

**LYNWOOD CITY COUNCIL
REGULAR MEETING
March 18, 2014**

Item #1. CALL TO ORDER

The City Council of the City of Lynwood met in a regular meeting in the Council Chambers, 11330 Bullis Road, Lynwood, CA on the above date at 6:07 p.m.

Mayor Castro presiding

Item #2. CERTIFICATION OF AGENDA POSTING BY CITY CLERK

City Clerk Quinonez announced that the agenda had been duly posted in accordance with the Brown Act.

Item #3. ROLL CALL

PRESENT: COUNCIL MEMBERS ALATORRE, SANTILLAN-BEAS, SOLACHE,
HERNANDEZ AND CASTRO

ABSENT: NONE

STAFF PRESENT: City Manager Magana Withers, City Attorney Garcia, City Clerk Quinonez and City Treasurer Rodriguez.

Item #4. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Sheriff's Explorers Color Guard.

Item #5. INVOCATION

The Invocation was given by Reverend Robert Robinson.

Item #6. PRESENTATIONS/PROCLAMATIONS

- Sheriff Captain Ernie Chavez – Update on Law Enforcement Issues

Captain Chavez commented on crime rates being at a 40 percent low since the beginning of the year and an increase in vehicle thefts. He reminded the public to be cautious about not leaving valuables in sight or leaving vehicles unlocked. He reported on the Lynwood Cops team making 39 arrests last week most of them related to quality of life issues reported by council or members of the community. He commented on prostitution and their continued efforts to go after the Johns. He stated that there is a meeting scheduled next week on the display signs that will be posted around the city to help deter prostitution and cruising. He commented on the remarks made at the last meeting in regards to the names of

the city. She thanked the Council for their support and suggests that they partner more often.

Mary Johnson, member of the LUSD African American Parent Advisory Council thanked the City Council for their partnership. She commented on her children earning scholarships in the past. She thanked city staff for their courtesy and generosity in assisting them with the event and stated that some students received scholarships the night of the event. She thanked Mr. Trejo for attending to represent the city and asked for an applause for the City Council. She commented on the ratings at Cesar Chavez Middle School.

Irene Garcia commented on Item #11 – Certification, Review and Granting of the Utility Users' Tax and stated that there was supposed to be a one year refund to residents on the UUT, she commented in opposition of Item #14 – Redflex Photo Red Light Enforcement Program and asked Council not to renew the contract and eliminate the program, in regards to Item #15 – Los Angeles County Sheriff Contract Renewal, she asked that the Sheriff's Department take over all parking enforcement in the city. She commented on officers taking up a traffic lane when a ticket is being issued and in regards to Item #17 – Agreement with John L. Hunter and Associates, Inc. and Item #18 – Approval of Black & Veatch Corp., she asked that there be no more change orders.

Jim Lissner commented in opposition of Item #14 - Redflex Photo Red Light Enforcement Program. He stated that the cities of South Gate and Inglewood terminated the program and Santa Ana's City Manager is recommending to his City Council not to renew the contract. He commented on other cities that also terminated the program due to complaints of bribery, no effectiveness and tickets being ignored. He asked Council to ask for accident statistics and asked that they do not to renew the contract.

Antonio Munguia commented in opposition of Item #14 – Redflex Photo Red Light Enforcement Program. He stated that he has talked to community members who avoid Imperial Hwy. and Atlantic Ave. due to the red light camera and this causes increased traffic on other city streets. He witnessed the red light camera not take pictures twice when drivers take the red light. He stated the continuing the program will scare businesses from coming to the city. He asked Council not to renew the contract.

NON-AGENDA PUBLIC ORAL COMMUNICATIONS

Harry Gibbens provided a letter for the City Clerk to read. The letter commented on waiting on the city government to plant flowers along a fence located by the 710 and 105 freeway exists, close to Wright Road and MLK. He stated that the flowers would look great and commented on a damaged fence in the same area. He asked council to contact him to obtain the exact location of the fence. He suggests red bougainvilleas plants. He stated suggesting the project in February 2014 but has seen no action. He asked city council to plant the flowers in March. He suggests the city to speak to the business owners to work with the city and plant the flowers.

