

CITY OF LOS ALAMITOS

3191 Katella Avenue
Los Alamitos, CA 90720

AGENDA CITY COUNCIL REGULAR MEETING

Monday, April 15, 2013 – 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 Edgar
Council Member Grose
Council Member Murphy
Mayor Pro Tem Graham-Mejia
Mayor Kusumoto

3. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Graham-Mejia

4. INVOCATION

Council Member Grose

5. PRESENTATIONS

- A. Presentation of a Proclamation to West-Comm Representatives: Marie Pope, Acting Dispatch Supervisor; Kathie Moen, Lead Dispatcher; and, Michael Berry, Dispatcher for National Telecommunicator's Week**
- B. Presentation of Certificates of Appreciation to the Race on the Base Sponsors**

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 April 15, 2013, in the amount of \$36,399.55, ratify the Register of Major Expenditures for March 19, 2013 to April 14, 2013 in the amount of \$809,683.15 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 April 16, 2013 to May 19, 2013.

Roll Call Vote

Council Member Edgar
Council Member Grose
Council Member Murphy
Mayor Pro Tem Graham-Mejia
Mayor Kusumoto

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.

- A. Approval of Minutes (City Clerk)**
 - 1. Approve the Minutes of the Special Meeting of March 12, 2013.
 - 2. Approve the Minutes of the Regular Meeting of March 18, 2013.
 - 3. Approve the Minutes of the Special Meeting of March 28, 2013.
 - 4. Approve the Minutes of the Special Meeting of April 2, 2013.
 - 5. Approve the Minutes of the Special Meeting of April 5, 2013.
 - 6. Approve the Minutes of the Special Meeting of April 8, 2013.

- B. Warrants (Finance)**

Approve the Warrants for April 15, 2013 in the amount of \$36,881.87 and ratify the Warrants for the time period for March 19, 2013 to April 14, 2013 in the amount of \$80,364.39, 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 April 16, 2013 to May 12, 2013.

C. Fiscal Year 2011-12 Comprehensive Annual Financial Report (CAFR) (Finance)

This item transmits the Comprehensive Annual Financial Report for the Fiscal Year which ended on June 30, 2012.

Recommendation: Receive and file the Comprehensive Annual Financial Report (CAFR), which includes the Transmittal Letter and Management's Discussion and Analysis prepared by the Finance Department.

D. Purchase of Equipment for Los Alamitos Television (Finance)

The Los Alamitos Television Commission is requesting that City Council consider and approve the purchase of new equipment for the Los Alamitos Television operation.

Recommendation: Approve the request and authorize a budget amendment in the amount of \$39,500 to account 28-518-5420 (Equipment) in the Los Alamitos Television Fund.

E. Disposal of Surplus Equipment (Public Works)

This report sets forth a recommendation to dispose of surplus equipment.

Recommendation: Declare the listed equipment as surplus, and authorize its disposal in accordance with the Los Alamitos Municipal Code.

F. Authorization to Award a Purchase Order for Orville Lewis Park Basketball Court (Public Works)

The Orville Lewis basketball court was installed in the 70's and is now in need of grinding and a new overlay of asphalt. This report recommends award of a Purchase Order to Vic's Concrete Breaking and Removal, in the amount of \$11,295.

Recommendations:

1. Authorize the City Manager to approve the grinding and overlay of asphalt for Orville Lewis Basketball Court project; and,
2. Award a Purchase Order for the lowest bidder to Vic's Concrete Breaking and Removal, in the amount of \$11,295, and reject all other bids.

- G. Appointment of City Attorney (Community Development)**
This report summarizes the City Attorney Recruitment.

Recommendation: Authorize the City Manager to execute the Agreement with Wallin, Kress, Reisman and Kranitz naming Cary Reisman as City Attorney.

- H. Authorization to Apply for M2 Grant Funds(Community Development)**
Consideration to authorize an application to the Orange County Transportation Authority (OCTA) for funds for the Environmental Cleanup, Tier 1 Grant Program.

Recommendation: Adopt Resolution No. 2013-06, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CA, AUTHORIZING AN APPLICATION FOR FUNDS FOR THE ENVIRONMENTAL CLEANUP, TIER 1 GRANT PROGRAM UNDER ORANGE COUNTY LOCAL TRANSPORTATION ORDINANCE NO. 3 FOR THE STORM DRAIN SCREEN PROJECT (CITYWIDE)."

- I. Meeting between Orange County Supervisor John Moorlach, Mayor Kusumoto, Mayor Pro Tem Graham-Mejia and Interim City Manager Greg Korduner to discuss various topics of interest (City Manager)**
This report summarizes the April 4, 2013 meeting between Orange County Supervisor John Moorlach and Staff.

Recommendation: Receive and file.

- J. Meeting Between United States Congressman Alan Lowenthal and City of Los Alamitos Representatives to Discuss Various Topics (CM)**
This report summarizes the April 4, 2013 meeting between United States Congressman Lowenthal and Staff.

Recommendation: Receive and file.

- K. Legislative Opposition – SB 7 (City Manager)**
The League of California Cities requested an opposition letter for proposed legislation. Council considered the request at a Special meeting on April 5, 2013 and voted to send a letter of opposition.

Recommendation: Receive and file.

9. DISCUSSION ITEMS

A. City Council Policy on Amendment of City Council Minute Format (City Clerk)

On August 2, 2010 the City Council adopted Resolution 2010-16 which established the policy for Action Minute format. Mayor Pro Tem Graham-Mejia asked to amend this item to readdress the format in which minutes are prepared. The item was postponed from the March 18, 2013 meeting. Additional information has been included regarding available technology.

Recommendation:

1. Fully implement action minutes as previously approved by Resolution 2010-16; or,
2. Approve implementing Summary Minutes and direct Staff to prepare a Resolution adopting such; or,
3. Approve implementing Verbatim Minutes and direct Staff to research the most cost efficient consultant to provide the transcription services.

B. Vehicle/Equipment Replacement Policy (Public Works)

City Council requested that the Fleet Maintenance staff have a vehicle/equipment replacement policy in place. Staff has researched various surrounding cities' policies and tailored a policy to meet the City of Los Alamitos' needs. Staff recommends approval of the proposed policy.

Recommendation: Adopt Resolution 2013-07, entitled, "A RESOLUTION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING THE VEHICLE/EQUIPMENT REPLACEMENT POLICY."

C. Business Watch Program (Police)

This report serves to provide information about Community Outreach, a Business Watch program and/or Business Watch signage in support of a non-sponsored citizen patrol for City Council's consideration.

Recommendation:

1. Authorize staff to begin a systematic deployment of Business Watch signs in support of the business owners' patrol with an allocation of \$10,000 in account 10.542.5201 for Fiscal Year 2012-13; or,
2. Direct Staff to take action City Council deems appropriate at this time.

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Recommendation:

1. Authorize staff to begin a systematic deployment of Business Watch signs in support of the business owners' patrol with an allocation of \$10,000 in account 10.542.5201 for Fiscal Year 2012-13; or,
2. Direct Staff to take action City Council deems appropriate at this time.

D. Consideration of League of California Cities' Proposed Amendments to ByLaws (City Manager)

The League of California Cities (LOCC) is requesting cities to consider the two amendments to the LOCC Bylaws through a mail ballot.

Recommendation: Authorize the City Manager to execute the League of California Cities Ballot on Bylaws Amendments.

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. Conference with Labor Negotiator

Title: Conference with Labor Negotiator
City Negotiator: Gregory D. Korduner, Interim City Manager
Unrepresented Employee: Executive Management, Middle Management and Non-Management Employees
Authority: Government Code Section 54957.6

Conference with Legal Counsel

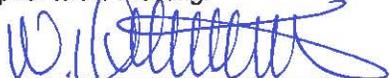
The City Council finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the local agency in the litigation.

B. 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)

13. ADJOURNMENT

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
City Clerk

4/10/13

Date

CITY OF LOS ALAMITOS
Register of Major Expenditures
April 15, 2013

To Approve

Pages:

01 \$ 36,399.55 Major Warrants 04/15/2013

Subtotal \$ 36,399.55

To Ratify

Pages:

02 \$ 21,810.00 Advance Warrants 03/20/2013

03 \$ 115,003.95 Advance Warrants 03/25/2013

04 \$ 84,662.58 Advance Warrants 04/01/2013

 \$ 175,922.41 Payroll 03/15/2013

 \$ 97,371.46 Payroll Benefits 03/15/2013

 \$ 151,798.46 Payroll 03/29/2013

 \$ 163,114.29 Payroll Benefits 03/29/2013

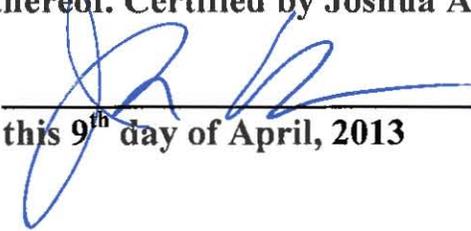
Subtotal \$ 809,683.15

Grand Total \$ 846,082.70

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 April 16, 2013 to May 19, 2013.

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 Joshua A. Brooks, Finance Director.


 this 9th day of April, 2013

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
MWR	RACE ON BASE - USAGE FEE	GENERAL FUND	SPECIAL EVENTS	10,000.00
			TOTAL:	10,000.00
ORANGE COUNTY SANITATION DISTRICT	CONNECTION FEES 7/12-3/13	GENERAL FUND	NON-DEPARTMENTAL	26,399.55
			TOTAL:	26,399.55

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

10	GENERAL FUND	36,399.55

	GRAND TOTAL:	36,399.55

TOTAL PAGES: 1

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
SANTA ANA REGIONAL WATER QUALITY CONTR	ACL ASSESSMENT	GENERAL FUND	NEIGHBORHOOD PRESERVAT	21,810.00
			TOTAL:	21,810.00

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===== FUND TOTALS =====
10  GENERAL FUND                21,810.00
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      GRAND TOTAL:              21,810.00
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TOTAL PAGES: 1

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
CHARLES ABBOTT ASSOCIATES, INC.	WQMP SERVICES - FEB	GENERAL FUND	NON-DEPARTMENTAL	174.00
	BUILDING PERMIT FEES - FEB	GENERAL FUND	BUILDING INSPECTION	11,602.43
	NPDES INSPECTIONS - FEB	GENERAL FUND	NPDES	1,880.00
			TOTAL:	13,656.43
COUNTY OF ORANGE TREASURER-TAX	2012 GENERAL ELECTION	GENERAL FUND	CITY MANAGER	14,789.15
	OCATS - FEB	GENERAL FUND	COMMUNICATIONS TECHNOL	305.00
	FY 2012-2013 NPDES	GENERAL FUND	NPDES	11,874.80
			TOTAL:	26,968.95
INTERNATIONAL CITY RACING, INC.	RACE MANAGEMENT CO.	GENERAL FUND	SPECIAL EVENTS	5,055.73
	RACE MANAGEMENT CO.	GENERAL FUND	SPECIAL EVENTS	6,959.66
			TOTAL:	12,015.39
JOHNNY REBS' OF BELLFLOWER, INC.	MEALS FOR RACE BASE 2013	GENERAL FUND	SPECIAL EVENTS	18,281.71
			TOTAL:	18,281.71
REDFLEX TRAFFIC SYSTEMS, INC.	PHOTO ENFORCEMENT - FEB	GENERAL FUND	TRAFFIC	13,728.00
			TOTAL:	13,728.00
SOUTHERN CALIFORNIA EDISON	TRAFFIC SIGS/ST LIGHTS	GENERAL FUND	STREET MAINTENANCE	14,200.42
	SLO-PITCH FLD/LAUREL PRK	GENERAL FUND	PARK MAINTENANCE	615.21
	MCAULIFFE PARK	GENERAL FUND	PARK MAINTENANCE	374.22
	PUMP STATIONS	GENERAL FUND	BUILDING MAINTENANCE	267.25
	CITY HALL	GENERAL FUND	BUILDING MAINTENANCE	754.38
	POLICE STATION	GENERAL FUND	BUILDING MAINTENANCE	1,531.63
	COMMUNITY CENTER	GENERAL FUND	BUILDING MAINTENANCE	1,671.36
			TOTAL:	19,414.47
WEST COAST ARBORISTS, INC.	FY 12/13 STREET TREES	TRAFFIC IMPROVEMEN	CAPITAL PROJECTS	10,939.00
			TOTAL:	10,939.00

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===== FUND TOTALS =====
10 GENERAL FUND 104,064.95
44 TRAFFIC IMPROVEMENT 10,939.00
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GRAND TOTAL: 115,003.95
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VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
NATIONAL AUTO FLEET GROUP	2013 HYBRID CHEVY TRUCKS	AIR QUALITY FUND	GARAGE	42,331.29
	2013 HYBRID CHEVY TRUCKS	AIR QUALITY FUND	GARAGE	42,331.29
			TOTAL:	<u>84,662.58</u>

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

23	AIR QUALITY FUND	84,662.58

	GRAND TOTAL:	84,662.58

TOTAL PAGES: 1

**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.

SPECIAL MEETING – March 12, 2013

1. CALL TO ORDER

The City Council met in Special Session at 4:43 p.m., Tuesday, March 12, 2013 at the Los Alamitos Unified School District, District Office Board Room, 10293 Bloomfield St., Los Alamitos, CA, Mayor Kusumoto presiding.

2. ROLL CALL

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

Absent: Council Members: None.

Present: Staff: Gregory D. Korduner, Interim City Manager
Corey Lakin, Community Services Director
Ron Noda, Recreation Manager
Windmera Quintanar, CMC, City Clerk

3. SPECIAL ORDERS OF THE DAY

A. Use of Facilities Fees Workshop with the Los Alamitos Unified School District Board of Education

Presented by Mrs. Patricia L. Meyer, Deputy Superintendent, Los Alamitos Unified School District, Mr. Andrew Ulmen, Rachlin Architects, Gregory D. Korduner, Los Alamitos Interim City Manager, Corey Lakin, Los Alamitos Community Services Director, and Ron Noda, Los Alamitos Recreation Manager

This item was for discussion purposes only. Staff presented a PowerPoint presentation outlining the fee structure. No action was taken.

4. ADJOURNMENT

The City Council adjourned at 6:15 p.m.

Warren Kusumoto, Mayor

Attest:

Windmera Quintanar, CMC, City Clerk

MINUTES OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS

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REGULAR MEETING – March 18, 2013

1. CALL TO ORDER

The City Council met in Regular Session at 6:02 p.m., Monday, March 18, 2013, in the Council Chamber, 3191 Katella Avenue, Mayor Kusumoto presiding.

2. ROLL CALL

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

Absent: Council Members: None

Present: Staff: Gregory D. Korduner, Interim City Manager
Steve Skolnik, Interim City Attorney
Corey Lakin, Community Services Director
Tony Brandyberry, Public Work Superintendent
Joshua A. Brooks, Finance Director
Bruce McAlpine, Police Captain
Steven Mendoza, Community Development Director
Cassandra Palmer, Support Services Manager
Windmera Quintanar, CMC, City Clerk

3. PLEDGE OF ALLEGIANCE

Council Member Murphy led the Pledge of Allegiance.

4. INVOCATION

Council Member Edgar gave the Invocation.

5. PRESENTATIONS

A. Presentation of an Award by Mothers Against Drunk Driving (MADD) Representative to Officer Samantha Mathias for DUI Officer of the Year

MADD representative presented an award to Officer Samantha Mathias for DUI Officer of the Year.

B. Presentation by Orange County Transportation Authority (OCTA) Representatives, Dennis Mak, Project Manager, and Sarah King, Outreach Manager, Regarding OCTA Projects and Programs

Mr. Mak and Ms. King gave a PowerPoint presentation and answered questions from the City Council.

C. Presentation by Orange County Sanitation District (OCSD) Representatives Jim Herberg, Assistant General Manager, and Lorenzo Tyner, Director of Finance and Administrative Services, Regarding Proposed Sewer Fee Schedule

Council Member Edgar introduced the item. Mr. Herberg and Mr. Tyner gave a PowerPoint presentation and answered questions from the City Council.

6. ORAL COMMUNICATIONS

Mayor Kusumoto opened the meeting for Oral Communications.

Gerri Graham-Mejia, resident, spoke regarding services for Tony Gianformaggio.

Dr. Sherry Kropp, Los Alamitos Unified School District (LAUSD) Board representative, spoke regarding the school resource officer.

Diana Hill, LAUSD Board Member, spoke regarding the partnership between the District and the City and the school resource officer.

Emanuel Patroscu, District Director for Assemblyman Travis Allen, stated the local office was now open and located at 17011 Beach Blvd., #570, Huntington Beach, CA.

Laura Chistensen, resident, spoke in opposition to the proposed development in the City of Cypress.

Sallie Rodman, resident, stated concerns regarding traffic and noise from the Joint Forces Training Base (JFTB).

Marc Loopesko, Director for Run Seal Beach, spoke regarding the 39th Annual Run Seal Beach event to be held on April 13, 2013.

Jody Shloss, resident, spoke in opposition to the proposed development in the City of Cypress and reiterated the concerns regarding the JFTB.

Council Member Edgar encouraged residents to bring forward their concerns regarding the JFTB so Council could present them at the Elected Officials meeting.

Lois Waddle, resident, spoke in opposition to the proposed development in the City of Cypress.

Dave Emerson, resident, stated local news coverage for the City had declined and stated opposition to the proposed development in the City of Cypress.

Javier Mejia, resident, spoke in opposition to the proposed development in the City of Cypress.

JM Ivler, resident, spoke regarding the upcoming Show Choir event at the High School and spoke in opposition to the proposed development in the City of Cypress.

Mayor Kusumoto closed the meeting for Oral Communications.

RECESS

City Council took a brief recess at 7:42 p.m.

RECONVENE

City Council reconvened in Regular session at 7:52 p.m.

7. REGISTER OF MAJOR EXPENDITURES

Council Member Grose inquired about the two charges for National Notary Association (NNA). Staff indicated the charges were for City Clerk Quintanar's Commission and included necessary training, bonding, and supplies.

Council Member Edgar inquired if the Laurel Park payment was for one year. Finance Director Brooks stated he would confirm at a later date.

Council Member Edgar inquired if the \$225,000 water main extension was budgeted. Community Development Director Mendoza answered in the affirmative and stated it was paid up front and reimbursable.

Council Member Grose stated the NNA charge was part of the Warrants.

Motion/Second: Grose/Edgar

Unanimously Carried: The City Council approved the Register of Major Expenditures for March 18, 2013, in the amount of \$184,583.75, ratified the Register of Major Expenditures for February 20, 2013 to March 17, 2013 in the amount of \$1,304,915.67 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 March 19, 2013 to April 14, 2013.

Roll Call Vote

Council Member Edgar	Aye
Council Member Grose	Aye
Council Member Murphy	Aye
Mayor Pro Tem Graham-Mejia	Aye
Mayor Kusumoto	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.

Mayor Pro Tem Graham-Mejia pulled item 8A.
Council Member Grose pulled item 8G.

Motion/Second: Graham-Mejia/Edgar

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

B. Warrants (Finance)

City Council approved the Warrants for March 19, 2013 in the amount of \$82,643.41 and ratified the Warrants for the time period for February 20, 2013 to March 17, 2013 in the amount of \$100,137.89, 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 March 19, 2013 to April 14, 2013.

C. Second Reading of Ordinance No. 13-01 – Amending Chapter 9.14 of the Los Alamitos Municipal Code (City Manager)

At its Regular meeting of February 19, 2013, the City Council conducted a first reading of Ordinance No. 13-01. This ordinance will allow for an amendment to Chapter 9.14 to address various potential legal issues raised by Appellate Division of the Orange County Superior Court decision.

The City Council:

1. Waived reading in full and authorized reading by title only of Ordinance No. 13-01; and,
2. Mayor Kusumoto 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"; and,
3. Adopted Ordinance No. 13-01.

- D. Resolution No. 2013-05 – Designation of City Treasurer (Finance)**
This report sought consideration of a resolution designating Joshua A. Brooks, Finance Director, as City Treasurer.

The City Council adopted Resolution No. 2013-05, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPOINTING FINANCE DIRECTOR, JOSHUA A. BROOKS, AS CITY TREASURER OF THE CITY OF LOS ALAMITOS AND REPEALING RESOLUTION NO. 2012-19 IN ITS ENTIRETY".

- E. Budget Appropriation - Speed Humps (Public Works)**
This report served to clarify a mid-year budget adjustment necessary to complete the Speed Hump Project previously approved by Council.

The City Council approved the request and authorized a budget amendment in the amount of \$9,120 in additional funds from the Traffic Safety Fund to account 44.570.5501.1306 to complete the speed hump project.

- F. Liability Coverage & Agreement with the Los Alamitos Senior Club (Community Services)**

The Los Alamitos Senior Club is a 501(c)3 non-profit organization incorporated in 1976 and has operated since then without liability coverage. According to the Memorandum of Liability Coverage issued to the City of Los Alamitos administered by the California Joint Powers Insurance Authority (CJPIA), any nonprofit California corporation associated under written contract approved by the Member's council, can be considered a "Protected Party" and be extended liability coverage for occurrences arising out of the functions described in the contract.

The City Council:

1. Authorized the Interim City Manager to execute the City of Los Alamitos/Los Alamitos Senior Club Community Center Use Agreement; and,
2. Designated the Los Alamitos Senior Club as a Protected Party for the purpose of extending liability coverage only for occurrences arising out of the functions described in the City of Los Alamitos/Los Alamitos Senior Club Community Center Use Agreement.

End of Consent Calendar

Items pulled from Consent Calendar

A. Approval of Minutes (City Clerk)

Mayor Pro Tem Graham-Mejia stated the current minute format did not clearly depict what occurred at the meetings. She urged Council to consider the potential of a combination of action and summary minutes to give a clear idea of what transpired at the meetings.

Motion/Second: Edgar/Murphy

Carried 4/1 (Graham-Mejia cast the dissenting vote): The City Council:

1. Approved the Minutes of the Special Meeting of February 4, 2013
2. Approved the Minutes of the Special Meeting of February 14, 2013.
3. Approved the Minutes of the Special Meeting of February 19, 2013.
4. Approved the Minutes of the Regular Meeting of February 19, 2013.

G. Stansbury Park Lease Renewal with Metropolitan Water District (Community Development)

This report provided background on the lease of park land from Metropolitan Water District (MWD) and new lease terms proposed by MWD.

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:

- Property ownership and possibility of purchasing the parcel
- Limited use of the park by the City and residents
- Concern with the increase and term of the agreement
- Police dispatches to the park
- Possible future improvements for the park
- Possibility of abandoning the portion owned by Metropolitan Water District (MWD)
- Possessory Tax liability
- Possibility of helping residents purchase property from MWD
- Maintenance cost for the park
- Negotiating lease terms with MWD
- Support for receiving community input
- Yearly cost for the park was relatively inexpensive and a benefit to the community
- Support for open space

- Year to year lease gives Staff the opportunity to negotiate with MWD for future years, and has the option to terminate with 90 day notice
- Late penalty
- Opposition to removing the trees

Motion/Second: Graham-Mejia/Murphy

Carried 4/1 (Grose cast the dissenting vote): The City Council:

1. Authorized the Interim City Manager to sign the lease agreement for a term of one year; and,
2. Authorized a budget amendment in the amount of \$3,310 from the Park Development Fund to account 10.534.5201; and,
3. Directed Staff to research options for purchasing the property, lobbying on behalf of the residents to purchase the property, forfeiting the property, and engage in community outreach.

9. DISCUSSION ITEMS

Mayor Kusumoto moved item 9C forward.

C. **Thirty-Three Acre Katella Industrial Development in the City of Cypress (Community Development)**

This report provided an update on the proposed development of Thirty-Three acres in the City of Cypress.

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:

- The legal process, California Environmental Quality Act (CEQA), the project would go through
- Interested parties ability to participate in the process and requirement for participation should litigation be pursued
- The project is in the early stages of CEQA
- CEQA includes several steps including numerous public hearings, submission of written and oral comments, draft Environmental Impact Report (EIR), comment period, etc.
- City's ability to impede the project would depend on various factors including the nature of the project and mitigation measures determined by the EIR
- Preparation of the EIR was not an entirely objective process

- To early in the process to stop the project since specific facts needed do not exist yet
- Specific Plan would have operational conditions for future expansion of the project
- Response to the Notice of Preparation (NOP) tells the City of Cypress what issues should be studied and included in the EIR
- Including all potentially impacted intersections in the NOP response
- Not allow the left-hand egress
- The need for the developer to work with the Carrier Row residents
- Maintaining the working relationship with the City of Cypress
- Council's desire for a preemptive position that preserves all options and expands the scope to preserve all parameters
- Council's desire to see a theoretical timeline for the project
- Working with the community to find out what projects would be acceptable for that location
- Updating the Council on appropriate issues through the Confidential Weekly Memo in a timely manner
- Working towards a mutually beneficial solution for all interested parties
- Exact project is still unknown at this time
- Opposition to only entrance on Katella Ave.
- Prologis perceived attempt to fast track the project

Mayor Kusumoto opened the item for public comment.

The following residents spoke in opposition to the development in the City of Cypress: JM Ivler and Ticonderago resident.

Nancy Schultz, Prologis representative, stated Prologis had bought the property and encouraged residents to present their concerns at the Prologis meeting tomorrow.

Mayor Kusumoto closed the item for public comment.

City Council and Staff discussed the following topics:

- Interest in reviewing the Specific Plan for that area as it exists today
- Council had each met with Prologis independently
- Cypress is not negatively impacted by project, but Los Alamitos would be
- Concern for the residents' voices being heard
- Interest in reviewing the ballot language for the property rezone
- Council can share information on their involvement with the project through the Confidential Weekly Memo without violating the Brown Act

- Council desire to present a unified position and gathering all the facts
- Encouraged residents to get involved and voice their opinions at the Prologis meeting

City Council received and filed the report.

A. City Council Policy on Amendment of City Council Minute Format (City Clerk)

On August 2, 2010, the City Council adopted Resolution 2010-06 which established the policy for Action Minute format. Mayor Pro Tem Graham-Mejia asked to agendaize this item to readdress the format in which minutes are prepared.

Council postponed the item to the April 15, 2013 Council meeting.

B. Selection of Top Proposers for City Attorney Services (Com. Dev.)
This report provided an update on the Permanent City Attorney recruitment process.

Interim City Manager Korduner indicated this item could be discussed in Closed Session. Interim City Attorney Skolnik concurred.

City Council deferred discussion to Closed Session.

D. Community Give-Back Program (City Manager)
This report gave the City Council the opportunity to act on the Ad Hoc Committee's recommendation to fund the top four ranked programs from the Community Give-Back survey.

Interim City Manager Korduner 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:

- Preference for addressing in the upcoming budget process
- Commitment to fund 50% of School Resource Officer (SRO)
- Concern for total amount in the Reserve

Motion/Second: Murphy/Edgar

Motion: Postpone the item and address it during the budget process.

City Council and Staff discussed the following topics:

- Support for continuing the process started by the Ad Hoc Committee
- Intent for projects not to have an ongoing cost
- Expansion of the Parks programs was for a three year duration
- \$60,000 spent on Holiday decorations
- Support for planting additional trees
- Goal of the program was to give back Reserves to the community that wouldn't benefit from the Business and Residential Rebate Program
- Concern for going against what the residents have voted for
- Sensible reserve policy and returning funds to the residents
- Support for responsibly budgeting the projects

Mayor Kusumoto opened the item for public comment.

JM Ivler, resident, stated more community input was needed, support for the program being addressed as part of the budget process, and support for knowing the amount of Reserves.

Mayor Kusumoto closed the item for public comment.

Mayor Pro Tem Graham-Mejia indicated resident input was requested through the survey that was included in the Parks and Recreation brochure. She requested Council not change the top four voted projects.

Motion/Second: Murphy/Edgar

Motion: Postpone the item and address it during the budget process.

Substitute Motion/Second: Graham-Mejia/Kusumoto

Failed 2/3 (Edgar, Grose, Murphy cast the dissenting vote): Postpone the item and address it during the budget process, without changing the rank listing for the top four voted projects.

Motion/Second: Murphy/Edgar

Carried 4/1 (Graham-Mejia cast the dissenting vote): Postpone the item and address it during the budget process.

10. MAYOR AND COUNCIL INITIATED BUSINESS

A. Designation of Voting Delegate and Alternate for the Southern California Association of Governments (SCAG) 2013 General Assembly (City Clerk)

The Southern California Association of Governments (SCAG) General Assembly will be held May 2 – 3, 2013 at the JW Marriott Desert Springs

Resort & Spa in Palm Desert, California. Each year, SCAG's member cities select a Delegate and/or Alternate to represent their City to participate at this Annual Meeting.

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

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

1. Appointed a Mayor Kusumoto to attend and serve as the City's Voting Delegate for the Southern California Association of Governments (SCAG) General Assembly; and,
2. Appoint Mayor Pro Tem Graham-Mejia to attend and serve as the City's Alternate Voting Delegate in the event of the Voting Delegate's absence.

- B. Request by Congressman Alan Lowenthal (City Manager)**
Mayor Kusumoto has been contacted by Congressman Alan Lowenthal's office requesting that the Los Alamitos City Council meet with him and provide a prioritized list of concerns.

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

The City Council discussed topics to address with Congressman Lowenthal.

Motion/Second: Murphy/Grose
Unanimously Carried: The City Council appointed Mayor Pro Tem Graham-Mejia and Council Member Edgar to attend the meeting with Congressman Lowenthal to discuss the following topics:

- Sequestration (including effects on the Joint Forces Training Base and Casa Youth Shelter)
- Infrastructure (Including improvements to the 605 Freeway)
- Economic Stimulation (Business and Residential Rebate Program and CDBG funding)
- What the Congressman can offer the City

C. Council Announcements

Council Member Murphy reported attendance at the Weaver Leadership Group and thanked the residents for offering constructive criticism.

Council Member Grose reported attendance at the Weaver Leadership Program and stated additional meeting attendance could be found on www.iosal.net.

Mayor Kusumoto discussed the following topics: attendance at the CA Republican Party event with Council Member Grose; upcoming meeting with Supervisor Moorlach; administered the Oath of Office for Police Officer Brent Malatesta; meeting with City Manager to discuss the City Attorney selection process; and, attendance at the Orange County Fire authority orientation.

Mayor Pro Tem Graham-Mejia reported attendance at the Police Officer Appreciation Lunch and Vector Control Ad Hoc meetings.

Council Member Edgar discussed the following topics: attendance at Orange County Sanitation District meetings; attendance at the Los Alamitos Unified School District meeting; attendance at the Crisis Hotline Group event; attendance at the Precious Life Shelter Fundraiser; attendance at the Police Officer Appreciation Lunch; and, the upcoming City Hall tour for Girl Scout Troop 980.

11. ITEMS FROM THE CITY MANAGER

None.

12. CLOSED SESSION

A. PUBLIC EMPLOYEE APPOINTMENT

Title: City Attorney
Authority: Government Code Section 54957

B. PUBLIC EMPLOYEE APPOINTMENT

Title: City Manager
Authority: Government Code Section 54957

C. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9.

One potential case: City adv. Santa Ana Regional Water Quality Control Board

RECESS

City Council recessed into Closed Session at 10:30 p.m.

RECONVENE

City Council reconvened in Regular Session at 11:48 p.m.

There was no reportable action.

13. ADJOURNMENT

The City Council adjourned at 9:55 p.m.

Warren Kusumoto, Mayor

Attest:

Windmera Quintanar, CMC, City Clerk

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

SPECIAL MEETING – March 28, 2013

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

1. CALL TO ORDER

The City Council met in Special Session at 6:04 p.m., Thursday, March 28, 2013, in the Council Chamber, 3191 Katella Avenue, Mayor Kusumoto presiding.

2. ROLL CALL

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

Absent: Council Members: None

Present: Staff: Gregory D. Korduner, Interim City Manager
Steve Skolnik, Interim City Attorney
Steven Mendoza, Community Development Director
Windmera Quintanar, CMC, City Clerk

3. ORAL COMMUNICATIONS

Mayor Kusumoto opened Oral Communications, there being no one present wishing to speak, Mayor Kusumoto closed Oral Communications.

4. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION

Authority: Government Code Section 54956.9 (d)(4)

Potential Cases: One (Proposed Prologis Development, City of
Cypress)

Interim City Attorney Skolnik summarized the item.

Mayor Kusumoto opened the item for public comment.

The following individuals spoke in opposition to the proposed development in the City of Cypress:

- Lois Waddle
- Serena Howard
- John Ellinger
- Mike Spillane
- Brad Taylor
- Dave Emerson
- Jody Shloss

Motion/Second: Graham-Mejia/Murphy

Unanimously Carried: The City Council extended public comment from three minutes to five minutes.

The following individuals spoke in opposition to the proposed development in the City of Cypress:

- Nancy Weekly
- Javier Mejia
- JM Ivler
- Carol Leery
- Sherry Poe
- Jeff Hubert
- Ms. Walleings
- Tom Hofgarden
- Resident (did not state name)

Letters of opposition were submitted to the City Clerk.

Mayor Pro Tem Graham-Mejia thanked the residents for coming forward and expressing their concerns.

Mayor Kusumoto closed the item for public comment.

RECESS

City Council recessed into Closed Session at 6:46 p.m.

RECONVENED

City Council reconvened in Regular Session at 9:14 p.m.

Council voted unanimously to oppose the ProLogis project as currently proposed, and directed the City Attorney, City Manager and Staff to take appropriate initial steps to protect the City's interest, and to inform the public of the City Council's intentions.

5. ADJOURNMENT

The City Council adjourned at 9:15 p.m.

Warren Kusumoto, Mayor

Attest:

Windmera Quintanar, CMC, City Clerk

**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.

SPECIAL MEETING – April 2, 2013

1. CALL TO ORDER

The City Council met in Special Session at 6:05 p.m., Tuesday, April 2, 2013, in the Council Chamber, 3191 Katella Avenue, Mayor Kusumoto presiding.

2. ROLL CALL

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

Absent: Council Members: Edgar *

Present: Staff: Gregory D. Korduner, Interim City Manager
Steven Mendoza, Community Dev. Director
Windmera Quintanar, CMC, City Clerk

3. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION

Authority: Government Code Section 54956.9 (d)(4)

Potential Cases: One (Proposed Prologis Development, City of Cypress)

Interim City Manager Korduner read the item allowed and advised Interim City Attorney Skolnik would be participating via teleconference.

