

# CITY OF LOS ALAMITOS

3191 Katella Avenue  
Los Alamitos, CA 90720

## AGENDA CITY COUNCIL REGULAR MEETING MONDAY, OCTOBER 3, 2011 – 7:00 p.m.

### NOTICE TO THE PUBLIC

This Agenda contains a brief general description of each item to be considered. Except as provided by law, action or discussion shall not be taken on any item not appearing on the agenda. Supporting documents, including staff reports, are available for review at City Hall in the City Clerk's Office or on the City's website at [www.ci.los-alamitos.ca.us](http://www.ci.los-alamitos.ca.us) once the agenda has been publicly posted.

Any written materials relating to an item on this agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office, 3191 Katella Ave., Los Alamitos CA 90720, during normal business hours. In addition, such writings or documents will be made available for public review at the respective public meeting.

It is the intention of the City of Los Alamitos to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee, or a participant at this meeting, you will need special assistance beyond what is normally provided, please contact the City Clerk's Office at (562) 431-3538, extension 220, 48 hours prior to the meeting so that reasonable arrangements may be made. Assisted listening devices may be obtained from the City Clerk at the meeting for individuals with hearing impairments.

Persons wishing to address the City Council on any item on the City Council Agenda will be called upon at the time the agenda item is called or during the City Council's consideration of the item and may address the City Council for up to three minutes.

1. **CALL TO ORDER**
2. **ROLL CALL**  
Council Member Graham-Mejia  
Council Member Kusumoto  
Council Member Poe  
Mayor Pro Tem Edgar  
Mayor Stephens
3. **PLEDGE OF ALLEGIANCE** **Council Member Poe**
4. **INVOCATION** **Council Member Graham-Mejia**
5. **ORAL COMMUNICATIONS**  
At this time, any individual in the audience may come forward to speak on any item within the subject matter jurisdiction of the City Council. Remarks are to be limited to not more than five minutes per speaker.

6. **PRESENTATION**

A. **Presentation by Casa Youth Shelter to the City Council**

B. **Presentation of a Proclamation Declaring October 2011 as Crime Prevention Month**

C. **Presentation of a Proclamation Declaring October 9-15, 2011, as Fire Prevention Week**

7. **REGISTER OF MAJOR EXPENDITURES**

October 3, 2011.

**Roll Call Vote**

Council Member Graham-Mejia

Council Member Kusumoto

Council Member Poe

Mayor Pro Tem Edgar

Mayor Stephens

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.

\*\*\*\*\*CONSENT CALENDAR\*\*\*\*\*

A. **Approval of Minutes** (City Clerk)  
Approve Minutes of the Regular Meeting – September 6, 2011.

B. **Warrants** (Finance)  
October 3, 2011.

C. **Award of Construction Contract for the Community Pool Deck Shading System** (Public Works)  
This report recommends that City Council award a construction contract to Peace of Mind Construction for the Community Pool Deck Shading System on the basis of the lowest qualified bid.

Recommendations:

1. Award the contract for the Community Pool Deck Shading System for the lowest responsible bid to Peace of Mind Construction, in the amount of \$17,777.00, reject all other bids; and,
2. Authorize the Mayor to execute the contract for the project; and,
3. Authorize staff to execute change orders, if necessary, in an amount not to exceed the contingency reserve of \$1,777.70 which is 10% of the original contract amount.

**D. Approval of Plans and Specifications and Authorization to Bid for Katella Avenue Median Modifications at Chestnut Street**

This report recommends actions to begin facilitating the construction of Katella Avenue Median Modifications at Chestnut Street.

Recommendation:

1. Approve the plans and specifications for the construction of Katella Avenue Median Modifications at Chestnut Street; and,
2. Authorize staff to advertise and solicit bid proposals.

\*\*\*\*\*END OF CONSENT CALENDAR\*\*\*\*\*

**9. PUBLIC HEARING**

**A. General Plan Amendment, Zoning Ordinance Amendment, Annexation Initiation, and Property Tax Resolution to Annex eight Long Beach Parcels (7078-019-005, 006, 007, 009, 010, 011, 906 & 907) in conjunction with Area 7 of Local Agency Formation Commission Boundary Adjustment**

Consideration to annex eight Long Beach parcels into the City of Los Alamitos and adopt necessary Resolutions and an Ordinance to pre-zone the parcels. The parcels are located in the College Park North area of Los Alamitos adjacent to Stansbury Park on Toland Avenue.

Recommendation:

1. Conduct a Public Hearing; and,
2. Adopt City Council Resolution No. 2011-18, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADOPTING GENERAL PLAN AMENDMENT 11-02, TO ESTABLISH GENERAL PLAN DESIGNATIONS FOR PARCELS 7078-019-005, 006, 007, 009, 010, 011, 906 & 907 (STANSBURY PARK AREA) IN CONJUNCTION WITH AREA SEVEN (7) OF THE PROPOSED LAFCO BOUNDARY ADJUSTMENT."
3. Waive reading in full and authorize reading by title only of Ordinance No. 11-08, and set for second reading; and,
4. Mayor Stephens read the title of City Council Ordinance No. 11-08, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADOPTING ZONING ORDINANCE AMENDMENT 11-03 TO PRE-ZONE PARCELS 7078-019-005, 006, 007, 009, 010, 011, 906 & 907 (STANSBURY PARK AREA) IN CONJUNCTION WITH AREA SEVEN (7) OF THE PROPOSED LAFCO BOUNDARY ADJUSTMENT."

5. Adopt City Council Resolution No. 2011-19, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, MAKING APPLICATION TO AND REQUESTING THE LOCAL AGENCY FORMATION COMMISSION OF ORANGE COUNTY TAKE PROCEEDINGS PURSUANT TO THE CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000 FOR THE CITY OF LOS ALAMITOS TO ANNEX 1.29 ACRES OF PROPERTY (EIGHT LONG BEACH PARCELS 7078-019-005, 006, 007, 009, 010, 011, 906 & 907) AND FILE ANNEXATION NO. 2011-01."
6. Adopt City Council Resolution No. 2011-17 entitled "A RESOLUTION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING PROPERTY TAX ALLOCATION FOR ALL AFFECTED AGENCIES REGARDING THE COUNTY BOUNDARY REORGANIZATION FOR THE STANSBURY PARK AREA OF THE CITY OF LOS ALAMITOS"

## **10. DISCUSSION ITEMS**

### **A. Consideration of Private Use of a City Service Road Located between 3608 and 3622 Fenley Drive, Los Alamitos**

Consideration regarding use of a City service Road located between 3608 and 3622 Fenley Drive, Los Alamitos.

Recommendation:

1. Review and discuss; and if appropriate,
2. Authorize execution of a license agreement between the City of Los Alamitos and Richard and Beverly Vardeman, owners of the property located at 3622 Fenley Drive, for use of the City service road located between 3608 and 3622 Fenley Drive.

## **11. MAYOR AND COUNCIL INITIATED BUSINESS Council Announcements**

At this time, Council Members may also report on items not specifically described on the Agenda that are of interest to the community, provided no action or discussion is taken except to provide staff direction to report back or to place the item on a future Agenda.

Council Member Kusumoto  
Council Member Poe  
Mayor Pro Tem Edgar  
Mayor Stephens  
Council Member Graham-Mejia

## **12. ITEMS FROM THE CITY MANAGER**

**13. CLOSED SESSION**

**Conference with Legal Counsel**

The City Council finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the local agency in the litigation.

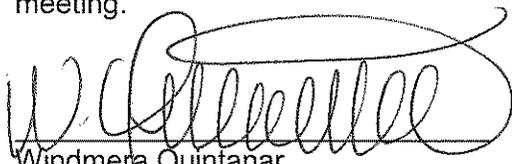
**A. Existing Litigation (G.C. 54956.9(a))**

Sipple et. al. v. City of Alameda et. al.

**14. ADJOURNMENT**

The next meeting of the City Council is scheduled for Monday, October 17, 2011, in the City Council Chambers.

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing Agenda was posted at the following locations: Los Alamitos City Hall, 3191 Katella Ave.; Los Alamitos Community Center, 10911 Oak Street; and, Los Alamitos Museum, 11062 Los Alamitos Blvd.; not less than 72 hours prior to the meeting.



Windmera Quintanar  
Department Secretary

9/29/11  
Date

**CITY OF LOS ALAMITOS**  
**Register of Major Expenditures**  
**October 3, 2011**

**Pages:**

01	\$ 56,449.03	Major Warrants	10/03/2011
02-04	\$ 50,845.66	Major Warrants	09/19/2011
	\$ 131,164.39	Payroll	09/16/2011
	\$ 87,666.37	Payroll Benefits	09/16/2011
	\$ 138,633.94	Payroll	09/02/2011
	\$ 150,126.45	Payroll Benefits	09/02/2011
<b>Total</b>	<b><u>\$ 614,885.84</u></b>		

**Statement:**

I hereby certify that the claims or demands covered by the foregoing listed warrants have been audited as to accuracy and availability of funds for payment thereof. Certified by Anita Agramonte, Finance Director.



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 this 28<sup>th</sup> day of September, 2011

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
CHARLES ABBOTT ASSOCIATES, INC.	BUILDING PERMIT FEES 08/11	GENERAL FUND	BUILDING INSPECTION	13,130.17
	NPDES INSPECTIONS 08/11	GENERAL FUND	NPDES	3,076.00
	TOTAL:			16,206.17
SOUTHERN CALIFORNIA EDISON	TRAFFIC SIGS/ST LIGHTS	GENERAL FUND	STREET MAINTENANCE	13,866.24
	SLO-PITCH FLD/LAUREL PRK	GENERAL FUND	PARK MAINTENANCE	348.43
	MCAULIFFE PARK	GENERAL FUND	PARK MAINTENANCE	193.31
	SPRINKLERS	GENERAL FUND	PARK MAINTENANCE	196.96
	PUMP STATIONS	GENERAL FUND	BUILDING MAINTENANCE	296.65
	CITY HALL	GENERAL FUND	BUILDING MAINTENANCE	1,309.92
	POLICE STATION	GENERAL FUND	BUILDING MAINTENANCE	2,659.54
	COMMUNITY CENTER	GENERAL FUND	BUILDING MAINTENANCE	4,198.17
TOTAL:			22,372.36	
WEST COAST ARBORISTS, INC.	TREE MAINTENANCE	GAS TAX	CAPITAL PROJECTS	2,439.00
	TREE MAINTENANCE	GAS TAX	CAPITAL PROJECTS	1,125.00
	TREE MAINTENANCE	TRAFFIC IMPROVEMEN	CAPITAL PROJECTS	14,306.50
	TOTAL:			17,870.50

===== FUND TOTALS =====

10	GENERAL FUND	38,578.53
20	GAS TAX	3,564.00
44	TRAFFIC IMPROVEMENT	14,306.50
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GRAND TOTAL:		56,449.03
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VENDOR SORT K	DESCRIPTION	FUND	DEPARTMENT	AM	NT
REDFLEX TRAFFIC SYSTEMS, INC.	AUG 11 PHOTO ENFORCEMENT	GENERAL FUND	TRAFFIC	13,500.00	
			TOTAL:	13,500.00	
STATE OF CALIFORNIA	POOL LIGHT BULBS	GENERAL FUND	AQUATICS	28.83	
	4/11-6/11 ELECTRIC	GENERAL FUND	AQUATICS	12,000.61	
	4/11-6/11 ESPC	GENERAL FUND	AQUATICS	129.75	
	4/11-6/11 GAS	GENERAL FUND	AQUATICS	7,243.57	
	4/11-6/11 WATER	GENERAL FUND	AQUATICS	3,468.20	
	4/11-6/11 SEWER	GENERAL FUND	AQUATICS	2,515.76	
			TOTAL:	25,386.72	
J.S. BANK	SR. MEALS SUPPLIES	GENERAL FUND	NON-DEPARTMENTAL	63.25	
	SR. MEALS SUPPLIES	GENERAL FUND	NON-DEPARTMENTAL	95.81	
	COUNCIL REFRESHMENTS	GENERAL FUND	CITY COUNCIL	42.83	
	DRY CLEAN TABLECLOTHS	GENERAL FUND	CITY COUNCIL	12.00	
	MEETING REFRESHMENTS	GENERAL FUND	CITY COUNCIL	5.29	
	OFFICE SUPPLIES	GENERAL FUND	CITY MANAGER	41.92	
	OFFICE SUPPLIES	GENERAL FUND	POLICE ADMINISTRATION	204.96	
	OFFICE SUPPLIES	GENERAL FUND	POLICE ADMINISTRATION	65.25	
	TRAINING	GENERAL FUND	POLICE ADMINISTRATION	555.00	
	OFFICE SUPPLIES	GENERAL FUND	POLICE ADMINISTRATION	57.09	
	OFFICE SUPPLIES	GENERAL FUND	POLICE ADMINISTRATION	52.75	
	OFFICE SUPPLIES	GENERAL FUND	POLICE ADMINISTRATION	14.51	
	OFFICE SUPPLIES	GENERAL FUND	POLICE ADMINISTRATION	32.14	
	TRAINING	GENERAL FUND	POLICE ADMINISTRATION	275.00	
	OFFICE SUPPLIES	GENERAL FUND	POLICE ADMINISTRATION	67.39	
	TRAINING	GENERAL FUND	POLICE ADMINISTRATION	175.00	
	TONER CARTRIDGE	GENERAL FUND	POLICE ADMINISTRATION	258.57	
	OFFICE SUPPLIES	GENERAL FUND	POLICE ADMINISTRATION	393.79	
	OFFICE SUPPLIES	GENERAL FUND	POLICE ADMINISTRATION	33.40	
	LATEX GLOVES	GENERAL FUND	PATROL	163.78	
	SPEAKER MICROPHONES	GENERAL FUND	PATROL	236.35	
	PRINTER CARTRIDGE	GENERAL FUND	INVESTIGATION	76.05	
	ENTERSECT ONLINE	GENERAL FUND	INVESTIGATION	79.00	
	OFFICE SUPPLIES	GENERAL FUND	INVESTIGATION	118.78	
	TONER CARTRIDGE	GENERAL FUND	INVESTIGATION	287.66	
	PROPERTY TAGS	GENERAL FUND	RECORDS	19.10	
	WEB HOSTING	GENERAL FUND	COMMUNITY OUTREACH	12.95	
	WEB HOSTING	GENERAL FUND	COMMUNITY OUTREACH	14.95	
	MAILING LABELS	GENERAL FUND	COMMUNITY DEVEL ADMIN	34.19	
	COPY PAPER	GENERAL FUND	COMMUNITY DEVEL ADMIN	29.57	
	MAILING LABELS	GENERAL FUND	PLANNING	34.20	
	OFFICE SUPPLIES	GENERAL FUND	BUILDING INSPECTION	11.98	
	WIRE	GENERAL FUND	STREET MAINTENANCE	10.72	
	GATE PARTS	GENERAL FUND	PARK MAINTENANCE	8.70	
	RESPIRATORS	GENERAL FUND	PARK MAINTENANCE	122.46	
	BASEBOARD MOLDING	GENERAL FUND	BUILDING MAINTENANCE	5.07	
	PLUMBING PARTS	GENERAL FUND	BUILDING MAINTENANCE	75.81	
	PLASTIC CHAIR ROLLERS	GENERAL FUND	BUILDING MAINTENANCE	306.57	
	PLASTIC CHAIR ROLLERS	GENERAL FUND	BUILDING MAINTENANCE	304.46	
	PLASTIC CHAIR ROLLERS	GENERAL FUND	BUILDING MAINTENANCE	271.80	
	OFFICE SUPPLIES	GENERAL FUND	RECREATION ADMINISTRAT	79.65	
	OFFICE SUPPLIES	GENERAL FUND	RECREATION ADMINISTRAT	241.76	
	MAINTENANCE SUPPLIES	GENERAL FUND	COMMUNITY SERVICES	9.04	
	DAY CAMP SUPPLIES	GENERAL FUND	DAY CAMP	62.76	
	DAY CAMP SUPPLIES	GENERAL FUND	DAY CAMP	254.29	

VENDOR SORT R	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	DAY CAMP SUPPLIES	GENERAL FUND	DAY CAMP	262.65
	DAY CAMP SUPPLIES	GENERAL FUND	DAY CAMP	311.99
	DAY CAMP SUPPLIES	GENERAL FUND	DAY CAMP	350.73
	REFUND - RACE ON BASE	GENERAL FUND	DAY CAMP	118.80-
	RETURN - DAY CAMP SUPPLIES	GENERAL FUND	DAY CAMP	1.00-
	DAY CAMP SUPPLIES	GENERAL FUND	DAY CAMP	20.00
	DAY CAMP SUPPLIES	GENERAL FUND	DAY CAMP	21.05
	DAY CAMP SUPPLIES	GENERAL FUND	DAY CAMP	5.00
	DAY CAMP SUPPLIES	GENERAL FUND	DAY CAMP	10.98
	DAY CAMP SUPPLIES	GENERAL FUND	DAY CAMP	10.00
	DAY CAMP SUPPLIES	GENERAL FUND	DAY CAMP	5.00
	DAY CAMP SUPPLIES	GENERAL FUND	DAY CAMP	5.00
	DAY CAMP SUPPLIES	GENERAL FUND	DAY CAMP	5.00
	DAY CAMP SUPPLIES	GENERAL FUND	DAY CAMP	70.04
	DAY CAMP SUPPLIES	GENERAL FUND	DAY CAMP	36.75
	DAY CAMP SUPPLIES	GENERAL FUND	DAY CAMP	10.00
	DAY CAMP SUPPLIES	GENERAL FUND	DAY CAMP	5.00
	DAY CAMP SUPPLIES	GENERAL FUND	DAY CAMP	5.00
	DAY CAMP SUPPLIES	GENERAL FUND	DAY CAMP	10.00
	DAY CAMP EXCURSION	GENERAL FUND	DAY CAMP	436.05
	DAY CAMP BOUNCER	GENERAL FUND	DAY CAMP	89.00
	DAY CAMP EXCURSION	GENERAL FUND	SPECIAL CLASSES	262.00
	DAY CAMP EXCURSION	GENERAL FUND	SPECIAL CLASSES	80.50
	DAY CAMP EXCURSION	GENERAL FUND	SPECIAL CLASSES	368.00
	DAY CAMP EXCURSION	GENERAL FUND	SPECIAL CLASSES	875.00
	RACE ON BASE SUPPLIES	GENERAL FUND	SPECIAL EVENTS	37.00
	RACE ON BASE WEB HOST	GENERAL FUND	SPECIAL EVENTS	181.27
	RACE ON BASE WEBSITE	GENERAL FUND	SPECIAL EVENTS	1,200.00
	HAND DRYERS	BUILDING IMPROVEME	CAPITAL PROJECTS	840.80
	LATV SUPPLIES	LOS ALAMITOS TV	LOS ALAMITOS TV	77.53
	BACKHOE PARTS	GARAGE FUND	GARAGE	83.12
	MOWER PARTS	GARAGE FUND	GARAGE	197.70
	BOBCAT PARTS	GARAGE FUND	GARAGE	523.98
	AUTO DETAIL	GARAGE FUND	GARAGE	150.00
	EPA FEES	GARAGE FUND	GARAGE	215.00
			TOTAL:	11,958.94

VENDOR SORT K	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
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===== FUND TOTALS =====
10  GENERAL FUND                48,757.53
25  BUILDING IMPROVEMENT         840.80
28  LOS ALAMITOS TV              77.53
50  GARAGE FUND                  1,169.80
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                                GRAND TOTAL:    50,845.66
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TOTAL PAGES: 3

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

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

**REGULAR MEETING – September 6, 2011**

**1. CALL TO ORDER**

The City Council met in Regular Session at 7:00 p.m., Tuesday, September 6, 2011, in the Council Chambers, 3191 Katella Avenue, Mayor Stephens presiding.

**2. ROLL CALL**

**Present:** Council Members: Graham-Mejia, Kusumoto, Poe  
Mayor Pro Tem Edgar, Mayor Stephens

**Absent:** Council Members: None

**Present:** Staff: Jeffrey L. Stewart, City Manager  
Theresa Highsmith, Assist. City Attorney  
Todd Mattern, Police Chief  
Steven Mendoza, Community Development Dir.  
Angie Avery, Community Services Director  
Anita Agramonte, Finance Director  
Dave Hunt, City Engineer  
Tony Brandyberry, Public Works Supt.  
Janice Shore, Executive Assistant

**3. PLEDGE OF ALLEGIANCE**

Council Member Graham-Mejia led the Pledge of Allegiance in remembrance of Staff Sergeant Andrew J. Harwell who lost his life on August 6, 2011, in Afghanistan.

**4. INVOCATION**

Council Member Poe gave the Invocation.

**5. ORAL COMMUNICATIONS**

Mayor Stephens opened Oral Communications.

J.M. Ivler, resident, spoke regarding a series of questions he provided to Council Member Graham-Mejia that were made part of the official minutes of July 18, 2011. Mr. Ivler stated, to date, he has not received a response by the City Manager to the questions.

The following people spoke in opposition of the annexation of the 14-acre southwest corner of Katella and Los Alamitos Boulevard:

- Rhonda Sandberg, Rossmoor
- Eric Christensen, Rossmoor
- Mike Sanders, Rossmoor

- Dorothy Fitzgerald, Rossmoor
- Brenda Gorman, Rossmoor

Judy Klabouch, Chairman of the Board for the Los Alamitos Chamber of Commerce, thanked the Council Members who attended the Chamber Legislative Mixer at the ORCO Center last Friday night and reminded the public of the Chamber Breakfast this Friday morning at 7:30 a.m. Ms. Klabouch announced Wings, Wheels, and Rotors will be held on October 23, 2011, and the "State of the City" will be held on November 16, 2011. In conclusion, Ms. Klabouch stated she was a long-time resident of Rossmoor and opposed the annexation of the southwest corner of Katella Avenue and Los Alamitos Boulevard.

Mayor Stephens closed Oral Communications.

**6. PRESENTATIONS**

- A.** Mayor Stephens presented Chief Todd Mattern with a Proclamation declaring the month of September as "National Preparedness Month."

**7. REGISTER OF MAJOR EXPENDITURES**

September 6, 2011.

Motion/Second: Poe/Edgar

Unanimously Carried: The City Council approved the Register of Major Expenditures for September 6, 2011, in the amount of \$418,272.69

**Roll Call Vote**

Council Member Graham-Mejia	Aye
Council Member Kusumoto	Aye
Council Member Poe	Aye
Mayor Pro Tem Edgar	Aye
Mayor Stephens	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.

Council Member Graham-Mejia pulled Item #7A and Item #7D

Motion/Second: Graham-Mejia/Edgar

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

\*\*\*\*\*CONSENT CALENDAR\*\*\*\*\*

**B. Warrants**

September 6, 2011.

Approved the warrants for September 6, 2011, in the amount of \$65,808.07

**C. Authorize the City Manager to Approve the Purchase of a Replacement Police Patrol Vehicle (Public Works)**

This is Consideration and acceptance of bids for the purchase of a replacement Sergeants/Mobile Command 2012 Chevrolet Tahoe Police Patrol Vehicle (PPV).

The Police Patrol Units are on a rotational replacement schedule which is determined by age and mileage of the vehicles application. Police vehicles accumulate mileage more drastically than a normally driven vehicle. The Sergeants/Mobile Command SUV Chevrolet Tahoe is driven every shift of every day and is put through extreme operating conditions. The Watch Commander's Patrol Vehicle, a 2005 Chevrolet Tahoe SUV, is 6 years old and has accumulated 114,251 miles. During the 2011/2012 budget process, the City Council approved purchase of one (1) new, unused 2012 Chevrolet Tahoe PPV.

The City Council authorized the City Manager to approve the purchase of one (1) Sergeants/Mobile Command 2012 Chevrolet Tahoe PPV; award a Purchase Order for the lowest responsible bid to Wondries Fleet Group, in the amount of \$31,959.37, and reject all other bids.

\*\*\*\*\*END OF CONSENT CALENDAR\*\*\*\*\*

**8A. Approval of Minutes**

Approved Minutes of the Regular Meeting – August 15, 2011

Motion/Second: Poe/Edgar

Carried: 4/1 (Graham-Mejia "No") Council Member Graham-Mejia stated for the record that because action minutes lack information for historical purposes she is opposed to their approval.

**8D. Authorization to Purchase a New Community Pool Heater**

This report recommends action that facilitates replacement of the Community Pool Heater at the Joint Forces Training Base. The Community Pool is currently operating using only the back-up heater, which is not the optimum situation for the future. At the May 3, 2010, City Council meeting the new heater was approved as part of the 2010-11 Pool Fund expenditures.

Council Member Graham-Mejia asked staff if any businesses from Los Alamitos bid on the community pool heater.

City Engineer Hunt replied that he did not recall the location of the bidders. He stated the pool heater is specialized equipment, due to the pool's

Olympic size, and that most residential pool companies do not service this type of equipment.

Motion/Second: Graham-Mejia/Poe  
Unanimously Carried: The City Council:

1. Authorized the City Manager to approve the purchase of a pool heater for the Community Pool; and,
2. Awarded a Purchase Order for the lowest responsible bid to Plumbers Warehouse, in the amount of \$16,655.76, and reject all other bids.

## 9. DISCUSSION ITEMS

### A. **Approval of Plans and Specifications and Authorization to Bid for Coyote Creek Park and Approve the Name of the New City Park**

The City is seeking to construct a low impact recreation parkway area in the SCE right-of-way along the Coyote Creek, behind Oak Middle School. Toward that end, the City has received a grant from the Rivers and Mountains Conservancy (RMC) in the amount of \$1,440,000. At this time, the RMC has requested that we wrap everything up into one resolution which would approve the plans and specifications, officially name the park "Coyote Creek Park," and authorize staff to advertise and solicit bids.

City Engineer Hunt summarized the staff report, referring to the information contained therein and answered questions from the City Council.

City Manager Stewart stated that this is the last formal action the City Council will need to take if Resolution No. 2011-16 is adopted. The last act for the City would be to execute the lease agreement, which the Council has approved in draft form. City Manager Stewart stated he is authorized to sign the lease agreement and thanked staff for their hard work.

Mayor Pro Tem Edgar, who is the City's representative to the RMC, also thanked staff for their hard work and thanked the City Council for their continued support on this issue.

Council Member Kusumoto thanked Mayor Pro Tem Edgar and City Engineer Hunt for their hard work on this project.

Council Member Poe also thanked Mayor Pro Tem Edgar along with current and past staff who have worked on this project.

Council Member Mejia also thanked Mayor Pro Tem Edgar along with current and past staff, with a special thanks to the City's previous Mayor, Ken Parker.

Mayor Stephens stated this is a four-acre park that will be available for the public to use in its natural habitat and thanked everyone involved in this project.

Mayor Stephens opened oral communications.

Dean Grose, resident, requested the Council consider pulling No. 3, "the naming of the park," and sending it back to the Parks and Recreation Commission. Mr. Grose disagrees with the term "Park," as he feels it is not a park in the traditional sense, and believes the name should reflect more of a nature center.

Mayor Stephens closed oral communications.

City Manager Stewart stated that this is a time sensitive issue and stands by staff's recommendations.

Mayor Stephens asked if the park could be renamed in the future.

City Engineer Hunt responded in the affirmative.

Motion/Second: Poe/Graham-Mejia  
Unanimously Carried: The City Council:

Adopted City Council Resolution No. 2011-16, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS AUTHORIZING THE APPROVAL OF PLANS AND SPECIFICATIONS, OFFICIAL NAMING AND AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY DOCUMENTS RELATED TO COYOTE CREEK PARK CAPITAL IMPROVEMENT PROJECT."

**B. Discussion and Possible Action Regarding General Rate Request Case by Golden State Water Company**

The City received notice from the Golden State Water Company that it has filed a plan with the California Public Utilities Commission (CPUC) to establish water rates for 2013 through 2015. The plan Recommends Increases for water customers in the company's Region 3 cities, which includes the City of Los Alamitos. Mayor Pro Tem Edgar requested this item be placed on the agenda for City Council discussion.

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

Following discussion by the City Council, it was agreed to direct the City Manager to contact adjacent cities/Rossmoor regarding water rate increases and report back to the City Council.

**10. MAYOR AND COUNCIL INITIATED BUSINESS**

## **Council Announcements**

At this time, Council Members may also report on items not specifically described on the Agenda that are of interest to the community, provided no action or discussion is taken except to provide staff direction to report back or to place the item on a future agenda.

**Council Member Graham-Mejia** asked City Manager Stewart if there was an update to the Ad Hoc Committee regarding annexation of the southwest corner of Katella Avenue and Los Alamitos Blvd.; asked for clarification on the travel policy; stated that on September 11<sup>th</sup> at 8:45 a.m., the Fire Station on Green will be having a moment of silence for all those who lost their lives on September 11<sup>th</sup> and encouraged the public to attend. Council Member Graham-Mejia inquired about representation on SCAG and asked the City Attorney what her expectation should be when she asks that something to be noted for the record. Council Member Graham-Mejia encouraged the public to sign up for the CERT program on October 28 and 29 and November 4 and 5. Council Member Graham-Mejia requested staff evaluate the timing of the signals at Los Alamitos and Bradbury, and Lexington and Katella.

In conclusion, Council Member Graham-Mejia requested that the meeting be adjourned in memory of Staff Sergeant Andrew J. Harwell who lost his life on August 6<sup>th</sup> in Afghanistan.

City Manager Stewart responded to Council Member Graham-Mejia regarding the annexation of the fourth corner and stated that the ad hoc committee has met once. He also stated there was not a formal policy on travel reimbursements and he would look further into the travel policy. City Manager Stewart stated there has been no movement on the SCAG representation at this time.

Assistant Highsmith City Attorney responded to Council Member Graham-Mejia stating that requests noted for the record should be reflected in the minutes.

**Council Member Kusumoto** recognized the City staff for signing an emergency preparedness oath stating they will respond to City Hall in the event of an emergency or report to a local EOC. Council Member Kusumoto stated he attended a CJPIA Board meeting; attended the yearly West County Legislative Mixer at the ORCO Center and thanked the Stanton Chamber of Commerce for hosting the event. Council Member Kusumoto further stated he reviewed the League of California Cities resolutions and does not believe there is a need for him to attend. Council Member Kusumoto stated he will be attending the CJPIA Risk Management Conference in October. In conclusion, Council Member Kusumoto stated that September 15 – October 15, is "National Hispanic Heritage Month," which celebrates the histories, cultures and contributions of American citizens whose ancestors come from Spain, Mexico, the Caribbean, and Central and South America.

**Council Member Poe** reported that she attended the West Com meeting on August 16, along with Chief Mattern; attended the yearly West County Legislative Mixer at the ORCO Center on September 2; and thanked the City of Stanton for

hosting the annual mixer. Council Member Poe asked staff if it is FEMA who designates where the public should go in the event of a disaster.

Police Chief Mattern responded the shelters are designated by FEMA at the time of the disaster.

Council Member Poe encouraged the public to attend the moment of silence at our local Fire Station on Green Street on September 11, at 8:45 a.m. In Conclusion Council Member Poe invited the public to attend Los Alamitos Museum's "Citizen of the Year" event On September 18, at 2 p.m. She stated that this year Jim and Shirley Bailey have been selected for their lifelong commitment to Los Alamitos and Rossmoor.

**Mayor Pro Tem Edgar** reported on attending the yearly West County Legislative Mixer at the ORCO Center on September 2, and stated the benefits of attending the yearly Legislative Mixer. Mayor Pro Tem Edgar gave special thanks to Judy Klabouch for her commitment to the Community and outstanding representation as the President of the Los Alamitos Chamber of Commerce. Mayor Pro Tem Edgar gave an update on the Orange County Sanitation District and stated they were in the process of completing their reorganization and their volunteer lunch. He stated the Orange County Sanitation District provides community outreach and that their volunteers give tours of the facility to the community. Mayor Pro Tem Edgar thanked the residents that spoke during oral communications for their thoughtful, direct and respectful input regarding consideration of the annexation of the southwest corner of Katella Avenue and Los Alamitos Boulevard. Mayor Pro Tem Edgar encouraged the residents of Los Alamitos, who feel strongly about this issue, to come forward and be heard. In conclusion, Mayor Pro Tem Edgar thanked the Los Alamitos Unified School District for the outstanding job they have done utilizing the bond money to refurbish the interior and exterior of the schools.

**Mayor Stephens** asked the City Manager to respond to the request by J.M. Ivler during Oral Communications.

City Manager Stewart responded that the request was to add the questions to the official minutes of July 18, 2011, but was not given direction to respond to the questions. City Manager Stewart stated that he has no objection to responding to Mr. Ivler's questions, but was not the direction given by the City Council to prepare a response.

