

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

**REGULAR MEETING – October 19, 2015**

**1. CALL TO ORDER**

The City Council met in Regular Session at 6:01 p.m., Monday, October 19, 2015, in the Council Chamber, 3191 Katella Avenue, Mayor Murphy presiding.

**2. ROLL CALL**

**Present:** Council Members: Grose, Hasselbrink, Kusumoto,  
Mayor Pro Tem Edgar, Mayor Murphy

**Absent:** Council Members: None

**Present:** Staff: Bret M. Plumlee, City Manager  
Cary Reisman, City Attorney  
Jason Al-Imam, Administrative Services Director  
Sean Connolly, Police Captain  
Dave Hunt, City Engineer  
Corey Lakin, Recreation and Community Services Director  
Todd Mattern, Chief of Police  
Steven Mendoza, Development Services Director  
Windmera Quintanar, CMC, City Clerk

**3. PLEDGE OF ALLEGIANCE**

Council Member Grose led the Pledge of Allegiance.

**4. INVOCATION**

Council Member Kusumoto gave the Invocation.

**5. PRESENTATIONS**

**B. Presentation of Certificates of Recognition to the Los Alamitos Volunteer Program Participants**

Mayor Murphy and the City Council presented Certificates of Recognition to the Volunteer Program Participants present.

**C. Presentation of a Plaque to Outgoing Planning Commissioner, Will Daniel, for his Dedicated Years of Service**

Mr. Daniel was not present.

**D. Presentation of a Plaque to Outgoing Cable Television Commissioner, Stephen Hammond, for his Dedicated Years of Service**

Mayor Murphy and the City Council presented a plaque to Mr. Hammond. Mr. Hammond spoke briefly.

**A. Presentation of a Certificate of Appreciation from Mark Stanley, Executive Officer of the Rivers and Mountains Conservancy, to Mayor Pro Tem Edgar for Five Years of Outstanding Dedicated Service**

Mr. Stanley was not present. Mayor Murphy and the City Council presented the Certificate of Appreciation to Mayor Pro Tem Edgar. Mayor Pro Tem Edgar spoke briefly.

**6. ORAL COMMUNICATIONS**

Mayor Murphy opened Oral Communications.

Shelley Henderson, community member, spoke regarding the upcoming Wings Wheels Rotors and Expo to be held on Sunday at the Joint Forces Training Base and attendance at the ground breaking for Long Beach Veterans Fisher House.

Larry Strawther thanked Council for their support for Taste of Los AI and provided a brief update on Los AI TV-3.

Orion Wise, Katella Corporate Center, spoke in favor of having the PACE program on the November agenda.

Stephen Hammond, resident, spoke regarding the following topics: questioned the \$10,000 warrant for asset forfeiture; requested it be made clear to citizens when deadly force would be exhibited by police; opposition to equipment being purchased for Los AI TV-3 and not having a detailed list available for the public; concern Los AI TV reserves are being depleted and volunteer training is not being offered; and, concerns regarding program scheduling.

Mayor Murphy closed Oral Communications.

**7. WARRANTS**

Motion/Second: Edgar/Hasselbrink

Unanimously Carried: The City Council approved the Warrants for October 19, 2015, in the amount of \$286,787.31, ratified the Warrants for September 22, 2015 to October 18, 2015, in the amount of \$692,294.02, and authorized the City Manager to approve such expenditures as are legally due and within an unexhausted balance of an appropriation against which the same may be charged for the time period of October 20, 2015, to November 15, 2015.

**ROLL CALL**

Council Member Grose	Aye
Council Member Hasselbrink	Aye
Council Member Kusumoto	Aye
Mayor Pro Tem Edgar	Aye
Mayor Murphy	Aye

Council Member Grose requested an explanation for the \$10,000 asset forfeiture.

Captain Connolly indicated it was money seized during a criminal investigation. The funds were being returned to the rightful owner now that the investigation had concluded.

Mayor Murphy advised Council was waiting for another party to arrive and would recess to Closed Session at that time.

**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 Grose pulled items 8G and 8L.

Council Member Kusumoto pulled item 8E.

Mayor Pro Tem Edgar pulled item 8A.

Motion/Second: Edgar/Grose

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

- B. Orange County Vector Control District Update (Administration)**  
This report provided an update on the Orange County Vector Control Board.

The City Council received and filed the report.

- C. Records Management Program (City Clerk)**  
The California Government Code allows for destruction of records after stated periods of time. The City's current policy was adopted by Resolution No. 1741 on January 10, 2000. In order to ensure an efficient management of records, Staff prepared an updated Records Management Program.

The City Council adopted Resolution 2015-27, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADOPTING A RECORDS MANAGEMENT PROGRAM AND REPEALING RESOLUTION NO 1741 IN ITS ENTIRETY."

- D. The League of California Cities' 2016 Annual City Managers Department Conference (Administration)**  
This report sought authorization for City Manager, Bret Plumlee, to attend the 2016 League of California Cities Annual City Managers Department Conference.

