



Minutes

Lakewood City Council

Regular Meeting held
July 12, 2005

MEETING WAS CALLED TO ORDER at 7:31 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 Council Member Steve Croft

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 thanked the thousands of Lakewood residents who had joined in the fun at the City's Block Party on July 2nd. He also expressed thanks to those who worked to make it a great event, including City staff, the Team Lakewood deputies and reserve officers, and to the recycling crew of Boy Scout Troop 209.

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ROUTINE ITEMS:

VICE MAYOR VAN NOSTRAN MOVED AND COUNCIL MEMBER ROGERS SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 5.

RI-1 Approval of Minutes of the Meetings held April 21, May 9, and June 18, 2005

RI-2 Approval of Personnel Transactions

RI-3 Approval of Registers of Demands dated June 23, and June 30, 2005

RI-4 Approval of Agreement for Cable Franchise Fee Audit Services

RI-5 Approval of Engineering Design Services - Del Amo Boulevard Between Studebaker Road and City Limits East of Bloomfield Avenue

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 PUBLIC WORKS PROJECT NO. 05-5, TRAFFIC SIGNAL MODIFICATION - CLARK & CANDLEWOOD

Public Works Director Lisa Rapp presented an oral report based on the memo contained in the agenda and stated two bids had been received for the modification of the traffic signals located at Clark Avenue and Candlewood Street. The modifications would provide for left-turn phasing in all four directions and dual left-turn lanes from Candlewood Street onto northbound Clark Avenue. In recognition of the future increased impacts on traffic at this intersection, costs for the project would be shared with the developer of the property on the north-east corner. Construction would begin in October and be complete in approximately five weeks. 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, Steiny & Company, Inc., in the amount of \$111,600; authorize staff to approve a cumulative total of change orders, as needed, not to exceed \$11,000; and appropriate \$125,000 from Proposition "C" funds to the project account.

Council Member Croft expressed concern that if the project did not begin until October, it would impede traffic during the busy holiday season. Ms. Rapp responded by stating that the project was scheduled to be completed prior to Thanksgiving.

Mayor Esquivel 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 ROGERS MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO CLOSE THE PUBLIC HEARING AND APPROVE STAFF'S RECOMMENDATIONS. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

2.1 • ORDINANCE NO. 2005-7; AMENDING THE MUNICIPAL CODE PERTAINING TO CITY COUNCIL COMPENSATION

ORDINANCE NO. 2005-7; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE MUNICIPAL CODE PERTAINING TO COMPENSATION OF MEMBERS OF THE CITY COUNCIL was read by title by the City Clerk.

VICE MAYOR VAN NOSTRAN MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO WAIVE FURTHER READING. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

VICE MAYOR VAN NOSTRAN MOVED AND COUNCIL MEMBER CROFT SECONDED TO ADOPT ORDINANCE NO. 2005-7.

2.1 • ORDINANCE NO. 2005-7; AMENDING THE MUNICIPAL CODE PERTAINING TO CITY COUNCIL COMPENSATION - Continued

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

3.1 • CABLE FRANCHISE TRANSFER CONSULTING SERVICES

Assistant City Manager Michael Stover gave an oral presentation based on the memo in the agenda and reported the City's cable television franchisee, Comcast Cable, was transferring ownership of its system to Time Warner Cable, including the Lakewood system. As with the six previous franchise transfers, an important part of the process was review by qualified professionals to ensure that the current franchisee was in compliance with all franchise obligations and that the proposed operator was technically, legally and financially capable to run the franchise. It was the recommendation of staff that the City Council approve an agreement with Telecommunications Management Corporation, authorize the City Manager to execute the agreement and appropriate \$6,500 from the unencumbered CATV fund balance.

Responding to questions from Council Member DuBois, Mr. Stover stated that the proposed operator would be evaluated according to Federal law and that determining compliance of the current franchisee would include checking that full franchise fees had been credited and that revenues were allocated properly.

In response to Vice Mayor Van Nostran's questions, Mr. Stover reported that the quality of the CATV signal only could be evaluated according to Federal standards and that customer service must be provided in accordance with the City's Video Customer Protection provisions contained in the Municipal Code.

Council Member Rogers inquired if there were concerns about Time Warner having such a large portion of Southern California cable customers. Mr. Stover stated that there were very few regulatory options open to local governments, since the Federal government had decided to deregulate the industry and allow the free market to regulate prices and services.

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

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

NAYS: COUNCIL MEMBERS: None

3.2 • SHERIFF REPORT ON JULY 4TH ACTIVITIES

Captain Dave Fender, Commander of the Lakewood Sheriff's Station, displayed slides and presented an oral report on July 4th activities. He reviewed the City's zero tolerance policies including the increased fines and intent to cite. He stated that his staff had met with July 4th block party permit holders, mobilized Neighborhood Watch captains and established a "we tip" style telephone system to report fireworks violations. He noted that they had seized over 21,000 pieces of illegal fireworks which were too easily available out of state and over the Internet. He stated that he felt they had made a significant commitment to combat illegal fireworks with 21 additional deputies on duty on July 4th. He concluded by stating that although 123 Lakewood residents had received fireworks-related citations, many of the residents observed on the 4th were complying with the law and using only safe and sane fireworks. The key factor was to get the word out about the zero tolerance policies.

In response to a question from Mayor Esquivel, Captain Fender reported even though all fireworks were prohibited in the City of Long Beach, that 267 citations had been issued.

Vice Mayor Van Nostran suggested that funds generated from the fireworks citations be utilized to fund next year's enforcement costs.

Captain Fender said that efforts to get the word out early had resulted in a quieter 4th of July and the increased fines would make an impact for the future.

Council Member Croft stated that this was a great first step.

Council Member DuBois stated that it was important to keep up this type of effort. She noted that the reports of the numbers of illegal fireworks set off in communities where all fireworks were illegal would seem to indicate that illegals and safe-and-sane fireworks did not go hand-in-hand.

Responding to a question from Council Member Rogers, Captain Fender stated there were no reports of fireworks-related injury or damage.

Council Member Rogers stated that although a number of residents he had spoken with claimed that the safe-and-sane fireworks attracted the illegals, the experiences of communities with fireworks bans would appear to indicate that banning just safe-and-sane fireworks would not solve the problem. Captain Fender responded by stating that the illegals were too easy to obtain and many looked enough like the safe-and-sane fireworks that some people did not realize they were illegal.

Mayor Esquivel noted that the fireworks in his neighborhood were terrible.

Dean Frazier stated while he appreciated the efforts of the Sheriff's Department, he felt this July 4th was the worst ever and that no fireworks should be sold in Lakewood.

Esther McLemore stated she was in favor on safe-and-sane fireworks, but felt the City should do more to notify residents about fireworks policies.

3.2 • SHERIFF REPORT ON JULY 4TH ACTIVITIES - Continued

Anthony Vitale stated all fireworks were unpredictable and should be banned completely.

Taasha Williams stated there were many fireworks set off in her neighborhood and suggested posting fireworks notices on lawns like political signs.

City Attorney Steve Skolnik clarified that the fine structure for violations of the Municipal Code were constricted by State law, which currently provided for a maximum fine of \$1,000 for a misdemeanor.

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At 8:26 p.m., the Regular Meeting of the City Council was recessed for the Meeting of the Lakewood Redevelopment Agency. At 8:28 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 Esquivel adjourned the meeting at 8:28 p.m.

Respectfully submitted,

Denise R. Hayward, CMC
City Clerk