Mayor Stephens also thanked the residents who spoke during Oral Communications for taking the time to come before the Council regarding the annexation of the southwest corner of Katella Avenue and Los Alamitos Boulevard. Mayor Stephens thanked Police Chief Mattern for the hard work our Police Officers have provided in guiding residents through the back-to-school traffic. In conclusion, Mayor Stephens reminded the public to attend the moment of silence at our local Fire Station on Green Street on September 11, at 8:45 a.m.

## 11. ITEMS FROM THE CITY MANAGER

The City Manager had nothing to report.

**13. ADJOURNMENT**

Mayor Stephens adjourned the City Council Meeting at 9:00 p.m. in memory of Staff Sergeant Andrew J. Harwell who lost his life on August 6, 2011 in Afghanistan

The next meeting of the City Council is scheduled for MONDAY, September 19, 2011, in the City Council Chambers.

\_\_\_\_\_  
Kenneth Stephens, Mayor

ATTEST:

\_\_\_\_\_  
Janice E. Shore, Executive Assistant

**CITY OF LOS ALAMITOS**  
**A/P Warrants**  
**October 3, 2011**

**Pages:**

<b>01-07</b>	<b>\$ 46,547.71</b>	<b>A/P Warrants</b>	<b>10/03/2011</b>
<b>08-14</b>	<b>\$ 96,618.33</b>	<b>A/P Warrants</b>	<b>09/19/2011</b>
<b>15</b>	<b>\$ 1,280.00</b>	<b>Advance Warrant</b>	<b>09/05/2011</b>
	<b>\$ 1,530.79</b>	<b>Retiree Benefits</b>	<b>10/01/2011</b>

**Total**            **\$ 145,976.83**

**Statement:**

**I hereby certify that the claims or demands covered by the foregoing listed warrants have been audited as to accuracy and availability of funds for payment thereof. Certified by Anita Agramonte, Finance Director.**



**this 28<sup>th</sup> day of September, 2011**

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
ALLEN TIRE CO.	ALIGNMENT	GARAGE FUND	GARAGE	79.00
	REPAIRS & ALIGNMENT	GARAGE FUND	GARAGE	511.05
			TOTAL:	590.05
ANDERSON ELECTRICAL & LIGHTING SERVICE	INSTALL HAND DRYERS	GENERAL FUND	BUILDING MAINTENANCE	446.90
	REPAIR LIGHTS	GENERAL FUND	BUILDING MAINTENANCE	135.00
			TOTAL:	581.90
APPLEONE EMPLOYMENT SERVICES	TEMPORARY SERVICES	GENERAL FUND	CITY MANAGER	456.06
	TEMPORARY SERVICES	GENERAL FUND	CITY MANAGER	456.06
			TOTAL:	912.12
ARBOR NURSERY PLUS	STREET TREE	GENERAL FUND	PARK MAINTENANCE	30.17
			TOTAL:	30.17
ASSOCIATION OF CALIFORNIA CITIES-ORANG	MONTHLY MEETING	GENERAL FUND	CITY COUNCIL	53.00
			TOTAL:	53.00
AT & T	BILL CYCLE 9/19-10/18	GENERAL FUND	COMMUNICATIONS TECHNOL	356.69
			TOTAL:	356.69
BUSINESS PRODUCTS DISTRIBUTORS	RETURN - POST-IT NOTES	GENERAL FUND	CITY MANAGER	19.40
	OFFICE SUPPLIES	GENERAL FUND	CITY MANAGER	127.07
	OFFICE SUPPLIES	GENERAL FUND	CITY MANAGER	24.51
	OFFICE SUPPLIES	GENERAL FUND	CITY MANAGER	22.28
	OFFICE SUPPLIES	GENERAL FUND	RECREATION ADMINISTRAT	14.28
			TOTAL:	168.74
CALIFORNIA FORENSIC PHLEBOTOMY INC.	BLOOD TEST	GENERAL FUND	PATROL	112.50
			TOTAL:	112.50
CITY OF SEAL BEACH	AUGUST BOOKINGS	GENERAL FUND	PATROL	680.00
			TOTAL:	680.00
COMMUNITY SCHOOLS MEDIA PARTNERSHIP	MANAGE/PROGRAM LATV3	LOS ALAMITOS TV	LOS ALAMITOS TV	500.00
	MANAGE/PROGRAM LATV3	LOS ALAMITOS TV	LOS ALAMITOS TV	200.00
			TOTAL:	700.00
COMMUNITY SENIORSERV	NUTRITION TRANSPORTATION	GENERAL FUND	COMMUNITY SERVICES	197.65
			TOTAL:	197.65
COUNTY OF ORANGE AUDITOR-CONTROLLER	PARKING CITATIONS 08/11	GENERAL FUND	NON-DEPARTMENTAL	2,525.00
			TOTAL:	2,525.00
DAPEER, ROSENBLIT & LITVAK, LLP	MUNI CODE ENFORCE 08/11	GENERAL FUND	NEIGHBORHOOD PRESERVAT	2,085.33
			TOTAL:	2,085.33
DECKSIDE POOL SERVICE	POOL REPAIRS	GENERAL FUND	AQUATICS	95.00
	POOL MAINTENANCE	GENERAL FUND	AQUATICS	1,290.00
			TOTAL:	1,385.00
ENERGY SOLUTIONS	CELL PHONE BATTERIES	GENERAL FUND	STREET MAINTENANCE	189.50
			TOTAL:	189.50
FEDEX	SHIPPING	GENERAL FUND	CITY COUNCIL	35.94
	SHIPPING	GENERAL FUND	CITY COUNCIL	29.10

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	SHIPPING	GENERAL FUND	PATROL	25.13
			TOTAL:	90.17
CAROLYN J. FOX	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	10.50
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	28.70
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	8.40
			TOTAL:	47.60
GANAHL LUMBER COMPANY	IRRIGATION PARTS	GENERAL FUND	STREET MAINTENANCE	3.12
	PAINT	GENERAL FUND	PARK MAINTENANCE	20.33
	RAMP MATERIALS	GENERAL FUND	BUILDING MAINTENANCE	57.95
	SAND	GENERAL FUND	BUILDING MAINTENANCE	27.79
	RAMP MATERIALS	GENERAL FUND	BUILDING MAINTENANCE	26.81
	RAMP MATERIALS	GENERAL FUND	BUILDING MAINTENANCE	45.03
	PRIMER	GENERAL FUND	BUILDING MAINTENANCE	96.94
	TOILET PARTS	GENERAL FUND	BUILDING MAINTENANCE	5.70
	DAY CAMP SUPPLIES	GENERAL FUND	DAY CAMP	23.41
	SPORTS SUPPLIES	GENERAL FUND	SPORTS	86.19
	LUMBER	TRAFFIC IMPROVEMEN	CAPITAL PROJECTS	26.55
			TOTAL:	419.82
GLENN E. THOMAS CO.	ELECTRICAL REPAIRS	GARAGE FUND	GARAGE	333.69
	FAN BLADES REPLACED	GARAGE FUND	GARAGE	318.74
	CONTROL ARMS	GARAGE FUND	GARAGE	248.82
	LIGHT SOCKETS	GARAGE FUND	GARAGE	22.73
			TOTAL:	923.98
GOLDEN STATE WATER COMPANY	BILL CYCLE 8/08-9/08	GENERAL FUND	STREET MAINTENANCE	1,853.33
	BILL CYCLE 8/08-9/08	GENERAL FUND	PARK MAINTENANCE	357.20
	BILL CYCLE 8/08-9/08	GENERAL FUND	BUILDING MAINTENANCE	722.90
			TOTAL:	2,933.43
HDL COREN & CONE	CAFR REPORTS PACKAGE	GENERAL FUND	ADMINISTRATIVE SERVICE	695.00
			TOTAL:	695.00
HDL SOFTWARE, LLC	PERMIT TRACKING	GENERAL FUND	BUILDING INSPECTION	2,784.16
			TOTAL:	2,784.16
HI-WAY SAFETY INC.	SIGNS	GENERAL FUND	STREET MAINTENANCE	339.41
			TOTAL:	339.41
HOSE-MAN, INC.	MOWER HOSES	GARAGE FUND	GARAGE	475.44
			TOTAL:	475.44
KOREY HUCKABY	INSTRUCTOR - EXERCISE	GENERAL FUND	SPECIAL CLASSES	29.90
			TOTAL:	29.90
HUNTINGTON BEACH HONDA	MOTORCYCLE TUNE-UP	GENERAL FUND	TRAFFIC	1,999.05
			TOTAL:	1,999.05
INTELLIBRIDGE PARTNERS, LLC	ACCOUNTING ASSISTANCE	GENERAL FUND	ADMINISTRATIVE SERVICE	2,200.00
			TOTAL:	2,200.00
JDS TANK TESTING & REPAIR	DESIGNATED OPERATOR 08/11	GARAGE FUND	GARAGE	145.00
			TOTAL:	145.00

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
JUDICIAL DATA SYSTEMS CORPORATION	CITATIONS 08/11	GENERAL FUND	TRAFFIC	530.55
			TOTAL:	530.55
KIDSGUIDE	RACE ON BASE AD	GENERAL FUND	SPECIAL EVENTS	95.00
			TOTAL:	95.00
KIMBALL MIDWEST	SHOP SUPPLIES	GARAGE FUND	GARAGE	220.02
			TOTAL:	220.02
YING LIU	INSTRUCTOR - ART	GENERAL FUND	SPECIAL CLASSES	97.00
			TOTAL:	97.00
LONG BEACH SOCCER REFEREE ASSOCIATION	ASSIGNING SERVICES	GENERAL FUND	SPORTS	174.50
			TOTAL:	174.50
LOS ALAMITOS AUTO PARTS	OIL FILTERS	GARAGE FUND	GARAGE	59.03
	OIL	GARAGE FUND	GARAGE	158.65
	OIL FILTERS & RAGS	GARAGE FUND	GARAGE	29.58
			TOTAL:	247.26
MAILFINANCE	POSTAGE MACHINE	GENERAL FUND	ADMINISTRATIVE SERVICE	166.50
			TOTAL:	166.50
MAJOR LEAGUE SOFTBALL, INC.	ASSIGNING SERVICES	GENERAL FUND	SPORTS	264.00
			TOTAL:	264.00
MISC. VENDOR	REFUND - SWIM LESSONS	GENERAL FUND	NON-DEPARTMENTAL	59.00
			TOTAL:	59.00
MWR	POOL INTERNET 8/25-9/25	GENERAL FUND	AQUATICS	143.30
			TOTAL:	143.30
NEWPORT EXTERMINATING	GENERAL PEST CONTROL	GENERAL FUND	BUILDING MAINTENANCE	175.00
	RODENT CONTROL	GENERAL FUND	BUILDING MAINTENANCE	60.00
	RODENT CONTROL	GENERAL FUND	BUILDING MAINTENANCE	60.00
			TOTAL:	295.00
NEWS ENTERPRISE	PUBLISH NOTICE	GENERAL FUND	CITY COUNCIL	171.06
	PUBLISH NOTICE	GENERAL FUND	CITY COUNCIL	160.44
	PUBLISH NOTICE	GENERAL FUND	CITY COUNCIL	109.44
	PUBLISH NOTICE	GENERAL FUND	POLICE ADMINISTRATION	63.75
			TOTAL:	504.69
NEXUS IS, INC.	CONTRACT MAINTENANCE	TECHNOLOGY REPLACE	ADMINISTRATIVE SERVICE	140.00
			TOTAL:	140.00
NORM'S AUTOMOTIVE CENTER INC.	BODY REPAIRS	GARAGE FUND	GARAGE	303.71
	A/C REPAIR	GARAGE FUND	GARAGE	76.60
	REPLACE SENSOR	GARAGE FUND	GARAGE	181.16
	OIL PRESSURE SWITCH	GARAGE FUND	GARAGE	85.04
			TOTAL:	646.51
NORMS AUTO COLLISION CENTER INC.	CHEVY TAHOE REPAIRS	GARAGE FUND	GARAGE	6,045.15
			TOTAL:	6,045.15
ORANGE COUNTY TREASURER-TAX COLLECTOR	WATER ORDINANCE FY 11/12	GENERAL FUND	NPDES	170.00

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
			TOTAL:	170.00
PACIFIC TELEMAGEMENT SERVICES	PAY PHONE	GENERAL FUND	COMMUNICATIONS TECHNOL	82.64
			TOTAL:	82.64
PAPER RECYCLING SPECIALISTS	SHREDDING SERVICES	GENERAL FUND	ADMINISTRATIVE SERVICE	74.00
			TOTAL:	74.00
PENINSULA SEPTIC SERVICE INC.	PUMP SEPTIC TANK	GENERAL FUND	BUILDING MAINTENANCE	400.00
			TOTAL:	400.00
PETTY CASH	SR. MEALS SUPPLIES	GENERAL FUND	NON-DEPARTMENTAL	25.92
	VOLUNTEER TREATS	GENERAL FUND	NON-DEPARTMENTAL	95.00
	LUNCHEON INVITATIONS	GENERAL FUND	CITY COUNCIL	43.70
	CONFERENCE PARKING	GENERAL FUND	POLICE ADMINISTRATION	30.00
	MEASURING TAPE	GENERAL FUND	PATROL	13.41
	POSTAGE	GENERAL FUND	PATROL	6.89
	RANGE SUPPLIES	GENERAL FUND	PATROL	16.22
	FAN	GENERAL FUND	RECORDS	30.17
	UNIFORM SHOES	GENERAL FUND	RECORDS	32.31
	CROSSING GUARD JOB AD	GENERAL FUND	TRAFFIC	23.70
	MOVIES IN PARK SUPPLIES	GENERAL FUND	RECREATION ADMINISTRAT	4.33
	50TH ANNIVERSARY FRAME	GENERAL FUND	RECREATION ADMINISTRAT	10.87
	MOVIES IN PARK STAGE	GENERAL FUND	RECREATION ADMINISTRAT	100.00
	MOVIES IN PARK FOOD	GENERAL FUND	RECREATION ADMINISTRAT	35.00
	MOVIES IN PARK GAS CARDS	GENERAL FUND	RECREATION ADMINISTRAT	75.00
	50TH ANNIVERSARY FRAME	GENERAL FUND	RECREATION ADMINISTRAT	95.00
	OFFICE SUPPLIES	GENERAL FUND	RECREATION ADMINISTRAT	10.97
	DAY CAMP EXCURSION	GENERAL FUND	DAY CAMP	25.00
	DAY CAMP EXCURSION	GENERAL FUND	DAY CAMP	46.00
	DAY CAMP PRIZE	GENERAL FUND	DAY CAMP	24.21
	EXCURSION PARKING	GENERAL FUND	DAY CAMP	14.00
	DAY CAMP TREATS	GENERAL FUND	DAY CAMP	32.45
	REIMBURSE MILEAGE	GENERAL FUND	DAY CAMP	13.88
	REIMBURSE MILEAGE	GENERAL FUND	DAY CAMP	33.30
	SPORTS LAUNDRY	GENERAL FUND	SPORTS	3.75
	SPORTS LAUNDRY	GENERAL FUND	SPORTS	2.00
	SPORTS LAUNDRY	GENERAL FUND	SPORTS	5.25
	VOLUNTEER LUNCH	GENERAL FUND	SPECIAL CLASSES	25.97
			TOTAL:	874.30
QUARTERMASTER	UNIFORMS	GENERAL FUND	PATROL	249.55
	UNIFORM	GENERAL FUND	PATROL	73.40
			TOTAL:	322.95
MIKE RAAHAUGE SHOOTING ENTERPRISES	RANGE FEES	GENERAL FUND	PATROL	360.00
			TOTAL:	360.00
RED WING SHOE STORE	RED WING WORK BOOTS	GENERAL FUND	PARK MAINTENANCE	260.00
			TOTAL:	260.00
REFLEX TRAFFIC SYSTEMS, INC.	AUG 11 AT&T INTERSECT COMM	GENERAL FUND	TRAFFIC	65.00
			TOTAL:	65.00
RICOH AMERICAS CORP	ADMIN FEE FOR COPIER	GENERAL FUND	RECREATION ADMINISTRAT	64.14
	ADMIN FEE FOR DUPLICATOR	GENERAL FUND	RECREATION ADMINISTRAT	41.99

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	LEASE COPIER 09/11	GENERAL FUND	RECREATION ADMINISTRAT	560.30
			TOTAL:	666.43
ROBERTSON'S	CONCRETE	TRAFFIC IMPROVEMEN	CAPITAL PROJECTS	831.92
			TOTAL:	831.92
CHRIS ROJO	INSTRUCTOR - EXERCISE	GENERAL FUND	SPECIAL CLASSES	316.80
			TOTAL:	316.80
ROSSMOOR CARWASH	CAR WASHES P/D	GARAGE FUND	GARAGE	217.99
	CAR WASHES REC	GARAGE FUND	GARAGE	20.00
	CAR WASHES P/W	GARAGE FUND	GARAGE	67.98
	CAR WASHES C/D	GARAGE FUND	GARAGE	18.00
			TOTAL:	323.97
SCHOLASTIC MAGAZINES	PRESCHOOL SUPPLIES	GENERAL FUND	SPECIAL CLASSES	120.76
			TOTAL:	120.76
SCPPOA	MEMBERSHIP RENEWAL	JFTB POOL FUND	AQUATICS	30.00
			TOTAL:	30.00
SIR SPEEDY	NOTICES OF CORRECTION	GENERAL FUND	PATROL	36.92
			TOTAL:	36.92
SMART & FINAL	KITCHEN SUPPLIES	GENERAL FUND	POLICE ADMINISTRATION	116.23
	KITCHEN SUPPLIES	GENERAL FUND	POLICE ADMINISTRATION	40.01
			TOTAL:	156.24
SMITH PAINT & SUPPLY, INC.	PAINT CLEANER	TRAFFIC IMPROVEMEN	CAPITAL PROJECTS	27.95
			TOTAL:	27.95
SO CAL SANITATION LLC	RESTROOM SERVICES	GENERAL FUND	SPORTS	1,431.72
			TOTAL:	1,431.72
SOUTH COAST SUPPLY & GARDEN DAZE	SOIL	GENERAL FUND	PARK MAINTENANCE	28.16
	SOIL	GENERAL FUND	PARK MAINTENANCE	42.23
	SOIL	GENERAL FUND	PARK MAINTENANCE	28.16
	SOIL	GENERAL FUND	PARK MAINTENANCE	28.16
	RETURN - SOIL	GENERAL FUND	PARK MAINTENANCE	14.07
	SOIL	GENERAL FUND	PARK MAINTENANCE	30.55
			TOTAL:	143.19
SOUTHERN CALIFORNIA GAS	3614 FENLEY	GENERAL FUND	STREET MAINTENANCE	14.90
	3191 KATELLA	GENERAL FUND	BUILDING MAINTENANCE	80.06
			TOTAL:	94.96
SOUTHERN PACIFIC MASTERS ASSOCIATION	MEMBERSHIP FEE	GENERAL FUND	AQUATICS	34.00
			TOTAL:	34.00
SPRINT	ACTIVITY THRU 9/21/11	GENERAL FUND	CITY MANAGER	33.50
	ACTIVITY THRU 9/21/11	GENERAL FUND	ADMINISTRATIVE SERVICE	33.50
	ACTIVITY THRU 9/21/11	GENERAL FUND	COMMUNICATIONS TECHNOL	33.50
	ACTIVITY THRU 9/21/11	GENERAL FUND	COMMUNITY DEVEL ADMIN	33.49
	ACTIVITY THRU 9/21/11	GENERAL FUND	PUBLIC WORKS ADMIN	33.49
	ACTIVITY THRU 9/21/11	GENERAL FUND	RECREATION ADMINISTRAT	33.49
			TOTAL:	200.97

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
STATE OF CALIFORNIA DEPARTMENT OF JUST	FINGERPRINT NEW INSTRUCTOR	GENERAL FUND	ADMINISTRATIVE SERVICE	96.00
			TOTAL:	96.00
KIRK STEPHENS	PRODUCTION VAN MAINTENANCE	LOS ALAMITOS TV	LOS ALAMITOS TV	150.00
	SUPPLIES	LOS ALAMITOS TV	LOS ALAMITOS TV	53.95
			TOTAL:	203.95
T.E. ROBERTS INCORPORATED	ASPHALT PATCH	GENERAL FUND	STREET MAINTENANCE	335.80
			TOTAL:	335.80
TRAIN2SHAPE	INSTRUCTOR - EXERCISE	GENERAL FUND	SPECIAL CLASSES	185.60
			TOTAL:	185.60
TYLER TECHNOLOGIES	REPORT WRITER MAINTENANCE	TECHNOLOGY REPLACE	ADMINISTRATIVE SERVICE	875.00
			TOTAL:	875.00
JOHN UNDERWOOD	FILMING - CERT PROGRAM	LOS ALAMITOS TV	LOS ALAMITOS TV	150.00
			TOTAL:	150.00
UNITED DIRECT MARKETING, INC.	RACE ON BASE FLYER MAILING	GENERAL FUND	SPECIAL CLASSES	1,936.78
	RACE ON BASE FLYER MAILING	GENERAL FUND	SPECIAL CLASSES	1,083.00
			TOTAL:	3,019.78
USA MOBILITY WIRELESS, INC.	PAGER FEES 09/11	GENERAL FUND	PUBLIC WORKS ADMIN	20.05
			TOTAL:	20.05
V & V MANUFACTURING, INC.	HAT BADGE	GENERAL FUND	PATROL	84.16
			TOTAL:	84.16
VERIZON CALIFORNIA, INC.	POLICE ALARMS	GENERAL FUND	COMMUNICATIONS TECHNOL	113.56
			TOTAL:	113.56
VICTORY LOCK AND KEY	REPAIR EXTERIOR DOORS	GENERAL FUND	BUILDING MAINTENANCE	165.00
			TOTAL:	165.00
VMI BROADCAST AND PROFESSIONAL VIDEO	DATA DELIVERY SUBSCRIPTION	LOS ALAMITOS TV	LOS ALAMITOS TV	995.00
			TOTAL:	995.00



VENDOR SORT K.	DESCRIPTION	FUND	DEPARTMENT	AM.	T
10-8 RETROFIT, INC.	LED LIGHT BULBS	GARAGE FUND	GARAGE	344.80	
	REPAIR LIGHTS	GARAGE FUND	GARAGE		537.46
			TOTAL:		882.26
ACCUVANT, INC.	NETWORK SUBSCRIPTIONS	TECHNOLOGY REPLACE	ADMINISTRATIVE SERVICE	6,372.70	
			TOTAL:		6,372.70
ALL STAR GLASS	REPLACE WINDSHIELD	GARAGE FUND	GARAGE	207.77	
			TOTAL:		207.77
ANIMAL PEST MANAGEMENT SERVICES	COYOTE CONTROL	GENERAL FUND	ADMINISTRATIVE SERVICE	2,500.00	
	GOPHER CONTROL	GENERAL FUND	PARK MAINTENANCE	100.00	
	GOPHER CONTROL	GENERAL FUND	PARK MAINTENANCE	250.00	
	GOPHER CONTROL	GENERAL FUND	PARK MAINTENANCE	365.00	
			TOTAL:		3,215.00
AT & T	BILL CYCLE 8/19-9/18	GENERAL FUND	COMMUNICATIONS TECHNOL	356.69	
			TOTAL:		356.69
AT & T MOBILITY	BILL CYCLE 7/24-8/23	GENERAL FUND	PATROL	389.77	
			TOTAL:		389.77
BENESYST	FLEX ADMIN SERVICES 10/11	GENERAL FUND	ADMINISTRATIVE SERVICE	150.00	
			TOTAL:		150.00
BUSINESS PRODUCTS DISTRIBUTORS	OFFICE SUPPLIES	GENERAL FUND	RECREATION ADMINISTRAT	57.93	
	PRESCHOOL SUPPLIES	GENERAL FUND	SPECIAL CLASSES	33.76	
			TOTAL:		91.69
CARSON SUPPLY CO., INC.	IRRIGATION PARTS	GENERAL FUND	PARK MAINTENANCE	322.32	
			TOTAL:		322.32
CAVENAUGH & ASSOCIATES	DUI SEMINAR	GENERAL FUND	POLICE ADMINISTRATION	499.00	
			TOTAL:		499.00
CHARLES ABBOTT ASSOCIATES, INC.	NPDES INSPECTIONS 07/11	GENERAL FUND	NPDES	1,960.00	
			TOTAL:		1,960.00
CITY OF BREA - ADMIN SERVICES	2011-2012 ILJAOE FEES	GENERAL FUND	COMMUNICATIONS TECHNOL	2,903.00	
			TOTAL:		2,903.00
CITY OF SEAL BEACH	JULY BOOKINGS	GENERAL FUND	PATROL	765.00	
			TOTAL:		765.00
CITY OF TORRANCE	LEGAL SERVICES	GENERAL FUND	CITY ATTORNEY	1,642.00	
			TOTAL:		1,642.00
COMPUTER SERVICE CO.	SIGNAL REPAIR	GENERAL FUND	STREET MAINTENANCE	1,240.00	
	SIGNAL REPAIR	GENERAL FUND	STREET MAINTENANCE	2,323.20	
	SIGNAL REPAIR	GENERAL FUND	STREET MAINTENANCE	555.57	
	SIGNAL REPAIR	GENERAL FUND	STREET MAINTENANCE	183.90	
	SIGNAL REPAIR	GENERAL FUND	STREET MAINTENANCE	156.78	
	SIGNAL REPAIR	GENERAL FUND	STREET MAINTENANCE	475.69	
	SIGNAL REPAIR	GENERAL FUND	STREET MAINTENANCE	156.78	
	SIGNAL REPAIR	GENERAL FUND	STREET MAINTENANCE	680.79	
	SIGNAL REPAIR	GENERAL FUND	STREET MAINTENANCE	1,443.89	

VENDOR SORT K.	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	SIGNAL REPAIR	GENERAL FUND	STREET MAINTENANCE	110.28
	SIGNAL REPAIR	GENERAL FUND	STREET MAINTENANCE	50.25
	SIGNAL REPAIR	GENERAL FUND	STREET MAINTENANCE	184.52
	SIGNAL REPAIR	GENERAL FUND	STREET MAINTENANCE	2,001.00
	SIGNAL REPAIR	GENERAL FUND	STREET MAINTENANCE	57.68
	SIGNAL REPAIR	GENERAL FUND	STREET MAINTENANCE	50.25
	SIGNAL REPAIR	GENERAL FUND	STREET MAINTENANCE	50.25
			TOTAL:	9,720.83
CONSOLIDATED DISPOSAL SRVS #902	DECEMBER TRASH	GENERAL FUND	NON-DEPARTMENTAL	8.46
			TOTAL:	8.46
COUNTY OF ORANGE AUDITOR-CONTROLLER	COUNTY & STATE FUNDS	GENERAL FUND	NON-DEPARTMENTAL	1,637.50
			TOTAL:	1,637.50
COUNTY OF ORANGE TREASURER-TAX COLLECT	PROBABLE CAUSE FORMS	GENERAL FUND	RECORDS	28.02
	OCATS 08/11	GENERAL FUND	COMMUNICATIONS TECHNOL	305.00
			TOTAL:	333.02
CROWN FENCE CO.	FENCE REPAIRS	GENERAL FUND	PARK MAINTENANCE	776.00
			TOTAL:	776.00
DAHL, TAYLOR & ASSOCIATES	MECHANICAL ENGINEER SVCS	GENERAL FUND	NON-DEPARTMENTAL	3,675.00
	MECHANICAL ENGINEER SVCS	GENERAL FUND	NON-DEPARTMENTAL	1,225.00
			TOTAL:	4,900.00
DAPEER, ROSENBLIT & LITVAK, LLP	MUNI CODE ENFORCE 07/11	GENERAL FUND	NEIGHBORHOOD PRESERVAT	877.84
			TOTAL:	877.84
DISCOUNT SCHOOL SUPPLY	PRESCHOOL SUPPLIES	GENERAL FUND	SPECIAL CLASSES	794.13
			TOTAL:	794.13
EMPLOYMENT DEVELOPMENT DEPT.	UI 4/1/11-6/30/11	GENERAL FUND	COMMUNITY DEVEL ADMIN	322.00
	UI 4/1/11-6/30/11	GENERAL FUND	AQUATICS	144.00
			TOTAL:	466.00
EWING	IRRIGATION PARTS	GENERAL FUND	PARK MAINTENANCE	119.09
			TOTAL:	119.09
FEDEX	SHIPPING	GENERAL FUND	CITY MANAGER	50.03
	SHIPPING	GENERAL FUND	CITY MANAGER	50.03
	SHIPPING	GENERAL FUND	COMMUNITY DEVEL ADMIN	36.13
			TOTAL:	136.19
GANAHL LUMBER COMPANY	LUMBER	GENERAL FUND	STREET MAINTENANCE	4.64
	RESPIRATORS	GENERAL FUND	PARK MAINTENANCE	9.69
	LUMBER	GENERAL FUND	PARK MAINTENANCE	227.48
	STAKES	GENERAL FUND	PARK MAINTENANCE	169.73
	HINGES	GENERAL FUND	PARK MAINTENANCE	14.85
	SCREWS & BOLTS	GENERAL FUND	PARK MAINTENANCE	19.08
	PAINT	GENERAL FUND	PARK MAINTENANCE	20.33
	CONDUIT	GENERAL FUND	BUILDING MAINTENANCE	11.40
	POWER STRIPS	GENERAL FUND	BUILDING MAINTENANCE	3.22
	TOOLS	GENERAL FUND	BUILDING MAINTENANCE	35.00
	LIGHT	GENERAL FUND	BUILDING MAINTENANCE	23.69
	PLUMBING PARTS	GENERAL FUND	BUILDING MAINTENANCE	3.76

VENDOR SORT KL	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	DAY CAMP SUPPLIES	GENERAL FUND	DAY CAMP	20.33
	BOLT	GARAGE FUND	GARAGE	2.41
			TOTAL:	565.61
HLENN E. THOMAS CO.	FUEL FILLER DOOR	GARAGE FUND	GARAGE	47.79
	RETURN - FUEL FILLER DOOR	GARAGE FUND	GARAGE	32.66-
			TOTAL:	15.13
GLOBALSTAR USA	SATELLITE PHONE	GENERAL FUND	EMERGENCY PREPAREDNESS	26.28
			TOTAL:	26.28
GOLDEN STATE WATER COMPANY	BILL CYCLE 6/20-8/19	GENERAL FUND	PARK MAINTENANCE	313.77
			TOTAL:	313.77
GOVERNMENT FINANCE OFFICERS ASSOCIATIO	2010-2011 MEMBERSHIP DUES	GENERAL FUND	ADMINISTRATIVE SERVICE	190.00
	2011-2012 MEMBERSHIP DUES	GENERAL FUND	ADMINISTRATIVE SERVICE	190.00
	2010-2011 CAFR REVIEW FEE	GENERAL FUND	ADMINISTRATIVE SERVICE	435.00
			TOTAL:	815.00
HARRY'S PLUMBING AND DRAINS, INC.	PLUMBING REPAIRS	GENERAL FUND	BUILDING MAINTENANCE	166.00
			TOTAL:	166.00
LINDERLITER, DE LLAMAS & ASSOCIATES	PROPERTY TAX 3Q11	GENERAL FUND	ADMINISTRATIVE SERVICE	1,250.00
			TOTAL:	1,250.00
HYDRO-SCAPE PRODUCTS, INC.	STAKE POLES & ROUND-UP	GENERAL FUND	PARK MAINTENANCE	221.43
			TOTAL:	221.43
INCREDIFLIX STUDIOS	INSTRUCTOR - CAMP	GENERAL FUND	SPECIAL CLASSES	164.36
			TOTAL:	164.36
MS AIR CONDITIONING, INC.	A/C REPAIR	GENERAL FUND	BUILDING MAINTENANCE	454.27
			TOTAL:	454.27
MOTT'S BERRY FARM	DAY CAMP EXCURSION	GENERAL FUND	DAY CAMP	881.51
			TOTAL:	881.51
MINOLTA BUSINESS SOLUTIONS	COPIER LEASE - ADMIN SVCS	GENERAL FUND	ADMINISTRATIVE SERVICE	450.45
	COPIER LEASE - CITY HALL	GENERAL FUND	ADMINISTRATIVE SERVICE	496.11
	COPIER LEASE 07/11	GENERAL FUND	POLICE ADMINISTRATION	302.00
	COPIER LEASE 08/11	GENERAL FUND	POLICE ADMINISTRATION	332.20
	COPIER LEASE 09/11	GENERAL FUND	POLICE ADMINISTRATION	302.00
			TOTAL:	1,882.76
MOREY LAKIN	TUITION REIMBURSEMENT	GENERAL FUND	RECREATION ADMINISTRAT	2,172.00
			TOTAL:	2,172.00
MING LIU	INSTRUCTOR - ART	GENERAL FUND	SPECIAL CLASSES	68.25
			TOTAL:	68.25
MOS ALAMITOS AREA CHAMBER OF COMMERCE	2011-2012 MEMBERSHIP DUES	GENERAL FUND	CITY COUNCIL	295.00
			TOTAL:	295.00
MOS ALAMITOS AUTO PARTS	WIPER BLADES & GAUGE	GARAGE FUND	GARAGE	162.78
	WIPER BLADES	GARAGE FUND	GARAGE	19.37
			TOTAL:	182.15

