



Minutes

Lakewood City Council

Regular Meeting held
July 26, 2005

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 Council Member Diane DuBois

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:

Mayor Esquivel announced that the City would again be recognizing September 11th as Patriot Day with the fourth annual Patriot Day concert to be held at Del Valle Park.

ROUTINE ITEMS:

VICE MAYOR VAN NOSTRAN MOVED AND COUNCIL MEMBER CROFT SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 12.

- RI-1 Approval of Minutes of the Meetings held June 28, and July 12, 2005
- RI-2 Approval of Personnel Transactions
- RI-3 Approval of Registers of Demands dated July 7, and July 14, 2005
- RI-4 RESOLUTION NO. 2005-41; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD PROHIBITING THE PARKING OR STANDING OF VEHICLES BETWEEN 10 A.M. AND 3 P.M. ON TUESDAY OF EACH WEEK FOR STREET SWEEPING PURPOSES ON BOTH SIDES OF 215TH STREET AND ELY AVENUE BETWEEN CLARETTA AVENUE AND THE WESTERLY CUL DE SAC
- RI-5 Approval of Adjustment to Compensation for Animal Control Services
- RI-6 RESOLUTION NO. 2005-42; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ESTABLISHING A PHYSICALLY HANDICAPPED PERSONS DESIGNATED PARKING SPACE ON THE NORTH SIDE OF 206TH STREET WITHIN THE CITY OF LAKEWOOD

ROUTINE ITEMS: Continued

RI-7 RESOLUTION NO. 2005-43; 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. 2005-44; 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. 2005-45; 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. 2005-46; 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. 2005-47; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING THE DESTRUCTION OF CERTAIN PUBLIC RECORDS OF THE DEPARTMENT OF FINANCE MORE THAN TWO YEARS OLD

RESOLUTION NO. 2005-48; 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. 2005-49; 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. 2005-50; 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

RI-8 Approval of Monthly Report of Investment Transactions

RI-9 Approval of Quarterly Schedule of Investments

RI-10 Approval of Request for Appropriation of HOME Program Funds

ROUTINE ITEMS: Continued

RI-11 Approval of Agreement for Design Services for Weingart Senior Center Rehabilitation and Biscailuz Park Heater Replacement Projects

RI-12 Approval of Change Order for Public Works Contract 05-7, Centre Carpet Replacement

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.1 • AWARD OF BID FOR PUBLIC WORKS PROJECT NO. 05-9, INSTALL BUS SHELTERS

Assistant Public Works Director Max Withrow presented an oral report based on the memo contained in the agenda and reported five bids had been received for the installation of eight bus shelters to be located along Lakewood Boulevard adjacent to the Lakewood Center Mall. It was the recommendation of staff that the City Council approve the plans, specifications and working details for the project; award a contract to the low bidder, TDS Engineering, in the amount of \$52,864; and authorize staff to approve a cumulative total of change orders as needed not to exceed \$10,000.

Mayor Esquivel opened the public hearing at 7:35 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 ROGERS SECONDED TO CLOSE THE PUBLIC HEARING AND APPROVE THE THREE RECOMMENDATIONS MADE BY STAFF. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.2 • APPEAL OF THE DECISION OF THE PLANNING AND ENVIRONMENT COMMISSION ON CONDITIONAL USE PERMIT NO. 778, 3500 SOUTH STREET

City Attorney Steve Skolnik stated that this was the time scheduled for the City Council to hear an appeal of the decision of the Planning and Environment Commission regarding Conditional Use Permit No. 778, for the sale of beer and wine for off-site consumption at 3500 South Street. He advised that the applicant for CUP No. 778, 7-Eleven, Inc., had only been required to go through the CUP process because of the sale of beer and wine, and that they were otherwise a permitted use in the zone. He noted that in addition to the appeal submitted by St. Pancratius Church and School, Council Member Steve Croft had requested that

1.2 • APPEAL OF CUP NO. 778 - Continued

the City Council review this matter. He briefly reviewed the Council's options for the hearing, which included making a decision based on the record of the Planning and Environment Commission hearing and taking no new testimony or evidence; or the Council could set a de novo, or new, hearing and set a date for that hearing, the appropriate course of action should the Council desire to conduct a full hearing.

Responding to a question from Council Member Rogers, Mr. Skolnik confirmed that absent the request to sell beer and wine, there were no circumstances which would prevent 7-Eleven from opening a store at the indicated location.

Vice Mayor Van Nostran inquired how soon the matter could be set for hearing. Mr. Skolnik advised that the appellant, applicant and staff should have ample preparation time if the hearing were scheduled for the regular meeting on August 23, 2005.

Council Member Croft stated that the matter had been brought to his attention by a concerned resident and that upon reviewing the report and decision of the Planning and Environment Commission, he felt it was necessary to bring the matter before the City Council. He also stated that the Commission had been provided with insufficient crime data, since they did not have information from the neighboring City of Long Beach. Additionally, he questioned the mailed notification which, although covering the regulation 300 feet, did not extend into any of the residential areas in the vicinity. He concluded by stating that he felt that there could be significant enough impacts upon the community that the City Council should be involved in the decision.

COUNCIL MEMBER CROFT MOVED AND COUNCIL MEMBER ROGERS SECONDED TO CONDUCT A FULL HEARING OR HEARING DE NOVO ON CONDITIONAL USE PERMIT CASE NO. 778.

The City Attorney noted that the City had received a letter from the project architect requesting that the City Council reaffirm the decision of the Planning and Environment Commission.

