



Minutes

Lakewood City Council

Regular Meeting held
September 25, 2018

MEETING WAS CALLED TO ORDER at 7:45 p.m. by Mayor Croft in the Council Chambers at the Civic Center, 5000 Clark Avenue, Lakewood, California.

INVOCATION was offered by Ahmed Rafi, Member of the Lakewood Muslim Community

PLEDGE OF ALLEGIANCE was led by Girl Scout Troop 4823

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

ANNOUNCEMENTS AND PRESENTATIONS:

Mayor Croft announced the 37th annual Fall Craft Festival would be held on Saturday, September 29th, at the Weingart Senior Center. He also announced that the Lakewood Education Foundation's annual golf tournament would be held on October 8th, to raise funds for classroom improvement grants at Lakewood schools.

Vice Mayor Rogers commended staff for addressing concerns regarding the Bolivar Park stormwater capture pump house structure by covering it with a wrap to give it the appearance of a small Lakewood home.

Council Member Piazza stated his disappointment with the leaders in Washington and expressed appreciation for his City Council colleagues noting their civility and willingness to work together despite their differences.

Emilio Sosa, Committee Chairperson, Lakewood Rotary Club, made a brief presentation regarding Project Shepherd. He stated that the program was entering its 46th year of providing assistance to families in need during the holiday season and involved the cooperative efforts of the City, Lakewood businesses, churches, schools and residents. He concluded by requesting that Mayor Croft serve as honorary chairperson. Mayor Croft accepted by stating that he would be honored to serve.

ROUTINE ITEMS:

COUNCIL MEMBER PIAZZA MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 8.

ROUTINE ITEMS: - Continued

- RI-1 Approval of Minutes of the Meetings held July 10, and July 24, 2018
- RI-2 Approval of Personnel Transactions
- RI-3 Approval of Registers of Demands
- RI-4 Approval of Report of City Council Committees' Activities
- RI-5 Approval of Monthly Report of Investment Transactions for July 2018 and August 2018
- RI-6 Approval of Agreement with Tyler Technologies, Inc. "MUNIS" for Accounting Software Licenses and Support
- RI-7 RESOLUTION NO. 2018-60; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING PARTICIPATION IN THE GATEWAY CITIES ENERGY LEADER PARTNERSHIP PROGRAM WITH SOUTHERN CALIFORNIA EDISON
- RI-8 RESOLUTION NO. 2018-61; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING RESOLUTION NO. 1862 PERTAINING TO RULES AND PROCEDURES FOR THE PROCEEDINGS OF THE CITY COUNCIL, AND FOR ITS OFFICERS AND EMPLOYEES

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piazza, DuBois, Rogers, Wood and Croft
NAYS: COUNCIL MEMBERS: None

1.1 • ORDINANCE NO. 2018-6; REGARDING THE LOCATION, DESIGN AND OPERATION OF COMMERCIAL CARWASHES

Sonia Southwell, Director of Community Development, displayed slides and made a presentation based on the memo in the agenda. She reported that there were currently four full service car washes, two express car washes, four service station car washes and one coin-operated car wash in the City and an additional express car wash was under construction. During consideration and review of proposed commercial carwashes, concerns had been raised regarding the adequacy of carwash regulations pertaining to operational noise and traffic generation in close proximity to residential areas. The proposed ordinance would establish location and development standards for commercial carwashes. She stated that staff recommended that the City Council introduce the proposed ordinance and adopt the related Categorical Exemption.

1.1 • ORDINANCE NO. 2018-6; REGARDING THE LOCATION, DESIGN AND OPERATION OF COMMERCIAL CARWASHES - Continued

Responding to Vice Mayor Rogers' inquiry pertaining to sales tax received from car washes, Ms. Southwell stated that except for the incidentals such as cleaning supplies or air fresheners, the City did not receive any economic benefit.

In response to Council Member Piazza's questions regarding whether there were any potential car wash businesses that might be impacted by the proposed changes, Ms. Southwell replied that there had been three inquiries with only one of those contemplated located in the C-4 zone. She stated that one inquiry had been received from the owner of the property at Bellflower and Del Amo Boulevards, who had submitted some preliminary plans but that no application had been filed. She added that another inquiry had been received for a car wash extension but with no construction drawings or Development Review Board submittal. She further stated that existing car washes would be deemed approved and would continue to operate and modernize as needed.

Ms. Southwell confirmed for Council Member Wood that two of the three car wash inquiries would not be allowed under the ordinance. She added that Parkcrest Car Wash had already been in the process of the Conditional Use Permit application prior to the drafting of the proposed ordinance. In response to Council Member Wood's questions pertaining to onsite parking, Ms. Southwell stated that dedicated parking spaces for employees were a requirement to prevent staff from parking in the neighborhood.

