



Minutes

Lakewood City Council

Regular Meeting held
July 22, 2003

MEETING WAS CALLED TO ORDER at 7:32 p.m. by Mayor Esquivel in the Council Chambers at the Civic Center, 5000 Clark Avenue, Lakewood, California.

INVOCATION was offered by Council Member Wayne E. Piercy

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 expressed thanks to Congresswoman Linda Sanchez who had successfully passed the first obstacle in having Federal funds earmarked for improvements to the Lakewood Sheriff's Station.

ROUTINE ITEMS:

COUNCIL MEMBER PIERCY MOVED AND VICE MAYOR ROGERS SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 15.

- RI-1 Approval of Minutes of the Meetings held June 14, June 24, and July 8, 2003
- RI-2 Approval of Personnel Transactions
- RI-3 Approval of Registers of Demands dated June 19, June 26, June 30, July 1, July 3, and July 10, 2003
- RI-4 Approval of Monthly Report of Investment Transactions
- RI-5 Approval of Quarterly Schedule of Investments
- RI-6 RESOLUTION NO. 2003-51; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING THE DESTRUCTION OF CERTAIN PUBLIC RECORDS OF THE DEPARTMENT OF ADMINISTRATION MORE THAN TWO YEARS OLD

ROUTINE ITEMS: Continued

RI-6 RESOLUTION NO. 2003-52; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING THE DESTRUCTION OF CERTAIN PUBLIC RECORDS OF THE DEPARTMENT OF ADMINISTRATION MORE THAN TWO YEARS OLD

RESOLUTION NO. 2003-53; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING THE DESTRUCTION OF CERTAIN PUBLIC RECORDS OF THE DEPARTMENT OF CITY CLERK MORE THAN TWO YEARS OLD

RESOLUTION NO. 2003-54; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING THE DESTRUCTION OF CERTAIN PUBLIC RECORDS OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT MORE THAN THREE YEARS OLD

RESOLUTION NO. 2003-55; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING THE DESTRUCTION OF CERTAIN PUBLIC RECORDS OF THE DEPARTMENT OF FINANCE MORE THAN TWO YEARS OLD

RESOLUTION NO. 2003-56; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING THE DESTRUCTION OF CERTAIN PUBLIC RECORDS OF THE DEPARTMENT OF PERSONNEL MORE THAN TWO YEARS OLD

RESOLUTION NO. 2003-57; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING THE DESTRUCTION OF CERTAIN PUBLIC RECORDS OF THE DEPARTMENT OF RECREATION AND COMMUNITY SERVICES MORE THAN TWO YEARS OLD

RI-7 RESOLUTION NO. 2003-58; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING RESOLUTION NO. 92-36 PERTAINING TO THE LOW-INCOME EXEMPTION OF THE UTILITY USERS TAX

RI-8 Approval of Amendment to Water Main Replacement Project Engineering Agreement with Tetra Tech, Inc.

RI-9 RESOLUTION NO. 2003-59; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ESTABLISHING A RETENTION PERIOD FOR ELECTRONIC MESSAGES

RI-10 Acceptance of Notice of Completion for Public Works Contract 03-2, Biscailuz Park Picnic Shelter Re-roofing Project, Prime Waterproofing Associates

ROUTINE ITEMS: Continued

RI-11 RESOLUTION NO. 2003-60; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ESTABLISHING A PHYSICALLY HANDICAPPED PERSONS DESIGNATED PARKING SPACE ON THE SOUTH SIDE OF 207TH STREET WITHIN THE CITY OF LAKEWOOD

RI-12 RESOLUTION NO. 2003-61; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD PROHIBITING THE STOPPING, STANDING OR PARKING OF VEHICLES ON THE EAST AND WEST SIDE OF WOODRUFF AVENUE EAST SERVICE ROAD BETWEEN CAMERINO STREET AND THE NORTHERLY PRIVATE ROAD WITHIN THE CITY OF LAKEWOOD

RI-13 Approval of Reduction of Retention for Public Works Project No. 02-1, Major Street Rehab & Landscape Pioneer Boulevard

