” Because in defending my inalienable property rights, the city has exacted a toll, to punish me for presenting the law that expressly put the city on notice that it was acting without a grant of authority. Thus, I have learned my lesson, exercising rights is dangerous to my rights.

Having left Ukraine over twenty years ago, but still raised as a child in the Soviet Union, I confess that I had forgotten this lesson. Thank you for reminding me comrades.

I am forced to cease enjoyment of my rights due to the cost that will be imposed on me for engaging in that which is guaranteed to all others in this county.

**The theory of Communism may be summed up in the single sentence:
Abolition of private property.**

- Karl Marx

I had forgotten the old party lines instilled in us children:

Идеи Ленина живут и побеждают!

Lenin's ideas live and win!

Слава великому Сталину!

Glory to the great Stalin!

Spaciba,
Mariya Wrightsman

To the Lead Agency as
The City of Gardena

May 19, 2023

RE: Notice of Preparation and Scoping Meeting for the City of Gardena Land Use Plan, Zoning Code & Zoning Amendment Environmental Impact Report
[PUBLIC COMMENT PERIOD EXTENDED to May 19, 2023](#)

Cal. Code Regs., tit. 14, § 15044 (“Any person or entity other than a responsible agency may submit comments to a lead agency concerning any environmental effects of a project being considered by the lead agency.”)

First I would like to thank the Lead Agency for extending public comments for an additional week. As the Lead Agency knows, the hearing held on this matter was closed to the public so we were not able to participate which you will please note, since your report to the state must include public comments and Gov. Code, § 65583 (“(c)(9) Include a diligent effort by the local government to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort.”)

It was not easy to find because the Lead Agency posted on their agenda page: “The City of Gardena Land Use Plan and Zoning Amendments Project proposes changes to the land use designation and zoning for parcels located throughout the City of Gardena.”

But the title of the report we were to read was named: “Review project materials for the Revised 2021-2029 Housing Element on the [Planning Projects Page](#)” Because a secret meeting and mislabeled documents are the opposite of diligent efforts, it can be presumed that this was part of the intended consideration due the public. Cal. Code Regs., tit. 14, § 15064 (“(c) In determining whether an effect will be adverse or beneficial, the lead agency shall consider the views held by members of the public in all areas affected as expressed in the whole record before the lead agency. Before requiring the preparation of an EIR, the lead agency must still determine whether environmental change itself might be substantial.”) It seems the substantial impact on the environment was already determined.

“NOTICE IS HEREBY GIVEN that as Lead Agency pursuant to California Public Resources Code §21165 and State California Environmental Quality Act (CEQA) Guidelines §15050, the City of Gardena (City) **will prepare** an Environmental Impact Report (EIR)”

This interested person is concerned about specific issues that affect the physical environmental factors and admitted to harmful environmental factors that appear to be in disregard of multiple state laws as will be established by the facts as set forth below. It is understood and acknowledged that the scope of this inquiry is limited to the environmental issues and the merits

of the plan will be addressed later. Since the law requires mitigation and further requires that all concerns expressed must be supported by substantial evidence, a factual foundation based on the documented evidence must be set forth to demonstrate the concerns raised herein.

Cal. Code Regs., tit. 14, § 15064 (“(5) Argument, speculation, unsubstantiated opinion or narrative, or evidence that is clearly inaccurate or erroneous, or evidence that is not credible, shall not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.”)

As far as “credible” evidence, it will be admissions made by the city itself.

Please understand and be patient while this record is made, which you will no doubt find very important by the end. But since we are shooting in the dark (4) “... A lead agency shall not circulate a draft EIR for public review before the time period for responses to the notice of preparation has expired.” (Cal. Code Regs., tit. 14, § 15082) Yet were still able to hit a bull’s eye, I am sure this read will be of importance.

It will be known if these concerns were disregarded because Cal. Code Regs., tit. 14, § 15105 (“(a) The public review period for a draft EIR shall not be less than 30 days nor should it be longer than 60 days”) Which must be made available to the public tomorrow.

FACTUAL BASIS

“As indicated in Table 3, the proposed Project could result in the following when compared to existing conditions: • 154 fewer single-family dwelling units; • 12,167 additional multiple-family dwelling units; and • 7,544,381 fewer square feet of non-residential development.” (NOP – City of Gardena Plan Land Use & Zone Change EIR April 13, 2023, p.10)

“Existing Land Uses to be Removed

Single-Family Residential	-154
Multiple-Family Residential	-961
Net New Development Potential	
Single-Family Residential	-154
Multiple-Family Residential	12,167

At first it was noted as odd, that no mention was made of the level of income of these family units, but it could not be that low income will be lost and only medium to high income gained because that would be illegal and violate the California Environmental Quality Act (CEQA).

“As site-specific development proposals are not currently known, a programmatic analysis of the potential environmental impacts associated with new residential development consistent with implementation of the proposed project **was prepared in this EIR.**”

As discussed previously, the development potential is **solely based on the new residential development** that could occur with implementation of the new land use designations and the higher densities that would be associated with the proposed land use designations to resolve split-zoned parcels. The minor clean-up changes to the Gardena Zoning Map that are proposed as part of the Project would not result in new development or new development potential; rather the Zoning Map would be amended to rezone properties to match the existing uses, densities, or intensities that already occur on the property. (*Id.* at p.11)

That is a bit confusing, the city announced that it “will prepare” an EIR, but the above noted it was already prepared, “was prepared in this EIR.”

Cal. Code Regs., tit. 14, § 15082 (“(b) **Response to Notice of Preparation.** Within 30 days after receiving the notice of preparation under subdivision (a), each responsible and trustee agency and the Office of Planning and Research shall provide the lead agency with specific detail about the scope and content of the environmental information related to the responsible or trustee agency's area of statutory responsibility that must be included in the draft EIR. (1) **The response at a minimum shall identify:** (A) The significant environmental issues and reasonable alternatives and mitigation measures that the responsible or trustee agency, or the Office of Planning and Research will need to have explored in the draft EIR; and (B) Whether the agency will be a responsible agency or trustee agency for the project.”) (3) **A generalized list of concerns not related to the specific project shall not meet the requirements of this section for a response.”**

The “Environmental Factors Potentially Affected” and are the focus of this complaint were generalized by the city on its NOP at p.12 included Air Quality; Energy; Greenhouse Gases Emissions; Land Use and Planning; Noise; Population and Housing; Public Services; Transportation and Traffic. Now, everybody knows that this compassionate Lead Agency cares deeply about noise, traffic increase, maintaining housing stock and overcrowding, which are all listed above, but what was not listed above was parking which the city is passionate about. Driving around looking for parking surely impacts the environment. Regardless, there are much larger issues that will be developed herein, because the city announced it is preparing an EIR, that means the Lead Agency determined there will be a negative impact on the environment.

Cal. Code Regs., tit. 14, § 15081 (“The EIR process starts with the decision to prepare an EIR. This decision will be made either during preliminary review under Section 15060 or at the conclusion of an initial study after applying the standards described in Section 15064.”)

Therefore, it is worthy of pointing out that the powers, are limited not plenary.

Cal. Code Regs., tit. 14, § 15040 (“(a) CEQA is intended to be used in conjunction with discretionary powers granted to public agencies by other laws. (b) CEQA does not grant an agency new powers independent of the powers granted to the agency by other laws. (c) Where another law grants an agency discretionary powers, CEQA supplements those

discretionary powers by authorizing the agency to use the discretionary powers **to mitigate or avoid significant effects on the environment** when it is feasible to do so with respect to projects subject to the powers of the agency.”

Discretion was afforded to allow avoidance of environmental impact. Taking a review of the laws that are to be considered and not ignored are the following relevant issues that arise from this plan that the Lead Agency has already determined are problematic.

Cal. Code Regs., tit. 14, § 15064 (“(a) Determining whether a **project may have a significant effect plays a critical role** in the CEQA process.(1) If there is **substantial evidence**, in light of the whole record before a lead agency, that a project may have a **significant effect on the environment, the agency shall prepare a draft EIR.**”)¹

(b)(1) The determination of whether a project may have a significant effect on the environment calls for **careful judgment** on the part of the public agency involved, based to the extent possible on **scientific and factual data.**”)

(c) In determining whether an effect will be adverse or beneficial, the **lead agency shall consider the views held by members of the public** in all areas affected as expressed in the whole record before the lead agency. *Before* requiring the preparation of an EIR, the lead agency must still determine whether **environmental change itself might be substantial.**

(1) A **direct physical change** in the environment is a physical change in the environment which is caused by and immediately related to the project. Examples of **direct physical changes in the environment are the dust, noise, and traffic of heavy equipment** that would result from construction of a sewage treatment plant and possible odors from operation of the plant.

(2) An **indirect physical change** in the environment is a **physical change in the environment** which is not immediately related to the project, but which is caused indirectly by the project. ... may lead to **an increase in air pollution.**”

Cal. Code Regs., tit. 14, § 15064.3 (“(a) Purpose. This section describes specific considerations for **evaluating a project's transportation impacts.**

(b)(4) Methodology. **A lead agency has discretion** to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, **per household** or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled, and may revise those estimates to **reflect professional judgment based on substantial evidence.** Any assumptions used to estimate vehicle miles traveled and any revisions to model outputs **should be documented and explained in the environmental document prepared for the**

¹ Cal. Code Regs., tit. 14, § 15050 (“(c) The determination of the lead agency of whether to prepare an EIR or a negative declaration shall be final and conclusive for all persons, including responsible agencies, ”)

“NOTICE IS HEREBY GIVEN that as Lead Agency pursuant to California Public Resources Code §21165 and State California Environmental Quality Act (CEQA) Guidelines §15050, the City of Gardena (City) **will prepare an Environmental Impact Report** (EIR)”

project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section.”)

Cal. Code Regs., tit. 14, § 15064.7 (“**(a) A threshold of significance is an identifiable quantitative, qualitative or performance level of a particular environmental effect,** noncompliance with which means the effect will normally be determined to be significant by the agency and compliance with which means the effect normally will be determined to be less than significant.

(b) Each public agency is encouraged to develop and publish thresholds of significance that the agency uses in the determination of the significance of environmental effects. Thresholds of significance to be adopted for general use as part of the lead agency's environmental review process must be adopted by ordinance, resolution, rule, or regulation, and developed through a public review process and be supported by substantial evidence. Lead agencies may also use thresholds on a case-by-case basis as provided in Section 15064(b)(2).

(d) Using environmental standards as thresholds of significance promotes consistency in significance determinations and integrates environmental review with other environmental program planning and regulation. Any public agency may adopt or use an environmental standard as a threshold of significance. In adopting or using an environmental standard as a threshold of significance, a public agency shall explain how the particular requirements of that environmental standard reduce project impacts, including cumulative impacts, to a level that is less than significant, and why the environmental standard is relevant to the analysis of the project under consideration. For the purposes of this subdivision, an "environmental standard" is a rule of general application that is adopted by a public agency through a public review process and that is all of the following:

- (1) a quantitative, qualitative or performance requirement found in an ordinance, resolution, rule, regulation, order, plan or other environmental requirement;**
- (2) adopted for the purpose of environmental protection;**
- (3) addresses the environmental effect caused by the project; and,**
- (4) applies to the project under review.”)**

Earlier it was noted that the EIR was based on and this entire project to amend the housing element is “solely based on the new residential development” it seems like a good place to look there for the environmental violations that are established herein.

“The Housing Overlay rezone sites *can* accommodate a total of 6,586 units, including 2,636 lower income units (very low and low income) and 3,950 market-rate units (moderate and above moderate income) units.” (City of Gardena 2021-2029 Housing Element Readopted 2/15/23 p. 75; same in Revised 2021-2029 Housing Element p. 72 from July 2022) “Another way in which density may be increased in the City is through the Density Bonus Ordinance” (*id.*) “The 429 lot consolidation parcels occupy 173.9 acres and could yield a net gain of 6,128 units.” (*Id.* at p. 76 earlier at p.73) “The 686 units from entitled or pending development projects, 160 ADUs, and the potential 6,586 units resulting from implementation of the Housing Overlay could result in 7,432

units, exceeding the total RHNA allocation for Gardena by 1,697 units or 30 percent.” (*Id.* at p.77 earlier at p.74)

That is amazing that the city has allocated so much of the potential land use to assist the poor and comply with state law.

“Table V-2 presents the Housing Element’s quantified housing objectives for the 2021-2029 planning period”

Category	Extremely Low Income	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
New Construction	743	742	761	894	2,595	5,735
Preservation	80	72	72	---	---	224
Conservation (Units at Risk)	70	70	140	---	---	280
Conservation (Code Enforcement)	0	50	50	100	50	250

“According to Government Code Section 65583(b), local governments’ housing elements are required to establish quantified objectives for the maximum number of housing units which can be constructed, rehabilitated, and conserved over the planning period.” (Housing Element pp. 105-106; earlier at p. 99)

But instead, the law states that the maximum number of houses that can be built as new construction for the extremely low poor people are 13% of the total, the very low poor get 13%, the low poor get 13%, the median class get 16% and the upper middle class get 45% of the opportunities for home ownership over the next decade!

According to state law, the housing element is required to list the maximum number of units that can be constructed. And it was listed under “5. Affirmatively Furthering Fair Housing” as the policy of the city to maximize housing for the upper middle class as a way to be fair. Earlier, “7,432 units, exceeding the total RHNA allocation for Gardena by 1,697 units or 30 percent.” But lot 429, “could yield a net gain of 6,128 units.” Putting the city at 13,560 units!

Very close to the report calling for new residential potential of 13,128. Very cool in deed, that is something like 42.293% complete surplus stock of housing left unused after taking care of all of the classes listed... except for one class, the upper class.

Thus the intense environmental impact about to be sustained by the city and suffered by the residents for years to come will be for the benefit of 6,239 upper middle class or upper class, which is more than the combined total allotted for above. A further review of the numbers shows

more than just changing the character of the city and adding 13,000 new cars to the traffic conditions in Gardena, forever.

“The Los Angeles-Long Beach-Glendale, CA HUD Metro FMR Area contains the following areas: Los Angeles County, CA;” the [HUD calculator](#) for median income level for all of Los Angeles is \$98,200 and county wide extremely low income limits are by number of persons in household listed as 1) \$26,500; 2) \$30,300; 3) \$34,100; 4) \$37,850. And that is not good, because in Gardena those numbers are not just extremely low, they are normal.

According to the [US Census Bureau](#) as of July 1, 2022 there were an estimated 58,843 people in Gardena, CA. Which revealed a population decrease of -3.6%, down from 61,022 since just April 1, 2020, the population per square mile is 10,469.5; of which 38.8% are foreign born, just like I was when I moved from Ukraine and landed exactly in the City of Gardena. Owner occupied housing represents 48.3% of the housing stock, of the total 20,806 households of an average of 2.89 people per household, of which 91.3% had lived in the same location for over 1 year. The **mean travel time to work 28.4 minutes**, and the median household income was \$68,413 with a per capita income of \$29,939.

Another site, the combines the census and FBI and other entities, breaks down those stats and many others, that show Gardena’s crime rate has been dropping, and shows the individual median income is just over \$30,000 as up from \$25,000 ten years ago. But of course, the city used the phrase “moderate income” not median income.

The California Department of Housing and Community Development [advises](#):
Income Limits

State statutory limits are based on federal limits set and periodically revised by the U.S. Department of Housing and Urban Development (HUD) for the Section 8 Housing Choice Voucher Program. HUD’s limits are based on surveys of local area median income (AMI). The commonly used income categories are approximately as follows, subject to variations for household size and other factors:

- Acutely low income: 0-15% of AMI
- Extremely low income: 15-30% of AMI
- Very low income: 30% to 50% of AMI
- Lower income: 50% to 80% of AMI; the term may also be used to mean 0% to 80% of AMI
- Moderate income: 80% to 120% of AMI

“Affordable housing cost” for lower-income households is defined in State law as not more than 30 percent of gross household income with variations (Health and Safety Code Section 50052.5). The comparable federal limit, more widely used, is 30 percent of gross

income, with variations. “Housing cost” commonly includes rent or mortgage payments, utilities (gas, electricity, water, sewer, garbage, recycling, green waste), and property taxes and insurance on owner-occupied housing.

The State’s Hold Harmless policy supports objectives to preserve and increase the supply of affordable rental housing. Availability of affordable rental housing benefits a broad public and households with different income levels served by affordable housing providers required to comply with Health and Safety Code (H&SC) income limits and affordable rent criteria [H&SC 50093(c)].

25 CCR § 11002 (l) “Persons and families of low or moderate income” includes any of the following:

(1) A “very low income family” is a family whose income does not exceed 50 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families.

(2) A “low income family” is a family whose income does not exceed 80 percent of the median income for the area as determined by HUD with adjustments for smaller or larger families, except that income limits higher or lower than 80 percent may be established on the basis of its findings that such variations are necessary because of the prevailing levels of construction costs, unusually high or low incomes, or other factors.

(3) A “moderate income family” is a family whose income does not exceed 120 percent of the median income for the area, as determined by HUD, with adjustments for smaller and larger families.

(4) For purposes of this section, “family” includes an elderly, handicapped, disabled, or displaced person and the remaining member of a tenant family as defined in Section 201(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 1437a).

The above regulation was obtained from the [website](#) of the Office of Administrative Law, which is significant for many reasons.

Gov. Code, § 65584 (“(4) Above moderate incomes are those exceeding the moderate-income level of Section 50093 of the Health and Safety Code.”)

Health & Saf. Code, § 50093 (““Persons and families of low or moderate income" means persons and families whose income does not exceed 120 percent of area median income, adjusted for family size by the department in accordance with adjustment factors adopted and amended from time to time by [HUD]...”)

If any changes were intended to be declared then they would already be on file.

Health & Saf. Code, § 50093 (“For purposes of this section, the department shall file, with the Office of Administrative Law, any changes in area median income and income limits determined by the United States Department of Housing and Urban Development, together with any consequent changes in other derivative income limits determined by the department pursuant to this section. These filings shall not be subject to Article 5 (commencing with Section 11346) or Article 6 (commencing with Section 11349) of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code, but **shall be effective upon filing with the Office of Administrative Law and shall be published** as soon as possible in the California Regulatory Code Supplement and the California Code of Regulations.”)

For simplicity's sake using the even number of \$30,000 moderate income is \$24,000 to \$36,000 per year; lower income is \$15,000 to \$24,000; very low income is \$9,000 to \$15,000 and extremely low income is \$4,500 to \$9,000 per year. We can infer that above moderate income is therefore \$36,000 and up. But HUD notes that county wide the extremely low income per number in household are 1) \$26,500; 2) \$30,300; 3) \$34,100; 4) \$37,850. Therefore, in Gardena the upper moderate income are the equivalent to an extremely low income family of 4.

This is where the environmental issues start to gel, because HUD places the median higher that means the city must provide an unrealistic number to its residents to even qualify for one of the 13% allotted to them.

“Of the 5.89 million renter households living in California, 1.97 million (or one in three of these households) come from the two lowest income groups—extremely low-income (ELI) and very low-income (VLI). Meanwhile, only 668,000 rental homes are affordable and available to households at these income levels, resulting in a shortfall of 1.30 million affordable rental homes (see Figure 1). In other words, 1.30 million—nearly two-thirds—of California’s lowest income households do not have access to affordable housing.”

Rosenfeld, Lindsay. [*Demystifying California's Affordable Homes Shortfall*](#) (4/7/20) California Housing Partnership

The housing element woefully fails to comply with meeting the City Plan’s dictate to remove local government interference with the housing, and more important for this objection fails state law, which by the laws terms means it fails the environment.

Gov. Code, § 65583 (“The housing element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. The housing element shall identify adequate sites for housing, including rental housing, factory-built housing, mobilehomes, and emergency shelters, and shall make adequate provision for the existing and projected needs of all economic segments of the community. The element shall contain all of the following:

(a) An assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs. The assessment and inventory shall include all of the following:

(1) An analysis of population and employment trends and documentation of projections and a quantification of the locality's existing and projected housing needs for all income levels, including extremely low income households, as defined in subdivision (b) of Section 50105 and Section 50106 of the Health and Safety Code. These existing and projected needs shall include the locality's share of the regional housing need in accordance with Section 65584. Local agencies shall calculate the subset of very low income households allotted under Section 65584 that qualify as extremely low income households. The local agency may either use available census data to calculate the percentage of very low income households that qualify as extremely low income households or presume that 50 percent of the very low income households qualify as extremely low income households. **The number of extremely low income households and**

very low income households shall equal the jurisdiction's allocation of very low income households pursuant to Section 65584.

(2) An analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition.”)

The above is the very Code section cited by the city when limiting the number of houses to be made available to the very low income, which actually states the City was obligated to provide for all of their needs. Gov. Code, § 65583 (“(c)(2) Assist in the development of adequate housing to meet the needs of extremely low, very low, low-, and moderate-income households.”)

Gov. Code, § 65584 (“For purposes of subdivision (a) of Section 65583, the share of a city or county of the regional housing need shall include that share of the housing need of persons at all income levels within the area significantly affected by the general plan of the city or county.”)

(a)(2) “It is the intent of the Legislature that cities, counties, and cities and counties should undertake **all necessary actions** to encourage, promote, and facilitate the development of housing to accommodate the entire regional housing need, and reasonable actions should be taken by local and regional governments to ensure that future housing production meets, at a minimum, the regional housing need established for planning purposes. These actions shall include applicable reforms and incentives in Section 65582.1.”

CHECK MATE

The city has an obligation to reduce environmental impacts and the only exception allowed is if it can be proven with actual evidence that there was no way to avoid it.

Gov. Code, § 65584 (“(3) The Legislature finds and declares that **insufficient housing** in job centers **hinders the state's environmental quality** and runs **counter to the state's environmental goals**. In particular, when Californians seeking affordable housing are **forced to drive longer distances to work**, an **increased** amount of **greenhouse gases** and other pollutants is released **and puts in jeopardy the achievement of the state's climate goals**, as established pursuant to Section 38566 of the Health and Safety Code, and clean air goals.”)

The city intends at best to create great environmental damage to benefit over 6,000 upper class, and another 2,500 above median class, which county wide is extremely low income, so in reality the entire 13,000 homes are intended for the upper class just like the recent project approved for high end apartments. This is a certain fact, simply because this EIR was requested.

Gov. Code, § 65584 (“(g) Notwithstanding any other provision of law, determinations made by the department, a council of governments, or a city or county pursuant to this section or Section 65584.01, 65584.02, 65584.03, 65584.04, 65584.05, 65584.06, 65584.07, or 65584.08 **are exempt from the California Environmental Quality Act (Division 13 commencing with Section 21000) of the Public Resources Code.**”)

The decision was made to not provide housing to the poor as required by Gov. Code, § 65584 and Gov. Code, § 65583 which is why the EIR was ordered to be prepared.

Cal. Code Regs., tit. 14, § 15021 (“(a) CEQA establishes a duty for public agencies to avoid or minimize environmental damage where feasible.”)

The duty was obfuscated, dereliction of office replaced it, and the report to the state oversight will be reviewed as well. Gov. Code, § 65583 (“(c)(9) Include a diligent effort by the local government to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort.”)

What the Lead Agency should find most concerning is the intention behind these regulations.

Cal. Code Regs., tit. 14, § 15003 (“(d) The EIR is to demonstrate to an apprehensive citizenry that the agency has, in fact, analyzed and considered the ecological implications of its action. (People ex rel. Department of Public Works v. Bosio, 47 Cal. App. 3d 495.)

(e) The EIR process will enable the public to determine the environmental and economic values of their elected and appointed officials **thus allowing for appropriate action come election day** should a majority of the voters disagree. (People v. County of Kern, 39 Cal. App. 3d 830.)”)

(j) CEQA requires that decisions be informed and balanced. It must not be subverted into an instrument for the oppression and delay of social, economic, or recreational development or advancement. (Laurel Heights Improvement Assoc. v. Regents of U.C.(1993) 6 Cal.4th 1112 and Citizens of Goleta Valley v. Board of Supervisors(1990) 52 Cal.3d 553)”)

The decision to add 13,000 new cars to the 20,000 currently on the roads is a massive increase in traffic, but it is the decision that will force the residents to move out and drive farther to work that has caused the otherwise avoidable damage, that the city chose to skirt, that will cause the residents to realize they elected a body who serves the interests of the rich and 12,000 upper middle class and upper class that are not the people of Gardena, and the time has come to replace their rulers with people who serve them.

Again, thank you for extending the time to respond.

Very truly,
Mariya Wrightsman

Here we are yet again, despite an outcry of opposition 8 months ago and only the city council's endorsement of once made objections by two people that knew to appear the first time before announced to the city and have not shown since. Clearly the planning department has had months to prepare this ordinance, and despite knowing it was highly contested, released the text of the proposed ordinance 4 days prior to the hearing. In other words, the planning department has been working on this draft for 185 days and provided 4 days to the citizens to engage in the same work.

With 46 days to every one day that we were afforded, the city failed to notice as mandated by law and prevented the ability to adequately respond, all rights are reserved and no waiver of any such rights may be or should be inferred. Generally, the city can be advised, and to which it already knows, that the city has failed to state any grant of authority to enact this ordinance 1854, the city was not afforded power to enact 1854 pursuant to Cal. Const. art. XI § 2 and the language of 1854 is void under preemption (*Big Creek Lumber Co. v. County of Santa Cruz* (2004) 115 Cal.App.4th 952, 983-84) as it violates Cal. Const. art. XI § 7, per Gov. Code, § 65852.2 (expressly preempts), Gov. Code, § 65852 (violates uniformity requirement), occupied field under Civ. Code, §§ 827, 1946 (rents for less than 30 days), no authority to prohibit conduct authorized per Civil Code § 1945.5, and this is not a contemplated use of the zoning laws per Gov. Code, § 65850(a).

Civ. Code, § 679 (“The ownership of property is absolute when a single person has the absolute dominion over it, and may use it or dispose of it according to his pleasure, subject only to general laws.”) The general laws authorize every aspect of my pre-engaged in uses of my real property as I pleased, the city has been unlawfully attempting to pass a law without authority to do so. This is arbitrary government action depriving vested liberty interests in violation of due process under both the federal and state constitutions, and all without a factual basis (*People v. Ramirez* (1979) 25 Cal.3d 260, 268, 276; *Naidu v. Superior Court of Riverside Cnty.* (2018) 20 Cal.App.5th 300, 308, 312; *Hipsher v. L.A. Cnty. Emps. Ret. Ass'n* (2020) 58 Cal.App.5th 671, 699-700 (2nd Dist. Div. 4))

Despite having six months to write something valid, returning with a proposed ordinance that violates this many fundamental aspects of the law is embarrassing for the city, and then to

throw procedure at the citizens to attempt to deprive them of judicial remedy turned that embarrassment into shame.

This body's public notice issued ten days prior to this hearing included language that clearly intended to invoke Gov. Code, § 65009(b)(2) (“If you challenge the (nature of the proposed action) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the (public entity conducting the hearing) at, or prior to, the public hearing.”) But ignored the language that would allow such a limitation, Gov. Code, § 65009 (b)(1)(“decision of a public agency made pursuant to this title at a *properly* noticed public hearing,”) which instead was:

“If you challenge the nature of the proposed action in court, you will be limited to raising only those issues you or someone else raises at the public hearing described in this notice, or in written correspondence delivered to the Gardena Planning and Environmental Quality Commission at, or prior to, the public hearing. For further information, please contact the Planning Division, at (310) 217-9524” Just as was pointed out prior, the city knew to replace the latter parenthesized text with relevant facts, but again failed to describe the nature of the proposed action in the language.

The city has been engaged in surveillance and snooping on its citizens in violation of Cal. Const. art. I § 1 *White v. Davis* (1975) 13 Cal.3d 757, 774 (“The proliferation of government snooping and data collecting is threatening to destroy our traditional freedoms. Government agencies seem to be competing to compile the most extensive sets of dossiers of American citizens. Computerization of records makes it possible to create ‘cradle-to-grave’ profiles of every American. [¶] *At present there are no effective restraints on the information activities of government and business. This amendment creates a legal and enforceable right of privacy for every Californian.*’ (Italics in original.)”) The Council hired a private company to engage in this exact purpose and sent them to our properties under false guises to collect data and build dossiers on people engaged in the lawful business of renting, just as half of this city does.

Despite the city being put on notice last September of 2022 of its obligation to cause notice to be given to each landowner that would be affected by the ordinance “shall be mailed or delivered at least 10 days prior to the hearing to the owner of the subject real property as shown on the latest equalized assessment roll.” (Gov. Code, § 65091) And failed to perform even publication notice as it did not “plac[e] a display advertisement of at least one-eighth page ” (*id.*)

The city believes that the language of Gov. Code, § 65093 permits them to disregard the use of “shall” in the notice statutes, but the forgiveness was on a claim of not receiving and had nothing to do with willful failure to send, thus is voidable on that ground too. “The failure of any person or entity to receive notice given pursuant to this title, or pursuant to the procedures established by a chartered city, shall not constitute grounds for any court to invalidate the actions of a local agency for which the notice was given.” (Gov. Code, § 65093)

The MOST important failure of the notice, was the failure to give notice of the intention of the city to deprive the entire city of their rights because the notice was limited to a foreign topic, “relating to *regulations* for short term home sharing rentals in residential zoning districts throughout the city.” Since September the city has only been focused on short term rentals and defined it then as it does now, yet the city sent out notice for some foreign topic as its intended state created business model, and not noticing short term rentals nor its intention to disenfranchise the entire city of their state granted rights.

Agenda Staff Report Aug. 9, 2022:

“An STR is any rental of a dwelling of thirty days or less. The City’s position has been that because STRs are not listed as an allowed use in the zoning code, they are prohibited. This is known as permissive zoning. The recent case of *Keen v. City of Manhattan Beach* decided in April of this year **renders this argument invalid.**

According to the appellate court, Manhattan Beach’s ordinance did not regulate how long a person could stay in a dwelling and therefore rejected the city’s argument that the STRs were prohibited under the theory of permissive zoning. Based on this decision, if Gardena wishes to regulate or prohibit STRs, it will be required to enact a zoning ordinance to do so.” (p.1)

“Submitted by: Greg Tsujiuchi Date: August 4, 2022” (p.3)

This exact failure of notice has been preserved at every prior meeting, but the city continues to disregard it. The planning department knew it was changing zoning city wide, Gov. Code, § 65853, then filed to provide notice as required Gov. Code, §§ 65853, 65854, 65091 which mandated “a general explanation of the matter to be considered,” Gov. Code, § 65094, this department was not short on words to describe what it repeatedly claimed was not applicable as to the CEQA but could not even muster a complete sentence as to an explanation of what was being considered, and have failed to provide notice to all.

At these stages — indeed at “every level of the planning process” — the Legislature “recognizes the importance of public participation.” (§ 65033.) To this end, the Planning and Zoning Law has declared “the policy of the state and the intent of the Legislature that each state, regional, and local agency concerned in the planning process involve the public through public hearings, informative meetings, publicity and other means available to them,

and that at such hearings and other public forums, the public be afforded the opportunity to respond to *clearly defined alternative objectives, policies, and actions.*" (§ 65033, italics added.)

With this broader perspective in mind, we return to the statutory language at issue here. As stated, the notice of the legislative body's hearing must contain "a general explanation of the matter to be considered." (§ 65094.) This must be read in conjunction with the state's policy and Legislature's intent that the public be involved in the planning process and be given "the opportunity to respond to clearly defined alternative objectives, policies, and actions." (§ 65033.) Together, there can be little doubt that the purpose of notice in cases such as this one is to inform the public of the legislative body's hearing so they will have an opportunity to respond to the planning commission's recommendation and protect any interests they may have before the legislative body approves, modifies, or disapproves that recommendation. If notice could be given before the planning commission made its recommendation and, therefore, without inclusion of what that recommendation was, the purpose behind the notice provision would be ill served, as the notice would not inform the public to what "clearly defined alternative objectives, policies, and actions" they would be responding.

Environmental Defense Project of Sierra County v. County of Sierra (2008) 158 Cal.App.4th 877, 891-92

Given the outcry against this city action there is no lawful reason to continue to pursue it, and the fact that all purported regulations are aimed at characteristics particular to me demonstrates retaliatory animus because I have been the strongest force opposing this repeated unlawful effort, and for exercising my constitutional rights.

Gov. Code, § 65008 (“(a) Any action pursuant to this title by any city, county, city and county, or other local governmental agency in this state is null and void if it denies to any individual or group of individuals the enjoyment of residence, landownership, tenancy, or any other land use in this state because of any of the following reasons: (A) The lawful occupation, age, or any characteristic of the individual or group of individuals listed in subdivision (a) or (d) of Section 12955, as those bases are defined in Sections 12926, 12926.1, subdivision (m) and paragraph (1) of subdivision (p) of Section 12955 and Section 12955.2.”)

After dozens and dozens of papers were filed by person opposing this action, on the link from the news paper the planning department provides almost all of these comments, yet omitted my Feb. 15, 2023 opposition and then on the agenda omitted all of them except for my attorney’s letter succinctly advising the city its actions were void, which was the only public comment attached. Regarding the city’s effort to outlaw, in violation of state law, the rights and lawful business conducted by home owners. In total the city knowingly plans to prohibit 96% of current operators so that possibly three could operate, but could only do so by violating a plethora of laws and constitutional provisions, without any factual basis.

The scienter is present as is the imminent harm intended, all while failing notice and engaging in deception at a legislative level.

Mariya Wrightsman 5/16/23

RE Feb. 15, 2023 Proposed Ordinances and Urgency Ordinances on Special Hearing
To her honor, Mayor Cerda, and esteemed Members of the Gardena City Council,

This letter sets forth the liability resulting from official action, with specific actual factual findings made, expresses the vulnerability the City has placed itself, and the positions needed to be taken to relieve any conflict. Else the current course is “not only detrimental to petitioners but to public trust in local government.” (*Kieffer v. Spencer* (1984) 153 Cal.App.3d 954, 964)

URGENCY ORDINANCE NO. 1847 entirely focuses on zoning yet failed to make a statement of facts to support the improperly cited and relied upon general statute, Gov. Code, § 36937(b).

Not once was any mention made of fact relating to *public peace, health or safety*. The only aspect of a loss, was money, the proposed circumvention of statutory procedure is void. “WHEREAS, HCD has recently informed the City that the City must adopt it housing element and complete the required rezoning by February 15, 2023 in order to receive its 2019 PLHA grant in the amount of \$329,877;”

Counsel for the City need no lecture on a cardinal principle of statutory construction, that the specific statute always applies over the general, part of the stated amendments was to prohibit uses in two zones, specifically targeting short-term rentals. Thus the specific law was ignored. The haste in procrastinating and squandering time on assaulting the civil rights of a tiny minority of the population has cost the City. And the haste in attempting to enact a law that is void for failure to comply with mandatory procedure is the price to pay for this neglect of office.

Gov. Code, § 65858 is clearly the statute on point, expressly addressing every issue raised in these proposals and permits foregoing the mandatory zoning procedure in specific circumstances and only for a temporary purpose. The claimed actions are to thwart the possibility of business due to neglect by those charged with these very functions.

Recent history supported by ample evidence shows the actions by the City to have been dealing with its citizens in bad faith for months. The facts are in writing, and recorded on video. There is no escaping it. Rather than follow the law, more disregard for the law and procedure is shown. Since no one has bothered to read the applicable statute, it is set forth at the end of this letter so that the City is on notice of the law it is disregarding, and the Ordinance is void as a result, which has no effect and the money gained will have to be returned regardless.

Despite disregard for requisite findings under Gov. Code, §§ 65858 or 36937(b), the City then claims these as its findings of fact:

“SECTION 1. Findings.

A. The foregoing recitals are *true and correct*.

B. The adoption of the Zoning Map and changes to Title 18 are consistent with the City’s General Plan. More specifically, these changes implement changes required by the Housing Element and the changes create consistency with the City’s Land Use Plan.

C. The changes set forth herein represent good land use practices which are required by the public necessity, convenience and the general welfare.

SECTION 2. Adoption of Zoning Map. The City Council hereby adopts the zoning map attached hereto as Exhibit A as the zoning map for the City.

SECTION 3. The term “multiple-family” is hereby replaced with the term “multi-family” throughout the Gardena Municipal Code.

After making no relevant findings whatsoever, the ordinance then launches into the very subject matter covered by the statute ignored.

The “findings” of “recitals are *true and correct*” state as the sum total of factual findings: “represent good land use practices which are required by the public necessity, convenience and the general welfare”.

“*public peace, health or safety*”, (Gov. Code, §§ 65858 & 36937(b))

“public necessity, convenience and the general welfare” (no statute citable)

Even in the conclusionary findings, there was not a single finding made relevant to the required basis to enact such urgent legislation.

The reason there can be no findings of fact was a finding of fact already made:

Community Development Meeting Date: February 15, 2023 Agenda Staff Report:

“Adoption of Resolution No. 6620 Updating the Land Use Plan, including changes to the Land Use Map and adoption of **Urgency Ordinance No. 1847**, *amending the Zoning Code and revising the Zoning Map*”

“**While it is not likely** that there would be many Builder’s Remedy projects used in Gardena, it is *not impossible*. Staff has had at least **one inquiry** regarding a **100 percent affordable development** on El Segundo Boulevard. Without a compliant housing element and

the adoption of development standards, staff would have had **no authority to prevent** the project from being built.” p.2

The stated purpose is to **stop** affordable housing, but 1847 states different facts:

“WHEREAS, projects under the Builder’s Remedy **are likely** to be submitted to the City prior to the certification of the EIR and adoption of the changes as the City **has already received inquiry into projects on certain sites;**”

“Under the Builder’s Remedy, if a city does not have a housing element that substantially complies with state law, then the city has only very limited grounds **on which to deny an affordable housing project,**” p.2

The true facts and urgency have nothing to do with the public. “Ordinance No. 1847 therefore adds a new chapter...” followed by the only reason for the urgency:

“Therefore, in order for the City to have access to needed grant funding as well as to be able to impose objective development standards, **it is necessary to immediately rezone** the Inventory Sites so that the City has a compliant Housing Element. In order to qualify for the PLHA grant, HCD recommended a program which was included in the Housing Element which required the City, by February 15, 2023, to **amend the Land Use Plan and adopt an urgency ordinance** which provided that any project with a minimum of 20 percent affordable housing would be ministerially approved. (Housing Program 4.1.)” p.3

That is the true reason for this urgency and has nothing to do with “*public peace, health or safety*”, unless of course one looks at the problem from the clear agenda of those involved.

“100 percent affordable development” is bad, with “no authority to prevent”, but the desirable and pushed for agenda is “minimum of 20 percent affordable” which equally states, “maximum of 80 percent high end housing” just like the projects we have been approving to push the poor out. While attacking short-term rentals declaring us detrimental to the affordable housing supply.

It is rather interesting that the word “short” is not even present in that Staff Report, yet a necessity to single out short-term rental as the sole prohibited activity was made, without any supported findings whatsoever.

“18.21.040 Prohibited uses in housing overlays. The following uses shall be **explicitly prohibited** in the housing overlays: A. **Short-term rentals.**”

“18.18A.030 Uses prohibited. A. All uses not listed in Sections 18.18A.020 are deemed to be prohibited in the R-6 zone, except those determined to be similar pursuant to the provisions of Section 18.42.040. B. The following uses are expressly prohibited:

1. Short-term rental of residential units.”

Out of all documents submitted in connection with the proposals, some version of a word with “short” in it appears 18 times, i.e., shortfalls (11), short (1), shortage (2), short-term rental (2), short-term bicycle parking (2). Not once is there a discussion to justify an outright ban, no reference to any findings, not even proposed in any reports leading up to the drafting. Yet an outright ban is implemented.

Given the inconsistent statements, that can only be characterized politely as deliberate misrepresentations, in the final product compared to the reports generated to create the ordinances, the bad faith referenced above must be presumed as the facts lend to such a finding.

As this is an unfounded assault on the short term rental community, it is taken to mean there is a desire to litigate this entire proposal, where it will be found void for failure to comply with jurisdictional authorizations, if that is not plain enough English, then the documents prove the passage of the enactment was *ultra vires*. In simple terms, it “means a want of authority to exercise in a particular manner a power” (*Abelleira v. District Court of Appeal* (1941) 17 Cal.2d 280, 290) and all money received will have to be returned, and start over.

If however, due to haste in preparing the documents, this language was merely included in an earlier draft and was intended to be removed yet overlooked when compiling, and now that it is brought to your attention it will be promptly excised prior to adoption, then it is forgiven and other projects will require my time rather than litigating and destroying this entire enactment and causing all monies to be returned as gained from a void passage. If short-term ban continues to find its way in the text, then my position on the matter is perfectly clear.

Very truly,

Mariya Wrightsman

Post script, case law says I have already won.

At no point in RPI's argument on appeal do they take issue with the material *facts* alleged by petitioners and alluded to at the hearing below by the trial court. RPI's appellate presentation has been made with skill and is replete with highly technical arguments seeking to persuade us that City has followed the letter of the law in dealing with petitioners.

The legal argument made with respect to the moratorium ordinance is a case in point: RPI relies on both section 36937 of the Government Code (which authorizes emergency

ordinances “[f]or the immediate preservation of the public peace, health or safety . . .”) and section 65858 of the Government Code (which provides for interim ordinances prohibiting certain kinds of land use when a study of broader implication is pending), as justification for RPI’s enactment, on August 18, 1981, of the moratorium ordinance with which we are concerned in the case at bench.

RPI's argument misses the thrust of the trial court's ruling: the *basic* factual finding made below was that RPI had acted *in bad faith* insofar as the petitioners were concerned. There was substantial evidence supporting that finding. That being so, it matters very little whether Government Code sections exist authorizing emergency enactments and whether RPI did or did not follow them to the letter. The record inescapably establishes that RPI, instead of facing in the first instance the “dilemma” which had arisen with respect to petitioners, and arriving at fair resolution of the situation, has exacerbated the situation by engaging in administrative, legislative and legal conduct calculated to avoid responsibility for the substantial damages incurred by petitioners.

Kieffer v. Spencer (1984) 153 Cal.App.3d 954, 961

Presently, the City has been acting in bad faith and failed procedure. That is a very weak position to litigate from.

The law referenced is now provided, so that the City cannot claim ignorance on the matter, which is no defense, but being placed on express notice of its violations of law, before violating it, is an express aggravator.

Gov. Code, § 65858 (“**(a)** Without following the procedures otherwise required prior to the adoption of a zoning ordinance, the legislative body of a county, city, including a charter city, or city and county, to protect the public safety, health, and welfare, may adopt as an urgency measure an interim ordinance prohibiting any uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that the legislative body, planning commission or the planning department is considering or studying or intends to study within a reasonable time. That urgency measure shall require a four-fifths vote of the legislative body for adoption. The interim ordinance shall be of no further force and effect 45 days from its date of adoption. After notice pursuant to Section 65090 and public hearing, the legislative body may extend the interim ordinance for 10 months and 15 days and subsequently extend the interim ordinance for one year. Any extension shall also require a four-fifths vote for adoption. Not more than two extensions may be adopted.**(b)** Alternatively, an interim ordinance may be adopted by a four-fifths vote following notice pursuant to Section 65090 and public hearing, in which case it shall be of no further force and effect 45 days from its date of adoption. After notice pursuant to Section 65090 and public hearing, the legislative body may by a four-fifths vote extend the interim ordinance for 22 months and 15 days.**(c)** The legislative body shall not adopt or extend

any interim ordinance pursuant to this section unless the ordinance contains legislative findings that there is a current and immediate threat to the public health, safety, or welfare, and that the approval of additional subdivisions, use permits, variances, building permits, or any other applicable entitlement for use which is required in order to comply with a zoning ordinance would result in that threat to public health, safety, or welfare. In addition, any interim ordinance adopted pursuant to this section that has the effect of denying approvals needed for the development of projects with a significant component of multifamily housing may not be extended except upon written findings adopted by the legislative body, supported by substantial evidence on the record, that all of the following conditions exist:

(1) The continued approval of the development of multifamily housing projects would have a specific, adverse impact upon the public health or safety. As used in this paragraph, a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date that the ordinance is adopted by the legislative body.

(2) The interim ordinance is necessary to mitigate or avoid the specific, adverse impact identified pursuant to paragraph (1).

(3) There is no feasible alternative to satisfactorily mitigate or avoid the specific, adverse impact identified pursuant to paragraph (1) as well or better, with a less burdensome or restrictive effect, than the adoption of the proposed interim ordinance.

(d) Ten days prior to the expiration of that interim ordinance or any extension, the legislative body shall issue a written report describing the measures taken to alleviate the condition which led to the adoption of the ordinance.

(e) When an interim ordinance has been adopted, every subsequent ordinance adopted pursuant to this section, covering the whole or a part of the same property, shall automatically terminate and be of no further force or effect upon the termination of the first interim ordinance or any extension of the ordinance as provided in this section.

(f) Notwithstanding subdivision (e), upon termination of a prior interim ordinance, the legislative body may adopt another interim ordinance pursuant to this section provided that the new interim ordinance is adopted to protect the public safety, health, and welfare from an event, occurrence, or set of circumstances different from the event, occurrence, or set of circumstances that led to the adoption of the prior interim ordinance.

(g) For purposes of this section, "development of multifamily housing projects" does not include the demolition, conversion, redevelopment, or rehabilitation of multifamily housing that is affordable to lower income households, as defined in Section 50079.5 of the Health and Safety Code, or that will

result in an increase in the price or reduction of the number of affordable units in a multifamily housing project.**(h)** For purposes of this section, "projects with a significant component of multifamily housing" means projects in which multifamily housing consists of at least one-third of the total square footage of the project.”)

Thank you for affording us another opportunity to exercise and protect our rights,¹ I am Maryia Wrightsman speaking about my real property that is affected by the proposed directives. I had submitted documents showing the extensive factual and legal incorrectness of the city council's actions, which were ignored in favor of pushing forward. Today's directive is motivated by proposed Ord. 1844, wherein the city council before commencing investigation alleged to have found "short-term rentals for lodging and other uses have deleterious impacts by increasing noise and traffic, creating parking problems, changing the character of a residential neighborhood, and with the case of housing - creating an impact on housing supply;" the stated concern leading to those findings was, "the desire to operate short-term rentals is expected to increase due to the proximity of Gardena to SoFi Stadium."

On April 13, 2021, this city council adopted Ord. 1825, which found, "Gardena is situated to be in a position **to capitalize on a demand for new hotel spaces** due to its proximity to SoFi Stadium" and found "during the past year, developers have indicated that the City's development standards have been an **impediment to new hotel development**". Which means the city is blaming us for the very thing, the city wants to bring into our city.

The city was very concerned about the impact that STRs as 0.8% of the volume of rental locations will have on affordable housing in the city. But on May 11, 2021, the city council adopted Ord. 1828, "The Zoning Changes will allow the development of a high-density, 265-unit, **first-class** apartment project in the north end of Gardena which will provide new and needed housing opportunities in the City." The mean income of a resident in Gardena is \$60,000.

Through official action, the only ones impacting affordable housing, traffic, noise, and changing the character of our neighborhood is this council. So that you can capitalize on Sofi.

The report states "most" are non-owner occupied to create a negative appearance, in truth the report highlights that 62% are non-owner occupied, and ignores that all houses in the city are 50% non-owner occupied.

You persisting in seeking to remove short term rentals when there has been a public out cry against this proposed action. Each time you state you will listen to us, then proceed as if we said nothing at all. The company you hired is great at using a computer to provide data but that data was presented entirely slanted in favor of the predetermined agenda to ban STRs. Which is understandable since they advertise themselves as destroyers of STRs. The council hired a company that will work towards its agenda after knowing there was great resistance by the community.

According to the Supreme Court, *Penn Central Transp. Co.*, 438 U.S. 104, page 12, the disingenuous claims by the council "frustrate distinct investment-backed expectations as to amount to a 'taking'" under the Takings Clause of the Fifth Amendment. The Gardena city council offered money to billboard owners when lifting the billboard ban to allow electronic billboards for a takings clause violation but now same Gardena city council is ignoring the same conduct when it comes to STRs home owners.

The city was put on express notice of the constitutional violations it was committing against its citizens and yet persist as if nothing was said at all.

Your concern for the affordable housing is now expressed in being given \$500,000 a year for three years by the state, to patch up existing locations, while putting forth great effort towards changing our city to accommodate for the rich, and oppress the handful of citizens all in favor of corporate greed.

Mariya Wrightsman.

From: [Scarlet Sunlight](#)
To: [Public Comment](#)
Subject: Fwd: Short Term Rental ordinance 1844 public comment
Date: Tuesday, September 27, 2022 4:58:04 PM

Caution! This message was sent from outside your organization.

Begin forwarded message:

From: Scarlet Sunlight <scarlet.sunlight@outlook.com>
Subject: Short Term Rental ordinance 1844 public comment
Date: September 27, 2022 at 4:56:23 PM PDT
To: wlove@cityofgardena.org, mhenderson@cityofgardena.org,
pfrancis@cityofgardena.org, rtanaka@cityofgardena.org,
tcerda@cityofgardena.org

Dear Gardena Councilmember,

...To provide leadership and resources that ensure the highest quality of life possible for residents, support business development, welcome visitors, and establish a positive work environment for City employees.

I am strongly opposed to the Short-Term Rental ban in Gardena or any restrictions that will influence negatively any citizen's opportunity to generate legally income, in the present or future.

I have been an **Airbnb/VRBO** guest for the past 27 years all around the US and world. This has allowed my family to travel on a budget, to experiment extraordinary and shared moments with my children and dear friends, to discover many cultures through historical monuments, food, sceneries and to meet wonderful people.

Sharing this experience with others is the main reason **I choose to be a host in the STR business.**

I have been operating a STR business from a single-family home since 2019. The beginning is hard as you must get 5 stars reviews for guests to trust your professionalism.

This first year I had a STR management company in charge. That was a disaster, they did not screen any guests, so the property was badly abused, and they did not take any responsibility. When the contract was cancelled, they refuse to give me back my access to the Airbnb account and I lost all my reviews on top of repairing the house. So, I had to start from scratch to rebuild my host reputation. It took one year and **then ...the COVID hit. Two very difficult years started.**

I am an Airbnb Super host because of the hard, meticulous and continued work to maintain my property and its curve appeal, screen guests (I do not hesitate to refuse a booking if I suspect the guest will not follow the house rules), provide clean and comfortable accommodations, be available 24/7 in case of problem during the guests stay, etc.

My family bought this house in 2016 and lived very happily in this great neighborhood, I was a home maker and when the kids went to school, I had to find extra income with a flexible schedule. My husband and I decided to keep the house as an investment for retirement. I don't have any 401K or Social Security benefits by myself.

The STR are 0.68% of the housing units in Gardena (STR 150/ Gardena housing units 22,000) it is an extremely small amount of housing why do you have to spend time and taxpayer money adding unnecessary ordinances?

We already pay **income taxes** on the earnings, **property taxes** when our guest do not use the school or most of the other facilities, **sales taxes** to recommend local businesses and buying supplies or making repairs or maintenance.

We are mainly sole proprietorships and provide jobs locally linked to our business.

We are law-abiding citizen and a taxpayer not a hedge fund or trust baby, so everything my husband and I own comes from decades of labor, budgeting and leaving within our means.

At this point I don't see any valuable arguments against STR business in Gardena, if you have them please enlighten us because what I witnessed in the Sept 13th zoom meeting was nothing short of abuse of power from elected officials.

Sincerely

Clara Caetano T

From: [George Young](#)
To: [Public Comment](#)
Cc: [Tasha Cerda](#); [Paulette Francis](#); [Mark Henderson](#); [Rodney Tanaka](#); wlove@cityofgardena.com
Subject: Allow Gardena STR
Date: Tuesday, September 27, 2022 4:51:28 PM

Caution! This message was sent from outside your organization.

Honorable Mayor and Councilmembers:

I am writing this letter in full support of short-term rental continuing to operate in Gardena, Ca. It is an invaluable and affordable option for our lower-income families to have access to short-term rentals as it has made visiting family members and friends in Gardena an easier and more enjoyable experience. In addition, STR brings revenue and tax dollars to our retail businesses and the city. Unlike the beach communities where most of the visitors tend to be rowdier, visitors to Gardena are mostly family and friends visits, with the recent Airbnb's strict policy of a global no party ban, the noise problem would be very Minuscule. STR truly will benefit our community and localized economy.

Thank you and please allow STR in our beautiful city.

George Young

From: [Monique Johnson](#)
To: [Public Comment](#)
Subject: Short Term Rentals
Date: Tuesday, September 27, 2022 12:20:11 PM

Caution! This message was sent from outside your organization.

I think a suspension of short term rentals is warranted until an ordinance is put into place. In my opinion, the individuals should have went down to City Hall and inquired about the requirements of a short term rental (common sense to me). Those people are getting free money because they don't have to pay for a business license or City of Gardena taxes. In addition, I'm sure that they are not including the additional income on their State and Federal taxes. The City of Gardena is rewarding bad behavior.

Until an ordinance is implemented, is the City of Gardena going to suspense or retroactively adjust the taxes and business license that current legitimate business owners have to pay? I had compassion for all the people who spoke last week especially the crying lady who uses the additional income for her children's extracurricular activities, and the other people who talked about supplementing their income because times are difficult now but we are all dealing with the economy situation (inflation). Attorney Vasquez stated that the City of Inglewood currently has an ordinance for short term rentals but it took a while to be written. How long is it going to take the City of Gardena to come up with an ordinance? In the meantime, those people who are currently making money off of short term rentals are making tax free money with no consequences.

I agree with Mayor Pro Tem Francis and Councilmember Henderson that a moratorium on short term rental should be enacted until the City of Gardena writes an ordinance.

From: [le ma](#)
To: [Public Comment](#); [Tasha Cerda](#); [Paulette Francis](#); [Rodney Tanaka](#); [Mark Henderson](#); [Wanda Love](#)
Subject: Needing Short Term Rental agenda postponed
Date: Tuesday, September 27, 2022 7:05:45 PM

Caution! This message was sent from outside your organization.

Dear representatives!

My name is Le Ma. I own a house in Gardena. My spouse and I are in the military. When being deployed, we open our home to Airbnb guests. We survived, My mortgage rate will be increasing to 7.125% from 2.625% since Jan 10th 2023. If airbnb is banned now, I will be falling into big financial trouble immediately while no one is benefiting right away. I hope that agenda will be postponed.

Today we are in a turmoil age, facing war, highest inflation, highest food prices, high mortgage rates. Property taxes are higher and higher yearly. That is NOT a good timing for any big decisions. I want that banning postponed. That will save me.

We are part of the community, so we want Gardena to get better and better in every way. Airbnb is allowed in the city of LA, Torrance, Santa Monica, and most cities in LA county. That means airbnb is not too bad. Why can't Gardena allow it?! Gardena is open enough to allow 2 casinos. I hope all property rights are given back to the property owners. Again banning now, will not benefit anyone in the short run and put me into big trouble.

Banning is the easiest thing for any administration. But good politicians and administration teams are those who are willing and able to balance the interests of all groups of people. My sister cleaned my airbnb space for \$16 an hour. She would lose her job. Then she would become a burden to the public. (she is disable, would not be easy to get hired by others) The economy is going down. Many companies are laying off. Small businesses are closing. High inflation, no signs to show slowing. We are in a bad timing. Banning airbnb now will hurt more residents like me.

I hope you all can think about it carefully and thoroughly and come up with a better way to balance things.

Sincerely
Thank you
Le Ma

From: [Vera Povetina](#)
To: [CDD Planning and Zoning](#)
Subject: Public Comment
Date: Tuesday, September 27, 2022 10:55:44 AM

Caution! This message was sent from outside your organization.

Dear City Council,

In course of discussion regarding Short Term Rentals, me and my fellow citizens of Gardena would like to address some questions and concerns to the City Council and expect detailed answers to be provided and discussed during Public Hearing regarding the matter. Most of the questions were addressed to you earlier as Public Comment for the City Council meeting happened on 13 September 2022 but none of the specific answers have been provided during the meeting or after.

Whereas in Resolution No. PC 11-22 and not adopted Urgency Ordinance #1843 mentioned that short-term rentals of residences for lodging purposes and short-term rentals of residences for other commercial uses are not listed as allowed uses under the Gardena Municipal Code.

- Do I understand correct that they are also not listed as prohibited?

Whereas in Resolution No. PC 11-22 and in Proposed Ordinance No. 1844 mentioned: short-term rentals for lodging and other uses have deleterious impacts by increasing noise and traffic, creating parking problems, changing the character of a residential neighborhood, and with the case of housing - creating an impact on housing supply.

- Is there any evidence regarding this statement in the City of Gardena? Can it be disclosed to the public?

- Were measurements made for noise level increase? Please disclose the results.

- Changes in traffic? Would you be able to specify – how big is the change?

According to the open-source data it is 164 STR properties in Gardena with average occupancy rate of 75%. Even if we assume that every guest is driving a car and I know from my over 100 guests stay in my house - that it is not the case. It is about 116 cars to add to city traffic with 33,276 cars going through main streets daily or 0.35% increase in variety of locations in the city. How “deleterious” is this? How it would be different from long term rental with same amount of cars?

- Parking issues complains increased by how many since establishing current amount of STR in the city? How were these complaints linked to STR?

- What are the changes in character of residential neighborhood happened? How do you even define and measure the “character of neighborhood”? Would you be able to provide details of changes to the character of neighborhood made by all new constructions of apartment houses in recent 2 years? 5 levels of planned self-storage on Van Ness Avenue (U-Haul)? How does City Council measure it to be considered a factor? May these criteria be disclosed to the public?

City adopted TOT Incentive Program tax in FY17-18 with below intent:

“To continue to sustain economic development, the City has introduced a new Hotel Incentive Program by providing assistance in the form of partial Transient Occupancy Tax credit to hotel owners making substantial improvements to their existing properties, as well as incentives to

developers to build new hotels in Gardena. The City will also continue to provide expedited developer plan approval processes, establish an expedited plan check process to reduce time and cost for developers, and acquire new grants for additional funding of economic development efforts, and to identify and provide tools/incentives that will increase business

expansion along the Rosecrans Corridor.”

This serves as evidence that city is interested in tourists/guests coming to Gardena in general and discussions regarding changes of the "character of the city" are not a real concern.

- How the housing supply impacted specifically by the factor of STR in the City of Gardena? In Agenda Staff report dated Aug 9, 2022, there is a mentioning of some studies regarding house supply and rent and housing price. Were these studies done in the City of Gardena with consideration of all other factors that are influencing housing supplies and prices? How it is different from neighbor cities where STR is not allowed?

- With additional regulation and additional taxation in discussion, what will City of Gardena propose to people in exchange?

- Does City of Gardena have a lot to offer to its people to offset increased inflation?

- Will city of Gardena offer new Eviction law to protect homeowners? Help to offset the costs of hosting non-paying renters long term? Will City of Gardena pay out our mortgage and compensate investments made?

It is 164 short rental properties listed in Gardena, not all of them are on the market constantly, but all of them is a source that provides food to the tables to families of our city.

- Why do you feel that it is ok to cut an opportunity to provide for families?

- During on-line meeting Councilmembers expressed concerns with safety. We would like to know: were similar concerns expressed during adopting HOPE program and converting Travelodge Inn and Suites on Normandie Avenue into a home for convicted criminals and homeless people? How were interests of citizens protected?

During COVID pandemic a lot of us hosted travel nurses who were saving lives while city hosted criminals.

Let me continue with questions to the additional regulations proposals.

- Regarding limitation of number of STRs one person can have. Can you please provide any precedent in the City of Gardena where you limiting any other business owner with similar rules? One cannot have more than one Hotel, Store, Car Wash and so on. Will this limitation be applied to all other businesses? If not - why?

Any additional limitations to types of properties or number of total STR will make harm to property owners and will set precedent of unreliability of the City of Gardena for any current or future small or big investors. Rules for business can be changed anytime without any evidential support by the city officials.

- What is the intent of all these limitations?

It is not only hosts who benefit. All local small businesses benefit. Shops, restaurants, beauty salons and so on. A lot of guests asking for local attractions and as hosts – we recommend local places. Business synergy is already in place and there are no reasons to the city to break it.

There should be no ban for STR out of no evidence of negative impact and City of Gardena should use an opportunity to let citizens use their property to their advantage.

Another thing to discuss is money.

STR Income is taxed as any other. Current local property sales bring a lot of additional income to the city as Property Tax. Average 7.2% annual growth FY19 to FY21 if we take FY18 was a base year and it is over half a million dollars per year and let us face the truth – available APR influence market much more than STR perspective in Gardena.

Application of additional taxation in a form of Transient Occupancy Tax is not viable for this type of business and should not be considered for the reasons below:

1. Excerpts from Title 3, Chapter 16 of the Gardena Municipal Code states:

Sec. 3.16.050 Tax Imposed

A. For the privilege of occupancy in any hotel, each transient shall be subject to and shall pay a tax in the amount of eleven percent (11%) of the rent charged by the operator. Such tax shall

constitute a debt owed by the transient to the city, which shall be extinguished only by payment to the operator or to the city. The transient shall pay the tax to the operator of the hotel at the time the rent is paid. If the rent is paid in installments, a proportionate share of the tax shall be paid with each installment. The unpaid tax shall be due upon the transient's ceasing to occupy space in the hotel. If for any reason the tax due is not paid to the operator of the hotel, the tax administrator may require such tax to be paid directly to the tax administrator.

B. For purposes of this Section, unless there is an agreement in writing entered into prior to commencing occupancy between the operator and occupant providing for a period of occupancy longer than thirty days, this tax shall be imposed upon, owed by and collected from the transient for the first thirty days of occupancy, regardless of whether the transient continues occupancy beyond thirty days.

By no means any of the properties can be considered a Hotel and thus cannot be taxed based on that.

Implementing additional taxation will be one more factor to push the inflation rate in Gardena even higher as we, as a business owners, will be forced to increase our rates to offset rising costs.

As a Financial Analyst by trade, I'll go with some numbers sourced from available to the public online analytical tools and information published on the City of Gardena website. Currently Gardena has 164 properties listed. 89 can be considered "entire home" and 75 are private or shared room.

Average price for STR is \$153 per night and occupancy rate is 86%. (source - AirDNA)
Out of about 21,472 residential properties in the City of Gardena (source - Wikipedia) we are discussing 0.8% of all properties.

Currently there are 21 hotels/motels in Gardena with 747 accommodations on the market and this number didn't change a lot during recent years (source - City of Gardena website and propertyshark.com).

I think it will be reasonable to consider fiscal year ended in 2019 for the below calculations regarding Transient Occupancy Tax collected by the City of Gardena as we can exclude influence of COVID to the hotel business.

Hotel accommodations 747

In FY2018-FY2019:

TOT collected by the City of Gardena \$ 1,464,512.00

Average TOT collected per room \$ 1,960.53

If the Hotels in Gardena would work with effectiveness of STR (av. occupancy 86% and av. rate \$153) the actual % or revenues collected by the city would be 4.2% and this number shows that the demand in STR is high and there should be no restrictions, but the City of Gardena should benefit from it too.

City should provide opportunity to obtain business license with cost no more than \$50 per STR and let people continue their business.

As a last resort the City may consider establishing a reasonable tax specifically for STR that should be significantly lower than for Hotels/Motels as our scale of business cannot be compared to them.

STR tax rate in amount of 4% seems to be reasonable and will provide city with about \$304,064.86 (\$1,854.1 per property) per year with just a minor cost to the City for administering new tax on quarterly or semi-annual basis.

The main platform used for STR booking is AirBnB – 96%.

(82% - AirBnB, 4% - VRBO, 14% - both, source AirDNA)

AirBnB and VRBO automatically collect and pay occupancy taxes on behalf of the hosts whenever a guest pays for a booking in specific jurisdiction. Gardena can be included in the

list of specific jurisdictions if needed. It will provide city with transparent data regarding hosts revenue collected and will help to keep new tax administration rate at lowest possible level. Dear City Council, please accept our suggestion as it will benefit everyone, the City of Gardena and Citizens of Gardena.

With best regards,
Vera Povetina





Tuesday, September 27, 2022
Via Electronic Mail

Hon. Mayor Cerda
and the Members of the City Council
1700 W. 162nd Street, Gardena, CA 90247

RE: Agenda Item 12 (A) – Ordinance No. 1844: Prohibiting Short-Term Rentals

Dear Hon. Mayor Cerda and City Council:

The South Bay Association of Realtors® (SBAOR) urges the Council to **reject** adoption of the proposed ordinance to prohibit short-term rentals (STR) at the September 27th Council meeting. We ask that you REGULATE STRs. Please engage with SBAOR and other key community stakeholders to identify best practices and effective policy solutions that strike a balance between the increasing economic benefits of STRs and the potential impacts.

What SBAOR can offer:

Work with the Mayor and City Council to help identify effective and enforceable STR regulations that both benefit and protect the community.

City can benefit and community be protected:

We encourage the city to do a thorough examination of the benefits and various options related to STR. Other local cities achieve this by some or all of the following: requiring a business license, an annual registry and/or permit (that can be revoked if a certain number of complaints are received on a property), and/or Transient Occupancy Tax (unincorporated Los Angeles County charges 12%). Cities can also institute a series of fines to ensure compliance with regulations.

Regulating STRs is reasonable and benefits everyone:

Rather than outright bans or heavy restrictions, regulating ensures property rights and the well-being of our community are in balance. For instance, we believe in preserving the ability of struggling residents to continue to afford their homes rather than sell to investors. Balancing the benefits to the city, local businesses, homeowners, and all residents are paramount.

Gardena is a growing city. Today, residents want to live, work, and play in cities that have thoughtful, reasonable, and progressive policies. A ban would overshadow this balance and take revenue out.

Stakeholders have not been engaged:

The proposed ordinance is too broad and overreaching. It was drafted without the input and considerations of groups representing the very Gardena residents that would be impacted. The issue of STRs are not new, and other cities have worked to craft workable solutions for all sides, together. We urge the City of Gardena to open dialogue with local stakeholders and implement a reasonable ordinance.

Thank you for your time and consideration. We look forward to working towards solutions. If you have any questions, please contact the SBAOR's Government Affairs Director Julie Tomanpos at Julie@SouthBayAOR.com or (310) 326-3010.

Sincerely,

Jaime Sutachan,
Government Affairs Committee Co-Chair
South Bay Association of REALTORS®

Her Honor, and to the honorable body of the city Council of the City of Gardena, this letter is addressed to each and all council members.

There will be two presentations in this letter. Both will demonstrate how our relationship can be from here forward, and particular attention is warranted as the First, Fifth and Fourteenth Amendments are being violated.

The first, serves as legal notice, and must address how I have been forced into an unamicable relationship based on assumptions without so much as common decency to ask a question and start a conversation, treated like a criminal, not even given the courtesy of respect to be spoken to, let alone listened to, the Council has necessarily required a showing of how our relationship has been so positioned.

The other showing, is what our relationship can also can be, a partnership, a team dedicated towards the same goal, peace of mind and friendship.

I may have a thick accent when speaking, but some background may give insight, I am a Ukrainian medical doctor, raised in the Soviet Union. I fled Ukraine, left a career amidst economic turmoil which imagination is not capable of creating, a week or month's work as a doctor in hopes of earning bread. The only currency we had was honesty, because we were raised in a world of deep mistrust and amidst a solid accepted belief that government knows best, for we were just the simple ones, who could not think for ourselves. I know communism, I know totalitarianism, because I have lived it. They believed they were doing right, they knew better... they were only human. It is hard to start a story more grim than this, no?

To escape, I would dream, and there is only one dream for lives like mine, it is the American dream. Against no odds, I was miracled to this country, and the home I made and the life began, was here in Gardena. Saving every penny, because I know how precious they are. Eventually they turned into a house, then two, and the dream that is America was mine. A little Ukrainian girl, owner of three homes in Southern California, now divorced with two children that were to be raised alone, yet they would go to college because of my income from my investment houses.

To Councilmember Love, the conversation mentioned second, is all that you need to read, not the former half; for you showed deep respect for human dignity and I am humbled.

This will be a little intense, so it is hoped that you can make it to the friendship portion, but when a Russian raised, Ukrainian single mother sees her cubs in danger, things do get... well it

will be seen, but only necessarily as the Council introduced themselves to me in such fashion, and it serves to demonstrate why a friendship is desirable.

THE WRONG FOOT

A maxim of law is that everyone is presumed to know the law, this especially applies to a government of laws, not of humans.

Because this is a mandated “public hearing on the proposed zoning ordinance or amendment to a zoning ordinance” (Gov. Code, § 65804 (b)) and per subdivision (a) to “publish procedural rules for conduct of their hearings” which “shall incorporate the procedures in Section 65854” despite this, the Council has afforded each of us 3 minutes to voice our concerns and lay out a cause of action at the same time, as a result have provided an open opportunity to raise any additional matters, because “[t]he body conducting the public hearing prevented the issue from being raised at the public hearing.” (Gov. Code, § 65009 (b)(1)(B)) This is so because under Chapter 2.04 CITY COUNCIL, of the Garden Municipal Code (GMC) under 2.04.080 Meetings – Rules. “The following rules shall govern the meetings of the council and its transaction of business:

A. Oral Communications. Any person may address the council on any matter concerning the city’s business or on any matter over which the city has control... There shall be a three minute limit on all speakers. **This time limit shall not apply to public hearing items where the property interests of the speaker are affected.**”

Consequent to sending out the documents three days prior and coupled with the 3 minute limitation on this contested issue affecting our property rights, we have not been afforded sufficient notice and an adequate opportunity to be heard in clear violation of the Council’s own rules and the Fourteenth Amendment, and have mandated a rapid response be thrown together. Without waiving any rights, that which was able to be worked up, will now be set forth, for one and all to join, “raising only those issues you or *someone else* raised at the public hearing described in this notice, or in written correspondence delivered to the (public entity conducting the hearing)” (Gov. Code, § 65009 (b)(2)) and for each to follow.

Each property that was already permitted as to the *use* of said property for what is today attempting to be defined as a Short Term Rental, as for me I was expressly previously granted permission for this purpose. As was acknowledged by the assistant city attorney Kranitz on August 9th as a lawful use, “So right now, yes, they’re legal.” (Exhibit C, p. 9 ln. 6), all such properties were in lawful operation and are thus Grandfathered in, any proposed changes are ineffectual to

said properties. “‘Grandfathered’ businesses are nonconforming uses that are not required to seek permits under local zoning ordinances enacted after they were in business. (See *Korean American Legal Advocacy Foundation v. City of Los Angeles* (1994) 23 Cal.App.4th 376, 397.)” (*City of Oakland v. Superior Court* (1996) 45 Cal.App.4th 740, 747 fn. 1)¹

The Council specifically had attempted to disenfranchise homeowner rights with the defective notice, as published:

“If you challenge the nature of the proposed action in court, you will be limited to raising only those issues you or someone else raises at the public hearing described in this notice, or in written correspondence” then changes to either:
“delivered to the Gardena City Council at, or prior to, the public hearing.” (9/15/22) (Exhibit A)
“delivered to the Gardena Planning and Environmental Quality Commission at or prior to the public hearing.” (hereafter PEQC) (8/25/22) (Exhibit B)

Because under Gov. Code, § 65009(b)(2) (“If a public agency desires the provisions of this subdivision to apply to a matter, it shall include in any public notice issued pursuant to this title a notice substantially stating all of the following: ‘If you challenge the (nature of the proposed action) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the (public entity conducting the hearing) at, or prior to, the public hearing.’”) The city knew to replace the latter parenthetical portion with the contact information as shown above, but as to the former, simply omitted the parentheses and left it vague, rather than comply with case law as shown below.

FOR WANT OF NOTICE

As said published rules do not “restrict or limit” (Gov. Code, § 65802) this assertion, as such, on behalf of all such concerned persons, **this general object is lodged** as to the **failure to comply with mandatory notice** which was required because “the proposed ordinance or amendment to a zoning ordinance affects the permitted uses of real property, notice shall also be given pursuant to Section 65091.” (Gov. Code, § 65854) Whereby Gov. Code, § 65091 provides in subdivision (a) “notice shall be given in *all* of the following ways: (1) Notice of the hearing **shall be mailed** or delivered **at least 10 days prior to the hearing to the owner of the subject**

¹ See also, “‘A legal nonconforming use is one that existed lawfully before a zoning restriction became effective and that is not in conformity with the ordinance when it continues thereafter.’ (*Hansen Brothers Enterprises, Inc. v. Board of Supervisors* (1996) 12 Cal.4th 533, 540, fn. 1.) ‘‘Grandfathered’ businesses are nonconforming uses that are not required to seek permits under local zoning ordinances enacted after they were in business.’ (*City of Oakland v. Superior Court* [cited as above].)” (*Bauer v. City of San Diego* (1999) 75 Cal.App.4th 1281, 1286 fn. 1)

real property” and under subdivision (b) “[t]he notice shall include the information specified in Section 65094.”

The Council further failed to provide a portion of notice under Gov. Code, § 65094 mandating “a general explanation of the matter to be considered, and a general description, in text or by diagram, of the location of the real property, if any, that is the subject of the hearing.”

Furthermore, the published noticed hearing for 9/27/22 pertained only to “Ordinance No. 1844” (Exhibit A) stemming from a prior adoption of Resolution No. PC 11-22. But the documents provided on 9/23/22 for this hearing and are here today being discussed by the Council, contained the first ever appearance of the text of Ordinance² No. 1843, as well as 1844. Wherein Ord. No. 1843 states, “the Planning Commission adopted Resolution No. XXX, recommending that the City Council adopt the Ordinance;” not Resolution No. PC 11-22, as Ord. No. 1844 did. But no copy of this “adopted Resolution No. XXX” had been provided. Ord. No. 1843 contained entirely different proposed actions, noticed only in the Regular Meeting Notice and Agenda as “Urgency Moratorium Ordinance” as a document. For all relevant publications and text of Agendas providing notice of actions here discussed see Exhibit D.

Gov. Code, § 65853 “A zoning ordinance or an amendment to a zoning ordinance, which amendment changes any property from one zone to another or imposes any regulation listed in Section 65850 not theretofore imposed or removes or modifies any such regulation theretofore imposed **shall be adopted in the manner set forth in Sections 65854 to 65857, inclusive.**” Which as just shown, there has been a failure to comply with Gov. Code § 65854 by failing to comply with Gov. Code § 65091 (mail notice and publish notice and description notice).

Furthermore, The Council has failed to provide required notice pursuant to Gov. Code, sections 65009(b)(2) “nature of the proposed action” “described in this notice”; 65090(b) “notice shall include the information specified in Section 65094” as quoted above. Easy so far right?

On the merits, we hold that the court did not err in granting plaintiff's request for declaratory relief. Consistent with the Legislature's recognition of "the importance of public participation at every level of the planning process" and the policy of the state to give the public "the opportunity to respond to clearly defined alternative objectives, policies, and actions" (§ 65033), we hold that the 10-day notice of the legislative body's hearing must be given *after* the planning commission's recommendation has been received and must include the planning commission's recommendation as part of the "general explanation of the matter

² Hereafter “Ord.”

to be considered" (§ 65094). We will therefore affirm the trial court's grant of summary judgment in favor of plaintiff.

Environmental Defense Project of Sierra County v. County of Sierra (2008) 158 Cal.App.4th 877, 881 (*Environmental Defense Project*)

The 8/25/22 published notice for the PEQC meeting on 9/6/22 was to discuss "Ordinance No. 1844" (Exhibit B) but as to Ord. 1843 it was not even announced as on the agenda to be put up for a vote by the PEQC, as Director Tsujiuchi declared under penalty of perjury on 9/2/22. (See 9/6/22 PEQC Meeting Notice and Agenda) Therefore there was no findings by the PEQC and today's consideration of Ord. No. 1843 is in direct violation of *Environmental Defense Project*.

"At the same meeting Councilmember Francis made a directive to place a moratorium on all STRs within the City. The directive was seconded by Council Member Henderson and an urgency ordinance is scheduled to go before the City Council at the regularly scheduled meeting of September 13, 2022." (PEQC Report 9/6/22, Tsujiuchi, pp. 1-2) "Recommendation ... Adopt Resolution No. PC 11-22 recommending that the City Council adopt Ordinance No. 1844 (Attachment D)." (*Id.* p.3) The only action was adopting Resolution No. PC 11-22 as to Ord. No. 1844, but other than mentioning that "an urgency ordinance [wa]s scheduled to go before the City Council" no documents were presented to the public before or after regarding the findings of urgency by the planning department.

On 9/13/22, without any published notice to the public and absent any findings by the PEQC, the urgency ordinance 1843 was attempted to be passed, but failed.

"It was moved by Mayor Pro Tem Francis, seconded by Council Member Henderson, and carried by the following roll call vote to Adopt Urgency Ordinance No. 1843 with the added appeal language, by way of a four-fifths vote: Ayes: Mayor Pro Tem Francis and Council Member Henderson Noes: Council Members Tanaka, Love and Mayor Cerda Absent: None Urgency Ordinance No. 1843 did not pass." (9/13/22 Minutes p.12)

Despite this failed motion, the matter appears to be presented again.

For a second time, the Council has disregarded Gov. Code, § 65804 ("publish procedural rules") GMC 2.04.080 Meetings – Rules. "N. Robert's Rules. Upon questions arising not covered by this section, Robert's Rules of Order shall govern unless a majority of the council shall deem otherwise." Under Robert's Rules, "If the motion has been voted down, it can be made again after there has been some progress in the debate." Yet no progress has been shown. That same majority to override Robert's Rules is also required under Robert's Rules to permit the second vote.

The Council attempted to deprive rights to their constituents but the stated reasons do not fall under the protections of Gov. Code, § 65009(a), for its purpose is "essential to reduce delays

and restraints upon expeditiously completing housing projects.” This effort had not to do with building projects, and only to do with a council member’s agenda.

And all of these failures to provide notice as required by law, began after a memorandum declaring these actions as *lawful* was written on Aug. 5, 2022 for the Aug. 9, 2022 meeting, placed on the agenda to educate the Council and seek direction, without published notice to the public.

Francis: Okay. So could we tonight declare moratorium until we have more time to discuss it and do some research and investigate what we can do? Can we do that? Can that be an option?

Cerda: Mayor Pro Tem. So tonight what we're doing is we're just discussing it for it to come back later on. As far as staff can do more research and so they just want to get some direction. We're not taking any action on this tonight, other than just, what are our feelings of this here? So it's going to come back and we will have more time to discuss it.

Francis: Until we take some time discussing all that we couldn't say until right now, we're just going to declare moratorium on all short-term rentals until we can figure out what it is we want to do.

Kranitz: We couldn't do it tonight because it's not on the agenda. And it would have to be added as an urgency item on the agenda. *And I think since it's been going on, you couldn't make the findings to support that there was an immediate need to add it on.* (Exhibit C p. 5 lns. 7-31)

And there still have been no *findings to support that there was an immediate need to add it on*, to even qualify to start the process of “the 10-day notice of the legislative body's hearing must be given *after* the planning commission's recommendation has been received and must include the planning commission's recommendation” (*Environmental Defense Project, supra.*) Despite the only notice on both Agenda and Publication being for Ord. No. 1844, the minutes of 9/13/22 reflect only a conversation about Ord. No. 1843.

“12.A URGENCY ORDINANCE NO. 1843, An Urgency Ordinance of the City Council of the City of Gardena, California, Establishing a Temporary Moratorium on Short-Term Rental.” (9/13/22 Minutes p. 9)

Ord. No. 1843 “a moratorium is hereby established prohibiting all short-term rentals as defined herein.” “SECTION 4. Prohibition. A. All short-term rentals are hereby immediately prohibited in the City.”

The failure to provide lawful notice has left a state of confusion as to what we are even doing today. Evidenced by the statements during the 9/13/22 meeting. Kranitz: “To be effective immediately, it has to be an urgency ordinance. Otherwise its first reading, second reading, thirty days.” Vasquez: “And that’s the method that would be done on September 27th that process will be commenced, the first reading.” Francis: “Yeah, so I think at least for that much, we ought to be

able to just kind of, you know, stop the action, just for a moment, just like I said, it's temporary, there was supposed to have things in place, cause I heard a lot of people say they're opposed to an out right ban. And that's not what we're talking about right now. We're just talking about a temporary situation, where we can discuss it on the 27th that's all. So I'm for it. I call for it.”³

“All short-term rentals are hereby immediately prohibited in the City.” (Ord. No. 1843)

RECIPROCATATE, NOT PLACATE

As further explained in *Environmental Defense Project* at 891-92, the “Legislature's intent [is] that the public be involved in the planning process”, and “there can be little doubt that the purpose of notice” “is to inform the public” “so they will have an opportunity to respond” “and protect any interests they may have”, such participation was reported as “On September 13, 2022 the City Council considered the moratorium ordinance. There were **more than a dozen speakers, all of whom spoke in opposition to a ban** on STRs.” (Agenda Staff Report 9/22/22) There were specifically fifteen speakers that spoke in opposition to the ban, none spoke in favor, two of which were not hosts but citizens in opposition of the ban, the remaining thirteen were people discussing the prejudicial harm and substantial damages that would result from the moratorium, and discussing the great care that they take to screen guests and protect the community. Yet promoted after nothing was offered to substantiate the purported findings based on speculation in Ord. No. 1843, without any notice it was to be heard, with disregard for those fifteen objections, absent any voice in favor, there was an immediate motion to pass this *urgent* matter.

