



Minutes

Lakewood City Council

Regular Meeting held
September 12, 2000

MEETING WAS CALLED TO ORDER at 7:41 p.m. by Mayor Piercy in the Council Chambers at the Civic Center, 5000 Clark Avenue, Lakewood, California.

INVOCATION was offered by Council Member Marc Titel

PLEDGE OF ALLEGIANCE was led by Vice Mayor Robert Wagner

ROLL CALL: PRESENT: Mayor Wayne Piercy
Vice Mayor Robert Wagner
Council Member Joseph Esquivel
Council Member Marc Titel
ABSENT: Council Member Larry Van Nostran (excused)

Mayor Piercy announced that an item of business had occurred since the posting of the agenda requiring the immediate action and attention of the City Council. There were facts and circumstances to be considered in deciding whether to initiate litigation in one case.

COUNCIL MEMBER ESQUIVEL MOVED AND COUNCIL MEMBER TITEL SECONDED TO ADD CONSIDERATION OF THOSE CIRCUMSTANCES TO THE AGENDA AS AN EMERGENCY ITEM. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Esquivel, Titel, Wagner and Piercy
NAYS: COUNCIL MEMBERS: None
ABSENT: COUNCIL MEMBERS: Van Nostran

ANNOUNCEMENTS AND PRESENTATIONS:

Mayor Piercy announced that a reception had been held earlier this evening honoring recipients of the Lakewood Beautiful Award; recognizing new CARE graduates; and presenting a check from Assembly Member Sally Havice for the Monte Verde Park and Mae Boyar Park projects.

Mayor Piercy congratulated Dave Rodda and the staff as well as the teens who participated in the program for their work in making the Teens in Lakewood Care (TLC) program a success. He introduced Carol Herrera, City of Diamond Bar Council Member and newly installed League of California Cities L.A. Division President. She presented the Helen Putnam Award of Excellence for the Teens in Lakewood Care program stating that many cities had competed for this award. Ms. Herrera commended the City for such a wonderful program and congratulated the parents of the participating teens for their children being so giving to seniors and to people with need in the community.

ANNOUNCEMENTS AND PRESENTATIONS: Continued

Mayor Piercy noted that Matt Knabe, new field representative for L.A. County Fourth District Supervisor Don Knabe, was in the audience and thanked him for attending the meeting.

Mayor Piercy announced that work had begun on the Iacoboni Library renovation and that while the library was closed, library services would be available at all County libraries in the region and particularly at Nye Library and at Long Beach's Ruth Bach Library.

ROUTINE ITEMS:

Vice Mayor Wagner requested that Routine Item 4 be considered separately.

COUNCIL MEMBER ESQUIVEL MOVED AND COUNCIL MEMBER TITEL SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 3.

RI-1 Approval of Minutes of the Meeting held August 22, 2000

RI-2 Approval of Personnel Transactions

RI-3 Approval of Registers of Demands dated August 17, August 24, and August 31, 2000

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Esquivel, Titel, Wagner and Piercy

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Van Nostran

RI-4 Approval of Agreement for Solid Waste Consulting Services with SCS Engineering

Vice Mayor Wagner stated that although he would support this item, he had reservations about the way these services had been arranged, as he felt the Solid Waste Management Committee should have been involved in the process.

MAYOR PIERCY MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED TO APPROVE ROUTINE ITEM 4. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Esquivel, Titel, Wagner and Piercy

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Van Nostran

1.1 • AWARD OF PUBLIC WORKS PROJECT NO. 00-15, WEINGART SENIOR CENTER RENOVATION PROJECT

Lisa A. Rapp, Director of Public Works, presented an oral report based on her memorandum contained in the agenda packet and reported that a bid opening had been held on August 31st for the renovation of the Weingart Senior Center and that no bids were received. She added that six contractors qualified to bid the project by attending a mandatory pre-bid conference and that when contacted by staff to find out why they did not bid had indicated that they could not obtain timely bids from sub-contractors in order to verify bid pricing. She explained that when no bids were received, the Public Contract Code allowed the legislative body to proceed with the project under other provisions of State law. After consulting with the City Attorney and finding that the slated improvements were of such importance that it was necessary to proceed at this time, it was recommended that the City Council authorize staff to negotiate Public Works Contract 00-15 for the Weingart Senior Center Renovation Project and present it to Council for approval at its next meeting.

