



Minutes

Lakewood City Council

Regular Meeting held
April 22, 2014

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 Council Member Diane DuBois

PLEDGE OF ALLEGIANCE was led by Cub Scout Pack 62

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

ANNOUNCEMENTS AND PRESENTATIONS:

Mayor Rogers announced that the meeting would be adjourned in memory of Carole Robbins, a longtime participant in the Lakewood Neighborhood Watch Block Captains program.

ROUTINE ITEMS:

VICE MAYOR WOOD MOVED AND COUNCIL MEMBER PIAZZA SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 7.

- RI-1 Approval of Minutes of the Meetings held April 8, 2014
- RI-2 Approval of Personnel Transactions
- RI-3 Approval of Registers of Demands
- RI-4 Acceptance of Notice of Completion for Public Works Project No. 13-03, Industry Area Paving, R.J. Noble Company
- RI-5 Approval of Report of Monthly Investment Transactions
- RI-6 Approval of Quarterly Schedule of Investments
- RI-7 RESOLUTION NO. 2014-11; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ESTABLISHING DISABLED PERSON DESIGNATED PARKING ON THE EAST SIDE OF OLIVA AVENUE WITHIN THE CITY OF LAKEWOOD

ROUTINE ITEMS: Continued

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Croft, DuBois, Wood, Piazza and Rogers

NAYS: COUNCIL MEMBERS: None

1.1 • SALE OF ALCOHOLIC BEVERAGES

Community Development Director Sonia Southwell displayed slides and made a presentation based on the memo in the agenda. She reported that the proposed ordinance dealt with three different aspects of alcoholic beverage sales. The first was the sale of alcoholic beverages for off-site consumption from locations less than 6,500 square feet in area. This topic, which had been the subject of a moratorium, had first come before the City Council in October, 2012, with concerns of an undue concentration of such uses and the location of said uses in close proximity to high schools. She reviewed the data on such uses by census tract, as measured by the California Department of Alcoholic Beverage Control (ABC), noting that only two of Lakewood's 19 census tracts were not currently at or over capacity. She advised that the proposed ordinance would prohibit the issuance of a Conditional Use Permit for an off-sale license under the subject description where there were already two or more such licenses within a 300-foot radius, and provide discretion where, even though outside the specified 300 feet, the proposed use would contribute to over saturation of a census tract. The second area addressed by the ordinance was for on-site consumption of alcoholic beverages in conjunction with manufacturing uses. She reported that there was one Type 23 license in the City for a small beer manufacturer. The proposed ordinance would allow the manufacturer to offer on-site consumption for beverages manufactured on the premises, provided they have a license from ABC that allows for on-site tasting as an ancillary use. The final area addressed by the proposed ordinance would adjust language in the Municipal Code relating to on-sale licenses in the C-1 and C-3 zones to be consistent. She concluded by stating that it was the recommendation of the Planning and Environment Commission that the City Council introduce the proposed ordinance and approve the accompanying negative declaration.

ORDINANCE NO. 2014-3; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE LAKEWOOD MUNICIPAL CODE PERTAINING TO THE SALE OF ALCOHOLIC BEVERAGES FOR OFF-SALE CONSUMPTION FROM LOCATIONS LESS THAN 6,500 SQUARE FEET IN AREA, FOR ON-SITE CONSUMPTION IN CONJUNCTION WITH ALCOHOLIC BEVERAGE MANUFACTURING IN THE M-1 (LIGHT MANUFACTURING) ZONE, AND FOR ON-SALE LICENSES IN THE C-1 AND C-3 ZONES

Council Member Croft clarified with Ms. Southwell that the microbrewer could offer tastings, but could not sell food or alcoholic beverages other than those manufactured on site.

Responding to questions from Vice Mayor Wood, Ms. Southwell stated that although the new provisions would allow customers to purchase samples of different types of beer to consume on-site, the intent was to sell beer to take home.

1.1 • SALE OF ALCOHOLIC BEVERAGES - Continued

City Attorney Steve Skolnik advised that the intent was to bring the Municipal Code more into line with the types of licenses issued by ABC.

