



Minutes

Lakewood City Council

Regular Meeting held
January 8, 2002

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

INVOCATION was offered by Mr. Dan Roberts, First Christian Church of Lakewood

PLEDGE OF ALLEGIANCE was led by Vice Mayor Larry Van Nostran

ROLL CALL: PRESENT: Mayor Robert Wagner
Vice Mayor Larry Van Nostran
Council Member Joseph Esquivel
Council Member Wayne Piercy
Council Member Todd Rogers

ANNOUNCEMENTS AND PRESENTATIONS:

Mayor Wagner announced that the work on the Los Angeles River had been completed and the Federal Emergency Management Agency (FEMA) had reassigned all of Lakewood to a Zone X flood hazard status, meaning that Federal flood insurance was no longer mandatory. He advised that the City would be holding an open house on January 23rd to help answer residents flood insurance questions. He noted that he had been the Mayor in 1991, when Lakewood city officials had begun working on the flood control issue with other southland cities, and that with the help of Congressman Steve Horn, Los Angeles County Supervisor Don Knabe, the County Department of Public Works, and the Army Corp of Engineers, the project had not only been completed five years sooner than estimated, but also under budget.

Mayor Wagner stated that he had received a mailer from the Water Replenishment District of Southern California, recently strongly criticized for its lack of fiscal controls and excessively high rate structure. He urged residents to keep that in mind when reading the newsletter.

Mayor Wagner announced that he was planning a hearing on the issue of recreational vehicle parking. The hearing was scheduled for January 29th and he invited all interested residents to attend and express their views. He stated that members of the committee that would hear the issue included Council Member Wayne Piercy, Planning and Environment Commissioner Diane DuBois, Community Safety Commissioner Vicki Stuckey, and Recreation and Community Services Commissioner Marty Schuster. He further stated that following the hearing, the committee would meet with staff to look at ways to deal with issues raised and craft an appropriate ordinance.

Mayor Wagner also announced that the meeting would be adjourned in memory of Walter Withrow, father of Lakewood's Assistant Director of Public Works, Max Withrow.

ROUTINE ITEMS:

COUNCIL MEMBER PIERCY MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 8.

- RI-1 Approval of Minutes of the Meeting held December 5, and December 26, 2001
- RI-2 Approval of Personnel Transactions
- RI-3 Approval of Registers of Demands dated December 13, December 20, and December 27, 2001
- RI-4 Approval of Agreement for Council Chamber AV Project Consultant
- RI-5 Approval of Request for Sub-Contractor Substitution for Public Works Project No. 01-5
- RI-6 RESOLUTION NO. 2002-1; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE MAE BOYAR PARK IMPROVEMENTS PROJECT
- RI-7 Approval of Agreement for the Hosting of League of California Cities Grassroots Network Regional Representative
- RI-8 Review of City Investment Policy

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Esquivel, Piercy, Van Nostran, Rogers and Wagner

NAYS: COUNCIL MEMBERS: None

1.1 • REGULATION OF INTERNET ACCESS STUDIOS

Community Development Director Chuck Ebner gave a brief oral presentation based on the memorandum in the agenda and stated a new business that had begun to appear was the internet access studio, where, for a fee, customers were provided with computers to access the Internet. Since that type of business tended to cater to youth, there was a potential for nuisance activity in and around the business. He noted that there was currently one such business located in the City of Lakewood. Staff had determined that the Municipal Code did not adequately address this type of use and the Planning and Environment Commission had studied appropriate standards and requirements. The recommendations included requiring a conditional use permit, requiring the presence of an adult attendant at all times, and prohibiting the presence of minors on LBUSD school days. He noted that businesses that provided internet access as an incidental use, less than ten percent of their total floor space, would be exempt from the proposed ordinance. It was the recommendation of the Planning and Environment Commission that the City Council introduce Ordinance No. 2002-1.

