



# Minutes

## Lakewood City Council

Regular Meeting held  
April 22, 2003

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**MEETING WAS CALLED TO ORDER** at 7:30 p.m. by Mayor Esquivel in the Council Chambers at the Civic Center, 5000 Clark Avenue, Lakewood, California.

**INVOCATION** was offered by Reverend Bill Cox, Emmanuel Church of Lakewood

**PLEDGE OF ALLEGIANCE** was led by Mayor Joseph Esquivel

**ROLL CALL: PRESENT:** Mayor Joseph Esquivel  
Vice Mayor Todd Rogers  
Council Member Wayne Piercy  
Council Member Larry Van Nostran  
Council Member Robert Wagner

**ANNOUNCEMENTS AND PRESENTATIONS:**

Mayor Esquivel invited Lakewood residents to come out to the Lakewood Center Mall on Saturday, May 3rd for a fireworks show celebrating Lakewood Center's 50th anniversary and kicking off the City's 49 and Counting anniversary program.

**ROUTINE ITEMS:**

Council Member Wagner requested that Routine Item 13 be considered separately.

COUNCIL MEMBER VAN NOSTRAN MOVED AND VICE MAYOR ROGERS SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 12.

RI-1 Approval of Minutes of the Meeting held March 18, 2003

RI-2 Approval of Personnel Transactions

RI-3 Approval of Registers of Demands dated April 3, and April 10, 2003

RI-4 RESOLUTION NO. 2003-17; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD PROHIBITING THE PARKING OR STANDING OF VEHICLES BETWEEN 10 A.M. AND 3 P.M. ON WEDNESDAY OF EACH WEEK FOR STREET SWEEPING PURPOSES ON BOTH SIDES OF YEARLING AVENUE BETWEEN EBERLE STREET AND THE NORTHERLY CUL-DE-SAC

RI-5 Approval of Public Fireworks Display for May 3, 2003

**ROUTINE ITEMS:** Continued

RI-6 RESOLUTION NO. 2003-18; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ESTABLISHING A PHYSICALLY HANDICAPPED PERSONS DESIGNATED PARKING SPACE ON THE EAST SIDE OF OLIVA AVENUE WITHIN THE CITY OF LAKEWOOD

RESOLUTION NO. 2003-19; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ESTABLISHING A PHYSICALLY HANDICAPPED PERSONS DESIGNATED PARKING SPACE ON THE WEST SIDE OF PIONEER BOULEVARD WITHIN THE CITY OF LAKEWOOD

RI-7 RESOLUTION NO. 2003-20; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE ROBERTI-Z'BERG'HARRIS URBAN OPEN SPACE AND RECREATION PROGRAM UNDER THE SAFE NEIGHBORHOOD PARKS, CLEAN WATER, CLEAN AIR, AND COASTAL PROTECTION BOND ACT OF 2000

RI-8 RESOLUTION NO. 2003-21; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT GRANT PROGRAM FOR RESIDUAL PER PARCEL DISCRETIONARY FUNDING FOR MAE BOYAR PARK IMPROVEMENT PROJECT

RI-9 Acceptance of Notice of Completion for Public Works Project No. 02-6; ADA Curb Ramps; Kalban, Inc.

RI-10 Approval of Monthly Report of Investment Transactions

RI-11 Approval of Quarterly Schedule of Investments

RI-12 Approval of Proposal for Engineering Services - Transit Stop Enhancement Project

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel

NAYS: COUNCIL MEMBERS: None

RI-13 Amendment to Agreement with Charles Walton & Associates for Lakewood Sheriff Station Addition/Remodel Project

Council Member Wagner asked for a brief report from staff.

**ROUTINE ITEMS:** Continued

Public Works Director Lisa Rapp stated staff was recommending that the existing agreement with Charles Walton & Associates for preliminary design of the Lakewood Sheriff's Station be amended to allow them to proceed to the next phase of the project. The proposed phase would include refined estimates of probable construction costs and preliminary plans for a new service garage. She advised that the plans would provide for construction of the service garage first, and that although a parking structure had not been included in the project at this time, it could be added later if found necessary. It was the recommendation of staff that the City Council approve an amendment to the agreement with Charles Walton & Associates, A.I.A., Inc., and appropriate \$95,000 to cover the costs of the additional work.

