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

INVOCATION was offered by Dr. John C. Bonner, Chaplain Emeritus to the City Council

PLEDGE OF ALLEGIANCE was led by Vice Mayor Todd Rogers

Mayor Croft announced that a portion of the meeting would include a teleconference location, as provided in Government Code §54953.

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

City Attorney Steve Skolnik advised that pursuant to Government Code §54953, Council Member Joseph Esquivel would be participating in the meeting via speakerphone from his location: Chateau Isabella, RR #1, Cardston, Alberta, Canada, as noticed on the agenda for this meeting.

Mayor Croft asked a series of questions of Council Member Esquivel and the other Members of the City Council and determined that Council Member Esquivel could clearly hear everyone and was clearly heard in the Council Chambers. Council Member Esquivel confirmed that he had a copy of the agenda, that the agenda had been posted at his location, and the location provided an opportunity for members of the public to participate. There was no doubt expressed that the person participating by teleconference was, in fact, Council Member Joseph Esquivel. Mayor Croft noted that all votes taken during the teleconference would be taken by roll call vote.

With the consent of the City Council Members, Mayor Croft advised that Item 2.1 would be considered at this time.
2.1 • RESOLUTIONS PERTAINING TO THE SUBMISSION OF A BALLOT MEASURE

The City Attorney stated that a Utility Users Tax had been initiated in 1992 and ratified by voters in 1997. He advised that changes in Federal law and court decisions had put the collection of the telecommunications portion of the UUT in extreme jeopardy. It was the recommendation of staff that the City Council adopt the proposed resolutions calling a special election to place an updated UUT before voters at the November 4, 2008 general election.

Administrative Services Director Diane Perkin stated that the Utility Users Tax was the sixth largest revenue for the City, accounting for eight percent of general fund revenues. She reported that the telecommunications portion of the UUT was approximately $1.3 million, or 40% of the total UUT collected. She advised that unlike funding dependent on State or Federal sources, the UUT funds were a stable source of revenue whose loss would have a significant impact on the City, especially in light of the State’s current budget problems.

Vice Mayor Rogers pointed out that the Utility Users Tax was an existing revenue source and not a newly proposed tax.


RESOLUTION NO. 2008-57; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON TUESDAY, NOVEMBER 4, 2008, FOR THE SUBMISSION TO THE VOTERS A PROPOSED ORDINANCE, AND DECLARING THE EXISTENCE OF A FISCAL EMERGENCY NECESSITATING SUCH ACTION

RESOLUTION NO. 2008-58; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A SPECIAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 4, 2008, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO §10403 OF THE ELECTIONS CODE

RESOLUTION NO. 2008-59; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD, CALIFORNIA, SETTING PRIORITIES FOR FILING A WRITTEN ARGUMENT REGARDING A CITY MEASURE AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS

RESOLUTION NO. 2008-60; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD, CALIFORNIA, PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR CITY MEASURES SUBMITTED AT MUNICIPAL ELECTIONS
2.1 • RESOLUTIONS PERTAINING TO THE SUBMISSION OF A BALLOT MEASURE - Continued

Alan Gafford stated the City Council should look for other ways to generate revenue.

Vice Mayor Rogers reiterated that the telecommunications portion of the UUT provided about $1.3 million per year in funding that could not be grabbed by the State like most of the City’s other revenue sources. He stated that these funds were critical to maintain Lakewood’s core values.

Council Member DuBois stated that adjustments had already been made to the City’s budget in anticipation of funding sources being taken away by the State.

Mayor Croft concurred with his colleagues and stated that every City budget was carefully scrutinized to ensure that funds were carefully spent. He noted that loss of this funding could have a dramatic impact on the community’s quality of life.

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

At 7:44 p.m., Mayor Croft thanked Council Member Esquivel for his participation and announced that the teleconference portion of the meeting was concluded.

ANNOUNCEMENTS AND PRESENTATIONS:

Mayor Croft announced that an agreement had been reached regarding the “monster pole” located on Palo Verde Avenue at Centralia Street. As a result of the City working with the residents and the Southern California Edison Co., Edison had agreed to remove the pole and replace it with a smaller pole located closer to the corner.

Mayor Croft also thanked the City staff for their efforts on the Civic Center Block Party.