Mayor Rogers opened the public hearing at 7:57 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

COUNCIL MEMBER DUBOIS MOVED AND COUNCIL MEMBER CROFT SECONDED TO CLOSE THE PUBLIC. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Croft, DuBois, Wood, Piazza and Rogers

NAYS: COUNCIL MEMBERS: None

Council Member Piazza complimented staff on the research and work on this issue. He expressed his concern that the limitations did not provide enough flexibility and might prevent certain unique businesses from locating in Lakewood, even if the business was a desirable one. He inquired if there was a way to differentiate so that a deli-type business was not classified in the same manner as a liquor store or convenience store.

Ms. Southwell clarified that the proposed regulations would not impact a restaurant business that was offering alcoholic beverages for consumption on site, but only off-sale transactions for consumption off-site.

Mayor Rogers noted that it would be very difficult to word the Code to differentiate uses and suggested that a code amendment could be brought before the City Council should a unique type of business want to locate in Lakewood.

The City Attorney presented several options, including separating the issues in the ordinance to allow the City Council to adopt the uncontested portions.

Council Member Croft confirmed from the City Attorney that the City Council could choose to adopt the ordinance as presented and bring an amendment at a later date.

Responding to a question from Council Member DuBois, the City Attorney advised that the distinction between amending the proposed ordinance now or later was insignificant. He did note however, that by adopting the ordinance now, the moratorium currently in place would be ended.

Mayor Rogers stated that although more study on that aspect of the ordinance was clearly needed, he felt it was not good for business to operate under a moratorium any longer than necessary and regulations should be put into place.

Vice Mayor Wood stated that he agreed that it would be preferable to go forward and introduce the ordinance to put regulations into place and make necessary amendments later.

1.1 • SALE OF ALCOHOLIC BEVERAGES - Continued

Mayor Rogers stated that he wished to form a City Council ad hoc committee to work with staff on possible amendments. He appointed Council Member Piazza and Vice Mayor Wood to the committee.

COUNCIL MEMBER CROFT MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO INTRODUCE ORDINANCE NO. 2014-3 AND APPROVE THE RELATED NEGATIVE DECLARATION. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Croft, DuBois, Wood, Piazza and Rogers

NAYS: COUNCIL MEMBERS: None

1.2 • ADMINISTRATIVE CITATION PROCEDURES

The Director of Community Development displayed slides and gave a presentation based on the memo in the agenda. She stated the City Council's Public Safety Committee had considered the proposed amendment to the Lakewood Municipal Code relating to the Administrative Citation procedures. She reported that the current process for issuing administrative citations for Code violations included a 21-day waiting period which

issuance of citations, and clarify the appeal hearing procedure. It was the recommendation of staff that the City Council introduce Ordinance No. 2014-4; adopt the related Negative Declaration; and accept and file the Administrative Citation Process Standard Operating Procedures as submitted.

ORDINANCE NO. 2014-4; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING CHAPTER 9 OF ARTICLE IV OF THE LAKEWOOD MUNICIPAL CODE REGARDING ADMINISTRATIVE CITATIONS

Responding to a question from Council Member DuBois, Ms. Southwell stated that the time period to pay the fine for an administrative citation was laid out in the Municipal Code and was not affected by the proposed changes.

In response to a question from Council Member Piazza, Ms. Southwell stated that the process included advising the resident that a violation existed and giving a warning before a citation was issued.

Council Member Croft stated that during the Public Safety Committee's consideration of the proposed ordinance, it had been made clear that the goal of the whole code enforcement process was to gain compliance, not to punish violators. He noted that the proposed changes were to prevent anyone from "gaming" the system – by waiting until the very last day of the grace period to remedy the violation. He also stated that the Committee had requested a written policy so the process would be clear to both staff and residents.

1.2 • ADMINISTRATIVE CITATION PROCEDURES - Continued

Mayor Rogers stated it was important to maintain the balance between over-zealous enforcement and victimization.

Mayor Rogers opened the public hearing at 8:23 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 WOOD SECONDED TO CLOSE THE PUBLIC HEARING; INTRODUCE ORDINANCE NO. 2014-4; ADOPT THE RELATED NEGATIVE DECLARATION; AND ACCEPT AND FILE THE ADMINISTRATIVE CITATION PROCEDURES. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Croft, DuBois, Wood, Piazza and Rogers

NAYS: COUNCIL MEMBERS: None

1.3 • PURCHASE OF SIX ADA-COMPLIANT MINIVANS

Administrative Services Director Diane Perkin gave a report based on the memo in the agenda and stated there were Proposition C funds available for the purchase of new, ADA-compliant minivans to be utilized for the DASH transit program. She displayed a slide of the proposed vehicle and advised that the purchase could be made through the CalACT/MBTA Purchasing Cooperative Contract. It was the recommendation of staff that the City Council authorize the purchase of six ADA-compliant, 2014 Braun Entervans from Creative Bus Sales in the amount of \$276,532.44.

