

CITY OF LOS ALAMITOS

3191 Katella Avenue
Los Alamitos, CA 90720

AGENDA CITY COUNCIL REGULAR MEETING

Monday, November 19, 2012 – 6:00 P.M.

NOTICE TO THE PUBLIC

This Agenda contains a brief general description of each item to be considered. Except as provided by law, action or discussion shall not be taken on any item not appearing on the agenda. Supporting documents, including staff reports, are available for review at City Hall in the City Clerk's Office or on the City's website at www.cityoflosalamitos.org once the agenda has been publicly posted.

Any written materials relating to an item on this agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office, 3191 Katella Ave., Los Alamitos CA 90720, during normal business hours. In addition, such writings or documents will be made available for public review at the respective public meeting.

It is the intention of the City of Los Alamitos to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee, or a participant at this meeting, you will need special assistance beyond what is normally provided, please contact the City Clerk's Office at (562) 431-3538, extension 220, 48 hours prior to the meeting so that reasonable arrangements may be made. Assisted listening devices may be obtained from the City Clerk at the meeting for individuals with hearing impairments.

Persons wishing to address the City Council on any item on the City Council Agenda should complete a blue "Request to Speak" card and will be called upon at the time the agenda item is called or during the City Council's consideration of the item and may address the City Council for up to three minutes.

1. CALL TO ORDER

2. ROLL CALL

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

3. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Poe

4. INVOCATION

Council Member Graham-Mejia

5. PRESENTATIONS

- A. Presentation of a Proclamation to Katherine McNally, McNally Electric, for Small Business Saturday**
- B. Presentation from Becky Esparza, OC Human Relations, Providing a Yearly Update to the Council**
- C. Presentation from Mike Hearst, Director, Providing an Update on Orange County Vector Control District**

6. ORAL COMMUNICATIONS

At this time, any individual in the audience may come forward to speak on any item within the subject matter jurisdiction of the City Council. Remarks are to be limited to not more than five minutes per speaker.

7. REGISTER OF MAJOR EXPENDITURES

Approve the Register of Major Expenditures for November 19, 2012, in the amount of \$88,043.44, ratify the Register of Major Expenditures for October 15, 2012 to November 18, 2012, in the amount of \$958,299.73 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 November 20, 2012 to December 16, 2012.

Roll Call Vote

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

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.

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

- A. Approval of Minutes (City Clerk)**
Approve the Minutes of the Regular Meeting of October 15, 2012.

- B. Warrants (Finance)**
Approve the Warrants for November 19, 2012, in the amount of \$31,025.67 and ratify the Warrants for the time period October 14, 2012 to November 18, 2012 in the amount of \$125,393.47.

C. Consideration for a Professional Services Agreement with Johnny Rebs' of Bellflower, Inc. Restaurant to Supply Food for Race on the Base (Community Services)

This item is to authorize the City Manager to pay for the food for the Race on the Base. The Race on the Base event requires an external food vendor due to the nature of food service handling. This item has been placed on the agenda because the cost of the food exceeds the purchasing limit of the City Manager. Race registration revenue offsets the cost of the food so there is no impact to the General Fund.

Recommendation: Authorize the City Manager to pay for the food from Johnny Rebs' of Bellflower, Inc. for the 2013 Race on the Base in an amount not to exceed \$25,000 and to execute a contract in a form to be approved by the City Attorney.

D. Approval of Amendment No. 15 to the Cooperative Agreement No. C 95-983 between the Orange County Transportation Authority and the City of Los Alamitos (Engineering)

The Orange County Transportation Authority (OCTA) requests that Amendment No. 15 to the Cooperative Agreement No. C-95-983 be executed by the City of Los Alamitos in conformance with the Measure M eligibility requirements. Amendment No. 15 revises the close-out procedures for projects.

Recommendation:

1. Approve Amendment No. 15 to the Cooperative Agreement No. C-95-983 between Orange County Transportation Authority and the City of Los Alamitos; and,
2. Authorize the Mayor to execute said Amendment No. 15 on behalf of the City of Los Alamitos; and,
3. Direct the City Clerk to file the executed copy of Amendment No. 15 to the Cooperative Agreement No. C-95-983 with the Orange County Transportation Authority.

E. Resolution Adopting the June 30, 2012, Measure M2 Expenditure Report (Finance)

Each agency who receives Measure M2 funds is required by the OCTA to adopt via resolution an annual Expenditure Report to account for the use of Measure M2 funds.

Recommendation: Adopt Resolution No. 2012-24 entitled, "A RESOLUTION OF CITY COUNCIL OF THE CITY OF LOS ALAMITOS CONCERNING THE FISCAL YEAR 2011-2012 MEASURE M2 EXPENDITURE REPORT FOR THE CITY OF LOS ALAMITOS".

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

9. PUBLIC HEARING

A. **Zoning Ordinance Amendment (ZOA 12-02) – Consideration of Adding “Call for Review” Procedures (Community Development)**

Consideration to amend the City’s Appeal Procedures to add a “Call For Review” section permitting Council review of Planning Commission decisions without filing a formal appeal. This Code Amendment was supported by the Planning Commission during its October 8, 2012 meeting.

Recommendation:

1. Open the Public Hearing; and,
2. Waive reading in full and authorize reading by title only of Ordinance No. 12-06, and set for second reading; and,
3. Mayor Edgar read the title of Ordinance No. 12-05, entitled “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADOPTING AN ORDINANCE APPROVING ZONING ORDINANCE AMENDMENT 12-02, AMENDING THE LOS ALAMITOS MUNICIPAL CODE CHAPTER 17.68, CONCERNING THE APPEALS PROCESS, ADDING “CALL FOR REVIEW” REGULATIONS, AND CORRECTING REFERENCES TO APPEALS IN LOS ALAMITOS MUNICIPAL CODE SECTIONS 2.52.070, 16.06.070(G), 16.10.140, 16.26.040(B), 17.32.050, 17.36.080(D), AND 17.40.020 (CITYWIDE)”.

B. **Consideration of a 17-unit Single-Family Condominium Development Including a Mitigated Negative Declaration, General Plan Amendment, and Zoning Ordinance Amendment (Com. Dev.)**

This report is the consideration of a 17-unit detached, single-family condominium development project at 3271 Sausalito Street (APN 242-222-01) on 1.53 acres. The project requires a Mitigated Negative Declaration, General Plan Amendment, and Zoning Ordinance Amendment. The General Plan and Zoning Ordinance amendments will include changing the General Plan land use designation on the property from Planned Industrial to Multiple Family Residence and changing the zoning district from Planned Light Industrial (P-M) to Multiple Family Residential (R-3). The proposed project will involve the demolition of several industrial buildings, and construction of 17 detached, single-family condominium units.

Recommendation:

1. Adopt Resolution No. 2012-22, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING REPORT IN CONNECTION WITH ITS APPLICATION FOR GENERAL PLAN AMENDMENT (GPA 12-01), ZONING ORDINANCE AMENDMENT (ZOA 12-01), TENTATIVE TRACT MAP (TTM 12-01), CONDITIONAL USE PERMIT (CUP 12-02) AND SITE PLAN REVIEW (SPR 12-02) PURSUANT TO CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR DEVELOPMENT OF 17 SINGLE-FAMILY RESIDENTIAL CONDOMINIUMS (HEREAFTER "PROJECT") FOR A PROJECT LOCATED AT 3271 SAUSALITO STREET, APN 242-222-01 (HEREAFTER "SUBJECT PROPERTY"); (APPLICANT: THE OLSON COMPANY)"; and,
2. Adopt Resolution No. 2012-21, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS APPROVING GENERAL PLAN AMENDMENT (GPA 12-01) TO CHANGE THE LAND USE DESIGNATION FROM PLANNED INDUSTRIAL TO MULTIPLE FAMILY RESIDENTIAL FOR THE CONSTRUCTION OF 17 SINGLE-FAMILY RESIDENTIAL CONDOMINIUMS FOR A PROJECT LOCATED AT 3271 SAUSALITO STREET, APN 242-222-01 (APPLICANT: THE OLSON COMPANY)"; and,
3. Waive reading in full and authorize reading by title only of Ordinance No. 12-06, and set for second reading; and,
4. Mayor Edgar read the title of Ordinance No. 12-06, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS APPROVING ZONING ORDINANCE AMENDMENT 12-01 TO CHANGE THE ZONING DESIGNATIONS FROM PLANNED LIGHT INDUSTRIAL (P-M) TO MULTIPLE FAMILY (R-3) RESIDENTIAL FOR THE CONSTRUCTION OF 17 SINGLE-FAMILY RESIDENTIAL CONDOMINIUMS AT 3271 SAUSALITO STREET, APN 242-222-01 (APPLICANT: THE OLSON COMPANY)."

10. MAYOR AND COUNCIL INITIATED BUSINESS

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.

11. ITEMS FROM THE CITY MANAGER

12. CLOSED SESSION

A. Public Employment

Title: City Clerk
Authority: Government Code Section 54957

B. Conference with Labor Negotiator

Title: Conference with Labor Negotiator
City Negotiator: Angie Avery, City Manager
Unrepresented Employee: City Clerk
Authority: Government Code Section 54957.6

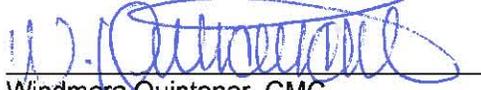
C. Conference with Labor Negotiator

Title: Conference with Labor Negotiator
City Negotiator: Angie Avery, City Manager
Unrepresented employees: Executive Management, Middle Management and Non-Management Employees
Authority: Government Code Section 54957.6

13. ADJOURNMENT

The next meeting of the City Council is scheduled for **Monday, December 17, 2012, at 6:00 p.m.**, in the City Council Chamber.

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing Agenda was posted at the following locations: Los Alamitos City Hall, 3191 Katella Ave.; Los Alamitos Community Center, 10911 Oak Street; and, Los Alamitos Museum, 11062 Los Alamitos Blvd.; not less than 72 hours prior to the meeting.



Windmera Quintanar, CMC
Department Secretary

11/15/12

Date

CITY OF LOS ALAMITOS
Register of Major Expenditures
November 19, 2012

To Approve

Pages:			
01-03	\$ 88,043.44	Major Warrants	11/19/2012
Subtotal	<u>\$ 88,043.44</u>		

To Ratify

Pages:			
A 01	\$ 194,773.48	Advance Warrants	10/22/2012
B 01	\$ 10,114.37	Advance Warrants	10/29/2012
	\$ 136,198.18	Payroll	10/12/2012
	\$ 88,824.83	Payroll Benefits	10/12/2012
	\$ 140,199.48	Payroll	10/26/2012
	\$ 154,958.42	Payroll Benefits	10/26/2012
	\$ 142,767.96	Payroll	11/09/2012
	\$ 90,463.01	Payroll Benefits	11/09/2012
Subtotal	<u>\$ 958,299.73</u>		

Grand Total \$1,046,343.17

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 November 20, 2012 to December 16, 2012.

Statement:

I hereby certify that the claims or demands covered by the foregoing listed warrants have been audited as to accuracy and availability of funds for payment thereof. Certified by Angie Avery, City Manager.



 this 14th day of November, 2012

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
CITY OF CYPRESS	SHARE OF JULY 4TH EVENT	GENERAL FUND	SPECIAL EVENTS	32,715.00
			TOTAL:	32,715.00
COLANTUONO & LEVIN, PC	GENERAL COUNSEL SVCS - SEP	GENERAL FUND	CITY ATTORNEY	7,432.81
	GENERAL COUNSEL SVCS - SEP	GENERAL FUND	CITY ATTORNEY	1,944.00
	GENERAL COUNSEL SVCS - SEP	GENERAL FUND	CITY ATTORNEY	495.50
	GENERAL COUNSEL SVCS - SEP	GENERAL FUND	CITY ATTORNEY	1,517.41
	GENERAL COUNSEL SVCS - SEP	GENERAL FUND	CITY ATTORNEY	1,260.50
	GENERAL COUNSEL SVCS - SEP	GENERAL FUND	CITY ATTORNEY	23.00
			TOTAL:	12,673.22
REFLEX TRAFFIC SYSTEMS, INC.	PHOTO ENFORCEMENT - OCT	GENERAL FUND	TRAFFIC	13,728.00
			TOTAL:	13,728.00
SOUTHERN CALIFORNIA EDISON	TRAFFIC SIGS/ST LIGHTS	GENERAL FUND	STREET MAINTENANCE	11,459.96
	SLO-PITCH FLD/LAUREL PRK	GENERAL FUND	PARK MAINTENANCE	572.68
	MCAULIFFE PARK	GENERAL FUND	PARK MAINTENANCE	461.63
	PUMP STATIONS	GENERAL FUND	BUILDING MAINTENANCE	259.39
	CITY HALL	GENERAL FUND	BUILDING MAINTENANCE	1,066.43
	POLICE STATION	GENERAL FUND	BUILDING MAINTENANCE	2,165.17
	COMMUNITY CENTER	GENERAL FUND	BUILDING MAINTENANCE	2,971.86
			TOTAL:	18,957.12
U.S. BANK	SR. MEALS SUPPLIES	GENERAL FUND	NON-DEPARTMENTAL	17.98
	SR. MEALS SUPPLIES	GENERAL FUND	NON-DEPARTMENTAL	50.00
	SR. MEALS SUPPLIES	GENERAL FUND	NON-DEPARTMENTAL	23.26
	MEETING SUPPLIES	GENERAL FUND	CITY COUNCIL	51.43
	COUNCIL AWARD FRAMES	GENERAL FUND	CITY COUNCIL	126.77
	COUNCIL REFRESHMENTS	GENERAL FUND	CITY COUNCIL	35.68
	COUNCIL COFFEE	GENERAL FUND	CITY COUNCIL	12.95
	OFFICE SUPPLIES - COMM DEV	GENERAL FUND	CITY COUNCIL	38.78
	EMPLOYEE LUNCHEON	GENERAL FUND	CITY COUNCIL	44.10
	EMPLOYEE LUNCHEON	GENERAL FUND	CITY COUNCIL	43.26
	EMPLOYEE LUNCHEON	GENERAL FUND	CITY COUNCIL	856.02
	EMPLOYEE LUNCHEON	GENERAL FUND	CITY COUNCIL	650.00
	FINANCE DIRECTOR AD	GENERAL FUND	ADMINISTRATIVE SERVICE	225.00
	OFFICE SUPPLIES - P/D	GENERAL FUND	POLICE ADMINISTRATION	219.64
	OFFICE SUPPLIES - P/D	GENERAL FUND	POLICE ADMINISTRATION	115.59
	OFFICE SUPPLIES - P/D	GENERAL FUND	POLICE ADMINISTRATION	67.79
	TRAINING	GENERAL FUND	POLICE ADMINISTRATION	195.00
	OFFICE SUPPLIES - P/D	GENERAL FUND	POLICE ADMINISTRATION	81.36
	PATROL CAMERA	GENERAL FUND	PATROL	182.96
	TONER CARTRIDGES	GENERAL FUND	PATROL	392.17
	OFFICE SUPPLIES - P/D	GENERAL FUND	PATROL	62.71
	FINGERPRINT PADS	GENERAL FUND	PATROL	98.78
	INTERSECT ONLINE	GENERAL FUND	INVESTIGATION	79.00
	OFFICE SUPPLIES - P/D	GENERAL FUND	RECORDS	129.70
	OFFICE SUPPLIES - P/D	GENERAL FUND	RECORDS	19.37
	2013 FILE JACKETS	GENERAL FUND	RECORDS	1,060.91
	PROP/EVID SUPPLIES	GENERAL FUND	RECORDS	82.65
	OFFICE SUPPLIES - P/D	GENERAL FUND	RECORDS	43.09
	WEB HOSTING	GENERAL FUND	COMMUNITY OUTREACH	12.95
	WEB HOSTING	GENERAL FUND	COMMUNITY OUTREACH	14.95
	GLOVES	GENERAL FUND	TRAFFIC	65.00
	CERT SUPPLIES	GENERAL FUND	TRAFFIC	65.00
	PLANNING OFFICIAL'S FORUM	GENERAL FUND	COMMUNITY DEVEL ADMIN	90.00

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	PLANNING OFFICIAL'S FORUM	GENERAL FUND	PLANNING	100.00
	OFFICE SUPPLIES - COMM DEV	GENERAL FUND	NEIGHBORHOOD PRESERVAT	10.42
	OFFICE SUPPLIES - COMM DEV	GENERAL FUND	BUILDING INSPECTION	98.72
	OFFICE SUPPLIES - COMM DEV	GENERAL FUND	BUILDING INSPECTION	17.55
	PRINTER TONER	GENERAL FUND	BUILDING INSPECTION	206.86
	WEED KILLER	GENERAL FUND	STREET MAINTENANCE	1,061.40
	BIKE TRAIL SUPPLIES	GENERAL FUND	PARK MAINTENANCE	80.39
	LATV RESTROOM REPAIRS	GENERAL FUND	BUILDING MAINTENANCE	119.20
	LATV RESTROOM REPAIRS	GENERAL FUND	BUILDING MAINTENANCE	40.43
	PLUMBING PARTS	GENERAL FUND	BUILDING MAINTENANCE	70.81
	POOL RESTROOM TILE	GENERAL FUND	BUILDING MAINTENANCE	89.26
	DRYCLEAN TABLECLOTHS	GENERAL FUND	BUILDING MAINTENANCE	40.00
	POOL DOOR LATCHES	GENERAL FUND	BUILDING MAINTENANCE	160.83
	RETURN - EXTENSION CORDS	GENERAL FUND	BUILDING MAINTENANCE	508.74-
	COYOTE CREEK DEDICATION	GENERAL FUND	RECREATION ADMINISTRAT	136.28
	COYOTE CREEK DEDICATION	GENERAL FUND	RECREATION ADMINISTRAT	52.11
	COYOTE CREEK DEDICATION	GENERAL FUND	RECREATION ADMINISTRAT	150.20
	CPRS AQUATIC MEMBERSHIP	GENERAL FUND	RECREATION ADMINISTRAT	100.00
	RECREATION DEPT. SUPPLIES	GENERAL FUND	RECREATION ADMINISTRAT	7.07
	RECREATION DEPT. SUPPLIES	GENERAL FUND	RECREATION ADMINISTRAT	28.74
	AQUATIC MASTER'S PROGRAM	GENERAL FUND	AQUATICS	50.00
	TONER CARTRIDGE	GENERAL FUND	AQUATICS	61.41
	REFUND-DAY CAMP EXCURSION	GENERAL FUND	DAY CAMP	120.00-
	SLO-PITCH SUPPLIES	GENERAL FUND	SPORTS	103.86
	RACE ON BASE AD	GENERAL FUND	SPECIAL EVENTS	9.57
	RACE ON BASE AD	GENERAL FUND	SPECIAL EVENTS	11.38
	RACE ON BASE AD	GENERAL FUND	SPECIAL EVENTS	11.61
	RACE ON BASE AD	GENERAL FUND	SPECIAL EVENTS	13.78
	TRUNK OR TREAT SUPPLIES	GENERAL FUND	SPECIAL EVENTS	12.71
	RACE ON BASE AD	GENERAL FUND	SPECIAL EVENTS	13.81
	TRUNK OR TREAT	GENERAL FUND	SPECIAL EVENTS	62.53
	TRUNK OR TREAT	GENERAL FUND	SPECIAL EVENTS	47.41
	TRUNK OR TREAT	GENERAL FUND	SPECIAL EVENTS	15.18
	TRUNK OR TREAT	GENERAL FUND	SPECIAL EVENTS	64.96
	TRUNK OR TREAT	GENERAL FUND	SPECIAL EVENTS	16.03
	TRUNK OR TREAT	GENERAL FUND	SPECIAL EVENTS	898.93
	TRUNK OR TREAT	GENERAL FUND	SPECIAL EVENTS	506.91
	RACE ON BASE LAUSD 5K	GENERAL FUND	SPECIAL EVENTS	100.00
	RACEONTHEBASE.COM	GENERAL FUND	SPECIAL EVENTS	10.95
	LATV SHIPPING RETURN	LOS ALAMITOS TV	LOS ALAMITOS TV	26.77
	DETAIL TRUCKS	GARAGE FUND	GARAGE	300.00
	DETAIL TRUCKS	GARAGE FUND	GARAGE	325.00
	COMPUTER REPAIR	TECHNOLOGY REPLACE	ADMINISTRATIVE SERVICE	111.92
			TOTAL:	9,970.10

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
CITY OF CYPRESS	WEST COMM JPA - FY 12/13	GENERAL FUND	COMMUNICATIONS TECHNOL	124,711.50
			TOTAL:	124,711.50
GOLDEN STATE WATER COMPANY	BILL CYCLE 8/2/12-10/2/12	GENERAL FUND	STREET MAINTENANCE	6,037.22
	BILL CYCLE 8/2/12-10/2/12	GENERAL FUND	PARK MAINTENANCE	5,784.83
	BILL CYCLE 8/2/12-10/2/12	GENERAL FUND	PARK MAINTENANCE	6,985.97
	BILL CYCLE 8/2/12-10/2/12	GENERAL FUND	BUILDING MAINTENANCE	769.97
			TOTAL:	19,577.99
REDFLEX TRAFFIC SYSTEMS, INC.	PHOTO ENFORCEMENT - JUN	GENERAL FUND	TRAFFIC	13,500.00
	PHOTO ENFORCEMENT - SEP	GENERAL FUND	TRAFFIC	13,728.00
			TOTAL:	27,228.00
SOUTHERN CALIFORNIA EDISON	TRAFFIC SIGS/ST LIGHTS	GENERAL FUND	STREET MAINTENANCE	13,741.59
	SLO-PITCH FLD/LAUREL PRK	GENERAL FUND	PARK MAINTENANCE	298.62
	MCAULIFFE PARK	GENERAL FUND	PARK MAINTENANCE	193.45
	PUMP STATIONS	GENERAL FUND	BUILDING MAINTENANCE	270.88
	CITY HALL	GENERAL FUND	BUILDING MAINTENANCE	1,385.17
	POLICE STATION	GENERAL FUND	BUILDING MAINTENANCE	2,812.30
	COMMUNITY CENTER	GENERAL FUND	BUILDING MAINTENANCE	4,553.98
			TOTAL:	23,255.99

===== FUND TOTALS =====		
10	GENERAL FUND	194,773.48
----- GRAND TOTAL: -----		194,773.48

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
GOLDEN STATE WATER COMPANY	BILL CYCLE 8/12-10/12	GENERAL FUND	STREET MAINTENANCE	3,532.28
	BILL CYCLE 8/12-10/12	GENERAL FUND	PARK MAINTENANCE	6,582.09
			TOTAL:	<u>10,114.37</u>

===== FUND TOTALS =====

10	GENERAL FUND	10,114.37

	GRAND TOTAL:	10,114.37

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

THESE MINUTES ISSUED FOR
INFORMATION ONLY AND ARE
SUBJECT TO AMENDMENT AND
APPROVAL AT NEXT MEETING.

REGULAR MEETING – October 15, 2012**1. CALL TO ORDER**

The City Council met in Regular Session at 6:05 p.m., Monday, October 15, 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
Sandra J. Levin, City Attorney
Linda Magnuson, Interim Finance Director
Tony Brandyberry, Public Works Superintendent
Dave Hunt, City Engineer
Emeline Moya, Recreation Manager
Bruce McAlpine, Police Captain
Kathie Mendoza, Interim Deputy City Clerk
Steven Mendoza, Community Development Director
Cassandra Palmer, Support Services Manager
Windmera Quintanar, CMC, Department Secretary

3. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Poe led the Pledge of Allegiance.

4. INVOCATION

Council Member Graham-Mejia gave the invocation.

5. PRESENTATIONS

A. Presentation of a Commendation to John Barnes, Los Alamitos High School Football Coach, in Celebration of his 300 Career Victories
City Council invited Los Alamitos Unified School District representatives to join the Council and presented a Commendation to Coach John Barnes.

B. Presentation by Orange County Transportation Authority Representatives Regarding an Update on the West County Connector Project
Dennis Mak, Project Manager, and Sarah Swensson, Community Outreach, gave a PowerPoint presentation and answered question from the City Council.

6. ORAL COMMUNICATIONS

Mayor Edgar opened Oral Communications.

Pat Blancher, resident, spoke regarding the upcoming election.

Art DeBolt, resident, spoke in opposition to Measure DD.

JM Ivler, resident, spoke regarding item 13C and stated opposition to the City Attorney's performance.

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 October 15, 2012, in the amount of \$49,776.23, ratified the Register of Major Expenditures for September 16, 2012 to October 14, 2012, in the amount of \$667,349.92, 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 October 16, 2012 to November 18, 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 items 8A and 8E.

Council Member Kusumoto pulled item 8B.

Motion/Second: Graham-Mejia/Stephens

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

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

- C. Avoid the 26–DUI Campaign Memorandum of Understanding (Police)**
In an effort to reduce occurrences of driving under the influence (DUI) and related collisions, the Los Alamitos Police Department sought to participate with other Orange County law enforcement agencies in the Avoid the 26 - State of California Office of Traffic Safety Grant for Fiscal Year 2012-13.

The City Council:

1. Authorized the Chief of Police to execute the Memorandum of Understanding for participation in the “Avoid the 26” State of California Office of Traffic Safety DUI grant; and,
2. Amended the Fiscal Year 2012-13 budget by increasing the anticipated grant revenue in account 29.4331 in the amount of \$3,500; and,
3. Amended the Fiscal Year 2012-13 budget by increasing estimated grant expenditures in account 29.4331 in the amount of \$3,500, resulting in no net change in the City budget.

- D. Authorization to Purchase a New Grasshopper 72” Ride-on Mower
(Public Works)**

This report recommended replacement of the City’s 1993 ride-on mower.

The City Council:

1. Authorized the City Manager to execute a purchase order for the lowest responsible bid to Morige Manufacturing Inc. in the amount of \$13,892; and,
2. Authorized Staff to reject all other bids for the purchase of a new Grasshopper 72” deck ride-on mower.

- F. Update Regarding AB 341 Solid Waste Diversion Compliance
(Community Development)**

This report provided an update on solid waste diversion required by Assembly Bill 341.

The City Council received and filed the report.

- G. State Local Partnership Program Grant (Public Works)**

Orange County Transportation Authority (OCTA) will be issuing a one-time State-Local Partnership Program Formula (SLPP) Grant Call for Projects. In order to be eligible to receive SLPP funds, the City must sign cooperative agreement C-2-1840 between OCTA and the City of Los

Alamitos. On June 18, 2012 Staff recommended the following street rehabilitation projects: Cerritos Avenue from Bloomfield Street to Los Vaqueros Circle; Los Vaqueros Circle from south of Cerritos Avenue to the end of street; Humbolt Street from south of Cerritos Avenue to the end of street; and Reagan Street from Catalina Street to Sausalito Street.

The City Council authorized the City Manager to execute the Cooperative Agreement entitled "Cooperative Agreement C-2-1840 between OCTA and the City of Los Alamitos for Proposition 1B State-Local Partnership program call for projects".

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

A. Approval of Minutes (City Clerk)
Approve the Minutes of the Regular Meeting of September 17, 2012.

Council Member Graham-Mejia stated she would like to address the format of the minutes and disapproved of the change from summary minutes to action minutes. She felt the form of bullet points for the items discussed provided very little actual comments from the Council Members, making it difficult to alter the minutes. She stated minutes were the City's record moving forward and were needed to be able to look back and see the issues. She felt the minutes were not quoted right or had more information added. In this format of bullet points, Council can't comment how they would like to have these records changed. If Council were to continue with action minutes, she felt what Council Members said should be included in the minutes and this format was an attempt to stifle Council Members. She stated support for minutes returning to the more complete version of minutes and although the bullet points looked nice, they were not a true depiction and a little more information needed to be included. She stated she was speaking generally and there was nothing to address in this set of minutes.

Mayor Edgar advised the action tonight was not to change minute format and future policy discussions could address that concern. He advised action minutes are very minimal; however, more information was being added as a compromise.

Council Member Graham-Mejia stated she would like her comments noted for the record in their entirety.

Motion/Second: Poe/Edgar

Carried 4/1 (Graham-Mejia cast the dissenting vote): The City Council approved the Minutes of the Regular Meeting of September 17, 2012.

- B. Warrants (Finance)**
Approve the Warrants for October 15, 2012, in the amount of \$31,939.34 and ratify the Warrants for the time period September 16, 2012 to October 14, 2012, in the amount of \$124,704.26.

Council Member Kusumoto inquired about the Hogle-Ireland payment.

Community Development Director Mendoza stated it was for the contract Planning Staff paid for by the deposit from a developer working on a housing project in the City.

