

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

**REGULAR MEETING – December 17, 2012**

**1. CALL TO ORDER**

The City Council met in Regular Session at 6:03 p.m., Monday, December 17, 2012, in the Council Chamber, 3191 Katella Avenue, Mayor Edgar presiding.

**2. ROLL CALL**

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

**Absent:** Council Members: None

**Present:** Staff: Angie Avery, City Manager  
Sandra J. Levin, City Attorney  
Linda Magnuson, Interim Finance Director  
Tony Brandyberry, Public Works Superintendent  
Dave Hunt, City Engineer  
Corey Lakin, Community Services Director  
Steven Mendoza, Community Development Director  
Cassandra Palmer, Support Services Manager  
Windmera Quintanar, CMC, Department Secretary

**3. PLEDGE OF ALLEGIANCE**

Mayor Edgar led the Pledge of Allegiance.

**4. INVOCATION**

Council Member Stephens gave the invocation.

**5. PRESENTATIONS**

**A. Presentation by the Mayor to the City Council of the Orange County Business Council “Turning Red Tape into Red Carpet” Award**

Mayor Edgar presented the City Council with the “Turning Red Tape into Red Carpet” award and gave a brief outline of the award and the Business and Residential Improvement Program.

**6. ORAL COMMUNICATIONS**

Council Member Kusumoto called a point of order and made a motion to address the Special Orders of the Day first.

Council Member Graham-Mejia seconded the motion and added it was a heavy Consent Calendar and there were items she would need clarification on.

Mayor Edgar stated a preference to keep the order as is.

City Council discussed the following topics:

- Past practice for City Council reorganization
- Preference for incoming Council to address Item 9L
- More time need to analyze Item 9L
- Current Council had necessary expertise to address items on the agenda, while new Council would need additional time to research items
- Preference for incoming Council to start fresh without pending projects

Motion/Second: Kusumoto/Graham-Mejia

Failed 2/3 (Edgar, Poe, Stephen cast the dissenting vote): Consider Special Orders of the day first.

Council Member Kusumoto called a point of order and asked for public comment. Mayor Edgar indicated he would move on to Oral Communications.

Mayor Edgar opened the meeting for Oral Communications.

Jody Shloss, resident, stated opposition to the Council Reorganization being at the end of the meeting.

JM Ivler, resident, spoke regarding the following topics: Item 9L; perception of City giving funds to charities; Chamber of Commerce; Wings, Wheels, and Rotors; and, the order of the agenda.

Judy Klabough, resident, stated support for the City's involvement in Wings, Wheels, and Rotors and invited everyone to the Wake Up Breakfast on January 11<sup>th</sup> where new Chamber Board Members would be installed.

Diane Hill, resident, spoke regarding the following topics: thanked outgoing Council Members Poe and Stephens for their service; community give back survey; and, the Sugar Beet Festival.

Dave Emerson, resident, spoke regarding the following topics: thanked outgoing Council Members Poe and Stephens, congratulated incoming Council Members Grose and Murphy; encouraged the Council to work together; and, encouraged Council to reconsider the order of the agenda.

Javier Mejia, resident, spoke regarding the escaped wild cat in Apartment Row.

**7. REGISTER OF MAJOR EXPENDITURES**

Motion/Second: Kusumoto/Graham-Mejia

Motion: Approve Register of Major Expenditures with exception of the \$402.50 for "self directed work."

Council discussion ensued regarding the amount and use of the City Attorney resources.

Mayor Edgar made a substitute motion to approve the Register of Major Expenditures.

Motion/Second: Edgar/Poe

Carried 3/2 (Graham-Mejia and Kusumoto cast the dissenting vote): The City Council accepted Mayor Edgar's substitute motion.

Motion/Second: Edgar/Poe

Carried 4/1 (Graham-Mejia cast the dissenting vote): The City Council approved the Register of Major Expenditures for December 17, 2012, in the amount of \$73,797.00, ratified the Register of Major Expenditures for November 20, 2012 to December 16, 2012, in the amount of \$708,259.31, 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 December 18, 2012 to January 21, 2012.

**Roll Call Vote**

Council Member Graham-Mejia	No
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 A, I, J, and O.

