



Minutes

Lakewood City Council

Regular Meeting held
August 12, 2003

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

INVOCATION was offered by Council Member Wayne E. Piercy

PLEDGE OF ALLEGIANCE was led by Council Member Wayne E. Piercy

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

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ANNOUNCEMENTS AND PRESENTATIONS:

Cathy Saldin, Nye Library Manager, presented the Mayor and City Council with a memory book put together by the library's summer reading program participants and other library patrons as a thank you for the Council's efforts to keep the Nye Library open.

Diane DuBois, President of Soroptimist International of Lakewood/Long Beach, made a brief presentation regarding the history, fund-raising events and community projects of the club. She closed by noting that the Soroptimist's current fund-raiser was an offering of a Lakewood version of the *Monopoly* game in commemoration of Lakewood's 50th anniversary next year.

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ROUTINE ITEMS:

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

RI-1 Approval of Minutes of the Meeting held July 22, 2003

RI-2 Approval of Personnel Transactions

RI-3 Approval of Registers of Demands dated July 17, July 24, and July 31, 2003

RI-4 Acceptance of Notice of Completion for Public Works Contract No. 03-3, Rehab Residential Streets, All American Asphalt

ROUTINE ITEMS: Continued

RI-5 RESOLUTION NO. 2003-68; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD, CALIFORNIA, AUTHORIZING THE AMENDMENT TO THE PARS DEFINED BENEFIT RETIREMENT SAVINGS PLAN AND AUTHORIZING THE PICKUP OF EMPLOYEE CONTRIBUTIONS BY THE CITY OF LAKEWOOD

RESOLUTION NO. 2003-69; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING RESOLUTION NO. 2002-38 PERTAINING TO THE 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

RI-6 Approval of Amendment to EDA Grant Revolving Loan Fund Contract with the Gateway Cities Council of Governments

RI-7 Approval of Encroachment Permit for Denmead Street

RI-8 Approval of Agreement with Clear Channel Outdoor for Retention of Bus Shelters

RI-9 Approval of Agreement with Sierra Installations, Inc. for Street Banner Marketing Program

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Wagner

1.1 • PROHIBITING OVERNIGHT PARKING IN CITY-OWNED OR OPERATED OFF-STREET PARKING FACILITIES

City Attorney John S. Todd advised that the proposed ordinance had been introduced at the City Council's last regular meeting and was presented for second reading and adoption at this time. He stated that the ordinance would prohibit the overnight parking of vehicles in city-owned parking facilities.

Mayor Esquivel opened the public hearing at 7:44 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

ORDINANCE NO. 2003-7; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD PROHIBITING THE PARKING OF ANY VEHICLE ON OR WITHIN ANY CITY-OWNED OFF-STREET PARKING FACILITIES BETWEEN THE HOURS OF 11:00 P.M. AND 5:00 A.M., WHERE POSTED was read by title by the City Clerk.

1.1 • PROHIBITING OVERNIGHT PARKING IN CITY-OWNED OR OPERATED OFF-STREET PARKING FACILITIES - Continued

VICE MAYOR ROGERS MOVED AND COUNCIL MEMBER PIERCY SECONDED TO WAIVE FURTHER READING OF ORDINANCE NO. 2003-7. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Wagner

COUNCIL MEMBER PIERCY MOVED AND VICE MAYOR ROGERS SECONDED TO CLOSE THE PUBLIC HEARING AND ADOPT ORDINANCE NO. 2003-7. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Wagner

1.2 • CONGESTION MANAGEMENT PROGRAM CONFORMANCE SELF-CERTIFICATION PROCESS

Community Development Director Chuck Ebner presented an oral report based on the memorandum in the agenda packet and stated that since 1993, part of the City's compliance with the Metropolitan Transit Authority's Congestion Management Program had been to hold an annual public hearing and adopt a resolution to certify the City's conformance with the Program. He briefly reviewed the credits and debits accrued over the past year, noting that although, with the number of major projects completed, the debits had outweighed the credits for the year, there were sufficient carryover credits from previous years. It was the recommendation of staff that the City Council adopt the proposed resolution finding the City to be in conformance with the Congestion Management Program and adopting the CMP Local Implementation Report.

Responding to a question from Council Member Piercy, Mr. Ebner stated that the mandatory self-certification process was intended to encourage the review and expansion of programs.

Mayor Esquivel opened the public hearing at 7:47 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

RESOLUTION NO. 2003-70; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD, CALIFORNIA, FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL IMPLEMENTATION REPORT, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089

VICE MAYOR ROGERS MOVED AND COUNCIL MEMBER PIERCY SECONDED TO CLOSE THE PUBLIC HEARING AND ADOPT RESOLUTION NO. 2003-70.

