

AGENDA
REGULAR CITY COUNCIL MEETING
WEINGART BALLROOM
5000 CLARK AVENUE
LAKEWOOD, CALIFORNIA

January 12, 2021

Pursuant to Governor Newsom's Executive Order No. N-29-20, members of the City Council of the City of Lakewood or staff may participate in this meeting via teleconference. While maintaining appropriate social distancing, members of the public may participate in person at 5000 Clark Avenue, Lakewood, California. Public comments and questions pertaining to any item on the agenda will be accepted via email at cityclerk@lakewoodcity.org up to 5:30 p.m. on the day of the meeting. We ask that you please indicate the specific item on which you wish to be heard or whether your comments will be under oral communications.

**SPECIAL MEETING:
CLOSED SESSION**

6:30 p.m.
MAPLE ROOM

CONFERENCE WITH LEGAL COUNSEL--PENDING LITIGATION

California Government Code, Section 54956.9(d)(2) and (e)(3)

Letter from attorney representing Southwest Voter Registration Education Project threatening Voting Rights Act legal action against City, dated November 21, 2020, and received November 30, 2020.

CALL TO ORDER

7:30 p.m.

INVOCATION:

PLEDGE OF ALLEGIANCE:

ROLL CALL: Mayor Todd Rogers
Vice Mayor Jeff Wood
Council Member Steve Croft
Council Member Ariel Pe
Council Member Vicki Stuckey

ANNOUNCEMENTS AND PRESENTATIONS:

ROUTINE ITEMS:

All items listed within this section of the agenda are considered to be routine and will be enacted by one motion without separate discussion. Any Member of Council may request an item be removed for individual discussion or further explanation. All items removed shall be considered immediately following action on the remaining items.

RI-1 MEETING MINUTES - Staff recommends City Council approve Minutes of the Meetings held June 9, July 28, August 11, August 25, and September 8, 2020

RI-2 PERSONNEL TRANSACTIONS - Staff recommends City Council approve report of personnel transactions.

RI-3 REGISTERS OF DEMANDS - Staff recommends City Council approve registers of demands.

RI-4 MONTHLY REPORT OF INVESTMENT TRANSACTIONS - NOVEMBER 2020 - Staff recommends City Council approve monthly report of investment transactions.

City Council Agenda

January 12, 2021

Page 2

ROUTINE ITEMS: - Continued

RI-5 REIMBURSEMENT AGREEMENT FOR LONG BEACH TRANSIT DIAL-A-LIFT PARATRANSIT SERVICES - Staff recommends City Council authorize the Mayor to sign the reimbursement agreement with Long Beach Transit for Dial-A-Lift paratransit services.

RI-6 RESOLUTION NO. 2021-1; RESCINDING A RESOLUTION ESTABLISHING A PHYSICALLY HANDICAPPED PERSONS DESIGNATED PARKING SPACE WITHIN THE CITY OF LAKEWOOD - Staff recommends City Council adopt proposed resolution.

LEGISLATION:

2.1 SECOND READING AND ADOPTION OF ORDINANCE NO. 2020-5; AMENDING ARTICLE IX OF THE LAKEWOOD MUNICIPAL CODE PERTAINING TO FRONT YARD STANDARDS FOR LANDSCAPING, PERMEABLE AND IMPERMEABLE SURFACES - Staff recommends City Council adopt proposed ordinance.

REPORTS:

3.1 CALIFORNIA VOTING RIGHTS ACT - Staff recommends City Council adopt Resolution No. 2021-2, declaring its intention to transition from at-large to by district City Council elections; approve the Tolling Agreement between the City of Lakewood and the Southwest Voter Registration Education Project; authorize the Mayor to sign the agreement with National Demographics Corporation, subject to the approval as to form by the City Attorney; and appropriate from the General Fund an amount not to exceed \$100,000 for costs associated with the process of adopting an ordinance to change the City's at-large system of electing city council members to a district-based election system, and attorney fees and costs that could be recovered by Mr. Shenkman.

3.2 REPORT ON COMMUNITY DIALOGUE

AGENDA

LAKEWOOD SUCCESSOR AGENCY

1. APPROVAL OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR JULY 1, 2021 THROUGH JUNE 30, 2022 – ROPS 21-22 - Staff recommends City Council approve the Recognized Obligations Payment Schedule for July 1, 2021 Through June 30, 2022 – ROPS 21-22.

AGENDA

LAKEWOOD HOUSING SUCCESSOR AGENCY

1. REGISTER OF DEMANDS - Staff recommends Housing Successor Agency approve registers of demands.

ORAL COMMUNICATIONS:

ADJOURNMENT

In compliance with the Americans with Disabilities Act, if you are a qualified individual with a disability and need an accommodation to participate in the City Council meeting, please contact the City Clerk's Office, 5050 Clark Avenue, Lakewood, CA, at 562/866-9771, ext. 2200; or at cityclerk@lakewoodcity.org at least 48 hours in advance to ensure that reasonable arrangements can be made to provide accessibility to the meeting.

Agenda items are on file in the Office of the City Clerk, 5050 Clark Avenue, Lakewood, and are available for public review during regular business hours. Any supplemental material distributed after the posting of the agenda will be made available for public inspection during normal business hours in the City Clerk's Office. For your convenience, the agenda and the supporting documents are available in an alternate format by request and are also posted on the City's website at www.lakewoodcity.org

Routine Item 1 - City Council Minutes
will be available prior to the meeting

D I V I D E R S H E E T

COUNCIL AGENDA

January 12, 2021

TO: The Honorable Mayor and City Council**SUBJECT:** Report of Personnel Transactions

	<u>Name</u>	<u>Title</u>	<u>Schedule</u>	<u>Effective Date</u>
1. FULL-TIME EMPLOYEES				
A. Appointments				
	None			
B. Changes				
	None			
C. Separations				
	Gay Givens	Community Services Supervisor	24B	12/05/2020
2. PART-TIME EMPLOYEES				
A. Appointments				
	Joseph Perez	Maintenance Services Aide II	B	12/13/2020
B. Changes				
	Jason Lai	Community Services Leader III Community Services Leader IV	B	12/27/2020
	Jeremiah Skippis	Community Services Leader II Community Services Leader IV	B	12/27/2020
	David Spreitzer	Community Services Leader II Maintenance Services Aide III	B	11/29/2020
C. Separations				
	Jim Moniz	Maintenance Trainee II	B	12/09/2020
	Thomas Mota	Community Services Leader II	B	12/03/2020
	Alvin Tumall	Community Services Leader IV	B	12/03/2020

Thaddeus McCormack *PB for TM*
City Manager

D I V I D E R S H E E T

**CITY OF LAKEWOOD
FUND SUMMARY 12/10/2020**

In accordance with section 2521 of the Lakewood Municipal Code there is presented herewith a summary of obligations to be paid by voucher 100468 through 100547. Each of the following demands has been audited by the Director of Administrative Services and approved by the City Manager.

1010	GENERAL FUND	285,619.22
1030	CDBG CURRENT YEAR	3,224.58
1050	COMMUNITY FACILITY	433.98
1623	LA CNTY MEASURE W	2,492.00
5010	GRAPHICS AND COPY CENTER	1,788.89
5020	CENTRAL STORES	1,392.63
5030	FLEET MAINTENANCE	2,214.54
6020	GEOGRAPHIC INFORMATION SYSTEM	57.88
7500	WATER UTILITY FUND	39,670.77
8020	LOCAL REHAB LOAN	16,000.00
8030	TRUST DEPOSIT	658.21
		<hr/>
		353,552.70

Council Approval

Date

City Manager

Attest

City Clerk

Director of Administrative Services

CITY OF LAKEWOOD

SUMMARY CHECK REGISTER

CHECK #	CHECK DATE	VEND #	VENDOR NAME	GROSS	DISC.	CHECK AMOUNT
100468	12/04/2020	573	GRAY. ALAN	200.00	0.00	200.00
100469	12/10/2020	4842	A T & T CORP	278.73	0.00	278.73
100470	12/10/2020	61142	ADAMS-HILLERY SHARRON	2,418.44	0.00	2,418.44
100471	12/10/2020	4684	AMAZON.COM LLC	692.02	0.00	692.02
100472	12/10/2020	58000	AMERICAN TRUCK & TOOL RENTAL INC	184.98	0.00	184.98
100473	12/10/2020	39123	BACKFLOW APPARATUS & VALUE COMPANY	728.75	0.00	728.75
100474	12/10/2020	5266	BAY AREA DRIVING SCHOOL. INC.	16.25	0.00	16.25
100475	12/10/2020	4278	BEAR COMMUNICATIONS INC	156.56	0.00	156.56
100476	12/10/2020	1813	BIOMETRICS4ALL INC	1.50	0.00	1.50
100477	12/10/2020	4236	MANHATTAN STITCHING CO INC	844.76	0.00	844.76
100478	12/10/2020	66457	BRENNTAG PACIFIC INC	2,161.54	0.00	2,161.54
100479	12/10/2020	315	CALIF PUBLIC PARKING ASSOCIATION	250.00	0.00	250.00
100480	12/10/2020	53983	CALIF STATE FRANCHISE TAX BOARD	806.14	0.00	806.14
100481	12/10/2020	4978	CALIFORNIA FOUNDATION FOR THE	195.00	0.00	195.00
100482	12/10/2020	5517	CHUN. SUSAN	385.88	0.00	385.88
100483	12/10/2020	988	CDW LLC	4,277.30	0.00	4,277.30
100484	12/10/2020	45894	CINTAS CORPORATION	70.01	0.00	70.01
100485	12/10/2020	5008	COLOR CARD ADMINISTRATOR CORP.	37.54	0.00	37.54
100486	12/10/2020	5308	COMMERCIAL DOOR OF LOS ANGELES COUNTY. IN	4,995.00	0.00	4,995.00
100487	12/10/2020	5194	CUOMO. BIAGIO	20.95	0.00	20.95
100488	12/10/2020	27200	DICKSON R F CO INC	45,836.43	0.00	45,836.43
100489	12/10/2020	3213	DIRECTV INC	35.00	0.00	35.00
100490	12/10/2020	5340	DOXIM INC.	7,254.93	0.00	7,254.93
100491	12/10/2020	4435	ELLIOTT AUTO SUPPLY COMPANY INC	54.10	0.00	54.10
100492	12/10/2020	3946	FERGUSON ENTERPRISES INC	999.95	0.00	999.95
100493	12/10/2020	4947	FILE KEEPERS. LLC	21.40	0.00	21.40
100494	12/10/2020	4641	FONTELA. THAO	376.74	0.00	376.74
100495	12/10/2020	5182	FRED ALLEN ENTERPRISES. INC.	1,236.73	0.00	1,236.73
100496	12/10/2020	4884	FRONTIER CALIFORNIA INC.	2,849.00	0.00	2,849.00
100497	12/10/2020	33150	GRAINGER W W INC	440.13	0.00	440.13
100498	12/10/2020	35477	HARA M LAWNMOWER CENTER	360.52	0.00	360.52
100499	12/10/2020	42031	HOME DEPOT	355.93	0.00	355.93
100500	12/10/2020	4180	JONES RICHARD D. A PROF LAW CORP	330.00	0.00	330.00
100501	12/10/2020	18550	LAKEWOOD. CITY OF	568.21	0.00	568.21
100502	12/10/2020	18400	LAKEWOOD. CITY WATER DEPT	101,637.26	0.00	101,637.26
100503	12/10/2020	271	LOS ANGELES CO DEPT OF HEALTH SVCS	629.00	0.00	629.00
100504	12/10/2020	4643	BRODERICK JAY	94.35	0.00	94.35
100505	12/10/2020	23130	MC MASTER-CARR SUPPLY CO	31.81	0.00	31.81
100506	12/10/2020	4443	O'REILLY AUTOMOTIVE STORES INC	261.98	0.00	261.98
100507	12/10/2020	47554	OFFICE DEPOT BUSINESS SVCS	33.35	0.00	33.35
100508	12/10/2020	1199	PREFERRED AERIAL & CRANE TECHNOLOGY	325.00	0.00	325.00
100509	12/10/2020	5367	OUADIENT LEASING USA. INC.	984.49	0.00	984.49
100510	12/10/2020	63364	REEVES NORM HONDA	34.01	0.00	34.01
100511	12/10/2020	4330	RON'S MAINTENANCE INC	2,492.00	0.00	2,492.00

CITY OF LAKEWOOD

SUMMARY CHECK REGISTER

CHECK #	CHECK DATE	VEND #	VENDOR NAME	GROSS	DISC.	CHECK AMOUNT
100512	12/10/2020	45437	S & J SUPPLY CO	2,704.91	0.00	2,704.91
100513	12/10/2020	65712	SEDARU INC.	21,755.00	0.00	21,755.00
100514	12/10/2020	5197	SIGNAL HILL AUTO ENTERPRISES INC.	102.33	0.00	102.33
100515	12/10/2020	5230	SITEONE LANDSCAPE SUPPLY. LLC	3,936.64	0.00	3,936.64
100516	12/10/2020	52279	SMART & FINAL INC	158.42	0.00	158.42
100517	12/10/2020	26900	SO CALIF SECURITY CENTERS INC	14.13	0.00	14.13
100518	12/10/2020	5022	MWB COPY PRODUCTS. INC.	115.76	0.00	115.76
100519	12/10/2020	29280	SOUTH COAST SHINGLE CO	286.56	0.00	286.56
100520	12/10/2020	29400	SOUTHERN CALIFORNIA EDISON CO	21,329.83	0.00	21,329.83
100521	12/10/2020	4026	SPASEFF TED C	75.00	0.00	75.00
100522	12/10/2020	44104	STATE WATER RESOURCES CONTROL BOARD	15,329.00	0.00	15,329.00
100523	12/10/2020	977	STEVEN ENTERPRISES	553.89	0.00	553.89
100524	12/10/2020	66215	SUPERIOR COURT OF CALIFORNIA	7,083.00	0.00	7,083.00
100525	12/10/2020	66215	SUPERIOR COURT OF CALIFORNIA	9,015.00	0.00	9,015.00
100526	12/10/2020	5396	TEETS. JEFFREY	109.20	0.00	109.20
100527	12/10/2020	5278	THE TECHNOLOGY DEPOT	330.30	0.00	330.30
100528	12/10/2020	4480	TYLER BUSINESS FORMS	731.34	0.00	731.34
100529	12/10/2020	64024	U S POSTAL SERVICE	10,240.00	0.00	10,240.00
100530	12/10/2020	5284	UNIFIRST CORPORATION	23.61	0.00	23.61
100531	12/10/2020	49848	USA BLUE BOOK A DIVISION OF	659.54	0.00	659.54
100532	12/10/2020	64652	CELLCO PARTNERSHIP	3,854.65	0.00	3,854.65
100533	12/10/2020	3943	WATERLINE TECHNOLOGIES INC	1,970.50	0.00	1,970.50
100534	12/10/2020	17640	WAXIE ENTERPRISES INC	770.51	0.00	770.51
100535	12/10/2020	40925	WEST COAST ARBORISTS INC	34,276.35	0.00	34,276.35
100536	12/10/2020	37745	WESTERN EXTERMINATOR CO	320.00	0.00	320.00
100537	12/10/2020	35146	WILLDAN ASSOCIATES	13,124.75	0.00	13,124.75
100538	12/10/2020	4837	XEROX CORPORATION	1,788.89	0.00	1,788.89
100539	12/10/2020	3699	CAL STATE ROOFING	16,000.00	0.00	16,000.00
100540	12/10/2020	3699	D P & J SMOTHERMAN	89.92	0.00	89.92
100541	12/10/2020	3699	FOURNIER. MICHAEL	105.00	0.00	105.00
100542	12/10/2020	3699	GAMEZ. FRANK	70.00	0.00	70.00
100543	12/10/2020	3699	JARAMILLO. RICHARD	85.00	0.00	85.00
100544	12/10/2020	3699	LIZARRAGA. DIANA	10.00	0.00	10.00
100545	12/10/2020	3699	MIZOGUCHI. JASON	400.00	0.00	400.00
100546	12/10/2020	3699	ROBLEDO. CHRISTOPHER	100.00	0.00	100.00
100547	12/10/2020	3699	TERRAZAS. ANGEL	70.00	0.00	70.00
Totals:				<u>353,552.70</u>	<u>0.00</u>	<u>353,552.70</u>

CITY OF LAKEWOOD
FUND SUMMARY 12/17/2020

In accordance with section 2521 of the Lakewood Municipal Code there is presented herewith a summary of obligations to be paid by voucher 100548 through 100633. Each of the following demands has been audited by the Director of Administrative Services and approved by the City Manager.

1010	GENERAL FUND	2,214,199.77
1030	CDBG CURRENT YEAR	6,424.16
1035	CASP CERTIFICATION & TRNG FUND	4.00
1050	COMMUNITY FACILITY	24,935.33
1336	STATE COPS GRANT	20,287.38
3001	CAPITAL IMPROV PROJECT FUND	408,334.00
3070	PROPOSITION "C"	2,676.40
5010	GRAPHICS AND COPY CENTER	291.59
5020	CENTRAL STORES	1,178.06
5030	FLEET MAINTENANCE	7,139.26
7500	WATER UTILITY FUND	128,660.59
		<hr/>
		2,814,130.54

Council Approval

Date

City Manager

Attest

City Clerk

Director of Administrative Services

CITY OF LAKEWOOD

SUMMARY CHECK REGISTER

CHECK #	CHECK DATE	VEND #	VENDOR NAME	GROSS	DISC.	CHECK AMOUNT
100548	12/17/2020	66011	ACTIVE NETWORK INC	1,402.96	0.00	1,402.96
100549	12/17/2020	61142	ADAMS-HILLERY SHARRON	6,424.16	0.00	6,424.16
100550	12/17/2020	2701	AIRE RITE A/C & REFRIGERATION INC	1,274.18	0.00	1,274.18
100551	12/17/2020	5397	PAYNE. DAVID	407.00	0.00	407.00
100552	12/17/2020	5131	ALLISON MECHANICAL. INC.	394.43	0.00	394.43
100553	12/17/2020	4684	AMAZON.COM LLC	1,295.53	0.00	1,295.53
100554	12/17/2020	38532	AREA E CIVIL DEFENSE &	7,847.00	0.00	7,847.00
100555	12/17/2020	59969	BAKERSFIELD WELL & PUMP CO	36,633.93	0.00	36,633.93
100556	12/17/2020	5158	BANNER BANK	20,416.70	0.00	20,416.70
100557	12/17/2020	59748	BIG STUDIO INC	92.40	0.00	92.40
100558	12/17/2020	1935	BREA. CITY OF	76,772.25	0.00	76,772.25
100559	12/17/2020	307	CALIF. STATE DISBURSEMENT UNIT	405.80	0.00	405.80
100560	12/17/2020	57079	CALIF JOINT POWERS INS AUTHORITY	473,016.00	0.00	473,016.00
100561	12/17/2020	36824	CARWOOD HAND CARWASH & DETAIL CTR. LLC	120.00	0.00	120.00
100562	12/17/2020	7500	CENTRAL BASIN MUNICIPAL WATER	1,755.00	0.00	1,755.00
100563	12/17/2020	45894	CINTAS CORPORATION	61.53	0.00	61.53
100564	12/17/2020	5214	CLEANCOR HOLDINGS LLC DBA CLEANCOR LNG L	1,184.81	0.00	1,184.81
100565	12/17/2020	5308	COMMERCIAL DOOR OF LOS ANGELES COUNTY. IN	1,710.00	0.00	1,710.00
100566	12/17/2020	4546	COMMERCIAL TRANSPORTATION SERVICES	1,056.10	0.00	1,056.10
100567	12/17/2020	4243	COMPLETE FIRE SERVICE INC	4,929.44	0.00	4,929.44
100568	12/17/2020	4911	CONVERGINT TECHNOLOGIES LLC	16,321.73	0.00	16,321.73
100569	12/17/2020	51229	DEPT OF MOTOR VEHICLES	410.00	0.00	410.00
100570	12/17/2020	4043	DIAMOND ENVIRONMENTAL SERVICES LP	844.98	0.00	844.98
100571	12/17/2020	4680	DIAZ. ISABELLE	330.00	0.00	330.00
100572	12/17/2020	27200	DICKSON R F CO INC	5,270.00	0.00	5,270.00
100573	12/17/2020	5229	DUNRITE PEST CONTROL INC.	260.00	0.00	260.00
100574	12/17/2020	5169	DY. DERWIN	115.00	0.00	115.00
100575	12/17/2020	3199	EDCO WASTE SERVICES LLC	442,837.33	0.00	442,837.33
100576	12/17/2020	3199	EDCO WASTE SERVICES LLC	12,769.90	0.00	12,769.90
100577	12/17/2020	4435	ELLIOTT AUTO SUPPLY COMPANY INC	168.76	0.00	168.76
100578	12/17/2020	3946	FERGUSON ENTERPRISES INC	406.46	0.00	406.46
100579	12/17/2020	13030	ACCO BRANDS USA LLC	98.81	0.00	98.81
100580	12/17/2020	5513	GEO SERVICES. LLC	4,482.85	0.00	4,482.85
100581	12/17/2020	34845	GLASBY MAINTENANCE SUPPLY CO	151.81	0.00	151.81
100582	12/17/2020	65779	GOLDEN STATE WATER COMPANY	10,744.01	0.00	10,744.01
100583	12/17/2020	2551	GOV'T FINANCE OFFICERS ASSOC	610.00	0.00	610.00
100584	12/17/2020	5257	GRANITE TELECOMMUNICATIONS. LLC	85.08	0.00	85.08
100585	12/17/2020	62491	HANDS ON MAILING &	440.54	0.00	440.54
100586	12/17/2020	58838	HANSON AGGREGATES LLC	175.00	0.00	175.00
100587	12/17/2020	35477	HARA M LAWNMOWER CENTER	412.96	0.00	412.96
100588	12/17/2020	49554	HAWK. TRUDY (FAHTIEM)	45.50	0.00	45.50
100589	12/17/2020	42031	HOME DEPOT	1,978.39	0.00	1,978.39
100590	12/17/2020	41897	HOSE-MAN THE	57.47	0.00	57.47
100591	12/17/2020	36589	IMMEDIATE MEDICAL CARE	440.00	0.00	440.00