Council Member Kusumoto requested a separate detailed report to address the payments to John Underwood as he was a recently appointed Cable Commissioner.

City Council and Staff discussed the timing of Mr. Underwood's appointment, the process for obtaining City Manager approval before purchases are made, perceived conflict of interest, liability protection, Council's desire to remain transparent, and monitoring of such expenditures moving forward.

Motion/Second: Graham-Mejia/Edgar
Unanimously Carried: The City Council:

1. Approved the Warrants for October 15, 2012, in the amount of \$31,939.34 and ratified the Warrants for the time period September 16, 2012 to October 14, 2012, in the amount of \$124,704.26; and,
2. Directed Staff to monitor future expenditures.

- E. Approval of Plans and Specifications and Authorization to Bid for Katella Avenue Bus Shelter Project (CIP No. 12/13-02) (Public Works)**
This report recommends actions to begin facilitating the construction of a bus shelter on Katella Avenue, between Lexington Drive and Saratoga Drive.

Council Member Graham-Mejia asked for confirmation the shelters would be enclosed.

Community Development Director Mendoza answered in the affirmative.

Mayor Pro Tem Poe agreed the shelters should be enclosed.

Motion/Second: Graham-Mejia/Poe
Unanimously Carried: The City Council:

1. Approved the plans and specifications for the construction of a bus shelter on Katella Avenue, between Lexington Drive and Saratoga Drive (CIP No. 12/13-02); and,
2. Authorized Staff to advertise and solicit bid proposals.

9. ORDINANCES

A. **Consideration of Adoption of Ordinance Amending Section 2.04.280 of the Los Alamitos Municipal Code** (City Attorney)

Currently, the Los Alamitos Municipal Code (LAMC) only allows for waiving reading of the full text of an ordinance by unanimous consent of the City Council Members present at the meeting. State law allows for a majority of the City Council Members present at a meeting to waive the reading of an ordinance's full text. The City Council was asked to consider and introduce an ordinance amending the code to be in accord with State law by providing a waiver for the reading of the full text of an ordinance at the time of adoption by consent of a majority of City Council Members present at the meeting.

City Attorney Levin 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:

- Reason for the item was to streamline the process
- Government Code Section 36934
- 14 surrounding communities with the current language
- Current code is more strict
- Opposition to Staff bringing forward Council policy changes

Motion/Second: Kusumoto/Graham-Mejia
Motion was made to accept Staff recommendation.

Mayor Edgar called for Council comments.

Council Member Kusumoto called point of order.

Council Member Graham-Mejia stated she had seconded the motion and called for the question. She indicated this item was a misuse of Staff time and was a manipulation by the majority.

Mayor Edgar inquired if there were additional Council comments.

Mayor Pro Tem Poe indicated she was not aware of the item until she received her agenda on Thursday and stated she did not have a concern with the item as reading the entire ordinance could be cumbersome.

Council Member Stephens agreed with Mayor Pro Tem Poe and stated support for moving forward with the item.

Mayor Edgar stated he did not support Council bullying Staff and indicated he would continue through the regular procedure for the item so all voices could be heard.

Mayor Edgar opened the item for public comment.

The following residents spoke in opposition to Item 9A: Richard Murphy, Dave Emerson, and JM Ivler.

Mayor Edgar closed the item for public comment.

City Council and Staff discussed the following topics:

- Item was prepared by the City Attorney upon request by the City Manager
- City Attorney's role to represent the City and duty to report to the highest body of authority to act on the item being addressed
- Depending on the issue being addressed, the City Attorney may report to the Council, City Manager, and/or Department Heads
- Item was brought forward for Staff efficiency and not at the request of a Council Member
- Importance of having an entire ordinance read into the record if needed
- History of Staff turnover
- Opposition to the City Attorney taking policy changing direction from the City Manager
- Common practice for Staff to bring forward items for Council decisions without Council direction

Council Member Kusumoto withdrew his motion.

Motion/Second: Graham-Mejia/Kusumoto

Carried 3/1 (Edgar and Poe cast the dissenting vote): The City Council rejected Ordinance No. 2012-07 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA AMENDING SECTION 2.04.280 OF THE LOS ALAMITOS MUNICIPAL CODE."

10. DISCUSSION ITEMS

A. **Business and Residential Improvement Program Six Month Update (Community Development)**

This report provided an update on the first six months of the City's Business and Residential Improvement Program approved in March 2012.

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

City Council and Staff discussed the following items:

- Reservation rate and remaining funds
- Contractor and vendor relationship
- Partnering with a local lender
- Outreach and marketing efforts
- Success of the program and effective use of reserves
- Possible need to designate a percentage of the funds to residential and businesses at nine month evaluation

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

The City Council received and filed the report.

B. **Resolution No. 2012-19--Designation of Interim City Treasurer (Fin.)**

This report sought consideration of a resolution designating Linda Magnuson, Interim Finance Director, 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.

Mayor Edgar opened the item for public comment.

Richard Murphy, resident, inquired if internal controls were in place.

City Manager Avery answered in the affirmative.

Mayor Edgar closed the item for public comment.

Motion/Second: Poe/Graham-Mejia

Unanimously Carried: The City Council adopted Resolution No. 2012-19, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPOINTING INTERIM FINANCE DIRECTOR LINDA MAGNUSON, AS CITY TREASURER OF THE CITY OF LOS ALAMITOS AND REPEALING RESOLUTION NO. 2007-23 IN ITS ENTIRETY".

11. MAYOR AND COUNCIL INITIATED BUSINESS

Mayor Pro Tem Poe discussed the following topics: gopher and skunk abatement; attendance at the Employee Appreciation Lunch on September 27; attendance at the Mayors meeting regarding the 405 corridor on October 9; congratulated Police Chief Todd Mattern for being awarded Rotarian of the Year, from the Los Alamitos/Seal Beach Rotary Club and the Alumni Recognition Pillar of Achievement award from Golden West College.

Council Member Kusumoto spoke regarding attendance at the Open House for the destroyer US Sampson and attendance at a meeting with Michelle Steel, representative from the Board of Equalization.

Council Member Stephens discussed the following topics: upcoming Wings, Wheels, and Rotors event; congratulated Police Chief Todd Mattern; attendance at the Orange County Fire Authority's open house; and, advised he had received an anonymous letter that would be addressed.

Council Member Graham-Mejia discussed the following topics: proactively addressing the anonymous letter with City Manager Avery; spraying the trees at Laurel Park for seed pods; speed humps being installed on Green; attendance at the Orange County Vector Control District (OCVCD) Board meeting; desire to continue running OCVCD public service announcements on LATV-3; attendance at a meeting with Staff, Suburbia residents, and the Joint Forces Training Base; inquired about the Lexington, light at Enterprise, and left hand turn at Siboney traffic issues; advised the Rossmoor HOA candidate debate could be viewed on LATV-3; and, inquired of a Candidates' Forum and encouraged residents to vote.

City Manager Avery indicated a Candidates' Forum would be held on Wednesday, October 17, at the Community Center at 7:00 p.m.

Mayor Edgar discussed the following topics: advised of the upcoming Orange County Sanitation District Strategic Planning Workshop; Coyote Creek Project ground breaking; attendance at the retirement party for Westminster Mayor, Margie Rice; attendance at the St. Hedwig Autumn Fest; attendance at the Open House for the destroyer US Sampson; stated he had brought the item regarding Lexington, light at Enterprise, and left hand turn at Siboney traffic issues forward and after receiving input from the public, would not be moving ahead and looked forward to continuing a good working relationship with the City of Cypress;

requested an agenda item for labor negotiations for the unrepresented employee group; encouraged residents to take a close look at Measure DD; stated opposition to the accusations made towards the City Attorney; and, stated the meeting would be adjourned in memory of Sergeant Thomas R. MacPherson a soldier who passed away in Afghanistan and stated the 26 year old soldier was a Los Alamitos High School graduate.

12. ITEMS FROM THE CITY MANAGER

None.

13. CLOSED SESSION

A. Public Employment

Title: City Clerk
Authority: Government Code Section 54957

B. Conference with Labor Negotiator

Title: Conference with Labor Negotiator
City Negotiator: Angie Avery, City Manager
Unrepresented Employee: City Clerk
Authority: Government Code Section 54957.6

C. Public Employee Performance Evaluation

Title: City Attorney
Authority: Government Code Section 54957

RECESS

City Council recessed into Closed Session at 8:27 p.m.

RECONVENE

City Council reconvened in Regular Session at 10:30 p.m.

City Attorney Levin stated there was no reportable action.

14. ADJOURNMENT

The City Council adjourned at 10:31 p.m. in honor of Sergeant Thomas R. MacPherson. The next meeting of the City Council is scheduled for **Monday, November 19, 2012, at 6:00 p.m.**, in the City Council Chamber.

ATTEST:

Troy D. Edgar, Mayor

Windmera Quintanar, CMC
Department Secretary

CITY OF LOS ALAMITOS
A/P Warrants
November 19, 2012

To Approve

Pages:			
01-03	\$ 31,025.67	A/P Warrants	11/19/2012
Subtotal	<u>\$ 31,025.67</u>		

To Ratify

Pages:			
A 01-04	\$ 29,951.78	Advance Warrants	10/22/2012
B 01-04	\$ 35,914.68	Advance Warrants	10/29/2012
C 01-03	\$ 22,334.27	Advance Warrants	11/05/2012
D 01-03	\$ 35,667.43	Advance Warrants	11/12/2012
	\$ 1,525.31	November Retirees	11/01/2012
Subtotal	<u>\$ 125,393.47</u>		

Grand Total **\$ 156,419.14**

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 November 20, 2012 to December 16, 2012.

Statement:

I hereby certify that the claims or demands covered by the foregoing listed warrants have been audited as to accuracy and availability of funds for payment thereof. Certified by Angie Avery, City Manager.


 this 14th day of November, 2012

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
ASSOCIATION OF CA CITIES-OC	2013 ANNUAL DUES	GENERAL FUND	CITY COUNCIL	7,248.84
			TOTAL:	7,248.84
BENESYST	FLEX ADMIN SVCS - DEC	GENERAL FUND	ADMINISTRATIVE SERVICE	150.00
			TOTAL:	150.00
BUSINESS PRODUCTS DISTRIBUTORS	OFFICE SUPPLIES - FINANCE	GENERAL FUND	ADMINISTRATIVE SERVICE	41.48
	OFFICE SUPPLIES - FINANCE	GENERAL FUND	ADMINISTRATIVE SERVICE	4.77
			TOTAL:	46.25
COAST CORING/SAWING CO.	DRILL HOLE FOR WIRING P/D	GENERAL FUND	BUILDING MAINTENANCE	360.00
	DRILL HOLE FOR WIRING P/D	GENERAL FUND	BUILDING MAINTENANCE	360.00
			TOTAL:	720.00
BOB COHEN	INSTRUCTOR - ADULT ED	GENERAL FUND	SPECIAL CLASSES	63.00
			TOTAL:	63.00
CPRS DISTRICT 10 - CITY OF LOS ALAMITO	REC LEADER TRAINING	GENERAL FUND	RECREATION ADMINISTRAT	20.00
			TOTAL:	20.00
DOG DEALERS, INC.	INSTRUCTOR - DOG OBEDIENCE	GENERAL FUND	SPECIAL CLASSES	377.30
			TOTAL:	377.30
DYNACON	INSTALLATION OF PARK SWING	GENERAL FUND	PARK MAINTENANCE	800.00
			TOTAL:	800.00
EMPLOYMENT DEVELOPMENT DEPT.	UI 09/30/12	GENERAL FUND	PATROL	75.00
	UI 09/30/12	GENERAL FUND	RECREATION ADMINISTRAT	8.00
			TOTAL:	83.00
CARRI FOX	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	29.40
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	16.80
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	14.70
			TOTAL:	60.90
FUN ON THE FARM, INC.	INSTRUCTOR-HORSEBACK RIDE	GENERAL FUND	SPECIAL CLASSES	89.60
			TOTAL:	89.60
HDL COREN & CONE	PROPERTY TAX SERVICES	GENERAL FUND	ADMINISTRATIVE SERVICE	1,250.00
			TOTAL:	1,250.00
KONICA MINOLTA BUSINESS SOLUTIONS	COPIER LEASE - ADMIN SVCS	GENERAL FUND	ADMINISTRATIVE SERVICE	708.75
	COPIER LEASE - CITY HALL	GENERAL FUND	ADMINISTRATIVE SERVICE	444.39
			TOTAL:	1,153.14
LOS ALTOS TROPHY	BASKETBALL AWARDS	GENERAL FUND	SPORTS	109.04
	VOLLEYBALL AWARDS	GENERAL FUND	SPORTS	342.00
			TOTAL:	451.04
MEMORIAL OCCUPATIONAL MEDICAL SERVICES	PRE-EMPLOYMENT PHYSICAL	GENERAL FUND	ADMINISTRATIVE SERVICE	163.00
			TOTAL:	163.00
MIKE PLANT & ASSOCIATES, INC.	RACE ON BASE BANNER	GENERAL FUND	SPECIAL EVENTS	277.56
			TOTAL:	277.56
MISC. VENDOR	REFUND - DANCE CLASS	GENERAL FUND	NON-DEPARTMENTAL	64.00

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	REFUND - DANCE CLASS	GENERAL FUND	NON-DEPARTMENTAL	64.00
			TOTAL:	128.00
LYNDA MOORE	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	394.56
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	186.00
			TOTAL:	580.56
MWR	SHARE OF JULY 4TH EVENT	GENERAL FUND	SPECIAL EVENTS	2,280.00
			TOTAL:	2,280.00
ORANGE COUNTY TAX COLLECTOR	SEWER FEES - MUSEUM	GENERAL FUND	ADMINISTRATIVE SERVICE	147.00
	SEWER FEES - COMM CENTER	GENERAL FUND	ADMINISTRATIVE SERVICE	1,911.28
	SEWER FEES - PD/CITY HALL	GENERAL FUND	ADMINISTRATIVE SERVICE	1,567.02
			TOTAL:	3,625.30
HELEN PARES	INSTRUCTOR - PILATES	GENERAL FUND	SPECIAL CLASSES	59.02
			TOTAL:	59.02
PETTY CASH	COMMISSIONER NAME PLAQUE	GENERAL FUND	ADMINISTRATIVE SERVICE	10.78
	PROMOTION REFRESHMENTS	GENERAL FUND	POLICE ADMINISTRATION	24.74
	POSTAGE STAMPS	GENERAL FUND	POLICE ADMINISTRATION	18.00
	PARKING	GENERAL FUND	POLICE ADMINISTRATION	10.00
	ARMORY KEYS	GENERAL FUND	POLICE ADMINISTRATION	7.50
	WINGS EXPO - ICE & DRINKS	GENERAL FUND	POLICE ADMINISTRATION	47.37
	PARKING	GENERAL FUND	POLICE ADMINISTRATION	7.50
	NAMEPLATE	GENERAL FUND	PATROL	7.56
	UNIFORM SHOES	GENERAL FUND	RECORDS	32.31
	PARKING	GENERAL FUND	RECORDS	6.00
	FUEL REIMBURSEMENT	GARAGE FUND	GARAGE	46.67
			TOTAL:	218.43
PLAYROOM ONE LLC	INSTRUCTOR - CAMP	GENERAL FUND	SPECIAL CLASSES	128.80
			TOTAL:	128.80
RICOH AMERICAS CORPORATION	COPIER MAINTENANCE	GENERAL FUND	RECREATION ADMINISTRAT	458.12
	DUPLICATOR MAINTENANCE	GENERAL FUND	RECREATION ADMINISTRAT	106.00
			TOTAL:	564.12
SCIENTIA CONSULTING GROUP	IT SERVICES - NOV	TECHNOLOGY REPLACE	ADMINISTRATIVE SERVICE	5,700.00
			TOTAL:	5,700.00
SIR SPEEDY	GIVE-BACK SURVEYS	GENERAL FUND	CITY COUNCIL	588.33
	CITY BUDGET BOOKS	GENERAL FUND	ADMINISTRATIVE SERVICE	558.68
			TOTAL:	1,147.01
SOUTHERN PACIFIC MASTERS ASSOCIATION	MEMBERSHIP FEE	GENERAL FUND	AQUATICS	34.00
			TOTAL:	34.00
TIME WARNER CABLE	ADMIN CABLE SERVICE	GENERAL FUND	CITY MANAGER	164.96
			TOTAL:	164.96
JOHN UNDERWOOD	LATV - INSTALL LIGHTING	LOS ALAMITOS TV	LOS ALAMITOS TV	150.00
	LATV - LIGHTING SUPPLIES	LOS ALAMITOS TV	LOS ALAMITOS TV	149.86
			TOTAL:	299.86
VERIZON CALIFORNIA, INC.	ADMIN - FAX	GENERAL FUND	ADMINISTRATIVE SERVICE	50.46

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	POLICE DEPT/RELAY LINE	GENERAL FUND	COMMUNICATIONS TECHNOL	84.82
	TELECOMMUNICATIONS	GENERAL FUND	COMMUNICATIONS TECHNOL	865.95
	TRAFFIC SIGNAL	GENERAL FUND	STREET MAINTENANCE	43.32
	TRAFFIC SIGNAL	GENERAL FUND	STREET MAINTENANCE	82.54
	TRAFFIC SIGNAL	GENERAL FUND	STREET MAINTENANCE	41.28
	TRAFFIC SIGNAL	GENERAL FUND	STREET MAINTENANCE	41.28
	TRAFFIC SIGNAL	GENERAL FUND	STREET MAINTENANCE	41.28
	PARK & REC - FAX	GENERAL FUND	RECREATION ADMINISTRAT	47.03
			TOTAL:	1,297.96
VERIZON WIRELESS	POLICE DEPARTMENT	GENERAL FUND	PATROL	39.20
	COMMUNITY DEVELOPMENT	GENERAL FUND	NEIGHBORHOOD PRESERVAT	10.76
	PUBLIC WORKS	GENERAL FUND	STREET MAINTENANCE	182.88
			TOTAL:	232.84
WEST COAST ARTWEAR	VOLLEYBALL T-SHIRTS	GENERAL FUND	SPORTS	1,023.63
	FOOTBALL T-SHIRTS	GENERAL FUND	SPORTS	164.32
	BASKETBALL T-SHIRTS	GENERAL FUND	SPORTS	192.87
			TOTAL:	1,380.82
POLLY WOMACK	INSTRUCTOR - NEEDLECRAFTS	GENERAL FUND	SPECIAL CLASSES	230.36
			TOTAL:	230.36

===== FUND TOTALS =====

10	GENERAL FUND	24,979.14
28	LOS ALAMITOS TV	299.86
50	GARAGE FUND	46.67
53	TECHNOLOGY REPLACEMENT	5,700.00

	GRAND TOTAL:	31,025.67

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT		
10-8 RETROFIT, INC.	P/D CHARGER REPAIRS	GARAGE FUND	GARAGE	65.00		
	GUN LOCKS	GARAGE FUND	GARAGE	238.95		
			TOTAL:	<u>303.95</u>		
ALL AMERICAN SIGN COMPANY	DECAL REMOVAL - P/D TAHOE	GARAGE FUND	GARAGE	125.00		
				TOTAL:	<u>125.00</u>	
CHRIS ANDERSON	TUITION REIMBURSEMENT	GENERAL FUND	PATROL	720.00		
				TOTAL:	<u>720.00</u>	
ARBOR NURSERY PLUS	TREES	GENERAL FUND	PARK MAINTENANCE	95.70		
				TOTAL:	<u>95.70</u>	
AT & T MOBILITY	BILL CYLCE 8/24-9/23	GENERAL FUND	PATROL	409.06		
				TOTAL:	<u>409.06</u>	
BENESYST	FLEX ADMIN SERVICES - NOV	GENERAL FUND	ADMINISTRATIVE SERVICE	157.04		
				TOTAL:	<u>157.04</u>	
BSN SPORTS, INC.	VOLLEYBALL SUPPLIES	GENERAL FUND	SPORTS	92.18		
				TOTAL:	<u>92.18</u>	
BUSINESS PRODUCTS DISTRIBUTORS	OFFICE SUPPLIES - FINANCE	GENERAL FUND	ADMINISTRATIVE SERVICE	5.00		
	OFFICE SUPPLIES - FINANCE	GENERAL FUND	ADMINISTRATIVE SERVICE	27.03		
	OFFICE SUPPLIES - REC DEPT	GENERAL FUND	RECREATION ADMINISTRAT	57.19		
			TOTAL:	<u>89.22</u>		
COMMUNITY SENIORSERV	SR. MEAL PROGRAM - SEP	GENERAL FUND	COMMUNITY SERVICES	52.64		
				TOTAL:	<u>52.64</u>	
COMPUTER SERVICE CO.	SIGNAL REPAIR - SEP	GENERAL FUND	STREET MAINTENANCE	1,240.00		
				TOTAL:	<u>1,240.00</u>	
DECKSIDE POOL SERVICE	POOL MAINTENANCE	GENERAL FUND	AQUATICS	1,290.00		
				TOTAL:	<u>1,290.00</u>	
EMPLOYEE DATA FORMS	EMPLOYEE DATA CALENDARS-PD	GENERAL FUND	POLICE ADMINISTRATION	27.25		
				TOTAL:	<u>27.25</u>	
FUN ON THE FARM, INC.	INSTRUCTOR-HORSEBACK RIDE	GENERAL FUND	SPECIAL CLASSES	134.40		
				GENERAL FUND	SPECIAL CLASSES	89.60
					TOTAL:	<u>224.00</u>
GALLS / LONG BEACH UNIFORM	UNIFORMS - PD	GENERAL FUND	TRAFFIC	225.62		
				TOTAL:	<u>225.62</u>	
GANAHL LUMBER COMPANY	HOSE & TAPE	GENERAL FUND	PARK MAINTENANCE	27.78		
	HINGES	GENERAL FUND	BUILDING MAINTENANCE	8.61		
	IRRIGATION PARTS	GENERAL FUND	BUILDING MAINTENANCE	3.00		
	TOWELS & RAGS	GENERAL FUND	BUILDING MAINTENANCE	15.39		
	PLUMBING PARTS - LATV	GENERAL FUND	BUILDING MAINTENANCE	95.53		
	PLUMBING PARTS - LATV	GENERAL FUND	BUILDING MAINTENANCE	9.57		
	PLUMBING PARTS - LATV	GENERAL FUND	BUILDING MAINTENANCE	17.76		
	DRYWALL - LATV	GENERAL FUND	BUILDING MAINTENANCE	8.35		
	SPORTS SUPPLIES	GENERAL FUND	SPORTS	10.76		
			TOTAL:	<u>196.75</u>		

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
HOSE-MAN, INC.	AIR HOSE - VEHICLES	GARAGE FUND	GARAGE	4.19
			TOTAL:	4.19
HUNTINGTON BEACH HONDA	P/D MOTORCYCLE MAINT	GENERAL FUND	TRAFFIC	752.13
			TOTAL:	752.13
INTELLIBRIDGE PARTNERS, LLC	CITY CLERK SERVICES - SEP	GENERAL FUND	CITY MANAGER	6,794.00
			TOTAL:	6,794.00
CHRISTOPHER KARRER	TUITION REIMBURSEMENT	GENERAL FUND	PATROL	720.00
			TOTAL:	720.00
KONICA MINOLTA BUSINESS SOLUTIONS	COPIER LEASE - ADMIN SVCS	GENERAL FUND	ADMINISTRATIVE SERVICE	827.59
	COPIER LEASE - CITY HALL	GENERAL FUND	ADMINISTRATIVE SERVICE	510.02
			TOTAL:	1,337.61
LAW OFFICES OF BRIAN K. BRANDMEYER	REFUND - SUBPOENA FEES	GENERAL FUND	NON-DEPARTMENTAL	300.00
			TOTAL:	300.00
YING LIU	INSTRUCTOR - ART	GENERAL FUND	SPECIAL CLASSES	280.22
	INSTRUCTOR - ART	GENERAL FUND	SPECIAL CLASSES	78.00
	INSTRUCTOR - ART	GENERAL FUND	SPECIAL CLASSES	39.00
			TOTAL:	397.22
LONG BEACH SOCCER REFEREE ASSOCIATION	ADULT SOCCER REFEREE	GENERAL FUND	SPORTS	358.00
			TOTAL:	358.00
LOS ALAMITOS MEDICAL CENTER	BLOOD DRAW	GENERAL FUND	PATROL	25.00
			TOTAL:	25.00
LOS ALAMITOS UNIFIED SCHOOL DISTRICT	CUSTODIAL CHR/ROTB CLINIC	GENERAL FUND	SPECIAL EVENTS	120.00
			TOTAL:	120.00
MAJOR LEAGUE SOFTBALL, INC.	ASSIGNING SERVICES	GENERAL FUND	SPORTS	182.00
			TOTAL:	182.00
MEMORIAL OCCUPATIONAL MEDICAL SERVICES	PRE-EMPLOYMENT PHYSICAL	GENERAL FUND	ADMINISTRATIVE SERVICE	115.00
			TOTAL:	115.00
MISC. VENDOR	REFUND - SWIM LESSONS	GENERAL FUND	NON-DEPARTMENTAL	52.00
	REFUND - ADULT ED CLASS	GENERAL FUND	NON-DEPARTMENTAL	36.00
	REFUND - SECURITY DEPOSIT	GENERAL FUND	NON-DEPARTMENTAL	150.00
	REFUND - OVERPAYMENT	GENERAL FUND	NON-DEPARTMENTAL	2.00
	REFUND - TODDLER CLASS	GENERAL FUND	NON-DEPARTMENTAL	70.00
	REFUND - SWIM LESSONS	GENERAL FUND	NON-DEPARTMENTAL	119.20
			TOTAL:	429.20
PRISCILLA MONSERRATE-SANDERS	INSTRUCTOR - TODDLER CLASS	GENERAL FUND	SPECIAL CLASSES	327.60
			TOTAL:	327.60
NORM'S AUTO COLLISION CENTER, INC.	P/D CHARGER BUMPER REPAIR	GARAGE FUND	GARAGE	691.47
			TOTAL:	691.47
ORANGE COUNTY TRAINING MANAGER'S ASSOC	2012/2013 ANNUAL DUES	GENERAL FUND	POLICE ADMINISTRATION	70.00
			TOTAL:	70.00

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
ORANGE COUNTY TREASURER-TAX COLLECTOR	WATER QUAL ORD IMPLEMENT	GENERAL FUND	NPDES	164.00
			TOTAL:	164.00
PACIFIC TELEMAGEMENT SERVICES	PAY PHONE - OCT	GENERAL FUND	COMMUNICATIONS TECHNOL	82.64
			TOTAL:	82.64
PAK WEST PAPER & PACKAGING	JANITORIAL SUPPLIES	GENERAL FUND	BUILDING MAINTENANCE	908.36
			TOTAL:	908.36
PAPER RECYCLING SPECIALISTS	SHREDDING SERVICES	GENERAL FUND	ADMINISTRATIVE SERVICE	74.00
			TOTAL:	74.00
DIANA C. PEREZ	INSTRUCTOR - TODDLER CLASS	GENERAL FUND	SPECIAL CLASSES	292.50
			TOTAL:	292.50
PETTY CASH	TABLECLOTH - COUNCIL	GENERAL FUND	CITY COUNCIL	11.20
	CITY HALL COFFEE	GENERAL FUND	CITY COUNCIL	45.96
	MEETING SUPPLIES	GENERAL FUND	CITY COUNCIL	26.73
	COUNCIL MEETING SUPPLIES	GENERAL FUND	CITY COUNCIL	120.00
	CHAMBER BREAKFAST	GENERAL FUND	CITY MANAGER	20.00
	CALCULATORS - FINANCE	GENERAL FUND	ADMINISTRATIVE SERVICE	94.36
	VENDOR DAY SUPPLIES	GENERAL FUND	ADMINISTRATIVE SERVICE	20.98
	PARKING	GENERAL FUND	STREET MAINTENANCE	12.00
	PARKING	GARAGE FUND	GARAGE	10.00
			TOTAL:	361.23
GARY PITTS	INSTRUCTOR - MARTIAL ARTS	GENERAL FUND	SPECIAL CLASSES	65.10
	INSTRUCTOR - MARTIAL ARTS	GENERAL FUND	SPECIAL CLASSES	72.80
			TOTAL:	137.90
THE PLANNING CENTER	COORD MEETINGS - GP EIR	GENERAL FUND	PLANNING	280.00
	COUNCIL SUBCOM - GP EIR	GENERAL FUND	PLANNING	1,420.00
	DRAFT GENERAL PLAN	GENERAL FUND	PLANNING	3,470.00
	REIMBURSABLES - GP EIR	GENERAL FUND	PLANNING	25.63
			TOTAL:	5,195.63
RICOH AMERICAS CORPORATION	MAINT AGRMNT 10/12-12/12	GENERAL FUND	RECREATION ADMINISTRAT	562.04
	COPIER LEASE - OCT	GENERAL FUND	RECREATION ADMINISTRAT	560.30
			TOTAL:	1,122.34
SCHOLASTIC MAGAZINES	PRESCHOOL SUPPLIES	GENERAL FUND	SPECIAL CLASSES	110.88
			TOTAL:	110.88
SCPPOA	MEMBERSHIP RENEWAL	GENERAL FUND	AQUATICS	30.00
			TOTAL:	30.00
SIR SPEEDY	FIELD INTERVIEW CARDS	GENERAL FUND	PATROL	190.30
	DUMPSTER DAY DOOR HANGERS	GENERAL FUND	PLANNING	592.63
			TOTAL:	782.93
STATE OF CALIFORNIA DEPARTMENT	FINGERPRINT APPLICANT	GENERAL FUND	ADMINISTRATIVE SERVICE	66.00
	FINGERPRINT APPLICANT	GENERAL FUND	ADMINISTRATIVE SERVICE	66.00
	FINGERPRINT APPLICANT	GENERAL FUND	ADMINISTRATIVE SERVICE	32.00
	FINGERPRINT NEW EMPLOYEES	GENERAL FUND	ADMINISTRATIVE SERVICE	64.00
			TOTAL:	228.00

