



Minutes

Lakewood City Council

Regular Meeting held
November 12, 2019

MEETING WAS CALLED TO ORDER at 7:30 p.m. by Mayor Rogers in the Council Chambers at the Civic Center, 5000 Clark Avenue, Lakewood, California.

INVOCATION was offered by Vice Mayor Jeff Wood

PLEDGE OF ALLEGIANCE was led by Scout Troop 134

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 annual Holiday Tree Lighting event would be held on Friday, December 6th, and would include games, activities, Dickens Carolers, gourmet food trucks and a visit from Santa Claus.

Vice Mayor Wood commended Chuck Martucci, Community Services Manager of the Recreation and Community Services Department, on having been inducted in the Long Beach City College Hall of Fame.

ROUTINE ITEMS:

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

RI-1 Approval of Minutes of the Meeting held September 24, 2019

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

RI-6 RESOLUTION NO. 2019-50; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING AN APPLICATION FOR, AND RECEIPT OF, SB 2 PLANNING GRANTS PROGRAM FUNDS

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ROUTINE ITEMS: - Continued

RI-7 RESOLUTION NO. 2019-54; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ADDING A JOB CLASSIFICATION AND AMENDING EXISTING PAY RATE IN ATTACHMENT B OF RESOLUTION NO. 2019-48

RI-8 RESOLUTION NO. 2019-55; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ESTABLISHING DISABLED PERSON DESIGNATED PARKING ON THE EAST SIDE OF FIDLER AVENUE WITHIN THE CITY OF LAKEWOOD

RI-9 Approval of Rental Agreement for Offices at the Burns Community Center with Refresh Youth Center

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

2.1 • SUPPORTING THE REDUCING CRIME AND KEEPING CALIFORNIA SAFE ACT OF 2020

Joshua Yordt, Director of Public Safety, made a presentation based on the report in the agenda and reported that the Reducing Crime and Keeping California Safe Act of 2020 was a response to the unintended consequences of Proposition 47 and 57 and other recent public safety reform measures. Over the last several legislative sessions and election cycles, changes had been implemented to integrate a series of major reforms to the criminal justice system and that the cumulative effect of these law changes resulted in a critical impact to communities. He stated that the proposed reform to recent laws was not to eliminate the recent changes nor to advocate for a system of mass incarceration, but to address the unintended consequences of the laws. He noted that the Act, originally intended to be placed on the ballot for November 2018, had been qualified for the November 2020 ballot. He concluded by stating that the Public Safety Committee recommended that the City Council adopt the proposed resolution declaring support for the Reducing Crime and Keeping California Safe Act of 2020.

Council Member Piazza, Council Member DuBois and Council Member Croft expressed support for the Act noting the expectation of rectifying some of the unintended consequences particularly with repeat offenders.

In response to Vice Mayor Wood's suggestion regarding notice of Lakewood's support of the Act, Mr. Yordt stated that as one of the member cities of the Take Back Our Communities and Keep California Safe coalition, a signed copy of the resolution would be provided to the coalition as well as to State legislators.

Mayor Rogers commented on the legislature's actions to shift the burden to local governments with the early release of those previously incarcerated for offenses which were

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2.1 • SUPPORTING THE REDUCING CRIME AND KEEPING CALIFORNIA SAFE ACT OF 2020 - Continued

in effect decriminalized. He explained that as a result, such offenses were going unreported because of the unlikelihood of prosecution and that cities throughout the State were seeing increases in crime. He stated his support for the Act noting that victims of crime should be entitled to greater rights than those who commit crimes.

RESOLUTION NO. 2019-56; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD SUPPORTING THE REDUCING CRIME AND KEEPING CALIFORNIA SAFE ACT OF 2020

COUNCIL MEMBER CROFT MOVED AND VICE MAYOR WOOD SECONDED TO ADOPT RESOLUTION NO. 2019-56. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

2.2 • PLACING ON THE BALLOT AT THE MARCH 3, 2020, GENERAL MUNICIPAL ELECTION A PROPOSED ORDINANCE TO ESTABLISH A THREE-QUARTERS PERCENT GENERAL TRANSACTIONS AND USE (SALES) TAX