This body has seen too often the complacency of the citizens, in not being involved in their local government, but along came an issue that inspired a memory - - that in this country we have a right to be involved and as Justice Ginsberg wrote, the “choice in exercising that right ‘must be honored out of ‘that respect for the individual which is the lifeblood of the law.’” [Citations.]” (*McCoy v. Louisiana* (2018) 138 S.Ct. 1500, 1507-08). It hardly seems worthy of being said, but apparently it must be reminded that the idea behind these laws, is so “that the public be involved in the planning process” and if the citizens so served are displeased then she is required to consider their voices and not her own. For such is the nature of a public servant, as in, serves the public will, not the public serves her will. It was so written in the rules of conduct for these meetings.

³ <https://youtu.be/6T1z77Zy5Z4?t=9303>

The rules as stated note: Listen to others respectfully; Exercise self-control; Give open-minded consideration to all viewpoints; Focus on the issues; and Embrace democratic rights, inherent components of an inclusive public process, and tools for forging sound decisions. Yet after hearing such passionate opposition and receiving only letters opposing since, after fifteen voices petitioned their government with grievances, “a motion to adopt the moratorium ordinance” was made, which failed to lead by example, as it did not show impartial listening and that embracing of democratic rights.

THE GRAVE HARM PRESENTED

From the Approved Minutes of the 8/9/22 City Council meeting.

“12. DEPARTMENTAL ITEMS - COMMUNITY DEVELOPMENT

12.A Short Term Rentals for Lodging Discussion

City Manager Osorio presented the Staff Report.

Community Development Director, Greg Tsujiuchi gave the presentation. Assistant City Attorney, Lisa Kranitz and Senior Planner, Amanda Acuna were present and available for any questions.

Assistant City Attorney Kranitz explained the City’s position stating that the regulations relating to Short Term Rentals can either be totally permissive, completely prohibitive, or somewhere in between. They also gave information of what our surrounding cities are doing in putting certain regulations in place when it comes to STRs.

Our Mayor and Council Members asked questions, expressed their opinions, and discussed all aspects if we were to allow short term rentals **including hiring extra staff to monitor all the complaints**. Director Tsujiuchi and Assistant City Attorney Kranitz provided answers, along with City Manager Osorio and City Attorney Vasquez. It was also asked if staff could come back with additional findings because having short term rentals could also be a positive experience.

Public Speakers:

- 1) Charisse, asked if Airbnb are legal to have in Gardena.
- 2) Raymond Dennis expressed his concerns and spoke in opposition to this item.

City Attorney Vasquez, then asked for direction clarification from Council: Direction is for staff to draft an Ordinance to Prohibit Short Term Rentals.” (pp.7-8)

“19. COUNCIL DIRECTIVES

Mayor Pro Tem Francis

Asked If we could bring an Ordinance to establish a moratorium regarding Short Term Rentals to our September 13, 2022, Council Meeting. Council Member Henderson seconded it.” (p.11)

Returning to the Agenda Staff Report again, after observing “more than a dozen speakers, **all of whom spoke in opposition to a ban** on STRs.

STR Discussion

As has been **evidenced by public testimony**, there are arguments both for and against STRs.

Arguments in favor of STRs include:

- Provides additional income to individuals

- Introduces new people to Gardena
- Provides additional customers who will utilize businesses in Gardena
- Provides revenue to the City

Arguments against STRs include:

- Impacts the residential character of the neighborhood
- Creates nuisances relating to parking and noise
- Reduces the supply of housing, including affordable housing, as these uses drive up housing prices” (p.1-2 of 3)

“On August 9, 2022, the City Council discussed various policy options for short term rentals (STRs) and **heard concerns** from the public on potential **loss of neighborhood character and challenges with enforcement**. *The Council also had concerns* on the adverse impacts to *noise, trash, crime, traffic, and parking* these uses would have to the residential neighborhoods.” (p.1)

Because the staff report stated, at the 9/13/22 meeting the public voice, “all of whom spoke in opposition to a ban” but earlier on 8/9/22 the public voice was reported as limited to “loss of neighborhood character and challenges with enforcement”, yet the minutes reflect a query about legality to which the answer was, “So right now, yes, they're legal.” (Exhibit C, p. 9 ln. 6). But her statement actually was rather unusual, yet the Council missed it completely. That discussion was not noticed to the public yet two people knew to show up and voice concerns. The woman wanted to stress her question about legality, then made a materially false statement to the Council to send her point home, as she claimed just a few days prior in Gardena “an FBI raid on it. They had the dogs, the Secret Service. They had everybody because somebody was selling guns from the Airbnb on that street” (Exhibit C p. 8 lns. 26-28). That was a significant event to have a gun trafficker be investigated by Secret Service who handles treasury matters and not by ATF, but the FBI, yet not a single news report covered such a large scale operation as described investigated by anyone, not even a raid of any sort from any agency could be located to corroborate her claims.

Despite the minutes reflecting a nondescript expression of concerns from the second speaker, by the vague “spoke in opposition to this item” which could mean opposing the item being proposed to be banned or opposed to STRs; but his message was very poignant and made with an agenda, and successfully steered the Council’s minds as she had intended, then moved for a moratorium. But the real proof of the agenda as it relates to his statement will be revealed below.

The report is inaccurate when it then declared, “[a]rguments against STRs include: ... Creates nuisances relating to parking and noise ; Reduces the supply of housing, including affordable housing, as these uses drive up housing prices” because those were not voiced by the “public testimony” those were only opinions from the “Council also had concerns on the adverse impacts to noise, trash, crime, traffic, and parking”, but have offered no evidence to substantiate

these claims. It was even stated “*And I think since it's been going on, you couldn't make the findings to support that there was an immediate need to add it on*”, yet ever since that time, the speculations from that non-noticed discussion have come to be the findings.

The city has brought this urgency ordinance on a vague number of complaints, since 8/9/22 but the last report written by Director Tsujiuchi on 9/22/22 provided some numbers:

“While the STRs in Gardena have generated complaints, it is difficult to determine to what level. Police were only able to identify 9 calls in the past 3 years that were identified as STR locations. However, officers do not use terms in their police report that would identify a response as one that involves an STR, so officers have likely responded to things such as noise complaints without an identification that the site was an STR.”

It is more correct to say *possibly* responded, “likely” implies probabilistic, meaning greater than 51% chance, there is no data to conclude there is a probability of calls, when the calls come in at a rate of once every four months based on known data, 1 out of 120 days is 0.83%, falling far below probability, and hardly inspiring a need to hire “extra staff to monitor *all* the complaints.” “Additionally, Community Development has received approximately 8 calls in the last month relating to STRs that were not logged.”

For the past two months, this has been a hot issue, but no one on the staff thought to log a single one of these calls? But they remember them all being negative. Despite the calls coming in at a rate of once per four months, after a month of no calls, now the calls are once a week, which is consistent with an agenda being promoted.

Also on the claimed aspect of crime, during the past three years, there were 9 calls and 8 calls in a month, using the number of 17, it is odd to be found as urgent when also reported during a three year time period were 52 rapes, 14 murders, 23 arsons, 509 robberies, 468 assaults, 878 burglaries, 985 auto thefts, and 2,038 thefts and the city wants to scare away the outside money that is still willing to come here. By spending \$4,000 on a KGB type company to study the money coming into the city, over 17 calls, as this was more correct than that money being spent on the 4,967 calls about serious criminal activity “to protect public health, safety, and welfare,” from the 0.34% of calls.

“In order to protect the public health, safety and welfare of the community and pursuant to the provisions of Government Code section 65858, a moratorium is hereby established prohibiting all short-term rentals as defined herein.” (Ord. 1843)

The Council has been tricked into believing we are covert criminals, and overlooked that we are exactly like all others who worked hard to buy a house and create a business from it, like 50% of all homeowners in this city have done.

THE REASONABLENESS INQUIRY

Despite being Grandfathered in, the city wants to effectuate a taking of an economic interest vested in real property, yet has made no mention of it in the process, “a state statute that substantially furthers important public policies may so frustrate distinct investment-backed expectations as to amount to a ‘taking.’” (*Penn Central Transp. Co. v. New York City* (1978) 438 U.S. 104, 127) The U.S. Supreme Court test for a Fifth Amendment taking under *Goldblatt v. Hempstead* (1962) 369 U.S. 590, 594-95 asks us to look at:

- 1) Do the interests of the public require such interference?
- 2) Are the means reasonably necessary for the accomplishment of the purpose, and not unduly oppressive upon individuals?

To answer these questions, the high court asks us to “evaluate its reasonableness” as to “the nature of the menace against which it will protect”.

In proposed Ord. 1843, the city council found “short-term rentals for lodging and other uses have deleterious impacts by increasing noise and traffic, creating parking problems, changing the character of a residential neighborhood, and with the case of housing - creating an impact on housing supply,” to justify changes in zoning laws, making *Goldblatt* the correct test.

Deleterious is a strong word, defined as “causing harm or damage” (Oxford Dictionary) that is a serious invocation by the honorable members of the city’s council. Thus an investigation of what the Council is being asked to declare as “true and correct” is necessary, for such harms caused by increase in traffic and noise and loss of parking would interfere with the rights as property owners to the use and enjoyment of ownership of lands and “changing the character of a residential neighborhood” is certainly “deleterious”.

Tanaka: And so Mr. Tsujiuchi, you said that there's some issues with code enforcement. What type of issues did we get? Were they like parties? Were they just loud people? What kind of issues?

Tsujiuchi: The ones that came on, I'd say at least three times, were noise. And it's usually some, it's not uncommon for short term rentals, people rent a larger house and then they host a party there. So several of the calls, or I would say three for Mayor Pro Tem, say two to three calls have come in for noise. For sure, I'd say two came in because of parking being taken up in the neighborhood. And then there was one call where it was just a complaint that they said what Ms. Kranitz was saying, that it's taken away from our neighborhood. These are residential neighborhoods. They're not little hotels on our blocks that we want. So it was kind of just a general complaint.

(Exhibit C p. 7 lns. 23-35)

Whereas, these stated reasons establish “the nature of the menace against which it will protect” so we must “evaluate its reasonableness” and “A careful examination of the record reveals a dearth of relevant evidence on these points.” (*Goldblatt* at 595) *More than could be imaged*.

THE ALLEGED ALLEGATIONS

The city made a finding in proposed Ord. 1843 that “the City Council has become aware of new platforms that allows people to rent out their pools [sic] by the hours [sic]”. Yet a Google search for “city of Gardena rent a pool party” resulted in all first page hits about how to rent a pool from the city of Gardena itself. And on 8/9/22, Director Tsujiuchi, reported, “Currently, there do not appear to be any pools for rent in Gardena.”

Starting then, with the first real issue, “adverse impacts to noise”, that weapon has met its demise because Chapter 8.36 Noise, of the Gardena Municipal Code, as set by policy, “8.36.010 Declaration of policy. In order to control unnecessary, excessive and annoying noise and vibration in the City of Gardena, it is hereby declared to be the policy of the City to prohibit such noise and vibration generated from or by *all sources as specified* in this chapter” violates void for vagueness and is overbroad thus no law at all under the First and Fourteenth Amendments, each “ordinance criminalizes a substantial amount of constitutionally protected speech” (*Houston v. Hill*, (1987) 482 U.S. 451, 466) as each ordinance “authorizes or even encourages arbitrary and discriminatory enforcement.” (*Hill v. Colorado* (2000) 530 U.S. 703, 732) Which is exactly what was evidenced in writing, by the city, at this very event, by declaring a noise nuisance.

“[T]he void-for-vagueness doctrine requires that a penal statute define the criminal offense with sufficient definiteness that ordinary people can understand what conduct is prohibited and in a manner that does not encourage arbitrary and discriminatory enforcement.” (*Kolender v. Lawson*, (1987) 461 U.S. 352, 357)

“[I]n a facial challenge to the overbreadth and vagueness of a law, a court's first task is to determine whether the enactment reaches a substantial amount of constitutionally protected conduct.” *Hoffman Estates v. The Flipside, Hoffman Estates, Inc.*, 455 U.S. 489, 494 (1982); *Kolender v. Lawson*, 461 U.S. 352, 359, n. 8 (1983). Criminal statutes must be scrutinized with particular care, *e. g.*, *Winters v. New York*, 333 U.S. 507, 515 (1948); those that make unlawful a substantial amount of constitutionally protected conduct may be held facially invalid even if they also have legitimate application. *E. g.*, *Kolender, supra*, at 359, n. 8. *Houston v. Hill* at 458-59

The Gardena Municipal Code (GMC) proscribes, from 7am to 10pm, the interior noise level if sustained for over 15 minutes at “45 dB(A)” and the peak maximum is “65 dB(A)” but if “speech conveying informational content,” the “noise standards shall be reduced by 5 dB.” (GMC

8.36.050 Interior noise standards). For the same events but outdoors it is, “55 dB(A)” and “75 dB(A)”, respectively, and “speech conveying informational content, ... reduced by 5 dB.” (GMC 8.36.040 Exterior noise standards) and “shall be deemed guilty of a misdemeanor” (GMC 8.36.090 Enforcement) which permits incarceration upon arrest.

Such laws criminalize all speech, and provide no guidance to a reasonable person as to what conduct to avoid. Putting the ordinance in English terms, according to Yale University,⁴ “a household refrigerator” is 55 dB(A) which is 5dB over one’s outdoor speaking limit of 15 minutes, because “normal conversation” is 60-70 dB(A); and qualifies for that 5dB reduction, meaning outside in Gardena the loudest anyone can be is equivalent to “a household refrigerator”. Thus this ordinance is perfect for declaring unwanted aspects in violation of and is now being used as an arbitrary weapon in violation of the federal Constitution.

Moving onto the dire issue of traffic congestion, there are 50 short term hosts in the city of Gardena, with a total maximum of 166 beds at 87 locations, given that we only drive one car if visiting with our family, the number is properly closer to 87, but to console the city’s fears we will analyze using 166 cars from the short term rentals in the city of Gardena on any given day. Compare to the 21 hotels or motels in the city, with a total of 747 rooms, (and yes I counted them all).

The five main city streets with the largest traffic load, average 33,276 cars per day,⁵ assuming all 166 cars from the short term units drove on the same road, that is a traffic increase of 0.49% on any given main road in Gardena, and at 87 cars it is 0.26%. Since they obviously would not all be using the same road, the impact is even lower, the average increased impact on any of the main five streets is 0.098% and 0.05%, which falls well short of harmful.

The claimed reasons of concern for the increase of traffic prove to be disingenuous, not only by the obvious negligible increase of 0.098% per main road but by ordinances recently enacted since March of 2020, see Ords. 1822 & 1823, both increasing zoning to R-4 high density population; Ord. 1824, changes from R-4 high density to General Commercial (C-3) with mixed use overlay (MUO) followed directly after by Ord. 1825 changes to zoning relating to Amenity

⁴ Available here: <https://ehs.yale.edu/sites/default/files/files/decibel-level-chart.pdf>

⁵ The average of all reported counts per block for the largest streets impacted by daily traffic are: El Segundo Blvd. (31,350), Crenshaw Blvd. (27,940), Redondo Beach Blvd. (31,250), Artesia Blvd. (48,800), Western Ave. (27,042), combined average is 33,276. Source: <https://cityofgardena.org/traffic-counts/>

Hotels and other minor revisions. The former two were done to add housing, yet the city voiced concerns about loss of housing. More so, all significantly increase traffic and noise and quite literally serve as “changing the character of a residential neighborhood”.

Further along the deleterious impacts of traffic and noise increases, the city also passed Ord. 1838, permitting lot splits, thereby doubling the traffic impact on the city. Maybe the city can explain how 0.49% increase is more “deleterious” than 200%.

Proposed Ord. 1843, noted a serious concern “creating parking problems” as to the 87 cars parked in the same locations that a resident would park, as a major concern to the city. Which is why in Ord. 1832, the Council found 18.40 of the Gardena Municipal Code “out of synch with the goals and policies of the General Plan, effectively making the over-supply of on-site parking, whether needed or not, the top policy of the City;” the purpose of that ordinance was to allow for more commercial growth by permitting all previously excluded areas to count towards total parking, e.g., ally ways, street parking, drive ways, etc. Stated as a major concern as to the entities the Council are now declaring as commercial short term rentals, after the Council enacted ordinances creating parking concerns.

Returning to the final aspects of the report that could possibly still be characterized as substantiated by evidence, the alleged public argument in favor of the bans is limited to “loss of neighborhood character” because the trash argument is the same trash that would be created by renters. Which is why no proof of these allegations could be offered, and none can be found.

But looking at loss of character for a moment. The city zoning permits the following:

18.12.010 Single-family residential zone (R-1).

“The R-1 single-family residential zone is intended as a low density residential district of single-family homes with one dwelling per lot and customary accessory buildings considered harmonious with low density residential development.”

18.12.020 Uses permitted.

“The following uses shall be permitted in the R-1 zone and other such uses as the commission may deem to be similar to those listed and not detrimental to the public health, safety, and welfare:

A. Single-family dwellings and accessory buildings customary to such uses located on the same lot or parcel of land;

D. Family day care homes

E. Mobile homes

G. Residential group facility;

H. Transitional housing, subject only to those restrictions that apply to other residential dwellings of the same type in this zone;

I. Supportive housing, subject only to those restrictions that apply to other residential dwellings of the same type in this zone.

Family day care consists of the beautiful sound of children with their laughter and screams filling the air... and violating the noise ordinance, which is a criminal violation... not by the kids though (see Pen. Code, § 26 (one)), but by the home owner, yet this is not enforced.

The Council is commended and applauded for offering to enact express protection for members of residential group homes, transitional housing, and supportive housing. Many communities reject them, but they are welcome here, sincerely... good job.

It is not intended as any sort of disparagement of these sorts of homes, but it is nonetheless necessary to point out that these homes include multiple unrelated persons, often living 2-4 people to a room, in 3-5 bedroom houses, creating a single family residence that houses 6-20 people. Those are commercial enterprises operated in an R-1, but they are not subject to the same “restrictions that apply to other residential dwellings of the same type in this zone” because other SFRs are being singled out, for having less people, taking up less parking, generating less trash and creating less noise.

With solemnity, the struggles these residents are under going is difficult. But the city accused residents of Airbnb and other platforms of being criminals without basis, yet the very definition of transitional housing is to provide for group support based housing during the transition back into normal society after prolonged prison sentences, and the function of a residential group facility is for those who wish to stop using drugs. Both groups are literally criminals, and turning their lives around, but the city accused law abiding guests as criminals to further a falsely inspired and steadily driven agenda.

At the same meeting to vote on an urgency ordinance “to protect public health, safety, and welfare,” “Marc Panetta: owns apartment property on 147th asked if the policy when obtaining a police report for having disruptive tenants or domestic violence for landlords could be modified;” (9/13/22 Minutes p.6) So the violence, noise, and unruly tenants at apartments is so common that the city has a procedural policy about this? When will those properties be up for an urgency vote?

Proposed Ord. 1843 “short-term rentals of residences for lodging purposes... are not listed as allowed uses under the Gardena Municipal Code”

The Staff Report of 9/6/22, stated:

“An STR is any rental of a dwelling of thirty days or less. The City’s position has been that because STRs are not listed as an allowed use in the zoning code, they are prohibited. This is known as permissive zoning. The recent case of *Keen v. City of Manhattan Beach* decided

in April of this year renders this argument invalid. Due to this decision, the issue of regulating STRs was brought to the City Council for discussion and to provide direction to staff to draft an ordinance.”

Again, cutting the citizens right out of the conversation, because if involved we can ask questions that maybe the city can or cannot answer. One would be, what sort of use is involved when a person is eating, watching TV, relaxing and sleeping at a house? Because the city said this was “not listed as an allowed use.” “The following uses shall be permitted... Single-family dwellings and accessory buildings *customary to such uses* located on the same lot or parcel of land”, it appears that sleeping and eating are customary uses of a house, or no?

Proposed Ord. 1843 claimed it needed to study this new phenomena called short term rentals, that have been around since 2008. While simultaneously drafting an ordinance to prohibit short term rentals under Ord. 1844 with all of the same findings. Which sounds nothing like a desire to study.

Proposed Ord. 1843 concludes its “findings” with:

“WHEREAS, the City Council would like to immediately prohibit short-term residential rentals in order to protect the public health, safety and welfare from the impacts listed above on short-term lodging rentals and make clear that other short-term rentals of residential properties are prohibited until such time as it considers a permanent ordinance and if adopted, such ordinance takes effect;”

The impacts listed above, were proven to be false, unfounded and not supported by any evidence.

“NOW, THEREFORE, the City Council of the City of Gardena does ordain as follows:

SECTION 1. That the above recitals are true and correct and are adopted as the City Council's findings.”

That declaration is simply not true, and has so been proven.

The above major concerns and reasons for changing the laws to take away existing property rights have been proven as false, the high court had already held the city will have to pay for our expected losses under the Fifth Amendment, yet the city persists anyway, even in situations where it actually does “substantially further[any] important public policies may so frustrate distinct investment-backed expectations as to amount to a ‘taking’” (*Penn Central Transp. Co. v. New York City* (1978) 438 U.S. 104, 127) and the city will have to pay for our losses.

CHANGING THE CHARACTER OF A NEIGHBORHOOD

The Council answered this concern for all, as to the finding made by the Council, “changing the character of a residential neighborhood, and with the case of housing - creating an impact on housing supply;” (Proposed Ord. 1843) because the Council had already made another finding, on May 11, 2021, Ord. 1828, “The Zoning Changes will allow the development of a high-density, 265-unit, **first-class** apartment project in the north end of Gardena which will provide new and needed housing opportunities in the City.” The median income of a resident in Gardena is \$55,000, that certainly does not seem like a salary that can afford a “first-class apartment”. Those 265 units adds more than 165% of the cars from all short term rentals to the intersection of El Segundo and Crenshaw, where 58,300 cars cross paths daily. Those 264 units create more trash, take up more parking, and most certainly will create an impact on the housing supply, for rich people.

The city was fully aware that it had the authority to “[r]equire, as a condition of the development of residential rental units, that the development include a certain percentage of residential rental units affordable to, and occupied by, households with incomes that do not exceed the limits for moderate-income, lower income, very low income, or extremely low income households” (Gov. Code, § 65850 (g)) but the city did not so require that. Instead the city authorized “265-unit, **first-class** apartment[s]” that will only cater to the upper class, and serve to increase the rental median price; then claimed that STRs will drive up the rental prices and serve to take away affordable housing.

And as to “changing the character of a residential neighborhood,” all who once enjoyed the billboard ban in this beautiful city, will find the view changed because that same proposal also now amended and added other ordinances, amending Ord. 18.58.050 “Billboards, as defined herein; this does not apply to digital billboards.” And added Ord. 18.58.055 permitting digital billboards, which are known to increase traffic. Not to mention the glaring light changing the character of any neighborhood it is placed in. But those were paramount concerns to justify outlawing rentals in the city. Also in those billboard laws, there was a citation to Bus. & Prof. Code, § 5412 “Eminent Domain Law” “‘Relocation,’ as used in this section, includes removal” but the city has simply tried to violate the Fifth Amendment with this ordinance but without advising the extending that offer or even acknowledgement of rights mentioned above by the U.S. Supreme Court cases *Goldblatt* and *Penn Central Transp. Co.*

But there were some affordable housing units built recently, e.g., “50 contemporary new townhomes” in a “Gated community” at Azalea Walk 1335 W. 141st St. Gardena, CA 90247 “Payments starting as low as \$2,508* a month.” * “\$676,990 with a 20% down payment... 680+ fico credit score and 6 months PITI reserves required” meaning our median income families only have to come up with \$135,000 + \$18,000 reserves, for a total of \$153,000 and that affordable \$2,508 per month is within their reach.

Another stated finding of Ord. 1843 included, “WHEREAS, the desire to operate short-term rentals is expected to increase due to the proximity of Gardena to SoFi Stadium;”

In Ord. 1825 other findings were made:

“WHEREAS, Gardena is situated to be in a position to **capitalize on a demand for new hotel spaces** due to its proximity to SoFi Stadium, Hollywood Park, Dignity Health Sports Park (formerly "Stub Hub"), and other attractions; and
WHEREAS, **during the past year, developers have indicated** that the City's development standards have been an **impediment to new hotel development**; and
WHEREAS, at the City Council meeting on July 14, 2020, the City Council gave direction to staff to implement changes;”

The Council has been pushed by an agenda to ban STRs, steering the city to blame STRs for traffic, forgetting they increased it themselves; blamed for less parking, while causing less parking through Ordinances; declaring STRs will cause prices to go up and a shortage, yet forgetting about creating first class apartments for the rich; declaring STRs will become more proliferent because of SoFi, while declaring that SoFi money is good for the city. Someone has been hiding an agenda.

The meeting that started all this, was not noticed to the public, yet two people showed up to speak in favor of the ban. Observe the words of the second person:

Raymond Dennis: I also think that with the proximity of SpaceX and proximity of Tesla, that they have many short term people that come into those organizations that *instead of using hotels* would be more inclined to bundle up in a Airbnb. ... I understand if you can't do a moratorium right now, but you at least should investigate, investigate quickly because the world cup is coming. You have the Super Bowl. You have the BCS championship coming. You have the final four coming and you have in 2026 World Cup, all of that coming to SoFi, and *people be looking for places to stay*.

(Exhibit C p. 9 lns. 26-28, 34-37; p. 10 ln. 1)

Those are rather unusual concerns for a random citizen at a local city hall meeting to spontaneously show up and be focused on upper class workers desiring a short term place to stay and not using a hotel, that SoFi money will be coming in and needing a place to stay, in a couple

of years, just in time for a hotel to be approved and built. But he also planted fears in his speech, and what was a relatively quiet reception by the council, then turned into a fear fest. Spurned by people randomly present with focused messages to manipulate the Council.

STRS HAVE ALWAYS BEEN LAWFUL AND STILL ARE

The proposed zoning fails the uniformity requirement of Gov. Code, § 65852 because some houses are permitted to a use of their land for hire and are not treated as a business, but every year money is paid by me for a business license, “License Activity Residential Rental Property” one for each of my addresses (Account Numbers 2820, 2821; \$56.75 x2; I am current see Transactions ID’s: 63482405363 and 63482409762). Her Honor declared on 9/13/22, “I’m sure none of these people are paying any type of business license tax or anything like that.”⁶ The city has been approving of my short term rentals for years, because as it acknowledges, it was a lawful activity.

5.04.110 Separate business licenses/permits for each business and for each location.

A. Except as otherwise provided in this Title, a separate license shall be obtained and a separate fee paid for each branch establishment or separate place of business, and for each separate type of business activity which shares a common location, even when conducted under the same ownership.

B. Each license shall authorize the licensee named therein to commence and conduct only that business described in such license and only at the location or place of business which is indicated therein.

5.04.010 Definitions.

“‘Business’ means and includes all kinds of ... enterprises, establishments and all other kinds of activities and matters, ... used or carried on for the purpose of earning in whole or in part a profit or livelihood ... Business, ... shall include, without being limited thereto, trades and occupations of all and every kind of calling carried on within the city; ... the renting or supplying of living quarters or board, or both for guests, tenants or occupants.”

“‘Established business’ means and includes only such persons in cases whereby the nature of their respective modes of operation would clearly be classifiable as a “permanent business.” In all other cases such fact shall be required to be proven ... for a minimum period of six months or more.

During the slide show on 8/9/22, a word had to be defined for the city:

“What is a Short Term Rental (STR)?- Typically defined as a rental of a dwelling unit which is shared, in whole or in part, for periods of 30 days or less as a way of generating rental income.”

That was an admission that the city had yet to define the term legally.

The August 9th Agenda Staff Report

“An STR is any rental of a dwelling of thirty days or less. The City’s position has been that because STRs are not listed as an allowed use in the zoning code, they are prohibited. This is

⁶ <https://youtu.be/6T1z77Zy5Z4?t=8971>

known as permissive zoning. The recent case of *Keen v. City of Manhattan Beach* decided in April of this year renders this argument invalid.

According to the appellate court, Manhattan Beach’s ordinance did not regulate how long a person could stay in a dwelling and therefore rejected the city’s argument that the STRs were prohibited under the theory of permissive zoning. **Based on this decision, if Gardena wishes to regulate or prohibit STRs, it will be required to enact a zoning ordinance to do so.**” (p.1)

“There are now websites that are devoted to hourly rentals of pools in single-family homes, the most popular of which is www.swimply.com. Additionally, owners are renting their homes for use as event spaces. Currently, there do not appear to be any pools for rent in Gardena. Community Development has received inquiries about using private homes for events such as weddings. Use of homes for these purposes turns a single-family home into a commercial enterprise and can cause neighborhood disruptions.

Unlike STRs for lodging, these uses are prohibited under the Gardena Municipal Code as they are not listed as an allowed use. However, staff believes that such uses should be specifically addressed in accordance with the City Council’s desires.” (p.3)

“Submitted by: Greg Tsujiuchi Date: August 4, 2022”

The above is a direct acknowledgment by the Community Development Department Director that STRs were not prohibited but rather are currently permitted, because an appellate court had determined their theory was legally invalid and acknowledged that the Gardena Code did not regulate how long a person could stay, therefore the use as a STR was just like the other 10,000 rentals in this city, except that STRs comprised 0.8% of the volume of rental units in the city, which by no means has ANY meaningful impact on the available housing supply.

As of 2018, there were 20,619 households, comprised of 32% nonfamilies, 68% families; the median income was \$55,351 (City of Gardena 2021-2029 Housing Element p.13) and as of 2020 there were 21,982 housing units with 52% as single family residents (SFR) and 43.6% multiple-family units (MFU), (*id.* p. 15) thus 11,431 SFRs and 9,584 MFUs, but near 50/50 on ownership (10,090) to renter (10,529) ratio (*id.* p. 36).

Under Public Resources Code § 21083.3 when a “parcel has been zoned to accommodate a particular density of development or has been designated in a community plan to accommodate a particular density” which all of our properties were, thus “consistent with the zoning or community plan” any inquiry “shall be limited to effects upon the environment which are peculiar to the parcel” but the city already declared “with certainty that there is no possibility” of an environmental issue under the commonsense exemption set forth in California Code of Regulations title 14, section 15061(b)(3), which the city planner forgot to cite, and further proves there are no concerns with trash, noise, or traffic.

This ordinance is not consistent with the General Plan, Policy 2.2 “Encourage provision of units of various sizes to accommodate the diverse needs of the community, including seniors, students and young workers, and large households.” Rentals of any duration accommodate any degree of temporary worker or visitor, how many will be available to rent to a visiting nurse here for three weeks or worker in for a project for 6 weeks? Or those Tesla or SpaceX workers? And directly violates Policy 5.2 “Provide a range of housing options, locational choices, and price points to accommodate the diverse needs in Gardena and to allow for housing mobility.” One of those public voices on 9/13/22 specifically advised that she uses STRs to house visiting family members when they come to town because they cannot afford the hotel rates.

And the only stated negative aspect is under Policy 2.5, “Discourage the conversion of affordable rental units to condominium ownership.” Which not one of us has contemplated.

Is the Council aware that the General Plan only uses the word “short” one time in the entire plan? And it is under Permit and Processing Procedures. “Development processing time is relatively *short* and expeditious due to a one-stop counter, streamlined procedures, and concurrent processing.” (City of Gardena 2021-2029 Housing Element, p. 49)

Therefore, the proposed zoning is not compliant with Gov. Code, § 65862 as to any “inconsistency between the general plan and zoning arises as a result of adoption of or amendment to a general plan” and the moment the Council attempts to amend the General Plan to make STR’s inconsistent with it, the Council grants each of us standing to attack the General Plan under Gov. Code, § 65860(c).

THE LEGISLATURE PRECLUDED THIS CURRENT ACTION

And that brings us to the stated reason for this urgency measure, as brought under Gov. Code, § 65858 “to protect the public safety, health, and welfare, may adopt as an urgency measure an interim ordinance prohibiting any uses that may be in conflict with a *contemplated* general plan, specific plan, or zoning proposal that the legislative body, planning commission or the planning department is considering or studying or intends to study within a reasonable time.” The Legislative history clarifies that the intended use of this statute is not a contemplated use. From the (Senate Housing & Community Development Committee, Chair Senator Dunn, Analysis of SB No. 1098 (2001-2002 Regular Session) as introduced May 3, 2001, p. 1):

“Existing law allows a local government to adopt an ‘interim ordinance’ - otherwise called a moratorium - prohibiting **any new land use** that may be in conflict with a change to the general plan, specific plan or zoning proposal that the jurisdiction is studying or considering.

The local government must first make legislative findings that there is a current and immediate threat to the public health, safety or welfare and **that the approval of additional permits would result in the realization of that threat.** Upon a 4/5ths vote, the local legislative body can adopt such an ordinance for 45 days and ultimately extend it for as long as two years.”⁷

The Senate disagrees with this council’s intended use to retroactively apply the zoning law, as does our local Court of Appeal. “We conclude that the city council failed to make findings required under Government Code section 65858, subdivision (c) ... therefore was contrary to law and invalid.” (*Hoffman Street, LLC v. City of West Hollywood* (2009) 179 Cal.App.4th 754, 758). Wherein the court also concluded there was no need to follow the administrative remedies because the ordinance was invalid.

Gov. Code, § 65858 subdivision (c) provides “The legislative body **shall not adopt** or extend any interim ordinance pursuant to this section ***unless*** the ordinance contains legislative findings that there is a **current and immediate threat to the public health, safety, or welfare,** ***and*** that **the approval of additional** subdivisions, use permits, variances, building permits, or any other applicable entitlement for use which is required in order to comply with a zoning ordinance would result in that threat to public health, safety, or welfare.” The Council has skipped right over the aspect of any additional future units would cause harm, and only declared then existing lawful uses were the cause of harm, but failed to substantiate it as required by statute and case law.

It is generally understood in this state, that the findings need supporting evidence, which as of now only consists of voices of the public submitting an objection to the unlawful ban.

Three quick points and then done.

The Council’s administrative process is designed to eliminate a cause of action under Gov. Code, sections 65009(c); 65009; 65093 in violation of the Fifth and Fourteenth Amendments pursuant to *Logan v. Zimmerman Brush Co.* (1982) 455 U.S. 422 as a cause of action is a property right that may not be so shortly limited.

Reservation of right is hereby made and no waiver of rights results as under local, state and federal laws, all possible applicable causes of action, and defenses are now raised, reserved and intended to be used.

⁷ Available here:

https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=200120020SB1098#

Finally, and very importantly, in a case where the citizens prevailed over the city regarding zoning issues, the “plaintiffs moved for attorney's fees pursuant to section 1021.5 for prevailing on their challenges to the SNAP variances. After full briefing and a hearing, the trial court granted La Mirada attorney's fees totaling \$793,817.50 and Citizens attorney's fees of \$180,320.” And was affirmed by our local Court of Appeal. (*La Mirada Ave. Neighborhood Ass'n of Hollywood v. City of L. A.* (2018) 22 Cal.App.5th 1149, 1155) Money that could be spent on the homelessness issue.

WHERE DO WE REALLY WANT TO GO FROM HERE?

The above recommendations were made before investigation because the city only began an investigation after the urgency moratorium vote failed, and then a KGB poised company was procured to spy, as if we were hiding.

“After the last City Council meeting, the City Manager authorized entering into a \$4,000 consultant agreement with Deckard Technologies/Rentalscape to provide important information regarding STRs that currently exist in the City. Generally, it takes several weeks for the system to populate the information for the City.”

But how will the city be making good use of that money when it cuts off the source of the data?

“Any modification to Ordinance No. 1844 would need to first go back to the Planning Commission. Given the complexity of drafting an ordinance that allowed STRs, it is unlikely that such an ordinance could be returned to the City Council before late November or early December.”

And that few months is not enough time for the company to be running data to make an informed decision with, but better than no time. Additionally, this “would need to first go back to the Planning Commission” anyway, because 1843 was not voted on by the Planning Commission.

Now, if you do not want to shoot me, that part is all done and we can move on to where we need to be. Do you know that where I am from, this could never be said? After the second page, they would win the argument...

You have no idea the freedom you take for granted here. And how wonderful it is to be able to use it. But disagreement can lead to compromise. Let's take a look at that now.

THE RIGHT FOOT.

Come, sit my friends. Let us try to do what rational people do, talk.

Your people, the proud homeowners of STRs are mostly all immigrants, who came here for the same reasons as I did, because this American dream belongs to the world. Those of us that win the lottery of life, get to live it, and we see so many born into it not even see it.

Each of us worked so hard to build and safe and invest and grow. Do you think for one second we want any harm to come to our property, our investments, our children's futures?

We are dedicated to our success.

I meet every single guest that comes to the property, after running background checks on them, I personally let them into the house; a very small reason is to be a good host, the very large reason is that I was raised to be suspicious and need to check them all out myself.

Her Honor made an interesting comment about the feeling of knowing your neighbors during the 8/9/22 meeting. To this there are two things: first, we do not get to pick them, and sometimes they are *not* at *all* what we want, and that feeling never leaves because they never leave. Second, sometimes its nice to be curious about who is in there now for a little excitement, and find that same familiar comfort in knowing they are leaving in a day or two. Life is how we look at it. I see an attack, and find a reason to make good for all of it.

One of your STR hosts, suffered the ultimate test of a mother, when her son was paralyzed and she had to stop working to become full time caretaker and to supplement the loss of income had to rent out part of the house. Nightmare after nightmare, followed by even worst long term tenants kept arriving and not paying, she switched to Airbnb and has never had a single problem since, finally she is financially worry free.

Councilmember Henderson, you were concerned about 290 registrants, Airbnb makes all members photograph their face and ID to register, then the computer verifies, and also checks against the federal data base made available to social media sites for this very purpose. If one signs up, within minutes the system closes their account permanently. So none can rent from us as hosts, unlike your normal landlord that may not know, we do; simply because they contacted us qualifies them as not.

City Manager Osorio, you were concerned about staffing and timing and costs of enforcement, yet you have the most dedicated staff imaginable, more ready and willing than your staff could ever be (no offense) because we are the owners. There is no reason why our phone

numbers cannot be distributed or connected to law enforcement and the city so if a noise complaint comes in, we are called first.

If there are noise complaints, then we want to know more than you do, because that is a rather large investment and only one of three things are occurring. The guest is unruly and we want them out; a neighbor is the cause of the noise and we want it to stop more than you do to protect our guest's peace and relaxation; or the call is from a busy body with nothing better to do, and we all need to know that, and be able to recognize it when it becomes a pattern.

Which also goes to Councilmember Tanaka's concern about a rave party at a house, which should be clear by now, is completely unacceptable, and the police *will* need to be called, but to protect them from me.

Which leads into Director Tsujiuchi, Counselor Vasquez, and Counselor Kranitz, there was concern about drafting an ordinance; you can be boring and copy one of the many you read from the other cities, or we can all create something to serve as model for them to copy, by combing your drafting and legal knowledge with the practical knowledge of the hosts' who are happy to provide insight. There is no reason why we cannot work out a system that helps everyone, this is America still right? Two brilliant female attorneys and a can-do-attitude and we can make this happen quickly.

From the top of my head, maybe just a simple point system, starting with 3 points, each call that is not resolved by the host that results in another call to address the unresolve complaint loses one point, but if no calls that month gains one point as a reward; then if all points are lost, then they lose; or something that involves punishment and reward. By the time a host gets seasoned enough, it should not be a problem, but maybe cap at 12 or 15 incase somebody spirals down there is still a way to hold them accountable. Putting together packets of preparedness and plans and methods can be symbiotic, and allow us to resolve problems together, rather than spending money.

We do not want bad hosts out there either, and we need your protection too. Rather coincidentally, just this Sunday, I had what appeared to be a normal guest, with good reviews, then because I monitor the property which alerts me when movement occurs outside, I saw she had an unregistered and unverified person on the property, I immediately contacted Airbnb and notified them of the unauthorized person in violation of the agreement, as a result they cancelled the agreement with the guest and Airbnb notified her she must leave now, and notified her several more times but she refused to leave. Then I went over to tell her to leave in person, incredibly she

called the police to have *me* removed. I explained the law and the situation but the officer said this was civil and they do not do civil, when it was clearly a criminal trespass because she could not prove consent with a simple proof of payment as that would show it was cancelled for violating rules. The police left. She then shoved my friend and called the police a second time, luckily my place is fully captured on cameras and I also had my phone and showed the officer who finally, sternly spoke to her and they left. This break down of procedure when a citizen needs police help is not good for anyone, because in the end, the officer was rewarding the criminal.

Also, Director Tsujiuchi, maybe you did not realize it, but many of those people that came to ask if it was legal, were would-be hosts; as I once did the same. Most of us want to do right, we are in business to live, not starve.

Does the city want to make money? Because we do too. Sales taxes and TOT are better than nothing, also Airbnb automatically takes out the TOT and sends it to the city directly on a hosts behalf, so that makes it streamlined. “Asst City Attorney Kranitz gave the amount of STRs we currently have in our city which is about 130 rentals, and an estimation of TOT would be \$125,000 a year but then we would be paying a company to check on them.” (9/13/22 Minutes p.10) As Director Tsujiuchi showed, it will cost the city \$4,000 to make \$121,000, that is an investment that any of us hosts would die for, and you get it for the cost of bringing in *more* money to the city, because that which is even better than taxes is outside dollars brought into the city and spent here, building our economy. Who else is going to shop at your site specific plans?

Mayor Pro Tem Francis, there is so much more that I could have said, but I would rather not fight as it is best if we leave each other be and we both will be happier in the long run in the end. But you are also right, that a cap should occur, because to be rather selfish, we do not want to see the area flooded with hosts either. The only lawful and constitutional way is to enact prospective laws. And for all of the big companies that are trying to be impressed to help the city grow, do you really think multi-hundred million dollar companies are really intimidated by 50 citizens?

Combined we are one hotel. That should scare no one, but rather excite that we bring in a hotel’s worth of business daily, without having to wait for it to be built.

When the hotels are finally built, we won’t matter then either.

Do you know what I love? Korovka milk caramel, I am hopelessly addicted, and I hate Skittles.

Which I am sure someone just shook their head reading that. But you do not need to convince me of what I don't like, nor I you. Some people hate hotels and want a home feel, others love hotels, my closest friend is one of them. If a person wants an Airbnb, they will find one, even if it is not in Gardena, and that is money lost to local shops.

Options stimulate growth, not one sided un-thought out decisions, that result in enacting laws which will result in hundreds of thousands of dollars of attorney fees taken from the city fund, to only find out you have to start over.

And to what end? So outside money is not spent here?

Her Brilliance Councilmember Love saw it, true to her namesake, for she was accepting of the unknown and embraced the possibilities of hope. You inspired me to find the same middle ground.

Working together to solve the problems is where all this energy needs to be spent.

On this note, I will conclude with my favorite passage from a case.

The authentic majesty in our Constitution derives in large measure from the rule of law — principle and process instead of person. Conceived in the shadow of an abusive and unanswerable tyrant who rejected all authority save his own, our ancestors wisely birthed a government not of leaders, but of servants of the law. Nowhere in the Constitution or in the Declaration of Independence, nor for that matter in the Federalist or in any other writing of the Founding Fathers, can one find a single utterance that could justify a decision by any oath-beholden servant of the law to look the other way when confronted by the real possibility of being complicit in the wrongful [deprivation of another's pursuit of happiness]. When the Preamble of the Constitution consecrates the mission of our Republic in part to the pursuit of Justice, it does not contemplate that the power of the state thereby created could be used improperly to abuse its citizens[.]

Northern Mariana Islands v. Bowie, (9th Cir. 2001) 243 F.3d 1109, 1124

I grew up in tyranny, yes it sounds fun, but its not all its cracked up to be, living under a boot of those who mean well by thinking for you is not living.

“It is a melancholy reflection that liberty should be equally exposed to danger whether the Government have too much or too little power, and that the line which defines these extremes should be so inaccurately defined by experience.” James Madison letter to Thomas Jefferson, October 17, 1788

Too little, and liberty is destroyed by crime; too much, and there is no liberty, only a dictatorship.

Thank you for your time, consideration, and for taking care of the men and women in the transitional and group housing, that was very impressive. Let's keep that spirit of community unity going, together.

Most sincerely,

Mariya Wrightsman

September 27, 2022

Attached: Exhibits A-D

EXHIBIT A

gent creditors, and persons who may otherwise be interested in the will or estate, or both, of WILLIAM EARL DAVIDSON. A PETITION for Probate has been filed by: WILLIAM DAVIDSON JR. in the Superior Court of California, County of Los Angeles. The Petition for Probate requests that WILLIAM DAVIDSON JR. be appointed as personal representative to administer the estate of the decedent.

The petition requests the decedent's will and codicils, if any, be admitted to probate. The will and any codicils are available for examination in the file kept by the court.

The petition requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will al-

hearing. Your appearance may be in person or by your attorney.

If you are a creditor or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within four months from the date of first issuance of letters as provided in Probate Code section 9100. The time for filing claims will not expire before four months from the hearing date noticed above.

You may examine the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate

ANGELES. THE PETITION FOR PROBATE requests that Reginald Denzel McDonald be appointed as personal representative to administer the estate of the decedent.

THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an

58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code.

Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law.

YOU MAY EXAMINE the file kept by the court. If you are a person interested in the estate, you may file with the court a Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.

Attorney for petitioner:

PAUL HORN ESQ
SBN 243227
PAUL HORN LAW GROUP PC
11404 SOUTH STREET
CERRITOS CA 90703
CN989776 SIMS Sep 1,8,15, 2022
Gardena Valley News
9/1,8,15/22-122217

without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.

A HEARING on the petition will be held in this court as follows: 10/31/22 at 8:30AM in Dept. 9 located at 111 N. HILL ST., LOS ANGELES, CA 90012 IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four

CITY OF GARDENA
NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT on Tuesday, September 27, 2022, at 7:30 p.m., the City Council of the City of Gardena will conduct a virtual public hearing to consider the following:

ORDINANCE NO. 1844

REQUEST: Consideration of an Ordinance amending Title 18, Zoning, of the Gardena Municipal Code to prohibit short-term rentals of residences for lodging purposes and short-term rentals of residences for other commercial uses not listed as allowed uses under the Gardena Municipal Code. The Ordinance is exempt from the provisions of the California Environmental Quality Act pursuant to the commonsense exemption set forth in Guidelines section 15061(b)(3). On September 6, 2022, the Planning Commission voted 3-1-0, recommending that the City Council adopt the ordinance to prohibit short term rentals.

Applicant: City
Project Location: Citywide

The public hearing will take place via an on-line platform that can be accessed from your computer, smartphone, or tablet. Detailed directions for accessing this hearing will be on the City's website at <https://cityofgardena.org/agendas-city-council/>, no later than **September 23, 2022**.

The related materials will be on file and open for public inspection on the City's website at <https://www.cityofgardena.org/community-development/planning-projects/>. You will have the opportunity to post questions during the hearing. Comments may also be submitted via email to publiccomment@cityofgardena.org or by mail to 1700 W 162nd Street, Gardena, CA 90247.

If you challenge the nature of the proposed action in court, you will be limited to raising only those issues you or someone else raises at the public hearing described in this notice, or in written correspondence delivered to the Gardena City Council at, or prior to, the public hearing. For further information, please contact the Planning Division, at (310) 217-9524.

/s/ MINA SEMENZA
CITY CLERK

Gardena Valley News 9/15/2022-122990

CITY OF GARDENA
VIDEO POLICING SYSTEM PROFESSIONAL SERVICES

NOTICE OF REQUEST FOR PROPOSALS

PUBLIC NOTICE IS HEREBY GIVEN that the City of Gardena, California, invites and will receive proposals via Planet Bids up to the hour of 1:00 p.m., October 25th, 2022, for PROFESSIONAL SERVICES FOR VIDEO POLICING SYSTEM in accordance with the Notice, Scope of Work and the Draft Agreement contained in the City of Gardena Request for Proposals for Video Policing System Professional Services. Copies of this document and the necessary proposal response forms may be obtained from Planet Bids.

A **mandatory** pre-bid proposal conference has been scheduled for prospective bidders at 10 a.m., October 11th, 2022 at the Gardena Police Department, for the purpose of reviewing the City's requirements. To qualify for consideration for award of the contract, potential bidders **MUST** attend this pre-bid proposal conference.

Dated this 15th day of September 2022
/s/ Mina Semenza, City Clerk of the City of Gardena, California
Gardena Valley News 9/15/2022-122901

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Attorney
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EXHIBIT B

ance bond in the amount of 100 percent of the contract price, and a payment bond in the amount of 100 percent of the contract price, both in a form satisfactory to the City Attorney.

The contractor shall have an active "A", "C-10" or "B" license from the Contractor's State License Board at the time of submitting bid. Asbestos and Lead abatement work shall be done by a contractor having the appropriate legal license and certifications.

The prime Contractor must perform at least 25% of the cost of the contract, not including the cost of materials, with its own employees on site.

Pursuant to Public

the escrow agreement, letter of credit, form of security and any other document related to said substitution is reviewed and found acceptable by the City Attorney.

The City reserves the right to reject any or all bids and to waive any informality or irregularity in any bid received and to be the sole judge of the merits of the respective bids received. The award, if made, will be made to the lowest responsive responsible bidder.

Bidders are advised that this Project is a public work for purposes of the California Labor Code, which requires payment of prevailing wages. Accordingly, the bidder awarded the Contract and all subcontractors shall

tions 1777.5 and 1777.6 of the Labor Code concerning the employment of apprentices by Contractor or any Subcontractor under it. Contractor and any Subcontractor under it shall comply with the requirements of said sections in the employment of apprentices.

The Contractor is prohibited from performing work on this project with a subcontractor who is ineligible to perform work on the project pursuant to Section 1777.1 or 1777.7 of the Labor Code.

This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations. All contractors and subcontractors must furnish electronic certified

by a qualifying project labor agreement.

These requirements will apply to all public works projects that are subject to the prevailing wage requirements of the Labor Code without regard to funding source.

The State General Prevailing Wage Determination is as established by the California Department of Industrial Relations (available at <http://www.dir.ca.gov/DLSR/PWD/index.htm>).

Skilled and Trained Workforce: This project is subject to Skilled and Trained Workforce Requirements per Sections 2600 through 2603 of the Public Contract Code.

Award of Contract: The following are conditions to the award of the contract:

- I. Each contractor and subcontractor listed on the bid must be registered with the Department of Industrial Relations pursuant to Labor Code Section 1725.5, subject to the limited exceptions set forth in Labor Code Section 1771.1(a) (regarding the submission of a bid as authorized by Business & Professions Code Section 7029.1 or Public Contract Code Section 10164 or 20103.5 provided the contractor is registered to perform public work pursuant to Section 1725.5 at the time the contract was awarded); and
- II. No contractor or subcontractor may be awarded this contract unless the contractor and each subcontractor listed on the bid is registered with the Department of Industrial Relations pursuant to Section 17265.5.

Any questions regarding this bid package may be referred to Kevin Kwak, Principal Civil Engineer, Public Works Engineering Division at 310.217.9643

the decedent. THE PETITION requests the decedent's will and codicils, if any, be admitted to probate. The will and any codicils are available for examination in the file kept by the court.

THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.

A HEARING on the petition will be held on Sept. 15, 2022 at 8:30 AM in Dept. No. 11 located at 111 N. Hill St., Los Angeles, CA 90012.

IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

IF YOU ARE A CREDITOR or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) four months from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) 60 days from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code.

CITY OF GARDENA
NOTICE OF PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT on Tuesday, September 6, 2022, at 7:00 p.m., the Planning Commission of the City of Gardena will conduct a virtual public hearing to consider the following and make a recommendation thereon:

ORDINANCE NO. 1844

REQUEST: Consideration of an Ordinance amending Title 18, Zoning, of the Gardena Municipal Code to prohibit short-term rentals of residences for lodging purposes and short-term rentals of residences for other commercial uses not listed as allowed uses under the Gardena Municipal Code. The Planning Commission will make a recommendation to the City Council. The Ordinance is exempt from the provisions of the California Environmental Quality Act pursuant to the commonsense exemption set forth in Guidelines section 15061(b)(3).

**Project Location: Citywide
Applicant: City**

The public hearing will take place via an on-line platform that can be accessed from your computer, smartphone, or tablet. Detailed directions for accessing this hearing will be on the City's website at <https://cityofgardena.org/agendas-planning-environmental-commission/>, no later than **September 2, 2022**.

The related materials will be on file and open for public inspection on the City's website at <https://www.cityofgardena.org/community-development/planning-projects/>. You will have the opportunity to post questions during the hearing. Comments may also be submitted via email to PlanningCommissioner@cityofgardena.org or by mail to 1700 W 162nd Street, Gardena, CA 90247.

If you challenge the nature of the proposed action in court, you will be limited to raising only those issues you or someone else raises at the public hearing described in this notice, or in written correspondence delivered to the Gardena Planning and Environmental Quality Commission at, or prior to, the public hearing. For further information, please contact the Planning Division, at (310) 217-9524.

Amanda Acuna
Senior Planner

Gardena Valley News 8/25/2022-122309

**OF
SHOW
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TO ALL PERSONS TROYN THOMAS RIOS for S E A M THOMAS THOMAS with decreed names JOELL PELTS- JOELL PELTS THE C DERS THE interester shall this cou ing indic show c why the change d not be person c name of scribed a a written includes for the least tw before schedule and mus hearing why the not be q written timely fi may gra without NOTICE 10 8:30 a Super C Cou A 825 Torran A copy of Show C publishe each we cessive the date ing on t the follo per of g tion, pr county: ley New DATE: 0 Deidre H Judge of Superior Gardena 8/18,25 121945

EXHIBIT C

1 Tsujiuchi: Short presentation, if you'd like to hear that first?

2 Cerda: Let's go ahead and do that first, because we may have questions as it relates
3 to that.

4 Tsujiuchi: Okay we're going to share our screen here. Can everyone see the screen?

5 Cerda: Yes.

6 Tsujiuchi: Good evening members of the city council. Tonight's discussion is about
7 short-term rentals. We have a short presentation and we go to next slide
8 here.

9 So just a recap on what a short-term rental is. Typically, it's defined as a
10 renting of a dwelling unit, which is shared in whole or in part, meaning it
11 could be the whole dwelling unit or maybe just a bedroom or actually an
12 amenity that we recently seen for usually periods of 30 days or less as a way
13 of generating rental income. Most recently, we're starting to see not only the
14 dwelling unit being defined as a short-term rental, but we're starting to see
15 it kind of broadened in definition to include things like hourly and daily
16 rentals of swimming pools in people's backyards. And also as a daily special
17 event venue, like maybe hosting weddings. That could also be included in
18 this definition of a short-term rental.

19 So why we're bringing this to you for discussion, our Gardena Municipal
20 Code doesn't specifically prohibit short-term rentals. There's been a recent
21 case law known as Keen versus City of Manhattan Beach. And I'd actually
22 like Lisa to kind of brief you on that.

23 Kranitz: So generally Gardena and other cities use what's called permissive zoning.
24 If a use is not listed in the municipal code, then according to the city, it's
25 prohibited. That's how Gardena functions. That's theoretically how
26 Manhattan Beach functions. Manhattan Beach tried to argue that because
27 short-term rentals weren't listed as an allowed use, they were prohibited
28 under the city's code. The case involved the Coastal Commission, but that's
29 not relevant for how it impacts all other cities. What the court said was
30 because residential uses are allowed in residential zones and residential uses
31 don't specify how many days a person has to stay in a dwelling, short-term
32 rentals are not prohibited under permissive zoning. So therefore, if a city
33 wants to prohibit a short-term rental for lodging, they have to specifically
34 go in and amend their ordinance to provide such prohibition.

35 For the other types of things that Greg was talking about, people who are
36 now renting their backyards out for special event venues or renting their
37 swimming pools by the hour, those we can argue are prohibited under
38 permissive zoning because they're not residential use as far as lodging goes,

1 but it would be better if the council wants to prohibit them to specifically
2 call it out. So it's quite clear in the code.

3 Tsujiuchi: So those first two go hand in hand. Gardena Municipal Code doesn't
4 specifically prohibit it, or it doesn't specifically prohibit short-term rentals.
5 And this new recent case says we ought to, if that's what we're going to do.
6 In addition to that, we are seeing an increase of inquiries on the ability to
7 have STRs in the city. Our planning division has been taking numerous
8 calls, people wanting to do it more and more often. My code enforcement
9 here in community development, they've seen an increase of complaints
10 regarding short-term rentals, usually with noise or parking or the amount of
11 people that they're seeing next to residential homes. We've also done a little
12 research and there's been numerous listings found on different platforms on
13 the internet. Platforms or things such as Airbnb, VRBO, booking.com.
14 There's a few others.

15 And so staff is really looking for direction on two major - - or two options.
16 Either to prohibit the short-term rentals in Gardena, which is what we're
17 currently enforcing, or to permit short-term rentals. And so we kind of
18 looked around at our neighboring South Bay Cities. And so those who are
19 currently prohibiting, would be cities of Redondo Beach. Manhattan Beach,
20 for the most part, they are doing some amendments to it, I think to also
21 include their coastal areas. Inglewood, I think, saw a huge uptick with their
22 SoFi Stadium and whatnot coming up and so they actually put up
23 moratorium on it. I think it became such a harm or nuisance to them.
24 Lawndale prohibits it. There's other cities who are permitting STRs. Lomita
25 is permitting it, but kind of like how Gardena would be, where they're not
26 really specifying it. So by this new case law, it would be permitted.

27 We believe Carson is the same way. We really couldn't find anything that
28 prohibited it, so we assume that they're allowing it because they don't
29 specifically prohibit it. Cities of El Segundo, Hermosa Beach, Torrance, and
30 Hawthorne, they have pretty strict regulations where it can be numbers, how
31 many can be rented or used as short-term rentals at any one time, specific
32 zones, whether or not the owner has to occupy the home or not.

33 And so there's a number of different ways that you could regulate it, but all
34 in all staff is just looking for a direction, whether or not you'd like to prohibit
35 it. And if so, then direct staff to draft an ordinance prohibiting short-term
36 rentals. If you're looking to permit short-term rentals, then direct staff to
37 draft an ordinance either to one allow it pretty much without any regulation,
38 just say get a business license, make sure you're paying your transient orient
39 tax- - ah - - transient occupancy tax, and let them do that, or permit STRs
40 and have regulations. And these regulations can pretty intensive. And so we
41 would request that you direct staff to work with the planning commission,

1 come up with a draft ordinance, and then we would come back to you for
2 more input.

3 So that's where we're at now. I could go more into different options if you
4 decide to permit STRs, but at this point in time of my presentation just
5 wanted to see whether or not you were interested in prohibiting or
6 permitting short-term rentals.

7 Cerda: Okay, thank you. Let's open up for questions. Customer Henderson had his
8 hand up first. Go ahead.

9 Henderson: Thank you Madam Mayor. Thanks for that presentation Greg in regards to
10 that. You brought up another question. In regards to those cities of El
11 Segundo, Hawthorne, Hermosa Beach, Torrance, that kind of have some
12 regulations drafted. What was their criterion in regards to selection, process
13 of properties that would do that? Did they spread them out throughout their
14 city, 20 per district? How did they do that? And then what did that add to
15 the staff administrative overhead as far as all that work now?

16 Tsujiuchi: Well, so I'll speak to a neighboring city that is real near Gardena. They did
17 a rental ordinance that put it in specific zones. It wasn't really in any
18 particular north, south, east, west part of the city, it was just in wherever
19 this type of a zone was located. They allowed it. They limited the number
20 of licenses that they would issue all the way down to, I think they limited it
21 to 10 at any one time. They limited it as far as what they call multiple
22 bookings, meaning that they're renting out multiple rooms only so many
23 could do it at one time. I think in our staff report we identified some
24 Torrance, I believe did they - - we're looking into that [inaudible 00:09:02]

25 Kranitz: A home share only.

26 Tsujiuchi: Oh, they did a home share only, meaning that the owner has to be present.
27 It can't be where they're either on a long-term vacation and while they're
28 gone, they're renting out their home or they own another primary residence
29 maybe in another city and they own this other property in Gardena and so
30 they want to short-term rental that house as a short-term rental, rather than
31 a long-term lease to someone.

32 Kranitz: I think generally what the neighboring city did of only 10 permits per year
33 is unusual. I think usually the cities do it by zones. Be it home share, or you
34 can do the short-term rentals. It could be just the R1 zones or just R2, R3,
35 R4 type zones. Those are all the directions we're looking for if the council
36 wishes to allow short-term rentals. It's really, what is your imagination.
37 Homes which have an ADU or an SB9 unit cannot be used for short-term
38 rentals. That's by law.

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1 Tsujiuchi: Affordable housing units?

2 Kranitz: Affordable housing units, then they wouldn't qualify for a short-term rental
3 because you wouldn't be meeting the income qualifications.

4 Tsujiuchi: There's a whole host of options that we would go through depending on if
5 that's the council's direction.

6 Kranitz: As far as administrative costs, it would be like any other type of city service
7 where a permit fee would be established that would cover the city's
8 expenses. We'd figure out how much staff time was involved in it, and then
9 charge a fee along with business license.

10 Henderson: Okay. Thank you. Then my second question regards to, if we were to come
11 up with some sort of solution in the middle versus fully allowing it all over
12 the place or denying it all together, what about, would it be discriminatory
13 if we said in our regulations, if we permitted this, that if you live near a park
14 or a school zone, you cannot have such a facility because we want to control
15 the potentiality of predators coming into our community and everything.
16 Can that be put in the regulation? And if so, does that open us up to potential
17 liability, because now we're exercising discriminatory practice?

18 Kranitz: It's something we'll have to look at.

19 Henderson: Okay.

20 Tsujiuchi: I've not heard of any of the cities around here doing that, but we'll certainly
21 look into it if that's the council's desire or direction. Thank you.

22 Cerda: Mayor Pro Tem Paulette Francis.

23 Francis: Yes. I have a few questions. So you mentioned there were numerous calls.
24 How many is numerous?

25 Tsujiuchi: From planning for whether there's the ability to use a short-term rental?

26 Francis: No, no, no. You said you received numerous calls regarding short-term
27 rentals. I was just wondering how many is numerous.

28 Tsujiuchi: So the ones that came into planning, with the average two to three a week.

29 Kranitz: Yeah, we get numerous calls like Greg is saying and emails as well.

30 Tsujiuchi: So maybe two to three at a week.

31 Francis: Over a month?

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1 Tsujiuchi: Over the past few months. Over the past, maybe 12 months.

2 Kranitz: Gardena currently has, if you go on various platforms, there's probably at
3 least 20 rentals right now.

4 Francis: I saw that. Thank you. And you say you had numerous complaints with code
5 enforcement?

6 Tsujiuchi: Several complaints from code enforcement. I don't have a specific number,
7 but I would say that it's been enough to bring this up as part of the
8 discussion. So I would say we get, within the last couple of months, I would
9 say I've gotten four or five.

10 Francis: All right. Thank you. I'm not quite sure who to direct this question to. Now
11 you said that since we don't have anything in place, single short-term rentals
12 are not prohibited because of this Keen versus Manhattan Beach rule. Is that
13 correct?

14 Kranitz: Correct.

15 Francis: Okay. So could we tonight declare moratorium until we have more time to
16 discuss it and do some research and investigate what we can do? Can we do
17 that? Can that be an option?

18 Cerda: Mayor Pro Tem. So tonight what we're doing is we're just discussing it for
19 it to come back later on. As far as staff can do more research and so they
20 just want to get some direction. We're not taking any action on this tonight,
21 other than just, what are our feelings of this here? So it's going to come back
22 and we will have more time to discuss it.

23 Francis: Until we take some time discussing all that we couldn't say until right now,
24 we're just going to declare moratorium on all short-term rentals until we can
25 figure out what it is we want to do.

26 Kranitz: We couldn't do it tonight because it's not on the agenda. And it would have
27 to be added as an urgency item on the agenda. And I think since it's been
28 going on, you couldn't make the findings to support that there was an
29 immediate need to add it on. You can certainly come to the city council for
30 the 45-day moratorium at the city council's next meeting. And then after 45
31 days, that moratorium can be renewed up to a year and 11 months and 15
32 days for a total of, 10 months and 15 days for a total of a two-year
33 moratorium while you're working on it.

34 Francis: I was going to say, because we've had moratorium that were 145 days, but
35 since it's not on the agenda, we can't declare a moratorium because it's not

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1 on the agenda, but could we put it on the agenda for next meeting to have
2 moratorium in place until we can figure out exactly what is we should do?

3 Kranitz: If that's a council directive.

4 Francis: A majority, not a directive. Okay, so I need to wait until directives. Okay.
5 Thank you so much. I appreciate your response.

6 I just get a little confused if you say numerous. I mean, I like dealing hard
7 numbers and after the meeting, I'll tell you a story of why I don't play with
8 statistics and numerous because I've done some things just based on that
9 and gotten away with it based on numerous. So anyway.

10 Cerda: Any more questions or comments?

11 Oh, tonight we're just discussing it just so that staff can have some direction.
12 It will still go before planning. It would still come before us. And even if
13 we said we're in favor of it and we want limitations on it, we would still do
14 an official vote, but they just need somewhere to start with this. So that's
15 why it's up for some discussion.

16 Love: So I know there's three options: to moratorium, to say no, or to agree with
17 amendments or restrictions, right?

18 Cerda: I think on a permanent basis, it would be called a prohibition, not a
19 moratorium. I think what Inglewood did was essentially what Mayor Pro
20 Tem Francis just said is it became such a problem immediately because of
21 SoFi Stadium that they went in under the emergency regulations and put a
22 moratorium on while they figure out what to do.

23 Francis: They become Super Bowl. They rent out hotels and people rent out their
24 houses, and that's why they did it. It was everywhere. So that's why they did
25 it.

26 Love: Do we have any licensed units like this in the city now?

27 Tsujiuchi: No, we do not have any licensed units. We have people doing it in our city.

28 Love: Yeah, I know.

29 Tsujiuchi: But we don't issue a business license.

30 Love: Okay. So, well, do you need a motion?

31 Cerda: No, no, no. We're not there yet. I need to open it up to the public as well,
32 too. Any other council members have any questions or comments?

1 Tanaka: So Ms. Kranitz home shares are not included in this, correct?

2 Kranitz: Well, that's what we're looking for direction on. So the home share is the
3 idea that you were at your house and maybe you're renting one bedroom out
4 for supplemental income, or to keep because you don't want to be lonely all
5 the time.

6 Tanaka: That's what I was going to say is that because the cog is actually promoting
7 home share it's long term. It's usually a person that has a home that lives by
8 themselves and they are looking for maybe somebody to come in and live
9 with them and help them with the bills, the groceries, the chores, that kind
10 of stuff. And it's actually long term it's not.

11 Kranitz: That wouldn't be included when we're talking in this term of home share,
12 it's still a short term rental for under 30 days. But under a home share, the
13 owner is required to be present in the home while they're renting it out. And
14 the idea there is that if the owner's present, then it's not being used for a
15 party house. So it's just one room, not the whole house. You don't get 15
16 people actually moving in. I mean, some of the rentals that I've looked at in
17 Garden and elsewhere, it's like, "Well, we've put in the two sets of bunk
18 beds that have the full on the bottom and the twin on the top. So you can get
19 six people in one room," and then it becomes you're changing the character
20 of the neighborhood.

21 Tanaka: And so Mr. Tsujiuchi, you said that there's some issues with code
22 enforcement. What type of issues did we get? Were they like parties? Were
23 they just loud people? What kind of issues?

24 Tsujiuchi: The ones that came on, I'd say at least three times, were noise. And it's
25 usually some, it's not uncommon for short term rentals, people rent a larger
26 house and then they host a party there. So several of the calls, or I would
27 say three for Mayor Pro Tem, say two to three calls have come in for noise.
28 For sure, I'd say two came in because of parking being taken up in the
29 neighborhood. And then there was one call where it was just a complaint
30 that they said what Ms. Kranitz was saying, that it's taken away from our
31 neighborhood. These are residential neighborhoods. They're not little hotels
32 on our blocks that we want. So it was kind of just a general complaint.

33 Tanaka: Okay. So the reason I ask that question is I'm kind of against this whole
34 issue because once you open Pandora's box, then all of a sudden you'll start
35 having home parties, just like they're doing in the commercial areas where
36 you'll all of a sudden, they'll take over a house and there'll be 200 people in
37 the house. And then we have a law enforcement issue. Police department
38 staffing is going to have to take that in effect. So that's why I asked. That's
39 why I appreciate that. Thank you.

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1 Cerda: Okay. Any more question? Excuse me, any more questions or comments?

2 Love: I have a comment. I know that there's some issues with some properties
3 already being used for Airbnb. I've gotten those calls at the Chamber Office
4 about this, but I would hate for us to deny responsible property owners, the
5 opportunity to make some extra money. I mean, we will always have those
6 that are not considerate of other residents or the fact that these are
7 neighborhoods, but I would really like for us to allow staff to come back
8 with some findings and some suggestions and consider approving with
9 restrictions instead of just a blanket moratorium and saying no to
10 everything.

11 Cerda: Any more questions or comments? Madam city, deputy clerk, do we have
12 anybody from the public speak on this item?

13 Romero: Yes we do, Mayor Cerda. We have two hands that are up.

14 Cerda: Okay, go ahead.

15 Cerda: Okay. I think it's Charisse?

16 Charisse: Hello?

17 Cerda: Hi, you can go ahead and begin.

18 Charisse: Okay. I'm sorry. Good evening. I'm listening to everybody speak about the
19 Airbnb. My question is right now are they legal to have in Gardena? Are
20 they permitted to use them as Airbnb? Because really on our side, I know
21 of three that are on our side. And I'm just wondering if it's just legal to have
22 them? I'm done. Those who wanted different traffic there. And one of the
23 houses, I don't know if you guys were aware of that they did an FBI raid on
24 it. They had the dogs, the Secret Service. They had everybody because
25 somebody was selling guns from the Airbnb on that street. So I don't know
26 if it's not legal for them to have it I would like to know that. And if it is legal
27 for them to have it right now, that I would like to know that too. Thank you.

28 Cerda: Okay, Mr. Tsujuchi, can you just relay again what was said?

29 Tsujuchi: Yeah, I'm going to defer our, to our assistant city attorney.

30 Kranitz: So as we said, we used to believe we had the authority to say you can't have
31 them under the concept of permissive zoning. It wasn't allowed in our code.
32 Therefore, it's prohibited. The case that came out earlier this year,
33 Manhattan Beach destroyed that argument, which is why we're now
34 bringing it to the council. If the desire is to regulate or prohibit, we need
35 specific ordinance adopted to that effect. So right now, yes, they're legal.

1 Cerda: Okay. Thank you. Thank you. Deputy Clark, we had another speaker?

2 Romero: Yes, Raymond. Dennis.

3 Cerda: Okay. Go - -

4 Romero: I'm bringing him in.

5 Raymond Dennis: Hello?

6 Cerda: Hello. Mr. Dennis? Go ahead.

7 Raymond Dennis: Yes. Yes. Thank you for allowing me to speak on this topic. I just wanted
8 to go along with the council member Tanaka's comments, as it relates to the
9 activities that could take place to the Airbnb. My particular concern is one,
10 code enforcement. I think code enforcement will be a challenge. Two, the
11 fact that if you don't move quickly, now you're going to have a lot of
12 opportunities for other people to convert to Airbnbs. And then they're going
13 to come after the city saying that the ordinance went in effect after they had
14 been in business for X number of days or months or years. Personally, I
15 would be a proponent to prohibit them because I think the nature and the
16 culture of our neighborhoods and the community of Gardena is more
17 family-oriented. It's more residential oriented. And if you live on a cul-de-
18 sac as I do, it could be problematic if you throw a rave party at the end of
19 the cul-de-sac.

20 I also think that with the proximity of SpaceX and proximity of Tesla, that
21 they have many short term people that come into those organizations that
22 instead of using hotels would be more inclined to bundle up in a Airbnb.
23 And it could present problems there in terms of traffic. Problems in terms
24 of not knowing who your people are. You might as well eliminate the
25 neighborhood watch because you couldn't watch everyone. And so it would
26 make more sense to me that the city get ahead of this thing and not drag its
27 feet to wait and see well how this all plays out.

28 I understand if you can't do a moratorium right now, but you at least should
29 investigate, investigate quickly because the world cup is coming. You have
30 the Super Bowl. You have the BCS championship coming. You have the
31 final four coming and you have in 2026 World Cup, all of that coming to
32 SoFi, and people be looking for places to stay. And I understand that people
33 want to cash out and make as much money off their home as they can, but
34 who's going to clean up the mess when those folks have rented their
35 properties out for \$30, \$40,000 and left the city in rambles? Thank you.

36 Cerda: Thank you. Deputy Clark, do we have anybody else?

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1 Romero: No, we do not Madam Mayor.

2 Cerda: Okay. Any more questions or comments?

3 Tanaka: Madam Mayor, Mr. Dennis just brought up a comment that I think maybe
4 the city manager could probably answer. So if this were allowed, even under
5 certain restrictions, how much more in code enforcement will we have to
6 hire and how much more staff time would this cost?

7 Osorio: I don't have a clear answer. As far as how many more code enforcement
8 officers we're going to need. I know we're going to need at least absolutely
9 one, if not more. Code enforcement is as really strapped already as it is. So
10 what we're doing, Greg can attest to that. And I think without knowing
11 exactly the case loads, we wouldn't be able to tell you if we need two or
12 three.

13 Tanaka: Okay. So would Chief Sobel be able to say how much it would affect his
14 department?

15 Osorio: Maybe. We can certainly ask him, but again, it's a matter of caseloads again.

16 Tanaka: Right? Calls for service. Those kind.

17 Osorio: We just don't have any data on.

18 Tanaka: Okay. Thank you

19 Cerda: Greg, I'm sorry. You were saying something.

20 Tsujiuchi: I was going to say we'd also have to probably with additional officers also
21 adjust schedules. A lot of this stuff happens in the evening hours, early
22 morning. So it would definitely be a challenge.

23 Cerda: So also Mr. Dennis said something else. He mentioned that if somebody
24 already has an Airbnb and then we put this in place, do they get
25 grandfathered in saying that they can have? So once we say this, no matter
26 what they've had, it's just not allowed. Okay, good.

27 Vasquez: That's correct, Madam mayor. They would not get grandfathered in. And I
28 also want to mention just for, so everyone's clear, with any type of
29 moratorium, it does require a four fifths vote. A simple majority is not
30 sufficient to pass a moratorium. So I just want to make sure you guys are
31 all clear in understanding of what's required for moratorium.

32 Cerda: Okay, got it. Go ahead.

1 Love: Again. I hear everybody saying that they don't want it and they wouldn't
2 support it or they kind of leaning that way. There - - isn't there ways that we
3 can offset the cost for additional officers or additional code enforcement by
4 determining the permitting fees and the licensing fees and the taxes that we
5 can probably get as TOT if possible. Because we often hear about the
6 negative stories that always supersede the success stories. And I would
7 really hate to cut out an opportunity for some of our responsible residents
8 to be able to benefit from because of the no ordinance and the free for all
9 that's going on right now. So, I mean, I understand that there are some that
10 are out of control and they rent these spaces, but we can also hold the
11 property owners responsible to a certain degree. We can also set the
12 licensing and the permit fees and that type of stuff to offset the cost. So I
13 really wish we'd take these things into consideration and not just blanket the
14 whole city and consider the regulations.

15 Cerda: Any more questions or comments?

16 So my feelings on this here is I live on a cul-de-sac street and I think there's
17 13 houses on our street. And we have a house that from time to time, they
18 rent a, I guess they have an ADU or something like that, and they rent it out.
19 And about every three months, there's different people. There's four or five
20 different cars on our street. We don't recognize the people. And that's one
21 of the things that I love about our community is that we know our neighbors.
22 We know who should be there and who shouldn't. And when you see people
23 just sitting in their cars and then it takes a day or two to realize that, oh,
24 they're attached to that house. I mean, it can be a little unsettling and I don't
25 think it's fair for a person to choose to rent out their house. If they're renting
26 out their backyard for a wedding or Airbnb, because now we're dealing with
27 parking issues and we already have issues with parking as it stands now.

28 I mean, as neighbors, we don't mind if our neighbor has a party every now
29 and then, if the music's a little loud and they have their guests there. But
30 when you have people who are renting out their backyards for different
31 events, weddings, or banquets, that's not fair to everybody. When you're
32 renting out your house as an Airbnb and now you don't know who's staying
33 there. You're dealing with loud music, things of that sort. If you want to
34 operate a business, there are certain places it should be. I mean, when a
35 person lives in home or an apartment, I mean, unless they're living next to
36 a business area, you shouldn't have to deal with that. I mean, people have
37 quality of life issues.

38 And again, we're already dealing with the state requiring us to allow people
39 to build these ADU's. And I'm already concerned about how just the parking
40 of that's going to affect us. And then to allow people to use their home now,
41 to operate as a business. I understand everybody needs money, but all
42 money's not good money coming to our city like that. And I think for the

1 purposes of people having a decent quality of life, I like to know when I go
2 home that I know all my neighbors. And even if somebody is renting in an
3 area they're usually renting for a longer period of time, long enough for me
4 to get to know their name, who they are, recognize the car, et cetera. So I'm
5 not in favor of this. That's my feeling on it. So Mayor Pro Tem? You're
6 muted.

7 Francis: So I guess I'm going echo your sentiments because I just want to say
8 everything that makes money, doesn't always make sense. And I'm
9 concerned that by allowing a commercial use in a residential neighborhood
10 will change the nature of our neighborhood, our residents, where we live.
11 I'm also concerned as a council member Tanaka mentioned about the impact
12 on services. In terms of our police services, fire services, paramedics, and
13 there will be problems. These wild sorts, we heard about, perhaps they may
14 do abnormality, but we also have to take all those kinds of things to
15 consideration what are the negatives, as well as whatever positives they are.
16 And sometimes the cost doesn't always outweigh the benefit or the benefit
17 doesn't always outweigh the cost. So we have to be constant and do things
18 that are going to keep our residents family-oriented and safe.

19 There's just too much going on there's a world property owners are not going
20 to be able to control who comes in or who comes out. Things say, well, I'm
21 here to rent this for this particular reason. And there's all kind of human
22 trafficking, drugs, all kinds of stuff that's going on. And you say most
23 property owners are responsible, but your responsibility, unless you are
24 there controlling it, you have no clue who you just rented your house to.
25 And you have no clue what they could come out to. So you'll hear my
26 directive read that end, but anyway, thank you so much.

27 Cerda: Okay. So to Greg, do you kind have some inference as far as where we're
28 going with this or comment, do I need to be more exact as far as direction?

29 Vasquez: And what I'm taking is that the direction is that you would like staff to draft
30 an ordinance to prohibit it. That is the direction that we are interpreting from
31 the majority of the council tonight. That is, that will be prepared, taken to
32 the planning commission, depending the planning commission, what they
33 do with it. And it would come back to council. That's separate and aside
34 from any directives, if you guys choose to do that, a directive pertaining to
35 the topic of moratoriums.

36 Kranitz: The next city council meeting, as I understand it, is not until September
37 13th. So the council could also consider putting back the 23rd meeting or
38 maybe having a special meeting on the 30th, if there was a desire to move
39 this up, because otherwise we're over a month away from the next meeting.

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1 Cerda: I'm sorry, you're speaking in terms of moratorium? Or as far as this coming
2 back?

3 Kranitz: Yes.

4 Vasquez: But Lisa, hold on. We're not at the directive

5 Kranitz: To consider when they get to.

6 Francis: We're still not here yet.

7 Vasquez: We're - - we're not there when we get to the directive, I'll bring up that
8 subject of okay, when you guys want to, if that's what you guys choose to
9 go, but for now, for purposes of the ordinance that staff is being asked to
10 draft to take back to the planning commission, the direction that we are
11 hearing from staff from the council is draft and ordinance to prohibit it.

12 Cerda: Correct.

13 Vasquez: Okay. All right.

14 Cerda: And there's no action. I mean there's no vote.

15 Vasquez: There is not Madame Mayor.

16 Cerda: Okay. Okay. So next we're going to move on.

17

EXHIBIT D

**ALL RELEVANT EXCERPTS FROM THE MEETING NOTICE AND AGENDA
REPORTS PERTAINING TO THESE ISSUES;
LIST OF PUBLISHED NOTICES**

(No Published Notice)

City Council Regular Meeting Notice and Agenda 8/9/22

12. DEPARTMENTAL ITEMS - COMMUNITY DEVELOPMENT

12.A [Short Term Rentals for Lodging Discussion](#)

Staff Recommendation: Provide direction to staff to draft an ordinance [Staff Report - Agenda Item 12.A.pdf](#)

8/5/22 *City Clerk Semenza*

(Published notice for PEQC 8/25/22)

PEQC Regular Meeting Notice and Agenda 9/6/22

5. PUBLIC HEARING ITEMS 5.A Zone Text Amendment #2-22 (Ordinance No. 1844)

Consideration of an Ordinance amending Title 18, Zoning, of the Gardena Municipal Code to prohibit short-term rentals of residences for lodging purposes and short-term rentals of residences for other commercial uses not listed as allowed uses under the Gardena Municipal Code. The Ordinance is exempt from the provisions of the California Environmental Quality Act pursuant to the commonsense exemption set forth in Guidelines section 15061(b)(3).

