

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

REGULAR MEETING – August 19, 2013

1. CALL TO ORDER

The City Council met in Regular Session at 6:01 p.m., Monday, August 19, 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
Cary Reisman, City Attorney
Tony Brandyberry, Public Works Superintendent
Dave Hunt, City Engineer
Lisa Kranitz, Assistant City Attorney
Corey Lakin, Community Services Director
Linda Magnuson, Interim Finance Director
Todd Mattern, Police Chief
Steven Mendoza, Community Development Director
Cassandra Palmer, Support Services Manager
Windmera Quintanar, CMC, City Clerk

3. PLEDGE OF ALLEGIANCE

Council Member Murphy led the Pledge of Allegiance.

4. INVOCATION

Council Member Grose gave the Invocation.

5. PRESENTATIONS

A. Presentation of Retirement Plaque to Lieutenant Colonel Mayhue in Appreciation of Service to the City at the Joint Forces Training Base
Mayor Kusumoto and the City Council presented a plaque and Commendation to Lieutenant Colonel Mayhue. LTC Mayhue spoke briefly on his service.

B. Presentation of Retirement Plaque to Carlos Barajas in Appreciation of 37 Years of Dedicated Service to the City of Los Alamitos
Mayor Kusumoto and the City Council presented a plaque to Carlos Barajas. Mr. Barajas spoke briefly.

C. Presentation of Certificates in Recognition of Trend Offset Printing Expansion and the Partnership with Southern California Edison

Mayor Kusumoto and the City Council presented certificates to the representatives of Trend Offset Printing and Southern California Edison. Representatives spoke briefly on the project.

D. Presentation by Jonathan Wilby, Orange County Fire Authority (OCFA) Representative, Regarding OCFA Workers Compensation

Jonathan Wilby gave a presentation and answered questions from the City Council.

Mayor Pro Tem Graham-Mejia thanked Mr. Wilby and the department's efforts to reduce costs. She indicated Alternative Dispute Resolution (ADR) was of importance to her and hoped it could be incorporated into regular use.

Mr. Wilby indicated Worker's Compensation had many areas to focus on and ADR was a component they were moving forward with.

Mayor Kusumoto inquired to the four areas of focus.

Mr. Wilby clarified the four areas of focus were controlling administration costs; controlling medical costs; reducing overtime costs; and, prevention.

E. Presentation by Major Jeff Sibley, Airfield Manager, Regarding Los Alamitos Army Airfield - Air Traffic Patterns and Noise Abatement Flight Procedures

Major Jeff Sibley gave a PowerPoint presentation and answered questions from City Council.

Council Member Grose thanked Major Sibley for the presentation and inquired to the hours of aircraft operation and the best contact number.

Major Sibley advised the hours are: Saturday, Sunday, and Monday from 7:30 a.m. to 4:00 p.m. and Tuesday, Wednesday, Thursday, Friday from 7:00 a.m. to 10:00 p.m. He advised the best contact numbers were (562) 795-2571 and (562) 795-1351 and added the Base was only open four nights a week to mitigate environmental concerns.

Council Member Grose inquired to the annual traffic counts.

Major Sibley stated it was approximately an average of 120 and added it was a monthly requirement to provide the count to the National Guard. He indicated he would provide the confirmed numbers at a later date.

Council Member Murphy thanked Major Sibley for his time and efforts to mitigate the noise. He stated appreciation for the unique partnership with the Joint Forces Training Base (JFTB).

Mayor Pro Tem Graham-Mejia stated she had received concerns from residents and had found Major Sibley to be quite attentive to their needs. She encouraged residents to contact Major Sibley with concerns so the incidences could be properly tracked. She thanked Major Sibley for the information and asked him to explain the late night helicopters.

Major Sibley explained the process for filed exceptions in support of the Department of Defense and Law Enforcement agencies that require non-standard hours of operation for missions and training.

Mayor Pro Tem Graham-Mejia referred to helicopters not related to the JFTB.

Major Sibley clarified after 10:00 p.m. the airspace no longer belongs to the JFTB and aircraft does not follow JFTB procedures since there is no jurisdiction once the airspace is closed.

Major Sibley indicated the location was the busiest vortex in Southern California and while common air traffic calls were encouraged, they are not required.

Mayor Pro Tem Graham-Mejia inquired the process for reporting those types of aircrafts.

Major Sibley indicated the contact is made to FAA and he would provide the information.

Mayor Pro Tem Graham-Mejia thanked Major Sibley for his presentation and encouraged residents to contact him with any concerns. She indicated without the JFTB partnership people would not be aware of the rules and while noise abatement is a big concern, should anything malfunction with the helicopters people could lose their homes.

