



Minutes

Lakewood City Council

Regular Meeting held
January 28, 2020

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 Reverend Tamara John, Christ Presbyterian Church Lakewood

PLEDGE OF ALLEGIANCE was led by Girl Scout Troop 2993

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 Victor Levy, longtime owner of Victor's Flowers and grandfather of Nick Evans, who was in attendance. He stated that the meeting would also be adjourned in memory of Kobe Bryant, his 13-year-old daughter, and seven others who died in a helicopter crash in Calabasas. The Mayor also announced the upcoming 39th annual Lakewood Youth Sports Hall of Fame awards dinner to be held on February 24th at The Centre. He further stated that Pony Time at the Lakewood Equestrian Center would be hosting a fundraising event called "Picnic with the Ponies" on February 1st.

Vice Mayor Wood welcomed Pastor Tamara John and Charlene Van Nostran, who were in attendance and expressed his condolences to Mr. Evans.

Mayor Rogers introduced Captain David Sprengel, Commander of the Lakewood Sheriff's Station. Captain Sprengel provided Lakewood's Quarterly Public Safety Report and stated that there had been a reduction in Part I crimes with an across the board reduction in violent crimes and included no homicides. He identified the areas of challenge, which included burglaries, both residential and commercial, along with larceny thefts, such as petty thefts, thefts from vehicles and auto burglaries. He added that some of the problems could be linked to the propositions, which had caused individuals to serve reduced sentences or were released with less monitoring post-conviction. He noted that there had been a significant drop in grand theft autos and that the service area team along with dedicated patrol personnel, worked hard in partnership both with the City and with each other to impact crime in a positive way. He reported that proactive enforcement led to an increase of approximately twenty percent in arrests during 2019, and that the proactive policing had a positive impact in Public Safety throughout the City. The Captain explained that response times, which had seen a decrease in priority and routine calls with no change for emergent calls for service,

ANNOUNCEMENTS AND PRESENTATIONS: - Continued

were below the countywide average. He commended the Lakewood Special Assignment Team, which included Lieutenant Ciro Racowski, Sergeant O'Donoghue, deputies Osvaldo Santa Ana, Pasquale Mastantuono, Brandon Nuñez, Seth Burgess, Kevin Fujiwara and Detective Theo Gekas, who all worked diligently at addressing quality of life issues within the City. He continued by reporting that Lakewood Center had two dedicated deputies who worked alongside the security team to provide safety to mall visitors and staff. He stated that due to the efforts of the security team and deputies, the mall saw a significant decrease in grand theft autos and an overall decrease in crime and that the City, in partnership with the mall leadership team and the Sheriff's Department, met regularly to ensure shoppers' safety. He highlighted some of the Lakewood Station resources including Sky Knight, the dedicated helicopter program, now in its 54th year of service; the advanced surveillance license plate reader system, which played a vital role in not only crime prevention but also in assisting detectives during follow-up investigations; the volunteers who assisted with traffic assistance, vacation checks, patrol services, along with community service events and assisting with additional staffing; and the Explorer Program, comprised of students from local communities including Lakewood. He announced that the Lakewood Run would be held on March 7th and encouraged everyone to attend.

Mayor Rogers thanked the Captain for the comprehensive report and for his recent presentation at the State of the City event.

Council Member Piazza, stated that the Mayor and he, as members of the Public Safety Committee, had the honor of meeting frequently with Captain Sprengel and his staff. He expressed appreciation for the positive relationship with the Sheriff's Department and for the Captain's cooperation and transparency in providing regular crime reports and statistics.

Captain Sprengel acknowledged Council Member Piazza's leadership and support of public safety.

Vice Mayor Wood echoed his colleagues' comments and commended the Captain and his team for building relationships with the community.

Council Member DuBois expressed appreciation for the Sheriff's Department and the partnership with the City over the years.

Captain Sprengel responded to Council Member Croft's question by stating that the propositions which decriminalized certain crimes had an impact on the increases in thefts and burglaries. Council Member Croft noted that Lakewood had been working with other contract cities in the State, the League and with law enforcement to try to reverse some of those decisions. Captain Sprengel added that there would be an initiative for consideration on the November ballot.

Mayor Rogers shared that having just met with Sacramento legislators to discuss the impacts of Propositions 47 and 57 as well as AB 109 to the community, it was evident that representatives from cities all over Los Angeles County were echoing the same sentiment.