Council Member Kusumoto pulled items B, C, H, K, and L.

Motion/Second: Graham-Mejia-Poe

Unanimously Carried: The City Council approved the following consent calendar items:

**D. Race on the Base Shirt Purchase (Recreation)**

This item authorized the City Manager to purchase participant and volunteer shirts for the Race on the Base. Every participant in each race receives a shirt as part of his/her registration fee. Race volunteers also

receive a shirt. This item was placed on the agenda because the cost of the purchase exceeded the purchasing limit of the City Manager. Race registration revenue offsets the cost of the shirts so there was no impact to the General Fund.

The City Council authorized the City Manager to purchase 2013 Race on the Base participant shirts from Will Enterprise in an amount not to exceed \$30,000.

- E. Race on the Base Equipment Rental (Recreation)**  
This item authorized the City Manager to enter into a professional services agreement for rental equipment and services for the Race on the Base. The Race on the Base event would require additional equipment from external vendors due to limited existing City resources. This item was placed on the agenda because the cost exceeds the purchasing limit of the City Manager. Race registration revenue offsets the cost of the equipment rental so there is no impact to the General Fund.

The City Council authorized the City Manager to enter into a Professional Services Agreement with Big Top Rentals for the 2013 Race on the Base in an amount not to exceed \$28,000 and to execute a contract in a form to be approved by the City Attorney.

- F. Timing Services for Race on the Base (Recreation)**  
This item authorized the City Manager to contract for race timing services for the Race on the Base. The Race on the Base event will require a professional company to time the race due to limited existing City resources. This item was placed on the agenda because the cost of the rental exceeds the purchasing limit of the City Manager. Race registration revenue offsets the cost of the timing services so there is no impact to the General Fund.

The City Council authorized the City Manager to enter into a Professional Services Agreement with Gemini Timing for race timing services for the 2013 Race on the Base in an amount not to exceed \$12,000 and to execute a contract in a form to be approved by the City Attorney.

- G. Approval of Plans and Specifications, and Authorization to Bid for Business Area Street Improvement Project (CIP No. 12/13-04) (P.W.)**  
This report recommended actions to begin facilitating the construction of the Business Area Street Improvement Project consisting of four commercial streets which includes the following: Cerritos Avenue between Bloomfield Street and Santa Clara Street, Los Vaqueros Circle, Humbolt Street south of Cerritos Avenue, and Reagan Street between Briggeman Drive and Catalina Street.

The City Council:

1. Approved the plans and specifications for the construction of the Business Area Street Improvement Project (CIP No. 12/13-04); and,
2. Authorized Staff to advertise and solicit bid proposals; and,
3. Adopted Resolution No. 2012-06 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS APPROVING PLANS AND SPECIFICATIONS FOR THE BUSINESS AREA STREET IMPROVEMENT PROJECT IN LOS ALAMITOS AND AUTHORIZING THE CITY ENGINEER TO ADVERTISE FOR BIDS".

**M. Second Reading of Ordinance No. 12-05 – Zoning Ordinance Amendment to Amend the City's Appeal Process (Comm. Dev.)**

At its regular meeting of November 19, 2012, the City Council conducted a first reading of Ordinance No. 12-05. This ordinance would allow for a Zoning Ordinance Amendment to the City's Appeal Process by adding a "Call for Review" Section.

The City Council:

1. Waived reading in full and authorized reading by title only of Ordinance No. 12-05; and,
2. Mayor Edgar read the title of City Council 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)".

**N. Second Reading of Ordinance No. 12-06 – Zoning Ordinance Amendment to Change the Zoning Designations for 3271 Sausalito Street from Planned Light Industrial to Multiple-Family Residential (Community Development)**

At its regular meeting of November 19, 2012, the City Council conducted a first reading of Ordinance No. 12-06. The ordinance would allow for a Zone Change to facilitate a 17 home subdivision.

The City Council:

1. Waived reading in full and authorized reading by title only of Ordinance No. 12-06; and,
2. Mayor Edgar read the title of City Council Ordinance No. 12-06 entitled, "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)".