1.2 • CONGESTION MANAGEMENT PROGRAM CONFORMANCE SELF-CERTIFICATION PROCESS - Continued

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Wagner

1.3 • LOCAL LAW ENFORCEMENT BLOCK GRANT 2003, PUBLIC SAFETY COMMITTEE AND ADVISORY BOARD RECOMMENDATIONS

Deputy City Manager Sandi Ruyle presented an oral report based on the memorandum in the agenda packet and reported there was funding available to the City through the Local Law Enforcement Block Grant program to underwrite projects to reduce crime and improve public safety. She advised that the Program required the establishment of an advisory board to review and make recommendations on proposed projects to the City Council. The advisory board, which included a Superior Court Commissioner; Neighborhood Watch block captains; representatives from the Sheriff's Department and District Attorney's Office; an Assistant Superintendent with Long Beach Unified School District; a member of the Crime Prevention Officers Association; and certain City staff members had recommended the continuation of funding for the Crime, Public Nuisance and Property Abatement Team. She reported that the Abatement Team had investigated 365 locations to date, resulting in 175 arrests and 137 convictions. She concluded by stating the grant amount of \$71,692 would require local matching funds in the amount of \$7,966 and recommended the City Council hold a public hearing and then authorize the City Manager to complete the application and appropriate the required matching funds.

Responding to a question from Council Member Van Nostran, Ms. Ruyle stated that the number of nuisance locations complaints was slowing down and that there were currently 28 active cases under investigation by the Abatement Team.

Council Member Piercy inquired if the grant amount was sufficient to fund the program. Ms. Ruyle responded that although the reduced level of funding was not quite enough to cover the cost of the abatement deputy, there were carryover funds that could be used for the program.

Ms. Ruyle confirmed for Vice Mayor Rogers that the Los Angeles County Sheriff's Department was providing the abatement deputy to the City at a special grant rate.

Mayor Esquivel opened the public hearing at 7:52 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER PIERCY SECONDED TO APPROVE STAFF'S RECOMMENDATION.

1.3 • LOCAL LAW ENFORCEMENT BLOCK GRANT 2003, PUBLIC SAFETY COMMITTEE AND ADVISORY BOARD RECOMMENDATIONS - Continued

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Wagner

3.1 • PUBLIC WORKS FACILITY MAINTENANCE WORK ORDER AND VEHICLE MAINTENANCE INFORMATION TECHNOLOGY SYSTEMS

Assistant City Manager Michael Stover presented an oral report based on the memorandum in the agenda packet and stated staff was recommending the implementation of two new information technology systems which would significantly enhance management and productivity in the Public Works Department. The OPRA Work Order System would replace a paper-based facility maintenance work order system with a digital work order system, and the Dossier Vehicle Maintenance System would replace an existing, 21-year old system for fleet management.

Project Manager June Anderson, with the Public Works Department, provided a demonstration of the proposed work order system.

Mr. Stover advised that since the exact implementation costs for the two software programs had not been available in time to be included in the recently adopted budget, an appropriation for the software purchase would be needed. It was the recommendation of staff that the City Council appropriate \$15,400 from the General Fund for the OPRA Work Order system, appropriate \$13,398 for the Dossier Vehicle Maintenance system and programming by ACS State and Local Solutions, and authorize the execution of agreements with Package Products & Services and with Arsenault Associates.

Council Member Piercy questioned IT System Administrator IV Bill Pan who confirmed that the City's existing storage capacity had already been checked and could handle the additional software.

Responding to a question from Council Member Van Nostran, Mr. Stover stated that the system would be backed up at least once each day, so that in the event of a system crash, data would be recoverable.

Vice Mayor Rogers inquired about continuity with the existing paper records and if it was planned to enter that data into the system. Mr. Stover responded by stating that the most cost effective implementation would be on a "from this day forward" basis.

Council Member Van Nostran noted that with the cost to keep and track the same level of information manually, the City should realize significant cost savings by using the software.

3.1 • PUBLIC WORKS FACILITY MAINTENANCE WORK ORDER AND VEHICLE MAINTENANCE INFORMATION TECHNOLOGY SYSTEMS - Continued

Public Works Director Lisa Rapp stated that the vehicle maintenance system would allow staff to assess each individual vehicle by its actual maintenance history and be able to make more informed decisions about use of resources and scheduled replacements.

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

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

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Wagner

3.2 • ONLINE PRIVACY PERSONAL INFORMATION ADMINISTRATIVE GUIDE

The Assistant City Manager presented an oral report based on the memorandum in the agenda packet and reported an administrative guide had been drafted to address Online Privacy Personal Information. The purpose of the policy was to protect individually identifiable information received through e-government activities. He advised that the policy, as drafted, had been reviewed by the City Attorney and studied by the City's Information Technology Steering Committee. It was the recommendation of staff that the City Council adopt the proposed Online Privacy Personal Information Administrative Guide.

