



Minutes

Lakewood City Council

Regular Meeting held
June 27, 2006

MEETING WAS CALLED TO ORDER at 7:30 p.m. by Mayor Van Nostran 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 Council Member Joseph Esquivel

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

ANNOUNCEMENTS AND PRESENTATIONS:

Mayor Van Nostran invited everyone to attend the Civic Center Block Party scheduled for Saturday, July 1st, which would include live music, a family fun zone for kids, food and concluding with a fireworks show.

The Mayor also advised that Lakewood was serious about illegal fireworks and citations would be written if they were found or used. He issued a reminder about the City's new program which would provide a reward for tips that lead to the arrest of persons offering illegal fireworks for sale.

ROUTINE ITEMS:

COUNCIL MEMBER ESQUIVEL MOVED AND COUNCIL MEMBER CROFT SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 8.

- RI-1 Approval of Minutes of the Meetings held June 6, and June 13, 2006
- RI-2 Approval of Personnel Transactions
- RI-3 Approval of Registers of Demands
- RI-4 Approval of Meeting Reports and Authorizations Pursuant to AB1234
- RI-5 Approval of Amendment to the Agreement with Pacific Health Consulting
- RI-6 Approval of Amendment to the Tree Maintenance Service Agreement with West Coast Arborists

ROUTINE ITEMS: Continued

RI-7 Approval of Amendment to the Environmental Engineering and Storm Water Compliance Services Agreement with BioClean Environmental Services, Inc.

RI-8 Approval of Amendment to Elevator Maintenance Services Agreement with Thyssenkrupp Elevator

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: DuBois

1.1 • AWARD OF BID FOR PUBLIC WORKS PROJECT NO. 06-6, WEST SAN GABRIEL RIVER PARKWAY NATURE TRAIL – PHASE II

Public Works Director Lisa Rapp displayed slides and gave a brief presentation based on the item in the agenda regarding the proposed project for the West San Gabriel River Parkway Nature Trail, Phase II. She reported that four bids had been received for the project which would include site clearing, grading, irrigation installation, landscaping, fencing and an ADA accessible walking path. She noted that the project was funded largely with grant funds from several sources. It was the recommendation of staff that the City Council: approve the plans, specifications and working details for the project; award the contract to the low bidder, Belaire-West Landscaping, Inc., in the amount of \$453,500; authorize staff to approve a cumulative total of change orders, as necessary, not to exceed \$27,000; appropriate \$175,000 from the General Fund to the project account; appropriate \$40,000 from the 2002 Resources Bond Act – Per Capita Block Grant fund to the project account; approve an agreement with the County of Los Angeles Flood Control District; and approve an agreement with AESCO Technologies, Inc. in an amount not to exceed \$10,000, for construction materials and soils testing.

Mayor Van Nostran opened the public hearing at 7:40 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

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

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

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: DuBois

1.2 • AWARD OF BID FOR PUBLIC WORKS PROJECTS FOR THE WEINGART SENIOR CENTER

a) PROJECT NO. 05-10A, ROOFING AND SKYLIGHT IMPROVEMENTS PROJECT

b) PROJECT NO. 05-10B, HVAC IMPROVEMENTS PROJECT

The Director of Public Works provided a brief report based on the item in the agenda and stated the proposed work at the Weingart Senior Center had previously been bid as a single project, but that all bids received had exceeded estimates and funding for the project. The City Council had authorized the re-bid of the project split into two new contracts. Project No. 05-10A included the roofing and skylight improvements, while Project No. 05-10B provided for replacement of HVAC equipment. She reported that four bids had been received for No. 05-10A and three bids for No. 05-10B. She advised that the low bidder for No. 05-10B had failed to include a required Addendum acknowledgement form with their bid package, but the City Clerk had documentation that the Addendum had been transmitted and that the low bidder, Process Cooling and Heating, had signed a receipt for the delivery. Although the second lowest bidder, Los Angeles Air Conditioning, had filed a protest, Process Cooling and Heating had provided the City with written confirmation that their bid included all items addressed in the Addendum and that the omission of the form from their bid package had been a clerical oversight. It was recommended that the omission be determined a minor irregularity. She noted that the projects were being funded through the Community Development Block Grant Program. It was the recommendation of staff that the City Council approve the plans, specifications and working details for the projects; award a contract for Project No. 05-10A to Best Roofing and Waterproofing, Inc. in the amount of \$219,458; waive the minor irregularity of the exclusion of the Addendum acknowledgement and award a contract for Project No. 05-10B to Process Heating and Cooling in the amount of \$165,775; and authorize staff to approve a cumulative total of change orders, as necessary, not to exceed \$40,000.

