



Minutes

Lakewood City Council

Regular Meeting held
June 13, 2017

MEETING WAS CALLED TO ORDER at 7:36 p.m. by Mayor DuBois in the Council Chambers at the Civic Center, 5000 Clark Avenue, Lakewood, California.

INVOCATION was offered by Bishop Brian Delvaux, Good Shepherd Church

PLEDGE OF ALLEGIANCE was led by Girl Scout Troop 1023

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

ANNOUNCEMENTS AND PRESENTATIONS:

Mayor DuBois announced the upcoming Lakewood Youth Sports Opening Day and Public Safety Expo with new attractions, demonstrations and safety exhibits to be held at Mayfair Park on June 17th.

ROUTINE ITEMS:

COUNCIL MEMBER ROGERS MOVED AND COUNCIL MEMBER PIAZZA SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 7.

RI-1 Approval of Minutes of the Meetings held May 9, and May 23, 2017

RI-2 Approval of Personnel Transactions

RI-3 Approval of Registers of Demands

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

RI-5 RESOLUTION NO. 2017-20; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD RESCINDING A RESOLUTION ESTABLISHING A PHYSICALLY HANDICAPPED PERSONS DESIGNATED PARKING SPACE WITHIN THE CITY OF LAKEWOOD

RI-6 Authorization to Purchase New Scissor Lift

ROUTINE ITEMS: - Continued

RI-7 Authorization to Purchase Trailers for Equestrian Center

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Croft

1.1 • INTRODUCTION OF ORDINANCE NO. 2017-4; REGARDING WIRELESS FACILITIES ON PRIVATE PROPERTY; ORDINANCE NO. 2017-5; REGARDING ELIGIBLE FACILITIES REQUESTS FOR WIRELESS COMMUNICATION FACILITIES; AND ORDINANCE NO. 2017-6; REGARDING WIRELESS COMMUNICATION FACILITIES IN THE PUBLIC RIGHT-OF-WAY

Paolo Beltran, Assistant to the City Manager, displayed slides and made a presentation based on the memo in the agenda stating that due to changes in technology and the law, the proposed ordinances would bring Lakewood's regulations for wireless telecommunications facilities into conformity with current State and Federal requirements. He further explained that the ordinances would regulate the installation, operation, collocation, modification and removal of wireless telecommunications facilities on private property, regarding eligible facilities' requests and within the public right-of-way. The first of the three proposed ordinances related to new or substantially modified wireless facilities on private property. Permittees must meet standard conditions of approval, addressing such criteria as permit term, approved plans, inspections, maintenance obligations, impacts on other properties, indemnification, permit revocation and other requirements. The Development Review Board would approve most applications with the exception of those projects that require a Conditional Use Permit, for which the Planning and Environment Commission would provide approval. The ordinance also proposed that the Council delegate to the Director of Community Development the creation of development standards and design guidelines, which would be presented for City Council consideration at its next meeting. The second proposed ordinance pertained to "Eligible Facilities Requests." One of the Federal laws that Congress passed was called the Middle Class Tax Relief and Job Creation Act of 2012. Within that law, Section 6409(a) required that local agencies may not deny and shall approve requests by wireless providers to collocate, remove, or replace transmission equipment at existing wireless facilities that do not cause a substantial change. Because of the potential for confusion between substantial and non-substantial changes, this ordinance had been crafted to provide clarity in this area. Depending on where the project had been proposed, the applications were considered by the appropriate approval authority. The third and final proposed ordinance applied to new or substantially modified wireless facilities located in the public rights of way. The Director of Public Works was delegated to develop construction and installation standards, and these standards would also be presented for consideration at the next City Council meeting. The ordinance also provided site guidelines and preferences for locations and support structures. All three of the proposed ordinances were consistent with Federal and State laws.

1.1 • INTRODUCTION OF O2017-4; WIRELESS FACILITIES ON PRIVATE PROPERTY; O2017-5; ELIGIBLE FACILITIES REQUESTS FOR WIRELESS COMMUNICATION FACILITIES; AND O2017-6; WIRELESS COMMUNICATION FACILITIES IN THE PUBLIC RIGHT-OF-WAY - Continued

He stated it was staff's recommendation that the City Council conduct a public hearing, introduce the proposed wireless telecommunications ordinances and approve the categorical exemptions.

Council Member Rogers, noting the City Council's having been briefed at a previous study session, requested an update on pending legislation.

Michael Johnston, Telecom Law Firm, responded by stating that SB 649, a bill which was currently under consideration in the State Assembly, would further limit the City's authority to regulate small cell facilities in the public right-of-way. He noted that one of the City's proposed ordinances provided substantial flexibility of design guidelines allowing for the ability to shift with the potential changes in State law.

Steve Skolnik for the City Attorney added that the proposed ordinances contained severability provisions which allowed for remaining sections to stand should any portions be rendered unenforceable or unconstitutional at a later time.

Council Member Piazza reminded residents that the State continued to try to take away local authority and the proposed ordinances provided the City with some ability to control the appearance and location of such small cell sites.

