

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

CITY COUNCIL REVISED AGENDA
REGULAR MEETING

Monday, August 21, 2023 – 5:10 PM

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.

Agenda-related documents provided to a majority of the City Council after distribution of the City Council agenda packet (GC §54957.5) will be made available for public inspection at the meeting. Such documents will also be available at the City Clerk's office, 3191 Katella Ave., Los Alamitos, CA 90720.

In compliance with the Americans with Disabilities Act, Assistive Listening headphones are available and can be checked out from the City Clerk. If you need special assistance to participate in this meeting, please contact the City Clerk at (562) 431-3538, ext. 220. Notification at least 42 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102.35.104 ADA Title II]. Language translation services are available for this meeting by calling the City Clerk's Office least 42 hours in advance

If you are unable to attend this meeting in person, 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 "COUNCIL PUBLIC COMMENT". Comments received by 3:00 p.m. the day of the meeting 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. You may also view the meeting live on local cable channel 3.

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. CLOSED SESSION

A. Conference with Legal Counsel

Significant exposure to litigation pursuant to § 54956.9(b). (One potential case)

B. Conference with Legal Counsel

Initiation of litigation pursuant to § 54956.9(c): (One potential case)

4. PLEDGE OF ALLEGIANCE

Council Member Hasselbrink will lead the Pledge of Allegiance.

5. INVOCATION

Council Member Hibard will give the Invocation.

6. PRESENTATIONS

A. Presentation of a Certificate to Shawn McLean, Owner of Sir Speedy Printing in Recognition of Being Featured in the Mayor's Business Spotlight

B. Presentation by Sergeant Brian Gunsolley, Orange County Sheriff's Department, Regarding Fentanyl Awareness

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.

8. UPDATES FROM THE MAYOR

At this time, the Mayor may report on items not specifically described on the Agenda that are of interest to the community, provided no action or discussion is taken.

9. UPDATES FROM THE CITY STAFF

At this time, City Staff 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.

10. WARRANTS

A. Warrants (Finance)

The attached Warrant Register contains checks and electronic funds transfers for the period July 1, 2023 to July 31, 2023.

Recommendation: Ratify the Warrants for the period July 1, 2023 to July 31, 2023 in the amount of \$2,696,005.97.

ROLL CALL

Mayor Doby

Mayor Pro Tem Nefulda

Council Member Hasselbrink

Council Member Hibard
Council Member Murphy

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.

A. Approval of Minutes (Administration)

Approve the City Council Regular Minutes of July 17, 2023.

B. City Council Travel Policy (Administration)

This item provides a Travel Policy specific to City Council and Appointed Officials.

Recommendation: Adopt Administrative Regulation 6.2 - City Council Travel Policy.

C. Treasurer's Quarterly Investment Report - June 2023 (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 – June 2023.

D. Approval of Plans and Specifications for Building Demo Project (CIP 22/23-04) (Development Services)

This item seeks City Council approval to begin facilitating the Demolition of the Los Alamitos Television Production (LATV) and Public Works (PW) Breakroom Building at 10921 Oak Street Project (CIP No. 22/23-04).

Recommendation:

1. Approve the plans and specifications for the Demolition of the LATV/PW Building at 10921 Oak Street Project (CIP No. 22/23-04); and,
2. Authorize Staff to advertise and solicit bid proposals.

E. Response to the 2022-2023 OC Grand Jury Report Titled: "Welcome to the Neighborhood" (Development Services)

This item contains the City's response to the 2022-2023 Orange County (OC) Grand Jury Report titled "Welcome to the Neighborhood."

Recommendation:

1. Approve the attached response to the 2022-2023 Orange County

Grand Jury Report titled "Welcome to the Neighborhood"; and,

2. Authorize the Mayor to sign the response letter on behalf of the City Council.

F. Response to the 2022-2023 OC Grand Jury Report Titled: "School Shootings: How Prepared are Orange County Public Schools?" (Police)

This report contains the City's response to the 2022-2023 Orange County Grand Jury Report titled "School Shootings: How Prepared are Orange County Public Schools?"

Recommendation:

1. Approve the attached response to the Orange County Grand Jury Report titled "School Shootings: How Prepared are Orange County Public Schools?"; and,
2. Authorize the Mayor to sign the response letter on behalf of the City Council.

G. Notice of Completion for the New Dutch Haven Neighborhood Street Rehabilitation Project (CIP 22/23-02) (Development Services)

The City of Los Alamitos hired a roadway contractor for street improvements related to grind and overlay and slurry seal in the New Dutch Haven Neighborhood as part of the City's ongoing pavement management program.

Staff is recommending that City Council accept the work as completed, direct filing of the Notice of Completion, and authorize retention release as prescribed by the Public Contract Code.

Recommendation:

1. Accept as complete the construction by Hardy and Harper, Inc. for the New Dutch Haven Neighborhood Street Rehabilitation Project (CIP No. 22/23-02); 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 \$13,636.60, thirty-five (35) days after recordation of the Notice of Completion.

