



Minutes

Lakewood City Council

Regular Meeting held
March 9, 2010

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

INVOCATION was offered by Omid Dadgar, Bahá'í Faith Local Spiritual Assembly

PLEDGE OF ALLEGIANCE was led by Council Member Diane DuBois

ROLL CALL: PRESENT: Mayor Todd Rogers
Vice Mayor Joseph Esquivel
Council Member Steve Croft
Council Member Diane DuBois
Council Member Larry Van Nostran

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ANNOUNCEMENTS AND PRESENTATIONS:

Mayor Rogers announced that he had attended a Senior Housing Summit over the weekend and that it had been a well-organized event. He advised residents in need of assistance to utilize City resources to identify legitimate agencies able to provide help and to be especially wary since there were also dishonest individuals seeking to take advantage of those in crisis.

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ROUTINE ITEMS:

Mayor Rogers announced that Routine Item 6 would be considered separately.

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 5 AND 7.

RI-1 Approval of Minutes of the Meeting held February 23, 2010

RI-2 Approval of Personnel Transactions

RI-3 Approval of Registers of Demands

RI-4 Approval of Meeting Reports and Authorizations Pursuant to AB1234

RI-5 RESOLUTION NO. 2010-7; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD DECLARING ITS INTENTION TO VACATE THE ALLEY WEST OF DEEBOYAR AVENUE NORTH OF CARSON AND SETTING A PUBLIC HEARING ON THE PROPOSED VACATION

ROUTINE ITEMS:

RI-7 Authorization for Sole Source Purchase of Replacement Play Area Surfacing at Palms Park

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Van Nostran, DuBois, Croft, Esquivel and Rogers

NAYS: COUNCIL MEMBERS: None

RI-6 RESOLUTION NO. 2010-8; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ADOPTING PROGRAM SUPPLEMENT NUMBER N005 TO MASTER AGREEMENT NUMBER 07-5315R AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT

Public Works Director Lisa Rapp briefly reviewed the memo in the agenda by stating that the proposed Program Supplement was the mechanism by which the City could receive the Federal Highway Safety Improvement Program grant funds for a proposed traffic signal modification project. She reported that the plans and specifications for the project were complete and that once this Project Supplement had been executed by the State the work would be put out to bid. She also noted that there were two other traffic signal modification projects in the works, including the project with the signalization for Fire Station 45, which would be put out to bid very soon.

Responding to a question from Council Member Croft, Ms. Rapp stated that upon completion of the three traffic signal modification projects, most of the intersections identified as sites for potential upgrades would have been addressed.

Council Member Van Nostran inquired if the intersections identified for left-turn phasing would receive such phasing in all directions. Ms. Rapp noted that several already had left-turn phasing in one direction and the project would add phasing for the other direction. She noted that there were still intersections that were waiting for approval from CalTrans, which could take several more months.

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER CROFT SECONDED TO APPROVE ROUTINE ITEM 6. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Van Nostran, DuBois, Croft, Esquivel and Rogers

NAYS: COUNCIL MEMBERS: None

2.1 • ORDINANCE NO. 2010-1; REQUIRING PAYMENT OF TAXES, FEES, FINES AND OTHER PAYMENTS TO BE MADE PRIOR TO COMMENCING ANY LEGAL ACTION TO RECOVER SUCH PAYMENTS

City Attorney Steve Skolnik advised that the proposed ordinance had been introduced at the last regular City Council meeting and was presented for second reading and adoption at this time.

ORDINANCE NO. 2010-1; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD TO REQUIRE PERSONS CHALLENGING THE PAYMENT OF TAXES, FEES, FINES AND OTHER PAYMENTS TO THE CITY TO MAKE SUCH PAYMENTS PRIOR TO COMMENCING ANY ACTIONS TO RECOVER SUCH PAYMENTS was read by title by the City Clerk.

COUNCIL MEMBER CROFT MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO WAIVE FURTHER READING AND ADOPT ORDINANCE NO. 2010-1. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Van Nostran, DuBois, Croft, Esquivel and Rogers

NAYS: COUNCIL MEMBERS: None

2.2 • RESOLUTION IN SUPPORT OF THE LOCAL TAXPAYER, PUBLIC SAFETY, AND TRANSPORTATION ACT OF 2010

Assistant City Manager Lisa Novotny gave a presentation based on the memo in the agenda and stated that although the voters of California had approved a ballot measure in 2004 to prevent the State from “raiding” local revenues, attempts by the State legislature continued. The proposed ballot measure would close loopholes left by the original measure and protect the funds that were essential for local agencies to continue to provide vital services. It was the recommendation of staff that the City Council adopt the proposed resolution in support of the Local Taxpayer, Public Safety and Transportation Protection Act of 2010.

RESOLUTION NO. 2010-9; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD SUPPORTING THE LOCAL TAXPAYER, PUBLIC SAFETY AND TRANSPORTATION PROTECTION ACT OF 2010

Council Member DuBois noted that the Sacramento Bee had reported that even well-managed local agencies were suffering negative impacts from the continual shifting of funds by the legislature, resulting in lay-offs, furloughs, and drastic budget and program cuts.

Council Member Croft stated that the legislature had just approved a plan to swap and shift gas tax funds, even though there was heavy opposition. He expressed dismay over the continual shifting of funds, rather than dealing with the real budget problems.