APPLICANT: City

LOCATION: Citywide

[Staff Report.pdf](#)

[Attachment A - Council Agenda Staff Report.pdf](#)

[Attachment B - Council PowerPoint Presentation.pdf](#)

[Attachment C - Public Comment.pdf](#)

[Attachment D - Resolution No. PC 11-22 Draft Ordinance.pdf](#)

9/2/22 *Director Tsujiuchi*

(No Published Notice)

City Council Regular Meeting Notice and Agenda 9/13/22

10.A September 6, 2022 MEETING

Zone Text Amendment #2-22 (Ordinance No. 1844)

The Planning Commission considered an Ordinance amending Title 18, Zoning, of the Gardena Municipal Code to prohibit short-term rentals of residences for lodging purposes and short-term rentals of residences and other commercial uses not listed as allowed uses under the Gardena Municipal Code. The Ordinance is exempt from the provisions of the California Environmental Quality Act pursuant to the commonsense exemption set forth in Guidelines Section 15061(b)(3).

APPLICANT: City

LOCATION: Citywide Commission

Action: The Planning Commission approved Resolution No. PC 11-22 by vote of 3-1, approving Zone Text Amendment #2-22 (Ordinance No. 1844).

City Council Action : Receive and File. This item will be brought forth to the Council for review at a future City Council meeting.

To view the complete Planning Commission packet [CLICK HERE 2022_09_06 PCAX](#)

9/9/22 *City Clerk Semenza*

(Published notice for City Council 9/15/22)

City Council Regular Meeting Notice and Agenda 9/27/22

12.A PUBLIC HEARING : INTRODUCTION OF ORDINANCE NO. 1844 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, AMENDING THE ZONING CODE TO PROHIBIT SHORT-TERM RENTALS

Staff Recommendation: Conduct Public Hearing; Allow three (3) minutes for each speaker; Introduce Ordinance No. 1844 or provide direction to staff to draft a revised Ordinance

[Agenda Staff Report - STR.pdf](#)

[City Council agenda staff report dated August 9, 2022.pdf](#)

[Planning Commission staff report dated September 6, 2022.pdf](#)

[Draft Ordinance No. 1844.pdf](#)

[City Council staff summary dated September 13, 2022.pdf](#)

[Urgency Moratorium Ordinance.pdf](#)

9/23/22 City Clerk Semenza

The first time a document pertaining to Ord. 1843 was made available, was the last linked item “Urgency Moratorium Ordinance”, yet has written above the signature line, “at a regular meeting thereof held on September 13, 2022.”

LIST OF PUBLISHED NOTICES BY DATE

The dates when a public notice pertaining to these issues appeared as published:

9-22-22	No Published Notices
9-15-22	Published Notice for City Hall
9-8-22	No Notices published
9-1-22	No Notices published
8-25-22	Published Notice for Planning
8-18-22	No Notices published
8-11-22	No Notices published
8-4-22	No Notices published
7-28-22	No Notices published
7-21-22	No Notices published

Available here:

<https://gardenavalleynews.org/public-notices/>

From: [G Young](#)
To: [Public Comment](#); [Tasha Cerda](#); [Paulette Francis](#); [Mark Henderson](#); [Rodney Tanaka](#); [Wanda Love](#)
Subject: A letter regarding short term rental concern in Gardena
Date: Tuesday, September 27, 2022 3:08:52 PM

Caution! This message was sent from outside your organization.

Dear Mayor and Gardena City Council members:

Gardena has a vibrant Airbnb community of responsible hosts, respectful guests and a longstanding short-term rental industry.

The Airbnb in Gardena is different from a beach city like Manhattan Beach or Redondo Beach that attracts rowdy visitors. Most visitors in Gardena are people visiting families and friends. Airbnb will bring more revenue to better support our local restaurants and retailers, which means more tax dollars for the Gardena city and also brings our community more vibrancy.

Many local Airbnb in Gardena are just room sharing which will not serve any significant impact to the local family rental market if the short term rental is taken away.

Short term rental provides more benefits to the city and residents. Please do not prohibit the short term rental in Gardena.

Sincerely,

Gretl Young



Tuesday, September 13, 2022
Via Electronic Mail

Hon. Mayor Cerda
and the Members of the City Council
1700 W. 162nd Street, Gardena, CA 90247

RE: Agenda Item 10 (A) – Zone Text Amendment #2-22 (Ordinance No. 1844) Prohibiting Short-term Rentals

Dear Hon. Mayor Cerda and City Council:

The South Bay Association of Realtors® (SBAOR) urges the Council to **reject** adoption of the proposed ordinance to prohibit short-term rentals (STR) at the September 13th Council meeting. We ask that you engage with SBAOR and other key community stakeholders to identify best practices and effective policy solutions that strike a balance between the increasing economic benefits of STRs and the potential impacts.

What SBAOR can offer:

Work with the Mayor and City Council to help identify effective and enforceable STR regulations that both benefit and protect the community.

City can benefit and community be protected:

We encourage the city to do a thorough examination of the benefits and various options related to STR. Other local cities achieve this by some or all of the following: requiring a business license, an annual registry and/or permit (that can be revoked if a certain number of complaints are received on a property), and/or Transient Occupancy Tax (unincorporated Los Angeles County charges 12%). Cities can also institute a series of fines to ensure compliance with regulations.

Regulating STRs is reasonable and benefits everyone:

Rather than outright bans or heavy restrictions, regulating ensures property rights and the well-being of our community are in balance. For instance, we believe in preserving the ability of struggling residents to continue to afford their homes rather than sell to investors. Balancing the benefits to the city, local businesses, homeowners, and all residents are paramount.

Gardena is a growing city. Today, residents want to live, work, and play in cities that have thoughtful, reasonable, and progressive policies. A ban would overshadow this balance and take revenue out.

Stakeholders have not been engaged:

The proposed ordinance is too broad and overreaching. It was drafted without the input and considerations of groups representing the very Gardena residents that would be impacted. The issue of STRs are not new, and other cities have worked to craft workable solutions for all sides, together. We urge the City of Gardena to open dialogue with local stakeholders and implement a reasonable ordinance.

Thank you for your time and consideration. We look forward to working towards solutions. If you have any questions, please contact the SBAOR's Government Affairs Director Julie Tomanpos at Julie@SouthBayAOR.com or (310) 326-3010.

Sincerely,

Jaime Sutachan,
Government Affairs Committee Co-Chair
South Bay Association of REALTORS®

From: [Vera Povetina](#)
To: [CDD Planning and Zoning](#)
Subject: Public Comment
Date: Tuesday, September 13, 2022 11:26:45 AM

Caution! This message was sent from outside your organization.

Dear City Council,

In lieu with discussion regarding Short Term Rentals I would like to address some questions to the City Council and expect detailed answers.

1. Whereas in Resolution No. PC 11-22 mentioned that short-term rentals of residences for lodging purposes and short term rentals of residences for other commercial uses are not listed as allowed uses under the Gardena Municipal Code.
 - 1.1. Do I understand correctly that they are also not listed as prohibited?
2. In the same document mentioned: short-term rentals for lodging and other uses have deleterious impacts by increasing noise and traffic, creating parking problems, changing the character of a residential neighborhood, and with the case of housing - creating an impact on housing supply.
 - 2.1. Is there any evidence regarding this statement in the City of Gardena? Can it be disclosed to the public?
 - 2.2. Where measurements made for noise level increase?
 - 2.3. Changes in traffic? Would you be able to specify – how big is the change?
 - 2.4. Parking issues complains increased by how many since establishing current amount of STR in the city? How were these complaints linked to STR?
 - 2.5. What are the changes in character of residential neighborhood happened because of STR? How the housing supply impacted specifically by the factor of STR?

It is about 160-170 rental properties listed in Gardena, not all of them are on the market constantly, but all of them is a source that provides food to the tables to families of our city.

Does City of Gardena have a lot to offer to its people to offset increased inflation? Growing costs for everything?

Why do you feel that it is ok to cut an opportunity to provide for families? To make our city more attractive for guests?

It is not only hosts who benefit. All local small businesses benefit. Additional jobs are created. Shops, restaurants, beauty salons and other businesses get more customers. A lot of guests asking for local attractions and as a host – I recommend local places.

STR Income is taxed as any other. Current local property sales bring a lot of additional income to the city as Property Tax and let us face the truth – available APR influence market much more than STR perspective in Gardena.

The U.S. travel and tourism industry generated \$1.9 trillion in economic output; supporting 9.5 million American jobs and accounted for 2.9% of U.S. GDP. That is huge. At 14.5% of international travel spending globally, international travelers spend more in the United States than any other country.

Tourism accelerated Los Angeles County's economic prosperity in 2018 as visitors pumped an all-time high \$23.9 billion directly into the L.A. economy, generating a record \$36.6 billion in total economic impact. Just nine LA neighborhoods account for 73 percent of the money Airbnb, and Gardena is not one of them, unfortunately.

Gardena should care to attract many more tourists, not to ban them. We need more events, we need pedestrian streets with restaurants, entertainment and parks. Tourist industry could bring

Becky Romero

From: Amanda Kindt <[REDACTED]>
Sent: Tuesday, September 13, 2022 6:18 AM
To: Public Comment
Subject: PUBLIC COMMENT

Caution! This message was sent from outside your organization.

To Whom It May Concern:

As a resident of Gardena, I am writing to you this morning regarding Ordinance #1844.

I understand the concerns that communities have regarding short term rentals, and they are valid. However, I also understand the opportunities that short term rentals provide. Many would not be able to afford to continue living in Gardena if it were not for the additional income they receive through short term rental hosting.

Housing costs in Gardena are SKY HIGH. Things like short term rentals, hourly pool rentals, hosting events, etc are critical to keeping long time Gardena residents in Gardena.

There are other options than a simple ban. Other communities like Big Bear have regulated short term rentals to keep them AND to alleviate the community strains they can cause. Collection of occupancy taxes from hosts or an annual registration fee can be used to enforce guidelines that protect the community while providing the opportunity for lower and middle class residents to generate critically needed additional income and stay in their homes. Please take the time to look at Big Bear's program as a model. (<https://www.citybigbearlake.com/index.php/departments/tourism-management/transient-private-home-rental-tphr-program>)

How much time does the city invest, collectively, supporting all of the development and new construction of housing properties that then turn around and draw tenants able to pay \$4000-\$5000 per month? They are ALL OVER the city!!! Could the city invest the same amount of time to research and draft ordinances that support the lower and middle class residents that are already residents of Gardena?

Thank you,

Amanda Kindt

Becky Romero

From: The Kim's Adventure <[REDACTED]>
Sent: Tuesday, September 13, 2022 4:46 AM
To: Public Comment
Subject: Public Comment

Caution! This message was sent from outside your organization.

Dear Deputy City Clerk:

Please forward this to the mayor and all city council.

I am writing in regards to city of Gardena trying to ban STR (short term rental).

I have been an Airbnb host and it has benefitted the city and my family.

I recommend that it be CONTINUED and we are in full support.

Bringing new guests to stay in our area has provided the city with great benefits:

- There are not many inexpensive hotels in this area so it means more people can afford to stay here.
- More tourists bring money to local businesses, transportation, restaurants, local city events and concert.
- More jobs: I have given more work to our cleaning crew, handyman, plumber, electrician, landscaper, etc.
- More people know the positive parts of Gardena because where I guide them and they tell other people, return to visit.

Being an Airbnb host has also provided my family with financial support -

- We have an old house that takes a lot of repairs. Through the money I have made from Airbnb I have been able to keep my house maintained.
- Many of the houses in this area are old. The money I have made from Airbnb has helped us pay our mortgage and taxes so we can keep our house and support our family.

Airbnb has helped me develop new relationships with people from around the world.

- We have guided guests when they visited: As tourists, for work, concert, and tournaments.

Most of our guests had been reviewed by us and have great review on airbnb before we accept them to stay at our place. We made sure they accepted our house rules as well as keeping the noise down and respecting our neighbors. Our guests never caused an issue to our neighborhood because they are all exploring the city from early morning to late at night.

As a traveler myself, my family and I benefits the use of airbnb and able to explore more of the local hidden gems in the area than the touristy area.

Airbnb provides a vital service for our city of Gardena and visitors around the world and I recommend that it continue PROTECTED.

Thank You!

The Kims

PS - We are part of the Gardena group on facebook and most of the members in the group have more concerns on the control of homeless and transients than people who are here just for travel/work that brings in money to local businesses in our city like airbnb.

Becky Romero

From: Alejandra Orozco
Sent: Monday, August 22, 2022 9:53 AM
To: Becky Romero
Subject: FW: Short term rentals

-----Original Message-----

From: Sherelle [REDACTED]
Sent: Saturday, August 20, 2022 8:38 AM
To: City Council.web <CityCouncil.web@cityofgardena.org>
Subject: Short term rentals

Dear City Council

I totally disagree with you all banning Short term rentals. I think Gardena is a progressive city but this ordinance is fear based. Take a step back. Think who is considering buying here. Think of the age bracket condemning this. Think progressively. Do not ban but make rules. We need to attract \$\$ in this city. Not stalemate it.

Thank You
Sherelle
[REDACTED]



Tuesday, September 6, 2022
Via Electronic Mail

City of Gardena
Planning and Environmental Quality Commission
1700 W. 162nd Street, Gardena, CA 90247

RE: Agenda Item 5 (A) – Zone Text Amendment #2-22 (Ordinance No. 1844) Prohibiting short-term rentals

Dear Hon. Members of Planning and Environmental Quality Commission:

The South Bay Association of Realtors® (SBAOR) urges the Commission to **reject** adoption of the proposed ordinance to prohibit short-term rentals (STR) at today's September 6th Commission meeting. We ask that you engage with SBAOR and other key community stakeholders to identify best practices and effective policy solutions that strike a balance between the increasing economic benefits of STRs and the potential impacts.

What SBAOR can offer:

Work with the Mayor and City Council to help identify effective and enforceable STR regulations that both benefit and protect the community.

City can benefit and community be protected:

We encourage the city to do a thorough examination of the benefits and various options related to STR. Other local cities achieve this by some or all of the following: requiring a business license, an annual registry and/or permit (that can be revoked if a certain number of complaints are received on a property), and/or Transient Occupancy Tax (unincorporated Los Angeles County charges 12%). Cities can also institute a series of fines to ensure compliance with regulations.

Regulating STRs is reasonable and benefits everyone:

Rather than outright bans or heavy restrictions, regulating ensures property rights and the well-being of our community are in balance. For instance, we believe in preserving the ability of struggling residents to continue to afford their homes rather than sell to investors. Balancing the benefits to the city, local businesses, homeowners, and all residents are paramount.

Gardena is a growing city. Today, residents want to live, work, and play in cities that have thoughtful, reasonable, and progressive policies. A ban would overshadow this balance and take revenue out.

Stakeholders have not been engaged:

The proposed ordinance is too broad and overreaching. It was drafted without the input and considerations of groups representing the very Gardena residents that would be impacted. The issue of STRs are not new, and other cities have worked to craft workable solutions for all sides, together. We urge the City of Gardena to open dialogue with local stakeholders and implement a reasonable ordinance.

Thank you for your time and consideration. We look forward to working towards solutions. If you have any questions, please contact the SBAOR's Government Affairs Director Julie Tomanpos at Julie@SouthBayAOR.com or (310) 326-3010.

Sincerely,

Jaime Sutachan,
Government Affairs Committee Co-Chair
South Bay Association of REALTORS®

[Petition details](#) [Comments](#) [Updates](#)

Keep 50 Small Business Owners in Gardena, CA from Losing Their Livelihoods

Started

September 21, 2022

105

Signatures

200

Next Goal

 Support now[Sign this petition](#)

Why this petition matters

Started by [Stacey Kindt](#)

FIRST AMENDMENT PETITION FOR REDRESS OF GRIEVANCES

WHAT IS THE REAL AGENDA OF THE CITY COUNCIL?

There appears to be inconsistent actions by the city council and we want to know what is really going on in our city.

Cal. Const. art. I sec. 3(a) "The people have the right to instruct their representatives, petition government for redress of grievances, and assemble freely to consult for the common good.

(b) (1) The people have the right of access to information concerning the conduct of the people's business, and, therefore, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny."

In proposed Ord. 1844, the city council found "short-term rentals for lodging and other uses have deleterious impacts by increasing noise and traffic, creating parking problems, changing the character of a residential neighborhood, and with the case of housing - creating an impact

on housing supply;" this was the stated reason to justify changes in zoning laws, "Pennsylvania Coal Co. v. Mahon, 260 U.S. 393 (1922), is the leading case for the proposition that a state statute that substantially furthers important public policies may so frustrate distinct investment-backed expectations as to amount to a "taking.'" (Penn Central Transp. Co. v. New York City (1978) 438 U.S. 104, 127) thereby making Goldblatt v. Hempstead (1962) 369 U.S. 590, 594-95 the applicable test for these justifications under the Takings Clause of the Fifth Amendment:

1) Do the interests of the public require such interference?

2) Are the means reasonably necessary for the accomplishment of the purpose, and not unduly oppressive upon individuals?

As deleterious is defined as "causing harm or damage" (Oxford Dictionary), which this council declared "true and correct", thus an investigation is necessary. For such harms caused by increase in traffic and noise and loss of parking would interfere with our rights as property owners to the use and enjoyment of our lands and "changing the character of a residential neighborhood" is certainly "deleterious".

There are 50 short term hosts in the city of Gardena, with only a total maximum of 160 reservations that can be made for short term rentals in the city of Gardena on any given day. The five main city streets with the largest traffic loads, average 33,276 cars per day,[1] assuming all 160 cars from the short term units drove on the same road, that is a traffic increase of 0.48% on any given main road in Gardena. Since they obviously would not all be using the same road, the impact is even lower, the average increase impact on any of the main five streets is 0.096% and falls well short of harmful.

Just from looking at the titles of Ordinances 1822, 1823, (increasing zoning to R-4 high density population) and Ordinances 1824, 1825 (appear to address hotels), and Ord. 1838 (permitting lot splits), all of which will create more traffic.

Proposed Ord. 1844, noted a serious concern "creating parking problems" as to the 160 cars parked in the same locations that a resident would park, as a major concern to the city. In Ord. 1832, the council found 18.40 of the Gardena Municipal Code "out of synch with the goals and policies of the General Plan, effectively making the over-supply of on-site parking, whether needed or not, the top policy of the City;" and allowed all previously prevented areas to count towards total parking, e.g., ally ways, street parking, drive ways. Explain why it is a major concern as to short term rentals, when no longer a concern city wide.

 Support now

[Sign this petition](#)

new platforms that allows people to rent out their pools [sic] by the hours [sic]". Yet on swimplify.com there is only one single house advertised in the city of Gardena.

What is the agenda when it entails banning rental units? Because proposed Ord. 1844 cited:

Because rentals that are long -term have always been permissible under the City's ordinances, however, the City has been forced to distinguish between long -term residential rentals the City allows and short -term residential rentals the platforms promote and the City dislikes. Unfortunately for the City, its old residential zoning ordinances contain no long-term/short-term distinction.

Absent some distinction in the law, then, the law must treat long-term rentals the same as short-term rentals. If long-term rentals are legal, so too are short-term rentals. The ordinances offer no textual basis for a temporal distinction about the duration of rentals. The City could have enacted a distinction like that, but it never did.

Keen v. City of Manhattan Beach (2022) 77 Cal.App.5th 142, 148-49

When an appellate court rules that if long term rentals are legal so too must be short term rentals, then the opposite is also true, if short term rentals are now illegal, then long term rentals are illegal. Proposed Ord. 1844 specifically cited, "based on the recent case of Keen v. City of Manhattan Beach (2022) 77 Cal.App.5th 142, cities may no longer rely on permissive zoning to exclude short-term rentals;" and continued its path to make short term rentals illegal, without making any distinctions between long term.

The only aspect of proposed Ord. 1844 that is "deleterious" is "SECTION 1. That the above recitals are true and correct and are adopted as the City Council's findings." Because as simply proven by the past conduct so far looked at, those statements are not true.

Something is off here.

The Goldblatt factors are answered in the negative:

1) Do the interests of the public require such interference?

Clearly they do not when the city also passed laws that allowed for the very harm claimed.

 Support now

oppressive by the same measure.

The disingenuous claims by the council “frustrate distinct investment-backed expectations as to amount to a “taking” (Penn Central Transp. Co., supra) under the Takings Clause of the Fifth Amendment.

We want to know what is going on with our city. Why is the city passing laws permitting on a grand scale that which is declared harmful as to a few small business owners? Maybe some more investigation into the intentions of the city will give us our answers if the city refuses to recognize that there is no harm caused by the short term rentals and continues to oppress us.

[1] The average of all reported counts per block for the largest streets impacted by daily traffic are: El Segundo Blvd. (31,350), Crenshaw Blvd. (27,940), Redondo Beach Blvd. (31,250), Artesia Blvd. (48,800), Western Ave. (27,042), combined average is 33,276.

Source: <https://cityofgardena.org/traffic-counts/>

 [Report a policy violation](#)

Updates

100 supporters

10 months ago

Stacey Kindt started this petition

11 months ago

Reasons for signing



george young · 11 months ago

We are not a beach city like Manhattan or Redondo beach that attracts rowdy^[OBJ] visitors. Most visitors here are people visiting families and friends. And airbnb will bring more revenue to better support our local restaurants and retailers. that means

 Support now


 **Arturo Gutierrez** · 11 months ago

Property rights are protected by the fifth and fourteenth amendments. It was a big deal then, and still is.

♡ 1 · Report

[View all reasons for signing](#)

Petitions promoted by other Change.org users





↑ Promoted by 2 supporters

Ban sales of dogs, cats, rabbits and guinea pigs in pet stores

To: Palmer Township Board of Supervisors 3 Weller Place Palmer Township, PA. 18045 And: Whitehall Township PA Board of...

[Read more](#)

 **Sheryl Petrillo**  64

[Sign the petition](#)

 Support now



City of Gardena

Gardena City Council Meeting

AGENDA REPORT SUMMARY

Agenda Item No. 15.A
Section: DEPARTMENTAL
ITEMS - POLICE
Meeting Date: August 22, 2023

TO: THE HONORABLE MAYOR AND MEMBERS OF THE GARDENA CITY COUNCIL

AGENDA TITLE: Approval of 4-Year Lease Extension with Williams Scotsman, Inc. for the Police Modular Building at a Total Cost of \$109,405

COUNCIL ACTION REQUIRED:

Staff Recommendation: Approve Lease Agreement

RECOMMENDATION AND STAFF SUMMARY:

Staff respectfully recommends that the City Council approve the Agreement for a four-year lease extension with Williams Scotsman, Inc. for the Police modular building that houses the Detective Bureau, Traffic Services Division, Special Investigations Unit (SIU), Special Tasks and Response Team (STRT), Gardena-Hawthorne Mental Health Evaluation Team (GHMET), and School Resource Officer (SRO).

In October 2012, the Police Department underwent building improvements to provide more efficiency in operations due to an increase in its scope of services to the community and addition of personnel. At the meeting of October 9, 2012, the City Council approved an agreement with Williams Scotsman, Inc. to provide a new modular building in the back lot of the Police facility to accommodate the growing needs of the Department. The lease was a 60-month lease beginning in February 2013 to February 2018. Council then approved an extension for another 60-month lease in 2018, with the 2018 contract now having had expired.

In recent discussions with Police Staff, Williams Scotsman proposed a twenty-five percent (25%) increase above the current rate for a two-year lease renewal. However, following negotiations, Williams Scotsman agreed to a four-year lease renewal with only a three percent (3%) increase, resulting in a cost savings of \$21,195.36 over four years. The 2018 price was \$2,007.14 plus applicable taxes per month; the 2023 price is \$2,067.36 plus applicable taxes (\$211.90) per month (total is \$2,279.26 per month).

FINANCIAL IMPACT/COST:

General Fund Impact by Fiscal Year

Fiscal Year	Amount
2023-2024	\$22,793
2024-2025	\$27,351

2025-2026	\$27,351
2026-2027	\$27,351
2027-2028	\$4,559
TOTAL	\$109,405

ATTACHMENTS:

[Wilscott Lease 2023](#)

[Site Map.pdf](#)

APPROVED:



Clint Osorio, City Manager



AMENDMENT TO LEASE AGREEMENT
(LEASE TERM RENEWAL)

LESSEE:
City of Gardena
1700 W 162nd Street
Gardena, CA 90247

EQUIPMENT LOCATION:
1718 W 162nd Street
Gardena, CA 90247

Contract Number: W797148
Equipment Serial/Complex Number: CPX-80416
Value: \$270,390.00

By this Amendment, **Williams Scotsman, Inc.** and the Lessee (listed above) agree to modify the original lease agreement, dated 2/24/2013 (“Lease Agreement”) as set forth below.

1. The rental term for the equipment identified above, shall be renewed from 8/22/2023 through 8/21/2027 (the “Lease Renewal Term”).
2. The rental rate during the Lease Renewal Term shall be \$2,067.36 plus applicable taxes, which Lessee agrees to pay Lessor in advance as set forth in the Lease during the Lease Renewal Term.
3. Knockdown and return freight shall be at Lessor’s prevailing rate at the time the Equipment is returned.
4. Lessee is contractually bound by this Lease Term Renewal and will be charged the contractual amount to term should the unit return before the end of the lease renewal term.
5. All other Terms and Conditions of the original Lease Agreement shall remain the same and in full force and effect.

ACCEPTED:

LESSEE: CITY OF GARDENA

LESSOR: WILLIAMS SCOTSMAN, INC.

Signature: _____

Signature: _____

Print Name: _____

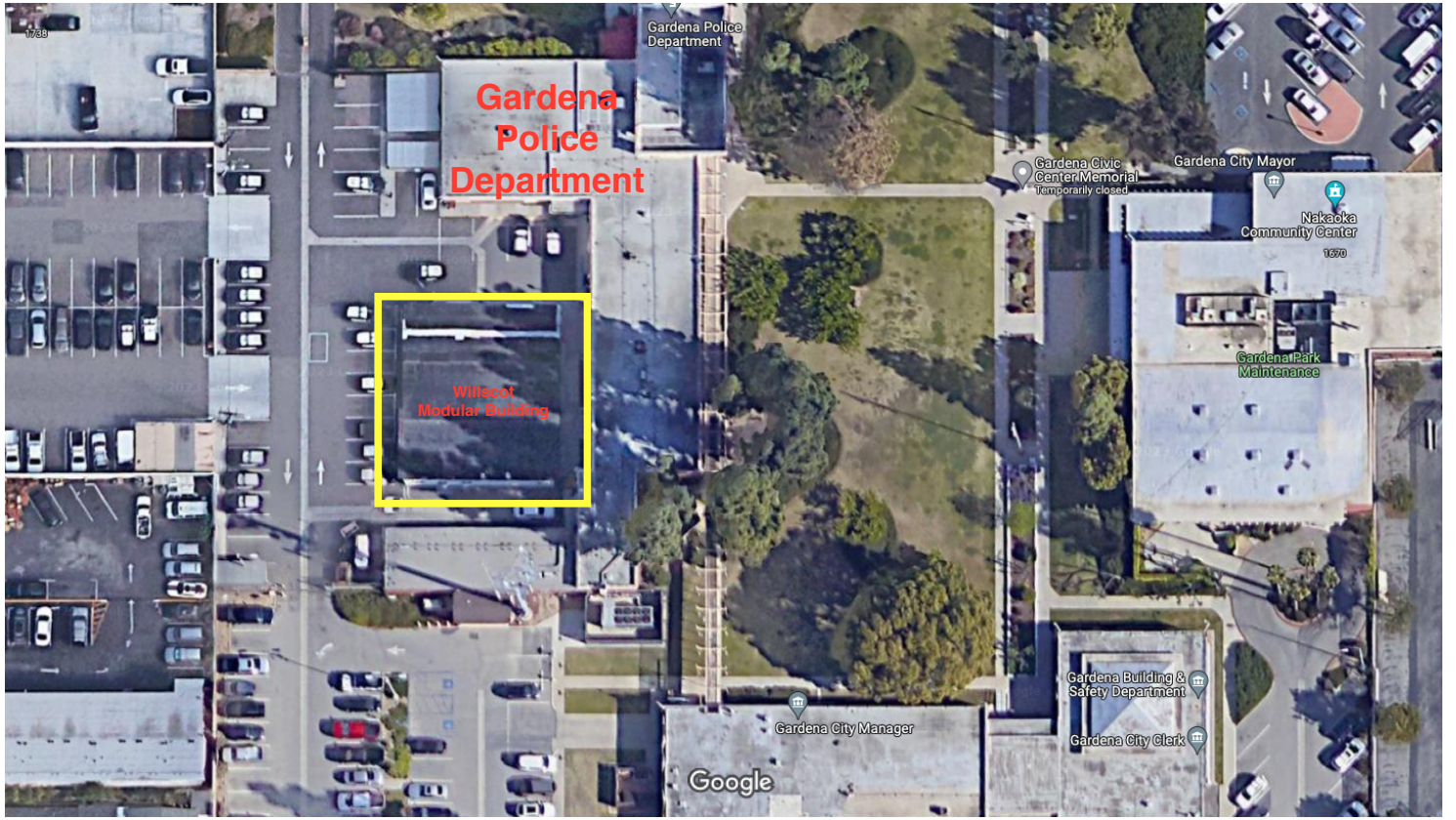
Print Name: _____

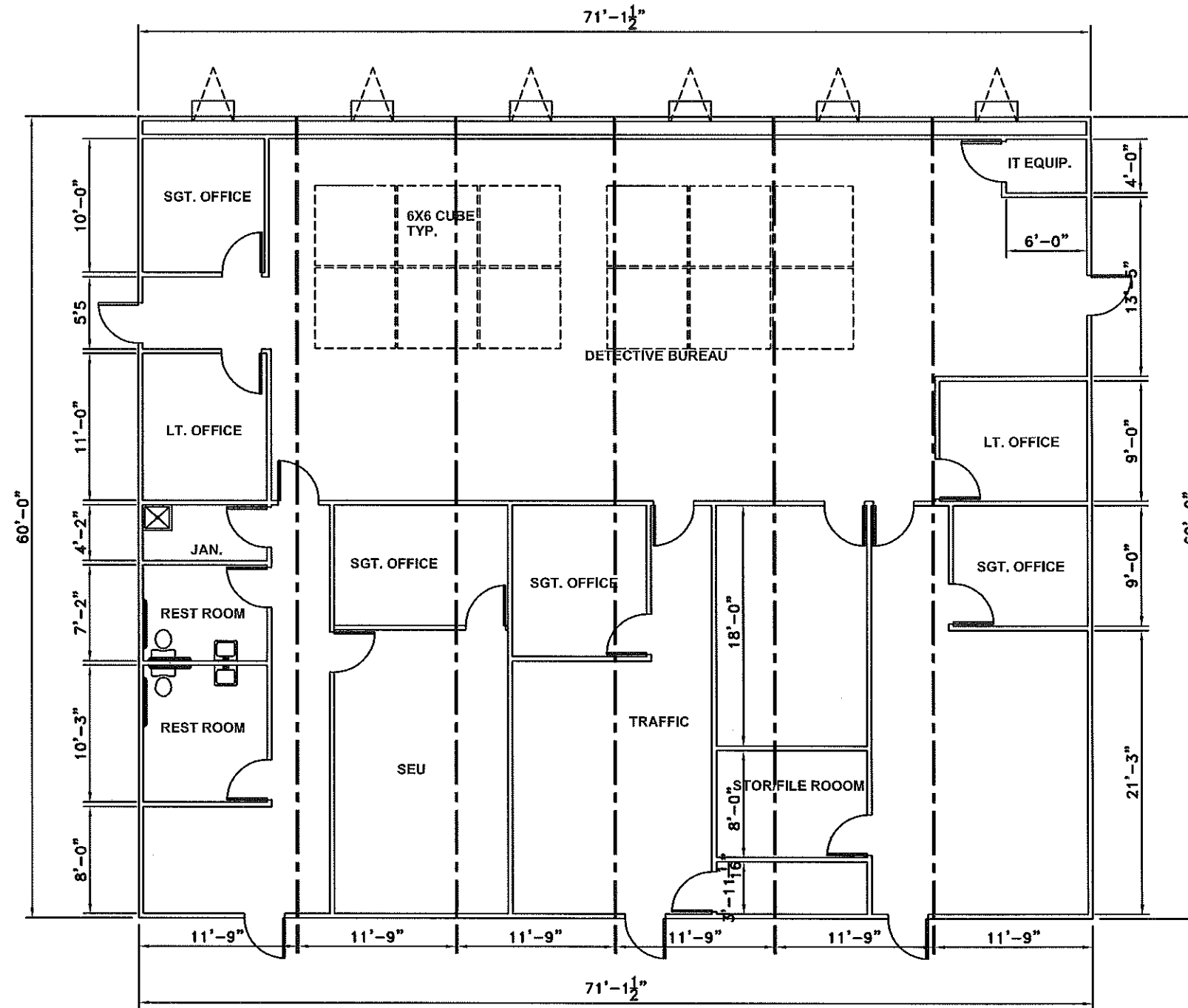
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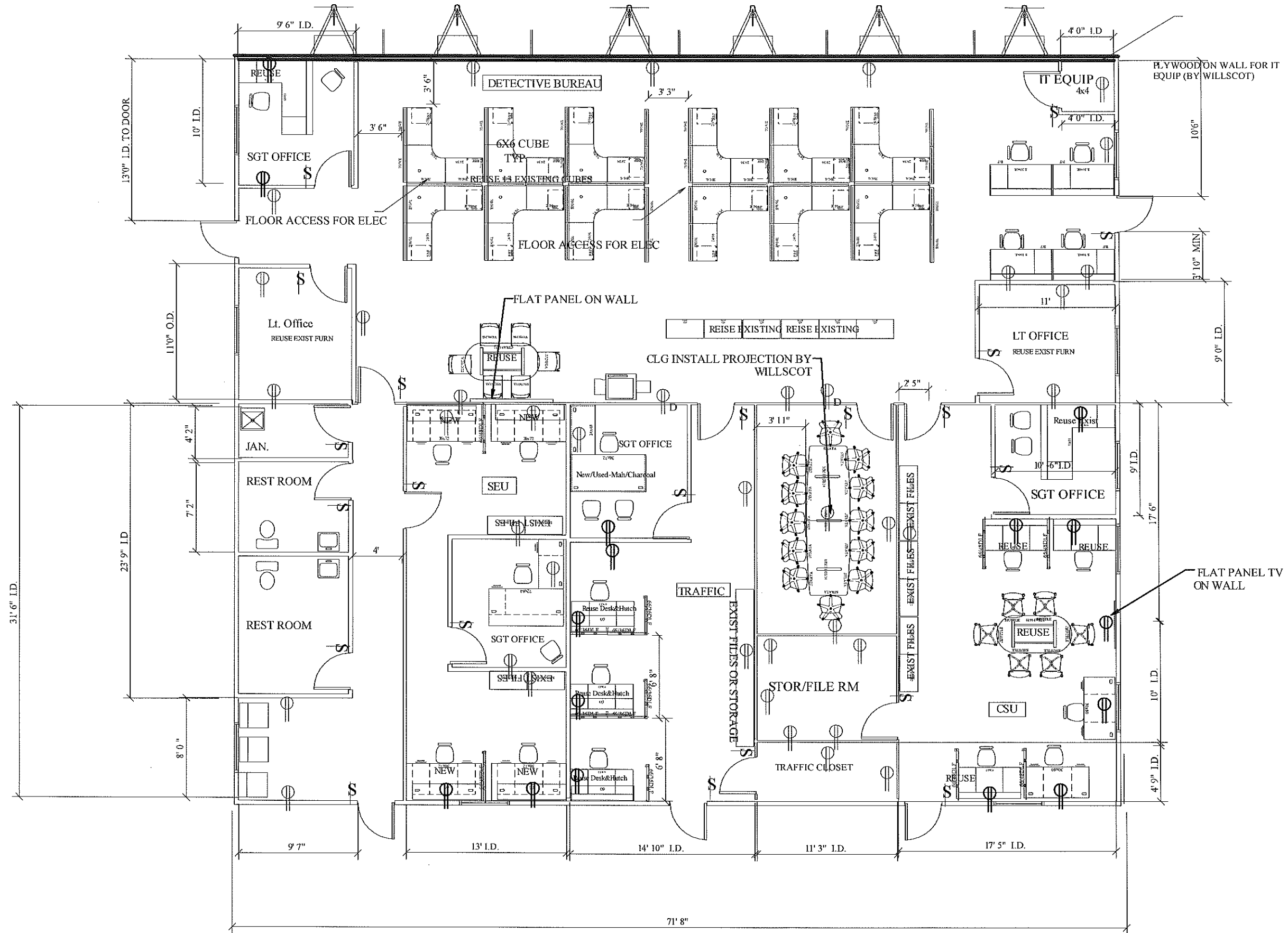




LT. Miller
 11/12/12

CAD FILE: WS2012	DWG # A-1	REV# 0	REP: NICKHOLAS VIRANI	APPROVAL:
SCALE: 1/8"=1'	SERIAL#: WS2012-0538	DATE 10-19-12	DWN BY: KMCK	APVL DATE:

THE USE OF THIS DRAWING FOR ANY MEANS OTHER THAN INTENDED IS STRICTLY PROHIBITED WITHOUT THE PRIOR WRITTEN CONSENT OF AN AUTHORIZED WILLIAMS SCOTSMAN REPRESENTATIVE.
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*LT - make offer
11/12/12*



City of Gardena

Gardena City Council Meeting

AGENDA REPORT SUMMARY

Agenda Item No. 16.A
Section: DEPARTMENTAL
ITEMS - PUBLIC WORKS
Meeting Date: August 22, 2023

TO: THE HONORABLE MAYOR AND MEMBERS OF THE GARDENA CITY COUNCIL

AGENDA TITLE: Award Construction Contract for the Van Ness Avenue Street Improvement from Redondo Beach Boulevard to Marine Avenue Project, JN 992, to Hardy and Harper, Inc. in the amount of \$1,382,000. Additionally Award Construction Management and Inspection Services Contract to KOA Corporation, in the amount of \$124,064, Approved the Project Plans & Specifications, Approve Budget Contingency, and Declare California Environmental Quality Act (CEQA) Exemption.

COUNCIL ACTION REQUIRED:

Staff Recommendations:

- **Award Construction Contract**
- **Award Construction Management and Inspection Services**
- **Approve Project Plans and Specifications and Amendment**
- **Approve Expenditures of Remaining Budget as Contingency**
- **Declare CEQA Exemption**

RECOMMENDATION AND STAFF SUMMARY:

On April 19, 2022, the City Council approved the engineering design phase of the Van Ness from Redondo Beach Boulevard to Marine Avenue Street Improvement Project, JN 992. This street segment is identified in the Pavement Management Program as a priority for maintenance rehabilitation. The current Pavement Condition Index (PCI) scores range from 58 to 71 (poor to fair) and will reset to 100 (very good) upon completion of the roadway improvements. The work includes asphalt grinding and overlay, replacement of curb, gutter, sidewalk, curb ramps, cross gutter and alley approaches, adjustment of manholes and water valves, striping, signage, traffic control, water pollution control and all other related work.

In March of 2023, the design was completed and Public Works finalized the plans and specifications. In July of 2023 a bid request was published in CR Planwell, Gardena Valley news and the City website and the following bids were received on August 15, 2023.

Hardy and Harper, Inc., Lake Forest	\$1,382,000.00
Sequel Contractors, Inc., Santa Fe Springs	\$1,396,840.00
All American Asphalt, Corona	\$1,866,465.00
ONYX Paving Company, Anaheim	\$2,345,000.00

Hardy and Harper was the lowest responsible bidder. They are licensed in the State of California and have good and verified records of construction projects with Gardena and other municipalities in southern California. They will be required to meet all bonding and financial standards, the project is anticipated to start in October of 2023 and be completed by January for 2024.

Request for Construction Management and Inspection services for this project were also sent to four (4) on-call consultants on July 7, 2023 and KOA Corporation submitted the lowest responsible proposal in the amount of \$124,064. KOA Corporation has been doing Construction Management and Inspection services for municipalities throughout Orange, San Bernardino and Los Angeles County for over 35 years and are staffed with qualified managers and inspectors of different disciplines.

Staff recommends that the City Council approve the award of the construction contract for Van Ness street Improvements Project, JN 992 to Hardy and Harper in the amount of \$1,382,000 and additionally:

- a. Award the Construction management and Inspection (CMI) Services to HOA Corporation in the amount of \$124,064.
- b. Approve Plans, Specifications and Amendment.
- c. Approve Expenditures of Remaining Budget as Contingency
- d. Declare this project to be categorically exempt under the CEQA, Class 1, section 15301, as rehabilitation of existing facilities.

FINANCIAL IMPACT/COST:

Source of Funds

FY 2023-2024 Budget:	
Prop C	\$709,000
Measure R	\$440,000
Gas Tax	\$750,000
Total	\$1,899,000

Estimated Expenditures

Design Phase Expenditures (Consultant & Job Cost)	\$108,000
Construction Management & Inspection and Job Cost	\$193,000
Construction Contract Award	\$1,382,000
Remaining Budget Contingency (Approximately 16%)	\$ 216,000
Total	\$1,899,000

ATTACHMENTS:

[JN 992 - Hardy & Harper, Inc 08-15-2023.pdf](#)

Van Ness Plan Set, JN922 and Addendum #1.pdf
Van Ness Plan Set, JN922.pdf
CM & Insp Serv Proposal KOA JN992.pdf
Notice of Exemption JN992.pdf
Location Map, JN922.pdf

APPROVED:

A handwritten signature in blue ink, appearing to read "Clint Osorio".

Clint Osorio, City Manager

'23 AUG 15 PM 1:50

CITY CLERK'S OFFICE



32 Rancho Circle
Lake Forest, CA 92630
DIR No. 1000000076
CSLB No. 215952

City of Gardena
Office of the City Clerk
1700 W. 162nd Street
Gardena, CA 90247-3778

Sealed Bid for:
Bid On Project No. JN992
Van Ness Ave Street Improvements

Bid Opening Date: Aug. 15, 2023 at 2:00 PM

#1



CITY OF GARDENA

CONTRACT DOCUMENTS AND SPECIFICATIONS

FOR

**VAN NESS AVENUE STREET IMPROVEMENTS
REDONDO BEACH BOULEVARD TO MARINE AVENUE**

JN 992

JULY 2023

ADDENDUM #1

July 26, 2023

BID PROPOSAL (BP)

**VAN NESS AVENUE
FROM REDONDO BEACH BOULEVARD TO MARINE AVENUE**

PROJECT NO. JN 992

Contractor: Hardy & Harper, Inc.

Address: 32 Rancho Circle, Lake Forest, CA 92630

Phone: 714-444-1851

Fax: 714-444-2801

License No.: 215952

D.I.R. No. 1000000076

Email: mmurray@hardyandharper.com

To Be Submitted

WITH

Bid Package

TO BE SUBMITTED WITH PROPOSAL

BP-1

BID PROPOSAL

PROJECT NO. JN 992

BID SCHEDULE

The undersigned, having examined the proposed Contract Documents titled:

VAN NESS AVENUE FROM REDONDO BEACH BOULEVARD TO MARINE AVENUE

and having visited the site and examined the conditions affecting the work, hereby proposes and agrees to furnish all labor, materials, equipment, and appliances, and to perform operations necessary to complete the work as required by said proposed Contract Documents and itemized bid schedule below. All work shall be completed within **sixty (60) Working Days** from the date the Notice of Proceed is issued by the Engineer.

Item No.	Item Description	Unit	Approx. Quantity	Unit Price in Figures	Item Total
1	Traffic control	LS	1	\$ 194,072	\$ 194,072
2	Cold mill 2" thick AC	SF	110,000	\$.45	\$ 49,500
3	Cold mill 3" thick AC	SF	7,000	\$.68	\$ 4,760
4	Cold mill variable thickness AC	SF	43,000	\$.68	\$ 29,240
5	Furnish and install 1" thick AC leveling course	TON	990	\$ 113	\$ 111,870
6	Furnish and install 2" thick asphalt rubber hot mix (ARHM)	TON	1,980	\$ 125	\$ 247,500
7	Remove and reconstruct 6" thick AC pavement	TON	370	\$ 212	\$ 78,440
8	Remove and reconstruct 6" thick PCC sidewalk per City Std. ST-5A	SF	100	\$ 42	\$ 4,200
9	Remove and reconstruct 4" thick PCC sidewalk per City Std. ST-5A	SF	2,600	\$ 25	\$ 65,000
10	Remove existing alley approach including 10' of existing PCC pavement and reconstruct	LS	1	\$ 24,500	\$ 24,500
11	Remove and reconstruct PCC curb and gutter, 8" CF over 6" CAB per City Std. ST-C, C1	LF	300	\$ 157	\$ 47,100
12	Construct 2" thick AC base course	TON	100	\$ 307	\$ 30,700
13	Remove and reconstruct PCC cross gutter per City Std. ST-3	SF	900	\$ 52	\$ 46,800

TO BE SUBMITTED WITH PROPOSAL

BP-2

BID SCHEDULE (Continued)

Item No.	Item Description	Unit	Approx. Quantity	Unit Price in Figures	Item Total
14	Remove and reconstruct curb ramp per Caltrans Std. A88A	EA	9	\$ 6,360	\$ 57,240
15	Install cast-in-place truncated dome per Caltrans Std. A88A	EA	6	\$ 4,070	\$ 24,420
16	Construct full depth AC	TON	120	\$ 256	\$ 30,720
17	Remove existing driveway and replace with aggregate	LS	1	\$ 6,680	\$ 6,680
18	Remove and reconstruct 6" thick PCC pavement	SF	200	\$ 41	\$ 8,200
19	Adjust access openings to grade per City Std. ST-9	EA	31	\$ 1,220	\$ 37,820
20	Adjust MWD manhole to grade	EA	3	\$ 1,600	\$ 4,800
21	Relocate traffic signal pull box	EA	2	\$ 5,300	\$ 10,600
22	Adjust traffic signal pull box to grade	EA	6	\$ 850	\$ 5,100
23	Furnish and install traffic loops per City Std. ST-24	EA	23	\$ 400	\$ 9,200
24	Furnish and install iNS iNavigator 3-Wire Push Button Station with iDetect Touchless Actuation Option	EA	16	\$ 2,490	\$ 39,840
25	Remove and salvage existing push button and furnish and install iNS iNavigator 3-Wire Push Button Station with iDetect Touchless Actuation Option	EA	16	\$ 2,490	\$ 39,840
26	Battery back-up system on existing traffic signals	EA	4	\$ 31,482	\$ 125,928
27	Furnish and install traffic striping and signage per plan	LS	1	\$ 36,000	\$ 36,000
28	Remove existing tree	EA	1	\$ 1,200	\$ 1,200
29	Remove tree and stump and plant new tree, Bradford Pear	EA	3	\$ 3,110	\$ 9,330
30	Asphalt pavement cores	EA	8	\$ 175	\$ 1,400

TO BE SUBMITTED WITH PROPOSAL

TOTAL CONTRACT BID:

(Figures) \$ 1,382,000.00

(Words) one Million Three hundred Eighty Two Thousand Dollars Even

* In case of error in extension of price into the total price column, the unit price will govern.

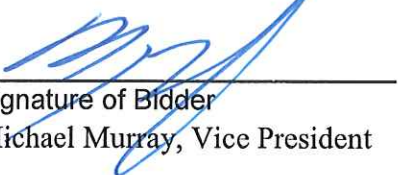
All work required and shown on the construction plans and this specification for which no price or item is listed on this proposal, it shall be understood that such work, equipment, labor, tools and materials shall be provided without extra charge, allowance or direct payment of any kind. Payment for performing such work or furnishing such equipment, labor, tools and materials shall be included in the above lump sum or unit bid prices and no additional compensation will be paid therefor.

If the City determines that any of the unit bid prices are significantly unbalanced to the potential detriment of the City, the bid will be replaced as non-responsive.

In case of any discrepancy between the words and the figures, the words shall prevail. If the unit price and the total amount for any item are not in agreement, the unit price alone shall be considered to represent the bidder's intention and all totals will be corrected to conform thereto.

Attached hereto is cash, a certified check, a cashier's check, or a bidder's bond in the amount of 10% of the total amount bid Dollar, said amount being not less than 10 percent of the amount bid. Pursuant to Public Contract Code Sections 20172 and 20174, it is agreed a portion equal to the difference between the low bid and second low bid shall be retained as a bid bond forfeiture by the City if the undersigned fails or refuses to execute the Contract and furnish the required bonds and certificates of insurance within the time provided.

Hardy & Harper, Inc.
Name of Bidder


Signature of Bidder
Michael Murray, Vice President

BID PROPSOAL

PROJECT NO. JN 992

ACKNOWLEDGEMENT OF ADDENDA RECEIVED

The Bidder shall acknowledge the receipt of addenda by number and date each addendum received.

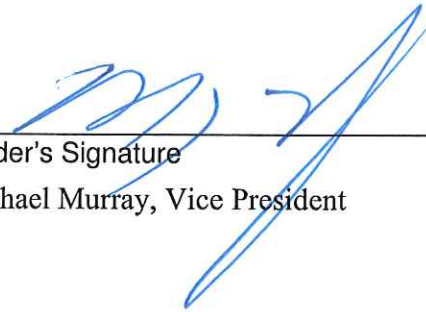
Addendum No. 1 Date 7/26/2023 Addendum No. Date

Addendum No. Date Addendum No. Date

Addendum No. Date Addendum No. Date

Addenda will be issued only through the ARC Document Solutions and access under their Public Planroom (<https://www.e-arc/location/costamesa/>). It is the Bidder's sole responsibility to visit the Planroom to obtain and administer any Addendum related to this bid. **An Addendum must be acknowledged above by a bidder in its submitted form of Proposal.**

If an addendum or addenda have been issued by the City and not noted above as being received by the Bidder, the Bid Proposal may be rejected.



Bidder's Signature
Michael Murray, Vice President

August 8, 2023

Date

BID PROPOSAL

PROJECT NO. JN 992

BIDDER'S DECLARATION

It is understood and agreed that:

1. The undersigned has carefully examined all documents which will form a part of the Contract; namely, the Notice Inviting Bids, the Instructions to Bidders, this Proposal, the Bid Bond, the Contract, the Faithful Performance Bond, the Payment Bond, the federal requirements, if any, the Plans and Specifications, the Special Provisions, and the Technical Provisions.
2. The undersigned has, by investigation at the site of the work and otherwise, satisfied himself as to the nature and location of the work and fully informed himself as to all conditions and matters, which can in any way affect the work or the cost thereof.
3. The undersigned fully understands the scope of work and has checked carefully all words and figures inserted in this Proposal and he further understands that the City will not be responsible for any errors or omissions in the preparation of the Proposal.
4. The undersigned agrees and acknowledges that he is aware of the provisions of Section 3700 of the Labor Code which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that Code, and that the undersigned will comply with such provisions before commencing the performance of the Contract if it is awarded to the undersigned.

The undersigned will execute the Contract and furnish the required statutory bonds and certificates of insurance within the period of time specified in the Contract Documents.

The undersigned will begin work after award of Contract and a Notice to Proceed has been given as herein specified and will complete said work within the time specified in the Bidding Schedule.

5. The undersigned certifies that this Proposal is genuine and not sham or collusive, or made in the interest or on behalf of a person not herein named, and the undersigned has not directly or indirectly induced or solicited any other bidder to put in a sham bid nor induced any other person, firm, or corporation to refrain from bidding. The undersigned has not in any manner sought by collusion to secure for himself any advantage over any other bidder.
6. The undersigned will accept an award and enter into a Contract for all work scheduled herein on which he puts in a bid. The awards for such work are to be entirely at the discretion of the City after evaluation of the bids as submitted. The undersigned agrees that the City shall recover or retain as a bid bond forfeiture an amount equal to the difference between the low bid and amount of the bid of the bidder with whom the City enters into a Contract, and the surplus, if any, shall be returned to the lowest bidder in accordance with the provisions of the Public Contract Code Sections 20172 and 20174 in the event of his failure to execute a Contract and furnish required bonds and insurance therefor within the time provided.

TO BE SUBMITTED WITH PROPOSAL

BP-6

BIDDER'S DECLARATION (Continued)

7. The undersigned bidder stated under penalty of perjury that the representations made in submitting this bid are, to the best of his/her knowledge, true, accurate, and complete.

Respectfully submitted,

Hardy & Harper, Inc.
Contractor's Business Name

32 Rancho Circle
Business Address: Street

Lake Forest, CA 92630
City State Zip

714-444-1851
Business Phone Number

August 8, 2023
Date

Michael Murray, Vice President
Name Title

Lake Forest, CA 92630
City State Zip

Michael Murray, Vice President
Contractor (Print) Title


Signature Title

215952 A, C-8 & C12
Contractor's License No. and Classification

714-444-1851
Business Fax Number

32 Rancho Circle
Residence: Street

714-444-1851
Residence Phone Number

Note: If the bid is made by an individual, it must be signed with the full name of the bidder, whose address must be given: if it is made by a firm, it must be signed in the co-partnership's name by a general partner thereof, who shall also sign his or her own name, and the name and full address of each partner (general and/or limited) must be given; and if it is made by a corporation, it must be signed by a properly authorized officer, the corporate name shall be set forth, and the corporate seal shall be affixed.

BID PROPOSAL

PROJECT NO. JN 992

NON-COLLUSION AFFIDAVIT

(To be executed by Bidder and submitted with Bid)

State of California

County of Los Angeles

Michael Murray being first duly sworn, deposes and says that he or she is Vice President of Hardy & Harper, Inc. the party making the foregoing bid, that the bid is not made in the interest of, or on the behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay fee to any corporation, or agent thereof to effectuate a collusive or sham bid.

Hardy & Harper, Inc.
NAME OF BIDDER


SIGNATURE OF BIDDER
Michael Murray, Vice President

32 Rancho Circle
ADDRESS OF BIDDER

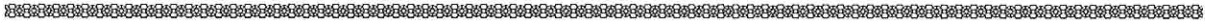
Lake Forest, CA 92630
CITY STATE ZIP

ALL SIGNATURES MUST BE WITNESSED BY NOTARY
(attach appropriate jurats)

TO BE SUBMITTED WITH PROPOSAL

CALIFORNIA JURAT

GOVERNMENT CODE § 8202



A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Orange

Subscribed and sworn to (or affirmed) before me on
 this 14th day of August, 2023, by
Date Month Year

(1) Michael Murray

(and (2) _____),
Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



Signature Marie Ayala
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____



BID PROPOSAL

PROJECT NO. JN 992

DECLARATION OF ELIGIBILITY TO CONTRACT

[Labor Code Section 1777.1; Public Contract Code Section 6109]

The undersigned, a duly authorized representative of the contractor, certifies and declares that:

1. The undersigned contractor is aware of Sections 1777.1 and 1777.7 of the California Labor Code, which prohibit a contractor or subcontractor who has been found by the Labor Commissioner or the Director of Industrial Relations to be in violation of certain provisions of the Labor Code, from bidding on, being awarded, or performing work as a subcontractor on a public works project for specified periods of time.

2. The undersigned contractor is not ineligible to bid on, be awarded or perform work as a subcontractor on a public works project by virtue of Sections 1771.1 or 1777.7 of the California Labor Code or any other provision of law.

3. The undersigned contractor is aware of California Public Contract Code Section 6109, which states:

“(a) A public entity, as defined in Section 1100 [of the Public Contract Code], may not permit a contractor or subcontractor who is ineligible to bid or work on, or be awarded, a public works project pursuant to Section 1777.1 or 1777.7 of the Labor Code to bid on, be awarded, or perform work as a subcontractor on, a public works project. Every public works project shall contain a provision prohibiting a contractor from performing work on a public works project with a subcontractor who is ineligible to perform work on the public works project pursuant to Section 1771.1 or 1777.7 of the Labor Code.”

“(b) Any contract on a public works project entered into between a contractor and a debarred subcontractor is void as a matter of law. A debarred subcontractor may not receive any public money for performing work as a subcontractor on a public works contract, and any public money that may have been paid to a debarred subcontractor by a contractor on the project shall be returned to the awarding body. The contractor shall be responsible for the payment of wages to workers of a debarred subcontractor who has been allowed to work on the project.”

4. The undersigned contractor has investigated the eligibility of each and every subcontractor the undersigned contractor intends to use on this public works project, and has determined that none of them are ineligible to perform work as a subcontractor on a public works project by virtue of the foregoing provisions of the Public Contract Code, Sections 1771.1 or 1777.7 of the Labor Code, or any other provision of law.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 8th day of August, 2023, at Lake Forest, CA (place of execution),

California_____.

Signature:  Name: Michael Murray

Title: Vice President Company: Hardy & Harper, Inc.

BID PROPOSAL

PROJECT NO. JN 992

BID BOND

KNOW ALL MEN BY THESE PRESENTS:

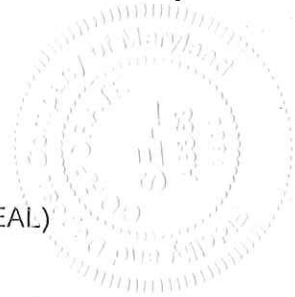
THAT Hardy & Harper, Inc., as Principal,
and Fidelity and Deposit Company of Maryland, as Surety,
are held firmly bound unto the City of Gardena in the sum of \$10%
Ten Percent of the Amount Bid DOLLARS,
(not less than ten percent of total amount of bid)
for the payment of which sum well and truly to be made, we bind ourselves, our heirs,
executors, administrators, successors, and assigns, jointly and severally, firmly by these
presents.

WHEREAS, said Principal has submitted a bid to the City to perform all work required under the
following:

**PROJECT: VAN NESS AVENUE STREET IMPROVEMENTS
FROM REDONDO BEACH BOULEVARD TO MARINE AVENUE**

NOW, THEREFORE, if said Principal is awarded a Contract by the City and, within the time and
in the manner required in the Specifications for said project, enters into the written form of
Contract bound with said Specifications and furnishes the required bonds, one to guarantee
faithful performance and the other to guarantee payment for labor and materials, then this
obligation shall be null and void, otherwise it shall remain in full force and effect. In the event
suit is brought upon this bond by the City and judgment is recovered, said Surety shall pay all
costs incurred by the City in such suit, including a reasonable attorneys' fee to be fixed by the
court. Surety hereby waives the provisions of California Civil Code §2845.

SIGNED AND SEALED, this *8th day of August, 2023.



Hardy & Harper, Inc. (SEAL)
Principal

Fidelity and Deposit Company of Maryland (SEAL)
Surety

BY: [Signature]
Signature
Michael Murray, Vice President

BY: [Signature]
Signature Adrian Langrell, Attorney-in-Fact

Note: This bond must be dated, all signatures must be notarized, and evidence of the authority
of any person signing as attorney-in-fact must be attached.

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of Orange

On August 14, 2023 before me, Marie Ayala, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Michael Murray
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Marie Ayala
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

Corporate Officer – Title(s): _____

Partner – Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer is Representing: _____

Signer's Name: _____

Corporate Officer – Title(s): _____

Partner – Limited General

Individual Attorney in Fact

Trustee Guardian or Conservator

Other: _____

Signer is Representing: _____

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Orange)

On 08/08/2023 before me, Melissa Ann Vaccaro, Notary Public
(insert name and title of the officer)

personally appeared Adrian Langrell,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Melissa Ann Vaccaro (Seal)
Melissa Ann Vaccaro



ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Illinois, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by Robert D. Murray, Vice President, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint Daniel HUCKABAY, Frank MORONES, Dwight REILLY, Arturo AYALA, Shauna ROZELLE OSTROM, Benjamin WOLFE, Chelsea LIBERATORE, Ben STONG, Michael D. STONG, R. NAPPI, Adrian LANGRELL, all of Orange, California, its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: any and all bonds and undertakings, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 19th day of July, A.D. 2023.



ATTEST:
ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND

By: Robert D. Murray
Vice President

By: Dawn E. Brown
Secretary

State of Maryland
County of Baltimore

On this 19th day of July, A.D. 2023, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, Robert D. Murray, Vice President and Dawn E. Brown, Secretary of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, depose and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

Iva Betha
Notary Public
My Commission Expires September 30, 2023



EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 8th day of August, 2023.



MJ Pethick
By: Mary Jean Pethick
Vice President

TO REPORT A CLAIM WITH REGARD TO A SURETY BOND, PLEASE SUBMIT A COMPLETE DESCRIPTION OF THE CLAIM INCLUDING THE PRINCIPAL ON THE BOND, THE BOND NUMBER, AND YOUR CONTACT INFORMATION TO:

Zurich Surety Claims
1299 Zurich Way
Schaumburg, IL 60196-1056
reportsfclaims@zurichna.com
800-626-4577

Authenticity of this bond can be confirmed at bondvalidator.zurichna.com or 410-559-8790

BID PROPOSAL

PROJECT NO. JN 992

DESIGNATION OF SUBCONTRACTORS

In compliance with the "Subletting and Subcontracting Fair Practices Act" being Sections 4100-4113 of the Public Contract Code of the State of California, and any amendments thereto, each bidder shall set forth below the name and location of the place of business of each subcontractor who will perform work or labor or render service to the prime contractor in or about the construction of the work or improvement in an amount in excess of one-half (1/2) of one percent (1%) of the prime contractor's total bid, and shall further set forth the portion of the work which will be done by each subcontractor. Only one subcontractor for each such portion shall be listed.

If the contractor fails to specify a subcontractor for any portion of the work to be performed under the contract, he shall be deemed to have agreed to perform such portion himself, and he shall not be permitted to subcontract that portion of the work except under the conditions hereinafter set forth.

Subletting or subcontracting of any portion of the work to which subcontractor was designated in the original bid shall only be permitted in cases of public emergency or necessity, and then only after a finding reduced to writing as a public record of the legislative body of the City.

Portion of Work %	Subcontractor's Name & Address	Type of Work	State License Number	Class	D.I.R. Number
17%	V & E Tree Orange, CA	Tree Removal	654506		1000001736
15%	San Juan de los Rios Water Company	Water	647818		1000001648
2%	Case Land Survey Orange, CA	Survey	65411		1000001533
8%	All American Asphalt Corona, CA	Cold Mill	267073		1000001051
16%	Elegar Belco Chino, CA	Electrical	738518		1000004804

MM

MM

Not more than ~~20%~~%.
27%

TO BE SUBMITTED WITH PROPOSAL

BID PROPOSAL

PROJECT NO. JN 992

CONSTRUCTION PROJECT REFERENCE

In order to more fully evaluate your background and experience for the project herein proposed, please submit a list of Public Works and/or similar construction projects completed or in progress within the last three (3) years. Failure to provide this information may constitute grounds for rejection of your bid as non-responsive.

Number of years as a contractor in construction work of this type: 77

Three projects of this type recently completed:

1. Name (Firm/Agency): Please see attached Past Project References
Address: _____
Contact Person: _____ Telephone No.: _____
Title of Project: _____
Project Location: _____
Date of Completion: _____ Contract Amount: \$ _____

2. Name (Firm/Agency): Please see attached Past Project References
Address: _____
Contact Person: _____ Telephone No.: _____
Title of Project: _____
Project Location: _____
Date of Completion: _____ Contract Amount: \$ _____

3. Name (Firm/Agency): Please see attached Past Project References
Address: _____
Contact Person: _____ Telephone No.: _____
Title of Project: _____
Project Location: _____
Date of Completion: _____ Contract Amount: \$ _____

NOTE: If requested by the City, the bidder shall furnish a certified financial statement, references, and other information sufficiently comprehensive to permit an appraisal of his current financial condition.

Bidder's Signature 
Michael Murray, Vice President

TO BE SUBMITTED WITH PROPOSAL

2017-2021 PAST PROJECT REFERENCES

OWNER/AGENCY	CONTACT	PROJECT NAME, AMOUNT, & COMPLETION DATE
City of Colton 650 N. La Cadena Drive Colton, CA 92324	Jess Soto (909) 370-5551	FY 19-20 Asphalt Paving Project Contract Amount: \$2,695,493.64 Completion Date: May 2021
City of Burbank 301 E. Olive Avenue Burbank, CA 91502	Adam Salehi (818) 238-3946	2020 Street Improvement Project Contract Amount: \$1,253,099.98 Completion Date: April 2021
Riverside County Transportation Dept. 3525 14th Street	Herbert D. Lima (951)955-6779 hlima@rivco.org	Camino Aventura Resurfacing Project Contract Amount: \$266,209.90 Completion Date: April 2021
City of Jurupa Valley 8930 Limonite Avenue Jurupa Valley, CA 92509	Desiree Flores (951) 332-6464 dflores@jurupavalley.org	2020-2021 Pavement Rehabilitation Contract Amount: \$427,863.00 Completion Date: March 2021
City of Downey 11111 Brookshire Avenue Downey, CA 90241	Desi Gutierrez (562) 904-7110 dgutierr@downeyca.org	3rd Street Pavement Rehabilitation Project Contract Amount: \$338,159.19 Completion Date: March 2021
City of Pasadena 100 N. Garfield Avenue Pasadena, CA 91101	Tony An (626) 744-7403 tan@cityofpasadena.net	Preventative Maintenance Services Contract Amount: \$2,424,216.00 Completion Date: April 2019
City of Downey 11111 Brookshire Avenue Downey, CA 90241	Edwin Norris (562) 904-7110 enorris@downeyca.org	CIP No. 18-02 Residential Street Rehab. Project Contract Amount: \$1,808,000.00 Completion Date: March 2019
City of Westminster 8200 Westminster Blvd Westminster, CA 92683	Marwan N. Youssef (714) 548-3460 vejohnson@wesminster-ca.gov	Citywide Residential Street Improvements Contract Amount: \$1,452,000.00 Completion Date: February 2019
City of San Jacinto 595 S. San Jacinto Avenue San Jacinto, CA 92583	Kristy (951) 654-3592 kristy@trilakeconsultants.com	2018 Downtown Pavement Rehabilitation Contract Amount: \$1,818,000.00 Completion Date: January 2019
City of Cypress 5275 Orange Avenue Cypress, CA 90630	Public Works (714) 229-6740	Community Center Parking Lot Seal Coat Project 223 Contract Amount: \$75,827.00 Completion Date: December 2018
City of Lancaster 44933 Fern Avenue Lancaster, CA 93534	Luis Garibay (661) 723-6110 lgaribay@cityoflanaster.org	2018 Sidewalk, Curb & Gutter Repairs Contract Amount: \$1,976,000.00 Completion Date: December 2018
City of Diamond Bar 21810 Copley Drive Diamond Bar, CA 91765	Jason Williams (909) 839-7050 jwilliams@diamondbarca.gov	Residential & Collector Road Rehabilitation Project Contract Amount: \$1,551,000.00 Completion Date: December 2018
City of Tustin 300 Centennial Way Tustin, CA 92780	Mario Medina (949) 394-8955 mmedina@tustinca.org	FY 2017-18 Roadway Rehab. & Sidewalk Repair Contract Amount: \$1,575,125.00 Completion Date: October 2018
City of Fountain Valley 10200 Slater Avenue Fountain Valley, CA 92708	Fatana Temory (714) 593-4433 fatana.temory@fountainvalley.org	Resurface & Rehab. of Euclid St from Slater to Warner Contract Amount: \$1,077,000.00 Completion Date: September 2018
City of Pomona 505 South Garey Avenue Pomona, CA 91766	Public Works (909) 620-2261 pwengineering@ci.pomona.ca.us	Major Street Improvements Contract Amount: \$3,839,000.00 Completion Date: August 2018
City of Rancho Palos Verdes 30940 Hawthorn Blvd Rancho Palos Verdes, CA 90275	Ron Drago (310) 544-5252 gkwolek@ch.ca.gov	Residential Street Rehabilitation Project Contract Amount: \$2,227,000.00 Completion Date: May 2018

2017-2021 PAST PROJECT REFERENCES

OWNER/AGENCY	CONTACT	PROJECT NAME, AMOUNT, & COMPLETION DATE
City of Covina 125 E. College Street Covina, CA 91723	Chris Marcarello (626) 384-5490 pw@covinaca.gov	Grand Ave. Street Rehabilitation No. STPL-5118(020) Contract Amount: \$3,030,000.00 Completion Date: May 2018
City of Lancaster 44933 Fern Avenue Lancaster, CA 93534	Luis Garibay (661) 723-6110 lgaribay@cityoflanaster.org	2017 Pavement Management Program 17-003 Contract Amount: \$2,727,000.00 Completion Date: April 2018
City of Dana Point 33282 Golden Lantern Dana Point, CA 92629	Matthew Sinacori (949) 248-3500 msinacori@danapoint.org	Arterial Roadway Resurface & Pavement Preservation Contract Amount: \$3,993,000.00 Completion Date: January 2018
City of Inglewood 1 Manchester Blvd Inglewood, CA 90301	Hunter Nguyen (310) 412-5333 hhunter@cityofinglewood.org	Streets and Alleys Rehabilitation Project Contract Amount: \$2,639,330.06 Completion Date: November 2017
City of Ontario 303 East B Street Ontario, CA 91764	Miguel Sotomayor (909) 395-2108 msotomayor@ontarioca.gov	ATP Cycle I Safe Routes to School Sidewalk Improvements Contract Amount: \$824,850.88 Completion Date: October 2017
City of Pasadena 100 N. Garfield Avenue Pasadena, CA 91101	Tony An (626) 744-7403 tan@cityofpasadena.net	Preventative Maintenance of Streets 2016 Contract Amount: \$945,932.59 Completion Date: August 2017
City of Irvine 1 Civic Center Plaza Irvine, CA 92623	Brian Brown (949) 724-6000 bbrown@cityofirvine.org	Yale Ave Rehabilitation Irvine Center Drive No. 17-1160 Contract Amount: \$2,453,343.83 Completion Date: July 2017
City of Highland 27215 Baseline Road Highland, CA 92346	John Egan (909) 890-1255 jegana@erseinc.com	West Highland Bikeways Infrastructure & Pavement Imp. Contract Amount: 2,678,788.77 Completion Date: July 2017
City of Laguna Hills 24025 El Toro Road Laguna Hills, CA 92653	Public Works (949) 707-2650	Arterial Pavement Management Project Contract Amount: \$1,375,406.90 Completion Date: June 2017
City of Signal Hill 2175 Cherry Avenue Signal Hill, CA 90755	Anthony Caraveo (562) 989-7352 acaraveo@cityofsignalhill.org	Willow Street Improvement Project Contract Amount: \$922,100.43 Completion Date: June 2017
City of Rancho Cucamonga 10500 Civic Center Drive Rancho Cucamonga, CA 91730	Romeo M. David (909) 477-2740 romeo.david@cityofrc.us	Red Hill Park Pedestrian Trail renovation Project Contract Amount: \$171,888.70 Completion Date: March 2017
City of Newport Beach 100 Civic Center Drive Newport Beach, CA	Frank Tran (949) 644-3340 ftran@newportbeachca.gov	MacArthur Blvd Pavement Rehabilitation Contract Amount: \$2,142,045.66 Completion Date: March 2017
City of Jurupa Valley 8930 Limonite Avenue Jurupa Valley, CA 92509	Mike Meyers (951) 332-6464 mmyers@jurupavalley.org	T.R.I.P. Pavement Rehabilitation Phase 1 Contract Amount: \$1,254,012.21 Completion Date: March 2017

BID PROPOSAL

PROJECT NO. JN 992

CERTIFICATE OF NON-DISCRIMINATION BY CONTRACTORS

As suppliers of goods or services to the City, the firm listed below certifies that it does not discriminate in its employment with regard to race, color, religion, sex, or national origin; that it is in compliance with all applicable federal, state, and local directives, and executive orders regarding non-discrimination in employment; and that it agrees to pursue positively and aggressively the principle of equal opportunity in employment.

We agree specifically:

1. To establish or observe employment policies which affirmatively promote opportunities for minority persons at all job levels.
2. To communicate this policy to all persons concerned, including all company employees, outside recruiting services, especially those serving minority communities, and to the minority communities at large.
3. To take affirmative steps to hire minority employees within the company.

FIRM Hardy & Harper, Inc.

TITLE OF PERSON SIGNING Michael Murray, Vice President

SIGNATURE 

DATE August 8, 2023

Please include any additional information available regarding equal opportunity employment programs now in effect within your company:

Please see attached.

SECTION 1.0
EQUAL EMPLOYMENT OPPORTUNITY

Hardy & Harper, Inc. is an equal opportunity employer and makes employment decisions on the basis of merit. We want to have the best available people in every job. Hardy and Harper, Inc. company policy prohibits unlawful discrimination based on race, color, creed, gender (including gender identity and gender expression), religion (all aspects of religious beliefs, observance or practice, including religious dress or grooming practices) marital status, registered domestic partner status, age, national origin or ancestry, physical or mental disability, medical condition (including cancer or a record or history of cancer, and genetic characteristics), sex (including pregnancy, childbirth, breastfeeding or related medical condition), genetic information, sexual orientation, military and veteran status or any other consideration made unlawful by federal, state, or local laws. It also prohibits unlawful discrimination based on perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics. Discrimination can also include failing to reasonably accommodate religious practices or qualified individuals with disabilities where the accommodation does not pose an undue hardship.

All such discrimination is **unlawful**.

Hardy and Harper, Inc. is committed to compliance with all applicable laws providing equal employment opportunities. This commitment applies to all people involved in Hardy and Harper, Inc. operations and prohibits unlawful discrimination by any employee of the company, including supervisors and coworkers.

If you believe you have been subjected to any form of unlawful discrimination, submit a written complaint to your supervisor or Chris Icamen Hardy and Harper, Inc. EEO officer. Your complaint should be specific and should include the names of the individuals involved and the names of any witnesses. If you need assistance with your complaint, or if you prefer to make a complaint in person, contact Chris Icamen EEO Officer. Hardy and Harper, Inc. will immediately undertake an effective, thorough, and objective investigation and attempt to resolve the situation.

If the Hardy and Harper, Inc. determines that unlawful discrimination has occurred, effective remedial action will be taken commensurate with the severity of the offense. Appropriate action also will be taken to deter any future discrimination. Hardy and Harper, Inc. will not retaliate against you for filing a complaint and will not knowingly permit retaliation by management employees or your coworkers.

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with disability, Hardy and Harper, Inc. will make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee, unless undue hardship would result.

Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact Chris Icamen EEO Officer, and discuss the need for an accommodation. Hardy and Harper, Inc. will engage in an interactive process with the employee to identify possible accommodations, if any, that will help the applicant or employee perform the job. An applicant or employee who requires an accommodation of a religious belief or practice (including religious dress and grooming practices, such as religious clothing or hairstyles) job should contact Chris Icamen EEO Officer and discuss the need for an accommodation. If the accommodation is reasonable and will not impose an undue hardship, Hardy and Harper, Inc. will make the accommodation.

Hardy and Harper, Inc. EEO Officer Chris Icamen can be reached at 714-444-1851 Ext. 128 or Cicamen@hardyandharper.com

Dan Maas, CEO

BID PROPOSAL

PROJECT NO. JN 992

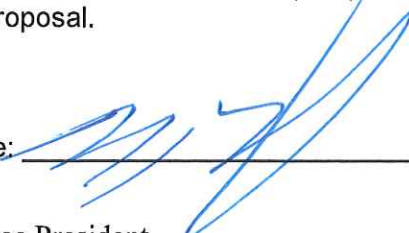
**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY
AND VOLUNTARY EXCLUSION – PRIMARY COVERED TRANSACTIONS**

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON NEXT PAGE)

The Contractor shall not perform Work with any Subcontractor that has been debarred or suspended pursuant to California Labor Code Section 1777.1 or any other federal or State law providing for the debarment of contractors from public works. The Contractor and Subcontractors shall not be debarred or suspended throughout the duration of the Contract pursuant to Labor Code Section 1777.1 or any other federal or State law providing for the debarment of contractors from public works. If the Contractor or any Subcontractor becomes debarred or suspended during the duration of the Project, the Contractor shall immediately notify the City.

1. The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
 - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
 - b. Have not within a 5-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statement, or receiving stolen property;
 - c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph 1b of this certification; and
 - d. Have not within a 5-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

2. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Signature:  Name: Michael Murray

Title: Vice President Company: Hardy & Harper, Inc.

TO BE SUBMITTED WITH PROPOSAL

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY
AND VOLUNTARY EXCLUSION – PRIMARY COVERED TRANSACTIONS**
(Continued)

INSTRUCTIONS FOR CERTIFICATION

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is submitted for assistance in obtaining a copy of those regulations (13 CFR Part 145).
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-- Lower Tier Covered Transactions," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the ineligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

TO BE SUBMITTED WITH PROPOSAL

**MINUTES OF THE SPECIAL MEETING
OF
HARDY & HARPER, INC.**

A special meeting of the directors of HARDY & HARPER, INC. was held at the principal office of the corporation, on January 14, 2021, at 11:00 a.m. pursuant to the call made by the Secretary and written notice waived by the directors by signing these minutes.

Pursuant to the provisions and bylaws, DANIEL MAAS as Chief Financial Officer and KRISTEN PAULINO, as Secretary of the Corporation, presided over the meeting.

The purpose of the meeting was to nominate and elect two Vice-Presidents of the Company.

Present at the meeting were all of the Directors of the Corporation:

DANIEL MAAS

KRISTEN S. PAULINO

TESSA MAAS

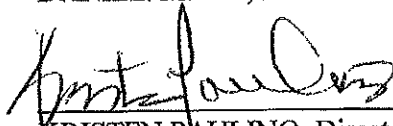
DANIEL MAAS was re-elected President and Chief Executive Officer, KRISTEN PAULINO was re-elected Secretary, TANNER HAMBRIGHT was elected Vice-President of Strategic Development, and as Vice-President he is hereby authorized to sign contracts on behalf of the corporation. MICHAEL MURRAY was elected Vice-President/Operations Manager for the corporation with authority to sign contracts on behalf of the corporation and authorized to sign checking and bank accounts on behalf of the corporation where the corporation has established bank and checking accounts.

There being no further business it was moved second and carried that the meeting be adjourned.

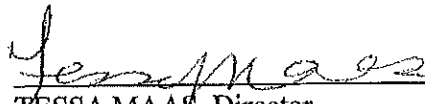
DATED: January 4, 2020



DANIEL MAAS, Director/President



KRISTEN PAULINO, Director/Secretary



TESSA MAAS, Director



CONTRACTORS
STATE LICENSE BOARD
ACTIVE LICENSE



License Number **215952**

Entity CORP

Business Name **HARDY & HARPER INC**

Classification(s) **A C-8 C12**

Expiration Date **12/31/2023**

www.cslb.ca.gov



Contractor Information	Registration History	
Legal Entity Name HARDY & HARPER, INC.	Effective Date	Expiration Date
Legal Entity Type Corporation	06/15/18	06/30/19
Status Active	05/09/17	06/30/18
Registration Number 1000000076	06/08/16	06/30/17
Registration effective date 07/01/23	06/19/15	06/30/16
Registration expiration date 06/30/24	07/02/14	06/30/15
Mailing Address 32 Rancho Circle Lake Forest 92630 CA United State...	07/01/19	06/30/20
Physical Address 32 Rancho Circle Lake Forest 92630 CA United State...	07/01/20	06/30/21
Email Address cicamen@hardyandharper.com	07/01/21	06/30/22
Trade Name/DBA	07/01/23	06/30/24
License Number (s) CSLB:215952 CSLB:215952	07/01/22	06/30/23

Legal Entity Information	
Corporation Entity Number:	C0443071
Federal Employment Identification Number:	952251022
President Name:	Dan T. Maas
Vice President Name:	Michael Murray
Treasurer Name:	
Secretary Name:	Kristen Paulino
CEO Name:	
Agency for Service:	
Agent of Service Name:	Dan T. Maas
Agent of Service Mailing Address:	32 Rancho Circle Lake Forest 92630 CA United States of America

Worker's Compensation	
Do you lease employees through Professional Employer Organization (PEO)?:	No
Please provide your current worker's compensation insurance information below:	
PEO InformationName	PEO Phone PEO Email
Insured by Carrier	
Policy Holder Name:	Hardy & Harper, Inc.
Insurance Carrier:	BITCO General Insurance Corporation
Policy Number:	WC3726115
Inception date:	04/15/23
Expiration Date:	04/15/24

ADDENDUM #1

July 26, 2023

**Appendix C
Pedestrian Push Button Product Information**



DEPARTMENT of PUBLIC WORKS

1717 WEST 162nd STREET / GARDENA, CALIFORNIA 90247-3731 / WWW.CITYOFGARDENA.ORG / PHONE (310) 217-9568

**JULY 26, 2023
ADDENDUM NO. 1**

TO: ALL SPECIFICATION HOLDERS

ADDENDUM NO. 1, AS DESCRIBED BELOW, IS FOR USE OF CONTRACTORS AND SUBCONTRACTORS SUBMITTING BIDS ON THIS PROJECT. ALL BIDDERS SHALL INDICATE ON THE BID PROPOSAL FORM (BP-5) THAT THEY HAVE RECEIVED THIS ADDENDUM NO. 1.

