

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

REGULAR MEETING – February 16, 2016

1. CALL TO ORDER

The City Council met in Regular Session at 6:05 p.m., Tuesday, February 16, 2016, in the Council Chamber, 3191 Katella Avenue, Mayor Murphy presiding.

2. ROLL CALL

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

Absent: Council Members: None

Present: Staff: Bret M. Plumlee, City Manager
Cary S. Reisman, City Attorney
Jason Al-Imam, Administrative Services Director
Tony Brandyberry, Public Works Superintendent
Sean Connelly, Police Captain
Corey Lakin, Recreation and Community Services Director
Eric R. Nuñez, Chief of Police
Windmera Quintanar, CMC, City Clerk

3. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Hasselbrink led the Pledge of Allegiance.

4. INVOCATION

Council Member Edgar gave the invocation.

5. PRESENTATIONS

A. Presentation of a Certificate of Appreciation to Kathi McNally for McNally Lighting's 50th Year Anniversary

Mayor Murphy and the Council presented a Certificate of Appreciation to Kathi McNally and business partner, Doug Willey. Ms. McNally spoke briefly.

B. Presentation of Certificates of Appreciation to Mary Holzgang and Dr. William Poe, Los Alamitos Museum Honored Citizens

Mayor Murphy invited Dodi O'Keefe, President Los Alamitos Museum, to join the Council. Mayor Murphy and the Council presented Certificates of Appreciation to Ms. Holzgang and Dr. Poe. Ms. Holzgang and Dr. Poe spoke briefly.

C. Presentation by Becky Esparza, Orange County Human Relations, regarding the 2014-15 Annual Report

Ms. Esparza spoke briefly regarding the services provided by Orange County Human Relations and submitted the Annual Report 2014-15. Ms. Esparza presented a Certificate of Recognition to Mayor Murphy.

D. Presentation Orange County Transportation Authority (OCTA) Regarding the Orange County Loop and I-605/Katella Interchange

Gary Miller, Seal Beach Council Member and OCTA Board Member, gave a brief overview and introduced Paul Martin. Mr. Martin gave a PowerPoint presentation and answered questions from the Council.

Council Member Kusumoto stated he had first learned about the OC Loop while sitting on the OC Park Commission and he had reached out to Council Member Edgar to advocate for the funding for this segment as the Rivers and Mountains Conservancy representative. He stated he was excited for the project.

Council Member Edgar briefly explained the funds available through the Proposition 1 water bond and advised there were three sources of funding available for this type of project.

Mr. Martin briefly talked about the funding available throughout the State.

6. ORAL COMMUNICATIONS

Mayor Murphy opened Oral Communications.

Nancy Karmelich, Banners of Honor, apologized for the appearance of the banners and advised she was working to have them replaced. She thanked Staff for their assistance and advised she was hoping to have Council's cooperation.

Council Member Edgar advised as a veteran, he appreciated the banners and support.

Council Member Grose advised the banners in their current state presented a poor image of the City and stated preference for at least removing them. He stated support for assisting with new banners and continuing the program.

Ms. Karmelich advised it would be most cost effective for the non-profit to have the banners removed as they were replaced.

Josh Broke, California Hero Pace Program, spoke in favor of Item 8D and making the Hero program available to homeowners as well.

Tom "Gus" Heydorff, master swimmer, spoke briefly regarding the history of the pool. He stated the pool was used for swimming, was a great sport and tradition, and the youth program was phenomenal. He spoke in favor of the pool and advised residents use the pool on a daily and weekly basis. He stated he was available to help how he could with the transition of the pool.

Mayor Murphy closed Oral Communications.

7. WARRANTS

Motion/Second: Edgar/Hasselbrink

Unanimously Carried: The City Council approved the Warrants for February 16, 2016, in the amount of \$233,152.80, ratified the Warrants for January 20, 2016 to February 15, 2016, in the amount of \$925,609.24, 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 February 17, 2016 to March 20, 2016.

ROLL CALL

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

Mayor Murphy welcomed Police Chief Nuñez to his first Council meeting.

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 Kusumoto pulled item 8A.

Council Member Grose pulled item 8D.

Motion/Second: Edgar/Grose

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

B. Treasurer's Quarterly Investment Report – December 2015

(Administrative Services)

The item for City Council consideration is receipt of the Treasurer's Quarterly Investment Report.

The City Council received and filed the Treasurer's Quarterly Investment Report – December 2015.