F. Presentation by Joe Williams of Wi-Fi Wireless, Inc., Regarding Potential Opportunity for Citywide Wi-Fi

Joe Williams, Wi-Fi Wireless, Inc., gave a brief presentation and answered questions from the City Council.

Council Member Grose thanked Mr. Williams from for the presentation and encouraged him to work with Staff for a Council recommendation.

Mr. Williams indicated he had a letter of acceptance for the City to sign that would start the process immediately.

Mayor Pro Tem Graham-Mejia inquired if they were working with the cities of Buena Park and Villa Park.

Mr. Williams answered in the affirmative and added they were also negotiating with the City of Huntington Beach. He reviewed some of the benefits of citywide Wi-Fi.

Mayor Kusumoto inquired to the projected profits for the company if they were doing all the investment.

Mr. Williams stated that would be dependent on what could be expanded.

Mayor Kusumoto inquired to the projected income for the cities that have already signed an agreement.

Mr. Williams stated it was not only about projected income, but also about savings for the City. He indicated graffiti could be reduced with citywide cameras.

Mayor Kusumoto inquired if the company would be installing cameras throughout the City.

Mr. Williams answered in the negative and stated savings would increase the longer the infrastructure was in place. He added the product was good for everyone as it cut down costs and increased profits.

Mayor Kusumoto inquired how cost would be reduced.

Mr. Williams indicated the product would eliminate cell phone and internet bills.

Mayor Kusumoto inquired if it would eliminate billing for him personally or for the City.

Mr. Williams stated the City would get the product for free and residents would see a reduction in their monthly bills.

Mayor Kusumoto inquired if the technology was still in development.

Mr. Williams answered in the negative and indicated with a letter of intent the project could commence immediately and be done in less than a month. He stated towers would not be built, but structures would be added to the top of already existing telephone poles. He reiterated some of the benefits and thanked Council for its consideration.

6. ORAL COMMUNICATIONS

Mayor Kusumoto opened the meeting for Oral Communications.

Shelly Henderson, Chair of Cypress Festival, spoke regarding the concluded Cypress Festival and upcoming Wings, Wheels, and Rotors event in October.

Mayor Kusumoto closed oral communications.

7. REGISTER OF MAJOR EXPENDITURES

Motion/Second: Graham-Mejia/Edgar

Unanimously Carried: The City Council approved the Register of Major Expenditures for August 19, 2013, in the amount of \$173,058.08, ratified the Register of Major Expenditures for July 16, 2013, to August 18, 2013, in the amount of \$908,366.24 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 August 20, 2013, to September 15, 2013.

Roll Call Vote

Council Member Edgar	Absent
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 8D.

Motion/Second: Graham-Mejia/Murphy

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

A. Approval of Minutes (City Clerk)

1. Approved the Minutes of the Regular Meeting of July 15, 2013.
2. Approved the Minutes of the Special Meeting of July 29, 2013.
3. Approved the Minutes of the Special Meeting of August 5, 2013.

B. Warrants (Finance)

Approved the Warrants for August 19, 2013, in the amount of \$45,492.49, and ratified the Warrants for the time period for July 16, 2013, to August 18, 2013, in the amount of \$173,788.06, 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 of August 20, 2013, to September 15, 2013.

C. Approval of Request for Proposals (RFP) for Video Archive and Meeting Agenda Management (City Clerk)

This report recommended actions to begin facilitating the implementation of online video archiving and possible agenda management. This item was continued from the July 15, 2013, Council meeting.

The City Council:

1. Approved the RFP for Video Archive and Meeting Agenda Management; and,
2. Authorized Staff to advertise and solicit the Request for Proposal.

E. Approval and Release of Request for Proposal for ADA Self Evaluation and Transition Plan (Community Development)

To meet the requirement of the Americans with Disabilities Act (ADA), it was necessary for the City to develop an ADA Self-Evaluation and Transition Plan. Toward that effort, the City developed a Request for Proposal (RFP) to secure qualified firms to develop the plan.

The City Council approved the release of the Request for Proposal.

F. CAD/RMS Replacement Project (Police)

This report provided information to City Council regarding the exploration and assessment of a replacement Computer Aided Dispatch (CAD) and Records Management System (RMS) for the Police Department and the West-Comm Joint Powers Authority.

The City Council received and filed the report.

G. Statement of Investment Policy for Fiscal Year 2013-2014 (Finance)

This report sought City Council adoption of an Investment Policy for Fiscal Year 2013-2014.

The City Council adopted Resolution 2013-20, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADOPTING THE STATEMENT OF INVESTMENT POLICY FOR FISCAL YEAR 2013-2014".

H. Approval of Notice of Completion for Museum Roof Repair Project (CIP No. 12/13-05) (Public Works)

The Museum Roof Repair Improvement Project (CIP No. 12/13-05) was complete and in compliance with the plans and specifications. Staff recommended the City Council accept the work as complete, direct filing

of the Notice of Completion, and authorize retention release as prescribed by the Public Contracts Codes.