REVISION TO THE BID PROPOSAL (BP):

1. Reference the attached **Revised Bid Schedule dated July 26, 2023**, and to be submitted with bid. Bid item number 24 "Furnish and Install New ADA Push Button" and bid item 25 "Remove and Salvage Existing Push Button and Furnish and Install New ADA Push Button" have been revised to state Bid item 24 "Furnish and Install iNS iNavigator 3-Wire Push Button Station with iDetect Touchless Actuation Option" and bid Item 25 "Remove and Salvage Existing Push Button and Furnish and Install iNS iNavigator 3-Wire Push Button Station with iDetect Touchless Actuation Option" Also revisions to Notice

REVISION TO THE SPECIFICATIONS: ADD the following section:

SECTION 700-5.8.3 Pedestrian Push Buttons. Pedestrian push button assemblies and detector loops shall conform to the provisions of Section 86-5, "Detectors," of the State Standard Specifications and these Technical Provisions.

New pedestrian push buttons shall be ADA compliant iNS iNavigator 3-Wire Push Button Station with iDetect Touchless Actuation Option, or approved equal, with a stainless steel button, black body on a green frame. Pedestrian button signs shall conform to the details shown on the plans. Fasteners used shall be stainless steel tamper proof screws for pedestrian push-button assemblies. Pedestrian calls to the controller shall be independent, by phase, and not as concurrent thru-phase pairs. Pedestrian signal ground wires shall not have splices between the poles and the controller cabinet unless approved by the Engineer or his representative in the field. All pedestrian signal ground wires shall be joined and grounded within the controller cabinet.

REVISION TO THE APPENDICES:

Product information attached for compliant iNS iNavigator 3-Wire Push Button Station with iDetect Touchless Actuation Option pedestrian push buttons are added as Appendix C.

REVISION TO THE PLANS:

Revised Plan Sheets 1,4,5,6 and 8 are enclosed which depict the revisions to construction notes and installation of pedestrian push buttons at the Manhattan Beach, 156th Street, and Marine Avenue intersections.

REVISION TO THE NOTICE OF INVITING BIDS:

Revised Notice Inviting Bids page to reflect changes for accessing plans and specifications through ARC Document Solutions.

END OF ADDENDUM NO. 1

TASHA CERDA, Mayor / PAULETTE C. FRANCIS, Mayor Pro Tem
MARK E. HENDERSON, Councilmember / RODNEY G. TANAKA, Councilmember / WANDA LOVE, Councilmember
MINA SEMENZA, City Clerk / GUY MATO, City Treasurer / CLINT OSORIO, City Manager / CARMEN VASQUEZ, City Attorney

ADDENDUM #1

July 26, 2023

BID PROPOSAL (BP)

**VAN NESS AVENUE
FROM REDONDO BEACH BOULEVARD TO MARINE AVENUE**

PROJECT NO. JN 992

Contractor: Hardy and Harper, Inc.

Address: 32 Rancho Circle, Lake Forest, CA 92630

Phone: 714/444-1851

Fax: 714/444-2801

License No.: 215952

D.I.R. No. 1000000076

Email: mmurray@hardyandharper.com

To Be Submitted

WITH

Bid Package

CITY OF GARDENA

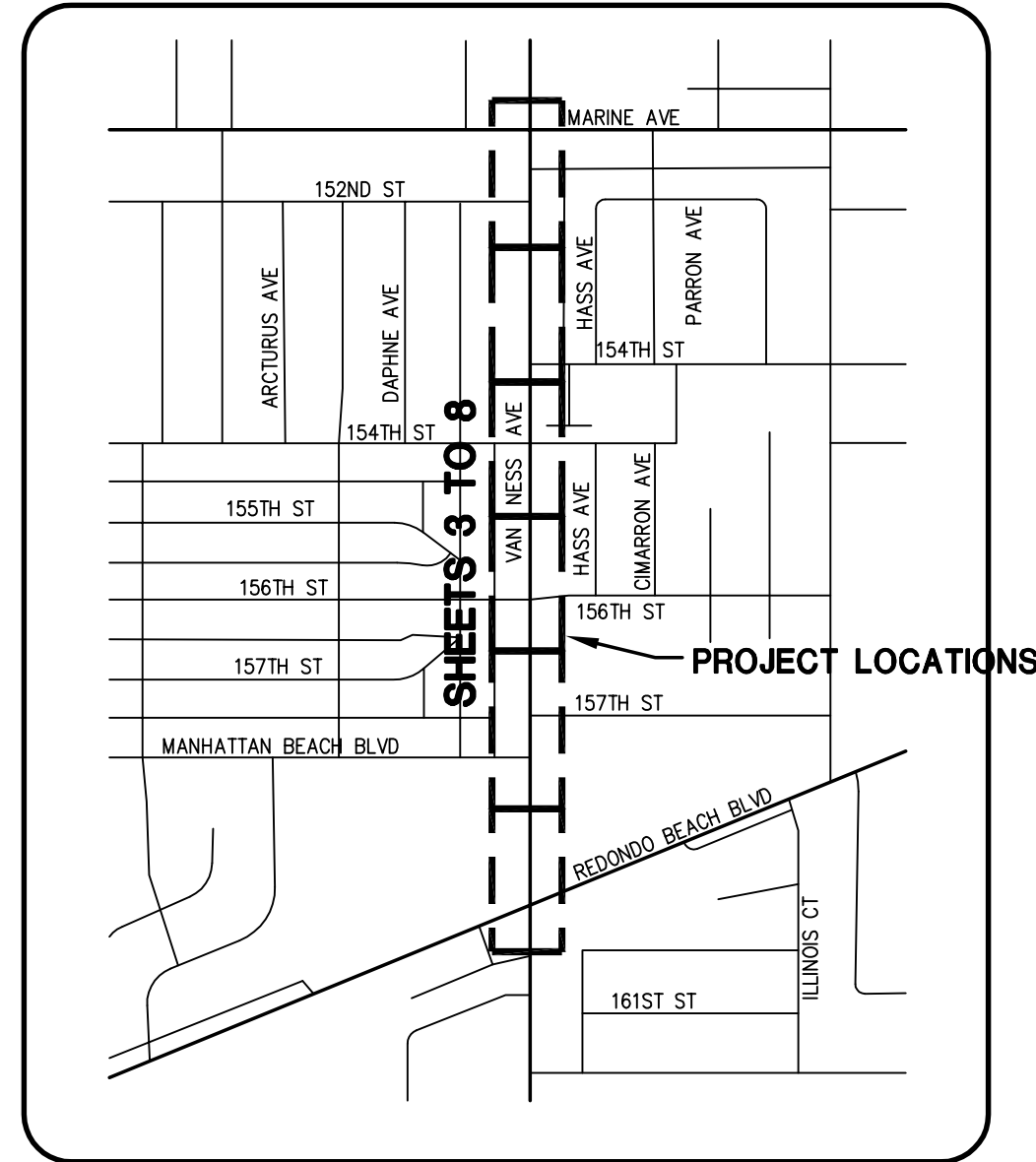
VAN NESS AVENUE IMPROVEMENTS

FROM REDONDO BEACH BLVD TO MARINE AVE

JN 992

GENERAL NOTES

1. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE STARTING WORK.
2. THE ENGINEER DOES NOT WARRANT THE ACCURACY OF SCALED DIMENSIONS ON ANY PLAN. ALL DIMENSIONS SHALL BE AS DESIGNATED ON THE PLANS. THE CONTRACTOR SHALL PROTECT ALL PUBLIC AND PRIVATE PROPERTY.
3. DURING THE PERFORMANCE OF WORK DONE UNDER THE CONTRACT, THE CONTRACTOR SHALL TAKE THE NECESSARY PRECAUTIONS TO AVOID ANY DAMAGE TO ANY STRUCTURES ADJACENT TO THE PROJECT.
4. EXISTING UTILITIES SHOWN ARE BASED ON AVAILABLE RECORDS OF PARENT UTILITY COMPANIES AND MAY NOT ACCURATELY REPRESENT THEIR ACTUAL LOCATIONS. PRIOR TO BEGINNING ANY CONSTRUCTION, THE CONTRACTOR SHALL VERIFY THE ACTUAL LOCATIONS (VERTICAL AND HORIZONTAL) OF ALL UTILITIES, IN THE FIELD OR COORDINATE SUCH INDEPENDENT VERIFICATION WITH THE PARENT UTILITY COMPANIES AND PROVIDE THE CITY WITH THE POTHOLE INFORMATION. THE CONTRACTOR SHALL PROTECT IN PLACE OR COORDINATE WITH PARENT COMPANY FOR THE RELOCATION OF CONFLICTING UTILITIES ENCOUNTERED DURING CONSTRUCTION.
5. ADJUST UTILITY VALVE COVERS, UTILITY BOXES, TRAFFIC SIGNAL BOXES, ETC. TO FINISH GARDE. PAYMENT SHALL BE INCLUDED IN THE APPLICABLE CONSTRUCTION BID ITEM AND REFER TO CONSTRUCTION NOTE AND/OR SPECIFICATIONS.
6. PROVIDE TRAFFIC CONTROL PER TECHNICAL PROVISIONS.
7. ALL SURVEY CENTERLINE TIES AND MONUMENTS THAT ARE DAMAGED OR REMOVED SHALL BE RE-ESTABLISHED. THE SURVEYOR SHALL ALSO ESTABLISH CENTERLINE MONUMENTS AND TIES AT ALL STREET INTERSECTIONS WITHIN THE PROJECT LIMITS WHERE NONE EXISTED PRIOR TO CONSTRUCTION. SEE TECHNICAL PROVISIONS.
8. 24 HOUR NOTICE FOR ALL INSPECTIONS REQUIRED.
9. CONTRACTORS SHALL REMOVE AND DISPOSE OF ALL TRASH AND BROKEN BRANCHES BEFORE AND
10. CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION, OBTAINING NECESSARY APPLICABLE PERMITS WITH LOCAL AGENCIES AND OTHER OWNERS HAVING JURISDICTION AND PREPARING REQUIRED DOCUMENTATION NECESSARY FOR
11. PROTECT ALL STORM DRAINS, CATCH BASINS, ETC. WITH SAND BAGS, FABRIC, AND OTHER APPROPRIATE BEST MANAGEMENT PRACTICES.
12. THE CONTRACTOR SHALL NOTIFY UNDERGROUND SERVICE ALERT (USA) AT 1-800-422-4133 TWO WORKING DAYS PRIOR TO ANY EXCAVATION WORK.
13. CONSTRUCTION EQUIPMENT AND MATERIAL SHALL NOT BE STORED IN STREETS, ROADS, HIGHWAYS OR PUBLIC RIGHT-OF-WAY EXCEPT IN CITY ESTABLISHED OR APPROVED STAGING AREAS. ALL MATERIALS OR EQUIPMENT NOT INSTALLED OR USED IN CONSTRUCTION WITHIN THE DAILY WORK PERIOD SHALL BE STORED ELSEWHERE BY THE CONTRACTOR AT HIS EXPENSE.
14. ALL CONCRETE CURB AND GUTTER, AND PAVEMENT WITH LESS THAN 1 TESTED PRIOR TO FINAL ACCEPTANCE TO INSURE POSITIVE DRAINAGE WITHOUT LOW SPOTS. IF ANY AREAS ARE IDENTIFIED WHERE PONDING OCCURS, THE CONTRACTOR SHALL REMOVE AND REPLACE THOSE IMPROVEMENTS AT HIS EXPENSE.
15. CONTRACTOR MUST ACCOMMODATE ACCESS TO ALL COMMERCIAL BUSINESSES AND PRIVATE RESIDENCES AT ALL TIMES.
16. ALL MATERIALS AND EQUIPMENT SHALL BE FURNISHED AND INSTALLED BY THE CONTRACTOR.
17. LOOPS SHALL BE CENTERED IN THE LANE UNLESS OTHERWISE NOTED.
18. ALL NEW LOOPS SHALL BE ROUND (6" DIAMETER).
19. FOR DISPOSITION OF SALVAGED MATERIALS SEE SPECIAL PROVISIONS.
20. ALL TRAFFIC LINES AND PAVEMENT MARKINGS SHALL CONFORM TO CALTRANS STANDARD PLANS AND SPECIFICATIONS (LATEST EDITION).
21. LANE WIDTHS SHALL BE MEASURED BETWEEN THE CENTERLINES OF EACH ADJACENT SINGLE OR DOUBLE STRIPE OR TOP OF CURB AS APPROPRIATE.
22. 24 HOUR NOTICE FOR ALL INSPECTIONS REQUIRED.
23. CONTRACTORS SHALL REMOVE AND DISPOSE OF ALL TRASH AND BROKEN BRANCHES BEFORE AND
24. PRIOR TO CUTTING OF ANY ROOTS, CALL PARKS DIVISION AT (310) 217-9657 FOR APPROVAL.
25. ALL DAMAGED CONCRETE SIDEWALKS OR CURBS SHALL BE SAWCUT TO THE NEAREST TRANSVERSE SCORE MARK, OR ADJUSTABLE CONTROL JOINT, OR WEAKENED PLANE AND REPLACED IN CONFORMANCE WITH THE APPLICABLE PROVISIONS OF GREENBOOK STANDARD PLANS.
26. ALL CROSSWALKS, ARROWS, STOPBARS, AND LEGENDS SHALL BE THERMOPLASTIC MATERIAL.
27. RAISED PAVEMENT MARKERS SHALL BE CEMENTED TO THE PAVEMENT WITH HOT MELT BITUMINOUS
28. FURNISH AND INSTALL TEMPORARY MARKERS IMMEDIATELY AFTER PAVING, SPACED AT 25FT MAXIMUM.
29. REMOVE ALL EXISTING PAVEMENT MARKINGS BY WET SANDBLASTING (CROSSWALKS, STOP LEGENDS, ETC.) EXISTING PAVEMENT MARKINGS AND STRIPING TO BE REMOVED ARE NOT SHOWN ON THE PLAN. FIELD VERIFY LOCATIONS.
30. REMOVE AND DISPOSE OF ALL EXISTING RAISED PAVEMENT MARKERS WITHIN THE PROJECT LIMITS. PAVEMENT SHALL BE INCLUDED IN ADJACENT CONSTRUCTION.
31. PROVIDE TRAFFIC CONTROL PER TECHNICAL PROVISIONS.



UTILITY CONTACTS

- | | |
|--|---|
| <p>CYNTHIA CARRILLO
SOUTHERN CALIFORNIA EDISON CO.
505 MAPLE AVE.
TORRANCE, CA 90503
(310) 413-4497</p> <p>MELISSA FUKUNAGA
SOUTHERN CALIFORNIA GAS CO.
701 N. BULLIS ROAD
COMPTON, CA 90221
(213) 231-7281</p> <p>SALVADOR GONZALES
SOUTHERN CALIFORNIA GAS CO.
2929 W. 182ND ST.
REDONDO BCH BLVD.
(310) 970-4844</p> <p>CONDE VENTURA
GOLDEN STATE WATER CO.
14835 S. SPRING ST.
GARDENA, CA 90248
(310) 436-6950 X107</p> <p>JOSEPH SALCIDO
GOLDEN STATE WATER CO.
14835 S. SPRING ST.
GARDENA, CA 90248
(310) 660-0320 X101</p> <p>TERENCE LITTLE
GOVERNMENTAL LIAISON
PUBLIC WORKS COORDINATOR
AT & T
600 E. GREEN ST. ROOM 300
PASADENA, CA 91101
(626) 817-4252</p> <p>ARTURO FERNANDEZ
CONSTRUCTION SUPERVISOR
TIME WARNER CABLE
1529 VALLEY DRIVE
HERMOSA BEACH, CA 90254
(310) 750-9099</p> | <p>MARYLIN DUARTE
METROPOLITAN WATER DISTRICT
CIVIL ENGINEER SUBSTRUCTURES SECTION
P.O. BOX 54153
LOS ANGELES, CA 90054-0153
(213) 217-7059</p> <p>JOSE A. PORRAS
LOS ANGELES DEPT. OF WATER & POWER
WATER OPERATING DIVISION
P.O. BOX 51111, ROOM 1425
LOS ANGELES, CA 90051-0100
(213) 367-1049</p> <p>JON GANZ
LOS ANGELES SANITATION DISTRICT
P. O. BOX 4998
WHITTIER, CA 90607-4998
(562) 908-4288</p> <p>L.A. COUNTY FLOOD CONTROL DISTRICT
900 S. FREEMONT AVE. 8TH FLOOR
ALHAMBRA, CA 91803
(626) 458-3129</p> <p>DAVE ZERLER
CHEVRON PIPELINE COMPANY
2600 HOMESTEAD PLACE
RANCHO DOMINGUEZ, CA 90220
(310) 689-4014
EMAIL: DAVEZERLER@CHEVRON.COM</p> <p>HECTOR AGUILERA
CROWN CASTLE
226 N. LINCOLN AVE.
CORONA, CA 92882
(951) 454-5111</p> |
|--|---|

SHEET INDEX

SHEET NO.	DESCRIPTION
1	TITLE SHEET
2	CROSS SECTIONS & DETAILS SHEET
3-8	VAN NESS AVE IMPROVEMENT PLANS PLAN AND PROFILE
9-11	STRIPING AND SIGNAGE PLANS

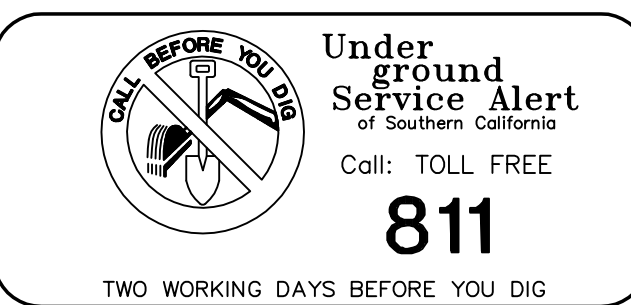
ENGINEER'S NOTICE TO CONTRACTOR

1. THE EXISTENCE AND LOCATION OF ALL RIGHT OF WAY BOUNDARIES AND PARCEL BOUNDARIES SHOWN ON THESE PLANS WERE OBTAINED BY A SEARCH OF RECORDS. NO CERTIFICATIONS IS MADE AS TO ACCURACY AND THOROUGHNESS OF THESE RECORDS. REVIEW OF THIS PLAN BY THE CITY OF GARDENA DOES NOT CONSTITUTE A REPRESENTATION AS TO THE ACCURACY OR THE COMPLETENESS OF THE LOCATION OR NONEXISTENCE OF SAID RIGHT OF WAY OR PARCEL BOUNDARIES WITHIN THE LIMITS OF THE PROJECT.
2. THE EXISTENCE AND LOCATION OF ANY ROADWAY CENTERLINE SHOWN ON THESE PLANS ARE FOR CONSTRUCTION PURPOSE ONLY AND WAS OBTAINED BY A SEARCH OF AVAILABLE RECORDS. NO CERTIFICATION IS MADE AS TO THE ACCURACY OR THOROUGHNESS OF THESE RECORDS. REVIEW OF THIS PLAN BY CITY OF GARDENA DOES NOT CONSTITUTE A REPRESENTATION AS TO THE ACCURACY OR THE COMPLETENESS OF THE LOCATION OF THE EXISTENCE OR NONEXISTENCE OF SAID ROADWAY CENTERLINES WITHIN THE LIMITS OF THE PROJECT.

CONSTRUCTION NOTES

1. COLD MILL 2" THICK EXISTING PAVEMENT.
2. EDGE GRIND - COLD MILL VARIABLE THICKNESS A.C. PAVEMENT PER DETAIL ON SHEET 2.
3. EDGE GRIND - COLD MILL VARIABLE THICKNESS A.C. PAVEMENT (TRANSITION FROM 2" TO 3" COLD MILL PER PLAN).
4. COLD MILL 3" THICK EXISTING PAVEMENT.
5. FURNISH AND CONSTRUCT 1" THICK (MIN) A.C. LEVELING COURSE, C2-PG64-10.
6. FURNISH AND CONSTRUCT 2" THICK ASPHALT RUBBER HOT MIX (ARHM) C2-PG64-16 (WET PROCESS).
7. COLD MILL VARIABLE THICKNESS A.C. PAVEMENT (TRANSITION FROM 4" TO 5" COLD MILL PER PLAN).
8. REMOVE AND RECONSTRUCT 6" THICK PCC SIDEWALK (BEHIND DRIVEWAY).
9. CONSTRUCT 2" THICK AC BASE COURSE.
10. REMOVE AND DISPOSE OF EXISTING CURB AND GUTTER. FURNISH AND RECONSTRUCT P.C.C. CURB AND GUTTER (8"CF) OVER 6" C.A.B. PER CITY OF GARDENA STD. PLAN ST-7 C-1. MATCH TO EXISTING CONDITION.
11. REMOVE AND DISPOSE OF EXISTING SIDEWALK. FURNISH AND RECONSTRUCT 4" P.C.C. SIDEWALK OVER EXISTING RECOMPACTED SUBGRADE PER CITY STD. ST-5B.
12. REMOVE AND DISPOSE OF EXISTING CROSS GUTTER. FURNISH AND RECONSTRUCT 8" P.C.C. CROSS GUTTER OVER 6" C.A.B. PER CITY STD. ST-3.
13. SAWCUT, REMOVE AND RECONSTRUCT CURB RAMP PER CALTRANS STD. PLAN A88A, MODIFIED PER DETAIL SHEET 2.
14. SAWCUT, REMOVE AND RECONSTRUCT CURB RAMP PER CALTRANS STD. PLAN A88A (CASE PER PLAN).
15. SAWCUT AND REMOVE NECESSARY PORTION OF EXISTING RAMP AND CONSTRUCT CAST-IN-PLACE TRUNCATED DOMES PER CALTRANS STD. PLAN A88A.
16. CONSTRUCT FULL DEPTH A.C. (2' WIDE 12" DEEP) PER CITY STANDARD. 6" ASPHALT OVER 6" C.A.B.
17. ADJUST SEWER/STORM DRAIN MANHOLE TO GRADE.
18. ADJUST WATER VALVE TO GRADE (PER GENERAL NOTE 36).
19. ADJUST TELEPHONE MANHOLE TO GRADE (PER GENERAL NOTE 36).
20. ADJUST M.W.D. MANHOLE TO GRADE.
21. ADJUST GAS VALVE TO GRADE (PER GENERAL NOTE 36).
22. RELOCATE TRAFFIC SIGNAL PULL BOX.
23. ADJUST TRAFFIC SIGNAL PULL BOX TO GRADE.
24. REMOVE EXISTING DRIVEWAY AND REPLACE WITH AGGREGATE TO MATCH TO ADJACENT IN PARKWAY.
25. REMOVE EXISTING PAVEMENT AND RECONSTRUCT 6" A.C. OVER EXISTING BASE (LEAVE 3" BELOW FINISHED SURFACE).
26. REMOVE TREE AND STUMP AND PLANT NEW TREE, BRADFORD PEAR.
27. INSTALL 6" DIAMETER TRAFFIC LOOPS AND SPLICE IN PULL BOX PER CITY STD. ST-24.
28. REMOVE AND SALVAGE EXISTING PUSH BUTTON, FURNISH AND INSTALL NEW ADA PUSH BUTTON AS SPECIFIED IN PROJECT SPECIFICATIONS.
29. FURNISH AND INSTALL NEW ADA PUSH BUTTON AS SPECIFIED IN PROJECT SPECIFICATIONS.
30. FURNISH AND INSTALL NEW BBS CABINET AS SPECIFIED IN PROJECT SPECIFICATIONS.
31. REMOVE EXISTING TREE.
32. REMOVE EXISTING ALLEY APPROACH AND 10 FEET OF EXISTING PCC PAVEMENT AND RECONSTRUCT ALLEY APPROACH PER APWA STD PLAN 130-2 AND 6" THICK PCC PAVEMENT OVER EXISTING BASE/NATIVE IN ALLEY R/W.
33. CONDUCT PAVEMENT CORES IN ACCORDANCE WITH PROJECT SPECIFICATIONS.

NO WORK SHALL BE DONE ON THIS SITE UNTIL BELOW AGENCY IS NOTIFIED OF INTENTION TO GRADE OR EXCAVATE



BENCHMARK:

BENCHMARK : RY3550A ELEV: 48.540 (2005 QUAD)

RDBM TAG IN W CB 1.5M(5FT) N/O BCR @ NW COR ROSECRANS AVE & VAN NESS AVE

PREPARED BY:
DMS
CONSULTANTS, INC.
CIVIL ENGINEERS
12371 LINDA ST. #100
SUNLAND, CA 91769-1000
TEL: 714-740-8840
FAX: 714-740-8841
SURRENDER M. DEWAN
RCE 34559
EXP. 9/30/23



REVISIONS					DATE	BY	APP'D

DEPARTMENT OF PUBLIC WORKS		CITY OF GARDENA		ENGINEERING DIVISION
PROJECT: VAN NESS AVE STREET IMPROVEMENT-JN 992				
LIMITS: REDONDO BEACH BLVD TO MARINE AVE.				
F.B. REF.	.	.	APPROVED BY: <i>Allan Rigg</i>	DATE: 6/29/23
DESIGNED BY:	S.D.	05/10/2022	PUBLIC WORKS ENGINEERING DIVISION	
DRAWN BY:	H.N.	05/10/2022	SHT. 1 OF 11	DWG NO. 8-1069
CHECKED BY:	S.D.	05/10/2022		



DEPARTMENT of PUBLIC WORKS

1717 WEST 162nd STREET / GARDENA, CALIFORNIA 90247-3731 / WWW.CITYOFGARDENA.ORG / PHONE (310) 217-9568

JULY 26, 2023
ADDENDUM NO. 1

TO: ALL SPECIFICATION HOLDERS

ADDENDUM NO. 1, AS DESCRIBED BELOW, IS FOR USE OF CONTRACTORS AND SUBCONTRACTORS SUBMITTING BIDS ON THIS PROJECT. ALL BIDDERS SHALL INDICATE ON THE BID PROPOSAL FORM (BP-5) THAT THEY HAVE RECEIVED THIS ADDENDUM NO. 1.

REVISION TO THE BID PROPOSAL (BP):

1. Reference the attached **Revised Bid Schedule dated July 26, 2023**, and to be submitted with bid. Bid item number 24 "Furnish and Install New ADA Push Button" and bid item 25 "Remove and Salvage Existing Push Button and Furnish and Install New ADA Push Button" have been revised to state Bid item 24 "Furnish and Install iNS iNavigator 3-Wire Push Button Station with iDetect Touchless Actuation Option" and bid Item 25 "Remove and Salvage Existing Push Button and Furnish and Install iNS iNavigator 3-Wire Push Button Station with iDetect Touchless Actuation Option" Also revisions to Notice

REVISION TO THE SPECIFICATIONS: ADD the following section:

SECTION 700-5.8.3 Pedestrian Push Buttons. Pedestrian push button assemblies and detector loops shall conform to the provisions of Section 86-5, "Detectors," of the State Standard Specifications and these Technical Provisions.

New pedestrian push buttons shall be ADA compliant iNS iNavigator 3-Wire Push Button Station with iDetect Touchless Actuation Option, or approved equal, with a stainless steel button, black body on a green frame. Pedestrian button signs shall conform to the details shown on the plans. Fasteners used shall be stainless steel tamper proof screws for pedestrian push-button assemblies. Pedestrian calls to the controller shall be independent, by phase, and not as concurrent thru-phase pairs. Pedestrian signal ground wires shall not have splices between the poles and the controller cabinet unless approved by the Engineer or his representative in the field. All pedestrian signal ground wires shall be joined and grounded within the controller cabinet.

REVISION TO THE APPENDICES:

Product information attached for compliant iNS iNavigator 3-Wire Push Button Station with iDetect Touchless Actuation Option pedestrian push buttons are added as Appendix C.

REVISION TO THE PLANS:

Revised Plan Sheets 1,4,5,6 and 8 are enclosed which depict the revisions to construction notes and installation of pedestrian push buttons at the Manhattan Beach, 156th Street, and Marine Avenue intersections.

REVISION TO THE NOTICE OF INVITING BIDS:

Revised Notice Inviting Bids page to reflect changes for accessing plans and specifications through ARC Document Solutions.

END OF ADDENDUM NO. 1

ADDENDUM #1

July 26, 2023

BID PROPOSAL (BP)

**VAN NESS AVENUE
FROM REDONDO BEACH BOULEVARD TO MARINE AVENUE**

PROJECT NO. JN 992

Contractor: _____

Address: _____

Phone: _____

Fax: _____

License No.: _____

D.I.R. No. _____

Email: _____

To Be Submitted

WITH

Bid Package

BID PROPOSAL

PROJECT NO. JN 992

BID SCHEDULE

The undersigned, having examined the proposed Contract Documents titled:

VAN NESS AVENUE FROM REDONDO BEACH BOULEVARD TO MARINE AVENUE

and having visited the site and examined the conditions affecting the work, hereby proposes and agrees to furnish all labor, materials, equipment, and appliances, and to perform operations necessary to complete the work as required by said proposed Contract Documents and itemized bid schedule below. All work shall be completed within **sixty (60) Working Days** from the date the Notice of Proceed is issued by the Engineer.

Item No.	Item Description	Unit	Approx. Quantity	Unit Price in Figures	Item Total
1	Traffic control	LS	1	\$	\$
2	Cold mill 2" thick AC	SF	110,000	\$	\$
3	Cold mill 3" thick AC	SF	7,000	\$	\$
4	Cold mill variable thickness AC	SF	43,000	\$	\$
5	Furnish and install 1" thick AC leveling course	TON	990	\$	\$
6	Furnish and install 2" thick asphalt rubber hot mix (ARHM)	TON	1,980	\$	\$
7	Remove and reconstruct 6" thick AC pavement	TON	370	\$	\$
8	Remove and reconstruct 6" thick PCC sidewalk per City Std. ST-5A	SF	100	\$	\$
9	Remove and reconstruct 4" thick PCC sidewalk per City Std. ST-5A	SF	2,600	\$	\$
10	Remove existing alley approach including 10' of existing PCC pavement and reconstruct	LS	1	\$	\$
11	Remove and reconstruct PCC curb and gutter, 8" CF over 6" CAB per City Std. ST-C, C1	LF	300	\$	\$
12	Construct 2" thick AC base course	TON	100	\$	\$
13	Remove and reconstruct PCC cross gutter per City Std. ST-3	SF	900	\$	\$

TO BE SUBMITTED WITH PROPOSAL

BID SCHEDULE (Continued)

Item No.	Item Description	Unit	Approx. Quantity	Unit Price in Figures	Item Total
14	Remove and reconstruct curb ramp per Caltrans Std. A88A	EA	9	\$	\$
15	Install cast-in-place truncated dome per Caltrans Std. A88A	EA	6	\$	\$
16	Construct full depth AC	TON	120	\$	\$
17	Remove existing driveway and replace with aggregate	LS	1	\$	\$
18	Remove and reconstruct 6" thick PCC pavement	SF	200	\$	\$
19	Adjust access openings to grade per City Std. ST-9	EA	31	\$	\$
20	Adjust MWD manhole to grade	EA	3	\$	\$
21	Relocate traffic signal pull box	EA	2	\$	\$
22	Adjust traffic signal pull box to grade	EA	6	\$	\$
23	Furnish and install traffic loops per City Std. ST-24	EA	23	\$	\$
24	Furnish and install iNS iNavigator 3-Wire Push Button Station with iDetect Touchless Actuation Option	EA	16	\$	\$
25	Remove and salvage existing push button and furnish and install iNS iNavigator 3-Wire Push Button Station with iDetect Touchless Actuation Option	EA	16	\$	\$
26	Battery back-up system on existing traffic signals	EA	4	\$	\$
27	Furnish and install traffic striping and signage per plan	LS	1	\$	\$
28	Remove existing tree	EA	1	\$	\$
29	Remove tree and stump and plant new tree, Bradford Pear	EA	3	\$	\$
30	Asphalt pavement cores	EA	8	\$	\$

TO BE SUBMITTED WITH PROPOSAL

TOTAL CONTRACT BID:

(Figures) \$ _____

(Words) _____

*** In case of error in extension of price into the total price column, the unit price will govern.**

All work required and shown on the construction plans and this specification for which no price or item is listed on this proposal, it shall be understood that such work, equipment, labor, tools and materials shall be provided without extra charge, allowance or direct payment of any kind. Payment for performing such work or furnishing such equipment, labor, tools and materials shall be included in the above lump sum or unit bid prices and no additional compensation will paid therefor.

If the City determines that any of the unit bid prices are significantly unbalanced to the potential detriment of the City, the bid will be replaced as non-responsive.

In case of any discrepancy between the words and the figures, the words shall prevail. If the unit price and the total amount for any item are not in agreement, the unit price alone shall be considered to represent the bidder's intention and all totals will be corrected to conform thereto.

Attached hereto is cash, a certified check, a cashier's check, or a bidder's bond in the amount of _____ Dollar, said amount being not less than 10 percent of the amount bid. Pursuant to Public Contract Code Sections 20172 and 20174, it is agreed a portion equal to the difference between the low bid and second low bid shall be retained as a bid bond forfeiture by the City if the undersigned fails or refuses to execute the Contract and furnish the required bonds and certificates of insurance within the time provided.

Name of Bidder

Signature of Bidder

BID PROPSOAL

PROJECT NO. JN 992

ACKNOWLEDGEMENT OF ADDENDA RECEIVED

The Bidder shall acknowledge the receipt of addenda by number and date each addendum received.

Addendum No. ____ Date _____ Addendum No. ____ Date _____
 Addendum No. ____ Date _____ Addendum No. ____ Date _____
 Addendum No. ____ Date _____ Addendum No. ____ Date _____

Addenda will be issued only through the ARC Document Solutions and access under their Public Planroom (<https://www.e-arc/location/costamesa/>). It is the Bidder’s sole responsibility to visit the Planroom to obtain and administer any Addendum related to this bid. **An Addendum must be acknowledged above by a bidder in its submitted form of Proposal.**

If an addendum or addenda have been issued by the City and not noted above as being received by the Bidder, the Bid Proposal may be rejected.

Bidder’s Signature

Date

CITY OF GARDENA
NOTICE INVITING BIDS
for
VAN NESS AVENUE STREET IMPROVEMENTS
FROM REDONDO BEACH BOULEVARD TO MARINE AVENUE
PROJECT NO. JN 992

Plans and Specifications are available through ARC Document Solutions. Please be advised that there is an additional charge for delivery. Upon payment of the purchase price, they become the property of the purchaser and may not be returned for refund.

You may access the plans through the following website under Public Planroom:

<https://www.e-arc/location/costamesa/>
(Scroll down to "Planrooms" and click "Order from Planwell")
or

https://customer.e-arc.com/arcEOC/Secures/PWELL_PrivateList.aspx?PrjType=pub

For help accessing and ordering, please contact a Planwell Administrator at 562.436.9761.

Notice is hereby given that the City of Gardena will receive sealed bids at the office of the City Clerk, City Hall, 1700 W. 162nd Street, Gardena, California, until **2:00 PM on August 15, 2023**, and shortly thereafter on this same day, they will be publicly opened and read in the City Clerk's Office in-person and via ZOOM.

The information to join the bid opening via ZOOM is the following:

Topic: Bid Opening
Time: 2:00 PM on August 15, 2023, (Shortly thereafter the deadline)
Join ZOOM Meeting

Https://us02web.zoom.us/j/87608724186
Meeting ID: 87608724186
Dial by phone: +1 669 900 9128 US

Should you have any questions or concern in delivering a bid or joining the ZOOM Meeting, please contact City Clerk's office at (310) 217-9565 or via email at cityclerk@cityofgardena.org.

All bids must be in writing, must be sealed, and must be plainly marked on the outside: **"BID ON PROJECT NO. JN 992**. Any bid received after the hour stated above for any reason whatsoever, will not be considered for any purpose but will be returned unopened to the bidder.

Bids are required for the entire work as described below:

Work consists of excavation, asphalt concrete pavement, cold mill, asphalt rubber hot mix overlay, curb and gutter, sidewalk, cross gutter, adjustment of manholes and water valves to grade, curb ramps, striping and signage, traffic control, water pollution control and all other related work.

ADDENDUM #1

July 26, 2023



iDS: "iNS" iNavigator 3-Wire Push Button Station with iDetect Option & PedApp®

For standard APS functions and details, please see iNS Push Button Station Cut Sheet

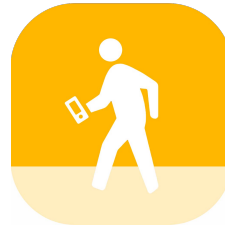
iDS = iDetect Touchless Actuation Option

- Detects movement typically within 1-4 inches, adjustable detection range of 1-20 inches
- Inconspicuous Radar Detection - Vandal Resistant
- Adjustable "Minimum Wave Detection Time" 0ms, 50ms, 250ms, & 500ms
- Detection not impeded by ice buildup

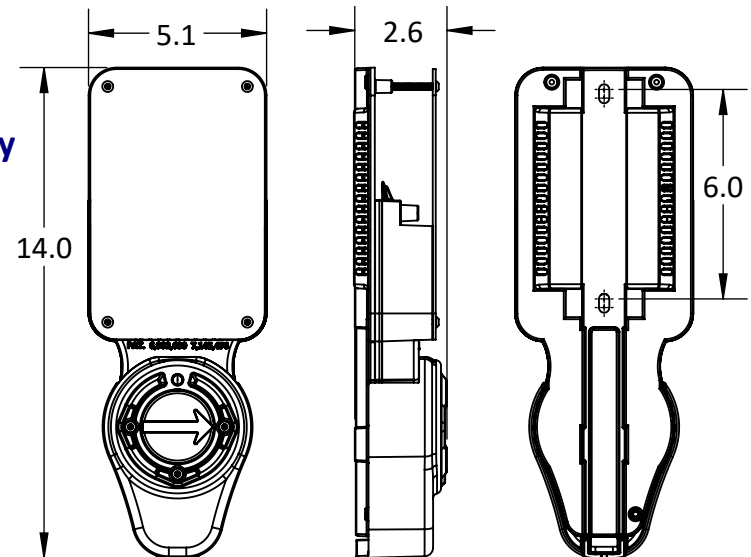
PedApp® - Smartphone App - Wireless Bluetooth® 5

(Available/compatible with iNS & iDS systems)

- For Visually impaired & all pedestrians, allows button actuation from phone via Bluetooth wireless technology
- Can provide intersection crossing information - location, directionality
- Provides same information as visual indications (Don't Walk, Walk, Ped Clearance, and audible countdown if programmed)
- Agency can control PedApp usage at intersections
- Works with "text to speech" in Smartphones
- Recommend agencies use/implement at pedestrian requested APS sites



9X12 Sign shown



Dimensions are inches

*The iNS3 replaces the iN3 and is backward compatible with the iPHCU3W.
See iNS3 Cut sheet for detailed list of features



Operating Specifications	
Parameter	Rating
Operating Temp. Range	-34°C to +74°C (-30°F to +165°F)†
Storage Temp. Range	-45°C to +85°C (-50°F to +185°F)
Operating Force	3.0 lbs max, option of 3 adjustable programmed forces
Switch Operating Life	Greater than 20 million operations
Max. Volume	100 dB @ 1 meter

Design Compliance	
Functionality Test Type	Compliance
Temperature and Humidity	MUTCD 2009-4E
Transient Voltage Protection	NEMA TS2
Transient Suppression	NEMA TS2
Mechanical Shock and Vibration	NEMA TS2
iNS3 PBS Enclosure	NEMA 250 Type 4X
Electrical Reliability	NEMA TS2

Notes:

1. Lab tested to applicable sections of referenced standards
2. All specifications are subject to change without notice
3. All specifications are typical unless otherwise specified

† iDetect touchless actuation will work as specified in the range of -20°C to -60°C (-4°F to +140°F). Detection could fluctuate and be reduced/less responsive outside of the specified range. All normal PBS functions will work through the extended NEMA temperature ranges. iDetect is an additional feature/supplement to the PBS.

iDS3

Additional Options

NA - No Arrow
 BD - Bi-Directional Arrow
Other Options
 WPC - With pole cap
 ES - External Speaker option

Button Cover Color

Back plate is always black.
 B - Black
 G - Green
 Y - Yellow

Audio Message Option

0 - Standard messages
 1 - Custom Messages

Braille

N - No braille on faceplate
 B - Braille on faceplate

Faceplate (Sign)

MUTCD Compliant
 V - 9x12 R10-3
 U - 9X12 R10-3b
 T - 9x15 R10-3e

Non-MUTCD Compliant

A - 5x7- International
 B - 5x7- International
 C - 9X12- Countdown
 D - 5X7 or 9x12- International
E - 5X7 Touchless
 O - No Faceplate
R - 9X12 or 9X15 Touchless

Size of Front Plate Adapter

5 - 5" x 7"
9 - 9" x 12"
 3 - 9" x 15"

Navigator Family

iNS3 - iNavigator S 3-Wire Push Button without iDetect
iDS3 - with iDetect Option

CITY OF GARDENA

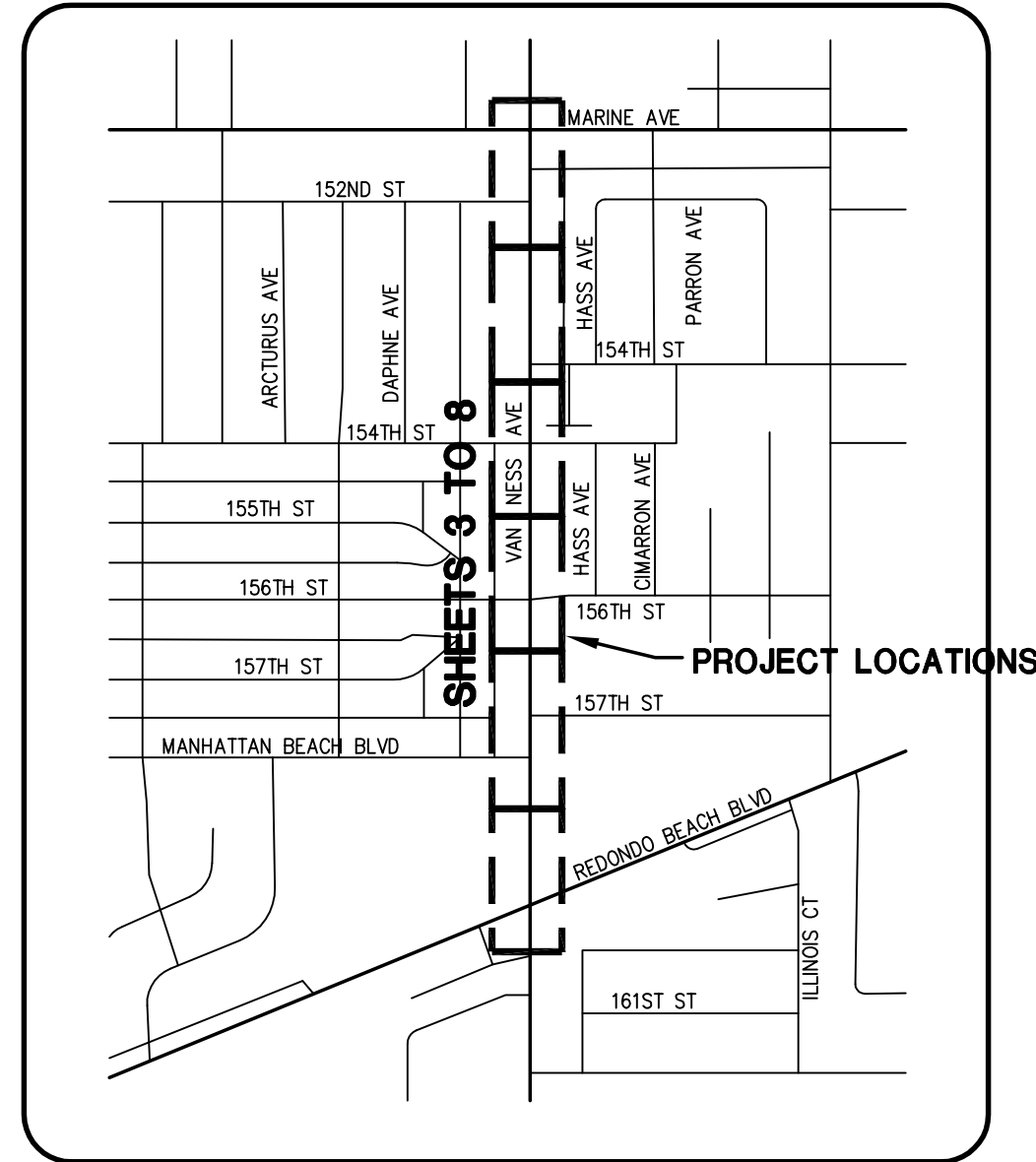
VAN NESS AVENUE IMPROVEMENTS

FROM REDONDO BEACH BLVD TO MARINE AVE

JN 992

GENERAL NOTES

1. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE STARTING WORK.
2. THE ENGINEER DOES NOT WARRANT THE ACCURACY OF SCALED DIMENSIONS ON ANY PLAN. ALL DIMENSIONS SHALL BE AS DESIGNATED ON THE PLANS. THE CONTRACTOR SHALL PROTECT ALL PUBLIC AND PRIVATE PROPERTY.
3. DURING THE PERFORMANCE OF WORK DONE UNDER THE CONTRACT, THE CONTRACTOR SHALL TAKE THE NECESSARY PRECAUTIONS TO AVOID ANY DAMAGE TO ANY STRUCTURES ADJACENT TO THE PROJECT.
4. EXISTING UTILITIES SHOWN ARE BASED ON AVAILABLE RECORDS OF PARENT UTILITY COMPANIES AND MAY NOT ACCURATELY REPRESENT THEIR ACTUAL LOCATIONS. PRIOR TO BEGINNING ANY CONSTRUCTION, THE CONTRACTOR SHALL VERIFY THE ACTUAL LOCATIONS (VERTICAL AND HORIZONTAL) OF ALL UTILITIES, IN THE FIELD OR COORDINATE SUCH INDEPENDENT VERIFICATION WITH THE PARENT UTILITY COMPANIES AND PROVIDE THE CITY WITH THE POTHOLE INFORMATION. THE CONTRACTOR SHALL PROTECT IN PLACE OR COORDINATE WITH PARENT COMPANY FOR THE RELOCATION OF CONFLICTING UTILITIES ENCOUNTERED DURING CONSTRUCTION.
5. ADJUST UTILITY VALVE COVERS, UTILITY BOXES, TRAFFIC SIGNAL BOXES, ETC. TO FINISH GARDE. PAYMENT SHALL BE INCLUDED IN THE APPLICABLE CONSTRUCTION BID ITEM AND REFER TO CONSTRUCTION NOTE AND/OR SPECIFICATIONS.
6. PROVIDE TRAFFIC CONTROL PER TECHNICAL PROVISIONS.
7. ALL SURVEY CENTERLINE TIES AND MONUMENTS THAT ARE DAMAGED OR REMOVED SHALL BE RE-ESTABLISHED. THE SURVEYOR SHALL ALSO ESTABLISH CENTERLINE MONUMENTS AND TIES AT ALL STREET INTERSECTIONS WITHIN THE PROJECT LIMITS WHERE NONE EXISTED PRIOR TO CONSTRUCTION. SEE TECHNICAL PROVISIONS.
8. 24 HOUR NOTICE FOR ALL INSPECTIONS REQUIRED.
9. CONTRACTORS SHALL REMOVE AND DISPOSE OF ALL TRASH AND BROKEN BRANCHES BEFORE AND
10. CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION, OBTAINING NECESSARY APPLICABLE PERMITS WITH LOCAL AGENCIES AND OTHER OWNERS HAVING JURISDICTION AND PREPARING REQUIRED DOCUMENTATION NECESSARY FOR
11. PROTECT ALL STORM DRAINS, CATCH BASINS, ETC. WITH SAND BAGS, FABRIC, AND OTHER APPROPRIATE BEST MANAGEMENT PRACTICES.
12. THE CONTRACTOR SHALL NOTIFY UNDERGROUND SERVICE ALERT (USA) AT 1-800-422-4133 TWO WORKING DAYS PRIOR TO ANY EXCAVATION WORK.
13. CONSTRUCTION EQUIPMENT AND MATERIAL SHALL NOT BE STORED IN STREETS, ROADS, HIGHWAYS OR PUBLIC RIGHT-OF-WAY EXCEPT IN CITY ESTABLISHED OR APPROVED STAGING AREAS. ALL MATERIALS OR EQUIPMENT NOT INSTALLED OR USED IN CONSTRUCTION WITHIN THE DAILY WORK PERIOD SHALL BE STORED ELSEWHERE BY THE CONTRACTOR AT HIS EXPENSE.
14. ALL CONCRETE CURB AND GUTTER, AND PAVEMENT WITH LESS THAN 1 TESTED PRIOR TO FINAL ACCEPTANCE TO INSURE POSITIVE DRAINAGE WITHOUT LOW SPOTS. IF ANY AREAS ARE IDENTIFIED WHERE PONDING OCCURS, THE CONTRACTOR SHALL REMOVE AND REPLACE THOSE IMPROVEMENTS AT HIS EXPENSE.
15. CONTRACTOR MUST ACCOMMODATE ACCESS TO ALL COMMERCIAL BUSINESSES AND PRIVATE RESIDENCES AT ALL TIMES.
16. ALL MATERIALS AND EQUIPMENT SHALL BE FURNISHED AND INSTALLED BY THE CONTRACTOR.
17. LOOPS SHALL BE CENTERED IN THE LANE UNLESS OTHERWISE NOTED.
18. ALL NEW LOOPS SHALL BE ROUND (6" DIAMETER).
19. FOR DISPOSITION OF SALVAGED MATERIALS SEE SPECIAL PROVISIONS.
20. ALL TRAFFIC LINES AND PAVEMENT MARKINGS SHALL CONFORM TO CALTRANS STANDARD PLANS AND SPECIFICATIONS (LATEST EDITION).
21. LANE WIDTHS SHALL BE MEASURED BETWEEN THE CENTERLINES OF EACH ADJACENT SINGLE OR DOUBLE STRIPE OR TOP OF CURB AS APPROPRIATE.
22. 24 HOUR NOTICE FOR ALL INSPECTIONS REQUIRED.
23. CONTRACTORS SHALL REMOVE AND DISPOSE OF ALL TRASH AND BROKEN BRANCHES BEFORE AND
24. PRIOR TO CUTTING OF ANY ROOTS, CALL PARKS DIVISION AT (310) 217-9657 FOR APPROVAL.
25. ALL DAMAGED CONCRETE SIDEWALKS OR CURBS SHALL BE SAWCUT TO THE NEAREST TRANSVERSE SCORE MARK, OR ADJUSTABLE CONTROL JOINT, OR WEAKENED PLANE AND REPLACED IN CONFORMANCE WITH THE APPLICABLE PROVISIONS OF GREENBOOK STANDARD PLANS.
26. ALL CROSSWALKS, ARROWS, STOPBARS, AND LEGENDS SHALL BE THERMOPLASTIC MATERIAL.
27. RAISED PAVEMENT MARKERS SHALL BE CEMENTED TO THE PAVEMENT WITH HOT MELT BITUMINOUS
28. FURNISH AND INSTALL TEMPORARY MARKERS IMMEDIATELY AFTER PAVING, SPACED AT 25FT MAXIMUM.
29. REMOVE ALL EXISTING PAVEMENT MARKINGS BY WET SANDBLASTING (CROSSWALKS, STOP LEGENDS, ETC.) EXISTING PAVEMENT MARKINGS AND STRIPING TO BE REMOVED ARE NOT SHOWN ON THE PLAN. FIELD VERIFY LOCATIONS.
30. REMOVE AND DISPOSE OF ALL EXISTING RAISED PAVEMENT MARKERS WITHIN THE PROJECT LIMITS. PAVEMENT SHALL BE INCLUDED IN ADJACENT CONSTRUCTION.
31. PROVIDE TRAFFIC CONTROL PER TECHNICAL PROVISIONS.



LOCATION MAP
NTS

UTILITY CONTACTS

- | | |
|--|---|
| <p>CYNTHIA CARRILLO
SOUTHERN CALIFORNIA EDISON CO.
505 MAPLE AVE.
TORRANCE, CA 90503
(310) 413-4497</p> <p>MELISSA FUKUNAGA
SOUTHERN CALIFORNIA GAS CO.
701 N. BULLIS ROAD
COMPTON, CA 90221
(213) 231-7281</p> <p>SALVADOR GONZALES
SOUTHERN CALIFORNIA GAS CO.
2929 W. 182ND ST.
REDONDO BCH BLVD.
(310) 970-4844</p> <p>CONDE VENTURA
GOLDEN STATE WATER CO.
14835 S. SPRING ST.
GARDENA, CA 90248
(310) 436-6950 X107</p> <p>JOSEPH SALCIDO
GOLDEN STATE WATER CO.
14835 S. SPRING ST.
GARDENA, CA 90248
(310) 660-0320 X101</p> <p>TERENCE LITTLE
GOVERNMENTAL LIASION
PUBLIC WORKS COORDINATOR
AT & T
600 E. GREEN ST. ROOM 300
PASADENA, CA 91101
(626) 817-4252</p> <p>ARTURO FERNANDEZ
CONSTRUCTION SUPERVISOR
TIME WARNER CABLE
1529 VALLEY DRIVE
HERMOSA BEACH, CA 90254
(310) 750-9099</p> | <p>MARYLIN DUARTE
METROPOLITAN WATER DISTRICT
CIVIL ENGINEER SUBSTRUCTURES SECTION
P.O. BOX 54153
LOS ANGELES, CA 90054-0153
(213) 217-7059</p> <p>JOSE A. PORRAS
LOS ANGELES DEPT. OF WATER & POWER
WATER OPERATING DIVISION
P.O. BOX 51111, ROOM 1425
LOS ANGELES, CA 90051-0100
(213) 367-1049</p> <p>JON GANZ
LOS ANGELES SANITATION DISTRICT
P. O. BOX 4998
WHITTIER, CA 90607-4998
(562) 908-4288</p> <p>L.A. COUNTY FLOOD CONTROL DISTRICT
900 S. FREEMONT AVE. 8TH FLOOR
ALHAMBRA, CA 91803
(626) 458-3129</p> <p>DAVE ZERLER
CHEVRON PIPELINE COMPANY
2600 HOMESTEAD PLACE
RANCHO DOMINGUEZ, CA 90220
(310) 689-4014
EMAIL: DAVEZERLER@CHEVRON.COM</p> <p>HECTOR AGUILERA
CROWN CASTLE
226 N. LINCOLN AVE.
CORONA, CA 92882
(951) 454-5111</p> |
|--|---|

SHEET INDEX

SHEET NO.	DESCRIPTION
1	TITLE SHEET
2	CROSS SECTIONS & DETAILS SHEET
3-8	VAN NESS AVE IMPROVEMENT PLANS PLAN AND PROFILE
9-11	STRIPING AND SIGNAGE PLANS

ENGINEER'S NOTICE TO CONTRACTOR

1. THE EXISTENCE AND LOCATION OF ALL RIGHT OF WAY BOUNDARIES AND PARCEL BOUNDARIES SHOWN ON THESE PLANS WERE OBTAINED BY A SEARCH OF RECORDS. NO CERTIFICATIONS IS MADE AS TO ACCURACY AND THOROUGHNESS OF THESE RECORDS. REVIEW OF THIS PLAN BY THE CITY OF GARDENA DOES NOT CONSTITUTE A REPRESENTATION AS TO THE ACCURACY OR THE COMPLETENESS OF THE LOCATION OR NONEXISTENCE OF SAID RIGHT OF WAY OR PARCEL BOUNDARIES WITHIN THE LIMITS OF THE PROJECT.
2. THE EXISTENCE AND LOCATION OF ANY ROADWAY CENTERLINE SHOWN ON THESE PLANS ARE FOR CONSTRUCTION PURPOSE ONLY AND WAS OBTAINED BY A SEARCH OF AVAILABLE RECORDS. NO CERTIFICATION IS MADE AS TO THE ACCURACY OR THOROUGHNESS OF THESE RECORDS. REVIEW OF THIS PLAN BY CITY OF GARDENA DOES NOT CONSTITUTE A REPRESENTATION AS TO THE ACCURACY OR THE COMPLETENESS OF THE LOCATION OF THE EXISTENCE OR NONEXISTENCE OF SAID ROADWAY CENTERLINES WITHIN THE LIMITS OF THE PROJECT

CONSTRUCTION NOTES

- ① COLD MILL 2" THICK EXISTING PAVEMENT.
- ② EDGE GRIND - COLD MILL VARIABLE THICKNESS A.C. PAVEMENT PER DETAIL ON SHEET 2.
- ③ EDGE GRIND - COLD MILL VARIABLE THICKNESS A.C. PAVEMENT (TRANSITION FROM 2" TO 3" COLD MILL PER PLAN).
- ④ COLD MILL 3" THICK EXISTING PAVEMENT.
- ⑤ FURNISH AND CONSTRUCT 1" THICK (MIN) A.C. LEVELING COURSE, C2-PG64-10.
- ⑥ FURNISH AND CONSTRUCT 2" THICK ASPHALT RUBBER HOT MIX (ARHM) C2-PG64-16 (WET PROCESS).
- ⑦ COLD MILL VARIABLE THICKNESS A.C. PAVEMENT (TRANSITION FROM 4" TO 5" COLD MILL PER PLAN).
- ⑧ REMOVE AND RECONSTRUCT 6" THICK PCC SIDEWALK (BEHIND DRIVEWAY).
- ⑨ CONSTRUCT 2" THICK AC BASE COURSE.
- ⑩ REMOVE AND DISPOSE OF EXISTING CURB AND GUTTER. FURNISH AND RECONSTRUCT P.C.C. CURB AND GUTTER (8"CF) OVER 6" C.A.B. PER CITY OF GARDENA STD. PLAN ST-7 C-1. MATCH TO EXISTING CONDITION.
- ⑪ REMOVE AND DISPOSE OF EXISTING SIDEWALK. FURNISH AND RECONSTRUCT 4" P.C.C. SIDEWALK OVER EXISTING RECOMPACTED SUBGRADE PER CITY STD. ST-5B.
- ⑫ REMOVE AND DISPOSE OF EXISTING CROSS GUTTER. FURNISH AND RECONSTRUCT 8" P.C.C. CROSS GUTTER OVER 6" C.A.B. PER CITY STD. ST-3.
- ⑬ SAWCUT, REMOVE AND RECONSTRUCT CURB RAMP PER CALTRANS STD. PLAN A88A, MODIFIED PER DETAIL SHEET 2.
- ⑭ SAWCUT, REMOVE AND RECONSTRUCT CURB RAMP PER CALTRANS STD. PLAN A88A (CASE PER PLAN).
- ⑮ SAWCUT AND REMOVE NECESSARY PORTION OF EXISTING RAMP AND CONSTRUCT CAST-IN-PLACE TRUNCATED DOMES PER CALTRANS STD. PLAN A88A.
- ⑯ CONSTRUCT FULL DEPTH A.C. (2' WIDE 12" DEEP) PER CITY STANDARD. 6" ASPHALT OVER 6" C.A.B.
- ⑰ ADJUST SEWER/STORM DRAIN MANHOLE TO GRADE.
- ⑱ ADJUST WATER VALVE TO GRADE (PER GENERAL NOTE 36).
- ⑲ ADJUST TELEPHONE MANHOLE TO GRADE (PER GENERAL NOTE 36).
- ⑳ ADJUST M.W.D. MANHOLE TO GRADE.
- ㉑ ADJUST GAS VALVE TO GRADE (PER GENERAL NOTE 36).
- ㉒ RELOCATE TRAFFIC SIGNAL PULL BOX.
- ㉓ ADJUST TRAFFIC SIGNAL PULL BOX TO GRADE.
- ㉔ REMOVE EXISTING DRIVEWAY AND REPLACE WITH AGGREGATE TO MATCH TO ADJACENT IN PARKWAY.
- ㉕ REMOVE EXISTING PAVEMENT AND RECONSTRUCT 6" A.C. OVER EXISTING BASE (LEAVE 3" BELOW FINISHED SURFACE).
- ㉖ REMOVE TREE AND STUMP AND PLANT NEW TREE, BRADFORD PEAR.
- ㉗ INSTALL 6" DIAMETER TRAFFIC LOOPS AND SPLICE IN PULL BOX PER CITY STD. ST-24.
- ㉘ REMOVE AND SALVAGE EXISTING PUSH BUTTON, FURNISH AND INSTALL "INS" INAVIGATOR 3-WIRE PUSH BUTTON STATION WITH IDETECT TOUCHLESS ACTUATION OPTION AS SPECIFIED IN PROJECT SPECIFICATIONS.
- ㉙ FURNISH AND INSTALL "INS" INAVIGATOR 3-WIRE PUSH BUTTON STATION WITH IDETECT TOUCHLESS ACTUATION OPTION AS SPECIFIED IN PROJECT SPECIFICATIONS.
- ㉚ FURNISH AND INSTALL NEW BBS CABINET AS SPECIFIED IN PROJECT SPECIFICATIONS.
- ㉛ REMOVE EXISTING TREE.
- ㉜ REMOVE EXISTING ALLEY APPROACH AND 10 FEET OF EXISTING PCC PAVEMENT AND RECONSTRUCT ALLEY APPROACH PER APWA STD PLAN 130-2 AND 6" THICK PCC PAVEMENT OVER EXISTING BASE/NATIVE IN ALLEY R/W.
- ㉝ CONDUCT PAVEMENT CORES IN ACCORDANCE WITH PROJECT SPECIFICATIONS.



㉘ REMOVE AND SALVAGE EXISTING PUSH BUTTON, FURNISH AND INSTALL "INS" INAVIGATOR 3-WIRE PUSH BUTTON STATION WITH IDETECT TOUCHLESS ACTUATION OPTION AS SPECIFIED IN PROJECT SPECIFICATIONS.

㉙ FURNISH AND INSTALL "INS" INAVIGATOR 3-WIRE PUSH BUTTON STATION WITH IDETECT TOUCHLESS ACTUATION OPTION AS SPECIFIED IN PROJECT SPECIFICATIONS.

㉚ FURNISH AND INSTALL NEW BBS CABINET AS SPECIFIED IN PROJECT SPECIFICATIONS.

NO WORK SHALL BE DONE ON THIS SITE UNTIL BELOW AGENCY IS NOTIFIED OF INTENTION TO GRADE OR EXCAVATE

Underground Service Alert
of Southern California
Call: TOLL FREE
811
TWO WORKING DAYS BEFORE YOU DIG

BENCHMARK:	
BENCHMARK : RY3550A	ELEV. 48.540 (2005 QUAD)
RDBM TAG IN W CB 1.5M(5FT) N/O BCR @ NW COR ROSECRANS AVE & VAN NESS AVE	

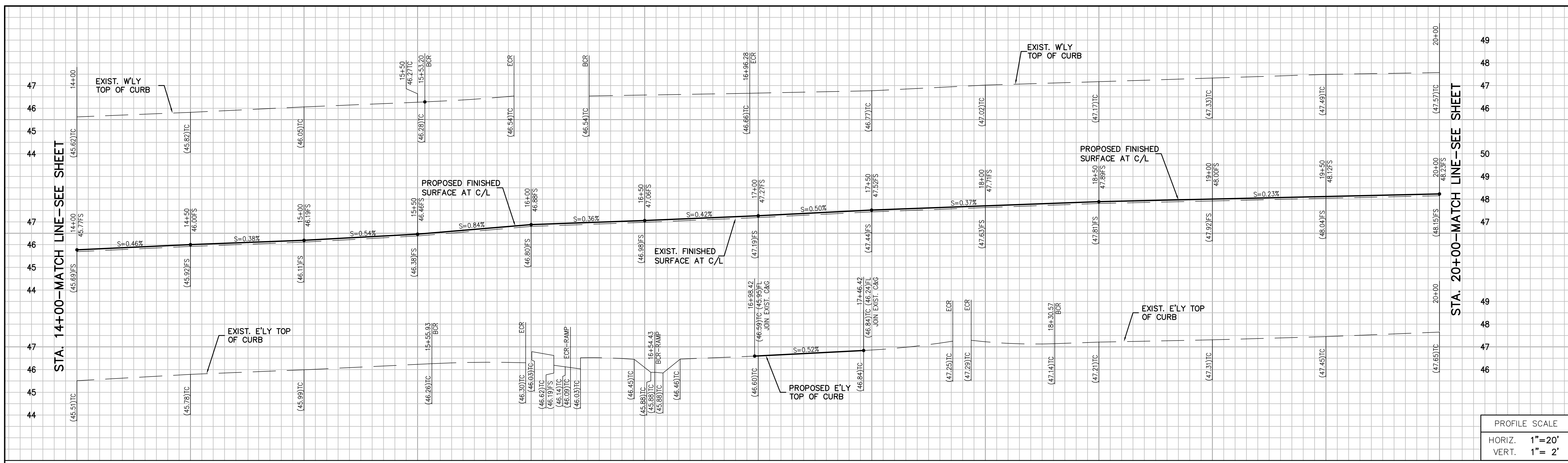
PREPARED BY:

DMS
CONSULTANTS, INC.
CIVIL ENGINEERS
12371 Lewis St. #100 Irvine, CA 92618-7144-740-8844

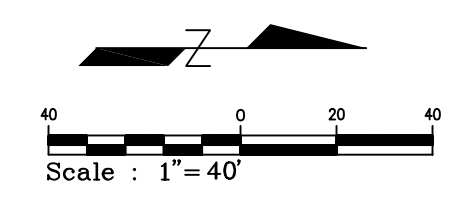
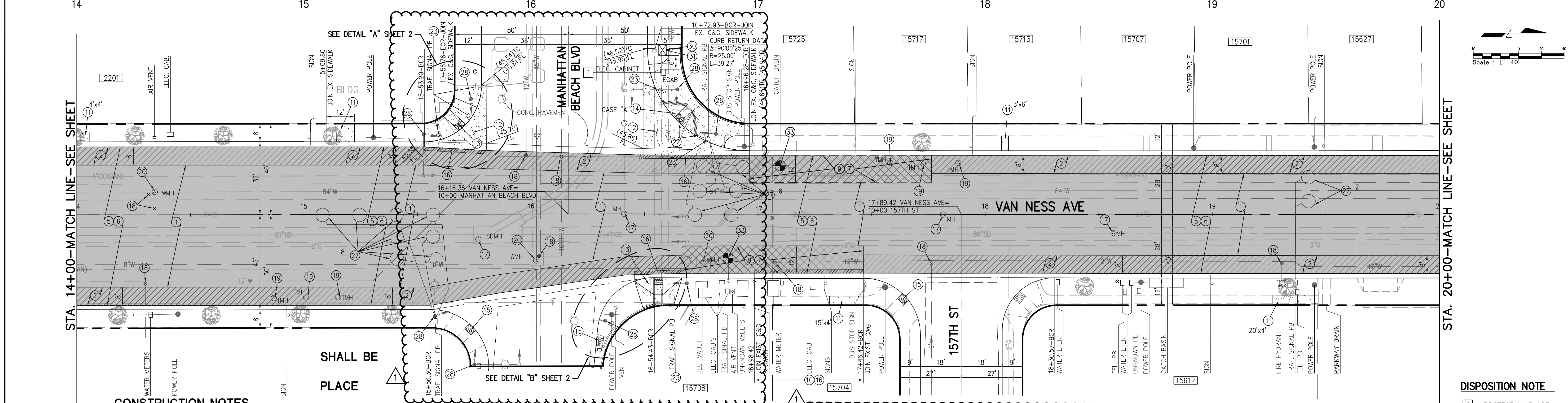
Ardu
SURENDER M. DEWAN RCE 34559 EXP. 9/30/23



CITY OF GARDENA				TITLE SHEET	
NO.		REVISIONS	DATE	BY	APP'D
1		BID ADDENDUM # 1	07/26/23	SD	
DEPARTMENT OF PUBLIC WORKS CITY OF GARDENA ENGINEERING DIVISION					
PROJECT: VAN NESS AVE STREET IMPROVEMENT-JN 992					
LIMITS: REDONDO BEACH BLVD TO MARINE AVE.					
F.B. REF.			APPROVED BY:		
DESIGNED BY: S.D.			DATE: 05/10/2022		
DRAWN BY: H.N.			PUBLIC WORKS ENGINEERING DIVISION		
CHECKED BY: S.D.			SHT. 1 OF 11 DWG NO. 8-1069		



PROFILE SCALE
 HORIZ. 1"=20'
 VERT. 1"= 2'



CONSTRUCTION NOTES

- 1 COLD MILL 2" THICK EXISTING PAVEMENT.
- 2 EDGE GRIND - COLD MILL VARIABLE THICKNESS A.C. PAVEMENT PER DETAIL 2 SHEET 2.
- 5 FURNISH AND CONSTRUCT 1" THICK (MIN) A.C. LEVELING COURSE, C2-PG64-10.
- 6 FURNISH AND CONSTRUCT 2" THICK ASPHALT RUBBER HOT MIX (ARHM) C2-PG64-16 (WET PROCESS).
- 7 COLD MILL VARIABLE THICKNESS A.C. PAVEMENT (TRANSITION FROM 4" TO 5" COLD MILL PER PLAN).
- 9 CONSTRUCT 2" THICK AC BASE COURSE.
- 10 REMOVE AND DISPOSE OF EXISTING CURB AND GUTTER. FURNISH AND RECONSTRUCT P.C.C. CURB AND GUTTER (8"CF) OVER 6" C.A.B. PER CITY OF GARDENA STD. PLAN ST-7 C-1. MATCH TO EXISTING CONDITION.
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- 12 REMOVE AND DISPOSE OF EXISTING CROSS GUTTER. FURNISH AND RECONSTRUCT 8" P.C.C. CROSS GUTTER OVER 6" C.A.B. PER CITY STD. ST-3.

- 13 SAWCUT, REMOVE AND RECONSTRUCT CURB RAMP PER CALTRANS STD. PLAN A88A, MODIFIED PER DETAIL SHEET 2.
- 14 SAWCUT, REMOVE AND RECONSTRUCT CURB RAMP PER CALTRANS STD. PLAN A88A (CASE PER PLAN).
- 15 SAWCUT AND REMOVE NECESSARY PORTION OF EXISTING RAMP AND CONSTRUCT CAST-IN-PLACE TRUNCATED DOMES PER CALTRANS STD. PLAN A88A.
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- 17 ADJUST SEWER/STORM DRAIN MANHOLE TO GRADE.
- 18 ADJUST WATER VALVE TO GRADE (PER GENERAL NOTE 36).
- 19 ADJUST TELEPHONE MANHOLE TO GRADE (PER GENERAL NOTE 36).
- 20 ADJUST M.W.D. MANHOLE TO GRADE.
- 22 RELOCATE TRAFFIC SIGNAL PULL BOX.
- 23 ADJUST TRAFFIC SIGNAL PULL BOX TO GRADE.

- 28 REMOVE AND SALVAGE EXISTING PUSH BUTTON, FURNISH AND INSTALL "INS" NAVIGATOR 3-WIRE PUSH BUTTON STATION WITH IDETECT TOUCHLESS ACTUATION OPTION AS SPECIFIED IN PROJECT SPECIFICATIONS.
- 30 FURNISH AND INSTALL NEW BBS CABINET AS SPECIFIED IN PROJECT SPECIFICATIONS.
- 31 REMOVE EXISTING TREE.
- 33 CONDUCT PAVEMENT CORES IN ACCORDANCE WITH PROJECT SPECIFICATIONS.

CONSTRUCTION LEGEND

- COLD MILL 2" THICK AND CONSTRUCT 1" LEVELING COURSE AND 2" ARHM OVERLAY
- EDGE GRIND VARIABLE THICKNESS
- CORING LOCATION

DISPOSITION NOTE

- 1 PROTECT IN PLACE

PREPARED BY:
DMS CONSULTANTS, INC.
 CIVIL ENGINEERS
 13371 VAN NESS AVENUE, SUITE 200, GARDENA, CA 90248
 SURENDER M. DEWAN RCE 34559 EXP. 9/30/23

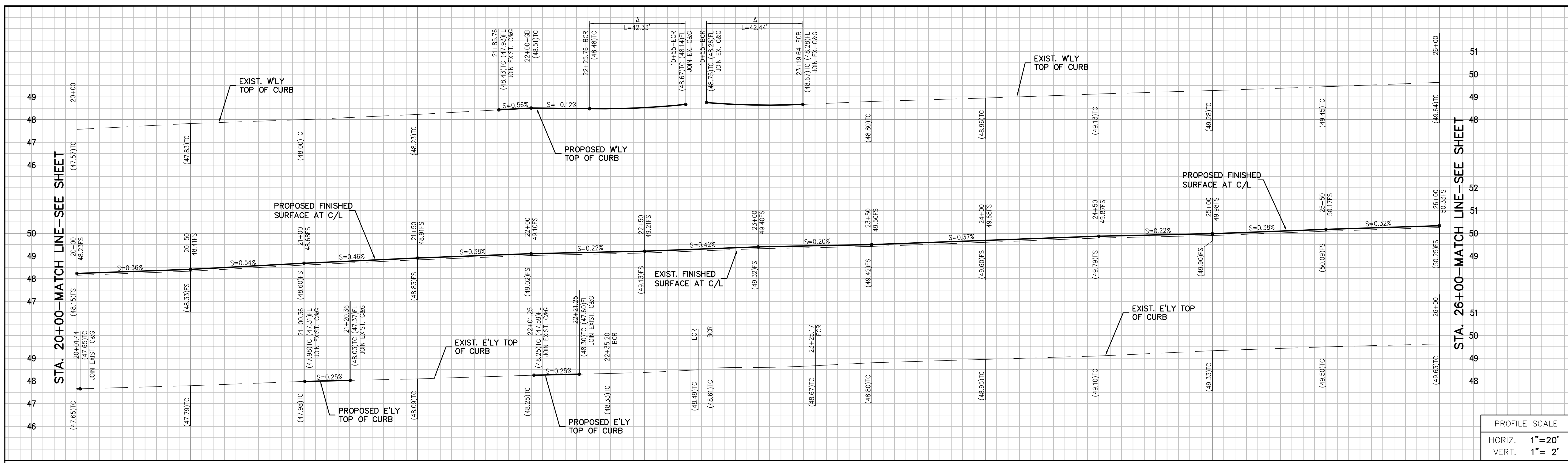


NO.	REVISIONS	DATE	BY	APP
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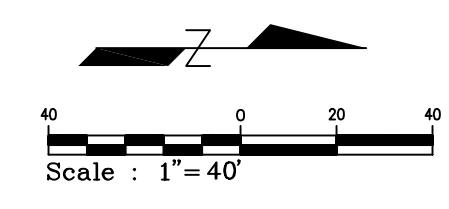
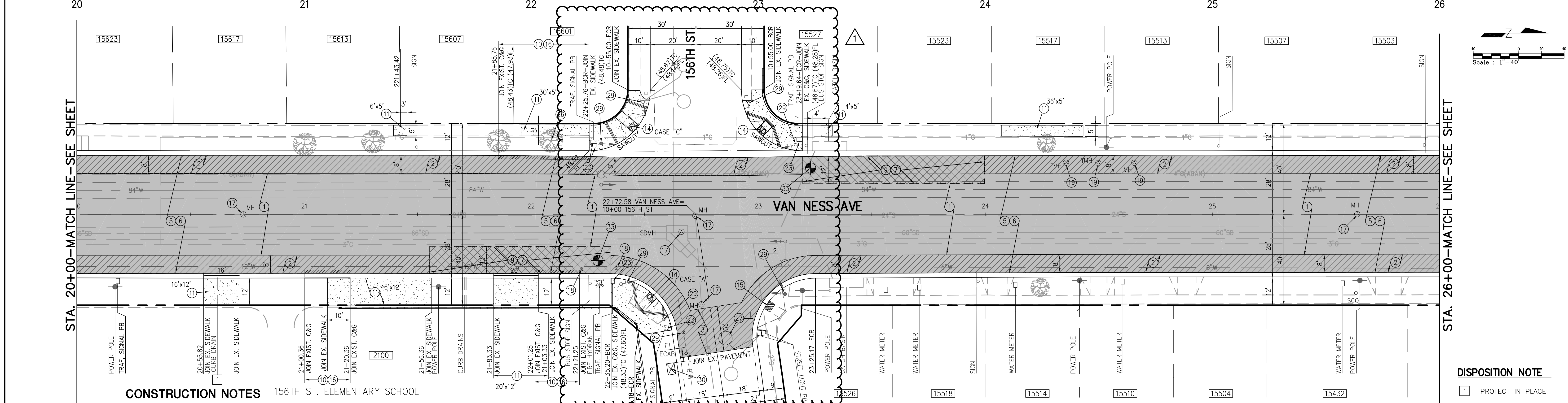
CITY OF GARDENA
 DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION
 PROJECT: **VAN NESS AVE STREET IMPROVEMENT-JN 992**
 LIMITS: REDONDO BEACH BLVD TO MARINE AVE.

F.B. REF.
 DESIGNED BY S.D. 05/10/2022
 DRAWN BY H.N. 05/10/2022
 CHECKED BY S.D. 05/10/2022

APPROVED BY: _____
 PUBLIC WORKS ENGINEERING DIVISION
 SHT. **4** OF **11** DWG NO. **8-1069**



PROFILE SCALE
 HORIZ. 1"=20'
 VERT. 1"= 2'



DISPOSITION NOTE
 1 PROTECT IN PLACE

CONSTRUCTION NOTES 156TH ST. ELEMENTARY SCHOOL

- 1 COLD MILL 2" THICK EXISTING PAVEMENT.
- 2 EDGE GRIND - COLD MILL VARIABLE THICKNESS A.C. PAVEMENT PER DETAIL 2 SHEET 2.
- 3 EDGE GRIND - COLD MILL VARIABLE THICKNESS A.C. PAVEMENT (TRANSITION FROM 2"-3" VARIABLE) TO 3" COLD MILL. L=20'
- 5 FURNISH AND CONSTRUCT 1" THICK (MIN) A.C. LEVELING COURSE, C2-PG64-10.
- 6 FURNISH AND CONSTRUCT 2" THICK ASPHALT RUBBER HOT MIX (ARHM) C2-PG64-16 (WET PROCESS).
- 7 COLD MILL VARIABLE THICKNESS A.C. PAVEMENT (TRANSITION FROM 4" TO 5" COLD MILL PER PLAN).
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- 15 SAWCUT AND REMOVE NECESSARY PORTION OF EXISTING RAMP AND CONSTRUCT CAST-IN-PLACE TRUNCATED DOMES PER CALTRANS STD. PLAN A88A.
- 16 CONSTRUCT FULL DEPTH A.C. (2' WIDE 12" DEEP) PER CITY STANDARD. 6" ASPHALT OVER 6" C.A.B.
- 17 ADJUST SEWER/STORM DRAIN MANHOLE TO GRADE.
- 18 ADJUST WATER VALVE TO GRADE (PER GENERAL NOTE 36).
- 19 ADJUST TELEPHONE MANHOLE TO GRADE (PER GENERAL NOTE 36).
- 26 REMOVE TREE AND STUMP AND PLAN NEW TREE, BRADFORD PEAR.

CONSTRUCTION LEGEND

- COLD MILL 2" THICK AND CONSTRUCT 1" LEVELING COURSE AND 2" ARHM OVERLAY
- EDGE GRIND VARIABLE THICKNESS
- CORING LOCATION

- 29 FURNISH AND INSTALL "INS" NAVIGATOR 3--WIRE PUSH BUTTON STATION WITH IDETECT TOUCHLESS ACTUATION OPTION AS SPECIFIED IN PROJECT SPECIFICATIONS.
- 30 FURNISH AND INSTALL NEW BBS CABINET AS SPECIFIED IN PROJECT SPECIFICATIONS.
- 33 CONDUCT PAVEMENT CORES IN ACCORDANCE WITH PROJECT SPECIFICATIONS.

