If you wish to attend the City Council meeting in person, the Community Center located at 10911 Oak St. Los Alamitos, California 90720, will be open for this meeting and the public shall have the right to observe and offer public comment at this location while practicing social distancing.

Masks, temperature checks, and a visual check of symptoms will be required before entering the Community Center. Entrance and exit will be via the front lobby doors as all other entrances/exits will be locked. A staff member will be present at the door to assist attendees with this process and ensure there is room in the Community Center.

Members of the public will be required to wear a mask any time they are not seated. Seating will be available based on six feet of social distancing.

While you may attend this meeting in person, given the health risks associated with COVID-19, please be advised that you may submit comments on any agenda item or on any item not on the agenda by email to cityclerk@cityoflosalamitos.org with the subject line “PUBLIC COMMENT ITEM #” (insert the item number relevant to your comment) or “PUBLIC COMMENT NON-AGENDA ITEM.” Comments received by 4:00 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. You may also view the meeting live on local cable channel 3 and online at https://cityoflosalamitos.org/your-government/city-council/agendas-and-minutes/.

Please consider carefully before attending this meeting in person and keep a six foot distance from others as much as possible. Please do not attend this meeting in person if you have traveled out of state and/or you have had direct contact with someone who has travelled or tested positive for Coronavirus (COVID-19), or you are experiencing symptoms such as coughing, sneezing, fever, difficulty breathing or other flu-like symptoms.

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.
1. CALL TO ORDER

2. ROLL CALL
   Mayor Murphy
   Mayor Pro Tem Chirco
   Council Member Doby
   Council Member Grose
   Council Member Hasselbrink

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

4. INVOCATION
   Mayor Murphy will give the Invocation.

5. PRESENTATIONS
   A. Presentation of Certificate of Recognition for California Parks and Recreation Society Volunteer Merit Awards for an Organization to Blair Pietrini of Grateful Hearts
   B. Presentation of Certificate of Recognition for California Parks and Recreation Society Volunteer Merit Awards for an Individual to Manuel Gouveia
   C. Presentation of a Proclamation for Small Business Saturday, November 28, 2020 to Warren De Los Angeles, Edward Torres, and Robert Cordero of Tribe Fitness
   D. Presentation by Robert Acosta, Emergency Services Coordinator, Providing an Update on the City’s Response to COVID-19
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.

While you may attend this meeting in person, given the health risks associated with COVID-19, please be advised that you may submit comments on any agenda item or on any item not on the agenda by email to cityclerk@cityoflosalamitos.org with the subject line “PUBLIC COMMENT ITEM #” (insert the item number relevant to your comment) or “PUBLIC COMMENT NON-AGENDA ITEM.” Comments *received by 4:00 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.

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.

8. **ITEMS FROM THE CITY MANAGER**

9. **WARRANTS**
   Ratify the Warrants for October 19, 2020 in the amount of $919,236.12 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 October 20, 2020 to November 15, 2020.

**ROLL CALL**
Mayor Murphy
Mayor Pro Tem Chirco
Council Member Doby
Council Member Grose
Council Member Hasselbrink

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.

   **A. Approval of Minutes**  
   (City Clerk)
   Approve the City Council Regular Minutes of September 21, 2020, and Special Minutes of October 12, 2020.
B. Resolution No. 2020-32 – Establishing a CARES Act Fund Budget in Response to the COVID-19 Pandemic  
(Finance)
This item recommends adoption Resolution No. 2020-32 that will amend the City of Los Alamitos Fiscal Year 2020/21 Operating and Capital Improvement Program Budget by establishing a CARES Act Fund Budget.


C. 2020 Operational Area Agreement  
(Police)
The item for City Council consideration is to adopt the revised 2020 Orange County Operational Agreement as approved by the Orange County Board of Supervisors on May 19, 2020.


11. DISCUSSION ITEMS

A. Resolution No. 2020-33 – Opposing the Modified Regional Housing Needs Allocation Methodology and Assessment  
(Development Services)
The proposed resolution has been prepared for City Council to consider opposing the modified RHNA allocation methodology. It requests intervention by the Southern California Association of Governments and the California Department of Housing and Community Development to reconsider the application of the modified Regional Housing Needs Allocation (RHNA) Methodology. It also urges the convening of the RHNA Litigation Study Team to review this item with an eye to correcting mistakes in the counting of needed housing units.


City Council Regular Agenda  
October 19, 2020  
Page 4 of 5
B. **Los Alamitos Measure Y Fiscal Accountability Pledge (Finance)**

At its regular meeting on Monday, July 20, 2020 the Los Alamitos City Council voted unanimously to place a 1½¢ sales tax measure on the November ballot for voter consideration. The title of the ballot measure is Los Alamitos Quality of Life, 911 Police Response, Business / Job Protection Measure. The County of Orange assigned this as “Measure Y” for the November 3, 2020 ballot.

If Measure Y is passed by a majority of Los Alamitos voters, all funds generated will remain under local control and for the benefit of the Los Alamitos community. Revenue would be subject to independent annual audits and regular reports back to the community to detail how money is being spent.

To provide additional transparency and accountability a “Fiscal Accountability Pledge” was developed that would outline the City’s commitment to where any significant increase in City of Los Alamitos revenues would be allocated.

Recommendations:

1. Discuss the proposed Fiscal Accountability Pledge; and,
2. Modify as needed; and,
3. Adopt the Fiscal Accountability Pledge, as a guide to helping the Los Alamitos community maintain the "Quality of Life" for our residents and business community.

12. **ADJOURNMENT**

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing Agenda was posted at the Los Alamitos City Hall, 3191 Katella Ave. and online at [www.cityoflosalamitos.org](http://www.cityoflosalamitos.org) not less than 72 hours prior to the meeting.

Windmera Quintanar, MMC, City Clerk
Dated: October 14, 2020
# CITY OF LOS ALAMITOS
## A/P Warrants
### OCTOBER 19, 2020

**To Ratify**

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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 to October 20, 2020 to November 15, 2020.

Statement:

I hereby certify that the claims or demands covered by the forgoing listed warrants have been audited as to accuracy and availability of funds for payment thereof.

Certified by Craig Koehler, Interim Finance Director

this 7th day of October, 2020
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VENDOR: All
CLASSIFICATION: All
SAPV CODE: All
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ITEM AMOUNT: $99,999,999.99 OR MORE
GL POST DATE: 9/14/2020 THRU 9/29/2020
CHECK DATE: 9/22/2020 THRU 9/28/2020

PAYROLL SELECTION

PAYROLL EXPENSES: No
EXPENSE TYPE: N/A
CHECK DATE: 9/22/2020 THRU 9/28/2020

PRINT OPTIONS

PRINT DATE: None
SEQUENCE: By Vendor Sort
DESCRIPTION: Distribution
GL ACCTS: No
REPORT TITLE: WARRANTS 09/21/2010
SIGNATURE LINES: 0

INVOICE OPTIONS

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INCLUDE OPEN ITEM: No
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### SELECTION CRITERIA

**Vendor Set:** 01-City of Los Alamitos

**Vendor:** All

**Classification:** All

**Bank Code:** All

**Item Date:** 00/00/0000 Thru 99/99/9999

**Item Amount:** 99,999,999.00 Cr Thru 99,999,999.00

**GL Post Date:** 00/00/0000 Thru 99/99/9999

**Check Date:** 10/07/2020 Thru 10/07/2020

### PAYROLL SELECTION

**Payroll Expenses:** No

**Expense Type:** N/A

**Check Date:** 00/00/0000 Thru 99/99/9999

### PRINT OPTIONS

**Print Date:** None

**Sequence:** By Vendor Sort

**Description:** Distribution

**GL Accty:** No

**Report Title:** Warrants 10/07/2020

**Signature Lines:** 0

### SALES OPTIONS

**Include Refunds:** Yes

**Include Open Item:** No
1. CALL TO ORDER
The City Council met in Regular Session at 5:41 p.m., Monday, September 21, 2020, via videoconference, Mayor Murphy presiding. As a result of the State of Emergency in California due to the threat of COVID-19 and pursuant to Governor Newsom Executive Order N-25-20 issued on March 12, 2020, all members of the City Council attended via videoconference.

2. ROLL CALL

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

Absent: Council Members: None

Present: Staff: Chet Simmons, City Manager
Michael Daudt, City Attorney
Chris Kelley, City Engineer
Craig Koehler, Interim Finance Director
Emeline Noda, Acting Recreation and Community Services Director
Ron Noda, Acting Deputy City Manager
Eric Nunez, Chief of Police
Windmera Quintanar, MMC, City Clerk
Chelsi Wilson, Executive Assistant/Benefits

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

4. INVOCATION
Mayor Murphy gave the Invocation.

5. CLOSED SESSION

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

City Attorney Daudt read the item out loud.

RECESS
The City Council recessed into Closed Session at 5:42 p.m.

RECONVENE
The City Council reconvened in Regular Session at 5:56 p.m.
City Attorney Daudt stated there was no reportable action.

6. **ORAL COMMUNICATIONS**
The public can submit comments to cityclerk@cityoffosalamitos.org with the subject line “PUBLIC COMMENT ITEM #” (insert the item number relevant to your comment) or “PUBLIC COMMENT NON-AGENDA ITEM.” Comments received by 4:00 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 the telephone conference can submit their requests to cityclerk@cityoffosalamitos.org until the start of Oral Communications. 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.

City Clerk Quintanar stated there were no requests for 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 Doby reported attendance at the Ribbon Cutting for the Youth Center’s R.A.S.C.A.L. program.

Council Member Grose reported attendance at the following events: Regional Military Affairs Committee; Orange County Council of Government’s; Southern California Association of Governments (SCAG) Transportation Committee meeting; tour of Orange County with SCAG President; Federal Executive Board Steering Committee meeting; CA Real Estate Association market update; Redistricting meeting; and retirement ceremony at the Joint Forces Training Base.

Council Member Hasselbrink reported participation on the 90720 event.

Mayor Pro Tem Chirco stated participation in an interview regarding Measure Y.

Mayor Murphy stated participation in the following: a video shoot for Orange County Mayors; various Mayor Meetings; interview regarding Measure Y; and Ribbon Cutting for the Youth Center. He encouraged residents to register to vote.

MC – los al tv interview on Measure Y. Measure Y spots on city’s account. Communications regarding measure y and distribute on my own.
8. **ITEMS FROM THE CITY MANAGER**

City Manager Simmons advised of the need to hold a Special meeting early October to discuss the Regional Housing Needs Allocation (RHNA) numbers, fiscal stats of the City, and the evolving budget.

