

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

REGULAR MEETING – July 18, 2016

1. CALL TO ORDER

The City Council met in Regular Session at 5:01 p.m., Monday, July 18, 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
Dave Hunt, City Engineer
Corey Lakin, Recreation and Community Services Director
Steven A. Mendoza, Development Services Director
Rick Moore, Police Captain
Eric R. Nuñez, Chief of Police
Windmera Quintanar, CMC, City Clerk

3. CLOSED SESSION

City Attorney Reisman read the items aloud.

A. CONFERENCE WITH LABOR NEGOTIATOR

Agency Negotiators: Cary S. Reisman, City Attorney
Unrepresented Employee: City Manager
Authority: Government Code Section 54957.6

B. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION

Pending Litigation pursuant to Government Code sec. 54956.9, (d)(1)
People of the State of California vs. Jonathan Bestwick, et. al,

C. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Pending Litigation pursuant to Government Code sec. 54956.9 (d) (3) (Based on existing facts and circumstances, the legislative body of the local agency is meeting only to decide whether a closed session is authorized pursuant to paragraph (2).)

D. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Pending Litigation pursuant to Government Code sec. 54956.9 (d) (2) (A point has been reached where, in the opinion of the legislative body of the local

agency on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency.) 2 potential cases.

E. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION

Pending Litigation pursuant to Government Code sec. 54956.9, (d)(4) (Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation.) 1 potential case.

RECESS

The City Council recessed into Closed Session at 5:03 p.m.

RECONVENE

The City Council reconvened in Regular Session at 6:04 p.m.

City Attorney Reisman advised the Council had discussed item 3A and instructed its negotiator on how to proceed. No formal votes were taken or requested. The remaining items were continued to the end of the meeting.

4. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Hasselbrink led the Pledge of Allegiance.

5. INVOCATION

Council Member Edgar gave the Invocation.

6. PRESENTATIONS

A. Presentation of a Plaque to Lieutenant Colonel Joel Armstrong for his Service as the Sunburst Youth Academy Director

Mayor Murphy and the City Council presented a plaque to LTC Armstrong. LTC Armstrong spoke briefly.

B. Presentation of a Certificate of Recognition to Jaelyn Sagen for her Fundraising Efforts for WeCare

Mayor Murphy and the City Council presented a Certificate of Recognition to JJ Sagen.

Mayor Murphy called Chief Nuñez forward and thanked him and the Police Department for their service. The City Council expressed their support and appreciation for all they do. Chief Nuñez spoke briefly and thanked the community for their support.

C. Presentation by Cheryl Connett, Army Corp of Engineers, Regarding Relocating City Hall to the Joint Forces Training Base

Ms. Connett spoke briefly regarding the Army Corps of Engineers leasing authority and the procedures for leasing Federal property.

Council, Staff, and Ms. Connett discussed various examples of existing leasing arrangements, the timeline and approval process to obtain a long term lease, and the various tenants currently located on the Joint Forces Training Base.

D. Presentation by Larry Strawther Providing an Update on Los Al TV

Mr. Strawther provided an update on Los Al TV including equipment purchases, programming upgrades, internet speeds, high definition quality issues with Time Warner/Charter Spectrum, revenue and expenses, and Rossmoor's participation.

Council and Staff discussed the need for financial information to be provided on a regular basis, Staff oversight of the Cable operations, and the possibility of disbanding the Cable Television Commission.

E. Presentation by Ken Vecchiarelli, General Manager, Golden State Water, Regarding Drought Measures

Mr. Vecchiarelli gave a PowerPoint presentation regarding the California Drought Update, Local Water Conversation Strategy.

Council and Mr. Vecchiarelli briefly discussed the Cerritos pipeline construction project, the expired franchise agreement, and funding for residents that would like to update to drought friendly landscaping.

RECESS

The City Council took a brief recess at 7:33 p.m.

RECONVENE

The City Council reconvened in Regular session at 7:41 p.m.

F. Presentation by Cameron Christian, Vice President, Frontier Communications Providing a Franchise Service Update

Mr. Christian provided an update regarding the franchise transition to Frontier and advised Council that customer service was steadily improving.

Council expressed concerns including installation scheduling, billing, early termination fees, wait times to reach a customer service representative, and slow internet speeds. Council stated Frontier needed to improve all aspects of its service for the residents.

7. ORAL COMMUNICATIONS

Mayor Murphy opened Oral Communications.

Shelley Henderson, Editor OC Breeze, spoke regarding the Weiner Nationals, the upcoming Cypress Festival Week, and National Night Out, August 2nd at 6 p.m.

