

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

SPECIAL MEETING – January 7, 2013

1. CALL TO ORDER

The City Council met in Special Session at 6:06 p.m., Monday, January 7, 2013, in the Council Chamber, 3191 Katella Avenue, Mayor Kusumoto presiding.

2. ROLL CALL

Present: Council Members: Edgar, Graham-Mejia, Grose,
Mayor Pro Tem Murphy, Mayor Kusumoto

Absent: Council Members: None

Present: Staff: Angie Avery, City Manager
Sandra J. Levin, City Attorney
Corey Lakin, Recreation Director
Linda Magnuson, Interim Finance Director
Todd Mattern, Police Chief
Steven Mendoza, Community Development Dir
Cassandra Palmer, Support Services Manager
Windmera Quintanar, CMC, Department Secretary

3. SPECIAL ORDERS OF THE DAY

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. Mayor Pro Tem Murphy has expressed an interest in revisiting the process.

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

Mayor Pro Tem Murphy announced his resignation and nominated Council Member Graham-Mejia for the position of Mayor Pro Tem. He indicated he was not aware she had wanted to serve and supported her for the position.

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

Council Member Graham-Mejia thanked Council Member Murphy for his support. She indicated this was not an ideal year for her to serve as

Mayor due to health concerns and thanked Mayor Kusumoto for stepping up as Mayor.

Motion/Second: Murphy/Kusumoto

Unanimously Carried: The City Council appointed Council Member Graham-Mejia as Mayor Pro Tem.

ROLL CALL

Council Member Edgar	Aye
Council Member Graham-Mejia	Aye
Council Member Grose	Aye
Council Member Murphy	Aye
Mayor Kusumoto	Aye

4. DISCUSSION ITEMS

A. 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 Attorney Levin summarized the Staff report and advised Council to be conservative and continue the item to a Regular Council meeting because 2012 provisions of the Brown Act prohibited the discussion of salaries and benefits for Senior Executive employees at a Special meeting.

Mayor Kusumoto continued the item to the Regular Council meeting of January 22, 2013.

B. Approval of Employment Agreement and Appointment of City Clerk (City Manager)

This staff report authorized the City Council to appoint Windmera (Windy) Quintanar, Certified Municipal Clerk (CMC), as City Clerk of the City of Los Alamitos. Approval of the Employment Agreement and adoption of the Resolution will confirm her appointment.

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

Council Member Grose made a motion, seconded by Mayor Pro Tem Graham- Mejia to approve Staff recommendation.

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

Mayor Pro Tem Graham-Mejia inquired how the contract would be affected since Item 4A had been continued.

City Attorney Levin recommended the Council adopt the Resolution as is, modify recommendation #1 to include "citing in Section 3.3, the Salary and Benefit Resolution in effect at the time the agreement is executed", and direct the City Manager defer execution of this agreement until after consideration of Item 4A in January.

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

1. Approved the Employment Agreement with Windmera Quintanar, citing "in Section 3.3, the Salary and Benefit Resolution in effect at the time the agreement is executed", and directed the City Manager defer execution of this agreement until after consideration of Item 4A in January; and,
2. Adopt Resolution No. 2013-01, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CA APPOINTING WINDMERA QUINTANAR AS CITY CLERK OF THE CITY OF LOS ALAMITOS, CA AND REPEALING RESOLUTION NO. 2011-26 IN ITS ENTIRETY".

**C. City Attorney Services – Schedule and Request for Proposal
(City Manager)**

This report set forth a recommended schedule, evaluation criteria, and scope to be incorporated into a Request for Proposal for City Attorney Services.

City Manager Avery summarized the staff report, referring to the information contained therein and answered question from the City Council. She stated the Council could consider the calendar and evaluation weighting criteria in further detail at a later meeting.

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

City Council and Staff discussed the following topics:

- Proposed timeline laid out 14 steps to obtain a new City Attorney
- Future involvement of the Ad Hoc Committee, if needed
- Preference for a less aggressive time line
- Preference for City Attorney discussion at Regular meetings instead of Special meetings
- Ad Hoc Committee recommendation for Council to review the proposals
- Interview the top three proposers based on Council review and recommendation
- Ad Hoc Committee to do the first review if 10 or more proposals are received and forward the top 6 to the Council
- Council would review the 6 proposals from the Ad Hoc Committee (at a Special meeting if needed) and interview the top 3 proposals
- Support for Ad Hoc Committee reviewing the proposals first and forwarding the top proposers to the City Council

Mayor Pro Tem Graham-Mejia made a motion to change items 8, 10, and 13 to Regular meetings, with the caveat that if needed, a Special meeting could be added to act more expeditiously, and if 10 or less proposals were received the Council would review them as a whole.

Council Member Edgar asked for clarification that item #8 would be at a Special meeting.

Mayor Pro Tem Graham-Mejia stated her recommendation was that it be considered by the whole Council at a Regular meeting. She indicated it was important for the weighting criteria to be addressed by the entire Council versus an Ad Hoc Committee.

City Attorney Levin advised Council could review the proposals individually, but could not discuss them amongst each other unless it was at a scheduled Council meeting.

City Council and Staff discussed the following topics:

- Extending the due date deadline to allow for more flexibility and time
- Council preference to have a less aggressive schedule introduced at the next Council meeting

- Request for Proposal (RFP) release would be delayed until the schedule was finalized
- Item would return to the January 22nd meeting with a revised schedule for approval
- Without scheduling Special meetings, the process would automatically be pushed back by 3 months
- Possibility for interviews in February, with a Special meeting if needed to conclude interviews, and appointment in March
- Weighting criteria to be discussed at the January 22nd meeting
- Clarification that a meeting is needed to discuss who to interview and a separate meeting to interview
- Consensus that a Special meeting could be added to interview applicants if needed (Item #10)
- Interviews would be in Closed Session

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

1. Bring forward a new schedule and weighting criteria to the January 22nd City Council meeting for approval; and,
2. Should 10 or more proposals be received they will be reviewed by the Ad Hoc Committee first who will forward the top 6 proposers to the City Council; and,
3. Should less than 10 proposals be received they will go directly to City Council for review; and,
4. Change Items 8, 10, and 14 on the proposed schedule to Regular meetings, and,
5. Council may call a Special meeting for interviews if necessary.

5. CLOSED SESSION

A. Public Employment

Title: City Manager
 Authority: Government Code Section 54957

City Clerk Quintanar read the title of Item 5A aloud.

RECESS

City Council recessed into Closed Session at 6:43 p.m.

RECONVENE

City Council reconvened into Regular Session at 7:39 p.m.

Mayor Kusumoto announced Council had accepted the resignation/retirement of City Manager Avery effective March 1, 2013 and an Ad Hoc Committee had been created to select an Interim City Manager consisting of Mayor Kusumoto and Council Member Grose.

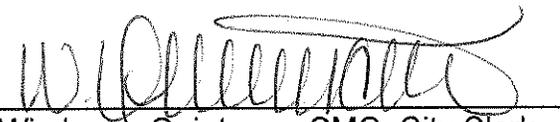
6. ADJOURNMENT

The City Council adjourned at 7:40 p.m. 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, City Clerk