H. Notice of Completion for the Briggeman Drive Street Improvements Project (CIP 22/23-03) (Development Services)

The City of Los Alamitos hired a roadway contractor, United Paving Co., for the Briggeman Drive Street Improvements Project (CIP 22/23-03) as part of the City's ongoing pavement management program. The project provided 5 feet of widening along the southern portion of Briggeman Drive, from the Briggeman Drive/Reagan Street intersection to 200 feet west of the intersection. This project was necessary to continue the widening that previously occurred adjacent to the newly developed hotel (Fairfield Inn & Suites by Marriott Anaheim/Los Alamitos) at 10650 Los Alamitos Boulevard.

Staff is recommending that City Council accept the work as completed, direct filing of the Notice of Completion, and authorize retention release as prescribed by the Public Contract Code.

Recommendation:

1. Accept as complete the construction by United Paving Co. for the Briggeman Drive Street Improvements Project (CIP 22/23-03); 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 \$7,517.87, thirty-five (35) days after recordation of the Notice of Completion.

12. PUBLIC HEARING

A. Study Session and Resolution No. 2023-20 – Overruling the Orange County Airport Land Use Commission's Inconsistency Determination for the City's 6th Cycle Housing Element (Development Services)

On January 19, 2023, the Orange County Airport Land Use Commission (ALUC) found the City's 6th Cycle (2021-2029) Housing Element Update to be inconsistent with the 2017 Joint Forces Training Base Los Alamitos Airport Environs Land Use Plan. On February 21, 2023, the City Council adopted Resolution 2023-04, providing notice of the City's intent to overrule the ALUC's determination. On July 17, 2023, the City Council conducted a Study Session and reviewed information related to ALUC's finding of inconsistency. Following a staff presentation and receipt of public testimony, the City Council continued the public hearing to tonight's regular meeting. The City Council will now consider adoption of a resolution overruling the ALUC's determination, which requires a four-fifths affirmative vote.

Recommendation:

1. Conduct a Study Session; and,
2. Conduct the Public Hearing; and,
3. By a four-fifths affirmative vote, adopt Resolution No. 2023-20, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, MAKING FINDINGS THAT THE GENERAL PLAN 2021-2029 HOUSING ELEMENT UPDATE IS CONSISTENT WITH THE PURPOSES OF THE STATE AERONAUTICS ACT AND OVERRULING 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,
4. Authorize the City Manager to submit Resolution No. 2023-20 to the Orange County Airport Land Use Commission and the State Division of Aeronautics.

13. DISCUSSION ITEM

A. Los Alamitos Senior Transportation Program (Recreation)

This item for Council consideration is the concept of a future senior transportation program.

Recommendation:

1. Discuss need and desire for a senior transportation program; and,
2. Provide direction to Staff.

14. SPECIAL ORDERS OF THE DAY

A. Council Member Requested Agenda Item: City Attorney Scope of Services (Administration)

During the April 17, 2023, regular meeting, Council Member Murphy made a motion requesting that the City Council discuss the scope of services provided by City Attorney Daudt. Council Member Hibard supported the motion. No vote was taken on the motion. This informational staff report is the first step in the two-step process for placing items of the Agenda for consideration by the Council.

Recommendation: In accordance with the City Council's adopted Agenda Policy, this informational staff report does not request action, but seeks Council's direction. By a majority vote of the City Council Members present,

staff may be directed to place this item on a future Agenda for consideration by the Council.

B. Council Member Requested Agenda Item: Citywide Trash Receptacle Project (Development Services)

During the April 17, 2023, regular meeting, Council Member Hibard made a motion to bring forward an item to discuss reallocation of funds from the 2023-2024 Capital Improvement Program (CIP) – Citywide Trash Receptacles Project to the Police Department. Council Member Murphy supported the motion. No vote was taken on the motion. This informational staff report is the first step in the two-step process for placing items of the Agenda for consideration by the Council.

Recommendation: In accordance with the City Council's adopted Agenda Policy, this informational staff report does not request action, but seeks Council's direction. By a majority vote of the City Council Members present, staff may be directed to place this item on a future Agenda for consideration by the Council.

15. 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.

16. 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: August 17, 2023

City of Los Alamitos

CITY COUNCIL AGENDA REPORT

MEETING DATE: August 21, 2023

ITEM NUMBER: 10A

To: Mayor Tanya Doby & Members of the City Council

Presented By: Craig Koehler, Director of Finance

Subject: Warrants

SUMMARY

The attached Warrant Register contains checks and electronic funds transfers for the period July 1, 2023 to July 31, 2023.

RECOMMENDATION

Ratify the Warrants for the period July 1, 2023 to July 31, 2023 in the amount of \$2,696,005.97.

BACKGROUND

The expenditures noted within the Warrant Register conform to the budget approved by the City Council.