9. **WARRANTS**

Motion/Second: Hasselbrink/Grose  
Unanimously Carried: The City Council ratified the Warrants for September 21, 2020 in the amount of $1,513,969.54 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 September 22, 2020 to October 18, 2020.

**ROLL CALL**
Mayor Murphy Aye  
Mayor Pro Tem Chirco Aye  
Council Member Doby 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.

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

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

A. **Approval of Minutes**  
(City Clerk)  
Approved the City Council Regular Minutes of August 17, 2020, and Special Minutes of August 24, 2020.

B. **Notice of Completion (NOC) for the Noel Street Pavement Rehabilitation Project (CIP No. 19/20-03)**  
(Development Services)  
The Noel Street Pavement Rehabilitation Project incorporated the construction of grinding and overlay work along Noel Street, from Katella Avenue to Farquhar Avenue. Staff is recommending that City Council accept the work as completed, direct filing of the Notice of Completion, and authorize retention release as prescribed by the Public Contracts Codes.

The City Council:
1. Accepted as complete the construction for contract by All American Asphalt (CIP No. 19/20-03); and,

2. Directed the City Clerk to record the Notice of Completion/Final Report with the County Recorder’s Office; and,

3. Authorized Staff to release the 5% retention to the contractor, in the amount of $5,902.09, thirty-five (35) days after recordation of the Notice of Completion.

C. **Second BKK Tolling Agreement**  
   Consideration of a second tolling agreement with BKK Working Group related to the BKK Corporation Landfill Facility in West Covina, California.

   The City Council approved the proposed second tolling agreement and authorize the Mayor to execute the agreement on behalf of the City.

D. **Approval of Equipment Lease for Two (2) Konica Minolta Copiers via the Sourcewell State and Local Government Lease Program (Contract #083116-KON)**  
   (Finance)  
   This report sought approval to enter into a five-year municipal lease (Muni Lease) contract for two (2) Konica Minolta Copiers from Konica Minolta Premier Finance via the Sourcewell State and Local Government Cooperative Lease Program.

   The City Council authorized the Mayor to execute a five-year Muni One Rate Premium Lease agreement between the City of Los Alamitos and Konica Minolta Premier Finance via the Sourcewell State and Local Government Cooperative Lease Program Contract #083116-KON.

11. **DISCUSSION ITEM**

A. **Provide Direction to the Voting Delegate Regarding the 2020 Annual Conference Resolution Packet**  
   (City Clerk)  
   The League of California Cities Annual Conference & Expo will be held virtually, October 7-9, 2020. At the meeting of August 17, 2020 the City Council designated Council Member Dean Grose as its Voting Delegate to the Annual Business Meeting and Council Member Hasselbrink as the Voting Alternate. This is an opportunity for the City Council to provide direction on its position regarding the proposed resolutions.

   Council consensus was received in support of the Resolution.

   Council Member Grose advised the Committee would be meeting prior to the General Assembly and requested flexibility to consider any new information that was reported from the committee.
Motion/Second: Murphy/Chirco
Unanimously Carried: The City Council advised the City’s Voting Delegate, Council Member Grose, to vote in favor of the 2020 Annual Conference Resolution Packet, with the discretion to consider additional evidence from the Committee report.

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

12. ADJOURNMENT – 6:11
The City Council adjourned in memory of long term resident Ed Bremel at 6:11 p.m.

________________________________________
Richard D. Murphy, Mayor

Attest:

________________________________________
Windmera Quintanar, MMC, City Clerk
1. CALL TO ORDER
The City Council met in Special Session at 5:01 p.m., Monday, October 12, 2020, via videoconference, Mayor Murphy presiding. As a result of the State of Emergency in California due to the threat of COVID-19 and pursuant to Governor Newsom Executive Order N-25-20 issued on March 12, 2020, all members of the City Council attended via videoconference.

2. ROLL CALL

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

Absent: Council Members: None

Present: Staff: Chet Simmons, City Manager
Michael Daudt, City Attorney
Farhad Iranitalab, Traffic Engineer
Chris Kelley, City Engineer
Craig Koehler, Interim Finance Director
Emeline Noda, Acting Rec. & Community Services Director
Ron Noda, Acting Deputy City Manager
Eric Nunez, Chief of Police
Windmera Quintanar, MMC, City Clerk
Mike Sheeham, OCFA Battalion Chief
Chelsi Wilson, Executive Assistant/Benefits

3. SPECIAL ORDER OF THE DAY

A. Old Town West – Traffic Calming Option
On August 5, 2019, the City received a petition signed by residents of Old Town West neighborhood residing mainly on Chestnut Street and Walnut Street requesting installation of speed humps to reduce speeding and increase safety of pedestrians. The Traffic Commission is recommending a traffic calming project that would include lane narrowing and striping modification. The proposed project will be done in two phases. The first phase will be evaluated for a 10-12 month period and if deemed effective, phase 2 will be brought back to City Council as part of the Capital Improvement Project list.

Mayor Murphy and Council Member Grose recused themselves stating they live in the neighborhood under discussion. City Clerk Quintanar opened a “breakout room” via Zoom excluding Mayor Murphy and Council Member Grose from the discussion.

Acting Deputy City Manager Noda summarized the Staff report.
City Clerk Quintanar advised written comments were provided to Council and uploaded to the website. Council had received one request to speak.

Bruce Murphy, resident, opposed the left turn lanes and red curbs. He stated speed humps should be considered in the second phase, crosswalks should be more visible and have crossing guards. He stated support for the measure traffic calming plan overall.

City Council and Staff discussed the following topics:

- Signal at Sausalito in anticipation of new housing developments
- Phase I recommends striping and lane narrowing to reduce speeding in a sample area
- Residents state speeding concerns despite traffic survey results
- Direction to communicate with the residents throughout the process including the phased approach and potential for speed humps
- Specifications and costs for speed humps
- Concerns that speed humps divert traffic and slow down emergency response vehicles
- Direction to bring back a Speed Hump Policy
- Police presence in the area
- Duration of the observation period and desire to move quicker
- Possibility of observation period being reduced should sufficient data be collected (i.e. neighbor reports, police observations, citations, accidents, etc.)
- Concern petition represents only 14% of the neighborhood
- Cost of Phase I covered by Measure M funds. Future phases would come back to Council for approval through the Capital Improvement Project budget.
- Traffic survey was for two 24-hour periods with an average speed of 33 mph

Motion/Second: Hasselbrink/Chirco
Carried 3/0 (Grose and Murphy recused): The City Council:

1. Approved the Traffic Calming Project in the Old Town West Neighborhood as recommend by the Traffic Commission; and,

2. Authorized Staff to solicit bids to begin facilitating the proposed Phase I calming measures.

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

City Council Special Meeting
October 12, 2020
Page 2 of 3
4. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (one potential case).

City Attorney Daudt read the item aloud.

RECESS
The City Council recessed into Closed Session at 5:55 p.m.

RECONVENE
The City Council reconvened in Regular Session at 6:38 p.m.

City Attorney Daudt stated by unanimous vote, the City Council directed staff to file an appeal with the Southern California Association of Governments (SCAG) challenging the City’s 6th Cycle RHNA allocation and further directing staff to return with a resolution memorializing the City’s opposition to the 6th Cycle RHNA methodology.

5. ADJOURNMENT
The City Council adjourned at 6:40 p.m.

______________________________
Richard D. Murphy, Mayor

Attest:

______________________________
Windmera Quintanar, MMC, City Clerk
City of Los Alamitos
CITY COUNCIL AGENDA REPORT

MEETING DATE: October 19, 2020 ITEM NUMBER: 10B

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

Presented By: Craig Koehler, Interim Finance Director

Subject: Resolution No. 2020-32 – Establishing a CARES Act Fund Budget in Response to the COVID-19 Pandemic

SUMMARY

This item recommends adoption Resolution No. 2020-32 that will amend the City of Los Alamitos Fiscal Year 2020/21 Operating and Capital Improvement Program Budget by establishing a CARES Act Fund Budget.

RECOMMENDATION


BACKGROUND

Due to the severity of the pandemic, State and County officials have issued numerous orders and recommendations that require action and expenditure of resources, some of which were beyond the City’s current budgeted resources and intended use when the FY 2020/21 budget was adopted. Subsequent to the start of the pandemic, the Coronavirus Aid, Relief, and Economic Security (CARES) Act was passed by Congress and signed into law by President Trump on March 27, 2020.

While the City did not receive a direct allocation of CARES Act funding, the State of California and the County of Orange have subsequently elected to allocate a portion of their direct funding allocations to agencies in their jurisdictions. The City received a total of $370,434.14 from the County of Orange in two tranches (June 4 and June 24. 2020).

The State funds through the Department of Finance (DOF) were distributed in equal payments of $23,803, on July 30th, August 25th, and September 21st, and balance to be distributed by December 31, for a total anticipated allocation from the State DOF of...
$142,818. Total CARES Act funding received by the City from both sources totals $513,252.14. The majority of the funds were received during Fiscal Year 2019/20 and expenditures have been reported to the County and DOF to reflect 100% usage under the United States Treasury guidelines.

The Budget Standing Committee received a report on September 29 and recommended to approve an amendment to the Fiscal Year 2020/21 Operating and Capital Improvement Program Budget by establishing a CARES Act Fund Budget.

**DISCUSSION**

The majority of the CARES Act Funding was received and will be reflected in FY2019-20. As this funding was not available at the time the budget was adopted on June 15, 2020, the FY 2020/21 Operating Budget and Capital Improvement Program Plan will need to adopt a CARES Act fund budget for the Fiscal Year 2020/21 for the additional funding anticipated to be received from the DOF during FY2020-21.

The following applies to both allocations and requires that payment from this funding may only be used to cover costs that are deemed the following:

1) Necessary expenditures incurred due to the public health emergency with respect to COVID-19;
2) Not accounted for in the budget most recently approved as of March 27, 2020. This requirement pertains to the FY 2019/20 budget and excludes Public Safety costs, as per the Federal Guidelines, as Public Safety costs are considered substantially dedicated; they are therefore, covered by CARES Act funding;
3) Incurred during the period that begins March 1, 2020, and ends on December 30, 2020.

Per the Guidance by California DOF on Eligible Expenses & Reporting of the CARES Act funds, there are six expenditure categories, in which City expenses may qualify for coverage by CARES Act funding. These categories include: (1) medical expenses, (2) public health expenses, (3) substantially dedicated payroll expenses, (4) compliance with public health measures expenses, (5) economic support, and (6) other reasonably necessary expenses. Reimbursement of qualified expenditures are in addition to and not included through reimbursement of any other Federal programs (FEMA).

For category 3, qualified expenditures include budgeted personnel and services diverted to a substantially different use and presumed to be payroll for Public Health and Safety (Police) employees.

