



Minutes

Lakewood City Council

Regular Meeting held
September 13, 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 Pastor Rick Phelps, Calvary Chapel Lakewood

PLEDGE OF ALLEGIANCE was led by Vice Mayor Larry Van Nostran

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

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ANNOUNCEMENTS AND PRESENTATIONS:

Mayor Esquivel announced that the September 11th Patriot Day concert had been a well-attended event, with the local chapter of the American Red Cross raising money for the victims of Hurricane Katrina.

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ROUTINE ITEMS:

Mayor Esquivel requested that Routine Item 5 be considered separately.

VICE MAYOR VAN NOSTRAN MOVED AND COUNCIL MEMBER ROGERS SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 4 AND 6 THROUGH 15.

- RI-1 Approval of Minutes of the Meeting held August 23, 2005
- RI-2 Approval of Personnel Transactions
- RI-3 Approval of Registers of Demands dated August 18, August 25, and September 1, 2005
- RI-4 Approval of Agreement with AEF Systems Consulting for Information Management Consulting
- RI-6 Approval of Replacement of Street Light Poles
- RI-7 Approval of Agreement for Engineering Services with Boyle Engineering Corp. for Well #22 Treatment Plant Design

ROUTINE ITEMS: Continued

- RI-8 RESOLUTION NO. 2005-59; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD DECLARING ITS INTENTION TO VACATE PARKVIEW DRIVE AND MANOR DRIVE AND SETTING A HEARING ON THE PROPOSED VACATION
- RI-9 Approval of Agreement with Tetra Tech, Inc. for Aquifer Storage and Recovery Wellhead and Pipeline Design, Phase 2
- RI-10 Approval of Permit for Mayfair High School Homecoming Parade
- RI-11 Approval of Covenant and Agreement for Private Sewer Line to Cross 36th Street
- RI-12 Acceptance of Notice of Completion for Public Works Project No. 05-7; Centre Carpet Replacement; Pacific Carpets, Inc.
- RI-13 Acceptance of Notice of Completion for Public Works Project No. 04-3; Traffic Signal, Candlewood @ Lakewood; Republic Electric
- RI-14 Acceptance of Notice of Completion for Public Works Project No. 05-1; Rehab Steel Water Tanks; AA-1 Services, Inc.
- RI-15 Approval of Purchase of Uninterruptible Power System for Computer Server Room

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

Mayor Esquivel stated that the original recommendation of the Community Promotion Committee had been based on the Chamber's decision not to include all propositions in their Initiative Forum. Having been informed that the Forum would now include all propositions, he recommended approval of cablecasting the Forum.

RI-5 Use of Facilities by Greater Lakewood Chamber of Commerce

MAYOR ESQUIVEL MOVED AND COUNCIL MEMBER ROGERS SECONDED TO WAIVE RENTAL FEES FOR USE OF THE COUNCIL CHAMBER FOR AN INITIATIVE FORUM AND TO CABLECAST SAID FORUM AT NO CHARGE. 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 PURCHASING BID 05-4, CONTROL COMMAND CENTER NETWORK

Finance Director Larry Schroeder presented an oral report based on the memo contained in the agenda and reported five bids had been received for the purchase of a Control Command Center (Dispatch Radio Console) for use in the Sheriff's Station after the remodel. He advised that the funding had been secured by Lakewood's Congressional representative through a Federal Technology Grant. He noted that the low bidder on the item had requested that their bid be withdrawn due to an arithmetical error. It was the recommendation of staff that the City Council authorize the withdrawal of the bid from Henry Brothers Electric and the purchase of the Control Command Center from Metro Video Systems, Inc. in the amount of \$18,765.13.

Mayor Esquivel opened the public hearing at 7:37 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 VAN NOSTRAN 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

1.2 • AWARD OF BID FOR PURCHASING BID 05-5, VOICE-OVER IP SOLUTION

The Director of Finance presented an oral report based on the memo contained in the agenda and stated that two bids had been received for the purchase of a Voice-Over IP Solution to be used in the remodeled Sheriff's Station. He noted that one of the bids submitted had been incomplete. It was the recommendation of staff that the City Council authorize the purchase of a Voice-Over IP Solution from Sarcom, Inc. in the amount of \$197,314.67.

Responding to a question from Vice Mayor Van Nostran, Deputy City Manager Sandi Ruyle stated that the proposed system was a state-of-the-art system which had been specified by the Sheriff's Department for installation in all stations.

Council Member Rogers determined from the Director of Finance that the remaining bid was within the projected estimate for the item.

Mayor Esquivel 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.

VICE MAYOR VAN NOSTRAN 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

1.3 • CDBG PROGRAM CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT FOR FY 2004-05

Community Development Director Chuck Ebner gave a brief oral presentation based on the memorandum in the agenda and reported that the Community Development Block Grant Program required the submission of an annual performance report. The Consolidated Annual Performance and Evaluation Report (CAPER) summarized accomplishments during the previous program year. He highlighted program accomplishments like the Single Family Rehabilitation Loan Program for seniors and low-income families, and public services like Meals on Wheels and Pathways Volunteer Hospice. It was the recommendation of staff that the City Council hold a public hearing to receive input from citizens on the CAPER and to direct staff to consider and submit to the local Office of Housing and Urban Development (HUD) any comments received throughout the comment period.