The City Council:

1. Accepted as complete the construction contract by All Weather Roofing, Inc. for the Museum Roof Repair Improvement Project (CIP No. 12/13-05) ; and,
2. Directed the City Clerk to record the Notice of Completion/Final Report with the County Recorder's office; and,
3. Authorized Staff to release the 5% retention to the contractor, in the amount of \$1,590.00, thirty-five (35) days after recordation of the Notice of Completion.

I. Authorization of Extra Work for Commercial Street Improvement Project (CIP No. 12/13-06) (Public Works)

The bid amount for the Commercial Street Improvement Project (\$510,457.80) came in under budget. Therefore, Orange County Transportation Authority (OCTA) was allowing the City to spend up to the funding limit of \$600,000 on street related items which include extensions of street rehabilitation limits, replacement of sidewalks, ADA ramps, driveway apron and curb and gutters.

The City Council authorized City Staff to add extra construction work using the competitive bid unit prices from the contractor for this project up to the funding limit of \$600,000, including all contingencies. Extra work will consist of additional street rehabilitation, replacing of sidewalks, Americans with Disabilities Act (ADA) ramps, driveway apron and curb and gutters.

End of Consent Calendar

Items Pulled from Consent Calendar

D. Amended Salary Resolution for Non-Represented Employees (City Manager)

This Resolution amends the Salary Resolution to increase the non-represented safety employees' CalPERS contributions to 9% of salary instead of 8%, and to increase salaries of such employees by 10% instead of 9%, to cover the costs. This Resolution also amends the form agreements for Middle Management and Confidential employees to remove the references to at-will employment.

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

Mayor Pro Tem Graham-Mejia stated she had originally voted no because she had concerns for giving an increase to employees who would be retiring soon. She indicated she appreciated Staff, but would be voting the same for purposes of consistency.

Council Member Grose stated he had previously discussed his concerns with the City Manager and indicated his understanding of the need for the actual agreements with the Police Chief and Police Captain. He expressed concern for authorizing blank agreements for the mid-management employees. He indicated his understanding there were 11 mid-management employees who already had a Memorandum of Understanding (MOU), which in his mind made these agreements (attachment 4 and 5) unnecessary. He stated the agreements appeared to add further complications with an existing MOU and could not support the item based on such.

City Attorney Reisman indicated these agreements were for non-represented employees. He stated his understanding that versions of the agreements were approved in January that unintentionally changed employment positions to at-will and these versions corrected that. He clarified management positions were at-will, but confidential employees were not. He added no employees were being asked to approve these forms now. Council approval was for the format only so they could be used for future employees.

Council Member Grose reiterated his concern the 11 non-represented employees were covered by an MOU which implied some sort of representation.

Police Chief Mattern clarified it was not an MOU, but a Resolution that defined Management. He clarified Executive Management is at-will and Mid-Management and Confidential Employees are not. He added the approved agreements make references that suggest Mid-Management and Confidential Employees are at-will.

Council Member Grose inquired why the agreements were in existence and indicated he did not have a clear understanding of what Council was being asked to do. He referred to the January approval and his support at the time as the amount was minimal and he felt it was a step in the right direction for employees to pay their share of PERS. He stated a preference for either postponing the item to have concerns answered or approving with the elimination of attachments 4 and 5.

City Attorney Reisman indicated the prior City Manager and City Attorney had drafted the agreements and he could not speak to their motivation for including them.

Motion/Second: Graham-Mejia/Murphy

Motion: Continue the item to next month to allow the City Attorney and City Manager to review the history and advise the Council accordingly.

Mayor Kusumoto referred to the January approval and indicated the agreements were already in place and approval was not materially changing anything. He indicated the Police Chief and Police Captain agreements were of concern and

needed to be amended. He indicated the non-represented employees were not a bargaining unit covered by an MOU.

Council Member Grose stated a preference for clarification regarding an MOU and the necessity for having additional agreements.

Interim City Manager Korduner indicated Staff would research such.

Motion/Second: Graham-Mejia/Murphy

Carried 3/1 (Kusumoto cast the dissenting vote): The City Council continued the item to next month to allow the City Attorney and City Manager to review the history and advise the Council accordingly.

9. PUBLIC HEARINGS

A. **Zoning Ordinance Amendment (ZOA No. 12-03) Adoption of Senate Bill 2 Requirements (Community Development)**

Senate Bill 2 (SB 2) requires the City to adopt a Code Amendment related to emergency shelters, transitional & supportive housing and single room occupancy (SROs). This Zoning Ordinance Amendment provides for the necessary changes to bring the City of Los Alamitos into compliance with Senate Bill 2 prior to the next round of Housing Element submittals. In preparation for this hearing, the City Council has held a Study Session on the topic and the Planning Commission has hosted three Public Hearings while drafting the Ordinance.

