

AGENDA
REGULAR CITY COUNCIL MEETING
COUNCIL CHAMBERS
5000 CLARK AVENUE
LAKEWOOD, CALIFORNIA

October 25, 2022, 7:30 p.m.

CALL TO ORDER

INVOCATION: Father Alidor Mikobi, St. Cyprian Catholic Church

PLEDGE OF ALLEGIANCE: Scout Troop 134

ROLL CALL: Mayor Steve Croft
Vice Mayor Ariel Pe
Council Member Cassandra Chase
Council Member Todd Rogers
Council Member Jeff Wood

ANNOUNCEMENTS AND PRESENTATIONS:

Presentation by Vice President Diana Craighead, Long Beach Unified School District Board of Education, Regarding Dual Immersion Program and Facilities Update

Presentation to Young Marines Regarding Red Ribbon Week

Presentation by Captain Dan Holguin, Lakewood Sheriff's Station, Regarding Quarterly Public Safety Report

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 October 11, 2022

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 CITY COUNCIL COMMITTEES' ACTIVITIES - Staff recommends City Council receive and file the report.

RI-5 MONTHLY REPORT OF INVESTMENT TRANSACTIONS - SEPTEMBER 2022 - Staff recommends City Council receive and file the report.

RI-6 QUARTERLY SCHEDULE OF INVESTMENTS AS OF SEPTEMBER 30, 2022 - Staff recommends City Council receive and file report.

City Council Agenda

October 25, 2022

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ROUTINE ITEMS: - Continued

- RI-7 RESOLUTION NO. 2022-75, FINDING AND DETERMINATION OF NEED TO CONTINUE EMERGENCY ACTION REGARDING REPAIRS TO BOLIVAR PARK STORMWATER CAPTURE BUILDING AND EQUIPMENT - Staff recommends City Council adopt proposed resolution.
- RI-8 RESOLUTION NO. 2022-76; SETTING THE TERMINATION DATE FOR ALL COMMISSIONERS' TERMS - Staff recommends City Council adopt proposed resolution.
- RI-9 CUSTOMER INFORMATION AND UTILITY BILLING SYSTEM AGREEMENTS - Staff recommends City Council to enter into three-year agreements with Advanced Utility System, Paymentus Corporation, and WaterSmart.
- RI-10 AGREEMENT TO VACATE UTILITY EASEMENT AND ENTER PARTIAL TERMINATION OF AGREEMENT WITH CITY OF LONG BEACH - Staff recommends City Council approve the Partial Termination of Agreement with City of Long Beach and vacate existing easement within the City of Long Beach as shown in Exhibit A; and authorize its execution by the Mayor on behalf of the City upon approval of the City Attorney as to form.
- RI-11 PURCHASE OF WATER METERS FOR REPLACEMENT FOR FY 2022-23 - Staff recommends the City Council appropriate an additional \$100,000 in Water Fund reserves for the purchase of water meters for replacement for FY 2022-23.
- RI-12 PROPOSITION A TRANSIT FUND EXCHANGE AND ASSIGNMENT AGREEMENT - Staff recommends City Council approve the Proposition A Transit Fund Exchange and Assignment Agreement with the City of West Hollywood and authorize the City Manager and Director of Finance & Administrative Services to execute the agreement.

REPORTS:

- 3.1 LAKEWOOD LEADERSHIP ACADEMY PROGRAM - The Community Promotions Committee recommends that the City Council approve the Lakewood Leadership Academy program and appropriate the \$10,000 in grants received for funding of the program.
- 3.2 QUARTERLY BUDGET REPORT OF MAJOR FUNDS AS OF SEPTEMBER 30, 2022 - Staff recommends City Council receive and file the report.
- 3.3 AGREEMENT WITH THE BOARD OF WATER COMMISSIONERS OF THE CITY OF LONG BEACH FOR DESIGN, CONSTRUCTION, AND OPERATION OF A SECOND INTERCONNECTION - Staff recommends City Council approve Agreement with the Board of Water Commissioners of the City of Long Beach for Design, Construction, and Operation of a Second Interconnection; and authorize its execution by the Mayor on behalf of the City.

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 Items

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

DIVIDER SHEET

COUNCIL AGENDA

October 25, 2022

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			
None			
2. PART-TIME EMPLOYEES			
A. Appointments			
None			
B. Changes			
None			
C. Separations			
Guillermo Diaz	Maintenance Trainee I	B	10/13/2022
Debra Larsen	Community Services Leader III	B	07/21/2022



Thaddeus McCormack
City Manager

DIVIDER SHEET

**CITY OF LAKEWOOD
FUND SUMMARY 10/13/22**

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

1010	GENERAL FUND	604,772.73
1020	CABLE TV	300.00
1025	AMERICAN RESCUE PLAN	29,599.50
1030	CDBG CURRENT YEAR	6,424.16
1050	COMMUNITY FACILITY	22,202.96
1070	RETIREE BENEFITS	2,930.14
1623	LA CNTY MEASURE W	701.69
3070	PROPOSITION "C"	3,107.61
5020	CENTRAL STORES	1,807.21
5030	FLEET MAINTENANCE	8,700.13
7500	WATER UTILITY FUND	31,611.26
8030	TRUST DEPOSIT	300.00
		712,457.39

Council Approval

Date

City Manager

Attest

City Clerk

Director of Finance and Administrative Services

CITY OF LAKEWOOD SUMMARY CHECK REGISTER

CHECK DATE	VENDOR NAME	CHECK AMOUNT
10/13/2022	A T & T CORP	312.65
10/13/2022	ADAMS-HILLERY SHARRON	6,424.16
10/13/2022	AIRE RITE A/C & REFRIGERATION INC	9,092.30
10/13/2022	ALAN'S LAWN AND GARDEN CENTER, INC.	86.81
10/13/2022	MNRO HOLDINGS, LLC	583.25
10/13/2022	ALLIANT INSURANCE SERVICES	1,387.00
10/13/2022	AMAZON CAPITAL SERVICES, INC.	609.36
10/13/2022	AMERICAN TRUCK & TOOL RENTAL INC	356.25
10/13/2022	AMERICAN SOCCER COMPANY, INC.	337.92
10/13/2022	ROSS AVIATION INVESTMENT, LLC	3,992.49
10/13/2022	AUTOZONE PARTS INC	74.08
10/13/2022	B&M LAWN AND GARDEN INC	3,266.95
10/13/2022	BB ENTERPRISES, INC.	600.00
10/13/2022	TWO SHELLS ENTERPRISES INC.	140.00
10/13/2022	CINTAS CORPORATION	72.26
10/13/2022	CITY LIGHT & POWER LKWD INC	12,938.73
10/13/2022	CRAFCO, INC.	1,486.95
10/13/2022	CREATE A PARTY INC.	7,362.45
10/13/2022	DAVIS-DIASSY, BAYETTE	600.00
10/13/2022	DICKSON R F CO INC	47,486.54
10/13/2022	DUNRITE PEST CONTROL INC.	260.00
10/13/2022	DURHAM SCHOOL SERVICES	1,806.17
10/13/2022	EDEN USA, INCORPORATED	1,715.41
10/13/2022	EEC ACQUISITION LLC	813.29
10/13/2022	ELLIOTT AUTO SUPPLY COMPANY INC	117.51
10/13/2022	FAMILY ENRICHMENT INC.	500.00
10/13/2022	FEDERAL EXPRESS CORP	144.67
10/13/2022	FILE KEEPERS, LLC	68.70
10/13/2022	FRONTIER CALIFORNIA INC.	2,807.08
10/13/2022	GARIBALDO'S NURSERY	578.81
10/13/2022	GEORGE CHEVROLET	65,393.19
10/13/2022	GLOBE GAS CORPORATION	66.22
10/13/2022	GOLDEN STATE WATER COMPANY	6,731.81
10/13/2022	GOV'T FINANCE OFFICERS ASSOC	1,240.00
10/13/2022	H & H NURSERY	359.30
10/13/2022	HARA M LAWNMOWER CENTER	92.61
10/13/2022	HARRINGTON INDUSTRIAL PLASTICS LLC	1,231.77
10/13/2022	HOME DEPOT	5,642.79
10/13/2022	JHM SUPPLY INC	434.96
10/13/2022	LAKESWOOD, CITY OF	300.00
10/13/2022	LATINAS ART FOUNDATION	100.00
10/13/2022	LIFTECH ELEVATOR SERVICES INC	426.00
10/13/2022	LONG BEACH, CITY OF	711.08
10/13/2022	MACAULAY, CHRISTINA	300.00

CITY OF LAKEWOOD SUMMARY CHECK REGISTER

CHECK DATE	VENDOR NAME	CHECK AMOUNT
10/13/2022	NGUYEN, DEREK	90.00
10/13/2022	O'REILLY AUTOMOTIVE STORES INC	1,373.07
10/13/2022	ODP BUSINESS SOLUTIONS, LLC	379.09
10/13/2022	DY-JO CORPORATION	1,680.00
10/13/2022	PHASE II SYSTEMS INC	2,930.14
10/13/2022	RAYVERN LIGHTING SUPPLY CO INC	355.49
10/13/2022	READWRITE EDUCATIONAL SOLUTIONS INC	188.50
10/13/2022	S & J SUPPLY CO	574.60
10/13/2022	S.T.E.A.M.	274,538.44
10/13/2022	SEDARU INC.	17,300.00
10/13/2022	SITEONE LANDSCAPE SUPPLY, LLC	505.59
10/13/2022	SMART & FINAL INC	101.99
10/13/2022	SO CALIF SECURITY CENTERS INC	209.47
10/13/2022	SOUTHERN CALIFORNIA EDISON CO	123,218.14
10/13/2022	SOUTHERN CALIFORNIA GAS CO	1,429.88
10/13/2022	SOUTHWEST PATROL INC.	19,680.00
10/13/2022	STATE WATER RESOURCES CONTROL BOARD	105.00
10/13/2022	THURSTON ELEVATOR CONCEPTS, INC.	146.00
10/13/2022	TURF STAR	1,213.34
10/13/2022	U S POSTAL SERVICE	9,500.00
10/13/2022	UNITED WATER WORKS INC	408.26
10/13/2022	USA BLUE BOOK A DIVISION OF	1,225.67
10/13/2022	CELLCO PARTNERSHIP	3,278.04
10/13/2022	WALTERS WHOLESALE ELECTRIC CO	1,975.62
10/13/2022	WATER SYSTEM SERVICES LLC	175.00
10/13/2022	WATERLINE TECHNOLOGIES INC	8,368.95
10/13/2022	WAXIE ENTERPRISES INC	1,532.79
10/13/2022	COMPREHENSIVE PRINT GROUP LLC	6,170.00
10/13/2022	WESTERN WATER WORKS SUPPLY CO	389.85
10/13/2022	WILLDAN ASSOCIATES	41,045.75
10/13/2022	YORDT, JOSHUA	445.20
10/13/2022	BUNALES, FLETCHER	50.00
10/13/2022	CASTELLANOS, MARIA	100.00
10/13/2022	DO, CAMILLE	100.00
10/13/2022	GOMEZ, PHILLIP	1,000.00
10/13/2022	MONGE, NELLY	72.00
10/13/2022	MOORE, DYLAN	100.00
10/13/2022	PUEBLOS, ARMANDO	50.00
10/13/2022	ROSHAN, ADEL	100.00
10/13/2022	SAING SEAN	100.00
10/13/2022	SOBREPENA, CHRISTINA	100.00
10/13/2022	STEWART, CHAR'LEE	100.00
10/13/2022	YOUNG BRITTANY	1,000.00

**CITY OF LAKEWOOD
SUMMARY CHECK REGISTER**

**CHECK
DATE**

VENDOR NAME

**CHECK
AMOUNT**

Total:

712,457.39

**CITY OF LAKEWOOD
FUND SUMMARY 10/20/22**

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

1010	GENERAL FUND	1,824,260.55
1020	CABLE TV	80.00
1025	AMERICAN RESCUE PLAN	413.38
1030	CDBG CURRENT YEAR	1,852.17
1035	CASP CERTIFICATION & TRNG FUND	54.00
1050	COMMUNITY FACILITY	898.29
1336	STATE COPS GRANT	19,301.25
1622	LA CNTY MEASURE M	525.74
3000	AIR QUALITY IMPROVEMENT	76,011.10
3070	PROPOSITION "C"	203.58
5020	CENTRAL STORES	1,799.00
5030	FLEET MAINTENANCE	1,159.26
7500	WATER UTILITY FUND	69,019.90
8030	TRUST DEPOSIT	32,915.33
		2,028,493.55

Council Approval

Date

City Manager

Attest

City Clerk

Director of Finance and Administrative Services

CITY OF LAKEWOOD SUMMARY CHECK REGISTER

CHECK DATE	VENDOR NAME	CHECK AMOUNT
10/20/2022	AIRGAS INC	69.96
10/20/2022	ALAN'S LAWN AND GARDEN CENTER, INC.	440.99
10/20/2022	ALTUNA, JEREMY	203.62
10/20/2022	AMAZON CAPITAL SERVICES, INC.	1,144.42
10/20/2022	AUTOZONE PARTS INC	79.37
10/20/2022	B.R. BREWER SIGN & GRAPHICS	374.85
10/20/2022	BELL EVENT SERVICES INC	4,600.00
10/20/2022	BIG STUDIO INC	3,519.07
10/20/2022	CALIF. STATE DISBURSEMENT UNIT	157.38
10/20/2022	CALIF STATE FRANCHISE TAX BOARD	480.17
10/20/2022	CALIFORNIA STATE DEPT OF JUSTICE	512.00
10/20/2022	CAMACHO, ANDREW	686.78
10/20/2022	CERRITOS, CITY OF	43,192.03
10/20/2022	CINTAS CORPORATION	62.13
10/20/2022	COMMUNITY FAMILY GUIDANCE CTR	708.33
10/20/2022	CORELOGIC, INC.	56.50
10/20/2022	D&J INTERNATIONAL INC	32.54
10/20/2022	DIAMOND ENVIRONMENTAL SERVICES LP	5,923.70
10/20/2022	EDCO WASTE SERVICES LLC	508,055.08
10/20/2022	EDCO WASTE SERVICES LLC	10,208.52
10/20/2022	GARIBALDO'S NURSERY	308.70
10/20/2022	GEORGE CHEVROLET	76,011.10
10/20/2022	GILLIBRAND P W CO INC	1,378.53
10/20/2022	GOLDEN STATE WATER COMPANY	10,098.21
10/20/2022	GRAINGER W W INC	559.44
10/20/2022	HOME DEPOT	196.46
10/20/2022	INFOSEND INC	6,194.04
10/20/2022	INTEGRA CHEMICAL CO	723.25
10/20/2022	JHM SUPPLY INC	324.99
10/20/2022	JONES RICHARD D. A PROF LAW CORP	17,252.50
10/20/2022	KENNY'S AUTO SERVICE	163.00
10/20/2022	KWIK-COVERS	272.70
10/20/2022	LAKEWOOD CHAMBER OF COMMERCE	1,833.33
10/20/2022	LAKEWOOD, CITY WATER DEPT	122,686.23
10/20/2022	LOS ANGELES CO SHERIFFS DEPT	1,079,921.19
10/20/2022	O'REILLY AUTOMOTIVE STORES INC	348.04
10/20/2022	ODP BUSINESS SOLUTIONS, LLC	544.47
10/20/2022	ONTIVEROS, FRANK	151.25
10/20/2022	PATHWAYS VOLUNTEER HOSPICE	708.33
10/20/2022	PE, ARIEL	136.89
10/20/2022	PUN GROUP, THE LLP	15,000.00
10/20/2022	RODRIGUEZ, EDIANNE	514.28
10/20/2022	RUIZ, TAWNY	953.77
10/20/2022	SECTRA SECURITY INC	191.17

