



Minutes

Lakewood City Council

Regular Meeting held
May 24, 2016

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

INVOCATION was offered by Rabbi Mariana Gindlin, Congregation Shir Chadash

PLEDGE OF ALLEGIANCE was led by Girl Scouts Brownie Troop #5543

ROLL CALL: PRESENT: Mayor Ron Piazza
Vice Mayor Diane DuBois
Council Member Steve Croft
Council Member Todd Rogers
Council Member Jeff Wood

ANNOUNCEMENTS AND PRESENTATIONS:

Mayor Piazza announced that the meeting would be adjourned in memory of Andy Lazzaretto, a longtime advisor to Lakewood's economic development projects, who also worked as a city manager in other Southern California communities.

Kirk Real, a Recreation and Community Services Commissioner since 1988, and an active member of the Lakewood community for over six decades with his service in the Bellflower Unified District, as a parishioner at Lakewood Christ Presbyterian Church, and his longtime involvement with Pathways Volunteer Hospice, had been recognized for his extensive contributions to the recreation field and his overall community service. Mayor Piazza congratulated Mr. Real on being the recipient of the California Association of Parks and Recreation Commissioners and Board Members "Outstanding Commissioner" award.

Mr. Real expressed appreciation to the City Council for the opportunity to serve noting the importance of the collaborative efforts of the Council, his fellow commissioners, staff and community in working towards the success of the City's recreation programs. He highlighted the recent dedication of the new airplane themed playground at Del Valle Park as an example of Lakewood's long legacy of noteworthy services and facilities.

Mayor Piazza stated that while cities no longer had any regulatory oversight of communication providers as in the past, staff had been asked to assist residents with the difficulties resulting from the transition from Verizon to Frontier Communications of the landline and broadband operations. He introduced Assistant to the City Manager, Paolo Beltran, who would be providing an update and noted the attendance of representatives from Assembly Member Anthony Rendon's office, Frontier and the Public Utilities Commission.

ANNOUNCEMENTS AND PRESENTATIONS: - Continued

Mr. Beltran reported that residents had experienced service interruptions and outages that affected their Internet, television and telephone services. When residents called for service, they reported having endured lengthy hold times, missed appointment windows or technicians not showing up at all. Earlier in the month, a town hall meeting doubling as a pop-up customer service center had been hosted by Assembly Member Patrick O'Donnell and an informational meeting attended by both Frontier and the Executive Director of the California Public Utilities Commission (PUC) had been held by Assembly Member Mike Gatto, chairman of the Assembly Utilities and Commerce Committee. The CPUC had received over 860 complaints since the transition in April. Mr. Beltran stated that Frontier customer service representatives were currently available in the Executive Board Room to assist with residents' issues and that there was no need to wait until the end of the meeting.

Veronica Zendejas, District Director for Assembly Member and Speaker Anthony Rendon, stated that she and her staff worked directly with Frontier and the CPUC to be present to answer questions and to provide assistance to Lakewood residents.

Drisha Melton, CPUC Consumer Service Liaison/Supervisor, stated that she was available to address concerns and answer questions from the Council. She introduced staff members from the PUC's consumer affairs branch. She reported that the CPUC would be holding a call completion event on June 1st to address some of the issues with customers not having access to 911 and that Commissioner Sandoval had invited the public to attend.

Having received a multitude of complaints from residents, Mayor Piazza expressed appreciation to the representatives in attendance and stated the hope for their improved communication with the public and resolution of the issues.

In response to the issues raised by Council Member Rogers regarding his personal experience with Frontier's failures during the transition and whether there would be any monetary compensation for the vast number of people who suffered in silence by not reporting any problems, Ms. Melton stated that an investigation would be opened and a data request had been issued. She stated that because the CPUC had limited jurisdiction regarding the FIOS and Voice over Internet Protocol (VoIP) services, they had been working with Frontier to address those issues.

Council Member Wood expressed frustration with the Frontier transition noting that the switchover came with little notice. He requested responses to his inquiries pertaining to wait times while on hold for service calls, the location of call centers, the use of former Verizon employees, liability issues during emergencies, credits being applied automatically to accounts and contract limitations and penalties.

Responding to questions from Council Member Croft and Vice Mayor DuBois regarding regulatory authority over such services, Ms. Hien Vo Winter, CPUC Staff Attorney, explained that the CPUC had limited oversight of Internet and VoIP companies and that those that did not fall under the jurisdiction of the CPUC would be under the purview of the Federal Communications Commission.

