

MINUTES OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS

ADJOURNED REGULAR MEETING

Monday, November 14, 2022

1. CALL TO ORDER

The City Council met in Adjourned Regular Session at 5:34 p.m., Monday, November 14, 2022, in the Council Chamber located at 3191 Katella Ave., Los Alamitos, CA 90720, Mayor Hasselbrink presiding.

2. ROLL CALL

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

Absent: Council Members: None

Present: Staff: Chet Simmons, City Manager
Michael Claborn, Chief of Police
Craig Covey, Orange County Fire A Battalion Chief
Michael Daudt, City Attorney
Craig Koehler, Finance Director
Emeline Noda, Recreation and Community Services Director
Ron Noda, Development Services Director
Windmera Quintanar, MMC, City Clerk

3. CLOSED SESSION

A. Public Employee Performance Evaluation

Title: City Manager

Authority: Government Code Section 54957

B. Conference with Legal Counsel - Anticipated Litigation

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

City Attorney Daudt read the items aloud.

RECESS

The City Council recessed into closed session at 5:35 p.m.

RECONVENE

The City Council reconvened in Regular session at 6:17 p.m.

City Attorney stated there was no reportable action.

4. PLEDGE OF ALLEGIANCE

Council Member Nefulda led the Pledge of Allegiance.

5. INVOCATION

Council Member Chirco gave the Invocation.

6. PRESENTATIONS

**A. Presentation of a Proclamation to Blaire Pietrini of Pietrini Pizza
Napoletana in Recognition of Small Business Saturday**

Mayor Hasselbrink and the Council presented the Proclamation to Ms. Pietrini. Ms. Pietrini spoke briefly.

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.

Mayor Hasselbrink opened Oral Communications.

Les Johnson, TMB Planning, gave an overview of the WestEd project located off Lampson.

Todd Coddle, CNC Development, spoke regarding the affordable housing within the Lampson Parkplace project.

Art DeBolt, resident, stated opposition to item 13C.

Mayor Hasselbrink closed Oral Communications.

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 two Orange County Sanitation Board meetings, lunch with the Los Alamitos Unified School District, Trunk or Treat, and Sunset Saturday.

Council Member Chirco spoke regarding attendance at the Budget Standing Committee meeting, Los Alamitos Community Foundation meeting, Sunset Saturday, and Trunk or Treat.

Council Member Murphy spoke regarding attendance at the Trunk or Treat event, her kids speaking with Chief Claborn about electric bikes, and her walks

throughout the neighborhood.

Mayor Pro Tem Doby spoke regarding attendance at Good Morning Los Alamitos, Orange County Mosquito and Vector Control District Board Meeting, Trunk or Treat, Sunset Saturday, lunch with the Los Alamitos Unified School District, and a Veterans' Day Celebration at St. Isidore Historical Plaza.

Mayor Hasselbrink spoke regarding attendance at Good Morning Los Alamitos, Local Leader Shabbat Dinner, Orange County Fire Authority Board meeting and Budget Committee meeting. She welcomed Trisha Murphy to the Council.

9. ITEMS FROM THE CITY MANAGER

City Manager Simmons asked for and received an from Recreation and Community Services Director Noda regarding upcoming winter activities.

10. WARRANTS

A. Warrants (Finance)

The attached Warrant Register contained checks and electronic fund transfers for the period October 4, 2022 to October 31, 2022.

Council Member Chiro received clarification regarding the waste hauler reimbursing the City for street sweeper services.

Motion/Second: Chirco/Doby

Unanimously Carried: The City Council ratified the Warrants for the period from October 4, 2022 to October 31, 2022 in the amount of \$2,318,840.80.

Roll Call

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

Mark Chirco requested a staff report on 11I.

Motion/Second: Doby/Chirco

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

A. Approval of Minutes (Administration)

Approved the City Council Minutes for the Regular meeting of October 17, 2022 and the Special meeting of October 24, 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.

The City Council made the following findings by a majority vote:

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

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

The City Council received and filed the Treasurer's Quarterly Investment Report – September 2022.

D. Addition of Authorized Officers and Employees of the City to Examine Confidential Sales or Transactions and Use Taxes (Finance)

The original agreement with California Department of Tax and Fee Administration (CDTFA) was entered into in 1989 for the Bradley-Burns Tax. An additional agreement with CDTFA, Ordinance 2020-06, for Transactions and Use Tax, was completed on July 27, 2020. The new agreement will supersede all previous agreements entered into with CDTFA and will incorporate both sales or transactions and use tax records. The item proposes to add authorized officers and employees of the City to examine Confidential Sales or Transactions and Use Taxes collected by CDTFA Pursuant to existing contracts.

The City Council adopted Resolution No. 2022-32, entitled "A RESOLUTION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AUTHORIZING EXAMINATION OF SALES OR TRANSACTIONS AND USE TAX RECORDS".