CITY OF LAKEWOOD SUMMARY CHECK REGISTER

CHECK DATE	VENDOR NAME	CHECK AMOUNT
10/20/2022	SERVICEWEAR APPAREL INC.	3,625.02
10/20/2022	SITEONE LANDSCAPE SUPPLY, LLC	925.71
10/20/2022	SMART & FINAL INC	173.35
10/20/2022	SOUTHERN CALIFORNIA EDISON CO	17,959.16
10/20/2022	SOUTHERN CALIFORNIA GAS CO	3,587.89
10/20/2022	SPENCER, GORDON	80.00
10/20/2022	SU CASA ENDING DOMESTIC VIOLENCE	416.67
10/20/2022	SWANK MOTION PICTURES INC	465.00
10/20/2022	TGIS CATERING SVCS INC	4,833.38
10/20/2022	THE ARTCRAFT GROUP, INC.	1,293.07
10/20/2022	THE HITT COMPANIES	35.51
10/20/2022	UNIFIRST CORPORATION	248.67
10/20/2022	USA BLUE BOOK A DIVISION OF	646.93
10/20/2022	WAXIE ENTERPRISES INC	941.66
10/20/2022	WEST COAST ARBORISTS INC	69,455.00
10/20/2022	WESTERN EXTERMINATOR CO	62.70
10/20/2022	WOOD, JEFF	707.21
10/20/2022	WYNN, LAKYN	97.50
10/20/2022	ZUMAR INDUSTRIES, INC.	525.74
10/20/2022	BRIM, RONNISHA	250.00
10/20/2022	CALLAWAY-LENARD, CHEVELLA	250.00
10/20/2022	CEBALLOS, CAROLA	54.00
10/20/2022	DADIA, ANNALYN	250.00
10/20/2022	DUNCAN, CRISTIN	250.00
10/20/2022	ECHEVERRIA, ERICA	250.00
10/20/2022	EXO ENERGY	337.00
10/20/2022	FRAZIER, CARISSA	244.17
10/20/2022	GIBSON, ELLIS	250.00
10/20/2022	GUTIERREZ, ANITA	10.00
10/20/2022	GUTIERREZ, ANITA	10.00
10/20/2022	GUTIERREZ, ANITA	10.00
10/20/2022	GUTIERREZ, ANITA	10.00
10/20/2022	HARNESS BUILDING SOLUTIONS	450.00
10/20/2022	LAPASTORA, MARIA	250.00
10/20/2022	MADDAHI, DARIUSH	100.00
10/20/2022	MORALES, GILBERTO	1,658.90
10/20/2022	PATTISON, BRUCE	100.00
10/20/2022	SHEPARD, RYAN	100.00
10/20/2022	TORREZ, ANGELICA	250.00
10/20/2022	VANOSSE, MAKAYLA	250.00
10/20/2022	WARREN, SHIRLEY	100.00
Total:		2,028,493.55

DIVIDER SHEET

COUNCIL AGENDA

October 25, 2022

TO: The Honorable Mayor and City Council

SUBJECT: Report of City Council Committees' Activities

INTRODUCTION

A brief update is provided for City Council review on the activities of the following standing committees: Community Promotions and Public Safety Committees.

STATEMENT OF FACT

On September 21, 2022, the Community Promotions Committee met and discussed:

The idea of the Lakewood Leadership Academy, a program designed to teach skills for effective leadership, was proposed to the committee. The target audience is young professionals in a supervisory or managerial role, although anyone can apply, who are either Lakewood residents, or work for a Lakewood-based business. The goal is for those in the program to take their newly achieved skills to better their companies, therefore bettering the workforce and ultimately creating a better community. Initially open to 20-25 participants in the pilot program, a proposed charge of a modest \$50 tuition will essentially prove investment by participants. Fee includes all course material and swag, continental breakfast and networking lunch. Sessions will be half day, monthly, for a total of nine months. Potential roll out at the end of 2022. Funding from Supervisor Janice Hahn has been secured in the amount of \$10,000. Expenditures will include instructor fees, course materials, and food. This program will be co-sponsored with the Greater Lakewood Chamber of Commerce.

This meeting also provided a review of the citywide special events organized by the Public Safety, Public Information, and Recreation and Community Services Departments.

On October 4, 2022, the Public Safety Committee met and discussed:

Crime Trends and Statistics

Rates are returning to pre-pandemic levels. Deputies increased patrols and surveillance operations as an additional deterrent to increased crime overall. Arrests were made where firearms were recovered and a Grand Theft Auto (GTA) suspect was apprehended.

Abatement Deputy Update

Updates were provided on locations of engagement and abatement throughout the city (outreach services are offered when contact is made). The new Homeless Services Liaison representative is scheduled to begin in the near future.

Public Outreach

Publicity will continue on Halloween traffic safety and auto theft prevention via eMags and social media. Staff is preparing for the upcoming Award of Valor event.

Public Safety Department Update

Community Safety Officers (CSO) played an active role in keeping the community safe by being proactive and vigilant while on patrol and by completing specialized training. Details were provided on upcoming programs and events.

Follow-Up Items

A draft report of the Local Roadway Safety Plan was shared with committee and discussed.

The creation of a Lakewood Mall CSO program was suggested where dedicated staff would be integrated with mall security and provide supplemental support seven days per week. The Committee requested a formal plan be drafted for review and discussion.

RECOMMENDATION

It is recommended that the City Council receive and file this report.



Thaddeus McCormack
City Manager

DIVIDER SHEET

COUNCIL AGENDA

October 25, 2022

TO: The Honorable Mayor and City Council**SUBJECT:** Monthly Report of Investment Transactions – September 2022**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 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

Date	Amount at Cost	Investment	Transaction	Rate*
01-Sep-22	\$5,210.78	CAMP	Interest	0.820%
01-Sep-22	3,737.50	FNMA	Interest	2.300%
03-Sep-22	7,000.00	CORP	Interest	4.000%
07-Sep-22	1,462.50	CORP	Interest	3.250%
08-Sep-22	2,500,000.00	LAIF	Purchase	0.750%
08-Sep-22	693.75	FNMA	Interest	0.250%
10-Sep-22	109.38	CORP	Interest	0.625%
14-Sep-22	185,554.74	CORP	Purchase	3.950%
14-Sep-22	546.25	CORP	Interest	1.150%
15-Sep-22	750,000.00	LAIF	Sell	0.750%
15-Sep-22	35.00	ABS	Interest	0.500%
15-Sep-22	247.00	ABS	Interest	1.040%
15-Sep-22	359.67	ABS	Interest	3.320%
15-Sep-22	1,646.88	CORP	Interest	3.875%
15-Sep-22	22.27	ABS	Interest	0.400%
15-Sep-22	25.33	ABS	Interest	0.380%
15-Sep-22	15.94	ABS	Interest	0.340%
15-Sep-22	106.33	ABS	Interest	0.580%
15-Sep-22	112.29	ABS	Interest	0.550%
15-Sep-22	28.99	ABS	Interest	0.440%

Monthly Investment Transactions
October 25, 2022
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Date	Amount at Cost	Investment	Transaction	Rate*
15-Sep-22	\$54.17	ABS	Interest	0.520%
15-Sep-22	876.71	ABS	Interest	3.970%
15-Sep-22	427.00	ABS	Interest	3.660%
15-Sep-22	833.38	ABS	Interest	3.390%
15-Sep-22	13.71	ABS	Interest	0.550%
15-Sep-22	15.52	ABS	Interest	0.430%
15-Sep-22	12,629.78	ABS	Paydown	0.430%
15-Sep-22	11,148.75	ABS	Paydown	0.400%
15-Sep-22	7,556.49	ABS	Paydown	0.440%
15-Sep-22	3,279.16	ABS	Paydown	0.340%
15-Sep-22	3,828.55	ABS	Paydown	0.550%
15-Sep-22	5,440.12	ABS	Paydown	0.500%
16-Sep-22	331.08	CORP	Interest	0.697%
18-Sep-22	150.00	CORP	Interest	0.750%
18-Sep-22	36.48	ABS	Interest	0.370%
18-Sep-22	149.20	ABS	Interest	3.730%
18-Sep-22	9,489.10	ABS	Paydown	0.370%
19-Sep-22	2081.25	CORP	Interest	2.250%
20-Sep-22	18.75	ABS	Interest	0.500%
20-Sep-22	8.69	ABS	Interest	0.450%
20-Sep-22	56.67	ABS	Interest	0.340%
20-Sep-22	78.33	ABS	Interest	0.470%
20-Sep-22	1.57	ABS	Paydown	0.340%
20-Sep-22	24012.49	ABS	Paydown	0.470%
20-Sep-22	10,312.86	ABS	Paydown	0.450%
22-Sep-22	750,000.00	LAIF	Sell	0.750%
23-Sep-22	684.38	FNMA	Interest	0.375%
23-Sep-22	962.50	FNMA	Interest	0.500%
25-Sep-22	13.45	FNMA	Interest	3.203%
25-Sep-22	14.37	ABS	Interest	0.480%
25-Sep-22	17.95	ABS	Interest	0.290%
25-Sep-22	13.67	FNMA	Paydown	3.203%
25-Sep-22	3,881.67	ABS	Paydown	0.480%
25-Sep-22	10,001.73	ABS	Paydown	0.290%
27-Sep-22	1,306.25	CORP	Interest	2.750%
29-Sep-22	1,200,000.00	LAIF	Purchase	0.750%
30-Sep-22	2,406.25	TREAS	Interest	0.875%

Date	Amount at Cost	Investment	Transaction	Rate*
30-Sep-22	\$2,683.43	CORP	Interest	2.901%
30-Sep-22	6,906.25	TREAS	Interest	2.125%
30-Sep-22	5,137.50	TREAS	Interest	1.500%

* Rates shown for MMF, LAIF, and CAMP are distribution yields. All others are coupon rates.

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 September 2022.


Jose Gomez
Director of Finance & Administrative Services


Thaddeus McCormack
City Manager

DIVIDER SHEET

COUNCIL AGENDA

October 25, 2022

TO: The Honorable Mayor and City Council

SUBJECT: Quarterly Schedule of Investments – as of September 30, 2022

INTRODUCTION

The City invests idle funds in compliance with the California Government Code (CGC) and the City's investment policy, which the City Council last reviewed and approved in January 2022. The portfolio is highly-rated and well-diversified. While the portfolio is subject to the ebb and flow of market yield fluctuations, it is largely protected from the stock market volatility as the CGC and the City's investment policy narrowly define the authorized types of investments available. Additionally, City staff works closely with PFM Asset Management, LLC (PFM), the City's investment advisor, to seek out quality investments in proven sectors and keep investment allocations to any one issuer low as a percentage.

The City's investments summarized in this report are allocated to a variety of funds such as the General Fund, Water Utility Fund, Redevelopment Successor Agency Funds, Restricted Special Revenue Funds, and Fiduciary Funds.

The City's investment objectives, in order of priority, are safety, liquidity and yield. To meet these objectives, the City utilizes the following types of investments:

U.S. Treasury Notes

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

Federal Agency Bonds or Notes:

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. This includes Collateralized Mortgage Obligations (CMOs).

- **FHLB (Federal Home Loan Bank Bonds)**
Bonds and discount notes issued by the Federal Home Loan Bank to provide funding to member institutions and make available money to the residential mortgage market.
- **FHLMC (Federal Home Loan Mortgage Corp)**
A publicly chartered agency that buys qualifying residential mortgages from lenders, packages them into new securities backed by those pooled mortgages, provides certain guarantees and then re-sells the securities on the open market.
- **FNMA (Federal National Mortgage Association)**
A government-sponsored, privately owned corporation established to create a secondary market for Federal Housing Administration mortgages.
- **FFCB (Federal Farm Credit Bank)**
The Federal Farm Credit Bank is an independent agency of the U.S. Government that issues bonds and discount notes to provide short- and long-term credit and credit-related services to farmers, ranchers, rural homeowners, producers and harvesters.

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.

Negotiable Certificates of Deposit (CDs)

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.

Municipal Bonds or Notes:

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.

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. Medium-term corporate notes shall be rated in a rating category of "A" or its equivalent or better.

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.

Pooled Funds:

- 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.
- 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 professional investment services at a reasonable cost. Participation is limited to California public agencies.
- Los Angeles County Pool
This pool is very similar to LAIF. It is well-diversified, very liquid, and offers competitive yields.

SUMMARY – Schedule of Investments as of September 30, 2022

MANAGED PORTFOLIO

Security Type	Market Value	% of Portfolio	% Change vs. 6/30/22	Permitted by Policy	In Compliance
U.S. Treasury Notes	\$17,048,838	46.1%	-2.5%	100%	Yes
Federal Agency	3,470,748	9.4%	-0.8%	100%	Yes
Federal Agency CMBS	4,969	<0.1%	0.0%	100%	Yes
Municipal Bonds	1,992,059	5.4%	-0.3%	100%	Yes
Supranationals	1,289,578	3.5%	-0.6%	30%	Yes
Negotiable CDs	290,910	0.8%	0.0%	30%	Yes
Corporate Notes	10,189,348	27.6%	1.9%	30%	Yes
Asset-Backed Security	2,688,351	7.2%	0.4%	20%	Yes
Securities Sub-Total	\$36,974,801	100%			
Cash	144,181				
Total Managed Portfolio	\$37,118,982				

POOLED INVESTMENT ACCOUNTS

	Market Value
LAIF	\$59,803,073
CAMP	\$2,430,890
	\$62,233,963

BANK ACCOUNTS

	Balance
City – Checking*	\$3,373,588
City Payroll	\$68,981
Successor Housing - Checking	\$2,413,276
	\$5,855,845

Funds held in reserve as required by debt issuance or non-agency funds - not available for City expenditures:

Successor Agency – Checking	F&M	\$570,072
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Total Portfolio	\$105,778,862
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* The balance includes a significant amount in uncashed (recently-issued) checks.

Attached is a more detailed report of the managed portfolio provided by PFM.

STAFF RECOMMENDATION

It is recommended that the City Council receive and file this report.