Assistant City Attorney Kranitz summarized the Staff report, referring to the information contained therein, and answered questions from the City Council.

Mayor Pro Tem Graham-Mejia referred to the Study Session and asked how many beds the City of Los Alamitos was expected to have based off the formula used.

Assistant City Attorney Kranitz stated there were 121 homeless people in need of shelter in the City. She explained the formula was based off the County wide homeless population of 1%; therefore, the City of Los Alamitos has a homeless population of 1% of the population.

Mayor Pro Tem Graham-Mejia inquired if Staff had researched the flexibility or possible adjustment of the 121.

Assistant City Attorney Kranitz indicated that would not be a part of this ordinance and the adjustment could be reviewed in the next Housing Element in October. She stated the number could not be changed at this point.

Mayor Pro Tem Graham-Mejia inquired if research had commenced for such.

Assistant City Attorney Kranitz indicated it would be reviewed during the next Housing Element.

Council Member Grose asked for clarification whether this was the first reading.

Assistant City Attorney Kranitz answered in the affirmative and added the Planning Commission had several hearings and the item would come back to Council next month for adoption.

Mayor Kusumoto asked for clarification regarding the mechanics of changing the required homeless beds in the City.

Assistant City Attorney Kranitz stated emergency shelters needed to be designated in a zone large enough to accommodate 121 beds and that could be changed in the future.

Mayor Kusumoto stated independent of the formula, the action was to allow emergency shelters in the PM Zone.

Assistant City Attorney Kranitz stated the ordinance would be incorporated into the Zoning Code that proves that emergency shelters are an allowed use in the PM zone.

Mayor Kusumoto opened the Public Hearing. There being no one present wishing to speak, Mayor Kusumoto closed the Public Hearing.

Motion/Second: Grose/Murphy

Carried 3/1 (Graham-Mejia cast the dissenting vote): The City Council:

1. Opened the Public Hearing; and,
2. Waived reading in full and authorized reading by title only of Ordinance No. 13-04 and set for second reading; and,
3. City Attorney Reisman read the title of Ordinance No. 13-04 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, MAKING AMENDMENTS TO THE ZONING CODE TO PROVIDE HOUSING OPPORTUNITIES IN COMPLIANCE WITH THE CITY OF LOS ALAMITOS' HOUSING ELEMENT BY AMENDING THE DEFINITIONS RELATING TO VARIOUS TYPES OF RESIDENTIAL USES, SPECIFYING ZONING FOR TRANSITIONAL HOUSING/SUPPORTIVE HOUSING/ RESIDENTIAL CARE FACILITIES/ EMERGENCY

SHELTERS/ SINGLE ROOM OCCUPANCY UNITS, SPECIFYING STANDARDS FOR EMERGENCY SHELTERS AND SINGLE ROOM OCCUPANCY UNITS, AND AMENDING THE PARKING STANDARDS FOR STUDIOS AND AFFORDABLE HOUSING UNITS (ZOA 12-03) (CITYWIDE)."

B. Zoning Ordinance Amendment (ZOA No. 13-03) – Adoption of Reasonable Accommodation Ordinance (Community Development)

Federal and State Fair Housing Laws Require the City's Housing Element to remove governmental constraints to housing for individuals with disabilities. These laws also prohibit discriminatory public or private land use practices and decisions. Finally, they require that zoning laws be amended to provide for reasonable accommodation. Additionally, Policy Action 3.3 of the City's Housing Element requires the City to adopt accommodation procedures. This Zoning Ordinance Amendment provides for the necessary changes to bring the City of Los Alamitos into compliance prior to the next round of Housing Element submittals.

Assistant City Attorney Kranitz summarized the Staff report, referring to the information contained therein, and answered questions from the City Council.

Mayor Pro Tem Graham-Mejia inquired if Planning Commission approval was required for all reasonable accommodations, with or without a discretionary permit.

Assistant City Attorney Kranitz answered in the affirmative.

Mayor Kusumoto inquired if this was similar to the last item where Council was being asked to designate a zone.

Assistant City Attorney Kranitz answered in the negative and clarified the ordinance allowed for reasonable accommodations which usually were associated with apartments and ADA requirements.

Mayor Kusumoto opened the Public Hearing. There being no one present wishing to speak, Mayor Kusumoto closed the Public Hearing.

Mayor Pro Tem Graham-Mejia requested Staff take into consideration any permanent structures be allowed to remain as long as it could be justified as a reasonable exception.