DISCUSSION

The Director of Finance certifies the accuracy of the attached register and the availability of monies for payment thereof.

FISCAL IMPACT

The grand total of \$2,696,005.97 represents checks and electronic funds transfers for the period July 1, 2023 to July 31, 2023.

Attachment: 1. Warrants - August 21, 2023

CITY OF LOS ALAMITOS
A/P Warrants
AUGUST 21, 2023

To Ratify

Pages:

1	\$18,895.00	Advanced Warrant	07/06/2023
2-9	872,246.73	Warrant	07/12/2023
10-16	49,276.57	Cal-Card	07/20/2023
17-24	867,964.11	Warrant	07/26/2023
25	3,575.71	Advanced Warrant	07/31/2023
26	10,881.03	July Retirees	07/01/2023
27	220,442.42	Payroll	07/07/2023
28	193,504.11	Benefits & Withholdings	07/07/2023
29	309,761.62	Payroll	07/21/2023
30	149,458.67	Benefits & Withholdings	07/21/2023
Grand Total	<u>\$ 2,696,005.97</u>		

The attached Warrant Register containing checks and electronic funds transfers for the period from July 1, 2023 to July 31, 2023, is being presented for ratification by the City Council. The expenditures noted within this Warrant Register conform to the budget approved by the City Council. The Director of Finance certifies to the accuracy of the attached register and to the availability of monies for payment thereof.

Statement:

I hereby certify that the claims or demands covered by the forgoing listed warrants have been audited as to accuracy and availability of funds for payment thereof.

Certified by Craig Koehler, Finance Director

Craig Koehler
this 1st day of August, 2023

<u>VENDOR SORT KEY</u>	<u>DESCRIPTION</u>	<u>FUND</u>	<u>DEPARTMENT</u>	<u>AMOUNT</u>
ROSS CREATIONS		GENERAL FUND	SPECIAL EVENTS	<u>18,895.00</u>
			TOTAL:	18,895.00

===== FUND TOTALS =====			
10	GENERAL FUND	18,895.00	

	GRAND TOTAL:	18,895.00	

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
ADAMSON POLICE PRODUCTS	VELCRO NAME STRIP SOUTHS V	GENERAL FUND	POLICE ADMINISTRATION	13.11
	SAFAIRLAN VEST:SOUTH	GENERAL FUND	POLICE ADMINISTRATION	1,299.07
	FLARES	GENERAL FUND	TRAFFIC	721.05
	CPT. S DODGE DURANGE CONSO	GARAGE FUND	GARAGE	<u>4,218.80</u>
			TOTAL:	6,252.03
ALL CITY MANAGEMENT SERVICES	CROSSING GUARDS 239HRS @ 2	GENERAL FUND	TRAFFIC	<u>5,721.66</u>
			TOTAL:	5,721.66
APPRIVER, LLC	RENEWAL SPAM FILTER FY 23/	TECHNOLOGY REPLACE	ADMINISTRATIVE SERVICE	<u>1,816.08</u>
			TOTAL:	1,816.08
ARAMARK UNIFORM & CAREER APPAREL GROUP	PUB WORKS UNIFORM	GENERAL FUND	STREET MAINTENANCE	33.79
	PUB WORKS UNIFORMS	GENERAL FUND	STREET MAINTENANCE	33.01
	PUB WORKS UNIFORMS	GENERAL FUND	STREET MAINTENANCE	31.26
	PUB WORKS UNIFORM	GENERAL FUND	STREET MAINTENANCE	156.79
	PUB WORKS UNIFORMS	GENERAL FUND	STREET MAINTENANCE	121.12
	PUB WORKS UNIFORMS	GENERAL FUND	STREET MAINTENANCE	38.71
	PUB WORKS UNIFORMS	GENERAL FUND	STREET MAINTENANCE	<u>35.19</u>
			TOTAL:	449.87
BEE BUSTERS, INC.	CCOLONY ABATEMENT COMMERCI	GENERAL FUND	PARK MAINTENANCE	<u>125.00</u>
			TOTAL:	125.00
CALIFORNIA DEPARTMENT OF CHILD SUPPORT	ID # 12634200 (CHSP)	POOL CLEARING FUND	NON-DEPARTMENTAL	<u>230.76</u>
			TOTAL:	230.76
CALIFORNIA FORENSIC PHLEBOTOMY, INC.	MAY '23 6 BLOOD DRAWS	GENERAL FUND	PATROL	<u>840.00</u>
			TOTAL:	840.00
CALIFORNIA POLICE CHIEFS ASSOCIATION	CALIFORNIA POLICE CHIEFS A	GENERAL FUND	POLICE ADMINISTRATION	<u>462.00</u>
			TOTAL:	462.00
CANON FINANCIAL SERVICES, INC.	BW & CL METER USAGE MAY/JU	GENERAL FUND	RECREATION ADMINISTRAT	<u>529.92</u>
			TOTAL:	529.92
JHM SUPPLY, INC.	PW PIPE SUPPLIES	GENERAL FUND	PARK MAINTENANCE	18.96
	PW PIPE SUPPLIES	GENERAL FUND	PARK MAINTENANCE	85.29
	PW PIPE SUPPLIES	GENERAL FUND	PARK MAINTENANCE	<u>103.28</u>
			TOTAL:	207.53
CHARLES ABBOTT ASSOCIATES, INC.	PROFESSIONAL SVCS MAY 2023	GENERAL FUND	NPDES	<u>1,334.00</u>
			TOTAL:	1,334.00
CINTAS CORPORATION NO. 2	FIRST AID CHK & REFILL JUN	GENERAL FUND	BUILDING MAINTENANCE	<u>1,519.38</u>
			TOTAL:	1,519.38
CIVICPLUS, LLC	APP TRACK ONBOARD PREM ANN	GENERAL FUND	ADMINISTRATION	<u>7,317.84</u>
			TOTAL:	7,317.84
COUNTY OF ORANGE TREASURER-TAX	OCATS CIRCUIT & SUP 05/23	GENERAL FUND	COMMUNICATIONS TECHNOL	1,273.33
	OC FINGERPRINT ID JUNE 202	GENERAL FUND	COMMUNICATIONS TECHNOL	<u>441.00</u>
			TOTAL:	1,714.33
CROSSTOWN ELECTRICAL & DATA, INC.	CERRITOS & LOS AL JAN 2023	GENERAL FUND	STREET MAINTENANCE	175.50
	KATELLA & KAYLOR ST JAN 20	GENERAL FUND	STREET MAINTENANCE	234.00

