MINUTES OF THE CITY COUNCIL
OF THE CITY OF LOS ALAMITOS

REGULAR MEETING – August 19, 2019

1. CALL TO ORDER
The City Council met in Regular Session at 5:31 p.m. Monday, August 19, 2019 in the Council Chamber, 3191 Katella Avenue, Mayor Kusumoto presiding.

2. ROLL CALL

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

Present: Staff: Les Johnson, Interim City Manager
David Cain, Fiscal Sustainability Manager
Michael Daudt, City Attorney
Eric Hendrickson, Finance Director
Dave Hunt, City Engineer
Captain Karrer, Police Captain
Emeline Noda, Recreation Manager
Ron Noda, Recreation Manager
Tom Oliver, Associate Planner
Windmera Quintanar, MMC, City Clerk
Ron Roberts, Battalion Chief Orange County Fire Authority

2. CLOSED SESSION

A. CONFERENCE WITH LABOR NEGOTIATOR
City Negotiator: Les Johnson, Interim City Manager
Employee Organization: Teamsters Local 911
Authority: Government Code Section 54957.6

City Attorney Daudt read the item aloud.

RECESS
The City Council recessed into Closed Session at 5:31 p.m.

RECONVENE
The City Council reconvened in Regular Session at 6:01 p.m.

City Attorney Daudt stated there was no reportable action.

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

4. INVOCATION
Mayor Kusumoto gave the Invocation.
5. PRESENTATIONS

Mayor Kusumoto presented awards to the listed recipients.

A. Introduction of Newly Appointed Police Officer Evan Flynn

B. Presentation of a Commendation to Linda Kathleen Luher for Service as a Long Time Resident

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.

Hortensia Breton, St. Isidore Historical Plaza, spoke regarding upcoming events at the Plaza.

Shelley Henderson, Editor of the Orange County Breeze, spoke regarding the recent outbreak of West Nile Virus and upcoming events.

Barbara Farrell, resident, inquired about tiny houses for veterans, thanked staff for fixing the drain pipes in her neighborhood, and stated opposition to item 10G.

James Peterson, Government Relations Manager at Southern California Edison, stated opposition to item 10G.

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 Grose spoke regarding attendance at various events and provided a summary to the City Clerk.

Council Member Chirco spoke regarding attendance at the Budget Standing Committee Meeting, National Night Out, Orange County Mosquito and Vector Control District Board meeting, Starbucks Grand Opening, tour of the Joint Forces Training Base, and thanked City Manager Plumlee for his service.

Council Member Hasselbrink spoke regarding attendance at the Los Alamitos Chamber Mixer, St. Isidore Jubilee Celebration, meeting with Congressman Lowenthal, National Night Out, and the promotion of Colonel Leery at the Joint Forces Training Base.

Mayor Kusumoto spoke regarding attendance at the St. Isidore Jubilee Celebration, Orange County Fair Flag Raising Day for Los Alamitos, Businesses visit to WestEd, Senator Umberg’s Open House, National Night out, and the
promotion of Colonel Leery at the Joint Forces Training Base.

8. **ITEMS FROM THE CITY MANAGER**

Interim City Manager Johnson spoke regarding the Orange County Historical Commissions dedication of the historical plaque for the Museum and the City’s Biggest Loser Challenge.

Recreation Manager Emeline Noda gave an overview of the upcoming Family Dance.

9. **WARRANTS**

Motion/Second: Hasselbrink/Grose

Unanimously Carried: The City Council approved the Warrants for August 19, 2019, in the amount of $43,284.42 ratified the Warrants for July 16, 2019 to August 18, 2019 in the amount of $2,552,433.51 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 August 20, 2019 to September 15, 2019.

**ROLL CALL**

- Mayor Kusumoto Aye
- Mayor Pro Tem Murphy Absent
- Council Member Chirco Aye
- Council Member Grose Aye
- Council Member Hasselbrink 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 Kusumoto pulled item 10D.

