

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

REGULAR MEETING – November 15, 2021

1. CALL TO ORDER

The City Council met in Regular Session at 5:18 p.m., Monday, November 15, 2021, in the Council Chamber located at 3191 Katella Ave., Los Alamitos, CA 90720, Mayor Chirco presiding.

2. ROLL CALL

Present: Council Members: Bates, Doby, Nefulda,
Mayor Pro Tem Hasselbrink, Mayor Chirco

Absent: Council Members: None

Present: Staff: Chet Simmons, City Manager
Wayne Byerley, Police Captain
Michael Daudt, City Attorney
Craig Koehler, Finance Director
Emeline Noda, Recreation and Community Services Director
Ron Noda, Acting Deputy City Manager
Eric R. Nunez, Police Chief
Windmera Quintanar, MMC, City Clerk
Chelsi Wilson, Executive Coordinator

3. CLOSED SESSION

A. CONFERENCE WITH LABOR NEGOTIATOR

City Negotiator: Chet Simmons, City Manager
Employee Organization: Los Alamitos Police Officers Association
Authority: Government Code Section 54957.6

B. CONFERENCE WITH LABOR NEGOTIATOR

City Negotiator: Chet Simmons, City Manager
Employee Organization: Teamsters Local 911
Authority: Government Code Section 54957.6

C. CONFERENCE WITH LABOR NEGOTIATOR

City Negotiator: Chet Simmons, City Manager
Unrepresented Employees: Executive Management, Middle
Management and Non-Management
Employees
Authority: Government Code Section 54957.6

City Attorney Daudt read the items aloud.

RECESS

City Council recessed into Closed Session at 5:18 p.m.

RECONVENE

City Council reconvened in Regular Session at 6:02 p.m.

City Attorney Dadut stated there was no reportable action.

4. PLEDGE OF ALLEGIANCE

Mayor Chirco led the Pledge of Allegiance.

5. INVOCATION

Mayor Pro Tem Hasselbrink gave the Invocation.

6. PRESENTATION

A. Presentation of a Proclamation to the Los Alamitos Police Department in Recognition of Law Enforcement Records and Support Personnel Day

Mayor Chirco and Police Chief Nunez presented the Proclamation to the Los Alamitos Police Department personnel.

B. Legislative Update from Assemblymember Janet Nguyen

Assemblymember Nguyen provided a legislative update.

7. 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.

Dr. Wendy Grose, spoke regarding bicycle safety around Oak Middle school.

Shelley Henderson, business owner, spoke regarding the California Redistricting process.

Bill Phillips, Play It Again Sports business owner, requested an expedited Conditional use Permit process so that he may participate in the Los Al Bucks program.

8. 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 Bates referred to Dr. Grose's comments, stated support for increased pedestrian safety, coordination with the school district regarding education, and receiving an update on future plans for safety. He stated attendance at the Chamber Mixer held at the American Legion and the Library Advisory Board meeting.

Council Member Nefulda also stated support for increased pedestrian safety and reported attendance at Trunk or Treat and receipt and use of his Los Al Bucks.

Council Member Doby reported attendance at the CBD Hub Ribbon Cutting, Trunk or Treat, 60 Minute Spectacles Art Gallery, Orange County Mosquito and Vector Control District Board meeting, Human Relations Committee, and the Rossmoor School Carnival.

Mayor Pro Tem Hasselbrink reported attendance at Trunk or Treat and visit to Green Street Interiors in conjunction with the Los Al Bucks program.

Mayor Chirco reported a visit to Precious Life Shelter in conjunction with the Los Al Bucks program, and reported attendance at an Eagle Scout Court of Honor for Mitchel Hein, Trunk or Treat, Orange County Sanitation Board meeting, neighborhood pumpkin carving, Orange County Best of Edition awards events, and a Special Council meeting regarding California redistricting.

9. ITEMS FROM THE CITY MANAGER

City Manager Simmons provided an update on the Los Al Bucks program and received an update regarding Trunk or Treat and upcoming winter events from Recreation and Community Services Director Noda.