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
TIME WARNER CABLE	ADMIN CABLE SERVICE	GENERAL FUND	CITY MANAGER	164.96
			TOTAL:	164.96
JOHN UNDERWOOD	FILM - CANDIDATE INTERVIEW	LOS ALAMITOS TV	LOS ALAMITOS TV	600.00
			TOTAL:	600.00
VERIZON CALIFORNIA, INC.	ADMIN - FAX	GENERAL FUND	ADMINISTRATIVE SERVICE	50.13
	TELECOMMUNICATIONS	GENERAL FUND	COMMUNICATIONS TECHNOL	825.23
	TRAFFIC SIGNAL	GENERAL FUND	STREET MAINTENANCE	43.32
	TRAFFIC SIGNAL	GENERAL FUND	STREET MAINTENANCE	82.54
	TRAFFIC SIGNAL	GENERAL FUND	STREET MAINTENANCE	41.28
	TRAFFIC SIGNAL	GENERAL FUND	STREET MAINTENANCE	41.28
	TRAFFIC SIGNAL	GENERAL FUND	STREET MAINTENANCE	41.28
	PARK & REC - FAX	GENERAL FUND	RECREATION ADMINISTRAT	46.67
			TOTAL:	1,171.73
WEST PAYMENT CENTER	SUBSCRIPTION - SEP	GENERAL FUND	INVESTIGATION	102.85
			TOTAL:	102.85
WHITE NELSON DIEHL EVANS, LLP	TAX SEMINAR	GENERAL FUND	ADMINISTRATIVE SERVICE	550.00
			TOTAL:	550.00

===== FUND TOTALS =====

10	GENERAL FUND	28,217.17
28	LOS ALAMITOS TV	600.00
50	GARAGE FUND	1,134.61

	GRAND TOTAL:	29,951.78

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
10-8 RETROFIT, INC.	RETROFIT POLICE CHARGER	GARAGE FUND	GARAGE	2,795.81
			TOTAL:	2,795.81
ART INNOVATORS	INSTRUCTOR - ART	GENERAL FUND	SPECIAL CLASSES	291.60
	INSTRUCTOR - ART	GENERAL FUND	SPECIAL CLASSES	394.56
	INSTRUCTOR - ART	GENERAL FUND	SPECIAL CLASSES	186.00
			TOTAL:	872.16
BUSINESS PRODUCTS DISTRIBUTORS	OFFICE SUPPLIES - FINANCE	GENERAL FUND	ADMINISTRATIVE SERVICE	7.18
			TOTAL:	7.18
C.A. WEB DESIGN, INC.	WEBSITE SVCS - LOSALTV.COM	LOS ALAMITOS TV	LOS ALAMITOS TV	239.40
			TOTAL:	239.40
CHARLES ABBOTT ASSOCIATES, INC.	WQMP SERVICES	GENERAL FUND	NON-DEPARTMENTAL	1,104.00
	BUILDING PERMIT FEES - SEP	GENERAL FUND	BUILDING INSPECTION	7,482.59
	DEPOSITION SERVICES	GENERAL FUND	BUILDING INSPECTION	329.54
	NPDES BUSINESS INSPECTIONS	GENERAL FUND	NPDES	880.00
			TOTAL:	9,796.13
COUNTY OF ORANGE TREASURER-TAX	COMM CHARGES 1Q FY 12/13	GENERAL FUND	COMMUNICATIONS TECHNOL	2,253.52
	COMM CHARGES 2Q FY 12/13	GENERAL FUND	COMMUNICATIONS TECHNOL	2,804.00
			TOTAL:	5,057.52
DAPEER, ROSENBLIT & LITVAK, LLP	MUNI CODE ENFORCE - SEP	GENERAL FUND	NEIGHBORHOOD PRESERVAT	524.00
			TOTAL:	524.00
DECKSIDE POOL SERVICE	PLUMBING REPAIR - POOL	GENERAL FUND	AQUATICS	87.00
			TOTAL:	87.00
EWING	FERTILIZER	GENERAL FUND	PARK MAINTENANCE	160.25
			TOTAL:	160.25
FEDEX	SHIPPING TO ATTORNEY	GENERAL FUND	CITY COUNCIL	25.37
	POSTAGE - LATV	LOS ALAMITOS TV	LOS ALAMITOS TV	21.61
			TOTAL:	46.98
CARRI FOX	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	16.80
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	18.90
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	8.40
			TOTAL:	44.10
GALLS / LONG BEACH UNIFORM	UNIFORMS - P/D	GENERAL FUND	PATROL	236.44
	UNIFORMS - P/D	GENERAL FUND	RECORDS	62.47
			TOTAL:	298.91
GANAHL LUMBER COMPANY	SAFETY GEAR	GENERAL FUND	STREET MAINTENANCE	15.06
	LOCKS	GENERAL FUND	PARK MAINTENANCE	26.93
	ANCHORS	GENERAL FUND	BUILDING MAINTENANCE	7.46
	PLUMBING SUPPLIES - LATV	GENERAL FUND	BUILDING MAINTENANCE	7.90
	PLUMBING SUPPLIES - LATV	GENERAL FUND	BUILDING MAINTENANCE	61.39
	PLUMBING SUPPLIES - LATV	GENERAL FUND	BUILDING MAINTENANCE	55.01
	PLUMBING SUPPLIES - LATV	GENERAL FUND	BUILDING MAINTENANCE	18.40
	DOOR STOPS	GENERAL FUND	BUILDING MAINTENANCE	12.69
			TOTAL:	204.84

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
HEART TO HEART CPR	INSTRUCTOR - CPR	GENERAL FUND	SPECIAL CLASSES	163.80
	INSTRUCTOR - BABYSITTING	GENERAL FUND	SPECIAL CLASSES	134.40
	TOTAL:			298.20
HI-WAY SAFETY, INC.	NARROW BRIDGE SIGNS	GENERAL FUND	STREET MAINTENANCE	62.45
	TOTAL:			62.45
JACOBSEN WEST	MOWER REPAIRS	GARAGE FUND	GARAGE	454.18
	TOTAL:			454.18
JOBS AVAILABLE	FINANCE DIRECTOR AD	GENERAL FUND	ADMINISTRATIVE SERVICE	504.00
	TOTAL:			504.00
JUDICIAL DATA SYSTEMS CORP.	PARKING CITE SVCS - SEP	GENERAL FUND	TRAFFIC	239.60
	TOTAL:			239.60
NANCY KATO	INSTRUCTOR - GOLF	GENERAL FUND	SPECIAL CLASSES	117.60
	TOTAL:			117.60
KONICA MINOLTA BUSINESS SOLUTIONS U.S.	COPIER LEASE	GENERAL FUND	ADMINISTRATIVE SERVICE	1,221.58
	TOTAL:			1,221.58
YING LIU	INSTRUCTOR - ART	GENERAL FUND	SPECIAL CLASSES	107.25
	TOTAL:			107.25
LONG BEACH POLICE DEPARTMENT	ANNUAL SHOOTING RANGE FEE	GENERAL FUND	PATROL	3,750.00
	TOTAL:			3,750.00
LOS ALAMITOS AUTO PARTS	BATTERY CABLE TERMINALS	GARAGE FUND	GARAGE	6.57
	TOTAL:			6.57
M AND M CLEANING SERVICES	COM CTR - BATHROOM MAINT	GENERAL FUND	BUILDING MAINTENANCE	150.00
	YTH CTR - BATHROOM MAINT	GENERAL FUND	BUILDING MAINTENANCE	570.00
	TOTAL:			720.00
MAILFINANCE	POSTAGE MACHINE LEASE	GENERAL FUND	ADMINISTRATIVE SERVICE	166.50
	TOTAL:			166.50
MISC. VENDOR	REFUND - EVENT PERMIT FEE	GENERAL FUND	NON-DEPARTMENTAL	75.00
	REFUND - DANCE CAMP	GENERAL FUND	NON-DEPARTMENTAL	120.00
	REFUND - SCIENCE CLASS	GENERAL FUND	NON-DEPARTMENTAL	37.00
	REFUND - SCIENCE CLASS	GENERAL FUND	NON-DEPARTMENTAL	37.00
	REFUND - COMPUTER CLASS	GENERAL FUND	NON-DEPARTMENTAL	22.00
	REFUND - OVERPAYMENT	GENERAL FUND	NON-DEPARTMENTAL	2.00
	TOTAL:			293.00
NEWPORT EXTERMINATING	GENERAL PEST CONTROL	GENERAL FUND	BUILDING MAINTENANCE	175.00
	RODENT CONTROL	GENERAL FUND	BUILDING MAINTENANCE	60.00
	RODENT CONTROL	GENERAL FUND	BUILDING MAINTENANCE	60.00
	TOTAL:			295.00
NEWS ENTERPRISE	PUBLIC HEARING NOTICE	GENERAL FUND	COMMUNITY DEVEL ADMIN	104.50
	BID NOTICE - RIDE-ON MOWER	GARAGE FUND	GARAGE	66.50
	TOTAL:			171.00
PAK WEST PAPER & PACKAGING	JANITORIAL SUPPLIES	GENERAL FUND	BUILDING MAINTENANCE	122.55

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
			TOTAL:	122.55
ANNE COREEN PENNYPACKER	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	592.80
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	111.15
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	74.10
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	111.15
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	74.10
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	111.15
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	148.20
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	273.00
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	273.00
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	234.00
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	30.55
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	78.00
			TOTAL:	2,111.20
RED WING SHOE STORE	STEEL TOE BOOTS FY 12/13	GENERAL FUND	PARK MAINTENANCE	245.35
			TOTAL:	245.35
THE RINKS WESTMINSTER ICE	INSTRUCTOR - ICE SKATING	GENERAL FUND	SPECIAL CLASSES	23.10
	INSTRUCTOR - ICE SKATING	GENERAL FUND	SPECIAL CLASSES	46.20
			TOTAL:	69.30
REINA RIVERA	INSTRUCTOR - TODDLER CLASS	GENERAL FUND	SPECIAL CLASSES	491.40
	INSTRUCTOR - TODDLER CLASS	GENERAL FUND	SPECIAL CLASSES	286.65
			TOTAL:	778.05
SUZANNE ROADY-ROSS	INSTRUCTOR - TAI CHI	GENERAL FUND	SPECIAL CLASSES	114.40
			TOTAL:	114.40
ROSSMOOR CAR WASH	CAR WASHES - P/D	GARAGE FUND	GARAGE	254.97
	CAR WASHES - REC	GARAGE FUND	GARAGE	11.00
	CAR WASHES - P/W	GARAGE FUND	GARAGE	58.00
	CAR WASHES - C/D	GARAGE FUND	GARAGE	18.00
			TOTAL:	341.97
SIR SPEEDY	STATE OF THE CITY INVITES	GENERAL FUND	CITY COUNCIL	261.12
	PRINTING ON FILE FOLDERS	GENERAL FUND	RECORDS	213.35
	TREE PICTURES	GENERAL FUND	PARK MAINTENANCE	101.46
			TOTAL:	575.93
SKATEDOGS	INSTRUCTOR - SKATEBOARD	GENERAL FUND	SPECIAL CLASSES	101.50
	INSTRUCTOR - SKATEBOARD	GENERAL FUND	SPECIAL CLASSES	203.00
			TOTAL:	304.50
SMART & FINAL	SUPPLIES FOR EXPLORERS	GENERAL FUND	POLICE ADMINISTRATION	174.38
			TOTAL:	174.38
SOUTHERN CALIFORNIA GAS	3614 FENLEY	GENERAL FUND	STREET MAINTENANCE	13.81
	3191 KATELLA	GENERAL FUND	BUILDING MAINTENANCE	58.23
			TOTAL:	72.04
KIRK STEPHENS	TECH SUPPORT FOR LATV	LOS ALAMITOS TV	LOS ALAMITOS TV	200.00
			TOTAL:	200.00
VERIZON CALIFORNIA, INC.	POLICE ALARMS	GENERAL FUND	COMMUNICATIONS TECHNOL	119.20

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
			TOTAL:	119.20
VICTORY LOCK AND KEY	REPAIR YOUTH CENTER DOOR	GENERAL FUND	BUILDING MAINTENANCE	157.50
	REPAIR COMM CTR GATE	GENERAL FUND	BUILDING MAINTENANCE	127.50
			TOTAL:	285.00
CHRISTINA J. WANTLAND	INSTRUCTOR - ETIQUETTE	GENERAL FUND	SPECIAL CLASSES	108.00
			TOTAL:	108.00
WEST COAST ARBORISTS, INC.	FY 12/13 STREET TREES	GAS TAX	CAPITAL PROJECTS	1,730.00
			TOTAL:	1,730.00
SHANNON ZEEMAN	INSTRUCTOR - SIGN LANGUAGE	GENERAL FUND	SPECIAL CLASSES	21.60
			TOTAL:	21.60

===== FUND TOTALS =====

10	GENERAL FUND	30,058.64
20	GAS TAX	1,730.00
28	LOS ALAMITOS TV	461.01
50	GARAGE FUND	3,665.03
GRAND TOTAL:		35,914.68

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
BUSINESS PRODUCTS DISTRIBUTORS	OFFICE SUPPLIES - FIN DEPT	GENERAL FUND	ADMINISTRATIVE SERVICE	74.65
	OFFICE SUPPLIES - REC DEPT	GENERAL FUND	RECREATION ADMINISTRAT	175.15
	OFFICE SUPPLIES - REC DEPT	GENERAL FUND	RECREATION ADMINISTRAT	16.40
			TOTAL:	266.20
CALIFORNIA PARK & REC SOCIETY	MEMBERSHIP DUES	GENERAL FUND	RECREATION ADMINISTRAT	470.00
			TOTAL:	470.00
CARTRIDGE WORLD OF LOS ALAMITOS	TONER CARTRIDGE	GENERAL FUND	CITY MANAGER	121.75
			TOTAL:	121.75
CITY OF SEAL BEACH	SEPTEMBER BOOKINGS	GENERAL FUND	PATROL	245.00
			TOTAL:	245.00
DOG DEALERS, INC.	INSTRUCTOR - DOG OBEDIENCE	GENERAL FUND	SPECIAL CLASSES	93.80
			TOTAL:	93.80
CYNTHIA E. EMAMI	INSTRUCTOR - ZUMBA	GENERAL FUND	SPECIAL CLASSES	169.60
			TOTAL:	169.60
EMERCON CONSTRUCTION, INC.	MOLD REMEDIATION - P/D	BUILDING IMPROVEME	CAPITAL PROJECTS	5,000.00
			TOTAL:	5,000.00
KAIN GALLAUGHER	TUITION REIMBURSEMENT	GENERAL FUND	PATROL	687.00
			TOTAL:	687.00
GANAHL LUMBER COMPANY	HALLOWEEN EVENT SUPPLIES	GENERAL FUND	SPECIAL EVENTS	21.71
			TOTAL:	21.71
GOLDEN STATE WATER COMPANY	BILL CYCLE 8/21-10/19	GENERAL FUND	STREET MAINTENANCE	627.79
	BILL CYCLE 8/21-10/19	GENERAL FUND	PARK MAINTENANCE	531.56
			TOTAL:	1,159.35
HINDERLITER, DE LLAMAS & ASSOCIATES	SALES TAX 4Q 2012	GENERAL FUND	ADMINISTRATIVE SERVICE	1,154.97
			TOTAL:	1,154.97
KONICA MINOLTA BUSINESS SOLUTIONS	P/D COPIER LEASE - OCT	GENERAL FUND	POLICE ADMINISTRATION	263.99
			TOTAL:	263.99
KUSTOM IMPRINTS	YOUTH SPORTS BANNER	GENERAL FUND	SPORTS	61.72
			TOTAL:	61.72
YING LIU	INSTRUCTOR - ART	GENERAL FUND	SPECIAL CLASSES	68.25
			TOTAL:	68.25
MICWORKS INC.	LATV EQUIPMENT	LOS ALAMITOS TV	LOS ALAMITOS TV	2,784.53
			TOTAL:	2,784.53
MISC. VENDOR	REFUND - SWIM LESSONS	GENERAL FUND	NON-DEPARTMENTAL	39.00
	REFUND - OVERPAYMENT	GENERAL FUND	NON-DEPARTMENTAL	2.00
	REFUND - TODDLER CLASS	GENERAL FUND	NON-DEPARTMENTAL	70.00
	REFUND - OVERPAYMENT	GENERAL FUND	NON-DEPARTMENTAL	10.00
	REFUND - EXERCISE CLASS	GENERAL FUND	NON-DEPARTMENTAL	50.00
	FEE REIMBURSEMENT PROGRAM	GENERAL FUND	COMMUNITY DEVEL ADMIN	834.94
	FEE REIMBURSEMENT PROGRAM	GENERAL FUND	COMMUNITY DEVEL ADMIN	291.02
		TOTAL:	1,296.96	

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
LYNDA MOORE	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	111.00
			TOTAL:	111.00
ROSSMOOR/LOS AL AREA SEWER	PARKING LOT RENTAL - 4Q12	GENERAL FUND	POLICE ADMINISTRATION	1,500.00
			TOTAL:	1,500.00
RTC MEMORIAL MARKERS, INC.	50TH ANNIVERSARY BRICKS	GENERAL FUND	SPECIAL EVENTS	93.10
			TOTAL:	93.10
SNADER AND ASSOCIATES, INC.	LATV EQUIPMENT	LOS ALAMITOS TV	LOS ALAMITOS TV	2,147.76
			TOTAL:	2,147.76
SO CAL SANITATION, LLC	OAK & MCAULIFFE RSTRM SVCS	GENERAL FUND	SPORTS	1,607.49
			TOTAL:	1,607.49
SOUTHERN CALIFORNIA EDISON	TRAFFIC SIGS/ST LIGHTS	GENERAL FUND	STREET MAINTENANCE	51.57
	SPRINKLERS	GENERAL FUND	PARK MAINTENANCE	198.49
			TOTAL:	250.06
SOUTHERN CALIFORNIA GAS	10911 OAK ST.	GENERAL FUND	BUILDING MAINTENANCE	44.29
			TOTAL:	44.29
SOUTHERN PACIFIC MASTERS ASSOCIATION	MEMBERSHIP FEE	GENERAL FUND	AQUATICS	34.00
			TOTAL:	34.00
SPRINT	ACTIVITY THRU 10/21/12	GENERAL FUND	CITY MANAGER	33.45
	ACTIVITY THRU 10/21/12	GENERAL FUND	ADMINISTRATIVE SERVICE	33.45
	ACTIVITY THRU 10/21/12	GENERAL FUND	COMMUNICATIONS TECHNOL	33.45
	ACTIVITY THRU 10/21/12	GENERAL FUND	COMMUNITY DEVEL ADMIN	33.45
	ACTIVITY THRU 10/21/12	GENERAL FUND	PUBLIC WORKS ADMIN	33.45
	ACTIVITY THRU 10/21/12	GENERAL FUND	RECREATION ADMINISTRAT	33.45
			TOTAL:	200.70
TIME WARNER CABLE	COMPUTER CTR INTERNET-NOV	GENERAL FUND	RECREATION ADMINISTRAT	69.95
			TOTAL:	69.95
TRAIN2SHAPE	INSTRUCTOR - EXERCISE	GENERAL FUND	SPECIAL CLASSES	60.00
	INSTRUCTOR - EXERCISE	GENERAL FUND	SPECIAL CLASSES	60.00
	INSTRUCTOR - EXERCISE	GENERAL FUND	SPECIAL CLASSES	124.00
			TOTAL:	244.00
JOHN UNDERWOOD	FILMING - YOUR LOS AL	LOS ALAMITOS TV	LOS ALAMITOS TV	150.00
			TOTAL:	150.00
USA MOBILITY WIRELESS, INC.	PAGER FEES	GENERAL FUND	PUBLIC WORKS ADMIN	20.10
			TOTAL:	20.10
VERIZON CALIFORNIA, INC.	EOC/FAX LINES	GENERAL FUND	COMMUNICATIONS TECHNOL	1,001.99
			TOTAL:	1,001.99
VMI BROADCAST AND PROFESSIONAL VIDEO	LEIGHTRONIX ANNUAL	LOS ALAMITOS TV	LOS ALAMITOS TV	995.00
			TOTAL:	995.00

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
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===== FUND TOTALS =====
10  GENERAL FUND                11,256.98
25  BUILDING IMPROVEMENT        5,000.00
28  LOS ALAMITOS TV             6,077.29
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                        GRAND TOTAL:    22,334.27
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TOTAL PAGES: 3

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
AT & T	BILL CYCLE 10/19-11/18	GENERAL FUND	COMMUNICATIONS TECHNOL	358.58
			TOTAL:	358.58
AT & T MOBILITY	BILL CYCLE 9/24-10/23	GENERAL FUND	PATROL	409.27
			TOTAL:	409.27
CALIFORNIA BUILDING STANDARDS	GREEN FEES - 3Q12	GENERAL FUND	NON-DEPARTMENTAL	42.30
			TOTAL:	42.30
CALIFORNIA FORENSIC PHLEBOTOMY, INC.	BLOOD TESTS - OCT	GENERAL FUND	PATROL	689.10
			TOTAL:	689.10
COP WARE, INC.	PENAL/VEHICLE CODE LICENSE	GENERAL FUND	POLICE ADMINISTRATION	215.00
			TOTAL:	215.00
COUNTY OF ORANGE TREASURER-TAX	OCATS - OCT	GENERAL FUND	COMMUNICATIONS TECHNOL	305.00
			TOTAL:	305.00
DEPARTMENT OF CONSERVATION	SMIP FEES - 3Q12	GENERAL FUND	NON-DEPARTMENTAL	72.54
			TOTAL:	72.54
DIGITAL ALLY	RMA REPAIR	GENERAL FUND	COMMUNICATIONS TECHNOL	119.00
			TOTAL:	119.00
GALLS / LONG BEACH UNIFORM	UNIFORMS - P/D	GENERAL FUND	PATROL	169.64
			TOTAL:	169.64
GLOBALSTAR USA	SATELLITE PHONE - OCT	GENERAL FUND	EMERGENCY PREPAREDNESS	42.58
			TOTAL:	42.58
HI-WAY SAFETY, INC.	COYOTE SIGNS	GENERAL FUND	STREET MAINTENANCE	234.25
			TOTAL:	234.25
HOGLE-IRELAND, INC.	PROFESSIONAL SERVICES	GENERAL FUND	NON-DEPARTMENTAL	7,377.50
			TOTAL:	7,377.50
HYDRO-SCAPE PRODUCTS, INC.	SEED - MCAULIFFE FIELD	GENERAL FUND	PARK MAINTENANCE	1,186.65
			TOTAL:	1,186.65
LOS ALAMITOS AUTO PARTS	HITCH PIN	GARAGE FUND	GARAGE	8.61
			TOTAL:	8.61
MIKE RAAHAUGE SHOOTING ENTERPRISES	RANGE FEES	GENERAL FUND	PATROL	360.00
			TOTAL:	360.00
MISC. VENDOR JULIE PFEIFER	FEE REIMBURSEMENT PROGRAM	GENERAL FUND	COMMUNITY DEVEL ADMIN	2,613.77
			TOTAL:	2,613.77
NEXTEL COMMUNICATIONS	TRAFFIC CALMING SIGN	GENERAL FUND	TRAFFIC	17.74
			TOTAL:	17.74
NEXUS IS, INC.	CONTRACT MAINTENANCE	TECHNOLOGY REPLACE	ADMINISTRATIVE SERVICE	1,271.21
			TOTAL:	1,271.21
P.L. PERRIN & ASSOCIATES	POLYGRAPH EXAM	GENERAL FUND	POLICE ADMINISTRATION	200.00
			TOTAL:	200.00

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
PACIFIC TELEMAGEMENT SERVICES	PAY PHONE	GENERAL FUND	COMMUNICATIONS TECHNOL	82.64
			TOTAL:	82.64
PARKHOUSE TIRE, INC.	TRAILER TIRES	GARAGE FUND	GARAGE	368.74
			TOTAL:	368.74
PENINSULA SEPTIC SERVICE, INC.	PUMP SEPTIC TANK	GENERAL FUND	BUILDING MAINTENANCE	280.00
	DISTRICT DISPOSAL FEE	GENERAL FUND	BUILDING MAINTENANCE	120.00
			TOTAL:	400.00
THE PLANNING CENTER	COORD MEETINGS - GP EIR	GENERAL FUND	PLANNING	770.00
	COUNCIL SUB COM - GP EIR	GENERAL FUND	PLANNING	420.00
	DRAFT GENERAL PLAN	GENERAL FUND	PLANNING	7,016.25
	REIMBURSABLES - GP EIR	GENERAL FUND	PLANNING	4.52
			TOTAL:	8,210.77
REDFLEX TRAFFIC SYSTEMS, INC.	REDFLEX INTERSECTION COMM	GENERAL FUND	TRAFFIC	65.00
			TOTAL:	65.00
REVENUE EXPERTS, INC.	CODE ENFORCE CITE SVCS-SEP	GENERAL FUND	NEIGHBORHOOD PRESERVAT	200.00
			TOTAL:	200.00
SIR SPEEDY	LETTERHEAD ENVELOPES	GENERAL FUND	POLICE ADMINISTRATION	169.39
			TOTAL:	169.39
SOUTH COAST SUPPLY & GARDEN DAZE	ALGAE FIX FOR FISH POND	GENERAL FUND	PARK MAINTENANCE	60.22
			TOTAL:	60.22
TIME WARNER CABLE	P/D CABLE SERVICE	GENERAL FUND	COMMUNICATIONS TECHNOL	47.89
			TOTAL:	47.89
TOTALFUNDS BY HASLER	POSTAGE	GENERAL FUND	ADMINISTRATIVE SERVICE	500.00
			TOTAL:	500.00
UNITED STATES POSTMASTER	BROCHURE POSTAGE	GENERAL FUND	RECREATION ADMINISTRAT	1,366.00
			TOTAL:	1,366.00
VOYAGER FLEET SYSTEMS, INC.	FUEL	GARAGE FUND	GARAGE	8,630.35
	FUEL TAX CREDIT	GARAGE FUND	GARAGE	351.78
	CNG FUEL	GARAGE FUND	GARAGE	225.47
			TOTAL:	8,504.04

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
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===== FUND TOTALS =====
10  GENERAL FUND                25,514.83
50  GARAGE FUND                  8,881.39
53  TECHNOLOGY REPLACEMENT      1,271.21
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                GRAND TOTAL:    35,667.43
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TOTAL PAGES: 3

City of Los Alamitos

Agenda Report Consent Calendar

November 19, 2012
Item No: 8C

To: Mayor Troy Edgar & Members of the City Council

Via: Angie Avery, City Manager

From: Corey Lakin, Director of Recreation and Community Services

Subject: Consideration for a Professional Services Agreement with Johnny Rebs' of Bellflower, Inc. Restaurant to Supply Food for Race on the Base

Summary: This item is to authorize the City Manager to pay for the food for the Race on the Base. The Race on the Base event requires an external food vendor due to the nature of food service handling. This item has been placed on the agenda because the cost of the food exceeds the purchasing limit of the City Manager. Race registration revenue offsets the cost of the food so there is no impact to the General Fund.

Recommendation: Authorize the City Manager to pay for the food from Johnny Rebs' of Bellflower, Inc. for the 2013 Race on the Base in an amount not to exceed \$25,000 and to execute a contract in a form to be approved by the City Attorney.

