

## MINUTES OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS

REGULAR MEETING – March 17, 2014

THESE MINUTES ISSUED FOR  
INFORMATION ONLY AND ARE  
SUBJECT TO AMENDMENT AND  
APPROVAL AT NEXT MEETING.

### 1. CALL TO ORDER

The City Council met in Regular Session at 6:05 p.m., Monday, March 17, 2014, in the Council Chamber, 3191 Katella Avenue, Mayor Graham-Mejia presiding.

### 2. ROLL CALL

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

**Absent:** Council Member: None

**Present:** Staff: Bret M. Plumlee, City Manager  
Cary Reisman, City Attorney  
Tony Brandyberry, Public Works Superintendent  
Corey Lakin, Community Services Director  
Todd Mattern, Police Chief  
Cassandra Palmer, Support Services Manager  
Windmera Quintanar, CMC, City Clerk

### 3. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Murphy led the Pledge of Allegiance.

### 4. INVOCATION

Council Member Edgar led the Invocation.

### 5. PRESENTATIONS

#### A. Presentation of Proclamation Designating Los Alamitos as a Purple Heart City, to Commander Dannie Watkins, Military Order of the Purple Heart

The Mayor and Council presented a Proclamation to Commander Watkins. Commander Watkins spoke briefly and introduced veterans Arnold Hanson and Donald Pageler.

#### B. Update Presentation regarding Time Warner Cable by Kristy Hennessey, Vice President – Government Relations

Ms. Hennessey gave a brief update regarding Time Warner and answered questions from the City Council.

Council Member Kusumoto inquired about the bandwidth of the WiFi hotspots and inquired if the local schools have been contacted regarding the initiatives.

Ms. Hennessey indicated WiFi range was not long, but the bandwidth allowed for movie streaming. She stated mailers had initially been sent to the schools and follow up could occur.

Council Member Grose inquired about the merger with Comcast and inquired if there was a possibility for any additional PEG fees or funding. He indicated he would like the Council to be kept informed.

Ms. Hennessey indicated discussions have not begun yet.

Council Member Edgar thanked Ms. Hennessey for the update and stated Time Warner has been a good community partner.

**C. Update Presentation regarding the Los Alamitos Hospital Expansion from City Staff**

City Engineer Hunt gave a PowerPoint presentation and answered questions from the City Council.

Council Member Grose stated it was important for business and residents to understand the project which would close the lane closest to the median in both directions. He added additional lane closures could periodically occur.

City Engineer Hunt clarified additional lane closures were only allowed after 8:00 p.m. and the construction zone was one lane in each direction.

Council Member Grose indicated Katella was a busy thoroughfare and inquired if blocking parking to allow an additional lane of traffic had been considered.

City Engineer Hunt answered in the affirmative and indicated the Traffic Engineer had studied the safety and liability of adding an additional lane. He stated it would be more of a hazard and the best course was to have the two permanent lanes. He confirmed traffic would back up and it would be inconvenient, but it was a necessary part of this job and a condition to opening the Medical Office Building.

Council Member Grose indicated the City would be under a lot of pressure during this process and encouraged residents to express concerns to City Hall so Engineering and the Police Department could take appropriate action. He stated this project would have a big impact.

Council Member Kusumoto stated the construction project was scheduled for 10 weeks and inquired how much control the City had to speed up the schedule since it was someone else's project.

City Engineer Hunt stated the Medical Center was paying for the project and prefers it to finish as soon as possible. He added Staff was working with them to expedite the process.

Council Member Kusumoto inquired if there was an incentive to finish early and asked how committed Staff would be to coming in at odd hours for inspections.

City Engineer Hunt was not aware of any incentives to finish early and stated Staff would be on site on a daily basis. He clarified the project itself was relatively simple and the Traffic Engineer would be onsite for the difficult portion of installing the traffic signal. He did not expect to find any hazardous waste or ground water that would slow the project down.

Council Member Kusumoto wanted to ensure the City was not holding up the process and stated support for finishing the task as quickly as possible.

