



Minutes

Lakewood City Council

Regular Meeting held
March 27, 2001

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

INVOCATION was offered by Dr. Steven Wirth, Lakewood First Presbyterian Church

PLEDGE OF ALLEGIANCE was led by Girl Scout Troop #154

ROLL CALL: PRESENT: Mayor Robert Wagner
Vice Mayor Larry Van Nostran
Council Member Joseph Esquivel
Council Member Wayne Piercy
Council Member Todd Rogers

ANNOUNCEMENTS AND PRESENTATIONS:

Mayor Wagner presented Girl Scout Troop #154 with a proclamation recognizing Girl Scout Week.

ROUTINE ITEMS:

VICE MAYOR VAN NOSTRAN MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 8.

- RI-1 Approval of Personnel Transactions
- RI-2 Approval of Registers of Demands dated March 15, and March 19, 2001
- RI-3 Approval of Cooperative Agreement with Los Angeles County Community Development Commission for HOPE Grant
- RI-4 Receive and File AT&T Correspondence Regarding Internet Service Franchise Fees
- RI-5 Approval of ROP Agreement in Video Production with the Bellflower Unified School District
- RI-6 Approval of Monthly Report of Investment Transactions
- RI-7 Approval of Substitution of Sub-Contractor, Public Works Contract 00-10R, Monte Verde Park Improvement Project

ROUTINE ITEMS: Continued

RI-8 RESOLUTION NO. 2001-10; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD RESCINDING THE RESOLUTION ESTABLISHING A PHYSICALLY HANDICAPPED PERSONS DESIGNATED PARKING SPACE WITHIN THE CITY OF LAKEWOOD

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Esquivel, Piercy, Van Nostran, Rogers and Wagner

NAYS: COUNCIL MEMBERS: None

1.1 • AWARD OF BID FOR PUBLIC WORKS PROJECT NO. 01-1, MAYFAIR POOL EQUIPMENT REPLACEMENT PROJECT

Lisa Rapp, Director of Public Works, presented an oral report based on the memorandum contained in the agenda packet and stated two bids had been received for the Mayfair Pool Equipment Replacement Project, with both bids exceeding the engineer's estimate and available funds budgeted for the project. She reported that the project was essentially divided into two phases, the replacement of the pool heater as Phase 1 and changing to a liquid chlorination system as Phase 2. She stated that in order for the heater replacement to be completed in time for the scheduled opening of the pool, it was recommended that all bids for the project be rejected and Phase 1 of the project be completed by the City's own work forces. Phase 2 would then be revised and re-bid at a later date. She noted that there was not sufficient time to re-bid Phase 1 and complete the work before the summer swim season began. It was the recommendation of staff that the City Council reject all bids for Public Works Contract No. 01-1 and adopt Resolution No. 2001-11 directing staff to complete the Phase 1 improvements with the City's own workforce.

RESOLUTION NO. 2001-11; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD REJECTING BIDS IN PUBLIC WORKS PROJECT NO. 01-1 AND AUTHORIZING A PORTION THEREOF TO BE PERFORMED BY CITY FORCES

Responding to a question from Council Member Van Nostran, the Public Works Director advised that Phase 1, the installation of the heater, was the less expensive of the two phases as Phase 2 would require a significant construction effort.

Council Member Rogers inquired if the delay of Phase 2 would cause any impacts on the swim season. Ms. Rapp responded by stating that while the replacement system would be more efficient and more economical, the current chlorination system had been in place for many years and would continue to meet needs throughout the swim season.

Mayor Wagner 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.

1.1 • AWARD OF BID FOR PUBLIC WORKS PROJECT NO. 01-1, MAYFAIR POOL EQUIPMENT REPLACEMENT PROJECT - Continued

VICE MAYOR VAN NOSTRAN MOVED AND COUNCIL MEMBER PIERCY SECONDED TO APPROVE STAFF'S RECOMMENDATION AND ADOPT RESOLUTION NO. 2001-11. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Esquivel, Piercy, Van Nostran, Rogers and Wagner

NAYS: COUNCIL MEMBERS: None

1.2 • AWARD OF BID FOR PURCHASING BID 01-1, MAYFAIR POOL HEATER

The Director of Finance, Larry Schroeder, presented an oral report based on the memorandum contained in the agenda packet and reported that four bid packages had been distributed inviting bids for the purchase of a new, energy efficient, natural gas heater to be installed at Mayfair Pool. One sealed bid was received and was found to meet specifications. It was the recommendation of staff that the City Council authorize the purchase of a commercial swimming pool heater from Commercial Pools in the amount of \$16,309.