Background

The 2013 Southland Credit Union Los Alamitos Race on the Base is scheduled for Friday, February 22 and Saturday, February 23, 2013 at the Joint Forces Training Base in Los Alamitos. The Race includes the following events: Mission: Kids Run 1K, 5K Walk, 5K Run, 10K Run, 10K Wheelchair Race, 10K Handcycle Race, 10K Skate, Reverse Triathlon, and Junior Reverse Triathlon. The event also features static military displays, live musical entertainment, a two-day Vendor Expo, and free food for all race participants, staff and volunteers.

In order to attract new race participants and to provide a memorable race experience that was equal to or exceeded other races, free breakfast or lunch was provided to the Race on the Base participants, spectators, vendors, volunteers, and staff during last year's Race. Last year Johnny Rebs' of Bellflower, Inc. was selected out of numerous local caterers that were contacted with only two vendors responding to the request for services.

Discussion

Since many of the Race participants enjoyed the food last year and informed staff that the meal was an important component to justify their Race registration, staff elected to continue offering the meal included with the registration fee. The Recreation and Community Services Department requested local catering companies to bid on the following food specifications and estimated attendance:

- 650 lunches for volunteers and staff
- Continental breakfast for 600 Volunteers
- 300 lunches for sponsors and vendors
- 3,500 breakfast or lunch meals for participants
- 3,000 breakfast or lunch meals for spectators

Vendors must provide hot food, quality meals and adhere to the timeline approved by the City and the Joint Forces Training Base. The approved times are as follows:

- Friday, February 24, 2012
 - 12:00 pm setup begins
 - 4:00 pm dinner service begins
 - 8:00 pm cleanup begins
- Saturday, February 25, 2012
 - 5:00 am setup begins
 - 6:00 am breakfast and lunch service begins
 - 2:00 pm cleanup begins

Eight caterers were contacted to discuss providing food for the Race on the Base, with only two caterers responding. Staff solicited caterers known to have high quality food, name recognition, the capacity to handle the large crowd, and an opportunity to significantly discount their services.

Company	Price per Meal			In-kind Donation (discounted & sponsored meals)
	Participant	Sponsors/ Vendor	Staff/ Volunteers	
Johnny Rebs' of Bellflower, Inc.	\$3.75	\$6.00	\$1.00/breakfast	\$25,000
Blake's Place	\$5.50	\$5.50	\$5.50	Unknown
BJ's Restaurant and Brewhouse	No response			
Wood Ranch BBQ	No response			
Beach Pit BBQ	No response			
Beachwood BBQ	No response			
Ranch Hands	No response			

Staff is recommending the selection of Johnny Rebs' of Bellflower, Inc. as the food vendor for the Race on the Base based on their lower cost to the City and higher in-kind donation. Johnny Rebs' cost per meal typically is \$10-12 per meal, however is charging

the City only \$6, \$3.75 or \$1 per meal. Additionally, they are providing the Race volunteers and staff with a free sponsored meal.

Fiscal Impact

The initial estimate for the food is \$17,500; the final cost for food may need to be revised upward based on actual meals served due to additional registrations, weather, and/or other factors between now and the date of the race. To be safe and to provide a cushion for any additional meals served, this agenda item seeks approval to purchase food for the 2013 Race on the Base in an amount not to exceed \$25,000. There is no impact to the General Fund for this purchase, since the participants' registration pays for the meal.

Submitted By:

Approved By:



Corey Lakin
Director of Recreation and Community Services



Angie Avery
City Manager

Attachments:

1. Professional Services Agreement with Johnny Rebs' of Bellflower, Inc.

PROFESSIONAL SERVICES AGREEMENT
(City of Los Alamitos/ *Johnny Rebs' of Bellflower, Inc.*)

1. IDENTIFICATION

THIS PROFESSIONAL SERVICES AGREEMENT (“Agreement”) is entered into by and between the City of Los Alamitos, a California municipal corporation (“City”), and Johnny Rebs’ of Bellflower, Inc. a corporation. (“Consultant”).

2. RECITALS

- 2.1 City has determined that it requires the following professional services from a consultant: Service of food and setup and breakdown of Consultant’s own equipment and clean-up of Consultant’s area for performing its duties.
- 2.2 Consultant represents that it is fully qualified to perform such professional services by virtue of its experience and the training, education and expertise of its principals and employees. Consultant further represents that it is willing to accept responsibility for performing such services in accordance with the terms and conditions set forth in this Agreement.

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions herein contained, City and Consultant agree as follows:

3. DEFINITIONS

- 3.1 “Scope of Services”: Such professional services as are set forth in Consultant’s October 25, 2012 proposal to City attached hereto as Exhibit A and incorporated herein by this reference.
- 3.2 “Approved Fee Schedule”: Such compensation rates as are set forth in Consultant’s October 25, 2012 fee schedule to City attached hereto as Exhibit B and incorporated herein by this reference.
- 3.3 “Commencement Date”: February 22, 2012.
- 3.4 “Expiration Date”: February 23, 2012.

4. TERM

The term of this Agreement shall commence at 12:00 a.m. on the Commencement Date and shall expire at 11:59 p.m. on the Expiration Date unless extended by written agreement of the parties or terminated earlier in accordance with Section 17 (“Termination”) below.

5. CONSULTANT’S SERVICES

- 5.1 Consultant shall perform the services identified in the Scope of Services. City

shall have the right to request, in writing, changes in the Scope of Services. Any such changes mutually agreed upon by the parties, and any corresponding increase or decrease in compensation, shall be incorporated by written amendment to this Agreement. In no event shall the total compensation and costs payable to Consultant under this Agreement exceed the sum of Twenty Five Thousand Dollars (\$25,000) unless specifically approved in advance and in writing by City.

- 5.2 Consultant shall perform all work to the highest professional standards of Consultant's profession and in a manner reasonably satisfactory to City. Consultant shall comply with all applicable federal, state and local laws and regulations, including the conflict of interest provisions of Government Code Section 1090 and the Political Reform Act (Government Code Section 81000 *et seq.*).
- 5.3 During the term of this Agreement, Consultant shall not perform any work for another person or entity for whom Consultant was not working at the Commencement Date if both (i) such work would require Consultant to abstain from a decision under this Agreement pursuant to a conflict of interest statute and (ii) City has not consented in writing to Consultant's performance of such work.
- 5.4 Consultant represents that it has, or will secure at its own expense, all personnel required to perform the services identified in the Scope of Services. All such services shall be performed by Consultant or under its supervision, and all personnel engaged in the work shall be qualified to perform such services. **Moe Rahman** shall be Consultant's project administrator and shall have direct responsibility for management of Consultant's performance under this Agreement. No change shall be made in Consultant's project administrator without City's prior written consent.

6. COMPENSATION

- 6.1 City agrees to compensate Consultant for the services provided under this Agreement, and Consultant agrees to accept in full satisfaction for such services, payment in accordance with the Approved Fee Schedule and Section 5.1 of this Agreement above.
- 6.2 Consultant shall submit to City an invoice, on a monthly basis or less frequently, for the services performed pursuant to this Agreement. Each invoice shall itemize the services rendered during the billing period and the amount due. Within ten business days of receipt of each invoice, City shall notify Consultant in writing of any disputed amounts included on the invoice. Within thirty calendar days of receipt of each invoice, City shall pay all undisputed amounts included on the invoice. City shall not withhold applicable taxes or other payroll deductions from

payments made to Consultant unless otherwise required by law.

- 6.3 Payments for any services requested by City and not included in the Scope of Services shall be made to Consultant by City on a time-and-materials basis using Consultant's standard fee schedule. Consultant shall be entitled to increase the fees in this fee schedule at such time as it increases its fees for its clients generally; provided, however, in no event shall Consultant be entitled to increase fees for services rendered before the thirtieth day after Consultant notifies City in writing of an increase in that fee schedule nor to claim payment other than in compliance with this Agreement, including Section 5.1 above.. Fees for such additional services shall be paid within sixty days of the date Consultant issues an invoice to City for such services

7. OWNERSHIP OF WRITTEN PRODUCTS

All reports, documents or other written material ("written products" herein) developed by Consultant in the performance of this Agreement shall be and remain the property of City without restriction or limitation upon use or dissemination by City. Consultant may take and retain copies of such written products as desired, but no such written products shall be the subject of a copyright application by Consultant.

8. RELATIONSHIP OF PARTIES

Consultant is, and shall at all times remain as to City, a wholly independent contractor. Consultant shall have no power to incur any debt, obligation, or liability on behalf of City or otherwise to act on behalf of City as an agent. Neither City nor any of its agents shall have control over the conduct of Consultant or any of Consultant's employees, except as set forth in this Agreement. Consultant shall not represent that it is, or that any of its agents or employees are, in any manner employees of City.

Under no circumstances shall Consultant look to the City as his employer. Consultant shall not be entitled to any benefits. City makes no representation as to the effect of this independent contractor relationship on Consultant's previously earned PERS retirement benefits, and Consultant specifically assumes the responsibility for making such a determination. Consultant shall be responsible for all reports and obligations including, but not limited to: social security taxes, income tax withholding, unemployment insurance, disability insurance, and workers' compensation.

9. CONFIDENTIALITY

All data, documents, discussion, or other information developed or received by Consultant or provided for performance of this Agreement are deemed confidential and shall not be disclosed by Consultant without prior written consent by City. City shall grant such consent if disclosure is legally required. Upon request, all City data shall be returned to City upon the

termination or expiration of this Agreement.

10. INDEMNIFICATION

- 10.1 The parties agree that City, its officers, agents, employees and volunteers should, to the fullest extent permitted by law, be protected from any and all loss, injury, damage, claim, lawsuit, cost, expense, attorneys' fees, litigation costs, taxes, or any other cost arising out of or in any way related to the performance of this Agreement. Accordingly, the provisions of this indemnity provision are intended by the parties to be interpreted and construed to provide the City with the fullest protection possible under the law. Consultant acknowledges that City would not enter into this Agreement in the absence of Consultant's commitment to indemnify and protect City as set forth herein.
- 10.2 To the fullest extent permitted by law, Consultant shall indemnify, hold harmless, and when the City requests with respect to a claim provide a deposit for the defense of, and defend City, its officers, agents, employees and volunteers from and against any and all claims and losses, costs or expenses for any damage due to death or injury to any person, whether physical, emotional, consequential or otherwise, and injury to any property arising out of or in connection with Consultant's alleged negligence, recklessness or willful misconduct or other wrongful acts, errors or omissions of Consultant or any of its officers, employees, servants, agents, or subcontractors, or anyone directly or indirectly employed by either Consultant or its subcontractors, in the performance of this Agreement or its failure to comply with any of its obligations contained in this Agreement, except such loss or damage which is caused by the sole active negligence or willful misconduct of the City. Such costs and expenses shall include reasonable attorneys' fees due to counsel of City's choice, expert fees and all other costs and expenses of litigation.
- 10.3 City shall have the right to offset against any compensation due Consultant under this Agreement any amount due City from Consultant as a result of Consultant's failure to pay City promptly any indemnification arising under this Section 10 and any amount due City from Consultant arising from Consultant's failure either to (i) pay taxes on amounts received pursuant to this Agreement or (ii) comply with applicable workers' compensation laws.
- 10.4 The obligations of Consultant under this Section 10 are not limited by the provisions of any workers' compensation statute or similar act. Consultant expressly waives its statutory immunity under such statutes or laws as to City, its officers, agents, employees and volunteers.
- 10.5 Consultant agrees to obtain executed indemnity agreements with provisions identical to those set forth in this Section 10 from each and every subcontractor or

any other person or entity involved by, for, with or on behalf of Consultant in the performance of this Agreement. If Consultant fails to obtain such indemnity obligations from others as required herein, Consultant agrees to be fully responsible and to indemnify, hold harmless and defend City, its officers, agents, employees and volunteers from and against any and all claims and losses, costs or expenses for any damage due to death or injury to any person and injury to any property resulting from any alleged intentional, reckless, negligent, or otherwise wrongful acts, errors or omissions of Consultant's subcontractors or any other person or entity involved by, for, with or on behalf of Consultant in the performance of this Agreement. Such costs and expenses shall include reasonable attorneys' fees incurred by counsel of City's choice.

- 10.6 City does not, and shall not, waive any rights that it may possess against Consultant because of the acceptance by City, or the deposit with City, of any insurance policy or certificate required pursuant to this Agreement. This hold harmless and indemnification provision shall apply regardless of whether or not any insurance policies apply to the claim, demand, damage, liability, loss, cost or expense.

11. INSURANCE

- 11.1 During the term of this Agreement, Consultant shall carry, maintain, and keep in full force and effect insurance against claims for death or injuries to persons or damages to property that may arise from or in connection with Consultant's performance of this Agreement. Such insurance shall be of the types and in the amounts as set forth below:
- 11.1.1 Comprehensive General Liability Insurance with coverage limits of not less than One Million Dollars (\$1,000,000) including personal injury, death, loss or damage.
- 11.1.2 Automobile Liability Insurance for vehicles used in connection with the performance of this Agreement with minimum limits of One Million Dollars (\$1,000,000) per claimant and One Million dollars (\$1,000,000) per incident.
- 11.1.3 Worker's Compensation insurance if and as required by the laws of the State of California.
- 11.2 Consultant shall require each of its subcontractors to maintain insurance coverages that meet all of the requirements of this Agreement.
- 11.3 The policy or policies required by this Agreement shall be issued by an insurer admitted in the State of California and with a rating of at least A:VII in the latest

edition of Best's Insurance Guide.

- 11.4 Consultant agrees that if it does not keep the aforesaid insurance in full force and effect, City may either (i) immediately terminate this Agreement; or (ii) take out the necessary insurance and pay the premium(s) thereon at Consultant's expense.
- 11.5 At all times during the term of this Agreement, Consultant shall maintain on file with City's Risk Manager a certificate or certificates of insurance showing that the policies required by this Agreement are in effect in the required amounts and naming the City and its officers, employees, agents and volunteers as additional insureds. Consultant shall file with City's Risk Manager such certificate(s) prior to commencement of work under this Agreement.
- 11.6 Consultant shall provide proof to the City's Risk Manager that policies of insurance required herein expiring during the term of this Agreement have been renewed or replaced with other policies providing at least the same coverage at least two weeks prior to the expiration of the coverages.
- 11.7 The general liability and automobile policies of insurance required by this Agreement shall contain endorsements naming City and its officers, employees, agents and volunteers as additional insureds. All of the policies required under this Agreement shall contain an endorsement providing that the policies cannot be canceled or reduced except on thirty days' prior written notice to City. Consultant agrees to require its insurer to modify the certificates of insurance to delete any exculpatory wording stating that failure of the insurer to mail written notice of cancellation imposes no obligation, and to delete the word "endeavor" with regard to any notice provisions.
- 11.8 The insurance provided by Consultant shall be primary to any other coverage available to City. Any insurance or self-insurance maintained by City and/or its officers, employees, agents or volunteers, shall be in excess of Consultant's insurance and shall not contribute with it.
- 11.9 All insurance coverage provided pursuant to this Agreement shall not prohibit Consultant, and Consultant's employees, agents or subcontractors, from waiving the right of subrogation prior to a loss. Consultant hereby waives all rights of subrogation against the City.
- 11.10 Any deductibles or self-insured retentions must be declared to and approved by the City. At the option of City, Consultant shall either reduce or eliminate the deductibles or self-insured retentions with respect to City, or Consultant shall procure a bond guaranteeing payment of losses and expenses.
- 11.11 Procurement of insurance by Consultant shall not be construed as a limitation of

Consultant's liability or as full performance of Consultant's duties to indemnify, hold harmless and defend under Section 10 of this Agreement.

12. MUTUAL COOPERATION

- 12.1 City shall provide Consultant with all pertinent data, documents and other requested information as is reasonably available for the proper performance of Consultant's services under this Agreement.
- 12.2 If any claim or action is brought against City relating to Consultant's performance in connection with this Agreement, Consultant shall render any reasonable assistance that City may require in the defense of that claim or action.

13. RECORDS AND INSPECTIONS

Consultant shall maintain full and accurate records with respect to all matters covered under this Agreement for a period of three years after the expiration or termination of this Agreement. City shall have the right to access and examine such records, without charge, during normal business hours. City shall further have the right to audit such records, to make transcripts therefrom and to inspect all program data, documents, proceedings, and activities.

14. PERMITS AND APPROVALS

Consultant shall obtain, at its sole cost and expense, all permits and regulatory approvals necessary for Consultant's performance of this Agreement. This includes, but shall not be limited to, professional licenses, encroachment permits and building and safety permits and inspections.

15. NOTICES

Any notices, bills, invoices, or reports required by this Agreement shall be deemed received on: (i) the day of delivery if delivered by hand, facsimile or overnight courier service during Consultant's and City's regular business hours; or (ii) on the third business day following deposit in the United States mail if delivered by mail, postage prepaid, to the addresses listed below (or to such other addresses as the parties may, from time to time, designate in writing).

If to City:
City of Los Alamitos
10911 Oak Street
Los Alamitos, CA 90720
Attn: Corey Lakin
Telephone: (562) 430-1073
Facsimile: (562) 594-9657

If to Consultant:
Johnny Rebs' of Bellflower, Inc.
Cheryl Carter
3532 Katella Avenue, #114
Los Alamitos, CA 90720
Telephone: (562) 596-1800
Cell: (714) 206-6752

With courtesy copy to:

Sandra J. Levin, City Attorney
Colantuono & Levin, PC
300 South Grand Avenue, Suite 2700
Los Angeles, CA 90071-3137
Telephone: (213) 542-5707
Facsimile: (213) 542-5710

16. SURVIVING COVENANTS

The parties agree that the covenants contained in Section 9, Section 10, Paragraph 12.2 and Section 13 of this Agreement shall survive the expiration or termination of this Agreement.

17. TERMINATION

- 17.1. City may terminate this Agreement for any reason on five calendar days' written notice to Consultant. Consultant may terminate this Agreement for any reason on sixty calendar days' written notice to City. Consultant agrees to cease all work under this Agreement on or before the effective date of any notice of termination. All City data, documents, objects, materials or other tangible things shall be returned to City upon the termination or expiration of this Agreement.
- 17.2. If City terminates this Agreement due to no fault or failure of performance by Consultant, then Consultant shall be paid based on the work satisfactorily performed at the time of termination. In no event shall Consultant be entitled to receive more than the amount that would be paid to Consultant for the full performance of the services required by this Agreement.

18. GENERAL PROVISIONS

- 18.1. Consultant shall not delegate, transfer, subcontract or assign its duties or rights hereunder, either in whole or in part, without City's prior written consent, and any attempt to do so shall be void and of no effect. City shall not be obligated or liable under this Agreement to any party other than Consultant.
- 18.2. In the performance of this Agreement, Consultant shall not discriminate against any employee, subcontractor, or applicant for employment because of race, color, creed, religion, sex, marital status, sexual orientation, national origin, ancestry, age, physical or mental disability medical condition or any other unlawful basis.
- 18.3. The captions appearing at the commencement of the sections hereof, and in any paragraph thereof, are descriptive only and for convenience in reference to this

Agreement. Should there be any conflict between such heading, and the section or paragraph at the head of which it appears, the section or paragraph, and not such heading, shall govern construction of this Agreement. Masculine or feminine pronouns shall be substituted for the neuter form and vice versa, and the plural shall be substituted for the singular and vice versa, in any place or places herein in which the context requires such substitution(s).

- 18.4 The waiver by City or Consultant of any breach of any term, covenant or condition of this Agreement shall not be deemed to be a waiver of such term, covenant or condition or of any subsequent breach of the same or any other term, covenant or condition of this Agreement. No term, covenant or condition of this Agreement shall be deemed to have been waived by City or Consultant unless in a writing signed by one authorized to bind the party asserted to have consented to the waiver.
- 18.5 Consultant shall not be liable for any failure to perform if Consultant presents acceptable evidence, in City's sole judgment, that such failure was due to causes beyond the control and without the fault or negligence of Consultant.
- 18.6 Each right, power and remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise shall be cumulative and in addition to every other right, power, or remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise. The exercise, the commencement of the exercise, or the forbearance from the exercise by any party of any one or more of such rights, powers or remedies shall not preclude the simultaneous or later exercise by such party of any of all of such other rights, powers or remedies. If legal action shall be necessary to enforce any term, covenant or condition herein contained, the party prevailing in such action, whether or not reduced to judgment, shall be entitled to its reasonable court costs, including any accountants' and attorneys' fees incurred in such action. The venue for any litigation shall be Orange County, California and Consultant hereby consents to jurisdiction in Orange County for purposes of resolving any dispute or enforcing any obligation arising under this Agreement.
- 18.7 If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, then such term or provision shall be amended to, and solely to, the extent necessary to cure such invalidity or unenforceability, and in its amended form shall be enforceable. In such event, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each term and provision of this Agreement shall be valid and enforced to the fullest extent permitted by law.

Professional Services Agreement
City of Los Alamitos/Johnny Rebs' of Bellflower, Inc.

- 18.8 This Agreement shall be governed and construed in accordance with the laws of the State of California.
- 18.9 All documents referenced as exhibits in this Agreement are hereby incorporated into this Agreement. In the event of any material discrepancy between the express provisions of this Agreement and the provisions of any document incorporated herein by reference, the provisions of this Agreement shall prevail. This instrument contains the entire Agreement between City and Consultant with respect to the transactions contemplated herein. No other prior oral or written agreements are binding upon the parties. Amendments hereto or deviations herefrom shall be effective and binding only if made in writing and executed by City and Consultant.

TO EFFECTUATE THIS AGREEMENT, the parties have caused their duly authorized representatives to execute this Agreement on the dates set forth below.

"City"
City of Los Alamitos

"Consultant"
Johnny Rebs' of Bellflower, Inc.

By: _____
Angie Avery, City Manager

By: _____
Cheryl Carter, President

Date: _____

Date: _____

By: _____
Larry Carter, CFO

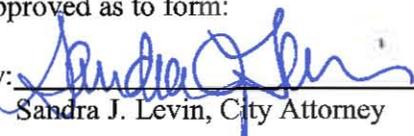
Date: _____

Attest:

By: _____
Windy Quintanar, CMC

Date: _____

Approved as to form:

By: 
Sandra J. Levin, City Attorney

Date: _____

EXHIBIT A SCOPE OF WORK

Johnny Rebs' of Bellflower, Inc. will perform the following services for the 2013 Race on the Base:

Friday, February 22, 2013

- Setup may begin at 12noon located at the Vendor Tent in parking lot "C" on the JFTB. Passes for van access to the Vendor Area will be provided by the City.
- 4:00 – 8:00pm – Dinner will be served from Johnny Rebs' of Bellflower, Inc. serving area
 - Dinner: (Pre-purchased \$7/meal; Onsite: \$8/meal) Carbohydrate-Loaded Meal
 - Extras/Side Dishes/Dessert (\$2/side)
 - Drinks (\$1/drink)

Saturday, February 23, 2013

Race Volunteers & Staff

- 5:00am – Provide a buffet continental breakfast located in the designated "Volunteer Lounge"
 - Proposed Menu: Muffins/Pastries, Orange Juice, Coffee
- Provide lunch
 - 12-1pm – Prepared boxed lunches for volunteers will be picked up by City Staff every 15 minutes and delivered to Volunteers on the Race Course
 - Proposed Menu: BBQ Chicken Slider, Fruit, Chips, Water
 - 10:00am – Lunch will be served from Johnny Rebs' of Bellflower, Inc. serving area for volunteers with "Volunteer Meal Ticket" or "Staff Meal Ticket"
 - Proposed Menu: BBQ Chicken Slider, Fruit, Chips, Water

Sponsors and Vendors

- 12:00pm – Lunch will be served from Johnny Rebs' of Bellflower, Inc. serving area for sponsors and vendors with "Sponsor Meal Ticket" or "Vendor Meal Ticket"
 - Proposed Menu: BBQ Pulled Pork or Chopped Beef Sandwich, Chips, Water

Participants

Meal ticket will be on Race participants' Race Bib and reads "Ticket for Breakfast or Lunch" and has their bib number and meal choice on it.

- 6:00am – 2:00pm – Food options vary and are predetermined during registration process. Those who register on Race Day will be provided with a color-coded/marked ticket indicating type of meal:
 - Egg and Cheese Burrito with Fruit & Water or Juice
 - BBQ Pulled Pork Sandwich with Chips & Fruit or Coleslaw & Water or Drink
 - BBQ Chopped Beef Sandwich with Chips & Fruit or Coleslaw & Water or Drink
 - Salad with or without chicken, choice of two dressings with Chips & Fruit or Coleslaw & Water or Drink
 - Kids Meal – Hot Dog with Chips & Fruit & Water or Juice
 - Kids Meal – Macaroni and Cheese with Chips, & Fruit & Water or Juice

General Public

Meals will be pre-purchased via the registration process or paid for onsite by cash or credit for food ordered. Sponsors, Volunteers, Vendors and Participants may purchase additional items not listed in the above "meals."

- 6:00am – 2:00pm – Food options vary and are available for sale throughout the day:
 - Egg and Cheese Burrito with Fruit & Water or Juice
 - BBQ Pulled Pork Sandwich with Chips & Fruit or Coleslaw & Water or Drink
 - BBQ Chopped Beef Sandwich with Chips & Fruit or Coleslaw & Water or Drink
 - Salad with or without chicken, choice of two dressings with Chips & Fruit or Coleslaw & Water or Drink
 - Kids Meal – Hot Dog with Chips & Fruit & Water or Juice
 - Kids Meal – Macaroni and Cheese with Chips, & Fruit & Water or Juice

Teardown/Cleanup may begin once City staff approves Johnny Rebs' staff to cleanup.

City will provide Johnny Rebs' of Bellflower, Inc. with power and other supplies and equipment necessary to serve breakfast and lunch during the event, including but not limited to:

- Canopies
- Tables
- Chairs
- Percolators
- Places for patrons to eat
- Signage
- Partitions
- Radio
- Handwashing/Warewashing system for Johnny Rebs' of Bellflower, Inc. staff
- Ice/Water Barrels
- Power
- Table Coverings
- Trashcans

City will provide Johnny Rebs' of Bellflower, Inc. updates of the number of registered participants, volunteers, sponsors and vendors by 10:00am on February 21, 2013 in order to adjust their food order. Additional updates will be provided on February 22, 2013 before and after registration and on February 23, 2012 after registration closes in order for Johnny Rebs' of Bellflower, Inc. to adjust the amount of prepared food.

Meal tickets created by the City and will be clearly labeled and numbered. Samples of each type of ticket (Participant, Volunteer, Vendor, Sponsor, Staff) will be provided to Johnny Rebs' of Bellflower, Inc. prior to the event. Johnny Rebs' of Bellflower, Inc. staff must keep all tickets and return them to the City with the invoice for recordkeeping.

EXHIBIT B
APPROVED FEE SCHEDULE

Johnny Rebs' of Bellflower, Inc. will invoice the City of Los Alamitos for the number of meal tickets issued to registered participants, volunteers, sponsors and vendors as of the close of registration on Saturday, February 23, 2013 based on the pricing structure listed below:

Price per Meal			Guarantee (City will pay up to \$1,000 per day for daily sales less than \$1,000)	In-kind Donation Value (discounted pricing and sponsored meals for volunteers and staff)
Participant	Sponsors/ Vendor	Volunteers (Continental breakfast only)		
\$3.75	\$6.00	\$1.00	\$2,000 maximum	\$25,000

Guarantee: Johnny Rebs' of Bellflower, Inc. will sell food to the public on Friday, February 24 and Saturday, February 25. They will keep 100% of the proceeds of food sold on both days of the event. If Johnny Rebs' of Bellflower, Inc. does not make \$1,000 minimum in food sales each day on Friday and Saturday, they will provide the City with copies of the daily receipts and invoice the City of Los Alamitos for the difference.

In-kind Donation Value: Johnny Rebs' donation of \$25,000 is based on:

1. Sponsored meals for approximately 650 volunteers and staff.
2. Discount of meals from a Johnny Rebs' cost of \$10-12 per meal to \$6 or \$3.75 or \$1 per meal that the City pays.

The final cost for food will vary based on the number of tickets issued to preregistered participants and late registrations due to additional registrations, weather, and/or other factors between now and the date of the race. The City agrees to pay Johnny Rebs' of Bellflower, Inc. for providing food as provided in the above pricing structure within six weeks of receipt of the invoice. Any additional costs for equipment rental incurred by the City beyond the agreed upon tables, chairs, canopies, two percolators, and power for two percolators and one smoker, will be deducted from the invoice. The purchase of food for the 2013 Race on the Base is not to exceed \$25,000.

