



Minutes

Lakewood City Council

Regular Meeting held
August 24, 2004

MEETING WAS CALLED TO ORDER at 7:36 p.m. by Mayor Rogers in the Council Chambers at the Civic Center, 5000 Clark Avenue, Lakewood, California.

INVOCATION was offered by Reverend C. Kit Wilke, Cross Roads Community United Church

PLEDGE OF ALLEGIANCE was led by Mayor Todd Rogers

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

ANNOUNCEMENTS AND PRESENTATIONS:

Mayor Rogers announced that the City's Patriot Day Concert and Memorial Ceremony would be held on Saturday, September 11th at Del Valle Park.

The Mayor also announced that City Attorney John S. Todd would be honored by the Los Angeles County Board of Supervisors on October 12th and that the date for his retirement dinner had been set as November 18, 2004.

ROUTINE ITEMS:

Mayor Rogers announced that Routine Item 4 would be considered separately since someone had signed up to speak on the matter.

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 3 AND 5 THROUGH 9.

RI-1 Approval of Minutes of the Meetings held July 13, July 27, and August 10, 2004

RI-2 Approval of Personnel Transactions

RI-3 Approval of Registers of Demands dated July 29, August 5, and August 12, 2004

ROUTINE ITEMS: Continued

RI-5 RESOLUTION NO. 2004-61; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ESTABLISHING A PHYSICALLY HANDICAPPED PERSONS DESIGNATED PARKING SPACE ON THE WEST SIDE OF DEEBOYAR AVENUE WITHIN THE CITY OF LAKEWOOD

RESOLUTION NO. 2004-62; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ESTABLISHING A PHYSICALLY HANDICAPPED PERSONS DESIGNATED PARKING SPACE ON THE SOUTH SIDE OF SILVA STREET WITHIN THE CITY OF LAKEWOOD

RESOLUTION NO. 2004-63; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ESTABLISHING A PHYSICALLY HANDICAPPED PERSONS DESIGNATED PARKING SPACE ON THE EAST SIDE OF CARFAX AVENUE WITHIN THE CITY OF LAKEWOOD

RI-6 Approval of Monthly Report of Investment Transactions

RI-7 Acceptance of Notice of Completion for Public Works Project 04-1, Residential Street Rehab, Sully-Miller Contracting Company

RI-8 Approval of Amendment to Online Privacy Personal Information Administrative Guide

RI-9 Approval of Purchase of Post Production Equipment

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

RI-4 RESOLUTION NO. 2004-60; 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 FRIDAY OF EACH WEEK FOR STREET SWEEPING PURPOSES ON BOTH SIDES OF OCANA AVENUE BETWEEN HARVEY WAY AND TILBURY STREET

Public Works Director Lisa Rapp advised that she had spoken to the residents and they were only in attendance to see that the item was approved.

COUNCIL MEMBER WAGNER MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED TO APPROVE ROUTINE ITEM 4. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.1 • APPEAL OF THE DECISION OF THE PLANNING AND ENVIRONMENT COMMISSION IN THE MATTER OF THE ABATEMENT FOR DUNROBIN AVENUE

Community Development Director Chuck Ebner presented an oral report based on the memorandum contained in the agenda and stated that on June 2, 2004, the Planning and Environment Commission, sitting as the Building Rehabilitation Board, held a public hearing and subsequently determined the property located at Dunrobin Avenue to be in a substandard condition. He briefly outlined the condition of the property and stated the Hearing Board had ordered the property to be restored to a condition that complied with building, zoning, and property maintenance codes or to demolish the house by August 2, 2004. On June 21, 2004, an appeal of the Board's decision was filed by Mr. Tom Swanner, attorney-in-fact for the property owners. Said appeal, initially scheduled for July 13, 2004, had been continued to this date at the request of the appellant.

City Prosecutor William Holt displayed slides of the subject property and presented the chronology of events and the evidence which led the Building Rehabilitation Board to declare the property to be in a substandard condition. He concluded by stating that following testimony by the appellant, it was the recommendation of staff that the City Council deny the appeal and adopt the proposed resolution upholding the decision of the Building Rehabilitation Board.

Tom Swanner stated that the property owner had no incentive to leave the property vacant for an extended time period and would like to be able to again find a tenant to rent the property. He requested the slides be displayed again and provided his own commentary on the conditions. He noted that much of the drywall had been removed, as well as the hardwood floors, the floor heater, the doors and doorjambes. He reported that soil contaminated with cat urine had been removed from beneath the house and that lime and bleach had been used to sanitize and reduce the odor inside the house. He stated that the windows in the house had not been replaced purposely to provide an opportunity for the house to 'air out' as recommended by an environmental consultant.

The City Attorney questioned Mr. Swanner about the ownership of the property. Mr. Swanner responded by stating that the property was owned by a trust and that his mother was one of the trustees. The City Attorney inquired about the reason for the appeal, since Mr. Swanner was in agreement that the property was in substandard condition. Mr. Swanner responded by stating that he required more time and assistance from the City in order to accomplish the restoration of the property.

Mayor Rogers asked Mr. Swanner to indicate how long it would take for the restoration of the property. Mr. Swanner responded by stating that although they were still waiting for the odor to dissipate inside the house, especially in the rear addition to the house, he planned to have the windows replaced and the house re-stuccoed. Mr. Swanner requested the City provide a 'point person' to deal exclusively with this project.

1.1 • APPEAL OF THE DECISION IN THE MATTER OF THE ABATEMENT FOR DUNROBIN AVENUE - Continued

The City Attorney questioned the Community Development Director, as the Chief Building Official, to determine a reasonable time period for the restoration work. Mr. Ebner responded by stating that although the ongoing problem of odor was an issue which had not been raised during the previous hearing, his main concern was that progress continue to be shown on the restoration of the property. Mr. Ebner advised that there was a building inspector assigned to this property and noted the inspector's office hours.