JM Ivler, resident, stated opposition to Subdivision Map Act Appeal and inequity in how he perceived the rules were applied.

Mayor Murphy closed Oral Communications.

Mayor Murphy pulled item 11A forward.

11. DISCUSSION ITEM

A. **Los Alamitos Museum Association: Proposed Schedule, Activity Plan, Budget and Additional Information (Recreation and Community Services)**

The Los Alamitos Museum Association's proposed schedule, activity plan, balance sheet, and budget for the 2016-17 fiscal years are being provided to the City Council for approval. Additional information regarding the City's support for the Museum, agreements with the County of Orange and Los Alamitos Museum Association and previous interest in alternative usages for the Museum are included.

Community Services Director Lakin summarized the Staff report and answered questions from the City Council.

Mayor Murphy opened the item for public comment.

Dodie Okeefie, Los Alamitos Museum Board Member, stated the Board had submitted written reports as soon as it was made aware of the requirement and hoped that the Museum could grow for the betterment and education of the community.

JM Ivler, resident, stated concern for how the Museum operated and stated support for having all museum items discussed at open meetings so the residents could stay apprised.

Mayor Murphy closed the item for public comment.

City Council and Staff discussed the desire to formalize the relationship with the museum to ensure there are proper procedures in place; the museum plays an important role in preserving the City's history; another party had come to the City and shown interest at one point; possibility of renting the facility to generate revenue; ensuring the operations are sustainable; improving the agreement language to include hold harmless agreements; museum structure was covered under the City's property insurance; Corey Lakin had been appointed as the liaison; constraints for expanding programming at the museum include limited parking, space, funding and increased Staff time; relationship is similar to the Youth Center that the City has a tenant in its building; Museum Association is in compliance with the agreement; and, preference to have the Balance Sheet submitted to the City.

Motion/Second: Grose/Edgar

Unanimously Carried: The City Council:

1. Approved the Los Alamitos Museum Association's proposed schedule, activity plan, and budget for Fiscal Year 2016-17; and,
2. Authorized the City Manager and/or his designee to approve any change to the schedule, activity plan, and budget within his spending authority and notify the City Council in writing.

3. Direct the City Attorney to meet with all interested parties and provide Council with a unified recommendation which could include an updated contract.

8. WARRANTS

Motion/Second: Edgar/Hasselbrink

Unanimously Carried: The City Council approved the Warrants for July 18, 2016, in the amount of \$232,383.15, ratify the Warrants for June 21, 2016 to July 17, 2016, in the amount of \$836,556.19, and authorize the City Manager to approve such expenditures as are legally due and within an unexhausted balance of an appropriation against which the same may be charged for the time period of July 19, 2016 to August 4, 2016.

ROLL CALL

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

9. 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 item 9B.

Council Member Kusumoto requested the minutes be revised to reflect he was present at the June 20, 2016 Special meeting.

Motion/Second: Edgar/Hasselbrink

Unanimously Carried: The City Council:

A. Approval of Minutes (City Clerk)

Approve the Minutes of June 20, 2016 Special meeting as revised and the June 20, 2016 Regular meeting.

C. Certificate of Consent to Self Insure (Administrative Services)

This report recommended adoption of a resolution authorizing the City Manager to make an application with the State of California for a Certificate of Consent to Self Insure the City's Workers' Compensation Liabilities.

The City Council:

1. Adopted Resolution No. 2016-28, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AUTHORIZING APPLICATION TO THE DIRECTOR OF INDUSTRIAL RELATIONS, STATE OF CALIFORNIA FOR A CERTIFICATE OF CONSENT TO SELF INSURE WORKERS' COMPENSATION LIABILITIES"; and,

2. Authorized the City Manager or designee to sign the application for a Certificate of Consent to Self Insure.

D. Award of Professional Services Agreement (PSA) for Tree Maintenance Services with West Coast Arborists, Inc. (Public Works)

On June 29, 2016, Staff received proposals for annual tree maintenance services. The project provided for maintenance, removal, online inventory, and replacement of trees within the City's community forest.

The City Council authorized the City Manager to enter into the Professional Services Agreement with West Coast Arborists, Inc. (WCA) for annual tree maintenance services in the City of Los Alamitos, not to exceed the annual budgeted amount.

E. Professional Services Agreement for Crossing Guard Services with All Cities Management (Police)

The City of Los Alamitos has historically provided crossing guard services by in-house trained part-time employees. Due to the personnel time required to administer the program, increased risk management issues, and lowered public safety service levels as a result of backfilling absent crossing guards, the Police Department has secured an agreement to outsource this service with All Cities Management.

