

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

REGULAR MEETING – May 18, 2015

1. CALL TO ORDER

The City Council met in Regular Session at 6:01 p.m., Monday, May 18, 2015, in the Council Chamber, 3191 Katella Avenue, Mayor Murphy presiding.

2. ROLL CALL

Present: Council Members: Grose, Hasselbrink, Kusumoto,
Mayor Pro Tem Edgar, Mayor Murphy

Sunburst Youth Academy, Student Council (Class 15):

Trevor Spera	Lauren Bailey	Crystal Hernandez
Jeremiah Williams	Zachary Peterson	Sohail Khan
Latrell Thomas	Adrien Furlow	Felipe Sepulveda
Tiffany Acosta	Kevin Bustos	
Edward Aguirre	Uriel Goslan	

Absent: Council Members: None

Present: Staff: Bret M. Plumlee, City Manager
Jason Al-Imam, Admin. Services Director
Tony Brandyberry, Pub. Works Superintendent
Corey Lakin, Community Services Director
Todd Mattern, Police Chief
Steven Mendoza, Community Development/Public Works Director
Rick Moore, Police Sergeant
Cassandra Palmer, Support Services Manager
Windmera Quintanar, CMC, City Clerk

3. PLEDGE OF ALLEGIANCE

Cadet Jeremiah Williams, Vice President, led the Pledge of Allegiance.

4. INVOCATION

Cadet Trevor Spera, Class President, gave the Invocation.

5. PRESENTATIONS

- A. Presentation of Certificates of Recognition to the Los Alamitos High School National Show Choirs, SoundFX and SoundTrax, for Winning the 2015 National Grand Championships**
Sound FX and SoundTrax sang the National Anthem.

Mayor Murphy and the Council presented Certificates of Recognition to SoundFx, SoundTrax, and Director Moellenkamp. Director Mollenkamp spoke briefly.

Master Sergeant Gutierrez spoke briefly regarding Sunburst Youth Challenge and the graduation next month for Class 15.

B. Presentation of Certificates of Recognition to California Park and Recreation Society's District 10 Volunteer Merit Award Recipient, Erin Henkhaus

Mayor Murphy and the Council presented Erin Henkhaus with a Certificate of Recognition.

C. Presentation of a Certificate of Recognition to Scott Rifkin, Chief Operating Officer at the Los Alamitos Medical Center

Mayor Pro Tem Edgar and Community Development/Public Works Director Mendoza spoke briefly regarding the Hospital expansion and Mr. Rifkin's dedication to the project and the City.

Mayor Murphy and the Council presented a Certificate of Recognition to Mr. Rifkin. Mr. Rifkin spoke briefly.

B. Presentation of Certificates of Recognition to California Park and Recreation Society's District 10 Volunteer Merit Award Recipient, the Los Alamitos Medical Center

Mayor Murphy and the Council presented a Certificate of Recognition to Kent Clayton, Chief Executive Officer. Mr. Clayton spoke briefly.

D. Presentation of Certificates of Recognition to Erin Henkhaus and Brian Loh for Earning the Presidential Service Award

Mayor Murphy and the Council presented Certificates of Recognition and the Presidential Service Awards to Ms. Henkhaus and Mr. Loh. Mr. Loh spoke briefly.

E. Presentation of a Proclamation to Tony Brandyberry, Public Works Superintendent, for Public Works Week

Mayor Murphy and the Council presented a Proclamation to Superintendent Brandyberry. Superintendent Brandyberry spoke briefly.

F. Presentation of Proclamation to Orange County Fire Authority Representative for Drowning Prevention Awareness and Wildfire Awareness

Mayor Murphy and the Council presented Proclamations to Battalion Chief Mark Stone. Battalion Chief Stone spoke briefly.

G. Presentation of a Proclamation to Charles Antos, American Cancer Society, for Relay for Life Days

Mayor Murphy and the Council presented a Proclamation to Mr. Antos. Mr. Antos spoke briefly.

H. Presentation by Ken Vecchiarelli, General Manager, Regarding Golden State Water's Response to the State's Recent Conservation Mandates

Mr. Vecchiarelli gave a PowerPoint Presentation and answered questions from the City Council.

