

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

REGULAR MEETING – February 20, 2018

1. CALL TO ORDER

The City Council met in Regular Session at 6:01 p.m. Tuesday, February 20, 2018, in the Council Chamber, 3191 Katella Avenue, Mayor Hasselbrink presiding.

2. ROLL CALL

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

Absent: Council Members: None

Present: Staff: Bret M. Plumlee, City Manager
Michael Daudt, City Attorney
Sean Connolly, Police Captain
Steven A. Mendoza, Development Services Director
Ron Noda, Recreation Manager
Windmera Quintanar, CMC, City Clerk
Maria-Luisa Valdez, Interim Administrative Services Director

3. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Kusumoto led the Pledge of Allegiance.

4. INVOCATION

Council Member Hasselbrink gave the Invocation.

5. PRESENTATION

A. Presentation of Plaques to Former Parks, Recreation, and Cultural Arts Commissioners Judy Estrada and Emil Jorge

Mayor Edgar and the Council presented plaques to Ms. Estrada and Mr. Jorge. Ms. Estrada and Mr. Jorge spoke briefly.

B. Presentation of a Proclamation to Kathi Kent, Administrative Instructor, for Career and Technical Education Month

Mayor Edgar and the Council presented a Proclamation to Ms. Kent. Ms. Kent spoke briefly.

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.

Mayor Edgar opened Oral Communications.

Shelley Henderson, Editor of OC Breeze and Los Alamitos Chamber of Commerce, recognized Emeline Noda for her graphics design of Weekend of Art and State of the City.

John Bouffanie, business owner, spoke regarding item 12A and stated support for option two.

Judy Estrada, resident, stated concern for multilevel buildings and the parking issues they create. She stated support for developing places for people to go in Los Alamitos.

Mayor Edgar closed Oral Communications.

7. 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.

Council Member Chirco spoke regarding the upcoming Race on the Base and attendance at the following events: League of Caledonia Cities New Mayor and Council Member Conference in Sacramento with City Manager Plumlee, Police Department Promotion Ceremony, Americana Awards with his wife as guests of Mayor Edgar, Orange County Library Advisory Board meeting, Zoning Ad Hoc Committee meeting, and the Budget Standing Committee meeting.

Council Member Murphy spoke regarding the upcoming Race on the Base and attendance at the following events: Americana Awards, Police Department Promotion Ceremony, Los Alamitos High School Men's Rugby game, welcomed Ted Abodoca back to the News Enterprise, advised Orange County Sanitation District would be doing construction in the streets, and spoke regarding the upcoming Senior Lunch.

Council Member Hasselbrink spoke regarding attendance at the Los Alamitos High School Men's Rugby game, 79th Sustainment Night Out, Police Department Promotion Ceremony, St. Hedwig's School Kindness Challenge, Americana Awards as a guest of Mayor Edgar, Orange County Fire Authority Ad Hoc Committee for Fire Chief, and spoke regarding the upcoming Race on the Base.

Mayor Pro Tem Kusumoto spoke regarding attendance at the Police Department Promotion Ceremony, Los Alamitos High School Men's Rugby game, Orange County Parks Commission, and Association of California Cities - Orange County Homelessness Forum.

Mayor Edgar spoke regarding attendance at the Youth Center's Volunteer award night and Los Alamitos High School Men's Rugby game, upcoming 40th Anniversary for Casa Youth Shelter on April 14th, attendance at the Americana Awards, appreciation for action oriented Council, upcoming Race on the Base and Los Alamitos Education Foundation King and Queen Ball.

8. ITEMS FROM THE CITY MANAGER

City Manager Plumlee advised of the upcoming State of the City event on March 21st at the 79th Sustainment, Joint Forces Training Base.

9. WARRANTS

Motion/Second: Kusumoto/Murphy

Unanimously Carried: The City Council approved the Warrants for February 20, 2018, in the amount of \$84,524.82 ratified the Warrants for January 17, 2018 to February 19, 2018, in the amount of \$1,053,572.61, 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 February 21, 2018 to March 18, 2018.

ROLL CALL

Mayor Edgar	Aye
Mayor Pro Tem Kusumoto	Aye
Council Member Chirco	Aye
Council Member Hasselbrink	Aye
Council Member Murphy	Aye

10. CONSENT CALENDAR

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

Motion/Second: Chirco/Murphy

Unanimously Carried: The City Council approved the Consent Calendar.