Jose Gomez
Director of Finance & Administrative Services


Thaddeus McCormack
City Manager



City of Lakewood

Investment Performance Review For the Quarter Ended September 30, 2022

Client Management Team

Sarah Meacham, Managing Director
Robert Cheddar, CFA, Managing Director
Richard Babbe, CCM, Senior Managing Consultant

PFM Asset Management LLC

633 W 5th St., 25th Floor
Los Angeles, CA 90071
213-415-1699

213 Market Street
Harrisburg, PA 17101-2141
717-232-2723

NOT FDIC INSURED : NO BANK GUARANTEE : MAY LOSE VALUE

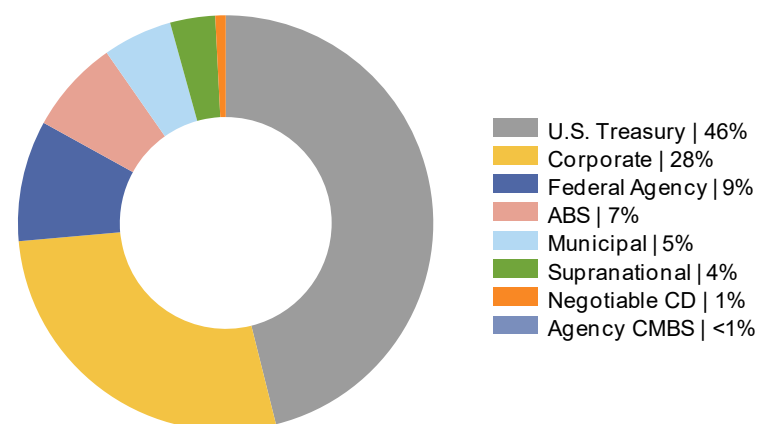
For Institutional Investor or Investment Professional Use Only - This material is not for inspection by, distribution to, or quotation to the general public

Portfolio Snapshot¹

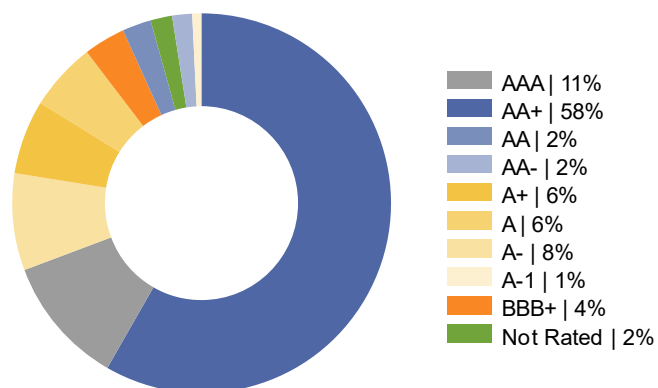
Portfolio Statistics

Total Market Value	\$37,118,982.04
Securities Sub-Total	\$36,836,993.77
Accrued Interest	\$137,808.51
Cash	\$144,179.76
Portfolio Effective Duration	2.36 years
Benchmark Effective Duration	2.48 years
Yield At Cost	1.51%
Yield At Market	4.23%
Portfolio Credit Quality	AA

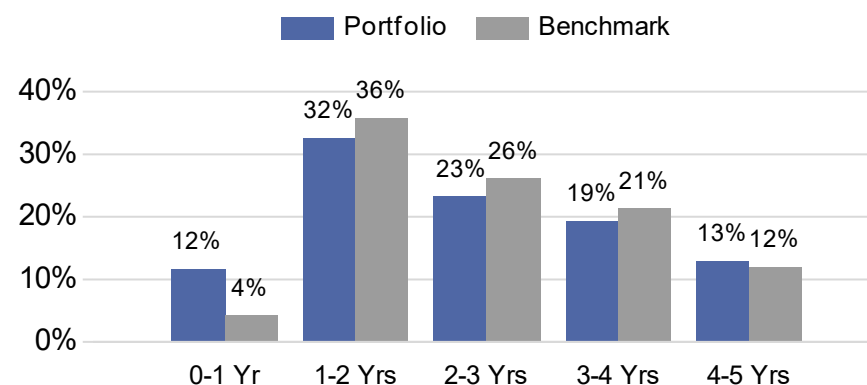
Sector Allocation



Credit Quality - S&P

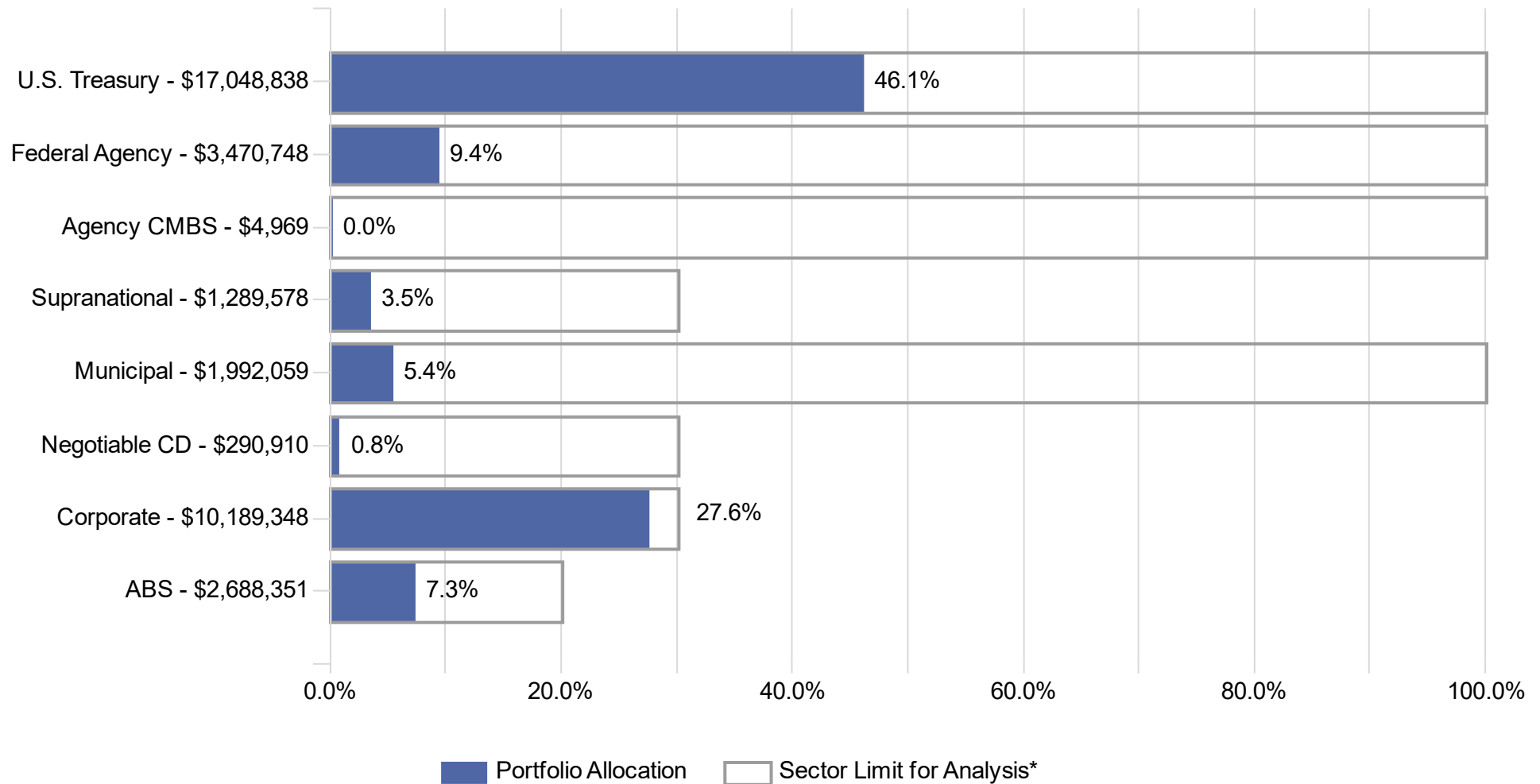


Duration Distribution



1. Yield and duration calculations exclude cash and cash equivalents. Sector allocation includes market values and accrued interest. The portfolio's benchmark is currently the ICE BofAML 1-5 Year U.S. Treasury Index. Prior to 3/31/19 it was the ICE BofAML 1-3 Year U.S. Treasury Index. Source: Bloomberg. An average of each security's credit rating was assigned a numeric value and adjusted for its relative weighting in the portfolio.

Sector Allocation Analytics

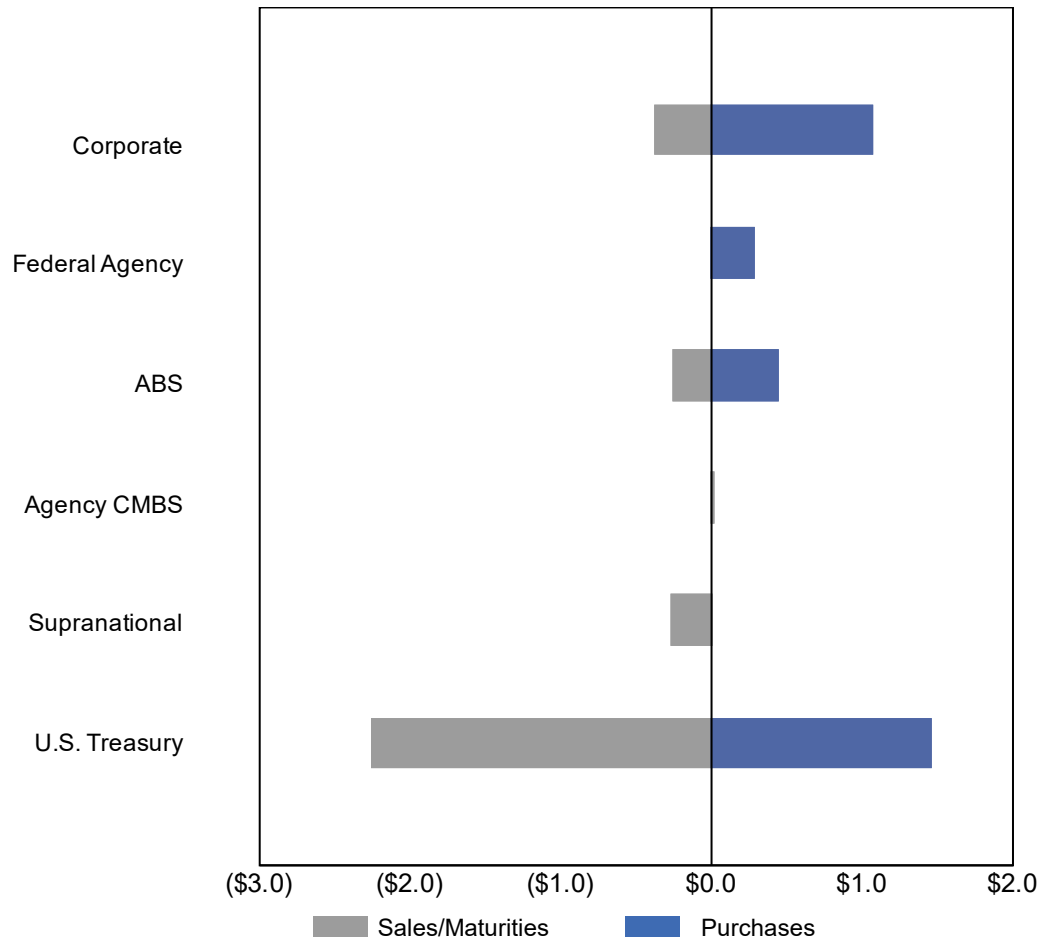


For informational/analytical purposes only and is not provided for compliance assurance. Includes accrued interest.

*Sector Limit for Analysis is as derived from our interpretation of your most recent Investment Policy as provided.

Portfolio Activity

Net Activity by Sector
(\$ millions)

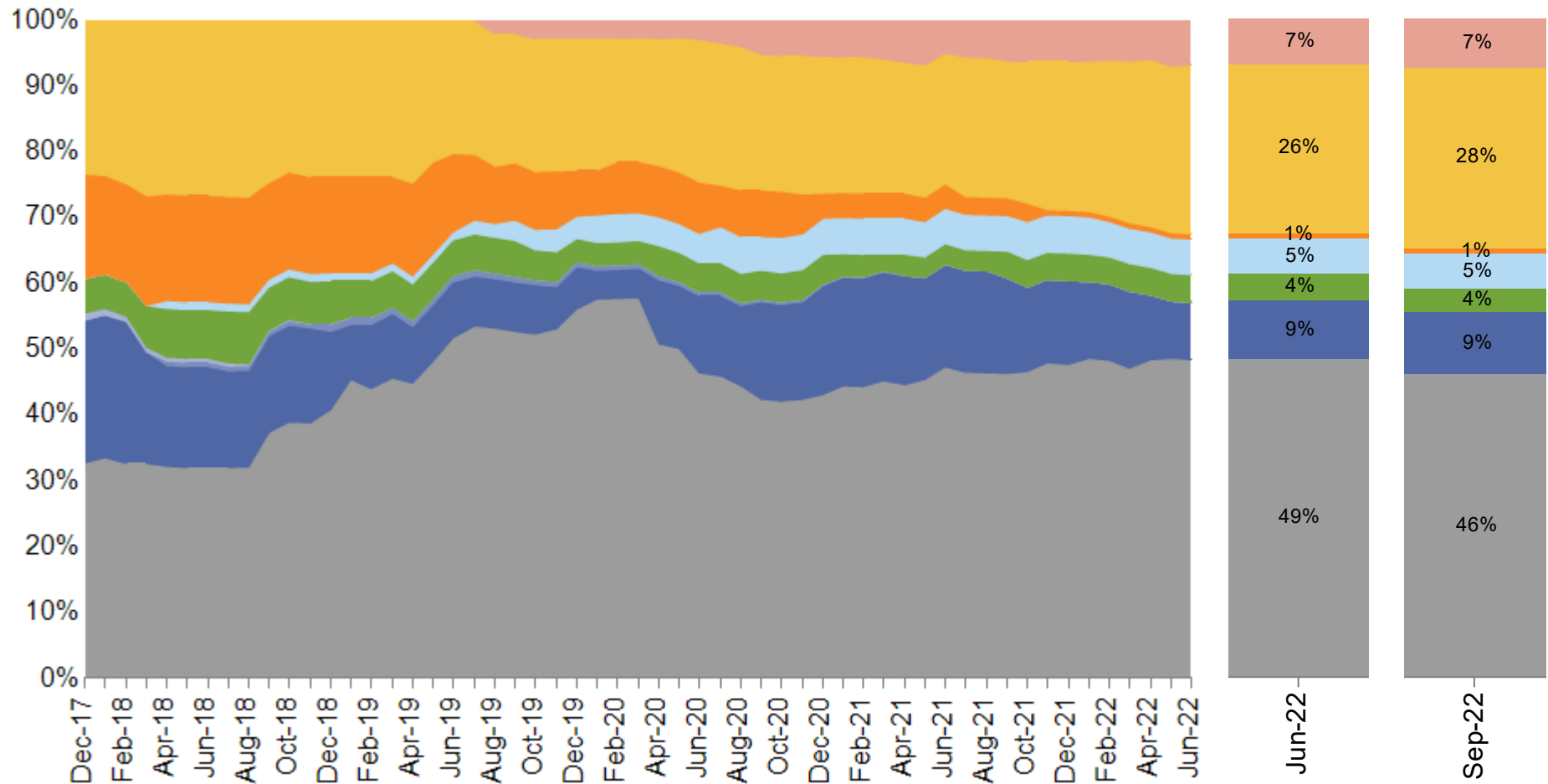


Sector	Net Activity
Corporate	\$703,218
Federal Agency	\$282,183
ABS	\$194,255
Agency CMBS	(\$42)
Supranational	(\$264,058)
U.S. Treasury	(\$781,051)
Total Net Activity	\$134,504

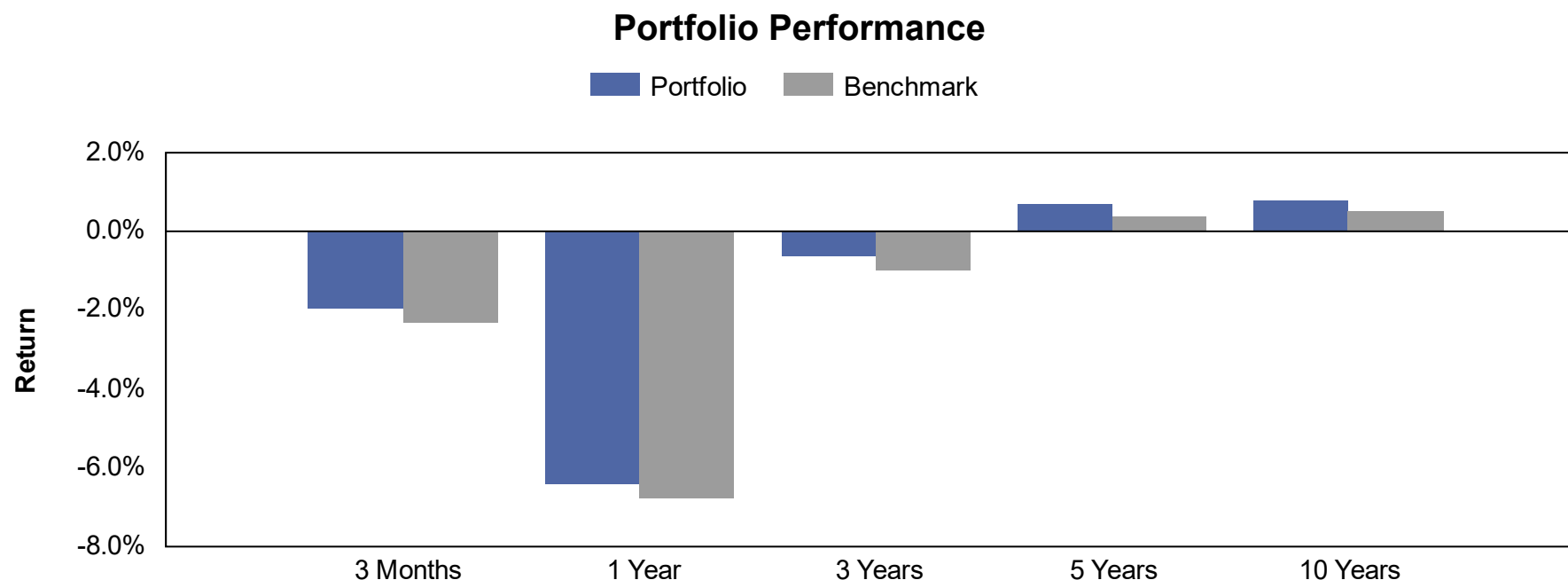
Based on total proceeds (principal and accrued interest) of buys, sells, maturities, and principal paydowns. Detail may not add to total due to rounding.

