



Minutes

Lakewood City Council

Regular Meeting held
August 27, 2002

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

INVOCATION was offered by Council Member Wayne E. Piercy

PLEDGE OF ALLEGIANCE was led by Vice Mayor Joseph Esquivel

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

ANNOUNCEMENTS AND PRESENTATIONS:

Mayor Van Nostran issued an invitation to the Patriot Day Concert to be held at 5:30 p.m. on Wednesday, September 11th at Del Valle Park. The program would include a musical presentation and a memorial for those lost in last year's terrorist attacks.

Council Member Wagner announced that the Friends of the Lakewood Libraries would be holding the "Taste of Lakewood" at the Lakewood Center Mall on Sunday, September 8th.

ROUTINE ITEMS:

Council Member Wagner requested Routine Item 7 be considered separately.

COUNCIL MEMBER ROGERS MOVED AND COUNCIL MEMBER PIERCY SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 6.

RI-1 Approval of Minutes of the Meetings held August 13, 2002

RI-2 Approval of Personnel Transactions

RI-3 Approval of Registers of Demands dated August 8 and August 15, 2002

RI-4 RESOLUTION NO. 2002-65; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD PROHIBITING THE PARKING OR STANDING OF VEHICLES BETWEEN 10 A.M. AND 3 P.M. ON WEDNESDAY OF EACH WEEK FOR STREET SWEEPING PURPOSES ON BOTH SIDES OF YEARLING STREET BETWEEN STEVELY AVENUE AND EBERLE STREET

ROUTINE ITEMS: Continued

RI-5 Approval of Monthly Report of Investment Transactions

RI-6 RESOLUTION NO. 2002-66; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD RESCINDING RESOLUTION NUMBER 97-87 ESTABLISHING A PHYSICALLY HANDICAPPED PERSONS DESIGNATED PARKING SPACE ON THE NORTH SIDE OF ANDY STREET WITHIN THE CITY OF LAKEWOOD

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

RI-7 Approval of Installation of Passenger and Bus Loading Zones at Lakewood Elementary and Alternative Academy, Michelson Street, Resolutions No. 2002-67 through No. 2002-69

RESOLUTION NO. 2002-67; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ESTABLISHING A "THREE-MINUTE PASSENGER LOADING, MONDAY TO FRIDAY, 7 A.M. TO 3:30 P.M." ZONE ON THE NORTH SIDE OF MICHELSON STREET WITHIN THE CITY OF LAKEWOOD

RESOLUTION NO. 2002-68; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ESTABLISHING A "NO PARKING, MONDAY TO FRIDAY, 3:30 P.M. TO 4:30 P.M., BUS LOADING" ZONE ON THE NORTH SIDE OF MICHELSON STREET WITHIN THE CITY OF LAKEWOOD

RESOLUTION NO. 2002-69; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD RESCINDING RESOLUTION 95-89, AND ESTABLISHING A TWENTY MINUTE LIMITED PARKING ZONE ON THE NORTH SIDE OF MICHELSON STREET WITHIN THE CITY OF LAKEWOOD

Public Works Director Lisa Rapp reported that a study had been made at the request of the school and that the recommended changes were an outgrowth of the new ordinance pertaining to vehicles loading school children. She stated that the controls would provide more loading and bus loading space for the school and was a formalization of what the school was already doing.

Council Member Wagner expressed concern about the lack of input by the neighboring residential property owners and the increasing student population at the subject site.

Mr. Michael White, principal of Lakewood Elementary School, responded to questions from Council Member Wagner by stating that present enrollment for the Elementary School was approximately 600 students, with about 350 enrolled at the Alternative Academy. He stated that enrollment at the Academy was planned to increase over the next two years.

ROUTINE ITEMS: Continued

Mayor Van Nostran, after determining from Mr. White that school would be back in session on September 5th, stated he felt the best course at this time would be to try the proposed controls and then re-evaluate to see if they were working properly or if any modifications were necessary.