Mayor Croft opened the public hearing at 8:09 p.m. and called for anyone in the audience wishing to address the City Council on this matter.

Emeil Kamel, 4905 Bellflower Boulevard, Lakewood, expressed opposition to the ordinance and indicated his plan for an express car wash business noting his belief that noise and traffic issues would not exist.

Arthur Pinette, Lakewood, expressed gratitude to the City Council and the Planning and Environment Commission for addressing the issues of residents adjacent to proposed car washes and stated he would continue to monitor all car wash construction in the City.

Alan Gafford, Lakewood, addressed the City Council regarding concerns with car wash hours of operation, the proximity to residences, noise issues, alley access and traffic issues.

Responding to a question from Mr. Gafford, Steve Skolnik, for the City Attorney, clarified that while it had been discussed earlier during the time of the Parkcrest Car Wash project review process, the development of the proposed ordinance had been more recent.

Mayor Croft closed the public hearing at 8:19 p.m.

1.1 • ORDINANCE NO. 2018-6; REGARDING THE LOCATION, DESIGN AND OPERATION OF COMMERCIAL CARWASHES - Continued

Mr. Skolnik noted that due to the varying circumstances associated with each car wash application, the hours of operation might be best handled through the conditional use permit process which could be tailored for specific situations and could be considered on a case by case basis.

In response to Council Member Wood's inquiries regarding adjustments to the hours of operation, Mr. Skolnik stated that specific outer parameters could be set which could be subject to the discretion of the Planning and Environment Commission during consideration of the conditional use permit.

Mayor Croft added that the conditional use permit process provided the flexibility to examine each car wash for site location, design and operational requirements noting that decisions of the Planning and Environment Commission could be appealed to the City Council should there be resulting issues.

Ms. Southwell responded to Council Member Wood's questions by stating that of the existing car washes, some started operations as early as 8:00 a.m. and some full service car wash locations closed when it became dark in the evenings.

Council Member Piazza stated that there should be some method of providing the Planning and Environment Commission with guidance on decisions regarding the proximity of car washes to residential areas whether based on specified distances or on decibel levels. He requested statistical information on the number of car wash businesses located in the City in relation to population and relative to other cities.

Vice Mayor Rogers expressed concerns regarding the proliferation of car washes and with the potential of commercial establishments being taken over by businesses that did not add to the local economy. Noting that only six percent of the City had been zoned commercial and with the existing structural deficit in the budget, he emphasized the importance of bringing in tax generating businesses.

Responding to Council Member Wood's inquiry pertaining to the status of car wash applicants who had already initiated paperwork, Mr. Skolnik stated that the Permit Streamlining Act would not require that such applications be approved. He noted that applicants had been provided notice that the proposed ordinance was under consideration and based on the 180-day timeframe, no applicant would get approved plans before the ordinance would become effective.

Mr. Skolnik confirmed for the Council Members that the proposed ordinance could be read by title and introduced at this time; then at the following meeting, the City Council could adopt the ordinance or re-introduce it should there be any amendments. He explained that a study session could be held prior to adoption of the ordinance in order to provide additional information, if necessary.

1.1 • ORDINANCE NO. 2018-6; REGARDING THE LOCATION, DESIGN AND OPERATION OF COMMERCIAL CARWASHES - Continued

ORDINANCE NO. 2018-6; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE LAKEWOOD MUNICIPAL CODE AND THE ZONING ORDINANCE REGARDING THE LOCATION, DESIGN AND OPERATION OF COMMERCIAL CARWASHES was read by title by the City Clerk.

MAYOR CROFT MOVED AND VICE MAYOR ROGERS SECONDED TO WAIVE FURTHER READING, INTRODUCE ORDINANCE NO. 2018-6 AND ADOPT THE RELATED CATEGORICAL EXEMPTION. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piazza, DuBois, Rogers, Wood and Croft
NAYS: COUNCIL MEMBERS: None

1.2 • ORDINANCE NO. 2018-7; REGARDING THE SHORT-TERM RENTALS OF RESIDENTIAL PROPERTIES AND REQUIRING A BUSINESS LICENSE AND TRANSIENT OCCUPANCY TAX FOR SUCH SHORT-TERM RENTALS

The Director of Community Development displayed slides and made a presentation based on the memo in the agenda. She explained that after a resident complaint had been received in 2017, a study session had been held and staff had since continued to monitor short-term rentals in the City. Ms. Southwell stated that the purpose of the proposed ordinance would prohibit the short-term rental of whole homes and regulate the short-term rental of rooms within an owner occupied home. The proposed ordinance also established a business license and applied the adopted Transient Occupancy Tax to home share room rentals. She concluded by stating that staff recommended that the City Council introduce the proposed ordinance and adopt the related Categorical Exemption.