Item #11. CERTIFICATION, REVIEW, AND GRANTING OF UTILITY USERS' TAX EXEMPTIONS FOR CALENDAR YEAR 2014

RESOLUTION NO. 2014.045 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LYNWOOD APPROVING THE CERTIFIED LIST OF UTILITY USERS' TAX EXEMPTIONS FOR THE PERIOD OF JANUARY 1, 2014 THROUGH DECEMBER 31, 2014, AND GRANTING EXEMPTIONS TO THE INDIVIDUALS ON THE CERTIFIED LIST

Item #12. TARGETED EMPLOYMENT AREA (TEA) UPDATE FOR THE SOUTH GATE/LYNWOOD ENTERPRISE ZONE

RESOLUTION NO. 2014.046 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LYNWOOD AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE CALIFORNIA HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT (HCD) FOR A TARGETED EMPLOYMENT AREA (TEA) AS PART OF THE SOUTH GATE/LYNWOOD ENTERPRISE ZONE

NEW/OLD BUSINESS

Item #13. AFFORDABLE CARE ACT - REQUEST FROM THE OFFICE OF CONGRESSWOMAN JANICE HAHN

It was moved by Council Member Santillan-Beas, seconded by Council Member Solache to adopt the resolution.

RESOLUTION NO. 2014.047 ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LYNWOOD APPROVING THE USE OF LYNWOOD COMMUNITY CENTER ROOM #1 AND WAIVING THE RENTAL FEES IN THE AMOUNT OF \$342

AYES: COUNCIL MEMBERS ALATORRE, SANTILLAN-BEAS, SOLACHE, HERNANDEZ AND CASTRO

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

Item #14. REDFLEX PHOTO RED LIGHT ENFORCEMENT PROGRAM – AGREEMENT RENEWAL

Mayor Castro clarified that the City of Compton did not take out their cameras but they did not pay their bill and the company came and took the cameras. For the City of Los Angeles the Mayor explained that they do not use the same system as Lynwood and they were having some issues with the corrupt system within their city hall and City of South Gate had budget issues. She stated understanding that the company may have

issues. She believes those individuals' taking alternative routes helps with the traffic. She explained that the system has a video you are able to view on-line to verify if you took the red light. She stated that most tickets have been issued to non-Lynwood residents. She appreciates comments from individuals from other cities but asked them not to confuse what happens in other cities with Lynwood. She asked Deputy Parr to come up and speak in regards to the review process and issuance of the red light violations.

Deputy Parr, Senior Traffic Investigator introduced himself and stated that he has been running the red light camera system since 2007. He explained that most individuals that disagree with the program do not understand it. He believes that Red Flex is the premium vendor available because they have photos and video of the infraction. He explained the complete process of how the infraction is verified for accuracy and how it goes through Red Flex staff and then to him for review before the citation is issued. He stated that he does not look at anything where the driver was going below 14 miles per hour.

Mayor Castro asked Deputy Parr to elaborate on the right turns on red light and 14 miles per hour threshold.

Deputy Parr explained that 14 miles per hour has been identified as the danger threshold and per the California Vehicle Code says you must make a complete stop behind the white line before proceeding. He said people think it is unfair that the system captures incomplete right turns but explained that he has seen videos of children crossing the street and being hit because drivers are looking to the left for cars. He believes that with systems like this in place there is a good chance that these accidents may be avoided. He stated that less than a quarter of the violations are Lynwood residents.

Council Member Solache asked what the judgment call on a right turn on a yellow light.

Deputy Parr explained that as long as the light is not red it's okay to make the turn and you will not get a ticket from Red Flex if you are under the 14 mile per hour threshold.

Mayor Castro thanked Deputy Parr for speaking and said she wanted the residents to know there is a middle man looking into this and it's not just a company trying to take the money.