Portfolio Activity

U.S. Treasury Agency CMBS Agency CMO Supranational Municipal Negotiable CD Corporate ABS
 Federal Agency



Only includes fixed-income securities held within the separately managed account(s) and LGIPs managed by PFMAM.



Market Value Basis Earnings	3 Months	1 Year	3 Years	5 Years	10 Years ¹
Interest Earned ²	\$149,015	\$538,437	\$1,918,555	\$3,340,507	\$5,394,109
Change in Market Value	(\$889,948)	(\$3,077,710)	(\$2,615,647)	(\$2,110,076)	(\$2,587,146)
Total Dollar Return	(\$740,933)	(\$2,539,274)	(\$697,092)	\$1,230,431	\$2,806,963
Total Return³					
Portfolio	-1.96%	-6.40%	-0.62%	0.68%	0.77%
Benchmark ⁴	-2.28%	-6.78%	-0.97%	0.39%	0.51%
Difference	0.32%	0.38%	0.35%	0.29%	0.27%

1. The lesser of 10 years or since inception is shown. Since inception returns for periods one year or less are not shown. Performance inception date is December 31, 2007.

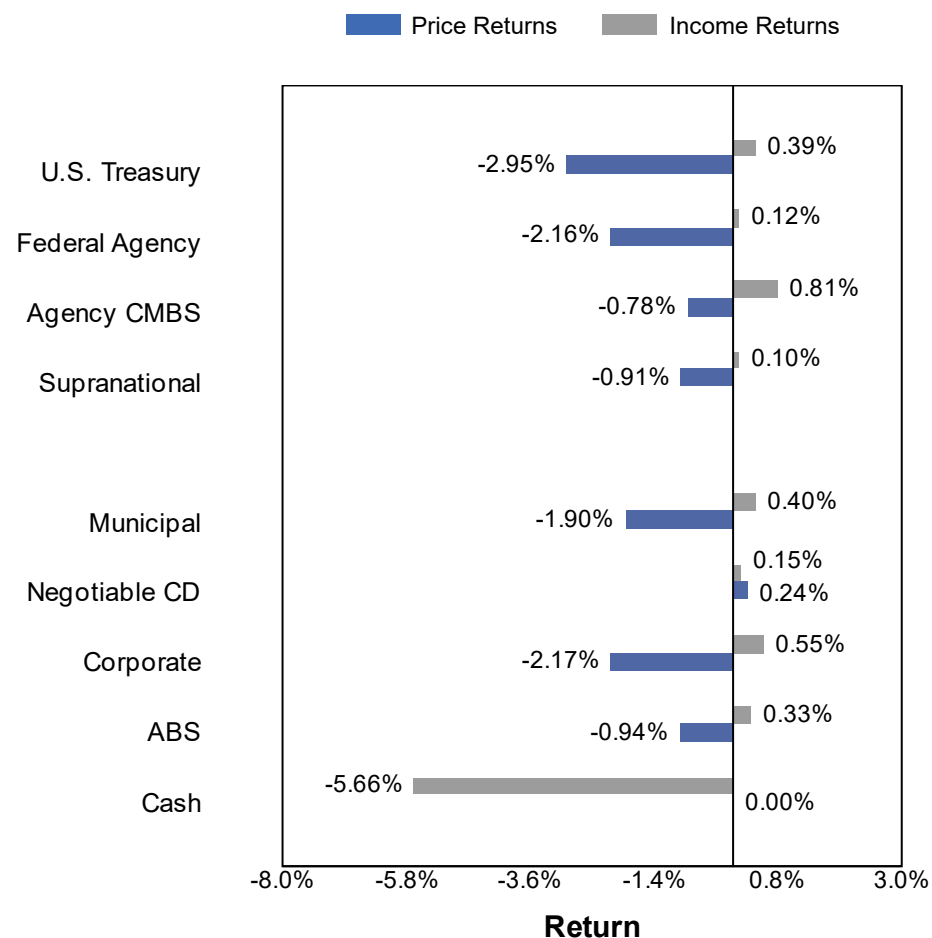
2. Interest earned calculated as the ending accrued interest less beginning accrued interest, plus net interest activity.

3. Returns for periods one year or less are presented on a periodic basis. Returns for periods greater than one year are presented on an annualized basis.

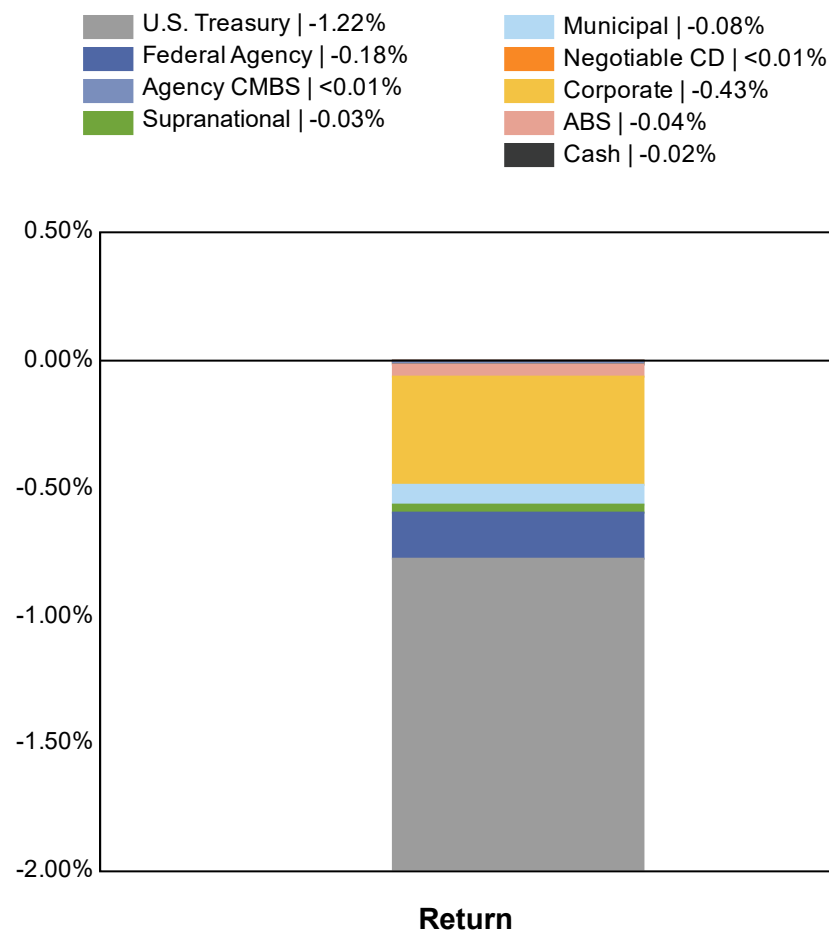
4. The portfolio's benchmark is currently the ICE BofAML 1-5 Year U.S Treasury Index. Prior to 3/31/19 it was the ICE BofAML 1-3 Year U.S Treasury Index. Source: Bloomberg.

Quarterly Sector Performance

Total Return by Sector

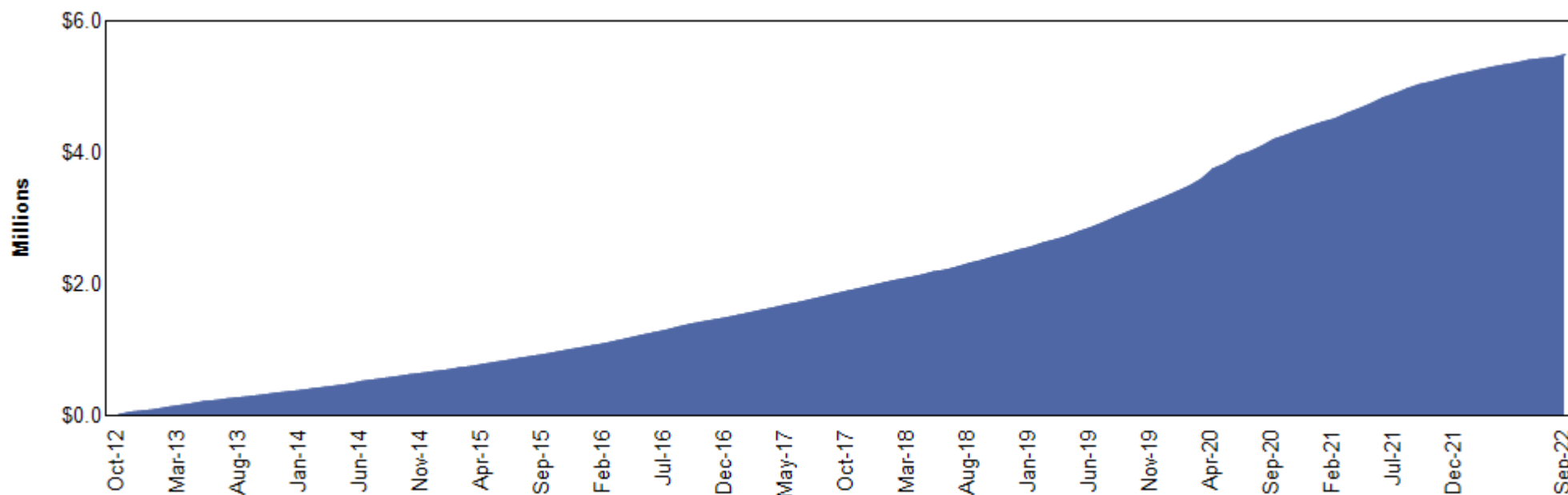


Contribution to Total Return



1. Performance on trade-date basis, gross (i.e., before fees), in accordance with the CFA Institute's Global Investment Performance Standards (GIPS).
2. Income returns calculated as interest earned on investments during the period.
3. Price returns calculated as the change in market value of each security for the period.
4. Returns are presented on a periodic basis.

Accrual Basis Earnings



Accrual Basis Earnings	3 Months	1 Year	3 Years	5 Year	10 Year ¹
Interest Earned ²	\$149,015	\$538,437	\$1,918,555	\$3,340,507	\$5,394,109
Realized Gains / (Losses) ³	(\$55,919)	(\$35,258)	\$482,260	\$254,079	\$484,707
Change in Amortized Cost	(\$7,487)	(\$47,223)	(\$8,250)	\$38,476	(\$386,391)
Total Earnings	\$85,609	\$455,956	\$2,392,565	\$3,633,062	\$5,492,426

1. The lesser of 10 years or since inception is shown. Performance inception date is December 31, 2007.

2. Interest earned calculated as the ending accrued interest less beginning accrued interest, plus net interest activity.

3. Realized gains / (losses) are shown on an amortized cost basis.

Fixed-Income Sector Outlook – 4Q 2022

Sector	Our Investment Preferences
COMMERCIAL PAPER / CD	
TREASURIES	
T-Bill	
T-Note	
FEDERAL AGENCIES	
Bullets	
Callables	
SUPRANATIONALS	
CORPORATES	
Financials	
Industrials	
SECURITIZED	
Asset-Backed	
Agency Mortgage-Backed	
Agency CMBS	
MUNICIPALS	

● Current outlook

○ Outlook one quarter ago

Negative

Slightly
Negative

Neutral

Slightly
Positive

Positive

DIVIDER SHEET

COUNCIL AGENDA

October 25, 2022

TO: The Honorable Mayor and City Council

SUBJECT: Finding and Determination of Need to Continue Emergency Action Regarding Repairs to Bolivar Park Stormwater Capture Building and Equipment

INTRODUCTION

At its September 13, 2022 meeting, the City Council adopted Resolution 2022-70 finding and determining that it was necessary to take emergency action due to the fact that the Bolivar Park Stormwater Capture Building and Equipment were damaged as a result of a traffic collision.

State law allows for necessary purchases and repairs to be made in a more expedited manner. The process was initiated via the adoption of the above resolution declaring an emergency and dispensing with the contracting requirements of the Public Contract Code (PCC).

STATEMENT OF FACT

The emergency work is estimated to cost approximately \$300,000, with the City's property insurance policy covering the amount. Since the last meeting, staff has been working closely with contractors and engineers to define the scope of the needed repairs, review new warranty terms, and gathering construction and installation proposals.

The PCC also requires that staff report to the City Council at its next meeting the actions taken to cure the emergency. Such a report and an accompanying resolution must be provided (and approved by the City Council, by four-fifths vote) through the period of time needed for completion of the needed repairs.

STAFF RECOMMENDATION

It is recommended that the City Council adopt the proposed resolution as it finds and determines that there is a need to continue the action previously authorized by Resolution No. 2022-70.



Jose Gomez
Director of Finance & Administrative Services



Thaddeus McCormack
City Manager

RESOLUTION NO. 2022-75

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD FINDING AND DETERMINING THAT THERE IS A NEED TO CONTINUE TAKING EMERGENCY ACTION REGARDING THE NEED TO MAKE REPAIRS TO THE BOLIVAR PARK STORMWATER CAPTURE BUILDING AND EQUIPMENT.

WHEREAS, on September 13, 2022, the City Council adopted Resolution No. 2022-70, finding and determining that it was necessary to take emergency action due to the fact that the Bolivar Park Stormwater Capture Building and Equipment were damaged as a result of a traffic collision; and

WHEREAS, the City has not completed the actions authorized by Resolution No. 2022-70;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD HEREBY RESOLVES AS FOLLOWS:

SECTION 1. Based on the evidence contained in the staff report submitted herewith, the City Council finds and determines that there is a need to continue the action authorized by Resolution No. 2022-70.

SECTION 2. The City Manager and his designees are hereby directed and authorized to implement the actions taken by the City Council to address this emergency.

SECTION 3. 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 4. The City Clerk shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED THIS 25TH DAY OF OCTOBER, 2022.

Mayor

ATTEST:

City Clerk

DIVIDER SHEET

COUNCIL AGENDA

October 25, 2022

TO: The Honorable Mayor and City Council

SUBJECT: Setting the Termination Date for All Commissioners' Terms

INTRODUCTION

Resolution No. 2018-62 resolves that Commissioners' terms end with the second City Council meeting following the next general municipal election. However, with the Los Angeles County Registrar-Recorder now administering the City's elections and election results usually not available by the second City Council meeting after the municipal election, Resolution No. 2018-62 needs to be amended to take into consideration the County's election canvass schedule. This would prevent Commissioners' terms from terminating prior to the seating of elected City Council members.

