

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

CITY COUNCIL AGENDA
REVISED REGULAR MEETING

Tuesday, February 21, 2023 – 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 Doby

Mayor Pro Tem Nefulda
Council Member Hasselbrink
Council Member Hibard
Council Member Murphy

3. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Nefulda will lead the Pledge of Allegiance.

4. INVOCATION

Council Member Hasselbrink will give the Invocation.

5. PRESENTATION

**A. Presentation Regarding the Upcoming 48th Annual Americana Awards
(Saturday, March 11, 2023) by Mr. Howard Kummerman, Executive Director,
Cypress College Foundation**

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 funds transfers for the period from January 1, 2023 to January 31, 2023.

Recommendation:

Ratify the Warrants for the period from January 1, 2023 to January 31, 2023 in the amount of \$1,817,966.29

ROLL CALL

Mayor Doby
Mayor Pro Tem Nefulda
Council Member Hasselbrink

Council Member Hibard
Council Member Murphy

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. 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.

B. Annual Update of the Records Management Program (Administration)

In October 2015, the City Council adopted the City-wide Records Management Program. Part of this Program included a day dedicated to records management and annual updates to the retention schedule. This item recommends changes to the policy to ensure continued success of the program.

Recommendation:

Adopt Resolution 2023-05, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADOPTING A RECORDS MANAGEMENT PROGRAM AND REPEALING RESOLUTION NO. 2022-01 IN ITS ENTIRETY".

C. Administrative Rules and Regulation Updates (Administration)

The Administrative Rules and Regulations (ARs) are a cumulation of policies that were adopted by Council, approved by the City Manager, and/or are administered by the Departments. Many of the policies are in need of updating and/or are now obsolete. Staff has identified policies originally approved by Council that are now obsolete and should be formally repealed.

Recommendation:

1. Recscind Administrative Regulation 2.6 - Challenge Coins; and,

2. Authorize the City Manager to implement, and modify as needed, Administrative Regulation 4.10 - Deputy City Manager Designation; and,

2. Repeal Resolution No. 2015-14, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADOPTING THE CITY OF LOS ALAMITOS TRAVEL AND REIMBURSEMENT POLICY DATED JUNE 1, 2015 AND REPEALING RESOLUTION NO. 2009-02"; and,

3. Authorize the City Manager to implement, and modify as needed, Administrative Regulation 6.1 - Travel and Reimbursement Policy.

D. Treasurer's Quarterly Investment Report - December 2022 (Finance)

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

Recommendation:

Receive and file the Treasurer's Quarterly Investment Report – December 2022.

E. California Teamsters Local 911 Side Letter (Administration)

This report seeks approval of the California Teamster Local 911 side letter amending the November 1, 2021 to October 31, 2024 Memorandum of Understanding (MOU) between the City of Los Alamitos ("City") and the Teamsters Local 911 ("Teamsters").

Recommendation:

1. Adopt Resolution No.2023-06, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF LOS ALAMITOS AND THE TEAMSTERS LOCAL 911 EFFECTIVE NOVEMBER 1, 2021 THROUGH OCTOBER 31, 2024.

2. Authorize the Mayor to execute the side letter agreement amending the California Teamsters Local 911 Memorandum of Understanding (MOU).

F. Police Officers Association (POA) Side Letter (Administration)

This report seeks approval of the Police Officers Association (POA) side letter amending the July 1, 2021 to June 30, 2024 Memorandum of Understanding (MOU) between the City of Los Alamitos ("City") and the Los Alamitos Police Officers Association ("POA").

Recommendation:

1. Adopt Resolution No.2023-07, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF LOS ALAMITOS AND THE POLICE OFFICERS ASSOCIATION EFFECTIVE JULY 1, 2021 THROUGH JUNE 30, 2024"; and,

2. Authorize the Mayor to execute the side letter agreement amending the Police Officers Association (POA) Memorandum of Understanding (MOU).

G. Amendment No. 1 with Fireworks and Stage FX America, Inc. for Public Fireworks Display (Recreation)

This report allows for a change to the contract with Fireworks and Stage FX America, Inc. to reflect July 3 as the date for the City's annual fireworks display.

Recommendation:

Authorize the Mayor to execute Amendment 1 to the Professional Services Agreement with Fireworks and Stage FX America, Inc. to reflect the new event date of July 3.

H. Amendment No. 2 with North Star Land Care for Landscape Maintenance Services (Development Services)

This item is for continuing services with North Star Land Care to provide citywide landscape maintenance services for one additional year. The current Professional Services Agreement (PSA) expired on January 19, 2023 and can be extended for a one-year term by mutual agreement.