The City Council authorized the City Manager to attend the conference and all associated travel expenses in an amount not to exceed \$1,300.

- F. Investment Policy (Administrative Services)**  
This report sought City Council approval of a change to the City's Investment Policy to allow for greater flexibility in purchasing Non-Negotiable Certificates of Deposit, which will allow the City to maximize its return on investments.

The City Council adopted Resolution 2015-27, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADOPTING THE STATEMENT OF INVESTMENT POLICY DATED OCTOBER 2015 AND REPEALING RESOLUTION NO. 2015-07."

- H. 2016 Race on the Base Shirt Purchase (Recreation)**  
This item was to authorize the City Manager to purchase participant and volunteer shirts for the Race on the Base. Every participant in each race receives a shirt as part of his/her registration fee. Race volunteers also receive a shirt. This item has been placed on the agenda because the cost of the purchase exceeds the purchasing limit of the City Manager. Race registration revenue offsets the cost of the shirts so there is no impact to the General Fund.

The City Council authorized the City Manager to purchase 2016 Race on the Base participant shirts from Alanic International in an amount not to exceed \$40,000.

- I. 2016 Race on the Base Equipment Rental (Recreation)**  
This item was to authorize the City Manager to rent equipment for the Race on the Base. The Race on the Base event requires additional equipment from external vendors due to limited existing City resources. This item has been placed on the agenda because the cost of the rental exceeds the purchasing limit of the City Manager. Race registration, vendor fees and sponsorship revenues offset the cost of the equipment rental.

The City Council authorized the City Manager to rent equipment from Big Top Rentals for the 2016 Race on the Base in an amount not to exceed \$45,000 and to execute a contract in a form to be approved by the City Attorney.

- J. Consideration of a Request to Install 3-Way Stop Signs at Cherry Street and Catalina Street (City Engineer)**  
At its meeting of March 11, 2015, the Traffic Commission received a request from Thomas Balutis, President, Trend Offset Printing, 3701 Catalina Street, Los Alamitos, to install All-Way STOP control at the intersection of Cherry Street and Catalina Street. A Warrant Study was performed and the study findings to the Warrant for All-Way STOP Control results in two of the ten criteria being met. Meeting any one of the criteria normally justifies a recommendation for All-Way STOP installation or a viable alternative. HCI does not feel that there is a viable alternative to All-Way STOP control at this location.

The City Council adopted Resolution No. 2015-29, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, TO PROVIDE FOR MULTI-WAY STOPS AT THE INTERSECTION OF CHERRY STREET AND CATALINA STREET."

- K. Orange County Transportation Authority (OCTA), Cooperative Agreement No. C-5-3595 – Cerritos Ave Rehabilitation (City Engineer)**  
This Cooperative Agreement defined the roles and responsibilities related to funding between OCTA and the City for construction of Cerritos Avenue Rehabilitation from West City Limits to Bloomfield Street Project.

The City Council:

1. Authorized the Mayor to execute Cooperative Agreement No. C-5-3595, between the Orange County Transportation Authority and the City of Los Alamitos; and,
2. Determined that the project is Categorically Exempt pursuant to Section 15301(c) of the California Environmental Quality Act Guidelines (CEQA) and National Environmental Policy Act (NEPA) exclusion.

#### **End of Consent Calendar**

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

- A. Approval of Minutes (City Clerk)**
1. Approve the Minutes of the Adjourned Regular meeting of August 24, 2015.
  2. Approve the Minutes of the Regular meeting of September 21, 2015.

Mayor Pro Tem Edgar referred to 8A1 and reviewed his suggested changes.

Council Member Grose received clarification from City Attorney Kranitz he should not weigh in on items he had previously recused himself from.

Council Member Grose referred to his statement at the top of page 5, and requested "without" be changed to withhold.

Motion/Second: Edgar/Murphy

Carried 4/0 (Grose abstained): Approved the minutes of the Adjourned Regular meeting of August 24, 2015, as amended by Mayor Pro Tem Edgar.

Motion/Second: Edgar/Murphy

Unanimously Carried: The City Council approved the minutes of the Adjourned Regular meeting of August 24, 2015, as amended by Council Member Grose.

Motion/Second: Kusumoto/Edgar

Unanimously Carried: The City Council approved the minutes of the Regular meeting of September 21, 2015.

**E. Private Use of a City Service Road between 3608 and 3622 Fenley Drive (Development Services)**

The City Council is being asked to consider a modification of a previously approved Agreement to use the service road between 3608 and 3622 Fenley Drive, Los Alamitos.

Council Member Kusumoto indicated the item was no longer needed and in fairness to the neighbors and not allowing special dispensation the license should not be extended.

Motion/Second: Kusumoto/Hasselbrink

Motion: Deny the extension of the revocable license agreement.

Council Member Grose recalled the long hours spent on this issue. He indicated he was not aware of any negative feedback and questioned the rationale to denying the agreement.

