

Minutes

Lakewood City Council Regular Meeting held June 24, 2003

**MEETING WAS CALLED TO ORDER** at 7:31 p.m. by Mayor Esquivel in the Council Chambers at the Civic Center, 5000 Clark Avenue, Lakewood, California.

INVOCATION was offered by Reverend Charles Atherton, Life Center Assembly of God Church

PLEDGE OF ALLEGIANCE was led by Council Member Robert G. Wagner

ROLL CALL: PRESENT: Mayor Joseph Esquivel Vice Mayor Todd Rogers Council Member Wayne Piercy Council Member Larry Van Nostran Council Member Robert Wagner

### **ANNOUNCEMENTS AND PRESENTATIONS:**

The California Retired Teachers Association presented a check to Sally Havice, Assembly Member (Retired), representing the volunteer hours donated on behalf of the Association. Sally Havice also made a presentation to Michaelene Wagner in recognition of her service as a Member of the Board for the Los Angeles County Office of Education, and her service to the community.

Mayor Esquivel announced that word had just been received that the County Library District would not be calling for the closure of the Nye Library in Lakewood. He stated that special thanks were due to County Supervisor Don Knabe and to City Manager Howard Chambers for their efforts to keep the library open.

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#### **ROUTINE ITEMS:**

VICE MAYOR ROGERS MOVED AND COUNCIL MEMBER PIERCY SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 9.

- RI-1 Approval of Minutes of the Meetings held June 10, 2003
- RI-2 Approval of Personnel Transactions
- RI-3 Approval of Registers of Demands dated June 5, and June 12, 2003
- RI-4 RESOLUTION NO. 2003-31; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD RESCINDING RESOLUTIONS ESTABLISHING PHYSICALLY HANDICAPPED PERSONS DESIGNATED PARKING SPACES WITHIN THE CITY OF LAKEWOOD

### **ROUTINE ITEMS:** Continued

- RI-5 Approval of Agreement for Foundation Investigation Report on Lakewood Sheriff's Station Remodel Project with AESCO Technologies, Inc.
- RI-6 Acceptance of Notice of Completion for Public Works Contract 03-4; Mayfair, Del Valle & Palms Parks Play Area Improvement Project; Malibu Pacific Tennis Courts, Inc.
- RI-7 Acceptance of Notice of Completion for Public Works Contract 01-9; Landscape Bloomfield Median; Reyco, Smith & Reynolds Erosion Control, Inc.
- RI-8 Approval of Substitution of Subcontractor for Public Works Project No. 02-7; Electrical Panel Work - Parks & Wells
- RI-9 RESOLUTION NO. 2003-32; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING RESOLUTION NO. 2002-50 PERTAINING TO THE APPOINTMENT OF WILLIAM HOLT AS CITY PROSECUTOR

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel NAYS: COUNCIL MEMBERS: None

### 1.1 • CONSIDERATION OF BUDGET FOR FISCAL YEAR 2003-04

City Manager Howard Chambers displayed slides and presented an overview of the proposed budget for fiscal year 2003-04. He discussed fiscal realities facing the City such as the deficit condition of both the State and Federal governments; County of Los Angeles budget crisis, sluggish economic growth predicted; regional retail competition added to threats of fiscal reform and funding takeaways by the State. He briefly reviewed the major focus area of the budget: Economic Development; Street Maintenance; Water Quality Protection; Public Safety; San Gabriel River Parkway; Educational Improvements; Park Projects; Information Technology Upgrades; and 50th Anniversary Celebrations.

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Chief Marv Cavanaugh, Los Angeles County Sheriff's Department, provided a brief overview of the public safety section of the budget. He reported that the Sheriff's Department had weathered \$84 million in budget cuts last year, causing them to close a major jail facility and eliminate positions. He stated that the staffing reductions were being accomplished through attrition rather than any layoff and that new deputies had not been hired in ten months. He advised that there were more budget cuts ahead with major reductions being seen in custody, the courts and overtime. He stated that Lakewood had an excellent policing plan that was effective and would survive because of the strong partnership between the Sheriff's Department staff and the City staff. He further stated that the City had

**1.1 • CONSIDERATION OF BUDGET FOR FISCAL YEAR 2003-04** - Continued provided them with the tools necessary to do the job, and noted vital elements of the program such as Neighborhood Watch; Volunteers on Patrol; Special Assignment Officers; Park Patrol; and the Community Safety Center in the Lakewood Center Mall, as well as the City's commitment to programs for families and youth. He reported that Part 1 crime was down over five percent from the previous year. He also reported that the plan to remodel the Lakewood Station was still alive and that Sheriff Baca and the Department were committed to meeting the needs of the community for the next twenty years and beyond.