### **End of Consent Calendar**

#### **Items pulled from Consent Calendar**

- A. Approval of Minutes** **(City Clerk)**  
Approve the Minutes of the Regular Meeting of November 19, 2012.

Council Member Graham-Mejia stated "I'd like this new Council that's coming on to consider potentially going back to the more inclusive and more informative statute of summary minutes. I think it's better for the Council to be clearly depicted as to where they stand on the items moving forward. And that also many times we've gone back to see why a Council acted in a certain way or voted in a certain way and it simply wasn't clear because there wasn't enough information. Or the information didn't exist any longer. So I would just like to go on the record that I would like to reach out to the new council members and ask that you maybe consider that moving forward. I would have had hoped that I could have done this while you were up here but since we haven't had that opportunity."

Motion/Second: Edgar/Poe

Carried 4/1 (Graham-Mejia cast the dissenting vote): The City Council approved the Minutes of the Regular Meeting of November 19, 2012.

- B. Warrants** **(Finance)**  
Approve the Warrants for December 17, 2012, in the amount of \$27,230.06 and ratify the Warrants for the time period November 20, 2012 to December 16, 2012 in the amount of \$122,404.57.

Council Member Kusumoto stated preference for considering Items B and C together. He inquired about the payment in item B to Vartech for battery

adapters and the reimbursement in Item C for what appeared to be the same.

Staff indicated they would research this charge.

Council Member Graham-Mejia inquired who was attending the League of California Cities New Mayors and Council Member Conference.

City Manager stated Council Members-Elect Grose and Murphy were registered to attend.

Council Member Graham-Mejia stated it might have been a good idea to send the new Mayor.

Motion/Second: Kusumoto/Edgar

Unanimously Carried: The City Council approved the Warrants for December 17, 2012, in the amount of \$27,230.06 and ratified the Warrants for the time period November 20, 2012 to December 16, 2012 in the amount of \$122,404.57, with the stipulation that Staff would research the payment to Vartech and the reimbursement to Mr. Underwood for the battery adapters.

- C. Payments Made to John Underwood for Services to LATV (C.M.)**  
The Council requested information regarding payments and/or reimbursements made to John Underwood for services related to LATV.

Motion/Second: Kusumoto/Edgar

Unanimously Carried: the City Council received and filed the report with the stipulation that Staff would research the payment to Vartech and the reimbursement to Mr. Underwood for the battery adapters.

- H. Award Bid for Old Town East and West Street Improvement Project (CIP No. 12/13-02) (Public Works)**

This report recommended actions to begin facilitating the construction of the Old Town East and West Street Improvement Projects (CIP No. 12/13-02). The project includes thirty (30) handicap ramps that do not meet current Americans with Disabilities Act (ADA) specifications, street improvements on Walnut Street between Katella Avenue and Florista Street, Chestnut Street between Katella Avenue and Florista Street, and Florista Street between Oak Street and Los Alamitos Boulevard.

Mayor Pro Tem Poe stated she had a conflict of interest as she owned property within 500 feet. She recused herself and left the dais.

City Council and Staff discussed the following topics:

- Priority ranking of Community Development Block Grant (CDBG) projects
- Current year CDBG money needed to be used by June 30<sup>th</sup>
- Additional 10% contingency reserve due to the potential of high ground water levels
- Requiring an additional contingency varies depending on the job and location
- ADA requirements are constantly changing

Motion/Second: Graham-Mejia/Edgar

Unanimously Carried (Poe recused): The City Council:

1. Awarded construction of the Old Town East and West Street Improvement Project (CIP No. 12/13-02) to Sequel Contractors in the amount of \$340,188.50; and,
2. Authorized the Mayor to execute the contract for the project; and,
3. Authorized City Engineer to execute change orders, if necessary, in an amount not to exceed the contingency reserve of \$34,019, which is 10% of the original contract amount and an additional 10%; and,
4. Due to potential high ground water level at this site, authorized City Engineer to execute additional change orders, if necessary, in an amount not to exceed a second contingency reserve of \$34,019, which is 10% of the original contract amount.

