



Minutes

Lakewood City Council

Regular Meeting held
July 28, 2009

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

INVOCATION was offered by Dr. Bill Cox, Emmanuel Church of Lakewood

PLEDGE OF ALLEGIANCE was led by Boy Scout Troop 212

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

ANNOUNCEMENTS AND PRESENTATIONS:

Mayor Rogers announced that the State Legislature and the Governor had reached a deal on the State budget. He stated that the deep cuts to programs for the elderly and disabled would be painful for some Lakewood residents and residents in every community in the State. He reported that among the funding being lost by cities were \$1.7 billion from redevelopment funds and \$1.9 billion in property taxes. He noted that an early controversial proposal to take local gas tax funds had been killed, representing a partial victory for local governments. He stated that although State law required that the property tax funds be repaid in 3 years, with interest, the redevelopment funds would simply be lost forever. He concluded by stating that Lakewood, unlike many other cities, was poised to weather the financial storms due to long-standing, conservative fiscal policies that would protect public safety services, facility improvements and neighborhood quality of life.

Council Member DuBois stated that prior to the Legislature's vote on the budget proposals, she had received a call from Assembly Member Warren Furutani's office asking which of the proposals would be most devastating to the City. She stated that she had advised them that the proposed gas tax grab would be most harmful to Lakewood and thanked the Assembly Member for having sufficient concern for local impacts to make the call.

Council Member Croft stated that he was most disappointed that the Legislature had not taken any steps to deal with the structural issues concerning their budget, which only meant that another crisis was inevitable and they would continue to come back time after time to raid City funds. He affirmed Mayor Rogers' remarks about Lakewood's fiscal policies, but noted that if the State continued to chip away at local revenues, all the good planning in the world could not prevent serious impacts to our local quality of life.

ANNOUNCEMENTS AND PRESENTATIONS: Continued

Mayor Rogers also announced that there were two shows left in the popular Concerts in the Park series, which was solely supported by contributions from area businesses and concert patrons.

Ben Harvey, Regional Manager Local Public Affairs for Southern California Edison, made a presentation on Edison system updates. He began by addressing a problem experienced at the Lakewood Center Mall during a recent planned outage. He responded to questions from Council Member DuBois by stating that de-briefing should be completed during the next week and more information available to those affected by the outage. He noted that the Mall property was a vast facility that had experienced many changes and remodels over the years, causing unforeseen variations in the electrical plans.

Vice Mayor Esquivel pointed out that the outage, which had inadvertently impacted some residential customers, had been addressed quickly and handled professionally.

Mr. Harvey stated that the Southern California Edison Company was the largest investor-owned utility, and the largest in California with over 15 million accounts. He noted that Edison was an industry leader nationally in renewable energy, operating a wind-farm in Tehachapi, California. He concluded by stating that many service upgrades were in progress locally, including the abandonment of pole-top transformers and replacing poles.

ADDITIONAL ITEM:

COUNTY-CITY SPECIAL INDEMNITY AGREEMENT

Mayor Rogers announced that an item of business had arisen subsequent to the posting of the agenda which required the immediate action of the City Council. He reported that the County-City Special Indemnity Agreement had been received Monday and an executed copy needed to be provided prior to the L.A. County Board of Supervisors meeting on August 11, 2009. Since the City Council would not have a regular meeting before that date, the Mayor called for a motion to add the item to the agenda.

COUNCIL MEMBER DUBOIS MOVED AND COUNCIL MEMBER CROFT SECONDED TO ADD TO THE AGENDA CONSIDERATION OF THE COUNTY-CITY SPECIAL INDEMNITY AGREEMENT. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Van Nostran

Mayor Rogers announced that since the item concerned a contract with the Los Angeles County Sheriff's Department, and he was a member of said Department, he would abstain from voting on this item.