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

1. Opened the Public Hearing; and,

2. Waived reading in full and authorized reading by title only of Ordinance No. 13-05 and set for second reading; and,
3. City Attorney Reisman read the title of Ordinance No.13-05 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING THE ZONING CODE OF THE CITY OF LOS ALAMITOS BY ADDING A NEW CHAPTER 17.35 TO PROVIDE REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES (ZOA 13-03) (CITYWIDE)."

10. DISCUSSION ITEMS

A. **Request to Consider Installing 4-Way Stop Signs at Intersections in Apartment Row (Public Works)**

At the December 12, 2012, Traffic Commission meeting the Commission requested that Staff look at making all the remaining 2-way stop intersections in Apartment Row, 4-way stop signs and bring the issue back to them for consideration. At that meeting the Commissioners approved getting a warrant study for all five (5) intersections. In summary, the five (5) study intersections did not meet warrants for the installation of multi-way stops based on warrant guidelines provided in the California Manual on Uniform Traffic Control Devices (CA MUTCD). However, City Council has the final authority and may decide to install the multi-way stops at one (1) or more of the intersections provided that they find good cause in installing the multi-way stops. The MUTCD provides what it calls an "Option" section, in which it outlines "optional criteria" which may be properly considered outside the typical analytical warrant criteria.

Interim City Manager Korduner introduced the item.

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

Mayor Pro Tem Graham-Mejia indicated she had brought this item forward after receiving concerns from residents. She inquired if the morning school traffic at Bloomfield and Green would back up.

City Engineer Hunt answered in the affirmative. He clarified over a 24-hour period the change would not be significant, but anything between 7:30 a.m. and 8:15 a.m. would back up. He added Bloomfield was considered a major thoroughfare and the safety of the residents was primary.

Mayor Pro Tem Graham-Mejia stated support for the stop signs and asked if the stop signs became a concern in the future they could be removed if necessary.

City Engineer Hunt confirmed.

Mayor Pro Tem Graham-Mejia indicated she lives in Apartment Row and felt the stop signs would be a big benefit for the safety of kids going to school. She referred to the speed bumps in the alleys that were used as a deterrent for speeding and indicated they could not be used in the streets due to the deterrence of emergency operators. She felt stop signs would slow down traffic which had an average speed of 30/35 mph. She stated pass thru traffic was increasing possibly due to the freeway construction. She stated opposition to reducing parking as it was already limited and the overflow parking from the businesses was a concern. She summarized her support for the safety of the children and residents in the area, reducing pass thru traffic, reducing speeding, speed bumps not an option, opposition to reduced parking, and readdressing Bloomfield in the future should it become a concern.

Council Member Murphy acknowledged former Traffic Commissioner, Norman Wray, for championing the idea and briefly described his experience on the Traffic Commission. He briefly outlined the history of how the project went from Noel and Green to an expanded study. He indicated the primary issue was safety. He stated the alternative was to paint red curbs which eliminated parking, making it unfeasible. He added his belief there were many unreported incidents. He felt the project would negatively affect the people cutting through; however, the residents would benefit from the additional safety. He congratulated Mr. Wray and the citizens who brought the item forward to make a long term difference.

Council Member Grose pointed out three of the Council Members had served on the Traffic Commission. He referred to the \$80,000 Traffic Calming Study the City had hired a consultant to do in the past, specifically the recommendation to make streets in Apartment Row one way which would increase parking with diagonal parking and adding a traffic circle at the recommend intersection being discussed. He recalled resident opposition to the ideas, but felt the City could utilize some of the recommendations for the greater good of the City. He felt the stop signs would not be successful because traffic calming focused on behavior modification. He indicated he would support the project, but felt it was not the best solution available. He stated support for trial traffic circles and fully utilizing the recommendation made in the Traffic Study. He stated stop signs were not intended to control traffic speed and referred to the required warrants.

Mayor Kusumoto recalled a previous discussion when warrants were not met for the intersection. He believed unreported accidents didn't allow for a proper review all the facts.

City Engineer Hunt agreed and indicated residents reported hearing accidents that resulted in only an exchange of information.

Mayor Kusumoto referred to the consideration of public safety. He asked for clarification that stop signs were not mean to calm or slow traffic down per say.

City Engineer Hunt confirmed.

Mayor Kusumoto stated he did not feel that was the intent of the Council and indicated the concern was public safety.

City Engineer Hunt agreed and added the site distance concern was the overriding factor.

Mayor Kusumoto inquired if drivers ignore unwarranted traffic signs.

City Engineer Hunt answered in the affirmative and clarified the signs could be ignored when not being actively monitored. He indicated this was a small concern, but not a major concern.

Mayor Kusumoto opened the item for Public Comment.

Shelly Henderson, Cypress resident and local employee, stated support for the stop signs and referred to a preference for Lexington being a straight through.

Mayor Kusumoto closed the item for Public Comment.

