

# California Fair Political Practices Commission

January 29, 1988

Donna Mayfield 4840 E. 58th Street, Apt. A Maywood, CA 90270

Re: Your Requests for Advice

Our File Nos. I-88-034 and I-88-038

Dear Ms. Mayfield:

We have received your letter regarding the Maywood City Council's adoption of an item which was not on the posted agenda and your subsequent letter concerning the council's consideration of a negative declaration on a redevelopment project in your city.

The Fair Political Practices Commission has authority to interpret and enforce the Political Reform Act. The Political Reform Act was established for several purposes, some of which are disclosure of sources of campaign contributions, disclosure of assets and income of public officials, disqualification of public officials from decisions which could affect their private financial interests, and regulation of the activities of lobbyists to prevent improper influences on public officials.

The questions you pose in your letters are not covered by the Political Reform Act; therefore, we cannot advise you on these matters. It would be more appropriate for you to direct your questions regarding the adoption of an item by the city council to your county district attorney and the consideration of the negative declaration to your city attorney.

Sincerely,

Diane M. Griffiths

General Counsel

By: Jeanette Turvill Legal Assistant

Legal Division

JET: jaj

<sup>1/</sup> Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated.

January 29, 1988

Pat Quiles 6136 Pala Avenue Maywood, CA 90270

Re: Your Requests for Advice

Our File Nos. I-88-034 and I-88-038

Dear Ms. Quiles:

We have received your letter regarding the Maywood City Council's adoption of an item which was not on the posted agenda and your subsequent letter concerning the council's consideration of a negative declaration on a redevelopment project in your city.

The Fair Political Practices Commission has authority to interpret and enforce the Political Reform Act. 1/ The Political Reform Act was established for several purposes, some of which are disclosure of sources of campaign contributions, disclosure of assets and income of public officials, disqualification of public officials from decisions which could affect their private financial interests, and regulation of the activities of lobbyists to prevent improper influences on public officials.

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Sincerely,

Diane M. Griffiths General Counsel

By: Jeanette Turvill Legal Assistant Legal Division

JET: jaj

<sup>1/</sup> Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated.

January 29, 1988

Maywood Concerned Citizens 4626 E. Slauson Avenue Maywood, CA 90270

> Re: Your Requests for Advice Our File Nos. I-88-034 and I-88-038

Dear Citizens:

We have received your letter regarding the Maywood City Council's adoption of an item which was not on the posted agenda and your subsequent letter concerning the council's consideration of a negative declaration on a redevelopment project in your city.

The Fair Political Practices Commission has authority to interpret and enforce the Political Reform Act.  $\frac{1}{2}$  The Political Reform Act was established for several purposes, some of which are disclosure of sources of campaign contributions, disclosure of assets and income of public officials, disqualification of public officials from decisions which could affect their private financial interests, and regulation of the activities of lobbyists to prevent improper influences on public officials.

The questions you pose in your letters are not covered by the Political Reform Act; therefore, we cannot advise you on these matters. It would be more appropriate for you to direct your questions regarding the adoption of an item by the city council to your county district attorney and the consideration of the negative declaration to your city attorney.

Sincerely,

Diane M. Griffiths General Counsel

Jeanette Turvill By: Legal Assistant

Legal Division

JET: jaj

<sup>1/</sup> Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated.

#### FROM:

Jan Jan J

Louis Martinez
4654 E. 57th St. Apt. A
Maywood, California 90270
(213) 771-5368

Ronald E. Fick 6046 Vinevale Ave. Maywood, California 90270

Donna Mayfield 4840 E. 58th St. Apt. A Maywood, California 90270

Pat Quilas 6136 Pala Ave. Maywood, California 90270 (213) 560-2849

Maywood Concerned Citizens 4626 E. Slauson Ave. Maywood, California 90270 (213) 771-3841 Leonard Locher Chief Administrative Officer City Clerk 4319 E. Slauson Ave. Maywood, California 90270

Dear Mr. Locher:

The Maywood City Council will hold a public hearing on January 12, 1988 at which time the council will consider the adoption of a negative declaration (Exhibit"A") and the vacation of Heliotrope Circle between Slauson and Mayflower. We, as voters and concerned members of the community, hereby request that the council not adopt this negative declaration and also to abondon their efforts to vacate this very important street. The negative declaration is flawed and should not be substituted for an environmental impact report.

This negative declaration is flawed because of the following reasons:

(1) It is based on an environmental checklist (Exhibit'B") which is defective because it is not supported by substantial evidence or facts.

- (2) It is based on an environmental checklist which is not completely truthful, the vast majority of the traffic using Heliotrope Circle does so in order to continue south on the Circle and not because of the businesses on the Circle, as this checklist implies.
- (3) It is based on an environmental checklist which at times contadicts itself as well as statements on this negative declaration.
- (4) It is based on an environmental checklist which does not address any of the potentially adverse effects this project may have in the environment.
- (5) It is based on an EIR, prepared in June of 1986, which does not mention or address the vacation of Heliotrope Circle.
- (6) It is based on an EIR which does not include a study of the interesction of Slauson and Mayflower.
- (7) It is based on an EIR which itself is defective because according to our survey the number of vehicles turning right (south) onto King and Heliotrope Avenues, of eastbound Slauson traffic, is incorrect. (Exhibit"D")
- (8) It is based on a Traffic Committee recomendation of a meeting held on Nov.24, 1987. At this committee meeting none of the members were given any evidence or facts on which to base their decision. (Exhibit"C"-minutes of that meeting)

We ask that the council not adopt this flawed negative declaration and also that they follow any and all applicable Government Codes and regulations before proceeding any further on this project. Public Resources Code 21168 requires that a local agency prepare an environmental impact report if there is substantial evidence that a project will have a significant environmental impact whether or not there is evidence to the contrary. According to our survey (Exhibit"D"), between 150 and 175 vehicles will need to be rerouted during peak hours because of this project, this fact alone is sufficient to require an environmental impact report.

Locher January 11, 1988 Page 2

Heliotrope Circle serves as a safe and quick exit from Slauson Avenue and thus helps to relieve the congestion on this very heavily traveled street, Slauson, especially during peak hours. This Circle also helps keep traffic off of our residential streets, streets which are already crowled and are very narrow.