**I. Approval of Amendment No. 1 to Cooperative Agreement No. C-1-2466 between the Orange County Transportation Authority and the City of Los Alamitos (Public Works)**

The Orange County Transportation Authority (OCTA) requests that Amendment No. 1 to Cooperative Agreement No. C-1-2466 be executed by the City of Los Alamitos to extend the term six months to June 30, 2013. This will allow for the project completion with no increase to the maximum obligation.

Council Member Graham-Mejia clarified this project was for an extended area throughout Orange County and inquired if the agreement would limit Los Alamitos authority to modify the signal timing.

City Engineer Hunt answered in the negative and stated this would be beneficial to the City because it extended the Traffic Engineer's contract at no cost to the City.

Motion/Second: Graham-Mejia/Edgar

Unanimously Carried: The City Council:

1. Approved Amendment No. 1 to Cooperative Agreement No. C-1-2466 between Orange County Transportation Authority and the City of Los Alamitos; and,
2. Authorized the Mayor to execute said Amendment No. 1 on behalf of the City of Los Alamitos; and,
3. Directed the City Clerk to file the executed copy of Amendment No. 1 to the Cooperative Agreement No. C-1-2466 with the Orange County Transportation Authority.

**J. Approve an Operational Area Agreement with the County of Orange for Participation in an Operational Area for the Coordination of Emergency Operations (Police)**

The Los Alamitos Police Department requested approval of Resolution No. 2012-23, adopting the Operational Area Agreement with the County of Orange and other local agencies. The agreement formalized the City's membership in the Operational Area and provides for cooperative coordination of resources and information during large scale emergencies.

Support Services Manager Palmer 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:

- City participates in several different ways
- Emergency Operation Coordinator attends meetings and votes
- Other governing boards are involved but not activated at this point
- Council approval would be sought should Council representation be needed for a Board
- Agreement does not take precedence over the City's need for City resources
- City has been operating under the agreement since 1995 and there are no changes in terms of the City's participation
- Agreement contains outdated language, is intended to formalize the City's involvement in the program, and does not change any current operations

Motion/Second: Graham-Mejia/Poe

Unanimously Carried: The City Council:

1. Adopted Resolution No. 2012-23 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING AN OPERATIONAL AREA AGREEMENT BETWEEN THE COUNTY OF ORANGE AND POLITICAL SUBDIVISIONS FOR

PARTICIPATION IN AN OPERATIONAL AREA FOR THE COORDINATION OF EMERGENCY OPERATIONS;" and,

2. Authorized the City Manager to execute the Operational Area Agreement between the County of Orange and Political Subdivisions.

**K. Community Development Block Grant (CDBG) Project List for Fiscal Year 2013-14 (Community Development)**

This report sets forth a recommended project list for Fiscal Year 2013-2014 of the County's Community Development Block Grant (CDBG) program and approval of the City's participation in the program which may be due in January 2013.

City Council and Staff discussed the following topics:

- Prioritizing of projects
- Proposed project would continue the construction of the current alley at a different phase of the project
- \$729,000 in available funding this year compared to \$1.3 million last year
- Projects being proposed already have developed plans and specifications and are ready to start construction
- Upcoming projects include flooding and maintenance in low income census tracts
- Alley projects are always a priority
- Once County approves the City's application the projects will come back to Council for consideration
- Asphalt versus concrete alleys
- City wide alley project is only about 1/3 complete and needs an approximate \$300,000 to complete

Motion/Second: Poe/Stephens

Unanimously Carried: The City Council:

1. Adopted Resolution No. 2012-27 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA APPROVING THE CITY'S PARTICIPATION IN FISCAL YEAR 2013-2014 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM WITH THE COUNTY OF ORANGE"; and,
2. Directed Staff to prepare applications for submittal to the County of Orange; and,

3. Authorized the City Manager to execute all CDBG program documents for Fiscal Year 2013-2014 and appropriate amendments, if any, as they become available.

**L. Adoption of Resolution Establishing Salaries and Benefits, Approval of Contract Terms, and Amendment of Position Descriptions for Non-Represented Employees (City Manager)**

The non-represented employees have not received an increase in compensation since 2006 (and have made accommodations, including taking furloughs, to address the City's fiscal needs) while all other bargaining units have received significant increases during that same time. Moreover, salary surveys indicate that management salaries have dropped below the lowest in the County for comparable positions. Meanwhile, the City Council has expressed a desire to cease paying the employees' share of PERS contributions and impose those costs upon employees, consistent with statewide pension reform efforts. After extensive negotiations to address these issues, the City Council directed that the following proposal be presented to the employees and, if acceptable, brought back to City Council for approval.