VENDOR SORT	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
LOS ALAMITOS UNIFIED SCHOOL DISTRICT	DAY CAMP TRANSPORTATION	GENERAL FUND	DAY CAMP	212.50
	DAY CAMP TRANSPORTATION	GENERAL FUND	DAY CAMP	170.00
	DAY CAMP TRANSPORTATION	GENERAL FUND	DAY CAMP	233.86
	DAY CAMP TRANSPORTATION	GENERAL FUND	DAY CAMP	233.75
	DAY CAMP TRANSPORTATION	GENERAL FUND	DAY CAMP	170.00
	DAY CAMP TRANSPORTATION	GENERAL FUND	DAY CAMP	170.00
	DAY CAMP TRANSPORTATION	GENERAL FUND	DAY CAMP	212.50
	DAY CAMP TRANSPORTATION	GENERAL FUND	DAY CAMP	191.25
			TOTAL:	1,593.86
MAD SCIENCE OF W. ORANGE COUNTY	INSTRUCTOR - SCIENCE CAMP	GENERAL FUND	SPECIAL CLASSES	717.50
			TOTAL:	717.50
MAR-CO EQUIPMENT COMPANY	JANITORIAL SUPPLIES	GENERAL FUND	BUILDING MAINTENANCE	27.12
	POLISHING PADS	GENERAL FUND	BUILDING MAINTENANCE	104.24
			TOTAL:	131.36
MCDE'S ROCK PUMPS, INC.	CONCRETE PUMPER	GENERAL FUND	PARK MAINTENANCE	348.00
			TOTAL:	348.00
MEMORIAL OCCUPATIONAL MEDICAL SERVICES	PHYSICAL	GENERAL FUND	ADMINISTRATIVE SERVICE	40.00
			TOTAL:	40.00
MISC. VENDOR	REFUND - BUSINESS LICENSE	GENERAL FUND	NON-DEPARTMENTAL	84.05
	REFUND - BUSINESS LICENSE	GENERAL FUND	NON-DEPARTMENTAL	333.65
			TOTAL:	417.70
MOSS, LEVY & HARTZHEIM LLP	AUDIT SERVICES	GENERAL FUND	ADMINISTRATIVE SERVICE	8,000.00
			TOTAL:	8,000.00
NEWS ENTERPRISE	PUBLISH NOTICE	GENERAL FUND	PLANNING	171.06
	PUBLISH NOTICE	GENERAL FUND	PLANNING	160.44
	PUBLISH NOTICE	BUILDING IMPROVEME	CAPITAL PROJECTS	493.00
	PUBLISH NOTICE	GARAGE FUND	GARAGE	59.50
			TOTAL:	884.00
NEXTEL COMMUNICATIONS	TRAFFIC CALMING SIGN	GENERAL FUND	TRAFFIC	19.68
			TOTAL:	19.68
PACIFIC TELEMAGEMENT SERVICES	PAY PHONE	GENERAL FUND	COMMUNICATIONS TECHNOL	82.64
			TOTAL:	82.64
PAK WEST PAPER & PACKAGING	JANITORIAL SUPPLIES	GENERAL FUND	BUILDING MAINTENANCE	1,463.53
			TOTAL:	1,463.53
PARKHOUSE TIRE, INC.	TIRES	GARAGE FUND	GARAGE	1,311.97
	TIRES	GARAGE FUND	GARAGE	373.57
			TOTAL:	1,685.54
ANNE COREEN PENNYPACKER	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	498.55
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	115.05
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	191.75
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	115.05
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	153.40
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	115.05
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	351.00

VENDOR SORT K	DESCRIPTION	FUND	DEPARTMENT	A	NT
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	78.00	
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	195.00	
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	78.00	
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	78.00	
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	39.00	
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	78.00	
	TOTAL:			2,085.85	
THE PLANNING CENTER	COORDINATE MEETINGS	GENERAL FUND	PLANNING	1,070.00	
	PROJECT WEBSITE	GENERAL FUND	PLANNING	660.00	
	REIMBURSABLE EXPENSES	GENERAL FUND	PLANNING	22.30	
	TOTAL:			1,752.30	
QUARTERMASTER	UNIFORM	GENERAL FUND	PATROL	53.33	
	UNIFORMS	GENERAL FUND	PATROL	173.55	
	UNIFORM	GENERAL FUND	PATROL	60.11	
	UNIFORM	GENERAL FUND	PATROL	60.11	
	UNIFORM	GENERAL FUND	RECORDS	29.08	
	TOTAL:			376.18	
RACEPLACE MAGAZINE	RACE ON BASE 2012 SVCS	GENERAL FUND	SPECIAL EVENTS	60.00	
	TOTAL:			60.00	
RICOH AMERICAS CORPORATION	COPIER INK	GENERAL FUND	RECREATION ADMINISTRAT	40.94	
	TOTAL:			40.94	
ROBERTSON'S	CONCRETE	GENERAL FUND	PARK MAINTENANCE	1,971.47	
	TOTAL:			1,971.47	
CHRIS ROJO	INSTRUCTOR - EXERCISE	GENERAL FUND	SPECIAL CLASSES	67.20	
	TOTAL:			67.20	
ROSSMOOR CARWASH	CAR WASHES P/D	GARAGE FUND	GARAGE	192.99	
	CAR WASHES REC	GARAGE FUND	GARAGE	28.00	
	CAR WASHES P/W	GARAGE FUND	GARAGE	50.97	
	CAR WASHES C/D	GARAGE FUND	GARAGE	9.00	
	TOTAL:			280.96	
SCIENTIA CONSULTING GROUP	IT SERVICES 09/11	TECHNOLOGY REPLACE	ADMINISTRATIVE SERVICE	5,700.00	
	TOTAL:			5,700.00	
SIR SPEEDY	BUSINESS CARDS	GENERAL FUND	COMMUNITY DEVEL ADMIN	31.25	
	TOTAL:			31.25	
SO CAL SANITATION LLC	RESTROOM SERVICES	GENERAL FUND	SPORTS	152.65	
	TOTAL:			152.65	
SOUTH COAST SUPPLY & GARDEN DAZE	CONCRETE	GENERAL FUND	STREET MAINTENANCE	177.23	
	BLENDED SOIL	GENERAL FUND	PARK MAINTENANCE	56.31	
	TOTAL:			233.54	
SOUTHERN CALIFORNIA EDISON	TRAFFIC SIGS/ST LIGHTS	GENERAL FUND	STREET MAINTENANCE	53.84	
	SPRINKLERS	GENERAL FUND	PARK MAINTENANCE	188.13	
	TOTAL:			241.97	
SOUTHERN CALIFORNIA GAS	3614 FENLEY	GENERAL FUND	STREET MAINTENANCE	15.29	

VENDOR SORT K	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	3191 KATELLA	GENERAL FUND	BUILDING MAINTENANCE	82.30
	10911 OAK ST.	GENERAL FUND	BUILDING MAINTENANCE	31.09
			TOTAL:	128.68
SOUTHERN PACIFIC MASTERS ASSOCIATION	MEMBERSHIP FEE	GENERAL FUND	AQUATICS	44.00
			TOTAL:	44.00
SPARKLETT'S DRINKING WATER	SERVICE & RENTAL	GENERAL FUND	BUILDING MAINTENANCE	300.39
			TOTAL:	300.39
SPOT LIGHTING SUPPLIES, INC.	LIGHT BULBS	GENERAL FUND	BUILDING MAINTENANCE	75.64
			TOTAL:	75.64
SPRINT	ACTIVITY THRU 8/21/11	GENERAL FUND	CITY MANAGER	34.69
	ACTIVITY THRU 8/21/11	GENERAL FUND	ADMINISTRATIVE SERVICE	34.69
	ACTIVITY THRU 8/21/11	GENERAL FUND	COMMUNICATIONS TECHNOL	34.68
	ACTIVITY THRU 8/21/11	GENERAL FUND	COMMUNITY DEVEL ADMIN	34.68
	ACTIVITY THRU 8/21/11	GENERAL FUND	PUBLIC WORKS ADMIN	34.68
	ACTIVITY THRU 8/21/11	GENERAL FUND	RECREATION ADMINISTRAT	34.68
			TOTAL:	208.10
SUNNY SLOPE TREES	EUCALYPTUS TREE	GAS TAX	CAPITAL PROJECTS	29.10
			TOTAL:	29.10
TIME WARNER CABLE	ADMIN CABLE SERVICE 09/11	GENERAL FUND	CITY MANAGER	164.96
	P/D CABLE SERVICE 09/11	GENERAL FUND	COMMUNICATIONS TECHNOL	132.84
	INTERNET - COMPUTER CENTER	GENERAL FUND	RECREATION ADMINISTRAT	69.95
			TOTAL:	367.75
UNDERGROUND SERVICE ALERT OF SO. CALIF	SERVICE ALERT FAXES	GENERAL FUND	STREET MAINTENANCE	37.50
			TOTAL:	37.50
JOHN UNDERWOOD	FILMING - YOUR LOS AL	LOS ALAMITOS TV	LOS ALAMITOS TV	200.00
			TOTAL:	200.00
USAT	RACE ON BASE REGISTRATIONS	GENERAL FUND	SPECIAL EVENTS	495.00
			TOTAL:	495.00
V & V MANUFACTURING, INC.	50TH ANNIVERSARY BADGE	GENERAL FUND	PATROL	123.42
			TOTAL:	123.42
VERIZON CALIFORNIA, INC.	ADMIN - FAX	GENERAL FUND	ADMINISTRATIVE SERVICE	50.26
	POLICE DEPT/RELAY LINE	GENERAL FUND	COMMUNICATIONS TECHNOL	79.27
	TELECOMMUNICATIONS	GENERAL FUND	COMMUNICATIONS TECHNOL	800.17
	EOC/FAX LINES	GENERAL FUND	COMMUNICATIONS TECHNOL	905.93
	TRAFFIC SIGNAL	GENERAL FUND	STREET MAINTENANCE	43.77
	TRAFFIC SIGNAL	GENERAL FUND	STREET MAINTENANCE	78.91
	TRAFFIC SIGNAL	GENERAL FUND	STREET MAINTENANCE	44.36
	TRAFFIC SIGNAL	GENERAL FUND	STREET MAINTENANCE	41.99
	TRAFFIC SIGNAL	GENERAL FUND	STREET MAINTENANCE	41.99
	PARK & REC - FAX	GENERAL FUND	RECREATION ADMINISTRAT	42.81
			TOTAL:	2,129.46
VERIZON WIRELESS	POLICE DEPARTMENT	GENERAL FUND	POLICE ADMINISTRATION	33.36
	COMMUNITY DEVELOPMENT	GENERAL FUND	NEIGHBORHOOD PRESERVAT	26.29
	PUBLIC WORKS	GENERAL FUND	STREET MAINTENANCE	287.07

VENDOR SORT 1	DESCRIPTION	FUND	DEPARTMENT	A.	NT
				TOTAL:	346.72
VOYAGER FLEET SYSTEMS, INC.	FUEL	GARAGE FUND	GARAGE		6,477.34
	FUEL TAX CREDIT	GARAGE FUND	GARAGE		309.48-
	CNG FUEL	GARAGE FUND	GARAGE		445.69
				TOTAL:	6,613.55
WEST COAST ARBORISTS, INC.	TREE MAINTENANCE	GAS TAX	CAPITAL PROJECTS		2,265.00
	TREE MAINTENANCE	GAS TAX	CAPITAL PROJECTS		720.00
				TOTAL:	2,985.00
WEST COAST ARTWEAR	PRESCHOOL T-SHIRTS	GENERAL FUND	SPECIAL CLASSES		302.78
				TOTAL:	302.78
WEST COAST TENNIS SERVICES	INSTRUCTOR - TENNIS	GENERAL FUND	SPECIAL CLASSES		2,833.34
				TOTAL:	2,833.34
ZEROREZ IRVINE	CARPET CLEANING	GENERAL FUND	BUILDING MAINTENANCE		2,020.00
				TOTAL:	2,020.00

===== FUND TOTALS =====

10	GENERAL FUND	70,909.26
20	GAS TAX	3,014.10
25	BUILDING IMPROVEMENT	493.00
28	LOS ALAMITOS TV	200.00
50	GARAGE FUND	9,929.27
53	TECHNOLOGY REPLACEMENT	12,072.70
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	GRAND TOTAL:	96,618.33
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VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
MAUREEN KANE & ASSOCIATES, INC.	TRAINING	GENERAL FUND	CITY MANAGER	1,280.00
			TOTAL:	<u>1,280.00</u>

===== FUND TOTALS =====

10	GENERAL FUND	1,280.00
	GRAND TOTAL:	1,280.00

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# City of Los Alamitos

## Agenda Report Consent Calendar

October 3, 2011  
Item No: 8C

**To:** Mayor Kenneth Stephens & Members of the City Council

**Via:** Jeffrey L. Stewart, City Manager

**From:** David Hunt, City Engineer  
Steven Mendoza, Director of Community Development

**Subject:** Award of Construction Contract for the Community Pool Deck Shading System

**Summary:** This report recommends that City Council award a construction contract to Peace of Mind Construction for the Community Pool Deck Shading System on the basis of the lowest qualified bid.

### Recommendations:

1. Award the contract for the Community Pool Deck Shading System for the lowest responsible bid to Peace of Mind Construction, in the amount of \$17,777.00, reject all other bids; and,
2. Authorize the Mayor to execute the contract for the project; and,
3. Authorize staff to execute change orders, if necessary, in an amount not to exceed the contingency reserve of \$1,777.70 which is 10% of the original contract amount.

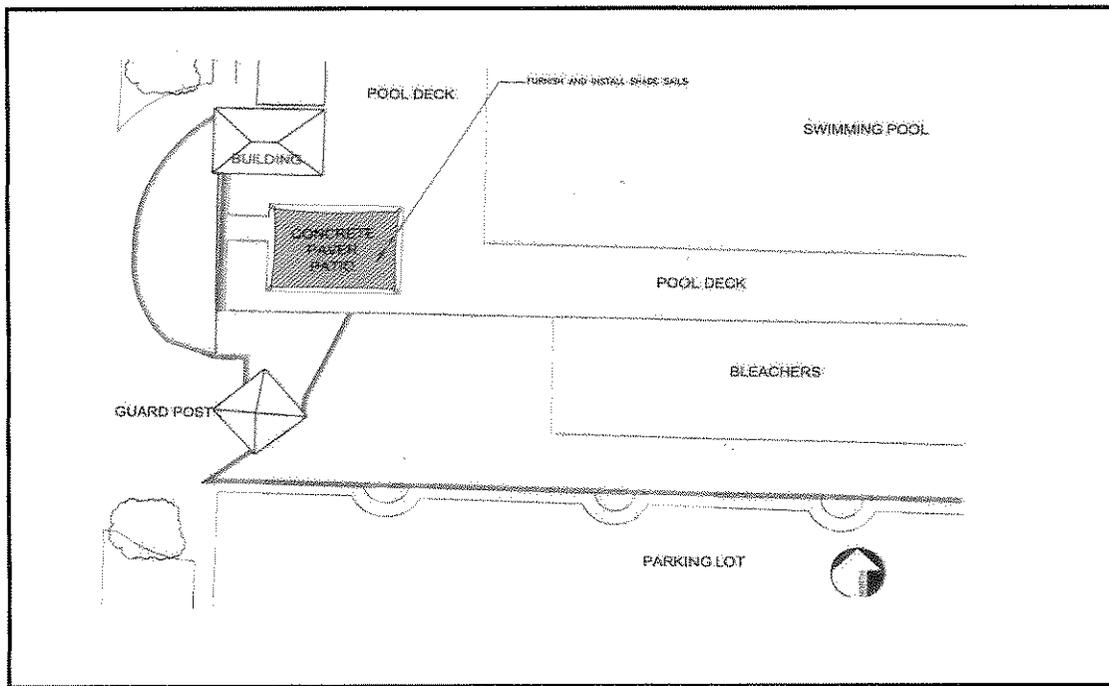
### Background

The City operates and maintains the pool located at the Joint Forces Training Base under contract with the State of California, specifically the Commander of the Joint Forces Training Base. It is a 20-year agreement, executed in 1996. The pool has over 200,000 annual visits by patrons from the north Orange County, California region. On July 5, 2011, the City Council authorized staff to go out to bid for the Community Pool Deck Shading System.

The 50 meter pool is one of the largest in the region and is open year-round. It routinely operates 16 hours a day from 5:30 a.m. to 9:30 p.m., 7 days a week. The City staffs the pool with lifeguards, swim instructors, and maintenance staff.

Currently at the JFTB pool area there are no trees or shade structures. Four years ago, Public Works staff drilled holes in the outside eating tables and umbrellas were installed. The wind broke them and they are no longer used. Easy-ups were used last season, but did not survive the wind either. Recreation and Community Services Department requested a pool deck shading system to place over the existing concrete paver section of the patio that would withstand the wind.

The project is located just west of the swimming pool on top of the concrete paver patio as shown below.





## Background

### Project Bid Results

Bids for the new Community Pool Heater Project were opened on September 20, 2011. The bid results are shown below.

Bidder	Total Base Bid
Peace of Mind Construction	\$17,777.00
AToM Engineering Construction, Inc	\$26,398.00
TED Enterprises	\$53,000.00

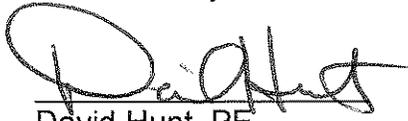
### Bidder Assessment

Peace of Mind Construction was the lowest qualified bid at \$17,777.00. They are located in La Crescenta, California. The Engineer's estimate for the project is \$19,000.00. The low bid of \$17,777.00 is 6.4% below the Engineer's estimate.

## Fiscal Impact

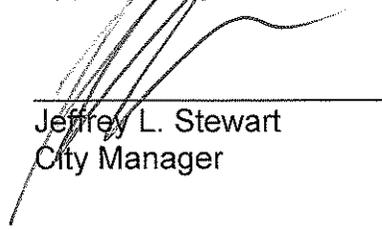
The Los Alamitos Medical Center has donated \$15,000 towards the construction of this project. The Pool Capital Improvements Project Donations currently has \$43,785.24 in it. The additional cost not covered by the Medical Center of \$2,777.00 will leave a balance of \$41,008.24.

Submitted By:



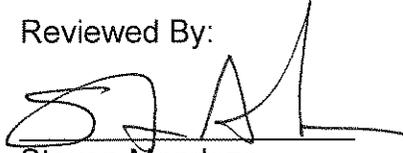
David Hunt, PE  
City Engineer

Approved By:



Jeffrey L. Stewart  
City Manager

Reviewed By:



Steven Mendoza  
Director of Community Development

*Attachment: 1. Contract*

**ARTICLES OF AGREEMENT**

**JOINT FORCES TRAINING BASE  
POOL DECK SHADING SYSTEM  
AT THE USA WATER POLO NATIONAL AQUATIC CENTER  
CIP 10/11-06  
IN THE CITY OF LOS ALAMITOS, CALIFORNIA**

THIS, Pool Deck Shading System at the USA Water Polo National Aquatic Center, CIP No. 10/11-06, AGREEMENT ("AGREEMENT") is made and entered into for the above-stated project this 3rd day of October, 2011, BY AND BETWEEN the City of Los Alamitos, a municipal corporation, hereafter designated as "AGENCY", and Peace of Mind Construction, Inc., a corporation, hereafter designated as "CONTRACTOR."

WITNESSETH that AGENCY and CONTRACTOR have mutually agreed as follows:

**ARTICLE I: Contract Documents**

The contract documents for the Pool Deck Shading System at the USA Water Polo National Aquatic Center, CIP No. 10/11-06, shall consist of the Notice Inviting Sealed Bids, Instructions To Bidders, Bid Proposal, Bid Schedule, Standard Specifications, Special Provisions, and all referenced specifications, details, standard drawings, and appendices; together with two (2) signed copies of the AGREEMENT, two (2) signed copies of required bonds; one (1) copy of the insurance certificates, permits, notices, and affidavits; and also including any and all addenda or supplemental agreements clarifying, amending, or extending the work contemplated as may be required to insure its completion in an acceptable manner (collectively referred to herein as the "Contract Documents"). All of the provisions of the Contract Documents are made a part hereof as though fully set forth herein.

**ARTICLE II: Scope of Work**

For and in consideration of the payments and agreements to be made and performed by AGENCY, CONTRACTOR agrees to furnish all materials and equipment and perform all work required for the above-stated project, and to fulfill all other obligations as set forth in the aforesaid contract documents.

AGENCY hereby promises and agrees to employ, and does hereby employ, CONTRACTOR to provide the materials, do the work, and fulfill the obligations according to the terms and conditions herein contained and referred to, for the prices aforesaid, and hereby contracts to pay the same at the time, in the manner, and upon the conditions set forth in this AGREEMENT.

In entering into a public works contract or a subcontract to supply goods, services, or materials pursuant to this AGREEMENT, CONTRACTOR offers and agrees to assign to the awarding body all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 (Section 16700, et seq.) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials pursuant to the public works contract or the subcontract. This assignment shall be made and become effective at the time the awarding body tenders final payment to the contractor, without further acknowledgment by the parties.

### **ARTICLE III: Compensation**

A. CONTRACTOR agrees to receive and accept the prices set forth in the Bid Proposal and Bid Schedule as full compensation for furnishing all materials, performing all work, and fulfilling all obligations hereunder. In no event shall the total compensation and costs payable to CONTRACTOR under this Agreement exceed the sum of \$17,777.00 (Seventeen Thousand Seven Hundred Seventy-Seven Dollars and Seventy Cents) unless specifically approved in advance and in writing by AGENCY.

Such compensation shall cover all expenses, losses, damages, and consequences arising out of the nature of the work during its progress or prior to its acceptance including those for well and faithfully completing the work and the whole thereof in the manner and time specified in the aforesaid contract documents; and also including those arising from actions of the elements, unforeseen difficulties or obstructions encountered in the prosecution of the work, suspension or discontinuance of the work, and all other unknowns or risks of any description connected with the work.

B. This AGREEMENT is subject to the provisions of Article 1.7 (commencing at Section 20104.50) of Division 2, Part 3 of the Public Contract Code regarding prompt payment of contractors by local governments. Article 1.7 mandates certain procedures for the payment of undisputed and properly submitted payment requests within 30 days after receipt, for the review of payment requests, for notice to the contractor of improper payment requests, and provides for the payment of interest on progress payment requests which are not timely made in accordance with this Article. This AGREEMENT hereby incorporates the provisions of Article 1.7 as though fully set forth herein.

C. At the request and expense of CONTRACTOR, securities equivalent to the amount withheld shall be deposited with AGENCY, or with a state or federally chartered bank in this state as the escrow agent, who shall then pay those moneys to CONTRACTOR. Upon satisfactory completion of this AGREEMENT, the securities shall be returned to CONTRACTOR.

At any time during the term of this AGREEMENT CONTRACTOR may, at its own expense, substitute securities for funds otherwise withheld as retention (or the retained percentage) in accordance with Public Contract Code § 22300.

### **ARTICLE IV: Labor Code**

AGENCY and CONTRACTOR acknowledge that this AGREEMENT is subject to the provisions of Division 2, Part 7, Chapter 1 (commencing with Section 1720) of the California Labor Code relating to public works and public agencies and agree to be bound by all the provisions thereof as though set forth fully herein. Full compensation for conforming to the requirements of the Labor Code and with other Federal, State and local laws related to labor, and rules, regulations and ordinances which apply to any work performed pursuant to this AGREEMENT shall be considered as included in the price for all contract items of work involved.

This AGREEMENT is further subject to prevailing wage law, including, but not limited to, the following:

A. The CONTRACTOR shall pay the prevailing wage rates for all work performed under the AGREEMENT. When any craft or classification is omitted from the general prevailing wage

determinations, the CONTRACTOR shall pay the wage rate of the craft or classification most closely related to the omitted classification. The CONTRACTOR shall forfeit as a penalty to AGENCY \$50.00 or any greater penalty provided in the Labor Code for each Calendar Day, or portion thereof, for each worker paid less than the prevailing wage rates for any work done under the AGREEMENT employed in the execution of the work by CONTRACTOR or by any Subcontract under CONTRACTOR in violation of the provisions of the Labor Code. In addition, the difference between such prevailing wage rates and the amount paid to each worker for each Calendar Day, or portion thereof, for which each worker was paid less than the prevailing wage rate shall be paid to each worker by the CONTRACTOR.

B. CONTRACTOR shall comply with the provisions of Labor Code Section 1777.5 concerning the employment of apprentices on public works projects, and further agrees that CONTRACTOR is responsible for compliance with Section 1777.5 by all of its subcontractors.

C. Pursuant to Labor Code § 1776, CONTRACTOR and any subcontractor shall keep accurate payroll records, showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by him or her in connection with this AGREEMENT. Each payroll record shall contain or be verified by a written declaration that it is made under penalty of perjury, stating both of the following: (1) The information contained in the payroll record is true and correct; and (2) The employer has complied with the requirements of Labor Code §§ 1811, and 1815 for any work performed by his or her employees on the public works project. The payroll records enumerated under subdivision (a) shall be certified and shall be available for inspection at all reasonable hours as required by Labor Code § 1776.

D. This AGREEMENT is further subject to 8-hour work day and wage and hour penalty law, including, but not limited to, Labor Code Sections 1810 and 1813, as well as California nondiscrimination laws, as follows:

CONTRACTOR shall strictly adhere to the provisions of the Labor Code regarding the 8-hour day and the 40-hour week, overtime, Saturday, Sunday and holiday work and nondiscrimination on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex or sexual orientation, except as provided in Section 12940 of the Government Code. Pursuant to the provisions of the Labor Code, eight hours' labor shall constitute a legal day's work. Work performed by CONTRACTOR's employees in excess of eight hours per day, and 40 hours during any one week, must include compensation for all hours worked in excess of eight hours per day, or 40 hours during any one week, at not less than one and one-half times the basic rate of pay. CONTRACTOR shall forfeit as a penalty to AGENCY \$25.00 or any greater penalty set forth in the Labor Code for each worker employed in the execution of the work by CONTRACTOR or by any Subcontractor of CONTRACTOR, for each Calendar Day during which such worker is required or permitted to the work more than eight hours in one Calendar Day or more than 40 hours in any one calendar week in violation of the provisions of the Labor Code.

E. This AGREEMENT is subject to Public Contract Code Section 6109: CONTRACTOR shall be prohibited from performing work on this project with a subcontractor who is ineligible to perform work on the project pursuant to Sections 1777.1 or 1777.7 of the Labor Code.

## **ARTICLE V: Work Site Conditions**

A. In compliance with and pursuant to Government Code Section 4215, AGENCY shall assume the responsibility, as between the parties to this AGREEMENT, for the timely removal, relocation, or protection of existing main- or trunk-line utility facilities located on the site of any construction project that is a subject of this AGREEMENT, if such utilities are not identified by AGENCY in the plans and specifications made a part of the invitation for bids. The AGREEMENT documents shall include provisions to compensate CONTRACTOR for the costs of locating, repairing damage not due to the failure of CONTRACTOR to exercise reasonable care, and removing or relocating such utility facilities not indicated in the plans and specifications with reasonable accuracy, and for equipment on the project necessarily idled during such work. CONTRACTOR shall not be assessed liquidated damages for delay in completion of the project, when such delay was caused by the failure of AGENCY or the owner of the utility to provide for removal or relocation of such utility facilities.

B. To the extent that the work requires trenches in excess of five feet (5') and is estimated to cost more than \$25,000, prior to any excavation, CONTRACTOR must provide the AGENCY, or a registered civil or structural engineer employed by the AGENCY to whom authority to accept has been delegated, a detailed plan showing the design of shoring, bracing, sloping, or other provisions to be made for worker protection from the hazard of caving ground during the excavation of such trench or trenches. If such plan varies from the shoring system standards, the plan shall be prepared by a registered civil or structural engineer. Nothing in this section shall be deemed to allow the use of a shoring, sloping, or protective system less effective than that required by the Construction Safety Orders.

C. This AGREEMENT is further subject to Public Contract Code Section 7104 with regard to any trenches deeper than four feet (4') involved in the proposed work as follows:

CONTRACTOR shall promptly, and before the following conditions are disturbed, notify AGENCY, in writing, of any:

(1) Material that CONTRACTOR believes may be material that is hazardous waste, as defined in Section 25117 of the Health and Safety Code, which is required to be removed to a Class I, Class II, or Class III disposal site in accordance with provisions of existing law.

(2) Subsurface or latent physical conditions at the site differing from those indicated by all available information provided prior to the deadline for submission of bids.

(3) Unknown physical conditions at the site of any unusual nature, different materially from those ordinarily encountered and generally recognized as inherent in work of the character provided for in the contract.

AGENCY shall promptly investigate the conditions, and if it finds that the conditions do materially so differ, or involve hazardous waste, and cause a decrease or increase in CONTRACTOR's cost of, or the time required for, performance of any part of the work, AGENCY shall issue a change order under the procedures described in this AGREEMENT.

In the event that a dispute arises between AGENCY and CONTRACTOR whether the conditions materially differ, or involve hazardous waste, or cause a decrease or increase in CONTRACTOR's cost of, or time required for, performance of any part of the work, CONTRACTOR shall not be excused from any scheduled completion date provided in the

AGREEMENT, but shall proceed with all work to be performed under the contract. CONTRACTOR shall retain any and all rights provided either by contract or by law which pertain to the resolution of disputes and protests between the contracting parties.

**ARTICLE VI: Insurance**

A. With respect to performance of work under this AGREEMENT, CONTRACTOR shall maintain, and shall require all of its subcontractors to maintain, insurance as required by Section E “Standard Specifications” of the Contract Documents.

B. This AGREEMENT is further subject to Workers’ Compensation obligations, including, but not limited to, California Labor Code Sections 1860 and 1861 as follows:

CONTRACTOR shall take out and maintain, during the life of this contract, Worker’s Compensation Insurance for all of CONTRACTOR’s employees employed at the site of improvement; and, if any work is sublet, CONTRACTOR shall require the subcontractor similarly to provide Worker’s Compensation Insurance for all of the latter’s employees, unless such employees are covered by the protection afforded by CONTRACTOR. CONTRACTOR and any of CONTRACTOR’s subcontractors shall be required to provide AGENCY with a written statement acknowledging its obligation to secure payment of Worker’s Compensation Insurance as required by Labor Code § 1861; to wit: ‘I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers’ compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.’ If any class of employees engaged in work under this AGREEMENT at the site of the Project is not protected under any Worker’s Compensation law, CONTRACTOR shall provide and shall cause each subcontractor to provide adequate insurance for the protection of employees not otherwise protected. CONTRACTOR shall indemnify and hold harmless AGENCY for any damage resulting from failure of either CONTRACTOR or any subcontractor to take out or maintain such insurance.

**ARTICLE VII: Indemnification**

To the fullest extent permitted by law, CONTRACTOR shall, at its sole cost and expense, fully defend, indemnify and hold harmless AGENCY, its authorized representatives and their respective subsidiaries, affiliates, members, directors, officers, employees and agents (collectively, the “Indemnitees”) from and against any and all claims, actions, demands, costs, judgments, liens, penalties, liabilities, damages, losses, and expenses, including but not limited to any fees of accountants, attorneys or other professionals (collectively “Liabilities”), arising out of, in connection with, resulting from or related to, any act, omission, fault or negligence of CONTRACTOR, CONTRACTOR’s Representative, or any of its officers, agents, employees, Subcontractors or Suppliers, or any person or organization directly or indirectly employed by any of them (Collectively, the “Indemnitors”), in connection with or relating to or claimed to be in connection with or relating to the work performed under this AGREEMENT.

