



# Minutes

## Lakewood City Council

Regular Meeting held  
June 26, 2018

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**MEETING WAS CALLED TO ORDER** at 7:33 p.m. by Mayor Croft in the Council Chambers at the Civic Center, 5000 Clark Avenue, Lakewood, California.

**INVOCATION** was offered by Pastor Howard Post, Calvary Chapel Tabernacle

**PLEDGE OF ALLEGIANCE** was led by Order of the Arrow joined by Boy Scout Troop 134

**ROLL CALL: PRESENT:** Mayor Steve Croft  
Vice Mayor Todd Rogers  
Council Member Diane DuBois  
Council Member Jeff Wood

**ABSENT:** Council Member Ron Piazza (excused)

### **ANNOUNCEMENTS AND PRESENTATIONS:**

Mayor Croft announced the meeting would be adjourned in memory of former Artesia City Council Member John Martins, who served for eight years on the Artesia City Council, including two terms as mayor. The Mayor stated that the meeting would also be adjourned in memory of Dr. Stuart Finkelstein, a board certified Addiction Medicine specialist, who was the Chief of Staff at Lakewood Regional Medical Center.

Mayor Croft expressed gratitude to those involved in the success of the past weekend's Lakewood Youth Sports Opening Day and Safety Expo events.

Vice Mayor Rogers stated that with the upcoming 4th of July holiday, the City Council and staff had increased efforts to provide reminders that Safe and Sane fireworks were legal in Lakewood and not the exploding or airborne variety. He described the efforts to mitigate the impacts of illegal fireworks, which included an enforcement team who would be writing citations to those violating the law and fines that could total up to \$2,000.

Council Member Wood concurred by stating that in addition to consideration for the impacts to pets, it was important to mitigate the effects of illegal fireworks to veterans as well. He expressed gratitude to the Public Safety Committee and staff for their communication efforts with the mobile electronic message boards which were being utilized throughout the City.

### **ROUTINE ITEMS:**

COUNCIL MEMBER DUBOIS MOVED AND VICE MAYOR ROGERS SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 12.

**ROUTINE ITEMS:** - Continued

RI-1 Approval of Minutes of the Meetings held May 8, and May 22, 2018

RI-2 Approval of Personnel Transactions

RI-3 Approval of Registers of Demands

RI-4 Report of City Council Committees' Activities

RI-5 Approval of Monthly Report of Investment Transactions - May 2018

RI-6 Approval of Amendment to Agreement with Pacific EH&S Service, Inc. for Health and Safety Consulting Services

RI-7 Approval of First Amendment to Professional Services Agreement with Macro Automatics Corporation for SCADA System Upgrades

RI-8 Approval of Amendment to Agreement for Fire and Security Alarm Services with Stanley Convergent Solutions

RI-9 RESOLUTION NO. 2018-37; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ESTABLISHING EMPLOYEE BENEFITS, DEFINING THE CONDITIONS AND HOURS OF EMPLOYMENT AND ADOPTING A CLASSIFICATION AND COMPENSATION PLAN FOR UNREPRESENTED CITY OFFICERS AND EMPLOYEES

RI-10 RESOLUTION NO. 2018-38; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD REPEALING RESOLUTION NO. 2016-34 PERTAINING TO HOURLY-RATED PART-TIME EMPLOYEES AND ENACTING A PERSONNEL RESOLUTION ESTABLISHING THE COMPENSATION, RULES AND REGULATIONS PERTAINING TO HOURLY-RATED PART-TIME EMPLOYEES

RI-11 Adoption of Grant Management Policy

RI-12 RESOLUTION NO. 2018-39; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ADOPTING THE REVISED PARKING LATE FEE AND ESTABLISHING PAYMENT PLAN PROCESSING FEES IN ACCORDANCE WITH ASSEMBLY BILL 503

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: DuBois, Rogers, Wood and Croft

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Piazza

**1.1 • ADOPTION OF RESOLUTION NO. 2018-40; ADJUSTING RESIDENTIAL REFUSE RATES; AND APPROVAL OF AMENDMENT TO AGREEMENT FOR REFUSE COLLECTION WITH EDCO WASTE SERVICES**