ROUTINE ITEMS:

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 13.

RI-1 Approval of Minutes of the Meetings held June 10, June 24, and July 8, 2008
RI-2 Approval of Personnel Transactions
RI-3 Approval of Registers of Demands
RI-4 Approval of Meeting Reports and Authorizations Pursuant to AB1234
ROUTINE ITEMS:  Continued

RI-5  RESOLUTION NO. 2008-43; 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. 2008-44; 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. 2008-45; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING THE DESTRUCTION OF CERTAIN PUBLIC RECORDS OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES MORE THAN TWO YEARS OLD

RESOLUTION NO. 2008-46; 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. 2008-47; 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 TWO YEARS OLD


RESOLUTION NO. 2008-49; 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. 2008-50; 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

RESOLUTION NO. 2008-51; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING THE DESTRUCTION OF CERTAIN PUBLIC RECORDS OF THE DEPARTMENT OF WATER RESOURCES MORE THAN TWO YEARS OLD
**ROUTINE ITEMS:** Continued

RI-6  Approval of Monthly Investment Transactions

RI-7  Approval of Quarterly Schedule of Investments

RI-8  Approval of Acquisition of Water Rights from Nuzum and McLaren

RI-9  **RESOLUTION NO. 2008-52; 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 MAE BOYAR PARK ACTIVITY BUILDING REPLACEMENT PROJECT**

RI-10 Approval of Encroachment Permit for 5407 Premiere Avenue

RI-11 **RESOLUTION NO. 2008-53; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ESTABLISHING A PHYSICALLY HANDICAPPED PERSONS DESIGNATED PARKING SPACE ON THE EAST SIDE OF CLARK AVENUE WITHIN THE CITY OF LAKEWOOD**

RI-12 **RESOLUTION NO. 2008-54; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING AN INCREASE IN THE ADMINISTRATIVE FEE FOR RELEASE OF IMMOBILIZED OR IMPOUNDED VEHICLES**

RI-13 Authorization for Sole Source Purchase of Picnic Shelters for Del Valle Park

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

**NAYS:** COUNCIL MEMBERS: None

**ABSENT:** COUNCIL MEMBERS: Esquivel

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

The Director of Administrative Services made a presentation based on the report in the agenda and stated that 395 notices had been mailed to property owners with delinquent refuse collection accounts, and that as of close of business today, 247 remained unpaid. It was the recommendation of staff that the City Council adopt Resolution No. 2008-55 confirming the report of Delinquent Fees and Charges.
1.1 • REPORT OF DELINQUENT FEES FOR GARBAGE, WASTE AND REFUSE COLLECTION AND DISPOSAL – Continued


Responding to a question from Council Member Van Nostran, Ms. Perkin confirmed that payments would still be accepted until the report was filed at the end of the month.

Mayor Croft opened the public hearing at 7:49 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

VICE MAYOR ROGERS MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO CLOSE THE PUBLIC HEARING AND ADOPT RESOLUTION NO. 2008-55. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

1.2 • TENTATIVE TRACT NO. 65518 FOR A 9-UNIT CONDOMINIUM DEVELOPMENT LOCATED AT 11342 215TH STREET AND RELATED ENVIRONMENTAL ASSESSMENT

Community Development Director Jack Gonsalves displayed slides and made a presentation based on the memo contained in the agenda. He stated an application had been filed requesting approval of Tentative Tract No. 65518 for a nine unit condominium project located at 11342 215th Street. He noted that an 18-foot road dedication would be required for the proposed project. He briefly reviewed the elements of the project and stated that it was categorically exempt under the California Environmental Quality Act. It was the recommendation of the Planning and Environment Commission that the City Council approve Tentative Tract No. 65518.

RESOLUTION NO. 2008-56; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD APPROVING TENTATIVE TRACT MAP NO. 65518

In response to a question from Council Member Van Nostran, Mr. Gonsalves stated that the semi-subterranean parking areas would have a sump pump to prevent flooding in the event of a severe storm.

