

AGENDA
REGULAR CITY COUNCIL MEETING
COUNCIL CHAMBERS
5000 CLARK AVENUE
LAKEWOOD, CALIFORNIA

December 8, 2015

RECEPTION: “Lakewood Celebrates . . .” 6:00 p.m.

CALL TO ORDER 7:30 p.m.

INVOCATION: Pastor Darin McWatters, Arbor Road Church

PLEDGE OF ALLEGIANCE: Boy Scout Troop 140

ROLL CALL: Mayor Jeff Wood
Vice Mayor Ron Piazza
Council Member Steve Croft
Council Member Diane DuBois
Council Member Todd Rogers

ANNOUNCEMENTS AND PRESENTATIONS:

ROUTINE ITEMS:

All items listed within this section of the agenda are considered to be routine and will be enacted by one motion without separate discussion. Any Member of Council may request an item be removed for individual discussion or further explanation. All items removed shall be considered immediately following action on the remaining items.

RI-1 Approval of Minutes of the Meetings held November 10, November 17, and November 24, 2015

RI-2 Approval of Personnel Transactions

RI-3 Approval of Registers of Demands

RI-4 Approval of Agreement for Emergency Water During Disasters With DS Waters of America

RI-5 Approval of Authorization to Issue Purchase Order - Parks Game Courts Re-Stripe and Resurface

RI-6 Adoption of Resolution 2015-70; Amending the Current Memorandum of Understanding Between the City of Lakewood and the Lakewood City Employees Association

RI-7 Approval of RMC Prop 1 Grant Application for a Community Water Efficiency Demonstration Garden; Resolution No. 2015-71

RI-8 Approval of Extension of Water Conservation Rebate Program for 2015-2016

City Council Agenda

December 8, 2015

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LEGISLATION:

- 2.1 Introduction of Ordinance No. 2015-9; Amending Municipal Code Pertaining to Marijuana Regulations

REPORTS:

- 3.1 Review of Comprehensive Annual Financial Report (CAFR) for Year Ended June 30, 2015
- 3.2 Approval of Protest Payment to Comply with Health and Safety Code §34179.7
- 3.3 Approval of Lakewood Water Capture and Infiltration Project – Site Selection, Engineering Design, and Environmental Documentation
- 3.4 Award of Contract – Centre Boiler Replacement Project

WRITTEN COMMUNICATIONS:

Correspondence from the Greater Los Angeles County Vector Control District Regarding Appointment of Representative to their Board of Trustees

AGENDA LAKEWOOD SUCCESSOR AGENCY

1. Approval of Register of Demands
2. Approval of Finding of Completion - Health and Safety Code §34179.7 Protest Payment
3. Adoption of Long-Range Property Management Plan (LRPMP), Resolution No. LSA 2015-1

AGENDA LAKEWOOD HOUSING SUCCESSOR AGENCY

1. Approval of Register of Demands

ORAL COMMUNICATIONS:

ADJOURNMENT

Any qualified individual with a disability that would exclude that individual from participating in or attending the above meeting should contact the City Clerk's Office, 5050 Clark Avenue, Lakewood, CA, at 562/866-9771, ext. 2200; at least 48 hours prior to the above meeting to ensure that reasonable arrangements can be made to provide accessibility to the meeting or other reasonable auxiliary aids or services may be provided.

Copies of staff reports and other writings pertaining to this agenda are available for public review during regular business hours in the Office of the City Clerk, 5050 Clark Avenue, Lakewood, CA 90712

Routine Items



Minutes

Lakewood City Council

Regular Meeting held
November 10, 2015

At 7:30 p.m. on November 10, 2015, in the City Council Chambers at the Civic Center, 5000 Clark Avenue, Lakewood, California, the City Clerk was present.

It was the time and place for a Regular Meeting of the City Council of the City of Lakewood.

The City Clerk immediately declared the Meeting adjourned due to lack of a quorum to Tuesday, November 17, 2015, at 7:00 p.m. in the Executive Board Room.

Respectfully submitted,

Jo Mayberry, CMC
City Clerk



Minutes

Lakewood City Council

Regular Meeting held
November 24, 2015

At 7:30 p.m. on November 24, 2015, in the City Council Chambers at the Civic Center, 5000 Clark Avenue, Lakewood, California, the City Clerk was present.

It was the time and place for a Regular Meeting of the City Council of the City of Lakewood.

The City Clerk immediately declared the Meeting adjourned due to lack of a quorum to Thursday, December 3, 2015, at 6:00 p.m. in the Executive Board Room.

Respectfully submitted,

Jo Mayberry, CMC
City Clerk

D I V I D E R S H E E T

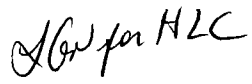
COUNCIL AGENDA

December 8, 2015

TO: The Honorable Mayor and City Council**SUBJECT:** Report of Personnel Transactions

<u>Name</u>	<u>Title</u>	<u>Schedule</u>	<u>Effective Date</u>
1. FULL-TIME EMPLOYEES			
A. Appointments			
None			
B. Changes			
Amanda Hauck	Maintenance Trainee II	B to	11/22/2015
	Maintenance Worker	7A	
Carolyn Kolb	Assistant Planner	24B to	11/22/2015
	Housing Specialist	27B	
Jeremiah Wopschall	Management Trainee I	B to	11/22/2015
	Management Aide	15B	
C. Separations			
Dave Osborne	Sr. Park Maintenance Worker	13A	11/30/2015
2. PART-TIME EMPLOYEES			
A. Appointments			
None			
B. Changes			
Troy Doran	Maintenance Aide I	A to	11/22/2015
	Maintenance Trainee I	B	
C. Separations			
Marlon Rodriguez	Maintenance Trainee II	B	11/22/2015

Lisa Novotny 
Assistant City Manager

Howard L. Chambers 
City Manager

D I V I D E R S H E E T

**CITY OF LAKEWOOD
FUND SUMMARY 11/19/2015**

In accordance with section 2521 of the Lakewood Municipal Code there is presented herewith a summary of obligations to be paid by voucher 67037 through 67155. Each of the following demands has been audited by the Director of Administrative Services and approved by the City Manager.

1010	GENERAL FUND	218,945.71
1015	SPECIAL OLYMPICS	786.08
1020	CABLE TV	1,097.38
1030	CDBG CURRENT YEAR	2,145.00
1050	COMMUNITY FACILITY	11,852.67
3070	PROPOSITION "C"	321.29
5010	GRAPHICS AND COPY CENTER	3,639.87
5020	CENTRAL STORES	2,643.74
5030	FLEET MAINTENANCE	5,946.77
7500	WATER UTILITY FUND	142,983.29
8020	LOCAL REHAB LOAN	1,075.50
8030	TRUST DEPOSIT	27,751.55
		<hr/>
		419,188.85

Council Approval

Date

City Manager

Attest

City Clerk

Director of Administrative Services

CITY OF LAKEWOOD

SUMMARY CHECK REGISTER

CHECK #	CHECK DATE	VEND #	VENDOR NAME	GROSS	DISC.	CHECK AMOUNT
67037	11/19/2015	4260	SBC GLOBAL SERVICES INC	187.92	0.00	187.92
67038	11/19/2015	51209	AGUINAGA GREEN INC	937.40	0.00	937.40
67039	11/19/2015	58000	AMERICAN TRUCK & TOOL RENTAL INC	150.77	0.00	150.77
67040	11/19/2015	4126	AUTOZONE PARTS INC	205.99	0.00	205.99
67041	11/19/2015	443	B&M LAWN AND GARDEN INC	406.56	0.00	406.56
67042	11/19/2015	51467	BADGER METER INC	17.80	0.00	17.80
67043	11/19/2015	66012	BARTKUS. KRISTIN	3,432.98	0.00	3,432.98
67044	11/19/2015	46162	C S M F O	480.00	0.00	480.00
67045	11/19/2015	53835	C.P.R.S. DIST X	160.00	0.00	160.00
67046	11/19/2015	4700	CALIFORNIA DEPT OF WATER RESOURCES	17,100.00	0.00	17,100.00
67047	11/19/2015	4818	CALIFORNIA RETROFIT INC	69.49	0.00	69.49
67048	11/19/2015	51331	CERRITOS POOL SUPPLY	35.76	0.00	35.76
67049	11/19/2015	4815	CHESSMAN. RONALD	250.00	0.00	250.00
67050	11/19/2015	45894	CINTAS CORPORATION	62.56	0.00	62.56
67051	11/19/2015	53451	COMMUNITY FAMILY GUIDANCE CTR	750.00	0.00	750.00
67052	11/19/2015	4795	CORONA AIR INC	6,875.00	0.00	6,875.00
67053	11/19/2015	4380	CAPITAL ONE NATIONAL ASSOCIATION	54.47	0.00	54.47
67054	11/19/2015	2929	DETTORE. TONY	150.00	0.00	150.00
67055	11/19/2015	4716	E C CONSTRUCTION CO	29,654.48	0.00	29,654.48
67056	11/19/2015	4665	EGOSCUE LAW GROUP	6,718.75	0.00	6,718.75
67057	11/19/2015	63984	EL NATIVO GROWERS	1,061.12	0.00	1,061.12
67058	11/19/2015	4816	FLETCHER. ALEX	179.57	0.00	179.57
67059	11/19/2015	4289	FRAZIER. ROBERT C	172.25	0.00	172.25
67060	11/19/2015	3188	GALLS LLC/OUARTERMASTER LLC	212.12	0.00	212.12
67061	11/19/2015	64215	GOLD COAST AWARDS INC	6,120.95	0.00	6,120.95
67062	11/19/2015	65779	GOLDEN STATE WATER COMPANY	8,651.22	0.00	8,651.22
67063	11/19/2015	62491	HANDS ON MAILING &	476.77	0.00	476.77
67064	11/19/2015	65575	HAP'S AUTO PARTS	3.15	0.00	3.15
67065	11/19/2015	49554	HAWK. TRUDY (FAHTIEM)	124.80	0.00	124.80
67066	11/19/2015	42031	HOME DEPOT	1,061.77	0.00	1,061.77
67067	11/19/2015	65891	HUMAN SERVICES ASSOCIATION	375.00	0.00	375.00
67068	11/19/2015	36589	IMMEDIATE MEDICAL CARE	245.00	0.00	245.00
67069	11/19/2015	4461	TEXTRON INC	134.46	0.00	134.46
67070	11/19/2015	4622	JHM SUPPLY INC	215.32	0.00	215.32
67071	11/19/2015	2956	KICK IT UP KIDZ. LLC	18.20	0.00	18.20
67072	11/19/2015	4668	SALES. KEVIN DBA	2,380.00	0.00	2,380.00
67073	11/19/2015	18550	LAKEWOOD. CITY OF	300.00	0.00	300.00
67074	11/19/2015	18400	LAKEWOOD. CITY WATER DEPT	16,645.56	0.00	16,645.56
67075	11/19/2015	43141	SOUTH COAST PUBLISHING	114.95	0.00	114.95
67076	11/19/2015	62080	MARKLEY. ELIZABETH	57.20	0.00	57.20
67077	11/19/2015	46696	MEYER & ASSOCIATES	400.00	0.00	400.00
67078	11/19/2015	41831	MIEIR-KING. RICHARD	518.70	0.00	518.70
67079	11/19/2015	4819	MUSE. ROBERT W.	8,950.00	0.00	8,950.00
67080	11/19/2015	60081	NORTHERN TOOL & EQUIPMENT CO	50.31	0.00	50.31

CITY OF LAKEWOOD

SUMMARY CHECK REGISTER

CHECK #	CHECK DATE	VEND #	VENDOR NAME	GROSS	DISC.	CHECK AMOUNT
67081	11/19/2015	34536	OCOBOC. DEBRA	301.60	0.00	301.60
67082	11/19/2015	47554	OFFICE DEPOT BUSINESS SVCS	661.13	0.00	661.13
67083	11/19/2015	450	PACIFIC EH & S SERVICES INC	1,728.00	0.00	1,728.00
67084	11/19/2015	63708	DY-JO CORPORATION	1,375.00	0.00	1,375.00
67085	11/19/2015	50512	PATHWAYS VOLUNTEER HOSPICE	750.00	0.00	750.00
67086	11/19/2015	66116	PETERSEN. LOUISE	218.40	0.00	218.40
67087	11/19/2015	4494	PIERSON. JEREMY L.	327.60	0.00	327.60
67088	11/19/2015	15600	LONG BEACH PUBLISHING CO	555.81	0.00	555.81
67089	11/19/2015	64796	OUARTO. ROBERT	224.25	0.00	224.25
67090	11/19/2015	2374	RICHARDS WATSON & GERSHON INC	1,152.80	0.00	1,152.80
67091	11/19/2015	57980	RIVARD T.A. INC.	130,145.58	0.00	130,145.58
67092	11/19/2015	45437	S & J SUPPLY CO	1,271.72	0.00	1,271.72
67093	11/19/2015	41691	SAFETY-KLEEN CORP	994.50	0.00	994.50
67094	11/19/2015	240	SGS TESTCOM	1.08	0.00	1.08
67095	11/19/2015	4357	SONSRAY MACHINERY LLC	466.69	0.00	466.69
67096	11/19/2015	45895	SOUTHEAST WATER COALITION	5,000.00	0.00	5,000.00
67097	11/19/2015	29400	SOUTHERN CALIFORNIA EDISON CO	93,213.38	0.00	93,213.38
67098	11/19/2015	29500	SOUTHERN CALIFORNIA GAS CO	2,696.93	0.00	2,696.93
67099	11/19/2015	4026	SPASEFF TED C	400.00	0.00	400.00
67100	11/19/2015	4368	SPECIALTY TIRES LLC	949.55	0.00	949.55
67101	11/19/2015	49529	SPICERS PAPER INC	538.18	4.94	533.24
67102	11/19/2015	56039	SULLY MILLER	384.24	0.00	384.24
67103	11/19/2015	38679	WESTERN EXTERMINATOR COMPANY	1,904.84	0.00	1,904.84
67104	11/19/2015	1676	U S TELEPACIFIC CORP	503.64	0.00	503.64
67105	11/19/2015	4364	THE RINKS-LAKEWOOD ICE	79.95	0.00	79.95
67106	11/19/2015	65737	U S BANK NATIONAL ASSOCIATION	3,006.88	0.00	3,006.88
67107	11/19/2015	60685	TURF STAR	170.77	0.00	170.77
67108	11/19/2015	66245	TYLER TECHNOLOGIES MUNIS DIVISION	2,700.00	0.00	2,700.00
67109	11/19/2015	1437	U S BANK NATIONAL ASSOCIATION	30,306.05	0.00	30,306.05
67110	11/19/2015	35089	UNDERGROUND SERVICE ALERT	123.00	0.00	123.00
67111	11/19/2015	3906	UNDERGROUND VAULTS & STORAGE	38.04	0.00	38.04
67112	11/19/2015	58851	UNISOURCE WORLDWIDE INC	397.87	0.00	397.87
67113	11/19/2015	4073	SCHUPBACH DAVID SHANE	125.00	0.00	125.00
67114	11/19/2015	17640	WAXIE ENTERPRISES INC	1,215.69	0.00	1,215.69
67115	11/19/2015	62628	WELLS C. PIPELINE MATERIALS	618.99	0.00	618.99
67116	11/19/2015	37745	WESTERN EXTERMINATOR CO	278.00	0.00	278.00
67117	11/19/2015	63471	XANTHE CORP	45.50	0.00	45.50
67118	11/19/2015	3699	ACUNA. ERIC	100.00	0.00	100.00
67119	11/19/2015	3699	ANGLADA. MONIOUE	250.00	0.00	250.00
67120	11/19/2015	3699	BIERMAN. KAREN	73.50	0.00	73.50
67121	11/19/2015	3699	CARINO. KIMMY	250.00	0.00	250.00
67122	11/19/2015	3699	CASINGAL. ZHEDA	105.00	0.00	105.00
67123	11/19/2015	3699	CRONIN. JESSICA	78.00	0.00	78.00
67124	11/19/2015	3699	DROPP. NANCY	240.00	0.00	240.00

CITY OF LAKEWOOD

SUMMARY CHECK REGISTER

CHECK #	CHECK DATE	VEND #	VENDOR NAME	GROSS	DISC.	CHECK AMOUNT
67125	11/19/2015	3699	EMERY, ERICKA	250.00	0.00	250.00
67126	11/19/2015	3699	ESPINOZA, VIRGINIA	250.00	0.00	250.00
67127	11/19/2015	3699	FIELDS, MYKEVA	250.00	0.00	250.00
67128	11/19/2015	3699	GLORYTOGOD, ARMIDA	250.00	0.00	250.00
67129	11/19/2015	3699	GUAN, SAMANTHA	300.00	0.00	300.00
67130	11/19/2015	3699	HAMILTON, ANDRE	250.00	0.00	250.00
67131	11/19/2015	3699	HARTMAN, CONSTANCE	513.00	0.00	513.00
67132	11/19/2015	3699	HASTINGS, LAUREN	250.00	0.00	250.00
67133	11/19/2015	3699	JOHNSON, ROSHONDA	250.00	0.00	250.00
67134	11/19/2015	3699	KARZEN, JESSI	250.00	0.00	250.00
67135	11/19/2015	3699	KNIGHT, MARILYN	79.00	0.00	79.00
67136	11/19/2015	3699	MAHFOUZ, MARY	250.00	0.00	250.00
67137	11/19/2015	3699	MARMAN, SAUNDRA	250.00	0.00	250.00
67138	11/19/2015	3699	MC DONALD, SHIDEH	250.00	0.00	250.00
67139	11/19/2015	3699	MORRIS, LORASUE	94.00	0.00	94.00
67140	11/19/2015	3699	OCOBOC, JESSICA	250.00	0.00	250.00
67141	11/19/2015	3699	PREMIUM TERMITE & PEST CONTROL	1,002.00	0.00	1,002.00
67142	11/19/2015	3699	PROMOTION PLUS SIGN CO	775.00	0.00	775.00
67143	11/19/2015	3699	REDD, TOYA	250.00	0.00	250.00
67144	11/19/2015	3699	RODRIGUEZ, MARICELA	250.00	0.00	250.00
67145	11/19/2015	3699	SARIGUMBA, JOCELYN	250.00	0.00	250.00
67146	11/19/2015	3699	SILVAS, JOHN	20.00	0.00	20.00
67147	11/19/2015	3699	SWIFT, RODERICK	250.00	0.00	250.00
67148	11/19/2015	3699	TETANGCO, GERRIC	250.00	0.00	250.00
67149	11/19/2015	3699	TORRES, JAIME	250.00	0.00	250.00
67150	11/19/2015	3699	WILSON, MARTHA	79.00	0.00	79.00
67151	11/19/2015	3699	WINSTON, TIFFANY	250.00	0.00	250.00
67152	11/19/2015	3699	ZAMORA, SOCORRO	250.00	0.00	250.00
67153	11/19/2015	4443	O'REILLY AUTOMOTIVE STORES INC	419.30	21.89	397.41
67154	11/19/2015	48210	AIRFLITE INC	4,300.36	0.00	4,300.36
67155	11/19/2015	60195	CR TRANSFER INC	4,498.51	0.00	4,498.51
Totals:				<u>419,215.68</u>	<u>26.83</u>	<u>419,188.85</u>

**CITY OF LAKEWOOD
FUND SUMMARY 11/25/2015**

In accordance with section 2521 of the Lakewood Municipal Code there is presented herewith a summary of obligations to be paid by voucher 67156 through 67270. Each of the following demands has been audited by the Director of Administrative Services and approved by the City Manager.