ANNOUNCEMENTS AND PRESENTATIONS: - Continued

The Mayor emphasized the belief that when a crime was committed in the City, the rights of victims were valued more than criminals' and that those who were apprehended should be held accountable for their actions.

Mayor Rogers announced the unveiling earlier in the evening of the gallery of City Council Members who served Lakewood from 1954 to the present. He stated that the event had been attended by former Council Members including Joseph Esquivel, Wayne Piercy, Marc Titel and Robert Wagner along with their spouses and families. He invited the community to visit the collection of historical photographs at city hall as curated by Historian Emeritus Don Waldie.

ROUTINE ITEMS:

COUNCIL MEMBER DUBOIS MOVED AND VICE MAYOR WOOD SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 6.

RI-1 Approval of Personnel Transactions

RI-2 Approval of Registers of Demands

RI-3 Report of City Council Committees' Activities

RI-4 Approval of Agreement for Replacement of Advanced Surveillance and Protection (ASAP) System Equipment

RI-5 Authorize Parking, Sidewalk and Ramp Repairs at Biscailuz Park for ADA Compliance

RI-6 Approval of Policy on Discontinuation of Water Service for Non-payment - in Compliance with Senate Bill 998 (Water Shutoff Protection Act)

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.1 • ADOPTION OF ORDINANCE NO. 2020-1; PERTAINING TO STANDARDS AND REGULATIONS FOR ACCESSORY DWELLING UNITS (ADUs) AND JUNIOR ACCESSORY DWELLING UNITS (JADUs)

Steve Skolnik, for the City Attorney, explained that an email had been received earlier in the day from an attorney representing a housing advocacy group, who had raised some concerns and requested additional time to conduct a more comprehensive review of the City's proposed ordinance. He stated that as there would be no harm in delaying consideration, he

1.1 • ORDINANCE NO. 2020-1; PERTAINING TO STANDARDS AND REGULATIONS FOR ADUs AND JADUs - Continued

recommended that the City Council open the public hearing and continue the matter to the meeting to be held on February 11, 2020.

Mayor Rogers opened the public hearing at 8:00 p.m. and called for anyone in the audience wishing to address the City Council on this matter.

In response to a question from Alan Gafford, Long Beach, Mr. Skolnik stated that he would not be prohibited from addressing the City Council at the continuance of the public hearing noting that the proposed ordinance to be brought back for consideration in two weeks could vary from the one included in the existing staff report.

Mr. Gafford commented that the legislators responsible for the new laws pertaining to accessory dwelling units and junior accessory dwelling units were from areas unlike Lakewood neighborhoods and expressed concerns with the potential loss or limitation of local control; location of such dwelling units in close proximity to neighbors; mitigation of mold and other environmental and structural concerns; no parking remediation; absentee owner/landlords; lack of notification to neighbors and delay of enforcement of violations. He stated support for the Development Review Board process and suggested a business license requirement for owners renting such properties.

Mayor Rogers shared that he recently received an email from a constituent inquiring whether Lakewood was zoned for garage conversions, as had been circulating on the Nextdoor app. He explained that the City was not zoned for any such units designated in SB 50 and that at a recent visit to Sacramento, had made known cities' objections to the assault on single family neighborhoods. He conveyed that while acknowledging the housing shortage, he affirmed the solidarity with other cities throughout L.A. County including California Assembly Speaker Anthony Rendon, a Lakewood resident, who valued the way of life in their communities. He assured that the City would do everything in its power to protect what existed in Lakewood. He expressed appreciation for State Senator Bob Archuleta on his commitment to vote against SB 50.

Vice Mayor Wood referenced the previously mentioned items of neighborhood notification; potential business license requirement and related code enforcement issues.

Mr. Skolnik advised that with the situation in a state of flux, it would be best not to dig too deeply into details since a major challenge was that the State had made it clear that approvals had to be ministerial, meaning they would essentially be handled over the counter.

Vice Mayor Wood asked that residents contact Senator Lena Gonzalez and Senator Archuleta to express their concerns regarding SB 50.

Council Member Croft provided a reminder that every community in California was faced with the potential effects of SB 50 and that cities were trying to maintain as much control as possible through the proposed ordinance.

1.1 • ORDINANCE NO. 2020-1; PERTAINING TO STANDARDS AND REGULATIONS FOR ADUs AND JADUs - Continued

Mayor Rogers stated that the proposed ordinance was about protecting the people already in the community and welcoming new residents in the appropriate way. He remarked that there were developments currently underway and existing residents would not be abandoned just to create housing.