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

Council Member Kusumoto inquired regarding holiday pay for employees on different work schedules.

City Manager Avery stated compensation was equal across the board and there was no proposed change to holiday pay.

Council Member Kusumoto made a motion to table the item to a later date for further discussion, seconded by Council Member Graham-Mejia.

Mayor Edgar summarized the following points: Section 15 was built on an 8 hour work day; negotiations began in August; importance of the agreement; employees are categorized as Non-represented Management, Teamsters, and Police Union; pension reform; Council desire to have employees pay their full 8% share of retirement costs; positive financial health of the City; non-represented have not had a pay increase in 5 years, currently pay more for medical benefits than all other employees, and don't receive Veteran's Day as a holiday; equality in management agreements; City Manager should have the ability to give raises for performance; Council had discussed in Closed Session; and, urged Council to approve the item tonight.

Council Member Graham-Mejia stated she thought this should be addressed by incoming Council.

Motion/Second: Kusumoto/Graham-Mejia

Failed 2/3 (Edgar, Poe, and, Stephens cast the dissenting vote): Table the item to later date for further discussion.

Motion/Second: Poe/Edgar

Unanimously Carried: The City Council:

1. Adopted Resolution 2012-28 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS ESTABLISHING SALARIES AND BENEFITS FOR NON-REPRESENTED EMPLOYEES AND REPEALING RESOLUTION NO. 2009-12"; and,
2. Authorized the City Manager to enter into Employment Agreements with all non-represented employees (except the City Clerk who reports directly to the City Council) in the forms attached and on the terms described herein; and,
3. Approved the amended position descriptions for the positions of Support Services Manager and Benefits Coordinator/Executive Assistant to conform to actual and current duties.

**O. Declaring and Certifying the Results of the November 6, 2012 General Municipal Election (City Clerk)**

This report provided a certified statement of the November 6, 2012 General Municipal Election vote from the County of Orange Registrar of Voters regarding the General Municipal Election.

Department Secretary Quintanar summarized the Staff report, referring to the information contained therein, and answered questions from the City Council.

Council Member Graham-Mejia addressed Measure DD and stated she had heard concerns from the residents that they did not realize all future technologies were included. She stated the concern should be addressed moving forward.

Mayor Edgar inquired the final vote for the measure. City Manager Avery indicated it had passed by 77%.

Council Member Graham-Mejia stated she would be voting no in opposition to Measure DD.

Motion/Second: Edgar/Poe

Carried 4/1 (Graham-Mejia cast the dissenting vote): The City Council adopted Resolution No. 2012-25, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 6, 2012, DECLARING THE RESULTS, AND SUCH OTHER MATTERS AS PROVIDED BY LAW".

#### **End of Items pulled from Consent Calendar**

### **9. SPECIAL ORDERS OF THE DAY**

#### **A. Highlight of Past Year's Accomplishments by the Mayor**

Mayor Edgar thanked the Council for allowing him to serve as Mayor and summarized the accomplishments for 2012.

#### **B. Comments by Outgoing Council Members**

Mayor Pro Tem Poe and Council Member Stephens spoke regarding their time served on the Council.

#### **C. Presentations to Outgoing Council Members**

The Mayor and City Council presented the following awards to outgoing Mayor Pro Tem Poe and Council Member Stephens.

- Office of Congressman Ed Royce, presented by Representative Ryan Holmes
- Office of Supervisor John Moorlach, presented by Representative David Mansdoerfer
- City of Cypress, presented by Mayor Prakash Narian and Leroy Mills
- City of Seal Beach, presented by Mayor Gary Miller
- City of Los Alamitos, presented by Mayor Edgar

#### **D. Administer Oath of Office to New Council Members**

Department Secretary Quintanar administered the Oath of Office to newly elected Council Members Dean Grose and Richard Murphy and presented them with a framed Certificates of Election.