We ask that the council not make another arbritrary decision on this very important issue and also that it not abuse it's descretion by adopting this negative declaration and deciding to vacate Heliotrope Circle without the preparation of an environmental impact report. If the council decides to violate Government Codes by deciding against the best interest of the community, we, the members of the community, will have no other choice but to seek redress in the courts.

Very truly yours,

cc: Los Angeles County Grand Jury

cc: Los Angeles County District Attorney

cc: California State Attorney General

cc: Fair Political Practices Commission cc: U.S. Congressman Matthew Martinez

cc: State Senator Art Torres

cc: Assemblywoman Lucille Royball Allard

LAW OFFICES OF

#### NIELSEN, MERKSAMER, HODGSON, PARRINELLO & MUELLER

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

SACRAMENTO

IO30 FIFTEENTH STREET, SUITE 250 SACRAMENTO, CALIFORNIA 95814 TELEPHONE (916) 446-6752 650 CALIFORNIA STREET, SUITE 2650 SAN FRANCISCO, CALIFORNIA 94108 TELEPHONE (415) 989-6800

FILE NUMBER

January 13, 1988

Mr. Kevin Braaten-Moen Technical Assistance Fair Political Practices Commission Post Office Box 807 Sacramento, CA 95804

Dear Kevin:

This letter is to confirm telephone advice by you on this date with reference to Government Code section 84305 and the disclaimers required for mass-mailings.

In distinguishing between subparagraphs (a) and (b) of Government Code section 84305, you stated that subsection (b) applies to a general purpose recipient committee, a sponsored committee, or a controlled committee that is controlled by only one candidate. Subsection (a) applies to a controlled committee that is controlled by more than one candidate.

In applying the above statute, I described the "ABC Committee, sponsored by XYZ," whose purpose is to oppose a ballot measure. I further described the contents of a mailing by that committee that consists of a fundraising letter by President Gerald Ford on his personal stationery. You advised that so long as the full name of the sponsored committee is shown on the outside of the envelope, it is not necessary that the name of the sponsored committee be printed on President Gerald Ford's letterhead (or any other insert that might be enclosed in the envelope).

While I did not request advice on this additional subject on the telephone, we now ask you to confirm that an envelope imprinted with "President Gerald Ford (and his address and city)" in the upper-left hand corner of the front of the envelope and "ABC Committee, sponsored by XYZ (and its address and city)" on the reverse flap of the envelope, constitutes compliance with subsection (b) of Government Code section 84305.

Mr. Kevin Braaten-Moen January 13, 1988 Page 2

Will you please confirm that the above advice is correct by signing a copy of this letter and returning it to me as soon as possible.

Very truly yours,

Diane Elan Wick

The above advice is acknowledged as correct:

Fair Political Practices Commission

Ву	:	 	 	··········
Тi	tle:			

Vacations of special proposed sensor Houses.

Vacations of special proposed sensor Houses.

From the proposed sensor Houses.

Exhibit "A"

CITY OF MAYWOOD 4319 E. Slauson Avenue Maywood, California, 90270

NEGATIVE DECLARATION

Disposition and Development Agreement

#### Description of Project:

Street Vacation - Heliotrope Circle from Slauson to Mayflower Avenue. Vacation of street to facilitate the development of a 55 unit Senior Citizen Housing Complex.

#### Location of Project:

Located at and near Southwest corner of Slauson Avenue and Mayflower Avenue

Maywood Building and Planning Department

Findings of Environmental Effect:

Based on +-- 5. Based on the findings in the Environmental Checklist, it would appear there would be no significant effect on the environment, and would appear logical to claim a Negative Declaration for this project.

Which checklist? - If the one dated Dec 11, 1866, It did not address the receiver of Helitype ciscle

### Further Findings:

Additional mitigation measures are not necessary to avoid potentially significant effects. That potentially significant effects?

This Negative Declaration was prepared pursuant to the California Environment Quality Act of 1970 (CEQA), Public Resources Code No. 21100 et, seq., and follows the EIR Guidelines of Resources on February 3, 1973 as amended.

Building and Planning Assistant

Post on or before December 10, 1987

7 if that is the case, then what is going to happen to the traffic which presently uses Kelictrope Circle?

December 17, 1987

#### **MEMORANDUM**

TO:

Honorable Mayor and Members of Maywood City Council Leonard R. Locher, Chief Administrative Officer/ City Clerk

Ronald L. Lindsey, Director of Building & Planning Linda L. Dovalis, Building & Planning Assistant

SUBJECT: Street Vacation

Heliotrope Circle from Slauson Avenue to Mayflower Ave.

Maywood City Staff - for a private developer PROPONENT:

PROPOSAL:

The Maywood Redevelopment Agency has acquired or has in escrow all of Lot 1824 and the east half of Lot 1825 of Tract No. 4185 as per map recorded in Book 44, Page 84. The Agency is obligated by a Disposition  $\mathcal{L}_{\mathcal{Y}}$  ( $\mathcal{L}_{\mathcal{Y}}$ and Development Agreement to vacate such street and convey the property to a developer.

The City wishes to cooperate with the Agency in the completion of its obligations under the DDA by vacating Heliotrope Circle pursuant to the Street Vacation Act of 1941.

FINDINGS:

The Traffic Committee unanimously recommended that the Council conduct a Public Hearing and approve the vacation of Heliotrope Circle. To His committee was not

completely informed pier to making decision - They were told that decision - They were told that one environmental Import had been filed for this project. Not Time

Approval of the street vacation will not be detrimental to the public interest, safety, health or welfare and will not be detrimental or injurious to the property or improvements in the vicinity and zone in which the property is located.

An Environmental Impact Report prepared in June 1986 states even with full build-out of Redevelopment Area No. 2, the projected future operating conditions at the intersections of Slauson/King and Slauson/ Heliotrope would operate at "accepted levels of service" during late afternoon peak hours. <

Approval of the vacation will not be contrary to, or in conflict with, the goals and objectives of the General Plan.