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

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

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Wagner

3.3 • PROPOSED 55TH WAY PARK IN THE CITY OF LONG BEACH

The Director of Community Development displayed slides and presented an oral report based on the memorandum in the agenda and reported staff had received notice from the City of Long Beach of their intent to construct a new park on vacant property located at 2910 E. 55th Way in Long Beach. The easterly border of the 5.5 acre site sat directly on the boundary line between the cities of Lakewood and Long Beach. There was concern about the proposed site since it would abut a residential area and there was a significant grade differential. Also, the proposed park would not be staffed and was not visible from any major or through street. He advised that the City of Long Beach would be holding a public scoping meeting for concerned residents at 7 p.m., on August 28, 2003, at Biscailuz Park.

3.3 • PROPOSED 55TH WAY PARK IN THE CITY OF LONG BEACH - Continued

Council Member Piercy, noting that the plan looked pretty formal, inquired if the plan was final. Mr. Ebner stated that the plan had been prepared for discussion purposes only and that Long Beach was in the process of hiring another architect with more park site expertise to draft a final plan.

Vice Mayor Rogers stated that in his opinion the comments contained in the June 26, 2003, memorandum prepared by the Lakewood Sheriff's Station, including the additional law enforcement costs to Lakewood, were right on target. He expressed the need for Lakewood to actively participate in the park development process in order to express our concerns.

Council Member Van Nostran stated that it would be vital for Lakewood to get notices out to its residents about participating in the meetings scheduled by Long Beach on this matter.

3.4 • CALIFORNIA STATE BUDGET UPDATE

City Manager Howard Chambers displayed slides and presented an oral report based on the memorandum in the agenda. He reported on Vehicle License Fees (VLF) Impacts; Other Revenue Impacts, such as SB 90 claims; Takeaways during FY 2002-03; Why and What is "The Triple Flip," Risks to Lakewood from Triple Flip, especially no guarantees about how revenues will be replaced; Why Not a Double Flip, that would not involve local governments; Lakewood's Plan, including cost savings from FY 2002-03; and pending Redevelopment Agency impacts. He noted that there were some in Sacramento that would like to see cities lose all of their independent funding sources and be totally dependent upon the State for financial support. He concluded by stating that since the City had made early adjustments which produced savings and set aside a reserve for economic uncertainty, even with the worst hit of the new State budget, Lakewood should be okay.

Responding to questions from Council Member Van Nostran, Mr. Chambers stated that the final determination on the VLF was a moving target with a number of different schemes being proposed, the current loss would probably be about \$1 million.

Mayor Esquivel advised that meetings with legislators were continuing with discussions of alternate funding plans.

Council Member Van Nostran stated that the cautious approach used in formulating the current City budget had proved to be the right decision.

At 8:42 p.m., the Regular Meeting of the City Council was recessed for the Meeting of the Lakewood Redevelopment Agency. At 8:43 p.m., the City Council Meeting was reconvened.

ORAL COMMUNICATIONS: None

CLOSED SESSION:

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Mayor Esquivel announced that based upon the confidential written report of the City Attorney, the City Council would adjourn to a closed session to confer with or receive advice from legal counsel pursuant to Government Code §54956.9(c) pertaining to its decision to initiate litigation in one case.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Mayor Esquivel further announced that based upon the confidential written report of the City Attorney, the City Council would adjourn to a closed session to confer with or receive advice from legal counsel pursuant to Section 54956.9(a) of the Government Code pertaining to the case of Walker, et al. v. City of Lakewood, [U.S. District Court Case No. CV 93-4531 DT].

At 9:47 p.m., the City Council reconvened with all members present.

Mayor Esquivel announced that the City Council had met in closed session to receive facts and consider circumstances pertaining to its decision to initiate litigation in one case, had given instructions to its legal counsel pertaining to the matter and appointed an ad hoc committee formed of Vice Mayor Rogers and Council Member Piercy.

Mayor Esquivel also announced that the City Council had met in closed session to receive facts and consider circumstances pertaining to existing litigation in the case of Walker, et al. v. City of Lakewood and had determined that the judgment in the case is final.

COUNCIL MEMBER PIERCY MOVED AND VICE MAYOR ROGERS SECONDED TO APPROPRIATE THE SUM OF \$960,000 IN SETTLEMENT OF THE WALKER CASE. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Wagner

ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Esquivel adjourned the meeting at 9:50 p.m.

Respectfully submitted,

Denise R. Hayward, CMC
City Clerk