If CONTRACTOR is a joint venture or partnership, each venturer or partner shall be jointly and severally liable for any and all of the duties and obligations of CONTRACTOR that are assumed under or arise out of this AGREEMENT. Each of such venturers or partners waives notice of the breach or non-performance of any undertaking or obligation of CONTRACTOR contained in, resulting from or assumed under this AGREEMENT, and the failure to give any such notice shall not affect or impair such venturer’s or partner’s joint and several liability hereunder.

**ARTICLE VIII: Binding Affect**

AGENCY and CONTRACTOR each binds itself, its partners, successors, assigns, and legal representatives to the other party hereto, its partners, successors, assigns, and legal representatives in respect of all covenants, agreements, and obligations contained in the Contract Documents. This AGREEMENT is not assignable nor the performance of either party's duties delegable without the prior written consent of the other party. Any attempted or purported assignment or delegation of any of the rights of obligations of either party without the prior written consent of the other shall be void and of no force and effect.

**ARTICLE IX: Dispute Resolution**

A. In the event of a dispute arising out of the terms of this AGREEMENT, including any action brought to declare the rights granted herein or to enforce any of the terms of this AGREEMENT, the party prevailing in such dispute shall be entitled to all reasonable costs and litigation expenses actually incurred, including fees of attorneys and expert witnesses. Any court action arising out of this AGREEMENT shall be filed in the Los Angeles County Superior Court. Any alternative dispute resolution proceeding arising out of this AGREEMENT shall be heard in the City of Los Angeles or the City of Los Alamitos, California.

B. AGENCY shall have full authority to compromise or otherwise settle any claim relating to this AGREEMENT or any part hereof at any time. AGENCY shall provide timely notification to CONTRACTOR of the receipt of any third-party claim relating to this AGREEMENT. AGENCY shall be entitled to recover its reasonable costs incurred in providing the notification required by this section.

C. This AGREEMENT is further subject to the provisions of Article 1.5 (commencing at Section 20104) of Division 2, Part 3 of the Public Contract Code regarding the resolution of public works claims of less than \$375,000. Article 1.5 mandates certain procedures for the filing of claims and supporting documentation by the contractor, for the response to such claims by the contracting public agency, for a mandatory meet and confer conference upon the request of the contractor, for mandatory nonbinding mediation in the event litigation is commenced, and for mandatory judicial arbitration upon the failure to resolve the dispute through mediation. This AGREEMENT hereby incorporates the provisions of Article 1.5 as though fully set forth herein.

**ARTICLE X: Independent Contractor**

CONTRACTOR is and shall at all times remain as to AGENCY, a wholly independent contractor. Neither AGENCY nor any of its agents shall have control of the conduct of CONTRACTOR or any of CONTRACTOR's employees, except as herein set forth. CONTRACTOR shall not at any time or in any manner represent that it or any of its agents or employees are in any manner agents or employees of AGENCY.

**ARTICLE XI: Taxes**

CONTRACTOR is responsible for paying all retail, sales and use, transportation, export, import, special or other taxes and duties applicable to, and assessable against any work, materials, equipment, services, processes and operations incidental to or involved in this AGREEMENT. The CONTRACTOR is responsible for ascertaining and arranging to pay them. The prices established in this AGREEMENT shall include compensation for any taxes the CONTRACTOR is required to pay by laws and regulations in effect as of the execution of this AGREEMENT.

**ARTICLE XII: Notices**

All notices and communications shall be sent in writing to the parties at the following addresses:

AGENCY: Dave Hunt, City Engineer

CONTRACTOR: Peace of Mind Construction, Inc.

CITY OF LOS ALAMITOS

2708 Foothill Blvd., #160  
(Business Name)

3191 Katella Ave.  
Los Alamitos, CA 90720

La Crescenta, CA 91214  
(City, State Zip Code)

**ARTICLE XIII: Entire Agreement**

This AGREEMENT supersedes any and all other agreements, either oral or written, between the parties and contains all of the covenants and agreements between the parties pertaining to the work of improvements described herein. Each party to this AGREEMENT acknowledges that no representations, inducements, promises or agreements, orally or otherwise, have been made by any party, or anyone acting on behalf of any party, which are not embodied herein, and that any other agreement, statements or promise not contained in this AGREEMENT shall not be valid or binding. Any modification of this AGREEMENT will be effective only if signed by the party to be charged.

The benefits and obligations of this AGREEMENT shall inure to and be binding upon the representatives, agents, partners, heirs, successors and assigns of the parties hereto. This AGREEMENT shall be construed pursuant to the laws of the State of California.

**ARTICLE XIV: Authority To Contract**

The signatories hereto represent that they are authorized to sign on behalf of the respective parties they represent and are competent to do so, and each of the parties hereto hereby irrevocably waives any and all rights to challenge signatures on these bases.

**ARTICLE XV: General Provisions**

A. All reports, documents or other written material ("written products" herein) developed by CONTRACTOR in the performance of this Agreement shall be and remain the property of AGENCY without restriction or limitation upon its use or dissemination by AGENCY. CONTRACTOR may take and retain copies of such written products as desired, but no such written products shall be the subject of a copyright application by CONTRACTOR.

B. In the performance of this Agreement, CONTRACTOR shall not discriminate against any employee, subcontractor, or applicant for employment because of race, color, creed, religion, sex, marital status, sexual orientation, national origin, ancestry, age, physical or mental disability or medical condition.

C. The captions appearing at the commencement of the sections hereof, and in any paragraph thereof, are descriptive only and for convenience in reference to this Agreement. Should there be any conflict between such heading, and the section or paragraph thereof at the head of which it appears, the section or paragraph thereof, as the case may be, and not such heading, shall control and govern in the construction of this Agreement. Masculine or feminine pronouns shall be substituted for the neuter form and vice versa, and the plural shall be

substituted for the singular form and vice versa, in any place or places herein in which the context requires such substitution(s).

D. The waiver by AGENCY or CONTRACTOR of any breach of any term, covenant or condition herein contained shall not be deemed to be a waiver of such term, covenant or condition or of any subsequent breach of the same or any other term, covenant or condition herein contained. No term, covenant or condition of this Agreement shall be deemed to have been waived by AGENCY or CONTRACTOR unless in writing.

E. Each right, power and remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise shall be cumulative and shall be in addition to every other right, power, or remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise. The exercise, the commencement of the exercise, or the forbearance of the exercise by any party of any one or more of such rights, powers or remedies shall not preclude the simultaneous or later exercise by such party of any of all of such other rights, powers or remedies. In the event legal action shall be necessary to enforce any term, covenant or condition herein contained, the party prevailing in such action, whether reduced to judgment or not, shall be entitled to its reasonable court costs, including accountants' fees, if any, and attorneys' fees expended in such action. The venue for any litigation shall be Los Angeles County, California. This Agreement shall be governed and construed in accordance with the laws of the State of California.

IN WITNESS WHEREOF the parties hereto for themselves, their heirs, executors, administrators, successors, and assigns do hereby agree to the full performance of the covenants herein contained and have caused this AGREEMENT to be executed in duplicate by setting hereunto their names, titles, hands, and seals this 3rd day of October, 2011.

CONTRACTOR:

\_\_\_\_\_ Business Name

\_\_\_\_\_  
Name & Title (Sign)  
Contractor's License No. \_\_\_\_\_

Subscribed and sworn to this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

NOTARY PUBLIC \_\_\_\_\_ (SEAL)

AGENCY:

\_\_\_\_\_  
Kenneth Stephens, Mayor Date  
City of Los Alamitos

ATTESTED:

\_\_\_\_\_  
City Clerk of the Date  
City of Los Alamitos

APPROVED AS  
TO FORM:

\_\_\_\_\_  
Sandra Levin, City Attorney  
City of Los Alamitos

\_\_\_\_\_  
Date

**( EXECUTE IN DUPLICATE )**

**PAYMENT BOND  
JOINT FORCES TRAINING BASE  
POOL DECK SHADING SYSTEM  
AT THE USA WATER POLO NATIONAL AQUATIC CENTER  
CIP 10/11-06  
IN THE CITY OF LOS ALAMITOS, CALIFORNIA**

WHEREAS, the City of Los Alamitos, as AGENCY has awarded to \_\_\_\_\_, as CONTRACTOR, a contract for the above-stated project; AND WHEREAS, CONTRACTOR is required to furnish a bond in connection with the contract, to secure the payment of claims of laborers, mechanics, material persons, and other persons as provided by law; NOW THEREFORE, we, the undersigned CONTRACTOR and SURETY, are held and firmly bound unto AGENCY in the sum of \$\_\_\_\_\_ Dollars (\$\_\_\_\_\_) which is one hundred percent (100%) of the total contract amount for the above-stated project, for which payment well and truly to be made we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITIONS OF THIS OBLIGATION IS SUCH that if CONTRACTOR, its heirs, executors, administrators, successors, assigns or subcontractors, shall fail to pay any of the persons named in Civil Code Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor withheld, and paid over to the Employment Development Department from the wages of employees of the CONTRACTOR and its subcontractors pursuant to Section 13020 of the Unemployment Insurance Code, with respect to such work and labor, that the surety or sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In case suit is brought upon this bond, SURETY will pay a reasonable attorneys' fees to the plaintiffs and AGENCY in an amount to be fixed by the court.

This bond shall inure to the benefit to any of the persons named in Civil Code Section 3181 as to give a right of action to such persons or their assigns in any suit brought upon this bond.

The SURETY hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the contract or the specifications accompanying it shall in any manner affect SURETY's obligations on this bond. The SURETY hereby waives notice of any such change, extension, alteration or addition and hereby waives the requirements of Section 2845 of the Civil Code as a condition precedent to any remedies AGENCY may have.

IN WITNESS WHEREOF the parties hereto have set their names, titles, hands, and seals this day of \_\_\_\_\_, 2011.

Contractor\*

\_\_\_\_\_  
Signature, Title

\_\_\_\_\_  
Business Name

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_

Telephone #

Surety\*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*Provide CONTRACTOR and SURETY name, address and telephone number and the name, title, address and telephone number for the respective authorized representatives. Power of Attorney must be attached.

Subscribed and sworn to this \_\_\_ day of \_\_\_\_\_, 2011.

NOTARY PUBLIC .....

(SEAL)

**(EXECUTE IN DUPLICATE)**

**FAITHFUL PERFORMANCE BOND  
JOINT FORCES TRAINING BASE  
POOL DECK SHADING SYSTEM  
AT THE USA WATER POLO NATIONAL AQUATIC CENTER  
CIP 10/11-06  
IN THE CITY OF LOS ALAMITOS, CALIFORNIA**

KNOW ALL PERSONS BY THESE PRESENTS That \_\_\_\_\_,  
hereinafter referred to as "CONTRACTOR" as PRINCIPAL, and  
\_\_\_\_\_, a corporation duly organized and doing business under  
and by virtue of the laws of the State of California and duly licensed for the purpose of making,  
guaranteeing, or becoming sole surety upon bonds or undertakings as Surety, are held and  
firmly bound unto the CITY OF LOS ALAMITOS, CALIFORNIA, hereinafter referred to as the  
"AGENCY" in the sum of \_\_\_\_\_ Dollars (\$\_\_\_\_\_); which  
is one hundred percent (100%) of the total contract amount for the above stated project; lawful  
money of the United States of America for the payment of which sum, well and truly to be made,  
we bind ourselves, our heirs, executors, administrators, assigns and successors, jointly and  
severally, firmly by these presents.

THE CONDITIONS OF THIS OBLIGATION ARE SUCH, that whereas CONTRACTOR  
has been awarded and is about to enter into a Contract with AGENCY to perform all work  
required pursuant to the contract documents for the project entitled: Pool Deck Shading  
System at the USA Water Polo National Aquatic Center, CIP NO. 10/11-06 CONTRACT which  
Contract is by this reference incorporated herein, and is required by AGENCY to give this Bond  
in connection with the execution of the Contract;

NOW, THEREFORE, if CONTRACTOR and his or her Subcontractors shall well and  
truly do and perform all the covenants and obligations of the Contract on his part to be done and  
performed at the times and in the manner specified herein including compliance with all  
Contract specifications and quality requirements, then this obligation shall be null and void,  
otherwise it shall be and remain in full force and effect;

PROVIDED, that any alterations in the work to be done, or in the material to be  
furnished, which may be made pursuant to the terms of the Contract, shall not in any way  
release CONTRACTOR or the Surety thereunder, nor shall any extensions of time granted  
under the provisions of the Contract release either CONTRACTOR or said Surety, and notice of  
such alterations or extensions of the Contract is hereby waived by said Surety.

In the event suit is brought upon this Bond by AGENCY and judgment is recovered, said  
Surety shall pay all costs incurred by AGENCY in such suit, including a reasonable attorney's  
fee to be fixed by the Court.

IN WITNESS WHEREOF the parties hereto have set their names, titles, hands, and seals  
this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

Contractor\*

\_\_\_\_\_  
Signature, Title

\_\_\_\_\_  
Business Name

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Telephone #

Surety\*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*Provide CONTRACTOR and SURETY name, address and telephone number and the name, title, address and telephone number for the respective authorized representatives. Power of Attorney must be attached.

Subscribed and sworn to this \_\_\_ day of \_\_\_\_\_, 2011

NOTARY PUBLIC \_\_\_\_\_ (SEAL)

**(EXECUTE IN DUPLICATE)**

**MAINTENANCE BOND  
JOINT FORCES TRAINING BASE  
POOL DECK SHADING SYSTEM  
AT THE USA WATER POLO NATIONAL AQUATIC CENTER  
CIP 10/11-06  
IN THE CITY OF LOS ALAMITOS, CALIFORNIA**

KNOW ALL PERSONS BY THESE PRESENTS THAT WHEREAS, the City of Los Alamitos, as AGENCY has awarded to \_\_\_\_\_, as CONTRACTOR, a contract for the above-stated project.

AND WHEREAS, CONTRACTOR is required to furnish a bond in connection with the contract guaranteeing maintenance thereof;

NOW, THEREFORE, we, the undersigned CONTRACTOR and SURETY, are held firmly bound unto AGENCY in the sum of \_\_\_\_\_ Dollars (\$\_\_\_\_\_), which is fifty percent (50%) of the total contract amount for the above-stated project to be paid to AGENCY, its successors and assigns, for which payment well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITIONS OF THIS OBLIGATION ARE SUCH that if CONTRACTOR shall remedy without cost to AGENCY any defects which may develop during a period of one (1) year from the date of recordation of the Notice of Completion of the work performed under the contract, provided such defects are caused by defective or inferior materials or work, then this obligation shall be void; otherwise it shall be and remain in full force and effect. In case suit is brought upon this bond, SURETY will pay a reasonable attorneys' fees to the AGENCY in an amount to be fixed by the court.

IN WITNESS WHEREOF the parties hereto have set their names, titles, hands, and seals this \_\_\_\_ day of \_\_\_\_\_, 2011.

Contractor\*

\_\_\_\_\_  
Signature, Title

\_\_\_\_\_  
Business Name

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Telephone #

Surety\*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*Provide CONTRACTOR and SURETY name, address and telephone number and the name, title, address and telephone number for the respective authorized representatives. Powers of Attorney must be attached.

Subscribed and sworn to this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

NOTARY PUBLIC \_\_\_\_\_ (SEAL)

(EXECUTE IN DUPLICATE)

NON-COLLUSION AFFIDAVIT

State of California )  
 ) ss.  
County of Los Angeles)

\_\_\_\_\_, being first duly sworn, deposes and says that he or she is \_\_\_\_\_ of \_\_\_\_\_, the party making the foregoing bid, that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid."

Contractor\*

\_\_\_\_\_  
Signature, Title

\_\_\_\_\_  
Business Name

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Telephone #

Surety\*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Place of Residence \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_ day of \_\_\_\_\_, 2011.

Notary Public in and for the County of State of California.

My Commission Expires \_\_\_\_\_, 2011.

**WORKERS' COMPENSATION INSURANCE CERTIFICATE**

The Contractor shall execute the following form as required by the California Labor Code, Sections 1860 and 1861:

I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

DATE: \_\_\_\_\_

By: \_\_\_\_\_ (Contractor's Business Name)  
(Contractor)  
\_\_\_\_\_  
(Signature)  
\_\_\_\_\_  
(Title)

Attest:  
By: \_\_\_\_\_  
(Signature)  
\_\_\_\_\_  
(Title)

Note: See Section 7 Responsibility of the Contractor, Paragraph 7-3 of the Standard Specifications for insurance carrier rating requirements.

**ENDORSEMENTS TO INSURANCE POLICY**

**Name of Insurance Company:**

**Policy Number:**

**Effective Date:**

The following endorsements are hereby incorporated by reference onto the attached Certificate of Insurance as though fully set forth thereon:

1. The naming of an additional insured as herein provided shall not affect any recovery to which such additional insured would be entitled under this policy if not named as such additional insured, and
2. The additional insured named herein shall not be held liable for any premium or expense of any nature on this policy or any extensions thereof, and
3. The additional insured named herein shall not by reason of being so named be considered a member of any mutual insurance company for any purpose whatsoever, and
4. The provisions of the policy will not be changed, suspended, canceled or otherwise terminated as to the interest of the additional insured named herein without first giving such additional insured twenty (20) days written notice.
5. Any other insurance held by the additional insured shall not be required to contribute anything toward any loss or expense covered by the insurance, which is referred to by this certificate.
6. **The company provided insurance for this certificate is a company licensed to do business in the State of California with a Best's rating of A+ VIII or greater.**

**It is agreed that the City of Los Alamitos, its officers and employees, are included as Additional Insured.**

\_\_\_\_\_  
**Authorized Insurance Agent**

**Date:** \_\_\_\_\_

**STATEMENT REGARDING INSURANCE COVERAGE  
JOINT FORCES TRAINING BASE  
POOL DECK SHADING SYSTEM  
AT THE USA WATER POLO NATIONAL AQUATIC CENTER  
CIP 10/11-06  
IN THE CITY OF LOS ALAMITOS, CALIFORNIA**

The undersigned representative of Bidder hereby certifies that he/she has reviewed the insurance coverage requirements specified in 7-3 **LIABILITY INSURANCE** of Section E, Standard Specifications. Should Bidder be awarded the contract for the work, the undersigned further certifies that Bidder can meet all of these specification requirements for insurance including insurance coverage of his/her subcontractors.

NAME OF BIDDER: .....

MAILING ADDRESS: .....  
.....  
.....

AUTHORIZED SIGNATURE: .....

TITLE: .....

DATE: .....

**STATEMENT REGARDING THE CONTRACTOR'S LICENSING LAWS**  
**JOINT FORCES TRAINING BASE**  
**POOL DECK SHADING SYSTEM**  
**AT THE USA WATER POLO NATIONAL AQUATIC CENTER**  
**CIP 10/11-06**  
**IN THE CITY OF LOS ALAMITOS, CALIFORNIA**  
[Business & Professions Code § 7028.15]  
[Public Contract Code § 20103.5]

I, the undersigned, certify that I am aware of the following provisions of California law and that I, or the entity on whose behalf this certification is given, hold a currently valid California contractor's license as set forth below:

*Business & Professions Code § 7028.15:*

- a) **It is a misdemeanor for any person to submit a bid to a public agency in engage in the business or act in the capacity of a contractor within this state without having a license therefor, except in any of the following cases:**
  - (1)The person is particularly exempted from this chapter.
  - (2)The bid is submitted on a state project governed by Section 10164 of the Public Contract Code or on any local agency project governed by Section 20104 [now § 20103.5] of the Public Contract Code.
- b) If a person has been previously convicted of the offense described in this section, the court shall impose a fine of 20 percent of the price of the contract under which the unlicensed person performed contracting work, or four thousand five hundred dollars (\$4,500), whichever is greater, or imprisonment in the county jail for not less than 10 days nor more than six months, or both.

In the event the person performing the contracting work has agreed to furnish materials and labor on an hourly basis, "the price of the contract" for the purposes of this subdivision means the aggregate sum of the cost of materials and labor furnished and the cost of completing the work to be performed.
- c) This section shall not apply to a joint venture license, as required by Section 7029.1. However, at the time of making a bid as a joint venture, each person submitting the bid shall be subject to this section with respect to his/her individual licenser.
- d) This section shall not affect the right or ability of a licensed architect, land surveyor, or registered professional engineer to form joint ventures with licensed contractors to render services within the scope of their respective practices.
- e) Unless one of the foregoing exceptions applies, a bid submitted to a public agency by a contractor who is not licensed in accordance with this chapter shall be considered nonresponsive and shall be rejected by the public agency. Unless one of the foregoing exceptions applies, a local public agency shall, before awarding a contract or issuing a purchase order, verify that the contractor was properly licensed when the contractor submitted the bid. Notwithstanding any other provision of law, unless one of the foregoing exceptions applies, the registrar may issue a citation to any public officer or employee of a public entity who knowingly awards a contract or issues a purchase order to a contractor who is not licensed pursuant to this chapter. The amount of civil penalties, appeal,

and finality of such citations shall be subject to Sections 7028.7 to 7028.13, inclusive. **Any contract awarded to, or any purchase order issued to, as contractor who is not licensed pursuant to this chapter is void.**

- f) Any compliance or noncompliance with subdivision (e) of this section, as added by Chapter 863 of the Statutes of 1989, shall not invalidate any contract or bid awarded by a public agency during which time that subdivision was in effect.
- g) A public employee or officer shall not be subject to a citation pursuant to this section if the public employee, officer, or employing agency made an inquiry to the board for the purposes of verifying the license status of any person or contractor and the board failed to respond to the inquiry within three business days. For purposes of this section, a telephone response by the board shall be deemed sufficient.

*Public Contract Code § 20103.5:*

In all contracts subject to this part where federal funds are involved, no bid submitted shall be invalidated by the failure of the bidder to be licensed in accordance with the laws of this state. However, at the time the contract is awarded, the contractor shall be properly licensed in accordance with the laws of this state. The first payment for work or material under any contract shall not be made unless and until the Registrar of Contractors verifies to the agency that the records of the Contractors' State License Board indicate that the contractor was properly licensed at the time the contract was awarded. Any bidder or contractor not so licensed shall be subject to all legal penalties imposed by law, including, but not limited to, any appropriate disciplinary action by the Contractors' State License Board. The agency shall include a statement to that effect in the standard form of pre-qualification questionnaire and financial statement. **Failure of the bidder to obtain proper and adequate licensing for an award of a contract shall constitute a failure to execute the contract and shall result in the forfeiture of the security of the bidder.**

Contractors License Number: \_\_\_\_\_

License Expiration Date: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_

Date: \_\_\_\_\_

# City of Los Alamitos

## Agenda Report Consent Calendar

October 3, 2011  
Item No: 8D

**To:** Mayor Kenneth Stephens and Members of the City Council

**Via:** Jeffrey L. Stewart, City Manager

**From:** David Hunt, City Engineer  
Steven Mendoza, Director of Community Development

**Subject:** Approval of Plans and Specifications and Authorization to Bid for Katella Avenue Median Modifications at Chestnut Street

**Summary:** This report recommends actions to begin facilitating the construction of Katella Avenue Median Modifications at Chestnut Street.

### Recommendation:

1. Approve the plans and specifications for the construction of Katella Avenue Median Modifications at Chestnut Street; and,
2. Authorize staff to advertise and solicit bid proposals.

### Background

At its meeting of August 21, 2006, the City Council approved restriction of the westbound turn lane to Polly's commercial driveway on Katella Avenue between Wallingsford Road and Los Alamitos Boulevard.

Katella Avenue, in this location, provides three eastbound through lanes and one transitional exclusive right-turn lane between Wallingsford Road and Los Alamitos Boulevard. An issue develops during the period when traffic queues back-up in the through lanes from Los Alamitos Boulevard. Because of the volume of eastbound through traffic demand, less demand exists in the exclusive right-turn lane and vehicles continue to move within that lane. Vehicles stopped in the eastbound through lanes generally obscure recognition between drivers turning left and drivers in the fourth eastbound lane. During 2005, a total of 16 collisions were reported between westbound left-turns and vehicles in the fourth eastbound lane.

The traffic analysis for the CVS project reviewed the issue of left-turns into the site from Katella Avenue, storage requirements, circulation issues, etc. The study concluded the eastbound left-turn lane at Chestnut Street could remain open and be integrated into the median island plan without impacting left-turn capacity for Walnut Avenue/Wallingsford

Road or Los Alamitos Boulevard. Staff had reviewed the report and has concurred with the findings. At its meeting of October 6, 2008 the City Council approved maintaining the existing eastbound left-turn opening at Chestnut Street. Since that time, the City has had temporary barriers in place to alleviate the situation.

## Discussion

The Katella Avenue median modifications at Chestnut Street plan have been completed by the City's Traffic Engineering firm of Hartzog & Crabill, Inc. and are ready to go out to bid.

The following is an approximate timeline for the completion of the project:

- 10/3/11 Approval of plans & specifications by the City Council
- 10/05/11 Advertise project
- 10/26/11 Bid opening
- 11/7/11 Award of Contract
- 11/14/11 Start of construction
- 12/2/11 End of construction

## Fiscal Impact

\$20,000 was budgeted in the 2008/2009 CIP projects are under Katella Median Modifications at Chestnut Street out of the Traffic Improvement Fund. The construction estimate for this project is \$17,300.00.

Prepared By:



David Hunt, PE  
City Engineer  
Development

Reviewed By:



Steven Mendoza  
Director of Community

Approved By:



Jeffrey L. Stewart  
City Manager

*Attachments: 1) Plans and Specifications are available for review in the City Clerk's Office  
2) Site Plan – Katella Ave. and Chestnut Ave.*

# **PLANS AND SPECIFICATIONS**

**Available for Review**

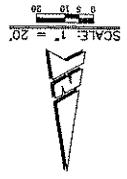
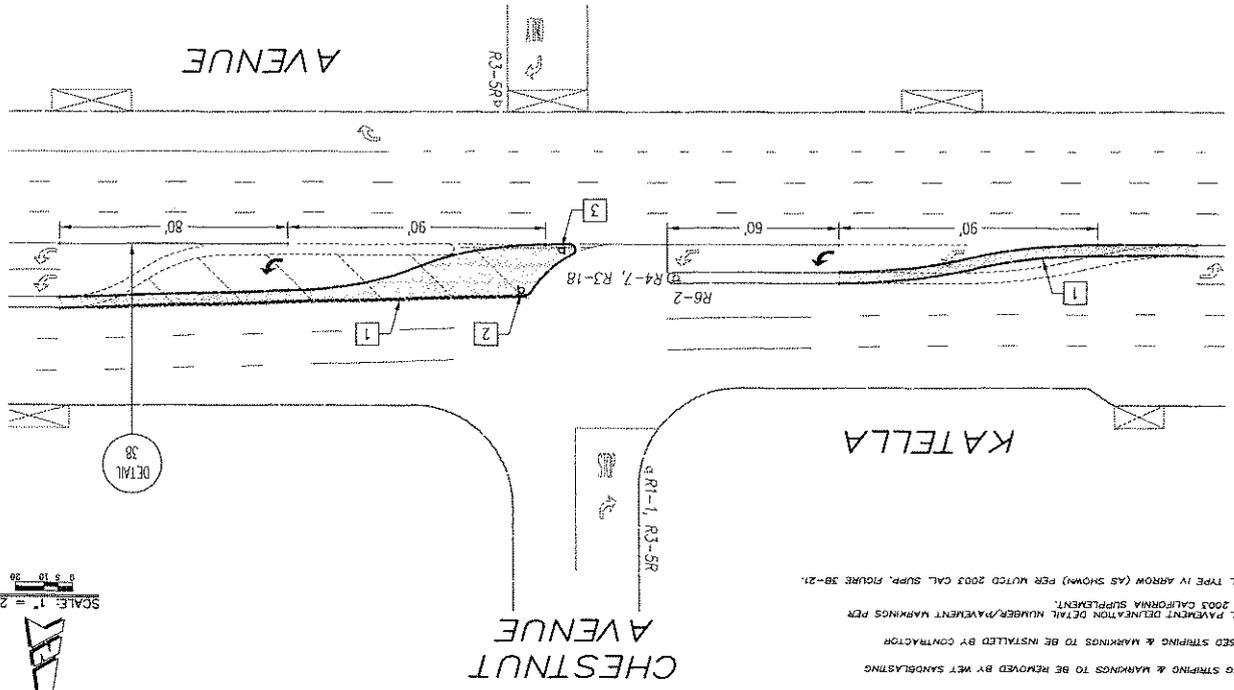
**In the City Clerk's**

**Office**

Sheet 1 of 1		CITY OF LOS ALAMITOS Katella Avenue and Chestnut Avenue SIGNING & STRIPING PLAN		Approved: _____ Prepared Under the Supervision of: _____ DATE: _____ R.C. No. C032827 (Exp. 12-31-06) Drawn By: O.M.K. Checked By: O.M.K. Date: 02/03/06		HARTZOG & CRAWBILL Inc. Consulting Traffic Engineers 175 Camino del Rio South Suite 2000 San Diego, CA 92108 www.hartzog-crawbill.com		REVISIONS No. Date Description _____ _____ _____		REFERENCES _____ _____ _____	
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- GENERAL NOTES:**
- TRAFFIC STRIPES, PAVEMENT MARKING, RAISED PAVEMENT MARKERS AND SIGNS PER THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD 2003 CALIFORNIA SUPPLEMENT).
  - ALL STRIPING AND PAVEMENT MARKINGS SHALL BE MARKED OUT, INSPECTED AND APPROVED BY THE CITY PRIOR TO INSTALLATION.
  - PAINTED TRAFFIC STRIPES AND PAVEMENT MARKINGS (IF ALLOWED) SHALL BE APPLIED IN TWO COATS, PAVEMENT MARKINGS SHALL BE APPLIED IN THERMOPLASTIC FORMAT UNLESS APPROVED OTHERWISE.
  - ALL CONFLICTING STRIPES AND PAVEMENT MARKINGS SHALL BE REMOVED BY WET SANDBLASTING OR GRINDING, CONFLICTING SIGNS AND RAISED PAVEMENT MARKINGS SHALL BE REMOVED.
  - NEW SIGNS SHALL BE HIGH INTENSITY WITH GRAFTRIM FILM 118Q.
  - ALL REMOVED SIGNS SHALL BE SALVAGED AND DELIVERED TO THE CITY YARD AS DIRECTED BY THE CITY INSPECTOR.
  - ALL WORK SHALL BE DONE BY THE CONTRACTOR.
- CONSTRUCTION NOTES:**
- INSTALL MEDIAN ISLAND AS SHOWN.
  - INSTALL R3-2 SIGN AND POST.
  - INSTALL R4-7, OMT-3 & R6-2 SIGNS AND POST.



- LEGEND:**
- EXISTING STRIPING & MARKINGS TO REMAIN
  - EXISTING STRIPING & MARKINGS TO BE REMOVED BY WET SANDBLASTING
  - PROPOSED STRIPING & MARKINGS TO BE INSTALLED BY CONTRACTOR
  - MUTCD 2003 CALIFORNIA SUPPLEMENT
  - INSTALL PAVEMENT DELINEATION DETAIL NUMBER/PAVEMENT MARKINGS PER
  - INSTALL TYPE IV ARROW (AS SHOWN) PER MUTCD 2003 CAL. SUPP. FIGURE 3B-21.

# City of Los Alamitos

## Agenda Report Public Hearing

October 3, 2011  
Item No: 9A

**To:** Mayor Kenneth Stephens & Members of the City Council

**Via:** Jeffrey L. Stewart, City Manager

**From:** Steven A. Mendoza, Director of Community Development

**Subject:** General Plan Amendment, Zoning Ordinance Amendment, Annexation Initiation, and Property Tax Resolution to Annex eight Long Beach Parcels (7078-019-005, 006, 007, 009, 010, 011, 906 & 907) in conjunction with Area 7 of Local Agency Formation Commission Boundary Adjustment

**Summary:** Consideration to annex eight Long Beach parcels into the City of Los Alamitos and adopt necessary Resolutions and an Ordinance to pre-zone the parcels. The parcels are located in the College Park North area of Los Alamitos adjacent to Stansbury Park on Toland Avenue.

### Recommendation:

1. Conduct a Public Hearing; and,
2. Adopt City Council Resolution No. 2011-18, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADOPTING GENERAL PLAN AMENDMENT 11-02, TO ESTABLISH GENERAL PLAN DESIGNATIONS FOR PARCELS 7078-019-005, 006, 007, 009, 010, 011, 906 & 907 (STANSBURY PARK AREA) IN CONJUNCTION WITH AREA SEVEN (7) OF THE PROPOSED LAFCO BOUNDARY ADJUSTMENT."
3. Waive reading in full and authorize reading by title only of Ordinance No. 11-08, and set for second reading; and,
4. Mayor Stephens read the title of City Council Ordinance No. 11-08, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADOPTING ZONING ORDINANCE AMENDMENT 11-03 TO PRE-ZONE PARCELS 7078-019-005, 006, 007, 009, 010, 011, 906 & 907 (STANSBURY PARK AREA) IN CONJUNCTION WITH AREA SEVEN (7) OF THE PROPOSED LAFCO BOUNDARY ADJUSTMENT."

