

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

REGULAR MEETING – May 21, 2018

1. CALL TO ORDER

The City Council met in Regular Session at 6:11 p.m. Monday, May 21, 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
Dave Hunt, City Engineer
Emeline Noda, Recreation Manager
Ron Noda, Recreation Manager
Windmera Quintanar, CMC, City Clerk
Maria-Luisa Valdez, Interim Administrative Services Director
Andy Perea, Interim Community Development Director

3. PLEDGE OF ALLEGIANCE

Colonel Bond led the Pledge of Allegiance.

4. INVOCATION

Mayor Edgar gave the Invocation.

5. PRESENTATION

A. Presentation of Certificates of Recognition to the 2018 Southland Credit Union 37th Annual Los Alamitos Race on the Base

Mayor Edgar, the Council, and Recreation Manager Emeline Noda presented Certificates of Recognition to the 2018 Race on the Base sponsors. Recreation Manager Emeline Noda presented the Council with the Commission Challenge plaque.

B. Presentation of a Commendation to Colonel Julian H. Bond for his Service as the Acting Commander of the Joint Forces Training Base

Mayor Edgar and the Council presented a commendation to Colonel Bond. Colonel Bond spoke briefly.

C. Presentation of a Certificate of Recognition to A La Waffle as a 2018 Business Recognition Award Recipient

Ms. Ho, A La Waffle owner, was not present.

- D. Presentation of a Plaque to Dave Emerson for his Service as a Traffic Commissioner**
Mayor Edgar and Council presented a plaque to former Traffic Commissioner Dave Emerson. Mr. Emerson spoke briefly.
- E. Presentation of a Commendation to Dr. Sherry Kropp for Being Named Orange County Superintendent of the Year**
Mayor Edgar and Council presented a commendation to Dr. Kropp. Mayor Edgar invited Board President Jeff Barke to speak briefly. Dr. Kropp spoke briefly.
- F. Presentation of a Government Finance Officers Association (GFOA) Award of Achievement Maria-Luisa Valdez, Interim Administrative Services Director for Excellence in Financial Reporting for the City of Los Alamitos' Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2017**
Mayor Edgar and Council presented the GFOA Award to Interim Administrative Services Director Valdez. Director Valdez spoke briefly.
- G. Presentation by District Attorney Tony Rackauckas regarding the Human Exploitation and Trafficking (H.E.A.T.) Program**
District Attorney Rackauckas was unavailable to attend.
- H. Presentation by Long Beach Animal Control providing an Overview of Services**
Ted Stevens, Animal Care Services Manager, gave a PowerPoint presentation to the City Council.

6. ORAL COMMUNICATIONS

Mayor Edgar opened Oral Communications.

Paula Watson, Seal Beach Parks Commissioner, spoke in support of the programs offered by Los Alamitos. She stated opposition to Council's actions regarding sanctuary city status.

Joel Block, Rossmoor Resident, spoke in opposition to Council's actions regarding sanctuary city status.

Kathy McNally, McNally Electric & Lighting, advised she had submitted a letter and stated support for Los Alamitos Blvd. returning to two lanes (Item 11A) for safety concerns, requested the center median be shortened to allow for a smoother transition into the driveways, stated support for widening the sidewalks, and requested the electrical monuments be camouflaged.

Vickie Trucellie, member of Los Alamitos Community United, stated opposition to the City's position on sanctuary city status and meeting with President Trump.

Michelle, resident and member of Los Alamitos Community United, stated opposition to statements made by President Trump and the Council's actions regarding sanctuary city status.

Barbara Farrel, resident and member of Los Alamitos Community United, stated support for keeping school children safe and spoke in opposition to Council's actions regarding sanctuary city status.

West Parker, Make America Great Again, spoke against illegal immigration.

Julie Armada, Heavenly Culture, spoke regarding an upcoming event, Advancing Peace in Americas, on June 4.

Matthew Pong, Cerritos resident, spoke in opposition to Council's actions regarding sanctuary city status.

Art DeBolt, resident, spoke in support of Council's actions regarding sanctuary city status.

Mayor Edgar closed Oral Communications.

7. COUNCIL ANNOUNCEMENTS

Council Member Murphy spoke regarding attendance at St. Isidore Fundraiser, Police Officers' Appreciation Lunch, Civic Center Ad Hoc Committee Meeting, and the City Selection Committee meeting, and requested consideration of an Owner/Tenant Bill of Rights for construction sites.