Council Member Piercy inquired if the Volunteers on Patrol could be utilized to fill in for areas where staffing would be lost. The Chief responded by stating that staffing losses would mean that the work would not get done as quickly but that all essential tasks would get done.

The City Manager outlined the revenues by origin, including sales tax revenues and the top sales tax producers. He also reviewed budget appropriations including Contract Services, Personnel Costs, Supplies and Expenses and Capital Equipment/Improvements. Presenting the Legacy Capital Improvement Plan, the City Manager examined the available funding sources, the five-year projects by category and noted that the Plan was continually updated throughout the year and included a "wish list" of projects waiting for a funding source to become available. He provided a brief summary of the proposed two-year projects which included: Utility Undergrounding; Street Resurfacing; Hydrogen Sulfide Removal; Water Main Replacement; Hardscape Repairs; the West San Gabriel River, Phase II; Boyar Park Renovation; Traffic Signals; Centre Refurbishment; Hardware, Software Replacement; Water Well Improvements; ADA Right-Of-Way Locations; Roof Improvements; Veterans Memorial Restoration; Parking Lot Improvements; Civic Center Master Plan; and Sports Lamp Replacements. He concluded by stating Lakewood had cut spending in order to keep a balanced budget, while continuing to provide excellent customer services and that the \$49.7 million budget, as presented, was balanced without using any General Fund reserves.

Mayor Esquivel opened the public hearing at 8:45 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

Mayor Esquivel advised that Item 1.1.e.5 would be considered following the closed session.

Council Member Wagner requested that Items 1.1.e.24 and 1.1.e.29 be considered separately.

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER PIERCY SECONDED TO APPROVE ITEMS 1.1.c THROUGH 1.1.e.4, 1.1.e.6 THROUGH 1.1.e.23, 1.1.e.25 THROUGH 1.1.e.28 AND 1.1.e.30 THROUGH 1.1.e.36.

c) RESOLUTION NO. 2003-33; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE BUDGET FOR FISCAL YEAR 2002-2003, AND AUTHORIZING THE APPROPRIATION OF RESERVE FUNDS INTO APPROPRIATE FUNDS AS OF JUNE 30, 2003 **1.1 • CONSIDERATION OF BUDGET FOR FISCAL YEAR 2003-04** - Continued d) RESOLUTION NO. 2003-34; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD DETERMINING THE TOTAL ANNUAL APPROPRIATION SUBJECT TO LIMITATION OF THE CITY OF LAKEWOOD FOR THE FISCAL YEAR 2003-2004

e) RESOLUTION NO. 2003-35; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ADOPTING THE BUDGET AND APPROPRIATING REVENUE FOR THE FISCAL YEAR 2003-2004

