

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

REGULAR MEETING – September 17, 2012

1. CALL TO ORDER

The City Council met in Regular Session at 6:04 p.m., Monday, September 17, 2012, in the Council Chamber, 3191 Katella Avenue, Mayor Edgar presiding.

2. ROLL CALL

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

Absent: Council Members: None

Present: Staff: Angie Avery, City Manager
Holly Whatley, Assistant City Attorney
Linda Magnuson, Interim Finance Director
Tony Brandyberry, Public Works Superintendent
Dave Hunt, City Engineer
Corey Lakin, Community Services Director
Todd Mattern, Police Chief
Steven Mendoza, Community Development Director
Cassandra Palmer, Support Services Manager
Windmera Quintanar, Department Secretary

3. PLEDGE OF ALLEGIANCE

Council Member Kusumoto led the Pledge of Allegiance.

4. INVOCATION

Mayor Edgar gave the invocation.

5. PRESENTATIONS

A. Presentation of Proclamation to Police Chief Mattern proclaiming September 2012 as “National Preparedness Month”

The City Council presented a Proclamation for “National Preparedness Month” to Police Chief Mattern. Police Chief Mattern spoke briefly.

B. Presentation of Certificate of Appreciation to Southland Credit Union for Participation in the Partners in Preparedness Program

The City Council presented the Certificate of Appreciation and a “Go Kit” to Matt Herrick, Southland Credit Union representative. Mr. Herrick spoke briefly. Staff presented Council with “Go Kits.”

C. Presentation of AB341 Solid Waste Diversion Program by Consolidated Disposal Service

Presentation was postponed.

6. ORAL COMMUNICATIONS

Mayor Edgar opened Oral Communications.

Council Member Graham-Mejia requested item 9E be moved to the beginning of the Agenda.

Mayor Edgar advised item 9E would be heard immediately after the Consent Calendar.

Cathie Salai, resident, thanked the Council for reappointing her to the Personnel Appeals Commission.

JM Ivler, resident, spoke in opposition to the trash contract and inquired if the community poll had been completed.

Mayor Edgar closed Oral Communications.

7. REGISTER OF MAJOR EXPENDITURES

Motion/Second: Poe/Stephens

Unanimously Carried: The City Council approved the Register of Major Expenditures for September 17, 2012, in the amount of \$115,037.80, ratified the Register of Major Expenditures for August 21, 2012 to September 16, 2012 in the amount of \$661,316.54, 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 September 18, 2012 to October 14, 2012.

Roll Call Vote

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

8. CONSENT CALENDAR

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

Council Member Graham-Mejia pulled item 8A.

Council Member Kusumoto pulled items 8D and 8E.

Motion/Second: Graham-Mejia/Edgar
Unanimously Carried: The City Council approved the following Consent Calendar items:

*****CONSENT CALENDAR*****

B. Warrants (Finance)
Approved the Warrants for September 17, 2012, in the amount of \$9,970.56 and ratified the Warrants for the time period August 21, 2012 to September 16, 2012, in the amount of \$91,212.46.

C. Approval of Plans and Specifications, and Authorization to Bid for Pool Project (CIP No. 12/13-01) (Public Works)
This report recommended actions to begin facilitating the construction of various items of work at the pool site; including a new variable speed pool pump to save electrical costs, new underwater pool lights, painting the pool, and numerous other repairs to the pool facilities.

The City Council:

1. Approved the plans and specifications for the construction of the Pool Improvement Project (CIP No. 12/13-01); and,
2. Authorized Staff to advertise and solicit bid proposals.

F. Intent to Amend the Los Alamitos Municipal Code pertaining to the Call for Review and Appeals Processes (Community Development)
The Los Alamitos Municipal Code (LAMC) lacks a formal call for review process for the City Council to review actions of the Planning Commission. Furthermore, code sections related to the appeals process are in need of amending to remove ambiguities. The first step in doing so is for the City Council to adopt a resolution of intention. The report and corresponding resolution outlined the City Council's intent to amend various sections of the Municipal Code and set a future public hearing date for the Planning Commission to consider.

The City Council adopted Resolution No. 2012-20, entitled, "A RESOLUTION OF CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, TO AMEND CHAPTER 17.68 AND OTHER VARIOUS SECTIONS OF THE MUNICIPAL CODE PERTAINING TO APPEALS AND CALL FOR REVIEW PROCESSING".

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

A. Approval of Minutes (City Clerk)
1. Approve the Minutes of the Special Meeting of August 20, 2012.
2. Approve the Minutes of the Regular Meeting of August 20, 2012.

