



Minutes

Lakewood City Council

Regular Meeting held
May 22, 2007

MEETING WAS CALLED TO ORDER at 7:31 p.m. by Mayor DuBois in the Council Chambers at the Civic Center, 5000 Clark Avenue, Lakewood, California.

INVOCATION was offered by Dr. Bill Cox, Emmanuel Church of Lakewood

PLEDGE OF ALLEGIANCE was led by Mayor Diane DuBois

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

ANNOUNCEMENTS AND PRESENTATIONS:

Mayor DuBois announced that a reception had been held prior to the meeting to recognize and honor the Lakewood Senior Volunteer of the Year, Bob Martin; Boy and Girl Scouts earning Eagle Scout and Gold or Silver Awards; and the Artesia High School boys championship basketball team.

Council Member Rogers announced that he had just come from a meeting of the Board for the Paramount Unified School District. He stated that he had an opportunity to share with the Board the concerns and issues of Lakewood residents, especially inter-district transfers and that his remarks had been well received by the Board and Superintendent. He stated that he was hopeful that results would be realized as a consequence of the conversation.

ROUTINE ITEMS:

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 16.

RI-1 Approval of Minutes of the Meeting held May 8, 2007

RI-2 Approval of Personnel Transactions

RI-3 Approval of Registers of Demands

RI-4 Approval of Meeting Reports and Authorizations Pursuant to AB1234

ROUTINE ITEMS: Continued

RI-5 RESOLUTION NO. 2007-14; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ESTABLISHING A PHYSICALLY HANDICAPPED PERSONS DESIGNATED PARKING SPACE ON THE EAST SIDE OF COLDBROOK AVENUE WITHIN THE CITY OF LAKEWOOD

RESOLUTION NO. 2007-15; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ESTABLISHING A PHYSICALLY HANDICAPPED PERSONS DESIGNATED PARKING SPACE ON THE NORTH SIDE OF FAIRMAN STREET WITHIN THE CITY OF LAKEWOOD

RI-6 Approval of Monthly Report of Investment Transactions

RI-7 Approval of Fireworks Display at Lakewood Mall on June 30, 2007

RI-8 Approval of Agreement with County of Los Angeles for Grounds Maintenance

RI-9 Approval of Temporary Change in Sycamore Caterers Agreement Due to Centre Waterproofing Project

RI-10 Approval of Agreement with Fiesta de Carnival Promotions

RI-11 Approval of Appropriation for Cisco Network Infrastructure Project

RI-12 Approval of Purchase of Gasoline and Diesel Fuels

RI-13 Approval of Purchase of Generator Set for Water Resources

RI-14 Approval of Reduction of Retention on PW Contract 05-6, Pinner Construction

RI-15 Approval of Additional Work - Public Works Project No. 07-3, Watermain Replacement 2007

RI-16 Approval of Amendment to Agreement for Storm Water Compliance Services with Bio Clean Environmental Services, Inc.

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.1 • AWARD OF BID FOR PUBLIC WORKS PROJECT NO. 06-14, WELL 27 WELLHEAD & PUMP

Public Works Director Lisa Rapp presented a report based on the memo contained in the agenda and stated seven bids had been received for the second phase of the process for water well 27, located in the Arbor Yard. This project would provide for the installation of the pump, electrical panel, disinfection equipment and related wellhead facilities. She noted that a faxed protest had been received from the second lowest bidder, although following a telephone conversation with City staff, the contractor had verbally withdrawn the protest. It was the recommendation of staff that the City Council: adopt and approve the plans, specifications, and working details for the project; reject the protest; award a contract to the low bidder Bakersfield Well & Pump Company in the amount of \$740,569; authorize staff to approve a cumulative total of change orders, as needed, not to exceed \$80,000.

Mayor DuBois opened the public hearing at 7:38 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 CROFT SECONDED TO APPROVE STAFF'S FOUR RECOMMENDATIONS. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Van Nostran, Esquivel, Croft, Rogers and DuBois
NAYS: COUNCIL MEMBERS: None

1.2 • AWARD OF BID FOR PUBLIC WORKS PROJECT NO. 06-9, CENTRE WATERPROOFING PROJECT

The Director of Public Works advised that due to the need expressed by potential bidders for additional time to formulate project bids, the bid deadline for Project No. 06-9 had been extended by addenda. Staff was therefore requesting that the City Council continue the public hearing for the award of bids on this project to the regular meeting to be held on June 12, 2007.

MAYOR DUBOIS, DETERMINING THAT THERE WAS NO OBJECTION, ORDERED THE PUBLIC HEARING CONTINUED UNTIL JUNE 12, 2007.

1.3 • AWARD OF BID FOR PURCHASING BID PUR02-07, MICROSOFT 2007 OFFICE PROFESSIONAL PLUS SUITE

Administrative Services Director Diane Perkin presented a report based on the memo contained in the agenda and stated four bids had been received for suite licenses of Microsoft 2007 Office Professional Plus. It was the recommendation of staff that the city Council authorize the purchase of 200 Microsoft 2007 Office Professional Plus suite licenses from the low bidder, Dell Marketing at the proposed contract price of \$55,600.