Council Member Hasselbrink spoke regarding attendance at the Police Officers' Appreciation Lunch, Chamber Breakfast, Award Dinner recognizing Dr. Kropp, Plant Night at the museum, Orange County Fire Authority Promotion and Service Ceremony, 79th Sustainment Change of Command Ceremony, Kumon Award Ceremony, and requested and received an update on the Farquhar restriping project. She stated concern traffic counters were put out without the direction of the Traffic Commission. City Engineer Hunt advised they were put out to provide better insight for future recommendations.

Council Member Chirco spoke regarding attendance at the Orange County Mosquito and Vector Control District Board meeting, Police Officers' Appreciation lunch, and the Budget Standing Committee meeting with Council Member Hasselbrink.

Mayor Pro Tem Kusumoto spoke regarding attendance at the Civic Center Ad Hoc Committee meeting, Police Officers' Appreciation Lunch, SCAG General Assembly in Indian Wells, and the St. Isidore fundraiser, and upcoming trip to Washington, D.C.

Mayor Edgar spoke regarding attendance at the 40th Infantry Farewell Ceremony, 79th Sustainment Assumption of Command, Kumon Awards Ceremony, Eagle Scout Court of Honor for Alex basset, Donate Life Walk/Run, and St. Isidore fundraiser, and upcoming trip to Washington, D.C.

8. ITEMS FROM THE CITY MANAGER

City Manager Plumlee spoke regarding attendance at the Police Officers' Appreciation lunch and thanked Police Chief Nunez for the support at the last two Council meetings. He advised the 4th of July MOU and 2019 Race on the Base agreements had been signed earlier that day with Colonel Bond.

Mayor Edgar thanked the Police Department for its assistance at the past two meetings.

9. WARRANTS

Motion/Second: Murphy/Chirco

Unanimously Carried: The City Council approved the Warrants for May 21, 2018, in the amount of \$34,256.46 ratified the Warrants for April 17,2018 to May 20, 2018, in the amount of \$1,021,946.17, 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 May 22, 2018 to June 17, 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 Pro Tem Kusumoto stated support for item. He acknowledged Orange County Fire Authority Staff, Lori Zeller and Chief Acosta, and thanked them for providing the information and concluding the item.

Council Member Hasselbrink pulled item 10N.

Motion/Second: Kusumoto/Chirco,

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

A. Approval of Minutes (City Clerk)
Approved the City Council Regular minutes of March 19, 2018 and April 16, 2018.

B. Treasurer's Quarterly Investment Report – March 2018 (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 – March 2018.

- C. Donation of a NOPTIC Thermal Camera Spot Lamp (Police)**
This report requested the City Council accept, on behalf of the Police Department, the donation of a NOPTIC thermal camera spot lamp.

The City Council accepted the donation of the NOPTIC thermal camera spot lamp from Generations Church for use by patrol officers.

- D. Agreement for Prosecution Services by the District Attorney of Orange County (Police)**
The City of Los Alamitos contracts with the Orange County District Attorney's Office for prosecution services. Our current Agreement for prosecution services will expire on June 30, 2018. Government Code Section 51302 states that Agreements cannot be extended beyond a five-year period without the affirmative action of both parties. The attached Agreement is proposed for a five-year period beginning July 1, 2018 and would expire on June 30, 2023.

The City Council authorized the Mayor to execute the Agreement for Prosecution Services by the District Attorney of Orange County.

- E. Agreement for Extension of Animal Control Services between the City of Long Beach and the City of Los Alamitos (Police)**
The City of Los Alamitos has contracted with the City of Long Beach for animal control services since FY 2001-02. This item proposes exercising the first of two optional two-year extensions of the 2016 agreement for FY 2018-2019 & 2019-2020.

The City Council authorized the Mayor to execute a two-year extension of the 2016 agreement for Animal Control Services between the City of Long Beach and the City of Los Alamitos, for the term of July 1, 2018 through June 30, 2020.

- F. Amendment No. 1 to Consulting Services Agreement with Michael Balliet Consulting, LLC (City Manager)**
The purpose of this report was to amend the Consulting Services Agreement with Michael Balliet Consulting, LLC extending the term until June 30, 2020 for providing on call consulting for Solid Waste Related services.