RI-14 RESOLUTION NO. 2003-62; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ADOPTING FEES FOR DOCUMENT IMAGING PERTAINING TO ALL BUILDING PERMITS EXCEPT SINGLE FAMILY RESIDENTIAL

RESOLUTION NO. 2003-63; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ADOPTING A FEE FOR THE COST OF PREPARING AND AMENDING THE GENERAL PLAN

RI-15 Acceptance of Notice of Completion for Public Works Contract 02-5, West San Gabriel River Open Space Project, Los Angeles Engineering

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.1 • REPORT OF DELINQUENT FEES FOR GARBAGE, WASTE AND REFUSE COLLECTION AND DISPOSAL

Larry Schroeder, Director of Finance, gave a brief oral presentation based on the memorandum contained in the agenda packet and stated that pursuant to Section 3500 of the Lakewood Municipal Code, the City Council had adopted a resolution in May directing the preparation of a Report of Delinquent Fees as of May 31, 2003. He stated that 299 notices had been mailed and although some payments had been made, at the close of the day's business, 209 accounts remained unpaid. He concluded by recommending the City Council adopt Resolution No. 2003-64, confirming the Report of Delinquent Fees.

1.1 • REPORT OF DELINQUENT FEES FOR GARBAGE, WASTE AND REFUSE COLLECTION AND DISPOSAL - Continued

RESOLUTION NO. 2003-64; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD CONFIRMING THE REPORT OF DELINQUENT FEES AND CHARGES FOR GARBAGE, WASTE, AND REFUSE COLLECTION AND DISPOSAL WITHIN THE CITY OF LAKEWOOD, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, MAY 31, 2003

Mayor Esquivel opened the public hearing at 7:37 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

COUNCIL MEMBER WAGNER MOVED AND COUNCIL MEMBER VAN NOSTRAN SECONDED TO CLOSE THE PUBLIC HEARING AND ADOPT RESOLUTION NO. 2003-64. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

2.1 •ADJUSTMENT TO FEES FOR BUILDING AND SAFETY PERMITS

The Community Development Director, Chuck Ebner, gave a brief oral presentation based on the memorandum contained in the agenda packet and stated that since fees for building inspections, permits and plan check services had not increased since 1995, the City Council, at a previous budget session, had directed staff to prepare a resolution which would adjust the present fee schedule by nine percent to close the gap between revenues and program expenses. He noted that even with the increase, Lakewood would continue to have one of the lowest fee schedules in the area. It was the recommendation of staff that the City Council adopt Resolution No. 2003-65.

RESOLUTION NO. 2003-65; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ADOPTING PERMIT FEES UNDER THE UNIFORM BUILDING, PLUMBING, ELECTRICAL AND MECHANICAL CODES

COUNCIL MEMBER WAGNER MOVED AND COUNCIL MEMBER PIERCY SECONDED TO APPROVE STAFF'S RECOMMENDATION AND ADOPT RESOLUTION NO. 2003-65. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

2.2 • COLLECTION OF NUISANCE ABATEMENT COSTS AGAINST BRENDA COURT

The Director of Community Development displayed slides and gave a brief oral presentation based on the memorandum contained in the agenda packet. He stated the City had received complaints through the Los Angeles County Fire Department regarding accumulated junk, trash, and debris in and around the property located at Brenda Court. When, after numerous contacts, the property owner failed to clean the property, an Abatement/Inspection Warrant was issued by the courts on April 10, 2003. Staff worked with several contractors to have the abatement work done and the property owner was notified on June 9, 2003, of the costs which were to be reimbursed to the City. Since the property owner had failed to reimburse the City for the abatement costs, a resolution had been prepared which would cause the abatement costs to be assessed as a lien against the property. It was the recommendation of staff that the City Council adopt the proposed resolution to authorize the recovery of abatement costs through an assessed lien against the property located at Brenda Court.

