



Minutes

Lakewood City Council

Regular Meeting held
October 12, 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 Earl Weaver, Associate Pastor for Calvary Chapel Lakewood

PLEDGE OF ALLEGIANCE was led by Cub Scout Pack 67, Den 4

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:

Mayor Rogers announced that City Attorney John S. Todd had been honored earlier in the day by the Los Angeles County Board of Supervisors for both his 50 years of service to the City of Lakewood and for his key role as the father of the contract form of government.

ROUTINE ITEMS:

COUNCIL MEMBER VAN NOSTRAN MOVED AND VICE MAYOR PIERCY SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 7.

- RI-1 Approval of Minutes of the Meetings held September 14, and September 15, 2004
- RI-2 Approval of Personnel Transactions
- RI-3 Approval of Registers of Demands dated September 23, and September 30, 2004
- RI-4 RESOLUTION NO. 2004-73; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD, CALIFORNIA, CERTIFYING THE LAKEWOOD BUSINESS DEVELOPMENT PROGRAM ADMINISTRATIVE PLAN
- RI-5 Approval of Su Casa Family Crisis Center Emergency Sewer Repair Fund Re-allocation
- RI-6 Approval of Appointment to the Lakewood Project Shepherd Board

ROUTINE ITEMS: Continued

RI-7 RESOLUTION NO. 2004-76; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING SUBMITTAL OF APPLICATION TO THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING UNDER THE HOME INVESTMENT PARTNERSHIP PROGRAM

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.1 • WAREHOUSE FACILITIES IN THE M-2 (HEAVY MANUFACTURING) ZONE

Community Development Director Chuck Ebner presented an oral report based on the memorandum contained in the agenda and stated that during discussion on the reuse of the Boeing property, there had been recognition that warehouse uses primarily of distribution, created significant increases in truck traffic. The proposed ordinance would require any new warehouse use to go through the Conditional Use Permit process, which would provide an opportunity to identify environmental impacts and formulate mitigation measures. The ordinance would also provide improved parking requirements for warehouse uses. He advised that based on an Initial Study, a Negative Declaration had been prepared for the proposed ordinance. It was the recommendation of the Planning and Environment Commission that the City Council hold a public hearing and introduce Ordinance No. 2004-12.

ORDINANCE NO. 2004-12; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE LAKEWOOD MUNICIPAL CODE AND THE ZONING ORDINANCE PERTAINING TO WAREHOUSE FACILITIES IN THE M-2 (HEAVY MANUFACTURING) ZONE

Mayor Rogers opened the public hearing at 7:38 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 INTRODUCE ORDINANCE NO. 2004-12. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.2 • ORDINANCE NO. 2004-11; PERTAINING TO THE LICENSE AND PERMIT HEARING BOARD

City Attorney John S. Todd advised that the ordinance had been introduced at the City Council's last regular meeting and that its purpose was to restructure the License and Permit Hearing Board by deleting the City Manager as a member. He noted that this action was recommended based upon several recent court decisions regarding equal protection and due process.

Mayor Rogers 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.

MAYOR ROGERS MOVED AND VICE MAYOR PIERCY SECONDED TO CLOSE THE PUBLIC HEARING. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

ORDINANCE NO. 2004-11; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE LAKEWOOD MUNICIPAL CODE PERTAINING TO THE LICENSE AND PERMIT HEARING BOARD was read by title by the City Clerk.

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED TO WAIVE FURTHER READING OF ORDINANCE NO. 2004-11. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

COUNCIL MEMBER VAN NOSTRAN MOVED AND VICE MAYOR PIERCY SECONDED TO ADOPT ORDINANCE NO. 2004-11. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

3.1 • INTERGOVERNMENTAL RELATIONS COMMITTEE RECOMMENDATIONS PERTAINING TO STATE PROPOSITION 59, 66 AND 69

Mayor Rogers presented an oral report based on the memorandum contained in the agenda and stated the Intergovernmental Relations Committee had reviewed State Propositions 59, 66 and 69 and was recommending support of Propositions 59 and 69 and advocating a "no" vote on Proposition 66.

MAYOR ROGERS MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED TO SUPPORT A "YES" VOTE ON PROPOSITIONS NO. 59 AND 69, AND A "NO" VOTE ON PROPOSITION NO. 66.