The City Council authorized the Mayor to execute Amendment No. 1 to the Consulting Services Agreement with Michael Balliet Consulting, LLC, extending the contract for two-years.

- G. Professional Services Agreement for Crossing Guard Services with All City Management Services (ACMS) (Police)**
The City of Los Alamitos has outsourced crossing guard services to All City Management Services since FY 2016-2017. The Police Department found there was increased public safety service levels, decreased time to manage the program, and decreased risk management issues. Staff is supportive of continuing this relationship and has secured an agreement with All Cities Management Services to continue crossing guard services during fiscal year 2018-2019.

The City Council authorized the Mayor to enter into the Professional Services Agreement for Crossing Guard Services between All City Management Services and the City of Los Alamitos for up to \$88,128 for the term of July 1, 2018 through June 30, 2019.

H. Amendment No. 3 to Professional Services Agreement with Clear Channel Inc. (Development Services)

This item was to consider continuing services with Clear Channel Inc., to provide bus shelters and maintenance services therein. The current Professional Services Agreement (PSA) will expire on June 7, 2018, but can be extended by mutual agreement up to five times. This is consideration of the third extension.

The City Council authorized the Mayor to execute Amendment No. 3 of the PSA with Clear Channel Inc., a Delaware Corporation, for bus shelters and maintenance services therein.

I. Amendment No. 6 to Professional Services Agreement with Scientia Consulting Group for Information Technology Support Services (Administrative Services)

The purpose of this report was to amend the Professional Services Agreement with Scientia Consulting Group, extending the term to June 30, 2019, for information technology support services.

The City Council authorized the Mayor to execute Amendment No. 6 to the Professional Services Agreement with Scientia Consulting Group.

J. Community Center Roof Repair Project (CIP No. 17/18-02) (Development Services)

This report recommended award of a bid for the construction of portions of the Community Center Roof Repair Project. The roof of the Community Center building has incurred significant damage. In order to avoid further damage to public facilities and avoid injury to the health of the occupants of the buildings, staff is requesting the City Council identify the repair of the roofs as an urgent necessity and approve the award of contract to KJ Construction & Design to make the required repairs.

The City Council:

1. Adopted Resolution No. 2018-10, entitled, "A RESOLUTION OF CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DECLARING THE COMMUNITY CENTER LEAKING ROOF AS AN URGENT NECESSITY FOR THE PRESERVATION OF PROPERTY"; and,
2. Awarded construction of the Community Center Roof Repair Project (CIP No. 17/18-02) to KJ Construction & Design in the amount of \$46,000; and,
3. Authorized the Mayor to execute the contract for the project; and,

4. Authorized City Engineer to add work and execute change orders in an amount not to exceed the contingency reserve of 10% or \$4,600 and \$5,000 for construction management from the Building and Safety Department for a maximum contract amount of \$55,600.

- K. Resolution No. 2018-11 – Support for Proposition 68 (Recreation)**
This report requested support for Proposition 68 to protect California’s own unique natural resources and ensure every Californian has access to clean drinking water and safe parks.

The City Council adopted Resolution No. 2018-11 entitled, “A RESOLUTION OF CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, IN SUPPORT OF PROPOSITION 68: THE CALIFORNIA CLEAN WATER & SAFE PARKS ACT”.

- L. Resolution No. 2018-13 – Adopting the Los Alamitos Boulevard Streetlight Banner Program (Development Services)**
Adoption of this resolution will approve 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. The revised Los Alamitos Boulevard Streetlight Banner Program guidelines were presented for City Council consideration at its April 21, 2018 meeting.

The City Council adopted Resolution 2018-13, entitled, “A RESOLUTION OF CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADOPTING THE LOS ALAMITOS BOULEVARD STREETLIGHT BANNER PROGRAM.”

- M. Summary of Orange County Fire Authority (OCFA) Services and Fiscal Considerations (OCFA Chief Acosta)**
The City Council previously had discussions of possible fire service alternatives. Recently the cities of Westminster and Seal Beach have received proposals for alternative fire services. The information is being presented to Council for consideration.

The City Council received and filed.

End of Consent Calendar

Items pulled from Consent Calendar

- N. Permanent Supportive Housing (City Manager)**
Homelessness is a significant challenge facing Orange County. Orange County City Managers have started to work together to identify potential shelter locations and beds that may be available for the homeless in the different regions. This item provides an update to Council and requests authorization to continue to move forward with planning efforts.