City Engineer Hunt stated the City would not hold up the process and added the Hospital received approval last year.

Peter Jeong, Project Manager, stated Staff has been great to work with since the start of the project. He indicated the project was on schedule and included the parking structure, medical office building, and site work. He reiterated office and field Staff have been superb and added he will answer all questions and concerns as they arise. He stated the faster the project is completed the better it is for his company.

Council Member Kusumoto inquired how big the construction crew will be.

Mr. Jeong stated Excel Paving was the contractor and would have approximately 20-25 people.

Mayor Pro Tem Murphy received confirmation the project was 10 weeks long, weekends were not scheduled, and the work day was only 8 hours. He expressed concern three lanes wasn't sufficient for traffic. He believed allowing 24 hour construction would reduce the project to 18 days instead of 10 weeks. And if that was not possible then extended construction hours from 7:00 a.m. to 7:00 p.m. would reduce the project by three weeks. He expressed concern the major arterial of the City was being impacted and there wasn't enough being done to expedite the project. He encouraged Staff to renegotiate the construction hours to shorten the project as much as possible and advise Council of the result.

Council Member Edgar stated the hospital was paying for the project and there was most likely no overtime included in the approved bid. He inquired if the Council was asking the Hospital to reopen the bid process. He indicated the logic was sound, but felt the pressure should have been applied to the Hospital during negotiations and it was now past that point. He stated he wanted to be fair to the Hospital, supported the Council's concerns, but wanted to ensure the Council was being reasonable in what it expected to influence.

Mayor Graham-Mejia thanked Mr. Jeong for attending.

Council Member Kusumoto stated support for expressing goodwill towards the construction crew to expedite the process. He indicated his goal was to remove obstacles and encouraged the City Manager to do all that was possible to ensure the process finished as early as possible.

City Manager Plumlee indicated Staff would be proactive in supporting the expeditious completion of the project.

Mayor Graham-Mejia stated concern for safety as cut through traffic would be going through Apartment Row. She encouraged the Police Department to patrol the neighborhood often during peak hours. She indicated signals at both Cherry and Kaylor would be burdensome in an area that was already congested. She requested the hospital reconsider the negative impact it will have on the community.

Council Member Grose indicated it was the Hospital's project, but the City had some control since the construction is on City streets. He requested Staff reevaluate removing the parking to expedite movement of traffic. He encouraged Staff to speak with the business about adjusting their schedules and deliveries. He reiterated motorists should voice their concerns so Staff can stay on top of alternatives to expedite the project.

Mayor Graham-Mejia requested temporary striping be considered should a third lane be opened up.

Mayor Pro Tem Murphy inquired when the contract for street work was entered into.

Mr. Jeong indicated Snyder Langston was contracted last year to complete the entire project.

## **6. ORAL COMMUNICATIONS**

Mayor Graham-Mejia opened Oral Communications.

Seth Eaker, Run Seal Beach, spoke regarding the upcoming Run Seal Beach event on April 5, 2014, and stated support for Item 9A regarding the Sugar Beet Festival.

Dave Emerson, resident, spoke in opposition to the proposed hospital construction on Katella Ave.

Gina Biri, Traffic Commissioner, agreed with Mr. Emerson, and invited the City Council to three upcoming Youth Center fundraising events: Kickoff Event, April 1<sup>st</sup>; Chamber Mixer, April 8<sup>th</sup>; and, Closing Celebration, April 29<sup>th</sup>.

JM Ivler, resident, spoke in opposition to the former City Attorney and urged Council to hold the contracted position responsible for paid services, which were not delivered in his opinion.

Mayor Graham-Mejia closed Oral Communications.

## **7. REGISTER OF MAJOR EXPENDITURES**

Motion/Second: Murphy/Edgar

Unanimously Carried: the City Council approved the Register of Major Expenditures for March 17, 2014, in the amount of \$22,460.43, ratified the Register of Major Expenditures for February 19, 2014, to March 16, 2014, in the amount of \$720,613.43, 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 March 18, 2014, to April 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 Pro Tem Murphy pulled item 8D.

