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MINUTES OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS

ADJOURNED REGULAR MEETING – December 14, 2020

1. CALL TO ORDER

The City Council met in Adjourned Regular Session at 6:02 p.m., Monday, December 14, 2020, 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
David Cain, Fiscal Sustainability Manager
Michael Daudt, City Attorney
Craig Koehler, Interim Finance Director
Emeline Noda, Acting Rec. and Community Srvc. Director
Ron Noda, Acting Deputy City Manager
Eric Nunez, Chief of Police
Windmera Quintanar, MMC, City Clerk
Ron Roberts, Orange County Fire Authority Battalion Chief
Chelsi Wilson, Executive Assistant/Benefits

3. PLEDGE OF ALLEGIANCE

Council Member Doby led the Pledge of Allegiance.

4. INVOCATION

Council Member Grose gave the Invocation.

5. PRESENTATIONS

Mayor Murphy and the City Council received the listed presentations.

A. Presentations to Council Member Dean Grose from Outside Agencies for his Service as a Council Member

B. Presentations to Mayor Richard D. Murphy from Outside Agencies for his Dedicated Service as Council Member

DocuSign Envelope ID: FDB6940B-BA53-4B18-A800-C1150B3592C6

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.

City Clerk Quintanar advised no requests to speak were received.

Mayor Murphy advised of Art Madera's Annual Feeding the Veterans for Christmas and encouraged residents to donate and/or volunteer.

7. COUNCIL ANNOUNCEMENTS

At this time, Council Members may also report on items not specifically described on the Agenda that are of interest to the community, provided no action or discussion is taken except to provide Staff direction to report back or to place the item on a future Agenda.

Council Member Grose spoke regarding participation in the West-Comm Board meeting, White House COVID briefings, Chamber of Commerce Breakfast, League of California Cities meeting regarding RHNA meeting, California Alliance of Local Elected meetings, Regional Military Affairs Committee meeting, Southern California Association of Governments Economic Summit, American Defense Communities, Winter Wonderland Light Show, OpenGov lunch meeting, and Zoom meeting regarding the Impact of Proposition 19. He wished the community happy holidays.

Council Member Doby spoke regarding participation in the Orange County Human Relations Committee, Orange County Mosquito and Vector Control District Board meeting, Chamber of Commerce Breakfast, and Winter Wonderland Light Show.

Council Member Hasselbrink provided an update regarding the firefighters who were injured in the Silverado fires, thanked Staff on behalf of the residents for all their work during these unprecedented times, spoke in favor of the new street signs, and thanked all the non-profits for their efforts.

Mayor Pro Tem Chirco spoke regarding participation in the Drive-in Movies, Winter Wonderland Light Show, Orange County Mayors call in meetings, and wished the community a happy holidays.

Mayor Murphy attended the Winter Wonderland Light Show and thanked Epson for hosting the event and MemorialCare Miller Children's & Women's Hospital Long Beach for sponsoring the event. He encouraged residents to shop local and suggested honoring the CHP Officer who was involved in the shooting for his bravery.

DocuSign Envelope ID: FDB6940B-BA53-4B18-A800-C1150B3592C6

8. ITEMS FROM THE CITY MANAGER

City Manager Simmons advised of the upcoming Holiday Decorating judging Wednesday between 6:00 p.m. and 9:00 p.m.

9. WARRANTS

Motion/Second: Grose/Hasselbrink
Unanimously Carried: The City Council ratified the Warrants for December 14, 2020 in the amount of $1,016,410.86 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 December 15, 2020 to January 17, 2021.

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)
Approve thed City Council Regular Minutes of November 16, 2020.

B. Declaring and Certifying the Results of the November 3, 2020 General Municipal Election (City Clerk)
This report provided a certified statement of the vote from the County of Orange Registrar of Voters regarding the General Municipal Election and request Council recite the facts of the election and declare the results.

The City Council adopted Resolution No. 2020-37, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS

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ALAMITOS, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 3, 2020, DECLARING THE RESULT, AND SUCH OTHER MATTERS AS PROVIDED BY LAW".