Council Member Grose inquired if it would be confusing to have some intersection 4 way stops while others are not and inquired if it would be best to be consistent throughout the City.

Mayor Pro Tem Graham-Mejia indicated the warrant studies did not allow for such and Council had made special findings to allow for such. She felt this project had a higher level of necessity.

Motion/Second: Graham-Mejia/Grose

Unanimously Carried: The City Council adopted Resolution No. 2013-22, entitled, "RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, TO PROVIDE FOR FIVE (5) MULTI-WAY STOPS AT THE INTERSECTIONS OF HOWARD AND REAGAN, BLOOMFIELD AND GREEN, BLOOMFIELD AND HOWARD, NOEL AND GREEN, AND NOEL AND HOWARD".

RECESS

City Council took a brief recess at 8:14 p.m.

RECONVENE

City Council reconvened in Regular session at 8:27 p.m.

B. Consideration of the Legislative Platform for 2013 (City Manager)

The Legislative Action Report identifies the City's Legislative Platform for 2013 and provides program procedures for the City to effectively participate in the legislative process. This item was continued from May 20, 2013, June 17, 2013, and July 15, 2013, Council meetings.

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

Council Member Grose stated this was the fourth attempt to bring the policy forward although it was established some time ago and should be reviewed every January. He stated the importance of allowing the City Manager to send position letters regarding legislative issues and staying engaged in the process. He stated support for moving forward.

Mayor Pro Tem Graham-Mejia referred to the fifth paragraph on page five and stated opposition to forfeiting Council's right to lobby individual views. She referred to the second paragraph on page six, and requested "should" be changed to "shall" and indicated a preference for all items going through the City Manager as he reports to the Council.

Interim City Manager Korduner agreed.

Mayor Pro Tem Graham-Mejia referred to "Revenue and Taxation" on page eight in regards to annexation. She asked if future annexation would go to a vote of the people and if the conditions and criteria were already being met.

City Attorney Reisman answered in the affirmative.

Mayor Pro Tem Graham-Mejia inquired if the County could force Rossmoor to join Los Alamitos.

Interim City Manager Korduner indicated he had discussed such with Mr. Taboada who informed him legislation passed in the last year that would not allow such due to the size of Rossmoor.

Mayor Pro Tem Graham-Mejia indicated she did not support a platform that would put the City at odds with surrounding cities. She referred to "Economic Development" on page eight, and requested verbiage to

support verifying voters with an ID and bill proving residency. She indicated support for allowing residents the right to vote.

Council Member Murphy supported changing “should” to “shall” on page six. He referred to “Environmental Quality” on page seven, and requested the removal of “market incentives”. He stated it was narrowly defined. He stated support for including increasing legal voter turnout. He referred to “Environmental Quality” on page nine, and stated opposition to “delisting of endangered species” as he did not feel it was City business. He referred to “Transportation and Infrastructure” on page 10, and requested the reference to supporting access to healthy living.

Mayor Pro Tem Graham-Mejia requested clarification.

Council Member Murphy referenced New York where soda was restricted and beer was not. He indicated the policy was ill defined and he did not feel the City should be legislating the topic.

Mayor Kusumoto referred to page five and indicated the Council needed to reach an agreement. He referred to the time when Council Member Edgar had voted for a fee increase as the Chair to the Orange County Sanitation District and he had voted in opposition. He stated there was no platform at the time and it needed to be prevented in the future. He indicated representatives should get the vote of the Council before presenting an opinion for the City Council. He added individuals could certainly take a different view.

Mayor Pro Tem Graham-Mejia agreed and indicated topics such as increased taxes should come to the whole Council for direction. She supported rewording the topic.

Mayor Kusumoto indicated the wording could be revised to read that once Council had deliberated as a body, Council Members would support such going through the due process.

City Attorney Reisman pointed out the policy covers that with the inclusion of “adopted position”.

Mayor Kusumoto indicated he was attempting addressing Mayor Pro Tem Graham-Mejia’s concern with the wording.

Mayor Pro Tem Graham-Mejia indicated opposition to forfeiting her right to take a position contradictory to that of the Council.

Mayor Kusumoto clarified she was still able to as an individual.

City Attorney Reisman referred to the last sentence and indicated the concern was covered.

Mayor Pro Tem Graham-Mejia opposed giving up her title.

The Council discussed including different instances that could arise as representatives on various boards.

City Attorney Reisman cautioned it was difficult to make the policy specific enough for representatives to know which topics needed to come back to Council for specific instruction.

Mayor Pro Tem Graham-Mejia stated the topics to come back to Council could be narrowed to fees or taxes.

City Attorney Reisman clarified the policy was not for Board and Committees the Council represented, but for legislative advocacy. He stated the language indicates a Council Member cannot take an opposing position to an adopted Council position.

