

CITY OF LOS ALAMITOS
Council Chamber
3191 Katella Ave., Los Alamitos CA 90720

CITY COUNCIL AGENDA
REGULAR MEETING

Monday, December 19, 2022 – 6:00 PM

SAFETY ALERT – NOTICE REGARDING COVID-19

If you wish to attend the City Council meeting in person, the Council Chamber located at 3191 Katella Ave., Los Alamitos, California 90720, will have seating for this meeting and the public shall have the right to observe and offer public comment at this location. **The City of Los Alamitos continues to follow the Centers for Disease Control and Prevention (CDC) guidelines and these provisions are subject change with short notice.**

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". Comments **received by 3:00 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.

Please consider carefully before attending this meeting in person and do not attend this meeting in person if you have had direct contact with someone who has tested positive for Coronavirus (COVID-19), or you are experiencing symptoms such as coughing, sneezing, fever, difficulty breathing or other flu-like symptoms.

NOTICE TO THE PUBLIC – This Agenda contains a brief general description of each item to be considered. Except as provided by law, action or discussion shall not be taken on any item not appearing on the agenda. Supporting documents, including staff reports, are available for review at City Hall in the City Clerk's Office or on the City's website at www.cityoflosalamitos.org once the agenda has been publicly posted.

Each matter on the agenda, no matter how described, shall be deemed to include any appropriate motion, whether to adopt a minute motion, resolution, payment of any bill, approval of any matter or action, or any other action. Items listed as "for information" or "for discussion" may also be the subject of an "action" taken by the City Council at the same meeting.

Any written materials relating to an item on this agenda submitted to the City Council after distribution of the agenda packet are available for public inspection online at www.cityoflosalamitos.org.

It is the intention of the City of Los Alamitos to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee, or a participant at this meeting, you will need special assistance beyond what is normally provided, please contact the City Clerk's Office at (562) 431-3538, extension 220, 48 hours prior to the meeting so that reasonable arrangements may be made.

1. CALL TO ORDER

2. ROLL CALL

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

3. PLEDGE OF ALLEGIANCE

Mayor Hasselbrink will lead the Pledge of Allegiance.

4. INVOCATION

Mayor Pro Tem Doby will give the Invocation.

5. PRESENTATIONS

A. Presentations to Council Member Mark A. Chirco from Outside Agencies for Five Years of Service as Council Member

B. Presentations to Mayor Shelley Hasselbrink from Outside Agencies for Her Service as Mayor in 2022

C. Presentation of a Donation from Kenney Brandyberry to the Los Alamitos Community Foundation and City Council Towards Creation of a Police K-9 Unit

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.

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

A. Warrants (Finance)

The attached Warrant Register contains checks and electronic fund transfers for the period November 2, 2022 to November 30, 2022.

Recommendation: Ratify the Warrants for the period from November 2, 2022 to November 30, 2022 in the amount of \$1,521,605.16.

ROLL CALL

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

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

Approve the City Council minutes for the Adjourned Regular meeting of November 14, 2022, and the Special meeting of December 12, 2022.

B. Findings Required by AB 361 for the Continued Use of Teleconferencing for Meetings (Administration)

For the City Council to continue to have the option to meet via teleconference during the pandemic, AB 361 requires the City Council make specific findings at least every thirty (30) days.

Recommendation: Make the following findings by a majority vote of the City Council:

1. A state of emergency has been proclaimed by California's Governor due to the COVID-19 pandemic, and continues to be in effect; and,
2. The City Council has reconsidered the circumstances of the state of emergency; and,
3. State and local officials continue to recommend measures to promote social distancing to slow the spread of COVID-19.

C. Ordinance No. 2022-07 - Regulation and Sale of Fireworks (Administration)

This report provides will adopt Ordinance No. 2022-07 allowing for the use of safe and sane fireworks on the 4th of July, as well as their regulation and sale. City Council introduced Ordinance No. 2022-07 at its Adjourned Regular meeting of November 14, 2022.