Mayor Kusumoto opened the item for public comment.

The following individuals spoke in opposition to the Cypress development: Lois Waddle and Alice Jempsa.

Mayor Kusumoto closed the item for public comment.

RECESS

City Council recessed into Closed Session at 6:10 p.m.

RECONVENE

City Council reconvened in Special Session at 8:28 p.m.

There was no reportable action.

4. ADJOURNMENT

City Council adjourned at 8:28 p.m.

Warren Kusumoto, Mayor

Attest:

Windmera Quintanar, CMC, City Clerk

- * In an email dated, Tuesday, April 2, 2013 5:55 p.m., Council Member Edgar advised he had a scheduling conflict that he could not change and the Council had a quorum without his attendance. He stated for the record that his schedule and attendance was not considered due to the perceived urgency.

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

SPECIAL MEETING – April 5, 2013

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

1. CALL TO ORDER

The City Council met in Special Session at 1:45 p.m., Friday, April 5, 2013, in the Council Chamber, 3191 Katella Avenue, Mayor Kusumoto presiding.

2. ROLL CALL

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

Absent: Council Members: None

Present: Staff: Gregory D. Korduner, Interim City Manager
Steven Mendoza, Community Dev. Director
Windmera Quintanar, CMC, City Clerk

3. CLOSED SESSION

A. PUBLIC EMPLOYEE APPOINTMENT

Title: City Attorney
Authority: Government Code Section 54957

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 Kusumoto moved item 4A forward.

4. SPECIAL ORDERS OF THE DAY

A. Legislative Opposition – SB 7

The League of California Cities requests an opposition letter for proposed legislation.

City Council and Staff discussed the League's request, prevailing wages, State funded projects, Charter cities, and the urgency of the item to meet the League's April 8, 2013 requested deadline.

Council directed Staff to research the City's Legislative Platform and provide the information to Council in the Confidential Weekly Memo.

Motion/Second: Graham-Mejia/Grose

Carried 4/0 (Murphy abstained): The City Council authorized the submittal of the letter in opposition to SB 7.

Council Member Murphy stated he would abstain as he felt the item should be on a regular agenda.

Council directed Staff to add the report to the next agenda as a receive and file item.

3. CLOSED SESSION

A. PUBLIC EMPLOYEE APPOINTMENT

Title: City Attorney

Authority: Government Code Section 54957

RECESS

City Council recessed into Closed Session at 1:55 p.m.

RECONVENE

City Council reconvened in Special Session at 5:35 p.m.

There was no reportable action.

5. ADJOURNMENT

The City Council adjourned at 5:36 p.m.

Warren Kusumoto, Mayor

Attest:

Windmera Quintanar, CMC, City Clerk

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

SPECIAL MEETING – April 8, 2013

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

1. CALL TO ORDER

The City Council met in Special Session at 5:08 p.m., Monday, April 8, 2013, in the Council Chamber, 3191 Katella Avenue, Mayor Kusumoto presiding.

2. ROLL CALL

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

Absent: Council Members: Edgar (arrived at 6:19 p.m.)

Present: Staff: Gregory D. Korduner, Interim City Manager
Steve Skolnik, Interim City Attorney
Steven Mendoza, Community Dev. Director
Windmera Quintanar, CMC, City Clerk

RECESS

The City Council took a brief recess at 5:09 p.m.

RECONVENE

The City Council reconvened in Special Session at 5:50 p.m.

3. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Authority: Government Code Section 54956.9 (d)(4)

Potential Cases: One (Proposed Prologis Development, City of Cypress)

RECESS

The City Council recessed into Closed Session at 5:50 p.m.

Council Member Edgar arrived at 6:19 p.m.

RECONVENE

The City Council reconvened in Special Session at 7:50 p.m.

There was no reportable action.

4. ADJOURNMENT

The City Council adjourned at 7:50 p.m.

Warren Kusumoto, Mayor

Attest:

Windmera Quintanar, CMC, City Clerk

CITY OF LOS ALAMITOS
A/P Warrants
April 15, 2013

To Approve

Pages:			
01-04	\$ 36,881.87	A/P Warrants	04/15/2013
Subtotal	<u>\$ 36,881.87</u>		

To Ratify

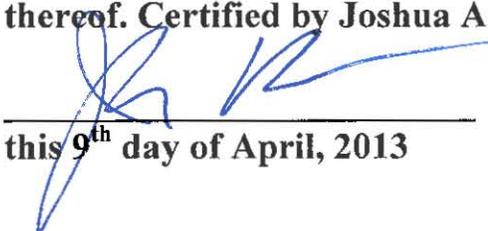
Pages:			
05-09	\$ 42,331.38	Advance Warrants	03/25/2013
10-12	\$ 36,447.52	Advance Warrants	04/01/2013
	\$ 1,585.49	April Retirees	04/01/2013
Subtotal	<u>\$ 80,364.39</u>		

Grand Total **\$ 117,246.26**

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 April 16, 2013 to May 19, 2013.

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 Joshua A. Brooks, Finance Director.


 this 9th day of April, 2013

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
ALLIANCE PRINTING ASSOCIATES	BUILDING OFFICIAL SHIRTS	GENERAL FUND	NEIGHBORHOOD PRESERVAT	100.73
			TOTAL:	100.73
ALWAYS ADVANCING, LLC	RACE ON BASE 2013 MEDALS	GENERAL FUND	SPECIAL EVENTS	6,185.90
			TOTAL:	6,185.90
AMERICAN RENTALS	STUMP GRINDER RENTAL	TRAFFIC IMPROVEMEN	CAPITAL PROJECTS	943.80
	STUMP GRINDER RENTAL	TRAFFIC IMPROVEMEN	CAPITAL PROJECTS	234.00
	CONCRETE	TRAFFIC IMPROVEMEN	CAPITAL PROJECTS	160.20
			TOTAL:	1,338.00
CHRIS ANDERSON	TUITION REIMBURSEMENT	GENERAL FUND	PATROL	1,169.32
			TOTAL:	1,169.32
BUSINESS PRODUCTS DISTRIBUTORS	OFFICE SUPPLIES - PUB WRKS	GENERAL FUND	PUBLIC WORKS ADMIN	23.60
			TOTAL:	23.60
COLANTUONO & LEVIN, PC	GENERAL COUNSEL SVCS - FEB	GENERAL FUND	CITY ATTORNEY	52.50
	GENERAL COUNSEL SVCS - FEB	GENERAL FUND	CITY ATTORNEY	92.00
	GENERAL COUNSEL SVCS - FEB	GENERAL FUND	CITY ATTORNEY	5,402.50
			TOTAL:	5,547.00
COUNTY OF ORANGE AUDITOR-CONTROLLER	PARKING CITATIONS - FEB	GENERAL FUND	NON-DEPARTMENTAL	1,512.50
			TOTAL:	1,512.50
EWING	WEED KILLER	GENERAL FUND	STREET MAINTENANCE	167.83
			TOTAL:	167.83
GANAHL LUMBER COMPANY	GLOVES	GENERAL FUND	STREET MAINTENANCE	11.87
	DOOR KNOB	GENERAL FUND	BUILDING MAINTENANCE	12.41
	PAINT REMOVER	GENERAL FUND	BUILDING MAINTENANCE	15.11
	PAINTING SUPPLIES	BUILDING IMPROVEME	CAPITAL PROJECTS	33.65
			TOTAL:	73.04
GLOBALSTAR USA	SATELLITE PHONE - MAR	GENERAL FUND	EMERGENCY PREPAREDNESS	42.39
			TOTAL:	42.39
GOLDEN STATE WATER COMPANY	BILL CYCLE 01/11-03/12	GENERAL FUND	STREET MAINTENANCE	43.32
			TOTAL:	43.32
JACOBSEN WEST	MOWER PARTS	GARAGE FUND	GARAGE	277.59
			TOTAL:	277.59
KONICA MINOLTA BUSINESS SOLUTIONS	COPIER LEASE - P/D	GENERAL FUND	POLICE ADMINISTRATION	264.61
			TOTAL:	264.61
LOS ALAMITOS AUTO PARTS	OIL	GARAGE FUND	GARAGE	42.09
			TOTAL:	42.09
MISC. VENDOR	REFUND - PRESCHOOL	GENERAL FUND	NON-DEPARTMENTAL	77.00
	REFUND - PRESCHOOL	GENERAL FUND	NON-DEPARTMENTAL	4.00
	REFUND - PICNIC SHELTER	GENERAL FUND	NON-DEPARTMENTAL	65.00
	REFUND - RACE ON BASE	GENERAL FUND	NON-DEPARTMENTAL	85.00
	REFUND - RACE ON BASE	GENERAL FUND	NON-DEPARTMENTAL	32.00
	REFUND - RACE ON BASE	GENERAL FUND	NON-DEPARTMENTAL	86.65
	REFUND - RACE ON BASE	GENERAL FUND	NON-DEPARTMENTAL	91.99

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	REFUND - RACE ON BASE	GENERAL FUND	NON-DEPARTMENTAL	44.00
	REFUND - RACE ON BASE	GENERAL FUND	NON-DEPARTMENTAL	37.00
	REFUND - RACE ON BASE	GENERAL FUND	NON-DEPARTMENTAL	91.99
			TOTAL:	614.63
NEWS ENTERPRISE	PUBLIC NOTICE AD	GENERAL FUND	CITY COUNCIL	71.50
	PUBLIC NOTICE AD	GENERAL FUND	CITY COUNCIL	90.25
	PUBLIC NOTICE AD	GENERAL FUND	POLICE ADMINISTRATION	28.50
	PUBLIC HEARING AD	GENERAL FUND	COMMUNITY DEVEL ADMIN	218.50
			TOTAL:	408.75
THOMAS OLIVER	REIMBURSE MEETING SUPPLIES	GENERAL FUND	PLANNING	12.57
			TOTAL:	12.57
TOM RASO	PARKING REIMBURSEMENT	GENERAL FUND	POLICE ADMINISTRATION	45.00
			TOTAL:	45.00
RICOH USA, INC.	COPIER MAINTENANCE	GENERAL FUND	RECREATION ADMINISTRAT	708.70
	DUPLICATOR MAINTENANCE	GENERAL FUND	RECREATION ADMINISTRAT	116.60
			TOTAL:	825.30
SIR SPEEDY	CM RECRUITMENT BROCHURE	GENERAL FUND	ADMINISTRATIVE SERVICE	421.55
	BUSINESS CARDS	GENERAL FUND	BUILDING INSPECTION	34.02
			TOTAL:	455.57
SO CAL SANITATION, LLC	RACE ON BASE RESTROOMS	GENERAL FUND	SPECIAL EVENTS	2,287.76
	OAK RESTROOM SERVICES	GENERAL FUND	SPORTS	363.78
			TOTAL:	2,651.54
SOUTHERN CALIFORNIA EDISON	TRAFFIC SIGS/ST LIGHTS	GENERAL FUND	STREET MAINTENANCE	51.41
	SPRINKLERS	GENERAL FUND	PARK MAINTENANCE	190.89
			TOTAL:	242.30
SOUTHERN CALIFORNIA GAS	3614 FENLEY DR.	GENERAL FUND	STREET MAINTENANCE	16.17
	3191 KATELLA AVE.	GENERAL FUND	BUILDING MAINTENANCE	226.44
	10911 OAK ST.	GENERAL FUND	BUILDING MAINTENANCE	245.88
			TOTAL:	488.49
SPINELLI GRAPHICS, INC.	BOUNDARY BOOKLETS	GENERAL FUND	PATROL	343.44
			TOTAL:	343.44
SPRINT	LONG DISTANCE SERVICE	GENERAL FUND	CITY MANAGER	34.07
	LONG DISTANCE SERVICE	GENERAL FUND	ADMINISTRATIVE SERVICE	34.06
	LONG DISTANCE SERVICE	GENERAL FUND	COMMUNICATIONS TECHNOL	34.06
	LONG DISTANCE SERVICE	GENERAL FUND	COMMUNITY DEVEL ADMIN	34.06
	LONG DISTANCE SERVICE	GENERAL FUND	PUBLIC WORKS ADMIN	34.06
	LONG DISTANCE SERVICE	GENERAL FUND	RECREATION ADMINISTRAT	34.06
			TOTAL:	204.37
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
JACK A. SIMPSON	CM RECRUITMENT AD	GENERAL FUND	ADMINISTRATIVE SERVICE	250.00

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
			TOTAL:	250.00
U.S. BANK	OFFICE SUPPLIES - P/D	GENERAL FUND	NON-DEPARTMENTAL	4.99
	SR. MEALS SUPPLIES	GENERAL FUND	NON-DEPARTMENTAL	18.67
	SR. MEALS SUPPLIES	GENERAL FUND	NON-DEPARTMENTAL	43.98
	CHARITY EVENT	GENERAL FUND	NON-DEPARTMENTAL	65.00
	MEETING SUPPLIES	GENERAL FUND	CITY COUNCIL	54.99
	CHARITY EVENT	GENERAL FUND	CITY COUNCIL	75.00
	OFFICE SUPPLIES - COUNCIL	GENERAL FUND	CITY COUNCIL	16.52
	COUNCIL COFFEE	GENERAL FUND	CITY COUNCIL	12.95
	EMPLOYMENT AD	GENERAL FUND	ADMINISTRATIVE SERVICE	372.60
	NOTARY MEMBERSHIP RENEWAL	GENERAL FUND	POLICE ADMINISTRATION	85.00
	DETECTIVE TRAINING	GENERAL FUND	POLICE ADMINISTRATION	944.00
	TRAINING	GENERAL FUND	POLICE ADMINISTRATION	245.00
	TRAINING	GENERAL FUND	POLICE ADMINISTRATION	283.65
	REFUND - TRAINING	GENERAL FUND	POLICE ADMINISTRATION	16.92-
	OFFICE SUPPLIES - P/D	GENERAL FUND	POLICE ADMINISTRATION	33.86
	OFFICE SUPPLIES - P/D	GENERAL FUND	POLICE ADMINISTRATION	444.04
	OFFICE SUPPLIES - P/D	GENERAL FUND	POLICE ADMINISTRATION	44.51
	TRAINING	GENERAL FUND	PATROL	115.36
	REFERENCE GUIDE	GENERAL FUND	PATROL	19.23
	OFFICE SUPPLIES - P/D	GENERAL FUND	RECORDS	65.04
	OFFICE SUPPLIES - P/D	GENERAL FUND	RECORDS	60.04
	REFUND - SOFTWARE	GENERAL FUND	COMMUNICATIONS TECHNOL	289.99-
	SOFTWARE	GENERAL FUND	COMMUNICATIONS TECHNOL	289.99
	SOFTWARE	GENERAL FUND	COMMUNICATIONS TECHNOL	412.62
	SOFTWARE	GENERAL FUND	COMMUNICATIONS TECHNOL	289.99
	SOFTWARE	GENERAL FUND	COMMUNICATIONS TECHNOL	412.62
	WEB HOSTING	GENERAL FUND	COMMUNITY OUTREACH	12.95
	WEB HOSTING	GENERAL FUND	COMMUNITY OUTREACH	14.95
	TOOL	GENERAL FUND	STREET MAINTENANCE	107.54
	DEPT. LUNCH	GENERAL FUND	STREET MAINTENANCE	42.09
	DEPT. LUNCH	GENERAL FUND	STREET MAINTENANCE	7.69
	FLOWERS	GENERAL FUND	PARK MAINTENANCE	91.23
	PLAYGRND EQUIP REPAIR KIT	GENERAL FUND	BUILDING MAINTENANCE	265.00
	OFFICE SUPPLIES - REC	GENERAL FUND	RECREATION ADMINISTRAT	219.35
	POOL SUPPLIES	GENERAL FUND	AQUATICS	400.00
	POOL SUPPLIES - SHIPPING	GENERAL FUND	AQUATICS	45.00
	DAY CAMP SUPPLIES	GENERAL FUND	DAY CAMP	300.00
	DAY CAMP SUPPLIES	GENERAL FUND	DAY CAMP	319.07
	DAY CAMP EXCURSION	GENERAL FUND	DAY CAMP	100.00
	PRESCHOOL SUPPLIES	GENERAL FUND	SPECIAL CLASSES	246.43
	RACE ON BASE SOUND	GENERAL FUND	SPECIAL EVENTS	800.00
	RACE ON BASE MARKETING	GENERAL FUND	SPECIAL EVENTS	1.00
	RACE ON BASE SUPPLIES	GENERAL FUND	SPECIAL EVENTS	86.38
	RACE ON BASE MARKETING	GENERAL FUND	SPECIAL EVENTS	2.50
	RACE ON BASE SIGNS	GENERAL FUND	SPECIAL EVENTS	350.00
	RACE ON BASE EVAL TOOL	GENERAL FUND	SPECIAL EVENTS	204.00
	SPRING CARNIVAL SUPPLIES	GENERAL FUND	SPECIAL EVENTS	213.04
	RACE ON BASE RADIO COMM	GENERAL FUND	SPECIAL EVENTS	317.52
	RACE ON BASE BREAKFAST	GENERAL FUND	SPECIAL EVENTS	199.97
	RETURN - RACE SUPPLIES	GENERAL FUND	SPECIAL EVENTS	49.04-
	RACE ON BASE SUPPLIES	GENERAL FUND	SPECIAL EVENTS	19.60
	RACE ON BASE SUPPLIES	GENERAL FUND	SPECIAL EVENTS	52.53
	RACE ON BASE SUPPLIES	GENERAL FUND	SPECIAL EVENTS	10.79
	RACE ON BASE WEB HOSTING	GENERAL FUND	SPECIAL EVENTS	10.95

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	RACE ON BASE MARKETING	GENERAL FUND	SPECIAL EVENTS	700.00
	PAINT	BUILDING IMPROVEME	CAPITAL PROJECTS	125.50
	SOD	TRAFFIC IMPROVEMEN	CAPITAL PROJECTS	12.90
	BED LINER	GARAGE FUND	GARAGE	182.52
	SPEAKERS	TECHNOLOGY REPLACE	ADMINISTRATIVE SERVICE	43.18
	IT SUPPLIES	TECHNOLOGY REPLACE	ADMINISTRATIVE SERVICE	381.49
			TOTAL:	9,938.87
UNITED STATES POSTMASTER	BROCHURE POSTAGE	GENERAL FUND	RECREATION ADMINISTRAT	1,404.00
			TOTAL:	1,404.00
VERIZON CALIFORNIA	CITY HALL PHONE/FAX LINES	GENERAL FUND	COMMUNICATIONS TECHNOL	1,082.73
			TOTAL:	1,082.73
WEST COAST TENNIS SERVICES	INSTRUCTOR - TENNIS	GENERAL FUND	SPECIAL CLASSES	243.75
	INSTRUCTOR - TENNIS	GENERAL FUND	SPECIAL CLASSES	334.75
			TOTAL:	578.50

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===== FUND TOTALS =====
10  GENERAL FUND                34,444.95
25  BUILDING IMPROVEMENT         159.15
44  TRAFFIC IMPROVEMENT          1,350.90
50  GARAGE FUND                   502.20
53  TECHNOLOGY REPLACEMENT       424.67
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      GRAND TOTAL:                36,881.87
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TOTAL PAGES: 4

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
ACE INDUSTRIAL SUPPLY, INC.	SAFETY GLASSES	GENERAL FUND	STREET MAINTENANCE	498.50
			TOTAL:	498.50
ADAMSON POLICE PRODUCTS	SWAT GEAR	GENERAL FUND	PATROL	3,518.64
			TOTAL:	3,518.64
AHERN RENTALS	RACE ON BASE LIGHT TOWER	GENERAL FUND	SPECIAL EVENTS	758.34
			TOTAL:	758.34
BYRON FERGUSON	ASSIGNING FEES	GENERAL FUND	SPORTS	400.00
			TOTAL:	400.00
ASSOCIATION OF CA CITIES-OC	POLICY MAKER ACADEMY	GENERAL FUND	CITY COUNCIL	40.00
	SEMINAR	GENERAL FUND	CITY COUNCIL	15.00
			TOTAL:	55.00
BENESYST	FLEX ADMIN SERVICES - APR	GENERAL FUND	ADMINISTRATIVE SERVICE	150.00
			TOTAL:	150.00
BRENDAN SCREENPRINTING & EMBROIDERY	PEE WEE OLYMPICS T-SHIRTS	GENERAL FUND	SPORTS	128.68
	SOCCER T-SHIRTS	GENERAL FUND	SPORTS	461.32
	SLO-PITCH T-SHIRTS	GENERAL FUND	SPORTS	92.42
	BASKETBALL T-SHIRTS	GENERAL FUND	SPORTS	129.14
			TOTAL:	811.56
BUSINESS PRODUCTS DISTRIBUTORS	OFFICE SUPPLIES - COUNCIL	GENERAL FUND	CITY COUNCIL	35.47
	OFFICE SUPPLIES - COUNCIL	GENERAL FUND	CITY COUNCIL	52.28
	OFFICE SUPPLIES - COUNCIL	GENERAL FUND	CITY COUNCIL	37.31
	OFFICE SUPPLIES - FINANCE	GENERAL FUND	ADMINISTRATIVE SERVICE	424.69
	OFFICE SUPPLIES - FINANCE	GENERAL FUND	ADMINISTRATIVE SERVICE	15.95
	OFFICE SUPPLIES - PUB WRKS	GENERAL FUND	PUBLIC WORKS ADMIN	159.62
	OFFICE SUPPLIES - REC	GENERAL FUND	RECREATION ADMINISTRAT	104.60
	OFFICE SUPPLIES - REC	GENERAL FUND	RECREATION ADMINISTRAT	57.05
			TOTAL:	886.97
CARTRIDGE WORLD OF LOS ALAMITOS	PRINTER CARTRIDGE	GENERAL FUND	RECREATION ADMINISTRAT	58.99
			TOTAL:	58.99
CITY OF CYPRESS	STATE OF THE CITY LUNCH	GENERAL FUND	CITY COUNCIL	54.00
			TOTAL:	54.00
CITY OF SEAL BEACH	FEBRUARY BOOKINGS	GENERAL FUND	PATROL	490.00
			TOTAL:	490.00
CITY OF TUSTIN	ANNUAL CALPACS DUES	GENERAL FUND	ADMINISTRATIVE SERVICE	275.00
			TOTAL:	275.00
COMPUTER SERVICE CO.	SIGNAL REPAIR - FEB	GENERAL FUND	STREET MAINTENANCE	1,240.00
			TOTAL:	1,240.00
COUNTY OF ORANGE AUDITOR-CONTROLLER	PARKING CITATIONS - JAN	GENERAL FUND	NON-DEPARTMENTAL	1,700.00
			TOTAL:	1,700.00
DAPEER, ROSENBLIT & LITVAK, LLP	MUNI CODE ENFORCE - FEB	GENERAL FUND	NEIGHBORHOOD PRESERVAT	1,930.37
			TOTAL:	1,930.37

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
DATA TICKET, INC.	CODE ENFORCE CITES SVCS	GENERAL FUND	NEIGHBORHOOD PRESERVAT	258.00
			TOTAL:	258.00
DECKSIDE POOL SERVICE	POOL MAINTENANCE	GENERAL FUND	AQUATICS	1,290.00
			TOTAL:	1,290.00
DIGITAL ALLY	RMA REPAIR	GENERAL FUND	COMMUNICATIONS TECHNOL	395.00
			TOTAL:	395.00
ECOLOGICAL FERTIGATION, INC.	FERTIGATION SVC-LAUREL PRK	GENERAL FUND	PARK MAINTENANCE	260.00
			TOTAL:	260.00
CYNTHIA E. EMAMI	INSTRUCTOR - ZUMBA	GENERAL FUND	SPECIAL CLASSES	396.00
			TOTAL:	396.00
FEDEX	SHIPPING	GENERAL FUND	PATROL	10.07
			TOTAL:	10.07
CARRI FOX	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	12.60
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	14.70
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	12.60
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	8.40
			TOTAL:	48.30
GALLS / LONG BEACH UNIFORM	UNIFORMS	GENERAL FUND	INVESTIGATION	100.30
			TOTAL:	100.30
GEMINI TIMING	RACE CHIP TIMING	GENERAL FUND	SPECIAL EVENTS	5,378.00
			TOTAL:	5,378.00
GLENN E. THOMAS CO.	AUTO PARTS - P/D	GARAGE FUND	GARAGE	266.18
	AUTO PARTS - P/D	GARAGE FUND	GARAGE	128.05
			TOTAL:	394.23
GOLDEN STATE WATER COMPANY	BILL CYCLE 02/08-03/08	GENERAL FUND	STREET MAINTENANCE	820.85
	BILL CYCLE 02/08-03/08	GENERAL FUND	PARK MAINTENANCE	240.69
	BILL CYCLE 02/08-03/08	GENERAL FUND	BUILDING MAINTENANCE	415.78
			TOTAL:	1,477.32
HDL SOFTWARE, LLC	BUSINESS LICENSE SOFTWARE	GENERAL FUND	BUILDING INSPECTION	500.00
			TOTAL:	500.00
HI-WAY SAFETY, INC.	RACE ON BASE SAFETY CONES	GENERAL FUND	SPECIAL EVENTS	82.50
			TOTAL:	82.50
INTERNATIONAL CITY RACING, INC.	RACE ON BASE COMMISSION	GENERAL FUND	SPECIAL EVENTS	560.00
			TOTAL:	560.00
JUDICIAL DATA SYSTEMS CORP.	PARKING CITE SVCS - FEB	GENERAL FUND	TRAFFIC	338.85
			TOTAL:	338.85
YING LIU	INSTRUCTOR - ART	GENERAL FUND	SPECIAL CLASSES	29.25
	INSTRUCTOR - ART	GENERAL FUND	SPECIAL CLASSES	68.25
			TOTAL:	97.50
LONG BEACH SOCCER REFEREE ASSOCIATION	ADULT SOCCER REFEREE	GENERAL FUND	SPORTS	618.00

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
			TOTAL:	618.00
LOS ALTOS TROPHY	PLAQUE ENGRAVING	GENERAL FUND	POLICE ADMINISTRATION	19.44
	PLAQUES	GENERAL FUND	POLICE ADMINISTRATION	374.91
	COMMISSIONER NAME PLATES	GENERAL FUND	PUBLIC WORKS ADMIN	16.26
			TOTAL:	410.61
LOWE'S	DISCOUNT ADJUSTMENT	GENERAL FUND	BUILDING MAINTENANCE	74.39
	LATV ELECTRICAL SUPPLIES	GENERAL FUND	BUILDING MAINTENANCE	346.70
	LATV ELECTRICAL SUPPLIES	GENERAL FUND	BUILDING MAINTENANCE	137.72
	C/HALL ELECTRICAL SUPPLIES	GENERAL FUND	BUILDING MAINTENANCE	11.32
			TOTAL:	421.35
THE METROPOLITAN WATER DISTRICT OF SO	STANSBURY PARK LEASE	PARK DEVELOPMENT	CAPITAL PROJECTS	1,916.67
			TOTAL:	1,916.67
MISC. VENDOR	REFUND - BUSINESS LICENSE	GENERAL FUND	NON-DEPARTMENTAL	230.11
	REFUND - RACE ON BASE	GENERAL FUND	SPECIAL EVENTS	150.70
	REFUND - RACE ON BASE	GENERAL FUND	SPECIAL EVENTS	46.09
			TOTAL:	426.90
NEXUS IS, INC.	RELOCATE PHONE EXTENSIONS	TECHNOLOGY REPLACE	ADMINISTRATIVE SERVICE	140.00
			TOTAL:	140.00
NORM'S AUTO COLLISION CENTER, INC.	P/D CHARGER REPAIR	GARAGE FUND	GARAGE	944.16
			TOTAL:	944.16
THE ORANGE COUNTY REGISTER	NEWSPAPER SUBSCRIPTION	GENERAL FUND	CITY MANAGER	87.75
			TOTAL:	87.75
HELEN PARES	INSTRUCTOR - PILATES	GENERAL FUND	SPECIAL CLASSES	191.62
			TOTAL:	191.62
PENHALL COMPANY	RACE ON BASE FORKLIFT RENT	GENERAL FUND	SPECIAL EVENTS	431.19
			TOTAL:	431.19
PETTY CASH	COUNCIL REFRESHMENTS	GENERAL FUND	CITY COUNCIL	78.00
	CITY HALL COFFEE	GENERAL FUND	CITY COUNCIL	23.18
	MEETING ROOM SUPPLIES	GENERAL FUND	CITY COUNCIL	5.20
	MEETING SUPPLIES	GENERAL FUND	CITY COUNCIL	28.15
	CHAMBER BREAKFAST	GENERAL FUND	CITY MANAGER	20.00
	NOTARY EXAM FEE	GENERAL FUND	CITY MANAGER	40.00
	POLICE APPRECIATION LUNCH	GENERAL FUND	CITY MANAGER	35.00
	ADMIN BUILDING COFFEE	GENERAL FUND	CITY MANAGER	9.99
	CHAMBER BREAKFAST	GENERAL FUND	CITY MANAGER	20.00
	FINANCE DEPT. SUPPLIES	GENERAL FUND	ADMINISTRATIVE SERVICE	5.90
	AMERICANA POSTER	GENERAL FUND	RECREATION ADMINISTRAT	17.70
	CPRS CONSORTIUM	GENERAL FUND	SPORTS	12.00
	BROCHURE PREP LUNCH	GENERAL FUND	SPECIAL CLASSES	30.61
	RACE ON BASE INTERPRETER	GENERAL FUND	SPECIAL EVENTS	90.00
	RACE ON BASE INTERPRETER	GENERAL FUND	SPECIAL EVENTS	70.00
	MILEAGE REIMBURSEMENT	GENERAL FUND	SPECIAL EVENTS	22.03
	RACE ON BASE FRUIT	GENERAL FUND	SPECIAL EVENTS	287.50
	DRY CLEAN BUNNY SUIT	GENERAL FUND	SPECIAL EVENTS	25.00
	RACE ON BASE DEBRIEF LUNCH	GENERAL FUND	SPECIAL EVENTS	215.50
	LATV - DATA CABLE	LOS ALAMITOS TV	LOS ALAMITOS TV	57.76

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
			TOTAL:	1,093.52
THE PLANNING CENTER	COORD MEETINGS - GP EIR	GENERAL FUND	PLANNING	1,085.00
	PROJECT MANAGE - GP EIR	GENERAL FUND	PLANNING	135.00
	DRAFT GENERAL PLAN	GENERAL FUND	PLANNING	648.75
			TOTAL:	1,868.75
QUARTERMASTER	UNIFORM	GENERAL FUND	PATROL	35.21
	UNIFORMS & EQUIPMENT	GENERAL FUND	PATROL	365.98
			TOTAL:	401.19
R.H.F., INC.	RECERTIFY ULTRA LYTE	GENERAL FUND	PATROL	85.00
	RECERTIFY ULTRA LYTE	GENERAL FUND	PATROL	85.00
	RECERTIFY ULTRA LYTE	GENERAL FUND	PATROL	85.00
	RECERTIFY ULTRA LYTE	GENERAL FUND	PATROL	85.00
	RECERTIFY ULTRA LYTE	GENERAL FUND	PATROL	85.00
			TOTAL:	425.00
REFRIGERATION UNLIMITED, INC	ICE MACHINE REPAIR	GENERAL FUND	BUILDING MAINTENANCE	182.50
			TOTAL:	182.50
ROBERTSON'S	CONCRETE	TRAFFIC IMPROVEMEN	CAPITAL PROJECTS	1,428.29
			TOTAL:	1,428.29
SIR SPEEDY	BUSINESS CARDS	GENERAL FUND	ADMINISTRATIVE SERVICE	21.06
			TOTAL:	21.06
SMART & FINAL	KITCHEN SUPPLIES - P/D	GENERAL FUND	POLICE ADMINISTRATION	165.66
			TOTAL:	165.66
SO CAL SANITATION, LLC	RESTROOM SVCS - OAK	GENERAL FUND	SPORTS	432.50
	OAK & MCAULIFFE RSTRM SVCS	GENERAL FUND	SPORTS	2,172.51
			TOTAL:	2,605.01
SOUTHERN CALIFORNIA GAS	3191 KATELLA AVE.	GENERAL FUND	BUILDING MAINTENANCE	346.14
			TOTAL:	346.14
SOUTHERN PACIFIC MASTERS ASSOCIATION	MEMBERSHIP FEE	GENERAL FUND	AQUATICS	46.00
			TOTAL:	46.00
STATE OF CALIFORNIA DEPARTMENT	FINGERPRINT NEW INSTRUCTOR	GENERAL FUND	ADMINISTRATIVE SERVICE	96.00
			TOTAL:	96.00
SUN NEWSPAPERS	JOB POSTING	GENERAL FUND	ADMINISTRATIVE SERVICE	465.00
			TOTAL:	465.00
TARGET SPECIALTY PRODUCTS	FERTILIZER - MCAULIFFE	GENERAL FUND	PARK MAINTENANCE	1,456.71
			TOTAL:	1,456.71
V & V MANUFACTURING, INC.	BADGE CHANGE/REPAIR	GENERAL FUND	PATROL	107.25
			TOTAL:	107.25
VERIZON CALIFORNIA	ADMIN - FAX	GENERAL FUND	ADMINISTRATIVE SERVICE	49.39
	POLICE ALARMS	GENERAL FUND	COMMUNICATIONS TECHNOL	126.21
	TELECOMMUNICATIONS	GENERAL FUND	COMMUNICATIONS TECHNOL	805.91
	TRAFFIC SIGNAL	GENERAL FUND	STREET MAINTENANCE	43.20

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	TRAFFIC SIGNAL	GENERAL FUND	STREET MAINTENANCE	82.28
	TRAFFIC SIGNAL	GENERAL FUND	STREET MAINTENANCE	41.15
	TRAFFIC SIGNAL	GENERAL FUND	STREET MAINTENANCE	41.15
	TRAFFIC SIGNAL	GENERAL FUND	STREET MAINTENANCE	41.15
	PARK & REC - FAX	GENERAL FUND	RECREATION ADMINISTRAT	47.33
			TOTAL:	<u>1,277.77</u>
VERIZON WIRELESS	POLICE DEPARTMENT	GENERAL FUND	PATROL	39.28
	COMMUNITY DEVELOPMENT	GENERAL FUND	NEIGHBORHOOD PRESERVAT	10.78
	PUBLIC WORKS	GENERAL FUND	STREET MAINTENANCE	185.79
			TOTAL:	<u>235.85</u>
WEST PAYMENT CENTER	SUBSCRIPTION - FEB	GENERAL FUND	INVESTIGATION	107.99
			TOTAL:	<u>107.99</u>

