

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

REGULAR MEETING – April 16, 2018

1. CALL TO ORDER

The City Council met in Regular Session at 6:02 p.m. Monday, April 16, 2018, in the Council Chamber, 3191 Katella Avenue, Mayor Edgar 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
Emeline Noda, Recreation Manager
Ron Noda, Recreation Manager
Windmera Quintanar, CMC, City Clerk
Maria-Luisa Valdez, Interim Administrative Services Director

3. PLEDGE OF ALLEGIANCE

Council Member Hasselbrink will lead the Pledge of Allegiance.

4. INVOCATION

Council Member Chirco will give the Invocation.

5. PRESENTATION

- A. Presentation of Certificates of Recognition to Veterans Paul Anthony Ruelas and Adam Henry Ruelas**
Veterans Ruelas were not in attendance.
- B. Presentation of a Commendation to Carter Low in Recognition of Earning Eagle Scout Rank**
Mayor Edgar and the City Council presented a Commendation to Eagle Scout Low. Mrs. Low spoke briefly.
- C. Presentation of a Certificate of Recognition to Officer Geoffrey for Being Recognized by Mothers Against Drunk Driving (MADD)**
Mayor Edgar and the City Council presented a Certificate of Recognition to Officer Geoffrey.
- D. Presentation of a Commendation to OneLegacy Bobbie Hamfeldt for DMV/Donate Life Month**
Mayor Edgar and the City Council presented a Commendation to Ms. Hamfeldt. Ms. Hamfeldt spoke briefly.

Mayor Edgar explained the process for tonight's agenda and advised comments and discussion for item 10I would be held towards the end of the meeting.

9. WARRANTS

Motion/Second: Murphy/Edgar

Unanimously Carried: The City Council approved the Warrants for April 16, 2018, in the amount of \$53,168.64 ratified the Warrants for March 20, 2018 to April 15, 2018, in the amount of \$855,950.71, 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 April 17,2018 to May 20, 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.

Mayor Edgar pulled item 10I.

Motion/Second: Murphy/Hasselbrink

Unanimously Carried: The City Council:

A. Approval of Minutes (City Clerk)
Approved the Special City Council minutes of April 16, 2018.

B. Waive time Limits Pursuant to Resolution 2013-09 (City Clerk)
Resolution 2013-09 establishes meeting timelines and states Council may waive said timelines by 9:45 p.m. This item allows Council to waive time limits for the April 16, 2018 meeting without interrupting the flow of the meeting.

The City Council waived time limits for the April 16, 2018 Regular meeting pursuant to Resolution 2013-19, Section 3, Waiver of Time Limits.

C. Ordinance No. 2018-04 – Off-Street Parking, Zoning Ordinance Amendment (ZO 17-05) (Development Services)
At its regular meeting of March 19, 2018 the City Council conducted a first reading of Ordinance No. 2018-04. This is a second reading of a Zoning Ordinance Amendment concerning sections 17.26.040 and 17.76.020 of the Los Alamitos Municipal Code to modify off-street parking and guest parking requirements for new or expanded multiple-family residential uses in the R-2 (limited multiple-family) and R-3 (multiple-family) residential zoning districts and define "bedroom" (Citywide) (City Initiated).

The City Council adopted Ordinance No. 2018-04 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING ZONING ORDINANCE AMENDMENT (ZOA) 18-01 TO AMEND SECTIONS 17.26.040 AND 17.76.020 OF THE LOS ALAMITOS MUNICIPAL CODE TO MODIFY OFF-STREET PARKING AND GUEST PARKING REQUIREMENTS FOR NEW OR EXPANDED MULTIPLE-FAMILY RESIDENTIAL USES IN THE R-2 (LIMITED MULTIPLE-FAMILY) AND R-3 (MULTIPLE-FAMILY) RESIDENTIAL ZONING DISTRICTS AND DEFINE "BEDROOM."

**D. Authorization to Apply for Environmental Cleanup Tier 1 Grant Funds
(Administrative Services)**

Consideration to authorize an application to the Orange County Transportation Authority (OCTA) for funds for the Environmental Cleanup, Tier 1 Grant Program.