For category 5, qualified expenditures are being reported for economic support through the Emergency Relief Grant Program administered through the Small Business Development Center (SBDC) approved by Council, awarded and disbursed in $5,000 increments to qualified applicants.
Other qualified expenditures (Category 6) include other reasonably necessary expenses and included the purchase of computers and cell phone stipends in order for employees to work remotely.

The following outlines the total funding and expenditure categories that were used and reported for CARES Act Funding received for FY2019-20 ($370,434.14)

County of Orange (total of $370,434.14 two tranches) $370,434.14
Expenditure Category applied – Category 3 (329,595.14)
Category 5 (20,000.00)
Category 6 (20,839.00)

Proposed Amended Budget for FY2020-21 – CARES Act Fund

State DOF Funding (total allocation anticipated $142,818) $142,818.00
Expenditure Category to be applied – Category 3 (142,818.00)

For accounting purposes, CARES Act funding received has been recorded and reflected in a new fund, Fund 55 – Coronavirus Relief Fund. For external reporting purposes, County of Orange and State DOF expenditures have reflected qualified spending to show 100% usage of all available CARES Act funding by December 31, 2020.

FISCAL IMPACT

There is no fiscal impact in the proposed Amended Budget for FY2020-21 - CARES Act Fund. All CARES Act related expenditures in FY 2020-21 will be reimbursed by the Coronavirus Relief Fund (Fund 55).

Submitted by: Craig Koehler, Interim Finance Director
Approved by: Chet Simmons, City Manager

Attachment: 1. Resolution No. 2020-32
RESOLUTION NO. 2020-32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING THE OPERATING BUDGET AND CAPITAL IMPROVEMENT PROGRAM BUDGET PLAN FOR FISCAL YEAR 2020-21 FOR THE CITY OF LOS ALAMITOS, CALIFORNIA BY ESTABLISHING A CARES ACT FUND BUDGET IN RESPONSE TO THE COVID-19 PANDEMIC

WHEREAS, the City Manager, in accordance with Title 2, Section 2.08.020 of the Los Alamitos Municipal Code, has prepared and submitted a proposed annual budget for Fiscal Year 2020-21; and,

WHEREAS, on February 26, 2020, the County of Orange declared a local emergency, and on March 4, 2020, Governor Newsom declared a state of emergency, on March 13, 2020, President Donald J. Trump declared a national emergency directly related to the spread and impacts of the infectious disease COVID-19; and,

WHEREAS, Los Alamitos Municipal Code Section 2.56.060 empowers the City Manager, acting as the Director of Emergency Services, to proclaim the existence of threatened existence of a local emergency when the City is affected or likely to be affected by a public calamity and the City Council is not in session, which proclamation is subject to ratification by the City Council; and,

WHEREAS, in order for the City to promptly address, prepare for and take the actions necessary to protect health, safety, and welfare within the City, and to allow the City to access potential reimbursement by the county, state, and federal governments, the Director of Emergency Services declared a local emergency on March 13, 2020, which was ratified by Council on March 16, 2020; and,

WHEREAS, as of October 5, 2020, there were 54,640 cumulative cases in Orange County, resulting in 1,286 deaths, and in California, there were 823,729 cases, with 16,120 deaths, for which there is presently no available cure or vaccine; and,

WHEREAS, residents and businesses within the City are experiencing extreme impacts from county, state, and federal recommendations, requirements, orders, and guidelines as they respond to the COVID-19 health crisis; and,

WHEREAS, this health crisis is affecting every aspect of daily lives, and is anticipated to exhaust the available health and public safety resources, both locally and regionally; and,

WHEREAS, many cities throughout Orange County, the County of Orange, the State of California, and the Federal government have sustained and continued proclaimed states of emergency in order to provide for the preparation and carrying out
of plans for the protection of public health, safety, and welfare, thereby demonstrating the magnitude of the impact of the COVID-19 pandemic; and,

WHEREAS, the COVID-19 pandemic event is creating a condition of extreme peril to the safety of the persons and property within the territorial limits of the State of California, the County of Orange, and the boundaries of the City of Los Alamitos, which conditions are beyond the current resources of the City, including contracted services, personnel, equipment, and facilities; and,

WHEREAS, the Coronavirus Aid, Relief, and Economic Security (CARES) Act was passed by Congress and signed into law by the President of the United States on March 27, 2020; and,

WHEREAS, the CARES Act established the Coronavirus Relief Fund and the County of Orange and the State of California received an allocation of funds from the Coronavirus Relief Fund under section 601(a) of the Social Security Act, as added by section 5001 of the CARES Act; and,

WHEREAS, the Orange County Board of Supervisors and the State of California has authorized the distribution of CARES Act assistance to the City of Los Alamitos; and,

WHEREAS, the CARES Act provides that payments from the CARES Act funds may only be used to cover costs that are (1) necessary expenditures incurred due to the public health emergency with respect to COVID-19; (2) were not accounted for in the budget most recently approved as of March 27, 2020 (the date of the enactment of the CARES Act) for the local government; and (3) were incurred during the period that begins March 1, 2020 and ends December 30, 2020; and,

WHEREAS, the City of Los Alamitos is responsible for making determinations as to what expenditures are necessary due to the COVID-19 public health emergency; and,

WHEREAS, the Operating Budget and Capital Improvement Program Budget Plan for Fiscal Year 2020/21 was adopted by the City Council on June 15, 2020; and,

WHEREAS, modifications are now required to establish a budget for the CARES Act fund for Fiscal Year 2020/21.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DOES RESOLVE AS FOLLOWS:

SECTION 1. The City Council of the City of Los Alamitos, California, finds that the above recitals are true and correct.

SECTION 2. The Operating Budget and Capital Improvement Program Budget Plan for Fiscal Year 2020/21 is amended pursuant to Exhibit A, attached hereto.
SECTION 3. That the City Manager is hereby authorized to adjust monies within a fund as long as the goals, total dollars, or intent of the document entitled “City of Los Alamitos, California, Adopted Operating Budget and Capital Improvement Plan – Fiscal Year “2020-2021” are not altered.

SECTION 4. That the City Clerk shall certify to the passage and adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 19th day of October, 2020.

Richard D. Murphy, Mayor

ATTEST:

Windmera Quintanar, MMC, City Clerk

APPROVED AS TO FORM:

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 adopted at a meeting of the City Council held on the 19th day of October 2020, by the following vote to wit:

AYES:  COUNCILMEMBERS:
NOES:  COUNCILMEMBERS:
ABSENT:  COUNCILMEMBERS:
ABSTAIN:  COUNCILMEMBERS:

Windmera Quintanar, MMC, City Clerk
## City of Los Alamitos

### Current Operating Budget & Capital Improvement Program Budget

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<th>Description</th>
<th>Amount</th>
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<td>Revenues and operating transfers for all funds</td>
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<tr>
<td>Add - CARES Act Fund 55 Allocation</td>
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<td><strong>Amended Operating Budget &amp; Capital Improvement Program Budget - Revenues</strong></td>
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### Current Operating Budget & Capital Improvement Program Budget

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<tr>
<th>Description</th>
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</thead>
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<tr>
<td>Expenditures and operating transfers for all funds</td>
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<tr>
<td>CARES Act Fund - 55</td>
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<tr>
<td>Personnel</td>
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<tr>
<td>Substantially dedicated payroll expenses - safety</td>
<td>$142,818</td>
</tr>
<tr>
<td><strong>Amended Operating Budget &amp; Capital Improvement Program Budget - Expenditures</strong></td>
<td><strong>$17,360,120</strong></td>
</tr>
</tbody>
</table>
SUMMARY

The item for City Council consideration is to adopt the revised 2020 Orange County Operational Area Agreement as approved by the Orange County Board of Supervisors on May 19, 2020.

RECOMMENDATION


BACKGROUND

The Orange County (OC) Operational Area (OA) Agreement formally creates and organizes the OC OA as required by the Standardized Emergency Management System (SEMS), Title 19 California Code of Regulations Section 2409, et seq. The OC Board of Supervisors approved the OC OA Agreement and created the OC OA on November 17, 1995. The OC OA Agreement was developed through a collaborative process with all affected organizations and jurisdictions, and has guided how OC jurisdictions coordinate emergency planning and response activities.

The OA Executive Board, which includes representatives from each emergency response discipline, oversees the OA. The OA Executive Board meets on a quarterly basis and is responsible for the development, establishment, and implementation of the policies of the OA. In 2017, the OA Executive Board identified the need to update the OA Agreement to better reflect current best practices and update outdated information.

To accomplish the revision, the OC Sheriff’s Department’s Emergency Management Division, which serves as staff to the OA Executive Board, formed a collaborative, multi-
jurisdictional OA Agreement Revision Working Group to complete a comprehensive review and revision of the document. The Board of Supervisors approved on May 19, 2020 the revised OC OA Agreement produced by this process. The final document is now being presented to the multiple jurisdictions that are part of the OA for adoption by their respective governing bodies.

**DISCUSSION**

The new OC OA Agreement developed by the OC OA Agreement Revision Working Group has structural and content changes from the original 1995 document. Agreement sections are reorganized to make the document easier to understand and reference, and the document is reformatted to more closely align with the Emergency Management Division's plan document style guide.

The major content changes are outlined below. The OA Flowchart (Attachment 4) shows a graphical representation of the revised OA organization.

**New OA Executive Board Members**
Five new OA Executive Board seats are added to the body to more diversely represent the jurisdictions of the OA. The new seats are designated for:
- The County Executive Officer
- The OC Social Services Agency Director
- The OA Water/Wastewater Mutual Aid Coordinator
- A representative selected jointly from the OC Community College Districts
- The OC Transportation Authority Chief Executive Officer

**OC Emergency Management Organization (OCEMO) Update**
Since approval of the 1995 OC OA Agreement, OCEMO has transitioned to a simpler model than was originally outlined. The new OC OA Agreement incorporates several changes to reflect the current operational practices of OCEMO and to ensure alignment with the new OCEMO bylaws approved in 2018. Another change is the removal of the OCEMO Representative Board, which has not been in use for a decade or more. The new OC OA Agreement also provides clarity on the nature of the administrative support provided to OCEMO by the County of Orange.