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	LOS AL & SAUSALITO JAN 202	GENERAL FUND	STREET MAINTENANCE	830.82
	KATELLA & LEXINGTON JAN 20	GENERAL FUND	STREET MAINTENANCE	234.00
	KATELLA & LEXINGTON DR JAN	GENERAL FUND	STREET MAINTENANCE	150.57
	KATELLA & WINNER CIR JAN 2	GENERAL FUND	STREET MAINTENANCE	117.00
	LOS AL SAUSALITO 03/2023	GENERAL FUND	STREET MAINTENANCE	718.00
	KATLA SARATOGA 03/2023	GENERAL FUND	STREET MAINTENANCE	526.00
	LOS AL & FARQUHAR 03/2023	GENERAL FUND	STREET MAINTENANCE	128.94
	LOS AL & WALNUT/WALLIN 03/	GENERAL FUND	STREET MAINTENANCE	137.74
	CERRITOS & LOS AL 03/2023	GENERAL FUND	STREET MAINTENANCE	137.74
	KATELLA & CHERRY 03/2023	GENERAL FUND	STREET MAINTENANCE	150.57
	LOS AL & ROSSMOOR APR 2023	GENERAL FUND	STREET MAINTENANCE	910.00
	CERRITOS & LOS AL HIGH APR	GENERAL FUND	STREET MAINTENANCE	87.75
	KATELLA & NOEL ST APR 2023	GENERAL FUND	STREET MAINTENANCE	58.50
	CERRITOS & HUMBOLT ST APR	GENERAL FUND	STREET MAINTENANCE	117.00
	KATELLA & LEXINGTON APR 20	GENERAL FUND	STREET MAINTENANCE	668.00
	KATELLA & WALNUT/WALL APR	GENERAL FUND	STREET MAINTENANCE	334.01
	LOS AL & BRADBURY 05/2023	GENERAL FUND	STREET MAINTENANCE	74.00
	CERRITOS AVE & LOS AL 05/2	GENERAL FUND	STREET MAINTENANCE	222.00
	KATELLA & LOS AL 05/2023	GENERAL FUND	STREET MAINTENANCE	111.00
	CERRITOS & BLOOMFIELD 05/2	GENERAL FUND	STREET MAINTENANCE	269.87
	LOS AL & BRADBURY RD 05/23	GENERAL FUND	STREET MAINTENANCE	296.00
	LOS AL & FARQUHAR 05/2023	GENERAL FUND	STREET MAINTENANCE	370.00
	KATELLA & LEXINGTON 05/23	GENERAL FUND	STREET MAINTENANCE	148.00
	LOS AL & FLORISTA 05/23	GENERAL FUND	STREET MAINTENANCE	222.00
	PREV MAINT JUNE 2023	GENERAL FUND	STREET MAINTENANCE	<u>1,228.50</u>
			TOTAL:	8,657.51
DANIELS TIRE SERVICE	VEHICLE MAINTENANCE - TIRE	GARAGE FUND	GARAGE	187.50
	VEHICLE MAINTANENCE - TIRE	GARAGE FUND	GARAGE	<u>422.17</u>
			TOTAL:	609.67
DEPARTMENT OF CONSERVATION	SMIP FEES (2ND QTR 2023)	GENERAL FUND	NON-DEPARTMENTAL	334.58
	BUILDING PERMITS	GENERAL FUND	NON-DEPARTMENTAL	<u>16.73-</u>
			TOTAL:	317.85
DONNOE & ASSOCIATES INC	CORPORAL TESTING PCKT.BOOK	GENERAL FUND	POLICE ADMINISTRATION	<u>375.00</u>
			TOTAL:	375.00
ECS IMAGING, INC.	LASERFICHE PF CLOUD PROF U	AMERICAN RESCUE PL NON -	DEPARTMENTAL	830.00
	LASERFICHE PF CLOUD PART U	AMERICAN RESCUE PL NON -	DEPARTMENTAL	<u>1,200.00</u>
			TOTAL:	2,030.00
EMPLOYMENT DEVELOPMENT DEPT.	UNEMPLOYMENT INS Q1 JAN-MA	SELF INSURANCE TRU	INSURANCE	<u>157.45</u>
			TOTAL:	157.45
ENTENMANN-ROVIN COMPANY	COMMEND MEGAL MOLDS & LIFE	GENERAL FUND	POLICE ADMINISTRATION	<u>582.92</u>
			TOTAL:	582.92
INTEGRITY NEWSPAPER INC.	GANN APPROPRIATE	GENERAL FUND	CITY COUNCIL	140.00
	PUBLIC NOTICE	GENERAL FUND	CITY COUNCIL	<u>280.00</u>
			TOTAL:	420.00
THE FAMILY PLUMBER	BLDG MAINTENANCE	GENERAL FUND	BUILDING MAINTENANCE	<u>1,685.00</u>
			TOTAL:	1,685.00
FRANCHISE TAX BOARD	WAGE GARNISH CRUZ, CHRISTI	POOL CLEARING FUND	NON-DEPARTMENTAL	1,071.62

