



Minutes

Lakewood City Council

Regular Meeting held
April 8, 2008

MEETING WAS CALLED TO ORDER at 7:34 p.m. by Mayor Croft in the Council Chambers at the Civic Center, 5000 Clark Avenue, Lakewood, California.

INVOCATION was offered by Wanda Thomas, Local Spiritual Assembly of Baha'i

PLEDGE OF ALLEGIANCE was led by Council Member Diane DuBois

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

ANNOUNCEMENTS AND PRESENTATIONS:

Janine McManigal Ball and Mike McManigal presented the City with a check in the amount of \$6,707 as a memorial gift dedicated to the memory of their father, Ron McManigal, a former member of the Cable Antenna Television and Community Safety Commissions. Assistant Director of Recreation and Community Services, Tom Lederer, advised that the funds would be used to provide new seating benches at San Martin Park, and displayed slides showing the type of equipment and proposed locations.

UTILITY POLE AT PALO VERDE AVENUE AND CENTRALIA STREET

Ben Harvey, Regional Manager Local Public Affairs for Southern California Edison (SCE), made a presentation regarding the work being done at the northeast corner of Palo Verde Avenue and Centralia Street. He began by offering an apology for the lack of communication between Edison and both City and the affected residents. He introduced the other representatives from SCE in the audience. He stated that the subject location was an unusual configuration with four large transmission lines converging at the intersection, and was the only one of its type in Lakewood. The original pole had been installed in 1949 and had deteriorated to the point where replacement was necessary. He stated that the location of the replacement pole farther from the corner had been necessary to comply with the American with Disabilities Act (ADA) requirements. He noted that the pole had been specifically designed and manufactured for the subject location.

Shelby and Bill Ranson stated that even though the pole had been located directly in front of their house, they had received no notice of the project, and had contacted the City's Public Works Department only to find that the City had received no notice of the project either. They stated that the utility pole location had a major negative impact on the value of their property.

UTILITY POLE AT PALO VERDE AVENUE AND CENTRALIA STREET - Continued
Carol Snyder, Kim Phillips, Clarence Beatty, Robert Rowe, Eric Streton, Jeff Palzer, William Wynne, Diane Hundley and Yasmin Muniz spoke in opposition to the location of the utility pole. Among their concerns were the extreme size of the pole, reduced visibility, pedestrian safety at the adjacent bus stop, potential for graffiti, and lack of notice prior to construction.

Ben Harvey replied to several of the issues raised by stating that the location of the pole was necessary for line support. He noted that while it was unusual to have such a large pole in a residential area, there were other similar poles within Edison's service areas. He stated that Edison had a franchise right-of-way to work within the parkway and that the project had been exempt from any notification requirements since it was a pole replacement, not new construction. He also noted that Edison had an existing, aggressive graffiti removal program. He concluded by stating that the pole was necessary to provide service to 22,000 customers and was the current and best technology available.

Jeff Billingsley, Transmission Design Manager for SCE, stated that the pole was designed to be self-supporting and would not require the supporting guy wires like the old wooden poles. He also stated that the reason the pole was taller than the original was because they had eliminated an existing loop in the circuits, which made the system more reliable, but required additional height for spacing.

Responding to a question from Council Member DuBois, Mr. Billingsley stated that the reason for the large circumference of the pole was to provide adequate support for the pole's height, that there was no equipment located inside the pole.

Council Member Van Nostran stated that the City worked hard on aesthetics so that neighborhoods would look pleasant, and that this pole was just ugly. He inquired why SCE had not considered separating the circuits at the subject intersection so a smaller pole could be used or locating the larger pole on the other side of the corner, away from the front of the home. Mr. Harvey stated that this project was just a pole change and that to separate circuits would require a major infrastructure change. Mr. Billingsley stated that if the pole were to be moved around the corner, wires would have to cross over private property. Council Member Van Nostran offered that if an infrastructure change was necessary to correct the unusual circuit configuration at this location so that a normal pole could be utilized, Edison should be considering that option.

Vice Mayor Rogers suggested using the pole as a temporary measure until a solution could be found for a more desirable location. Mr. Billingsley stated that the pole provided an improvement to the electrical system and that moving it around the corner would put additional pressure on the other area poles. Vice Mayor Rogers tasked the Edison personnel with finding a "Plan B" for the pole that would be less of an impact on the neighborhood. He concluded by stating that the pole was a disaster that no one would want in front of their home and that it needed to go. He suggested Edison work with the City staff to look at alternatives, but cautioned that the City would be prepared to support the family and neighborhood through available legal processes.

UTILITY POLE AT PALO VERDE AVENUE AND CENTRALIA STREET - Continued
Council Member DuBois inquired if the improvements offered by the new pole would be a cure for the extreme outages experienced in the City last summer. Mr. Harvey stated that although these circuits would be more reliable, it would not solve all of the problems which caused the outages. She noted that while she understood the need for a unique solution to an unusual configuration, it was Edison's design and they should resolve the problem with a more acceptable work around.