One of the objectives of the Land Use Element of the

**MEMORANDUM** December 17, 1987 Vacation of Heliotrope Circle Page 2

systems installed

General Plan for Commercial Land Use is to provide multi-unit housing opportunities for Senior Citizens and low income families.

Existing public utility facilities will be adequate to serve the area. Emergency access will not be hindered.

The right-of-way of Slauson Avenue is 110 feet wide, and the right-of-way for Mayflower Avenue is 50 feet, which is equal to the right-of-way of King Avenue and of Heliotrope Avenue.

#### CALIFORNIA ENVIRONMENTAL AIR QUALITY ACT:

Based on the information in the environmental check list, a Negative Declaration was prepared and posted, and a Notice of Determination will be filed with the County Clerk.

#### POSSIBLE COUNCIL ACTION:

- Approve as proposed and adopt the findings; or
- Approve subject to other than proposed; or
- 3. Deny

#### RECOMMENDATION:

The Maywood Traffic Committee and Staff recommend approval of the vacation of Heliotrope Circle from Slauson Avenue to Mayflower AVenue including the traffic island.

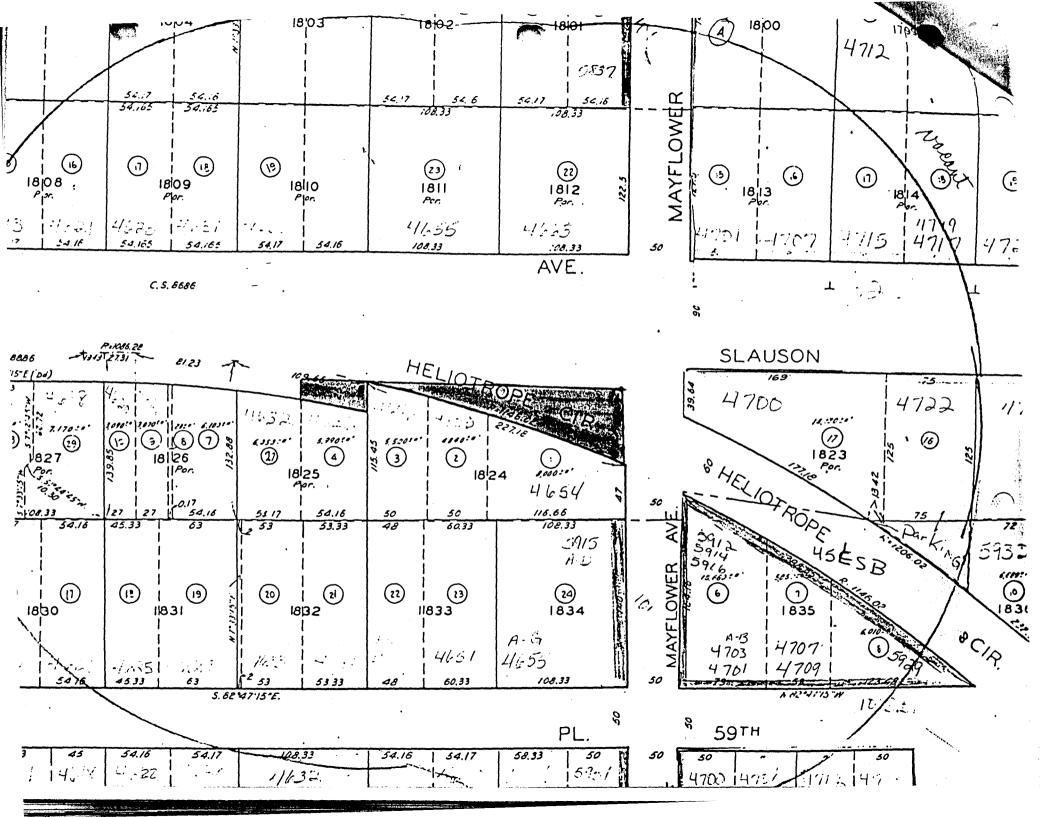
The state does not live in Mayrarad

The state does not live in Mayrarad

The state Majority of the traffic romanities

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and not very familiar with conditions at this location.





ENVIRONMENTAL CHECKLIST FORM (To be completed by Lead Agency)

## (To be completed by Lead Agency

1.	RAI	CKGROUND					
	1. 2.	Name of Proponent Maywood Redevelo, Address and Phone Number of Proponent	ement	Agen	cy_		
		4319 E. 5/auson			* *,		
		Maywood, CA. 90270					
	3.	Date of Checklist Submitted December 1, 1987					
	4. 5.	Agency Requiring Checklist Ch of Maywood Name of Proposal, if applicable	<u></u>				
	6.	Project Description Street Vacation - Heli	otroce	Circle	from		
	7.	Slayson Avenue to Mayflower Avenue.  Environmental Setting Commercial backering	•				
	ρ	Zoning Compatibility <u>yes</u> General Plan Com	natihil	itv			
•	0.	Zonning compactoring 425 deneral ran com	pacibii	y yes			
II.	(Ex	/IRONMENTAL IMPACTS <pre>cplanations of all "yes" and "maybe" answers are required on attached</pre> <pre>eets)</pre>					
	3110		YES	MAYBE	<u>NO</u> -		
	1.	Earth. Will the proposal result in:					
		a. Unstable earth conditons or in changes in geologic substructures?	And the Control of th		_<		
		b. Disruptions, displacements, compaction, or overcovering of the soil?					
•		•	_		***************************************		
		c. Change in topography or ground surface relief features?	And the Control of the Control		<u>x</u>		
		d. The destruction, covering, or modification of any unique geologic or physical features?	any Hardenman	***************************************	<u> </u>		
		e. Any increase in wind or water erosion of soils, either on or off the site?			<u> </u>		
		f. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay.					

inlet or lake?