CITY OF LAKEWOOD

SUMMARY CHECK REGISTER

CHECK #	CHECK DATE	VEND #	VENDOR NAME	GROSS	DISC.	CHECK AMOUNT
100592	12/17/2020	4622	JHM SUPPLY INC	75.93	0.00	75.93
100593	12/17/2020	4180	JONES RICHARD D. A PROF LAW CORP	19,302.50	0.00	19,302.50
100594	12/17/2020	2956	KICK IT UP KIDZ. LLC	91.00	0.00	91.00
100595	12/17/2020	64510	KRAUSE. DIANN	195.80	0.00	195.80
100596	12/17/2020	18300	LAKEWOOD CHAMBER OF COMMERCE	1,833.33	0.00	1,833.33
100597	12/17/2020	18300	LAKEWOOD CHAMBER OF COMMERCE	1,833.33	0.00	1,833.33
100598	12/17/2020	55469	LAKEWOOD CITY EMPLOYEE ASSOCIATION	2,020.00	0.00	2,020.00
100599	12/17/2020	18400	LAKEWOOD. CITY WATER DEPT	36,249.70	0.00	36,249.70
100600	12/17/2020	3564	LONG BEACH. CITY OF	987.68	0.00	987.68
100601	12/17/2020	21600	LOS ANGELES CO SHERIFFS DEPT	984,597.46	0.00	984,597.46
100602	12/17/2020	45069	LOS ANGELES CO/DEPT PW BLDG SVCS	69,973.92	0.00	69,973.92
100603	12/17/2020	60037	LOS ANGELES ENGINEERING. INC	387,917.30	0.00	387,917.30
100604	12/17/2020	4443	O'REILLY AUTOMOTIVE STORES INC	199.20	0.00	199.20
100605	12/17/2020	47554	OFFICE DEPOT BUSINESS SVCS	860.11	0.00	860.11
100606	12/17/2020	65659	PHASE II SYSTEMS INC	2,876.75	0.00	2,876.75
100607	12/17/2020	5360	PAYMENTUS CORPORATION	7,554.48	0.00	7,554.48
100608	12/17/2020	4760	PUN GROUP. THE LLP	3,300.00	0.00	3,300.00
100609	12/17/2020	65297	S.T.E.A.M.	11,970.44	0.00	11,970.44
100610	12/17/2020	5230	SITEONE LANDSCAPE SUPPLY. LLC	71.79	0.00	71.79
100611	12/17/2020	26900	SO CALIF SECURITY CENTERS INC	126.48	0.00	126.48
100612	12/17/2020	29400	SOUTHERN CALIFORNIA EDISON CO	44,639.43	0.00	44,639.43
100613	12/17/2020	29450	SOUTHERN CALIFORNIA EDISON	45,058.46	0.00	45,058.46
100614	12/17/2020	29500	SOUTHERN CALIFORNIA GAS CO	17,094.56	0.00	17,094.56
100615	12/17/2020	1737	SOUTHERN COUNTIES LUBRICANTS	1,541.22	0.00	1,541.22
100616	12/17/2020	49529	SPICERS PAPER INC	192.78	0.00	192.78
100617	12/17/2020	44104	STATE WATER RESOURCES CONTROL BOARD	120.00	0.00	120.00
100618	12/17/2020	5392	SUNSET LADDER CO. INC.	6,511.57	0.00	6,511.57
100619	12/17/2020	52610	SWANK MOTION PICTURES INC	665.00	0.00	665.00
100620	12/17/2020	4086	TALLAL. INC.	2,250.00	0.00	2,250.00
100621	12/17/2020	2372	TGIS CATERING SVCS INC	4,560.01	0.00	4,560.01
100622	12/17/2020	5278	THE TECHNOLOGY DEPOT	1,591.83	0.00	1,591.83
100623	12/17/2020	5297	THURSTON ELEVATOR CONCEPTS. INC.	280.00	0.00	280.00
100624	12/17/2020	5305	TRUMAN ARNOLD COMPANIES	2,436.22	0.00	2,436.22
100625	12/17/2020	5155	WATER SYSTEM SERVICES LLC	175.00	0.00	175.00
100626	12/17/2020	17640	WAXIE ENTERPRISES INC	659.45	0.00	659.45
100627	12/17/2020	5319	WILBER. BILL	123.00	0.00	123.00
100628	12/17/2020	2145	WYNN. LAKYN	26.00	0.00	26.00
100629	12/17/2020	3699	ANDERSON. ASHLEY JOY	8,095.08	0.00	8,095.08
100630	12/17/2020	3699	ANDERSON. HALEY MORGAN	8,095.08	0.00	8,095.08
100631	12/17/2020	3699	CASTRO. MARTIN	1,000.00	0.00	1,000.00
100632	12/17/2020	3699	CORDERO. HENRY	250.00	0.00	250.00
100633	12/17/2020	3699	ZAVALA. EMA	72.85	0.00	72.85
Totals:				<u>2,814,130.54</u>	<u>0.00</u>	<u>2,814,130.54</u>

**CITY OF LAKEWOOD
FUND SUMMARY 12/23/2020**

In accordance with section 2521 of the Lakewood Municipal Code there is presented herewith a summary of obligations to be paid by voucher 100634 through 100711. Each of the following demands has been audited by the Director of Administrative Services and approved by the City Manager.

1010	GENERAL FUND	214,868.11
1020	CABLE TV	4,459.50
1030	CDBG CURRENT YEAR	750.00
1050	COMMUNITY FACILITY	1,221.50
1623	LA CNTY MEASURE W	3,690.00
3001	CAPITAL IMPROV PROJECT FUND	30,698.87
5020	CENTRAL STORES	4,732.96
5030	FLEET MAINTENANCE	4,174.23
6020	GEOGRAPHIC INFORMATION SYSTEM	507.88
7500	WATER UTILITY FUND	64,976.43
8020	LOCAL REHAB LOAN	1,890.50
8030	TRUST DEPOSIT	400.00
8060	WATER FIDUCIARY FUND	6,367.00
		<hr/>
		338,736.98

Council Approval

Date

City Manager

Attest

City Clerk

Director of Administrative Services

CITY OF LAKEWOOD

SUMMARY CHECK REGISTER

CHECK #	CHECK DATE	VEND #	VENDOR NAME	GROSS	DISC.	CHECK AMOUNT
100634	12/23/2020	2701	AIRE RITE A/C & REFRIGERATION INC	5,839.53	0.00	5,839.53
100635	12/23/2020	5314	ALESHIRE & WYNDER LLP	6,367.00	0.00	6,367.00
100636	12/23/2020	1700	ALLIED REFRIGERATION INC	87.29	0.00	87.29
100637	12/23/2020	4684	AMAZON.COM LLC	8,111.56	0.00	8,111.56
100638	12/23/2020	46678	AUTOLIFT SERVICES INC	933.86	0.00	933.86
100639	12/23/2020	52244	BELLFLOWER. CITY OF	236.05	0.00	236.05
100640	12/23/2020	1935	BREA. CITY OF	5,649.75	0.00	5,649.75
100641	12/23/2020	5382	CANNON CORPORATION	8,704.50	0.00	8,704.50
100642	12/23/2020	43135	CERRITOS. CITY OF	26,884.00	0.00	26,884.00
100643	12/23/2020	45894	CINTAS CORPORATION	70.01	0.00	70.01
100644	12/23/2020	5368	CAMERON WELDING SUPPLY	903.02	0.00	903.02
100645	12/23/2020	4776	CORELOGIC. INC.	31.75	0.00	31.75
100646	12/23/2020	5079	DOTY BROS. EQUIPMENT CO.	30,106.00	0.00	30,106.00
100647	12/23/2020	51393	EMPLOYMENT DEVELOPMENT DEPT	12,000.00	0.00	12,000.00
100648	12/23/2020	5157	INTERNATIONAL E-Z UP INC	10,308.23	0.00	10,308.23
100649	12/23/2020	4435	ELLIOTT AUTO SUPPLY COMPANY INC	932.21	0.00	932.21
100650	12/23/2020	52316	FEDERAL EXPRESS CORP	1,068.93	0.00	1,068.93
100651	12/23/2020	5159	FONG. ALEX	275.00	0.00	275.00
100652	12/23/2020	59433	GANAHL LUMBER COMPANY	230.31	0.00	230.31
100653	12/23/2020	4822	LA GATEWAY REGION INTEGRATED RNL	26,771.14	0.00	26,771.14
100654	12/23/2020	52540	GONSALVES JOE A & SON	4,526.00	0.00	4,526.00
100655	12/23/2020	38311	H & H NURSERY	261.06	0.00	261.06
100656	12/23/2020	35477	HARA M LAWNMOWER CENTER	2,368.38	0.00	2,368.38
100657	12/23/2020	471	HAYWARD. DENISE R.	71.30	0.00	71.30
100658	12/23/2020	49520	HINDERLITER DE LLAMAS & ASSOC	3,793.63	0.00	3,793.63
100659	12/23/2020	42031	HOME DEPOT	2,123.28	0.00	2,123.28
100660	12/23/2020	4688	HUNTER. JOHN L & ASSOCIATES	3,690.00	0.00	3,690.00
100661	12/23/2020	4180	JONES RICHARD D. A PROF LAW CORP	1,530.00	0.00	1,530.00
100662	12/23/2020	18300	LAKEWOOD CHAMBER OF COMMERCE	5,000.00	0.00	5,000.00
100663	12/23/2020	18550	LAKEWOOD. CITY OF	400.00	0.00	400.00
100664	12/23/2020	43017	LARSEN. DEBRA	107.62	0.00	107.62
100665	12/23/2020	36844	LA COUNTY DEPT OF PUBLIC WORKS	13,524.31	0.00	13,524.31
100666	12/23/2020	3856	MAILFINANCE INC.	854.84	0.00	854.84
100667	12/23/2020	23130	MC MASTER-CARR SUPPLY CO	262.38	0.00	262.38
100668	12/23/2020	52588	MILLER DON & SONS	607.81	0.00	607.81
100669	12/23/2020	5303	MIRACLE. VERONICA	250.00	0.00	250.00
100670	12/23/2020	62741	MITCHELL REPAIR INFORMATION CO LLC	186.32	0.00	186.32
100671	12/23/2020	615	MUNI SERVICES LLC	3,243.79	0.00	3,243.79
100672	12/23/2020	4892	NESTLE WATERS NORTH AMERICA	104.28	0.00	104.28
100673	12/23/2020	4443	O'REILLY AUTOMOTIVE STORES INC	746.07	0.00	746.07
100674	12/23/2020	47554	OFFICE DEPOT BUSINESS SVCS	1,384.86	0.00	1,384.86
100675	12/23/2020	43079	ORKIN SERVICES OF CALIFORNIA. INC.	80.00	0.00	80.00
100676	12/23/2020	450	PACIFIC EH & S SERVICES INC	756.00	0.00	756.00
100677	12/23/2020	63708	DY-JO CORPORATION	570.00	0.00	570.00

CITY OF LAKEWOOD

SUMMARY CHECK REGISTER

CHECK #	CHECK DATE	VEND #	VENDOR NAME	GROSS	DISC.	CHECK AMOUNT
100678	12/23/2020	50512	PATHWAYS VOLUNTEER HOSPICE	750.00	0.00	750.00
100679	12/23/2020	5521	RACE FORWARD	1,000.00	0.00	1,000.00
100680	12/23/2020	39640	RAYVERN LIGHTING SUPPLY CO INC	387.87	0.00	387.87
100681	12/23/2020	4956	ROSS AVIATION INVESTMENT. LLC	3,559.04	0.00	3,559.04
100682	12/23/2020	47285	ROTARY CORP	166.99	0.00	166.99
100683	12/23/2020	4309	SAFESHRED	25.00	0.00	25.00
100684	12/23/2020	51723	SCMAF OFFICE	550.00	0.00	550.00
100685	12/23/2020	47141	STEARNS CONRAD & SCHMIDT CONSLT ENG	6,167.00	0.00	6,167.00
100686	12/23/2020	3153	SECTRAN SECURITY INC	154.10	0.00	154.10
100687	12/23/2020	5230	SITEONE LANDSCAPE SUPPLY. LLC	373.71	0.00	373.71
100688	12/23/2020	52279	SMART & FINAL INC	112.74	0.00	112.74
100689	12/23/2020	5022	MWB COPY PRODUCTS. INC.	115.76	0.00	115.76
100690	12/23/2020	5135	SOLID SURFACE CARE. INC.	1,256.25	0.00	1,256.25
100691	12/23/2020	29400	SOUTHERN CALIFORNIA EDISON CO	53,903.53	0.00	53,903.53
100692	12/23/2020	4368	SPECIALTY TIRES LLC	540.18	0.00	540.18
100693	12/23/2020	4201	AUDIO MESSAGING SOLUTIONS LLC	278.64	0.00	278.64
100694	12/23/2020	44104	STATE WATER RESOURCES CONTROL BOARD	30,074.00	0.00	30,074.00
100695	12/23/2020	4581	STEIN. ANDREW T	9,645.91	0.00	9,645.91
100696	12/23/2020	56039	SULLY MILLER	521.04	0.00	521.04
100697	12/23/2020	5350	THE HITT COMPANIES	195.43	0.00	195.43
100698	12/23/2020	2533	TNEMEC COMPANY INC.	436.42	0.00	436.42
100699	12/23/2020	4656	TOVAR. ROBERT	115.00	0.00	115.00
100700	12/23/2020	1437	U S BANK NATIONAL ASSOCIATION	23,491.79	0.00	23,491.79
100701	12/23/2020	3134	VIRTUAL GRAFFITI INC	4,477.69	0.00	4,477.69
100702	12/23/2020	3943	WATERLINE TECHNOLOGIES INC	1,585.26	0.00	1,585.26
100703	12/23/2020	17640	WAXIE ENTERPRISES INC	208.06	0.00	208.06
100704	12/23/2020	1939	WAYNE HARMEIER INC	147.83	0.00	147.83
100705	12/23/2020	37745	WESTERN EXTERMINATOR CO	113.50	0.00	113.50
100706	12/23/2020	2279	AMERICAN PACIFIC PRINTERS COLLEGES	4,119.17	0.00	4,119.17
100707	12/23/2020	50058	WHITE HOUSE FLORIST INC	220.50	0.00	220.50
100708	12/23/2020	3837	WORTHINGTON FORD	22.54	0.00	22.54
100709	12/23/2020	3699	CHEMFREE EXTERMINATING	1,890.50	0.00	1,890.50
100710	12/23/2020	3699	GARCIA. CARMEN	154.60	0.00	154.60
100711	12/23/2020	3699	PRICE. ASTYNE	24.86	0.00	24.86
Totals:				<u>338,736.98</u>	<u>0.00</u>	<u>338,736.98</u>

CITY OF LAKEWOOD

SUMMARY ACH/WIRE REGISTER DEC 2020

ACH date	Amount	Recipient	Purpose	Period
12/2/20	\$74,711.70	MidAmerica	HRA aka CEMRB	Oct-Dec 2020
12/2/20	\$96,297.87	IRS via F&M	Fed taxes	Nov 15-28, 2020
12/3/20	\$3,888.50	F&A Fed C/U	employee savings account	Nov 15-28, 2020
12/3/20	\$6,422.00	Southland C/U	employee savings account	Nov 15-28, 2020
12/3/20	\$26,727.33	EDD	State taxes	Nov 15-28, 2020
12/3/20	\$1,859.24	MidAmerica	ARS aka APPLE	Nov 15-28, 2020
12/3/20	\$14,520.35	VOYA	VOYA 401(a)	Nov 15-28, 2020
12/3/20	\$5,278.36	PARS via U.S. Bank	stackable plan	Nov 15-28, 2020
12/3/20	\$3,425.00	PARS via U.S. Bank	excess stackable plan	Nov 15-28, 2020
12/3/20	\$27,002.70	VOYA	VOYA 457 & ROTH	Nov 15-28, 2020
12/16/20	\$98,506.10	IRS via F&M	Fed taxes	Nov 29 - Dec 12, 2020
12/16/20	\$476.42	IRS via F&M	Fed taxes-Medicare pmt by vendor	Dec 2020
12/17/20	\$59,984.26	City Light & Power	monthly maint fee	Dec 2020
12/17/20	\$100,568.48	CalPERS	PERS contribution	Nov 15-28, 2020
12/17/20	\$3,530.00	F&A Fed C/U	employee savings account	Nov 29 - Dec 12, 2020
12/17/20	\$6,422.00	Southland C/U	employee savings account	Nov 29 - Dec 12, 2020
12/17/20	\$27,570.00	EDD	State taxes	Nov 29 - Dec 12, 2020
12/18/20	\$1,691.98	MidAmerica	ARS aka APPLE	Nov 29 - Dec 12, 2020
12/18/20	\$18,762.42	VOYA	VOYA 401(a)	Nov 29 - Dec 12, 2020
12/18/20	\$8,915.38	PARS via U.S. Bank	stackable plan	Nov 29 - Dec 12, 2020
12/18/20	\$27,102.70	VOYA	VOYA 457 & ROTH	Nov 29 - Dec 12, 2020
12/23/20	\$1,300,000.00	LAIF	investment	Dec 2020
12/24/20	\$8,060.28	CalPERS	Replacement Benefit Contribution	Dec 2020
12/29/20	\$81,598.99	IRS via F&M	Fed taxes	Dec 13-26, 2020
12/30/20	\$21,434.55	EDD	State taxes	Dec 13-26, 2020
12/30/20	\$102,523.65	CalPERS	PERS contributon	Nov 29 - Dec 12, 2020
12/30/20	\$1,248.88	MidAmerica	ARS aka APPLE	Dec 13-26, 2020
12/30/20	\$8,600.71	PARS via U.S. Bank	stackable plan	Dec 13-26, 2020
12/30/20	\$14,618.11	VOYA	VOYA 401(a)	Dec 13-26, 2020
12/30/20	\$25,855.10	VOYA	VOYA 457 & ROTH	Dec 13-26, 2020

Council Approval

Date

City Manager

Attest:

City Clerk

Director of Finance & Administrative Services

D I V I D E R S H E E T

COUNCIL AGENDA

January 12, 2021

TO: The Honorable Mayor and City Council

SUBJECT: Monthly Report of Investment Transactions – November 2020

INTRODUCTION

In accordance with California Government Code Section 53607, the City Council has delegated to the City Treasurer the responsibility to invest or to reinvest funds, or to sell or exchange securities so purchased. The California Government Code Section 53607 requires that, if such responsibility has been delegated, then the Treasurer “shall make a monthly report of those transactions to the legislative body.” In compliance with this requirement, the Monthly Report of Investment Transactions is being rendered to be received and filed.