Jose Gomez, Director of Finance and Administrative Services, confirmed for Council Member Wood that the tax would be collected by staff and explained that a third party consultant would assist in identifying short-term rental locations and work to enforce the ordinance. Mr. Gomez responded to further questions from Council Member Wood by stating that enforcement of the ordinance would be handled similarly to other business licenses and would progress to the administrative citation process if there was continued non-compliance.

Mr. Skolnik reported that the proposed ordinance had not been anticipated as a revenue source but that it allowed the ability to collect more money than it would cost to administer the program. He further stated that it had not been intended to be a money losing program to enforce.

1.2 • ORDINANCE NO. 2018-7; REGARDING SHORT-TERM RENTALS - Continued
Citing their increased popularity in other communities, Council Member Piazza stated the importance of having some control over short-term rentals particularly with potential issues in Lakewood neighborhoods and noted that the proposed ordinance was a good start.

Vice Mayor Rogers concurred with Council Member Piazza's assertion and noted that the proposed ordinance was a proactive measure against issues related to such uses. He further commented that should additional issues arise in neighborhoods, the matter could be revisited to consider more stringent regulations.

Mayor Croft opened the public hearing at 8:44 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

ORDINANCE NO. 2018-7; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING ARTICLE VI AND IX OF THE LAKEWOOD MUNICIPAL CODE PERTAINING TO STANDARDS FOR SHORT-TERM RENTALS OF RESIDENTIAL PROPERTIES AND REQUIRING A BUSINESS LICENSE AND TRANSIENT OCCUPANCY TAX FOR SUCH SHORT-TERM RENTALS was read by title by the City Clerk.

COUNCIL MEMBER WOOD MOVED AND VICE MAYOR ROGERS SECONDED TO WAIVE FURTHER READING, INTRODUCE ORDINANCE NO. 2018-7 AND ADOPT THE RELATED CATEGORICAL EXEMPTION. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piazza, DuBois, Rogers, Wood and Croft
NAYS: COUNCIL MEMBERS: None

2.1 • ORDINANCE NO. 2018-8; PERTAINING TO COMPENSATION OF MEMBERS OF THE CITY COUNCIL

Thaddeus McCormack, City Manager, made a presentation based on the report in the agenda and stated that compensation for City Council Members was last adopted in 2005. He reported that the Government Code authorized an increase in City Council salaries well above what had been proposed in the ordinance noting that the proposed amount was far below the Consumer Price Index calculated over that time frame from 2007 to effectively 2020.

Mayor Croft explained that the item had been placed on the agenda at his request and that it had been over thirteen years since compensation of the City Council had been considered. He asserted that such a change would not go into effect until after the 2020 municipal election and that the proposed amendment was a modest amount that equaled about seven-tenths of a percent per year increase if amortized over the period of time since the last adjustment.

2.1 • ORDINANCE NO. 2018-8; PERTAINING TO COMPENSATION OF MEMBERS OF THE CITY COUNCIL - Continued

Vice Mayor Rogers, stated that while the nine percent increase appeared disproportionate, it amounted to just \$136 per month. Citing the abuse that occurred in other cities, he expressed gratitude that his Council colleagues would not let that happen in Lakewood. He maintained that if they intended to inspire and motivate future council members, such an increase was sensible and fair to the people who would be investing their time and effort into keeping the City great.

Council Member DuBois expressed support for the proposed ordinance and stated that despite initial reaction to the compensation increase, she concurred with Vice Mayor Rogers' observations pertaining to the sacrifices associated with serving on the City Council.

ORDINANCE NO. 2018-8; 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.

MAYOR CROFT MOVED AND VICE MAYOR ROGERS SECONDED TO WAIVE FURTHER READING AND INTRODUCE ORDINANCE NO. 2018-8. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piazza, DuBois, Rogers, Wood and Croft
NAYS: COUNCIL MEMBERS: None

SUCCESSOR AGENCY ACTIONS

1. Approval of Register of Demands

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

AYES: COUNCIL MEMBERS: Piazza, DuBois, Rogers, Wood and Croft
NAYS: COUNCIL MEMBERS: None

SUCCESSOR HOUSING ACTIONS

1. Approval of Register of Demands

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

AYES: COUNCIL MEMBERS: Piazza, DuBois, Rogers, Wood and Croft
NAYS: COUNCIL MEMBERS: None

ORAL COMMUNICATIONS:

Alan Gafford, Lakewood, addressed the City Council regarding the Cerritos College Board of Trustees Citizens' Bond Oversight Committee, on which he served.

ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Croft adjourned the meeting at 8:52 p.m. to Tuesday, October 9, 2018, at 6:30 p.m. in the Executive Board Room.

Respectfully submitted,

Jo Mayberry, CMC
City Clerk