10. WARRANTS

Council Member Bates received clarification on the following items:

- Page 2, Government Staffing – Supplemental staffing for the Finance Department
- Page 6, Building Maintenance – Emergency repair for a leak in the Police parking lot
- Page 8, Voyager – Fueling cost for City's fleet vehicles
- Page 13, Beer Garden – Nonprofit proceeds for staffing at the Street Fair

Motion/Second: Bates/Hasselbrink

Unanimously Carried: The City Council ratified the Warrants for the period from October 15, 2021 to November 2, 2021, in the amount of \$1,104,323.26

ROLL CALL

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

11. CONSENT CALENDAR

All Consent Calendar items may be acted upon by one motion unless a Council Member requests separate action on a specific item.

Mayor Chirco asked questions regarding items 11B and 11G.
Council Member Bates asked questions regarding items 11F, 11L, and 11M.

Motion/Second: Hasselbrink/Bates

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

A. Approval of Minutes (City Clerk)
Approved the City Council Regular Minutes of October 18, 2021 and Special Minutes of November 8, 2021.

B. Ordinance No. 2021-04 – Purchasing Ordinance Amendment (Finance)
At its regular meeting of October 18, 2021, the City Council introduced for first reading and waived further reading of Ordinance Number 2021-04. This document will amend Los Alamitos Municipal Code Chapter 2.60 (Purchasing System) to increase the monetary thresholds for formal, open market, and City department contract procedures for the purchase of supplies and equipment; increase the City Manager's contract authority for the acquisition of personal, professional, consulting or other services; and, make other revisions intended to streamline the procurement process and provide anticipated gains in efficiency.

City Council and Staff discussed providing a quarterly report for items that fell within the City Manager's newly approved threshold the ability to allow staff to be more efficient and expedite current processes.

The City Council adopted Ordinance No. 2021-04, entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING CHAPTER 2.60 (PURCHASING SYSTEM) OF THE LOS ALAMITOS MUNICIPAL CODE".

C. Resolution No. 2021-26 – Annual Investment Policy (Finance)
This report outlined the City's Investment Policy, which provides the guidelines for prudent investment of the City's idle or reserve cash and outlines the policies essential to ensuring the safety and financial strength

of the City's investment portfolio.

The City Council adopted Resolution No. 2021-26, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADOPTING THE STATEMENT OF INVESTMENT POLICY DATED NOVEMBER 2021."

D. Resolution 2021-27 – Minimum Wage Increase (Finance)

This report addressed the state-wide minimum wage increase that becomes effective January 1, 2022.

The City Council adopted Resolution No. 2021-27, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING AND RESTATING THE HOURLY RATE SCHEDULE EFFECTIVE JANUARY 1, 2022 AND REPEALING EXHIBIT B FROM RESOLUTION NO. 2020-36."

E. Treasurer's Quarterly Investment Report – September 2021 (Finance)

The item for City Council consideration was receipt of the Treasurer's Quarterly Investment Report.

The City Council received and filed the Treasurer's Quarterly Investment Report – September 2021.

F. Resolution No. 2021-31 – Alcoholic Beverage Control (ABC) – Office of Traffic Safety (OTS) Grant Program (Police)

Consideration of a resolution endorsing and authorizing the Los Alamitos Police Department to participate in the ABC-OTS Grant program for a period beginning October 1, 2021 through August 31, 2022.

City Council and Staff discussed the age requirements for participation in the program, ensuring proper training as required by the ABC, lack of a City cadet program, and possibility of utilizing cadets in the Elover program.

The City Council adopted Resolution No. 2021-31, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF GRANT FUNDS IN THE AMOUNT OF \$20,000 FROM THE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL GRANT PROGRAM".

G. Memorandum of Understanding with Teamsters Local 911 (Administration)

This Resolution adopted the three year Memorandum of Understanding (MOU) with the Teamsters Local 911, effective November 1, 2021 through October 31, 2024.