Jose Gomez, Director of Administrative Services, gave a presentation based on the report in the agenda and provided a brief summary on the proposed refuse rate increase as well as on the proposed amendment to the existing agreement with EDCO Disposal Services, the City's refuse services provider. He explained that last year, since EDCO had declined to exercise its option to increase fees, the City opted not to increase residential refuse rates. For the current year, EDCO offered to lower its increase, resulting in a 5.7% adjustment rather than the contract rate of 6.7%. He noted that staff had provided public notices pursuant to Proposition 218 and that one protest had been received. In consultation with EDCO, staff had determined the need to amend Appendix B of the refuse collection contract to reflect the residential billing adjustment to the amounts paid to EDCO for residential recycling and refuse service. He stated it was recommended that the City Council hold a public hearing; adopt Resolution No. 2018-40; approve the 2018 amendment to Appendix B with EDCO Waste Services, LLC; and authorize the Mayor to sign the agreement in a form approved by the City Attorney.

Steve Skolnik, Office of the City Attorney, explained that with regards to Proposition 218 hearings, in the event that there were more than fifty percent of the affected ratepayers protesting, the City Council would be prevented from moving forward; however, since only one protest had been received, that was not the present case.

Mayor Croft opened the public hearing at 7:46 p.m. and called for anyone in the audience wishing to address the City Council on this matter.

Laura Loza, 3418 Centralia Street, Lakewood, expressed opposition to the refuse rate adjustment and requested information pertaining to the EDCO agreement.

Vice Mayor Rogers stated that as a Lakewood resident, he would prefer not to have to raise rates but that due to rising costs, the City had an obligation to honor the contract terms and maintain the City in a fiscally sound manner.

Mr. Skolnik advised that the law required that those who were subject to the increase receive at least a 45-day notice of what had been proposed and that the notice had been provided as an enclosure in residents' water bills.

Mayor Croft added that due to the bimonthly billing cycle, a number of residents actually would have received the notice earlier than the 45 days, some as early as back in March.

Council Member Wood commended the responsiveness of some of the City's vendors and cited the value of the relationship with contractors such as EDCO.

**RESOLUTION NO. 2018-40; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD TO ESTABLISH RESIDENTIAL REFUSE RATES FOR FISCAL YEAR 2018-2019**

**1.1 • ADOPTION OF R2018-40; ADJUSTING RESIDENTIAL REFUSE RATES; AND APPROVAL OF AMENDMENT WITH EDCO WASTE SERVICES** - Continued  
COUNCIL MEMBER DUBOIS MOVED AND COUNCIL MEMBER WOOD SECONDED TO ADOPT RESOLUTION NO. 2018-40 AND APPROVE THE 2018 AMENDMENT TO APPENDIX B WITH EDCO WASTE SERVICES, LLC AND AUTHORIZE THE MAYOR TO SIGN THE AGREEMENT. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: DuBois, Rogers, Wood and Croft

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Piazza

**1.2 • ADOPTION OF RESOLUTION NO. 2018-41; PERTAINING TO WATER RATES AND CHARGES**

The Administrative Services Director gave a presentation based on the report in the agenda and reported that a comprehensive rate study had been conducted over a year ago and had taken into account wholesale water costs, inflation and funds necessary for capital improvement projects. He stated that the proposed three year water rate structure would impact different customers in a variety of ways. Mr. Gomez explained that the most common account would see an increase between 3.8% and 5% in each of the next three years which was consistent with ensuring that essential costs were covered as well as setting aside funds to keep the infrastructure up to date. He noted that notices were sent out pursuant to Proposition 218. It was recommended that the City Council hold a public hearing and adopt Resolution No. 2018-41.

Mr. Skolnik reported that there had been a total of 162 written protests received regarding the water rate increase noting that with the over 20,000 total number of water service accounts, the protests were well below the required majority.

Mayor Croft explained on behalf of the Water Committee, of which he and Council Member Piazza were members, that a rate increase had been the result of a comprehensive study on the water rate structure and acknowledged that capital improvement needs were substantial. He stated that during the drought, residents' conservation efforts resulted in reduced water revenues that would have paid for capital improvements. He added that staff had been successful in finding buyers for the surplus water that helped offset some of those costs so that it did not have to fall on ratepayers. The Mayor reported that improvements had been made to the system that would help monitor the overall infrastructure and allow for the replacement of capital in a timely manner based on wear and tear rather than on years of use. He stated that a phased in rate structure had been recommended by the consultant and that the challenge had been in finding savings, resources, and income with a plan to keep the water system healthy while also minimizing the impact to residents.