**OA Coordinator Staffing**
The 1995 OC OA Agreement specifically outlined which agencies are responsible for staffing the Operational Area Coordinator (OAC) position. At the time of approval, this arrangement aligned with the staffing of the Director of Emergency Services (DES) position and was meant to outline additional responsibilities for the DES during an OA-wide incident. OC Board of Supervisors Resolution #01-212 (July 17, 2001) updated the County Ordinance that defines staffing for the DES role, creating a conflict with the original OAC staffing arrangement. To rectify this conflict and to prevent similar issues in the future, the new OC OA Agreement includes streamlined language to reference the County Ordinance and Resolution rather than separately defining OAC staffing.
OA Finance
The new OC OA Agreement includes a significant reworking of language related to OA finances, grant funding, and administration. Relevant language once contained in Addendum Two (see Addenda section below) is now incorporated in the main body of the OC OA Agreement. Language referencing specific grant programs is replaced by broader language that reflects the shifting nature of grant funding and the challenges of grant administration. The new language also addresses lessons learned relating to the financial aspects of mutual aid and disaster recovery.

Addenda
The 1995 OC OA Agreement had three addenda that addressed various issues brought forth during the development of the original document.

- Addendum One clarified roles and responsibilities for the OA, the OA Executive Board, and the OAC.
- Addendum Two included documents related to the administration of the Emergency Management Assistance Program grant, which no longer exists.
- Addendum Three was the OA Mutual Aid Plan. This critical document has now become an attachment to the Unified County of Orange and OC OA Emergency Operations Plan. This will put the Mutual Aid Plan on a more defined schedule of review and revision.

Relevant portions of Addenda One and Two are incorporated into the main body of the new OC OA Agreement as appropriate.

Naming and Terminology Changes
The new OC OA Agreement introduces several name changes to clarify the differences between the various bodies and positions created by the document.

FISCAL IMPACT
None.

Prepared by: Robert Acosta, Emergency Services Coordinator
Reviewed by: Eric R. Nuñez, Police Chief
Approved by: Chet Simmons, City Manager

Attachments: 1. Resolution No. 2020-31
2. Exhibit A - OA Agreement Final - Jan 2020
3. OA Agreement Jurisdiction Signature Page
4. OC OA Flowchart
RESOLUTION NO. 2020-31

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADOPTING THE 2020 REVISION TO THE ORANGE COUNTY OPERATIONAL AREA AGREEMENT IN COMPLIANCE WITH TITLE 19 CALIFORNIA CODE OF REGULATIONS SECTION 2400 ET SEQ. AND GOVERNMENT CODE SECTION 8550 ET SEQ.

WHEREAS, Title 19 California Code of Regulations Section 2400 et seq. and Government Code section 8550 et seq. state that the purpose of the Standardized Emergency Management System, hereafter referred to as the SEMS regulations, is to standardize response to emergencies involving multiple jurisdictions or multiple agencies; and,

WHEREAS, the Operational Area is one of the required components of SEMS; and,

WHEREAS, the SEMS regulations require the County government to serve as the lead agency of the Operational Area unless another member agency of the Operational Area assumes that responsibility by written agreement with the County government; and,

WHEREAS, the purpose of the Orange County Operational Area Agreement is to provide for the mutual and cooperative handling of the duties and responsibilities of the Orange County Operational Area; and,

WHEREAS, the Orange County Operational Area was established by agreement with its constituent jurisdictions on November 17, 1995; and,

WHEREAS, the County of Orange and its constituent jurisdictions initiated in 2017 an effort to update the 1995 Orange County Operational Area Agreement; and,

WHEREAS, the Board of Supervisors of the County of Orange approved the revised Orange County Operational Area Agreement on May 19, 2020 and released it to the constituent jurisdictions for approval.

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

SECTION 1. The City Council of the City of Los Alamitos, California, finds that the above recitals are true and correct.
SECTION 2. The revised Orange County Operational Area Agreement as approved by the Orange County Board of Supervisors on May 19, 2020, attached hereto as Exhibit “A” is hereby adopted.

SECTION 3. The Mayor is hereby authorized to execute the revised Operational Area Agreement.

SECTION 4. That the City Clerk shall certify to the passage and adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 17th day of August, 2020.

________________________________
Richard D. Murphy, Mayor

ATTEST:

______________________________
Windmera Quintanar, MMC, City Clerk

APPROVED AS TO FORM:

_______________________________
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 adopted at a regular meeting of the City Council held on the 17th of August, 2020, by the following vote, to wit:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

______________________________
Windmera Quintanar, MMC, City Clerk
Orange County
Operational Area Agreement

of the County of Orange
and Political Subdivisions
January 2020
Orange County Operational Area Agreement

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January 2020
# Table of Contents

I. Recitals ........................................................................................................................... iv

Section One. Operational Area Establishment .................................................................. 1
   1.1 Operational Area Established .................................................................................. 1
   1.2 Local Authority ....................................................................................................... 1

Section Two. Operational Area Council, Executive Board and Subcommittees ............... 2
   2.1 Operational Area Signatory Council ...................................................................... 2
   2.2 Operational Area Executive Board ........................................................................ 3
   2.3 Orange County Emergency Management Organization ......................................... 5

Section Three. Responsibilities ........................................................................................ 8
   3.1 Operational Area Jurisdiction Responsibilities ....................................................... 8
   3.2 County-Specific Responsibilities ............................................................................ 9

Section Four. Operational Area Coordinator and Operational Area Manager ............... 11
   4.1 Operational Area Coordinator ................................................................................ 11
   4.2 Operational Area Manager ................................................................................... 11

Section Five. Operational Area Response Systems ......................................................... 13
   5.1 Operational Area Emergency Operations Plan ...................................................... 13
   5.2 Operational Area Emergency Operations Center ................................................. 13

Section Six. Operational Area Finance .......................................................................... 14
   6.1 Operational Area Expenses and Revenues ............................................................ 14

Section Seven. Operational Area Agreement Administration ....................................... 16
   7.1 Existing Agreements ............................................................................................... 16
   7.2 Effective Date ......................................................................................................... 16
   7.3 Withdrawal .............................................................................................................. 16
   7.4 Indemnification ....................................................................................................... 16
   7.5 Counterparts ........................................................................................................... 16
   7.6 Interpretation .......................................................................................................... 16
   7.7 Ambiguities ............................................................................................................. 17
   7.8 Amendment ............................................................................................................. 17

January 2020
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I. Recitals

OPERATIONAL AREA AGREEMENT
OF THE COUNTY OF ORANGE AND POLITICAL SUBDIVISIONS

THIS AGREEMENT is entered into this __________ day of _______________, 2020 which date is enumerated for purpose of reference only, by and between the County of Orange, hereinafter referred to as County, and all other Political Subdivisions within Orange County, as defined in Government Code Section 8557 (b) of the California Emergency Services Act, hereinafter referred to as Subdivisions, collectively hereafter referred to as the Parties.

WITNESSETH:

WHEREAS, it is the intent of the Parties hereto to coordinate prevention, preparedness, response, recovery and mitigation efforts for the safety of persons and property from the effects of natural, human-caused, or war-caused disasters, hereinafter referred to as emergencies, as required by the California Emergency Services Act and the Standardized Emergency Management System (SEMS) Regulations, Title 19 California Code of Regulations Sections 2400 et seq.; and

WHEREAS, the purpose of an Operational Area, as defined in Government Code Section 8605 and Title 19 California Code of Regulations Sections 2403 and 2409, is to manage and coordinate information, resources, and priorities among the local governments within the geographic area of the County, and to serve as the coordination and communication link between the local government level and the regional level of the State; and to use multi-agency or inter-agency coordination to facilitate decisions for overall operational area level emergency response activities; and

WHEREAS, this Agreement is intended to provide for the continued management of the Operational Area; cooperative and mutual handling of duties and responsibilities of the Operational Area Lead Agency; coordination of the emergency functions of the Operational Area with all other public agencies, corporations, organizations, and affected private persons within the Operational Area; and the preparation and implementation of plans for the protection of persons and property within the Operational Area in the event of an emergency; and

WHEREAS, in accordance with the requirements of California laws and regulations the County previously adopted Orange County Codified Ordinances, section 3-1-5 and Resolutions 81-1104 and 95-870 and intends to adopt an updated resolution for this Agreement to support emergency management planning and coordination of all political subdivisions within the Orange County geographic area as required by State law; and

WHEREAS, Orange County Board of Supervisors Resolution 05-144 adopted the National Incident Management System (NIMS) for the Orange County Operational Area which sets many of the same objectives as the Standardized Emergency Management System;

NOW THEREFORE, the Parties hereto agree as follows:

January 2020
Orange County Operational Area Agreement

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Section One. Operational Area Establishment

1.1 Operational Area Established
The entire geographic area of Orange County constitutes an Operational Area (OA) for the purposes of coordinating the prevention, preparedness, response, recovery and mitigation efforts for the safety of persons and property from the effects of natural, human-caused or war caused disasters, hereinafter referred to as emergencies. All local governments should cooperate in organizing an effective OA, but the OA authority and responsibility is not affected by the non-participation of any local government. The County of Orange shall be the Operational Area Lead Agency as specified in Title 19 California Code of Regulations Section 2409(d).

1.2 Local Authority
In the event of an actual or threatened emergency, each jurisdiction shall retain the authority provided for by law respecting its jurisdiction. No body created by this Agreement can bind Parties to legal or financial obligations.
Section Two. Operational Area Council, Executive Board and Subcommittees

2.1 Operational Area Signatory Council

All political subdivisions within the geographic area of Orange County, California are organized into the OA, regardless of signatory status.¹ The OA Signatory Council, hereinafter referred to as the Council, is hereby created to include the signature Parties to this Agreement. The Parties acknowledge that the Council is not a separate legal entity and that it is not their intention to form a joint powers authority.

2.1.1 Membership

By approval and execution of this Agreement, all Subdivisions in the County of Orange, including cities, school districts, community college districts, special districts, joint powers authorities, and the County, are members of the Council. Each signature party shall designate annually in writing to the Orange County Sheriff’s Department Emergency Management Division, hereinafter referred to as county emergency management, one primary and one alternate representative of its governing body to serve on the Council.

2.1.2 Responsibilities

It is not the intent of this Agreement that there be regular meetings of the Council. In routine matters and day-to-day decision-making, the OA Executive Board (as described in Section 2.2) will represent the interests of the OA. However, the Council shall have authority over the major policy issues of the OA, as determined by the Executive Board, including adoption of any amendments to this Agreement or adoption of any fees to support OA coordination activities. Council members will receive information regarding major OA policy issues from the Executive Board, when necessary, for consideration at their respective governing body meetings. Furthermore, whenever a majority of the Council determine that an issue should be brought before the Council, it shall be done irrespective of whether the Executive Board has identified it as a major policy issue.

