



Minutes

Lakewood City Council

Regular Meeting held
June 14, 2005

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

INVOCATION was offered by Reverend Bill Cox, Emmanuel Church of Lakewood

PLEDGE OF ALLEGIANCE was led by Vice Mayor Larry Van Nostran

ROLL CALL: PRESENT: Mayor Joseph Esquivel
Vice Mayor Larry Van Nostran
Council Member Steve Croft
Council Member Diane DuBois
Council Member Todd Rogers

ANNOUNCEMENTS AND PRESENTATIONS:

Mayor Esquivel announced that the City would be hosting a Block Party on July 2, 2005, which would be held in front of the Civic Center on Clark Avenue, with a fireworks show sponsored by the Lakewood Center Mall.

Council Member Rogers commended the Lakewood Center Mall for participating in a nationwide ceremony in honor of Flag Day.

ROUTINE ITEMS:

COUNCIL MEMBER CROFT MOVED AND COUNCIL MEMBER ROGERS SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 5.

RI-1 Approval of Minutes of the Meeting held May 24, 2005

RI-2 Approval of Personnel Transactions

RI-3 Approval of Registers of Demands dated May 19, May 26, and June 2, 2005

RI-4 Approval of Actuarial Report on 401(a) Defined Benefit Plan

RI-5 Approval of Street Closures for July 4th Block Parties

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Van Nostran, Croft, DuBois, Rogers and Esquivel

NAYS: COUNCIL MEMBERS: None

1.1 • AWARD OF BID FOR PUBLIC WORKS PROJECT NO. 04-5, WATERMAIN REPLACEMENT - 2005

Public Works Director Lisa Rapp gave an oral presentation based on the memo contained in the agenda and stated seven bids had been received for the Watermain Replacement 2005 project. The project would replace about 2.7 miles of water mains in residential streets south of South Street and west of Clark Avenue to improve water service, supply reliability and fire protection. She noted that the bid documents had provided for an additive item to construct a water main in Tilbury Street which would serve the new commercial development to be located at Bellflower Boulevard and Carson Street. Should the developer decide to proceed, the City Council could approve the additional work via change order. It was the recommendation of staff that the City Council approve the project plans and specifications; award a contract to the low bidder, Precision Pipeline, Inc., in the amount of \$1,111,500; appropriate \$150,000 from the Water Fund to account 710-965-GA-4970-4400; and authorize staff to approve a cumulative total of change orders as needed not to exceed \$110,000.

Responding to a question from Vice Mayor Van Nostran, Ms. Rapp stated that the broad range in the bids received could be attributed to the schedule of the individual contractors, their need for work and the market pricing of materials. She noted that the low bidder had completed a previous project for the City and was known for their good work.

Mayor Esquivel opened the public hearing at 7:40 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 COUNCIL MEMBER DUBOIS SECONDED TO CLOSE THE PUBLIC HEARING AND APPROVE STAFF'S RECOMMENDATIONS. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Van Nostran, Croft, DuBois, Rogers and Esquivel

NAYS: COUNCIL MEMBERS: None

1.2 • AWARD OF BID FOR PUBLIC WORKS PROJECT NO. 2005-7, THE CENTRE AT SYCAMORE PLAZA CARPET REPLACEMENT PROJECT

The Director of Public Works gave an oral presentation based on the memo contained in the agenda and reported one bid had been received for the installation of replacement carpeting at the Centre. She stated that the City had previously purchased the carpeting from Milliken Hospitality Carpet Company and that only certified installers were eligible to bid on the installation. The single bidder was so certified and had met all other contract requirements. It was the recommendation of staff that the City Council approve the plans, specifications and working details for the project; award the contract to Pacific Carpets, Inc., in the amount of \$13,058; and authorize staff to approve a cumulative total of change orders as necessary not to exceed \$3,000.

1.2 • AWARD OF BID FOR PUBLIC WORKS PROJECT NO. 2005-7, THE CENTRE AT SYCAMORE PLAZA CARPET REPLACEMENT PROJECT – Cont.

Mayor Esquivel opened the public hearing at 7:42 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

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

AYES: COUNCIL MEMBERS: Van Nostran, Croft, DuBois, Rogers and Esquivel

NAYS: COUNCIL MEMBERS: None

1.3 • INTRODUCTION OF ORDINANCE NO. 2005-5; AMENDING THE MUNICIPAL CODE PERTAINING TO CARNIVALS

Finance Director Larry Schroeder gave an oral presentation based on the memo contained in the agenda and reported the proposed ordinance would amend the Municipal Code pertaining to carnivals by shifting the burden of checking the criminal history of the carnival employees to the carnival operators and would also better describe and define carnivals.

City Attorney Steve Skolnik advised the proposed ordinance provisions had been reviewed by the License and Permit Hearing Board. He noted that concerns had been raised by the Greater Lakewood Chamber of Commerce, and that in a subsequent meeting with Chamber representatives, it had been agreed to amend the ordinance to clarify the definitions. He stated that the ordinance had never been intended to negatively impact the ability of local churches and schools to hold their events.