STATEMENT OF FACT

The attached resolution proposes to terminate all terms of members of the Planning and Environment Commission, the Community Safety Commission and the Recreation and Community Services Commission with the first regular City Council meeting held after the meeting at which the City Council certifies the results of a general municipal election.

RECOMMENDATION

That the City Council adopt the attached resolution.

Paolo Beltran **PB**
Deputy City Manager


Thaddeus McCormack
City Manager

RESOLUTION NO. 2022-76

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
LAKEWOOD SETTING THE TERMINATION DATE FOR ALL
COMMISSIONERS' TERMS.

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

SECTION 1. Henceforth, all terms of members of the Planning and Environment Commission, the Community Safety Commission, and the Recreation and Community Services Commission shall terminate with the first Regular City Council meeting held after the meeting at which the City Council certifies the results of a General Municipal Election.

SECTION 2. The termination date set forth in this Resolution shall supersede all prior termination dates established for such terms of office.

SECTION 3. 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 4. The City Clerk shall certify to the adoption of this Resolution.

ADOPTED AND APPROVED THIS 25TH DAY OF OCTOBER, 2022.

Mayor

ATTEST:

City Clerk

DIVIDER SHEET

COUNCIL AGENDA

October 25, 2022

TO: The Honorable Mayor and City Council

SUBJECT: Customer Information and Utility Billing System Transition and Agreements Update

BACKGROUND

It has been almost three years since the City took over utility billing operations from Fathom Water Management, Inc. As the Council is aware, ensuring a smooth transition within a short period of time was a significant task. A major factor in the success of the transition was utilizing what the City termed as a “conglomerate solution” where the City entered into separate agreements with Fathom’s former vendors to provide services directly to the City similar to the previous Fathom model. These vendors had familiarity and possession of City data that facilitated a smoother transition for the City and utility customers.

At its December 10, 2019 meeting, the City Council authorized staff to enter into three (3) year agreements with the following five vendors that created the “conglomerate solutions” model:

<u>Vendor Name</u>	<u>Primary Task(s)</u>
• Advanced Utility Systems / Harris (AUS)	Customer Info System (CIS)/Billing
• WaterSmart	Customer Online Portal Interface
• Paymentus	On-line/Electronic Payments
• Utilitec (Subsequently replaced by InfoSend)	Print/Send Bills
• Neptune	Collect Meter Reads

Attached is a diagram illustrating their role within the utility billing workflow.

TRANSITION STATUS

The suddenness of the Fathom dissolution in late 2019 coupled with the on-going impacts of the COVID-19 pandemic starting in spring 2020 lengthened the transitional period and full evaluation of the various vendor components. While the City’s transition away from Fathom required an all-hands collaborative effort, staff has been very pleased overall as the move had a minimal impact on customers and actually improved the service level the City is able to offer.

AGREEMENTS

Of the original five vendor agreements, three (Advanced Utility System, WaterSmart, and Paymentus) are set to expire December 2022. Utilitec is no longer a vendor as it was replaced in 2021 with Infosend on a five-year agreement. Neptune continues to provide the City’s water meters and corresponding software on year-to-year agreements. Since the transition, Staff has been attending industry seminars and reaching out to other water agencies to gain a better understanding of the utility software landscape and where the City’s vendors fit both in-terms of services offered and cost.

Staff is satisfied that current vendor agreement fees are within industry averages and provide staff and customers with appropriate levels of service. Therefore, staff has worked with the three vendors over the past several months on amendments that would extend the current agreements an additional three years. This would keep the current "conglomerate" solution in place and allow staff to better assess their performance in a non-transitional environment but also provide the City with flexibility in the near future.

- Advanced Utility Systems – The original agreement was for three (3) years with an option for an additional two (2) years. This amendment would turn that option into a three (3) year extension. There are no changes to their pricing and other terms. Cost is based on number of bills generated and has averaged around \$270,000 annually.
- Paymentus – The original agreement was a "piggyback" on the original Advanced Utility Systems agreement; therefore this amendment is identical to the above-mentioned amendment. It will extend the agreement an additional three (3) years with the same terms and pricing as the original agreement. The cost, based on the number of customers who pay their utility bills online, has averaged around \$80,000 annually.
- WaterSmart – The original WaterSmart agreement was for three (3) years with no option for additional years. This agreement would be a new agreement for three (3) years with City-held options for a fourth and fifth year if desired. The terms and conditions are the same as the original agreement. Cost is a fixed contractual annual amount that will average approximately \$57,000 annually.

Staff anticipates initiating a comprehensive assessment of the system in the next 12-24 months. It would allow for a proper amount of time to select and implement new software systems, if needed.

RECOMMENDATION

It is recommended that the City Council enter into three-year agreements with Advanced Utility System, Paymentus Corporation, and WaterSmart.


Jose Gomez
Director of Finance & Administrative Services

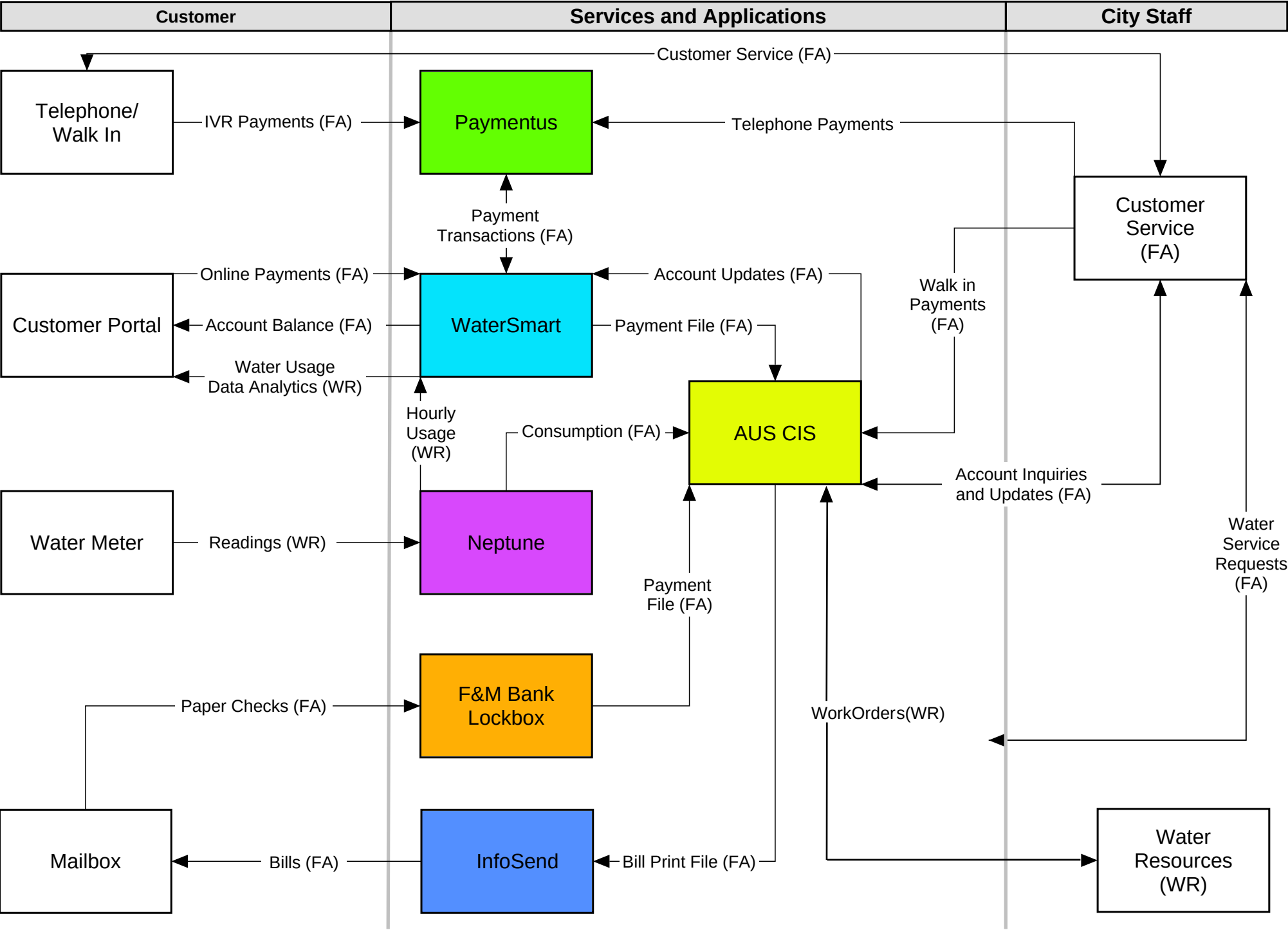

Thaddeus McCormack
City Manager

Attachments:

- Utility Billing Flowchart
- Three (3) year amendment to agreement with Advanced Utility Systems
- Three (3) year amendment to agreement with Paymentus
- Three (3) year amendment to agreement with WaterSmart

City of Lakewood - Utility Billing System Workflow

(WR) Water Resources
(FA) Finance Administration



1st Amendment to Software Subscription Agreement

WHEREAS, there was a certain Software Subscription Agreement (the "Agreement"), effective on 13th of December 13, 2019 (the "Effective Date") by and between the City of Lakewood, California ("Organization") and N. Harris Computer Corporation ("Harris").

WHEREAS, the Organization wishes to extend its use of the Software Subscription Agreement, and Harris wishes to provide such extension.

NOW THEREFORE, in consideration of the mutual covenants set out in this Hosting Service Agreement and for other good and valuable consideration (the receipt and sufficiency of which is hereby acknowledged), the parties agree to the following First Amendment to the Software Subscription Agreement, as follows:

I. **Amendment to Article 2.2 of the Agreement, Term of Agreement**

Article 2.2, Term of Agreement, is hereby superseded and replaced with the following new text

The initial term of this Agreement, which began on December 13, 2019, and will continue for a total of six (6) years, through and including December 13, 2025. Thereafter, this Agreement may be renewed for additional two (2) year period(s) upon mutual agreement of the parties in writing. Organization shall provide Harris not less than ninety (90) days' notice in writing prior to the end of the term or of its intent not to renew the Agreement. The initial term and any Renewal Terms shall collectively be referred to as the "Term."

II. Amendment to Article 5.1 of the Agreement, Fees

It is expressly understood that pricing for the additional extended term shall be as follows:

Schedule "B" Fee Structure

2023	\$2.32
2024	\$2.43
2025	\$2.55

Minimum Number of Bills = 7,000/month
Price Per Bill/Month does not include Bill Print

Paymentus Transaction Fees

The following Paymentus Pricing Model options are included as part of this agreement. These fees are in addition to the Per Bill/Monthly fees noted above.

Absorbed Fee Model- Paid by Customer (Organization)

ACH/eCheck \$0.25

Absorb credit card (Visa, MC, Discover, Amex) \$1.63

Absorb Advanced Payment Methods (Amazon, PayPal, Venmo) \$1.63

Absorb non-qualified 2.65%

III. Amendment to Schedule F, Schedule A of the Agreement, Paymentus Service Fee Schedule

a. The following language is hereby deleted from Appendix A:

"In addition the customer agrees to amend section 8.1 in the original agreements to include the following new paragraph at the end of the section to read as: "Paymentus' obligation to indemnify Customer under the section

8.1 shall not apply to any claims related to Customer's failure set forth in the Statement of Work regarding any and all actions by card associations against Paymentus and/or Customer as a result of such refusal shall be solely the Customer's responsibility and the Customer shall hold harmless Paymentus from any claims related to such refusal."

Any notification from card associations regulations or requirements needing to be addressed will be made available to Paymentus and the Customer understands that some pricing models may be against card brand regulations and could result in non-compliance.”

- b.** Appendix A of Schedule F is hereby deleted, and the following is substituted in lieu thereof:

Appendix A
Paymentus Service Fee Schedule (Absorb Model)

Paymentus Service Fee charged to the Customer (Organization) will be based on the following table:

Paymentus Service Fees– Absorbed Fee Model	
<u>Average Bill Amount: Varies</u>	
ACH/eCheck	\$0.25
Credit/Debit Card	\$1.63
(Visa, MasterCard, Discover, American Express)	
Advanced Payment Methods	\$1.63
(Amazon, PayPal, PayPal Credit, Venmo, and others as offered by Payments from time to time)	
Non-Qualified Transactions	2.65%
Chargebacks and returned checks will be billed at \$9.95 per chargeback/returned check.	

Note: Maximum Amount per Payment is \$10,000.00

Except as expressly stated otherwise in this 1st Amendment, all other terms and conditions of the Software Services Agreement remain unchanged.

IN WITNESS WHEREOF, Harris and the Organization have duly executed this Hosting Service Agreement to be effective on the Effective Date first written above,

N. HARRIS COMPUTER CORPORATION

CITY OF LAKEWOOD, CALIFORNIA

Per:

Per:

Name:

Name:

Title:

Title:

Date:

Date:



1321 Upland Dr. Suite 8389
Houston, TX 77043
United States

ORDER FORM

Prepared By: WaterSmart Customer Success
Email: clientservices@watersmartsoftware.com
Phone: 650-207-1173

Client Name: Lakewood CA, City of
Contact Name:
Billing Address: 21410 N 19th Avenue, Suite 201
Phoenix, AZ 85027
US

Quote Number: Q-01089
Offer Valid Through: 12/19/2022

Email:
Phone:

Contract Effective Date: 12/19/2022
Contract End Date: 12/18/2025

Billing Contact:
Email:
Phone:

Payment Frequency: Annually in Advance
Payment Terms: Net 30

Services	Year	Quantity	Sales Price	Total Price
WaterSmart Platform	Year 1	23,450.00	\$2.06	\$48,307.00
Premium Integration - Paymentus	Year 1	1	\$5,150.00	\$5,150.00
Premium Integration - Bill PDF Integration via API	Year 1	1	\$2,060.00	\$2,060.00
			TOTAL:	\$55,517.00

Services	Year	Quantity	Sales Price	Total Price
WaterSmart Platform	Year 2	23,450.00	\$2.12	\$49,714.00
Premium Integration - Paymentus	Year 2	1	\$5,304.50	\$5,304.50
Premium Integration - Bill PDF Integration via API	Year 2	1	\$2,121.80	\$2,121.80
			TOTAL:	\$57,140.30

Services	Year	Quantity	Sales Price	Total Price
WaterSmart Platform	Year 3	23,450.00	\$2.19	\$51,355.50
Premium Integration - Paymentus	Year 3	1	\$5,463.64	\$5,463.64
Premium Integration - Bill PDF Integration via API	Year 3	1	\$2,185.45	\$2,185.45
			TOTAL:	\$59,004.59

Services	Year	Quantity	Sales Price	Total Price
WaterSmart Platform	Year 4	23,450.00	\$2.28	\$53,466.00
Premium Integration - Paymentus	Year 4	1	\$5,627.55	\$5,627.55



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Houston, TX 77043
United States

Services	Year	Quantity	Sales Price	Total Price
Premium Integration - Bill PDF Integration via API	Year 4	1	\$2,251.01	\$2,251.01
Year 4 - Optional			TOTAL:	\$61,344.56

Services	Year	Quantity	Sales Price	Total Price
WaterSmart Platform	Year 5	23,450.00	\$2.40	\$56,280.00
Premium Integration - Paymentus	Year 5	1	\$5,796.38	\$5,796.38
Premium Integration - Bill PDF Integration via API	Year 5	1	\$2,318.54	\$2,318.54
Year 5 - Optional			TOTAL:	\$64,394.92

ORDER TOTAL \$297,401.37

Terms and Conditions

This legally binding Order Form is governed by the Agreement dated 1/31/2018 made between WaterSmart Software Inc and Lakewood CA, City of ("Client"), which are hereby incorporated into this Order Form by reference. A Client signature below constitutes acceptance of the terms of that Agreement. In the event of a conflict between the Agreement and this Order Form, the Order Form shall control.