Council Member Kusumoto stated it would be fair to all neighbors. He indicated the need no longer existed and allowing an extension would continue a precedent with unintended consequences.

Mayor Pro Tem Edgar asked Mr. Vardeman if there was anything he would like to add to the discussion.

Mr. Vardeman indicated he has requested removal of the bollards a minimal amount of times. He stated parking was limited on the cul-de-sac and he was considering buying a small boat. As he understood it, his insurance covered any vehicle he drove. He indicated it was the only access point and felt it would be a good use of public property.

Mayor Pro Tem Edgar questioned what would happen with the license should the Vardeman family sell the property.

City Attorney Reisman indicated this was a license based on the individual needs of the property owner and would not continue with the next owner.

Mayor Pro Tem Edgar questioned if any statements had been received from the other party.

City Manager Plumlee advised input had not been received since the item was added to the agenda. Development Services Director Mendoza advised the other party had not been directly notified.

Mayor Pro Tem Edgar questioned if the issue still existed between the neighbors and if the item should be thoroughly discussed.

City Manager Plumlee advised Staff had heard from the neighbor in the past year and had learned that Mr. Vardeman no longer owns a Recreational Vehicle (RV).

City Council and Staff established section 2.3 of the agreement was specific to a RV.

Council Member Hasselbrink advised the home had a two car garage with a two car driveway and was concerned the property would be marketed with additional storage. She indicated without the RV, there was no longer a need and she did not feel it was necessary to allow autos to the side/back yards.

Council Member Grose recalled this was the only location in the City where this unique situation existed. He questioned why the item was brought up.

Mayor Pro Tem Edgar advised the license had expired.

Council Member Grose stated support for leaving the matter alone and continue as needed until the Vardemans leave the property.

Mayor Murphy indicated he would like to support the item, but questioned the insurance requirements.

City Council and Staff discussed the insurance requirements. Council expressed support for reviewing the insurance and indemnification language to ensure the City had no liability.

Motion/Second: Kusumoto/Hasselbrink

Motion Failed 2/3 (Edgar, Grose, and Murphy cast the dissenting votes): Deny the extension of the revocable license agreement.

Motion/Second: Grose/Murphy

Motion Carried 3/2 (Hasselbrink and Kusumoto cast the dissenting votes): The City Council authorized the City Manager to modify the Revocable License Agreement to the satisfaction of the City Attorney and ensure the insurance and indemnification language fully protected the City.

#### **G. Utility Users Tax on Prepaid Mobile Telephony Services**

##### **(Administrative Services)**

With the passage of a new law, Assembly Bill (AB) 1717, the City of Los Alamitos can participate in a program established by the State Board of Equalization for the collection of Utility Users Tax (UUT) on prepaid mobile telephony services (MTS).

Council Member Grose stated concern individuals that used prepaid services were usually struggling with expenses and questioned if the additional revenue was needed. He believed the amount of money that would be lost by not pursuing this process would be relatively low as it relates to the overall UUT. He stated he was not in favor of the item.

Mayor Pro Tem Edgar gave an overview of the 2012 Council Ballot Measure DD to decrease UUT and modernize the tax code to include all telephone. He asked why this was needed.

Administrative Services Director Al-Imam advised that in 2012 Measure DD broadened the range of telephone services to include prepaid services; however, there is no billing or way to collect state and local taxes. AB1717 allows for a surcharge to be collected at the time a prepaid card is purchased. The tax can then be collected, remitted to the State Board of Equalization (BOE) and passed on to the City.

Assistant City Attorney Kranitz advised prepaid phone cards account for 25% of all mobile phone usage and is estimated to increase by 10% a year. She indicated there was no mechanism in place to collect UUT tax and the State intervened to allow for the tax to be collected the same as it is for people with monthly wireless service.

Mayor Pro Tem Edgar stated concern the BOE was involved as the tax collector and would likely take a portion of the tax. He stated opposition and questioned why the tax could not be collected without this action if the people had already approved the ordinance.

Assistant City Attorney Kranitz discussed there was no mechanism in place to collect the tax. She explained the difference between wireless user tax and prepaid users. She stated this charge was approved by a vote of the people and not a new charge.

Council Member Grose clarified it was legislature who passed this bill to allow the collection of the tax. He stated he did not feel this additional tax would generate significant revenue, especially in comparison to the work a local merchant would encumber to collect and remit the tax.

City Attorney Reisman reiterated the people had voted to impose the tax on all wirelesses, including prepaid; however, it had proven difficult to collect the tax that the people already authorized.

Council Member Kusumoto indicated it was the intent of the Council to remain revenue neutral at the time the UUT was put on the ballot. He agreed revenue would be minimal in comparison to the BOE, Staff, and local merchant's time to collect the tax. He believed this was a new tax and sent the wrong message to the public. The goal was to modernize the telephone tax. He did not feel it was worth effort, but would be supportive of Staff monitoring the issue.

