

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

REGULAR MEETING – June 6, 2011

1. CALL TO ORDER

The City Council met in Regular Session at 7:36 p.m., Monday, June 6, 2011 in the Council Chambers, 3191 Katella Avenue, Mayor Stephens presiding.

2. ROLL CALL

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

Absent: Council Members: None

Present: Staff: Jeffrey L. Stewart, City Manager
Sandra Levin, City Attorney
Anita Agramonte, Finance Director
Angie Avery, Community Services Director
Dave Hunt, City Engineer
Adria M. Jimenez, City Clerk
Todd Mattern, Police Chief
Steven Mendoza, Community Development Dir.

3. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Edgar led the Pledge of Allegiance.

4. INVOCATION

Mayor Stephens gave the Invocation.

5. PRESENTATIONS

A. Orange County United Way, Habitat for Humanity, and Casa Youth Shelter

Commendations were presented to Orange County United Way, Habitat for Humanity and Casa Youth Shelter by the Mayor. Pictures with Council followed.

B. Los Alamitos Police Department

Mayor Stephens presented members of the Police Department with a Commendation. Pictures with Council followed.

6. ORAL COMMUNICATIONS

Judy Klabouch, Chamber of Commerce, provided information on the upcoming Chamber of Commerce events: Citizen of the Year Appreciation Dinner and the Chamber of Commerce Golf Tournament.

Cathie Salai, resident, expressed her disappointment regarding the City Employee MOU approved by City Council. Ms. Salai pointed out necessary sidewalk repairs in the City and stated funds should be used to improve the City

for the residents, instead of employee benefits. Ms. Salai also asked what is the City doing to be "business-friendly."

Alice Jempsa, resident, commented on Item #9B, Explanation of Los Alamitos' Peddler/Solicitor Regulations. Ms. Jempsa stated she was pleased to see this item on the agenda.

Javier Mejia, resident, advised that the traffic signal on Humbolt has exposed wiring and he believes it is a safety issue. Mr. Mejia also suggested a solution for graffiti, and asked for an alternative to the speed signs in the alleys. Mr. Mejia also requested an update on the possibility of Lexington going straight-thru across Katella Avenue.

Jake Black, expressed his approval of the Rossmoor Shopping Center.

Dean Grose, resident, commented on Item #8D, stating he believed Katella was to be included as part of the Smart Street Program. Mr. Grose stated his biggest concern of OCTA being the project director is that the City may lose some impact and feedback. Mr. Grose encouraged the City Council to ensure that the City does have the opportunity to provide feedback on the project.

7. REGISTER OF MAJOR EXPENDITURES

June 6, 2011.

Motion/Second: Graham-Mejia/Edgar

Unanimously carried: The City Council approved the Register of Major Expenditures for June 6, 2011, in the amount of \$748,516.08.

Roll Call Vote

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

Mayor Stephens requested Consent Calendar Item #8E be pulled for discussion; Council Member Graham-Mejia requested Consent Calendar Item #8D be pulled for discussion.

Motion/Second: Graham-Mejia/Poe

Approved the following Consent Calendar Items:

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

A. Approval of Minutes

Approve Minutes of the Regular Meeting – May 16, 2011.

B. Warrants
June 6, 2011.

C. Pool Service and Maintenance Contract
This agenda item is a contract for service and maintenance of the pool.

Authorized the City Manager to execute a contract with Decksider Pool Service for service and maintenance at the pool. This contract is for the first optional extension year of a one-year contract with two optional one-year extensions. The contract originated in FY 2010-2011. The contract is not to exceed \$20,000 annually.

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

8D. Memorandum of Understanding C-1-2466 for the Katella Avenue Traffic Light Synchronization Program Project

The Orange County Transportation Authority (OCTA) project, entitled Katella Avenue Traffic Light Synchronization Program Project, will synchronize 58 traffic signals from the western border of Orange County in the City of Los Alamitos, to the intersection of Santiago Canyon Road and Cannon Street in the City of Orange. The project will upgrade traffic signal equipment, as well as update signal timing parameters to reflect current traffic patterns. Katella Avenue was selected due to its high volume of traffic and regional significance. The project will be managed and constructed by OCTA.

The Memorandum of Understanding (MOU) will establish a relationship between the OCTA and agencies that have traffic signals on Katella Avenue. The MOU allows OCTA to administer a project within all the jurisdictions with a common goal of signal synchronization. The OCTA project will be managed and constructed with oversight from each agency pertaining to the agency's individual signals.

