



Minutes

Lakewood City Council

Regular Meeting held
September 10, 2019

MEETING WAS CALLED TO ORDER at 7:31 p.m. by Mayor Rogers in the Council Chambers at the Civic Center, 5000 Clark Avenue, Lakewood, California.

INVOCATION was offered by Bishop David Montgomery, Church of Jesus Christ of Latter-day Saints

PLEDGE OF ALLEGIANCE was led by Camp Fire Wild Things

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

ANNOUNCEMENTS AND PRESENTATIONS:

Mayor Rogers announced that the meeting would be adjourned in memory of the victims of the mass shooting in Odessa, Texas, as well as the victims of the fire aboard the dive boat, Conception, off of Santa Cruz Island.

The Mayor introduced Board President Ernie Nishii and Communications Officer Scott Smith of ABC Unified School District (ABCUSD), who provided an update on the District's Measure BB enhancements, which included security cameras, playgrounds and resurfacing and shade structures at school campuses. Mr. Smith stated that the initial projects would bring increased safety, beneficial technology and next-generation classrooms to the schools in the District.

Mr. Nishii expressed gratitude for the City's partnership with the District attributing the valuable collaboration for their success. He voiced concerns with vaping and the associated risks of addiction and health dangers to young people.

Mayor Rogers acknowledged the consequences of the vaping issue and recounted the City Council's having withheld being pressured a few years earlier by proponents who were advocating vaping as a safe alternative to smoking cigarettes.

Council Member Croft inquired regarding the evaluation process for the remaining funding from the measure. Mr. Smith replied that the initial round of approximately \$64.5 million provided improvements to some elementary schools. He further explained that a study session had been held recently to determine future projects at the high school level and that with the next wave of funding, they would potentially move on to improvements at the remainder of the elementary and middle schools.

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ANNOUNCEMENTS AND PRESENTATIONS: - Continued

Council Member Croft voiced appreciation for being kept apprised of the projects as they were approved and moving forward.

Vice Mayor Wood stated his gratitude for the District representatives' presentation and suggested similar updates from the school districts on a regular basis. He inquired whether the vaping issue could be discussed at the committee level.

Mayor Rogers requested a report on the current state of zoning for vape shops and that an update on the square footage restrictions and other requirements be provided to the City Council.

Responding to Vice Mayor Wood's questions regarding vaping and their proximity to schools, Mr. Nishii replied that State law prohibited the sale of such products near schools and that some jurisdictions limited or outright banned the sale of flavored vaping devices.

Council Member Piazza concurred with his colleagues' statements and added the suggestion that the three school districts that served Lakewood provide similar updates once a year and emulate the format used by ABCUSD.

Mayor Rogers indicated that the Lakewood Education Foundation supported teachers serving Lakewood students and that over the last thirteen years, over a half million dollars had been donated directly to Lakewood classrooms and that schools from the ABC Unified School District had been previous beneficiaries. He stated that this year's funding cycle had been announced recently through a press release to all the school sites and noted in particular that Melbourne Elementary School had been proactive in pursuing the funding in the past.

Mayor Rogers introduced Caren Glines-Spilsbury of the Lakewood Jaycees, who made a presentation of a donation to replace equipment that had recently been stolen from the Teens in Lakewood Care Program. Crystal Meza, Miss Greater Lakewood, stated that on behalf of the Greater Lakewood Chamber of Commerce and the Greater Lakewood Courts, they were donating \$1,400 to cover the cost of purchasing a new lawn mower, weeder, chainsaw and leaf blower. Ms. Glines-Spilsbury introduced other members, including Mrs. Greater Lakewood, Laura Sanchez-Ramirez, Lakewood Jaycee member, Aubrey Spilsbury and Teens in Lakewood Care's Dan Spilsbury.

Council Member Croft informed the members of the Jaycees in attendance that the donated equipment would be stored in a new, more secure location.

ROUTINE ITEMS:

Vice Mayor Wood requested that RI-6 be considered separately.

COUNCIL MEMBER CROFT MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 5 AND 7 THROUGH 9.

RI-1 Approval of Minutes of the Meeting held June 25, 2019

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ROUTINE ITEMS: - Continued

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 Permit for Mayfair High School Homecoming Parade

RI-7 Authorization for Citywide Traffic Signal Maintenance Study

RI-8 RESOLUTION NO. 2019-43; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD RESCINDING A RESOLUTION ESTABLISHING A PHYSICALLY HANDICAPPED PERSONS DESIGNATED PARKING SPACE WITHIN THE CITY OF LAKEWOOD

RI-9 Acceptance of Notice of Completion for Public Works Contract 2019-2, Woodruff Paving 2019

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

RI-6 RESOLUTION NO. 2019-42; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ADOPTING FEES FOR THE RECOVERY OF OVERHEAD COSTS ASSOCIATED WITH THE PROCESSING OF SIDEWALK VENDOR PERMITS

Steve Skolnik, Office of the City Attorney, stated that the proposed resolution was related to an ordinance which would be introduced later in the agenda and that the fees cited in the resolution would go into effect upon adoption of the ordinance.

Vice Mayor Wood inquired whether the fee indicated in the resolution would cover the cost to administer and enforce the regulations. Paolo Beltran, Assistant to the City Manager, responded that the fee had been derived from actual costs calculated by Finance and Administrative Services Department staff, who would be processing the permits.

Mr. Skolnik confirmed for Vice Mayor Wood that if the rates increased, an adjustment could be brought back for City Council consideration. He provided a reminder that the general principle was that for a fee to provide a service, no more than the reasonable cost of providing the service could be charged, which had been true of any kind of fee.

