

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

REGULAR MEETING – February 19, 2013

1. CALL TO ORDER

The City Council met in Regular Session at 6:07 p.m., Tuesday, February 19, 2013 in the Council Chamber, 3191 Katella Avenue, Mayor Kusumoto presiding.

2. ROLL CALL

Present: Council Members: Edgar, Grose, Murphy, Mayor Kusumoto

Absent: Council Members: Mayor Pro Tem Graham-Mejia

Present: Staff: Angie Avery, City Manager
Steve Skolnik, Interim City Attorney
Corey Lakin, Community Services Director
Linda Magnuson, Interim Finance Director
Todd Mattern, Police Chief
Steven Mendoza, Community Development Director
Cassandra Palmer, Support Services Manager
Windmera Quintanar, CMC, City Clerk

3. PLEDGE OF ALLEGIANCE

Council Member Grose led the Pledge of Allegiance.

4. INVOCATION

Council Member Murphy gave the Invocation.

5. ORAL COMMUNICATIONS

Mayor Kusumoto opened the meeting for Oral Communications.

Diana Hill, resident, gave a brief update on the Sugar Beet Festival and plans for a Sugar Town Challenge.

Courtney Meredith, Relay for Life representative, spoke regarding the upcoming Relay for Life to be held on June 29-30th at McAuliffe Middle School.

Richard Vardeman, resident, expressed concern for disturbing noises coming from Trend Offset Printing and requested noise producing hours be prohibited between 10:00 p.m. and 7:00 a.m.

JM Ivler, resident, spoke regarding the newly formed Los Alamitos Business Cooperative, a 501 (c)6.

Mayor Kusumoto closed the meeting for Oral Communications.

6. REGISTER OF MAJOR EXPENDITURES

Motion/Second: Grose/Edgar

Unanimously Carried: The City Council approved the Register of Major Expenditures for February 19, 2013, in the amount of \$69,665.47, ratified the Register of Major Expenditures for January 22, 2013 to February 18, 2013 in the amount of \$590,725.65, 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 February 20, 2013 to March 17, 2013.

Roll Call Vote

Council Member Edgar	Aye
Council Member Grose	Aye
Council Member Murphy	Aye
Mayor Pro Tem Graham-Mejia	Absent
Mayor Kusumoto	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 Murphy pulled item 7A.

Motion/Second: Edgar/Grose

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

B. Warrants (Finance)

Approved the Warrants for February 19, 2013 in the amount of \$57,178.86 and ratified the Warrants for the time period January 23, 2013 to February 18, 2013 in the amount of \$66,230.74, 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 February 20, 2013 to March 17, 2013.

C. Approval of Agreement with Gregory D. Korduner for Interim City Manager Services (City Manager)

Mayor Warren Kusumoto recommended Gregory D. Korduner to serve as Interim City Manager. Approval of the agreement formalized the appointment of Mr. Korduner as the Interim City Manager effective February 19, 2013.

The City Council authorized the Mayor to execute the agreement with Gregory D. Korduner for the provision of Interim City Manager services.

End of Consent Calendar

Items pulled from the Consent Calendar

- A. Approval of Minutes** **(City Clerk)**
1. Approve the Minutes of the Special Meeting of January 22, 2013.
 2. Approve the Minutes of the Regular Meeting of January 22, 2013.

Council Member Murphy referred to Item 8A2, page 15, line 6, and indicated it should state "closed" the item.

Motion/Second: Murphy/Edgar
Unanimously Carried: The City Council:

1. Approved the Minutes of the Special Meeting of January 22, 2013.
2. Approved the Minutes of the Regular Meeting of January 22, 2013, as corrected.

End of items pulled from the Consent Calendar.

City Manger Avery introduced Interim City Manager Greg Korduner at the request of Council Member Grose.

Mr. Korduner thanked the Council and stated he looked forward to working with the City.

8. DISCUSSION ITEMS

- A. Consideration of Membership in the Association of California Cities – Orange County** **(City Manager)**

The City of Los Alamitos joined the Association of California Cities – Orange County (ACC-OC) in February, 2011. Mayor Kusumoto asked to agendize this item to gain the Council's perspective on the value to the community derived from the City's membership in the organization.

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

Lacey Kelly, ACC-OC Chief Executive Officer, presented informational packets to the Council and outlined the benefits of membership with the organization.

City Council and Staff discussed the following topics:

- Growth of the organization
- Collaboration of interested parties
- Availability of unbiased research tools
- Benefit as a regional advocate
- Recent New Council Member Orientation and attendance by Council Member Grose and Murphy
- City Manger participation on City Manager Committee
- League of California Cities, Orange County division formation
- Unique organization based on “ground up” philosophy
- Support for continually reviewing the City’s memberships in various organizations

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

Motion/Second: Grose/Murphy

Carried 3/1 (Kusumoto cast the dissenting vote): The City Council discussed and took action to continue membership in the ACC-OC.