The City Council adopted Resolution No. 2018-06, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AUTHORIZING AN APPLICATION FOR FUNDS FOR THE ENVIRONMENTAL CLEANUP, TIER 1 GRANT PROGRAM UNDER ORANGE COUNTY LOCAL TRANSPORTATION ORDINANCE NO. 3 FOR THE CATCH BASIN INSTALLATION PROJECT (CITYWIDE)."

E. Department Budget Overviews (Administrative Services)

The Budget Standing Committee requested to take a closer look at each Department's expenditures and revenues to better understand how the departments are spending and receiving funds. This report provides an overview of each Department's budgeted revenues and expenditures.

The City Council received and filed the Department Budget Overviews.

F. Award of Bid for Community Development Block Grant (CDBG) American with Disabilities Act (ADA) for the Cerritos Avenue Sidewalk Improvement Project (CIP No. 17/18-03) (Development Services)

This report recommended awarding a bid for the Cerritos Avenue Sidewalk Improvement Project (CIP No. 17/18-03).

The City Council:

1. Awarded Bid of the ADA Cerritos Avenue Sidewalk Project at the Coyote Creek Channel to Golden State Contractors, Inc., in the amount of \$ 65,519.00; and,
2. Authorized the Mayor to execute the contract with Golden State Contractors for the project; and,
3. Authorize an additional amount not to exceed the contingency reserve of \$ 6,551.90.

G. Resolution 2018-17 – Approving the Fiscal Year 2018-19 Project List for SB-1 Funds in the amount of \$208,283 toward the Greenbrook Neighborhood Street Rehabilitation (Administrative Services)

The City of Los Alamitos receives transportation funding from the State in the form of grants or direct allocation of Motor Vehicle Fuel Tax (Gas Tax) through the Highway Users Tax Account (HUTA). The Road Repair and Accountability Act of 2017 (SB1) provides funding for the maintenance and repair of local streets and roads through a Road Maintenance and Rehabilitation Account (RMRA). To be eligible for funding, the City must submit a proposed project list to the California Transportation Commission along with a resolution documenting the approval of the City's amended Capital Improvement budget to include the project to receive RMRA funding. Staff recommends the use of the RMRA funding to supplement funding for road improvements for a portion of the Greenbrook Neighborhood including Humbolt Street and San Mateo Avenue in the amount of \$208,283.

The City Council:

1. Determined that the action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because it will not result in a physical change to the environment, directly or indirectly; and,
2. Adopted Resolution No. 2018-07, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, TO ADOPT A LIST OF PROJECTS FOR FISCAL YEAR 2018-19 FUNDED BY SB1: THE ROAD MAINTENANCE AND REHABILITATION ACCOUNT FUNDS IN THE AMOUNT OF \$208,283 TOWARDS THE GREENBROOK NEIGHBORHOOD STREET REHABILITATION."

H. Amendment No. 2 to Professional Services Agreement with AdminSure Inc. for Claims Administration Services (City Manager)

The purpose of this report is to amend the Professional Services Agreement with AdminSure Inc., extending the term to June 30, 2021.

The City Council authorized the Mayor to execute Amendment No. 2 to the Professional Services Agreement with AdminSure Inc., extending the term to June 30, 2021.

Mayor Edgar pulled item 11C forward and advised Items 11A and 11B would be continued to the next Regular meeting.

11. DISCUSSION ITEMS

C. Los Alamitos Boulevard Streetlight Banner Program Modifications

(Development Services)

This report provides the City Council with the opportunity to approve the guidelines for the Los Alamitos Boulevard Streetlight Banner Program initiated by the Parks, Recreation and Cultural Arts Commission as modified by the City Council on December 18, 2017. This item was continued from the March 19, 2018 agenda.

Development Services Director Mendoza summarized the staff report and answered questions from the City Council.

Motion/Second: Hasselbrink/Murphy

Unanimously Carried: The City Council received the Banner Program Modifications.

Items 11A and 11B were continued to a future meeting.

