



Minutes

Lakewood City Council

Regular Meeting held
December 8, 2009

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

INVOCATION was offered by Dr. John C. Bonner, Chaplain Emeritus to the City Council

PLEDGE OF ALLEGIANCE was led by Vice Mayor Joseph Esquivel

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

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ANNOUNCEMENTS AND PRESENTATIONS:

Mayor Rogers announced that a reception had been held prior to the meeting to welcome Sarah Comfort, the new manager for the Iacoboni Library and Glen Patrick, the new program executive director at the Weingart-Lakewood YMCA; recognize residents identified through the Lakewood Good Neighbors Program; and a presentation on Lakewood's Project Shepherd campaign to assist needy families.

Mayor Rogers announced that the meeting would be adjourned in memory of Sam Torres, a recipient of a 2009 Mayor's Award at the Award of Valor ceremonies, and also in memory of Junior Johnson, a Lakewood crossing guard.

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ROUTINE ITEMS:

COUNCIL MEMBER DUBOIS MOVED AND COUNCIL MEMBER CROFT SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 6.

RI-1 Approval of Minutes of the Meetings held November 10, and November 24, 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 Report of Monthly Investment Transactions

ROUTINE ITEMS: Continued

RI-6 Approval of Amendment to Agreement for Fire and Security Systems Upgrades with Stanley Security Solutions

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.1 • SECOND READING AND ADOPTION OF ORDINANCE NO. 2009-7; GRANTING AN OIL PIPELINE FRANCHISE TO PACIFIC PIPELINE SYSTEM

City Attorney Steve Skolnik advised that the ordinance had been introduced at the November 10, 2009 City Council meeting and was presented for public hearing and adoption.

ORDINANCE NO. 2009-7; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD GRANTING AN OIL PIPELINE FRANCHISE TO PACIFIC PIPELINE SYSTEM LLC was read by title by the City Clerk.

Mayor Rogers opened the public hearing at 7:58 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 COUNCIL MEMBER CROFT SECONDED TO CLOSE THE PUBLIC HEARING, WAIVE FURTHER READING AND ADOPT ORDINANCE NO. 2009-7. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.2 • SECOND READING AND ADOPTION OF ORDINANCE NO. 2009-8; PERTAINING TO REFUSE COLLECTION

The City Attorney advised that the ordinance had been introduced at the November 10th meeting and was presented for public hearing and adoption.

ORDINANCE NO. 2009-8; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING CHAPTER 3 OF ARTICLE V OF THE LAKEWOOD MUNICIPAL CODE PERTAINING TO REFUSE COLLECTION was read by title by the City Clerk.

Mayor Rogers opened the public hearing at 8:00 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

1.2 • SECOND READING AND ADOPTION OF ORDINANCE NO. 2009-8; PERTAINING TO REFUSE COLLECTION - Continued

COUNCIL MEMBER DUBOIS MOVED AND VICE MAYOR ESQUIVEL SECONDED TO CLOSE THE PUBLIC HEARING, WAIVE FURTHER READING AND ADOPT ORDINANCE NO. 2009-8. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.3 • SECOND READING AND ADOPTION OF ORDINANCE NO. 2009-9; PERTAINING TO WATER CONSERVATION IN LANDSCAPING

The City Attorney advised that the ordinance had been introduced at the November 10th meeting and was presented for public hearing and adoption.

ORDINANCE NO. 2009-9; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING CHAPTER 6 OF ARTICLE VIII OF THE LAKEWOOD MUNICIPAL CODE PERTAINING TO WATER CONSERVATION IN LANDSCAPING was read by title by the City Clerk.

Mayor Rogers opened the public hearing at 8:02 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 CLOSE THE PUBLIC HEARING, WAIVE FURTHER READING AND ADOPT ORDINANCE NO. 2009-9. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

3.1 • APPEAL OF TRANSIENT OCCUPANCY TAX HEARING DECISION FOR TRADE WINDS HOTEL, 11441 E. CARSON STREET [Decision Continued from November 10, 2009]

Administrative Services Director Diane Perkin reported to the City Council that staff had been meeting with the Trade Winds Hotel owners to reconcile the tax issue. She stated that it was a lengthy process which would include guidance on proper bookkeeping and reporting for the tax.