Council Member Hasselbrink pulled item 10G.

Motion/Second: Chirco/Hasselbrink

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

A. **Approval of Minutes**
(City Clerk)

Approved the City Council minutes of the Regular and Special Meetings on July 15, 2019 and the Special Meeting on July 23, 2019.

B. **Reject Bid for Community Center and Youth Center Re-Roof Project (CIP No. 18/19-08)**
(Development Services)

On July 15, 2019 construction bids were publicly opened for the Community Center and Youth Center Re-Roof Project (CIP No. 18/19-08). One bid was received. The only bidder for this project was Commercial Waterproofing
Systems, with the total bid amount of $591,200. The bid amount significantly exceeds the appropriated construction budget of $143,100; therefore, staff recommends that the City Council reject the bid received and direct staff to re-advertise and rebid the project following a thorough review of the bid specifications and confirmation that the project budget is sufficient.

The City Council:

1. Rejected all bids received for Community Center and Youth Center Re-Roof Project (CIP No. 18/19-08); and,

2. Authorized Staff to advertise and again solicit bid proposals following review of the bid specifications and confirming that the project budget is sufficient.

C. Reject Bids for Fenley Drive Storm Drain Pump Station (CIP No. 19/20-01) (Development Services)

On July 23, 2019 construction bids were publicly opened for the Fenley Drive Storm Drain Pump Station (CIP No. 19/20-01). A total of one bid was received. The bidder for this project was AID Builders, with the total bid amount of $1,510,000. However, the bid significantly exceeds the appropriated construction budget of $100,000; therefore, staff recommends that the City Council reject all bids and re-bid this project at a later date.

Mayor Kusumoto asked for a quick explanation of the bid results. Interim City Manager Johnson advised the bids were read incorrectly which resulted in a price ten times greater than the engineer’s estimate. Seven bid packets were distributed and Staff would be following up with the requestors who did not submit a bid. Staff was confident more appropriate bids would be received.

The City Council:

1. Rejected the only bid received for Fenley Drive Storm Drain Pump Station (CIP No. 19/20-01); and,

2. Authorized the City Engineer to rebid with the Fenley Drive Storm Drain Pump Station (CIP No. 19/20-01) to get lower unit prices.

E. Treasurer’s Quarterly Investment Report – June 2019 (Finance)

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 – June 2019.
F. The League of California Cities' 2019 Annual Conference (City Manager)
This report sought authorization for Interim City Manager, Les Johnson, to attend the 2019 League of California Cities Annual Conference.

The City Council authorized the Interim City Manager to attend the conference and all associated travel expenses in an amount not to exceed $595.

End of Consent Calendar

Items Pulled from Consent Calendar

D. Memorandum of Understanding with Teamsters Local 911 (City Manager)
This Resolution adopts the three year Memorandum of Understanding (MOU) with the Teamsters Local 911, effective November 1, 2018 through October 31, 2021.

Motion/Second: Kusumoto/Chirco

G. Resolution No. 2019-29 – Support of Balanced Energy Solutions and Local Choice (City Manager)
An increasing number of state agencies are proposing new legislation and regulations looking to eliminate energy choices and mandating solutions to fully electrify homes and businesses in the future. These mandates can eliminate local control and customer choice which suppresses innovation, reduces reliability, and unnecessarily increases costs for Los Alamitos residents and businesses.

Interim City Manager Johnson summarized the staff report and Council discussed concerns regarding this item being premature and not linked to any specific legislation.

Motion/Second: Grose/Chirco
Unanimously Carried: The City Council referred the item back to Staff with direction to meet with the various utilities to address the concerns raised, review the objectives of the Resolution as it relates to the City's adopted Legislative Platform, and to bring back to Council if needed.
11. PUBLIC HEARING

A. First Reading and Introduction of Ordinance No. 2019-02 — Zoning Ordinance Amendment (ZOA) 18-03 Concerning Small Wireless Cellular Installations (Development Services)

On July 24, 2019, the Planning Commission recommended that the City Council amend Section 17.30.030 and add Chapter 17.31 to the Los Alamitos Municipal Code through an ordinance regarding the location, standards, and general regulation of small wireless facilities within the City.