STATEMENT OF MONTHLY ACTIVITY

<u>Date</u>	<u>Amount at Cost</u>	<u>Investment</u>	<u>Transaction</u>
11/01/2020	337.50	CORP	Interest 0.750%
11/01/2020	173.42	BOND	Interest 0.565%
11/02/2020	.62	MMF	Interest
11/08/2020	4,085.00	CORP	Interest 2.150%
11/10/2020	145,000.00	BOND	Purchase 0.773%
11/10/2020	148,795.17	TREAS	Sell 1.875%
11/11/2020	627.55	CORP	Interest 1.141%
11/11/2020	1,631.25	CORP	Interest 1.125%
11/11/2020	225.00	CORP	Interest 0.750%
11/13/2020	125,000.00	CORP	Purchase 0.537%
11/13/2020	128,300.57	TREAS	Sell 1.875%
11/15/2020	1,053.50	ABS	Interest 1.720%
11/15/2020	36.67	ABS	Interest 0.400%
11/15/2020	37.63	ABS	Interest 0.430%
11/15/2020	51.33	ABS	Interest 0.440%
11/15/2020	433.13	ABS	Interest 1.890%
11/15/2020	34.38	ABS	Interest 0.550%
11/15/2020	31.67	ABS	Interest 0.500%
11/15/2020	5,890.63	TREAS	Interest 1.625%
11/15/2020	6,750.00	TREAS	Interest 2.500%
11/16/2020	4,550.00	CORP	Interest 2.600%
11/16/2020	374,639.86	TREAS	Purchase 0.125%
11/16/2020	379,303.54	CD	Maturity 2.270%
11/18/2020	50.88	ABS	Interest 0.370%

11/18/2020	7,087.50	CORP	Interest 2.700%
11/19/2020	300,000.00	LAIF	Maturity
11/20/2020	35.63	ABS	Interest 0.450%
11/20/2020	78.33	ABS	Interest 0.470%
11/24/2020	1,012.50	SUPRA	Interest 0.500%
11/24/2020	558,796.00	SUPRA	Purchase 0.250%
11/24/2020	523,470.66	SUPRA	Sell 2.750%
11/25/2020	3,942.42	AGENCY	Paydown 3.560%
11/25/2020	86.91	AGENCY	Paydown 3.203%
11/25/2020	32.00	ABS	Interest 0.480%
11/25/2020	132.32	AGENCY	Interest 3.203%
11/25/2020	315.91	AGENCY	Interest 3.560%
11/30/2020	6,093.75	TREAS	Interest 1.625%
11/30/2020	11,250.00	TREAS	Interest 1.875%

INVESTMENT GLOSSARY

ABS (Asset-Backed Securities)

A mortgage pass-through security, collateralized mortgage obligation, mortgage-backed or other pay-through bond, equipment lease-backed certificate, consumer receivable pass-through certificate, or consumer receivable-backed bond.

AGENCY (U.S. Government Agency Issues)

Federal agency or United States government-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises. There are no portfolio percentage limits for U. S. Government Agency issues.

BOND (Municipal Bonds or Note)

Registered treasury notes or bonds issued by states or municipalities, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by a state or by a department, board, agency, or authority of any of the other 49 United States, in addition to California.

CAMP (California Asset Management Program)

A Joint Powers Authority established in 1989 by the treasurers and finance directors of several California public agencies to provide an investment pool at a reasonable cost. Participation is limited to California public agencies.

CD (Certificate of Deposit)

Negotiable CDs are issued by large banks and are freely traded in secondary markets as short term (2 to 52 weeks), large denomination (\$100,000 minimum) CDs, that are either issued at a discount on its par value, or at a fixed interest rate payable at maturity.

COM (Commercial Paper)

Commercial paper of “prime” quality of the highest ranking or of the highest letter and number rating as provided for by a nationally recognized statistical-rating organization.

CORP (Corporate Notes)

Medium-term notes, defined as all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the United States, or any state and operating within the United States.

FNMA (Federal National Mortgage Association)

A government-sponsored, privately owned corporation established to create a secondary market for Federal Housing Administration mortgages.

LAIF (Local Agency Investment Fund, State of California)

The Treasurer of the State of California administers this investment pool, providing a high-level of liquidity and strong safety through diversification of investments.

MMF (Money Market Fund)

This is a money market interest-bearing checking account that is fully insured and collateralized.

SUPRA (Supra-National Agency Bonds or Notes)

Supranational bonds and notes are debt of international or multi-lateral financial agencies. The debt is used to finance economic/infrastructure development, environmental protection, poverty reduction and renewable energy around the globe, rated AAA, highly liquid and issued in a range of maturities.

TREAS (U.S. Treasury Notes)

A Treasury obligation of the U.S. Government to provide for the cash flow needs of the Federal Government.

RECOMMENDATION

It is recommended that the City Council receive and file the Monthly Report of Investment Transactions rendered for the month of November 2020.


Jose Gomez
Director of Finance & Administrative Services

Thaddeus McCormack *PB for TM*
City Manager

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COUNCIL AGENDA

January 12, 2021

TO: Honorable Mayor and City Council

SUBJECT: Reimbursement Agreement for Long Beach Transit Dial-A-Lift Paratransit Services

INTRODUCTION

Long Beach Transit has submitted a request for renewal of the City of Lakewood's ("City") Dial-A-Lift reimbursement agreement for the remainder of Fiscal Year 2020-2021. The current reimbursement agreement expired on December 31, 2020. Since 1984, the City has contracted with Long Beach Transit to provide a subsidy for transit services for its residents.

STATEMENT OF FACTS

Due to the impacts of COVID-19, Long Beach Transit modified the terms for their annual Dial-A-Lift contract for Fiscal Year 2020-2021. In June 2020, Long Beach Transit opted for their Dial-A-Lift contract to be renewed every 6 months. The current contract, dated July 1, 2020, through December 31, 2020, has now expired. Even though the current contract has expired, Long Beach Transit stated that Dial-A-Lift services will not be impacted and will continue until a new contract is in place.

The Dial-A-Lift subsidy is paid for with the City's Proposition "A" funds. The total budget for Fiscal Year 2020-2021 Dial-A-Lift services is \$114,421. The cost of the Q1 services was \$3,890. LBT has not provided an invoice for Q2 services, but service estimates received from LBT for Q2 are in line with Q1, keeping the City well under 50% of the ridership cap of 2,941 riders that have budgeted for in the current fiscal year.

SUMMARY

Long Beach Transit has requested renewal of the reimbursement agreement with the City for subsidy of the Dial-A-Lift services for the remainder of Fiscal Year 2020-2021. This project has been included as a part of the budget.

RECOMMENDATION

Staff recommends that the City Council authorize the Mayor to sign the reimbursement agreement with Long Beach Transit, for Dial-A-Lift paratransit services. The proposed agreement has been reviewed and approved by the City Attorney as to form.


Abel Avalos
Director of Community Development

Thaddeus McCormack *PB for TM*
City Manager



LONG BEACH TRANSIT DIAL-A-LIFT SERVICES

REIMBURSEMENT AGREEMENT BETWEEN THE CITY OF LAKEWOOD AND LONG BEACH TRANSIT

THIS REIMBURSEMENT AGREEMENT ("Agreement") is made and entered into by and between the CITY OF LAKEWOOD, a Municipal Corporation, sometimes herein called the "City", and LONG BEACH TRANSIT, a California non-profit corporation, sometimes herein called the "Company", this 12th day of January, 2021.

W I T N E S S E T H:

WHEREAS, the Company currently serves transportationally disabled residents of the cities of Long Beach, Lakewood, and Signal Hill, with demand-response transit service, commonly referred to as Long Beach Transit Dial-A-Lift; and

WHEREAS, the Company contracts with Global Paratransit, Inc., a California corporation ("Contractor"), to provide the Dial-A-Lift service pursuant to that certain Company agreement #15-011 for Dial-A-Lift Paratransit Services ("Service Agreement"); and

WHEREAS, the City Council of the City of Lakewood desires that the Company continue to provide Dial-A-Lift services to Lakewood residents in accordance with the conditions and terms hereinafter set forth; and

WHEREAS, the Company is willing to continue to provide Dial-A-Lift services to transportationally disabled residents of the City of Lakewood in consideration thereof and in accordance with and subject to the terms and provisions of this Agreement;

WHEREAS, the COVID-19 pandemic and the current "Safer at Home" orders have resulted in modified transit services and in business disruptions, reduction in employment, school closures and anticipated slow pace of economic recovery in the region

NOW, THEREFORE, the parties hereto do agree as follows:

1. Term of Contract. This Agreement shall be effective when executed by the parties hereto and shall be for up to the last six months of fiscal year 2020-2021, commencing January 1, 2021, and terminating June 30, 2021. By resolution of the City Council and its written acceptance by the Company, this Agreement may be extended during any subsequent fiscal year. Notwithstanding the foregoing, the Agreement may be terminated by either party at any time, with or without cause, by giving thirty (30) days' prior written notice of such termination. Unless both parties otherwise agree in writing, Dial-A-Lift services to the residents of City shall be withdrawn upon the non-payment of funds to Company.

2. Compensation. City agrees to compensate the Company for services rendered pursuant to this Agreement. Compensation shall be payable in two (2) installments. The rate of compensation for the last six months of fiscal year 2020-2021 (January 1, 2021 – June 30, 2021) shall be \$38.90 per passenger boarding. The Company shall be authorized to provide for fiscal year 2020-2021 a total of 2,941 Dial-A-Lift rides. Dial-A-Lift rides for the last six months (January 1, 2021 – June 30, 2021) shall be at the rate of \$38.90 per passenger. If the contract ceiling is reached, the City shall have the option of authorizing additional service at the established rate per

passenger, or of discontinuing the service provided by the Company. All invoices shall include ridership and cost data for the installment period. Installment periods shall be January 2021 through March 2021, April 2021 through June 2021. Installments shall be payable within thirty (30) days of invoicing by Company. In the event City fails to make payment in a timely fashion, Company shall notify City. If payment is not received within five (5) days of notification, Company shall have right to cease service without notice. In the event this Agreement should be terminated prior to June 30, 2021, said payment shall be prepaid to the date of termination.

3. Dial-A-Lift Services. In consideration of the foregoing, Company agrees to cause Contractor, pursuant to the Service Agreement, to provide, during the contract period, a level of service within the Lakewood area that is consistent with current modified service levels as a result of the COVID-19 pandemic. It is understood and agreed that the level of said services and rates are otherwise subject to the control and discretion of the Company and any regulatory agency under which the Company may exercise a certificate of Public Convenience and Necessity of franchise or permit. Company shall use reasonable efforts to enforce the terms of the Service Agreement to ensure that Contractor complies with the terms of this Agreement. Notwithstanding the foregoing, in no event shall Company be responsible for the failure of Contractor to provide the Dial-A-Lift services and the sole remedy for such failure shall be the termination of this Agreement pursuant to Section 1. Any claim or liability arising as a result of any negligent act or omission of Contractor shall be handled in accordance with Section 6.

4. Eligibility. The Company shall determine the eligibility of Lakewood residents for Dial-A-Lift services and issue a Dial-A-Lift Membership Card to those certified as eligible. No resident of the City shall be eligible unless he or she is transportationally disabled, as defined by the current Company eligibility requirements.

5. Responsibility for Service. It is understood that this Agreement is for the sole purpose of reimbursing Company for Dial-A-Lift services rendered to transportationally disabled residents of Lakewood pursuant to the Service Agreement between Company and Contractor. Contractor furnishes at its own expense all equipment and labor necessary to provide said service, level of performance and control thereof shall rest solely in Contractor, subject to the administration of the terms of the Service Agreement by Company, and to those regulations now or hereafter to use the streets of City of Lakewood, it being further agreed and understood that whether or not Company and/or Contractor has such a franchise or is required to have such a franchise is not the subject of this Agreement and no term or provision of this Agreement shall be used to prejudice the rights of either party in that regard.

6. Indemnity and Insurance. Pursuant to the Service Agreement, Contractor has agreed to (i) indemnify Company and City against any and all claims arising as a result of the acts or omissions of Contractor arising out of the performance of the Dial-A-Lift services; and (ii) provide insurance coverage in connection with such services naming Company and City as additional insureds. A summary of such provisions is attached hereto as Exhibit "A" ("Contractor Liability Provisions"). City acknowledges and agrees that it shall look solely to Contractor for the enforcement of such provisions and in no event shall Company be liable for any claims or liability arising out of the performance of the Dial-A-Lift services by Contractor. In the event of any claim covered by the Contractor Liability Provisions, City shall give notice of such claim directly to Contractor with a copy to Company.

7. Independent Contractor. It is distinctly understood that in the performance of this Agreement, Company exercises control, except as limited by this Agreement, of the level and type

of service and does such as an independent contractor and not as an agent of City. Company agrees that it will not at any time hold itself in any manner as the agent or representative of City or any officer or employee thereof and that it does not have any authority to bind the City for any purposes during the term of this Agreement.

8. Assignment. Company shall not assign, sublet or lease any part or portion of this Agreement to any party other than Contractor without the prior approval of City.

9. Notice. Any written notice to the parties hereto shall be deposited in the United States mail, postage prepaid, addressed as follows:

City: City Clerk
City of Lakewood
5050 Clark Avenue
Lakewood, California 90712

Company: President and CEO
Long Beach Transit,
a Non-Profit Corporation
1963 E. Anaheim St.
Long Beach, CA 90813

Contractor: Global Paratransit, Inc.
400 West Compton Blvd.
Gardena, CA 90248

IN WITNESS WHEREOF, the parties hereto have executed this Agreement in duplicate on the day and year first above written.

LONG BEACH TRANSIT,
a Non-Profit Corporation

CITY OF LAKEWOOD

By: _____
Kenneth A. McDonald
President and CEO

By: _____
Todd Rogers
Mayor

Date: _____

Date: _____

APPROVED AS TO FORM

Attest: _____
City Clerk

Vincent C. Ewing
General Counsel

APPROVED AS TO FORM

Date: _____

City Attorney

Date: _____

D I V I D E R S H E E T

COUNCIL AGENDA

January 12, 2021

TO: The Honorable Mayor and City Council

SUBJECT: Community Safety Commission Recommendation – Removal of Disabled Person Parking Space

INTRODUCTION

The Community Safety Commission met on December 7, 2020, to review various community safety matters that included a request to remove the disabled parking space at 3223 Del Amo Boulevard.

STATEMENT OF FACT

The Public Works Department recently received a request for the removal of the disabled person parking space at 3223 Del Amo Boulevard. Staff verified that the disabled person who originally obtained the disabled person parking space no longer resided at the address. Therefore, the parking restriction should be removed. The Community Safety Commission, at their regular meeting on December 7, 2020, approved recommending removal.

RECOMMENDATION

The Community Safety Commission recommends that the City Council adopt the attached resolution authorizing the removal of the disabled person designated parking at 3223 Del Amo Boulevard.

Lisa Ann Rapp

Director of Public Works

MA Withrow
for

Thaddeus McCormack

City Manager

PB for TM

RESOLUTION NO. 2020-1

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

THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES RESOLVE AS FOLLOWS:

SECTION 1. Resolution No. 2006-53 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LAKEWOOD ESTABLISHING A PHYSICALLY
HANDICAPPED PERSONS DESIGNATED PARKING SPACE
ON THE NORTH SIDE OF DEL AMO BOULEVARD NORTH
SERVICE ROAD WITHIN THE CITY OF LAKEWOOD

is hereby rescinded.

SECTION 3. This resolution has been adopted pursuant to a Community Safety
Commission recommendation.

ADOPTED AND APPROVED this 12th day of January, 2021.

Mayor

ATTEST:

City Clerk

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ORDINANCE NO. 2020-5

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING ARTICLE IX OF THE LAKEWOOD MUNICIPAL CODE PERTAINING TO FRONT YARD STANDARDS FOR LANDSCAPING, PERMEABLE AND IMPERMEABLE SURFACES.

THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES ORDAIN AS FOLLOWS:

SECTION 1. INTENT. Article IX Planning - Zoning of the Lakewood Municipal Code is hereby amended as provided in this Ordinance to update the required single-family residence standards for front yard areas, including requirements for organic landscaping, and permeable and impermeable surfaces, pursuant to Public Hearings before the Planning and Environment Commission and the City Council.

SECTION 2. PURPOSE. The purpose of this ordinance is to modify the development standards for Lakewood single-family residential front yards to require organic landscaping and to clarify the allowed installation and use of permeable and impermeable surfaces.

SECTION 3. Section 9322.10 regarding Yard Areas of Part 2 of R-1 (Single-Family Residential) Zone Regulations of Chapter 3 Zoning of Article IX of the Lakewood Municipal Code is hereby repealed in its entirety and replaced to read as follows:

9322.10. LOT AREA SURFACES. The following lists standards for required and allowed surfacing materials to cover all areas of a single-family residential lot, including ground covers, driveways, walkways, front yard hardscape areas, and front yard landscape areas. The application of the standards listed below in subsections B, C, D, E, and F shall only apply to construction or resurfacing projects that affect front yards after the effective date of this amended Section.

A. Ground Cover Required. All open lot areas not occupied by paved driveways or paved walkways, buildings, accessory structures, pools, spas, decks, or other impermeable structures or devices, are to be provided with approved ground cover materials to deter erosion, dust, accumulation of water or mud, and an unsightly appearance. Approved ground cover materials include natural turf, artificial turf, low-growing ground cover plants, flowers, shrubs, trees, drought-tolerant landscaping, and other decorative soil covering materials such as bark, rock, bricks, pavers, decomposed granite, turf block and/or concrete.

B. Allowed Driveways. An allowed driveway is a paved surface that provides a direct path from the property line adjacent to a public or private street, alley, or common area driveway from which the property is accessed to the required off-street parking spaces. A circular driveway may be allowed in those instances, where the Public Works Department has approved encroachment

permits to allow two driveway approach aprons on the same lot and that lot has a frontage width of at least seventy-five (75') feet or more. The circular driveway shall connect the two driveway aprons and the off-street parking area. Driveways are allowed as follows:

1. **Driveway Surface.** Driveways shall be constructed of concrete, patterned concrete, bricks, and pavers or may be constructed of other impermeable or permeable materials approved by the Community Development Director. Asphaltic concrete ("asphalt") is not an allowed driveway surface for single-family residential uses.
2. **Driveway Width.** The driveway width shall be no wider than ten (10) feet for each offsite parking space to which it leads (*e.g. 20-feet wide drive for a two-car garage or carport.*) Every single-family residence shall have a minimum of two off-street parking spaces, except and as specified by Section 9321 or other sections of this code or by state law. The driveway may be expanded to fill-in the area between the driveway and the nearest side property line. The driveway fill-in provision shall apply to only one property line. A driveway leading to parking spaces behind the residence shall not exceed ten feet (10') in width or the width between residence and the side property line, whichever is greater. Vehicles may park on all portions of an allowed driveway, including any portion thereof in the required front yard and may be parked in tandem on the driveway to satisfy parking requirements of the lot.

C. Front Yard Hardscape Area. The "Front Yard Hardscape Area" or "FYHA" shall be the total area of all impermeable materials or structures located in the required "Front Yard" area, as specified by Section 9322.4 of this Code. This includes the "allowed driveway," any permitted porch projections into the front yard, and the front yard walkways. The FYHA shall also include the area located adjacent and connected to the allowed driveway paved with any permeable hardscape materials. The FYHA shall not exceed the following percentages of the total Front Yard area based on the width of the lot at street frontage, unless otherwise approved by application:

1. Sixty percent (60%) for lots with forty-five (45) feet or more of frontage.
2. Eighty percent (80%) for lots with less than forty-five (45) feet of frontage and more than thirty (30) feet of frontage.
3. Ninety percent (90%) for lots with thirty (30) feet of frontage or less. Such lots shall have a minimum of forty (40) square feet of organic material.