Mayor Chirco expressed support for reaching a fair deal and expressed appreciation for Staff and ensuring the City is well run despite challenging times.

The City Council adopted Resolution No. 2021-23, entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF LOS ALAMITOS AND THE TEAMSTERS LOCAL 911 EFFECTIVE NOVEMBER 1, 2021 THROUGH OCTOBER 31, 2024.”

**H. Approval of Final Parcel Map 2018-141 (3755 Farquhar Avenue)
(Development Services)**

Final Parcel Map 2018-141 for the subdivision of a single parcel for condominium purposes, located at 3755 Farquhar Avenue, is ready for submission to the County Recorder’s Office for final review (Applicant: Plato Enterprises, LLC).

The City Council:

1. Adopted Resolution No. 2021-30, entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING PARCEL MAP NO. 2018-141 FOR THE PROPERTY LOCATED AT 3755 FARQUHAR AVENUE”; and,
2. Directed the City Clerk to endorse on the title sheet of Parcel Map 2018-141, the certificate which embodies the approval of said maps and submit maps to the County of Orange Recorder’s Office.

**I. Notice of Completion (NOC) for the CDBG Howard Avenue Street Improvements Project from Reagan Street to Maple Street (CIP No. 20/21-02)
(Development Services)**

Staff recommend that City Council accept the project as completed, direct filing of the Notice of Completion (NOC), and authorize retention release as prescribed by the Public Contracts Codes.

The City Council:

1. Accepted as complete the construction by Onyx Paving for the CDBG Howard Avenue Street Improvements Project (CIP No. 20/21-02); 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 \$4,970.00, thirty-five (35) days after recordation of the Notice of Completion.

J. Notice of Completion (NOC) for the Suburbia Neighborhood Street Improvement Project – (CIP 20/21-03) (Development Services)

Staff recommended the City Council accept the project as completed, direct filing of the Notice of Completion (NOC), and authorize retention release as prescribed by the Public Contracts Codes.

The City Council:

1. Accepted as complete the construction by Onyx Paving for the Suburbia Neighborhood Street Improvement Project (CIP 20/21-03); 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 \$16,688.51, thirty-five (35) days after recordation of the Notice of Completion.

K. Amendment No. 7 with Clear Channel Outdoor, LLC for Bus Shelter License and Maintenance Agreement (Development Services)

This item sought approval of Amendment No. 7 with Clear Channel Outdoor, LLC to continue providing Bus Shelter License and Maintenance until June 30, 2022. The current Professional Services Agreement (PSA) expires on December 31, 2021.

The City Council authorized the Mayor to execute Amendment No. 7 of the Professional Services Agreement with Clear Channel Outdoor, LLC, with no fiscal impact and a term expiring June 30, 2022.

L. Approval of Plans and Specifications and Authorization to Bid for the CDBG Howard Ave and Bloomfield Street Improvement FY 2021-2022 Project (CIP No. 21/22-04) (Development Services)

This report recommend actions to begin facilitating the construction for the CDBG Howard Avenue and Bloomfield Street Improvement FY 2021-2022 Project (CIP No. 21/22-04).

Council Member Bates encouraged Staff to look at surrounding areas that may need repair when bidding projects and referred to the turn pocket on Bloomfield and Katella and flooding within Country Square.

The City Council:

1. Approve the plans and specifications for the construction of the CDBG Howard Ave and Bloomfield Street Improvement FY 2021-

2022 Project (CIP No. 21/22-04); and,

2. Authorize Staff to advertise and solicit bid proposals.

M. Approval of Plans and Specifications and Authorization to Bid for the Street Improvements on Various Streets FY 2021-2022 Project (CIP No. 21/22-03) (Development Services)

This report recommended actions to begin facilitating the construction for the Street Improvements on Various Streets FY 2021-2022 Project (CIP No. 21/22-03).

The City Council:

1. Approved the plans and specifications for the construction of the Street Improvements on Various Streets FY 2021-2022 Project (CIP No. 21/22-03); and,
2. Authorized Staff to advertise and solicit bid proposals.