Council and Mr. Vecchiarelli discussed the following topics: process for fines; potential for use of reclaimed water; fines are governed by the California Public Utility Commission (CPUC); government owned facilities are not subject to Proposition 218 requirements; enforcement procedures for penalties; 16% reduction in water usage; notification and education of customers; and, accounting of penalty fines are separate from GSW accounting and are reported to the CPUC.

RECESS

The City Council took a brief recess at 7:09 p.m.

RECONVENE

The City Council reconvened in Regular session at 7:20 p.m.

6. ORAL COMMUNICATIONS

Mayor Murphy opened Oral Communications. There being no one present wishing to speak, Mayor Murphy closed Oral Communications.

7. WARRANTS

Council Member Grose referred to page 2, and indicated he would be voting no for the Skyline invoice.

Motion/Second: Edgar/Hasselbrink

Unanimously Carried: The City Council approved the Warrants for May 18, 2015, in the amount of \$60,388.29, ratified the Warrants for April 21, 2015, to May 17, 2015, in the amount of \$707,223.96, 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 May 19, 2015, to June 14, 2015.

ROLL CALL

Council Member Grose	Aye
Council Member Hasselbrink	Aye
Council Member Kusumoto	Aye
Mayor Pro Tem Edgar	Aye
Mayor Murphy	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 Edgar pulled items 8C and 8F.

Council Member Kusumoto referred to item 8B and thanked Canning Hunger for their services throughout the years.

Motion/Second: Kusumoto/Grose

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

A. Approval of Minutes (City Clerk)

1. Approved the Minutes of the Special meeting of April 13, 2015.
2. Approved the Minutes of the Special meeting of April 20, 2015.
3. Approved the Minutes of the Regular meeting of April 20, 2015.

B. Street Curb Address Painting Contract for 2015 (Public Works)

At its meeting of November 24, 2003, the City Council adopted Resolution No. 1939, authorizing non-profit organizations, to apply for consideration to conduct the street address painting contract within the City.

The City Council:

1. Authorized street curb address painting services for 2015 on a strictly donation basis, with Canning Hunger; and,
2. Authorized the City Manager to issue a no fee solicitors permit, no fee encroachment permit, and a business license.

D. Vendor Selection – Building and Safety, NDPEs Inspection, City Engineer, Traffic Engineer and Signal Maintenance (Community Development)

The Staff report rated proposed vendors and seeks permission to negotiate pricing. The report does not show the costs proposed as disclosing the rates may jeopardize staff's negotiating position. The report asks City Council to find various vendors as the preferred vendor while directing the City Manager to negotiate. Next month, staff will bring the negotiated agreement forward for the City Council to award.

The City Council:

1. Found Charles Abbott Associates (CAA) to be the preferred vendor for Building and Safety Services directing the City Manager to

negotiate the rates and authorizing a change in Building & Safety Counter hours to lower costs; and,

2. Found Charles Abbott Associates (CAA) to be the preferred vendor for NPDES Inspections directing the City Manager to negotiate the rates; and,
3. Found Wildan Engineering to be the preferred vendor for City Engineering Services directing the City Manager to negotiate the rates and for a bundled rate when combined with Traffic Engineering; and,
4. Found Wildan Engineering to be the preferred vendor for Traffic Engineering Services directing the City Manager to negotiate the rates for a bundled rate when combined with City Engineering Services; and,
5. Found Computer Service Company (CSC) to be the preferred vendor directing the City Manager to negotiate an agreement.

- E. Support Senate Constitutional Amendment 2 (SCA 2) (City Manager)**
Senate Constitutional Amendment 2 will prohibit banning the U.S. flag on State funded college campuses in California.

The City Council adopted Resolution 2015-10, entitled "A RESOLUTION OF CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, IN SUPPORT OF SENATE CONSTITUTIONAL AMENDMENT 2 (SCA 2)."

End of Consent Calendar

Items Pulled from the Consent Calendar

- C. Treasurer's Quarterly Investment Report – March 2015 (Admin. Svc.)**
The item for City Council consideration is receipt of the Treasurer's Quarterly Investment Report.