Council Member Alatorre shared his concerns with the wording of the contract. He was a Traffic & Parking Commissioner when they first came to offer the service to the city. He commented on promises made to the commissioners.

Mayor Castro's questions for the vendor are cost neutrality, who pays for the storage of the data and who owns it and questions on the clause that states if the contract is terminated the city is responsible for the cost of bringing down the equipment, what is

the cost and what does it entail, how many citations have been issues and and how many are have become actual convictions.

Mike Negrete, Accounts Manager assigned to the City of Lynwood introduced himself.

Council Member Alatorre commented on the presentation to the Commissioners some years ago. He commented on certain conditions back then that the system needed to provide the front and back license plate visual and facial picture of the driver to issue the citation. He asked when did this the requirements change.

Mr. Negrete clarified that the equipment is owned and maintained by Red Flex. He explained that is whenever incidents are captured they are sent to Red Flex for review but it is up to the city and Sheriff to decide whether the citations is issued.

Council Member Alatorre asked Mr. Negrete about two citations he had with him and asked what the difference is between a South Gate and Lynwood citation.

Mr. Negrete responed that there is no difference.

Council Member Alatorre asked why is it that the Lynwood ticket is signed by the Sheriff's deputy but the ticket from South Gate reads that it is a courtesy notice signed by a Police Department Officer.

Mayor Castro asked Council Member Alatorre if his question is why the ticket is issued differently from one city to the other.

Council Member Alatorre stated having a problem with the contract because if the Sheriff's Department rejects 10 percent of the ticket the city is responsible to pay and he does not like that condition on the city. He asked if the Sheriff's reject 10 percent or more, why is the city responsible to pay 100 percent.

Keith Underwood, Account Representative and former Sergeant at the City of South Gate explained that the courtesy is a notice to appear and the Lynwood one is a citation. He clarified the process of how the citations are processed and forwarded to Deputy Parr. He explained you cannot issue a citation to a company vehicle and if Deputy Parr cannot identify a driver for a car he send the citation to the registered owner of the vehicle. He added that sometimes it is a gender issue if they see a registered owner is a female but the driver is a male. That is when they issue a courtesy notice and it is up to the registered owner to complete the document and return providing the information who was actually driving the vehicle at the time the citation was issued.

Council Member Alatorre commented on having a problem with the distribution of funds.

Mr. Negrete explained about different types of fees and statutes set by the State of California.

Mayor Castro asked why is that council needs to bring it up to Red Flex and the vendor not notifying them in advance of a cost neutrality issue.

Mr. Negrete explained that this is a cost neutrality contract and they issue a monthly revenue statement for the cities because it is month to month monitoring.

Council Member Alatorre stated that if Lynwood rejects 10 percent of citations, cost neutrality does not apply. There is no revenue for the city, only a public safety enhancement.

Mayor Castro asked Council Member Alatorre if he would prefer to table the item.

Council Member Alatorre responded yes.

Mayor Pro Tem Hernandez made a motion, seconded by Council Member Solache to table the item in order to review the contract.

Mayor Castro stated that they want to clarify some points from the contract which are to ensure the wording in the contract is protecting the city.

She asked that the City Attorney look at the contract.

Council Member Solache wants to know if there is a way to reduce the price for a Lynwood resident and increase the cost for a non Lynwood resident and why does the money go to the State.

Mayor Castro stated that the city will forward questions and concerns to Red Flex and questions will be answered in advance of bringing the item back to the April 1st Council meeting.

Mayor Pro Tem Hernandez asked that Red Flex resend a new contract after questions are answered and asked if there are any changes to contract they be send to the city before April 1st.

Mr. Negrete agreed that contract is important and is willing to work with City Attorney.

Mayor Castro stated that the item would be tabled by unanimous consent.

It was moved by Mayor Pro Tem Hernandez, seconded by Council Member Solache to table the item to the first regularly scheduled meeting in April 2014.