ORDINANCE NO. 2020-1; AN URGENCY ORDINANCE OF THE CITY OF LAKEWOOD AMENDING ARTICLE IX OF THE LAKEWOOD MUNICIPAL CODE PERTAINING TO STANDARDS AND REGULATIONS FOR ACCESSORY DWELLING UNITS (ADUs) AND JUNIOR ACCESSORY DWELLING UNITS (JADUs)

COUNCIL MEMBER CROFT MOVED AND COUNCIL MEMBER PIAZZA SECONDED TO CONTINUE THE PUBLIC HEARING. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

2.1 • SECOND READING AND ADOPTION OF ORDINANCE NO. 2020-2; 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

City Manager Thaddeus McCormack displayed slides and made a presentation based on the report in the agenda. He stated that the proposed ordinance had been introduced at a City Council meeting held on November 12, 2019, and provided the details of Measure L on the upcoming March ballot. He acknowledged that bringing a revenue measure to voters was not something that was done lightly nor without having significantly grappled with the extraordinary fiscal and budgetary challenges that the City had dealt with over the past few years. He explained the necessity of the measure to maintain the vital services to Lakewood. He identified the issues which included the State takeaways of local funds and noted that more than \$30 million had been taken by Sacramento and Washington, DC over the last eight years with over \$2 million per year still being taken by the State. He added that because of prudent fiscal management, living within its means and balanced budgets, Lakewood had been able to absorb such hits without significantly impacting services to residents; however, a structural budget deficit existed, currently at \$5 million a year and increasing to \$10 million each year in due course. He further noted that while the State had recovered from its fiscal challenges brought on by the Great Recession, many cities including Lakewood, were now facing the difficult proposition of significant cuts in the near future. He reported that several surrounding cities were also pursuing revenue measures. He characterized the stakes of the problem as significant noting that necessary cuts had begun to impact services on which the community relied. He discussed the maintenance and repairs to facilities having been deferred to make ends meet, resulting in general deterioration of City facilities which would only become worse over time. After conducting a facility condition assessment, over \$31 million in needed repairs, including such things as leaking roofs, aging electrical systems and

2.1 • ORDINANCE NO. 2020-2; TO ESTABLISH A THREE-QUARTERS PERCENT GENERAL TRANSACTIONS AND USE (SALES) TAX - Continued

deteriorating bathrooms of 50- to 60-year-old facilities, had been identified. Other concerns were related to Public Safety, the challenges of which had been aggravated by an uptick in the demand for services due to changes in State laws that brought about an increase in property crimes and home break-ins.

Mr. McCormack summarized the City Council's direction to engage the community stakeholders to both educate and solicit feedback which resulted in the appointment of a Citizens' Budget Advisory Group who studied the City's financial situation in depth. The Citizens Group had been able to suggest, through an iterative process, \$1.8 million in spending cuts. It was acknowledged that the financial shortfall of \$10 million a year was far more significant than the proposed cuts. He stated that in the last two years, \$3 million in cuts to the budget had been made, which included leaving eleven positions vacant; cuts to park and building maintenance, including deferring major projects; and initial cuts to the Public Safety budget. After reporting on the Budget Advisory Group's input in March of last year, the City Council directed staff to broaden the outreach to the community at large and in 2019, the City initiated an outreach to transparently discuss Lakewood's financial needs as well as to solicit feedback on the community's priorities. He reported that every Lakewood household was contacted and offered the opportunity to engage in a community conversation about the City's fiscal needs. Nearly 2,000 residents provided input on their priorities via online and or mailed-in surveys and over 300 residents took part in face-to-face discussion at community meetings. He expressed gratitude to those who participated in meaningful and important discourse, which reflected well on how engaged the community was in Lakewood. Priorities identified through the process included maintaining 911 emergency response and Sheriff's patrols; preventing property crimes, such as thefts and burglaries; protecting the City's long-term financial stability; keeping parks and public areas safe and clean; protecting local drinking water sources; and maintaining streets and repairing potholes. While the process of prioritizing had been difficult, given the fiscal challenges, it was necessary. After a year of community outreach and conversations, incorporating the robust feedback from the Lakewood residents, staff recommended that a local funding measure be placed on the ballot for voter consideration. If approved by Lakewood voters, the measure would provide local funding, which legally could not be taken away by Sacramento politicians, to address the priorities identified by the community. Details of Measure L included raising \$10 million a year for local needs, which was the amount needed to fill the City's budget deficit; would not ask for more revenue from residents than absolutely needed; the majority of tax would be paid by people outside of Lakewood who shop or dine in the City, thereby paying their fair share for the services provided; many other cities would be placing similar measures on their ballots; and the sales tax would still be competitive with others in the region. He explained that to provide added assurance to Lakewood voters, Measure L created a Citizens' Oversight Committee to review revenues and expenditures related to the measure. He concluded by stating it was recommended that the City Council adopt the proposed ordinance.