07-27-2023 09:56 AM		WARRANT 07/12/2023		
VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
			TOTAL:	1,071.62
FRAUD HOTLINE, LLC	2023-2024 SUBSCRIPTION	GENERAL FUND	FINANCE	250.00
			TOTAL:	250.00
FRONTIER COMMUNICATIONS	092920-JUNE 2023	GENERAL FUND	COMMUNICATIONS TECHNOL	357.38
			TOTAL:	357.38
GALLS / QUARTERMASTER	UNIFORMS FOR TAVASCI	GENERAL FUND	RECORDS	167.09
	UNIFORMS FOR ROMAN	GENERAL FUND	RECORDS	178.61
	UNIFORMS FOR ORTIZ	GENERAL FUND	RECORDS	89.30
	UNIFORMS FOR TAVASCI	GENERAL FUND	RECORDS	78.50
			TOTAL:	513.50
GANAHL LUMBER COMPANY	CHROME ENTRANCE	GENERAL FUND	BUILDING MAINTENANCE	98.31
	COTTONWOOD PARK	GENERAL FUND	BUILDING MAINTENANCE	26.19
			TOTAL:	124.50
GEORGE HILLS COMPANY, INC.	ADMN & CLAIMS FLAT FEE 23/	GENERAL FUND	NON-DEPARTMENTAL	3,091.67
	ANNUAL MMSEA MAINT FEE 23/	GENERAL FUND	NON-DEPARTMENTAL	250.00
			TOTAL:	3,341.67
GOLDEN STATE WATER COMPANY	01879100004	GENERAL FUND	STREET MAINTENANCE	122.81
	04773000007	GENERAL FUND	STREET MAINTENANCE	71.95
	07940300002	GENERAL FUND	STREET MAINTENANCE	353.01
	07940300002	GENERAL FUND	STREET MAINTENANCE	25.30
	11773000002	GENERAL FUND	STREET MAINTENANCE	30.24
	14810300005	GENERAL FUND	STREET MAINTENANCE	71.95
	16612000006	GENERAL FUND	STREET MAINTENANCE	533.97
	16972000000	GENERAL FUND	STREET MAINTENANCE	110.13
	25884200004	GENERAL FUND	STREET MAINTENANCE	76.18
	26252000000	GENERAL FUND	STREET MAINTENANCE	333.82
	36213000007	GENERAL FUND	STREET MAINTENANCE	105.86
	41259321754	GENERAL FUND	STREET MAINTENANCE	212.82
	46810300007	GENERAL FUND	STREET MAINTENANCE	76.18
	51773000008	GENERAL FUND	STREET MAINTENANCE	429.31
	52240200007	GENERAL FUND	STREET MAINTENANCE	93.15
	61773000007	GENERAL FUND	STREET MAINTENANCE	167.34
	73810300001	GENERAL FUND	STREET MAINTENANCE	80.43
	80518200003	GENERAL FUND	STREET MAINTENANCE	353.01
	85884200008	GENERAL FUND	STREET MAINTENANCE	61.10
	91773000004	GENERAL FUND	STREET MAINTENANCE	628.53
	11846200001	GENERAL FUND	PARK MAINTENANCE	1,344.85
	12562000005	GENERAL FUND	PARK MAINTENANCE	237.26
	49199367266	GENERAL FUND	PARK MAINTENANCE	234.12
	83502000009	GENERAL FUND	PARK MAINTENANCE	71.43
	84852000003	GENERAL FUND	PARK MAINTENANCE	222.86
	21773000001	GENERAL FUND	BUILDING MAINTENANCE	429.31
			TOTAL:	6,476.92
HARDY & HARPER	RETENTION	GENERAL FUND	NON-DEPARTMENTAL	1,241.90-
	NEW DUTCH HAVEN ST. IMPROV	GAS TAX	CAPITAL PROJECTS	24,838.00
			TOTAL:	23,596.10
HI-WAY SAFETY, INC.	STREET SIGNS	GENERAL FUND	STREET MAINTENANCE	1,601.32
	DANNY B STREET SIGN 20 YRS	GENERAL FUND	STREET MAINTENANCE	98.93