1010	GENERAL FUND	1,036,630.62
1020	CABLE TV	3,436.00
1030	CDBG CURRENT YEAR	560.58
1050	COMMUNITY FACILITY	6,598.98
1336	STATE COPS GRANT	15,291.83
3060	PROPOSITION "A"	412.00
3070	PROPOSITION "C"	29,218.48
5020	CENTRAL STORES	1,352.35
5030	FLEET MAINTENANCE	16,088.72
7500	WATER UTILITY FUND	64,042.58
8030	TRUST DEPOSIT	90.83
		<hr/>
		1,173,722.97

Council Approval

Date

City Manager

Attest

City Clerk

Director of Administrative Services

CITY OF LAKEWOOD

SUMMARY CHECK REGISTER

CHECK #	CHECK DATE	VEND #	VENDOR NAME	GROSS	DISC.	CHECK AMOUNT
67156	11/25/2015	4592	BI PRODUCTIONS LLC	7,140.50	0.00	7,140.50
67157	11/25/2015	2701	AIRE RITE A/C & REFRIGERATION INC	286.00	0.00	286.00
67158	11/25/2015	4208	AIRGAS INC	417.91	0.00	417.91
67159	11/25/2015	58000	AMERICAN TRUCK & TOOL RENTAL INC	300.17	0.00	300.17
67160	11/25/2015	35016	ASSOCIATED SOILS ENGINEERING INC	3,585.00	0.00	3,585.00
67161	11/25/2015	4721	BELL EVENT SERVICES INC	2,725.00	0.00	2,725.00
67162	11/25/2015	64282	BELTRAN. PAOLO	94.29	0.00	94.29
67163	11/25/2015	4800	BISHOP COMPANY	53.02	0.00	53.02
67164	11/25/2015	3518	BOY SCOUT TROOP #134	250.00	0.00	250.00
67165	11/25/2015	64189	BRADLEY. E. B. COMPANY	176.10	0.00	176.10
67166	11/25/2015	4704	BROADCAST CAMERA SERVICES. INC.	1,940.00	0.00	1,940.00
67167	11/25/2015	307	CALIF. STATE DISBURSEMENT UNIT	155.07	0.00	155.07
67168	11/25/2015	53983	CALIF STATE FRANCHISE TAX BOARD	200.00	0.00	200.00
67169	11/25/2015	7500	CENTRAL BASIN MUNICIPAL WATER	2,070.00	0.00	2,070.00
67170	11/25/2015	7600	CENTRAL BASIN WATER ASSN	3,892.50	0.00	3,892.50
67171	11/25/2015	64932	CJ CONSTRUCTION INC	89,059.21	0.00	89,059.21
67172	11/25/2015	4442	DANIEL'S TIRE SERVICE INC	2,830.73	0.00	2,830.73
67173	11/25/2015	27200	DICKSON R F CO INC	3,720.00	0.00	3,720.00
67174	11/25/2015	39267	DOG DEALERS INC	1,111.50	0.00	1,111.50
67175	11/25/2015	63519	FLUE STEAM INC	24.00	0.00	24.00
67176	11/25/2015	52875	FROST. VALARIE A.	210.04	0.00	210.04
67177	11/25/2015	64415	FULLER. LAURA	618.48	0.00	618.48
67178	11/25/2015	62491	HANDS ON MAILING &	209.65	0.00	209.65
67179	11/25/2015	65575	HAP'S AUTO PARTS	131.02	0.00	131.02
67180	11/25/2015	42031	HOME DEPOT	4,796.62	0.00	4,796.62
67181	11/25/2015	4622	JHM SUPPLY INC	14.31	0.00	14.31
67182	11/25/2015	59873	JJS PALOMO'S STEEL INC	812.10	0.00	812.10
67183	11/25/2015	4180	JONES RICHARD D. A PROF LAW CORP	16,750.00	0.00	16,750.00
67184	11/25/2015	36167	KARTER. JANET	44.20	0.00	44.20
67185	11/25/2015	53365	KENNY'S AUTO SERVICE	133.00	0.00	133.00
67186	11/25/2015	4699	KEY CODE MEDIA. INC.	1,196.00	0.00	1,196.00
67187	11/25/2015	2822	LAGERLOF SENEAL GOSNEY &	26.85	0.00	26.85
67188	11/25/2015	55469	LAKEWOOD CITY EMPLOYEE ASSOCIATION	2,100.00	0.00	2,100.00
67189	11/25/2015	18550	LAKEWOOD. CITY OF	90.83	0.00	90.83
67190	11/25/2015	19450	LEAGUE OF CALIFORNIA CITIES	40.00	0.00	40.00
67191	11/25/2015	2409	LIFTECH ELEVATOR SERVICES INC	492.00	0.00	492.00
67192	11/25/2015	34532	LITZINGER. PAUL	113.75	0.00	113.75
67193	11/25/2015	21600	LOS ANGELES CO SHERIFFS DEPT	792,538.64	0.00	792,538.64
67194	11/25/2015	36844	LA COUNTY DEPT OF PUBLIC WORKS	1,451.64	0.00	1,451.64
67195	11/25/2015	4482	MALTY INTERNATIONAL GROUP INC	86.75	0.00	86.75
67196	11/25/2015	332	MERRIMAC PETROLEUM INC	11,565.71	0.00	11,565.71
67197	11/25/2015	64333	MOSES-CALDERA. ISABEL	457.60	0.00	457.60
67198	11/25/2015	61672	MUSCULAR DYSTROPHY ASSOC INC	20.00	0.00	20.00
67199	11/25/2015	4320	NEHRU. ARTI	150.00	0.00	150.00

CITY OF LAKEWOOD

SUMMARY CHECK REGISTER

CHECK #	CHECK DATE	VEND #	VENDOR NAME	GROSS	DISC.	CHECK AMOUNT
67200	11/25/2015	2546	NIFTY AFTER FIFTY	57.60	0.00	57.60
67201	11/25/2015	47554	OFFICE DEPOT BUSINESS SVCS	274.35	0.00	274.35
67202	11/25/2015	4497	PACIFIC COACHWAYS CHARTER SERVICES	785.00	0.00	785.00
67203	11/25/2015	65659	PHASE II SYSTEMS INC	4,012.59	0.00	4,012.59
67204	11/25/2015	56812	PATSCO DESIGNS	5,805.32	0.00	5,805.32
67205	11/25/2015	4794	DUCOING ENTERPRISES. INC.	2,928.83	0.00	2,928.83
67206	11/25/2015	51171	PERS LONG TERM CARE PROGRAM	282.40	0.00	282.40
67207	11/25/2015	4333	REYES. MICHELLE	31.20	0.00	31.20
67208	11/25/2015	45437	S & J SUPPLY CO	1,925.23	0.00	1,925.23
67209	11/25/2015	4309	SAFESHRED	25.00	0.00	25.00
67210	11/25/2015	39268	SHARRARD. RICHARD	180.80	0.00	180.80
67211	11/25/2015	4468	SHERRARD. DONNA HOUSTON	191.75	0.00	191.75
67212	11/25/2015	28600	SIMS WELDING SUPPLY CO INC	257.02	0.00	257.02
67213	11/25/2015	36658	SOUTH COAST A.O.M.D.	935.96	0.00	935.96
67214	11/25/2015	29400	SOUTHERN CALIFORNIA EDISON CO	31,991.09	0.00	31,991.09
67215	11/25/2015	50299	SPENCER. GORDON	150.00	0.00	150.00
67216	11/25/2015	59693	SPRINT SPECTRUM LP	3,484.97	0.00	3,484.97
67217	11/25/2015	44104	STATE WATER RESOURCES CONTROL BOARD	34,092.00	0.00	34,092.00
67218	11/25/2015	60792	STEPHENS. ERIC	187.20	0.00	187.20
67219	11/25/2015	2732	TANNEN. MITCH	790.40	0.00	790.40
67220	11/25/2015	38679	WESTERN EXTERMINATOR COMPANY	533.36	0.00	533.36
67221	11/25/2015	59212	TETRA TECH INC	16,883.70	0.00	16,883.70
67222	11/25/2015	4364	THE RINKS-LAKEWOOD ICE	159.90	0.00	159.90
67223	11/25/2015	65224	TUMBLE-N-KIDS. INC	737.10	0.00	737.10
67224	11/25/2015	60685	TURF STAR	231.75	0.00	231.75
67225	11/25/2015	4216	U.S. DEPARTMENT OF HUD	125.00	0.00	125.00
67226	11/25/2015	53760	UNITED WAY- GREATER LOS ANGELES	45.00	0.00	45.00
67227	11/25/2015	1682	VELOCITY AIR ENGINEERING INC	6,233.65	0.00	6,233.65
67228	11/25/2015	61019	CHRISTMAN WILLIAM B	175.00	0.00	175.00
67229	11/25/2015	17640	WAXIE ENTERPRISES INC	565.43	0.00	565.43
67230	11/25/2015	41559	WEIGHT WATCHERS	53.94	0.00	53.94
67231	11/25/2015	40925	WEST COAST ARBORISTS INC	57,454.70	0.00	57,454.70
67232	11/25/2015	50172	PRIMUS INC	144.17	0.00	144.17
67233	11/25/2015	35146	WILLDAN ASSOCIATES	32,134.30	0.00	32,134.30
67234	11/25/2015	3837	WORTHINGTON FORD	30.89	0.00	30.89
67235	11/25/2015	3699	ALVAREZ. PLACIDO	250.00	0.00	250.00
67236	11/25/2015	3699	AMERICAN GOLF CORP	292.34	0.00	292.34
67237	11/25/2015	3699	BROWN. ISABEL	33.00	0.00	33.00
67238	11/25/2015	3699	BROWN. KATHRYN	28.00	0.00	28.00
67239	11/25/2015	3699	CAHILL. MARY	56.00	0.00	56.00
67240	11/25/2015	3699	CHIANGKRAO. SASIYA	250.00	0.00	250.00
67241	11/25/2015	3699	CRUZ. JENI	65.00	0.00	65.00
67242	11/25/2015	3699	DIZON. MARIE	250.00	0.00	250.00
67243	11/25/2015	3699	EGANA-GARCIA. MADONNA	250.00	0.00	250.00

CITY OF LAKEWOOD

SUMMARY CHECK REGISTER

CHECK #	CHECK DATE	VEND #	VENDOR NAME	GROSS	DISC.	CHECK AMOUNT
67244	11/25/2015	3699	GONZALES. SILVIA	250.00	0.00	250.00
67245	11/25/2015	3699	HALL. PAULINE	250.00	0.00	250.00
67246	11/25/2015	3699	HARMON. MONIKA	28.00	0.00	28.00
67247	11/25/2015	3699	HERMOGENO. DYLAN	250.00	0.00	250.00
67248	11/25/2015	3699	HOULDSON. NICOLE	250.00	0.00	250.00
67249	11/25/2015	3699	ISAACSON. KRISTEN	250.00	0.00	250.00
67250	11/25/2015	3699	JACKSON. SHERYL	28.00	0.00	28.00
67251	11/25/2015	3699	KARTOLO. HARYADI	250.00	0.00	250.00
67252	11/25/2015	3699	KRUSEL. KATHRYN	28.00	0.00	28.00
67253	11/25/2015	3699	KRUSEL. STEPHEN	28.00	0.00	28.00
67254	11/25/2015	3699	LONDON. CANDACE	250.00	0.00	250.00
67255	11/25/2015	3699	LOPEZ. LARSEN	250.00	0.00	250.00
67256	11/25/2015	3699	MAGIC FOAM ENTERTAINMENT INC	207.20	0.00	207.20
67257	11/25/2015	3699	MC GEE. YASMINE	250.00	0.00	250.00
67258	11/25/2015	3699	MEJICO. LYDIA	250.00	0.00	250.00
67259	11/25/2015	3699	ORTIZ. REGINA	250.00	0.00	250.00
67260	11/25/2015	3699	PADILLA. AMBER	250.00	0.00	250.00
67261	11/25/2015	3699	PATACSIL. ARMINDA	250.00	0.00	250.00
67262	11/25/2015	3699	ROBINSON. ROSE	28.00	0.00	28.00
67263	11/25/2015	3699	STERLING. DINA	250.00	0.00	250.00
67264	11/25/2015	3699	STILES. DENICE	20.00	0.00	20.00
67265	11/25/2015	2372	TGIS CATERING SVCS INC	1,040.00	0.00	1,040.00
67266	11/25/2015	4443	O'REILLY AUTOMOTIVE STORES INC	145.57	2.66	142.91
67267	11/25/2015	47854	TRUESDAIL LABORATORIES INC	262.50	0.00	262.50
67268	11/25/2015	57070	CITY LIGHT & POWER LKWD INC	5,227.18	0.00	5,227.18
67269	11/25/2015	60195	CR TRANSFER INC	2,602.82	0.00	2,602.82
67270	11/25/2015	66457	BRENNTAG PACIFIC INC	1,129.23	0.00	1,129.23
Totals:				<u>1,173,725.63</u>	<u>2.66</u>	<u>1,173,722.97</u>

**CITY OF LAKEWOOD
FUND SUMMARY 12/3/2015**

In accordance with section 2521 of the Lakewood Municipal Code there is presented herewith a summary of obligations to be paid by voucher 67271 through 67396. Each of the following demands has been audited by the Director of Administrative Services and approved by the City Manager.

1010	GENERAL FUND	281,758.28
1020	CABLE TV	2,009.61
1030	CDBG CURRENT YEAR	2,870.32
1050	COMMUNITY FACILITY	3,554.26
3070	PROPOSITION "C"	50.00
5010	GRAPHICS AND COPY CENTER	3,689.24
5020	CENTRAL STORES	992.70
5030	FLEET MAINTENANCE	5,901.49
7500	WATER UTILITY FUND	28,952.12
8030	TRUST DEPOSIT	95.49
		<hr/>
		329,873.51