RESOLUTION NO. 2003-66; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ORDERING THE COSTS OF ABATEMENT TO BE A SPECIALLY ASSESSED LIEN AGAINST THE PARCEL OF LAND COMMONLY KNOWN AS BRENDA COURT, LAKEWOOD, CALIFORNIA

Thomas Richetti requested a two-month extension on the lien, stating that he was in the process of refinancing the loan on his property and would be able to pay the abatement costs at the conclusion of the process.

City Attorney John Todd advised that it would not be a problem to wait for the next assessment roll and that there was a recorded Order of Abatement which would appear if the property were to be sold in the interim. He concluded by stating he had no objection to continuing the assessment lien for a period of two months.

VICE MAYOR ROGERS MOVED AND COUNCIL MEMBER PIERCY SECONDED TO CONTINUE CONSIDERATION OF THE ASSESSMENT LIEN AGAINST BRENDA COURT TO THE SECOND REGULARLY SCHEDULED CITY COUNCIL MEETING IN SEPTEMBER. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

2.3 • PROHIBITING OVERNIGHT PARKING IN CITY-OWNED OR OPERATED OFF-STREET PARKING FACILITIES

Director of Public Works, Lisa Rapp, gave a brief oral presentation based on the memorandum contained in the agenda packet and reported that although the Lakewood Municipal Code contained a provision which prohibited a person from remaining on any park facility after 11:00 p.m., the provision did not cover the parking areas of City facilities. In order to improve safety and security at City-owned or operated off-street parking facilities, an ordinance had been prepared by the City Attorney which would prohibit any overnight parking. Staff was proposing that once adopted, the restrictions be posted at Bloomfield, Boyar, Mayfair, Palms and Rynerson parks and at the Burns Community Center. It was the recommendation of staff that the City Council introduce the proposed ordinance to prohibit parking at City-owned or operated facilities between the hours of 11:00 p.m. and 5:00 a.m., when so posted.

ORDINANCE NO. 2003-7; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD PROHIBITING THE PARKING OF ANY VEHICLE ON OR WITHIN ANY CITY-OWNED OFF-STREET PARKING FACILITIES BETWEEN THE HOURS OF 11:00 P.M. AND 5:00 A.M. WHERE POSTED

Nick Monroy stated that as a property owner abutting the Burns Community Center, he was in favor of the ordinance as a means to reduce night time noise.

Ms. Rapp confirmed for Council Member Piercy that it would include all vehicles, not only those that were occupied.

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER WAGNER SECONDED TO INTRODUCE ORDINANCE NO. 2003-7. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

2.4 • APPOINTMENT TO THE RECREATION AND COMMUNITY SERVICES COMMISSION

Council Member Wagner stated that he was please to nominate Benjamin Delarosa to fill the vacancy on the Recreation and Community Services Commission. He noted that Mr. Delarosa was a resident of the eastern portion of the City and was very active in the community.

RESOLUTION NO. 2003-67; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD APPOINTING BENJAMIN DELAROSA TO THE RECREATION AND COMMUNITY SERVICES COMMISSION

2.4 • APPOINTMENT TO THE RECREATION AND COMMUNITY SERVICES COMMISSION - Continued

COUNCIL MEMBER WAGNER MOVED AND COUNCIL MEMBER PIERCY SECONDED TO ADOPT RESOLUTION NO. 2003-67, APPOINTING BENJAMIN DELAROSA TO THE RECREATION AND COMMUNITY SERVICES COMMISSION.

Benjamin Delarosa thanked Council Member Wagner for the opportunity to serve on the commission.

Council Member Wagner stated that he had received seven applications for the commission seat and that it had been very difficult to make a choice. He expressed appreciation for the many residents interested in giving back to the community.

