

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

ADJOURNED REGULAR MEETING – December 13, 2021

1. CALL TO ORDER

The City Council met in Adjourned Regular Session at 5:35 p.m., Monday, December 13, 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
Ron Roberts, Orange County Fire Authority Battalion Chief
Chelsi Wilson, Executive Coordinator

3. CLOSED SESSION

A. PUBLIC EMPLOYEE APPOINTMENT

Title: Chief of Police

Authority: Government Code Section 54957

City Attorney Daudt read the item aloud.

RECESS

The City Council recessed into Closed Session at 5:36 p.m.

RECONVENE

The City Council reconvened in Adjourned Regular session at

City Attorney Daudt stated there was no reportable action.

4. PLEDGE OF ALLEGIANCE

Council Member Doby led the Pledge of Allegiance.

5. INVOCATION

Council Member Bates gave the Invocation.

6. PRESENTATIONS

A. Presentations to Mayor Mark A. Chirco from Outside Agencies for his Service as Mayor in 2021

Mayor Chirco received certificates from the following agencies:

- Senator Tom Umberg's Office
- Assembly Member Janet Nguyen's Office
- Los Alamitos Unified School District
- Chamber of Commerce
- Joint Forces Training Base

B. Presentations of Certificates of Recognition to My City My Los Al Partnership Program Sponsors

Mayor Chirco recognized the following partners:

- Long Beach Medical Center and Miller Children's & Women's Hospital (Title Sponsor)
- Financial Partners Credit Union (Star Sponsor)
- Los Alamitos Senior Club (Supporter Sponsor)

12. SPECIAL ORDERS OF THE DAY

B. Presentations to Mayor Chirco from the City for his Tenure as Mayor Mayor Pro Tem Hasslebrink and the City Council spoke briefly regarding Mayor Chirco's service and presented him with a plaque for his service.

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.

None.

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 Nefulda spoke regarding attendance at Winter Wonderland.

Council Member Bates spoke regarding Los Al Bucks program, Chamber Holiday Breakfast, and correspondence from the Orange County Sheriff's Office outlining current issues.

Council Member Doby spoke regarding attendance at the Orange County Council of Governments General Assembly, State of the District, open house for Marina Skin Care, Human Relations Committee, Orange County Mosquito and Vector Control District Board meeting, ribbon cutting for Garage Palates, open house for Casa Youth Shelter, and the Chamber Holiday Breakfast. She gave recommendations for Gourmet Pie company and Dr. Barrow orthodontics and stated support for the holiday median decorations.

Mayor Pro Tem Hasselbrink spoke regarding attendance at the State of the District, Winter Wonderland, Gypsum Canyon Veteran Cemetery Flag Raising event. She congratulated Council Member Doby for being named Hero of the Heart for Rossmoor Elementary. She spoke in favor of the grant funding distributed to local nonprofits by the City to combat food insecurities during the pandemic. She requested the meeting be adjourned in honor of Gene Petrini.

Mayor Mark Chirco spoke regarding attendance at the Orange County Sanitation District Administration Committee meeting and Board of Directors meeting, Winter Wonderland, and Brew Kitchen Ale House with his Los Al Bucks. He spoke of the upcoming waste hauler change to Universal Waste.

9. ITEMS FROM THE CITY MANAGER

City Manager Simmons spoke regarding Mayor Chirco's leadership the past year.

10. WARRANTS

Council Member Bates received clarification on the following items:

- Page 2, District Attorney's Office – Prosecution of a Code Enforcement case
- Page 15, Department of Housing – Passthrough fee for mobile home parks

Motion/Second: Hasselbrink/Doby

Unanimously Carried: The City Council ratified the Warrants for the period from November 12, 2021 to December 1, 2021, in the amount of \$1,106,682.61

ROLL CALL

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

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.

Council Member Bates asked questions on items 11B, D, and F.

Motion/Second: Doby/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 November 15, 2021 and Special Minutes of December 6, 2021.

B. 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 2021-07 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 Council introduced for first reading, read by title only, and waived further reading of Ordinance No. 2021-07 at its November 15, 2021 Regular meeting.

Council Member Bates asked how the City would know if there was an issue. City Manager Simmons advised the City had access to provider data to monitor the service level.