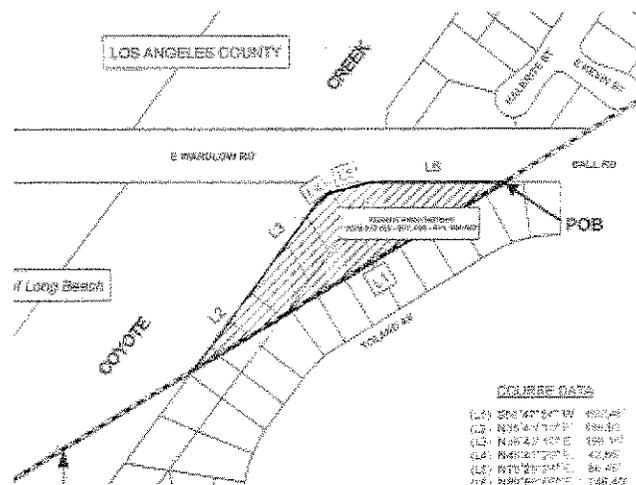
5. Adopt City Council Resolution No. 2011-19, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, MAKING APPLICATION TO AND REQUESTING THE LOCAL AGENCY FORMATION COMMISSION OF ORANGE COUNTY TAKE PROCEEDINGS PURSUANT TO THE CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000 FOR THE CITY OF LOS ALAMITOS TO ANNEX 1.29 ACRES OF PROPERTY (EIGHT LONG BEACH PARCELS 7078-019-005, 006, 007, 009, 010, 011, 906 & 907) AND FILE ANNEXATION NO. 2011-01."
6. Adopt City Council Resolution No. 2011-17 entitled "A RESOLUTION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING PROPERTY TAX ALLOCATION FOR ALL AFFECTED AGENCIES REGARDING THE COUNTY BOUNDARY REORGANIZATION FOR THE STANSBURY PARK AREA OF THE CITY OF LOS ALAMITOS"

## Background

In 2008, the Orange County Local Agency Formation Commission (OC LAFCO) released a study regarding inconsistent city/county boundaries adjacent to the Coyote Creek. While Coyote Creek would be an effective boundary between the three jurisdictions, many jurisdictional lines jog back and forth across Coyote Creek. The 2008 report entitled, "Orange/Los Angeles Boundary Report", provided an initial overview of potential adjustment to the Orange County/Los Angeles County boundaries and detailed the issue of illogical boundaries.

The 2008 report highlighted three areas between the City of Long Beach and the City of Los Alamitos. The areas were cited to be confusing in regards to delivery of municipal services, residential development, and in some cases individual parcels split between two cities and two counties. Two areas were removed from consideration and one area, the Stansbury Park area, remains up for consideration. This staff report presents actions related to the boundary adjustment including:

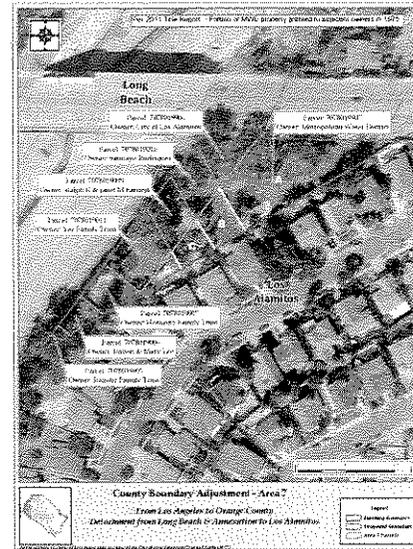
1. General Plan Designations
2. Zoning Designations
3. Resolution of Intent
4. Property Tax Resolution



Throughout this process, the City has been supportive of creating logical boundaries for this area bringing the rear yards of these properties into the same city and the same county. Illogical city boundaries offer confusion to all taxing entities.

## General Plan Designations

Prior to the City Council's decision regarding annexation of the area, a pre-zoning of Stansbury Park Area properties was required. The Planning Commission adopted Resolution No. 11-15, which recommended that the residential properties be zoned Single Family Residential (R-1) and the park properties be zoned Community Facilities (C-F). This process is referred to as pre-zoning. As to the General Plan designation changes, the subject properties are fully developed with single-family residences in accordance with the Single Family Residential designation. The existing park areas are undeveloped and will not be developed in the proposed Community Institutional designation.



With the Planning Commission's recommendation in mind, the City Council will consider Resolution 2011-18, to solidify the General Plan designation and Ordinance 11-08, to solidify a zoning designation.

The proposed General Plan and zoning designations would ensure and maintain internal consistency with the actions, goals, objectives, and policies of the General Plan, and would not create any inconsistencies with the Zoning Code as described below.

Applicable <i>General Plan</i> Implementing Goals and Policies	Consistency of Proposed Project
<b>LAND USE ELEMENT</b>	
<b>Goal 1:</b> Preserve and promote land uses which reflect Los Alamitos' small-town character with due regard for economic development and future growth potential.	<u>Consistent.</u> The proposed project includes establishing the City's Single Family Residential designation which allows for 1 unit per parcel and would not increase density within the area. The proposed project is located within an established site in an urbanized area, consistent with the existing on-site and surrounding established land use patterns. No expansion beyond the existing property boundaries would occur with the proposed project.
<b>Goal 2:</b> Preserve and enhance the quality of the City's residential neighborhoods.	<u>Consistent.</u> The proposed project includes establishing the City's Single Family Residential designation which allows for 1 unit per parcel and would not increase density within the area. The proposed project is located within an established site in an urbanized area, consistent with the existing on-site and surrounding established land use patterns. No expansion beyond the existing property boundaries would occur with the proposed project.
<b>Goal 3:</b> Promote and upgrade the quality of the City's commercial, industrial, and open space areas.	<u>Consistent.</u> The proposed project includes a portion of Stansbury Park and would increase the square footage of parks within the City's boundaries and increase the ratio of parks per resident.
<b>Policy 1-1.3:</b> Maintain consistency among General Plan Policies and Programs, the Zoning Ordinance, and related development regulations.	<u>Consistent.</u> The proposed project, unless approved, would remain inconsistent with neighboring properties. Therefore, the project, if approved would allow the current homeowners to have properties of consistent zoning and enforceable by one City's Zoning ordinance.
<b>Policy 1-4.3:</b> Consider General Plan Policies and Programs in making land use decisions.	<u>Consistent.</u> This table provides a review of applicable <i>General Plan</i> policies and programs.
<b>SAFETY ELEMENT</b>	
<b>Goal One:</b> Protect residents and property from natural disasters, fire, and crime.	<u>Consistent.</u> The proposed project will remove a confusion of service delivery as the parcel would now be identified as Los Alamitos parcels and would be serviced by the City of Los Alamitos instead of serviced by Long Beach which has challenges in delivering services on the east side of Coyote Creek.

## **Zoning Designations**

The proposed pre-zone replaces the Long Beach Zoning Designations of R-1-N (Normal) to Los Alamitos R-1 (Single Family Residential) and Community Facilities (C-F) for the Park. The existing zoning district standards and regulations would be replaced with the proposed standards and would not change the development standards in the areas of allowable uses, temporary uses and special events, conditional uses, intensity, general development standards, height, setbacks, building separation, landscaping requirements, fencing, parking requirements, signage, and development standards modifications. Unlike most ordinances which take effect within 30 days of 2<sup>nd</sup> reading, Zoning Ordinance 11-08 will not take effect until after OC LAFCO completes its process.

## **Resolution of Intention**

A separate action is the initiation of annexation via a City Council Resolution. Staff and OC LAFCO have collectively drafted Resolution 2011-19 which files an application with the OC LAFCO for consideration and directs OC LAFCO to take the proper proceedings towards annexing the areas into our City. The County process is almost complete. Both Counties have adopted the Ordinances required for the change. The only remaining item is for the County of Orange to conduct second reading of the ordinance which is scheduled for October 18, 2011. During the process, staff has kept the residents informed and has invited them to each hearing. The Resolution of Intention solidifies the Council's support for the Annexation and will be forwarded to OC LAFCO as it has requested. OC LAFCO will then take the proper proceedings towards annexing the area into our City.

## **Property Tax Resolution**

With any annexation, in this case the Boundary Change, both the City of Los Alamitos and County of Orange need to adopt substantially similar property tax resolutions. The resolution states how property taxes will be allocated upon annexation. Typically in an annexation of unincorporated territory, the County shares a percentage of the property taxes with a city, as the annexing city will now be taking over municipal services, etc. However, for this particular annexation, the territory is being transferred from one jurisdiction to another (Long Beach to Los Alamitos). This approach allows that neither the City nor County will financially gain or lose as a result of the boundary change.

## **Resident Concerns**

During the various hearings, Toland Avenue residents have expressed concerns regarding changing the boundaries. Their letters are attached and staff has outlined the concerns below.

Concern	Response
<p>Area 7 Map provided by LAFCO indicates that the large triangular shaped lot owned by MWD cuts through residential property.</p>	<p>To understand more information about this property, a title report was ordered which clarified that portions of the MWD property were granted to adjacent property owners in 1975 as follows:</p> <ol style="list-style-type: none"> <li>1. Also excepting that portion thereof as granted to William W.B. Yee and Audrey Yee, by that Grant Deed recorded November 24, 1975 as Instrument No. 3350, Official Records.</li> <li>2. Also excepting that portion thereof as granted to Charles S. Hougham and Lorraine F. Hougham, by that Grant Deed recorded December 8, 1975 as Instrument No. 2215, Official Records.</li> <li>3. Also excepting that portion thereof as granted to Ralph R. Earnest and Janet M. Earnest, by that Grant Deed recorded December 8, 1975 as Instrument No. 3442, Official Records.</li> </ol>
<p>Area residents expressed concern of how their LA County documents will be transferred appropriately to the County of Orange. Their deeds and trusts are currently recorded in the County of Los Angeles and they would like assurances that the documents will make it to the County free of charge.</p>	<p>Los Angeles County staff has indicated a willingness to work with the Los Angeles County Registrar-Recorder to process gratis to coincide with Orange County's Board resolution which stated "waive any fee charges or other consideration related to the processing of the boundary change".</p>
<p>Residents are concerned this action would combine the lots into one lot or change their lots.</p>	<p>Approval of the pre-zoning or annexation does not impact the shape or configuration of lot lines. The size of the lots will not change. The number of lots will not change and no lot lines will be moved</p>
<p>Residents are concerned that property tax may increase when the Los Angeles County Parcels come into the County of Orange.</p>	<p>Orange County Assessor issued a letter which provides assurance that the City's actions will not trigger property reassessment. Discussions with Orange County officials have verified that individual parcels that are currently within Orange County will not be reassessed. The subject parcels will be subject to review by the Assessor, Auditor Controller, and the State Board of Equalization. Such a review will occur by those agencies once the City Council, and Board of Supervisor have completed their submittal.</p>

Annexation of these parcels into Los Alamitos simplifies a situation that has existed since the 1960's and the correction of the boundaries is good governance. This action will correct the fact that property owners properties will be in one city and one county instead of the bifurcated manner in which they exist today.

### CEQA Environmental Review

Staff has reviewed the proposed pre-zone and annexation within the City's CEQA Guidelines. Staff has concluded that the annexation is exempt from CEQA review pursuant to Section 15061(b)(3) and Section 15320, of the State CEQA Guidelines. It can be seen with certainty that the annexation will not have a significant effect on the environment and since the annexation consists of changes in the reorganization of local governmental agencies where such changes do not affect the geographical area in which the previously existing powers were exercised.

Staff is recommending the City Council find the annexation of the Property to the City of Los Alamitos is exempt from further CEQA review based on Sections 15061 (b)(3) and 15320, of the State CEQA Guidelines for the reasons stated above and authorize the Community Development Director to file a Notice of Exemption with the Orange County Clerk Recorder in conformance with this finding.

## **Fiscal Impact**

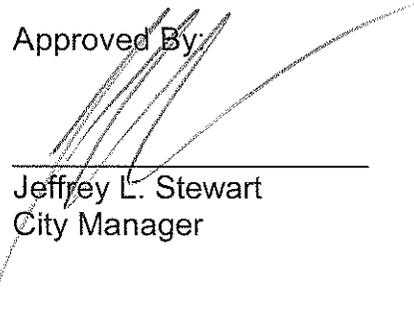
None.

Submitted By:



Steven Mendoza  
Director of Community Development

Approved By:



Jeffrey L. Stewart  
City Manager

### *Attachments:*

- 1. Original LAFCO Request for Boundary Adjustment*
- 2. Letter from Orange County Assessor*
- 3. Letter from LAFCO*
- 4. Letters from area residents to the Planning Commission*
- 5. City Council Resolution No. 2011-18 - General Plan Designation*
- 6. City Council Ordinance No. 11-08 - Zoning Designation*
- 7. City Council Resolution No. 2011-19 - Making Application for Annexation*
- 8. City Council Resolution No. 2011-17 - Property Tax Allocation*
- 9. Planning Commission Minutes and Staff Report for May 9, 2011*
- 10. Planning Commission Minutes and Staff Report for July 11, 2011*
- 11. Planning Commission Minutes and Staff Report for August 22, 2011*
- 12. Planning Commission Resolution 11-15*



March 3, 2011

The Honorable Kenneth Stephens  
 Mayor  
 City of Los Alamitos  
 3191 Katella Avenue  
 Los Alamitos, CA 90720

CHAIR  
**JOHN MOORLACH**  
 Supervisor  
 2<sup>nd</sup> District

VICE CHAIR  
**CHARLEY WILSON**  
 Director  
 Santa Margarita  
 Water District

**PAT BATES**  
 Supervisor  
 5<sup>th</sup> District

**PETER HERZOG**  
 Councilmember  
 City of Lake Forest

**SUSAN WILSON**  
 Representative of  
 General Public

**JOHN WITHERS**  
 Director  
 Irvine Ranch Water District

ALTERNATE  
**BILL CAMPBELL**  
 Supervisor  
 3<sup>rd</sup> District

ALTERNATE  
**JAMES FISLER**  
 Director  
 Mesa Consolidated  
 Water District

ALTERNATE  
**DEREK J. MCGREGOR**  
 Representative of  
 General Public

ALTERNATE  
**BOB RING**  
 Councilmember  
 City of Laguna Woods

**JOYCE CROSTHWAITE**  
 Executive Officer

**SUBJECT:** Potential Boundary Adjustments Between Orange  
 and Los Angeles Counties

Dear Mayor Stephens:

As you are aware, the OC LAFCO staff has been working collaboratively with the staff of the Cities of Los Alamitos, Seal Beach, and Long Beach, and the Counties of Orange and Los Angeles on potential county boundary adjustments involving uninhabited areas located along the Los Coyotes Flood Control Channel. The purpose of the proposal is to more closely align the border between the two counties with the Coyote Creek Flood Channel which will allow for better service delivery and improved public safety for these areas. All three affected cities have adopted resolutions in support of the boundary changes and on March 1, 2011, the Orange County Board of Supervisors approved a resolution formally initiating the adjustment of seven (7) areas. The Los Angeles County Board of Supervisors is expected to also consider the boundary adjustment proposal in late March/early April.

Following the adjustment of the county boundaries, additional action by Orange and Los Angeles LAFCOs will be needed to annex the affected territories to their respective cities. As part of this process, the statute that governs LAFCOs (Cortese-Knox-Hertzberg Reorganization Act of 2000) requires that the city adding territory to its boundary "prezone" and identify the proposed land use designations for the affected territory prior to consideration by our Commission. This action is required with all changes in organization reviewed by LAFCO and will be one of the final steps of this collaborative process of creating a more logical boundary along the flood control channel.

We appreciate the participation and support of your City on this effort and should you have any questions regarding this matter, please feel free to contact LAFCO staff, Joyce Crosthwaite ([jcrosthwaite@oclafco.org](mailto:jcrosthwaite@oclafco.org)) or Carolyn Emery ([cemery@oclafco.org](mailto:cemery@oclafco.org)) at (714) 834-2556.

Best Regards,

  
John Moorlach  
Chair, Orange County LAFCO

  
Joyce Crosthwaite  
Executive Officer

cc: Jeff Stewart, City of Los Alamitos  
Steven Mendoza, City of Los Alamitos

Civic Center Plaza, Building 11  
625 N. Ross Street  
P.O. Box 149  
Santa Ana, CA 92701-5564



WEBSTER J. GUILLORY  
COUNTY ASSESSOR

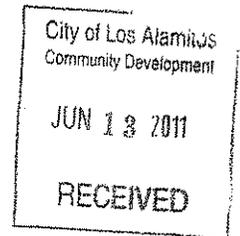
Telephone: (714) 834-2727  
FAX: (714) 558-0681  
[www.ocgov.com/assessor](http://www.ocgov.com/assessor)

ESTABLISHED 1889

OFFICE OF THE ASSESSOR

June 9, 2011

Mr. Steven Mendoza  
Community Development Director  
City Of Los Alamitos  
3191 Katella Avenue  
Los Alamitos, CA 90720-5600



Subject: LAFCO Boundary Adjustment

Dear Mr. Mendoza:

We received your letter of May 24, 2011, regarding the property assessment for some parcels that may be impacted by a proposed boundary adjustment between the Orange County and Los Angeles County.

The property assessment is mandated and governed under the California Constitution and the Revenue and Taxation Code (R&T Code). Under Proposition 13, real properties are "reassessed" only when there is a change in ownership (transfer) or a new construction. A jurisdiction boundary change only, would not trigger a "reassessment" requirement.

However, based on the information provided on your letter, the Orange County Assessor Department will need to review information from the Los Angeles County Assessor Department to evaluate how the assessed value may or may not be impacted. For example, some of these parcels that belong to the same owners are separated by land owned by the Metropolitan Water District. We will need to review how these parcels are currently assessed and valued before we can properly enroll them on the Orange County Assessment Roll, in compliance with the State Constitution and the R&T Code.

In addition, please note that the tax rates may be impacted due to the boundary change, resulting in changes on how the taxes are calculated.

Please call me at 714-834-2733 if you have any questions.

Sincerely,

WEBSTER J. GUILLORY  
County Assessor

by   
Shaw Lin  
Manager, Management Services

Act: Webster J. Guillory, Assessor  
Joyce Crosthwaite, LAFCO Executive Officer  
Frank Kim, CEO Budget Director



CHAIR  
**JOHN MOORLACH**  
 Supervisor  
 2<sup>nd</sup> District

VICE CHAIR  
**CHARLEY WILSON**  
 Director  
 Santa Margarita  
 Water District

**PAT BATES**  
 Supervisor  
 5<sup>th</sup> District

**PETER HERZOG**  
 Councilmember  
 City of Lake Forest

**SUSAN WILSON**  
 Representative of  
 General Public

**JOHN WITHERS**  
 Director  
 Irvine Ranch Water District

ALTERNATE  
**BILL CAMPBELL**  
 Supervisor  
 3<sup>rd</sup> District

ALTERNATE  
**JAMES FISLER**  
 Director  
 Mesa Consolidated  
 Water District

ALTERNATE  
**DEREK J. MCGREGOR**  
 Representative of  
 General Public

ALTERNATE  
**BOB RING**  
 Councilmember  
 City of Laguna Woods

**JOYCE CROSTHWAITE**  
 Executive Officer

September 28, 2011

Jeff Stewart  
 City Manager  
 City of Los Alamitos  
 3191 Katella Avenue  
 Los Alamitos, CA 90720

**SUBJECT:** Los Alamitos County Boundary Reorganization

Dear Mr. Stewart:

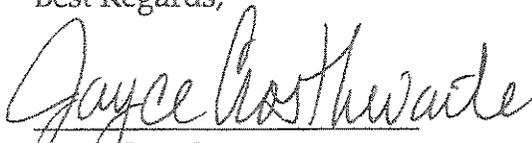
As you are aware, OC LAFCO has been working collaboratively with the Cities of Los Alamitos, Seal Beach, and Long Beach on the potential realignment of jurisdictional boundaries along the Los Coyotes Flood Control Channel. LAFCO has been contacted by staff from the City of Los Alamitos asking for clarity regarding the potential reassessment of properties upon annexation.

A change of organization or reorganization (such as an annexation) to an agency's jurisdictional boundary does not trigger the reassessment of a property's value (California Constitution Article 13a).

The assessment or reassessment of property is governed by California State Constitution. The law identifies two "triggers" of reassessment: (1) change of ownership or (2) new construction. If you have any additional questions regarding reassessment, please contact the Orange County Assessor.

Please contact me or Benjamin Legbandt with any questions regarding the proposed annexation.

Best Regards,

  
 Joyce Crosthwaite  
 Executive Officer

Ralph and Janet Earnest  
3681 Toland Avenue  
Los Alamitos, CA 90720  
1-562-431-6471

April 29, 2011

Steven A. Mendosa  
Community Development Director  
City of Los Alamitos, California

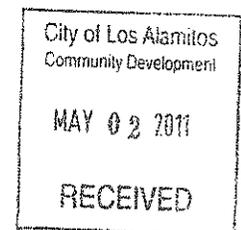
Dear Mr. Mendosa:

Thank you for the opportunity to respond to the proposed change in the boundry between Los Alamitos/Orange County and Long Beach/Los Angeles County.

Pleased be advised that we are strongly against any change in the boundry.

Sincerely,

*Ralph Earnest Janet Earnest*



April 25, 2011

Steven A. Mendoza  
Community Development Director  
City of Los Alamitos  
3191 Katella Avenue  
Los Alamitos, California 90720

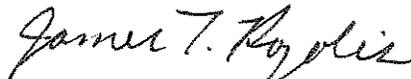
Dear Mr. Mendoza:

Thank you for taking the time to meet with us last week to discuss the proposed change in the county/city boundaries affecting our properties.

Each of our properites, for the past forty years, have a parcel in Orange County and a parcel in Los Angeles County. This does **not** include a third parcel in Orange County where our homes are located. Thus, there is one parcel within the County of Los Angeles and two within the County of Orange for each family.

We prefer to **leave the boundaries as they presently exist** and see **no reason for any changes**. Our fear is that an alteration of any boundary would lead to the reassessment of all these parcels resulting in an increase in property taxes. Also, it might lead to legal difficulties when the properties are inherited or sold.

Thank you for your attention to this matter.



Sincerely yours,



James T. Rozolis  
Frances P. Rozolis



Mary Lee

3641 Toland Avenlue  
Los Alamitos, Ca. 90720

3651 Toland Avenue  
Los Alamitos, Ca. 90720

City of Los Alamitos  
Community Development

APR 27 2011

RECEIVED

April 26, 2011

Dear Mr. Mendoza,

As a follow-up to my phone call to your office on April 25, 2011, I am writing this letter to document my response to your letter dated April 19, 2011 informing me that the City of Los Alamitos is considering a change in the City boundaries that may impact my property. The intent of the change is to bring the rear portion of my property, presently located in the City of Long Beach and County of Los Angeles, into the City of Los Alamitos and the County of Orange.

I am definitely against this change as this could affect my property tax situation. The City of Los Alamitos is not able to assure me that my property would not be open to reassessment by the County of Orange. I am perfectly satisfied to continue to pay my property taxes to each County. Additionally, more paper work and cost would be necessary to modify my grant deeds for the changes.

I see no benefits to me for this change and in fact could complicate my current property tax situation as a result.

I hope my negative response will result in cessation of the action by our City. Thank you for enabling me to reflect my views on this subject matter.

Sincerely,



William W.B. Yee

**RESOLUTION NO. 2011-18****A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADOPTING GENERAL PLAN AMENDMENT 11-02, TO ESTABLISH GENERAL PLAN DESIGNATIONS FOR PARCELS 7078-019-005, 006, 007, 009, 010, 011, 906 & 907 (STANSBURY PARK AREA) IN CONJUNCTION WITH AREA SEVEN (7) OF THE PROPOSED LAFCO BOUNDARY ADJUSTMENT**

**WHEREAS**, on May 17, 2010, the City Council of the City of Los Alamitos adopted resolution No. 2010-04, which initiated a Joint Boundary Adjustment Process between the cities of Seal Beach, Long Beach, Los Alamitos, the County of Los Angeles, and the County of Orange; stated support of the County Boundary Adjustment; and, requested the Orange County Board of Supervisors formally initiate the process pursuant to Government Code Section 23200 et seq.; and,

**WHEREAS**, On March 3, 2011, Orange County Local Agency Formation Commission (LAFCO) staff requested the City "pre-zone" and identify the proposed land use designation for the affected territory being annexed to the City prior to consideration by LAFCO; and,

**WHEREAS**, on March 14, 2011, the City of Los Alamitos Planning Commission initiated a pre-zone application on 37.84 acres, as identified on Exhibit A, and as depicted on the attached map as 1.29 acre Stansbury Park Area and a 36.53 acre area adjacent to I-605 Freeway south of Katella Avenue, located in the City of Long Beach, to pre-zone the areas consistent with the Los Alamitos General Plan and respective land use designations; and,

**WHEREAS**, on April 5, 2011, the City of Long Beach voted to retain the 36.53 acre area within its boundaries and this area is therefore no longer part of the boundary adjustment project; and,

**WHEREAS**, on April 11, 2011, the Los Alamitos Planning Commission conducted a public hearing to obtain input from residents impacted by this project; and,

**WHEREAS**, on August 22, 2011, the City of Los Alamitos Planning Commission adopted Resolution No. 11-15 pre-zoning various parcels (including portions A, B, C and D of parcel 7078-019-907) related to this action; and,

**WHEREAS**, on October 3, 2011, the Los Alamitos City Council held a duly-noticed public hearing and after consideration of all applicable staff reports and all testimony, and evidence presented at the public hearing, the Los Alamitos City Council does hereby concur with the Planning Commission findings of fact for the proposed General Plan Designations as required by Los Alamitos Municipal Code Section 17.70.050:

- A. The proposed General Plan Amendment would ensure and maintain internal consistency with the actions, goals, objectives, and policies of the General Plan, and would not create any inconsistencies with the goals and policies described as follows:

Applicable General Plan Implementing Goals and Policies	Consistency of Proposed Project
<b>LAND USE ELEMENT</b>	
<b>Goal 1:</b> Preserve and promote land uses which reflect Los Alamitos' small-town character with due regard for economic development and future growth potential.	<u>Consistent.</u> The proposed project includes establishing the City's Single Family Residential designation which allows for 1 unit per parcel and would not increase density within the area. The proposed project is located within an established site in an urbanized area, consistent with the existing on-site and surrounding established land use patterns. No expansion beyond the existing property boundaries would occur with the proposed project.
<b>Goal 2:</b> Preserve and enhance the quality of the City's residential neighborhoods.	<u>Consistent.</u> The proposed project includes establishing the City's Single Family Residential designation which allows for 1 unit per parcel and would not increase density within the area. The proposed project is located within an established site in an urbanized area, consistent with the existing on-site and surrounding established land use patterns. No expansion beyond the existing property boundaries would occur with the proposed project...
<b>Goal 3:</b> Promote and upgrade the quality of the City's commercial, industrial, and open space areas.	<u>Consistent.</u> The proposed project includes a portion of Stansbury Park and would increase the square footage of parks within the City's boundaries and increase the ratio of parks per resident.
<b>Policy 1-1.3:</b> Maintain consistency among General Plan Policies and Programs, the Zoning Ordinance, and related development regulations.	<u>Consistent.</u> The proposed project, unless approved, would remain inconsistent with neighboring properties. Therefore, the project, if approved would allow the current homeowners to have properties of consistent zoning and enforceable by one City's Zoning ordinance.
<b>Policy 1-4.3:</b> Consider General Plan Policies and Programs in making land use decisions.	<u>Consistent.</u> This table provides a review of applicable <i>General Plan</i> policies and programs.
<b>SAFETY ELEMENT</b>	
<b>Goal One:</b> Protect residents and property from natural disasters, fire, and crime.	<u>Consistent.</u> The proposed project will remove a confusion of service delivery as the parcel would now be identified as Los Alamitos parcels and would be serviced by the City of Los Alamitos instead of serviced by Long Beach which has challenges in delivering services on the east side of Coyote Creek.

- B. That the proposed General Plan designations will not adversely affect the public convenience, health, interest, safety, or welfare of the City; as the designations will impose the same standards as the primary parcels of the existing homes within the area ensuring that any development will not be detrimental to the public or general welfare of persons residing or working in the vicinity of the area.
- C. The proposed project has been reviewed in compliance with the California Environmental Quality Act ("CEQA"). Pursuant to CEQA, Section 15319 of the CEQA Guidelines, and the City's local guidelines within Section 15319 Class 19 Exemption. This action is an annexation or re-organization of existing facilities and existing structures developed pursuant to the current zoning and is therefore exempt from CEQA. It is further an annexation to the City of areas containing existing public or private structures developed to the density allowed by the current zoning or pre-zoning of either the attaching or detaching city, whichever is more restrictive and that any extension of utility services to the existing facilities would have a capacity to serve only the existing facilities. The subject properties are fully developed with single-family residences in accordance with the Single Family Residential designation and the existing park areas are undeveloped and will not be developed in the proposed Community Institutional designation. Existing infrastructure is already extended to the parcels, and provides service only to the parcels in question; therefore, the annexation would not result in the extension of utility services to serve additional properties.
- D. The approximate 1.29 acres of property are physically suitable (including provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested General Plan designation(s) and any anticipated land use development as it is currently used for residential and park uses within an established site in an urbanized area, consistent with the existing on-site and surrounding established land use patterns. No expansion beyond the existing property boundaries would occur with the proposed project.
- E. The proposed General Plan Amendment is internally consistent with other applicable provisions of the General Plan. Application of these designations is specifically intended to provide for the orderly development of the site and effective fulfillment of the project objectives, while protecting the health, safety, and welfare of the users, as well as those of the surrounding community.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1.** The Council of the City of Los Alamitos, California, finds that the above recitals are true and correct and are incorporated by reference herein.

**SECTION 2.** The Council of the City of Los Alamitos approves General Plan Amendment No. 11-02, to:

1. Establish General Plan designation of Single Family Residential for parcels 7078-019-005, 006, 007, 009, 010, 011 and portions B, C, & D of 7078-019-907 in accordance with Exhibit A. In taking this action, the City Council does not concede that the lots deeded from Metropolitan Water District in 1975 are legal or developable lots under the California Subdivision Map Act, Los Alamitos Zoning Code or the City's Subdivision section of the Municipal Code.
2. Establish General Plan designation of Community Institutional for parcels 7078-019-906 and Portion A of 7078-019-907 in accordance with Exhibit A.

**SECTION 3.** The City Council approves an amendment to the General Plan Map to reflect the designations in accordance with Section 2 above.

**SECTION 4.** The time in which to seek judicial review of this decision shall be governed by Code of Civil Procedure Section 1094.6.

**SECTION 5.** The City Clerk shall certify as to the adoption of this Resolution.

**PASSED, APPROVED, and ADOPTED this 3<sup>rd</sup> day of October, 2011.**

\_\_\_\_\_  
Kenneth Stephens, Mayor

ATTEST:

\_\_\_\_\_  
Jeffrey L. Stewart, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Sandra J. Levin, City Attorney

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) ss  
CITY OF LOS ALAMITOS )

I, Jeffrey L. Stewart, City Clerk of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council held on the 3<sup>rd</sup> day of October, 2011, by the following vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

---

Jeffrey L. Stewart, City Clerk

Per 2011 Title Report - Portion of MWD property granted to adjacent owners in 1975.