Motion/Second: Hasselbrink/Edgar

Carried 4/0 (Murphy abstained): The City Council denied Resolutions 2015-25 and 2015-26; and, directed Staff to revisit in a year after the Merchants had the processes in place and the BOE could provide numbers for the surcharge.

**L. 4-Hour Parking on West side of Oak Street (City Engineer)**

This Staff report requests the establishment of time-limited parking on the west side of Oak Street.

Council Member Grose expressed concern there was no documentation for the previous 4-hour time frame. He spoke regarding the Traffic Commission's recommendation for angled parking on Oak Street and believed the main concern was school traffic. He stated opposition to 4-hour parking for a 24 hour period in a high density residential area.

Motion: Grose

Motion: Deny Staff's recommendation.

Substitute Motion: Hasselbrink

Motion: Approve Staff's recommendation with limited hours.

Council Member Hasselbrink did not believe 24-hour restriction as necessary.

Development Services Director Mendoza advised Staff had requested 24-hour enforcement to discourage overnight parking in a densely populated area and to encourage residents to use their garages. He pointed out the East side of Oak was permit parking.

City Council and Staff discussed possible time restrictions. Development Services Director Mendoza suggested 7:00 a.m. to 11:00 p.m.

Mayor Pro Tem Edgar questioned why the Traffic Commission had not offered a recommendation.

Development Services Director Mendoza stated parking limits were within the role of the City Council.

Mayor Pro Tem Edgar understood the need for parking of the residents and for the Community Center. He questioned if the City reduce parking in high density neighborhoods with limited parking to accommodate parking for the facility. He disagreed with the diagonal parking.

City Manager Plumlee advised an additional 19 spaces had been added. He added Staff had been working with Oak Middle School and resident inquiries. He supported the 4-hour time limit, but felt a compromise on the time period could be made.

City Council and Staff briefly discussed the Mobile Home Park's concerns regarding sight distance and Staff's remedies for such.

Mayor Pro Tem Edgar indicated he was not supportive of overnight parking restrictions as that would take too many spots out of circulation.

Council Member Hasselbrink agreed 7:00 a.m. to 11:00 p.m. would be a step in the right direction.

Council Member Grose questioned the relevancy of the 4-hour parking and the lack of approvals. He stated concern there were parking limits throughout the City that were not enforced. He indicated 4-hours seemed like an arbitrary time that was not justified. He pointed out the Traffic Commission had approved diagonal parking and stated concern parking limits were not consistent throughout the City. He did not feel this would accomplish anything and stated opposition.

Council Member Hasselbrink stated parking limits did not have to be consistent and should be relevant to the area and the goals the City is trying to accomplish. She was supportive of looking at specific areas and specific use. She reiterated a modified time frame was a good compromise.

Motion/Second: Hasselbrink/Murphy

Carried 4/1 (Grose cast the dissenting vote): The City Council adopted Resolution No. 2015-28, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ESTABLISHING LIMITED PARKING (4-Hour) ON THE WEST SIDE OF OAK STREET FROM KATELLA, NORTH TO SAUSALITO AVENUE."

City Attorney Reisman clarified Section 2 of Resolution 2015-28, shall read "The City Engineer shall cause 4 hour parking from 7:00 a.m. to 11:00 p.m. signs to be posted on the West side of Oak Street from Katella Avenue north to Sausalito Street."

Mayor Murphy confirmed.

Mayor Murphy advised item 14A would now be considered.

#### **14. CLOSED SESSION**

##### **A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Property: APN 242-212-08, APN 242-212-10, APN 242-212-11, and APN 130-012-46

Agency Negotiator: Bret M. Plumlee, City Manager; Steven A. Mendoza, Development Services Director; and, Peter Wallin, Special Counsel

Negotiating Parties: Lincoln Property Company and the Joint Forces Training Base

Under Negotiation: Price and Terms of Payment

Authority: Government Code Section 54954.5 (b)  
City Attorney Reisman read Item 14A aloud.

## **RECESS**

The City Council recessed into Closed Session at 7:31 p.m.

## **RECONVENE**

The City Council reconvened in Regular Session at 8:28 p.m.

City Attorney Reisman advised the Council had instructed its negotiators on how to proceed.

## **9. PUBLIC HEARINGS**

- A. Introduce Ordinance No. 2015-03 – A Zoning Ordinance Amendment (ZOA 15-03) to Create Medical and Retail Overlay Zones in compliance with the 2015-2035 General Plan (Development Services)**  
Consideration of a Zoning Ordinance Amendment (ZOA 15-03) to create Medical and Retail Overlay Zones to allow more flexible uses for certain parcels in the Planned Light Industrial Zone to comply with the new 2015-2035 General Plan and to amend the zoning map by placing the Overlay Zones on specified parcels, as recommended by the Planning Commission (City initiated).

Council Member Grose advised he had a conflict for the overlay at the Arrowhead property, but did not have a conflict with the Medical Center. He asked for the City Attorney's recommendation.

