



# Minutes

## Lakewood City Council

Regular Meeting held  
August 24, 2010

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

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

PLEDGE OF ALLEGIANCE was led by Cub Scout Pack 247

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

### ANNOUNCEMENTS AND PRESENTATIONS:

Recreation and Community Services Director Lisa Litzinger announced that Lakewood had been recognized by KaBOOM, a national nonprofit organization, as a 2010 "Playful City USA." Lakewood's well-maintained local parks and playgrounds were a good fit with KaBOOM's goal of creating great places to play within walking distance of every child. Ms. Litzinger also announced the Patriot Day Concert, to be held on September 11th at Del Valle Park.

### ROUTINE ITEMS:

Vice Mayor Van Nostran requested that Routine Item 1 be considered separately.

VICE MAYOR VAN NOSTRAN MOVED AND COUNCIL MEMBER CROFT SECONDED TO APPROVE ROUTINE ITEMS 2 THROUGH 12.

RI-2 Approval of Personnel Transactions

RI-3 Approval of Registers of Demands

RI-4 Approval of Permit for Mayfair High School Homecoming Parade

RI-5 Acceptance of Notice of Completion for Public Works Project No. 09-1; Watermain Replacement

ROUTINE ITEMS: Continued

RI-6 RESOLUTION NO. 2010-45; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING THE DESTRUCTION OF CERTAIN PUBLIC RECORDS OF THE DEPARTMENT OF ADMINISTRATION MORE THAN TWO YEARS OLD

RESOLUTION NO. 2010-46; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING THE DESTRUCTION OF CERTAIN PUBLIC RECORDS OF THE DEPARTMENT OF ADMINISTRATION MORE THAN TWO YEARS OLD

RESOLUTION NO. 2010-47; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING THE DESTRUCTION OF CERTAIN PUBLIC RECORDS OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES MORE THAN TWO YEARS OLD

RESOLUTION NO. 2010-48; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING THE DESTRUCTION OF CERTAIN PUBLIC RECORDS OF THE DEPARTMENT OF CITY CLERK MORE THAN TWO YEARS OLD

RESOLUTION NO. 2010-49; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING THE DESTRUCTION OF CERTAIN PUBLIC RECORDS OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT MORE THAN THREE YEARS OLD

RESOLUTION NO. 2010-50; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING THE DESTRUCTION OF CERTAIN PUBLIC RECORDS OF THE DEPARTMENT OF PERSONNEL MORE THAN TWO YEARS OLD

RESOLUTION NO. 2010-51; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING THE DESTRUCTION OF CERTAIN PUBLIC RECORDS OF THE DEPARTMENT OF PUBLIC WORKS MORE THAN TWO YEARS OLD

RESOLUTION NO. 2010-52; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING THE DESTRUCTION OF CERTAIN PUBLIC RECORDS OF THE DEPARTMENT OF RECREATION AND COMMUNITY SERVICES MORE THAN TWO YEARS OLD

RESOLUTION NO. 2010-53; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING THE DESTRUCTION OF CERTAIN PUBLIC RECORDS OF THE DEPARTMENT OF WATER RESOURCES MORE THAN TWO YEARS OLD

City Council Minutes

August 24, 2010

Page 3

**ROUTINE ITEMS: Continued**

RI-7 Approval of Traffic Signal Upgrade at Clark Avenue and Del Amo Boulevard

RI-8 Approval of Agreement for Conduct of 2010 Community Survey

RI-9 Approval of Report of Monthly Investment Transactions

RI-10 Approval of Memorandum of Understanding for Emergency Access to Fuels

RI-11 Approval of Memorandum of Understanding for Emergency Access to Supplies and Equipment

RI-12 Approval of Substitution of Sub-Contractor for Public Works Contract 10-1, The Centre HVAC Equipment Replacement Project

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

RI-1 Approval of Minutes of the Meetings held July 27, and August 10, 2010

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

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

NAYS: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: Van Nostran

**1.1 • CONGESTION MANAGEMENT PROGRAM CONFORMANCE SELF-CERTIFICATION PROCESS**

Community Development Director Sonia Southwell presented a report based on the memo in the agenda and stated the Congestion Management Program was a requirement of State Law and included an annual Local Development Report and certification of the City's conformance. She noted that the Local Development Report's credit and debit system for development activity had been frozen pending the outcome of a Nexus Study to explore the feasibility of implementing a congestion mitigation fee. It was the recommendation of staff that following a public hearing, the City Council adopt the proposed resolution finding the City to be in conformance with the Congestion Management Program and adopting the Local Development Report.

RESOLUTION NO. 2010-54; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD, CALIFORNIA, FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL DEVELOPMENT REPORT, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089

**1.1 • CONGESTION MANAGEMENT PROGRAM CONFORMANCE SELF-CERTIFICATION PROCESS - Continued**

Council Member Rogers, noting that the credit/debit system had been frozen for six years, inquired if there was a target date for completion of the Nexus Study. Ms. Southwell stated that at least part of the reason for the long delay was the recession and that the Los Angeles County Metropolitan Transportation Authority had given no indication of when the study would be completed.

Mayor Esquivel opened the public hearing at 7:46 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

**COUNCIL MEMBER ROGERS MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO ADOPT RESOLUTION NO. 2010-54. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:**

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

**NAYS: COUNCIL MEMBERS: None**

**3.1 • SOLE SOURCE PURCHASE OF PORTABLE ALUMINUM BLEACHERS**

The Director of Recreation and Community Services displayed slides and made a presentation based on the report in the agenda. She stated that staff was recommending the purchase of eleven portable aluminum bleachers for use in City parks. She reported that this purchase would complete a program begun last year to replace all older bleachers that would no longer conform to new safety standards issued in 2008. Based on safety requirements and compatibility issues, Aluminum Seating, Inc. of San Bernardino was the sole source provider. It was the recommendation of staff that the City Council authorize staff to issue a purchase order for eleven portable, 5-tier bleachers from Aluminum Seating, Inc. in an amount not to exceed \$47,261.