Responding to a question from Council Member Rogers, Ms. Rapp stated that the major problem that would be addressed by the new controls would be the additional parking area for bus loading. She further stated, and Mr. White confirmed, that the school had been using its staff to mark off the area each day and ensure the buses had adequate space to load. Council Member Rogers determined from Ms. Rapp that there had been no complaints about any of the traffic or parking control changes that had been implemented at other school sites.

Council Member Wagner stated he felt further study was warranted to determine traffic impacts from the planned increases in classes at the site.

COUNCIL MEMBER WAGNER MOVED TO REFER THE MATTER BACK TO THE COMMUNITY SAFETY COMMISSION TO HOLD A PUBLIC HEARING, WITH NOTIFICATION TO RESIDENTS IN THE AREA. THE MOTION DIED FOR LACK OF A SECOND.

MAYOR VAN NOSTRAN MOVED AND COUNCIL MEMBER PIERCY SECONDED TO ADOPT RESOLUTIONS NO. 2002-67, NO. 2002-68 AND NO. 2002-69; AND TO HAVE THE COMMUNITY SAFETY COMMISSION LOOK AT THE AREA TRAFFIC BASED ON THE SCHOOL'S GROWTH FACTOR. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: Wagner

1.1 • AWARD OF BID FOR PUBLIC WORKS PROJECT NO. 02-5, WEST SAN GABRIEL RIVER OPEN SPACE PROJECT AND APPROVAL OF RELATED PROFESSIONAL SERVICES AND USE AGREEMENTS *[Continued from August 13, 2002]*

The Director of Public Works gave a brief oral presentation based on the memorandum in the agenda and stated that five bids had been received for the West San Gabriel River Open Space Project. Staff had reviewed bid documents and licenses submitted by the low bidder on the project, Los Angeles Engineering Company, and found them to be in compliance. She stated that since there, as yet, had been no word on whether the City would receive the additional State grant funding for which it had applied, staff was recommending that the City Council award a reduced contract. By deleting items of work numbers 4, 6, 8, and 9, the project could be brought within current funding levels and work could begin. She further stated that the successful bidder had verbally indicated to City staff, his willingness to reinstate the deleted items of work, at the original bid price, should grant funding later become available. She also noted that there was a need for the City Council to approve use

1.1 • AWARD OF BID FOR PUBLIC WORKS PROJECT NO. 02-5 - Continued

agreements with the Los Angeles County Flood Control District and the City of Los Angeles Department of Water and Power; approve an agreement for construction materials and soils testing with AESCO Technologies, Inc.; and approve an amendment to the agreement with landscape architects, Purkiss-Rose/RSI. It was the recommendation of staff that the City Council approve the plans, specifications and working details for the subject project; award the contract for items of work numbers 1, 2, 3, 5 and 7, to Los Angeles Engineering, Inc. in the amount of \$771,500.00; authorize staff to approve a cumulative total of change orders as necessary, not to exceed \$77,000.00; approve an agreement with the County of Los Angeles, Flood Control District; approve an agreement with the City of Los Angeles, Department of Water and Power; approve an agreement with AESCO Technologies, Inc. in an amount not to exceed \$10,000.00; and approve an amendment to the agreement with Purkiss-Rose/RSI in an amount not to exceed \$10,000.00.

Responding to a question from City Attorney John S. Todd, City Manager Howard Chambers stated that staff was recommending a partial award since there was no guarantee that grant funds would be received or could be used for a previously awarded contract if received after the award date. He stated that staff would have the opportunity to re-evaluate the later phases of the project should grant funding not be received. The City Attorney advised that depending on the outcome of the pending grant, there could be a need to re-bid the deleted items of work.

Mayor Van Nostran opened the public hearing at 8:04 p.m. and inquired if anyone wished to be heard on this matter. There was no response.