Recommendation:

Authorize the Mayor to execute Amendment No. 2 to the Professional Services Agreement (PSA) with North Star Land Care for a one-year contract extension ending on February 21, 2024, for an annual cost of \$114,067.92.

I. Amendment No. 2 with Terra Nova Planning & Research, Inc. for City's General Plan Housing Element Consultation (Development Services)

This item seeks approval of Amendment No. 2 with Terra Nova Planning & Research, Inc., to continue to provide preparation and consultation for the update on the City's General Plan Housing Element until June 30, 2023 for an amount not to exceed \$15,000. The current Professional Services Agreement (PSA) expired on December 31, 2022.

Recommendation:

Authorize the Mayor to execute Amendment No. 2 with Terra Nova Planning & Research, Inc., in an amount not to exceed \$15,000 and a term expiring June 30, 2023.

J. Lease Agreement with The Institute of Electrical and Electronic Engineers for Warehouse Space (Development Services)

This item seeks authorization for a three (3) year lease agreement between the City of Los Alamitos and The Electrical and Electronic Engineers for warehouse space at 10662 Los Vaqueros Circle for \$12,000 per month.

Recommendation:

Authorize the Mayor to execute a three (3) year lease agreement with The Institute of Electrical and Electronic Engineers for the use of warehouse space located at 10662 Los Vaqueros Circle in an amount not to exceed \$453,960.

K. Resolution No. 2023-08 - Beverage Container Recycling City/County Payment Program Funding (Development Services)

This item requests Council's approval of a resolution concerning the City's participation in Fiscal Year (FY) 2022-2023 California's Department of Resources Recycling and Recovery (CalRecycle) Beverage Container Recycling City/County Payment Program. This program intends to aid in achieving and sustaining high recycling rates throughout the state of California.

Recommendation:

1. Adopt Resolution No. 2023-08, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING THE CITY'S PARTICIPATION IN CALRECYCLE'S BEVERAGE CONTAINER RECYCLING CITY/COUNTY PROGRAM DISTRIBUTION INTENDED TO AID ACHIEVING AND SUSTAINING HIGH RECYCLING RATES"; and,

2. Authorize the City Manager to execute all Beverage Container Recycling Program documents concerning beverage container recycling program funds distributed.

L. Notice of Completion (NOC) for the Installation of Catch Basin CPS (Connector Pipe Screens) Citywide Project (CIP No. 21/22-05) (Development Services)

This capital improvement project installed Connector Pipe Screen (CPS) trash collecting units within 101 catch basins citywide. These CPS units are screens that are mounted at the outlet pipe of the catch basin to collect trash for disposal before entering the storm drain and eventually discharging into the ocean waters. This full-capture system was installed in existing catch basins as a requirement of the State Water Quality Control Board.

Staff recommends Council accept the work as completed, direct filing of the Notice of Completion (NOC), and authorize retention release as prescribed by the Public Contract Code.

Recommendation:

1. Accept as complete the construction by United Stormwater, Inc. for the Installation of Catch Basin CPS (Connector Pipe Screens) Citywide Project (CIP No. 21/22-05); and,

2. Direct the City Clerk to record the Notice of Completion/Final Report with the County Recorder's Office; and,

3. Authorize Staff to release the 5% retention to the contractor, in the amount of \$4,129.92, thirty-five (35) days after recordation of the Notice of Completion.

M. Resolution No. 2023-04 - Notice of Intent to Overrule the Airport Land Use Commission (ALUC) for Orange County Finding of Housing Element Inconsistency (Development Services)

On January 19, 2022, the Orange County Airport Land Use Commission ("ALUC") reviewed the City's General Plan Housing Element Update 2021-2029 6th Cycle and found the Housing Element Update to be inconsistent with the Airport Environs Land Use Plan for the Joint Forces Training Base Los Alamitos. The City Council will consider initiating the two-step process to overrule the ALUC determination in accordance with State Law.

Recommendation:

1. Adopt Resolution No. 2023-04 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, MAKING DRAFT FINDINGS AND NOTIFYING THE ORANGE COUNTY AIRPORT LAND USE COMMISSION AND THE STATE DIVISION OF AERONAUTICS OF THE CITY'S INTENTION TO FIND THAT THE GENERAL PLAN 2021-2029 HOUSING ELEMENT UPDATE IS CONSISTENT WITH THE PURPOSES OF THE STATE AERONAUTICS ACT AND OVERRULE THE ORANGE COUNTY AIRPORT LAND USE COMMISSION'S DETERMINATION THAT THE HOUSING ELEMENT IS INCONSISTENT WITH THE 2017 JOINT FORCES TRAINING BASE LOS ALAMITOS AIRPORT ENVIRONS LAND USE PLAN" and,

2. Authorize the City Manager to submit Resolution No. 2023-04 to the Orange County Airport Land Use Commission and the State Division of Aeronautics and schedule a public hearing pursuant to Public Utilities Code Section 21676.