City Attorney Reisman recommended he recuse himself and state his conflict.

Council Member Grose stated he had a conflict because he owned property in the geographical area.

Council Member Kusumoto questioned if there was a time urgency and suggested separating the two items.

Development Services Director Mendoza indicated there was no additional cost to continue the Public Hearing and bring two separate items to the next meeting. He advised Council to open the Public Hearing, take testimony, and then continue the public hearing.

Mayor Murphy opened the Public Hearing. There was no one present wishing to speak.

City Attorney Reisman stated the Public Hearing would be continued to the Council Meeting on November 16, 2015, at 6:00 p.m.

**B. Introduce Ordinance Nos. 2015-07 and 2015-08 – Massage Ordinance Amendment (City initiated) (Development Services)**

Consideration of Ordinances amending Title 5 and Title 17 of the Los Alamitos Municipal Code relating to those sections where they refer to Massage Establishments (Citywide) (City Initiated) (ZOA 15-02).

Development Services Director Mendoza introduced the item. Assistant City Attorney Kranitz summarized the Staff report, referring to the information contained therein, and answered questions from the Council.

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

Mayor Pro Tem Edgar asked if there were issues within the City.

Assistant City Attorney Kranitz advised there were not any issues with the three establishments within the City. This item was being introduced to protect the City as surrounding neighbors tighten their restrictions. She advised this was a rewrite of the City's massage provisions and gave a brief overview of the massage regulations over the past several years.

Council Member Hasselbrink agreed there were no issues with the existing establishments. She cautioned that business that may register as a nail salon, but contain full service massage rooms in the back.

Assistant City Attorney Kranitz advised massage establishments were not required as long as no one disrobes and the massage takes place in an open room. Business with separate rooms in the back would need to comply with message establishment requirements.

Council Member Hasselbrink indicated she wanted to ensure there were mechanisms in place to verify businesses were conducting themselves appropriately.

Development Services Director Mendoza confirmed there were procedures to verify business' practices when the business opened.

Motion/Second: Grose/Kusumoto

Unanimously Carried: The City Council:

1. Determine that the proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) under the general rule that CEQA does not apply to activities which can be seen with certainty to have no effect on the environment. Changing the regulations relating to massage establishments will not have any environmental impacts; and,
2. Introduced, waived reading in full and authorized reading by title only of Ordinance No. 2015-07 set for second reading; and,

3. City Attorney Reisman read the title of Ordinance No. 2015-07, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, REPEALING AND RE-ADOPTING CHAPTER 5.32 OF THE LOS ALAMITOS MUNICIPAL CODE RELATING TO MASSAGE ESTABLISHMENTS".

Motion/Second: Grose/Hasselbrink

Unanimously Carried: The City Council:

1. Introduced, waived reading in full and authorized reading by title only of Ordinance No. 2015-08, set for second reading; and,
2. Council Member Grose read the title of Ordinance No. 2015-08, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING TITLE 17 OF THE LOS ALAMITOS MUNICIPAL CODE RELATING TO MASSAGE ESTABLISHMENTS."

## 10. ORDINANCES

### A. **Introduce Ordinance No. 2015-06 – City Boards, Commissions, and Committees** **(City Clerk)**

This item sought to streamline the Los Alamitos Municipal Code (LAMC) as it relates to City's Boards, Commissions, and Committees.

City Clerk Quintanar summarized the Staff report, referring to the information contained therein, and answered questions from the public.

Mayor Murphy opened the item for public comment. There being no one present wishing to speak, Mayor Murphy closed the item for public comment.

Council Member Kusumoto referred to page 3 and questioned the Secretary being referenced as an Officer. He clarified his understanding that Staff is provided to the Commission not appointed by the Commission.

City Attorney Reisman advised it "the secretary" should be stricken from Section 2.30.040 (A).

Council Member Hasselbrink pointed out the powers and duties for the Traffic and Parks, Recreation, and Cultural Arts Commission were very detailed. She questioned why the Powers and Duties of the Planning Commission referred to the State Statues and did not include any specific language for the City.

City Clerk Quintanar advised the Planning Commission was mandated by the California Government Code. To remain up to date with the legislation,

it was more efficient to adopt the regulations by reference. She advised the Planning Commission did not have any specific regulations within the City.

Mayor Murphy questioned if the current terms were three years.

City Clerk Quintanar confirmed currently all Commissions except for Personnel Appeals, had three year terms; this would make them all consistent.

Mayor Pro Tem Edgar questioned where the number of members for each Commission was listed.

City Clerk Quintanar referred to each individual Commission, under established, and advised the number of members were listed there.

Council Member Grose thanked Staff for the work and bringing some continuity throughout the process.