- C. Amendment of Waste Disposal Agreement (Administrative Services)**
In April 2015, the City Council approved an Amendment to the 2009 Waste Disposal Agreement (WDA Amendment) to provide for continuation of importation of waste at the County landfills, City allocation of future importation revenues and to extend terms of the WDA through June 30, 2025. A revision to the Effective Date to the WDA Amendment is requested to allow additional time for the County to secure all city approvals. This WDA Amendment will maintain stable disposal rates and continuity of service for residents and businesses while ensuring continued partnership among all 34 cities and the County.

The City Council adopted Resolution 2016-03, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING THE REVISED EFFECTIVE DATE TO AN AMENDMENT TO THE 2009 WASTE DISPOSAL AGREEMENT WITH THE COUNTY OF ORANGE".

End of Consent Calendar

Items Pulled from the Consent Calendar

- A. Approval of Minutes (City Clerk)**
Approve the Minutes of the Adjourned Regular meeting, December 14, 2015; Special meeting of December 14, 2015; and Regular meeting of January 19, 2016.

Council Member Kusumoto referred to page 9 of the December 14, 2015, Adjourned Regular minutes and requested "crosswalk" replace bridge.

Motion/Second: Kusumoto/Edgar

Unanimously Carried: The City Council approved the Minutes of the Adjourned Regular meeting, December 14, 2015, as revised; Special meeting of December 14, 2015; and Regular meeting of January 19, 2016.

- D. Resolution to Join the CaliforniaFIRST Program (City Manager)**
This item involves participation in the CaliforniaFIRST Program, which is sponsored by the California Statewide Communities Development Authority and consideration of a Resolution making certain findings and authorizing certain matters necessary to participate in the CaliforniaFIRST Program. This item was continued from the January 19, 2016, Council meeting.

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

Council Member Grose questioned if it created a liability and potential for litigation to only allow one property to participate and stated concern for restricting other properties. He believed the program was "buyers beware" and stated support for making the program available to all in the City who want to participate.

City Attorney Reisman advised this was a pilot program for commercial and did not see any legal issues with moving forward. He added no one was being precluded from making a similar application.

Council Member Gorse encouraged his colleagues to open the program to everyone. He pointed out other jurisdictions make it available and participants should be fully aware of the program. He stated support for all properties.

Council Member Edgar questioned why Staff had not stated a position in the Staff report.

City Manager Plumlee advised it was before Council for consideration, adding Staff had a number of concerns (i.e. that the property would be encumbered, may affect future sales, energy savings would not be passed on to the tenants). He confirmed Staff had not made a recommendation and added Mr. Jeremy Hunt, CaliforniaFirst, was available for questions.

Council Member Edgar stated there were many financing options available and stated concern with taking out assessments on properties. He stated opposition to participating in these types of programs, the door to door sales that was being used. He questioned adding an additional component to an already fragile business environment in the hopes that nothing negative will occur. He stated opposition to the program and questioned why Council would start this program.

Council Member Kusumoto stated he supported the situation. He indicated he had spoken with Steven Wise, property owner, and understood how the program could meet this owner's needs. He stated support for considering the program on a case by case basis and indicated the trial basis gave the City the flexibility to see if the program fit the community. He pointed out there were seven different entities in the state of California that provide this service, not just Hero and CaliforniaFirst and added there were already solar panels being installed in the City and this program may not be necessary for Los Alamitos property owners. He concluded the City may not need a residential program, but was supportive of commercial properties applying as needed. He stated support for the trial program and would be willing to make the motion when necessary.

Mayor Pro Tem Hasselbrink questioned how long the pilot program would last and how it would be deemed success or failure.

City Manager Plumlee advised the pilot program would allow one property owner to participate. If negative feedback was received, the program would be rescinded; however, it would be difficult to identify if the program was a success or failure.

Mayor Pro Tem Hasselbrink asked and received the following responses from Mr. Jeremy Hunt, CaliforniaFirst program:

- The commercial program has been offered since 2013
- There was no marketing material for the commercial program
- Interest rates vary based on the open market, but are in the neighborhood of 6% with a 20 year term
- The new owner can negotiate the transfer of the assessment during escrow
- If the business goes out of business, the mortgage holder would take over the assessment
- Commercial property owner can chose any licensed California contractor and there was no specific program for contractors with the program

Mayor Pro Tem Hasselbrink stated concern for the long term implications and how they relate to property taxes. She had contacted some participating cities who stated the City works in partnership with the residents and businesses, which contradicts the statement that City Staff is not involved. She reiterated concern for the long term implications and the unknown variables.

Mr. Hunt advised the commercial program operates differently than the residential program.

Council Member Kusumoto stated he did not think there was a need for residential PACE program in the City. He stated support for commercial programs for businesses that ask for it.

Mayor Murphy stated concern for potential litigation if the program was approved on a case by case basis.

