

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

REGULAR MEETING – April 17, 2017

1. CALL TO ORDER

The City Council met in Special Session at p.m., 6:15 p.m. Monday, April 17, 2017, in the Council Chamber, 3191 Katella Avenue, Mayor Hasselbrink presiding.

2. ROLL CALL

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

Absent: Council Members: Wilson

Present: Staff: Bret M. Plumlee, City Manager
Cary S. Reisman, City Attorney
Jason Al-Imam, Administrative Services Director
Sean Connolly, Police Captain
Corey Lakin, Recreation and Community Services Director
Steven A. Mendoza, Development Services Director
Eric Nunez, Police Chief
Windmera Quintanar, CMC, City Clerk

Mayor Hasselbrink advised Council Member Wilson was absent due to the birth of his daughter and wished him well.

3. PLEDGE OF ALLEGIANCE

Council Member Murphy led the Pledge of Allegiance.

4. INVOCATION

Council Member Kusumoto gave the Invocation.

5. PRESENTATION

A. Presentation of Certificates of Recognition to the 2017 Southland Race on the Base Sponsors

Mayor Hasselbrink and the Council presented Certificates of Recognition to the sponsors. Recreation and Community Services Director Lakin presented a plaque to Tanya Doby, Parks Recreation and Cultural Arts Commissioner, for having the largest number and highest percentage of participants at the 2017 Race on the Base.

B. Service Update from Frontier Representative

Leticia Solis, Director of Operations, gave a brief service update and reported increased customer service and decreased service calls.

6. ORAL COMMUNICATIONS

Mayor Hasselbrink opened Oral Communications.

Carolyn Vance, President of Royal Oak Mobile Home Park, stated concerns regarding the diagonal parking on Oak St. and requested the City change the parking back to parallel parking.

Mayor Hasselbrink requested Staff follow up with Ms. Vance.

Mayor Hasselbrink closed Oral Communications.

7. COUNCIL ANNOUNCEMENTS

Council Member Murphy spoke regarding attendance at the Orange County Transportation Authority Board meeting, La Palma State of the City, and judging at the Los Alamitos Elementary School speech contest.

Council Member Kusumoto spoke regarding attendance at Orville Lewis Park reopening, Civic Center Ad Hoc Committee with Council Member Wilson, attendance at the Orange County Mosquito and Vector Control Board meeting, and advised the only item for vote at the SCAG General Assembly would be regarding the bylaws.

Mayor Pro Tem Edgar spoke regarding attendance at the Precious Life Fundraiser, Youth Center's A Night Amongst the Stars, Orville Lewis Park rededication, congratulated Council Member Wilson on his newest addition, received an update from Staff regarding the Rivers and Mountains Conservancy (RMC) bike lane project, and stated his desire to have Council Member Wilson transition into being the next RMC Board Member for the City.

Mayor Hasselbrink spoke regarding attendance at Casa Youth Shelter's Fundraiser, 3rd Anniversary for 60 Minute Spectacles, La Palma State of the City, Precious Life Gala, Orville Lewis Park Reopening, stated she was appointed to the Orange County Fire Authority Capital Improvement Project Committee, and spoke regarding the Spring Carnival, Community Open House, and Los Alamitos Museum Paint Night.

Mayor Hasselbrink stated the meeting would be adjourned in honor of Joseph Manfro, longtime resident of Los Alamitos passed away peacefully in his home on Friday, March 17, 2017 at the age of 81.

8. ITEMS FROM THE CITY MANAGER

City Manager Plumlee thanked Staff for Orville Lewis Park reopening event and spoke regarding the Spring Carnival and Neighborhood Open House.

9. WARRANTS

Motion/Second: Edgar/Kusumoto

Unanimously Carried (Wilson absent): The City Council approved the Warrants for April 17, 2017, in the amount of \$49,764.36 ratified the Warrants for March 21, 2017 to April

16, 2017, in the amount of \$743,640.67, 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 April 18, 2017 to May 14, 2017.

ROLL CALL

Council Member Kusumoto	Aye
Council Member Murphy	Aye
Council Member Wilson	Absent
Mayor Pro Tem Edgar	Aye
Mayor Hasselbrink	Aye

Mayor Hasselbrink moved item 14B forward.

14. CLOSED SESSION

City Attorney Reisman read item 14B aloud and clarified at this time only one potential case would be discussed.

B. 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.

RECESS

The City Council recessed into Closed Session at 6:48 p.m.

RECONVENE

The City Council reconvened in Regular session at 7:31 p.m.

City Attorney Reisman stated Council was briefed and instructed Staff how to proceed. No formal votes were taken or requested.

10. CONSENT CALENDAR

All Consent Calendar items may be acted upon by one motion unless a Council Member requests separate action on a specific item.

Motion/Second: Kusumoto/Edgar

Unanimously Carried (Wilson absent): The City Council approved the following Consent Calendar items:

A. Approval of Minutes

(City Clerk)

Approved the Minutes of March 20, 2017 Special meeting and March 20, 2017 Regular meeting.

B. Approval of Notice of Completion for Old Dutch Haven Neighborhood Streets Project (CIP No. 16/17-02) (City Engineer)

Old Dutch Haven Neighborhood Streets Project (CIP No. 16/17-02) is complete and in compliance with the plans and specifications. Therefore, Staff recommends that City Council accept the work as complete, direct filing of the Notice of Completion and authorize retention release as prescribed by the Public Contracts Codes.