**3.1 • INTERGOVERNMENTAL RELATIONS COMMITTEE RECOMMENDATIONS
PERTAINING TO STATE PROPOSITION 59, 66 AND 69 - Continued**

Vice Mayor Piercy stated that while many of the propositions on the November ballot did not involve the City and no position would be taken on them, these three would have an impact on City operations.

Council Member Wagner stated that Proposition No. 66 was an attempt to modify the existing three-strikes law by removing certain types of felonies. He noted, however, that one of the felonies included for removal would be felonies committed by criminal street gangs, which could cause major problems. He urged voters to carefully consider the issues.

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

3.2 • EMERGENCY TRANSPORT PROVIDER DECISION MAKING

City Manager Howard Chambers presented an oral report based on the memorandum contained in the agenda and reported American Medical Response (AMR) had contacted the City in regard to a Request for Proposals process being conducted by the County Department of Health Services for 9-1-1 emergency service. He advised that a packet of information had been received from the County today regarding the process. He noted that emergency ambulance service was provided under contract with the County of Los Angeles in zones; and although AMR had been providing such emergency service in this area for the last ten years, the County would be negotiating with a different company to provide service for the zone including Lakewood.

Responding to a question from Council Member Van Nostran, Mr. Chambers responded by stating that he was unaware of anyone complaining to the City about services provided by AMR.

Council Member Esquivel stated he had received letters from constituents expressing concern about losing the services of AMR. He noted that AMR had sponsored a very impressive school program and were well respected by their colleagues.

Mayor Rogers stated that AMR had a reputation with both the Sheriff's and Fire Departments for providing very good service.

Cathy Chidester, Director of the Los Angeles County Department of Health Services (DHS), advised that the County had a 10-year contract for 9-1-1 ambulance services that would expire at the end of December, 2004, and that a Request for Proposals had been drafted over the past 3 years to select the next provider. She stated that the County was divided into zones and that Lakewood was contained within zone 6. The process was currently in the debriefing stage, where each company could review the scores they had been awarded by the evaluation committee, have an opportunity to ask questions and protest to a review panel.

3.2 • EMERGENCY TRANSPORT PROVIDER DECISION MAKING - Continued

She stated that the evaluation process had taken two weeks to evaluate each proposal and that a recommendation would be made to the County Board of Supervisors, who would make the final decision.

Responding to questions from Vice Mayor Piercy, Ms. Chidester stated that they had contacted the League of California Cities regarding participation in the process, but had not contacted any of the individual cities that would be affected. She also stated that although there had been no hearings, community input had been provided by the companies providing proposals and through the licensing agencies where any complaints would have been logged.

In response to a question from Council Member Van Nostran, Ms. Chidester stated that she could not disclose the actual points awarded to each company for areas of evaluation such as population, traffic or community profile, but that the information would be made available to the companies as part of the de-briefing process. She also stated that each company was required to factor in the level of equipment and personnel necessary to adequately cover the area they were bidding on, and that both companies had previous 9-1-1 experience.

Council Member Esquivel stated that at a recent meeting of the California Contract Cities Association, cities had a unanimously high opinion of the services provided by AMR and that he personally was puzzled why the County would wish to make a change when it was already receiving such excellent service.

Council Member Wagner stated that he shared his colleagues' concerns about the County's process, especially their unwillingness to release any information, even though a selection had already been made and a negotiations process initiated. He also expressed concern about bringing in another company without any experience in this area. He stated that he too was baffled by the County's reasoning for entering the bidding process at all, when they already had an experienced company that was providing exceptional service. He also questioned why the information about the process would not be made public until after a recommendation had already been made to the County Board of Supervisors.

Ms. Chidester noted that the process would not be completed until any protests had been resolved and that the recommendation was projected to go to the Board about November 16th.

Mayor Rogers, noting that the DHS recommendation was unlikely to change prior to its recommendation to the Board, questioned whether cities had any standing in the protest process or whether it was limited to the companies.

Ms. Chidester responded to a question from the City Attorney by stating that the DHS could begin negotiations with the selected company even though the protest procedure had not been resolved.

Council Member Esquivel determined from Ms. Chidester that comments made this evening would be shared with the evaluation team at the DHS.

