

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

REGULAR MEETING – July 18, 2011

1. CALL TO ORDER

The City Council met in Regular Session at 7:01 p.m., Monday, July 18, 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 Levin, City Attorney
Anita Agramonte, Finance Director
Angie Avery, Community Services Director
Dave Hunt, City Engineer
Adria M. Jimenez, City Clerk
Todd Mattern, Police Chief
Steven Mendoza, Community Development Dir.

3. PLEDGE OF ALLEGIANCE

Council Member Poe led the Pledge of Allegiance.

4. INVOCATION

Council Member Graham-Mejia gave the Invocation.

5. ORAL COMMUNICATIONS

J.M. Ivler, resident, commented on the City's website upgrade and provided recommendations on the process.

Judy Klabouch, business resident, thanked Council Members Kusumoto and Poe and Mayor Pro Tem Edgar for attending the Chamber Mixer at Los Alamitos Eye Care; advised the next mixer will be at St. Isidore's; and, the Legislative Mixer will be August 25th in Stanton; she thanked Los Alamitos Eye Care for sponsoring Los Alamitos in the Legislative Mixer. She advised the Chamber is coordinating the Wings, Wheels, and Rotors event and provided sponsorship information.

Dave Emerson, resident, commented on community outreach for the Los Alamitos Boulevard Revitalization project and asked a series of town hall meetings be held to discuss the vision for the City.

John Underwood, resident, reported on the Relay for Life event; and, asked the LATV Studio be re-opened for editing and production use.

Jeff Stewart, City Manager, advised LATV Studio is open and anyone who is trained to operate the equipment has the ability to do that with a qualified producer; and, Mr. Underwood is able to enter the studio at any time.

Javier Mejia, resident, asked for information on the City's graffiti removal plan; thanked the City Council for agendizing the Lexington Avenue issue; and, asked for information on speeding in the alleys.

Mr. Stewart advised graffiti is removed by in-house staff, and is done on an as-needed basis. He stated he will obtain information from Mr. Mejia regarding the graffiti locations and issues.

Steven Mendoza, Community Development Director, advised last week the Traffic Commission approved a pilot project installing speed humps in the alley.

Brad Taylor, resident, spoke in regards to Lexington Avenue and the agreement with the City of Cypress and stated the City should remove the traffic sign and not amend the agreement with Cypress and Cottonwood.

6. REGISTER OF MAJOR EXPENDITURES

July 18, 2011.

Motion/Second: Poe/Edgar

Unanimously Carried: The City Council approved the Register of Major Expenditures for July 18, 2011, in the amount of \$398,212.07.

Roll Call Vote

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

7. CONSENT CALENDAR

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

Council Member Graham-Mejia pulled Consent Calendar Items #7A and #7B.

All Consent Calendar Items were pulled for discussion.

A. Approval of Minutes

1. Approve Minutes of the Special Meeting – May 16, 2011.
2. Approve Minutes of the Special Meeting – June 13, 2011.
3. Approve Minutes of the Regular Meeting – June 6, 2011.

Council Member Graham-Mejia made reference to the meeting minutes and expressed her opposition to action minutes. She would like the minutes to have more reflection so there is a history for future Councils to go from.

Mayor Pro Tem Edgar asked for information on the definitions of absent and excused.

City Clerk Jimenez advised absent is when a member does not show up for a meeting and does not provide advance notice; and, excused is when the member provides notice before the meeting that the member will not be in attendance.

Motion/Second: Edgar/Poe

Carried: 4/1 (Graham-Mejia "No")

1. Approved Minutes of the Special Meeting – May 16, 2011.
2. Approved Minutes of the Special Meeting – June 13, 2011.
3. Approved Minutes of the Regular Meeting – June 6, 2011.

B. Warrants

July 18, 2011.

Council Member Graham-Mejia referred to the warrant for bee abatement and asked for additional information on the possibility of increased bees in the City.

Mr. Stewart advised he does not believe there is an infestation of bees in the City, and will look into the concern further.

Council Member Graham-Mejia referred to page 6, Samuel J. Wells, attorney services.

