



Minutes

Lakewood City Council

Regular Meeting held
June 23, 2009

MEETING WAS CALLED TO ORDER at 7:30 p.m. by Mayor Rogers in the Council Chambers at the Civic Center, 5000 Clark Avenue, Lakewood, California.

INVOCATION was offered by Pastor Rick Phelps, Calvary Chapel Lakewood

PLEDGE OF ALLEGIANCE was led by Council Member Larry Van Nostran

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

ANNOUNCEMENTS AND PRESENTATIONS:

Mayor Rogers announced that the City's annual Civic Center Block Party would be held on Saturday, June 27th.

ROUTINE ITEMS:

COUNCIL MEMBER DUBOIS MOVED AND VICE MAYOR ESQUIVEL SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 10.

- RI-1 Approval of Minutes of the Meetings held April 28, and June 9, 2009
- 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 Monthly Report of Investment Transaction
- RI-6 Approval of Amendment to Agreement with City Light and Power, Inc. for Plant #4 Photovoltaic Project
- RI-7 Approval of Change Order for Public Works Project 08-2, Prop 1B CDBG Residential Street Rehab-2008, Silvia Construction, Inc.
- RI-8 Approval of Agreement for Realignment of Bike Trail at Del Amo Boulevard and Studebaker Road

ROUTINE ITEMS: Continued

RI-9 Approval of Agreement to City-County Law Enforcement Services Agreement

RI-10 Approving Submittal of Funding Request for Justice Assistance Grant Program
UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.1 • BUDGET FOR FISCAL YEAR 2009-2010

City Manager Howard Chambers displayed slides and gave a presentation on the proposed budget for fiscal year 2009-2010. He stated that budget preparation was a six-month process entitled "Planning for the future in difficult times." He noted that with the new economic challenges, even an adopted budget required constant re-evaluation. He thanked the Department Heads for their grasp of the process and what was necessary to achieve a workable budget, and for their creative and innovative suggestions. He commended the Administrative Services as, even with a number of staff changes in key positions and a relatively new computer system, they had produced the budget in a timely manner. He reviewed the challenges and changes experienced throughout the budget preparation process, including the rapidly increasing State deficit and worsening budget outlook; the housing crash; increasing unemployment; and declining sales tax revenues. He outlined the focus areas for the budget including: securing stable fiscal resources; growing the Lakewood economy; holding on to local authority; preserving Lakewood's infrastructure; meeting housing needs; preserving neighborhood quality of life; fostering a sense of community; protecting the environment; and keeping Lakewood safe. He also reviewed Revenues and Expenditures; Appropriations; City Operations; Contract Services; Revenues; a possible \$5.9 Million in Stimulus funding; proposed Capital Projects; and State Threats. He concluded by recommending that following a public hearing, the City Council take action through the resolutions and contracts presented, to adopt the proposed budget for fiscal year 2009-2010 in the amount of \$70,734,942.

Captain Christy Guyovich, Commander of the Lakewood Sheriff Station, stated that the Public Safety budget, as presented, would provide the necessary resources to keep Lakewood residents safe. She reported that the current proposed funding would allow for the continued deployment of Team Lakewood and their efforts to aggressively fight crime throughout the City. She noted that morale among the Team members was high and that they were proud to serve the residents of Lakewood. She also noted that Part I crime was down 17 percent.

Council Member Van Nostran commended the staff for the outstanding work on the budget. He noted that in an economic time when agencies across the nation were struggling, the staff had worked to put Lakewood in a position to continue to provide services for our residents.

Council Member DuBois stated the City Council felt fortunate to have staff that really wanted the best for Lakewood.

1.1 • BUDGET FOR FISCAL YEAR 2009-2010 - Continued

Vice Mayor Esquivel remarked on the great job done on the budget, especially in light of the new members of the Executive Management Team.

Council Member Croft stated that the staff had done well to address the concerns raised by Council Members throughout the budget process. He further stated that hard work had gone into maintaining revenue sources and living within conservative means, so that when financial pressure was on there were fewer budgetary corrections needed.

Mayor Rogers acknowledged the efforts of previous City Council Members to establish Lakewood's long history as a fiscally conservative city. He thanked his colleagues for working to protect Lakewood's residents and the quality of life here. He also thanked Captain Guyovich and Team Lakewood for their dedication to residents' safety and for using the provided funding wisely. He noted that State government could learn a lot by following the example of local government.