City of Los Alamitos

Agenda Report Consent Calendar

November 19, 2012
Item No: 8D

To: Mayor Troy D. Edgar & Members of the City Council

Via: Angie Avery, City Manager

From: Steven A. Mendoza, Director of Community Development
David L. Hunt P.E., City Engineer

Subject: Approval of Amendment No. 15 to the Cooperative Agreement No. C-95-983 between the Orange County Transportation Authority and the City of Los Alamitos

Summary: The Orange County Transportation Authority (OCTA) requests that Amendment No. 15 to the Cooperative Agreement No. C-95-983 be executed by the City of Los Alamitos in conformance with the Measure M eligibility requirements. Amendment No. 15 revises the close-out procedures for projects.

Recommendation:

1. Approve Amendment No. 15 to the Cooperative Agreement No. C-95-983 between Orange County Transportation Authority and the City of Los Alamitos; and,
2. Authorize the Mayor to execute said Amendment No. 15 on behalf of the City of Los Alamitos; and,
3. Direct the City Clerk to file the executed copy of Amendment No. 15 to the Cooperative Agreement No. C-95-983 with the Orange County Transportation Authority.

Background

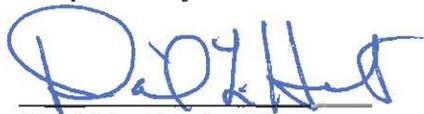
On August 18, 1995, the City of Los Alamitos executed a Cooperative Agreement No. C-95-983 with the Orange County Transportation Authority (OCTA) in order to be eligible to participate in the Combined Transportation Funding Program (CTFP). The Cooperative Agreement No. C-95-983 is a master funding agreement executed to be eligible to receive funds under the Measure M, Regional Streets and Roads Project, and federal funding programs included in the CTFP.

Amendment No. 15 revises the close-out procedures for projects in Item 5 of the agreement; stating that OCTA, or other agents of OCTA, may perform a technical and or field review to ensure that CTFP policies and procedures were followed and that an independent audit may be performed within five (5) years of OCTA releasing the final payment for each project.

Fiscal Impact

Approval of the proposed Amendment to the Cooperative Agreement ensures the City's continued eligibility to receive funding from the Combined Transportation Funding Program.

Prepared By:



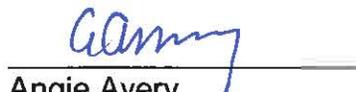
David L. Hunt, PE
City Engineer

Submitted By:



Steven A. Mendoza
Director of Community Development

Approved By:



Angie Avery
City Manager

Attachment: 1) Amendment No. 15 to Agreement No. C-95-983

1 performed within 5 years of AUTHORITY releasing the final payment for each PROJECT(s). If the audit
2 determines that any of the activities performed are ineligible for CTFP funding or did not comply with
3 CTFP policies and procedures, AGENCY shall return the amount of funding used to perform ineligible
4 activity to AUTHORITY."

5 The balance of Agreement No. C-95-983 remains unchanged.

6 **IN WITNESS WHEREOF**, the parties hereto have caused this Amendment No. 15 to
7 Agreement No. C-95-983 to be effective as of the date first above written.

8 **CITY OF LOS ALAMITOS**

ORANGE COUNTY TRANSPORTATION AUTHORITY

9 By: _____

By: _____

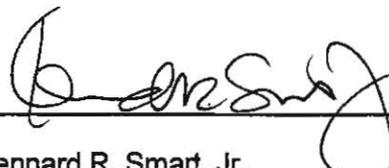
10
11 Troy D. Edgar
Mayor

Meena Katakia
Manager, Capital Projects

12
13 **ATTEST:**

APPROVED AS TO FORM:

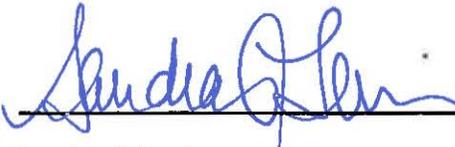
14
15 By: _____

By:  _____

16 Angie Avery
City Clerk

Kennard R. Smart, Jr.
General Counsel

17 **APPROVED AS TO FORM:**

18
19 By:  _____

20 Sandra J. Levin
City Attorney

21
22 Dated 11/19/12 _____

City of Los Alamitos

Agenda Report Consent Calendar

November 19, 2012
Item No: 8E

To: Mayor Troy D. Edgar & Members of the City Council

Via: Angie Avery, City Manager

From: Linda G. Magnuson, Interim Finance Director

Subject: Resolution Adopting the June 30, 2012, Measure M2 Expenditure Report

Summary: Each agency who receives Measure M2 funds is required by the OCTA to adopt via resolution an annual Expenditure Report to account for the use of Measure M2 funds.

Recommendation: Adopt Resolution No. 2012-24 entitled, "A RESOLUTION OF CITY COUNCIL OF THE CITY OF LOS ALAMITOS CONCERNING THE FISCAL YEAR 2011-2012 MEASURE M2 EXPENDITURE REPORT FOR THE CITY OF LOS ALAMITOS".

Background

In November 1990, Orange County voters approved Measure M, a half-cent local transportation sales tax, for 20 years. When the Measure ended in 2011, voter approved Measure M2 went into effect replacing the original Measure M. Measure M2 is a 30 year transportation investment plan that focuses solely on improving the transportation system. The Measure includes tough taxpayer safeguards; one of which is a requirement to regularly report progress publically. Within six months of the close for the Fiscal Year, each agency must complete and submit a Measure M2 Expenditure Report and accompanying resolution to the City Council for adoption and approval.

Discussion

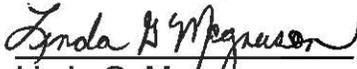
Measure M2 was implemented in January 2011 and as of June 30, 2012 the City had received a total of \$182,199 in Measure M2 Local Return funds. These funds are being held for future use as outlined in the seven year capital improvement plan. Regardless, the City is required to adopt and submit a Measure M2 Expenditure Report. The report documents Measure M2 expenditures, revenues received, Maintenance of Effort (MOE) expenditures of \$442,447 and other street related expenditures. In FY 2011-12, the City was required to use at least \$136,000 in local funds, or MOE for transportation improvements in order to continue receiving Measure M2 revenues.

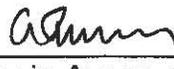
Fiscal Impact

None. Adopting the Report and Resolution, as required, will ensure that the City will continue to receive future Measure M2 allocations. Total revenues for FY 2012-13 are expected to be \$184,053.

Prepared By:

Approved By:


Linda G. Magnuson
Interim Finance Director


Angie Avery
City Manager

Attachment: 1. Resolution No. 2012-24

RESOLUTION NO. 2012- 24

A RESOLUTION OF CITY COUNCIL OF THE CITY OF LOS ALAMITOS CONCERNING THE JUNE 30, 2012 MEASURE M2 EXPENDITURE REPORT FOR THE CITY OF LOS ALAMITOS

WHEREAS, Local Transportation Authority Ordinance No. 3 requires local jurisdictions to adopt an annual Expenditure Report to account for Net Revenues, developer/traffic impact fees, and funds expended by local jurisdiction which satisfy the Maintenance of Effort requirements; and

WHEREAS, the Expenditure Report shall include all Net Revenue fund balances, interest earned and expenditures identified by type and program or project; and,

WHEREAS, the Expenditure Report must be adopted and submitted to the Orange County Transportation Authority each year within six months of the end of the local jurisdiction's fiscal year to be eligible to receive Net Revenues as part of Measure M2.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS does hereby inform OCTA that:

SECTION 1. The City Council of the City of Los Alamitos, California, finds that the above recitals are true and correct.

SECTION 2. The June 30, 2012 M2 Expenditure Report is in conformance with the M2 Expenditure Report Template provided in the Renewed Measure M Eligibility Guidelines and accounts for Net Revenues including interest earned, expenditures during the fiscal year and balances at the end of fiscal year.

SECTION 3. The June 30, 2012 M2 Expenditure Report is hereby adopted for the City of Los Alamitos and attached hereto and incorporated by reference as Exhibit "A".

SECTION 4. The City Clerk shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 19th day of November, 2012.

Troy D. Edgar, Mayor

ATTEST:

Angie Avery, City Clerk

APPROVED AS TO FORM:

Sandra Levin, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LOS ALAMITOS)

I, Angie Avery, City Clerk of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council held on the 19th day of November, 2012, by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

Angie Avery, City Clerk

**M2 Expenditure Report
Fiscal Year Ended June 30, 2012
Beginning and Ending Balances**

Description	Line No.	Amount
Balances at Beginning of Fiscal Year		
M2 Fairshare	1	\$ 11,850
M2 Fairshare Interest	2	
M2 CTFP	3	
M2 CTFP Interest	4	
Other M2 Funding	5	
Other M2 Interest	6	
Other*	7	
Balances at Beginning of Fiscal Year (Sum Lines 1 to 7)	8	\$ 11,850
Monies Made Available During Fiscal Year	9	\$ 170,510
Total Monies Available (Sum Lines 8 & 9)	10	\$ 182,360
Expenditures During Fiscal Year	11	
Balances at End of Fiscal Year		
M2 Fairshare	12	\$ 182,199
M2 Fairshare Interest	13	\$ 161
M2 CTFP	14	
M2 CTFP Interest	15	
Other M2 Funding	16	
Other M2 Interest	17	
Other*	18	

* Please provide a specific description
Measure M

M2 Expenditure Report
Fiscal Year Ended June 30, 2012
Beginning and Ending Balances

Description	Line No.	Amount
Revenues:		
M2 Fairshare	1	\$ 170,349
M2 Fairshare Interest	2	\$ 161
M2 CTFP	3	
M2 CTFP Interest	4	
Other M2 Funding	5	
Other M2 Interest	6	
Other*	7	
TOTAL REVENUES (Sum lines 1 to 7)	8	\$ 170,510
Expenditures:		
M2 Fairshare	9	
M2 Fairshare Interest	10	
M2 CTFP	11	
M2 CTFP Interest	12	
Other M2 Funding	13	
Other M2 Interest	14	
Other*	15	
TOTAL EXPENDITURES (Sum lines 9 to 15)	16	\$ -
TOTAL BALANCE (Subtract line 16 from 8)	17	\$ 170,510

* Please provide a specific description

M2 Expenditure Report
Fiscal Year Ended June 30, 2012
Beginning and Ending Balances

Type of Expenditure	Line No.	*MOE	+ Developer / Impact Fees	M2 Fairshare
Agency Staff & Administration	1	\$ 357,524		
Construction & Right-of-Way				
New Street Construction	2			
Street Reconstruction	3			
Signals, Safety Devices, & Street Lights	4			
Pedestrian Ways & Bikepaths	5			
Storm Drains	6			
Storm Damage	7			
Total Construction	8	\$ -	\$ -	\$ -
Right of Way Acquisition	9			
Total Construction & Right-of-Way	10	\$ -	\$ -	\$ -
Maintenance				
Patching	11			
Overlay & Sealing	12			
Street Lights & Traffic Signals	13			
Storm Damage	14			
Other Street Purpose Maintenance	15	\$ 84,923		
Total Maintenance	16	\$ 84,923	\$ -	\$ -
Other	17			
GRAND TOTALS (Sum Lines 1, 10, 16, 17)	18	\$ 442,447	\$ -	\$ -

* Local funds used to satisfy maintenance of effort (MOE) requirements

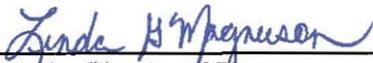
+ Transportation related only

**M2 Expenditure Report
Fiscal Year Ended June 30, 2012
Beginning and Ending Balances**

M2 Fairshare Interest	M2 CTFP	M2 CTFP Interest	Other M2	Other M2 Interest	Other	TOTAL
						\$ 357,524
					\$ 268,354	\$ 268,354
					\$ 65,858	\$ 65,858
\$ -	\$ -	\$ -	\$ -	\$ -	\$ 334,212	\$ 334,212
\$ -	\$ -	\$ -	\$ -	\$ -	\$ 334,212	\$ 334,212
					\$ 29,198	\$ 29,198
					\$ 476,690	\$ 476,690
					\$ 166,901	\$ 166,901
					\$ 59,298	\$ 144,221
\$ -	\$ -	\$ -	\$ -	\$ -	\$ 732,087	\$ 817,010
					\$ 23,180	\$ 23,180
\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,089,479	\$ 1,531,926

M2 Expenditure Report
Fiscal Year Ended June 30, 2012
Beginning and Ending Balances

I certify that all the information attached herein is true and accurate to the best of my knowledge:



Interim Director of Finance

City of Los Alamitos

Agenda Report Public Hearing

November 19, 2012
Item No: 9A

To: Mayor Edgar & Members of the City Council

Via: Angie Avery, City Manager

From: Steven Mendoza, Director of Community Development

Subject: Zoning Ordinance Amendment (ZOA 12-02) – Consideration of Adding “Call for Review” Procedures

Summary: Consideration to amend the City's Appeal Procedures to add a “Call For Review” section permitting Council review of Planning Commission decisions without filing a formal appeal. This Code Amendment was supported by the Planning Commission during its October 8, 2012 meeting.

Recommendation:

1. Open the Public Hearing; and,
2. Waive reading in full and authorize reading by title only of Ordinance No. 12-06, and set for second reading; and,
3. Mayor Edgar read the title of Ordinance No. 12-05, entitled “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADOPTING AN ORDINANCE APPROVING ZONING ORDINANCE AMENDMENT 12-02, AMENDING THE LOS ALAMITOS MUNICIPAL CODE CHAPTER 17.68, CONCERNING THE APPEALS PROCESS, ADDING “CALL FOR REVIEW” REGULATIONS, AND CORRECTING REFERENCES TO APPEALS IN LOS ALAMITOS MUNICIPAL CODE SECTIONS 2.52.070, 16.06.070(G), 16.10.140, 16.26.040(B), 17.32.050, 17.36.080(D), AND 17.40.020 (CITYWIDE)”.

Background

Earlier this year, the City Council initiated a Zoning Ordinance Amendment of Los Alamitos Municipal Code Chapter 17.68, concerning the appeals process. The Amendment adds a “call for review” regulation which would allow Council to review decisions of the Planning Commission without having to file a formal appeal process. The Planning Commission reviewed the attached Ordinance at its meeting of October 8, 2012 and recommends Council approval.

Discussion

It is common for cities to have an ordinance allowing Council Members to call Planning Commission decisions for review. Decades ago these ordinances were not so prevalent because Council Members simply appealed Planning Commission decisions where they thought Council level consideration was warranted. However, subsequent case law made clear that a Council Member who appeals a decision must abstain from hearing the appeal, due to the appearance of bias and conflict of interest. Cities responded by adopting "call for review" procedures that allow Council Members to initiate review of commission decisions without compromising their ability to participate.

History

A 1994 decision of the Court of Appeal entitled *Cohan v. City of Thousand Oaks* invalidated an action of the Thousand Oaks City Council because the appeal of the Planning Commission decision had been filed by a Council Member who then participated in the Council's decision of the appeal. The City's ordinance (as was common) conferred the right of appeal on "any person aggrieved" by the decision from which an appeal was taken. The Court ruled that, by designating himself as "aggrieved," the appealing Council Member negated the impartiality that due process requires of neutral decision makers. Similarly, many ordinances, including the Los Alamitos ordinance regarding appeals, require that the appellant state the portion of the decision with which the appellant disagrees and the basis for the disagreement. Under the reasoning of *Cohan*, this statement would negate the neutrality and impartiality of the appellant and disqualify the appellant from participating in the hearing of the appeal.

The public law community therefore responded to the *Cohan* case by recommending "call for review" ordinances which allow Council Members to call a matter for review by the Council without stating a view of the merits of the decision appealed – just noting that it raised matters of sufficient import that the City Council ought to be involved in making the decision.

Alternatives

The Council may decline to adopt the ordinance, leaving existing appeal procedures in place, or may adopt a broader ordinance providing for review of other decisions as well. Whether or not to include a call for review process in the City's zoning ordinance is a policy question for the Council. The options available to the Council and some of the pros and cons of each follow:

a. No call for review ordinance: If a Council Member wishes to appeal a decision, he or she must be an appellant and therefore cannot participate in deciding the appeal. This can be viewed as appropriate in reserving Council Members to a neutral role, or it can be seen as depriving Council Members of an appropriate role in land use decision-making. Provided that Council Members do not attempt to participate in decisions which they have appealed, no significant legal issue arises.

b. Call for review by one Council Member. Some cities adopt call for review procedures which allow a call for review by any single Council Member. This empowers individual Council Members and can avoid non-agendized discussion of whether to call for review--a matter that might undermine community confidence in the transparency of City decision-making and invite Brown Act violations. On the other hand, a call for review right in a single Council member can place all Council Members in the position of being asked by would-be-appellants to call matters for review to save them appeal fees, a position Council Members might prefer to avoid. In addition, a one-Council Member rule may allow a Council Member with different views than his or her peers to command the Council's time and attention on matters others would prefer not to address.

c. Call for review by two Council Members (as proposed in draft amendment). Some cities address some of the demerits noted under option (b) above by requiring at least two Council Members to support a call for review. The Brown Act does allow fewer than three Council Members to discuss such a matter outside an agendized meeting.

All call-for-review procedures can be viewed as increasing the Council's involvement in these decisions, which without the filing of a citizen appeal would not be considered by the Council at all. By contrast, call for review procedures can be viewed as a means for providing appropriate involvement for the Council that enhances dialog between elected and appointed decision-makers. The actual impact will depend upon how and when the procedure is used and the scope of the call for review process. For example, the proposed Ordinance would provide a call for review procedure for Planning Commission decisions pursuant to Title 17 ("Zoning") only, although a call for review procedure could be expanded to other provisions of the Municipal Code where rights of appeal exist. Whether to adopt a call for review procedure is, of course, a policy question.

Some cities also provide a procedure for Commissions to call for review of administrative staff decisions or for Council Members to call for review of the decisions of other commissions or committees.

There may also be other approaches than those outlined above that arise in your deliberations. Provided that Council Members are prepared to abstain from appealing matters or from participating in Council deliberations on matters they have appealed, the choice among these options is policy question for the Council.

Summary and Recommendation

The Planning Commission, at their meeting of October 8, 2012, made a recommendation to the Council to adopt the attached ordinance. The recommendation is also attached. The City Attorney also recommends that the City Council adopt this ordinance to establish a Call for Review procedure so that Council Members may call Planning Commission decisions for review. Staff has also taken this opportunity to make corrections to the Los Alamitos Municipal Code (LAMC). Exhibit A is a draft version of the recommended changes to the Chapter in the LAMC that refers to Appeals

(LAMC 17.68). Exhibit B is a draft list of code sections that staff identified as containing references to an incorrectly cited chapter for Appeals, with revisions made to reflect the correct citation.

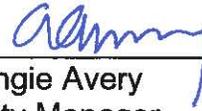
Fiscal Impact

The adoption of consistent appeal procedures may reduce future Staff and legal costs by eliminating the need to identify and interpret incomplete appeal procedures.

Submitted by:



Steven A. Mendoza
Director of Community Development



Angie Avery
City Manager

*Attachments: 1. Draft City Council Ordinance No. 12-05, including Exhibits A & B
2. Planning Commission Resolution recommending adoption of the Ordinance*

ORDINANCE NO. 12-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVE ZONING ORDINANCE AMENDMENT 12-02, ADOPTING AN ORDINANCE AMENDING THE LOS ALAMITOS MUNICIPAL CODE CHAPTER 17.68, CONCERNING THE APPEALS PROCESS, ADDING "CALL FOR REVIEW" REGULATIONS, AND CORRECTING REFERENCES TO APPEALS IN LOS ALAMITOS MUNICIPAL CODE SECTIONS 2.52.070, 16.06.070(G), 16.10.140, 16.26.040(B), 17.32.050, 17.36.080(D), AND 17.40.020 CITYWIDE

WHEREAS, a Notice of Exemption has been prepared for this amendment to Chapter 17.68, pursuant to Section 15305 of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3 and the City's Environmental Review Procedures; and,

WHEREAS, The proposed amendment and references to Chapter 17.68 Los Alamitos Municipal Code relating to Appeals ensures and maintains internal consistency with the actions, goals, objectives, and policies of the General Plan, and would not create any inconsistencies with the Zoning Code; and,

WHEREAS, the proposed amendment and references will not adversely affect the public convenience, health, interest, safety, or welfare of the City because the "call for review" procedure will provide an additional safeguard to avoid results inconsistent with the purposes of the Los Alamitos Municipal Code; and,

WHEREAS, the proposed amendment will not be contrary to other goals, objectives, and policies of the Los Alamitos General Plan.

THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 17.68 of Title 17 of the Los Alamitos Municipal Code is hereby amended to read as set forth in Exhibit "A" attached hereto and incorporated by reference herein.

SECTION 2. References to appeals in Los Alamitos Municipal Code Sections 2.52.070, 16.06.070(G), 16.10.140, 16.26.040(B), 17.32.050, 17.36.080(D), and 17.40.020 are hereby amended to read as set forth in Exhibit "B" attached hereto and incorporated by reference herein.

SECTION 3. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is held to be invalid or unconstitutional, for any reason, by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision,

sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 4. To the extent the provisions of the Los Alamitos Municipal Code as amended by this Ordinance are substantially the same as the provisions of that Code as they read immediately prior to the adoption of this Ordinance, then those provisions shall be construed as continuations of the earlier provisions and not as new enactments.

SECTION 5. The City Clerk shall certify as to the adoption of this Ordinance and shall cause a summary thereof to be published within fifteen (15) days of the adoption and shall post a Certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

SECTION 6. This Ordinance shall take effect thirty days after second reading as provided in Government Code Section 36937.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2012.

Troy Edgar, Mayor

ATTEST:

Angie Avery, City Clerk

APPROVED AS TO FORM:

Sandra J. Levin, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF LOS ALAMITOS)

I, Angie Avery, City Clerk of the City of Los Alamitos, do hereby certify that the foregoing Ordinance No. 10-02 was duly introduced and placed upon its first reading at a regular meeting of the City Council on the XXth day of XXXXX, 2012 and that thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the ____ day of _____, 2012, by the following vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

Angie Avery, City Clerk

EXHIBIT A

AMENDED CHAPTER 17.68

Chapter 17.68 APPEALS AND CALLS FOR REVIEW

17.68.010 Purpose.

This chapter establishes procedures for the following:

- A. Commission's Review. The commission's review of a decision rendered by the director;
- B. Council's Review. The council's review of a decision rendered by the director or commission; and
- C. Other. The filing of an appeal of a decision rendered by the director or commission.

17.68.020 Application filing, processing, and review.

- A. Eligible Appellants. The applicant or any interested party may appeal a decision of the director or commission.
- B. Form of Appeal. An appeal shall:
 - 1. Be made in writing;
 - 2. Include a statement specifically identifying the portion(s) of the decision with which the appellant disagrees and the basis in each case for the disagreement;
 - 3. Be accompanied by the information identified in the department handout for appeal applications; and
 - 4. Be accompanied by the fee established by the city's fee resolution. Appeals filed by the director or commission shall be exempt from payment of any required fee.
- C. Time for Filing. An appeal shall be filed within twenty (20) calendar days (ten (10) calendar days in the case of a large family day care home permit) after the final action of the director or commission.
- D. Filing. Appeal applications addressed:
 - 1. To the commission shall be filed with the department; and

2. To the council shall be filed with the city clerk.

E. Scheduling. Within thirty (30) days after the receipt of a notice of appeal and fee, or after the commission or council has voted to appeal, the appeal shall be transmitted to either:

1. Appeals to the Commission. The director who shall place the item on the commission agenda for a public hearing; or,

2. Appeals to the Council. The city clerk who shall place the item on the council agenda for a public hearing.

F. Notice and Hearing. Notice of a hearing shall be given as identified in Chapter 17.66 (Public Hearing Notice Procedures). The city clerk shall also notify the commission of the appeal.

G. Withdrawal. An appeal may not be withdrawn or dismissed before the scheduled public hearing without the director's approval.

H. Action. The commission or council shall take action on an appeal within ninety (90) days of the receipt of the notice of appeal. In the case of an appeal of a decision regarding an adult use planning permit, the commission or council shall take action within sixty (60) days. The deadline for action on the appeal may be extended by the mutual, written consent of the commission or council, the applicant, and the party filing the appeal—if the party filing the appeal is other than the city or the applicant. At the close of the public hearing, the commission or council may affirm, revise, or modify the decision of the director or commission, as applicable.

I. Report to Commission or Council. Upon receipt of the notice of appeal, the department or commission secretary shall prepare a report of the facts pertaining to the decision of the director or commission and shall submit the report to the appropriate review authority along with the reasons for the director's or commission's action. The report shall include copies of any findings, staff reports to the commission, commission resolutions on the project, minutes of the commission meeting(s) on the project, and any other information as deemed relevant by the commission or council.

J. Referral to Commission. In the event new or different evidence is presented on appeal, the council may, but shall not be required to, return the matter to the commission for further consideration.

17.68.030 Failure of commission to act on appeal of home occupation permit.

If the commission does not take action on the appeal of the director's determination concerning the issuance of a home occupation permit within sixty (60) days after the filing of the appeal, the director's decision shall be deemed affirmed.

17.68.040 Calls for Review.

A. As an additional safeguard to avoid results inconsistent with the purposes of this code, any order, requirement, decision, determination, interpretation or ruling of the commission may be called up for city council review upon the written request of any two city council members.

B. Form and Content. A call for city council review may be initiated by any two members of the city council and shall be filed in writing with the city clerk and shall not state that the commission has committed error or otherwise suggest that the council members seeking review have predetermined the matter to be heard by the council.

C. Time for Filing. Calls for review shall be initiated within ten business days after commission action.

D. Filing Fees. No fee shall be required for a call for review.

E. Effect on Decisions. Commission actions that are called up for review shall not become effective until the review is resolved.

F. Procedure for Review. When a commission action is called up for city council review upon the written request of any two city council members pursuant to this section 17.68.040, the city council shall review the commission action according to the procedures for appeal set out in section 17.68.020.

EXHIBIT B

AMENDED REFERENCES TO CHAPTER 17.68

Note: Strikethrough references shall be removed and underlined references shall be added.

2.52.070 Appeals.

In the event the applicant, any interested person, or the city, is aggrieved by the decision of the architectural review committee, an appeal may be made to the city council in the manner set forth under Section ~~17.54.090~~ 17.68. (Ord. 535 § 1 (part), 1991)

16.06.070(G) Vesting tentative maps.

The vested right for a recorded subdivision map shall be for a period of one year beyond the recording date of the final tract map or final parcel map, and shall confer on such maps all rights described in Government Code, Sections 66498.1 through 66498.8. Where several final maps or parcel maps are recorded on various phases of a project covered by a single vesting tentative map, the one-year time period shall commence when the final map or parcel map for that phase is recorded. Prior to the expiration of the initial one-year period, the developer may apply for a one-year extension of the period of the vested right to the planning commission. If the extension is denied, the developer may appeal in accordance with Section ~~17.54.090~~ 17.68 of the Los Alamitos Municipal Code.

16.10.140 Appeal of tentative map to city council.

Except as provided in Section 16.10.130, any interested person may appeal to the city council from any action of the subdivision committee with respect to a tentative map by filing an appeal in accordance with Section ~~17.54.090~~ 17.68 of the Los Alamitos Municipal Code. (Ord. 580 § 2 Exh. A (part), 1994)

16.26.040(B) Method of approval.

In the event the city engineer determines that the subdivision is not in compliance or substantial conformance, then he or she shall within ten days of the date the final map was submitted, advise the subdivider in writing of his/her preliminary determination. The subdivider may appeal the city engineer's determination to the subdivision committee or directly to the city council in the event the map was originally approved on appeal to the city council. Any such appeal shall be filed and heard in accordance with Section ~~17.54.090~~ 17.68 of the Los Alamitos Municipal Code. Upon hearing any such appeal the subdivision committee or the city council shall make an advisory ruling to the city engineer. The final determination as to whether the final tract map is in compliance and substantial conformance shall be made by the city engineer.

17.32.050 Reservation of right to review based on changed conditions.

The council and commission shall retain and reserve the right and jurisdiction to review and modify an adult use planning permit—including the conditions of approval—based on changed circumstances in accordance with Section 17.68 of the Los Alamitos Municipal Code. Changed circumstances include, but are not limited to, the modification of the business, the change in scope, emphasis, size or nature of the business, and the expansion, alteration, of change of use. The reservation of the right to review a permit granted or approval by the council and commission shall be in addition to, and not in lieu of, the right of the council and commission to review and revoke or modify a permit granted or approved for any violations of the conditions imposed on the permit. (Ord. 688 § 1 (part), 2006)

17.36.080(D) Public hearings.

