

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF LOS ALAMITOS**

REGULAR MEETING – December 16, 2013

1. CALL TO ORDER

The City Council met in Regular Session at 6:02 p.m., Monday, November 18, 2013, in the Council Chamber, 3191 Katella Avenue, Mayor Kusumoto presiding.

2. ROLL CALL

Present: Council Members: Edgar, Grose, Murphy, Mayor Pro Tem
Graham-Mejia, Mayor Kusumoto

Absent: Council Members: None

Present: Staff: Bret M. Plumlee, City Manager
Cary Reisman, City Attorney
Tony Brandyberry, Public Works Superintendent
Dave Hunt, City Engineer
Corey Lakin, Community Services Director
Todd Mattern, Police Chief
Linda Magnuson, Interim Finance Director
Steven Mendoza, Community Development Director
Cassandra Palmer, Support Services Manager
Windmera Quintanar, CMC, City Clerk

3. PLEDGE OF ALLEGIANCE

Council Member Grose led the Pledge of Allegiance.

4. INVOCATION

Mayor Kusumoto gave the Invocation.

5. PRESENTATIONS

A. Presentation of a Certificate of Recognition to Allen and Lauri McLean, Sir Speedy, in Recognition of its 30th Anniversary

Mayor Kusumoto and the City Council presented a Certificate of Recognition to Allen, Lauri, and Sean McLean. Mr. McLean spoke briefly.

B. Presentation to Mayor Kusumoto from Gary Miller, Seal Beach Mayor, Representative from the Office of Michelle Steel, Representative from the Office of Assemblyman Allen, Supervisor Moorlach, and Congressman Lowenthal

Mayor Kusumoto received Certificates of Recognition from surrounding dignitaries. Mayor Kusumoto spoke briefly and thanked the Council.

6. ORAL COMMUNICATIONS

Mayor Kusumoto opened Oral Communications.

Gina Phillips, OC Grand Jury representative, spoke regarding volunteers for the OC Grand Jury.

Dave Shawver, Co-chair of the Cypress Americana Awards, spoke regarding the upcoming Americana Awards Event on February 22, 2014, at the Disneyland Hotel Grand Ball Room.

Mayor Kusumoto requested Mr. Shawver speak briefly regarding Cypress College Foundation.

Mr. Shawver spoke regarding the availability of funding and variety of expenses that qualify. He indicated there were many opportunities and encouraged residents to consider junior college.

Pat Blancher, resident, spoke regarding the appointment of Mayor and encouraged Council to carefully consider its decision. She thanked Mayor Kusumoto for a job well done.

Mayor Kusumoto closed Oral Communications.

Mayor Kusumoto pulled item 10A forward.

10. MAYOR AND COUNCIL INITIATED BUSINESS

- A. City Council Reorganization** **(City Clerk)**
This report provided relevant information for the City Council's annual reorganization, by the election of Mayor and Mayor Pro Tem. The City's Charter requires roll call votes be taken for the election of these two Officers.

Mayor Kusumoto turned the meeting over to City Clerk Quintanar.

City Clerk Quintanar opened the floor for nominations for the Office of Mayor.

Council Member Kusumoto nominated Council Member Graham-Mejia, seconded by Council Member Edgar.

There being no further nominations, City Clerk Quintanar closed the floor for nominations.

Motion/Second: Kusumoto/Edgar

Unanimously Carried: The City Council appointed Council Member Graham-Mejia to the Office of Mayor.

ROLL CALL VOTE

Council Member Edgar	Aye
Council Member Graham-Mejia	Aye
Council Member Grose	Aye
Council Member Kusumoto	Aye
Council Member Murphy	Aye

City Clerk Quintanar congratulated Mayor Graham-Mejia and turned the meeting over to Mayor Graham-Mejia.

Mayor Graham-Mejia opened the floor for nominations for the Office of Mayor Pro Tem.

Mayor Graham-Mejia nominated Council Member Murphy, seconded by Council Member Kusumoto.

There being no further nominations, Mayor Graham-Mejia closed the floor for nominations.