1.1 • REGULATION OF INTERNET ACCESS STUDIOS - Continued

ORDINANCE NO. 2002-1; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE MUNICIPAL CODE REGULATING INTERNET ACCESS STUDIOS

Council Member Piercy inquired about the use of Long Beach Unified School District school days as the standard when the existing internet access studio was located in the ABC Unified School District. City Attorney John S. Todd advised that the use of LBUSD school days was really just a point of reference since it would be too complex to adapt for all of the separate districts in Lakewood. He also advised that LBUSD had been used in the Municipal Code previously in reference to the coin-operated amusement device regulations.

Council Member Rogers stated that although he agreed with the requirements of the ordinance, he would also like to see regulations that would protect minors from viewing age-inappropriate material on the internet. The City Attorney stated that the City was pre-empted by Federal law in the regulation of what may be viewed. He noted, however, that the City could craft an ordinance that would put parental controls in place.

Mayor Wagner opened the public hearing at 7:49 p.m. and called for anyone in the audience wishing to address the City Council on this matter.

Maysoun Fletcher, Newport Beach, stated she was representing Click PC, located at 11812 Centralia Street, Lakewood. She confirmed that they were familiar with the conditions proposed by the Planning and Environment Commission and agreed with them. She noted that the majority of their customers were children who came to play games at high speed, that there was always adult supervision provided and that they had not experienced any problems with children attempting to access inappropriate web sites.

Council Member Piercy stated that he had visited the Click PC site and that it looked very much like a game arcade and appeared to be well supervised.

The City Attorney noted that even Click PC, as an existing business, would be required to obtain a conditional use permit and that any necessary, additional conditions could be imposed by the Planning and Environment Commission.

VICE MAYOR VAN NOSTRAN MOVED AND COUNCIL MEMBER PIERCY SECONDED TO CLOSE THE PUBLIC HEARING. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Esquivel, Piercy, Van Nostran, Rogers and Wagner

NAYS: COUNCIL MEMBERS: None

VICE MAYOR VAN NOSTRAN MOVED AND COUNCIL MEMBER ROGERS SECONDED TO INTRODUCE ORDINANCE NO. 2002-1 AND APPROVE THE ACCOMPANYING NEGATIVE DECLARATION.

1.1 • REGULATION OF INTERNET ACCESS STUDIOS - Continued

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Esquivel, Piercy, Van Nostran, Rogers and Wagner

NAYS: COUNCIL MEMBERS: None

2.1 • STORAGE USES IN THE M-2 ZONE

The Director of Community Development reported that the proposed ordinance to regulate open storage in the M-2 zone had been introduced at the City Council's last meeting and was presented at this time for second reading and adoption.

ORDINANCE NO. 2001-7; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE LAKEWOOD ZONING ORDINANCE AND THE MUNICIPAL CODE PERTAINING TO STORAGE AND OPEN AREAS AND SHIPPING CONTAINERS IN THE M-2 (HEAVY MANUFACTURING) ZONE was read by title by the City Clerk.

VICE MAYOR VAN NOSTRAN MOVED AND COUNCIL MEMBER ROGERS SECONDED TO WAIVE FURTHER READING OF ORDINANCE NO. 2001-7. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Esquivel, Piercy, Van Nostran, Rogers and Wagner

NAYS: COUNCIL MEMBERS: None

VICE MAYOR VAN NOSTRAN MOVED AND COUNCIL MEMBER PIERCY SECONDED TO ADOPT ORDINANCE NO. 2001-7. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Esquivel, Piercy, Van Nostran, Rogers and Wagner

NAYS: COUNCIL MEMBERS: None

3.1 • HOUSING ANALYSIS AGREEMENT WITH COTTON BRIDGES ASSOCIATES

The Community Development Director gave a brief oral presentation based on the memorandum in the agenda packet and reported that all recipients of Community Development Block Grant Funds, such as the City, were required by the Department of Housing and Urban Development to conduct an analysis of fair housing choice. Staff had issued requests for proposals and had selected the proposal of Cotton Bridges Associates as having the most experience and expertise in conducting and preparing such studies. It was the recommendation of staff that the City Council appropriate \$19,830 of Program Income Funds to conduct a housing analysis and authorize the execution of an agreement with Cotton Bridges Associates in an amount not to exceed \$19,830.