# Long Beach

Parcel: 7078019906  
Owner: City of Los Alamitos

Parcel: 7078019907  
Owner: Metropolitan Water District

Parcel: 7078019010  
Owner: Santiago Rodriguez

Parcel: 7078019009  
Owner: Ralph K & Janet M Earnest

Parcel: 7078019011  
Owner: Yee Family Trust

Parcel: 7078019007  
Owner: Hofheinz Family Trust

Parcel: 7078019006  
Owner: Robert & Mary Lee

Parcel: 7078019005  
Owner: Rozoliz Family Trust

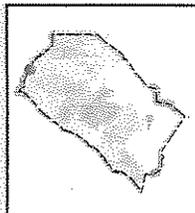
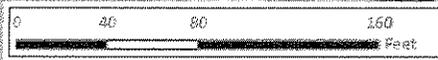
# Los Alamitos

A

B

C

D



## County Boundary Adjustment - Area 7

*From Los Angeles to Orange County  
Detachment from Long Beach & Annexation to Los Alamitos*

**Legend**

-  Existing Boundary
-  Proposed Boundary
-  Area 7 Parcels

**ORDINANCE NO. 11-08**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADOPTING ZONING ORDINANCE AMENDMENT 11-03, TO PRE-ZONE PARCELS 7078-019-005, 006, 007, 009, 010, 011, 906 & 907 (STANSBURY PARK AREA) IN CONJUNCTION WITH AREA SEVEN (7) OF THE PROPOSED LAFCO BOUNDARY ADJUSTMENT**

**WHEREAS**, on May 17, 2010, the City Council of the City of Los Alamitos adopted resolution No. 2010-04, which initiated a Joint Boundary Adjustment Process between the cities of Seal Beach, Long Beach, Los Alamitos, the County of Los Angeles, and the County of Orange; stated support of the County Boundary Adjustment; and, requested the Orange County Board of Supervisors formally initiate the process pursuant to Government Code Section 23200 et seq.; and,

**WHEREAS**, On March 3, 2011, Orange County Local Agency Formation Commission (LAFCO) staff requested the City "pre-zone" and identify the proposed land use designation for the affected territory being annexed to the City prior to consideration by LAFCO; and,

**WHEREAS**, on March 14, 2011, the City of Los Alamitos Planning Commission initiated a pre-zone application on 37.84 acres, as identified on Exhibit A, and as depicted on the attached maps as 1.29 acre Stansbury Park Area and a 36.53 acre area adjacent to I-605 Freeway south of Katella Avenue, located in the City of Long Beach, to pre-zone the areas consistent with the Los Alamitos General Plan and respective land use designations; and,

**WHEREAS**, on April 5, 2011, the City of Long Beach voted to retain the 36.53 acre area within its boundaries and this area is therefore no longer part of the boundary adjustment project; and,

**WHEREAS**, on April 11, 2011, the Los Alamitos Planning Commission conducted a public hearing to obtain input from residents impacted by this project; and,

**WHEREAS**, on August 22, 2011, the City of Los Alamitos Planning Commission adopted Resolution No. 11-15 pre-zoning various parcels related to this action; and,

**WHEREAS**, on October 3, 2011, the Los Alamitos City Council held a duly-noticed public hearing and after consideration of all applicable staff reports and all testimony, and evidence presented at the public hearing, the Los Alamitos City Council does hereby concur with the Planning Commission findings of fact for the proposed Pre-Zoning as required by Los Alamitos Municipal Code Section 17.70.050:

- A. The proposed Pre-zone and Zone Change would ensure and maintain internal consistency with the actions, goals, objectives, and policies of the General Plan, and would not create any inconsistencies with the Zoning Code described as follows:

Applicable <i>General Plan</i> Implementing Goals and Policies	Consistency of Proposed Project
<b>LAND USE ELEMENT</b>	
<b>Goal 1:</b> Preserve and promote land uses which reflect Los Alamitos' small-town character with due regard for economic development and future growth potential.	<u>Consistent.</u> The proposed project includes establishing the City's Single Family Residential designation which allows for 1 unit per parcel and would not increase density within the area. The proposed project is located within an established site in an urbanized area, consistent with the existing on-site and surrounding established land use patterns. No expansion beyond the existing property boundaries would occur with the proposed project.
<b>Goal 2:</b> Preserve and enhance the quality of the City's residential neighborhoods.	<u>Consistent.</u> The proposed project includes establishing the City's Single Family Residential designation which allows for 1 unit per parcel and would not increase density within the area. The proposed project is located within an established site in an urbanized area, consistent with the existing on-site and surrounding established land use patterns. No expansion beyond the existing property boundaries would occur with the proposed project..
<b>Goal 3:</b> Promote and upgrade the quality of the City's commercial, industrial, and open space areas.	<u>Consistent.</u> The proposed project includes a portion of Stansbury Park and would increase the square footage of parks within the City's boundaries and increase the ratio of parks per resident.
<b>Policy 1-1.3:</b> Maintain consistency among General Plan Policies and Programs, the Zoning Ordinance, and related development regulations.	<u>Consistent.</u> The proposed project, unless approved, would remain inconsistent with neighboring properties. Therefore, the project, if approved would allow the current homeowners to have properties of consistent zoning and enforceable by one City's Zoning ordinance.
<b>Policy 1-4.3:</b> Consider General Plan Policies and Programs in making land use decisions.	<u>Consistent.</u> This table provides a review of applicable <i>General Plan</i> policies and programs.
<b>SAFETY ELEMENT</b>	
<b>Goal One:</b> Protect residents and property from natural disasters, fire, and crime.	<u>Consistent.</u> The proposed project will remove a confusion of service delivery as the parcel would now be identified as Los Alamitos parcels and would be serviced by the City of Los Alamitos instead of serviced by Long Beach which has challenges in delivering services on the east side of Coyote Creek.

- B. That the proposed Pre-zone will not adversely affect the public convenience, health, interest, safety, or welfare of the City; as the Pre-zoning will impose the same zoning standards as the primary parcels of the existing homes within the area ensuring that any development will not be detrimental to the public or general welfare of persons residing or working in the vicinity of the area.
- C. The proposed project has been reviewed in compliance with the California Environmental Quality Act ("CEQA"). Pursuant to CEQA, Section 15319 of the CEQA Guidelines, and the City's local guidelines within Section 15319 Class 19 Exemption. This action is an annexation or re-organization of existing facilities and existing structures developed pursuant to the current zoning and is therefore exempt from CEQA. It is further an annexation to the City of areas containing existing public or private structures developed to the density allowed by the current zoning or pre-zoning of either the attaching or detaching city, whichever is more restrictive and that any extension of utility services to the existing facilities would have a capacity to serve only the existing facilities. The subject properties are fully developed with single-family residences in accordance with the R-1 designation and the existing park areas are undeveloped and will not be developed in accordance with the proposed C-F zoning designation. Existing infrastructure is already extended to the parcels, and provides service only to the parcels in question; therefore, the annexation would not result in the extension of utility services to serve additional properties.
- D. The approximate 1.29 acres of property are physically suitable (including provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designation(s) and any anticipated land use development as it is currently used for residential and park uses within an established site in an urbanized area, consistent with the existing on-site and surrounding established land use patterns. No expansion beyond the existing property boundaries would occur with the proposed project. The City of Los Alamitos Zoning Ordinance would enforce zoning standards.
- E. The proposed Pre-Zone/Zone Change is internally consistent with other applicable provisions of this zoning code. To ensure consistency between the proposed Pre-Zone and Zone Change existing zoning designations from the City's Zoning Ordinance have been established. More specifically, the proposed Zone Change would establish the boundaries and replace the Long Beach Zoning Designations of R-1 N (Normal) to Los Alamitos R-1 (Single Family Residential) and Community Facilities (CF) for the Park space. Additionally, the existing zoning district standards and regulations would be replaced with the proposed development standards which would not change the development standards for the area, such as allowable uses, temporary uses and special events, conditional uses, intensity, general development

standards, height, setbacks, building separation, landscaping requirements, fencing, parking requirements, signage, and development standards modifications. Application of these regulations is specifically intended to provide for the orderly development of the site and effective fulfillment of the project objectives, while protecting the health, safety, and welfare of the users, as well as those of the surrounding community.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1.** The Council of the City of Los Alamitos, California, finds that the above recitals are true and correct and are incorporated by reference herein.

**SECTION 2.** The Council of the City of Los Alamitos approves Zoning Ordinance Amendment No. 11-03, to:

1. Establish a pre-zone of parcels 7078-019-005, 006, 007, 009, 010, 011 and portions B, C, & D of 7078-019-907 from Long Beach R-1 N (Normal) to Los Alamitos R-1 (Single Family Residential) in accordance with Exhibit A.
2. Establish a pre-zone of parcels 7078-019-906 and Portion A of 7078-019-907 from Long Beach R-1 N (Normal) to Los Alamitos C-F (Community Facilities) in accordance with Exhibit A.

**SECTION 3.** The City Council approves an amendment to the Zoning Map to reflect the zoning designations in accordance with Section 2 above.

**SECTION 4.** If any section, subsection, subdivision, sentence, clause, phrase, or portion of the Ordinance for any reason is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Chapter. The City Council hereby declares that it would have adopted the Chapter, and each section, subsection, sub division, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

**SECTION 5.** The time in which to seek judicial review of this decision shall be governed by Code of Civil Procedure Section 1094.6.

**SECTION 6.** The City Clerk shall certify as to the adoption of this Ordinance and shall cause a summary thereof to be published within fifteen (15) days of the adoption and shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code 36933. This Ordinance shall take effect upon completion of the annexation determination by OC LAFCO.

PASSED, APPROVED, and ADOPTED this 17<sup>th</sup> day of October, 2011.

\_\_\_\_\_  
Kenneth Stephens, Mayor

ATTEST:

\_\_\_\_\_  
Jeffrey L. Stewart, CMC, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Sandra J. Levin, City Attorney

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) ss  
CITY OF LOS ALAMITOS )

I, Jeffrey L. Stewart, City Clerk of the City of Los Alamitos, do hereby certify that the foregoing Ordinance No. 11-08 was duly introduced and placed upon its first reading at a regular meeting of the City Council on the 3<sup>rd</sup> day of October, 2011 and that thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 17<sup>th</sup> day of October, 2011, by the following roll-call vote, to wit:

\_\_\_\_\_  
Jeffrey L. Stewart, City Clerk

Per 2011 Title Report - Portion of MWD property granted to adjacent owners in 1975.



# Long Beach

Parcel: 7078019906  
Owner: City of Los Alamitos

Parcel: 7078019907  
Owner: Metropolitan Water District

Parcel: 7078019010  
Owner: Santiago Rodriguez

Parcel: 7078019009  
Owner: Ralph K & Janet M Earnest

Parcel: 7078019011  
Owner: Yee Family Trust

Parcel: 7078019007  
Owner: Hofheinz Family Trust

Parcel: 7078019006  
Owner: Robert & Mary Lee

Parcel: 7078019005  
Owner: Rozoliz Family Trust

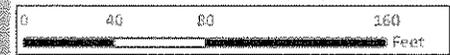
# Los Alamitos

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## County Boundary Adjustment - Area 7

*From Los Angeles to Orange County  
Detachment from Long Beach & Annexation to Los Alamitos*



**Legend**

- Existing Boundary
- Proposed Boundary
- Area 7 Parcels

**RESOLUTION NO. 2011-19**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, MAKING APPLICATION TO AND REQUESTING THE LOCAL AGENCY FORMATION COMMISSION OF ORANGE COUNTY TAKE PROCEEDINGS PURSUANT TO THE CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000 FOR THE CITY OF LOS ALAMITOS TO ANNEX 1.29 ACRES OF PROPERTY (EIGHT LONG BEACH PARCELS 7078-019-005, 006, 007, 009, 010, 011, 906 & 907) AND FILE ANNEXATION NO. 2011-01**

**WHEREAS**, City of Los Alamitos ("City") desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Reorganization Act of 2000, Division 3, commencing with Section 56000 of the Government Code, for the annexation of unincorporated territory to the City; and,

**WHEREAS**, the City will file an application with the Local Agency Formation Commission (LAFCO) to annex incorporated territory of Area 7 (1.29 acre Stansbury Park Area) as set forth in Exhibit A, attached hereto and by this reference incorporated herein; and,

**WHEREAS**, the proposal includes changes to the boundary line between the County of Orange and the County of Los Angeles. The proposal is processed pursuant to Article 4, Chapter 2, Division 1 of Title 3 of the Government Code (Section 23200 et seq). The proposal also includes a detachment from the City of Seal Beach, detachments from the City of Long Beach, annexations to the City of Long Beach, annexations to the City of Seal Beach, and annexation to the City of Los Alamitos. These proposals are processed pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 200 (Government Code Section 56000 et seq). All proposals are linked and no proposal shall be effective until all proposals are effective. The two county ordinances shall state that they shall not become effective until every city change of organization is effective. Each city change of organization shall not become effective until all city changes of organization are recorded and the two county ordinances are effective; and,

**WHEREAS**, the Orange County and Los Angeles County Boards of Supervisors are proposing to make changes to seven (7) uninhabited areas in the boundary line between the County of Orange and the County of Los Angeles so as to cause the transfer of land as depicted in Exhibit 1 from Los Angeles County to Orange County and from Orange County to Los Angeles County; and,

**WHEREAS**, this proposed annexation or reorganization be subject to the following terms and conditions:

1. The annexation shall be consistent with Government Code Section 56375.3. (a) and other applicable laws existing as of the date of the filing of this Resolution; and,

**WHEREAS**, the reason for the proposal is to provide boundary adjustments of uninhabited areas so that the border between Los Angeles County and Orange County is more closely aligned with the Coyote Creek Flood Channel and will allow for better service delivery and improved public safety; and,

**WHEREAS**, a Public Hearing was held by the Planning Commission on July 11, 2011, and by the City Council on October 3, 2011, for zone designations. Notices were mailed to all property owners within a radius of 500 feet from the boundaries within the proposed annexation areas.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DOES RESOLVE AS FOLLOWS:**

**SECTION 1.** Does hereby approve the Resolution of Application for Annexation No. 2011-01, and requests the Local Agency Formation Commission of Orange County take proceedings for the annexation of territories to the City, shown as Area 7 within Exhibit 1, according to the terms and conditions stated above and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

**SECTION 2.** Does hereby authorize the City Manager to sign an application of request to the Local Agency Formation Commission to annex the above parcels.

**SECTION 3.** The City Clerk shall certify as to the adoption of this Resolution.

**PASSED, APPROVED AND ADOPTED** this 3rd day of October, 2011.

---

Kenneth Stephens, Mayor

ATTEST:

---

Jeffrey L. Stewart, City Clerk

APPROVED AS TO FORM:

---

Sandra J. Levin, City Attorney

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) ss  
CITY OF LOS ALAMITOS )

I, Jeffrey L. Stewart, City Clerk of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council held on the 3<sup>rd</sup> day of October, 2011, by the following vote, to wit:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTAIN:	COUNCIL MEMBERS:

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Jeffrey L. Stewart, City Clerk

Per 2011 Title Report - Portion of MWD property granted to adjacent owners in 1975.



# Long Beach

Parcel: 7078019906  
Owner: City of Los Alamitos

Parcel: 7078019907  
Owner: Metropolitan Water District

Parcel: 7078019010  
Owner: Santiago Rodriquez

Parcel: 7078019009  
Owner: Ralph K & Janet M Earnest

Parcel: 7078019011  
Owner: Yee Family Trust

Parcel: 7078019007  
Owner: Hofheinz Family Trust

Parcel: 7078019006  
Owner: Robert & Mary Lee

Parcel: 7078019005  
Owner: Rozoliz Family Trust

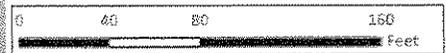
# Los Alamitos

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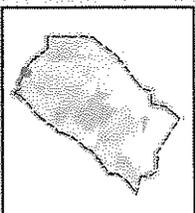
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## County Boundary Adjustment - Area 7

*From Los Angeles to Orange County  
Detachment from Long Beach & Annexation to Los Alamitos*



**Legend**

- Existing Boundary
- Proposed Boundary
- Area 7 Parcels

**RESOLUTION NO. 2011-17****A RESOLUTION OF CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING PROPERTY TAX ALLOCATION FOR ALL AFFECTED AGENCIES REGARDING THE COUNTY BOUNDARY REORGANIZATION FOR THE STANSBURY PARK AREA OF THE CITY OF LOS ALAMITOS**

**WHEREAS**, the Counties of Orange and Los Angeles, the Cities of Los Alamitos, Seal Beach, and Long Beach are involved in a boundary adjustment along the Los Coyote Channel; and,

**WHEREAS**, the City of Los Alamitos filed an application with the Local Agency Formation Commission for the annexation of 1.3 acres of territory located along the Los Coyotes Flood Channel, generally bordered by Toland Avenue to the south and east, and Ball Road to the north; and,

**WHEREAS**, the territory being transferred from Los Angeles County to Orange County contains a park, as well as the backyards of homes located in Orange County, resulting in residents receiving multiple property tax bills from different jurisdictions; and,

**WHEREAS**, California Revenue and Taxation Code Section 99 allows for the allocation of property taxes among cities and counties resulting from local annexations or boundary changes; and,

**WHEREAS**, pursuant to Revenue and Taxation Code Section 99, the Orange County Board of Supervisors is authorized to adopt resolutions for the allocation of property taxes on behalf of affected agencies and special districts on all jurisdictional changes affecting their districts, and,

**WHEREAS**, OC Cemetery District, OC Vector Control District, OC Parks, Orange County Water District, Orange County Sanitation District, Municipal Water District of Orange County, and the Rossmoor/Los Alamitos Area Sewer District are affected agencies; and,

**WHEREAS**, the area being annexed to Los Alamitos would be concurrently annexed to the respective districts' boundaries, and,

**WHEREAS**, this annexation will result in Orange County special districts providing services to territory where those services were previously provided by districts in Los Angeles County, and,

**WHEREAS**, property taxes will be allocated to all affected agencies in a manner consistent with existing property tax allocations of a tax rate area in or adjacent to the proposed annexation area as set forth in Exhibit A; and,

**WHEREAS**, subject to County Board and City Council approval, and upon annexation of territory to the City of Los Alamitos the allocation of property taxes to the City and County shall be allocated property taxes in a manner consistent with existing allocations of a tax rate area in or adjacent to the proposed annexation area; and,

**WHEREAS**, the County staff and the City of Los Alamitos staff desire to have substantially similar property tax allocation resolutions adopted and approved by their respective governing bodies.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS DOES RESOLVE AS FOLLOWS:**

**SECTION 1.** Does hereby approve the property tax allocation for the City of Los Alamitos and the County of Orange, whereby, upon completion of the annexation of territory to the City of Los Alamitos, the City and County shall be allocated property taxes in a manner consistent with existing property tax allocations of a tax rate area in or adjacent to the proposed annexation area as shown in Exhibit B; and

**SECTION 2.** Does hereby approve the property tax allocation for all affected agencies and special districts in a manner consistent with existing property tax allocations of a tax rate area in or adjacent to the proposed annexation area, upon completion of the annexation to the City of Los Alamitos, as shown in Exhibit B.

**SECTION 3.** The City Clerk shall certify as to the adoption of this Resolution.

**PASSED, APPROVED, AND ADOPTED** this 3<sup>rd</sup> day of October 2011.

\_\_\_\_\_  
KEN STEPHENS, Mayor

ATTEST:

\_\_\_\_\_  
Jeffrey L. Stewart, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Sandra J. Levin, City Attorney

STATE OF CALIFORNIA )  
COUNTY OF ORANGE ) ss  
CITY OF LOS ALAMITOS )

I, Jeffrey L. Stewart, City Clerk of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council held on the 3<sup>rd</sup> day of October 2011, by the following vote, to wit:

AYES:           COUNCILMEMBERS:  
  
NOES:           COUNCILMEMBERS:  
ABSENT:        COUNCILMEMBERS:  
ABSTAIN:       COUNCILMEMBERS:

---

Jeffrey L. Stewart, City Clerk

EXHIBIT "A"

COUNTY BOUNDARY ADJUSTMENT AREA 7  
FROM LOS ANGELES COUNTY TO ORANGE COUNTY

City of Long Beach Reorganization No. 2011-13 (County Boundary Adjustment)

Detach From:

City of Long Beach, Greater Los Angeles County Vector Control District, Los Angeles  
County Sanitation District No. 19 and Water Replenishment District of Southern  
California

County Boundary Reorganization for the City of Los Alamitos (RO 11-02)

Annex To:

City of Los Alamitos, Orange County Vector Control District, Orange County Cemetery  
District, Orange County Parks (CSA 26), Orange County Sanitation District, Orange  
County Water District, Municipal Water District of Orange County and Rossmoor/Los  
Alamitos Area Sewer District

1 A portion of the Northeast Quarter of Section 19, Township 4 South, Range 11 West, S.B.M., in  
2 the City of Long Beach, County of Los Angeles, State of California, described as follows:

3  
4 Commencing at an angle point in the existing common boundary line between Orange and  
5 Los Angeles Counties and designated as Los Angeles/Orange County Corner No. 10 as  
6 described in "California Government Code Section 23130";

7 Thence along the existing common boundary line between Orange and Los Angeles  
8 Counties, South 59°07'40" West 1532.85 feet, more or less, to a point on the southerly right-of-  
9 way of East Wardlow Road, 100 feet wide, as shown on that certain Record of Survey, recorded  
10 November 13, 2007 in Book 210, Page(s) 83 and 84 of Record of Survey, in the Office of the  
11 County Recorder of Los Angeles County, said point being on the southeasterly boundary line of  
12 the City of Long Beach as established by Increment No. 177 to said City of Long Beach,  
13 recorded June 20, 1962, Records of Los Angeles County, said point also being the True Point  
14 of Beginning;

EXHIBIT "A"

COUNTY BOUNDARY ADJUSTMENT AREA 7

FROM LOS ANGELES COUNTY TO ORANGE COUNTY

City of Long Beach Reorganization No. 2011-13 (County Boundary Adjustment)

Detach From:

City of Long Beach, Greater Los Angeles County Vector Control District, Los Angeles County Sanitation District No. 19 and Water Replenishment District of Southern California

County Boundary Reorganization for the City of Los Alamitos (RO 11-02)

Annex To:

City of Los Alamitos, Orange County Vector Control District, Orange County Cemetery District, Orange County Parks (CSA 26), Orange County Sanitation District, Orange County Water District, Municipal Water District of Orange County and Rossmoor/Los Alamitos Area Sewer District

1 Thence continuing along the existing common boundary line between Orange and Los  
2 Angeles Counties, South 59°07'40" West 690.58 feet, more or less, to its intersection with the  
3 northwesterly line of the southeasterly 75 feet of Coyote Creek, 450 feet wide as shown on said  
4 Record of Survey;

5 Thence leaving said existing common boundary line between Orange and Los Angeles  
6 Counties, along said northwesterly line and along the northwesterly lines of the following record  
7 documents:

8 That certain Grant Deed recorded November 14, 1995 as Instrument No. 95-1821402;

9 That certain Quitclaim Deed recorded July 14, 1971 as Instrument No. 2712 in Book D5123,  
10 Page 629;

11 That certain Grant Deed recorded November 20, 2003 as Instrument No. 03-3515114;

12 That certain Grant Deed recorded September 15, 1994 as Instrument No. 94-1696223;

13 That certain Grant Deed recorded October 17, 1977 as Instrument No. 77-1147998;

14 That certain Grant Deed recorded June 28, 2006 as Instrument No. 06-1424512, all of Official  
15

EXHIBIT "A"

COUNTY BOUNDARY ADJUSTMENT AREA 7  
FROM LOS ANGELES COUNTY TO ORANGE COUNTY

City of Long Beach Reorganization No. 2011-13 (County Boundary Adjustment)

Detach From:

City of Long Beach, Greater Los Angeles County Vector Control District, Los Angeles  
County Sanitation District No. 19 and Water Replenishment District of Southern  
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County Boundary Reorganization for the City of Los Alamitos (RO 11-02)

Annex To:

City of Los Alamitos, Orange County Vector Control District, Orange County Cemetery  
District, Orange County Parks (CSA 26), Orange County Sanitation District, Orange  
County Water District, Municipal Water District of Orange County and Rossmoor/Los  
Alamitos Area Sewer District

1 Records of Los Angeles County, North 37°03'06" East 383.08 feet, to an angle point in the  
2 northwesterly line of said Grant Deed recorded as Instrument No. 06-1424512, Official Records  
3 of said Los Angeles County;

4 Thence leaving said northwesterly line of the southeasterly 75 feet of Coyote Creek Channel  
5 and continuing along said northwesterly line of the last mentioned Grant Deed and along the  
6 northerly line of that certain Quitclaim Deed recorded July 28, 1972 as Instrument No. 4828 in  
7 Book D5548, Page 879, Official Records of said Los Angeles County through the following  
8 courses:

9 North 49°01'15" East 42.40 feet;

10 North 75°48'10" East 89.45 feet, to its intersection with the southerly aforementioned right-of-  
11 way of East Wardlow Road, 100 feet wide,

12 Thence leaving said northerly line and along said southerly right-of-way, South 89°44'08"  
13 East 243.19 feet to the True Point of Beginning.

14 The above-described parcel of land contains 1.30 acres, more or less.

EXHIBIT "A"

COUNTY BOUNDARY ADJUSTMENT AREA 7  
FROM LOS ANGELES COUNTY TO ORANGE COUNTY

City of Long Beach Reorganization No. 2011-13 (County Boundary Adjustment)

Detach From:

City of Long Beach, Greater Los Angeles County Vector Control District, Los Angeles  
County Sanitation District No. 19 and Water Replenishment District of Southern  
California

County Boundary Reorganization for the City of Los Alamitos (RO 11-02)

Annex To:

City of Los Alamitos, Orange County Vector Control District, Orange County Cemetery  
District, Orange County Parks (CSA 26), Orange County Sanitation District, Orange  
County Water District, Municipal Water District of Orange County and Rossmoor/Los  
Alamitos Area Sewer District

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All as shown on Exhibit "B" attached hereto and by this reference, made a part thereof.

This document was prepared by me or  
under my supervision.

Dated this 2<sup>nd</sup> day of September, 2011

  
\_\_\_\_\_  
Anna M. Beal L.S. 4955  
My license expires 12/31/2011



EXHIBIT "A"  
COUNTY BOUNDARY ADJUSTMENT AREA 7  
FROM LOS ANGELES COUNTY TO ORANGE COUNTY

City of Long Beach Reorganization No. 2011-13 (County Boundary Adjustment)

Detach From:

City of Long Beach, Greater Los Angeles County Vector Control District, Los Angeles County Sanitation District No. 19 and Water Replenishment District of Southern California

County Boundary Reorganization for the City of Los Alamitos (RO 11-02)

Annex To:

City of Los Alamitos, Orange County Vector Control District, Orange County Cemetery District, Orange County Parks (CSA 26), Orange County Sanitation District, Orange County Water District, Municipal Water District of Orange County and Rossmoor/Los Alamitos Area Sewer District

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This proposal does meet the approval of

the Orange County Surveyor's Office

Raymond L. Mathe, County Surveyor

Dated this 17<sup>th</sup> day of September, 2011

By:

Raymond L. Mathe, County Surveyor  
L.S. 6185, My license expires 3/31/2012



ORANGE COUNTY WATER DISTRICT  
 MUNICIPAL WATER DISTRICT OF ORANGE COUNTY  
 ROSSMOOR/LOS ALAMITOS AREA SEWER DISTRICT

LONG BEACH

TRACT NO. 26812  
 M.B. 696/46-49

TRACT NO. 1532.85 ±  
 M.B. 17/49

E WARDLOW ROAD

BALL ROAD

T.P.O.B.

S89° 44' 08" E 243.19'

RS 210/83-84  
 7078-019-907

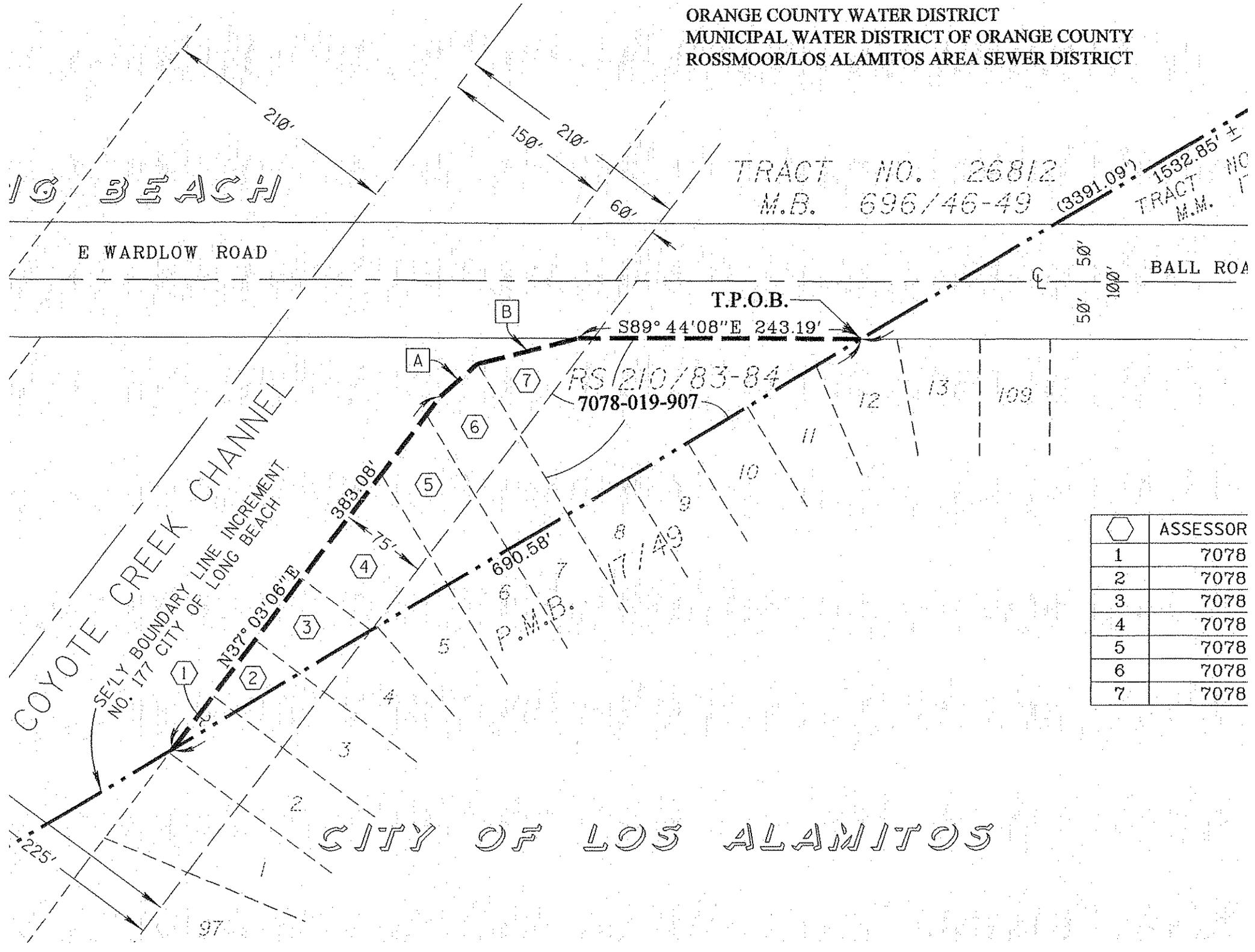
COYOTE CREEK CHANNEL  
 SE'LY BOUNDARY LINE INCREMENT  
 NO. 177 CITY OF LONG BEACH

N37° 03' 06" E  
 383.08'

690.58'

CITY OF LOS ALAMITOS

ASSESSOR	
1	7078
2	7078
3	7078
4	7078
5	7078
6	7078
7	7078



**Exhibit B**  
**Property Tax Allocation**

Area 7 (Adjacent Tax Rate Area)

Fund Name	Tax Rate Allocation
Los Alamitos City	.10094325374
Los Alamitos City – Street Lighting Reorg.	.01571243572
Rossmoor/Los Alamitos Area Sewer District	.00959633993
OC Vector Control	.00094190260
OCFA	.09480974122
OCWD	.00623838704
OCWD – Water Reserve	.00009366052
OCTA	.00236722365
OC Sanitation #3 Gen Fund	.02663745338
Los Alamitos Unified Gen Fund	.41239028779
North Orange Co. Community College Gen Fund	.05886947191
OC Department of Education – Gen Fund	.03124471740
Orange County Gen Fund	.05200060714
Orange County Public Library	.01406437820
OC Flood Control District	.01668071372
OC Parks CSA 26	.01289368045
ERAF	.14451574559
<b>Total</b>	<b>1.00000000000</b>

**7. PUBLIC HEARING****A. Pre-zoning of Boundary Adjustment Areas**

The City of Los Alamitos has been working with Orange County Local Agency Formation Commission (LAFCO) on City boundary changes that could better align the City's boundaries with Coyote Creek. The City had begun the process of pre-zoning the areas when two developments occurred. The Long Beach City Council declined to release the 36 acres south of Katella Avenue because it felt the acreage could provide future open space opportunities to Long Beach residents. Additionally, the City of Los Alamitos received correspondence from a number of Toland Avenue area property owners who are opposed to changes in their boundaries.