City Attorney Reisman advised Council has stated it is a pilot program. If another applicant came forward and was denied for good reasons, no cause of action could be brought against the City. He reiterated he did not see an issue with the pilot program. He clarified that if a business defaults the mortgage would be handed through the foreclosure process like any other mortgage and the City should not be concerned.

Mayor Murphy stated support for the green program, but did not see the value in a trial program and stated concerns for unintended consequences for the City. He stated support for the Staff report coming back with a decision to participate fully or not at all and that answered the questions raised tonight.

Council Member Edgar did not see a benefit in bringing the item back as there was no additional information that could be added. He was opposed to the item and did not see the long term benefit. He stated opposition to solar programs stating they were working with the City.

Mayor Murphy believed additional information on the types of financing and foreclosure implications would be beneficial for the businesses.

Council Member Grose stated this program was an avenue to make improvements more financially feasible. He was not convinced this program would negatively affect the general plan or add additional financial issues. He was supportive of the pilot program for one business and questioned what was needed to rescind the action.

City Attorney Reisman clarified the action could not be rescinded, but the Council could decline to expand the program.

Council Member Edgar stated concerns for this type of creative financing with longer term financial implications. He stated it was the Council's obligation to property values.

Mayor Pro Tem Hasselbrink stated this cost was included in the property tax and speculated the program would only be used if traditional funding was not available.

Council Member Kusumoto understood the project on the property would not be removed if the Council were to withdraw from the program. He briefly explained his understanding of why the funding was needed for this property owner and was supportive of more due diligence to gain Council support. He stated support for continuing the item and requested the Mayor reach out to the property owner to gain a better understanding of the needs. He added he understood the CaliforniaFirst Program and was supportive of a case by case program.

Council clarified although not specifically stated as a pilot program, it was clear the program was only for one location.

Orion Wise stated concern this level of scrutiny was being applied to this case alone. He stated he would be happy to meet with Council and Staff to address additional concerns. He explained the main difference between

the commercial and residential programs were the assessment could not be more than 20% of the value.

Motion/Second: Grose/Kusumoto

Motion Failed 2/3 (Edgar, Hasselbrink, and Murphy cast the dissenting votes): Approve the recommendation and state the Council would be receptive to other applications.

Mayor Murphy suggested remaking the motion to exclude the addition.

Council Member Grose stated support for making the program available to everyone.

Motion/Second: Grose/Kusumoto

Carried 3/2 (Edgar and Hasselbrink cast the dissenting votes): The City Council adopted Resolution No. 2016-01, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AUTHORIZING THE CITY OF LOS ALAMITOS TO JOIN THE CALIFORNIAFIRST PROGRAM, AUTHORIZING THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY TO ACCEPT APPLICATIONS FROM PROPERTY OWNERS, CONDUCT CONTRACTUAL ASSESSMENT PROCEEDINGS AND LEVY CONTRACTUAL ASSESSMENTS WITHIN THE INCORPORATED TERRITORY OF THE CITY, AND AUTHORIZING RELATED ACTIONS."

RECESS

The City Council took a brief recess at 7:28 p.m.

RECONVENE

The City Council reconvened in Regular session at 7:42 p.m.

Mayor Murphy pulled item 10A forward.

10. DISCUSSION ITEMS

A. Pool Usage (Recreation)

After several meetings over the last year and a half with staff from the Joint Forces Training Base (JFTB), in late January the JFTB and their Morale, Welfare and Recreation (MWR) component of the Base, finalized a proposal for the City of Los Alamitos to use the JFTB pool. MWR will be operating the pool and the JFTB Department of Public Works (DPW) will be maintaining the pool, giving the City an opportunity to pay rent in exchange for use of the pool starting March 1, 2016.

Community Services Director Lakin 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.

Rick Hammond, masters program, stated the new fees were expensive, especially compared to joining a gym that allowed 24 hour access to a pool. He did not support losing money and was unsure of the solution.

Anissa Banda, life guard and swim instructor, stated even with the changes at the Base, parents and participants kept coming back. She stated support for keeping the programs in place.

Tom "Gus" Heydorff, resident, spoke of his running club in College Park North that would utilize the pool. He stated the pool was used and enjoyed by many people and was a great facility.

Stephen Havens, masters program, stated the pool was part of the branding of the community. He was hopeful the resources to bring it back would be found and stated opposition to the demise of the pool and operations. He stated he would volunteer to assist in fundraising and grant writing to help restore the pool. He stated the operation was terrific and hoped it could continue.

