

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

REGULAR MEETING – July 20, 2020

1. CALL TO ORDER

The City Council met in Regular Session at 6:00 p.m., Monday, July 20, 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
David Cain, Fiscal Sustainability Manager
Craig Koehler, Interim Finance Director
Emeline Noda, Recreation Manager
Ron Noda, Acting Deputy City Manager
Eric Nunez, Chief of Police
Windmera Quintanar, MMC, City Clerk
Ron Roberts, Battalion Chief, Orange County Fire Authority
Chelsi Wilson, Executive Assistant/Benefits

3. PLEDGE OF ALLEGIANCE

Council Member Doby led the Pledge of Allegiance.

4. INVOCATION

Mayor Pro Tem Chirco gave the Invocation.

5. ORAL COMMUNICATIONS

City Clerk Quintanar advised no requests for Oral Communications were received.

6. 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 Hasselbrink reported attendance at the League of California Cities virtual conference and stated she heard all positive things about the 4th of July event.

Council Member Grose reported attendance at the virtual Orange County Emergency Medical Care Committee meeting, participation in the White House briefing, and he has been speaking the community and businesses regarding fiscal sustainability.

Council Member Doby reported attendance at the virtual Chamber of Commerce breakfast.

Mayor Pro Tem Chirco reported attendance at the virtual Budget Standing Committee meeting, viewed the 4th of July event from home, thanked Staff for pushing forward with the event, and advised he has been speaking to the community regarding fiscal sustainability.

Mayor Murphy announced he would not be running for re-election. He requested a resident's bill of rights regarding construction and revisit striping on Sausalito at Los Alamitos Blvd.

7. ITEMS FROM THE CITY MANAGER

None.

8. WARRANTS

Motion/Second: Hasselbrink/Grose

Unanimously Carried: The City Council ratified the Warrants for July 20, 2020 in the amount of \$1,074,573.49 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 July 21, 2020 to August 16, 2020.

ROLL CALL

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

9. 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: Murphy/Chirco

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 Special Minutes of June 10, 2020, July 1, 2020, and July 13, 2020 and the Regular Minutes of June 15, 2020.

10. PUBLIC HEARING

A. Ordinance No. 2020-03 – State Mandated Elimination of Large Family Daycare Home Regulations (ZOA 19-03) (Development Services)

Consideration of an ordinance amending Los Alamitos Municipal Code Sections 17.08.020, 17.22.030, 17.28.140, 17.28.150, and 17.74.060 as required to address recent changes in state law concerning the regulation of Large Family Daycare Homes (ZOA 19-03) (Citywide). On April 22, 2020, the Planning Commission voted to recommend adoption of the proposed ordinance to the City Council in their April 22, 2020. Notwithstanding their recommendation for approval of the ordinance, the Planning Commission expressed concern with the required finding that approval of ordinance will not be detrimental to the public convenience, health, interest, safety or welfare of the City. This item was tabled at the May 18, 2020 Regular Council Meeting and is being brought back for reconsideration.

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

City Council expressed frustration regarding this State mandate and having the ability to regulate neighborhood businesses taken away.

City Clerk Quintanar stated this item was noticed as a public hearing, no comments were received, and there was no one present in the Community Center.

Motion/Second: Hasselbrink/Grose

Unanimously Carried: The City Council:

1. Introduced for first reading, read by title only, and waive further reading of Ordinance No. 2020-03; and,

2. City Attorney Daudt read the title of Ordinance No. 2020-03, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING SECTIONS 17.08.020, 17.22.030, 17.28.140, 17.28.150, AND 17.74.060 OF THE LOS ALAMITOS MUNICIPAL CODE CONCERNING THE REGULATION OF LARGE FAMILY DAYCARE HOMES (ZOA 19-03)."
3. Consideration of an exemption from the California Environmental Quality Act (CEQA) pursuant to the California Code of Regulations, Title 14, Chapter 3, Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) because it has no potential for resulting in a physical change to the environment, directly or indirectly.

ROLL CALL

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

11. DISCUSSION ITEMS

A. Placement of a One & One-half Cent (1.5%) Sales Tax (Transactions and Use) Measure on the November 3, 2020 General Election Ballot for Voter Consideration

The City of Los Alamitos is at a financial crossroads.