The City Council:

1. Authorized the City Manager to enter into the Professional Services Agreement for Crossing Guard Services between All Cities Management and the City of Los Alamitos for the term of July 1, 2016 through June 30, 2017; and,
2. Authorized a \$7,600 increase in budgeted revenues and expenditures.

F. Replacement of Police Firearms Through Trade-In (Police)

This report provided information about the possibility of the Police Department trading in its aging firearms to update them with the newest technology at no cost.

The City Council authorized the Chief of Police to trade in existing handguns to ProForce Law Enforcement in return for newer more current firearms for use by Police personnel.

G. Professional Services Agreement for Professional Real Estate and Economic Consulting Services with Jones Lane LaSalle Americas, Inc. (JLL) (Development Services)

This report recommended approval of a Professional Services Agreement for Professional Real Estate and Economic Consulting Services assisting the City in negotiations for the disposition of City owned properties.

The City Council authorized the Mayor to enter into the Professional Services Agreement with Jones Lang LaSalle Americas, Inc. (JLL) for Professional Real Estate and Economic Consulting Services.

H. Los Angeles County Department of Public Works Use Agreement No. 16-22 with the Los Angeles County Flood Control District (Engineering)

This report recommended approval of the Los Angeles County Department of Public Works' (LADPW's) Use Agreement No. 16-22 between the Los Angeles County Flood Control District and the City of Los Alamitos.

The City Council authorized the Mayor to enter into the Los Angeles County Department of Public Works Use Agreement No. 16-22 between the Los Angeles County Flood Control District and the City of Los Alamitos.

I. Approval of Plans and Specifications, and Authorization to Bid for Old Dutch Haven Neighborhood Streets (CIP No. 16/17-01) (Engineering)

This report recommended actions to facilitate the construction of the Old Dutch Haven Neighborhood Streets Project (CIP No. 16/17-1).

The City Council

1. Approved the plans and specifications for the construction of the Old Dutch Haven Neighborhood Streets Project (CIP No. 16/17-1); and,
2. Authorized Staff to advertise and solicit bid proposals.

J. The League of California Cities' 2016 Annual Conference and Expo (City Manager)

The League of California Cities Annual Conference and Expo will be held in Long Beach, California Wednesday, October 5, 2016 to Friday, October 7, 2016.

The City Council authorized the City Manager to attend the 2016 League of California Cities Annual Conference and Expo.

End of Consent Calendar

Items Pulled from the Consent Calendar

B. General Liability Claims Administration (Administrative Services)

This report recommends approval of an agreement with George Hills Company for third-party administration services for the City's self-insured general liability program.

City Council and Staff discussed there were no anticipated fees for traveling expenses as the company has seven offices throughout the State, including San Bernardino, claims would be filed electronically, and work could be completed over the internet.

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

1. Authorized the Mayor to enter into the Professional Services Agreement with George Hills Company for third-party administration services for the City's self-insured general liability program; and,
2. Reviewed and approved the Scope of Services as set forth in Exhibit A.

10. PUBLIC HEARING

A. **General Plan Amendment, Resolution 2016-29, and Zoning Map Amendment, Ordinance 2016-05, for 4411 Katella Avenue (Development Services)**

This was consideration of a General Plan Amendment and Zoning Map Amendment to the 28-acre site commonly known as Arrowhead Properties. The change would amend the General Plan Designation (Planned Industrial with Retail Overlay) to Retail Business and amend the Zoning Map (Planned Light Industrial with Retail Overlay) to General Commercial (C-G). This property is identified as Orange County Assessor Parcel Nos. 241-241-08, 241-241-09, 241-241-10 and 241-241-11 (4411 Katella Avenue) (Owner: JCB, Inc. Tincum Corp.).

Development Services Director Mendoza summarized the Staff report and answered questions from the City Council. He stated Staff had received a request from Susan Hori, property owner's attorney, to postpone the Public Hearing to allow her client to address concerns.

Council Member Grose recused himself because he leases property within 500 feet of the subject property and City Attorney Reisman had advised there may be economic changes that would affect his lease rate. He left the dais.

Mayor Murphy opened the Public Hearing.

JM Ivler spoke in favor of a decision being made tonight.

Susan Hori requested a continuance to allow additional time to study the Planning Commission's recommendations. She stated the landowner would like to assess the retail zoning, consider the circulation issues and meet with Staff.

The City Council continued the Public Hearing to the Regular Meeting of August 15, 2016 at 6:00 p.m.