Mayor DuBois opened the public hearing at 7:53 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

ORDINANCE NO. 2017-4; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD REGARDING WIRELESS FACILITIES ON PRIVATE PROPERTY was read by title by the City Clerk.

COUNCIL MEMBER ROGERS MOVED AND COUNCIL MEMBER WOOD SECONDED TO WAIVE FURTHER READING, INTRODUCE ORDINANCE NO. 2017-4, AND APPROVE THE CATEGORICAL EXEMPTIONS. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Croft

ORDINANCE NO. 2017-5; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD REGARDING ELIGIBLE FACILITIES REQUESTS FOR WIRELESS COMMUNICATION FACILITIES was read by title by the City Clerk.

1.1 • INTRODUCTION OF O2017-4; WIRELESS FACILITIES ON PRIVATE PROPERTY; O2017-5; ELIGIBLE FACILITIES REQUESTS FOR WIRELESS COMMUNICATION FACILITIES; AND O2017-6; WIRELESS COMMUNICATION FACILITIES IN THE PUBLIC RIGHT-OF-WAY - Continued

COUNCIL MEMBER WOOD MOVED AND COUNCIL MEMBER ROGERS SECONDED TO WAIVE FURTHER READING, INTRODUCE ORDINANCE NO. 2017-5, AND APPROVE THE CATEGORICAL EXEMPTIONS. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Croft

ORDINANCE NO. 2017-6; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD REGARDING WIRELESS COMMUNICATION FACILITIES IN THE PUBLIC RIGHT-OF-WAY was read by title by the City Clerk.

COUNCIL MEMBER PIAZZA MOVED AND COUNCIL MEMBER WOOD SECONDED TO WAIVE FURTHER READING, INTRODUCE ORDINANCE NO. 2017-6, AND APPROVE THE CATEGORICAL EXEMPTIONS. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Croft

1.2 • SECOND READING AND ADOPTION OF ORDINANCE NO. 2017-3; AMENDING ARTICLE IX OF THE LAKEWOOD MUNICIPAL CODE PERTAINING TO REQUIRED FRONT YARD SETBACKS FOR PROPERTIES IN THE R-1 AND R-A ZONES WITHIN TRACT NO. 11600 AND TRACT NO. 12673, MORE COMMONLY KNOWN AS LAKEWOOD GARDENS

Mr. Skolnik stated that the proposed ordinance had been introduced at the previous City Council meeting and was presented for public hearing, second reading and adoption.

Mayor DuBois opened the public hearing at 7:56 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

ORDINANCE NO. 2017-3; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE LAKEWOOD MUNICIPAL CODE AND THE ZONING ORDINANCE PERTAINING TO REQUIRED FRONT YARD SETBACKS FOR PROPERTIES IN THE R-1 AND R-A ZONES WITHIN TRACT NO. 11600 AND TRACT NO. 12673, WHICH TOGETHER ARE MORE COMMONLY KNOWN AS LAKEWOOD GARDENS

COUNCIL MEMBER WOOD MOVED AND COUNCIL MEMBER PIAZZA SECONDED TO ADOPT ORDINANCE NO. 2017-3.

1.2 • SECOND READING AND ADOPTION OF O2017-3; PERTAINING TO REQUIRED FRONT YARD SETBACKS - Continued

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Croft

3.1 • 2017 CIVIC CENTER BLOCK PARTY PREVIEW

Recreation and Community Services Director Lisa Litzinger displayed slides and reported that the Civic Center Block Party would take place on Saturday, June 24th and would include entertainment consisting of dance music by Bell Sound and a live performance by The MVPs with a mobile stage and concert seating; a Family Fun Zone comprised of inflatable attractions, games, mechanical bull, rock climbing wall, bungee run and a radar speed pitch; the Taste of Lakewood, benefitting the Friends of the Lakewood Libraries, showcasing local restaurants and eateries; and an aerial fireworks show with synchronized patriotic music. Support staff would include City staff wearing signature Block Party t-shirts, L.A. County Sheriff's, CARE ambulance, and L.A. County Fire. Ms. Litzinger concluded by stating that the event had something for everyone and was sure to be a hit with those in attendance.

SUCCESSOR AGENCY ACTIONS

1. Approval of Register of Demands

COUNCIL MEMBER ROGERS MOVED AND COUNCIL MEMBER PIAZZA SECONDED TO APPROVE THE REGISTER OF DEMANDS. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Croft

SUCCESSOR HOUSING ACTIONS

1. Approval of Registers of Demands

COUNCIL MEMBER PIAZZA MOVED AND COUNCIL MEMBER WOOD SECONDED TO APPROVE THE REGISTERS OF DEMANDS. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Croft

ORAL COMMUNICATIONS:

Elena Flores addressed the City Council regarding parking issues in the neighborhood of the Vicino Apartments and acknowledged those in the audience who supported her concerns.

ADJOURNMENT

There being no further business to be brought before the City Council, Mayor DuBois adjourned the meeting at 8:07 p.m. to Tuesday, June 27, 2017, at 6:00 p.m. in the Executive Board Room.

Respectfully submitted,

Jo Mayberry, CMC
City Clerk