JM Ivler, resident, thanked Staff for finding a way to keep the swim programs. He spoke of his children that learned to swim at the pool. He hoped the transition would allow parents to continue to have a place for their children to learn how to swim and develop necessary safety skills.

Brigadier General (BG) Reddicks, Joint Forces Training Base, spoke briefly regarding the following points: appreciation of the City's collaboration; Base's intent to obtain 100% pool usage; current 5-6% utilization by military personnel, leaving 94% for the community; the community and User Groups can purchase lap swimming directly from Morale, Welfare, and Recreation (MWR) at the Base; currently working on master agreements; and, without a lease with the City, the Base can invest federal dollars into the pool.

Mayor Murphy thanked BG Reddicks for his leadership on the project and working closely with the City. He indicated the City understood the Federal Government was changing.

Anissa Banda questioned the staffing of the pool and stated concern an agreement was not in place yet.

BG Reddicks indicated that would not be a problem and indicated lifeguards would be in place. Should the Base need to use the City's lifeguards, a credit would be issued.

Anissa Banda asked if a lap swim club card similar to what was in place now would be available to the community and asked if lap swimming would still be available.

BG Reddicks stated MWR has the flexibility for those types of programs. He indicated it was logical have a program available for an individual that wanted to pay in advance as long as the capacity was available.

Council Member Kusumoto questioned BG Reddicks' statement that Federal dollars would now be available and stated concern it may be difficult to get the funding.

BG Reddicks stated it would not be an issue once the pool was added back as real property as there were several programs available for repairing buildings. Once the lease with the City expired, funding would be available. He explained when he was assigned to JFTB operations were reviewed. The use of MWR was appropriate because it was not a military organization and it exists to provide services to soldiers and the money generated goes back to the soldiers.

Council Member Hasselbrink thanked BG Reddicks and Staff for their hard work. She asked who she would contact on March 1 if she wanted to purchase a lap card.

BG Reddicks advised the details are still being worked out; however, a community member would have the ability to come to MWR to purchase a lap swim card when capacity was available.

Tom "Gus" Heydorff questioned if USA Water Polo would continue at the pool.

BG Reddicks advised of the proceedings over the last eight months that included City Staff and the Base working with USA Water Polo to ensure uninterrupted practice through the Olympic training season. He added MWR was not looking to make a profit.

Tom "Gus" Heydorff questioned if a schedule would be available for the community so they can plan in advance when they will be at the pool.

BG Reddicks answered in the affirmative and added that eventually the goal was to have the User Groups enter into agreements with MWR, which would ultimately lower the City's usage. He hoped to have

information available on how to get an agreement with MWR by mid-March and there was pool time available.

Community Services Director Lakin asked for clarification that a family could come in and rent a lane any time there was available capacity.

BG Reddicks advised the only limitation would be life guard availability. He reiterated the goal was to have the pool at 100% capacity; however, lifeguards would only be present when there was demand for such a schedule. He stated the goal was to have a quarterly schedule available.

Council Member Grose questioned if the community would purchase pool time at MWR in Building 19 and if USA Water Polo had an agreement in place.

BG Reddicks advised once an Aquatics Manager was on board, everything would be done at the pool. He hoped USA Water Polo would enter into an agreement with MWR once they were ready; however, the legal language was not ready on the agreements yet.

Council Member Edgar thanked BG Reddicks for his time and stated it was difficult to ask the hard questions with BG Reddicks representing the Base. He advised he had participated in a meeting as Mayor Pro Tem with Mayor Murphy when the Base had advised everything would remain status quo for Water Polo and the City's summer programs. He was under the impression the expiration of the lease would not be recognized and felt that was politically a great way to manage the negotiation. He stated concern MWR was just getting into the business and the City had a full time person dedicated to the operation of the pool. He questioned if the City would be funding the potential capacity with lifeguards to allow the community to come in.

BG Reddicks advised MWR was in the process of hiring an Aquatics Manager and lifeguards. The goal was to have them hired no later than April.

Council Member Edgar stated concern it took the City 20 years to get a program in place that would maintain the pool. He stated it seemed unrealistic that MWR would be able to take over in two weeks. He stated concern for funding the needed repairs at the pool and the priority of the pool repairs for the Base.

BG Reddicks spoke briefly about available funding and being able to fix the pool with a project that comes in under budget. He advised it was a number one priority to fix the negative items affecting good use and welfare of the pool.

Council Member Edgar stated concern that MWR was not up and running and the programs have not been transitioned over. He stated concern should something happen, the City would subsidize the pool to maintain the citizen's quality of life. He pointed out the City did not have a contingency for the pool and felt there were bigger budget concerns such as the PERS retirement cost and public safety. He expressed frustration the arrangement was not staying the same until August and expressed concern Recreation and Community Services Staff would be on hold. He suggested less management would be needed if the pool shuts down. He stated he could not support anything additional at the pool. He questioned how the User Groups were supposed to plan.