The Development Review Board (DRB) may approve an application to expand the FYHA above the listed percentages, provided a finding is made that the project area maintains an acceptable streetscape aesthetic and limits front yard parking to be no more than two vehicles on lots with forty five feet (45') of frontage or less.

D. Front Yard Landscape Area. The "Front Yard Landscape Area" or "FYLA" shall be all the remaining area in the required Front Yard Area, after excluding any areas occupied by the FYHA. The FYLA shall be covered with permeable ground cover arranged in an aesthetically pleasing manner, especially from street views, as determined by the Community Development Director or

in conjunction with another planning review. At least 50% of the total FYLA permeable area shall be covered with organic materials as listed below, unless otherwise approved per this Section. The FYLA permeable ground cover areas may include:

1. Organic materials including bark, mulch, ground cover plants, flowers, shrubs, and trees.
2. Artificial turf.
3. Decomposed granite.
4. Decorative rock no greater than four inches (4") in diameter.
5. In addition, the following are allowed, provided they collectively do not occupy more than 5% of FYLA: large boulders, decorative rocks greater than 4" in diameter, steppingstones and water features no more than 18" deep.

E. Front Yard Walkway(s). A property owner may have one or more front yard walkways as part of their allowed FYHA and/or FYLA hardscape, in accordance with the following:

1. **Walkway Parking Prohibited.** There shall be no vehicle parking on any portion of any front yard walkway, except as otherwise allowed by this Code or administrative directive.
2. **Passenger Walkway.** An FYHA or FYLA hardscape area no more than two feet wide (2') may be added adjacent to the allowed driveway for the purpose of passengers exiting a vehicle.
3. **Front Entry Walkway.** An FYHA and/or FYLA hardscape area no wider than six feet (6') that leads to the front residence entry door from the public sidewalk or other site access points (e.g. driveway or side yards.) When the walkway is parallel to the driveway and either connects to the public sidewalk or connects to the driveway within six feet (6') of the public sidewalk, the walkway shall be separated from the allowed driveway by a landscape planter with turf or other organic material that has an average width of three feet (3') or wider. Where terrain (*e.g. elevated yard*) or the residence entry door location require access directly from the driveway, the walkway shall be limited to be no more than four feet (4') wide from the adjacent edge of the driveway and may extend from the public sidewalk to the front entry door of the residence.

F. Modifications. Any modification of the front yard that increases or redesigns the FYHA by 5% or more and/or any reduction or redesign of the FYLA area by 5% or more shall be approved by the Community Development Director or designee through a Site Plan Review or through another other planning application process. Routine maintenance, plant replacement and incidental landscape enhancements do not require this review.

SECTION 4. Section 9326.13 regarding Yard Areas of Part 2a of R-A (Single-Family Residential – Limited Agriculture) Zone Regulations of Chapter 3 Zoning of Article IX of the Lakewood Municipal Code is hereby repealed in its entirety and replaced to read as follows:

9326.13. LOT AREA SURFACES. The "LOT AREA SURFACES" in the R-A shall be the same as that stipulated in the entirety of Section 9322.10 of the R-1 zone district.

SECTION 5. Section 9492.L.1 and .2 regarding General Requirements for Development of Off-Street Parking Areas – Surfacing of Part 19 of Chapter 3 Zoning of Article IX of the Lakewood Municipal Code is hereby repealed in its entirety and replaced to read as follows:

...

1. **Covered Parking Areas and Driveways.** Parking areas within or under a building shall be paved with reinforced concrete with a minimum compressive strength of 2,000 p.s.i. New or replaced driveways for a single-family residence shall not be paved with asphaltic concrete (“asphalt”) and shall be paved with reinforced concrete or other materials approved by the Community Development Director.
2. **Open Parking Areas.** Parking and driveway areas other than those listed above in Section 9492.L.1 may be paved with asphaltic concrete. ...

SECTION 6 CEQA. This ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) which is the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. CEQA does not apply where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment. This ordinance has no impact on the physical environment as it will only modify administrative procedures and not result in any changes to the physical environment.

SECTION 7. SEVERABILITY. If any section, subsection, subdivision, sentence, clause, phrase or portion of this ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 8. CONTINUITY. To the extent the provisions of the Lakewood Municipal Code as amended by this ordinance are substantially the same as the provisions of that Code as they read immediately prior to the adoption of this ordinance, then those provisions shall be construed as continuations of the earlier provisions and not as new enactments.

SECTION 9. CERTIFICATION. The City Clerk shall certify to the adoption of this ordinance and shall post a certified copy of this ordinance, including the vote for and against same, in the Office of the City Clerk, in accordance with Government Code Section 36933. The City Council hereby finds and determines there are no newspapers of general circulation both published and circulated within the City and, in compliance with Section 36933 of the Government Code, directs the City Clerk to cause the ordinance within 15 days after its passage to be posted in at least three (3) public places within the City as established by ordinance.

SECTION 10. EFFECTIVE DATE. This Ordinance shall be posted or published as required by law and shall take effect thirty (30) days after its adoption.

APPROVED AND ADOPTED this _____ day of _____, 2020, by the following
roll call vote:

	AYES	NAYS	ABSENT
Council Member Croft	_____	_____	_____
Council Member Pe	_____	_____	_____
Council Member Stuckey	_____	_____	_____
Council Member Wood	_____	_____	_____
Mayor Rogers	_____	_____	_____

Mayor

ATTEST:

City Clerk

D I V I D E R S H E E T

COUNCIL AGENDA

January 12, 2021

TO: Honorable Mayor and City Council

SUBJECT: California Voting Rights Act

INTRODUCTION

The City of Lakewood currently elects its City Councilmembers through an “at-large” election system in which each Councilmember can reside anywhere in the City and is elected by the voters of the entire City to provide citywide representation. Since the passage of the California Voting Rights Act (“CVRA”), cities and other jurisdictions, such as school districts, throughout the State of California have faced challenges to their at-large election systems under the CVRA.

On November 30, 2020, the City received a letter challenging the City's current election method and asserting that the City's at-large election system violates the CVRA. This report is intended to bring this matter to the City Council's and the community's attention so that the City Council and community can begin to better understand what this challenge means, and what steps are provided by law to address the challenge to the City's current election system.

STATEMENT OF FACTS

Historically, the City of Lakewood has elected its Councilmembers through an at-large election system. Under this system, candidates for the City Council can reside anywhere in the City and are elected by the registered voters of the entire City.

The City received the attached letter dated November 21, 2020, from attorney Kevin Shenkman (Attachment A) claiming that the City's current method of electing the City Council through at-large elections violates the CVRA. The letter alleges that “voting within Lakewood is racially polarized, resulting in minority vote dilution,” and threatens “judicial relief” if the City declines to adopt a district-based election system. A district-based election system is generally one in which a city is divided into separate districts, each district's voters electing a representative from that district, who must also be a resident of the district.

The CVRA was adopted in 2002, and is based upon the Federal Voting Rights Act of 1965 (“FVRA”) with some important differences that make at-large election systems much more susceptible to legal challenge. For a plaintiff to be successful in a claim of violation under the FVRA relating to at-large elections, the plaintiff must show that: 1) a minority group is sufficiently large and geographically compact to form a majority of the eligible voters in a single-member district; 2) the minority group is politically cohesive; and 3) there is “white bloc voting” sufficient usually to prevent minority voters from electing candidates of their choice. Stated another way, the racially predominant voting group effectively submerges the voting strength of a politically

cohesive racial minority. If a plaintiff proves these three elements, then the federal court will consider whether, under the "totality of circumstances", minority voters have an equal opportunity to elect their chosen candidates in at-large election system.

The CVRA removes two of these factors. It eliminates at the liability stage what is known as the "geographically compact" FVRA precondition. It also purports to make proof under the "totality of the circumstances" test optional (although nearly every CVRA court case to date has included proof under the totality factors). Because the CVRA eliminates some of the elements that a plaintiff must prove, a lawsuit brought pursuant to the CVRA is substantially more difficult to defend against than a claim under the FVRA. As a result of the lower threshold for proving a claim under the CVRA, many jurisdictions have voluntarily switched to district-based election systems instead of facing litigation.

Because of the low standards necessary for a plaintiff to prevail in CVRA litigation, every public entity defendant since the CVRA was enacted in 2002, (except one that had the case dismissed after its voters enacted by-district elections during the pending litigation) has either lost in court or settled. To date, every government defendant has ultimately been forced to pay at least some portion of the plaintiff's attorney fees and costs. Awards in contested CVRA cases have reportedly ranged from approximately \$400,000 to over \$4,500,000. Few cases have been fully litigated under the CVRA because many jurisdictions decide to settle with the plaintiff and a growing number of jurisdictions are voluntarily choosing to change from an at-large election system to a district-based election system in order to avoid costly litigation.

Due to claims of abuses by some plaintiff's attorneys in CVRA cases, Elections Code Section 10010 offers a "safe harbor" cap of a maximum of \$30,000 on attorney's fees that a plaintiff would be entitled to recover if the target city, within 45 days of receipt of the plaintiff's demand letter, voluntarily adopts a Resolution of Intent to consider an ordinance to establish a district-based election system, and then actually adopts such an ordinance within 90 days following the date it adopted the Resolution of Intent. However, if the City decides not to change its election system and plaintiff files an action and prevails, Section 10010's \$30,000 cap would not apply, and the City would be liable for plaintiff's attorneys' fees and expert witness costs, if plaintiff prevails.

DISCUSSION

By January 14, 2021 (within 45-days after the City's receipt of the November 30, 2020 letter from Mr. Shenkman), the City Council will need to decide if it wants to consider starting a process of establishing district-based elections. The letter threatens costly litigation if the City Council chooses to not adopt a Resolution of Intent to implement a district-based election system on or before January 14, 2021. If successful, such a lawsuit would force a district-based election system upon the City, with districts drawn by the City, but approved by the Court after a finding of liability. In addition, election dates for each district could be determined by the court. To utilize the "safe harbor" as established by state law and cap potential attorney fees that the City could be required to pay, the City Council would need to adopt the Resolution of Intent (Attachment B) to initiate the transition to a district-based election system on or before January 14, 2021. (Elec. Code § 10010.) If the City Council adopts that Resolution of Intent, then the CVRA provides a 90-day

period to adopt the ordinance. However, the City and Mr. Shenkman have conceptually agreed to terms on a tolling agreement (Attachment C) that pushes the deadlines due to COVID-19 and the delayed Census 2020 results, which makes it impractical to complete the process within the required time period. The parties have selected October 1, 2021 as the deadline for adoption of the ordinance, with the steps being taken below:

- 1) Prior to drawing a draft map or maps of the proposed boundaries of the districts, the City would hold at least two public hearings over a period of no more than 30 days, at which time the public will be invited to provide input regarding the composition of the districts. (Elec. Code §10010(a)(1).) These “public hearings” are not City Council meetings, but community meetings organized by the City.
- 2) After the draft maps are drawn, the City would publish and make available for release at least one draft map and, if members of the City Council will be elected in their districts at different times to provide for staggered terms of office, the potential sequence of the elections would also be published. (Elec. Code §10010(a)(2).)
- 3) The City Council would hold at least two additional public hearings over a period of no more than 45 days, at which the public shall be invited to provide input regarding the content of the draft map or maps and the proposed sequence of elections, if applicable.
- 4) The first version of a draft map is required to be published at least seven days before consideration at a public hearing. If a draft map is revised at or following a public hearing, it is required to be published and made available to the public for at least seven days before being adopted.

FISCAL IMPACT

There will be significant staff and consultant time needed should the City transition to a district-based election system because the City must conduct at least five public hearings. Should the City Council adopt the Resolution of Intent, Mr. Shenkman could seek up to \$30,000 in attorney fees and costs (the “Safe Harbor” fee) from the City, but the City would be protected from litigation if it adopted a district-based election system within the statutory time frame. There will be additional legal and consultant costs related to this matter. If the Resolution of Intent is adopted, the City will thereafter need to undertake the process of public hearings, using the services of a demographer, translation and interpretation services, drawing district maps, and adopting those maps. These costs are estimated to be \$70,000.

RECOMMENDATION

That the City Council:

- 1) Adopt proposed resolution declaring its intention to transition from at-large to by district City Council elections;
- 2) Approve the Tolling Agreement between the City of Lakewood and the Southwest Voter Registration Education Project;

- 3) Authorize the Mayor to sign the agreement with National Demographics Corporation, subject to the approval as to form by the City Attorney;
- 4) Appropriate from the General Fund an amount not to exceed \$100,000 for costs associated with the process of adopting an ordinance to change the City's at-large system of electing city council members to a district-based election system, and attorney fees and costs that could be recovered by Mr. Shenkman.

Paolo Beltran *PB*
Deputy City Manager

Thaddeus McCormack *PB for TM*
City Manager

Attachment A: November 21, 2020 Letter from attorney Kevin Shenkman

Attachment B: Resolution of Intent to Transition to District-Based Elections

Attachment C: Tolling Agreement between the City of Lakewood and Southwest Voter Registration Education Project

Attachment D: Proposal from National Demographics Corporation



28905 Wight Road
Malibu, California 90265
(310) 457-0970

kshenkman@shenkmanhughes.com

0484 20 NOV 30 2020

VIA CERTIFIED MAIL

November 21, 2020

Office of the City Clerk
City of Lakewood
5050 Clark Avenue
Lakewood, CA 90712

Re: *Violation of California Voting Rights Act*

I write on behalf of our client, Southwest Voter Registration Education Project and its members residing in Lakewood. The City of Lakewood ("Lakewood" or "City") relies upon an at-large election system for electing candidates to its City Council. Moreover, voting within the City is racially polarized, resulting in minority vote dilution, and therefore Solvang's at-large elections violate the California Voting Rights Act of 2001 ("CVRA").

The CVRA disfavors the use of so-called "at-large" voting – an election method that permits voters of an entire jurisdiction to elect candidates to each open seat. *See generally Sanchez v. City of Modesto* (2006) 145 Cal.App.4th 660, 667 ("*Sanchez*"). For example, if the U.S. Congress were elected through a nationwide at-large election, rather than through typical single-member districts, each voter could cast up to 435 votes and vote for any candidate in the country, not just the candidates in the voter's district, and the 435 candidates receiving the most nationwide votes would be elected. At-large elections thus allow a bare majority of voters to control *every* seat, not just the seats in a particular district or a proportional majority of seats.

Voting rights advocates have targeted "at-large" election schemes for decades, because they often result in "vote dilution," or the impairment of minority groups' ability to elect their preferred candidates or influence the outcome of elections, which occurs when the electorate votes in a racially polarized manner. *See Thornburg v. Gingles*, 478 U.S. 30, 46 (1986) ("*Gingles*"). The U.S. Supreme Court "has long recognized that multi-member districts and at-large voting schemes may operate to minimize or cancel out the voting strength" of minorities. *Id.* at 47; *see also id.* at 48, fn. 14 (at-large elections may also cause elected officials to "ignore [minority] interests without fear of political consequences"), citing *Rogers v. Lodge*, 458 U.S.

613, 623 (1982); *White v. Register*, 412 U.S. 755, 769 (1973). “[T]he majority, by virtue of its numerical superiority, will regularly defeat the choices of minority voters.” *Gingles*, at 47. When racially polarized voting occurs, dividing the political unit into single-member districts, or some other appropriate remedy, may facilitate a minority group's ability to elect its preferred representatives. *Rogers*, at 616.

Section 2 of the federal Voting Rights Act (“FVRA”), 42 U.S.C. § 1973, which Congress enacted in 1965 and amended in 1982, targets, among other things, at-large election schemes. *Gingles* at 37; see also Boyd & Markman, *The 1982 Amendments to the Voting Rights Act: A Legislative History* (1983) 40 Wash. & Lee L. Rev. 1347, 1402. Although enforcement of the FVRA was successful in many states, California was an exception. By enacting the CVRA, “[t]he Legislature intended to expand protections against vote dilution over those provided by the federal Voting Rights Act of 1965.” *Jauregui v. City of Palmdale* (2014) 226 Cal. App. 4th 781, 808. Thus, while the CVRA is similar to the FVRA in several respects, it is also different in several key respects, as the Legislature sought to remedy what it considered “restrictive interpretations given to the federal act.” Assem. Com. on Judiciary, Analysis of Sen. Bill No. 976 (2001-2002 Reg. Sess.) as amended Apr. 9, 2002, p. 2.

The California Legislature dispensed with the requirement in *Gingles* that a minority group demonstrate that it is sufficiently large and geographically compact to constitute a “majority-minority district.” *Sanchez*, at 669. Rather, the CVRA requires only that a plaintiff show the existence of racially polarized voting to establish that an at-large method of election violates the CVRA, not the desirability of any particular remedy. See Cal. Elec. Code § 14028 (“A violation of Section 14027 **is established** if it is shown that racially polarized voting occurs ...”) (emphasis added); also see Assem. Com. on Judiciary, Analysis of Sen. Bill No. 976 (2001–2002 Reg. Sess.) as amended Apr. 9, 2002, p. 3 (“Thus, this bill puts the voting rights horse (the discrimination issue) back where it sensibly belongs in front of the cart (what type of remedy is appropriate once racially polarized voting has been shown).”)

To establish a violation of the CVRA, a plaintiff must generally show that “racially polarized voting occurs in elections for members of the governing body of the political subdivision or in elections incorporating other electoral choices by the voters of the political subdivision.” Elec. Code § 14028(a). The CVRA specifies the elections that are most probative: “elections in which at least one candidate is a member of a protected class or elections involving ballot measures, or other electoral choices that affect the rights and privileges of members of a protected class.” Elec. Code § 14028(a). The CVRA also makes clear that “[e]lections conducted prior to the filing of an action ... are more probative to establish the existence of racially polarized voting than elections conducted after the filing of the action.” *Id.*

Factors other than “racially polarized voting” that are required to make out a claim under the FVRA – under the “totality of the circumstances” test – “are probative, but not necessary factors to establish a violation of” the CVRA. Elec. Code § 14028(e). These “other factors” include “the history of discrimination, the use of electoral devices or other voting practices or procedures that may enhance the dilutive effects of at-large elections, denial of access to those processes determining which groups of candidates will receive financial or other support in a given election, the extent to which members of a protected class bear the effects of past discrimination in areas such as education, employment, and health, which hinder their ability to participate effectively in the political process, and the use of overt or subtle racial appeals in political campaigns.” *Id.*

The City of Lakewood’s at-large system dilutes the ability of Latinos and African Americans (each a “protected class”) – to elect candidates of their choice or otherwise influence the outcome of the City’s council elections.

As of the 2010 Census, Latinos comprised 30.1%, and African Americans comprised 8.7%, of the City’s population of 80,048. However, Latinos have generally not been represented on the Lakewood City Council, despite their significant proportion of the population and electorate. No Latino has been elected to the Lakewood City Council in the last decade, and no African American has ever been elected to the Lakewood City Council. The contrast between the significant Latino and African American proportions of the electorate and the historical dearth of Latinos and African Americans to be elected to the Lakewood City Council is outwardly disturbing and fundamentally hostile towards participation from members of these protected classes. While the City should be commended for appointing the first African American to the Lakewood City Council, ultimately it is elections, not appointments, that matter.

In light of the City’s underrepresentation of Latinos and African Americans, it is no wonder why Latino and African American residents do not emerge as candidates, feel marginalized, and have historically been excluded from meaningful participation in the City’s governance. Opponents of fair, district-based elections may attempt to attribute the glaring lack of candidates within protected classes to a lack of interest from their respective communities within the City. On the contrary, the virtual absence of protected class candidates to seek election to the Lakewood City Council reveals vote dilution. *See Westwego Citizens for Better Government v. City of Westwego*, 872 F. 2d 1201, 1208-1209, n. 9 (5th Cir. 1989).