- E. Personnel Changes Related to Aquatics Programming (Recreation)**
This report outlines personnel changes for the Recreation and Community Services Department for an expansion to aquatic programming.

The City Council adopted Resolution No.2022-30, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADOPTING JOB DESCRIPTIONS FOR LIFEGUARD, WATER SAFETY INSTRUCTOR I, AND SR. LIFEGUARD/WATER SAFETY INSTRUCTOR II".

- F. Approval of the Request for Proposals (RFP) 2022-04 and Authorization to Bid for Building and Safety Services (Development Services)**
This item facilitates the solicitation of bids for contractual services to provide Building & Safety services, including building division administration, permit issuance, plan check, inspection, enforcement of building codes, and public counter services.

The City Council:

1. Approve the Request for Proposals (RFP) 2022-04 for Building & Safety services, and;
2. Authorize staff to advertise and solicit bid proposals.

- G. Approval of the Request for Proposals (RFP) 2022-05 and Authorization to Bid for City Engineering and Traffic Engineering Services (Development Services)**
This report facilitated the solicitation of bids for contractual services to provide City Engineering and Traffic Engineering services.

The City Council:

1. Approved the Request for Proposals (RFP) 2022-05 for City Engineering and Traffic Engineering services, and;
2. Authorized staff to advertise and solicit bid proposals.

- H. Approval of the Request for Proposals (RFP) 2022-03 for the Installation/Upgrade of the City's Access Control System (Development Services)**
This item facilitates the solicitation of bids to provide services for the installation and/or upgrade of an existing access control system for specified City facilities.

The City Council:

1. Approved the Request for Proposals (RFP) 2022-03 for the

installation/upgrade of the City's Access Control System, and;

2. Authorized staff to advertise and solicit bid proposals.

I. Award of Professional Services Agreement (PSA) with Hirsch & Associates, Inc. for Sterns Park Improvement Project for Project Management Services (Development Services)

On October 20, 2022, staff received and reviewed bids to the City's Request for Proposals (RFP) 2022-02 Sterns Park Improvement for Project Management Services. This item is to award the bid for Hirsch & Associates, Inc. in the amount not to exceed \$304,031.72.

City Manager Simmons provided a staff report, grant funding for the contract, and clarified this project was for design and management, not construction. Estimated completion for the construction of the project is Spring 2024.

The City Council:

1. Awarded the bid for RFP 2022-02; and,

2. Authorized the Mayor to execute the Professional Services Agreement with Hirsch & Associates, Inc., for Project Management Services with a maximum contract amount of \$304,031.72 for a period of fourteen (14) months, ending on December 31, 2023.

J. Amendment No. 2 to Professional Services Agreement (PSA) with North Star Land Care for Annual Park and Landscape Maintenance Services (Development Services)

This item sought approval of Amendment No. 2 with North Star for annual citywide park and landscape maintenance services (citywide).

The City Council authorized the Mayor to execute Amendment No. 2 to the Professional Services Agreement with North Star Land Care for a one (1) year term ending on January 19, 2024, for annual citywide park and landscape maintenance services.

K. Amendment No. 2 to Professional Services Agreement (PSA) with Joncowest LLC for Janitorial Services (Development Services)

This item sought approval of Amendment No. 2 with Joncowest LLC for Janitorial Services for City facilities.

The City Council authorized the Mayor to execute Amendment No. 2 to the Professional Services Agreement with Joncowest LLC for a six (6) month term ending on August 31, 2023, for janitorial services for City facilities.

12. PUBLIC HEARING

A. 2022 Building Standards Code and Fire Code Adoption (Development Services)

The State's Health and Safety Code requires local governments to adopt the most recent editions of the model codes related to construction. Every three years the State of California adopts model building codes. The 2022 California Building Standards Code will take effect on January 1, 2023. The City is charged with adopting local amendments necessary for local conditions before the end of the year in order for the amendments to be effective. The attached Ordinances implement the adoption.

City Manager Simmons summarized the staff report.

Mayor Hasselbrink opened the Public Hearing for public comment. There being no one presenting wishing to speak, Mayor Hasselbrink closed the Public Hearing for public comment.