VICE MAYOR WOOD MOVED AND COUNCIL MEMBER PIAZZA SECONDED TO APPROVE ROUTINE ITEM 6.

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ROUTINE ITEMS: - Continued

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.1 • COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT

Abel Avalos, Director of Community Development, displayed slides and made a presentation based on the memo in the agenda. He stated that Federal regulations required recipients of Community Development Block Grant funds to prepare an annual performance report. The Consolidated Annual Performance and Evaluation Report (CAPER) summarized the program year accomplishments. It was the recommendation of staff that the City Council hold a public hearing to receive any public comments, and direct staff to submit the CAPER, with any comments received, to the local Housing and Urban Development (HUD) office.

In response to questions from Council Member Piazza regarding the Fix-Up/Paint-Up program, Mr. Avalos explained that there were more funds available than could be used noting that it was sometimes difficult to motivate residents to follow through with applying and stated that staff would double their efforts in the coming year.

Mr. Avalos confirmed for Council Member DuBois that information regarding the program was made available at the senior center as well as at City Hall and some park facilities. He noted that advertisements were also placed in local publications.

Mayor Rogers opened the public hearing at 8:05 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

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

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

NAYS: COUNCIL MEMBERS: None

2.1 • ORDINANCE NO. 2019-3; ESTABLISHING RULES FOR SIDEWALK VENDING PURSUANT TO GOVERNMENT CODE SECTION 51036, ET SEQ.

Assistant to the City Manager, Paolo Beltran, made a presentation based on the memo in the agenda and reported that staff had prepared an ordinance regulating sidewalk vendors, drafted in response to Senate Bill 946, which mandated that cities allow sidewalk vendors to operate within their jurisdictions. The bill, authored by former State Senator Ricardo Lara and signed by Governor Brown into law, substantially narrowed cities' local discretion by setting specified parameters for regulations. He concluded by stating that staff recommended that City Council introduce Ordinance No. 2019-3.

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2.1 • ORDINANCE NO. 2019-3; ESTABLISHING RULES FOR SIDEWALK VENDING - Continued

Vice Mayor Wood expressed concerns with portions of the ordinance regarding trash receptacles; operating hours/days; operations in the vicinity of schools, parks, and during special events; charging for actual costs of confiscating and storing items; regulating amplified sounds; and enforcement on weekends.

Mr. Beltran confirmed for Mayor Rogers that regulations did not allow for vending in the median and that any ambiguity could be made clearer in the ordinance. Mayor Rogers stated that these regulations were governed by State law and that it appeared that sidewalk vendors were being afforded more rights than brick and mortar operators. He added that the proposed ordinance had been drafted in response to increased sidewalk vending activity as reported by residents and the regulations were an effort to maintain the quality of life in the neighborhoods while respecting the rights of the business community.

Mr. Skolnik stated that the ordinance could be reintroduced with the requested modifications at the next meeting and would follow the normal sequence.

3.1 • FALL AND WINTER RECREATION PROGRAMS

Director of Recreation and Community Services Valarie Frost displayed slides and made a presentation based on the memo in the agenda. She highlighted the programs offered through the Fall/Winter Recreation Catalog, citing some of the popular programs, such as the After School Activity Zone, the Lakewood Teen Action Committee, College Fair, Lakewood Youth Sports, Active+ classes, the Play at Palms series and the Lollipop Lane Holiday Boutique, which would feature over 115 arts and crafts booths. She stated that the annual Halloween carnivals would take place at the parks and that creative holiday-themed activities would be available during the winter break. She concluded by stating that staff recommended the City Council receive and file the report.

MAYOR ROGERS DIRECTED THAT THE ITEM BE RECEIVED AND FILED. THERE BEING NO OBJECTION, IT WAS SO ORDERED.

SUCCESSOR AGENCY ACTIONS

1. Approval of Amended Recognized Obligation Payment Schedule (ROPs) for July 1, 2019 Through June 30, 2020 – ROPs 19-20

Jose Gomez, Director of Finance and Administrative Services, made a presentation based on the memo in the agenda and explained that subsequent to the January submittal of the Recognized Obligation Payment Schedule (ROPS), the Department of Finance (DOF) notified the Successor Agency that payments would not be made due to a lack of residual funds available and that the conclusion was based on the State-prescribed ROPS payment calculation. He stated that staff was not in agreement with the response as residual fund levels were closely associated with changes in property values over the years, which had only

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1. Approval of Amended ROPs for July 1, 2019 - June 30, 2020 – Continued seen significant growth. Staff requested that the Los Angeles County Auditor-Controller's Office (CAC) further review the Agency's submittal and requested a formal meet and confer discussion with the DOF. The CAC subsequently provided new information indicating that indeed corrections were needed as some calculation factors were inadvertently overlooked. The corrected formula showed that residual funds were due to the Agency and could be used to repay an estimated \$500,324 in housing funds. It was recommended that the Successor Agency approve the Amended Recognized Obligations Payment Schedule (ROPS) for July 1, 2019 through June 30, 2020.

COUNCIL MEMBER CROFT MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO APPROVE THE AMENDED RECOGNIZED OBLIGATIONS PAYMENT SCHEDULE (ROPS) FOR JULY 1, 2019 THROUGH JUNE 30, 2020. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

SUCCESSOR HOUSING ACTIONS

1. Approval of Registers of Demands

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

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

ORAL COMMUNICATIONS:

Eleanor Mendoza, Lakewood, addressed the City Council regarding issues with a neighbor's shed and backyard area.

ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Rogers adjourned the meeting at 8:39 p.m. A moment of silence was observed in memory of the victims of the mass shooting in Odessa, Texas, and of the fire aboard the dive boat, Conception.

Respectfully submitted,

Jo Mayberry, CMC
City Clerk