The City of Lakewood’s election history is additionally illustrative. In 2017, for example, Justin Rodriguez received significant support from the City’s Latino

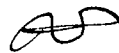
community, and Gregory Slaughter received significant support from the City's African American community; they both lost that election. In 2011, Marisa Perez was supported by the City's Latino community, but lost due to a lack of support from non-Hispanic white voters. Notably, Ms. Perez sought another office the following year in a district-based election system and prevailed. The 2011 and 2017 elections evidence vote dilution which is directly attributable to the City's unlawful at-large election system.

As you may be aware, in 2012, we sued the City of Palmdale for violating the CVRA. After an eight-day trial, we prevailed. After spending millions of dollars, a district-based remedy was ultimately imposed upon the Palmdale City Council, with districts that combine all incumbents into one of the four districts.

Given the historical lack of representation of Latinos and African Americans on the Lakewood City Council in the context of racially polarized elections, we urge the City of Lakewood to voluntarily change its at-large system of electing city council members. Otherwise, on behalf of residents within the jurisdiction, we will be forced to seek judicial relief. Please advise us no later than January 12, 2021 as to whether you would like to discuss a voluntary change to your current at-large system.

We look forward to your response.

Very truly yours,



Kevin I. Shenkman

RESOLUTION NO. 2021-2

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LAKEWOOD DECLARING ITS INTENTION TO TRANSITION
FROM AT LARGE TO BY DISTRICT CITY COUNCIL
ELECTIONS, PURSUANT TO CA ELECTIONS CODE
SECTION 10010

WHEREAS, in the City of Lakewood (the “City”), members of the City Council are currently elected in “at large” elections, in which each Councilmember is elected by the registered voters of the entire City; and

WHEREAS, in certain circumstances, California Government Code, Section 34886, authorizes a City Council to adopt an Ordinance to change from at large City Council elections to elections “by district,” in which each Councilmember is elected only by the registered voters in the district in which the candidate resides; and

WHEREAS, on November 30, 2020, the City received a letter from attorney Kevin Shenkman of Shenkman & Hughes, written on behalf of Southwest Voter Registration Education Project (“Southwest”) and its members, which letter alleges that the City’s at large election system violates the California Voting Right Act (the “CVRA”), and threatens litigation if the City does not voluntarily change to electing Councilmembers by district; and

WHEREAS, while the City denies that its at large election system violates the CVRA or any other applicable laws, and maintains that its election system is legal in all respects, the City Council wishes to avoid the potentially enormous costs involved in defending a lawsuit to attempt to vindicate the City’s contentions; and

WHEREAS, due to the uncertainty of the results of litigation, and in order to avoid costs of litigation which would likely be enormous even if the City were to prevail, the City Council has concluded that it would be in the public interest to commence the process to transition from at large to by district elections; and

WHEREAS, California Elections Code, Section 10010, provides a method by which a city can expeditiously change from an at large elections system to a by district elections system, and avoid the high cost of litigation; and

WHEREAS, Section 10010 provides a deadline for completion of the actions to be taken, but it permits a city and the party threatening litigation to extend such deadline; and

WHEREAS, COVID-19 restrictions and a resultant delay in the 2020 Census make it impractical for the City to complete the process within the time period set forth in Section 10010; and

WHEREAS, contemporaneously with the adoption of this Resolution, the City and Southwest have entered into a Tolling Agreement which extends the deadline for the City to take

the actions required by Section 10010, with an October 1, 2021, deadline for adoption of the required Ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD DOES RESOLVE AS FOLLOWS:

SECTION 1. The City Council hereby declares its intention to consider adoption of an Ordinance to transition to a by district system for electing City Councilmembers, beginning with the next regular municipal election to be held in 2022.

SECTION 2. The City Council authorizes and directs staff to work with the City's demographer and other persons as needed, to prepare a detailed analysis of the City's post-2020 Census demographics and any other data necessary to prepare a draft map or maps to divide the City into voting districts, consistent with the provisions of the CVRA.

SECTION 3. The City Council authorizes the staff to take all other actions necessary for the City to comply with the requirements of Section 10010 and other applicable laws.

SECTION 4. The City Council hereby declares its intention to take the specific steps, and approves the tentative timeline for taking such steps, as set forth in Exhibit A, attached hereto and made a part hereof. Such timeline may be adjusted by the City Manager if deemed necessary, provided that any such adjustments do not result in the City not being able to adopt the required Ordinance by October 1, 2021.

SECTION 5. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this Resolution, or any part hereof, is held invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this Resolution. The City Council hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause or phrase in this Resolution irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

SECTION 5. The City Clerk shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED THIS 12TH DAY OF JANUARY, 2021.

Mayor

ATTEST:

City Clerk

EXHIBIT A
TENTATIVE TIMELINE: CONVERSION TO ELECTIONS BY DISTRICT

<u>DATE</u>	<u>EVENT</u>
November 30, 2020	City received demand letter.
January 12, 2021	Adoption of Resolution of Intention; entry into Tolling Agreement.
February and March, 2021	Public outreach regarding process.
April 13, 2021	First Public Hearing.
April 27, 2021	Second Public Hearing.
After receipt of 2020 Census data	Preparation and posting of draft Maps and potential sequence of Council elections.
August, 2021	Third Public Hearing (regarding draft Maps).
August, 2021	Posting of amended draft Maps and sequence (if any).
September 14, 2021	Fourth Public Hearing; selection of Map; Introduction of Ordinance establishing district boundaries and election sequence.
September 28, 2021	Adoption of Ordinance.

TOLLING AGREEMENT

This Agreement is made and entered into with an effective date of January 12, 2021, by and between the City of Lakewood, a California general law city (“Lakewood”), and Southwest Voter Registration Education Project (“Southwest”).

Recitals

A. On November 30, 2020, Lakewood received a letter dated November 21, 2020, from attorney Kevin Shenkman of Shenkman & Hughes, sent on behalf of Southwest and its members. Said letter alleges that Lakewood’s at-large system for electing City Council members violates the California Voting Rights Act of 2001, and it demands that Lakewood convert to a system for electing City Council members by district.

B. On January 12, 2021, Lakewood adopted a resolution of intention to conduct the process of converting to district elections, pursuant to Section 10010 of the California Elections Code.

C. The parties desire to toll the deadlines for completion of such process, because COVID-19 restrictions and delayed 2020 Census results make it impractical to complete such process within the required time period.

Based on the Recitals set forth above, the parties hereby agree as follows:

1. Provided that Lakewood adopts an ordinance establishing district-based City Council elections no later than October 1, 2021, Southwest shall not commence an action to enforce Sections 14027 and 14028 of the California Elections Code.

2. The parties have selected October 1, 2021, jointly, as the deadline for ordinance adoption based on best available current Census timing data. If that deadline becomes problematic due to additional Census delays or COVID-19 issues, the parties shall negotiate in good faith regarding a potential extension of that deadline.

3. In the event of an agreed upon extension of such deadline, the district boundaries shall be established no later than six months before Lakewood’s next regular municipal election.

4. The signatories may execute this Agreement in counterparts, and may transmit such executed Agreements electronically.

Intending to be legally bound, the parties' authorized representatives have executed this Agreement below, as of the effective date hereof.

City of Lakewood

Southwest Voter Registration Education Project

Mayor

(By)

Attest:

City Clerk

Approved as to form:

City Attorney

Shenkman & Hughes

Kevin Shenkman



A Proposal to
City of Lakewood
for Demographic Services

By National Demographics Corporation
Douglas Johnson, President

January 6, 2021



National Demographics Corporation

January 6, 2021

City Manager Thaddeus McCormack
City of Lakewood
5050 Clark Avenue
Lakewood, CA 90712

Dear Mr. McCormack,

Thank you for the opportunity to provide this proposal to Lakewood. NDC has more than 40 years of experience districting and redistricting hundreds of cities, school districts and other local jurisdictions across California, including Bellflower, Compton, Carson, Torrance, La Mirada Buena Park, Fullerton and Anaheim (a full client list is available at www.ndcresearch.com/clients/). We welcome the opportunity to bring the firm's expertise and skills to assist the City.

For each project, there are certain required basic elements, and there are several options that the City can include or not at its option. NDC carefully tailors each project to the needs and goals of the individual client partner. NDC also welcomes the opportunity to work with our clients to encourage public participation in this process, as we offer several tools developed specifically for public engagement in districting and redistricting.

The attached proposal consists of a brief introduction; specific proposed project elements and options; timeline and cost information; conclusion; and signature section. NDC looks forward to working with you on this effort. Please call or email anytime if you have any questions, concerns, or requests regarding this proposal.

Sincerely,

Douglas Johnson
President



Table of Contents

Brief History of National Demographics Corporation	3
Company Philosophy.....	4
The NDC Team.....	5
Recognition of the NDC's Expertise	6
NDC Testimonials	9
Public Engagement	11
Project Scope of Work.....	15
Project Pricing.....	18
Other Potential Project-Related Expenses:	18
Additional Analysis.....	19
Details of Optional Project Elements	20
Requested Payment terms:	25
Conclusion	25
Proposal Acceptance.....	26
Resumes of NDC President Dr. Douglas Johnson and Vice President Dr. Justin Levitt.....	28



Brief History of National Demographics Corporation

NDC has served hundreds of local governments since our founding in 1979. While most of NDC's work is in California and Arizona, the firm has performed projects in all regions of the country, serving clients as varied as the States of Mississippi, Arizona, Florida and Illinois; Clark County (Nevada); the California counties of Merced, San Bernardino, and San Diego; the San Diego Unified School District; the City of Oakland; Yuma County (Arizona); the Arizona cities of Glendale, Mesa, Peoria, Phoenix, and Surprise; and relatively smaller jurisdictions such as the City of Bradbury and Clay Elementary School District.

The company is especially well known for its districting and redistricting work with local governments. NDC has established a reputation as the leading demographic expert on the California Voting Rights Act (CVRA), having performed demographic assessments of potential CVRA liability and/or moves to by-district elections for over 350 jurisdictions. No company has been responsible for addressing the electoral demographic needs of more local governments, as NDC has districted and/or redistricted more than 250 counties, school districts, cities, water districts, and other local jurisdictions.

Nationally recognized as a pioneer in good government districting and redistricting, NDC has unmatched expertise in the issues, questions, and decisions jurisdictions face in any discussion regarding districting, redistricting, the California and Federal Voting Rights Act and related election system choices.





Company Philosophy

Professionalism

NDC's personnel are nationally recognized as leaders in the districting field and are responsible for numerous books and articles on the subject. NDC possesses all the hardware and software necessary to meet the districting and redistricting needs of any jurisdiction, and its personnel have unmatched experience in the line-drawing side of this work, as well as in developing the databases used for these purposes. But more important are the firm's interpersonal skills and the team's understanding of the perspective of all parties in this process.

Local Leadership

NDC is an advisor and technical resource. The firm's role is to assist our clients through the complicated demographic and legal framework for their project. NDC shares its experience and expertise, but the final plan is selected by the jurisdiction's elected leaders, not NDC. The firm is sometimes criticized, usually by people from outside of the client jurisdiction, for not acting as an advocate or proselytizer for what these outsiders think is "right" for the client. But NDC team members are expert advisors, not proselytizers. NDC guides our clients through the process to a map that meets all legal requirements and the goals of our client – not the goals of outside critics. NDC welcomes the chance to assist each client through this process following the direction of the jurisdiction's elected leadership, key staff members, and the entire community.

Openness

Any change in election systems can have momentous implications for the distribution of political power in a jurisdiction and for access by groups and individuals to the governance process. Not surprisingly, such changes often attract considerable public attention, sometimes generate intense controversy, and may draw charges of manipulation and abuse of power. It is crucial, therefore, that the jurisdiction establish, at the beginning, a process that is not only fair, but that is seen to be fair, to all contending groups and individuals.

Public Engagement

NDC pioneered the "transparent districting" approach that involves the public at every stage of the process and the company invented the "public participation kit" back in 1990. But NDC's most valuable service is the firm's experience transforming often-contentious and passionate debates into thoughtful, constructive discussions focused on the options and outcomes rather than



National Demographics Corporation

individual personalities. NDC also has considerable experience working with translators in public forums and providing materials in English and Spanish.

NDC's approach has been widely praised in the media, and NDC has worked extensively with all types of press including radio, television, newspaper, and new media.

The NDC Team

NDC's 40 years of service to local governments is grounded in our academic founding and decades of professional relationships with all forms of local governments. Each NDC team member has been extensively trained in the legal requirements, demographic details, and complicated personal and community interests involved in every districting and redistricting project. And every NDC team member has been briefed on the wide range of unusual and bizarre challenges NDC has encountered over our more than 250 successfully completed local government projects. Whatever question or situation arises, your NDC team can handle it.

NDC President Dr. Douglas Johnson leads all team training and closely monitors the progress of every client project. NDC President Dr. Johnson and Vice President Dr. Levitt are always available to all clients, and typically are personally involved whenever particularly unusual or complex situations arise. And each NDC project has an NDC Consultant or Senior Consultant as a primary point of contact to ensure seamless information flows and continuity. All NDC project leaders are a fully trained Consultants or Senior Consultants with years of experience working with local government elected leadership and top staff members. Each NDC team leader brings their personal expertise in demographics, city governance, school district governance and/or special district management to every project. And each team leader has particular expertise and focus in specific geographic areas. All team members resumes are available on www.ndcresearch.com/about-us/.



Recognition of the NDC's Expertise

Both national and local organizations have recognized NDC's unmatched experience and expertise in the Census, districting, and redistricting.

National Recognition

Nationally, the National Conference of State Legislatures hosted NDC as a panelist at five different forums held for state legislators and legislative staff from across the country. NDC President Douglas Johnson addressed these forums on the following topics:

1. *Citizen Voting Age Data from a line-drawer's viewpoint*
2. *Communities of Interest in Redistricting: A key to drawing 2011 plans (and for their defense)*
3. *The Key to Successful Redistricting*
4. *Communities of Interest In Redistricting: A Practical Guide*
5. *The Arizona Independent Redistricting Commissions' experiences with the first-ever independent redistricting*

In addition:

- The National League of Women Voters hosted NDC President Douglas Johnson at a 2006 conference on “Building a National Redistricting Reform Movement,”
- Texas Tech University hosted Dr. Johnson as a panelist at its “Symposium on Redistricting;”
- The Arizona League of Cities and Towns hosted Dr. Johnson as a panelist on “Redistricting Law and the Voting Rights Act: What It Means for Your City or Town in 2011” and
- The Arizona Bar Association hosted Dr. Johnson as a panelist on “Communities of interest and technology in redistricting.”

California League of Cities Recognition

The California League of Cities hosted NDC as panelists over a dozen times to date:

General Meeting panel: 2006 and 2015

Executive Forum panel: 2018 and 2020

City Clerk Department panel: 2014, 2017, 2018, twice in 2019, and 2020

City Manager Department panel: 2015 and 2019

City Attorney Department panel: 2018



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Inland Empire Chapter presentation: 2016

South Bay Chapter presentation: 2020 and 2021

Recognition by Additional California Organizations

Other California organizations and conferences since 2011 recognizing NDC's expertise in this field by featuring NDC as panelists and presenters include:

“Voice of San Diego” Politifest

Associated Cities of California – Orange County (2015 and 2020)

California Association of School Business Officials

California County Counsel Association

California Municipal Law Conference

California School Board Association (2015, 2017, 2018)

California Special Districts Association (2018, 2019, 2020)

California Special Districts Association

California Special Districts Association

Channel Cities Club

County Committee Secretaries Annual Summit

Los Angeles County School Boards Association

Los Angeles County School Business Officials

Los Angeles County School Trustees Assoc.

Riverside County Bar Association

Rose Institute of State and Local Government

UC's National Public Service Law Conference

USC City/County Fellowship Program

Trusted Advisor to Local Government and Redistricting Reform Groups

NDC acted as an informal advisor to the California League of Cities and the California School Board Association during the debate over the AB849 “FAIR MAPS Act” in 2019.

NDC acted as an informal advisor to the California League of Cities during the debate over AB1276 (revising the FAIR MAPS Act provisions) in 2020.

NDC provided ideas, advice, maps and research to the 2008 Common Cause-led coalition that drafted and successfully advocated for Proposition 11, which created California's State-level Independent Redistricting Commission.



National Demographics Corporation

Advisor to Charter Review Commissions on Redistricting Provisions

NDC advised the following groups on the redistricting and voting rights provisions of their charter revisions and ordinances:

2016	City of El Cajon charter revision and public education outreach
2015/16	Castaic Lake Water Agency and Newhall County Water District merger
2015/16	City of Corona Charter Revision
2011/12	Pasadena Unified advisor to Charter Revision Commission creating a redistricting commission and moving District to by-district elections
2009/10	City of Menifee advisor to by-district-elections ordinance language committee
2006-08	City of Modesto advisor to Charter Revision Commission creating an independent redistricting commission and public education outreach
2003	City of Goleta ordinance writing and public education outreach

Expert Witness and Litigation Consultant

NDC President Douglas Johnson served as an expert witness in the following election and redistricting law cases:

2020	Chestnut v Merrill (Alabama)
2019	City of Redondo Beach vs State of California
2019	Ruiz-Lozito vs West Contra Costa Unified School District
2019	Common Cause v Lewis (North Carolina)
2018	Phillip Randolph Institute v Smith (Ohio)
2018	League et al. v. Johnson (Michigan)
2017	Luna v County of Kern
2018	Covington v State of North Carolina
2016	Garrett v City of Highland
2015	Jamarillo v City of Fullerton
2015	Harris vs Arizona Independent Redistricting Commission
2015	Solis v Santa Clarita Community College District
2015	Jauregui et al vs City of Palmdale
2014	Diego v City of Whittier



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NDC Staff also served as litigation consultants for jurisdictions in the following California Voting Rights Act cases:

1. Anaheim
2. Carson
3. Compton
4. Escondido
5. Modesto
6. Poway
7. Santa Clarita
8. Whittier
9. Santa Clarita Community College District
10. Tulare Health Care District

NDC Testimonials

Here is a sampling of what NDC's people have to say about NDC:

"Here's a great expert. . . . today you bring him in for what sounds like good information, very smart man up here."

United States Fourth District Court Judge James A Wynn, Covington v North Carolina, United States District Court for the Middle District of North Carolina, Case No. 1:15CV399

"I have worked on Congressional, Legislative, Los Angeles County and Los Angeles City redistricting maps on behalf of the Latino Caucus and grassroots Latino organizations for over 30 years. Douglas Johnson is one of the top redistricting experts in California, and he is who I would pick to draw a map for me anywhere in the state."

Alan Clayton, retired Executive Director of the Los Angeles County Chicano Employees Association

"The excel spreadsheet is a fantastic tool. Just plug in the letter by district and on the tab see a running total of population by assigned district. It's cool."

Modesto resident's comment, June 16, 2008

"One of the first, and in retrospect one of the best, decisions made by our commission was to hire Douglas Johnson and his colleagues at National Demographics Corporation as our primary consultants. I have never had the



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opportunity to work with a more highly qualified, hard-working, dedicated, professional and classy individual or group than Mr. Johnson and his associates at NDC.”

Jim Huntwork, Arizona Independent Redistricting Commissioner
(Republican)

“In addition to his technical expertise, Doug had a keen sense of how to help us navigate the complexities of the process. He understands redistricting better than any person I know. He has a unique ability to synthesize that which is very complicated and make it very understandable for the public. He frequently would present various options, without representing any position, clearly delineating differences and challenges of each option in a clear and succinct manner.”

Josh Hall, Arizona Independent Redistricting Commissioner (Democrat)

“It was a great pleasure to work with Doug Johnson and NDC during the first Independent redistricting effort in Arizona. Doug and his staff were professional, efficient, responsive, and even-handed. They listened very carefully to the instructions given by the commission and performed each mapping task without bias of any kind. I would highly recommend NDC to any jurisdiction, or commission, wishing to have a successful redistricting process.”