N. Award of Professional Services Agreement (PSA) with Clean Street LLC for Citywide Street Sweeping Services (Development Services)

On September 21, 2021, staff received and reviewed bids to the City's Request for Proposals (RFP) 2021-08 for Citywide Street Sweeping Services.

The City Council:

1. Awarded the bid for RFP 2021-08; and,
2. Authorized the Mayor to execute the Professional Services Agreement with Clean Street LLC, for Citywide Street Sweeping Services with a maximum monthly amount of \$9,464.00 for a period of seven (7) years, ending on January 1, 2029.

12. ORDINANCES

A. Ordinance No. 2021-07 – State Video Franchise Holders (City Attorney)

The enactment of the Digital Infrastructure and Video Competition Act of 2006 ("DIVCA") effectively replaced locally issued franchise agreements with statewide franchises issued by the California Public Utilities Commission. Proposed Ordinance 2021-04 amends and restates Chapter 5.20 of Title 5 of the Los Alamitos Municipal Code to implement the Digital Infrastructure and Video Competition Act of 2006 pertaining to State Video Franchise Holders. It replaces the Cable Television Franchise regulations, which have become obsolete, by operation of State law preemption.

City Attorney Daudt summarized the Staff report.

City Council and Staff discussed ensuring consistent service delivery between cable providers would be achieved by use of penalty fees if needed.

Motion/Second: Bates/Doby

Unanimously Carried: The City Council:

1. Introduced for first reading, read by title only, and waive further reading of Ordinance No. 2021-07; and,
2. City Attorney Daudt to read title of Ordinance No. 2021-07, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING AND RESTATING CHAPTER 5.20 (CABLE TELEVISION FRANCHISES) OF TITLE 5 (BUSINESS LICENSES AND REGULATIONS) OF THE LOS ALAMITOS MUNICIPAL CODE PERTAINING TO STATE VIDEO FRANCHISE HOLDERS."

- B. Ordinance No. 2021-06 – Amended and Restated Chapter 8.12 (Integrated Waste Management) of the Los Alamitos Municipal Code to Implement State Organics Recycling Mandates (Development Services)**
- Senate Bill 1383 (SB 1383) was signed into law on September 19, 2016 and established methane emissions reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants in various sectors of California's economy. As it pertains to solid waste, SB 1383 seeks to reduce the amount of organic waste in landfills as methane is a byproduct of the decomposition of organic material. SB 1383 places a variety of mandates on local jurisdictions including the provision of organics and recycling collection programs to all properties within Los Alamitos and updating the Los Alamitos Municipal Code to require that each property subscribe to and fully participate in these programs.

Staff took this opportunity to review and update the entire Integrated Waste Management Chapter of the Los Alamitos Code, which was first enacted in 1996 and most recently amended in 2008.

Development Services Director Noda summarized the Staff report and answered questions from the City Council.

Motion/Second: Bates/Doby

Unanimously Carried: The City Council:

1. Introduced for first reading, read by title only, and waive further reading of Ordinance No. 2021-06; and,

2. City Attorney Daudt to read title of Ordinance No. 2021-06, entitled: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING AND RESTATING CHAPTER 8.12 (INTEGRATED WASTE MANAGEMENT) OF TITLE 8 (HEALTH AND SAFETY) OF THE LOS ALAMITOS MUNICIPAL CODE, IMPLEMENTING SB 1383 ORGANIC RECYCLING REGULATIONS."

13. DISCUSSION ITEMS

A. Adoption of Resolution Establishing Salaries and Benefits for Non-Represented Employees (Administration)

This report recommended adoption of a resolution establishing salaries and benefits for Non-Represented Employees.

City Attorney Daudt summarized the Staff report and confirmed the benefits were consistent with the Teamsters 911.