Signatures

WaterSmart Software Inc

Name: _____
 Title: _____
 Date: _____
 Signature: _____

Lakewood CA, City of

Name: _____
 Title: _____
 Date: _____
 Signature: _____

Program At a Glance

Program Overview

Program Length 60 months (Year 4 and 5 Optional)

Total Meters 23,450

Meter Data

AMR / Manual Read Yes

AMI Yes

Electronic Bill Presentment & Payments

Bill Display Bill Amount Due and History

Paperless Billing No

Payment Website Integration Embedded Payment Pages

Dashboard and Portal

Utility Analytics Yes

Dashboard

Customer Portal Yes

Alert and Notifications

Print Leak Alerts No

Water Reports

Water Reports No

Additional Services

On-site Training No



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Houston, TX 77043
United States

Customer Letter

Customer Letter No

Premium Integration
Description

WaterSmart ISystems
- Paymentus and
InfoSend Integration
Services

Special Circumstances

Premium Integration via
API with Infosend and
Paymentus

DIVIDER SHEET

COUNCIL AGENDA

October 25, 2022

TO: Honorable Mayor and City Council

SUBJECT: Agreement to Vacate Utility Easement and Enter Partial Termination of Agreement with City of Long Beach

INTRODUCTION

The City of Long Beach has requested that City of Lakewood vacate an easement located within their city limits and enter into a Partial Termination of Agreement. Lakewood would relinquish its easement rights to allow Long Beach to proceed with its permitting process to develop the commercial property detailed in Exhibit A of the attachment to this report.

STATEMENT OF FACT

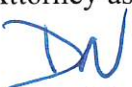
Long Beach and Montana Land Company entered into an Agreement dated as of February 4, 1931 and recorded in the Official Records of Los Angeles County, California on March 13, 1935 in Book 13353, Page 37 affecting certain Property owned by Long Beach and described in Exhibit A of the attached Agreement. Following the execution of the Agreement, Montana Land Company conveyed to Lakewood Water and Power Company all the rights, privileges and benefits granted to or retained by Montana under the Agreement. The Conveyance was dated as of February 4, 1951 and recorded in the Official Records of Los Angeles County. The City of Lakewood is the successor-in-interest to Lakewood Water and Power Company.

This easement was intended for future water utility; however, Lakewood Department of Water Resources does not have any plans to extend the City's water system into the City of Long Beach's service area. Since the utility easement is no longer needed, the City of Long Beach has requested that Lakewood vacate the easement, enter into the Partial Termination of Agreement, and relinquish its easement rights to allow the City of Long Beach to move forward with their permitting process to develop their commercial property.

RECOMMENDATION

Staff recommends that the City Council:

1. Approve the Partial Termination of Agreement with City of Long Beach and vacate existing easement within the City of Long Beach as shown in Exhibit A;
2. Authorize its execution by the Mayor on behalf of the City upon approval of the City Attorney as to form.


Derek Nguyen, Ph.D., P.E.
Director of Water Resources


Thaddeus McCormack
City Manager

WHEN RECORDED RETURN TO:

Dawn Rawls
Rawls Law Firm, PLLC
315 S. Jupiter Road
Suite 200
Allen, TX 75002

**PARTIAL TERMINATION
OF AGREEMENT**

THIS PARTIAL TERMINATION OF AGREEMENT ("Termination") is dated as of the ____ day of _____, 2022 (the "Effective Date") by the City of Long Beach, a municipal corporation organized and existing under and by virtue of the laws of the State of California and situated in the County of Los Angeles ("Long Beach"), and the City of Lakewood, a municipal corporation organized and existing under and by virtue of the laws of the State of California and situated in the County of Los Angeles ("Lakewood") (collectively, the "Parties").

RECITALS

A. Long Beach and Montana Land Company ("Montana") entered into an Agreement dated as of February 4, 1931, and recorded in the Official Records of Los Angeles County, California on March 13, 1935, in Book 13353, Page 37 (the "Agreement") affecting certain Property owned by Long Beach and described therein. Said Property includes the portion described in *Exhibit A* attached hereto and made a part hereof (the "Long Beach Property").

B. Following the execution of the Agreement, Montana conveyed to Lakewood Water and Power Company, a corporation, all the rights, privileges and benefits granted to or retained by Montana under the Agreement (the "Conveyance"). The Conveyance was dated as of February 4, 1951, and recorded in the Official Records of Los Angeles County, California on May 4, 1951 in Book 36215, Page 326. Lakewood is the successor-in-interest to Lakewood Water and Power Company.

C. The Agreement, among other things, provides that "all roads, streets or rights of way (whether for pipeline, telephone, telegraph, power line or for other purposes) herein after established or granted or dedicated along section lines and half section lines running in a northerly and southerly direction and intersecting said land, shall extend through, and across said land and the right is hereby given and granted to Montana Land Company to extend any such roads, streets or rights of way through and across said land."

D. The Parties desire to terminate the Agreement with respect to the Long Beach Property.

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration in hand paid, the receipt and sufficiency of which are hereby acknowledged, the undersigned do hereby TERMINATE all of the Agreement with respect to the Long Beach Property and RELEASE, WAIVE, RELINQUISH and SURRENDER any and all rights of the undersigned to enforce the same, and the undersigned hereby declares the Agreement is null and void and of no further force and effect with respect to the Long Beach Property and hereby RELEASES AND DISCHARGES all of the Long Beach Property from the Agreement.

This release shall be binding upon the undersigned Parties, their successors and assigns, and shall be applicable to all future owners of the Property.

All capitalized terms not otherwise defined in this Termination have the meanings assigned to such terms in the Agreement.

This Termination and the Acknowledgement and Consents hereto may be executed in any number of counterparts, each of which when so executed and delivered shall be deemed original, but such counterparts together shall constitute but one and the same instrument.

SIGNATURE PAGES TO FOLLOW

IN WITNESS WHEREOF, the City of Lakewood has caused this Termination to be executed as of the Effective Date.

LAKEWOOD:

THE CITY OF LAKEWOOD,
a municipal corporation

By: _____
Name: _____
Its: _____

A notary public or other officer completing this certificate verifies only the identity of the individuals who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

On _____, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the state of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

IN WITNESS WHEREOF, the City of Long Beach has caused this Termination to be executed as of the Effective Date.

CITY:

CITY OF LONG BEACH,
a municipal corporation

By: Christopher Koontz
Name: Christopher Koontz
Its: Acting Director of Development Services

A notary public or other officer completing this certificate verifies only the identity of the individuals who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

On September 20, 2022, before me, Heather Flores, Notary Public, personally appeared Christopher Koontz who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the state of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

HEFL
Signature of Notary Public



APPROVED AS TO FORM

9.20.22
CHARLES PARKIN City Attorney
By [Signature]
RICHARD ANTHONY
DEPUTY CITY ATTORNEY

EXHIBIT A
LONG BEACH PROPERTY

The land referred to herein is situated in the State of California, County of Los Angeles, City of Long Beach and described as follows:

Those portions of Lots 34, 35, and 36 of Tract 9265, in the City of Long Beach, County of Los Angeles, State of California, as per map recorded in Book 176 Pages 31 to 35 inclusive of Maps, in the Office of the County Recorder of said County.

Beginning at the Southwest corner of said Lot 34; thence North 8° 51' 50" West 1100.04 feet along the Westerly line of said Lot 34 to the proposed Southerly line of Carson Street; thence along said proposed Southerly line, the following courses; South 89° 00' 37" East 583.57 feet to a point on a non-tangent curve concave Northerly having a radius of 3999.40 feet, a radial line of said curve to said point bears South 6° 04' 05" West, Easterly 174.98 feet along said curve through a central angle of 2° 30' 26" and non-tangent South 89° 12' 08" East 58.56 feet to a point on a non-tangent curve concave Westerly having a radius of 32.00 feet, a radial line of said curve to said point bears North 76° 29' 55" East; thence leaving said proposed Southerly line, Southerly 7.50 feet along said curve through a central angle of 13° 26' 04"; thence South 00° 04' 01" East 275.24 feet; thence South 1° 40' 58" East 151.54 feet to the beginning of a tangent curve concave Easterly having a radius of 1527.00; thence Southerly 247.77 feet along said curve through a central angle of 8° 17' 48" to the beginning of a compound curve concave Easterly having a radius of 226.00 feet; thence Southeasterly 115.71 feet along said curve through a central angle of 29° 20' 10" to the beginning of a compound curve concave Northeasterly having a radius of 866.00 feet; thence Southeasterly 33.59 feet along said curve through a central angle of 2° 13' 44"; thence non-tangent South 33° 08' 52" West 276.51 feet; thence South 0° 02' 50" East 237.92 feet to the Southerly line of said Lot 36; thence along the Southerly line of said Lots 36, 35 and 34 the following courses; North 70° 28' 23" West 64.02 feet and North 70° 27' 43" West 587.74 feet to the point of beginning.

Said land is also shown as Parcel 15 and a portion of Parcel A of Parcel Map No. 24860, as per Map filed in Book 319 Pages 34 through 47 inclusive of Parcel Maps.

(End of Legal Description)

APN: 7076-001-844

DIVIDER SHEET

COUNCIL AGENDA

October 25, 2022

TO: Honorable Mayor and City Council

SUBJECT: Purchase of Water Meters for Replacement for FY 2022-23

INTRODUCTION

The City of Lakewood's Department of Water Resources (DWR) has over 20,300 service connections throughout its service area. Each service connection has a water meter that allows the City to read and record usage for billing. In 2018, the City upgraded its water meter program with automatic meter infrastructure (AMI) and completed a system overhaul by replacing all manual-read meters with automatic meter reading. Automatic meters allow for a more efficient and accurate reading processed digitally, viewable online and in real-time. The AMI meters are provided by Neptune (Ferguson Waterworks), a leading manufacturer in the industry. Occasionally these meters may experience malfunction, defects or damage and require repairs and/or replacement.

STATEMENT OF FACT

In 2018, DWR upgraded its water meter infrastructure with the AMI system, using advanced automatic meters and gateway antennae to record and transmit usage data digitally through a cloud platform viewable online and in real-time. The upgrade ensured that the city's meter reading program is accurate and efficient using the latest technology currently available in the industry. The City has selected Neptune (Ferguson Waterworks), a leading manufacturer to provide the automatic meters and related infrastructure based on their reputation, industry experience and overall cost, including a 10-year service warranty.

While the vast majority of the water meters in DWR's service area are no more than 3-4 years old, occasionally they may experience malfunction, defects or damage and require repairs and/or replacement. In the case of physical damage due to vehicular or environmental activities surrounding the meter, the manufacturer does not cover replacement and DWR is responsible for replacement. For manufacturer's defects, DWR staff sends the meters back to Neptune for repair and/or replacement under warranty. Recent supply chain issues have resulted in the increase of time it takes to receive replacement meters under warranty including lead-time for new purchase.

DWR currently has a small amount of meters available for replacement but would like to bolster the City's existing inventory to adequately prepare for possible delays in warranty replacements or large-scale meter replacement due to damages.

Neptune (Ferguson Waterworks) has been the City's sole provider of AMI meters since the citywide installation completed in 2018. In the interest of keeping continuity of service, and the compatibility of Neptune products with our current infrastructure system, staff recommends the sole-source purchase of 220 additional meters at an estimated cost of \$100,000 from Neptune (Ferguson Waterworks).

Purchase of Water Meter Inventory for FY 2022-23
October 25, 2022
Page 2

The City Council Water Resources Committee discussed this item at its meeting on October 18, 2022, and supports staff recommendation.

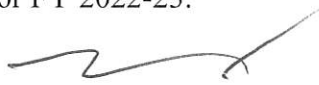
FISCAL IMPACT

The City's Water Fund has adequate reserve to cover this additional appropriation for FY 2022-23 into account 75008600 58200 (Machinery & Equip-Capital).

RECOMMENDATION

Staff recommends that the City Council appropriate an additional \$100,000 in Water Fund reserves for the Purchase of Water Meters for Replacement for FY 2022-23.


Derek Nguyen, Ph.D., P.E.
Director of Water Resources


Thaddeus McCormack
City Manager

DIVIDER SHEET

COUNCIL AGENDA

October 25, 2022

TO: The Honorable Mayor and City Council

SUBJECT: Proposition A Transit Fund Exchange and Assignment Agreement

INTRODUCTION

As in past years, the City of Lakewood has surplus Proposition A (Prop A) Transit Funds that exceed current operational needs and may be exchanged for General Fund monies. Conversely, the City of West Hollywood has transit-related needs beyond its available fund allocation and has expressed interest in acquiring Prop A funds from the City of Lakewood.

STATEMENT OF FACTS

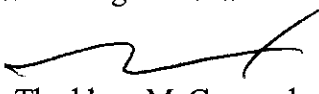
Since 2010, the City has exchanged surplus Prop A funds annually with various cities in the region. In the past eleven years, the exchange has been with the City of West Hollywood.

The City of Lakewood receives approximately \$1.5 million annually in Prop A funds. The City of West Hollywood is requesting an exchange of \$1 million in accumulated Prop A funds for \$700,000 of their General Fund monies. Therefore, the exchange would be at \$.70 of General Fund monies for every one dollar in Prop A funds. This rate is consistent with that of other exchanges in the county.

STAFF RECOMMENDATION

It is recommended that the City Council approve the Proposition A Transit Fund Exchange and Assignment Agreement with the City of West Hollywood, and authorize the City Manager and Director of Finance & Administrative Services to execute the Agreement.


Jose Gomez
Director of Finance & Administrative Services


Thaddeus McCormack
City Manager

ASSIGNMENT AGREEMENT
PROPOSITION A LOCAL RETURN FUND EXCHANGE

This Assignment Agreement is made and entered into this 25th day of October, 2022, by the City of Lakewood, California and the 7th day of November, 2022 by the City of West Hollywood, California with respect to the following facts:

A. The City of West Hollywood provides two community shuttles, demand-response services as well as bus pass and on-call transportation subsidies to serve people with disabilities and the general public. Given the grave traffic congestion and parking problems of the City, West Hollywood is committed to reducing auto dependency by providing alternative modes of transportation. Adequate Proposition A Local Return funding for transit services is not available given the limited amount of West Hollywood's Local Return allocation and the needs of other priority transit projects in the City.

B. The City of Lakewood has uncommitted Proposition A Local Return funds which could be made available to West Hollywood to assist in providing the services discussed in Paragraph A of this Agreement. In exchange for the assignment by West Hollywood of the amount of its general funds indicated in Section 1 below, the City of Lakewood is willing to assign uncommitted Proposition A Local Return funds to West Hollywood for the purpose identified in Paragraph A.

Now, therefore, in consideration of the mutual benefits to be derived by the parties and of the premises herein contained, it is mutually agreed as follows:

1. Exchange. The City of Lakewood agrees to assign a total of \$1,000,000 of its Proposition A Local Return funds to West Hollywood. The full \$1,000,000 is from the City of Lakewood's FY 21/22 fund balance. In return, West Hollywood agrees to assign \$700,000 of its general funds to the City of Lakewood. The exchange rate is \$.70/\$1.00.

2. Consideration. The City of Lakewood shall assign the agreed upon Proposition A Local Return funds to West Hollywood in one lump-sum payment. West Hollywood shall assign the agreed upon general funds to the City of Lakewood in one lump-sum payment. The payments shall be due and payable upon execution of this Agreement, and upon approval by Los Angeles County Metropolitan Transportation Authority (LACMTA) of the City of West Hollywood's project description. Each payment shall be based on the exchange rate in accordance with the exchange rate described in Paragraph 1 (above).