Time Limits. The conditional use permit for a hazardous waste facility shall become valid twenty (20) days after the date of the decision unless appealed. If appealed and then approved by the council, it shall become valid on the date of the council approval, subject to the appeal provisions of Section ~~17.36.100~~ 17.68 (Appeals). (Ord. 688 § 1 (part), 2006)

17.40.020 Authority for land use and zoning practices.

Table 4-1 (Review Authority) identifies the city official or authority responsible for reviewing and making decisions on each type of application or land use entitlement required by this zoning code.

Table 4-1

Review Authority

Type of Entitlement or Decision	Chapter	Director (1)	Planning Commission	City Council
Conditional use permits	17.42		Decision	Appeal/Call for Review
General plan amendments	17.70		Recommend	Decision
Home occupation permits	17.46	Decision	Appeal	Appeal/Call for Review
Interpretations	17.02	Decision	Appeal	Appeal/Call for Review
Large family day care permits	17.38.100	Decision	Appeal	Appeal/Call for Review
Minor modifications	17.48	Decision	Appeal	Appeal/Call for Review
Site plan review	17.50		Decision (2)	Appeal/Call for Review
Specific plans	17.52		Recommend	Decision
Temporary use permits	17.54	Decision	Appeal	Appeal/Call for Review
Variances	17.56		Decision	Appeal/Call for Review
Zoning code amendments	17.70		Recommend	Decision
Zoning map amendments	17.70		Recommend	Decision
Zoning permits	17.58	Decision	Appeal	Appeal/Call for Review

Notes:

1. The director may defer action on entitlement applications and refer the item(s) to the commission for the final decision.

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2. The commission may delegate authority to the director to conduct the site plan review process.

RESOLUTION NO. 12-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL TO ADOPT AN ORDINANCE TO APPROVE ZONING ORDINANCE AMENDMENT 12-02, AMENDING THE LOS ALAMITOS MUNICIPAL CODE CHAPTER 17.68, CONCERNING THE APPEALS PROCESS, ADDING "CALL FOR REVIEW" REGULATIONS, AND CORRECTING REFERENCES TO APPEALS IN LOS ALAMITOS MUNICIPAL CODE SECTIONS 2.52.070, 16.06.070(G), 16.10.140, 16.26.040(B), 17.32.050, 17.36.080(D), AND 17.40.020 (CITYWIDE)

WHEREAS, the City Council initiated Zoning Ordinance Amendment ZOA 12-02, that proposes to adopt an ordinance amending the Los Alamitos Municipal Code Chapter 17.68, concerning the appeals process, adding "call for review" regulations, and correcting references to appeals in Los Alamitos Municipal Code Sections 2.52.070, 16.06.070(G), 16.10.140, 16.26.040(B), 17.32.050, 17.36.080, and 17.40.020; has been considered by the Community Development Director; and, has been submitted to the Planning Commission; and,

WHEREAS, the Planning Commission held a duly noticed Public Hearing concerning this Amendment on October 8, 2012; and,

WHEREAS, the proposed amendment and references to Los Alamitos Municipal Code, Chapter 17.68 relating to Appeals ensures and maintains internal consistency with the actions, goals, objectives, and policies of the General Plan, and would not create any inconsistencies with the Zoning Code; and,

WHEREAS, the proposed amendment and references will not adversely affect the public convenience, health, interest, safety, or welfare of the City because the "call for review" procedure will provide an additional safeguard to avoid results inconsistent with the purposes of the Los Alamitos Municipal Code; and,

WHEREAS, the proposed amendment will not be contrary to other goals, objectives, and policies of the Los Alamitos General Plan.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Los Alamitos, California finds that the above recitals are true and correct.

SECTION 2. Based upon such findings and determinations, the Planning Commission hereby recommends to the City Council of the City of Los Alamitos to adopt an ordinance, approving Zoning Ordinance Amendment 12-02 amending Section 17.68, concerning the appeals process, adding "call for review" regulations, and correcting references to appeals in Sections 2.52.070, 16.06.070(G), 16.10.140, 16.26.040(B), 17.32.050, 17.36.080, and 17.40.020 of the Los Alamitos Municipal Code.

PASSED, APPROVED, AND ADOPTED this 8th day of October 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Steven A. Mendoza, Secretary
LOS ALAMITOS PLANNING COMMISSION

City of Los Alamitos

Agenda Report Public Hearing

November 19, 2012
Item No: 9B

To: Mayor Troy D. Edgar & Members of the City Council

Via: Angie Avery, City Manager

From: Steven A. Mendoza, Director of Community Development

Subject: Consideration of a 17-unit Single-Family Condominium Development Including a Mitigated Negative Declaration, General Plan Amendment, and Zoning Ordinance Amendment

Summary: This report is the consideration of a 17-unit detached, single-family condominium development project at 3271 Sausalito Street (APN 242-222-01) on 1.53 acres. The project requires a Mitigated Negative Declaration, General Plan Amendment, and Zoning Ordinance Amendment. The General Plan and Zoning Ordinance amendments will include changing the General Plan land use designation on the property from Planned Industrial to Multiple Family Residence and changing the zoning district from Planned Light Industrial (P-M) to Multiple Family Residential (R-3). The proposed project will involve the demolition of several industrial buildings, and construction of 17 detached, single-family condominium units.

Recommendation:

1. Adopt Resolution No. 2012-22, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING REPORT IN CONNECTION WITH ITS APPLICATION FOR GENERAL PLAN AMENDMENT (GPA 12-01), ZONING ORDINANCE AMENDMENT (ZOA 12-01), TENTATIVE TRACT MAP (TTM 12-01), CONDITIONAL USE PERMIT (CUP 12-02) AND SITE PLAN REVIEW (SPR 12-02) PURSUANT TO CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR DEVELOPMENT OF 17 SINGLE-FAMILY RESIDENTIAL CONDOMINIUMS (HEREAFTER "PROJECT") FOR A PROJECT LOCATED AT 3271 SAUSALITO STREET, APN 242-222-01 (HEREAFTER "SUBJECT PROPERTY"); (APPLICANT: THE OLSON COMPANY)"; and,
2. Adopt Resolution No. 2012-21, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS APPROVING GENERAL PLAN AMENDMENT (GPA 12-01) TO CHANGE THE LAND USE DESIGNATION FROM PLANNED

INDUSTRIAL TO MULTIPLE FAMILY RESIDENTIAL FOR THE CONSTRUCTION OF 17 SINGLE-FAMILY RESIDENTIAL CONDOMINIUMS FOR A PROJECT LOCATED AT 3271 SAUSALITO STREET, APN 242-222-01 (APPLICANT: THE OLSON COMPANY)”; and,

3. Waive reading in full and authorize reading by title only of Ordinance No. 12-06, and set for second reading; and,
4. Mayor Edgar read the title of Ordinance No. 12-06, entitled, “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS APPROVING ZONING ORDINANCE AMENDMENT 12-01 TO CHANGE THE ZONING DESIGNATIONS FROM PLANNED LIGHT INDUSTRIAL (P-M) TO MULTIPLE FAMILY (R-3) RESIDENTIAL FOR THE CONSTRUCTION OF 17 SINGLE-FAMILY RESIDENTIAL CONDOMINIUMS AT 3271 SAUSALITO STREET, APN 242-222-01 (APPLICANT: THE OLSON COMPANY).”

Background

The Olson Company of Seal Beach has applied for consideration of a 1.53 acre residential development in the Old Town West neighborhood. The project is called “Sausalito Walk” and involves the demolition of existing industrial buildings and construction of 17 detached single-family residential units. Each detached unit will be two stories in height and have a private two-car garage. Two residential building plans are proposed: Plan 1 and Plan 2. Plan 1 is a 1,707 square-foot house with three bedrooms and two and one half baths. Plan 2 is a 1,914 square-foot house with four bedrooms, a loft and three baths.

Outdoor space will be provided for each unit consisting of a ground-floor private yard area. The project will include a common area consisting of a 1,400 square-foot landscaped park with a bench and turf. The main private driveway with access to Sausalito Street is 44 feet wide and will include sidewalks and parking on both sides along a portion of the driveway. The end of the main private driveway includes a turnaround area designed for emergency vehicles. There are several 22-foot wide private driveways that provide direct access to garages. The frontage along Sausalito Street will include landscaping, six-foot wide public sidewalk, and a landscaped stormwater runoff biofiltration area. The drainage system and common area landscaping will be maintained by a homeowners’ association.

Discussion

Project Location

The project is located at 3271 Sausalito Street near the intersection of Sausalito Street and Oak Street. The property consists of 1.53 acres. Cottonwood Church (Sausalito Campus) is located to the east of the property, Royal Oak Mobile Park is located to the west of the project, and Coyote Creek is located to the northwest of the project.

Existing Site

The site currently includes one 10,000-square foot building (primary building) and two smaller ancillary buildings built in the 1950s and 60s. The buildings are currently vacant. The remainder of the site is paved with asphalt and concrete surfaces and some areas are covered with gravel. The entire site is generally void of vegetation, except for some trees and shrubs surrounding the two ancillary buildings and palm trees along the Sausalito Street frontage. The site formerly housed a composite manufacturing/fabricating company (Harbor Patterns) that specialized in plaster and plastic models, fiberglass and graphite molds, assembly fixtures, ceramic and insulation tooling, and other similar services using composite materials for aircraft parts.

Applications Filed

Development of the site as residential requires the filing of multiple applications and multiple considerations by both the Planning Commission and the City. The Planning Commission first considered the application on October 8, 2012 and asked the developer to revise the architecture of the housing units and return on October 29, 2012. The applications submitted and the roles of the Planning Commission and City Council are represented in Table 1 below.

Application	Role of Planning Commission	Role of City Council
1. Environment Assessment (Mitigated Negative Declaration)	Recommending Body	Final Approval
2. Changing the General Plan designation from Industrial to Residential	Recommending Body	Final Approval
3. Changing the Zoning from Planned Light Industrial to R-3 (Multi Family Residential 32 units per acre)	Recommending Body	Final Approval
4. Tentative Tract Map	Final Approval	-
5. Conditional Use Permit	Final Approval	-
6. Site Plan Review	Final Approval	-

The Planning Commission's collaboration with the Olson Company led to the design modification of the project resulting in an upgraded exterior. The project evolved from "stucco box" housing units to aesthetically appealing Spanish homes indicative of early California architecture. The Planning Commission fulfilled its role in making a final determination for the:

1. Tentative Tract Map
2. Conditional Use Permit
3. Site Plan Review

Simultaneously, the Commission recommended that the City Council approve the remaining tasks as follows:

1. Environment Assessment (Mitigated Negative Declaration)
2. Changing the General Plan Designation from Industrial to Residential
3. Changing the Zoning from Planned Light Industrial to R-3 (Multi Family Residential 32 units per acre)

Environmental Assessment: Mitigated Negative Declaration

Pursuant to the provisions of the California Environmental Quality Act (CEQA) an Initial Study was prepared which led to the conclusion that a Mitigated Negative Declaration (MND) be prepared for this project. The purpose of a MND is to identify potential effects on the environment of the project and to indicate the manner in which those potential significant effects can be avoided or mitigated. A primary function of the MND is to disclose and evaluate project impacts and inform decision makers for the project. In order to meet the 20-day circulation requirements, a notice regarding the Mitigated Negative Declaration was circulated from September 12, 2012 to October 2, 2012. The following letters responding to the MND were received by the City:

- Royal Oaks Mobile Home Park Homeowners Association (September 21, 2012): The letter requested the implementation of a rodent control measure be incorporated on site during demolition and grading. Staff has added this as a project approval condition.
- Airport Land Use Commission (October 2, 2012): The Commission requested that a discussion be made in the MND as to whether heliports are part of the project. The MND project description clearly states that the proposed project is residential use.
- Orange County Sanitation District (October 8, 2012): The letter identifies that there are no anticipated sewer capacity issues and that the District will need to review and approve discharge water quality prior to discharging to the sanitary sewer system.
- Orange County Public Works (October 11, 2012): Provided no comments on the project.

The City Council is given the authority to adopt the Mitigated Negative Declaration. City Council decisions on a Mitigated Negative Declaration, whether involving original jurisdiction or appeal, shall be final, without right of appeal.

Mitigation

A Phase I Environmental Site Assessment (ESA) was prepared for the project and determined that due to the age of the building, pre-demolition surveys for asbestos containing materials and lead based paints must be performed to determine potential exposure during demolition and proper handling and disposal procedures in accordance with federal and state guidelines. These requirements are included as Mitigation Measures HAZ-1 and HAZ-2.

Mitigation Measures:

- HAZ-1 Prior to issuance of demolition permits, a licensed California Certified Asbestos Consultant must survey existing structures for the presence of asbestos containing materials. If asbestos is found, an asbestos abatement contractor must first remove these items prior to demolition pursuant to state and South Coast Air Quality Management District requirements. The survey results shall be submitted to the Community Development Director for review and approval.
- HAZ-2 Prior to issuance of demolition permits, a licensed California Certified Lead-Based Paint inspector and Risk Assessor must survey the materials for lead content. This survey will determine the necessary precautions and disposal requirements to ensure that lead-based paints do not impact the health of construction workers or contaminate the environment. The survey results shall be submitted to the Community Development Director for review and approval.

Traffic Study

A traffic study for the project was completed and is included in the appendix (Appendix D) to the Mitigated Negative Declaration. The analysis identifies average daily vehicle trips for the proposed project in comparison to the existing conditions and industrial use. According to the traffic study, the site currently generates 38 average daily trips. If it were occupied at its highest capacity as planned industrial, it would generate 182 daily trips. The new proposal as 17 single family detached homes would generate 163 daily trips. As stated by the traffic study, the modest traffic increase generated by the proposed residential project will not create any significant traffic impacts to the surrounding circulation system.

General Plan Amendment (GPA 12-01)

The applicant is seeking an amendment to the General Plan Land Use Plan map located in the Land Use Element. No changes are proposed to the text of the General Plan. The existing General Plan Land Use Plan designation for the applicant's property is Planned Industrial. The Planned Industrial category allows for light industrial and manufacturing uses. The applicant requests to change the property to Multiple Family Residential, which allows residential densities between 20 to 30 dwelling units per acre. This category allows for various types of multiple dwelling buildings containing four or more units.

In considering this General Plan Amendment, the Planning Commission and Staff believe that the applicant's request to change the land use designation to Multiple Family Residential is compatible with the surrounding land uses. This land use change would create an extension of the existing Multiple Family Residential land use designation from the adjacent mobile home park and the multi-family residential uses across from Sausalito Street. Although the eastern property is designated as Planned Industrial, the existing church use creates an appropriate transition from the proposed

residential use to the industrial properties located further to the east on Sausalito Street. Staff believes that the proposed General Plan Amendment 12-01 is consistent with the Goals and Policies established within the General Plan. The consistency has been fully demonstrated within the attached resolution.

Zoning Ordinance Amendment (ZOA 12-01)

The applicant seeks a Zoning Ordinance Amendment to change the Zoning District on the official Zoning Map. No changes are proposed to the text of the Zoning Ordinance. The existing Zoning District for the applicant's property is Planned Light Industrial (P-M). The applicant is requesting to change the property to Multiple Family (R-3) Residential Zoning District.

In considering this Zoning Ordinance Amendment, Staff believes the analysis related to the zoning designation is similar to the analysis addressed above in regards to the proposed changes to the General Plan land use designations, since the Zoning Code is simply the implementation tool for the goals, policies, and implementation programs identified in the General Plan. Staff believes that the proposed Zoning Ordinance Amendment 12-01 is consistent with the intent of the goals and policies of the General Plan and supports the recommended modification to the Zoning Map. The consistency has been fully demonstrated within attached resolution.

Planning Commission Public Hearing #1

A Planning Commission public hearing was held on October 8, 2012, to review the General Plan Amendment (GPA 12-01), Zoning Ordinance Amendment (ZOA 12-01), Tentative Tract Map 17482 (TTM 12-01), and Mitigated Negative Declaration, and to consider approval of Conditional Use Permit (CUP 12-02) and Site Plan Review (SPR 12-02). Staff provided the Commission with a presentation on the proposed project and identified issues with the Site Plan Review, including design of residential units, site design, and minimum development standards. The applicant provided the Commission with a presentation and highlighted the positive features of the project. The hearing was opened to the public and one person from the Royal Oak Mobile Home Park spoke in favor of the project, but asked that Staff consider the request of implementing rodent control measures during demolition and grading.

The Planning Commission and the applicant discussed the Site Plan Review of the project, particularly the architectural design of the project. The Planning Commissioners concurred with Staff's assessment regarding the Site Plan Review only meeting minimum requirements. The Planning Commission recommended the applicant review the issues associated with the Site Plan Review and consider revising the architectural design of the project to address concerns raised by Staff and Planning Commissioners. The public hearing was continued to October 29, 2012, to allow sufficient time for the applicant to revise the project.

Planning Commission Public Hearing #2

The public hearing resumed on October 29, 2012. The project was recapped and the Olson Company introduced the project revisions. The final submittals of the project

architecture were greatly improved and acceptable to the Commission. To ensure a variety of colors were incorporated, the Commission added the follow condition;

- The stucco color of the 17 homes within the tract shall vary to offer a minimum of four colors spread among the development. No more than four housing units shall have the “egg shell white” color and no units shall have the “pure white” color. Applicant shall make every attempt to offer a palate of pleasing colors to the satisfaction of the Community Development Director.

The Planning Commission discussed a few points of architectural detail and approved the Site Plan Review by resolution, as well as the other resolutions concerning the project. With discussions complete, the Planning Commission now forwards this project to the City Council for consideration.

Public Communications

- Public Hearing Notice - A copy of the Public Hearing notice for the Planning Commission public hearing was published in the News Enterprise on September 12, 2012, and was mailed to property owners and business tenants of properties within a 500 feet radius as required by the City’s Zoning Ordinance.

In preparation for the City Council hearing, a second notice was published in the November 7, 2012 edition of the News Enterprise and an additional notice was mailed to properties surrounding the project.

- Consultation with Native American tribes – Senate Bill 18 imposes a requirement to consult with Native American tribes if they so choose. Two tribes responded and Staff has added conditions based on the comments received, such as having a tribe appointed monitor on site during grading. Neither tribe requested consultation regarding this project.
- Community Meeting - The Olson Company held two community meetings on June 8 and August 9, 2012, in the multi-purpose room at Cottonwood Church (Sausalito Campus) located at 3311 Sausalito Street.
- Planning Commission Hearings – The Planning Commission held two public hearings; the first meeting was held on Monday, October 8, 2012 and was continued to Monday October 29, 2012.
- City Council Hearing - The City Council held one Public Hearing on November 19, 2012.

Future Actions

If approved tonight, the City Council will have a second reading of the Zone Ordinance Amendment during its December 17, 2012 meeting. In addition, the applicant may submit an application for a Final Tract Map early in 2013.

Fiscal Impact

Property Tax Revenues

Improvement to the property will trigger an increase in property tax revenues to the City. Currently the City receives \$1,390 per year as our share of property taxes collected from the industrial site. It is projected that the 17 housing units, if valued at \$500,000 per unit, would generate approximately \$513 for each unit or \$8,721 annually for the site – an increase of Five Hundred and Twenty Seven Percent (527%).

Park Impact Fees

The site will generate \$18,076 per unit in one time Park Impact Fees, a total of \$307,292. These fees will be collected upon issuance of each separate building permit.

Submitted by:


Steven A. Mendoza
Director of Community Development


Angie Avery
City Manager

Attachments:

1. Resolution 2012-22 Adopting the Mitigated Negative Declaration and Mitigation Monitoring Plan
2. Resolution 2012-21 Amending the General Plan
3. Ordinance No 12-06 Adopting a Zoning Ordinance Amendment
4. Conditions of Approval
5. 3' X 2' Fold Out Submittal Package dated 11/05/12 (including Conceptual Site Plan, Schematic Planting Plan and Conceptual Floor Plans)
6. 11" X 17" color Proposed Project Submittal Package dated 11/02/2012, (including Architectural Elevations, Schematic Enlargement Plan and Sausalito Elevation, Illustrative Site Plan and Conceptual Floor Plan)
7. Planning Commission Agenda Report Dated October 29, 2012
8. Planning Commission Minutes Dated October 29, 2012

RESOLUTION NO. 2012-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING REPORT IN CONNECTION WITH ITS APPLICATION FOR GENERAL PLAN AMENDMENT (GPA 12-01), ZONE ORDINANCE AMENDMENT (ZOA 12-01), TENTATIVE TRACT MAP (TTM 12-01), CONDITIONAL USE PERMIT (CUP 12-02) AND SITE PLAN REVIEW (SPR 12-02) PURSUANT TO CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR DEVELOPMENT OF 17 SINGLE-FAMILY RESIDENTIAL CONDOMINIUMS (HEREAFTER "PROJECT") FOR A PROJECT LOCATED AT 3271 SAUSALITO STREET, APN 242-222-01 (HEREAFTER "SUBJECT PROPERTY"); (APPLICANT: THE OLSON COMPANY)

WHEREAS, the Olson Company (hereafter "applicant") has filed an application for a General Plan Amendment (GPA 12-01) to change the Land Use Designation from Planned Industrial to Multiple Family Residential Designation, Zoning Ordinance Amendment (ZOA 12-01), to change Zoning Designations from Planned Light Industrial (P-M) to Multiple Family Residential (R-3), Tentative Tract Map (12-01), Conditional Use Permit (CUP 12-02) and Site Plan Review (SPR 12-02) for the development of a 17 unit single-family condominium homes (hereafter "Project") at 3271 Sausalito Street (hereafter "subject property"); and,

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) (Public Res. Code 21000 et seq.) the CEQA Guidelines and the City of Los Alamitos Local CEQA Guidelines, the City of Los Alamitos is the lead agency for the Project, as the public agency with general governmental powers; and,

WHEREAS, as lead agency, the City of Los Alamitos caused an Initial Study and Mitigated Negative Declaration to evaluate the potential for adverse environmental impacts and for the construction of 17 single-family residential condominiums located at 3271 Sausalito Street and the Initial Study with a Notice of Preparation was mailed to the State Clearinghouse, responsible and trustee agencies and other interested parties; and,

WHEREAS, the Initial Study and Mitigated Negative Declaration has been completed in compliance with the California Environmental Quality Act (CEQA), the guidelines promulgated by the State Secretary of Resources, and the procedures for review as set forth in the City of Los Alamitos Guidelines for Implementation of the CEQA (Local CEQA Guidelines); and,

WHEREAS, it has been determined that the proposed project may potentially have significant effects on the environment, but revisions in the project proposal would mitigate the effects to a point where clearly no significant effect would occur; and,

WHEREAS, notice regarding the Mitigated Negative Declaration for the 17-unit single-family residential condominium project was sent to neighboring property owners pursuant to the City's CEQA Guidelines; and,

WHEREAS, the custodian of the record of proceedings for this project is the Community Development Director; and,

WHEREAS, copies of the Initial Study and Mitigated Negative Declaration have been made available for a 20-day review period to pertinent agencies and interested members of the public, commencing on September 12, 2012; and,

WHEREAS, on October 8, 2012, the Planning Commission conducted a public hearing recommending the City Council consider adoption of the Mitigated Negative Declaration; and,

WHEREAS, all written comment letters received within the 20-day public review period have been noted in the record and responded to by Staff; and,

WHEREAS, the Planning Commission has considered any comments received during the public review period, and they do not alter the conclusions in the Initial Study and Mitigated Negative Declaration; and,

WHEREAS, the Planning Commission completed the public hearing and adopted Resolution No. 12-12 on October 29, 2012 recommending the City Council adopt the Mitigated Negative Declaration and Mitigation Monitoring Report; and,

WHEREAS, the City Council has considered information presented by the applicant, the Community Development Department and other interested parties during its November 19, 2012 public hearing.

NOW, THEREFORE BE IT RESOLVED the City Council of the City of Los Alamitos finds as follows:

SECTION 1. The above recitals are true and correct and are incorporated by reference herein.

SECTION 2. The Mitigated Negative Declaration complies with all requirements of CEQA, the CEQA Guidelines and the Los Alamitos Local CEQA Guidelines and is sufficiently detailed to adequately evaluate all of the potential significant environmental effects of the Project.

SECTION 3. The City Council has independently reviewed and considered the contents of the Mitigated Negative Declaration and it reflects the City's independent judgment and analysis. Based on the analysis contained in the Initial Study and Mitigated Negative Declaration and the accompanying environmental information, the City Council finds as follows:

- A. There is no substantial evidence of potentially significant environmental impacts and the Mitigated Negative Declaration has been prepared.
- B. The project is consistent with the General Plan objectives, policies and programs.
- C. The project will not adversely affect the public health, safety and welfare.
- D. The project will not adversely affect the environment.
- E. The City has complied with the California Environmental Quality Act (CEQA).
- F. The City Council's adoption of the Mitigated Negative Declaration reflects the independent judgment of the City.

SECTION 4. Based on the entire record before the Planning Commission, and the City Council, including the written and oral record and the findings set forth in the Resolution, the City Council adopts the Mitigated Negative Declaration, the General Conditions of Exhibit "A," for the construction of 17 single-family residential condominiums, subject to the following **Mitigation Measures**:

- HAZ-1 Prior to issuance of demolition permits, a licensed California Certified Asbestos Consultant must survey existing structures for the presence of asbestos containing materials. If asbestos is found, an asbestos abatement contractor must first remove these items prior to demolition pursuant to state and South Coast Air Quality Management District requirements. The survey results shall be submitted to the Community Development Director for review and approval.
- HAZ-2 Prior to issuance of demolition permits, a licensed California Certified Lead-Based Paint inspector and Risk Assessor must survey the materials for lead content. This survey will determine the necessary precautions and disposal requirements to ensure that lead-based paints do not impact the health of construction workers or contaminate the environment. The survey results shall be submitted to the Community Development Director for review and approval.

SECTION 5. The City Clerk shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 19th day of November 2012.

Troy D. Edgar, Mayor

ATTEST:

Angie Avery
City Clerk

APPROVED AS TO FORM:

Sandra J. Levin
City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LOS ALAMITOS)

I, Angie Avery, City Clerk of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council held on the 19th day of November 2012, by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

Angie Avery, City Clerk

RESOLUTION 2012-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CA ADOPTING A GENERAL PLAN AMENDMENT (GPA 12-01) TO CHANGE THE LAND USE DESIGNATION FROM PLANNED INDUSTRIAL TO MULTIPLE RESIDENTIAL LAND USE DESIGNATION FOR THE CONSTRUCTION OF 17 SINGLE-FAMILY RESIDENTIAL CONDOMINIUMS (HEREAFTER "PROJECT") FOR A PROJECT LOCATED AT 3271 SAUSALITO STREET, APN 242-222-01 (HEREAFTER "SUBJECT PROPERTY"); (APPLICANT: THE OLSON COMPANY)

WHEREAS, General Plan Amendment 12-01 is necessary for the adoption of Zoning Code Amendment 12-01, Tentative Tract Map 12-01 (TTM 17482), Conditional Use Permit 12-02, and Site Plan Review 12-02; and,

WHEREAS, a verified application has been filed for the property designated as 242-222-01; and,

WHEREAS, the verified application constitutes an application as required by Chapter 17.40 (Applications, Processing, and Fees) of the Los Alamitos Municipal Code; and,

WHEREAS, the original General Plan of the City of Los Alamitos was adopted in 1999, under City Council Resolution No. 1726; and,

WHEREAS, the City General Plan was updated and approved under City Council Resolution No.1812 on March 26, 2001; and,

WHEREAS, the adopted General Plan, is a policy document intended to facilitate decision making relative to the physical development of the City and to reflect the existing conditions, requirements, and constraints of the City; and,

WHEREAS, Government Code §65358 allows the City, when it deems it to be in the public interest, to amend all or part of the General Plan, provided that no single mandatory Element may be amended more than four times during any calendar year, except that each amendment may include more than one change to the General Plan; and,

WHEREAS, General Plan Amendment GPA 12-01 which proposes to modify the land use designation applied to Assessor Parcel Number 242-222-01 from Planned Industrial to Multiple Family Residential has been submitted to the Planning Commission; and,

WHEREAS, the Planning Commission at their October 8, 2012, adopted Resolution No. 10-18; and,

WHEREAS, the Planning Commission completed the public hearing and adopted Resolution No. 12-12 recommending to the City Council adoption of General Plan Amendment (GPA 12-01) to change the Land Use Designation; and,

WHEREAS, the City Council has considered information presented by the applicant, the Community Development Department, and other interested parties at public meetings and hearings held by the Planning Commission, on October 8, 2012; and,

WHEREAS, after consideration of all applicable staff reports and all information testimony, and evidence presented at the public hearing, the City Council does hereby make the following findings of fact for the proposed General Plan Amendment as required by Los Alamitos Municipal Code Section 17.70.050:

A. The proposed amendments ensure and maintain internal consistency with the actions, goals, objectives, and policies of the General Plan, described as follows:

Applicable <i>General Plan</i> Implementing Goals and Policies	Consistency of Proposed Project
LAND USE ELEMENT	
Goal 1: Preserve and promote land uses which reflect Los Alamitos' small-town character with due regard for economic development and future growth potential.	<u>Consistent.</u> All of the proposed single-family, detached residential units are two stories in height and will be developed at a residential density of 11 dwelling units per acre. The proposed development would be located within a developed site in an urbanized area, and compatible with the surrounding land uses. These features are consistent with promoting a small-town character in Los Alamitos.
Goal 2: Preserve and enhance the quality of the City's residential neighborhoods.	<u>Consistent.</u> The proposed project will preserve and enhance the City's residential neighborhoods by developing quality residential units with distinctive architecture styles and adding substantial landscaping along the Sausalito Street frontage. This frontage includes a large setback area that will be planted with trees and riparian landscaping.
Policy 1-1.1: Employ accepted planning and engineering standards and practices as the basis for determining the compatibility of new land uses with existing uses.	<u>Consistent.</u> The proposed project would be located on a developed site in an urbanized area, compatible with the existing surrounding land use patterns.
Policy 1-1.2: Adopt feasible mitigation measures throughout the land use decision-making process to reduce impacts of new or expanded uses on existing residential neighborhoods.	<u>Consistent.</u> The proposed project would not adversely impact existing residential, institution, and public uses, and would be consistent with such existing development. A Mitigated Negative Declaration has been prepared and identifies mitigation measures to reduce project impacts related to the release of hazardous materials on the environment during demolition.
Policy 1-1.3: Maintain consistency among General Plan Policies and Programs, the Zoning Ordinance, and related development regulations.	<u>Consistent.</u> The proposed project includes the development of 17 single-family residential condominium units. Approval of the project would be preceded by a General Plan and Zoning amendments that would change the existing designation from Planned Industrial to Multiple Family Residential and Planned Light Industrial (P-M) to Multiple Family (R-3), respectively. The project is consistent with the R-3 zoning district development regulations and standards.
Policy 1-1.4: Permit new residential construction only in areas where such development will not adversely impact conforming commercial and industrial uses.	<u>Consistent.</u> The proposed project is adjacent to property that is designated for industrial uses. Currently there is a conforming church use on that property. The proposed project is not anticipated to adversely impact the church use.

