



Minutes

Lakewood City Council

Regular Meeting held
June 28, 2005

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 Curtis Bronzan, Lakewood Christ Presbyterian Church

PLEDGE OF ALLEGIANCE was led by Council Member Steve Croft

ROLL CALL: PRESENT: Mayor Joseph Esquivel
Vice Mayor Larry Van Nostran
Council Member Steve Croft
Council Member Diane DuBois
Council Member Todd Rogers

ANNOUNCEMENTS AND PRESENTATIONS:

Mayor Esquivel invited the community to attend the July 2nd Block Party at the Civic Center, with a fireworks show sponsored by the Lakewood Center Mall.

Mayor Esquivel announced that the meeting would be adjourned in honor and memory of Los Angeles County Deputy Sheriff Jerry Ortiz, who had lost his life in the line of duty.

ROUTINE ITEMS:

COUNCIL MEMBER ROGERS MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 7.

RI-1 Approval of Minutes of the Meeting held June 14, 2005

RI-2 Approval of Personnel Transactions

RI-3 Approval of Registers of Demands dated June 9, and June 16, 2005

RI-4 Renewal of License Agreement with Southern California Edison Company for CandleVerde Park

RI-5 RESOLUTION NO. 2005-16; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING THE ESTABLISHMENT OF A 401(a) DEFINED BENEFIT PLAN TO BE ADMINISTERED BY PHASE II SYSTEMS, PARS TRUST ADMINISTRATOR

ROUTINE ITEMS: Continued

RI-6 RESOLUTION NO. 2005-17; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ESTABLISHING A PHYSICALLY HANDICAPPED PERSONS DESIGNATED PARKING SPACE ON THE WEST SIDE OF LEVELSIDE AVENUE WITHIN THE CITY OF LAKEWOOD

RI-7 RESOLUTION NO. 2005-18; 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

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Van Nostran, Croft, DuBois, Rogers and Esquivel

NAYS: COUNCIL MEMBERS: None

1.1 • BUDGET FOR FISCAL YEAR 2005-06/2006-07

City Manager Howard Chambers displayed slides and presented an overview of the proposed budget, reporting that the budget development was a six-month process which involved about 50 staff members. He presented the projected estimated actual revenues and expenditures for the budget cycle and the impacts of the Governor's May-revised budget on City operations. He noted other impacts on the City's budget process such as the regional fiscal climate; interest rates; increases to Lakewood home values; oil price increases, unemployment rates and the Consumer Confidence Index. He briefly reviewed the budget summary and budget focus areas and concluded by stating that the budget, as presented, was balanced, realistic, and achievable.

Captain Dave Fender, Commander of the Lakewood Sheriff's Station, stated that two and a half years ago, when the station staff had lost Deputy Dave Powell in the line of duty, funds had been raised for the construction of the memorial wall, located in front of the station. He advised that although they had hoped to never need to add another name to the memorial, its presence, as a gathering place, was helping both the station staff and the community to heal after the tragic loss of Deputy Jerry Ortiz. He thanked the City Council for their support during the fund raising and construction of the wall. Captain Fender also thanked the City Council for their ongoing support of law enforcement and expressed the commitment of his staff to carry on the work necessary to keep Lakewood a safe community. He briefly reviewed the programs and services, noting that crimes were down compared to the previous year, and that Lakewood had a good, solid program.

City Attorney Steve Skolnik advised that the first three resolutions pertaining to the budget were discussed in his budget memorandum and that the City Council could approve all of the sub-items listed under the budget in one motion with the exception of the last resolution which would be considered following the closed session.