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

3.1 • GATEWAY CITIES AND PORT OF LONG BEACH CLEAN AIR PROGRAM

Council Member Wayne Piercy gave a brief oral presentation based on the memorandum contained in the agenda packet and advised he represented the City at the Gateway Cities Council of Governments, a 27 city organization dedicated to working together to address regional issues. He reported that Gateway Cities had partnered with the Port of Long Beach to begin two Clean Air Programs. One program seeks to reduce emissions from heavy-duty trucks in the Gateway Cities subregion and around the ports of Long Beach and Los Angeles by providing grants for the replacement of 1983 and older heavy-duty trucks. And the other program targets equipment operated by the Port terminals for retrofit. The programs were funded by grants from the California Air Resources Board, the U.S. Environmental Protection Agency and the Port of Long Beach and would significantly reduce mobile source air emissions, improving air quality.

Council Member Van Nostran inquired about the procedure for the vehicle replacement program. Council Member Piercy responded that Gateway Cities had a contractor to help grantees find appropriate replacement vehicles and that steps were built into the process to ensure that the old vehicles did not get back onto the road.

3.2 • JOINT PROJECT WITH THE CITY OF CERRITOS FOR IMPROVEMENT OF VACANT LOT LOCATED AT WINKLER AVENUE/DEL AMO BOULEVARD

The Director of Public Works gave a brief oral presentation based on the memorandum contained in the agenda packet and stated staff had been working with the City of Cerritos to develop a plan to landscape a small, vacant lot on the southeast corner of Del Amo Boulevard and Winkler Avenue, partially in each city. An agreement had been reached to equally split the cost of clearing dirt piles and installing landscaping and irrigation between the two cities. It was the recommendation of staff that the City Council authorize reimbursement to the City of Cerritos for up to 50 percent of project costs, not to exceed \$10,000, and an appropriation from the General Fund for the project.

COUNCIL MEMBER VAN NOSTRAN MOVED AND VICE MAYOR ROGERS SECONDED TO APPROVE STAFF'S RECOMMENDATION.

Vice Mayor Rogers inquired about the maintenance of the site. Ms. Rapp responded by stating that the City of Cerritos would maintain the landscaping and the City of Lakewood would supply the water for irrigation.

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

Water Resources Director Jim Glancy responded to a question from Council Member Van Nostran by stating that the City's reclaimed water system only extended as far east as Bloomfield Park and Artesia High School.

3.3 • STATUS REPORT ON NYE LIBRARY

The Director of Recreation and Community Services, Joan Biegel, gave a brief oral presentation based on the memorandum contained in the agenda packet and reported that the City had been notified by the County Librarian that as part of their plan to address funding reductions, the Nye Library in Lakewood would be closed and hours of service at Lakewood's Iacoboni Library would be reduced from seven days to six days. She stated that the City Council's ad hoc committee had gone to work on this issue and had been successful in communicating with the County Board of Supervisors. The Board had decided to fund library services for the current fiscal year, and to present voters with an initiative which would levy a special per parcel tax to fund future library services. She advised that the initiative would be presented to voters in cities utilizing the County Library system which had not previously approved such a tax, with the provision that residents accepting the special tax would receive additional consideration if future budget cuts were necessary.

3.3 • STATUS REPORT ON NYE LIBRARY - Continued

Council Member Piercy stated the ad hoc committee had received cooperation from both the County Librarian and her staff and the staff of Supervisor Knabe and had prevailed in their effort to convince the Board of Supervisors that the special tax was a key factor when considering library service levels. He thanked Council Member Wagner for his research on this issue and stated that although the committee's immediate charge had been completed, the ad hoc committee should be continued and assigned to watch out for State budget impacts on future library funding.

Council Member Wagner stated he was upset by the unfair targeting of Nye Library after Lakewood voters had taken on the burden of the per parcel tax for libraries. He stated that it was important to send a message to the County that paying the tax means special consideration should be given during times of proposed cuts in services. He stated he was please by the positive outcome and thanked Supervisor Don Knabe for his support.

At 8:12 p.m., the Regular Meeting of the City Council was recessed for the Meeting of the Lakewood Redevelopment Agency. At 8:16 p.m., the City Council Meeting was reconvened.

ORAL COMMUNICATIONS:

Herb Axup addressed the City Council regarding street sweeping.

ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Esquivel adjourned the meeting at 8:18 p.m.

Respectfully submitted,

Denise R. Hayward, CMC
City Clerk