



Minutes

Lakewood City Council

Regular Meeting held
August 26, 2008

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

INVOCATION was offered by Rabbi Howard Laibson, Congregation Shir Chadash

PLEDGE OF ALLEGIANCE was led by Council Member Larry Van Nostran

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

ANNOUNCEMENTS AND PRESENTATIONS:

Mayor Croft invited residents to attend the Patriot Day concert to be held at Del Valle Park on September 11th.

Vice Mayor Rogers acknowledged the presence in the audience of Joshua Boyd, who was working toward completion of his Eagle Scout designation.

Vice Mayor Rogers also stated that in light of the discovery of oriental fruit flies within Lakewood, State authorities had advised that although home-grown fruits were not to be transported outside the City, they were still safe for personal consumption.

ROUTINE ITEMS:

COUNCIL MEMBER DUBOIS MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 11.

RI-1 Approval of Minutes of the Meetings held July 22, and August 12, 2008

RI-2 Approval of Personnel Transactions

RI-3 Approval of Registers of Demands

RI-4 Approval of Meeting Reports and Authorizations Pursuant to AB1234

RI-5 Approval of Monthly Investment Transactions

ROUTINE ITEMS: Continued

- RI-6 Approval of Designation of Voting Delegate for League of California Cities Annual Conference
- RI-7 Approval of Permit for Mayfair High School Homecoming Parade
- RI-8 Approval of Memorandum of Understanding (MOU) with the Home Depot to Access Emergency Needs During Disasters
- RI-9 Approval of Ground Lease Agreement with St. Timothy Lutheran Church
- RI-10 RESOLUTION NO. 2008-61; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ESTABLISHING A TWENTY MINUTE PARKING ZONE BETWEEN THE HOURS OF 9 A.M. AND 5:30 P.M. ON THE NORTH SIDE OF SOUTH STREET WEST OF ADENMOOR AVENUE WITHIN THE CITY OF LAKEWOOD
- RI-11 RESOLUTION NO. 2008-62; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ESTABLISHING AN ADMINISTRATIVE FEE REGARDING FAILURE TO DISPLAY A DISABLED PLACARD

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.1 • PUBLIC HEARING NOTICE REQUIREMENTS FOR PLANNING ENTITLEMENTS

Community Development Director Jack Gonsalves made a presentation based on the memo in the agenda and stated the City's Municipal Code currently required the publication of a notice of hearing for certain planning entitlements such as conditional use permits and zone variances, even though there was no such requirement in State law. He advised that in addition to publication, notices were posted at the project site, mailed to property owners located within a 300 foot radius, and posted in three public places. He noted that although initially the cost of publication was covered by the application fee, the ongoing increases in postage and publication costs had outstripped the application fee, which had last been increased in 2005. It was the recommendation of staff that the City Council introduce the proposed ordinance which would amend the Lakewood Municipal Code to conform with public notice requirements contained within State law.

Responding to a question from Council Member DuBois, Mr. Gonsalves stated that even without the cost of publication, the application fees would not completely cover the cost of processing.

1.1 • PUBLIC HEARING NOTICE REQUIREMENTS FOR PLANNING ENTITLEMENTS - Continued

Mayor Croft opened the public hearing at 7:41 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO INTRODUCE ORDINANCE NO. 2008-8.

Vice Mayor Rogers noted that government was often criticized for lacking transparency, and inquired if the posting of public notices on the City's website had been considered. City Attorney Steve Skolnik suggested that staff research and prepare a report for City Council consideration.

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.2 • AMENDMENTS TO PERMIT FEES UNDER THE BUILDING, PLUMBING, ELECTRICAL AND MECHANICAL CODES

The Director of Community Development gave a presentation based on the memo in the agenda and stated that the rate charged to the City for building inspection and plan check fees by the Los Angeles County Department of Public Works would be increasing by three percent in January of 2009. It was the recommendation of staff that the City Council adopt the proposed resolution which would increase permit fees by three percent, effective January 1, 2009, to keep pace with increasing County costs.

RESOLUTION NO. 2008-63; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ADOPTING AMENDMENTS TO PERMIT FEES UNDER THE UNIFORM BUILDING, PLUMBING, ELECTRICAL AND MECHANICAL CODES AND SCHEDULING A HEARING ON THE ADOPTION OF SAID RESOLUTION BEFORE THE CITY COUNCIL IN THE LAKEWOOD CITY COUNCIL CHAMBERS AT 5000 CLARK AVENUE, LAKEWOOD, CALIFORNIA, AT 7:30 P.M. ON AUGUST 26, 2008

Mayor Croft 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.

VICE MAYOR ROGERS MOVED AND COUNCIL MEMBER VAN NOSTRAN SECONDED TO ADOPT RESOLUTION NO. 2008-63. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.3 • CONGESTION MANAGEMENT PROGRAM CONFORMANCE SELF-CERTIFICATION PROCESS

The Director of Community Development presented a report based on the memo in the agenda and stated the Congestion Management Program, prepared for Los Angeles County by the Metropolitan Transit Authority, required the City to hold an annual public hearing adopting the Local Implementation Report and self-certifying the City's conformance with local CMP requirements. It was the recommendation of staff that the City Council conduct a public hearing and then adopt the proposed resolution finding the City to be in conformance with the Congestion Management Program and adopting the Local Development Report.