Motion/Second: Graham-Mejia/Kusumoto

Unanimously Carried: The City Council appointed Council Member Murphy to the Office of Mayor Pro Tem.

ROLL CALL VOTE

Council Member Edgar	Aye
Council Member Grose	Aye
Council Member Kusumoto	Aye
Council Member Murphy	Aye
Mayor Graham-Mejia	Aye

RECESS

The City Council took a brief recess for a reception in the Council Chamber lobby at 6:29 p.m.

RECONVENE

The City Council reconvened in Regular Session, Mayor Graham-Mejia presiding at 6:52 p.m.

Mayor Graham-Mejia presented a Plaque of Appreciation to Council Member Kusumoto for his service as Mayor.

Council Member Kusumoto expressed his appreciation to the Council and thanked them for working together. He expressed each Council Member brought a unique gift and worked effectively as a team to accomplish many things.

7. REGISTER OF MAJOR EXPENDITURES

Motion/Second: Edgar/Murphy

Unanimously Carried: The City Council approved the Register of Major Expenditures for December 16, 2013, in the amount of \$125,409.68, ratified the Register of Major Expenditures for November 19, 2013, to December 15, 2013, in the amount of \$734,517.06, and authorized the City Manager to approve such expenditures as are legally due and within an unexhausted balance of an appropriation against which the same may be charged for the time period December 17, 2013, to January 20, 2014.

ROLL CALL

Council Member Edgar	Aye
Council Member Grose	Aye
Council Member Kusumoto	Aye
Mayor Pro Tem Murphy	Aye
Mayor Graham-Mejia	Aye

8. CONSENT CALENDAR

All Consent Calendar items may be acted upon by one motion unless a Council Member requests separate action on a specific item.

Mayor Graham-Mejia pulled item 8k.

Motion/Second: Edgar/Kusumoto

Unanimously Carried: The City Council approved the following Consent Calendar Items:

A. Approval of Minutes (City Clerk)

1. Approved the Minutes of the Special Meeting of November 18, 2013.
2. Approved the Minutes of the Regular Meeting of November 18, 2013.

B. Warrants (Finance)

Approved the Warrants for December 16, 2013, in the amount of \$58,526.72, and ratified the Warrants for the time period for November 19, 2013, to December 15, 2013, in the amount of \$112,355.12, and authorized the City Manager to approve such expenditures as are legally due and within an unexhausted balance of an appropriation against which the same may be charged for the time period of December 17, 2013.

C. Race on the Base Timing Contract (Recreation)

This item authorized the City Manager to enter into a Professional Services Agreement with Gemini Timing for race timing services for the 2014 Race on the Base. The Race on the Base event requires hiring a professional timing contractor due to the expertise and equipment needed to time the event. This item has been placed on the agenda because the estimated cost of the services exceeds the purchasing limit of the City Manager. Race registration revenue offsets the cost of the timing services.

The City Council authorized the City Manager to enter into a Professional Services Agreement with Gemini Timing for race timing services for the 2014 Race on the Base.

D. Race on the Base Equipment Rental (Recreation)

This authorized the City Manager to rent equipment for the Race on the Base. The Race on the Base event requires additional equipment from external vendors due to limited existing City resources. This item has been placed on the agenda because the cost of the rental exceeds the purchasing limit of the City Manager. Race registration, vendor fees and sponsorship revenues offset the cost of the equipment rental.

The City Council authorized the City Manager to rent equipment from Big Top Rentals for the 2014 Race on the Base in an amount not to exceed \$30,000 and to execute a contract in a form to be approved by the City Attorney.

E. Race on the Base Medal Purchase (Recreation)

This report addressed the purchase of Race on the Base medals for all race finishers and award winners. Every participant finisher in each race receives a medal as part of his/her registration fee. Overall and age group award winners also receive a medal. This item has been placed on the agenda because the cost of the purchase exceeds the purchasing limit of the City Manager. Race registration revenue offsets the cost of the medals.

The City Council authorized the City Manager to purchase participant and award medals for the Race on the Base from Cypress Trophy of Cypress for an amount not to exceed \$12,000.