Jeff Stewart, City Manager, advised the expenditure is for a personnel investigation.

Motion/Second: Graham-Mejia/Kusumoto

Unanimously Carried: Approved the Warrants of July 18, 2011.

8. DISCUSSION ITEMS

A. Consideration of Proposals to Conduct Outreach Related to the Los Alamitos Boulevard Revitalization Project

The following is a summary of the consultants considered to complete the City's Outreach Program related to the Los Alamitos Boulevard Revitalization Project in response to the City's Request for Proposal (RFP).

Council Member Poe recused herself from this item because she owns property within 500' of the project location. Council Member Poe stepped down from the dias.

Council Member Graham-Mejia stated she conducted research and she does not have a conflict in regard to this item.

Mayor Stephens opened this item for public comment.

J.M. Ivler, resident, spoke in opposition of this item and requested his letter be attached to the meeting minutes.

Brad Taylor, resident, spoke in opposition of this item.

Judy Klabouch, business owner, spoke in favor of this item.

Javier Mejia, resident, spoke in opposition of this item.

Dean Grose, resident, spoke in favor of this item.

Having no one else wishing to come forward to speak, Mayor Stephens closed this item for public comment.

Steven Mendoza, Community Development Director, summarized the staff report and answered questions from the City Council.

After Council discussion, the following motions were made:

Motion/Second: Edgar/Stephens

Tie Vote/No Action: 2/2 (Graham-Mejia/Kusumoto "No")

Authorize the City Manager to approve a Professional Services Agreement with RBF Consultants for the Outreach Component of the Los Alamitos Blvd. Revitalization project at an amount not to exceed \$35,800.00.

Motion to Reconsider/Second: Edgar/Stephens

Tie Vote: 2/2 (Graham-Mejia/Kusumoto "No")

Allow additional discussion on this item.

City Council Members commented further on this item.

The original motion stands:

Motion/Second: Edgar/Stephens

Tie Vote/No Action: 2/2 (Graham-Mejia/Kusumoto "No")

Authorize the City Manager to approve a Professional Services Agreement with RBF Consultants for the Outreach Component of the Los Alamitos Blvd. Revitalization project at an amount not to exceed \$35,800.00.

Mayor Stephens requested the City Attorney provide an interpretation of the action on this item.

City Attorney Levin advised that tonight the City Council was given a proposal for the retention of a firm to conduct outreach. The City Council voted 2/2, which means no action was taken and the contract will not be executed. There will be no outreach program conducted. Staff has said they will consider the input given by Council this evening and will bring back an item if they can find a way to move forward with this item and present something else for Council otherwise the project at this moment is stalled.

Mr. Stewart clarified the public outreach portion of this project, as originally conceived, is for the moment stalled.

Mayor Pro Tem Edgar requested additional clarification.

Mr. Stewart advised there was no decision made on the approval of this professional services agreement to conduct public outreach as staff conceived it originally – no action will be taken. As for the remainder of the project, staff is going to move forward. The public outreach portion, right now, for the moment is dead.

Council Member Graham-Mejia requested the additional parts of the project be agendized.

Mr. Stewart advised if he is going to agendize this item, he is going to agendize the tasks staff are working on and continuing to work on, and if the Council wishes to do so they can make a decision at that point to carry-on, but until such time staff is continuing to work on the project.

Council Member Graham-Mejia requested everything staff is working on with regards to this project be agendized so council can address the project piece-by-piece.

B. Approval of Professional Services Agreement with Watershed Conservation Authority, for Project Manager and Construction Manager Services of Coyote Creek Park

The City is seeking to construct a low impact recreation parkway area in the SCE right-of-way along the Coyote Creek, behind Oak Middle School. Toward that end, the City has received a grant from the Rivers and Mountains Conservancy (RMC) in the amount of \$1,440,000. To complete the project, it is necessary to obtain approvals from numerous agencies, including the Southern California Edison Company, the Orange County Flood Control District, Los Angeles Flood Control District, Golden State Water Company and other entities. To date, those approvals have been very difficult to coordinate. With a looming deadline for construction on June 1, 2012, the RMC recommended strongly that the City utilize a project manager from the Watershed Conservation Authority (WCA) and agreed that compensation for that project manager would be a reimbursable part of the project. Accordingly, staff is requesting that the City hire the Watershed Conservation Authority (WCA) to help the City get the project finished within the time frame of the grant.