Council Member Croft noted that the proposed vans would be easier to maneuver and more flexible for smaller passenger loads. He inquired about the disposition of the existing DASH buses. Ms. Perkin responded by stating that three of the existing buses would be put up for auction.

Mayor Rogers opened the public hearing at 8:26 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

VICE MAYOR WOOD MOVED AND COUNCIL MEMBER PIAZZA SECONDED TO AUTHORIZE THE PURCHASE OF SIX MINIVANS AS SPECIFIED IN THE STAFF REPORT. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Croft, DuBois, Wood, Piazza and Rogers

NAYS: COUNCIL MEMBERS: None

1.4 • PURCHASE OF VACUUM SYSTEM TRAILER

The Director of Administrative Services displayed a slide and made a presentation based on the report in the agenda. She stated that the Water Resources Department had budgeted funding for the purchase of a vacuum system trailer to support operations and comply with stormwater regulations. She reported that since bid packages had been distributed to three potential vendors with no response, the Purchasing Officer had requested and received two quotes for the equipment. The lowest quote had failed to meet specifications and upon demonstration, was deemed unsuitable. It was the recommendation of staff that the City Council authorize the purchase of one vacuum system trailer from Pacific Tek in the amount of \$52,320.

Responding to a question from Council Member Croft, Water Resources Director Jim Glancy stated that the equipment was necessary in response to new stormwater regulations which required site clean up with no sediment or runoff.

Mayor Rogers opened the public hearing at 8:30 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 COUNCIL MEMBER DUBOIS SECONDED TO CLOSE THE PUBLIC HEARING AND AUTHORIZE THE PURCHASE AS RECOMMENDED BY STAFF. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Croft, DuBois, Wood, Piazza and Rogers

NAYS: COUNCIL MEMBERS: None

2.1 • AMENDING SPECIFIC PLAN FOR 3201-3225 CARSON STREET

The City Attorney advised that a presentation on the proposed ordinance had been made at the City Council's previous meeting and the ordinance was presented for second reading and adoption at this time.

ORDINANCE NO. 2014-2; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ADOPTING AMENDMENT NO. 2 TO SPECIFIC PLAN 2007-2 was read by title by the City Clerk.

COUNCIL MEMBER DUBOIS MOVED AND VICE MAYOR WOOD SECONDED TO WAIVE FURTHER READING AND ADOPT ORDINANCE NO. 2014-2. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Croft, DuBois, Wood, Piazza and Rogers

NAYS: COUNCIL MEMBERS: None

2.2 • GRANTING A PIPELINE FRANCHISE TO CRIMSON CALIFORNIA PIPELINE, LP

Public Works Director Lisa Rapp gave a presentation based on the memo in the agenda and stated a request had been received from Crimson California Pipeline to renew a franchise agreement for a pipeline along Cherry Avenue. The process for granting a new 20-year franchise included introducing a new ordinance and adopting a resolution declaring the intent to grant and setting the date for a public hearing on the ordinance. It was the recommendation of staff that the City Council introduce Ordinance No. 2014-5 and adopt Resolution No. 2014-12.

RESOLUTION NO. 2014-12; RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD, CALIFORNIA, DECLARING ITS INTENTION TO GRANT TO CRIMSON CALIFORNIA PIPELINE COMPANY, L.P., A FRANCHISE GRANTING THE RIGHT, FRANCHISE AND PRIVILEGE FROM TIME TO TIME TO LAY, CONSTRUCT, MAINTAIN, OPERATE, REPAIR, RENEW, CHANGE THE SIZE OF, AND REMOVE OR ABANDON IN PLACE A PIPELINE SYSTEM FOR THE TRANSPORTATION OF INDUSTRIAL GAS, GASOLINE, PETROLEUM OIL, GAS, OTHER HYDROCARBON SUBSTANCES, WATER, WASTE WATER, BUD, STEAM, AND OTHER LIQUID OR GAS SUBSTANCES INCIDENT TO THE OIL INDUSTRY, TOGETHER WITH ALL MANHOLES, VALVES, SERVICE CONNECTIONS AND APPURTENANCES NECESSARY OR CONVENIENT FOR THE MAINTENANCE AND OPERATION OF SAID PIPELINE, INCLUDING ANY FACILITIES NECESSARY FOR CATHODIC PROTECTION OF SAID PIPELINE; WITHIN THE CITY OF LAKEWOOD, AND SETTING A PUBLIC HEARING THEREON AT 7:30 P.M. ON THE 27TH DAY OF MAY, 2014, IN THE CITY COUNCIL CHAMBER, 5000 CLARK AVENUE, LAKEWOOD, CALIFORNIA