The City Council:

1. Accepted as complete the construction contract by All American Asphalt for Old Dutch Haven Neighborhood Streets Project (CIP No. 16/17-02); and,
2. Directed the City Clerk to record the Notice of Completion/Final Report with the County Clerk Recorder's office; and,
3. Authorized Staff to release the 5% retention to the contractor, in the amount of \$13,532.14, thirty-five (35) days after recordation of the Notice of Completion.

C. Purchase of Three (3) 2017 Police Unmarked Vehicles and Authorization to Purchase and Install Emergency Lights and Equipment (Police)

This is a request to purchase one (1) 2017 Dodge Charger Police Unmarked Vehicle and two (2) 2017 Dodge Durango Police Unmarked Vehicles per Los Alamitos Municipal Code 2.60.110 – Purchases through other agencies. This report requests authorization for the purchase of the Dodge Charger to utilize Purchase Order P01457 agreement between the City of Visalia and McPeck Dodge of Anaheim. It also requests authorization for the purchase of two (2) Dodge Durangos to utilize Purchase Order DPO-BH-17361542-1 agreement between the County of Los Angeles and McPeck Dodge of Anaheim. In addition, this is a request to purchase and install emergency lights and equipment on the three unmarked vehicles and three patrol vehicles that were authorized for purchase on February 22, 2017.

The City Council:

1. Authorized the City Manager to purchase one (1) 2017 Dodge Charger Police Unmarked Vehicle from McPeck Dodge for \$27,017.36; and,
2. Authorized the City Manager to purchase two (2) 2017 Dodge Durango Police Unmarked Vehicles from McPeck Dodge for \$63,947.72; and,
3. Authorized the City Manager to purchase and install emergency lights and equipment on the three (3) police unmarked vehicles requested by this report, and the three (3) patrol vehicles which were authorized for purchase on February 22, 2017, in the total amount of approximately \$24,750.

D. Agreement for Legal Defense Services (City Attorney)

The City received two wrongful death Claims arising out of a fatal auto accident caused by an inebriated driver. The City therefore needs to retain defense counsel to represent the City in the event the City's claims adjuster is unable to quickly settle the claims.

The City Council retained the services of Bordin Martorell LLP to represent the City in connection with the claims filed by Meghan and Kyle McKeon against the City.

E. Joint Defense and Confidentiality Agreement (City Attorney)

The City and Lincoln Properties were sued arising out of the City's approval of the Village 605 Shopping Center. Lincoln is obligated to indemnify and defend the City in the event of litigation and to reimburse the City for its defense expenses. It is therefore necessary that Lincoln's attorneys and the City's attorneys cooperate with each other in defending the litigation. City Manager Plumlee signed the agreement on behalf of the City in March. The City Council is being asked to ratify the agreement.

The City Council ratified the Joint Defense and Confidentiality Agreement between the City and Katella Property Owner, LLC.

11. ORDINANCE

A. Expanded Traffic Commission Authority (Development Services)

This report facilitated Municipal Code amendments and Administrative Regulation modifications that expand the authority of the Traffic Commission to include On-Street Parking.

Development Services Director Mendoza summarized the Staff report and answered questions from the City Council.

Mayor Hasselbrink opened the item for public comment.

Dave Emerson, Traffic Commissioner, spoke in support of the item stating there was a clear connection between parking and traffic.

Mayor Hasselbrink closed the item for public comment.

City Council and Staff discussed the following: support for an appeal process, but concern for an associated fee; Traffic Commission had the experience and inclination to take on parking; opposition due to the recent city wide parking evaluation; current process to change parking is methodically a slower process to allow all interested parties to voice opinions; concern changes in parking would effect upcoming projects such as the Los Alamitos Blvd. and hotel project; and role of the Traffic Commission is advisory.

Mayor Pro Tem Edgar suggested tabling the item to allow Council Member Wilson an opportunity to discuss.

Motion/Second: Murphy/Kusumoto

Unanimously Carried (Wilson absent): The City Council continued the item to the next regularly scheduled meeting.

12. DISCUSSION ITEM

- A. City Manager Performance Bonus (City Attorney)**
The City Council evaluated City Manager Plumlee's performance and found that he met or exceeded standards during the period ending June 30, 2016.

City Attorney Reisman summarized the Staff report.

Motion/Second: Murphy/Kusumoto

Unanimously Carried (Wilson absent): The City Council authorized a two percent (2%) performance based incentive bonus for the City Manager for the period July 1, 2015 to June 30, 2016.

13. MAYOR AND COUNCIL INITIATED BUSINESS

A. Council Announcements

Council Member Murphy requested citizens check their properties and on a voluntary basis clean their yards to make the neighborhoods safer for walkers.

14. CLOSED SESSION

City Attorney Reisman read the items aloud.

A. 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))

B. 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.) 1 potential case.

C. 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.

D. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION

Pending Litigation pursuant to Government Code sec. 54956.9 (d)(1)
People v. Dennis Loren Bader, Case no. LA045560PE

E. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION

Pending Litigation pursuant to Government Code sec. 54956.9, (d)(1)

The Inland Oversight Committee v. City of Los Alamitos and Katella Property Owner LLC, L.A. Superior Court Case No. BS168299

RECESS

The City Council recessed into Closed Session at 7:50 p.m.

RECONVENE

The City Council reconvened in Regular session at 9:18 p.m.

City Attorney Reisman summarized the following: 14A Council unanimously voted not to hold Item 14B; 14C was discussion only and no formal votes taken or requested; 14D the City Council unanimously instructed the City Attorney how to proceed; and, 14E, discussion was informative only no votes taken or requested.

15. ADJOURNMENT

The City Council adjourned at 9:18 p.m. in memory of Joseph Manfro.



Shelley Hasselbrink, Mayor

Attest:



Windmera Quintanar, CMC, City Clerk