

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

**REGULAR MEETING – October 17, 2011**

**1. CALL TO ORDER**

The City Council met in Regular Session at 7:00 p.m., Monday, October 17, 2011, in the Council Chambers, 3191 Katella Avenue, Mayor Stephens presiding.

**2. ROLL CALL**

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

**Absent:** Council Members: None

**Present:** Staff: Jeffrey L. Stewart, City Manager  
Sandra J. Levin, City Attorney  
Todd Mattern, Police Chief  
Steven Mendoza, Community Development Dir.  
Angie Avery, Community Services Director  
Anita Agramonte, Finance Director  
Dave Hunt, City Engineer  
Windmera Quintanar, Department Secretary

**3. PLEDGE OF ALLEGIANCE**

Mayor Stephens led the Pledge of Allegiance.

**4. INVOCATION**

Council Member Kusumoto gave the Invocation and requested a moment of silence for the Seal Beach tragedy.

Mayor Stephens announced Item 8A would be taken first.

**8. ORDINANCE**

- A. An ordinance of the City Council of the City of Los Alamitos, Orange County, California, adding Chapter 9.14 of the Los Alamitos Municipal Code “Establishing City Parks as Child Safety Zones” where registered sex offenders are prohibited from entering without permission (Police Department)**

This was consideration of an ordinance establishing City Parks as “Child Safety Zones” and prohibiting registered sex offenders from entering without written permission by the Los Alamitos Police Department.

Susan Schroeder, District Attorney's Chief of Staff, gave a brief subject summary and submitted a letter from the District Attorney's Office.

Chief Mattern summarized the staff report referring to the information contained therein and answered questions from the City Council.

Mayor Stephens opened Public Comment. There being no one present wishing to speak, Mayor Stephens closed Public Comment.

Mayor Pro Tem Edgar gave a brief background on his involvement with the item.

Council Member Kusumoto, Council Member Poe, Mayor Stephens, and Council Member Graham-Mejia stated support for the item.

Motion/Second: Edgar/Poe

Unanimously Carried: The City Council:

1. Introduced by title only and waived further reading of Ordinance No. 11-09, and set for second reading; and,
2. Mayor Stephens read the title of Ordinance No. 11-09, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADDING Chapter 9.14 OF THE LOS ALAMITOS MUNICIPAL CODE ESTABLISHING CITY PARKS AS 'CHILD SAFETY ZONES' WHERE REGISTERED SEX OFFENDERS ARE PROHIBITED FROM ENTERING WITHOUT WRITTEN PERMISSION."

## 5. 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.

Mayor Stephens opened Oral Communications.

Dean Grose, resident and member of West OC CERT, expressed his condolences for the Seal Beach tragedy and thanked the Chief of Police for the support provided.

Brad Sheridan, resident, spoke regarding the City of Los Alamitos vs. Citizens for a Fair Trash Contract litigation.

JM Ivler, resident, stated he has received answers to the concerns that he had previously submitted from the City Manager.

Javier Mejia, resident, expressed concern about the striping on Katella and Lexington and stated support for continued test of the alley speed bumps.

Mayor Stephens closed Oral Communications.

Mayor Stephens asked for clarification regarding the speed bumps. City Engineer Hunt summarized the process and answered questions from the City Council. City Manager Stewart indicated Council concerns would be forwarded to the Traffic Commission.

Mayor Stephens asked City Attorney Levin for an update on City of Los Alamitos vs. Citizens for a Fair Trash Contract litigation. City Attorney Levin stated the judge found no factual basis for the allegations of corruption, but stated the ordinance adopted in 2008 needed process clarification.

Council Member Graham-Mejia asked for further clarification and requested to be better informed as she was not part of the Closed Session discussions.

**6. REGISTER OF MAJOR EXPENDITURES**

October 17, 2011.

Motion/Second: Poe/Edgar

Unanimously Carried: The City Council approved the Register of Major Expenditures for October 17, 2011, in the amount of \$494,661.22.

**Roll Call Vote**

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

**7. 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 Kusumoto pulled Items 7A and 7C.

Council Member Poe pulled Item 7D.

Mayor Pro Tem Edgar pulled Item 7H.

Motion/Second: Graham-Mejia/Edgar

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

\*\*\*\*\*CONSENT CALENDAR\*\*\*\*\*

**B. Warrants (Finance)**  
The City Council approved the Warrants for October 17, 2011, in the amount of \$73,301.11.

**E. Authorization to Purchase Mobile Data Computers (Police)**  
This report sought City Council authorization to purchase eight (8) replacement mobile data computers for the Police Department from DuraTech USA, Inc.

The City Council authorized the expenditure of \$56,000 from the Fiscal Year 2011-12 Budget, account number 27.521.5420, for the purchase of eight (8) GD8000 Ruggedized Notebook Computers from DuraTech USA, Inc. for installation in patrol vehicles.

**F. Avoid the 26 – DUI Campaign Memorandum of Understanding (PD)**  
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 a one-year "Avoid the 26" State of California Office of Traffic Safety grant.

The City Council 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.

**G. 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 exceeds the purchasing limit of the City Manager. Race registration revenue offsets the cost of the shirts so there is no impact to the General Fund.

The City Council authorized the City Manager to purchase 2012 Race on the Base participant shirts from Pacifica Racewear in an amount not to exceed \$30,000.

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

**A. Approval of Minutes (City Clerk)**  
Approve Minutes of the Regular Meeting – October 3, 2011.

Council Member Kusumoto referred to Item 9A and 10A of the minutes and requested it state his conflict of interest was due to the fact that he lived within 500 feet of the items under discussion.

