



# Minutes

## Lakewood City Council

Regular Meeting held  
September 28, 2004

---

**MEETING WAS CALLED TO ORDER** at 7:35 p.m. by Mayor Rogers in the Council Chamber at the Civic Center, 5000 Clark Avenue, Lakewood, California.

**INVOCATION** was offered by Reverend Mark Wiley, First United Methodist Church

**PLEDGE OF ALLEGIANCE** was led by Council Member Robert G. Wagner

**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:**

Chris Steinhauer, President of the Lakewood Rotary Club, gave a brief presentation on Project Shepherd, a service project to provide holiday food to needy families. He stated that over the years, the program had assisted nearly 11,000 families. He requested the City of Lakewood continue to co-sponsor the program and allow the use of the utility billing system to provide program flyers.

VICE MAYOR PIERCY MOVED AND COUNCIL MEMBER VAN NOSTRAN SECONDED TO APPROVE THE REQUEST OF THE LAKEWOOD ROTARY CLUB TO CO-SPONSOR PROJECT SHEPHERD. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Wagner, Esquivel, Piercy, Van Nostran and Rogers  
NAYS: COUNCIL MEMBERS: None

Mayor Rogers announced that a reception had been held prior to the meeting to honor the recipients of Lakewood Beautiful home awards; to acknowledge the receipt of the designation "Tree City USA" from the National Arbor Day Foundation; and to recognize the R. F. Dickson Company for 40 years of service to the community.

Vice Mayor Piercy announced that the Greater Lakewood Chamber of Commerce would be sponsoring an educational summit to be held on September 29th in the City Council Chamber.

**ROUTINE ITEMS:**

Mayor Rogers advised that Routine Item 1, City Council Minutes would be continued to the next regular meeting.

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED TO APPROVE ROUTINE ITEMS 2 THROUGH 9.

RI-2 Approval of Personnel Transactions

RI-3 Approval of Registers of Demands dated September 9, and September 16, 2004

RI-4 RESOLUTION NO. 2004-70; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD PROHIBITING THE PARKING OR STANDING OF VEHICLES BETWEEN 7 A.M. AND 12 P.M. ON TUESDAY OF EACH WEEK FOR STREET SWEEPING PURPOSES ON THE WEST SIDE OF ROSETON AVENUE BETWEEN DEL AMO BOULEVARD AND STILLMAN STREET AND ON THE EAST SIDE OF ROSETON AVENUE BETWEEN DEL AMO BOULEVARD AND 207TH STREET

RI-5 Approval of Report of Monthly Investment Transactions

RI-6 Approval of Entry Permit for Chamber of Commerce Rose Parade Parking at the Civic Center

RI-7 Approval of Agreements with Security Marketing Group and Trustmark Insurance Company for U.S. Savings Bonds, Life and Critical Illness Insurance

RI-8 Approval of Appropriation for Equipment Replacement Account

RI-9 RESOLUTION NO. 2004-71; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ADOPTING JOINT POWERS HEALTH AND RETIREMENT ROLLOVER PLAN - HARRP

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

**1.1 • CITIZENS' OPTIONS FOR PUBLIC SAFETY (COPS) GRANT 2004-05**

Deputy City Manager Sandi Ruyle presented an oral report based on the memorandum contained in the agenda and stated that Citizens' Options for Public Safety (COPS) Grant funds would be available to the City of Lakewood in October in the amount of \$122,013. A written memorandum from the Commander of the Lakewood Sheriff's Station was recommending that the funding allocation be earmarked for the Summer 2005 Park Deputy and Bike Patrol Programs and for enhanced, mission-specific criminal enforcement and suppression. She concluded by recommending the City Council hold a public hearing to accept input from the public; approve the recommended programs for frontline law enforcement services; and direct the Director of Finance to appropriate funds to the Supplemental Law Enforcement Services account.

Mayor Rogers opened the public hearing at 7:46 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 ESQUIVEL 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

Vice Mayor Piercy noted that the supplemental law enforcement services that this funding had enabled the City to provide, made a great difference for residents in the quality of service in City parks.

**2.1 • PERTAINING TO THE OFFICE OF THE CITY ATTORNEY**

Mayor Rogers stated that he had grown to respect and admire City Attorney John S. Todd and that the announcement of his retirement had been a bittersweet moment. He proposed that the City Council acknowledge John's 50 years of service to the City by recognizing him upon his retirement in December, with the title of City Attorney Emeritus. He reported that City staff, under the guidance of the City Council ad hoc committee, had conducted a process to find a replacement attorney to provide legal counsel to the City. He stated the comprehensive process had been both fair and objective and had brought forth some outstanding candidates. He advised that upon review by the entire City Council, the decision had been unanimous to approve the appointment of Mr. Steven Skolnik, with the law firm of Colantuono & Levin.

