

**PARAMOUNT CITY COUNCIL
MINUTES OF AN ADJOURNED MEETING
JANUARY 19, 2016**

City of Paramount, 16400 Colorado Avenue, Paramount, CA 90723

CALL TO ORDER:

The adjourned meeting of the Paramount City Council was called to order by Mayor Tom Hansen at 5:01 p.m. at City Hall, Council Chambers, 16400 Colorado Avenue, Paramount, California.

**ROLL CALL OF
COUNCILMEMBERS**

Present: Councilmember Gene Daniels
Councilmember Peggy Lemons
Councilmember Diane J. Martinez
Vice Mayor Daryl Hofmeyer
Mayor Tom Hansen

STAFF PRESENT:

John Moreno, City Manager
John E. Cavanaugh, City Attorney
Kevin Chun, Assistant City Manager
Christopher Cash, Public Works Director
Karina Liu, Finance Director
Maria Meraz, Public Safety Director
William Pagett, City Engineer
Clyde Alexander, Acting Assistant Finance Director
Angel Arredondo, Code Enforcement Division Head
Chris Callard, Public Information Officer
Mike Carrillo, Management Analyst
John Carver, Assistant Community Development Director
Steve Coumparoules, Management Analyst
Marco Cuevas, Community Development Planner
Danny Elizarraras, Management Analyst
Antulio Garcia, Development Services Manager
Yecenia Guillen, Asst. Com. Serv. & Recreation Director
Margarita Gutierrez, Finance Supervisor
Sarah Ho, Assistant Public Works Director
John King, Planning Manager
Adriana Lopez, Assistant Public Safety Director
Wendy Macias, Public Works Manager
Jonathan Masannat, Management Analyst
Carlos Mendoza, Neighborhood Preservation Specialist
Janene Ottaiano, Human Resources Manager

PUBLIC COMMENTS

CF 10.3

There were none.

1. Youth Employment Plan
Paramount Park Fitness
and Trail Project
CF 74.21

It was moved by Vice Mayor Hofmeyer and seconded by Councilmember Lemons to approve the City of Paramount's Youth Employment Plan (YEP) for the Paramount Park Fitness and Trail Project to comply with the Los Angeles County Regional Park and Open Space District's Employment Youth Policy. The motion was passed by the following roll call vote:

AYES: Councilmembers Daniels, Lemons, Martinez
Vice Mayor Hofmeyer, Mayor Hansen
NOES: None
ABSENT: None
ABSTAIN: None

2. Authorization for
Purchase of a Mobile
Stage
CF 82.3

It was moved by Vice Mayor Hofmeyer and seconded by Councilmember Lemons to authorize the purchase of a mobile stage from Century Industries, Sellersburg, Indiana, in the amount of \$54,650. The motion was passed by the following roll call vote:

AYES: Councilmembers Daniels, Lemons, Martinez
Vice Mayor Hofmeyer, Mayor Hansen
NOES: None
ABSENT: None
ABSTAIN: None

REPORTS

3. PUBLIC HEARING
RESOLUTION NO.
16:001
Revocation of a Live
Entertainment Permit
Torino Lounge
14123 Garfield Avenue
CF 75.4

City Manager Moreno introduced the item and told the City Council that they are very familiar with this item as it was brought to them just two weeks ago. He then stated that the Torino Lounge, located at 14123 Garfield Avenue, was the site of a recent shooting as well as other law enforcement activity during the past year. And, as a result, in the interest of public health, welfare, and safety, he said that the City Council voted to suspend the Live Entertainment Permit at this location for the time being and mentioned that, at that time, City Attorney Cavanaugh went over a number of reasons why the suspension had been warranted. Mr. Moreno then turned the item over to City Attorney Cavanaugh.