Mayor Edgar advised item 10H needed to be pulled for discussion after. City Attorney Duadt advised a motion would be needed.

Motion/Second: Hasselbrink/Murphy

Unanimously Carried: The City Council pulled item 10H and approved the following Consent Calendar items:

A. Approval of Minutes (City Clerk)

Approved the Regular City Council Minutes of January 16, 2018.

B. 2018 Local Agency Biennial Notice (City Clerk)

The Political Reform Act requires every local government agency to review its Conflict of Interest Code biennially. The Biennial Notice must be completed and filed with the City Council no later than October 1, 2018. Within 90 days, any amendments to the Conflict of Interest Code must be submitted to the City Council for approval. The Conflict of Interest Code is not effective until it has been approved by the City Council.

The City Council received and filed the 2018 Local Agency Biennial Notice.

- C. Fiscal Year 2018/19 Budget Calendar (Administrative Services)**
This report sought the City Council's approval of the Fiscal Year 2018-19 Budget Calendar.

The City Council approved the recommended Budget Calendar for Fiscal Year 2018-19.

- D. Treasurer's Quarterly Investment Report – December 2017 (Administrative Services)**

The item for City Council consideration was receipt of the Treasurer's Quarterly Investment Report.

The City Council received and filed the Treasurer's Quarterly Investment Report – December 2017.

- E. Adoption of the Legislative Platform for 2018 (Administrative Services)**
The Legislative Action Plan identifies the City's Legislative Platform for 2018 and provides program procedures for the City to effectively participate in the legislative process.

The City Council adopted Resolution 2018-01, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING THE 2018 LEGISLATIVE PLATFORM."

- F. Approval of Notice of Completion for ADA Ramps and Sidewalks (CIP No. 17/18-01) (Development Services)**

The ADA Ramps Project (CIP No. 17/18-01) project is complete and in compliance with the plans and specifications. Therefore, Staff recommends that City Council accept the work as complete, direct filing of the Notice of Completion and authorize retention release as prescribed by the Public Contract Code.

The City Council:

1. Accepted as complete the construction contract by Golden State Constructors, Inc for the ADA Ramps and Sidewalks Project (CIP No. 17/18-01); 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 \$3,300.88, thirty-five (35) days after recordation of the Notice of Completion.

**G. Approval of Plans and Specifications, and Authorization to Bid for ADA Sidewalk Improvement Project on Cerritos Avenue (CIP No. 17/18-03)
(Development Services)**

This report recommended actions to begin facilitating the construction of the sidewalk replacement on the south side of Cerritos Avenue just east of the Coyote Creek Bridge.

The City Council:

1. Approved the plans and specifications for the construction of the ADA Sidewalks Improvement Project (CIP No. 17/18-03); and,
2. Authorized Staff to advertise and solicit bid proposals.

11. ORDINANCE

**A. Introduce Ordinance No. 2018-02 – Personnel Appeals Commission
(City Clerk)**

This item sought to allow Personnel Appeals Commissioners to serve on one additional City Board, Commission, or Committee.

City Manager Plumlee introduced the item. City Clerk Quintanar summarized the Staff report and answered questions from the City Council.

City Council and Staff discussed the desire to allow the Personnel Appeals Commissioners to be more involved without creating a vacancy, duties of the Commission, and that the Commission had not met in over 12 years.

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

Motion/Second: Hasselbrink/Chirco
Unanimously Carried: The City Council

Recommendations:

1. Introduce, waive reading in full and authorize reading by title only of Ordinance No. 2018-02, and set for second reading; and,
2. City Attorney Daudt read the title of Ordinance No. 2018-02, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING TITLE 2 BY ADDING SECTION 2.64.125 SERVICE ON OTHER CITY BOARDS, COMMISSIONS, AND COMMITTEES

12. DISCUSSION ITEMS

A. **Organic Waste Recycling Services Update** (City Attorney)

Further consideration of negotiated proposal pricing from Republic Services to provide State-mandated organic waste recycling services, including potential allocation of program costs among commercial ratepayers.