The City Attorney advised that this item had been specifically continued from the last meeting to this date, but that the Council may wish to consider tabling the item at this point and only bringing it back before the Council if necessary.

3.1 • APPEAL OF TRANSIENT OCCUPANCY TAX HEARING DECISION FOR TRADE WINDS HOTEL, 11441 E. CARSON STREET - Continued

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO TABLE THE TOT HEARING DECISION. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

3.2 • HAZARD MITIGATION PLAN

Acting Community Development Director Sonia Southwell introduced Ken Goettel, the consultant who had worked with staff on Lakewood's Hazard Mitigation Plan. Mr. Goettel displayed slides and provided an overview of the Plan. He stated that the Plan was an educational document that assessed the types of hazard the community could face and the risk they posed. The Plan outlined positive actions that could be taken by the City to reduce risks. He noted that the most likely hazards were natural ones such as earthquakes or flooding and that the objective of the plan was to make the City more disaster resistant and resilient. It was the recommendation of staff that the City Council adopt the proposed resolution to approve the Hazard Mitigation Plan and direct staff to submit the document to the California Office of Emergency Services and the Federal Emergency Management Agency for review and approval.

Mayor Rogers inquired about the seismic rating of earthquakes used in the vulnerability assessment of dam failure. Mr. Goettel stated that the inundation map did not use a specific earthquake rating formula and that while flood impacts on levees were measured in hundreds of years, for dams, it was measured in thousands of years.

RESOLUTION NO. 2009-60; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ADOPTING THE CITY OF LAKEWOOD 2009 HAZARD MITIGATION PLAN AND DIRECTING THE SAME TO BE SUBMITTED TO THE OFFICE OF EMERGENCY SERVICES AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR REVIEW AND APPROVAL

COUNCIL MEMBER DUBOIS MOVED AND COUNCIL MEMBER VAN NOSTRAN SECONDED TO APPROVE STAFF'S RECOMMENDATIONS AND ADOPT RESOLUTION NO. 2009-60. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

**3.3 • AMENDMENT TO NEIGHBORHOOD STABILIZATION PROGRAM (NSP)
JOINT USE AGREEMENT**

The Acting Director of Community Development made a presentation based on the memo in the agenda and stated that the City Council had approved a Joint Use Agreement with the cities of Bellflower, Downey and Paramount on June 9, 2009. She reported that notification had been received from the California Department of Housing and Community Development (HCD) that the use of the term “land banking” would preclude Lakewood from receiving funding under the Program. The proposed use of the funding would be for the acquisition of foreclosed and abandoned residential properties that would be demolished and developed into affordable housing units at a later date. At the recommendation of HCD, the application has been amended and a new resolution prepared for re-submittal. It was the recommendation of staff that the City Council conduct a public hearing to receive any public comment on the amendment to the application and then to adopt the proposed resolution which would amend the application for funding.

RESOLUTION NO. 2009-61; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD, APPROVING A JOINT APPLICATION TO THE STATE OF CALIFORNIA FOR THE NEIGHBORHOOD STABILIZATION PROGRAM AND SUPERSEDING RESOLUTION NUMBER 2009-18, DATED JUNE 9, 2009.

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 VAN NOSTRAN MOVED AND COUNCIL MEMBER CROFT SECONDED TO ADOPT RESOLUTION NO. 2009-61. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

At 8:27 p.m., the Regular Meeting of the City Council was recessed for the Meeting of the Lakewood Redevelopment Agency. At 8:37 p.m., the City Council Meeting was reconvened.

ORAL COMMUNICATIONS:

Jonathan Kennelly introduced the members of Boy Scout Pack 67 from St. Cyprian’s Church.

ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Rogers adjourned the meeting at 8:27 p.m. A moment of silence was observed in memory of Sam Torres and Junior Johnson.

Respectfully submitted,

Denise R. Hayward, CMC
City Clerk