RESOLUTION NO. 2008-64; A RESOLUTION 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

Mayor Croft opened the public hearing at 7:48 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 ESQUIVEL SECONDED TO CLOSE THE PUBLIC HEARING AND ADOPT RESOLUTION NO. 2008-64. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.4 • ALLOCATION OF FUNDS FOR CITIZEN'S OPTIONS FOR PUBLIC SAFETY (COPS) GRANT 2007-2008

Assistant City Manager Sandi Ruyle made a brief presentation based on the memo in the agenda and stated the City was entitled to \$160,834 under the Citizens' Options for Public Safety (COPS) Grant. The grant monies were restricted for use for front line law enforcement services and Lakewood Station Commander, Captain Christy Guyovich, had prepared a written request of projects to be funded, including the Park Deputy and Bike Patrol program and several mission specific criminal enforcement and suppression programs. It was the recommendation of the Public Safety Committee that the City Council conduct a public hearing and approve the recommended programs for front line law enforcement services, directing the Administrative Services Director to appropriate the grant funds to the Supplemental Law Enforcement Services account.

Mayor Croft opened the public hearing at 7:50 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

1.4 • ALLOCATION OF FUNDS FOR CITIZEN'S OPTIONS FOR PUBLIC SAFETY (COPS) GRANT 2007-2008 - Continued

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

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

NAYS: COUNCIL MEMBERS: None

1.5 • AWARD OF BID FOR PUBLIC WORKS PROJECT NO. 08-4, WATERMAIN REPLACEMENT 2008

Public Works Director Lisa Rapp made a presentation based on the memo in the agenda and reported 16 bids had been received for the Watermain Replacement Project. The Project, which would replace approximately 3.2 miles of water mains in residential streets in the area bounded by Paramount Boulevard, Obispo Avenue, Candlewood and Hardwick Streets, was scheduled to commence in September and be completed in February, 2009. The project would also require an amendment to the engineering services agreement. It was the recommendation of staff that the City Council adopt the plans, specifications and working details for the project; award a contract for the Watermain Replacement Project to the low bidder, T.A. Rivard, Inc. in the amount of \$1,499,975; appropriate \$120,000 from the Water Fund to the project account; authorize staff to approve a cumulative total of change orders as needed, not to exceed \$150,000; and authorize an amendment to increase by \$15,000 the agreement for engineering services with Tetra Tech, Inc.

Council Member Van Nostran expressed concern about traffic impacts since the project extended through the holiday season. Ms. Rapp stated that staff would impose specific restrictions regarding how much roadway could be out of service at any one time. She also noted that in previous work, the City had good experience with this contractor and that staff would ensure that they were sensitive to traffic demands during the holiday period.

Mayor Croft noted that the same contractor had recently done work in his neighborhood and that the work had been completed quickly without major inconvenience to the residents.

Mayor Croft opened the public hearing at 7:56 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 ESQUIVEL SECONDED TO ADOPT STAFF'S RECOMMENDATIONS. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.6 • RECOVERY OF FINE COLLECTION COSTS

The City Attorney advised that although the administrative fine procedure had been established with recovery of costs incurred to collect fines included as part of the process, no such recovery process existed to accompany the code sections pertaining to infractions. He stated that these two types of citations should not be treated differently and that the proposed ordinance would replicate the sections pertaining to administrative citations.

ORDINANCE NO. 2008-7; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING SECTION 1205 OF THE LAKEWOOD MUNICIPAL CODE TO PROVIDE FOR THE RECOVERY OF COSTS INCURRED TO COLLECT FINES LEVIED FOR INFRACTIONS

Mayor Croft opened the public hearing at 7:50 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO INTRODUCE ORDINANCE NO. 2008-7. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

2.1 • MINOR'S ACCOUNTABILITY DURING SCHOOL HOURS

The City Attorney reported that introduction and a public hearing had been conducted at the City Council's last meeting.

ORDINANCE NO. 2008-4; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING SECTION 4251.1 OF THE LAKEWOOD MUNICIPAL CODE REGARDING MINOR'S ACCOUNTABILITY DURING SCHOOL HOURS was read by title by the City Clerk.

COUNCIL MEMBER DUBOIS MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED TO WAIVE FURTHER READING AND ADOPT ORDINANCE NO. 2008-4. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

2.2 • AMENDING THE MUNICIPAL CODE PERTAINING TO INFRACTIONS

ORDINANCE NO. 2008-5; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING SECTION 1205 OF THE LAKEWOOD MUNICIPAL CODE REGARDING INFRACTIONS was read by title by the City Clerk.

2.2 • AMENDING THE MUNICIPAL CODE PERTAINING TO INFRACTIONS – Cont.
VICE MAYOR ROGERS MOVED AND COUNCIL MEMBER VAN NOSTRAN
SECONDED TO WAIVE FURTHER READING AND ADOPT ORDINANCE NO. 2008-5.
UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

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At 8:01 p.m., the Regular Meeting of the City Council was recessed for the Meeting of the
Lakewood Redevelopment Agency. At p.m., the City Council Meeting was reconvened.

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ORAL COMMUNICATIONS: None

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ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Croft
adjourned the meeting at 8:02 p.m.

Respectfully submitted,

Denise R. Hayward, CMC
City Clerk