

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

**REGULAR MEETING – November 21, 2011**

**1. CALL TO ORDER**

The City Council met in Regular Session at 7:00 p.m., Monday, November 21, 2011, in the Council Chambers, 3191 Katella Avenue, Mayor Stephens presiding.

**2. ROLL CALL**

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

**Absent:** Council Members: None

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

**3. PLEDGE OF ALLEGIANCE**

Council Member Graham-Mejia led the Pledge of Allegiance.

**4. INVOCATION**

Council Member Poe gave the Invocation.

**5. PRESENTATIONS**

**A. Presentation by Orange County Water District Representative regarding an update on the Groundwater Replenishment System Expansion**

Phil Anthony, OCWD Board of Director Chair, gave an introduction of the project and introduced Michael Marcus, General Manager. Mr. Marcus gave a power point presentation and answered questions from the Council.

**6. ORAL COMMUNICATIONS**

Mayor Stephens opened Oral Communications.

JM Ivler, resident, gave a timeline regarding the formation of Citizens for a Fair Trash Contract and requested the City Manager forward his complaint to City Prosecutor.

Jody Shloss, resident, stated appreciation for the Orville Lewis Park fence, requested information regarding stipends for Council appointments be included on the website, stated support for the Groundwater Replenishment System

project, and requested clarification regarding Mayor Pro Tem Edgar's Orange County Sanitation District vote on pay increases.

Mayor Stephens closed Oral Communications.

**7. REGISTER OF MAJOR EXPENDITURES**

November 21, 2011.

Motion/Second: Edgar/Graham-Mejia

Unanimously Carried: The City Council approved the November 21, 2011, Major Expenditures in the amount of \$321,155.29

**Roll Call Vote**

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

**8. CONSENT CALENDAR**

All Consent Calendar items may be acted upon by one motion unless a Council Member requests separate action on a specific item.

Council Member Graham-Mejia pulled Item 8A.

Motion/Second: Poe/Edgar

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

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

**B. Warrants (Finance)**

The City Council approved the November 21, 2011, Warrants in the amount of \$ 44,465.91.

**C. Approval of Plans and Specifications and Authorization to Bid for Via El Mercado Street Improvements and Capital Improvement Project (CIP) Update**

This report recommended actions to begin facilitating the construction of Via El Mercado Street Improvements and provides a CIP update.

The City Council:

1. Approved the plans and specifications for the construction of Via El Mercado Street Improvements; and,
2. Authorized staff to advertise and solicit bid proposals; and,
3. Received and filed CIP update.

- D. Consideration of Options Regarding Award of Waste hauling Franchise and Second Reading and Adoption of Ordinance No. 11-10 – Amending Sections 2.60.130 and 8.12.015 of the Los Alamitos Municipal Code and Adding section 2.60.140 related to Award of Services contracts, Including Franchise Agreements for Solid Waste Collection Services (City Manager)**  
Staff recommended continuing the time to a future city Council meeting.

The City Council approved continuance to a future City Council meeting as the staff report was not ready at the time of posting the agenda.

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

- A. Approval of Minutes (City Clerk)**  
1. Approve Minutes of the Special Meeting – November 7, 2011.  
2. Approve Minutes of the Regular Meeting – November 7, 2011.

Council Member Graham-Mejia noted for the record she believed the minutes were incomplete and were not of use historically for future Councils because they were sparse in content.

Council Member Kusumoto referred to Item A2, page 7, and requested his statement end at "CJPIA Risk Forum."

Motion/Second: Poe/Kusumoto

Carried 3/2 (Graham-Mejia and Edgar cast the dissenting votes): The City Council:

1. Approved the minutes of the Special Meeting of November 7, 2011.
2. Approved the minutes of the Regular Meeting of November 7, 2011.

## 9. DISCUSSION ITEMS

- A. Consideration of City Council Holiday Meeting Schedule (City Manager)**  
Due to the holiday season, it is prudent to consider the City Council meeting schedule for January 2012.

City Manager Stewart summarized the staff report referring to the information contained therein and answered questions from the City Council. He stated due to the holiday, the Council Meeting up for consideration was January 3, 2012.

Mayor Pro Tem Edgar inquired what items would be on the December 5, 2011, meeting as Council Member Poe would be out of town. City Manager Stewart stated the two big items would be the trash contract and reorganization of City Council.

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

1. Canceled the January 3, 2012 City Council Meeting; and,
2. Authorized staff to issue advance warrants as deemed necessary to conduct the City's business.

**B. Governmental Accounting Standards Board Statement No. 54 fund balance classifications**

This staff report was presented to provide information to the City Council on the new GASB 54 reporting standard, and to formally adopt the City's definitions of reported fund balances.

Finance Director Agramonte summarized the staff report referring to the information contained therein and answered questions from the City Council.

Council Member Kusumoto inquired about classifications for the reserve policy. City Manager Stewart indicated that should be addressed at mid-year budget review.

Motion/Second: Edgar/Poe

Unanimously Carried: The City Council adopted GASB Statement 54 fund balance classification Resolution No. 2011-22, and the fund balance classification policy.

