

CITY OF LOS ALAMITOS

3191 Katella Avenue
Los Alamitos, CA 90720

AGENDA CITY COUNCIL REGULAR MEETING Monday, May 19, 2014 – 6:00 P.M.

NOTICE TO THE PUBLIC

This Agenda contains a brief general description of each item to be considered. Except as provided by law, action or discussion shall not be taken on any item not appearing on the agenda. Supporting documents, including staff reports, are available for review at City Hall in the City Clerk's Office or on the City's website at www.cityoflosalamitos.org once the agenda has been publicly posted.

Any written materials relating to an item on this agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office, 3191 Katella Ave., Los Alamitos CA 90720, during normal business hours. In addition, such writings or documents will be made available for public review at the respective public meeting.

It is the intention of the City of Los Alamitos to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee, or a participant at this meeting, you will need special assistance beyond what is normally provided, please contact the City Clerk's Office at (562) 431-3538, extension 220, 48 hours prior to the meeting so that reasonable arrangements may be made. Assisted listening devices may be obtained from the City Clerk at the meeting for individuals with hearing impairments.

Persons wishing to address the City Council on any item on the City Council Agenda should complete a blue "Request to Speak" card and will be called upon at the time the agenda item is called or during the City Council's consideration of the item and may address the City Council for up to three minutes.

1. CALL TO ORDER

2. ROLL CALL

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

Sunburst Youth Academy Student Council

Ignacio Trejo	Jacqueline Harris	Ariana Avila
Carlos Hernandez	Jasmine Derisso	Jorge Martinez
Manuel Corrales	Caina Isidoro	Aaron Welch
Juan Bravo	Montea Rodgers	Juan Molina
Brian Escobar	David Garcia	

- 3. **PLEDGE OF ALLEGIANCE** **Class President Ariana Avila**
- 4. **INVOCATION** **Cadet First Sergeant Juan Molina**
- 5. **PRESENTATIONS**
 - A. **Presentation of a Certificate of Recognition to Edward Bremel for his Community Involvement**
 - B. **Presentation of a Commendation to Nalani Dutro for the Rescue of Neighborhood Dog, Dante**
 - C. **Presentation of a Proclamation to Chief Robert Acosta, Orange County Fire Authority, for Wildfire Awareness Week**
 - D. **Presentation of a Proclamation to Anthony Brandyberry, Public Works Superintendent, for Public Works Week**

6. **ORAL COMMUNICATIONS**

At this time, any individual in the audience may come forward to speak on any item within the subject matter jurisdiction of the City Council. Remarks are to be limited to not more than five minutes per speaker.

7. **REGISTER OF MAJOR EXPENDITURES**

Approve the Register of Major Expenditures for May 19, 2014, in the amount of \$109,527.26, ratify the Register of Major Expenditures for April 22, 2014, to May 18, 2014, in the amount of \$755,663.77, and authorize the City Manager to approve such expenditures as are legally due and within an unexhausted balance of an appropriation against which the same may be charged for the time period May 20, 2014, to June 15, 2014.

ROLL CALL

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

8. **CONSENT CALENDAR**

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

- A. **Approval of Minutes** **(City Clerk)**
 - 1. Approve the Minutes of the Regular Meeting of April 21, 2014.
 - 2. Approve the Minutes of the Special Meeting of May 5, 2014.

- B. Warrants (Finance)**
Approve the Warrants for May 19, 2014, in the amount of \$62,967.82, ratify the Register of Warrants for April 22, 2014, to May 18, 2014, in the amount of \$106,025.52, and authorize the City Manager to approve such expenditures as are legally due and within an unexhausted balance of an appropriation against which the same may be charged for the time period May 20, 2014, to June 15, 2014.

- C. Resolutions Pertaining to the November 4, 2014, General Municipal Election (City Clerk)**
The City of Los Alamitos General Municipal Election will be held on Tuesday, November 4, 2014. It is City policy to consolidate the local election with the County of Orange. In order to enable such consolidation, it is necessary to adopt resolutions calling and giving notice of the election, requesting consolidation with the County, and adopting regulations pertaining to materials prepared by any candidate for a municipal election, including costs of candidates' statements.

Recommendation:

1. Adopt Resolution No. 2014-10, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2014, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA"; and,
2. Adopt Resolution No. 2014-11, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF ORANGE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 4, 2014, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THAT DATE PURSUANT TO § 10403 OF THE ELECTIONS CODE"; and,
3. Adopt Resolution No. 2014-12, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES' STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2014."

D. Second Reading of Ordinance 14-02 - Zoning Ordinance Amendment (ZOA No. 14-01) – Adoption of Changes to the Los Alamitos Municipal Code Sections Relating to Curb Cuts, Driveways, Aprons and Landscape Standards (Community Development)

At its Regular meeting of April 21, 2014, the City Council conducted a first reading of Ordinance No. 14-02. This ordinance will make changes to Los Alamitos Municipal Code sections pertaining to curb cuts, driveways, aprons, and landscape standards (Citywide) (City-initiated).