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===== FUND TOTALS =====
10 GENERAL FUND          37,450.27
28 LOS ALAMITOS TV      57.76
40 PARK DEVELOPMENT     1,916.67
44 TRAFFIC IMPROVEMENT  1,428.29
50 GARAGE FUND          1,338.39
53 TECHNOLOGY REPLACEMENT 140.00
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GRAND TOTAL:           42,331.38
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TOTAL PAGES: 5

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
AEI	AUTO PARTS	GARAGE FUND	GARAGE	100.00
			TOTAL:	100.00
ALLIANT INSURANCE SERVICES, INC.	LIABILITY INS/CC RENTALS	GENERAL FUND	COMMUNITY SERVICES	210.00
			TOTAL:	210.00
AMERICAN SOCCER COMPANY, INC.	SOCCER SUPPLIES	GENERAL FUND	SPORTS	1,494.61
			TOTAL:	1,494.61
GOBIND K. BOYES	INSTRUCTOR - YOGA	GENERAL FUND	SPECIAL CLASSES	50.70
			TOTAL:	50.70
CANCER SUPPORT FOUNDATION	REIMBURSE RACE ON BASE 5K	GENERAL FUND	SPECIAL EVENTS	6,120.00
			TOTAL:	6,120.00
CARSON SUPPLY CO., INC.	IRRIGATION PARTS	GENERAL FUND	PARK MAINTENANCE	199.41
			TOTAL:	199.41
CPRS DISTRICT 10-CITY OF CYPRESS	VOLUNTEER MERIT AWARDS	GENERAL FUND	RECREATION ADMINISTRAT	130.00
			TOTAL:	130.00
CYNTHIA E. EMAMI	INSTRUCTOR - ZUMBA	GENERAL FUND	SPECIAL CLASSES	70.40
			TOTAL:	70.40
GANAHL LUMBER COMPANY	KNEE PADS	GENERAL FUND	STREET MAINTENANCE	43.18
	IRRIGATION PARTS	GENERAL FUND	PARK MAINTENANCE	1.83
	DOOR STOPPERS	GENERAL FUND	BUILDING MAINTENANCE	8.20
	PHONE CORD PARTS	GENERAL FUND	BUILDING MAINTENANCE	28.14
	ELECTRICAL BREAKERS	GENERAL FUND	BUILDING MAINTENANCE	43.18
	KEYS	GENERAL FUND	BUILDING MAINTENANCE	8.60
	PAINTING SUPPLIES	BUILDING IMPROVEME	CAPITAL PROJECTS	42.25
	STAKES & RAKE	TRAFFIC IMPROVEMEN	CAPITAL PROJECTS	56.13
	STAKES & LUMBER	TRAFFIC IMPROVEMEN	CAPITAL PROJECTS	91.08
	LUMBER	TRAFFIC IMPROVEMEN	CAPITAL PROJECTS	60.56
	SPRAY NOZZLE	TRAFFIC IMPROVEMEN	CAPITAL PROJECTS	5.93
	GLOVES	TRAFFIC IMPROVEMEN	CAPITAL PROJECTS	13.79
			TOTAL:	402.87
HARTZOG & CRABILL, INC.	TRAFFIC SIG SYSTEM OPS-FEB	GENERAL FUND	CITY ENGINEER	1,502.34
	ALL WAY STOP ANALYSIS-FEB	GENERAL FUND	CITY ENGINEER	1,620.00
	TRAFFIC ENGINEER SVCS-FEB	GENERAL FUND	CITY ENGINEER	1,038.75
	STOP SIGN STUDY	GENERAL FUND	CITY ENGINEER	2,500.00
			TOTAL:	6,661.09
HDL SOFTWARE, LLC	PERMIT TRACKING MAINT	GENERAL FUND	COMMUNITY DEVEL ADMIN	993.52
	PERMIT TRACKING MAINT	GENERAL FUND	COMMUNITY DEVEL ADMIN	1,865.00
			TOTAL:	2,858.52
HYDRO-ELECTRICS	IRRIG CONTROL PANEL REPAIR	GENERAL FUND	PARK MAINTENANCE	690.00
			TOTAL:	690.00
CHRISTOPHER KARRER	PARKING REIMBURSEMENT	GENERAL FUND	POLICE ADMINISTRATION	18.00
	TUITION REIMBURSEMENT	GENERAL FUND	PATROL	1,140.00
			TOTAL:	1,158.00
KUSTOM IMPRINTS	SPRING CARNIVAL BANNERS	GENERAL FUND	RECREATION ADMINISTRAT	258.00

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
			TOTAL:	258.00
LOS ALAMITOS AREA CHAMBER OF COMMERCE	POLICE APPRECIATION LUNCH	GENERAL FUND	RECREATION ADMINISTRAT	35.00
			TOTAL:	35.00
LOS ALAMITOS AUTO PARTS	LIGHT BULBS	GARAGE FUND	GARAGE	22.12
			TOTAL:	22.12
MAILFINANCE	POSTAGE MACHINE LEASE	GENERAL FUND	ADMINISTRATIVE SERVICE	166.81
			TOTAL:	166.81
MISC. VENDOR	REFUND - CRAFTS CLASS	GENERAL FUND	NON-DEPARTMENTAL	34.00
	REFUND - SOCCER	GENERAL FUND	NON-DEPARTMENTAL	2.00
	REFUND - GUITAR CLASS	GENERAL FUND	NON-DEPARTMENTAL	32.00
	REFUND - SECURITY DEPOSIT	GENERAL FUND	NON-DEPARTMENTAL	150.00
			TOTAL:	218.00
LYNDA MOORE	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	133.20
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	261.38
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	148.80
			TOTAL:	543.38
NEWS ENTERPRISE	BID NOTICE AD-COYOTE CREEK RIVERS/MTNS. CONSE		CAPITAL PROJECTS	379.06
			TOTAL:	379.06
NORM'S AUTO COLLISION CENTER, INC.	COLLISION REPAIR-FORD F150	GARAGE FUND	GARAGE	763.57
			TOTAL:	763.57
PAK WEST PAPER & PACKAGING	JANITORIAL SUPPLIES	GENERAL FUND	BUILDING MAINTENANCE	1,000.60
			TOTAL:	1,000.60
ANNE COREEN PENNYPACKER	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	444.60
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	407.55
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	555.75
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	444.60
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	481.65
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	333.45
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	407.55
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	195.00
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	351.00
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	30.55
	INSTRUCTOR - DANCE	GENERAL FUND	SPECIAL CLASSES	273.00
			TOTAL:	3,924.70
DIANA C. PEREZ	INSTRUCTOR - TODDLER CLASS	GENERAL FUND	SPECIAL CLASSES	552.50
			TOTAL:	552.50
RICOH AMERICAS CORPORATION	COPIER LEASE - MAR	GENERAL FUND	RECREATION ADMINISTRAT	561.60
			TOTAL:	561.60
REINA RIVERA	INSTRUCTOR - TODDLER CLASS	GENERAL FUND	SPECIAL CLASSES	532.35
	INSTRUCTOR - TODDLER CLASS	GENERAL FUND	SPECIAL CLASSES	655.20
			TOTAL:	1,187.55
ROSSMOOR CAR WASH	CAR WASHES - P/D	GARAGE FUND	GARAGE	18.00
			TOTAL:	18.00

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
SO CAL SANITATION, LLC	OAK RESTROOM SERVICES	GENERAL FUND	SPORTS	170.00
			TOTAL:	170.00
SOUTH COAST SUPPLY & GARDEN DAZE	SOIL	TRAFFIC IMPROVEMEN	CAPITAL PROJECTS	14.10
	SOIL	TRAFFIC IMPROVEMEN	CAPITAL PROJECTS	14.10
	SOIL	TRAFFIC IMPROVEMEN	CAPITAL PROJECTS	80.58
	SOIL	TRAFFIC IMPROVEMEN	CAPITAL PROJECTS	84.15
			TOTAL:	192.93
SOUTHERN PACIFIC MASTERS ASSOCIATION	MEMBERSHIP FEE	GENERAL FUND	AQUATICS	46.00
			TOTAL:	46.00
USA MOBILITY WIRELESS, INC.	PAGER FEES	GENERAL FUND	PUBLIC WORKS ADMIN	20.10
			TOTAL:	20.10
WEST COAST ARBORISTS, INC.	FY 12/13 STREET TREES	GAS TAX	CAPITAL PROJECTS	5,542.00
			TOTAL:	5,542.00
WONDRIES FLEET GROUP	SPRAY IN BEDLINERS	GARAGE FUND	GARAGE	700.00
			TOTAL:	700.00

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===== FUND TOTALS =====
10 GENERAL FUND                28,460.10
20 GAS TAX                      5,542.00
25 BUILDING IMPROVEMENT         42.25
41 RIVERS/MTNS. CONSERVANCY    379.06
44 TRAFFIC IMPROVEMENT         420.42
50 GARAGE FUND                  1,603.69
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GRAND TOTAL:                   36,447.52
-----

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TOTAL PAGES: 3

City of Los Alamitos

Agenda Report Consent Calendar

April 15, 2013
Item No: 8C

To: Mayor Warren Kusumoto & Members of the City Council
Via: Gregory D. Korduner, Interim City Manager
From: Joshua A. Brooks, Finance Director
Subject: Fiscal Year 2011-12 Comprehensive Annual Financial Report (CAFR)

Summary: This item transmits the Comprehensive Annual Financial Report for the Fiscal Year which ended on June 30, 2012.

Recommendation: Receive and file the Comprehensive Annual Financial Report (CAFR), which includes the Transmittal Letter and Management's Discussion and Analysis prepared by the Finance Department.

Background

Each year an independent audit of the City is conducted in conformity with Generally Accepted Auditing Standards (GAAS). Those standards require that an independent Certified Public Accountant (CPA) plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. The independent auditor examines evidence to support the amounts and disclosures in the financial statements. The auditor also expresses an opinion on the fairness of the presentation of the financial position and the results of operations of the government's basic financial statements in conformity with Generally Accepted Accounting Principles (GAAP).

The Comprehensive Annual Financial Report (CAFR) is primarily designed for external readers, citizens or bond-rating agencies. City staff prepares the Transmittal Letter, Management's Discussion and Analysis, and the statistical section of the CAFR to provide greater understanding of the City's goals and vision, financial status, cost of services and programs, and the economic outlook of the City.

Discussion

The City of Los Alamitos contracts with Moss, Levy & Hartzheim, LLP to perform the annual independent audit. The annual audit process is essential to:

1. Demonstrate the accountability of government officials' use of public resources;
2. Provide the basis for constructive changes, which benefit the government, its officials and citizens;
3. Review government's internal accounting controls, which act to alleviate inefficiencies, errors, or fraud.

In summary, the CAFR shows that the City's net assets decreased \$487,135 from the prior fiscal year. The General Fund, which is the general operating fund of the City, completed Fiscal Year 2011-12 with a net increase in fund balance of \$351,576. Total General Fund spendable fund balance as of 6/30/12 totaled \$7,746,086 or 72% of expenditures for the year. Revenues and transfers from other funds exceeded estimated revenues by 1% and expenditures finished the year \$649,322 or 6% under budget. Total General Fund revenue was \$10,842,815 which is virtually unchanged from the prior year total of \$10,843,709.

Fiscal Impact

None.

Submitted By:



Joshua A. Brooks
Finance Director

Approved By:



Gregory D. Korduner
Interim City Manager

Attachment: 1. City of Los Alamitos Comprehensive Annual Financial Report (CAFR) for Fiscal Year Ended June 30, 2012

**SUBMITTED UNDER SEPARATE COVER
AND AVAILABLE FOR REVIEW IN THE
CITY CLERK'S OFFICE**

City of Los Alamitos

Agenda Report Consent Calendar

April 15, 2013
Item No: 8D

To: Mayor Warren Kusumoto & Members of the City Council
Via: Gregory D. Korduner, Interim City Manager
From: Joshua A. Brooks, Finance Director
Subject: Purchase of Equipment for Los Alamitos Television

Summary: The Los Alamitos Television Commission is requesting that City Council consider and approve the purchase of new equipment for the Los Alamitos Television operation.

Recommendation: Approve the request and authorize a budget amendment in the amount of \$39,500 to account 28-518-5420 (Equipment) in the Los Alamitos Television Fund.

Background

The Los Alamitos Television (LATV) Commission approved the purchase of the attached list of equipment at their March 14, 2013 meeting. The Commission was faced with the task of balancing the equipment needs of the LATV operation with the limited on-going revenue that is available to support the activities of the station.

Discussion

This request for equipment does not address all the needs of the LATV operation, however it is a measured first step in providing LATV producers and engineers with the most vital components necessary to build technical competency, while insuring that each of its operations (studio, truck, server and training) has the necessary tools at all times to insure uninterrupted production. If this request is approved, staff will follow all purchasing guidelines to procure the list of equipment including having all purchases over \$15,000 made subject to the bid process. The purchase of this equipment will be made with fund balance or savings that have accumulated in the LATV Fund of approximately \$137,000.

Fiscal Impact

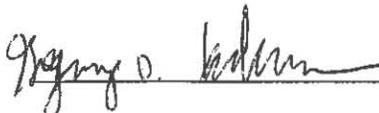
The estimated cost of the equipment is \$39,500 (including tax). This amount will be appropriated from the available fund balance in the Los Alamitos Television Fund. If approved, the current fund balance of approximately \$137,000 would be reduced to \$97,500.

Submitted By:



Joshua A. Brooks
Finance Director

Approved By:



Gregory D. Korduner
Interim City Manager

Fiscal Impact Reviewed By:



Joshua A. Brooks
Finance Director

Attachment: 1. *Equipment Purchase List*

Attachment 1: Studio Production Equipment Purchase List**Item 1**

Quantity 2- Newtek Tricaster 40 HD/SD video switchers w/ component inputs
(1-for studio/ 1- for truck)

Cost: \$4,999/ea x 2 = \$10,000(MSRP)

Item 2

Quantity 2- Newtek Tricaster 40 switcher panel keyboard
(1 - for studio / 1-for truck)

Cost: \$1,995/ea x 2 = \$4,000(MSRP)

Item 3

Quantity 4- Panasonic AG-AC 160 digital HD/SD camcorders w/SDI output/SDHC card
format (2- for studio/ 2-for truck)

Cost: \$4,200/ea x 4 = \$16,800

Item 4

Quantity 8 - 7.2V BG6 camera batteries

Cost: \$200/ea x 8= \$1,600

Item 5

Quantity 3- Solo rigid cases w/ utility storage pouches/extension handles &wheels

Cost: \$90/ea x 3 = \$270 (for studio)

Item 6

Quantity 8- 64GB Class 10 (Sandisk or PNY) SDHC memory cards for AG-AC 160
Cameras

Cost: \$65/ea x 8 = \$520

Item 7

Quantity 4- Varizoom Pro PZFI zoom/record/focus/ iris remote controllers

Cost: \$479/ea x 4 = \$1,920 (MSRP)

Item 8

Quantity 2- Blackmagic Design Mini Converters/ from Camera SDI output to switcher
Analog component input (for studio)

Cost: \$295/ea x 2 = \$590

Item 9

Quantity 4- 30' SDI 75ohm insulated video cable w/ 75 ohm rated BNC connectors

Cost: 120' @.90' plus connectors = \$180

Total Cost: \$35,880 plus shipping and tax

City of Los Alamitos

Agenda Report Consent Calendar

April 15, 2013
Item No: 8E

To: Mayor Warren Kusumoto & Members of the City Council
Via: Gregory D. Korduner, Interim City Manager
From: Steven A. Mendoza, Director of Community Development
Tony Brandyberry, Public Works Superintendent
Subject: Disposal of Surplus Equipment

Summary: This report sets forth a recommendation to dispose of surplus equipment.

Recommendation: Declare the listed equipment as surplus, and authorize its disposal in accordance with the Los Alamitos Municipal Code.

Background

The City has accumulated equipment and vehicles which have been stored at City Hall which are obsolete or broken and have no potential use now or in the future. Section 2.60.120 of the Los Alamitos Municipal Code requires that City Council shall first declare items as surplus and then authorize staff to dispose of the items. Once authorized by the City Council, staff will contact the City's auction services provider for disposal of the equipment.

Discussion

The table below lists the estimated value that has been established by the Kelly Blue Book value guide and estimated auction value. Estimated auction value is a figure derived from discussions with the City's auction company. This is what other like vehicles have sold for in the past year. The table represents a low and high price estimate.

Equipment Surplus - April 2013	
ITEM	ESTIMATED AUCTION VALUE
1993 Ransoms Frontline 728D Mower Model# 946702 Serial# 946702041	\$1,500
Old/weathered DekraLite Decorations (2007 & older)*	\$1,500
Kiln	\$400
Printer (HP LaserJet 5 SI)	\$10
Computers GX520 (7): 11TGS71, HOTGS71, COTGS71, GOTGS71, BOTGS71, JOTGS71	\$100
Computers COMPAQ D220 (4): MXD407065G, USU4280NKR, USU4280NL1	\$100
Monitor (1): E171FPb	\$10
TOTAL	\$3,620

*DekraLite decorations mentioned above are from a program that was discontinued in 2007, and are not to be confused with the newly purchased decorations.

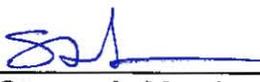
Fiscal Impact

The listed equipment has an estimated auction value of \$3,620. The City will realize this potential revenue when the items are sold at auction.

Prepared By:


 Tony Brandyberry
 Public Works Superintendent

Submitted By:


 Steven A. Mendoza
 Community Development Director

Reviewed By:


 Joshua A. Brooks
 Finance Director

Approved By:


 Gregory D. Korduner
 Interim City Manager

RESOLUTION NO. 2010-16

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF LOS ALAMITOS
ESTABLISHING "ACTION" MINUTES FORMAT
FOR CITY COUNCIL MEETINGS

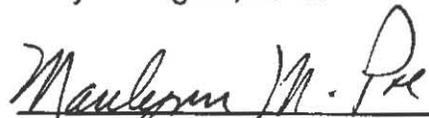
WHEREAS, it is the responsibility of the City Clerk to keep an accurate legal record of the actions and proceedings of the legislative body. The record of proceedings used is referred to as "Minutes"; and,

WHEREAS, the Minutes are not transcriptions, nor an exact record of discussions and conversations. Minutes only record what action was taken, not what was said; and,

WHEREAS, the DVD recordings are a true record of City Council meetings are available to the public; and,

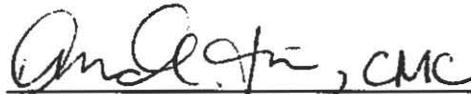
NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Los Alamitos does hereby approve the implementation of "Action" minutes format for creating the written record of actions and proceedings of the legislative body.

PASSED, APPROVED AND ADOPTED this 2nd day of August, 2010.



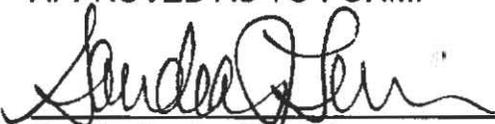
Marilyn M. Poe, Mayor

ATTEST:



Adria M. Jimenez, CMC
City Clerk

APPROVED AS TO FORM:



Sandra Levin, City Attorney

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

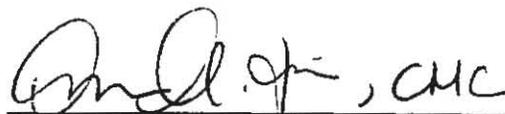
I, Adria M. Jimenez, CMC, City Clerk of the City of Los Alamitos, do hereby certify that Resolution No. 2010-16 was adopted at a meeting of the City Council held on the 2nd day of August, 2010, by the following vote to wit:

AYES: Council Members Edgar, Zarkos, Mayor Pro Tem Stephens, Mayor Poe

NOES: Graham-Mejia

ABSENT: None

ABSTAIN: None



Adria M. Jimenez, CMC
City Clerk



Proposal for Los Alamitos, CA

Government Transparency, Efficiency, and Collaboration Solutions



Proposal presented to:

Windy Quintasar

City Clerk

City of Los Alamitos, CA

April 1, 2013

Granicus Proposal to the City of Los Alamitos

April 1, 2013

Dear Windy,

Thank you for considering Granicus, we're excited to support your transparency and citizen participation initiatives/needs. We look forward to establishing a rewarding, long-term relationship with you.

On the following few pages, you will find a breakdown of the needs that we have uncovered, our proposed solution, some of our key differentiators, detailed pricing, and a checklist that outlines our next steps.

Plan

Los Alamitos would like to "go live" with its first meeting as soon as possible. We can typically deploy new solutions within 60-90 days from receiving the Purchase Order. In an effort to keep us on goal with your preferred "go live" date we will need the PO and authorized service agreement submitted to Granicus by April 30, 2013.

Below you will find a detailed proposal of the solution we have chosen for Los Alamitos. The proposal and pricing includes all training, software, hardware, 24/7/365 support, professional services, installation and implementation.

Over 900 jurisdictions have selected Granicus as a partner to help them build trust with citizens, reduce staff time spent on processing meetings, and engage citizens in productive new ways. Granicus has over 35 years of government-focused experience which has allowed us to develop tools with government in mind and meet the market demand. We hope that you enjoy being part of the Granicus client family.

Most Sincerely,

Maryann Mooney
Western Regional Sales Executive
702.279.5577
Granicus, Inc.

Budgetary Impact

Your Granicus solution was based on Los Alamitos' specific government transparency and public meeting efficiency needs. Our pricing reflects our commitment to supply customers with the highest value and quality software and support. Los Alamitos' solution pricing is detailed below.

Pricing Table

Item	Software Cost	Hardware Cost
Open Platform Suite	\$0.00	\$169.00
Government Transparency Suite	\$4,475.00	\$450.00
Shipping	\$125.00	\$0.00
Sub-Total	\$4,600.00	\$599.00
Tax	\$0.00	\$0.00
Grand Total	\$4,600.00	\$599.00

***** NOTE: The pricing in this preliminary proposal is SUBJECT-TO-CHANGE. While this preliminary proposal will provide you with our best possible estimate of what your solution will look like, it is not considered complete until a network assessment has been completed. Our goal here at Granicus is to make sure that every new client has a successful deployment and to make sure that our products exceed your expectations. We believe that spending the time to accurately conduct an assessment of your network and documents will help us meet our goals and will ensure that you have the best experience possible. *****

- All suites require the Granicus Open Platform.
- All suites (except Meeting Efficiency add-ons) include hardware and software.
- Sales tax may apply depending on your organization's tax status and the tax laws unique to your state, county and/or municipality.

This proposal expires on April 30, 2013.

Proposed Solution

Granicus® Open Platform

The Granicus® Open Platform is the cloud-based foundation for all Granicus applications. It allows government organizations to manage and store an unlimited amount government public meeting data. It is the core of our content management, administration and distribution tools and includes free access to our APIs and SDKs, helping you seamlessly connect your Granicus solution to systems in place. The Granicus Platform includes the ability to upload and publish content including videos and documents. [Click here](#) for more information on the Granicus Open Platform.

- Unlimited content storage and distribution
- Open architecture and SDK
- Archived video editing and indexing
- Citizen web portal
- Live and on-demand streaming to mobile devices

Granicus Encoding Appliance

The Granicus Encoding Appliance is designed and built for our platform and streaming protocols to provide government organizations with superior live and on-demand webcasting performance. The hardware is pre-configured and delivered ready to stream. Simply connect power, network and an audio/video source. Full appliance control is available through a web browser or locally installed client application.

- Provides live and on-demand streaming – online and via mobile devices
- Remote systems monitoring and Granicus maintenance updates
- 500 GB of local storage (approximately 1,000 hours of archive content)
- Facilitates internal streaming across your local area network (LAN) – up to 50 concurrent viewers
- Supports extraction and display of embedded closed captions to help maintain ADA compliancy
- Faster archive upload times, less video buffering
- H.264 video codec encoding
- HTML5 and Flash compatible streaming delivery



Granicus' hosted infrastructure supports the encoding appliance and offers unlimited bandwidth, storage and the highest security standards through a cloud-based platform. Our remote, proactive system monitoring guarantees faster response time, predicts problems before they arise, and helps reduce the cost of IT support and maintenance. The Granicus team works around-the-clock to ensure your applications are protected and operating smoothly. This ensures long-lasting success with our technologies while maximizing your solution's performance.

Government Transparency Suite

The Government Transparency Suite gives your citizens greater access to public meetings and records online. Take the next step towards transparency and stream meetings and events live, link related documents to your video and provide advanced searching of archives. The Government Transparency Suite gives you unlimited cloud bandwidth and storage as well as local live and on-demand streaming for up to 50 concurrent viewers. This Suite also allows you to connect agenda data to the iPad to review agendas and supporting documents, take notes and more through the iLegislate application. [Click here](#) for more information on the Government Transparency Suite.

- Stream unlimited meeting bodies and events live
- Intelligent media routing
- Index video in real-time and link to relevant materials
- Build reports and analytics on visitor trends
- Paperless agenda for the iPad
- Offer downloadable media formats



Managed Services

Granicus provides a comprehensive Managed Services package with every solution to ensure long-lasting success with our technologies while maximizing your solution's performance. Our fully managed and hosted infrastructure offers unlimited bandwidth, storage and the highest security standards of your data through a cloud-based platform. Our remote, proactive systems monitoring guarantees faster response time, predicts problems before they arise, and helps reduce the cost of IT support and maintenance.

The Granicus team works around-the-clock to ensure your applications are protected and operating smoothly. You also receive continual access to advanced learning tools and the hands-on support, knowledge, and expertise of our skilled Support Engineers and Customer Advocacy professionals.

Professional Services	Open Platform	Government Transparency	Citizen Participation	Meeting Efficiency	Legislative Management	
Managed Deployment						
Encoding Appliance		•		•		One-time installation of an on-premise unified encoding and storage appliance.
Hosted Web-based Application	•	•	•	•	•	Activation of a hosted media and content management application.
Agenda Parser		•	•	•		Installation of the agenda parser to read and parse documents automatically.
Meeting Software		•		•		Local installation of software in meeting chambers to boost minutes efficiency.
Public Display				•		Application installation to live broadcast for displays of meeting actions in-person, online, or over TV.
Touch-screens				•		Local installation of touch-screen monitors and applications in meeting chambers.
Workflow Assessment & Configuration						
Workflow Assessment				•	•	Careful workflow review and software configuration.
Workflow Implementation				•	•	Hands-on guidance and support to ensure smooth and successful user adoption.
Onsite Training and Meeting Support				X Day/ 1 MB*	1 Day/ 50 Admin	On-premise support and mentorship to guide users during a live meeting.
Product Training						
Self-Paced Online	•	•	•	•	•	On-demand online training courses accessible anytime, anywhere.
Instructor-led Online Training Series		6 hrs/ 8 Users		12 hrs/ 1 Mb	5 Day Combo w/ Onsite	Live online training led by a training professional in a classroom environment.
Onsite Training and Meeting Support				1.5 Day/ 1 MB*	1 Day Combo w/ Online	Intensive hands-on training at the client's location to address unique user needs.
Web Integration & Design						
Standard Website Integration	•					Standard media player and media portal embedded into customer's branded website.
Customized Website Integration		•	•	•		Custom design and integration of a media player and media portal to match the look and feel of the customer's branded website.
Legislative Portal Website Integration					•	Standard portal for legislative information that matches the look and feel of customer's branded website.
Document Assessment		•	•	•		Analysis of current document layouts to ensure content importing and management is successful.
Customized Agenda Templates		•	•	•		Development of an HTML agenda template to support indexing, search, and electronic comments.
Customized Minutes Template				•		Development of a minutes template in HTML or Microsoft Word to support video links.
Standard Reports					•	Standardized report templates for agendas and minutes.
Public Display Template				•		Configuration including graphics, colors, fonts, and standard text elements.

Granicus Differentiators

- World's most experienced provider of government transparency, citizen participation, meeting efficiency, and legislative management solutions with:
 - Over 1,000 clients in all 50 states, at every level of government
 - Over 31 million government webcasts viewed
 - More than 265,350 government meetings online
- First fully integrated legislative workflow management system for local government
- Open API architecture and SDK allow for seamless integrations with systems already in place
- Certified integrations provide flexibility and choice of agenda workflow solutions
- Exclusive provider of a native iPad application that allows users to review agendas and supporting materials, bookmark and take notes on items, as well as stream archived videos
- Only government webcasting service to provide encoding, minutes annotation, transcription, and closed captioning services
- Truly unlimited storage and distribution for all meeting bodies and non-meeting content
- Indefinite retention schedules for all archived meeting and non-meeting content
- Only provider of both government webcasting and citizen engagement services
- 24/7/365 customer service and support
- 97% customer satisfaction rating, 98.5% client retention rating
- One of the 100 companies that matter most in online video by Streaming Media magazine
- Ranked 185 on Deloitte 500 fastest growing companies
- Ranked 419 on Inc 500 fastest growing companies
- Client Success stories are available here: <http://www.granicus.com/Clients/Case-Studies.aspx>



Everything you need to manage and broadcast government media online

- Give citizens convenient access to live and archived streaming through your website.
- Reduce public inquiries with searchable, self-service access online.
- Import agendas and index video live to eliminate hours of work.
- Manage and distribute unlimited meetings and events—all completely automated.
- Reach a broader audience + integrate closed captions with video.

Promote accountability and build public trust.

Transparency around public meetings is more important than ever. Citizens want to learn about policy decisions that affect their lives and see how their tax dollars are being spent. But, the burden and expense of managing this information is time consuming for government employees and can be cumbersome for citizens to find at complex government websites. What if you could automate this process and make it incredibly convenient for everyone?

The Government Transparency Suite helps agencies give access to all public meetings and important records online and creates an unprecedented level of openness. Leveraging a powerful media management solution, organizations can easily publish content at their website, link related documents, and provide keyword searching for citizens. Plus, using reports on visitor trends, agencies can quickly gauge interest in the most important issues.



Conveniently deliver media online and increase transparency.

- **Increase convenience with access any time, from anywhere.**
Citizens and staff can watch live streaming broadcasts or play archived videos through your website. Viewers can quickly jump to any topic through index points to review only the information that is important to them.
- **Maximize public access with a searchable integrated public record.**
Empower citizens to find what they need through a searchable public record on your website. All meeting audio, video, minutes, and agendas are tightly integrated together. Plus, citizens can subscribe to your agenda, or to a particular search, to get real-time notifications when new content is available.
- **Ensure ADA compliance with a closed captioning integration.**
Easily stream meetings with scrolling closed captions. Also, quickly access and publish a full transcript and even search for any word spoken on video.
- **Review and annotate paperless meeting materials on the iPad.**
Staff and elected members can review agendas and supporting documents, as well as bookmark and take notes on items, through a native iPad application.

Award-winning, proven streaming solution for local, state, and federal agencies.

- **Unparalleled streaming performance and reliability.**
Reduce the burden on IT staff by leveraging a world-class hosted infrastructure and an on-site media server, backed by a comprehensive maintenance program.
- **Unlimited bandwidth, unlimited storage, and intelligent routing.**
Store files redundantly and intelligently route media to avoid network congestion. Our proven streaming solution ensures quality, speed and reliability. Get permanent storage, backups, systems monitoring, and dedicated support.
- **Simplify media management through automation.**
Schedule events to broadcast live or record from any video source including cable, camera, VHS, or DVD. Archived files automatically transfer to internal and external distribution networks and are instantly published to the web with no additional steps.
- **Save hours of time by importing agendas & indexing in real-time.**
Import agendas and index video live during the meeting. After the meeting, produce a public record with the agenda linked to the video.

Features for Staff

- Live Event Streaming
- Encoding Appliance
- Intelligent Media Routing
- Proactive Systems Monitoring
- Import & Parse Agendas
- Link Relevant Documents
- Index Video Live
- Create Text Transcripts
- Reports & Analytics
- Paperless Agenda for the iPad

Benefits to Citizens

- Closed Captioning
- Advanced Search
- Downloadable Media



Deliver rich media and critical documents through your website and mobile devices.



Measure viewership to understand trends and growth in audience engagement.

City of Los Alamitos

Agenda Report Discussion Items

April 15, 2013
Item No: 9B

To: Mayor Warren Kusumoto & Members of the City Council

Via: Gregory D. Korduner, Interim City Manager

From: Steven A. Mendoza, Director of Community Development
Tony Brandyberry, Public Works Superintendent

Subject: Vehicle/Equipment Replacement Policy

Summary: City Council requested that the Fleet Maintenance staff have a vehicle/equipment replacement policy in place. Staff has researched various surrounding cities' policies and tailored a policy to meet the City of Los Alamitos' needs. Staff recommends approval of the proposed policy.

Recommendation: Adopt Resolution 2013-07, entitled, "A RESOLUTION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING THE VEHICLE/EQUIPMENT REPLACEMENT POLICY."

Background

To properly formalize a mechanism for vehicle/equipment replacement and expenditures from the Fleet Maintenance Fund, staff developed the vehicle/equipment replacement policy. To accomplish this, staff looked at the Fleet Maintenance Division's current vehicle replacement practices. The only unwritten policy that existed was for the replacement of police patrol units. The common practice for replacement of these patrol units was 3 years or 75,000 miles (5 years/100,000 miles for the SUV). The rest of the fleet was replaced based on condition, years, and mileage. The condition of the vehicle was inspected by staff, taking into consideration years and mileage based on industry standards.

Discussion

Staff has conducted an intensive research to determine the best practical policy that would serve the City of Los Alamitos. Local agencies, along with agencies across the state, were contacted to get their policies for comparison. By utilizing this information, along with the City's historical usage, staff was able to develop a policy that incorporates all the City departments' needs for vehicles and equipment.

The policy identifies timely budgeting procedures for all departments, a replacement schedule that is based upon mileage and age, and a spreadsheet for determining internal charge rates. It also has the flexibility for extending the usage of vehicles, reassigning vehicles to other departments, and the option for purchasing vehicles or equipment at an auction.