Thaddeus McCormack, City Manager, made a presentation based on the report in the agenda and stated that in order to continue to meet the reasonable expectations of the Lakewood community and provide essential services, the City needed to secure a reliable, long term funding stream that was locally controlled, where revenue was not subject to seizure or elimination by the State. He explained that a Lakewood voter-approved $\frac{3}{4}$ percent sales tax measure would raise approximately \$10 million a year, an amount sufficient to meet the budget deficit in the years ahead and to fund and maintain important City services for current and future generations, extending for at least 20 years. The City would have total local control of the revenue as such funds would not be subject to seizure by the State or another local taxing jurisdiction. He noted that Lakewood's ability to impose a local sales tax of up to 0.75% could be precluded by the County or other agencies that maintain jurisdiction in the County, should those agencies propose a non-exempt sales tax measure at a future election and if the County or other agency passed a non-exempt local sales tax, and the 2% cap threshold were reached, that would leave Lakewood voters with no opportunity to implement a local sales tax to support public safety, critical infrastructure maintenance or other services in the City. Rather, the sales tax that the City generated in such an instance would be used by other agencies to support their programs and services that typically provided little benefit to Lakewood. He reported that in considering a local sales tax measure, one of staff's concerns was protecting the City's ability to retain local sales tax dollars for the direct benefit of Lakewood and its residents as opposed to those revenues being used to support programs that serve greater Los Angeles County with little or no return to Lakewood. He added that a benefit of a sales tax in Lakewood, as opposed to other forms of taxes, was that the burden for generating the tax was shared not only by residents but by the thousands of people from

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2.2 • PLACING ON THE BALLOT AT THE MARCH 3, 2020, ELECTION A PROPOSED ORDINANCE TO ESTABLISH A THREE-QUARTERS PERCENT GENERAL TRANSACTIONS AND USE (SALES) TAX - Continued

outside of Lakewood who visited the City every day. He stated that many other cities had implemented local funding mechanisms to achieve this goal, which ensured that taxpayer dollars stayed local to address community priorities. The residents of 39 cities in Los Angeles and Orange counties voted to enact a local sales tax measure in recent years and over 25 cities statewide were already planning to give their residents the option to do so in elections next year. Mr. McCormack further stated that a sales tax would support the growth of property values for Lakewood residents, as revenue from the sales tax allowed the City to continue to provide the community with quality public safety, programs and services in addition to well-maintained facilities and infrastructure. Lakewood residents and businesses would reap the benefits that would come from a sales tax, all while a significant portion of the burden would be shared by non-residents who visited the City. Placement of a measure on the March 3, 2020 ballot would allow Lakewood voters to decide the future of their City. He noted that only the voters of Lakewood had the power to make this decision and that the City Council only had the authority to place the measure before the voters. The measure included strict accountability requirements such as annual independent financial audits of revenues and expenditures and a Citizens Oversight Committee to ensure that funds were used effectively and only to benefit the Lakewood community. It was recommended that the City Council approve the proposed resolution and introduce the proposed ordinance.

Council Member Croft explained that when the State had taken away redevelopment, the City had organized, lobbied and worked with legislators to seek a replacement only to discover that their promised solutions contained onerous requirements that were not acceptable and could cause critical changes to the community. He stated that in conducting an extensive study of capital needs, it was determined that continued deferment would have detrimental impacts to facilities and infrastructure. He expressed thanks to those with whom he served on the budget advisory committee, along with the Mayor, and noted that after careful consideration of possible alternatives, the committee recommended putting forth to residents a measure which could achieve the ability to raise and maintain funds locally.

Bill Baca, Lakewood, stated that as a lifelong resident of the City whose parents were original owners, he believed that one of the main characteristics of living in Lakewood had been the feeling of safety. He noted that the Sheriff's Department had kept Lakewood safe for residents since incorporation. He explained that he became a Volunteer on Patrol for the Sheriff's as a way of being proactive and saw firsthand the professionalism the deputies demonstrated in their daily duties. He expressed concerns with public safety and local programs being jeopardized by the State's takeaways of local funding and voiced support for enabling residents to decide on the solution of a locally controlled revenue source.