B. Appropriation of Resources to the Los Alamitos Unified School District for Renovation of Oak Middle School (City Manager)

On September 17, 2012, the City Council approved the commitment of \$300,000 to assist the Los Alamitos Unified School District with the renovation of the Oak Gymnasium and a Public Restroom Facility at Oak Middle School to benefit the community. The Council needs to formally appropriate the funds now, so that the donation can be made and the check sent to the School District.

City Manager Avery 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:

- History of the Youth Center and Gymnasium
- City owns the Youth Center and the School District owns the gym with an agreement with the City for use of the gym in perpetuity
- Concern for giving the money up front before construction even begins
- School Districts need to have the funding up front before the project can be approved by the State
- Construction estimated to begin in a number of months

- Provisions in the agreement regarding construction start dates and refunds
- School District has historically finished under budget on its projects
- Opposition to the City funding overhead and concern for overall cost of the project
- Consideration of approving the agreement with direction to Staff to return with a more detailed cost structure
- Measure K funding has specific requirements of how funding can be used
- \$300,000 is only 1/3 of the athletic related cost for the project and does not include classroom modernization
- Possibility of requesting updates from the School District once the project is underway
- Maintenance and fees discussion would be taking place in the near future
- Maintenance of McAullife restrooms to be discussed during the budget process

Mayor Kusumoto opened the item for public comment.

Pete Carvajal, resident, requested the Commissions be involved in future discussions and spoke in favor of the project.

Mayor Kusumoto closed the item for public comment.

Council stated support for involving the Commissions in the future.

Motion/Second: Edgar/Murphy

Unanimously Carried: The City Council:

1. Formally appropriated an amount not to exceed \$300,000 or one-third of the cost of renovation, whichever cost is lower, for the renovation of the Oak Gymnasium and a new Public Restroom Facility at Oak Middle School; and,
2. Authorized the City Manager to enter into a funding agreement with the Los Alamitos Unified School District in a form acceptable to the City Attorney; and,
3. Directed Staff to keep the Council apprised on construction costs and cost structure.

**C. Continuance of the Business and Residential Improvement Program
(Community Development)**

This report provided a one year recap of the Business and Residential Improvement Program and a recommendation to continue the Program until June 30, 2013.

Community Development Director Mendoza 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:

- Reserved funds for pulled permits currently have till the end of the fiscal year to complete their permit
- Support for extending the program until June 30, 2013 with a specific date for project completion
- Opportunity to carry over remaining funds in the budget process
- Length of construction causes a delay in reimbursement request
- Roughly 80% of reserved funds are for business
- Concern the funds were not being reserved because lack of suppliers and/or available funding for projects

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

Motion/Second: Edgar/Grose

Unanimously Carried: The City Council continued the program through June 30, 2013, or until current funds are reserved (whichever comes first), with reimbursements due by December 31, 2013.

**D. Creation of Ad Hoc Subcommittee to Review City Attorney Proposals
(City Manager)**

This report established an Ad Hoc Subcommittee for review of City Attorney Request for Proposals if more than 10 proposals were received.

Community Development Director Mendoza recommended no action be taken as only seven proposals were received.

**E. Commitment of Resources to Hire a Police Officer to Serve as a
School Resource Officer (City Manager)**

This report gave the City Council the opportunity to make a commitment of funds to hire a Police Officer to serve as School Resource Officer (SRO).

City Manager Avery 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:

- History of the SRO position and suspension of project due to budget constraints
- Possibility of receiving funding from the County of Orange
- Security polices throughout the School District
- Director of Safety position being added by the School District to implement an overall safety plan and central coordination for the District
- Police Department is dispatched to the High School fairly frequently and having a dedicated Officer would allow more Officers to remain on patrol
- Request for an update on the milestones of the SRO project in the past
- Long-term cost of funding a SRO and the need for long-term funding commitments from all partners and stakeholders
- Mayor Kusumoto working with Supervisor Moorlach's office to discuss potential funding
- Importance of protecting the students year-round
- Concern the Police Department would not be able to absorb the additional costs with ongoing day-to-day pressures of the Department

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:

- Support for making a commitment for an SRO
- \$95,000 includes salary, benefits, training, uniform, equipment, and a vehicle on an annual basis
- Need to start recruitment immediately in order to have an Officer recruited, hired, and fully trained by September
- Concern for not having a funding source for the position
- Position would need funding for at least three years for it to be a beneficial endeavor
- Support for moving forward with direction to Staff to return with a funding source and the School District's plan for the future of the position

- SRO would not be restricted to the High School and patrol all sites if needed
- Beneficial opportunity to partner with School District and Seal Beach City Council
- City's 50% portion of funding was to ensure the City maintained responsibility for the position
- Should the County allocate funding, it may reduce the City's 50%
- Possibility of using Community Give-Back funding and opposition for a project that had associated ongoing cost
- Negotiate with Seal Beach and the School District to commit to the funding for at least 3 years

Motion/Second: Kusumoto/Murphy
 Unanimously Carried: The City Council:

1. Formally commit to fund approximately one-half of the salary, benefits, training and equipment needs for a new Police Officer to work as a School Resource Officer for a minimum of 3 years from the reserve funds; and,
2. Requested the Police Chief investigate ways to absorb 50% of the City's portion in the existing budget; and,
3. Directed Staff to obtain a definite response from the County Supervisor regarding funding

9. MAYOR AND COUNCIL INITIATED BUSINESS

A. Council Announcements

Council Member Murphy spoke regarding the following topics: attendance at Courage to Remember and the ACC-OC New Council Member Orientation; requested the meeting be closed in prayer for Mayor Pro Tem Mejia and her health; and, thanked City Manager Avery for her service.