Steven Mendoza, Community Development Director, provided a staff report and answered questions from the City Council.

Mayor Stephens opened this item for public comment.

Dean Grose, resident, provided a historical prospective on this item.

Having no one else come forward, Mayor Stephens closed this item for public comment.

After Council discussion, the following motion was made:

Motion/Second: Graham-Mejia/Stephens

Unanimously Carried: Authorized the City Manager to execute a Professional Services Agreement with Watershed Conservation Authority, in the amount of \$99,656 to be Project Manager and Construction Manager. The funds required would be fully reimbursed by the Rivers and Mountains Conservancy.

C. Approval of Lease Agreement between Southern California Edison (SCE) and the City of Los Alamitos for the Coyote Creek Park

The City is seeking to construct a low impact, recreation parkway area in the SCE right-of-way along the Coyote Creek behind Oak Middle School, with a \$1,440,000 grant received from the Rivers and Mountains Conservancy (RMC). To complete the project, it is necessary to obtain a lease agreement from the Southern California Edison Company. The City Attorney has reviewed the draft lease and finds it acceptable for the purposes of a low impact, recreational parkway.

Jeff Stewart, City Manager, provided the staff report and answered questions from the City Council.

After Council discussion, the following motion was made:

Motion/Second: Graham-Mejia/Edgar

Unanimously Carried: Authorized the City Manager, City Attorney and City Clerk to sign the lease.

RECESS/RECONVENE

Mayor Stephens recessed the City Council Meeting at 9:00 p.m. At 9:11 p.m., Mayor Stephens reconvened the City Council Meeting with all Council Members present.

D. Steps Necessary to Modify Intersection at Lexington Drive and Katella Avenue to Allow Southbound Lexington Drive Traffic to Travel through the intersection into the Apartment Row Neighborhood

On January 18, 2011 Councilmember Mejia requested staff to research methods of modifying the traffic signal at the intersection of Lexington Drive and Katella Avenue to allow southbound traffic to cross Katella Avenue into the Apartment Row neighborhood. In researching the issue, staff learned that the traffic signal was constructed to not allow through traffic on southbound Lexington Drive in compliance with the terms of a three-party agreement between the cities of Los Alamitos and Cypress, and Cottonwood Church. Because the modification, if effected would require a change in the street markings on Lexington Drive, immediately north of Katella Avenue, staff was obligated also to discuss the issue with Arrowhead Products, with whom the City has a separate agreement regarding traffic modifications.

Staff researched the request by Councilmember Mejia, determined that modification of the signal to allow southbound traffic on Lexington Drive, south of Katella Avenue would provide additional convenience to persons living in the Apartment Row and Carrier Row neighborhoods, and met with the affected

parties seeking input and concurrence. Accordingly, staff has prepared draft letters to the City of Cypress, Cottonwood Church, and Arrowhead Products requesting the modification discussed above in exchange for modifications of the three-party agreement that reflects additional traffic modifications requested by the City of Cypress and Cottonwood Church.

Mayor Stephens requested City Attorney Levin advise which Council Members might possibly have a conflict on this item.

City Attorney Levin advised there are three out of five Council Members with potential conflicts, each at different sites. The main issue tonight is regarding modification of the signalization at Lexington and Katella and there was an issue raised as to whether Council Member Graham-Mejia has a conflict. There is a subsidiary issue that is the center island in front of 24-Hour Fitness on Katella, and so there is a question raised as to whether Mayor Stephens has a conflict there because of his employment with 24-Hour Fitness. And, there is an additional condition that is proposed for consideration that is at Katella and Enterprise and there is a question as to that condition as to whether Council Member Poe has a conflict of interest based on real property owned. The City Attorney stated that what she would propose in terms of process is that the City Council break this item into pieces so that everyone can participate in as much of the item as they possibly can, and consider first the question of whether the City would like to request changes to the signalization at Lexington and Katella and if the answer to that is yes, then go through and consider whether the various conditions, one at a time, are acceptable to the City as a price to pay to get that deal to change the signalization at Lexington and Katella. In that way, each Council Member can participate in as much as the decision as possible and if there is a condition under discussion that you have a conflict with, then Council Members can sit out that portion of the discussion.