BG Reddicks stated there would be little to no negative impact to the User Groups as of March 1. He stated he knew what the Base was doing to keep the pool in place and how it was going to work. Everything would remain transparent and things would not change. He understood Council Member Edgar's concern, but felt confident in his operations at the Base and felt there would be little change March 1 through June.

Council Member Edgar questioned why operations could not remain the same through August and stated concern for the priorities of the Base.

BG Reddicks advised the City had three months to make a decision. He advised the Base would have lifeguards and an Aquatics Manager in place. The City would receive credits for the temporary use of lifeguards until June 1 and installed equipment. He stated the Base was not interested in buying new equipment and saw a benefit in providing the City a credit. He stated the pool was part of community relations and went beyond the mission of the Base. He advised in the absence of a safety concern or an edict from Washington, the Base would work to ensure the continued operation of the pool.

Mayor Murphy thanked BG Reddicks for his communication and the community for its participation.

City Manager Plumlee advised Staff was seeing Council's directions.

Community Services Director Lakin added Staff needed to know what programs the Council wanted to offer March 1. Based on Council's direction, Staff would decide what programs to advertise for and which to eliminate for the Spring brochure. He advised the agreement with the Base was not available; however, recommendation 7 allowed for its execution when received.

Council Member Grose expressed concern that the dialogue with the Base started months ago and there was still no agreement in place. He believed

it made it difficult to give Staff direction. He questioned if MWR would be willing to hire the City's lifeguards and if they have been contacted.

BG Reddicks advised the City's lifeguards could send their resumes and there were concerns contacting the City's employees before the lease expired.

Community Services Director Lakin advised he had informed his Staff of the two full time lifeguard positions.

Council Member Grose advised the City hoped to continue the good partnership with the Base and stated concern the deadline was approaching and there were no firm details. He questioned if Water Polo had an agreement.

BG Reddicks advised the agreement would remain the same.

Major Ernest Reguly, AGR Judge Advocate OSJA 40th Infantry Division, advised an agreement had been reached and advised Water Polo was a separate entity. No further comments on the cooperation with another entity would be made and he believed BG Reddicks representation thus far has been sufficient.

Council Member Grose expressed concern and questioned if the schedule for the other User Groups would remain the same.

BG Reddicks answered in the affirmative and gave a brief outline of his understanding of the schedule. He advised the price would remain the same for the first three months based on the schedule provided by Staff.

Council Member Grose reiterated concern for USA Water Polo.

BG Reddicks advised if the City were to reduce its hours, it would open up space for MWR to schedule for the User Groups. Individual contracts with MWR would be needed.

Community Services Director Lakin advised he had provided the pool schedule through the end of August to Sergeant Major Fike. Any changes after February 29th would be made directly through MWR. He advised the City's usage has not been updated and would depend on Council's direction. The City would only rent the pool for what was needed.

Council Member Grose asked for clarification on the seven recommendations. He understood the User Groups would work independently with MWR.

City Attorney Reisman confirmed the User Groups would work with MWR directly once the transition was complete.

BG Reddicks advised as of March 1, if someone was scheduled to use the pool they will still be able to use the pool.

Council Member Grose questioned how the User Groups would be continue to use the pool after March 1 when they would no longer be contracting with the City.

Community Services Director Lakin stated his understanding with Sergeant Major Fike was there would be two agreements; a traditional user group agreement and an interim agreement that would allow the City to rent on behalf of the User Groups to minimize the impact to them. The Base would continue to work with Staff to provide lifeguards until the User Groups signed an agreement with MWR directly and MWR was able to provide their own lifeguards.

BG Reddicks confirmed.

Community Services Director Lakin advised based on Council's direction tonight, the City's usage may decrease. User Groups would continue to rent from the City until they contracted with MWR.

BG Reddicks added as the User Groups migrate over to MWR, the City's usage would decrease.

Council Member Edgar stated he would be willing to review each recommendation. He questioned the true cost to the City and Major Ernest Reguly's legal interpretation of how the City could act as an agent to lease space for a government piece of federal property.

Major Ernest Reguly advised it was clear that a user could not sublet a property on the Base. What has been recognized is the transition period. He advised BG Reddicks was willing to work with the City during the transition and cooperation as to not prejudice the User Groups. He reiterated the City is not entitled to sublet property on the installation. There would be an arrangement to help facilitate the transition.

Council Member Edgar questioned the need for two agreements.

