



Minutes

Lakewood City Council

Regular Meeting held
May 11, 2010

MEETING WAS CALLED TO ORDER at 7:36 p.m. by Mayor Esquivel in the Council Chambers at the Civic Center, 5000 Clark Avenue, Lakewood, California.

INVOCATION was offered by Steve Peterson, Church of Jesus Christ of Latter Day Saints

PLEDGE OF ALLEGIANCE was led by Vice Mayor Larry Van Nostran

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

ANNOUNCEMENTS AND PRESENTATIONS:

Mayor Esquivel thanked staff and all the participants of the 2010 Pan American Fiesta noting that such events really helped to build a feeling of real community in the City.

ROUTINE ITEMS:

COUNCIL MEMBER DUBOIS MOVED AND COUNCIL MEMBER CROFT SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 5.

RI-1 Approval of Minutes of the Meetings held April 20, and April 27, 2010

RI-2 Approval of Registers of Demands

RI-3 RESOLUTION NO. 2010-17; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD DIRECTING THE PREPARATION OF A REPORT OF DELINQUENT FEES FOR GARBAGE, WASTE AND REFUSE COLLECTION AND DISPOSAL WITHIN THE CITY OF LAKEWOOD, AND SETTING A PUBLIC HEARING THEREON FOR JULY 27, 2010

RI-4 Approval of Renewal of Agreement with Fair Housing Consulting Services

RI-5 Approval of Expenditures Relating to Well 12

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

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

NAYS: COUNCIL MEMBERS: None

1.1 • AWARD OF BID FOR PUBLIC WORKS PROJECT NO. 2010-1, THE CENTRE HVAC REPLACEMENT

Lisa Rapp, Director of Public Works, made a presentation based on the memo in the agenda and stated that the proposed award of bid was for the replacement of the HVAC system at the Centre making use of economic stimulus package funding. She noted that these funds were special, restricted funds which must be used for energy efficiency projects and that in order to claim these funds, the City had been required to follow plan and grant proposal guidelines of the Federal government. During the bid review process, staff noticed irregularities in the low bidder's bid documents, which were deemed non-responsive and resulted in a recommendation that their bid be rejected. The City Attorney had been consulted during the review process and concurred with staff's recommendation. Staff provided appropriate notification to the low bidder of the proposed rejection and also completed a thorough review of the bid documents of the second low bidder, Pardess Air, Inc., who recently successfully completed the City Hall Data Equipment Room Upgrade Project and whose bid was \$177,000 under the engineer's estimate. Pardess assured staff that they could complete the replacement improvements as specified for the amount of their bid. The project was funded in part by a \$695,200 grant from the Energy Efficiency and Conservation Block Grant Program of the American Recovery and Reinvestment Act with the balance of the contract and other project expenses coming from the General Fund. She concluded by stating it was staff's recommendation that the City Council adopt the plans, specifications, addendum and working details for the project; reject the bid proposal from W.E. Construction by deeming it nonresponsive; award a contract for the Centre H.V.A.C. Replacement project in the amount of \$718,000 to Pardess Air, Inc.; and authorize staff to approve a cumulative total of change orders not to exceed \$72,000.

In response to Vice Mayor Van Nostran's inquiry regarding the impacts to the concessionaire's operations, Ms. Rapp replied that the construction schedule would be determined at the pre-construction meeting and that staff would work directly with Centre staff as well as the concessionaire to allow for client scheduling with minimal downtime.

The Public Works Director responded to questions from Council Member DuBois by stating that the Centre would have to shut down for around two to four weeks but added that one of the bid items included temporary air conditioning which would minimize the amount of time that the facility would need to be closed.

Mayor Esquivel opened the public hearing at 7:48 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

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

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

NAYS: COUNCIL MEMBERS: None

1.2 • PERMIT APPLICATIONS FOR THE SALE OF FIREWORKS

Director of Administrative Services, Diane Perkin, made a presentation based on the memo in the agenda and reported that 26 organizations had complied with the necessary requirements for filing applications for permits to sell fireworks and that the Public Safety Committee had reviewed the applications. It was staff's recommendation that the City Council conduct a public hearing and approve the issuance of permits for temporary fireworks stands.

Vice Mayor Van Nostran and Council Member Rogers expressed satisfaction that the monies being raised by these organizations were going to benefit the community and that the system was working exactly as intended. Council Member Rogers added that including those organizations who had been grandfathered in and through attrition, the number of applicants was now only one over the ordinance target number.

Mayor Esquivel opened the public hearing at 7:50 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

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

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

NAYS: COUNCIL MEMBERS: None

1.3 • ADOPTION OF FIVE-YEAR CONSOLIDATED PLAN, ONE-YEAR ACTION PLAN AND ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

Community Development Director Sonia Southwell made a presentation based on the memo in the agenda stating that the U.S. Department of Housing and Urban Development (HUD) required all Community Development Block Grant Entitlement Cities to submit a Five-Year Consolidated Plan and to conduct an Analysis of Impediments to Fair Housing Choice. The Consolidated Plan was a five-year strategic plan and process to implement a unified vision for housing, alleviating homelessness, community development and economic development activities. Included with the Consolidated Plan was a the one year Action Plan that outlined the intended use of Federal funds in the upcoming year. The Analysis of Impediments to Fair Housing Choice was a HUD regulation required for all entitlement cities to affirmatively further fair housing. It was recommended that the City Council hold a public hearing and conclude the 30-day comment period for citizen input of the Five Year Consolidated Plan, One Year Action Plan for fiscal year 2010-2011 and certify the Analysis of Impediments to Fair Housing Choice; direct staff to include all comments received by the public in the plan and authorize the City Manager to submit the Five Year Consolidated Plan, Action Plan and the funding application along with the required CDBG certifications to HUD no later than May 15, 2010.

