MINUTES OF THE CITY COUNCIL
OF THE CITY OF LOS ALAMITOS

REGULAR MEETING – April 15, 2019

1. CALL TO ORDER
The City Council met in Regular Session at 6:01 p.m. Monday, April 15, 2019 in the Council Chamber, 3191 Katella Avenue, Mayor Kusumoto presiding.

2. ROLL CALL

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

Absent: Council Members: None

Present: Staff: Bret Plumlee, City Manager
Michael Daudt, City Attorney
Eric Hendrickson, Finance Director
Dave Hunt, City Engineer
Les Johnson, Development Services Director
Chris Karrer, Police Captain
Emeline Noda, Recreation Manager
Eric Nunez, Police Chief
Windmera Quintanar, MMC, City Clerk
Ron Roberts, Orange County Fire Authority Division Chief
Maria-Luisa Valdez, Finance Director

3. PLEDGE OF ALLEGIANCE
Council Member Grose led the Pledge of Allegiance.

4. INVOCATION
Mayor Kusumoto gave the Invocation.

5. PRESENTATIONS
The City Council made the following presentations. Each recipient spoke briefly.

A. Presentation of Certificates of Recognition to Race on the Base Sponsors

B. Presentation of a Tile Plaque to Police Captain Sean Connolly for 25 Years of Dedicated Service

C. Presentation of a Tile Plaque to Police Corporal Robert Thome for 21 Years of Dedicated Service

D. Presentation of a Proclamation in Recognition of National Public Safety Telecommunicators Week to Dispatchers Kasandra Bowden, Crystal Coorough, Michael Berry, Veronica Wilson, and Kathi Moen

E. Presentation of a Proclamation to Maria Jimenez, OneLegacy Amabassador, in Recognition of DMV/Donate Life California Month
F. Presentation by Association of California Cities – Orange County (ACC-OC) Regarding the Orange County Housing Finance Trust
Mr. Dave Kiff gave a PowerPoint presentation and answered questions from the City Council.

Mayor Kusumoto announced item 12A would be heard after item 9 and item 10C would be pulled from the Consent Calendar and considered after Closed Session.

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 Kusumoto opened Oral Communications.

Art DeBolt, resident, expressed opposition and concerns regarding the Golden State Water project in Apartment Row.

Randy Hill, representing five present Traffic Commissioners, requested a joint meeting with the City Council to discuss permit parking direction.

Sean Kim, Program Director of International Fellowship, invited the Council to the 3rd Annual International Youth Fellowship Leader’s Conference on April 21, 2019.

Mayor Kusumoto 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 Budget Standing Committee meeting, encouraged residents to get involved with the future of the City’s finances, attendance at Kiwanis of Los Alamitos, Orange County Mosquito and Vector Control District Board meeting, Weekend of Art, and State of the City. He thanked outgoing Finance Director Valdez for her service and welcomed incoming Finance Director Hendrickson.

Council Member Grose spoke regarding attendance at several events and provided the City Clerk with a copy of the list. He requested the Golden State Water Project be agenized for future discussion and stated support for improving communication with the Traffic Commission.

Council Member Hasselbrink spoke regarding attendance at the Weekend of Art, 79th Sustainment’s Women History Month, California Parks Recreation Society District 10 Dinner, Orange County Fire Authority Board meeting, and stated support for a joint meeting with the Traffic Commission.

Mayor Pro Tem Murphy spoke regarding attendance at State of the City and weekend of Art, he thanked the Race on the Base volunteers, and thanked outgoing Finance Director Valdez for her service and welcomed incoming Finance Director Hendrickson.
Mayor Kusumoto spoke regarding attendance at the Weekend of Art, State of the City, Judge Carter’s Hearing regarding homeless, California Parks Recreation Society District 10 Dinner, and We Care Annual Fundraiser.

