

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

REGULAR MEETING – July 18, 2022

1. CALL TO ORDER

The City Council met in Regular Session at 6:04 p.m., Monday, July 18, 2022, in the Council Chamber located at 3191 Katella Ave., Los Alamitos, CA 90720, Mayor Hasselbrink presiding.

2. ROLL CALL

Present: Council Members: Bates, Chirco, Nefulda,
Mayor Pro Tem Chirco, Mayor Murphy

Absent: Council Members: None

Present: Staff: Chet Simmons, City Manager
Wayne Byerley, Police Captain
Michael Claborn, Police 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
Ron Roberts, Orange County Fire Authority Battalion Chief
Chelsi Wilson, Administrative Service Manager

3. PLEDGE OF ALLEGIANCE

Mayor Hasselbrink led the Pledge of Allegiance.

4. INVOCATION

Mayor Pro Tem Doby will gave the Invocation.

5. PRESENTATIONS

Mayor Hasselbrink and the Council gave the listed presentations.

- A. Presentation of an Award to Jeff Tomlin in Recognition of Partnership in Policing**
- B. Presentation of Certificates to Los Al Tribe Youth Rugby in Recognition of Winning the National Sevens Youth Rugby Championship, Boys U15 Tier 1**
- C. Introduction of Police Officer Christian Cruz and Police Officer Stephanie Roberts to the Community**

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.

Dave Boyer, Chamber President, spoke regarding the new officers, Concerts on Pine, upcoming ribbon cutting events for Xpress Urgent Care and Premier Dance Arts, and upcoming Heroes Lunch.

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.

Council Member Nefulda spoke regarding attendance at the West-Communications Board meeting, 4th of July event, and pop-up dog park.

Council Member Bates spoke regarding attendance at the Chamber event discussing personal security, the League of California Cities Orange County Division General Membership, and the Library Advisory Board meeting.

Council Member Chirco spoke regarding attendance at the Rossmoor Highlands 4th of July parade, Los Alamitos Community Foundation board meeting, participation in the Concert in the Park series, and the Dumpster Day event.

Mayor Pro Tem Doby spoke regarding attendance at the City and School District collaboration meeting, Coffee with a Cop, Orange County Mosquito and Vector Control Board meeting, dedication for the St. Isidore Plaza historical designation, and the 4th of July event. She advised it was Mosquito Awareness Week at the Discovery Cube.

Mayor Hasselbrink spoke regarding attendance in the 4th of July neighborhood parades, possibility of holding the 4th of July event on July 3rd and bringing back safe and sane fireworks, and closed the meeting in memory of longtime resident, Stella DeLeon.

8. ITEMS FROM THE CITY MANAGER

City Manager Simmons welcomed the new Police Officers and complimented Chief Claborn on another step towards reaching a full compliment. He asked for and received an update from Recreation and Community Services Director Noda for the remaining summer events.

9. WARRANTS

A. Warrants (Finance)

The attached Warrant Register contains checks and electronic funds transfers for the period from June 3, 2022 to July 6, 2022.

Council Member Bates asked for and received clarification for various items on the Warrant Register.

Motion/Second: Chirco/Doby

Unanimously Carried: The City Council ratified the Warrants for the period from June 3, 2022 to July 6, 2022 in the amount of \$1,781,893.32

Roll Call

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

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.

Council Member Bates received clarification on Items 10C, 10F, and 10G.

Motion/Second: Bates/Chirco

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

A. Approval of Minutes (Administration)

Approved the City Council minutes for the Adjourned Regular meeting of June 13, 2022 and the Special meeting of July 13, 2022.

B. Resolution No. 2022-26 – Amendment to the City's Conflict of Interest Code (Administration)

To comply with the requirements of State law, the attached Resolution proposed 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:

1. Received and filed the 2022 Local Agency Biennial Notice; and,

2. Adopted Resolution No. 2022-26, 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 2021-38."

C. Personnel Changes Related to the Budget (Administration)

This report outlined the various personnel related changes that were adopted as part of the Fiscal Year 2022-23 budget.

Council Member Bates received clarification the Economic Development Supervisor would be included in the non-represented employee group.

The City Council:

1. Adopted Resolution No.2022-25, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADOPTING JOB DESCRIPTIONS FOR ECONOMIC DEVELOPMENT SUPERVISOR AND FULL TIME CODE ENFORCEMENT OFFICER"; and,
2. Adopt Resolution No. 2022-24, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING THE SALARY SCHEDULE FOR EXECUTIVE MANAGEMENT AND NONREPRESENTED EMPLOYEES TO INCLUDE ECONOMIC DEVELOPMENT SUPERVISOR".

D. Event Management Services Agreement with Special Olympics Southern California (Recreation)

This report provided general information and sought City Council approval of a new Event Management Services Agreement with Special Olympics Southern California and waive facility use fees for third-party services to provide programs for special needs athletes in Los Alamitos.

The City Council authorized the Mayor to execute the Event Management Services Agreement with Special Olympics Southern California and waive facility use fees for third-party administration services to provide programs for special needs athletes in Los Alamitos through June 1, 2024.

E. Briggeman Drive Street Improvement Project (CIP 22/23-03) (Development Services)

This report recommended actions to begin facilitating the construction for the Briggeman Drive Street Improvement Project - CIP 22/23-03. The City of Los Alamitos proposes to widen the eastern portion of Briggeman Drive from Reagan Street to 300 feet in the westerly direction of the intersection. The widening will be 5-feet curb-to-curb in the eastbound lane.

The City Council:

1. Approve the plans and specifications for the construction of the Briggeman Drive Street Improvements Project (CIP 22/23-03); and,
2. Authorize Staff to advertise and solicit bid proposals.