The City Council adopted 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.”

C. Ordinance No. 2021-05 – City Clerk/Communications Director (Administration)
On November 15, 2021 the City Council approved personnel changes and new job description for City Clerk/Director of Communications. Part of that action included the introduction for first reading, read by title only, and waive further reading of Ordinance No. 2021-05.

The City Council adopted 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”.

D. 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 (City Attorney)

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.

City Council introduced for first reading, read by title only, and waived further reading of Ordinance No. 2021-06 at its November 15, 2021 Regular meeting.

Council Member Bates spoke in opposition to unfunded State mandates.

The City Council adopted 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.”

E. Resolution No. 2021-26– Adopting the June 30, 2021 Measure M2 Expenditure Report (Development Services)

Each agency that receives Measure M2 funds is required by the Orange County Transportation Authority (OCTA) to adopt via resolution an annual Expenditure Report to account for the use of Measure M2 funds.

The City Council adopted Resolution No. 2021-36, entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, CONCERNING THE MEASURE M2 EXPENDITURE REPORT FOR THE CITY OF LOS ALAMITOS FOR THE FISCAL YEAR ENDING JUNE 30, 2021”.

F. Comprehensive Annual Financial Report for June 30, 2021 (Finance)
For City Council consideration is the receipt of the fiscal year 2020-2021 audit reports.

Council Member Bates stated a preference for constructive recommendations.

The City Council received and filed the annual audit reports for fiscal year 2020-2021, including the Comprehensive Annual Financial Report (CAFR), Audit Communication Letter, and the Report on Internal Control.

G. Resolution No. 2021-38 – Amendment to the City’s Conflict of Interest Code (City Clerk)

To comply with the requirements of State law, the attached Resolution proposes to amend the City’s Conflict of Interest Code by updating the list of designated employees that have significant involvement in the City’s decision-making process.

The City Council adopted Resolution No. 2021-38, entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA ADOPTING THE CONFLICT OF INTEREST CODE FOR THE CITY AND REPEALING RESOLUTION 2018-03.”

H. Waiver and Release of Liability for Police Recruits to Participate in a Pre-Academy Training Program (Police)

The Garden Grove Police Department is hosting a two-week Pre-Academy program for recruits from several local police agencies. The Garden Grove Police Department has offered to let two Los Alamitos Police Recruits attend their Pre-Academy program January 3 – 14, 2022. In order to attend the Pre-Academy program, the City of Garden Grove requires the sponsoring agency to sign a Waiver and Release of Liability.

The City Council authorized the City Manager to sign the Pre-Academy Training Program Waiver and future program waivers so that Los Alamitos Police Recruits are able to participate in this program.

I. Approval of Resolution Approving Participation in National Opioid Settlement Agreement (City Attorney)

The City will receive an estimated allocation of \$106,553.00 in settlement funds if the City Council approves participation in the proposed national opioid settlement.

The City Council adopted Resolution No. 2021-39, entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING PARTICIPATION IN THE NATIONAL OPIOID SETTLEMENT AGREEMENTS AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL RELATED DOCUMENTS.”

12. SPECIAL ORDERS OF THE DAY

- A. Comments by Outgoing Mayor Mark Chirco**
Mayor Chirco spoke regarding his service as Mayor.

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 Chirco turned the meeting over to City Clerk Quintanar.

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

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

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

Unanimously Carried: The City Council elected Shelley Hasselbrink 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 Hasselbrink.

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

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

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

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

ROLL CALL

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

B. City Council Member Appointments and Reappointments as Representatives to other Agencies and City Committees for 2022

(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.

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: Bates

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

City Selection Meeting
Delegate: Hasselbrink
Alternate: Doby

Orange County Library Advisory Board
Delegate: Bates
Alternate: Nefulda

Orange County Mosquito and Vector Control Board
Delegate: Doby for a two-year term

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

Budget Standing Committee
Delegates: Chirco and Hasselbrink

2. Adopted Resolution No. 2021-36, 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.

14. ADJOURNMENT

The City Council adjourned at 7:09 in honor of Gene Petrini.

DocuSigned by:

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Shelley Hasselbrink, Mayor

Attest:

DocuSigned by:

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Windmera Quintanar, MMC, City Clerk