



Minutes

Lakewood City Council

Regular Meeting held
September 22, 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.

PLEDGE OF ALLEGIANCE was led by Council Member Diane DuBois

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 in recognition of the City's 55th anniversary, an event had been held prior to the meeting to celebrate the addition of names to Lakewood's Pillars of Community. Those recognized were Dr. John C. Bonner, an active member of Lakewood's religious community and founding member of the Mayor's Prayer Breakfast event; Mace Siegel, a visionary businessman and Lakewood benefactor, whose company purchased the Lakewood Center Mall in the mid-70's; and Volunteers in Service to Youth, acknowledging the contributions to Lakewood Youth by volunteer coaches, Scout leaders, and others.

Assembly Member Warren Furutani addressed the City Council regarding the 2009 Legislative Session. He stated that it had been a very difficult year for California with a budget severely impacted by world-wide economic troubles and the highest unemployment rate in the nation. He further stated that he appreciated the interaction with Council and staff regarding State budget proposals and their potential impact on the City, which assisted him in decision making to best benefit those he represented. He concluded by stating that he was continuing to work on several pieces of legislation of interest to the City and was open to discussing any other legislative needs.

Council Member Croft stated that he appreciated the Assembly Member's efforts in listening to and working with the City, and seeking out local issues on which he could provide assistance.

Council Member DuBois thanked Assembly Member Furutani for considering communication a priority.

Council Member Van Nostran inquired about legislative progress on prison reform. The Assembly Member stated that they were still struggling to reach a balance, since there were a number of court mandates that were not flexible and major budget cuts that could not be avoided.

ANNOUNCEMENTS AND PRESENTATIONS: Continued

Mayor Rogers noted that while the City Council had been critical of the State's legislators, he recognized Assembly Member Furutani as a good friend to Lakewood and looked forward to working with him on issues important to Lakewood residents, such as improving educational opportunities, maintaining local controls, and minimizing tax increases.

Marla Burillo-Chavez, Lakewood Rotary President, made a presentation regarding the annual Project Shepherd program. She stated that the program was in its 37th year of providing assistance to Lakewood families in need over the holiday season. She extended an invitation to Mayor Rogers to serve as honorary chairman and requested that program information be included with the City's utility billing. Mayor Rogers stated that he would be honored to serve.

Mayor Rogers announced that the meeting would be adjourned in memory of Frank Vicencia, who had served the residents of the area as a Member of the State Assembly in the late 1970's and early 1980's. He stated that the meeting would also be adjourned in memory of fallen Firefighters Ted Hall and Arnie Quiñones, who had lost their lives battling the fire in the Angeles National Forest.

Mayor Rogers noted that Assistant to the City Manager Donald Waldie had announced that he would be retiring on November 1. The Mayor stated that during his 32 years of exemplary service to the City of Lakewood, Mr. Waldie, acting in his capacity as Public Information Officer, had been the chief spokesman and storyteller for the City and would be sorely missed.

Mayor Rogers recognized in the audience, Dan Nilson, a member of Lakewood High School's first graduating class in 1958.

ROUTINE ITEMS:

Mayor Rogers announced that at the request of Council, Routine Items 1 and 6 would be considered separately.

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER CROFT SECONDED TO APPROVE ROUTINE ITEMS 2 THROUGH 5 AND 7 THROUGH 10.

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 Appointment to Lakewood Project Shepherd Board

RI-7 Approval of Permit for Mayfair High School Homecoming Parade

RI-8 Approval of Entertainment Permit for Cal Bowl Enterprises

ROUTINE ITEMS: Continued

RI-9 Approval of Retention Reduction for Public Works Project No. 09-5, Demolition of Roseton and 207th Properties

RI-10 Approval of Monthly Report of Investment Transactions

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

RI-1 Approval of Minutes of the Meeting held August 25 and September 8, 2009

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER CROFT SECONDED TO APPROVE ROUTINE ITEM 1. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: DuBois

Mayor Rogers stated that as a member of the Los Angeles County Sheriff's Department he would be abstaining from voting on this item.

RI-6 Approval of Renewal of Municipal Law Enforcement Services Agreement with County of Los Angeles

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO APPROVE ROUTINE ITEM 6. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: Rogers

1.1 • CDBG PROGRAM CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT

Community Development Director Jack Gonsalves presented a report based on the memo in the agenda and stated that Community Development Block Grant regulations required all grantees to submit an annual performance report. The Consolidated Annual Performance and Evaluation Report (CAPER) provided a summary of the City's overall progress in meeting local priorities and goals during the program year with programs such as Community Conservation, Single Family Rehabilitation Loan Program and the Fix-Up Paint-Up Grant Program. It was the recommendation of staff that the City Council hold a public hearing and then direct staff to submit the CAPER to the local office of the Department of Housing and Urban Development.

