



# Minutes

## Lakewood City Council

Regular Meeting held  
September 25, 2007

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**MEETING WAS CALLED TO ORDER** at 7:52 p.m. by Mayor DuBois in the Council Chambers at the Civic Center, 5000 Clark Avenue, Lakewood, California.

**INVOCATION** was offered by Reverend Sam Wilder, West Lakewood Baptist Church

**PLEDGE OF ALLEGIANCE** was led by Council Member Larry Van Nostran

**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 immediately prior to the meeting to recognize the families receiving Lakewood Beautiful Home Awards.

Michael Troyer, President, Lakewood Rotary Club, made a brief presentation regarding Project Shepherd and asked Mayor DuBois to serve as honorary chairman of this year's program. He also extended an invitation to the Kris Kringle golf tournament on December 10th, a fund raising event to support Project Shepherd.

Captain Dave Fender, Commander of the Lakewood Sheriff's Station, made a brief presentation to the City Council regarding an article in the *Long Beach Press Telegram* on crime statistics. He advised that what had appeared as a discrepancy between the statistics reported locally and those reported by the FBI, was not a matter of incorrect numbers, but of report types. He stated that local agencies tracked and reported Part I, or "serious" crimes, which included both crimes against persons and crimes against property. The FBI statistics cited by the *Press Telegram* were only the crimes against persons. He stated that his reports were correct as presented.

### **ROUTINE ITEMS:**

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 12.

RI-1 Approval of Minutes of the Meetings held August 28, and September 11, 2007

RI-2 Approval of Personnel Transactions

RI-3 Approval of Registers of Demands

**ROUTINE ITEMS:** Continued

- RI-4 Approval of Meeting Reports and Authorizations Pursuant to AB1234
  
- RI-5 RESOLUTION NO. 2007-55; A RESOLUTION OF THE CITY OF LAKEWOOD APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE RECREATIONAL TRAILS PROGRAM
  
- RI-6 Approval of Amendment to Agreement with Candlewood Caterers, Inc.
  
- RI-7 Approval of PAL Agreement for FEMA National Levee Certification Program
  
- RI-8 Authorization of Design Proposal for Bloomfield Park Activity Building and Teen Resource Center Improvement Project
  
- RI-9 Approval of Monthly Report of Investment Transactions
  
- RI-10 Approval of Amendment to Agreement with AESCO Technologies
  
- RI-11 Acceptance of Notice of Completion for Public Works Project No. 06-4, Centralia Parkway & Del Amo Median Landscape, Belaire-West Landscaping, Inc.
  
- RI-12 Approval of Additional Appropriation for Consultant Services Agreement with JWA Urban Consultants, 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 PURCHASING BID 04-07, STORAGE TANKS AND SUPPLY OF SODIUM HYPOCHLORITE**

Administrative Services Director Diane Perkin gave a brief presentation based on the memo contained in the agenda and stated three bids had been received for the purchase of 12.5% Sodium Hypochlorite. She reported that up to 60,000 gallons per year were used to disinfect the City's water system. It was the recommendation of staff that the City Council award the contract to Brenntag Pacific for a period of five years, ending on June 20, 2012.

Responding to a question from Vice Mayor Croft, Water Resources Director Jim Glancy stated that the chemicals, basically comparable to double strength laundry bleach, would be stored in tanks provided by the supplier.

Council Member Rogers inquired if the quoted prices were fixed for the 5-year period. Mr. Glancy responded by stating that the contract did contain an annual adjustment, however, there was a cancellation clause should the terms become unacceptable. He also confirmed that the annual adjustment had been considered as part of the bid evaluation process.

**1.1 • AWARD OF BID FOR PURCHASING BID 04-07, STORAGE TANKS AND SUPPLY OF SODIUM HYPOCHLORITE - Continued**

Mayor DuBois opened the public hearing at 8:10 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 VICE MAYOR CROFT SECONDED TO AUTHORIZE THE PURCHASE OF 12.5% SODIUM HYPOCHLORITE FROM BRENNTAG PACIFIC. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

**2.1 • ORDINANCE NO. 2007-8; PERTAINING TO THE OFF-STREET PARKING AND STORAGE OF VEHICLES IN RESIDENTIAL ZONES**

City Attorney Steve Skolnik stated that the ordinance pertaining to off-street parking and storage of vehicles was presented for second reading and adoption. He advised that the ordinance would be a self-contained, single source for regulations on on-site vehicle parking and storage in residential zones, and would supercede existing City codes. The ordinance would go into effect 30 days after adoption. He noted that one person had requested to be heard on this item.