Applicable <i>General Plan</i> Implementing Goals and Policies	Consistency of Proposed Project
Policy 1-3.1: Apply appropriate and consistent standards in land use and site plan approvals to achieve continuity and cohesion in the physical development of the City.	<u>Consistent.</u> The proposed project conditions of approval are being applied to the project to achieve continuity and cohesion of the physical development of the neighborhood. The project site and its surroundings are primarily urbanized and contain a mix of land uses with structures of various age, conditions, and building heights. The proposed project would be visually consistent with adjoining mobile home park to the west and the multi-family development to the south, and consist of similar mass, heights, and landscaping to all surrounding developments.
Policy 1-4.1: Consider the fiscal impacts to the City as an integral part of land use decision-making.	<u>Consistent.</u> The proposed project includes the development of 17 single-family residential condominium units. New residential development will provide additional revenue to the City through an increase in property taxes. However increased demands on public services may require additional City expenditures. The property is developed as an industrial property, but is currently vacant.
Policy 1-4.2: Base land use decisions on reasoned analysis incorporating technical standards for review included in the respective Elements of the General Plan.	<u>Consistent.</u> The General Plan and Zoning Code Amendment changes were based on reasoned analysis based on the existing environmental conditions, surrounding land uses, impacts to the environment, and impacts to the overall neighborhood.
Policy 1-4.3: Consider General Plan Policies and Programs in making land use decisions.	<u>Consistent.</u> All of the General Plan goals, policies, and implementation programs were compared to the proposed project and were considered when reviewing the project for consistency.
CONSERVATION ELEMENT	
Goal One: Protect Los Alamitos' ground water resources from depletion and pollution.	<u>Consistent.</u> The project applicant has submitted a Water Quality Management Plan that identifies long-term best management practices to reduce urban runoff and water pollution. The project will also include a water retention feature in the front setback area of the project to retain and filter water, which can contribute to the existing groundwater basin. The project will be required to submit a Stormwater Pollution Prevention Plan that identifies best management practices in reducing water pollution during construction.
Goal Two: Improve air quality.	<u>Consistent.</u> The proposed project would not exceed the growth projections used as the basis for the South Coast Air Quality Management District's most recent Air Quality Management Plan.
Goal Three: Reduce Los Alamitos' solid waste stream.	<u>Consistent.</u> The proposed project will be required to meet the standards in Chapter 8.12 (Integrated Waste Management) and Chapter 8.13 (Construction and Demolition Waste) of the Los Alamitos Municipal Code to reduce the amount of waste generated by the proposed project.
Goal Five: Encourage the conservation of energy.	<u>Consistent.</u> The proposed project will be required to meet the 2010 California Energy Code (Title 24, Part 6), which includes efficiency standards for reducing energy use.
Goal Six: Preserve and enhance the quality of the City's landscaped environment.	<u>Consistent.</u> The proposed project includes substantial landscaping throughout the entire project and along the Sausalito Street frontage. This frontage includes a 20-foot setback area that will be planted with various trees and riparian landscaping.
Policy 2-1.1: Encourage the use of drought tolerant landscapes in new developments and encourage the replacement of existing water consumptive landscapes.	<u>Consistent.</u> The proposed project will include drought tolerant landscaping to reduce water consumption during irrigation.
Policy 2-1.3: Comply with the policies and programs contained in the City's Water Conservation Ordinance.	<u>Consistent.</u> The project meets the standards in Chapter 13.04 (Water Conservation) and Chapter 13.05 (Water Efficient Landscaping) of the Los Alamitos Municipal Code to reduce water use.

Applicable <i>General Plan</i> Implementing Goals and Policies	Consistency of Proposed Project
Policy 2-2.3: Provide safe and efficient facilities for pedestrians and bicyclists, integrating these with the County-wide system.	<u>Consistent.</u> The proposed project would maintain existing pedestrian access via new sidewalks along Sausalito Street and Oak Street. The project will not interfere with existing bicycle facilities in Los Alamitos.
Policy 2-3.1: Encourage recycling and waste reduction in accordance with the Source Reduction and Recycling Nondisposal Facility, and Household Hazardous Waste Elements of the adopted Integrated Waste Management Plan.	<u>Consistent.</u> The proposed project will be required to meet the standards in Chapter 8.12 (Integrated Waste Management) and Chapter 8.13 (Construction and Demolition Waste) of the Los Alamitos Municipal Code to reduce the amount of waste generated by the proposed project.
Policy 2-5.1: Promote State energy conservation guidelines, which require the incorporation of energy-savings designs and features into new and refurbished buildings.	<u>Consistent.</u> The proposed project will be required to meet the 2010 California Energy Code (Title 24, Part 6), which includes efficiency standards for reducing energy use.
Policy 2-5.2: Encourage residents, businesses, and public employees to follow energy conservation practices designed to reduce energy consumption.	<u>Consistent.</u> The proposed project will be required to meet the 2010 California Energy Code (Title 24, Part 6), which includes efficiency standards for reducing energy use.
Policy 2-6.2: Encourage property owners to both maintain and promote landscaping on developed sites.	<u>Consistent.</u> The proposed project includes the development of 17 detached single-family residential units under a condominium ownership. Under the proposed homeowners' association, the project will be required to include conditions, covenants, and restrictions that will provide standards and requirements for general and landscaping maintenance.
Policy 2-6.3: Encourage developers to incorporate mature and specimen trees and other significant vegetation, which may exist on a site into the design of a development project for that site.	<u>Consistent.</u> The proposed project includes the development of 17 single-family residential condominium units and will include both mature and specimen trees along the 20-foot front setback area. The area will also include substantial landscaping including riparian landscaping elements. Trees will also be planted along the proposed driveways.
SAFETY ELEMENT	
Goal One: Protect residents and property from natural disasters, fire, and crime.	<u>Consistent.</u> The proposed project would incorporate all recommendations and requirements of the City Police Department and Orange County Fire Authority (OCFA). The proposed project would adhere to all applicable recommendations related to seismic safety as well as comply with all applicable building code requirements. Additionally, the project's main driveway meets the minimum standard for appropriate access of emergency vehicles as required by the OCFA.
Policy 3-1.1: Take all necessary steps to be prepared for a major disaster.	<u>Consistent.</u> The proposed project would incorporate all recommendations and requirements of the City Police Department and Orange County Fire Authority (OCFA). The proposed project would adhere to all applicable recommendations related to seismic safety as well as comply with all applicable building code requirements. Additionally, the project's main driveway meets the minimum standard for appropriate access of emergency vehicles as required by the OCFA.

Applicable <i>General Plan</i> Implementing Goals and Policies	Consistency of Proposed Project
Policy 3-2.1: Take all necessary steps to be prepared for a major earthquake.	<u>Consistent.</u> The project site is located in tectonically active Southern California. However, the project site is not located on an Alquist-Priolo Earthquake Fault Zoning Map. The proposed project would meet or exceed all applicable seismic safety design standards, subject to review and approval by the City of Los Alamitos Building and Safety Division. The proposed project would adhere to all applicable recommendations related to seismic safety as well as comply with all applicable building code requirements.
Policy 3-3.1: Take appropriate steps to protect new and existing development from flooding.	<u>Consistent.</u> The proposed project is not located within a designated 100-year flood hazard area; therefore, the project would not place structures in a 100-year flood hazard area.
OPEN SPACE AND RECREATION ELEMENT	
Goal One: Develop and maintain an accessible and quality system of public parks and recreation system.	<u>Consistent.</u> The proposed project includes its own open space area for use of the residents, however other existing recreation facilities would still be utilized by the proposed project's residents. The City's Quimby Act Fee Ordinance requirement for directly providing parkland is only applicable to projects with 50 units or more. However, per the ordinance, the City is requiring that the project pay an in-lieu fee to address any incremental impacts to the City's park facilities.
Policy 4-1.4: Continue to collect parkland fees from residential land developers to fund upgrades to existing parks and to purchase new parks in the City.	<u>Consistent.</u> The proposed project includes its own open space area for use of the residents, however other existing recreation facilities would still be utilized by the proposed project's residents. The City's Quimby Act Fee Ordinance requirement for directly providing parkland is only applicable to projects with 50 units or more. However, per the ordinance, the City is requiring that the project pay an in-lieu fee to address any incremental impacts to the City's park facilities.
CIRCULATION AND TRANSPORTATION	
Goal One: Provide an efficient network of streets, bikeways, and pedestrian areas which promote the safe and efficient movement of people and goods.	<u>Consistent.</u> The proposed project would maintain existing pedestrian access via new sidewalks along Sausalito Street and Oak Street. The project will not interfere with existing bicycle facilities in Los Alamitos. It will also not interfere with the movement of people and goods.
Goal Three: Maintain safe and adequate infrastructure services.	<u>Consistent.</u> The project shall maintain safe and adequate infrastructure services for domestic water service, sanitary sewer service, and storm drain service.
Policy 5-1.1: Maintain a Level of Service "D" or better on all City arterials and at intersections.	<u>Consistent.</u> The project is anticipated to generate 163 average daily trips (ADT) from the 17 dwelling units, with approximately 13 trips in the AM peak hour and 17 trips in the PM peak hour. As is indicated in the Initial Study and Mitigated Negative Declaration, the project would not degrade LOS (level of service) at any surrounding intersection.
Policy 5-2.1: Protect and preserve residential neighborhoods from the intrusion of cut-through traffic.	<u>Consistent.</u> The proposed project would not create cut-through traffic.
Policy 5-4.1: Encourage walking and bicycling as attractive alternatives to vehicular transportation.	<u>Consistent.</u> The proposed project would maintain existing pedestrian access via new sidewalks along Sausalito Street and Oak Street.

Applicable <i>General Plan</i> Implementing Goals and Policies	Consistency of Proposed Project
<p>Policy 5-7.1: Work with the Rossmoor-Los Alamitos Sewer District so that residents and businesses have adequate and efficient sewage waste disposal services.</p>	<p><u>Consistent.</u> Sanitary sewer service is currently provided to the project site by the Rossmoor/Los Alamitos Area Sewer District. Sewer treatment is provided by the Orange County Sanitation District treatment plant in Huntington Beach. Proposed new structures would connect with existing sewer lines via lateral connections to individual residential buildings. The proposed residential units will discharge common wastewater from lavatory and kitchen activities. Such discharges will not require upgrades or new technology to be installed at the wastewater treatment facility to ensure continued compliance with wastewater discharge requirements. The proposed project would incorporate all recommendations and requirements of the Rossmoor/Los Alamitos Area Sewer District.</p>
<p>Policy 5-7.2: Work with the Southern California Water Company so that residents and businesses have quality drinking water and adequate water supply for fire protection and landscaping needs.</p>	<p><u>Consistent.</u> The Golden State Water Company, which serves the project site, projects adequate water supplies for the project based upon current water supply and projected growth rates, estimated between 2010 and 2035. No additional improvements to water lines or other facilities are required to serve the project. Any incremental impacts on existing facilities would be offset by the payment of standard connection fees. The proposed project would incorporate all recommendations and requirements of the Golden State Water Company and Orange County Fire Authority.</p>
<p>Policy 5-7.3: Work with the Los Angeles Flood Control District and Orange County Environmental Management Agency so that residents and businesses are adequately protected from flooding.</p>	<p><u>Consistent.</u> The proposed project is not located within a designated 100-year flood hazard area; therefore, the project would not place structures in a 100-year flood hazard area.</p>
<p>Policy 5.7-4: Work with safety agencies, such as the Orange County Fire Authority and the AFRC Fire Department, so that residents and businesses are adequately protected from fires and other natural disasters.</p>	<p><u>Consistent.</u> The proposed project would incorporate all recommendations and requirements of the Orange County Fire Authority (OCFA). The project's main driveway meets the minimum standard for appropriate access of emergency vehicles as required by the OCFA.</p>
<p>NOISE ELEMENT</p>	
<p>Goal One: Protect noise sensitive land uses, including residences, schools, hospitals, libraries, churches and convalescent homes from high noise levels from both existing and future noise sources.</p>	<p><u>Consistent.</u> The proposed residential project may increase ambient noise levels due to increased traffic generation in the project vicinity. The project is adjacent to a mobile home park, church, and multi-family residential uses. The project is anticipated to generate approximately 163 daily trips. Traffic generation from the proposed project is minimal and will not double traffic on any surrounding roadways and, therefore, will not result in perceptible increase in traffic-related noise levels. Furthermore, the proposed project will reduce the amount of medium- and heavy-duty truck traffic when compared the existing on-site industrial use. This will substantially reduce traffic-related noise because trucks are noisier than passenger vehicles.</p>
<p>Policy 6-1.1: Noise mitigation measures for future development should comply with the standards included in the City of Los Alamitos Noise Element.</p>	<p><u>Consistent.</u> The impacts of project-related noise have been evaluated as part of the environmental review process for the proposed project and shall comply with the <i>General Plan</i> Noise Element and <i>Municipal Code</i> Section 17.24.020(d) requirements. The proposed project is not expected to create any significant environmental impacts related to noise. Therefore no mitigation measures were included to the project. Temporary construction-related noise impacts will be less than significant with implementation of existing regulations.</p>

Applicable <i>General Plan</i> Implementing Goals and Policies	Consistency of Proposed Project
Policy 6-2.1: Potential noise impacts due to stationary sources should be mitigated in the planning stage.	<u>Consistent</u> . The impacts of project-related noise have been evaluated as part of the environmental review process for the proposed project and shall comply with the <i>General Plan</i> Noise Element and <i>Municipal Code</i> Section 17.24.020(d) requirements. The proposed project is not expected to create any significant environmental impacts related to noise. Therefore no mitigation measures were included to the project. Temporary construction-related noise impacts will be less than significant with implementation of existing regulations.
HOUSING ELEMENT	
Goal One: Adequate Housing Supply	<u>Consistent</u> . The proposed project includes the development of 17 single-family residential units under a condominium ownership. The project will increase the housing supply in the City of Los Alamitos.
Policy 4.2: Adequate Sites for Housing	<u>Consistent</u> . The proposed project includes the development of 17 single-family residential units under a condominium ownership. The project will increase the housing supply in the City of Los Alamitos.

B. That the proposed General Plan Amendment will not adversely affect the public convenience, health, interest, safety, or welfare of the City as the project will be subject to mitigation measures that will impose project requirements relating to the potential release of hazardous materials into the environment, which will sufficiently ensure that demolition of existing structures will not be detrimental to the public or general welfare of persons residing or working in the vicinity of the project. The Project will be operated in a manner that will not be detrimental to the public health, safety, and welfare.

C. The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and the city's environmental review procedures. In compliance with the California Environmental Quality Act, Section 15063 of the California Environmental Quality Act guidelines, and local guidelines, an Initial Study and Mitigated Negative Declaration has been prepared for this project with the purpose of identifying the Project's significant effects on the environment.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS DOES RESOLVE AS FOLLOWS:

SECTION 1. The City Council of the City of Los Alamitos, California finds that the above recitals are true and correct and are incorporated by reference herein.

SECTION 2. The City Council hereby approves General Plan Amendment 12-01 to change the Los Alamitos General Plan land use designation from Planned Industrial to Multiple Family Residential Land Use Designation subject to General Conditions of the attached hereto as Exhibit "A" and incorporated by reference as if fully set out herein.

SECTION 3. The City Council hereby approves the General Plan Land Use Map be revised to reflect the change in land use designations in accordance with General Plan Amendment 12-01.

SECTION 4. The City Clerk shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 19th day of November 2012.

Troy D. Edgar, Mayor

ATTEST:

Angie Avery, City Clerk

APPROVED AS TO FORM:

Sandra J. Levin, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LOS ALAMITOS)

I, Angie Avery, City Clerk of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council held on the 19th day of November 2012, by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

Angie Avery, City Clerk

ORDINANCE 12-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS ADOPTING ZONING ORDINANCE AMENDMENT 12-01 TO CHANGE ZONING DESIGNATIONS FROM PLANNED LIGHT INDUSTRIAL (P-M), TO MULTIPLE FAMILY RESIDENTIAL (R-3) FOR THE CONSTRUCTION OF 17 SINGLE-FAMILY RESIDENTIAL CONDOMINIUMS (HEREAFTER "PROJECT") FOR A PROJECT LOCATED AT 3271 SAUSALITO STREET, APN 242-222-01 (HEREAFTER "SUBJECT PROPERTY"); (APPLICANT: THE OLSON COMPANY)

WHEREAS, the applicant has filed an application for a General Plan Amendment (GPA 12-01) to change the Land Use Designation from Planned Industrial to Multiple Family Residential Land Use Designation and Zoning Ordinance Amendment to change Zoning Districts from Planned Light Industrial (P-M) to Multiple Family Residential (R-3), Tentative Tract Map 12-01 (TTM 17482), Conditional Use Permit (CUP 12-02), and Site Plan Review (SPR 12-02) for the construction of 17 single-family residential condominiums located at 3271 Sausalito Street; and,

WHEREAS the proposed change of zone is necessary for the adoption of Tentative Tract Map 12-01 (TTM 17482), Conditional Use Permit 12-02, and Site Plan Review 12-02; and,

WHEREAS, a verified application has been filed for the change of zone for the property designated as APN 242-222-01; and,

WHEREAS, the application proposes to change the zone for parcel 242-222-01 from Planned Light Industrial (P-M) to Multiple Family Residential (R-3); and,

WHEREAS, the verified application constitutes an application as required by Chapter 17.40 (Applications, Processing, and Fees) of the Los Alamitos Municipal Code; and,

WHEREAS, a duly noticed public hearing as prescribed by law was held by the City Council on November 19, 2012, and based upon the evidence presented, the City Council makes the following findings of fact for Zone Ordinance Amendment 12-01 as required by Los Alamitos Municipal Code Section 17.70.050:

A. The proposed amendments ensure and maintain internal consistency with the actions, goals, objectives, and policies of the General Plan, and would not create any inconsistencies with the Zoning Code as described, follows:

Applicable General Plan Implementing Goals and Policies	Consistency of Proposed Project
LAND USE ELEMENT	
Goal 1: Preserve and promote land uses which reflect Los Alamitos' small-town character with due regard for economic development and future growth potential.	<u>Consistent.</u> All of the proposed single-family, detached residential units are two stories in height and will be developed at a residential density of 11 dwelling units per acre. The proposed development would be located within a developed site in an urbanized area, and compatible with the surrounding land uses. These features are consistent with promoting a small-town character in Los Alamitos.
Goal 2: Preserve and enhance the quality of the City's residential neighborhoods.	<u>Consistent.</u> The proposed project will preserve and enhance the City's residential neighborhoods by developing quality residential units with distinctive architecture styles and adding substantial landscaping along the Sausalito Street frontage. This frontage includes a large setback area that will be planted with trees and riparian landscaping.
Policy 1-1.1: Employ accepted planning and engineering standards and practices as the basis for determining the compatibility of new land uses with existing uses.	<u>Consistent.</u> The proposed project would be located on a developed site in an urbanized area, compatible with the existing surrounding land use patterns.
Policy 1-1.2: Adopt feasible mitigation measures throughout the land use decision-making process to reduce impacts of new or expanded uses on existing residential neighborhoods.	<u>Consistent.</u> The proposed project would not adversely impact existing residential, institution, and public uses, and would be consistent with such existing development. A Mitigated Negative Declaration has been prepared and identifies mitigation measures to reduce project impacts related to the release of hazardous materials on the environment during demolition.
Policy 1-1.3: Maintain consistency among General Plan Policies and Programs, the Zoning Ordinance, and related development regulations.	<u>Consistent.</u> The proposed project includes the development of 17 single-family residential units. Approval of the project would be preceded by a General Plan and Zoning amendments that would change the existing designation from Planned Industrial to Multiple Family Residential and Planned Light Industrial (P-M) to Multiple Family (R-3), respectively. The project is consistent with the R-3 zoning district development regulations and standards.
Policy 1-1.4: Permit new residential construction only in areas where such development will not adversely impact conforming commercial and industrial uses.	<u>Consistent.</u> The proposed project is adjacent to property that is designated for industrial uses. Currently there is a conforming church use on that property. The proposed project is not anticipated to adversely impact the church use.
Policy 1-3.1: Apply appropriate and consistent standards in land use and site plan approvals to achieve continuity and cohesion in the physical development of the City.	<u>Consistent.</u> The proposed project conditions of approval are being applied to the project to achieve continuity and cohesion of the physical development of the neighborhood. The project site and its surroundings are primarily urbanized and contain a mix of land uses with structures of various age, conditions, and building heights. The proposed project would be visually consistent with adjoining mobile home park to the west and the multi-family development to the south, and consist of similar mass, heights, and landscaping to all surrounding developments.
Policy 1-4.1: Consider the fiscal impacts to the City as an integral part of land use decision-making.	<u>Consistent.</u> The proposed project includes the development of 17 single-family residential condominium units. New residential development will provide additional revenue to the City through an increase in property taxes. However increased demands on public services may require additional City expenditures. The property is developed as an industrial property, but is currently vacant.
Policy 1.4-2: Base land use decisions on reasoned analysis incorporating technical standards for review included in the respective Elements of the General Plan.	<u>Consistent.</u> The General Plan and Zoning Code Amendment changes were based on reasoned analysis based on the existing environmental conditions, surrounding land uses, impacts to the environment, and impacts to the overall neighborhood.

Applicable <i>General Plan</i> Implementing Goals and Policies	Consistency of Proposed Project
Policy 1-4.3: Consider General Plan Policies and Programs in making land use decisions.	<u>Consistent.</u> All of the General Plan goals, policies, and implementation programs were compared to the proposed project and were considered when reviewing the project for consistency.
CONSERVATION ELEMENT	
Goal One: Protect Los Alamitos' ground water resources from depletion and pollution.	<u>Consistent.</u> The project applicant has submitted a Water Quality Management Plan that identifies long-term best management practices to reduce urban runoff and water pollution. The project will also include a water retention feature in the front setback area of the project to retain and filter water, which can contribute to the existing groundwater basin. The project will be required to submit a Stormwater Pollution Prevention Plan that identifies best management practices in reducing water pollution during construction.
Goal Two: Improve air quality.	<u>Consistent.</u> The proposed project would not exceed the growth projections used as the basis for the South Coast Air Quality Management District's most recent Air Quality Management Plan.
Goal Three: Reduce Los Alamitos' solid waste stream.	<u>Consistent.</u> The proposed project will be required to meet the standards in Chapter 8.12 (Integrated Waste Management) and Chapter 8.13 (Construction and Demolition Waste) of the Los Alamitos Municipal Code to reduce the amount of waste generated by the proposed project.
Goal Five: Encourage the conservation of energy.	<u>Consistent.</u> The proposed project will be required to meet the 2010 California Energy Code (Title 24, Part 6), which includes efficiency standards for reducing energy use.
Goal Six: Preserve and enhance the quality of the City's landscaped environment.	<u>Consistent.</u> The proposed project includes substantial landscaping throughout the entire project and along the Sausalito Street frontage. This frontage includes a 20-foot setback area that will be planted with various trees and riparian landscaping.
Policy 2-1.1: Encourage the use of drought tolerant landscapes in new developments and encourage the replacement of existing water consumptive landscapes.	<u>Consistent.</u> The proposed project will include drought tolerant landscaping to reduce water consumption during irrigation.
Policy 2-1.3: Comply with the policies and programs contained in the City's Water Conservation Ordinance.	<u>Consistent.</u> The project meets the standards in Chapter 13.04 (Water Conservation) and Chapter 13.05 (Water Efficient Landscaping) of the Los Alamitos Municipal Code to reduce water use.
Policy 2-2.3: Provide safe and efficient facilities for pedestrians and bicyclists, integrating these with the County-wide system.	<u>Consistent.</u> The proposed project would maintain existing pedestrian access via new sidewalks along Sausalito Street and Oak Street. The project will not interfere with existing bicycle facilities in Los Alamitos.
Policy 2-3.1: Encourage recycling and waste reduction in accordance with the Source Reduction and Recycling Nondisposal Facility, and Household Hazardous Waste Elements of the adopted Integrated Waste Management Plan.	<u>Consistent.</u> The proposed project will be required to meet the standards in Chapter 8.12 (Integrated Waste Management) and Chapter 8.13 (Construction and Demolition Waste) of the Los Alamitos Municipal Code to reduce the amount of waste generated by the proposed project.
Policy 2-5.1: Promote State energy conservation guidelines, which require the incorporation of energy-savings designs and features into new and refurbished buildings.	<u>Consistent.</u> The proposed project will be required to meet the 2010 California Energy Code (Title 24, Part 6), which includes efficiency standards for reducing energy use.
Policy 2-5.2: Encourage residents, businesses, and public employees to follow energy conservation practices designed to reduce energy consumption.	<u>Consistent.</u> The proposed project will be required to meet the 2010 California Energy Code (Title 24, Part 6), which includes efficiency standards for reducing energy use.

Applicable <i>General Plan</i> Implementing Goals and Policies	Consistency of Proposed Project
Policy 2-6.2: Encourage property owners to both maintain and promote landscaping on developed sites.	<u>Consistent.</u> The proposed project includes the development of 17 detached single-family residential units under a condominium ownership. Under the proposed homeowners' association, the project will be required to include conditions, covenants, and restrictions that will provide standards and requirements for general and landscaping maintenance.
Policy 2-6.3: Encourage developers to incorporate mature and specimen trees and other significant vegetation, which may exist on a site into the design of a development project for that site.	<u>Consistent.</u> The proposed project includes the development of 17 single-family residential condominium units and will include both mature and specimen trees along the 20-foot front setback area. The area will also include substantial landscaping including riparian landscaping elements. Trees will also be planted along the proposed driveways.
SAFETY ELEMENT	
Goal One: Protect residents and property from natural disasters, fire, and crime.	<u>Consistent.</u> The proposed project would incorporate all recommendations and requirements of the City Police Department and Orange County Fire Authority (OCFA). The proposed project would adhere to all applicable recommendations related to seismic safety as well as comply with all applicable building code requirements. Additionally, the project's main driveway meets the minimum standard for appropriate access of emergency vehicles as required by the OCFA.
Policy 3-1.1: Take all necessary steps to be prepared for a major disaster.	<u>Consistent.</u> The proposed project would incorporate all recommendations and requirements of the City Police Department and Orange County Fire Authority (OCFA). The proposed project would adhere to all applicable recommendations related to seismic safety as well as comply with all applicable building code requirements. Additionally, the project's main driveway meets the minimum standard for appropriate access of emergency vehicles as required by the OCFA.
Policy 3-2.1: Take all necessary steps to be prepared for a major earthquake.	<u>Consistent.</u> The project site is located in tectonically active Southern California. However, the project site is not located on an Alquist-Priolo Earthquake Fault Zoning Map. The proposed project would meet or exceed all applicable seismic safety design standards, subject to review and approval by the City of Los Alamitos Building and Safety Division. The proposed project would adhere to all applicable recommendations related to seismic safety as well as comply with all applicable building code requirements.
Policy 3-3.1: Take appropriate steps to protect new and existing development from flooding.	<u>Consistent.</u> The proposed project is not located within a designated 100-year flood hazard area; therefore, the project would not place structures in a 100-year flood hazard area.
OPEN SPACE AND RECREATION ELEMENT	
Goal One: Develop and maintain an accessible and quality system of public parks and recreation system.	<u>Consistent.</u> The proposed project includes its own open space area for use of the residents, however other existing recreation facilities would still be utilized by the proposed project's residents. The City's Quimby Act Fee Ordinance requirement for directly providing parkland is only applicable to projects with 50 units or more. However, per the ordinance, the City is requiring that the project pay an in-lieu fee to address any incremental impacts to the City's park facilities.