	·	YES	MAYBE	NO
6.	Noise. Will the proposal result in: a. Increases in existing noise levels?	.—		_×_
	b. Exposure of people to severe noise levels?			<u>×</u>
7.	<u>Light and Glare.</u> Will the proposal produce new light or glare?		-	<u>~</u>
8.	Land Use. Will the proposal result in a substantial alteration of the present or planned land use of an area?		-	•
9.	Natural Resources. Will the proposal result in:			
	a. Increase in the rate of use of any natural resources?			<u>×</u>
	b. Substantial depletion of any nonrenewable natural resource?			<u>×</u>
10.	Risk of Upset. Does the proposal involve a risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions?			<u>×</u>
11.	Population. Will the proposal alter the location, distribution, density, or growth rate of the human population of an area?			<u>×</u>
12.	Housing. Will the proposal affect existing housing, or create a demand for additional housing?	-		<u>×</u>
13.	Transportation/Circulation. Will the proposal result in:			
	a. Generation of substantial addi- tional vehicular movement?			_X_

	YES	MAYBE	NO
b. Effects on existing parking facilities, or demand for new parking?			<u>×</u>
c. Substantial impact upon existing transportation systems?	etrato-censos	******	<u>×</u>
d. Alterations to present patterns of circulation or movement of people and/or goods?	<u> </u>	***********	******
e. Alterations to waterborne, rail or air traffic?	<del></del>	******	<u> </u>
f. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians?			<u>×</u>
Public Services. Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:			
a. Fire protection?		*******	<u>×</u>
b. Police protection?	and the state of t	***************************************	ㅗ
c. Schools?			<u>×</u>
a the state of the decreational facilities?			<u>_x</u> _
e. Maintenance of public facili- ties, including roads?	manhimaninania	<del>d</del> escriptions	_ <u>x</u> _
f. Other governmental services?		<del></del>	<u>~</u>
15. Energy. Will the proposal result in:			
a. Use of substantial amounts of fuel or energy?		erriver sucherie	<u>×</u>
b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?			<u>×</u>

		YES	MAYBE	NO
16.	Utilities. Will the proposal result in a need for new systems, or substantial alterations to the following utilities:		· · · · · · · · · · · · · · · · · · ·	
	a. Power or natural gas?		<u>.                                    </u>	<u>×</u>
	b. Communications systems?			<u>_x</u>
	c. Water?		<u>_x_</u>	
	d. Sewer or septic tanks?			_x_
	e. Storm water drainage?			<u>×</u>
	f. Solid waste and disposal?		<u></u>	
17.	Human Health. Will the proposal result in:			
	a. Creation of any health hazard or potential health hazard (excluding mental health)?		- Control of the Cont	<u>×</u>
	b. Exposure of people to potential health hazards?		-	
18.	Aesthetics. Will the proposal result in the obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view?			
19.	Recreation. Will the proposal result in an impact upon the quality or quantity of existing recreational opportunities?	-	-	<u>x</u>
20.	Archeological/Historical. Will the proposal result in an alteration of a significant archeological or historical site, structure, object or building?			X

#### 21. Mandatory Findings of Significance.

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)

c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environment is significant.)

d. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

hould have been he for any sometend to go

The will be with the same of t

Soils will be subjected to displacement and compaction as well as uncovering as a result of new construction and relocation of certain utilities lines.

The land use will be changed from a street to residential living use. The circle will be closed and traffic will be revoluted to make a right turn at Mayflower, off Slauson.

- 1. Presently traffic flows directly off Slauson through Heliotrope Circle. By closing this portion of Heliotrope Circle, traffic will make a right turn at Mayflower, off Slauson.
- c. Concerns have been raised about water pressure for the site after relocation of the water lines. These problems can be worked out through engineering.

## General Discussion

The street currently serves three (3) businesses, one of Which is and has been closed for years due to fire. The other two businesses have been acquired by the Maywood Redevelopment Agency and will be closed within four (4) months. Much of the traffic using the Circle has been for these businesses and also for the ARCO service station on the east side of Mayflower Are. Under the former operation of the ARCO station there were pumps on the Heliotrope Circle side as well as Slauson Avenue side. Due to limited access from Slauson, customers would enter off Heliotrope Circle. When ARCO was remodeled, this problem was corrected and now a majority of the traffic enters off Slauson.

	TERMINATION o be completed by Lead Agency)
0 n	the basis of this initial evaluation:
X	It is the determination of the Environmental Impact Review Committee that the proposed project COULD NO have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
	It is the determination of the Environmental Impact Review Committee that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.
	It is the determination of the Environmental Impact Review Committee that the proposed project MAY have a significant effect on the environment, and an EN-VIRONMENTAL IMPACT REPORT is required.
	Other.

Date December 1, 1987

Ronald Z. Z. C. (Signature)

For Maywood Redevelopment Agency

- on - General discussion -The Majority of the traffic using Heliotrope Circle does so to Continue south on Heliotrope Ave.

#### From:

Louis Martinez 4654 E. 57th St. Apt. A Maywood, California 90270 (213) 771-5368

Ronald E. Fick 6046 Vinevale Ave. Maywood, California 90270

Donna Mayfield 4840 E. 58th St. Apt. A Maywood, California 90270

Pat Quiles 6136 Pala Ave. Maywood, California 90270 (213)560-2849

Maywood Concerned Citizens 4626 E. Slauson Ave. Maywood, California 90270 (213) 771-3841 Leonard Locher Chief Administrative Officer City Clerk 4319 E. Slauson Ave. Maywood, California 90270

Dear Mr. Locher:

Government Code Section 54954.2 prohibits a local agency from taking action "on any item not appearing on the posted agenda". At the regular meeting of the Maywood City Council on December 22, 1987, the council adopted resolution # 3838, an item which was not on the posted agenda. (Enclosed is a copy of the posted agenda and a copy of the minutes of the meeting.) The approval of this resolution was a blatant violation of the Gov. Code Section known as the Brown Act. We do not understand why the council was allowed to violate this Gov. Code, especially with the presence of both the City Attorney and the Redevelopment Attorney. We demand that the Maywood City Council and the Maywood Redevelopment Agency refrain from any further violations of any applicable Gov. Codes or regulations when making public policy decisions.

Very Truly Yours,

c.c. Los Angeles County Grand Jury

c.c. Los Angeles County District Attorney

c.c. California State Attorney General

c.c. Fair Political Practices Commission

c.c. California State Bar Association

## CITY OF MAYWOOD REGULAR MEETING OF THE MAYWOOD CITY COUNCIL

Tuesday, December 22, 1987

7:30 p.m.