COUNCIL MEMBER WAGNER MOVED AND COUNCIL MEMBER VAN NOSTRAN SECONDED TO APPROVE STAFF'S RECOMMENDATION. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel

NAYS: COUNCIL MEMBERS: None

**1.1 • VACATION OF PUBLIC ALLEY WEST OF HAYTER AVENUE BETWEEN DEL AMO BOULEVARD AND HARDWICK STREET**

The Director of Public Works displayed slides and gave a brief oral presentation based on the memorandum contained in the agenda stating that a request had been received from the owner of the Lakewood Manor Apartments on Hayter Avenue to consider vacating the alley to the west. She noted that the vacation would not affect the alley use by the individual parcels at each end of the street. She advised that currently, the 25-foot wide alley served more as a private driveway for the apartments and that vacating the alley would provide the opportunity to reconfigure the area to provide additional, much needed, parking spaces. She stated that the vacation of the alley would be contingent on the apartment complex owners completing the agreed upon improvements within one year of the adoption of the vacation. Following a full analysis by staff, Sheriff and Fire Department representatives, affected utilities and the Planning and Environment Commission, it was the recommendation of staff that the City Council approve a resolution ordering the vacation of the alley west of Hayter Avenue, between Del Amo Boulevard and Hardwick Streets and reserving certain easements for public utility purposes; direct the recordation of said resolution with the Los Angeles County Recorder; and direct staff to provide affected utility companies with a copy of said resolution.

RESOLUTION NO. 2003-22; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD VACATING THE ALLEY WEST OF HAYTER AVENUE BETWEEN DEL AMO BOULEVARD AND HARDWICK STREET WITHIN THE CITY OF LAKEWOOD, CALIFORNIA, AND AS MORE PARTICULARLY DESCRIBED IN SAID RESOLUTION, AND SHOWN ON MAP ATTACHED HERETO

**1.1 • VACATION OF PUBLIC ALLEY WEST OF HAYTER AVENUE BETWEEN DEL AMO BOULEVARD AND HARDWICK STREET - Continued**

Responding to a question from Council Member Piercy, Community Development Director Chuck Ebner stated that the owner would create more parking spaces by taking down the existing car ports and reconfiguring the parking. Mr. Ebner confirmed that the plan had been reviewed by the Planning and Environment Commission and the Development Review Board.

Mayor Esquivel opened the public hearing at 7:42 p.m. and called for anyone in the audience wishing to address the City Council on this matter.

Robert Fleming asked if the alley vacation would affect the wall along his property of the trash collection area. Mr. Ebner responded by stating that the vacation would have no negative impacts on Mr. Fleming's property.

Ms. Rapp also responded to a question from Mr. Fleming by stating that the City did not own the subject property, but merely had an easement.

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER WAGNER SECONDED TO CLOSE THE PUBLIC HEARING. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel

NAYS: COUNCIL MEMBERS: None

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER PIERCY SECONDED TO ADOPT RESOLUTION NO. 2003-22. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel

NAYS: COUNCIL MEMBERS: None

**1.2 • CERTIFICATION OF FAIR HOUSING STUDY**

The Director of Community Development displayed slides and gave a brief oral presentation based on the memorandum contained in the agenda stating that all recipients of Community Development Block Grant funds were required to conduct an Analysis of Impediments to Fair Housing Choice (AI) within their jurisdiction. He advised that Cotton/Bridges/Associates (CBA) had been retained to conduct the AI, which had been completed in March, 2003. He reviewed the major findings and the recommendations to further fair housing choice in the City and noted several minor changes in the text of the report. It was the recommendation of staff that following a public hearing, the City Council authorize the Mayor to certify the Analysis of Impediments and direct staff to submit a certified copy to HUD.

**1.2 • CERTIFICATION OF FAIR HOUSING STUDY - Continued**

Vice Mayor Rogers stated he was in support of the recommended changes in the text of the draft report, since some of the data seemed to be inconclusive and without taking the analysis further, the language needed to be reflective of the unconfirmed nature of the findings.