Council Approval

Date

City Manager

Attest

City Clerk

Director of Administrative Services

CITY OF LAKEWOOD

SUMMARY CHECK REGISTER

CHECK #	CHECK DATE	VEND #	VENDOR NAME	GROSS	DISC.	CHECK AMOUNT
67271	12/03/2015	4200	ACCESS SERVICES	50.00	0.00	50.00
67272	12/03/2015	61142	ADAMS-HILLERY SHARRON	2,808.92	0.00	2,808.92
67273	12/03/2015	4084	AIR CONTROL SYSTEMS INC	635.00	0.00	635.00
67274	12/03/2015	4551	ACCOUNTING PRINCIPALS. INC	784.00	0.00	784.00
67275	12/03/2015	4684	AMAZON.COM LLC	2,505.31	0.00	2,505.31
67276	12/03/2015	4126	AUTOZONE PARTS INC	16.30	0.00	16.30
67277	12/03/2015	443	B&M LAWN AND GARDEN INC	267.86	0.00	267.86
67278	12/03/2015	51467	BADGER METER INC	8.90	0.00	8.90
67279	12/03/2015	49803	BANG DAVID ASSOCIATES INC	404.47	0.00	404.47
67280	12/03/2015	4721	BELL EVENT SERVICES INC	2,725.00	0.00	2,725.00
67281	12/03/2015	1935	BREA. CITY OF	34,743.90	0.00	34,743.90
67282	12/03/2015	42144	BROEKER. CANDACE	26.00	0.00	26.00
67283	12/03/2015	272	BRYANT. GERRI IRIS	125.00	0.00	125.00
67284	12/03/2015	4812	BURNS & PARTNERS INC	8,354.00	0.00	8,354.00
67285	12/03/2015	4270	CARROLL MEGAN J	1,225.00	0.00	1,225.00
67286	12/03/2015	43135	CERRITOS. CITY OF - WATER DIVISION	23,552.10	0.00	23,552.10
67287	12/03/2015	4815	CHESSMAN. RONALD	250.00	0.00	250.00
67288	12/03/2015	4776	CORELOGIC. INC.	122.80	0.00	122.80
67289	12/03/2015	4380	CAPITAL ONE NATIONAL ASSOCIATION	46.30	0.00	46.30
67290	12/03/2015	4442	DANIEL'S TIRE SERVICE INC	826.42	0.00	826.42
67291	12/03/2015	4641	DAO. THAO	390.00	0.00	390.00
67292	12/03/2015	2929	DETTORE. TONY	220.00	0.00	220.00
67293	12/03/2015	27200	DICKSON R F CO INC	40,967.21	0.00	40,967.21
67294	12/03/2015	4660	ZW USA INC.	170.04	0.00	170.04
67295	12/03/2015	52316	FEDERAL EXPRESS CORP	235.98	0.00	235.98
67296	12/03/2015	64415	FULLER. LAURA	1,218.75	0.00	1,218.75
67297	12/03/2015	3188	GALLS LLC/OUARTERMASTER LLC	452.35	0.00	452.35
67298	12/03/2015	42664	GIACHELLO. LENNY	126.75	0.00	126.75
67299	12/03/2015	52540	GONSALVES JOE A & SON	4,482.00	0.00	4,482.00
67300	12/03/2015	33150	GRAINGER W W INC	376.59	0.00	376.59
67301	12/03/2015	573	GRAY. ALAN	300.00	0.00	300.00
67302	12/03/2015	573	GRAY. ALAN	300.00	0.00	300.00
67303	12/03/2015	4483	GREENFIX AMERICA. LLC	465.00	0.00	465.00
67304	12/03/2015	65575	HAP'S AUTO PARTS	100.68	0.00	100.68
67305	12/03/2015	709	HEAD. JARED	150.00	0.00	150.00
67306	12/03/2015	34354	HI-WAY SAFETY RENTALS INC	437.09	0.00	437.09
67307	12/03/2015	49520	HINDERLITER DE LLAMAS & ASSOC	2,848.45	0.00	2,848.45
67308	12/03/2015	42031	HOME DEPOT	1,023.56	0.00	1,023.56
67309	12/03/2015	3959	HORIZON MECHANICAL CONTRACTORS	505.80	0.00	505.80
67310	12/03/2015	4149	INFOSEND INC	165.55	0.00	165.55
67311	12/03/2015	50338	INTL INST OF MUNICIPAL CLERKS	290.00	0.00	290.00
67312	12/03/2015	4622	JHM SUPPLY INC	258.43	0.00	258.43
67313	12/03/2015	52653	LAKEWOOD HIGH SCHOOL	250.00	0.00	250.00
67314	12/03/2015	18550	LAKEWOOD. CITY OF	95.49	0.00	95.49

CITY OF LAKEWOOD

SUMMARY CHECK REGISTER

CHECK #	CHECK DATE	VEND #	VENDOR NAME	GROSS	DISC.	CHECK AMOUNT
67315	12/03/2015	43017	LARSEN. DEBRA	110.60	0.00	110.60
67316	12/03/2015	59144	LONG BEACH CITY	2,355.63	0.00	2,355.63
67317	12/03/2015	20300	LONG BEACH CITY GAS & WATER DEPT	79.32	0.00	79.32
67318	12/03/2015	45069	LOS ANGELES CO/DEPT PW BLDG SVCS	59,026.15	0.00	59,026.15
67319	12/03/2015	36844	LA COUNTY DEPT OF PUBLIC WORKS	17,517.74	0.00	17,517.74
67320	12/03/2015	36844	LA COUNTY DEPT OF PUBLIC WORKS	5,155.94	0.00	5,155.94
67321	12/03/2015	4824	MAJOR LEAGUE SOFTBALL. INC.	480.00	0.00	480.00
67322	12/03/2015	46658	MARTUCCI. CHUCK	96.19	0.00	96.19
67323	12/03/2015	62098	MAY. CHRISTOPHER	325.00	0.00	325.00
67324	12/03/2015	4690	COOK-KNOWLES. VIRGINIA	375.00	0.00	375.00
67325	12/03/2015	52588	MILLER DON & SONS	267.55	4.91	262.64
67326	12/03/2015	3687	MOM'S CLUB OF LAKEWOOD	250.00	0.00	250.00
67327	12/03/2015	4360	NESS CINDY LOUISE	180.00	0.00	180.00
67328	12/03/2015	3940	ORANGE COUNTY TANK TESTING INC	895.00	0.00	895.00
67329	12/03/2015	46945	TAYLOR CORPORATION	106.96	0.00	106.96
67330	12/03/2015	4722	PERMECO INC	14,175.00	0.00	14,175.00
67331	12/03/2015	1615	PFM ASSET MANAGEMENT LLC	3,065.24	0.00	3,065.24
67332	12/03/2015	4829	MARTINEZ-RADZIUK. SONYA	99.61	0.00	99.61
67333	12/03/2015	4753	RAMIREZ. EDUARDO	75.00	0.00	75.00
67334	12/03/2015	44701	RAPP. LISA	108.98	0.00	108.98
67335	12/03/2015	63364	REEVES NORM HONDA	375.00	0.00	375.00
67336	12/03/2015	4602	REID. CHARLOTTE ALISON	500.00	0.00	500.00
67337	12/03/2015	926	RICOH AMERICAS CORPORATION	1,034.68	0.00	1,034.68
67338	12/03/2015	926	RICOH AMERICAS CORPORATION	1,522.01	0.00	1,522.01
67339	12/03/2015	27730	ROSEMEAD OIL PRODUCTS	882.62	0.00	882.62
67340	12/03/2015	65297	S.T.E.A.M.	14,244.14	0.00	14,244.14
67341	12/03/2015	4761	SANCHEZ. EUGENE	300.00	0.00	300.00
67342	12/03/2015	66280	BARRY SANDLER ENTERPRISES	176.26	0.00	176.26
67343	12/03/2015	52279	SMART & FINAL INC	242.79	0.00	242.79
67344	12/03/2015	886	HAUSER JOHN	1,251.50	0.00	1,251.50
67345	12/03/2015	36658	SOUTH COAST A.O.M.D.	467.98	0.00	467.98
67346	12/03/2015	29400	SOUTHERN CALIFORNIA EDISON CO	2,919.46	0.00	2,919.46
67347	12/03/2015	50299	SPENCER. GORDON	200.00	0.00	200.00
67348	12/03/2015	49529	SPICERS PAPER INC	1,143.04	10.49	1,132.55
67349	12/03/2015	4787	SPOK INC	6.86	0.00	6.86
67350	12/03/2015	58124	REED ELSEVIER INC	1,539.00	0.00	1,539.00
67351	12/03/2015	44104	STATE WATER RESOURCES CONTROL BOARD	60.00	0.00	60.00
67352	12/03/2015	66215	SUPERIOR COURT OF CALIFORNIA	9,457.50	0.00	9,457.50
67353	12/03/2015	66215	SUPERIOR COURT OF CALIFORNIA	8,692.00	0.00	8,692.00
67354	12/03/2015	57912	SURI. KAREN	118.30	0.00	118.30
67355	12/03/2015	4830	TELECOM LAW FIRM PC	891.00	0.00	891.00
67356	12/03/2015	65224	TUMBLE-N-KIDS. INC	1,901.90	0.00	1,901.90
67357	12/03/2015	60685	TURF STAR	724.00	0.00	724.00
67358	12/03/2015	4823	NEHRIG. DAVID	450.00	0.00	450.00

CITY OF LAKEWOOD SUMMARY CHECK REGISTER

CHECK #	CHECK DATE	VEND #	VENDOR NAME	GROSS	DISC.	CHECK AMOUNT
67359	12/03/2015	519	UNIVAR USA	2,782.23	0.00	2,782.23
67360	12/03/2015	4642	UTILITY COST MANAGEMENT LLC	18,321.05	0.00	18,321.05
67361	12/03/2015	60430	VERIZON CALIFORNIA INC	2,214.80	0.00	2,214.80
67362	12/03/2015	4825	VISIONS LIGHTING LLC	3,800.00	0.00	3,800.00
67363	12/03/2015	33200	WALTERS WHOLESALE ELECTRIC CO	1,372.37	11.67	1,360.70
67364	12/03/2015	17640	WAXIE ENTERPRISES INC	404.11	0.00	404.11
67365	12/03/2015	35146	WILLDAN ASSOCIATES	2,339.75	0.00	2,339.75
67366	12/03/2015	49425	ACURITY SPECIALTY PRODUCTS INC	136.47	0.00	136.47
67367	12/03/2015	3699	APOSTOL. RACHELLE	170.00	0.00	170.00
67368	12/03/2015	3699	CABALLES. CRISTINA	250.00	0.00	250.00
67369	12/03/2015	3699	CONTRERAS. PAUL VINCENT	40.00	0.00	40.00
67370	12/03/2015	3699	DELGADO. CLAUDIA	250.00	0.00	250.00
67371	12/03/2015	3699	ESPINDOLA. JANETH	250.00	0.00	250.00
67372	12/03/2015	3699	FAULKNER-CAMACHO. KIMBERLY	250.00	0.00	250.00
67373	12/03/2015	3699	FLORES. MARIA	250.00	0.00	250.00
67374	12/03/2015	3699	GANZALEZ. SAURA	250.00	0.00	250.00
67375	12/03/2015	3699	GATES. CYNTHIA	250.00	0.00	250.00
67376	12/03/2015	3699	GLORYTOGOD. ARMIDA	250.00	0.00	250.00
67377	12/03/2015	3699	HERRERA. SIERA JANE	250.00	0.00	250.00
67378	12/03/2015	3699	JABARI. VANESSA	250.00	0.00	250.00
67379	12/03/2015	3699	JESSIE. ROBERT	250.00	0.00	250.00
67380	12/03/2015	3699	JOYA. MERLIE	250.00	0.00	250.00
67381	12/03/2015	3699	LOPEZ. NELCY	250.00	0.00	250.00
67382	12/03/2015	3699	MONDAY. ROSLAN	12.62	0.00	12.62
67383	12/03/2015	3699	MUNOZ. FRANCISCO	250.00	0.00	250.00
67384	12/03/2015	3699	PORTILLO. DANILA	250.00	0.00	250.00
67385	12/03/2015	3699	RAYA. JOCELYN	64.00	0.00	64.00
67386	12/03/2015	3699	SIVAKULAM. SIVAKKOLUNTHAR	250.00	0.00	250.00
67387	12/03/2015	3699	SMITH. MELVIN	250.00	0.00	250.00
67388	12/03/2015	3699	SPEARS. E K	124.33	0.00	124.33
67389	12/03/2015	3699	TIM. SOPHEA	250.00	0.00	250.00
67390	12/03/2015	3699	VERHOEF. ROB	15.00	0.00	15.00
67391	12/03/2015	3699	WU. HONGWEI	21.27	0.00	21.27
67392	12/03/2015	3699	YANO. MENDEL	250.00	0.00	250.00
67393	12/03/2015	2372	TGIS CATERING SVCS INC	1,300.00	0.00	1,300.00
67394	12/03/2015	4443	O'REILLY AUTOMOTIVE STORES INC	902.51	21.88	880.63
67395	12/03/2015	47854	TRUESDAIL LABORATORIES INC	375.00	0.00	375.00
67396	12/03/2015	65712	IDMODELING INC	1,625.00	0.00	1,625.00
Totals:				<u>329,922.46</u>	<u>48.95</u>	<u>329,873.51</u>

D I V I D E R S H E E T

COUNCIL AGENDA
December 8, 2015

TO: The Honorable Mayor and City Council

SUBJECT: Approval of Emergency Water Renewal Agreement with DS Waters of America, Inc. for the supply of bottled water during disasters

INTRODUCTION

A common concern in any Emergency Response Plan is the ability to obtain immediate and regular supply of drinking water for first responders and a municipality's citizenry. The Emergency Agreement with DS Waters of America, Inc. (or Sparkletts) is designed to provide all emergency response agencies a tool to order bottled water in the required quantities. DS Waters of America, Inc. commits to make the city's requests for any emergency order a top priority.

STATEMENT OF FACT

The Emergency Agreement covers terms and conditions for the supply of bottled water to the City of Lakewood, including minimum order, pricing, and effective period.

This agreement shall provide a broad framework for cooperation and understanding between DS Waters of America, Inc. and the City of Lakewood in providing assistance and service to Lakewood personnel in the event of an emergency.

In continuing with the city's commitment to the National Incident Management System (NIMS) compliance implementation, it is an important part of the management system to provide for a fully integrated and coordinated response to emergencies. Implementation of the Emergency Agreement with DS Waters of America, Inc. will help expedite the procurement of drinking water supply during a disaster.

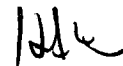
RECOMMENDATION

Staff recommends the City Council authorize the Mayor and the City Clerk to execute the renewal agreement, with DS Waters of America, Inc. as a tool to expedite the procurement of drinking water supply during a disaster.

Lisa Litzinger, Director
Recreation and Community Services



Howard L. Chambers
City Manager



D I V I D E R S H E E T

COUNCIL AGENDA

December 8, 2015

TO: The Honorable Mayor and City Council

SUBJECT: Authorization to Issue Purchase Order –Game Courts Re-Stripe and Resurface

INTRODUCTION

As part of the maintenance and facilities preservation program, Staff has identified the need to re-stripe the game courts at Bolivar Park and resurface the game courts at Biscailuz, Palms and Bloomfield Parks. The work will involve removal of all existing court lines, repair of concrete surface imperfections, pre-coat and stripe new game lines. The resurface work will involve removal of existing court lines, repair of concrete surface imperfections, apply resurfacing material and stripe new game lines.

STATEMENT OF FACT

Staff obtained (3) proposals to re-stripe the game courts at Bolivar Park and resurface the game courts at Biscailuz, Palms and Bloomfield Parks. The proposals ranged from \$40,450 to \$60,505


California Resurfacing	\$40,450.00
Zaino Tennis Courts Inc.	\$45,300.00
Taylor Tennis Inc.	\$60,505.00

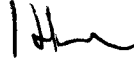
There are sufficient funds available in the budget to complete this project.

RECOMMENDATION

Staff recommends that the City Council:

- (1) Authorize Staff to Issue a purchase order to California Resurfacing in the amount of \$40,450.00

Lisa Ann Rapp 
Director of Public Works

Howard L. Chambers 
City Manager

D I V I D E R S H E E T

RESOLUTION NO. 2015-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE MOU 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 AS ADOPTED BY RESOLUTION NO. 2014-27

SECTION 1. The Memorandum of Understanding, July 1, 2014-June 30, 2016, adopted by Resolution 2014-27 is hereby amended as set forth herein. Except as so amended said Memorandum of Understanding remains in full force and effect.

ARTICLE 4. BASIC COMPENSATION PLAN

SECTION 11. Special Compensation. Employees may be eligible for special compensation under the terms and conditions specified below.

- (1) Merit Pay - In addition to the Special Merit Advancement provision in Section 10 of this article, any employee may be awarded special compensation in the amount of five percent (5%) of base salary over the last step as merit advancement, where said employee has routinely and consistently demonstrated exceptional ability and proficiency in the performance of his duties.
- (2) Special Assignment Pay - Senior Water Maintenance Workers shall receive special compensation in the amount of 5% of base salary when routinely and consistently assigned skilled welding duties in addition to water maintenance work.
- (3) Bilingual Pay - Any employee required by the City to routinely and regularly use his/her translation and interpretation skills in the performance of his/her regular duties that include customer service and public contact will be eligible for bilingual pay. Should the employee's duties change such that the use of bilingual skill is no longer required, the bilingual skill pay shall cease. Eligibility for bilingual skill pay is subject to the approval of the Department Director and Human Resources Director and their decision is not subject to appeal. Further, the number of employees to be approved as qualified to translate in any language shall be at the sole discretion of the City and such determination is not subject to any appeal.

An employee required to use bilingual skills shall receive \$50 per month pay in addition to his/her regular salary.

ARTICLE 12. SICK LEAVE

Sick leave with pay shall be granted to all City employees covered by the Agreement as provided in this section. Sick leave shall not be considered as a right to which an employee is entitled at his discretion, but means and includes an approved absence from employment because of actual sickness or disability. Sick leave shall be approved by the Department Head and the City

Manager. The City reserves the right to modify this policy to the extent the legal obligations under the Health Workplaces, Healthy Families Act of 2014 are further clarified by the legislature, a court, or other regulatory body.

(A) **Accrual.** Employees shall accrue eligibility for sick leave on the basis of eight (8) hours per month up to a maximum accumulation of either 240, 320 or 350 hours. Employees shall elect their sick leave accumulation cap at the time of appointment and may increase their cap in accordance with Section (B) (2) of this article. Employees may not elect to decrease their cap.

(1) Newly hired employees begin to accrue paid sick leave on the first day of employment.

(B) **Accumulation and Payoff.**

(1) On the last pay day each November, employees will be paid in cash for any accumulated and unused sick leave in excess of their elected sick leave cap on accumulation at the rate of 60% of said excess. Said cash payment shall be at the employee's rate of pay as of the pay day immediately preceding the last pay day in November.

(2) Employees may individually elect to increase their current cap on accumulated sick leave to coordinate with the 60-day Long-term Disability Insurance elimination period requirements. Such an election is entirely voluntary and will be subject to time frames established by the City.

(C) **Catastrophic Leave Program.** With the approval of the City Manager or his or her designee, employees may contribute a portion of their accrued sick leave hours for the use of an employee who has exhausted all other paid leave benefits and is unable to work. Specified below are the eligibility criteria for donating leave and receiving leave donations.

(1) **Donating Leave.** In order to be eligible to donate sick leave hours, an employee must have a minimum balance of 120 hours in their leave bank after the donated hours are made.