Mayor Wagner 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 PIERCY MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED TO CLOSE THE PUBLIC HEARING AND APPROVE STAFF'S RECOMMENDATION. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Esquivel, Piercy, Van Nostran, Rogers and Wagner

NAYS: COUNCIL MEMBERS: None

1.3 • DIGITAL SUBDIVISION MAP SUBMISSION

Community Development Director Chuck Ebner presented an oral report based on the memorandum contained in the agenda packet and reported the Los Angeles County Department of Public Works had requested the City consider the adoption of a Digital Subdivision Ordinance to require developers who process final tract and parcel maps to submit them in digital format. The process would require a developer to submit a digital graphic file on disk at the same time the mylar of the map was submitted. It was the recommendation of the Planning and Environment Commission that the City Council introduce Ordinance No. 2001-1.

ORDINANCE NO. 2001-1; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE SUBDIVISION ORDINANCE OF LAKEWOOD TO REQUIRE DIGITAL SUBMISSION OF FINAL TRACT AND PARCEL MAPS AND TO ESTABLISH FEES THEREFORE

1.3 • DIGITAL SUBDIVISION MAP SUBMISSION - Continued

Mayor Wagner opened the public hearing at 7:47 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 PIERCY SECONDED TO CLOSE THE PUBLIC HEARING AND INTRODUCE ORDINANCE NO. 2001-1. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Esquivel, Piercy, Van Nostran, Rogers and Wagner

NAYS: COUNCIL MEMBERS: None

1.4 • AMENDMENT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT ACTION PLAN FOR FY 2000

The Director of Community Development presented an oral report based on the memorandum contained in the agenda packet and stated the City Council had previously approved the Action Plan for FY 2000, detailing how the City's Community Development Block Grant Funds would be expended. Staff was proposing that funds be reprogrammed from projects that had other funding sources, had been postponed or had remaining funds that could not be utilized within the fiscal year. The total amount, which would be reprogrammed to the Street Improvement Project, was \$191,250. It was the recommendation of staff that following a public hearing, the City Council approve the amendments to the Action Plan.

Mayor Wagner inquired about the Lakewood Business Development Program Revolving Loan Fund which had shown no activity and questioned what was being done to encourage participation. Mr. Ebner responded by stating that staff was working closely with the Greater Lakewood Chamber of Commerce and an Administrative Representative from the County to increase awareness within the business community and to formulate a mailing to businesses that would be likely candidates for the program.

Mayor Wagner opened the public hearing at 7:52 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

COUNCIL MEMBER PIERCY MOVED AND VICE MAYOR VAN NOSTRAN SECONDED TO CLOSE THE PUBLIC HEARING AND ACCEPT THE AMENDMENT TO THE ACTION PLAN. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Esquivel, Piercy, Van Nostran, Rogers and Wagner

NAYS: COUNCIL MEMBERS: None

1.5 • AWARD OF BID FOR PUBLIC WORKS PROJECT NO. 00-4, EMERGENCY WATER SYSTEM INTERCONNECT WITH THE SOUTHERN CALIFORNIA WATER COMPANY – CARSON STREET

The Public Works Director presented an oral report based on the memorandum contained in the agenda packet and reported twenty bids had been received for the construction of an emergency water system interconnect with the Southern California Water Company. The interconnect would provide an emergency water source in case of lack of supply in one system or the other, as in the case of a large demand for fire fighting. She noted that Southern California Water Company had entered into an agreement with the City to equally share the costs of engineering, design, construction and installation. It was the recommendation of staff that the City Council award a contract to Engineered Plumbing Incorporated in the amount of \$248,290.00 and authorize staff to approve a cumulative total of change orders not to exceed \$25,000.

Council Member Piercy, noting that interconnect projects had already been completed in other areas of the City, inquired how many interconnections were needed to protect Lakewood in an emergency situation. Water Resources Director Jim Glancy responded by stating that optimally there should be an interconnection in each corner of the system, meaning there should be one more with the City of Long Beach system in the northwest corner of the City.

Vice Mayor Van Nostran confirmed from Ms. Rapp that the project bid amount was under the engineer's estimate and within funding budgeted for the project.

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

AYES: COUNCIL MEMBERS: Esquivel, Piercy, Van Nostran, Rogers and Wagner

NAYS: COUNCIL MEMBERS: None

2.1 • ALLEY IMPROVEMENTS BEHIND LAKEWOOD SQUARE

The Finance Director presented an oral report based on the memorandum contained in the agenda packet and stated it was necessary to amend the agreement between the City and the Redevelopment Agency for the Construction of Public Improvements to provide for improvements to the alley behind Lakewood Square, located on the west side of Lakewood Boulevard, between Del Amo Boulevard and Candlewood Street. It was the recommendation of staff that the City Council approve the third amendment to the agreement and adopt Resolution No. 2001-12 making findings and determinations with respect to the construction of the project.