2.1.3 Representatives Meeting

The representatives of the Council may meet as necessary as determined by the Executive Board or as requested by a majority of the members of the Council. Should it be necessary for the Council to meet, each member of the Council shall be entitled to one vote. The representatives present shall, by majority vote, select a Chair Pro Tem for that meeting from among the representatives present. A majority of all Council member representatives shall constitute a quorum for the transaction of business relating to the OA. Unless otherwise provided herein, a vote of the majority of those present and qualified to vote shall be sufficient for the adoption of any motion, resolution, or order and to take any other action deemed appropriate to further the

¹ Title 19 California Code of Regulations Section 2409
Orange County Operational Area Agreement

objectives of the OA. Voting will be conducted in accordance with Robert’s Rules of Order. All meetings will be noticed and conducted in accordance with the Brown Act.

2.2 Operational Area Executive Board

2.2.1 Membership
The Council shall have an OA Executive Board, hereinafter referred to as the Executive Board, consisting of sixteen voting members. The Executive Board includes representatives from the County Board of Supervisors, public safety agencies and Mutual Aid Coordinators, key County departments, and OA jurisdictions. Individuals will only serve as a voting member in one role for any single meeting and for purposes of determining quorum.

Executive Board Members
1. The Chair of the Orange County Board of Supervisors
2. The County Executive Officer
3. The OA Law Enforcement Mutual Aid Coordinator, the Orange County Sheriff
4. The OA Fire & Rescue Mutual Aid Coordinator, as selected by the Orange County Fire Chiefs Association
5. The OA Public Works Mutual Aid Coordinator, the Orange County Public Works Director
6. The OA Health Care Mutual Aid Coordinator, the Orange County Health Care Agency Director
7. The OA Water/Wastewater Mutual Aid Coordinator
8. The Orange County Social Services Agency Director
9. A representative selected jointly from the Orange County City Managers Association
10. A representative from the Orange County Chiefs of Police and Sheriff’s Association
11. A representative from the Orange County Fire Chiefs Association
12. A representative from the Orange County City Engineers and Public Works Directors Association
13. A representative from Independent Special Districts of Orange County
14. The Orange County Superintendent of Schools, representing Orange County K-12 School Districts
15. A representative selected jointly from Orange County Community College Districts
16. The Orange County Transportation Authority Chief Executive Officer

Terms, Alternates and Voting
Executive Board members subject to being "selected," which are enumerated above as numbers 4, 9-13 and 15, shall be appointed by their respective agency, jurisdiction or organizations annually and shall serve at the discretion of their organization for one year. Each jurisdiction, agency or organization shall also designate three alternate representatives. Individuals appointed to the Executive Board can be the same or different than those identified in Section 2.1.1 as a

January 2020
Orange County Operational Area Agreement

member jurisdiction’s Council primary or alternate representative. In no circumstances shall one individual occupy more than one Executive Board position or count as more than one member for purposes of determining quorum.

Each Executive Board member, or alternate in the absence of the voting member for whom he/she is the designated alternate, shall be entitled to one vote. A majority of the Executive Board (9 members) shall constitute a quorum for the transaction of business relating to the OA. Unless otherwise provided herein, a vote of the majority of those present and qualified to vote shall be sufficient for the adoption of any motion, resolution or order and to take any other action deemed appropriate to achieve the objectives of the OA. Voting will be conducted in accordance with Robert’s Rules of Order. The OA Executive Board is a Brown Act meeting and is noticed and conducted as such.

Operational Area Executive Board Chair and Vice-Chair
The Chair and Vice Chair shall be elected annually by the Executive Board. In the absence of both the Chair and the Vice Chair, the members of the Executive Board present shall, by majority vote, select one of the members present to act as Chair Pro Tem.

Meetings
The Executive Board shall meet quarterly or as designated by the Executive Board Chair.

2.2.2 Responsibilities
The Executive Board shall have oversight of the actions of the OA Manager (as described in Section 4.2) in the daily operations and administration of the OA. The Executive Board’s oversight authority shall include directing the development, establishment, and implementation of the policies of the OA, and keeping the Council informed of its actions. The Executive Board shall determine which major policy issues of the OA require Council approval and shall seek such approval.

Policy and Operational Area Emergency Operations Plan
The Executive Board will establish OA policy, review and approve the OA Emergency Operations Plan (EOP) and Annexes, and maintain these documents as required by SEMS and NIMS.

Mutual Aid Plans and Agreements
The Executive Board shall review proposals of emergency mutual aid plans and agreements and make recommendations on endorsement of such proposals to governing boards of Subdivisions.

Laws, Rules, Legislation and Regulation
The Executive Board shall review and may recommend for action or adoption by Subdivisions, emergency and mutual aid plans, agreements, ordinances, resolutions, and any rules and regulations necessary to implement such plans and agreements. The Executive Board may also

January 2020
study, review, and make recommendations on State and Federal legislation and policy as appropriate, and on matters referred to the Executive Board in writing by Council members.

**Operational Area Executive Board Emergency Advisory Capacity**

The Executive Board may be convened by the Chair or the OA Coordinator, as described in Section 4.1, to review a potential or actual emergency situation and make and receive appropriate recommendations from the OA Coordinator and Council members to facilitate a coordinated OA response.

2.2.3 **Subcommittees and Working Groups**

The Executive Board may establish standing and ad hoc subcommittees and working groups to complete its work and to ensure communication and coordination between all interested persons or groups. Subcommittees and working groups shall elect a Chairperson and provide appropriate staff support from their participants. The OA Manager shall provide coordination between these subcommittees and the Executive Board only.

2.3 **Orange County Emergency Management Organization**

There is hereby established a standing subcommittee to the Executive Board, the Orange County Emergency Management Organization, hereinafter referred to as OCEMO. OCEMO is a collaboration and coordination body tasked with developing the plans, procedures, and associated documents necessary for a robust Operational Area emergency management program. The County and all Subdivisions shall be expected to participate in OCEMO, to the maximum extent possible, with the understanding that the cooperative maintenance of the OA EOP, policies and procedures, training and exercises is necessary to ensure that the OA EOP, policies, procedures, training and exercises meet the emergency needs of the Subdivisions, County, and OA.

2.3.1 **Membership**

The entire OCEMO body ("Members at Large") consists of three groups of representatives involved in some capacity of an emergency management function, as defined below and in the OCEMO Bylaws.

**Signatory Members**

Staff members with primary emergency management responsibilities from signatory agencies to this agreement are considered Signatory Members. Each signatory jurisdiction shall identify a primary and secondary representative who shall have the right to vote on behalf of the jurisdiction. To ensure compliance with the Brown Act, no more than eight OCEMO members who are also voting members of the OA Executive Board shall be present at any OCEMO meeting.
Orange County Operational Area Agreement

Collaborative Members
Representatives of other government, non-profit, or private agencies that are not signatories to this agreement and are not currently represented by a Signatory or Collaborative Member, but are considered to have a significant role in OA planning, response and recovery processes are considered Collaborative Members. Collaborative members must be approved by Signatory Members and have limited voting rights as outlined in the OCEMO Bylaws.

Associate Members
Other representatives of organizations interested in participating in OCEMO activities, and who may provide input into the OA EOP, annexes, and supporting Standard Operating Procedures (SOPs) are considered Associate Members. Associate members have no voting rights.

2.3.2 Responsibilities
As a subcommittee to the Executive Board, the responsibilities of OCEMO are to meet the following objectives as they relate to disaster and emergency prevention, preparedness, response, recovery and mitigation within the OA:

Operational Area Plans, Annexes, and Standard Operating Procedures
- Participate in revisions and updates of the OA EOP and associated Annexes and SOPs developed and maintained by county emergency management staff as described in Section 3.2. Once completed, plans and the associated Annexes reviewed by OCEMO shall be forwarded to the OA Executive Board for approval.

Training and Exercises
- Coordinate training and exercises for the OA, to include after action discussions, lessons learned and professional development.

Public Education and Outreach
- Coordinate the development of public education and whole community emergency preparedness programs.

Legislation
- Review and report on legislation impacting emergency plans and programs, and propose concepts for new legislation for consideration by the Executive Board.

Other
- Other duties as assigned by the Executive Board.

2.3.3 OCEMO Leadership
The OCEMO Leadership shall consist of the OCEMO Chairperson, First Vice Chairperson and Second Vice Chairperson, elected in accord with the OCEMO Bylaws, the OA Manager and the
Orange County Operational Area Agreement

immediate past Chairperson. Any Signatory or Collaborative Member shall be eligible to serve as a candidate for OCEMO Chairperson, First Vice Chairperson, and Second Vice Chairperson as outlined in the OCEMO Bylaws.

2.3.4 Organization and Procedures
OCEMO will maintain and approve Bylaws. The Bylaws will define, at a minimum, OCEMO purpose, membership, leadership duties, elections, voting procedures, official meeting frequency, and the process for amending the Bylaws. The Bylaws shall in all instances be consistent with this Agreement.

OCEMO will review the Bylaws, as needed. Any amendments to the Bylaws will be approved by OCEMO Signatory Members, as detailed in the OCEMO Bylaws.

If OCEMO identifies the need for additional Subcommittees or working groups, OCEMO members participating in that subcommittee or working group shall provide staff support.

2.3.5 Administrative Support
The County shall provide administrative support to OCEMO as follows:

- Attend all OCEMO and OCEMO Leadership meetings
- Maintain a contact list of the primary and alternate representatives of each OCEMO member
- Organize and manage OCEMO Leadership elections and votes on other issues
- Notify members of their appointment to office or subcommittees
- Create and distribute OCEMO meeting agendas
- Take and transmit OCEMO meeting minutes
- Maintain official OCEMO records, including agendas and minutes, in compliance with County record retention policies.
Section Three. Responsibilities

3.1 Operational Area Jurisdiction Responsibilities
Subdivisions of the OA have the responsibilities as set forth below:

Participation
Actively participate as a member jurisdiction in the Council, Executive Board (if designated), and
subcommittees such as OCEMO.

Cooperation
Promote cooperation among all Subdivisions in order to improve the overall OA emergency
management program.

Emergency Management Program
Develop an emergency management program to provide for the needs of the Subdivision, which
shall be complementary to and compatible and coordinated with the needs of the OA in the event
of an emergency.

Emergency Plan and Organization
Develop and maintain an EOP and organization to provide for the emergency needs of the
Subdivision according to SEMS Regulations and NIMS, and coordinate with and, where able,
support other Subdivisions, the County, and the OA Emergency Operations Center (EOC).

Procedures
Develop Subdivision procedures that outline the steps necessary to satisfy responsibilities as a
member jurisdiction of the OA.

Training and Exercises
Maintain a thorough knowledge of the Parties’ and OA’s EOPs and ensure that the supporting
services and key personnel are properly trained and organized to meet all of their responsibilities
in the event of an emergency. Conduct regular exercises and participate in regional exercises,
when offered.