Fiscal Impact

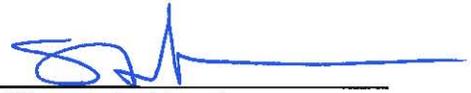
There is no fiscal impact at this time. This policy will provide guidelines for vehicle replacement and allow for improved budgeting and planning with regard to the City's fleet of vehicles. If approved, this policy will be used to develop the City's future budgets, including the upcoming budget for fiscal year 2013-14.

Submitted By:



Tony Brandyberry
Public Works Superintendent

Reviewed By:



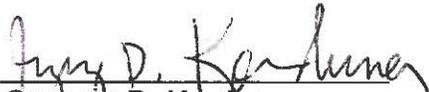
Steven A. Mendoza
Community Development Director

Reviewed By:



Joshua A. Brooks
Finance Director

Approved By:



Gregory D. Korduner
Interim City Manager

- Attachments:*
- 1. Resolution 2013-07 – Vehicle/Equipment Replacement Policy*
 - 2. Vehicle/Equipment Request Form*
 - 3. Vehicle Inspection Form*

RESOLUTION NO. 2013-07

**A RESOLUTION OF CITY COUNCIL OF THE CITY OF LOS
ALAMITOS, CALIFORNIA, APPROVING THE
VEHICLE/EQUIPMENT REPLACEMENT POLICY**

WHEREAS, the City of Los Alamitos wishes to properly formalize a mechanism for vehicle/equipment replacement and expenditures from the Fleet Maintenance Fund; and,

WHEREAS, Staff has conducted an intensive research to determine the best practical policy that would serve the City of Los Alamitos and was able to develop a policy that incorporates all the City departments' needs for vehicles and equipment; and,

WHEREAS, the policy identifies timely budgeting procedures for all departments, a replacement schedule that is based upon mileage and age, and a spreadsheet for determining internal charge rates; and,

WHEREAS, the policy will provide guidelines for vehicle replacement and allow for improved budgeting and planning with regard to the City's fleet of vehicles.

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.

SECTION 2. The City Council hereby approves the attached Vehicle/Equipment Replacement Policy (Exhibit A).

SECTION 3. The City Clerk shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 15th day of April, 2013.

Warren Kusumoto, Mayor

ATTEST:

Windmera Quintanar, CMC, City Clerk

APPROVED AS TO FORM:

Steve Skolnik, Interim City Attorney

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

I, Windmera Quintanar, CMC, City Clerk of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a meeting of the City Council held on the 15th day of April, 2013, by the following vote to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

Windmera Quintanar, CMC, City Clerk

CITY OF LOS ALAMITOS FLEET MAINTENANCE DIVISION

Vehicle/Equipment Replacement Guidelines/ Procedures

MISSION

The Public Works Fleet Maintenance Division's mission is to provide and maintain the most appropriate, safe, reliable, and clean vehicles/equipment allowing departments to better serve the residents.

OBJECTIVES

The objective of this vehicle/equipment replacement guideline/procedure is to promote an orderly system of funding, purchasing and managing a standardized fleet replacement process and to plan future departmental transportation requirements.

GENERAL

All City vehicles/equipment acquired and maintained by Public Works Fleet Maintenance Division are recommended for replacement in accordance with this guideline/procedure and all departments are responsible for complying with these guidelines/procedures. Priority will be given to those departments whose services relate to public health, safety, and law enforcement.

As vehicles/equipment reach the targeted mileage and age of replacement criteria, a vehicle/equipment maintenance evaluation will be performed by Public Works Fleet Maintenance Division. If the evaluation proves the vehicle/equipment would be economical to retain for an additional year(s), the vehicle/equipment will be targeted for retention or reassignment.

ACQUISITION

The Public Works Fleet Maintenance Division is responsible for acquiring all City vehicles/equipment with the approval of the City Council. Vehicles/equipment are to be purchased using one of the following criteria:

- Utilizing the "Piggy Back" process whenever possible, as more vehicles can be acquired at lower prices; or

- Request for Proposal (RFP) process as outlined in Section 2.60.030 of the City's Municipal Code; or
- Purchases at an auction (will require City Council pre-approval). The City Council will set a predetermined spending cap. The purchase decision will be made by the Public Works Superintendent.

Before any order is placed, the Public Works Fleet Maintenance Division and the user department will jointly review department requirements and vehicle/equipment specifications. It is the Public Works Fleet Maintenance Division's goal to select the proper vehicle/equipment for the department. Suitability and appropriateness for the job intended, balanced by initial cost, depreciation/resale value, and maintenance repair factors are the primary factors for the review process. Compatibility with the rest of the fleet, fuel economy, safety/repair records, and serviceability are also important considerations.

Once the replacement cycle is complete, the replaced vehicle/equipment is evaluated for reassignment as a "low usage" vehicle to another department or declared surplus and sold at auction.

RETENTION or REASSIGNMENT

In some cases, it may be beneficial to reassign vehicles/equipment to other departments that have "low usage" requirements. These decisions are made on a case by case basis between the Public Works Superintendent and the director of the department to which the vehicle is to re-assigned. The vehicle/equipment must have one third of its life expectancy remaining (years and mileage) and show a direct cost savings to the budget. Exception to this rule is if the vehicle/equipment in question has had major repairs completed within the past 12 months, deeming it reliable for use by the Fleet Maintenance Division.

ADDITIONS TO THE FLEET

Additions are defined as any increase in the total number of vehicles/equipment assigned to a City's department. Additions to the fleet are to be requested by City departments via a Vehicle/Equipment Request Form and approved by the Department Head before submitting to the Public Works Fleet Maintenance Division.

REPLACED VEHICLE/EQUIPMENT

Replaced vehicles/equipment that are not reassigned to another City department are to be declared surplus by the City Council. After the equipment is declared surplus, the Fleet Maintenance Division shall dispose of it in a manner best serving the interest of the City, which include:

- Public auction; or
- Sale or transfer to other governmental entities; or
- Sale or transfer to nonprofit entities

MID-YEAR REQUESTS

If a department desires to add or replace a vehicle/equipment to the fleet, outside of the annual vehicle replacement request process, a completed Vehicle/Equipment Request Form shall be submitted for processing. In addition to the Vehicle/Equipment Request Form, a budget amendment request for funding may be needed. This request is to be submitted by November 1st of that year.

VEHICLE/EQUIPMENT REQUEST CYCLE

The Public Works Fleet Maintenance Division initiates the vehicle/equipment request cycle each year in February when departments are asked to submit requests for additional or replacement vehicles/equipment. Requests are reviewed and prioritized based on the vehicle or equipment's inspection report. Throughout February and March, the Public Works Fleet Maintenance Division works with departments to recommend a vehicle/equipment replacement list based on the strategic budget outlook and the total vehicle/equipment replacement liability. In May, the Public Works Superintendent prepares the annual vehicle/equipment replacement request for budget consideration from City Council.

REPLACEMENT CRITERIA*

Timely replacement ensures that vehicles/equipment are replaced once the life cycle, or economic costs, reach a minimum. The guidelines for vehicles/equipment replacement are, but not limited to:

- Predetermined age and/or mileage
- Mechanical condition
- State of technology
- Availability of replacement parts
- Anticipated depreciation
- Resale value
- Operation costs
- Safety standards
- Departmental needs
- Overall appearance

The Public Works Fleet Maintenance Division recommends replacement of vehicles or equipment based on the above criteria met for each class of vehicle. A technical/maintenance evaluation of requested replacement vehicles/equipment will be performed by Public Works Fleet Maintenance staff before each vehicle/equipment is recommended for replacement. The targeted replacement cycles, in terms of years and miles, are as follows:

<u>DESCRIPTION</u>	<u>AGE/MILES</u>
Law Enforcement	
• Sedan – Patrol	4 yrs./75,000 miles
• SUV – Patrol	5 yrs./100,000 miles
• Detective/Unmarked	5 yrs./75,000 miles
• Motorcycle	4 yrs./75,000 miles
Administrative – Passenger	10 yrs./90,000 miles
Light Duty Trucks	
• Sports Utility	10 yrs./90,000 miles
• Pickup & 4 x 4	10 yrs./95,000 miles
Medium & Heavy Duty Trucks	15 yrs./100,000 miles
Miscellaneous Equipment	
• Trailers	By condition
• Mowers (tractor style)	By condition

*The above vehicle replacement criteria are from Local Agency Surveys and City of Los Alamitos historical data.

**CITY OF LOS ALAMITOS, CALIFORNIA
VEHICLE/EQUIPMENT REQUEST FORM**

FISCAL YEAR _____



Department	Fund	Department Division	Object

Contact Person & Extension: _____

Description of Capital Asset: _____

Qty: _____ Unit Price: _____ Total: \$ _____

Purpose:

Cost/Benefit Analysis:

P. W. Superintendent Signature Date Department Head Signature Date

City Manager Signature Date Entered By Date

- Recommendation:
- Not Approved: Request returned to Contact
 - Approved as submitted/amended

CITY OF LOS ALAMITOS – VEHICLE INSPECTION CHECKLIST

P = Pass F = Fail

ROAD TEST

- P F Starts, idles properly (cold/hot)
- P F Remote start system operates
- P F Accelerates and cruises smoothly
- P F Engine noise normal (cold/hot & low/high speeds)
- P F Automatic/manual transmission/transaxle operates/shifts normally (cold/hot)
- P F Automatic/manual transmission/transaxle noise normal (cold/hot)
- P F Shift interlock operates
- P F Drive axle/transfer case operation, noise normal
- P F Clutch operates smoothly, proper adjustment
- P F Steers normally (proper effort/response, centering, free play, does not pull)
- P F Body, suspension (no squeaks, rattles, vibration)
- P F Struts/shocks operate
- P F Brakes/ABS operate (pedal effort appropriate, no pulling, pulsating) *Note: ABS may pulsate under hard braking*
- P F Cruise control operates
- P F All gauges, speedometer, tachometer, odometer operate
- P F Driver select/memory profile operates
- P F No abnormal wind noise

VEHICLE EXTERIOR

BODY PANELS AND BUMPERS

- P F Overall, no evidence of flood, hail, fire or any major damage
- P F Body panels not visibly damaged, misaligned, paint not mismatched or poor
- P F Bumpers/fascia not visibly damaged, misaligned, no poor paint

DOORS, HOOD, DECK LID, TAILGATE

- P F Not visibly damaged, paint not mismatched or poor
- P F Aligned properly (check jams for overspray from repairs)
- P F Automatic/manual release mechanisms, hinges, attaching devices, prop rod/gas struts operate
- P F Power lift gate, power sliding doors operate

GRILL, TRIM, ROOF RACK

- P F Attached, free from visible damage
- P F Deployable running boards operate, free from damage

GLASS, OUTSIDE MIRRORS

- P F Windshield, side, rear windows free from visible cracks, pits, wiper marks
- P F Wiper blades replaced
- P F Mirrors, hinge (no cracks, damage)

EXTERIOR LIGHTS – Operate, lenses not damaged

- P F Front end (headlights including high/low & alignment, park, turn, fog)
- P F Back end (tail, brake, high mount brake, turn, backup, license plate)
- P F Side (side marker, mirror puddle lights)
- P F Hazard
- P F Auto on/off lighting feature operates
- P F Trailer lamp connector operates

VEHICLE INTERIOR

AIR BAG/SAFETY BELTS

- P F Air bags intact, no codes, dash light works (check steering wheel for abnormal wear, may indicate repaired with used steering wheel and air bag)
- P F Safety belts work, free from cuts or wear

AUDIO AND ALARM SYSTEMS - Operate

- P F Radio, cassette, CD, speakers, satellite radio
- P F Antenna
- P F Alarm/theft deterrent system

HEAT/VENT/AC/DEFROST - Operates

- P F Air conditioning system, dual and rear climate operation
- P F Heating system
- P F Defog/defrost (front, rear, outside mirrors)

INTERIOR AMENITIES – Operate, no damage

- P F Clock
- P F Tilt/telescopic steering wheel (including power)

- P F Steering column lock
- P F Steering wheel controls
- P F Horn
- P F Warning chimes
- P F Instrument panel lights, gauges, warning lights (pass bulb check)
- P F Wipers (all modes/speeds/delays, no streaks)
- P F Washers (spray pattern correct)
- P F Interior courtesy, dome, map lights
- P F Mirrors (manual and power side mirrors, rear-view auto-dimming)
- P F Rear-view camera system
- P F Sync system (test and perform master reset)
- P F Rear entertainment system, including wireless headphones and remotes
- P F Power outlets, lighter
- P F Ashtrays
- P F Glove box, light, center armrest/console
- P F Sun visors, vanity mirrors and lights
- P F Adjustable pedals

CARPET, TRIM, MATS – Clean, no stains or damage

- P F Interior, odor free
- P F Carpet (check for rust under it due to flood damage)
- P F Floor mats
- P F Door trim/panels attached
- P F Headliner

SEATS

- P F Upholstery clean, not stained, worn, cut, cracked
- P F Seats/head restraint adjustments (manual/power)
- P F Folding seats operate (manual/power), fold down latches operate
- P F Heated seats operate
- P F Integrated child safety seats operate

SUNROOF/MOONROOF/CONVERTIBLE TOP

- P F Sunroof/moonroof operates in all modes
- P F Convertible top operates, not damaged, cover, rear window not damaged

WINDOWS, DOOR LOCKS - Operate

- P F Handles, release mechanisms
- P F Remote entry systems (key fobs, door key pads)
- P F Door locks (manual, power modes)
- P F Child safety locks
- P F Window controls (manual, power, express modes)
- P F Remote deck lid, fuel filler door releases

LUGGAGE COMPARTMENT

- P F Carpet, trim cargo net (clean, no damage)
- P F Luggage compartment light operates
- P F Jack, spare tire tools operate
- P F Spare tire is correct size and type, no damage
- P F Spare tire at least 50% tread depth remaining, correct pressure
- P F Tire inflator kit present
- P F Emergency trunk lid release operates

VEHICLE DIAGNOSTICS

MODULE SYSTEM TEST

- P F Perform Self Test for all CMTDC (no continuous DTC stored in vehicle equipped modules)

UNDERHOOD

FLUIDS – Check condition and level, check maintenance schedule for required service, add or change as required

- P F Engine oil and filter (change)
- P F Coolant (level, freeze point)
- P F Brake fluid
- P F Automatic transmission/transaxle fluid
- P F Transfer case fluid
- P F Drive axle fluid
- P F Power steering fluid
- P F Clutch fluid
- P F Washer fluid
- P F Air conditioning system charge

ENGINE

- P F Check for fluid leaks
- P F Hoses and lines (coolant, fuel brake, steering, vacuum A/C), check for wear, leaks
- P F Belts (check for wear, cracks, fraying, proper adjustment)
- P F Wiring (check condition)
- P F Oil in air cleaner (possible excess blow-by, bad PCV)
- P F Water in oil (check underside of oil filler cap)
- P F Oil pressure (test with gauge if only warning light)
- P F Cylinder compression/power balance (check if necessary)
- P F Timing belt (inspect condition, change per maintenance schedule)
- P F Engine mounts (not broken, separated)
- P F Inspect Charge Air Cooler for damage or leaks

COOLING SYSTEM

- P F Radiator (check for leaks, condition of tubes, fins)
- P F Pressure test radiator cap and cooling system
- P F Cooling fans, clutches, motors operate
- P F Water pump free from leaks or unusual noise
- P F Coolant recovery tank (level sensor works)
- P F Cabin air filter (change per maintenance schedule)

FUEL SYSTEM

- P F Fuel pump noise normal (no leaks if external pump)
- P F Fuel pump pressure reading correct
- P F Fuel filter(s) (change per maintenance schedule)
- P F Air filter (change per maintenance schedule)

ELECTRICAL SYSTEM

- P F Starter operates
- P F Ignition system (operation/scope)
- P F Battery type, condition, fluid level, load test correct
- P F Alternator output correct
- P F Diesel pre-glow system operates

HYBRID

- P F Hybrid cooling system for leaks, check level & condition
- P F Switchable powertrain mount (operation)
- P F Hybrid entertainment & information display (operation)
- P F 110v power outlet (operation)

UNDERBODY

FRAME

- P F No visible damage, signs of repair or abnormal tire wear
- P F Fuel lines, fuel tank, hoses and couplings not leaking

EXHAUST SYSTEM

- P F Entire exhaust system (including catalytic converter) not damaged or leaking
- P F Perform emissions control test

TRANSMISSION, TRANSAXLE,

DIFFERENTIAL, TRANSFER CASE

- P F Automatic transmission/transaxle not damaged or leaking
- P F Manual transmission/transaxle/drive axle/transfer case, not damaged or leaking
- P F 4x4 hub operation (engage & disengage properly)
- P F Universal joints, CV joints, boots not damaged, leaking, or excessive wear/looseness, noise when accelerating or turning
- P F Transmission mounts (not cracked, broken, oil soaked)
- P F Differential/drive axles (not damaged or leaking)

TIRES AND WHEELS

- P F All tires and wheels match, correct size
- P F Tread depth, at least 50% remaining
- P F Normal tire wear, no alignment or sidewall problems
- P F Pressures correct
- P F Tire pressure monitor system operates
- P F Wheels/finish free from damage, run-out normal
- P F Wheel covers, center caps, free from damage

CONTINUED ON BACK

CITY OF LOS ALAMITOS – VEHICLE INSPECTION CHECKLIST

P = Pass

F = Fail

SUSPENSION STEERING

- P F Rack and pinion, linkage, boots not visibly damaged or leaking
- P F Control arms, ball joints, bushings not visibly damaged or worn
- P F Tie rods, idler arm operate to factory specs
- P F Sway bars, links, bushings operate to factory specs
- P F Springs have proper ride height (not sagged)
- P F Struts, shocks not leaking
- P F Wheel alignment correct (check if necessary)
- P F Power steering pump and hoses (check operation, no leaks)

BRAKES

- P F Calipers, cylinders operate with no leaks
- P F Pads, shoes, at least 50% thickness remaining
_____ %
- P F Rotors, drums, at least 50% thickness remaining, not scored, run-out within factory specs
- P F Brake lines, hoses, fittings not worn or leaking
- P F Parking brake operates, releases, adjusted properly
- P F Master cylinder and booster, no leaks

COMMENTS:

VIN

Mechanic Signature

Date

Supervisor Signature

Date

City of Los Alamitos

Agenda Report Discussion Items

April 15, 2013
Item No: 9C

To: Mayor Warren Kusumoto & Members of the City Council
Via: Gregory D. Korduner, Interim City Manager
From: Todd Mattern, Chief of Police
Subject: Business Watch Program

Summary: This report serves to provide information about Community Outreach, a Business Watch program and/or Business Watch signage in support of a non-sponsored citizen patrol for City Council's consideration.

Recommendation:

1. Authorize staff to begin a systematic deployment of Business Watch signs in support of the business owners' patrol with an allocation of \$10,000 in account 10.542.5201 for Fiscal Year 2012-13; or,
2. Direct Staff to take action City Council deems appropriate at this time.

Background

On January 14, Chief Mattern and staff met with Council Member Gerri Mejia and two local business owners to discuss business crime prevention and the potential for implementation of a Business Watch Program in the City. Following some thefts from businesses, some of our business leaders initiated a patrol in which they drive around the city looking for suspicious activity. Although they did not request the City to formalize or endorse their efforts, they were looking for some input and a way to liaison with the Police Department. The meeting served primarily as an information exchange and to alert the Police Department about the citizen patrol program. Chief Mattern had a follow up discussion with one of the business owners and it was agreed that the Police Department would not take a formal role in the program at that time.

Discussion

Most crime prevention programs are intended to establish a partnership between community members and the police, thereby creating a positive, communicative relationship. Community members learn about suspicious activity and implement proactive measures to make the community a safer place. In essence, they become the eyes and ears for the police while tightening security within their own organization or networks.

Crime prevention can be promoted and organized in a number of ways with varied costs and community impacts. The more comprehensive programs are structured to meet monthly or quarterly and include training topics ranging from counterfeit money detection to credit card fraud. Some include security inspections, newsletters, crime updates, and personal safety classes for employees. These programs are staff intensive and generally require a Crime Prevention Specialist. In Los Alamitos, a fully functioning Community Outreach Program with a Business Watch component, neighborhood meetings and active social media component would necessitate significant program development with specific staffing requirements. If this is the design City Council has envisioned, staff will come back with a detailed cost analysis and proposed budget for additional consideration.

Business crime prevention has been a component of the Los Alamitos Police Department's Community Outreach Program since its inception in 1999. Focusing on physical security, loss prevention and fraud, officers meet with owners, upon request, to discuss prevention measures which can be implemented to reduce their business' vulnerability to crime. Funding for the Community Outreach Program was eliminated during the staffing reorganization and elimination of a sergeant for Fiscal Year 2008-09. At that time, programs which were not "core" services were not funded so that resources could remain on the streets in enforcement positions. Since that time, efforts have been made to maintain some outreach through limited social media and community presentations as requested by community members.

Increasing public awareness about the self-initiated business patrol without fiscally supporting their activities may serve as a deterrent to some criminal activity in the City. As was discussed at the January meeting, the City's formal support for the business patrol program would create some cost impediments including vehicles, training, uniforms and coordination. Additionally, preferring the unstructured methodology, our business leaders did not request that we formalize the program as that was not their intent. If the current community program is not sanctioned by the City, the costs associated with the program are minimal. Staff's recommendation is to assign a liaison from the Police Department to facilitate on-going communication regarding crime issues and trends with the non-sanctioned team. In addition to being a resource, the liaison could issue press releases about the program as well as social media bulletins to increase the public's awareness about these efforts. The budget impact of a liaison would be negligible; however, staff would recommend obtaining a legal opinion regarding any vicarious liability from this level of support.

Another way to promote public awareness is to post "Business Watch" signs. At approximately \$150 per customized (with police contact information) street sign, strategic locations would be determined throughout the City to minimize the number of signs needed. To purchase 50 signs, it would cost approximately \$8,000. Although Public Works staff would install the signs, a budget of approximately \$2,000 for poles would be needed for signs which can't be installed on existing poles. The total sign budget would be \$10,000. Due to current public works projects, the actual installation of the signs would be scheduled for the summer. This option eliminates the cost of vehicles, supervision, uniforms, and training.

Fiscal Impact

The cost for fifty (50) signs and 25 poles is approximately \$10,000. If City Council wants to limit the deployment of signs, this amount could be reduced accordingly. There are no funds for this project in the current fiscal year budget so an appropriation of \$10,000 would need to be appropriated from unassigned fund balance for the purchase of the materials.

Submitted By:



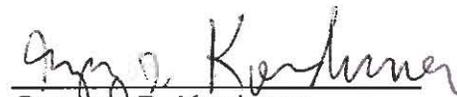
Todd Mattern
Chief of Police

Fiscal Impact Reviewed By:



Joshua A. Brooks
Finance Director

Approved By:



Gregory D. Korduner
Interim City Manager

City of Los Alamitos

Agenda Report Discussion Items

April 15, 2013
Item No: 9D

To: Mayor Warren Kusumoto and Members of the City Council

Via: Gregory D. Korduner, Interim City Manager

From: Windmera Quintanar, CMC, City Clerk

Subject: Consideration of League of California Cities' Proposed Amendments to ByLaws

Summary: The League of California Cities (LOCC) is requesting cities to consider the two amendments to the LOCC Bylaws through a mail ballot.

Recommendation: Authorize the City Manager to execute the League of California Cities Ballot on Bylaws Amendments.

Background

The City of Los Alamitos is a current member of the League of California Cities. As provided in the League's Bylaws, the Board of Directors has submitted two amendments to the LOCC membership for approval by mail ballot. Staff has placed the item on the agenda for Council's discussion.

Discussion

At its February meeting, the League's Board of Directors approved submitting two amendments to the League's Bylaws to the membership. The proposed amendments would amend the Bylaws to provide that:

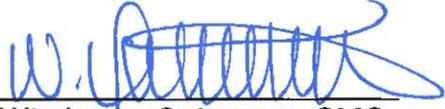
1. Resolutions submitted to the League for presentation to the General Assembly must be concurred by at least five or more cities or by city officials from at least five or more cities.
2. The League Board may take a position on a statewide ballot measure by a 2/3rd vote of those Directors present. Currently, the Board may take positions with a simple majority vote.

It would be appropriate for Council to discuss the requested amendments and provide direction to Staff.

Fiscal Impact

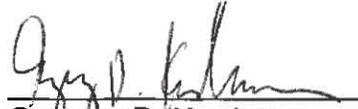
None.

Submitted By:



Windmera Quintanar, CMC
City Clerk

Approved By:



Gregory D. Korduner
Interim City Manager

- Attachments:*
1. *Request Letter from the LOCC*
 2. *Ballot on Bylaws Amendments*
 3. *LOCC Bylaws*

March 5, 2013

To: League Membership
From: Chris McKenzie, Executive Director
Re: Proposed Amendments to League Bylaws

At its February meeting, the League's Board of Directors approved submitting two amendments to the League's Bylaws to the membership. The proposed amendments would amend the Bylaws to provide that:

1. Resolutions submitted to the League for presentation to the General Assembly must be concurred in by at least five or more cities or by city officials from at least five or more cities.
2. The League Board may take a position on a statewide ballot measure by a 2/3rd vote of those Directors present. Currently, the Board may take positions with a simple majority vote.

The Board's purpose in submitting the first proposed amendment is to encourage members to seek concurrence of other cities and city officials that the subject of a proposed resolution is a substantial one and of broad interest and importance to cities. The Board's purpose in submitting the second proposed amendment is to ensure that when the Board considers a position on possibly controversial statewide ballot measures, the Board's ultimate decision represents a broad consensus of the Directors.

The language of the proposed amendments is provided in the attached Resolution. To be approved, the Bylaws require each amendment must receive a 2/3rd vote of those members voting. To consult the League's Bylaws: go to www.cacities.org. The link is at the bottom of the page.

As provided in the League's Bylaws, the Board of Directors is submitting these amendments to the membership for approval by mail ballot. Please return the enclosed ballot, signed by an authorized city official, **by April 19, 2013**.

Ballots may be submitted by email to: ballots@cacities.org.

By mail to:

League of California Cities
Attn: Ballots
1400 K Street, 4th Floor
Sacramento, CA 95814

Or by fax to: (916) 658-8240

Thank you for your attention to this important matter concerning the League's governance. If you have questions, please direct them to Patrick Whitnell, General Counsel at pwhitnell@cacities.org.

PROPOSED RESOLUTION RELATING TO LEAGUE BYLAWS AMENDMENTS

WHEREAS, the League of California Cities is a nonprofit mutual benefit corporation under California law and, as such, is governed by corporate bylaws; and

WHEREAS, the League's Board of Directors periodically reviews the League's bylaws for issues of clarity, practicality, compliance with current laws, and responsiveness to membership interests; and

WHEREAS, the League Board of Directors at its February 7-8, 2013 meeting approved submitting the following amendments to the League's bylaws to the League's membership by mailed ballot:

1. Article VI, section 2 of the League's bylaws is amended to read as follows:

"Resolutions may originate from city officials, city councils, regional divisions, functional departments, policy committees, or the League Board or by being included in a petition signed by designated voting delegates of ten percent of the number of Member Cities. Except for petitioned resolutions, all other resolutions must be submitted to the League with documentation that at least five or more cities, or city officials from at least five or more cities, have concurred in the resolution."

2. A new Article VII, section 16 is added to the League's bylaws to read as follows:

"Section 16: Positions on Statewide Ballot Measures.

Notwithstanding any other provision of these bylaws, the League Board may take a position on a statewide ballot measure by a 2/3rd vote of those Directors present."

Now, therefore, be it

RESOLVED, that the League Board of Directors at its April 24-25, 2013 meeting in Sacramento, California, after a canvass of mailed ballots, has determined that the above amendments to the League bylaws have been approved by a 2/3rd vote of those Member Cities voting. These amendments shall take effect 60 days after the approval of this resolution.

////////

Ballot on Bylaws Amendments

City of _____

Does your city vote to approve the amendment of article VI, section 2 of the League's bylaws relating to submission of resolutions to the League's General Assembly as set forth in the Proposed Resolution and incorporated by reference in this ballot?

- Yes
- No

Does your city vote to approve the addition of article VII, section 16 to the League's bylaws relating to the League Board vote threshold for taking positions on statewide ballot measures as set forth in the Proposed Resolution and incorporated by reference in this ballot?

- Yes
- No

Ballot returned by:

_____ City Official Name

_____ City Official Title

Please return this ballot by **April 19, 2013** to:

League of California Cities
Attn: Ballots
1400 K Street, 4th Floor
Sacramento, CA 95814

or by email to: ballots@cacities.org

or by fax to: (916) 658-8240

Thanks in advance for your participation in this important decision.

2010 Bylaws for the League of California Cities

Table of Contents

Article I: General.....	1
Section 1: Corporation Name.....	1
Section 2: Offices.....	1
Article II: Purpose and Objectives.....	1
Section 1: General.....	1
Section 2: Objectives.....	1
Article III: Membership.....	2
Section 1: Qualification.....	2
Section 2: Termination.....	2
Section 3: Honorary Members.....	2
Section 4: Non-Liability.....	3
Article IV: Dues.....	3
Section 1: Establishment.....	3
Section 2: Increase in Dues.....	3
Section 3: Delinquency.....	4
Article V: Membership Meetings.....	4
Section 1: Annual Conference.....	4
Section 2: Special Meetings.....	4
Section 3: City Delegates as General Assembly.....	4
Section 4: Notice of Meetings.....	5
Section 5: Parliamentarian.....	5
Section 6: Credentials.....	5
Article VI: Resolutions.....	5
Section 1: Role and Scope of Resolutions.....	5
Section 2: Origination.....	5
Section 3: Resolutions Committee for Annual Conference Resolutions.....	6
Section 4: Procedure for Resolution Review for the Annual Conference.....	7
Section 5: Resolutions Proposed by Petition for the Annual Conference.....	7
Section 6. Special Meeting Resolution Procedures.....	8
Section 7: Full Debate.....	8
Article VII: Board of Directors.....	9
Section 1: Role and Powers; Board Diversity Policy.....	9
Section 2: Composition.....	9
Section 3: Staggered Terms.....	10
Section 4: Election of Directors.....	11
Section 5: Nomination Process.....	11
Section 6: Vacancies.....	13
Section 7: Resignation.....	13

**2010 Bylaws for the
League of California Cities**

Table of Contents

Section 8: Meetings and Meeting Notice.....	14
Section 9: Policies.....	14
Section 10: Committees.....	14
Section 11: Compensation.....	15
Section 12: Reports of Directors.....	15
Section 13: Standard of Care.....	16
Section 14: Right to Inspect Records.....	16
Section 15: Policy Changes.....	17
Article VIII: Officers.....	17
Section 1: Identity.....	17
Section 2: Duties of League Officers.....	17
Section 3: Election.....	17
Section 4: Vacancies.....	18
Section 5: Executive Director and League Employees.....	18
Article IX: Regional Divisions.....	19
Section 1: Listing.....	19
Section 2: Purposes and Functions.....	19
Section 3: Names of Divisions.....	20
Section 4: Boundaries.....	20
Section 5: Membership.....	20
Section 6: Voting.....	20
Section 7: Officers.....	20
Section 8: Resignation.....	21
Section 9: Regional Division Bylaws.....	22
Article X: Functional Departments.....	22
Section 1: Listing.....	22
Section 2: Officers.....	22
Section 3: Voting.....	23
Section 4: Department Meetings.....	23
Section 5: Department Bylaws.....	24
Article XI: Voting.....	24
Section 1: Quorum.....	24
Section 2: Voting Methods.....	24
Section 3: Vote Threshold.....	25
Section 4: One City One Vote.....	25
Section 5: Mail Balloting.....	25
Article XII: Qualifications to Hold Office and Vacancies.....	26
Section 1: Eligibility to Hold Office.....	26
Section 2: Vacancies.....	26
Article XIII: Finances.....	27

**2010 Bylaws for the
League of California Cities**

Table of Contents

Section 1: Fiscal Year.....	27
Section 2: Budget.....	27
Section 3: Limitation of Expenditures.....	27
Section 4: Annual Audit.....	27
Section 5: Special Assessment for League Building.....	27
Article XIV: Prohibited Transactions.....	28
Section 1: Conflicts of Interest.....	28
Section 2: Loans.....	28
Section 3: Self-Dealing and Common Directorship Transactions.....	28
Section 4: Ethical Considerations.....	29
Article XV: Miscellaneous.....	30
Section 1: Indemnification.....	30
Section 2: Insurance.....	31
Section 3: Contracts and Execution of Instruments.....	31
Section 4: Disposition of Assets Upon Dissolution.....	32
Section 5: Parliamentary Authority.....	32
Section 6: Seal.....	32
Section 7: Governing Law.....	32
Section 8: Litigation Authority.....	32
Article XVI: Amendments.....	33
Section 1: Consideration.....	33
Section 2: Vote Threshold.....	33
Section 3: Who May Propose.....	33
Section 4: Board Review.....	33
Section 5: Procedure for Consideration by General Assembly.....	33
Section 6: Effective Date.....	33
Section 7: Protest and Suspension until Next Conference.....	33
Article XVII: Establishment and Financing of Grassroots Network.....	34
Section 1: Enhancement of Advocacy Efforts.....	34
Section 2: Dues Increase.....	34
Section 3: Accountability.....	34

**Bylaws for the
League of California Cities¹**
(effective November 16, 2010)

Article I: General

Section 1: Corporation Name.

This corporation is the League of California Cities (the League).

Section 2: Offices.

The principal office of this corporation shall be located in Sacramento, California. The League Board of Directors (League Board) may establish such other League offices as it deems necessary to the effective conduct of League programs.

Section 3: Compliance with Governing Laws.

In all matters not specified in these bylaws, or in the event these bylaws do not comply with applicable law, the California Nonprofit Corporation Law applies.

Article II: Purpose and Objectives

Section 1: General.

The League's purpose is to strengthen and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

Section 2: Objectives.

The League's objectives are the following:

- (a) Advocate legislation that results in benefits to Member Cities,
- (b) Communicate to Member Cities and the public on issues related to the general welfare of citizens in California cities,
- (c) Pursue strong intergovernmental relationships to promote the well being of California cities,
- (d) Organize educational opportunities, such as conferences of city officials,

¹ Note: All footnotes are for reference and explanation only and are not part of the bylaws text.