1.1 • CDBG PROGRAM CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT - Continued

Mayor Rogers opened the public hearing at 7:59 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

COUNCIL MEMBER DUBOIS MOVED AND COUNCIL MEMBER VAN NOSTRAN SECONDED TO CLOSE THE PUBLIC HEARING AND APPROVE STAFF'S RECOMMENDATION. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.2 • ORDINANCE NO. 2009-5; REGARDING WATER CONSERVATION MEASURES

Water Resources Director Jim Glancy stated there was an obvious need for better water management in the region and, although Lakewood had been careful with its water supply since the adoption of the original water conservation ordinance in 1991, certain updates were needed. He introduced Water Administration Manager Nancy van der Linden who would be making a presentation based on the memo in the agenda. Ms. van der Linden stated the Governor had issued a call for a reduction in water use statewide of 20 percent by the year 2020. She reviewed the proposed amendments stating the key changes pertained to water use for landscape irrigation in order to minimize runoff, methods of cleaning hardscape areas and the repair of observed leaks. She noted that updating fines for water use violations during a period of mandatory conservation were also proposed and that all proposed amendments had been reviewed by the Water Resources Committee. It was the recommendation of the Water Committee that the City Council introduce the proposed ordinance to update the water conservation section of the Lakewood Municipal Code.

ORDINANCE NO. 2009-5; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE LAKEWOOD MUNICIPAL CODE PERTAINING TO WATER CONSERVATION

Council Member Croft stated that as a member of the Water Resources Committee, he had the opportunity to review the ordinance in depth and had found the proposed modifications to be very forward looking and timely.

Mayor Rogers inquired about any violations issued. Ms. van der Linden stated that since the City was currently in a voluntary water conservation phase, the only penalties for residents were the increased costs per unit for larger consumption. Mr. Glancy stated that even in the past, when the mandatory phase had been implemented, residents had been responsive to warnings about overconsumption and no actual fines had been necessary.

Mayor Rogers opened the public hearing at 8:16 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

1.2 • ORDINANCE NO. 2009-5; REGARDING WATER CONSERVATION MEASURES - Continued

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO INTRODUCE ORDINANCE NO. 2009-5. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.3 • HOUSING ELEMENT, GENERAL PLAN AMENDMENT NO. 2009-1

The Director of Community Development gave a presentation based on the memo in the agenda and stated that State law required the update of the Housing Element of the City's General Plan every five years. He reported that the update process, which had included public workshops and presentations to the Planning and Environment Commission, had resulted in a draft document that was forwarded to the California Department of Housing and Community Development (HCD) for comment in May of 2008 and was now ready to be submitted for final review and certification. It was the recommendation of staff that the City Council conduct a public hearing and then adopt the proposed resolution which adopts the 2008-2014 Housing Element, approve the Negative Declaration for the project, and authorize staff to make any minor modifications as required by HCD.

RESOLUTION NO. 2009-49; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE GENERAL PLAN BY ADOPTING THE 2008-2014 HOUSING ELEMENT

Mayor Rogers opened the public hearing at 8:20 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

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

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

NAYS: COUNCIL MEMBERS: None

1.4 • ORDINANCE NO. 2009-6; CITY COUNCIL VACANCIES

City Attorney Steve Skolnik made a brief presentation based on the memo in the agenda and stated that the proposed amendment to the Municipal Code would repeal a restrictive section, adopted in 1974, which required the immediate call for a special election in the event of a vacancy on the City Council and restore to the City Council the discretion granted by the California Government Code to either call a special election or make an appointment. Considering the escalating costs to conduct a special election, he advised it would be fiscally prudent to provide the option of making an appointment when calling an election would not be in the best interests of the City.

1.4 • ORDINANCE NO. 2009-6; CITY COUNCIL VACANCIES - Continued
ORDINANCE NO. 2009-6; A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD REPEALING SECTION 2611 OF THE LAKEWOOD MUNICIPAL CODE REGARDING CITY COUNCIL VACANCIES

Mayor Rogers opened the public hearing at 8:23 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 DUBOIS SECONDED TO CLOSE THE PUBLIC HEARING AND INTRODUCE ORDINANCE NO. 2009-6. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.5 • AWARD OF BID – PUBLIC WORKS PROJECT NO. 2009-1, WATERMAIN REPLACEMENT - 2009

Public Works Director Lisa Rapp gave a presentation based on the report in the agenda and stated 22 bids had been received for Public Works Project No. 2009-1, Watermain Replacement – 2009. The project work, which would include the replacement of undersized, 1950's era cast iron water mains with eight-inch diameter PVC water pipe, was scheduled to begin in October, and be completed in April, 2010. It was the recommendation of staff that the City Council adopt and approve the plans, specifications and working details for the project; award a contract to the low bidder, General Underground Fire Protection, Inc. in the amount of \$1,284,501; appropriate \$140,000 from the Water Fund to the project account; and authorize staff to approve a cumulative total of change orders, as needed, not to exceed \$150,000.