Council Member Graham-Mejia stated support for returning to more inclusive summary minutes, stated she wanted more detail added to her comments, and inquired about the process for revisions.

Mayor Edgar stated the City Clerk would forward the revisions to the requestor before approval.

Motion/Second: Edgar/Stephens

Carried 4/1 (Graham-Mejia cast the dissenting vote): The City Council:

1. Approved the Minutes of the Special Meeting of August 20, 2012.
2. Approve the Minutes of the Regular Meeting of August 20, 2012, as amended.

D. Disposal of Surplus Equipment (Public Works)

This report sought consideration of disposal of surplus equipment.

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

City Council and Staff discussed the vehicles market value, Kelly Blue Book value, and the excessive miles on the vehicles.

Motion/Second: Graham-Mejia/Kusumoto

Unanimously Carried: The City Council declared the listed equipment as surplus and authorize its disposal in accordance with the Los Alamitos Municipal Code.

E. Resolution No. 2012-19 – Designation of Interim City Treasurer (Fin.)

This report sought consideration of a resolution designating Todd Mattern, Police Chief, as City Treasurer on an interim basis.

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

City Council and Staff discussed the following topics:

- Creation of a new position vs. assigning additional duties
- City's Charter dictates the Council appoints the City Treasurer
- Past practices, traditionally Finance Director or City Manager is appointed the Treasurer
- Support for further discussion

Motion/Second: Kusumoto/Stephens

Unanimously Carried: The City Council tabled the item and directed staff to bring back for further discussion and consideration.

9. DISCUSSION ITEMS

Mayor Edgar moved up item 9E.

E. Revisiting the Modification of Various Intersections along Katella Ave. (Community Development/Public Works)

During the August 20, 2012 Council Meeting, Mayor Edgar asked that the proposed modifications to various Katella Avenue intersections be revisited. The intersection modifications in question are signalization at Katella/Lexington and Katella/Enterprise and a proposed left hand turn pocket into 24-Hour Fitness commercial center. The Council is asked to provide direction to the City Manager whether to enter into negotiations to amend the Agreement between Los Alamitos, Cypress and Cottonwood Christian Church.

Mayor Pro Tem Poe stated she would need to recuse herself for a potential conflict of interest because a portion of the project was near property she owned. She stated she was waiting for advice from the Fair Political Practices Commission (FPPC).

Mayor Edgar stated he would pull the item until the FPPC ruling was received.

Council Member Graham-Mejia requested the Council take public comment.

City Council and Staff discussed the process for recusal and continuing with the item.

Mayor Pro Tem Poe recused herself and left the dais.

Community Development Director Mendoza summarized the staff report, referring to the information contained therein.

Mayor Edgar stated the Council would take public comment only. After public comment the item would be closed and moved to a future date.

Mayor Edgar opened the item for public comment.

The following residents spoke in opposition to the project: Rob Feldman, Johanna Schleuter, Rom Hoffenhard, Sean Herby, Tom Barboski, Jeff Hubert, Art Debolt, Paul Stevens, Randy Parker, Jody Shloss, J.M. Ivler, Brad Taylor, Javier Mejia, and Robert Blank.

Mayor Edgar closed the item.

Mayor Pro Tem Poe took her seat at the dais.

RECESS

The City Council took a brief recess at 7:24 p.m.

RECONVENE

The City Council reconvened in regular session at 7:37 p.m.

A. Consolidated Disposal's Public Education and Outreach Program (City Manager)

This report provided the details related to the Public Education and Outreach Program conducted by Consolidated Disposal Services as a provision of its five-year contract.

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

City Council and Staff discussed the following topics:

- Council had not approved the allocation of funds between different elements of the program
- Success of the budgeted programs
- Advertising on sports broadcasts versus providing educational public outreach
- Program funds used to offset City costs while increasing public education and awareness
- Consolidated Disposal included an informational handout in the City's Activity Guide
- Potential for Council to readdress budgeted items and make changes should the need arise
- 30 minute commercial to air on LATV-3
- Plan was developed by Staff and approved by Consolidated Disposal
- Business Education outreach through the Chamber of Commerce
- Support for researching alternatives to reach all City businesses
- Chamber dues being paid from the program
- Support for funding special events and televising High School sports

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

City Council and Staff discussed the following topics:

- Using rollover funds to address Council priorities
- Program budget of \$280,000
- \$5,000 budget for Chamber Directory
- Promotion of Dumpster Days
- Consolidated Disposal outreach through the Recreation brochure
- Big Belly solar compactors
- Concern for paying Consolidated Disposals Chamber dues
- Support for having Council review the program budget yearly
- Possible conflict of interest for Chamber members

Mayor Pro Tem Poe made a motion to approve the Consolidated Disposal Public Education and Outreach Program for the period January 1, 2013 through December 31, 2013, and direct Staff to use any excess funds to reach out to all businesses in the City.