City Manager Plumlee introduced the item. City Attorney Daudt summarized the staff report and answered questions from the City Council.

City Council and Staff discussed the following topics:

- Compliance is reached as long as Council has reasonably provided a program that fits the jurisdictions needs regardless of compliance by the businesses
- Various enforcement measures that could take place for non-compliance
- Uncertainty if Republic will honor the initial per bin rate previously negotiated
- Option 2 for subscription service would be limited to the terms of the exclusive franchise agreement

Motion/Second: Chirco/Murphy

Motion: Direct the City Manager to obtain per-container organic recycling rates from Republic Services for a subscription based program under Option 2 set forth herein.

Mayor Edgar opened the item for public comment.

Dean Grose, resident, questioned how this would affect non-profits who receive a substantial amount of donations from businesses.

City Attorney Daudt advised the legislation does not preclude business from working with food banks and believes that it encourages such. Information on the topic will be included in marketing researching.

John Boufante, business owner, questioned the need for an additional program for food waste when the hauler already sorts refuse. He thanked Council for its support of option 2.

Motion/Second: Chirco/Murphy

Unanimously Carried: The City Council directed the City Manager to obtain per-container organic recycling rates from Republic Services for a subscription based program under Option 2 set forth herein.

B. **Civic Center Complex Ad Hoc Committee** (City Clerk)

This item allowed Council to appoint two members to the Civic Center Complex Ad Hoc Committee.

City Manager Plumlee summarized the item and answered questions from the City Council.

City Council and Staff discussed the timeliness of the Ad Hoc Committee in relation to providing the City Council a status update in April and the scope of the Ad Hoc Committee to include all interested parties.

Mayor Pro Tem Kusumoto and Council Member Murphy expressed an interest in serving.

Motion/Second: Hasselbrink/Edgar

Unanimously Carried: The City Council appointed Mayor Pro Tem Kusumoto and Council Member Murphy to the Civic Center Complex Ad Hoc Committee to discuss the future of the Civic Center Complex and engage with interested agencies (i.e. the Rossmoor/Los Alamitos Sewer District).

13. CLOSED SESSION

City Attorney Daudt read the items aloud.

A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Government Code Section 54956.9(d)(2): One potential case relating to Claim for Money Damages filed by attorney Joel W. Baruch, received December 26, 2017.

B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Government Code Section 54956.8: Property located within Little Cottonwood Park, 4000 Farquhar Avenue, APN 130-012-44)

Agency Negotiator: Steven Mendoza, Development Services Director

Negotiating Parties: City of Los Alamitos and Core Development services

Under Negotiation: Price and terms of payment for proposed cell tower.

RECESS

The City Council recessed into Closed Session at 7:05 p.m.

RECONVENE

The City Council reconvened in regular session at 7:29 p.m.

City Attorney Daudt advised there was no reportable action.

10. CONSENT CALENDAR

Items pulled from Consent Calendar

H. Agreement for Legal Defense Services (City Manager)

The City received a Claim for Money Damages filed by Attorney Joel W. Baruch on December 26, 2017. The claim was rejected on January 23, 2018. Therefore, the City needs to retain defense counsel to represent the City in the event litigation is filed in connection with the claim.

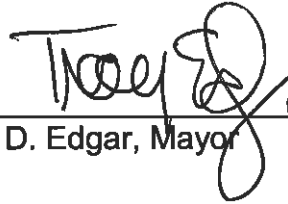
City Attorney Daudt summarized the Staff report.

Motion/Second: Hasselbrink/Murphy

Unanimously Carried: The City Council retained the services of Bruce D. Praet from Ferguson Praet & Sherman to represent the City in connection with the Claim for Money Damages filed by Attorney Joel W. Baruch on December 26, 2017.

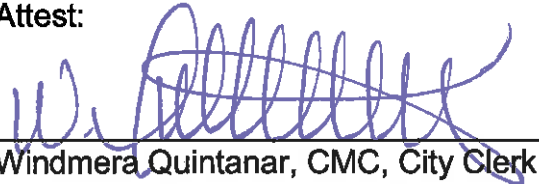
14. ADJOURNMENT

The City Council adjourned at 7:30 p.m.



Troy D. Edgar, Mayor

Attest:



Windmera Quintanar, CMC, City Clerk