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT	
	SPECIAL EVENT STREET SIGN	GENERAL FUND	STREET MAINTENANCE	<u>703.57</u>	
			TOTAL:	2,403.82	
HINDERLITER, DE LLAMAS & ASSOCIATES	CONTRACT SVCS SALES TAX 2	GENERAL FUND	FINANCE	994.98	
	CONTRACT SVCS SALES TAX 2	GENERAL FUND	FINANCE	94.98	
	CONTRACT SVCS SALES TAX 2	GENERAL FUND	FINANCE	<u>600.00</u>	
			TOTAL:	1,689.96	
HIRSCH & ASSOCIATES, INC.	STERNS PARK PROJECT	GENERAL FUND	CAPITAL PROJECTS	<u>7,635.00</u>	
			TOTAL:	7,635.00	
PACIFIC SECURED EQUITIES, INC.	ADMIN FEES JULY 2023	SELF INSURANCE TRU	INSURANCE	<u>1,181.95</u>	
			TOTAL:	1,181.95	
JOHN MASSIE	EMERGENCY WORK 3652 FENLEY	GENERAL FUND	STREET MAINTENANCE	11,938.00	
	WAREHOUSE RACK REMOVAL WOR	GENERAL FUND	BUILDING MAINTENANCE	<u>2,962.00</u>	
			TOTAL:	14,900.00	
JUDITH A SIMON	DINE & DOUGH ENTERTAINMENT	GENERAL FUND	NON-DEPARTMENTAL	<u>100.00</u>	
			TOTAL:	100.00	
KNIGHT LEADERSHIP SOLUTIONS	LEADERSHIP DEV MTG MARIE K	GENERAL FUND	SPECIAL EVENTS	<u>3,500.00</u>	
			TOTAL:	3,500.00	
KONICA MINOLTA BUSINESS SOLUTIONS	PD COPIER LEASE MAY 2023	GENERAL FUND	POLICE ADMINISTRATION	<u>193.54</u>	
			TOTAL:	193.54	
LEXIPOL, LLC	ANN. LAW POLICY 07/01-06/3	GENERAL FUND	POLICE ADMINISTRATION	<u>8,640.24</u>	
			TOTAL:	8,640.24	
M&N COASTLINE AUTO & TIRE SERVICE	1027 DODGE CHARGER PD MAIN	GARAGE FUND	GARAGE	103.00	
	FORD F-250 VEHICLE MAINTEN	GARAGE FUND	GARAGE	<u>94.27</u>	
			TOTAL:	197.27	
MEMORIAL CARE SELECT HEALTH PLAN	SKIN TEST TUBERCULOSIS	GENERAL FUND	NON-DEPARTMENTAL	<u>20.00</u>	
			TOTAL:	20.00	
MISC. VENDOR	JOSE POMPA	LAUREL FIELD FEES	GENERAL FUND	NON-DEPARTMENTAL	39.00
	JOSE POMPA	LAUREL FIELD FEES	GENERAL FUND	NON-DEPARTMENTAL	9.00
	JOSE POMPA	LAUREL FIELD FEES	GENERAL FUND	NON-DEPARTMENTAL	48.00
	JOSE POMPA	LAUREL LIGHT FEES	GENERAL FUND	NON-DEPARTMENTAL	33.00
	JOSE POMPA	LAUREL LIGHT FEES	GENERAL FUND	NON-DEPARTMENTAL	5.50
	JOSE POMPA	LAUREL LIGHT FEES	GENERAL FUND	NON-DEPARTMENTAL	<u>44.00</u>
			TOTAL:	178.50	
MUSTARDS S&A LLC	LOS AL BUCK REIMBURSEMENT	AMERICAN RESCUE PL	NON - DEPARTMENTAL	<u>1,170.00</u>	
			TOTAL:	1,170.00	
MV CHENG ASSOCIATES, INC.	INTERIM HR DIRECTOR	GENERAL FUND	ADMINISTRATION	3,030.00	
	ACCOUNTING SVCS JUNE 23	GENERAL FUND	FINANCE	3,372.50	
	ACCOUNTING SVCS JUNE 23	GENERAL FUND	FINANCE	<u>3,187.50</u>	
			TOTAL:	9,590.00	
NOBEL SYSTEMS, INC.	GEOVIEWER ANN SUB FY23/24	GENERAL FUND	COMMUNITY DEVEL ADMIN	<u>9,200.00</u>	
			TOTAL:	9,200.00	