City Council and Staff discussed the following topics:

- Consolidated Disposal would need to approve of changes in the Outreach Program
- Outreach to business that are not Chamber members
- Producing a commercial to air on LATV for awareness
- Advertising on High School sports programming
- Chamber sponsored events not an effective use of funds
- Importance of Consolidated Disposal being held accountable for what was promised
- Staff direction to coordinate with Consolidated Disposal to create an outreach piece for all businesses in the City, separate from their regular trash bill

Motion/Second: Poe/Edgar

Unanimously Carried: Approved the Consolidated Disposal Public Education and Outreach Program for the period January 1, 2013 through December 31, 2013, and direct Staff to use any excess funds to reach out to all businesses in the City.

A. Holiday Decorations (Recreation)

This report requested the City Council appropriate funding from the Community Give Back funds in order to provide holiday decorations on 57 light poles throughout Los Alamitos for a three year period starting in November 2012.

Community Services Director Lakin summarized the staff report, referring to the information contained therein, and answered questions from the City Council.

City Council and Staff discussed the following topics:

- Concern approval is coming before feedback from the Community Giveback Survey is received
- Indirect cost comparison between the vendors
- Existing infrastructure
- Support for funding not coming from the Community Giveback Program
- Banners of Honor will be included
- Mid-year budget adjustment would be needed
- City funding the first year for of the program and having the Community Giveback Program supplement the remaining years
- Support one sided pole decorations and less poles throughout the City to keep costs down
- Working with the suggested vendor to negotiate budget, timelines, and possible extensions
- Opposition to the penguin decoration
- Support for having professional storage of the decorations
- Staff support for entire package due to the discounted price and sole source provider of LED lights and storage of decorations
- Support for one year lease
- Opposition for project as it was unbudgeted

Mayor Edgar opened the item for public comment.

Richard Murphy, resident, stated opposition to spending reserves, expressed support for waiting to hear what the community wanted through the Community Giveback survey, stated concern for Item C funding, and requested Council Candidates be allowed one minute to address the public at an upcoming meeting.

Samuel Manning, resident and Parks, Recreation, and Cultural Arts Commissioner, stated support for the item.

Mayor Edgar closed the item for public comment.

Mayor Pro Tem Poe made a motion to table the item until the Community Giveback Survey feedback was received.

Council Member Graham-Mejia made a substitute motion to direct Staff to provide holiday decorations for one year with a budget of \$30,000.

Mayor Pro Tem Poe rescinded her motion.

City Council and Staff discussed the following topics:

- Concern for not following the established process
- Timing of Council approval and providing decorations for the 2012 holiday season
- Support for decorations and following through with the established process
- Concern for supporting a project that is not funded
- Funding could possibly be absorbed through personnel savings and not the reserves

Motion/Second: Graham-Mejia/Kusumoto

Carried 3/2 (Edgar and Stephens cast the dissenting votes): City Council authorized Staff to secure Holiday decorations through Dekra-lite Industries Inc. for one year not to exceed \$30,000, and should the Community Feedback Survey support holiday decorations, then funding would be used from the program.

RECESS

The City Council took a brief recess at 9:37 p.m.

RECONVENE

The City Council reconvened in Regular Session at 9:49 p.m.

B. Commitment of Resources to the Los Alamitos Unified School District for Renovation of Oak Middle School (City Manager)

Council appointed representatives Gerri Graham-Mejia and Marilyn Poe of the City/School District Working Group recommended the City Council commit \$300,000 to assist the Los Alamitos Unified School District with the renovation of the Oak Gymnasium and a Public Restroom Facility at Oak Middle School to benefit the community.