1.3 • AWARD OF BID FOR PURCHASING BID PUR02-07 - Continued

Mayor DuBois opened the public hearing at 7:43 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

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

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

NAYS: COUNCIL MEMBERS: None

1.4 • SPECIFIC PLAN 2007-2 FOR 3201-3225 CARSON STREET

Community Development Director Jack Gonsalves presented a report based on the memo contained in the agenda and stated an application had been made for a Specific Plan for a commercial center located 3201-3225 Carson Street, in order to allow a restaurant with sale of beer and wine for on-site consumption. He noted that such a use was not currently allowed due to the proximity of the site to residential properties and had hampered the owners' attempts to attract new tenants to the site. He reported that the Planning and Environment Commission, in response to concerns raised by neighboring residential property owners, had imposed certain conditions on the approval, including limiting the hours of operation for the proposed restaurant and hours for parking lot sweeping.

ORDINANCE NO. 2007-4; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ADOPTING SPECIFIC PLAN 2007-2

City Attorney Steve Skolnik clarified for Council Member Van Nostran that allowing the sale of beer and wine for on-site consumption would not convey any rights for the location to be used later for a different alcoholic beverage sales site such as a bar.

Responding to a question from Vice Mayor Croft, Mr. Gonsalves stated that the other businesses in the center were closed by 9 p.m.

Council Member Rogers inquired if there were alternatives to the proposed use. Mr. Gonsalves responded by stating that the owners had not been able to attract a tenant to the site due to the restriction on alcohol sales.

Mayor DuBois opened the public hearing at 7:54 p.m. and called for anyone in the audience wishing to address the City Council on this matter.

Rory Hargaden addressed the City Council regarding the early morning noise at the site and possibility of late night noise from the proposed restaurant use. He submitted additional proposed conditions for the site.

1.4 • SPECIFIC PLAN 2007-2 FOR 3201-3225 CARSON STREET - Continued

Marzith Zarkesh, co-owner and manager of the property, expressed the desire of the property owners to be good neighbors. She stated she would make the effort to work with the tenants to be as quiet as possible. Responding to questions from Vice Mayor Croft, she acknowledged that the City would have the right to revoke the provisions of the Specific Plan which allowed for the sale of liquor should the required conditions not be met. She also stated that she had already made arrangements for the hours of delivery and the landscaper to be adjusted to better accommodate the adjacent residential neighbors.

Council Member Rogers asked Ms. Zarkesh about the conditions requested by the residents. She responded by stating that it would be difficult to close the parking lot by 10 p.m., but that she would not object to posting signs specifying the parking lot hours and would also look into the cost of adding overnight parking lot security.

She also noted in response to a question from Vice Mayor Croft that the Coffee Bean site had an existing lease agreement which could limit her ability to adjust their hours of operation.

Vice Mayor Croft stated that the Specific Plan would provide some flexibility for the property owners and for the City to ensure conditions were met. He also noted that the property owner had demonstrated a willingness to work with the businesses to mitigate noise issues for the neighboring residents.

Council Member Rogers stated the parking lot signs should be added as a condition for the Specific Plan and suggested the City Council give the Planning staff the discretion to work with the property owner on appropriate wording.

VICE MAYOR CROFT MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED TO INTRODUCE ORDINANCE NO. 2007-4, AS AMENDED.

The City Attorney advised that the wording would be finalized and presented at the second reading of the ordinance.

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

2.1 • PRECISE PLAN OF DEVELOPMENT FOR 11124 E. DEL AMO BOULEVARD

The City Attorney stated the proposed ordinance had been introduced at the last regular meeting and was presented for second reading and adoption at this time.

2.1 • PRECISE PLAN FOR 11124 E. DEL AMO BOULEVARD - Continued

ORDINANCE NO. 2007-2; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING ORDINANCE NO. 2006-8 INCORPORATING THE PRECISE PLAN INTO THE PD-SF (SINGLE FAMILY DWELLING UNIT PLANNED DEVELOPMENT) ZONING FOR THAT PROPERTY LOCATED AT 11124 DEL AMO BOULEVARD, DESIGNATED ADOPTION OF PRECISE PLAN FOR ZONE CHANGE CASE NO. 110 was read by title by the City Clerk.

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED TO WAIVE FURTHER READING AND ADOPT ORDINANCE NO. 2007-2. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

2.2 • TEMPORARY RULES FOR ENFORCEMENT OF RESIDENTIAL PARKING RESTRICTIONS

The City Attorney advised that the proposed resolution was an attempt to address the concerns expressed by residents at the last City Council meeting. In accordance with the Council instruction, this item had been turned around quickly so that residents could know what regulations would be in place when the new recreational vehicles and trailer parking restrictions approved by the voters went into effect on July first.

RESOLUTION NO. 2007-16; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ESTABLISHING TEMPORARY RULES FOR ENFORCEMENT OF PARKING RESTRICTIONS ON RESIDENTIAL PROPERTIES

Mayor DuBois clarified with the City Attorney that the resolution would not affect regulations pertaining to inoperative vehicles and that only the first three items on the temporary rules sheet were actually changes, the other listed items were part of existing codes and listed to illustrate the types of uses that would continue to be subject to enforcement.