CITY COUNCIL STUDY SESSION: 6:30 p.m. - Open to Public 6:47

CALL TO ORDER

ROLL CALL: Councilmembers Thomas H. Engle, Rose Marie Busciglio, Betty Lou Rogers, Henry Santiago, Jr. and Mayor William Hamilton.

FLAG CEREMONY

INVOCATION: Rev. Leo Nieto, United Methodist

APPROVAL OF MINUTES: special meeting December 7, 1987 regular meeting December 8, 1987

ADMINISTRATION OF OATH: All persons who may wish to address the City Council and/or Redevelopment Agency on any public hearing matter, please rise at this time and be sworn by the City Clerk.

#### CITIZEN COMMUNICATIONS

CONSENT ITEMS: (1 - 6) Roll call vote required. Information concerning the consent items has been posted with the City Clerk prior to the meeting for study. Unless a Councilmember or member of the audience has a question concerning a particular item and asks that it be withdrawn from the consent calendar, the items will be approved at one time by the Council.

- 1. General Correspondence Information Only
  - a. Reports November, 1987 Diversified Paratransit
    - Los Angeles County Fire Department
  - Planning Commission minutes, December 15, 1987
- 2. Personnel Changes:
  - a. Donna Caddy, Clerk-Typist, has completed 1 year satisfactory service, entitled to step increase and extend probation 6 mos., eff., Jan. 2, 1988.
- 3. Request for Charitable Solicitation Permit from Rory Wright, 10254 Virginia Avenue, Apt. C, South Gate, CA 90280, representing Teen Challenge.
- 4. Claim:
  - a. Neva M. Gurden, 4407 E. 57th, Maywood, Ca 90270 —

Execute agreement with I.B.M. Corp and DLH/INE for computer system for Police?

Department.

F2/90.00 per Mo. Flynd Man for 5yr. Plan includes on interpretable for the facilities on interpretable for the facilities on interpretable for the facilities on the facilities of the facili

6. Bell High School request financial support for the annual Presidential Classroom. \$575,00 - Last year was \$535,00

#### PUBLIC HEARINGS

- 7. Set Public Hearings for the following:
  - a. To consider Variance Application #305, Roy Moorfield, 6112 Prospect Avenue, Maywood, CA 90270.
  - b. To consider amendments to Comprehensive Fee Schedule. for Tuesday, January 12, 1987 at 7:30 p.m.
- 8. Public Hearing to receive comments and consider vacation of Heliotrope Circle and

RESOLUTIONS

9. Res. #383,

granting a Variance and approving a Site Plan. (Variance App. #304)

10. Res. #3836,

regarding the exchange of Proposition A local return funds for SCRTD Farebox Revenues. The No. 34400,000.00

11. Res. #383/

approve Demands & Payroll.

ORDINANCES - FIRST READING

ORDINANCES - SECOND READING

ORAL REPORTS

Mayor's Report

City Council Report

CAO/City Clerk Report

City Attorney Report

Staff Report

ADJOURNMENT

3838 - Approve

I, <u>Elizabeth Fasthorse</u>, hereby certify that this agenda was duly posted at the following locations on <u>December 18, 1987</u> at the times indicated.

4319 E. Slauson Avenue at 11:30 a.m.

4323 E. Slauson Avenue at 11:45 a.m.

4747 E. 56th Street at 12:00 noon

Motion carried: AYES: Councilmembers Engle, Busciglio, Rogers,

Santiago and Mayor Hamilton.

NAYES: None ABSENT: None

Res. #3837, approve Demands & Payroll.

Moved by Councilmember Busciglio, seconded by Councilmember Engle

WAIVE READING & ADOPT RESOLUTION #3837

Motion carried: AYES: Councilmembers Engle, Busciglio, Rogers,

Santiago and Mayor Hamilton.

NAYES: None ABSENT: None

ORDINANCES - FIRST READING: None

ORDINANCES - SECOND READING: None

Mayor Hamilton adjourned to the Redevelopment Agency at 7:51 p.m. and reconvened to the regular meeting at 8:08 p.m.

Res. #3838, approving an owner participation agreement and sale of land in the Maywood Redevelopment Project #2.

Moved by Councilmember Busciglio, seconded by Councilmember Rogers

WAIVE READING AND ADOPT RESOLUTION #3838

Motion carried: AYES: Councilmembers Engle, Busciglio, Rogers,

Santiago and Mayor Hamilton.

NAYES: None ABSENT: None

ORAL REPORTS

Mayor's Report: Wished all in attendance a Merry Christmas and

Happy New Year.

City Council Report: Wished all Happy Holidays.

CAO/City Clerk Report: None

City Attorney Report: None

Staff Report: None

Hearing no further business meeting was adjourned at 8:15 p.m., to Tuesday, January 12, 1988 at 7:30 p.m.

#### From:

Louis Martinez
4654 E. 57th St. Apt. A
Maywood, California 90270
(213) 771-5368

Ronald E. Fick 6046 Vinevale Ave. Maywood, California 90270

Donna Mayfield 4840 E. 58th St. Apt. A Maywood, California 90270

Pat Quiles 6136 Pala Ave. Maywood, California 90270 (213)560-2849

Maywood Concerned Citizens 4626 E. Slauson Ave. Maywood, California 90270 (213) 771-3841 J. H. Z. H. S. J.

Leonard Locher Chief Administrative Officer City Clerk 4319 E. Slauson Ave. Maywood, California 90270

Dear Mr. Locher:

Government Code Section 54954.2 prohibits a local agency from taking action "on any item not appearing on the posted agenda". At the regular meeting of the Maywood City Council on December 22, 1987, the council adopted resolution # 3838, an item which was not on the posted agenda. (Enclosed is a copy of the posted agenda and a copy of the minutes of the meeting.) The approval of this resolution was a blatant violation of the Gov. Code Section known as the Brown Act. We do not understand why the council was allowed to violate this Gov. Code, especially with the presence of both the City Attorney and the Redevelopment Attorney. We demand that the Maywood City Council and the Maywood Redevelopment Agency refrain from any further violations of any applicable Gov. Codes or regulations when making public policy decisions.