1.1 • BUDGET FOR FISCAL YEAR 2005-06/2006-07 - Continued

Mayor Esquivel opened the public hearing at 8:07 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

VICE MAYOR VAN NOSTRAN MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO ADOPT THE RESOLUTIONS CONTAINED IN ITEMS C, D, AND E; AND TO APPROVE BUDGET SUB-ITEMS E.1 THROUGH E.51.

c. RESOLUTION NO. 2005-19; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE BUDGET FOR FISCAL YEAR 2004-2005 AND AUTHORIZING THE APPROPRIATION OF RESERVE FUNDS INTO APPROPRIATE FUNDS AS OF JUNE 30, 2005

d. RESOLUTION NO. 2005-20; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD DETERMINING THE TOTAL ANNUAL APPROPRIATION SUBJECT TO LIMITATION OF THE CITY OF LAKEWOOD FOR FISCAL YEAR 2005-2006

e. RESOLUTION NO. 2005-21; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ADOPTING THE BUDGET AND APPROPRIATING REVENUE FOR THE FISCAL YEARS 2005-2006 AND 2006-2007

1) RESOLUTION NO. 2005-22; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING LOANS TO LAKEWOOD REDEVELOPMENT AGENCY

2) RESOLUTION NO. 2005-23; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING THE DIRECTOR OF FINANCE TO CERTIFY TO CITY LIGHT AND POWER LAKEWOOD, INC. THAT BASIC FEE PAYMENTS HAVE BEEN INCLUDED IN THE BUDGET

3) RESOLUTION NO. 2005-24; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING RESOLUTION NO. 2002-38 PERTAINING TO EMPLOYEE BENEFITS AND THE CLASSIFICATION AND COMPENSATION OF CITY OFFICERS AND EMPLOYEES, AND ESTABLISHING BENEFITS, DEFINING THE CONDITIONS AND HOURS OF EMPLOYMENT, AND ADOPTING A CLASSIFICATION AND COMPENSATION PLAN FOR CITY OFFICERS & EMPLOYEES

4) RESOLUTION NO. 2005-25; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD REPEALING RESOLUTION NO. 2004-36 PERTAINING TO HOURLY-RATED PART-TIME EMPLOYEES AND ENACTING A PERSONNEL RESOLUTION ESTABLISHING THE COMPENSATION, RULES AND REGULATIONS PERTAINING TO HOURLY-RATED PART-TIME EMPLOYEES

1.1 • BUDGET FOR FISCAL YEAR 2005-06/2006-07 - Continued

- 5) ORDINANCE NO. 2005-7; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE MUNICIPAL CODE PERTAINING TO COMPENSATION OF MEMBERS OF THE CITY COUNCIL
- 6) RESOLUTION NO. 2005-26; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING AND RENEWING A COMMUNITY RECREATION PROGRAM WITH THE ABC UNIFIED SCHOOL DISTRICT
- 7) RESOLUTION NO. 2005-27; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD RENEWING AN AGREEMENT BETWEEN THE CITY OF LAKEWOOD AND ARC OF SOUTHEAST LOS ANGELES COUNTY PROVIDING SERVICES FOR RESIDENTS OF THE CITY OF LAKEWOOD WITH MENTAL RETARDATION AND OTHER DEVELOPMENTAL DISABILITIES FOR THE FISCAL YEAR 2005-2006
- 8) Amending an Agreement Between the City and Advanced Building Maintenance for Custodian Services at The Centre
- 9) RESOLUTION NO. 2005-28; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING AND RENEWING AN AGREEMENT BETWEEN THE CITY OF LAKEWOOD AND COMMUNITY FAMILY GUIDANCE CENTER PROVIDING COUNSELING SERVICES FOR FAMILIES AND JUVENILE RESIDENTS OF THE CITY OF LAKEWOOD FOR THE FISCAL YEAR 2005-2006
- 10) RESOLUTION NO. 2005-29; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING AND RENEWING AN AGREEMENT BETWEEN THE CITY OF LAKEWOOD AND LAKEWOOD MEALS ON WHEELS FOR THE FISCAL YEAR 2005-2006
- 11) RESOLUTION NO. 2005-30; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING AND RENEWING AN AGREEMENT BETWEEN THE CITY OF LAKEWOOD AND PATHWAYS VOLUNTEER HOSPICE, INC. FOR PROVIDING IN-HOME MEDICAL SERVICES FOR TERMINALLY ILL RESIDENTS OF THE CITY OF LAKEWOOD FOR THE FISCAL YEAR 2005-2006
- 12) RESOLUTION NO. 2005-31; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING AND RENEWING AN AGREEMENT BETWEEN THE CITY OF LAKEWOOD AND SU CASA FAMILY CRISIS CENTER PROVIDING COUNSELING SERVICES FOR FAMILIES AND JUVENILE RESIDENTS OF THE CITY OF LAKEWOOD FOR THE FISCAL YEAR 2005-2006
- 13) Approval of Extension of Agreement for Construction Management/Inspection Services with BDA Associates