Responding to a question from Council Member Rogers, City Attorney Steve Skolnik stated that in addition to waiving the minor irregularity, the City Council should formally act to deny the protest of Los Angeles Air Conditioning. He also advised that should they wish to carry the matter further, Los Angeles Air Conditioning would need to initiate legal action.

Mayor Van Nostran 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 ROGERS MOVED AND COUNCIL MEMBER CROFT SECONDED TO DENY THE PROTEST AND APPROVE STAFF'S RECOMMENDATIONS. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: DuBois

1.3 • AWARD OF BID FOR PUBLIC WORKS PROJECT NO. 06-7, RESIDENTIAL STREET REHAB - 2006

The Director of Public Works displayed a map and made a brief presentation based on the memo contained in the agenda. She reviewed the plan for future residential pavement resurfacing and noted that 107 miles of streets had been overlaid since 2000, the equivalent of 75 percent of the total streets miles in the City. She reported that six bids had been received for the 2006 Residential Street Rehab project and that staff was proposing the addition of 36th Street between Cherry and Industry Avenues. It was the recommendation of staff that the City Council approve the plans, specifications and working details for Project No. 06-07; award a contract to the low bidder, Silvia Construction, Inc., in the amount of \$2,037,924; appropriate an additional \$865,000 from the General Fund to the project account; appropriate \$349,677 from Proposition 42 Funds to the project account; authorize staff to issue a change order, not to exceed \$50,000, to add the resurfacing of 36th Street to the project; authorize a \$50,000 loan from the General Fund to the Redevelopment Agency to fund the rehabilitation of 36th Street; and authorize staff to approve a cumulative total of change orders, as needed, not to exceed \$200,000.

Mayor Van Nostran opened the public hearing at 7:51 p.m. and called for anyone in the audience wishing to address the City Council on this matter.

Irene Kautto inquired about street resurfacing in the Lakewood Gardens area. The Director of Public Works advised that the resurfacing in that area was not scheduled until fiscal year 2009-2010, just after the scheduled completion of water main replacement in that area.

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

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

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: DuBois

3.1 • AUTHORIZATION TO PROCEED WITH SOLE SOURCE PURCHASE FOR REPLACEMENT DASH BUSES

Finance Director Larry Schroeder gave a presentation based on the memo contained in the agenda and stated the City's Fleet Supervisor had recommended replacement of two of the buses used in the DASH Transit program as their high mileage was causing increasing maintenance costs. The replacement model most closely meeting the needs of the DASH program had been identified, but was currently available from only one vendor. He advised that the budget contained an allocation for vehicle replacement, although an additional allocation from transportation funds would be required. It was the recommendation of staff that the City Council authorize an additional appropriation of \$12,657.48 from Proposition A funds for the purchase of two El Dorado National Aerotech 240 transit buses from the sole source vendor, Creative Bus Sales, Inc. in the amount of \$122,657.48.

3.1 • PURCHASE FOR REPLACEMENT DASH BUSES – Continued

Responding to questions from Mayor Van Nostran, Mr. Schroeder stated that the DASH Transit program currently operated nine buses and that of the two buses proposed for replacement, one had 160,000 and the other 190,000 service miles. He advised that the new buses could be delivered in approximately 120 days.

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

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

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: DuBois

At 7:54 p.m., the Regular Meeting of the City Council was recessed for the Meeting of the Lakewood Redevelopment Agency. At 7:56 p.m., the City Council Meeting was reconvened.

ORAL COMMUNICATIONS:

Carol Brown addressed the City Council regarding gang activity.

Council Member Rogers encouraged Ms. Brown to speak to the Team Lakewood Lieutenant, who was present in the audience.

Sally Brayton addressed the City Council regarding the Lakewood High School reunion picnic.

CLOSED SESSION:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Andre v. City of Lakewood, Case No. VC046739

At 8:04 p.m., the City Council recessed to a closed session pursuant to Government Code §54956.9(a) to receive advice from legal counsel regarding existing litigation. At 8:24 p.m., the City Council reconvened in open session.

ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Van Nostran adjourned the meeting at 8:24 p.m.

Respectfully submitted,

Denise R. Hayward, CMC
City Clerk