Council Member Esquivel concurred with his colleagues and stated that re-location was necessary.

Mayor Croft pointed out that the City Council was unanimous in their dislike of the huge new pole and its location. He stated that surely there were other options, and that with its extensive knowledge and experience, the SCE personnel could and should have found a better option.

City Attorney Steve Skolnik stated that it was understood that the City had no ability to control or regulate Southern California Edison, who was under the authority of the California Public Utilities Commission. He noted that the affected residents would have the legal standing to challenge Edison on this issue and that while City staff was working with both the affected residents and SCE, the City was not in the best position legally to have the right to do something about the situation.

Mayor Croft stated that there was a big difference between having the right to do something and in doing the right thing.

VICE MAYOR ROGERS MOVED AND COUNCIL MEMBER VAN NOSTRAN SECONDED TO DIRECT STAFF TO WORK WITH SOUTHERN CALIFORNIA EDISON TO FIND AN ALTERNATE LOCATION FOR THE POLE WHICH WOULD BE MORE AMENABLE TO THE RESIDENTS.

Mr. Harvey stated that SCE had been contacted by the Public Utilities Commission and would be reporting to them tomorrow on the actions at this meeting. He stated that the project would remain on hold until a response was received from the PUC.

Council Member Van Nostran sought assurances from Mr. Harvey that Edison would not proceed with the work until they had met with the City staff to look for project alternatives. Mr. Harvey stated that while he could not guarantee that an acceptable alternative could be found, he would guarantee that Edison personnel would work with City staff on the matter before further action was taken. Mr. Harvey did note that action must be taken to address the deteriorated pole.

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

At 9:03 p.m., Mayor Croft called for a brief recess. At 9:11 p.m., the meeting was reconvened with all Members of Council present.

ROUTINE ITEMS:

COUNCIL MEMBER DUBOIS MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 3.

RI-1 Approval of Minutes of the Meeting held March 25, 2008

RI-2 Approval of Personnel Transactions

RI-3 Approval of Registers of Demands

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.1 • ORDINANCE NO. 2008-1; PERTAINING TO THE SALE, DISCHARGE, USE OR POSSESSION OF ILLEGAL FIREWORKS

The City Attorney advised that the proposed ordinance had been developed at the direction of the Public Safety Committee and Vice Mayor Rogers. If enacted, the ordinance would extend penalties for the use of illegal fireworks to those who owned or controlled a property and allowed others to use illegal fireworks on their property.

ORDINANCE NO. 2008-1; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING SECTION 3105 OF THE LAKEWOOD MUNICIPAL CODE PERTAINING TO THE SALE, DISCHARGE, USE OR POSSESSION OF ILLEGAL FIREWORKS

Mayor Croft opened the public hearing at 9:14 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 INTRODUCE ORDINANCE NO. 2008-1.

Council Member Van Nostran stated it was the responsibility of a host to ensure that no illegal fireworks were shot off from their property.

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

3.1 • APPOINTMENTS TO GOVERNMENTAL ASSOCIATIONS, ORGANIZATIONS & COMMITTEES

Mayor Croft presented his organizational and committee appointments.

ORGANIZATIONAL APPOINTMENTS

California Contract Cities

Association DuBois - Representative Esquivel – Alternate

California Joint Powers

Insurance Authority Van Nostran - Representative Croft - Alternate

Consolidated Youth Services Network

Policy Board Rogers - Representative Croft - Alternate

Advisory Board Carol Flynn Jacoby (Admin.)

So. Calif. Association of Governments (SCAG)

General Assembly Croft – Representative DuBois – Alternate

Gateway Cities COG Board

DuBois - Representative Esquivel - Alternate

Greater Los Angeles County

Vector Control District Esquivel - Representative

Job Training Partnership Act

SELACO WIB DuBois - Policy Board
Pam Hyland - Advisory Board

League of California Cities

L.A. County Division Croft - Representative DuBois - Alternate

City Selection Committee Croft - Representative DuBois - Alternate

Annual League Conference Esquivel - Representative Croft - Alternate

L.A. County Sanitation

District #3 & #19 Croft - Representative Rogers - Alternate

Southeast Water Coalition

Rogers - Representative Croft – Alternate

STANDING COMMITTEES

Intergovernmental Relations Croft - Chair Rogers - Member

Lakewood Schools Rogers - Chair Van Nostran - Member

Environmental Management DuBois - Chair Esquivel - Member

Public Safety Rogers - Chair Van Nostran - Member

Park Development/Community Services Esquivel - Chair Dubois - Member

ORAL COMMUNICATIONS: None

ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Croft adjourned the meeting at 9:44 p.m.

Respectfully submitted,

Denise R. Hayward, CMC
City Clerk