Community Development Director Mendoza summarized the staff report referring to the information contained therein and answered questions from the Commission.

Vice Chair Riley opened the Public Hearing.

William Yee, parcel owner, advised he sent a letter with his concerns. He stated his concerns were that changing the boundaries would not benefit the owners, but would most likely complicate the property taxes. He was concerned there was no guarantee that a property reassessment would not be performed. He stated his opposition.

Pam Rosalis, parcel owner and on behalf of parcel owner Mary Lee, stated she had sent in a letter as well. Her concern was the property would receive a reassessment and her property taxes would increase. She mentioned her previous legal difficulties with the County and having to wait for a Mello-Roos fee correction and refund. She expressed that she was content with the current situation and asked for no change.

Ralph Earnest, 3681 Toland, stated his opposition to the change in boundaries and expressed concern that property taxes would change. He felt the City would incur additional fees for maintaining the bank along Ball Road and complications would occur.

Joyce Crosthwaite, LAFCO representative, stated LAFCO had been working with the surrounding cities and two County Board of Supervisors to correct the boundary concerns for the past three years. She advised the item being discussed was only to pre-zone the area and that the Los Angeles Board of Supervisors would not hear the item until the end of June. She indicated if approved, there would be a Protest Proceeding where residents would have the opportunity to veto the decision. She expressed her belief that changing the boundaries was good government and the current situation was a bad reflection on government.

Ben Legbandt, LAFCO representative, stated he had a meeting with the Orange County Assessor and clarified the following concerns: there would be no reassessment of the parcels; the legal description of the grant deeds would not change; the right-of-way along Ball Road would remain in the City of Long Beach; and, he believed Los Angeles County property taxes were higher than Orange County property taxes so there could possibly be a slight decrease in property taxes.

Pam Rosalis, resident, stated she appreciated the information, but still did not understand the need for the change. She did not feel property taxes would be lowered and disagreed with having to come forward at a later date to re-express her opposition.

Vice Chair Riley closed the Public Hearing.

Vice Chair Riley stated he understood the residents' concerns and inquired what assurance could be offered.

Joyce Crosthwaite, LAFCO representative, stated Proposition 13, State law, stated reassessments only occur with a change of ownership or major construction.

Vice Chair Riley stated when errors occur the time it takes to correct them is substantial and he wanted to ensure everyone was in agreement before moving forward.

Ms. Crosthwaite stated the Orange County Assessor had informed her the situation would be protected under Proposition 13.

Commissioner Andrade inquired if the Orange County Assessor would be willing to provide a letter stating such to the residents. He felt from a legal stand point it would ease the residents' concerns to have something in writing.

Vice Chair Riley agreed with Commissioner Andrade.

Ms. Crosthwaite indicated she would ask for such.

Commissioner Grose inquired what the benefits to the residents were if they were content with the current situation and how Proposition 13 would protect the residents if they do receive a reassessment.

Ms. Crosthwaite reiterated the residents would be protected under Proposition 13 and reassessments only occurred with a change of ownership or major construction.

Commissioner Grose inquired if LAFCO would continue to move forward even without the City's approval and if LAFCO had reached out to residents.

Ms. Crosthwaite stated the Orange County Board of Supervisors had already approved the item and if the Los Angeles County Board of Supervisors approved the item, it would continue to move forward. She indicated LAFCO had not reached out to residents because they had been working with staff.

Director Mendoza indicated staff sent letters in November with no response and a second set of letters was sent to ensure the residents were aware of the issue. Residents came forward after the second letter was mailed out.

Commissioner Andrade stated currently the properties were in two different counties and two different cities and stated his support for clear and concise boundaries. He clarified that the item was not to change the boundaries, but to discuss the pre-zoning.

Director Mendoza stated the Planning Commission previously adopted a resolution to start the pre-zoning process which included outreach to residents. The item was brought back to the Commission because new information had been received which required further direction to staff. He clarified there was no resolution before the Planning Commission and any additional information would be brought forth as soon as it was received.

Commissioner Loe inquired who the contact at the Assessor's Office was. Ms. Crosthwaite indicated it was Deputy Shaw.

Commissioner Sofelkanik inquired if the General Plan required the establishment of a bond for pre-zoning. City Attorney Welinder answered in the negative.

Commissioner Sofelkanik inquired when LAFCO would condition the City to pre-zone in order to move forward. Director Mendoza indicated they already had and before Council could adopt a resolution the Planning Commission needed to specify pre-zoning.

Ms. Crosthwaite stated LAFCO was not making demands, but was cooperatively working with surrounding cities to clean up the boundaries.

Commissioner Sofelkanik stated Lily and Marna previously indicated they did not want to be included in Los Alamitos and inquired as to the benefit.

Director Mendoza clarified the only area still in consideration was Toland Ave., adding that logical boundaries would be beneficial to clear up property lines.

Commissioner Andrade inquired if an additional dwelling could be built if the Long Beach portion of the parcel was sold. Director Mendoza answered in the negative, adding zoning did not allow for such.

Commissioners Andrade stated the residents' concerns were for lack of proof that their properties would receive no adverse tax effects and felt a letter stating such would ease their concerns.

Vice Chair Riley agreed.

Commissioner Grose agreed and stated she did not want to cause the residents any anxiety.

Carried 6/0 (Daniel Absent): The Planning Commission unanimously:

1. Opened the Public Hearing; and,
2. Conducted discussion of the issues raised during public comment; and,
3. Directed staff to continue to work with LAFCO to secure a letter from the Orange County Tax Assessor's Office assuring the residents there would be no adverse tax effects.

# City of Los Alamitos

## Planning Commission

**Agenda Report**  
**Public Hearing**

**May 9, 2011**  
**Item No. 7A**

**To:** Chair Daniel and Members of the Planning Commission

**From:** Steven A. Mendoza, Community Development Director

**Subject:** Pre-zoning of Boundary Adjustment Areas

**Summary:** The City of Los Alamitos has been working with Orange County Local Agency Formation Commission (LAFCO) on City boundary changes that could better align the City's boundaries with Coyote Creek. The City had begun the process of pre-zoning the areas when two developments occurred. The Long Beach City Council declined to release the 36 acres south of Katella Avenue because it felt the acreage could provide future open space opportunities to Long Beach residents. Additionally, the City of Los Alamitos received correspondence from a number of Toland Avenue Area property owners who are opposed to changes in their boundaries.

### **Recommendation:**

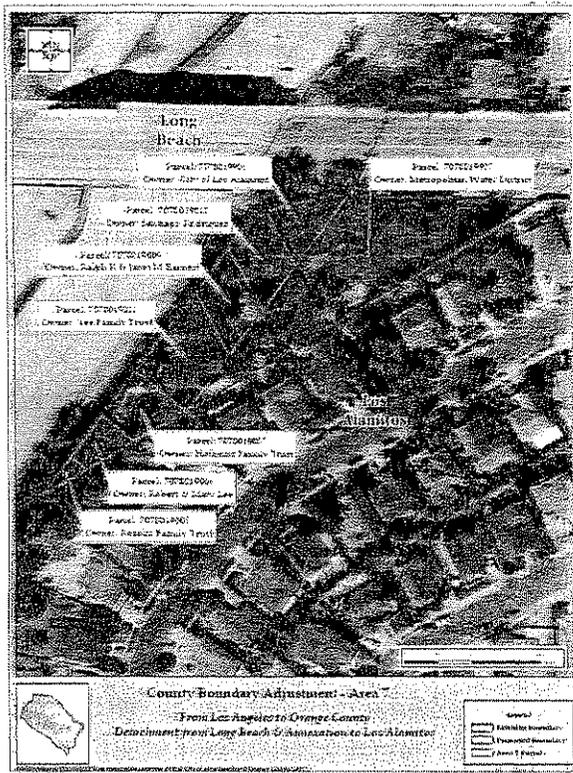
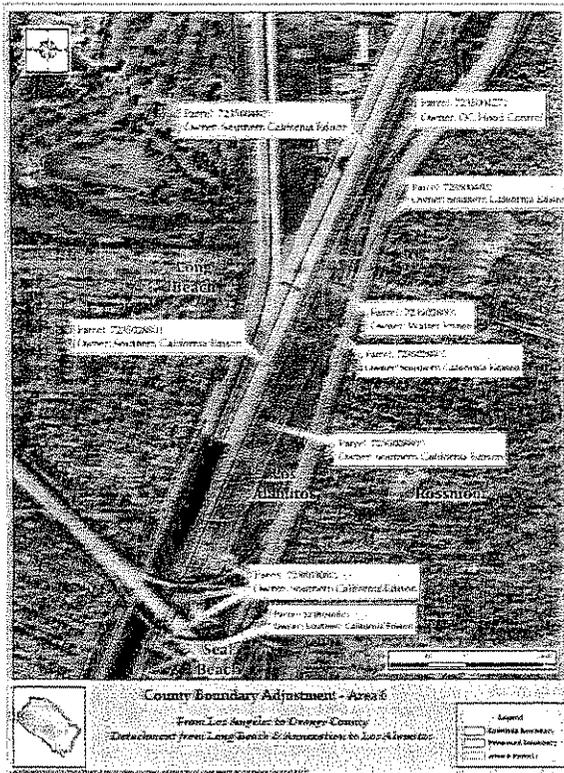
1. Open the Public Hearing; and,
2. Conduct discussion of the issues raised during public comment

### **Background**

Orange County Local Agency Formation Commission (OC LAFCO) has been working with area cities on altering Long Beach, Seal Beach, and Los Alamitos boundaries to better align along the Coyote Creek Channel. The City's boundaries currently jog east and west around the channel. For the City of Los Alamitos, two areas have been subject to consideration.

Area 6 – The area south of Katella Aveune, between Coyote Creek and 605 Freeway.

Area 7– The area including 6 secondary back yard parcels of Toland Avenue homes.



In order for OC LAFCO, the Orange County Board of Supervisors, and the Los Angeles County Supervisors to continue their process, the City is required to establish future zoning for the areas that could become part of Los Alamitos. The City's General Plan Map and Zoning Map do not include those properties. Placing a land use designation on the properties prior to a boundary change is considered "pre-zoning" of the property. Toward that effort, the Planning Commission adopted Resolution 11-05, initiating the pre-zoning of 17 parcels in conjunction with a proposed boundary adjustment.

New Information Regarding the Boundary Changes - Since the Planning Commission last met two issues have arisen:

1. The Long Beach City Council declined to release the 36 acres south of Katella. It felt the acreage could provide future open space opportunities to Long Beach residents; and,
2. City of Los Alamitos has received correspondence from a number of Toland Avenue residents who are opposed to changes in their boundaries. Staff conducted its second outreach asking each of the property owners to meet with staff. The outreach resulted in residents issuing letters opposing a boundary change.

It would be appropriate for the Planning Commission to consider the new information regarding the two areas and discuss the issues introduced within the correspondence and new testimony received.

The next step for the Commission, at a future meeting, is to consider a resolution recommending the adoption of zoning designations for the properties in questions. Recommendations for the proposed zoning district will be based upon existing City of Los Alamitos General Plan designations; existing Long Beach zoning districts; and, existing legally-established uses on the sites and in the surrounding area. The two subject areas are not within the City's Sphere of Influence and do not have a Los Alamitos General Plan Land Use designation or zoning designation.

Staff has initially determined that the Toland Avenue Area, if pre-zoned, would be designated as Single-Family Residential within the City's General Plan Map and the zoning designation would be R-1 (Single-Family Residential Zoning District). The park area would be designated as Community Facilities. In the Toland Avenue Area, the proposed zoning generally mimics the existing adjacent uses within the City's boundaries.

A complete analysis of future zoning and General Plan designations will be presented within a future staff report with an appropriate resolution.

*Attachments:*

- 1. Letters from Residents (3)*
- 2. Colored Maps of Area 6 and Area 7*

Ralph and Janet Earnest  
3681 Toland Avenue  
Los Alamitos, CA 90720  
1-562-431-6471

April 29, 2011

Steven A. Mendosa  
Community Development Director  
City of Los Alamitos, California

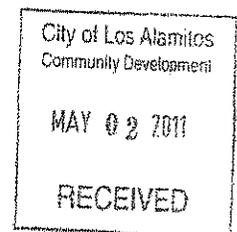
Dear Mr. Mendosa:

Thank you for the opportunity to respond to the proposed change in the boundary between Los Alamitos/Orange County and Long Beach/Los Angeles County.

Please be advised that we are strongly against any change in the boundary.

Sincerely,

*Ralph Earnest Janet Earnest*



April 25, 2011

Steven A. Mendoza  
Community Development Director  
City of Los Alamitos  
3191 Katella Avenue  
Los Alamitos, California 90720

Dear Mr. Mendoza:

Thank you for taking the time to meet with us last week to discuss the proposed change in the county/city boundaries affecting our properties.

Each of our properites, for the past forty years, have a parcel in Orange County and a parcel in Los Angeles County. This does **not** include a third parcel in Orange County where our homes are located. Thus, there is one parcel within the County of Los Angeles and two within the County of Orange for each family.

We prefer to leave the boundaries as they presently exist and see **no reason for any changes**. Our fear is that an alteration of any boundary would lead to the reassessment of all these parcels resulting in an increase in property taxes. Also, it might lead to legal difficulties when the properties are inherited or sold.

Thank you for your attention to this matter.

*James T. Rozolis*  
*Frances P. Rozolis*

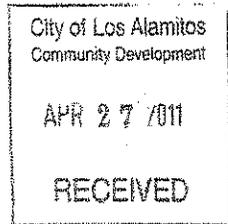
James T. Rozolis  
Frances P. Rozolis

Sincerely yours,

*Mary Lee*  
Mary Lee

3641 Toland Avenue  
Los Alamitos, Ca. 90720

3651 Toland Avenue  
Los Alamitos, Ca. 90720



April 26, 2011

Dear Mr. Mendoza,

As a follow-up to my phone call to your office on April 25, 2011, I am writing this letter to document my response to your letter dated April 19, 2011 informing me that the City of Los Alamitos is considering a change in the City boundaries that may impact my property. The intent of the change is to bring the rear portion of my property, presently located in the City of Long Beach and County of Los Angeles, into the City of Los Alamitos and the County of Orange.

I am definitely against this change as this could affect my property tax situation. The City of Los Alamitos is not able to assure me that my property would not be open to reassessment by the County of Orange. I am perfectly satisfied to continue to pay my property taxes to each County. Additionally, more paper work and cost would be necessary to modify my grant deeds for the changes.

I see no benefits to me for this change and in fact could complicate my current property tax situation as a result.

I hope my negative response will result in cessation of the action by our City. Thank you for enabling me to reflect my views on this subject matter.

Sincerely,

A handwritten signature in cursive script that reads "William W.B. Yee".

William W.B. Yee



Parcel: 7235004801  
Owner: Southern California Edison

Parcel: 7235004272  
Owner: OC Flood Control

Parcel: 7235004802  
Owner: Southern California Edison

Long  
Beach

Parcel: 7235028801  
Owner: Southern California Edison

Parcel: 7235028001  
Owner: Walter Prince

Parcel: 7235028802  
Owner: Southern California Edison

Parcel: 7235028800  
Owner: Southern California Edison

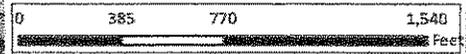
Los  
Alamitos

Rossmoor

Parcel: 7238030802  
Owner: Southern California Edison

Parcel: 7238030801  
Owner: Southern California Edison

Seal  
Beach



### County Boundary Adjustment - Area 6

*From Los Angeles to Orange County  
Detachment from Long Beach & Annexation to Los Alamitos*



**Legend**

-  Existing Boundary
-  Proposed Boundary
-  Area 6 Parcels



# Long Beach

Parcel: 7078019906  
Owner: City of Los Alamitos

Parcel: 7078019907  
Owner: Metropolitan Water District

Parcel: 7078019010  
Owner: Santiago Rodriguez

Parcel: 7078019009  
Owner: Ralph K & Janet M Earnest

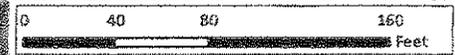
Parcel: 7078019011  
Owner: Yee Family Trust

# Los Alamitos

Parcel: 7078019007  
Owner: Hofheinz Family Trust

Parcel: 7078019006  
Owner: Robert & Mary Lee

Parcel: 7078019005  
Owner: Rozoliz Family Trust



## County Boundary Adjustment - Area 7

*From Los Angeles to Orange County  
Detachment from Long Beach & Annexation to Los Alamitos*



**Legend**

- Existing Boundary
- Proposed Boundary
- Area 7 Parcels

**7A. PUBLIC HEARING****Consideration to Pre-Zone the Local Agency Formation Commission (LAFCO) Boundary Adjustment Area Seven (ZOA 11-03)**

In advance of the City's consideration to change the boundaries, the Planning Commission shall consider the pre-zone of eight parcels adjacent to Toland Avenue within the Orange County Local Agency Formation Commission (OC LAFCO) Boundary Adjustment Area as requested by OC LAFCO staff.

Community Development Director Mendoza summarized the staff report referring to the information contained therein and answered questions from the Commission.

Commissioner Grose asked for clarification that Proposition 13 would not be affected. Director Mendoza answered in the affirmative.

Vice Chair Riley stated Orange County (OC) property taxes would not change. Director Mendoza answered in the affirmative and stated the Los Angeles (LA) County parcels taxes are still under consideration.

Commissioner Andrade understood the LA County property value would transfer into OC and the take rate is still under consideration. He inquired if there was any indication if the rate would increase or decrease. Director Mendoza answered in the negative, reiterating the situation was still under consideration.

Commissioner Sutherlin stated the Commission's role was to decide on pre-zoning and felt it was too early to argue for or against annexation since that was done at the City Council level.

Chair Daniel opened the Public Hearing.

Bill Yee, resident, stated he had provided a letter opposing such annexation and stated his concerns were regarding property taxes and the cost associated with updating the legal description of the grant deed. He indicated the presented map was incorrect as Metropolitan Water District (MWD) did not own the triangular parcel. He stated he had purchased the land from MWD and believed it was zoned unimproved land. He then inquired if the parcels would be left as individual parcels. Director Mendoza stated the parcel lines would not change.

Pam Rozalis, resident, stated she owned two OC parcels and one LA county parcel and she was concerned about having to change the Trust description. She inquired if the change from unimproved land to residential would trigger an increase in fees. She expressed support for leaving the parcels as they are and indicated past practice of the City has been to honor resident's wishes regarding their properties.

Commissioner Sofelkanik asked for clarification that Ms. Rozalis did not want the proposed boundary adjustment. Ms. Rozalis answered in the affirmative, adding she has spoken against this item twice and has submitted a letter of opposition.

Commissioner Sofelkanik inquired if Ms. Rozalis contacted LA County. Ms. Rozalis answered in the negative. Director Mendoza indicated all information received, including resident letters, would be forwarded to the City Council for review.

Jim Rozalis, resident, stated he has lived at the property for forty-one years and has never experienced a problem. He stated concern that property values would be reassessed and taxes would increase. He thanked Director Mendoza and staff for their due diligence and urged the Commission not to change anything.

Director Mendoza stated that the LA County parcels current zoning was R-1(N), residential, and it was presented to the Commission to be zoned R1, residential. He clarified the Commission was deciding on land use and decisions regarding annexation would be made by the City Council.

Chair Daniel closed the Public Hearing.

Chair Daniel inquired what the next step would be if the Commission decided not to adopt pre-zone the parcels.

Commissioner Sofelkanik inquired the reasoning behind changing the zoning of the Metropolitan Water District (MWD) parcel from R-1 in Long Beach, to C-F in Los Alamitos. Director Mendoza stated the parcel has always been used as a park, and therefore would be zoned as a Community Facility (C-F) in Los Alamitos.

Commissioner Sofelkanik inquired if ownership of the MWD parcel in question would be confirmed. Director Mendoza indicated staff used the maps provided by LAFCO and had requested LAFCO to do a title report on the properties in question.

Commissioner Grose inquired if the City Council approved annexation, who would incur the cost for updating the title reports. Director Mendoza stated he would look into this concern and follow up with LAFCO.

Commissioner Riley inquired why staff had not received a firm answer regarding taxes and stated his opposition to moving forward without reassurances for the residents. Director Mendoza indicated taxes were not finalized yet because several different taxing agencies were involved. He reiterated the issue before the Commission was regarding land use designations.

Commissioner Sutherlin expressed concern that if the Commission did not move forward with zoning, the City Council would designate the zoning without Commission input.

Commissioner Riley indicated he supported the zoning designation, but he did not support moving forward until the residents were comfortable.

Chair Daniel stated the Commissions obligation was to the whole City and the item before them was only concerning zoning.

Commissioner Andrade agreed with Commissioner Riley's comments regarding the residents' concerns. He indicated at this point the Commission was only discussing zoning and stated the residents would need to address the Council regarding annexation.

Commissioner Andrade inquired if the City Council could move forward without Planning Commission input. Director Mendoza stated the City Council makes the final decision, but requires Planning Commission advisement.

Commissioner Andrade inquired if the Commission had the ability to postpone the item until the information regarding property taxes was received. Director Mendoza indicated property taxes would not have an effect on zoning designation.

Commissioner Grose inquired if the Commission had the ability to pre-zone the properties with an indication of opposition for the boundary adjustment. Director Mendoza answered in the negative. He added all input received would be presented to the City Council.

Chair Daniel reiterated all information would be passed to the City Council and advised residents to attend the City Council meeting to voice their concerns.

Motion/Second: Grose/Daniel

Carried 6/1 (Riley cast the dissenting vote): The Planning Commission adopted Resolution No. 11-11, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING APPROVAL TO THE CITY COUNCIL TO PRE-ZONE/ZONE CHANGE DESIGNATIONS OF SIX PARCELS 7078-019-005, 006, 007, 009, 010, 011 FROM LONG BEACH ZONING R-1 N (NORMAL) TO LOS ALAMITOS ZONING R-1 (SINGLE FAMILY RESIDENTIAL) AND TWO PARK PARCELS 7078-019-906 & 907 FROM LONG BEACH ZONING R-1 N (NORMAL) TO LOS ALAMITOS ZONING C-F (COMMUNITY FACILITIES) IN CONJUNCTION WITH PROPOSED LAFCO BOUNDARY ADJUSTMENT (ZOA 11-03)."

# City of Los Alamitos

## Planning Commission

### Agenda Report Public Hearing

July 11, 2011  
Item No. 7A

**To:** Chair Daniel and Members of the Planning Commission

**From:** Steven A. Mendoza, Community Development Director

**Subject:** Consideration to Pre-Zone the Local Agency Formation Commission (LAFCO) Boundary Adjustment Area Seven (ZOA 11-03)

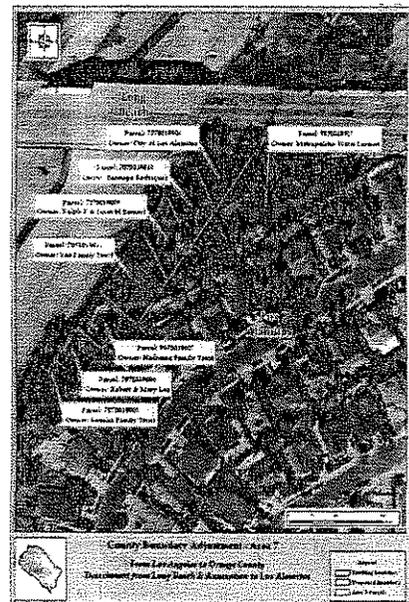
**Summary:** In advance of the City's consideration to change the boundaries, the Planning Commission shall consider the pre-zone of eight parcels adjacent to Toland Avenue within the Orange County Local Agency Formation Commission (OC LAFCO) Boundary Adjustment Area as requested by OC LAFCO staff.

**Recommendation:** Adopt Resolution No. 11-11, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING APPROVAL TO THE CITY COUNCIL TO PRE-ZONE/ZONE CHANGE DESIGNATIONS OF SIX PARCELS 7078-019-005, 006, 007, 009, 010, 011 FROM LONG BEACH ZONING R-1 N (NORMAL) TO LOS ALAMITOS ZONING R-1 (SINGLE FAMILY RESIDENTIAL) AND TWO PARK PARCELS 7078-019-906 & 907 FROM LONG BEACH ZONING R-1 N (NORMAL) TO LOS ALAMITOS ZONING C-F (COMMUNITY FACILITIES) IN CONJUNCTION WITH PROPOSED LAFCO BOUNDARY ADJUSTMENT (ZOA 11-03)."

### Background

In May 2010, Council adopted a resolution initiating a Joint Boundary Adjustment Process with adjacent cities. The Orange County Supervisor's office used that resolution to contact the County of Los Angeles Supervisor's Office to determine a process for the boundary adjustment. Subsequently, LAFCO requested the City pre-zone areas to be annexed to the City in the boundary adjustment.

OC LAFCO has been working with the City and the cities of Long Beach and Seal Beach to create more logical boundaries along the Coyote Creek Channel. The City's boundaries currently jog east and west around the channel. For the City of Los Alamitos, two areas were under consideration:



1. Area 6 – Area south of Katella Avenue, between Coyote Creek and 605 Freeway.
2. Area 7– Area including 6 secondary backyard parcels and two park parcels on Toland Avenue.

During the May 9, 2011 meeting, the Planning Commission was provided with the following new information regarding the proposed boundary adjustment area: 1) the Long Beach City Council declined to release the 36 acres south of Katella Avenue because it felt the acreage could provide future open space opportunities to Long Beach residents; and, 2) Los Alamitos received correspondence from a number of Toland Avenue residents who are opposed to changes in their boundaries based on concerns that the boundary adjustment would trigger reassessment of property taxes. This correspondence was received in response to a second outreach conducted by staff.

Upon hearing the new information, the Commission requested staff cease all processing related to the 36 acres south of Katella Avenue and to obtain written confirmation from the Orange County Assessor that property taxes would not be reassessed upon annexation.

Staff has obtained the attached letter from the Assessor's office, which provides assurance that the City's actions will not trigger property reassessment. The same letter further states that: "However, based on the information provided in your letter, the Orange County Assessor Department will need to review information from the Los Angeles County Assessor Department to evaluate how the assessed value may or may not be impacted."

Further discussion with various Orange County officials has verified that individual parcels that are currently within the County of Orange will not be reassessed. The parcels that would be transferred from Los Angeles County to Orange County will be subject to review by the County Assessor, Auditor Controller and the State Department of Equalization. Such a review will occur by those agencies once the Planning Commission, City Council and Board of Supervisor have completed their submittal. The concern for the Planning Commission tonight is purely a land use decision. Staff understands that the residents are concerned with the future property tax implications of being annexed into Los Alamitos. With that being said, the Planning Commission is assigned the responsibility of land use decisions and is not assigned the responsibility to decide upon annexation of the parcels. That decision will be left to the City Council and the County Board of Supervisors at a future date.

## **Discussion**

Tonight's action is for the Planning Commission to consider a resolution recommending the pre-zone of the area and recommending that the City Council adopt an Ordinance to that effect. If the Council adopts said Ordinance, the ordinance will take effect upon annexation. The County has requested that the City of Los Alamitos prezone the parcels in the table below.

County	Parcel No	Property Owner	Address	Sq. Ft.	Prezone From	Prezone to
LA	7078-019-005	Rozoliz Family Trust	3641 Toland	436	R-1 N (normal)	R1
LA	7078-019-006	Robert and Mary Lee	3651 Toland	2,178	R-1 N (normal)	R1
LA	7018-019-007	Hofheinz Family	3661 Toland	3,920	R-1 N (normal)	R1
LA	7078-019-011	Yee Family Trust	3671 Toland	8,640	R-1 N (normal)	R1
LA	7078-019-009	Ralph & Janet Earnest	3681 Toland	4,856	R-1 N (normal)	R1
LA	7078-019-010	Santiago Rodriguez	3691 Toland	4,596	R-1 N (normal)	R1
LA	7078-019-906	City of Los Alamitos		3,430	R-1 N (normal)	CF
LA	7078-019-907	Met. Water District		27,940	R-1 N (normal)	CF
				55,996		

Recommendations for the proposed zoning district is based upon existing City of Los Alamitos General Plan designations; existing Long Beach zoning districts; and, existing legally-established uses on the sites and in the surrounding area. The two subject areas are not within the City's Sphere of Influence and do not have a Los Alamitos General Plan Land Use designation or zoning designation. The proposed Pre-Zone/Zone Change is internally consistent with the City's General Plan and other applicable provisions of this zoning code. To demonstrate consistency with the City's General Plan, staff has developed the matrix in Table 2.

Applicable General Plan Goals & Policies	Consistency of Proposed Project
<b>LAND USE ELEMENT</b>	
<b>Goal 1:</b> Preserve and promote land uses which reflect Los Alamitos' small-town character with due regard for economic development and future growth potential.	<u>Consistent.</u> The proposed project includes establishing the City's Single Family Residential designation which allows for 1 unit per parcel and would not increase density within the area. The proposed project is located within an established site in an urbanized area, consistent with the existing on-site and surrounding established land use patterns. No expansion beyond the existing property boundaries would occur with the proposed project.
<b>Goal 2:</b> Preserve and enhance the quality of the City's residential neighborhoods.	<u>Consistent.</u> The proposed project includes establishing the City's Single Family Residential designation which allows for 1 unit per parcel and would not increase density within the area. The proposed project is located within an established site in an urbanized area, consistent with the existing on-site and surrounding established land use patterns. No expansion beyond the existing property boundaries would occur with the proposed project.
<b>Goal 3:</b> Promote and upgrade the quality of the City's commercial, industrial, and open space areas.	<u>Consistent.</u> The proposed project includes a portion of Stansbury Park and would increase the square footage of parks within the City's boundaries and increase the ratio of parks per resident.
<b>Policy 1-1.3:</b> Maintain consistency among General Plan Policies and Programs, the Zoning Ordinance, and related development regulations.	<u>Consistent.</u> The proposed project, unless approved, would remain inconsistent with neighboring properties. Therefore, the project, if approved would allow the current homeowners to have properties of consistent zoning and enforceable by one City's Zoning ordinance.
<b>Policy 1-4.3:</b> Consider General Plan Policies and Programs in making land use decisions.	<u>Consistent.</u> This table provides a review of applicable <i>General Plan</i> policies and programs.
<b>SAFETY ELEMENT</b>	
<b>Goal One:</b> Protect residents and property from natural disasters, fire, and crime.	<u>Consistent.</u> The proposed project will remove a confusion of service delivery as the parcel would now be identified as Los Alamitos parcels and would be serviced by the City of Los Alamitos instead of serviced by Long Beach which has challenges in delivering services on the east side of Coyote Creek.

The proposed Zone Change would establish the boundaries and replace the Long Beach Zoning Designations of R-1 N (Normal) to Los Alamitos R-1 (Single Family Residential) and Community Facilities (CF) for the Park space. Additionally, the existing zoning district standards and regulations would be replaced with the proposed development standards which would not change the development standards for the area for such things as allowable uses, temporary uses and special events, conditional uses, intensity, general development standards, height, setbacks, building separation, landscaping requirements, fencing, parking requirements, signage, and development standards modifications. Application of these regulations is specifically intended to provide for the orderly development of the site and effective fulfillment of the project objectives, while protecting the health, safety, and welfare of the users, as well as those of the surrounding community.

- Attachments:*
1. *Draft Planning Commission Resolution No. 11-11*
  2. *Letters from Residents*
  3. *Letter from County Assessor*

Civic Center Plaza, Building 11  
625 N. Ross Street  
P.O. Box 149  
Santa Ana, CA 92701-5564



WEBSTER J. GUILLORY  
COUNTY ASSESSOR

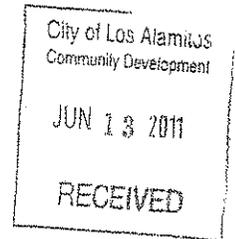
Telephone: (714) 834-2727  
FAX: (714) 558-0681  
[www.ocgov.com/assessor](http://www.ocgov.com/assessor)

ESTABLISHED 1889

OFFICE OF THE ASSESSOR

June 9, 2011

Mr. Steven Mendoza  
Community Development Director  
City Of Los Alamitos  
3191 Katella Avenue  
Los Alamitos, CA 90720-5600



Subject: LAFCO Boundary Adjustment

Dear Mr. Mendoza:

We received your letter of May 24, 2011, regarding the property assessment for some parcels that may be impacted by a proposed boundary adjustment between the Orange County and Los Angeles County.

The property assessment is mandated and governed under the California Constitution and the Revenue and Taxation Code (R&T Code). Under Proposition 13, real properties are "reassessed" only when there is a change in ownership (transfer) or a new construction. A jurisdiction boundary change only, would not trigger a "reassessment" requirement.