8. ITEMS FROM THE CITY MANAGER

City Manager Plumlee thanked outgoing Finance Director Valdez for her service and welcomed incoming Finance Director Hendrickson, thanked the Recreation department for Weekend of Art, congratulated Mayor Kusumoto on the recent State of the City, thanked Captain Connolly for 35 years of dedicated service, thanked West-Comm for their service, and announced Epson North American Head Quarters would be moving in next door.

He requested and received updates regarding the Spring Carnival on April 20, Donation Drive ending May 8, Serve Los Al June 21 and 22, and Drug Take Back on April 27.

9. WARRANTS

Motion/Second: Hasselbrink/Murphy
Unanimously Carried: The City Council approved the Warrants for April 15, 2019, in the amount of $51,634.53 ratify the Warrants for March 19, 2019 through April 14, 2019 in the amount of $989,815.61 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 of April 16, 2019 to May 19, 2019.

ROLL CALL
Mayor Kusumoto Aye
Mayor Pro Tem Murphy Aye
Council Member Chirco Aye
Council Member Grose Aye
Council Member Hasselbrink Aye

Mayor Kusumoto pulled item 12A forward.

12. DISCUSSION ITEMS

A. Approval of Employment Agreement for Finance Director

City Manager Plumlee summarized the Staff report, advised benefits were outlined in the non-represented memorandum of understanding, and Director Hendrickson would be starting at Step C, Tier 2.

Motion/Second: Chirco/Grose
Unanimously Carried: The City Council authorized the City Manager to enter into an Employment Agreement for Finance Director with Eric Hendrickson.
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 Kusumoto pulled item 10C for discussion after Closed Session.

Council Member Hasselbrink pulled item 10F.

Motion/Second: Chirco/Murphy
Unanimously Carried: The City Council approved the following Consent Calendar items:

A. **Approval of Minutes** *(City Clerk)*
Approved the Special and Regular City Council minutes of March 18, 2019, the Special City Council Minutes of March 25, 2019 and April 8, 2019.

B. **Award of Bid for Fleet Maintenance Services (RFP 2019-01)** *(Development Services)*
This report recommended awarding of a bid for contractual services for fleet maintenance services (RFP 2019-01).

The City Council:
1. Awarded the bid for Fleet Maintenance Services to Citywide Auto Care at an annual amount of $29,000; and,
2. Authorized the Mayor to execute the Fleet Maintenance Services Agreement with Citywide Auto Care for the project.

D. **Resolution No. 2019-11 — Designation of City Treasurer** *(City Manager)*
This report sought consideration of a resolution designating Eric Hendrickson, Finance Director, as City Treasurer.


E. **Appointment of Interim Police Sergeant** *(Police)*
This report sought approval to appoint Robert Thome as an Interim Police Sergeant upon his retirement on May 3, 2019.

The City Council approved the appointment of Robert Thome as an Interim Police Sergeant and authorize the City Manager to execute the employment agreement for an Interim Police Sergeant for the City of Los Alamitos.

G. **Award of Bid for the 2019 Fireworks Display at the Annual 4th of July Fireworks Spectacular** *(Recreation)*
This report recommended awarding of a bid for 2019 Fireworks Display at the Annual 4th of July Fireworks Spectacular.
The City Council:

1. Awarded the bid for the 2019 Fireworks Display at the Annual 4th of July Fireworks Spectacular to Fireworks & Stage FX America in the amount of $32,000 (Option A); and,

2. Authorized the Mayor to execute the Professional Service Agreement with Fireworks & Stage FX America for the project.

H. Award of Bid for Alley, Americans with Disabilities Act (ADA) Ramps and Sidewalk Improvement Project (CIP No. 18/19-06) (Development Services)

This report recommended award of a bid to begin facilitating the reconstruction of portions of the existing alley west of Reagan Street, between Katella Avenue and Green Avenue. In addition, it will include the installation of 10 new (Americans with Disabilities Act) ADA Ramps and sidewalk reconstruction in the Apartment Row neighborhood.