Very Truly Yours,

Konna mayfuld

c.c. Los Angeles County Grand Jury

c.c. Los Angeles County District Attorney

c.c. California State Attorney General

c.c. Fair Political Practices Commission

c.c. California State Bar Association

### CITY OF MAYWOOD REGULAR MEETING OF THE MAYWOOD CITY COUNCIL

Tuesday, December 22, 1987

7:30 p.m.

CITY COUNCIL STUDY SESSION: 6:30 p.m. - Open to Public 6:47

CALL TO ORDER

ROLL CALL: Councilmembers Thomas H. Engle, Rose Marie Busciglio, Betty Lou Rogers, Henry Santiago, Jr. and Mayor William Hamilton.

FLAG CEREMONY

INVOCATION: Rev. Leo Nieto, United Methodist

APPROVAL OF MINUTES: special meeting December 7, 1987 regular meeting December 8, 1987

ADMINISTRATION OF OATH: All persons who may wish to address the City Council and/or Redevelopment Agency on any public hearing matter, please rise at this time and be sworn by the City Clerk.

#### CITIZEN COMMUNICATIONS

CONSENT ITEMS: (1 - 6) Roll call vote required. Information concerning the consent items has been posted with the City Clerk prior to the meeting for study. Unless a Councilmember or member of the audience has a question concerning a particular item and asks that it be withdrawn from the consent calendar, the items will be approved at one time by the Council.

- 1. General Correspondence Information Only
  - a. Reports November, 1987 Diversified Paratransit
    - Los Angeles County Fire Department
  - b. Planning Commission minutes, December 15, 1987
- 2. Personnel Changes:
  - a. Donna Caddy, Clerk-Typist, has completed 1 year satisfactory service, entitled to step increase and extend probation 6 mos., eff., Jan. 2, 1988.
- 3. Request for Charitable Solicitation Permit from Rory Wright, 10254 Virginia Avenue, Apt. C, South Gate, CA 90280, representing Teen Challenge.
- 4. Claim:
  - a. Neva M. Gurden, 4407 E. 57th, Maywood, Ca 90270

Department. With I.B.M. Corp and DLH/INE for computer system for Police Falgo. or per Mo. Hypograph for 54th Includes Online Falgo. or per Mo. Hypograph for 54th Includes Online Falgo.

6. Bell High School request financial support for the annual Presidential Classroom.

#### PUBLIC HEARINGS

7. Set Public Hearings for the following:

a. To consider Variance Application #305, Roy Moorfield, 6112 Prospect Avenue, Maywood, CA 90270.

b. To consider amendments to Comprehensive Fee Schedule. for Tuesday, January 12, 1987 at 7:30 p.m.

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RESOLUTIONS

9. Res. #3839

granting a Variance and approving a Site Plan. (Variance App. #304)

10. Res. #3836

regarding the exchange of Proposition A local return funds for SCRTD Farebox Revenues. Check on \$1,31400,000.00

11. Res. #383/

approve Demands & Payroll.

ORDINANCES - FIRST READING

ORDINANCES - SECOND READING

ORAL REPORTS

Mayor's Report

City Council Report

CAO/City Clerk Report

City Attorney Report

Staff Report

ADJOURNMENT

3838 Approvi

I, <u>Elizabeth Fasthorse</u>, hereby certify that this agenda was duly posted at the following locations on <u>December 18</u>, 1987 at the times indicated.

4319 E. Slauson Avenue at 11:30 a.m.

4323 E. Slauson Avenue at 11:45 a.m.

4747 E. 56th Street at 12:00 noon

Motion carried: AYES: Councilmembers Engle, Busciglio, Rogers,

Santiago and Mayor Hamilton.

NAYES: None ABSENT: None

Res. #3837, approve Demands & Payroll.

Moved by Councilmember Busciglio, seconded by Councilmember Engle

WAIVE READING & ADOPT RESOLUTION #3837

Motion carried: AYES: Councilmembers Engle, Busciglio, Rogers,

Santiago and Mayor Hamilton.

NAYES: None ABSENT: None

ORDINANCES - FIRST READING: None

ORDINANCES - SECOND READING: None

Mayor Hamilton adjourned to the Redevelopment Agency at 7:51 p.m. and reconvened to the regular meeting at 8:08 p.m.

Res. #3838, approving an owner participation agreement and sale of land in the Maywood Redevelopment Project #2.

Moved by Councilmember Busciglio, seconded by Councilmember Rogers

WAIVE READING AND ADOPT RESOLUTION #3838

Motion carried: AYES: Councilmembers Engle, Busciglio, Rogers,

Santiago and Mayor Hamilton.

NAYES: None ABSENT: None

ORAL REPORTS

Mayor's Report: Wished all in attendance a Merry Christmas and

Happy New Year.

City Council Report: Wished all Happy Holidays.

CAO/City Clerk Report: None

City Attorney Report: None

Staff Report: None

Hearing no further business meeting was adjourned at 8:15 p.m., to Tuesday, January 12, 1988 at 7:30 p.m.



## California Fair Political Practices Commission

January 15, 1988

Louis Martinez 4654 E. 57th St., Apt. A Maywood, CA 90270

Re: 88-034

Dear Mr. Martinez:

Your letter requesting advice under the Political Reform Act was received on January 14, 1988 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact Jeanette Turvill, in the Legal Division, directly at (916) 322-5901.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days if your request seeks formal written advice. If more information is needed, we will contact you shortly to advise you as to the information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Adm. Code Sec. 18329).)

You also should be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

Very truly yours,

Dans M D Ath

Diane M. Griffiths General Counsel

DMG:plh

#### FROM:

Louis Martinez 4654 E. 57th St. Apt. A Maywood, California 90270 (213) 771-5368

Ronald E. Fick 6046 Vinevale Ave. Maywood, California 90270

Donna Mayfield 4840 E. 58th St. Apt. A Maywood, California 90270

Pat Quilas 6136 Pala Ave. Maywood, California 90270 (213) 560-2849

Maywood Concerned Citizens 4626 E. Slauson Ave. Maywood, California 90270 (213) 771-3841 Leonard Locher Chief Administrative Officer City Clerk 4319 E. Slauson Ave. Maywood, California 90270

Dear Mr. Locher:

The Maywood City Council will hold a public hearing on January 12, 1988 at which time the council will consider the adoption of a negative declaration (Exhibit"A") and the vacation of Heliotrope Circle between Slauson and Mayflower. We, as voters and concerned members of the community, hereby request that the council not adopt this negative declaration and also to abondon their efforts to vacate this very important street. The negative declaration is flawed and should not be substituted for an environmental impact report.