Derek Burnham, representing CBA, stated that more extensive data needed to analyze loan approval trends was just not available in certain areas such as credit or employment history and that such missing data could affect approval rates for individuals with comparable income levels.

Council Member Piercy noted the City Council's commitment to fair housing for all and that almost all of the recommendations were to continue existing programs. He asked for clarification on the recommendation to adopt an ordinance pertaining to density bonuses. Mr. Burnham responded by stating that housing density bonus regulations were contained in State law and that although it was legally acceptable for the City to defer to State law in that matter, the State Department of Housing and Community Development wanted the City to adopt a local law which would restate provisions for housing density bonuses. Mr. Burnham confirmed that Lakewood had an outstanding program in place and had few of the problems experienced by other cities.

Council Member Wagner questioned the combining of racial groups into White/Asian and Black/Hispanic which seemed inconsistent with the data contained in the tables. Mr. Burnham stated that since White and Asian households had a similar overall approval rate, as did the Black/Hispanic households, and their income levels were similar at the County level, the groups had been combined to provide for a larger sample size on which to base statistical analysis. Mr. Burnham agreed with Council Member Wagner that the tables did not completely reflect the manner in which the analysis had been conducted since the number of applications for certain racial groups was too small to be analyzed individually.

Mayor Esquivel opened the public hearing at 8:03 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER WAGNER SECONDED TO CLOSE THE PUBLIC HEARING. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel

NAYS: COUNCIL MEMBERS: None

VICE MAYOR ROGERS MOVED AND COUNCIL MEMBER PIERCY SECONDED TO APPROVE THE REPORT AS AMENDED. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel

NAYS: COUNCIL MEMBERS: None

### **1.3 • AWARD OF BID FOR PURCHASING BID 03-1; EMERGENCY GENERATOR SYSTEM**

Director of Finance, Larry Schroeder, gave a brief oral presentation based on the memorandum contained in the agenda and reported bids had been solicited for the purchase of an emergency generator system which would be used to power the City's water well sites in the event of a power outage. He stated that three bids had been received and that the low bidder, Cummins Cal Pacific, had successfully met the product specifications. It was the recommendation of staff that the City Council award the bid for Purchasing Bid 03-1 to Cummins Cal Pacific in the amount of \$38,200.34.

Responding to questions from Council Member Van Nostran, Water Resources Director Jim Glancy stated the generator would be trailer mounted so that it could be used to service four different well sites. Mr. Glancy also noted that the second phase of this project would be to install connection hardware at the four well sites.

Mayor Esquivel opened the public hearing at 8:08 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

VICE MAYOR ROGERS MOVED AND COUNCIL MEMBER PIERCY SECONDED TO CLOSE THE PUBLIC HEARING AND APPROVE STAFF'S RECOMMENDATION. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel

NAYS: COUNCIL MEMBERS: None

### **2.1 • APPOINTMENTS TO CITY COMMISSIONS**

Mayor Esquivel announced that appointments would be made to the City's three commissions.

#### **PLANNING AND ENVIRONMENT COMMISSION**

Diane DuBois by Mayor Esquivel

Ron Wade by Council Member Piercy

Steve Croft by Vice Mayor Rogers

Marc Titel by Council Member Van Nostran

Joy Janes by Council Member Wagner

#### **COMMUNITY SAFETY COMMISSION**

Lynda Carter by Mayor Esquivel

Herb Axup by Council Member Piercy

Vicki Stuckey by Vice Mayor Rogers

Chuck Haynes by Council Member Van Nostran

Andrea Hutchinson by Council Member Wagner

**2.1 • APPOINTMENTS TO CITY COMMISSIONS - Continued**  
**RECREATION AND COMMUNITY SERVICES COMMISSION**

Jeff Wood by Mayor Esquivel

Kirk Real by Council Member Piercy

Steven Richard by Vice Mayor Rogers

Nancy Piazza by Council Member Van Nostran

Council Member Wagner announced that he would be looking for a new Recreation and Community Services commissioner and encouraged all interested Lakewood residents to apply.