Mayor Pro Tem Edgar stated this was a great accounting of the City's money and showed how little the City is making off the investments. He questioned the total rate of return.

Administrative Services Director Al-Imam indicated the total rate of return was 0.658%. He pointed out this report was based off the old Investment Policy and a new policy was adopted in April.

Motion/Second: Edgar/Grose

Unanimously Carried: The City Council received and filed the Treasurer's Quarterly Investment Report – March 2015.

F. Policy on Paid Sick Leave for Hourly Employees (Administration)

This report seeks City Council approval for an Administrative Regulation related to Hourly Employees Sick Leave Accrual in accordance with Assembly Bill (AB) 1522 Healthy Workplaces, Healthy Family Act of 2014.

Mayor Pro Tem Edgar pointed out this was now required by Law and questioned what the current policy was.

Administrative Services Director Al-Imam stated hourly employees do not receive sick time and therefore would not be paid for hours not worked should they call out sick.

Motion/Second: Edgar/Grose

Unanimously Carried: The City Council adopted Resolution 2015-11, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADOPTING ADMINISTRATIVE REGULATION 1.12, REGARDING PAID SICK LEAVE FOR HOURLY EMPLOYEES".

9. DISCUSSION ITEMS

A. Travel and Reimbursement Policy (Administrative Services)

This agenda item sought Council discussion regarding allocating the budgeted Travel and Meeting funds between Council Members and the possible revision of the Travel and Reimbursement Policy to authorize payment for charitable event related activities and to provide guidelines in unforeseen circumstances that requires the City Manager to travel in order to protect the City's immediate interests or needs.

Mayor Murphy referred to page 2 of the Staff report and clarified this item was for discussion only and no decisions had been made on April 13. City Manager Plumlee confirmed.

Administrative Services Director Al-Imam presented the Staff report, referring to the information contained therein, and answered questions from the Council.

Council Member Grose requested the following changes: emergency travel of the City Manager be approved by the Mayor and the Mayor Pro Tem, not just the Mayor, in case the working relationship changes in the future; page 2, section 5, remove the word "charitable" so there is no perception of a gift of public funds; page 2, Unauthorized Expenses, Item C, remove the word "events", to allow for participation should the event be beneficial to the community and not necessarily a political fundraiser. He pointed out the Council has reduced the budget from \$38,000 to \$3,000 over the past years and has done a great job in self monitoring and being cautious of where money is spent.

Council Member Hasselbrink expressed concern regarding the vague reference to charities and stated opposition to being reimbursed for political fundraisers. She questioned if there would be a cap on the number of charitable events attended or an approved list. She pointed out she had previously attended charitable events before becoming a Council Member and was cautious about how this would be perceived. She referenced all the different charitable events in the City and surrounding area and stated support for seeing sound structure for this process.

Council Member Kusumoto stated support for Staff reworking the policy to incorporate Council's concerns. He believed the intent was to allow the Council to be present in the community and allow for reimbursement for high ticket events. He suggested having the Council vote to support an event and send one representative and was supportive of a more defined policy that allowed for some latitude and did not restrict future Councils.

Mayor Pro Tem Edgar pointed out even if the policy allowed for attendance at every event, Council did not have the time to do such. He gave a brief overview of past Council Members registering for events and not attending or not using the most economical means for travel. He stated Council receives \$4,000-\$5,000 a year and understands it is personally responsible and accountable to the community. He suggested allowing charitable events and having Staff provide a regular breakdown. He did not believe Council would be able to attend all events, but was supportive of having a mechanism in place to be able to engage with the community.

Mayor Murphy stated opposition to charitable events. He suggested dividing the Council travel budget evenly to allow for participation in preferred events and having the City Clerk track the budgets. If someone were to reach their limit, it could come before Council for further discussion. He agreed with the change to emergency travel and was not supportive of political events.