Vicki Stuckey, Lakewood, reported that as a longtime resident and having been employed by the L.A. County Sheriff's Department, retiring at the rank of Captain, she witnessed the consequences of changes to State laws that reduced penalties for certain crimes and allowed for the early release of prisoners. She expressed concerns that the effects of the structural deficit would result in increased crime and stated her support for a vote on a solution to the budget issues.

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2.2 • PLACING ON THE BALLOT AT THE MARCH 3, 2020, ELECTION A PROPOSED ORDINANCE TO ESTABLISH A THREE-QUARTERS PERCENT GENERAL TRANSACTIONS AND USE (SALES) TAX - Continued

Ted Spaseff, Lakewood, explained that having worked in various aspects of the public sector for over thirty years, he had firsthand knowledge of the importance of continued maintenance of city buildings, streets, sidewalks, trees and park facilities. Noting that many facilities were built over fifty or sixty years ago, he explained that deferring repairs and maintenance would only give rise to higher costs. He expressed appreciation for the City Council's and staff's initial efforts to make budgetary cuts rather than consider an increase to taxes but explained that he felt making any further cuts would adversely affect the quality of life in the community. He acknowledged the importance that funds derived from a 3/4% sales tax increase would remain in the City and could not be taken away by the State. He added that not moving forward at this time might allow other agencies to implement taxes to be used for other purposes. He expressed the hope for the opportunity to vote to continuing the Lakewood Way of beautiful facilities, parks, streets, trees, sidewalks, and a safe community.

Kirk Real, Lakewood, addressed the City Council and indicated that after having lived in the same house in the City for 75 years, he found Lakewood to be a safe community and was supportive of the programs valued by its residents. He described the geographical and technological changes he had seen through the years and expressed hope for the opportunity to make a determination about the future by supporting the measure.

Ariel Pe, Lakewood, stated that having grown up in Lakewood and as a local business owner, he expressed support for maintaining the Lakewood Way by also providing the opportunity to decide the future particularly for the children.

Lourdes Baez, Lakewood, spoke in favor of maintaining the streets, clean parks, recreation programs and safe neighborhoods and in noting the City's budgetary concerns, she expressed support for the measure, which would provide a source of local funding and stated the hope of giving residents a chance to decide the future of the community and upholding its values.

Chuck Bruesch, Lakewood, addressed the City Council regarding traffic and parking issues in the area of Del Amo Boulevard and 207th Street.

Council Member DuBois expressed gratitude to her City Council colleagues, the budget advisory group and staff for their efforts in seeking solutions to the budget issues and noted that even after having made over \$3 million in cuts over the last few years, the challenges remained unresolved. She stated that providing Lakewood residents the opportunity to decide about a sales tax increase was a difficult but necessary action.

Citing the importance of quality of life, Vice Mayor Wood reiterated the various reasons residents chose to live in Lakewood, such as a safe community and good schools. He noted that in tallying the number of years as enumerated by each speaker, there were over 250 years of residing in the City. He highlighted the fact that the previous speakers were experts in or had firsthand knowledge of public safety, infrastructures and the business community. He indicated that he supported having the residents decide on the future of Lakewood.

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2.2 • PLACING ON THE BALLOT AT THE MARCH 3, 2020, ELECTION A PROPOSED ORDINANCE TO ESTABLISH A THREE-QUARTERS PERCENT GENERAL TRANSACTIONS AND USE (SALES) TAX - Continued

Council Member Piazza stated that while not being fond of any tax increases, he believed that the City had been operating in a fiscally responsible and frugal manner. He expressed the opinion that the residents should be allowed to decide their financial future and supported placing the measure on the ballot.