(2) **Receiving Leave Donations.** The maximum amount of donated sick leave an employee may receive for any one illness or injury is 60 days. An employee who has already exhausted all of his/her accrued paid leave (or is about to exhaust it) may request leave donations under the following conditions:

- i. Because of employee's own serious illness or injury; or
- ii. Because employee's immediate family member has a serious life threatening illness or injury. A "serious life threatening illness or injury" is defined as an injury or illness which is terminal or life threatening, as certified by the individual's personal physician.

(3) **Immediate Family Members.** Qualifying family members are limited to the following:

- i. Employee's spouse or registered domestic partner;
- ii. Employee's child(ren); and
- iii. Employee's parent(s)

(D) **Supplement to Workers Compensation.** Employees may use earned and accumulated sick leave benefits to supplement payments received from Workers Compensation Insurance to make up the difference between said payment and the employee's regular salary.

(E) Sick leave may be used for:

(1) An absence necessitated by the employee's physical incapacity as may be prompted by illness, injury, pregnancy disability, preventive care or diagnosis, care or treatment of an existing health condition, or the illness, injury, preventive care or diagnosis, care or treatment of an existing health condition of an employee's immediate family member which necessitates the employee's absence. Immediate family is defined as spouse, legal domestic partner, child, step-child, foster-child, father, mother, brother, sister, brother-in-law, sister-in-law, son-in-law, daughter-in-law, father-in-law, mother-in-law, aunt, uncle, nephew, niece, stepparent, grandparents, grandchildren or persons living in the same household and related by blood.

(2) Medical and dental office appointments when the employee cannot obtain an appointment during off-duty hours for the employee or his or her dependents.

(3) Absence due to exposure to a contagious disease when quarantine is imposed by health authorities.

(4) Sick leave may be used for all qualifying events as provided for under the City's Family Care and Medical Leave Policy.

(5) Sick leave may be used for all qualifying events and eligible family members as provided for under the Healthy Workplace, Healthy Family Act of 2014. Employees may also use sick leave to obtain relief or services related to being a victim of domestic violence, sexual assault or stalking, including the following with appropriate certification of the need for such services:

- i. A temporary restraining order or restraining order.
- ii. Other injunctive relief to help ensure the health, safety or welfare of themselves or their children.
- iii. To seek medical attention for injuries caused by domestic violence, sexual assault, or stalking.
- iv. To obtain services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence, sexual assault, or stalking.
- v. To obtain psychological counseling related to an experience of domestic violence, sexual assault, or stalking.
- vi. To participate in safety planning and take other actions to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation.

(6) Vacation may not be used in lieu of sick leave for an employee's own sickness or medical appointments unless sick leave accruals have been exhausted first.

(7) Absence not to exceed three working days because of death, serious illness or illness when death appears imminent, of a member of the employee's immediate family. Immediate family is defined as spouse, legal domestic partner, child, father, mother, brother, sister, brother-in-law, sister-in-law, son-in-law, daughter-in-law, father-in-law, mother-in-law, aunt, uncle, nephew, niece, stepparent, stepchild, grandparents, grandchildren or persons living in the same household and related by blood.

(F) Notification Requirements: An employee shall provide reasonable advance notification of their need to use accrued paid sick leave to their immediate supervisor (or other person selected by the Department Head) if the need for paid sick leave is foreseeable (e.g.,

doctor's appointment scheduled in advance). If the need for paid sick leave use is unforeseeable, the employee shall provide notice of the need for the leave to their supervisor as soon as is practicable. Whenever reasonably possible, an employee shall notify his immediate supervisor or other person selected by the Department Head prior to or within 30 minutes after the time set for beginning of his/her daily duties.

(G) Physician's Certificate: The City may require a physician's certificate under the following conditions:

(1) After an absence of three (3) continuous days due to the employee's own illness or disability period to indicate employee is medically released to return to work, with or without restrictions;

(2) If the City Manager or Department Head has reasonable cause to believe that the benefit is being abused by an employee.

(H) Overtime Computation. Paid sick leave will not be considered hours worked for purposes of overtime calculation.

(I) Separation from the City. An employee will not receive compensation for unused accrued paid sick leave upon termination, resignation, or other separation from employment from the City. Certain exceptions may apply (see Article 13).

(1) If an employee separates from City employment and is re-hired by the City within one year of the date of separation, previously accrued and unused paid sick leave hours shall be reinstated to the extent required by law.

SECTION 2. This Resolution shall become effective immediately upon its adoption.

SECTION 3. The City Clerk shall certify to the adoption of this resolution.

ADOPTED AND APPROVED THIS 8TH DAY OF DECEMBER, 2015.

Mayor

ATTEST:

City Clerk

D I V I D E R S H E E T

COUNCIL AGENDA

December 8, 2015

TO: Honorable Mayor and City Council

SUBJECT: RMC Prop 1 Grant Application for a Community Water Efficiency
Demonstration Garden

INTRODUCTION

The purpose of this staff report is to consider a Resolution to the City Council to authorize staff to submit an application to receive San Gabriel & Lower Los Angeles Rivers and Mountains Conservancy (RMC) Prop 1 grant funding to build a Community Water Efficiency Demonstration Garden located in front of the Department of Water Resources office at 5812 Arbor Road.

STATEMENT OF FACT

The City of Lakewood has been looking at various locations to build an interactive Water Efficiency Demonstration Garden. The Department of Water Resources office located at 5812 Arbor Road has been selected as the ideal location for the garden because it encompasses about 6,500 square feet of greenbelt, allows for possible future project expansion to the west side property line, and staff is available on-site during normal business hours to answer questions pertaining to the garden.

The Water Efficiency Demonstration Garden will contain displays that showcase water conservation through a series of beautiful themed gardens, a short walkway that highlights different styles of permeable paths, several types of low flow irrigation styles, importance of water use plant groupings, and portions of the garden will be irrigated using condensation water collected from air conditioners.

The Garden is designed for the public to have access to information about water-wise, or Southern California coastal and Mediterranean climate plants, while learning a little about our area's natural history, geography and climate. The water-efficient garden will demonstrate how native California and Mediterranean climate plants can be used to create a low water use natural garden. Once established, these plants require little or no supplemental summer water and provide food and shelter for beneficial insects, butterflies and birds.

SUMMARY

Staff has selected a location for the Community Water Efficiency Demonstration Garden. The Community Water Efficiency Demonstration Garden was budgeted in Capital Improvement Program for \$225,000. However, should the City receive RMC grant funding, the City of Lakewood's project portion will be \$35,000.


FISCAL IMPACT


Tentatively, RMC will announce grant recipients in May 2016. Should the City receive \$35,000 in RMC Prop 1 grant funding, \$35,000 will need to be appropriated to the Department of Water Resources Capital Improvement Budget as matching funds in FY 2016/17.

RECOMMENDATION

The Water Resources Committee recommends that the City Council:

1. Adopt Resolution entitled, "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE WATER QUALITY, SUPPLY AND INFRASTRUCTURE IMPROVEMENT ACT OF 2014 (PROPOSITION 1), FOR A COMMUNITY WATER EFFICIENCY DEMONSTRATION GARDEN" and
2. Upon the grant funding, authorize staff to appropriate \$35,000 to FY 2016/17 Capital Improvement Budget.


Jason J. Wen, Ph.D., P.E.
Director of Water Resources

Howard L. Chambers 
City Manager

RESOLUTION NO. 2015-71

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LAKEWOOD APPROVING THE APPLICATION FOR GRANT
FUNDS FOR THE WATER QUALITY, SUPPLY AND
INFRASTRUCTURE IMPROVEMENT ACT OF 2014
(PROPOSITION 1), FOR A COMMUNITY WATER
EFFICIENCY DEMONSTRATION GARDEN

WHEREAS, The people of the State of California have enacted the Water Quality, Supply and Infrastructure Improvement Act of 2014 (Proposition 1), which provides funds for the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy (RMC) Grant Program; and

WHEREAS, The RMC has been delegated the responsibility for the administration of the grant program in its jurisdiction, setting up necessary procedures; and

WHEREAS, said procedures established by the RMC require the Applicant's Governing Body to certify by Resolution the approval of the Application before submission of said Application to the State; and

WHEREAS, the Applicant desires to enter into a contract with the State of California for the Project;

NOW THEREFORE, the City Council of the City of Lakewood does hereby resolve as follows:

SECTION 1. Certifies that the Project achieves the State of California's goals of conserving water resources, water supply, and adheres to policies for reaching greenhouse gas reduction targets.

SECTION 2. Certifies that the Application has or will have sufficient funds to operate and maintain the Project that is being submitted for funding consideration; and

SECTION 3. Certifies that the Applicant has reviewed and understands the General Requirements and General Policies of the RMC Proposition 1 Grant Program Guidelines; and

SECTION 4. Approves the filing of an Application for local assistance funds from the RMC Proposition 1 Grant Program for a Community Water Efficiency Demonstration Garden under the Water Quality, Supply and Infrastructure Improvement Act of 2014 (Proposition 1); and

SECTION 5. Appoints the City Manager (or authorized representative) as agent to conduct all negotiations, execute, and submit all documents including, but not limited to Applications, agreements, payment requests and so on, which may be necessary for the completion of the Project.

SECTION 6. This Resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting this resolution.

ADOPTED AND APPROVED THIS 8TH DAY OF DECEMBER, 2015.

Mayor

ATTEST:

City Clerk

DIVIDER SHEET

COUNCIL AGENDA

December 8, 2015

TO: Honorable Mayor and City Council

SUBJECT: City of Lakewood Water Conservation Rebates Program Update

INTRODUCTION

On November 9, 2010 the City Council authorized a Turf Removal and Device Rebate Program earmarking \$25,000 each fiscal year to the program. The program purpose is to support a reduction in outdoor water use by customers switching from grass to drought tolerant landscaping or replacing less efficient sprinkler systems with more efficient watering mechanisms. Historically, turf and device rebate programs consistently observe spikes in program applications and participation immediately after following events: a drought emergency declaration; a rebate increase; and a special, landscape-focused event. Participation has been relatively high ever since the Governor's Emergency Drought Proclamation in January 2014 and a State Drought Emergency Regulation in 2015.

STATEMENT OF FACT

The Lakewood Department of Water Resources (DWR) staff budgeted \$25,000 for a Residential Turf Removal and Device Rebates Program. The intent of the program is to encourage the installation of water saving irrigation devices by residential customers in the city's service area. The DWR program offers the following rebates:

Type of Rebate	Minimum # of Units	Maximum # of Units	Rebate per Unit	Maximum Rebate Amount
Turf Removal	40 sqft	800 sqft	\$1.00 per sqft	\$800
Sub-surface Rebate	40 sqft	800 sqft	\$0.50 per sqft	\$400
Drip Irrigation/Micro Sprinkler Kit <\$20.00	1	1	\$5.00	\$5.00
Drip Irrigation/Micro Sprinkler Kit ≥\$20.00	1	1	\$10.00	\$10.00
Hose End Timer	1	1	\$5.00	\$5.00
Rotor Nozzle	7	25	\$2.00	\$50.00
Rain Sensor or Moisture Sensor	1	1	\$25.00	\$25.00
Irrigation Controller Equipped with Rain Sensor or Moisture Sensor	1	1	\$35.00	\$35.00
Weather Based Irrigation Controller	1	1	\$50.00	\$50.00

Based on regional data, an average of 18% in water savings annually per household will be achieved by turf removal program.

The rebate for turf removal requires a preapproval process, including the submittal of additional information on estimated square footage with a landscape plan and pictures of the area. A DWR inspection, coordinated with code enforcement, is also included as a part of the approval process.

The table below is an updated summary of the rebates program since 2011. For FY 2015/16, \$25,261 has already been spent for completed projects and there is approximately \$27,000 in pending applications. The \$27,000 in pending applications does not include any additional applications that may be submitted from now until the end of this fiscal year. Notably, a special notice about fund eligibility was given on the application form: *"funding is offered on a first come first serve basis and subject to available funds. Future funding will be dependent upon approval of annual budget"*.

FY 2011/12	FY 2012/13	FY 2013/14	FY 2014/15	FY 2015/16 Completed	FY 2015/16 Pending Turf Project
\$1,227	\$2,566	\$5,927	\$21,592	\$25,261	\$27,000
				56 projects (\$10 - \$860)	35 Applications (\$195 - \$800)

SUMMARY


For FY 2015/16, staff has exhausted allocated funding for the Water Conservation Rebates Program. The City Council Water Resources Committee recommends that the City Council appropriate \$10,000 to fund water rebates from now until the end of the fiscal year on a first come first serve basis. This amount may be enough to cover the needed funding until the end of this fiscal year because historically applicants take six months to complete their project and one month to receive a credit to their water bill. Ultimately placing many project rebates into next year's budget.

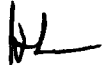
FISCAL IMPACT

Should the City Council extend the Water Conservation Rebate Program for FY 2015/16, staff proposes to transfer Water Operating Budget funds of \$10,000 from Account 75008000-58400 Acquisition of Water Rights to Account 75008000-55938 Water Conservation Device.

RECOMMENDATION

The Water Resources Committee recommends that the City Council transfer funds in the amount of \$10,000 between Water Operating Accounts to extend the Water Conservation Rebates Program.


Jason J. Wen, Ph.D., P.E.
Director of Water Resources

Howard L. Chambers 
City Manager

D I V I D E R S H E E T

Legislation

COUNCIL AGENDA

December 8, 2015

TO: Honorable Mayor and members of the City Council

SUBJECT: Proposed ordinance to clarify and expressly prohibit marijuana cultivation, propagation, product labeling, storing, processing, transporting, delivery, sales, barbers, dispensaries and cooperatives and testing laboratories in the city.

INTRODUCTION

On October 10, 2015, the Medical Marijuana Regulations and Safety Act (MMRSA) was signed into law and it is a combination of AB266, AB243 and SB 643. Collectively these bills established a dual licensing structure requiring both a state license and a local license or permit for the various stages of commercial cultivation, processing, testing, packaging, storage, labeling, transportation and distribution of marijuana (cannabis) products. Also established were regulations governing physicians issuing medical marijuana recommendations and the authority to levy taxes and fees by local government was recognized. MMRSA expressly protects and encourages local control of these products, including a total prohibition on any part of the marijuana production process.

AB 243 contains a provision stating that if cities do not have an ordinance regulating or prohibiting the cultivation of marijuana and/or other marijuana-related land uses, products and activities by March 1, 2016 their authority to regulate or prohibit marijuana cultivation and other marijuana related activities and products within their jurisdictional boundaries will be limited. The state will then become the sole licensing authority. Therefore, if the City of Lakewood wishes to maintain and/or establish control of marijuana cultivation and/or other marijuana-related land uses, products and activities for either or both commercial and non-commercial cultivation of marijuana, then it should establish and have such regulations in effect on or before March 1, 2016. The proposed ordinance will do so.

On November 17, 2015, the Lakewood City Council conducted a study session regarding the MMRSA provisions and the March 1, 2016 deadline. They considered a draft ordinance prepared by the City Attorney and Community Development Department staff regarding a possible prohibition of marijuana cultivation for both commercial and non-commercial purposes and a prohibition of other marijuana-related land uses and activities. The City Council discussed the possible prohibition and the urgency of the impending deadline. There was discussion regarding the impact of this ordinance on those individuals who are currently "qualified patients" with a valid Medical Marijuana Identification Card and are currently cultivating marijuana for personal medical purposes. The proposed ordinance would not allow them to continue cultivation, but would not prohibit their possession or use of Medical Marijuana products. City Council instructed staff to complete preparation of the ordinance and directed that it be scheduled for consideration by the Planning and Environment Commission at a Public Hearing.

CHRONOLOGY OF MARIJUANA REGULATION

- **1996** - Proposition 215 was approved and this enacted the Compassionate Use Act of 1996 (CUA) to provide legal protection to seriously ill persons ("qualified patients") to obtain, grow, possess and use marijuana for medical purposes under limited and specified circumstances.
- **January 1, 2004** - Senate Bill 420 became effective and created the Medical Marijuana Program (MMP). The MMP is administered by the Department of Public Health which created a voluntary Medical Marijuana Identification Card (MMIC) program.
- **August 25, 2008** State established general guidelines for a "qualified patient," which allows them to have no more than six mature or 12 immature marijuana plants and to have no more than eight ounces of dried processed marijuana. However, a physician can "recommend" and therefore authorize additional numbers of plants or quantity of dried marijuana. This leaves the maximum number undetermined and hard to enforce, especially when coupled with the fact that this is a per "qualified patient" recommendation and multiple "qualified patients" may live in the same residence and often do.
- **October 12, 2010** - the Lakewood City Council adopted Ordinance 2010-2 as an urgency measure to prohibit the establishment of Medical Marijuana Dispensaries.
- **October 26, 2010** - Lakewood City Council adopted Ordinance 2010-3 to make this prohibition on Medical Marijuana Dispensaries permanent. These ordinances established Section 9378 of the Lakewood Municipal Code (LMC) and it reads as follows:

9378. MEDICAL MARIJUANA DISPENSARIES.

A. Medical Marijuana Dispensary is not an allowable, permitted or conditionally permitted use in any zone in the City. It shall be unlawful for any person or entity to establish, own, operate, manage or conduct any Medical Marijuana Dispensary, or to participate as an employee, contractor, landlord, property owner, agent or volunteer, or in any other manner or capacity, in any Medical Marijuana Dispensary, in the City.

...

A "Medical Marijuana Dispensary" is any facility or location where medical marijuana is made available to and/or distributed by or to two or more of the following: A qualified patient, a person with an identification card, or a primary care giver (as such terms are defined in the California Compassionate Use Act.) Additionally, the term "Medical Marijuana Dispensary" shall be construed broadly and liberally to mean any location, structure, facility, store, co-op, collective, residence, vehicle or similar facility used, in full or in part, as a place at or in which marijuana is sold, traded, exchanged, bartered for in any way, made available, located, stored, placed, cultivated, packaged, processed or cooked, including any of the foregoing if used in connection with the delivery of marijuana.