Council Members Grose and Murphy addressed the audience and thanked them for their support.

#### **E. RECESS – Reception in Council Chamber Lobby**

#### **RECESS**

The City Council took a brief recess at 8:16 p.m.

## **RECONVENE**

The City Council reconvened in Regular session at 8:36 p.m. Council Members Grose and Murphy present.

Council Member Kusumoto called a point of order and referred to Los Alamitos Municipal Code Section 2.04.260, and requested the Council reconsider items 7 and 8L. Council Member Graham-Mejia seconded the motion.

City Attorney Levin stated per the LAMC a Council Member may request reconsideration of an agenda item they had voted in favor of.

Motion/Second: Kusumoto/Graham-Mejia

Carried 4/1 (Edgar cast the dissenting vote): the City Council voted to reconsider Item 7, Major Expenditures.

## **7. REGISTER OF MAJOR EXPENDITURES**

Council Member Kusumoto made a motion to approve Item 7 the Major Expenditures, minus the \$402.50 for Colantuono and Levin for self directed work. Council Member Graham-Mejia seconded the motion.

City Council and Staff discussed the following topics:

- Importance of paying warrants as agreed to
- City Attorney had presented the idea to City Manager for approval
- City Attorney reports to the City Council
- Opposition to City Attorney proposing changes to Council policy
- Policy change was proposed after Council had requested a full reading of a proposed Ordinance
- Process for two Council Members to call a Special Meeting
- Process for newly adopted Call for Review procedures
- Charge was within the budgeted amount for City Attorney services
- Amount of \$402.50 came from a spreadsheet provided by City Attorney Levin after Council Member Kusumoto requested a breakdown of hours
- Opposition to setting a precedent that would hinder a City Attorney from presenting ideas in the best interest of the City
- Opposition for withholding pay for work performed within the Scope of Services on the Professional Services Agreement
- Voting options available to the Council

Motion/Second: Kusumoto/Graham-Mejia

Motion Failed 2/3 (Edgar, Grose, and Murphy cast the dissenting vote): Approve Item 7 the Major Expenditures, minus the \$402.50 for Colantuono and Levin for self directed work.

Motion/Second: Grose/Murphy

Carried 3/2 (Graham-Mejia and Kusumoto cast the dissenting votes): The City Council approved the Register of Major Expenditures for December 17, 2012, in the amount of \$73,797.00, ratified the Register of Major Expenditures for November 20, 2012 to December 16, 2012, in the amount of \$708,259.31, 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 December 18, 2012 to January 21, 2012.

Council Member Kusumoto stated he did not support self directed work by the City Attorney.

**L. Adoption of Resolution Establishing Salaries and Benefits, Approval of Contract Terms, and Amendment of Position Descriptions for Non-Represented Employees (City Manager)**

Mayor Edgar summarized the report.

Motion/Second: Kusumoto/Graham-Mejia

Carried 4/1 (Edgar cast the dissenting vote): The City Council voted to reconsider item 8L.

Council Member Kusumoto made a motion to table the item to a future meeting. Council Member Graham-Mejia seconded the motion.

City Council and Staff discussed the following topics:

- Amount of time invested in negotiations by previous Council
- Importance of understanding all the different components of the contract
- Consideration of the upcoming Police and Employee labor contracts
- Setting a precedence for pension reform
- Support for the item
- Support for full public discussion at a future meeting
- Consideration of the message being sent to the employees
- Specific items discussed in Closed Session that prompted Council to move in this direction

Council Member Graham-Mejia made a motion to waive privilege of Closed Session discussion. Motion died for lack of a second.

City Council and Staff discussed the following topics:

- Inability to discuss the item in Closed Session since it was not agendized
- Concerns regarding Holiday time compensation
- Caution was not in regard to Staff, but rather to ensure a thorough understanding of the agreement

- Concern for transparency
- Correlation between the City's reserve and future pensions
- Delaying the agreement would impact negotiations with the Finance Director applicant

Motion/Second: Kusumoto/Graham-Mejia

Carried 3/2 (Edgar and Grose cast the dissenting vote): The City Council tabled item 8L to January 22, 2013 meeting.