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

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

NAYS: COUNCIL MEMBERS: None

MAYOR VAN NOSTRAN MOVED AND VICE MAYOR ESQUIVEL SECONDED TO APPROVE STAFF'S RECOMMENDATION. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

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1.2 • AWARD OF BID FOR PUBLIC WORKS PROJECT NO. 02-01, MAJOR STREET REHAB & LANDSCAPE PIONEER - 2002

The Director of Public Works gave a brief oral presentation based on the memorandum in the agenda and stated that eight bids, ranging from \$1.38 to \$1.59 million, had been received for a project to rehabilitate and resurface segments of Downey, Clark, and Palo Verde Avenues, and Pioneer Boulevard; and to landscape the existing, raised asphalt median in Pioneer Boulevard. She reported that the low bidder, Shawnan of Downey, was properly licensed for the work and references had been checked. She stated that Proposition C funding would be used for some of the resurfacing work, but that an additional appropriation was necessary to complete the landscaping portion of the project. It was the recommendation of staff that the City Council approve the plans, specifications and working details for the project; appropriate \$350,000 from the General Fund for Pioneer Boulevard median landscaping; award the contract to Sialic Corporation dba Shawnan in the amount of \$1,376,187.00; and authorize staff to approve a cumulative total of change orders, as needed, not to exceed \$100,000.00.

Mayor Van Nostran, noting that the report indicated that the resurfacing would be done using rubberized asphalt material, remarked that not only did the material seem to have worked well for previous City projects, it recycled old tires and kept them out of landfills.

Council Member Piercy inquired if there was a contingency plan if the contractor was not able to complete the Downey Avenue portion of the project within the 60 day period. Ms. Rapp responded by stating that although there should be no problem in completing the project in a timely fashion, staff would be working closely with the contractor.

Mayor Van Nostran opened the public hearing at 8:09 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

COUNCIL MEMBER ROGERS MOVED AND VICE MAYOR ESQUIVEL SECONDED TO CLOSE THE PUBLIC HEARING AND APPROVE STAFF'S RECOMMENDATIONS. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.3 • IMPLEMENTING THE STANDARD URBAN STORM WATER MITIGATION PLAN

The Public Works Director gave a brief oral presentation based on the memorandum in the agenda and reported that at the City Council meeting of August 13th, the Standard Urban Storm Water Mitigation Plan (SUSMP) ordinance had been introduced. The proposed ordinance would require the implementation of best management practices and storm water construction measures. It was the recommendation of staff that the City Council conduct a public hearing and adopt Ordinance No. 2002-7 as required by Federal and State law.

The City Attorney advised that the ordinance was based upon a model ordinance prepared by consulting attorney, Rufus Young.

1.3 • IMPLEMENTING THE STANDARD URBAN STORM WATER MITIGATION PLAN – Continued

Council Member Wagner, noting the many references to best management practices (BMPs), inquired if there was a specific standard regarding what BMPs were and their measure of effectiveness. He expressed concern about negative impacts on developments in the eastern portion of the City, where redevelopment was being encouraged. He suggested a meeting to study the BMPs to identify problems and determine the most suitable approaches for Lakewood.

Ms. Rapp noted that the Regional Water Quality Control Board had prepared a guidebook on BMPs, and that staff was working with a consultant to modify the guidebook into a user-friendly booklet that could be distributed for Lakewood projects.

Mr. Young advised that the SUSMP documentation provided some very detailed studies on BMPs that had been done by consultants across the country. He noted that while not all of the BMPs were appropriate to all cities or areas of the country, a considerable body of knowledge had gone into their preparation. He stated that unsuitable BMPs could be removed from the approved list and a removal request directed to the Regional Board.

Mr. Young confirmed for Council Member Rogers that once the BMP guidebook was prepared, it would supercede the list in the standard plan. Ms. Rapp stated that the goal was to provide as many workable options as possible.

Responding to a question from Council Member Wagner, Mr. Young stated that although the City was being directed by the Regional Water Quality Control Board, a State agency, the underlying legislation was the Federal Clean Water Act and could, therefore, not be considered a State mandate.