City Attorney Cavanaugh told the City Council that the City's Attorney's office will be making a recommendation to revoke the Live Entertainment Permit granted to Torino Lounge back in 2011 and then continued with some preliminary formalities. He requested that the record show that an administrative hearing was conducted and outlined how the meeting was to

proceed. He said that he will start by giving a staff report, Lieutenant Auner will follow him and provide a brief recap of what happened on December 4, 2015 (the shooting incident), and then each of the deputies (Deputies Razo, Chapman and Hagedwood) involved in the incident will provide brief testimony as to the incident and the issues they had during the investigation. This will conclude with a recommendation and then Torino Lounge and their representatives will have the opportunity to present their position or their case on why the revocation should not occur. And, afterward, he advised Mayor Hansen to open the floor for questions or comments on revocation either for or against. He also asked that the City Council refrain from giving any opinions or comments until after all the testimony has finished, including public comments. Then, after closing the public hearing, he told them that they may deliberate on the action.

City Attorney Cavanaugh asked the City Council if they had any questions. There were no questions, and the meeting proceeded as follows:

City Attorney Cavanaugh: Thank you very much. Mr. Mayor and members of the City Council, this is a recommendation from the City Attorney's office to revoke the live entertainment for Torino Lounge. As you know, at the last City Council meeting you were presented with evidence which supported your decision to suspend the Live Entertainment Permit based on the testimony from our Lieutenant on what happened on December 4, 2015 but also the accumulation of the events that occurred since the permit has been issued and the problems that the Torino Lounge had in adhering to its conditions of approval. At that meeting, we presented you with a staff report which incorporated the prior staff reports and at this particular time, Mr. Mayor, we want to make evident in the record that this staff report in front of you does have the staff reports for November 3, 2015 and January 5, 2016, which are attached as Exhibits A and B to this staff report. The issue we also have was that we wanted to provide you with some additional information that we had not either completed during our review or investigation that we now have that we would like to present to you which, in addition to all the events that occurred in 2015, will add to the recommendation of revocation. At this point what I would like to do is go over one other issue that we had. Last time we were trying to get some video, and the malfunctioning of a video camera surveillance camera that was actually a critical camera that was not working at the time of the incident and which, if that worked, it would have provided footage of the

shooter at the time of the incident. The Lieutenant had asked for the correction notices and repair orders on that video camera to show that it was working and, at this particular time, the Lieutenant will provide testimony a little bit later but, at this time, his request has not been complied with wholly.

We also wanted to provide some information which is in the staff report of some disciplinary action that the Department of Alcohol Beverage Control, more commonly referred to as the ABC, had issued against Torino Lounge. Specifically speaking, Torino Lounge has had disciplinary action taken against them by the ABC in violation of both California Business and Professions Code and the Penal Code. Specifically, on about October 21, 2015, the ABC found calls for suspension or revocation of Torino Lounge's alcohol license on the following counts. Count 1 occurred on February 6, 2015, offering to sell, furnish, or give away an alcohol solution of a potable nature containing a poisonous substance deleterious, is the term they use, which is harmful in violation of Penal Code section 347B. In other words, alcohol which appeared to have been contaminated. Count 2 involved an event that occurred on March 6, 2015 and that was an incident where they permitted a minor under the age of 21 years of age to enter and remain in the licensed premises without lawful business in violation of Business and Professions Code section 25665. Count 3 was an event that also occurred on March 6, 2015 wherein again there was a minor under the age of 21 years who entered and remained in the licensed premises in violation of the Business and Professions Code. Now, what's more concerning about those events is what happened after and, in the footnote of your staff report, there is a notation where an investigator's report shows that the minors who are the recipients of alcohol being illegally served by Torino Lounge were subsequently involved in a car accident where the minor driver failed to stop at a red light and, as a result, five people were injured. The incident occurred at approximately 3:00 a.m. on March 7, 2015 while the event that ABC had cause to suspend was an event that happened on March 6, 2015. That is something that we are very concerned with but what it shows is two things. One is that the Torino Lounge again did not exercise reasonable care while operating their business and, two, Torino Lounge violated one condition of approval upon the issuance of their Live Entertainment Permit, Condition No. 27 which stated failure to comply with all the conditions and/or applicable laws shall be cause for the suspension or revocation of the permit. Obviously, state law is some of the laws that they are required to comply with and, in this case, serving alcohol to

minors under 21 was a violation of that. At this point, Mr. Mayor, we would like to now go back to the incident on December 4, 2015 in which the shooting incident happened. What I would like to do is have Lieutenant Auner give a brief summary of what occurred. After he is finished giving that summary, we are going to have Deputies Razo, Chapman and Hagewood give their testimony to you.

