

# CITY OF LOS ALAMITOS

3191 Katella Ave.  
Los Alamitos, CA 90720

## CITY COUNCIL AGENDA SPECIAL MEETING

Monday, August 24, 2020 – 5:00 p.m.

### **SAFETY ALERT –NOTICE REGARDING COVID-19**

Due to COVID-19, the City of Los Alamitos City Council Meeting referenced above will be conducted by videoconference pursuant to the provisions of the Governor's Executive Orders N-25-20 and N-29-20. The public may access the meeting electronically or telephonically.

Pursuant to the Executive Orders and given the current health concerns, **members of the public may not attend the meeting in person.** Members of the public can access the meeting by phone by dialing +1 (301) 715-8592 and enter the Meeting ID879 1848 0207. Your microphone will be disabled upon entry for the duration of the meeting.

The public can submit comments to [cityclerk@cityoflosalamitos.org](mailto:cityclerk@cityoflosalamitos.org) with the subject line "PUBLIC COMMENT ITEM #" (insert the item number relevant to your comment). Comments **received by 3:00 p.m.** will be compiled, provided to the City Council, and made available to the public before the start of the meeting. Staff will not read email comments at the meeting but the official record will include all email comments received until the close of the meeting.

Members of the public wishing to verbally deliver comments via telephone conference can submit their requests to [cityclerk@cityoflosalamitos.org](mailto:cityclerk@cityoflosalamitos.org) **until the start of the meeting.** The City Clerk will compile a list of speakers who have indicated a desire to speak. Before the close of the meeting, the City Clerk will announce each speaker, enable the speaker's microphone, and begin the three minute timer. The speaker's microphone will automatically be disabled at the end of three minutes.

All speakers shall observe civility, decorum and good behavior. Any item submitted to the City Council during the meeting shall become public record and subject to applicable disclosure laws.

**NOTICE TO THE PUBLIC** – This Agenda contains a brief general description of each item to be considered. Except as provided by law, action or discussion shall not be taken on any item not appearing on the agenda. Supporting documents, including staff reports, are available for review at City Hall in the City Clerk's Office or on the City's website at [www.cityoflosalamitos.org](http://www.cityoflosalamitos.org) once the agenda has been publicly posted.

Each matter on the agenda, no matter how described, shall be deemed to include any appropriate motion, whether to adopt a minute motion, resolution, payment of any bill, approval of any matter or action, or any other action. Items listed as "for information" or "for discussion" may also be the subject of an "action" taken by the City Council at the same meeting.

Any written materials relating to an item on this agenda submitted to the City Council after distribution of the agenda packet are available for public inspection online at [www.cityoflosalamitos.org](http://www.cityoflosalamitos.org).

It is the intention of the City of Los Alamitos to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee, or a participant at this meeting, you will need special assistance beyond what is normally provided, please contact the City Clerk's Office at (562) 431-3538, extension 220, 48 hours prior to the meeting so that reasonable arrangements may be made.

**1. CALL TO ORDER**

**2. ROLL CALL**

Mayor Murphy  
Mayor Pro Tem Chirco  
Council Member Doby  
Council Member Grose  
Council Member Hasselbrink

**3. SPECIAL ORDERS OF THE DAY**

**A. Repeal Resolution 2020-29 – Appointment of Sole City Council Candidate in District 3**

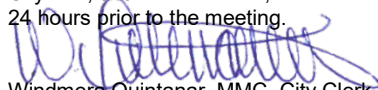
This item recommends Council repeal Resolution 2020-29 appointing Jordan Nefulda as District 3 Council Member and to have the District 3 City Council seat placed on the ballot for the November 3, 2020 General Municipal Election.

Recommendations:

1. Adopt Resolution No. 2020-30, entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, REPEALING RESOLUTION 2020-29 PROVIDING FOR THE APPOINTMENT OF JORDAN NEFULDA TO THE DISTRICT 3 CITY COUNCIL SEAT THAT WAS TO BE ELECTED ON TUESDAY, NOVEMBER 3, 2020”; and,
2. Direct the City Clerk to notify the Orange County Registrar of Voters office to include the District 3 seat on the ballot at the General Municipal Election on November 3, 2020.

**4. ADJOURNMENT**

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing Agenda was posted at City Hall, 3191 Katella Ave., Los Alamitos, CA 900720 and on the City’s website at [www.cityoflosalamitos.org](http://www.cityoflosalamitos.org) not less than 24 hours prior to the meeting.



Windmera Quintanar, MMC, City Clerk  
Date: August 21, 2020

# City of Los Alamitos

## CITY COUNCIL AGENDA REPORT

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**MEETING DATE: August 24, 2020**

**ITEM NUMBER: 3A**

**To: Mayor Richard D. Murphy & Members of the City Council**

**Presented By: Windmera Quintanar, MMC, City Clerk  
Michael S. Daudt, City Attorney**

**Subject: Repeal Resolution 2020-29 – Appointment of Sole City Council Candidate in District 3**

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### **SUMMARY**

This item recommends Council repeal Resolution 2020-29 appointing Jordan Nefulda as District 3 Council Member and to have the District 3 City Council seat placed on the ballot for the November 3, 2020 General Municipal Election.