PREPARED BY:
DMS
 CONSULTANTS, INC.
 CIVIL ENGINEERS
 10371 MARSH RD. FORTY-ROCK, CA. 95040 P. 714-740-8840 F. 714-740-8844
 SURENDER M. DEWAN RCE 34559 EXP. 9/30/23

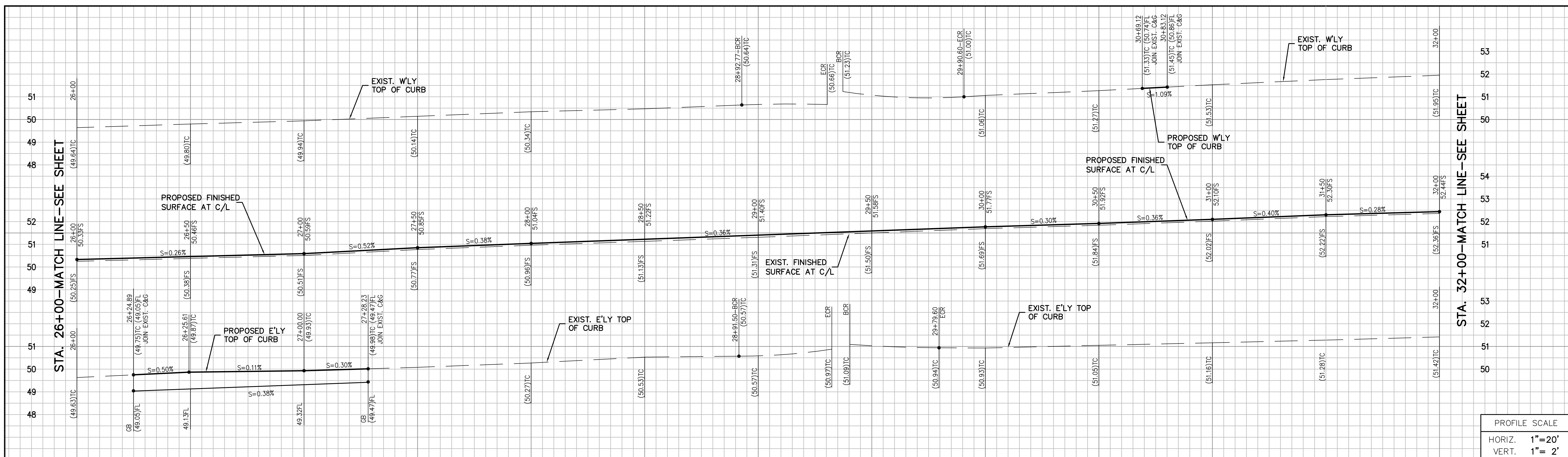


NO.	REVISIONS	DATE	BY	APP
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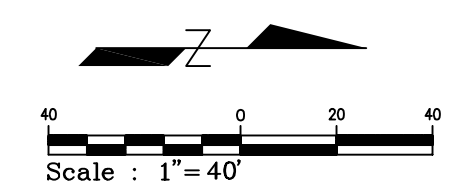
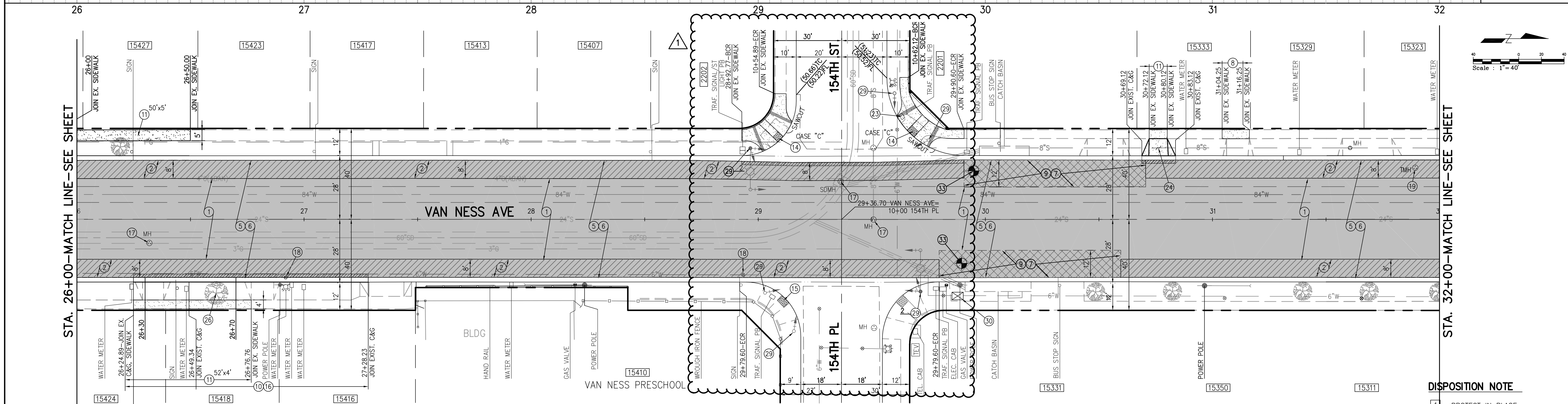
CITY OF GARDENA
 DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION
VAN NESS AVE STREET IMPROVEMENT-JN 992
 LIMITS: REDONDO BEACH BLVD TO MARINE AVE.

F.B. REF.
 DESIGNED BY S.D. 05/10/2022
 DRAWN BY H.N. 05/10/2022
 CHECKED BY S.D. 05/10/2022

APPROVED BY: _____
 PUBLIC WORKS ENGINEERING DIVISION
 SHT **5** OF **11** DWG NO. **8-1069**



PROFILE SCALE
 HORIZ. 1"=20'
 VERT. 1"= 2'



CONSTRUCTION NOTES

- 1 COLD MILL 2" THICK EXISTING PAVEMENT.
- 2 EDGE GRIND - COLD MILL VARIABLE THICKNESS A.C. PAVEMENT PER DETAIL 2 SHEET 2.
- 3 FURNISH AND CONSTRUCT 1" THICK (MIN) A.C. LEVELING COURSE, C2-PG64-10.
- 4 FURNISH AND CONSTRUCT 2" THICK ASPHALT RUBBER HOT MIX (ARHM) C2-PG64-16 (WET PROCESS).
- 5 COLD MILL VARIABLE THICKNESS A.C. PAVEMENT (TRANSITION FROM 4" TO 5" COLD MILL PER PLAN).
- 6 REMOVE AND RECONSTRUCT 6" THICK PCC SIDEWALK (BEHIND DRIVEWAY).
- 7 CONSTRUCT 2" THICK AC BASE COURSE.
- 8 REMOVE AND DISPOSE OF EXISTING CURB AND GUTTER. FURNISH AND RECONSTRUCT P.C.C. CURB AND GUTTER (8"CF) OVER 6" C.A.B. PER CITY OF GARDENA STD. PLAN ST-7 C-1. MATCH TO EXISTING CONDITION.

- 11 REMOVE AND DISPOSE OF EXISTING SIDEWALK. FURNISH AND RECONSTRUCT 4" P.C.C. SIDEWALK OVER EXISTING RECOMPACTED SUBGRADE PER CITY STD. ST-5B.
- 15 SAWCUT AND REMOVE NECESSARY PORTION OF EXISTING RAMP AND CONSTRUCT CAST-IN-PLACE TRUNCATED DOMES PER CALTRANS STD. PLAN A88A.
- 16 CONSTRUCT FULL DEPTH A.C. (2' WIDE 12" DEEP) PER CITY STANDARD. 6" ASPHALT OVER 6" C.A.B.
- 17 ADJUST SEWER/STORM DRAIN MANHOLE TO GRADE.
- 18 ADJUST WATER VALVE TO GRADE (PER GENERAL NOTE 36).
- 19 ADJUST TELEPHONE MANHOLE TO GRADE (PER GENERAL NOTE 36).
- 24 REMOVE EXISTING DRIVEWAY AND REPLACE WITH AGGREGATE TO MATCH TO ADJACENT IN PARKWAY.
- 26 REMOVE TREE AND STUMP AND PLAN NEW TREE, BRADFORD PEAR.

- 29 FURNISH AND INSTALL "INS" NAVIGATOR 3-WIRE PUSH BUTTON STATION WITH IDETECT TOUCHLESS ACTUATION OPTION AS SPECIFIED IN PROJECT SPECIFICATIONS.
- 30 FURNISH AND INSTALL NEW BBS CABINET AS SPECIFIED IN PROJECT SPECIFICATIONS.
- 33 CONDUCT PAVEMENT CORES IN ACCORDANCE WITH PROJECT SPECIFICATIONS.

CONSTRUCTION LEGEND

- COLD MILL 2" THICK AND CONSTRUCT 1" LEVELING COURSE AND 2" ARHM OVERLAY
- EDGE GRIND VARIABLE THICKNESS
- CORING LOCATION

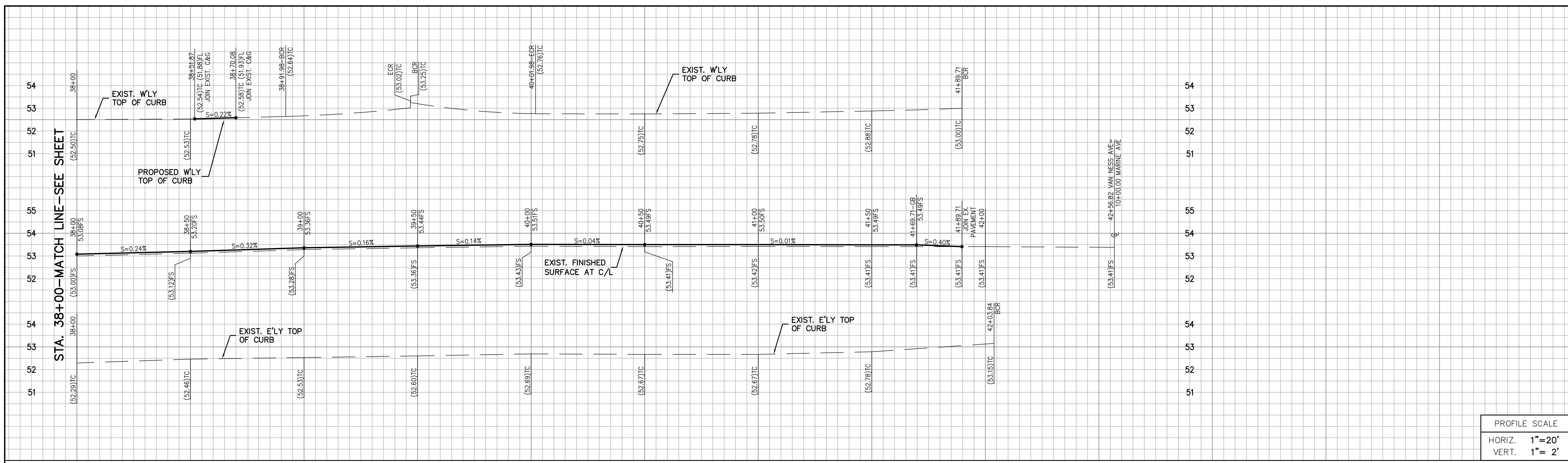
DISPOSITION NOTE

- 1 PROTECT IN PLACE

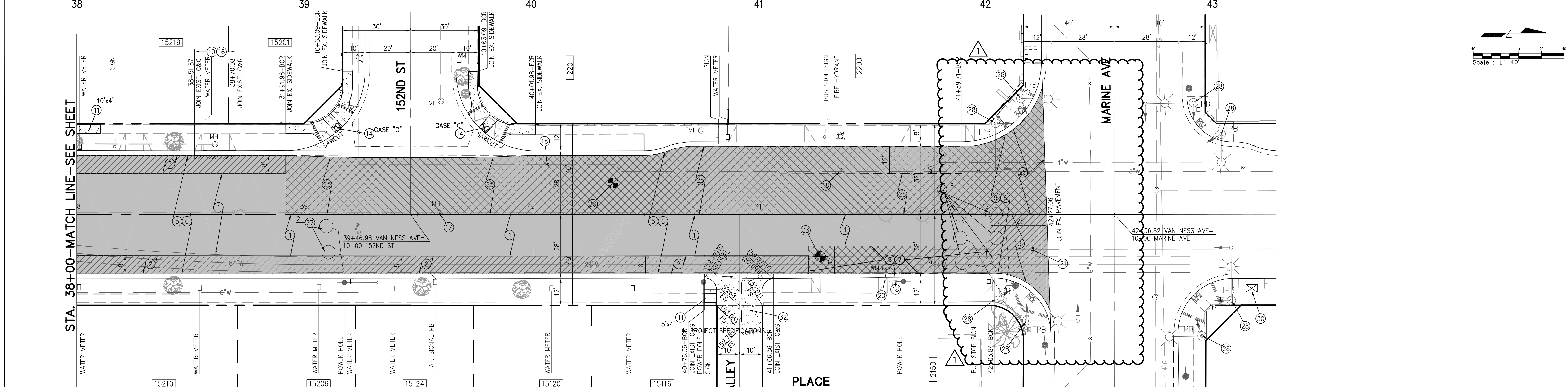
PREPARED BY:
DMS
 CONSULTANTS, INC.
 CIVIL ENGINEERS
 13371 VAN DE WETERING DRIVE, SUITE 200, GARDENA, CA 90248
 SURENDER M. DEWAN RCE 34559 EXP. 9/30/23



CITY OF GARDENA				
DEPARTMENT OF PUBLIC WORKS			ENGINEERING DIVISION	
PROJECT: VAN NESS AVE STREET IMPROVEMENT-JN 992				
LIMITS: REDONDO BEACH BLVD TO MARINE AVE.				
F.B. REF.	.	.	APPROVED BY:	
DESIGNED BY	S.D.	05/10/2022	PUBLIC WORKS ENGINEERING DIVISION	
DRAWN BY	H.N.	05/10/2022	SHT. 6 OF 11 DWG NO. 8-1069	
CHECKED BY	S.D.	05/10/2022		



PROFILE SCALE	
HORIZ.	1" = 20'
VERT.	1" = 2'



CONSTRUCTION NOTES

- ① COLD MILL 2" THICK EXISTING PAVEMENT.
- ② EDGE GRIND - COLD MILL VARIABLE THICKNESS A.C. PAVEMENT PER DETAIL 2 SHEET 2.
- ③ EDGE GRIND - COLD MILL VARIABLE THICKNESS A.C. PAVEMENT (TRANSITION FROM 2"-3" VARIABLE) TO 3" COLD MILL. L=20'
- ⑤ FURNISH AND CONSTRUCT 1" THICK (MIN) A.C. LEVELING COURSE, C2-PG64-10.
- ⑥ FURNISH AND CONSTRUCT 2" THICK ASPHALT RUBBER HOT MIX (ARHM) C2-PG64-16 (WET PROCESS).
- ⑦ COLD MILL VARIABLE THICKNESS A.C. PAVEMENT (TRANSITION FROM 4" TO 5" COLD MILL PER PLAN).
- ⑧ REMOVE AND RECONSTRUCT 6" THICK PCC SIDEWALK (BEHIND DRIVEWAY).
- ⑨ CONSTRUCT 2" THICK AC BASE COURSE.

- ⑩ REMOVE AND DISPOSE OF EXISTING CURB AND GUTTER. FURNISH AND RECONSTRUCT P.C.C. CURB AND GUTTER (8"CF) OVER 6" C.A.B. PER CITY OF GARDENA STD. PLAN ST-7 C-1. MATCH TO EXISTING CONDITION.
- ⑪ REMOVE AND DISPOSE OF EXISTING SIDEWALK. FURNISH AND RECONSTRUCT 4" P.C.C. SIDEWALK OVER EXISTING RECOMPACTED SUBGRADE PER CITY STD. ST-5B.
- ⑭ SAWCUT, REMOVE AND RECONSTRUCT CURB RAMP PER CALTRANS STD. PLAN A88A (CASE PER PLAN).
- ⑯ CONSTRUCT FULL DEPTH A.C. (2' WIDE 12" DEEP) PER CITY STANDARD. 6" ASPHALT OVER 6" C.A.B.
- ⑰ ADJUST SEWER/STORM DRAIN MANHOLE TO GRADE.
- ⑱ ADJUST WATER VALVE TO GRADE (PER GENERAL NOTE 36).
- ⑳ ADJUST M.W.D. MANHOLE TO GRADE.
- ㉑ ADJUST GAS VALVE TO GRADE (PER GENERAL NOTE 36).
- ㉒ REMOVE EXISTING PAVEMENT AND RECONSTRUCT 6" A.C. OVER EXISTING BASE (LEAVE 3" BELOW FINISHED SURFACE).
- ㉓ INSTALL 6" DIAMETER TRAFFIC LOOPS AND SPLICE IN PULL BOX PER CITY STD. ST-24.

PLACE

- ㉔ REMOVE AND SALVAGE EXISTING PUSH BUTTON, FURNISH AND INSTALL "INS" NAVIGATOR 3-WIRE PUSH BUTTON STATION WITH IDETECT TOUCHLESS ACTUATION OPTION AS SPECIFIED IN PROJECT SPECIFICATIONS.
- ㉕ FURNISH AND INSTALL NEW BBS CABINET AS SPECIFIED IN PROJECT SPECIFICATIONS.
- ㉖ REMOVE EXISTING ALLEY APPROACH AND 10 FEET OF EXISTING PCC PAVEMENT AND RECONSTRUCT ALLEY APPROACH PER APWA STD PLAN 130-2 AND 6" THICK PCC PAVEMENT OVER EXISTING BASE/NATIVE IN ALLEY R/W.
- ㉗ CONDUCT PAVEMENT CORES IN ACCORDANCE WITH PROJECT SPECIFICATIONS.

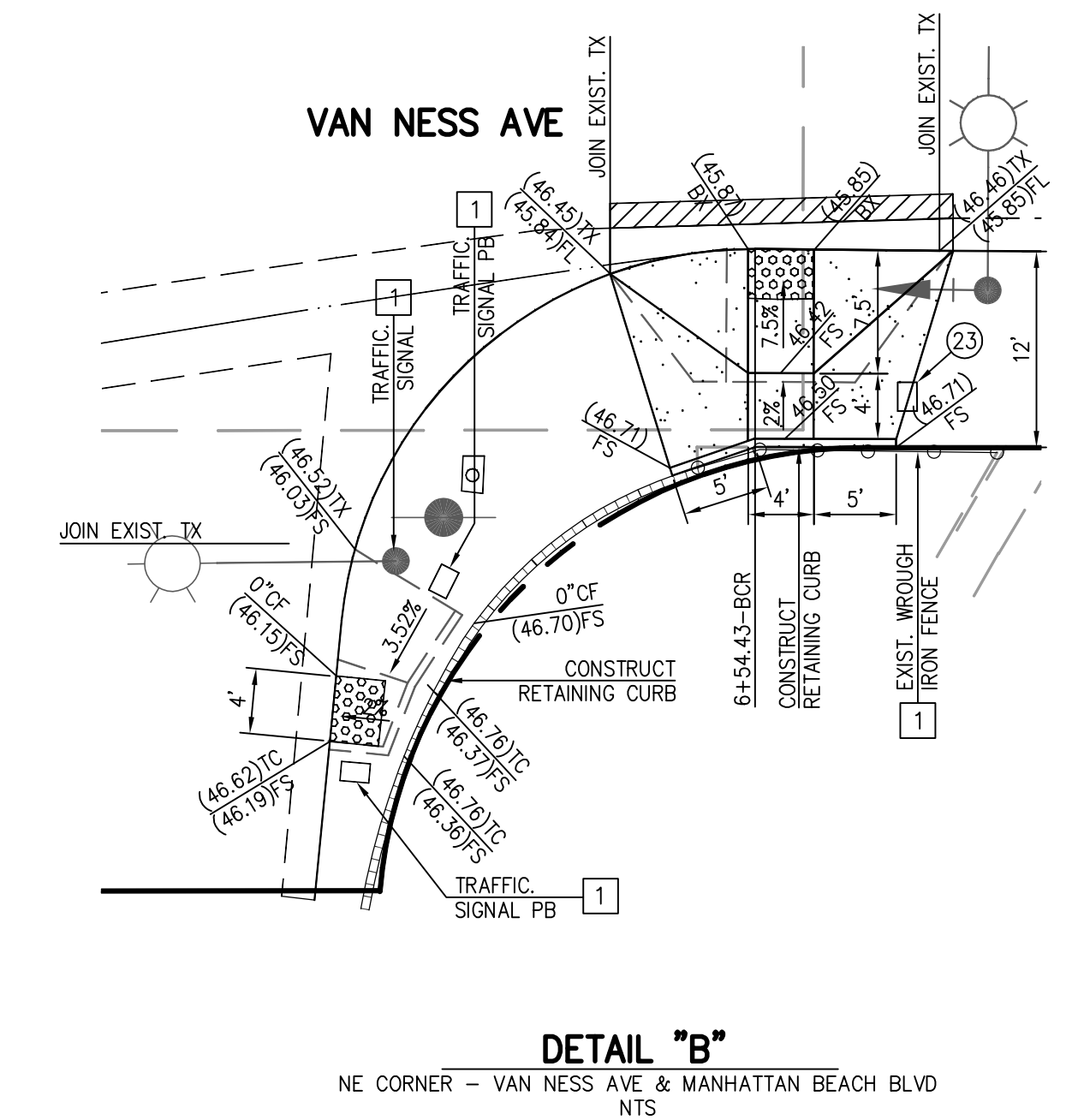
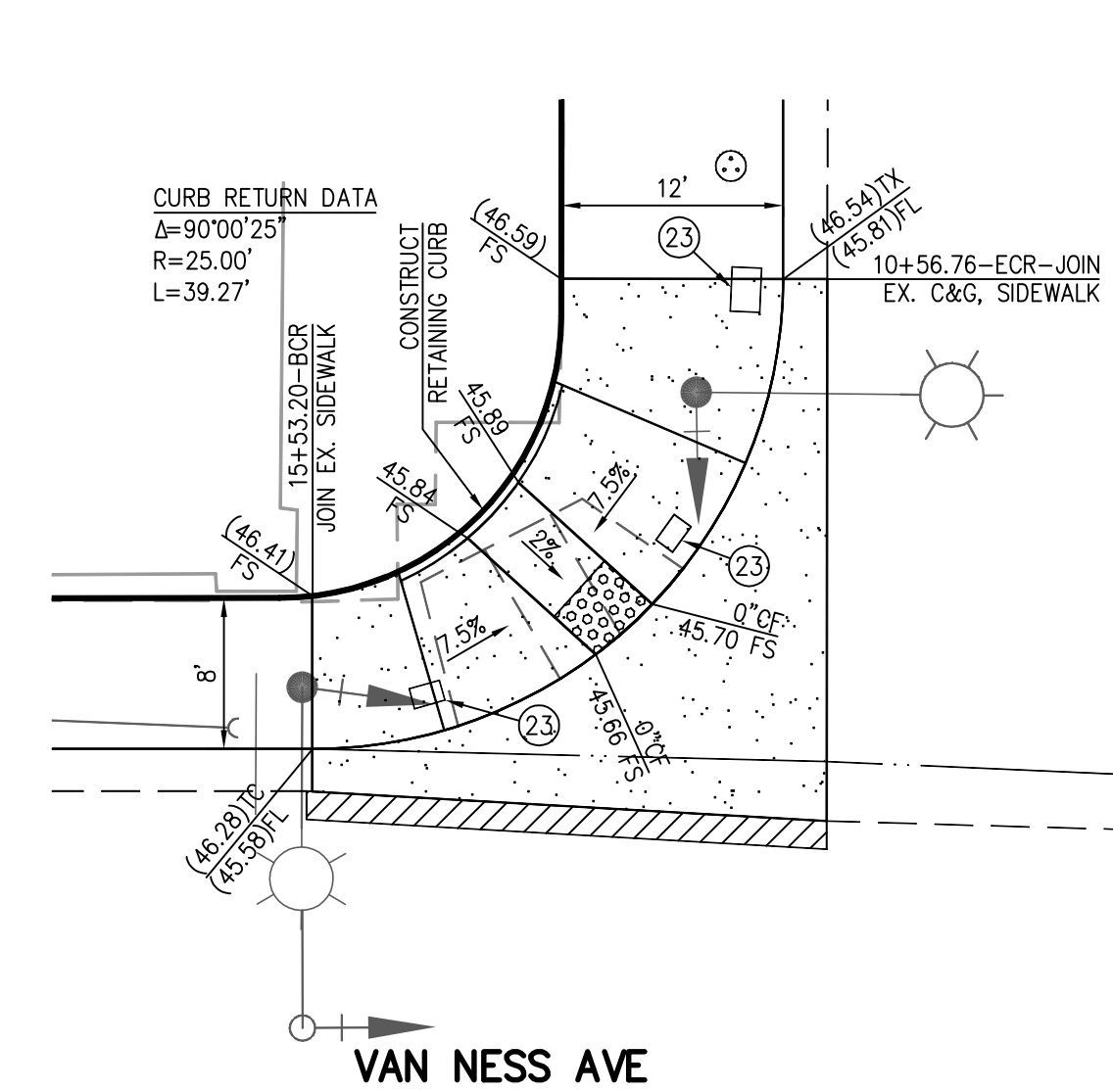
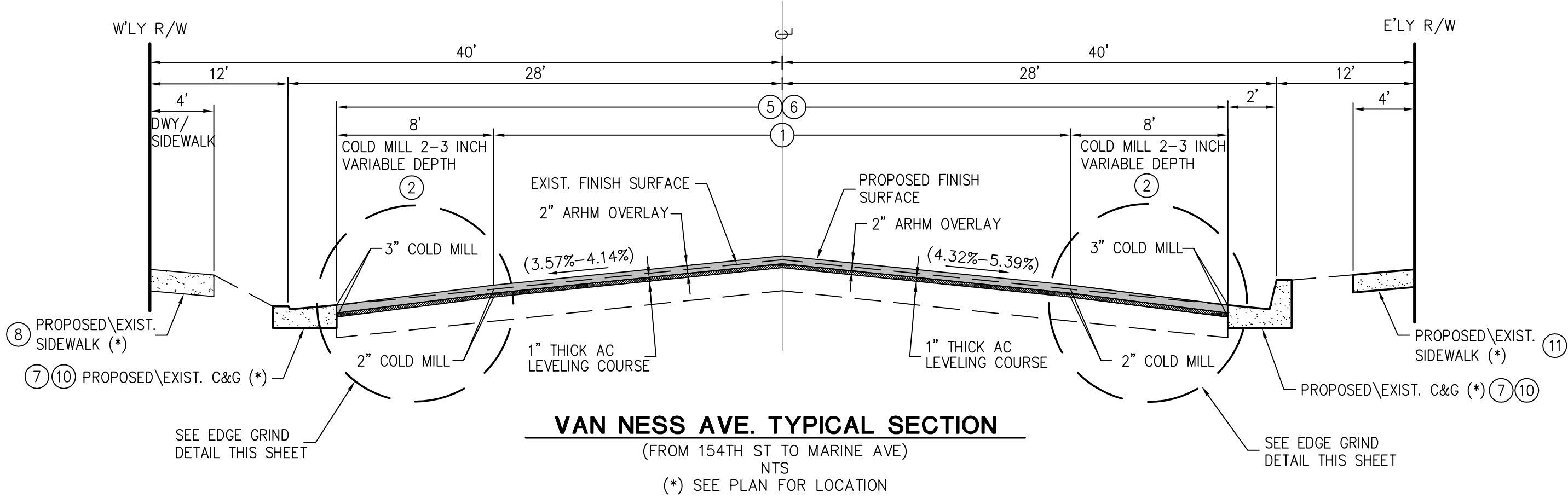
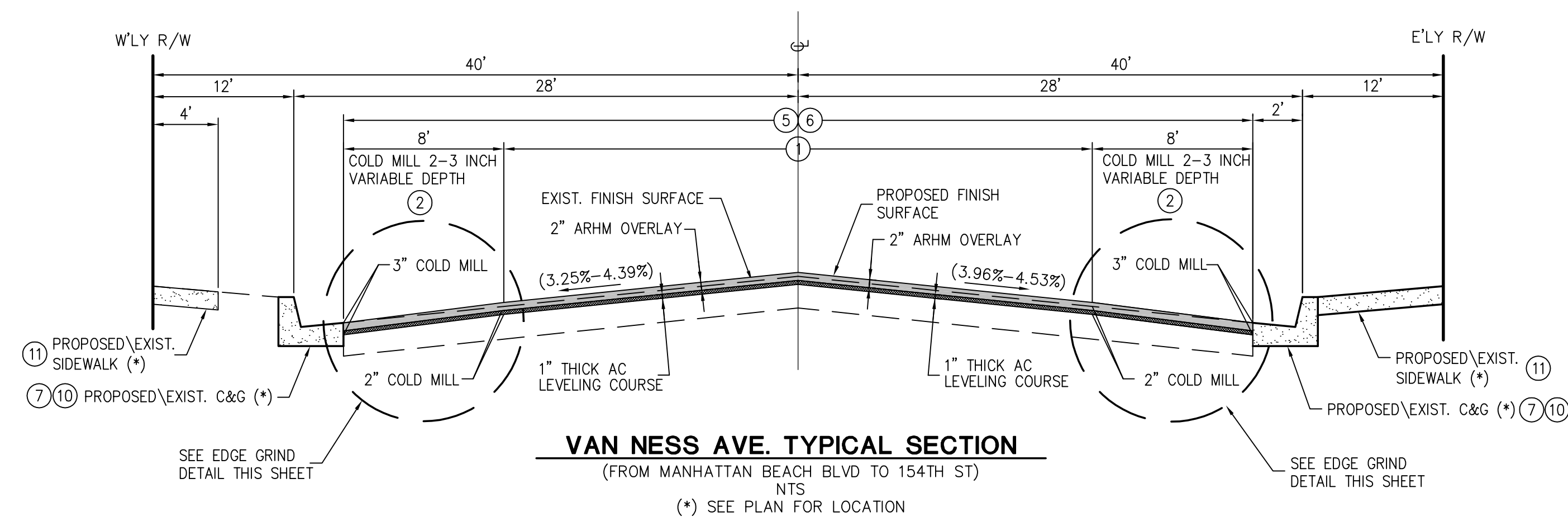
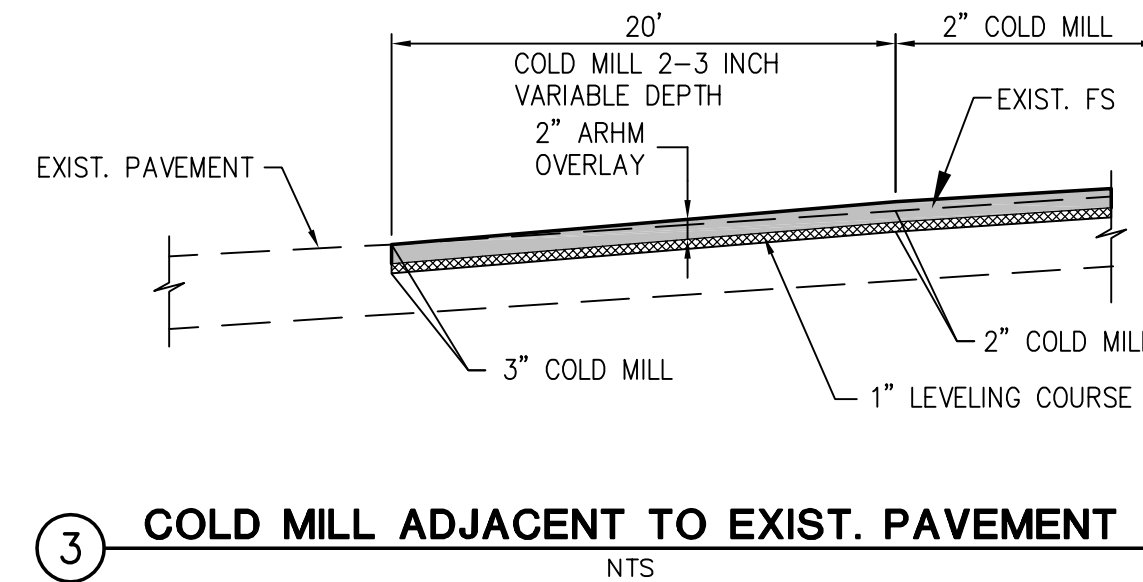
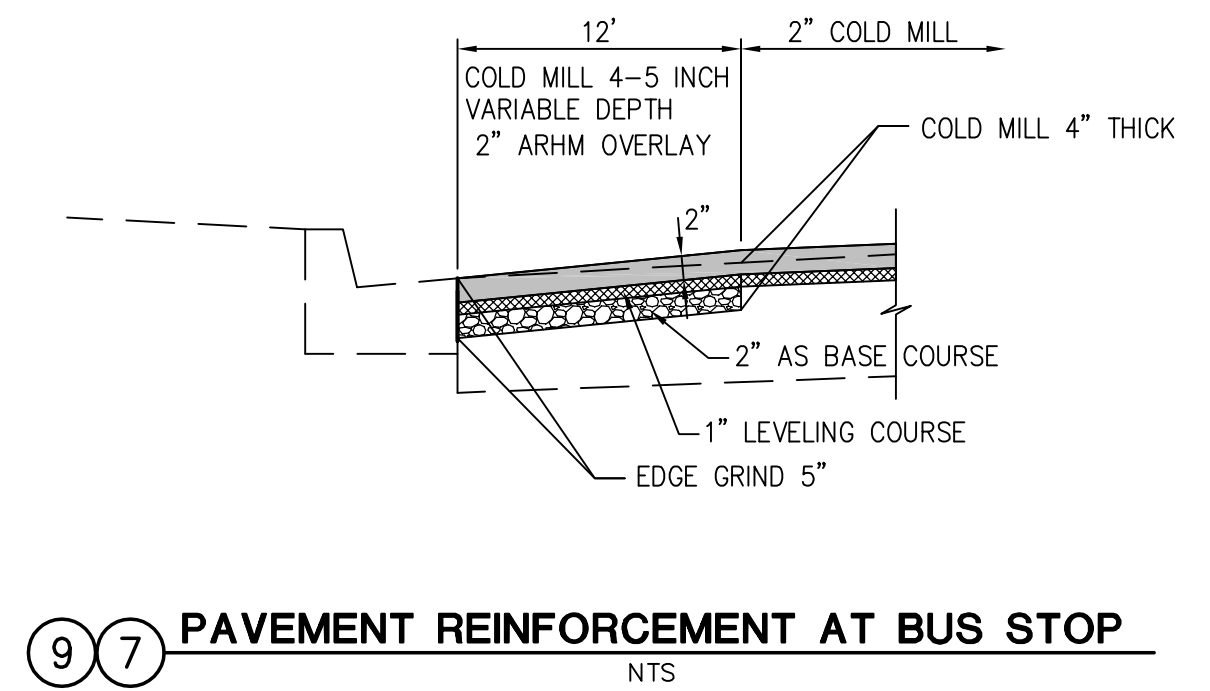
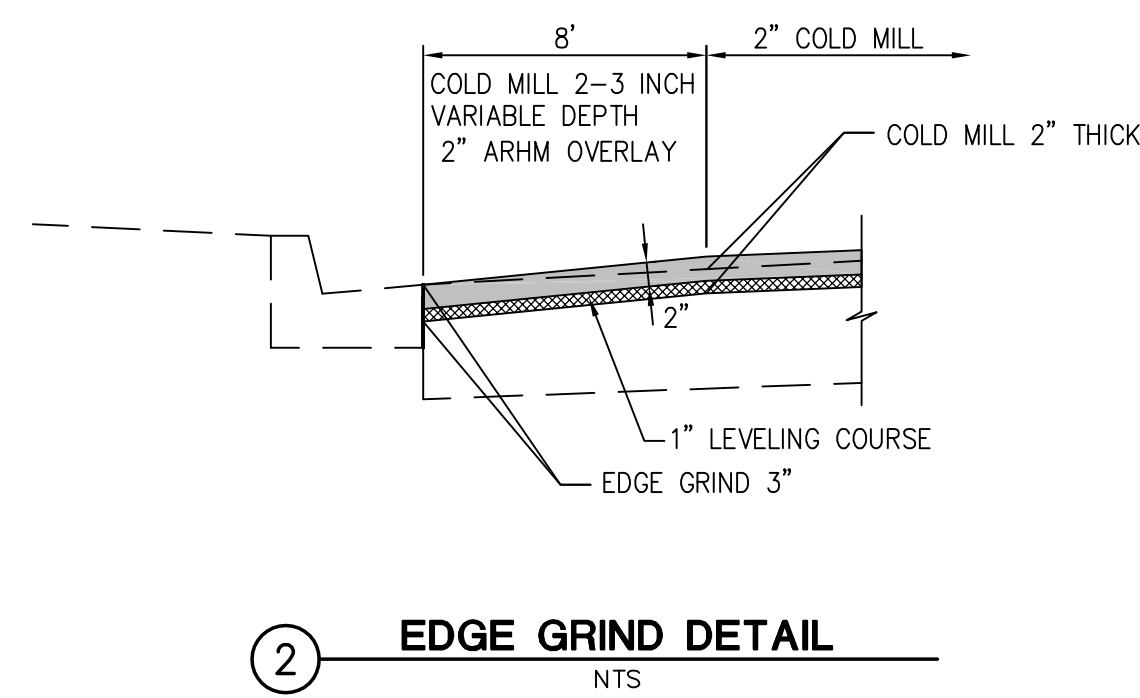
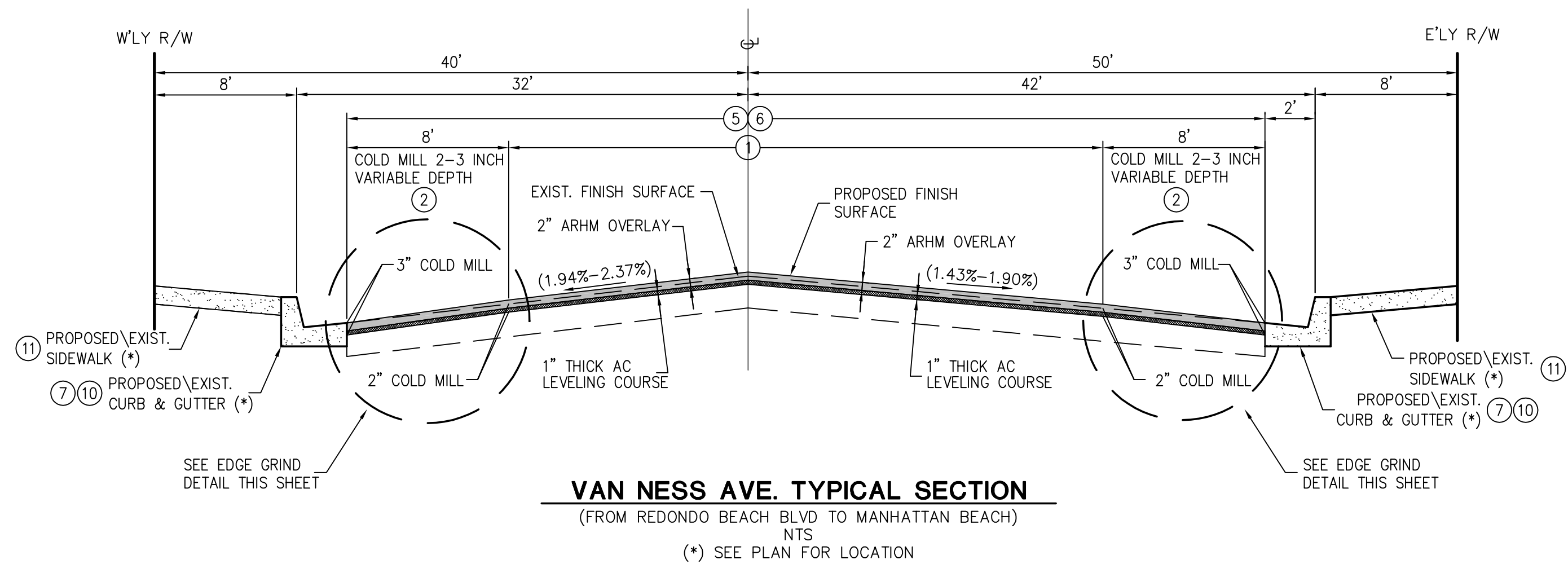
CONSTRUCTION LEGEND

- COLD MILL 2" THICK AND CONSTRUCT 1" LEVELING COURSE AND 2" ARHM OVERLAY
- EDGE GRIND VARIABLE THICKNESS
- CORING LOCATION

DISPOSITION NOTE

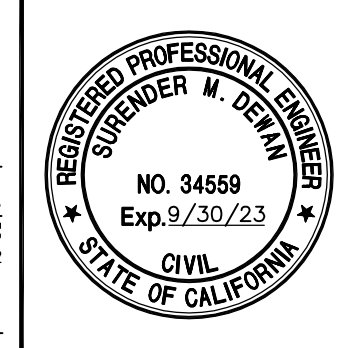
- ① PROTECT IN PLACE

<p>PREPARED BY:</p> <p align="center">DMS CONSULTANTS, INC. CIVIL ENGINEERS 13371 LARSEN RD, FORTY CREEK, COLORADO 80504 P. 714-740-8840 F. 714-740-8844</p> <p align="right">02/22/23 SURENDER M. DEWAN RCE 34559 EXP. 9/30/23</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>REVISIONS</th> <th>DATE</th> <th>BY</th> <th>APP</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>BID ADDENDUM # 1</td> <td>07/26/23</td> <td>SD</td> <td></td> </tr> </tbody> </table>	NO.	REVISIONS	DATE	BY	APP	1	BID ADDENDUM # 1	07/26/23	SD		<p>CITY OF GARDENA DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION</p> <p>PROJECT: VAN NESS AVE STREET IMPROVEMENT-JN 992 LIMITS: REDONDO BEACH BLVD TO MARINE AVE.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>F.B. REF.</td> <td>.</td> <td>.</td> <td>APPROVED BY:</td> </tr> <tr> <td>DESIGNED BY</td> <td>S.D.</td> <td>05/10/2022</td> <td rowspan="3" style="text-align: center;">PUBLIC WORKS ENGINEERING DIVISION SHT 8 OF 11 DWG NO. 8-1069</td> </tr> <tr> <td>DRAWN BY</td> <td>H.N.</td> <td>05/10/2022</td> </tr> <tr> <td>CHECKED BY</td> <td>S.D.</td> <td>05/10/2022</td> </tr> </table>	F.B. REF.	.	.	APPROVED BY:	DESIGNED BY	S.D.	05/10/2022	PUBLIC WORKS ENGINEERING DIVISION SHT 8 OF 11 DWG NO. 8-1069	DRAWN BY	H.N.	05/10/2022	CHECKED BY	S.D.	05/10/2022
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DRAWN BY	H.N.	05/10/2022																									
CHECKED BY	S.D.	05/10/2022																									



DISPOSITION NOTE
1 PROTECT IN PLACE

PREPARED BY:
DMS
CONSULTANTS, INC.
CIVIL ENGINEERS
10371 VAN NESS BLVD, SUITE 200, GARDENA, CA 90248 P. 714-742-8842 F. 714-742-8844
SURENDER M. DEWAN RCE 34559 EXP. 9/30/23



NO.	REVISIONS	DATE	BY	APP

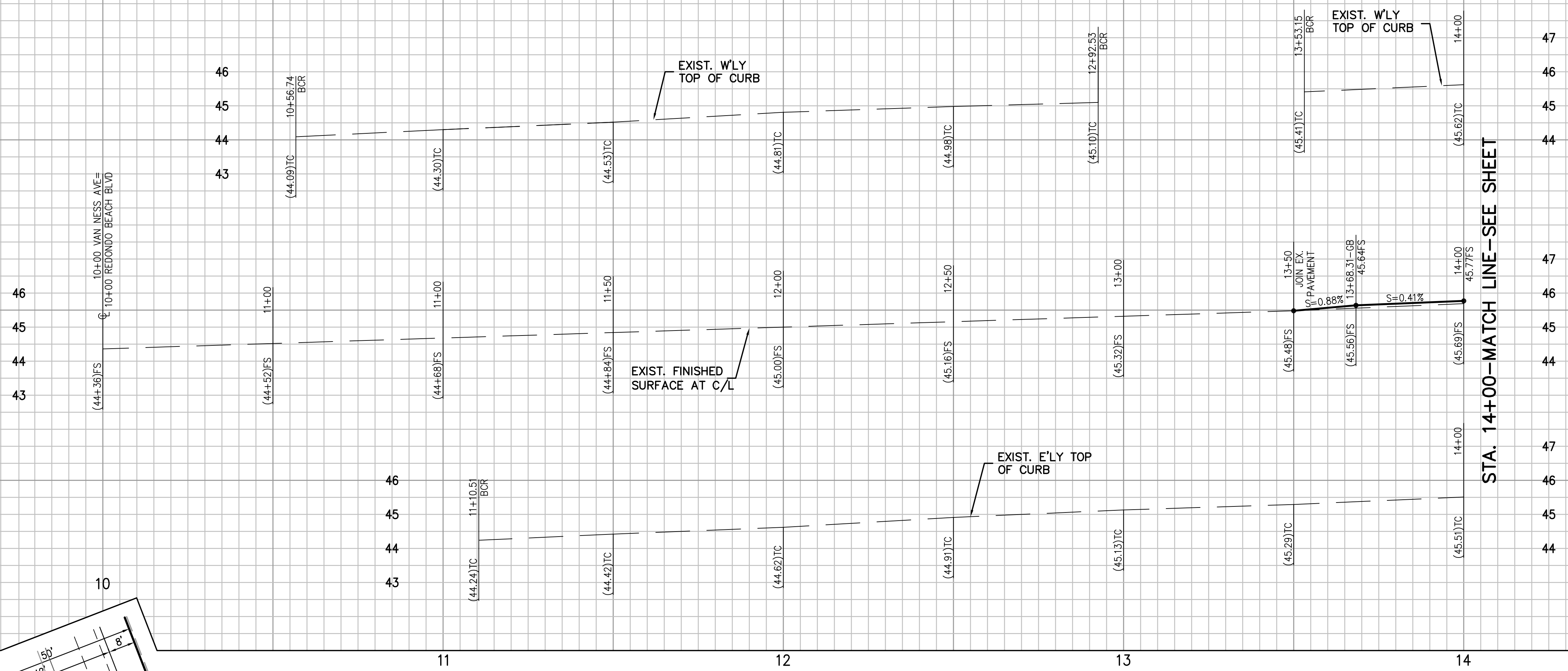
CITY OF GARDENA
DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION

PROJECT: **VAN NESS AVE STREET IMPROVEMENT-JN 992**
LIMITS: REDONDO BEACH BLVD TO MARINE AVE.

F.B. REF.
DESIGNED BY S.D. 05/10/2022
DRAWN BY H.N. 05/10/2022
CHECKED BY S.D. 05/10/2022

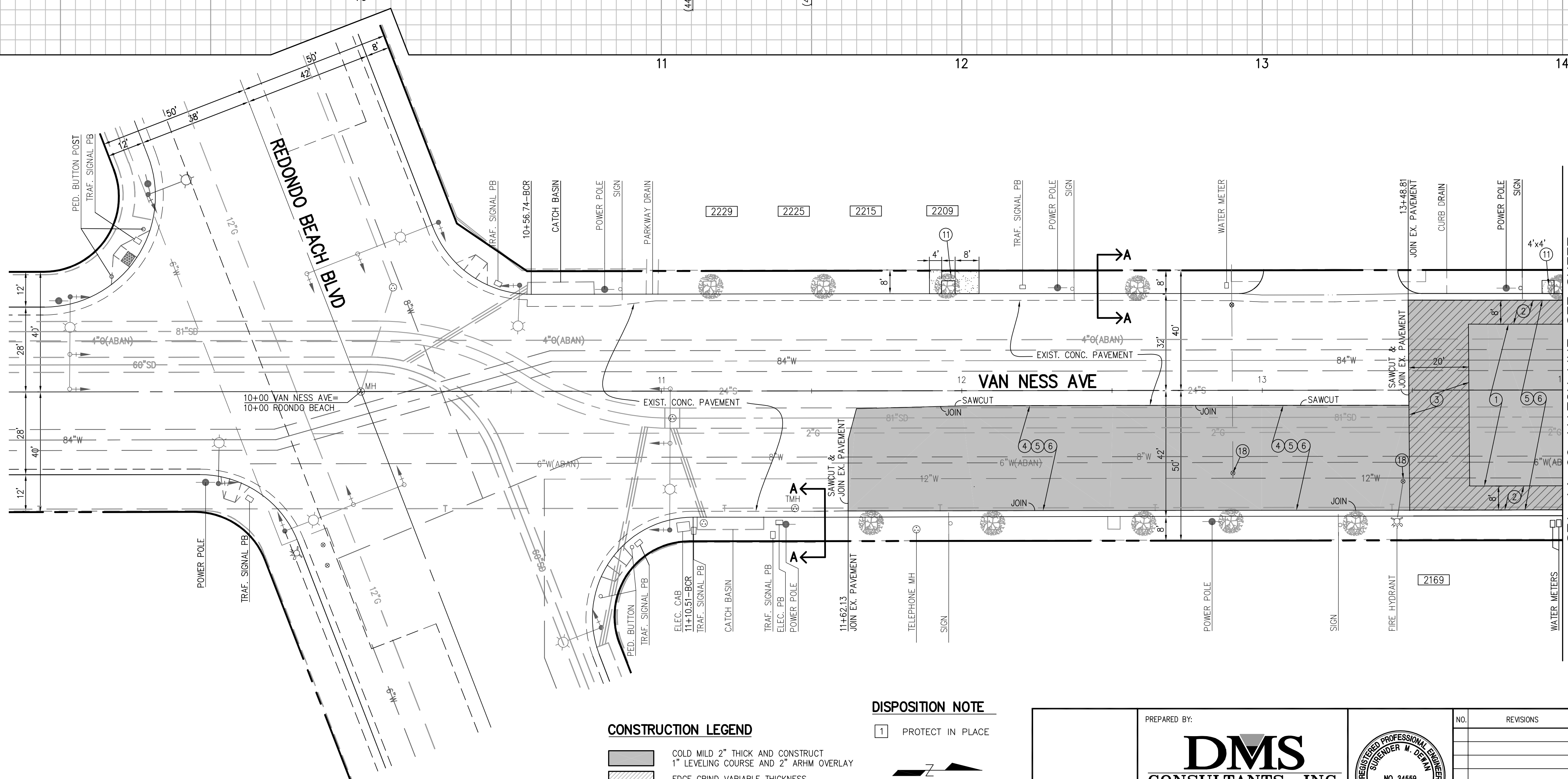
APPROVED BY: *Allan Rigg*
PUBLIC WORKS ENGINEERING DIVISION

SHT. **2** OF **11** DWG NO. **8-1069**



PROFILE SCALE	
HORIZ.	1"=20'
VERT.	1"= 2'

STA. 14+00—MATCH LINE—SEE SHEET

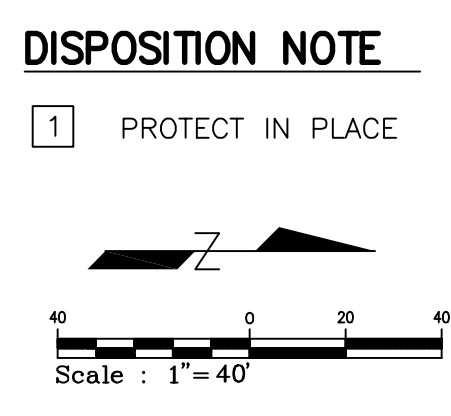


STA. 14+00—MATCH LINE—SEE SHEET

- ### CONSTRUCTION NOTES
- 1 COLD MILL 2" THICK EXISTING PAVEMENT.
 - 2 EDGE GRIND - COLD MILL VARIABLE THICKNESS A.C. PAVEMENT PER DETAIL 2 SHEET 2.
 - 3 EDGE GRIND - COLD MILL VARIABLE THICKNESS A.C. PAVEMENT (TRANSITION FROM 2"-3" VARIABLE) TO 3" COLD MILL. L=20'
 - 4 COLD MILL 3" THICK EXISTING PAVEMENT.
 - 5 FURNISH AND CONSTRUCT 1" THICK (MIN) A.C. LEVELING COURSE, C2-PG64-10.
 - 6 FURNISH AND CONSTRUCT 2" THICK ASPHALT RUBBER HOT MIX (ARHM) C2-PG64-16 (WET PROCESS).
 - 11 REMOVE AND DISPOSE OF EXISTING SIDEWALK. FURNISH AND RECONSTRUCT 4" P.C.C. SIDEWALK OVER EXISTING RECOMPACTED SUBGRADE PER CITY STD. ST-5B.
 - 18 ADJUST WATER VALVE TO GRADE (PER GENERAL NOTE 36).

CONSTRUCTION LEGEND

	COLD MILL 2" THICK AND CONSTRUCT 1" LEVELING COURSE AND 2" ARHM OVERLAY
	EDGE GRIND VARIABLE THICKNESS
	CORING LOCATION



PREPARED BY:

DMS
CONSULTANTS, INC.
CIVIL ENGINEERS
10371 VAN NESS AVENUE, SUITE 200, GARDENA, CA 90247 P. 714-740-8840 F. 714-740-8844

Andrew

02/22/23
SURENDER M. DEWAN RCE 34559 EXP. 9/30/23

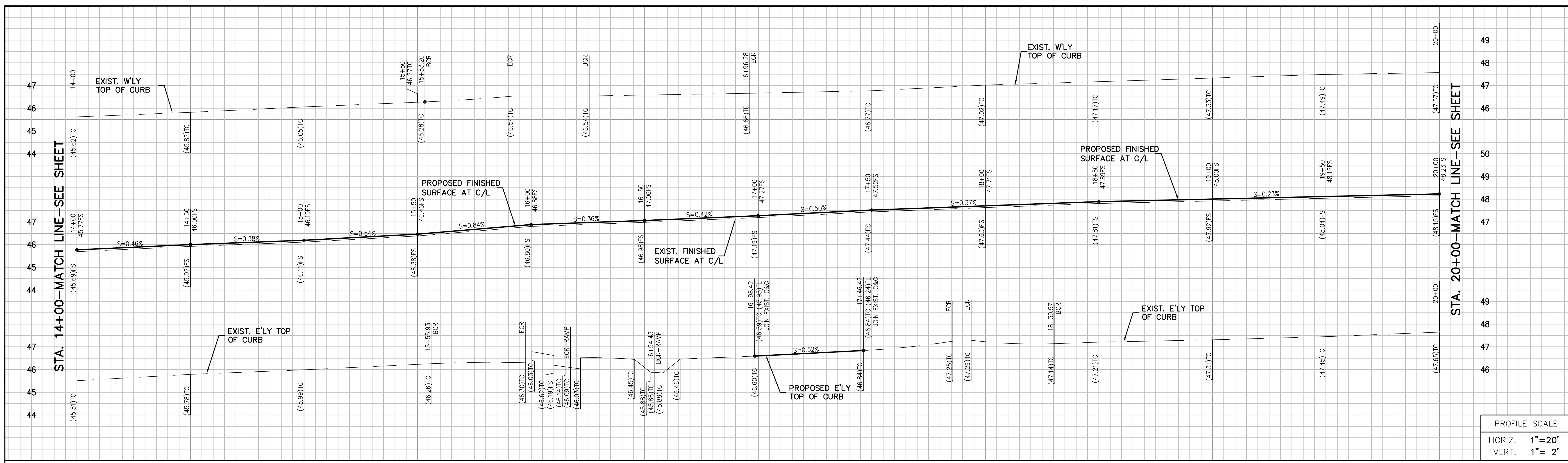


NO.	REVISIONS	DATE	BY	APP

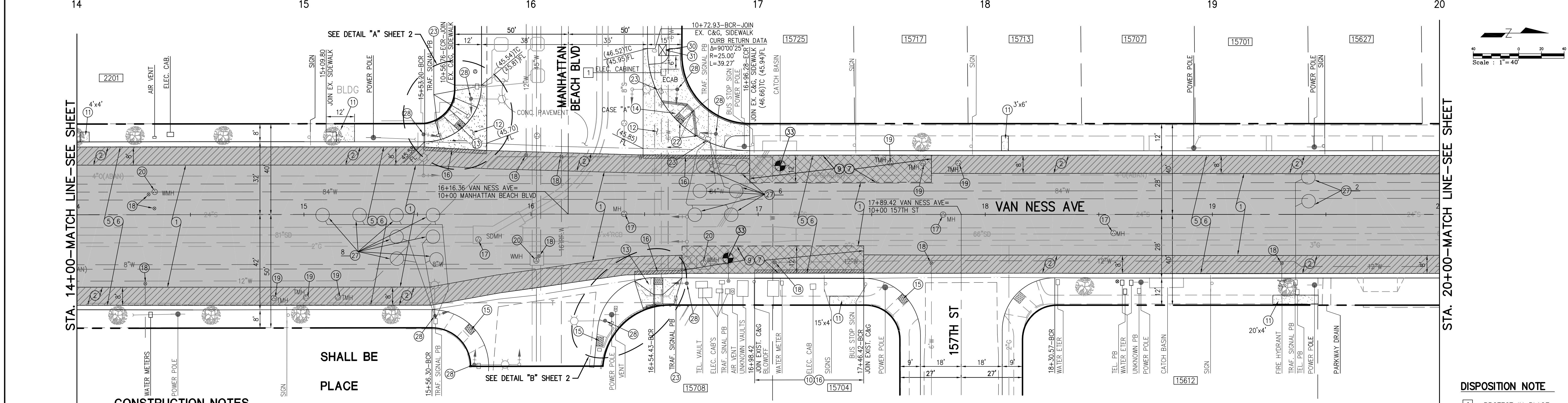
CITY OF GARDENA
DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION

PROJECT: **VAN NESS AVE STREET IMPROVEMENT—JN 992**
LIMITS: REDONDO BEACH BLVD TO MARINE AVE.

F.B. REF.	.	.	APPROVED BY:
DESIGNED BY	S.D.	05/10/2022	<i>Allan Rigg</i>
DRAWN BY	H.N.	05/10/2022	PUBLIC WORKS ENGINEERING DIVISION
CHECKED BY	S.D.	05/10/2022	SHT 3 OF 11 DWG NO. 8-1069



PROFILE SCALE
 HORIZ. 1"=20'
 VERT. 1"= 2'



DISPOSITION NOTE
 1 PROTECT IN PLACE

CONSTRUCTION NOTES

- 1 COLD MILL 2" THICK EXISTING PAVEMENT.
- 2 EDGE GRIND - COLD MILL VARIABLE THICKNESS A.C. PAVEMENT PER DETAIL 2 SHEET 2.
- 5 FURNISH AND CONSTRUCT 1" THICK (MIN) A.C. LEVELING COURSE, C2-PG64-10.
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- 9 CONSTRUCT 2" THICK AC BASE COURSE.
- 10 REMOVE AND DISPOSE OF EXISTING CURB AND GUTTER. FURNISH AND RECONSTRUCT P.C.C. CURB AND GUTTER (8"CF) OVER 6" C.A.B. PER CITY OF GARDENA STD. PLAN ST-7 C-1. MATCH TO EXISTING CONDITION.
- 11 REMOVE AND DISPOSE OF EXISTING SIDEWALK. FURNISH AND RECONSTRUCT 4" P.C.C. SIDEWALK OVER EXISTING RECOMPACTED SUBGRADE PER CITY STD. ST-5B.
- 12 REMOVE AND DISPOSE OF EXISTING CROSS GUTTER. FURNISH AND RECONSTRUCT 8" P.C.C. CROSS GUTTER OVER 6" C.A.B. PER CITY STD. ST-3.

- 13 SAWCUT, REMOVE AND RECONSTRUCT CURB RAMP PER CALTRANS STD. PLAN A88A, MODIFIED PER DETAIL SHEET 2.
- 14 SAWCUT, REMOVE AND RECONSTRUCT CURB RAMP PER CALTRANS STD. PLAN A88A (CASE PER PLAN).
- 15 SAWCUT AND REMOVE NECESSARY PORTION OF EXISTING RAMP AND CONSTRUCT CAST-IN-PLACE TRUNCATED DOMES PER CALTRANS STD. PLAN A88A.
- 16 CONSTRUCT FULL DEPTH A.C. (2" WIDE 12" DEEP) PER CITY STANDARD. 6" ASPHALT OVER 6" C.A.B.
- 17 ADJUST SEWER/STORM DRAIN MANHOLE TO GRADE.
- 18 ADJUST WATER VALVE TO GRADE (PER GENERAL NOTE 36).
- 19 ADJUST TELEPHONE MANHOLE TO GRADE (PER GENERAL NOTE 36).
- 20 ADJUST M.W.D. MANHOLE TO GRADE.
- 22 RELOCATE TRAFFIC SIGNAL PULL BOX.
- 23 ADJUST TRAFFIC SIGNAL PULL BOX TO GRADE.

- 28 REMOVE AND SALVAGE EXISTING PUSH BUTTON. FURNISH AND INSTALL NEW ADA PUSH BUTTON AS SPECIFIED IN PROJECT SPECIFICATIONS.
- 30 FURNISH AND INSTALL NEW BBS CABINET AS SPECIFIED IN PROJECT SPECIFICATIONS.
- 31 REMOVE EXISTING TREE.
- 33 CONDUCT PAVEMENT CORES IN ACCORDANCE WITH PROJECT SPECIFICATIONS.

CONSTRUCTION LEGEND

- COLD MILL 2" THICK AND CONSTRUCT 1" LEVELING COURSE AND 2" ARHM OVERLAY
- EDGE GRIND VARIABLE THICKNESS
- CORING LOCATION

PREPARED BY:
DMS CONSULTANTS, INC.
 CIVIL ENGINEERS
 13311 VAN NESS AVENUE, SUITE 200, GARDENA, CA 90248
 SURENDER M. DEWAN RCE 34559 EXP. 9/30/23

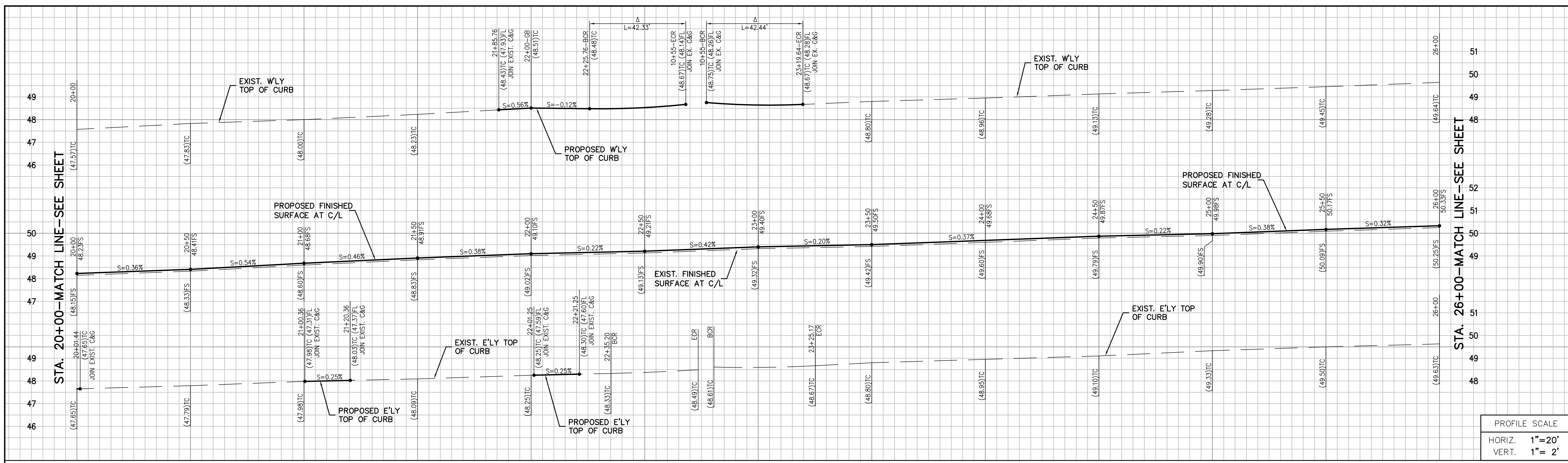


NO.	REVISIONS	DATE	BY	APP

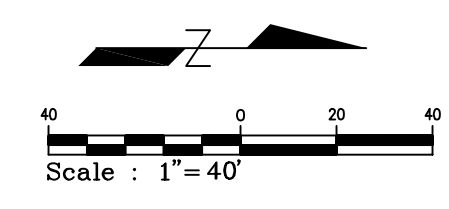
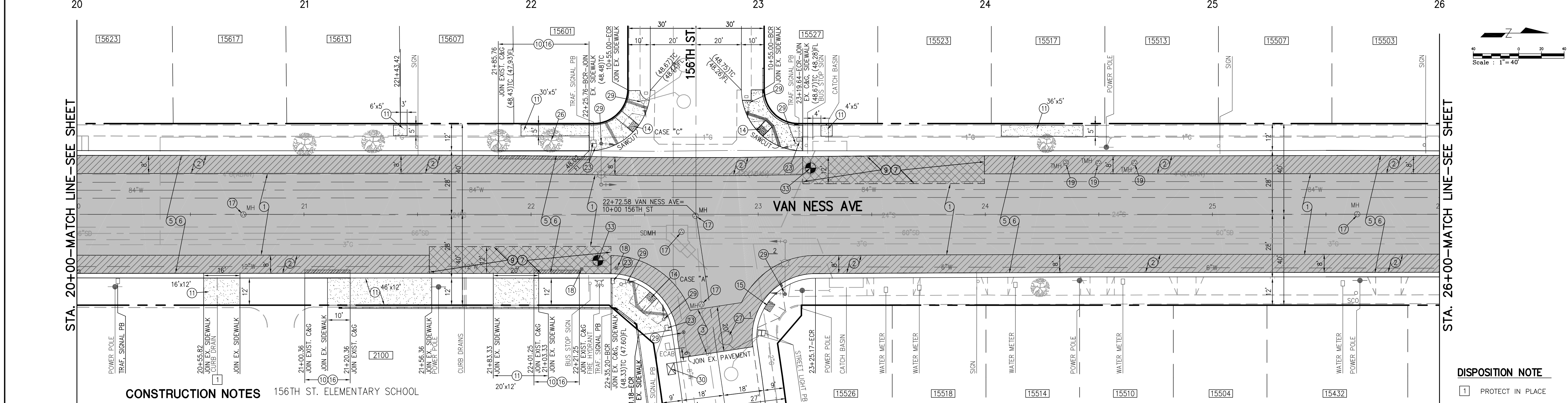
CITY OF GARDENA
 DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION
 PROJECT: **VAN NESS AVE STREET IMPROVEMENT-JN 992**
 LIMITS: REDONDO BEACH BLVD TO MARINE AVE.

F.B. REF.
 DESIGNED BY S.D. 05/10/2022
 DRAWN BY H.N. 05/10/2022
 CHECKED BY S.D. 05/10/2022

APPROVED BY: *Allan Rigg*
 PUBLIC WORKS ENGINEERING DIVISION
 SHT. **4** OF **11** DWG NO. **8-1069**



PROFILE SCALE
 HORIZ. 1"=20'
 VERT. 1"= 2'



DISPOSITION NOTE
 1 PROTECT IN PLACE

CONSTRUCTION NOTES 156TH ST. ELEMENTARY SCHOOL

- 1 COLD MILL 2" THICK EXISTING PAVEMENT.
- 2 EDGE GRIND - COLD MILL VARIABLE THICKNESS A.C. PAVEMENT PER DETAIL 2 SHEET 2.
- 3 EDGE GRIND - COLD MILL VARIABLE THICKNESS A.C. PAVEMENT (TRANSITION FROM 2"-3" VARIABLE) TO 3" COLD MILL. L=20'
- 5 FURNISH AND CONSTRUCT 1" THICK (MIN) A.C. LEVELING COURSE, C2-PG64-10.
- 6 FURNISH AND CONSTRUCT 2" THICK ASPHALT RUBBER HOT MIX (ARHM) C2-PG64-16 (WET PROCESS).
- 7 COLD MILL VARIABLE THICKNESS A.C. PAVEMENT (TRANSITION FROM 4" TO 5" COLD MILL PER PLAN).
- 9 CONSTRUCT 2" THICK AC BASE COURSE.
- 10 REMOVE AND DISPOSE OF EXISTING CURB AND GUTTER. FURNISH AND RECONSTRUCT P.C.C. CURB AND GUTTER (8"CF) OVER 6" C.A.B. PER CITY OF GARDENA STD. PLAN ST-7 C-1. MATCH TO EXISTING CONDITION.
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- 17 ADJUST SEWER/STORM DRAIN MANHOLE TO GRADE.
- 18 ADJUST WATER VALVE TO GRADE (PER GENERAL NOTE 36).
- 19 ADJUST TELEPHONE MANHOLE TO GRADE (PER GENERAL NOTE 36).
- 26 REMOVE TREE AND STUMP AND PLAN NEW TREE, BRADFORD PEAR.

CONSTRUCTION LEGEND

- COLD MILL 2" THICK AND CONSTRUCT 1" LEVELING COURSE AND 2" ARHM OVERLAY
- EDGE GRIND VARIABLE THICKNESS
- CORING LOCATION

PREPARED BY:
DMS CONSULTANTS, INC.
 CIVIL ENGINEERS
 10371 VANNESS BLVD, SUITE 200, GARDENA, CA 90248
 SURENDER M. DEWAN
 RCE 34559 EXP. 9/30/23

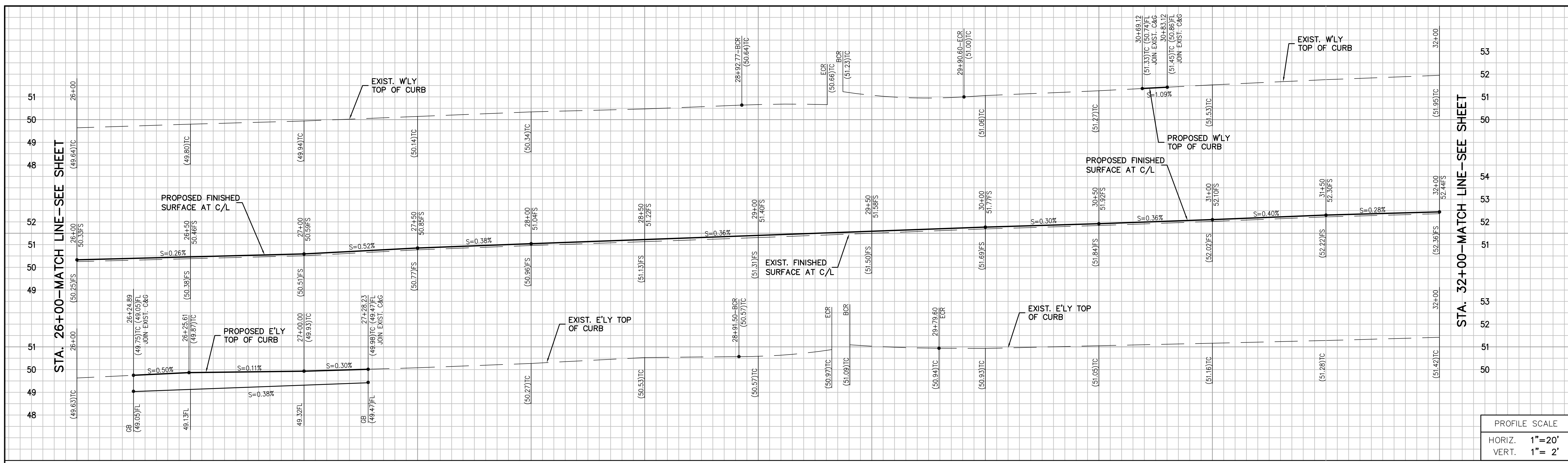


NO.	REVISIONS	DATE	BY	APP

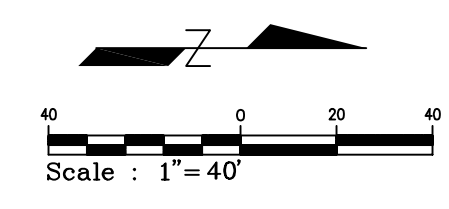
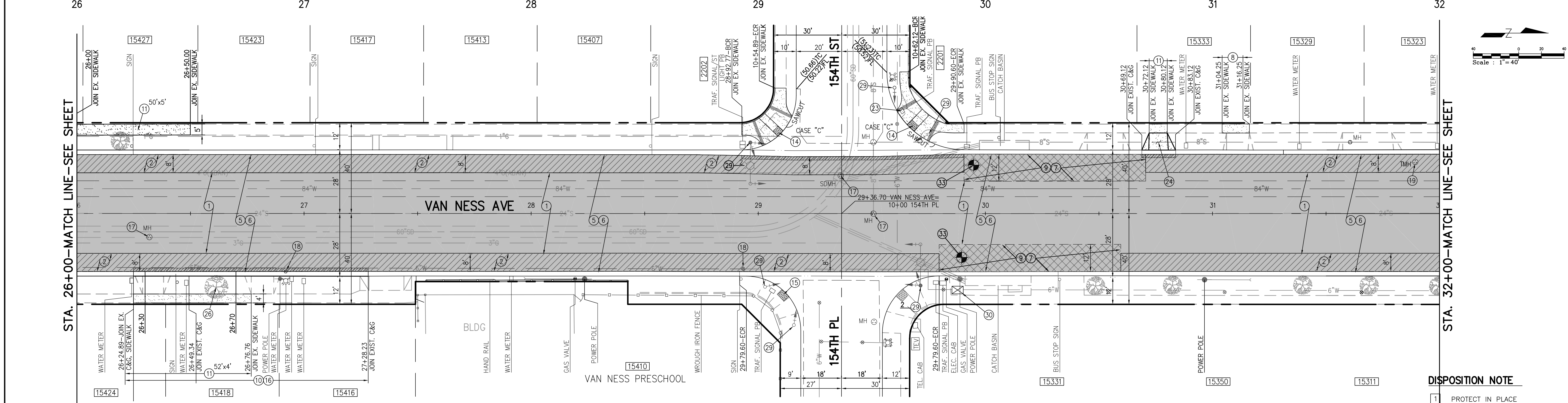
CITY OF GARDENA
 DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION
 PROJECT: VAN NESS AVE STREET IMPROVEMENT-JN 992
 LIMITS: REDONDO BEACH BLVD TO MARINE AVE.

F.B. REF.
 DESIGNED BY S.D. 05/10/2022
 DRAWN BY H.N. 05/10/2022
 CHECKED BY S.D. 05/10/2022

APPROVED BY: *Allan Rigg*
 PUBLIC WORKS ENGINEERING DIVISION
 SHT 5 OF 11 DWG NO. 8-1069



PROFILE SCALE
 HORIZ. 1"=20'
 VERT. 1"=2'



CONSTRUCTION NOTES

- 1 COLD MILL 2" THICK EXISTING PAVEMENT.
- 2 EDGE GRIND - COLD MILL VARIABLE THICKNESS A.C. PAVEMENT PER DETAIL 2 SHEET 2.
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- 9 CONSTRUCT 2" THICK AC BASE COURSE.
- 10 REMOVE AND DISPOSE OF EXISTING CURB AND GUTTER. FURNISH AND RECONSTRUCT P.C.C. CURB AND GUTTER (8"CF) OVER 6" C.A.B. PER CITY OF GARDENA STD. PLAN ST-7 C-1. MATCH TO EXISTING CONDITION.

- 11 REMOVE AND DISPOSE OF EXISTING SIDEWALK. FURNISH AND RECONSTRUCT 4" P.C.C. SIDEWALK OVER EXISTING RECOMPACTED SUBGRADE PER CITY STD. ST-5B.
- 15 SAWCUT AND REMOVE NECESSARY PORTION OF EXISTING RAMP AND CONSTRUCT CAST-IN-PLACE TRUNCATED DOMES PER CALTRANS STD. PLAN A88A.
- 16 CONSTRUCT FULL DEPTH A.C. (2' WIDE 12" DEEP) PER CITY STANDARD. 6" ASPHALT OVER 6" C.A.B.
- 17 ADJUST SEWER/STORM DRAIN MANHOLE TO GRADE.
- 18 ADJUST WATER VALVE TO GRADE (PER GENERAL NOTE 36).
- 19 ADJUST TELEPHONE MANHOLE TO GRADE (PER GENERAL NOTE 36).
- 24 REMOVE EXISTING DRIVEWAY AND REPLACE WITH AGGREGATE TO MATCH TO ADJACENT IN PARKWAY.
- 26 REMOVE TREE AND STUMP AND PLAN NEW TREE, BRADFORD PEAR.

- 29 FURNISH AND INSTALL NEW ADA PUSH BUTTON AS SPECIFIED IN PROJECT SPECIFICATIONS.
- 30 FURNISH AND INSTALL NEW BBS CABINET AS SPECIFIED IN PROJECT SPECIFICATIONS.
- 33 CONDUCT PAVEMENT CORES IN ACCORDANCE WITH PROJECT SPECIFICATIONS.

CONSTRUCTION LEGEND

- COLD MILL 2" THICK AND CONSTRUCT 1" LEVELING COURSE AND 2" ARHM OVERLAY
- EDGE GRIND VARIABLE THICKNESS
- CORING LOCATION

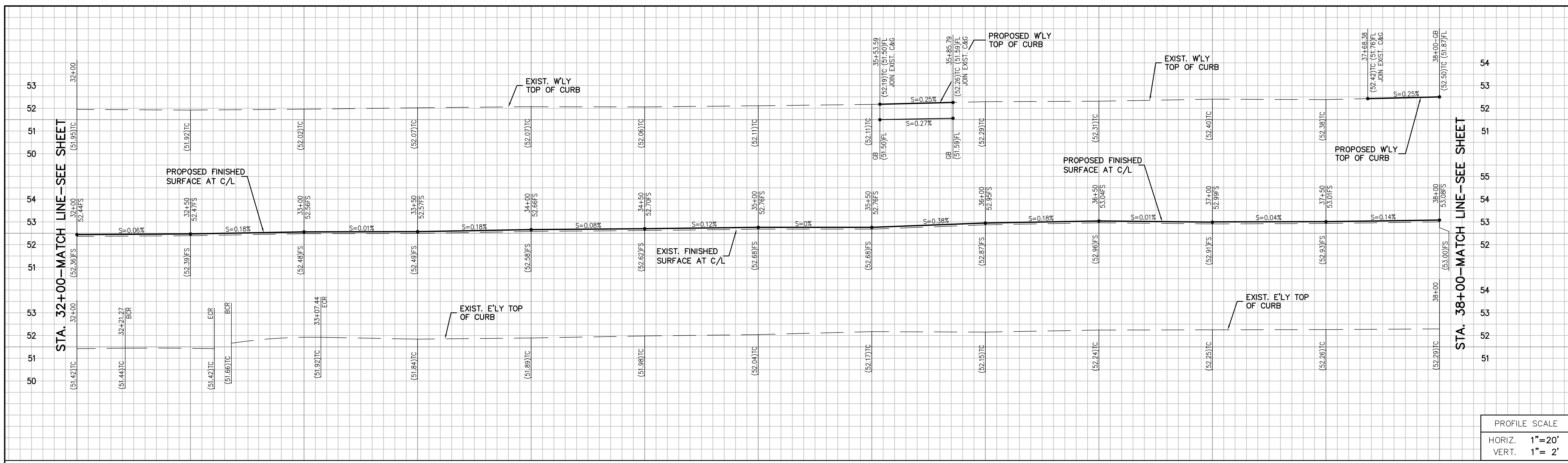
DISPOSITION NOTE

- 1 PROTECT IN PLACE

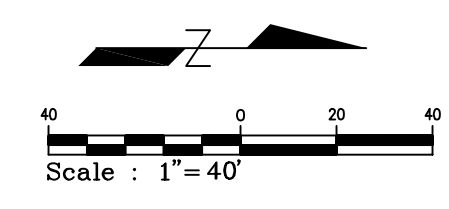
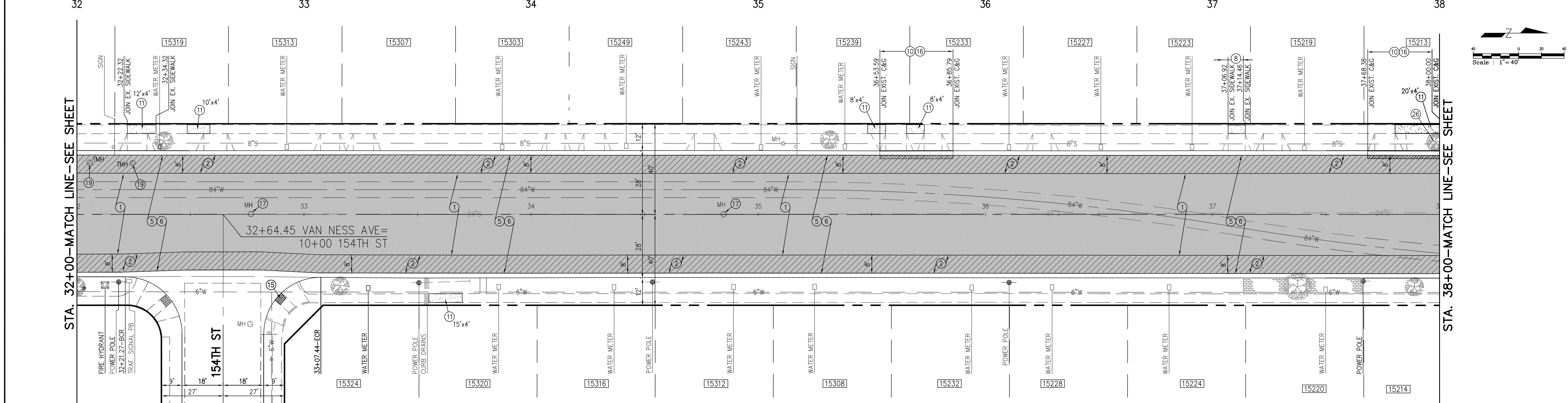
PREPARED BY:
DMS CONSULTANTS, INC.
 CIVIL ENGINEERS
 13371 VANNESS DRIVE, SUITE 200, GARDENA, CA 90248
 SURENDER M. DEWAN RCE 34559 EXP. 9/30/23



CITY OF GARDENA				
DEPARTMENT OF PUBLIC WORKS		ENGINEERING DIVISION		
PROJECT: VAN NESS AVE STREET IMPROVEMENT-JN 992				
LIMITS: REDONDO BEACH BLVD TO MARINE AVE.				
F.B. REF.	.	.	APPROVED BY: <i>Allen Rigg</i>	
DESIGNED BY	S.D.	05/10/2022	PUBLIC WORKS ENGINEERING DIVISION	
DRAWN BY	H.N.	05/10/2022	SHT. 6 OF 11 DWG NO. 8-1069	
CHECKED BY	S.D.	05/10/2022		



PROFILE SCALE
 HORIZ. 1"=20'
 VERT. 1"= 2'



CONSTRUCTION NOTES

- ① COLD MILL 2" THICK EXISTING PAVEMENT.
- ② EDGE GRIND - COLD MILL VARIABLE THICKNESS A.C. PAVEMENT PER DETAIL 2 SHEET 2.
- ⑤ FURNISH AND CONSTRUCT 1" THICK (MIN) A.C. LEVELING COURSE, C2-PG64-10.
- ⑥ FURNISH AND CONSTRUCT 2" THICK ASPHALT RUBBER HOT MIX (ARHM) C2-PG64-16 (WET PROCESS).
- ⑩ REMOVE AND DISPOSE OF EXISTING CURB AND GUTTER. FURNISH AND RECONSTRUCT P.C.C. CURB AND GUTTER (8"CF) OVER 6" C.A.B. PER CITY OF GARDENA STD. PLAN ST-7 C-1. MATCH TO EXISTING CONDITION.
- ⑪ REMOVE AND DISPOSE OF EXISTING SIDEWALK. FURNISH AND RECONSTRUCT 4" P.C.C. SIDEWALK OVER EXISTING RECOMPACTED SUBGRADE PER CITY STD. ST-5B.
- ⑮ INSTALL CAST IN PLACE TRUNCATED DOME PER CALTRANS STD. PLAN AB8A.
- ⑯ CONSTRUCT FULL DEPTH A.C. (2' WIDE 12" DEEP) PER CITY STANDARD. 6" ASPHALT OVER 6" C.A.B.
- ⑰ ADJUST SEWER/STORM DRAIN MANHOLE TO GRADE.
- ⑲ ADJUST TELEPHONE MANHOLE TO GRADE (PER GENERAL NOTE 36).
- ⑳ REMOVE TREE AND STUMP AND PLAN NEW TREE, BRADFORD PEAR.

CONSTRUCTION LEGEND

- COLD MILL 2" THICK AND CONSTRUCT 1" LEVELING COURSE AND 2" ARHM OVERLAY
- EDGE GRIND VARIABLE THICKNESS
- CORING LOCATION

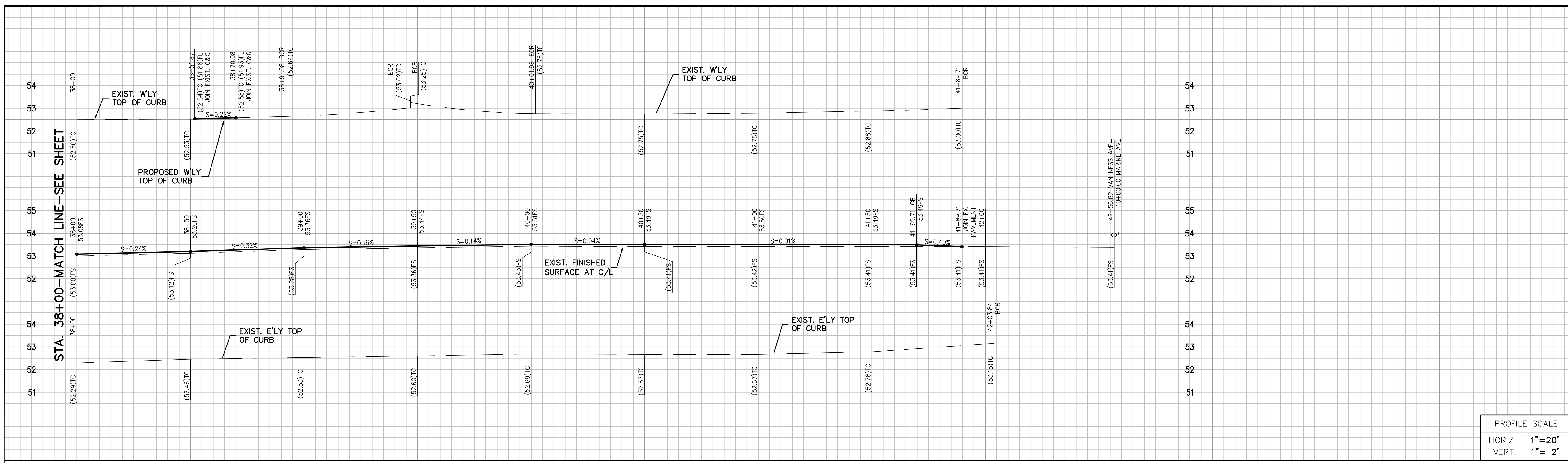
DISPOSITION NOTE

- ① PROTECT IN PLACE

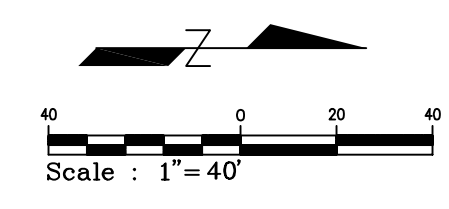
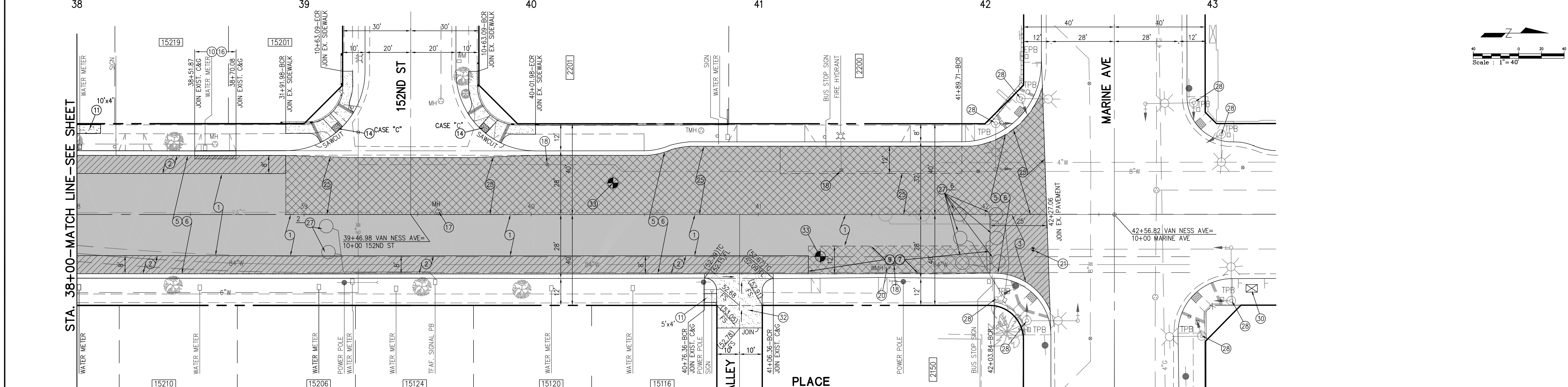
PREPARED BY:
DMS
 CONSULTANTS, INC.
 CIVIL ENGINEERS
 10371 VAN NESS AVENUE, SUITE 200, GARDENA, CA 90248 P. 714-740-8840 F. 714-740-8841
 SURENDER M. DEWAN RCE 34559 EXP. 9/30/23



CITY OF GARDENA				
DEPARTMENT OF PUBLIC WORKS		ENGINEERING DIVISION		
PROJECT: VAN NESS AVE STREET IMPROVEMENT-JN 992				
LIMITS: REDONDO BEACH BLVD TO MARINE AVE.				
F.B. REF.	.	.	.	APPROVED BY: Allan Rigg
DESIGNED BY	S.D.	05/10/2022		PUBLIC WORKS ENGINEERING DIVISION
DRAWN BY	H.N.	05/10/2022		SHT 7 OF 11 DWG NO. 8-1069
CHECKED BY	S.D.	05/10/2022		



PROFILE SCALE	
HORIZ.	1"=20'
VERT.	1"=2'



CONSTRUCTION NOTES

- ① COLD MILL 2" THICK EXISTING PAVEMENT.
- ② EDGE GRIND - COLD MILL VARIABLE THICKNESS A.C. PAVEMENT PER DETAIL 2 SHEET 2.
- ③ EDGE GRIND - COLD MILL VARIABLE THICKNESS A.C. PAVEMENT (TRANSITION FROM 2"-3" VARIABLE) TO 3" COLD MILL. L=20'
- ⑤ FURNISH AND CONSTRUCT 1" THICK (MIN) A.C. LEVELING COURSE, C2-PG64-10.
- ⑥ FURNISH AND CONSTRUCT 2" THICK ASPHALT RUBBER HOT MIX (ARHM) C2-PG64-16 (WET PROCESS).
- ⑦ COLD MILL VARIABLE THICKNESS A.C. PAVEMENT (TRANSITION FROM 4" TO 5" COLD MILL PER PLAN).
- ⑧ REMOVE AND RECONSTRUCT 6" THICK PCC SIDEWALK (BEHIND DRIVEWAY).
- ⑨ CONSTRUCT 2" THICK AC BASE COURSE.

- ⑩ REMOVE AND DISPOSE OF EXISTING CURB AND GUTTER. FURNISH AND RECONSTRUCT P.C.C. CURB AND GUTTER (8"CF) OVER 6" C.A.B. PER CITY OF GARDENA STD. PLAN ST-7 C-1. MATCH TO EXISTING CONDITION.
- ⑪ REMOVE AND DISPOSE OF EXISTING SIDEWALK. FURNISH AND RECONSTRUCT 4" P.C.C. SIDEWALK OVER EXISTING RECOMPACTED SUBGRADE PER CITY STD. ST-5B.
- ⑭ SAWCUT, REMOVE AND RECONSTRUCT CURB RAMP PER CALTRANS STD. PLAN A88A (CASE PER PLAN).
- ⑮ CONSTRUCT FULL DEPTH A.C. (2' WIDE 12" DEEP) PER CITY STANDARD.
- ⑯ ASPHALT OVER 6" C.A.B.
- ⑰ ADJUST SEWER/STORM DRAIN MANHOLE TO GRADE.
- ⑱ ADJUST WATER VALVE TO GRADE (PER GENERAL NOTE 36).
- ⑳ ADJUST M.W.D. MANHOLE TO GRADE.
- ㉑ ADJUST GAS VALVE TO GRADE (PER GENERAL NOTE 36).
- ㉒ REMOVE EXISTING PAVEMENT AND RECONSTRUCT 6" A.C. OVER EXISTING BASE (LEAVE 3" BELOW FINISHED SURFACE).
- ㉓ INSTALL 6" DIAMETER TRAFFIC LOOPS AND SPLICE IN PULL BOX PER CITY STD. ST-24.

- ㉔ REMOVE AND SALVAGE EXISTING PUSH BUTTON, FURNISH AND INSTALL NEW ADA PUSH BUTTON AS SPECIFIED IN PROJECT SPECIFICATIONS.
- ③① FURNISH AND INSTALL NEW BBS CABINET AS SPECIFIED IN PROJECT SPECIFICATIONS.
- ③② REMOVE EXISTING ALLEY APPROACH AND 10 FEET OF EXISTING PCC PAVEMENT AND RECONSTRUCT ALLEY APPROACH PER APWA STD PLAN 130-2 AND 6" THICK PCC PAVEMENT OVER EXISTING BASE/NATIVE IN ALLEY R/W.
- ③③ CONDUCT PAVEMENT CORES IN ACCORDANCE WITH PROJECT SPECIFICATIONS.

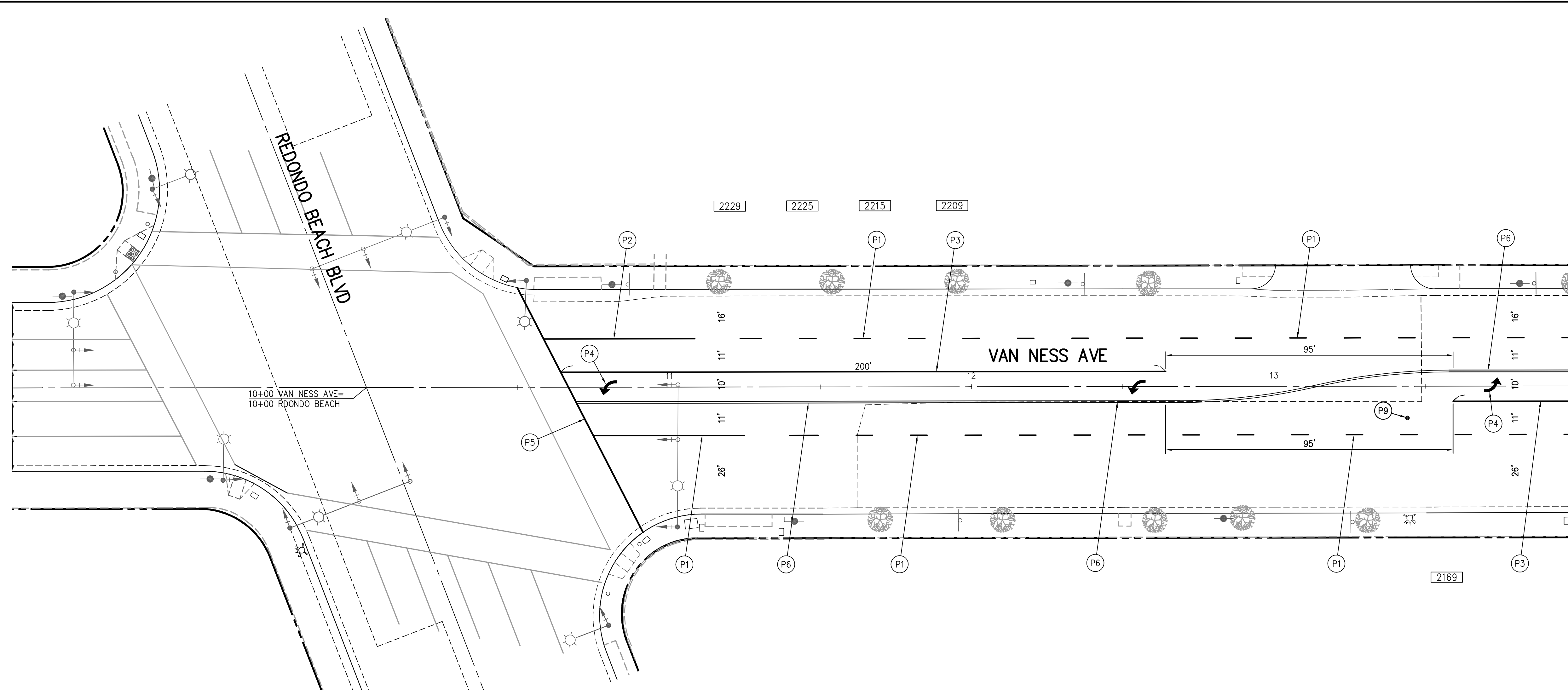
DISPOSITION NOTE

- ① PROTECT IN PLACE

CONSTRUCTION LEGEND

- COLD MILL 2" THICK AND CONSTRUCT 1" LEVELING COURSE AND 2" ARHM OVERLAY
- EDGE GRIND VARIABLE THICKNESS
- CORING LOCATION

<p>PREPARED BY:</p> <p style="text-align: center;">DMS CONSULTANTS, INC. CIVIL ENGINEERS 13371 LARSEN RD, GARDENA, CALIF. 90248 P. 714-740-8840 F. 714-740-8841</p> <p style="text-align: center;">SURENDER M. DEWAN RCE 34559 EXP. 9/30/23</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>REVISIONS</th> <th>DATE</th> <th>BY</th> <th>APP</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	REVISIONS	DATE	BY	APP						<p style="text-align: center;">CITY OF GARDENA DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION</p> <p style="text-align: center;">VAN NESS AVE STREET IMPROVEMENT-JN 992</p> <p style="text-align: center;">LIMITS: REDONDO BEACH BLVD TO MARINE AVE.</p>	<p>F.B. REF.</p> <p>DESIGNED BY S.D. 05/10/2022</p> <p>DRAWN BY H.N. 05/10/2022</p> <p>CHECKED BY S.D. 05/10/2022</p>	<p>APPROVED BY:</p> <p style="text-align: center;"><i>Allan Rigg</i></p> <p style="text-align: center;">PUBLIC WORKS ENGINEERING DIVISION</p> <p>SHT. 8 OF 11 DWG NO. 8-1069</p>
NO.	REVISIONS	DATE	BY	APP											

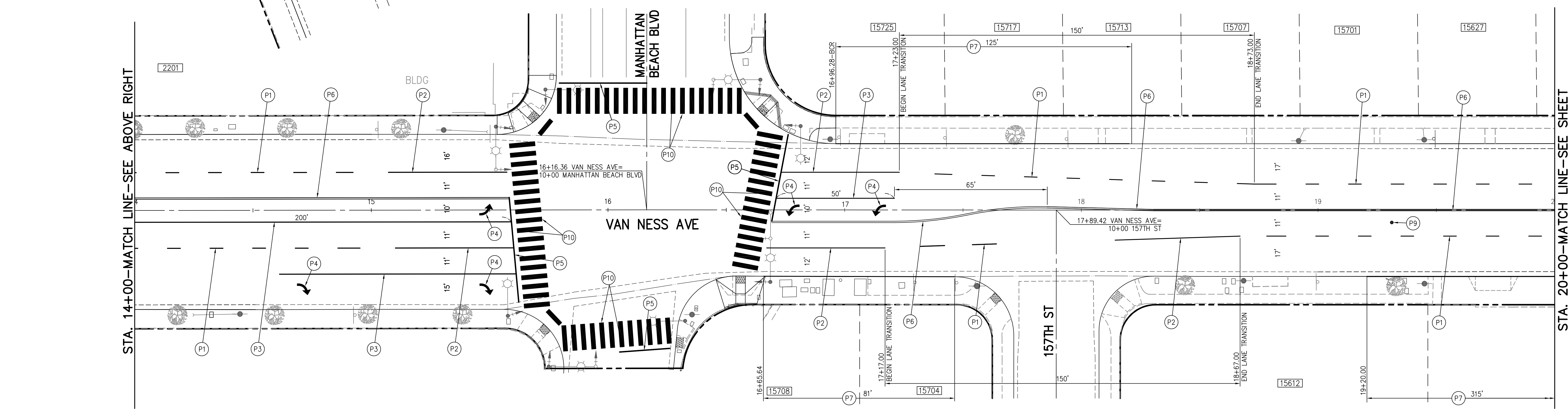


STRIPING NOTES

- (P1) FURNISH AND INSTALL THERMOPLASTIC AND RAISED PAVEMENT MARKERS PER DETAIL "9" CALTRANS STANDARD PLAN A20A.
- (P2) FURNISH AND INSTALL THERMOPLASTIC SOLID WHITE LINE, 50' LONG WITH RAISED PAVEMENT MARKERS.
- (P3) FURNISH AND INSTALL THERMOPLASTIC AND RAISED PAVEMENT MARKERS PER DETAIL "38B" CALTRANS STANDARD PLAN A20A.
- (P4) FURNISH AND INSTALL TYPE IV THERMOPLASTIC ARROW PER CALTRANS STANDARD PLAN A24A.
- (P5) FURNISH AND INSTALL 12" SOLID WHITE THERMOPLASTIC CROSSWALK LINE OR STOP BAR.
- (P6) FURNISH AND INSTALL THERMOPLASTIC AND RAISED PAVEMENT MARKERS DOUBLE YELLOW LINE PER DETAIL "22" CALTRANS STANDARD PLAN A20A.
- (P7) PAINT TOP OF CURB & CURB FACE RED
- (P8) FURNISH AND INSTALL 12" SOLID YELLOW THERMOPLASTIC CROSSWALK LINE OR STOP BAR.
- (P9) FURNISH AND INSTALL TWO-WAY BLUE REFLECTIVE MARKER. FIELD VERIFY LOCATIONS.
- (P10) FURNISH AND INSTALL 10' WIDE THERMOPLASTIC CROSSWALK, CONTINENTAL TYPE. SEE DETAIL THIS SHEET (COLOR PER PLAN)

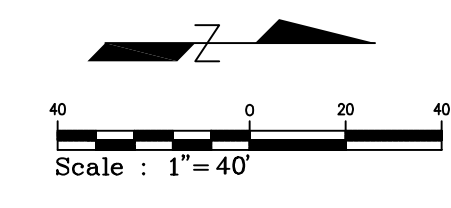
GENERAL NOTES

1. SIGNING, STRIPING AND PAVEMENT MARKINGS SHALL CONFORM TO THE STATE OF CALIFORNIA STANDARD PLANS AND STANDARD SPECIFICATIONS AND THE CALIFORNIA MUTCD, LATEST EDITIONS.
2. ALL TRAFFIC LINES, LEGENDS, LIMIT LINES, STOP BARS AND PAVEMENT MARKINGS SHALL BE THERMOPLASTIC.
3. REMOVAL OF ALL CONFLICTING LINES AND MARKINGS SHALL BE BY WET SANDBLASTING ONLY.
4. ALL LANE LINES AT INTERSECTION APPROACHES AND DEPARTURES SHALL BEGIN AND END WITH ±50 FEET OF 4-INCH SOLID WHITE.
5. EXIST. RAISED PAVEMENT MARKERS DAMAGED DURING REMOVAL SHALL BE REPLACED BY THE CONTRACTOR.
6. LANE WIDTHS SHALL BE MEASURED BETWEEN THE CENTERLINES OF EACH ADJACENT SINGLE OR DOUBLE STRIPE OR TOP OF CURB AS APPROPRIATE.



STA. 14+00-MATCH LINE-SEE ABOVE RIGHT

STA. 20+00-MATCH LINE-SEE SHEET



PREPARED BY:
DMS
CONSULTANTS, INC.
 CIVIL ENGINEERS
 12371 LAKESIDE DRIVE, SUITE 200, GARDENA, CA 90248 P. 714-740-8840 F. 714-740-8844
Awad
 SURENDER M. DEWAN RCE 34559 EXP. 9/30/23

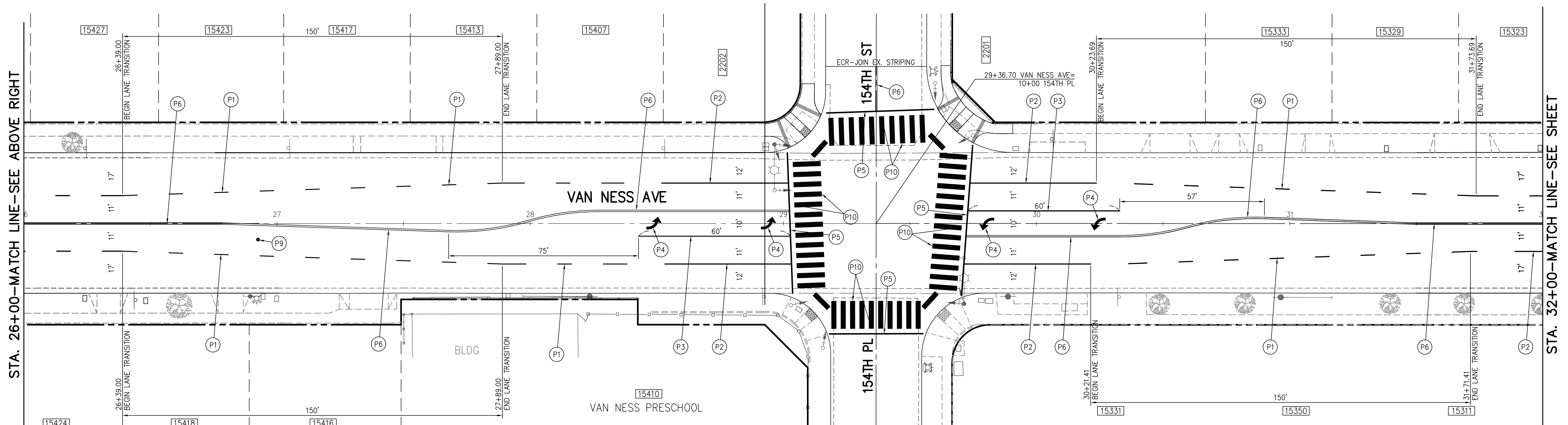
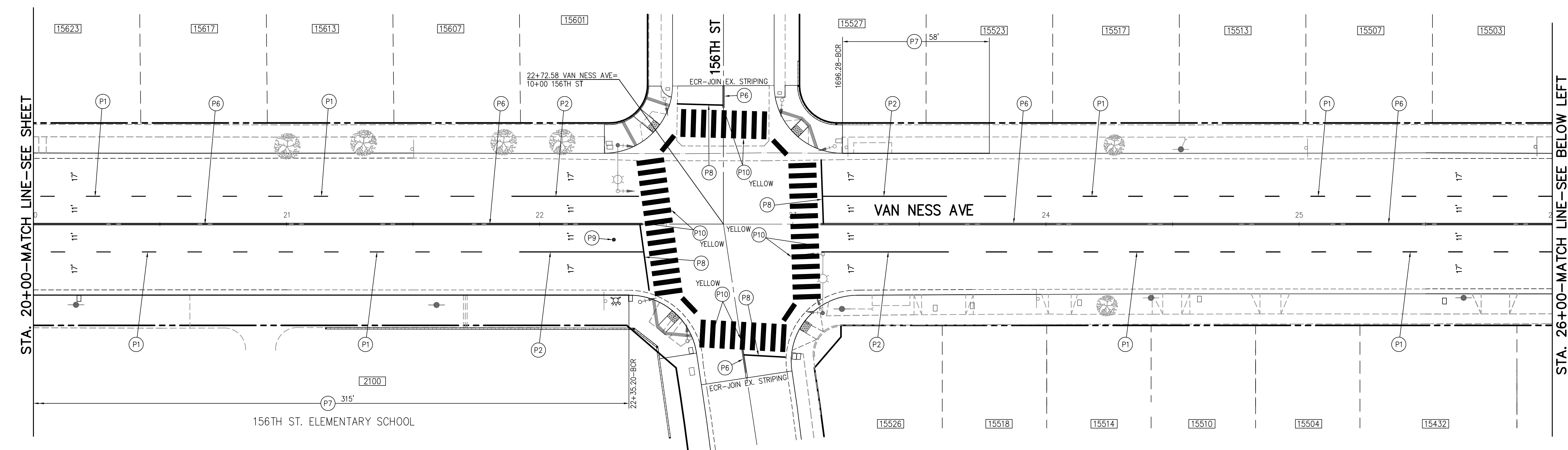


NO.	REVISIONS	DATE	BY	APP

CITY OF GARDENA
 DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION
 PROJECT: **VAN NESS AVE STRIPING PLAN**
 LIMITS: REDONDO BEACH BLVD TO MARINE AVE.

F.B. REF.
 DESIGNED BY S.D. 05/10/2022
 DRAWN BY H.N. 05/10/2022
 CHECKED BY S.D. 05/10/2022

APPROVED BY: *Allan Rigg*
 PUBLIC WORKS ENGINEERING DIVISION
 SHT. **9** OF **11** DWG NO. **8-1069**

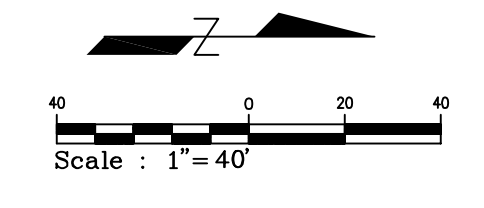


STRIPING NOTES

- (P1) FURNISH AND INSTALL THERMOPLASTIC AND RAISED PAVEMENT MARKERS PER DETAIL "9" CALTRANS STANDARD PLAN A20A.
- (P2) FURNISH AND INSTALL THERMOPLASTIC SOLID WHITE LINE, 50' LONG WITH RAISED PAVEMENT MARKERS.
- (P3) FURNISH AND INSTALL THERMOPLASTIC AND RAISED PAVEMENT MARKERS PER DETAIL "38B" CALTRANS STANDARD PLAN A20A.
- (P4) FURNISH AND INSTALL TYPE IV THERMOPLASTIC ARROW PER CALTRANS STANDARD PLAN A24A.
- (P5) FURNISH AND INSTALL 12" SOLID WHITE THERMOPLASTIC CROSSWALK LINE OR STOP BAR.
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- (P8) FURNISH AND INSTALL 12" SOLID YELLOW THERMOPLASTIC CROSSWALK LINE OR STOP BAR.
- (P9) FURNISH AND INSTALL TWO-WAY BLUE REFLECTIVE MARKER. FIELD VERIFY LOCATIONS.
- (P10) FURNISH AND INSTALL 10' WIDE THERMOPLASTIC CROSSWALK, CONTINENTAL TYPE. SEE DETAIL THIS SHEET (COLOR PER PLAN)

GENERAL NOTES

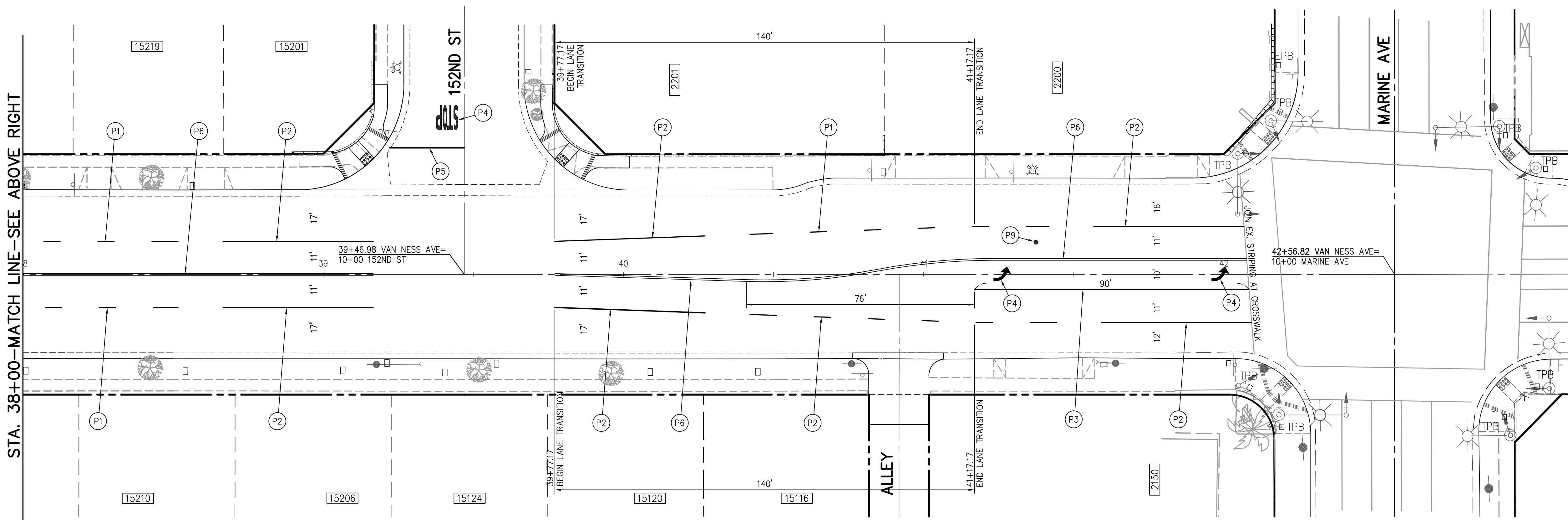
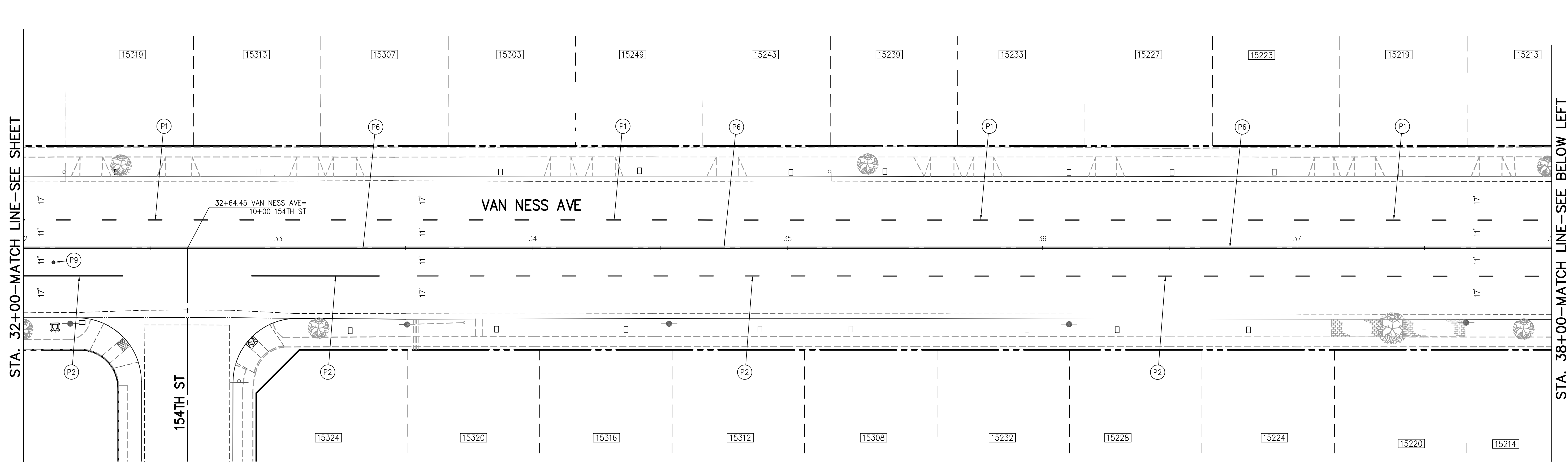
1. SIGNING, STRIPING AND PAVEMENT MARKINGS SHALL CONFORM TO THE STATE OF CALIFORNIA STANDARD PLANS AND STANDARD SPECIFICATIONS AND THE CALIFORNIA MUTCD, LATEST EDITIONS.
2. ALL TRAFFIC LINES, LEGENDS, LIMIT LINES, STOP BARS AND PAVEMENT MARKINGS SHALL BE THERMOPLASTIC.
3. REMOVAL OF ALL CONFLICTING LINES AND MARKINGS SHALL BE BY WET SANDBLASTING ONLY.
4. ALL LANE LINES AT INTERSECTION APPROACHES AND DEPARTURES SHALL BEGIN AND END WITH ±50 FEET OF 4-INCH SOLID WHITE.
5. EXIST. RAISED PAVEMENT MARKERS DAMAGED DURING REMOVAL SHALL BE REPLACED BY THE CONTRACTOR.
6. LANE WIDTHS SHALL BE MEASURED BETWEEN THE CENTERLINES OF EACH ADJACENT SINGLE OR DOUBLE STRIPE OR TOP OF CURB AS APPROPRIATE.



PREPARED BY: SURENDER M. DEWAN RCE 34559 EXP. 9/30/23		NO.	REVISIONS	DATE	BY	APP	CITY OF GARDENA DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION PROJECT: VAN NESS AVE STRIPING PLAN LIMITS: REDONDO BEACH BLVD TO MARINE AVE.	APPROVED BY: ALLAN RIGG PUBLIC WORKS ENGINEERING DIVISION
		DESIGNED BY	S.D.	05/10/2022				

STA. 32+00-MATCH LINE-SEE SHEET

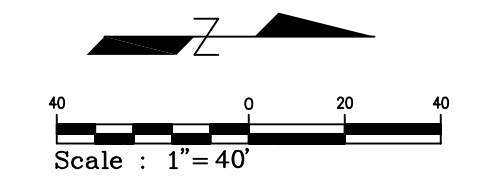
STA. 38+00-MATCH LINE-SEE BELOW LEFT



- (P1) FURNISH AND INSTALL THERMOPLASTIC AND RAISED PAVEMENT MARKERS PER DETAIL "9" CALTRANS STANDARD PLAN A20A.
- (P2) FURNISH AND INSTALL THERMOPLASTIC SOLID WHITE LINE, 50' LONG WITH RAISED PAVEMENT MARKERS.
- (P3) FURNISH AND INSTALL THERMOPLASTIC AND RAISED PAVEMENT MARKERS PER DETAIL "38B" CALTRANS STANDARD PLAN A20A.
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- (P8) FURNISH AND INSTALL 12" SOLID YELLOW THERMOPLASTIC CROSSWALK LINE OR STOP BAR.
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- (P10) FURNISH AND INSTALL 10' WIDE THERMOPLASTIC CROSSWALK, CONTINENTAL TYPE. SEE DETAIL THIS SHEET (COLOR PER PLAN)

GENERAL NOTES

1. SIGNING, STRIPING AND PAVEMENT MARKINGS SHALL CONFORM TO THE STATE OF CALIFORNIA STANDARD PLANS AND STANDARD SPECIFICATIONS AND THE CALIFORNIA MUTCD, LATEST EDITIONS.
2. ALL TRAFFIC LINES, LEGENDS, LIMIT LINES, STOP BARS AND PAVEMENT MARKINGS SHALL BE THERMOPLASTIC.
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4. ALL LANE LINES AT INTERSECTION APPROACHES AND DEPARTURES SHALL BEGIN AND END WITH ±50 FEET OF 4-INCH SOLID WHITE.
5. EXIST. RAISED PAVEMENT MARKERS DAMAGED DURING REMOVAL SHALL BE REPLACED BY THE CONTRACTOR.
6. LANE WIDTHS SHALL BE MEASURED BETWEEN THE CENTERLINES OF EACH ADJACENT SINGLE OR DOUBLE STRIPE OR TOP OF CURB AS APPROPRIATE.



PREPARED BY:
DMS
 CONSULTANTS, INC.
 CIVIL ENGINEERS
 12311 VAN NESS AVE., GARDENA, CA 90248 P. 714-742-8844 F. 714-742-8844
 SURENDER M. DEWAN RCE 34559 EXP. 9/30/23



NO.	REVISIONS	DATE	BY	APP

CITY OF GARDENA	
DEPARTMENT OF PUBLIC WORKS	ENGINEERING DIVISION
PROJECT: VAN NESS AVE STRIPING PLAN	
LIMITS: REDONDO BEACH BLVD TO MARINE AVE.	
F.B. REF.	APPROVED BY: <i>Allan Rigg</i>
DESIGNED BY: S.D.	05/10/2022
DRAWN BY: H.N.	05/10/2022
CHECKED BY: S.D.	05/10/2022
SHT. 11 OF 11	DWG. NO. 8-1069

CITY OF GARDENA

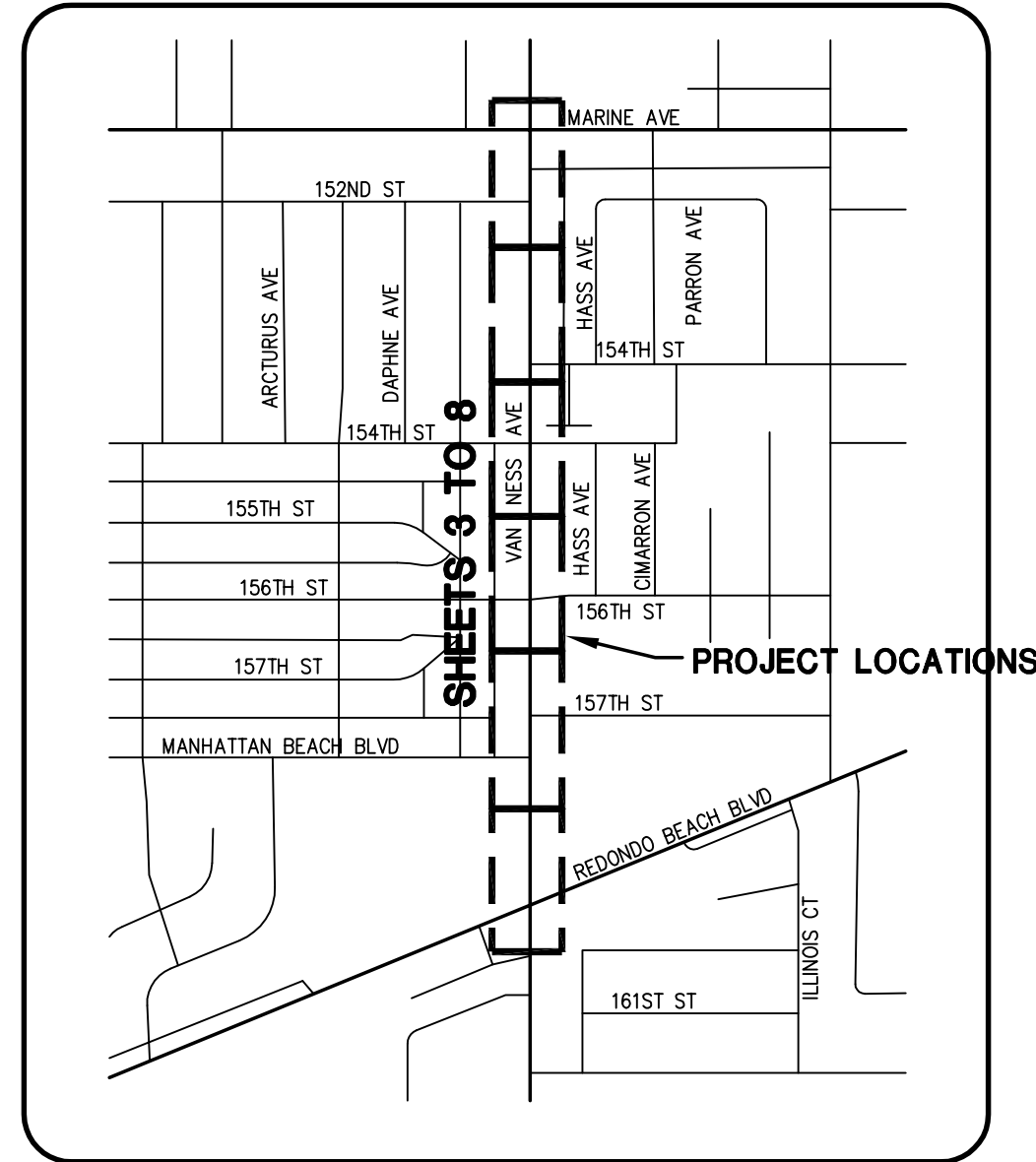
VAN NESS AVENUE IMPROVEMENTS

FROM REDONDO BEACH BLVD TO MARINE AVE

JN 992

GENERAL NOTES

1. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS BEFORE STARTING WORK.
2. THE ENGINEER DOES NOT WARRANT THE ACCURACY OF SCALED DIMENSIONS ON ANY PLAN. ALL DIMENSIONS SHALL BE AS DESIGNATED ON THE PLANS. THE CONTRACTOR SHALL PROTECT ALL PUBLIC AND PRIVATE PROPERTY.
3. DURING THE PERFORMANCE OF WORK DONE UNDER THE CONTRACT, THE CONTRACTOR SHALL TAKE THE NECESSARY PRECAUTIONS TO AVOID ANY DAMAGE TO ANY STRUCTURES ADJACENT TO THE PROJECT.
4. EXISTING UTILITIES SHOWN ARE BASED ON AVAILABLE RECORDS OF PARENT UTILITY COMPANIES AND MAY NOT ACCURATELY REPRESENT THEIR ACTUAL LOCATIONS. PRIOR TO BEGINNING ANY CONSTRUCTION, THE CONTRACTOR SHALL VERIFY THE ACTUAL LOCATIONS (VERTICAL AND HORIZONTAL) OF ALL UTILITIES, IN THE FIELD OR COORDINATE SUCH INDEPENDENT VERIFICATION WITH THE PARENT UTILITY COMPANIES AND PROVIDE THE CITY WITH THE POTHOLE INFORMATION. THE CONTRACTOR SHALL PROTECT IN PLACE OR COORDINATE WITH PARENT COMPANY FOR THE RELOCATION OF CONFLICTING UTILITIES ENCOUNTERED DURING CONSTRUCTION.
5. ADJUST UTILITY VALVE COVERS, UTILITY BOXES, TRAFFIC SIGNAL BOXES, ETC. TO FINISH GARDE. PAYMENT SHALL BE INCLUDED IN THE APPLICABLE CONSTRUCTION BID ITEM AND REFER TO CONSTRUCTION NOTE AND/OR SPECIFICATIONS.
6. PROVIDE TRAFFIC CONTROL PER TECHNICAL PROVISIONS.
7. ALL SURVEY CENTERLINE TIES AND MONUMENTS THAT ARE DAMAGED OR REMOVED SHALL BE RE-ESTABLISHED. THE SURVEYOR SHALL ALSO ESTABLISH CENTERLINE MONUMENTS AND TIES AT ALL STREET INTERSECTIONS WITHIN THE PROJECT LIMITS WHERE NONE EXISTED PRIOR TO CONSTRUCTION. SEE TECHNICAL PROVISIONS.
8. 24 HOUR NOTICE FOR ALL INSPECTIONS REQUIRED.
9. CONTRACTORS SHALL REMOVE AND DISPOSE OF ALL TRASH AND BROKEN BRANCHES BEFORE AND
10. CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATION, OBTAINING NECESSARY APPLICABLE PERMITS WITH LOCAL AGENCIES AND OTHER OWNERS HAVING JURISDICTION AND PREPARING REQUIRED DOCUMENTATION NECESSARY FOR
11. PROTECT ALL STORM DRAINS, CATCH BASINS, ETC. WITH SAND BAGS, FABRIC, AND OTHER APPROPRIATE BEST MANAGEMENT PRACTICES.
12. THE CONTRACTOR SHALL NOTIFY UNDERGROUND SERVICE ALERT (USA) AT 1-800-422-4133 TWO WORKING DAYS PRIOR TO ANY EXCAVATION WORK.
13. CONSTRUCTION EQUIPMENT AND MATERIAL SHALL NOT BE STORED IN STREETS, ROADS, HIGHWAYS OR PUBLIC RIGHT-OF-WAY EXCEPT IN CITY ESTABLISHED OR APPROVED STAGING AREAS. ALL MATERIALS OR EQUIPMENT NOT INSTALLED OR USED IN CONSTRUCTION WITHIN THE DAILY WORK PERIOD SHALL BE STORED ELSEWHERE BY THE CONTRACTOR AT HIS EXPENSE.
14. ALL CONCRETE CURB AND GUTTER, AND PAVEMENT WITH LESS THAN 1 TESTED PRIOR TO FINAL ACCEPTANCE TO INSURE POSITIVE DRAINAGE WITHOUT LOW SPOTS. IF ANY AREAS ARE IDENTIFIED WHERE PONDING OCCURS, THE CONTRACTOR SHALL REMOVE AND REPLACE THOSE IMPROVEMENTS AT HIS EXPENSE.
15. CONTRACTOR MUST ACCOMMODATE ACCESS TO ALL COMMERCIAL BUSINESSES AND PRIVATE RESIDENCES AT ALL TIMES.
16. ALL MATERIALS AND EQUIPMENT SHALL BE FURNISHED AND INSTALLED BY THE CONTRACTOR.
17. LOOPS SHALL BE CENTERED IN THE LANE UNLESS OTHERWISE NOTED.
18. ALL NEW LOOPS SHALL BE ROUND (6" DIAMETER).
19. FOR DISPOSITION OF SALVAGED MATERIALS SEE SPECIAL PROVISIONS.
20. ALL TRAFFIC LINES AND PAVEMENT MARKINGS SHALL CONFORM TO CALTRANS STANDARD PLANS AND SPECIFICATIONS (LATEST EDITION).
21. LANE WIDTHS SHALL BE MEASURED BETWEEN THE CENTERLINES OF EACH ADJACENT SINGLE OR DOUBLE STRIPE OR TOP OF CURB AS APPROPRIATE.
22. 24 HOUR NOTICE FOR ALL INSPECTIONS REQUIRED.
23. CONTRACTORS SHALL REMOVE AND DISPOSE OF ALL TRASH AND BROKEN BRANCHES BEFORE AND
24. PRIOR TO CUTTING OF ANY ROOTS, CALL PARKS DIVISION AT (310) 217-9657 FOR APPROVAL.
25. ALL DAMAGED CONCRETE SIDEWALKS OR CURBS SHALL BE SAWCUT TO THE NEAREST TRANSVERSE SCORE MARK, OR ADJUSTABLE CONTROL JOINT, OR WEAKENED PLANE AND REPLACED IN CONFORMANCE WITH THE APPLICABLE PROVISIONS OF GREENBOOK STANDARD PLANS.
26. ALL CROSSWALKS, ARROWS, STOPBARS, AND LEGENDS SHALL BE THERMOPLASTIC MATERIAL.
27. RAISED PAVEMENT MARKERS SHALL BE CEMENTED TO THE PAVEMENT WITH HOT MELT BITUMINOUS
28. FURNISH AND INSTALL TEMPORARY MARKERS IMMEDIATELY AFTER PAVING, SPACED AT 25FT MAXIMUM.
29. REMOVE ALL EXISTING PAVEMENT MARKINGS BY WET SANDBLASTING (CROSSWALKS, STOP LEGENDS, ETC.) EXISTING PAVEMENT MARKINGS AND STRIPING TO BE REMOVED ARE NOT SHOWN ON THE PLAN. FIELD VERIFY LOCATIONS.
30. REMOVE AND DISPOSE OF ALL EXISTING RAISED PAVEMENT MARKERS WITHIN THE PROJECT LIMITS. PAVEMENT SHALL BE INCLUDED IN ADJACENT CONSTRUCTION.
31. PROVIDE TRAFFIC CONTROL PER TECHNICAL PROVISIONS.



UTILITY CONTACTS

- | | |
|--|---|
| <p>CYNTHIA CARRILLO
SOUTHERN CALIFORNIA EDISON CO.
505 MAPLE AVE.
TORRANCE, CA 90503
(310) 413-4497</p> <p>MELISSA FUKUNAGA
SOUTHERN CALIFORNIA GAS CO.
701 N. BULLIS ROAD
COMPTON, CA 90221
(213) 231-7281</p> <p>SALVADOR GONZALES
SOUTHERN CALIFORNIA GAS CO.
2929 W. 182ND ST.
REDONDO BCH BLVD.
(310) 970-4844</p> <p>CONDE VENTURA
GOLDEN STATE WATER CO.
14835 S. SPRING ST.
GARDENA, CA 90248
(310) 436-6950 X107</p> <p>JOSEPH SALCIDO
GOLDEN STATE WATER CO.
14835 S. SPRING ST.
GARDENA, CA 90248
(310) 660-0320 X101</p> <p>TERENCE LITTLE
GOVERNMENTAL LIAISON
PUBLIC WORKS COORDINATOR
AT & T
600 E. GREEN ST. ROOM 300
PASADENA, CA 91101
(626) 817-4252</p> <p>ARTURO FERNANDEZ
CONSTRUCTION SUPERVISOR
TIME WARNER CABLE
1529 VALLEY DRIVE
HERMOSA BEACH, CA 90254
(310) 750-9099</p> | <p>MARYLIN DUARTE
METROPOLITAN WATER DISTRICT
CIVIL ENGINEER SUBSTRUCTURES SECTION
P.O. BOX 54153
LOS ANGELES, CA 90054-0153
(213) 217-7059</p> <p>JOSE A. PORRAS
LOS ANGELES DEPT. OF WATER & POWER
WATER OPERATING DIVISION
P.O. BOX 51111, ROOM 1425
LOS ANGELES, CA 90051-0100
(213) 367-1049</p> <p>JON GANZ
LOS ANGELES SANITATION DISTRICT
P. O. BOX 4998
WHITTIER, CA 90607-4998
(562) 908-4288</p> <p>L.A. COUNTY FLOOD CONTROL DISTRICT
900 S. FREEMONT AVE. 8TH FLOOR
ALHAMBRA, CA 91803
(626) 458-3129</p> <p>DAVE ZERLER
CHEVRON PIPELINE COMPANY
2600 HOMESTEAD PLACE
RANCHO DOMINGUEZ, CA 90220
(310) 689-4014
EMAIL: DAVEZERLER@CHEVRON.COM</p> <p>HECTOR AGUILERA
CROWN CASTLE
226 N. LINCOLN AVE.
CORONA, CA 92882
(951) 454-5111</p> |
|--|---|

SHEET INDEX

SHEET NO.	DESCRIPTION
1	TITLE SHEET
2	CROSS SECTIONS & DETAILS SHEET
3-8	VAN NESS AVE IMPROVEMENT PLANS PLAN AND PROFILE
9-11	STRIPING AND SIGNAGE PLANS

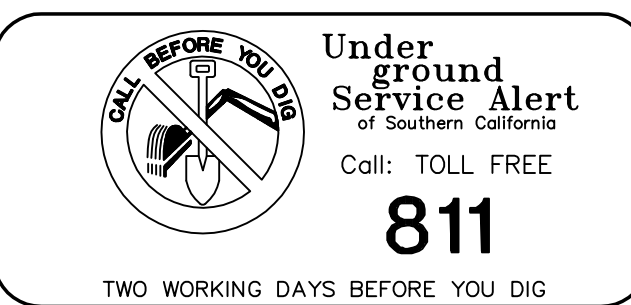
ENGINEER'S NOTICE TO CONTRACTOR

1. THE EXISTENCE AND LOCATION OF ALL RIGHT OF WAY BOUNDARIES AND PARCEL BOUNDARIES SHOWN ON THESE PLANS WERE OBTAINED BY A SEARCH OF RECORDS. NO CERTIFICATIONS IS MADE AS TO ACCURACY AND THOROUGHNESS OF THESE RECORDS. REVIEW OF THIS PLAN BY THE CITY OF GARDENA DOES NOT CONSTITUTE A REPRESENTATION AS TO THE ACCURACY OR THE COMPLETENESS OF THE LOCATION OR NONEXISTENCE OF SAID RIGHT OF WAY OR PARCEL BOUNDARIES WITHIN THE LIMITS OF THE PROJECT.
2. THE EXISTENCE AND LOCATION OF ANY ROADWAY CENTERLINE SHOWN ON THESE PLANS ARE FOR CONSTRUCTION PURPOSE ONLY AND WAS OBTAINED BY A SEARCH OF AVAILABLE RECORDS. NO CERTIFICATION IS MADE AS TO THE ACCURACY OR THOROUGHNESS OF THESE RECORDS. REVIEW OF THIS PLAN BY CITY OF GARDENA DOES NOT CONSTITUTE A REPRESENTATION AS TO THE ACCURACY OR THE COMPLETENESS OF THE LOCATION OF THE EXISTENCE OR NONEXISTENCE OF SAID ROADWAY CENTERLINES WITHIN THE LIMITS OF THE PROJECT

CONSTRUCTION NOTES

1. COLD MILL 2" THICK EXISTING PAVEMENT.
2. EDGE GRIND - COLD MILL VARIABLE THICKNESS A.C. PAVEMENT PER DETAIL ON SHEET 2.
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4. COLD MILL 3" THICK EXISTING PAVEMENT.
5. FURNISH AND CONSTRUCT 1" THICK (MIN) A.C. LEVELING COURSE, C2-PG64-10.
6. FURNISH AND CONSTRUCT 2" THICK ASPHALT RUBBER HOT MIX (ARHM) C2-PG64-16 (WET PROCESS).
7. COLD MILL VARIABLE THICKNESS A.C. PAVEMENT (TRANSITION FROM 4" TO 5" COLD MILL PER PLAN).
8. REMOVE AND RECONSTRUCT 6" THICK PCC SIDEWALK (BEHIND DRIVEWAY).
9. CONSTRUCT 2" THICK AC BASE COURSE.
10. REMOVE AND DISPOSE OF EXISTING CURB AND GUTTER. FURNISH AND RECONSTRUCT P.C.C. CURB AND GUTTER (8"CF) OVER 6" C.A.B. PER CITY OF GARDENA STD. PLAN ST-7 C-1. MATCH TO EXISTING CONDITION.
11. REMOVE AND DISPOSE OF EXISTING SIDEWALK. FURNISH AND RECONSTRUCT 4" P.C.C. SIDEWALK OVER EXISTING RECOMPACTED SUBGRADE PER CITY STD. ST-5B.
12. REMOVE AND DISPOSE OF EXISTING CROSS GUTTER. FURNISH AND RECONSTRUCT 8" P.C.C. CROSS GUTTER OVER 6" C.A.B. PER CITY STD. ST-3.
13. SAWCUT, REMOVE AND RECONSTRUCT CURB RAMP PER CALTRANS STD. PLAN A88A, MODIFIED PER DETAIL SHEET 2.
14. SAWCUT, REMOVE AND RECONSTRUCT CURB RAMP PER CALTRANS STD. PLAN A88A (CASE PER PLAN).
15. SAWCUT AND REMOVE NECESSARY PORTION OF EXISTING RAMP AND CONSTRUCT CAST-IN-PLACE TRUNCATED DOMES PER CALTRANS STD. PLAN A88A.
16. CONSTRUCT FULL DEPTH A.C. (2' WIDE 12" DEEP) PER CITY STANDARD. 6" ASPHALT OVER 6" C.A.B.
17. ADJUST SEWER/STORM DRAIN MANHOLE TO GRADE.
18. ADJUST WATER VALVE TO GRADE (PER GENERAL NOTE 36).
19. ADJUST TELEPHONE MANHOLE TO GRADE (PER GENERAL NOTE 36).
20. ADJUST M.W.D. MANHOLE TO GRADE.
21. ADJUST GAS VALVE TO GRADE (PER GENERAL NOTE 36).
22. RELOCATE TRAFFIC SIGNAL PULL BOX.
23. ADJUST TRAFFIC SIGNAL PULL BOX TO GRADE.
24. REMOVE EXISTING DRIVEWAY AND REPLACE WITH AGGREGATE TO MATCH TO ADJACENT IN PARKWAY.
25. REMOVE EXISTING PAVEMENT AND RECONSTRUCT 6" A.C. OVER EXISTING BASE (LEAVE 3" BELOW FINISHED SURFACE).
26. REMOVE TREE AND STUMP AND PLANT NEW TREE, BRADFORD PEAR.
27. INSTALL 6" DIAMETER TRAFFIC LOOPS AND SPLICE IN PULL BOX PER CITY STD. ST-24.
28. REMOVE AND SALVAGE EXISTING PUSH BUTTON, FURNISH AND INSTALL NEW ADA PUSH BUTTON AS SPECIFIED IN PROJECT SPECIFICATIONS.
29. FURNISH AND INSTALL NEW ADA PUSH BUTTON AS SPECIFIED IN PROJECT SPECIFICATIONS.
30. FURNISH AND INSTALL NEW BBS CABINET AS SPECIFIED IN PROJECT SPECIFICATIONS.
31. REMOVE EXISTING TREE.
32. REMOVE EXISTING ALLEY APPROACH AND 10 FEET OF EXISTING PCC PAVEMENT AND RECONSTRUCT ALLEY APPROACH PER APWA STD PLAN 130-2 AND 6" THICK PCC PAVEMENT OVER EXISTING BASE/NATIVE IN ALLEY R/W.
33. CONDUCT PAVEMENT CORES IN ACCORDANCE WITH PROJECT SPECIFICATIONS.

NO WORK SHALL BE DONE ON THIS SITE UNTIL BELOW AGENCY IS NOTIFIED OF INTENTION TO GRADE OR EXCAVATE



BENCHMARK:

BENCHMARK : RY3550A ELEV: 48.540 (2005 QUAD)

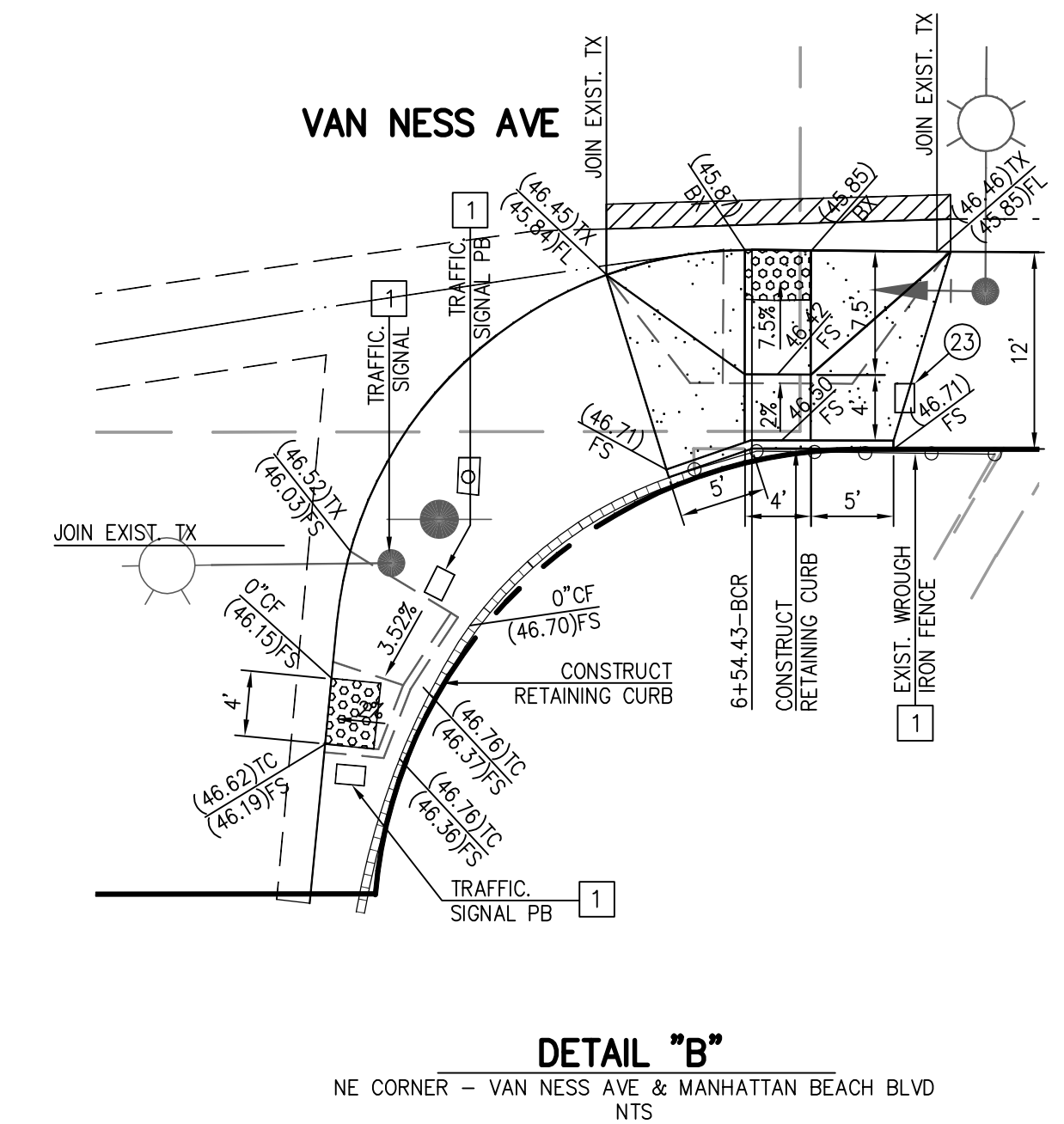
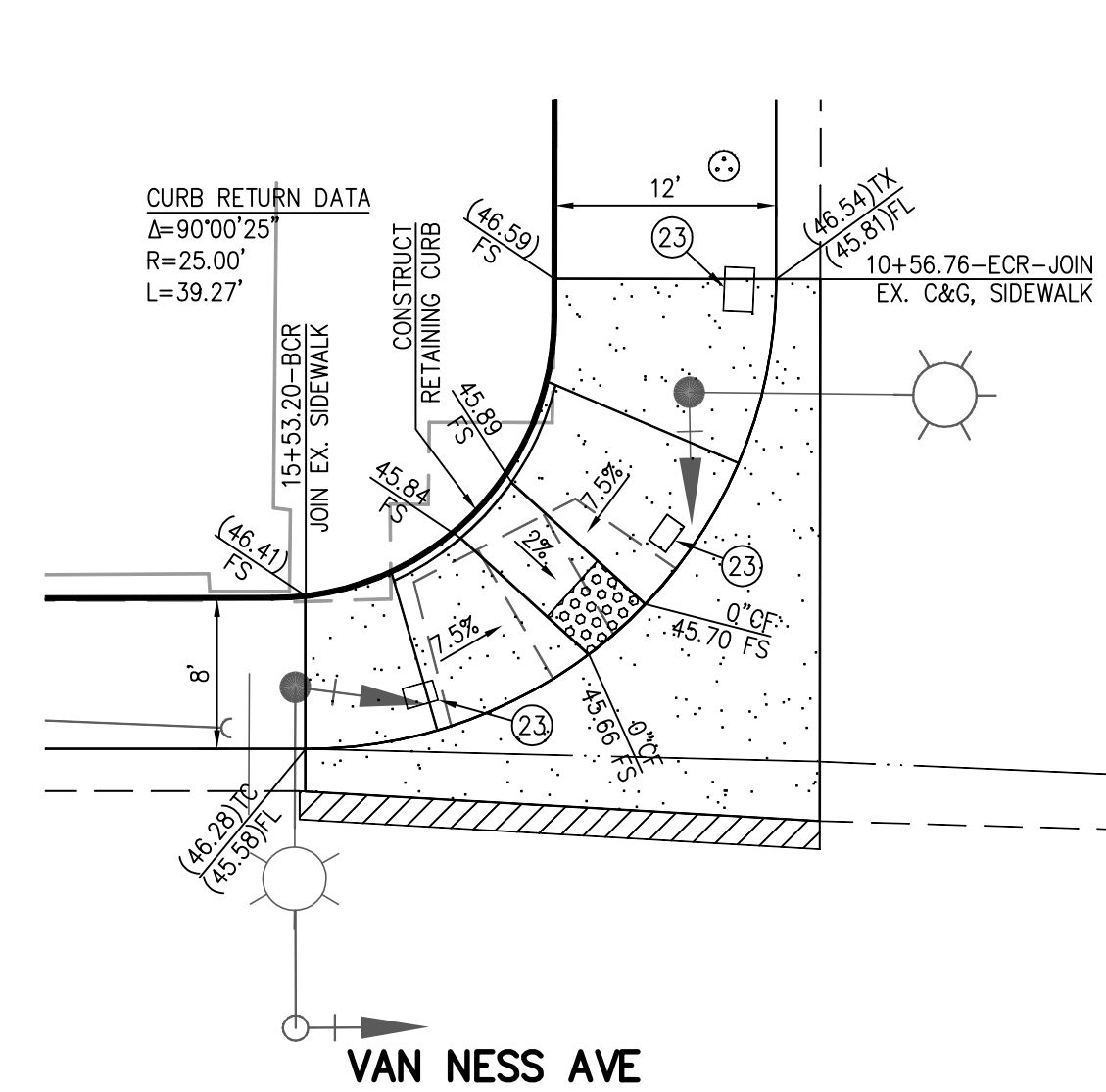
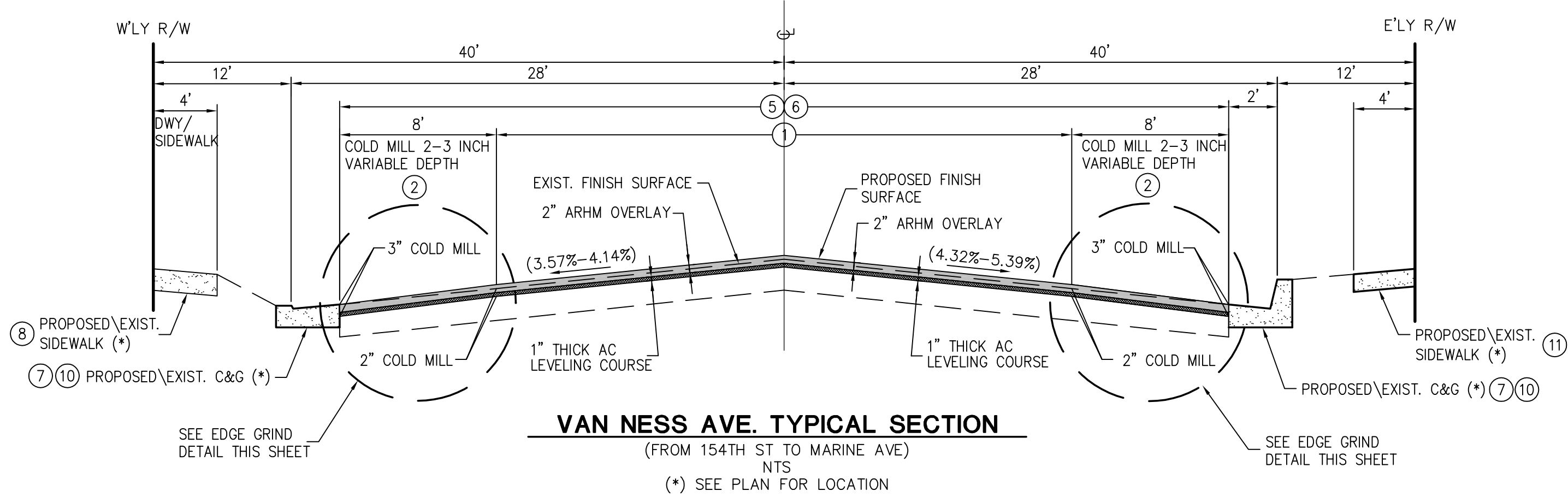
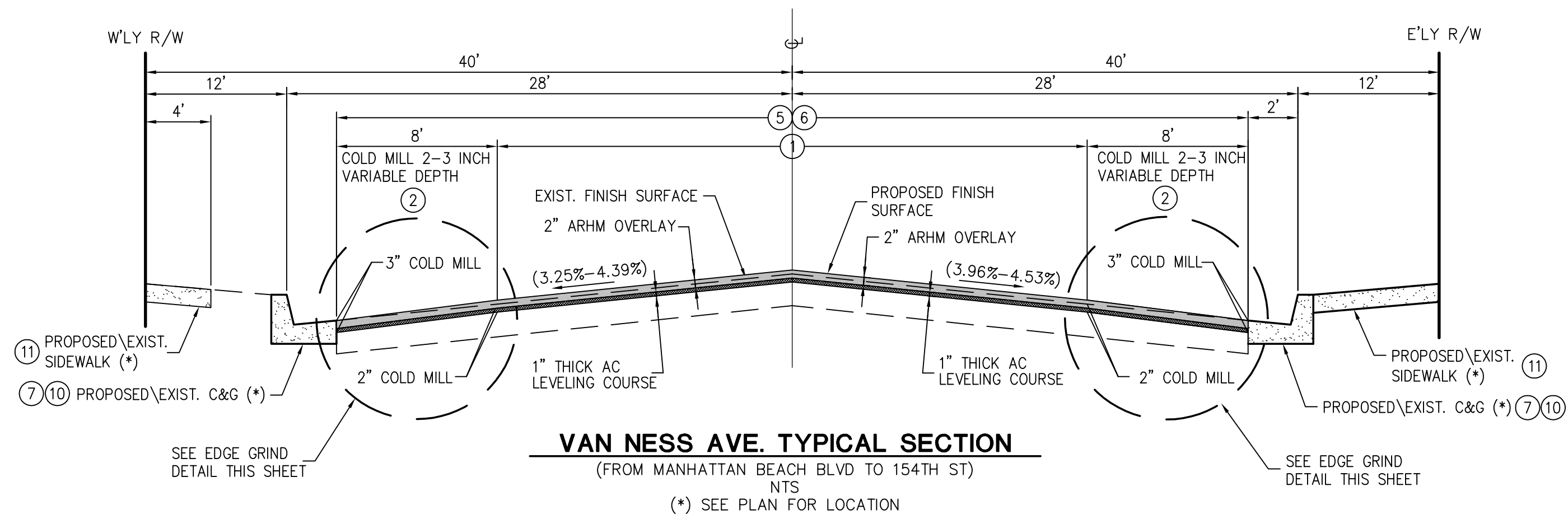
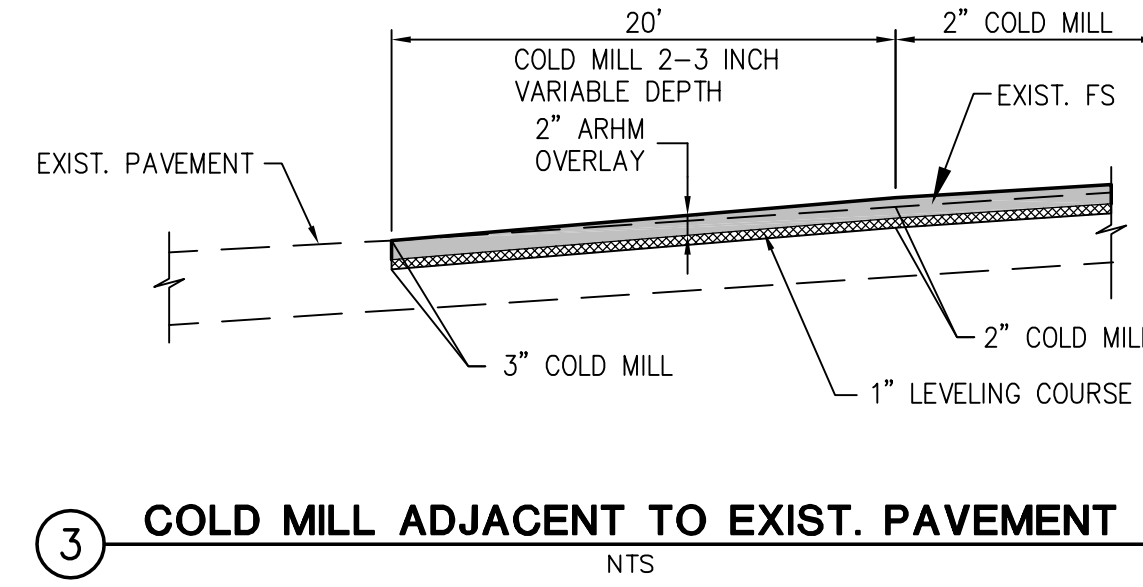
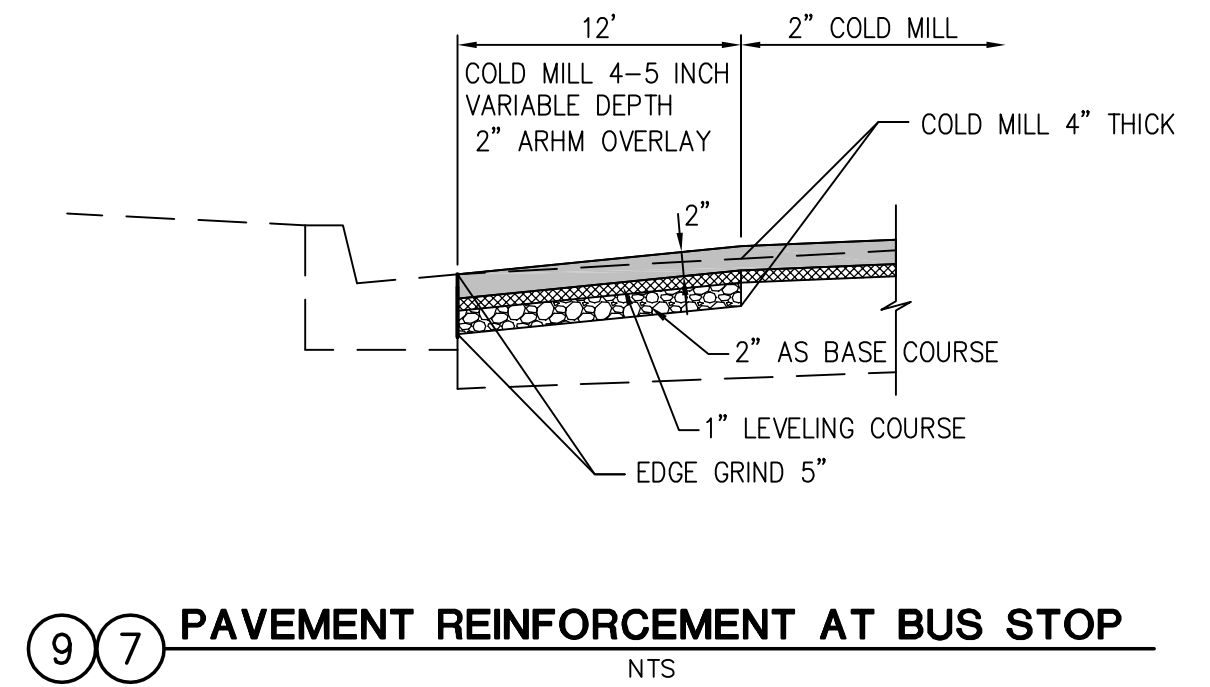
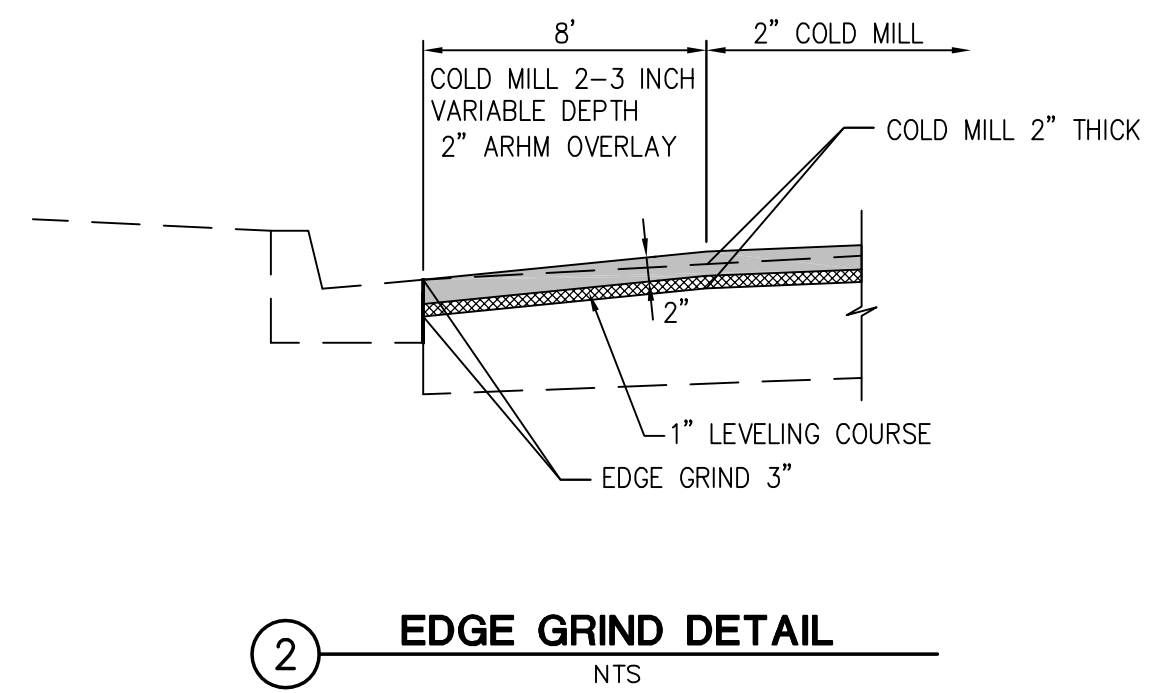
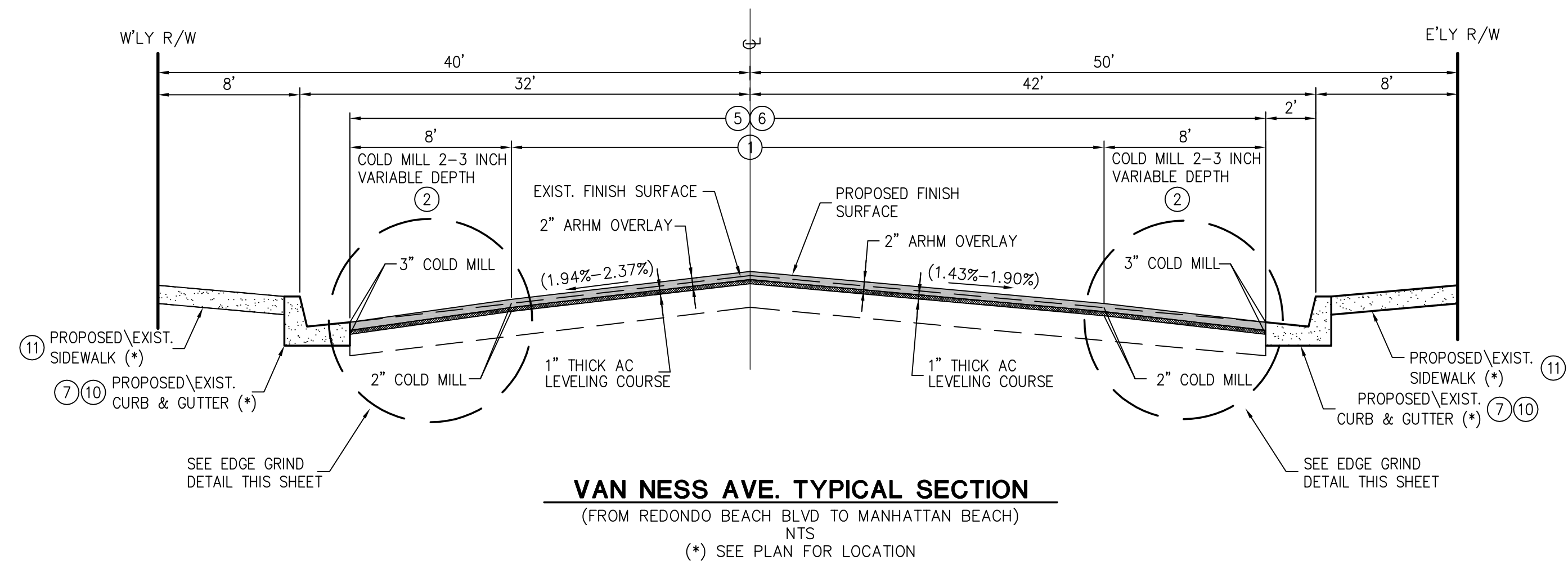
RDBM TAG IN W CB 1.5M(5FT) N/O BCR @ NW COR ROSECRANS AVE & VAN NESS AVE

PREPARED BY:
DMS
CONSULTANTS, INC.
CIVIL ENGINEERS
12371 LEAS ST. #100
SURRENDER M. DEWAN
RCE 34559 EXP. 9/30/23



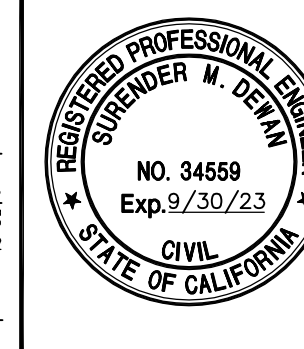
REVISIONS					DATE	BY	APP'D

DEPARTMENT OF PUBLIC WORKS		CITY OF GARDENA		ENGINEERING DIVISION
PROJECT: VAN NESS AVE STREET IMPROVEMENT-JN 992		LIMITS: REDONDO BEACH BLVD TO MARINE AVE.		
F.B. REF.	.	.	APPROVED BY: <i>Allan Rigg</i>	DATE: 6/29/23
DESIGNED BY: S.D.	05/10/2022	PUBLIC WORKS ENGINEERING DIVISION		
DRAWN BY: H.N.	05/10/2022	SHT. 1 OF 11	DWG NO. 8-1069	
CHECKED BY: S.D.	05/10/2022			



DISPOSITION NOTE
1 PROTECT IN PLACE

PREPARED BY:
DMS
CONSULTANTS, INC.
CIVIL ENGINEERS
10371 VAN NESS BLVD, SUITE 200, GARDENA, CA 90248 P. 714-740-8840 F. 714-740-8844
SURENDER M. DEWAN RCE 34559 EXP. 9/30/23

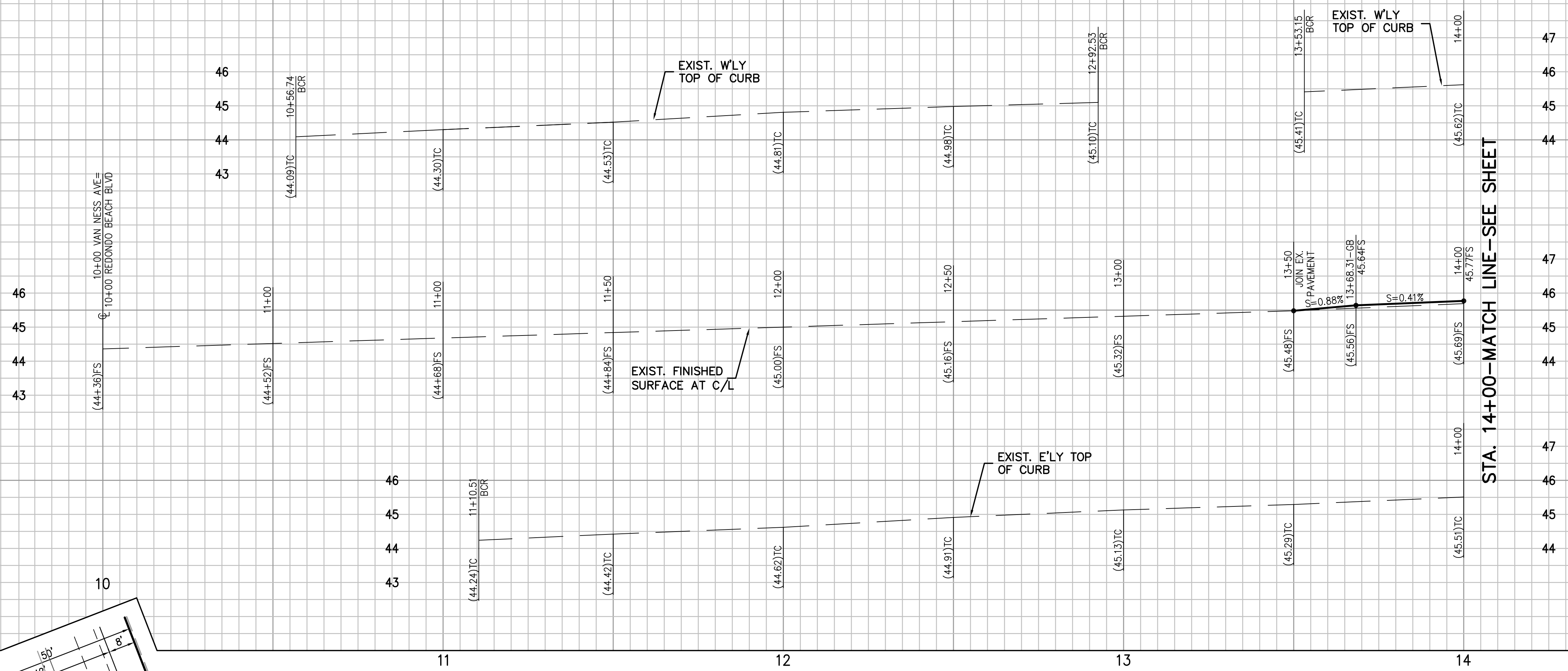


NO.	REVISIONS	DATE	BY	APP

CITY OF GARDENA
DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION
PROJECT: **VAN NESS AVE STREET IMPROVEMENT-JN 992**
LIMITS: REDONDO BEACH BLVD TO MARINE AVE.

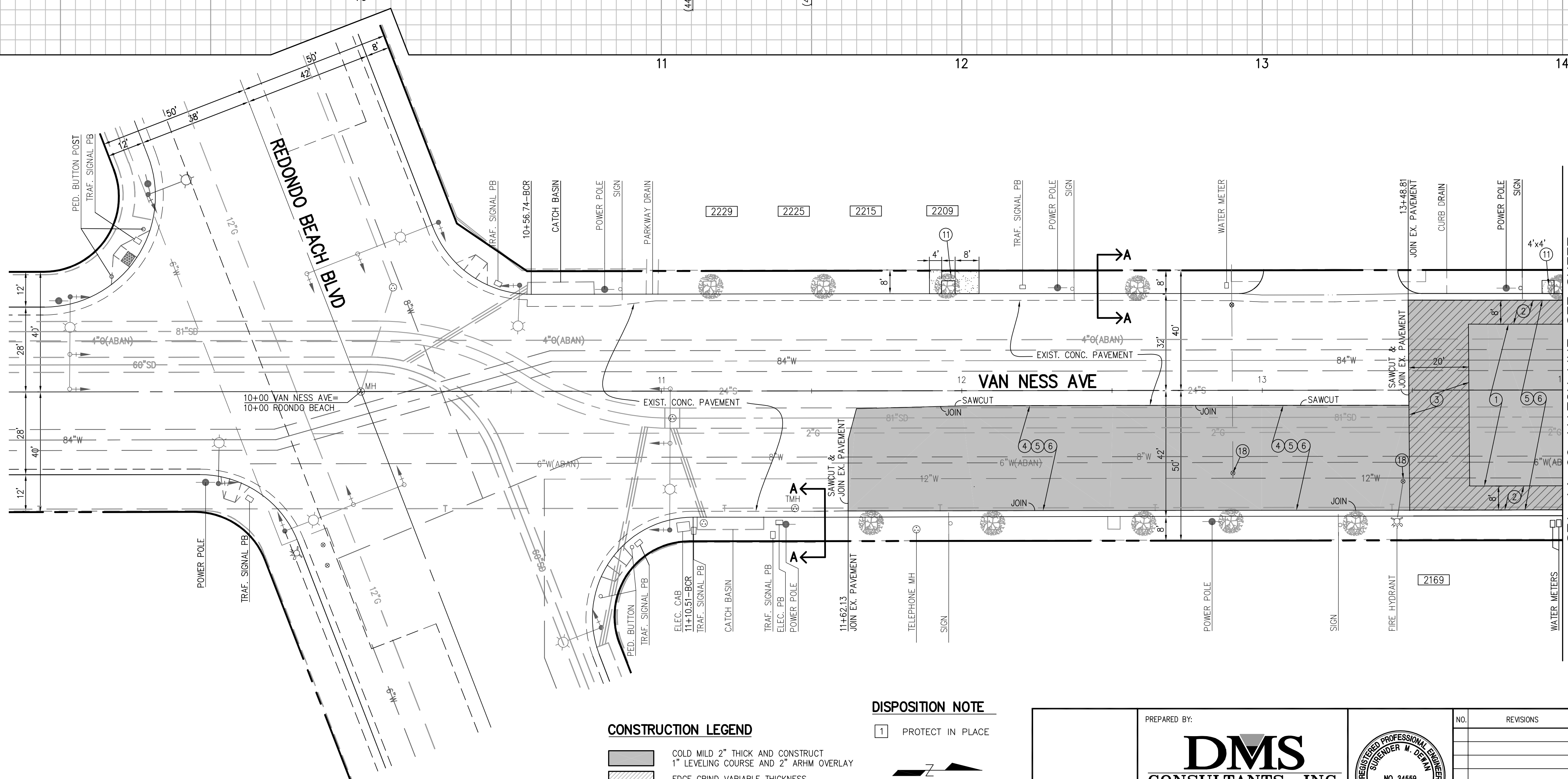
F.B. REF.
DESIGNED BY S.D. 05/10/2022
DRAWN BY H.N. 05/10/2022
CHECKED BY S.D. 05/10/2022

APPROVED BY: *Allan Rigg*
PUBLIC WORKS ENGINEERING DIVISION
SHT. **2** OF **11** DWG NO. **8-1069**



PROFILE SCALE	
HORIZ.	1" = 20'
VERT.	1" = 2'

STA. 14+00—MATCH LINE—SEE SHEET

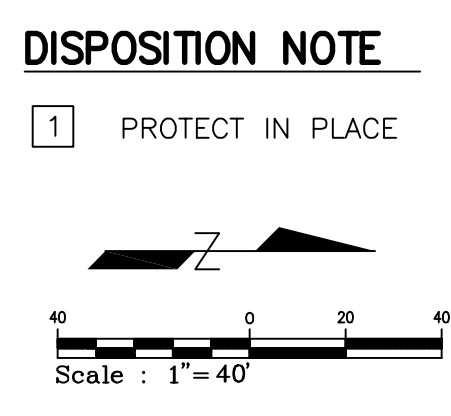


STA. 14+00—MATCH LINE—SEE SHEET

- ### CONSTRUCTION NOTES
- 1 COLD MILL 2" THICK EXISTING PAVEMENT.
 - 2 EDGE GRIND - COLD MILL VARIABLE THICKNESS A.C. PAVEMENT PER DETAIL 2 SHEET 2.
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 - 18 ADJUST WATER VALVE TO GRADE (PER GENERAL NOTE 36).

CONSTRUCTION LEGEND

	COLD MILL 2" THICK AND CONSTRUCT 1" LEVELING COURSE AND 2" ARHM OVERLAY
	EDGE GRIND VARIABLE THICKNESS
	CORING LOCATION



PREPARED BY:

DMS
CONSULTANTS, INC.
CIVIL ENGINEERS
10371 VAN NESS AVENUE, SUITE 200, GARDENA, CA 90247 P. 714-740-8840 F. 714-740-8844

Andrew

02/22/23
SURENDER M. DEWAN RCE 34559 EXP. 9/30/23

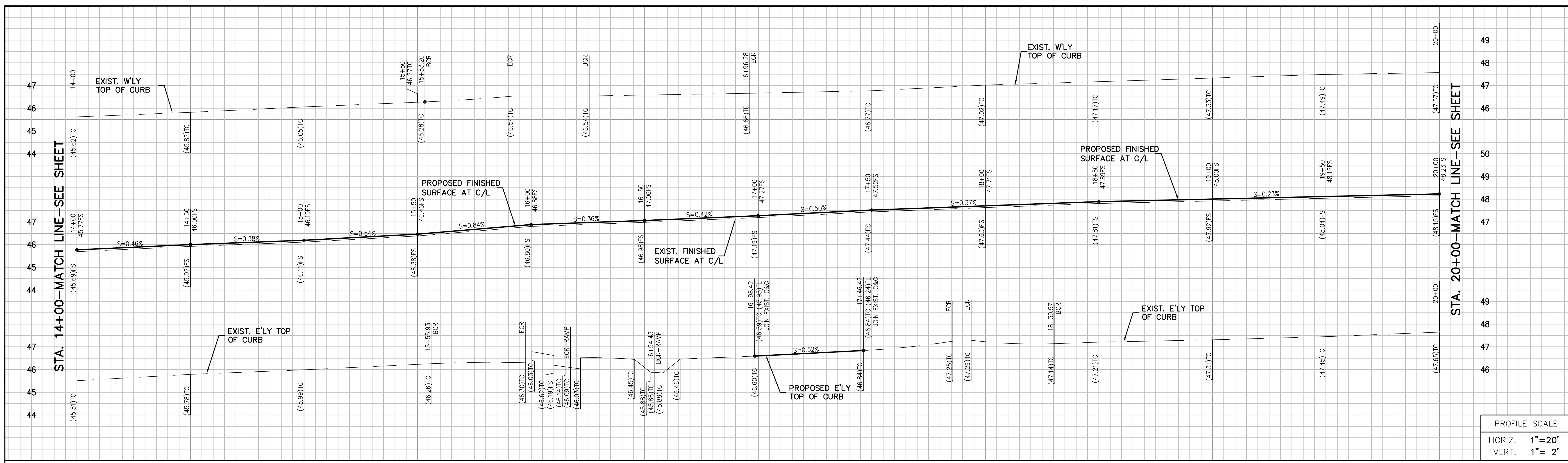


NO.	REVISIONS	DATE	BY	APP

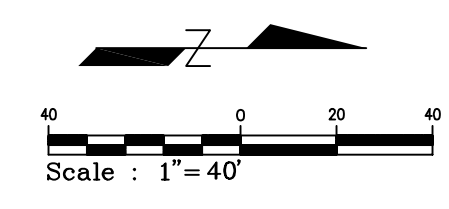
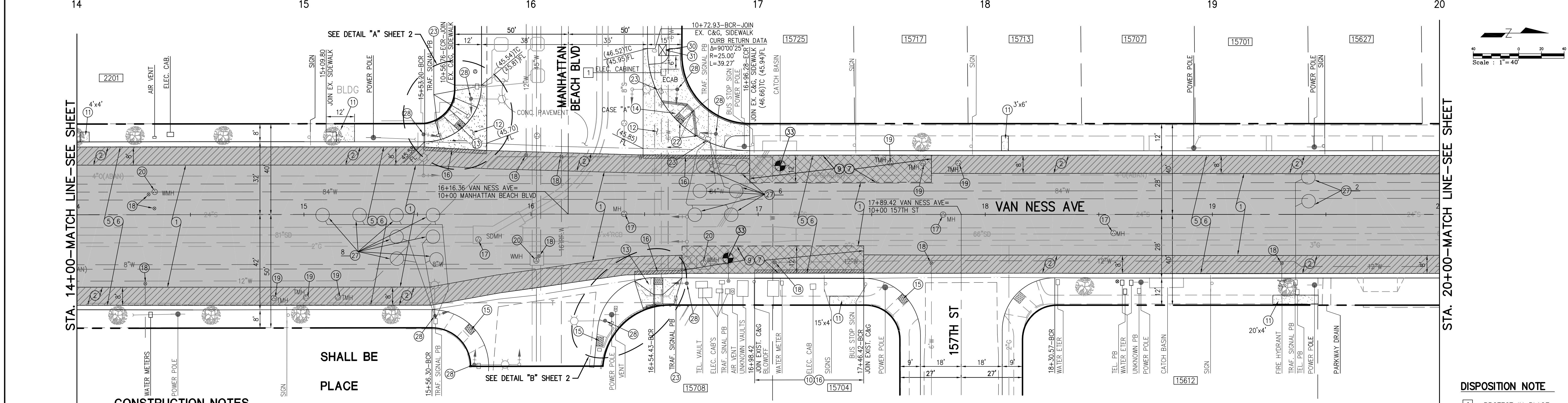
CITY OF GARDENA
DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION

PROJECT: **VAN NESS AVE STREET IMPROVEMENT—JN 992**
LIMITS: REDONDO BEACH BLVD TO MARINE AVE.

F.B. REF.	.	.	APPROVED BY:
DESIGNED BY	S.D.	05/10/2022	<i>Allan Rigg</i>
DRAWN BY	H.N.	05/10/2022	PUBLIC WORKS ENGINEERING DIVISION
CHECKED BY	S.D.	05/10/2022	SHT 3 OF 11 DWG NO. 8-1069



PROFILE SCALE
 HORIZ. 1"=20'
 VERT. 1"= 2'



CONSTRUCTION NOTES

- 1 COLD MILL 2" THICK EXISTING PAVEMENT.
- 2 EDGE GRIND - COLD MILL VARIABLE THICKNESS A.C. PAVEMENT PER DETAIL 2 SHEET 2.
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- 10 REMOVE AND DISPOSE OF EXISTING CURB AND GUTTER. FURNISH AND RECONSTRUCT P.C.C. CURB AND GUTTER (8"CF) OVER 6" C.A.B. PER CITY OF GARDENA STD. PLAN ST-7 C-1. MATCH TO EXISTING CONDITION.
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- 13 SAWCUT, REMOVE AND RECONSTRUCT CURB RAMP PER CALTRANS STD. PLAN A88A, MODIFIED PER DETAIL SHEET 2.
- 14 SAWCUT, REMOVE AND RECONSTRUCT CURB RAMP PER CALTRANS STD. PLAN A88A (CASE PER PLAN).
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- 17 ADJUST SEWER/STORM DRAIN MANHOLE TO GRADE.
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- 19 ADJUST TELEPHONE MANHOLE TO GRADE (PER GENERAL NOTE 36).
- 20 ADJUST M.W.D. MANHOLE TO GRADE.
- 22 RELOCATE TRAFFIC SIGNAL PULL BOX.
- 23 ADJUST TRAFFIC SIGNAL PULL BOX TO GRADE.

- 28 REMOVE AND SALVAGE EXISTING PUSH BUTTON. FURNISH AND INSTALL NEW ADA PUSH BUTTON AS SPECIFIED IN PROJECT SPECIFICATIONS.
- 30 FURNISH AND INSTALL NEW BBS CABINET AS SPECIFIED IN PROJECT SPECIFICATIONS.
- 31 REMOVE EXISTING TREE.
- 33 CONDUCT PAVEMENT CORES IN ACCORDANCE WITH PROJECT SPECIFICATIONS.

CONSTRUCTION LEGEND

- COLD MILL 2" THICK AND CONSTRUCT 1" LEVELING COURSE AND 2" ARHM OVERLAY
- EDGE GRIND VARIABLE THICKNESS
- CORING LOCATION

DISPOSITION NOTE

- 1 PROTECT IN PLACE

PREPARED BY:
DMS
 CONSULTANTS, INC.
 CIVIL ENGINEERS
 13711 VANNESS DRIVE, SUITE 200, GARDENA, CA 90247-1371
 (714) 742-8844
 SURENDER M. DEWAN RCE 34559 EXP. 9/30/23

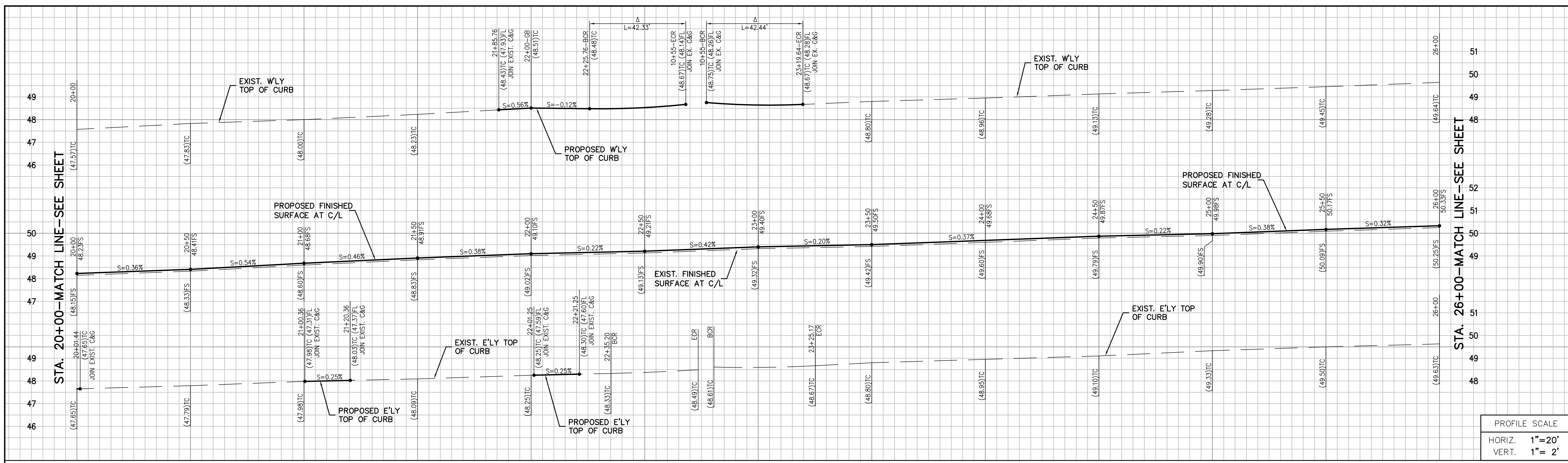


NO.	REVISIONS	DATE	BY	APP

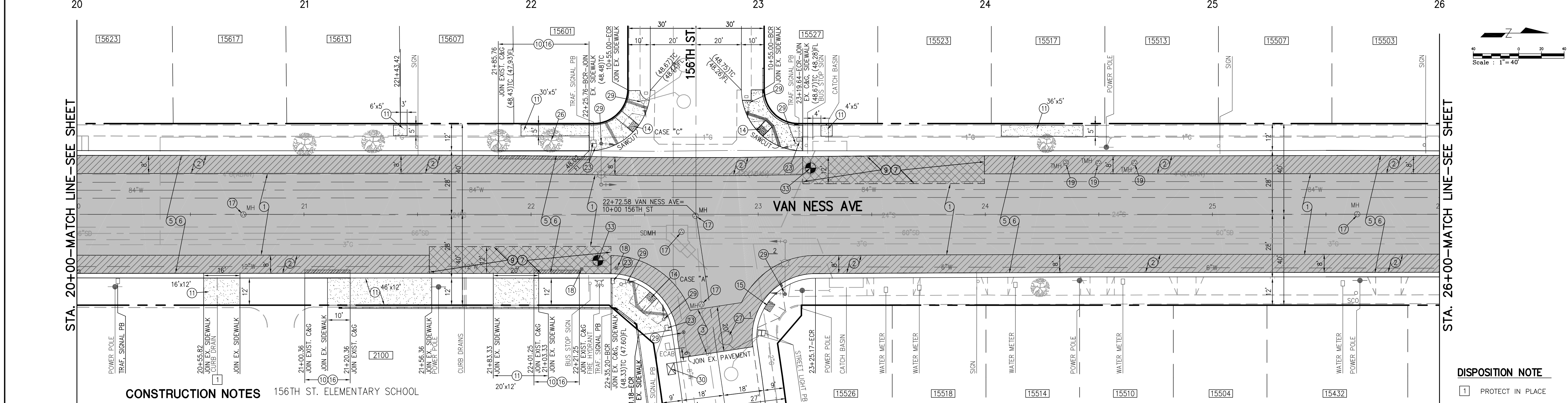
CITY OF GARDENA
 DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION
 PROJECT: **VAN NESS AVE STREET IMPROVEMENT-JN 992**
 LIMITS: REDONDO BEACH BLVD TO MARINE AVE.

F.B. REF.
 DESIGNED BY S.D. 05/10/2022
 DRAWN BY H.N. 05/10/2022
 CHECKED BY S.D. 05/10/2022

APPROVED BY: *Allan Rigg*
 PUBLIC WORKS ENGINEERING DIVISION
 SHT. **4** OF **11** DWG NO. **8-1069**



PROFILE SCALE
 HORIZ. 1"=20'
 VERT. 1"= 2'



DISPOSITION NOTE
 1 PROTECT IN PLACE

CONSTRUCTION NOTES 156TH ST. ELEMENTARY SCHOOL

- 1 COLD MILL 2" THICK EXISTING PAVEMENT.
- 2 EDGE GRIND - COLD MILL VARIABLE THICKNESS A.C. PAVEMENT PER DETAIL 2 SHEET 2.
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- 19 ADJUST TELEPHONE MANHOLE TO GRADE (PER GENERAL NOTE 36).
- 26 REMOVE TREE AND STUMP AND PLAN NEW TREE, BRADFORD PEAR.

CONSTRUCTION LEGEND

- COLD MILL 2" THICK AND CONSTRUCT 1" LEVELING COURSE AND 2" ARHM OVERLAY
- EDGE GRIND VARIABLE THICKNESS
- CORING LOCATION

PREPARED BY:
DMS
 CONSULTANTS, INC.
 CIVIL ENGINEERS
 10371 VANNESS BLVD, SUITE 200, GARDENA, CA 90248-2000 P. 714-740-8840 F. 714-740-8841
 SURENDER M. DEWAN RCE 34559 EXP. 9/30/23

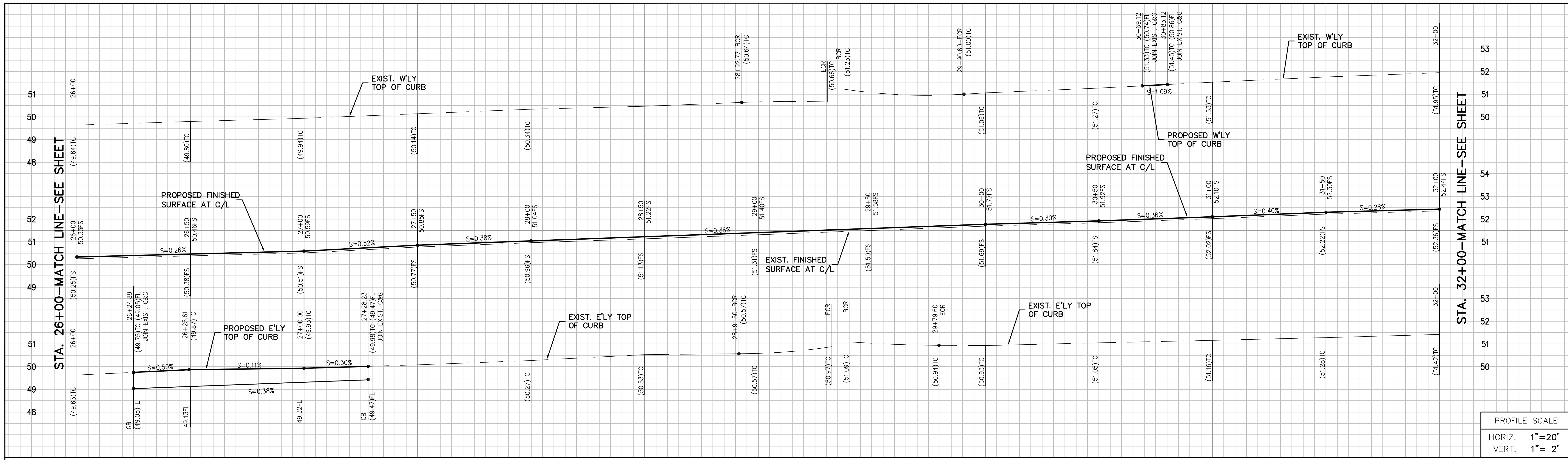


NO.	REVISIONS	DATE	BY	APP

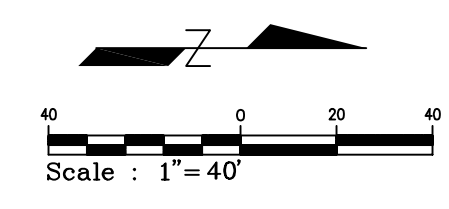
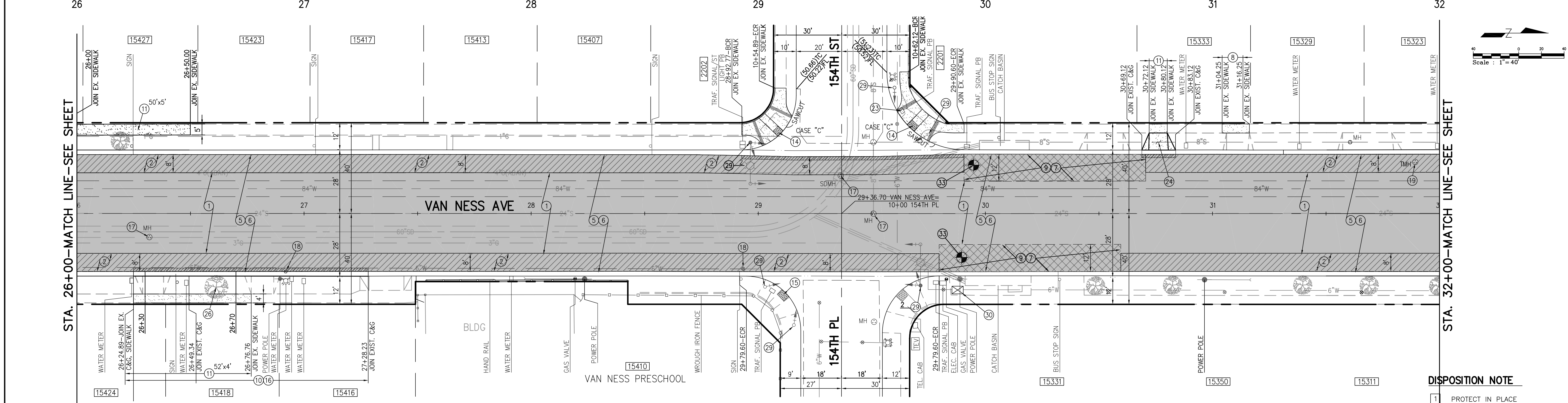
CITY OF GARDENA
 DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION
 PROJECT: **VAN NESS AVE STREET IMPROVEMENT-JN 992**
 LIMITS: REDONDO BEACH BLVD TO MARINE AVE.

F.B. REF.
 DESIGNED BY S.D. 05/10/2022
 DRAWN BY H.N. 05/10/2022
 CHECKED BY S.D. 05/10/2022

APPROVED BY: *Allan Rigg*
 PUBLIC WORKS ENGINEERING DIVISION
 SHT **5** OF **11** DWG NO. **8-1069**



PROFILE SCALE
 HORIZ. 1"=20'
 VERT. 1"=2'



CONSTRUCTION NOTES

- 1 COLD MILL 2" THICK EXISTING PAVEMENT.
- 2 EDGE GRIND - COLD MILL VARIABLE THICKNESS A.C. PAVEMENT PER DETAIL 2 SHEET 2.
- 5 FURNISH AND CONSTRUCT 1" THICK (MIN) A.C. LEVELING COURSE, C2-PG64-10.
- 6 FURNISH AND CONSTRUCT 2" THICK ASPHALT RUBBER HOT MIX (ARHM) C2-PG64-16 (WET PROCESS).
- 7 COLD MILL VARIABLE THICKNESS A.C. PAVEMENT (TRANSITION FROM 4" TO 5" COLD MILL PER PLAN).
- 8 REMOVE AND RECONSTRUCT 6" THICK PCC SIDEWALK (BEHIND DRIVEWAY).
- 9 CONSTRUCT 2" THICK AC BASE COURSE.
- 10 REMOVE AND DISPOSE OF EXISTING CURB AND GUTTER. FURNISH AND RECONSTRUCT P.C.C. CURB AND GUTTER (8"CF) OVER 6" C.A.B. PER CITY OF GARDENA STD. PLAN ST-7 C-1. MATCH TO EXISTING CONDITION.

- 11 REMOVE AND DISPOSE OF EXISTING SIDEWALK. FURNISH AND RECONSTRUCT 4" P.C.C. SIDEWALK OVER EXISTING RECOMPACTED SUBGRADE PER CITY STD. ST-5B.
- 15 SAWCUT AND REMOVE NECESSARY PORTION OF EXISTING RAMP AND CONSTRUCT CAST-IN-PLACE TRUNCATED DOMES PER CALTRANS STD. PLAN A88A.
- 16 CONSTRUCT FULL DEPTH A.C. (2' WIDE 12" DEEP) PER CITY STANDARD. 6" ASPHALT OVER 6" C.A.B.
- 17 ADJUST SEWER/STORM DRAIN MANHOLE TO GRADE.
- 18 ADJUST WATER VALVE TO GRADE (PER GENERAL NOTE 36).
- 19 ADJUST TELEPHONE MANHOLE TO GRADE (PER GENERAL NOTE 36).
- 24 REMOVE EXISTING DRIVEWAY AND REPLACE WITH AGGREGATE TO MATCH TO ADJACENT IN PARKWAY.
- 26 REMOVE TREE AND STUMP AND PLAN NEW TREE, BRADFORD PEAR.

- 29 FURNISH AND INSTALL NEW ADA PUSH BUTTON AS SPECIFIED IN PROJECT SPECIFICATIONS.
- 30 FURNISH AND INSTALL NEW BBS CABINET AS SPECIFIED IN PROJECT SPECIFICATIONS.
- 33 CONDUCT PAVEMENT CORES IN ACCORDANCE WITH PROJECT SPECIFICATIONS.

CONSTRUCTION LEGEND

- COLD MILL 2" THICK AND CONSTRUCT 1" LEVELING COURSE AND 2" ARHM OVERLAY
- EDGE GRIND VARIABLE THICKNESS
- CORING LOCATION

DISPOSITION NOTE

- 1 PROTECT IN PLACE

PREPARED BY:
DMS CONSULTANTS, INC.
 CIVIL ENGINEERS
 13371 VAN NESS DRIVE, SUITE 200, GARDENA, CA 90248 P. 714-742-8844 F. 714-742-8844
 SURENDER M. DEWAN RCE 34559 EXP. 9/30/23

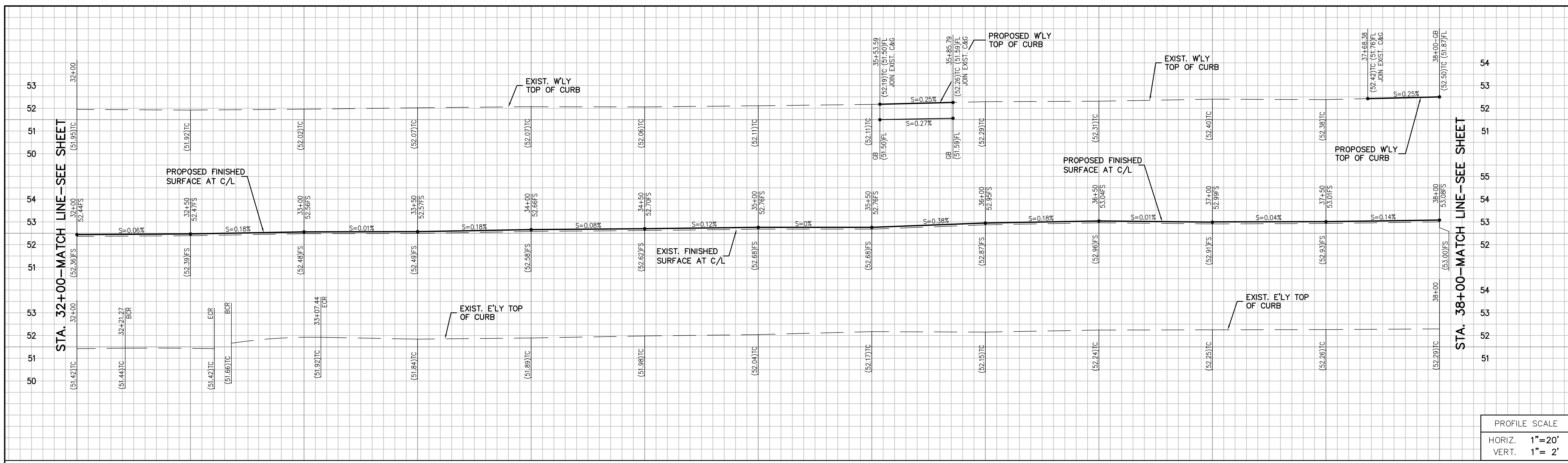


NO.	REVISIONS	DATE	BY	APP

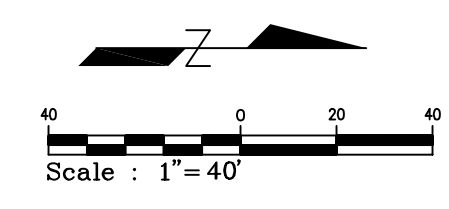
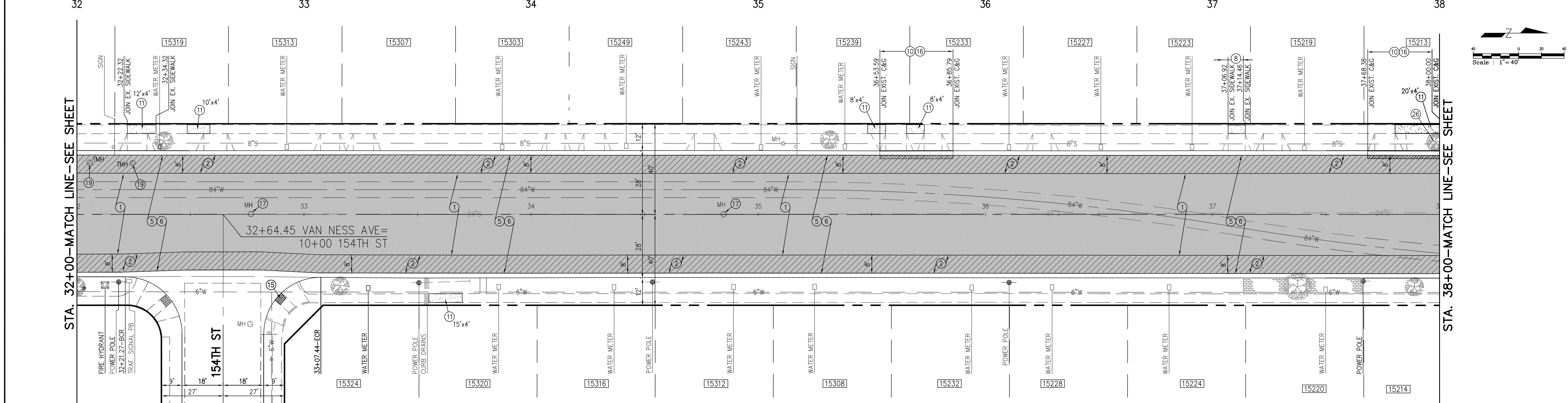
CITY OF GARDENA
 DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION
 PROJECT: **VAN NESS AVE STREET IMPROVEMENT-JN 992**
 LIMITS: REDONDO BEACH BLVD TO MARINE AVE.

F.B. REF.
 DESIGNED BY S.D. 05/10/2022
 DRAWN BY H.N. 05/10/2022
 CHECKED BY S.D. 05/10/2022

APPROVED BY: *Allen Rigg*
 PUBLIC WORKS ENGINEERING DIVISION
 SHT. **6** OF **11** DWG NO. **8-1069**



PROFILE SCALE
 HORIZ. 1"=20'
 VERT. 1"= 2'



CONSTRUCTION NOTES

- ① COLD MILL 2" THICK EXISTING PAVEMENT.
- ② EDGE GRIND - COLD MILL VARIABLE THICKNESS A.C. PAVEMENT PER DETAIL 2 SHEET 2.
- ⑤ FURNISH AND CONSTRUCT 1" THICK (MIN) A.C. LEVELING COURSE, C2-PG64-10.
- ⑥ FURNISH AND CONSTRUCT 2" THICK ASPHALT RUBBER HOT MIX (ARHM) C2-PG64-16 (WET PROCESS).
- ⑩ REMOVE AND DISPOSE OF EXISTING CURB AND GUTTER. FURNISH AND RECONSTRUCT P.C.C. CURB AND GUTTER (8"CF) OVER 6" C.A.B. PER CITY OF GARDENA STD. PLAN ST-7 C-1. MATCH TO EXISTING CONDITION.
- ⑪ REMOVE AND DISPOSE OF EXISTING SIDEWALK. FURNISH AND RECONSTRUCT 4" P.C.C. SIDEWALK OVER EXISTING RECOMPACTED SUBGRADE PER CITY STD. ST-5B.
- ⑮ INSTALL CAST IN PLACE TRUNCATED DOME PER CALTRANS STD. PLAN AB8A.
- ⑰ CONSTRUCT FULL DEPTH A.C. (2' WIDE 12" DEEP) PER CITY STANDARD. 6" ASPHALT OVER 6" C.A.B.
- ⑲ ADJUST SEWER/STORM DRAIN MANHOLE TO GRADE.
- ⑲ ADJUST TELEPHONE MANHOLE TO GRADE (PER GENERAL NOTE 36).
- ⑳ REMOVE TREE AND STUMP AND PLAN NEW TREE, BRADFORD PEAR.

CONSTRUCTION LEGEND

- COLD MILL 2" THICK AND CONSTRUCT 1" LEVELING COURSE AND 2" ARHM OVERLAY
- EDGE GRIND VARIABLE THICKNESS
- CORING LOCATION

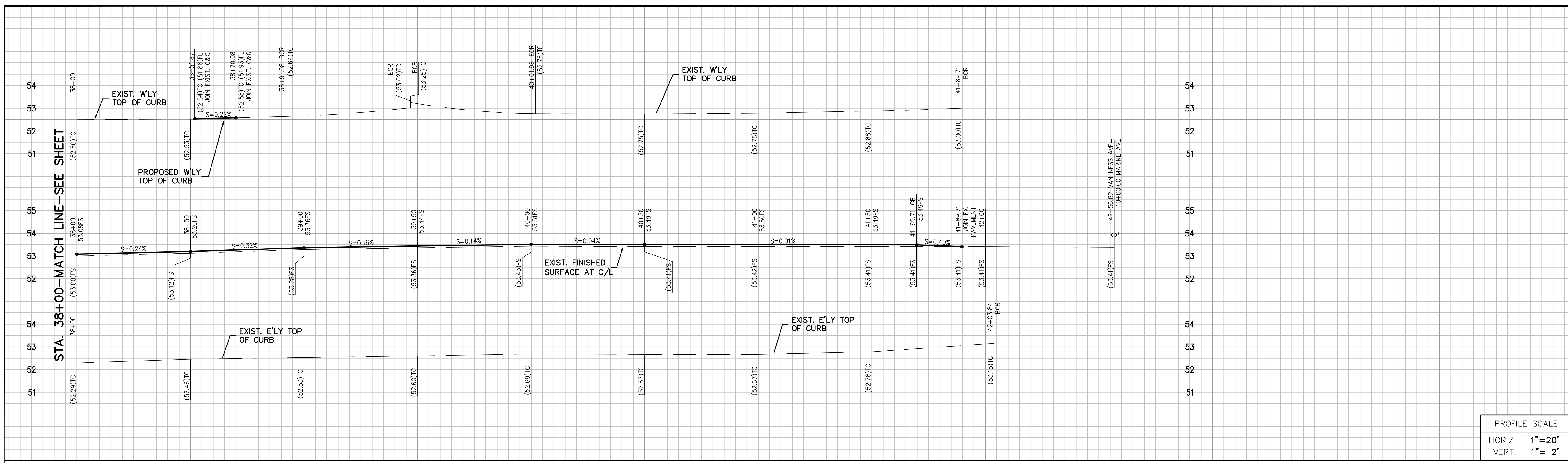
DISPOSITION NOTE

- ① PROTECT IN PLACE

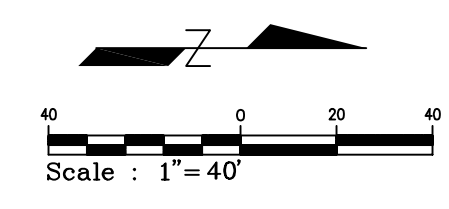
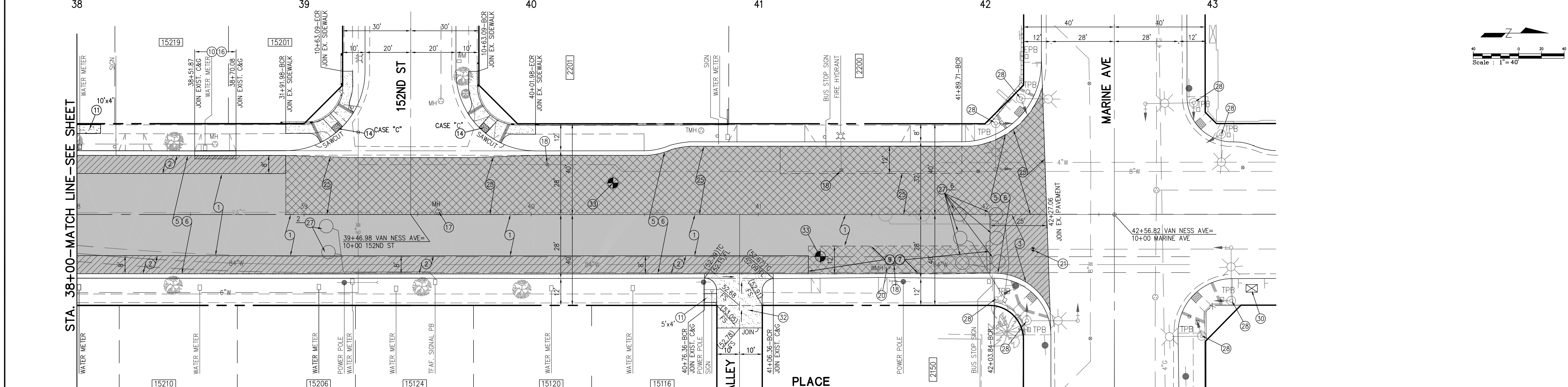
PREPARED BY:
DMS
 CONSULTANTS, INC.
 CIVIL ENGINEERS
 10371 VAN NESS AVENUE, SUITE 200, GARDENA, CA 90247-1037
 (714) 740-8840 F. 714-740-8841
 SURENDER M. DEWAN RCE 34559 EXP. 9/30/23



CITY OF GARDENA				
DEPARTMENT OF PUBLIC WORKS			ENGINEERING DIVISION	
PROJECT: VAN NESS AVE STREET IMPROVEMENT-JN 992				
LIMITS: REDONDO BEACH BLVD TO MARINE AVE.				
F.B. REF.	APPROVED BY: Allan Rigg			
DESIGNED BY: S.D.	05/10/2022	PUBLIC WORKS ENGINEERING DIVISION		
DRAWN BY: H.N.	05/10/2022	SHT 7 OF 11 DWG NO. 8-1069		
CHECKED BY: S.D.	05/10/2022			



PROFILE SCALE	
HORIZ.	1"=20'
VERT.	1"=2'



CONSTRUCTION NOTES

- ① COLD MILL 2" THICK EXISTING PAVEMENT.
- ② EDGE GRIND - COLD MILL VARIABLE THICKNESS A.C. PAVEMENT PER DETAIL 2 SHEET 2.
- ③ EDGE GRIND - COLD MILL VARIABLE THICKNESS A.C. PAVEMENT (TRANSITION FROM 2"-3" VARIABLE) TO 3" COLD MILL. L=20'
- ⑤ FURNISH AND CONSTRUCT 1" THICK (MIN) A.C. LEVELING COURSE, C2-PG64-10.
- ⑥ FURNISH AND CONSTRUCT 2" THICK ASPHALT RUBBER HOT MIX (ARHM) C2-PG64-16 (WET PROCESS).
- ⑦ COLD MILL VARIABLE THICKNESS A.C. PAVEMENT (TRANSITION FROM 4" TO 5" COLD MILL PER PLAN).
- ⑧ REMOVE AND RECONSTRUCT 6" THICK PCC SIDEWALK (BEHIND DRIVEWAY).
- ⑨ CONSTRUCT 2" THICK AC BASE COURSE.

- ⑩ REMOVE AND DISPOSE OF EXISTING CURB AND GUTTER. FURNISH AND RECONSTRUCT P.C.C. CURB AND GUTTER (8"CF) OVER 6" C.A.B. PER CITY OF GARDENA STD. PLAN ST-7 C-1. MATCH TO EXISTING CONDITION.
- ⑪ REMOVE AND DISPOSE OF EXISTING SIDEWALK. FURNISH AND RECONSTRUCT 4" P.C.C. SIDEWALK OVER EXISTING RECOMPACTED SUBGRADE PER CITY STD. ST-5B.
- ⑭ SAWCUT, REMOVE AND RECONSTRUCT CURB RAMP PER CALTRANS STD. PLAN A88A (CASE PER PLAN).
- ⑯ CONSTRUCT FULL DEPTH A.C. (2' WIDE 12" DEEP) PER CITY STANDARD. 6" ASPHALT OVER 6" C.A.B.
- ⑰ ADJUST SEWER/STORM DRAIN MANHOLE TO GRADE.
- ⑱ ADJUST WATER VALVE TO GRADE (PER GENERAL NOTE 36).
- ⑳ ADJUST M.W.D. MANHOLE TO GRADE.
- ㉑ ADJUST GAS VALVE TO GRADE (PER GENERAL NOTE 36).
- ㉒ REMOVE EXISTING PAVEMENT AND RECONSTRUCT 6" A.C. OVER EXISTING BASE (LEAVE 3" BELOW FINISHED SURFACE).
- ㉓ INSTALL 6" DIAMETER TRAFFIC LOOPS AND SPLICE IN PULL BOX PER CITY STD. ST-24.

- ㉔ REMOVE AND SALVAGE EXISTING PUSH BUTTON, FURNISH AND INSTALL NEW ADA PUSH BUTTON AS SPECIFIED IN PROJECT SPECIFICATIONS.
- ③① FURNISH AND INSTALL NEW BBS CABINET AS SPECIFIED IN PROJECT SPECIFICATIONS.
- ③② REMOVE EXISTING ALLEY APPROACH AND 10 FEET OF EXISTING PCC PAVEMENT AND RECONSTRUCT ALLEY APPROACH PER APWA STD PLAN 130-2 AND 6" THICK PCC PAVEMENT OVER EXISTING BASE/NATIVE IN ALLEY R/W.
- ③③ CONDUCT PAVEMENT CORES IN ACCORDANCE WITH PROJECT SPECIFICATIONS.

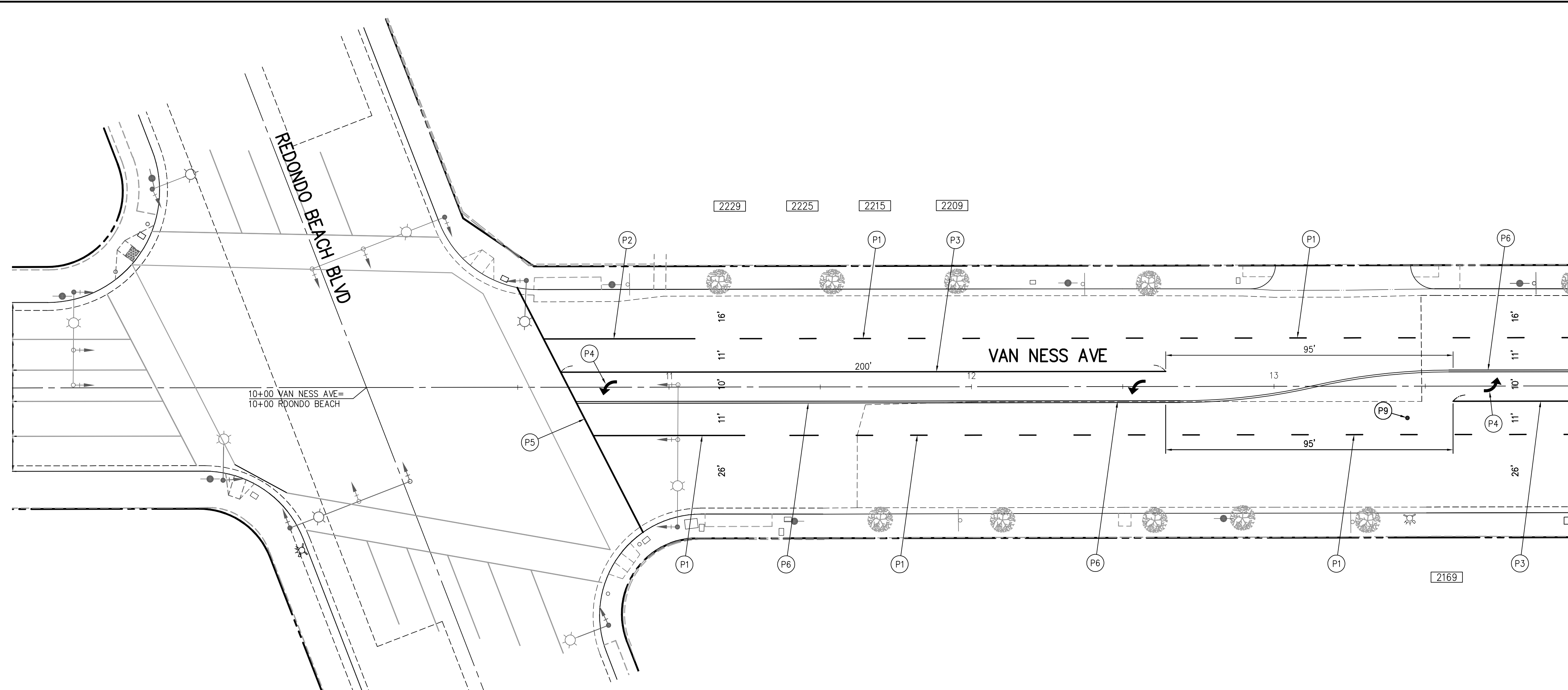
DISPOSITION NOTE

- ① PROTECT IN PLACE

CONSTRUCTION LEGEND

- COLD MILL 2" THICK AND CONSTRUCT 1" LEVELING COURSE AND 2" ARHM OVERLAY
- EDGE GRIND VARIABLE THICKNESS
- CORING LOCATION

PREPARED BY: SURENDER M. DEWAN RCE 34559 EXP. 9/30/23		NO.	REVISIONS	DATE	BY	APP																																		
		<table border="1"> <tr> <td colspan="7"> CITY OF GARDENA DEPARTMENT OF PUBLIC WORKS VAN NESS AVE STREET IMPROVEMENT-JN 992 LIMITS: REDONDO BEACH BLVD TO MARINE AVE. </td> </tr> <tr> <td>F.B. REF.</td> <td>.</td> <td>.</td> <td colspan="4">APPROVED BY: <i>Allan Rigg</i></td> </tr> <tr> <td>DESIGNED BY</td> <td>S.D.</td> <td>05/10/2022</td> <td colspan="4">PUBLIC WORKS ENGINEERING DIVISION</td> </tr> <tr> <td>DRAWN BY</td> <td>H.N.</td> <td>05/10/2022</td> <td>SHT. 8 OF 11</td> <td>DWG. NO.</td> <td colspan="2">8-1069</td> </tr> <tr> <td>CHECKED BY</td> <td>S.D.</td> <td>05/10/2022</td> <td colspan="4"></td> </tr> </table>						CITY OF GARDENA DEPARTMENT OF PUBLIC WORKS VAN NESS AVE STREET IMPROVEMENT-JN 992 LIMITS: REDONDO BEACH BLVD TO MARINE AVE.							F.B. REF.	.	.	APPROVED BY: <i>Allan Rigg</i>				DESIGNED BY	S.D.	05/10/2022	PUBLIC WORKS ENGINEERING DIVISION				DRAWN BY	H.N.	05/10/2022	SHT. 8 OF 11	DWG. NO.	8-1069		CHECKED BY	S.D.	05/10/2022		
CITY OF GARDENA DEPARTMENT OF PUBLIC WORKS VAN NESS AVE STREET IMPROVEMENT-JN 992 LIMITS: REDONDO BEACH BLVD TO MARINE AVE.																																								
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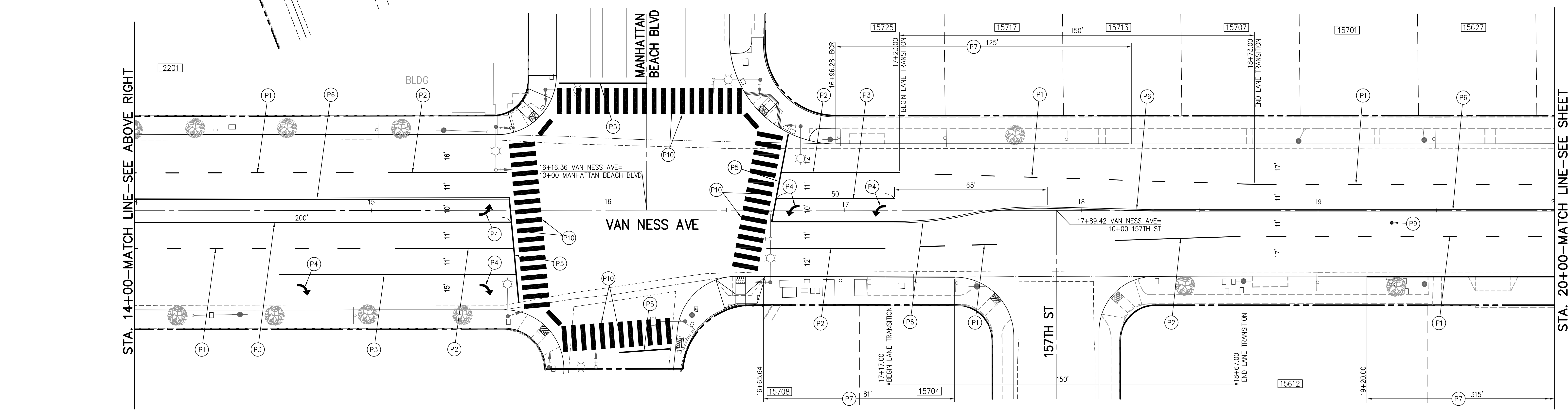


STRIPING NOTES

- (P1) FURNISH AND INSTALL THERMOPLASTIC AND RAISED PAVEMENT MARKERS PER DETAIL "9" CALTRANS STANDARD PLAN A20A.
- (P2) FURNISH AND INSTALL THERMOPLASTIC SOLID WHITE LINE, 50' LONG WITH RAISED PAVEMENT MARKERS.
- (P3) FURNISH AND INSTALL THERMOPLASTIC AND RAISED PAVEMENT MARKERS PER DETAIL "38B" CALTRANS STANDARD PLAN A20A.
- (P4) FURNISH AND INSTALL TYPE IV THERMOPLASTIC ARROW PER CALTRANS STANDARD PLAN A24A.
- (P5) FURNISH AND INSTALL 12" SOLID WHITE THERMOPLASTIC CROSSWALK LINE OR STOP BAR.
- (P6) FURNISH AND INSTALL THERMOPLASTIC AND RAISED PAVEMENT MARKERS DOUBLE YELLOW LINE PER DETAIL "22" CALTRANS STANDARD PLAN A20A.
- (P7) PAINT TOP OF CURB & CURB FACE RED
- (P8) FURNISH AND INSTALL 12" SOLID YELLOW THERMOPLASTIC CROSSWALK LINE OR STOP BAR.
- (P9) FURNISH AND INSTALL TWO-WAY BLUE REFLECTIVE MARKER. FIELD VERIFY LOCATIONS.
- (P10) FURNISH AND INSTALL 10' WIDE THERMOPLASTIC CROSSWALK, CONTINENTAL TYPE. SEE DETAIL THIS SHEET (COLOR PER PLAN)

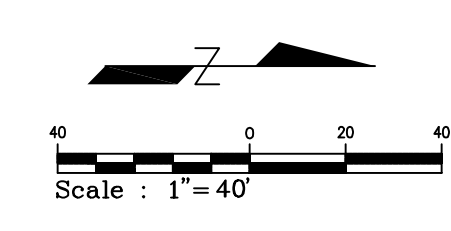
GENERAL NOTES

1. SIGNING, STRIPING AND PAVEMENT MARKINGS SHALL CONFORM TO THE STATE OF CALIFORNIA STANDARD PLANS AND STANDARD SPECIFICATIONS AND THE CALIFORNIA MUTCD, LATEST EDITIONS.
2. ALL TRAFFIC LINES, LEGENDS, LIMIT LINES, STOP BARS AND PAVEMENT MARKINGS SHALL BE THERMOPLASTIC.
3. REMOVAL OF ALL CONFLICTING LINES AND MARKINGS SHALL BE BY WET SANDBLASTING ONLY.
4. ALL LANE LINES AT INTERSECTION APPROACHES AND DEPARTURES SHALL BEGIN AND END WITH ±50 FEET OF 4-INCH SOLID WHITE.
5. EXIST. RAISED PAVEMENT MARKERS DAMAGED DURING REMOVAL SHALL BE REPLACED BY THE CONTRACTOR.
6. LANE WIDTHS SHALL BE MEASURED BETWEEN THE CENTERLINES OF EACH ADJACENT SINGLE OR DOUBLE STRIPE OR TOP OF CURB AS APPROPRIATE.



STA. 14+00—MATCH LINE—SEE ABOVE RIGHT

STA. 20+00—MATCH LINE—SEE SHEET



PREPARED BY:
DMS CONSULTANTS, INC.
 CIVIL ENGINEERS
 13371 LARK ST. FORTY-NINE, GARDENA, CA 90249 P. 714-742-8842 F. 714-742-8844
Andrew
 SURENDER M. DEWAN RCE 34559 EXP. 9/30/23

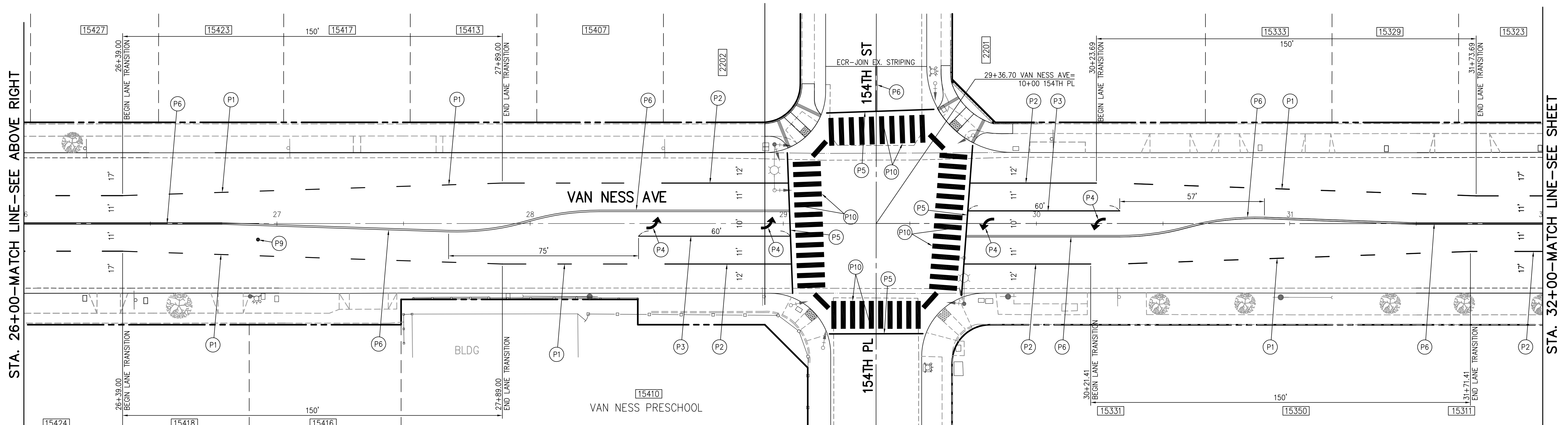
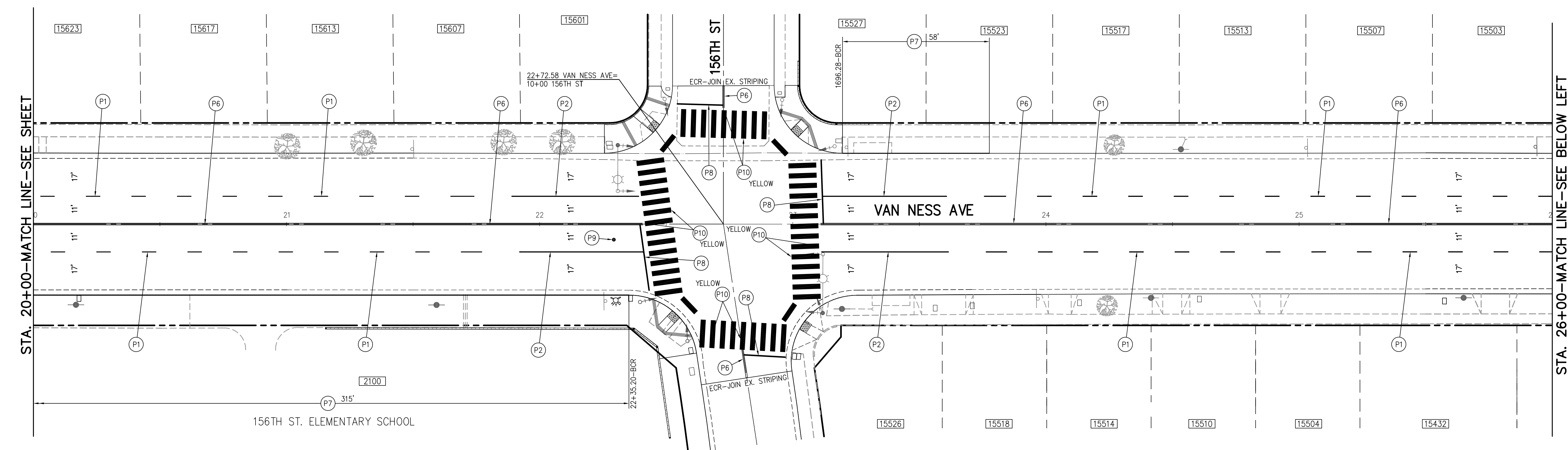


NO.	REVISIONS	DATE	BY	APP

CITY OF GARDENA
 DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION

VAN NESS AVE STRIPING PLAN
 LIMITS: REDONDO BEACH BLVD TO MARINE AVE.

F.B. REF.	.	.	APPROVED BY:	<i>Allan Rigg</i>
DESIGNED BY	S.D.	05/10/2022	PUBLIC WORKS ENGINEERING DIVISION	
DRAWN BY	H.N.	05/10/2022	SHT. 9 OF 11	DWG. NO. 8-1069
CHECKED BY	S.D.	05/10/2022		

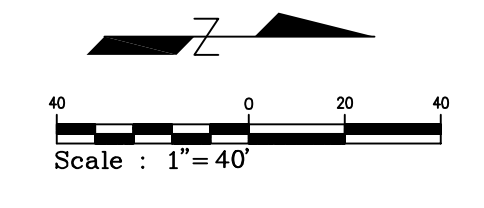


STRIPING NOTES

- (P1) FURNISH AND INSTALL THERMOPLASTIC AND RAISED PAVEMENT MARKERS PER DETAIL "9" CALTRANS STANDARD PLAN A20A.
- (P2) FURNISH AND INSTALL THERMOPLASTIC SOLID WHITE LINE, 50' LONG WITH RAISED PAVEMENT MARKERS.
- (P3) FURNISH AND INSTALL THERMOPLASTIC AND RAISED PAVEMENT MARKERS PER DETAIL "38B" CALTRANS STANDARD PLAN A20A.
- (P4) FURNISH AND INSTALL TYPE IV THERMOPLASTIC ARROW PER CALTRANS STANDARD PLAN A24A.
- (P5) FURNISH AND INSTALL 12" SOLID WHITE THERMOPLASTIC CROSSWALK LINE OR STOP BAR.
- (P6) FURNISH AND INSTALL THERMOPLASTIC AND RAISED PAVEMENT MARKERS DOUBLE YELLOW LINE PER DETAIL "22" CALTRANS STANDARD PLAN A20A.
- (P7) PAINT TOP OF CURB & CURB FACE RED
- (P8) FURNISH AND INSTALL 12" SOLID YELLOW THERMOPLASTIC CROSSWALK LINE OR STOP BAR.
- (P9) FURNISH AND INSTALL TWO-WAY BLUE REFLECTIVE MARKER. FIELD VERIFY LOCATIONS.
- (P10) FURNISH AND INSTALL 10' WIDE THERMOPLASTIC CROSSWALK, CONTINENTAL TYPE. SEE DETAIL THIS SHEET (COLOR PER PLAN)

GENERAL NOTES

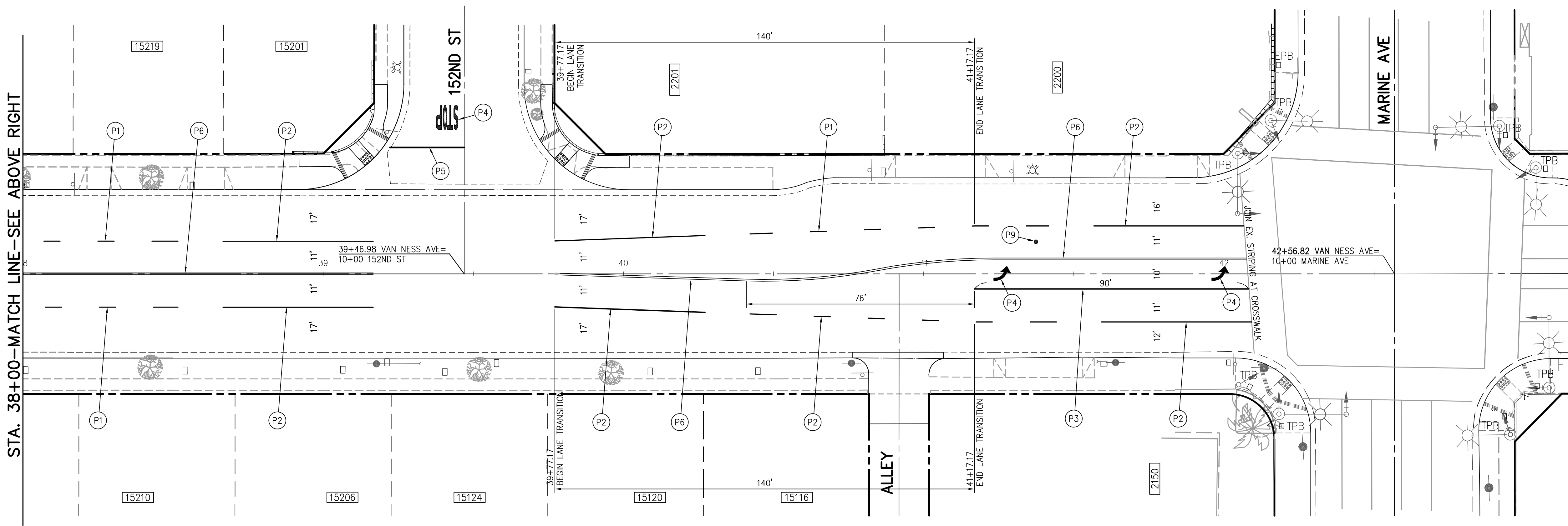
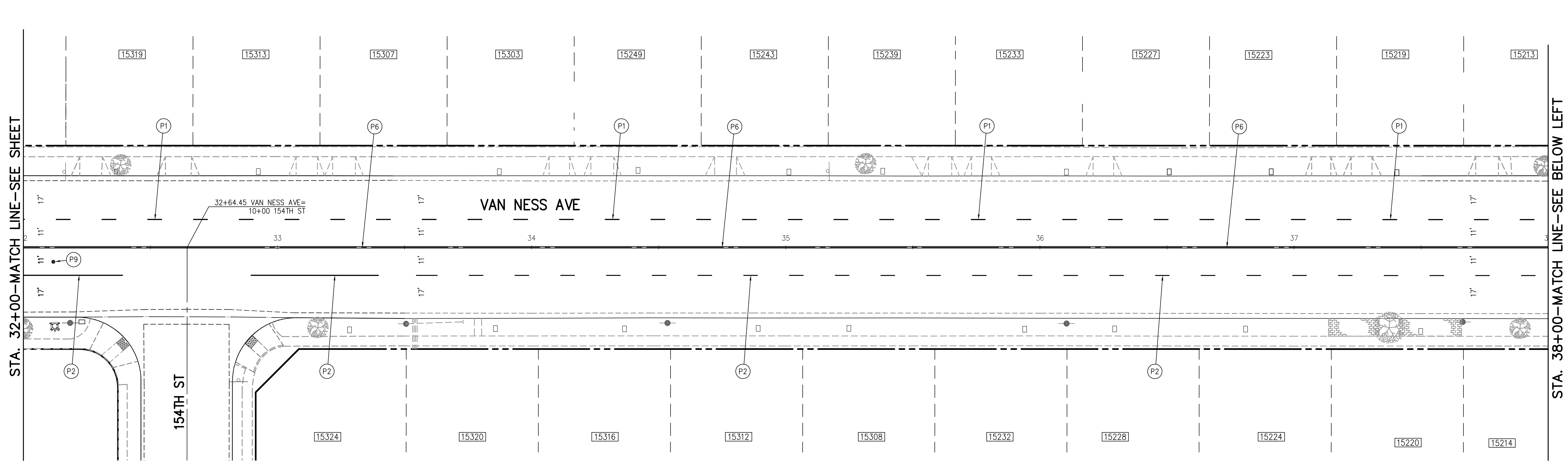
1. SIGNING, STRIPING AND PAVEMENT MARKINGS SHALL CONFORM TO THE STATE OF CALIFORNIA STANDARD PLANS AND STANDARD SPECIFICATIONS AND THE CALIFORNIA MUTCD, LATEST EDITIONS.
2. ALL TRAFFIC LINES, LEGENDS, LIMIT LINES, STOP BARS AND PAVEMENT MARKINGS SHALL BE THERMOPLASTIC.
3. REMOVAL OF ALL CONFLICTING LINES AND MARKINGS SHALL BE BY WET SANDBLASTING ONLY.
4. ALL LANE LINES AT INTERSECTION APPROACHES AND DEPARTURES SHALL BEGIN AND END WITH ±50 FEET OF 4-INCH SOLID WHITE.
5. EXIST. RAISED PAVEMENT MARKERS DAMAGED DURING REMOVAL SHALL BE REPLACED BY THE CONTRACTOR.
6. LANE WIDTHS SHALL BE MEASURED BETWEEN THE CENTERLINES OF EACH ADJACENT SINGLE OR DOUBLE STRIPE OR TOP OF CURB AS APPROPRIATE.



PREPARED BY: SURENDER M. DEWAN RCE 34559 EXP. 9/30/23		NO.	REVISIONS	DATE	BY	APP	CITY OF GARDENA DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION PROJECT: VAN NESS AVE STRIPING PLAN LIMITS: REDONDO BEACH BLVD TO MARINE AVE.	APPROVED BY: ALLAN RIGG PUBLIC WORKS ENGINEERING DIVISION
		DESIGNED BY	S.D.	05/10/2022	DRAWN BY	H.N.		

STA. 32+00-MATCH LINE-SEE SHEET

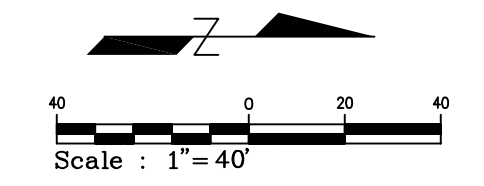
STA. 38+00-MATCH LINE-SEE BELOW LEFT



- (P1) FURNISH AND INSTALL THERMOPLASTIC AND RAISED PAVEMENT MARKERS PER DETAIL "9" CALTRANS STANDARD PLAN A20A.
- (P2) FURNISH AND INSTALL THERMOPLASTIC SOLID WHITE LINE, 50' LONG WITH RAISED PAVEMENT MARKERS.
- (P3) FURNISH AND INSTALL THERMOPLASTIC AND RAISED PAVEMENT MARKERS PER DETAIL "38B" CALTRANS STANDARD PLAN A20A.
- (P4) FURNISH AND INSTALL TYPE IV THERMOPLASTIC ARROW PER CALTRANS STANDARD PLAN A24A.
- (P5) FURNISH AND INSTALL 12" SOLID WHITE THERMOPLASTIC CROSSWALK LINE OR STOP BAR.
- (P6) FURNISH AND INSTALL THERMOPLASTIC AND RAISED PAVEMENT MARKERS DOUBLE YELLOW LINE PER DETAIL "22" CALTRANS STANDARD PLAN A20A.
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- (P8) FURNISH AND INSTALL 12" SOLID YELLOW THERMOPLASTIC CROSSWALK LINE OR STOP BAR.
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- (P10) FURNISH AND INSTALL 10' WIDE THERMOPLASTIC CROSSWALK, CONTINENTAL TYPE. SEE DETAIL THIS SHEET (COLOR PER PLAN).

GENERAL NOTES

1. SIGNING, STRIPING AND PAVEMENT MARKINGS SHALL CONFORM TO THE STATE OF CALIFORNIA STANDARD PLANS AND STANDARD SPECIFICATIONS AND THE CALIFORNIA MUTCD, LATEST EDITIONS.
2. ALL TRAFFIC LINES, LEGENDS, LIMIT LINES, STOP BARS AND PAVEMENT MARKINGS SHALL BE THERMOPLASTIC.
3. REMOVAL OF ALL CONFLICTING LINES AND MARKINGS SHALL BE BY WET SANDBLASTING ONLY.
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5. EXIST. RAISED PAVEMENT MARKERS DAMAGED DURING REMOVAL SHALL BE REPLACED BY THE CONTRACTOR.
6. LANE WIDTHS SHALL BE MEASURED BETWEEN THE CENTERLINES OF EACH ADJACENT SINGLE OR DOUBLE STRIPE OR TOP OF CURB AS APPROPRIATE.



PREPARED BY:
DMS
 CONSULTANTS, INC.
 CIVIL ENGINEERS
 13371 VAN DE WETERING DRIVE, SUITE 200, SAN DIEGO, CA 92126
 SURENDER M. DEWAN RCE 34559 EXP. 9/30/23



NO.	REVISIONS	DATE	BY	APP

CITY OF GARDENA	
DEPARTMENT OF PUBLIC WORKS	ENGINEERING DIVISION
PROJECT: VAN NESS AVE STRIPING PLAN	
LIMITS: REDONDO BEACH BLVD TO MARINE AVE.	
F.B. REF.	APPROVED BY: <i>Allan Rigg</i>
DESIGNED BY: S.D.	05/10/2022
DRAWN BY: H.N.	05/10/2022
CHECKED BY: S.D.	05/10/2022

SHT. **11** OF **11** DWG NO. **8-1069**

**PROPOSAL FOR
CONSTRUCTION MANAGEMENT AND INSPECTION
SERVICES FOR THE VAN NESS STREET
IMPROVEMENT PROJECT JN992**

CITY OF GARDENA
August 15, 2023



A
LOCHNER
COMPANY

AUGUST 15, 2023 | MC36119

**PROPOSAL FOR
CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES
FOR THE VAN NESS STREET
IMPROVEMENT PROJECT JN992**

CITY OF GARDENA

August 15, 2023

TO: Frank Sanchez
City of Gardena
Public Works Department

Submitted via email
FSanchez@cityofgardena.org

FROM: Chuck Stephan, PE
Managing Director of CM Division
Principal
(310) 525-0678 C
www.koacorp.com
cstephan@koacorp.com

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1100 Corporate Ctr Dr #201 Monterey Park CA 91754
T: (909) 890-9693 | F: (909) 890-9694 | www.koacorp.com
MONTEREY PARK ORANGE ONTARIO SAN DIEGO CULVER CITY

COVER LETTER

DATE

August 15, 2023

TO

Frank Sanchez
City of Gardena
Public Works Department

Submitted via email

FSanchez@cityofgardena.org

FROM

Chuck Stephan, PE
Managing Director of CM
Division, Principal
KOA Corporation
1100 Corporate Ctr Dr #201
Monterey Park CA 91754
(323) 260-4703 O
(310) 525-0678 C
www.koacorp.com

**PROPOSAL FOR
CONSTRUCTION
MANAGEMENT AND
INSPECTION SERVICES FOR
THE VAN NESS STREET
IMPROVEMENT PROJECT
JN992**

Dear Mr. Sanchez:

KOA Corporation (KOA), a California corporation, and a wholly owned subsidiary of H.W. Lochner, Inc. (Lochner), appreciates the opportunity to submit these qualifications to the City of Gardena for CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE VAN NESS STREET IMPROVEMENT PROJECT JN992.

KOA has the expertise and resources required to assist the City in a timely and efficient manner for this important street improvement project. We are committed to working seamlessly with your staff and project team to ensure the successful delivery of tasks assigned from this contract.

We propose Twining, Inc. as the Material Testing subconsultant for this assignment.

As KOA's Managing Director of CM Division, I am authorized to represent and sign proposals on behalf of KOA. I attest that all information submitted herein is true and correct. This proposal is valid for 90 calendar days from the date of submission. KOA has no conflict of interest in regard to this proposal or the included scope of work. There are currently no suspensions, debarments, voluntary exclusions or ineligibility determinations by any agency regarding KOA Corporation. KOA is registered with the State of California Department of Industrial Relations for construction inspection work. KOA maintains policies aimed at eliminating unlawful discrimination.

The KOA team is well-qualified, fully prepared, and eager to provide the City with the required services to complete the Construction Management and Inspection Services for this important project.

Sincerely,
KOA | A Lochner Company

Chuck Stephan, PE | *Managing Director of CM Division, Principal*

SECTION 1 | FIRM PROFILE

FIRM PROFILE

Founded in 1987, KOA Corporation (KOA) is a leading provider in professional services in transportation engineering, mobility planning, and construction management for public agencies and private sector clients. We offer our clients technical knowledge, innovative solutions, and responsive services.

Our focus on safety for all travelers is the foundation of our professional practice. KOA engineers, planners, construction field specialists, and project managers all take pride in our well-established reputation as Transportation Safety Experts. The hallmark of our success is our dedication to each and every project and our desire to leave a legacy of extraordinary contribution to our communities. Our staff includes registered civil and traffic professional engineers', certified transportation planners, certified road safety professionals, project/construction managers, and construction inspectors. With five offices located in Southern California, KOA provides professional consulting services for some of the largest public-works and planning projects for all modes of transportation throughout California.

In December 2022, KOA joined Lochner, a national transportation infrastructure firm headquartered in Chicago, Illinois, providing planning, environmental, design, construction engineering and inspection, and right-of-way services for surface transportation, rail, transit, and aviation clients. Together, we have more resources and capabilities for delivering innovative solutions and enhancing the quality of life in the communities we serve.

SPECIFIC ROLE AND RELATED EXPERIENCE

CONSTRUCTION MANAGEMENT AND INSPECTION

KOA has a complete Construction Management division consisting of 20+ Resident Engineers, Construction Managers, and Construction Inspectors with decades of experience in various expertise in public works projects including streets, developments, pipelines, structures, facilities, bikeways and parks. We have over 35 years of CM and Inspection experience with local, state and federal aid funded public works and permit projects. Mr. Chuck Stephan will be the Project Manager for this proposal.

TYPES OF SERVICES

Transportation Engineering
Highway & Roadway Design
Signals, Signing & Striping, Traffic Control Plans
Traffic Operations & ITS
Mobility Planning (Multimodal)
Complete Streets Planning & Design
Active Transportation (Ped & Bike, SRTS, First Mile/Last Mile)
Grant Writing & Management
Assessment of Transportation Impacts
Safety Implementation (HSIP, ADA, LRSP, SSARP, & SS4A)
Construction Management & Inspection

YEAR FOUNDED

1987

FORM OF THE ORGANIZATION

C Corporation

LOCATION OF OFFICES

Monterey Park
Orange
Ontario
San Diego
Culver City

PROJECT OFFICE LOCATION

1100 Corporate Ctr Dr #201
Monterey Park CA 91754
(323) 260-4703 O
(310) 525-0678 C

MAIN CONTACT

Chuck Stephan, PE
(310) 525-0678
cstephan@koacorp.com

SECTION 2 | PROJECT TEAM

DAVINA BUENAVISTA, EIT

PROJECT / CONSTRUCTION MANAGER

KOA Corporation

Ms. Davina Buenavista has over 27 years of experience in public works and has managed a variety of capital improvement projects and maintenance programs from inception to completion, including planning, development, design, and construction. Davina has completed numerous projects that involved roadway construction, traffic signal installations and upgrades, median and parkway landscape installations and maintenance, recreational park construction, utility (storm drain, water, and sewer) improvements, and building facilities upgrades and maintenance.

RELEVANT EXPERIENCE

Residential Street Rehabilitation Project Cycle 2 Phase 3, Job No. 40190, Redondo Beach, CA

Construction Manager. This \$4.5 million project included pavement reconstruction and resurfacing of roadways and alleyways, concrete sidewalk, driveway, curb and gutter repairs, construction of dry wells for street drainage, upgrades to 100 curb access ramps, various utility adjustments, installation of new traffic and street name signs, and roadway pavement striping and markings. Davina was responsible for coordinating the project with the City, Contractor, Inspector, Utility Agencies, Caltrans, and the public, overseeing the Inspectors' work, ensuring compliance with the project plans, specifications, and applicable standards, reviewing submittals, RFIs, and change orders, budget oversight, tracking contract pay quantities, reviewing Contractor invoices, document control, and project closeout.

Citywide Slurry Seal Project, Phase 2, Redondo Beach, CA

Construction Manager. KOA provided construction management and inspection services for this \$775,000 project. The general scope of work included minor dig-outs, crack seal, slurry seal, and pavement striping and marking on residential and collector streets. Davina was responsible for project coordination with the City, Contractor, and Inspector, monitoring the Contractor's schedule, reviewing submittals, RFIs, and change orders, document control, preparing Weekly Statements of Working Days, providing weekly project status reports, tracking contract pay quantities, reviewing Contractor invoices, and project closeout.

Country Lane Street Rehabilitation, Brea, CA

Construction Manager. This \$300,000 project resurfaced AC pavement streets throughout the Country Lane Tract, constructed ADA curb ramps, and repaired concrete curbs, gutters, and sidewalks. Davina was responsible for project coordination with the City, Contractor, and Inspector, managing the project schedule and budget, overseeing the work of the Inspectors, document control with the agency's web-based software, reviewing submittals and RFIs, negotiating change orders, tracking contract quantities, reviewing Contractor invoices, responding to public questions and concerns, and project closeout.

Ramona Boulevard Rehabilitation STPL-5210(025), El Monte, CA

Construction Manager. This \$2.5 million federally funded project included ADA curb ramp installation, new sidewalk, curb and gutter, new landscaping, construction of stormwater retention bio basins, medians, asphalt concrete pavement mill and overlay, installation of signs, and roadway striping and markings. Davina assisted with construction management and project closeout.

EDUCATION

BS, Civil Engineering, Loyola Marymount University
Los Angeles, CA

CERTIFICATIONS

Engineer-in-Training (CA),
Civil, CA #XE096552

SECTION 2 | PROJECT TEAM

ANTHONY ENGLISH

CONSTRUCTION INSPECTOR

KOA Corporation

Mr. Anthony English has construction inspection experience in public works capital improvement projects, public school facilities, and private developments. Before joining KOA in 2021, Anthony worked as a plumbing journeyman and held positions in plumbing and electrical construction.

RELEVANT EXPERIENCE

FY 21/22 Pavement Rehabilitation, Project No. PW 22-01, El Segundo, CA

Construction Inspector. KOA provided full-time construction inspection services for this \$1M street improvement project on El Segundo Blvd between Whiting St and Illinois St. The scope of work included pavement reconstruction and resurfacing, utility adjustments, and pavement striping and markings. Anthony oversaw the daily work of the Contractor for compliance with the project plans and specifications, provided daily inspections, prepared construction inspection reports, coordinated the project with the City, Contractor, utility companies, businesses, and residents, tracked field quantities for pay items, reviewed the Contractor's invoices, and assisted with the project closeout.

Residential Street Rehabilitation Project Cycle 2 Phase 3, Job No. 40190, Redondo Beach, CA

Construction Inspector. KOA provided construction management and inspection services for this annual project that repaired and improved streets in various residential neighborhoods. With a construction budget of \$4.5 million, the project scope of work included pavement reconstruction and resurfacing of roadways and alleyways, concrete sidewalk, driveway, curb and gutter repairs, construction of dry wells for street drainage, upgrades to 100 curb access ramps, various utility adjustments, installation of new traffic and street name signs, and roadway pavement striping and markings. Anthony oversaw the daily work of the Contractor for compliance with the project plans and specifications, provided daily inspections, prepared construction inspection reports, coordinated the project with the City, Contractor, utility companies, businesses, and residents, tracked field quantities for pay items, reviewed the Contractor's invoices, and assisted with the project closeout.

Centinela Avenue Median, ADA Improvements and Traffic Signal Modifications from La Cienega Boulevard to La Brea Avenue HSIPL-5164 (033), and Street Improvements from La Cienega Boulevard to Florence Avenue, Inglewood, CA

Construction Inspector. KOA provided construction management and inspection services on this \$6.85 million project, which included HSIP Cycle 8 grant funding. The scope of work included the construction of raised medians and traffic signal upgrades on Centinela Ave between La Cienega Blvd and La Brea Ave, and street improvements on Centinela Ave between La Cienega Blvd to Florence Ave that included pavement rehabilitation, repairs of concrete driveway approaches, sidewalks, curbs and gutters, curb ramp upgrades for ADA compliance, construction of AC and PCC bus pads, signing and striping, and installation of landscape and irrigation. Anthony assisted with the inspection of the traffic signal installations.

Ramona Boulevard Rehabilitation STPL-5210(025), El Monte, CA

Construction Inspector. KOA provided construction management and inspection services for this \$2.5 million federally funded project. The scope of work included traffic signal modifications, ADA curb ramp installation, new sidewalk, curb and gutter, landscape and irrigation, construction of stormwater retention bio basins, medians, asphalt concrete pavement milling, ARHM overlay, installation of signs, roadway striping and markings, and traffic signal loop detectors. Anthony assisted with the inspection of pavement repairs and resurfacing and project closeout.

EDUCATION

Construction Work Certificate,
West Valley Occupational Center,
Woodland Hills, CA

CERTIFICATIONS

OSHA 10
Photovoltaic Technician
Pipe Fitting

SECTION 2 | PROJECT TEAM

Multi-Modal Signal Detection and Citywide Vision Zero Enhancement Projects, Santa Monica, CA

Construction Inspector. KOA provided construction management and inspection services for this \$2.6 million two-component project. The Multi-Modal Signal Detection portion replaced 15 traffic signal poles and foundations, installed vehicle and bicycle video detection at 9 intersections, and upgraded 3 curb access ramps. The Citywide Vision Zero Enhancement portion installed safety improvements along Wilshire Boulevard, Broadway, and Ocean Avenue, including the installation of new signage, pavement markings, and rectangular rapid flashing beacons at 5 intersections, relocation of bus stops, video detection installation at 2 signalized intersections, rubber curb stop modifications, and installation of flexible delineators. Anthony oversaw the Contractor's daily work, provided daily inspections, prepared construction inspection reports, coordinated the project with the Contractor, City Engineer, and various city departments, reviewed the project plans and specifications, scheduled material testing, maintained as-built plans, reviewed the Contractor's invoices, and assisted with the project closeout.

Citywide Curb Ramp Improvements 2021 Project (Federal HUD B-20-MC-06-0528), Redondo Beach, CA

Construction Inspector. KOA is provided full-time construction inspection services for this \$600,000 federally funded project. The project scope included ADA upgrades to 34 curb ramps, concrete sidewalk and curb and gutter repairs, concrete cross gutter and spandrel repairs, localized asphalt concrete pavement repairs, street sign replacements, and traffic striping and pavement markings. Anthony oversaw the Contractor's daily work and ensured compliance with the project plans and specifications, provided daily inspections, prepared construction inspection reports, coordinated the project with the Contractor, City Engineer, and various city departments, reviewed the Contractor's invoices, and assisted with the project closeout.

Citywide Slurry Seal Project, Phase 2, Redondo Beach, CA

Construction Inspector. KOA provided construction management and inspection services for this \$800,000 project. The project provided general street preservation work including minor dig-outs, crack seal, slurry seal, and pavement striping and marking on residential and collector streets. Anthony worked with the Contractor to inspect the asphalt concrete pavement before slurry sealing and determined a 2-inch cold mill on most streets was a sufficient repair instead of dig-outs. This provided cost-effective pavement repairs throughout the project and saved the city money. As the Inspector on this project, Anthony was responsible for managing the Contractor's daily work, preparing construction reports with a photo log, coordinating the project with the Contractor, City Engineer, and various city departments, measuring and tracking pay quantities, reviewing the Contractor's invoices, responding to public inquires and complaints, and assisting with project closeout.

FY20/21 Rehabilitation Project, El Segundo, CA

Construction Inspector. Anthony provided inspections for the city's street rehabilitation project that provided for the construction of new ADA ramps, concrete sidewalk and cross gutter repairs, asphalt concrete pavement grinding and paving, and the installation of striping and markings. Anthony coordinated the project with the City, Contractor, and residents, prepared daily inspection reports with photo logs, generated field memos, tracked field quantities, and reviewed the Contractor's invoices for progress payments.

SECTION 2 | PROJECT TEAM

AMIR GHAVIBAZOO, PHD

REGIONAL MANAGER | SENIOR GEOLOGIST

Twining, Inc.

Dr. Amir Ghavibazoo is Twining's Director of Asphalt Engineering and Pavement Design. He directs and works on pavement design, highway design, engineering specifications, and consulting services. He works closely with cities and government agencies to develop unique and specialized mix designs, pavement inspections, and pavement design solutions. He also serves on several technical committees in California helping to develop new specifications and update existing ones. Amir extensive research experience and in-depth understanding on many aspects of pavement materials. He has provided quality control and advanced performance testing of various asphalt binder. Amir studied pavement management systems (MicroPaver), pavement evaluation, and pavement rehabilitation strategies. He is expert in calculating the Pavement Condition Index (PCI), following the Army Corps of Engineers methodology, and conducting Life Cycle Cost Analysis (LCCA) for different pavement rehabilitation strategies.

EDUCATION

PhD, Civil and Environmental Engineering, North Dakota State University, Fargo, ND

MS, Railways Engineering, Iran University of Science and Technology, Tehran, Iran

BS, Industrial Engineering Amirkabir University of Technology, Tehran, Iran

RELEVANT EXPERIENCE

- City of El Monte, Ramona Boulevard Resurfacing Pavement Evaluation
- City of Long Beach, MUST Project and Percolation Testing
- City of Long Beach, Del Amo Boulevard Improvement
- City of Claremont, Foothill Boulevard Improvement
- City of South Pasadena, Street Improvement Projects

SUBCONSULTANT – TWINING, INC. - FIRM BACKGROUND

Twining, Inc. (Twining's) legacy dates back more than 125 years. What started as a family business in 1898 has evolved into one of California's largest service providers of geotechnical engineering design, materials testing, and construction inspection services. Highly regarded by state and local agencies, and other stakeholders for providing high-quality services that are reliable, timely, and compliant, Twining has been a central part of some of California's most regionally significant construction projects. The expertise and capabilities of Twining in geotechnical and many civil engineering disciplines complement their services for the asphalt construction industry. Twining has developed a strong reputation by providing sound engineering, testing, and inspection services on every project Twining undertakes. They earned this reputation knowing that the true measure of their performance rests in the satisfaction of their clients. They approach each project with the understanding that they are evaluated on the safety and durability of the structures and pavements they test and inspect. They employ some of the industry's most well-known construction experts, including asphalt and concrete experts who perform research as well as consult with regulatory agencies to shape the future of construction standard practices. Twining can provide construction material testing and inspection services. Their engineers offer routine training to their field soil technicians to continuously improve and reinforce their skills related to field testing. Experienced inspectors and laboratory technicians can provide field observation and testing to provide immediate compaction data to the Contractor, thus allowing for efficient and accelerated progress of the schedule.

SECTION 3 | SIMILAR PROJECT EXPERIENCE

CITY OF REDONDO BEACH, RESIDENTIAL STREET REHABILITATION, CYCLE 2 PHASE 3

REDONDO BEACH, CA | KOA



KOA provided construction management and inspection services for this annual project that repairs and improves streets in various residential neighborhoods. The project scope of work included pavement reconstruction and resurfacing of roadways and alleyways, concrete sidewalk, driveway, curb and gutter repairs, construction of dry wells for street drainage, upgrades to 100 curb access ramps, various utility adjustments, installation of new traffic and street name signs, installation of a Class II bike lane, and roadway pavement striping and markings.

REFERENCE: Mr. Javier Urista, Project Manager, City of Redondo Beach, 415 Diamond Street, Redondo Beach, CA 90277, (310) 318-0661, Javier.Urista@Redondo. KOA Staff: Davina Buenavista (CM) & Anthony English, Construction Inspector. Project Cost: \$4.5M.

CITY OF INGLEWOOD, CENTINELA AVENUE MEDIANS & ADA IMPROVEMENTS AND TRAFFIC SIGNAL MODIFICATIONS FROM LA CIENEGA BLVD. TO LA BREA AVE. HSIP-5164(033) AND STREET IMPROVEMENTS FROM LA CIENEGA BLVD. TO FLORENCE AVE. PROJECT, FY 2020-21

INGLEWOOD, CA | KOA

KOA provided construction management and inspection services on this \$6.85 million project, which included HSIP Cycle 8 grant funding. The scope of work included the construction of raised medians and traffic signal upgrades on Centinela Avenue between La Cienega Boulevard and La Brea Avenue, and street improvements on Centinela Avenue between La Cienega Boulevard to Florence Avenue that included pavement rehabilitation, repairs of concrete driveway approaches, sidewalks, curbs and gutters, curb ramp upgrades for ADA compliance, construction of AC and PCC bus pads, signing and striping, and installation of landscape and irrigation.

REFERENCE: Mr. Kenrick Sanderlin, Associate Engineer, City of Inglewood, 1 Manchester Boulevard, Inglewood, CA 90301, ksanderlin@cityofinglewood.org. KOA Staff: Chuck Stephan (Principal), Davina Buenavista (CM) & Anthony English (Construction Inspector). Project Cost: \$6.85M.

CITY OF BREA, COUNTRY LANE STREET REHABILITATION, CIP 7323

BREA, CA | KOA



KOA provided construction management and inspection services for residential street improvements in the Country Lane neighborhood. The project includes full width AC pavement cold mill and overlay; ADA curb ramps; curb, gutter, sidewalk, and driveway repairs; and pavement striping and markings.

REFERENCE: Mr. Raymond Contreras, Associate Engineer, City of Brea, 545 Berry Street, Brea, CA 92821, (714) 990-7691, raymondc@cityofbrea.net. KOA Staff: Davina Buenavista (CM). Project Cost: \$300,000.

SECTION 3 | SIMILAR PROJECT EXPERIENCE

CITY OF EL MONTE, VARIOUS PROJECTS

EL MONTE, CA | Twining

Twining has been providing materials testing and inspection for multiple projects within the City of El Monte, as part of KOA's team. The following are some of the projects we have been involved in:

- El Monte Sidewalk Project
- Gibson Mariposa Skate Park Improvements
- Ramona Blvd. Intersection
- Ramona Blvd. Rehabilitation Project

These projects typically included aggregate base and subgrade soil placement and compaction, Portland Cement Concrete pour and Asphalt concrete placement and compaction. Twining provided materials testing and inspection throughout these projects, to ensure the quality of workmanship and materials.

ROLE: Materials testing and inspection (as a subconsultant to KOA)

FEE: Varies

REFERENCE: Mr. Leonardo Torres, City Engineer, City of El Monte, 11333 Valley Boulevard, El Monte, CA 91731, (626) 580-2055, ltorres@elmonteca.gov.

COUNTY OF SAN BERNARDINO, ON-CALL GEOTECHNICAL SERVICES

SAN BERNARDINO, CA | Twining

Twining has been providing the County of San Bernardino with geotechnical professional engineering services on an on-call basis since 2010. In 2018, the firm was selected once again to provide on-call services to the County for the next five-year basis.

Typical projects include roadway reconstruction, road widening/realignment, pavement improvement, bridge replacement, pedestrian facility upgrade or new construction in compliance with the Americans with Disabilities Act (ADA), drainage improvement, guardrail construction/replacement, and retaining wall repair/construction. Over the course of the last decade, our firm has worked on a total of 19 projects under this agreement.

ROLE: On-call geotechnical engineering, materials testing, and inspection consultant

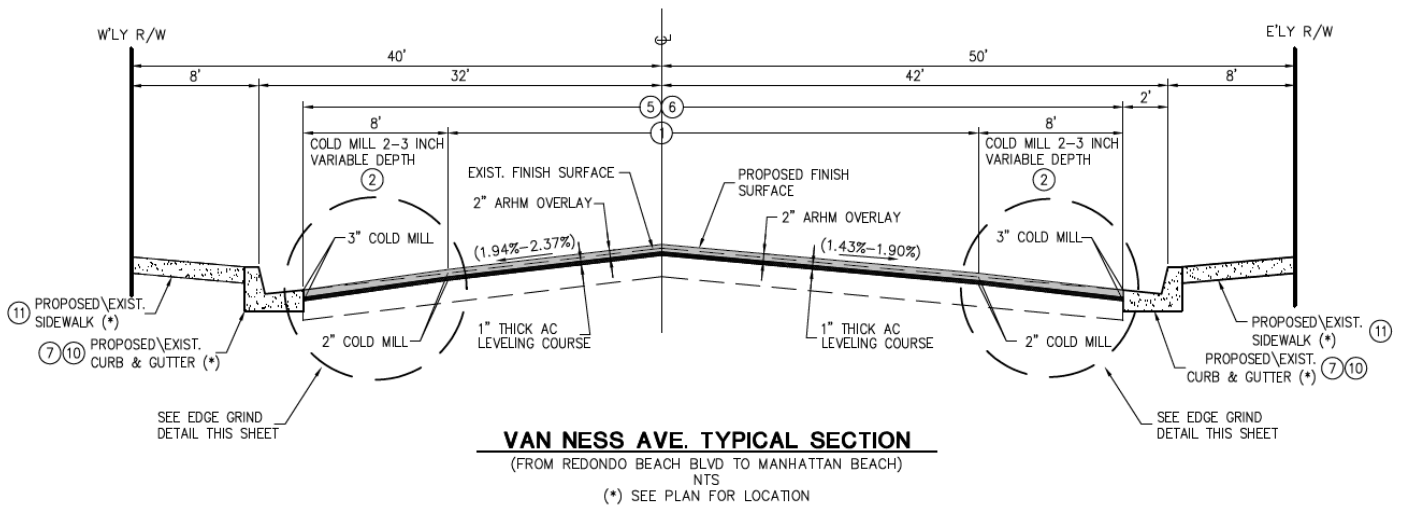
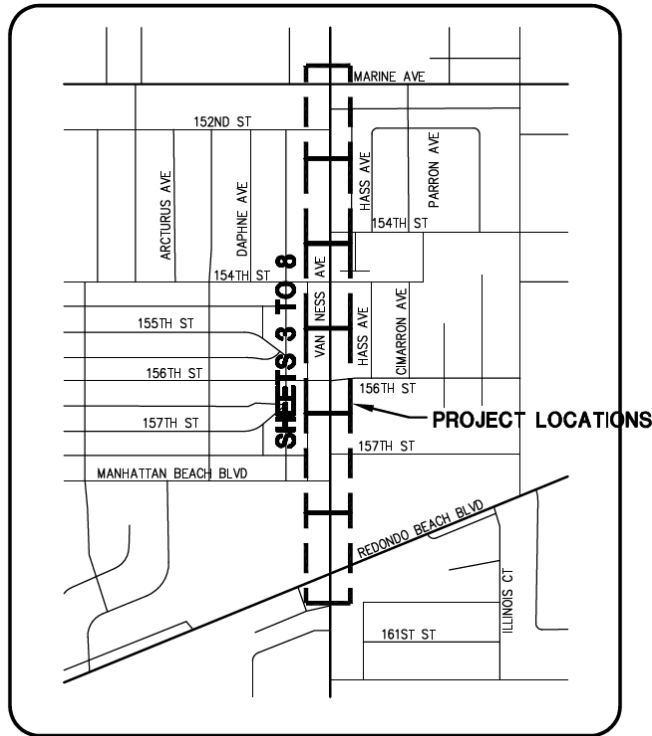
FEE: \$36,905

REFERENCE: Mr. Medhat Matta, Supervising Engineer, County of San Bernardino, 825 East 3rd Street, Room 143, San Bernardino, CA 92415, (909) 387-8054, mmatta@dpw.sbcounty.gov.

SECTION 4 | SCOPE OF SERVICES

UNDERSTANDING OF PROJECT

The City of Gardena plans to construct street improvements in accordance with the plans and specifications for the Van Ness Avenue from Redondo Beach Boulevard to Marine Avenue Street Improvement Project, JN992. The project includes asphalt pavement milling and ARHM overlay; PCC curb, gutter, sidewalk, driveway, and ADA ramps; Tree replacements; traffic signal upgrades with BBS and audio PPB; traffic signing, striping and markings, and other work.



SECTION 4 | SCOPE OF SERVICES

SCOPE OF SERVICES

CONSTRUCTION MANAGEMENT AND INSPECTION

KOA will provide full-time Construction Inspection (CI) services (8 hours per day) and part-time Construction Management. KOA has adequate alternate resources to provide additional and backup support services as needed. The designated CI will provide for the following efforts:

- Conduct Project Meetings and Coordination with City staff, Design Engineer, Contractor, residents, businesses, tenants, transit, schools, Dispatch, utilities and stakeholders as needed to manage and document the project construction and completion.
- Attend project-related meetings, including pre-construction meeting, weekly project meetings, and daily project meetings with contractor.
- Perform daily on-site observations of the progress and quality of construction
- Ensure work by the contractor conforms with the contract documents
- Be thoroughly familiar with the project Plans and Specifications, City standards, Standard Specifications, and Standard Plans.
- Check and approve materials, methodologies, traffic control plans, and BMPS/SWPPP submitted by Contractor.
- Coordinate and conduct material testing services and monitor testing results. The California Kneading Compactor per California test 304 shall be performed for this project (Twining).
- Monitor and verify survey monumentation compliance
- Monitor site for safety compliance.
- Review and provide recommendation for Progress Payment quantities and amounts. Represent the City to negotiate and validate potential contract change orders and RFI's.
- Provide Weekly Project summary reports
- Ensure contractor maintains updated as-built drawings
- Immediately notify the City of any directives, recommendations, or notices from other agencies.
- Exercise reasonable care and diligence to discover and promptly report to the City all defects or deficiencies in the materials or workmanship used in the Project.
- Coordinate with City staff and dispatch emergency services; residents; waste disposal, and other stakeholders.
- Coordinate with utility agencies.
- Provide for Public Outreach.
- Provide for Labor Compliance monitoring.
- Prepare daily inspection reports with the following items and transmit them to the City:

○ Labor (trade and classification)	○ Stormwater protection
○ Hours worked	○ Materials delivered and/or incorporated into the work
○ Equipment used	○ Safety measures and issues
○ Description of activities	○ Traffic control measures
○ Quantities constructed	○ Weather
○ Problems, issues, accidents, disputes, claims	○ Photographs
○ Directives and field orders	○ Recommendations to the CM for non-performance or other issues
○ Resolution of issues	
- Provide Project Closeout documentation including project photographs, reports, material certificates, data sheets, test results, As Built plans, and all other project related documentation.

The services for construction management and inspection will implement controls in accordance with the project Contract Document, Plans, and Specifications, Manual of Uniform Traffic Control Devices, Greenbook Standard Specifications and Standard Plans for Public Works Construction, Caltrans Standard Plans and Specifications, and the Caltrans Local Procedures Manual.

KOA considers safety the most important issue on any construction project. KOA will recommend key safety provisions to require the contractor to have competent safety personnel and site specific safety programs employed on the projects at all

SECTION 4 | SCOPE OF SERVICES

times. The Inspector will monitor the contractor's operations for compliance with the project safety requirements.

KOA will coordinate laboratory, jobsite, and offsite testing of construction materials and required observations per construction documents, construction codes, and jurisdictional agencies. KOA with Twining will provide deputy inspection as required. KOA will implement established procedures for testing per the construction documents. We will monitor testing services, track documentation and record testing results in weekly construction progress meetings. When necessary, KOA will require and track that corrective measures are implemented and re-inspected for acceptable completion.

KOA will carefully record measurements for constructed work so that proper payment may be made. Quantities will be verified with the Contractor and reported to the City's Project Manager. Quantities that appear to be significantly different from the bid amounts will be brought to the attention of the City PM.

KOA will compile daily observation reports documenting the contractor's workforce, material and equipment used, a summary of construction activities, field problems, disputes or claims, resolutions of issues and directions given to the contractor. Completed daily reports will be transmitted to the City on a weekly basis.

GEOTECHNICAL AND MATERIAL TESTING

KOA has partnered with Twining, Inc. to provide the required material testing services for this project, including the California Kneading Compactor test. Anticipated testing may include asphalt concrete sampling and compaction testing, and PCC sampling and testing. We have proposed an allowance for material testing and will invoice only the actual time used for the project.

Provide Project Management Services and Final QA Documentation: Twining's PM will coordinate all field and laboratory testing and will review all reports. Test results and daily reports will be sent to the City on daily basis. Upon completion of the project, a Final QA report will be prepared and provided to the City for its records.

POST-CONSTRUCTION SERVICES

KOA will assist the City in closing out the project, including:

- Development of the construction "punch list" and "punch list" schedule of remaining work
- Verification that all work is complete and performance of final inspection
- Final project photographs
- Verification of material testing compliance and remedial measures
- Verification of survey monumentation compliance
- Submittal of As-Built plans
- Review final progress payment quantities
- Delivery of project files to the City.

SECTION 5 | FEE PROPOSAL



Assumptions for Construction Phase		Proposal Fee for CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE VAN NESS STREET IMPROVEMENT PROJECT JN992			
50 Working Days Full-Time Construction Inspection (8 hrs/day) (daytime) Part-Time Construction Management					
TASK DESCRIPTION		Construction Manager	Construction Inspector	Administrative Assistant	TOTALS
Hourly Rate Schedule		\$200	\$152	\$100	
BASE BID	Pre-Construction Services	16	8	4	28
	Construction Inspection and Reporting	150	400	40	590
	Project Closeout	24	24	8	56
	TOTAL HOURS	190	432	52	674
	SUB-TOTAL COST	\$ 38,000.00	\$ 65,664.00	\$ 5,200.00	\$ 108,864.00
	MATERIAL TESTING ALLOWANCE -				\$ 15,000.00
	DIRECT PROJECT EXPENSES (MILEAGE)				\$ 200.00
	TOTAL COST	\$ 38,000.00	\$ 65,664.00	\$ 5,200.00	\$ 124,064.00
TOTAL HOURS		190	432	52	674
TOTAL LABOR COST		\$ 38,000.00	\$ 65,664.00	\$ 5,200.00	\$ 108,864.00
DIRECT PROJECT EXPENSES					\$ 15,200.00
TOTAL PROPOSAL FEE					\$ 124,064.00

NOTE: Construction Inspector rate shown is for regular day-time hours. The State DIR requires adjustments for special shift, night, overtime and holiday hours.

Subconsultant fees will include a 10% insurance and administrative overhead adjustment.

SECTION 5 | FEE PROPOSAL

Position	Hourly Rate
Construction Manager	\$200
Construction Inspector- Regular Shift	\$152
Construction Inspector- Special Shift/Multi-Shift	\$162
Construction Inspector- 1.5X Overtime	\$208
Construction Inspector- 2X OT	\$256
Construction Inspector- 4X OT	\$368

Non-federal aid rates are shown. Rates are subject to a 5% annual increase

* Project reimbursable expenses are billed at cost.

* Project expenses include: Non-commuter automobile mileage (\$0.655 per mile) or current IRS rate, postage and special courier expenses, travel expenses, reproduction, subcontractor services and other direct project expenses as requested by the client.

* Telephone, equipment, and fax are included in the above hourly costs.

* Direct expenses including blacklining, commercial CAD plotting, issuance of specially endorsed insurance certificate, and direct costs are billed at cost plus 5% unless stated otherwise in the proposal.

*Building/Construction Inspectors on Public Works projects are subject to State mandated prevailing wage rates. Such rates are at the discretion of the State of California and subject to change at any time. Regular adjustments are anticipated by the State on a semi-annual basis.

Subconsultant fees are subject to additional 10% overhead cost

Sr Construction Inspector - Add \$4.00/hr to Inspector rate

Building/Construction Inspector Regular/Special/Multi-Shift are as defined by the State of California DIR

KOA HOURLY BILLING RATES

KOA Corporation	
2023 Hourly Billing Rates	
Professional Services	2023 Rates
Regional Manager	\$341
Principal II	\$320
Principal I	\$273
Senior Construction Manager	\$200
Construction Inspector- Regular Shift (days)	\$142
Construction Inspector- Special Shift (nights/Sat)	\$148
Construction Inspector- 1.5X Overtime	\$192
Construction Inspector- 2X OT	\$242
Construction Inspector- 4X OT	\$342
Administrative Assistant II	\$103
Administrative Assistant I	\$80
Intern	\$67

General Provisions:

- * Project reimbursable expenses are billed at cost.
- * Project expenses include: Non-commuter automobile mileage (\$0.655 per mile) or current IRS rate, postage and special courier expenses, travel expenses, reproduction, subcontractor services and other direct project expenses as requested by the client.
- * Telephone, equipment, and fax are included in the above hourly costs.
- * Direct expenses including blacklining, commercial CAD plotting, sub-consultant expense, issuance of specially endorsed insurance certificate, and direct costs are billed at cost plus 5% unless stated otherwise in the proposal.

TWINING SCHEDULE OF FEES



Schedule of Fees 2022 - 2023

NOTE: Rates will be adjusted annually each July 1st to reflect increased costs.

Personnel Rates: Per Hour Unless Otherwise Noted

Task Code	Engineering and Consulting Personnel	Rate
10026	Senior Principal Advisor/Consultant	\$ 350.00
10001	Principal Engineer/Geologist	\$ 250.00
10017	Metallurgical Engineer	\$ 300.00
70000	Registered Geotechnical Engineer	\$ 245.00
10010	Technical Advisor	\$ 240.00
10011	Material Scientist, Welding/NDT Consultant	\$ 250.00
70003	Registered Geologist/Certified Engineering Geologist	\$ 245.00
10003	Senior Engineer/Geologist	\$ 220.00
10009	Registered Civil Engineer	\$ 215.00
60003	Roofing/Waterproofing Consultant	\$ 240.00
10013	Project Engineer/Manager	\$ 210.00
30000	Quality Control Manager	\$ 200.00
10005	Senior Staff Engineer/Geologist	\$ 195.00
10007	Staff Engineer/Geologist	\$ 190.00
10015	Quality Control Administrator	\$ 180.00
10019	Metallurgical Technician	\$ 155.00
90001	CADD Operator/Draftsperson	\$ 142.00
95103	Office Support/Clerical	\$ 100.00
70107	Field Supervisor	\$ 175.00
91030	Safety Supervisor	\$ 175.00
20000	Laboratory Manager	\$ 160.00
98000	Laboratory Technician	\$ 135.00
90005	Expert Witness Testimony	\$ 590.00
91010	Qualified SWPPP Developer	\$ 195.00
91000	Qualified SWPPP Practitioner	\$ 180.00
30001	Vibration Engineer	\$ 220.00

Task Code	Field Inspection Personnel	Rate
10101	Concrete/Reinforced Steel Inspector	\$ 129.00
10103	Prestressed/Post Tensioned Inspector	\$ 129.00
10105	Concrete ICC Inspector	\$ 129.00
10109	Drilled-In-Anchor Inspector	\$ 129.00
10111	Gunitite/Shotcrete Inspector	\$ 129.00
10113	Masonry Inspector	\$ 129.00
10201	Structural Steel/Welding Inspector	\$ 129.00
10203	AWS Certified Welding Inspector	\$ 129.00
10207	Fireproofing Inspector	\$ 129.00
10501	Lead Inspector	\$ 132.00
10115	Firestop Special Inspector - IFC Premier	\$ 146.00
10117	Firestop Special Inspector - IQP	\$ 191.00
70109	L.A. Deputy Grading Inspector	\$ 134.00
75001	Asphalt Field and Plant Inspector/Technician	\$ 129.00
70103	Pile Driving Inspector	\$ 129.00
70101	Soils Technician	\$ 129.00
10107	Concrete Quality Control (ACI/Caltrans Technician)	\$ 129.00
10122	Wood Framing Inspector	\$ 129.00
60001	Roofing/Waterproofing Inspector	\$ 136.00
10500	Public Works Inspector	\$ 146.00
10515	Mechanical Inspector	\$ 154.00
10519	Electrical Inspector	\$ 154.00
10521	Plumbing Inspector	\$ 154.00
10523	Building Inspector	\$ 154.00
30002	Vibration Monitoring Technician	\$ 149.00
50003	Field Engineering Technician	\$ 129.00

Task Code	Shop Inspection Personnel	Rate
10301	Structural Steel Fabrication Inspector	\$ 129.00
10309	Batch Plant Quality Control Technician/Inspector	\$ 129.00
10325	Glue-Laminated Fabrication Inspector	Quotation
10328	Pre-Cast Concrete/Pipe Fabrication Inspector	\$ 129.00

Task Code	Nondestructive Testing Personnel	Rate
10401	NDE Ultrasonic Testing Technician	\$ 135.00
10403	NDE Magnetic Particle Testing Technician	\$ 135.00
10405	NDE Dye Penetrant Testing Technician	\$ 135.00
10305	Combination NDE Technician/Welding Inspector	\$ 135.00
10409	Radiographic Testing (Crew of 2)	\$ 360.00
10020	NDE Engineer	\$ 230.00

Task Code	Equipment Usage (Daily Unless Otherwise Noted)	Rate
95318	Skidmore	\$ 44.00
95309	Torque Wrench, Small	\$ 17.00
95312	Torque Wrench, Large	\$ 28.00
95315	Torque Multiplier	\$ 44.00
95321	Air Meter	\$ 22.00
95322	Unit Weight Bucket	\$ 33.00
95323	Field Concrete Scale	\$ 33.00
95324	Brass Mold	\$ 22.00

Task Code	Equipment Usage (Daily Unless Otherwise Noted), Continued	Rate
95343	Nuclear Gauge (Per Hour)	\$ 11.00
95319	Sand Cone Density Test Equipment	\$ 55.00
95333	Full Test Equipment	\$ 66.00
95348	Concrete/Asphalt Coring Equipment	\$ 600.00
95327	Pachometer	\$ 61.00
95336	Floor Flatness (Dipstick)	\$ 55.00
95330	Schmidt Hammer	\$ 33.00
95341	Vapor Emission Test Kits	\$ 33.00
95342	Relative Humidity Probe	\$ 66.00
95339	UPV (Ultrasonic Pulse Velocity) Meter	\$ 385.00
95351	Fireproofing Adhesion/Cohesion (Per Test)	\$ 39.00
95300	A Scan Ultrasonic Equipment and Consumables	\$ 83.00
95303	Magnetic Particle Equipment and Consumables	\$ 44.00
95306	Liquid Penetrant Consumables	\$ 39.00
95307	Phased Array Ultrasonic Equipment (Per Hour)	\$ 66.00
95347	Ground Penetrating Radar	\$ 330.00
95345	Impact Echo	\$ 385.00
95362	Ultrasonic Tomography	\$ 495.00
95349	Inertial Profiler (Per Hour)	Quotation
95357	Project Dedicated Vehicle	\$ 150.00
95364	Roller Compacted Concrete Vibrating Hammer/Tamping Plate	\$ 77.00
95367	Half-Cell Potential Equipment Set	\$ 385.00
95368	Concrete Electrical Resistivity Meter	\$ 176.00
95369	Field Hardness (Steel)	\$ 110.00
95370	Coating Thickness Gauge	\$ 110.00
95373	Wood Curing Box (One-Time Fee/Per Box)	\$ 650.00
95371	Temperature Control Curing Box (Per Month)	\$ 500.00
95372	Temperature Matching Curing Box (Per Month)	\$ 570.00

Task Code	Specimen Pick-Up	Rate
20102	Standard Sample: Concrete Cylinders (Each)	\$ 30.00
20101	Standard Sample: Mortar/Grout Cubes and Cores, Fireproofing, Rebar, and Epoxy Prisms (Each)	\$ 30.00
20103	Oversize Sample: Masonry Prisms and Shotcrete Panels (Each)	\$ 80.00
20104	Oversize Sample: Flexural Beams (Each)	\$ 80.00
20107	Technician for Specimen Pick-Up Not Listed Above (Per Hour, 2-Hour Minimum)	\$ 110.00
20109	Technician for Specimen Pick-Up Before 5:00 a.m. or After 5:00 p.m. Monday thru Friday, or All Day Saturday (Per Hour, 2-Hour Minimum Plus Mileage)	\$ 165.00

Task Code	Jobsite Trailer, Mobile or On-site Laboratory	Rate
95360	Mobile Laboratory for Rapid Strength Concrete (Per Shift Not Exceeding 12 Hours) All Others by Quotation	\$ 600.00

Task Code	Concrete Tests (Field Made Specimens)	Rate
20201	6" x 12" Cylinder: Compression Strength (ASTM C39)	\$ 42.00
20202	4" x 8" Cylinder: Compression Strength (ASTM C39)	\$ 37.00
20203	Density of Structural Lightweight Concrete Equilibrium Oven Dry Method (ASTM C687)	\$ 90.00
20205	Core Compression including Trimming (ASTM C42)	\$ 80.00
20207	6" x 6" x 18" Flexural Beams Not Exceeding Referenced Size (ASTM C78, C293 or CTM 523)	\$ 110.00
20209	Splitting Tensile Strength (ASTM C496)	\$ 100.00
20211	Modulus of Elasticity Test (ASTM C490)	\$ 300.00
80003	Rapid Chloride Permeability Test: Cylinders or Cores (ASTM C1202)	\$ 550.00
80006	Density, Absorption, and Voids in Hardened Concrete (ASTM C642)	\$ 550.00
40005	Flexural Toughness (ASTM C1809, Formerly ASTM C1018)	\$ 850.00
40007	Flexural Toughness (ASTM C1550)	\$ 500.00
40006	Double Punch Strength of Fiber Reinforced Concrete	\$ 550.00
40009	Coefficient of Thermal Expansion of Concrete (CRD 38, AASHTO T338)	\$ 600.00
40012	Bulk Electrical Resistivity (ASTM C1876)	\$ 150.00

Task Code	Concrete Specimen Preparation	Rate
20151	Sawing of Specimens (Each)	\$ 45.00
20157	Coring of Specimens in Lab (Each)	\$ 45.00
20159	Grinding of Concrete Below 8000 psi Strength (Each)	\$ 65.00
20160	Grinding of Concrete 8000 psi Strength and Above (Each)	\$ 95.00

Task Code	Laboratory Trial Batch: Concrete, Cement and Mortar	Rate
30216	Compression Test 4"x8" Cylinders Made and Tested in Laboratory (ASTM C192, C35)	\$ 55.00
30217	Compression Test 8"x12" Cylinders Made and Tested in Laboratory (ASTM C192, C35)	\$ 65.00



Task Code	Task Description	Rate
Laboratory Trial Batch: Concrete, Cement and Mortar. Continued		
30219	8" x 8" x 18" Flexural Beams Made and Tested in Laboratory (ASTM C192, C78)	\$ 125.00
30223	Splitting Tensile Strength Cylinders Made and Tested in Laboratory (ASTM C192, C490)	\$ 125.00
30225	Modulus of Elasticity Test Cylinders Made and Tested in Laboratory (ASTM C192, C409)	\$ 315.00
30227	Density of Structural Lightweight Concrete Made in the Laboratory, Equilibrium or Oven Dry Method (ASTM C567)	\$ 110.00
30237	Bulk Electrical Resistivity (ASTM C1876)	\$ 165.00
30201	Laboratory Trial Batch (ASTM C192/Lab Procedure Performance)	\$ 525.00
30203	Concrete Mixture Design for Preconstruction Evaluation and Backup Data Development	\$ 300.00
30205	Drying Shrinkage Up to 28 Days: Three 3" x 3" or 4" x 4" Bars, Five Readings Up to 28 Dry Days (ASTM C157)	\$ 500.00
30230	Additional Reading, Per Set of Three Bars	\$ 50.00
30231	Storage over Ninety (90) Days, Per Set of Three Bars, Per Month	\$ 40.00
30207	Setting Time Up to 7 Hours (ASTM C403)	\$ 180.00
30209	Bleeding (ASTM C232)	\$ 150.00
30229	Concrete Restrained Expansion (ASTM C878)	\$ 650.00
20263	Non-Shrink Grout: Height Change after Final Set (ASTM C1090)	\$ 550.00
20265	Non-Shrink Grout: Height Change at Early Age (ASTM C827)	\$ 800.00
30232	Cracking Resistance, Set of Three Rings, Laboratory Trial Batching, Test Until Cracking or Up to 28 Days (ASTM 1581)	\$ 5,750.00
30233	Evaluation of Pre-Packaged Masonry Mortars (ASTM C270)	\$ 1,200.00
30234	Creep (ASTM C512) (One Age of Loading, 12 Months Duration of Testing)	\$ 8,000.00
Task Code Examination of Concrete		
80123	Chemical Analysis for Acid Soluble Chlorides (ASTM C1152) (includes sample prep)	\$ 125.00
80126	Chemical Analysis for Water Soluble Chlorides (ASTM C1218) (includes sample prep)	\$ 150.00
80193	Chloride Diffusion Coefficient of Cementitious Mixtures by Bulk Diffusion (ASTM C1556)	\$ 2,600.00
80129	Petrographic Examination of Hardened Concrete, Level II (ASTM 856) (Comprehensive)	\$ 2,400.00
	Each, One Sample	\$ 2,100.00
	Each, Two or More Samples	\$ 2,100.00
Task Code Physical and Chemical Analysis of Cement		
80195	Physical Testing and Chemical Analysis of Portland Cement per Standard Requirements (ASTM C150)	\$ 1,350.00
80100	Chemical Analysis of Portland Cement per Standard Requirements (ASTM C150)	\$ 700.00
80103	Physical Testing of Portland Cement per Standard Requirements (ASTM C150)	\$ 700.00
80194	Physical Testing of Type K Cement, Mortar Expansion (ASTM C806)	\$ 700.00
80106	Partial Analysis or Specific Physical Tests	Quotation
80110	Sulfates Resistance of Hydraulic Cement (ASTM C1012), 6 Months	\$ 2,700.00
80111	Sulfates Resistance of Hydraulic Cement (ASTM C1012), 12 months	\$ 3,000.00
Task Code Physical and Chemical Analysis of Fly Ash		
80140	Chemical Analysis of Fly Ash per Standard Requirements (ASTM C618)	\$ 700.00
80143	Physical Testing of Fly Ash per Standard Requirements (ASTM C618)	\$ 700.00
80146	Partial Analysis or Specific Physical Tests	Quotation
80147	Chemical Analysis and Physical Testing of Fly Ash per Standard Requirements (ASTM C618)	\$ 1,350.00
80149	Type 1L Cement (ASTM C595; Excludes Special Properties)	\$ 1,350.00
Task Code Physical Testing of Chemical Admixtures for Concrete		
80196	Qualification of Admixture (ASTM C494)	Quotation
Task Code Soils and Aggregate Tests		
30503	Abrasion: LA Rattler (ASTM C131)	\$ 200.00
30505	Abrasion: LA Rattler (ASTM C535)	\$ 210.00
70301	Atterberg Limits/Plasticity Index (ASTM D4318, CTM 204)	\$ 160.00
70303	California Bearing Ratio Excluding Maximum Density (ASTM D1883): Soil	\$ 550.00
70304	California Bearing Ratio Excluding Maximum Density (ASTM D1883): Cement-Treated Soil	\$ 650.00
70344	Cement-Treated Soil/Base Mix Design: Includes Three Trial Cement Contents with Three Unconfined Compressive Strength Specimens per Cement Content	\$ 3,500.00
70305	Chloride and Sulfate Content (CTM 417, CTM 422)	\$ 175.00
30403	Clay Lumps and Friable Particles (ASTM C142)	\$ 200.00
30321	Cleaness Value: 1" x #4 (CTM 227)	\$ 175.00
30322	Cleaness Value: 1.5" x .75" (CTM 227)	\$ 275.00
70393	Collapse Potential/Index (ASTM D5333)	\$ 225.00

Task Code	Task Description	Rate
Soils and Aggregate Tests. Continued		
70396	Compressive Strength of Molded Soil-Cement Cylinders (ASTM D1833)	\$ 105.00
70309	Consolidation Test: Full Cycle (ASTM 2435, CTM 219)	\$ 195.00
70311	Consolidation Test: Time Rate per Load Increment (ASTM D2435, CTM 219)	\$ 45.00
70313	Comrosivity Series: Sulfate, Cl, pH, Resistivity (CTM 643, 417, and 422)	\$ 245.00
70315	Crushed/Fractured Particles (ASTM D5921, CTM 205)	\$ 175.00
70317	Direct Shear Test: Remolded and/or Residual (ASTM D3080)	\$ 245.00
70319	Direct Shear Test: Undisturbed - Slow [CD] (ASTM D3080)	\$ 225.00
70321	Direct Shear Test: Undisturbed - Fast [CUJ] (ASTM D3080)	\$ 195.00
70378	Durability Index: Per Method - A,B,C, or D (ASTM D3744, CTM 229)	\$ 210.00
70325	Expansion Index (ASTM D4829, UBC 18-2)	\$ 170.00
75004	Fine Aggregate Angularity (ASTM C1252, CTM 234, AASHTO T304)	\$ 190.00
30507	Flat and Elongated Particle (ASTM D4791)	\$ 240.00
30508	Flat or Elongated Particle (ASTM D4791)	\$ 210.00
70331	Maximum Density: Methods A/B/C (ASTM D1557, D698, CTM 216)	\$ 190.00
70333	Maximum Density: Check Point (ASTM D1557, D698)	\$ 65.00
70335	Maximum Density: AASHTO C [Modified] (AASHTO T-180)	\$ 195.00
70336	Maximum Index Density: Vibratory Table (ASTM D4253)	\$ 345.00
70337	Moisture Content (ASTM D2216, CTM 228)	\$ 25.00
70339	Moisture and Density: Ring Sample (ASTM D2937)	\$ 30.00
70341	Moisture and Density: Shelby Tube Sample (ASTM D2937)	\$ 40.00
70340	Moisture-Density Relations of Soil-Cement Mixtures Premixed in the Field (ASTM D558)	\$ 275.00
70342	Moisture-Density Relations of Soil-Cement Mixtures Mixed in the Lab (ASTM D558)	\$ 350.00
30401	Organic Impurities (ASTM C40, CTM 213)	\$ 90.00
70343	Permeability (ASTM D5084)	Quotation
80001	Potential Reactivity: Chemical Method (ASTM C289 - Discontinued Method)	\$ 650.00
70394	Potential Reactivity: Mortar Bar Expansion Method, 14-Day Exposure (ASTM C1260)	\$ 900.00
70391	Potential Reactivity: Mortar Bar Expansion Method, 28-Day Exposure (ASTM C1260)	\$ 950.00
70398	Potential Reactivity: Concrete Bar Expansion Method (ASTM C1293), 12 month	\$ 2,700.00
70399	Potential Reactivity: Concrete Bar Expansion Method (ASTM C1293), 24 month	\$ 2,900.00
70397	Potential Reactivity of Aggregate Combination, Non-Standard Method: 14-Day Exposure, Mortar (After ASTM C1567)	\$ 1,050.00
70392	Potential Reactivity of Aggregate Combination, Non-Standard Method: 28-Day Exposure, Mortar (After ASTM C1567)	\$ 1,100.00
70345	R-Value: Soil (ASTM 2844, CTM 301)	\$ 440.00
70347	R-Value: Aggregate Base (ASTM D2844, CTM 301)	\$ 490.00
70349	Sand Equivalent (ASTM D2419, CTM 217)	\$ 125.00
70351	Sieve #200 Wash Only (ASTM D1140, CTM 202)	\$ 90.00
70353	Sieve with Hydrometer: 3/4" Gravel to Clay (ASTM D422, D7928, CTM 203)	\$ 250.00
70355	Sieve with Hydrometer: Sand to Clay (ASTM D422, D7928, CTM 203)	\$ 240.00
70357	Sieve Analysis Including Wash (ASTM C136, CTM 202)	\$ 150.00
70359	Sieve Analysis Without Wash (ASTM C136, CTM 202)	\$ 120.00
70360	Sieve Analysis: Split Sieve (ASTM C136, CTM 202)	\$ 240.00
70361	Sieve Analysis Without Wash: With Cobbles (ASTM C136, CTM 202)	\$ 235.00
70363	Soundness: Sodium or Magnesium Sulfate, 5 Cycles (ASTM C88)	\$ 450.00
70365	Specific Gravity and Absorption: Coarse (ASTM C127, CTM 206)	\$ 100.00
70367	Specific Gravity and Absorption: Fine (ASTM C128, CTM 207)	\$ 165.00
70369	Swell/Settlement Potential: One Dimensional (ASTM D4546)	\$ 150.00
70371	Triaxial	Quotation
70373	Unconfined Compression (ASTM D2166, CTM 221)	\$ 190.00
30317	Unit Weight Per Cubic Foot (ASTM C29, CTM 212)	\$ 125.00
30319	Void in Aggregate with Known Specific Gravity (ASTM C29, CTM 212)	\$ 125.00
30411	Lightweight Particles: Coarse, with Two Solutions (ASTM C123)	\$ 450.00
30412	Lightweight Particles: Fine, with One Solution (ASTM C123)	\$ 225.00
Task Code Asphalt Concrete Tests		
75031	HMA Mixing and Preparation	\$ 129.00
75032	HMA Mixing and Preparation with Aggregate Treatment	\$ 181.00
75033	Bulk Specific Gravity of Compacted Sample or Core: SSD (ASTM D2729, CTM 308C)	\$ 57.00
75036	Bulk Specific Gravity of Compacted Sample or Core: Parafin Coated (ASTM D1189 and CTM 308A)	\$ 83.00
75040	Emulsion Residue, Evaporation (ASTM D244)	\$ 165.00
75024	Extraction: % Bitumen (ASTM D6307, CTM 382)	\$ 165.00
75027	Extraction: % Bitumen and Gradation (ASTM D5444, D6307, CTM 202, 382)	\$ 222.00
75028	Extraction: % Bitumen, Correction Factor (ASTM D6307, CTM 382)	\$ 361.00



Task Code	Task Description	Rate
Task Code Asphalt Concrete Tests, Continued		
75030	Chemical Extraction: % Bitumen and Sieve Analysis (ASTM D2172 Method A or B, ASTM D5444)	\$ 253.00
75042	Lab Tested Maximum Density: Hveem, 3 briquettes (ASTM D1561, D1188, CTM 304, 308)	\$ 222.00
75057	Hveem Stabilometer Test, Premixed, 3 briquettes (ASTM D1560, D1561, CTM 304, 308)	\$ 222.00
75048	Lab Tested Maximum Density: Marshall, 3 Briquettes (ASTM D6926, D2728)	\$ 217.00
75049	Lab Tested Maximum Density: Marshall 6" Specimen, 3 Briquettes (ASTM D5581, D2728)	\$ 222.00
75050	Lab Tested Maximum Density: Superpave Gyrotory Compacted Briquette, SSD, 1 Briquette (ASTM D6925, D2728)	\$ 83.00
75052	Lab Tested Maximum Density: Superpave Gyrotory Compacted Briquette, Parafin, 1 Briquette (ASTM D1188, D6925)	\$ 93.00
75051	Maximum Theoretical Specific Gravity [RICE] (ASTM D2041, CTM 309)	\$ 165.00
75068	Marshall Stability and Flow, Cored Sample, Each (ASTM D6927)	\$ 83.00
75069	Marshall Stability and Flow, Premixed, 3 Briquettes (ASTM D6926, D6927)	\$ 237.00
75106	Marshall Stability and Flow, Gyrotory Compacted Specimen Pre-Mixed, 3 Briquettes (ASTM D5581, D6925)	\$ 237.00
75107	Marshall Stability and Flow 6" Specimen, Premixed, 3 Briquettes (ASTM D5581)	\$ 237.00
75063	Moisture Content (CTM 370)	\$ 88.00
75005	Wet Track Abrasion Test (ASTM D3910)	\$ 170.00
75093	Hveem Mix Design (Excluding Aggregate Quality Tests)	\$ 5,356.00
75096	Hveem Mix Design, with RAP (Excluding Aggregate Quality Tests, RAP Qualification)	\$ 5,815.00
75099	Hveem Mix Design, with Lime (Excluding Aggregate Quality Tests)	\$ 9,180.00
75094	Hveem Mix Design Caltrans Untreated Mix (Including Aggregate Quality Tests)	\$ 6,386.00
75095	Hveem Mix Design Caltrans Lime Treated Mix (Including Aggregate Quality Tests)	\$ 7,416.00
75084	Marshall Mix Design (Excluding Aggregate Quality Tests)	\$ 5,356.00
75087	Marshall Mix Design with RAP (Excluding Aggregate Quality Tests)	\$ 5,815.00
75090	Marshall Mix Design with Lime (Excluding Aggregate Quality Tests)	\$ 6,386.00
75083	Open Grade Asphalt Concrete Mix Design (ASTM D7064, CTM 308)	\$ 3,090.00
75109	Superpave Mix Design (Excluding Aggregate Quality Tests)	\$ 10,918.00
75113	Superpave Mix Design, with RAP (Excluding Aggregate Quality Tests)	\$ 11,536.00
75114	Superpave Mix Design, with Rubber (Excluding Aggregate Quality Tests)	\$ 11,536.00
75115	Superpave Mix Design, with Additives (Excluding Aggregate Quality Tests)	\$ 11,845.00
75075	Effect of Moisture on Asphalt Paving Mixtures, Pre-Mixed (ASTM D4867, AASHTO T283)	\$ 1,030.00
75111	Hamburg Wheel Track Test, 20,000 Passes, 4 Briquettes (AASHTO T324)	\$ 1,133.00
75039	Raveling Test of Cold Mixed Emulsified Asphalt (ASTM D7106)	\$ 206.00
75067	Marshall Stability, Wet Set, 3 Replicates (AASHTO T245)	\$ 361.00
75068	Marshall Stability, Dry Set, 3 Replicates (AASHTO T245)	\$ 309.00
75070	Cold Recycled Asphalt Mix Design: 2 Gradings Each, 3 Emulsion Content (Caltrans LP-8)	\$ 10,815.00
Task Code Brick Masonry Tests, ASTM C67		
20301	Modulus of Rupture: Flexural	\$ 100.00
20303	Compression Strength	\$ 65.00
20305	Absorption: 5 Hour or 24 Hour	\$ 70.00
20307	Absorption (Boil): 1, 2 or 5 Hours	\$ 100.00
20309	Initial Rate of Absorption	\$ 60.00
20311	Efflorescence	\$ 80.00
20313	Cores: Compression	\$ 75.00
20315	Shear Test on Brick Cores: 2 Faces	\$ 100.00
Task Code Concrete Block, ASTM C140		
20321	Compression	\$ 90.00
20323	Absorption/Moisture Content/Oven Dry Density	\$ 90.00
20327	Linear Shrinkage (ASTM C426)	\$ 250.00
20336	Web and Face Shell Measurements	\$ 50.00
20329	Tension Test	\$ 160.00
20331	Core Compression	\$ 80.00
20333	Shear Test of Masonry Cores: 2 Faces	\$ 95.00
20339	Efflorescence Tests	\$ 75.00
Task Code Masonry Prisms, ASTM C1314		
20341	Compression Test: Composite Masonry Prisms Up to 8" x 16"	\$ 195.00
20343	Compression Test: Composite Masonry Prisms Up to 8" x 16"	\$ 260.00
20346	Prism Cord Modulus of Elasticity	\$ 600.00
20347	Prism Cord Modulus of Elasticity with Transverse Strain (for Double-Wythe Specimen)	\$ 685.00

Task Code	Task Description	Rate
Task Code Mortar and Grout		
20351	Compression: 2" x 4" Mortar Cylinders (ASTM C780)	\$ 57.00
20353	Compression: 3" x 3" x 6" Grout Prisms, Includes Trimming (ASTM C1019)	\$ 42.00
20355	Compression: 2" Cubes (ASTM C109)	\$ 57.00
20357	Compression: Cores Includes Trimming (ASTM C42)	\$ 77.00
Task Code Masonry Specimen Preparation		
20155	Cutting of Cubes or Prisms	\$ 80.00
Task Code Fireproofing Tests		
20401	Oven Dry Density (ASTM E905)	\$ 72.00
Task Code Gunitite and Shotcrete Tests		
20361	Core Compression Including Trimming (ASTM C42)	\$ 80.00
20365	Compression: Cubes (Includes Saw Cutting)	\$ 98.00
Task Code Concrete Roof Fill: Gypsum, Vermiculite, Perlite, Lightweight Insulating Concrete, Etc.		
20371	Compression Test (ASTM C495 and C472)	\$ 70.00
20373	Air Dry Density (ASTM C472)	\$ 55.00
20379	Oven Dry Density (ASTM C495)	\$ 80.00
Task Code Reinforcing Steel, ASTM A615, A706		
20501	Tensile Test: # 11 or Smaller	\$ 70.00
20503	Bend Test: # 11 or Smaller	\$ 65.00
20504	Bend Test #14 or #18	\$ 385.00
20505	Tensile Test: # 14	\$ 270.00
20507	Tensile Test: # 18	\$ 370.00
Task Code Reinforcing Steel - Welded or Coupled Specimens		
20521	Tensile Test: Welded/Coupled #11 and Smaller	\$ 80.00
20523	Tensile Test: Welded/Coupled #14	\$ 280.00
20525	Tensile Test: Welded/Coupled #18	\$ 395.00
20529	Weld: Macroetch	\$ 90.00
20531	Slippage Test - Caltrans (CTM 670)	\$ 200.00
20532	Tensile Test: Welded Hoops #11 and Smaller	\$ 150.00
Task Code Metal and Steel Testing		
20601	Tensile Strength: Up to 100K Pounds (Each)	\$ 75.00
20603	Tensile Strength: Up to 200K Pounds (Each)	\$ 85.00
20605	Tensile Strength: Up to 300K Pounds (Each)	\$ 110.00
20607	Tensile Strength: Up to 400K Pounds (Each)	\$ 160.00
20609	Tensile Strength: 400K to 600K Pounds (Each)	\$ 385.00
20611	Tensile Strength: Stress-Strain Percent Offset	\$ 225.00
20645	Weld: Macroetch	\$ 90.00
20647	Weld: Fracture	\$ 45.00
20615	Bend Test	\$ 70.00
20617	Flattening Test	\$ 70.00
20619	Hardness Test (ASTM E18)	\$ 80.00
20630	Bolt: Axial Tensile Test (Up to 7/8" diameter)	\$ 65.00
20631	Bolt: Wedge Tensile Test (Up to 7/8" diameter)	\$ 80.00
20632	Bolt: Axial Tensile Test (Greater than 7/8" Up to 1" diameter)	\$ 85.00
20633	Bolt: Wedge Tensile Test (Greater than 7/8" Up to 1" diameter)	\$ 105.00
20634	Bolt: Axial Tensile Test (Greater than 1" diameter)	\$ 125.00
20635	Bolt: Wedge Tensile Test (Greater than 1" diameter)	\$ 135.00
20636	Bolt: Proof Load Test (Up to 7/8")	\$ 90.00
20637	Bolt: Proof Load Test (Greater than 7/8" Up to 1" diameter)	\$ 110.00
20638	Bolt: Proof Load Test (Greater than 1")	\$ 130.00
20639	Nut: Proof Load Test (Up to 7/8")	\$ 70.00
20640	Nut: Proof Load Test (Greater than 7/8" Up to 1" diameter)	\$ 90.00
20641	Nut: Proof Load Test (Greater than 1")	\$ 100.00
Task Code Chemical Testing of Metal and Steel		
80170	Steel Chemical Analysis	Quotation
80173	Weight of Galvanized Coating (ASTM A90)	\$ 85.00
80176	Epoxy Coating Thickness	\$ 95.00
80177	Coating Thickness	\$ 90.00
Task Code Machining and Preparation of Tensile and Bend Sample: Carbon Steel		
20751	Machinist: Initial Preparation from Mock-Up, Etc. (Per Hour)	\$ 125.00
20753	Sawcut to Overall Width (Per 0.5" Thickness or Fraction Thereof)	\$ 60.00
20755	Machine to Test Configuration: Milled Specimens	\$ 85.00
20757	Machine to Test Configuration: Turned Specimens (Per 0.5" Thickness or Fraction Thereof)	\$ 155.00
20759	Prepare Subsize Specimens (Per 0.5" Thickness or Fraction Thereof)	\$ 105.00



Task Code	Task	Rate
Charpy Impact		
20621	Charpy Impact Ambient Temperature	\$ 95.00
20623	Charpy Impact Reduced Temperature	\$ 125.00
Machining of Charpy Samples: Carbon Steel		
20780	Cutting and Milling (Per 0.5" or Fraction Thereof)	\$ 85.00
20783	Final Machining to Sample Configuration	\$ 105.00
Prestressing Wires and Tendons, (ASTM A416)		
20701	Stress-Strain Analysis: Wire or Strands (Including Chart and Percent Offset)	\$ 240.00
20703	Tensile Test Only	\$ 180.00
20705	Tendons	Quotation

Task Code	Task	Rate
Polymer Matrix Composite Materials (Fiberwrap)		
20706	Tensile Strength – Set of 5 Specimens/Batch/Direction (ASTM D3039)	\$ 1,350.00
20707	Tensile Strength – Additional Specimens (ASTM D3039) (ASTM D3039)	\$ 250.00
20708	Heating Chamber Time – Per 24 hr period	\$ 95.00
Calibration Services and Universal Machine Usage		
20801	Calibration/Verification Services	Quotation
20803	Universal Test Machine Usage (Per Hour)	\$ 450.00

Task Code	Task	Rate
Ceramic Tile Testing Division		
The Ceramic Tile Institute of America (CTIOA) and Twining worked together to advance and develop technology designed to enhance the quality of materials and workmanship in the ceramic tile industry. A separate schedule of fees for these services is available upon request.		
	Cyclic and Fatigue Testing Programs on Special Products/Parts	Quotation
	Engineering and Technical supports/Design of Prototypes and Special Test Set-Up	Quotation
	Fastener/Coupling Full Testing Program Per New Regulations: Tension, Tension/Bend, Shear, Double Shear, 8 Compressions	Quotation
	Fiberglass/Composite Materials Field Testing Program (ASTM D1143 D1242, D2584, D4065, D4476, D4923, D7901, D7921, and D732)	Quotation
	Field Testing of Structures and Structural Elements	Quotation
	In-Place Shear Testing	Quotation
	Materials and/or Product Evaluation Per Specifications	Quotation
	Structural Dynamic Testing and Durability Analysis	Quotation

General Conditions

NOTE: Field inspection work conditions are established by contract with Operating Engineers, Local 12.
 NOTE: A minimum of 24 hours notice is required for testing and inspection services.
 NOTE: For projects subject to a Project Labor Agreement (PLA), if the terms and conditions of the PLA are more restrictive than those listed below, PLA terms and conditions will apply.
 NOTE: Rates will be adjusted annually each July 1st to reflect increased costs.

Administrative Fees

All administrative costs including report distribution and Twining ConstructionHive system are billed at the following percentage of the monthly invoice total: **4%**
 Note that hard copies of reports will be sent only to governing jurisdictions that mandate them. All other parties will receive reports electronically. The administrative fee above will receive reports electronically. The administrative fee above will be increased by 1% if additional hard copies of reports are requested.

Minimum Charges (Inspection and Technician Personnel Only - Other Personnel Charged on Portal to Portal Basis)

2-Hour Minimum: Inspector arrives at jobsite, no work to perform.
 4-Hour Minimum: 1 to 4 hours of inspection
 8-Hour Minimum: Over 4 to 8 hours of inspection

Regular Time (All Types of Inspection and also All Non-Exempt Employees)

The first 8 hours worked Monday through Friday between 5:00 a.m. and 5:00 p.m. except as noted otherwise below.

Time and One-Half (All Types of Inspection and also All Non-Exempt Employees)

All shifts will be billed based on the time and date of their start. Any increment past 8 hours through 12 hours worked Monday through Friday and the first 12 hours on Saturday. Time and one-half will also be charged for the first four hours before 5:00 a.m. and after 5:00 p.m.

Double Time (All Types of Inspection and also All Non-Exempt Employees)

All shifts will be billed based on the time and date of their start. After the first 12 hours worked Monday through Saturday, all day Sunday, and holidays. After the first four hours worked before 5:00 a.m. and after 5:00 p.m. Holidays are New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving, the day after Thanksgiving, and Christmas Day.

Meal Period

When personnel are required by their duties to work more than five consecutive hours without a one-half hour uninterrupted meal period, one half hour at double time rate will be charged in addition to any applicable overtime for actual hours worked.

Shift Differential (Applies to Regularly Scheduled Shifts Only)

A \$1.00 per hour shift differential premium will be charged for all inspection hours that fall outside of the 5:00 a.m. to 5:00 p.m. time period. Twining will require 48-hour notice along with the General Contractors approved shift letter prior to beginning a shift that will include hours falling outside this time period. Should this notice not be provided, all work performed on that shift will be billed at the applicable overtime or double time rate.

If three shifts per day are required, the first shift will be billed at the standard rate. The second shift shall be billed in accordance with the previous paragraph. The third shift shall be billed at 8 hours for the first 6 1/2 hours worked and appropriate overtime or double time for all hours thereafter.

Travel Time and Mileage

For projects outside a 50-mile radius from the nearest Twining facility, per excess mile to and from the project will be charged for inspectors and technicians. Other than small tools, whenever project related equipment is required to be transported to and from the project site, time and mileage for inspectors and field technicians will be billed on a portal to portal basis. For all projects, current IRS mileage rate per mile and applicable travel time will be charged portal to portal for engineers, consultants, supervisors, and laboratory technicians from the laboratory to the project site and return.

For work locations located 100 miles or more from Twining, travel time will be charged at the relevant rate for inspectors and technicians in addition to a subsistence allowance as detailed below.

Weekend Sample Pick-Ups

In order to be in strict conformance with testing standards, it may be required that weekend pick-ups be performed (e.g. concrete specimens cast on Friday must be picked up on weekend in order to be in conformance with ASTM C31 requiring specimens to be moved to their final curing location within 48 hours of casting.) Applicable charges for weekend work will apply when this is required. Should these charges not be authorized, Twining will not be liable for any negative consequences.

Reimbursable Expenses

Parking, air fare, car rental, food, lodging and project specific software/applications (e.g. PlanGrid, Procore, etc.) will be charged at cost plus 20% per processed invoice, unless provided by client.



General Conditions, Continued

Project Specific Documents

Costs presented assume that client will provide project specific documents (plans, specifications, submittals, RFIs, etc.) for all inspection personnel. Should project specific documents be provided electronically through a "for fee" service, the client will be responsible for providing access and paying any fees for the service.

Project Site Facilities

Prices quoted assume that initial curing facilities for test samples that comply with relevant test standards and project requirements are provided by others. In addition, prices quoted assume that work/desk space for inspection staff are provided by others. Additional costs, provided by quotation, will apply should Twining be required to provide such facilities.

Subsistence

Subsistence on remote jobs will be charged per quotation.

Laboratory Testing Hours and Expedited Testing

Please note that laboratory testing will be billed on an hourly basis for non-standard tests. If testing is required to be performed on Saturdays, Sundays, holidays, or before 5:30 a.m. or after 4:00 p.m. on weekdays, an additional hourly charge, at the applicable regular, overtime or doubletime rate, with a minimum of one hour will be applied for the laboratory technician. For rush testing a 50% surcharge in addition to the regular test rate will apply.

Charges for Subcontracted Services

Material sent to outside laboratory for testing:	Cost plus 20%
Material sent to outside fabricator or machine shop:	Cost plus 20%
Glu-Lam beam inspection:	Cost plus 20%
Other subcontractors:	Cost plus 20%
Project exclusive equipment purchase:	Cost plus 20%

Limit of Liability

Client agrees to limit Twining's aggregate liability to all entities for alleged or actual errors and omissions in the performance of its professional services under this agreement to \$50,000.00 or the fees actually paid to Twining, whichever amount is greater. Higher limits may be available by quotation.

Certified Payroll

Certified payroll will be provided, upon request, at an additional charge of \$150.00/month. Fee applies to every month that certified payroll must be submitted regardless of whether or not services were provided for any given month.

Final Reports Required by Jurisdiction

If a final report or affidavit is required, we must first review all inspection and testing reports and clear up any unresolved issues on these reports. These issues will typically require approval by the engineer or architect of record. This process can take several weeks or just a day, depending on the number and complexity of the issues. Cost for final reports will be billed hourly.

Terms of Payment

Fees charged are for professional and technical services and are due upon presentation. If not paid within 30 days from date of invoice, they are considered past due and the maximum legal finance charge will be added to the unpaid balance.

In addition, should the client require that invoices be submitted through a web based or electronic system, the client will be responsible for all costs associated with the use of the system.

A 3% fee will be applied for payments processed by credit card.

All invoice errors or necessary corrections shall be brought to the attention of Twining within 15 days of receipt of invoice. Thereafter, customer acknowledges invoices are correct and valid. Twining reserves the right to terminate its services to a customer without notice if all invoices are not current. Upon such termination of services, the entire amount accrued for all services performed shall immediately become due and payable. Customer waives any and all claims against Twining, its subsidiaries, affiliates, servants, and agents for termination of work on account of these terms.

In the event of any litigation arising from or related to any agreement to provide services whether verbal or written, the prevailing party shall be entitled to recover from the non-prevailing party all reasonable costs incurred, including staff time, court costs, attorney's fees and all other related expenses in such litigation. Additionally, in the event of a non-adjudicative settlement of litigation between the parties or a resolution of dispute by arbitration, that same process shall determine the prevailing party.

Hold Specimens

All "hold" specimens are charged at the applicable test rate whether tested or not.

Specimen Sampling and Disposal

Twining samples materials used in construction in accordance with standard practices, methods, codes, and relevant project requirements. Representativeness of sampling and same accuracy of testing are subject to the same probabilistic and precision limitations as governing standards, codes and project technical provisions.

Should samples be provided by others Twining cannot warrant or guarantee that material is representative of material that is or will be used in actual construction of the project.

Specimens will be discarded after testing unless Twining has been notified prior to testing that the customer wishes to retrieve the specimens or storage arrangements are made. Costs for storage will be by quotation.

Oversize Specimens

An extra charge will be made when test specimens require more than one person to handle because of size or weight.

Elevated Work Platforms

In the event an elevated work platform is required to safely complete our work, the client must provide safe access for Twining personnel for all required inspection, testing, sampling, etc. including a trained and certified operator or qualified inspector as applicable. Twining will not be responsible for signing waivers associated with providing such access. Should Twining be required to supply an elevated work platform, we will contract with a qualified vendor and the markups shown above will apply.





DEPARTMENT of PUBLIC WORKS

1717 WEST 162nd STREET / GARDENA, CALIFORNIA 90247-3731 / WWW.CITYOFGARDENA.ORG / PHONE (310) 217-9568

NOTICE OF EXEMPTION

TO: [] Office of Planning & Research 1400 Tenth Street Sacramento, CA 95814 [] County Clerk / Registrar Recorder ATTN: Environmental Filings Clerk 12400 East Imperial Highway, Room 1101 Norwalk, CA 90650

Project Title: Van Ness Avenue Street Improvements JN992.

Project Location (Specific): Van Ness Avenue (Redondo Beach Blvd to Marine Avenue)

Project Location (City): Gardena Location (County): Los Angeles County

Description of nature, purpose, and beneficiaries of project: This project will repair existing concrete improvements, resurface the existing paved roadway and restore existing traffic markings.

Name of public agency approving project: City of Gardena

Name of person or agency carrying out project: City of Gardena

Exempt Status: (Check One)

- [] Ministerial: (P.R.C. Sec. 21080[b][1]; Guidelines Sec. 15268)
[] Declared Emergency: (P.R.C. Sec. 21080[b][3]; Guidelines Sec. 15269[a])
[] Emergency Project (P.R.C. Sec. 21080[b][4]; Guidelines Sec. 15269[b][c])
[X] Categorical Exemption: Section 15301 Class 1, Existing Facilities
[] Other: Guidelines Sec. 15061):

Reason why project is exempt: This project consists of minor alteration of existing public facilities and involves negligible or no expansion of use beyond that previously existing.

Contact person: Frank Sanchez Telephone: 310-217-9631

If filed by applicant:

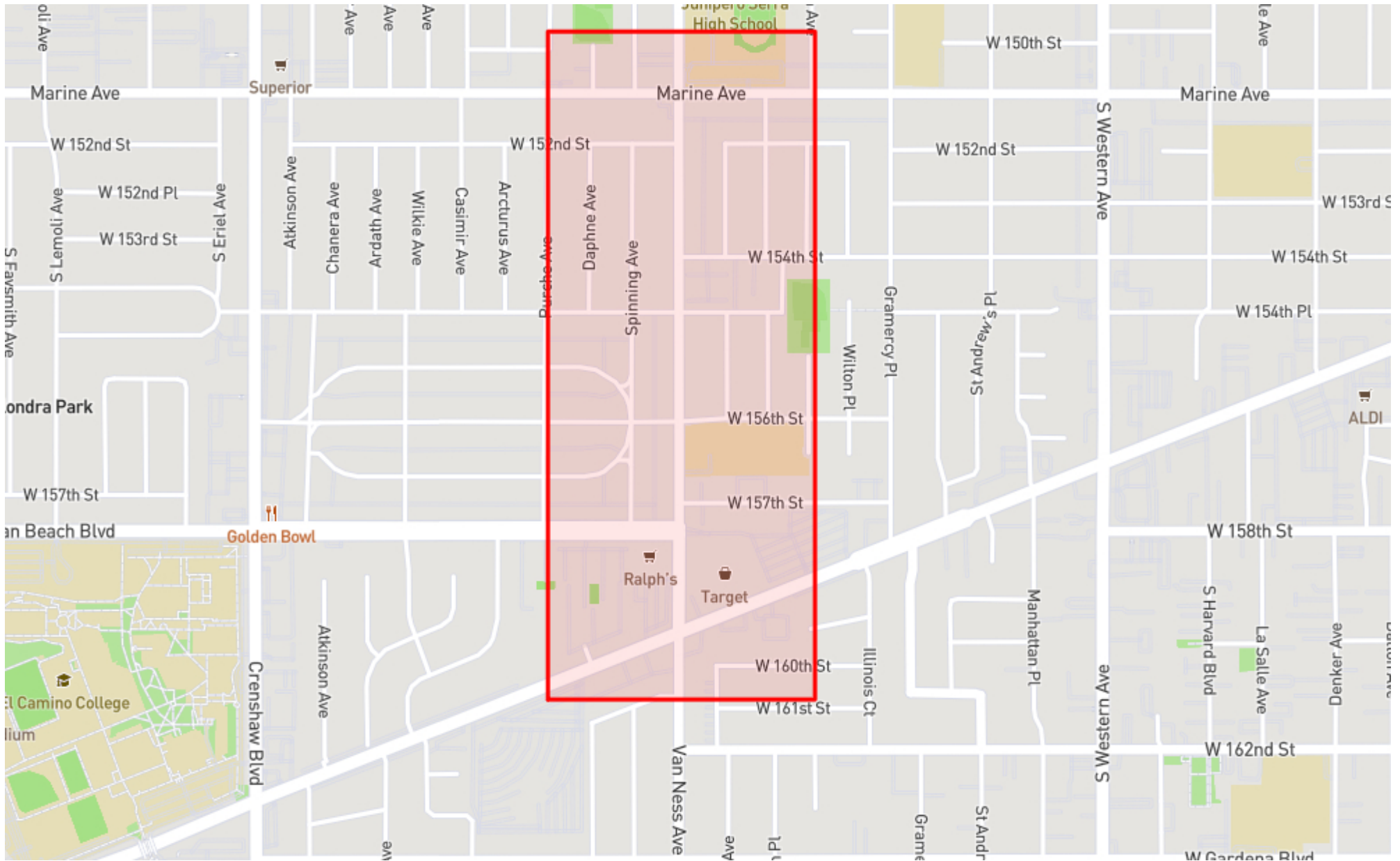
- 1. Attach certified document of exempting finding.
2. Has a notice of exemption been filed by the public agency approving the project? [] Yes [] No

Date received for filing:

Handwritten signature and date: CLINT OSORIO 8/15/23
Date
Environmental Quality Officer

NOTE: Exempt from Dept. of Fish & Game Wildlife Fee in accordance with de minimis impact finding (735.5[c])

Van Ness Street Improvement Project, JN922



1" = 1000 ft

Redondo Beach Boulevard to Marine Avenue

02/21/2023



This map may represent a visual display of related geographic information. Data provided here on is not guarantee of actual field conditions. To be sure of complete accuracy, please contact the responsible staff for most up-to-date information.