Motion/Second: Kusumoto/Edgar  
Unanimously Carried: The City Council:

1. Introduced, waived reading in full and authorized reading by title only of Ordinance No. 2015-06, and set for second reading; and,
2. City Attorney Reisman read the title of Ordinance No. 2015-06, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING TITLE 2 BY REPEALING CHAPTERS 2.32 THROUGH 2.50 AND ADDING CHAPTERS 2.30 THROUGH 2.40 RELATED TO CITY BOARDS, COMMISSIONS, AND COMMITTEES."

## 11. DISCUSSION ITEMS

Mayor Murphy pulled item 11B forward. 8:59 p.m.

### **B. Los Alamitos Boulevard Beautification Project – Change of Scope and Grant Funding Application (Development Services)**

This report provides Council with the costs associated with adding two segments to the Los Alamitos Boulevard Beautification Project. The segments are; (1) Farquhar to Katella and (2) Cerritos to Coyote Creek. This report also requests direction to the City Manager for filing of a grant application to Orange County Transit Authority for funding related to the project.

City Manager Plumlee introduced the item. Development Services Director Mendoza summarized the Staff report, referring to the information contained therein, and answered questions from the City Council.

Mayor Murphy opened the item for public comment. There being no one presenting wishing to speak, Mayor Murphy closed the item for public comment.

Council Member Kusumoto confirmed the speed limit would remain at 35 miles per hour should the project expand to 3 lanes. He wanted to confirm there would be no adverse impacts to the business along the Boulevard. He questioned why funds were not available for segments 2 or 3.

Development Services Director Mendoza confirmed the speed limit would remain at 35 miles per hour and indicated funding was not available because the lanes were not being increased.

Council Member Grose referred to the call for projects including regional capacity and questioned if there was currently a signal synchronization project in place.

City Engineer Hunt advised there was an agreement with Seal Beach, south of Farquhar. The goal was to sync all signals in the region.

Council Member Grose stated he felt the additional segments would be beneficial, but pointed out he did not want to see the original project from Katella to Cerritos impeded with the inclusion of the additional segments. He questioned what was included in the pricing.

City Engineer Hunt indicated it was unclear. The original discussion included center medians that could include decorative lighting and provide a walkable environment.

Development Services Director Mendoza clarified the project was not being modified. Plans and specs have not been approved and Staff was being clear and transparent with all possible costs. When the specifications come forward for Council approval, there will be many layers with associated costs for Council to choose from.

Council Member Grose expressed concern the project was being defined by OCTA personnel. He indicated he could not support requesting grant funds at this time that would dictate what was allowed in the community. He indicated Measure M funds should not have such restrictions and found it insulting the project would not be approved without increasing it to three lanes.

City Engineer Hunt clarified Staff had spoken with the project manager of the application and the advice provided was based on past committee reviews. He advised the grants were competitive and meeting certain criteria provided additional points in the process. He indicated these funds were not part of the fair share Measure M funds and were set aside for competitive grants.

City Council and Staff discussed the competitive grant process.

Council Member Grose reiterated concern the project was being changed, but did not want to turn down grant funding. He questioned the Friday deadline and indicated he'd like the project done sooner rather than later.

City Engineer Hunt advised the application was due Friday and grant funds would not be available for another year. He added the same project could be applied for next year and clarified there was no guarantee grant funding would be awarded.

Mayor Pro Tem Edgar stated he was struggling with the project extension. He stated he was supportive of the project in general and questioned the overall objective. He questioned adding a third lane and additional traffic if the objective was a more economic walk-able area. He questioned if the project would return to its original design if grant funding was not awarded. He questioned if the goal was a usable economic improvement, would three lanes each way be consistent with that objective.

Development Services Director Mendoza indicated support for the original recommendation of a two lane traffic configuration that would allow for a walk-able pedestrian and bike safe zone.

Mayor Murphy stated the safety of the added islands was a big factor and he did not want to slow the momentum of the project with additional segments. He stated support for studying the project as a whole and having all possible segments, associated costs, and engineering costs analyzed. He felt the goal tonight was to apply for the grant as it would be a good multiplier of the City's money and did not commit the city to anything at this point. He stated concern about the ability to spend all the bond funds should this project receive grant funding.

Mayor Murphy made a motion to authorize the City Manager to file an application for The 2016 Comprehensive Transportation Funding Program Call for Projects with the three lane configuration.

Council Member Hasselbrink stated three lanes would not reduce anything and would actually increase the flow of traffic and potentially allow for \$600,000 in grant funding. She pointed out the big picture of the Boulevard was overwhelming, hence Council breaking it up into smaller pieces. She questioned the walk ability of the project and where people would be walking from. She stated the importance of focusing on improving traffic and taking advantage of the large grant opportunity.

Mayor Pro Tem Edgar reiterated his concern for the objective of the project. He indicated his objective was not traffic. He could be supportive, but would be willing to give back the funding if the project did not meet the Council's objectives.

Council Member Hasselbrink stated traffic would improve for everyone and would be grant funded.

City Council and Staff discussed concerns regarding traffic and three lanes.

City Engineer Hunt clarified there was no guarantee changing the project to three lanes would result in grant funding.