A. Focused Organizational Assessment Implementation (City Manager)

This report recommends of approval the recommendations in the Focused Organizational Assessment completed by Matrix Consulting Group. This item was continued from the March 19, 2018 agenda.

Recommendations:

1. Approve recommendations included in the Focused Organizational Assessment completed by Matrix Consulting Group that are listed as having a high priority with an immediate or 2018 implementation timeframe.
2. Review list of Special Events.

B. Los Alamitos Boulevard Median Improvement Project Viability of Modifying Existing Lane Configuration (Development Services)

This report discusses the viability of modifying the configuration of Los Alamitos Boulevard from two lanes in each direction to three lanes. This item was continued from the March 19, 2018 agenda.

Recommendations:

1. Review the results of the attached Addendum to the Traffic Impact Operations Analysis Proposed for the Los Alamitos Boulevard Median Improvement Project dated February 13, 2018 and provide staff with direction to continue the process toward approval of the three lane configuration; or, alternatively;
2. Receive and File, taking no action.

6. ORAL COMMUNICATIONS

Note: City Council Resolution 2013-03 states recordings are the true record of City Council meetings. Full comments can be viewed online at www.cityoffosalamitos.org.

Mayor Edgar opened Oral Communications.

Pastor Sam Pullen, Community Congressional Church, spoke regarding Council's responsibility for maintaining a respectful and safe forum. He looked forward to the Council enforcing the rules of decorum and spoke regarding everyone being created equal. He indicated the Constitution does not address immigration, but does mention migration. He read the relevant section out loud.

Mayor Edgar advised Oral Communications were not for agenda related items. He asked if anyone present would like to speak on a non-agenda related item. There being no one present wishing to speak, Mayor Edgar closed Oral Communications.

Items pulled from Consent Calendar.

10l. Adopt Ordinance No. 2018-03 – Adding Chapter 9.30 Constitution of the United States Compliance

At its regular meeting of March 19, 2018 the City Council conducted a first reading of Ordinance No. 2018-03. This is a second reading of the Ordinance to show the Council's resolve and support for the Constitution of the United States.

Mayor Edgar opened the item for public comment.

Note: City Council Resolution 2013-03 states recordings are the true record of City Council meetings. Due to the volume of speakers, comments have been summarized as opposition or support. Full comments can be viewed online at www.cityoflosalamitos.org.

The following spoke in opposition to adopting Ordinance No. 2018-03: Pastor Sam Pullen, Paul Scott, Barbara Farrell, Josh Brennecke, Emy Chen, Joanne Sosa, Joel Block, Dania Barye, Bethany Webb, Jessica Riegert, Cathery Yeh, Denise Miller, Unidentified Speaker, Monica Glicken, Emi Maclean, George Berlacher, and Stephanie Roberts.

The following spoke in support of adopting Ordinance No. 2018-03: Rickie Hulseley, Greg Susca, Arly, Genevieve Peters, Gerri Mejia, Robin Hviston, Elsa Aguliar, Unidentified speaker, Art Debolt, Crystal Myers-Barber, Toni West, Pamela Pauline, Javier Mejia, Dvra Young, and Nick Ioanidis.

RECESS

The City Council took a brief recess at 7:54 p.m.

RECONVENE

The City Council reconvened in regular session at 8:03 p.m.

The following spoke in opposition to adopting Ordinance No. 2018-03: Samuel Paramore, Aaron Block, Ramona Macias, Joseph Moreno, Bob McGowan, Reggie Harrison, Jeff Letournear, Jose Lopez, Yvonne Duncan, Guadalupe Espinoza, Sharon Logan, Tom Beck, Chalmers Hamill, Michelle Garcia, Brian Nguyen, Zaccary Bradt, Henry Josefsberg, Matthew Hom, Michelle Tio, Skye Wagoner,

Pete Carvajal, Sheryl Martinez, Judy Estrada, Jennifer Martinez, Alice Lee, Natalie Chang, Kim Sorgente, Jestin Samson, and Katie Brazer.