League of California Cities Bylaws
(effective November 16, 2010)

- (e) Stimulate greater public interest and more active civic consciousness as to the importance of cities in California's system of government,
- (f) Collect and disseminate information of interest to Member Cities, and
- (g) Engage the membership in a continuing analysis of the needs of Member Cities.

Article III: Membership

Section 1: Qualification.

- (a) **Cities.** Any city, or city and county, in California may, by the payment of annual dues prescribed in Article IV, become a Member City and as such is entitled to League services and privileges
- (b) **Elected and Appointed Officials.** All elected and appointed officials² in Member Cities are members of the League.

Section 2: Termination.

- (a) **Grounds for Termination.** Membership is suspended or terminated whenever any of the following occurs:
 - (i) The Member City resigns by giving written notice to the League;
 - (ii) The Member City does not pay dues, fees or assessments in the amounts and terms set by the League Board; or
 - (iii) An event occurs that makes the Member City ineligible for membership.³
- (b) **Procedures for Termination.** The League shall give 15 days notice of any suspension or termination of membership and the reasons for such action, along with the opportunity to respond orally or in writing not less than five days before the effective date of the action.⁴

Section 3: Honorary Members.

Any person who has given conspicuous service for the improvement of city government may, by the vote of the League Board, be granted an honorary membership in the League. All ex-presidents of the League are Honorary Members. Honorary Members as such do not have a voice or vote in any of the meetings of the League and do not have membership status in the League for purposes of state and federal laws.

² "Appointed officials" includes professional city staff.

³ For example, a Member City's disincorporation.

⁴ See Cal. Corp. Code § 7341(c) (requiring termination procedures be included in bylaws and specifying what constitutes a fair and reasonable procedure).

League of California Cities Bylaws
(effective November 16, 2010)

Section 4: Non-Liability.

No Member City is liable for the debts or obligations of the League.

Article IV: Dues

Section 1: Establishment.

The League Board establishes the League's dues annually according to city population. The population of each city is the most current population as determined by the California Department of Finance, Demographic Research Unit, or its successor agency or unit. If no successor agency or unit is named, the most current population used to determine dues shall be used to determine future dues until such time as these bylaws are amended to designate a new source for determining city population.

Section 2: Increase in Dues.

(a) Board Vote Requirement. Any increase in dues must be approved by the League Board by a two-thirds vote. The League Board's approval shall be accompanied by an explanation of the need for the increase, including but not limited to:

- (i) Increases in the League's costs related to general increases in the consumer price index or other factors; and/or
- (ii) The expansion of existing programs or initiation of new programs.

(b) Member City Ratification Requirement. Any dues increase that exceeds either the "consumer price index" for the preceding twelve months or five percent (whichever is greater) requires Member City ratification. In no event, however, shall the League Board approve a dues increase in excess of ten percent without Member City ratification.

- (i) **"Consumer Price Index" Defined.** For purposes of this section, the consumer price index is the California consumer price index for all urban consumers calculated by the California Department of Industrial Relations or its state or federal successor.
- (ii) **Approval Threshold.** Member City ratification requires a majority of Member Cities casting **votes**.
- (iii) **Mechanism for Seeking Approval.** The ratification may occur at the League's General Assembly (see Article V) or by using the mail balloting procedure (see Article XI, section 5)

League of California Cities Bylaws
(effective November 16, 2010)

- (c) **Dues Cap.** In no event will a Member City's dues increase by more than \$5,000 per year.

Section 3: Delinquency.

Any Member City of the League who is delinquent in dues, fees or assessments may be suspended or have that member's membership terminated as provided in Article III, section 2.

Article V: Membership Meetings

Section 1: Annual Conference.

- (a) **Time and Place.** The League's regular Annual Conference is held at the time and place as the League Board determines. In case of any unusual conditions or extraordinary emergency, the League Board may, at its discretion, change the time or place of the meeting.

- (b) **Conference Program Planning.** The League Board shall establish an Annual Conference program planning process that provides for input from representative segments of the League's membership.

Section 2: Special Meetings.

Special meetings of the League may be called by the League Board and shall be called by the League Board upon the written request of five percent or more of the Member Cities.⁵ Any written request by Member Cities shall describe the general nature of the business to be transacted and the text of any proposed resolution(s).

Section 3: City Delegates as General Assembly.

- (a) **Designation.** Each Member City may, with the approval of the city council, designate a city official as the city's designated voting delegate and, in the event that the designated voting delegate is unable to serve in that capacity, up to two alternate voting delegates.
- (b) **Membership Decision-making Body.** Designated voting delegates (or their alternates) constitute the League's General Assembly.
- (c) **Registration for Annual Conference.** For General Assemblies held in conjunction with the Annual Conference, designated voting delegates must register to attend the Annual Conference

⁵ See Cal. Corp. Code § 7510 ("special meetings of members for any lawful purpose may be called by 5 percent or more of the members").

League of California Cities Bylaws
(effective November 16, 2010)

Section 4: Notice of Meetings.

(a) **General.** Notice shall be given to all Member Cities of the time and place of all regular and special meetings by faxing or mailing a written notice at least fifteen days prior to each meeting, or by publishing a notice of the meeting at least two weeks prior to the meeting in an official publication of the League; provided, however, that failure to receive such notice does not invalidate any proceedings at such meeting.

(b) **Special Notice Requirements for Special Meetings.** Any notice of the calling of a special meeting shall specify the purpose of the special meeting in such detail to enable Member Cities to determine whether they should attend. In the event a special meeting is requested by five percent or more of the Member Cities, the notice shall also set forth the text of any proposed resolution(s).

Section 5: Parliamentarian.

The League President shall appoint a Parliamentarian to resolve procedural issues at the League's General Assembly and in Resolutions Committee meetings.

Section 6: Credentials.

Designated voting delegates must register with the Credentials Committee. The League President shall appoint a three-person Credentials Committee no later than the first day of the General Assembly. In case of dispute, this committee determines the right of a member to participate.

Article VI: Resolutions

Section 1: Role and Scope of Resolutions.

Resolutions adopted by the League's General Assembly and such League Board policies as are not inconsistent with such resolutions constitute League policy. All resolutions shall be germane to city issues.

Section 2: Origination.

Resolutions may originate from city officials, city councils, regional divisions⁶, functional departments⁷, policy committees, or the League Board or by being included in a petition signed by designated voting delegates of ten percent of the number of Member Cities.

⁶ "Regional divisions" are defined in Article IX of these bylaws.

⁷ "Functional departments" are defined in Article X of these bylaws.

League of California Cities Bylaws
(effective November 16, 2010)

Section 3: Resolutions Committee for Annual Conference Resolutions.

- (a) Resolutions Committee Composition.** The League President establishes a Resolutions Committee sixty days prior to each Annual Conference, which committee shall consist of:
- (i) One elected official from each regional division, appointed by the regional division;
 - (ii) One elected official from each policy committee, appointed by the policy committee;
 - (iii) One member from each functional department, appointed by the department; and
 - (iv) Up to ten additional members (at least five of whom are elected officials) as the League President deems necessary to achieve geographic and population balance, as well as recognize the multiplicity of city functions not represented by the other appointments, including, but not limited to, the perspectives of board and commission members as well as professional staff.
- (b) Presidential Appointments.** In the event a regional division, policy committee or functional department does not make its appointment to the Resolutions Committee, the League President may make the appointment on the regional division's, policy committee's or functional department's behalf.
- (c) Chair.** The League President shall also appoint to the Resolutions Committee a committee chair and vice chair.
- (d) Minimum Committee Size and Composition.** In the event the full committee is not in attendance at the Annual Conference, the League President shall appoint a sufficient number of city officials in attendance to achieve a total of thirty. No less than two-thirds of the members of the Resolutions Committee shall be elected officials.
- (e) Committee Consideration of Proposed Resolutions.** Except for resolutions of courtesy, commendation, appreciation or condolence, no resolution expressing the opinion or policy of the League on any question may be considered or discussed by the League's General Assembly, unless it has been first submitted to, and reported on, by the Resolutions Committee.

League of California Cities Bylaws
(effective November 16, 2010)

Section 4: Procedure for Resolution Review for the Annual Conference.

- (a) **Timing.** Except for petitioned resolutions, all resolutions shall be submitted to the Resolutions Committee, at the League's headquarters, not later than sixty days prior to the opening session of the League's Annual Conference.
- (b) **Referral to Policy Committees.**
 - (i) **Review and Recommendations.** Except for resolutions of courtesy, commendation, appreciation or condolence, all resolutions submitted to the Resolutions Committee shall be referred by the League President to an appropriate policy committee for review and recommendation prior to the opening general session of the Annual Conference.
 - (ii) **Report to Resolutions Committee.** Policy committees shall report their recommendations on such resolutions to the Resolutions Committee. The inability of a policy committee to make a recommendation on any resolution does not preclude the Resolutions Committee from acting upon it.

Section 5: Resolutions Proposed by Petition for the Annual Conference.

- (a) **Presentation by Voting Delegate.** A designated voting delegate of a city may present by petition a resolution to the League President for consideration by the Resolutions Committee and the General Assembly at the Annual Conference. These resolutions are known as "petitioned resolutions."
- (b) **Contents.** The petition shall contain the specific language of the resolution and a statement requesting consideration by the League's General Assembly.
- (c) **Signature Requirements.** The petition shall be signed by designated voting delegates registered with the Credentials Committee who represent ten percent of the number of Member Cities.
- (d) **Time Limit for Presentation.** The signed petition shall be presented to the League President no later than twenty-four hours prior to the time set for convening the League's General Assembly.
- (e) **Parliamentarian Review.** If the League President finds that the petition has been signed by designated voting delegates of ten percent of the number of Member Cities, the petition shall be reviewed by the Parliamentarian for form and substance. The Parliamentarian's report shall then be presented to the chair of the Resolutions Committee. Among the issues that may be addressed by the Parliamentarian's report is whether the resolution should be disqualified as being either

League of California Cities Bylaws
(effective November 16, 2010)

- (i) Non-germane to city issues or
 - (ii) Identical or substantially similar in substance to a resolution already under consideration
- (f) Disqualification.** The Resolutions Committee may disqualify a petitioned resolution as either being
- (i) Non-germane to city issues or
 - (ii) Identical or substantially similar to a resolution already under consideration.
- (g) Consideration by General Assembly.** The petitioned resolution and the action of the Resolutions Committee will be considered by the League's General Assembly following consideration of other resolutions.
- (h) Availability of List of Voting Delegates.** A list of voting delegates shall be made available during the Annual Conference to any designated voting delegate upon request.

Section 6. Special Meeting Resolution Procedures.

- (a) Germane-ness.** All resolutions must be germane to the meeting purpose specified in the special meeting notice.
- (b) Opportunity for Member Review.** All resolutions to be proposed during the General Assembly shall be available for membership review by electronic (for example, by posting on the League's website) or other means at least 24 hours prior to the beginning of the special meeting.
- (c) Parliamentary Review.** The Parliamentarian shall review all proposed resolutions for form and substance. The Parliamentarian's report shall be presented to the General Assembly.

Section 7: Full Debate.

The opportunity for full and free debate on each resolution brought before the General Assembly shall occur prior to consideration of a resolution.

League of California Cities Bylaws
(effective November 16, 2010)

Article VII: Board of Directors

Section 1: Role and Powers; Board Diversity Policy

- (a) Subject to the provisions and limitations of California Nonprofit Corporation Law, any other applicable laws, and the provisions of these bylaws, the League's activities and affairs are exercised by or under the direction of the League's Board of Directors. The League Board is responsible for the overall supervision, control and direction of the League. The League Board may delegate the management of the League's affairs to any person or group, including a committee, provided the League Board retains ultimate responsibility for the actions of such person or group.
- (b) The goal of the League is to ensure that the Board of Directors reflects the diverse ethnic and social fabric of California. As such, each Division, Department, Caucus, and Policy Committee should encourage and support members of every race, ethnicity, gender, age, sexual orientation and heritage to seek leadership positions within the League, with the ultimate goal of achieving membership on the Board of Directors.

Section 2: Composition.

The League's Board is composed of the following:

- (a) A President, First Vice-President and Second Vice-President/Treasurer, who each serve a term of one year;⁸
- (b) The Immediate Past President who serves for a term of one year, immediately succeeding his or her term as President;
- (c) Twelve Directors-at-Large,⁹
 - (i) Who serve staggered two-year terms, and
 - (ii) At least one of whom is a representative of a small city with a population of 10,000 or less.
- (d) One Director to be elected from each of the regional divisions and functional departments of the League, each of whom serves for a term of two years;
- (e) Members of the National League of Cities Board of Directors who hold an office in a Member City; and

⁸ See Article VIII §3 for information about officer elections.

⁹ See Article VII, §§ 4 and 5 for information about Director-at-Large elections. See also Article VII, § 6(c) relating vacancies of at-large directorships.

League of California Cities Bylaws
(effective November 16, 2010)

- (f) Ten Directors that may be designated by the mayors of each of the ten largest cities in California to serve two-year terms.
- (g) For purposes of this section, the population of each city is the most current population as determined by the California Department of Finance, Demographic Research Unit, or its successor agency or unit. If no successor agency or unit is named, the most current population used to determine these dues shall be used to determine future dues until such time as these bylaws are amended to designate a new source for determining city population.
- (h) Directors hold office until their successors are elected and qualified or, if they sit on the League Board by virtue of their membership on the National League of Cities Board of Directors, until their terms on the National League of Cities Board of Directors conclude.

Section 3: Staggered Terms.

The terms of the Directors are staggered, so that the terms of approximately one-half of the members of the League Board expire each year.

(a) Even-Numbered Year Terms. The following directorship terms expire in even-numbered years:

- (i) Departments.** Directors from the Fiscal Officers, Public Works Officers, Mayors and Council Members, Planning and Community Development, Fire Chiefs, and City Clerks departments;
- (ii) Divisions.** Directors from the Central Valley, Desert-Mountain, Imperial County, Monterey Bay, North Bay, Orange County, Redwood Empire, Sacramento Valley and San Diego County divisions; and
- (iii) At Large.** Directors from five of the ten at-large directorships.

(b) Odd-Numbered Year Terms. The following directorship terms expire in odd-numbered years:

- (i) Departments.** Directors from the City Attorneys, City Managers, Police Chiefs, Recreation, Parks and Community Services, and Personnel and Employee Relations departments;
- (ii) Divisions.** Directors from the Channel Counties, Inland Empire, East Bay, Los Angeles County, Peninsula, Riverside County and South San Joaquin Valley divisions; and
- (iii) At Large.** Directors from five of the ten at-large directorships.

League of California Cities Bylaws
(effective November 16, 2010)

Section 4: Election of Directors.

- (a) **Functional Department Directors.** Unless their respective functional department bylaws provide otherwise, Departmental Directors are elected by their respective departments at the Annual Conference.
- (b) **Regional Division Directors.** Unless their respective regional division bylaws provide otherwise, Regional Directors are elected at the regional division meeting immediately preceding the Annual Conference.
- (c) **At-Large Directors.** Directors-at-Large are elected by the League Board at its organization meeting.
- (d) **Commencement of Terms.** The term of office of all newly elected Directors commences immediately on the adjournment of the Annual Conference; however, the newly constituted League Board may meet prior to the adjournment of the Annual Conference for the purpose of organization.
- (e) **Additional Directors.** In the event of the creation of additional regional divisions or functional departments of the League, each regional division or functional department may elect a representative to the League Board. When a new functional department or regional division is created at any Annual Conference, the League Board may select a Director to represent such functional department or regional division until the entity organizes and elects a Director in the regular manner. The League Board may fix the initial term of any such Director from a new regional division or functional department at either one or two years, so as to keep the number of terms expiring on alternate years as nearly equal as possible.

Section 5: Nomination Process.

- (a) **Timing.** The League President, with the concurrence of the League Board, shall establish a nominating committee at the first Board meeting of the calendar year in which the election is to occur.
- (b) **Composition.** The nominating committee shall be comprised of eleven Board members. Two nominating committee members shall be At-Large Directors and one shall represent a functional department. Regional divisions shall be represented on the nominating committee on the following rotating basis:
 - (i) **Even-Numbered Years:** In even-numbered years, the Central Valley, Imperial County, Monterey Bay, North Bay, Orange County, Redwood Empire, Sacramento Valley and San Diego County Regional Divisions shall be represented on the nominating committee.

League of California Cities Bylaws
(effective November 16, 2010)

- (ii) **Odd-Numbered Years:** In odd-numbered years, the Channel Counties, Inland Empire, Desert-Mountain, East Bay, Los Angeles County, Peninsula, Riverside County, and South San Joaquin Regional Divisions shall be represented on the nominating committee.
- (c) **Nominating Committee Chair.** The League President shall appoint the chair of the nominating committee.
- (d) **Candidates for Positions Ineligible.** Candidates for officer and at-large positions on the League Board are not eligible to serve on the nominating committee. In the event a regional division representative on the nominating committee wishes to be a candidate for an officer or at-large position, the League President will appoint a substitute nominating committee member from the same regional division, if available. If one is not available, the President shall appoint a substitute from a nearby regional division.
- (e) **Duties.** The duties of the nominating committee are to:
 - (i) **Member Outreach.** Publicize the qualifications for the offices of Second Vice President/Treasurer and the at-large members of the League Board to the League's Member Cities;
 - (ii) **At-Large and Second Vice President Recommendation.** Make recommendations to the League Board on the following year's League officers¹⁰ and at-large board members; and
 - (iii) **President and First Vice President Recommendation.** Recommend whether the previous year's First Vice President becomes President and the previous year's Second Vice President/Treasurer becomes First Vice President.
- (f) **Notice to Members.** An explanation of the nomination process and relevant deadlines for submitting nominations to the nominating committee shall be publicized in League publications and communications throughout the year, along with the identity of nominating committee members once such members are appointed. In addition, nominating committee shall inform the membership of the opening of the nominations for the following year when it makes its report to the general membership as provided in Article VII, Section 5(g) below.
- (g) **Decision and Report.** The nominating committee's recommendations shall be communicated to the League Board not later than 30 days prior to the date of the League's Annual Conference and again at the Annual Conference. In addition, the nominating committee shall make its report to the membership at the opening general session of the Annual Conference.¹¹

¹⁰ See Bylaws Article VIII for provisions relating to League officers.

¹¹ See Bylaws Article VIII, section 3 (for election of League officers) and Article VII, section 4 (for election of directors).

League of California Cities Bylaws
(effective November 16, 2010)

- (h) **Election.** The election of League Board officers and Directors-at-Large shall occur at a League Board meeting at the Annual Conference as provided in Article VII, section 4(c) and article VIII, section 3.

Section 6: Vacancies.¹²

- (a) **Functional Departmental Directorships.** In the event of a vacancy in a functional departmental directorship, the president of the department may become a member of the League Board or may appoint a member of his or her department to fill the vacancy.
- (b) **Regional Division Directorships.** If a vacancy occurs in the regional division directorship, the regional division in question may elect a new Director at the next regular meeting of the regional division.
- (c) **At-Large Directorships.** If a vacancy occurs in an at-large directorship, the League Board may elect a new Director to fill the vacancy at the next regular board meeting. The League president may nominate individuals for consideration by the League Board.
- (d) **Large City Directorships.** In the event of a vacancy in a large-city seat, that large city may designate a new representative.
- (e) **Terms.** The person elected or appointed to fill a vacancy holds office for the remainder of the term of the office in question (see Article VII, section 3).
- (f) **Grounds for Vacancy.** A vacancy in a directorship shall occur due to resignation, a vacancy in elective or appointed office held by the director, or if the League Board determines the department or division that elected the director, or an appointed director, is not complying with these bylaws or the policies of the League Board.

Section 7: Resignation.

Any Director resignation is effective upon receipt in writing by the League's President or Executive Director, unless a later date is specified in the letter.

¹² Note that League Board officer vacancies are filled as provided in Article VIII, section 4.

League of California Cities Bylaws
(effective November 16, 2010)

Section 8: Meetings and Meeting Notice.

- (a) Regularly Scheduled Board Meetings.** The League Board shall meet no fewer than four times a year. Notice of regularly scheduled Board meetings shall be mailed to each Director at least 14 days before any such meeting.
- (b) Emergency Board Meetings.** A good faith effort shall be made to provide notice of any emergency board meetings (for example, by first-class mail, personal or telephone notification, including a voice messaging system or other system or technology designed to record and communicate messages, telegraph, facsimile, electronic mail, or other electronic means).
- (c) Telephonic or Electronic Participation.** Members of the League Board may participate in any meeting through the use of conference telephone or similar communications equipment, so long as all members participating in such meeting can hear one another. Participation in a meeting by this means constitutes presence in person at such meeting.
- (d) Notice Content.** All meeting notices shall include the meeting date, place, time, and, as applicable, the means by which a League Board member may participate electronically.

Section 9: Policies.

The League Board may adopt such policies for its government as it deems necessary and which are not inconsistent with these bylaws. In the event of an inconsistency, these bylaws shall prevail.

Section 10: Committees.

- (a) General.** The League Board may establish committees to study city problems, advise on League educational efforts, make recommendations with respect to League advocacy efforts, or to engage in other appropriate League service.
- (b) Executive Committee**

 - (i) Composition.** The Executive Committee of the League Board consists of the following: the League's President, First Vice-President, Second Vice-President/Treasurer, Immediate Past President and Executive Director.
 - (ii) Authority.** The Executive Committee has authority to act for the League Board between Board meetings, provided that no action of the Executive Committee is binding on the League Board unless authorized or approved by the Board.

League of California Cities Bylaws
(effective November 16, 2010)

(c) Standing Policy Committees.¹³

(i) Charge. The League shall have a series of standing policy committees, whose charge shall be to make recommendations to the League Board on matters within the committees' jurisdiction, as well as fulfill other duties specified in these bylaws (see, for example, Article VI, section 4(b)).

(ii) Membership. Each League policy committee shall be comprised of the following:

- Two members appointed by each regional division president;
- One member appointed by each functional department president;
- No more than 16 members appointed by the League president, to provide population and geographic balance, as well as expertise; and
- Such representatives of affiliate organizations in the capacity authorized by the League Board.

(iii) Feedback. Policy committees shall receive information on actions taken on committee recommendations and the reasons for those actions.

(d) Committee Chairs and Vice Chairs. The League President appoints the chair of all League-wide committees. The term of such appointments coincides with the League President's term. The League President may appoint vice chairs for such committees, as the League President deems necessary.

Section 11: Compensation.

The Directors do not receive any compensation for their services, but, with League Board approval, may be entitled to reimbursement for actual and necessary expenses incurred in the performance of their duties.

Section 12: Reports of Directors.

The League Board's duties include providing an annual report to League members at the regular Annual Conference showing the League's work, the League's financial condition, and a statement with respect to the League's plans for further work and proposed policies.

¹³ The present standing policy committees are: 1) Administrative Services, 2) Employee Relations, 3) Environmental Quality, 4) Community Services, 5) Housing, Community and Economic Development, 6) Public Safety, 7) Revenue and Taxation, and 8) Transportation, Communication and Public Works.

League of California Cities Bylaws
(effective November 16, 2010)

Section 13: Standard of Care.¹⁴

- (a) **General.** A Director shall perform the Director's duties, including duties on any committee on which the Director serves, in good faith, in a manner the Director believes to be in the best interests of the League and with such care, including reasonable inquiry, as an ordinarily prudent person in a like situation would use under similar circumstances.
- (b) **Reliance on Information.** In performing the Director's duties, the Director is entitled to rely on information, opinions, reports, or statements, including financial statements and other financial data, prepared or presented by:
- (i) One or more League officers or employees whom the Director believes to be reliable and competent as to the matters presented;
 - (ii) Counsel, independent accountants, or other persons as to matters which the Director believes to be within such person's professional or expert competence; or
 - (iii) A League Board committee upon which the Director does not serve, as to matters within the committee's designated authority, provided that the Director believes the committee merits confidence.

The Director may rely on such information, opinions, reports, or statements as long as the Director acts in good faith after reasonable inquiry (when the need for such inquiry is indicated by the circumstances) and as long as the Director has no knowledge that would suggest that such reliance is unwarranted.

- (c) **Non-Liability.** An individual who performs the duties of a Director in accordance with this section will not be liable for any failure or alleged failure to discharge that person's obligations as a Director, including, without limiting the generality of the preceding, any actions or omissions which are inconsistent with the League's nonprofit purposes.

Section 14: Right to Inspect Records.

Every Director has a right at any reasonable time to inspect and copy all League books, records and documents of every kind and to inspect the League's physical property.¹⁵

¹⁴ See Cal. Corp. Code § 7231 (providing that a director who performs the director's duties according to these standards is not liable for any alleged failure to properly discharge the individual's obligations as a director).

¹⁵ See Cal. Corp. Code § 8333 (characterizing this right as absolute).

League of California Cities Bylaws
(effective November 16, 2010)

Section 15: Policy Changes.

Any policy established by the League's General Assembly may be changed by the League's Board upon ratification of such proposed change by a majority of the regional divisions representing a majority of Member Cities within the time period specified by the League Board.

Article VIII: Officers

Section 1: Identity.

The officers of the League are a President, a First Vice-President, a Second Vice-President/Treasurer, an Immediate Past President, and an Executive Director.

Section 2: Duties of League Officers.

- (a) **President.** The President presides at all League Board meetings and all General Assemblies. The President has such other powers and duties as may be prescribed by these bylaws or the League Board.
- (b) **First Vice-President.** The First Vice-President carries on the duties of the President in the President's temporary absence or incapacity. The First Vice-President has such other powers and duties as may be prescribed by these bylaws or the League Board.
- (c) **Second Vice-President/Treasurer.** The Second Vice-President/Treasurer carries on the duties of the President in the President's and First Vice-President's temporary absence or incapacity. The Second Vice-President/Treasurer has such other powers and duties as may be prescribed by these bylaws or the League Board.

Section 3: Election.

The League Board elects the League's President, First Vice-President and Second Vice-President for terms of one year.¹⁶ The election occurs at the League Board's meeting at the Annual Conference.

¹⁶ See Cal. Corp. Code § 7151(c)(5) (suggesting bylaws address this issue).

League of California Cities Bylaws
(effective November 16, 2010)

Section 4: Vacancies.

A vacancy in the office of President is filled at the next meeting of the League Board by the succession of the First Vice-President to that office. A vacancy in the office of First Vice-President, or Second Vice-President/Treasurer, is filled for the un-expired term by appointment of a member of the League Board. A vacancy in the office of the Immediate Past President is filled for the un-expired term by the last Past President continuing to hold a city office.

Section 5: Executive Director and League Employees.

(a) Employment. The League Board selects an Executive Director who employs, or causes to be employed, such other persons as may be necessary who need not be League members. The Executive Director and employees perform such duties and receive such compensation as the League Board may from time to time prescribe.

(b) Specific Duties.¹⁷ The Executive Director performs or causes to be performed the following functions:

(1) Corporate Secretary. These duties include:

- (i) Keeping a full and complete record of the proceedings of the League Board,
- (ii) Giving such notices as may be proper and necessary,
- (iii) Keeping minute books for the League,
- (iv) Communicating the League Board's actions to Member Cities,
- (v) Executing such instruments necessary to carry out Board directives and policies, and
- (vi) Complying with such other record-keeping and reporting requirements of California Nonprofit Corporation Law.

(2) Chief Financial Officer. These duties include

- (i) Having charge of and custody of and receiving, safeguarding, disbursing and accounting for all League funds,

¹⁷ Nonprofit corporation law requires organizations like the League to have a secretary and chief financial officer. See Cal. Corp. Code § 7213 (allowing any number of offices to be held by the same person). Typically, these roles are assigned in the bylaws. Presently these functions are performed for the League by staff under the direct supervision of the Executive Director and ultimate supervision of the League Board.

League of California Cities Bylaws
(effective November 16, 2010)

- (ii) Depositing and investing such funds in such institutions and investments as approved by the League Board,
- (iii) Maintaining the League's financial books and records,
- (iv) Preparing and submitting such accounting and tax forms as may be required by local, state and federal law.

(c) **Insurance.** All employees handling the finances of the League shall be insured in such amount as the League Board deems desirable or necessary, such insurance to be approved by the League Board or a committee designated by the League Board and the premiums paid by the League.

Article IX: Regional Divisions

Section 1: Listing.

(a) **Existing Regional Divisions.** The League is comprised of the following regional divisions:

Central Valley	North Bay
Channel Counties	Orange County
Desert-Mountain	Peninsula
East Bay	Redwood Empire
Imperial County	Riverside County Sacramento
Inland Empire	Valley
Los Angeles County	San Diego County
Monterey Bay	South San Joaquin Valley

(b) **New Divisions.** Additional divisions may be formed through an amendment to these bylaws (Article XVI).

Section 2: Purposes and Functions.

The purposes and functions of regional divisions of the League are as follows:

- (a) To promote interest in the problems of city government and administration among city officials within such divisions.
- (b) To assist League officials in formulating policies by expressing, through resolutions duly adopted the recommendations of the regional divisions. Resolutions adopted by regional divisions to be considered at the Annual Conference shall be submitted in the manner provided by Article VI.
- (c) To take action consistent with general League policy as duly adopted by the League's General Assembly or by the League's Board. Regional divisions may

League of California Cities Bylaws
(effective November 16, 2010)

take no action in conflict with such policies. Nothing in the foregoing limits or restricts regional division activities in matters of purely local interest and concern.

- (d) To meet not less than once every three months, provided that the League Annual Conference may be considered one such meeting of a regional division.

Section 3: Names of Divisions.

Each regional division will identify itself as a division of the League of California Cities.

Section 4: Boundaries.

The territorial boundaries of each regional division may be fixed by each division subject to the approval of the League's General Assembly.

Section 5: Membership.

All cities within the boundaries of a regional division may become members of and participate in the activities of that division. A city may join a different regional division with the approval of both the existing and proposed division, and the League's Board of Directors.

Section 6: Voting.

Unless otherwise provided in a regional division's bylaws, the representatives of each Member City may cast collectively one vote on division matters, and a majority of the votes cast is necessary for a decision.¹⁸

Section 7: Officers.

(a) **Identity.** Each regional division elects a President, a Vice-President, and a representative on the League Board of Directors, and such other officers as any regional division bylaws may establish.

(b) **Election Timing.** Each regional division elects its officers at the regional division meeting immediately preceding the League's Annual Conference, unless another date is provided by any regional division's bylaws.

(c) **Terms.**

(i) **Officers' Terms and Commencement Dates.** Except as provided below, the term of office of all newly elected officers is one year, commencing immediately upon election unless another date is provided by the regional

¹⁸See Article XI for additional information about voting.

League of California Cities Bylaws
(effective November 16, 2010)

division's bylaws.¹⁹ A majority of the members may amend any regional division bylaws to provide for two-year terms for regional division officers.

(ii) Directors' Terms and Commencement Dates. The term of office and commencement date for regional division representatives on the League Board are established in Article VII, section 2(d) (term length) and 4(d) (term commencement).

(d) Vacancies. In the event of a vacancy in any regional division office,²⁰ such vacancy is filled by election at the next regular meeting of such division for the unexpired term of that office. The fact that such a vacancy will be so filled shall be included in the notice of such meeting. This requirement also applies to a vacancy in the office of regional division director, as provided in Article VII, section 6(b).

(e) Duties.

(i) President. The President presides at all regional division meetings and has such other powers and duties as may be prescribed by any division bylaws.

(ii) Vice-President. The Vice-President carries on the duties of the President in the President's temporary absence or incapacity and has such other powers and duties as may be prescribed by any division bylaws.

(iii) Secretary. The Secretary a) immediately notifies the League of any change in the regional division officers, b) records the minutes of all division meetings and sends one copy to League headquarters, and c) prepares and mails all notices of the meetings of the division and sends a copy to the League headquarters.

(iv) Director. The regional division Director shall represent the regional division on the League Board and shall keep the division membership apprised of League Board activities. The Director serves as a liaison between the regional division and the League Board.

Section 8: Resignation.

Except as provided in Article VII, section 7 for members of the League Board, a regional division officer's resignation is effective upon receipt in writing by the division's President or Secretary, unless a later date is specified in the letter.

¹⁹ Note that this term commencement is different than that for the League board (whose terms commence upon adjournment of the Annual Conference) and than that for department officers (also upon adjournment of the Annual Conference).

²⁰ Article XII, section 2, defines a vacancy.

League of California Cities Bylaws
(effective November 16, 2010)

Section 9: Regional Division Bylaws.

Regional divisions may adopt their own bylaws. Division bylaws may not conflict with the League's bylaws. In the event of a conflict between a division's bylaws and League bylaws, the League's bylaws will prevail; the League's bylaws also prevail when the division does not have bylaws or the division's bylaws are silent.

Article X: Functional Departments

Section 1: Listing.

(a) Existing Departments. The League includes the following functional departments:

Mayors and Council Members	Police Chiefs
City Attorneys	Fire Chiefs
Fiscal Officers	Community Services
Public Works Officers	City Clerks
City Managers	Personnel and Employee Relations
Planning and Community Development	

(b) New Departments. Additional functional departments may be formed through an amendment to these bylaws (Article XVI).

Section 2: Officers.

(a) Identity. Each functional department elects a President, a Vice-President, a representative on the Board, and such other officers as the department's bylaws may establish.

(b) Election Timing. Each functional department elects its officers at the department's business session at the League's Annual Conference, unless the department's bylaws provide otherwise.

(c) Terms. The term of office for functional department officers is one year, commencing immediately upon the adjournment of the Annual Conference. The exception is the functional department representatives of the League Board, whose term is two years established in Article VII, section 2(d).

League of California Cities Bylaws
(effective November 16, 2010)

(d) Vacancies.²¹ A vacancy in the office of President is filled for the unexpired term by the succession of the Vice-President. A vacancy in the office of the Vice-President or any other office of the functional department is filled by appointment by the department President for the unexpired term. The person so appointed shall be a member of such department. A vacancy in the office of department director is filled as provided in Article VII, section 6(a) for the unexpired term.

(e) Duties.

(i) President. The President presides at functional department meetings and has such other powers and duties as may be prescribed by any department bylaws.