The City Council:

1. Awarded construction of the for the construction for the alley, ADA Ramps and Sidewalk Improvement Project (CIP No. 18/19-06) to Nobest Incorporated in the amount of $121,050; and,

2. Authorized the Mayor to execute the contract with Nobest Incorporated for the project; and,

3. Authorized the City Engineer to add work and execute change orders in an amount not to exceed the contingency reserve of 20% or $24,210.

End of Consent Calendar

Items Pulled From Consent Calendar

F. Resolution 2019-12 – Approving the Fiscal Year 2019-20 Project List for SB-1 Funds in the amount of $209,730 toward the Farquhar Street Rehabilitation (Finance)

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 Farquhar Street Rehabilitation in the amount of $209,730.

Council and Staff clarified this project did not include the area recently under construction with the Golden State Water project and City resources were not being spent for any of that project. Staff provided a brief update on the Golden State Water project.
Motion/Second: Hasselbrink/Murphy
Unanimously Carried: 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,


11. PUBLIC HEARINGS

A. Appeal of Planning Commission Denial of a Medical Office in the General Commercial (C-G) Zone 10900 Los Alamitos Blvd., #160 (Conditional Use Permit (CUP) 18-08) (Development Services)

At its February 27, 2019 meeting, the Planning Commission approved a resolution denying Conditional Use Permit 18-08 for a medical office at 10900 Los Alamitos Boulevard, #160 in the General Commercial (C-G) Zoning District. The Applicant, Peter J. Blied, of North County Consulting, subsequently filed an appeal of the Planning Commission’s decision to the City Council.

Council Member Grose recused himself from the discussion as his wife sits on the Planning Commission and they had discussed the Commission’s rationale for denying the project.

Development Services Director Johnson summarized the Staff report and gave a PowerPoint presentation.

City Attorney Daudt advised the City Council this was a fresh opportunity to review the application and approve, deny, or modify the conditions of the Conditional Use Permit (CUP) and the Council was not limited to the decision of the Planning Commission.

City Council and Staff discussed the following:

- Parking included perpendicular on street parking on Pine and Florista
- Medical office use at this location with Katella frontage requires a CUP
- Retail use at this location would not require a CUP
- Preexisting medical uses in that facility predate the current zoning regulations
- Council decision is required within 90 days of receiving the application

Mayor Kusumoto opened the Public Hearing.

Peter Blied, North County Consulting on behalf of Los Al Medical Plaza, discussed the following: the proposed Medical Office (MO) complies with CUP requirements; they had relied on professional expertise and worked with Staff; the resolution included five
findings of approval in compliance with the Los Alamitos Municipal Code (LAMC); belief the Planning Commission focused on the wrong items and directed Staff to provide findings for denial; two findings for denial were weak; client has worked with three different brokers with no retail interest; challenge of the building location, design, shape and architect; provided history of previous tenants; interest in the location is for medical office use close to the hospital; request is logical and makes sense; engineering and traffic professionals have evaluated the site and provided their findings; parking is adequate; one 30 minute period there is a shortfall of five spaces; vast majority of the time there is excess parking; denying a medical office use here would not make retail show up; need for brick and mortar stores demand is decreasing; trend is for medical office and mixed use; medical office will bring in well paid professionals to support the retail in the center; only frontage is on Pine which is not an arterial; requested Council support his client and tenants by supporting the greater good with a use that is logical and reasonable that does not create a nuisance of a problem; if retail was interested they would have already come as the site has been vacant for years; interested tenants have already supplied a letter of intent and working with the property owner on terms of agreement; having approval for medical office use before speeds up the process; prospective tenants shy away from CUP process; requested approval of Resolution 19-03 as originally written; requesting use permit for a specific use not a specific tenant; client is amendable to limiting the types of use (i.e. excluding urgent care or surgery centers); and, belief the prospective tenant would be welcome in Los Alamitos.