Steven W. Lynn, Chair, Arizona Independent Redistricting Commission
(Independent)

“Thank you for all of your hard work, assistance, and patience with me during this year of CVRA conversion to by-area trustee elections. Your continual reassurance and support in dealing with all of the details was sincerely appreciated. We all have jobs to do, but when working with all of you I felt that you always went the extra mile to support our District with excellent customer service. The multiple revisions, extra conference calls, and follow up suggestions made a difference to Scott, Linda, and me. I personally enjoyed joking around with each of you while remaining professional in all presentations. It was a pleasure working with all of you. “

Jennifer Williams, Ed. D., Fullerton Joint Union High School District,
Executive Director Administrative Services

“Thank you for taking time out of your busy schedule to participate in the City Official Roundtable I hosted on the 2020 U.S. Census at the Redondo Beach Performing Arts Center. I appreciate that you shared your expertise on the



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Census to the government officials who were present. It is critical that we work together to ensure that everyone is counted in the upcoming Census.”

Ted W. Lieu, Member of Congress, California 33rd District.

Public Engagement

The Three E's of Public Participation: Engage, Educate, and Empower

NDC's "Three E's" approach recognizes the complex and daunting nature of districting and redistricting projects, while emphasizing the importance of public participation in such projects.

Given the complexity of the issue, the public cannot be expected to jump in with constructive ideas and input without encouragement. So NDC's approach begins with the first "E": **Engage**. NDC works with our clients to get the word out about why the project matters – and how input from residents can be a decisive element of the project.

Once their interest is engaged, the second "E" is **Educate**. Most media coverage of this topic focuses on congressional gerrymandering, giving the entire field a tainted and hopeless feel. NDC works with our clients to explain how local districting and redistricting is based on neighborhoods and communities – not national politics. We educate the public on the data, requirements and goals of redistricting, and on the many ways residents can formulate and share their own maps or other constructive input.

The third "E" is **Empower**. For those projects where the level of public interest and engagement justify the expense, NDC offers an unmatched array of paper, Excel-based, and online mapping tools that residents can use to draw detailed, population-balanced maps for consideration by the jurisdiction.

When included in a project, NDC has seen considerable public interest in these optional public participation tools. Often five, ten or even twenty or thirty draft maps are proposed by community residents. And NDC developed a highly refined and proven methodology for efficiently guiding our clients through selecting and refining a map, even when starting from 10, 20, 30 or more initial draft maps.

For those jurisdictions where the expense of the optional mapping tools is too high, NDC always welcomes any letters, comments, or hand-drawn maps that residents wish to submit during the districting or redistricting process.

For every project, at no extra expense, NDC includes an online “interactive review map” that allows residents to analyze draft maps zooming in and out, searching for specific addresses, and by changing between street maps, satellite images, and other underlying base maps.

Sample Public Participation Mapping Tool

Public Participation Kit

Each number indicates the total population of that "population unit" area. Each district must have essentially equal population.

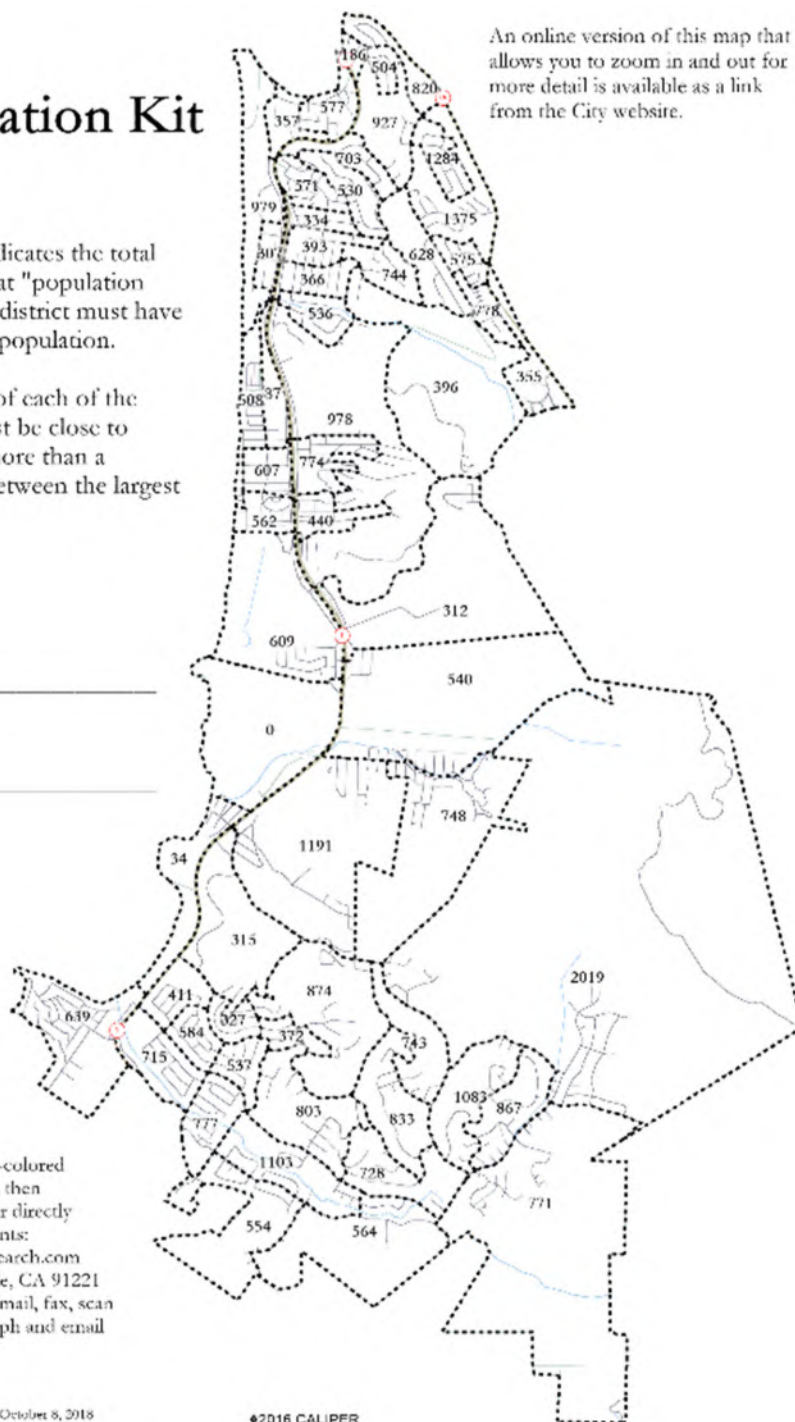
The population of each of the five districts must be close to 7,447, with no more than a 745 difference between the largest and smallest.

Name:

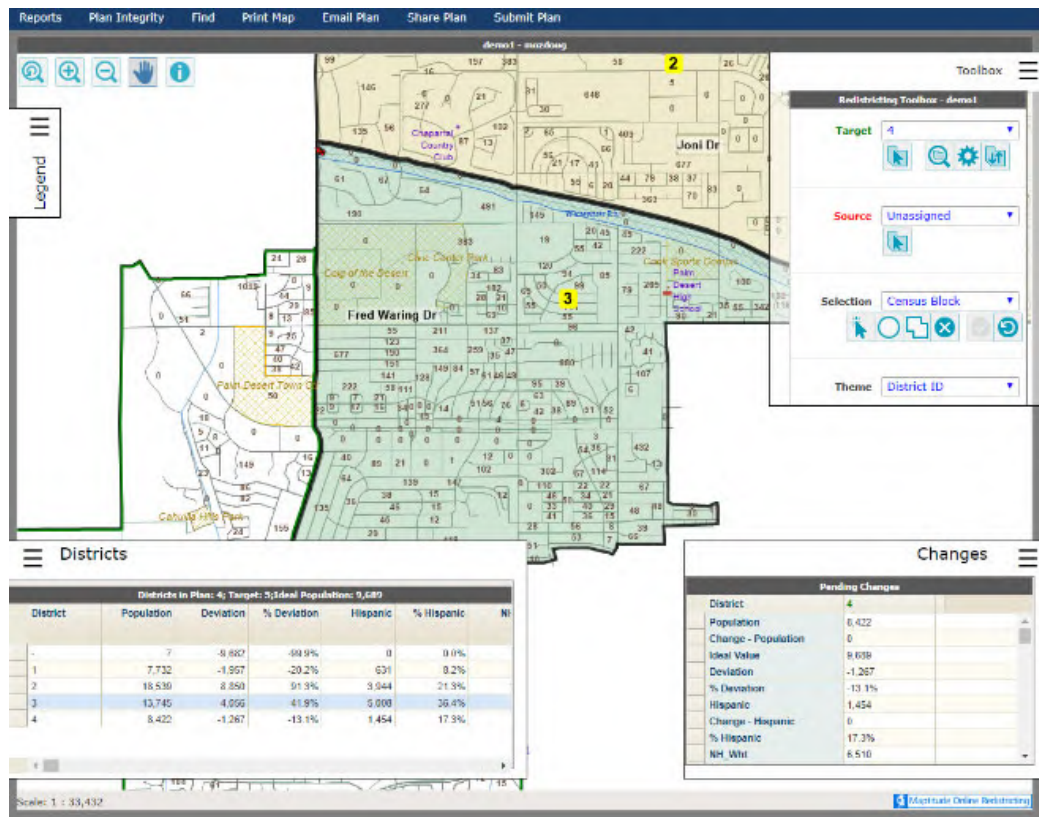
Phone or email:

Please use a thick dark-colored pen to draw your map, then submit it at City Hall or directly to our project consultants:
 Submission@NDCresearch.com
 PO Box 5271, Glendale, CA 91221
 You can hand-deliver, mail, fax, scan and email, or photograph and email your map.

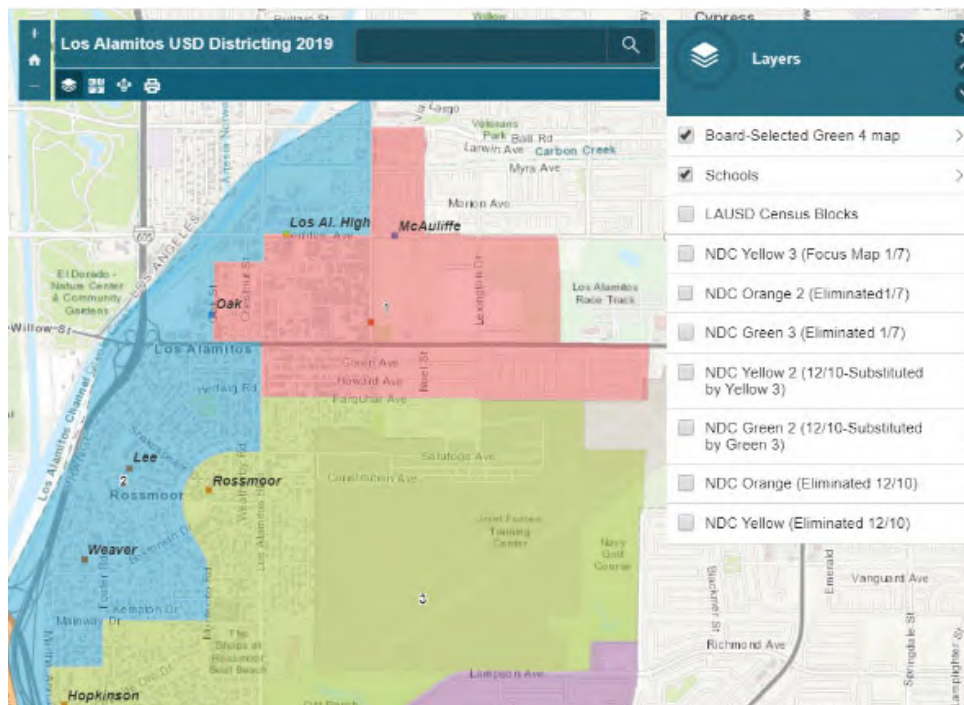
An online version of this map that allows you to zoom in and out for more detail is available as a link from the City website.



Sample Online Mapping Tool



Sample NDC “Interactive Review Map” (used to view and evaluate, not to draw, maps)





National Demographics Corporation

Impeccable References

All of NDC's former clients – without exception – can be contacted for references. The following is only a sample of references:

Mr. Graham Mitchell. City Manager. City of El Cajon. 200 Civic Center Way. El Cajon. CA 92020. (619) 441-1716. GMitchell@cityofelcajon.us.

Mr. Jason Stilwell. City Manager. City of Santa Maria. 110 E. Cook Street. Santa Maria. CA 93454-5190. (805) 925-0951 ext. 2200. jstilwell@cityofsantamaria.org.

Mr. Marcus Walton. Communications Director. West Contra Costa Unified. 1108 Bissell Ave., Room 211-215. Richmond, CA 94801. 510-205-3092. mwalton@wccusd.net.

Mr. Jonathan Vasquez. Superintendent. Los Nietos School District. 8324 S. Westman Ave., Whittier, CA 90606. (562) 692-0271 Ext. 3212 jonathan_vasquez@lnsd.net.

Ms. Jennifer Fitzgerald, Mayor, City of Fullerton. 303 W. Commonwealth Avenue. Fullerton, CA 92832. (714) 402-3106. jennifer@curtpringle.com.

Mr. James Atencio. Assistant City Attorney. City of Richmond. 450 Civic Center Plaza. Richmond, CA 94804. 510-620-6509. James_Atencio@ci.richmond.ca.us.

Ms. Isabel Montenegro. Administrative Assistant. Inglewood Unified. 401 South Inglewood Avenue, Inglewood, CA 90301. 310-419-2799. imontenegro@inglewood.k12.ca.us.

Ms. Pam Abel. Superintendent. Modesto City Schools. 426 Locust Street. Modesto. CA 95351-2631. (209) 574-1616. able.p@mcs4kids.com.

Mr. Darrell Talbert. City Manager. City of Corona. 400 S Vicentia Avenue. Corona. CA 92882-2187. 951.279.3670. Darrell.Talbert@ci.corona.ca.us.

Mr. David Silberman. Deputy County Counsel. San Mateo County. 400 County Center. 6th Floor. Redwood City. CA 94063. 650-363-4749 dsilberman@smcgov.org.

Judge Hugh Rose (retired). Chairman. City of Modesto Districting Commission. 508 King Richard Lane. Modesto. CA 95350. Phone (209) 522-0719. Email: hrose@hotmail.com.

Ms. Lucinda Aja. City Clerk, City of Buckeye, Arizona. 100 N Apache Rd, Suite A, Buckeye, AZ 85326. Phone (623) 349-6007. Email: laja@buckeyeaz.gov.

Ms. Randi Johl, Director of Legislative Affairs/City Clerk. City of Temecula. 41000 Main Street. Temecula, CA 92590. 951-694-6444. Randi.Johl@temeculaca.gov.



Project Scope of Work

NDC tailors each districting project to the needs and goals of each jurisdictions. Below is a typical NDC-suggested timeline and description of project elements.

The dates provided below are general guidelines and will vary according to the goals, project choices, and deadlines of each jurisdiction.

For jurisdictions that need to complete the project within the 90-day “safe harbor” provisions of the California Voting Rights Act, the process would be accelerated to meet that deadline.

January – March, 2021: Project Planning and Public Outreach

- a. NDC works with the jurisdiction staff (or contract specialized outreach staff – see notes below about that option if interested) to prepare a project outreach plan for all steps of the process covering target audiences, contact lists, social media efforts, any potential postcard mailings, utility bill inserts, flyers for distribution at schools, media briefings, and community group contacts.
- b. Decide what public mapping tool(s) to provide, if any.
- c. Decide whether to use a commission.
- d. Create the project website: NDC will provide advice and text for the jurisdiction’s website, or as an optional project element NDC will build a project website that the jurisdiction can simply link to from the jurisdiction site.
- e. NDC will work with jurisdiction and County Registrar staff to confirm GIS boundaries and to identify and include in our redistricting database any available GIS data that NDC and the jurisdiction identify are likely to be useful as mapping references for NDC, the public, and for the jurisdiction.
- f. Project outreach begins with initial alerts and ‘invitations to participate’ sent out to the general public, to overlapping jurisdictions, and to community organizations.

April 13 and 27, 2021: First Two Public Hearings

- a. NDC presents an overview of the redistricting laws and criteria, process, jurisdiction demographics, and opportunities for public input.



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- b. If the optional public mapping tools and/or Public Participation Kit are included in the project, their use is demonstrated to the public.
- c. Public input collected on communities of interest and resident preferences and priorities for redistricting.
- d. Following the April 27th hearing, Council votes on list of neighborhoods and communities that meet the Elections Code Sections 21500, 21601 and 21621 definition of “shares common social or economic interests that should be included within a single district for purposes of its effective and fair representation.”

May, 2021: Census Data Release and Analysis

- e. Census data released and California Statewide Database completes “prison adjustments” of the data.
- f. NDC adds socio-economic data from the Census Bureau’s American Community Survey to the state demographic data.
- g. NDC prepares maps of “protected class” population concentrations and other socio-economic data often referenced in redistricting (such as income, education levels, children at home, language spoken at home, renters / home owners, and single-family / multi-family residences).

June – July, 2021: Draft Mapping Time

- h. Outreach efforts continue with messaging reminding the public of the opportunity to provide written or mapped input on how the maps should be drawn, and welcoming any maps residents wish to submit.
- i. If the optional public mapping tools and/or Public Participation Kit are included in the project, NDC provides email and phone support for any residents with questions regarding their use.
- j. The public deadline for submitting any initial draft maps will be approximately seven days prior to the official deadline to post all draft maps online (to provide NDC time to process any draft maps received, and for NDC to develop our own two to four initial draft maps), and fourteen days prior to the August public hearing to discuss draft maps.
- k. All outreach channels are used to inform the public about the opportunity to submit draft maps and to encourage participation in the review of the upcoming draft maps.



August, 2021: Initial Map Review and Revisions

- l. NDC processes all public draft map submissions, drafts NDC's draft maps, summarizes all of the draft maps. The maps, related demographics, and summaries are provided by NDC in web-friendly formats. These process maps are posted on the project website and on the NDC-provided interactive review map.
- m. At the jurisdiction's option, one or more informal workshops or public forums are held to gather residents' reactions to and preferences among the draft maps.
- n. The jurisdiction holds a Council hearing to review the draft maps, narrow down the list of initial draft maps, and provide direction on any desired new or revised maps.
- o. Any new or revised maps, related demographics, and summaries are posted on the project website.

September, 2021: Map Adoption

- p. At the jurisdiction's option, one or more informal workshops or public forums are held to gather residents' reactions to, and preferences among, the remaining maps.
- q. First Council meeting in September: public hearing is held, map selected, and final ordinance introduced.
- r. Second Council meeting in September: public hearing, second reading and adoption of districting ordinance.
- s. Following map adoption, NDC coordinates map implementation with the County Registrar, informing the jurisdiction staff of the progress, any issues, and ultimate completion of that work.
- t. NDC works with the jurisdiction staff to ensure preservation of all project data and records, including GIS-format versions of the adopted map.



Project Pricing

1. **Basic Project Elements** (covers everything except for per-meeting and optional expenses):..... \$ 27,500

2. **Per-Meeting expense:**

- In-person attendance, per meeting \$ 2,750
- Virtual (telephonic, Zoom, etc.) attendance, per meeting..... \$ 1,250

For each meeting, NDC will prepare meeting materials, including presentation materials and maps; present and explain key concepts, including mandatory and traditional redistricting criteria and “communities of interest”; facilitate conversations; answer questions; and gather feedback on the proposed boundaries.

Per-meeting prices include all travel and other anticipated meeting-related expenses. Telephone calls to answer questions, discuss project status, and other standard project management tasks do not count as meetings and do not result in any charge.

3. **Optional Project Elements:**

a) Project website \$ 4,500

b) Online mapping tool options:

- a. Caliper’s “Maptitude Online Redistricting” \$ 10,500
- b. Tuft University’s “DistrictR”no charge
- c. ESRI Redistricting *

c) Public Participation Kit (PDF/Excel) mapping tool:

- i. With online mapping tool.....included at no additional charge
- ii. Without online mapping tool..... \$ 4,000

d) Working with independent or advisory redistricting commission..... no additional charge

e) Additional outreach assistance.....separately contracted

* ESRI prices its software on a jurisdiction-by-jurisdiction basis. The lowest prices we have seen are \$80,000 and up. If that is an option the jurisdiction would like to pursue, NDC will request a specific price for your jurisdiction from ESRI.