Council Member DuBois inquired about the time period for completion of the project. Mr. Gonsalves stated that normally, the applicant would have two years before the expiration of the tentative map, but that due to the housing crisis, the Governor was supporting legislation that would provide the applicant with an additional two-year extension.
1.2 • TENTATIVE TRACT NO. 65518 – Continued
Mayor Croft opened the public hearing at 8:00 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 ROGERS SECONDED TO CLOSE THE PUBLIC HEARING AND APPROVE THE TENTATIVE TRACT MAP BY ADOPTING RESOLUTION NO. 2008-56. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

1.3 • MINOR’S ACCOUNTABILITY DURING SCHOOL HOURS
The City Attorney gave a brief report based on the memo in the agenda and stated that Lakewood Sheriff’s Station deputies had requested an amendment to the present Municipal Code pertaining to minor’s accountability during school hours to be more reflective of current actual hours in the local school districts.

ORDINANCE NO. 2008-4; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING SECTION 4251.1 OF THE LAKEWOOD MUNICIPAL CODE REGARDING MINOR’S ACCOUNTABILITY DURING SCHOOL HOURS

Mayor Croft opened the public hearing at 8:03 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

VICE MAYOR ROGERS MOVED AND COUNCIL MEMBER VAN NOSTRAN SECONDED TO INTRODUCE ORDINANCE NO. 2008-4. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

1.4 • AMENDING THE MUNICIPAL CODE PERTAINING TO INFRACTIONS
The City Attorney advised that the proposed amendment to the Lakewood Municipal Code would allow certain code violations to be treated as either an infraction or a misdemeanor, providing more flexibility for enforcement of violations such as night nuisance noise.

The Director of Community Development made a presentation based on the memo contained in the agenda and stated that current code violations were treated as misdemeanors, requiring a complainant to make a citizen’s arrest in order for a citation to be issued. By providing the option of an infraction, a citation can be issued without a citizen’s arrest. He reported that
1.4 • CODE INFRACTIONS - Continued
the City Prosecutor had recommended several additional Code sections to be included to allow for infractions. It was the recommendation of staff that the City Council introduce Ordinance No. 2008-5.

ORDINANCE NO. 2008-5; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING SECTION 1205 OF THE LAKEWOOD MUNICIPAL CODE REGARDING INFRACTIONS

Responding to a question from Vice Mayor Rogers, Mr. Gonsalves stated that upon receiving a complaint regarding excessive garage sales, staff investigates to observe and track garage sale activity.

Mayor Croft opened the public hearing at 8:08 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO CLOSE THE PUBLIC HEARING AND INTRODUCE ORDINANCE NO. 2008-5. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

1.5 • AWARD OF BID FOR PUBLIC WORKS PROJECT NO. 08-7, MOBILE GENERATOR CONNECTION – WATER YARD

Public Works Director Lisa Rapp gave a brief presentation based on the memo in the agenda and stated the proposed project would install equipment and conduit to allow the connection of mobile electrical generators to power buildings at the Arbor Yard. She reported that five bids had been received and that licenses and references had been checked. 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, Tamang Electric, Inc. in the amount of $41,480; and authorize staff to approve a cumulative total of change orders not to exceed $10,000.

Responding to a question from Council Member Van Nostran, Water Resources Director Jim Glancy stated that although the primary purpose of the mobile electrical generators was to power water well sites, this project would provide the option of powering the buildings in the Arbor Yard, allowing the Department to be fully operational in the event of a power outage during an emergency.

Mayor Croft opened the public hearing at 8:13 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.
1.5 • AWARD OF BID FOR PUBLIC WORKS PROJECT NO. 08-7, MOBILE GENERATOR CONNECTION – WATER YARD - Continued
COUNCIL MEMBER DUBOIS MOVED AND VICE MAYOR ROGERS SECONDED TO APPROVE STAFF’S RECOMMENDATIONS. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

3.1 • CHANGE ORDER FOR PUBLIC WORKS PROJECT NO. 08-2, RESIDENTIAL STREET REHAB
The Director of Public Works made a presentation based on the memo in the agenda and reported that Silvia Construction had previously been awarded a contract for residential street rehab which had included an Additive Bid Schedule that could be added through a Change Order after the beginning of the fiscal year. The additional work would include about 3.3 miles of streets in the Lakewood Gardens area of the City where water main replacement was recently completed. It was the recommendation of staff that the City Council ratify Change Order No. 2 to Public Works Project No. 08-02 with Silvia Construction, Inc., in the amount of $496,188; appropriate $175,000 from the General Fund to the Project Account; find that satisfactory progress has been made on the Project and approve reduction of the retention to ten percent of the first half of the contract amount; and authorize staff to approve additional change orders, as needed, not to exceed $100,000.