Council Member Graham-Mejia asked for a point of clarification: She stated she reviewed the staff report and her hope is to have the Council instead of addressing all the issues, just address the one issue where the City solicits the right to go forward with nothing else, and handle these items individually, that way the Council does not need to discuss the other items. We send the letters to Cottonwood and Cypress without any of the recommendations and see what we get from there first.

City Attorney Levin advised that would be one possible outcome of the discussion that would happen. She advised her proposal is not a summative one; it is not suggesting any outcome one way or the other. She is suggesting a process that would allow for maximum participation. She stated she understands that Council Member Graham-Mejia has discussed with the Fair Political Practices Commission (FPPC) and determined that she does not have a conflict with respect to this issue based on facts beyond her knowledge; that is fine and if the FPPC has cleared it then Council Member Graham-Mejia can participate. She advised the City Council can move forward at this time.

Mr. Stewart suggested the Council hear the staff report first, make a determination of whether you want to move forward on the first part, and then if there is going to be discussion on the conditions, consider those after the fact.

City Attorney Levin clarified the Council would have a discussion on whether they would want to request changes to the signalization at the intersection. If the answer is yes, then a discussion needs to be had about whether the Council would want to consider other conditions at this point in time. If the answer to that is yes, then Council would discuss the specific conditions and Council Member Poe and Mayor Stephens might need to step out for their respective conditions.

Council Member Graham-Mejia advised she contacted FPPC and they gave her the section of the Political Reform Act she needed to review and that is where she obtained her information from, believing she is cleared from this.

Steven Mendoza, Community Development Director, provided a staff report.

Mayor Stephens opened this item for public comment.

J.M. Ivler, resident, spoke in opposition to amending the agreement with the City of Cypress.

Shelly Henderson, Cypress resident, provided information on how she travels from Cypress to The Base; and spoke in support of this item.

Having no one else come forward, Mayor Stephens closed this item for public comment.

City Attorney Levin provided additional information regarding obtaining her opinion on conflicts of interest, the different types of conflicts of interests, and answered questions from the City Council.

Council Members commented on the thru-way of Lexington.

City Attorney Levin advised if the City Council is going to expand the conversation beyond the first item, City Council will need to address the conflicts of interests.

Motion/Second: Graham-Mejia/
Died for lack of a second.

Move forward with a letter to the City of Cypress with no concessions asking them to state why they feel the recommendation is unreasonable, and, if they have reasons to please list them so the City of Los Alamitos can address those.

Mr. Stewart reconfirmed that this item is a policy decision on whether the City would like to move forward and try to open up a three-party agreement and amend it or not.

Additional discussion ensued.

Substitute Motion/Second: Kusumoto/Graham-Mejia

Ask the City of Cypress for permission to alter the intersection without offering any other concessions from Los Alamitos.

Council Member Graham-Mejia requested a point of clarification: she asked the City Manager if Cypress has already made it clear that they are not interested in doing that without the concession.

Mr. Stewart stated what the City of Cypress made clear was that they have motivations and Cypress believes they were saddled with overweening concerns as well. Mr. Stewart stated he is speculating and would have no idea what they would officially say.

Amendment to the Substitute Motion/Second: Edgar/Poe

Discuss one item at a time and work towards the conditions. Ask the City Council for reconsideration that a motion be made on the original strategy, which is a vote to go with Lexington signal change, as recommended in the staff report and that we would take the conditions separately as agreed.