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

City Council and Staff discussed the following topics:

- Gymnasium was built in 1974
- Gymnasium was a partial City asset
- Gymnasium was in immediate need of renovation
- Currently no onsite restroom, but would be added as part of the project
- Community support for the School District
- \$300,000 commitment would be 1/3 of the project cost
- Options for funding the project

- One time opportunity for the City to upgrade a community asset
- Joint Use Agreement with the Youth Center, Los Alamitos Unified School District (LAUSD), the City, and the County of Orange
- LAUSD received approval for the plans from the State
- LAUSD offered the addition of the bathroom which would be an asset to the community
- Shared Use Agreements for facilities
- LAUSD responsible for maintenance of the facilities
- Project is for modernization of the classrooms. Gyms and fields are secondary.
- County of Orange was only active in the construction of the site
- Youth Center may contribute a token donation
- Bringing the gym up to Code with the renovations
- Schedule for the Oak Field
- Cost for port-a-potties
- Research needed for ownership rights of the facility
- Preliminary timing of construction

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

City Council and Staff discussed the following topics:

- LAUSD is a good partner for the gym
- One time expenditure of money
- Investing in the field would be similar to investing in the pool
- Youth Center's continued involvement
- Funding source would be at the future Council's discretion
- LAUSD is committed to the project and looking for a partner to help with funding

Mayor Pro Tem Poe made a motion to approve Staff recommendation.

- Support for determining ownership and liability of the facility
- Possibility of adding research of ownership concerns to recommendation #2
- Responsibilities of ownership versus remaining a user

Substitute Motion: Poe/Graham-Mejia

Carried 4/1 (Stephens cast the dissenting vote): The City Council:

1. Formally committed an amount not to exceed \$300,000 or one-third of the cost of renovation, whichever cost is lower, for the renovation of

the Oak Gymnasium and a new Public Restroom Facility at Oak Middle School.

2. Authorized the City Manager to investigate ownership and liability of the facility, to enter into a funding and shared use agreement with the Los Alamitos Unified School District in a form acceptable to the City Attorney.

C. Coyote Activity Update (Support Services)
This report provided a review of coyote activity in and around the City of Los Alamitos and an update on mitigation efforts.

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

City Council and Staff discussed the following topics:

- Concern for increased coyote activity
- Establishing a threshold for the City Manager to be able to mitigate the coyotes without having to come back to Council
- City Manager previously received authorization to act if under \$10,000
- Incident reports are low in comparison to past years
- Ongoing coyote activity monitoring
- Importance of residents reporting sightings
- Challenges regarding trapping
- Possibility of adding additional signage alerting residents of coyote activity

The City Council received and filed the report.

10. MAYOR AND COUNCIL INITIATED BUSINESS

Council Member Graham-Mejia requested better signage at Katella and Siboney for business access and requested additional banners alerting residents of coyote activity.

Mayor Pro Tem Poe discussed the following topics: extended thanks to Southland Credit Union for their participation in the Preparedness program; opposition to adding toll lanes on the 405 Freeway; attendance at the City-School Working Group meeting; possibility of replacing the fence at Laurel Park; and, upcoming Honored Citizens Day at the museum on September 23.

Council Member Kusumoto stated he attended a meeting with Southern California Edison regarding the San Onofre Power Plant and the potential rate increase.

Council Member Stephens discussed the following topics: attendance at the Orange County Fire Authority Budget and Finance Committee meeting on September 12; attendance at the League of California Cities Annual Conference in San Diego, September 6th and 7th; and, potential for using historic buildings for production filming.

Mayor Edgar discussed the following topics: attendance at the Change of Command Ceremony at the Joint Forces Training Base on Saturday; attendance at the Orange County Sanitation District Board meeting; upcoming Casa Youth Shelter Gala on September 29th; Council Candidates would not be allotted time at a Council meeting, but could utilize public comment period if so desired; involvement in opposing the 405 Freeway expansion with the Mayors of the cities along the corridor; possibility for Costa Mesa to request funding from the City to hire a lobbyist for the 405 project; thanked Southland Credit Union for its support; thanked Council and the residents for revisiting item 9E; and, coyote activity.

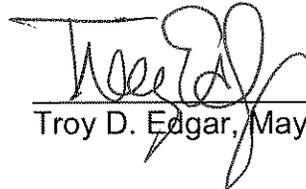
11. ITEMS FROM THE CITY MANAGER

City Manager Avery discussed the following topics: Joint Forces Training Base use of Facebook to keep the community informed; electrical vault explosion and the effect on the preschool building; upcoming Coyote Creek Groundbreaking; and, LATV community survey for programming.

Mayor Pro Tem Poe requested the meeting be adjourned in memory of Al Perisho.

12. ADJOURNMENT

The City Council adjourned at 12:02 a.m. in memory of Al Perisho. The next meeting of the City Council is scheduled for **Monday, October 15, 2012, at 6:00 p.m.**, in the City Council Chambers.



Troy D. Edgar, Mayor

ATTEST:



Windmera Quintanar, CMC
Department Secretary