(ii) Vice-President. The Vice-President carries on the duties of the President in the President's temporary absence or incapacity and has such other powers and duties as may be prescribed by any department bylaws.

(iii) Director. The department Director shall represent the functional department on the League Board and shall keep the department membership apprised of League Board activities. The Director serves as a liaison between the department and the League Board.

(g) Resignation. Except as provided in Article VII, section 7 for members of the League Board, a functional department officer's resignation is effective upon receipt in writing by the department's President or Vice-President, unless a later date is specified in the letter.

Section 3: Voting.

Except as otherwise provided in a functional department's bylaws, the representatives of each Member City may cast collectively one vote on functional department matters.²² A majority of the votes cast is necessary for a decision.²³

Section 4: Department Meetings.

Functional departments meet at the Annual Conference and at other times and places as they find necessary.

²¹ Article XII, section 2, defines a vacancy.

²² Note that Article XI, section 4 allows departments to adopt a different voting allocation in their bylaws.

²³ See Article XI for additional information about voting.

League of California Cities Bylaws
(effective November 16, 2010)

Section 5: Department Bylaws.

Functional departments may adopt their own bylaws. Such bylaws may not conflict with the League's bylaws. In the event of a conflict between a department's bylaws and League bylaws, the League's bylaws will prevail; the League's bylaws also prevail when the department does not have bylaws or the department's bylaws are silent.

Article XI: Voting

Section 1: Quorum.

- (a) **In General.** A majority of the members of the League's Board, functional department, regional division, committee or other kind of subsidiary body constitutes a quorum for the purpose of making decisions.²⁴
- (b) **General Assembly.** The presence, at the General Assembly, of credentialed voting delegates (or alternates) representing a majority of Member Cities, constitutes a quorum.²⁵
- (c) **Failure to Achieve Quorum.** In the event that a body other than the League Board of directors lacks a quorum, all votes taken by that body will be advisory to the League Board, which shall be advised that a quorum was not present. In the event that the League's Board is unable to achieve a quorum, the League Board will adjourn until such time as a quorum can be achieved.

Section 2: Voting Methods.

- (a) **General Assembly.** All voting in meetings of the General Assembly of the League, its regional divisions, functional departments, committees and other kinds of subsidiary bodies is by voice vote.
- (b) **Alternative Methods.** If the presiding official cannot determine the outcome of the voice vote or three or more Member Cities request, an alternative method of voting may be used. An alternative voting method may be by any means (show of hands, written ballot, display of voting cards, etc.) which allows the presiding official to accurately determine the outcome of the vote.
- (c) **Roll Call Vote.** A roll call may be demanded by representatives of ten percent or more of the voting body.²⁶

²⁴ See Cal. Corp. Code § 7511(a)(8) (noting that a board meeting may continue to transact business after a quorum is lost as long as items approved receive a majority of the quorum, unless a higher approval threshold exists for approval of a certain type of action).

²⁵ See Cal. Corp. Code § 7512(c) (noting that a membership meeting may continue to transact business after a quorum is lost as long as items approved receive a majority of the quorum, unless a higher approval threshold exists for approval of a certain type of action—for example, bylaws approval).

²⁶ For the League's General Assembly, the "voting body" is all delegates registered with the Credentials Committee.

League of California Cities Bylaws
(effective November 16, 2010)

(d) Voting Cards. A voting card will be issued to each Member City's designated voting delegate upon presentation of evidence of the delegate's designation by the Member City.

(e) Proxy Voting. Proxy voting is not allowed.

Section 3: Vote Threshold.

Except as otherwise provided in these bylaws (see, for example, Article XVI, section 2), a majority vote of approval of those voting is necessary for decision.

Section 4: One City One Vote.

Except as otherwise provided in a functional department's or a regional division's bylaws, the representatives of each Member City present and in good standing collectively cast one vote.²⁷ A majority of the votes cast is necessary for a decision.

Section 5: Mail Balloting.

In addition to voting at League meetings, the League may solicit member input by mail ballot.

(a) Mailing.²⁸ The question(s) to be voted upon, along with explanatory materials and a ballot, shall be mailed by first class mail to each Member City for consideration and action.

b) Time Frame for Action. Member Cities shall have at least 45 days to cast their vote. Ballots shall be cast by returning the Member City's ballot to the League's principal office in Sacramento.

(c) Ballot Tabulation and Results Announcement. The League President will appoint a counting committee of three board members to count the votes cast by mail ballot. The counting committee will submit its count to the League Board, which shall canvass the vote and announce the results.

(d) Functional Departments and Regional Divisions. Departments and divisions may also use mail balloting under procedures specified in their respective department and division bylaws.

²⁷ For purposes of the General Assembly (see articles V and VI), the mechanism through which city officials do this is the designated voting delegate.

²⁸ The Administrative Services Committee recommends the League also include notice of the upcoming ballot in a variety of League communications to alert Member Cities to make inquiry in the event a city's ballot is lost in the mail.

Article XII: Qualifications to Hold Office and Vacancies

Section 1: Eligibility to Hold Office.

- (a) **In General.** Excepting the office of Executive Director, no person shall be eligible to hold office in the League or any League division or department unless the individual is officially in city service in a Member City at the time of the person's election or appointment. Regional divisions and functional department bylaws may specify additional eligibility requirements for their respective officeholders.
- (b) **Length of Service.** An individual who has occupied an elected League Board office (as defined in Article VIII, section 1) for nine months (275 days) or more is ineligible to stand for election for that same office again.

Section 2: Vacancies.

- (a) **Vacancy Defined.** A League office becomes vacant when an individual resigns, misses three consecutive convened meetings or leaves city service.²⁹
- (b) **Effective Date of Vacancy Caused by Leaving City Service.** The effective date of a vacancy caused by a departure from city service is the date an individual ceases to occupy the same or comparable city office as the individual had when the individual was elected or appointed to League office. Upon written request of the individual, the League Board may allow the individual to continue in the League office for a period not to exceed 3 months from the effective date of the vacancy, which time period may be extended by the Board upon finding of good cause.
- (c) **Effective Date of Resignations.** For the effective dates of resignations, see Article VII, section 7 (effective date of League Board resignations), Article IX, section 8 (effective date of regional division officer resignations), and Article X, section 2(f) (effective date of department officer resignations).
- (d) **Filling Vacancies.** Vacancies will be filled as provided in these bylaws, see Article VII, section 6 (filling League Board vacancies), Article IX, section 7(d) (filling regional division officer vacancies), and Article X, section 2(d) (filling functional department officer vacancies).
- (e) **Successor Terms.** An individual filling a vacancy serves the unexpired term of his or her predecessor.

²⁹ See also Cal. Corp. Code §7221 (board may declare a director's seat vacant if a court declares the director of unsound mind or the director has been convicted of a felony).

League of California Cities Bylaws
(effective November 16, 2010)

Article XIII: Finances

Section 1: Fiscal Year.

The fiscal year of the League is the calendar year.

Section 2: Budget.

(a) Preparation and Approval. Not less than fifteen days prior to the budget meeting of the League Board, the Executive Director shall distribute to the Board a detailed budget describing the estimated revenues and expenditures for the ensuing budgetary period for the League Board's consideration and approval.

(b) Dissemination. Upon approval, a copy of the League's budget shall be sent to each regional division and functional department president, who shall make it available to division and department members.

Section 3: Limitation of Expenditures.

The League Board may not incur indebtedness in excess of the estimated or actual revenues for the ensuing fiscal year, without the approval of the League's General Assembly.

Section 4: Annual Audit.

The League's accounts shall be audited by a certified public accountant after the close of each fiscal year.

Section 5: Special Assessment for League Building.

By resolution approved by a majority of those cities present and voting thereon at an Annual Conference, a special assessment may be levied for a permanent headquarters office building in Sacramento as specified in the resolution.³⁰

³⁰ See also section 4 in Article XV, relating to disposition of League property upon dissolution.

Article XIV: Prohibited Transactions

Section 1: Conflicts of Interest.

General Principle. Members of the League board as well as members of League policy committees, and members of any standing or ad hoc committees and task forces consisting of members of the League board or League policy committees, are expected to make decisions in the best overall interests of cities statewide, as opposed to narrow parochial, personal, or financial interests. This is analogous to city officials being expected to make decisions in the best overall interests of the community as opposed to narrow private or self-interests.

Section 2: Loans.

Except as permitted by California Nonprofit Corporation Law,³¹ the League may not make any loan of money or property to, or guarantee the obligation of, any director or officer. This prohibition does not prohibit the League from advancing funds to a League director or officer for expenses reasonably anticipated to be incurred in performance of their duties as an officer or director, so long as such individual would be entitled to be reimbursed for such expenses under League Board policies absent that advance.

Section 3: Self-Dealing and Common Directorship Transactions.³²

(a) Self-Dealing Transactions. A self-dealing transaction is a transaction to which the League is a party and in which one or more of its directors has a material financial interest.

(b) Common Directorships. "Common directorships" occur when the League enters into a transaction with an organization in which one of the League directors also serves on the organization's board.

³¹ Section 7235 of the Corporations Code provides:

(a) Unless prohibited by the articles or bylaws, a corporation may loan money or property to, or guarantee the obligation of, any director or officer of the corporation or of its parent, affiliate or subsidiary, provided:

(1) The board determines the loan or guaranty may reasonably be expected to benefit the corporation.

(2) Prior to consummating the transaction or any part thereof, the loan or guaranty is either:

(A) Approved by the members (Section 5034), without counting the vote of the director or officer, if a member, or

(B) Approved by the vote of a majority of the directors then in office, without counting the vote of the director who is to receive the loan or the benefit of the guaranty.

(b) Notwithstanding subdivision (a), a corporation may advance money to a director or officer of the corporation or of its parent, affiliate or subsidiary, for any expenses reasonably anticipated to be incurred in the performance of the duties of the director or officer of the corporation or of its parent, affiliate or subsidiary, provided that in the absence of such an advance the director or officer would be entitled to be reimbursed for these expenses by the corporation, its parent, affiliate, or subsidiary.

(c) The provisions of subdivisions (a) and (b) do not apply to credit unions, or to the payment of premiums in whole or in part by a corporation on a life insurance policy on the life of a director or officer so long as repayment to the corporation of the amount paid by it is secured by the proceeds of the policy and its cash surrender value, or to loans permitted under any statute regulating any special class of corporations.

³² See generally Cal. Corp. Code § 7233. Note that interested or common directors may be counted in determining the existence of a quorum in a board or committee meeting that approves such transactions. See Cal. Corp. Code § 7234.

League of California Cities Bylaws
(effective November 16, 2010)

(c) Pre-Transaction Approval. To approve a transaction involving either self-dealing or a common directorship, the League Board shall determine, before the transaction, that,

- (i) The League is entering into the transaction for its own benefit;
- (ii) The transaction is fair and reasonable to the League at the time; and
- (iii) After reasonable investigation, the League Board determines that it could not have obtained a more advantageous arrangement with reasonable effort under the circumstances.

Such determinations shall be made by the League Board in good faith, with knowledge of the material facts concerning the transaction and the director's interest in the transaction, without counting the vote of the interested director or directors.

(d) Post-Transaction Approval. When it is not reasonably practicable to obtain Board approval before entering into such transactions, a Board committee may approve such transaction in a manner consistent with the requirements in the preceding paragraph, provided that, at its next meeting, the full Board determines in good faith that the League Board committee's approval of the transaction was consistent with such requirements and that it was not reasonably practical to obtain advance approval by the full Board, and ratifies the transaction by a majority of the directors then in office without the vote of any interested director.³³

Section 4: Ethical Considerations.

These restrictions, of course, represent the floor not the ceiling for ethical conduct as a League board member or policy committee member. If a board member or policy committee member believes that there are circumstances under which the League's members might reasonably question the board member's or policy committee member's ability to act solely in the best interests of the League and its member cities, the prudent course is to abstain. As an example, typically, League board members have abstained from participating in decisions on legislation that would affect organizations for which they work. Another example is legislation that would uniquely benefit a board member's city. Policy committee members should also consider abstaining in similar circumstances.

³³ See Cal. Corp. Code § 7233 (specifying under what circumstances a self-dealing transaction is void or voidable).

League of California Cities Bylaws
(effective November 16, 2010)

Article XV: Miscellaneous

Section 1: Indemnification.

(a) Indemnity Authorized. To the extent allowed by California Nonprofit Corporation Law,³⁴ the League may indemnify and advance expenses to its agents in connection with any proceeding, and in accordance with that law. For purposes of this section, "agent" includes directors, officers, employees, other League agents, and persons formerly occupying these positions.³⁵

(b) Approval of Indemnity. An individual seeking indemnification shall make a written request to the League Board in each case.

(i) Success on the Merits. To the extent that the individual has been successful on the merits, the League Board will promptly authorize indemnification in accordance with California Nonprofit Corporation Law.³⁶

(ii) Other Instances. Otherwise, the League Board shall promptly determine, by a vote of a majority of a quorum consisting of directors who are not parties to the proceeding, whether, in the specific case, the agent has met the applicable standard of conduct under California law,³⁷ and, if so, will authorize indemnification to the extent permitted.

³⁴ The scope of indemnity for mutual benefit corporations is governed by Corporations Code section 7237, which is excerpted in the footnotes below.

³⁵ Section 7237(a) provides in pertinent part:

For the purposes of this section, "agent" means any person who is or was a director, officer, employee or other agent of the corporation, or is or was serving at the request of the corporation as a director, officer, employee or agent of another foreign or domestic corporation, partnership, joint venture, trust or other enterprise, or was a director, officer, employee or agent of a foreign or domestic corporation which was a predecessor corporation of the corporation or of another enterprise at the request of such predecessor corporation . . .

See Cal. Corp. Code § 7237(a).

³⁶ Section 7237(d) provides

To the extent that an agent of a corporation has been successful on the merits in defense of any proceeding referred to in subdivision (b) or (c) or in defense of any claim, issue or matter therein, the agent shall be indemnified against expenses actually and reasonably incurred by the agent in connection therewith.

See Cal. Corp. Code § 7237(d).

³⁷ These standards are largely contained in section 7237(b) or section 7237(c), which provide:

(b) A corporation shall have power to indemnify any person . . . if such person acted in good faith and in a manner such person reasonably believed to be in the best interests of the corporation and, in the case of a criminal proceeding, had no reasonable cause to believe the conduct of such person was unlawful . . .

(c) A corporation shall have power to indemnify any person . . . if such person acted in good faith, in a manner such person believed to be in the best interests of the corporation and with such care, including reasonable inquiry, as an ordinarily prudent person in a like position would use under similar circumstances . . .

See Cal. Corp. Code § 7237(b) and (c) (with exceptions).

League of California Cities Bylaws
(effective November 16, 2010)

(c) Advancing Expenses. To the extent allowed by under California Nonprofit Corporation Law,³⁸ the League Board may authorize an advance of expenses incurred by or on behalf of an agent of this corporation in defending any proceeding prior to final disposition. The League Board shall find that

- (i) the requested advances are reasonable; and
- (ii) before any advance is made, the agent will submit a written undertaking satisfactory to the League Board to repay the advance unless it is ultimately determined that the agent is entitled to indemnification for the expenses under this section.

Section 2: Insurance.³⁹

The League Board may authorize the purchase of insurance on behalf of any agent against any liability asserted against or incurred by the agent in such capacity or arising out of the agent's status as such, and such insurance may provide for coverage against liabilities beyond the League's corporation's authority to indemnify an agent under law.

Section 3: Contracts and Execution of Instruments.

All contracts entered into on behalf of the League shall be authorized by the League Board, or by the person or persons upon whom the League Board confers such power from time to time. Except as otherwise provided by law, every check, draft, promissory note, money order, or other evidence of indebtedness of the League shall be signed by the persons authorized to do so by the League Board.

³⁸ Section 7237(a) provides in pertinent part:

... "expenses" includes without limitation attorneys' fees and any expenses of establishing a right to indemnification under subdivision (d) or paragraph (3) of subdivision (e).

See Cal. Corp. Code § 7237(a).

³⁹ See also Cal. Corp. Code § 7237(l) (authorizing insurance).

League of California Cities Bylaws
(effective November 16, 2010)

Section 4: Disposition of Assets Upon Dissolution.⁴⁰

The League's properties and assets are irrevocably dedicated to the fulfillment of the League's purposes as described in Article II. No part of the League's net earnings, properties and assets, on dissolution or otherwise, may inure to the benefit of any private person. On liquidation or dissolution, the League's net assets shall be distributed to the League's Member Cities consistent with the provisions of the California Nonprofit Corporations Law relating to mutual benefit corporations then in effect.

Section 5: Parliamentary Authority.

Subject to the provisions of these bylaws, Robert's Rules of Order or such other parliamentary rules as may be adopted by the League Board shall prevail at all meetings of the League, the League Board, and in all functional departments and regional divisions.

Section 6: Seal.

The League Board has provided a suitable seal for the League which is circular and which contains the following inscription:

"LEAGUE OF CALIFORNIA CITIES
INCORPORATED NOVEMBER 4, 1932, CALIFORNIA"

The seal may be affixed to corporate instruments, but any failure to affix it does not affect the instrument's validity.

Section 7: Governing Law.

In all matters not specified in these bylaws, or in the event these bylaws are inconsistent with applicable law, the provisions of California Nonprofit Corporation Law then in effect apply.

Section 8. Litigation Authority.

Member Cities authorize the League to initiate or respond to litigation on their collective behalf when the League Board determines such litigation is necessary to protect Member Cities' shared vital interests.

⁴⁰ This section reinforces the League's status as a mutual benefit corporation and protects cities' interests in their investment in the League's headquarters building. See also Cal. Corp. Code § 8717 (assets upon dissolution must be distributed according to bylaws).

League of California Cities Bylaws
(effective November 16, 2010)

Article XVI: Amendments

Section 1: Consideration.

These bylaws may be amended by the League's General Assembly (see Article XVI, section 5 for procedures) or by a mail ballot to Member Cities (see Article XI, section 5 for procedures).

Section 2: Vote Threshold.

A two-thirds vote of approval of those voting is necessary to amend these bylaws.

Section 3: Who May Propose.

Amendments may be proposed by the League Board or by petition of ten percent of Member Cities. The proponent may specify whether the amendment is to be considered at the General Assembly or by mail ballot.

Section 4: Board Review.

Any amendment proposed by petition shall be submitted to the League Board in writing for its review. The League Board's recommendation and reasons following its review shall accompany all materials relating to the proposed amendment.

Section 5: Procedure for Consideration by General Assembly.

(a) Notice. The meeting notice required by Article V, section 4 for League meetings shall include notice of any proposal to amend the League's bylaws, along with the subject of the proposed amendment(s).

(b) Consideration by General Assembly. The proposed amendment, along with any action by the League Board pursuant to section 4 of this Article, shall be considered by the General Assembly along with any resolutions presented pursuant to Article VI.

Section 6: Effective Date.

After approval, amendments go into effect after the expiration of the protest period (see Article XVI, section 7) unless otherwise specified in the amendment.

Section 7: Protest and Suspension until Next Conference.

If, within sixty days after the adoption of any amendment, one-third or more of the Member Cities submit a written protest against such amendment, the amendment is automatically suspended until the next Annual Conference, when it may be taken up again for reconsideration and vote.

Article XVII: Establishment and Financing of Grassroots Network

Section 1: Enhancement of Advocacy Efforts.

To enhance the League's advocacy efforts on behalf of cities, the League hereby establishes a Grassroots Network. The Grassroots Network consists of a series of field offices throughout California, responsible for coordinating city advocacy efforts and promoting statewide League policy priorities.

Section 2: Dues Increase

- (a) **Initial Financing.** The dues increase approved concurrently with the addition of this article shall finance the League's Grassroots Network for the second half of 2001 and for 2002. The increase shall be used exclusively to finance the Grassroots Network.
- (b) **Continued Financing.** Any subsequent dues increases shall occur in accordance with Article IV.

Section 3: Accountability.

- (a) **Annual Goal-Setting and Performance Assessment.** The League Board shall set long-term goals and annual objectives for the League's Grassroots Network. The League Board shall periodically report to the League's Member Cities on the Grassroots Network's performance in meeting those goals and objectives.
- (b) **Board Discontinuance.** If at any time the League Board finds the Grassroots Network is not meeting its objectives on behalf of cities, the League Board may discontinue the Grassroots Network.
- (c) **Membership Vote on Program Continuation.** On or before December 31, 2007, Member Cities shall vote (see Article XI, section 5 for procedures) on whether to continue the Grassroots Network beyond December 31, 2008. ⁴¹

⁴¹ At its meeting of September 8, 2007, the General Assembly of the League of California Cities adopted Resolution #1 that the Grassroots Network Program be continued and operated in accordance with these bylaws.

City of Los Alamitos

Agenda Report Consent Calendar

April 15, 2013
Item No: 8F

To: Mayor Warren Kusumoto & Members of the City Council
Via: Gregory D. Korduner, Interim City Manager
From: David Hunt, City Engineer
Subject: Authorization to Award a Purchase Order for Orville Lewis Park Basketball Court

Summary: The Orville Lewis basketball court was installed in the 70's and is now in need of grinding and a new overlay of asphalt. This report recommends award of a Purchase Order to Vic's Concrete Breaking and Removal, in the amount of \$11,295.

Recommendations:

1. Authorize the City Manager to approve the grinding and overlay of asphalt for Orville Lewis Basketball Court project; and,
2. Award a Purchase Order for the lowest bidder to Vic's Concrete Breaking and Removal, in the amount of \$11,295, and reject all other bids.

Background

The Orville Lewis Basketball court was installed in the 70's. The last time the basketball court was overlaid was in the mid-90's and slurry sealed in 2004. The slurry seal typically lasts 7 years but the 90's overlay has started to break off in pieces making the court uneven. The court now is in need of grinding and a new overlay of asphalt placed on it. This project is part of the 2012/2013 Capital Improvement Program.

Discussion

Since the Engineer's estimate was under \$15,000 the City Code Section 2.60.040, Open Market Procedure, is being used for this project. This procedure allows the City Manager to make purchases in an amount between one thousand five hundred dollars (\$1,500) and fifteen thousand dollars (\$15,000) in the open market as long as the City receives at least three bids, and awards to the lowest responsible bidder.

Project Bid Results

The City received three bids for the grinding and overlay with asphalt for Orville Lewis Basketball Court project. The results are shown below.

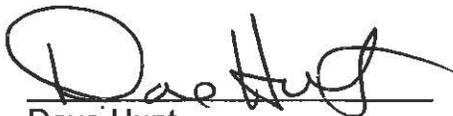
Bidder	Total Base Bid
Vic's Concrete Breaking and Removal, Yorba Linda	\$11,295
Shamrock Paving, Inc, Bellflower	\$17,450
United Paving, La Mirada	\$17,600

Vic's Concrete Breaking and Removal has the lowest estimate at \$11,295. They are located in Yorba Linda, California. The Engineer's estimate for the project is \$14,000.

Fiscal Impact

The City Council approved \$20,000 for this project; \$8,500 from the Park Development Fund, and \$11,500 from the Building Improvement Fund. The Park Development Fund currently has \$130,000 in it and the Building Improvement Fund has \$128,000 in it.

Submitted By:



Dave Hunt
City Engineer

Reviewed By:



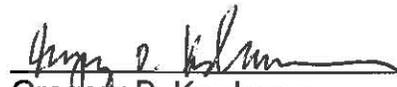
Steven A. Mendoza
Community Development Director

Reviewed By:



Joshua A. Brooks
Finance Director

Approved By:



Gregory D. Korduner
Interim City Manager

City of Los Alamitos

Agenda Report Consent Calendar

April 15, 2013
Item No: 8G

To: Mayor Warren Kusumoto & Members of the City Council

Via: Gregory D. Korduner, Interim City Manager

From: Steven A. Mendoza, Director of Comm. Devel. & Public Works

Subject: Appointment of City Attorney

Summary: This report summarizes the City Attorney Recruitment.

Recommendation: Authorize the City Manager to execute the Agreement with Wallin, Kress, Reisman and Kranitz naming Cary Reisman as City Attorney.

Background

The City Attorney position has been vacant since February 1, 2013 and filled temporarily by Mr. Steve Skolnik. The Council appointed an Ad Hoc Subcommittee on December 17, 2012. The Ad Hoc Subcommittee met on January 2, 2013 to discuss the long term needs for City Attorney services. The City Council discussed the contents of the Request for Proposal (RFP) on January 7, 2013. During the January 22, 2013 meeting, Council adopted a schedule and approved the RFP. On February 4, 2013 the City Council approved the final Evaluation Plan. The RFP was released on January 23, 2013 with a due date of February 19, 2013 at noon.

Discussion

The following seven firms met the February 19, 2013 deadline and submitted proposals to the City of Los Alamitos:

1. Burke, Williams & Sorenson
2. Jones & Mayer
3. Meyers Nave
4. Ross & Casso
5. Stradling, Yocca, Carlson & Rauth
6. Wallin, Kress, Reisman & Kranitz
7. Woodruff, Spradlin & Smart

The seven proposals were distributed to Council Members for evaluation. On Friday April 5, 2013, the Council interviewed three firms as finalist:

1. Wallin, Kress, Reisman & Kranitz
2. Woodruff, Spradlin & Smart
3. Jones and Mayer

Council directed the Interim City Manager to negotiate with Mr. Cary Reisman of Wallin, Kress, Reisman and Kranitz (WKRK) upon completing interviews. Mr. Cary Reisman, a partner in the law firm, has 39 years of legal experience and has represented cities since 1980. His expertise includes full service representation of municipalities and nonprofit housing corporations including advising management, city councils, planning commissions and boards. Litigation experience includes numerous land use, property and labor cases from administrative agencies through the courts.

Mr. Reisman has been City Attorney, City Prosecutor and Agency Counsel for Maywood; City Attorney, Police Department Attorney and City Prosecutor for the City of Rosemead; Assistant City Attorney, Police Department Attorney, and City Prosecutor in the City of San Gabriel; City Attorney and City Prosecutor for the City of Bradbury and is the Assistant City Attorney and Police Department Attorney for the City of La Verne.

The law firm of WKRK consists of four partners who have represented cities for over thirty years. Mr. Reisman has committed to attending City Council meetings and staff meetings as needed. Another partner with the firm, Ms. Lisa Kranitz, will attend the monthly Planning Commission meetings. Mr. Reisman is available for additional office hours and other meetings, as needed. The law firm of WKRK proposed an hourly option of one hundred eighty five dollars (\$185.00) per hour or a retainer option of the first forty hours per month of six thousand (\$6,000.00) dollars.

Interim City Manager Korduner negotiated with the firm to serve the City of Los Alamitos via a retainer as the lowest cost option provided that the City remains within its 40 hours per month. In accordance with the retainer option, the firm will provide the City with 40 hours of work at a flat rate of six thousand (\$6,000.00) dollars per month. Hours in excess of 40 will be billed at two hundred twenty five (\$225.00) dollars per hour.

Fiscal Impact

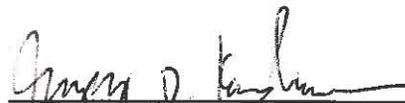
The City currently budgets \$150,000 for City Attorney Services. This amount will likely remain the same in the upcoming budget.

Submitted By:



Steven A. Mendoza
Director of Comm. Devel./Public Works

Approved By:



Gregory D. Korduner
Interim City Manager

Fiscal Impact Reviewed By:



Joshua A. Brooks
Finance Director

Attachment: 1. Agreement with Wallin, Kress, Reisman & Kranitz

PROFESSIONAL SERVICES AGREEMENT
(City of Los Alamitos/Wallin, Kress, Reisman & Kranitz, LLP)

1. IDENTIFICATION

THIS PROFESSIONAL SERVICES AGREEMENT (“Agreement”) is entered into by and between the City of Los Alamitos, a California municipal corporation (“City”), and Wallin, Kress, Reisman & Kranitz, LLP, a California limited liability partnership (“Consultant”).

2. RECITALS

- 2.1 City has determined that it requires the following professional services from a consultant: city attorney and litigation services.
- 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 February 18, 2013 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 fee schedule to City attached hereto as Exhibit B and incorporated herein by this reference.
- 3.3 “Commencement Date”: April 16, 2013
- 3.4 “Expiration Date”: April 15, 2018.

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. Upon mutual written agreement of the parties, the Agreement may be extended for three (3) additional two-year terms.

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.
- 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. The City Council 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 Consultant shall not increase the fees set forth in Exhibit B for a minimum period of two years. After April 16, 2015, Consultant may request, but shall not automatically be entitled to, fee increase.

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

Consultant shall be bound by the attorney-client privilege doctrine and the attorney work-product doctrine.

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 Consultant's attorneys who are engaged in services under this Agreement will be deemed officers of the City and the City, to the extent required by law, will indemnify and defend them against any third party claims prosecuted against them for actions taken in the course and scope of their official duties.
- 10.4 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.

- 10.5 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.
- 10.6 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) for any personal injury, death loss or damage.
- 11.1.2 Worker's Compensation insurance if and as required by the laws of the State of California.
- 11.1.3 Professional Errors and Omissions Insurance with coverage limits of not less than One Million Dollars (\$1,000,000).
- 11.2 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.
- 11.3 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.
- 11.4 The general liability 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.

- 11.5 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.
- 11.6 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.
- 11.7 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.
- 11.8 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
3191 Katella Ave.
Los Alamitos, CA 90720
Attn: City Manager
Telephone: (562) 431-3538
Facsimile: (562) 493-1255
E-mail:

If to Consultant:
Wallin, Kress, Reisman & Kranitz, LLP
2800 Twenty-Eighth Street, Suite 315
Santa Monica, CA 90405
Attn: Cary Reisman
Telephone: (310) 450-9582, ext. 333
Facsimile: (310) 450-0506
E-mail: Cary@wkrklaw.com

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.

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.
- 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”
Wallin, Kress, Reisman & Kranitz, LLP

By _____
Warren Kusumoto, Mayor

By: _____
Cary S. Reisman, Partner

Date: April __, 2013

Date: April __, 2013

Professional Services Agreement
City of Los Alamitos/Wallin, Kress, Reisman & Kranitz, LLP

Attest:

Approved as to Form:

By: _____
Windmera Quintanar, CMC, City Clerk

By: _____
Steve Skolnik, Interim City Attorney

Date: April __, 2013

Date: April __, 2013

EXHIBIT B
APPROVED FEE SCHEDULE

A. Retainer Services. Consultant shall provide up to 40 hours worth of routine services for the sum of \$6,000.00 a month. Routine services shall include, but not be limited to, attendance at City Council and Commission meetings, staff meetings, preparing and reviewing contracts, resolutions and ordinances.

B. Routine Services Beyond Retainer. All routine services beyond 40 hours per month shall be billed at the rate of \$225.00 per hour.

C. Non-Routine Services. Non-routine services shall be billed the rate of \$225.00 per hour and shall not count against the Retainer hours. Non-routine services include matters such as labor negotiations and complex employment matters, complex CEQA and water or toxics law issues, civil, criminal and administrative litigation, major code revisions, General Plan Amendments, and franchise negotiations.

D. Reimbursable Legal Services. All legal services provided to the City for which the City receives reimbursement from a developer or other third party shall be billed at the rate of \$250.00 per hour.

E. Paralegal Services. Paralegal services shall be provided at the rate of \$90.00 per hour.

F. Cost Reimbursement and Exceptions. The City shall reimburse Consultant as soon as possible for all reasonable and necessary out-of-pocket expenses incurred by Consultant in providing legal services hereunder. Authorized reimbursable expenses include attendance of the City Attorney at the annual League of California Cities City Attorneys Conference (up to a maximum of \$600.00 per year), mileage and travel expenses for travel outside of Los Angeles and Orange Counties, voluminous printing and copying jobs contracted to an outside provider, faxes in excess of 100 pages, court fees, computerized research time (e.g., Lexis or Westlaw), extraordinary mail or delivery costs (e.g., courier, overnight and express delivery), actual fees and expenses (no mark-up) for consultants and court reporters retained by Consultant, and similar costs relating to the Services that are generally chargeable to a client. However, no separate charge shall be made by Consultant for phones, secretarial, word processing, or normal fax and copying services. Mileage expenses for travel outside of Los Angeles and Orange Counties shall be paid at the same rate as the City uses to reimburse its employees for mileage.