F. Measure M2 Seven Year Capital Improvement Program 2022/2023 (Development Services)

This item was a follow-up to the June 13, 2022 staff report entitled, Measure M2 Seven Year Capital Improvement Program 2022/2023. The Orange County Transportation Authority (OCTA) requires the City Council to accept and approve additional findings regarding the online reporting tool. This action will allow the City to remain eligible to receive Measure M2 sales tax revenue funds.

Council Member Bates asked for and received clarification this item was not included with the initial approval because Staff was unaware of the new requirement from OCTA.

The City Council:

1. Approved the Orange County Transportation Authority Measure M2 Seven-Year Capital Improvement Program for Fiscal Years 2022/23 through 2028/29 printout from OC Fundtracker to comply with Measure M2 eligibility criteria; and,
2. Authorized Staff to submit the approved OCTA Measure M2 Seven-Year Capital Improvement Program for Fiscal Years 2022/23 through 2028/29 printout.

G. Award of Bid for the New Dutch Haven Neighborhood Street Rehabilitation Project (CIP No. 22/23-02) (Development Services)

This item recommended actions for awarding of bid to begin the construction of the New Dutch Haven Neighborhood Street Rehabilitation Project (CIP No. 22/23-02).

Council Member Bates asked for and received clarification that inflation and supply and demand have changed the scope of projects. Staff is exploring ways to consolidate construction costs moving forward and confirmed total project costs would be provided at the completion of the project.

The City Council:

1. Awarded construction for the New Dutch Haven Neighborhood

Street Rehabilitation Project (CIP No. 22/23-02) to Hardy & Harper, Inc. in the amount of \$262,000; and,

2. Authorize the Mayor to execute the contract with Hardy & Harper, Inc. for the project; and,
3. Authorize City Engineer to add work and execute change orders in the amount not to exceed the contingency reserve of 25% or \$65,500.00.

H. 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 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.

11. DISCUSSION ITEM

A. Designation of Voting Delegate and Alternate for the League of California Cities' 2022 Annual Conference & Expo (Administration)

The League of California Cities Annual Conference & Expo will be held in Long Beach from September 7-9, 2022. The League is requesting City Council designation of a Voting Delegate to the Annual Business Meeting. This item is for Council designation of a voting delegate and alternate.

City Clerk Quintanar summarized the staff report and answered questions from the City Council.

Council Member Bates advised he would attend the Conference and stated a preference for the Mayor and Mayor Pro Tem to be the voting delegates. He stated interest for how sales tax is distributed for large retailers shipping orders and requested City Manager Simmons keep the Council apprised.

Motion/Second: Bates/Nefulda
Unanimously Carried: The City Council:

1. Appointed Mayor Shelley Hasselbrink to serve as the City's Voting Delegate for the League of California Cities 2022 Annual Business Meeting; and,
2. Appointed Mayor Pro Tem Tanya Doby to serve as the City's Alternate Voting Delegate in the event of the Voting Delegate's absence.

12. PUBLIC HEARING

A. Ordinance No. 2022-04 - AB 481 Military Equipment Use Policy (Police)

Assembly Bill 481 (AB 481), codified in Government Code sections 7070 through 7075, requires a law enforcement agency to obtain approval from the applicable governing body, via adoption of a "military equipment" use policy by approval from their governing body, prior to the agency funding, acquiring, or using military equipment.

AB 481 became effective January 1, 2022. Per AB 481, law enforcement agencies are now required to first obtain approval for this policy content from their respective governing body. Following approval, law enforcement agencies are further required to submit an annual military equipment report to the governing body for as long as the equipment is available for use. Agencies are also required to attach a military equipment inventory to the policy.

Chief Claborn summarized the staff report and answered questions from the City Council.

Mayor Hasselbrink opened the Public Hearing for comments. There was no one present wishing to speak. Mayor Hasselbrink closed the Public hearing for comments.

City Council and Staff discussed the following:

- Logistics for storing equipment awarded to Los Alamitos that is shared regionally
- Cost sharing for use of shared equipment
- Concern for having adequate equipment to respond quickly to threats at the schools
- Provisions of AB 481 require all purchases of equipment

designated as military equipment come before the Council

- Inventory of military equipment is now available to the public as mandated by AB 481
- All agencies who have use of the equipment must list it on the inventory

Motion/Second: Chirco/Bates

Unanimously Carried: The City Council:

1. Introduce for first reading, read by title only, waive further reading of Ordinance No. 2022-04, and set for adoption; and,
2. City Attorney Daudt read the title of Ordinance No. 2022-04 entitled "AN UNCODIFIED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADOPTING AND APPROVING LOS ALAMITOS POLICE DEPARTMENT POLICY 709, MILITARY EQUIPMENT USE POLICY, IN COMPLIANCE WITH CALIFORNIA ASSEMBLY BILL NO. 481 (AB 481)".

13. CLOSED SESSION

City Attorney Daudt read the items aloud.

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)

B. Conference with Legal Counsel - Initiation of Litigation

Pursuant to subdivision (c) of Section 54956.9: (One potential case)

RECESS

The City Council recessed into Closed Session at 7:00 p.m.

RECONVENE

The City Council reconvened in Regular session at 7:30 p.m.

City Attorney Daudt advised there was no reportable action.

14. ADJOURNMENT

The City Council adjourned at 7:30 p.m. in memory of Stella DeLeon.

Attest:

DocuSigned by:

Windmera Quintanar

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Windmera Quintanar, MMC, City Clerk

DocuSigned by:

Shelley Hasselbrink

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Shelley Hasselbrink, Mayor