#### **TIME LIMITS**

Per Resolution 2013-09 "Council Meeting Time Limits", City Council considered extending the time limits.

Motion/Second: Murphy/Edgar

Unanimously Carried: The City Council voted to extend the time limits to 10:30 p.m.

City Engineer Hunt gave a brief overview of the competitive grant process.

Mayor Murphy questioned how quickly diagrams for the project could be produced and suggested having a public workshop to open discussion with the businesses that would be blocked by median islands.

Council Member Kusumoto recalled the designs did exist and public workshops were held before. He did not believe the project was ready, but was supportive of multiplying the City's money. He stated support for three lanes, but stated it was unnecessary to go after grant funds if that wasn't Council's desire.

Council discussed the pros and cons of returning grant money after it's been awarded.

Council Member Kusumoto stated opposition to applying for the grant funds and then debating whether there should be two or three lanes. He questioned the amount of reserves and not using it to benefit the community. He was supportive of multiplying the money, but not if Council was not supportive of the project.

Council Member Grose agreed the grant should only be applied for if Council was supportive of six lanes.

Council Member Hasselbrink stated six lanes with \$600,000 in grant funding would make the project better.

Mayor Pro Tem Edgar argued traffic would improve, but businesses would not be able to expand as part of the downtown beautification due to traffic and parking.

Council Member Hasselbrink made a motion to approve Staff recommendation.

Mayor Murphy expressed concern the bond money would not be spent in a timely fashion. Council briefly discussed the possibilities available to spend the bond money.

Motion/Second: Hasselbrink/Murphy  
Unanimously Carried: The City Council:

1. Provided Staff direction on a budget amendment to expand the scope of the project; and,
2. Authorized the City Manager to file an application for The 2016 Comprehensive Transportation Funding Program Call for Projects with the three lane configuration.

**A. Parking Reform within the Commercial Area of Old Town East and Medical Area (Development Services)**

This Staff report provides a basis for parking reform within the commercial area of Old Town East and the Medical Area to decrease the opportunities for all day employee parking in the public parking spaces within the area.

City Manager Plumlee introduced the item. Development Services Director Mendoza summarized the Staff report, referring to the information contained therein, and gave a PowerPoint presentation.

Council Member Kusumoto questioned who was on the Parking Group and when it was formed. He questioned the group's purpose when Council's direction was to move forward with parking meters to generate revenue.

Development Services Director Mendoza indicated the group was formed in September 2014 and included City Manager Plumlee, City Engineer Hunt, Traffic Engineer Smith, Public Works Superintendent Brandyberry, members of the Police Department, and Administrative Services Director Al-Imam. He stated the Group had been analyzing the circulation of parking.

Council Member Kusumoto believed it was an insufficient amount of private parking for employees that seemed to be the issue. He reiterated he was struggling with the Working Group since Council had given clear direction to install parking meters and a revenue source.

City Manager Plumlee stated parking meters had been discussed as a potential gap closure. For long term feasibility, Staff had looked at traffic circulation and improving it.

Mayor Murphy opened the item for public comment.

Dave Emerson, resident, advised the Traffic Commissions recommendation was on page 17. He referred to item #4 and spoke briefly about his concerns that the parking structure was impractical and there would be plenty of spaces to park if businesses provided parking for Staff.

Mayor Murphy closed the item for public comment.

Council Member Hasselbrink believed timed parking was a good first step to changing the behavior of street parking.

Mayor Murphy questioned the parking enforcement. Development Services Director Mendoza stated parking enforcement had been increased and two part-time officers had been hired.

Council Member Grose stated concern that time restricted parking only relocates the problem and does not solve the issue. He discussed the previous Traffic Study and various calming measures. He wanted to ensure the measurements put in place were fair for everyone. He reiterated concern that metered parking on Katella would free up spaces, but move the parking problem into the residential areas. He believed increased enforcement would produce behavior modification and questioned if Staff was seeking approval for Phase 1.

Development Services Director Mendoza indicated Phase 1, increased enforcement, was implemented with the budget adoption. Phase 2 would include Council stating an interest in parking time limits and Phase 3 would be an additional study. He questioned if parking meters would be needed if the employees were pushed back onto private property.

Council Member Grose reiterated concern that restricted parking would just push the issue into the residential areas. He stated support for a press release that would notify businesses in the area enforcement would begin. He believed notifying employees of the available free parking in the structure would assist with the issue.

#### **TIME LIMITS**

Per Resolution 2013-09 "Council Meeting Time Limits", City Council considered extending the time limits.

Motion/Second: Murphy/Edgar

Unanimously Carried: The City Council voted to extend the time limits to 11:00 p.m.

Council Member Grose was supportive of Staff's recommendation and wanted to ensure all areas were properly marked. He asked if that would need to come back to City Council.

Development Services Director Mendoza confirmed the City Council would establish time limits by Resolution for the Police Department to enforce.