Mr. Hunt provided a staff report and answered questions from the City Council.

Motion/Second: Poe/Edgar
Carried 4/1 (Graham-Mejia "Abstain")

Approved the Memorandum of Understanding C-1-2466 by and between Orange County Transportation Authority and cities of Anaheim, Cypress, Garden Grove, Los Alamitos, Orange, Stanton, and Villa Park, and the County of Orange and the State of California Department of Transportation for Katella Avenue Traffic Light Synchronization Program Project.

8E. Reject all Bids for the Construction of Laurel Park Rehabilitation (CIP No. 10/11-04) and Direct the City Engineer to Re-advertise

On May 18, 2011, construction bids were publicly opened for the construction of Laurel Park Rehabilitation (CIP No. 10/11-04). After a thorough review of all bids submitted, staff determined that the bid submitted by DD Systems, Inc. to be the lowest responsible bid in the total bid amount of \$249,585.63. This bid amount exceeds the appropriated construction budget for this project, and staff recommends that the City Council reject all bids and re-advertise.

Mayor Stephens commented on this item and noted his concerns were resolved during the previous budget meeting.

Motion/Second: Stephens/Graham-Mejia
Unanimously Carried:

1. Rejected all bids received for the construction of Laurel Park Rehabilitation (CIP No. 10/11/-04); and,
2. Authorized the City Engineer to re-advertise for bids to construct the project at the lowest cost to the City.

9. DISCUSSION ITEMS

A. Acceptance of Donation of Bench and Tree

This report seeks City Council acceptance of the donation of a park bench and tree to be located at Little Cottonwood Park

Angie Avery, Community Services Director, provided the staff report and answered questions from City Council.

Motion/Second: Poe/Graham-Mejia
Unanimously Carried: Authorized the acceptance of the donation of a concrete bench and tree to be located at Little Cottonwood Park.

B. Explanation of Los Alamitos' Peddler/Solicitor Regulations

Recent activity has led the City to review its procedures related to Peddler/Solicitor Permit regulations. Staff has outlined how the City of Los Alamitos regulates parties who go door-to-door and the level of regulations the Peddlers, Solicitors and Canvassers are subjected to. This review may be an opportunity to discuss this important issue and direct staff to make future changes in the code.

Steven Mendoza, Community Development Director, provided the staff report and answered questions from the City Council.

The City Council directed staff to research the different options of informing residents of peddlers/solicitors in the City.

C. Approval of Professional Service Agreement (PSA) with The Planning Center/DCE for General Plan Update and Approval of Corresponding Budget Amendments

The following is a summary of the consultants considered to complete the City's General Plan Update including rating, interview, and negotiations with the proposers in response to the City's Request for Proposal (RFP).

Steven Mendoza, Community Development Director, provided a brief staff report to the City Council.

Ad-Hoc Subcommittee Members Council Member Kusumoto and Mayor Pro Tem Edgar provided additional information to members of the City Council.

Motion/Second: Stephens/Poe

Carried: 4/1 (Graham-Mejia "No")

1. Authorized the City Manager to approve a Professional Services Agreement with The Planning Center/DCE for the General Plan Update in the amount of \$429,478.00; and,
2. Authorized staff to amend the proposed budget for Fiscal Year 2011-2012 for year one of the Agreement in the amount of \$150,000.00; and,
3. Authorized staff to amend the proposed budget for Fiscal Year 2011-2012 in the amount of \$25,000.00 for the in-house peer review of the General Plan including Engineering, Traffic, and Legal.

D. Consideration and Possible Action Regarding the Draft Report of the Orange County Redistricting Commission

The Orange County Redistricting Commission recently released a map depicting draft boundaries of Assembly and Congressional Districts in Orange County. This item has been placed on the City Council agenda for the purpose of determining whether or not the Council seeks to comment on the process and/or submit correspondence regarding the configuration of the draft districts.

Jeff Stewart, City Manager, stated the OC Redistricting Commission is starting to move forward on drawing new boundaries for the Senate and Assembly Districts in Southern California. It looks like there has been a significant change on the first preliminary draft maps which are attached to the staff report. It looks like the assembly district boundaries are changing to include Long Beach and Costa Mesa, and exclude Cypress and La Palma. These are significant changes in boundaries and this item was brought forward for Council direction.

After Council discussion, consensus was reached to direct the City Manager to draft a letter: 1) in opposition to the recommended redistricting boundary changes; 2) in support of the Association of California Cities –

Orange County's position; and, 3) forward a copy of the City's letter to the surrounding Cities.