RESOLUTION NO. 2004-72; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD PERTAINING TO THE OFFICE OF THE CITY ATTORNEY

**2.1 • PERTAINING TO THE OFFICE OF THE CITY ATTORNEY - Continued**

MAYOR ROGERS MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED TO ADOPT RESOLUTION NO. 2004-72; APPROVE AN AGREEMENT WITH THE LAW FIRM OF COLANTUONO & LEVIN; AND TO APPOINT STEVEN SKOLNIK AS INTERIM DEPUTY CITY ATTORNEY, EFFECTIVE NOVEMBER 1, 2004; AND TO RECOGNIZE JOHN SANFORD TODD AS CITY ATTORNEY EMERITUS UPON HIS RETIREMENT. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

Steve Skolnik thanked the Mayor and City Council for the opportunity to provide service to Lakewood. He stated he was honored to be replacing Mr. Todd and that he considered this a long-term commitment.

The City Attorney thanked the Mayor and Council Members for the honor they had bestowed upon him.

**2.2 • ORDINANCE NO. 2004-11; PERTAINING TO THE LICENSE AND PERMIT HEARING BOARD**

Larry Schroeder, Director of Finance, presented an oral report based on the memorandum contained in the agenda and stated the City Attorney had advised that based on recent court cases, it was advisable to modify the structure of the License and Permit Hearing Board by deleting the City Manager as a member of the Board.

The City Attorney advised that recent case law had held the proceedings in several cases invalid where one of the hearing officers was under the control or supervision of other board members, such as the City Manager, who serves under the City Council. He stated that although the City had not been challenged on this basis to date, it was his recommendation that this situation be remedied.

ORDINANCE NO. 2004-11; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE LAKEWOOD MUNICIPAL CODE PERTAINING TO THE LICENSE AND PERMIT HEARING BOARD

COUNCIL MEMBER VAN NOSTRAN MOVED AND VICE MAYOR PIERCY SECONDED TO INTRODUCE ORDINANCE NO. 2004-11.

Council Member Esquivel inquired about the procedure in the event of a tie vote. Council Member Van Nostran offered the opinion that any tie would cause the matter to come before the entire City Council.

The City Attorney stated he would verify that the Municipal Code provided for such an occurrence.

**2.2 • ORDINANCE NO. 2004-11; PERTAINING TO THE LICENSE AND PERMIT HEARING BOARD - Continued**

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

**3.1 • INTERGOVERNMENTAL RELATIONS COMMITTEE RECOMMENDATIONS - STATE PROPOSITION 1-A; L.A. COUNTY MEASURE A, RESOLUTION NO. 2004-74**

Mayor Rogers reported that the Intergovernmental Relations Committee had met previously and had considered the merits of State Proposition 1A and Los Angeles County Measure A. He advised that the two measures be considered separately. He advised that the Committee was recommending support of Proposition 1A, which would protect local government property and sales tax revenues.

RESOLUTION NO. 2004-74; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD SUPPORTING PROPOSITION 1A, PROTECTION OF LOCAL GOVERNMENT REVENUES

VICE MAYOR PIERCY MOVED AND COUNCIL MEMBER VAN NOSTRAN SECONDED TO ADOPT RESOLUTION NO. 2004-74. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

Commander Robert Osborne of the Los Angeles County Sheriff's Department provided some background information on County Measure A. He stated the measure had been drafted to provide a means to stabilize funding for law enforcement services. He reported that a number of budget catastrophes had led to funding cuts and uncertainty about future public safety funding. He noted that the Sheriff's Department budget had experienced \$160 million in cuts over the past two years. He stated that the funds raised, if the measure was passed by the voters, would not go only to the Sheriff's Department, but also to other law enforcement related functions of the County, such as District Attorney and Public Defender services, and would provide funding to each of the cities in the County. The cities would then have the opportunity to provide specialized additional services to their communities, including up to 15 percent which could be used for youth programs that prevent crime.

Council Member Wagner questioned Commander Osborne about the restrictions on the funds raised by the measure, determining that although there was a baseline which must be funded by County general funds, the measure's funds could be used to plug gaps brought about by inflation. He stated there were insufficient controls in the measure over the use of the funds.

**3.1 • INTERGOVERNMENTAL RELATIONS COMMITTEE RECOMMENDATIONS - STATE PROPOSITION 1-A; AND L.A. COUNTY MEASURE A - Continued**

Responding to a question from Council Member Van Nostran, Commander Osborne stated that if any of the labor unions attempted to make a case for funding salary increases or benefits out of measure funds, it would be up to the Board of Supervisors to make a determination.

Vice Mayor Piercy stated that although good points had been made, it still came down to providing a stable source of income for law enforcement, as protection against future budget cuts.