C. **Resolutions and Agreements with California Department of Tax and Fee Administration (CDTFA) and HDL Companies Required for the Implementation, Collection, and Tracking of a New Local Transactions and Use (Sales) Tax (Finance)**

The State of California considers the transactions tax to be a separate data base from the Bradley-Burns tax and requires separate agreements and resolutions with the California Department of Tax and Fee Administration (CDTFA). HDL Companies, the City's current sales and property tax consultant, will also require a new and separate agreement for the voter authorized new transaction and use tax. Once all documents have been submitted and processed by CDTFA, the CDTFA will start collecting the new tax on April 1, 2021.

The City Council:

1. Adopted Resolution No. 2020-38, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AUTHORIZING THE CITY MANAGER AND/OR FINANCE DIRECTOR TO EXECUTE AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION FOR IMPLEMENTATION OF A LOCAL TRANSACTIONS AND USE TAX"; and,

2. Adopted Resolution No. 2020-39, entitled, "A RESOLUTION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AUTHORIZING THE EXAMINATION OF TRANSACTIONS (SALES) AND USE TAX RECORDS"; and,

3. Authorized the City Manager to execute an agreement with Hinderliter de Llamas & Associates (HDL Companies) for transactions tax audit and information services;

4. Directed City staff to come back to City Council with a budget adjustment for the actual costs incurred by the California Department of Tax and Fee Administration (CDTFA) for the transactions tax implementation during the mid-year financial update and a revised transaction tax revenue projection for the final quarter of the fiscal year.

D. **Resolution 2020-40 – Minimum Wage Increase (Finance)**

This report addressed the state-wide minimum wage increase that becomes effective January 1, 2021.

DocuSign Envelope ID: FDB6940B-BA53-4B18-A800-C1150B3592C6

The City Council adopted Resolution No. 2020-40, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING AND RESTATING THE HOURLY RATE SCHEDULE EFFECTIVE JANUARY 1, 2021 AND REPEALING EXHIBIT A FROM RESOLUTION NO. 2019-39."

11. DISCUSSION ITEM

A. Resolution No. 2020-42 – Awarding the City Manager a Performance Based Incentive Bonus for Calendar Year 2020 (City Attorney)

The City Council evaluated the City Manager's performance during closed session on November 16, 2020. Pursuant to the City Manager's Employment Agreement, the City Manager may be entitled to up to a two percent (2%) annual performance based incentive bonus, which may be awarded at the sole discretion of the City.

City Attorney Daudt summarized the Staff report.

Council clarified this performance based incentive bonus was part of Mr. Simmons original contract and thanked Mr. Simmons for a job well done during the global pandemic.

Motion/Second: Murphy/Hasselbrink
Unanimously Carried: The City Council adopted Resolution No. 2020-42, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AWARDING THE CITY MANAGER A PERFORMANCE BASED INCENTIVE BONUS FOR CALENDAR YEAR 2020".

Pursuant to California Government Code section 54953(c)(3), an oral report summarizing the recommendation must be made in open session prior to the City Council taking final action on this item.

ROLL CALL

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

DocuSign Envelope ID: FDB6940B-BA53-4B18-A800-C1150B3592C6

12. SPECIAL ORDERS OF THE DAY

Mayor Murphy and the City Council moved the Special Orders of the Day as listed.

A. Comments by Outgoing Council Member Dean Grose

B. Presentation to Council Member Dean Grose from the City Council for his Tenure on the Council
Mayor Murphy read the list of Recognitions received and photos of the items were shared.

C. Comments by Outgoing Mayor and Council Member Richard D. Murphy

C. Presentations to Mayor Murphy from the City for his Tenure on the Council
Mayor Pro Tem Chirco read the list of Recognitions received and photos of the items were shared.

D. (PRE-RECORDED) City Clerk Quintanar to Administer Oath of Office and comments by Newly Elected Officials Tanya Doby, Ron Bates, and Jordan Nefulda
A pre-recorded video of the Oaths of Office was played for the record.

Richard Murphy and Dean Grose left the meeting.

Incoming Council Members Ron Bates, Tanya Doby, and Jordan Nefulda were in attendance.