10. MAYOR AND COUNCIL INITIATED BUSINESS

Council Announcements

Mayor Stephens reported on his attendance at the Southland Credit Union's 75th Anniversary event; the Chamber of Commerce Citizen of the Year Dinner; the OCFA's Board of Directors Meeting and Budget and Finance Committee Meetings.

Council Member Graham-Mejia asked if it was possible to conduct Police Officer Association negotiations from the dias in open session. Ms. Graham-Mejia requested the City address the safety items brought forward by Ms. Jempsa and the Lexington traffic signal concern brought forward by Mr. Mejia. Ms. Graham-Mejia requested the City spend money on repairing the sidewalks to reduce trip hazards. She congratulated the Los Alamitos High School graduating class and the elementary schools.

Mr. Stewart advised Council Member Graham-Mejia that negotiations are unable to be conducted in public.

Council Member Kusumoto reported on his attendance at Southland Credit Union's 75th Anniversary Celebration and the Chamber of Commerce's Citizen of the Year Dinner. Mr. Kusumoto asked if the City purchased a table for the event and asked for protocol on the City purchasing tables for events.

Mr. Stewart advised the City did not purchase a table; however, a table was purchase by two individual Council Members and Wildan.

Council Member Poe reported on her attendance at the West Comm Meeting, the OC County Library Meeting, the Southland Credit Union's 75th Anniversary; the Girl Scout Fly-Up Ceremony and announced the recipients of the Girl Scout Gold Awards. She advised she attended the Chamber of Commerce's Citizen of the Year Dinner and the Los Alamitos Police Officers Association Dinner at Preveza. She reported on the past Picnic at the Plaza event held on Thursday and invited residents to attend the next event. Council Member Poe congratulated Ms. Okina who was named Orange County's Principal of the Year. Council Member Poe asked if the City was working with the Sewer District in regards to NPDES inspections; stated she believed the Lexington signal issue was given to the Traffic Commission; she asked for an update on the possibility of allowing U-turns on Katella Ave.; and, asked staff to review the possibility of either one-way alleys or streets to assist with traffic concerns.

Mr. Stewart provided additional information on meeting with the Sewer District, noting the District provided information regarding a possible NPDES consultant who is less expensive.

Mayor Pro Tem Edgar reported on his attendance at the Girl Scout Bridging Ceremony, the Memorial Day Ceremony held at Forrest Lawn; and Southland Credit Union's 75th Anniversary. Mayor Pro Tem Edgar commented on the Los Alamitos Police Officer's Association Dinner and the Chamber of Commerce's Citizen of the Year Dinner. Mayor Pro Tem Edgar provided an update on the RMC project and thanked Mr. Hunt for his assistance with moving the project forward. Mayor Pro Tem Edgar stated he believed the budget workshops have been productive and stated the objective is to confirm the budget is structurally and fiscally sound and rebuild the reserve back to \$8 million dollars. Mayor Pro Tem Edgar advised he was nominated and elected as the Vice-Chair for the Orange County Sanitation District and advised he is traveling to Washington D.C. next week to lobby for wastewater. Information on his travel will be provided to Council Members. He commented on Council Member Poe's report on the Library Board. Mayor Pro Tem Edgar congratulated his son, Ethan Edgar, on graduating from Oak Middle School.

11. ITEMS FROM THE CITY MANAGER

City Manager Stewart had no report.

12. CLOSED SESSION

City Attorney Levin advised the scheduled Closed Session is cancelled.

A. Conference with Legal Counsel

The City Council finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the local agency in the litigation.

Existing Litigation (G.C. 54956.9(a))

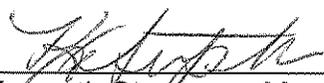
AT&T Mobility Wireless Data Services Tax Litigation, Northern District of Illinois Case No. 1:10-CV-2278 and

Anticipated Litigation (G.C. 54956.9b(3)(C))

Receipt of Claim pursuant to Tort Claims Act from New Cingular Wireless PCS LLC threatening litigation (copy available for public inspection in City Clerk's Office). A point has been reached where, in the opinion of the City Council on the advice of its legal counsel, based on the below-described existing facts and circumstances, there is a significant exposure to litigation against the City Council.

13. ADJOURNMENT

The City Council Meeting was adjourned at 9:38 p.m. in memory of Officer Andrew Garton and Jeff Thompson.



Kenneth Stephens, Mayor

ATTEST:



Adria M. Jimenez, CMC
City Clerk