Mayor Pro Tem Edgar stated his understanding that Council had approved all four phases in the budget and was concerned the parking meter project had been slowed down. He questioned the delay.

City Manager Plumlee advised Staff had moved forward with the proposals and received costs for the parking meters. Staff wanted to ensure the occupancy levels of the parking spaces so the City could conservatively move forward. He advised Staff wanted to give Council the option to evaluate the use, but could move forward with Phase 4 now.

Mayor Pro Tem Edgar questioned why this was being discussed again when Council had already given direction. He had thought the project was further along than this and was not in favor of having the discussion again unless there were new issues.

Council Member Grose questioned the funding for the second Enforcement Officer and the delay with the project that was supposed to generate revenue. He stated support for the project moving forward in a timely manner.

City Manager Plumlee advised this was the opportunity for the Council as a whole to direct Staff to move forward with all four steps.

Mayor Pro Tem Edgar advised the direction had been provided in the budget discussions.

City Manager Plumlee advised the cost proposals had come in higher than expected and Staff had attempted to bring costs down while increasing the revenue.

Administrative Services Director Al-Imam referred to pages 23 and 24 of the report and gave an overview of the costs. He indicated the main concern that occupancy levels were unknown and with the information available, revenues would just pay for the cost of the parking meters. Staff was suggesting increased enforcement with a second review so the true return on investment could be analyzed.

Council Member Kusumoto recalled Council had decided to install parking meters. He understood the costs and revenue, but reiterated the direction was to install parking meters as a budget closure measure and to create a revenue stream. He questioned what was trying to be solved. Council and Staff briefly discussed the budget.

Council Member Hasselbrink stated the issue was parking or revenue generation. She understood the process was started to solve parking and then create revenue. She stated support for moving forward with the four steps and including timelines.

Mayor Pro Tem Edgar reiterated concern the direction was already given and Staff had not implemented the program yet.

Council Member Hasselbrink believed all the guidelines were in place and what was needed now was implementation dates.

City Council and Staff briefly discussed the occupancy rates, return on investment, and capital replacement needs for the parking meters.

Council Member Grose suggested implementing the time zones to modify behavior. He was cautious about spending capital on meters that may need to be amortized longer. He suggested Staff come back at the next meeting with time limits and implement immediately.

Mayor Murphy agreed time limits should come back to Council next month.

Council Member Hasselbrink requested a timeline for implementation of all phases as well.

Council consensus was received to direct Staff to bring back time limits to the November meeting with estimated timelines for implementation.

## 12. MAYOR AND COUNCIL INITIATED BUSINESS

### A. Council Announcements

**Council Member Hasselbrink** spoke regarding attendance at the following events: LAEF's Casino Night; Chamber Breakfast; retirement celebration for Marty Thompson; Los Alamitos Unified School District, State of the District; Police promotion ceremony; retirement party for Bruce McAlpine; screening of "Fear No Fruit". She advised the City of Cypress will have a Farmers Market every Sunday from 10:00 a.m. – 2:00 p.m.

**Council Member Kusumoto** spoke regarding attendance at the following events: retirement party for Bruce McAlpine; Los Alamitos Unified School District, State of the District; Center of Aging event featuring Mark Toi; and, screening of "Fear No Fruit". He thanked Staff for fun event.

**Council Member Grose** spoke regarding the following topics: attendance at "Fear No Fruit"; e-mailed report regarding attendance at the League of California Cities conference and had not voted as directed by Council; congratulated Marty Thompson on her retirement; attendance at the American Legion's Legion of the Silver Rose event; recognition of LAVP; interest in applying for the opening on California Joint Powers Insurance Authority's Executive Committee and requested a letter of support from the Mayor; and, will be participating in the League of California Cities Legislative webinar regarding marijuana dispensaries.

City Attorney Reisman and City Manager Plumlee advised they would also be participating in the webinar.

Mayor Pro Tem Edgar requested additional information from Council Member Grose regarding his vote at the LOCC conference.

**Mayor Pro Tem Edgar** spoke briefly regarding the following topics: conference regarding the sober living home in Rossmoor Highlands and requested the item be agendaized for policy discussion; congratulated Marty Thompson; attended the Chamber Breakfast; attended a meeting with BG Reddicks regarding the Civic Center relocation; and, attended the Change of Command Ceremony for Joel Armstrong.

**Mayor Murphy** advised he had been to all the same events as Council Member Hasselbrink. He recognized the meeting as the last with Police Chief Mattern.

Police Chief Mattern received a standing ovation.

**13. ITEMS FROM THE CITY MANAGER**

City Manager Plumlee thanked Police Chief Mattern for his fantastic service to the City.

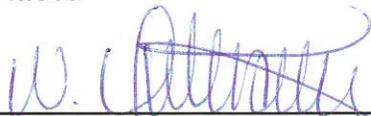
**15. ADJOURNMENT**

The City Council adjourned at 10:59 p.m.



Richard D. Murphy, Mayor

Attest:



Windmera Quintanar, CMC, City Clerk