3. Term. This Agreement is effective on the date above written and for such time as is necessary for both parties to complete their mutual obligations under this Agreement.

4. Termination. Termination of this Agreement may be made by either party so long as written notice of intent to terminate is given to the other party at least five (5) days prior to the termination.

5. Notice Notices shall be given pursuant to this Agreement by personal service on the party to be notified, or by written notice upon such party deposited in the custody of the United States Postal Service addressed as follows:

- A. Thaddeus McCormack
City Manager
City of Lakewood
5050 Clark Ave.
Lakewood, CA 90712
- B. David Wilson
City Manager
City of West Hollywood
8300 Santa Monica Blvd.
West Hollywood, CA 90069

6. Assurances

A. West Hollywood shall use the assigned Proposition A Local Return funds only for the purpose of providing the services discussed in Paragraph A of this Agreement and within the time limits specified in LA Metro's Proposition A Local Return Program Guidelines.

B. Concurrently with the execution of this Agreement, West Hollywood shall provide LAC Metro with the Standard Assurances and Understandings Regarding Receipt and Use of Proposition A funds specified in the Guidelines regarding the use of the assigned Proposition A Local Return funds.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their respective officers, duly authorized, by the City of Lakewood on October 25, 2022, and by the City of West Hollywood on November 7, 2022.

CITY OF LAKEWOOD

CITY OF WEST HOLLYWOOD

BY

Jose Gomez, Director of Finance &
Administrative Services

BY:

Lorena Quijano, Director of Finance
and Technology Services

BY:

Thaddeus McCormack , City Manager

BY:

David Wilson, City Manager

ATTEST:

Jo Mayberry, City Clerk

BY:

Melissa Crowder, City Clerk

DIVIDER SHEET

Reports

COUNCIL AGENDA

October 25, 2022

TO: Honorable Mayor and City Council

SUBJECT: Lakewood Leadership Academy Program

INTRODUCTION

In the spirit of developing informed and knowledgeable community leaders, staff looked into developing a Leadership Academy program. Targeted for working professionals looking to better their leadership skills, the program will cover topics such as civic engagement, how to build teams, learning effective communication skills, achieving work/life balance, getting involved in service clubs and leading through a lens of diversity, equity and inclusion.

STATEMENT OF FACT

Sponsored by the City of Lakewood and the Greater Lakewood Chamber of Commerce, with funding from Supervisor Janice Hahn, the Leadership Academy is designed to educate and develop effective community leaders to take an active role towards building a stronger community.

The program is designed to meet these challenges by:

- Educating attendees about the depth and breadth of the public agencies and community based organizations that serve the Lakewood community.
- Teaching attendees how to balance work and personal life demands, developing effective communication skills, building great teams and valuing the importance of diversity, equity and inclusion in their workplaces.
- Encouraging attendees to serve the community in leadership roles.
- Expanding and enhancing networking and relationships.

Participants meet monthly for nine Wednesday half-day sessions (5:00 p.m. – 9:00 p.m.) covering different topics each session. Dinner will be provided. The format for each session includes a combination of lectures, panel discussions, and hands-on activities relevant to that session's topic. During each session, experts on the topics addressed are invited to share their insights and views. The Academy is open to people at least 21 years old who live or work in Lakewood. There is a nominal fee of \$100 per applicant for the program. Staff is aiming for the first session to kick off in January 2023.

Attached is a program description, details on each session, and an application.

RECOMMENDATION

The Community Promotions Committee recommends that the City Council approve the Lakewood Leadership Academy program and appropriate the \$10,000 in grants received for funding of the program.

Paolo Beltran **PB**
Deputy City Manager


Thaddeus McCormack
City Manager

City of Lakewood and the Greater Lakewood Chamber of Commerce Leadership Academy

Program Description

Sponsored by the City of Lakewood and the Greater Lakewood Chamber of Commerce, with funding from Supervisor Janice Hahn, the Leadership Academy is designed to educate and develop effective community leaders to take an active role towards building a stronger community.

The program is designed to meet these challenges by:

- Educating attendees about the depth and breadth of the public agencies and community based organizations that serve the Lakewood community.
- Teaching attendees how to balance work and personal life demands, developing effective communication skills, building great teams and valuing the importance of diversity, inclusion and respect in their workplaces.
- Encouraging attendees to serve the community in leadership roles.
- Expanding and enhancing networking and relationships.

Participants meet monthly for nine Wednesday half-day sessions (5:00 p.m. – 9:00 p.m.) covering different topics each session. A continental breakfast and lunch will be provided. The format for each session includes a combination of lectures, panel discussions, and hands-on activities relevant to that session's topic. During each session, experts on the topics addressed are invited to share their insights and views.

Class Schedule

Month 1	Getting to know City government and Civic Engagement
Month 2	Achieving Work/Life balance
Month 3	Developing leadership skills
Month 4	Diversity, equity and inclusion
Month 5	Effective communications strategies
Month 6	Building a collaborative team
Month 7	Tour of different businesses and industries in Lakewood
Month 8	Getting involved in service clubs
Month 9	Summary, wrap-up and evaluation
Month 10	Presentation of graduation certificates at City Council meeting

Eligibility Requirements

Class size is limited to 25 participants.

To participate in the Leadership Academy, an applicant must:

- 1) Live or work in the City of Lakewood
- 2) Be at least 21 years old
- 3) Commit to attending the entire series of classes
- 4) Pay \$100.00 to the City of Lakewood

City of Lakewood and the Greater Lakewood Chamber of Commerce Leadership Academy

Session Planning

Module 1: Getting to know City government and Civic Engagement

- Orientation: provide an overview of the sessions
- Introduction of attendees
- Go over what the city government does and how government at different levels work
 - Council-manager form of government
 - Deliberative nature of policy making
- Importance of civic engagement in the democratic process
- Activity Ideas:
 - What kind of civic engagement opportunities have leadership members been a part of?
 - Discussion on the values/mission of their own businesses/organization.
 - Discussion on how they can connect to their communities while aligning to values/mission of business/organization.

Module 2: Achieving Work/Life Balance (Quality of Life)

- Address Burnout & How it can effect work/life
 - Health issues
 - Relationships with family, friends, and co-workers
 - Mistakes occurring at work
- How to create an effective schedule that manages work & life
 - Set time frames & days available/unavailable
 - How to use a planner, calendar, schedule effectively
- How to establish boundaries between work/life
 - When to say no
- Activities to do outside of work
 - Ideas that do not require much time & effort
- Activity Ideas
 - Get Leadership Members involved by writing down their current work/life schedule and see if they can make any positive changes.
 - Have Leadership Members write down/discuss their boundaries between work/life.
 - Discussion of activities that leadership members like to do.

Module 3: Developing Leadership Skills

- Acknowledging the different types of leadership styles.
 - Ineffective & Effective Leadership Styles
 - Micro-managing problems

- What leaderships style best fits you, your business and employees?
- How to manage leadership responsibilities? (Employees, Stakeholders, Clients, Etc.)
- How to create future leaders in the workplace?
- How leaders can reward their employees for a better work environment?
- How leaders can control overall culture within organization
 - Positively/Negatively
- Activity Ideas:
 - Discussion on what is a good leader? Bad Leader? Why?
 - Have leadership members determine their leadership style.
 - Question if they are satisfied with it or would like to make changes.
 - Discussion on their responsibilities as a leader.
 - Do they believe they should do more/less?
 - Discussion on who affected them to become a leader?
 - How that leader has helped them be where they are today.
 - Discuss ideas on rewards for employees.
 - Discuss leadership-building activities that can be performed in the workplace.
Have leadership member's attempt activities.

Module 3: Diversity/Equity/Inclusion

- Define terms & give examples
- Address Cultural Competency
 - Loosely defined as the ability to understand, appreciate and interact with people from cultures or belief systems different from one's own
- Importance of diversity/equity/inclusion/cultural competency in leadership
 - Ideas on how to promote & foster
 - Examples that have been done in other businesses
 - Benefits
 - Issues with lack of
- Provide Statistics
 - Community Statistics
 - Businesses with diversity and without to show differences
- Development of safe practices and policies for Diversity/Equity/Inclusion in the workplace
 - Recruitment/Hiring
 - Diverse team-building
 - Training/Tools for employees/leaders
 - Mentorship/Internship Opportunities
 - Aligning mission and vision statement with diversity/equity/inclusion
- Activity Ideas
 - Discussion on what kind of things can be done to promote diversity, equity, inclusion and cultural competency
 - Create a safe space for an open conversation on topics/experiences concerning diversity, equity and inclusion

Module 4: Effective Communication Strategies

- Acknowledging the different types of communication styles.
 - Effective and ineffective styles
- Address listening as it is also an important factor in communicating
 - Effective and ineffective styles
- Communicating/Listening with Specific Audience (Employees, Stakeholders, Clients, ETC.)
- Benefits of effective communication and listening
- How to respond to different situations through communicating/listening
- Activity Ideas:
 - What kind of communication styles do you use?
 - What kind of listening styles do you use?
 - Are there any styles you believe work? Do not work? Why? Personal Experiences?
 - Engage Leadership Members in a Communication/Listening activity

Module 5: Effective Team Building

- Acknowledging that team building is an ongoing process
- Leaders responsibility to create teams, give resources for team to be successful, check-in & listen to needs.
 - Discuss Collaborative tools that can be used for team building
- Overall benefits of team building
 - Trust, Communication, Productivity, Skill Building, Sharing of Ideas, Development of Organizational Culture
- Activity Ideas:
 - Create team building activities that leadership members can do together and encourage them to replicate for their own team.
 - Discussion on what bad/good teams are? Experience? How can issues be mitigated?
 - Discussion on how they would build an ideal team? Expectations from them & from team?

Module 6: Business/Industry

- Sharing of personal stories
- How they have reached their current positions?
- Measures of Success as a leader
- Lessons learned/ Advice
- How do you deal with problems that arise? How do you celebrate/reward success?
- Discussion on how they have been mitigating issues with COVID-19
- What have they learned this far that they have applied or can apply?
- Q&A Portion
- Field trip to various businesses and industries in Lakewood

Module 7: Getting Involved in Service Clubs

- Service Club Fair
 - Invite all clubs in the city to come and set up a booth to share information
 - Encourages networking and understanding of what the clubs have to offer.
 - Can encourage community members outside of leadership program to become involved as well.
- Civic Engagement & Participation
 - Can help leaders stay informed
 - Can better serve the community
- Professional Development
 - Gain new opportunities and resources
- Volunteer Work
 - Helps leaders feel fulfilled when doing something they are passionate about
 - Can help with mental health and wellness aspect
- What is required as a member of service club?
 - How much time do you have to dedicate as a member of a Service Club?
 - How to play an active role?
 - Choosing a club that best fits you.

Module 9: Summary of all Modules

- Bringing together how all successful leaders use these tools & resources discussed
 - Uses forms of Civic Engagement & Participation
 - Has a balanced work life
 - Effective communicator and listener
 - Knows how to build and engage teams
 - Understands how business/industry works
 - Involved with community (Service Club)
 - Creates a diverse and safe workplace for all
 - Constantly networking
 - Always willing to learn and be open to new ideas; knowing it is ok to ask for help & assistance

**City of Lakewood and the Greater Lakewood Chamber of Commerce
Leadership Academy**

2023 Application

To participate in the Leadership Academy, an applicant must:

- 1) Live or work in the City of Lakewood
- 2) Be at least 21 years old
- 3) Commit to attending the entire series of classes
- 4) Pay \$100.00

Name _____

Address _____

Primary phone number _____

Alternate phone number _____

Email address _____

Home Address _____

Current Employer _____

Job Title _____

Type of Business or Organization (Business, Educational, Nonprofit, Public Sector, Other)

Work Address _____

What attracted you to the Lakewood Leadership Academy?

Describe two concrete goals for your time with the Academy, should you be chosen to participate:

What personal attributes do you think you might contribute to the cohort as a member?

What improvements in yourself would you like to see by the end of the Academy?

Are you able to attend the entire series of classes? Yes No

E-Signature and Date

DIVIDER SHEET

COUNCIL AGENDA

October 25, 2022

TO: The Honorable Mayor and City Council

SUBJECT: Quarterly Budget Report of Major Funds – as of September 30, 2022

INTRODUCTION

The City is in the first year of a Two-Year Budget, adopted in June 2022. Following is a quarterly budget review as of September 30, 2022 for the City's two major funds, the General Fund and the Water Utility Enterprise Fund.

In addition to scheduled formal budget reviews, Staff continually monitors the year-round inflow and outflow of funds to make sure that the City remains on a sound fiscal path. Within the budget, particular attention is given to the City's two major funds as mentioned above. Together the funds support the majority of the City's day-to-day operations, with the General Fund being the City's most discretionary funding source.

Following is the quarterly budget review as of September 30, 2022:

STATEMENT OF FACT

General Fund

The General Fund is the largest City fund, with operational expenditures trending as expected and aligned with the adopted budget. Overall, 21.8% of the year's total expenditure budget has been utilized through the end of the first quarter (or 25% of the fiscal year). See expenditure summary table on the following page. Given the normal time lag in receiving invoices and processing payments for costs incurred, the figure seems appropriate. Employee Services and Contract Services represent the two largest expenditure categories and have expended 28.5% and 16.8% of their budgets, respectively. Employee Services is slightly ahead of the pace over the first quarter of the year as it includes some one-time costs incurred early in the year that will not be realized again during the rest of the year.

Another area worth highlighting is the Other Operating Expenditure line item with 60.3% of the annual budget expended. Of the \$1,844,450 expended in the year, approximately \$1 million represents payments for the City's various insurance coverages. These amounts are paid once in a lump sum manner early in the fiscal year for annual coverage. Lastly, it is important to note that Capital Outlay / Capital Improvement Project (CIP) expenditures (1.8% year-to-date) are customarily irregular in their spending pattern with projects often spanning multiple fiscal years. When excluding them (and only including Operational Expenditures), the YTD percentage increases slightly to 23.9%.

Following is a summary of the General Fund expenditure activities:

ACCOUNT DESCRIPTION	BUDGET	YTD EXPENDITURES	% SPENT
EMPLOYEE SERVICES	\$ 25,922,604	\$ 7,396,869	28.5%
CONTRACT SERVICES	28,359,024	4,770,464	16.8%
FACILITIES EXPENSE	2,157,650	413,366	19.2%
OFFICE EXPENSE	162,150	61,536	38.0%
MEETING EXPENSE	136,200	22,813	16.7%
SPECIAL DEPT SUPPLIES	2,041,448	287,900	14.1%
OTHER OPERATING EXP	3,059,525	1,844,450	60.3%
OPERATIONAL EXPENDITURES	\$ 61,838,601	\$ 14,797,398	23.9%
CIPS / CAPITAL OUTLAY *	6,497,778	119,906	1.8%
TOTAL EXPENDITURES	\$ 68,336,379	\$ 14,917,305	21.8%

*Includes carried-over budget allocations from the prior year.

General Fund revenues through the first quarter are also tracking as expected and according to annual seasonal trends. Not surprisingly, at 12.7% YTD, revenues lag behind the 25% marker for the first quarter. The delay stems from larger revenue sources necessarily having to flow through State and County collection processes prior to receipt by the City. Additionally, some large revenues are remitted as single payments later in the fiscal year (i.e. SCE franchise fees and Proposition A sale of funds). In contrast, the City's Business License Tax is mostly collected at the beginning of the fiscal year when licenses are renewed at the onset of the City's fiscal year. YTD revenues (\$591,092) represent 92.4% of the budgeted amount (\$640,000). The balance of Business License Tax revenues are received throughout the year from new businesses and contractors in the city.