Council Member Grose took his seat at the dais.

12. MAYOR AND COUNCIL INITIATED BUSINESS

A. **November 8, 2016 General Municipal Election – Cypress Ballot Initiative (Los Alamitos Race Track Property)**

This item will provide a forum for Council to begin the discussion and provide direction to Staff regarding the Cypress Town Center and Commons Initiative. There is no written report at this time; however, the Initiative Measure is attached for reference.

Mayor Murphy opened the item for public comment.

Marilynn Poe, resident, stated the development would immensely impact Carrier Row and stated support for projects that would reduce the density such as parks or golf courses. She stated support for the City taking a position on the project.

JM Ivler, resident, spoke in opposition to the initiative, how signatures were collected, and the practices of the development company. He expressed support for assisting the Cypress citizens who are opposing the initiative. He stated this project would destroy the quality of life in Los Alamitos.

Mayor Murphy closed the item for public comment.

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 extended the meeting to 10:30 p.m.

City Council and Staff discussed the following topics:

- Directed Staff to bring back alternatives and provide documentation on the project
- Council's desire to take a position on the initiative
- Effects of the project including traffic mitigation, underground piping and the impacts to infrastructure
- Possibility of a getting a portion of the sales tax
- Possible letter of concern
- Affects to the Los Alamitos Unified School District

The City Council directed Staff to bring an item back for further discussion.

B. Council Announcements

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

Council Member Kusumoto discussed the following topics: attendance at the 4th of July picnic in his neighborhood and Stanton Central Park Grand Opening; and, Orange County Vector and Mosquito Control District Board Meeting.

Council Member Edgar discussed the following topics: attendance at the 4th of July Spectacular and St. Isidore's Cuban Nostalgia Event; upcoming Rivers and Mountains Conservancy Board Meeting; and, scoring criteria for the Prop. 1 Bond Funded projects.

Council Member Grose discussed the following topics: attendance at the West-Comm Badge Pinning Ceremony, retirement for Jamie Diaz, and 4th of July Spectacular; upcoming National Night Out; future of the Cable Television Commission; and, requested the meeting be adjourned in honor of Ruben Perez.

Mayor Pro Tem Hasselbrink discussed the following topics: attendance at the 4th of July Spectacular, Stanton Central Park Grand Opening, Precious Life's Santa Maria BBQ, Movie in the Park; and, Orange County Fire Authority Board Meeting.

Mayor Murphy discussed the following topics: new home owner; honored at the US Water Polo's Banquet; attendance at the 4th of July Spectacular, Stanton Central Park Grand Opening, Precious Life Dinner, West-Comm Badge Pinning Ceremony, retirement celebration for Jamie Diaz, Youth Center's Leadership Award Ceremony; and, requested the meeting be adjourned in honor of Chuck Sylvia, former Council Member.

13. ITEMS FROM THE CITY MANAGER

City Manager briefly spoke about his attendance at the 4th of July Spectacular.

3. CLOSED SESSION

City Attorney Reisman advised Council would recess into Closed Session.

B. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION

Pending Litigation pursuant to Government Code sec. 54956.9, (d)(1)
People of the State of California vs. Jonathan Bestwick, et. al,

C. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Pending Litigation pursuant to Government Code sec. 54956.9 (d) (3) (Based on existing facts and circumstances, the legislative body of the local agency is meeting only to decide whether a closed session is authorized pursuant to paragraph (2).)

D. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Pending Litigation pursuant to Government Code sec. 54956.9 (d) (2) (A point has been reached where, in the opinion of the legislative body of the local agency on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency.) 2 potential cases.

E. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION

Pending Litigation pursuant to Government Code sec. 54956.9, (d)(4) (Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation.) 1 potential case.

RECESS

City Council recessed into Closed Session at 10:00 p.m.

RECONVENE

City Council Reconvened in Regular Session at 10:45 p.m.

City Attorney Reisman referred to item 3C and stated the City Council had unanimously determined Closed Session was appropriate regarding one matter in item 3D. The City Council instructed Staff as to how to proceed on items 3B, 3D, and 3E. No other formal votes were requested or taken.

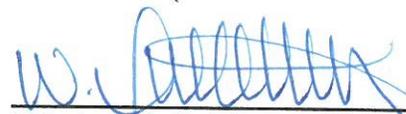
14. ADJOURNMENT

The City Council adjourned at 10:45 p.m. in memory of Ruben Perez and Chuck Sylvia.



Richard D. Murphy, Mayor

Attest:



Windmera Quintanar, CMC, City Clerk