3.2 • EMERGENCY TRANSPORT PROVIDER DECISION MAKING - Continued

Council Member Wagner noted that when going through the process of establishing a new contract provider, things did not always work out as planned. He expressed dismay that the process itself seemed to have given no consideration whatsoever to the 10 years of experience and good service provided by the current vendor.

Vice Mayor Piercy requested clarification on the protest procedure. Ms. Chidester replied that she would have the information provided to the City.

Bill Weston, Director of CARE Ambulance, Anaheim, stated that his company had originally been established in 1969 and was currently the largest 9-1-1 provider in Orange County. He noted that they had been the first company in the State to receive national accreditation. He concluded by stating that the selection panel was staffed by well-qualified individuals and that he was proud that his company had come out on top.

Responding to an inquiry from Vice Mayor Piercy, Mr. Weston stated that the communications center dispatching calls for his company was located in Orange County and that they would plan to have a redundant center located within Los Angeles County.

In response to questions from Council Member Van Nostran, Mr. Weston stated that they currently provide ambulance service within Los Angeles County, even though they do not provide any 9-1-1 service there. He also stated that they would establish a local office in this area with an appropriate number of staff and equipment; were prepared to absorb any staff displaced by the change of provider; and could make the transition very quickly.

Council Member Wagner advised that the City Council was not concerned about the quality of service provided by CARE, so much as the surprise nature of the process and the fact that the DHS would provide no information. He noted that without any background information, the City Council has no way to gauge whether their concern was warranted or not.

Tom Williams, Vice President of Operations for AMR, stated his company had an appointment with DHS the following day for de-briefing, but had not been advised that they would be able to review the scores. He also stated that he had no concerns about the service provided by CARE ambulance. He noted, however, that his company had been very diligent to forge strong relationships with the Los Angeles County Fire Department and that had not been factored into the evaluation at all.

Council Member Esquivel stated he could not ignore the community experience of AMR.

COUNCIL MEMBER ESQUIVEL MOVED AND VICE MAYOR PIERCY SECONDED TO INSTRUCT STAFF TO COME UP WITH A RESOLUTION OR LETTER TO THE COUNTY RECOMMENDING CONTINUATION OF SERVICE WITH AMR.

The City Attorney advised that a resolution was not necessary, that direction of staff through minute order was sufficient. He stated that he did not understand upon what basis the County was holding all of the information confidential and that it was impossible to make a decision in a vacuum.

3.2 • EMERGENCY TRANSPORT PROVIDER DECISION MAKING - Continued

Council Member Wagner questioned the decision to change the zones and the need for an RFP process at all. He suggested that a letter be drafted to indicate that the City had been very satisfied with the service provided by AMR, that the City was very concerned about the process in which there was no visibility to those most affected by the decisions made, and that the City requests a presentation after the de-briefing process to advise the City Council on how they believe service will be improved by making such a change. The letter should also contain the points brought forth at this meeting, including the fact that apparently no consideration was given to the previous experience or good service provided by AMR.

Mayor Rogers determined that the maker and second of the motion were agreeable with the changes. He also added that the subject letter should be drafted and submitted to the City Council for review and comments by October 15th and that the City Manager would make the determination on who, within the County, would be the recipients of the letter.

The motion, as amended:

TO INSTRUCT STAFF TO COME UP WITH A LETTER TO THE COUNTY INDICATING SATISFACTION WITH THE SERVICE PROVIDED BY AMR; CONVEYING SUPPORT OF CONTINUED SERVICE WITH AMR; EXPRESSING THE CITY'S CONCERN ABOUT THE RFP PROCESS; AND REQUESTING PRESENTATION BY THE COUNTY DEPARTMENT OF HEALTH SERVICES ON THE RATIONALE FOR THE NEED FOR CHANGE AND PROPOSAL EVALUATION CRITERIA. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

At 8:54 p.m., the Regular Meeting of the City Council was recessed for the Meeting of the Lakewood Redevelopment Agency. At 8:57 p.m., the City Council Meeting was reconvened.

ORAL COMMUNICATIONS: None

ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Rogers adjourned the meeting at 8:57 p.m.

Respectfully submitted,

Denise R. Hayward, CMC
City Clerk