- **2011: Cultivation Prohibition** - *Moral v. City of Live Oak* (221 Cal. App.4th 975) The trial court upheld the City's right to prohibit cultivation of marijuana for medical purposes. The Third District Court of Appeals upheld this decision stating that there is no "*unfettered right to cultivate marijuana for medical purposes,*" even for a qualified patient such as Moral.
- **2013: Dispensary Prohibition** - *City of Riverside v. Inland Empire Patients Health & Wellness Center, Inc (IEPHWC)* found that "*Nothing in the CUA or MMP expressly or impliedly limits the inherent authority of a local jurisdiction, by its own ordinances, to regulate the uses of its land.*" [56 Cal. 4th 729]
- **May 6, 2013: Dispensary Prohibition** - California Supreme Court upheld the *City of Riverside v. IEPHWC* decision and a city's right to control land use using its police powers, stating "*Local authority to regulate land use for the public welfare is an inherent preexisting power, recognized by the California Constitution.*"
- **May 1, 2014** – The Public Safety Committee of the City Council conducted a discussion about regulating marijuana cultivation and then referred the matter to the City Council.
- **July 22, 2014** – Lakewood City Council considered the matter during a study session and tabled the discussion for further consideration at a later time.
- **October 10, 2015 - The Medical Marijuana Regulation and Safety Act (MMRSA)** was signed into law, establishing a deadline of March 1, 2016 for local jurisdictions to establish licensing or a prohibition or other marijuana regulations.
- **November 17, 2015** - Lakewood City Council conducted a study session regarding the MMRSA provisions and instructed staff to bring the matter to the PEC for consideration at a Public Hearing.

STATEMENT OF FACTS

The following provides a discussion regarding the possible prohibition of marijuana cultivation and other related activities. The Lakewood Municipal Code ("LMC") has zoning regulations that are "permissive", meaning that land uses are stated as either permitted or permitted, subject to a Conditional Use Permit ("CUP"). Any use that is not listed as "permitted" is legally presumed to be not permitted. The LMC does specifically prohibit Medical Marijuana Dispensaries, but does not specifically address or regulate marijuana cultivation. Historically, when a complaint about medical marijuana cultivation has been received, the City and the Los Angeles County Sheriff's Department (LASD) have applied the standard set forth in California Health and Safety (H&S) Code section 11362.77(a) that was created by SB 420. This statute sets a statewide cultivation guideline of six mature or 12 immature plants per "qualified patient". However, in Section (b) of the same statute, the H&S Code has provisions allowing patients to possess above the statutory maximum if a physician believes the patient requires more than the above-stated limits to treat the patient's condition. In these cases, the amount of cultivation could be almost limitless depending on the number of "qualified patients" who reside at the property and the needs of each patient as specified by the physician. Therefore a total

prohibition on cultivation is much easier to enforce and state law does allow local jurisdictions, such as the City to impose by local regulation a total prohibition on cultivation and all other marijuana production activities. The proposed ordinance will establish a total prohibition on all marijuana cultivation and related production activities. The potential significant impacts associated with the cultivation of marijuana include the creation of a neighborhood nuisance from strong and potentially noxious odors, damages to the buildings in which cultivation occurs from improper and dangerous electrical alterations and use, inadequate ventilation, and increased risk of crimes such as trespassing and burglary with associate acts of violence in commission of such crimes or the occupants attempts to prevent such crimes and protect their crops. The Lakewood Station of the LASD has received multiple complaints regarding marijuana cultivation in the last few years. Most of these complaints when reviewed were operating within State guidelines, however at least one home had over 200 plants and all the Medical Marijuana Identification Cards of the occupants had expired.

OPTIONS FOR REGULATION OF MARIJUANA

During the years 2013, 2014 and 2015 approximately 25% (about 20 per year) of all non-traffic service Sheriff requests that were received by the Public Information Department of the City mentioned drugs, pot and/or marijuana specifically. The justification for a regulation to prohibit marijuana cultivation revolves around the need to maintain neighborhoods that are crime-free, odor-free, and do not unfairly impinge on the desired life-style of the community. In light of complaints received by the City, staff reviewed potential options for the regulations of marijuana cultivation. Among the current options available for consideration are the following:

- Status Quo. Adopt no new regulation. The provisions of the H&S Code would continue to provide guidance to local law enforcement and “qualified patients” as to the quantity that can be grown. State laws will then provide licensing requirements for commercial marijuana operations and cultivation enterprises.
- Cultivation and Production Prohibition. Adopt a total prohibition of both commercial and non-commercial cultivation both indoors and outdoors by anyone and any entity. By adopting a total prohibition of marijuana cultivation and production, the city can eliminate all potential risks associated with marijuana cultivation and production by both commercial and non-commercial operations. This gives the Sheriff a stricter enforcement authority.

PROPOSED ORDINANCE

The proposed ordinance would clarify and expressly prohibit marijuana cultivation, propagation, product labeling, storing, processing, transporting, delivery, sales, barter, dispensaries and cooperatives and testing laboratories in the city. This would create a total prohibition on any cultivation of marijuana plants for both commercial and non-commercial purposes within the jurisdictional limits of the City of Lakewood. The proposed ordinance would not affect the ability of a “Qualified Patient” with a valid Medical Marijuana Identification Card to use and possess a limited quantity of Medical Marijuana for physician recommended purposes. Please refer to the attached proposed ordinance for complete details.

PLANNING AND ENVIRONMENT COMMISSION

On December 3, 2015, the Planning and Environment Commission conducted a properly advertised public hearing and adopted a resolution recommending the that City Council adopt the proposed ordinance to clarify and impose an express prohibition on marijuana cultivation, propagation, product labeling, storing, processing, transporting, delivery, sales, barter, dispensaries and cooperatives and testing laboratories in the city. They also recommended approving the finding that this ordinance is categorically exempt from CEQA review per CEQA Guidelines Sections 15305 and 15061(b) (3).

CEQA

The proposed ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15305, minor alterations in land use limitations and Section 15061(b) (3) which is the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and CEQA does not apply where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment. The City's permissive zoning provisions already prohibit all uses that are being expressly prohibited by this ordinance. Therefore, this ordinance has no impact on the physical environment as it will not result in any changes.

PUBLIC NOTICE

On December 8, 2015, the City Council will consider only the introduction of the proposed ordinance. The notice of that meeting was properly posted in three places in the City in compliance with the Lakewood Municipal Code Section 1107. The second reading of this ordinance will be at a properly advertised public hearing on January 12, 2016.

RECOMMENDATION

The Planning and Environment Commission recommends that the City Council introduce the proposed ordinance and then schedule a public hearing on January 12, 2015. Following the public hearing, it recommends that the City Council adopt the proposed ordinance to clarify and expressly prohibit marijuana cultivation/propagation, product labeling, storing, processing, transporting, delivery, sales/barter, dispensaries and cooperatives and testing laboratories in the City and approved the related environmental determination that this ordinance is exempt from environmental review per CEQA Guidelines Sections 15305 and 15061(b) (3).

Sonia Dias Southwell, AICP
Director of Community Development

Howard L. Chambers
City Manager

ORDINANCE NO. 2015-9

AN ORDINANCE OF THE CITY OF LAKEWOOD AMENDING ARTICLE IX OF THE LAKEWOOD MUNICIPAL CODE CLARIFYING AND IMPOSING AN EXPRESS PROHIBITION ON MARIJUANA CULTIVATION, PROPAGATION, PRODUCT LABELING, STORING, PROCESSING, TRANSPORTING, DELIVERY, SALES, BARTERS, DISPENSARIES AND COOPERATIVES AND TESTING LABORATORIES IN THE CITY.

THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby finds and declares:

A. That the commercial and non-commercial cultivation of marijuana, whether for medical purposes or otherwise, significantly impacts, or has the potential to significantly impact, the residents of the City of Lakewood (the "City"). These potential impacts include improper and dangerous alterations and/or use of buildings and outdoor areas in which cultivation may occur with compromised electrical connections, fire safety problems, inadequate ventilation, structural modifications, over use of water, increased nuisance impacts on neighboring properties from noxious odors originating from the plants, increased occurrences of theft crimes and a general increase in the instances and intensity of crime within the City.

B. That marijuana is an illegal substance under the Federal Controlled Substances Act, 21 U.S.C. 801, *et seq.* and is classified as a "Schedule I Drug", which is defined as a drug or other substance that has a high potential for abuse. Furthermore, the Federal Controlled Substances Act makes it unlawful for any person to cultivate, manufacture, distribute or dispense, or possess with intent to manufacture, distribute or dispense marijuana. The Controlled Substances Act contains no statutory exemption for the possession of marijuana for medical purposes. The City has no desire to interfere with or defy federal law.

C. That the voters of the State of California, in 1996, approved Proposition 215 (codified as Health and Safety Code Section 11362.5, *et. seq.* and entitled as "The Compassionate Use Act of 1996" or "CUA".) The intent of Proposition 215 was to provide legal protections to seriously ill persons, who have their doctor's recommendation to use marijuana for medical purposes, otherwise known as "qualified patients." The CUA also provides protections to the physicians and primary caregivers who assist these "qualified patients." The CUA enabled those who are in need of medical marijuana for medical purposes to obtain and use it under limited, specified circumstances. The CUA provides a criminal defense to the cultivation, possession and use of marijuana for medical purposes. The CUA does not address land use impacts that are caused by the cultivation of marijuana. This ordinance addresses those impacts by prohibiting cultivation and distribution of both commercial and non-commercial marijuana.

D. That on January 1, 2004, the legislature enacted SB 420 (codified as Health and Safety Code Sections 11362.7 *et. seq.* and entitled as "The Medical Marijuana Program Act" or "MMPA".) The MMPA was adopted to clarify the scope of the CUA and to allow cities and counties to adopt and enforce rules and regulations consistent with the MMPA and the CUA.

The MMPA requires the California Department of Public Health (CDPH) to create the Medical Marijuana Program (“MMP”).

The state MMP is responsible for developing and maintaining an online registry and verification system for Medical Marijuana Identification Cards or “MMICs.” MMICs are available to qualified patients and their primary caregivers. The intent of SB 420 is to help law enforcement and qualified patients by creating a form of identification for qualified patients that is official and uniform throughout the State. The online registry does allow law enforcement to verify that a MMIC is valid.

E. That the CUA is limited in scope, in that it only provides a defense from criminal prosecution for possession and cultivation of marijuana to qualified patients and their primary caregivers. The scope of the MMPA is also limited in that it establishes a statewide identification program and affords qualified patients, persons with identification cards and their primary caregivers, an affirmative defense to certain enumerated criminal sanctions that would otherwise apply to transporting, processing, administering or distributing marijuana, but not cultivation.

F. That the intent of this ordinance is to utilize the City’s inherent police power to regulate through land use controls marijuana related activities in a manner that protects the public health, safety and welfare of the Lakewood community, without violating the CUA or MMPA, and to prevent adverse impacts that such activities and land uses may have on nearby properties and residents, without interfering with the rights of qualified patients and their primary caregivers to possess medical marijuana pursuant to state law.

G. That on August 25, 2008, Edmond G. Brown, then the California Attorney General, issued the “Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use” (“Guidelines”), which sets regulations intended to ensure the security and non-diversion of marijuana grown for medical use by qualified patients. Health and Safety Code 11362.81(d) authorizes the Attorney General to “develop and adopt appropriate guidelines to ensure the security and non-diversion of marijuana grown for medical use by patients qualified under” the CUA. Nothing in the Guidelines imposes an affirmative mandate or duty upon local governments, such as the City, to allow, sanction or permit the cultivation of marijuana plants within their jurisdictional limits.

H. That on October 10, 2015, Edmond G. Brown, the Governor of California signed into law the Medical Marijuana Regulation and Safety Act (“MMRSA”), enacted through a combination of regulations contained in AB 266, AB 243 and SB 643. The MMRSA in part: (a) creates a dual licensing structure requiring all commercial cannabis operations to have both a state and a local license before operating, (b) establishes health and safety standards with required mandatory testing and labeling of edible medical cannabis products, (c) regulates physicians recommending medical cannabis products, (d) expressly recognizes local government authority to regulate, license, levy taxes and fees and/or prohibit commercial and non-commercial cannabis operations, (e) phases out marijuana collectives and cooperatives, (f) prevents illegal water diversion and establishes pesticide controls, and (g) requires a local jurisdiction to affirmatively prohibit unwanted cannabis activities or land uses, including prohibiting cannabis cultivation by having an ordinance in effect on or before March 1, 2016 or by making a determination that its zoning code is “permissive” and therefore “any use not enumerated in the code is presumptively prohibited” as stipulated by the court. [*City of Corona v. Naulis* (2008) 166 Cal. App 4th 418, 425 and cited in *County of Sonoma v. Superior Court* (2010) 190 Cal.App.4th 1312, FN.3]

I. That neither the CUA, nor the MMPA, nor MMRSA nor the California Constitution creates a right to cultivate marijuana or impose an affirmative duty or mandate upon local governments, such as the City, to allow, authorize or sanction those cultivating marijuana plants within its jurisdiction.

J. That neither the CUA nor the MMPA, nor MMRSA nor the California Constitution preempts the City's exercise of its traditional police powers in enacting land use and zoning regulations, as well as legislation for preservation of public health, safety and welfare, such as this zoning ordinance prohibiting the cultivation of marijuana.

K. That neither the CUA nor MMPA nor MMRSA abrogates the City's powers to regulate for public health, safety and welfare. Health and Safety Code 11362.5(b) (2) provides that the Act does not supersede any legislation intended to prohibit conduct that endangers others. In addition, Health and Safety Code 11352.83 authorizes cities and counties to adopt and enforce rules and regulations consistent with the MMPA and MMRSA.

L. That pursuant to the City's police powers as authorized in Article 11, Section 7 of the California Constitution, and as implemented in the Lakewood Municipal Code, the City has the power to regulate permissible land uses throughout the City and to enact regulations for the preservation of public health, safety and welfare of its residents and community. And, pursuant to California Government Code Section 38771, the City also has the power through the City Council to declare actions, land uses and activities that constitute a public nuisance.

M. That California cities that have permitted the cultivation of marijuana have found that this activity causes negative and harmful secondary effects, such as an increase in crime, including robberies, burglaries, and sales of illegal drugs in the areas immediately surrounding properties that grow marijuana plants, noxious odors and an increase in the incidences of driving while under the influence of marijuana.

N. That the City has a compelling interest in protecting the public health, safety and welfare of its residents and businesses, and in preserving the peace and quiet of Lakewood neighborhoods. That the public health, safety and general welfare of the City and its residents necessitates and requires the adoption of this zoning ordinance, prohibiting the cultivation and distribution of marijuana plants and other cannabis products, in order to:

(1) Protect and safeguard against the detrimental secondary negative effects and adverse impacts of cultivating and distributing marijuana;

(2) Preserve and safeguard the minors, children and students in the community from the deleterious impacts of marijuana cultivation and distribution

(3) Preserve the City's law enforcement services, in that monitoring and addressing the negative secondary effects and adverse impacts will likely burden the City's law enforcement resources with continuing and expanding marijuana cultivation.

O. That the City Council further finds that due to potential negative secondary effects and adverse impacts of marijuana plant cultivation on surrounding properties, these activities will negatively impact the City.

P. That State and Federal courts have recognized the aforementioned negative and harmful secondary effects.

Q. That the City zoning regulations are consistent with the Lakewood General Plan in that the General Plan, its goals, objectives and policies do not permit or contemplate the establishment or exercise of marijuana cultivation activities either externally or internally within a structure on any property within the City.

R. That the City Council takes legislative notice of all of the studies, statements and legal decisions set forth above and including but not limited to the following:

1) *Browne v. County of Tehama* (213 Cal App. 4th 704). This California Court of Appeal found that the CUA does not confer the right to cultivate marijuana.

2) *City of Riverside v. Inland Empire Patients Wellness Center, Inc.* (56 Cal 4th 729) This decision upheld that “local authority to regulate land use for the public welfare is an inherent preexisting power recognized by the California Constitution” and that the CUA and MMPA do not expressly or impliedly restrict the authority of local jurisdictions to decide whether local land use controls can be used to regulate medical marijuana. (May 6, 2013 State Supreme Court)

3) *Moral v. City of Live Oak* (221 Cal. App.4th 975) This decision by the Court of Appeals (November 26, 2013) upheld the legal position that the CUA and MMPA do not preempt the City’s ability to use its police powers to totally prohibit the cultivation of marijuana within its jurisdictional boundaries. The Supreme Court on March 26, 2014 refused to hear an appeal of this decision and denied a request to depublish the finding, letting it stand.

S. That justification for prohibiting all cultivation of marijuana plants pursuant to the City’s police powers includes but is not limited to:

(1) An increased risk to public safety based on the value of the marijuana plants and the accompanying threat of robbery theft and the attendant violence and injury;

(2) The noxious odors emanating from mature plants can interfere with the enjoyment and use of neighboring properties by their occupants; and

(3) The potential for theft and use by school-age children when marijuana is cultivated in a visible area, especially when in proximity to residential areas, schools, parks and churches.

T. That the Planning and Environment Commission held a duly noticed public hearing on December 3, 2015 at which time it considered all evidence presented, both written and oral and at the end of the hearing voted to adopt a resolution recommending that the City Council adopt this ordinance.

U. That the City Council held a duly noticed public hearing on this ordinance on January 26, 2016, at which time it considered all evidence presented, both written and oral.

SECTION 2. This ordinance is adopted pursuant to the authority granted by the California Constitution and State law, including but not limited to Article XI, Section 7 of the California Constitution, the Compassionate Use Act, the Medical Marijuana Program, and The Medical Marijuana Regulation and Safety Act.