ANNOUNCEMENTS AND PRESENTATIONS: - Continued

Cameron Christian, Frontier Communications, Vice President of Marketing, West Region, conveyed apologies for the poor handling of the transition, and stated that over four thousand new customer service agents had been added at call centers in the U.S., where the company now directed most calls instead of its previous overseas call centers.

A Frontier customer, who did not provide his name, addressed the City Council regarding the service issues he had experienced.

Responding to Council Member Wood's request for clarification, Mr. Christian stated that while critical services had been transferred, some other features such as the video-on-demand content and the appearance of the Verizon screen were currently being processed.

Mr. Christian replied to Council Member Rogers' query by stating that for those who had not already reported service interruptions, an email could be directed to Western Regional President Melinda White at LetMelindaKnow@ftr.com.

Council Member Wood congratulated those who were involved in the opening of the airplane playground at Del Valle Park noting the event and the park had been well attended.

ROUTINE ITEMS:

COUNCIL MEMBER CROFT MOVED AND VICE MAYOR DUBOIS SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 10.

- RI-1 Approval of Minutes of the Meeting held May 10, 2016
- RI-2 Approval of Personnel Transactions
- RI-3 Approval of Registers of Demands
- RI-4 Approval of Monthly Report of Investment Transactions
- RI-5 Acceptance of Notice of Completion for Public Works Project No. 2015-5, The Centre at Sycamore Plaza Boiler Replacement, Manley's Boiler, Inc.
- RI-6 Acceptance of Notice of Completion for Public Works Project No. 2015-6, Rynerson Park and Dell Valle Park Playgrounds, Micon Construction, Inc.
- RI-7 **RESOLUTION NO. 2016-21; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD APPROVING SUBMITTAL OF APPLICATION FOR ALL CALRECYCLE PAYMENT PROGRAMS AND RELATED AUTHORIZATIONS FOR WHICH THE CITY OF LAKEWOOD IS ELIGIBLE**

ROUTINE ITEMS: - Continued

RI-8 RESOLUTION NO. 2016-22; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ADJUSTING THE MAXIMUM FEES OR CHARGES FOR BIN AND SPECIAL REFUSE SERVICE

RI-9 Approval of Exclusive Sales Agreement for Two Helicopters

RI-10 RESOLUTION NO. 2016-23; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD VACATING A 2 1/2 FOOT BY 50 FOOT SECTION OF THE PUBLIC ALLEY EAST OF SEINE AVENUE BETWEEN 207TH AND 209TH STREETS AND WITHIN THE CITY OF LAKEWOOD, CALIFORNIA, AND AS MORE PARTICULARLY DESCRIBED IN SAID RESOLUTION, AND SHOWN ON MAP ATTACHED HERETO

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Croft, DuBois, Rogers, Wood and Piazza

NAYS: COUNCIL MEMBERS: None

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1.1 • PERMIT APPLICATIONS FOR THE SALE OF FIREWORKS

Director of Administrative Services, Diane Perkin, made a presentation based on the memo in the agenda and reported that twenty-six organizations had complied with the necessary requirements for filing applications for permits to sell fireworks and that the Public Safety Committee had reviewed the applications. It was staff's recommendation that the City Council conduct a public hearing and approve the issuance of permits for temporary fireworks stands.

Mayor Piazza opened the public hearing at 8:18 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 WOOD SECONDED TO APPROVE THE APPLICATIONS FOR FIREWORKS STANDS AS SUBMITTED. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Croft, DuBois, Rogers, Wood and Piazza

NAYS: COUNCIL MEMBERS: None

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1.2 • RESOLUTION NO. 2016-24; MODIFYING WATER CONSERVATION MEASURES

Jason Wen, Director of Water Resources, displayed slides and reported that new conservation standards were approved by the State Water Resources Control Board on May 18th which included basic requirements mandating water waste restrictions that applied to all California residents, modified demand reduction targets based on the availability of water supplies and a three-year sustainability assessment. He highlighted the new standard of self certification which would go into effect on June 1st pending approval by the Office of Administrative Law. Mr. Wen concluded by stating that staff recommended adoption of the proposed resolution modifying water conservation measures by reason of regulations imposed by the State of California.

Council Member Croft stated as a reminder to residents that the City's water supply had always been sufficient but that conservation targets had been imposed due to State mandates. He reported that because residents had exceeded conservation goals, the restrictions limiting the days and amount of time for watering could be lifted. He encouraged residents to maintain their water-wise efforts and cautioned that some prohibitions such as hosing down driveways and sidewalks or hand washing a car, except with a bucket or hose with a shut-off nozzle, would continue.