Ed Peck related a situation where a City permit for on-street parking had been received, but Sheriff's deputies responding to a complaint had no record of the permit. He also questioned whether the permit needed to be displayed on the vehicle.

Council Member Rogers determined from Mr. Peck that no citation was issued, merely a warning.

Assistant City Manager Michael Stover stated that there had been numerous discussion with Sheriff's Station personnel throughout the development of the permit process and that a master list of all permit holders was constantly available to both Sheriff's deputies and City parking enforcement staff. He further stated that there was no need to post a copy of the permit on the vehicle and he committed to tracking down the glitch in this case.

ORDINANCE NO. 2007-8; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE LAKEWOOD MUNICIPAL CODE PERTAINING TO OFF-STREET PARKING AND STORAGE OF MOTORIZED RECREATIONAL VEHICLES, TRAILERS, SEMI-TRAILERS AND COMMERCIAL VEHICLES ON PROPERTIES DEVELOPED WITH SINGLE-FAMILY RESIDENTIAL USES was read by title by the City Clerk.

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED TO WAIVE FURTHER READING OF ORDINANCE NO. 2007-8.

**2.1 • OFF-STREET PARKING AND STORAGE OF VEHICLES IN RESIDENTIAL ZONES**

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

COUNCIL MEMBER ROGERS MOVED AND VICE MAYOR CROFT SECONDED TO ADOPT ORDINANCE NO. 2007-8.

Council Member Rogers stated that he had received a lot of feedback from the community since the introduction of the ordinance, some thinking the ordinance went too far and many thinking it did not go far enough. He stated that the purpose was to clean up archaic language in the Municipal Code and provide more options than currently allowed, while still equipping code enforcement staff with the tools necessary to deal with problem properties. He concluded by stating that the ordinance would remain a work in progress, with the City Council continuing to research and make adjustments as necessary, aiming for the most fair and balanced handling of the issue possible.

Vice Mayor Croft acknowledged the work of the Ad Hoc Committee on this issue and the efforts to bring the Municipal Code more into line with the way people live today. He noted that the City Council would continue to evaluate the results of the ordinance and look carefully at ongoing concerns, especially safety issues.

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

**3.1 • DEL AMO & NORWALK PAVEMENT REHAB, ACCEPTANCE OF NOTICE OF COMPLETION FOR PUBLIC WORKS PROJECT NO. 05-12R, SILVIA CONSTRUCTION, INC.**

Public Works Director Lisa Rapp displayed slides and made a presentation based on the memo in the agenda. She provided an update on the street resurfacing program, noting that 81 percent of residential streets had been repaved since the year 2000. She noted that the contract with Silvia Construction had been completed on time and under budget, and recommended the City Council accept the work of Silvia Construction, Inc. in the amount of \$1,264,673.77.

VICE MAYOR CROFT MOVED AND COUNCIL MEMBER ROGERS SECONDED TO 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

### **3.2 • REPORT OF SOUTHERN CALIFORNIA EDISON COMPANY REGARDING HEAT STORM POWER OUTAGES**

Ben Harvey, Regional Manager for Southern California Edison Company (SCE), displayed slides and reviewed Edison's response to the outages experienced during the heat storm over Labor Day weekend. He advised that the power demand over that weekend was the largest in history to date and that Lakewood had been one of the hardest hit cities, with over 875 accounts experiencing power outages, some for up to seven days. He noted that while the Lakewood/Long Beach area normally had six repair crews on duty, there had been 30 crews working that weekend. He stated that it was important for customers to report power outages to Edison, especially with an older, low-voltage system such as Lakewood's, as they had no other way to determine when there was no service in a particular area. He further stated that Edison would also be looking at substation upgrades.