SECTION 3. Section 9378 of the Lakewood Municipal Code is amended to read as follows:

9378. MARIJUANA RELATED ACTIVITIES PROHIBITED.

A. **Definitions.** For the purposes of this Section the following definitions shall apply:

(1) “Marijuana” means any or all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, whether growing or not; the seeds thereof; the resin or separated resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin, including marijuana infused in foodstuff, or any other ingestible or consumable product containing marijuana. “Marijuana” shall also

include “medical marijuana” as that term is used in the “Guidelines for the Security and Non-Diversion of Marijuana Grown for Medical Use,” issued by the Office of the Attorney General for the State of California (the “Guidelines”), as such Guidelines may be amended from time-to-time, or subject to the provisions of the California Compassion Use Act of 1996, or the California Medical Marijuana Program Act, as either may be amended from time-to-time.

(2) “Marijuana cultivation” means the growing, propagating, planting, harvesting, drying, curing, grading, trimming, or processing of marijuana.

(3) “Marijuana processing” means any method used to prepare marijuana or its byproducts for commercial retail and/or wholesale purposes, including but not limited to drying, cleaning, curing, packaging, and extraction of active ingredients to create marijuana related products and/or concentrates.

(4) “Marijuana delivery” means the transfer of marijuana or its byproducts to or from a dispensary, collective, cooperative, primary caregiver, qualified patient or testing laboratory. “Marijuana delivery” also includes the use by any aforesaid transferor or transferee of any technology platform that enables any such transfer.

(5) “Marijuana dispensaries” means any business, office, store, facility, location, retail storefront or wholesale component of any establishment, cooperative or collective that delivers, dispenses, distributes, exchanges, transmits, transports, sells or provides marijuana to any person for any reason, including members of any medical marijuana cooperative or collective.

(6) “Medical marijuana cooperative” or “collective” means any group that is cooperatively or collectively cultivating and/or distributing marijuana for medical purposes that is organized in the manner set forth in the Guidelines.

(7) “Marijuana testing laboratory” means a facility, entity, or site that offers or performs tests of marijuana or marijuana products that is both: (a) accredited by an accrediting body that is independent from all other persons involved in the medical marijuana industry in the state; and (b) registered with the State Department of Public Health.

(8) “Marijuana transporting” means the transfer of marijuana or marijuana products from one location to any other location.

(9) “Manufacturer” means a person who conducts the production, preparation, propagation, or compounding of marijuana, or marijuana byproducts either directly or by extraction methods, or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis, or that packages or repackages marijuana or marijuana products or labels or relabels its container.

(10) “Transporter” means a person who transports or delivers marijuana or marijuana byproducts.

(11) “Distributor” means a person engaged in the purchasing of marijuana from a cultivator, or marijuana products from a manufacturer, for sale to a dispensary, cooperative or collective.

B. Prohibited Activities. Marijuana cultivation/propagation, marijuana processing, marijuana testing laboratory, marijuana product labeling, marijuana storing, marijuana transporting, marijuana delivery, marijuana dispensaries, marijuana sales/barters and marijuana cooperatives or collectives shall be prohibited activities in the City, except where the City is preempted by federal or state law from enacting a prohibition on any

such activity. Except in the circumstance of such preemption, if any, no use permit, variance, building permit, or any other entitlement, license, or permit, whether ministerial or discretionary, shall be approved or issued for any of the aforesaid prohibited activities anywhere in the City, and no person shall otherwise establish or conduct any such activity in the City. It shall be unlawful for any person or entity to establish, own, operate or manage, or participate as an employee, manufacturer, transporter, distributor, contractor, landlord, property owner, agent, or volunteer, in any of the aforesaid prohibited activities anywhere in the City for any reason including both commercial or non-commercial purposes.

C. Public Nuisance. Any use or condition caused, or permitted to exist, in violation of any provision of this Section shall be, and hereby is declared to be, a public nuisance and may be summarily abated by the City pursuant to Code of Civil Procedure Section 731 or any other remedy available to the City.

D. Civil Penalties. In addition to any other enforcement permitted the Lakewood Municipal Code, the City Attorney and/or City Prosecutor may bring a civil action for injunctive relief and civil penalties against any person or entity that violates this Section. In any civil action brought pursuant to this Section, a court of competent jurisdiction may award reasonable attorneys fees and costs to the prevailing party.

E. Applicability. In the event that any activity which is prohibited by this Section shall be determined to have occurred legally prior to the effective date of this Section, no such activity shall have any nonconforming rights as may otherwise be provided by this Code. Nothing in this Section is intended, nor shall it be construed to burden any defense to criminal prosecution under the Compassionate Use Act in 1996 pursuant to Proposition 215 and codified as the State of California Health and Safety Code section 11362.5.

SECTION 4. Nothing in this ordinance shall be interpreted to mean that the City's permissive zoning scheme allows any other use not specifically listed therein.

SECTION 5. This ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15305, minor alterations in land use limitations in areas with an average slope of less than 20% that do not result in any changes in land use or density and Section 15061(b)(3) which is the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and CEQA does not apply where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment. The City's permissive zoning provisions already prohibit all uses that are being expressly prohibited by this ordinance. Therefore, this ordinance has no impact on the physical environment as it will not result in any changes.

SECTION 6. If any section, subsection, subdivision, sentence, clause, phrase or portion of this ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 7. To the extent the provisions of the Lakewood Municipal Code as amended by this ordinance are substantially the same as the provisions of that Code as they read immediately prior to the adoption of this ordinance, then those provisions shall be construed as continuations of the earlier provisions and not as new enactments.

SECTION 8. The City Clerk shall certify to the adoption of this ordinance and shall post a certified copy of this ordinance, including the vote for and against same, in the Office of the City Clerk, in accordance with Government Code Section 36933. The City Council hereby finds and determines there are no newspapers of general circulation both published and circulated within the City and, in compliance with Section 36933 of the Government Code, directs the City Clerk to cause said ordinance within 15 days after its passage to be posted in at least three (3) public places within the City as established by ordinance.

APPROVED AND ADOPTED this _____ day of _____, 2016, by the following roll call vote:

	AYES	NAYS	ABSENT
Council Member DuBois	_____	_____	_____
Council Member Rogers	_____	_____	_____
Council Member Piazza	_____	_____	_____
Council Member Croft	_____	_____	_____
Mayor Wood	_____	_____	_____

Mayor

ATTEST:

City Clerk

D I V I D E R S H E E T

Reports

COUNCIL AGENDA

December 8, 2015

TO: The Honorable Mayor and Members of the Council

SUBJECT: City of Lakewood Comprehensive Annual Financial Report (CAFR) Year Ended June 30, 2015

INTRODUCTION

The Comprehensive Annual Financial Report (CAFR) is a set of the City's financial statements that complies with the Generally Accepted Accounting Principles (GAAP) promulgated by the Governmental Accounting Standards Board (GASB). The City of Lakewood's CAFR is compiled by the Administrative Services Department staff and audited by the independent public accounting firm Pun Group LLP, Certified Public Accountants, whose unqualified opinion is included within the financial section of the report.

STATEMENT OF FACT

The City of Lakewood's Fiscal Year 2015 CAFR is composed in the standard format of three sections: Introductory, Financial, and Statistical.

- The Introductory Section includes the Transmittal Letter to the City Council from the City Manager and the Director of Administrative Services, the City's organizational chart and certificates of achievement.
- The Financial Section includes the Independent Auditor's Report, staff's Management's Discussion and Analysis that provide a high-level review of the year-over-year changes from the Fiscal Year 2014 CAFR, the Basic Financial Statements of the Governmental and Business Type Activities of the City, and the Fund, Proprietary and Fiduciary Financial Statements, followed by the Notes to the Basic Financial Statements and Supplemental Schedules section which includes schedules of the City's various special revenue funds (grants), and internal service and fiduciary funds.
- The Statistical Section contains information on the financial trends, revenue and debt capacity, demographic and economic data and operational information of the City.

A significant change from prior years' reports is the implementation of GASB Statement No. 68, Accounting and Financial Reporting for Pensions and GASB Statement No. 71, Pension Transition for Contributions Made Subsequent to the Measurement Date. The changes required retrospective application of previously reported net position as presented on page 21, and

reclassification of certain accounts described in Note 11, Defined Benefit Plan on page 69, and Note 17, Prior Period Adjustment on page 85.

The City of Lakewood has two major fund groups, Governmental and Proprietary (Enterprise) that fall into two types of activities, governmental and business. The City's water utility is the only Enterprise Fund and is presented as a business activity in the financial statements along with the internal service funds that serve as cost centers for all funds and functions of the City. Governmental Funds are all the other funds of the City, and are presented as governmental activities.

The Proprietary Fund financial statements represent primarily the Water Utility. The Water Utility is treated as an Enterprise fund and as such has retained earnings rather than a fund balance. Retained earnings in the Water Fund decreased by \$4,576,770 over the prior year. This is attributable to the 25 percent mandated water conservation rate. Increases in retained earnings are necessary to fund capital improvements. Such projects on the horizon include new wells, reservoir, water main and water meter replacement projects, and water treatment and operational upgrades.

In the Governmental Funds financial statements, Governmental Funds are broken out into Major Funds and Other Governmental Funds. The City of Lakewood has two Major Funds, the General Fund and the Successor Housing Agency Fund; all remaining Governmental Funds are combined and represented under Other Governmental Funds. The combined fund balance of the City's Governmental Funds (page 30) increased by \$1,545,358 over the prior year; this increase was due to prior year adjustment of \$2,265,872 in the Housing Fund necessitated by the implementation of GASB 65, and increases in the fund balance of other governmental funds totaling \$936,226. These increases were offset by a decline in the fund balance of the General Fund by \$1,656,293. The decline of the General Fund balance was due to the prefunding of PARS retirement enhancement plan where the City utilized the General Fund committed fund balance established for this purpose.

GENERAL FUND SUMMARY

The City's General Fund, the City's largest fund and over which the city council has discretionary authority, is extremely important in the provision of essential city services.

Revenues

Overall, General Fund Revenues and transfers in (Gas Tax) exceeded expectations by \$428,069, and posted a year-over-year increase of \$1,635,444. Following is a brief review the major revenues received by the City represented on page 89 of the CAFR.

Property tax came in better than expected at \$141,620 over budgeted estimates and \$85,323 over prior year receipts. Included in the year over year increase is \$13,792 in residual property tax – the city's share of the property tax reallocated from the dissolutioned redevelopment agency.

Sales tax came in under budget by \$181,495 and \$75,301 less than the prior year. This decline is largely attributed to the growth of online sales.

Utility users tax revenue came in better than expected by \$21,158, due to a steeper than expected increase in utility users tax related to electricity. However, utility user's tax revenue decreased by \$56,367 from the prior year due to declines in utility tax receipts on communications, gas and water.

Franchise fees and business related taxes came in \$28,459 over budget, and \$128,221 higher than the prior year. Building permits and fees exceeded expectations by coming in at \$378,420 over budget and showing a year-over-year gain of \$430,283. Motor vehicle license fees (and property tax in lieu of the vehicle license fee) also came in slightly higher than budgeted by \$148,621, and \$436,028 greater than the prior year. Charges for services (includes refuse collection) boosted by collection of mandated claims filed with the state and Del Valle Memorial brick sales came in \$555,667 over budget, and exceed prior year revenues by \$582,384. Transfers in, which are Gas Tax revenues, closely matched projections coming in \$4,175 under budget.

Expenditures

General Fund operational expenses (net of prepayment to PARS) posted a year-over-year increase of 1.2 percent, equivalent to \$495,750. Operational expenditures stayed within the adopted budget for Fiscal Year 2015. Following is a brief fiscal review of the six functions of the City as presented on page 89 of the CAFR.

The General governmental expense (net of PARS prepayment) year-over-year decrease of \$75,261 is largely due to the booking of the CJPIA expenses as prepaid; this amount is then posted as Nonspendable in the General Fund Balance, page 28.

Public safety increased by \$561,576 over the prior year; and as in past years, costs came in lower than budget as the City budgets for full use of services provided for in its contract with the Los Angeles Sheriff Department.

Transportation expense was \$71,530 under the prior year primarily due to street repair and sweeping, and tree trimming expenses being less than expected. Community development related operational expenses remained flat only increasing by \$132; Health and sanitation, the City's refuse collection and disposal service cost increased by \$84,892 over the prior year; this cost is fully offset by revenues. Culture and leisure also remained flat increasing by \$3,795 over the prior year.

Major capital projects totaling \$2,085,761 in Fiscal Year 2015 included various street and park hardscape projects, and park restroom and fencing improvements, the median at Del Amo and Pioneer, the Memorial Plaza at Del Valle Parks, work on the West San Gabriel River Trail, and the Homerun Dog Park. The City's expenditure on capital projects increased by \$1,165,232 from the prior year; this increase is due to the multi-year nature of capital improvement projects

and where Fiscal Year 2014 represented primarily the planning phase for many capital projects that were constructed in Fiscal Year 2015.

Fund Balance

Overall, General Fund expenditures (including capital projects) exceeded revenues (including transfers in) by \$1,656,296; when netting out the prepayment of PARS, revenues exceeded expenditures by \$1,343,704, and in general terms, the City remains in sound fiscal condition. The City's long-term obligations are manageable with multi-year capital projects fully funded, pension obligations met, and no outstanding General Fund debt. The fund balance is presented per GASB 54, which includes four components; the following is a brief review of these components as presented on page 28 of the CAFR.

The Unspendable component (restricted) includes prepaid items, inventories and loans to the Successor Agency. It is in this section where the prepaid CJPIA claims expense is recorded. The Successor agency loan is the major element of this component.

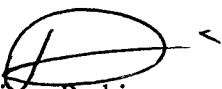
The Committed component includes reserves for city obligations, projects and economic uncertainty. This component decreased by \$3,463,681 from the prior year. This decrease was due to the prepayment to PARS, as well as to meet the requirements of the City's Governmental Fund Balance Policy.

The Assigned component includes reserves for capital replacement and repairs, and for major emergencies or catastrophes. This component increased by \$46,418 to meet the requirements of the City's Governmental Fund Balance Policy.

The unassigned component is utilized for cash flow purposes, as well as unforeseen projects or programs. In Fiscal Year 2015, the Unassigned component offset grant revenues (other governmental funds) not received in time to be included in the CAFR, these include Prop A Recreation, Park River and Open Space Grants, Community Development Block Grant (CDBG), and the pre-spending of Measure R and Park Dedication funds as listed on page 85 of the CAFR. All of these funds will be received in Fiscal Year 2016.


RECOMMENDATION

Staff recommends the City Council receive and file the City of Lakewood Comprehensive Annual Financial Report (CAFR) Year Ended June 30, 2015.



Diane Perkin
Director of Administrative Services

Howard L. Chambers
City Manager



DIVIDER SHEET

COUNCIL AGENDA

December 8, 2015

TO: The Honorable Mayor and City Council

SUBJECT: Protest Payment to Comply with Health and Safety Code §34179.7

INTRODUCTION

The Successor Agency to the former Lakewood Redevelopment Agency has not been issued a Finding of Completion from the State Department of Finance (DOF). The Finding of Completion is required for the Successor Agency to be allowed by the DOF to list on the Recognized Obligation Payment Schedule (ROPS) the loans provided by the City to the former Lakewood Redevelopment Agency.

STATEMENT OF FACT

Pursuant to Health and Safety Code (HSC) Section 34179.7, the Department of Finance will issue a finding of completion to the successor agency, within five business days, once the following conditions have been met and verified:

- The successor agency has paid the full amount as determined during the due diligence reviews and the county auditor-controller has reported those payments to the Department of Finance. And
- The successor agency has paid the full amount as determined during the July True-Up process. Or
- The successor agency has paid the full amount upon a final judicial determination of the amounts due and confirmation that those amounts have been paid by the county auditor-controller.
- These conditions must be met by December 31, 2015.

The first condition, payment of the full amount of \$9,332,888 as determined by the due diligence review, has not been met by the Agency as the argument for having to make this payment is in litigation. However, since by law the above conditions must be met by December 31, 2015 for the Agency to be issued a Finding of Completion and list the City loans on the ROPS, the attorneys involved in the litigation have recommended that the Agency pay in protest the full amount as determined by the due diligence review, plus LAIF interest earned. The protest letter that will accompany the payment along with the DOF's Finding of Completion Verification Form are attached. It is staff's understanding that once the payment and form are received that the DOF has five days to issue a Finding of Completion. Also attached is the projected payment schedule of these funds back to the City when the DOF allows the city loans to be on the ROPS.

The source of the funds to make the protest payment is from the City's General Fund Reserves. The impact of this payment will replace cash on hand for pension obligations with a receivable from the Successor Agency. Attached is the projected payment schedule of these funds back to the City when the DOF allows the city loans to be on the ROPS.

City of Lakewood
Balance Sheet
Governmental Funds
June 30, 2015

Fund balances:

Nonspendable

Prepaid items

758,190

Inventories

25,806

Receivables from Successor Agency

2,550,106

Increase by \$9,332,888

Land held for resale

-

Notes receivables

-

Restricted

Public safety

-

Transportation projects and street maintenance

-

Community development

-

Health and sanitation

-

Committed

Self insurance

4,000,000

Pension and personnel obligations

12,741,503

Decrease by \$9,401,483.33

Capital projects

480,442

Refuse stabilization

1,964,966

Economic uncertainties

9,806,216

Assigned

Capital replacement and repairs

7,316,802

Contract emergency services

1,468,073

Unassigned

4,737,497

Total fund balances

45,849,601

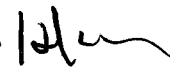
**Total liabilities, deferred inflows of
resources, and fund balances**

\$ 50,197,997

RECOMMENDATION

It is recommended that City Council approve the payment "under protest" to the Successor Agency of the former Lakewood Redevelopment Agency \$9,332,888.00 as determined by the "Other Funds" Due Diligence Review plus LAIF interest earned of \$68,595.33 for a total of \$9,401,483.33.