F. Consideration for a Professional Services Agreement with Johnny Rebs' of Bellflower, Inc. Restaurant to Supply Food for Race on the Base (Recreation)

This item authorized the City Manager to enter into a Professional Services Agreement to supply the food for the Race on the Base. The Race on the Base event requires an external food vendor due to the nature of food service handling. This item has been placed on the agenda

because the cost of the food exceeds the purchasing limit of the City Manager. Race registration revenue offsets the cost of the food.

The City Council authorized the City Manager to pay for the food from Johnny Rebs' of Bellflower, Inc. for the 2014 Race on the Base in an amount not to exceed \$30,000 and to execute a contract in a form to be approved by the City Attorney.

G. Recreation & Community Services Department Copier Lease Contract (Recreation)

This report addressed the lease of two new copy machines for use by the Recreation & Community Services Department.

The City Council authorized the City Manager to execute a 60-month lease agreement between the City of Los Alamitos and Konica Minolta to provide for two Bizhub C454e black and white/color copiers to replace the Ricoh HQ7000 Digital Duplicator, at a combined annual rate of \$3,309.60 for the lease and estimated \$1,530.24 in annual service charges to include black and white and color copies (based on numbers of current usage) to total \$4,839.84 per year.

H. Resolution No. 2013-26 - Revised Job Description for Part-time Community Services Coordinator Position (Recreation)

The City of Los Alamitos Municipal Code Chapter 2.64 provides for the establishment of a Personnel System. Additionally, the City of Los Alamitos Personnel Policies and Procedures Section 2.1 provides for the establishment of a Classification Plan. This agenda item seeks authorization to revise the job description for the part-time Community Services Coordinator classification in the Recreation & Community Services classification series, with no fiscal impact to the General Fund.

The City Council:

1. Adopted Resolution No. 2013-26, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS AMENDING THE CITY OF LOS ALAMITOS CLASSIFICATION PLAN TO REVISE THE COMMUNITY SERVICES COORDINATOR CLASSIFICATION IN THE RECREATION AND COMMUNITY SERVICES CLASSIFICATION SERIES"; and,
2. Affirmed the new job description for the Community Services Coordinator position.

I. Memorandum of Understanding Between the City of Los Alamitos and the County of Orange for Public Safety Realignment and Postrelease Community Supervision Cost Reimbursement to Local

Law Enforcement Agencies for Enhanced Services and Other Authorized Expenditures (Police)

This report provided information about Public Safety Realignment and Postrelease Community Supervision and seeks authorization to execute a Memorandum of Understanding with the County of Orange for cost reimbursement for enhanced law enforcement services as needed to achieve the objectives related to Public Safety Realignment.

The City Council authorized the Chief of Police to execute the Memorandum of Understanding between the City of Los Alamitos and the County of Orange for Public Safety Realignment and Postrelease Community Supervision Cost Reimbursement to Local Law Enforcement Agencies for Enhanced Services and Other Authorized Services.

J. The Community Access Preservation (CAP) Act (City Manager)

The Community Access Preservation (CAP) Act would allow the usage of PEG fees to be utilized for any legitimate PEG expense, instead of restricting PEG fees to capital expenses only. This item was recommended for approval by the Cable Television Commission.

The City Council adopted Resolution 2013-24, entitled, "A RESOLUTION OF THE OF CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, URGING CONGRESS TO SUPPORT THE COMMUNITY ACCESS PRESERVATION ACT (THE CAP ACT), WHICH ADDRESSES CRITICAL AND IMMEDIATE THREATS TO LOCAL PUBLIC, EDUCATIONAL AND GOVERNMENT ACCESS TELEVISION CHANNELS."

L. Transient Occupancy Tax (TOT) Appeal (City Attorney)

Best Western has appealed for an assessment of penalties and interest regarding its transmittal of Transient Occupancy Tax payments to the City.

The City Council set a Hearing on the Transient Occupancy Tax Appeal from Best Western for January 21, 2014, at 6:00 p.m.