3.1 • HOUSING ANALYSIS AGREEMENT WITH COTTON BRIDGES ASSOCIATES - Continued

COUNCIL MEMBER PIERCY MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED TO APPROVE STAFF'S RECOMMENDATION. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Esquivel, Piercy, Van Nostran, Rogers and Wagner

NAYS: COUNCIL MEMBERS: None

3.2 • STATUS REPORT ON LACDA LETTER OF MAP REVISION

The Community Development Director displayed slides and gave a brief oral presentation based on the memorandum in the agenda packet stating the Los Angeles County Drainage Area (LACDA) Project had been completed and a formal application for a Letter of Map Revision (LOMR) had been submitted to FEMA for approval. He provided a history of the project noting that the Los Angeles River had been found to be incapable of handling the flows of a one hundred year flood. Area cities had come together to form the LACDA Alliance in 1991 and had been successful in having Congress adopt legislation providing a new flood zone designation, had gained the support of Federal representatives to include adequate funding for the project in the President's budget each year, and had fought off efforts of several environmental groups to return the Los Angeles River to its natural state, a move that would have exposed thousands of residents to extreme flood danger. He reviewed the plans for advising Lakewood residents of the lifting of the Federal flood insurance requirements, including a workshop for lenders and insurance agents, a postcard to be mailed to all of the 8300+ properties in Lakewood that were within the flood zone to invite them to an open house on January 23rd; a flood insurance hotline to answer resident's questions; an information kit mailing; and an advertisement to run in the *Lakewood Community News* on February 1st.

Council Member Esquivel asked about the response of lenders and insurance agents to the January 10th meeting. Assistant City Manager Michael Stover responded by stating that staff had already received fifty attendance confirmations.

Responding to a further question from Council Member Esquivel, Mr. Ebner stated that although the January 23rd open house was intended for Lakewood residents, space would be made available for residents from other cities and that FEMA and L. A. County would also be present to answer questions.

Council Member Piercy expressed his appreciation to Mr. Ebner and his staff for all their hard work on this issue.

Mayor Wagner stated that the dramatic results, including the cost savings and early completion, were a testimonial of cities working effectively together could accomplish.

3.2 • STATUS REPORT ON LACDA LETTER OF MAP REVISION - Continued

Council Member Rogers applauded the City Council for their leadership on this issue. He remarked that having experienced the matter first as a resident and then as a new Council Member, he recognized how much effort the City Council had put into the process and making it the success that it had become. He also recognized retired City Council Member Marc Titel, who was owed thanks for his work on the issue.

At 8:18 p.m., the Regular Meeting of the City Council was recessed for the Meetings of the Lakewood Redevelopment Agency and the Lakewood Public Financing Authority. At 8:21 p.m., the City Council Meeting was reconvened.

ORAL COMMUNICATIONS: None

CLOSED SESSION:

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Mayor Wagner announced that based upon the confidential written report of the City Attorney, the City Council would adjourn to a closed session to confer with and receive advice from its legal counsel pursuant to Government Code §54956.9(c) pertaining to its decision to initiate litigation in one case.

At 8:58 p.m., the City Council reconvened with all members present. Mayor Wagner announced that having met in closed session to receive facts and consider circumstances pertaining to California Regional Water Quality Control Board Order No. 01-182, the City Council had decided to join in the appeal of that order and to retain the law firm of Burke, Williams and Sorensen, LLP.

ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Wagner adjourned the meeting at 9:00 p.m. in memory of Walter Withrow.

Respectfully submitted,

Denise R. Hayward, CMC
City Clerk