Council Member Grose pointed out that Council Member Hasselbrink and himself were appointed to Policy Committees that would require travel and was a benefit to the City. He expressed concerns regarding the fees for Association of California Cities – Orange County events. He referred to the City of Cypress' policy that allowed for travel stipends. He was open to requiring a Council majority to attend events and agreed Council needed to continue to police its spending. He stated a preference for knowing which Council Members were attending events so that any one event was not overloaded.

Council Member Hasselbrink stated concern regarding the possible abuse in the future for charitable events and she was opposed to the perception that the City was supporting any kind of political campaigning.

Council and Staff discussed the various options regarding charitable events and contributions, ensuring equitable treatment for all charities, the possibility of having a spending limit for that category, support for the current Council calendar and not additional management of events, and the desire to have City representation at community events.

Mayor Murphy asked who was supportive of charitable contributions and events.

Mayor Pro Tem Edgar stated support for charitable events.

Council Member Kusumoto stated opposition to charitable contributions and support for having a restriction on the amount spent for charitable events.

City Manager Plumlee clarified Council's desire to leave the modification in Section 5 with the inclusion of a dollar cap on charitable events.

Council and Staff discussed the difference between charitable events and City events. The distinction between the proposed policy and the previous policy was the inclusion of charitable events.

Council Member Grose reiterated concern for having too much representation at any one event.

City Manager Plumlee asked for clarification on Section 3.03 (C), political contributions.

Council Member Hasselbrink stated support as is.

Council Member Grose agreed.

Mayor Murphy summarized Section 3.03 (C) would be left as is and Section 4.01 (A)2, would include Mayor Pro Tem.

Council and Staff discussed the intent of Section 3.03 (D) was to prevent Council Members from being reimbursed for a charitable event and then claiming the event as a tax deduction.

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

B. LATV3 Cable Vision Study Update (Administrative Services)

This item provided the City Council with an update on the status of the cable operations study.

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

Administrative Services Director Al-Imam presented the Staff report, referring to the information contained therein, and answered questions from the Council.

David Ihrig and Ernie Castelo, Skyline Mediacast Productions, gave a PowerPoint presentation and answered questions from the City Council.

Council Member Kusumoto asked if the suggested funding aspect had been done in other cities.

Mr. Castelo stated the campaign had failed because the company was relatively new to "crowd funding."

Council Member Kusumoto stated concern regarding who would direct the expenditure of funds raised and proper certification of individuals using the equipment. He questioned who would fund and manage the equipment.

Mr. Castelo advised it would likely be recommended that the Community Services Department would be trained and oversee the equipment.

Council Member Kusumoto stated concern for equipment being returned in unusable condition, being damaged, or stolen. He cautioned against using City Staff as there would be many challenges and put a burden on Staff. He stated he could not support this project unless it made sense and could fund itself.

Mayor Pro Tem Edgar stated several concerns for the process the consultants were going through and did not feel enough information was being provided at this time. He believed the interviews and surveys being conducted did not provide an overall operation model. He stated an interest in seeing recommendations for the future operation, what LATV should be, and revenue models. He asked what specifically was trying to be accomplished.

Mr. Ihrig stated Los Alamitos was a unique situation that required station operations and a Station Manager and lacked a Public Information Officer. He clarified that a PEG station received \$1 per cable subscriber to buy equipment to produce local programming. Council needed to decide if that included public, education, government, or a hybrid of the three. He stated

the policies and procedures state it's a public access station but is programmed and operated as a government station. He stated contractors getting paid to do work was not public access. He advised at this stage, they were focused on fact finding which was a large part of the process.

Mayor Pro Tem Edgar indicated he would like to see an assessment of the organization, each job and area of responsibility, with how much everything would cost. He indicated there was a disconnect from the mission of LATV and what was affordable.

Mr. Ihrig indicated the goal was to find a way to run the station without impacting the general fund. He indicated they were reviewing several models, sponsorship being the most viable, to provide a vision statement to Council.

Council, Staff, and Skyline Media discussed the potential for sponsored programming and the current viewership.

Mayor Pro Tem Edgar reiterated his preference for data in regards to revenue and cost. He was not confident the vision document would have specific operation recommendations and costs.

Mr. Ihrig stated Council could rest assured it would be presented with three different options with fully realized options for operating the station.