Mr. McCormack confirmed for Mayor Rogers that the proposed ordinance was subject to voter approval on March 3rd.

2.1 • ORDINANCE NO. 2020-2; TO ESTABLISH A THREE-QUARTERS PERCENT GENERAL TRANSACTIONS AND USE (SALES) TAX - Continued

Council Member Croft expressed support for the proposed ordinance stating that with the State takeaways and the increasing challenges, the City was limited in its ability to react to changes and maintain the family-friendly community in Lakewood.

Council Member DuBois spoke in favor of protecting the Lakewood way of life, approving the ordinance and allowing the residents to vote to support the things they valued.

Council Member Piazza explained that having been in business for forty five years, his professional decisions were based on evaluating the return on investment. He stated that it was his opinion that as a resident, the proposed tax increase was more of an investment in the community by protecting City services and maintaining what residents knew as Lakewood.

Mayor Rogers identified himself as a tax skeptic and stated that it was evident that residents paid high taxes that benefited others in the County with minimal returns to Lakewood. He cited the potential of other agencies to propose a tax increase that would provide for regional projects and be taken from the City for countywide or districtwide uses. He pointed out that in addition to seeing the tax increase as an investment, it could also be viewed as a State tax since the State had taken \$30 million from the City since 2011. He assured Lakewood voters that if the measure were approved, such an investment would be returned to Lakewood residents with a continuation of the Lakewood way, City services and the quality of life that citizens had grown to expect. He stated his support of the measure and expressed hope that Lakewood residents would see fit to do the same. He explained that the City Council would not have proposed such an action unless they felt there had been no other choice.

Vice Mayor Wood emphasized the importance of continuing to work on economic development and looking at ways to encourage residents to continue to shop in Lakewood.

Mr. McCormack asserted that if the measure passed, the City would continue its economic development efforts, continue being prudent fiscal managers and continue to seek cost efficiencies. He reiterated the return on investment concept noting that the tax increase was estimated to generate \$10 million that would allow the City to continue providing the services for which Lakewood was known. He complimented the public for their cooperative participation and supportive engagement at the budget informational sessions.

Mayor Rogers concurred with Vice Mayor Wood's comments regarding economic development and added that the City placed much effort in being as business friendly as possible; however, a business, such as had been repeatedly suggested with Trader Joe's, could not be forced to locate in the City. He observed that the face of retail continued to change and that revenues were flattening due to online sales and an unfair system of distribution of sales tax.

Mr. McCormack pointed out that the Transaction and Use Tax, if Measure L was adopted, would be applicable to those types of online purchases.

2.1 • ORDINANCE NO. 2020-2; TO ESTABLISH A THREE-QUARTERS PERCENT GENERAL TRANSACTIONS AND USE (SALES) TAX - Continued

Mayor Rogers affirmed the commitment to continue the tradition of previous and current City Councils to be responsible stewards of the City's monies.

ORDINANCE NO. 2020-2; AN ORDINANCE OF THE CITY COUNCIL AND THE PEOPLE OF THE CITY OF LAKEWOOD, CALIFORNIA 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.

MAYOR ROGERS MOVED AND COUNCIL MEMBER CROFT SECONDED TO WAIVE FURTHER READING AND ADOPT ORDINANCE NO. 2020-2. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

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SUCCESSOR HOUSING ACTIONS

1. Approval of Register 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

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ORAL COMMUNICATIONS:

Bert Johnson, Jr., Lakewood, suggested designating April 13th as Kobe Bryant Day as a way to honor him.

Philip Norris, Lakewood, addressed the City Council regarding street paving and Measure L.

Mitchell Ramirez, Lakewood, spoke regarding the Measure L tax and the general fund.

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ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Rogers adjourned the meeting at 8:54 p.m. A moment of silence was observed in memory of Victor Levy, Kobe Bryant and the victims of the January 26th helicopter crash in Calabasas, California.

Respectfully submitted,

Jo Mayberry, CMC
City Clerk