Sales tax revenue generated by Measure L is anticipated to be \$13,530,000 for the year, having received \$1,173,423 during the quarter. Actual amounts earned during the first quarter will not be known until December. The YTD amount represents a relatively small advance that the State provides based on prior year actual amounts.

Following is a summary of the General Fund revenues:

ACCOUNT DESCRIPTION	ADOPTED BUDGET	YTD	
		REVENUES	% REC'D
PROPERTY TAXES	6,511,000	143,566	2.2%
SALES TAX - BRADLEY BURNS	16,750,000	1,374,999	8.2%
SALES TAX- MEASURE L	13,530,000	1,173,423	8.7%
OTHER TAXES	119,000	10,710	9.0%
FRANCHISE FEES	1,520,000	-	0.0%
BUSINESS LICENSE TAX	640,000	591,092	92.4%
DOCUMENTARY TRANSFER TAX	250,000	56,592	22.6%
TRANSIENT OCCUPANCY TAX	80,000	-	0.0%
UTILITY USERS TAX	2,795,000	698,305	25.0%
LICENSES & PERMITS	1,326,000	519,915	39.2%
FINES / FORFEITURES / PENALTIES	757,100	170,314	22.5%
USE OF MONEY & PROPERTY	619,350	289,167	46.7%
FROM OTHER AGENCIES	11,074,000	125,000	1.1%
CURRENT SERVICE CHARGE	9,324,490	2,598,753	27.9%
BUDGETED TRANSFERS	4,320,800	1,080,200	25.0%
TOTAL REVENUE	\$ 69,616,740	\$ 8,832,035	12.7%

Note: Unrealized gains/losses not included

Water Utility Enterprise Fund

At 12.8% YTD, Water expenses are tracking under budget overall. Similar to trending with General Fund expenditures, there is a time lag in receiving and processing payments for costs incurred. As seen in the General Fund, Employee Services (28.6%) is trending slightly higher as it includes annual lump sum costs incurred in the first quarter. Below is a summary of the various Water Utility Enterprise Fund expense activities:

ACCOUNT DESCRIPTION	BUDGET	YTD EXPENSES	% SPENT
EMPLOYEE SERVICES	\$ 3,166,628	906,820	28.6%
CONTRACT SERVICES	1,091,700	162,776	14.9%
FACILITIES EXPENSES	2,749,750	7,546	0.3%
OFFICE EXPENSES	3,250	454	14.0%
MEETING EXPENSES	8,250	375	4.5%
SPECIAL DEPT SUPPLIES	771,029	112,396	14.6%
OTHER OPERATING EXP	5,291,850	511,860	9.7%
INTERDEPT TRANSFERS	127,000	28,580	22.5%
BUDGETED TRANSFERS	1,795,700	448,925	25.0%
OPERATIONAL EXPENSES	\$ 15,005,157	\$ 2,179,731	14.5%
CIPs / CAPITAL OUTLAY	2,167,100	12,168	0.6%
TOTAL EXPENSES	\$ 17,172,257	\$ 2,191,899	12.8%

*Includes carried-over budget allocations from the prior year.

Overall water revenues are trending close to their anticipated mark. It is early in the year and a portion of revenues received during the first quarter were attributable to activities from the prior fiscal year and posted as such. Water meter sales, the largest revenue source, are highly sensitive to weather patterns and may vary significantly depending on rainfall and conservation efforts. The Other Revenue category reflects water rights lease revenue received from two neighboring agencies (Golden State Water Company and City of Cerritos). The following table provides a snapshot:

ACCOUNT DESCRIPTION	BUDGET	YTD	
		REVENUES	% REC'D
INVESTMENT EARNINGS	\$ 105,000	\$ 23,852	22.7%
RENTS AND CONCESSIONS	61,800	15,085	24.4%
ENERGY UTILITY REBATES	10,000	-	0.0%
OTHER REVENUE	350,750	456,384	130.1%
METERED WATER SALES	11,399,000	1,728,952	15.2%
METERED WTR SALES-INTERCONNECT	1,092,000	87,522	8.0%
FIRE PROTECTION SERVICES	200,000	30,338	15.2%
RECLAIMED WATER	520,000	131,887	25.4%
SERVICE INITIATION FEES	42,000	7,450	17.7%
SERVICE RESTORATION CHARGES	60,000	-	0.0%
TOTAL REVENUES	\$ 13,840,550	\$ 2,481,470	17.9%

SUMMARY

First quarter revenue and expenditure activity is line with historical seasonal trends, and more importantly, with the adopted budget. Staff will continue to monitor all activities and recommend adjustments, if necessary.

RECOMMENDATION

It is recommended that the City Council receive and file this report.


Jose Gomez
Director of Finance & Administrative Services


Thaddeus McCormack
City Manager

DIVIDER SHEET

COUNCIL AGENDA

October 25, 2022

TO: Honorable Mayor and City Council

SUBJECT: Agreement with the Board of Water Commissioners of the City of Long Beach for Design, Construction, and Operation of a Second Interconnection

INTRODUCTION

In June 2007, the Lakewood City Council reviewed and approved Agreement WD-2437 between Lakewood and the Long Beach Board of Water Commissioners to construct an emergency interconnection between the two water systems at the intersection of Carson Street and Palo Verde Avenue in Long Beach. This interconnection has proven to be very successful for the transfer of stored water and as an emergency supply source for localized water supply disruptions. Staff is proposing a second interconnection with Long Beach to be located in the general vicinity of the southeast intersection of Cherry Avenue and Cover Street.

STATEMENT OF FACT

The City of Lakewood owns 9,432 acre-feet of Allowed Pumping Allocation (APA) of extraction rights in the Central Basin. Over the years, with continued cycles of drought, water conservation efforts, improvements in technologies, and public education, water usage in the region including the City of Lakewood has gone down. Current water conservation mandate requires that the City reduce its water consumption by 15% compare to 2020, which will likely result in over 3,000 ac-ft. of unused water rights for FY 22-23.

After internal discussions with City of Long Beach, Lakewood and Long Beach staff have agreed to establish a second interconnection that would allow for additional water sales to the City of Long Beach. The proposed second interconnection with Long Beach would be located in the general vicinity of the southeast intersection of Cherry Avenue and Cover Street in the public right-of-way of the City of Lakewood. Water sales to Long Beach from the proposed 2nd interconnection will be counted towards the City's unused rights. City of Lakewood would be 100% responsible for the facility design, and the costs of construction and installation would be evenly shared between City of Long Beach and Lakewood. All piping upstream of the interconnection facility would be owned and maintained by Lakewood, and all piping downstream of the facility would be owned and maintained by City of Long Beach. All periodic operation and preventive maintenance costs would be borne by City of Long Beach while major maintenance or repairs would be the responsibility of Lakewood.

The City of Long Beach Board of Water Commissioners have approved the agreement in their October 13, 2022 meeting and the City Council Water Resources Committee reviewed and supported staff recommendation at its meeting on October 18, 2022.

Agreement with the Board of Water Commissioners of the City of Long Beach for Design,
Construction, and Operation of a Second Interconnection
October 25, 2022
Page 2

FISCAL IMPACT

Staff forecasts having excess water rights available and the sale of additional water to the City of Long Beach can offset operation costs, and lessen the financial burden to the City to pay to store unused water rights.

RECOMMENDATION

Staff recommends that the City Council:

1. Approve Agreement with the Board of Water Commissioners of the City of Long Beach for Design, Construction, and Operation of a Second Interconnection;
2. Authorize its execution by the Mayor on behalf of the City.



Derek Nguyen, Ph.D., P.E.
Director of Water Resources



Thaddeus McCormack
City Manager

AGREEMENT

WD-_____

THIS AGREEMENT, is made and entered into this _____ day of _____, 2022, by and between the CITY OF LAKEWOOD, a municipal corporation, hereinafter referred to as "Lakewood", and the BOARD OF WATER COMMISSIONERS OF THE CITY OF LONG BEACH, acting on its own behalf and on behalf of the City of Long Beach, hereinafter referred to as "Board" or "LBWD".

WHEREAS, Board and Lakewood own, operate and maintain their own public water supply and distribution systems; and

WHEREAS, said municipal water supply and distribution systems, although contiguous, are not presently inter-connected at the proposed location; and

WHEREAS, said public water supply and distribution systems are presently connected by an existing interconnection facility located at the corner of Carson Street and Palo Verde Avenue pursuant to Agreement WD-2437 between the Board and Lakewood; and

WHEREAS, it has been determined to be of mutual and equal benefit to Board and Lakewood that their respective systems be further physically and hydraulically inter-connected at a secondary location;

NOW, THEREFORE, it is hereby agreed by Board and Lakewood that a second inter-connection facility and pipeline extensions from each system to the interconnection facility, as defined in Section 1, between the public water supply and distribution systems of Lakewood and the LBWD shall be designed, constructed, operated and maintained in accordance with the following terms and conditions:

1. LOCATION, OWNERSHIP AND ACCESS. The interconnection facility shall be the meter, control valves, backflow preventor, and related piping between the isolation valves linking the Lakewood and LBWD water systems in the general vicinity of the southeast intersection of Cherry Avenue and Cover Street, adjacent to the common boundary between the City of Lakewood and the City of Long Beach ("Interconnection

Facility”), as more particularly depicted on Exhibit “A” attached hereto, with the final exact location to be mutually approved by each party. The Interconnection Facility shall be jointly owned except as otherwise provided herein. The Interconnection Facility shall be installed in the public right-of-way of the City of Lakewood. All piping upstream of the Interconnection Facility and including the Interconnection Facility isolation valve on the upstream side shall be owned, operated, and maintained by Lakewood. All piping downstream of the Interconnection Facility and including the Interconnection Facility isolation valve on the downstream side shall be owned, operated, and maintained by Board. Lakewood shall allow LBWD employees unconditional access to the Interconnection Facility and all downstream valves and pipe owned by Board.

2. WATER TO BE MEASURED. All water passing through the Interconnection Facility shall be metered. Board shall be responsible for meter reading and maintaining the meter reading records during the term of this Agreement, and shall maintain such metering records for one (1) year following termination. Lakewood shall have rights to audit the meter reading records. Meter readings shall be taken and recorded no less often than once every month. Readings shall be performed on the last day of the month or as soon thereafter as reasonably possible. The cost of meter reading and record keeping shall be borne entirely by Board. Board shall be responsible for gathering the information required to measure the flow of water through the Interconnection Facility. Lakewood shall have rights to audit such measurement calculations upon reasonable advance written notice.

4. FACILITY DESIGN AND CONSTRUCTION. Interconnection Facility design shall be the responsibility of Lakewood and subject to LBWD approval. The cost of design of the Interconnection Facility shall be 100% borne by Lakewood. The construction and installation costs of the Interconnection Facility will be split evenly by Lakewood and the Board.

5. FACILITY OPERATION AND MAINTENANCE. LBWD shall provide for the periodic operation and preventive maintenance of the Interconnection Facility including

1 testing, at no cost to Lakewood. Lakewood shall provide for major maintenance or repair,
2 at no cost to Board. Lakewood and Board shall have free access to the Interconnection
3 Facility at any time for the purpose of observation and inspection.

4 6. PAYMENT FOR WATER. The rate charged for water flowing through the
5 Interconnection Facility from the Lakewood system to the LBWD system shall be based on
6 the measurements taken from the Interconnection Facility. The rates shall be established
7 pursuant to a separate agreement between Board and Lakewood.

8 7. ADMINISTRATION.

9 A. Each party shall appoint one Operating Representative and shall have the
10 right to change the designation of its Operating Representative. Each party shall designate
11 its initial Operating Representative within thirty (30) days after execution of this Agreement
12 and shall provide notice of the name to the other party, as well as prompt notice of any
13 subsequent change in the designation.

14 B. The Operating Representatives shall jointly:

15 (i) establish procedures and standard practices consistent with this
16 Agreement for the guidance of dispatchers and other operating employees as to matters
17 affecting delivery of water, interchange of water, and other similar operating matters;

18 (ii) establish procedures and practices to determine costs in connection with
19 transactions under this Agreement;

20 (iii) establish detailed arrangements for scheduling, communication and
21 implementation of operating procedures; and

22 (iv) do such other things that are required by this Agreement or necessary
23 to implement this Agreement provided, however, that the Operating Representatives shall
24 have no authority to modify any part of this Agreement.

25 8. FORCE MAJEURE. No party shall be considered in default, other than
26 obligations of that party to pay amounts due under this Agreement, if prevented from
27 performance by force majeure. The term "force majeure" means any cause beyond the
28 reasonable control of the party, such as failure of or threat of failure of facilities, flood,

1 earthquake, storm, fire, lightning, epidemic, war, economic embargo, riot, civil disturbance
2 or disobedience, labor dispute, labor or material shortage, sabotage, or restraint by court
3 order or public authority. No party shall, however, be relieved of liability for failure of
4 performance if such failure is due to causes arising from its own negligence or causes
5 which it fails to remove or remedy with reasonable dispatch. A party shall not be required
6 to settle any strike or labor dispute in which it may be involved. A party unable to perform
7 under this Agreement shall give prompt notice of that fact to the other party and shall
8 exercise due diligence to remove its inability to perform with all reasonable dispatch.

9 9. NOTICES. Any notice identified in this Agreement or given or made in
10 connection with this Agreement shall be in writing and personally delivered or deposited in
11 the U.S. Postal Service, certified, return receipt, as follows:

12 To Board:	General Manager
13	Long Beach Water Department
14	1800 E. Wardlow Road
	Long Beach, CA 90807
15 To Lakewood:	Director of Water Resources
16	City of Lakewood – Water Resources Dept.
17	5050 Clark Avenue
	Lakewood, CA 90712

18 Notice shall be deemed given on the date shown on the return receipt or on
19 the date personal delivery is made, whichever occurs first. A party may at any time, by
20 notice, change the designation or the address stated above. This Section does not apply
21 to notices and requests of a routine character in connection with delivery or receipt of water
22 or in connection with operation of the Interconnection unless specifically required in this
23 Agreement. Routine notices and requests shall be given in whatever manner the Operating
24 Representatives from time to time mutually determine.

25 10. WAIVER. The acceptance of a delivery of water, the payment for a
26 delivery of water, or any other performance shall not operate as a waiver of any part of this
27 Agreement or of any right to indemnity stated in this Agreement. The waiver of a right or
28 breach of this Agreement shall not constitute a waiver of any other right or breach.

11. HOLD HARMLESS. Each party agrees to indemnify, defend and hold harmless the other party, its officers, agents, employees, representatives and volunteers from and against all claims, demands and actions in connection with the negligent conduct or willful misconduct of the indemnifying party, its officers, agents, employees, representatives and volunteers in the performance of this Agreement.

12. TERM. This Agreement shall remain effective until either party notifies the other at least six (6) months prior to the date the party wishes to terminate this Agreement. Upon such termination, Lakewood shall either remove its facilities within the City of Long Beach or close the connection to the satisfaction of both parties and LBWD shall pay for one-half of the cost thereof within 30 days of receipt of a bill from Lakewood.

IN WITNESS WHEREOF, each utility hereto has caused this Agreement to be executed in duplicate by its respective authorized officers.

CITY OF LAKEWOOD, a municipal corporation

_____, 2022

By _____
Mayor

APPROVED AS TO FORM:

ATTEST:

City Attorney

City Clerk

"Lakewood"

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BOARD OF WATER COMMISSIONERS
OF THE CITY OF LONG BEACH

_____, 2022

By _____
General Manager

"Board"

This Agreement is approved as to form on _____, 2022.

CHARLES PARKIN, City Attorney

By _____

EXHIBIT A

LOCATION MAP – 2nd INTERCONNECTION (LONG BEACH & LAKEWOOD)