11. DISCUSSION ITEM

A. Non-Represented Employees Agreement Amendment (Administration)

This report seeks approval for two changes to the Non-Represented Agreement.

Recommendation:

Adopt Resolution No. 2023-09, 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 NUMBERS 2021-25, 2022-07 AND 2022-24 IN THEIR ENTIRETY."

12. ORDINANCE

A. Ordinance No. 2023-03 - Modify Regulation and Sale of Fireworks (Administration)

This report proposes a change to the requirements for the regulation, use, and sale of safe and sane fireworks on the 4th of July.

Recommendation:

1. Introduce for first reading, read by title only, waive further reading of Ordinance No. 2023-03, and set for adoption; and,

2. City Attorney Daudt read the title of Ordinance No. 2023-03, entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING SECTION 5.60.110(B) OF THE LOS ALAMITOS MUNICIPAL CODE RELATING TO THE LOCATION OF TEMPORARY FIREWORKS STANDS".

13. PUBLIC HEARING

A. Comprehensive Update of the City's Housing Element for the Reporting Period of 2021-2029 (GPA 21-01) and General Plan Amendment (GPA) 22-02 Zoning Ordinance Amendment (ZOA) 22-03 (Development Services)

City Council will consider the revised draft of the comprehensive update of the City's Housing Element for the reporting period of 2021-2029 (GPA 21-01). Upon adoption of the Housing Element, Council will consider a resolution and an ordinance for 1) the creation of a higher-density R-4 Zoning District in Los Alamitos; 2) rezoning certain properties to the new R-4 District; and 3) modifying the Town Center Mixed Use (TCMU) Zoning District to allow higher density.

These changes would be implemented to comply with the newly adopted Housing Element and would be made through General Plan Amendment (GPA) 22-02 and Zoning Ordinance Amendment (ZOA) 22-03.

Recommendation:

1. Conduct a public hearing; and, if appropriate,
2. Adopt Resolution No. 2023-02, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADOPTING A NEGATIVE DECLARATION, AND APPROVING GENERAL PLAN AMENDMENT 21-01, UPDATING THE LOS ALAMITOS HOUSING ELEMENT (2021-2029); and,
3. Consider the draft resolution, and, if appropriate,
4. Adopt Resolution No. 2023-01, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT (GPA) 22-02 TO ENSURE THAT THE ZONING CODE UPDATES IN ORDINANCE 2023-01 WILL MAINTAIN INTERNAL CONSISTENCY WITH THE ACTIONS, GOALS, OBJECTIVES, AND POLICIES OF THE GENERAL PLAN, AND WILL NOT CREATE ANY INCONSISTENCIES THEREIN (CITY INITIATED).
5. Consider the draft ordinance; and, if appropriate,
6. Introduce for first reading, read by title only, and waive further reading of Ordinance No. 2023-01; and,
7. City Attorney Daudt read the title of Ordinance No. 2023-01 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING CHAPTERS 17.04, 17.08, AND 17.12 OF THE LOS ALAMITOS MUNICIPAL CODE, AS WELL AS THE LOS ALAMITOS ZONING MAP, CONCERNING THE R-3, R-4, AND TCMU ZONING OF THE CITY OF LOS ALAMITOS (ZOA 22-03) (CITY INITIATED)."

B. Ordinance 2023-02 - State Mandated Update to Accessory Dwelling Unit (ADU) Regulations

Consideration of an ordinance amending and restating Section 17.28.020 of the Los Alamitos Municipal Code concerning the regulation of Accessory Dwelling Units

(ZOA 23-01).

Recommendation:

1. Introduce for first reading, read by title only, and waive further reading of Ordinance No. 2023-02; and,
2. City Attorney Daudt read the title of Ordinance No. 2023-02, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING AND RESTATING SECTION 17.28.020 OF THE LOS ALAMITOS MUNICIPAL CODE CONCERNING THE REGULATION OF ACCESSORY DWELLING UNITS (ZOA 23-01)."

14. CLOSED SESSION

A. Conference with Legal Counsel

Anticipated Litigation Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: (One potential case)

15. ADJOURNMENT

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: February 17, 2023