Council Member Rogers expressed appreciation to his Council colleagues for protecting Lakewood's ratepayers by not requiring them to pay more for using less water.

Mayor Piazza explained that the City's water program had been run like a business and stated the importance of maintaining the infrastructure with quality wells, pumps, and reservoirs. He conveyed gratitude to Lakewood's water customers for their efforts and for having surpassed the goals the State had set leaving the City in a position to relax some restrictions and allow for the landscaping and trees to recover.

Mayor Piazza opened the public hearing at 8:33 p.m. and called for anyone in the audience wishing to address the City Council on this matter.

Gerald Stribling spoke in opposition to an increase in water rates and addressed the City Council regarding parking at Weingart Senior Center.

Mayor Piazza clarified that the numbers referenced by Mr. Stribling pertained to the proposed adjustment of the per unit charge for water consumption.

RESOLUTION NO. 2016-24; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD MODIFYING WATER CONSERVATION MEASURES BY REASON OF REGULATIONS IMPOSED BY THE STATE OF CALIFORNIA

1.2 • RESOLUTION NO. 2016-24; MODIFYING WATER CONSERVATION MEASURES - Continued

COUNCIL MEMBER WOOD MOVED AND COUNCIL MEMBER ROGERS SECONDED TO ADOPT RESOLUTION NO. 2016-24. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Croft, DuBois, Rogers, Wood and Piazza

NAYS: COUNCIL MEMBERS: None

1.3 • ORDINANCE NO. 2016-2; AMENDING THE LAKEWOOD MUNICIPAL CODE REGARDING THE DEVELOPMENT REVIEW BOARD PROCEDURES

Sonia Southwell, Director of Community Development, displayed slides and made a presentation based on the memo in the agenda stating that some of the current Development Review Board provisions in the Lakewood Municipal Code were no longer applicable and needed to be updated to reflect current operating procedures and practices. Among the items requiring modification were references to the now disestablished Lakewood Redevelopment Agency, application submittal requirements, notification requirements, quorum requirements, review and referral procedures, appeal procedures, and authority for interim appointments to fill temporary vacancies. She concluded by stating that it was recommended that the City Council introduce the proposed ordinance amending the Lakewood Municipal Code pertaining to modifications of the Development Review Board procedures along with the related categorical exemption.

Mayor Piazza opened the public hearing at 8:42 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

ORDINANCE NO. 2016-2; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING PART 18 OF CHAPTER 3 OF ARTICLE IX OF THE LAKEWOOD MUNICIPAL CODE REGARDING THE DEVELOPMENT REVIEW BOARD PROCEDURES was read by title by the City Clerk.

COUNCIL MEMBER WOOD MOVED AND COUNCIL MEMBER CROFT SECONDED TO WAIVE FURTHER READING AND INTRODUCE ORDINANCE NO. 2016-2 AND THE RELATED CATEGORICAL EXEMPTION. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Croft, DuBois, Rogers, Wood and Piazza

NAYS: COUNCIL MEMBERS: None

1.4 • ORDINANCE NO. 2016-3; AMENDING THE LAKEWOOD MUNICIPAL CODE REGARDING INFRACTIONS

Steve Skolnik, City Attorney, stated that staff had learned recently that the Southeast Area Animal Control Authority (SEAACA) had been effectively prohibited from making court filings for violations of animal control regulations in Lakewood because Bellflower Court would no longer accept misdemeanor filings for such violations and accepted them only if they were treated as infractions. The Municipal Code at present did not allow for treating animal control violations as infractions because the Code designated all violations to be misdemeanors, except for a short list of violations which may be treated as infractions. Many other city codes contain blanket discretion, usually vested in the City Attorney, to treat any violation as an infraction. If adopted, the proposed ordinance would codify that discretion in the Code, which would solve the immediate SEAACA issue. Staff recommended that the City Council conduct a public hearing and introduce the proposed ordinance amending the Lakewood Municipal Code regarding infractions.

Responding to Council Member Rogers' inquiries, Mr. Skolnik stated that the proposed ordinance resulted from a SEAACA report regarding the inability to file such violations as misdemeanors and that the ordinance could be modified to resolve the SEAACA issues. Mr. Skolnik further noted that the determination of municipal code violations as either misdemeanor or infraction could be established on a case by case basis and offered that the blanket discretion could be removed from the proposed ordinance.