13. DISCUSSION ITEMS

A. City Council Reorganization (City Clerk)
This report provides relevant information for the City Council's annual reorganization, by the election of Mayor and Mayor Pro Tem. The City's Charter requires roll call votes be taken for the election of these two Officers.

Mayor Pro Tem Chirco turned the meeting over to City Clerk Quintanar.

City Clerk Quintanar opened the floor for nominations for the Office of Mayor.

Council Member Hasselbrink nominated Mayor Pro Tem Chirco for the Office of Mayor.

DocuSign Envelope ID: FDB6940B-BA53-4B18-A800-C1150B3592C6

There being no further nominations, City Clerk Quintanar closed the floor for nominations.

Motion: Hasselbrink
Unanimously Carried: The City Council elected Mark Chirco for the position of Mayor.

ROLL CALL

Council Member Bates	Aye
Council Member Chirco	Aye
Council Member Doby	Aye
Council Member Hasselbrink	Aye
Council Member Nefulda	Aye

City Clerk Quintanar turned the meeting over to Mayor Chirco.

Mayor Chirco opened the floor for nominations for the Office of Mayor Pro Tem.

Council Member Doby nominated Council Member Hasselbrink for the Office of Mayor Pro Tem.

There being no further nominations, Mayor Chirco closed the floor for nominations.

Motion: Doby
Unanimously Carried: The City Council elected Shelley Hasselbrink for the position of Mayor Pro Tem.

ROLL CALL

Council Member Bates	Aye
Mayor Chirco	Aye
Council Member Doby	Aye
Council Member Hasselbrink	Aye
Council Member Nefulda	Aye

B. City Council Member Appointments/Reappointments as Representatives to other Agencies and City Committees for 2021

(City Clerk)

This report provides relevant information for the City Council's annual appointments/reappointments of Council Members as representatives to other Agencies.

City Clerk Quintanar summarized the Staff report.

DocuSign Envelope ID: FDB6940B-BA53-4B18-A800-C1150B3592C6

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

1. Made the following appointments to Representatives to Other Agencies:

   Orange County Fire Authority
   Delegate: Hasselbrink

   Orange County Sanitation District
   Delegate: Chirco
   Alternate: Bates

   League of California Cities-State Division
   Delegate: Chirco
   Alternate: Hasselbrink

   City Selection Meeting
   Delegate: Chirco

   Orange County Library Advisory Board
   Delegate: Bates
   Alternate: Nefulda

   West Cities Communications Center JPA Board
   Delegate: Nefulda
   Alternate: Bates

   Budget Standing Committee
   Delegates: Chirco and Hasselbrink

   Waste Hauler Ad Hoc Committee
   Delegates: Bates and Nefulda

2. Adopted Resolution No. 2020-41, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DESIGNATING AND APPOINTING ITS REPRESENTATIVE TO THE ORANGE COUNTY FIRE AUTHORITY'S BOARD OF DIRECTORS"; and,

3. Authorized the City Clerk to complete California Form 806, Agency Report of: Public Official Appointments and post on the City's website.

DocuSign Envelope ID: FDB6940B-BA53-4B18-A800-C1150B3592C6

ROLL CALL

Mayor Chirco	Aye
Mayor Pro Tem Hasselbrink	Aye
Council Member Bates	Aye
Council Member Doby	Aye
Council Member Nefulda	Aye

14. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION

Authority: Government Code § 54956.9(c)(one case)

City Attorney Daudt read the item aloud.

RECESS

The City Council recessed into Closed Session at 7:03 p.m.

RECONVENE

The City Council reconvened in Adjourned Regular Session at 8:04 p.m.

City Attorney Daudt stated the City Council had directed the City Attorney to initiate litigation. Additional information shall be disclosed upon inquiry.

15. ADJOURNMENT

The City Council adjourned at 8:04 p.m.

DocuSigned by:
Mark Chirco
7A0EE91E5DCA4FE...
Mark Chirco, Mayor

Attest:

DocuSigned by:
Windmera Quintanar
54BCC20B4CA8409...
Windmera Quintanar, MMC, City Clerk