COUNTY-CITY SPECIAL INDEMNITY AGREEMENT - Continued

COUNCIL MEMBER DUBOIS MOVED AND COUNCIL MEMBER CROFT SECONDED TO APPROVE THE AGREEMENT AS SUBMITTED. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: DuBois, Croft and Esquivel

NAYS: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: Rogers

ABSENT: COUNCIL MEMBERS: Van Nostran

ROUTINE ITEMS:

COUNCIL MEMBER CROFT MOVED AND VICE MAYOR ESQUIVEL SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 18.

- RI-1 Approval of Minutes of the Meeting held June 23, and July 14, 2009
- RI-2 Approval of Personnel Transactions
- RI-3 Approval of Registers of Demands
- RI-4 Approval of Meeting Reports and Authorizations Pursuant to AB1234
- RI-5 Designation of Voting Delegate for League Annual Conference
- RI-6 Approval of Agreement for Recycled Water Phase 2 Feasibility Study with Willdan
- RI-7 RESOLUTION NO. 2009-34; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD, CALIFORNIA, APPROVING THE APPLICATION OF GRANT FUNDS FROM THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
- RI-8 Approval of Application for Street Closure for Block Party at 5800-5919 Hersholt Avenue on August 22, 2009
- RI-9 Approval of Monthly Report of Investment Transactions
- RI-10 Approval of Quarterly Schedule of Investments
- RI-11 Approval of Sole Source Purchase for Data Center Project Equipment
- RI-12 RESOLUTION NO. 2009-35; 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

ROUTINE ITEMS: Continued

RI-12 RESOLUTION NO. 2009-36; 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. 2009-37; 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. 2009-38; 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. 2009-39; 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 TWO YEARS OLD

RESOLUTION NO. 2009-40; 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. 2009-41; 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. 2009-42; 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. 2009-43; 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

RI-13 Approval of Agreement for AV Consulting Services for Boyar Park Project

ROUTINE ITEMS: Continued

- RI-14 RESOLUTION NO. 2009-44; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD APPROVING FEDERAL MASTER AGREEMENT NUMBER 07-5315R FOR FEDERAL AID PROJECTS AND PROGRAM SUPPLEMENT NUMBER N003 TO MASTER AGREEMENT NUMBER 07-5315R AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENTS
- RI-15 Approval of Design Services Proposal with Meyer and Associates for Burns Community Center and Palms Park Picnic Shelters Roof Replacement Project
- RI-16 Approval of Agreement for Commercial Loan Administration Services with Kermit Hathcoat
- RI-17 Approval of Submission of Application for Homeless Prevention and Rapid Re-housing Program (HPRP) Funding
- RI-18 Approval of Appointment to Business Development Loan Administration Board

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Van Nostran

1.1 • REPORT OF DELINQUENT FEES FOR GARBAGE, WASTE AND REFUSE COLLECTION AND DISPOSAL

Administrative Services Director Diane Perkin made a presentation based on the report in the agenda and stated that 460 notices had been mailed to property owners with delinquent refuse collection accounts over \$35, and that as of close of business today, 279 remained unpaid. It was the recommendation of staff that the City Council adopt the proposed resolution confirming the report of Delinquent Fees and Charges.

RESOLUTION NO. 2009-45; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD CONFIRMING THE REPORT OF DELINQUENT FEES AND CHARGES FOR GARBAGE, WASTE AND REFUSE COLLECTION AND DISPOSAL WITHIN THE CITY OF LAKEWOOD, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, MAY 31, 2009

Mayor Rogers opened the public hearing at 7:52 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

COUNCIL MEMBER DUBOIS MOVED AND VICE MAYOR ESQUIVEL SECONDED TO APPROVE STAFF'S RECOMMENDATION.