Motion/Second: Edgar/Grose

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 February 18, 2014.  
2. Approved the Minutes of the Regular Meeting of February 18, 2014.  
3. Approved the Minutes of the Special Meeting of March 5, 2014.

- B. Warrants (Finance)**  
Approved the Warrants for March 17, 2014, in the amount of \$53,840.97, ratify the Register of Warrants for February 19, 2014, to March 16, 2014, in the amount of \$81,036.54, and authorize 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 March 18, 2014, to April 20, 2014.

- C. Establishment of a Job Classification for Police Chaplain (Police)**  
This agenda item sought City Council authorization to establish a volunteer classification and job description for the position of Police Chaplain to provide emotional support and spiritual counseling to personnel and community members during crisis situations.

The City Council adopted Resolution No. 2014-04, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING THE VOLUNTEER CLASSIFICATION AND JOB DESCRIPTION FOR THE POSITION OF POLICE CHAPLAIN."

- E. Request to Purchase Police Motorcycle (Public Works)**  
This was a request to purchase one (1) 2013 Honda Police Motorcycle per Los Alamitos Municipal Code 2.60.110 – Purchases through other agencies, this report requests authorization to utilize Purchase Order #60-01122, agreement between the City of El Segundo and Huntington Beach Honda.

The City Council authorized the City Manager to purchase one (1) 2013 Honda Police Motorcycle for \$26,993.30 (includes tax, license, and Police equipment) utilizing Purchase Order #60-01122 between the City of El Segundo and Huntington Beach Honda.

- F. Support AB1453 (Quirk-Silva) Orange County Veterans Cemetery (City Manager)**  
Assembly Bill 1452 (AB) would direct the Department of Veterans Affairs to apply to the United States Department of Veterans Affairs State Cemetery Grant Program for the construction of a Southern California Veterans Cemetery in Orange County.

The City Council adopted Resolution 2014-07, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS,

CALIFORNIA, IN SUPPORT OF ASSEMBLY BILL 1453 AND IN FAVOR OF ESTABLISHMENT OF THE SOUTHERN CALIFORNIA STATE VETERANS CEMETERY.”

### **End of Consent Calendar**

#### **Items pulled from Consent Calendar**

**D. Resolution No. 2014-06 – Designation of City Treasurer  
(City Manager)**

This report seeks consideration of a resolution designating Bret M. Plumlee, City Manager, as City Treasurer.

City Manager Plumlee summarized the Staff report, referring to the information contained therein, and answered questions from the City Council.

Mayor Pro Tem Murphy referred to basic accounting and internal control principles and inquired if Glenn Steinbrink, Interim Administrative Services Director, would be a better appointment.

City Manager Plumlee indicated that could be done and clarified the appointment could be the City Manager and/or his designee. He stated if there was concern regarding separation of duties Interim Administrative Services Director Steinbrink would be an acceptable appointment. He pointed out City Staff was very small and it was difficult to ensure sufficient internal controls.

Mayor Pro Tem Murphy stated previously the City Treasurer had been Interim Finance Director Magnuson and stated preference for separation. He stated concern with having a designee the Council was unaware of and stated support for appointing Interim Administrative Services Director Steinbrink.

City Manager Plumlee stated support and stated once a permanent Director was hired, the Director would be designated.

Mayor Graham-Mejia inquired if the City Manager had been appointed in the past.

City Manager Plumlee answered in the affirmative and indicated various positions had been previously appointed.

Council Member Grose stated interims had been appointed in the past, but stated a preference for having a Staff member who was present on a regular basis being accountable. He stated in the past the designee had

not been updated in a timely manner and commended Staff for being proactive.

Council Member Edgar referred to the Budget Ad Hoc Committee that will be looking at restricting idle investments and indicated the treasurer function was a key role. He expressed historically Council appoints the most stable person.

Council Member Kusumoto indicated he had concerns several years ago when a former City Manager was appointed. He indicated Staff that was present 40 hours a week might be a better solution than a part-time interim, but would be supportive of either appointment.

Mayor Pro Tem Murphy believed a treasurer could perform the necessary duties once a month. He reiterated concern that internal controls should be increased.

Council Member Kusumoto inquired if the City Treasurer dealt with investments and was required to be bonded.

City Manager Plumlee indicated the City Treasurer, along with other positions, were required to be bonded per the Municipal Code. He indicated a portfolio could be managed with a part-time interim and a reappointment could be made once a permanent person was hired.

Mayor Graham-Mejia inquired the City Manager's preference for appointment.

City Manager Plumlee indicated Staff could work with the Council's preference.

Council Member Edgar indicated support for Mayor Pro Tem Murphy's preference as long as there were no legal issues.

City Attorney Reisman confirmed there were no legal issues.

Motion/Second: Edgar/Kusumoto

Unanimously Carried: The City Council adopted Resolution 2014-06, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, GLENN L. STEINBRINK, INTERIM ADMINISTRATIVE SERVICES DIRECTOR, AS CITY TREASURER OF THE CITY OF LOS ALAMITOS AND REPEALING RESOLUTION NO. 2013-16 IN ITS ENTIRETY."

Mayor Graham-Mejia continued Item 9B to the next Regular meeting in interest of time.

## 9. DISCUSSION ITEMS

### A. Sugar Beet Festival - 5K-ish Sugartown Challenge (Community Services)

This item provides the City Council with options for the City's assistance with the Second Annual Sugar Beet Festival 5K-ish Sugartown Challenge scheduled to be held on Saturday, June 7, 2014.

City Manager Plumlee introduced the item and advised Larry Strawther and Diana Hill, Sugar Beet Festival Chairs, were present and available for questions.

Recreation and Community Services Director Lakin summarized the Staff report, referring to the information contained therein, and answered questions from the City Council.

Mayor Graham-Mejia invited Mr. Strawther to address the Council.

Larry Strawther, Sugar Beet Festival Co-Chair, spoke regarding the following topics: money is not the concern; looking for support from the City for the event; event will maintain its own insurance; last year's event generated over \$6,000 for non-profits in the area; support from the City could include waiving "soft fees" that did not include actual man hours (i.e. traffic fees since the plan had minimal changes); support from the Council could include word of mouth and providing a link on the website; he advised this year's festival would be held at Shops at Rossmoor due to a better layout and parking; the merchants and runners enjoyed the race going through the businesses last year; and, the event looked forward to any participation, encouragement, and support from the City.

Mayor Graham-Mejia inquired if there was interest in the City co-sponsoring the event.

Mr. Strawther stated the insurance requirements had seemed high and he had thought co-sponsoring would allow the event to be covered under the City's liability insurance. The insurance was not a major concern now that he had done additional research.

Mayor Graham-Mejia confirmed Mr. Strawther was no longer interested in the City co-sponsoring the event. Mr. Strawther confirmed.

Council Member Edgar indicated it was a great event last year and he looked forward to the "fun race" becoming timed and competitive. He believed all the items were reasonable and would remain consistent in his support for community events. He stated support for assisting the event getting off the ground.

Council Member Grose referred to the “soft” items. He believed the Special Event Permit fee was an item the Council could consider waiving. He indicated this event was not similar to Wings, Wheels, and Rotors as it took place on federal property and the City did not have jurisdiction. He did not believe Traffic Engineer fees or Police Department fees were soft costs since there was an actual cost incurred by the City.

Mr. Strawther stated he had not asked for Police Department fees to be waived because he agreed.

Council Member Grose stated concern for sponsoring the event. He expressed disappointment the festival would be held at the Shops at Rossmoor. He did not have any concerns with the Council voicing its support. He believed the City being a formal co-sponsor would open up liability concerns.

Mayor Graham-Mejia clarified Mr. Strawther had indicated co-sponsorship was not needed.

Council Member Grose support for establishing a stable policy for Council regarding special events. He indicated Council had received a copy of the festival expenses but stated he was unclear on the income generated. He believed the non-profits should extend beyond the regular participants of the Taste of Los Al. He believed giving back to community non-profits was admirable and stated support for helping the event grow.

Mr. Strawther indicated profits went to CSMP to cover the Little League World Series. Sponsorships were also received.

Mayor Graham-Mejia inquired why the festival was moved so that Los Alamitos was no longer the benefactor.

Mr. Strawther indicated the space was limiting and property boundaries blocked the view of the entire event. He had tried to relocate to Laurel Park, but with the new turf and parking situation, it had proved to be too problematic. He pointed out the non-profits from Taste of Los Al had an established relationship. He indicated Taste of Los Al had taken three years to grow and encouraged interested non-profits to contact him.

Council Member Grose stated his understanding the event was only open to booster groups.

Mr. Strawther clarified the event was open to all non-profit organizations.

Motion/Second: Murphy/Edgar

Motion: Approve Item 2 and 3, and state support for the festival.

Substitute Motion: Kusumoto/Graham-Mejia  
Motion: Cover "soft" fees with current revenue sources.

Council Member Kusumoto indicated support was being provided by the City for Wing, Wheels, and Rotors due to certain expenses incurred by the City (i.e. staff, trash). He encouraged Staff to look at remaining funds from the Business and Residential Program. He believed funding sources could be pooled to cover the expenses of the event.

Mayor Graham-Mejia requested Council Member Kusumoto include support for including information on the City's website.

City Manager Plumlee stated language provided by the event organizers could be posted on the website and soft marketing efforts could be absorbed. He stated special event insurance was not required for Wings, Wheels, and Rotors because the event was held on the Joint Forces Training Base.

Council Member Kusumoto clarified insurance was not included in his motion as Mr. Strawther had indicated he would cover the cost. He clarified fees paid to the City could be waived.

Mayor Graham-Mejia indicated Council Member Kusumoto's motion was for Items 2, 3, and 4, and including marketing on the City's website. She stated this was comparable to the compensation provided to Wings, Wheels, and Rotors.

Council Member Edgar referred to Police Services and felt it was consistent with Wings, Wheels, and Rotors. He indicated he could withdraw his second if it was included in the substitute motion.

Council Member Grose stated he could not support the item. He indicated the cost were significantly less than Wings, Wheels, and Rotors as that event included Public Works, Community Services, and Police staffing cost. He believed the motion needed to be clarified. He reiterated the need for a policy discussion for special events as Council was now setting a precedent. He believed Staff should be able to approve certain items without coming to Council and the policy should be fair and practical. He stated a website policy would also be advisable as Council should not have to make a judgment call for every instance.

Council Member Edgar stated support for working towards a policy.

Council Member Kusumoto withdrew his motion and clarified the fees should be no more than what was necessary for this event.

Council Member Edgar stated support for adding a special event policy item in the future.

Mayor Graham-Mejia indicated the reason she had brought the item forward was to support a brand new event. She stated her opposition to Wings, Wheels, and Rotors in the past had been due to the significant amount of money they donated to MWR while receiving in-kind services from the City. She requested Council consider supporting the item from 3-5 years to allow the event to become established.

City Attorney Reisman stated the agenda item was consideration for one year only and additional years would need to come back to Council at a later date.

City Manager Plumlee stated a special event policy to address sponsorship and fees would come forward another time.

Mayor Graham-Mejia stated the importance for showing parity.

Motion/Second: Kusumoto/Graham-Mejia

Carried 4/1 (Murphy cast the dissenting vote): The City Council:

2. Waived the Special Event Permit Fee (\$250); and,
3. Waived the Traffic Plan Review fees (\$475); and,
4. Waived the Police Department staffing fees (approximately \$550-650); and,
5. Directed Staff to bring forward a Special Event Policy; and,
6. Directed Staff to post information for the event on the City's website.

Mayor Graham-Mejia stated support for the entire event returning to Los Alamitos.