Motion/Second: Chirco/Doby

Unanimously Carried: The City Council:

1. Opened the Public Hearing and take testimony: and,
2. Adopted Ordinance No. 2022-05, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING CHAPTER 15.04 OF TITLE 15 OF THE LOSALAMITOS MUNICIPAL CODE AND ADOPTING THE 2022 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE (CALIFORNIA CODE OF REGULATIONS, TITLE 24) CONSISTING OF: THE 2022 CALIFORNIA ADMINISTRATIVE CODE; THE 2022 CALIFORNIA BUILDING CODE, INCLUDING APPENDIX J; THE 2022 CALIFORNIA RESIDENTIAL CODE, INCLUDING APPENDICES AX; THE 2022 CALIFORNIA ELECTRICAL CODE; THE 2022 CALIFORNIA MECHANICAL CODE; THE 2022 CALIFORNIA PLUMBING CODE; THE 2022 CALIFORNIA ENERGY CODE; THE 2022 CALIFORNIA HISTORICAL BUILDING CODE; THE 2022 CALIFORNIA EXISTING BUILDING CODE; THE 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE; AND THE 2022 CALIFORNIA REFERENCED STANDARDS CODE, TOGETHER WITH CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS; AND ADOPTING THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE AND THE 2021 INTERNATIONAL SWIMMING POOL AND SPA CODE, TOGETHER WITH CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS"; and,
3. Adopted Ordinance No. 2022-06, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA,

AMENDING CHAPTER 15.08 OF THE TITLE 15 OF THE LOS ALAMITOS MUNICIPAL CODE AND ADOPTING THE 2022 EDITION OF THE CALIFORNIA CODE (CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 9), INCLUDING APPENDICES B, BB, C, AND CC, TOGETHER WITH CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS".

13. DISCUSSION ITEM

A. Resolution 2022-31 - Minimum Wage Increase (Finance)

This report addresses the state-wide minimum wage increase that becomes effective January 1, 2023.

City Manager Simmons summarized the Staff report.

Motion/Second: Doby/Chirco

Unanimously Carried: The City Council: Adopt Resolution No. 2022-31, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING AND RESTATING THE HOURLY RATE SCHEDULE EFFECTIVE JANUARY 1, 2023 AND REPEALING EXHIBIT B FROM RESOLUTION NO. 2021-27".

B. PERS Unfunded Actuarial Liability (UAL) (Finance)

Since the adoption of the City's Fiscal Sustainability Plan, the Budget Standing Committee and the Los Alamitos City Council have been exploring different methods of maximizing investment opportunities that result in net savings to the City's residents. This item provides Council the opportunity to discuss the City's PERS Unfunded Actuarial Liability (UAL), Consideration of Possible early Funding Options, and Draft Unfunded Liability Pay-Down Policy.

City Manager Simmons introduced the item. Finance Director Koehler summarized the Staff report and gave a PowerPoint Presentation.

Council and staff discussed the balanced approach provided this evening was the result of 18-months of planning, uncommon for a city of Los Alamitos' size to adopt such a plan, best option to fulfill the Council's promise made during Measure Y and ensure the City's infrastructure is taken care of.

Motion/Second: Chirco/Hasselbrink

Unanimously Carried: The City Council:

1. Reviewed and discussed the information in connection with the PERS Unfunded Actuarial Liability (UAL), consideration of early funding options, and draft funding policy; and,

2. Adopted Resolution No. 2022-33, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADOPTING THE PERS UNFUNDED ACCRUED LIABILITY PAY-DOWN FUNDING POLICY DATED NOVEMBER 2022".

C. Date Change for the July Fireworks Spectacular (Recreation)

This report provides a general overview of adjusting the annual 4th of July Fireworks Spectacular event to be held July 3 moving forward.

City Manager Simmons summarized the Staff report.

Council and Staff discussed the following:

- Request received from the Joint Forces Base to change the date
- Allowing the Base personnel to celebrate Independence Day with their families
- Event can be augmented with City staff; however, Base personnel is still required
- Joint Forces Training Base is a partner and Council's desire to work with them

Motion/Second: Doby/Nefulda

Unanimously Carried: The City Council directed Staff to change the event date for the Fireworks Spectacular to July 3, beginning in 2023.

14. ORDINANCE

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

This report provided the Council with an opportunity to discuss the potential use of safe and sane fireworks on the 4th of July, as well as their potential regulation and sale.

City Manager Simmons summarized the Staff report.

Council and Staff discussed the following:

- Training and monitoring of the firework booths would be the responsibility of the Los Alamitos Community Foundation (LACF)
- Different scenarios of how the LACF could monitor the sales
- Safe and Sane fireworks are already available within close proximity to the City and being used within the City
- Fundraiser for the City's non-profit organizations
- Concern for allowing safe and sane fireworks and the effects on people's pets
- Provide an additional avenue for all residents to celebrate the 4th of July

- Firework sales would last for four days
- Depending on the number of stands and locations a rough estimate of \$15,000 to \$80,000 in profit could be generated

Motion/Second: Doby/Murphy

Carried 4/1 (Chirco cast the No vote): The City Council:

1. Introduce for first reading, read by title only, waive further reading of Ordinance No. 2022-07, and set for adoption; and,

2. City Attorney Daudt read the title of 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".

15. ADJOURNMENT

The City Council adjourned the meeting at 7:17 p.m.

DocuSigned by:



Shelley Hasselbrink, Mayor

Attest:

DocuSigned by:



Windmera Quintanar, MMC, City Clerk