Major Ernest Reguly advised the agreement will remain the same for the User Groups. He reiterated the City agreement would accurately state the installation could not be sublet or assigned. He advised Council move away from the legal terms and allow the transition to take place.

Council Member Edgar questioned why the provision could not be relaxed.

Major Ernest Reguly advised there was no authority to relax a provision and legally it was not possible. He advised the Base was attempting to work with the City.

Council Member Edgar questioned the contradiction.

Major Ernest Reguly stated the legal answer would not work with what the City or the installation was trying to achieve. He advised legally the user can not sublet on the installation.

BG Reddicks advised the agreement coming before the City is based on his limited authority.

Council Member Kusumoto understood the legalities both entities had to comply with. He appreciated BG Reddicks cooperation with the City and working together to insure the City's promise to the User Groups was met. He understood it was not required.

BG Reddicks advised it was for community relations.

Council Member Kusumoto stated he understood and appreciated the attempt to accommodate the City. He stated a preference to keep programming status quo as long as there was no loss to the City.

BG Reddicks understood the importance of educating the User Groups and advised the Base would do so as quickly as possible after March 1.

Council Member Kusumoto stated it was similar to field usage and everyone would schedule what they could afford.

BG Reddicks advised the first six months would be according to the schedule provided by Staff.

Community Services Director Lakin understood the recommendation was to continue programs that would remain revenue neutral. He stated a preference for ceasing lap swimming now and refund any unused lap cards instead of renting lanes in the hopes of receiving registration.

Council Member Edgar questioned the capacity the City would need.

Community Services Director Lakin advised without lap swimming, usage would be reduced by 60 hours a month. The City would rent three lanes, versus the whole pool, to provide swim lessons.

Council Member Edgar questioned if the price was guaranteed regardless of how much time the City rented.

Community Services Director Lakin referred to recommendation 7, and advised once the agreement was received the hope was for a guaranteed price rate.

BG Reddicks advised the guidance provided to his team was to hold pricing for a least a year. He stated the goal was to break even and MWR was not looking to make a profit.

Council Member Edgar referred to items 1 and 2. He stated the premise was to break even and was supportive of a fixed rate for the year.

Mayor Pro Tem Hasselbrink understood the City would be getting out of the pool business and focusing on the services it could offer to the residents. She had to trust BG Reddicks and Staff would do well by the community and encouraged her colleagues to stop focusing on "what if". She understood the seven recommendations from Staff made sense for what the City wanted to do by offering swim lessons and affordable programs.

City Attorney Reisman suggested alternative language for recommendation 4, "Help transition the other pool User Groups by continuing to allow them to use the pool from the City's rental time..."

Mayor Murphy suggested a motion to approve recommendations 1-7 and direction to Staff to bring back an update in a month.

Council Member Edgar stated he could support the motion for a month and slowing down the process. He expressed frustration the discussion had taken place for over two years and there was no solution. He believed the City had waited too long and felt having Base staff present would have been more appropriate than BG Reddicks. He stated support for the recommendations on a limited basis.

BG Reddicks advised he was fine with being present and this item was important to the Base.

Council Member Edgar expressed concern certain restrictions were being ignored and felt the process needed to be slowed down to allow Staff time to do the process right. He expressed frustration the item was not being added to the budget to properly plan for.

City Manager Plumlee advised the recommendations were designed to be no more than break even for the City. The City Attorney and Staff were

working on an agreement for March 1, and if the agreement was not received, the City would be completely out of the pool business come March 1.

Mayor Murphy questioned how the City would improve upon the recommendations.

Council Member Edgar stated opposition to committing long term and felt a couple more months would be beneficial.

Mayor Murphy questioned if that would give Staff enough direction to proceed.

Community Services Director Lakin briefly described the printing schedule for the Spring and Summer brochures. He advised the difficulty was Staff planned months in advance and it would be a challenge to move forward with the brochures without knowing what the Council's plan was for August.

Mayor Pro Tem Hasselbrink suggested the end of August if a time limit was needed. That would allow planning for the transition to MWR and hopefully the residents would see zero change between now and the end of summer.

Community Services Director Lakin advised he could report back in March or April; however, from a planning perspective it would be helpful to come back in June with a recommendation. Staff would know by June if the City should get out of the pool business.

Mayor Murphy agreed the pool could be included in the budget discussions. As of now operations were included at a minimal break even. He believed Staff should only run the programs that would pay for themselves and that could be refined later on, if needed.

Council Member Edgar questioned if there were any limitations on recommendation 7.

City Attorney Reisman suggested a termination date.

Council Member Edgar suggested no later than August 31 or the end of summer programs.