ORDINANCE NO. 2014-5; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD GRANTING A FRANCHISE TO CONSTRUCT AND USE AN OIL PIPELINE TO CRIMSON CALIFORNIA PIPELINE, L.P.

COUNCIL MEMBER DUBOIS MOVED AND COUNCIL MEMBER PIAZZA SECONDED TO INTRODUCE ORDINANCE NO. 2014-5 AND ADOPT RESOLUTION NO. 2014-12. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Croft, DuBois, Wood, Piazza and Rogers

NAYS: COUNCIL MEMBERS: None

2.3 • GRANTING A PIPELINE FRANCHISE TO TESORO SOCAL PIPELINE, LLC

The Director of Public Works Director gave a presentation based on the memo in the agenda and stated a request had been received from Tesoro SoCal Pipeline to renew a franchise agreement for pipelines along Lakewood Boulevard, Del Amo Boulevard and various streets at the Union Pacific Railroad right-of-way. The process for granting a new 20-year franchise included introducing a new ordinance and adopting a resolution declaring the intent to grant and setting the date for a public hearing on the ordinance. It was the recommendation of staff that the City Council introduce Ordinance No. 2014-6 and adopt Resolution No. 2014-13.

2.3 • TESORO SOCAL PIPELINE, LLC PIPELINE FRANCHISE - Continued

RESOLUTION NO. 2014-13; RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD, CALIFORNIA, DECLARING ITS INTENTION TO GRANT TO TESORO SOCAL PIPELINE COMPANY, LLC, A FRANCHISE GRANTING THE RIGHT, FRANCHISE AND PRIVILEGE FROM TIME TO TIME TO LAY, CONSTRUCT, MAINTAIN, OPERATE, REPAIR, RENEW, CHANGE THE SIZE OF, AND REMOVE OR ABANDON IN PLACE A PIPELINE SYSTEM FOR THE TRANSPORTATION OF INDUSTRIAL GAS, GASOLINE, PETROLEUM OIL, GAS, OTHER HYDROCARBON SUBSTANCES, WATER, WASTE WATER, BUD, STEAM, AND OTHER LIQUID OR GAS SUBSTANCES INCIDENT TO THE OIL INDUSTRY, TOGETHER WITH ALL MANHOLES, VALVES, SERVICE CONNECTIONS AND APPURTENANCES NECESSARY OR CONVENIENT FOR THE MAINTENANCE AND OPERATION OF SAID PIPELINE, INCLUDING ANY FACILITIES NECESSARY FOR CATHODIC PROTECTION OF SAID PIPELINE; WITHIN THE CITY OF LAKEWOOD, AND SETTING A PUBLIC HEARING THEREON AT 7:30 P.M. ON THE 27TH DAY OF MAY, 2014, IN THE CITY COUNCIL CHAMBER, 5000 CLARK AVENUE, LAKEWOOD, CALIFORNIA

ORDINANCE NO. 2014-6; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD GRANTING A FRANCHISE TO CONSTRUCT AND USE AN OIL PIPELINE TO TESORO SOCAL PIPELINE COMPANY, LLC

COUNCIL MEMBER PIAZZA MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO INTRODUCE ORDINANCE NO. 2014-6 AND ADOPT RESOLUTION NO. 2014-13. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Croft, DuBois, Wood, Piazza and Rogers