RESOLUTION NO. 2003-23; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD APPOINTING MEMBERS OF THE VARIOUS COMMISSIONS OF THE CITY OF LAKEWOOD

COUNCIL MEMBER VAN NOSTRAN MOVED AND VICE MAYOR ROGERS SECONDED TO ADOPT RESOLUTION NO. 2003-23. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel

NAYS: COUNCIL MEMBERS: None

**3.1 • APPOINTMENTS TO GOVERNMENTAL ASSOCIATIONS, ORGANIZATIONS & COMMITTEES**

Mayor Esquivel presented his proposed appointments to the governmental associations, organizations and committees on which Council Members are needed to serve.

California Contract Cities  
Association

Esquivel - Representative      Piercy - Alternate

California Joint Powers  
Insurance Authority

Van Nostran - Representative      Esquivel - Alternate

Consolidated Youth Services Network  
Policy Board  
Advisory Board

Rogers - Representative      Piercy - Alternate  
Carol Flynn Jacoby (Admin.)

So. Calif. Association of Governments (SCAG)  
General Assembly

Rogers - Representative

Gateway Cities COG Board

Piercy - Representative      Van Nostran - Alternate

Greater Los Angeles County  
Vector Control District

Esquivel - Representative

**3.1 • APPOINTMENTS TO GOVERNMENTAL ASSOCIATIONS, ORGANIZATIONS & COMMITTEES - Continued**

Job Training Partnership Act	Wagner - Policy Board Pam Hyland - Advisory Board	
League of California Cities		
L.A. County Division	Wagner - Representative	Esquivel - Alternate
City Selection Committee	Wagner - Representative	Esquivel - Alternate
Annual League Conference	Esquivel - Representative	Piercy - Alternate
L.A. County Sanitation		
District #3 & #19	Esquivel - Representative	Rogers - Alternate
Southeast Water Coalition	Rogers - Representative	Wagner - Alternate
<b>STANDING COMMITTEES</b>		
Intergovernmental Relations	Esquivel - Chair	Rogers - Member
Solid Waste Management	Esquivel - Chair	Piercy - Member
Public Safety	Rogers - Chair	Van Nostran - Member
Park Development/Community Services	Wagner - Chair	Esquivel - Member
Water Resources	Van Nostran - Chair	Wagner - Member
Community Promotion	Piercy - Chair	Rogers - Member

COUNCIL MEMBER PIERCY MOVED AND VICE MAYOR ROGERS SECONDED TO APPROVE THE ORGANIZATIONAL APPOINTMENTS AS PRESENTED.

Council Member Wagner raised the issue of ad hoc committees, pointing out that two ad hoc committees had been formed in 2001 and dropped from the list in 2002, even though they had not completed their task. He stated that for one of them, the library funding committee which had been formed to seek outside funding for a computerized learning center for the Jacoboni Library, their task had disappeared since there was a library funding shortage that was likely to get worse. He further stated that he would like to see a new library ad hoc committee that would monitor County Library budget cuts and make sure that Lakewood, whose residents support the Library District with special community facilities district funding, was not treated unjustly.

COUNCIL MEMBER WAGNER MOVED AND VICE MAYOR ROGERS SECONDED TO APPOINT A NEW AD HOC COMMITTEE ON LIBRARY FUNDING.

**3.1 • APPOINTMENTS TO GOVERNMENTAL ASSOCIATIONS, ORGANIZATIONS & COMMITTEES** - Continued

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel

NAYS: COUNCIL MEMBERS: None

Mayor Esquivel asked Council Member Piercy if he would be available to serve on the new ad hoc committee with Council Member Wagner. Council Member Piercy expressed his willingness to serve.

Council Member Wagner also noted that the record still indicated that there was an ad hoc committee to address the NPDES permit issue and that since, due to the seriousness of the issue, all presentations on the matter had been presented to the City Council as a whole, the ad hoc committee should be eliminated.

COUNCIL MEMBER PIERCY MOVED AND VICE MAYOR ROGERS SECONDED TO ELIMINATE THE NPDES PERMIT AD HOC COMMITTEE. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel

NAYS: COUNCIL MEMBERS: None

Council Member Wagner further noted that an additional ad hoc committee had been formed in 2001, and although it had been dropped in 2002 since there had been no meetings, he felt the Council Committee/City Manager Relations issue still needed to be addressed.

Council Member Piercy stated that relationships with the City Manager had traditionally been dealt with by the City Council as a whole and that he felt it was an inappropriate subject for an ad hoc committee.