Interim City Manager Johnson summarized the Staff report.

City Council and Staff discussed the following:

- Changes are to accommodate newer technology (i.e. 5G)
- There are currently no 5G sites operating in the City
- Federal Communications Commission (FCC) has data available on health affects
- City has does not have discretion over where these in stallions can occur due to Federal Government regulations

Mayor Kusumoto opened the Public Hearing for comments.

Michelle Brower, Verizon, advised her organization had participated in the Stakeholder’s meeting and understood the City’s desire and requirements. She explained this was not due to a coverage issue and the antennas were to increase capacity for sites that have too many users.

Ms. Brower, Council and Staff discussed the following:

- Antennas would utilize existing infrastructure on public right of way
- Process to place antennas on private property was different
- Public infrastructure was favorable and feasible due to lower cost and standardized aesthetic
- Primary focus would be on street lights since many companies have existing relations with Southern California Edison
- Provisions would allow for installation of antennas on public utility power poles located on private property through the Conditional Use Permit (CUP) process; however, those locations were not miserable due to the proximity of electrical lines
- The proposed new code is consistent with existing Code that allows for wireless facilities with CUPs
- FCC governs the safe operating standards for antenna installation
- City requires reporting on maximum potential of radiated power and Verizon operates well below that threshold
- Antennas are monitored remotely and any issues are reported to the operation center and corrected
- Most issues could be fixed immediately without closing any streets
City would be notified should street closure be required
SCE limits antennas to one per pole
Antennas would not conflict with frequencies for first responders and would help augment coverage with the overall network

Mayor Kusumoto closed the Public Hearing for comments.

Motion/Second: Grose/Hasselbrink
Unanimously Carried; The City Council:

1. Opened the Public Hearing and take public testimony; and,

2. Introduced for first reading, read by title only, and waive further reading of Ordinance No. 2019-02; and,


12. ORDINANCE

A. First Reading and Introduction of Ordinance No. 2019-01 – Purchasing Ordinance Amendment  

(City Attorney)  

At its July 15, 2019 Regular Meeting, the City Council considered a proposed amendment to Chapter 2.60 (Purchasing System) of the Los Alamitos Municipal Code. At that time, the City Council directed staff to return with a revised ordinance establishing: (1) a $20,000 threshold for the "formal" procedure for purchase of supplies and equipment; and, (2) a $20,000 limit on the City Manager's contract authority for personal, professional, and consulting services. Ordinance No. 2019-01, attached to this report, incorporates the directed changes.

This report recommends approval of Ordinance No. 2019-01 amending Los Alamitos Municipal Code Chapter 2.60 (Purchasing System). The proposed Ordinance would increase the monetary thresholds for formal, open market, and City department contract procedures for the purchase of supplies and equipment, increase the City Manager's contract authority for the acquisition of personal, professional, consulting or other services, and make other revisions intended to streamline the procurement process and provide anticipated gains in efficiency.

City Attorney Daudt summarized the Staff report.

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

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

1. Introduced for first reading, read by title only, and waive further reading of Ordinance No. 2019-01; and,

2. City Attorney Daudt to read title of Ordinance No. 2019-01, entitled: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING CHAPTER 2.60 (PURCHASING SYSTEM) OF THE LOS ALAMITOS MUNICIPAL CODE."

13. DISCUSSION ITEMS

A. Approval of Amendment to Employment Agreement for Interim City Manager Services (City Attorney)
This report sought consideration of an Amendment to Employment Agreement for Mr. Les Johnson to provide Interim City Manager Services.

City Attorney Daudt summarized the Staff report.

Motion/Second: Kusumoto/Chirco
Unanimously Carried: The City Council authorized the Mayor to execute the Amendment to Employment Agreement with Les Johnson for Interim City Manager Services.