The following spoke in support of adopting Ordinance No. 2018-03: Raul Rodriguez, Leonor Ferris, Megan Dowling, Christine Williams, Stephanie Born, Betty Robinson, Fred MacIntosh, Larry Braces, Debbie Wickstrom, Janet West, Pat Chovanec, Kathy McNally, Catherine Driscoll, Steve Serra, Jeff Benson, Lesa Antone, Jennifer Harrison, Jess S., Cyrus Hojjaty, and Joseph Chan.

RECESS

The City Council took a brief recess at 10:12 p.m.

RECONVENE

The City Council reconvened in regular session at 10:24 p.m.

Mayor Pro Tem Kusumoto stated this was a Los Alamitos issue and the Council was respectfully listening to everyone. He requested the speakers remain respectful and direct their attention to the City Council.

The following spoke in opposition to adopting Ordinance No. 2018-03: Akash Hawkins, Cynthia Valencia, Betty Valencia, Tobias Vasquez, Ivan Enriquez, Tim Phan, Mohammed, Omar Siddiqui, and Christine Park.

The following spoke in support of adopting Ordinance No. 2018-03: Anna, Unidentified Male, Diane Sosa, Andy Born, and Unidentified speaker.

Mayor Edgar closed the item for public comment.

Council Member Chirco expressed concern regarding the financial impact this item is having and believed it would be better spent within the City. He pointed out the Police Department was not affected by this bill and were short staffed for budget reasons. He discussed the concerns over the legal ramifications of acting before an analysis had been completed and questioned Council's authority to act. He pointed out other cities had adopted resolutions. He stressed the budgetary constraints were increasing and the City did not have the resources to support this effort. He stated the City should not be spending more than it had especially when there was no illegal immigration issue in the City. He believed the actions were risky and divisive and did not provide responsible planning for the future. He stated adopting the Ordinance would not further the message but impose unnecessary risk and he would be voting in opposition because it was ineffective, flawed, risky, leads to liability, and was a drain on resources.

Council Member Murphy advised he would like to vote in favor again; however, he stated concern the ordinance was presented three days before introduction, written by a Council Member with no legal training, exempted from the legal review, and did not include options. He stated Council was now aware of other options that did not have the same legal ramifications. He urged Council to slow down and ensure the right thing is done to protect the police and citizens.

Motion: Murphy

Council Member Murphy made a motion to table this item and bring back a staff report discussion options. Motion died for lack of a second.

Council Member Hasselbrink stated she had no political agenda and referred to the longevity of the Constitution. She stated on March 19th she took a stance because of her oath and the Constitution had not changed since then, and therefore her stance could not either.

Mayor Edgar referred to the two actions taken by Council on March 19th, to adopt the Ordinance and file an amicus brief with the court. He stated he was a Navy Veteran and believed in running the City like a small business. He pointed out the importance of working together to influence change in the industry. He gave a brief overview of the other agencies who had taken stances on the issue after Council introduced its Ordinance. He indicated GoFundMe page would help the City raise money. He stated support for the simple language of the ordinance pointing out the conflict between the Federal and State law. He stated he had received support from various agencies including Orange County Sheriff's Department and Immigration and Customs Enforcement. He encouraged democracy and the process Council was undertaking and indicated the State had overstepped its boundaries.

Motion/Second: Edgar/Hasselbrink

Carried 4/1 (Chirco voted no): The City Council adopted Ordinance No. 2018-03 entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADDING CHAPTER 9.30 CONSTITUTION OF THE UNITED STATES COMPLIANCE."

RECESS


The City Council took a brief recess at 11:28 p.m.

RECONVENE

The City Council reconvened in regular session at 11:30 p.m.

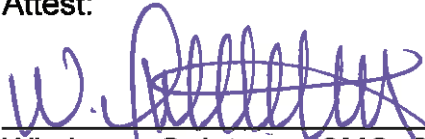
13. ADJOURNMENT

The City Council adjourned in memory of Irma Austin and Lew Landis at 11:32 p.m.



Troy D. Edgar, Mayor

Attest:



Windmera Quintanar, CMC, City Clerk