Council Member Van Nostran asked why there was no scheduled maintenance or replacement of aging transformers. Mr. Harvey stated that there was no way for Edison to discern which transformers would fail and that many times failure was due to increased demand on a particular transformer, through service panel upgrades or air conditioning improvements completed without City permits. Council Member Van Nostran stated he did not appreciate the level of service provided and expressed concern for the many residents that lost the entire contents of their refrigerators and freezers.

Council Member Rogers stated this incident should be a wake up call to SCE to upgrade the aging system, so that there would not ever be a repeat of this incident.

Vice Mayor Croft stated that while he understood that the technology in the system was quite old, there certainly must be technology available to deter changes in demand. Mr. Harvey responded by stating Edison would be installing 'smart meter' technology that would help residents determine increases in demand.

Mayor DuBois inquired how the City could get the attention of senior management at SCE and raise awareness of the need for change. Mr. Harvey stated he was preparing a report for management, but the City could send its own correspondence directed to Edison management.

### **3.3 • STATUS REPORT ON WATER CONSERVATION**

Water Resources Director Jim Glancy displayed slides and stated that the last water year, ending in June had been the driest on record in the State of California in 130 years, with the City of Lakewood receiving only 3.7 inches of rain. He stated that although Lakewood residents had done a great deal to reduce water consumption during the last drought, water consumption had been steadily creeping up. He noted that sixty percent of all water used was used outside. He stated that a recent court decision regarding the Sacramento delta meant that less imported water would be available in Southern California, but reminded that in Lakewood, water came from underground wells, as opposed to cities like Long Beach that depended heavily on surface-supplied water. He reported that Lakewood had a water conservation ordinance in place which was currently in the voluntary conservation phase. He noted that the higher levels of the ordinance could be activated should it become necessary.

**3.3 • STATUS REPORT ON WATER CONSERVATION - Continued**

He closed by stating that the City had a 2- to 2½-year buffer against water shortages, and that the Water Resources Department staff was available to perform free water audits for Lakewood customers.

Vice Mayor Croft inquired what was being done to raise water conservation awareness. Mr. Glancy stated the Water Quality Report was due out soon and would have water conservation suggestions, and that there were other media outreaches planned.

Council Member Rogers asked about incentive programs. Mr. Glancy responded by stating that the City would have the opportunity to partner with several regional programs targeted at incentives or rebates for water conservation.

At 9:08 p.m., the Regular Meeting of the City Council was recessed for the Meeting of the Lakewood Redevelopment Agency. At 9:11 p.m., the City Council Meeting was reconvened.

**ORAL COMMUNICATIONS:** None

**ADDITIONAL ITEM:**

***CONFERENCE WITH REAL PROPERTY NEGOTIATORS***

City Attorney Steve Skolnik advised that under the Ralph M. Brown Act, there were certain exceptions to the requirements for items to be listed on the posted agenda. He stated that since the need to discuss this matter had occurred subsequent to the posting of the City Council agenda and the matter needed immediate action by the City Council, it met the legal test for addition to the agenda for this meeting.

**COUNCIL MEMBER VAN NOSTRAN MOVED AND VICE MAYOR CROFT SECONDED TO ADD THE CONFERENCE WITH REAL PROPERTY NEGOTIATORS FOR THE PURCHASE OF WATER TO THE AGENDA. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:**

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

**NAYS: COUNCIL MEMBERS: None**

At 9:14 p.m., the City Council recessed to a closed session pursuant to §54956.8 of the Government Code to confer with negotiator, Water Resources Director Jim Glancy, regarding the possible purchase of water rights.

**ADDITIONAL ITEM:** Continued

***CONFERENCE WITH REAL PROPERTY NEGOTIATORS***

At 9:20 p.m., the City Council reconvened with all members present. The City Attorney announced that the City Council had given authorization and provided direction to the Director of Water Resources to negotiate on their behalf on the lease of available water rights.

**ADJOURNMENT**

There being no further business to be brought before the City Council, Mayor DuBois adjourned the meeting at 9:23 p.m.

Respectfully submitted,

Denise R. Hayward, CMC  
City Clerk