Recommendation: Adopt Ordinance No. 2022-07, entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADDING CHAPTER 5.60 (FIREWORKS) TO TITLE 5 OF THE LOS ALAMITOS MUNICIPAL CODE RELATING TO THE REGULATION AND SALE OF FIREWORKS".

D. Declaring and Certifying the Results of the November 8, 2022 General Municipal Election (Administration)

This report provides 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.

Recommendation: City Council adopt Resolution No. 2022-35, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 8, 2022, DECLARING THE RESULT, AND SUCH OTHER MATTERS AS PROVIDED BY LAW".

E. Resolution No. 2022-34 - Adopting the June 30, 2022 Measure M2 Expenditure Report (Finance)

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

Recommendation: Adopt Resolution No. 2022-34, 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, 2022."

F. Amendment No. 2 to the Professional Services Agreement with Liebert Cassidy Whitmore for Personnel Legal Services (Administration)

The City of Los Alamitos contracts with Liebert Cassidy Whitmore (LCW) for legal services related to labor and employment. This item proposes an amendment to increase the amount of the contract.

Recommendation:

1. Authorize the Mayor to execute Amendment No. 2 to the Professional Services Agreement with Liebert Cassidy Whitmore, extending the payment agreement not to exceed \$59,500; and,

2. Appropriate \$15,000 from the General Fund to account 10-513-5261 for Amendment 2.

11. DISCUSSION ITEM

A. Adoption of Vehicles Miles Travelled (VMT) Thresholds of Significance (Development Services)

Currently, the City of Los Alamitos utilizes Level of Service (LOS) as the metric to evaluate transportation impacts in California Environmental Quality Act (CEQA) documents such as an Environmental Impact Report (EIR). The State is mandating that municipalities adopt and utilize Vehicles Miles Traveled (VMT).

Recommendation:

1. Discuss staff recommendations; and,

2. Adopt Resolution No. 2022-37, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS ADOPTING "VEHICLE MILES TRAVELLED" (VMT) THRESHOLDS OF SIGNIFICANCE FOR PURPOSES OF ANALYZING TRANSPORTATION IMPACTS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT" in conformance with the guidelines provided by the Orange County Transportation Authority (OCTA).

B. Resolution No. 2022-38 – Awarding the City Manager a Performance Based Incentive Bonus for Calendar Year 2022 (Administration)

The City Council evaluated the City Manager's performance during closed session on December 19, 2022. 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 Council.

Recommendation: Adopt Resolution No. 2022-38, 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 2022".

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.

12. SPECIAL ORDERS OF THE DAY

- A. Comments by Outgoing Council Member Mark A. Chirco**
- B. Presentations to Council Member Chirco from the City for his tenure as Council Member**
- C. Comments by Outgoing Mayor Shelley Hasselbrink**
- D. Presentations to Mayor Hasselbrink from the City for her tenure as Mayor in 2022**
- E. City Clerk Quintanar to Administer Oath of Office and comments by Newly Elected Officials Shelley Hasselbrink and Emily Hibard**

13. RECESS

The City Council will take a brief recess at this time.

14. DISCUSSION ITEM

A. City Council Reorganization (Administration)

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.

Recommendation: Elect Officers for the position of Mayor and Mayor Pro Tem by roll call vote.

B. City Council Member Appointments/Reappointments as Representatives to other Agencies and City Committees for 2023 (Administration)

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

Recommendation:

1. Nominate and vote for appointments/reappointments regarding the Representatives to Other Agencies; and,
2. Nominate and vote for appointment to the City's Budget Standing Committee; and,
3. Adopt Resolution No. 2022-36, 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,

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

15. ADJOURNMENT

The City Council will adjourn to Monday, January 23, 2023.

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 not less than 72 hours prior to the meeting.



Windmera Quintanar, MMC, City Clerk
Dated: December 15, 2022