Mayor Piercy opened the public hearing at 7:55 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

COUNCIL MEMBER TITEL MOVED AND VICE MAYOR WAGNER SECONDED TO CLOSE THE PUBLIC HEARING AND AUTHORIZE STAFF TO NEGOTIATE PUBLIC WORKS CONTRACT NO. 00-15 FOR THE WEINGART SENIOR CENTER RENOVATION PROJECT AND PRESENT IT TO THE CITY COUNCIL FOR APPROVAL AT THE SEPTEMBER 26TH MEETING. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Esquivel, Titel, Wagner and Piercy

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Van Nostran

3.1 • PEERLESS WATER COMPANY MERGER WITH THE SOUTHERN CALIFORNIA WATER COMPANY

Director of Water Resources, Jim Glancy, presented an oral report based on his memorandum contained in the agenda packet and stated that Peerless Water Company operated a water utility serving about 2000 businesses and homes generally in the city of Bellflower but with approximately 98 Paramount residents and 105 Lakewood customers. He added that the Peerless system owned 986 acre-feet of groundwater pumping rights and maintained no direct connection to Metropolitan Water District of Southern California. The system was currently undergoing review by the Public Utilities Commission (PUC) for a stock trade merger into the Southern California Water Company which served a fairly large number of customers in the eastern portion of Lakewood. He stated that a notice had been sent to all Peerless customers and a hearing had been held in San Francisco. The City had participated on behalf of Lakewood homeowners by sending a letter to the PUC pointing out that the notice indicated there would be a substantial increase in water rates to ex-Peerless customers after the merger took place and requesting the PUC hold a hearing locally so residents could participate in the process. The City of Paramount had indicated that they would like to acquire the portion of the Peerless system that was within their city boundaries, however, no headway had been made.

3.1 • PEERLESS WATER CO. MERGER WITH SO. CALIF. WATER CO. -
Continued

In response to Council Member Esquivel's inquiry, Mr. Glancy explained that Bellflower shared the same concerns about the deal but did not operate a water utility, therefore, they could not assume any responsibility. He added that all three cities had sent letters to the PUC questioning the merger.

Council Member Titel stated the City had some flexibility in that it operated its own water utility, currently providing direct service to about 20,000 homes in Lakewood. He added that there were some options that the City might be able to consider in mitigating this kind of an offset either through purchase of the system or something else but that we were not that far along in the process and he recommended working with Peerless and Southern California Water to make sure that the residents were treated equitably.

Council Member Esquivel posed a question regarding the source of water in that area being 100% from Peerless. Council Member Titel stated it was his understanding that services currently were being provided by the Peerless Water Company and would be transferred to Southern California Water at a substantially higher service rate.

Craig Champion, 6000 Balfern Avenue, distributed materials representing his calculations of the financial impact of the increase in water rates and stated he and his neighbors were soliciting the Council's assistance in opposing this proposal/merger and possibly bringing them into the Lakewood water system.

Mayor Piercy reiterated that the letter had been sent to the PUC to give the City time to work on this on behalf of the citizens indicating this had been a first step to formalize the attempt to resolve these issues. At Mayor Piercy's request, approximately 35 members of the audience raised their hands to indicate their support of Mr. Champion's appeal.

Mr. Champion verified for Council Member Esquivel that it was his understanding their only source of water was from Peerless.

Vice Mayor Wagner stated that the effort to integrate the affected residents into the Lakewood system would not be that extensive and recommended staff be directed to initiate negotiations for the purchase of water services for the 105 residences within the City.

Council Member Titel confirmed his concurrence with Vice Mayor Wagner's recommendation. He stated that as members of the Water Committee, they felt very strongly that the issue of the 105 services within the City needed to be resolved in a way that was fair and equitable. Council Member Titel also expressed his concerns regarding the public policy implications when this type of change could be made with the only opportunity for the public to be heard being a public hearing held 400 miles away from the affected residents. He emphasized there ought to be ample opportunity for the affected people to be heard locally.