Emergency Assistance
Parties shall offer assistance to other jurisdictions and secondary and relief support to the OA
within the limits of capabilities and according to applicable mutual aid agreements. Parties should
participate in mutual aid agreements wherever possible.

Resource Lists
Maintain current resource listings of staff, facilities, equipment and supplies available in the
jurisdiction for use in the event of an emergency.
Orange County Operational Area Agreement

Critical Points of Contact
Identify 24-hour or other critical points-of-contact for the Subdivision that may be used by the OA EOC during emergency operations. If the points-of-contact are individuals, identify a primary and at least three alternates for each. Inform county emergency management staff when critical points-of-contact change or are updated.

Disaster Recovery and Financial Reimbursement
Subdivisions have ultimate responsibility for their own recovery program and will work directly with FEMA and Cal OES throughout the cost recovery process. Each Subdivision is individually responsible for developing, submitting, and receiving their own emergency aid, loans or grants from any source including local, state, and federal governments. Each is individually responsible for the timeliness, accuracy, and compliance of its own expenditures submitted for reimbursement through such mechanisms.

3.2 County-Specific Responsibilities
The County acts as the OA Lead Agency. The OA Lead Agency has the following responsibilities to the OA in addition to those responsibilities specified under Section 3.1.1 of this Agreement:

24-Hour Contact Point
The County will serve as the 24-hour contact point for the OA and act as lead in activating the OA EOC, hereinafter referred to as OA EOC.

Operational Area Emergency Operations Center
The County EOC and Alternate EOC (as designated) shall serve as the OA EOC. The OA EOC shall exist as a dedicated essential facility and be capable of serving as the central point for:

- coordinating information and resources with OA subdivisions
- coordinating all levels of government as a component of Orange County's Multiagency Coordination System (MACS)
- coordinating with other OAs
- reporting information to and coordinating with the California Office of Emergency Services (Cal OES) Southern Region EOC

County emergency management staff shall be responsible for ensuring the OA EOC is maintained in a state of constant readiness, in accord with the FEMA Emergency Operations Center Assessment Checklist and ASTM E2668 – Standard Guide for Emergency Operations Center Development, or subsequent standards if revised.

Initial EOC Activation Staffing
The County shall provide initial OA EOC activation staff. Subdivisions with available resources may provide secondary and relief OA EOC staffing.

January 2020
Orange County Operational Area Agreement

Disaster Recovery and Financial Reimbursement
The County shall be responsible for coordinating the formal recovery process through Cal OES and FEMA and will assist with:

- Coordinating initial OA disaster recovery
- Scheduling damage assessment site visits
- Other duties as outlined in the Recovery Annex to the OA EOP

Operational Area Emergency Operations Plan and Annexes
County emergency management staff shall be responsible for coordinating with the Orange County Emergency Management Organization to maintain and revise the OA EOP, annexes and SOPs as directed by the Executive Board.

Operational Area Executive Board Support
County emergency management staff shall provide support to the Executive Board for agendas and minutes for meetings and coordinating follow-up only.

Subcommittee and Working Group Support
County emergency management staff shall provide support to Executive Board subcommittees and working groups.
Section Four. Operational Area Coordinator and Operational Area Manager

4.1 Operational Area Coordinator
By this Agreement, the Council creates and recognizes the position of an OA Coordinator, hereinafter referred to as the Coordinator. During an emergency the OA Coordinator position will be filled by the Orange County Director of Emergency Services, as specified by Section 3-1-6 of the Orange County Code of Ordinances and County Board of Supervisors Resolution 12-036, as presently existing or as hereafter amended.

4.1.1 Powers and Duties
The Coordinator shall direct and coordinate the OA during times of emergency. In addition to his/her responsibilities as Director of Emergency Services, the Coordinator shall have the additional duties and powers, as described below and in the OA EOP:

Direction and Coordination
Serve as key decision-maker in the OA EOC, providing direction and coordination necessary to accomplish the purposes of this Agreement and responsibilities of the OA Lead as specified in Title 19 California Code of Regulations Section 2409(e).

Operational Area Representative
Represent the OA in all dealings with the public or private agencies on matters pertaining to emergencies as defined in Section 3-1-2 of the Orange County Code of Ordinances.

4.2 Operational Area Manager
By this Agreement, the Council creates and recognizes the position of an OA Manager. The OA Manager shall be the County Emergency Manager as specified in Section 3-1-6 of the Orange County Code of Ordinances and County Board of Supervisors Resolution 12-036, as presently existing or as hereafter amended.

4.2.1 Powers and Duties
The OA Manager shall have the following powers and duties:

Administration of Operational Area Agreement
On a day-to-day basis, ensure County-specific responsibilities detailed in Section 3.2 are met.

Staff to the Operational Area Executive Board
Serve as staff to the Executive Board, maintain close liaison with the Executive Board, and coordinate all activities of assigned OA staff with the Executive Board.
Orange County Operational Area Agreement

Daily Coordination and Assistance
Direct the daily coordination and cooperation between the county emergency management staff, Subdivisions, and Executive Board Subcommittees, including OCEMO. Resolve questions of authority and responsibility that may arise between them, and work closely with and assist the Executive Board, as required.

Notification of Emergency Operations Center Activation
Notify the Board of Supervisors, the Executive Board, and OCEMO of an OA EOC activation as soon as practical, and keep the Executive Board and Board of Supervisors informed on all aspects of a current emergency situation as soon as information becomes available.

OCEMO Support
Serve on OCEMO Leadership. Provide support to OCEMO for agendas, minutes and administrative support only. Staff support to OCEMO subcommittees shall be provided by OCEMO members.

Budget and Staffing
Develop an annual operating budget and staffing recommendations, and monitor the expenditures at the direction of the Executive Board.

After Action Reports
Coordinate with OCEMO for the development of after action reports for the Executive Board following activations of the OA EOC.

Resource Coordination
Act as the coordination point between Subdivisions and the Cal OES on a day-to-day basis for Emergency Management Mutual Aid (EMMA) resource requests, in accordance with the State of California Emergency Management Mutual Aid Plan. The OA Manager may also coordinate other OA mutual aid requests, as appropriate.
Section Five. Operational Area Response Systems

5.1 Operational Area Emergency Operations Plan
Under the direction of the Executive Board, county emergency management staff shall be responsible for maintaining the OA EOP, which shall provide for the effective mobilization of all OA resources, both public and private, to meet any condition constituting an emergency; and shall provide for the organization, powers and duties, and staff of the OA emergency response organization. This responsibility is inclusive of the EOP and any associated Annexes and SOPs.

5.1.1 Compliance
The OA Emergency Operations Plan shall comply with applicable local, state and federal planning criteria, including NIMS and SEMS.

5.1.2 Functional Assignments
The OA EOP shall include the functions assigned to the mutual aid organizations, County agencies/departments and Subdivisions. It shall be the responsibility of agency/department heads and Subdivisions to appoint staff who shall report to the OA EOC and carry out the assigned duties as appropriate.

5.1.3 Approval
Updates and revisions to the OA EOP and annexes will be effective on approval by the Executive Board. SOPs and other support documents may be updated on an ongoing basis by county emergency management staff as long as changes are consistent with approved plans and annexes.

5.2 Operational Area Emergency Operations Center

5.2.1 Location
The primary and dedicated County EOC located at 2644 Santiago Canyon Rd., Silverado, California, or alternate as designated, shall serve as the OA EOC. Communication connection to the OA EOC shall be the responsibility of each Subdivision and Mutual Aid Coordinator or their representative.

5.2.2 Required Activation
Activation of the OA EOC is required under the conditions defined by SEMS, Title 19 California Code of Regulations Section 2409(f), the Orange County OA EOP and associated Annexes.

5.2.3 Staff for the Operational Area Emergency Operations Center
The County shall provide initial OA EOC activation staff. Subdivisions with available resources shall provide secondary and relief OA EOC staffing. Emergency management or other mutual aid shall be used to staff the OA EOC as necessary. The County declares its willingness to provide a staff member to an impacted Subdivision’s EOC or Incident Command Post to act as an OA coordination point, if desired by the Subdivision and as personnel availability and safety concerns allow.

January 2020
Section Six. Operational Area Finance

6.1 Operational Area Expenses and Revenues

Operational Area Administrative Expenses

This Agreement recognizes that there are day-to-day costs associated with OA administration and emergency management activities; these costs are separate from County-specific emergency management activities. The County shall provide administrative staffing for the OA to carry out the duties as delineated in Section 3.2 and Section 4 of this Agreement; however, the County shall not be solely responsible for the costs of administering the OA.

The County Board of Supervisors has the over-arching authority and responsibility to approve the county emergency management budget that supports both County and OA emergency management activities.

To offset costs of the OA, the Executive Board shall be responsible for the acquisition and distribution of federal, state, and business or private foundation emergency management grant funds. For emergency management grant funds made available to the OA for distribution among the Subdivisions, the Executive Board will review and approve proposed funding allocation methods. Their review will take into consideration recommendations from OCEMO, acting in their role as subcommittee to the Executive Board. To offset administrative costs, a percentage of such grants may be allotted to the OA before apportionment among the subdivisions. If funding becomes available with a short application period that does not allow for OCEMO, Executive Board, and County Board of Supervisors pre-approval, then approval will be sought retroactively through the ratification process set forth by the County Board of Supervisors.

The County or any Subdivision may fund through general or special funds any services, supplies, or programs that they separately or jointly determine are necessary to comply with laws or regulations, or that serve the purposes of emergency prevention, preparedness, response, recovery and mitigation on an OA level.

Costs of Operational Area during Emergency Response and Recovery

During emergencies, all OA jurisdictions shall be expected to participate to the maximum extent possible, according to mutual aid and other agreements, with the understanding that during an emergency, the priorities are life safety, property, and the environment (in that order), regardless of which jurisdiction is impacted. This Agreement incorporates by reference the reimbursement concepts of the Emergency Management Assistance Compact, the California Disaster and Civil Defense Master Mutual Aid Agreement, and the State of California Emergency Management Mutual Aid Plan. Expenditures made in connection with such emergency activities required by this Agreement, the California Emergency Services Act and/or SEMS, including mutual aid activities.

January 2020
Orange County Operational Area Agreement

shall be deemed conclusively to be for the direct protection and benefit of the persons and property in the OA.

In deciding the level of OA response and resource commitment during emergencies, the County and Subdivisions agree to operate according to the EOP and supporting documents defined in Section 5.1 of this Agreement.