**C. Selection of City Representative on the Orange County Vector Control District Board of Directors (City Manager)**

Attached is a letter from the Orange County Vector Control District indicating that the term for the current City representative on the Board of Directors is expiring on December 31, 2011. The Vector Control District is requesting that the City reappoint the current representative or appoint a successor to the Board for a term of either two or four years.

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

Council Member's Poe and Graham-Mejia stated interest.

Mayor Pro Tem Edgar stated no interest and supported delegating a seated Council Member.

Mayor Stephens stated no interest.

Council Member Kusumoto inquired if there was a stipend. City Manager Stewart answered in the affirmative.

Council Member Kusumoto nominated Council Member Graham-Mejia for the Orange County Vector Control District Board of Directors position.

Council Member Poe and Graham-Mejia supported appointment of a two year term.

Council Member Graham-Mejia clarified eligibility to vote due to the stipend. She then seconded Council Member Kusumoto's motion.

Mayor Pro Tem requested further discussion and stated the importance of regular updates from the delegate.

Council Member Poe and Graham-Mejia gave their reasons for interest in the position.

Council Member Kusumoto reaffirmed his nomination for Council Member Graham-Mejia.

Council Member Graham-Mejia withdrew her second due to the stipend.

Motion/Second: Kusumoto/Stephens  
Failed 2/2 (Graham-Mejia abstained): Motion was to nominate Council Member Graham-Mejia for the Orange County Vector Control District Board of Directors position.

Mayor Pro Tem Edgar nominated Council Member Poe for the Orange County Vector Control District Board of Directors position.

Council Member Poe withdrew her interest in the position.

Motion/Second: Edgar/Stephens:  
Carried 4/0 (Council Member Graham-Mejia abstained): The City Council appointed Council Member Graham-Mejia to serve on the Orange County Vector Control District Board of Directors position for a term of two years.

## 10. MAYOR AND COUNCIL INITIATED BUSINESS

### A. Conference and Meeting Report – California Joint Powers Insurance Authority Annual Risk Forum (W. Kusumoto)

I attended the California Joint Powers Insurance Authority Annual Risk Forum Indian Wells from October 26-28, 2011 where information and training was provided. The cost of this training was covered by the JPIA.

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

The City Council discussed paying into the reserves, liability, and social media.

The City Council received and filed the report.

## **Council Announcements**

**Mayor Pro Tem Edgar** responded to Ms. Shloss' request and stated his rationale for changing his vote from yes to no was due to an opportunity for pension reform. He reported attendance at the State of the City Lunch and ACC-OC City Selection meeting. He recommended Council take a consistent approach in regards to supporting the GWRs Initial Expansion.

**Mayor Stephens** reported attendance at the following events: 1) Eagle Scout Ceremony; 2) OCFA Board of Directors Meeting; 3) OCFA Budget and Finance Committee Meeting; and, 4) State of the City Lunch. He thanked Council Member Poe for attending DaVita's Grand opening and thanked staff for insuring McDonald's quick reopening.

**Council Member Graham-Mejia** reported attendance at the State of the City Lunch and inquired what needed to be done to get stipend information on the website. City Manager Stewart indicated it would be done.

Council Member Graham-Mejia asked for more information regarding Johnny Reb's involvement with the Race on the base. Community Services Director Avery gave a brief explanation of the in-kind services that would be provided during the Race and the discount available to past and present race participants.

Council Member Graham-Mejia stated Community Services was offering an "I" class. She indicated she supported the GWRs Initial Expansion project, but did not support increased rates at this time.

**Council Member Kusumoto** congratulated the Los Alamitos High School Girls Volleyball team for winning the Division 1A Championships. He reported attendance at the State of the City Lunch. He expressed interest in looking at solar panels from a City policy standpoint and inquired if the City was whole in terms of being reimbursed for legal fees associated with lawsuit regarding the trash contract. City Attorney Levin responded in the affirmative.

**Council Member Poe** reported attendance at the DaVita Grand Opening, congratulated the Girls Volleyball team, and inquired about Christmas decorations. City Manager Stewart recommend discussing decorations at the mid-year budget review due to the timing and associated cost.

The Council briefly discussed solar energy.

Council Member Graham-Mejia supported holiday decorations and suggested a tree lighting ceremony for the community.

Council Member Poe stated as part of Picnic at the Plaza, there would be holiday events at St. Isidore Plaza on December 8<sup>th</sup> and 15<sup>th</sup>.

## **11. ITEMS FROM THE CITY MANAGER**

None.

**12. CLOSED SESSION**

**Conference with Legal Counsel**

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

- A. Public Employment  
Title: City Manager/Interim City Manager  
Authority: Government Code Section 54957
- B. Existing Litigation (G.C. 54956.9(a))  
Name of Case: City of Los Alamitos vs. Citizens for a Fair Trash Contract  
Case Number: Orange County Superior Court Case #00420414  
Authority: Government Code Section 54956.9(a)

The City Council recessed into Closed Session at 8:37 p.m.

The City Council reconvened in Regular Session at 11:54 p.m.

No reportable action was taken.

**13. ADJOURNMENT**

Mayor Stephens adjourned the City Council Meeting at 11:55 p.m. The next meeting of the City Council is scheduled for Monday, December 5, 2011, in the City Council Chambers.

  
Kenneth Stephens, Mayor

ATTEST:

  
Windmera Quintanar, Department Secretary