3.1 • PEERLESS WATER CO. MERGER WITH SO. CALIF. WATER CO. -

Continued

VICE MAYOR WAGNER MOVED AND COUNCIL MEMBER TITEL SECONDED TO DIRECT STAFF TO INITIATE EFFORTS/NEGOTIATIONS TO ACQUIRE THE 105 SERVICES OF THE PEERLESS WATER COMPANY THAT ARE WITHIN THE CITY OF LAKEWOOD. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Esquivel, Titel, Wagner and Piercy

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Van Nostran

At 8:14 p.m., Mayor Piercy called for a brief recess. At 8:18 p.m., the meeting was reconvened.

3.2 • AGREEMENT FOR RECYCLING OF MUNICIPAL SOLID WASTE AT CR&R

The Public Works Director presented an oral report based on her memorandum contained in the agenda packet and explained that since last November, City staff had been working with California Integrated Waste Management Board (CIWMB) staff to develop a plan to improve Lakewood's municipal solid waste diversion percentages. Staff had submitted the documentation necessary to establish 1999 as a new base year for goal achievement measurement and based upon a diversion rate of 22.5%, it had been determined that the City made a good faith effort in AB939 programs. Upon the City's pledge to implement twelve new or expanded programs estimated to achieve an additional 9.5% of diversion, the CIWMB granted a reduction to 42% for the year 2000 goal. She reported that the use of a materials recovery facility (MRF) was the single most effective of the slate of new and expanded programs, with an expected diversion rate of 7.5%. Staff had negotiated key business points with the CR&R MRF in nearby Stanton, the facility used for a pilot program conducted in the City from April through June. After reviewing the proposed business points, the Solid Waste Management Committee authorized presentation to the City Council. Ms. Rapp concluded by stating it was staff's recommendation that the City Council approve an agreement with CR&R for recycling of municipal solid waste in a form approved by the City Attorney and authorize the Mayor and City Clerk to sign the agreement.

Vice Mayor Wagner stated: "I have some comments. You'll note that the Solid Waste Management Committee authorized presentation of the agreement to the City Council and did not recommend approval of the agreement because the Solid Waste Committee was not in agreement with the agreement. In particular, I'm not going to support the agreement and I would like to indicate what some of my concerns are in that regard. This agreement is a result of a controversy that the City has had with the Integrated Waste Management Board over about the last year. And dealing with meeting the goals of AB 939. Over a decade ago, the City entered into an agreement to send our trash to SERRF, which is a waste-to-energy facility. And that agreement was entered in at the recommendations of the predecessor to the