EXHIBIT A
SCOPE OF SERVICES

PROPOSAL

WALLIN, KRESS, REISMAN & KRANITZ, LLP

TABLE OF CONTENTS

		<u>Page No.</u>
II.	PROPOSAL RESPONSE	
C.	Company Data:	1
1.	Official name and address	1
2.	Name, address, phone number and email address of WKRK’s point of contact	1
3.	Type of entity	1
4.	Federal Employer I.D. number	1
5.	Address, phone numbers and fax numbers of each location	1
6.	Ownership statement	2
7.	Number of years in business under present name	2
8.	Description of all comparable contracts currently in effect	2
9.	Areas of specialization provided	2
10.	Failures or refusals to complete a contract	3
11.	Financial interests in other lines of business	3
12.	Known conflicts of interest or potential conflicts of interest	3
D.	Proposal	3
1.	Overall capabilities, qualifications, training and expertise	3
	Cary S. Reisman	3
	Lisa E. Kranitz	4
	Peter L. Wallin	4
	Robert L. Kress	4
2.	Experience of Cary S. Reisman	5
3.	a) Experience of Lisa E. Kranitz	5
	b) Experience of Peter L. Wallin	5
	c) Experience of Robert L. Kress	6
4.	Location of the office serving the City	6
5.	System for timely responding to City Council/City Manager	6
6.	Expected response time for inquiries	6
7.	Types of reports Los Alamitos could expect	6
8.	Suggested process for transmittal of requests and other material	6
9.	Support personnel that would work with the City	6
10.	Methods that would be utilized to provide services in a cost effective manner	7
11.	Itemized invoices for services rendered	7
12.	In-service training capabilities	7
13.	Willingness and ability to submit proof of required insurance coverage	7
14.	Experience working with CJPIA	7
15.	Conflicts of Interest	7
	a) Political contributions to any member of a City Council	8
	b) Public agency clients under retainer or special services	8
	c) Public agency clients over the last five years	8

16.	Proposed methods to provide the City Council with updates	8
17.	Two of our law firm's most significant and complex accomplishments . . .	8
18.	Special services that may be provided to the City	9
19.	Recent successful litigation handled by the proposed City Attorney	9
20.	Military Land Use experience	9
21.	Experience in offering representation for a JPA	9
22.	Cable Television experience	10
E.	References	10

V. COMPENSATION AND PAYMENT SCHEDULE:

A:	Hourly Rates	12
B:	Reimbursable Expenses	12
C:	Training Costs	13
D:	Rate Adjustments	13
E:	Payment	13
F:	Optional Monthly Retainer Proposal	13

ATTACHMENTS

II D 1 A	Resume of Cary S. Reisman	15
II D 1 B	Resume of Lisa E. Kranitz	18
II D 1 C	Resume of Peter L. Wallin	21
II D 1 D	Resume of Robert L. Kress	23
II D 7 (a)	City Attorney Opinion Example	25
II D 7 (b)	City Attorney Opinion Example	27
II D 11(a)	Sample Billing Invoice	29
II D 11(b)	Sample Billing Invoice	31
VI	Non-Collusion Affidavit	37

ATTACHMENTS ARE AVAILABLE FOR REVIEW
IN THE CITY CLERK'S OFFICE

II. PROPOSAL RESPONSE

C. COMPANY DATA:

1. Official name and address:

Wallin, Kress, Reisman & Kranitz, LLP
2800 28th Street, Suite 315
Santa Monica, California 90405-6205

2. Name, address, phone number and email address of WKRK's point of contact:

Cary S. Reisman
Attorney at Law
Wallin, Kress, Reisman & Kranitz, LLP
2800 28th Street, Suite 315
Santa Monica, California 90405-6205
Telephone: (310) 450-9582
cary@wkrklaw.com

3. Type of entity:

Limited Liability Partnership

4. Federal Employer I.D. number:

95-3726063

5. Address, phone numbers and fax numbers of each location:

WKRK has only one firm address, however Mr. Reisman, Ms. Kranitz, and Mr. Kress each have home offices as well, and are fully functional from those locations:

Wallin, Kress, Reisman & Kranitz, LLP
2800 Twenty-Eighth Street, Suite 315
Santa Monica, California 90405 - 6205
310/450-0506 - telephone
310/450-9582 - fax

Ms. Kranitz would anticipate frequently serving the City from her home office in Redondo Beach. Mr. Reisman is generally in the Santa Monica office every day.

6. Ownership statement

WKRK is a Limited Liability Partnership, equally owned by its four partners. We are not owned, wholly or in part, by any other organization or person.

7. Number of years in business under present name:

We became Wallin, Kress, Reisman & Kranitz in 1995, and added the LLP designation in 2005. Prior to that, we had been known as Wallin, Kress, Reisman [and others] since 1982.

8. Description of all comparable contracts currently in effect:

Agency: City of Bradbury
Year Started: 2004 (WKRK also served as City Attorney from 1989-1994)
Type of Contract: Retainer + hours

Agency: Maywood Mutual Water Company No. 2
Year Started: 2011
Type of Contract: Retainer + hours

Agency: City of Gardena
Year Started: 2009 (WKRK also served as City Attorney from 1995-2001)
Type of Contract: Retainer + hours

Agency: City of San Gabriel
Year Started: 1989
Type of Contract: Retainer + hours

Agency: City of La Verne
Year Started: 1990
Type of Contract: Retainer + hours

9. Areas of specialization provided:

Mr. Reisman is an experienced municipal attorney and well-versed in virtually all areas of law listed in Section IV. A of the City's Request for Proposals, with the exception of military land use. Mr. Reisman specializes in litigation and provides lectures to firm clients on municipal ethics, including the Brown Act, the Public Records Act and all related aspects of public law.

10. Failures or refusals to complete a contract:

WKRK has never failed or refused to complete a contract.

11. Financial interests in other lines of business:

Neither WKRK, nor any of its individual members, has financial interests in other lines of business. All of the firm's partners own stock in public traded companies, either directly or through our pension plans. We don't anticipate conflicts of interest as a result of such holdings, however, we will evaluate the situation should a potential conflict arise. And, of course, we make required disclosures on our 700 forms.

12. Known conflicts of interest or potential conflicts of interest:

WKRK has no conflicts of interest or potential conflicts of interest that would impact it in providing services to the City of Los Alamitos.

D. PROPOSAL:

WKRK is a seasoned professional municipal law firm with many years of experience in representing municipal clients. The firm has competently handled a wide variety of local governmental issues. Our detailed qualifications follow below and in the attached resumes.

1. Overall capabilities, qualifications, training and expertise for each:

Cary S. Reisman

- a. Resume attached as II D 1 A. Mr. Reisman is an AV® Peer Review Rated lawyer, the top rating in both ethics and legal ability by Martindale-Hubbell (the legal directory and rating company).
- b. Mr. Reisman joined the firm in 1980 and became a partner in 1982.
- c. Mr. Reisman specializes in municipal law, including municipal ethics, housing law, Pitchess discovery defense and water/environmental law. He has negotiated MOUs with municipal labor organizations and is knowledgeable regarding communications law and landlord-tenant law as well.
- d. Mr. Reisman was trained at the University of Illinois Law School where he was selected recipient of the Outstanding Service Award in 1973.
- e. Mr. Reisman was admitted to the California Bar in 1973.
- f. Mr. Reisman has been practicing law for 39 years.
- g. Mr. Reisman has been representing cities since 1980.

Lisa E. Kranitz:

- a. Resume attached as II D 1 B. Ms. Kranitz has been a municipal lawyer her entire career. She joined WKRK after practicing at Burke, Williams & Sorenson starting in 1985.
- b. Ms. Kranitz joined the firm in 1993.
- c. Ms. Kranitz specializes in municipal law with an emphasis on CEQA and land use matters, including Development Agreements and the Subdivision Map Act. Ms. Kranitz is also well versed in other areas including code enforcement, public contracts, Brown Act, and Public Records Act.
- d. Ms. Kranitz graduated from the University of Southern California law school in 1985.
- e. Ms. Kranitz was admitted to the California Bar in 1985.
- f. Ms. Kranitz has been practicing law for 28 years.
- g. Ms. Kranitz has been representing cities since she began her law practice in 1985. She has served as City Attorney for Gardena, General Counsel for The Center for Water Education (a public, non-profit governed by both the Public Records Act and the Brown Act), and has served as Assistant or Deputy City Attorney for numerous cities since 1988.

Peter L. Wallin

- a. Resume attached as II D 1 C. Mr. Wallin has been a municipal lawyer since 1973.
- b. Mr. Wallin was a founding member of the firm in 1973 and is its managing partner.
- c. Mr. Wallin specializes in Municipal Law and Real Estate Transactional Law. He also has considerable litigation experience in land use, eminent domain, and CEQA.
- d. Mr. Wallin graduated from Boalt School of Law, University of California Berkeley in 1967.
- e. Mr. Wallin was admitted to the California Bar in January of 1968.
- f. Mr. Wallin has been practicing law for 45 years.
- g. Mr. Wallin has been representing cities since 1976. Robert L. Kress

Robert L. Kress

- a. Resume attached as II D 1 D. Mr. Kress has been a municipal lawyer his entire career. He joined WKRK after practicing at Martin and Flandrick starting in 1972.
- b. Mr. Kress has been with the firm in since 1976.

- c. Mr. Kress specializes in all aspects of municipal law. He has had extensive experience with Joint Powers Insurance Authority issues, cable television matters and labor negotiations.
- d. Mr. Kress graduated from the University of California Los Angeles (UCLA) law school in 1972.
- e. Mr. Kress was admitted to the California Bar in 1972.
- f. Mr. Kress has been practicing law for 40 years.
- g. Mr. Kress has been representing cities since he began his law practice.

2. Experience of Cary S. Reisman

Mr. Reisman was City Attorney in Maywood from 1982 to 1976, and from 1994 to 1996. Mr. Reisman has been an Assistant City Attorney in Rosemead, Bell Gardens, Gardena, San Gabriel, and La Verne during all periods in which WKRK has represented those cities from 1980 through the present. He is currently City Attorney and City Prosecutor in Bradbury, General Counsel to Maywood Mutual Water Company No. 2, and police department counsel and City Prosecutor in La Verne and San Gabriel.

3. a) Experience of Lisa E. Kranitz

Ms. Kranitz has been an Assistant City Attorney in Gardena from April 2009 to Present. She was also an Assistant City Attorney in Gardena from 1995 through 1994, and was City Attorney from 1995 to 2001. She has been an Assistant City Attorney in La Verne and San Gabriel since 2001. She served as Assistant City Attorney Rosemead, Maywood and Camarillo during various periods of time since 1998.

b) Experience of Peter L. Wallin

Mr. Wallin has been Gardena City Attorney since 2009. He has served as City Attorney for Rosemead (2005 to 2007) and Bell Gardens (1976 to 1992), and as an Assistant City Attorney in the firm's other cities since 1975. He was Redevelopment Agency Counsel in Bell Gardens, Maywood, La Verne, Rosemead and San Gabriel and continues to advise San Gabriel and La Verne as Successor Agency counsel. He has also served as special counsel on redevelopment and other issues in a number of cities, including in Lawndale, Huntington Park, Barstow and Pittsburgh.

c) Experience of Robert L. Kress

Mr. Kress has been San Gabriel City Attorney continuously since 1989, and La Verne City Attorney since 1990. He was City Attorney in Rosemead from 1979 to 2005, in Bradbury from 1986 to 1990, and Assistant City Attorney in Baldwin Park, Hidden Hills, Sierra Madre and Whittier from 1972 to 1976. He has performed services for all of the other of the firm's clients from time to time.

4. Location of the office serving the City

Wallin, Kress, Reisman & Kranitz, LLP
2800 Twenty-Eighth Street, Suite 315
Santa Monica, California 90405 - 6205

If office hours in the City are desired, we would suggest holding them, on the same days as staff meetings/agenda sessions. However, we would be flexible in selecting a day that is convenient to the City.

5. System for timely responding to City Council/City Manager

We would rely extensively on telephone, e-mail and occasionally text messages for receiving and responding to inquiries from the City Manager and City Council. We use those methods with our other municipal clients and find them to be extremely efficient. Staff can usually efficiently scan documents for our review. We have state of the art scanning, photocopying and faxing equipment, and each of us has an iPad from which we can review and annotate documents when not in the office or home office.

6. Expected response time for inquiries

Our initial response times are often instantaneous, and never later than the following day. Because we spend so much time in front of our computer screens, we often receive e-mails seconds after they are sent. "Easy questions" are therefore answered immediately. Even issues requiring research are responded to as quickly as reasonably possible.

7. Types of reports Los Alamitos could expect

The types of reports Los Alamitos can expect depend upon the nature of the request. Most inquiries can be answered simply and quickly with an e-mail response. We don't try to make things complicated by preparing formal memoranda every time a question is asked of us. Inquiries such as ethics questions, which necessitate formal written opinions, are responded to with formal memoranda. Attached as exhibit II D 7 (a) and (b) are copies of two recent City Attorney opinions written by Mr. Reisman in response to City Council requests.

8. Suggested process for transmittal of requests and other material

E-mail or telephone. Fax if for some reason e-mail is not practical.

9. Support personnel that would work with the City

The firm has one paralegal. She is Mr. Reisman's legal assistant, Kathy Pratt, who has been with WKRK for more than twelve years.

10. Methods that would be utilized to provide services in a cost effective manner

Please see our response to number 7 above. We do not make “mountains out of mole hills.” If a question can be answered quickly and simply, that’s what we do. We do not believe in litigation as a method of resolving disputes. Rather, our philosophy is to attempt to work things out in a fair and reasonable manner, soothing, rather than ruffling feathers, where possible. Although we are fully capable of very competently (and successfully) litigating matters, it is our belief that when litigation occurs, nobody wins.

11. Itemized invoices for services rendered

Please see attachment II D 11 (a) and (b) for examples of invoices from two of our cities - one very active, and the other, relatively inactive.

12. In-service training capabilities

Mr. Reisman is our in-service training attorney for all AB1234 issues. All of the firm’s attorneys are capable of training new commissioners and council members and have done so in the past. Mr. Reisman has also trained police department clerks (both individually and county-wide) regarding police department subpoenas and records requests. We use PowerPoint presentations and our own prepared materials and League of California Cities’ printed materials.

13. Willingness and ability to submit proof of required insurance coverage

We are willing and able to comply with the City’s insurance coverage requirements.

14. Experience working with CJPIA

We have worked with CJPIA in all of our cities for many years. We have good working relationships with the executive staff, the risk managers and with CJPIA’s panel attorneys.

15. Conflicts of Interest

We are aware of no conflicts of interest or potential conflicts of interest.

a) Political contributions to any member of a City Council

We do not make loans or political contributions of money or in kind services to City Council members, and have not done so within the past five years.

b) Public agency clients under retainer or special services

We currently provide retainer and special services to the Cities of Bradbury, Gardena, La Verne and San Gabriel, and special services to Santa Fe Springs.

- c) Public agency clients over the last five years

In addition to the above cities (and their redevelopment agencies), we have provided special services to the cities of Rancho Santa Margarita, Santa Maria, Moreno Valley, Huntington Park, Rosemead, the Redevelopment Agency of Long Beach, and to The Center for Water Education.

16. Proposed methods to provide the City Council with updates

We propose to update the City Council regarding new developments in person at City Council meetings, as well as via e-mails to be distributed by the City Manager (for ease of compliance with the Public Records Act).

17. Two of our law firm's most significant and complex accomplishments

- a) Walmart Supercenter

Our office served as City Attorney of the City for Rosemead from 1976 to 2007. In September 2004 the City Council, seeing an opportunity to have a full service grocery market in the City, and sales tax revenue for the general fund, unanimously granted development approvals for the construction of a Walmart Supercenter. This decision was opposed by citizens groups, labor organizations and political factions, and they challenged the approval through a referendum of the development agreement, CEQA litigation and, when two opponents of the Supercenter were elected to office at the next municipal election, a recall of one of the remaining supporters of the project. Our firm successfully defended the Council's decision against all these attack and the store opened in early 2007. In March 2007 a third opponent of the project was elected to office, but it was too late to undo what had been accomplished. Our firm then resigned as City Attorney. Our pride in successfully effectuating the Council's decision far outweighed the pain of having to sever a thirty plus years client relationship.

- b) Rancho Santa Margarita - Chiquita Ridge Litigation

WKRK was involved in litigation relating to ownership of 502 acres of property that the City of Rancho Santa Margarita believed should have been transferred to it from the County of Orange upon incorporation. The land in question was to be part of the Habitat Conservation Plan for the Southern Orange County subregion. The litigation was originally filed in 2005 under the direction of the then City Attorney and outside counsel. In early 2007 outside counsel had to resign due to a conflict of interest. By the time that WKRK was brought in to replace outside counsel, the litigation had become so contentious that the parties would not communicate with each other except in writing.

Endangered Habitats League and Rancho Mission Viejo were granted leave to intervene on behalf of the County because the City's lawsuit had the ability to impact both the Habitat Conservation Plan and the corresponding Implementation

Agreement, which EHL and RMV were involved in creating. In 2008 the City Attorney was asked to resign.

WKRK changed the demeanor of the entire case. We were able to restore trust among the attorneys, and in 2009, the four parties were able to reach a Settlement Agreement that disposed of all claims of property interests that arguably should have been transferred to the City upon incorporation. In brief, the settlement provided that the City would receive ownership and fee title to a 92 acre parcel, which was the only developable portion of the disputed property. The City was given the ability to develop a portion of the 92 acres with the condition that if the land was ever commercially developed, the City would also develop a park. Additionally, the City acquired a valuable piece of environmentally sensitive habitat from a separate party and transferred this to the County, and agreed to develop a restoration plan and to enhance habitat to mitigate the loss of habitat that was transferred to the City.

18. Special services that may be provided to the City

We anticipate providing all special services requested by the City. There may be issues such as military land use, construction or labor issues where it would be preferable to have a specialized law firm represent the city in litigation. In such cases, we would so advise the City Council.

19. Recent successful litigation handled by the proposed City Attorney

The Cities we represent are seldom involved in litigation (other than matters defended by the CJPIA). Mr. Reisman has not found it necessary to file any lawsuits or defend any lawsuits in Bradbury since taking over as City Attorney in the beginning of 2008. He has represented the City in administrative proceedings, including opposing a water rate request by Cal Am Water Company in 2010 which resulted in a significant reduction in the requested rate increase. And although it was not representing a City, he filed suit on behalf of the Maywood Mutual Water Company seeking to invalidate a corporate election of directors where the City of Maywood had improperly cast the deciding ballots. The lawsuit was successful and the judge reversed the election results.

20. Military Land Use experience

None, but we are quick learners.

21. Experience in offering representation for a JPA

We represented the Southeast Cities Cable Television Consortium and the San Gabriel Valley Animal Control Authority, both of which have since dissolved. The Animal Control Authority dissolved in June of 2012 when the participating cities decided to separately contract for animal control services. In addition, our cities are members of

various JPAs including a 911 dispatch JPA, and we have frequently been involved in forming, modifying and financing JPAs.

22. Cable Television experience

Bob Kress and Cary Reisman have negotiated cable television franchises for several of our cities before local franchises were superceded. Both continue to advise cities on communications issues, including public access cable television issues.

E. REFERENCES

Michelle Keith

City Manager
City of Bradbury
(626) 358-3218
mkeith@cityofbradbury.org

We provide full service representation for the City of Bradbury, including serving as City Attorney, litigation attorney and City Prosecutor. Mr. Reisman has appeared in proceedings before the California Public Utilities Commission, on behalf of the City and recently filed (for Gardena and Bradbury) a Petition with the California Water Board challenging a decision favoring the NRDC environmental group that might have required the potential expenditure of millions of dollars.

Mitchell G. Lansdell

City Manager
City of Gardena
(310) 217-9505
mlansdell@ci.gardena.ca.us

We provide full service representation for the City of Gardena including serving as City Attorney, police department attorney and litigation attorney. Mr. Reisman provides AB1234 training for city personnel, and recently filed (for Bradbury and Gardena) a Petition with the California Water Board challenging a decision favoring the NRDC environmental group which requires the potential expenditure of millions of dollars. Ms. Kranitz serves as chief assistant city attorney, handling a multitude of issues, with an emphasis on planning and land use. She drafted the City's massage ordinance and continues to advise the City regarding massage issues.

Steven A. Preston

City Manager
City of San Gabriel
(626) 457-4605
spreston@SGCH.org

We provide full service representation for the City of San Gabriel, including serving as City Attorney, police department attorney, litigation attorney and City Prosecutor. Mr. Reisman advises the City regarding public records requests, subpoenas and handles

Pitchess discovery motions in criminal cases. He is also the City Prosecutor in the relatively few cases that are not handled by the District Attorney's office. Ms. Kranitz advises the City regarding General Plan, zoning, CEQA and development issues. She worked with the City's Community Development and Finance Departments in developing the City's massage ordinance and continues to advise the City regarding massage issues.

Bob Russi

City Manager

City of La Verne

(909) 596-8726

brussi@ci.la-verne.ca.us

We provide full service representation for the City of La Verne, including serving as City Attorney, police department attorney, litigation attorney and City Prosecutor. Mr. Reisman advises the City regarding public records requests, subpoenas and handles Pitchess discovery motions in criminal cases. He is also the City Prosecutor in the relatively few cases that are not handled by the District Attorney's office. Ms. Kranitz advises the City regarding CEQA, General Plan, zoning and development matters.

Salvador Contreras

General Manager

Maywood Mutual Water Company No. 2

3521 Slauson Avenue

Maywood, CA 90270

(323) 581-2792

Mr. Reisman serves as General Counsel to this mutual water company, including full service legal representation. The Water Company has not been sued in the two years he has been representing the company, however, the General Manager is familiar with Mr. Reisman's litigation skills from three perspectives. That is, Mr. Contreras sued the City of Maywood over an election issue many years ago when Mr. Reisman was City Attorney - and lost. Mr. Contreras was subsequently elected to the City Council and observed Mr. Reisman's legal skills as a municipal attorney. Then, as a Director of the Water Company, Mr. Contreras and others retained Mr. Reisman in 2011 to sue the Company after a corporate election that was erroneously tabulated due to the City of Maywood's improper casting of ballots. The lawsuit was successful and the judge reversed the election results.

We also invite you to contact any of the Council Members in the cities we represent for additional references.

V. COMPENSATION

A: Hourly Rates

	<u>Routine Services</u>	<u>Litigation Services</u>
City Attorney	\$185.00 per hour	\$225.00 per hour
Assistant City Attorney	\$185.00 per hour	\$225.00 per hour
Other Partners	\$185.00 per hour	\$225.00 per hour

- We bill in six minute increments with a minimum billing unit of six minutes.
- As we do not utilize associates, we have no separate associate rate.

All attorneys for Reimbursed Services: \$ 250 per hour

- Reimbursed Services are services regarding work on specialized matters for which the City is reimbursed by an applicant or other third party.

Paralegal Services: \$90 per hour

- We do not bill for secretarial or administrative services as we consider them to be part of normal overhead. We seldom find it necessary to bill for paralegal services.

Computerized Legal Research:

- When we are separately billed for computerized legal research services by Westlaw or Lexis-Nexis we pass along the charges, without markup, to the client. Routine computerized legal research results in no or negligible billings to the client.

B: Reimbursable Expenses

Mileage No charge for travel within Los Angeles and Orange Counties; travel outside of those counties is billed at the same rate the City uses to reimburse employees for mileage.

Copy charges: WKRK does not charge its clients for routine reproduction costs. Large jobs performed by copy services are billed to our cities at our cost with no markup.

Fax charges: WKRK does not charge its clients for incoming or outgoing faxes, but reserves the right to do so in the event of frequent incoming faxes in excess of 100 pages.

Long Distance telephone charges: WKRK does not charge its clients for long distance telephone calls, and has an incoming 800 number for use by City staff and City Council members lacking unlimited outgoing long distance service.

Other Charges: If WKRK incurs costs on behalf of the City, such as for messenger, federal express, or litigation expenses, such costs are billed to the City at WKRK's direct cost with no mark-up.

League Conferences: The City Attorney attends conferences of the League of California Cities in order to remain current on municipal legal issues. Our current cities reimburse the firm for the costs of attendance. We would request that Los Alamitos share in that reimbursement in an amount not to exceed \$1,500.00 per year.

C: Training Costs

We bill our clients for training costs at our lowest hourly rate. Routine training performed by the City Attorney or Assistant City Attorney would be included as part of our retainer if the City chooses to engage us under a retainer arrangement. (See section F. below.)

D: Rate Adjustments

We do not anticipate requesting a rate adjustment more frequently than every two to three years. Any such request would be just that: a request. If the City Council did not feel that an adjustment was appropriate, or felt that the amount was inappropriate, the Council could reject the request.

E: Payment

We will provide monthly statements for services rendered, and would request payment at the City's earliest convenience. If a monthly retainer is agreed to, we would request that the retainer be paid as part of the regular warrant register each month, whether or not the additional special services itemization has been processed.

F: Optional Monthly Retainer Proposal

In all of our current cities, WKRK provides services on a monthly retainer basis of some type. Attendance at regular City Council and commission meetings, and regular staff meetings, is included, as is routine matters such as preparing and reviewing contracts, resolutions and ordinances. The retainers exclude services related to labor, litigation and non-routine matters such as major code revisions, General Plan revisions and franchise negotiations. While we are willing to work on a strictly hourly basis, our other city clients find it beneficial to have an established monthly retainer covering such routine services, and only pay hourly for the excluded services. A monthly retainer would provide certainty to the City regarding the routine monthly charges, and would permit the City to concentrate control on the non-routine services. It is also beneficial for the City Manager,

Department Heads and designated employees to be able to seek legal advice on routine matters without worrying about running the City's legal bills up. We propose an initial monthly retainer for Los Alamitos in the amount of \$6,000.00, subject to revision upon review of the split between retainer and non-retainer matters. The retainer would include up to 40 hours of service. Services in excess of 40 hours per month, and non-routine services would be billed at the rate of \$225.00 per hour. However, we would be willing to discuss a different retainer arrangement with the City.

WKRK's total charged fees are routinely substantially lower than our predecessors, and are lower than those charged by most other city attorney firms. Some firms may charge lower hourly rates, but they seem to make up for it by volume. Because we don't use our clients as training grounds for young associates, do not have multiple attorneys handling a single matter, and we look for ways to minimize - not maximize - our fees, we are able to provide high quality legal services to our municipal clients at a lower cost.

City of Los Alamitos

Agenda Report Consent Calendar

April 15, 2013
Item No: 8H

To: Mayor Kusumoto & Members of the City Council
Via: Gregory D. Korduner, City Manager
From: Steven A. Mendoza, Director of Community Development
Subject: Authorization to Apply for M2 Grant Funds

Summary: Consideration to authorize an application to the Orange County Transportation Authority (OCTA) for funds for the Environmental Cleanup, Tier 1 Grant Program.

Recommendation: Adopt Resolution No. 2013-06, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CA, AUTHORIZING AN APPLICATION FOR FUNDS FOR THE ENVIRONMENTAL CLEANUP, TIER 1 GRANT PROGRAM UNDER ORANGE COUNTY LOCAL TRANSPORTATION ORDINANCE NO. 3 FOR THE STORM DRAIN SCREEN PROJECT (CITYWIDE)."

Background

On March 11, 2013, the Orange County Transportation Authority's (OCTA) Board of Directors (Board) released Measure 2 (M2) Environmental Cleanup Program (ECP), Tier 1 Fiscal Year 2013-14 call for projects.

Discussion

Upon the release of the Call for Projects, Staff reviewed the needs of the City and determined that these funds would coincide with our need to improve the protection of our 125 storm drains in the community.

The M2 ECP Tier 1 is designed to mitigate the more visible forms of pollutants, such as litter and debris that collects on the roadways and in the catch basins prior to being deposited in waterways and the ocean. It consists of funding for equipment purchases and installation to alter existing catch basins and related best management practices such as screens, filters, inserts, and other "street scale" low flow diversion devices.

A total of \$2.8 million is available to eligible applicants, which include Orange County cities and the County of Orange (County). The maximum amount that an applicant can receive in the funding period is \$500,000 for fiscal year July 1, 2013 to June 30, 2014.

The maximum grant amount is \$200,000 per project. To ensure that M2 ECP Tier 1 funds are distributed to the highest number of eligible agencies, entities submitting more than one proposal must designate which project is the highest priority for funding.

It is suggested by Staff that the City apply for funds for a Storm Drain Screen Project. One of the manufacturers of this type of project equipment, United Storm Water, Inc. describes the product as shown below:

“The CleanScreen1M is an automatic retractable curb inlet screen cover (ARS) that prohibits most trash and debris from entering storm drains during the dry season, and opens automatically during specific water flow conditions to prevent street flooding. The device’s screen remains in a closed and locked position during the dry season or low water flow, and the retained pollutants can be removed using routine street sweeping. During periods of increased or heavy water flow, the CleanScreen™ actuator will open the gate and allow water to flow unimpeded into the catch basin. The device is capable of maintaining the open position for a calibrated amount of water flow. As a storm subsides, the screen gate will automatically return to the closed and locked position.”

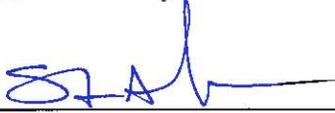


The Board will review and approve programming recommendations by late summer 2013. Successful Tier 1 Grant recipients will be required to enter into an agreement with OCTA for expenditure of funds prior to project implementation.

Fiscal Impact

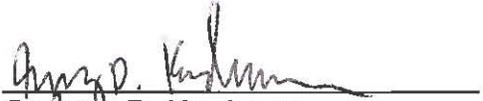
The City is seeking a grant award of \$100,000. If the grant is awarded, the City will need to provide 25% or \$25,000 in matching funds. Matching funds will be allocated from the Traffic Improvement Fund (44).

Submitted by:



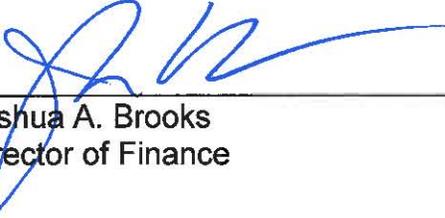
Steven A. Mendoza
Director of Community Development

Approved by:



Gregory D. Korduner
Interim City Manager

Fiscal Impact Reviewed by:



Joshua A. Brooks
Director of Finance

Attachment: 1. City Council Resolution No. 2013-06

RESOLUTION NO. 2013-06**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CA, AUTHORIZING AN APPLICATION FOR FUNDS FOR THE ENVIRONMENTAL CLEANUP, TIER 1 GRANT PROGRAM UNDER ORANGE COUNTY LOCAL TRANSPORTATION ORDINANCE NO. 3 FOR THE STORM DRAIN SCREEN PROJECT (CITYWIDE)**

WHEREAS, Orange County Local Transportation Ordinance No.3, dated July 24, 2006, and is known and cited as the Renewed Measure M Transportation Ordinance and Investment Plan makes funds available through the Environmental Cleanup Program to help protect Orange County beaches and waterways from transportation-generated pollution (urban runoff) and improve overall water quality.

WHEREAS, the Environmental Cleanup, Tier 1 Grant Program consists of funding purchases and installation to catch basins with Best Management Practices, such as screens, filters, inserts, and other "street-scale" low flow diversion projects; and,

WHEREAS, OCTA has established the procedures and criteria for reviewing proposals; and,

WHEREAS, the City of Los Alamitos possesses authority to nominate water quality improvement projects that have a transportation pollution nexus to finance and construct the proposed project; and,

WHEREAS, by formal action the City of Los Alamitos authorizes the nomination of the Storm Drain Screen Project, including all understanding and assurances contained therein, and authorizes the person identified as the official representative of the City of Los Alamitos to act in connection with the nomination and to provide such additional information as may be required; and,

WHEREAS, the City of Los Alamitos will maintain and operate the equipment acquired and installed; and,

WHEREAS, the City of Los Alamitos will give OCTA's representatives access to and the right to examine all records, books, papers or documents related to the funded Tier 1 Grant Project; and

WHEREAS, the City of Los Alamitos will cause work on the project to be commenced within a reasonable time after receipt of notification from OCTA and that the project will be carried to completion with reasonable diligence; and

WHEREAS, the City of Los Alamitos will comply where applicable with provisions of the California Environmental Quality Act, the National Environmental Policy Act, the Americans with Disabilities Act, and any other federal, state, and/or local laws, rules and/or regulations;

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

SECTION 1: That the City of Los Alamitos hereby authorizes the City Manager as the official representative of the City of Los Alamitos to accept funds for the Environmental Cleanup, Tier 1 Grant Program for Storm Drain Screen Project.

SECTION 2: The City of Los Alamitos agrees to fund its share of the project costs and any additional costs over the identified programmed amount.

SECTION 3. The City Clerk shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 15th day of April, 2013.

Warren Kusumoto, Mayor

ATTEST:

Windmera Quintanar, CMC, City Clerk

APPROVED AS TO FORM:

Steven Skolnick, City Attorney

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

I, Windmera Quintanar, CMC, 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 on the 15th day of April, 2013, by the following vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

Windmera Quintanar, CMC, City Clerk

City of Los Alamitos

Agenda Report Consent Calendar

April 15, 2013
Item No: 8I

To: Members of the City Council

Via: Gregory D. Korduner, Interim City Manager

From: Warren Kusumoto, Mayor

Subject: Meeting between Orange County Supervisor John Moorlach, Mayor Kusumoto, Mayor Pro Tem Graham-Mejia and Interim City Manager Greg Korduner to discuss various topics of interest

Summary: This report summarizes the April 4, 2013 meeting between Orange County Supervisor John Moorlach and Staff.

Recommendation: Receive and file.

Background

On April 4, 2013, Mayor Kusumoto, Mayor Pro Tem Graham-Mejia and Interim City Manager Greg Korduner met with Supervisor Moorlach to discuss various topics of interest to both the City of Los Alamitos and the County of Orange. The primary topic that the Council wanted to discuss was the recent decision to partner with the Los Alamitos Unified School District (LAUSD) and the City of Seal Beach to allocate a uniformed School Resource Officer (SRO) to Los Alamitos High School.

Discussion

The past history of the SRO was shared with Supervisor Moorlach, including the 2007 budget constraints that resulted in the elimination of the SRO. It was noted that the Council recently approved the hiring of an SRO for the 2013-2014 through 2015-2016 school years (a 3 year plan) and that both the City of Seal Beach and the LAUSD would bear a portion of the costs. The cost sharing was described to Supervisor Moorlach as 50% funded by Los Alamitos, 25% funded by Seal Beach, and 25% funded by LAUSD. The previous request submitted to Supervisor Moorlach from Los Alamitos was discussed and it was reiterated that Orange County does not have the ability to provide funds to this type of service for unincorporated communities.

Another topic discussed was the planned Prologis development near the corner of Katella Avenue and Enterprise Drive. Supervisor Moorlach stated that he was approached by Cypress Council Member Doug Bailey to intervene and if necessary, get elected officials from both cities to meet and discuss their differences. Mayor Pro Tem Graham-Mejia stated that she believed that any development on this property and adjacent parcels have a regional impact, and she further requested that Supervisor Moorlach's office become involved to help provide a broader viewpoint. Supervisor Moorlach very politely declined and provided his perspective that this is a land-use policy issue that needs to be coordinated and negotiated between Los Alamitos and Cypress. Supervisor Moorlach further stated that he has no preference in this matter and that he is (and will remain) unbiased on the outcome.

The meeting was closed and a follow up meeting will be planned for later this year.

Fiscal Impact

None.

Submitted by:



Warren Kusumoto
Mayor

Approved by:



Gregory D. Korduner
Interim City Manager

City of Los Alamitos

Agenda Report Consent Calendar

April 15, 2013
Item No: 8J

To: Members of the City Council
Via: Gregory D. Korduner, Interim City Manager
From: Warren Kusumoto, Mayor
Subject: Meeting Between United States Congressman Alan Lowenthal and City of Los Alamitos Representatives to Discuss Various Topics

Summary: This report summarizes the April 4, 2013 meeting between United States Congressman Lowenthal and Staff.

Recommendation: Receive and file.

Background

On April 4, 2013, Mayor Warren Kusumoto, Council Member Troy Edgar, Interim City Manager Greg Korduner and Director of Community Development Steven Mendoza met with the Honorable Alan Lowenthal and his local Representative Robin McCray. The topics discussed are detailed below.