Applicable General Plan Implementing Goals and Policies	Consistency of Proposed Project
<p>Policy 4-1.4: Continue to collect parkland fees from residential land developers to fund upgrades to existing parks and to purchase new parks in the City.</p>	<p><u>Consistent.</u> The proposed project includes its own open space area for use of the residents, however other existing recreation facilities would still be utilized by the proposed project's residents. The City's Quimby Act Fee Ordinance requirement for directly providing parkland is only applicable to projects with 50 units or more. However, per the ordinance, the City is requiring that the project pay an in-lieu fee to address any incremental impacts to the City's park facilities.</p>
<p>CIRCULATION AND TRANSPORTATION</p>	
<p>Goal One: Provide an efficient network of streets, bikeways, and pedestrian areas which promote the safe and efficient movement of people and goods.</p>	<p><u>Consistent.</u> The proposed project would maintain existing pedestrian access via new sidewalks along Sausalito Street and Oak Street. The project will not interfere with existing bicycle facilities in Los Alamitos. It will also not interfere with the movement of people and goods.</p>
<p>Goal Three: Maintain safe and adequate infrastructure services.</p>	<p><u>Consistent.</u> The project shall maintain safe and adequate infrastructure services for domestic water service, sanitary sewer service, and storm drain service.</p>
<p>Policy 5-1.1: Maintain a Level of Service "D" or better on all City arterials and at intersections.</p>	<p><u>Consistent.</u> The project is anticipated to generate 163 average daily trips (ADT) from the 17 dwelling units, with approximately 13 trips in the AM peak hour and 17 trips in the PM peak hour. As is indicated in the Initial Study and Mitigated Negative Declaration, the project would not degrade LOS (level of service) at any surrounding intersection.</p>
<p>Policy 5-2.1: Protect and preserve residential neighborhoods from the intrusion of cut-through traffic.</p>	<p><u>Consistent.</u> The proposed project would not create cut-through traffic.</p>
<p>Policy 5-4.1: Encourage walking and bicycling as attractive alternatives to vehicular transportation.</p>	<p><u>Consistent.</u> The proposed project would maintain existing pedestrian access via new sidewalks along Sausalito Street and Oak Street.</p>
<p>Policy 5-7.1: Work with the Rossmoor-Los Alamitos Sewer District so that residents and businesses have adequate and efficient sewage waste disposal services.</p>	<p><u>Consistent.</u> Sanitary sewer service is currently provided to the project site by the Rossmoor/Los Alamitos Area Sewer District. Sewer treatment is provided by the Orange County Sanitation District treatment plant in Huntington Beach. Proposed new structures would connect with existing sewer lines via lateral connections to individual residential buildings. The proposed residential units will discharge common wastewater from lavatory and kitchen activities. Such discharges will not require upgrades or new technology to be installed at the wastewater treatment facility to ensure continued compliance with wastewater discharge requirements. The proposed project would incorporate all recommendations and requirements of the Rossmoor/Los Alamitos Area Sewer District.</p>
<p>Policy 5-7.2: Work with the Southern California Water Company so that residents and businesses have quality drinking water and adequate water supply for fire protection and landscaping needs.</p>	<p><u>Consistent.</u> The Golden State Water Company, which serves the project site, projects adequate water supplies for the project based upon current water supply and projected growth rates, estimated between 2010 and 2035. No additional improvements to water lines or other facilities are required to serve the project. Any incremental impacts on existing facilities would be offset by the payment of standard connection fees. The proposed project would incorporate all recommendations and requirements of the Golden State Water Company and Orange County Fire Authority.</p>
<p>Policy 5-7.3: Work with the Los Angeles Flood Control District and Orange County Environmental Management Agency so that residents and businesses are adequately protected from flooding.</p>	<p><u>Consistent.</u> The proposed project is not located within a designated 100-year flood hazard area; therefore, the project would not place structures in a 100-year flood hazard area.</p>
<p>Policy 5.7-4: Work with safety agencies, such as the Orange County Fire Authority and the AFRC Fire Department, so that residents and businesses are adequately protected from fires and other natural disasters.</p>	<p><u>Consistent.</u> The proposed project would incorporate all recommendations and requirements of the Orange County Fire Authority (OCFA). The project's main driveway meets the minimum standard for appropriate access of emergency vehicles as required by the OCFA.</p>

Applicable <i>General Plan</i> Implementing Goals and Policies	Consistency of Proposed Project
NOISE ELEMENT	
Goal One: Protect noise sensitive land uses, including residences, schools, hospitals, libraries, churches and convalescent homes from high noise levels from both existing and future noise sources.	<u>Consistent.</u> The proposed residential project may increase ambient noise levels due to increased traffic generation in the project vicinity. The project is adjacent to a mobile home park, church, and multi-family residential uses. The project is anticipated to generate approximately 163 daily trips. Traffic generation from the proposed project is minimal and will not double traffic on any surrounding roadways and, therefore, will not result in perceptible increase in traffic-related noise levels. Furthermore, the proposed project will reduce the amount of medium- and heavy-duty truck traffic when compared the existing on-site industrial use. This will substantially reduce traffic-related noise because trucks are noisier than passenger vehicles.
Policy 6-1.1: Noise mitigation measures for future development should comply with the standards included in the City of Los Alamitos Noise Element.	<u>Consistent.</u> The impacts of project-related noise have been evaluated as part of the environmental review process for the proposed project and shall comply with the <i>General Plan</i> Noise Element and <i>Municipal Code</i> Section 17.24.020(d) requirements. The proposed project is not expected to create any significant environmental impacts related to noise. Therefore no mitigation measures were included to the project. Temporary construction-related noise impacts will be less than significant with implementation of existing regulations.
Policy 6-2.1: Potential noise impacts due to stationary sources should be mitigated in the planning stage.	<u>Consistent.</u> The impacts of project-related noise have been evaluated as part of the environmental review process for the proposed project and shall comply with the <i>General Plan</i> Noise Element and <i>Municipal Code</i> Section 17.24.020(d) requirements. The proposed project is not expected to create any significant environmental impacts related to noise. Therefore no mitigation measures were included to the project. Temporary construction-related noise impacts will be less than significant with implementation of existing regulations.
HOUSING ELEMENT	
Goal One: Adequate Housing Supply	<u>Consistent.</u> The proposed project includes the development of 17 single-family residential units under a condominium ownership. The project will increase the housing supply in the City of Los Alamitos.
Policy 4.2: Adequate Sites for Housing	<u>Consistent.</u> The proposed project includes the development of 17 single-family residential units under a condominium ownership. The project will increase the housing supply in the City of Los Alamitos.

B. That the proposed General Plan Amendment will not adversely affect the public convenience, health, interest, safety, or welfare of the City as the project will be subject to mitigation measures that will impose project requirements relating to the potential release of hazardous materials into the environment, which will sufficiently ensure that demolition of existing structures will not be detrimental to the public or general welfare of persons residing or working in the vicinity of the project. The Project will be operated in a manner that will not be detrimental to the public health, safety, and welfare.

C. The proposed project has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA) and the city's environmental review procedures. In compliance with the California Environmental Quality Act, Section 15063 of the California Environmental Quality Act guidelines, and local guidelines, an Initial Study and Mitigated Negative

Declaration has been prepared for this project with the purpose of identifying the Project's significant effects on the environment.

D. The 1.53 acres of property are physically suitable (including access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designation and anticipated land use development. The proposed development would be located within an established site in an urbanized area, consistent with the existing on-site and surrounding established land use patterns. No expansion beyond the existing property boundaries would occur with the proposed project. The development review process would ensure that the proposed project would be consistent with the applicable zoning standards and other standards set forth by Zoning Code.

THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council of the City of Los Alamitos, California finds that the above recitals are true and correct and are incorporated by reference herein.

SECTION 2. The City Council hereby adopts Ordinance No. 12-06 approving Zoning Ordinance Amendment 12-01 which changes the zoning designation for parcel 242-222-01 from Planned Light Industrial (P-M) to Multiple Family Residential (R-3).

SECTION 3. The City Council's approval of Zoning Ordinance Amendment 12-01 is subject to the conditions attached hereto as Exhibit "A" and incorporated by reference as if fully set out herein.

SECTION 4. The City Council approves an amendment to the Zoning Map to reflect the zoning designations in accordance with Section 2 above.

SECTION 5. In compliance with the CEQA, Section 15063 of the CEQA Guidelines, and local guidelines, an Initial Study and Mitigated Negative Declaration has been prepared for this project for the purpose of identifying the significant effects on the environment of the project and to indicate the manner in which those significant effects can be mitigated or avoided. The Initial Study and Mitigated Negative Declaration has determined that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent.

SECTION 6. If any section, subsection, subdivision, sentence, clause, phrase, or portion of the Ordinance for any reason is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Chapter. The City Council hereby declares that it would have adopted the Chapter, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections,

subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 7. The time in which to seek judicial review of this decision shall be governed by Code of Civil Procedure Section 1094.6.

SECTION 8. The City Clerk shall certify as to the adoption of this Ordinance and shall cause a summary thereof to be published within fifteen (15) days of the adoption and shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code 36933.

PASSED, APPROVED, AND ADOPTED this 19th day of November, 2012.

Troy D. Edgar, Mayor

ATTEST:

Angie Avery, City Clerk

APPROVED AS TO FORM:

Sandra J. Levin, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF LOS ALAMITOS)

I, Angie Avery, City Clerk of the City of Los Alamitos, do hereby certify that the foregoing Ordinance No. 12-06 was duly introduced and placed upon its first reading at a regular meeting of the City Council on the 19th day of November, 2012 and that thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the _____ day of December, 2012, by the following roll-call vote, to wit:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Angie Avery, City Clerk

Exhibit "A"
LOS ALAMITOS SAUSALITO/OAK CONDOMINIUM PROJECT
CONDITIONS OF APPROVAL
GPA 12-01, ZOA 12-01, TTM 12-01 (17482), CUP12-02, and SPR 12-02

GENERAL CONDITIONS

1. Approval of this application is to build a 17-unit detached, single-family condominium development project at 3271 Sausalito Street (APN 242-222-01) with such additions, revisions, changes or modifications as required by the Planning Commission pursuant to approval of a General Plan Amendment, Zoning Ordinance Amendment, a vesting Tentative Tract Map, Conditional Use Permit, and Site Plan Review noted thereon, and on file in the Community Development Department. Subsequent submittals for this project shall be consistent with such plans and in compliance with the applicable land use regulations of the Los Alamitos Municipal Code. If any changes are proposed regarding the location or alteration of the plans dated 11/5/2012 (as amended during the hearing), a request for an amendment of this approval must be submitted to the Community Development Director. If the Community Development Director determines that the proposed change or changes are consistent with the provisions and spirit of intent of this approval action, and that such action would have been the same with the proposed change or changes as for the proposal approved herein, the amendment may be approved by the Community Development Director without requiring a public meeting.
2. The applicant shall defend, indemnify, and hold harmless the City of Los Alamitos, its agents, officers, or employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul an approval of the City, its legislative body, advisory agencies or administrative officers the subject application. The City will promptly notify the applicant of any such claim, action or proceeding against the City and the applicant will either undertake defense of the matter and pay the City's associated legal costs, or will advance funds to pay for defense of the matter by the City Attorney. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the applicant's consent, but should it do so, the City shall waive the indemnification herein, except the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.
3. The applicant shall file an Acknowledgment of Conditions of Approval with the Community Development Department within 30 days of final approval of all resolutions. The property applicant shall be required to record the Acknowledgment of these Conditions of Approval with the Office of the Orange County Recorder and proof of such recordation shall be submitted to the Community Development Department.

4. The applicant shall be responsible for implementing the mitigation measures identified in the Initial Study and Mitigated Negative Declaration, to the satisfaction of the City of Los Alamitos Director of Community Development.
5. In case of violation of any of the conditions of approval, mitigation measures, or City law, the property owner and tenant will be issued a Notice of Correction If said violation is not remedied within a reasonable period of time and/or subsequent violations of the conditions of approval and/or City law occurs within ninety days of any Notice of Correction, the property owner shall be held responsible to reimburse the City for all staff time directly attributable to enforcement of the conditions of approval, mitigation measures, and/or City law including but not limited to, revocation of the herein approvals.
6. Project plans for the condominium development shall be subject to a complete code compliance review with the Community Development Department when the condominium plans are submitted for plan check and shall comply with all applicable City of Los Alamitos ordinances, regulations, and policies prior to building permit issuance, including, but not limited to, the requirements established or authorized by Title 15, 16, and 17 of the City of Los Alamitos Municipal Code.
7. The approvals for this project shall be valid for a period of eighteen (18) months from the date they are approved. If construction is commenced within this eighteen (18) month period and construction is being pursued diligently toward completion, the approvals shall stay in full force and effect.

PLANNING

8. California Government Section 66020(d)(1) requires that the project applicant be notified of all fees, dedications, reservations and other exactions imposed on the development for purposes of defraying all or a portion of the cost of public facilities related to development. Fees for regulatory approvals, including planning processing fees, building permit fees are not included under this noticing requirement.
 - a. Pursuant to Government Code Section 66020(d)(1), the applicant is hereby notified that fees, dedications, reservations and other exactions imposed upon the development, which are subject to notification, are as follows:

i.	Fees:	\$307,292 (Quimby Park Fees)
ii.	Dedications:	n/a
iii.	Reservations:	n/a
iv.	Other Exactions:	n/a

- v. The applicant may appeal the imposition or amount of the fees described above within ninety (90) days following the adoption of this resolution and pursuant to the procedures set forth in the Government Code.
9. A landscape Irrigation Plan prepared by a licensed landscape architect shall be submitted to the Community Development Department prior to the issuance of building permits. The Irrigation Plan shall include an irrigation system layout with the location of controllers and points of connection with data on valve sizes and gallons per minute (G.P.M.), the size and location of sleeves and all spray heads, including the location of conventional systems and drip systems; an irrigation legend with complete specifications; irrigation notes and construction details of all assemblies and components; a recommended irrigation schedule, preferably on an annual basis; and a summary block on the initial page of submitted plans that will present the above information clearly and accurately. The City reserves the right to require subsequent checks, or approval of the landscape plans prior to issuance of a grading permit.
 10. Landscaping shall comply with the City's water conservation ordinances in accordance with Chapter 13.04 (Water Conservation) and Chapter 13.05 (Water Efficient Landscaping) of the Los Alamitos Municipal Code.
 11. To coincide with the Rivers and Mountains Conservancy Project that will make improvements to the Coyote Creek area that lies to the north west of the property, the applicant shall modify the submitted plan to provide a landscaped buffer at the rear property line including, but not limited to:
 - a. The establishment of a landscape buffer sufficient to shield the proposed block wall from the Coyote Creek Trail; and,
 - b. The applicant shall plant a minimum of ten 15-gallon podocarpus trees located on the Coyote Creek channel side of the exterior perimeter wall; and,
 - c. The perimeter wall face, along Coyote Creek channel side, shall be covered with vines or similar vegetation that will grow to cover the entire wall where no landscaping is provided to create a green/living wall; and,
 - d. The landscaping in this area shall be maintained regularly with all other landscaping on the property.
 12. The access gate for the maintenance of the green wall and trees shall be locked at all times, and only accessible to maintenance personnel responsible for maintaining the landscaping. A sign shall be posted on the gate identifying that public access to Coyote Creek is prohibited.

13. The applicant shall install trees that are, at a minimum, 36" boxed trees along the front yard setback area along Sausalito Street and the way to the project, in the quantity consistent with the preliminary landscape plans.
14. Front-yard landscaping for each individual condominium unit, private driveway street trees, common open space landscaping, and landscaping area along Sausalito Street shall be installed prior to occupancy of any condominium units. At the completion of the model home(s), the developer shall be responsible for maintaining the common area landscaping until such time as the project nears complete sell-out and the homeowner's association takes over maintenance responsibility.
15. Private driveway street trees, front yard trees, and common open space area trees shall be a minimum size of a 15-gallon tree.
16. Trees shall be planted outside of any Sight Safety Triangle or be trimmed to eight feet from above the adjacent top of curb.
17. A Temporary Use Permit for the model home/sales complex shall be obtained from City Staff before the use or construction of any portion of the project area as a sales office.
18. Prior to permit issuance applicant shall submit a lighting plan to the Community Development Department to the satisfaction of the Director of Community Development.
19. The applicant shall provide adequate exterior lighting for each residential unit that maintains performance standards as described in Chapter 8.48 Lighting Performance Standards in the Los Alamitos Municipal Code. All lighting structures shall be placed so as to confine direct rays to the subject property.
20. The applicant shall provide an illuminated uniform address number on the top left area of each garage, or other location acceptable to the Director of Community Development.
21. Any signs shall comply with the provisions under Chapter 17.28 (Signs) of the Los Alamitos Municipal Code and shall be subject to the approval of the Director of Community Development. If there are more than five non-directional signs, this would require a Planned Sign Program in conformance of Section 17.28.060 (Planned Sign Program) of the Los Alamitos Municipal Code.
22. The applicant shall provide sidewalks and gutters with the latest handicap accessibility features required by state and federal law.
23. The common open space area improvements shall be reviewed and approved by the Community Development Department prior to issuance of building permits.

The common open space area shall be completed at the time that the developer completes no more than 50 percent of the units (9 units). The improvements within the common open space shall include a turf area, benches, trash receptacle, bike rack, rose garden, and related equipment and improvements.

24. The applicant shall submit detailed plans showing the proposed location of utilities and mechanical equipment to the Community Development Department for review and approval prior to the Building and Safety Division Plan check.
25. Above ground utility equipment (e.g., electrical, gas, telephone, and cable TV) shall be screened if located in the front yard area of each of condominium unit, within the front yard setback area on Sausalito Street, common open space area, or any parking spaces or sidewalks, and shall be screened to the satisfaction of the Director of Community Development.
26. All utility meters, when not enclosed in a cabinet, shall be screened from view from any place on or off site, by either plant materials or decorative screen, while allowing sufficient access for reading.
27. During construction, the applicant will display a sign visible to the public from Sausalito Street with a contact number of the construction superintendant to address any questions or concerns about demolition, grading, and construction activities.
28. Hours and days of demolition, grading, and construction operations shall be prohibited between the hours of 8:00 P.M. and 7:00 A.M. on weekdays and Saturday. There shall be no construction activities on Sunday or a Federal holiday celebrated by the City of Los Alamitos without express approval by the Director of Community Development.
29. All construction vehicles or equipment, fixed or mobile, operated within 1,000 feet of an existing dwelling shall be equipped with properly operating and maintained mufflers.
30. The applicant shall have rodent and pest controls on site during demolition and grading activities to mitigate impacts to the surrounding properties and neighborhood.
31. Prior to demolition and construction, a perimeter security fence not exceeding seven feet in height, shall be installed around the project site. The fencing shall include a green screen material or approved equivalent. The fence/screen material shall be properly maintained and be free of rips, tears, fraying, graffiti, and any other damage or vandalism.
32. During construction the site shall be maintained and kept clear of all trash, weeds, and overgrown vegetation.

33. A certified Native American monitor shall be retained by the applicant to review grading plans and be present during all ground-disturbing activities. Ground-disturbing activities include primary construction-related activities and any associated secondary activities for support services such as utilities. In the event that archeological resources are identified during monitoring or unexpectedly during excavations in fill sediments, all work proximal to the discovery shall halt until the certified monitor has evaluated the find. If the monitor determines that the find is significant or may qualify as significant, the monitor shall prepare a treatment plan. If the find is prehistoric or includes Native American materials, affiliated Native American groups shall be invited to contribute to the treatment plan. The Applicant, in consultation with the monitor, shall designate repositories in the event that resources are recovered.
34. Planning Commission approval of TTM 12-01 is valid for twenty-four (24) months, prior to the expiration of the Map the applicant may request a twelve (12) month extension. TTM 12-01 shall expire on October 8, 2014, unless the applicant requests a time extension as outlined by City standards and in conformance with Section 16.10.130 (Period of Validity – Extensions) of the Los Alamitos Municipal Code.
35. Prior to issuance of a building permit, a copy of the recorded map shall be provided to the Community Development Department. Models may be exempt from this condition.
36. Prior to the sale of any individual condominium, a Homeowners' Association shall be created to maintain the common area landscaping, driveway trees, maintenance of common open space and furniture, walls and fencing. Each owner shall automatically become a member of the association and shall be subject to a proportionate share of maintenance expenses. A reserve fund shall be maintained to cover replacement and major repair costs. The homeowners' association shall be authorized to enforce the Covenants, Conditions, and Restrictions (CC&Rs). The developer shall prepare project CC&Rs for the entire development for review and approval by the Director of Community Development, prior to any permanent Certificate of Occupancy is issued. Model homes may be exempt from this if issued through a Temporary Use Permit (TUP).
37. The CC&Rs shall be approved by the City Attorney's office and the Community Development Department prior to the issuance of any Certificate of Occupancy (temporary or permanent). The CC&Rs shall be recorded at the same time that the subdivision map is recorded and two copies of the recorded CC&Rs shall be provided to the Community Development Department. The CC&Rs shall include the following stipulations:

- a. All units shall maintain within the garage, the ability to park two cars at all times. Garage shall not be converted to any other use.
- b. Parking spaces in the garages shall be made available to the occupants of the unit at all times.
- c. There shall be no business activities or day care conducted within or from the garages.
- d. The CC&R's shall identify for the tenants a means of contacting persons responsible for site maintenance, repairs, trash pick-up, and other related matters for a development of this type. This shall also include scheduling of maintenance of such items as the recreation area, landscape area maintenance, etc. This also includes ensuring tree overhangs do not block or hinder any vehicles such as trash trucks, fire trucks, etc., from maneuvering around the private driveway.
- e. Each residence shall be utilized as one (1) dwelling unit. No portion of any residence shall be utilized or rented as a separate dwelling unit.
- f. Residents shall not park or store vehicles anywhere on the site except within the designated parking spaces in the garage or driveways for their unit. However, the open parking spaces, located along the private driveway, may be utilized for residents or guest for temporary parking. Any issues arising from the use, application, or restriction of such open parking spaces shall be resolved by the Homeowner's Association.
- g. The CC&R's shall include stipulations that maintenance of the private drive aisles, storm drain, sewer system, and open space areas within the interior of the development, and the landscape setback areas outside the development walls adjacent to Coyote Creek and Sausalito Street is the responsibility of the Homeowner's Association, including the common landscaped areas.
- h. Each unit shall have a minimum of 200 cubic feet of storage space, which may not be provided within the required open area of the garage, and typical closet space within the unit shall not count toward this requirement.
- i. The following provisions shall be included within the CC&R's:
 - i. Attorney Fees: The City shall be entitled to recover its attorney's fees incurred in connection with its actions to enforce the conditions of these Declarations or General Plan Amendment GPA 12-01, Zoning Code Amendment ZCA 12-01, Tentative Tract Map TTM 12-01 (17482), Conditional Use Permit CUP 12-02, and Site Plan Review SPR 12-02 approvals, or to abate the violation thereof.

- ii. Public Safety Access: The Police and Fire Department personnel may enter upon any part of the common area for the purpose of enforcing State and Local laws.

ENGINEERING

38. All street lighting within the project shall mimic decorative street lighting that currently exists within the Old Town West neighborhood.
39. The Applicant shall submit Improvement Plans prepared by a Registered Civil Engineer for public works (off-site) improvements, and on-site improvements. Plan check fees shall be paid in advance.
40. An on-site grading and drainage plan shall be prepared and submitted to the City Engineer for approval. Plan shall be 24" x 36", with elevations to nearest 0.01 foot, minimum scale 1" = 20'. Plan shall be prepared by Registered Civil Engineer. Public works improvements may be shown on this plan. Grading plan check fees must be paid in advance.
41. Hydrologic and hydraulic calculations demonstrating adequate site drainage from a 10-year return frequency storm (25-year frequency in sump areas) prepared by a Registered Civil Engineer shall be submitted with the Grading Plan.
42. Driveway slope shall be a minimum slope of one (1) percent for asphalt and .5% for concrete.
43. The applicant shall comply with all requirements of the Rossmoor/Los Alamitos Area Sewer District for sewer connections and sewer improvements.
44. Applicant shall provide new driveway and approaches per City standards.
45. Applicant is responsible for new curb and gutter and 5 foot sidewalk with no tree wells along the entire front of property.
46. If utility cuts are excessive in the street the street must be have a grid and overlay place on it per the satisfaction of the City Engineer.
47. All existing off-site public improvements (sidewalk, curb and gutter, driveways, and street paving) at the development site which are in a damaged condition or demolished due to the proposed work shall be reconstructed to the satisfaction of the City Engineer, and per OCPFRD Standard Plan.
48. A City public works permit shall be taken out for all work in public right-of-way prior to start of work. All work shall be done in accordance with APWA Standards

and to the satisfaction of the City Engineer and must be completed before issuance of Certificate of Occupancy.

49. A bond or surety device shall be posted with the City in an amount and type sufficient to cover the amount of off-site and on-site work to be done, as approved by the City Engineer.
50. Pad certification by the Design Civil Engineer and Soil Engineer is required prior to the commencement of structural construction.
51. Final compaction report prepared by a qualified Soil Engineer shall be submitted to the City Engineer for review and approval prior to the commencement of structural construction.
52. Prior to the issuance of any grading or building permits or prior to recordation upon subdivision of land if determined applicable by the City Building Official, the applicant shall submit to the City for review and approval a *Final* Water Quality Management Plan (WQMP) that:
 - Addresses Site Design BMPs (Best Management Practices) such as minimizing impervious areas, maximizing permeability, minimizing directly connected impervious areas, creating reduced or “zero discharge” areas, and conserving natural areas.
 - Incorporates the applicable Routine Source Control BMPs as defined in the DAMP.
 - Incorporates Treatment Control BMPs as defined in the DAMP.
 - Generally describes the long-term operation and maintenance requirements for the Treatment Control BMPs.
 - Identifies the entity that will be responsible for long-term operation and maintenance of the Treatment Control BMPs.
 - Describes the mechanism for funding the long-term operation and maintenance of the Treatment Control BMPs.

ROSSMOOR/LOS ALAMITOS SEWER DISTRICT

53. The applicant shall provide the Sewer District with the proposed sewage flow for the project.
54. The applicant shall confirm with the Sewer District whether a 6-inch sewer lateral is sufficient.

BUILDING AND SAFETY DIVISION

55. The applicant must comply with all 2010 California Building Codes.
56. Prior to obtaining grading permits, the applicant shall submit a Stormwater Pollution Prevention Plan (SWPPP) for review and approval by the Building and Safety Division.

ORANGE COUNTY FIRE AUTHORITY (OCFA)

57. Prior to the issuance of building permits, the applicant shall submit a Fire Master Plan, subject to Service Code PR145, to the Fire Chief for review and approval. The Fire Master Plan shall include, but not limited to the following improvement plans: emergency access, fire hydrant location, and fire lane markings.
58. The applicant shall submit plans for required automatic fire sprinkler system in any structure, subject to Service Code PR400, to the Fire Chief for review and approval. Furthermore, prior to the issuance of a certificate of occupancy, this system shall be operational in a manner meeting the approval of the Fire Chief.

LOS ALAMITOS POLICE DEPARTMENT

59. None.

ADDED BY COMMISSION DURING HEARING

60. The stucco color of the 17 homes within the tract shall vary to offer a minimum of four colors spread among the development. No more than four housing units shall have the "egg shell white" color and no units shall have the "pure white" color. Applicant shall make every attempt to offer a palate of pleasing colors to the satisfaction of the Community Development Director.