Mayor Pro Tem Edgar relinquished his amendment to the substitute motion and asked Council Member Kusumoto for consideration on his original substitute motion that the City would move forward with whether we want to approve the Lexington project at this point, and handle the conditions brought forward by the City Manager on the next vote to see if there is a problem moving forward.

Council Member Kusumoto requested Mayor Stephens call for the vote.

Substitute Motion/Second: Kusumoto/Graham-Mejia

Defeated: 0/5 (Graham-Mejia, Kusumoto, Poe, Edgar, Stephens "No")

Ask the City of Cypress for permission to alter the intersection without offering any other concessions from Los Alamitos.

Additional discussion ensued.

Motion/Second: Edgar/Poe

Carried: 4/1 (Graham-Mejia "No")

Move forward with the Lexington signal fix as recommended in the staff report and address the potential conditions in the following actions individually.

Council Member Poe requested information regarding FPPC advice and conflicts of interests.

City Attorney Levin provided information on the Public Generally Exception.

Council Member Poe advised she has a conflict of interest at the request to install a signal at Katella and Enterprise.

City Attorney Levin advised the City Council in the original agreement there is language that states some of the actions that the City would have to take are administrative and some of them are discretionary and require more of a public process. If there is anything related to any of the conditions that is a

discretionary approval that requires public notification or allows for public input, you cannot agree to it in a letter. Similar to the language in the settlement agreement, you would have to allow for due process and public hearings on those items. As we go through and discuss each of the items, Council will need to review each one to see if it is a concession the City can guarantee without going through a further process. We will do that as we review each item.

Mayor Stephens asked City Attorney Levin for her legal opinion on whether or not he has a conflict.

City Attorney Levin advised whether or not Mayor Stephens has a conflict on some of the numbers involved.

Mayor Stephens asked what constitutes the conflict. He explained he no longer works at that location and happens to work for a company.

Levin advised it is not a matter of location; it is who pays your salary.

Motion/Second: Edgar/Poe
Include Item #1 in, as noted in Attachment 4, in the letter.

Additional discussion regarding the motion ensued.

Amended Motion/Second: Graham-Mejia/
Agree to allow the City of Cypress to discontinue the traffic study every year to a 5-year component matched with the numbers and in 5 years it be revisited.

Mayor Pro Tem Edgar requested clarification on the motion.

Mr. Stewart clarified Council Member Graham-Mejia's motion and Item #1.

Council Member Graham-Mejia rescinded her amended motion.

Additional Council discussion ensued regarding the traffic study noted in Item #1 of Attachment 4 and the project.

Mayor Pro Tem Edgar withdrew his motion.

The City Council reached a consensus to include Item #1 in the letter.

Mayor Stephens advised the Council will now review Item #2, as noted in Attachment 4; and, requested an additional explanation from the City Attorney regarding whether or not he has a conflict of interest.

City Attorney Levin provided Mayor Stephens with her assessment of whether or not he has a conflict of interest.

Mayor Stephens recused himself from voting on Item #2, as noted in Attachment 4. Mayor Stephens stepped down from the dias.

Mayor Pro Tem Edgar read Item #2 for the City Council, and noted this is a "soft" approval, not a legislative approval of this process.

Mayor Pro Tem Edgar opened this item for public comment. Having no one come forward, Mayor Pro Tem Edgar closed this item for public comment.

Mayor Pro Tem Edgar opened this item up for Council discussion. Each Council Member commented on Item #2 and expressed their support or opposition to the project.

Mayor Pro Tem Edgar advised he was going to make a motion on approving staff's recommendation.

Council Member Poe advised she needed to step down from the dias as Mayor Pro Tem Edgar's motion would include items in which she has a conflict of interest. Council Member Poe stepped down from the dias.

Motion/Second: Edgar/

Died for lack of a second.

Approve staff's recommendation as noted in the staff report.

Mayor Stephens and Council Member Poe returned to the dias.

Motion/Second: Graham-Mejia/Kusumoto

Carried: 3/2 (Edgar/Poe "No")

Close this item and deny staff's recommendation; and, continue dialogue with Cottonwood and the City of Cypress regarding the items on which Council previously reached a consensus.