Council Member Hasselbrink questioned why the survey was limited to only Los Alamitos residents. She pointed out there would be value in extending it to all who would like to participate to learn the viewing habits of everyone in the community, not just Los Alamitos. She indicated the potential viewing audience needed to be understood in order to sent an effective revenue model.

Mr. Ihrig agreed that was the advertising was a sound business model. He pointed out sponsored television was different as there was no call to action. He believed the sense of pride from the community and City residents would be beneficial to LATV.

Council, Staff, and Skyline Media discussed the professionally produced messaging that could be offered to sponsors for their use and the potential for revenue.

Council Member Hasselbrink stated support for additional data and a preference for not limiting survey participation to only Los Alamitos residents.

Mr. Ihrig indicated there were two surveys, one would be sent to Chamber of Commerce members to gauge interests in sponsorship and the second would be for residents regarding programming.

Council Member Grose indicated he had originally opposed this item and has not changed his mind. He stated concern the consultants did not understand the project or the purpose. He acknowledged that questions were being asked, but agreed no data was being given. He spoke briefly regarding Commissioner Underwood's efforts to have local businesses sponsor programs and his compensation. He stated concerns regarding the survey being provided which included a raffle for a business ad that would air on LATV and questioned if Staff had authorized such.

City Manager Plumlee stated it fit within the scope of the agreement and was an incentive for business to participate in the survey.

Administrative Services Director Al-Imam clarified the scope was to assess interest in LATV. The survey did mention a raffle for an ad, but did not state the ad would be played on LATV. The ad would be given to the company for its use.

Council Member Grose did not feel that was within the scope. He stated concern the project was not headed in the right direction and he did not feel the City was getting the desired value for the money that is being expended. He indicated the consultants may have a skewed perception based on what Staff thinks the resolution should be. He questioned if the process should be continued or if a different solution should be sought. He spoke about the history of LATV and reiterated he did not believe a vision plan would be realized at the end of the project. He stated concerns and opposition to the Community Services Department handing the equipment without the required level of expertise and knowledge. He stated his disappointment and had hoped to see a more analytical approach at this stage of the study. He appreciated the effort from the consultants, but questioned if Council should continue to spend money on this project or seek other solutions.

Mayor Murphy congratulated the consultants on their impressive outreach and felt it was a good start. He advised the Council was looking for a complete package that would include a compiled report explaining the procedures and technical terms and that would allow LATV to be self sustaining. He asked for confirmation the consultants understood the goal.

Mr. Ihrig confirmed they understood the goal of the study and assured Council more than one complete option would be presented, along with their recommendation from what was learned by being in the City.

Mayor Murphy asked what the consultant's role would be at the upcoming Cable Television Commission meeting.

Mr. Castelo advised they would be present to make suggestions.

Mayor Murphy cautioned the consultants they were not hired to receive the approval or be vetted by the Cable Television Commission. He questioned how the consultants input would benefit the meeting. He advised he was concerned about statements made at the last Cable Television Commission meeting and was in the process of reviewing the audio. He cautioned should the consultants attend; their role should be to assist with goals and not to look for approval.

Council Member Hasselbrink indicated she would prefer to see defined goals and mission statement after the study was complete. She preferred to see the consultants spend their remaining time on more detailed data and strategic options for Council's consideration. She questioned how goals could be set when the end result was unknown.

Mayor Murphy agreed.

Council Member Grose spoke regarding the consultants leading the last Cable Television Commission meeting and stated concern that the Commissioners are confused regarding their roles. He stated concerns that the workshop was called to help the Commissioners identify their goals and reiterated concern for the consultant's involvement. He spoke about the history of LATV and recalled the Commission used to have the ability to provide a stipend to a community producer. He spoke regarding public access and the ability for anyone to request a program be shown on LATV. He suggested using student volunteers to film the sports programming and indicated he had not heard any feedback regarding the current contractor. He stated concern for future funding once the trash contract ended.

City Manager Plumlee advised different options for sporting events were discussed with the Superintendent and Principal.

Mr. Ihrig indicated the Vice President of the Baseball Booster was at the Chamber Breakfast and had expressed an interest.