Council Member Grose spoke regarding the following topics: posting future events attend on his website; attendance at the Senior Club Lunch; Swearing in of Congressmen Alan Lowenthal; Cypress Community Forum; Groundbreaking for Sausalito Walk; School District/City Working Group meeting; ACC-OC New Council Member Orientation; 79th Sustainment Change of Command Ceremony; Southern California Edison briefing on San Onofre Nuclear generating station; Chamber Ribbon Cutting for Katella Senior Center; met with a developer and Council Member Murphy regarding development of the SuperMedia site; and, requested an update on the impacts of the Telephone User Tax.

Council Member Edgar spoke regarding the following topics: closing the meeting in honor of Twila Sutherlin; attendance at the Orange County Sanitation District Board meeting; thanked City Manager Avery for her service; welcomed Interim City Manager Greg Korduner; attendance at Swearing in of Congressmen Alan Lowenthal; attendance at Groundbreaking for Sausalito Walk; and, meeting with a developer regarding development of the SuperMedia site.

Mayor Kusumoto spoke regarding the following topics: attendance at the Senior Club Lunch, 79th Sustainment Change of Command Ceremony, and Swearing in of Congressmen Alan Lowenthal; requested an update for Race on the Base; thanked City Manager Avery for her service; and, introduced Interim City Attorney, Steve Skolnik.

Community Services Director Lakin provided an updated for Race on the Base to be held on Saturday, February 23rd at the Joint Forces Training Base.

10. ITEMS FROM THE CITY MANAGER

City Manager Avery thanked the Council, Staff, and community for her career with the City and stated she appreciated the opportunity.

11. CLOSED SESSION

Conference with Legal Counsel

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

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

Name of Case: John Doe v. The City of Los Alamitos

Case Number: United States District Court, Central District of California,
Southern Division, Case #SACV122166 DOC (ANx)

Authority: Government Code Section 54956.9(a)

RECESS

The City Council recessed into Closed Session at 8:46 p.m.

RECONVENE

The City Council reconvened in Regular Session at 9:53 p.m.

Mayor Kusumoto indicated there was no reportable action.

12. ORDINANCES

A. Consideration of Adoption of Ordinance No. 13-01 Amending Chapter 9.14 of the Los Alamitos Municipal Code (City Attorney)

Currently, the Los Alamitos Municipal Code prohibits registered sex offenders from entering City parks without written permission from the Police Department. The ordinance adding these provisions to the Municipal Code was modeled on a County ordinance which was declared invalid by the Appellate Division of the Orange County Superior Court. The City has not enforced these provisions since the County ordinance was declared invalid. Therefore, Staff recommended amending this chapter to address various potential legal issues raised by the Court's decision.

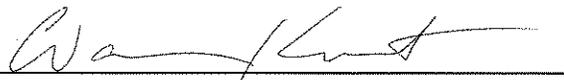
Motion/Second: Edgar/Grose

Unanimously Carried: The City Council:

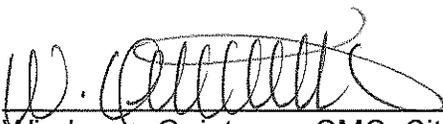
1. Discussed and considered an ordinance amending the Municipal Code to narrow application of the prohibition on sex offenders in City parks and providing for signage informing the public of such restrictions; and,
2. Introduced by title only and waive further reading of Ordinance No. 13-01, and set for second reading; and,
3. Read the title of Ordinance No. 13-01, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, ORANGE COUNTY, CALIFORNIA, AMENDING CHAPTER 9.14 OF TITLE 9 OF THE LOS ALAMITOS MUNICIPAL CODE "ESTABLISHING CITY PARKS AS CHILD SAFETY ZONES" WHERE REGISTERED SEX OFFENDERS ARE PROHIBITED FROM ENTERING WITHOUT WRITTEN PERMISSION".

13. ADJOURNMENT

The City Council adjourned at 9:55 p.m. in support of Mayor Pro Tem Graham-Mejia's quick recovery and memory of Twila Sutherlin. The next meeting of the City Council is scheduled for **Monday, March 18, 2013, at 6:00 p.m.**, in the City Council Chamber.


Warren Kusumoto, Mayor

Attest:


Windmera Quintanar, CMC, City Clerk