Mayor Pro Tem Edgar asked the following statement be placed into the record:

"I Believe we missed a tremendous opportunity to bridge the gap with Cypress and better our community and I think we are still letting the past get in the way and I hope that this council will start to move forward in the future."

Council Member Graham-Mejia asked the following statement be placed into the record:

"I tried to dispel the belief that there is somehow some vendetta which was mentioned by one of the Council Members. We're looking out for the safety and benefit of this community and while we would like to support Cypress when we can, this is not a time when we can do that. We've tried to make concessions here tonight and have been told that they are not adequate and I think that tells us what cypress is willing to do and not do."

9. MAYOR AND COUNCIL INITIATED BUSINESS

Council Announcements

Council Member Poe stated she was sorry she was unable to attend the Relay for Life, but was happy with hearing the event was well-attended; advised she attended the services for resident Mary Cook; and, suggested Suburbia residents who are planting trees to obstruct the view of the new JFTB buildings, be selective in the type of tree they choose.

Mayor Pro Tem Edgar reported he attended the Precious Life event and thanked staff for their work on the event and program; reported on his attendance at the OCSD Committee Meeting; commented on his attendance at the Relay for Life event and the Luminaria Ceremony; thanked the City Manager for setting up the meeting with residents from Suburbia regarding the construction at JFTB; stated the City has been receiving request to conduct joint trapping at the base and asked the City Manager to provide an update; commented on a note received from a Greenbook resident regarding a pine tree; and, provided an update on redistricting and thanked those who sent letters to the Commission.

Mr. Stewart, advised the City will be starting the trapping of coyotes on Monday, and JFTB will allow access to the base.

Mayor Stephens reported on his attendance at the Relay for Life event and thanked John Underwood for his coverage of the event; reported on the OCFA Budget and Finance Committee Meeting; reported on the appointment of new City Commissioners; and, further explained why he recused himself from voting earlier.

Council Member Graham-Mejia asked when resurfacing of Apartment Row was last conducted and advised there are many cracks and patches in the area and also noticed there are no stripes down the street; stated she was not informed there was a press release in regards to the trash contract litigation and stated residents are advising there were two versions to the press release; asked questions submitted by a resident be included in the Minutes under her Council Comments; and, commented on the issue at Lexington and stated the concern is not only the traffic, but also the penalty for the traffic violation and asked the City look at the possibility of clarifying the signage. Council Member Graham-Mejia clarified a statement that she was asking for the Lexington traffic issue to be taken care of to benefit Carrier and Apartment Rows; clarified a Traffic Commission staff report which stated Council Member Graham-Mejia requested that the alley on Green between Lexington and Noel be the site for the speed humps – she advised that was not the case. Council Member Graham-Mejia stated she was unable to attend the Relay for Life and thanked the American Cancer Society for the pin she received in support of the Relay for Life. Council Member Graham-Mejia congratulated the new City Commissioners.

Council Member Kusumoto reported on his attendance at the Relay for Life Opening Ceremonies and commented on the keynote speaker's remarks; advised he will be attending the JPIA Executive Committee Meeting on Thursday.

Questions for City Staff

Res 610 was based on CUP 06-06. What were the terms and conditions associated to the original CUP request in terms of the days of the week that the Farmers Market would operate and times of operation?

Who was the CUP granted to in Res 610? Who is currently using the CUP/Res 610?

If the CUP was transferred under the original terms of use, is that a standard for the City? Does the City normally transfer a CUP. Was the CUP transferred from Tony Roma's to Madaras? Did that restaurant meet the parking code requirements when the transfer took place? Have there been any queries from food establishments to transfer the CUP on the old Denny's property? If so, what has been the determinations? What has been the city policy in regards to any such queries?

Is there a recognized process or regulations that allows the transfer of a CUP from one entity to another, and what is that process or are those regulations?

Are the traffic patterns different in the area covered by RES 610 between Thursday night and Sunday day times?