M. Team Building Workshop for Police Management Team (Police)

This report sought City Council authorization for police management to participate in a Peace Officer Standards and Training (POST) sponsored Team Building Workshop.

The City Council:

1. Authorized the Police Department's Management Team to participate in a Team Building Workshop; and,

2. Appropriated \$5,500 to account 10.521.5208 and increased the projected revenue for POST reimbursements in account 10.4301 by \$5,500 for a net impact of zero on the overall budget.

N. State Local Partnership Program Grant (Public Works)

The Orange County Transportation Authority (OCTA) issued a one-time State-Local Partnership Program Formula (SLPP) Grant Call for Projects. In order to receive SLPP funds, the City must modify the previous Resolution to allow the City Manager to be authorized to execute all Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements, Fund Transfer Agreements and any amendments thereto with California Department of Transportation for this program.

The City Council adopted Resolution No. 2013-27, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AUTHORIZING APPLICATION FOR FUNDS FOR THE STATE-LOCAL PARTNERSHIP PROGRAM UNDER THE PROPOSITION 1B HIGHWAY SAFETY, TRAFFIC REDUCTION, AIR QUALITY, AND PORT SECURITY BOND ACT OF 2006 FOR THE BUSINESS AREA STREET IMPROVEMENT PROJECT AND REPEALING RESOLUTION 2012-10 IN ITS ENTIRETY".

O. Adoption of 2013 California Building Codes and California Fire Code (Community Development)

Every three years the City of Los Alamitos must adopt new codes related to construction to comply with the update of the state wide adoption of the Code. The attached Ordinances implement the adoption.

The City Council:

1. Adopted Ordinance No. 13-07, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, REPEALING CHAPTER 15.04 OF TITLE 15 OF THE LOS ALAMITOS MUNICIPAL CITY CODE AND ADDING A NEW CHAPTER 15.04, ADOPTING BY REFERENCE: VARIOUS PROVISIONS OF THE 2013 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODES (CALIFORNIA CODE OF REGULATIONS, TITLE 24), CONSISTING OF THE CALIFORNIA ADMINISTRATIVE CODE, THE CALIFORNIA BUILDING CODE, THE CALIFORNIA RESIDENTIAL CODE, THE CALIFORNIA GREEN BUILDING STANDARDS CODE, THE CALIFORNIA ELECTRICAL CODE, THE CALIFORNIA MECHANICAL CODE, THE CALIFORNIA PLUMBING CODE, THE CALIFORNIA ENERGY CODE, THE CALIFORNIA HISTORICAL BUILDING CODE, THE CALIFORNIA EXISTING BUILDING CODE; AND THE CALIFORNIA REFERENCED STANDARDS CODE; THE 2012

INTERNATIONAL PROPERTY MAINTENANCE CODE AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; THE 2012 INTERNATIONAL SWIMMING POOL AND SPA CODE, 2012 EDITION, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; AND THE STATE HOUSING CODE.”

2. Adopted Ordinance No. 13-08, entitled, “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DELETING CHAPTER 15.08 OF THE LOS ALAMITOS MUNICIPAL CODE AND ADDING A NEW CHAPTER 15.08 ADOPTING BY REFERENCE THE 2013 EDITION OF THE CALIFORNIA FIRE CODE (TITLE 24, PART 9) WITH APPENDICES AND AMENDMENTS THERETO.”

End of Consent Calendar

Items Pulled from Consent Calendar

**K. Amended Salary Resolution for Non-Represented Employees
(City Manager)**

This Resolution amends the Salary Resolution to increase the non-represented safety employees’ CalPERS contributions to 9% of salary instead of 8%, and to increase salaries of such existing employees by 10% instead of 9%, to cover the costs. This Resolution also cancels and eliminates the requirement for form agreements for Middle Management and Confidential employees and modifies the agreement with the Chief of Police. This Resolution includes a second salary tier for future non-represented employees. The second tier provides a 1% increase above the ranges that existed prior to the January 2013 increases, and all non-represented employees will be paying the full employee share of PERS costs. This item was continued from the November 18, 2013, Council Agenda.