1.3 • CONSOLIDATED PLAN, ACTION PLAN AND ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE - Continued

John Oshimo, GRC Associates, displayed slides and detailed the requirements, the process, the community needs and five-year strategy relating to the Consolidated Plan as well as key programs of the Action Plan which included code enforcement, residential rehabilitation, public service, street improvements and program administration. He identified fair housing issues and provided some recommendations and actions to the Analysis of Impediments.

Responding to an inquiry by Council Member DuBois, Mr. Oshimo stated that the number of affordable/quality housing units was based on the Housing Element and the Regional Housing Needs Assessment as mandated by the State.

City Attorney Steve Skolnik replied to questions from Council Member DuBois and Council Member Croft by stating that HUD regulations did not provide the City with any authority to compel some lenders to change their lending practices.

Council Member Rogers requested that references to the Housing Authority, which the Council had taken action to dissolve at its last meeting, made in the Executive Summary of the Analysis of Impediments, were taken into account as to the accuracy of the document.

Mayor Esquivel opened the public hearing at 8:06 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

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

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

NAYS: COUNCIL MEMBERS: None

1.4 • JUSTICE ASSISTANCE GRANT PROGRAM FUNDING

Carol Flynn Jacoby, Assistant to City Manager, made a presentation based on the memo in the agenda and reported that the City had received notification that the Federal government would fund a 2010 Edward Byrne Memorial Justice Assistance Grant (JAG) and that Lakewood's appropriation for this year would be \$44,840. She stated that these funds could be used to offset the cost of the SAO deputy assigned to the criminal nuisance abatement team, whose primary mission was to identify and clean up nuisance, single and multiple family housing units and businesses creating a haven for criminal activities. She concluded by stating that staff recommended that the City Council approve the submittal of the JAG program funding for the Crime, Public Nuisance and Property Abatement Team deputy; receive public comment on this grant and accept these comments until June 10; and authorize the City Manager to apply for the grant on June 11, and direct the Director of Administrative Services to appropriate \$44,840 in the 2010 JAG grant fund when the grant was awarded.

1.4 • JUSTICE ASSISTANCE GRANT PROGRAM FUNDING - Continued

Responding to a question from Vice Mayor Van Nostran, Ms. Jacoby stated that there had been a 2009 JAG grant but that a contract was still pending from the City of Los Angeles.

Mayor Esquivel opened the public hearing at 8:09 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

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

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

NAYS: COUNCIL MEMBERS: None

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At 8:10 p.m., the Regular Meeting of the City Council was recessed for the Meeting of the Lakewood Redevelopment Agency. At 8:11 p.m., the City Council Meeting was reconvened.

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JOINT PUBLIC HEARING OF THE REDEVELOPMENT AGENCY AND THE CITY COUNCIL ON THE AMENDMENT OF THE DISPOSITION AND DEVELOPMENT AGREEMENT WITH PARAMOUNT INVESTORS GROUP, LLC REGARDING THE PROPERTY LOCATED AT 20823 ROSETON AVENUE

The Director of Community Development made a presentation based on the memo in the agenda and stated that the property located at 20823 Roseton Avenue had been purchased by the Agency under its Land Acquisition and Development Program and that a proposal had been received and an agreement entered into with Paramount Investors Group for the purchase and development of the property. She reported that the developer had been working with staff on the development of the project and obtained the necessary approvals but the problems of the housing market shift had necessitated additional time to acquire funding. The developer had since been able to reestablish their finances and were now able to fund the project solely without having to involve a lender. She concluded by stating that staff recommended the Agency and City Council conduct a joint public hearing and approve the amendment to the Disposition and Development Agreement by approving the new schedule of performance.

Responding to Vice Mayor Van Nostran's inquiry, Ms. Southwell stated that the developer was required to submit evidence that they had obtained proper financing prior to conveyance.

The City Attorney concurred that the developer's willingness to put up the money and open escrow demonstrated a gesture of good faith and added that there existed the process of verifying their financial capability built into the timeline before the close of escrow.

Mayor Esquivel opened the public hearing at 8:15 p.m. and called for anyone in the audience wishing to address the City Council on this matter. There was no response.

AMENDMENT OF THE DISPOSITION AND DEVELOPMENT AGREEMENT WITH
PARAMOUNT INVESTORS GROUP, LLC REGARDING THE PROPERTY
LOCATED AT 20823 ROSETON AVENUE - Continued

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

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

NAYS: COUNCIL MEMBERS: None

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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 Esquivel
adjourned the meeting at 8:16 p.m.

Respectfully submitted,

Josefina Semense-Mayberry, CMC
Deputy City Clerk