Mayor Rogers 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.

c. RESOLUTION NO. 2009-19; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE BUDGET FOR FISCAL YEAR 2008-2009, AND AUTHORIZING THE APPROPRIATION OF RESERVE FUNDS INTO APPROPRIATE FUNDS AS OF JUNE 30, 2009

d. RESOLUTION NO. 2009-20; 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 2009-2010

e. RESOLUTION NO. 2009-21; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ADOPTING THE BUDGET AND APPROPRIATING REVENUE FOR THE FISCAL YEARS 2009-2010

1) RESOLUTION NO. 2009-22; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING THE DIRECTOR OF ADMINISTRATIVE SERVICES TO CERTIFY TO CITY LIGHT AND POWER LAKEWOOD, INC. THAT BASIC FEE PAYMENTS HAVE BEEN INCLUDED IN THE BUDGET

RESOLUTION NO. 2009-23; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING THE DIRECTOR OF ADMINISTRATIVE SERVICES TO CERTIFY TO CITY LIGHT AND POWER LAKEWOOD THAT BASIC FEE PAYMENTS HAVE BEEN INCLUDED IN THE BUDGET

1.1 • BUDGET FOR FISCAL YEAR 2009-2010 - Continued

2) RESOLUTION NO. 2009-24; 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 EMPLOYEE BENEFITS, DEFINING THE CONDITIONS AND HOURS OF EMPLOYMENT, AND ADOPTING A CLASSIFICATION AND COMPENSATION PLAN FOR CITY OFFICERS AND EMPLOYEES

3) RESOLUTION NO. 2009-25; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD REPEALING RESOLUTION NO. 2008-33 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

4) RESOLUTION NO. 2009-26; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING AND RENEWING A COMMUNITY RECREATION PROGRAM WITH THE ABC UNIFIED SCHOOL DISTRICT

5) RESOLUTION NO. 2009-27; 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 2009-2010

6) RESOLUTION NO. 2009-28; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING AND RENEWING AN AGREEMENT BETWEEN THE CITY OF LAKEWOOD AND HUMAN SERVICES ASSOCIATION (HSA) TO PROVIDE SERVICES FOR SENIOR ADULT RESIDENTS OF THE CITY OF LAKEWOOD FOR THE FISCAL YEAR 2009-2010

7) RESOLUTION NO. 2009-29; 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 2009-2010

8) RESOLUTION NO. 2009-30; 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. PROVIDING SERVICES FOR TERMINALLY ILL RESIDENTS OF THE CITY OF LAKEWOOD FOR THE FISCAL YEAR 2009-2010

9) Approval of Agreement for Window Cleaning and Care Services with Pane In The Glass

10) Approval of Agreement with Progreen Maintenance Company for Custodial Maintenance

1.1 • BUDGET FOR FISCAL YEAR 2009-2010 - Continued

- 11) Approval of Agreement with Trend Offset Printing for Catalog Publications
- 12) Approval of Agreements with TruGreen LandCare for Median Landscape Maintenance and Mowing Services
- 13) Approval of Professional Services Agreement with Dive/Corr, Inc. for Water Storage Facility Inspection
- 14) Approval of Agreement with ID Modeling for Water Hydraulic Model Maintenance
- 15) Approval of Agreement with Macro Automatics for SCADA Telemetry System Maintenance
- 16) Approval of Agreement with Water Well Supply for Maintenance of Water Production Facilities
- 17) Approval of Extension of Agreement for Engineering Services with Associated Soils Engineering
- 18) Approval of Extension of Agreement for Construction Management/Inspection Services with BDA Associates
- 19) Approval of Amendment to Agreement with BioClean Environmental Services, Inc. for Environmental Engineering and Storm Water Compliance Services
- 20) Approval of Extension of Agreement for Hardscape Maintenance with CJ Construction
- 21) Approval of Amendment to Agreement for Emergency Services with Har-Bro, Inc.
- 22) Approval of Agreement for Elevator Maintenance Services with Liftech Elevator Services
- 23) Approval of Extension of Agreement for Transportation Planning and Engineering Services Agreement with LSA Associates, Inc.
- 24) Approval of Agreement for Electrical Contracting Services with Moore Electrical Contracting
- 25) Approval of Amendment to the Agreement with Musco Lighting for Athletic Field Lighting Services
- 26) Approval of Extension of Agreement for Engineering and Traffic Survey Services with Newport Traffic Studies
- 27) Approval of Amendment to Agreement for Engineering Services with Reedcorp Engineering

1.1 • BUDGET FOR FISCAL YEAR 2009-2010 - Continued

28) Approval of Extension of Agreement for Environmental Services with S.C.S. Consultants

29) Approval of Amendment to Agreement for Animal Control Services with SEAACA

30) Approval of Extension of Agreement for Street Banner Marketing Program with Sierra Installations, Inc.

31) Approval of Agreement for Hardscape Maintenance Services with Silvia Construction, Inc.

32) Approval of Amendment to Agreement for HVAC Preventative Maintenance Services with Velocity Air Engineering

33) Approval of Agreement for Document Imaging System Maintenance and Support

34) Approval of Renewal of Agreement for Safety Consulting Services with Pacific EH&S Services, Inc.