Vice Mayor Rogers also expressed the opinion that the matter would best be dealt with by the Council as a whole.

Council Member Wagner stated that clarification of the ad hoc committee's purpose was needed. He stated that his intent at the time the ad hoc committee was formed was to have a committee that would set down some rules and objectives for committees and would outline the City Manager's responsibilities in regard to Council committees.

City Attorney John S. Todd briefly reviewed the distinctions between Standing and Ad Hoc Committees, particularly the legal significance under the Ralph M. Brown Act.

Vice Mayor Rogers stated he could support such a review only if it were to be considered by the entire City Council, at a meeting adjourned for that purpose.

**3.1 • APPOINTMENTS TO GOVERNMENTAL ASSOCIATIONS, ORGANIZATIONS & COMMITTEES - Continued**

VICE MAYOR ROGERS MOVED AND COUNCIL MEMBER PIERCY SECONDED TO REFER THE MATTER OF COMMITTEE POLICIES AND PROCEDURES TO STAFF IN PREPARATION FOR A STUDY SESSION AT AN ADJOURNED MEETING. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel

NAYS: COUNCIL MEMBERS: None

VICE MAYOR ROGERS MOVED AND COUNCIL MEMBER PIERCY SECONDED TO APPROVE THE ORGANIZATIONAL APPOINTMENTS AS AMENDED. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel

NAYS: COUNCIL MEMBERS: None

**3.2 • REQUEST TO ALLOW THE PLACEMENT OF YELLOW RIBBONS ON TREES WITHIN THE CITY RIGHT-OF-WAY**

The City Attorney advised that a resident had requested permission from the City Council to place yellow ribbons on trees with the City's right-of-way. He advised that there were several issues involved such as who would be providing the ribbons, maintenance and removal of the ribbons. He stated that he found the possibility of liability to be very remote in this instance and that it was a matter that could be handled at the discretion of the City Council.

Council Member Wagner asked how the ribbons would be attached, noting that it was dangerous to the trees to use nails or staples. Ms. Rapp responded by stating that staff would meet with the requestor to clarify all of the specifics before any ribbons went up.

COUNCIL MEMBER WAGNER MOVED AND COUNCIL MEMBER VAN NOSTRAN SECONDED TO APPROVE THE REQUEST FOR THE PLACEMENT OF YELLOW RIBBONS CONTINGENT UPON THE RESIDENT MEETING WITH STAFF. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel

NAYS: COUNCIL MEMBERS: None

**3.3 • ENGINEERING SERVICES - SEWER SYSTEM MASTER PLAN**

The Director of Public Works gave a brief oral presentation based on the memorandum contained in the agenda and reported that the Lakewood sewer system, now over 50 years old, had experienced some capacity problems and that it was necessary to prepare a Sewer System Master Plan to identify areas within the system where capacity and maintenance issues existed or could be expected to develop. She advised that a proposal had been submitted by Willdan, with whom the City had a current agreement for engineering services. Under the proposal, they would fully research data on our system; provide a recommended capital improvement program; and prepare a final report documenting the results. The proposal also provided for video taping portions of the system, if necessary. She noted that there was sufficient funding available for this project in the Sewer Reconstruction Fund. It was the recommendation of staff that the City Council authorize Willdan to prepare a Sewer System Master Plan in an amount not to exceed \$78,000, and appropriate \$78,000 from the Sewer Reconstruction Fund for the project.

VICE MAYOR ROGERS MOVED AND COUNCIL MEMBER PIERCY SECONDED TO APPROVE STAFF'S RECOMMENDATION. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel

NAYS: COUNCIL MEMBERS: None

At 8:36 p.m., the Regular Meeting of the City Council was recessed for the Meeting of the Lakewood Redevelopment Agency. At 8:37 p.m., the City Council Meeting was reconvened.

**ORAL COMMUNICATIONS:** None

**ADJOURNMENT**

There being no further business to be brought before the City Council, Mayor Esquivel adjourned the meeting at 8:38 p.m. to 6 p.m. on April 29, 2003, in the Executive Board Room.

Respectfully submitted,

Denise R. Hayward, CMC  
City Clerk