Responding to a question from Council Member Van Nostran, Ms. Rapp stated that the bidding for this project had been very competitive and that the low bid was substantially below the engineer's estimate for the project.

Council Member Croft, noting the recent negative news reports regarding failing water mains in the City of Los Angeles, stated that although costly, the water main replacement program was a great way to take care of the City's infrastructure.

Mayor Rogers opened the public hearing at 8:26 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

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

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

NAYS: COUNCIL MEMBERS: None

1.6 • AWARD OF BID – PUBLIC WORKS PROJECT NO. 2008-8, CITY HALL EQUIPMENT DATA ROOM IMPROVEMENTS

The Director of Public Works gave a report based on the memo in the agenda and stated four bids had been received for the upgrade and improvement of the City Hall equipment data room. The project included a major reworking of the electrical supply to that area of the building and improved climate control. She noted that since the electrical improvements would require changing out the electrical infrastructure of the building, a complete shutdown would be necessary and was planned to occur over the holiday period at the end of the year. It was the recommendation of staff that the City Council adopt and approve the plans, specification and working details for the project; appropriate \$85,000 from the General Fund to the project account; award a contract to the low bidder, Pardess Air, Inc., in the amount of \$226,000; and authorize staff to approve a cumulative total of change orders, as necessary, not to exceed \$23,000.

In response to a question from Council Member DuBois, Ms. Rapp stated that even though City Hall would be closed over the holidays and all systems would be down, the Gatekeeper program, which equipped a City employee with a beeper system to respond to emergency calls, would still be operational.

Mayor Rogers opened the public hearing at 8:30 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

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

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

NAYS: COUNCIL MEMBERS: None

1.7 • ALLOCATION OF FUNDS FOR CITIZENS' OPTIONS FOR PUBLIC SAFETY (COPS) GRANT

City Manager Howard Chambers made a brief presentation based on the memo in the agenda and stated the City was entitled to an estimated \$100,000 under the Citizens' Options for Public Safety (COPS) Grant. The grant monies were restricted for use for front line law enforcement services and Lakewood Station Commander, Captain Christy Guyovich, had prepared a written request of projects to be funded, with the primary focus on the Park Deputy Bike Patrol program. It was the recommendation of the Public Safety Committee that the City Council conduct a public hearing and approve the recommended programs for front line law enforcement services, directing the Administrative Services Director to appropriate the grant funds to the Supplemental Law Enforcement Services account.

Mayor Rogers opened the public hearing at 8:33 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

1.7 • ALLOCATION OF FUNDS FOR CITIZENS' OPTIONS FOR PUBLIC SAFETY (COPS) GRANT - Continued

COUNCIL MEMBER VAN NOSTRAN MOVED AND VICE MAYOR ESQUIVEL SECONDED TO APPROVE STAFF'S RECOMMENDATION. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

WRITTEN COMMUNICATIONS:

CORRESPONDENCE FROM LONG BEACH CITY CLERK'S OFFICE REQUESTING AUTHORIZATION TO CONDUCT ELECTION FUNCTIONS IN LAKEWOOD FOR APRIL 13, 2010 LBUUSD AND LBCCD ELECTIONS.

The City Clerk reported that since the Long Beach Unified School District and the Long Beach Community College District covered parts of Lakewood and consolidated their governing board elections with the City of Long Beach municipal elections, the Long Beach City Clerk's office was requesting authorization to operate polling locations within the City of Lakewood.

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER CROFT SECONDED TO APPROVE THE ELECTION REQUEST OF THE CITY OF LONG BEACH. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

At 8:35 p.m., the Regular Meeting of the City Council was recessed for the Meeting of the Lakewood Redevelopment Agency. At 8:36 p.m., the City Council Meeting was reconvened.

ORAL COMMUNICATIONS:

Sally Brayton thanked the City Council for their support of the annual Lakewood High School reunion festivities.

ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Rogers adjourned the meeting at 8:38 p.m. A moment of silence was observed in memory of Frank Vicencia, Ted Hall and Arnie Quiñones.

Respectfully submitted,

Denise R. Hayward, CMC
City Clerk