- 1) RESOLUTION NO. 2003-36; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING LOANS TO LAKEWOOD REDEVELOPMENT AGENCY
- 2) RESOLUTION NO. 2003-37; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AUTHORIZING THE DIRECTOR OF FINANCE TO CERTIFY TO CITY LIGHT AND POWER LAKEWOOD, INC., THAT BASIC FEE PAYMENTS HAVE BEEN INCLUDED IN THE BUDGET
- 3) RESOLUTION NO. 2003-38; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING RESOLUTION NO. 2002-38 PERTAINING TO EMPLOYEE BENEFITS AND THE CLASSIFICATION AND COMPENSATION OF CITY OFFICERS AND EMPLOYEES, AND ESTABLISHING EMPLOYEE BENEFITS, DEFINING THE CONDITIONS AND HOURS OF EMPLOYMENT, AND ADOPTING A CLASSIFICATION AND COMPENSATION PLAN FOR CITY OFFICERS AND EMPLOYEES
- 4) RESOLUTION NO. 2003-39; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD REPEALING RESOLUTION NO. 2002-39 PERTAINING TO HOURLY-RATED PART-TIME EMPLOYEES AND ENACTING A PERSONNEL RESOLUTION ESTABLISHING THE COMPENSATION, RULES AND REGULATIONS PERTAINING TO HOURLY-RATED PART-TIME EMPLOYEES
- 6) RESOLUTION NO. 2003-41; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING RESOLUTION NO. 76-102 PERTAINING TO THE CITY ATTORNEY'S RETAINER AGREEMENT
- 7) RESOLUTION NO. 2003-42; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING AND RENEWING A COMMUNITY RECREATION PROGRAM AGREEMENT WITH THE ABC UNIFIED SCHOOL DISTRICT
- 8) RESOLUTION NO. 2003-43; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING AND RENEWING AN AGREEMENT BETWEEN THE CITY OF LAKEWOOD AND COMMUNITY FAMILY GUIDANCE CENTER PROVIDING COUNSELING SERVICES FOR FAMILIES AND JUVENILE RESIDENTS OF THE CITY OF LAKEWOOD FOR THE FISCAL YEAR 2003-2004

- 1.1 CONSIDERATION OF BUDGET FOR FISCAL YEAR 2003-04 Continued
- 9) RESOLUTION NO. 2003-44; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING AND RENEWING AN AGREEMENT BETWEEN THE CITY OF LAKEWOOD AND FAMILY SERVICE OF LONG BEACH, HOMEMAKER PROGRAM, PROVIDING HOMEMAKER SERVICES TO LAKEWOOD RESIDENTS FOR THE FISCAL YEAR 2003-2004
- 10) RESOLUTION NO. 2003-45; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING AND RENEWING AN AGREEMENT BETWEEN THE CITY OF LAKEWOOD AND LAKEWOOD MEALS ON WHEELS FOR THE FISCAL YEAR 2003-2004
- 11) RESOLUTION NO. 2003-46; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING AND RENEWING AN AGREEMENT BETWEEN THE CITY OF LAKEWOOD AND PATHWAYS VOLUNTEER HOSPICE. INC. PROVIDING IN-HOME MEDICAL SERVICES FOR TERMINALLY ILL RESIDENTS OF THE CITY OF LAKEWOOD FOR THE FISCAL YEAR 2003-2004
- 12) RESOLUTION NO. 2003-47; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING AND RENEWING AN AGREEMENT BETWEEN THE CITY OF LAKEWOOD AND SU CASA FAMILY CRISIS AND SUPPORT CENTER PROVIDING COUNSELING SERVICES FOR FAMILIES AND JUVENILE RESIDENTS OF THE CITY OF LAKEWOOD FOR THE FISCAL YEAR 2003-2004
- 13) Approval of Amendment to Agreement for Animal Control Services with Southeast Area Animal Control Authority
- 14) Approval of Extension of Agreement for Construction Management/Inspection Services with BDA Associates
- 15) Approval of Extension of Agreement for Engineering and Traffic Survey Services with Newport Traffic Studies
- 16) Approval of Extension of Agreement for Hardscape Maintenance with Kalban, Inc.
- 17) Approval of Agreement for Engineering Services with Associated Soils Engineering, Inc.
- 18) Approval of Agreement for HVAC Preventative Maintenance Services with Process Cooling & Heating
- 19) Approval of Agreement for Solid Waste and Storm Water Consulting Services with S.C.S. Consultants
- 20) Approval of Amendment to Transportation Planning and Engineering Services Agreement with LSA Associates, Inc.