B. Discussion on Video Recording and Broadcasting Traffic Commission Meetings (Finance)
At the request of Council Member Hasselbrink, guidance from the City Council is requested in regards to video recording and broadcasting Traffic Commission meetings.

Interim City Manager Johnson summarized the Staff report.

City Council and Staff discussed televising the Traffic Commission for transparency, concerns regarding additional costs during a fiscal crisis, concern with the lack of viewership, and option to expand Commission minutes to summary minutes.

Motion/Second: Kusumoto/Hasselbrink
Unanimously Carried: The City Council referred the item to the Traffic Commission to determine if televising was necessary, stated the intention was for increased transparency via televising or detailed summary minutes, and directed Staff to report back to the Council.

C. Fiscal Sustainability Pros and Cons List Report to Council (Finance)
This is a report from the Budget Standing Committee on the detailed pros and cons lists of potential ideas related to addressing fiscal sustainability challenges during the Fiscal Year 2019-2020 budget process.

Fiscal Sustainability Manager Cain summarized the Staff report.

Council Member Grose expressed disappointment. He spoke regarding the following: desire for creative options; lack of community meetings for taxpayers after the well-received Chamber presentation; concern for services once maintenance and operations are reduced; concern the options for outsourcing the Police Department were not well vetted; opposed to hiring another consultant for the community survey; preference for discussion regarding increased revenue and working with businesses; need for community meetings so decisions can be made regarding which services are important to the community; option to spend reserve money to fix infrastructure now; option of incorporation Rossmoor into Los Alamitos; and, reiterated support for getting the community involved now.

Mayor Kusumoto expressed disappointment and stated he would like to see additional pros and cons, realized savings from reduced pensions obligations, and option of contracting out services versus having in house services.

Fiscal Sustainability Manager Cain stated every city is faced with CalPERS issues and briefly explained pension reform of 2013. He stated the pension obligation was a fixed cost regardless how many current employees there are. Current employees are paying their share of pension costs.

Mayor Kusumoto stated he would like to see the monetary effects of the presented option and further exploration of merging services with surrounding agencies. He stated opposition to a sales tax increase and partial support for a parcel tax. He indicated if the City should not be a City if it could not afford it.

Fiscal Sustainability Manager Cain indicated disincorporation would have to be approved by the County, it was an expensive process, and it would not alleviate the City of its unfunded pension obligation. He gave a brief overview of bankruptcy process.

Interim City Manager Johnson agreed getting the community involved was vital. This report was the first factual summary of information to present to the community. Staff will continue to work on options and advise Council.

Council Member Hasselbrink expressed frustration with the feedback. She advised the Budget Standing Committee had brought back 21 factual options with data points that had been extensively researched. She stated the document was not meant to provide a solution, but to provide factual data.
Council Member Grose apologized and clarified his concern was the options were not rated and did not provide likely scenarios.

Council Member Hasselbrink reiterated the document was meant to spark discussion and allow Council to further brainstorm.

Council Member Chirco stated the first step was to bring forward pros and cons of various options. He encouraged his colleagues to send concerns to the City Manager or Fiscal Sustainability Manager so they can be addressed. He stated willingness to go address any ideas that were not presented and encouraged productivity to come up a tangible product.

Council Member Hasselbrink stated support for prioritizing the 21 items as a body of five and working through the pros/cons, dollar amounts, and feasibility. She stated the importance of starting to educate the public.

Council Member Grose requested parking meters be added to the list and advised he would thoroughly review the document and provide any additional comments.

Mayor Kusumoto summarized the direction was for Council to provide feedback to the City Manager and apologized to the Budget Standing Committee if the feedback was too harsh.

14. **ADJOURNMENT**
The City Council adjourned at 7:42 p.m.

Attest:  

[Signature]

Warren Kusumoto, Mayor

[Signature]

Windmera Quintanar, MMC, City Clerk