**1.2 • ADOPTION OF RESOLUTION NO. 2018-41; PERTAINING TO WATER RATES AND CHARGES - Continued**

Vice Mayor Rogers restated his earlier comments regarding the need to raise rates and added that Lakewood residents paid their fair share in State and Federal taxes. He explained that some of the cuts that had to be made in order to achieve a balanced budget, a core value for Lakewood, were based on the City's fiduciary responsibility. He noted that residents in the eastern portion of the City paid fifty percent more for their water because they were served by Golden State Water Company and that the City had fought on the residents' behalf against the sixteen percent increase over the next three years. He expressed objections to the State's and other agencies' efforts to pass on charges to Lakewood residents to fund a variety of projects, such as the Sacramento Delta, which were of little benefit to the City.

Council Member DuBois stated that despite the unwanted increase to the water rates, it was the City's responsibility to keep things running properly which required that water users pay for what they used.

Mayor Croft clarified that water revenues were maintained separately to be utilized within the utility system for water infrastructure and water operations purposes only.

Mayor Croft opened the public hearing at 8:01 p.m. and called for anyone in the audience wishing to address the City Council on this matter.

Kathryn Marshall, Lakewood, expressed appreciation for the City's long-term view regarding water and noted her expectations of a reliable supply of water. She stated that after having reviewed the water study materials, meeting with Mr. Gomez and understanding the process that had been undertaken due to her having worked previously as a city official, she supported the rate increase.

E. Zimmer, Lakewood, stated her initial opposition to the water rate increase and explained that after receiving clarification from staff, she realized her misunderstanding.

Laura Loza, Lakewood, expressed opposition to the rate increase and offered suggestions for cost saving options.

**RESOLUTION NO. 2018-41; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE NORMAL QUANTITATIVE RATE CONTAINED IN SECTION 10 OF THE CITY'S "WATER SERVICE PROCEDURE MANUAL," AND AMENDING THE RECYCLED WATER RATE**

**VICE MAYOR ROGERS MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO ADOPT RESOLUTION NO. 2018-41. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:**

**AYES: COUNCIL MEMBERS: DuBois, Rogers, Wood and Croft**

**NAYS: COUNCIL MEMBERS: None**

**ABSENT: COUNCIL MEMBERS: Piazza**

### **1.3 • APPROVAL OF COMMUNITY DEVELOPMENT BLOCK GRANT 2018-19 ACTION PLAN**

Sonia Southwell, Director of Community Development, displayed slides and made a presentation based on the report in the agenda. She stated that to be eligible to receive funding from the U.S. Department of Housing and Urban Development under the Community Development Block Grant Program, the City was required to submit an Annual Action Plan that listed the activities the jurisdiction was proposing to fund. She added that the City was also required to conduct a 30-day public comment period for the proposed Action Plan and noted that the allocation for this year was \$532,525, which was a \$22,049 or 4.3% increase in funding from the previous year's allocation. She explained that CDBG funds would be used for various matters including Code Enforcement, Fair Housing, Burns Community Center Improvements, and public services such as Community Family Guidance, Pathways Volunteer Hospice, Meals on Wheels and Human Services Association. She concluded by stating that staff recommended the City Council conduct a public hearing to receive comments and following the public hearing, approve the FY 2018-2019 Action Plan and authorize the City Manager to direct staff to submit to HUD the CDBG funding application Form 424 and approved Action Plan along with the required CDBG certifications by no later than August 16, 2018.

Mayor Croft opened the public hearing at 8:12 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 WOOD SECONDED TO APPROVE STAFF'S RECOMMENDATIONS. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: DuBois, Rogers, Wood and Croft

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Piazza

### **3.1 • 2018 CIVIC CENTER BLOCK PARTY PREVIEW**

Recreation and Community Services Director Valarie Frost displayed slides and made a presentation based on the memo in the agenda. She reported that the City's annual Civic Center Block Party would be held on June 30th. Highlights of the event included live entertainment by pop band "The Answer"; a Family Fun Zone, with attractions that included a rock climbing wall, inflatable slides and jumpers and traditional carnival games; "A Taste of Lakewood" showcase of Lakewood restaurants and eateries benefiting the Friends of the Lakewood Libraries; beverage garden; Shop Lakewood promotion; and concluding with a fireworks display.