Council Member Grose requested a Special Meeting for early January to consider item 8L. Mayor Edgar supported the Special meeting.

## 10. MAYOR AND COUNCIL INITIATED BUSINESS

### A. City Council Reorganization (City Clerk)

This report provided relevant information for the City Council's annual reorganization, by the election of Mayor and Mayor Pro Tem. The City's Charter requires roll call votes be taken for the election of these two Officers.

Mayor Edgar turned the meeting over to Department Secretary Quintanar.

Department Secretary Quintanar opened the floor for nominations for the Office of Mayor.

Council Member Graham-Mejia nominated Council Member Kusumoto.

There being no further nominations, Department Secretary Quintanar closed the floor for nominations.

Unanimously Carried: The City Council appointed Council Member Kusumoto to the Office of Mayor.

#### ROLL CALL VOTE

Edgar	Aye
Graham-Mejia	Aye
Grose	Aye
Kusumoto	Aye
Murphy	Aye

Department Secretary Quintanar congratulated Mayor Kusumoto and turned the meeting over to Mayor Kusumoto.

Mayor Kusumoto opened the floor for nominations for the Office of Mayor Pro Tem.

Council Member Edgar nominated Council Member Murphy.

There being no further nominations, Mayor Kusumoto closed the floor for nominations.

Unanimously Carried: the City Council appointed Council Member Murphy to the Office of Mayor Pro Tem.

Council Member Graham-Mejia expressed disappointment she would not have the opportunity to serve as Mayor during her tenure on the City Council and congratulated Mayor Pro Tem Murphy.

**B. Presentation to Outgoing Mayor Edgar**

Mayor Kusumoto presented a gavel plaque to outgoing Mayor Edgar.

**C. Council Announcements**

**Council Member Graham-Mejia** discussed the following topics: funding a school resource officer; welcomed the new Council Members; and, thanked outgoing Council Members.

**Council Member Edgar** discussed the following topics: attendance at the Orange County Sanitation District meeting; thanked the Chamber of Commerce's Young Professional group for the Winter Wonderland; reported attendance at the Casa Youth Center holiday event; encouraged residents to participate in the local non-profit groups; attendance at the Casa Youth Shelters' counseling center dedication; support for Larry Strawther's book on the history of Los Alamitos; and, thanked his family for their support during his campaign.

**Council Member Grose** discussed the following topics: congratulated Mayor Kusumoto; inquired of the cost savings of once a month meetings; thanked the community for their support; and, extended condolences to Newtown, Connecticut.

**Mayor Pro Tem Murphy** reported attendance at the Casa Youth Shelter dedication and requested earlier distribution of the agenda.

**Mayor Kusumoto** discussed the following topics: adjourning in memory of the 26 victims of Newtown, Connecticut; thanked Council for nominations of Mayor; attendance at the OC Business Council Award Ceremony with Council Member Edgar; and, requested a forensic audit of the City.

**11. ITEMS FROM THE CITY MANAGER**

None.

**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. Public Employment**

Title: City Attorney  
Authority: Government Code Section 54957

**RECESS**

The City Council recessed into Closed Session at 9:24 p.m.

**RECONVENED**

The City Council reconvened in Regular session at 10:15 p.m.

Mayor Kusumoto stated there was no reportable action.

**13. ADJOURNMENT**

The City Council adjourned at 10:15 p.m. in memory of: Charlotte Bacon, Daniel Barden, Rachel Davino, Olivia Engel, Josephine Gay, Ana M. Marquez-Greene, Dylan Hockley, Dawn Hochsprung, Madeleine F. Hsu, Catherine V. Hubbard, Chase Kowalski, Jesse Lewis, James Mattioli, Grace McDonnell, Anne Marie Murphy, Emilie Parker, Jack Pinto, Noah Pozner, Caroline Previdi, Jessica Rekos, Avielle Richman, Lauren Rousseau, Mary Sherlach, Victoria Soto, Benjamin Wheeler, and, Allison N. Wyatt.

The next meeting of the City Council is scheduled for **TUESDAY, January 22, 2013, at 6:00 p.m.**, in the City Council Chamber.



Warren Kusumoto, Mayor

Attest:



Windmera Quintanar, CMC, Department Secretary