Other Potential Project-Related Expenses:

The most common additional project expenses would be any site or staff costs for conducting the community forums and the cost of printing or copying paper copies of the “Public Participation Kit.” In NDC’s experience, most participants will download and print the Kits in their own homes or offices.

Additional Analysis

NDC is happy to assist with any additional analysis that the client requests at our standard hourly rates:

Principal (Dr. Douglas Johnson).....	\$300 per hour
Vice President (Justin Levitt)	\$250 per hour
Senior Consultant	\$200 per hour
Consultant.....	\$150 per hour
Analyst / Clerical	\$50 per hour

Dr. Johnson is also available for deposition and/or testimony work if needed, at \$350 per hour.

Details of Optional Project Elements

Advisory or Independent Redistricting Commissions

NDC anticipates that many California jurisdictions will create advisory or independent commissions to manage the redistricting process. NDC welcomes the use of such commissions, and our pricing does not change for jurisdictions creating commissions. But the creation, training, operation and reporting of such commissions often leads to more meetings (and a resulting increase in the “per meeting” project expenses) than a traditional redistricting process conducted primarily by the jurisdiction’s elected leadership.

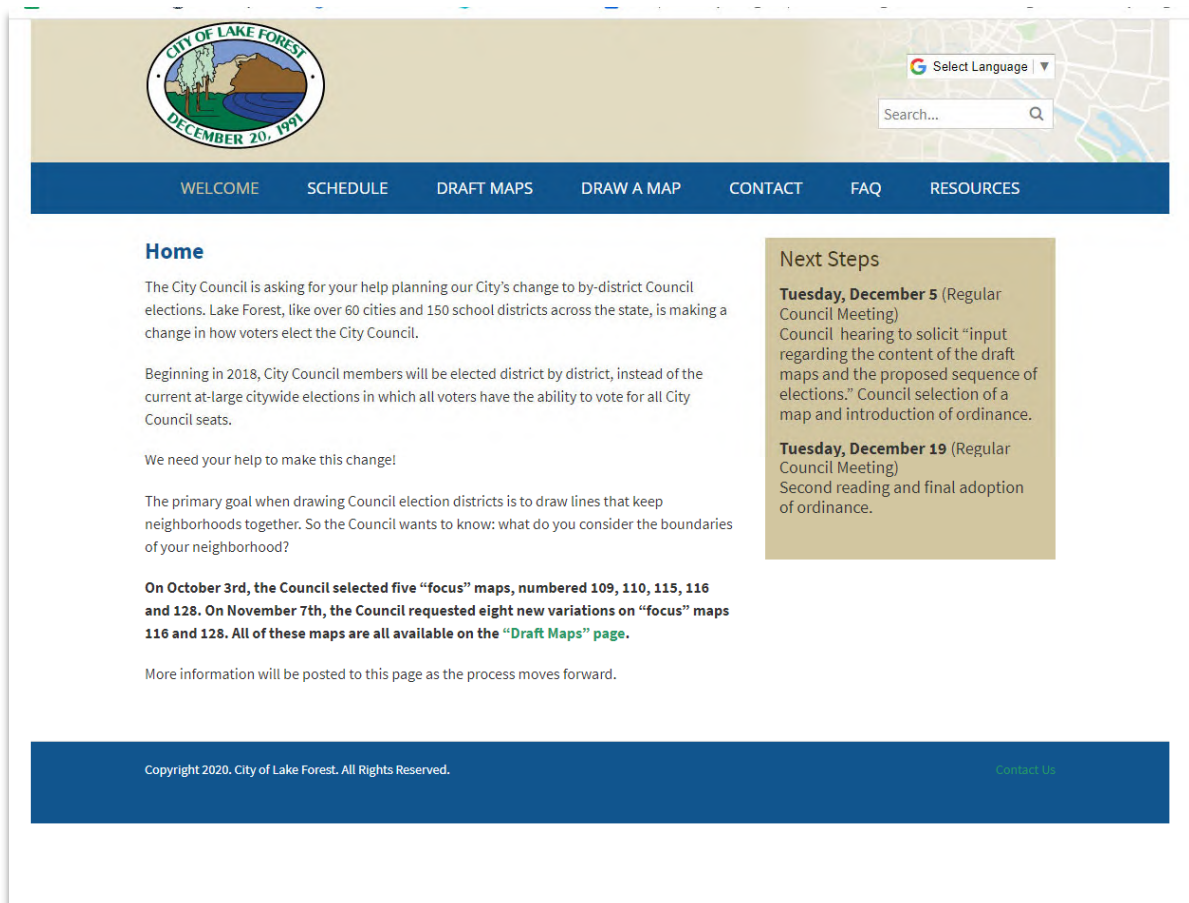
Outreach Assistance

NDC brings topical expertise to your jurisdiction’s outreach efforts, and NDC makes available to all clients our library of sample outreach materials including op-ed articles, postcards, utility bill inserts, flyers, and social media messages. NDC provides all of these materials along with our advice and input on outreach strategy and materials to any interested jurisdiction, but we do not have graphic artists to customize or design such materials in-house.

For larger-scale outreach efforts, especially where jurisdictions wish to send representatives out to regular meetings of existing community organizations, NDC typically works together with a jurisdiction’s in-house communications staff and/or with one or more outreach organizations. We have a number of firms we recommend, and we would be happy to work with any in-house team at the jurisdiction or with any firm or organization the jurisdiction selects. Projects with this level of outreach are relatively rare, as most projects can be handled by the jurisdiction’s existing communications team using the samples, templates and advice NDC provides.

Project Website

NDC provides all project materials in website-friendly formats for posting on the jurisdiction’s website. At no cost, NDC will provide project website samples and website language for use on the jurisdiction’s project website. But for jurisdictions that prefer not to take on the challenge of creating and managing a rapidly-changing project website, NDC will create, host, and update project website (visit to see one such site – though note that site was created prior to passage of the new AB849 requirements).



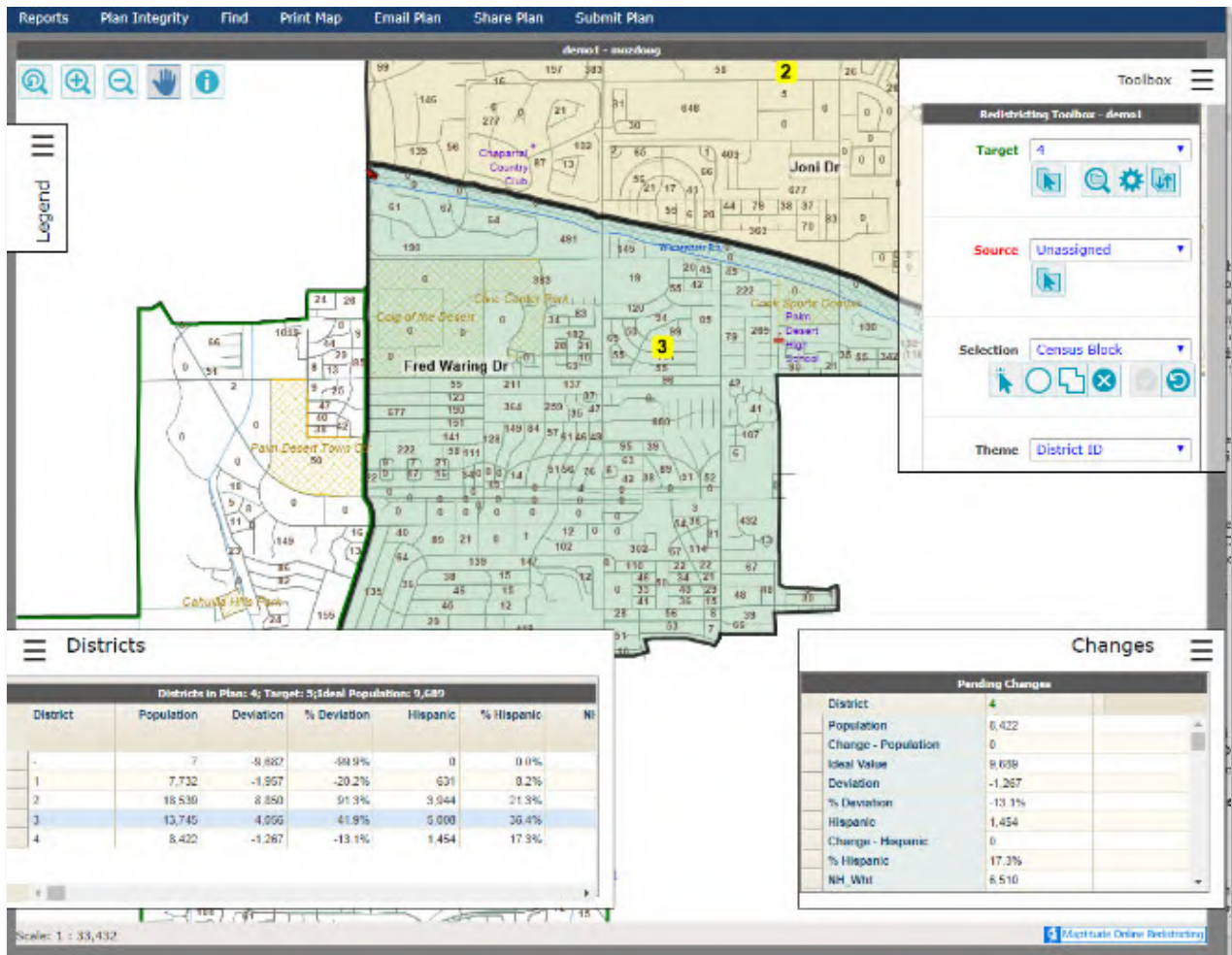
Background on Online Mapping Tool Options

NDC is the unmatched leader in redistricting tools that empower residents to review draft maps and to develop and submit their own map proposals. NDC is the only firm that has used the online mapping solutions from both ESRI and Caliper Corporation in major redistricting projects. And only NDC has repeatedly trained members of the public, processed public map submissions, and presented the public map proposals to public hearings and commission meetings. NDC's online mapping tool options provide user support, hosting, managing, and processing submitted plans for an online interactive system that allows public to draw and submit proposed maps through a standard web browser.

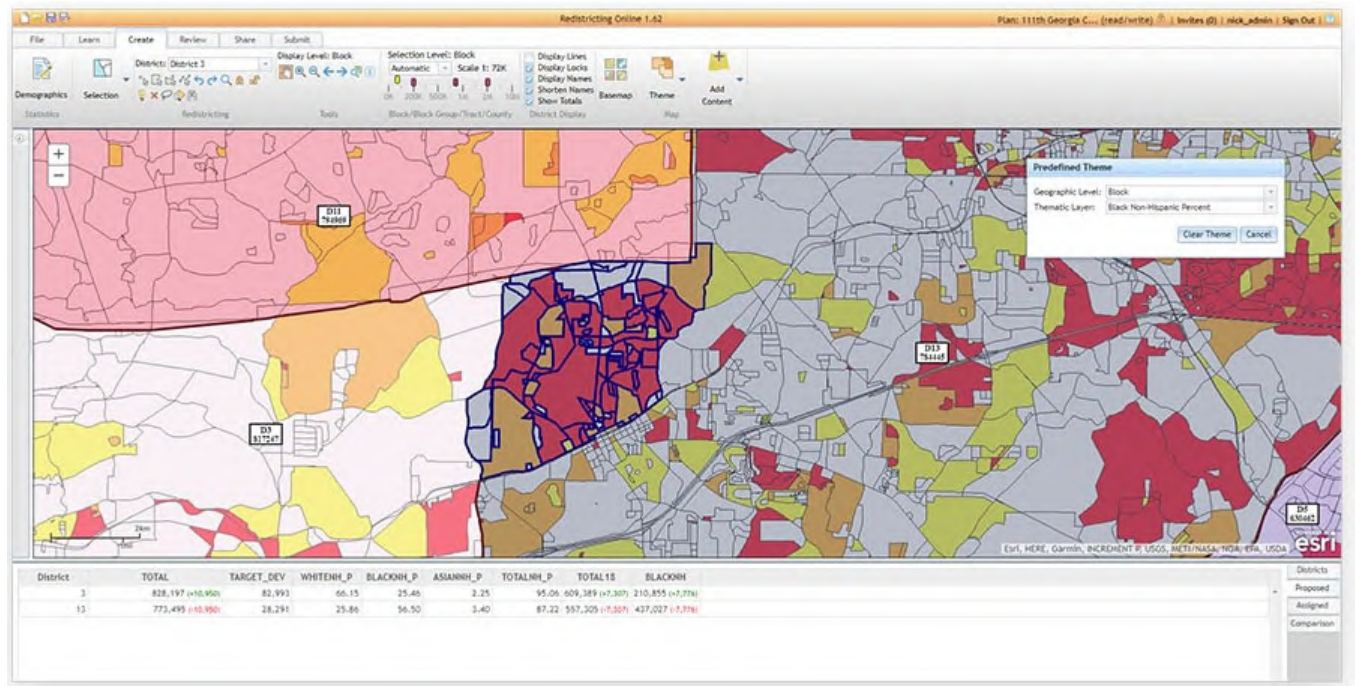


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In the more than 200 California local districting projects between 2012 and 2020, NDC is the only consultant providing clients access to Caliper Corporation's "Maptitude Online Redistricting" tool. Even with the technical challenges arising from such tools' power and flexibility, NDC's training and encouragement frequently results in 10, 20, 30 or more different maps drawn by residents of the school district or city providing that tool to its residents.



The other primary public mapping tool currently on the market is ESRI's online districting tool. While easy to use, the ESRI product currently takes a month or more to deploy and typically costs significantly more. As a result, traditionally only the largest jurisdictions with lots of project startup time have been able to use it.



When it is time to start the project, NDC will work with each interested client to determine which, if any, online mapping tool best meets the goals and budget of the jurisdiction.

Paper- and Excel-based Public Mapping Tools

While online mapping tools are very popular, NDC never forgets those residents who do not have internet access or who simply prefer to not drawing maps online.

At no cost with every online mapping tool, and as a separate option for jurisdictions that for budget or other reasons do not include an online mapping tool, NDC offers our “Public Participation Kit.” Each “Kit” includes two formats.

The first, and most simple, Kit is a one-page map showing streets, city borders, and population counts for NDC-created “Population Unit” geographic areas. Residents draw the map they wish to propose and add up the population counts by hand until they get the right population count in each district. All of the directions needed are right on the single-page form. Examples of these tools, from our work for the City of Lake Forest, are available here: <https://drawlf.org/draw-a-map/>.

The second form of offline mapping tool is for those residents who do not want to deal with an online mapping tool, but who are already comfortable with Microsoft Excel. NDC provides a similar simple one-page map of those same “Population Units,” but this time the map shows the Unit ID number rather than the population count in that Unit. Residents then enter their preferred district assignment for each Population Unit into the pre-formatted Excel spreadsheet (also available on the Lake Forest website), and Excel calculates the total population and demographics of each District. When the resident has the map the way they like it, they simple email in the Excel file.

Public Participation Kit

Each number indicates the total population of that "population unit" area. Each district must have essentially equal population.

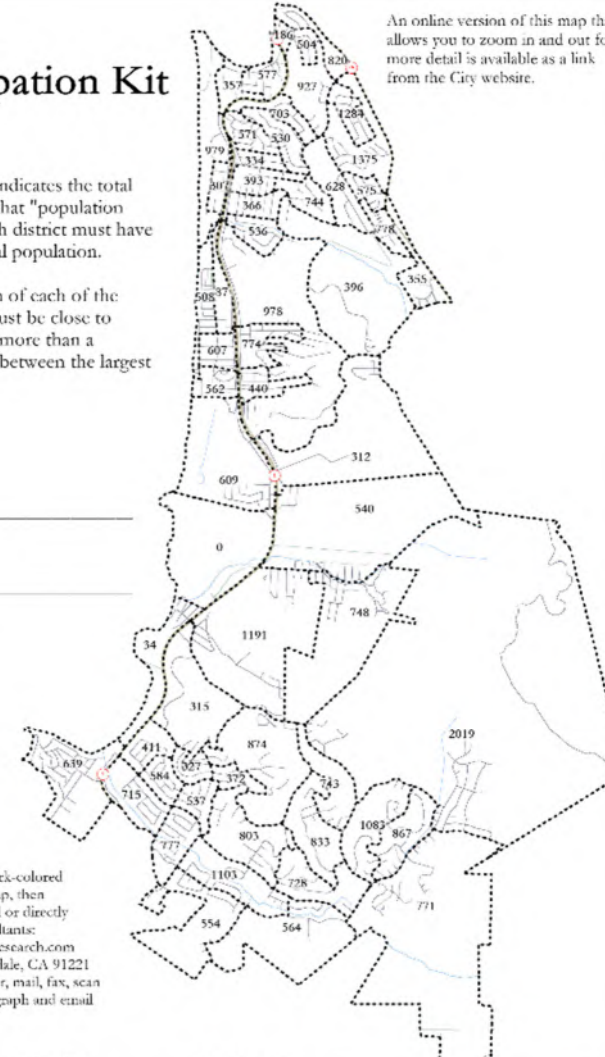
The population of each of the five districts must be close to 7,447, with no more than a 745 difference between the largest and smallest.

Name: _____

Phone or email: _____

Please use a thick dark-colored pen to draw your map, then submit it at City Hall or directly to our project consultants:
 Submission@NDCresearch.com
 PO Box 5271, Glendale, CA 91221
 You can hand-deliver, mail, fax, scan and email, or photograph and email your map.

National Demographics, October 8, 2018 #2016 CALIPER





Requested Payment terms:

NDC requests that one-half of the “Basic Project Elements” fee be paid at the start of the project, with the balance of the project costs paid at the conclusion of the project.

Conclusion

Since its founding NDC has been the nation’s preeminent company devoted to local election systems. To summarize:

- NDC has more experience in the field of municipal political election systems than any other company.
- NDC’s experience and expertise has been recognized by our hundreds of clients, the California League of Cities, the California School Board Association, the California Special District Association, and the National Conference of State Legislatures.
- NDC, founded in 1979, has a demonstrated record of financial solvency.
- NDC’s hardware and software resources were specially designed and acquired for districting and redistricting purposes.
- NDC’s highly respected personnel have impeccable credentials in each aspect of the districting and redistricting processes.
- NDC’s suggested approach has been tested in many jurisdictions.
- Any NDC client can be contacted for testimonials and reference.
- NDC has demonstrated experience over many years in working with the press and media on local election system issues.
- Neither the Justice Department nor any Court has ever rejected any of the hundreds of local government districting or redistricting plan submitted by NDC.

NDC takes pride in tailoring each project to the needs and goals of each individual client. NDC is open to any feedback, concerns, requests, or changes regarding this proposal.

NDC looks forward to the opportunity to work with you on this project.



Proposal Acceptance

The terms of this proposal are available for 90 calendar days from its delivery to you. In most situations, NDC is open to extending that period of time to meet any particular needs of your jurisdiction.

If your jurisdiction has specific contract and/or letter of agreement language you prefer to use, please provide it and ignore the signature block below. If you prefer, simply sign two copies of this proposal in the signature block below and return them to NDC. Once signed by NDC, one copy will be returned to you.

Thank you.

For National Demographics Corporation

For Lakewood

Douglas Johnson, President

Date

Date

Appendix

Resumes of NDC President Dr. Douglas Johnson and Vice President Dr. Justin Levitt are attached.

A client list and resumes of all NDC team members are available at www.ndcresearch.com/about-us/.

Douglas Mark Johnson

P.O. Box 5271
Glendale, CA 91221
djohnson@NDCresearch.com

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office: (909) 624-1442
fax: (818) 254-1221

Employment

President, National Demographics Corporation, 2006 – present.
Senior Analyst, National Demographics Corporation, 2001 – 2006.
Fellow, Rose Institute of State and Local Government, 2001 – present.
Project Manager and Senior Manager at three internet startup companies, 1999 - 2001.
U.S. Representative Stephen Horn, Legislative Director and System Manager. 1993 – 1997.
Coro Foundation, Fellowship in Public Affairs. 1992 – 1993.
Rose Institute for State and Local Government, Student Manager. 1989 – 1992.