### **RECOMMENDATIONS**

1. Adopt Resolution No. 2020-30, entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, REPEALING RESOLUTION 2020-29 PROVIDING FOR THE APPOINTMENT OF JORDAN NEFULDA TO THE DISTRICT 3 CITY COUNCIL SEAT THAT WAS TO BE ELECTED ON TUESDAY, NOVEMBER 3, 2020”; and,
2. Direct the City Clerk to notify the Orange County Registrar of Voters office to include the District 3 seat on the ballot at the General Municipal Election on November 3, 2020.

### **BACKGROUND**

On June 15, 2020 the City Council took action calling the General Municipal to be held on Tuesday, November 3, 2020, with Districts 1, 2 and 3 City Council seats up for election. At the close of nomination period, only one candidate was nominated for the District 3 seat.

As of the close of the nomination period on August 7, 2020, only one candidate, Jordan Nefulda, had filed nomination papers with the City Clerk’s Office. On August 17, 2020, the City Council approved Resolution 2020-29 appointing Jordan Nefulda to the District 3 Council seat and directed the City Clerk to notify the Registrar of Voters of the cancellation of the District 3 seat at the upcoming General Municipal Election.

## **DISCUSSION**

In working with the Orange County Registrar of Voters office, it was determined that since the City has a qualified measure on the ballot for November 3, 2020, the District 3 seat cannot be filled by appointment and must be placed on the ballot. Seats must be listed on the ballot. This situation is different than what the City has experienced in the past with appointments of Council Members due to the qualified ballot measure.

Staff is recommending Council approve Resolution 2020-30 repealing Resolution 2020-29 appointing Jordan Nefulda to District 3 and to direct the City Clerk to include the District 3 seat on the ballot for November 3, 2020.

## **FISCAL IMPACT**

None.

Submitted by: Windmera Quintanar, MMC, City Clerk  
Reviewed by: Michael S. Daudt, City Attorney  
Approved by: Chet Simmons, City Manager

**RESOLUTION NO. 2020-30**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, REPEALING RESOLUTION NO. 2020-29 PROVIDING FOR THE APPOINTMENT OF JORDAN NEFULDA TO THE DISTRICT 3 CITY COUNCIL SEAT THAT WAS TO BE ELECTED ON TUESDAY, NOVEMBER 3, 2020**

**WHEREAS**, on June 15, 2020, the City Council called for the General Municipal Action to be held on Tuesday, November 3, 2020, with City Council Districts 1, 2, and 3 up for election; and,

**WHEREAS**, at the close of the nomination period, only one candidate, Jordan Nefulda, was nominated for the District 3 City Council seat; and,

**WHEREAS**, on July 20, 2020, the City Council voted unanimously to include a one and one-half cent (1.5%) sales tax measure on the November 3, 2020 ballot; and,

**WHEREAS**, on August 17, 2020, the City adopted Resolution No. 2020-29 providing for the appointment of Jordan Nefulda to the District 3 City Council seat; and,

**WHEREAS**, following the adoption of Resolution No. 2020-29, staff determined that pursuant to § 10229 (3)(b) of the Elections Code of the State of California, the appointment of a City Council Member may not occur if, at the regularly scheduled municipal election, a city measure has qualified and is to be submitted to the voters at that municipal election.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

SECTION 1. Repeals Resolution 2020-29 in its entirety.

SECTION 2. Directs the City Clerk to hold the election for a District 3 Member of the City Council office at the General Municipal Election to be held on Tuesday, November 3, 2020.

SECTION 3. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

**PASSED, APPROVED, AND ADOPTED** this 24<sup>th</sup> day of August, 2020

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Richard D. Murphy, Mayor

ATTEST:

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Windmera Quintanar, MMC, City Clerk

APPROVED AS TO FORM:

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Michael S. Daudt, City Attorney

STATE OF CALIFORNIA            )  
COUNTY OF ORANGE            ) ss.  
CITY OF LOS ALAMITOS         )

I, Windmera Quintanar, MMC, City Clerk of the City of Los Alamitos, do hereby certify that the foregoing Resolution was duly adopted and passed at a regular meeting of the City Council on the 24<sup>th</sup> day of August, 2020, by the following roll-call vote, to wit:

AYES:            COUNCIL MEMBERS:  
NOES:            COUNCIL MEMBERS:  
ABSENT:         COUNCIL MEMBERS:  
ABSTAIN:        COUNCIL MEMBERS:

\_\_\_\_\_  
Windmera Quintanar, MMC, City Clerk