## 1.1 • CONSIDERATION OF BUDGET FOR FISCAL YEAR 2003-04 - Continued

- 21) Approval of Extension of Agreement for Fire & Security Alarm Services with Sonitrol of Long Beach
- 22) Approval of Extension of Agreement for Roof Warranty Inspection/Maintenance Services with AM Technologies, Inc.
- 23) Approval of Agreement for Auditing Services with Diehl Evans
- 25) Approval of Agreement for Document Imaging System Maintenance and Support
- 26) RESOLUTION NO. 2003-50; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD APPROVING AMENDMENT TO THE AGREEMENT WITH THE GREATER LAKEWOOD CHAMBER OF COMMERCE FOR ADVERTISING AND PROMOTION SERVICES
- 27) Approval of Renewal of Agreement for Safety Consulting Services with Pacific Health & Safety Consulting, Inc.
- 28) Approval of Agreement for Computer Management Services with ACS State and Local Solutions, Inc.
- 30) Approval of Agreement for Marketing and Design Services with Slover and Kinsbursky
- 31) Approval of Agreement with J. D. Franz Research Services for Community Surveys
- 32) Approval of Video Production Services and Facilities Fee Schedule
- 33) Approval of Agreement for GIS Services with California State University, Long Beach
- 34) Approval of Renewal of Agreement with Fair Housing Consulting Services
- 35) Approval of Extension of Reimbursement Agreement for Long Beach Transit Dial-A-Lift Services
- 36) Approval of Amendment to the Single Family Rehabilitation Loan Program

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel NAYS: COUNCIL MEMBERS: None

 1.1 • CONSIDERATION OF BUDGET FOR FISCAL YEAR 2003-04 - Continued
24) RESOLUTION NO. 2003-48; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE SOLID WASTE COLLECTION RATE SCHEDULE AND ADJUSTING THE FEES OR CHARGES FOR SINGLE-FAMILY RESIDENTIAL REFUSE SERVICE

RESOLUTION NO. 2003-49; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ADJUSTING THE FEES OR CHARGES FOR SPECIAL REFUSE BIN SERVICE

Council Member Wagner stated he would like to consider the two resolutions separately as the resolution for residential refuse service included a one dollar per month increase which he intended to oppose. Citing offset funding available through the rate stabilization fund, he stated he felt there was no real need to increase fees until the rate stabilization fund was completely used up.

COUNCIL MEMBER PIERCY MOVED AND VICE MAYOR ROGERS SECONDED TO ADOPT RESOLUTION NO. 2003-48.

Vice Mayor Rogers stated that difficult decisions regarding rate adjustments should not be deferred since that can mean even more difficult and proportionately higher increases later. He stated that he favored an incremental increase in order to soften the blow of any increases that may be necessary once the rate stabilization fund had been depleted.

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers and Esquivel NAYS: COUNCIL MEMBERS: Van Nostran and Wagner

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER PIERCY SECONDED TO ADOPT RESOLUTION NO. 2003-49. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel NAYS: COUNCIL MEMBERS: None

29) Approval of Agreement for Page Composition, Printing and Preparation for Mailing of the City Newsletter

Council Member Wagner stated that with the many technological advances over the past several years, he would like to request that a study be done to determine the feasibility of upgrading the City's printing facilities so that more print jobs could be done in-house, rather than relying on a contract printer.

COUNCIL MEMBER WAGNER MOVED AND COUNCIL MEMBER VAN NOSTRAN SECONDED TO APPROVE ITEM 1.1.e.29.

## **1.1 • CONSIDERATION OF BUDGET FOR FISCAL YEAR 2003-04** - Continued UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel NAYS: COUNCIL MEMBERS: None

Council Member Wagner stated that since it was unknown at this time what future impacts State requirements would have upon the City's budget, he would like to have costs associated with the NPDES permit process and the prevailing wage requirements separately delineated so that the City Council could keep track of and monitor these costs. He concluded by stating that he felt it was important to know the extent to which these costs were impacting the City and that he had confirmed with the City Manager that it could be accomplished.

COUNCIL MEMBER WAGNER MOVED AND COUNCIL MEMBER PIERCY SECONDED TO SEPARATELY DELINEATE COSTS FOR NPDES AND PREVAILING WAGE REQUIREMENTS. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel NAYS: COUNCIL MEMBERS: None

## 1.2 • AWARD OF BID FOR PUBLIC WORKS CONTRACT NO. 03-8; FUEL SYSTEM UPGRADE

Lisa Rapp, Director of Public Works, gave a brief oral presentation based upon the memorandum in the agenda and stated three bids had been received for the upgrade of the gasoline refueling system at the Arbor Water Yard. It was the recommendation of staff that the City Council adopt the plans, specifications and working details of the project; appropriate \$65,000 from the General Fund to the project account; award a contract to the low bidder, Moine Brothers, in the amount of \$56,300; and authorize staff to approve a cumulative total of contract change orders not to exceed \$8,700.