City Council and Mr. Blied discussed the following:

- Prospective tenant is a regional care group for general practice and wishes to remain confidential
- Concern for hours of operations and amount of employees
- CUPs allow additional restrictions to be placed on the use and ability for Staff to review active CUP if issues arise
- Employees will be required to park in the lot per the lease agreement
- Scenarios the property owner had considered to encourage retail and/or restaurant use in the location with no interest
- Property owner is willing to make changes to the building if there was interest from a prospective tenant
- Possibility of including a maximum density for the use
- Concern for parking
- Various factors used in fixing the cost for a commercial lease per square foot
- Possibility of including a condition to allow for periodic reviews of traffic and other impacts
- Opposition to Medical Offices overcoming the downtown area identified in the General Plan

Motion/Second: Hasselbrink/Murphy
Carried 4-0 (Grose recused): The City Council adopted Resolution No. 2019-14, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AFFIRMING THE PLANNING COMMISSION DENIAL OF CONDITIONAL USE PERMIT (CUP) 18-08 TO ALLOW A MEDICAL OFFICE IN A 6,375 SQUARE FEET UNIT AT 10900 LOS ALAMITOS BOULEVARD, #160"
IN THE GENERAL COMMERCIAL (C-G) ZONING DISTRICT, APN 242-171-08
(APPLICANT: PETER J. BLIED, NORTH COUNTY CONSULTING).

RECESS
The City Council took a brief recess at 8:12 p.m.

RECONVENE
The City Council reconvened in Regular session at 8:26 p.m.

B. Fiscal Year 2019-20 Master Fee Schedule Update (Finance)
In an effort to keep cost recovery in parity with the services rendered it is recommended that the City Council approve the proposed Master Fee Schedule update, which update includes a 2.5% increase in applicable fees commensurate with increases in the Consumer Price Index (CPI).

Finance Director Valdez summarized the Staff report.

City Council and Staff discussed the following highlighted fees have been increased; user fees must reasonably relate to the actual cost of providing the services; standard practice across jurisdictions is to have an escalator tied to the CPI adjustments; comprehensive fee study was done in 2015, and is scheduled to be reviewed every 5-6 years.

Mayor Kusumoto opened the Public Hearing, there being no one present wishing to speak, Mayor Kusumoto closed the Public Hearing.

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

1. Reviewed the Fiscal Year 2019-20 Master Fee Schedule Update, and;


12. DISCUSSION ITEMS

B. City Council Agenda Policy (City Clerk)
At its January 22, 2019 Special Meeting, Council directed Staff to bring forward a policy regarding the process for assembling a City Council meeting agenda. The proposed policy is presented for Council’s consideration.

City Clerk Quintanar summarized the Staff report. City Council and Staff briefly discussed the policy.

Motion/Second: Hasselbrink/Murphy

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13. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
   Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) and paragraph (1)
   of subdivision (e) of Government Code Section 54956.9: (1 potential case).

B. CONFERENCE WITH LABOR NE Gotiator
   City Negotiator: Bret M. Plumlee, City Manager
   Employee Organization: Teamsters Local 911
   Authority: Government Code Section 54957.6

City Attorney Daudt read the titles aloud.

RECESS
The City Council recessed into Closed Session at 8:38 p.m.

RECONVENE
The City Council reconvened in Regular Session at

City Attorney Daudt stated there was no reportable action.

10. CONSENT CALENDAR

C. Memorandum of Understanding for the North Orange County Service Planning Area Homelessness Outreach Efforts (City Manager)
   This report recommends approval of a Memorandum of Understanding establishing a
   multi-jurisdictional approach for the construction and operation of “Navigation Centers”
   that will serve homeless adults, children, and families located within the North Service
   Planning Area of Orange County. This item was continued from the March 25, 2019
   Special Council meeting without discussion.

Motion/Second: Chirco/Murphy
Carried 3-2 (Hasselbrink and Kusumoto voted no): The City Council:

1. Approve the Memorandum of Understanding for the North Orange County
   Service Planning Area (“MOU”); and,

2. Authorize the City Manager to approve non-substantive changes as needed and
   execute the MOU in a form approved by the City Attorney.

14. ADJOURNMENT
   The City Council adjourned at 9:50 p.m.

Attest:

Windmera Quintana, MMC, City Clerk