NAYS: COUNCIL MEMBERS: None

3.1 • ABC UNIFIED SCHOOL DISTRICT TRUSTEE AREAS

Council Member Croft, noting the ABC Unified School District was moving from at-large elections to a trustee area system to comply with a legal challenge under the California Voting Rights Act, stated he had requested the placement of this item on the agenda because he felt strongly that the City Council needed to take an official position on the issue. After attending the hearing regarding the proposed boundaries for trustee areas at which three different plans had been presented, he stated that of the 45 speakers at the hearing, most had been in favor of Plan C, which would appear to be the best choice for Lakewood residents. The Plans divided the district into seven trustee areas using specific criteria including that the City of Hawaiian Gardens remain wholly within one area; communities of interest be kept intact; areas follow existing election precinct lines; division of school sites; and have approximately the same number of voting age residents. He noted that the Lakewood portion of the District was too large to be contained within a single trustee area. He reported that subsequent to the hearing, three additional Plans had been proposed, including two variations on Plan C, titled C.I and C.II. He stated that Plan C.I would be the worst, most divisive option for Lakewood residents and appeared to have been created to provide separate areas for two incumbent Board Members, while Plan C.II was not as good a distribution of schools.

3.1 • ABC UNIFIED SCHOOL DISTRICT TRUSTEE AREAS - Continued

Vice Mayor Wood stated that he had also attended several meetings, including the three-hour hearing on the original three plans, which were now six plans. He also stated that he was troubled to hear Lakewood referenced at the hearing as an “appendage” to the District and not a community of interest. He expressed support for Plan C, which included all Lakewood schools within the District. He concluded by stating that he also felt the City Council needed to take a stand against Plan C.I and that a letter expressing the City’s position be sent to the District and to each Board Member.

Lynda Johnson, Board Vice President of the ABC Unified School District, stated that maintaining communities of interest was an important part of the process. She also stated that she did not yet support any one particular plan and was in attendance to listen. She concluded by stating that she was hearing that the City Council wanted to keep Lakewood as intact as possible and that it was her intent to vote for the map that would best serve all the residents of the District.

Mayor Rogers stated the he was never happy to hear that Lakewood residents were being disenfranchised and that he would like to see as much of the City contained within a single trustee area as possible.

Council Member DuBois also expressed the desire to stand up for the City’s residents by taking a position on this matter, and to work to ensure that the Lakewood students were represented properly.

COUNCIL MEMBER CROFT MOVED AND VICE MAYOR WOOD SECONDED TO SEND A LETTER TO THE ABC UNIFIED SCHOOL DISTRICT BOARD STATING THE CITY OF LAKEWOOD’S POSITION THAT THE CITY BE KEPT WHOLE AS A COMMUNITY OF INTEREST, TO THE DEGREE ALLOWABLE BASED ON POPULATION, WITH A PREFERENCE FOR THE “PLAN C” MAP OR THE “PLAN C.II” MAP AND EXPRESSING DEFINITE OPPOSITION TO “PLAN C.I” UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Croft, DuBois, Wood, Piazza and Rogers

NAYS: COUNCIL MEMBERS: None

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3.2 • 2014 PAN AMERICAN FIESTA PREVIEW

Recreation and Community Services Director Lisa Litzinger displayed slides and made a presentation based on the report in the agenda. She stated that the Pan American Fiesta was Lakewood’s oldest City event, now in its 68th year. She reported that the event would be kicked off by the El Comienzo luncheon, where the Pan American Association would award their annual scholarships. Beginning on Friday, May 9, the Fiesta would include carnival rides, food booths, entertainment, children’s cultural booth, historical display, arts and crafts vendors and a display by the Lakewood Artist Guild. She noted that shuttle service would be provided for Civic Center parking.

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HOUSING SUCCESSOR AGENCY ACTIONS

1. Register of Demands

COUNCIL MEMBER CROFT MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO APPROVE THE REGISTER OF DEMANDS. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Croft, DuBois, Wood, Piazza and Rogers

NAYS: COUNCIL MEMBERS: None

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ORAL COMMUNICATIONS:

Donald Venitsky addressed the City Council regarding the construction sign for the West San Gabriel River Nature Trail, Phase 3.

Melissa Marcus requested support from the City Council for the Long Beach Jewish Family and Children's Services 5K/10K run on May 18th.

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ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Rogers adjourned the meeting at 9:14 p.m. A moment of silence was observed in memory of Carole Robbins.

Respectfully submitted,

Denise R. Hayward, CMC
City Clerk