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
NORM'S AUTOMOTIVE CENTER, INC.	2022 DODGE DURANGO MAINTEN	GARAGE FUND	GARAGE	54.95
	2018 CHEVY TAHOE MAINTENAN	GARAGE FUND	GARAGE	<u>431.59</u>
			TOTAL:	486.54
ORANGE COUNTY SANITATION DISTRICT	CONNECTION FEES JUNE 2023	GENERAL FUND	NON-DEPARTMENTAL	2,173.00
	BUILDING PERMITS	GENERAL FUND	NON-DEPARTMENTAL	<u>108.65</u>
			TOTAL:	2,064.35
ORKIN SERVICES OF CALIFORNIA, INC.	MO BLDG MAINT. COMM CTR 05	GENERAL FUND	BUILDING MAINTENANCE	<u>120.00</u>
			TOTAL:	120.00
OUR LOS AL	MGMT SVCS - JULY 2023	GENERAL FUND	CITY COUNCIL	416.67
	MGMT SVCS - JULY 2023	GENERAL FUND	LOS ALAMITOS TV	833.33
	MGMT SVCS - JULY 2023	LOS ALAMITOS TV	LOS ALAMITOS TV	<u>833.33</u>
			TOTAL:	2,083.33
PENINSULA SEPTIC SERVICE, INC.	PUMP SEPTIC TANK LITTLE CO	GENERAL FUND	PARK MAINTENANCE	<u>580.00</u>
			TOTAL:	580.00
PINNACLE HEALTHCARE MEDICAL GROUP	PHYSICAL BILYK, ANNA	GENERAL FUND	NON-DEPARTMENTAL	50.00
	PHYSICAL PATZ, DANIEL	GENERAL FUND	NON-DEPARTMENTAL	50.00
	PHYSICAL ART, REMNET	GENERAL FUND	NON-DEPARTMENTAL	50.00
	PHYSICAL SMITH, RANDY	GENERAL FUND	NON-DEPARTMENTAL	<u>50.00</u>
			TOTAL:	200.00
POWERTRIP RENTALS, LLC	STOLEN CABLE	AMERICAN RESCUE PL	NON - DEPARTMENTAL	782.78
	50' 50AMP 6/4 TWIST	AMERICAN RESCUE PL	NON - DEPARTMENTAL	1,827.64
	3000 WATT HONDA	AMERICAN RESCUE PL	NON - DEPARTMENTAL	494.53
	50' 50AMP 6/4 TWIST	AMERICAN RESCUE PL	NON - DEPARTMENTAL	1,656.18
	100 LIGHT TOWER 4LT4C	AMERICAN RESCUE PL	NON - DEPARTMENTAL	375.56
	7KW GENERATOR HONDA	AMERICAN RESCUE PL	NON - DEPARTMENTAL	<u>267.11</u>
			TOTAL:	5,403.80
PRINTMASTERS	BOX TRUCK WRAP	GENERAL FUND	NON-DEPARTMENTAL	5,353.25
	FIREWORKS BANNER	GENERAL FUND	SPECIAL EVENTS	382.38
	3RD OF JULY BANNER	GENERAL FUND	SPECIAL EVENTS	955.94
	3RD OF JULY BANNER	GENERAL FUND	SPECIAL EVENTS	464.31
	DOG PARK BANNER	GENERAL FUND	SPECIAL EVENTS	92.86
	3RD OF JULY BANNER	GENERAL FUND	SPECIAL EVENTS	26.22
	3RD OF JULY BANNER	GENERAL FUND	SPECIAL EVENTS	1,983.98
	3RD OF JULY BANNER	GENERAL FUND	SPECIAL EVENTS	<u>131.10</u>
			TOTAL:	9,390.04
PTS PROVIDERS INC	OPERATIONAL JUNE 2023	TECHNOLOGY REPLACE	ADMINISTRATIVE SERVICE	43.00
	OPERATIONAL JUNE 2023 LATE	TECHNOLOGY REPLACE	ADMINISTRATIVE SERVICE	4.30
	OPERATIONAL JULY 23	TECHNOLOGY REPLACE	ADMINISTRATIVE SERVICE	<u>43.00</u>
			TOTAL:	90.30
Public Risk Innovation Solutions and M	EXCESS WORKER'S COMP FY 23	SELF INSURANCE TRU	INSURANCE	208,454.00
	GENERAL LIABILITY FY 23-24	SELF INSURANCE TRU	INSURANCE	<u>278,864.00</u>
			TOTAL:	487,318.00
REDFLEX TRAFFIC SYSTEMS, INC.	MAY '23 REDFLEX TRAFFIC SY	GENERAL FUND	TRAFFIC	10,502.16
	JUNE '23B REDFLEX TRAFFIC	GENERAL FUND	TRAFFIC	<u>10,502.16</u>
			TOTAL:	21,004.32