Council Member Grose stated concern the study was not to promote what could be done, but to identify the options available and the related cost. He spoke regarding the following topics: savings from the previous 501(c) 3; ability of online streaming; current programming; established interest and value in LATV; and, the need for funding. He referred to the Chamber Breakfast and indicated not everyone in attendance is a

Chamber member. He cautioned that membership is roughly 300 and a 10% response to the survey would only be 35 responses which would not be enough to indicated interest and support. He did not believe much business would pay for programming when social media, such as YouTube, was available and they were constantly asked for donations from the non-profits in town. He reiterated concern for having Community Services take on the Cable Commission.

Council Member Kusumoto agreed the consultant's role in the Cable Television Commission meeting should be limited. He stated support for receiving data on baseline operations including challenges, analysis, and a business model. He stated an interest in understanding what the City is obligated to provide and establishing a business model that did not rely on the general fund. He stated concern regarding the quality and need for commercials and reiterated his understanding the consultants did not need to attend the upcoming Cable Television Commission.

Mr. Ihrig indicated they had led the discussion update at the last Cable Television Commission meeting which had been continued. He indicated they had not considered if they needed to be there.

Council Member Kusumoto questioned if attendance would provide any meaningful, actionable information. He stated the best use of the consultants' time would be to gather information and address the concerns from tonight including maintaining a revenue stream and the need for a studio and equipment.

10. MAYOR AND COUNCIL INITIATED BUSINESS

A. Council Announcements

Council Member Kusumoto spoke regarding the following topics: attendance at the Korean Cultural event, SCAG Annual conference, La Palma State of the City, and Chamber Breakfast; applied for the OC Parks Commission, Inland City representative with the support of the Mayor; and, requested an update on the trip to Sacramento to oppose AB 1217 from Council Member Grose.

Council Member Hasselbrink spoke regarding attendance at the following events: Chamber Breakfast; Seal Beach Police and Safety Awards, Orange County Library Advisory Board Meeting, Orange County Fire Authority's, Day in the Life demonstration.

Council Member Grose spoke regarding the following topics: upcoming quarterly Joint Forces Training Base Tour, May 21; attendance at the AB 1217 hearing in Sacramento with City Manager Plumlee; opportunity to

meet with Senator Nguyen and Assembly Member Allen in Sacramento; and, upcoming West-Comm meeting to discuss its annual budget.

Mayor Pro Tem Edgar spoke regarding attendance at the Rivers and Mountains Conservancy Board meeting and gave an update regarding SB 355.

Mayor Murphy spoke regarding the following topics; attendance at La Palma State of the City; thanked Sunburst Youth Academy for its attendance; congratulated the High School Choir groups; made notice that there was a need for maintenance (i.e. trimming and sidewalk repairs) throughout the City; and, urged citizens to contact City Hall if they see opportunities to make the City safer and cleaner.

11. ITEMS FROM THE CITY MANAGER

City Manager Plumlee spoke regarding attendance at the SCAG Annual Conference and the AB 1217 hearing in Sacramento.

12. CLOSED SESSION

City Manager Plumlee read item 12A aloud.
City Attorney Reisman read item 12B aloud.

A. CONFERENCE WITH LABOR NEGOTIATOR

Agency Negotiators: Bret M. Plumlee, City Manager
Unrepresented Employee: City Attorney
Authority: Government Code Section 54957.6

B. CONFERENCE WITH LEGAL COUNSEL

Initiation of litigation pursuant to subdivision (d)(4) of Section 54956.9.
One potential case.

RECESS

The City Council recessed into Closed session at 9:39 p.m.

RECONVENE

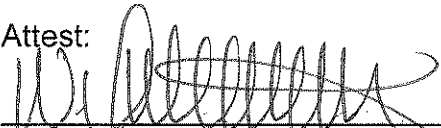
The City Council reconvened in Regular session at 10:20 p.m.

City Attorney Reisman advised there was no reportable action.

13. ADJOURNMENT

The City Council adjourned at 10:20 p.m.

Attest:



Windmera Quintanar, CMC, City Clerk



Richard D. Murphy, Mayor