However, based on the information provided on your letter, the Orange County Assessor Department will need to review information from the Los Angeles County Assessor Department to evaluate how the assessed value may or may not be impacted. For example, some of these parcels that belong to the same owners are separated by land owned by the Metropolitan Water District. We will need to review how these parcels are currently assessed and valued before we can properly enroll them on the Orange County Assessment Roll, in compliance with the State Constitution and the R&T Code.

In addition, please note that the tax rates may be impacted due to the boundary change, resulting in changes on how the taxes are calculated.

Please call me at 714-834-2733 if you have any questions.

Sincerely,

WEBSTER J. GUILLORY  
County Assessor

by

Shaw Lin  
Manager, Management Services

cc: Webster J. Guillory, Assessor  
Joyce Crosthwaite, LAFCO Executive Officer  
Frank Kim, CEO Budget Director

**7A. PUBLIC HEARING****Adopting Resolution No. 11-15, to reflect new property information provided by a title report related to Boundary Adjustment Area Seven (ZOA 11-03 and GPA 11-02)**

During its July 11, 2011, meeting, the Planning Commission adopted Resolution No. 11-11, to establish the General Plan and pre-zoning designations for properties adjacent to Toland Avenue within the Orange County Local Agency Formation Commission (OC LAFCO) Boundary Adjustment Area 7. New information regarding ownership of the Metropolitan Water District parcel has been discovered. Staff is requesting that the Commission adopt Resolution 11-15, which reflects this new information and repeals Resolution No. 11-11.

Community Development Director Mendoza summarized the staff report, referring to the information contained therein and answered questions from the Planning Commission.

Chair Daniel opened the Public Hearing.

Pam Rizollo, resident, stated this was her third time before the Planning Commission in opposition of the boundary adjustment. She voiced the following concerns: 1) Why change the boundaries now when have been okay for over forty-three years; 2) fear of an increase in property taxes; and, 3) who would be responsible for the costs associated with amending the family trust. She urged the Commission not to make any decisions until all the resident's concerns were resolved and added Long Beach parcels chose to remain in Orange County so a linear boundary line would not be possible.

Chair Daniel closed the Public Hearing.

Vice Chair Riley stated he remained opposed to the item until resident concerns have been addressed.

Director Mendoza stated the County had indicated the cost for recordation of documents would be waived; however, there were still some issues that needed to be addressed at the Council level.

Commissioner Sofelkanik clarified the item was only regarding zoning and that taxation and annexation were beyond the Commissions jurisdiction.

Motion/Second: Grose/Sofelkanik

Carried 5/1 (Riley opposed): The Planning Commission

1. Opened the Public Hearing; and,
2. Took Public Testimony; and,
3. Adopted Planning Commission Resolution No. 11-15, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING APPROVAL TO THE CITY COUNCIL to Establish General Plan Designations and pre-zone PARCELS 7078-019-005, 006, 007, 009, 010, 011, 7078-019-906 and 7078-019-907 In CONJUNCTION WITH PROPOSED LOCAL AREA FORMATION COMMISSION BOUNDARY ADJUSTMENT AND REPEALING RESOLUTION 11-11 (ZOA 11-03 and GPA 11-02)."

**PLANNING COMMISSION MINUTES - August 22, 2011**

**Page 1 of 1**

# City of Los Alamitos

## Planning Commission

### Agenda Report Public Hearing

August 22, 2011  
Item No. 7A

To: Chair Daniel and Members of the Planning Commission

From: Steven A. Mendoza, Community Development Director

Subject: Adopting Resolution No. 11-15, to reflect new property information provided by a title report related to Boundary Adjustment Area Seven (ZOA 11-03 and GPA 11-02)

**Summary:** During its July 11, 2011, meeting, the Planning Commission adopted Resolution No. 11-11, to establish the General Plan and pre-zoning designations for properties adjacent to Toland Avenue within the Orange County Local Agency Formation Commission (OC LAFCO) Boundary Adjustment Area 7. New information regarding ownership of the Metropolitan Water District parcel has been discovered. Staff is requesting that the Commission adopt Resolution 11-15, which reflects this new information and repeals Resolution No. 11-11.

#### Recommendation:

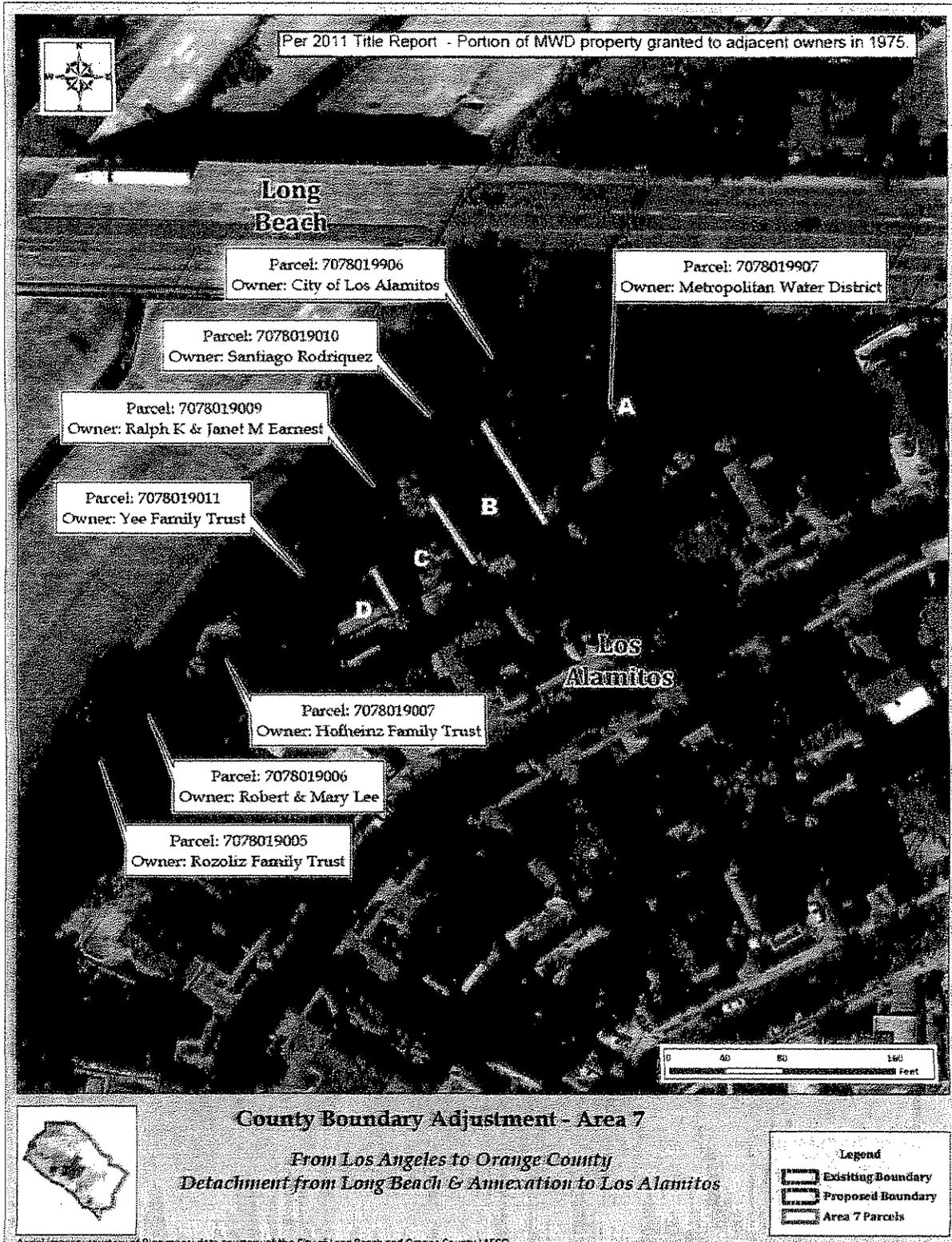
1. Open the Public Hearing; and,
2. Take Public Testimony; and,
3. Adopt Planning Commission Resolution No. 11-15, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING APPROVAL TO THE CITY COUNCIL to ESTablish General Plan Designations and pre-zone PARCELS 7078-019-005, 006, 007, 009, 010, 011, 7078-019-906 and 7078-019-907 In CONJUNCTION WITH PROPOSED LOCAL AREA FORMATION COMMISSION BOUNDARY ADJUSTMENT AND REPEALING RESOLUTION 11-11 (ZOA 11-03 and GPA 11-02)."

#### Background and Discussion

On July 11, 2011, the Planning Commission adopted Resolution 11-11, specifying General Plan and zoning designations to parcels related to a boundary adjustment with adjacent cities. Through a title search, it became evident that one of the parcels has been divided into four sections. Due to that discovery, staff is asking the Planning Commission to re-consider the General Plan and zoning designation for the Metropolitan Water District Property.

In 1975, the Metropolitan Water District conveyed portions of Los Angeles County Parcel No. 7078-019-907, to adjacent property owners. The three small pieces (B, C, and D) were shown on a title report to have been conveyed to the nearby residents.

The aerial photo below shows how portions of the Metropolitan Water District parcel were granted to neighboring property owners in 1975. Due to this revelation, staff found it necessary to bring this item back to the Commission.



Resolution 11-15, has been updated to better reflect the General Plan and zoning designations of the Metropolitan Water District Parcel and the four sub areas of that parcel indicated as A, B, C and D. The actions are summarized in Table 1 below.

L.A. County	Property Owner	Address	Sq. Ft.	GP Designation	Prezone From	Prezone To
7078-019-005	Rozoiz Family Trust	3641 Toland	436	Single Family Res	R-1 N (normal)	R1
7078-019-006	Robert and Mary Lee	3651 Toland	2,178	Single Family Res	R-1 N (normal)	R1
7018-019-007	Hofheinz Family	3661 Toland	3,920	Single Family Res	R-1 N (normal)	R1
7078-019-011	Yee Family Trust	3671 Toland	8,640	Single Family Res	R-1 N (normal)	R1
7078-019-009	Ralph & Janet Earnest	3681 Toland	4,856	Single Family Res	R-1 N (normal)	R1
7078-019-010	Santiago Rodriguez	3691 Toland	4,596	Single Family Res	R-1 N (normal)	R1
7078-019-906	City of Los Alamitos		3,430	Community Institutional	R-1 N (normal)	CF
7078-019-907(A)	Met. Water District		27,940	Community Institutional	R-1 N (normal)	CF
7078-019-907(B)	Granted to Hougham 1975			Single Family Res	R-1 N (normal)	R1
7078-019-907(C)	Granted to Earnest 1975			Single Family Res	R-1 N (normal)	R1
7078-019-907(D)	Granted to Yee 1975			Single Family Res	R-1 N (normal)	R1
			<b>55,996</b>			

Staff is recommending the Commission adopt Resolution 11-15, which reflects that portions of the parcel are used as residential and another portion is used as a park, and also repeals Resolution 11-11.

- Attachments:
1. Draft Planning Commission Resolution No. 11-15
  2. Exhibit A of Title Report
  3. Planning Commission Resolution No. 11-11

## RESOLUTION NO. 11-15

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING APPROVAL TO THE CITY COUNCIL TO ESTABLISH GENERAL PLAN DESIGNATIONS AND PRE-ZONE PARCELS 7078-019-005, 006, 007, 009, 010, 011, 7078-019-906 AND 7078-019-907 IN CONJUNCTION WITH PROPOSED LOCAL AREA FORMATION COMMISSION BOUNDARY ADJUSTMENT AND REPEALING RESOLUTION 11-11 (ZOA 11-03 AND GPA 11-02)

**WHEREAS**, on March 26, 2001, the Los Alamitos City Council adopted Resolution No. 1812, to adopt a General Plan, updating the City's Land Use Plan within the designated urban boundary line and extending its sphere of influence; and,

**WHEREAS**, On March 3, 2011, Orange County Local Agency Formation Commission (LAFCO) staff requested that the City "pre-zone" and identify the proposed land use designation for the affected territory being annexed to the City prior to consideration by the LAFCO; and,

**WHEREAS**, on March 14, 2011, the City of Los Alamitos Planning Commission initiated a pre-zone application on 37.84 acres, as identified on Exhibit A, and as depicted on the attached maps as 1.31 acre Stansbury Park Area and a 36.53 acre area adjacent to I-605 Freeway south of Katella Avenue, located in the City of Long Beach, to pre-zone the area consistent with the Los Alamitos General Plan and respective land use designations; and,

**WHEREAS**, on April 5, 2011, the City of Long Beach voted to retain the 36.53 acre area within its boundaries and this area is therefore no longer part of the boundary adjustment project; and,

**WHEREAS**, on April 11, 2011, the Los Alamitos Planning Commission conducted a public hearing to obtain input from residents impacted by this project; and,

**WHEREAS**, on July 11, 2011, the Los Alamitos Planning Commission adopted resolution No 11-11 pre-zoning various parcels related to this actions; and,

**WHEREAS**, on August 22, 2011, the Planning Commission repealed No. 11-11, after learning that portions of Los Angeles County Parcel No. 7078-019-907 had been deeded over to adjacent property owners and used as residential properties instead of as park space; and,

**WHEREAS**, on August 22, 2011, the Planning Commission adopted Resolution No. 11-15, reflecting the new title information regarding parcel ownership; and,

**WHEREAS**, in taking this action, the Planning Commission does not concede that the portions of Los Angeles County Parcel #7078019907, designated herein as B, C, and D, deeded from Metropolitan Water District in 1975 pursuant to metes and bounds description only, are legal or developable lots under the California Subdivision Map Act, Los Alamitos Zoning Code, or the City's Subdivision section of the Municipal Code.

**WHEREAS**, after consideration of all applicable staff reports, testimony, and evidence presented at the public hearings, the Planning Commission does hereby make the following findings of fact for the proposed General Plan Amendment and Pre-Zoning as required by Los Alamitos Municipal Code, Section 17.70.050:

- A. The proposed General Plan Amendment, Pre-zone and Zone Change would ensure and maintain internal consistency with the actions, goals, objectives, and policies of the General Plan, and would not create any inconsistencies with the Zoning Code described as follows:

Applicable <i>General Plan</i> Implementing Goals and Policies	Consistency of Proposed Project
<b>LAND USE ELEMENT</b>	
<p><b>Goal 1:</b> Preserve and promote land uses which reflect Los Alamitos' small-town character with due regard for economic development and future growth potential.</p>	<p><u>Consistent.</u> The proposed project includes establishing the City's Single Family Residential designation which allows for 1 unit per parcel and would not increase density within the area. The proposed project is located within an established site in an urbanized area, consistent with the existing on-site and surrounding established land use patterns. No expansion beyond the existing property boundaries would occur with the proposed project.</p>
<p><b>Goal 2:</b> Preserve and enhance the quality of the City's residential neighborhoods.</p>	<p><u>Consistent.</u> The proposed project includes establishing the City's Single Family Residential designation which allows for 1 unit per parcel and would not increase density within the area. The proposed project is located within an established site in an urbanized area, consistent with the existing on-site and surrounding established land use patterns. No expansion beyond the existing property boundaries would occur with the proposed project...</p>
<p><b>Goal 3:</b> Promote and upgrade the quality of the City's commercial, industrial, and open space areas.</p>	<p><u>Consistent.</u> The proposed project includes a portion of Stansbury Park and would increase the square footage of parks within the City's boundaries and increase the ratio of parks per resident.</p>
<p><b>Policy 1-1.3:</b> Maintain consistency among General Plan Policies and Programs, the Zoning Ordinance, and related development regulations.</p>	<p><u>Consistent.</u> The proposed project, unless approved, would remain inconsistent with neighboring properties. Therefore, the project, if approved would allow the current homeowners to have properties of consistent zoning and enforceable by one City's Zoning ordinance.</p>
<p><b>Policy 1-4.3:</b> Consider General Plan Policies and Programs in making land use decisions.</p>	<p><u>Consistent.</u> This table provides a review of applicable <i>General Plan</i> policies and programs.</p>
<b>SAFETY ELEMENT</b>	
<p><b>Goal One:</b> Protect residents and property from natural disasters, fire, and crime.</p>	<p><u>Consistent.</u> The proposed project will remove a confusion of service delivery as the parcel would now be identified as Los Alamitos parcels and would be serviced by the City of Los Alamitos instead of serviced by Long Beach which has challenges in delivering services on the east side of Coyote Creek.</p>

- B. The proposed General Plan Amendment and Pre-zone and Zone Change would not adversely affect the public convenience, health, interest, safety, or welfare of the City; as the Pre-zoning will impose the same zoning standards as the primary parcels of the existing homes within the area ensuring that any development will not be detrimental to the public or general welfare of persons residing or working in the vicinity of the area.

- C. The proposed project has been reviewed in compliance with the California Environmental Quality Act ("CEQA"). Pursuant to CEQA, Section 15319 of the CEQA Guidelines, and the City's local guidelines within Section 15319 Class 19 Exemption. This action is an annexation or re-organization of existing facilities and existing structures developed pursuant to the current zoning and is therefore exempt from CEQA. It is further an annexation to the City of areas containing existing public or private structures developed to the density allowed by the current zoning or pre-zoning of either the attaching or detaching city, whichever is more restrictive and that any extension of utility services to the existing facilities would have a capacity to serve only the existing facilities. The subject properties are fully developed with single-family residences in accordance with the R-1 designation and the existing park areas are undeveloped and will not be developed in accordance with the proposed C-F zoning designation. Existing infrastructure is already extended to the parcels, and provides service only to the parcels in question; therefore, the annexation would not result in the extension of utility services to serve additional properties.
- D. The approximate 1.29 acres of property are physically suitable (including provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designation(s) and any anticipated land use development as it is currently used for residential and park uses within an established site in an urbanized area, consistent with the existing on-site and surrounding established land use patterns. No expansion beyond the existing property boundaries would occur with the proposed project. The City of Los Alamitos Zoning Ordinance would enforce zoning standards.
- E. The proposed General Plan Amendment and Pre-Zone/Zone Change is internally consistent with other applicable provisions of this zoning code. To ensure consistency between the proposed Pre-Zone and Zone Change existing zoning designations from the City's Zoning Ordinance have been established. More specifically, the proposed Zone Change would establish the boundaries and replace the Long Beach Zoning Designations of R-1 N (Normal) to Los Alamitos R-1 (Single Family Residential) and Community Facilities (CF) for the Park space. Additionally, the existing zoning district standards and regulations would be replaced with the proposed development standards which would not change the development standards for the area, such as allowable uses, temporary uses and special events, conditional uses, intensity, general development standards, height, setbacks, building separation, landscaping requirements, fencing, parking requirements, signage, and development standards modifications. Application of these regulations is specifically intended to provide for the orderly development of the site and effective fulfillment of the project objectives, while protecting the health, safety, and welfare of the users, as well as those of the surrounding community.

**NOW, THEREFORE BE IT RESOLVED** the Planning Commission does hereby recommend to the City Council of the City of Los Alamitos as follows:

**SECTION 1.** The Planning Commission of the City of Los Alamitos, California, finds that the above recitals are true and correct and are incorporated by reference herein.

**SECTION 2.** The Planning Commission hereby recommends to the City Council of the City of Los Alamitos approval of General Plan Amendment No. 11-02, and Zoning Ordinance Amendment No. 11-03, to:

1. Establish General Plan designation of Single Family Residential and Pre-zone parcels 7078-019-005, 006, 007, 009, 010, 011 and portions B, C, & D of 7078-019-907 from Long Beach R-1 N (Normal) to Los Alamitos R-1 (Single Family Residential)
2. Establish General Plan designation of Community Institutional and Pre-zone parcels 7078-019-906 and Portion A of 7078-019-907 from Long Beach R-1 N (Normal) to Los Alamitos C-F (Community Facilities)

**SECTION 3.** The Los Alamitos Planning Commission further recommends to the City Council that the City General Plan Land Use Map and Zoning Map be revised to reflect the change in Zoning Designations in accordance with Section 2 above.

**SECTION 4.** The Secretary of the Planning Commission shall certify to the adoption of this resolution and shall enter a certified copy of this resolution in the book of resolutions of the City.

PASSED AND APPROVED this 22<sup>nd</sup> day of August, 2011, by the following vote:

AYES: Grose, Sofelkanik, Daniel, Loe, Sutherland  
NOES: Riley  
ABSENT: Andrade  
ABSTAIN: None

ATTEST:



\_\_\_\_\_  
Steven A. Mendoza, Secretary  
LOS ALAMITOS PLANNING COMMISSION



# Long Beach

Parcel: 7078019906  
Owner: City of Los Alamitos

Parcel: 7078019907  
Owner: Metropolitan Water District

Parcel: 7078019010  
Owner: Santiago Rodriguez

Parcel: 7078019009  
Owner: Ralph K & Janet M Earnest

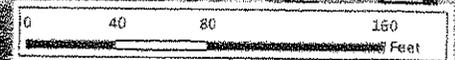
Parcel: 7078019011  
Owner: Yee Family Trust

Parcel: 7078019007  
Owner: Hofheinz Family Trust

Parcel: 7078019006  
Owner: Robert & Mary Lee

Parcel: 7078019005  
Owner: Rozoliz Family Trust

# Los Alamitos



## County Boundary Adjustment - Area 7

*From Los Angeles to Orange County  
Detachment from Long Beach & Annexation to Los Alamitos*



Legend	
	Existing Boundary
	Proposed Boundary
	Area 7 Parcels

# City of Los Alamitos

## Agenda Report Discussion Items

October 3, 2011  
Item No: 10A

**To:** Mayor Stephens & Members of the City Council  
**From:** Jeffrey L. Stewart, City Manager  
**Subject:** Consideration of Private Use of a City Service Road Located between 3608 and 3622 Fenley Drive, Los Alamitos

**Summary:** Consideration regarding use of a City service Road located between 3608 and 3622 Fenley Drive, Los Alamitos.

### Recommendation:

1. Review and discuss; and if appropriate,
2. Authorize execution of a license agreement between the City of Los Alamitos and Richard and Beverly Vardeman, owners of the property located at 3622 Fenley Drive, for use of the City service road located between 3608 and 3622 Fenley Drive.

### Background

The City owns property at 3610 Fenley Drive, where a pump station is located. This pump station is used to pump runoff water from the College Park neighborhood to the Los Coyotes Creek storm channel. The property is located behind 3622 Fenley Drive, and access to the pump station is by way of a service road that is between the two properties at 3608 & 3622 Fenley Drive. Mr. Vardeman, the property owner at 3622 Fenley Drive adjacent to the service road, has approached staff with a request to revisit this issue in order to obtain permission to access his rear yard for storing a recreational vehicle.

### Discussion

Should the City Council elect to authorize the execution of a license agreement for use of the service road, the property owners would be authorized to use the service road to access their backyard for storage of the RV. According to the property owners the road is used five to six times per year. The proposed license agreement authorizes the use of the service road subject to the City's terms and conditions. Key provisions of the agreement are as follows:

- The granting of the license agreement is subject to the discretion, approval and direction of the City throughout the term and duration of the agreement
- The City retains the authority to supervise, control and/or terminate any activity conducted pursuant to the agreement.

- The property owner must restore the City property to its original condition upon termination of the agreement.
- The property owner shall procure a \$50,000 bond and maintain for the duration of the license, general liability and automobile insurance, against claims for injuries to persons or damages to property which may arise from, or in connection with, the license or this agreement. The property owner shall obtain and furnish to the City, proof of the insurance required by this agreement.

This item has been considered previously under the same agreement. Staff has taken a second look at the previous amount established for the bond and is recommending a change in the amount of coverage. Staff is recommending an amount that better reflects the replacement value of the walls that line the access roads.

The newly established amount is based upon current construction pricing to replace any or all of the two block walls. The combined length of the two walls is 254 linear feet. Today's costs of replacement of the two walls including necessary footings could reach eighteen thousand four hundred fifteen (\$18,415.00) dollars when using the average of two contractors figures represented in table below.

Source	Linear Feet of Walls	Cost Per Liner foot	Wall Amount
Contractor Estimate 1	254	\$70.00	\$17,780
Contractor Estimate 2	254	\$75.00	<u>\$19,050</u>
		<b>Average</b>	<b>\$18,415</b>

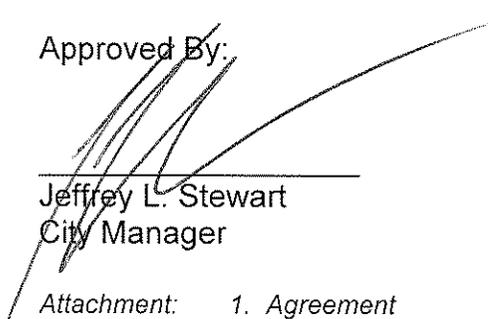
The previously suggested amount of five hundred thousand (\$500,000.00) dollars was not based upon any situational facts. Staff has established the bond requirement of fifty thousand (\$50,000) dollars as the worst case scenario. This would occur if both walls needed replacement and damage to any real property occurred due to the use of the service road. Damage to the property caused by third parties should be covered by the property owner's general liability policy, under which the City would be required to be endorsed as an additional insured.

A check of bonding companies has concluded that a bond will cost the applicant twenty five (\$25) dollars per one hundred thousands of bond issuance annually. The neighboring property owner has been notified of this request.

### **Fiscal Impact**

No ongoing costs to implement this request.

Approved By:

  
 \_\_\_\_\_  
 Jeffrey L. Stewart  
 City Manager

Attachment: 1. Agreement

**CITY OF LOS ALAMITOS  
REVOCABLE LICENSE AGREEMENT  
FOR USE OF CITY SERVICE ROAD**

**1. PARTIES AND DATE.**

This License Agreement (“Agreement”) is entered into this 3<sup>rd</sup> day of October, 2011 by and between the CITY OF LOS ALAMITOS, a California municipal corporation (“City”), and Richard and Beverly Vardeman (“Licensee”). City and Licensee are sometimes individually referred to as “Party” and collectively as “Parties” in this Agreement.

**2. RECITALS.**

2.1 City. City is a municipal corporation organized under the laws of the State of California, with power to own and operate facilities of various kinds, and authorize the use of such facilities by other public entities and private parties.

2.2 Licensee. Licensee desires to use that certain service and access road generally located at 3610 Fenley Drive, Los Alamitos, California (“Service Road”) that is not open to the public.

2.3 Purpose. City desires to allow Licensee to use the Service Road for the purpose of providing vehicular and pedestrian access to Licensee’s property (“Activities”) generally located at 3622 Fenley Drive, Los Alamitos, California. Licensee desires to use the Service Road because the Service Road provides the only means by which Licensee can access his property with large recreational vehicles.

2.4 Consideration. This Agreement is made in consideration of the terms, conditions and mutual covenants contained herein, the sufficiency of which are hereby acknowledged.

**3. USE OF SERVICE ROAD.**

3.1 Service Road Subject to License. Subject to the terms and conditions of this Agreement, the City hereby agrees to allow Licensee to use the Service Road for the purpose of conducting the Activities.

3.2 Terms of License. With this License the City grants the Licensee the limited right to use the Service Road for the specific purpose named herein. Any License or permission granted hereunder is subject to the discretion, approval and direction of the City throughout the term and duration of the License and the City retains the authority to supervise, control, and/or terminate any Activities conducted pursuant to this Agreement.

#### 4. TERMS.

4.1 Term and Termination of License. This Agreement and the License shall remain in effect until terminated by either Party. The City has the right to terminate this Agreement and the License granted hereby upon one (1) day's notice, with or without cause. In addition, the City may terminate this Agreement and the License immediately and without notice for safety reasons. It is within the sole discretion of the City to determine if and when safety concerns exist which require immediate termination or revocation of the License. The City shall incur no liability or obligation upon exercising any of the termination rights listed herein.

4.2 Nonassignment of License. The permission, rights and privileges granted hereunder are nonexclusive and nontransferable. Licensee shall not, either voluntarily or by action of law, assign or transfer this Agreement or any obligation, right, title or interest assumed by Licensee herein without the prior written consent of the City. If Licensee attempts an assignment or transfer of this Agreement or any obligation, right, title or interest herein, City may at its option, terminate the Agreement and shall thereupon be relieved from any and all obligations to Licensee or its assignee or transferee.

4.3 Agreement to Protect and Maintain Service Road. Licensee, on behalf of its employees, officers, agents and contractors, agrees to take all prudent action to protect the Service Road, including the existing block walls adjacent to it, from any damage or injury caused by the exercise of this License. Licensee shall immediately notify the City of any damage or injury to the Service Road caused by Activities authorized pursuant to this Agreement, and, without in any way limiting the obligations of Licensee under this Agreement, shall pay to the City upon demand all costs incurred by the City for the repair of such damage or injury. The Service Road is to be cleaned and maintained as necessary and appropriate by Licensee during and/or after engaging in the Activities authorized by this License and throughout the term of the License.

4.4 Indemnification. Licensee shall defend, indemnify and hold City and its officials, officers, employees, agents, volunteers and contractors free and harmless from and against any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury, in law or equity, to property or persons, including wrongful death, in any manner arising out of or incident to any alleged acts, omissions or willful misconduct of Licensee, its officials, officers, employees, agents, attendees, and contractors arising out of or in connection with the Activities or this Agreement, including without limitation the payment of all consequential damages and attorneys fees and other related costs and expenses. Licensee shall defend, at Licensee's own cost, expense and risk, any and all such aforesaid suits, actions or other legal proceedings of every kind that may be brought or instituted against the City, its directors, officials, officers, employees, agents, or volunteers. Licensee shall pay and satisfy any judgment, award or decree that may be rendered against the City or its directors, officials, officers, employees, agents, or volunteers, in any such suit, action or other legal proceeding. Licensee shall reimburse City and its directors, officials, officers, employees, agents, and/or volunteers, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided. Licensee's obligation to indemnify shall not be restricted or limited by insurance proceeds, if any, received by the City, its directors, officials, officers, employers, agents or volunteers.

4.5 Insurance. Licensee shall 1) procure and maintain for the duration of the License a fifty-thousand dollar (\$50,000) performance bond in the City's favor to protect against any potential property damage caused in using the service road 2) maintain automobile insurance in an amount of one-hundred thousand (\$100,000) and 3) extend their property owners' insurance (or procure an umbrella policy) in an amount not less than one hundred thousand dollars (\$100,000) to protect Licensee and City from third party claims arising from Licensee's use of the licensed area. The City of Los Alamitos, its City Council, officials, officers and employees shall be endorsed as additional insureds on this insurance or umbrella policy. Licensee shall obtain and furnish to City proof of the insurance and bond required by this section in a form satisfactory to Risk Manager.

4.6 Entire Contract/Modification. This Agreement contains the entire agreement of the Parties with respect to the subject matter hereof, and supercedes all prior negotiations, understandings or agreements. The terms and conditions of this Agreement may be altered, modified or amended only by written agreement signed by both Parties.

4.7 Notices. All notices to be given hereunder shall be in writing and may be made either by personal delivery or by registered or certified mail, postage prepaid, return receipt requested. Mailed notices shall be addressed to the parties at the addresses listed below, but each party may change the address by written notice in accordance with this paragraph. Notices delivered personally will be deemed communicated as of actual receipt; mailed notices will be deemed communicated as of two (2) days after mailing.

City: City of Los Alamitos  
3191 Katella Avenue  
Los Alamitos, California 90720  
Attn: City Manager

Licensee: Richard and Beverly Vardeman  
3622 Fenley Drive  
Los Alamitos, California  
Attn: Richard and Beverly Vardeman

4.8 Governing Law. This Agreement shall be governed by the laws of the State of California. Venue shall be in Orange County.

4.9 Counterparts. This Agreement may be executed in counterparts, each of which shall constitute an original.

4.10 Successors. The Parties do for themselves, their heirs, executors, administrators, successors, and assigns agree to the full performance of all the provisions contained in this Agreement.

4.11 Attorneys Fees. If either Party commences an action against the other Party, legal, administrative or otherwise, arising out of or in connection with this Agreement, the

prevailing Party in such action shall be entitled to have and recover from the losing Party reasonable attorneys' fees and all other costs of such action.

4.12 Authority to Enter Agreement. Each Party warrants that the individuals who have signed this Agreement have the legal power, right and authority to make this Agreement bind each respective Party.

IN WITNESS WHEREOF, each of the Parties has caused this Agreement to be executed on the day and year first above written.

CITY OF LOS ALAMITOS

LICENSEE

By: \_\_\_\_\_  
Jeffrey L. Stewart  
City Manager

By: \_\_\_\_\_  
Richard Vardeman

By: \_\_\_\_\_  
Beverly Vardeman