1.1 • REPORT OF DELINQUENT FEES FOR GARBAGE, WASTE AND REFUSE COLLECTION AND DISPOSAL - Continued

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Van Nostran

1.2 • AWARD OF BID FOR PURCHASING BID 09-9, ELECTRICAL POWER SERVICE AND DISTRIBUTION EQUIPMENT

Public Works Director Lisa Rapp made a presentation based on the memo in the agenda and reported an upcoming Public Works Project to upgrade the City Hall Data Center was planned for the end of the calendar year. She stated that due to the long lead-time for delivery and tight installation schedule, the electrical equipment would need to be ordered now to ensure that project deadlines could be met. The Purchasing Officer had distributing bid packages to nine potential bidder and had received two bids in response. She noted that although the low bidder had failed to submit their bid on some of the required forms, that the actual bid had been itemized as specified and should therefore be considered a minor irregularity. It was the recommendation of staff that the City Council waive the minor bid irregularity and authorize the purchase of the MSA, DPA and MCCA electrical equipment from Walter's Wholesale Electric Company at the proposed contract price of \$24,716.86.

Responding to a question from Council Member DuBois, Ms. Rapp stated that there was a specific window for construction during which there would be no electrical service at City Hall. The construction was planned to fall over a holiday period where impacts to residents could be minimized.

In response to a question from Mayor Rogers, City Attorney Steve Skolnik stated that the type of irregularity referenced in this purchasing bid, was of the type that the City Council had the discretion to waive.

Mayor Rogers opened the public hearing at 7:58 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

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

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

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Van Nostran

1.3 • AWARD OF BID FOR PUBLIC WORKS PROJECT NO. 09-2, STREET RESURFACING ON BLOOMFIELD AVENUE

The Director of Public Works gave a report based on the memo in the agenda and stated seven bids had been received for a project to resurface Bloomfield Avenue from Del Amo Boulevard to the southern City limits. She noted that this was the first Lakewood construction project to move forward through the use of Federal stimulus funding. She stated that Willdan Engineering would provide contract administration services such as utility coordination, material testing and Federal labor compliance services for the project. It was the recommendation of staff that the City Council adopt the plans, specifications and working details for the project; award the contract for Bloomfield Pavement Rehab to All American Asphalt in the amount of \$556,000; authorize staff to approve a cumulative total of contract change orders not to exceed \$75,000; authorize staff to approve the proposal from Willdan to provide construction management services under their existing engineering services agreement in the amount of \$95,850; and to authorize the use of Proposition C funds in the amount of \$100,000 to be used for this project, subject to approval by the Metropolitan Transit Authority.

Mayor Rogers opened the public hearing at 8:02 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

COUNCIL MEMBER CROFT MOVED AND VICE MAYOR ESQUIVEL SECONDED TO APPROVE STAFF RECOMMENDATIONS 1 THROUGH 5. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Van Nostran

1.4 • AWARD OF BID FOR PUBLIC WORKS PROJECT NO. 09-5, DEMOLITION OF CITY-OWNED PROPERTIES ON ROSETON AVENUE AND 207TH STREET

The Director of Public Works gave a report based on the memo in the agenda and stated nine bids had been received for the demolition of three structures on two properties owned by the Lakewood Redevelopment Agency. She reported that the project would be funded by the Agency under an existing agreement with the City and that the work was part of the Agency's Scattered Lot Program. She stated that there had been an Addendum issued for this project and that the two lowest bidders had not submitted the required form acknowledging receipt of the addendum. She advised that since the acknowledgment form was necessary for the bidder to demonstrate that all of the addendum material had been considered and included in the bid price, the next lowest bidder in full compliance should be awarded the contract. It was the recommendation of staff that the City Council adopt the plans, specification and working details for the project; make a finding that the bid proposals submitted by Prime Demolition and Superior Demolition were non-responsive due to lack of compliance with the submission of the Addendum Acknowledgement Form; award a contract to the lowest responsible bidder, J & G Industries, Inc. in the amount of \$30,659; and authorize staff to approve a cumulative total of change order not to exceed \$3,000.

1.4 • AWARD OF BID FOR PW PROJECT NO. 09-5, DEMOLITION OF CITY-OWNED PROPERTIES ON ROSETON AVENUE AND 207TH STREET - Continued

Responding to a question from Council Member Croft, Community Development Director Jack Gonsalves stated that staff was in the process of preparing a Request for Proposals for the development of the subject properties.