1.1 • BUDGET FOR FISCAL YEAR 2005-06/2006-07 - Continued

- 14) Approval of Extension of Agreement for Engineering and Traffic Survey Services with Newport Traffic Studies
- 15) Approval of Extension of Agreement for Hardscape Maintenance with CJ Construction
- 16) Approval of Extension of Agreement for Engineering Services with Associated Soils Engineering
- 17) Approval of Amendment to Agreement for HVAC Preventative Maintenance Services with Process Cooling & Heating
- 18) Approval of Extension of Agreement for Environmental Services with S.C.S. Consultants
- 19) Approval of Extension of Agreement for Transportation Planning and Engineering Services Agreement with LSA Associates, Inc.
- 20) Approval of Extension of Agreement for Fire & Security Alarm Services with Sonitrol of Long Beach
- 21) Approval of Extension of Agreement for Fire Safety Equipment Maintenance with Cal-Pacific Fire Equipment Company, Inc.
- 22) Approval of Extension of Agreement for Elevator Maintenance with Schindler Elevator
- 23) Approval of Extension of Agreement for Street Banner Marketing Program with Sierra Installations, Inc.
- 24) Approval of Extension of Agreement for Cooling Water Treatment Services with Water Systems Services Company
- 25) Approval of Extension of Agreement for Tree Maintenance Services with West Coast Arborists
- 26) Approval of Agreement for Architectural Services with Meyer and Associates
- 27) Approval of Agreement for Electrical Engineering Services with Reedcorp Engineering, Inc.
- 28) RESOLUTION NO. 2005-32; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD APPROVING THE FIFTH AMENDMENT TO THE LIGHTING MAINTENANCE CONTRACT WITH CITY LIGHT & POWER LAKEWOOD, INC.

1.1 • BUDGET FOR FISCAL YEAR 2005-06/2006-07 - Continued

- 29) Approval of Amendment to the Agreement with Musco Lighting for Athletic Field Lighting Services
- 30) Approval of Agreement for Electrical Contracting Services with Electro Dynamic Services
- 31) Approval of Agreement for Roof Warranty Inspection and Consulting Services with D7 Roofing and Waterproofing Specialists
- 32) Approval of Agreement for Auditing Services with Diehl Evans
- 33) RESOLUTION NO. 2005-33; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE FEE OR PAYMENT FOR SPECIAL COLLECTION SERVICES AND PROGRAMS

RESOLUTION NO. 2005-34; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ADJUSTING THE MAXIMUM FEES OR CHARGES FOR BIN AND SPECIAL REFUSE SERVICE
- 34) Approval of Agreement for Document Imaging System Maintenance and Support
- 35) Approval of Agreement with the Greater Lakewood Chamber of Commerce
- 36) Approval of Extension of Agreement for School Consulting Services with Management, Analysis and Planning, Inc.
- 37) Approval of Renewal of Agreement for Safety Consulting Services with Pacific Health & Safety Consulting, Inc.
- 38) Approval of Agreement for Computer Management Services with ACS State and Local Solutions, Inc.
- 39) Approval of Agreement for Page Composition, Printing and Preparation for Mailing of the City Newsletter
- 40) RESOLUTION NO. 2005-35; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THAT CERTAIN AGREEMENT BETWEEN THE CITY OF LAKEWOOD AND JOE A. GONSALVES AND SON, INC.
- 41) Approval of Agreement with J. D. Franz Research Services for Community Surveys
- 42) Approval of Video Production Services and Facilities Fee Schedule
- 43) Approval of Marketing and Design Services Agreement with Slover and Kinsbursky