Mayor Pro Tem Graham-Mejia stated opposition and indicated she should be able to sign as a Council Member.

Council Member Grose indicated the intent of the policy was for the City Manager to be able to weigh in on legislation in Sacramento and Washington in a timely fashion. He added the guidelines were broad to allow the City Manager to make decisions. He stated support for "shall" versus "should", modification regarding "Air Quality", inclusion of legal voter turnout, and, removing endangered species. He stated support for allowing the City Manager latitude to draft letters to respond and react to legislation.

Mayor Pro Tem Graham-Mejia indicated the only item of contention was regarding individual Council Member's right to lobby.

Council Member Grose suggested removing the paragraph and indicated it could be addressed at a later time should it become an issue.

Mayor Kusumoto stated there was no harm in leaving the endangered species in the policy.

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 Pro Tem Graham-Mejia made a motion to approve the Legislative Platform with the following changes: change "should" to "shall" on page

six; "Public Safety" on page seven, remove "unincorporated areas"; "Revenue and Taxation" on page eight, include support for legal voter turnout requiring ID of some kind and a bill proving residency; page nine, remove "endangered species" and "Healthy living".

Council Member Grose seconded, with the following revisions: removal of paragraph five on page five, and removing "marketing incentives" on page seven. He referred to the inclusion of "legal voter turnout" and indicated it may be out of the Council's sphere of influence to require ID and proof of residency and supporting legal voter turnout was a good position.

Mayor Pro Tem Graham-Mejia stated preference for including it should the need ever arise.

Council Member Grose indicated his support for a compromise, but did not support the additional language.

Council Member Murphy agreed and indicated his belief it would be a State decision.

Mayor Pro Tem Graham-Mejia indicated it was the Council's duty to influence the State.

Mayor Kusumoto cautioned the wording may be too restrictive.

Mayor Pro Tem Graham-Mejia stated support for including "legal voter turnout" without the requirements for proof.

Motion/Second: Graham-Mejia/Grose

Unanimously Carried: The City Council adopted Resolution 2013-13, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING THE 2013 LEGISLATIVE PLATFORM" with the following changes: removal of paragraph five on page five; change "should" to "shall" on page six; "Public Safety" on page seven, remove "unincorporated areas"; removing "marketing incentives" on page seven; "Revenue and Taxation" on page eight, include support for legal voter turnout; page nine, remove "endangered species" and "healthy living".

C. Direction to Voting Delegate as to the City's Position on Resolutions to be Considered at the League of California Cities' 2013 Annual Conference (City Manager)

The League of California Cities Annual Conference will be held in Sacramento, September 18-20, 2013. At the meeting of July 15, 2013, the City Council designated Mayor Pro Tem Graham-Mejia as its Voting Delegate to the Annual Business Meeting and Mayor Kusumoto as the

Voting Alternate. Mayor Pro Tem Graham-Mejia requested the City Council's direction as to its position on the proposed resolutions.

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

Mayor Pro Tem Graham-Mejia gave a brief overview of the proposed resolutions.

Mayor Kusumoto indicated discussion regarding Resolution #1 would be first and requested Community Development Director Mendoza to comment.

Community Development Director Mendoza indicated the resolution would correct the unfunded State mandate for NPDES compliance. He stated it was difficult for cities to comply with the increasing cost of annual compliance and this provided cities a resolution to recover funds.

Mayor Kusumoto inquired if the League's position was to end compliance.

Community Development Director Mendoza clarified it was to provide funding so compliance was not cut.

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

Motion/Second: Murphy/Graham-Mejia

Unanimously Carried: The City Council directed Mayor Pro Tem Graham-Mejia to vote in support of Resolution #1.

Council Member Grose asked for clarification as he recalled Mayor Kusumoto was the delegate.

Mayor Kusumoto stated he was not able to attend so the Mayor Pro Tem Graham-Mejia would be attending as the alternate.

City Attorney Reisman stated the summary could be revised to include such.

Mayor Kusumoto asked Police Chief Mattern to comment on Resolution #2.

Police Chief Mattern stated support, specifically the idea that the entire criminal history was taken into consideration versus only the last offense.

Council Member Murphy was discouraged by inaccurate summary and indicated two Council Members were not aware of the change. He requested Staff ensure this not happen again.

Motion/Second: Murphy/Graham-Mejia

Unanimously Carried: The City Council directed Mayor Pro Tem Graham-Mejia to vote in support of Resolution #2.

Note: City Clerk Quintanar later advised at its July 15, 2013, meeting the Council had appointed Mayor Pro Tem Graham-Mejia as the delegate and Mayor Kusumoto as the alternate for the League of California Cities Annual Conference. During the annual appointments to Boards and Committees, the Council had appointed Mayor Kusumoto as the delegate and Mayor Pro Tem Graham-Mejia as the alternate to the League of California Cities – State Division. She clarified the two appointments were separate.