Community Services Director Lakin advised summer programs end August 27.

City Attorney Reisman questioned if there was a motion to approve Staff's recommendation.

Mayor Pro Tem Hasselbrink made a motion to approve Staff's recommendations. She thanked BG Reddicks for negotiating with the City through this difficult process.

BG Reddicks stated it was important to the Base to maintain the relationship with the City. He advised the agreement would not change and the City was only buying time from MWR. The only change will be the migration of the User Groups to MWR and them no longer being a part of the City's hourly lease.

City Manager Plumlee clarified the \$62 was only good for the first three months, after that price ends the City could not afford programming on a break even basis unless the hours were reduced.

Community Services Director Lakin and Administrative Services Director Al-Imam briefly outlined the planned budget for pool operations. Operations would be based on usage and only the core programs would be offered to residents.

Council Member Grose questioned if there was a expiration date for recommendation 7.

Mayor Pro Tem Hasselbrink restated her motion was to approve recommendations 1-7 with no end date.

Council Member Edgar expressed concern without Council input, the term could be up to 10 years.

Mayor Pro Tem Hasselbrink advised the rate would be \$98 an hour and if the City doesn't use the time then there would be no expense.

Council Member Edgar felt this was a bad deal for the Base and did not want to leave them with excess budget gaps. He stated a preference for helping them start off properly and was asking for a transition period. He did not feel this was the smartest action.

BG Reddicks understood the concerns. He advised if no one rented the pool, the Base still had a pool that was already paid for by the taxpayers to maintain for the soldiers.

Administrative Services Director Al-Imam stated the City was expecting to staff lifeguards and if that was not needed, it would affect the City's breakeven point.

Motion: Hasselbrink

Motion died for lack of a second: Approve recommendations 1-7 with no end date.

Motion/Second: Murphy/Hasselbrink

Carried 4/1 (Edgar cast the dissenting vote): The City Council directed Staff to:

1. Continue to rent lanes at the Joint Forces Training Base (JFTB) pool on a per lane basis for programs in which anticipated expenditures are equal to or less than the anticipated revenues starting April 1, 2016;
2. Cease Lap and Recreational Swimming beginning March 1, 2016 and continue to offer all other programs through March 31, 2016, completing "Winter" session;
3. Continue to work with JFTB staff to assist with the transition from the City operating the facility to Morale, Welfare and Recreation (MWR) staff operating the facility;
4. Help transition the other pool User Groups by continuing to allow them to use the pool from the City's rental times on a per lane basis and charge them the hourly fees determined by the JFTB, plus staffing costs as required by the JFTB and MWR starting March 1, 2016;
5. Provide lifeguards, if needed, at the JFTB for a reimbursable cost of \$15 per hour per lifeguard until JFTB MWR has their lifeguards hired and working;
6. Sell any and all lifeguard and pool deck equipment that the City does not need to the JFTB MWR in exchange for a reduction in pool rent.
7. Authorize the Mayor to execute an agreement approved by the City Attorney that outlines the City's costs, role, staffing requirements, liability, etc. that is consistent with the current understanding, based upon the information afforded to the City at this time with a termination date of August 31, 2016.

TIME LIMITS

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

Motion/Second: Murphy/Hasselbrink

Carried 4/1 (Grose cast the dissenting vote): The City Council voted to waive time limits.

RECESS

The City Council took a brief recess at 9:43 p.m.

RECONVENED

The City Council reconvened in Regular session at 9:48 p.m.

9. ORDINANCES

A. Introduce Ordinance 2016-01 – Amending Chapter 5.18 Remote Caller Bingo to Streamline the Expiration Dates of Such License (City Clerk)

In September 2014, the City Council added Chapter 5.18 to the Municipal Code to allow for Remote Caller Bingo. This item seeks to remedy some inconsistencies in the Chapter as it pertains to expiration dates.

City Clerk Quintanar 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.

Shelley Henderson asked if there were any current Bingo licenses.

Council Member Edgar advised St. Isidore had a license, but had stopped games.

Mayor Murphy closed the item for public comment.

Motion/Second: Hasselbrink/Kusumoto

Unanimously Carried: The City Council:

1. Introduced, waived reading in full and authorized reading by title only of Ordinance No. 2016-01 and set for second reading; and,
2. City Attorney Reisman read the title of Ordinance No. 2016-01, entitled, " AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA AMENDING SECTIONS 5.18.025 AND 5.18.070 RELATING TO REMOTE CALLER BINGO LICENSE EXPIRATION DATES."