Mayor Rogers opened the public hearing at 8:06 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

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

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

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Van Nostran

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

ORDINANCE NO. 2009-3; AN ORDINANCE OF THE CITY OF LAKEWOOD AMENDING THE REDEVELOPMENT PLAN FOR THE LAKEWOOD REDEVELOPMENT PROJECT AREA NO. 1 BY ADOPTION OF AMENDMENT NO. 20 was read by title by the City Clerk.

COUNCIL MEMBER DUBOIS MOVED AND COUNCIL MEMBER CROFT SECONDED TO WAIVE FURTHER READING AND ADOPT ORDINANCE NO. 2009-3. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Van Nostran

3.1 • DONATION OF SECURITY EQUIPMENT FROM SAFE CITIES FOUNDATION

Assistant City Manager Sandi Ruyle made a presentation based on the memo in the agenda and reported that Lakewood Sheriff Station personnel had been working with the owners of Cal Bowl and the property owner of the Paramount and Carson commercial center on a security system utilizing cameras and a network to provide live video and audio from the center directly to the station. The proposed system, design and installation engineering provided by Leverage Information Systems, would be funded through the Safe Cities Foundation, a nonprofit public benefit corporation. Upon system completion, the Safe Cities Foundation would donate the system to the City as a charitable contribution.

3.1 • SECURITY EQUIPMENT FROM SAFE CITIES FOUNDATION - Continued

Sergeant Jason Skeen of the Lakewood Sheriff Station advised the City Council that while new to Lakewood, the proposed technology was already in use in other cities and similar technology had been used in Europe for several years. He stated that the use of live video and audio would provide a means for appropriate levels of support to be deployed to the site as needed.

Responding to a question from Mayor Rogers, Sergeant Skeen stated that the use of the security system would not take the place of deputies currently being contracted for peak hours of weekend business. Sergeant Skeen noted that the presence of sworn personnel was a requirement of the ABC license.

Council Member DuBois stated she was delighted to have the opportunity to introduce new technology to assist the deputies out on the streets.

In response to a question from Council Member Croft, Sergeant Skeen stated that there would be four digital cameras on the site and that the recording capabilities would provide a seven to ten-day window for data to be captured for use in prosecution.

The Assistant City Manager concluded by stating that it was the recommendation of staff that the City Council approve the donation of a security camera system and authorize the execution of a donation agreement with the Safe Cities Foundation.

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

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

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Van Nostran

3.2 • SEWER SYSTEM MANAGEMENT PLAN

The Director of Public Works introduced Senior Management Analyst Konya Vivanti who displayed slides and made a presentation based on the memo in the agenda. She reported that the City contracted with the Los Angeles County Department of Public Works for sewer operations and maintenance, and as a system owner was required by State law to develop a Sewer System Management Plan. She noted that while the majority of the components of the Plan would be conducted by the County, the City would be responsible for Program Audits, the Communications Program and the Fats, Oil & Grease Control Program. It was the recommendation of staff that the City Council approve the Sewer System Management Plan as presented.

COUNCIL MEMBER DUBOIS MOVED AND COUNCIL MEMBER CROFT SECONDED TO APPROVE STAFF'S RECOMMENDATION.

3.2 • SEWER SYSTEM MANAGEMENT PLAN - Continued
UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Van Nostran

At 8:21 p.m., the Regular Meeting of the City Council was recessed for the Meeting of the Lakewood Redevelopment Agency. At 8:25 p.m., the City Council Meeting was reconvened.

ORAL COMMUNICATIONS:

Paul Sahadi and Arthur Cuizon addressed the City Council regarding a neighborhood group rehabilitation facility.

ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Rogers adjourned the meeting at 8:30 p.m.

Respectfully submitted,

Denise R. Hayward, CMC
City Clerk