Financial Reimbursement and Recovery Following Emergencies

The County and each Subdivision are each individually responsible for developing, submitting, and receiving their own emergency aid, loans or grants from any source including local, state, and federal governments. Each is individually responsible for the timeliness, accuracy, and compliance of its own expenditures submitted for reimbursement through such mechanisms.
Section Seven. Operational Area Agreement Administration

7.1 Existing Agreements
Nothing contained in this Agreement shall be construed as superseding or modifying any existing agreements, including mutual aid agreements, except for superseding the existing OPERATIONAL AREA AGREEMENT OF THE COUNTY OF ORANGE AND POLITICAL SUBDIVISIONS dated October 3, 1995, and addenda; and nothing herein shall be construed as preventing any Party from entering into or modifying mutual aid or other emergency response agreements.

7.2 Effective Date
This Agreement shall become effective six months after approval and execution by the County Board of Supervisors and at least one Subdivision. Any Subdivision in Orange County may become a Party hereto by executing this Agreement. Notice shall be provided to the County upon a Subdivision’s execution of this Agreement.

7.3 Withdrawal
Any Party may withdraw from this Agreement by providing written notice to county emergency management staff. Said notice shall be given 30 days before withdrawal from this Agreement.

7.4 Indemnification
Each Party shall defend, indemnify, and hold harmless the other Parties, and their officers, agents, employees and representatives from any and all losses, liability, damages, claims, suits, actions, administrative proceedings, demands, and litigation, and all expenses and costs relating directly to the negligent or otherwise wrongful acts or omissions of the indemnitor, its officers, agents, employees, or representatives arising out of or incidental to performance under this Agreement. No Party assumes liability for the acts or omissions of persons other than that Party’s respective officers, agents, employees or representatives.

7.5 Counterparts
This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, and all of which shall constitute one and the same instrument.

7.6 Interpretation
Save to the extent that the context or the express provisions of this Agreement otherwise require:

- Headings and sub-headings are for ease of reference only and shall not be taken into consideration in the interpretation or construction of this Agreement;
- All references to Parts, Sections, and Paragraphs are references to Parts, Sections and Paragraphs contained herein;
Orange County Operational Area Agreement

- All references to any ordinance, resolution, law, regulation or guidance shall include references to any ordinance, resolution, law, regulation or guidance which amends, extends, consolidates or replaces the same or which has been amended, extended, consolidated, supplemented, substituted, novated, replaced, or assigned by the same and shall include, without limitation, any instrument, proclamation, bylaw, directive, decision, regulation, rule, order, notice, codes of practice, code of conduct, rule of court, instrument or delegated or other subordinate legislation thereto;
- The words “herein”, “hereto” and “hereunder” refer to this Agreement as a whole and not to the particular Section, or Paragraph in which such word may be used;
- Any reference to a public organization or representative shall be deemed to include a reference to any successor to such public organization or representative or any organization or entity or representative which has taken over the functions or responsibilities of such public organization or representative.

7.7 Ambiguities
In the case of any ambiguity or discrepancy:

- Between the provisions in this Agreement and the provisions of any underlying Executive Order, law, or regulation, the provisions of underlying Executive Order, law, or regulations will be incorporated by approval of the Executive Board and written notice shall be provided to all Parties.
- Between the provisions in this Agreement and the provisions of any underlying mutual aid agreement or EOP, the provisions of this Agreement shall prevail until such time as the OA Executive Board considers the matter and notice of proposed resolution to such issues are provided to all Parties.

7.8 Amendment
This Agreement may not be amended or modified except in a writing executed by a majority of all signature Parties as defined by Section 2.1 of this Agreement.
OPERATIONAL AREA AGREEMENT
OF THE COUNTY OF ORANGE AND POLITICAL SUBDIVISIONS

DATED: 5/19/20

County of Orange

(City or Jurisdiction)

BY

Michelle Steel, Chairwoman

County of Orange

ATTEST:

By: Robin Stieler, Clerk of the Board

County of Orange

Date 5/19/20

NOTICE TO COUNTY OF ORANGE TO BE GIVEN TO:

Donna Boston

Name

County of Orange

City/Jurisdiction

2644 Santiago Canyon Road

Address

Silverado, CA 92676

City/State/Zip

714-628-7154

FAX Number

APPROVED AS TO FORM:

Wendy Phillips

Wendy Phillips, Senior Deputy County Counsel

County of Orange

Dated 5/20/20
Orange County Operational Area Agreement

ATTEST:

By: ____________________________
______________________________
______________________________

Date __________________________

NOTICE TO ______________ TO BE GIVEN TO:
______________________________
City/Jurisdiction
______________________________
Name
______________________________
City/Jurisdiction
______________________________
Address
______________________________
Chapter 3 City/State/Zip
______________________________
FAX Number

APPROVED AS TO FORM:

Wendy J. Pullen, Senior Deputy County Counsel
Orange County
Dated 2/26/20
OPERATIONAL AREA AGREEMENT
OF THE COUNTY OF ORANGE AND POLITICAL SUBDIVISIONS

DATED: ____________

(City or Jurisdiction)

BY ______________________________

_________________________________

_________________________________

ATTEST:

By: _____________________________

_________________________________

_________________________________

Date ____________________________

NOTICE TO _________________ TO BE GIVEN TO:

City/Jurisdiction

________________________________________

Name

________________________________________

City/Jurisdiction

________________________________________

Address

________________________________________

City/State/Zip

________________________________________

FAX Number

APPROVED AS TO FORM:

________________________________________

________________________________________

________________________________________

Dated ________________
Orange County Operational Area – All subdivisions within the County

OA Signatory Council

OA Executive Board
1. Chair of the OC Board of Supervisors
2. OC County Executive Officer
3. Operational Area Law Enforcement Mutual Aid Coordinator, the OC Sheriff
4. Operational Area Fire & Rescue Mutual Aid Coordinator, as selected by the OC Fire Chiefs Association
5. Operational Area Public Works Mutual Aid Coordinator, the OC Public Works Director
6. Operational Area Health Care Mutual Aid Coordinator, the OC Health Care Agency Director
7. Operational Area Water/Wastewater Mutual Aid Coordinator
8. OC Social Services Agency Director
9. Rep. selected jointly from the OC City Managers Association
10. Rep. from the OC Chiefs of Police and Sheriff’s Association
11. Rep. from the OC Fire Chiefs Association
12. Rep. from the OC City Engineers and Public Works Directors Association
13. Rep. from Independent Special Districts of OC
14. OC Superintendent of Schools
15. Rep. selected jointly from OC Community College Districts
16. OC Transportation Authority Chief Executive Officer

OA Jurisdiction Responsibilities
• Participate
• Cooperate
• Emergency Management Program
• Emergency Plan and Organization
• Procedures
• Training and Exercises
• Emergency Assistance
• Resource Lists
• Critical Points of Contact
• Disaster Recovery

County Specific Responsibilities as OA Lead Agency
• 24 hour contact
• Operational Area Emergency Operation Center
• Initial EOC Activation Staffing
• Disaster Recovery
• Operational Area Emergency Plan and Annexes
• Operational Area Executive Board Support
• Executive Board Subcommittees and Working Group Support

Other Sub Committees & Working Groups formed by OA Board

Orange County Emergency Management Organization

OCEMO Leadership
• Chairperson
• 1st Vice Chairperson
• 2nd Vice Chairperson
• OA Manager
• Immediate Past Chair
• Elected

OCEMO Members at Large*

Signatory Member “Voting”
Collaborative Member “Limited Voting”
Associate Member “No Voting”

OCEMO Responsibilities
• OA Area Plans, Annexes & SOPs
• Training and Exercises
• Public Education and Outreach
• Legislation
• Other, as assigned by the OA Executive Board

FOR REFERENCE ONLY: In case of discrepancy, the Agreement itself shall prevail. This chart depicts the OA structure only and does not describe the entirety of the OA Agreement.
City of Los Alamitos  
CITY COUNCIL AGENDA REPORT

MEETING DATE: October 19, 2020  
ITEM NUMBER: 11A

To: Mayor Richard D. Murphy & Members of City Council
Via: Chet Simmons, City Manager
From: Ron Noda, Acting Deputy City Manager
Subject: Resolution No. 2020-33 – Opposing the Modified Regional Housing Needs Allocation Methodology and Assessment

SUMMARY
The proposed resolution has been prepared for City Council to consider opposing the modified RHNA allocation methodology. It requests intervention by the Southern California Association of Governments and the California Department of Housing and Community Development to reconsider the application of the modified Regional Housing Needs Allocation (RHNA) Methodology. It also urges the convening of the RHNA Litigation Study Team to review this item with an eye to correcting mistakes in the counting of needed housing units.

RECOMMENDATION
Adopt Resolution No. 2020-33, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, OPPOSING THE MODIFIED REGIONAL HOUSING NEEDS ALLOCATION METHODOLOGY AND ASSESMENT".

BACKGROUND
California State housing law requires that each city and county plan for existing and future housing needs by mandating sufficient sites and zoning identified in the housing element of its General Plan to accommodate its Regional Housing Needs Assessment (RI-INA) allocation. The upcoming 6th Cycle RHNA will cover the planning period from October 2021 through October 2029. The Southern California Association of Governments (SCAG) is the regional agency responsible for the development of the RHNA allocation methodology for six counties in southern California (including Orange, Los Angeles, Imperial, Riverside, San Bernardino and Ventura). The California Department of Housing and Community Development (HCD) is the State agency responsible for the final determination on the total regional allocation and the methodology for distributing the allocation among local jurisdictions. RHNA outcomes
are foundational to jurisdictional housing goals and policies and must be included within the housing element of a city's general plan prior to certification by HCD.

Earlier this cycle, the RHNA allocation methodology recommended by SCAG staff came before the SCAG Regional Council. However, before any vote was conducted on the methodology, a substitute motion for approval of a modified methodology was introduced by the City of Riverside. The modified methodology shifted a significant portion of the 6th cycle RHNA regional allocation away from developing areas such as Riverside and San Bernardino County and towards Orange County, including the City of Los Alamitos. Despite a lack of detail regarding the associated impacts, supporting documentation as to the merit of the proposed changes, and any opportunity for additional stakeholder input, the SCAG Regional Council approved the modified methodology for submittal to HCD by a contested vote of 43-19. Notably, all Orange County SCAG representatives voted in opposition to the modified methodology.

DISCUSSION

Approval of the modified methodology represents a significant departure from the model recommended by SCAG staff, and results in the allocation of 767 RHNA units to the City of Los Alamitos. As with all built-out communities, the City of Los Alamitos has a number of environmental and developmental constraints that limit potential for both new development and intensified redevelopment of new housing units. Specifically, the City is predominantly influenced by a lack of open space and development opportunities. Many of the City's existing neighborhoods simply do not have the space to accommodate additional units.