Due to significant strains placed upon the City's finances by outside forces, the City is currently facing a significant structural budget deficit. These challenges have resulted in projected structural shortfalls growing from \$1.6M in 2021-22 to over \$3.4M in 2027-28 and approximately \$3.7M by 2030. Recognizing that the City would need to take extraordinary measures in order to mitigate these projected deficits and loss of existing reserves, the City Council took the proactive step of developing a plan to focus on building future fiscal sustainability for the City of Los Alamitos.

This staff report details some of the various options available and different actions the City Council has identified, studied, and undertaken to address the recognized structural deficit. It also provides the City Council and the community with recommendations and opportunities to resolve the City's financial condition and existing structural deficit by submitting a one and one-half cent (1.5%) sales tax (transaction and use tax) ballot measure to the voters for consideration in the November general election.

City Manager Simmons and Adam Soneshein, FM3 Research, gave a PowerPoint Presentation.

City Council and staff discussed the following:

- Modifications to the ballot question and legal requirements
- 911 could be misleading to voters and opposition to using scare tactics
- Preference for 911 police response
- As a general tax revenue could be used towards economic development and promoting small businesses
- Possibility of an oversight committee in the future and the importance of being transparent with the funds received and how they are being spent
- Clarification that the City Council could advocate for measure

City Clerk Quintanar provided the revised ballot question. Council consensus was received for the revised ballot question.

Motion/Second: Hasselbrink/Grose

Unanimously Carried: The City Council:

1. Declared the attached Resolutions were not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment), and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly; and,
2. Adopted Resolution No. 2020-24, as revised, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY OF A CERTAIN MEASURE RELATING TO ONE & ONE-HALF CENT (1.5%) SALES TAX (TRANSACTIONS AND USE) AT THE GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, AS CALLED BY RESOLUTION NO. 2020-11"; and,
3. Adopted Resolution No. 2020-25, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS REGARDING A CITY MEASURE AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS"; and,

4. Adopted Resolution No. 2020-26, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS CALIFORNIA, PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR CITY MEASURES SUBMITTED AT MUNICIPAL ELECTIONS"; and,
4. Introduced for first reading, read by title only, and waive further reading of Ordinance No. 2020-06; and,
5. City Attorney Daudt read the title of Ordinance No. 2020-06, entitled, "AN ORDINANCE OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADDING CHAPTER 3.14 TO TITLE 3 OF THE LOS ALAMITOS MUNICIPAL CODE IMPOSING A TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION".

ROLL CALL

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

Council Member Grose clarified he was voting yes to allow the voters to make the decision.

B. Consideration of the Process for City Council Submission of a Ballot Argument in Favor of a Proposed One & One-half Cent (1.5%) Sales Tax (Transactions and Use) Measure

The City is considering placing a One & One-half Cent (1.5%) Sales Tax (Transactions and Use) measure on the ballot at the November 3, 2020 election. If the measure is placed on the ballot, the arguments for and against the measure must be submitted to the City Clerk by August 4, 2020. Accordingly, the City Council must decide whether some or all of the Council Members would like to submit an argument in favor of the ballot measure and, if so, draft and approve the text of a ballot argument. Due to the constraints of the Brown Act, development or approval of a ballot argument by more than two Council Members must occur at a noticed public meeting. Accordingly, advance consideration of the process for developing and approving arguments will help avoid a last-minute crisis or missed opportunity.

City Manager Simmons summarized the Staff report and answered questions from the City Council.

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

1. Appointed Mayor Pro Tem Chirco and Council Member Hasselbrink to draft a ballot argument to be signed by all five Council Members, in favor of the proposed sales tax measure; and,
2. Directed Staff to bring the item back to the adjourned regular meeting of July 27, 2020 for approval by Council.

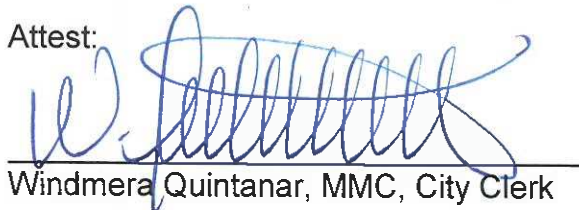
ROLL CALL

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

12. ADJOURNMENT

The City Council adjourned to Monday, July 27, 2020 at 8:09 p.m.


Richard D. Murphy, Mayor

Attest:

Windmera Quintanar, MMC, City Clerk