2.1 • ALLEY IMPROVEMENTS BEHIND LAKEWOOD SQUARE - Continued

RESOLUTION NO. 2001-12; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD MAKING FINDINGS AND DETERMINATIONS WITH RESPECT TO THE CONSTRUCTION OF CERTAIN PUBLIC IMPROVEMENTS OF BENEFIT TO THE LAKEWOOD REDEVELOPMENT PROJECT NO. 1 AND APPROVING AND AUTHORIZING EXECUTION OF A THIRD AMENDMENT TO REIMBURSEMENT AGREEMENT FOR THE CONSTRUCTION OF PUBLIC IMPROVEMENTS BETWEEN THE LAKEWOOD REDEVELOPMENT AGENCY AND THE CITY OF LAKEWOOD

Responding to a question from Vice Mayor Van Nostran, the Public Works Director stated that the alley was not wide enough to be considered a street but the improvements had been designed to withstand even heavy usage.

COUNCIL MEMBER PIERCY MOVED AND COUNCIL MEMBER ROGERS SECONDED TO ADOPT RESOLUTION NO. 2001-12. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Esquivel, Piercy, Van Nostran, Rogers and Wagner

NAYS: COUNCIL MEMBERS: None

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

AYES: COUNCIL MEMBERS: Esquivel, Piercy, Van Nostran, Rogers and Wagner

NAYS: COUNCIL MEMBERS: None

2.2 • INTERIM URGENCY ZONING ORDINANCE PERTAINING TO SWAP MEETS

The Director of Community Development presented an oral report based on the memorandum contained in the agenda packet and stated that Lakewood currently had no regulations within its municipal code pertaining to swap meets. Since preliminary study indicated that swap meets had a potential to be detrimental uses if not properly regulated, an ordinance had been prepared by the City Attorney which would establish a moratorium on that type of development pending a study by the Planning and Environment Commission. It was the recommendation of staff that the City Council adopt Ordinance No. 2001-2 as an urgency ordinance to establish a moratorium on the development of swap meets.

ORDINANCE NO. 2001-2; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD PROHIBITING THE ESTABLISHMENT OF ANY SWAP MEET BUSINESS WITHIN THE CITY PENDING COMPLETION OF A STUDY AND REPORT BY THE PLANNING AND ENVIRONMENT COMMISSION PERTAINING TO THE PROPER ZONE CLASSIFICATION OR CONDITIONS OF USE FOR EITHER INDOOR OR OUTDOOR SWAP MEETS, AS AN INTERIM ZONING ORDINANCE, AND SETTING FORTH FACTS CONSTITUTING THE SAME AS AN URGENCY ORDINANCE was read by title by the City Clerk.

2.2 • INTERIM URGENCY ZONING ORDINANCE PERTAINING TO SWAP MEETS
VICE MAYOR VAN NOSTRAN MOVED AND COUNCIL MEMBER PIERCY SECONDED TO WAIVE FURTHER READING OF ORDINANCE NO. 2001-2. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Esquivel, Piercy, Van Nostran, Rogers and Wagner

NAYS: COUNCIL MEMBERS: None

VICE MAYOR VAN NOSTRAN MOVED AND COUNCIL MEMBER ROGERS SECONDED TO INTRODUCE ORDINANCE NO. 2001-2. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Esquivel, Piercy, Van Nostran, Rogers and Wagner

NAYS: COUNCIL MEMBERS: None

VICE MAYOR VAN NOSTRAN MOVED AND COUNCIL MEMBER ROGERS SECONDED TO ADOPT ORDINANCE NO. 2001-2. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Esquivel, Piercy, Van Nostran, Rogers and Wagner

NAYS: COUNCIL MEMBERS: None

At 8:04 p.m., the Regular Meeting of the City Council was recessed for the Meetings of the Lakewood Redevelopment Agency and the Lakewood Housing Authority. At 8:25 p.m., the City Council Meeting was reconvened.

ORAL COMMUNICATIONS: None

CLOSED SESSIONS:

1) The City Council recessed to a closed session pursuant to Government Code §54957.6 to meet with labor negotiator, City Manager Howard Chambers, regarding employee benefits and compensation.

2) Based upon the confidential written report of the City Attorney, the City Council recessed to a closed session to confer with or receive advice from its legal counsel pursuant to Government Code §54956.9(c), regarding facts and circumstances to consider in deciding whether to initiate litigation in one case.

CLOSED SESSIONS:

At 9:10 p.m., the City Council reconvened with all members present. Mayor Wagner announced that instructions had been given to its labor negotiator; and that having met in closed session to receive facts and consider circumstances pertaining to its decision to initiate litigation in one case, the City Council had given instructions to its legal counsel pertaining to that matter.

ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Wagner adjourned the meeting at 9:11 p.m.

Respectfully submitted,

Denise R. Hayward, CMC
City Clerk