Recommendation: Adopt Ordinance No. 14-02, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING ZONING ORDINANCE AMENDMENT (ZOA) 14-01 TO AMEND SECTIONS 17.16.090 RELATING TO LANDSCAPING IN THE FRONT YARD SETBACK AND 17.26.060 RELATING TO CURB CUTS, DRIVEWAYS AND APRONS AS WELL AS AMEND SECTION 12.08.030 REGARDING PERMITS FOR THE SAME, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (CITYWIDE) (CITY-INITIATED)."

E. Payments Made to John Underwood for Services to LATV (City Manager)

The City Council has requested information regarding payments and/or reimbursements made to John Underwood for services related to LATV.

Recommendation: Receive and file.

F. Southern California Association of Governments (SCAG) 2014 Regional Conference and General Assembly (Kusumoto)

The Southern California Association of Governments (SCAG) Regional Conference was held May 1-2, 2014, at the Renaissance Esmeralda Resort and Spa in Indian Wells, California. The City Council appointed Council Member Kusumoto as the City's voting delegate for the conference.

Recommendation: Receive and file.

G. Request for Restricted Loading/Unloading Parking on Lexington Drive from Katella Avenue to the First Southerly Alley (City Engineer)

Staff received a request from the Traffic Commission to look into restricting parking, on the west side of Lexington Drive to a loading and unloading zone, from Katella Avenue to first southerly alley.

Recommendation: Approve Resolution No. 2014-03, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ESTABLISHING A LOADING/UNLOADING ZONE FROM 7AM TO 4PM – WEST SIDE OF LEXINGTON DRIVE SOUTH OF KATELLA AVENUE."

H. Approval of Notice of Completion for On-Call Concrete Contractor (CIP No. 13/14-02) (City Engineer)

The facilitation of the construction of various concrete work throughout the city to aid the Public Works Department in removal and replacement of curbs and gutters, cross gutters, ADA ramps, driveway aprons and sidewalk in various locations throughout the City is complete, and in compliance with the plans and specifications. Staff is, therefore, recommending that 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.

Recommendation:

1. Accept as complete the construction contract by Ruiz Concrete and Paving, Inc. for the On-Call Concrete Improvement project; and,
2. Direct the City Clerk to record the Notice of Completion/Final Report with the County Recorder's office; and,
3. Authorize Staff to release the 5% retention to the contractor, in the amount of \$4,107.49, thirty-five (35) days after recordation of the Notice of Completion.

I. Legislative Support – Proposition 13 (City Manager)

Council Member Grose has requested Council adopt a Resolution in continued support of Proposition 13.

Recommendation: Adopt Resolution 2014-13, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, HONORING PROPOSITION 13 FOR THE BENEFITS IT PROVIDES TO INDIVIDUAL HOMEOWNERS, RENTERS, LOCAL GOVERNMENTS AND TO THE STATE'S OVERALL ECONOMY."

J. Ratify Professional Service Agreement with AdminSure, Inc., for Workers' Compensation Management (City Manager)

The City of Los Alamitos self-insures its Worker's Compensation obligation. On May 1, 2014, the City Manager entered into a Professional Service Agreement with AdminSure, Inc. to administer a Workers' Compensation Self-Insurance Program. Staff is requesting City Council ratify that agreement.

Recommendation: Ratify the Professional Services Agreement with AdminSure, Inc., in for the term of May 1, 2014, to June 30, 2017.

9. PUBLIC HEARING

A. Zoning Ordinance Amendment (ZOA) 13-05, Relating to Accessory Residential Uses and Accessory Structures (Community Development)

Consideration of a Zoning Ordinance Amendment to amend the Los Alamitos Code to make changes relating to accessory residential uses and accessory structures (Citywide) (City-initiated).

Recommendation:

1. Open the Public Hearing; and, if appropriate,
2. Determine a Categorical Exemption from California Environmental Quality Act (CEQA) per Section 15061(b)(3) of the CEQA Guidelines is appropriate because the Code Amendments will have no significant effect on the environment, and, pursuant to Section 15305, qualify as a minor alteration in land use limitations.
3. Introduce, waive reading in full and authorize reading by title only of Ordinance No. 14-03, and set for second reading; and,
4. City Attorney Reisman read the title of Ordinance No. 14-03, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING ZONING ORDINANCE AMENDMENT (ZOA) 13-05 AMENDING THE LOS ALAMITOS MUNICIPAL CODE RELATING TO ACCESSORY RESIDENTIAL USES AND ACCESSORY STRUCTURES (INCLUDING CHANGES TO DEFINITIONS, REMOVAL OF GUEST HOUSES AS AN ALLOWABLE LAND USE AND CHANGES TO ACCESSORY STRUCTURES) AND MAKING MINOR TECHNICAL CHANGES TO THE PROVISIONS RELATING TO SECONDARY RESIDENTIAL UNITS, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (CITYWIDE) (CITY INITIATED)."