Council Member Poe referred to page 1 and stated Chuck Silva had stated support not opposition.

Council Member Graham-Mejia stated she did not support action minutes because she felt they do not provide an adequate historical record.

Motion/Second: Edgar/Poe

Carried 4/1 (Council Member Graham-Mejia cast the dissenting vote): The City Council approved the minutes of the Regular Meeting of October 3, 2011, as corrected.

**C. Second Reading of Ordinance 11-08 – Stansbury Park Area Zoning (Community Development)**

At its regular meeting of October 3, 2011, the City Council conducted a first reading of Ordinance No. 11-08, which approves Zoning Ordinance Amendment 11-03, to prezone eight Long Beach Parcels (7078-019-005, 006, 007, 009, 010, 011, 906 & 907) in conjunction with Area 7 of Local Agency Formation Commission Boundary Adjustment.

Council Member Graham-Mejia thanked the residents that came forward and participated in the process.

Motion/Second: Edgar/Poe

Carried 4/1 (Council Member Kusumoto abstained): The City Council:

1. Waived reading in full and authorized reading by title only of Ordinance No. 11-08; and,
2. Mayor Stephens read the title of Ordinance No. 11-08, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADOPTING ZONING ORDINANCE AMENDMENT 11-03, TO PRE-ZONE PARCELS 7078-019-005, 006, 007, 009, 010, 011, 906 & 907 (STANSBURY PARK AREA) IN CONJUNCTION WITH AREA SEVEN (7) OF THE PROPOSED LAFCO BOUNDARY ADJUSTMENT:" and,
3. Adopted Ordinance No. 11-08 by roll call vote.

**D. Reject all Bids for the Construction of Roof Repair Projects (CIP No. 10/11-02) and Direct the City Engineer to Re-advertise (Engineering)**

On September 29, 2011, construction bids were publicly opened for the construction of Roof Repair Project (CIP No. 10/11-02). Only one bid was received and the bid amount exceeds the appropriated construction budget amount of \$111,088.24.

City Engineer Hunt summarized the staff report referring to the information contained therein and answered questions from the City Council.

Discussion ensued regarding cost, alternative materials, and project priorities.

Motion/Second: Poe/Edgar

Unanimously Carried: The City Council:

1. Rejected all bids received for the construction of Roof Repair Project (CIP No. 10/11-02); and,
2. Authorized the City Engineer to re-advertise for bids to construct the project at the lowest cost to the City.

**H. Status of City Efforts Opposing Requested Water Rate Increase by the Golden State Water Company (City Manager)**

On September 6, 2011, the City Council considered an agenda item related to the Golden State Water Company's request for a water rate increase currently before the California Public Utilities Commission. The Council directed that staff work with neighboring cities in developing a coordinated response to the rate request. Attached is a joint letter from the cities of Los Alamitos, Cypress, and Seal Beach requesting that the CPUC oppose the request for an increase in water rates, as currently justified by the Golden State Water Company.

Mayor Pro Tem Edgar gave a brief background on the item and stated support.

City Manager Stewart summarized the cities involved and the steps being taken.

Motion/Second: Edgar/Poe

Unanimously Carried: The City Council:

1. Received and filed; and,
2. Directed staff to post the letter on the City's Website.

**9. MAYOR AND COUNCIL INITIATED BUSINESS**

**A. City Council Member Recommended Appointment to various Boards via the Association of California Cities Orange County (ACCOC)**

Association of California Cities – Orange County (ACCOC) is seeking candidates for the San Gabriel and Lower Los Angeles Rivers Mountains Conservancy (RMC), Air Quality Management District (AQMD), Orange County Transit District (OCTA) and the Remote Access Network Board (RAN).

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

Council Member Kusumoto stated he was not interested in serving.

Council Member Poe stated support for the incumbents seeking reappointment, including Mayor Pro Tem Edgar continuing as the Rivers and Mountains Conservancy delegate.

Mayor Pro Tem Edgar stated support for current OCTA representative Don Hansen.

Mayor Stephens stated support for Mayor Pro Tem Edgar to continue as the Rivers and Mountains Conservancy delegate.

Council Member Graham-Mejia stated support for the incumbents seeking reappointment.

**B. 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.

**Council Member Kusumoto** requested a summary of why parks are important to a community. Community Services Director Avery provided a brief summary. Council Member Kusumoto reported attendance at the Ground Breaking Ceremony held at the Joint Forces Training Base and inquired if the City Attorney had prepared a response to his concerns regarding the lawsuit. City Attorney Levin indicated she had and was comfortable with the situation.

**Council Member Poe** expressed condolences for the Seal Beach tragedy. She reported attendance at the following events: 1) OCTA 405 Working Group Meeting; 2) OC Library Quarterly Meeting; and, 3) City/School District Working Group meeting. She requested a 405 update from OCTA be agendaized for a future meeting, confirmed that the fence at Orville Lewis Park was complete, requested an update regarding Verizon FIOS, and stated support for speed humps in the alley.

**Mayor Pro Tem Edgar** expressed condolences for the victims of the Seal Beach incident, including long time Los Alamitos residents Tom and Hattie Stretz who lost their daughter Laura in the tragedy. He reported attendance at the Orange County Sanitation District monthly meeting and SARIL Ground Breaking at the Joint Forces Training Base. He requested a presentation for Col. Toy be agendaized and thanked staff for their work on the Child Safety Zone ordinance.