City Manager Plumlee summarized the staff report and answered questions from the City Council.

City Council and Staff discussed the following topics:

- Council working as a partner with the rest of the County that is experiencing issues regarding homeless
- In light of Santa Ana's threat of litigation, Staff has identified 36 beds throughout the City that could be used to assist with the homeless
- Possibility of using the Los Angeles Flood Control Channel along Coyote Creek Park for future land development
- City's involvement in North Region City Group to address the issue
- Direction for Staff to notify the public of the City's efforts
- Strong opposition to the Association of California Cities – Orange County (ACC-OC) efforts to create a Joint Powers Authority regarding homeless and Staff spending resources on these efforts
- This action was specific to the North Region Cities showing due diligence to identify resources for the homeless should Judge Carter require
- Direction to Staff to discuss ACC-OC dues and membership at the budget adoption
- Support for adding language to the Resolution to state opposition to ACC-OC's lobbying activities on this issue

City Council took a brief recess to allow City Attorney Daudt an opportunity to draft the requested language.

RECESS

The City Council took a brief recess at 8:18 p.m.

RECONVENE

The City Council reconvened in regular session at 8:28 p.m.

City Attorney Daudt provided the following language to be added to the resolution,

SECTION 3. The City Council hereby declares its opposition to current legislative efforts advanced by Assembly Member Tom Daly to develop the OC Housing Trust, a Joint Powers Authority intended to act as a financial and funding vehicle for homelessness, which may include membership from the 34 cities in Orange County.

Council consensus was received to add the suggested language.

Motion/Second: Hasselbrink/Kusumoto

Unanimously Carried: The City Council adopted Resolution No. 2018-09, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AUTHORIZING THE CITY MANAGER'S PARTICIPATION IN PLANNING EFFORTS TO ADDRESS COUNTY-WIDE PERMANENT SUPPORTIVE HOUSING", adding Section 3 as provided by City Attorney Daudt.

Council Member Murphy advised he would like to change his vote on item 10K. He stated he does not favor State bonds on a personal level and could not support such here. He advised he would like to vote no on item 10K.

Mayor Edgar called for the vote on item 10K.

- K. Resolution No. 2018-11 – Support for Proposition 68 (Recreation)**
This report requested support for Proposition 68 to protect California's own unique natural resources and ensure every Californian has access to clean drinking water and safe parks.

Motion/Second: Chirco/Hasselbrink

Carried 4/1 (Murphy voted No): The City Council adopted Resolution No. 2018-11 entitled, "A RESOLUTION OF CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, IN SUPPORT OF PROPOSITION 68: THE CALIFORNIA CLEAN WATER & SAFE PARKS ACT".

11. DISCUSSION ITEMS

Mayor Edgar pulled item 11C forward.

- C. Los Alamitos Takes Part in Trump's Sanctuary State Roundtable (Edgar/Kusumoto)**

Mayor Edgar and Mayor Pro Tem Kusumoto were invited to take part in a discussion regarding California's sanctuary and immigrant law with President Trump on Wednesday, May 16, 2018. This report will provide an overview of that meeting and the meetings with eight Congressman the following day.

Mayor Edgar summarized the staff report regarding the May 16, 2018 meeting with President Trump and meetings with Congress Members the following day on May 17, 2018. He advised he had a meeting with District Attorney tomorrow morning and reiterated thanks to the community for its support.

Mayor Pro Tem Kusumoto stated appreciation for the feedback he received from both sides. He believed this legislation was commandeering the local police force and taking away local control. He stated the Federal and State governing documents were in conflict and pointed out the ACLU mission was to support the Constitution. He reiterated the importance of maintaining local control and pointed out Los Alamitos has always supported its Police Department as evidenced by the budget. He stated it was a humbling meeting with President Trump and reiterated support to maintain local control.

Council Member Chirco reiterated his opposition to the Ordinance and respectfully disagreed with his colleagues. He indicated there were arguments on both sides of the issue and both sides believed they were supporting the United States Constitution. He stated his opposition was due to the defending a lawsuit that was not a prudent use of taxes. He advised he had also received support from the community and pointed out the Police Chief has confirmed SB54 does not affect Los Alamitos.

Council Member Murphy thanked his colleagues for outlining the issue. He indicated it was unfortunate the public comment speakers were unaware of the issue facing Los Alamitos and were under the false impression Council was taking a stance on Federal Immigration law.