1.1 • BUDGET FOR FISCAL YEAR 2005-06/2006-07 - Continued

- 44) Approval of Agreement for Concert Band Entertainment and Audio Services for Patriot Day Concert with American Winds Concert Band
- 45) Approval of Renewal of Agreement with Fair Housing Consulting Services
- 46) Approval of Renewal of Agreement for Business Revolving Loan Fund Administration with Kermit Hathcoat
- 47) Approval of Extension of Reimbursement Agreement for Long Beach Transit Fixed Route and Dial-A-Lift Services
- 48) Approval of Agreement for Digital Geographic Data License with Thomas Bros. Maps
- 49) RESOLUTION NO. 2005-36; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ADOPTING AMENDMENTS TO PERMIT FEES UNDER THE UNIFORM BUILDING, PLUMBING, ELECTRICAL AND MECHANICAL CODES AND SCHEDULING A HEARING ON THE ADOPTION OF SAID RESOLUTION BEFORE THE CITY COUNCIL IN THE LAKEWOOD COUNCIL CHAMBERS AT 5000 CLARK AVENUE, LAKEWOOD, CALIFORNIA, AT 7:30 P.M. ON JUNE 28, 2005
- 50) RESOLUTION NO. 2005-37; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ESTABLISHING APPLICATION FEES PERTAINING TO PERMITS TO MAINTAIN BIRDS AND WILD ANIMALS, APPEALS FROM THE DECISIONS OF THE DEVELOPMENT REVIEW BOARD, PLANNING AND ENVIRONMENT COMMISSION, AND CITY COUNCIL, CONDITIONAL USE PERMITS, VARIANCES, ZONE CHANGES, GENERAL PLAN AMENDMENTS, SPECIFIC PLANS, PRECISE PLANS AND ENVIRONMENTAL REPORTS, AND REPEALING RESOLUTIONS 1938 AND 93-44 ON THE SAME SUBJECT MATTER

RESOLUTION NO. 2005-38; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ESTABLISHING THE AMOUNTS OF CERTAIN FEES AND DEPOSITS FOR MINOR AND MAJOR SUBDIVISIONS

- 51) RESOLUTION NO. 2005-39; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING RESOLUTION NO. 1862 PERTAINING TO RULES AND PROCEDURES FOR PROCEEDINGS OF THE CITY COUNCIL
UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Van Nostran, Croft, DuBois, Rogers and Esquivel

NAYS: COUNCIL MEMBERS: None

2.1 • ORDINANCE NO. 2005-5; AMENDING THE MUNICIPAL CODE PERTAINING TO CARNIVALS

The City Attorney advised that the proposed ordinance, which had been introduced at the last regular meeting, was presented for second reading and adoption at this time. He noted that language that had been added during the introduction, had been incorporated into the ordinance as presented.

ORDINANCE NO. 2005-5; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE LAKEWOOD MUNICIPAL CODE PERTAINING TO CARNIVALS was read by title by the City Clerk.

COUNCIL MEMBER ROGERS MOVED AND COUNCIL MEMBER CROFT SECONDED TO WAIVE FURTHER READING OF ORDINANCE NO. 2005-5. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Van Nostran, Croft, DuBois, Rogers and Esquivel

NAYS: COUNCIL MEMBERS: None

COUNCIL MEMBER ROGERS MOVED AND VICE MAYOR VAN NOSTRAN SECONDED TO ADOPT ORDINANCE NO. 2005-5. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Van Nostran, Croft, DuBois, Rogers and Esquivel

NAYS: COUNCIL MEMBERS: None

2.2 • ORDINANCE NO. 2005-6; AMENDING THE MUNICIPAL CODE PERTAINING TO HEIGHTS OF WALLS, FENCES OR HEDGES IN THE REQUIRED SIDE AND REAR YARDS

COUNCIL MEMBER ROGERS MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO ADOPT ORDINANCE NO. 2005-6.