10. DISCUSSION ITEMS

A. Rescission of City Council Action Against Council Member Warren Kusumoto and Reimbursement for Legal Fees Expended (City Attorney)

In 2011, the City Council voted to refer a claimed Brown Act violation to the appropriate authorities for criminal prosecution. The Statute of Limitations on any criminal violations expired and criminal prosecution would not be possible. Civil action would also be difficult and an unnecessary waste of municipal resources. Reimbursement of Council Member Kusumoto's legal fees is permissible but not mandatory. This item was continued from the February 18, March 17, and April 21, 2014, meetings.

Recommendation: Consider: 1) reversing the stigmatizing recommendation for City Attorney referrals for prosecution, and/or 2) reimbursing Council Member Kusumoto for his legal fees incurred.

B. Consideration of Remote Caller Bingo (Community Development)

This item seeks direction from the City Council to direct Staff and City Attorney resources on code amendments necessary to facilitate Remote Caller Bingo.

Recommendation:

1. Authorize the City Manager to process Municipal Code Amendment and Zoning Code Amendment as necessary; and,
2. Authorize the City Manager to accept a deposit/fee sufficient to process such a request; and,
3. Direct the Planning Commission to process necessary Zoning Ordinance Amendments; or,
4. Provide alternative direction.

C. Park Maintenance Discussion (Public Works)

Discuss maintenance items at Labourdette Park as well as other parks within Los Alamitos. This item was continued from the April 21, 2014, meeting.

Recommendation: Receive and file, and/or provide direction to staff for 2014/2015 budget discussions.

D. Consider Contribution Towards Townsend Public Affairs (TPA) Contract for Continued Advocacy Efforts Relating to the I-405 Improvement Project (City Manager)

This item is in consideration of a proposal for the continuation of services for Townsend Public Affairs (TPA) for advocacy efforts relating to the I-405 Improvement Project. TPA's previous contract expired in April 2013. Since that time, TPA has remained engaged in the process and continues to help the Corridor Cities with the following objectives: prevent the reconsideration, adoption and implementation of Alternative 3 and promote the adoption and implementation of modified Alternative 2 as the locally preferred alternative for the I-405 Improvement Project. This item was continued from the April 21, 2014, Council meeting.

Recommendation:

1. Consider paying the City's share, \$5,000, to the City of Costa Mesa for the Townsend Public Affairs, September 2012, contract; and,
2. Consider paying the City's share, \$5,000, to the City of Westminster for the Townsend Public Affairs, January 2013, contract; and,
3. Authorize the City Manager to enter into an agreement with Townsend Public Affairs, in a form approved by the City Attorney, in an amount not to exceed \$5,000.

E. Discussion of Waste Hauler Ordinance (City Manager)

Staff has been directed to place this item regarding the Waste Hauler Franchise on the agenda.

Recommendation: Discuss and provide direction to Staff.

11. MAYOR AND COUNCIL INITIATED BUSINESS

A. Council Announcements

At this time, Council Members may also report on items not specifically described on the Agenda that are of interest to the community, provided no action or discussion is taken except to provide staff direction to report back or to place the item on a future Agenda.

12. ITEMS FROM THE CITY MANAGER

13. CLOSED SESSION

A. Conference with Labor Negotiator

Agency Negotiators: Bret M. Plumlee, City Manager

Unrepresented Employee: City Clerk

Authority: Government Code Section 54957.6

B. Conference with Labor Negotiator

Agency Negotiators: Gregory D. Korduner, Consultant
Employee Organization: Los Alamitos City Employee Association
Authority: Government Code Section 54957.6

C. Conference with Labor Negotiator

Agency Negotiators: Gregory D. Korduner, Consultant and
Cary S. Resiman, City Attorney
Employee Organization: Police Officers Association
Authority: Government Code Section 54957.6

D. Conference with Labor Negotiator


City Negotiator: Bret M. Plumlee, City Manager
Unrepresented employees: Executive Management, Middle
Management and Non-Management
Employees
Authority: Government Code Section 54957.6

E. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Pending litigation pursuant to subdivision (d)(4) of Section 54956.9. Three potential cases.

14. ADJOURNMENT

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing Agenda was posted at the following locations: Los Alamitos City Hall, 3191 Katella Ave.; Los Alamitos Community Center, 10911 Oak Street; and Los Alamitos Museum, 11062 Los Alamitos Blvd.; not less than 72 hours prior to the meeting.


Windmera Quintanar, CMC, City Clerk

5/14/13
Date