Mayor Van Nostran opened the public hearing at 8:25 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

ORDINANCE NO. 2002-7; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD, CALIFORNIA, IMPLEMENTING THE STANDARD URBAN STORM WATER MITIGATION PLAN OF THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD FOR THE LOS ANGELES REGION BY AMENDING CHAPTER 8 OF ARTICLE V OF THE LAKEWOOD MUNICIPAL CODE ADOPTING THE "STANDARD URBAN STORM WATER MITIGATION PLAN IMPLEMENTATION" was read by title by Mayor Van Nostran.

COUNCIL MEMBER WAGNER MOVED AND COUNCIL MEMBER ROGERS SECONDED TO WAIVE FURTHER READING OF ORDINANCE NO. 2002-7. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.3 • IMPLEMENTING THE STANDARD URBAN STORM WATER MITIGATION PLAN - Continued

VICE MAYOR ESQUIVEL MOVED AND COUNCIL MEMBER PIERCY SECONDED TO ADOPT ORDINANCE NO. 2002-7. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

COUNCIL MEMBER WAGNER MOVED AND COUNCIL MEMBER PIERCY SECONDED THAT STAFF PROVIDE INFORMATION ON BEST MANAGEMENT PRACTICES AND AN EVALUATION OF THEM. THERE BEING NO OBJECTION, IT WAS SO ORDERED.

At 8:27 p.m., the Regular Meeting of the City Council was recessed for the Meeting of the Lakewood Redevelopment Agency. At 8:28 p.m., the City Council Meeting was reconvened.

JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE REDEVELOPMENT AGENCY ON THE LEASE OF REAL PROPERTY LOCATED AT 3650 CHERRY AVENUE

Mayor Van Nostran announced that the Redevelopment Agency and the City Council would hold a joint public hearing at this time to consider the proposed lease of real property located at 3650 Cherry Avenue.

It was noted for the record that all City Council and Redevelopment Agency Members were present.

The City Manager presented an oral report based on the memorandum contained in the agenda packet and reported that the issue was the continuation of a lease for property owned by the Redevelopment Agency which had been leased for auto sales and service. He stated that the proposed resolutions would permit that use to continue while both allowing and encouraging the business owner to expand his service and sales capacity, through the consolidation of properties, and still remain in Lakewood. He noted that the lease also would provide an option for the purchase of the property from the Agency at fair market value, an option that had been available to the business owner since the original lease in 1991. He concluded by stating that the owner had agreed to the terms of the lease agreement and that it was necessary to hold a public hearing and adopt the proposed resolutions.

Mayor Van Nostran opened the public hearing at 8:30 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

JOINT PUBLIC HEARING OF THE CITY COUNCIL AND THE REDEVELOPMENT AGENCY ON THE LEASE OF REAL PROPERTY LOCATED AT 3650 CHERRY AVENUE - Continued

RESOLUTION NO. 2002-70; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD APPROVING THE LEASE OF REAL PROPERTY BY THE LAKEWOOD REDEVELOPMENT AGENCY PURSUANT TO THAT CERTAIN PARTICIPATION AGREEMENT BETWEEN THE LAKEWOOD REDEVELOPMENT AGENCY, HJCH II, AND PACIFIC FORD, INC.

VICE MAYOR ESQUIVEL MOVED AND COUNCIL MEMBER PIERCY SECONDED TO CLOSE THE PUBLIC HEARING AND ADOPT RESOLUTION NO. 2002-70. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

ORAL COMMUNICATIONS: None

CLOSED SESSION:

Mayor Van Nostran announced the City Council would recess to a closed session, pursuant to Government Code Section 54957, to consider the appointment of a Human Resources Manager, a public employee.

At 8:45 p.m., the meeting was reconvened. Mayor Van Nostran announced that instructions had been provided to the City Manager.

ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Van Nostran adjourned the meeting at 8:17 p.m.

Respectfully submitted,

Denise R. Hayward, CMC
City Clerk