Mayor Esquivel opened the public hearing at 7:47 p.m. and called for anyone in the audience wishing to address the City Council on this matter.

Cris Lopez-Coffey stated she was representing St. Pancratius Church. She questioned the reference to "kiddie rides" and whether a church-related organization such as the Knights of Columbus could apply for a carnival permit. The City Attorney clarified the meaning of the reference to kiddie rides and advised that only churches and schools were eligible for a carnival permit.

Joy Janes stated she represented the Greater Lakewood Chamber of Commerce and that they were satisfied with the ordinance as amended.

Monsignor Joe Greeley, St. Pancratius Church, stated the restrictions regarding felony and misdemeanor charges seemed to be too broad and he inquired if the ordinance would authorize law enforcement spot checks. The City Attorney responded by stating the definitions in the ordinance had been recommendations of the License and Permit Hearing Board and that ordinance did not grant any additional authority to law enforcement officers.

1.3 • INTRODUCTION OF ORDINANCE NO. 2005-5; AMENDING THE MUNICIPAL CODE PERTAINING TO CARNIVALS - Continued

Mr. Schroeder noted that the proposed ordinance actually narrowed the definitions rather than broadened them.

Council Member Rogers stated that the intent of the License and Permit Hearing Board had been to remove the onus from the City for the carnival worker background checks and place that burden upon the carnival operators. He noted that law enforcement officers would have to show probable cause to even run a check on carnival employees.

Vice Mayor Van Nostran expressed concern about balancing the need for screening of carnival employees for criminal history information with the safety of the children they would come into contact with during a carnival event.

Karen Toussant stated she felt the provision banning a person convicted of any felony or any violent misdemeanor was too broad as not all such crimes posed a risk to children. The City Attorney responded by stating that it would be difficult to define without enumerating individual offenses.

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

AYES: COUNCIL MEMBERS: Van Nostran, Croft, DuBois, Rogers and Esquivel

NAYS: COUNCIL MEMBERS: None

VICE MAYOR VAN NOSTRAN MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO INTRODUCE ORDINANCE NO. 2005-5 AS AMENDED.

ORDINANCE NO. 2005-5; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE LAKEWOOD MUNICIPAL CODE PERTAINING TO CARNIVALS

Council Member Rogers suggested that instead of defining every possible offense, the ordinance could be amended to include an avenue of appeal. A carnival operator could seek a waiver from the License and Permit Hearing Board if it could be determined that a particular employee's past criminal offense did not present a direct threat to the community.

With the concurrence of the maker and second of the motion, the City Attorney drafted language to accomplish the intent expressed by Council Member Rogers.

Council Member Croft stated he felt the amendment provided a good balance between adopting a provision that was either too narrow or too broad.

Council Member Rogers stated that the intent and spirit of the ordinance was to provide the maximum level of protection for the children of the community.

1.3 • INTRODUCTION OF ORDINANCE NO. 2005-5; AMENDING THE MUNICIPAL CODE PERTAINING TO CARNIVALS - Continued

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Van Nostran, Croft, DuBois, Rogers and Esquivel

NAYS: COUNCIL MEMBERS: None

1.4 • INTRODUCTION OF ORDINANCE NO. 2005-6; AMENDING THE MUNICIPAL CODE PERTAINING TO HEIGHTS OF WALLS, FENCES OR HEDGES IN THE REQUIRED SIDE AND REAR YARDS

Community Development Director Chuck Ebner displayed slides and gave an oral presentation based on the memo contained in the agenda. He reported that the Municipal Code currently required a Conditional Use Permit for fencing in the rear and side yard that exceeded six feet. He advised that the City Council had previously heard a recommendation from the Planning and Environment Commission to increase the height limitation to seven foot-six inches, but had referred the ordinance back to the Commission to consider a concern about the impacts to air, light and ventilation that was raised at the City Council hearing. Upon further review, the Commission had found the ordinance to be appropriate as originally proposed. He also stated that in addition to height, the ordinance would address concerns about fences along driveways eight foot-six inches or less in width; would clarify how fence height was to be measured; and would make provision for fence or wall extensions. He noted that although the ordinance would allow for a taller fence, a building permit would still be required. It was the recommendation of the Planning and Environment Commission that the City Council hold a public hearing and introduce Ordinance No. 2005-6.

Mayor Esquivel opened the public hearing at 8:23 p.m. and called for anyone in the audience wishing to address the City Council on this matter.

Charlie Ewer stated he thought side yard fencing on the front of the property should be open to provide adequate visibility.

The City Attorney noted for the record that a letter had been received from Bonnie Martin in support of the ordinance.

COUNCIL MEMBER DUBOIS MOVED AND COUNCIL MEMBER CROFT SECONDED TO APPROVE THE RECOMMENDATION OF THE PLANNING AND ENVIRONMENT COMMISSION AND INTRODUCE THE ORDINANCE.