In addition to the safety issues associated with new and intensified development, Los Alamitos has a unique, small town character that is essential to preserve and maintain. Adopting future policies to accommodate the target RHNA allocation could not only potentially be detrimental to the safety of Los Alamitos’ residents and visitors, but also could simultaneously undermine community character and any future vision that is not wholly based on the construction of additional housing.

Recent studies have identified significant issues with the original needs assessment methodology that was applied to determine the number of units needed in California. As such, the adoption of this resolution would urge the convening of the RHNA Litigation Study Team in order to assess these foundational errors to push for a revision to the current allocations.

FISCAL IMPACT

None.

Prepared by: Ron Noda, Deputy City Manager
Reviewed by: Craig Koehler, Interim Finance Director
Approved by: Chet Simmons, City Manager

Attachment: 1. Resolution No. 2020-33
RESOLUTION No. 2020-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, OPPOSING THE MODIFIED REGIONAL HOUSING NEEDS ALLOCATION METHODOLOGY AND ASSESSMENT

WHEREAS, California State housing law requires each city and county plan for existing and future housing needs in accordance with the outcome of the Regional Housing Needs Assessment (RHNA) process; and,

WHEREAS, the Southern California Association of Governments (SCAG) is responsible for developing a uniform methodology for the distribution of the RHNA allocations among member cities and counties; and,

WHEREAS, the SCAG process to develop the allocation methodology for the 6th cycle RHNA, covering the planning period from October 2021 through October 2029, included opportunities for stakeholder engagement throughout, including detailed discussion of three draft allocation methodology options during a series of public meetings and hearings intended to ensure robust participation by the public and affected agencies; and,

WHEREAS, based on input from the City of Los Alamitos and other area stakeholders, SCAG staff developed and recommended for adoption a single recommended RHNA allocation methodology that would effectively distribute the 6th cycle RHNA allocation throughout the region; and,

WHEREAS, during the SCAG Regional Council meeting, a substitute motion was made by the City of Riverside that modified the staff recommended methodology and shifted a significant portion of the 6th cycle RHNA allocation away from Riverside and San Bernardino Counties toward already built-out Orange County; and,

WHEREAS, this modified RHNA allocation methodology was approved by the SCAG Regional Council by a contested vote of 43-19 (opposed by all Orange County SCAG representatives) despite a lack of detail regarding the associated impacts of the proposed methodology changes, supporting documentation as to the merit of the proposed changes, and any opportunity for informed stakeholder input; and,

WHEREAS, this modified RHNA allocation methodology does not take into account the development realities of cities in Orange County and requires the addition of 1,341,827 housing units to the development plans for the region; and,

WHEREAS, Los Alamitos’ allocation of 767 units is a significant amount of housing for a largely built-out city to absorb and will undermine the City’s specific land use planning efforts, which have been aimed at responsibly managing growth, traffic, and economic concerns; and,
WHEREAS, recent housing shortage studies have shown significant mistakes in the California Department of Housing and Community Development’s determination of the overall housing shortage calculation, resulting in a double counting of the need for units; and,

WHEREAS, these studies suggest that the total number of new residential units needed for all of California is only 820,000, significantly lower than the 1,334,1827 that were designated for the Southern California region alone; and,

WHEREAS, these mistakes significantly impact Los Alamitos’ ability to effectively plan and manage growth in our jurisdiction and represent a further erosion of cities’ ability to determine their own development standards and futures.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS DOES RESOLVE AS FOLLOWS:

SECTION 1. The City Council of the City of Los Alamitos, California, finds that the above recitals are true and correct.

SECTION 2. The City Council strongly disagrees with the determinations and mythology used by California Department of Housing and Community Development in determining the 6th cycle RHNA allocations. The modified RHNA allocation, as well as the manner in which it was approved by the SCAG Regional Council, undermine the integrity of what is mandated to be a collaborative process and present a significant challenge to local development efforts and standards.

SECTION 3. The City Council publicly states its opposition to the modified RHNA allocation methodology and request that the SCAG President's RHNA Litigation Study Team be convened to review these new studies and to pursue all available avenues to revise the 6th cycle RHNA allocations.

SECTION 5. The City Clerk shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 19th day of October, 2020.

________________________________________
Richard D. Murphy, Mayor

ATTEST:

______________________________
Windmera Quintanar, MMC, City Clerk
APPROVED AS TO FORM:

_______________________________
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 adopted at a regular meeting of the City Council held on the 19th day of October, 2020, by the following vote, to wit:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

_______________________________
Windmera Quintanar, MMC, City Clerk
City of Los Alamitos
CITY COUNCIL AGENDA REPORT

MEETING DATE: October 19, 2020  ITEM NUMBER: 11B

To: Mayor Richard D. Murphy & Members of City Council
Via: Chet Simmons, City Manager
From: David D. Cain, Fiscal Sustainability Manager
Subject: Los Alamitos Measure Y Fiscal Accountability Pledge

SUMMARY

At its regular meeting on Monday, July 20, 2020 the Los Alamitos City Council voted unanimously to place a 1½¢ sales tax measure on the November ballot for voter consideration. The title of the ballot measure is Los Alamitos Quality of Life, 911 Police Response, Business / Job Protection Measure. The County of Orange assigned this as “Measure Y” for the November 3, 2020 ballot.

If Measure Y is passed by a majority of Los Alamitos voters, all funds generated will remain under local control and for the benefit of the Los Alamitos community. Revenue would be subject to independent annual audits and regular reports back to the community to detail how money is being spent.

To provide additional transparency and accountability a “Fiscal Accountability Pledge” was developed that would outline the City’s commitment to where any significant increase in City of Los Alamitos revenues would be allocated.

RECOMMENDATIONS

1. Discuss the proposed Fiscal Accountability Pledge; and,

2. Modify as needed; and,

3. Adopt the Fiscal Accountability Pledge, as a guide to helping the Los Alamitos community maintain the "Quality of Life" for our residents and business community.

BACKGROUND

After a series of community meetings about the City’s financial situation and sustainability, the Los Alamitos City Council voted to place Measure Y – the Quality of Life, 911 Police Response, Business/Job Protection Measure – on the November 3rd ballot.
If a majority of Los Alamitos voters approve Measure Y, it is estimated that this 1.5¢ sales tax increase would generate approximately $4.1 million in additional locally controlled revenue each year to support the preservation of the high quality of life that Los Alamitos residents and businesses enjoy, keeping public areas safe, clean and welcoming for Los Alamitos families.

The City is facing a difficult financial reality. The City is projected to deplete all General Fund reserves by 2024, and is facing a deficit of $24.9 million by 2030 if there are no significant reductions in services or revenue enhancement measures.

The City has made difficult cuts, reducing its workforce by 1/3 over the past 10 years. This year’s budget cuts alone included cutting the equivalent of an additional 19 full-time positions, including 4 police officers, implemented pay cuts for City staff, and eliminated programs and services.

If a sustainable solution is not implemented soon, the City will run out of working cash by Fiscal Year 2021-2022. If no new revenue is found, the City would have to make further cuts that could include eliminating police programs including anti-gang, the explorer program, and community crossing guards, as well as canceling road and park maintenance projects, and eliminating recreation and senior programs.

**DISCUSSION**

Measure Y funds would be subject to independent annual audits, and regular reports back to the community to detail how money is being spent. Measure Y funds cannot be taken by the State and can only be used in Los Alamitos for local community priorities. To provide further transparency and accountability it is recommended the City adopt a Fiscal Accountability Pledge which identifies where the majority of the money would be used with a focus of maintaining essential City services.

Finally, this pledge is a clear guide to helping the Los Alamitos community to maintain the "Quality of Life" for our residents and business community.

- Maintain rapid 911 emergency response and neighborhood police patrols.
- Maintain senior and youth programs and provide for other essential community Services.
- Provide for Public Safety including anti-gang & drug programs.
- Stimulate the local economic growth by helping retain and attract local businesses and jobs.
- Repair streets / sidewalks / roadways / parks and aging infrastructure; and
- Provide for other essential city services which preserve the Quality of Life in Los Alamitos.
FISCAL IMPACT

None.

Prepared by: David D. Cain, Fiscal Sustainability Manager
Reviewed by: Craig Koehler, Interim Finance Director
Approved by:

Attachment: 1. Fiscal Accountability Pledge
CITY OF LOS ALAMITOS
FISCAL ACCOUNTABILITY PLEDGE

The City of Los Alamitos’ mission is to deliver cost-effective quality public services to provide a safe and desirable community that enriches its residents and businesses.

The City Desires to:
- Provide essential city services ensuring Los Alamitos residents’ “Quality of Life”
- Maintain neighborhood police patrols and rapid 911 response to keep our City a safe place to live
- Maintain high-quality customer service through the recruitment and retention of quality staff
- Provide best-in-class senior, youth, and community services programs and events
- Maintain and enhance the City’s infrastructure and facilities

The Pledge: The City of Los Alamitos is committed to sound financial policies that maximize the highest level of City services for the people of Los Alamitos while preserving the community’s Quality of Life. The City Council recognizes the need to protect the City’s assets and to ensure long-term financial sustainability.

The City of Los Alamitos, like many cities in California, is experiencing significant financial challenges. This is due to the continued state takeaway of local revenues, unfunded state and federal mandates, fiscal impacts of COVID-19, increasing service demands, and increased costs which are out of the City’s control. In order to maintain a balanced budget, the City has taken significant steps to cut costs including permanent staff reductions, reduced benefits for employees, local pension reform; and contracting out of city services. The City of Los Alamitos is a built out bedroom community with an aging infrastructure, which has limited ability to generate significant new revenues, to cover the cost of a growing structural budget deficit. This has and will continue to impact City services.

Therefore, in the event there are any significant increases in the City of Los Alamitos’s revenues, the Mayor and City Council believe that the majority of this money should be used to:
- Maintain rapid 911 emergency response and neighborhood police patrols.
- Maintain senior and youth programs and provide for other essential community services.
- Provide for Public Safety including anti-gang & drug programs.
- Stimulate the local economic growth by helping retain and attract local businesses and jobs.
- Repair streets, sidewalks, roadways, parks, and aging infrastructure.
- Provide for other essential city services which preserve the Quality of Life in Los Alamitos.

The Mayor and City Council also believe, that whenever additional revenue are realized, City leadership should seek opportunities to:
- Fund essential infrastructure projects.
- Pay down unfunded liabilities.
- Rebuild and maintain the City’s established reserves levels.

Finally, the City Council believes this pledge is a clear guide to helping the Los Alamitos community to maintain the "Quality of Life" for our residents and business community.

Adopted by the City Council on ________, 2020. Ayes: Noes: