

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

**REGULAR MEETING – September 15, 2014**

**1. CALL TO ORDER**

The City Council met in Regular Session at 6:06 p.m., Monday, September 15, 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 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  
Bruce McAlpine, Police Captain  
Steven Mendoza, Community Development Director  
Cassandra Palmer, Support Services Manager  
Windmera Quintanar, CMC, City Clerk

**3. PLEDGE OF ALLEGIANCE**

Mayor Graham-Mejia led the Pledge of Allegiance.

**4. INVOCATION**

Council Member Grose gave the Invocation.

**5. PRESENTATIONS**

**A. Presentation of a Retirement Plaque to David E. Pearce, for 33 Years of Dedicated Service to the City of Los Alamitos**

Mayor Graham-Mejia and the City Council presented a plaque to Mr. Pearce. Mr. Pearce spoke briefly.

**B. Recognition of Childhood Cancer Awareness with Presentations to Ava Rich, Childhood Cancer Survivor, and Suzie Barnhill, Community Volunteer**

Mayor Graham-Mejia and the City Council presented a Commendation to Ava Rich in recognition of Childhood Cancer Awareness. She invited mother, Gina Rich, to speak briefly.

Council presented a Certificate of Recognition to Suzie Barnhill for her donation of yellow ribbons. Ms. Barnhill spoke briefly.

- C. Presentation of a Commendation to Kolina Janji as Little Miss Poppy**  
Mayor Graham-Mejia and the City Council presented a Commendation to Kolina Janji in recognition of being named Little Miss Poppy. She invited mother, Ms. Janji, to speak briefly.
- D. Presentation of a Proclamation to Greg Gillaspay, Proclaiming Los Alamitos as a Red Shirt City**  
Mayor Graham-Mejia invited Mr. Gillaspay forward. Mr. Gillaspay was not present.
- E. Presentation of a Proclamation to Bev Harrison, Volunteer with the Alzheimer's Association Orange County, for Alzheimer's Awareness Month**  
Mayor Graham-Mejia and the City Council presented a Proclamation to Bev Harrison. Ms. Harrison spoke briefly.
- F. Presentation of a Proclamation to Chief Tracy McClelland, Orange County Fire Authority, for Fire Prevention Week, October 5-11, 2014**  
Mayor Graham-Mejia and the City Council presented a Proclamation to Chief McClelland. Chief McClelland spoke briefly.

**6. ORAL COMMUNICATIONS**

Mayor Graham-Mejia opened Oral Communications.

Jenelle Hodges, Southern California Edison representative, spoke regarding conserving energy and planned outages.

Mayor Graham-Mejia closed Oral Communications.

**7. WARRANTS**

Council Member Grose referred to the payment for renewal of Orange County Council of Governments (OCCOG) annual dues and indicated he believed renewals were to be discussed in detail. He encouraged Council to not approve this item until it could be discussed along with the League of California Cities (LOCC), and Association of California Cities – Orange County (ACC-OC) memberships. He requested approval of warrants without the payment to OCCOG.

Council Member Kusumoto stated he would recuse himself from approving reimbursement of candidate fees for Council Member Edgar and himself.

Council Member Edgar indicated he would also abstain.

Motion/Second: Graham-Mejia/Murphy

Unanimously Carried: The City Council approved the Warrants for September 15, 2014, in the amount of \$91,264.66, ratified the Warrants for August 19, 2014, to September 14, 2014, in the amount of \$1,260,481.29, less the following payments: Orange County Council of Governments - \$3,3539.59; Troy Edgar - \$650.00; and, Warren Kusumoto - \$650.00, 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 September 16, 2014, to October 19, 2014.

**ROLL CALL**

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

Motion/Second: Grose/Murphy

Unanimously Carried: The City Council approved the Warrants for Troy Edgar and Warren Kusumoto in the amount of \$650.00 each.

**ROLL CALL**

Council Member Edgar	Abstain
Council Member Grose	Aye
Council Member Kusumoto	Abstain
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 8B and Mayor Pro Tem Murphy pulled item 8G.

Council Member Edgar advised he was a member of the St. Isidore Committee.

Motion/Second: Edgar/Murphy

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 June 9, 2014.
2. Approved the Minutes of the Special Meeting of August 18, 2014.
3. Approved the Minutes of the Special Meeting of August 20, 2014.

**C. Second Reading of Ordinance No. 14-06 – Zoning Code Changes for Bingo (Community Development)**

At its Regular meeting of August 18, 2014, the City Council held a necessary public hearing to adopt the code changes necessary to permit remote caller bingo within the City of Los Alamitos. In addition to adding a section for Remote Caller Bingo, the Assistant City Attorney also cleaned up the code related to Bingo.

The City Council adopted Ordinance No. 14-06 entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA AMENDING CHAPTER 5.16 RELATING TO BINGO AND ADDING CHAPTER 5.18 RELATING TO REMOTE CALLER BINGO."

**D. Second Reading of Ordinance No. 14-08 – A Zoning Code Amendment to Facilitate Remote Caller Bingo within the Community Facilities (C-F) Zone (City initiated) (Community Development)**

At its Regular meeting of August 18, 2014, the City Council conducted a first reading of Ordinance No. 14-08. This Ordinance adds Bingo as an allowed use to the land use charts for the C-F zone and to the C-O, C-G, and P-M zones subject to the limited hours of operation that currently exist in section 5.16.180. The Ordinance also allows Remote Caller Bingo to be limited to the Community Facilities (C-F) zone due to its likeliness to draw larger numbers of players.

The City Council adopted Ordinance No. 14-08, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING ZONING ORDINANCE AMENDMENT (ZOA) 14-05 TO ADD "BINGO" TO LOS ALAMITOS MUNICIPAL CODE SECTION 17.10.020, TABLE 2-04, AS A PERMITTED USE IN THE COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, TO ADD BOTH "BINGO" AND "REMOTE CALLER BINGO" TO LOS ALAMITOS MUNICIPAL CODE SECTION 17.12.020, TABLE 2-06, AS PERMITTED USES IN THE COMMUNITY FACILITIES (C-F) ZONING DISTRICT, AND TO ADD THEIR RESPECTIVE DEFINITIONS TO SECTION 17.76, AND DIRECTING THAT A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (CITY INITIATED)."

**E. 2014 Local Agency Biennial Notice (City Clerk)**

The Political Reform Act requires every local government agency to review its Conflict of Interest Code biennially. The Biennial Notice must be completed and filed with the City Council no later than October 1, 2014. Within 90 days, any amendments to the Conflict of Interest Code must be submitted to the City Council for approval. The Conflict of Interest Code is not effective until it has been approved by the City Council.

The City Council received and filed the report.

**F. Approval of Amendment No. 2 to the Master Funding Agreement No. C-1-2774 between the Orange County Transportation Authority and the City of Los Alamitos (Engineering)**

The Orange County Transportation Authority (OCTA) requested Amendment No. 2 to the Master Agreement No. C-1-2774 be executed by the City of Los Alamitos in conformance with the Comprehensive Transportation Funding Programs (CTFP) and the Local Fair Share Program Net Revenues.

The City Council:

1. Approved Amendment No. 2 to the Master Agreement No. C-1-2774 between Orange County Transportation Authority and the City of Los Alamitos; and,
2. Authorized the Mayor to execute said Amendment No. 2 on behalf of the City of Los Alamitos; and,
3. Directed the City Clerk to file the executed copy of Amendment No. 2 to the Master Agreement No. C-1-2774 with the Orange County Transportation Authority.

**H. Challenge Coins (City Manager)**

This report sought approval to allow City Council Members the use of the City of Los Alamitos seal for the design and purchase of Challenge Coins.

The City Council approved allowing City Council Members' use of the City's seal to design and purchase Challenge Coins at their expense.

**I. Los Alamitos Unified School District Use of Council Chambers (City Manager)**

This report sought approval for the Los Alamitos Unified School District to temporarily use the City of Los Alamitos Council Chambers for School District Board of Education Meetings.

The City Council approved the Los Alamitos Unified School District use of the City of Los Alamitos Council Chambers for Board of Education Meetings for 2015 and authorized the City Manager to execute an agreement with the Los Alamitos Unified School District indemnifying the City of Los Alamitos from any liability.

**End of Consent Calendar**

**Items pulled from Consent Calendar**

**B. Second Reading of Ordinance No. 14-07 – Allowing Affordable Housing in the City without a Conditional Use Permit, as required by the State Department of Housing and Community Development (Community Development)**

At its Regular meeting of August 18, 2014, the City Council conducted a first reading of Ordinance No. 14-07. This was the second reading of a Zoning Ordinance Amendment that would treat affordable housing development equally with market rate developments by removing a requirement for a Conditional Use Permit.

Mayor Graham-Mejia advised she had previously voted no and wanted to remain consistent.

Motion/Second: Grose/Murphy

Carried 4/1 (Graham-Mejia cast the dissenting vote): The City Council adopted Ordinance No. 14-07, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING ZONING ORDINANCE AMENDMENT (ZOA) 14-04 TO ALLOW AFFORDABLE HOUSING AS A PERMITTED USE IN THE RESIDENTIAL ZONING DISTRICTS (R-1, R-2 & R-3) OF THE CITY WITHOUT A CONDITIONAL USE PERMIT AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (CITY INITIATED)."

**G. Award of Bid for Alley Improvement Project (CIP No. 14/15-02) (Public Works)**

This report recommended award a bid for the construction of portions of the Alley from Bloomfield Street to approximately 1150-feet east, between Katella Avenue and Green Avenue.

Mayor Pro Tem Murphy questioned the 19% contingency and asked if that was due to the water table.

City Engineer Hunt advised a portion was due to the water table and advised this project was funded by a grant for \$140,000. Experience has shown that half the alleys have a large amount of water and require mass removal. He advised this was a typical amount for a project of this size and it would ensure if anything happened the project could continue with City Manager approval. He advised small jobs have required as much as 20%, but on average approximately 10% is used.

Council Member Grose questioned setting aside \$22,000 and the City Manager's spending authority up to \$10,000.

Mayor Graham-Mejia advised the Council was approving more.

Council Member Edgar indicated the procurement ordinance allowed Council to override the spending authority.

Council Member Grose advised he would like to see how much was used when the project was complete.

City Engineer Hunt advised all projects receive a Notice of Completion, approved by Council, that would explain in detail each item and why.

The City Council:

1. Awarded construction of the Alley Improvement Project (CIP No. 14/15-02) to Horizons Construction Company in the amount of \$117,531.34; and,
2. Authorized the Mayor to execute the contract for the project; and,
3. Authorized City Engineer to add work and execute change orders in an amount not to exceed the contingency reserve of 19% or \$22,468.66 for a maximum contract amount of \$140,000. Based upon experience with the water table in other alleys, Staff is requesting the reserve amount stated above.

## 9. DISCUSSION ITEMS

### A. **4<sup>th</sup> of July Fireworks Location Options (Community Services)**

This agenda item provides the City Council with information about the two previous locations of the fireworks display at the annual 4<sup>th</sup> of July Fireworks Spectacular event located at the Joint Forces Training Base (JFTB) and responses from the various stakeholders including the Joint Forces Training Base, City of Cypress, City of Seal Beach and the Community of Rossmoor.

Mayor Graham-Mejia requested this item be continued to next regular meeting.

Mayor Pro Tem Murphy asked when a decision had to be made for next year.

Mayor Graham-Mejia indicated Staff had advised March.

Consensus was received to continue the item to the next regular meeting.

### B. **Review of the Draft Individual Joint Use Agreement for McAuliffe & Oak Fields & Draft Master Joint Use Agreement with the Los Alamitos Unified School District & Discussion of Future Individual Joint Use Agreements** *(Continued discussion if needed)*

This agenda item presents the Draft Individual Joint Use Agreement for McAuliffe Middle School Field, Oak Middle School Field, and the revised Draft Master Joint Use Agreement between the City of Los Alamitos and the Los Alamitos Unified School District. Staff is seeking theoretical approval of these three draft agreements and direction from the City Council on the negotiations of additional four Individual Joint Use Agreements for Oak Middle School sites: Gymnasium, Outdoor Basketball Courts, Community Restrooms, and Bike/Walk Path to Coyote Creek Park.

Mayor Graham-Mejia advised this discussion was completed at the earlier Special meeting.

## 10. MAYOR AND COUNCIL INITIATED BUSINESS

### A. Council Announcements

**Council Member Grose** stated a list of events attended could be found on [www.losal.net](http://www.losal.net) and spoke regarding the drought information card sent out by Golden State Water.

**Council Member Kusumoto** spoke regarding the following topics: meeting with Eduardo Lerner, Loretta Sanchez's Office, and Townsend Public Affairs, and attendance at the 9-11 Observation at the local fire station.

**Mayor Pro Tem Murphy** spoke regarding the following topics: congratulated Support Services Manager Palmer on her great presentation regarding coyotes; commended Community Services Director Mendoza for volunteering to work a conference to allow funding for Commissioner attendance; and, attendance at a meeting with Golden State Water regarding drought awareness.

**Council Member Edgar** spoke regarding the following topic: support for Golden State Water's outreach efforts; upcoming meeting with Mayor of Bell regarding potential impact of closing hospitals; support for Council working with the LAUSD; financial stability of the City; and, support for investigating recycled water from Long Beach.

**Mayor Graham-Mejia** asked if Staff had investigated grates to block the entrance of coyotes into the drainage pipes, similar to the action taken by the City of Seal Beach.

Support Services Manager Palmer advised Los Alamitos had a different pipe structure and blocking such may cause flooding.

Mayor Graham-Mejia spoke regarding the spread of West Nile Virus and advised City Manager Plumlee was working with local producers to put together an information piece for residents.

City Manager Plumlee advised Producer Underwood and Contractor Wood had created a video from the information provided by Orange County Vector Control.

## 11. ITEMS FROM THE CITY MANAGER

City Manager Plumlee advised he attended the coyote awareness forum and Support Services Manager Palmer had represented the City well. He thanked her for her great work and congratulated Dave Pierce on his years of service.

Mayor Graham-Mejia asked if a video regarding West Nile Virus would be produced with specific details that could be used year round. She believed the cost would be minimal compared to the benefit.

City Manager Plumlee advised he was working with the Public Information Officer at OCVD who was willing to participate and be interviewed. The video would address mosquitoes and the spread of West Nile Virus as well as other important items. The video will be made available to surrounding Orange County cities. He advised he had also requested a copy of the video from the coyote awareness forum that would air on LATV-3.

Mayor Graham-Mejia was supportive of other vectors being included and believed it showed great insight to include those items as the information wouldn't change frequently and could be used moving forward.

Council Member Grose requested Council discuss legal fees at the next Council meeting. He gave a brief overview of the City Attorney fees and stated concern the hours and cost had increased dramatically over the past month. He stated the importance of starting the new fiscal year with an understanding of the fees.

Mayor Graham-Mejia asked if it would be appropriate for City Attorney Reisman to provide a general overview at this time.

City Attorney Reisman advised last fiscal year the City had on average stayed around the same fee and expended approximately \$100,000-\$120,000 for the whole fiscal year. He stated the first month of the fiscal year was approximately \$8,000; however, the second month included several Planning Commission items that required necessary time, requested by Staff. He indicated the General Plan, draft Environmental Impact Report (EIR) and Planning Commission matters accounted for about half the items spent, while the other half was used for labor negotiations and the general business of the City. He advised the base rate for services was \$150.00/hour for the first 40 hours and \$225.00/hour for each hour

after, which was below the standard City Attorney rate. He stated no objection to having the item on the agenda and he did not have a position either way.

Mayor Graham-Mejia indicated Council Member Kusumoto was supportive of the item. She asked if Council would be discussing the prioritization of spending the money.

Council Member Grose advised his intent was to make the Council aware of the fees and gave an overview of the bill and fees. He wanted to ensure communication continued and Council understood what was going on and stated support for periodic reviews of this nature.

City Attorney Reisman advised \$3,757.00 was attributed to special services for the EIR and General Plan which were built into the hours on retainer. The excess hours were for the other issues.

## 12. CLOSED SESSION

City Attorney read the item aloud.

### A. Conference with Labor Negotiator

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

## RECESS

The City Council recessed into Closed Session at 6:58 p.m.

## RECONVENE

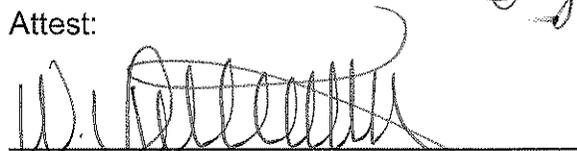
The City Council reconvened in Regular Session at 7:27 p.m.

There was no reportable action.

## 13. ADJOURNMENT

The City Council adjourned at 7:27 p.m.

Attest:

  
Windmera Quintanar, CMC, City Clerk

  
Gerri L. Graham-Mejia, Mayor