Mayor Esquivel opened the public hearing at 7:44 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 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

2.1 • RESOLUTION NO. 2005-60; MEMORIALIZING ACTION TO DENY CONDITIONAL USE PERMIT NO. 778

City Attorney Steve Skolnik advised that during the City Council meeting held on August 23, 2005, the City Council had conducted a public hearing on Conditional Use Permit No. 778, to permit the sale of alcoholic beverages at a 7-Eleven convenience store to be located at 3500 South Street. Following the public hearing, the City Council had overturned the decision of the Planning and Environment Commission and directed staff to prepare a resolution denying the Conditional Use Permit. He further advised that since the public hearing on this matter had been closed, the only appropriate remarks at this time would have to pertain to whether the proposed resolution accurately reflected the intent of the City Council.

RESOLUTION NO. 2005-60; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD GRANTING THE APPEAL OF CONDITIONAL USE PERMIT NO. 778 AND DENYING A CONDITIONAL USE PERMIT FOR THE SALE OF ALCOHOLIC BEVERAGES FOR OFF-SITE CONSUMPTION AT 3500 SOUTH STREET, LAKEWOOD, CALIFORNIA

COUNCIL MEMBER ROGERS MOVED AND VICE MAYOR VAN NOSTRAN SECONDED TO ADOPT RESOLUTION NO. 2005-60.

**2.1 • RESOLUTION NO. 2005-60; MEMORIALIZING ACTION TO DENY
CONDITIONAL USE PERMIT NO. 778 – Continued**

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

**2.2 • INTRODUCTION OF ORDINANCE NO. 2005-10; AMENDING THE
LAKEWOOD MUNICIPAL CODE PERTAINING TO BAIL BOND BROKERS**

The City Attorney advised that at the City Council meeting of August 23, 2005, during Oral Communications a speaker had pointed out a problem with a specific area of the Lakewood Municipal Code. Since there was case law supporting that the State of California had preemptive authority to regulate bail bond brokers, he recommended that the Municipal Code be amended to remove an existing requirement pertaining to bail bondsmen and business licenses.

ORDINANCE NO. 2005-10; AN ORDINANCE OF THE CITY OF LAKEWOOD AMENDING SECTION 6527.2 OF THE LAKEWOOD MUNICIPAL CODE TO REMOVE THE BUSINESS TAX REQUIREMENT FOR BAIL BOND BROKERS

COUNCIL MEMBER ROGERS MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO INTRODUCE ORDINANCE NO. 2005-10. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

3.1 • DESKTOP COMPUTER PURCHASE

The Director of Finance gave a brief oral presentation based on the memorandum in the agenda and reported that resuming the City's desktop computer replacement cycle, staff was seeking to replace fifty of the oldest and most problematic computers currently in use with Dell computers. Pursuant to Section 2712 of the Municipal Code, the City was able to utilize the State's CMAS (California Multiple Award Schedules) pricing for this purchase. It was the recommendation of staff that the City Council authorize the purchase of fifty desktop computers, including monitors, from Dell in the amount of \$63,883.76.

Mayor Esquivel determined from Mr. Schroeder that this purchase was a budgeted item.

VICE MAYOR VAN NOSTRAN 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

3.2 • LEASE RENEWAL FOR SHERIFF COMMUNITY SAFETY CENTER AT LAKEWOOD MALL

Deputy City Manager Sandi Ruyle presented an oral report based on the memo contained in the agenda and stated the lease for the Lakewood Sheriff Community Safety Center at the Mall was expiring and proposed for renewal. She reported that since the opening of the Safety Center in June of 2002, the Lakewood Mall had realized a 26 percent decrease in crime. She also noted that the Safety Center had been host to nearly 11,000 visitors participating in activities such as community meetings, Sheriff's training classes, Business Watch training, and free safety classes offered through the City's recreation catalog. Due to the success of the partnership among the City, the Sheriff's Department and the Lakewood Mall, the mall owners, Macerich Company, has offered to extend the lease for an additional three-year period with the same terms as the initial lease. It was the recommendation of staff that the City Council approve the Lease Extension Agreement with Macerich Company for a three-year period to expire on September 30, 2008.

Council Member Rogers observed that the Safety Center was a hub of activities, noting that he personally had taught and attended training classes at the Center.

Vice Mayor Van Nostran stated that it spoke to the success of the partnership that the Mall management would be willing to extend the terms of the original lease, considering that they could probably lease the space to a retail tenant for a much higher rate.

COUNCIL MEMBER ROGERS 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

At 7:54 p.m., the Regular Meeting of the City Council was recessed for the Meeting of the Lakewood Redevelopment Agency. At 7:56 p.m., the City Council Meeting was reconvened.

ORAL COMMUNICATIONS:

Phylliss Bowles addressed the City Council regarding redevelopment in the eastern portion of the City.

Regina Coburn spoke concerning a raised sidewalk in front of her residence.

Council Member Rogers, pointing out that the City Council had appropriated an additional \$150,000 in funding for hardscape repairs this year, encouraged Mrs. Coburn to work with staff regarding the removal of her tree and sidewalk repair.

ORAL COMMUNICATIONS: Continued

Richard Hopp stated he felt there were fatal flaws in the bail bond ordinance and offered to donate funds to remove Mrs. Coburn's tree.

ADJOURNMENT

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

Respectfully submitted,

Denise R. Hayward, CMC
City Clerk