Mayor Croft noted that seeing the quality of the work already completed, it was an excellent opportunity to get the additional work for the same contract prices. He stated that the condition of the City’s roadways were not only setting Lakewood apart from other areas cities that had chosen to defer road maintenance, but the resurfaced streets resulted in reduced maintenance costs.

Council Member DuBois also noted the “green” aspect of the work in that recycled tire material was used to make the asphalt rubber mix.

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

AYES: COUNCIL MEMBERS: DuBois, Rogers, Van Nostran and Croft
NAYS: COUNCIL MEMBERS: None
ABSENT: COUNCIL MEMBERS: Esquivel
3.2 • LEASE RENEWAL WITH LAKEWOOD CENTER FOR SAFETY CENTER

Assistant City Manager Sandi Ruyle made a presentation based on the memo in the agenda and reported that since June 2002, the City had leased space in the Lakewood Center Mall for the Lakewood Sheriff Safety Center, a partnership venture involving the City, the Mall, and the Sheriff’s Department. She noted that in addition to free safety classes offered at the Center, the space was used for Sheriff’s training classes, community group meetings and fingerprinting. She concluded by stating that the current lease would expire at the end of September and that staff was recommending the City Council approve the proposed amendment to extend the lease agreement through September 30, 2011.

Council Member DuBois stated that the Safety Center was a tremendous boon to both the Mall and the community.

Council Member Van Nostran stated that the City was able to operate the Safety Center thanks to the partnership with the Mall and the reasonable rate for the space.

Alan Gafford addressed the City Council regarding the City’s relationship with the Mall.

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

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

3.3 • ACCEPTANCE OF NOTICE OF COMPLETION FOR PUBLIC WORKS CONTRACT NO. 05-6, LAKEWOOD SHERIFF’S STATION EXPANSION PROJECT

The Director of Public Works displayed slides and gave a report based on the memo in the agenda. She stated that although work on the Lakewood Sheriff’s Station Expansion Project had been substantially completed and a grand opening held in February 2008, there had remained a number of punch list items to be completed. She advised that a good relationship had been maintained between the City, the Sheriff’s Department and the contractor throughout the two-year construction project. She acknowledged the work of Senior Project Manager June Anderson, whose attention to detail had made it possible for this project to be completed on time and under budget. She reported that the County had provided funds for the project and that the City would be able to return over $500,000 to the County upon final completion. It was the recommendation of staff that the City Council approve an amendment to the agreement with AESCO Technologies, Inc. in an amount not to exceed $4,507.75 for final testing and inspection services; to accept the work performed by Pinner Construction Company in the final contract amount of $17,812,167.82; and authorize the City Clerk to file a Notice of Completion for Public Works Contract No. 05-6.
3.3 • NOTICE OF COMPLETION FOR PW CONTRACT NO. 05-6 - Continued
Mayor Croft stated that he appreciated all of the hard work staff had put into this project and that he had been impressed by the thought put into the facility design. He noted that providing such a good environment worked as a recruiting tool for the station and that he had received much positive feedback from the deputies.

Vice Mayor Rogers stated that the passion for this project displayed by the City Manager, the Public Works Director and her staff showed in the quality of the final product. He thanked Los Angeles County Supervisor Don Knabe and the County Sheriff’s Department for making the project possible.

COUNCIL MEMBER DUBOIS MOVED AND VICE MAYOR ROGERS SECONDED TO APPROVE STAFF’S RECOMMENDATIONS. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

At 8:43 p.m., the Regular Meeting of the City Council was recessed for the Meeting of the Lakewood Redevelopment Agency. At 8:44 p.m., the City Council Meeting was reconvened.

ORAL COMMUNICATIONS:
Alan Gafford thanked the Recreation and Community Services Department staff for their efforts to schedule playing fields for a girl’s softball league.

ADJOURNMENT
There being no further business to be brought before the City Council, Mayor Croft adjourned the meeting at 8:47 p.m.

Respectfully submitted,

Denise R. Hayward, CMC
City Clerk