This negative declaration is flawed because of the following reasons:

(1) It is based on an environmental checklist (Exhibit"B") which is defective because it is not supported by substantial evidence or facts.

- (2) It is based on an environmental checklist which is not completely truthful, the vast majority of the traffic using Heliotrope Circle does so in order to continue south on the Circle and not because of the businesses on the Circle, as this checklist implies.
- (3) It is based on an environmental checklist which at times contadicts itself as well as statements on this negative declaration.
- (4) It is based on an environmental checklist which does not address any of the potentially adverse effects this project may have in the environment.
- (5) It is based on an EIR, prepared in June of 1986, which does not mention or address the vacation of Heliotrope Circle.
- (6) It is based on an EIR which does not include a study of the interesction of Slauson and Mayflower.
- (7) It is based on an EIR which itself is defective because according to our survey the number of vehicles turning right (south) onto King and Heliotrope Avenues, of eastbound Slauson traffic, is incorrect. (Exhibit"D")
- (8) It is based on a Traffic Committee recomendation of a meeting held on Nov.24, 1987. At this committee meeting none of the members were given any evidence or facts on which to base their decision. (Exhibit "C"-minutes of that meeting)

We ask that the council not adopt this flawed negative declaration and also that they follow any and all applicable Government Codes and regulations before proceeding any further on this project. Public Resources Code 21168 requires that a local agency prepare an environmental impact report if there is substantial evidence that a project will have a significant environmental impact whether or not there is evidence to the contrary. According to our survey (Exhibit"D"), between 150 and 175 vehicles will need to be rerouted during peak hours because of this project, this fact alone is sufficient to require an environmental impact report.

Locher January 11, 1988 Page 2

Heliotrope Circle serves as a safe and quick exit from Slauson Avenue and thus helps to relieve the congestion on this very heavily traveled street, Slauson, especially during peak hours. This Circle also helps keep traffic off of our residential streets, streets which are already crowded and are very narrow.

We ask that the council not make another arbritrary decision on this very important issue and also that it not abuse it's descretion by adopting this negative declaration and deciding to vacate Heliotrope Circle without the preparation of an environmental impact report. If the council decides to violate Government Codes by deciding against the best interest of the community, we, the members of the community, will have no other choice but to seek redress in the courts.

Very truly yours,

cc: Los Angeles County Grand Jury

cc: Los Angeles County District Attorney

cc: California State Attorney General

cc: Fair Political Practices Commission cc: U.S. Congressman Matthew Martinez

cc: State Senator Art Torres

cc: Assemblywoman Lucille Royball Allard

#### FROM:

Jen Janie J

Louis Martinez
4654 E. 57th St. Apt. A
Maywood, California 90270
(213) 771-5368

Ronald E. Fick 6046 Vinevale Ave. Maywood, California 90270

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This negative declaration is flawed because of the following reasons:

(1) It is based on an environmental checklist (Exhibit'B") which is defective because it is not supported by substantial evidence or facts.

- (2) It is based on an environmental checklist which is not completely truthful, the vast majority of the traffic using Heliotrope Circle does so in order to continue south on the Circle and not because of the businesses on the Circle, as this checklist implies.
- (3) It is based on an environmental checklist which at times contadicts itself as well as statements on this negative declaration.
- (4) It is based on an environmental checklist which does not address any of the potentially adverse effects this project may have in the environment.
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- (7) It is based on an EIR which itself is defective because according to our survey the number of vehicles turning right (south) onto King and Heliotrope Avenues, of eastbound Slauson traffic, is incorrect. (Exhibit"D")
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Locher January 11, 1988 Page 2

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Very truly yours.

cc: Los Angeles County Grand Jury

cc: Los Angeles County District Attorney

cc: California State Attorney General cc: Fair Political Practices Commission

c: U.S. Congressman Matthew Martinez

cc: State Senator Art Torres

cc: Assemblywoman Lucille Royball Allard



## California Fair Political Practices Commission

January 19, 1988

Louis Martinez 4654 E. 57th St., Apt. A Maywood, CA 90270

Re: 88-034

Dear Mr. Martinez:

Your letter requesting advice under the Political Reform Act was received on January 14, 1988 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact Jeanette Turvill, in the Legal Division, directly at (916) 322-5901.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days if your request seeks formal written advice. If more information is needed, we will contact you shortly to advise you as to the information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Adm. Code Sec. 18329).)

You also should be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

Very truly yours,

Diane M. Griffiths

General Counsel

DMG:plh

Ixhibit "C"

### CITY OF MAYWOOD REGULAR MEETING OF THE MAYWOOD TRAFFIC COMMITTEE

Tuesday, November 24, 1987

6:30 p.m.

#### CALL TO ORDER

ROLL CALL: Members Isabel Dedmore, Ray Smith, Randall Lee, Jennie Tocker and Chairman Quiles. Also present City Engineer Matt Binder.

#### CONSENT ITEMS:

1. To consider closure of Heliotrope Circle from Slauson to Mayflower Avenue.

#### ADJOURNMENT

I, <u>Elizabeth Fasthorse</u>, hereby certify that this agenda was duly posted at the following locations on <u>November 20</u>, 1987, at the times indicated.

4319 E. Slauson Avenue at 2:45 p.m.

4323 E. Slauson Avenue at 3:00 p.m.

4747 E. 56th Street at 3:15 p.m.

Check # 31494 11/24/87 \$5000,00
31567 1/24 \$504.00 Ous Passes

The traffic committee did not have any information or evidence on which to base their decision.

