



Minutes

Lakewood City Council

Regular Meeting held
May 9, 2006

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

INVOCATION was offered by Cantor Yehuda Keller, Temple Beth Zion Sinai

PLEDGE OF ALLEGIANCE was led by Council Member Joseph Esquivel

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

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ANNOUNCEMENTS AND PRESENTATIONS:

Mayor Van Nostran announced the City's strong position against the use of illegal fireworks during the July 4th holiday and encouraged residents not to tolerate their use in our neighborhoods.

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ROUTINE ITEMS:

VICE MAYOR DUBOIS MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 6.

RI-1 Approval of Minutes of the Meeting held April 25, 2006

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 RESOLUTION NO. 2006-20; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD DIRECTING THE PREPARATION OF A REPORT OF DELINQUENT FEES FOR GARBAGE, WASTE AND REFUSE COLLECTION AND DISPOSAL WITHIN THE CITY OF LAKEWOOD AND SETTING A PUBLIC HEARING THEREON FOR JULY 25, 2006

RI-6 Approval of ERP Project Budget Adjustments

ROUTINE ITEMS: Continued

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.1 • APPLICATION SUBMITTAL FOR COMMUNITY DEVELOPMENT BLOCK GRANT FISCAL YEAR 2006-07

Community Development Director Chuck Ebner gave a presentation based on the memo contained in the agenda and stated the City would be receiving \$757,519 in Block Grant funding through the U.S. Department of Housing and Urban Development. He reviewed the objectives of the program and reminded that not less than 70 percent of the funds are to be used for activities that benefit low and moderate income persons. He briefly reviewed the short-term goals under the Action Plan and the proposed projects for fiscal year 2006-07. It was the recommendation of staff that the City Council conduct a public hearing and approve the FY 2006-07 Action Plan and authorize the City Manager to submit the CDBG funding application and required certifications.

Mayor Van Nostran inquired if all funding from last year had been expended. Mr. Ebner responded by stating that sometimes funding was carried over, such as funds allocated for the Weingart Senior Center Improvements which required funding from two program years in order to complete the needed work. He also noted that the Fix Up/Paint Up Program which had previously been funded by CDBG funds, was now funded through the Housing Set Aside funds, freeing CDBG funds to carry on other necessary programs.

Mayor Van Nostran opened the public hearing at 7:40 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 CROFT SECONDED TO APPROVE STAFF'S RECOMMENDATIONS. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.2 • AWARD OF BID FOR PUBLIC WORKS PROJECT NO. 06-3, WATERMAIN REPLACEMENT 2006

Public Works Director Lisa Rapp made a presentation based on the memo contained in the agenda and reported nine bids had been received for the replacement of approximately 2.4 miles of water mains in residential streets bounded by Carson Street, Harvey Way, Josie Avenue and Monogram Avenue. The cast iron water mains would be replaced with eight-inch PVC water pipe. The project was scheduled to commence in June and be completed in

1.2 • AWARD OF BID FOR PUBLIC WORKS PROJECT NO. 06-3, WATERMAIN REPLACEMENT 2006 - Continued

October of 2006. She also advised that correspondence had been received from Sully-Miller Contracting Company protesting the award of bid based on the lowest bidder's very low cost on one of the line items in the bid, which they considered an irregularity in the bid. Staff's position was that a contractor was free to bid a low amount, provided they would be prepared to supply that item at the quoted cost. It was the recommendation of staff that the City Council approve the plans, specifications and working details for the project; award the contract to the lowest bidder, T. A. Rivard, Inc. in the amount of \$1,247,095; appropriate \$260,000 from the Water Fund to the project account; authorize staff to approve a cumulative total of change orders as needed not to exceed \$125,000; and reject the letter of protest submitted by Sully-Miller Contracting.

City Attorney Steve Skolnik advised that one line item on a bid did not make a bid irregular merely because it was substantially lower than other bidders had quoted for the same item. He also advised that while a minor irregularity in a bid document might allow the City Council to reject a bid, it did not compel them to reject a bid. He advised rejection of the protest be a specific additional point in the staff's recommendation.

Responding to a question from Vice Mayor DuBois, Water Resources Director Jim Glancy stated that the water main replacement program was a 25-year capital improvement program.

In response to a question by Council Member Rogers, Ms. Rapp stated that staff had reviewed bids for similar projects received over the past seven years and that bid amounts for the subject item varied widely.

Mr. Tim Rivard, T. A. Rivard, Inc., stated he had lived in the area for many years and was familiar with local soil conditions. He noted that he had bid a low price on the subject item as he felt, with his personal knowledge, that the material would be unnecessary.

Mayor Van Nostran 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 CROFT SECONDED TO APPROVE STAFF'S RECOMMENDATIONS, INCLUDING REJECTION OF THE PROTEST. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

2.1 • COLLECTION OF NUISANCE ABATEMENT COSTS - 5016 HEDDA STREET

The Director of Community Development displayed slides and gave a brief presentation based on the memo contained in the agenda. He stated due to the unsightly condition of the front and side yards and the driveway at 5016 Hedda Street, and the unresponsive property owner, the property was processed as substandard. With a warrant obtained from the Los Cerritos Court to enter the property and perform the necessary work, the nuisance was abated on April 6, 2006, and the property owner was notified of the costs. Since no response or payment had been received, it was the recommendation of staff that the City Council adopt the proposed resolution ordering the costs of abatement to be assessed as a lien in the amount of \$1,258.60 against the parcel of land commonly known as 5016 Hedda Street, Lakewood.

RESOLUTION NO. 2006-21; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ORDERING THE COSTS OF ABATEMENT TO BE A SPECIALLY ASSESSED LIEN AGAINST THE PARCEL OF LAND COMMONLY KNOWN AS 5016 HEDDA STREET, LAKEWOOD, CALIFORNIA

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

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

NAYS: COUNCIL MEMBERS: None

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At 7:52 p.m., the Regular Meeting of the City Council was recessed for the Meeting of the Lakewood Redevelopment Agency. At 7:53 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 Van Nostran adjourned the meeting at 7:53 p.m.

Respectfully submitted,

Denise R. Hayward, CMC
City Clerk