3.2 • AGREEMENT FOR RECYCLING OF MUNICIPAL SOLID WASTE - Continued current Integrated Waste Management Board, a solid waste management State board. And the recommendations from the County Sanitation District. It was in response to the problems of landfills being filled up at the time and while other people stood back and were wringing their hands over the problem, Lakewood did join with Long Beach in an effort to help resolve that by sending our waste to this waste-to-energy plant. Unfortunately, waste-to-energy plants became unpopular in the State shortly thereafter and became so-called politically incorrect. In 1989, the State implemented the current AB 939 bill which required that cities reduce their . . . recycle at least twenty-five percent of their trash or prevent at least twenty-five percent of their trash from going into landfills. Then by 1995, and then by the year 2000 to reduce that by 50%. And the City was, in fact, felt that we were moving along in an agreeable way with the State staff report until suddenly there were some changes and all of a sudden we had some problems. The fundamental problem that occurs is that of all the people that . . . well, when the trash is burned in the SERRF facility there is a residual of about 30% by weight and only 10% by volume of ash. The SERRF facility paid the cost to develop a facility to turn that into usable road base, essentially recycling that material. The result of that effort is that all the trash that went into SERRF essentially did not go into landfills. They recycled ash, it seems like it would be a reasonable thing that that would be allocated to the . . . the credit for that recycling would be allocated to the agencies that were providing the trash for the facility. However, in a rather bizarre approach, the Waste Management Board decided that the ash that was produced was newly generated ash. So that for every 100,000 tons of trash that went into the facility, the books on how much trash was developed within the County show a 130,000 tons because they say that essentially the ash is somehow is regenerated and is a newly generated solid waste by whoever is operated the facility and they allocated the total amount of the recycling credit then to go to the operator of the facility. Which in our case would be the City of Long Beach. So, total credit goes to the City of Long Beach and course the Solid Waste Management Board wouldn't like to be totally consistent so for Stanislaus County, they said, "Oh, the ash is simply the residual of the material which is going into the facility and therefore it's not newly generated." So, for Stanislaus County it's not newly generated, for Stanislaus County, for every 100,000 tons of trash going into the facility, there's only a 100,000 tons of trash. But for Long Beach there's a 130,000 thousand tons. It's too bad that the Governor didn't change the name of the Integrated Waste Management Board to the Energy Board because now we wouldn't be having all these problems with the restructuring within the electrical area because this Board is very good at generating something out of nothing. However, the bottom line on this is simply that Lakewood should have been receiving a certain amount of credit for this road base. The amount of credit is about 18,000 tons and it amount to about a 17% credit for recycled materials, 17 to 18%. What is before us with CR&R is one part of . . . there are two parts to this agreement with the Integrated Waste Management Board, one is that the Board gives us credit for, an 8% credit which is based on another law that the City managed to get through the legislature to get some special treatment because we have the problem that we send all of our trash to SERRF, that we did this at an increased rate, and to implement a lot of recycling programs on top of that would be a very expensive thing. However, the City does implement a lot of recycling programs and in fact the computations that were referred to earlier indicate that we have at least 22 ½ % with doing nothing. If we added in the credit for the recycled ash, that would be the equivalent of what we're doing with CR&R plus the 8% with a couple

3.2 • AGREEMENT FOR RECYCLING OF MUNICIPAL SOLID WASTE - Continued
percent left over, and we wouldn't have to do the CR& R work if we got that credit like we properly should have. Unfortunately, the Integrated Waste Management Board didn't agree and the only alternative that we would have had would have been to initiate, would be to take the Waste Board to court. It was my view that we would have a good chance to win such a suit and if we did that it would save the City spending over \$400,000 per year to send a large amount of our trash through the CR&R facility. Therein lies the reason for my disagreement. As I mentioned earlier, there were some things done in terms of how this issue was brought before the City Council which bypassed the City Council's Solid Waste Management Committee that I though were inappropriate, that did not give rise to an appropriate definition of the alternatives that the City Council had and it's my feeling that this approach has a number of potential drawbacks and potential costs in the future and that we should have, the City Council should have pursued the legal remedy to determine if, in fact, the Solid Waste Management Board has the right to change the laws of physics. One of the concerns I have is the issue of what happens if the amount of road materials which we currently divert, and get credit for the diverting, these road materials that are broken up then used and recycled for road base materials, represents a substantial amount it's on the order of 8,500 tons per year which is equivalent to about an 8% credit. In the future, that amount is currently in our base year and it's in there because we have a very good program but we also have a very high rate of road repair going on at the present time and in the future if that happens to go down there is the potential that we will have to make up that cost by sending additional materials to CR&R and it raises the specter of another \$400,000 per year or a total of \$800,000 per year extra which is extracted from this community for absolutely no justifiable reason. The other problem that the City is facing at the present time is related to the Air Quality Management requirements and additional requirements have been imposed on city trash haulers that will impact us in the near future which will require the purchase of new trucks which will have low emissions. There is a potential for . . . because of that requirement there will be, along with the fact that we have reduced costs, not reduced costs but just prevented costs from increasing tremendously in the past, in the area of trash hauling by going to recycling if you will, some of the trucks we've been using, which has held costs down. That will also be catching up with us and as these things come together, I think this approach is presenting a very dangerous one in terms of requiring substantial increases in our residents trash bills, \$800,000 per year, \$400,000 per year would amount to somewhere around, oh probably about \$18 per year per household or somewhere on the order of 10 to 15% increase in the current trash rates. So we may be looking at very significant trash rate increases in the future here as potential. To do this without exercising the option of challenging the Waste Management Board is, in my opinion, a mistake. I would probably be less, I might be less inclined to oppose this had I believed that this issue had been properly presented to the City Council and considered by the City Council and that all the ramifications of this decision been appropriately considered but I don't think it was. . . that didn't happen because the primary mechanism the City Council has for accomplishing that was to have this processed through the City Council Committee and that Committee was deliberately bypassed by staff. This is one of those instances where City Hall can't lose because if there are increases, those increases will have to be balanced out by increases in the bills to the residents, that the residents will in fact lose. So, because of this I am going to oppose this action tonight."