Mayor Graham-Mejia advised she had voted against this item in January and would be voting no again for consistency.

Motion/Second: Edgar/Kusmoto

Carried 4/1 (Graham-Mejia cast the dissenting vote): The City Council adopted Resolution No. 2013-21, entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING RESOLUTION 2013-02 RELATING TO SALARIES AND BENEFITS FOR NON-REPRESENTED CITY EMPLOYEES.”

9. PUBLIC HEARINGS

A. California Military Department's Claim for Refund of UUT Payments

The California Military Department states that it has been paying utility users taxes to Southern California Edison on behalf of the City of Los Alamitos since 2006, and claims a refund of all sums paid.

City Attorney Reisman summarized the Staff report, referring to the information contained therein. He advised the City Council had met earlier this evening in Closed Session and while no formal vote was taken, the council sentiment was to reject the claim. He advised should Council reject the claim, Staff would contact the military to discuss the action with them. He stated Staff's recommendation would be to reject the claim in its entirety and refer the item to Staff.

Mayor Graham-Mejia opened the Public Hearing. There being no one present wishing to speak, Mayor Graham-Mejia closed the Public Hearing.

Motion/Second: Grose/Edgar

Unanimously Carried: The City Council rejected the California Military Department claim for a refund of Utility Users Tax payments.

10. MAYOR AND COUNCIL INITIATED BUSINESS

B. City Council Member Appointments/Reappointments as Representatives to Other Agencies and City Ad Hoc Committees

This report provided relevant information for the City Council's annual appointments/reappointments of Council Members as representatives to other Agencies and City Council Ad Hoc Committees.

The City Council made the following appointments:

Council Member Grose advised he had an interest in applying for the Executive Committee for California Joint Powers Insurance Authority (CJPIA).

Mayor Graham-Mejia supported sending a letter of support for Council Member Grose on the Executive Committee.

Motion/Second: Graham-Mejia/Murphy

Unanimously Carried:

1. The City Council appointed Council Member Grose as the delegate and Mayor Pro Tem Murphy as the alternate to the California Joint Powers Insurance Authority (CJPIA); and,

2. Directed Staff to send a letter of support from the Mayor for Council Member Grose to the Executive Committee of the CJPIA.

Motion/Second: Grose/Edgar

Unanimously Carried: The City Council:

1. Appointed Council Member Kusumoto as the delegate and Mayor Pro Tem Murphy as the alternate to the Orange County Fire Authority Board of Directors; and,
2. Adopted City Council Resolution 2013-25, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DESIGNATING AND APPOINTING ITS REPRESENTATIVE AND ALTERNATE TO THE ORANGE COUNTY FIRE AUTHORITY'S BOARD OF DIRECTORS".

Motion/Second: Grose/Kusumoto

Unanimously Carried: The City Council appointed Council Member Edgar as the delegate and Mayor Pro Tem Murphy as the alternate to the Orange County Sanitation District, Board of Directors.

Motion/Second: Kusumoto/Edgar

Unanimously Carried: The City Council appointed Mayor Graham-Mejia as the representative to Orange County Vector Control District for a term of two years, expiring December 2015.

Motion/Second: Kusumoto/Grose

Unanimously Carried: The City Council appointed Mayor Graham-Mejia as the delegate and Mayor Pro Tem Murphy as the alternate to the League of California Cities – State Division.

Council consensus was reached to uphold policy to have the Mayor as the delegate and the Mayor Pro Tem as the alternate for the City Selection Meetings.

Council consensus was reached to appoint Council Member Kusumoto and Mayor Graham-Mejia as the representatives to the Los Alamitos Unified School District/City Working Group.

Motion/Second: Kusumoto/Edgar

Unanimously Carried: The City Council appointed Mayor Pro Tem Murphy as the delegate and Mayor Graham-Mejia as the alternate to the Orange County Library Advisory Board.

Motion/Second: Edgar/Kusumoto

Unanimously Carried: The City Council appointed Mayor Graham-Mejia as the delegate and Council Member Grose as the alternate to the OCTA I-405 Working Policy Group.