Mayor Esquivel opened the public hearing at 8:56 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

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

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel NAYS: COUNCIL MEMBERS: None

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### 2.1 • PRECISE PLAN FOR CANDLEWOOD STREET

ORDINANCE NO. 2003-6; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING ORDINANCE NO. 2003-1 INCORPORATING THE PRECISE PLAN INTO THE PD-SF (SINGLE FAMILY DWELLING UNIT PLANNED DEVELOPMENT) ZONING FOR THAT PROPERTY LOCATED AT CANDLEWOOD STREET, DESIGNATED ADOPTION OF PRECISE PLAN FOR ZONE CHANGE CASE NO. 106 was read by title by the City Clerk.

COUNCIL MEMBER VAN NOSTRAN MOVED AND VICE MAYOR ROGERS SECONDED TO WAIVE FURTHER READING OF ORDINANCE NO. 2003-6. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel NAYS: COUNCIL MEMBERS: None

VICE MAYOR ROGERS MOVED AND COUNCIL MEMBER PIERCY SECONDED TO ADOPT ORDINANCE NO. 2003-6. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel NAYS: COUNCIL MEMBERS: None

# 3.1 • ADDITIONAL WORK FOR PUBLIC WORKS PROJECT NO. 03-5, WATERMAIN REPLACEMENT 2003

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The Public Works Director gave a brief oral presentation based on the memorandum contained in the agenda and reported that work was currently underway on the watermain replacement project which included the installation of new water mains, valves, fire hydrants, and service lines. She advised that the contractor for the project had provided a very favorable bid and in addition to providing quality work on the project to date, had expressed a willingness to add work at the original bid prices. She stated that there was funding available to add an additional 1.4 miles of water distribution main. It was the recommendation of staff that the City Council approve a contract change order for \$400,000 to Precision Pipeline, Inc. for installation of additional water distribution main and appropriate \$326,000 from the Water Fund to the project account.

COUNCIL MEMBER WAGNER MOVED AND COUNCIL MEMBER PIERCY SECONDED TO APPROVE STAFF'S RECOMMENDATIONS. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran, Wagner and Esquivel NAYS: COUNCIL MEMBERS: None

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At 9:02 p.m., the Regular Meeting of the City Council was recessed for the Meeting of the Lakewood Redevelopment Agency. At 9:04 p.m., the City Council Meeting was reconvened.

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### **ORAL COMMUNICATIONS:** None

### CLOSED SESSION:

Mayor Esquivel announced that the City Council would recess to a closed session pursuant to Government Code §54957 to evaluate the performance of the City Manager.

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At 9:34 p.m., the City Council reconvened with all members present.

VICE MAYOR ROGERS MOVED AND COUNCIL MEMBER PIERCY SECONDED TO ADOPT RESOLUTION NO. 2003-40.

RESOLUTION NO. 2003-40; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING RESOLUTION NO. 76-66 PERTAINING TO THE CITY MANAGER

Council Member Van Nostran stated that he had a problem with leaving the wages of the City Manager at the same level as the previous year, as he felt it was important to keep pace with salary levels in other cities. He further stated he would like to extend to the City Manager, the same level of increase offered to the department heads.

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER PIERCY SECONDED TO AMEND THE PROPOSED RESOLUTION TO INCLUDE A TWO PERCENT SALARY INCREASE FOR FISCAL YEAR 2003-04.

Council Member Wagner stated that an increase had not been requested and that the resolution should be adopted as it had been originally presented.

UPON ROLL CALL VOTE, THE ORIGINAL MOTION ADOPTING RESOLUTION NO. 2003-40 WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran and Esquivel NAYS: COUNCIL MEMBERS: Wagner

UPON ROLL CALL VOTE, THE AMENDMENT TO RESOLUTION NO. 2003-40 WAS APPROVED:

AYES: COUNCIL MEMBERS: Piercy, Rogers, Van Nostran and Esquivel NAYS: COUNCIL MEMBERS: Wagner

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## ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Esquivel adjourned the meeting at 9:46 p.m.

Respectfully submitted,

Denise R. Hayward, CMC City Clerk