Ms. Frost responded to Mayor Croft's comments regarding the sound system by stating that Lakewood Center would provide for additional equipment to allow for the choreographed music to be heard from the mall complex during the fireworks.

### **3.1 • 2018 CIVIC CENTER BLOCK PARTY PREVIEW - Continued**

Mayor Croft encouraged those in attendance to sample some of the fare from the newer restaurants who were participating this year.

In response to Council Member Wood's question pertaining to the temporary fencing, Ms. Frost stated that the barriers were placed to prevent damage to the flower beds and landscaping at the Home Depot and Best Buy locations caused by foot traffic but that the sidewalks would remain accessible.

### **3.2 • FINAL UPDATE ON IMPROVEMENTS TO THE EXISTING BURNS COMMUNITY CENTER**

Lisa Rapp, Director of Public Works, displayed slides and made a presentation based on the memo in the agenda. She highlighted some of the progress that had been made at the Burns Community Center project which included improvements to the front and rear entry areas of the building; plaza and parking areas; new lobby and elevator; first floor men's and women's restrooms; activity room; Meals on Wheels area; and new fire alarm system. Some of the challenges faced during construction included deterioration of waterproofing under the wood siding on the second floor; first floor bathrooms impacted by compromised waterproofing of the second floor bathrooms; replacement of the antiquated fire alarm system; and continued operation of the building during construction by the tenants. She summarized some of the remaining expenses for the project which included landscaping and irrigation materials; additional construction management; upstairs restroom waterproofing and ADA compliance, abatement oversight; furniture, fixtures and equipment; and the relocation of MOW from Mayfair Park to the renovated space at the Burns Community Center. She noted that staff had tried to determine if there were any other unforeseen conditions that could generate any more change orders, and the one unknown remaining was the potential for hazardous material abatement when the old elevator shaft and equipment room were demolished and converted into storage space. She concluded by stating that it was recommended that the City Council authorize staff to approve change orders in an amount not to exceed \$645,000 to Public Works Contract 16-1R; authorize Willdan to perform additional construction management services in the amount of \$63,380 under their existing on-call Engineering Services agreement; and authorize SCS Engineers to perform additional environmental engineering services in an amount not to exceed \$10,000 under their on-call Engineering Services Agreement.

Responding to an inquiry from Council Member DuBois, Ms. Rapp stated that requests for additional change orders would only be made for any unforeseen condition that could not be anticipated and explained that the finished product would serve the community well into the future.

Mayor Croft stated that an update to the building had been much needed and that it was unfortunate that there were things that could not be anticipated until the walls had been opened up. He expressed gratitude to the residents and patrons of the Burns Community Center for their patience during the construction period.

**3.2 • FINAL UPDATE ON IMPROVEMENTS TO THE EXISTING BURNS COMMUNITY CENTER - Continued**

Vice Mayor Rogers restated that earlier estimates of costs may have been a little conservative but noted that the completed project would be worth the additional efforts. He stated that the Center had served the community for fifty years and was one of Lakewood's assets.

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

AYES: COUNCIL MEMBERS: DuBois, Rogers, Wood and Croft

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Piazza

**SUCCESSOR HOUSING ACTIONS**

1. Approval of Register of Demands

COUNCIL MEMBER WOOD MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO APPROVE THE REGISTER OF DEMANDS. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: DuBois, Rogers, Wood and Croft

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Piazza

**ORAL COMMUNICATIONS:** None

**ADJOURNMENT**

There being no further business to be brought before the City Council, Mayor Croft adjourned the meeting at 8:33 p.m. to Tuesday, July 10, 2018, at 6:30 p.m. in the Executive Board Room. A moment of silence was observed in memory of John Martins and Stuart Finkelstein.

Respectfully submitted,

Jo Mayberry, CMC  
City Clerk