11. MAYOR AND COUNCIL INITIATED BUSINESS

A. Southern California Association of Governments (SCAG) 2016 Regional Conference and General Assembly (City Clerk)

The Southern California Association of Governments (SCAG) Regional Conference and General Assembly will be held May 5-6, 2016, at the La Quinta Resort and Club. Each year, SCAG's member cities select a Delegate and/or Alternate to represent their City and participate at the conference.

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

Council Member Kusumoto advised he had attended this conference in the past and volunteered to attend this year. He requested if timing allowed, the resolutions come back before Council to provide voting direction.

Motion/Second: Edgar/Hasselbrink

Unanimously Carried: The City Council appointed Council Member Kusumoto to attend and serve as the City's Voting Delegate at the Southern California Association of Governments (SCAG) General Assembly.

Mayor Murphy asked if an Alternate was needed.

City Clerk Quintanar advised an Alternate was allowed, but not required.

B. Los Alamitos Unified School District/City Working Group Committee – Facility Use Policy and Procedures

The City has a working relationship with the Los Alamitos Unified School District and has found that the use of an Ad Hoc Committee is beneficial in discussing key items. The School District has requested a new Ad Hoc Committee be established to discuss Facility Use Policy and Procedures.

Council Member Kusumoto stated a preference for waiting until the current Ad Hoc Committee ended.

City Manager Plumlee advised the current Ad Hoc Committee would come back in March for completion. He advised this was for a different topic and there was nothing preventing Council from appointing now.

Council Member Kusumoto stated this is why the City had wanted a Standing Committee. He reiterated a preference for finishing the business at hand and then deciding if Council wanted to appoint another committee.

Council Member Edgar stated support for bringing the item back when the other Ad Hoc concluded its business.

The item was continued.

Mayor Murphy asked if the Special meeting could be continued to the March meeting.

Administrative Services Director Al-Imam advised direction was needed in regards to CJPIA, but the other items were not time sensitive.

C. 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 Grose spoke regarding the following topics: list of events attended listed on www.losal.net; attendance at the West-Comm Board meeting; commended Mayor Murphy on State of the City address; congratulated Chief Nuñez on new granddaughter; congratulated Administrative Services Director Al-Imam on completing the CAFR on time; and, attendance at a "Bullet Proofing Your Mind" session.

Mayor Pro Tem Hasselbrink spoke regarding the following topics: Attendance at the Cypress State of the City, retirement dinner for Chief Mattern, Swearing in for Chief Nuñez, Best and Bravest ceremony, and ACC-OC City Leader's Reception; commended Mayor Murphy on State of the City address; congratulated Community Services Director Lakin on being appointed to the Cal Parks Recreation Society Board of Directors; and, the upcoming Race on the Base.

Council Member Kusumoto spoke regarding the following topics: Orange County Vector Control District hired a new District Manager; attended the Best and Bravest ceremony; attended Senator Janet Nguyen's Open House and Chief Mattern's retirement; and, will be at the Race on the Base.

Council Member Edgar spoke regarding the following topics: attendance at Chief Mattern's retirement and Chief Nuñez swearing in; upcoming Race on the Base, Americana Awards, and Casa Youth Shelters, Wicked, event; Rivers and Mountains Conservancy (RMC) funding gravitating towards the Los Angeles river projects; and requested an update on paving of the RMC bike trail.

City Manager Plumlee advised the City had completed its portion and was waiting on approval from the Los Angeles County Flood Control District.

Council Member Edgar requested the meeting be closed in honor of Vivian Rothwell.

Mayor Murphy spoke regarding the following topics: thanked BG Reddicks for his participation in the meeting; attendance at the Cypress State of the City, Chief Mattern's retirement, and Senior Volunteer Lunch; thanked Chelsi Wilson for her assistance with State of the City; attendance at a breakfast with Supervisor Michelle Steel and Mayor Pro Tem Hasselbrink; and, requested prayers for former Council Member Chuck Sylvia.

12. ITEMS FROM THE CITY MANAGER

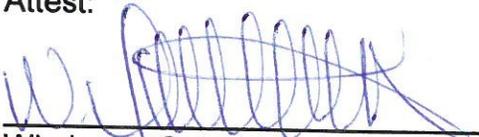
City Manager Plumlee spoke regarding the following topics; welcomed Chief Nuñez and congratulated him on his granddaughter; congratulated Community Services Director Lakin on being appointed to the CPRS Board of Directors; attended a business retention meeting at Semi Dice with Mayor Murphy.

13. ADJOURNMENT

The City Council adjourned in memory of Vivian Rothwell at 10:10 p.m.



Richard D. Murphy, Mayor

Attest:


Windmera Quintanar, CMC, City Clerk