



# Minutes

## Lakewood City Council

Regular Meeting held  
July 13, 2004

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**MEETING WAS CALLED TO ORDER** at 7:32 p.m. by Mayor Rogers in the Council Chambers at the Civic Center, 5000 Clark Avenue, Lakewood, California.

**INVOCATION** was offered by Mr. Curtis Bronzan, Christ Presbyterian Church

**PLEDGE OF ALLEGIANCE** was led by Council Member Joseph Esquivel

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

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### **ANNOUNCEMENTS AND PRESENTATIONS:**

Mayor Rogers announced that the July 3rd 50th Anniversary Block Party and Fireworks Extravaganza had been a great success. As part of the event, Lakewood had been recognized by *Sports Illustrated* magazine and the National Recreation and Park Association as California's "Sportstown USA," one of fifty cities across the nation to be recognized for community involvement in healthy, active recreation programs.

Mayor Rogers announced that the meeting would be adjourned in memory of Cheryl Epple, a member of the Cerritos Community College Board of Trustees; and also in memory of Helen Amestoy, former Senior Librarian in charge of the Lakewood libraries.

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### **ROUTINE ITEMS:**

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

- RI-1 Approval of Minutes of the Meeting held June 22, 2004
- RI-2 Approval of Personnel Transactions
- RI-3 Approval of Registers of Demands dated June 17, June 24, June 30, and July 1, 2004
- RI-4 Approval of Final Map for Tract No. 53909, 5813 Allington Street
- RI-5 Approval of Recommendation of the Ad Hoc City Attorney Search Committee Regarding No Ex Parte Communications

**ROUTINE ITEMS:** Continued

RI-6 Amendment to the Agreement with William Holt for City Prosecutor Legal Services

RI-7 Approval of Agreement with Department of Housing and Urban Development

RI-8 Acceptance of Notice of Completion for Public Works Project No. 04-4, Boyar Park Renovation Project - Phase 1

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

Council Member Van Nostran stated that an item had been tabled at the last meeting and that subsequently conditions had changed.

COUNCIL MEMBER VAN NOSTRAN MOVED TO ADD THE WIB APPOINTMENT ITEM TO THE AGENDA.

Council Member Wagner stated that the matter was not of such an urgent nature that it required immediate action. He advised that he would bring a revised report back to the City Council on the next agenda.

Council Member Van Nostran withdrew his motion.

**ANNOUNCEMENTS AND PRESENTATIONS:** Continued

**REVIEW OF STATE BUDGET IMPACT ON LOCAL GOVERNMENTS**

Anthony and Jason Gonsalves of Gonsalves and Sons addressed the City Council via speaker phone from Sacramento regarding the progress on the State budget. Anthony Gonsalves advised that while legislators had expressed optimism about continued progress, the local government deal was still a sticking point for many legislators, especially the idea of constitutional protections. Jason Gonsalves stated that legislators also had a problem with the original proposal's required four-fifths vote in order to shift funds away from local government. Anthony Gonsalves noted that Chris McKenzie of the League of California Cities, accompanied by Mayor Hahn of Los Angeles and Mayor Autry of Fresno, had been doing a great job of representing the interests of local governments. He briefly reviewed some of the reasons for opposition by State legislators, including the expressed need for sweeping fiscal reforms.

Mayor Rogers observed that a worst case scenario for cities would be having to fall back on the proposition the League qualified for the November ballot, Proposition 65. Jason Gonsalves noted that the proposition would actually be worse for the legislature since its provisions were retroactive, thus leaving a big hole in the new budget.

## REVIEW OF STATE BUDGET IMPACT ON LOCAL GOVERNMENTS - Continued

Anthony Gonsalves stated that he had been involved in legislative advocacy since 1977 and had never before seen such attention focused on local government.

Mayor Rogers stated that the City Council had been working tirelessly on this issue to ensure that local revenues were protected. The City should be run by the City Council not by the State legislature.

Council Member Esquivel encouraged all Lakewood residents to contact their State representatives and ask them to protect local revenues with a constitutional guarantee.

Council Member Wagner stated that the position of the legislature was outrageous. They shifted property tax money away from local governments to go to the schools, but now say local governments are too dependent on sales tax monies and propose to take away sales tax funds and replace it with property tax funds, which begs the question why they took away property tax funds to begin with. He stated that the endless plans to shift tax monies away from local governments, which were needed to fund important local services like law enforcement and library services was inappropriate. He stated that if the legislature did not support the agreement between local agencies and the Governor, with constitutional guarantees, people should support Proposition 65 and not offer future support for current legislators.

Vice Mayor Piercy stated that our legislators in Sacramento were well aware of the City's position on these budget issues and that it was vitally important that they hear from individual voters as well.

### **1.1 • APPEAL OF THE DECISION OF THE PLANNING AND ENVIRONMENT COMMISSION IN THE MATTER OF THE ABATEMENT FOR DUNROBIN AVENUE**

Mayor Rogers opened the public hearing at 8:04 p.m. and announced that the appellant had requested the item be continued to the City Council meeting scheduled for August 24, 2004. There being no objection, it was so ordered.