VICE MAYOR PIERCY MOVED AND MAYOR ROGERS SECONDED TO SUPPORT LOS ANGELES COUNTY MEASURE A.

Council Member Wagner stated he planned to oppose Measure A as he saw no guarantee of long-term benefits. He noted that a similar measure had been passed in 1992, but had been gobbled up by inflation. He stated that by passing such a measure, the voters would be sending the message that they would be willing to pick up all the additional costs, rather than forcing legislators to live within their budget. He stressed that approval of State Proposition 1A was the way to guarantee future funding for law enforcement, by forcing State government to stop raiding city and county funds. He expressed concern about the County losing the ability to be competitive if it has the highest sales tax rate in the State.

Mayor Rogers stated that while he was in agreement with many of the points raised by Council Member Wagner, Measure A contained an anti-supplanting clause which had not been included in the 1992 measure, and that it also contained a sunset clause so that it could be repealed. He also stated that as a member of the Los Angeles County Sheriff's Department, he had experienced first-hand the devastating impacts of losses in funding. He noted that he, like Sheriff Baca, was not pro-tax but felt it was absolutely necessary to relieve current conditions in law enforcement.

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: Wagner

**3.2 • APPOINTMENTS TO SCHOOL AD HOC AND STANDING COMMITTEES AND AMENDING CITY COUNCIL STANDING COMMITTEES**

Mayor Rogers advised that the proposed resolution would formalize the creation of a City Council standing committee on Lakewood schools on which he and Vice Mayor Piercy would serve. He also advised that he and Council Member Wagner would serve on the newly formed ad hoc committee on Paramount Unified School District.

**3.2 • APPOINTMENTS TO SCHOOL AD HOC AND STANDING COMMITTEES AND AMENDING CITY COUNCIL STANDING COMMITTEES - Continued**

RESOLUTION NO. 2004-75; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING RESOLUTION NO. 94-43 ESTABLISHING STANDING COMMITTEES OF THE CITY COUNCIL

MAYOR ROGERS MOVED AND COUNCIL MEMBER VAN NOSTRAN SECONDED TO ADOPT RESOLUTION NO. 2004-75 AND APPROVE THE APPOINTMENTS AS PRESENTED. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

**3.3 • NEEDS ASSESSMENT STUDY OF STATE ROUTE 91 & INTERSTATE 605**

Chuck Ebner, Director of Community Development, displayed slides and presented an oral report based on the memorandum contained in the agenda. He stated that growth of the ports of Long Beach and Los Angeles had resulted in increased traffic on the freeways serving the area, especially truck traffic. The Gateway Cities Council of Governments (COG), which was already involved in a study of improvement needs for Interstate 710, had been requested to prepare a proposal to address congestion concerns on the State Route 91 and Interstate 605 freeways. The thirteen cities impacted by these freeways were proposing to work together, through the COG, to develop a needs assessment. He noted that a memorandum of understanding was under preparation. It was the recommendation of staff that the City Council approve participation in the Memorandum of Understanding for the preparation of a Needs Assessment Study and appropriate a maximum of \$20,000 for Lakewood's share of the assessment.

Vice Mayor Piercy clarified that this was just a first step, not specific improvements, and that all cities had expressed an interest in participating.

Responding to a question from Council Member Van Nostran, Mr. Ebner stated the issue of a needs assessment study had first been raised in June and who the cities that would be involved had seemed to reach a consensus.

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

In response to a question from Council Member Wagner, Mr. Ebner stated that the 605 freeway had been included mainly because the heavy traffic on the 91 freeway caused congestion problems at their interchange point.

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

**3.4 • LAKEWOOD SHERIFF'S STATION FUNDING UPDATE**

City Manager Howard Chambers reported that as part of the County appropriation adjustment process, an action taken today, an additional \$3.4 million in funding had been made available for the renovation of the Lakewood Sheriff's Station.

Mayor Rogers ordered the matter received and filed.

At 8:43 p.m., the Regular Meeting of the City Council was recessed for the Meeting of the Lakewood Redevelopment Agency. At 8:44 p.m., the City Council Meeting was reconvened.

**ORAL COMMUNICATIONS:**

John Haupt addressed the City Council regarding an illegal fence extension on his property.

Council advised Mr. Haupt to work with Mr. Ebner and the Community Development Department staff to secure a Conditional Use Permit to allow the fence to remain in place.

Kennedy Collins, President of the Lakewood Elementary School PTA, thanked the City Council for taking in interest in their school and its students.

**ADJOURNMENT**

There being no further business to be brought before the City Council, Mayor Rogers adjourned the meeting at 8:49 p.m.

Respectfully submitted,

Denise R. Hayward, CMC  
City Clerk