ORDINANCE NO. 2005-6; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE LAKEWOOD MUNICIPAL CODE AND THE ZONING ORDINANCE PERTAINING TO WALLS, FENCES, OR HEDGES AND THE LOCATION OF SAID WALLS, FENCES OR HEDGES was read by title by the City Clerk.

1.4 • INTRODUCTION OF ORDINANCE NO. 2005-6; AMENDING THE MUNICIPAL CODE PERTAINING TO HEIGHTS OF WALLS, FENCES OR HEDGES IN THE REQUIRED SIDE AND REAR YARDS – Continued

COUNCIL MEMBER ROGERS MOVED AND COUNCIL MEMBER CROFT SECONDED TO WAIVE FURTHER READING OF ORDINANCE NO. 2005-6. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Van Nostran, Croft, DuBois, Rogers and Esquivel

NAYS: COUNCIL MEMBERS: None

3.1 • QUITCLAIM OF SURPLUS PROPERTY - CITY-OWNED PARCEL BETWEEN LONGWORTH AVENUE AND THE SAN GABRIEL RIVER

The Director of Public Works gave an oral presentation based on the memo contained in the agenda and stated staff had received correspondence from a property owner expressing an interest in purchasing a parcel of land owned by the City. The 2,814 square foot, landlocked parcel was located on the south side of the Centralia Street right-of-way, with no direct access to the public right-of-way. She advised that in accordance with the requirements of the California Government Code, the County of Los Angeles and the other adjacent property owner had been notified of the City's intent to sell and had expressed no interest in purchasing the property. She also noted that the potential buyer had been advised that the property was currently zoned for open space and would require rezoning prior to any other use. The Planning and Environment Commission had reviewed the disposition of the Property and found it to be in conformance with the General Plan. It was the recommendation of staff that the City Council adopt the proposed resolution declaring the subject property to be surplus, order a lot line adjustment, and authorize the transfer of the parcel of surplus land to the owner of the adjacent property, 21005 Longworth Avenue.

RESOLUTION NO. 2005-14; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD DECLARING SURPLUS CITY-OWNED PROPERTY ADJACENT TO 21005 LONGWORTH AVENUE, LAKEWOOD, CALIFORNIA, AND AUTHORIZING TRANSFER OF SAID PROPERTY TO THE OWNER OF THE REAL PROPERTY AT 21005 LONGWORTH AVENUE, LAKEWOOD, CALIFORNIA

COUNCIL MEMBER ROGERS MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO ADOPT RESOLUTION NO. 2005-14. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Van Nostran, Croft, DuBois, Rogers and Esquivel

NAYS: COUNCIL MEMBERS: None

At 8:32 p.m., the Regular Meeting of the City Council was recessed for the Meeting of the Lakewood Redevelopment Agency. At 8:35 p.m., the City Council Meeting was reconvened.

JOINT PUBLIC HEARING OF THE REDEVELOPMENT AGENCY AND THE CITY COUNCIL ON THE SALE OF REAL PROPERTY LOCATED AT 11714 WALCROFT STREET

The Director of Community Development gave an oral presentation based on the memo contained in the agenda and reported that the Lakewood Redevelopment Agency had purchased the property located at 11714 Walcroft Street under its Land Acquisition and Development Program, using housing set aside funds. The Agency had received a proposal from Paramount Investors Group, LLC, for the purchase and development of the property with new duplex housing units, one of which must be retained as affordable housing for a period of no less than 55 years. He outlined the financial aspects of the proposed agreement and stated the project would be Categorically Exempt from the requirement of CEQA. It was the recommendation of staff that the Agency and the City Council conduct a public hearing and take action to approve the proposed agreement.

Mayor Esquivel opened the public hearing at 8:37 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

RESOLUTION NO. 2005-15; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD APPROVING THE SALE OF REAL PROPERTY BY THE LAKEWOOD REDEVELOPMENT AGENCY PURSUANT TO THAT CERTAIN DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE LAKEWOOD REDEVELOPMENT AGENCY AND PARAMOUNT INVESTORS GROUP, LLP

COUNCIL MEMBER ROGERS MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO ADOPT RESOLUTION NO. 2005-15. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Van Nostran, Croft, DuBois, Rogers and Esquivel

NAYS: COUNCIL MEMBERS: None

ORAL COMMUNICATIONS:

Fred Baisley and Annette Purcell addressed the City Council about the Planned Parenthood office located at the corner of Del Amo and Bellflower Boulevards.

Dave Romberg addressed the City Council regarding city-wide posting of "No Parking" on street sweeping days and recreational vehicle parking.

City Council Minutes

June 14, 2005

Page 8

ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Esquivel adjourned the meeting at 8:57 p.m. to Saturday, June 18, 2005, at 9:00 a.m. in the Executive Board Room.

Respectfully submitted,

Denise R. Hayward, CMC
City Clerk