Lieutenant Auner: Good evening, Council, Mr. Mayor. We will recap on the events of December 4, 2015 where, in our last meeting, I described an incident where a shooting took place and two security guards were shot in front of the entrance to the Torino Lounge. I addressed some concerns by the responding deputies. In furtherance of those concerns, Deputy Razo, Deputy Hagewood and Deputy Chapman, who were working that night and responded to the incident of a person shot, handled the scene and further subsequent investigations, and they are here tonight to share with you some of the concerns I had addressed in more detail. The update that I have for you tonight pertains to the video surveillance system. The one camera that we had mentioned was reported being inoperable facing Garfield. I was told at our last meeting by Mr. Pena that it was repaired. I had requested in writing for him to provide me the service company who had repaired it, when it was repaired, and who the technician repair man was. As of today's date, I have not received that information, when or who repaired it, other than Mr. Pena telling me that it has been repaired. Subsequent to our last meeting, one additional part of information I can share with you is that information that was learned through independent witnesses, not patrons of the Torino Lounge, led us to a nearby business that did have an operating video system while they were closed. That video system allowed us to capture on video the suspected shooter. However, at this time we do not know his true identity other than just a picture of the shooter. If you have any questions I will be happy to answer them for you.

Councilmember Lemons: Did you get a good picture?

Lieutenant Auner: "Yes, it's a good picture. We can definitely rule out anybody who may have been suspected of being involved, other than a car with no license plates and the male Hispanic person who was identified as the possible shooter by independent witness. That's all we have at this point.

City Attorney Cavanaugh: Thank you. Any more questions to Lieutenant? Thank you, Mr. Mayor. At this particular time, we would like to call Deputy Razo to present her testimony of the event on December 4, 2015.

Deputy Razo: Good evening, my name is Deputy Razo. I am assigned to Paramount, the early morning shift. On December 4, 2015, I was dispatched to Torino Lounge regarding a person shot. I arrived at the location approximately a minute after the call was placed. Upon my arrival, I learned two security officers had been shot. Because I was there before the paramedics and fire, I was inside the location and assessed the security officers. I began assessing them in regards to their condition. As other units arrived I began establishing the crime scene for the incident. During my investigation, I had to continually remind security and staff to remain out of my crime scene. I also saw a security guard enter the crime scene and handle an evidence casing after he was clearly instructed not to interfere. During my interviews of witnesses regarding why someone may have wanted to shoot the guards, I was provided with conflicting information. Some of the security guards told me it was a normal night with no problems while other security officers reported earlier confrontations at the lounge. During my interviews, security staff attempted to dissuade other security officers from talking about earlier confrontations. Once I learned of the earlier confrontations I attempted to gather information regarding the identity of the persons who were involved in the fight. Manager Sergio told me he had no access to the reserved tables. The waitress who was in charge of the tables was unavailable to speak to me and there was no credit card or receipts on file. I also asked in regards to valet parking. They stated the vehicle that was potentially used by the suspect had no plates. At that time, I wasn't able to gather any other information. I brought my concerns to Lieutenant Auner.

Mayor Hansen: Okay, thank you.

City Attorney Cavanaugh: Deputy, just for clarification, would it be fair to say that during your investigation it was somehow hampered by Torino Lounge representatives while in the course of that investigation?

Deputy Razo: Yes, it made everything more difficult so it delayed our scene and it obviously tampered with some of our evidence. So it made it a little harder for us to conduct our investigation.

City Attorney Cavanaugh: Okay, and can you again clarify before the City Council that when you were attempting to gather information regarding the identity of persons, you did ask the manager about the table names that were reserved and any receipts, and you were told that there were no credit card receipts.