Mr. Gonsalves confirmed for Council Member Rogers that any eyesore vehicles, such as one with debris in, on or around it, would continue to be treated as inoperable and subject to enforcement.

Vice Mayor Croft determined from the City Attorney that the proposed rules were temporary, pending recommendations of the RV parking ad hoc committee for permanent code changes, and would expire on October 1, 2007, or upon the adoption of modified on-site parking restrictions.

Council Member Van Nostran advised that the ad hoc committee was working on a time line and that the recommendations should be completed well before the deadline.

2.2 • TEMPORARY RULES FOR RESIDENTIAL PARKING - Continued

Jennifer Beasley, Lester Wolford and James Sumner addressed the City Council regarding the lack of notification to interested parties on this item, noting that the Council had assured residents in attendance at the last regular meeting that notice would be provided before taking further action on residential parking restrictions.

City Manager Howard Chambers stated that while staff was prepared to notify interested residents at the time any permanent changes were discussed or considered, the proposed resolution had only been intended to ease the concerns presented by residents at the last City Council meeting while the ad hoc committee was in the process of preparing recommendations.

The City Attorney advised that notice had not been provided on this item as it was only a temporary measure, intended to liberalize existing codes during the ad hoc committee study period, as requested by residents at the last meeting.

Ralph Buckles presented a technical question about his specific situation and was directed to discuss the matter personally with staff.

Scott Schroyer stated there was an RV group that had organized and was eager to work with the City Council to draft parking recommendations.

Vice Mayor Croft stated that while he empathized with those affected by the new on-street parking restrictions going into effect on July 1st and wanted to take every step possible to provide reasonable mitigation measures, the City Council should not lose sight of the will of the voters, 70 percent of whom supported the two measures to prohibit the parking of trailers and recreational vehicles on City streets.

Council Member Rogers stated there had been many misunderstandings and much misinformation regarding what the City Council was trying to accomplish. He noted that once the voters had decided to restrict parking on the streets, the City Council felt it should look at existing codes relating to parking on private property to see if changes were warranted. He stated that it was simply not feasible to have a complete suspension of all private property parking regulations and still maintain the property standards necessary for neighborhood preservation. The purpose of the proposed resolution was to help recreational vehicle and trailers owners attempting to comply with the provisions of the new street parking restrictions by temporarily suspending certain portions of existing regulations. He reported that the ad hoc committee was working on a timeline to expedite the study process and that they would definitely need feedback from residents on both sides of the issue. He noted that all of the City Council members valued input from residents, and would welcome residents who would like to talk about their concerns. He concluded by stating that it was not an easy process as there were dramatic changes to be made, however, the process was necessary in order to find the right balance to satisfy the greatest number of people and reach the best solution for Lakewood.

2.2 • TEMPORARY RULES FOR RESIDENTIAL PARKING - Continued

Council Member Van Nostran stated that he had been one that hadn't wanted to take on this issue, but had come to the point where the proliferation of vehicles required action to be taken. He noted that as a resident who had been the owner of a number of recreational vehicles in the past, but currently had none, he had perspective on both sides of this issue. He apologized for the delay in the schedule for the ad hoc committee, noting the difficulties in coordinating schedules to get meeting dates arranged, and stated that setting the committee's calendar was a priority. He concluded by committing to put in the work to get the job done right.

COUNCIL MEMBER ROGERS MOVED AND COUNCIL MEMBER VAN NOSTRAN SECONDED TO ADOPT RESOLUTION NO. 2007-16. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

At 9:08 p.m., the Regular Meeting of the City Council was recessed for the Meeting of the Lakewood Redevelopment Agency. At 9:12 p.m., the City Council Meeting was reconvened.

2.3 • SB 53 COMPLIANCE; ORDINANCE NO. 2007-5

The City Attorney advised that the proposed ordinance which would bring Redevelopment Agency procedures into compliance with a recently passed State law, had been reviewed and recommended by the Lakewood Redevelopment Agency.

ORDINANCE NO. 2007-5; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD CONTAINING A DESCRIPTION OF THE LAKEWOOD REDEVELOPMENT AGENCY'S PROGRAM TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN IN REDEVELOPMENT PROJECT AREAS NO. 1 AND NO. 3 was read by title by the City Clerk.

COUNCIL MEMBER ROGERS MOVED AND VICE MAYOR CROFT SECONDED TO WAIVE FURTHER READING AND INTRODUCE ORDINANCE NO. 2007-5. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

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ORAL COMMUNICATIONS:

Carol Brown addressed the City Council regarding street sweeping and lots with short driveways.

Scott Schroyer noted that the official secretary for the recreational vehicle group was Nancy Small.

ADJOURNMENT

There being no further business to be brought before the City Council, Mayor DuBois adjourned the meeting at 9:18 p.m.

Respectfully submitted,

Denise R. Hayward, CMC
City Clerk