Mayor Esquivel noted that he had received letters from residents requesting the City Council deny the Conditional Use Permit.

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

Mayor Esquivel announced that if there were no objections, the hearing de novo would be set for August 23, 2005.

The City Attorney invited anyone in the audience wishing to be heard on this matter to return for the new hearing on August 23rd.

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

Finance Director Larry Schroeder presented an oral report based on the memo contained in the agenda and stated that pursuant to Section 5300 of the Lakewood Municipal Code, 290 property owners with delinquent accounts for garbage, waste and refuse collection were provided with mailed notice. He reported that as of close of business today, 190 accounts remained unpaid, although payments would continue to be accepted until the end of the month. It was the recommendation of staff that the City Council adopt the proposed resolution to confirm the report of delinquent fees.

Mayor Esquivel 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.

RESOLUTION NO. 2005-51; 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, 2005

COUNCIL MEMBER ROGERS MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO CLOSE THE PUBLIC HEARING AND ADOPT RESOLUTION NO. 2005-51. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

2.1 • ADOPTING DOCUMENTS AND PROCEDURES FOR PRE-QUALIFICATION FOR CONTRACTOR SERVICES - SHERIFF STATION EXPANSION PROJECT

The City Attorney advised that it would be appropriate for a Public Works project of the size and scope of the Sheriff Station Expansion Project, to conduct a pre-qualification process to determine the qualifications of potential bidders, rather than go straight to the normal bidding process. He noted that the State Public Contract Code provided that procedures must be adopted and that the procedures contained in the proposed resolution were adapted from the State model for this purpose.

RESOLUTION NO. 2005-52; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD APPROVING AND ADOPTING THE DOCUMENTS AND PROCEDURES FOR THE PRE-QUALIFICATION FOR GENERAL CONTRACTOR SERVICES FOR THE LAKEWOOD SHERIFF STATION EXPANSION PROJECT

VICE MAYOR VAN NOSTRAN MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO ADOPT RESOLUTION NO. 2005-52. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

3.1 • AGREEMENTS FOR GRANT CONTRACT AND DESIGN SERVICES FOR WEST SAN GABRIEL RIVER PARKWAY NATURE TRAIL - PHASE II

Assistant Director of Recreation and Community Services Al Williams displayed slides and gave an oral presentation based on the report in the agenda. He reported the City had been awarded a grant through the Proposition 50 California Rivers Parkway Grant Program to complete Phase II of the West San Gabriel River Parkway Nature Trail Project. He stated that as part of the grant application, the City had pledged a match of \$60,000 and that the full grant amount would be reimbursable upon completion of the project. It was the recommendation of staff that the City Council appoint the Mayor as agent for the City to enter into the grant agreement; approve execution of a project application requesting \$40,000 from the City's Proposition 40 Per Capita funds; approve an agreement with Purkiss Rose-RSI Landscape Architects in an amount not to exceed \$33,000; and appropriate \$300,000 to the capital project account.

In response to a question from Vice Mayor Van Nostran, Mr. Williams advised that the project would be completed in approximately 18 months.

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

AYES: COUNCIL MEMBERS: Van Nostran, Croft, DuBois, Rogers and Esquivel
NAYS: COUNCIL MEMBERS: None

3.2 • AGREEMENT FOR PROFESSIONAL SERVICES FOR HYDRAULIC WATER SYSTEM MODEL

Water Resources Director Jim Glancy presented an oral report based on the memo contained in the agenda and stated that the City had been utilizing a computerized hydraulic water system model since 1997 and that new software was now available which could be fully integrated with the City's GIS system. It was the recommendation of staff that the City Council approve an agreement with ID Modeling for hydraulic modeling software in an amount not to exceed \$31,000.

In response to a question from Vice Mayor Van Nostran, Mr. Glancy stated it would take about four to six months to complete the conversion project and that little training would be necessary as staff had already had the opportunity to test the software system.

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

AYES: COUNCIL MEMBERS: Van Nostran, Croft, DuBois, Rogers and Esquivel
NAYS: COUNCIL MEMBERS: None

3.3 • AGREEMENTS FOR ENTERPRISE RESOURCE PLANNING SYSTEM REPLACEMENT

Assistant City Manager Michael Stover presented an oral report based on the memo contained in the agenda and reported that negotiations had concluded for development of the agreement with ACS State and Local Solutions and Tyler Technologies for the replacement of the City's Enterprise Resource Planning system. He noted that the agreement included an extensive statement of work and detailed implementation plans and that the time clock for the project would start to run upon execution of the contracts. It was the recommendation of staff that the City Council authorize execution of an Enterprise Resource Planning amendment to the agreement with ACS State and Local Solutions, Inc. in an amount not to exceed \$1.81 million; authorize execution of all subsidiary documents, including software licenses to effectuate the project; and authorize the ERP Stage II scope of services with AEF Systems Consulting, Inc. in an amount not to exceed \$100,020.

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

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

NAYS: COUNCIL MEMBERS: None

At 8:04 p.m., the Regular Meeting of the City Council was recessed for the Meeting of the Lakewood Redevelopment Agency. At 8:05 p.m., the City Council Meeting was reconvened.

ORAL COMMUNICATIONS:

Sally Brayton expressed appreciation to the City Council for their support of the Lakewood High School Alumni Association in their annual picnic event at Del Valle Park.

ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Esquivel adjourned the meeting at 8:09 p.m. to Tuesday, August 9, 2005, at 5:30 p.m. in the Executive Board Room.

Respectfully submitted,

Denise R. Hayward, CMC
City Clerk