



Minutes

Lakewood City Council

Regular Meeting held
July 27, 2004

MEETING WAS CALLED TO ORDER at 7:30 p.m. by Mayor Rogers 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 Vice Mayor Wayne E. Piercy

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

ANNOUNCEMENTS AND PRESENTATIONS:

The Mayor announced that Patriot Day ceremonies had been scheduled for Saturday, September 11th, at Del Valle Park.

ROUTINE ITEMS:

COUNCIL MEMBER ESQUIVEL MOVED AND COUNCIL MEMBER WAGNER SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 13.

- RI-1 Approval of Minutes of the Meetings held June 22, and July 13, 2004
- RI-2 Approval of Personnel Transactions
- RI-3 Approval of Registers of Demands dated July 8, July 15, and July 22, 2004
- RI-4 Approval of Nominations to Fill a Vacancy on the Workforce Investment Board (WIB)
- RI-5 RESOLUTION NO. 2004-48; 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

ROUTINE ITEMS: Continued

RI-5 RESOLUTION NO. 2004-49; 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. 2004-50; 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. 2004-51; 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. 2004-52; 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. 2004-53; 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. 2004-54; 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. 2004-55; 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-6 Approval of Monthly Report of Investment Transactions

RI-7 Approval of Quarterly Schedule of Investments

RI-8 Approval of Street Closure for a Block Party on Yearling Street on August 21, 2004

RI-9 RESOLUTION NO. 2004-56; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING RESOLUTION NO. 92-36 PERTAINING TO THE LOW-INCOME EXEMPTION OF THE UTILITY USERS TAX

ROUTINE ITEMS: Continued

RI-10 RESOLUTION NO. 2004-57; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD PROHIBITING THE PARKING OR STANDING OF VEHICLES BETWEEN 7 A.M. AND 12 P.M. ON TUESDAY OF EACH WEEK FOR STREET SWEEPING PURPOSES ON BOTH SIDES OF ROSETON AVENUE BETWEEN 215TH STREET AND 216TH STREET

RI-11 Status Report on Continuation of Eastern Lakewood Patrol

RI-12 Approval of Engineering Agreement for Water Storage Tank Rehabilitation Design

RI-13 Approval of Amendment to Consulting Agreement with The Audio Group

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.1 • AWARD OF BID FOR PUBLIC WORKS PROJECT NO. 03-6R, WELL 13A WELLHEAD AND PUMP

Director of Public Works, Lisa Rapp, presented an oral report based on the memorandum contained in the agenda and stated five bids had been received for the second phase of development of Well 13A, including installation of the pump, electrical panel, disinfection equipment and related wellhead facilities. She noted that it would take approximately 18 weeks to obtain the pump for the project and that completion was expected in February of 2005. It was the recommendation of staff that the City Council award a contract to the low bidder, Bakersfield Well & Pump Company, in the amount of \$364,861; appropriate \$291,000 from the Water Fund to the project account; adopt the plans, specifications and working details for the project; and authorize staff to approve a cumulative total of change orders not to exceed \$40,000.

Council Member Wagner observed that although this project had been re-bid, good bids had been received and the project would be completed for about the same amount.

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

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

NAYS: COUNCIL MEMBERS: None

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

Finance Director Larry Schroeder presented an oral report based on the memorandum contained in the agenda and reported that delinquent notices had been mailed to 299 property owners with unpaid charges for garbage, waste and refuse accounts. He advised that although 205 accounts remained unpaid as of close of business today, payments would be accepted until July 31st. It was the recommendation of staff that the City Council hold a public hearing and adopt Resolution No. 2004-58 confirming the report of delinquent fees.

RESOLUTION NO. 2004-58; 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, 2004

Mayor Rogers opened the public hearing at 7:39 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

COUNCIL MEMBER WAGNER MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED TO CLOSE THE PUBLIC HEARING AND ADOPT RESOLUTION NO. 2004-58. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.3 • RECOMMENDATIONS OF THE PUBLIC SAFETY COMMITTEE AND ADVISORY BOARD FOR THE 2004 LOCAL LAW ENFORCEMENT BLOCK GRANT

Deputy City Manager Sandi Ruyle presented an oral report based on the memorandum contained in the agenda and stated the Local Law Enforcement Block Grant program was intended to provide funds to local government to underwrite projects to reduce crime and improve public safety. She advised that the amount of funding available had been significantly reduced due to funds being shifted to homeland security programs. She stated that in accordance with program requirements, an advisory board had met to review the application and had recommended continued funding for the Crime, Public Nuisance and Property Abatement Team. It was the recommendation of the Public Safety Committee that the City Council conduct a public hearing on the proposed project; authorize the City Manager to complete the application; and appropriate \$3,114 from the General Fund as the local match portion.