Mr. Swanner assured Mayor Rogers that the window installation and new stucco work could be completed by September 9, 2004.

Mayor Rogers opened the public hearing at 8:44 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 VICE MAYOR PIERCY SECONDED TO CLOSE THE PUBLIC HEARING. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

Council Member Wagner proposed changing the 60-day abatement period in the resolution to 120 days for completion of the work, adding a requirement that the exterior stucco work be done in 30 days and a requirement that a progress report and completion date be provided to staff after the initial 60-day period.

Vice Mayor Piercy pointed out that the property had been vacant since January and the neighborhood had been forced to endure its unsightly condition, with no progress for a long time. He suggested limiting any additional time to 90 days.

Council Member Wagner stated he did not have a problem granting additional time to deal with the continuing odor problem, as long as the exterior were to be made presentable.

COUNCIL MEMBER WAGNER MOVED AND COUNCIL MEMBER VAN NOSTRAN SECONDED TO MODIFY THE PROPOSED RESOLUTION TO PROVIDE FOR THE INSTALLATION OF WINDOWS AND DOORS, NEW STUCCO AND FRONT YARD LANDSCAPING TO BE COMPLETED WITHIN 30 DAYS AND TO AUTHORIZE STAFF TO EXTEND THE TIME FOR COMPLETE RESTORATION FOR UP TO AN ADDITIONAL 60 DAYS, FOLLOWING A REPORT SHOWING SUFFICIENT PROGRESS ON THE PROJECT.

The City Attorney clarified that by "staff" the City Council's intent was to designate the Director of Community Development.

1.1 • APPEAL OF THE DECISION IN THE MATTER OF THE ABATEMENT FOR DUNROBIN AVENUE - Continued

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

RESOLUTION NO. 2004-64; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD DENYING AN APPEAL OF THE BUILDING REHABILITATION BOARD'S FINDINGS AND ORDER REGARDING SUBSTANDARD PROPERTY AND BUILDINGS AT DUNROBIN AVENUE, LAKEWOOD, CALIFORNIA, AND ORDERING CORRECTION OF THE SUBSTANDARD CONDITIONS

COUNCIL MEMBER WAGNER MOVED AND VICE MAYOR PIERCY SECONDED TO ADOPT RESOLUTION NO. 2004-64, AS AMENDED. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.2 • AWARD OF BID FOR PURCHASING BID 04-2, TRAILER MOUNTED PRESSURE WASHER SYSTEM

The Director of Finance, Larry Schroeder, presented an oral report based on the memorandum contained in the agenda and stated one sealed bid had been received from three bids solicited for the purchase of a trailer-mounted pressure washing system. It was the recommendation of staff that the City Council authorize the purchase of a trailer-mounted pressure washer system from Hotsy of Southern California in the amount of \$22,364.56.

Mayor Rogers opened the public hearing at 8:54 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

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

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

NAYS: COUNCIL MEMBERS: None

1.3 • CONGESTION MANAGEMENT PROGRAM CONFORMANCE SELF-CERTIFICATION PROCESS

The Community Development Director presented an oral report based on the memorandum contained in the agenda and reported the Congestion Management Program was required by State law and the Los Angeles County program had been development by the Metropolitan Transportation Authority (MTA). He advised that a new reporting format was required for this year and that the City's credits were temporarily frozen, with no new credits or debits earned until an MTA study has been completed. He stated that the City of Lakewood was in compliance with all local CMP requirements and that it was the recommendation of staff that the City Council adopt the proposed resolution finding the City to be in conformance with the Congestion Management Program and adopting the CMP Local Development Report.

Mayor Rogers opened the public hearing at 8:57 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

RESOLUTION NO. 2004-65; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD, CALIFORNIA, FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL DEVELOPMENT REPORT, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089

COUNCIL MEMBER VAN NOSTRAN MOVED AND VICE MAYOR PIERCY SECONDED TO ADOPT RESOLUTION NO. 2004-65. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.4 • CDBG PROGRAM CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT FOR FY 2003-2004

The Director of Community Development presented an oral report based on the memorandum contained in the agenda and stated the Community Development Block Grant, a program of the U.S. Department of Housing and Urban Development (HUD), required the submittal of an annual performance report. The Consolidated Annual Performance and Evaluation Report provided a summary of Lakewood's overall progress in meeting local priorities and goals during the program and described the status of actions taken to address specific areas of the Consolidated and Action Plans. He briefly outlined the program areas and concluded by recommending that following a public hearing, the City Council direct staff to submit the Report and any comments received to the local HUD office.

Mayor Rogers opened the public hearing at 8:59 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

1.4 • CDBG PROGRAM CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT FOR FY 2003-2004 - Continued

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

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

NAYS: COUNCIL MEMBERS: None

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1.5 • VACATION OF THE ALLEY WEST OF BLOOMFIELD AVENUE AND THE ALLEY NORTH OF CENTRALIA STREET (NORTHWEST CORNER OF BLOOMFIELD AVENUE AND CENTRALIA STREET) [Continued from June 8, 2004]

Mayor Rogers announced that this hearing would be continued to the City Council meeting scheduled to be held on December 14, 2004.

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At 8:59 p.m., the Regular Meeting of the City Council was recessed for the Meeting of the Lakewood Redevelopment Agency. At 9:00 p.m., the City Council Meeting was reconvened.

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ORAL COMMUNICATIONS: None

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ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Rogers adjourned the meeting at 9:00 p.m.

Respectfully submitted,

Denise R. Hayward, CMC
City Clerk