ORDINANCE NO. 2005-6; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE LAKEWOOD MUNICIPAL CODE AND THE ZONING ORDINANCE PERTAINING TO WALLS, FENCES, OR HEDGES AND THE LOCATION OF SAID WALLS, FENCES OR HEDGES

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Van Nostran, Croft, DuBois, Rogers and Esquivel

NAYS: COUNCIL MEMBERS: None

3.1 • AGREEMENT WITH SOUTHEAST WATER COALITION

Water Resources Director Jim Glancy displayed slides and gave an oral report based on the memo contained in the agenda. He stated that the Southeast Water Coalition had been formed in 1991 and he presented a brief history of the Coalition's mission and activities. He advised that the existing participation agreement was due to expire on July 1, 2005, and that there were remaining tasks to be completed. It was the recommendation of the Water Resources Committee to approve an agreement for the extension and restatement of the Southeast Water Coalition Joint Powers Authority and appropriate \$10,000 for the annual membership fee.

Council Member Croft stated that he and Mayor Esquivel were members of the Water Resources Committee and that they viewed the proposed agreement as an important part of the City's program to maintain water quality.

Council Member Rogers stated that as a representative on the Coalition, he felt it was more important now than ever to keep the Coalition active.

COUNCIL MEMBER CROFT MOVED AND COUNCIL MEMBER ROGERS SECONDED TO APPROVE THE COMMITTEE'S RECOMMENDATIONS. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Van Nostran, Croft, DuBois, Rogers and Esquivel

NAYS: COUNCIL MEMBERS: None

At 8:20 p.m., the Regular Meeting of the City Council was recessed for the Meeting of the Lakewood Redevelopment Agency. At 8:23 p.m., the City Council Meeting was reconvened.

ORAL COMMUNICATIONS: None

CLOSED SESSION:

Mayor Esquivel announced that the City Council would recess to a closed session pursuant to Government Code §54957 to evaluate the performance of the City Manager.

At 9:06 p.m., the City Council reconvened with all members present.

Mayor Esquivel announced that the City Council had concluded its review and evaluation of the performance of City Manager Howard Chambers.

VICE MAYOR VAN NOSTRAN MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO ADOPT RESOLUTION NO. 2005-40.

CLOSED SESSION: Continued

RESOLUTION NO. 2005-40; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING RESOLUTION NO. 76-66 PERTAINING TO THE CITY MANAGER

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Van Nostran, Croft, DuBois, Rogers and Esquivel

NAYS: COUNCIL MEMBERS: None

Vice Mayor Van Nostran stated that questions had been raised by the Public Employees Retirement System regarding the performance evaluation process for City Manager Howard Chambers, which was conducted annually by the City Council. The outcome of that process had typically led to an annual performance bonus. He noted that last year, the Council had adopted Resolution No. 2004-37 following a lengthy evaluation. It was the consensus of the City Council that the City of Lakewood had been very well served and that Mr. Chambers was an outstanding City Manager. At the time the Resolution was adopted, the Council granted a ten percent performance bonus which had been paid in June, 2004. To clarify this action for CalPERS, he made the following motion:

VICE MAYOR VAN NOSTRAN MOVED AND COUNCIL MEMBER ROGERS SECONDED TO CLARIFY THAT THE INTENT OF THE CITY COUNCIL ACTION IN ADOPTING RESOLUTION NO. 2004-37 IN JUNE, 2004, WAS TO FIND THAT CITY MANAGER HOWARD CHAMBER HAD PERFORMED IN AN OUTSTANDING MANNER AND THAT HE BE GRANTED A PERFORMANCE BONUS FOR PAYMENT IN JUNE, 2004. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Van Nostran, Rogers and Esquivel

NAYS: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: Croft and DuBois

ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Esquivel adjourned the meeting at 9:08 p.m. A moment of silence was observed in memory of Deputy Jerry Ortiz.

Respectfully submitted,

Denise R. Hayward, CMC
City Clerk