Mayor Rogers opened the public hearing at 7:42 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

1.3 • RECOMMENDATIONS OF THE PUBLIC SAFETY COMMITTEE AND ADVISORY BOARD FOR THE 2004 LOCAL LAW ENFORCEMENT BLOCK GRANT - Continued

VICE MAYOR PIERCY MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED TO APPROVE THE COMMITTEE'S RECOMMENDATIONS. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.4 • URGENCY ORDINANCE NO. 2004-8; REGULATING THE USE OF BARBECUES IN CITY PARKS

The Director of Recreation and Community Services, Joan Biegel, presented an oral report based on the memorandum contained in the agenda and reported that the City Council had looked at the issue of portable barbecues in City parks at their June 22nd meeting and had directed staff to work with the City Attorney to develop an ordinance. She provided a brief background for the ordinance, stating that the barbecues presented a public hazard when hot coals were disposed of in trash cans or on the ground and that such units were utilized by large picnic groups creating a risk of overcrowding in parks that were designed as neighborhood parks and not intended to accommodate numbers of large groups. She noted that there were fixed barbecue units in many of the parks and larger, built-in units in the picnic shelters. It was the recommendation of the Public Safety Committee that the City Council introduce and immediately adopt as an urgency measure, Ordinance No. 2004-8 pertaining to the use of barbecue equipment on City parks.

Responding to questions from Vice Mayor Piercy, Ms. Biegel stated that staff had posted signs at the parks advising patrons of the upcoming change and that although some had been unhappy, there were also positive comments received.

Council Member Van Nostran noted that he had received positive feedback from residents.

Mayor Rogers stated this was an important step in re-establishing the parks as neighborhood parks.

Council Member Wagner stated while he had previously received complaints from residents regarding the hazards of spilled coals from portable barbecues, the proposed ordinance had drawn positive remarks from residents. He inquired if staff had performed an assessment of the existing stationary barbecue facilities at the parks to determine if the number was adequate. Ms. Biegel responded by stating that staff had planned to assess the situation at the end of the summer and make recommendations to the City Council.

Mayor Rogers noted that the intent of the assessment was that it would be based on the capacity of the individual park.

1.4 • URGENCY ORDINANCE NO. 2004-8; REGULATING THE USE OF BARBECUES IN CITY PARKS - Continued

Mayor Rogers 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 WAGNER MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED TO INTRODUCE ORDINANCE NO. 2004-8. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

ORDINANCE NO. 2004-8; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE MUNICIPAL CODE PERTAINING TO UNLAWFUL ACTIVITY IN ANY PARK OR RECREATION AREA AND DECLARING FACTS CONSTITUTING THE SAME AS AN URGENCY ORDINANCE FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH AND SAFETY was read by title by the City Clerk.

COUNCIL MEMBER WAGNER MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED TO WAIVE FURTHER READING OF ORDINANCE NO. 2004-8. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

COUNCIL MEMBER ESQUIVEL MOVED AND VICE MAYOR PIERCY SECONDED TO ADOPT ORDINANCE NO. 2004-8 AS AN URGENCY ORDINANCE. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

2.1 • RESOLUTION SUPPORTING THE CREATION OF INCENTIVES FOR USE OF EXTENDED GATE HOURS AT AREA PORTS

Michael Stover, Assistant City Manager, presented an oral report based on the memorandum contained in the agenda and stated the Intergovernmental Relations Committee had reviewed a resolution, generated by the Los Angeles County Division of the League of California Cities, that supported the creation of incentives for commercial shipping companies and cargo owners to use extended gate hours at area ports. Not only did cargo traffic during normal business hours cause congestion impacting area residents, but also was a significant source of air pollution. It was hoped that by creating incentives for the use of extended gate hours, congestion could be reduced during peak traffic periods. It was the recommendation of the Intergovernmental Relations Committee that the City Council adopt the proposed resolution.

2.1 • RESOLUTION SUPPORTING THE CREATION OF INCENTIVES FOR USE OF EXTENDED GATE HOURS AT AREA PORTS - Continued

RESOLUTION NO. 2004-59; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD SUPPORTING THE CREATION OF INCENTIVES FOR COMMERCIAL SHIPPING COMPANIES AND CARGO OWNERS TO USE EXTENDED GATE HOURS AT AREA PORTS

Council Member Van Nostran inquired if 24-hour port access was part of the proposal. Mr. Stover responded by stating that it was a negotiated process and that the passage of such resolutions was intended to be an encouragement to the negotiation process.

Responding to a question from Council Member Wagner, Mr. Stover stated that there were several bills currently under consideration addressing this issue. He noted that in order to break a stalemate, both regulatory and financial incentives were necessary.

Vice Mayor Piercy stated that under the extended gate hours proposal, port fees and charges would be lower during off-peak hours and higher during traditional business hours.

COUNCIL MEMBER VAN NOSTRAN MOVED AND VICE MAYOR PIERCY SECONDED TO ADOPT RESOLUTION NO. 2004-59. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

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At 7:55 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.

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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 Rogers adjourned the meeting at 7:56 p.m.

Respectfully submitted,

Denise R. Hayward, CMC
City Clerk