Motion/Second: Hasselbrink/Bates

Unanimously Carried: The City Council adopted Resolution No. 2021-25, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ESTABLISHING SALARIES AND BENEFITS FOR NON-REPRESENTED EMPLOYEES AND REPEALING RESOLUTION NO. 2017-07 AND 2021-14 IN THEIR ENTIRETY."

B. Personnel Changes –City Clerk/Communications Director (Administration)

This report outlines the personnel changes and new job description for City Clerk/Director of Communications. 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.

City Manager Simmons summarized the Staff report and City Attorney Daudt summarized benefits.

Motion/Second: Hasselbrink/Doby

Unanimously Carried: The City Council:

1. Adopted Resolution No. 2021-28, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADOPTING JOB DESCRIPTION FOR CITY CLERK/DIRECTOR OF COMMUNICATIONS"; and,
2. Authorized the City Manager to enter into an Employment

Agreement for Non-Represented Employee (Executive Management) with Windmera Quintanar for the position of City Clerk/Director of Communications; and,

3. Introduced for first reading, read by title only, and waive further reading of Ordinance No. 2021-05; and,
4. City Attorney Daudt to read title of Ordinance No. 2021-05, entitled: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING SECTIONS 2.12.020 AND 2.12.030 OF THE LOS ALAMITOS MUNICIPAL CODE RELATING TO THE OFFICE OF THE CITY CLERK".

C. Resolution No. 2021-32 – Awarding the City Manager a Performance Based Incentive Bonus for Calendar Year 2021 (Administration)

The City Council evaluated the City Manager's performance during closed session on November 8, 2021. 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.

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.

City Attorney Daudt summarized the Staff report.

Motion/Second: Chirco/Nefulda

Unanimously Carried: The City Council adopted Resolution No. 2021-32, 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 2021".

D. Non-profit Grant Program for Food Insecurities (Recreation)

The City of Los Alamitos will receive \$70,000 from the Orange County Board of Supervisors in order to provide meals to those facing food insecurities in the Second District due to the COVID-19 public health emergency.

Recreation and Community Services Director Noda summarized the Staff report.

City Council and Staff discussed ensuring all funds were expended within the time frame and the possibility of including the Los Alamitos Unified School District if applicable.

Motion/Second: Bates/Doby

Unanimously Carried: The City Council:

1. Authorized the creation of a Non-profit Grant Program for Food Insecurities; and,
2. Approved the allocation of \$70,000 for the creation of a Non-profit Grant Program for Food Insecurities with ARPA funds received from the Orange County Board of Supervisors; and,
3. Authorized the City Manager to enact the proposed funding options for the City of Los Alamitos Non-profit Grant Program for Food Insecurities and execute any needed documents to enact the program.

E. 501(c)(3) Non-profit City of Los Alamitos Foundation (Recreation)

This agenda item provides an opportunity to discuss details of establishing a City of Los Alamitos Foundation.

Recreation and Community Services Director Noda summarized the Staff report.

Council consensus was received for the following:

- Naming the foundation the Los Alamitos Community Foundation
- A Foundation board comprised of up to 9 members
 - 1 Council appointed resident from each District
 - Application and interview process for remaining two positions
 - Application and interview process for up to two business members
- City staff serving as an Ex-Officio Board Members (no voting status) can represent various departments and be available to provide input or education on projects or programs
- Individual donations can be designated towards a particular CIP Project or City program/service in any Department
- Include language in the Bylaws that in the event the Foundation goes dormant, that remaining funds be made available and deposited to the City of Los Alamitos to offset General Fund expenditures
- Leave open the opportunity to hire Foundation staff members or work with contractors in the future to implement Foundation events or to pursue grants as needed/requested.
- Directed Staff to forward with creating a City Foundation Board Member application and contact the company that assists to establish non-profits to begin the filing process.

14. ADJOURNMENT

The City Council adjourned at 7:48 p.m. to December 13, 2021 at 6:00 p.m.

DocuSigned by:

Mark Chirco

Mark Chirco, Mayor

DocuSigned by:

Windmera Quintanar

Windmera Quintanar, MMC, City Clerk