Deputy Razo: That's correct. So in order for me to determine or try to identify a suspect I was trying to gather information, besides how he looked. I asked for receipts, how they paid for tables, did they have an ID when they entered, did they use valet parking, anything I can use to put out for my partners outside to try to attempt to locate this individual, but I was told they had none of the above.

City Attorney Cavanaugh: Thank you, Deputy. I have nothing further. Mr. Mayor, I'd like to ask Lieutenant one follow-up question on Deputy Razo's testimony. Lieutenant, do you have any additional information on the issue regarding Deputy Razo asking for credit card receipts and being told that everything was paid in cash?

Lieutenant Auner: Yes, in addition to what she was told, I myself was told by Mr. Pena, when I inquired about the persons who may have been involved in altercations within the establishment and was asking for credit card receipts to give us a lead for identity of persons who may be a suspect, I was told by Mr. Pena that there were no credit card receipts, that everybody paid in cash. Subsequently, the following Monday I had learned about another parallel investigation going on with the Los Angeles Police Department wherein credit card receipts were, in fact, obtained by the Los Angeles Police Department detective and Sergio Pena had then brought me copies of the credit card receipts for some of the persons that may have been involved in altercations.

City Attorney Cavanaugh: Thank you, Lieutenant. Mr. Mayor, at this time now we would like to call Deputy Hagewood to testify.

Deputy Hagewood: Good evening, members of the Council, my name is Deputy Hagewood and I am assigned to Paramount on the early morning shift. On December 4, 2015 I was dispatched to the Torino Lounge regarding a shooting call. I was the second unit to arrive on the scene. When I arrived I contacted one of the shooting victims to render aid. While speaking with him I had to repeatedly tell other security guards and employees to stay away. The interference of

security staff prompted me to request additional units from neighboring cities to help with controlling the scene. During my interaction with the shooting victim I continued to experience interference from employees until additional deputies arrived at the location. The interference I experienced prevented me from promptly broadcasting suspect information to my responding partners. I brought my concerns from this incident to Lieutenant Auner.

City Attorney Cavanaugh: Thank you, Deputy. Mr. Mayor, now we would like to call Deputy Chapman to provide testimony on the incident.

Deputy Chapman: Good evening, members of Council. My name is Deputy Chapman and I am also assigned to Paramount on the early morning shift. On December 4, 2015, I was dispatched to the Torino Lounge regarding a person-shot call. I arrived about the same time as the Fire Department did. My responsibilities that night were to document the incident and secure any evidence of the crime. During my investigation I was provided conflicting information by security guards and employees as to what may have led to the shooting. Some employees told me there was an earlier confrontation at the bar while others downplayed the event as uneventful or the night as uneventful. To determine what actually occurred prior to the shooting, I asked the manager on scene, Sergio, to allow me to view any security footage. Sergio told me I had to wait until another manager responded. It took approximately 20 minutes for manager Ricardo to arrive so that I could view the footage. The footage that was made available to me was from the camera angle that faced the parking lot right in front of the main entrance. The footage that I was shown showed the two victims just prior to, and to them actually being shot. When I asked for any additional camera footage or angles, I was told that all the other cameras were inoperable at the time. The inability for me and my partners to view all footage in a timely manner hampered my investigation and led us to not know who the shooter was at the time. I brought these problems to the attention of Lieutenant Auner.

Mayor Hansen: Okay, thank you.

City Attorney Cavanaugh: Thank you, Deputy. I would like to have some follow-up questions to the Lieutenant. Mr. Mayor?

Mayor Hansen: Okay.

City Attorney Cavanaugh: Lieutenant, Deputy Chapman stated that he was told no other cameras were working. Is he referring to the videos inside?

Lieutenant Auner: Yes.

City Attorney Cavanaugh: Okay, is that true that the cameras were not working?

Lieutenant Auner: No.

City Attorney Cavanaugh: Can you tell the Council what exactly happened?

Lieutenant Auner: Once I received the complete video footage of that night's event at Torino Lounge, there were more angles and more cameras. Like Mr. Pena described, there were eight cameras at the facility, seven he testified were operational the night of the incident. Deputy Chapman was provided just one angle of the video which showed the two victims when they were struck by gunfire. When I reviewed the additional video provided to me, it showed different camera angles that included the outside and the parking lot as well as inside the lounge.

City Attorney Cavanaugh: Lieutenant, when were the deputies dispatched on this incident? Do you know what time that was?

Lieutenant Auner: It was approximately 2:20, 2:19 in the morning.

City Attorney Cavanaugh: And do you have the time when the original altercation took place inside the lounge, the bar, before it turned into a shooting?

Lieutenant Auner: Yes, presuming that the video footage camera time stamp is accurate, the time stamp showed approximately 1:31 in the morning when there's the first altercation inside the Torino Lounge. There is a subsequent altercation inside the lounge several minutes later, and then again, maybe 10 to 12 minutes later, there is an additional altercation in the parking lot.

City Attorney Cavanaugh: So is it safe to say that approximately an hour lapsed between the time of the first altercation before the deputies were ultimately dispatched?

Lieutenant Auner: About 50 minutes from the first altercation to the time that the shooting occurred and the deputies were called.

City Attorney Cavanaugh: Okay, and then your review of the video of the first altercation, there was some testimony by Deputy Chapman that it was represented that someone downplayed it as eventful.

Lieutenant Auner: Yes.

City Attorney Cavanaugh: Would you consider that altercation, based on a video, an uneventful event?

Lieutenant Auner: No.

City Attorney Cavanaugh: Okay. There is a condition of approval that was imposed on the live entertainment, Lieutenant, that I want to read to you. It says a person designated to be responsible for the operation of the business shall not perform official police or investigation activities but shall immediately report every violation of law and every unusual occurrence to the Paramount Sheriff's Station. Is it fair to say that the first altercation was an unusual occurrence?

Lieutenant Auner: Yes.

City Attorney Cavanaugh: And that it should have been reported to you right away?

Lieutenant Auner: Absolutely.

City Attorney Cavanaugh: Thank you, deputies. Thank you, Lieutenant. Mr. Mayor, at this time I like to give the Council a snapshot of, if you will, of the events that occurred in one year, 2015, in respect to the conditions of approval that were not adhered to by Torino Lounge. What I'd like to do is give you the event that occurred, the violation of the condition that was violated, and to kind of paint a picture that this is a pattern of practice of non-compliance. Going back to April of 2015, April 9, 2015, a call for service regarding a fight at the Torino Lounge parking lot. The deputies did encounter again uncooperative staff who refused to provide them with information about what happened. That is a violation of Condition No. 9 which states the owners, managers, or persons designated to be responsible for the operations of the business shall cooperate fully with all City officials and

law enforcement personnel. Within the same month, on April 20, 2015, there was a meeting with Public Safety staff and Torino Lounge business owners at which it was revealed they added Wednesday Hip-Hop music to the live entertainment format which lasted until 2:00 a.m. Two conditions of approval were violated as a result of that. One was Condition No. 1, performances shall be permitted inside the lounge on Wednesdays between 7:30 p.m. and 11:00 p.m., Thursday through Saturday between 7:30 p.m. and 2:00 a.m., and Sundays between 12:00 p.m. and 10:30 p.m. Torino Lounge was operating live entertainment on Wednesdays after the 11:00 p.m. prohibition. Furthermore, Condition No. 3 says no change or alteration to the approved entertainment format shall occur without prior approval from the City of Paramount. In fact, there was a change of format, there was Hip-Hop that was done without the City's knowledge.

We go now to July, July 16, 2015. Torino Lounge operators hosted a mariachi event in the early afternoon which required a special event permit. The band was performing outside of the establishment with amplified equipment. In fact, no special event permit was issued by the City. This resulted in two violations of conditions of approval. Condition No. 7, entertainment provided shall not be audible beyond the area under control of the applicant. Entertainment shall not disturb the neighbors. No amplified sound equipment shall be installed on the exterior of the building. Again, Condition No. 27, failure to comply with the above conditions or any applicable laws shall be cause for the suspension or revocation of this permit. Failure to get a special event permit was a violation of the municipal code.

August 20, 2015, deputies responded to an armed robbery call at 1:40 a.m. on Thursday morning at Torino Lounge. During the investigation, deputies determined that there was live entertainment on Wednesday night that carried over and beyond the 11:00 p.m. requirement. Again, this is a violation of Condition No. 1, performances shall be permitted inside the lounge on Wednesdays between 7:30 p.m. and 11:00 p.m.

September 1, 2015, again, another meeting was held among Public Safety staff and Torino Lounge operators where, again, it was revealed that the Wednesday Hip-Hop music still continued despite being told that they were not permitted to change that format. Moreover it did have an issue where there was violation of Condition No. 3, no change or alteration to the approved entertainment format shall occur without prior written approval from the City.

October 21, 2015, as I explained earlier, the Department of Alcohol and Beverage Control conducted a hearing where it found cause for suspension or revocation of Torino Lounge's alcohol license based upon violations of both the Penal Code and Business and Professions Code. As the result of this disciplinary action, Torino Lounge was in violation of Condition No. 27, failure to comply with all conditions and any applicable laws shall be cause for the suspension or revocation of this permit. Finally, as you all heard from the deputies' testimony and the Lieutenant's, there was the December 4, 2015 call for law enforcement assistance at Torino Lounge where a shooting incident occurred. Sheriff's deputies expressed concerns of the following: security staff were uncooperative to law enforcement efforts to locate and preserve potential witnesses, security staff were not following the instructions of deputy personnel regarding crime scene preservation, and security staff tampered with crime evidence. As a result of this, two conditions of approval were in violation. Condition No. 9, owners, managers, or persons shall cooperate fully with all City officials and law enforcement personnel and shall not obstruct their entrance into the licensed premises. And Condition No. 6, persons designated to be responsive to the operation of the business shall not perform official police or investigated activities and shall immediately report every violation of law and every unusual occurrence, to the Paramount Sheriff's Station.

The Lieutenant's testimony confirmed that the escalated nature of these altercations occurred almost an hour prior to deputies being dispatched and the video referred to unusual circumstance as far as requiring a call to the Sheriff's Station. Furthermore, on that same incident, security surveillance cameras were not working at the time of the incident, which would have captured, maybe, the suspected shooter. This was a violation of Condition No. 23, which states a security

camera plan shall be submitted on approval and in writing by the Public Safety Department. Operational security cameras shall be installed and the approved cameras shall be technologically advanced and shall be maintained in perpetuity.

As a result of all these conditions of approval, which I have quoted, approximately 11 conditions that were in violation in just one year. The City Attorney's office has seen that this is a chronic pattern in practice of violations of either willful or negligent adherence to the conditions of approval. As a consequence thereof, and based on all the oral testimony and written evidence presented, we are recommending that the City Council adopt Resolution No. 16:001 approving the revocation of the live entertainment permit at Torino Lounge located at 14123 Garfield Avenue, and direct staff to mail a copy of the Resolution to the business owners of Torino Lounge.

City Attorney Cavanaugh then concluded and advised Mayor Hansen that this would be the time to ask if there any members or representatives of the Torino Lounge who would like to present their testimony.

Mayor Hansen inquired if there were any members or representatives of Torino Lounge present to provide any testimony. There were none, and he then opened the public hearing for any members of the public to speak in favor of or in opposition of revoking the entertainment permit for live entertainment.

There being no one wishing to provide testimony, it was moved by Vice Mayor Hofmeyer and seconded by Councilmember Lemons to close the public hearing. There were no objections and the motion was passed by the following vote:

AYES:	Councilmembers Daniels, Lemons, Martinez Vice Mayor Hofmeyer, Mayor Hansen
NOES:	None
ABSENT:	None
ABSTAIN:	None

After the public hearing was closed, there were some questions as follows:

Councilmember Daniels: Can I ask a question please? We are deciding about revoking the entertainment license, not the business license?

City Attorney Cavanaugh: Correct, the Live Entertainment Permit, which would basically prohibit them from carrying on any live entertainment at the business.

Councilmember Daniels: Okay, and the second question -- is ABC not required to report any violations of businesses within the city to the City?

City Attorney Cavanaugh: Are they required to notify the City of?

Councilmember Daniels: Yes, of any violations that they found at a business within the City?

City Attorney Cavanaugh: Lieutenant, do we get notification of any violations that the ABC may have? I don't believe we do, we would have to probably ask.

Lieutenant Auner: We may not get every violation, they do independent investigations. But many investigations or inspections that are conducted by ABC, they are accompanied by our deputies, so we will become aware of it if there are violations because our personnel accompany them on these inspections. On the independent inspections or investigations that may lead them back to a City of Paramount business from an incident that occurred somewhere outside the city, we may not always get notification from them.

City Attorney Cavanaugh: Also, Councilmember Daniels, since an ABC investigation goes through the Planning Department, sometimes, planning will get notification. In fact, that's how we got notice of this, it was through our Planning Department, of these violations.

Councilmember Daniels: Okay, thank you.

It was moved by Councilmember Lemons and seconded by Councilmember Martinez to read by title only, and adopt Resolution No. 16:001, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARAMOUNT APPROVING THE REVOCATION OF A LIVE ENTERTAINMENT PERMIT AT TORINO LOUNGE AT 14123 GARFIELD AVENUE." The motion was passed by the following roll call vote:

AYES: Councilmembers Daniels, Lemons, Martinez
Vice Mayor Hofmeyer, Mayor Hansen
NOES: None
ABSENT: None
ABSTAIN: None

City Attorney Cavanaugh, Mayor Hansen, and Councilmember Martinez expressed their appreciation to the three deputies for their presence at the meeting.

4. Americans with Disabilities Act (ADA) Compliance Program CF 76.19

City Manager Moreno explained that a JPIA consultant has been working with the City on ADA-compliance issues at no cost to the City. Staff was now asking the Council for guidance on pursuing the rest of the compliance work that needs to be done.

Assistant City Manager Chun reported that the City is working on full compliance with federal ADA requirements at City facilities and public rights-of-way. The plan is to complete the project in three phases and a self evaluation. Phase one is already finished. He offered up various examples of compliance and non-compliance and listed possible liabilities the City faces and their costs, which would be over and above the costs of compliance work. The compliance planning program is estimated at \$90,000 or more, not including implementation costs.

Councilmember Daniels asked about the time frame for implementing the plan. Mr. Chun related that it should be done as soon as possible, as certain agencies like Caltrans are looking to perform audits of the City's compliance. Councilmember Daniels also asked if the fact that the City is moving to approve the plan would have any impact on potential lawsuits. City Attorney Cavanaugh said there was never any assurance that a city would not be sued, but action on the plan would provide a defensive position.

Councilmember Martinez asked where the requested funds would come from. Mr. Chun said the source will be identified at the Midyear Budget review, but it would likely be from the general fund or capital improvement project reserve fund.

It was moved by Councilmember Daniels and seconded by Councilmember Martinez to receive and file the report, to approve the funding for the ADA compliance planning program, and to hire Disability Access Consultants. The motion was passed by the following roll call vote:

AYES: Councilmembers Daniels, Lemons, Martinez
Vice Mayor Hofmeyer, Mayor Hansen
NOES: None
ABSENT: None
ABSTAIN: None

COMMENTS FROM STAFF

City Manager Moreno mentioned that the groundbreaking for Clearwater Crossing, the new dining project at Alondra and Paramount Boulevards, would take place on February 2, 2016, with community stakeholders invited to attend. He also showed the City Council the City's website and the new section for the posting of City Council meeting agendas and minutes. He also brought up a link added to the website to another site called SmugMug, where a gallery of photos of City events is newly available for community members to access and download individual pictures.

COMMENTS FROM COUNCILMEMBERS

There were none.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Hansen adjourned the meeting at 5:52 p.m. to a meeting on February 2, 2016 at 6:00 p.m.

 \s\ Tom Hansen
Tom Hansen, Mayor

ATTEST:

 \s\ Christopher Callard
Christopher Callard, Public Information Officer
for Lana Chikami, City Clerk

APPROVED: February 2, 2016