Education

Claremont Graduate University, Ph.D. in Political Science, 2015. Dissertation: “Independent Redistricting Commissions: Hopes and Lessons Learned.”
UCLA Anderson Graduate School of Management, MBA, 1999.
Claremont McKenna College, BA in Government (Political Science), 1992.

Academic Honors

Graduated Cum Laude from Claremont McKenna College.
Phi Beta Kappa. Philip Roland Prize for Excellence in Public Policy.

Publications and Articles

Christian Science Monitor “Let the public help draw voting districts,” October 25, 2013.
New York Times, "The Case for Open Primaries," February 19, 2009.
Los Angeles Times Opinion Articles:
 “A neighbor’s help on redistricting” June 24, 2007.
 “A Trojan horse primary for the GOP” February 25, 2007.
 “Where a porn palace stood” (article on redevelopment), July 30, 2006.
Fresno Bee Opinion Article: “The Poison Handshake” June 15, 2004.
Redistricting in America. Rose Institute of State and Local Government, 2010.
Restoring the Competitive Edge: California's Need for Redistricting Reform and the Likely Impact of Proposition 77. Rose Institute of State and Local Government, 2005.
"Competitive Districts in California" Rose Institute of State and Local Government, 2005.
Latinos and Redistricting: “Californios For Fair Representation” and California Redistricting in the 1980s. Rose Institute of State and Local Government, 1991.

Speaker or Panelist

California School Board Association Annual Education Conference panelist: “The California Voting Rights Act: What Board Members Must Know.” December 4, 2015.
Associated Cities of California – Orange County, Keynote Speaker, Newly Elected Officials’ Reception and Dinner, “The California Voting Rights Act,” January 29, 2015.
California League of Cities, City Manager Department, 2015 Department Meeting: “Opportunity to Engage Residents: The California Voting Rights Act.” January 29, 2015.
California League of Cities, City Clerk Department, 2014 Annual Meeting: “Whose Line Is It Anyway: Making the transition from at-large to by-district elections.” September 3, 2014.
National Conference of State Legislatures, Redistricting and Elections Standing Committee: 2007 Spring Forum, "The Arizona Independent Redistricting Commissions' experiences with the first-ever independent redistricting."
National Conference of State Legislatures, Redistricting and Elections Standing Committee: 2008 Spring Forum, "Communities of Interest In Redistricting: A Practical Guide."

Douglas Mark Johnson

National Conference of State Legislatures, Redistricting and Elections Standing Committee: 2009 Fall Forum, "The Key to Successful Redistricting."

National Conference of State Legislatures, Redistricting and Elections Standing Committee: 2010 Spring Forum, "Communities of Interest in Redistricting: A key to drawing 2011 plans (and for their defense)."

National Conference of State Legislatures, Redistricting and Elections Standing Committee: 2011 Winter Forum, "Citizen Voting Age Data from a line-drawer's viewpoint."

Luncheon Keynote Speaker, Santa Barbara's Channel Cities Club, "California's next experiment: independent, public redistricting," January 18, 2011.

Annual Conference, Arizona League of Cities and Towns, Presenter at "Redistricting Law and the Voting Rights Act: What It Means for Your City or Town in 2011," August 25, 2010.

Redistricting, The 2010 Census, and Your Budget, Sponsored by the Rose Institute of State and Local Government, California League of Cities, October 15, 2009.

Arizona Election Law 2010 Continuing Legal Education Conference, "Communities of interest and technology in redistricting," sponsored by the Arizona State Bar Association, March 2010

California's New Independent Redistricting Commission, sponsored by the Irvine Foundation and the California Redistricting Collaborative, December 15, 2009

Tribal Association of Sovereign Indian Nations (TASIN) Legislative Day 2009, "The 2010 Census and 2011 Redistricting in California," December 2, 2009.

California School Board Association, "Litigation Issues and the California Voting Rights Act," December 4, 2009.

California Latino School Boards Association, "Introduction to the California Voting Rights Act," August 20, 2009.

Building a National Reform Movement, Salt Lake City, Utah, 2006, conference on redistricting reform hosted by the League of Women Voters, Campaign Legal Center, and The Council for Excellence in Government

Texas Tech University, "A Symposium on Redistricting," May, 2006

California League of Cities, "Introduction to the California Voting Rights Act."

Voices of Reform, a project of the Commonwealth Club of San Francisco: multiple forums on redistricting and / or term limits, 2006 – 2007

Classroom speaker at Pepperdine University, the University of La Verne, Pomona College and Claremont McKenna College

Justin Mark Levitt

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jlevitt@NDCresearch.com

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office: (818) 254-1221
fax: (818) 254-1221

Employment

Vice-President, National Demographics Corporation, 2012 – present.
Senior Analyst, National Demographics Corporation, 2003 – 2011.
Instructor in Political Science, University of California, San Diego, 2012 – present.
Graduate Research Fellow, Center for US-Mexico Studies, 2010 – present.
Graduate Research Fellow, University of California, San Diego, 2008 – 2010 and 2013 – 2014.
Jesse M. Unruh California Assembly Fellow. 2006 – 2007.
Rose Institute for State and Local Government, Student Manager. 2005 – 2006.

Education

University of California, San Diego, Ph.D. Political Science, 2016. Dissertation title: “The Impact of Geographic Patterns on Tradeoffs in Redistricting.”
Claremont McKenna College, BA in Philosophy, Politics and Economics (PPE), 2006.

Academic Honors

California Studies Fellow, University of California, San Diego, 2007 – 2009
Graduated Cum Laude from Claremont McKenna College.

Publications and Conference Presentations

Settle, Jamie, Robert Bond, and Justin Levitt. 2011. “The Social Origins of Adult Political Behavior.” *American Politics Research*. 39 (2). 239-263

Miller, Kenneth and Justin Levitt. 2007. “The San Joaquin Valley.” In The New Political Geography of California. Eds. Frederick Douzet, Thad Kousser, and Kenneth Miller. Berkeley: Institute of Government Studies.

“The Political Geography of Tradeoffs in Redistricting” Paper presented at the State Politics and Policy Conference, Iowa City, IA, 2013

Getting What You Want: A Bargaining Approach to Fair Division in Redistricting. Paper presented at the “Challenging Urban Borders : the geopolitics of immigration and segregation” workshop, Berkeley, CA, 2013 and the State Politics and Policy Conference, Houston, TX, 2012

“An Atlas of Public Health in Mexico” (with Alberto Diaz Cayeros). Paper presented at the Hewlett Foundation Conference on Public Health, Mexico City, DF. 2012

“Remoteness and the Territoriality of Public Health” (with Alberto Diaz Cayeros). Paper presented at the American Political Science Association conference, Seattle, WA. 2011

“Initiatives as revealed preferences” Paper presented at the American Political Science Association conference, Seattle, WA. 2011

“No Se Puede: Latino Political Incorporation in Phoenix.”. Paper Presented at the New Political Geography of California conference, Berkeley, CA., 2009

Justin Mark Levitt

“Political Change in the Central Valley”. Paper Presented at the Western Political Science Association conference, Las Vegas, NV.,2007

Working Papers

Hill, Seth, Thad Kousser, Alex Hughes, and Justin Levitt. ND. *“How Competitiveness Shapes Infrequent Primary Voters Response to Receiving a GOTV Mailer.”*

Diaz-Cayeros, Alberto and Justin Levitt. ND. *“Remoteness and the Territoriality of Public Health.”*

Levitt, Justin. ND. *“Getting What You Want: A Bargaining Approach to Fair Division in Commission-led Redistricting.”*

Teaching Experience

California State University, Long Beach, Department of Political Science

Adjunct Professor—POSC 327 (Urban Politics)	Spring 2016-Present
Adjunct Professor—POSC 229 (Cases in Policy Analysis)	Present
Adjunct Professor—POSC 412 (Law and Social Change)	Spring 2016-Present
Adjunct Professor—POSC 399 (California Politics Short Course)	Present

University of California, San Diego, Department of Political Science

Co-Instructor—UPS 170 (Regional Governance Reconsidered)	Spring 2015
Instructor—Poli 100A (The Presidency)	Fall 2014
Instructor—Poli 160AA (Introduction to Public Policy Analysis)	Fall 2013
Instructor—Poli 10 (Introduction to American Politics)	Summer 2013

D I V I D E R S H E E T

Item 3.2 – Report on Community Dialogue
will be an oral presentation.

D I V I D E R S H E E T

SUCCESSOR AGENCY AGENDA

January 12, 2021

TO: The Honorable Successor Agency to the former Redevelopment Agency to the City of Lakewood

SUBJECT: Recognized Obligation Payment Schedule (ROPS) for July 1, 2021 Through June 30, 2022 – ROPS 21-22 And Administrative Budget FY 2021-2022.

INTRODUCTION

The Successor Agency is required to submit an annual ROPS pursuant to California Health and Safety Code Section 34177(o)(1) to the county auditor controller and Department of Finance (DOF) no later than February 1st, with an annual amendment process as stated in Section 34177(o)(1)(E).

STATEMENT OF FACT

The ROPS 21-22 includes the following updates:

- As adopted by Oversight Board Resolution No. OB-2016-3 and as allowed by H&S Section 34191.4(b), the loan agreements between the redevelopment agency and the low and moderate income housing fund are available for repayment starting in FY 19-20. This includes the Educational Revenue Augmentation Fund (ERAF) loan outstanding in the amount of \$90,492, the Supplemental Educational Revenue Augmentation Fund (SERAF) loans totaling \$3,377,735, and the \$1,085,310 deferred housing funds. Repayment is subject to the calculation set forth by H&S Section 34191.4(b)(3)(A). Repayment of housing loans has priority over repayment of any other loans to the city.
- Per H&S Code 34191.4(b) upon issue of finding of completion by the DOF and approval of the oversight board, loan agreements entered into between the redevelopment agency and the city shall be deemed to be enforceable and shall be recalculated at three percent. Twenty percent of repayment is to be set-aside for The Housing Successor Agency. Loans will be re-assessed at four percent after DOF approval of the Last and Final ROPS.
- Per DOF's letter dated December 17, 2015, they approved the unfunded pension obligations but asked that the liabilities calculation be based on the fixed amount from 2012 and not the one updated in 2013, as originally requested by the Agency. CalPERS recalculates liabilities annually to reflect new factors. The Agency's stance is that although the Successor Agency ceased to exist in January 2012, the liabilities continue to charge therefore the calculation should be updated accordingly.

RECOMMENDATION

It is recommended that the City Council approve the Recognized Obligations Payment Schedule for July 1, 2021 Through June 30, 2022 – ROPS 21-22 and the Administrative Budget for FY 2021-2022.



Jose Gomez
Director of Finance & Administrative Services

Thaddeus McCormack
City Manager

PB for TM

Recognized Obligation Payment Schedule (ROPS 21-22) - Summary
Filed for the July 1, 2021 through June 30, 2022 Period

Successor Agency: Lakewood

County: Los Angeles

Current Period Requested Funding for Enforceable Obligations (ROPS Detail)	21-22A Total (July - December)	21-22B Total (January - June)	ROPS 21-22 Total
A Enforceable Obligations Funded as Follows (B+C+D)	\$ -	\$ -	\$ -
B Bond Proceeds	-	-	-
C Reserve Balance	-	-	-
D Other Funds	-	-	-
E Redevelopment Property Tax Trust Fund (RPTTF) (F+G)	\$ 2,112,952	\$ 2,151,151	\$ 4,264,103
F RPTTF	2,052,952	2,091,151	4,144,103
G Administrative RPTTF	60,000	60,000	120,000
H Current Period Enforceable Obligations (A+E)	\$ 2,112,952	\$ 2,151,151	\$ 4,264,103

Certification of Oversight Board Chairman:

Pursuant to Section 34177 (o) of the Health and Safety code, I hereby certify that the above is a true and accurate Recognized Obligation Payment Schedule for the above named successor agency.

Name Title

/s/ _____
Signature Date

Lakewood

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	
Item #	Project Name	Obligation Type	Agreement Execution Date	Agreement Termination Date	Payee	Description	Project Area	Total Outstanding Obligation	Retired	ROPS 21-22 Total	ROPS 21-22A (Jul - Dec)						ROPS 21-22B (Jan - Jun)						21-22B Total
											Fund Sources						Fund Sources						
											Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF	Total	Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF	Total	
								\$19,201,033		\$4,284,103	\$-	\$-	\$-	\$2,052,952	\$60,000	\$2,112,952	\$-	\$-	\$-	\$2,091,151	\$60,000	\$2,151,151	
7	County Deferral	Unfunded Liabilities	06/27/1989	06/30/2042	County of Los Angeles	County Deferral Loan	Project Area 2	756,943	N	\$-	-	-	-	-	-	-	\$-	-	-	-	-	\$-	
8	City Advance to Agency	City/County Loan (Prior 06/28/11), Cash exchange	07/10/1973	06/30/2023	City of Lakewood	Initial funds to operate plan area	Project Area 1	38,200	N	\$38,200	-	-	-	-	-	-	\$-	-	-	38,200	-	\$38,200	
9	Housing Fund Deficit	Unfunded Liabilities	06/30/1999	06/30/2022	Low and Moderate Income Housing Fund	Housing fund deficit repayments (HSC section 3334.6(d))	Project Area 1	1,085,310	N	\$-	-	-	-	-	-	-	\$-	-	-	-	-	\$-	
17	Administrative Costs	Admin Costs	07/01/2020	06/30/2022	City of Lakewood	Administrative costs including staff, audit, payroll, legal, and other administrative costs.	All Project Areas	120,000	N	\$120,000	-	-	-	-	60,000	\$60,000	-	-	-	-	60,000	\$60,000	
18	LMIHF Loan (SERAF)	SERAF/ERAF	05/10/2010	06/30/2042	Low and Moderate Income Housing Fund	Loan for SERAF payment to County for FY 09/10 (HSC section 33690 (c)(1))	All Project Areas	2,366,243	N	\$2,366,243	-	-	-	1,183,122	-	\$1,183,122	-	-	-	1,183,121	-	\$1,183,121	
19	LMIHF Loan (SERAF)	SERAF/ERAF	05/04/2011	06/30/2042	Low and Moderate Income Housing Fund	Loan for SERAF payment to County for FY 10/11 (HSC section 33690 (c)(1))	All Project Areas	662,108	N	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-	
20	LMIHF Loan (ERAF)	SERAF/ERAF	05/10/2005	06/30/2042	Low and Moderate	Loan for ERAF	All Project	90,492	N	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-	

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	
Item #	Project Name	Obligation Type	Agreement Execution Date	Agreement Termination Date	Payee	Description	Project Area	Total Outstanding Obligation	Retired	ROPS 21-22 Total	ROPS 21-22A (Jul - Dec)						ROPS 21-22B (Jan - Jun)						21-22B Total
											Fund Sources						Fund Sources						
											Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF		Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF		
					Income Housing Fund	payment to County for FY 04/05 (HSC section 33681.12 (b))	Areas																
21	City Loans and Advances to Agency	City/County Loan (Prior 06/28/11), Cash exchange	12/17/1985	06/30/2042	City of Lakewood	Loans for development and financial assistance of Project Areas 1, 2, and 3 (80%)	All Project Areas	9,873,659	N	\$-	-	-	-	-	-	\$-	-	-	-	-	-	-	
22	City Loans and Advances to Agency	City/County Loan (Prior 06/28/11), Cash exchange	12/17/1985	06/30/2042	Lakewood Housing Successor	Loans for development and financial assistance of Project Areas 1, 2, and 3 (20%)	All Project Areas	2,468,418	N	\$-	-	-	-	-	-	\$-	-	-	-	-	-	-	
26	Legal Fee	Litigation	06/11/2013	06/30/2023	City of Lakewood/Colantuono & Levin	Legal counsel for litigation costs	All Project Areas	1,000	N	\$1,000	-	-	-	500	-	\$500	-	-	-	500	-	\$500	
30	Proportional Share of Unfunded Pension Liabilities	Unfunded Liabilities	01/01/2020	06/30/2022	City of Lakewood	Obligation to Share in Payment of Unfunded Liabilities	All Project Areas	1,738,660	N	\$1,738,660	-	-	-	869,330	-	\$869,330	-	-	-	869,330	-	\$869,330	

Pursuant to Health and Safety Code section 34177 (I), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation.									
A	B	C	D	E	F	G	H		
ROPS 18-19 Cash Balances (07/01/18 - 06/30/19)		Fund Sources			Comments				
		Bond Proceeds		Reserve Balance				Other Funds	RPTTF
		Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS RPTTF and Reserve Balances retained for future period(s)				Rent, grants, interest, etc.	Non-Admin and Admin
1	Beginning Available Cash Balance (Actual 07/01/18) RPTTF amount should exclude "A" period distribution amount.				75,537	1,394,288			
2	Revenue/Income (Actual 06/30/19) RPTTF amount should tie to the ROPS 18-19 total distribution from the County Auditor-Controller				502,176	288,200			
3	Expenditures for ROPS 18-19 Enforceable Obligations (Actual 06/30/19)					288,200			
4	Retention of Available Cash Balance (Actual 06/30/19) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)				577,713	634,501			
5	ROPS 18-19 RPTTF Prior Period Adjustment RPTTF amount should tie to the Agency's ROPS 18-19 PPA form submitted to the CAC			No entry required					
6	Ending Actual Available Cash Balance (06/30/19) C to F = (1 + 2 - 3 - 4), G = (1 + 2 - 3 - 4 - 5)	\$-	\$-	\$-	\$-	\$759,787			

Lakewood
Recognized Obligation Payment Schedule (ROPS 21-22) - Notes
July 1, 2021 through June 30, 2022

Item #	Notes/Comments
7	
8	
9	
17	
18	Per H&S Code 34191.4(b)(3)(A) the maximum repayment amount authorized each fiscal year for repayments shall be equal to one-half of the increase between the amount distributed to the taxing entities and the amount distributed to taxing entities 2012-13 base year. Listed is the estimated maximum RPTTF available for distribution to Lakewood Successor Agency to repay approved ERAF/ SERAF loans.
19	
20	
21	
22	
26	
30	Per DOF letter dated December 17, 2015, the DOF approved the unfunded pension obligation but stated that liabilities calculation be based on the dissolution year 2012 and not 2013 as originally requested by the Agency. CalPERS recalculated pension liabilities in 2013 to reflect new factors such as mortality rate. The Agency's stance is that although the Successor Agency ceased to exist in January 2012, the liabilities continue to exist, therefore, calculation should be updated accordingly.

Successor Agency to the former Lakewood Redevelopment Agency
Administrative Budget FY 2021-2022
July 1, 2021 to June 30, 2022

Administrative Staff Costs

Reimbursement to the City of Lakewood for the overall administration and winding down activities of the Successor Agency for direct staff costs, including but not limited to the following positions:

City Manager
Deputy City Manager
City Attorney
City Clerk
Mangement Aide
Director of Finance and Administrative Services
Assistant Director of Finance and Administrative Services
Senior Accountant
Accountant

Total Administrative Staff Costs	114,500
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Other Costs

Contractual Services (Auditing and Reporting)	5,000
Office Expense and other costs	500

Total Other Costs	5,500
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TOTAL	120,000
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D I V I D E R S H E E T

**CITY OF LAKEWOOD SUCCESSOR AGENCY - HOUSING
FUND SUMMARY 12/17/2020**

In accordance with section 2521 of the Lakewood Municipal Code there is presented herewith a summary of obligations to be paid by voucher 396 through 396. Each of the following demands has been audited by the Director of Administrative Services and approved by the City Manager.

3901	HOUSING SUCCESSOR AGENCY	3,560.00
		<hr/>
		3,560.00

Council Approval

Date

City Manager

Attest

City Clerk

Director of Administrative Services

**CITY OF LAKEWOOD SUCCESSOR AGENCY - HOUSING
SUMMARY CHECK REGISTER**

<u>CHECK #</u>	<u>CHECK DATE</u>	<u>VEND #</u>	<u>VENDOR NAME</u>	<u>GROSS</u>	<u>DISC.</u>	<u>CHECK AMOUNT</u>
396	12/17/2020	2177	SINDAHA SAMIR	3,560.00	0.00	3,560.00
Totals:				<u>3,560.00</u>	<u>0.00</u>	<u>3,560.00</u>