Responding to a question from Mayor Esquivel, Ms. Litzinger stated that the old bleachers would be dismantled and processed for recyclable materials.

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

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

**NAYS: COUNCIL MEMBERS: None**

### 3.2 • DISPOSITION OF PLAY EQUIPMENT

Administrative Services Director Diane Perkin displayed slides and gave a report based on the memo in the agenda. She reported that as part of the Play Area Capital Improvement Project, play equipment from the Palms Park School Age Play Area would be replaced. She advised that the replacement was necessary as, due to the age of the equipment, it no longer met current guidelines and ADA regulations and replacement parts were no longer available. She stated that since all of the plastic pieces of the equipment were not recyclable, staff had sought an alternative to landfill disposal. Kids Around The World, a nonprofit organization based in Illinois, would accept the play equipment and dismantle, ship and reassemble it in a location outside the United States. She noted that a number of other California cities had participated in this playground recycling program and that the timing of the removal from Palms Park meant that the equipment would likely be installed at an orphanage in Uganda. It was the recommendation of staff that the City Council approve the disposition of Palms Park School Age Play Area equipment by donating it to the Kids Around The World organization and authorize the City Manager to sign the Release and Indemnification Agreement.

Council Member DuBois commended the staff for not only finding a creative way to keep the materials out of the landfill, but also finding a reuse that would benefit the less fortunate.

Responding to a question from Council Member Rogers, Ms. Perkin stated that it was not an issue of equipment safety, but one of accessibility and the unavailability of replacement parts.

Council Member Croft stated that this was a great opportunity to give some play equipment a second life. He noted that the kids at Palms Park were thrilled to know that their play equipment would be going to help other kids in need somewhere else in the world.

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

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

NAYS: COUNCIL MEMBERS: None

### 3.3 • MEMORANDUM OF AGREEMENT FOR THE DEVELOPMENT OF COORDINATED IMPLEMENTATION PLAN FOR LOS CERRITOS CHANNEL TOTAL MAXIMUM DAILY LOAD

Public Works Director Lisa Rapp displayed slides and made a presentation based on the memo in the agenda. She stated that following a finding by the U.S. Environmental Protection Agency (EPA) that the Los Cerritos Channel had exceeded water quality objectives of various metals, the local agencies identified as sources of urban runoff were required to develop a Total Maximum Daily Load (TMDL) Implementation Plan for metals in order to restore the impaired water body. The participation of the cities of Bellflower, Cerritos, Downey, Lakewood, Long Beach, Paramount, Signal Hill and CalTrans with the Los Angeles Gateway Region Integrated Regional Water Management Joint Powers Authority (JPA) would not only enable a unified approach to the preparation of the required TMDL, but could improve the opportunities for any available grant funding. She noted that

**3.3 • MEMORANDUM OF AGREEMENT FOR TMDL IMPLEMENTATION PLAN FOR LOS CERRITOS CHANNEL - Continued**

the alternative to working with the JPA would be for the City to develop its own TMDL Implementation Plan which would be considerably more expensive. She also noted that with the special studies necessary to develop an implementation plan and monitoring program, it would take years to meet these Federal requirements. It was the recommendation of staff that the City Council approve the proposed Memorandum of Agreement for the Los Angeles Gateway Region Integrated Regional Water Management Joint Powers Authority.

Vice Mayor Van Nostran inquired about methods to improve the quality of runoff water. Ms. Rapp responded by stating that in the same manner that devices for catch basins had been developed to collect trash before it could get into the storm drain system, a filter or other modification might be developed to screen out metals. She noted, however, that the study would address different options, looking for the most effective and cost efficient solutions.

Responding to a question from Vice Mayor Van Nostran, Water Resources Director Jim Glancy stated that the metals found in the Los Cerritos Channel would collect in the top few inches of soil, and since Lakewood's water system used deep water wells protected by layers of clay and in some cases, concrete, contamination of that water was not a problem.

Council Member Croft stated that the TMDL issue was an example of the type of situation where forming a coalition to deal with a regional issue could be more effective for all of the parties involved. He determined from Ms. Rapp that the current estimate was two to four years before the implementation plan and monitoring program would be ready for submittal.

In response to a question from Council Member Rogers, Ms. Rapp stated that all of the other cities had indicated their intent to participate, and that only the County of Los Angeles was planning to prepare its own plan. She also confirmed that the Federal mandates came without any funding to accomplish compliance and that a major goal of the study would be to identify all of the costs associated with compliance.

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

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

**NAYS: COUNCIL MEMBERS: None**

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At 8:23 p.m., the Regular Meeting of the City Council was recessed for the Meeting of the Lakewood Redevelopment Agency. At 8:24 p.m., the City Council Meeting was reconvened.

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**ORAL COMMUNICATIONS:**

James Ota, Fountain Valley, addressed the City Council regarding products for energy efficient lighting.

Derrick Alatorre, the AQMD Representative to the Gateway Cities, invited the City Council to participate in their upcoming Clean Air Awards event.

**CLOSED SESSION:**

**CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

At 8:28 p.m., Mayor Esquivel announced that the City Council would recess to a closed session, pursuant to Government Code §54956.9(c), for a conference with legal counsel pertaining to anticipated litigation in one case.

**ADJOURNMENT**

There being no further business to be brought before the City Council, Mayor Esquivel adjourned the meeting at 9:10 p.m.

Respectfully submitted,

Denise R. Hayward, CMC  
City Clerk