### **1.2 • WATER RESOURCES PUBLIC HEALTH GOALS COMPLIANCE REPORT**

The Director of Water Resources, Jim Glancy, presented an oral report based on the memorandum contained in the agenda and stated that as a water system with over 10,000 service connections, the Lakewood Water Resources Department was required to prepare a Public Health Goals Compliance Report and hold a public hearing. He explained the difference between Public Health Goals (PHG), Maximum Contaminant Level Goals (MCLG) and Maximum Contaminant Levels (MCL,) noting that the first two were non-enforceable goals, with the MCL being more scientifically based on the ability to set a detection level, availability of treatment technology and cost/benefit analysis. He reported that the standard for copper was particularly challenging since the measurement was done

**1.2 • WATER RESOURCES PUBLIC HEALTH GOALS COMPLIANCE REPORT**

from inside the consumer's home and could be affected by pipes within the walls of the home. He noted that only 2 of the 180 constituents analyzed during the past three years had exceeded either the PHD or MCLG, and that the Water Resources Department was not currently in violation of any State or Federal drinking water standard. It was the recommendation of staff that the City Council hold a public hearing regarding the Public Health Goals Compliance Report 2003.

Mayor Rogers opened the public hearing at 8:07 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

COUNCIL MEMBER WAGNER MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED TO CLOSE THE PUBLIC HEARING AND COMMENT PERIOD AND ADOPT THE WATER RESOURCES PUBLIC HEALTH GOALS COMPLIANCE REPORT AS PRESENTED. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

**1.3 • AWARD OF BID FOR PURCHASING BID 04-1, BRIDGE RAILING PIPE TUBE**

Finance Director Larry Schroeder presented an oral report based on the memorandum contained in the agenda and reported formal bids had been solicited for the purchase of bridge railing for the Del Amo Boulevard and Centralia Street bridges. One response had been received and the Purchasing Officer had determined that specification had been successfully met. It was the recommendation of staff that the City Council authorize the purchase of bridge railing from Ulmer Industries, Incorporated in the amount of \$36,487.83 and appropriate \$69,000 from the General Fund for the project.

Mayor Rogers confirmed from staff that the railing pipe tubing was to replace railing that had been stolen.

Mayor Rogers opened the public hearing at 8:08 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

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

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

### **3.1 • ENGINEERING SERVICES FOR WELL #22 TREATMENT PLANT DESIGN**

The Water Resources Director presented an oral report based on the memorandum contained in the agenda and reported that three proposals had been received for the design of a treatment plant for well #22. Staff had reviewed the proposals and had found the proposal prepared by Boyle Engineering Corporation to best suit the City needs. It was the recommendation of staff that the City Council approve an agreement with Boyle Engineering Corporation for the completion of the treatment plant design in an amount not to exceed \$200,000.

Council Member Van Nostran determined from Mr. Glancy that well #22 was located near the corner of Downey Avenue and Candlewood Street.

Vice Mayor Piercy inquired if, considering available funding in the budget, it was more cost effective to correct existing quality issues with well #22 or just abandon it and drill a new well. Mr. Glancy responded by stating that the treatment plant was a cost effective way of not only improving the overall quality of the water pumped, but would also allow increased pumping volume, making the well much more productive than it currently was.

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

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

NAYS: COUNCIL MEMBERS: None

### **3.2 • SHERIFF REPORT ON JULY 4TH ACTIVITIES**

Captain Dave Fender, Commander of the Lakewood Sheriff's Station, addressed the City Council regarding law enforcement activities over the July 4th holiday. He reported that over the past two years they had taken aggressive action against illegal fireworks. He noted that calls for service had increased over the previous year throughout the region and that on a normal Sunday that would be six units on patrol, compared to the 22 units that were out on Sunday, July 4th. They reported that deputies had contacted all of the City's block party applicants to review fireworks regulations. He concluded by stating that over 17,000 pieces of illegal fireworks had been confiscated over the six-day period between June 29th and July 4, 2004.

Responding to questions from Council Member Esquivel, Captain Fender stated that while most of the illegals had been confiscated on the 4th, units had been out the whole week. He noted that there had been 145 calls for service on July 4th. Deputy City Manager Sandi Ruyle advised that any block with a permit for a block party that was found to have illegal fireworks would not be issued a permit for next year.

Council Member Van Nostran attributed greater marketing efforts on the Internet for the increases in illegals, directly impacting the number of calls for service. Captain Fender agreed that increased, easy accessibility through the Internet was definitely a problem.

**3.2 • SHERIFF REPORT ON JULY 4TH ACTIVITIES - Continued**

Vice Mayor Piercy noted that this was a matter that was reviewed each year by the City Council's Public Safety Committee and that they were continually looking for ways to improve enforcement.

Council Member Van Nostran stated that Federal regulation prohibiting sales across state lines might help the problem.

Mayor Rogers questioned whether there were fireworks-related injuries or fires in Lakewood. Captain Fender stated that there had been one fire in Bellflower with a cause as yet unknown but no incidents in Lakewood. Assistant Fire Chief Ed Thacher stated he would collect statistical data and transmit it to the City.

Responding to a question from Mayor Rogers, Captain Fender stated that experiences varied in cities that prohibited all fireworks. He noted that Cerritos had experienced few incidents, but Long Beach, which had not permitted fireworks for years, had reported significant problems with illegal fireworks.

Sally Brayton stated that as a Neighborhood Watch Block Captain, she had received a letter requesting her help in reporting incidents of illegal fireworks and suggested everyone in the City receive a similar letter.

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At 8:36 p.m., the Regular Meeting of the City Council was recessed for the Meeting of the Lakewood Redevelopment Agency. At 8:37 p.m., the City Council Meeting was reconvened.

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**ORAL COMMUNICATIONS:**

Sally Brayton inquired about using the Youth Center for a Lakewood High School class reunion.

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**ADJOURNMENT**

There being no further business to be brought before the City Council, Mayor Rogers adjourned the meeting at 8:43 p.m. to Tuesday, July 27, 2004, at 5:30 p.m. in the Executive Board Room. A moment of silence was observed in memory of Cheryl Epple and Helen Amestoy.

Respectfully submitted,

Denise R. Hayward, CMC  
City Clerk