Public Works Director Lisa Rapp responded to Council Member Wood's question by stating that there were few animal control violation cases which had not been allowed such filings.

Council Member Rogers and Vice Mayor DuBois requested additional information regarding the process or standard by which to differentiate between infractions and misdemeanors noting the need to tread lightly to avoid setting unintended precedents.

Mr. Skolnik advised that since this matter had been formally noticed as a public hearing, it would be appropriate to open the public hearing prior to continuance.

Mayor Piazza opened the public hearing at 8:50 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

VICE MAYOR DUBOIS MOVED AND COUNCIL MEMBER ROGERS SECONDED TO CONTINUE THE PUBLIC HEARING TO THE REGULAR MEETING TO BE HELD ON JUNE 14, 2016. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Croft, DuBois, Rogers, Wood and Piazza

NAYS: COUNCIL MEMBERS: None

1.5 • SUBMITTAL OF JUSTICE ASSISTANCE GRANT PROGRAM FUNDING

Carol Flynn Jacoby, Deputy City Manager, made a presentation based on the memo in the agenda and reported that the City had been notified of an entitlement grant in the amount of \$17,447 from the Justice Assistance Grant (JAG) program and that funding for the Abatement Team deputy was an eligible expenditure. The Abatement Team worked to identify and “clean up” nuisance housing units and businesses that created a haven for criminal activities as well as addressed unsightly properties with residents who disturb the peace and safety of Lakewood neighborhoods. She stated the Special Assignment deputy was a key member of the team and a portion of the contract cost could be offset by the grant. It was staff’s recommendation that the City Council approve the submittal of the JAG Program funding for the Crime, Public Nuisance, and Property Abatement Team deputy; receive public comment on the grant; authorize the City Manager to apply for the grant and sign the appropriate paperwork; and direct the Administrative Services Director to appropriate \$17,447 in the 2016 JAG grant fund when awarded.

Mayor Piazza opened the public hearing at 8:53 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

COUNCIL MEMBER CROFT MOVED AND VICE MAYOR DUBOIS SECONDED TO APPROVE STAFF’S RECOMMENDATIONS. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Croft, DuBois, Wood and Piazza
NAYS: COUNCIL MEMBERS: None
ABSTAIN: COUNCIL MEMBERS: Rogers

3.1 • PREVIEW OF 2016 SUMMER PROGRAMS AND SUMMER CATALOG

Recreation and Community Services Director Lisa Litzinger displayed slides and presented a report based on the memo in the agenda. She reported that a full range of activities had been planned for all ages over the summer, with over 680 contract classes for youth and adults and events like the Summer Concerts in the Park at Del Valle Park; the Finally It’s Friday family programs; Lakewood Youth Sports t-ball, baseball, and softball; and the Aquatics programs at Mayfair and McCormick Pools. Ms. Litzinger noted that staff training was a vital part of planning for the summer season. She concluded by urging Lakewood residents to check out the new summer recreation catalog and take advantage of the programs offered.

SUCCESSOR AGENCY ACTIONS

1. Approval of Register of Demands

COUNCIL MEMBER WOOD MOVED AND COUNCIL MEMBER ROGERS SECONDED TO APPROVE THE REGISTER OF DEMANDS.

SUCCESSOR AGENCY ACTIONS - Continued

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Croft, DuBois, Rogers, Wood and Piazza

NAYS: COUNCIL MEMBERS: None

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SUCCESSOR HOUSING ACTIONS

1. Approval of Register of Demands

VICE MAYOR DUBOIS MOVED AND COUNCIL MEMBER CROFT SECONDED TO APPROVE THE REGISTER OF DEMANDS. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Croft, DuBois, Rogers, Wood and Piazza

NAYS: COUNCIL MEMBERS: None

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ORAL COMMUNICATIONS: None

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A moment of silence was observed in memory of Andy Lazzaretto.

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CLOSED SESSION

At 9:00 p.m., Mayor Piazza announced that the City Council would recess to a closed session.

CONFERENCE WITH LABOR NEGOTIATORS – Pursuant to Govt. Code §54957.6

Designated Representative: Assistant City Manager Lisa Novotny

Employee Organization: Lakewood City Employees' Association

At 9:17 p.m., the City Council reconvened with all members present. No action was taken.

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ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Piazza adjourned the meeting at 9:18 p.m.

Respectfully submitted,

Jo Mayberry, CMC
City Clerk