3.2 • AGREEMENT FOR RECYCLING OF MUNICIPAL SOLID WASTE - Continued

Mayor Piercy stated: "As the other member of the two person, Solid Waste Committee I share some of the concerns that Vice Mayor Wagner has expressed but I want to make the record clear that we have lost most of the issues that were discussed as far as the history of the ash issue. We've lost it at the State level, County level and with support of our cities, like Long Beach. At the State level, we've worked on this since '94, '96, somewhere around there we've tried to run legislation and we have not won in the legislative area. Vice Mayor Wagner and myself have been before the committees and also the staff of the State Waste Board and we have not won at that level. The staff has been at the County level and we have not received support from the County Waste Board. We have met with Long Beach and we have agreement to a point, but we have not had the drive that they would support our move in that area. Our own staff has worked on this for years and I commend them for the good work they have done. They have spent a lot of time traveling back and forth to Sacramento and to other kinds of meetings and have worked very diligently in that area. We have hired consultants, an attorney that worked with us who advised that this would be very, very expensive, over \$1,000,000 to sue, to go to court with the Waste Board. Even though we have the moral right to the ash, we still would probably lose this according to the advice of our attorney. Therefore, we would be spending a great deal of money to go to court with the option of probably losing. Following some of those discussions, we discussed the facts of costs and other things, we were deadlocked in the Committee. Therefore, we went to the Council. In sessions with the Council we had a four-to-one vote that we would seek an agreement and that agreement would be within certain bounds, cost bounds and certain things that we would authorize the staff to negotiate some kind of an agreement. I'm happy to report that the agreement was negotiated was within those bounds and we presented it back to the City and we need to move forward, in my estimation, the cost factor, yes, either way it's going to cost us . . . this is the less. This cost will be something that we will deal with in the future and, as all Councils, we will have decisions to be made, step by step as we go, but it will be low in comparison to the risks the Council thinks we would have taken by going into court and following through after a number of years where we've lost at every level. So I would urge this Council to vote for this agreement and that we move ahead with the projects that are planned and move ahead with the efforts that we're going to make to keep this community within the State law, AB 939. Are there any other comments to be made?"

COUNCIL MEMBER ESQUIVEL MOVED AND COUNCIL MEMBER TITEL SECONDED TO APPROVE STAFF'S RECOMMENDATION.

Council Member Titel stated: "I second. Mr. Mayor I'd like to make one brief comment. In the sixteen and a half years on this Council, one of the things I've learned is never to argue physics with Vice Mayor Wagner. I would not argue physics tonight. I think he is entirely correct. I think that we have a moral right to the ash. There is no argument there. I absolutely agree with Vice Mayor Wagner on that point, however, in listening to our consultants and attorneys, I am not persuaded that we would prevail were we to spend the money in fighting this and so I am compelled to support this as the most reasonable approach to fulfilling our obligation under AB 939 and in a way in which is the most cost effective for our residents. So I will support the motion."