Diane Perkin
Director of Administrative Services

Howard L. Chambers 
City Manager

Ron Piazza
Vice Mayor

Steve Croft
Council Member



Jeff Wood
Mayor

Todd Rogers
Council Member

Diane DuBois
Council Member

December 9, 2015

Mr. John Naimo
Auditor-Controller
County of Los Angeles
500 West Temple Street, Room 525
Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Re: Notice of Payment under Protest for Department of Finance Determination of Other
Funds and Accounts Due Diligence Review

Dear Mr. John Naimo:

Attached is a check for the total of \$9,398,404.42, which includes the following:

- \$9,332,888.00 (amount of loans due to the City of Lakewood)
- \$68,595.33 (interest on total of \$9,332,888.00, accrued since March 15, 2013)¹

This letter also serves as notice that the total amount of this check is paid by the Successor Agency to the former Lakewood Redevelopment Agency (RDA) under protest in response to the March 15, 2013 demand letter from Steve Szalay of the Department of Finance. The reasons for the Agency's protest are stated in: (1) the Agency's materials submitted to the Department of Finance and State Controller's Office, (2) the City and Successor Agency's pleadings and briefing in *Lakewood v. Department of Finance, State Controller's Office and Los Angeles Auditor Controller*, Sacramento Superior Court Case No. 34-2013-80001683, (3) the City and Successor Agency's briefing on appeal in *Lakewood v. Cohen*, Third District Court of Appeal Case No. C078788, and is summarized below:

The loan of City funds to the RDA was permissible under Community Redevelopment Law. There is substantial documentation of the loans and the purposes for the loans, including but not limited to, advances made for RDA expenditures, including leases, economic development and payment of RDA bond debt service; these advances culminated in the June 2010 RDA/City Loan Consolidation for each of the three Project Areas, Promissory Notes for each Project Area Loan and in the February

¹ Interest on the full amount of the demand letter of March 15, 2013 has been calculated at the Local Agency Investment Fund quarterly apportionment rates ranging from 0.22% to 0.32% and added to the total demanded payment.

Lakewood

2011 repayment schedules for each Project Area Loan. Consistent with the written loan agreement, promissory note and written repayment schedule, the RDA made its debt payments to the City of both principal and interest in June 2011 and in January 2012, exactly as it was required to do by AB 1X 26.

Specifically, Health & Safety Code Section 34169 states that:

"until successor agencies are authorized pursuant to Part 1.85 (commencing with Section 34170), redevelopment agencies shall ...continue to make all scheduled payments for enforceable obligations, as defined in subdivision (d) of Section 34167."

Health & Safety Code Section 34167(d) defines "enforceable obligation" of an RDA to include:

"...(2) Loans of moneys borrowed by the redevelopment agency for a lawful purpose, including, but not limited to, moneys borrowed from the Low and Moderate Income Housing Fund, to the extent they are legally required to be repaid pursuant to a required repayment schedule or other mandatory loan terms.

...5) Any legally binding and enforceable agreement or contract that is not otherwise void as violating the debt limit or public policy."

Under either subsection (d)(2) or (d)(5) of Health & Safety Code Section 34167, the loan agreement between the RDA and the City of Lakewood qualifies as an "enforceable obligation." And as the former RDA was mandated to continue to make all payments of enforceable obligations, it follows that these same payments cannot be considered "unallowable transfers" by the Department of Finance or State Controller's Office.

In fact, Health & Safety Code Section 34167(f) goes further to clarify this mandate:

"(f) Nothing in this part shall be construed to interfere with a redevelopment agency's authority, pursuant to enforceable obligations as defined in this chapter, to (1) make payments due, (2) enforce existing covenants and obligations, or (3) perform its obligations."

"This part" refers to Part 1.8, of AB 1x26, which was applicable to the RDA before its dissolution by operation of law as of February 1, 2012. The "clawback" provision under Health & Safety Code Section 34167.5 falls within Part 1.8. Accordingly, the direction to the Department of Finance and State Controller's Office here is that its authority under Section 34167.5 shall not interfere with RDA's mandate to make payments of any enforceable obligation.

There is nothing in the "clawback" provisions of Health & Safety Code Section 34167.5 or 34179.5 that overrides the mandate of the Health & Safety Code Sections 34167 and 34169. The City asserts that state law under Health & Safety Code Section

34167(f) and 34169, both requiring the RDA to continue to make its enforceable obligation payments according to the written loan repayment schedule, is a state law prohibiting the clawback. Section 34167.5 provides that a clawback cannot occur if prohibited by other law. It would be anomalous to mandate that the RDA proceed to make enforceable obligation payments when due, and yet also mandate that the Department of Finance clawback those very same payments made. That is not a rational interpretation of what the law requires and is inconsistent with Health & Safety Code Section 34167(f).

Health & Safety Code Section 34167.5 cannot be read in a vacuum by the Department of Finance, without consideration of whether an "asset transfer" was actually authorized as an "enforceable obligation." The proper interpretation of the "clawback" provision is that the Department of Finance is authorized to order the return of any assets transferred where the transfer was not made pursuant to an enforceable obligation of the RDA. Accordingly, the repayment of the loan (an enforceable obligation) in accordance with the terms of the loan agreement was not an "unallowable transfer of RDA assets to the city" and is not subject to Health & Safety Code section 34167.5, to return these "assets" to the Successor Agency.

The Agency reserves all rights with respect to the \$9,401,483.33 (comprised of \$9,332,888.00 plus \$68,595.33 in interest) payment under protest and has filed a petition for writ of mandate to recoup these funds (with interest) without delay (*Lakewood v. Department of Finance, State Controller's Office and Los Angeles Auditor Controller*, Sacramento Superior Court Case No. 34-2013-80001683, on appeal in the Third District Court of Appeal, Case No. C078788). If you have any questions or need further information regarding the Agency's payment under protest, please contact me.

In the meantime, this payment for \$9,401,483.33 constitutes full satisfaction of the demand for payment pursuant to the Due Diligence Review for non-housing assets under Health and Safety Code section 34179.6, subdivision (e) and therefore qualifies the Agency for receipt of a "finding of completion" from the Department of Finance, pursuant to Health & Safety Code Section 34179.7. Please provide the written "finding of completion" letter to the Agency within five business days of receipt of this payment.

Sincerely,

Howard L. Chambers,
City Manager
City of Lakewood

Cc: Michael Cohen, Director of California Department of Finance
Justyn Howard, Program Budget Manager, California Department of Finance
Mayor and Members of City Council, City of Lakewood
Diane Perkin, Director of Administrative Services, City of Lakewood
Edianne Rodriguez, Finance Manager, City of Lakewood



FINDING OF COMPLETION VERIFICATION REQUEST FORM

Instructions: Please fill out this form in its entirety to request the Department of Finance (Finance) to provide a finding of completion determination. Upon completion, email a PDF version of this document (including any attachments) to:

Redevelopment_Administration@dof.ca.gov

The subject line should state "[Agency Name] Finding of Completion Determination Request". Finance will contact the requesting agency upon receipt for any additional information that may be necessary. Questions related to the finding of completion determination process should be directed to (916) 445-1546 or by email to Redevelopment_Administration@dof.ca.gov.

Pursuant to Health and Safety Code (HSC) Section 34179.7, Finance will issue a finding of completion to the successor agency, within five business days, once the following conditions have been met and verified:

- The successor agency has paid the full amount as determined during the July True-Up process or has paid the full amount upon a final judicial determination of the amounts due and confirmation that those amounts have been paid to the county auditor-controller.
- The successor agency has paid the full amount as determined during the due diligence reviews or has paid a final judicial determination and the county auditor-controller has reported those payments to Finance.

Per HSC 34179.6 (g), the county auditor-controller only provides Finance a report specifying the amount submitted by each successor agency on or around December 1, 2012 and April 20, 2013. Therefore, if an entity wishes to obtain a finding of completion prior to these dates, the successor agency should provide Finance the necessary supporting documentation to substantiate the amounts paid. Without this documentation, Finance has no ability to determine that the successor agency has paid the full amount previously described prior to the county auditor-controller report, and will thus be incapable of issuing a finding of completion prior to the receipt of those reports.

If the payments described previously were submitted subsequent to April 20, 2013, then the successor agency should provide Finance the necessary supporting documentation to substantiate the amounts paid. Without this documentation, Finance has no ability to determine that the successor has paid the full amounts due, and will thus be incapable of issuing a finding of completion.

Documentation may include copies of checks or warrants, evidence of wire transfers, bank statements, written confirmation of payment from the county auditor-controller, and/or a final judicial determination order. If the successor agency is unable to provide sufficient evidence to demonstrate payment, Finance reserves the right to waive review of this request until receipt of the report from the county auditor-controller in April 2013.

GENERAL INFORMATION:

Successor Agency Name: **Lakewood**

Date of Request: 12-9-15

DETAIL OF REQUEST

July True-Up Process or Final Judicial Determination

Amount Due: \$228,620.00

Amount Paid: \$228,620.00

Payment Date: 07-12-12

Low and Moderate Income Housing Funds Due Diligence Review or Final Judicial Determination

Finance Determination Letter or Final Judicial Determination Date: 12-15-12

Amount Due: \$4,230,171.00

Amount Paid: \$4,230,171.00

Payment Date: 12-20-12

"Other Funds" Due Diligence Review or Final Judicial Determination

Finance Determination Letter or Final Judicial Determination Date: March 15, 2013

Amount Due: \$9,332,888.00

Amount Paid: \$9,401,483.33 (includes interest of \$68,595.33)

Payment Date: 12-9-15

Agency Contact Information

Name:	Diane Perkin	Name:	Edianne Rodriguez
Title:	Director of Administrative Services	Title:	Finance Manager
Phone:	562-866-9771 ext 2601	Phone:	562-866-9771 ext 2601
Email:	dperkin@lakewoodcity.org	Email:	erodrigu@lakewoodcity.org
Date:	12-9-15	Date:	12-9-15

Department of Finance Local Government Unit Use Only

DETERMINATION OF FINIDING OF COMPLETION STATUS: ☐ APPROVED ☐ DENIED

APPROVED/DENIED BY: _____ DATE: _____

APROVAL OR DENIAL LETTER PROVIDED: ☐ YES DATE AGENCY NOTIFIED: _____

Lakewood Successor Agency of the Former Lakewood Redevelopment Agency

FY	Net Tax Revenues	Projected			Successor			Available for		City		
		June ROPS	January ROPS	Projected ROPS Amount	Agency Admin Allowance	Estimated Residual Revenue	Repayments Residual Revenue	Housing Loans	Housing Loans	20% Housing Loans	Housing City	City
1	2012-13	2012	2013	(2,764,277)	(193,740)	4,699,058	0	\$5,053,861				
2	2013-14	2013	2014	(1,811,341)	(91,969)	2,237,069	0					
3	2014-15	2014	2015	(2,386,166)	(376,320)	2,094,705	0					
4	2015-16	2015	2016	(2,181,802)	(343,623)	2,571,159	0					
5	2016-17	2016	2017	(2,289,932)	(466,291)	2,862,067	0					
6	2017-18	2017	2018	0	(267,798)	2,721,931	0					
7	2018-19	2018	2019	0	(267,798)	5,302,469	301,701					
8	2019-20	2019	2020	0	(38,200)	5,094,724	197,828					
9	2020-21	2020	2021	0	(38,200)	5,524,029	412,481					
10	2021-22	2021	2022	0	(38,200)	5,404,593	352,763					
11	2022-23	2022	2023	0	(38,200)	5,561,151	431,042					
12	2023-24	2023	2024			5,619,849	460,390					
13	2024-25	2024	2025			5,691,252	496,092					
14	2025-26	2025	2026			5,758,317	529,625					
15	2026-27	2026	2027			5,829,607	565,270					
16	2027-28	2027	2028			5,900,881	600,907					
17	2028-29	2028	2029			5,974,302	637,617					
18	2029-30	2029	2030			6,048,830	674,881					
19	2030-31	2030	2031			6,117,210	709,071					
20	2031-32	2031	2032			6,189,909	745,420					
21	2032-33	2032	2033			6,262,586	781,759					
22	2033-34	2033	2034			6,337,454	819,193					
23	2034-35	2034	2035			6,413,451	857,192					
24	2035-36	2035	2036			6,491,153	896,042					
25	2036-37	2036	2037			6,570,316	935,624					
26	2037-38	2037	2038			6,651,108	976,020					
27	2038-39	2038	2039			6,733,493	1,017,213					
28	2039-40	2039	2040			6,817,538	1,059,235					
29	2040-41	2040	2041			6,903,257	1,102,095					
30	2041-42	2041	2042			6,990,694	1,145,813					
31	2042-43	2042	2043			7,110,436	1,205,684					
32	2043-44	2043	2044			7,220,690	1,260,811					
33	2044-45	2044	2045			7,339,091	1,320,012					
34	2045-46	2045	2046			7,456,889	1,378,910					
35	2046-47	2046	2047			7,578,528	1,439,730					
36	2047-48	2047	2048			7,701,857	1,501,395					
37	2048-49	2048	2049			7,828,024	1,564,478					
38	2049-50	2049	2050			7,956,529	1,628,731					
39	2050-51	2050	2051			8,087,697	1,694,314					
								5,053,861	22,951,164			

DIVIDER SHEET

COUNCIL AGENDA

December 8, 2015

TO: The Honorable Mayor and City Council

SUBJECT: Lakewood Water Capture and Infiltration Project – Site Selection, Engineering Design, and Environmental Documentation

INTRODUCTION

On June 23, 2015, the City Council approved a Cooperative Implementation Agreement with Caltrans for the Lakewood Water Capture and Infiltration Project. Caltrans is partnering with the City by providing up to \$11M of full funding for the project intended to capture and infiltrate or beneficially reuse stormwater and urban runoff.

STATEMENT OF FACT

On September 8, 2015, the City Council approved an engineering services agreement with Tetra Tech for the evaluation of two sites for the project and preparation of a design report that brought both sites to the 10% design level.

The design study evaluated two park sites for the construction of a facility to divert, treat and store urban dry weather run off and a small portion of the early part of wet weather flow. The Los Cerritos Channel (LCC) Watershed Management Program (WMP) identified a potential project in Mayfair Park adjacent to the Clark Channel, and staff identified an alternative project site at Bolivar Park adjacent to the Del Amo Channel.

The project team, including city staff and engineering and water quality consultants, has met regularly to review the progress of the design study. Both sites have been thoroughly evaluated. The specific issues that have been studied and tasks undertaken include:

- Hydraulics and hydrology, including definition of the drainage areas contributing flow
- Evaluation of water quality characteristics, Total Daily Maximum Loads (TMDL's) and compliance with the MS4 permit
- Water diversion from the adjacent flood control channels
- Pre treatment of the runoff and storm water for storage and infiltration
- Post treatment of the dry-weather urban runoff and storm water for beneficial reuse or irrigation
- Potential irrigation uses in the parks and adjacent medians
- Geotechnical investigation of the sites
- Preliminary topographic survey of the sites
- Underground storage and infiltration structure, and other civil infrastructure
- Landscape and irrigation systems related to both beneficial reuse of the water and restoration of the site post construction
- Preliminary site plans
- Evaluation of Environmental document processing

- Listing of all needed permits with processing time and challenges identified
- Preliminary coordination with outside regulatory agencies
- Evaluation of other regulatory requirements anticipated
- Project schedule through completion of construction and start up
- Analysis of operations and maintenance including long term costs
- Consideration of alternative project delivery methods

After considering all of these factors, it has become clear that both projects are solid, strong projects that will accomplish the goals of improving water quality as highlighted in the Watershed Management Program for the Los Cerritos Channel Watershed. They are both feasible and attainable. The project team has concluded that the Bolivar Park site is the better choice to proceed at this time for several reasons. Although the project is more expensive, it is more effective in pollutant removal, it allows for infiltration of about 500 AF of runoff per year, and it will allow for the almost complete offset of the use of potable water for park irrigation, while experiencing a lesser impact to park operations and programs during construction. This is due to the great volume of available dry weather flow, the better infiltration capability of the soil, and the location of the facility within non-programmed open space.

An oral report will be provided at the Council meeting that will present the details regarding the comparison of the two sites and the preliminary design for the recommended site.

Now Phase 1 is nearly complete and the Project Team has developed a preferred site recommendation, the city will be able to advance the project to the construction drawing phase. Tetra Tech has provided a proposal to prepare a full set of construction drawings that will be suitable for bidding. They will also provide services for permitting the project and assist with the environmental processing. Their contract can be amended to authorize their services based upon time and materials not to exceed \$689,340. Their tasks will include: preparation of plans, specifications and estimates; project management; additional site investigation, design of active controls and water treatment for irrigation; evaluation and documentation of water quality technical benefits; permitting support; and assistance with bidding and award of a construction contract.

There is a time limit on the Caltrans funding; the funds obligated before June 30, 2015 must be spent within two years, and the funds obligated in the subsequent year will have up to one additional year. Tetra Tech projects that they will complete the construction drawings by the middle of July 2016, after which we will be able to solicit bids. Construction must be complete by April 2018.

The agreement with Caltrans states that they will reimburse 100% of the city's expenses for the project up to a maximum of \$11,000,000. Since this agreement is a reimbursable agreement, the City must incur the costs and bill Caltrans afterward. In order to allow for payment of expenses during Phase 2 of the project, \$750,000 must be appropriated by the City Council, so that sufficient budgetary authority is available for consulting services and other miscellaneous expenses. Additional appropriations will be requested for future phases of the project.