While it is in the best interests of the City to help a business in any way we can, what are the policies regarding the promotion of business using city services, like the city web site, and city staff, like the Director of Recreation for promotion of their event? Who pays for the services of the city, do these city services have to be approved for use before they are given, and if so, by whom? Is there a standard policy established to ensure that there is no transfer of City funds, in either city services or staffing, to non-City entities, and what is that policy?

Who generated the images that are being used to promote the Thursday food truck event on the City web site?

Who approved the use of the City's web site for the promotion of Thursday food truck event?

Who approved the use of the City's web site on the promotional images used for the Thursday food truck event that are on the City web site?

Who approved the text/copy on the City web site promoting the Thursday food truck event?

If the text/copy/images on the City web site that promote the Thursday food truck event are updated, who is responsible for (1) creation of content, (2) approval of content and (3) updating the content?

Who approved the Department of Recreation as the promotional outlet (releasing press releases) to the Thursday food truck event?

Who is responsible for monitoring the sale and use of alcohol at the Thursday food truck events?

What police services have we provided to monitor the sale and use of alcohol at the Thursday food truck events?

If a minor is found to have been served alcohol at the Thursday food truck event, what is the policy for handling such an occurrence? What is the policy for the City against the ABC licensee in the immediate

moment, as well as longer term? Who has responsibility for insuring that there is no use or sale of alcohol to minors at the Thursday food truck event?

The City promoted the Thursday food service event in which a portion of the proceeds were promoted as donated to a cause (the family of a slain officer). What was the process used to involve the city in the promotion? What was the process to determine the donation and the amount of the donation? Who, if anyone, was involved from City staff, or representing the City of Los Alamitos, and what was their involvement?

Is there a process or policy that any non-profit may use to have the city involved in their events to the level that the City has been involved in the Thursday food truck event? Is that policy published? What historical references can be provided showing that such promotion was done without the direction of City Council?

Has any person on City Council, or on a City Commission approached City Staff and requested services from Staff above what could be requested by anyone "over the counter", and could be considered "under color of authority" with regards to the Thursday food truck event?

07/18/11

City of Los Alamitos

The RFQ and the Bid for the public outreach has all the appearances of being nothing more than an attempt to "sell" the community a deal that has already been decided upon.

In a well defined setting, with deep moderation, a very limited set of proposals and options will be presented to the community for their consideration. It does appear shocking that in neither the RFQ or the Bid is there one comment or suggestion that any such presentations be "fair and balanced" with any part of the presentation to or the polling of the people seeking to determine if there is a desire to even continue with this project.

In order to achieve balance, in each meeting there must be in the presentation a clear brief discussion that this is not a done deal; that the people have the right to say that they do not want to do this project and that the people have the right to tell City Council how this project must be funded if the project goes forward.

At each meeting the people should have the ability to respond to the following poll questions:

- 1) Do you support the City of Los Alamitos proceeding on this project?*
- 2) Do you wish to keep Los Alamitos Blvd as it is now rather than the options presented?*
- 3) Do you support having current Los Alamitos reserves used to fund this project?*
- 4) Do you support a binding public vote on this project before the City of Los Alamitos commits to the project?*
- 5) Do you support a binding public vote on the funding of this project?*

6) Do you support having a bond issued, based on a popular vote, rather than using existing reserves to fund this project?

There are two different issues here that need to be addressed by the meetings that are not in any way addressed in either the RFQ or the bid proposal.

The first is that the people must be given the opportunity to say that they do not want to continue down the road with this project. The second is that the people have a right to say that they do not wish to have their tax dollars spent on this project. Or that they wish to tax themselves with a special bond issue to support this project.

Without providing these options to people, and discussing these options with people who come to these meetings, the meetings are nothing but a public relations effort paid for with citizens tax dollars. The current RFQ and bid proposals create the impression that there is no other option than continuing with the project, and that there are no other options than having our tax dollars from the reserves spent on this project.

Both of the above are false, and to present the project in that way is to manipulate the opinions of members of the community. It's not outreach, it's a snow job. It's not about getting the citizens involved and getting their opinions, it's about selling an idea that may hurt the community without full disclosure. It's about letting people think that they have input, when the decisions have already been made and they are being taken for a ride.