Mayor Edgar spoke regarding the erosion of local control over his 12-year tenure and was supportive of making case law with the City's stance. He summarized his request to President Trump for support and welcomed input from the community.

The City Council received and filed the report.

A. 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 and April 16, 2018 agendas.

City Engineer Hunt summarized the staff report and answered questions from the City Council.

Mayor Edgar gave a brief history of the project and Council's goal to create a downtown area. He stated support for returning to two lanes as it was unsafe to exit your vehicle from the third lane.

Mayor Edgar opened the item for public comment.

Shelley Henderson, OC Breeze Editor and business owner, stated support for returning to two lanes as the flow of traffic was too fast.

Kathy McNally, business owner, reiterated she had submitted a letter with her concerns. She stated business had decreased since changing to three lanes and supported for returning to two lanes.

Mayor Edgar closed the item for public comment.

City Council and Staff discussed the following topics:

- Support for returning Los Alamitos Blvd. to two lanes to improve safety and slow down traffic
- Possibility of extending sidewalks
- Support for continuing to move the project forward
- History of possible grant funds for converting to three lanes
- History of community support for two lanes and a bike lane

Motion/Second: Edgar/Murphy

Carried 3/2 (Chirco and Kusumoto voted no): The City Council:

1. Reviewed 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,
2. Approved the two lane configuration on Los Alamitos Blvd.

B. Public Comment Time Limits (Murphy/Hasselbrink)

Council Members Murphy and Hasselbrink have requested an opportunity to discuss options for the possibility of limiting the time allocated for public comment. This report provides the City's current policies and the practices of surrounding cities for Council's consideration.

City Clerk Quintanar summarized the staff report and answered questions from the City Council.

Council Member Murphy expressed support for the Council to have the ability to reduce the number or length of public comments when there is a large number of repetitive speakers to ensure the City's business can be completed.

Council Member Hasselbrink indicated the City of Long Beach only accepted speaker cards until the meeting began which allowed Council to gauge how long the discussion would need. She indicated this topic would be good for discussion and stressed the intent was not to limit the public's ability to speak. She pointed out the majority of speakers lately were not from Los Alamitos.

Council Member Chirco stated concern for limiting the number of speakers and not allowing everyone the opportunity to be heard. He did support the option to shorten the amount of time as the need arises at the Mayor's discretion.

Mayor Pro Tem Kusumoto recalled his second meeting in 2011 when public testimony on the Hospital Project lasted until 1:30 a.m. He stated opposition to curtailing public input and wanted to ensure an open forum. He stated support for limiting the amount of time at the majority or super majority's discretion. He pointed out the chair of the meeting had the ability to request speakers rely on one member of the group to come forward and it was up to the chair to ensure speakers concluded at the end of their allotted time.

Mayor Edgar indicated this was not the right time for this item. In his 12-year tenure this was only the fourth or fifth time a topic took this long. He indicated in face of a lawsuit he wanted to ensure the people knew Council was listening. He opposed any changes at this time and supported remaining consistent.

Motion/Second: Edgar/Chirco

Carried 4/1 (Murphy voted no): The City Council tabled action regarding the possibility of limiting public comments.

12. CLOSED SESSION

City Attorney Daudt advised only item 12D would be discussed.

A. Conference with Labor Negotiator

City Negotiator: Bret M. Plumlee, City Manager
Employee Organization: Los Alamitos Police Officers Association
Authority: Government Code Section 54957.6

B. Conference with Labor Negotiator

City Negotiator: Bret M. Plumlee, City Manager
Employee Organization: Teamsters Local 911
Authority: Government Code Section 54957.6

C. 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

D. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to paragraph (1) of subdivision (d) of Government Code Section 54956.9.
Name of Case: *Los Alamitos Community United, et al. v. City of Los Alamitos, et al.*
Superior Court of California, County of Orange, Case No. 30-2018-00987018-CU-WM-CXC.

RECESS

The City Council took a brief recess at 9:42 p.m.

RECONVENE

The City Council reconvened in regular session at 11:33 p.m.

City Attorney Daudt stated there was no reportable action.


13. ADJOURNMENT

The City Council adjourned at 11:33 p.m.



Troy D. Edgar, Mayor

Attest:



Windmera Quintanar, CMC, City Clerk