Exhibit "C"

#### November 24, 1987

MEETING OF THE MAYWOOD TRAFFIC COMMITTEE HELD IN THE MAYWOOD CITY HALL, CONFERENCE ROOM, 4319 E. SLAUSON ON THE ABOVE DATE

#### CALL TO ORDER

Meeting was called to order at 6:30 p.m. by the Secretary, Matt Binder.

PRESENT: Isabel Dedmore, Ray Smith, Jennie Tocker, Pat Quiles and Randall Lee. Also present Ron Lindsey, Director of Building & Planing.

Mr. Binder explained that the purpose of the meeting is to consider vacation of a portion of Heliotrope Circle to add the area to the Senior Housing Site at Mayflower.

Mr. Lindsey also explained that at present there is an island at the intersection not serving any real purpose and matters of safety involved when approaching this intersection.

Mr. Binder explained to the committee that the duty of the Traffic Committee is to determine whether the closure of Heliotrope Circle is safe, unsafe and/or appropriate for the Seniors and community at large.

Mrs. Tocker requested that the committee visit the site for those who are not familiar with that area.

Committee adjourned at 6:47 p.m. and reconvened at 7:05 p.m.

Moved by Member Dedmore, seconded by Member Lee

TO RECOMMEND TO THE CITY COUNCIL TO HOLD A PUBLIC HEARING ON DECEMBER 8, 1987 AT 7:30 P.M. AND APPROVE FOR THE VACATION OF HELIOTROPE CIRCLE FROM SLAUSON AVENUE TO MAYFLOWER

All members voted unanimously.

Hearing no further business, meeting was adjourned at 7:07 p.m.

SECRETARY

#### SURVEY - EXHIBIT "D"

```
Saturday November 21, 1987 12:05 P.M. - 1:05 P.M. (60 minutes)
     125 vehicles used Heliotrope Circle beginning at Slauson Avenue.
         November 22, 1987 12:20 P.M. - 1:40 P.M. (80 minutes)
Sunday
     111 vehicles used Heliotrope Circle beginning at Slauson Avenue.
                                         to gain access to Roy"s Liquor Store.
       4 vehicles used
         November 23, 1987 4:25 P.M. - 4:45 P.M. (20 minutes)
      47 vehicles used Heliotrope Circle beginning at Slauson Avenue.
       6 vehicles used
                                        to gain access to Roy's Liquor Store.
Tuesday November 24, 1987 5:12 P.M. - 5:32 P.M. (20 minutes)
      62 vehicles used Heliotrope Circle beginning at Slauson Avenue.
       4 vehicles used
                                         to gain access to Roy's Liquor Store.
Wednesday November 25, 1987 4:20 P.M. - 4:50 P.M. (30 minutes)
      83 vehicles used Heliotrope Circle beginning at Slauson Avenue.
                                         to gain access to Roy's Liquor Store.
      10 vehicles used
         December 18, 1987 2:15 P.M. - 2:30 P.M. (15 minutes)
      24 vehicles used Heliotrope Circle beginning at Slauson Avenue.
         December 21, 1987 3:20 P.M. - 4:35 P.M. (75 minutes)
      36 vehicles used Heliotrope Circle beginning at Slauson Ave. (3:20-3:35P.M.-15min.)
                                                                    (3:35-3:50P.M.-15min.)
      40
             11
                   11
                                    **
      54
                                                                    (3:50-4:05P.M.-15min.)
                   11
                           11
                                    * *
                                             * *
             11
                                                   **
                                                               **
                                                                    (4:05-4:20P.M.-15min.)
      44
                           11
                                                                    (4:20-4:35P.M.-15min.)
Wednesday January 6, 1988 3:35 P.M. - 4:10 P.M. (35 minutes)
      88 vehicles used Heliotrope Circle beginning at Slauson Avenue.
                                         to gain access to Roy's Liquor Store.
       2
                                         to gain access to the ARCO station.
Thursday January 7, 1988 4:25 P.M. - 5:10 P.M. (45 minutes)
     117 vehicles used Heliotrope Circle beginning at Slauson Avenue.
                                         to gain access to Roy's Liquor Store.
       1
                                         to gain access to the ARCO station.
      18 vehicles, southbound on Mayflower Ave., crossed Slauson Avenue.
      16 vehicles, westbound on Slauson Ave., turned south onto Mayflower Avenue.
Thursday January 7, 1988 4:05 P.M. - 4:45 P.M. (40 minutes)
     142 vehicles, of the eastbound Slauson traffic, turned south onto Atlantic.
Thursday January 7, 1988 4:05 P.M. - 4:55 P.M. (50 minutes)
      28 vehicles, of eastbound Slauson traffic, turned south onto King Avenue.
Thursday January 7, 1988 4:08 P.M. - 5:10 P.M. (62 minutes)
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17 vehicles, of eastbound Slauson traffic, turned south onto Heliotrope Avenue.

#### SURVEY - EXHIBIT "D"

- Friday January 8, 1988 2:40 P.M. 3:10 P.M. (30 minutes) 22 vehicles, of eastbound Slauson traffic turned right (south) on to King Ave.
- Friday January 8, 1988 2:40 P.M. 3:10 P.M. (30 minutes)
  - 56 vehicles used Heliotrope Circle beginning at Slauson Avenue.
  - 9 vehicles used to gain access to Roy's Liquor Store. \*\*
  - 11 1 vehicle used to gain access to the ARCO station.
- Friday January 8, 1988 2:40 P.M. 3:10 P.M. (30 minutes)
  - 9 vehicles, of east bound Slauson traffic turned right (south) onto Heliotrope
  - 10 vehicles, of westbound Slauson traffic turned left (south) onto Heliotrope Avenue.
  - 16 vehicles, of southbound Heliotrope traffic continued south across Slauson.
  - 39 vehicles used Heliotrope Ave. in the northbound direction.
- Friday January 8, 1988 2:40 P.M. 3:10 P.M. (30 minutes)
  - 6 vehicles, of eastbound Slauson traffic turned right (south) onto Woodlawn
  - 12 vehicles, of westbound Slauson traffic turned left (south) onto Woodlawn Ave.
  - 5 vehicles, of southbound Woodlawn traffic continued south across Slauson.