



Minutes

Lakewood City Council

Regular Meeting held
May 28, 2013

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

INVOCATION was offered by Council Member Jeff Wood

PLEDGE OF ALLEGIANCE was led by Cub Scout Pack 81

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

ANNOUNCEMENTS AND PRESENTATIONS:

Mayor Croft thanked his City Council colleagues, City staff, and the community for their support of the Lakewood's Relay for Life event to raise funds for the American Cancer Society. He indicated his very short hair cut was the end result of the successful "Shear the Mayor" fund-raising challenge.

Vice Mayor Rogers stated that he wanted to acknowledge the efforts of the staff in organizing the Memorial Day ceremony. He noted that there were many comments made by residents, grateful for the serious treatment of the holiday.

ROUTINE ITEMS:

COUNCIL MEMBER WOOD MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 8.

- RI-1 Approval of Minutes of the Meeting held May 14, 2013
- RI-2 Approval of Personnel Transactions
- RI-3 Approval of Registers of Demands
- RI-4 Approval of Loan Agreement Between the City of Lakewood and the Successor Agency for ROPS 13-14A
- RI-5 Approval of Loan Agreement Between the City of Lakewood and the Successor Agency for Legal Services

ROUTINE ITEMS: Continued

RI-6 Approval of Reappointment to the Southeast Los Angeles County Workforce Investment Board of Directors

RI-7 Approval of Report of Monthly Investment Transactions

RI-8 Approval of Agreement with White Nelson Diehl Evans for Auditing Services

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.1 • AMENDING THE ZONING CODE PERTAINING TO COTTAGE FOOD OPERATIONS

Community Development Director Sonia Southwell displayed slides and made a presentation based on the memo in the agenda. She reported that recent State legislation, the Homemade Food Act, mandated that cities permit cottage food operations in any residential dwelling. Although the City was now required to allow such uses in all residential zones, the proposed ordinance would require a Conditional Use Permit to impose certain reasonable standards and conditions. She reviewed the provisions of the proposed ordinance including requiring 300 feet between such uses; providing an on-site parking space for the one allowed employee; prohibiting any on-site consumption of goods; establishing hours of operation; and that the use not change the residential character of the property. She noted that the Conditional Use Permit process would also provide notice to the surrounding neighbors. She concluded by stating that the proposed ordinance had been reviewed by the Planning and Environment Commission and that it was their recommendation that the City Council hold a public hearing and introduce Ordinance No. 2013-3.

ORDINANCE NO. 2013-3; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING ARTICLE IX OF THE LAKEWOOD MUNICIPAL CODE TO ALLOW THE ESTABLISHMENT OF COTTAGE FOOD OPERATIONS IN RESIDENTIAL ZONES IN THE CITY OF LAKEWOOD

Council Member DuBois inquired about the origin of this State legislation. Ms. Southwell stated that the legislation, which was developed very quickly, was prompted by a case in Los Angeles and that although the likely intent was more for areas where street vendors were common than cities like Lakewood, it was now the law statewide.

Council Member Piazza confirmed with Ms. Southwell that any resident interested in starting a cottage food business would also be required to have a business license and a resale permit. He expressed concern that health and safety regulations for food preparation businesses were normally very rigorous and that a single inspection a year did not seem to be enough to keep the public safe.

1.1 • AMENDING THE ZONING CODE PERTAINING TO COTTAGE FOOD OPERATIONS - Continued

Council Member Wood stated that since the State legislature had mandated the use, it would have to be allowed. But, hopefully, the proposed ordinance would mitigate the impacts to Lakewood's residents. He noted that the ordinance provided for no on site consumption, but inquired if there could be garage sale type sale events. Ms. Southwell responded by stating that the Lakewood Municipal Code limited garage sale events to two sales per year.

Vice Mayor Rogers determined from City Attorney Steve Skolnik that the Conditional Use Permit would not only restrict the hours of sales, but would limit sales to indoors. He stated that this was yet another example of crummy legislation from Sacramento which eroded local control, as this legislation forced cities to allow residential neighborhoods to become retail locations, with customers coming and going all day. He noted that it was very frustrating that the City was continually scrambling to adopt ordinances to mitigate the impacts of bad State legislation.

Mayor Croft opened the public hearing at 7:54 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

VICE MAYOR ROGERS MOVED AND COUNCIL MEMBER PIAZZA SECONDED TO CLOSE THE PUBLIC HEARING AND INTRODUCE ORDINANCE NO. 2013-3. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.2 • AWARD OF BID FOR PURCHASING BID NO. 15-13, SIX HONDA CIVIC NATURAL GAS VEHICLES

Administrative Services Director Diane Perkin gave a report based on the memo in the agenda and stated that the City was eligible for grant funding through the South Coast Air Quality Management District for the purchase of alternate fuel vehicles. She reported that four bids had been received for the purchase of six natural gas vehicles. It was the recommendation of staff that the City Council authorize the purchase of six 2012 Honda Civic NGV vehicles from Long Beach Honda, for a total price of \$134,815.74.

Ms. Perkin clarified for Mayor Croft that the new vehicles would be replacing existing NGV vehicles.

Responding to a question from Council Member Piazza, Ms. Perkin stated that the vehicles being taken out of service would be sold at auction.

Mayor Croft opened the public hearing at 7:57 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

1.2 • AWARD OF BID FOR PURCHASING BID NO. 15-13, SIX HONDA CIVIC NATURAL GAS VEHICLES - Continued

COUNCIL MEMBER DUBOIS MOVED AND COUNCIL MEMBER WOOD SECONDED TO APPROVE STAFF'S RECOMMENDATION. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

SUCCESSOR AGENCY ACTIONS

1. Loan Agreement Between the Successor Agency and the City of Lakewood for ROPS 13-14A

The Director of Administrative Services made a presentation based on the memo in the agenda and stated that due to adjustments made by the State Department of Finance, the Agency would not be receiving enough funding to meet its upcoming obligations and would need to borrow funds from the City. The amount of the loan would be listed for repayment as part of the next Recognized Obligations Payment Schedule (ROPS). It was the recommendation of staff that the Successor Agency approve the loan agreement with the City.

COUNCIL MEMBER DUBOIS MOVED AND COUNCIL MEMBER PIAZZA SECONDED TO APPROVE THE LOAN AGREEMENT. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

2. Loan Agreement Between the Successor Agency and the City of Lakewood for Legal Services

The Director of Administrative Services gave a presentation based on the memo in the agenda and stated that due to a dispute over findings by the State Department of Finance, the Successor Agency would require additional legal advice. It was the recommendation of staff that the Agency approve a loan agreement with the City to provide funding for legal services.

VICE MAYOR ROGERS MOVED AND COUNCIL MEMBER PIAZZA SECONDED TO APPROVE THE AGREEMENT. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

SUCCESSOR AGENCY ACTIONS - Continued

3. Agreement with White Nelson Diehl Evans for Auditing Services

The Director of Administrative Services made a presentation based on the memo in the agenda and advised that the proposed agreement would provide for the annual audit of the Successor Agency's financial statements.

COUNCIL MEMBER PIAZZA MOVED AND VICE MAYOR ROGERS SECONDED TO APPROVE THE AGREEMENT WITH WHITE NELSON DIEHL EVANS. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

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ORAL COMMUNICATIONS: None

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ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Croft adjourned the meeting at 8:03 p.m. to Tuesday, June 11, 2013, at 6 p.m. in the Executive Board Room.

Respectfully submitted,

Denise R. Hayward, CMC
City Clerk