In addition I have enclosed examples of two fliers that if this was a citizen driven town meeting, like those involving Cottonwood's development and the LART, would be distributed on doorsteps. The first (a) is designed for distribution to homeowners and businesses in the community. The second (b) is designed to be sent home with every student who attends a school in the LAUSD.

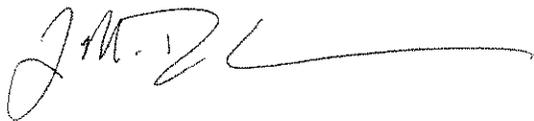
The goal of these fliers is to ensure that the greatest number of voices within the affected community have been presented with a reason to take action and attend the meetings, and to provide input into the questions that are NOT in the RFQ or bid proposal.

It is the other side of the snow job that was requested and the snow job and PR campaign that was presented in the bid proposal. It is a request that the citizens get up, get involved and make decisions that will affect their long term best interests as citizens.

Historically, when "managed campaigns" are run in this community, they are done so that the people managing them can get the outcomes that they desire. One need look no further than the "outreach" of the LAMC in their development plan, or the JFTB in their composting plan.

In much the same way, when the people have been provided with the facts and have been told that they are important to the process, community-based meetings have had drastic positive effect of getting input from all participants that has made its way into the decisions and processes of the City of Los Alamitos. One need look no further than the Cottonwood-Cypress-LosAl LART meetings and the input that they generated to the negotiations. Or the meetings on the LA Sheriff's Department moving their helicopter operations to the JFTB.

This outreach has all the stink of the former, and not one iota of intent of the latter from all documentation made public at this time. One would have hoped that the Council Majority would have learned from the past and the solid waste franchise agreement that not listening to the people is not in the best interests of the community. One would have hoped that the idea of railroading a preconceived notion was all but dead in Los Alamitos.



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JMI/ns

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The City of Los Alamitos
is considering making changes
to Los Alamitos Blvd between
Katella Ave and Ceritos Ave.

Please attend a meeting on: mm/dd/yyyy
The meeting will be held from: 12:00-12:00
The meeting will be at: Los Al Rec Center

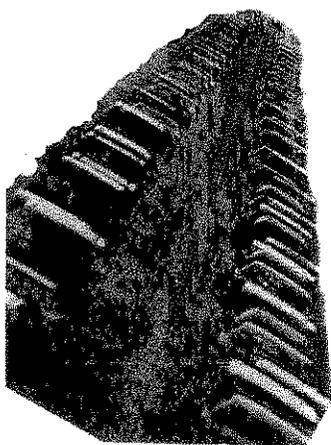
What will it cost?

Who will pay for it?

More Traffic and Less Parking?

Why we should and shouldn't do it.

Your input is wanted and needed. Now!



**IT'S YOUR FUTURE
AND NOW YOU HAVE A CHANCE
TO DIRECT IT!**

**Are your kids going to LAHS?
Will your kids be going to LAHS?
If you live South of Katella Ave.
There is a meeting you **MUST** attend**

The City of Los Alamitos is considering changes in Los Alamitos Blvd. between Katella Ave and Cerritos Ave

All students *NOW* and into the future who travel along Los Alamitos Blvd from South of Katella Ave
WILL BE AFFECTED

Do not miss this meeting!

When:

Where:

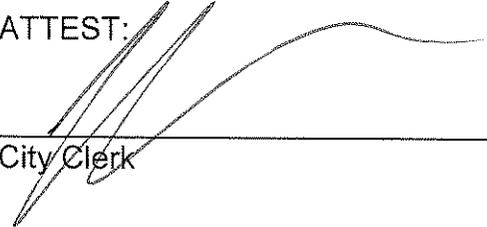
(b)

10. **ITEMS FROM THE CITY MANAGER**
The City Manager had nothing to report.

11. **ADJOURNMENT**
Mayor Stephens adjourned the City Council meeting at 12:12 a.m.



Kenneth Stephens, Mayor

ATTEST:


City Clerk