Discussion

1. The impact of Sequestration to local organizations. The specific example was Casa Youth Shelter and the potential of Department of Health and Human Services (HSS) funding elimination after October, 2013. Congressman Lowenthal and Robin McCray committed to keep a watch on the HHS funding and minimize any impacts to our community.
2. The potential impact of Sequestration to the JFTB. It was noted that Base Commander Colonel Karen Russell is working closely with the City
3. A community desire for the additional on-ramp and off-ramp at Spring Street (a.k.a. Cerritos Ave) and the 605 Freeway. This discussion progressed into a discussion

on the potential Cypress/Prologis development and the impact to the traffic infrastructure that could force the need for this additional on-ramp and off-ramp.

4. Initiatives that the City of Los Alamitos had recently implemented to help our residents and businesses, such as:
 - a. The Business and Residential Rebate Program
 - b. Use of the Community Development Block Grant funds; and how Los Alamitos was not successful in capturing any dollars this year for improvement projects. However, it was noted that the City has been very successful in the past few years and we are not complaining about this year's CDBG results.
 - c. School safety and the decisions by Los Alamitos, Seal Beach and the LAUSD to fund the School Resource Officer (SRO) for the next three years. The concept of the SRO was new to Congressman Lowenthal and we discussed the historical purpose and why it was eliminated, as well as the current need for the SRO in our community.

Topics not on the agenda that were discussed include:

1. Washington D.C. issues and concerns relative to Los Alamitos.
2. Education and the potential impact of loss of Federal "Impact Aid" revenues tied to the Joint Forces Training Base and the Seal Beach Naval Weapons Station. Congressman Lowenthal noted that our City, as well as the City of Seal Beach, will be potentially penalized for our patriotism by having a large portion of our cities allocated to military use.
3. Immigration reform.
4. The need for our nation to have a long range Energy Plan to get onto renewable resources in an intelligent and planned way.

Fiscal Impact

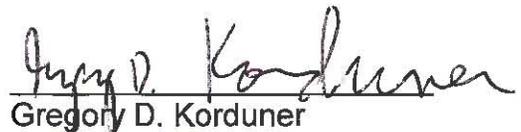
None.

Submitted by:



Warren Kusumoto
Mayor

Approved by:



Gregory D. Korduner
Interim City Manager

Attachment: 1: April 4, 2013 Agenda

CITY OF LOS ALAMITOS



Mayor:
Warren Kusumoto

Mayor Pro Tem:
Gerri L. Graham-Mejia

Council Members:
Troy D. Edgar
Dean Grose
Richard D. Murphy

March 25, 2013

Robin McCray
Senior Constituent Services Representative
Congressman Alan Lowenthal
100 W. Broadway West Tower, Suite 600
Long Beach, CA 90802

**SUBJECT: AGENDA ITEMS FOR THE MEETING OF APRIL 2, 2013 –
3:00 P.M.**

Dear Ms. McCray:

Thank you for your assistance in scheduling the upcoming meeting with Congressman Lowenthal. Below is a list of Council and Staff that will be in attendance, as well as a list of items to be discussed.

Attendees: Gerri Graham-Mejia, Mayor Pro Tem
Troy D. Edgar, Council Member
Gregory D. Kordner, Interim City Manager
Steven A. Mendoza, Community Development Director
Members of the Public: Brad Miles and JM Ivler
Member of the Press: David Barr (OC180News.com)

Agenda Topics: Sequestration Impacts and Concerns:

- *Effects on the Joint Forces Training Base*
- *Impact to the Dept of HHS and effects on local services*

Infrastructure Issues:

- *Dept of Transportation/Federal Highway*
- *Administration - Desires for local freeway access improvements*

Local Initiatives and Issues:

- *City efforts to stimulate the local economy (i.e. the Business and Residential Rebate Program)*
- *Community Development Block Grant Program*
- *Student Safety: Council decision to authorize the hiring of a School Resource Officer*

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www.ci.Los-Alamitos.ca.us

Open Dialog:

- *Expectations of Congressman Lowenthal*
- *Wants, Desires, and Needs by Los Alamitos*

If you would like to discuss further, please feel free to contact my office at (562) 431-3538, ext. 220. I look forward to meeting with the Congressman.

Sincerely,

CITY OF LOS ALAMITOS



Warren Kusumoto
Mayor

cc: *City Council*
Gregory D. Korduner, Interim City Manager
Steven A. Mendoza, Community Development Director

City of Los Alamitos

Agenda Report Consent Calendar

April 15, 2013
Item No: 8K

To: Mayor Warren Kusumoto & Members of the City Council
Via: Gregory D. Korduner, Interim City Manager
From: Steven A. Mendoza, Director of Community Development
Subject: Legislative Opposition – SB 7

Summary: The League of California Cities requested an opposition letter for proposed legislation. Council considered the request at a Special meeting on April 5, 2013 and voted to send a letter of opposition.

Recommendation: Receive and file.

Background

The League of California Cities regularly solicits support or opposition of proposed legislation that makes its way through the California Assembly or the California Senate. On April 5, 2013, Council discussed the item and voted to send a letter of opposition. There was a request to have the item appear on a Regular agenda for the public's information.

Discussion

The League of California Cities is requesting that the City of Los Alamitos issue a letter of opposition to Senate Bill 7 (Steinberg), which would set a precedent on charter cities and local control. SB 7 (Steinberg) would prohibit a charter city from receiving or using State funding or financial assistance for a construction project if the city has a voter-approved charter provision or ordinance that authorizes a contractor to not comply with State prevailing wage requirements on local construction projects funded by (non-State) city funds.

The League's opposition to this measure rests on the fundamental principle of local control and the constitutional limits on State authority over charter cities. Moreover, this measure would establish a disturbing framework for future State micromanaging of charter city laws and policies by the tactic of withholding State funds as political leverage to attempt to force changes to city charters and ordinances.

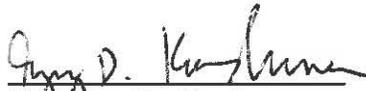
This measure tries to leverage a different outcome than the Court's ruling by withholding vital State construction funds, derived from all of the State's taxpayers, from charter cities that fail to adopt prevailing wage requirements for projects they build with *local* funds.

The threat posed by this measure to local charter authority is much broader. If this framework is authorized, there will be no end to efforts to leverage compliance with other State laws, while ignoring the constitutional legitimacy of the doctrine of municipal affairs.

Fiscal Impact

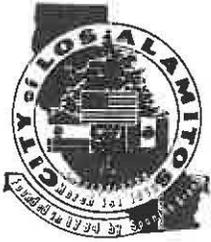
None.

Submitted and Approved By:


Gregory D. Korduner
Interim City Manager

*Attachments: 1. Letter of Opposition from City of Los Alamitos
2. League of California Cities and the Howard Jarvis Taxpayers Association joint-letter
3. Legal Opinion*

CITY OF LOS ALAMITOS



April 5, 2013

The Honorable Darrell Steinberg
Senate President Pro Tem
State Capitol, Room 205
Sacramento, CA 95814

**RE: OPPOSITION TO SB 7 (STEINBERG) CHARTER CITIES: UNLAWFUL
CONDITIONS ON STATE FUNDING**

Mayor:
Warren Kusumoto

Mayor Pro Tem:
Gerril L. Graham-Mejia

Council Members:
Troy D. Edgar
Dean Grose
Richard D. Murphy

Dear Senator Steinberg:

The City of Los Alamitos regrets to inform you of our opposition to your SB 7 (Steinberg), which would prohibit a charter city from receiving or using state funding or financial assistance for a construction project if the city has a charter provision or ordinance that authorizes a contractor to not comply with state prevailing wage requirements on local construction projects funded by (non-state) city funds.

This measure violates the fundamental principle of local control and the constitutional limits of state authority over charter cities, as recently held by the Court in the *Vista* decision. This measure conflicts with *Vista* by attempting, via the Legislature, to leverage a different outcome than the Court's ruling by withholding vital state construction funds, derived from all of the state's taxpayers, from charter cities that fail to adopt prevailing wage requirements for projects built with local funds. Such a condition is unlawful because the state is seeking to leverage outcomes it lacks the legal authority to compel.

While the City of Los Alamitos has established policy to require the payment of prevailing wages for city funded projects, we have grave concerns that this legislative tactic will be used in the future to erode other local flexibility that is important to our community. Thus, we oppose this measure due to its undercutting of local charter authority. The state should respect the Court decision in *Vista* and stay out of the matter.

This measure would establish a disturbing framework for future state micromanaging of charter city laws and policies by the tactic of withholding state funds as political leverage to attempt to force changes to city charters and ordinances.

For these reasons, the City of Los Alamitos opposes this legislation.

Sincerely,

CITY OF LOS ALAMITOS

Warren Kusumoto
Mayor

3191 Katella Avenue
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March 13, 2013

The Honorable Darrell Steinberg
Senate President Pro Tem
State Capitol, Room 205
Sacramento, CA 95814

RE: Senate Committee Referral of SB 7 (Steinberg)

Dear Senator Steinberg:

Given your role as Chair of the Senate Rules Committee, this letter is intended to respectfully support a concern raised earlier today before the Senate Committee on Labor and Industrial Relations that the subject matter of SB 7 should also be referred to the Senate Committee on Governance and Finance.

A principal policy and legal issue with SB 7 is whether the construct proposed by SB 7 to leverage compliance with prevailing wage laws, by withholding state funding and financial assistance from all construction projects undertaken by a charter city including those funded solely with their own funds, is a valid exercise of legislative authority over the municipal affairs of a charter city.

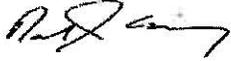
The referral of SB 7 to the Senate Committee on Labor and Industrial Relations, which has background and policy expertise on labor and prevailing wages is understandable and appropriate. Yet, it is unclear, however, why this is the sole policy committee of reference in the Senate, especially on a matter that could have such a massive impact and precedent on the Constitutional doctrine of municipal affairs.

The Senate Governance and Finance Committee has jurisdiction and long-standing expertise on matters of local government policy, including charter city authority. A hearing in that committee would allow the issues revolving around the *Vista* decision and the doctrine of municipal affairs to be more thoroughly examined and vetted. Also supporting such a double referral is the previous Senate actions to refer the two bills listed in the Senate Committee on Labor and Industrial Relations analysis of SB 7, as "prior legislation." Legislative history reflects that both SB 922 (Steinberg) of 2011, and

SB 829 (Rubio) of 2012, were both referred to Senate Governance and Finance Committee.

Thank you for your consideration of the procedural concerns raised. If you have any questions, or if we can be of any assistance, please call Dan Carrigg of the League at (916) 658-8222, or David Wolfe of HJTA at (916) 444-9950.

Sincerely,



Daniel Carrigg
Legislative Director
League of California Cities



David Wolfe
Legislative Director
Howard Jarvis Taxpayers Assoc.

Cc: Chair and Members, Senate Committee on Labor and Industrial Relations
Senator Anthony Canella
Members of the Senate Committee on Rules
Senator Lois Wolk, Chair, Senate Committee on Governance and Finance
Brian Weinberger, Consultant, Senate Committee on Governance and Finance
Gareth Elliott, Legislative Affairs Secretary, Office of Governor Jerry Brown



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 www.cacities.org

April 2, 2013

To: Executive Committee, League of California Cities Board of Directors
 Bill Bogaard, President
 Jose Cisneros, First Vice-President
 Tony Ferrara, Second Vice-President
 Mike Kasperzak, Immediate Past President
 Chris McKenzie, Executive Director

From: City Attorneys' Department, League of California Cities

Re: **SB 7 (Steinberg)**

As requested by the Executive Committee, the City Attorneys' Department has prepared the following analysis of SB7 (Steinberg) with respect to current constitutional law as interpreted by the California Supreme Court and the United States Supreme Court. The City Attorneys' Department consists of the city attorney and assistant or deputy to the city attorney for each League Member City. The Officers of the City Attorneys' Department appointed a working group of very experienced and senior city attorneys representing both charter cities and general law cities to assist in drafting this analysis. The result represents a consensus of the working group and has been reviewed and approved by the Department Officers. The Department appreciates the opportunity to assist the League of California Cities in understanding the broader constitutional implications of this important piece of legislation.

Executive Summary

1. The State legislature may condition the award of construction funding to a charter city on compliance with the prevailing wage rate law (PWRL) in the contract for which the state funding is awarded.
2. The State legislature may not condition the award of state construction funding to a charter city to achieve an unconstitutional result.
3. A charter city's expenditure of its own funds to pay the wages of contract workers on public works projects is a municipal affair protected from State legislative interference by Article XI, §5(a) of the California Constitution.¹

¹ *State Building and Construction Trades Council of California, AFL-CIO v. City of Vista* (2012) 54 Cal.4th 547.

To: Executive Committee, League of California Cities Board of Directors
From: City Attorneys' Department, League of California Cities
Date: April 2, 2012
Page: 2

4. The State legislature may not condition the award of state construction funding to a charter city on compliance with the PWRL in exclusively city-funded construction contracts because such a condition violates the municipal affairs authority of a charter city. Such a condition is unlawful because it seeks to achieve an unconstitutional result.
5. Those provisions of SB 7 (Steinberg) that condition state funding to a charter city on compliance with the PWRL in exclusively city-funded construction contracts are unconstitutional because they interfere with a charter city's municipal affairs authority.

SB 7 (Steinberg)

The bill adds Labor Code § 1782 to the State's PWRL to provide:

1. A charter city may not receive or use state funding or financial assistance for a *construction project*² if the city has a charter provision or ordinance that authorizes a contractor not to comply with the PWRL.
2. A charter city may not receive or use state funding or financial assistance for a *construction project* if the city has awarded within the current or prior two calendar years a public works contract without requiring the contractor to comply with PWRL. This prohibition applies to contracts awarded after January 1, 2014.
3. A charter city may receive or use state funding or financial assistance for a *construction project* if the charter city has adopted a local prevailing wage ordinance that includes requirements that in all respects are equal to or greater than PWRL.

SB 7 (Steinberg) is based upon the following findings:³

² Note that although "public works contract" is defined by Labor Code § 1720 (as modified by proposed Section 1782(d)(1)), "construction project" is an undefined term, and potentially a term of broader applicability than "public works contract." The bill seems to prohibit a charter city from receiving state funding for any construction project (even if it is not a "public works project") if the charter city does not comply with PWRL.

³ "The Legislature is empowered neither to determine what constitutes a municipal affair nor to change such an affair into a matter of statewide concern. A court will exercise its independent judgment as to that issue giving great weight to legislative statements of purpose where they exist" (*Bishop v. City of San Jose* (1969) 1 Cal.3d 56, 63.)

To: Executive Committee, League of California Cities Board of Directors
From: City Attorneys' Department, League of California Cities
Date: April 2, 2012
Page: 3

1. It is a matter of statewide concern that California has an available workforce of skilled construction workers. An in-state workforce of skilled construction workers benefits the state's economy. The PWRL promotes the creation of a skilled construction workforce. Payment of prevailing wages encourages contractors to hire the most skilled workers and to invest in their training.
2. Incentives for formal apprenticeship training⁴ in state-approved programs provide the financial support and necessary opportunities to train next generation of skilled construction workers. The PWRL provides necessary on-the-job training opportunities for the more than 50,000 apprentices enrolled in state-approved apprenticeship programs.
3. PWRL has substantial benefits that go beyond the limits of the city since many workers do not live in the city where the project is located.

PWRL and Charter Cities

When a statute purportedly applying to charter cities is challenged, the court will apply the following four-step inquiry:

1. Does the city ordinance regulate a "municipal affair?"
2. Is there an actual conflict between local and state law?
3. Does the state law address a "matter of statewide concern?"
4. Is the state law reasonably related to resolution of that concern and narrowly tailored to avoid unnecessary interference in local governance?

If the court is persuaded that the subject of the statute is a "matter of statewide concern" and that the statute is reasonably related to its resolution and not unduly broad in its sweep, then the Legislature is not prohibited by Article XI, section 5(a) from addressing the statewide issue.⁵

State Building and Construction Trades Council of California, AFL-CIO v. City of Vista (2012) 54 Cal.4th 547 recently held that:

1. The construction of a city-operated facility for the benefit of a city's inhabitants with city funds (e.g. two fire stations by City of Vista) is quintessentially a municipal affair.

⁴ 8 CCR § 230.1 requires contractor on "public works contract" to hire persons in the State's apprenticeship program (unless an exemption for a different type of apprenticeship program is available through Labor Code 1777.5).

⁵ *California Federal Savings and Loan v. City of Los Angeles* (1991) 54 Cal.3d 1.

To: Executive Committee, League of California Cities Board of Directors
From: City Attorneys' Department, League of California Cities
Date: April 2, 2012
Page: 4

2. The state cannot require a charter city to exercise its purchasing power in the construction market based upon "some indirect effect [of the charter city's purchasing power] on the regional and state economies."

Vista made it clear that the legislature may not require a charter city to comply with the PWRL. In response, SB 7 chose to condition state funding on compliance with the PWRL.

Analysis

SB 7 places two conditions on state funding for charter city construction projects: (1) State funding may not be used if a charter city has a charter provision or ordinance that prohibits payment of prevailing wages on construction contracts⁶; and (2) State funding may not be used for a construction project if a city has awarded a public works project within the prior two years without requiring the contractor to comply with the PWRL.⁷

- **Authority to Impose Conditions on State Funding**

The Legislature may impose conditions upon grants or other financial assistance that dictate how the recipient uses state funding. Therefore, legislation requiring a charter city to comply with the PWRL on a public works contract for which it receives state funding would be lawful. An example of this type of requirement is found in Public Contracts Code § 2502, which requires a charter city to enter into a project labor agreement for public works contracts for which it receives state funding.⁸ But this authority to impose conditions may not be used to achieve an unconstitutional result.⁹

Immediately following the approval of Proposition 13, the legislature distributed surplus state funds to local agencies to make up for the reduction of property tax revenues to those agencies. However, the legislature prohibited the distribution of funds to any local agency granting its employees a cost-of-living wage or salary increase for the 1978-1979

⁶ Proposed Section 1782(a) at page 4, lines 10-14.

⁷ Proposed Section 1782(b) at page 4, lines 15-24. An exception is provided for a charter city that adopts a local prevailing wage ordinance that includes the requirements equal to the PWRL.

⁸ This conclusion was mentioned indirectly in *Vista* when the Court noted that the State could "use its own resources to support wages and vocational training in the State's construction industry." Note, however, that section Public Contracts Code § 2503, enacted one year following the enactment of § 2502, suffers from the same Constitutional infirmity as SB 7 (Steinberg). To be eligible to receive State funding for a public works contract, Public Contracts Code § 2503 requires a charter city to enter into project labor agreements for public works contracts funded exclusively with charter city funds.

⁹ *Sonoma County Organization of Public Employees v. County of Sonoma* (1979) 23 Cal.3d 296, 319 citing *Western Union Telegraph Co. v. Foster* (1918) 247 U.S. 105, 114; and *Caulfield v. U.S. Department of Agriculture* (5th Cir. 1961) 293 F.2d 217, 221 ("SCOPE").

To: Executive Committee, League of California Cities Board of Directors
From: City Attorneys' Department, League of California Cities
Date: April 2, 2012
Page: 5

fiscal year that exceeded the increase provided for state employees. In addition, the statute declared null and void any agreement by a local agency to pay a cost-of-living increase in excess of that granted to state employees. In *Sonoma County Organization of Public Employees v. County of Sonoma* ("SCOPE"), the Sonoma County Organization of Public Employees argued that these conditions were unconstitutional for two reasons:

- A condition invalidating agreements granting cost-of-living wage increases to local agency public employees is invalid as an impairment of contract in violation of both the state and federal Constitutions.¹⁰
- A condition limiting the authority of a charter city or charter county to determine the compensation of their employees is an invalid interference with the municipal affairs authority of charter cities and the authority of charter counties to provide for the compensation of their employees in violation of the state Constitution.¹¹

The Court acknowledged that the state was not under any obligation to distribute state funds to local agencies to assist them in resolving whatever fiscal problems were contemplated in the wake of Proposition 13. However, having taken on the obligation, the State must respect the Constitution. The Court invalidated the conditions because they violated the contracts clauses of the United States and Californian Constitution and because they interfered with the rights of chartered cities and counties to determine the compensation of their employees. The Court explained:

It is too well established to require extensive citation of authority that, while the state may impose conditions upon the granting of a privilege, including restrictions upon the expenditure of funds distributed by it to other governmental bodies (citations omitted), 'constitutional power cannot be used by way of condition to attain an unconstitutional result' (*Western Union Telegraph Co. v. Foster* (1918) 247 U.S. 105, 114).¹²

Acts generally lawful, such as imposing conditions on state funding, may become unlawful when done to accomplish an unlawful end.¹³

The payment of contract workers on public works projects by a charter city exclusively with its own funds is a municipal affair. The legislature cannot adopt a statute that requires a charter city to comply with the PWRL because such a requirement would be an unconstitutional interference with the municipal affairs authority of a charter city. SB 7 (Steinberg) conditions the receipt of state funds on a charter city's compliance with the

¹⁰ U.S. Const., art. I, § 10; Cal. Const. art. I, § 9.

¹¹ Cal. Const. art. XI, § 4 and 5.

¹² SCOPE at p. 319.

¹³ *Western Union Telegraph Co. v Foster* (1918) 247 U.S. 105, 114.

To: Executive Committee, League of California Cities Board of Directors
From: City Attorneys' Department, League of California Cities
Date: April 2, 2012
Page: 6

PWRL on public works contracts that are funded exclusively with charter city funds. The legislature cannot use its constitutional power to impose a condition on state funding to attain the unconstitutional result of overriding the municipal affairs authority of a charter city.

- **Authority to Impose Conditions on Federal Funding**

Much like the municipal affairs doctrine protects charter cities from unlawful state interference into their affairs, the 10th Amendment to the United States Constitution protects States from unlawful federal interference into their affairs.¹⁴

Congress may use its authority under the Spending Clause¹⁵ to grant federal funds to the States and may condition such grants upon the States taking certain actions that Congress could not otherwise require them to take. The conditions imposed by Congress ensure that the funds are used by the States to provide for the general welfare in the manner Congress intended.¹⁶ At the same time, the courts recognize limits on Congress's power under the Spending Clause: Congress cannot condition the use of federal funds to require the States to govern according to Congress' instructions. If it could, Congress would be using the Spending Clause to implement federal policy that it could not impose directly under its enumerated powers.¹⁷

Under the federal Patient Protection and Affordable Care Act, a State that opted out of the Act's expansion in health care coverage stood to lose all existing federal Medicaid funding. In their challenge to the Act, the States argued that this provision crossed the line distinguishing encouragement from coercion in the way the funding was structured. Instead of simply refusing to grant the new funds to the States that will not accept the new conditions, Congress also threatened to withhold those States' existing Medicaid funds. The States claimed that this threat served no purpose other than to force unwilling States to sign up for the expansion in health care coverage effected by the Act. The United States Supreme Court agreed.

Congress may condition the receipt of federal funds on the States' complying with restrictions on the use of those funds because that is the means by which Congress ensures that the funds are spent according to its view of the general welfare. But conditions that do not govern the use of the funds cannot be justified on that basis. The Court concluded that "when...such conditions take the form of threats to terminate other

¹⁴ "The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people." U.S. Const. Amendment X.

¹⁵ U.S. Const., Art. I, § 8, cl.1.

¹⁶ *New York v. United States* (1992) 505 U.S. 144, 166.

¹⁷ *National Federation of Independent Business v. Sebelius* (2012) 132 S.Ct. 2566, 2603.

To: Executive Committee, League of California Cities Board of Directors
From: City Attorneys' Department, League of California Cities
Date: April 2, 2012
Page: 7

significant independent grants, the conditions are properly viewed as a means of pressuring the States to accept policy changes.”¹⁸

Congress cannot override the States' protection under the 10th Amendment by coercing States into conduct by conditions imposed on grants of federal money. Likewise, the State legislature cannot override charter cities' protection under the municipal affairs doctrine by coercing charter cities into conduct by conditions imposed on grants of state funds.

Conclusion

The *Vista* decision made it clear that the State legislature may not enact a statute requiring a charter city to comply with the State's Prevailing Wage Rate Law. This is because the expenditure of city funds by a charter city to pay contract workers on a public works project is a municipal affair. The State Constitution protects charter cities from legislative interference into municipal affairs.

In order to receive state funds for a public works contract, SB 7 (Steinberg) requires a charter city to comply with the State's Prevailing Wage Rate Law on all of its public works contracts, even those that are funded exclusively with charter city funds.

The Legislature cannot accomplish indirectly what it is unable to accomplish directly.

c: Patrick Whitnell, General Counsel

¹⁸ *Id.*

City of Los Alamitos

Agenda Report Discussion Items

April 15, 2013
Item No: 9A

To: Mayor Warren Kusumoto & Members of the City Council
Via: Gregory D. Korduner, Interim City Manager
From: Windmera Quintanar, CMC, City Clerk
Subject: City Council Policy on Amendment of City Council Minute Format

Summary: On August 2, 2010 the City Council adopted Resolution 2010-16 which established the policy for Action Minute format. Mayor Pro Tem Graham-Mejia asked to agendize this item to readdress the format in which minutes are prepared. The item was postponed from the March 18, 2013 meeting. Additional information has been included regarding available technology.

Recommendation:

1. Fully implement action minutes as previously approved by Resolution 2010-16; or,
2. Approve implementing Summary Minutes and direct Staff to prepare a Resolution adopting such; or,
3. Approve implementing Verbatim Minutes and direct Staff to research the most cost efficient consultant to provide the transcription services.

Background

At the July 5, 2010 City Council meeting, the City Council requested that the City's current policy of using Summary Minutes as the formal record of the City Council be placed on a future City Council agenda for review and discussion. At that time, Council summary minutes included background information on the discussion items, brief summaries of public comments, and the action taken on the item. They were not verbatim minutes, but typically included a high level of detail.

On August 2, 2010, the Council adopted Resolution 2010-16 which established the policy for Action minutes, with the caveat that the recorded DVDs of the meeting would be permanently retained. To date, the Clerk's Office has not fully implemented action minutes. Minutes in their current form today are a combination of summary and action minutes. They include limited detail of the discussion and the action taken on the item.

Discussion

The City Clerk is responsible for preparing the minutes of the City Council meetings. Minutes are the official record of a meeting and reflect the type of meeting, when and where a meeting was held, beginning and ending times, officials present and absent, issues that were discussed, what action was taken, and how members voted.

Robert's Rules of Order In Brief notes, "...it is not necessary to summarize matters discussed at a meeting in the minutes of that meeting, it is improper to do so. Minutes are a record of what was done at a meeting, not a record of what was said." (p. 120).

Types of Minutes

Minutes can be action, summary, verbatim or a combination of these. Whatever the format, minutes should be accurate, brief, and clear. They should also be objective, consistent, include professional language, be easy to read and have a logical flow.

Action Minutes contain very little, if any narrative. They are the most accurate form of minutes as they only record the action that was taken on each item. There is not subjectivity on the part of the transcriber. The time involved in preparing action minutes is minimal and would allow the Clerk's Office to more efficiently use its time for other important day to day tasks.

Action minutes provide the necessary documentation of City Council actions and DVDs are retained permanently for those who might want more detail on discussion of a particular agenda item. The DVDs provide an accurate and comprehensive backup of City Council deliberations and citizen discussion.

Example of Action Minutes

Disposal of Surplus Equipment

This report brought forth a recommendation to dispose of surplus equipment.

City Manager White summarized the Staff report and answered questions from the City Council.

Mayor Green opened the item for public comment.

Brian Smith, resident, spoke in favor of the item.

Mayor Green closed the item for public comment.

Motion/Second: Smith/Green

Carried 4/1 (Brown cast the dissenting vote): The City Council declared the listed equipment as surplus, and authorize its disposal in accordance with the Los Alamitos Municipal Code.

Summary Minutes provide limited City Council/Staff comments as well as noting the members of the public in support or opposition to an issue. The amount of comments included can vary depend on the topic being discussed and the interpretation of the transcriber's intent. Summary minutes rely on interpretation by the transcriber to determine what is being said and which portions of the dialogue are important.

Summary minutes provide more background of what happened at the meeting, but have some inherent difficulties. They are labor intensive. The transcriber needs to decipher which comments are important for the official record and which comments should be excluded. The time it takes to prepare summary minutes takes much longer than the original meeting. Further, the transcriber must remain neutral when picking and choosing which comments carry more importance.

Example of Summary Minutes

Disposal of Surplus Equipment

This report brought forth a recommendation to dispose of surplus equipment.

City Manager White summarized the Staff report and answered questions from the City Council.

Council Member Smith asked if the items could be donated to a charity and thought it would be a good idea to do so. Staff responded in the negative.

Mayor Green opened the item for public comment.

Brian Smith, resident, spoke in favor of the item and stated he would like to see the items donated to charity as well. He felt it would be a good way for the City to give back to the community.

Mayor Green closed the item for public comment.

Mayor Green inquired why the items could not be given to charity. Staff responded it was a Council adopted policy to send the items to bid.

Council Member Smith asked that the policy be agendized for the next meeting for discussion.

Council Member Brown stated opposition and felt Staff could make due with the equipment on hand and should not be giving away anything that could be reused.

Motion/Second: Smith/Green

Carried 4/1 (Brown cast the dissenting vote): The City Council declared the listed equipment as surplus, and authorize its disposal in accordance with the Los Alamitos Municipal Code.

Verbatim Minutes are defined as "word by word". Every word spoken is recorded as provided in legal proceedings. Verbatim minutes are a detailed method of preparing minutes, which does not involve subjectivity on the part of the transcriber. They are very labor intensive and require a significant more amount of Staff time to transcribe. Without additional staff in the City Clerk's Office, verbatim minutes would be detrimental to the daily functions of the office. Should Council decide to adopt verbatim minutes, Staff recommends hiring a professional transcriber to provide the service.

Meeting Minutes Practice

Prior to 2010, Summary Minutes were prepared that contained a high level of detail. On occasion the minutes would not be prepared in time for approval at the next meeting and a back log of minutes to transcribe started to accumulate. In addition, minutes would often be pulled at the meeting for corrections without further guidance. The City Clerk would then try to coordinate with the Council Member that requested the changes. In some cases the minutes would come to Council for approval 2-3 times. At this time, there was a full time City Clerk and a full time Secretary to assist with the day to day responsibilities of the City Clerk's Office in addition to the preparation of these detailed minutes.

Currently, the City Clerk prepares a combination of Action and Summary minutes. In an effort to move towards the Council adopted policy of Action Minutes, the City Clerk has slowly been reducing the amount of comments provided for each report while trying to remain sensitive to the Council Members who would like to see more comments in the minutes. Currently, there is one full time City Clerk who manages the day to day responsibilities.

Preparation of Summary Minutes requires the City Clerk to watch or listen to the meeting; type the summarized discussion; edit, review and proofread the documents. Consistent with other cities' experiences, summary minutes average 2-3 hours of Staff time per hour of meeting time (depending on the complexity of the discussion). An average 4-hour meeting requires approximately 8-12 hours of Staff time for just the preparation of minutes. Should Council chose to return to a more inclusive and detailed form of Summary minutes, additional assistance will be needed in the City Clerk's Office to fulfill the day to day requirements of the position.

The problem inherent with Summary Minutes is that any commentary included for the official record is included at the discretion of the transcriber. The potential for misinterpretation of the discussion or inadvertent omission of relevant information is significantly greater compared to Action minutes. In addition, as the official City record, all information contained in the minutes could be used in any potential legal proceeding. Should Council decide to return to summary minutes, Staff would need specific direction regarding how much information to include. Those standards would be formalized in a resolution. Action minutes provide a clear picture of the action taken by Council and offer the most efficient use of Staff time.

Practice of Surrounding Cities

Staff contacted the Association of California Cities-Orange County to survey the minutes formats used by surrounding cities. Of the 8 cities that responded, 4 cities use action minutes format and 4 use summary minutes format. Examples from the cities that responded have been provided for Council's review.

City	Minute Format	Transcription Time for One Hour of Meeting	City Clerk Office Staff
Brea	Action	1.5 hours total	2 Full Time 1 Part Time
Cypress	Limited Summary	1.5 hour	2 Full Time
Huntington Beach	Detailed Summary	City Clerk Management Services - \$165/hour	4 Full Time 3 Part Time
La Palma	Limited Summary – No detail for public or Council comments	2 hours	2 Full Time
Laguna Niguel	Detailed Summary	3 hours	1 Full Time
Los Alamitos	Summary	2-3 Hours	1 Full Time
Mission Viejo	Action, with limited comment	2-5 hours total	3 Full Time 1 Part Time
San Juan Capistrano	Action	4 hours at the most	4 Full Time
Stanton	Action	1.5 hours total	1 Full Time

Available Technology

Information was requested regarding an agenda management system known as Granicus. Granicus offers a service known as Government Transparency Suite. This software would enable Staff to link the agenda (known as time stamping) to a specific point on the City Council recorded meetings. This process allows an interested party to jump to their particular item of interest versus having to review the entire recording. This software does not transcribe minutes.

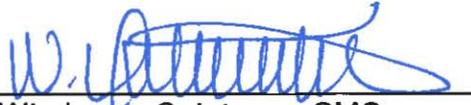
In addition to the agenda linking, the service includes an online search function, unlimited video and document storage, ability to time stamp live, and iLegislate (an iPad application for paperless agenda). The service includes one meeting location and unlimited bodies. This means the City Council and all Commissions would be able to utilize the software as long as the meeting was held in the Council Chamber.

Staff received a quote from Granicus for informational purposes. There is an upfront cost of \$4,600 for the Government Transparency Suite and a monthly cost of \$599.00. The monthly fee is based on the City's population.

Fiscal Impact

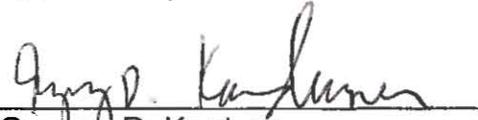
None at this time.

Submitted By:



Windmera Quintanar, CMC
City Clerk

Approved By:



Gregory D. Korduner
Interim City Manager

- Attachments:*
1. *Resolution No. 2010-16*
 2. *Granicus Information*