The Council previously authorized Willdan with Richard Watson & Associates to assist city staff with the management of the project. They will also take the lead in the Environmental process, and have provided a proposal for \$31,000 for their services in Phase 2 of the project. Additional staff from other departments such as Water Resources, Administrative Services and Recreation and Community Services, will also continue to serve on the City PMT to assure that all city operations and impacts are considered.

RECOMMENDATION

Staff recommends that the City Council:

1. Confirm selection of Bolivar Park as the project site to proceed to Phase 2 of the project, including full design and environmental processing.
2. Approve Amendment No. 1 in the amount of \$689,340 to the Engineering Services Agreement with Tetra Tech for the Lakewood Water Capture and Infiltration Project and authorize the Mayor to sign the agreement in a form approved by the City Attorney.
3. Authorize Willdan Engineering to perform project management team consulting and Environmental Process services on a time and material basis in the amount of \$31,000 for Phase 2 of the Lakewood Water Capture Project under their existing on-call agreement.
4. Appropriate \$750,000 for Phase 2 of the project, which will be reimbursed to the City under the project agreement with Caltrans.

Lisa Ann Rapp 
Director of Public Works

Howard L. Chambers 
City Manager

DIVIDER SHEET

COUNCIL AGENDA

December 8, 2015

TO: The Honorable Mayor and City Council

SUBJECT: Award of Contract - Centre Boiler Replacement Project

INTRODUCTION

On October 27, 2015, the City Council approved award of Public Works Contract 2015-05 - The Centre at Sycamore Plaza – Boilers Replacement.


STATEMENT OF FACT

An oral report regarding the status of this contract will be provided at the City Council meeting, if necessary.

RECOMMENDATION

The recommendation is to be determined.

Lisa Ann Rapp 
Director of Public Works

Howard L. Chambers 
City Manager

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*Written
Communications*

GREATER LOS ANGELES COUNTY VECTOR CONTROL DISTRICT

12545 Florence Avenue, Santa Fe Springs, CA 90670

Office (562) 944-9656 Fax (562) 944-7976

Email: info@glacvcd.org Website: www.glacvcd.org

PRESIDENT

Steve Tye, Diamond Bar

VICE PRESIDENT

Harold Williams, Carson

SECRETARY-TREASURER

Maria Davila, South Gate

GENERAL MANAGER

Truc Dever

September 17, 2015

ARTESIA

Sally Flowers

BELL

Ali Saleh

BELL GARDENS

Pedro Aceituno

BELLFLOWER

Ray T. Smith

BURBANK

Dr. Jeff D. Wassem

CERRITOS

Mark W. Bollman

COMMERCE

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CUDAHY

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Barry Bruce

HUNTINGTON PARK

Elba Guerrero

LA CAÑADA FLINTRIDGE

David A. Spence

LA HABRA HEIGHTS

Jim Remington

LAKEWOOD

Steve Croft

LA MIRADA

Pauline Deal

LONG BEACH

Robert Campbell

LOS ANGELES CITY

Steven Appleton

LOS ANGELES COUNTY

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LYNWOOD

Salvador Alatorre

MAYWOOD

Eddie De La Riva

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Cheri Kelley

PARAMOUNT

Dr. Tom Hansen

PICO RIVERA

Bob J. Archuleta

SAN FERNANDO

Nina Herrera

SAN MARINO

Clifton Jenkins

SANTA CLARITA

Tina Szumanski

SANTA FE SPRINGS

Michael Madrigal

SIGNAL HILL

Dr. Hazel Wallace

SOUTH EL MONTE

Hector Delgado

WHITTIER

Owen Newcomer

Mr. Howard L. Chambers

City of Lakewood

5050 Clark Ave.

Lakewood, CA 90712

Re: Appointment/Re-appointment of representative of the Greater Los Angeles County Vector Control District Board of Trustees

Dear Mr. Chambers:

This correspondence is to inform you that the term of the office of Trustee Steve Croft as a member of the Board of Trustees of the Greater Los Angeles County Vector Control District will expire on January 4, 2016. Pursuant to Section 2024 of the State Health and Safety Code (SHSC) governing the dates of term of office of members appointed to the Board of Trustees, the City Council may consider reappointing Trustee Croft or appointing a new trustee for a **2 or 4 year term** of the office, commencing at noon on the first Monday of January (i.e. January 4, 2016) **Please note, per the State Health and Safety Code that representatives must be appointed to serve a full 2 or a 4 year term commencing on January 4, 2016 and should not be appointed on a yearly basis. Furthermore, the District does not accept or recognize the appointment of alternate representatives.**

Please review all subsections of the SHSC 2022 (i.e. a-e). Subsections a and b require that each person appointed by a board of supervisors or by a city council shall be a voter and resident within the respective county or city of the appointing body. Section 2022 (c) incorporates language that clarifies the issue over the doctrine of Incompatibility of office, exempting and enabling an appointee who holds elected offices to also simultaneously serve on the District's Board of Trustees. Trustees represent the mission and interests of the District at large rather than the individual interests of the appointing body. **Once appointed, the representative cannot be removed at-will by the appointing city or county. The representative will serve until the expiration of his/her term unless he/she resigns, vacates the office due to absences, or is no longer a voter and resident within the respective county or city of the appointing body.**

Representatives are expected to attend the District's general board meetings held monthly on the 2nd Thursday of the month. Pursuant to California Government Code Section 1770(g), the Trustee's seat will be considered abandoned if the person holding the office ceases to discharge the duties of that office for a period of three consecutive months, except when prevented by sickness or specified excuses.

Please make your appointment/reappointment prior to January 4, 2016 as stipulated in the SHSC. Should you have any questions regarding this appointment, please contact Kelly Middleton, Director of Community Affairs at 562-944-9656 ext. 510

Sincerely,

A handwritten signature in black ink, appearing to read 'Truc Dever', with a long horizontal line extending to the right.

Truc Dever
General Manager

Enclosure: Sections 2022 & 2024 of the SHSC
cc: Steve Croft
City Clerk

DIVIDER SHEET

*Successor
Agency*

**CITY OF LAKEWOOD SUCCESSOR AGENCY - PROJECT AREAS
FUND SUMMARY 12/3/2015**

In accordance with section 2521 of the Lakewood Municipal Code there is presented herewith a summary of obligations to be paid by voucher 71 through 71. Each of the following demands has been audited by the Director of Administrative Services and approved by the City Manager.

2902	ENFORCEABLE OBLIGATIONS	5,782.68
		<hr/> 5,782.68

Council Approval

Date

City Manager

Attest

City Clerk

Director of Administrative Services

**CITY OF LAKEWOOD SUCCESSOR AGENCY - PROJECT AREAS
SUMMARY CHECK REGISTER**

<u>CHECK #</u>	<u>CHECK DATE</u>	<u>VEND #</u>	<u>VENDOR NAME</u>	<u>GROSS</u>	<u>DISC.</u>	<u>CHECK AMOUNT</u>
71	12/03/2015	4428	COLANTUONO HIGHSMITH & WHATLEY	5,782.68	0.00	5,782.68
Totals:				<u>5,782.68</u>	<u>0.00</u>	<u>5,782.68</u>

D I V I D E R S H E E T

SUCCESSOR AGENCY AGENDA

December 8, 2015

TO: The Members of the Successor Agency

SUBJECT: Finding of Completion - Health and Safety Code §34179.7 Protest Payment

INTRODUCTION

The Successor Agency to the former Lakewood Redevelopment Agency has not been issued a Finding of Completion from the State Department of Finance (DOF). The Finding of Completion is required for the Successor Agency to be allowed by the DOF to list on the Recognized Obligation Payment Schedule (ROPS) the loans provided by the City to the former Lakewood Redevelopment Agency.

STATEMENT OF FACT


Pursuant to Health and Safety Code (HSC) Section 34179.7, the Department of Finance will issue a finding of completion to the successor agency, within five business days, once the following conditions have been met and verified:


- The successor agency has paid the full amount as determined during the due diligence reviews and the county auditor-controller has reported those payments to the Department of Finance. And
- The successor agency has paid the full amount as determined during the July True-Up process. Or
- The successor agency has paid the full amount upon a final judicial determination of the amounts due and confirmation that those amounts have been paid by the county auditor-controller.
- These conditions must be met by December 31, 2015.

The first condition, payment of the full amount of \$9,332,888 as determined by the due diligence review, has not been met by the Agency as the argument for having to make this payment is in litigation. However, since by law the above conditions must be met by December 31, 2015 for the Agency to list the City loans on the ROPS, the attorneys involved in the litigation have recommended that the Agency pay in protest the full amount as determined by the due diligence review, plus LAIF interest earned. The protest letter that will accompany the payment is attached. Also attached is the DOF's Finding of Completion Verification Form. It is staff's understanding that once the payment and form are received that the DOF has five days to issue a Finding of Completion.

RECOMMENDATION

It is recommended that Successor Agency approve the Finding of Completion Verification Form and the payment "under protest" to the County Auditor Control \$9,332,888.00 as determined by the "Other Funds" Due Diligence Review plus LAIF interest earned of \$68,595.33 for a total of \$9,401,483.33.


Diane Perkin
Director of Administrative Services

Howard L. Chambers 
City Manager

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SUCCESSOR AGENCY AGENDA

December 8, 2015

TO: The Members of the Successor Agency

SUBJECT: Long-Range Property Management Plan (LRPMP)

INTRODUCTION

The Successor Agency to the former Lakewood Redevelopment Agency is expected to be issued a Finding of Completion from the State Department of Finance (DOF). The next requirement by the DOF is to submit to them a Long-Range Property Management Plan (LRPMP). The LRPMP is to address the winding down the property assets of the former redevelopment agency.

STATEMENT OF FACT

Pursuant to Health and Safety Code section 34191.5, within six months after receiving a Finding of Completion from the Department of Finance (Finance), the Successor Agency is required to submit for approval to the Oversight Board and Finance a Long-Range Property Management Plan (LRPMP) that addresses the disposition and use of the real properties of the former redevelopment agency. The LRPMP shall do the following:

1. Include an inventory of all properties in the Community Redevelopment Property Trust Fund, which was established to serve as the repository of the former redevelopment agency's real properties.
2. Address the use or disposition of all of the properties in the Community Redevelopment Property Trust Fund.

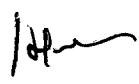
The DOF has advised staff to submit the LRPMP prior to the DOF issuing the Finding of Completion to expedite completing the necessary process to reaching a final Recognized Obligation Payment Schedule (ROPS). Additionally, the DOF is aware that the Agency has no properties to inventory or dispose. Along with the Resolution adopting a Long-Range Property Management Plan, the Long-Range Property Management Plan Checklist and Inventory Data as required by the DOF are attached.

RECOMMENDATION

It is recommended that Successor Agency adopt the Resolution establishing the Long-Range Property Management Plan to be submitted to the Oversight Board for consideration.



Diane Perkin
Director of Administrative Services



Howard L. Chambers
City Manager



LONG-RANGE PROPERTY MANAGEMENT PLAN CHECKLIST

Instructions: Please use this checklist as a guide to ensure you have completed all the required components of your Long-Range Property Management Plan. Upon completion of your Long-Range Property Management Plan, email a PDF version of this document and your plan to:

Redevelopment_Administration@dof.ca.gov

The subject line should state "[Agency Name] Long-Range Property Management Plan". The Department of Finance (Finance) will contact the requesting agency for any additional information that may be necessary during our review of your Long-Range Property Management Plan. Questions related to the Long-Range Property Management Plan process should be directed to (916) 445-1546 or by email to Redevelopment_Administration@dof.ca.gov.

Pursuant to Health and Safety Code 34191.5, within six months after receiving a Finding of Completion from Finance, the Successor Agency is required to submit for approval to the Oversight Board and Finance a Long-Range Property Management Plan that addresses the disposition and use of the real properties of the former redevelopment agency.

GENERAL INFORMATION:

Agency Name: **Lakewood Successor Agency**

Date Finding of Completion Received:

Date Oversight Board Approved LRPMP: 12-10-15

Long-Range Property Management Plan Requirements

For each property the plan includes the date of acquisition, value of property at time of acquisition, and an estimate of the current value.

☐ Yes ☐ No **DNA**

For each property the plan includes the purpose for which the property was acquired.

☐ Yes ☐ No **DNA**

For each property the plan includes the parcel data, including address, lot size, and current zoning in the former agency redevelopment plan or specific, community, or general plan.

☐ Yes ☐ No **DNA**

For each property the plan includes an estimate of the current value of the parcel including, if available, any appraisal information.

☐ Yes ☐ No **DNA**

For each property the plan includes an estimate of any lease, rental, or any other revenues generated by the property, and a description of the contractual requirements for the disposition of those funds.

☐ Yes ☐ No **DNA**

For each property the plan includes the history of environmental contamination, including designation as a brownfield site, any related environmental studies, and history of any remediation efforts.

☐ Yes ☐ No **DNA**

For each property the plan includes a description of the property's potential for transit-oriented development and the advancement of the planning objectives of the successor agency.

☐ Yes ☐ No **DNA**

For each property the plan includes a brief history of previous development proposals and activity, including the rental or lease of the property.

☐ Yes ☐ No **DNA**

For each property the plan identifies the use or disposition of the property, which could include 1) the retention of the property for governmental use, 2) the retention of the property for future development, 3) the sale of the property, or 4) the use of the property to fulfill an enforceable obligation.

☐ Yes ☐ No **DNA**

The plan separately identifies and list properties dedicated to governmental use purposes and properties retained for purposes of fulfilling an enforceable obligation.

☐ Yes ☐ No **DNA**

ADDITIONAL INFORMATION

- If applicable, please provide any additional pertinent information that we should be aware of during our review of your Long-Range Property Management Plan.

The Successor Agency does not have any properties.

Agency Contact Information

Name:	Diane Perkin	Name:	Edianne Rodriguez
Title:	Director of Administration Serv	Title:	Finance Manager
Phone:	562-866-9771 ext 2601	Phone:	562-866-9771 ext 2602
Email:	dperkin@lakewoodcity.org	Email:	erodrigu@lakewoodcity.org
Date:	12-10-15	Date:	12-10-15

Department of Finance Local Government Unit Use Only

DETERMINATION ON LRPMP: ☐ APPROVED ☐ DENIED

APPROVED/DENIED BY: _____ DATE: _____

APPROVAL OR DENIAL LETTER PROVIDED: ☐ YES DATE AGENCY NOTIFIED: _____

LONG RANGE PROPERTY MANAGEMENT PLAN: PROPERTY INVENTORY DATA

[illegible]

Successor Agency: Lakewood
County: Los Angeles

LONG RANGE PROPERTY MANAGEMENT PLAN: PROPERTY INVENTORY DATA

No.	HSC 34191.5 (c)(1)(B) Purpose for which property was acquired	HSC 34191.5 (c)(1)(C) Lot Size	HSC 34191.5 (c)(1)(D) Current Zoning	HSC 34191.5 (c)(1)(E) Estimate of Current Parcel Value	HSC 34191.5 (c)(1)(F)		HSC 34191.5 (c)(1)(G) Annual Income/ Revenue	HSC 34191.5 (c)(1)(H) Are there any contractual requirements for use of income/ revenue?	HSC 34191.5 (c)(1)(I) Has there been historic environmental contamination, studies, and/or remediation, and designation as a brownfield site for the property?	HSC 34191.5 (c)(1)(J) Does the property have the potential as a transit oriented development?	HSC 34191.5 (c)(1)(K) Were there advancements to the successor agency's planning objectives?	HSC 34191.5 (c)(1)(L) Does the property have a history of previous development proposals and activity?
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Other Property Info

RESOLUTION NO. LSA 2015-1

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE
LAKEWOOD REDEVELOPMENT AGENCY ADOPTING A
LONG-RANGE PROPERTY MANAGEMENT PLAN.

THE SUCCESSOR AGENCY TO THE LAKEWOOD REDEVELOPMENT AGENCY
HEREBY RESOLVES AS FOLLOWS:

SECTION 1. This Resolution shall constitute a Long-Range Property Management Plan pursuant to section 34191.5(b) of the California Health & Safety Code. Based on the fact that the former Lakewood Redevelopment Agency did not have any real properties (other than properties which had been acquired with funds from the Low and Moderate Income Housing Fund, which properties accordingly were transferred to the Housing Successor Agency), the Successor Agency hereby certifies that that the Successor Agency does not have any real properties of the former Lakewood Redevelopment Agency for disposition or use.

SECTION 2. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this Resolution, or any part hereof, is held invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this Resolution. The Oversight Board hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase in this Resolution irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

SECTION 3. The City Clerk shall certify to the adoption of this Resolution, and is hereby directed to transmit this Resolution to the Oversight Board for approval pursuant to said section 34191.5(b).

ADOPTED AND APPROVED THIS 8TH DAY OF DECEMBER, 2015.

Chairman

ATTEST:

City Clerk

D I V I D E R S H E E T

Housing Successor

**CITY OF LAKEWOOD SUCCESSOR AGENCY - HOUSING
FUND SUMMARY 11/19/2015**

In accordance with section 2521 of the Lakewood Municipal Code there is presented herewith a summary of obligations to be paid by voucher 68 through 68. Each of the following demands has been audited by the Director of Administrative Services and approved by the City Manager.

3901	HOUSING SUCCESSOR AGENCY	31.00
		<hr/>
		31.00

Council Approval

Date

City Manager

Attest

City Clerk

Director of Administrative Services

**CITY OF LAKEWOOD SUCCESSOR AGENCY - HOUSING
SUMMARY CHECK REGISTER**

<u>CHECK #</u>	<u>CHECK DATE</u>	<u>VEND #</u>	<u>VENDOR NAME</u>	<u>GROSS</u>	<u>DISC.</u>	<u>CHECK AMOUNT</u>
68	11/19/2015	40572	CHICAGO TITLE CO	31.00	0.00	31.00
Totals:				<u>31.00</u>	<u>0.00</u>	<u>31.00</u>