3.2 • AGREEMENT FOR RECYCLING OF MUNICIPAL SOLID WASTE - Continued

Vice Mayor Wagner stated: "I would like to clarify one thing because I don't want my comments to mislead anybody in the City of Long Beach to believe that I am criticizing them for grabbing up all of our ash credits. It turns out that because of the unique math that the Integrated Waste Management Board applies, in spite of getting the credit for everybody's ash, Long Beach only gains by a very miniscule amount of about 1½%. So Long Beach, in a sense, has not really gained materially from this. The other comment that I would like to make is I find the rewriting of history here a little bit interesting. There was no impasse in the Solid Waste Management Committee. The Committee had never gotten to the point of establishing what the options were and ultimately the options all had to come back to the City Council and the City Council had to be the one to make the decisions and I never contested that. My concern is basically that the Committee never really got a chance to define what those options were and actions were taken unilaterally by staff to circumvent the Committee. The other point here has to do with the legal issue and in my opinion the legal issue was misrepresented or misunderstood, I don't know exactly which. It was the assumption of the attorney, for some reason, that we were going to court to protest the establishment of a board policy by the Integrated Waste Management Board and that would not have been the approach that would have been taken. Because with that approach, as was pointed out by the attorney, all that would happen would be it would be sent back to the committee, the Integrated Waste Management Board, the Board would correct any deficiencies in what they had done and would initiate the same policy. But the actual court case that should have been undertaken was to challenge the issue on the basis of physics, as to whether or not the Board even had the right to make the decision they had made. Unfortunately, that never got discussed and never got addressed so we never will know what may or may not have happened under that circumstance."

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Esquivel, Titel, and Piercy

NAYS: COUNCIL MEMBERS: Wagner

ABSENT: COUNCIL MEMBERS: Van Nostran

3.3 • WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA STATUS REPORT

The Water Resources Director presented an oral report based on his memorandum contained in the agenda packet and explained that the State legislature, proving that they listened to the results of the State Auditor's Report and to the local cities, had sent two bills to the Governor that when enacted would change the Water Replenishment District of Southern California's (WRD) management practices over the next two years. Some of the major provisions contained in Assembly Bill 1834 and Senate Bill 1979 included the district be audited by the State Auditor; restricting the assessment fee increases; prohibiting the WRD from incurring indebtedness; requiring the capital improvement projects to be funded through existing reserves or the pumping assessment funds; establishing a technical advisory committee of six water professionals; requiring the district to use the competitive bidding process for contracts; and requiring a cost benefit analysis on all potential projects. He noted that the legislature had stopped short of expanding the board with water professional representative;

3.3 • WATER REPLENISHMENT DISTRICT STATUS REPORT - Continued

however, the bills placed greater restrictions on the district than anticipated. It was expected that the bill would be signed by the Governor and become law on January 1, 2001 with a sunset clause of December 31, 2003 unless extended by future legislation. He added that the Local Area Formation Commission (LAFCO) proceedings remained pending. He concluded by stating it was staff's recommendation that the City urge the Governor to sign the legislation reigning in the WRD and once codified, continue to monitor its implementation. Only at such time that the City Council determined that the pending legislation had failed to successfully halt the WRD's mismanagement should the City move forward with the LAFCO proceedings.

Responding to Mayor Piercy's inquiry about the LAFCO timeline, Mr. Glancy stated that the application had been prepared but not submitted.

Council Member Titel responded to concerns regarding the withdrawal of the LAFCO application by explaining that because the WRD had been heading toward reforms, the City would continue to monitor their actions but would have tools in the arsenal in case the WRD went back to their old ways.

Mayor Piercy commended Mr. Glancy and Council Member Titel who had served as representatives of the City by going to Sacramento and working with the State Assembly.

COUNCIL MEMBER TITEL MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED THAT THE CITY URGE THE GOVERNOR TO SIGN THE LEGISLATION REIGNING IN THE WRD AND ONCE CODIFIED CONTINUE TO MONITOR ITS IMPLEMENTATION. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Esquivel, Titel, Wagner and Piercy

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Van Nostran

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At 8:59 p.m., the Regular Meeting of the City Council was recessed for the Meeting of the Lakewood Redevelopment Agency. At 9:00 p.m., the City Council Meeting was reconvened.

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ORAL COMMUNICATIONS: None

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CLOSED SESSION:

Mayor Piercy announced that the City Council would recess to a closed session to confer with and receive advice from its legal counsel, pursuant to Government Code §54956.9(c), regarding facts and circumstances to consider in deciding whether to initiate litigation in one case.

At 9:27 p.m., the City Council reconvened with all members present.

Mayor Piercy announced that the City Council had met in closed session to receive and consider circumstances of whether litigation should be commenced at this time in one case and had given instructions to its attorney pertaining to this matter.

ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Piercy adjourned the meeting at 9:28 p.m.

Respectfully submitted,

Josefina Semense-Mayberry
Deputy City Clerk