**B. Rescission of City Council Action Against Council Member Warren Kusumoto and Reimbursement for Legal Fees Expended**

**(City Attorney)**

In 2011, the City Council voted to refer a claimed Brown Act violation to the appropriate authorities for criminal prosecution. The Statute of Limitations on any criminal violations expired and criminal prosecution would not be possible. Civil action would also be difficult and an unnecessary waste of municipal resources. Reimbursement of Council

Member Kusumoto's legal fees is permissible but not mandatory. This item was continued from the February 18, 2013, meeting.

Item continued to the next meeting.

## 10. MAYOR AND COUNCIL INITIATED BUSINESS

### A. Council Announcements

**Council Member Kusumoto** inquired why special event expenses were being paid out of the LATV3 budget and inquired if LATV funding and expenses were being looked at.

City Manager Plumlee stated the Commission was getting a handle on all functions of LATV3 including funding and paying for special events.

Council Member Kusumoto clarified the recommendation would come to Council for approval.

City Manager Plumlee confirmed.

Council Member Kusumoto spoke regarding the following topics: interest in attending the Southern California Association of Governments conference; engaging the Orange County Sanitation District in dialogue regarding representation on the Los Alamitos/Rossmoor Sewer District; and, Orange County Fire Authority labor negotiations.

**Council Member Grose** spoke regarding the following topics: events attended are listed at [www.losal.net](http://www.losal.net); water conservation and the Fix a Leak program, March 17-23; and, upcoming major disaster response exercise on the JFTB.

**Council Member Edgar** spoke regarding the following topics: attendance at the Americana Awards; attendance at the Police Officers Appreciation Lunch; upcoming retirement of Janice Shore and appreciation for all her service; update regarding Orange County Sanitation District; and, pleased a conclusion for the Sugar Beet Festival was reached.

**Mayor Pro Tem Murphy** spoke regarding attendance at the Police Officer Appreciation Lunch and requested a goal setting work shop for the City Council.

**Mayor Graham-Mejia** spoke regarding the following topics: requested Staff to include as many choices as possible for the Sugar Beet Festival report; attendance at the Police Officers Appreciation Lunch; attendance at the Association of California Cities monthly meeting; requested Police

BBQ for community meet and greet; upcoming meeting with Los Alamitos Unified School District; and, upcoming retirement of Janice Shore and appreciation for her service.

## 11. ITEMS FROM THE CITY MANAGER

City Manager Plumlee spoke regarding the following topics: retirement of Janice Shore; attendance at the Police Officer Appreciation Lunch; and, upcoming Easter Egg Hunt on Saturday April 19<sup>th</sup>.

Council Member Grose stated Precious Life Shelter would be celebrating its 25<sup>th</sup> Anniversary and requested the city recognize them.

Council Member Kusumoto requested a recap on Race on the Base.

City Manager Plumlee indicated it had been a great event and the attendees had increased.

Community Services Director Lakin indicated the Race on the Base had been the highest attended race to date and provided a brief recap. He advised the next Race on the Base would be held on Saturday, February 8, 2015.

Mayor Graham-Mejia congratulated Staff on a great event.

## 12. CLOSED SESSION

### A. Conference with Labor Negotiator

Agency Negotiators: Gregory D. Korduner, Consultant  
Employee Organization: Los Alamitos City Employee Association  
Authority: Government Code Section 54957.6

### B. Conference with Labor Negotiator

Agency Negotiators: Gregory D. Korduner, Consultant  
Employee Organization: Police Officers Association  
Authority: Government Code Section 54957.6

### C. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (c) of Section 54956.9. Two potential cases.

City Attorney Reisman read items 12A, B, and C, aloud.

Council Member Edgar recused himself from one potential case under Item 12C for a conflict of interest.

## RECESS

City Council recessed into Closed Session at 8:15 p.m.

**RECONVENE**

City Council reconvened in Regular Session at 10:43 p.m.

There was no reportable action.

**13. ADJOURNMENT**

The City Council adjourned at 10:43 p.m.

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Gerri L. Graham-Mejia, Mayor

Attest:

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Windmera Quintanar, CMC, City Clerk