**D. Request for Follow-up Meeting with Congressman Alan Lowenthal
(City Manager)**

On April 4, 2013, Mayor Warren Kusumoto, Council Member Troy Edgar, Interim City Manager Gregory D. Korduner and Director of Community Development Steven Mendoza met with the Honorable Alan Lowenthal. Mayor Kusumoto requested a follow up meeting with the Congressman.

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

Council Member Grose stated his belief the 405-project was not a Federal issue and he did not see it in the Congressman's realm.

Mayor Kusumoto indicated the forum was meant to bring issues forward and share information. He believed sharing information provided insight from the constituents and an alternate channel to network with the Congressman. He indicated at the last meeting, representatives took the opportunity to boast about recent accomplishments despite unfunded mandates. He stated support for ensuring the Congressman was visible in the City and using the venue to discuss the positive events in the City.

Interim City Manager Korduner indicated discussion of ongoing community activities could be added to the list.

Mayor Kusumoto indicated he would like to see Council Members who did not attend the last meeting be the delegates.

Interim City Manager Korduner indicated there was no date as of yet, but he was working with the Congressman's Chief of Staff to secure one.

Mayor Kusumoto inquired if three Council Members could attend or if two was easier.

City Attorney Reisman indicated there were no noticing requirements for two members, but if three members attended it would be noticed as a Special meeting.

Mayor Kusumoto stated preference for only two Council Members.

Motion/Second: Grose/Kusumoto:

Unanimously Carried:

1. Approved the prioritized list to discuss at the meeting with the addition of ongoing community activities; and,
2. Selected Mayor Pro Tem Graham-Mejia and Council Member Murphy to meet with Congressman Lowenthal and his staff.

**E. Appoint a Representative to the Orange County Transportation Authority Long Range Transportation Plan Working Group
(City Manager)**

Orange County Transportation Authority (OCTA) updates its Long Range Transportation Plan (LRTP) approximately every four years and is requesting a Council representative to participate.

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

Council Member Grose nominated Council Member Murphy.

Council Member Murphy indicated he would like to, but would be out of town.

Mayor Pro Tem Graham-Mejia indicated support for Council Member Murphy and indicated interest as the alternate since she was a member of the 405 Working Policy Group.

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

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

1. Appointed Council Member Murphy to serve as Delegate for the Orange County Transportation Authority – Long Range Transportation Plan Working Group; and,
2. Appointed Mayor Pro Tem Graham-Mejia to serve as the Alternate for the Orange County Transportation Authority – Long Range Transportation Plan Working Group.

11. MAYOR AND COUNCIL INITIATED BUSINESS

A. Council Announcements

Council Member Grose spoke regarding the following topics: meetings and activities attended were listed on his website, www.losal.net; requested unfunded liability be agendized in the future; and, advised of the upcoming Legislative Affairs Committee Annual Mixer.

Council Member Murphy spoke regarding the following topics: thanked City Engineer Hunt for bringing item 8I under budget; congratulated Community Development Director Mendoza for a job well done; and, requested additional information on the citywide Wi-Fi.

Support Services Manager Palmer indicated the City's IT professional was in attendance for the presentation to assess the proposed technology. She indicated it was difficult to get finite answers from the company; however, she could research the topic for future discussion should the Council desire.

Council Member Murphy stated support for exploring the alternatives.

Support Services Manager Palmer stated Staff could bring an update should the company be forthcoming with Staff's concerns.

Mayor Pro Tem Graham-Mejia spoke regarding the following topics: attendance at Vector Control Board meeting; attendance at the Orange County Fire Authority Board meeting as the alternate for Mayor Kusumoto; requested concrete answers regarding citywide Wi-Fi be agendized; St. Isidore's upcoming Mexican Independence Day Celebration; congratulations to Lt. Col. Mayhue; and, encouraged residents to report issues regarding helicopters at the base to assist in mitigation efforts.

Mayor Kusumoto spoke regarding the following topics: thanked Mayor Pro Tem Graham-Mejia for attending the OCFA meeting in his absence as he was getting over an illness; and, indicated no staff report was needed for citywide Wi-Fi at this time as it appeared to be in its preliminary stages.

12. ITEMS FROM THE CITY MANAGER

None.

13. 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. ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (c) of Section 54956.9. One potential case.

City Attorney Reisman read item 12A aloud.

RECESS

City Council recessed into Closed Session at 9:27 p.m.

RECONVENE

City Council reconvened in Regular Session at 10:01 p.m.

There was no reportable action.

14. ADJOURNMENT

The City Council adjourned at 10:01 p.m.



Warren Kusumoto, Mayor

Attest:



Windmea Quintanar, CMC, City Clerk