Mayor Rogers explained that as a Council Member, he understood the importance of maintaining the quality of life as well as other priorities for those he represented. He acknowledged that people in California were disproportionately taxed and that some of the taxes paid by Lakewood residents were being spent outside of the City. He explained that past and current Council Members had been reluctant to raise fees and that consideration of a tax increase was generally a last resort. He expressed pride in having delivered balanced budgets while providing outstanding services. He stated that he took exception to the State balancing their budgets on the backs of cities and of their having taken \$30 million from Lakewood, which now threatened the City's way of life. The Mayor also reported that the State placed even more pressure on local governments by pushing initiatives affecting public safety, housing and infrastructure. He further explained that with the current structural budget deficit, to balance out the annual loss of approximately \$10 million would be equivalent to eliminating the entire law enforcement contract. He stated that in considering a sales tax increase, it had been determined that the burden would be shared by residents as well as visitors to the City. He conjectured that it was inevitable that residents would eventually be forced to pay a higher sales tax regardless of the Lakewood measure since other entities, such as the County or other regional agencies would propose other taxes that would be collected from the City with funds being spent by those agencies with minimum or no benefit to Lakewood. He concluded by stating that the choice would be left to Lakewood voters to approve the additional 3/4% local sales tax enabling the City Council and staff to be responsible stewards and put those funds to use to protect the quality of life. He stated that if the voters decided against the ballot measure, the City Council would move forward and make the cuts necessary to preserve fiscal stability based on the priorities identified through the community surveys.

Council Member Croft explained that one of the priorities of the budget advisory committee was to ensure that what was put forward to the residents was something that provided local control, something that could not be taken away by other agencies and that the full burden did not fall on the residents. He stated that the past and current City Councils had done their due diligence and he expressed support for letting the voters decide.

Steve Skolnik, for the City Attorney, advised that the actions for consideration included adoption of the resolution placing the ordinance on the ballot, which required a four-fifths vote, and introduction of the ordinance, which would be voted on by the electorate and brought back for second reading and adoption at a future meeting.

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2.2 • PLACING ON THE BALLOT AT THE MARCH 3, 2020, ELECTION A PROPOSED ORDINANCE TO ESTABLISH A THREE-QUARTERS PERCENT GENERAL TRANSACTIONS AND USE (SALES) TAX - Continued

RESOLUTION NO. 2019-57; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD: PLACING ON THE BALLOT AT THE MARCH 3, 2020, GENERAL MUNICIPAL ELECTION A PROPOSED ORDINANCE TO ESTABLISH A THREE-QUARTERS PERCENT (3/4%) GENERAL TRANSACTIONS AND USE (SALES) TAX; DIRECTING CITY ATTORNEY TO PREPARE AND FILE AN IMPARTIAL ANALYSIS OF THE BALLOT MEASURE; AND AUTHORIZING AND SETTING DEADLINES FOR THE FILING OF ARGUMENTS IN THE OFFICE OF THE CITY CLERK FOR AND AGAINST THE BALLOT MEASURE

COUNCIL MEMBER CROFT MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO ADOPT RESOLUTION NO. 2019-57. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

ORDINANCE NO. ; AN ORDINANCE OF THE CITY COUNCIL AND THE PEOPLE OF THE CITY OF LAKEWOOD ADDING CHAPTER 10 (TRANSACTIONS AND USE TAX) TO ARTICLE VI OF THE LAKEWOOD MUNICIPAL CODE TO ESTABLISH A THREE-QUARTERS PERCENT (3/4%) GENERAL TRANSACTIONS AND USE (SALES) TAX, TO BE ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION was read by title by the City Clerk.

COUNCIL MEMBER DUBOIS MOVED AND VICE MAYOR WOOD SECONDED TO WAIVE FURTHER READING AND INTRODUCE THE PROPOSED ORDINANCE. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

WRITTEN COMMUNICATIONS:

CORRESPONDENCE FROM THE GREATER LOS ANGELES COUNTY VECTOR CONTROL DISTRICT REGARDING APPOINTMENT OF REPRESENTATIVE TO THEIR BOARD OF TRUSTEES

Mayor Rogers reported that correspondence had been received from the Greater Los Angeles County Vector Control District regarding the term of Council Member Croft to be expiring in January 2020.

Council Member Croft stated he would be honored to continue to serve on the Board and reminded residents that the mission of the Vector Control was to reduce as much as possible disease transmission.

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WRITTEN COMMUNICATIONS: - Continued

MAYOR ROGERS MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO REAPPOINT STEVE CROFT TO A TWO-YEAR TERM AS THE CITY'S REPRESENTATIVE TO THE GREATER LOS ANGELES VECTOR CONTROL DISTRICT BOARD OF TRUSTEES. 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 REGISTERS 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: None

ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Rogers adjourned the meeting at 8:42 p.m.

Respectfully submitted,

Jo Mayberry, CMC
City Clerk