35) Approval of Amendment to Agreement for Helicopter Maintenance with STEAM Aircraft

36) Approval of Agreement for Page Composition, Printing and Preparation for Mailing of the City Newsletter

37) Approval of Marketing and Design Services Agreement with Slover and Kinsbursky

38) Approval of Renewal of Agreement with Fair Housing Consulting Services

39) Approval of Extension of Reimbursement Agreement for Long Beach Transit Fixed Route and Dial-A-Lift Services

40) Approval of Amendment to Agreement for Information Technology Support with Brea IT

COUNCIL MEMBER VAN NOSTRAN MOVED AND VICE MAYOR ESQUIVEL SECONDED TO APPROVE ITEMS 1.1.B THROUGH 1.1.E.40. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.2 • AMENDMENTS TO PERMIT FEES UNDER THE UNIFORM BUILDING, PLUMBING, ELECTRICAL AND MECHANICAL CODES

Community Development Director Jack Gonsalves made a presentation based on the memo in the agenda and stated a review of the fees charged for permits, inspections and plan check services had shown that not only were Lakewood fees significantly lower than other local cities and the Los Angeles County fees, but were too low to cover the cost to provide the actual service. The proposed fee increase would not bring fees up to the level charged by other agencies, but would cover the cost for the contract services provided by County building inspectors and plan checkers. It was the recommendation of staff that the City Council adopt the proposed resolution to increase plan check, building, plumbing, electrical, mechanical, grading and other miscellaneous permits by 11 percent, effective September 1.

Mayor Rogers opened the public hearing at 8:14 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

RESOLUTION NO. 2009-32; 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 23, 2009

COUNCIL MEMBER DUBOIS MOVED AND COUNCIL MEMBER CROFT SECONDED TO ADOPT RESOLUTION NO. 2009-32. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

2.1 • RESOLUTION CHALLENGING THE CONSTITUTIONALITY OF STATE SEIZURE OF LOCAL STREET MAINTENANCE AND REDEVELOPMENT FUNDS

Deputy City Manager Lisa Novotny made a brief presentation based on the memo contained in the agenda and reported that the Governor's proposed budget for fiscal year 2009-2010, included a proposal to transfer local gas taxes to the State general fund, jeopardizing the ability of cities to maintain streets, bridges, traffic signals and other traffic safety facilities. The seizure of redevelopment tax increment funding was also included in the Governor's proposal. She stated the City had been asked to join with the League of California Cities, the California Redevelopment Association, and other cities and counties in supporting litigation challenging the constitutionality of the seizure of local funds.

City Attorney Steve Skolnik stated that although the proposed resolution speaks of supporting litigation, there were no specific financial resources committed, and that should that become necessary, a proposal would be brought back to the City Council for approval.

2.1 • RESOLUTION CHALLENGING THE CONSTITUTIONALITY OF STATE SEIZURE OF LOCAL STREET MAINTENANCE AND REDEVELOPMENT FUNDS

- Continued

RESOLUTION NO. 2009-33; A RESOLUTION OF THE CITY OF LAKEWOOD AUTHORIZING THE CITY ATTORNEY TO COOPERATE WITH THE LEAGUE OF CALIFORNIA CITIES, THE CALIFORNIA REDEVELOPMENT ASSOCIATION, OTHER CITIES AND COUNTIES IN LITIGATION CHALLENGING THE CONSTITUTIONALITY OF ANY SEIZURE BY STATE GOVERNMENT OF THE CITY'S STREET MAINTENANCE AND REDEVELOPMENT FUNDS

COUNCIL MEMBER DUBOIS MOVED AND COUNCIL MEMBER VAN NOSTRAN SECONDED TO ADOPT RESOLUTION NO. 2009-33. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

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 8:25 p.m., the City Council Meeting was reconvened.

2.2 • AMENDMENT NO. 20 TO THE REDEVELOPMENT PLAN FOR LAKEWOOD TOWN CENTER REDEVELOPMENT PROJECT AREA NO. 1

Administrative Services Director Diane Perkin gave a brief report based on the memo in the agenda and stated in order to provide increased flexibility in operations, staff was proposing an amendment to the Redevelopment Plan for Redevelopment Project Area No. 1 that would eliminate the time to incur debt. It was the recommendation of the Lakewood Redevelopment Agency that the City Council introduce the proposed ordinance to amend the Redevelopment Plan.

ORDINANCE NO. 2009-3; AN ORDINANCE OF THE CITY OF LAKEWOOD AMENDING THE REDEVELOPMENT PLAN FOR THE LAKEWOOD REDEVELOPMENT PROJECT AREA NO. 1 BY ADOPTION OF AMENDMENT NO. 20

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER CROFT SECONDED TO INTRODUCE ORDINANCE NO. 2009-3. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

ORAL COMMUNICATIONS: None

CLOSED SESSION:

Mayor Rogers 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 8:58 p.m., the City Council reconvened with all members present.

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

RESOLUTION NO. 2009-31; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING RESOLUTION NO. 76-66 PERTAINING TO THE CITY MANAGER

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER CROFT SECONDED TO ADOPT RESOLUTION NO. 2009-31. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Rogers adjourned the meeting at 9:00 p.m.

Respectfully submitted,

Denise R. Hayward, CMC
City Clerk