Vice Mayor Esquivel encouraged Lakewood residents to take the time to sign the petitions being circulated to qualify the measure for the November state-wide ballot.

2.2 • RESOLUTION IN SUPPORT OF THE LOCAL TAXPAYER, PUBLIC SAFETY, AND TRANSPORTATION ACT OF 2010 - Continued

Council Member Van Nostran observed that there were local office holders, with an understanding of local issues that had been elected to the State legislature and apparently forgot all about the locals once they got to Sacramento. He stated that they needed to face the music about their expenditures and noted that they had grabbed more than \$10 billion from local agencies since 1990.

Mayor Rogers pointed out that the latest proposed gas tax shift would mean a loss of about \$600,000 just in Lakewood, which might never be seen by the City again. He noted that there were some good representatives in Sacramento, but as a body, they continued to defer the decisions necessary to resolve their budget issues. He stated that all of the City Council Members were circulating petitions on their own time and urged residents to sign one.

COUNCIL MEMBER CROFT MOVED AND VICE MAYOR ESQUIVEL SECONDED TO ADOPT RESOLUTION NO. 2010-9. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Van Nostran, DuBois, Croft, Esquivel and Rogers

NAYS: COUNCIL MEMBERS: None

3.1 • REVIEW OF STATEMENT OF INTERGOVERNMENTAL GOALS AND PRIORITIES

The Assistant City Manager made a presentation based on the memo in the agenda and stated the Council's Intergovernmental Relations Committee had completed deliberations and had formulated recommendations regarding intergovernmental goals and priorities for 2010. She noted that while there were goals included for the Federal and regional levels, the majority of the goals were focused at State level, with the primary focus on protecting local revenues and preventing further fund diversions. She advised that staff would continue to seek opportunities for stimulus funding, noting that \$4 million in funding had been received. It was the recommendation of the Intergovernmental Relations Committee that the City Council adopt the Statement of Intergovernmental Relations Goals.

Council Member DuBois commended City staff for actively searching for grant fund opportunities to finance City projects. She noted that one of the goals listed was to work with the Gateway COG on the Sustainable Communities Strategy and that there currently was an effort to suspend the Strategy until the economy improved.

COUNCIL MEMBER DUBOIS MOVED AND COUNCIL MEMBER CROFT SECONDED TO APPROVE THE STATEMENT OF INTERGOVERNMENTAL GOALS AND PRIORITIES AS PRESENTED.

3.1 • REVIEW OF STATEMENT OF INTERGOVERNMENTAL GOALS AND PRIORITIES - Continued

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Van Nostran, DuBois, Croft, Esquivel and Rogers

NAYS: COUNCIL MEMBERS: None

3.2 • AGREEMENT FOR ENGINEERING DESIGN SERVICES FOR ARRA2 PAVEMENT REHAB

The Director of Public Works gave a brief report based on the memo in the agenda stating that since additional funding could be made available through the American Recovery and Reinvestment Act, it was proposed to contract for the design work on pavement rehab plans for seven streets to be in position with “ready to go” projects. She noted that the streets were eligible for use of Proposition C and/or Measure R funds for the design work. It was the recommendation of staff that the City Council accept the proposal from Willdan for engineering services in the amount of \$258,550, authorize the use of Proposition C funds in the amount of \$171,550, and authorize the use of Measure R funds in the amount of \$87,000.

COUNCIL MEMBER DUBOIS MOVED AND COUNCIL MEMBER VAN NOSTRAN SECONDED TO APPROVE STAFF’S RECOMMENDATIONS. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Van Nostran, DuBois, Croft, Esquivel and Rogers

NAYS: COUNCIL MEMBERS: None

3.3 • DIRECTING OPPOSITION TO SB 1412, LEGISLATION TO REQUIRE A SPLIT WATER REPLENISHMENT ASSESSMENT

Water Resources Director Jim Glancy displayed slides and gave a presentation based on the memo in the agenda. He reported that legislation had been introduced in the State Senate that would establish a new method for determining water replenishment assessments that would be in direct conflict with a pending court action to which the City was a moving party. It was the recommendation of staff that the City Council take a position of opposing Senate Bill 1412.

In response to questions from Mayor Rogers, Mr. Glancy confirmed that should the bill pass, it would immediately trigger litigation between the Central and West Basins.

City Attorney Steve Skolnik noted that the proposed legislation appeared to be a collateral attack on the pending court action on an amended judgment.

Council Member Croft stated that it was crucial to protect Lakewood’s interests in this matter, since, if passed, this could severely impact the quality of life here. He stated it was time to settle the water wars.

3.3 • DIRECTING OPPOSITION TO SB 1412, LEGISLATION TO REQUIRE A SPLIT WATER REPLENISHMENT ASSESSMENT - Continued
COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER DUBOIS SECONDED TO OPPOSE SENATE BILL 1412. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Van Nostran, DuBois, Croft, Esquivel and Rogers

NAYS: COUNCIL MEMBERS: None

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At 8:16 p.m., the Regular Meeting of the City Council was recessed for the Meeting of the Lakewood Redevelopment Agency. At 8:17 p.m., the City Council Meeting was reconvened.

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ORAL COMMUNICATIONS: None

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ADJOURNMENT

There being no further business to be brought before the City Council, Mayor Rogers adjourned the meeting at 8:17 p.m.

Respectfully submitted,

Denise R. Hayward, CMC
City Clerk