Motion/Second: Kusumoto/Edgar

Unanimously Carried: The City Council appointed Mayor Pro Tem Murphy as the delegate and Council Member Grose as the alternate to the West Cities Communication Center – JPA Board.

Motion/Second: Kusumoto/Grose

Unanimously Carried: The City Council appointed Mayor Graham-Mejia and Mayor Pro Tem Murphy as the representatives to the Rossmoor/City Working Group.

Motion/Second: Kusumoto/Edgar

Unanimously Carried: The City Council appointed Mayor Graham-Mejia and Council Member Grose as representatives to the LATV Ad Hoc Committee.

Motion/Second: Grose/Graham-Mejia

Unanimously Carried: The City Council appointed Council Member Edgar and Mayor Pro Tem Murphy as representatives to the Budget Ad Hoc Committee.

C. Council Announcements

Council Member Kusumoto spoke regarding the following topics: attendance at the Orange County Fire Authority Reserve Academy Graduation; attendance at the Change of Command Ceremony for Major General Jones; and, thanked the Council for the privilege to serve as Mayor.

Mayor Graham-Mejia expressed appreciation and thanked Council Member Kusumoto and his family for his sacrifice and service during his busy year as Mayor.

Council Member Edgar spoke regarding the following topics: thanked Council Member Kusumoto for his service as mayor; attendance at the Winter Wonderland; continued efforts to save St. Isidore; attendance at the Change of Command Ceremony for Major General Jones; thanked Staff for the Commissioner Appreciation Dinner and Council Member Kusumoto's efforts to remember departed Commissioners; and, wished Mayor Graham-Mejia good luck.

Council Member Grose spoke regarding the following topics: list of attended events could be found on his website (www.losal.net); thanked Council Member Kusumoto for his service as Mayor; encouraged continued team work for the upcoming year; congratulated Mayor Graham-Mejia; appreciation for Madera's Steak House and its charity for military families; graduation ceremony for Sunburst Youth Academy; and, wished everyone a Merry Christmas and a Happy New Year.

Mayor Pro Tem Murphy spoke regarding the following topics: congratulated Mayor Graham-Mejia on her appointment; thanked Council Member Kusumoto for his service as Mayor; thanked Council for supporting him as Mayor Pro Tem; thanked Police Chief Mattern for his patience with the non-represented item; thanked Director Lakin for all the work with Winter Wonderland; thanked Wendy Grose for providing a tour of Precious Life; attendance at the Change of Command Ceremony for Major General Jones; attendance at the Commissioner Dinner; and, wished everyone a Merry Christmas and a Happy New Year.

Mayor Graham-Mejia spoke regarding the following topics: attendance at the Winter Wonderland; attendance at Vector Control Board Meeting; congratulated Mayor Pro Tem Murphy; and, encouraged everyone to enjoy the season with their loved ones.

11. ITEMS FROM THE CITY MANAGER

City Manager Plumlee spoke regarding the following topics: congratulated Council Member Kusumoto for a great year; congratulated Mayor Graham-Mejia and Mayor Pro Tem Murphy; thanked Staff for the Winter Wonderland and Commissioner Appreciation Dinner; advised of the upcoming State of the City on January 15; and, expressed enthusiasm for moving the City and community forward.

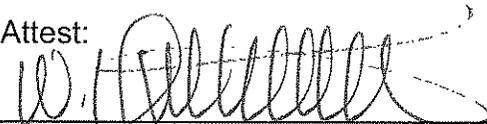
City Attorney Reisman congratulated former Mayor Kusumoto, current Mayor Graham-Mejia, and Mayor Pro Tem Murphy. He wished everyone a Merry Christmas and a Happy New Year.

Mayor Graham- Mejia thanked the Council for the opportunity to serve as Mayor and looked forward to a good year with everyone working together.

12. ADJOURNMENT

The City Council adjourned at 7:22 p.m.

Attest:



Windmeza Quintanar, CMC, City Clerk



Gerri L. Graham-Mejia, Mayor