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
ROBERT HALF INTERNATIONAL INC	CONTRACT STAFFING FOR FINA	GENERAL FUND	FINANCE	<u>1,710.00</u>
			TOTAL:	1,710.00
SINGER CONSTRUCTION		GENERAL FUND	BUILDING MAINTENANCE	<u>15,222.00</u>
			TOTAL:	15,222.00
MCLEAN ENTERPRISES, INC.	BUS CARDS CPT GALLAUGHER	GENERAL FUND	POLICE ADMINISTRATION	88.71
	RESIDENT GUEST PKG PERMITS	GENERAL FUND	TRAFFIC	593.18
	BUS CARD - RILEY HILL	GENERAL FUND	COMMUNITY DEVEL ADMIN	62.36
	DEVELOPMENT DOOR HANGERS	GENERAL FUND	COMMUNITY DEVEL ADMIN	480.79
	PUB WORKS DOOR HANGERS	GENERAL FUND	COMMUNITY DEVEL ADMIN	126.83
	PERMIT CENTER APP PROCESS	GENERAL FUND	COMMUNITY DEVEL ADMIN	113.55
	ONE CITY ON TEAM POSTERS	GENERAL FUND	COMMUNITY DEVEL ADMIN	163.88
	NEIGHBOR CLEANUP POSTCARD/	GENERAL FUND	COMMUNITY DEVEL ADMIN	1,506.60
	BUSINESS CARDS OSCAR V	GENERAL FUND	COMMUNITY DEVEL ADMIN	51.43
	GRADUATION BANNERS	AMERICAN RESCUE PL NON -	DEPARTMENTAL	<u>2,185.00</u>
			TOTAL:	5,372.33
SITEONE LANDSCAPE SUPPLY HOLDING, LLC	IRRIGATION CHECK SUPPLIES	GENERAL FUND	PARK MAINTENANCE	32.78
	IRRIGATION CHECK SUPPLIES	GENERAL FUND	PARK MAINTENANCE	<u>32.78</u>
			TOTAL:	65.56
SOCAL AUTO & TRUCK PARTS INC.	REC TRACTOR	GARAGE FUND	GARAGE	<u>67.62</u>
			TOTAL:	67.62
ST. OF CALIFORNIA DEPT. OF JUSTICE	CASSIE COX & MARY A REMNET	GENERAL FUND	NON-DEPARTMENTAL	<u>64.00</u>
			TOTAL:	64.00
TERRA NOVA PLANNING & RESEARCH, INC	HSG ELEMENT UPDATE JUN 1-3	GENERAL FUND	PLANNING	<u>4,181.90</u>
			TOTAL:	4,181.90
NANCY K. BOHL INCORPORATED	CONTRACT SERVICES: JUNE 20	GENERAL FUND	POLICE ADMINISTRATION	<u>1,100.00</u>
			TOTAL:	1,100.00
WEST PUBLISHING CORPORATION	MAY 2023 DETECTIVES	GENERAL FUND	INVESTIGATION	335.20
	DETECTIVES JUNE 2023	GENERAL FUND	INVESTIGATION	<u>335.20</u>
			TOTAL:	670.40
TIME WARNER CABLE	PHONE SERVICE	GENERAL FUND	ADMINISTRATION	476.57
	SPECTRUM ENTERPRISE INTERN	GENERAL FUND	ADMINISTRATION	<u>1,734.00</u>
			TOTAL:	2,210.57
TRACY MILLER CONSULTING, INC.	COMMUNICATION CONSULTING S	GENERAL FUND	ADMINISTRATION	<u>4,900.00</u>
			TOTAL:	4,900.00
V & V MANUFACTURING, INC.	RIBBON CHANGE #161 REPAIR	GENERAL FUND	POLICE ADMINISTRATION	<u>160.47</u>
			TOTAL:	160.47
VERIZON WIRELESS	MNTHLY CELL CHRG COP	GENERAL FUND	POLICE ADMINISTRATION	41.39
	MDC 1-18 6/11-7/11/23	GENERAL FUND	PATROL	306.08
	PD JETPACK 1&2	GENERAL FUND	PATROL	76.02
	21 OFFICER MNTH CHRG EQUIP	GENERAL FUND	PATROL	2,071.05
	2 MOBILE ID READERS 6/11-7	GENERAL FUND	PATROL	124.17
	2 POLICE 4GLTE SIM 6/11-7/	GENERAL FUND	PATROL	90.04
	3 DETECTIVE BUREAU MNTH CH	GENERAL FUND	INVESTIGATION	380.64
	CLO MONTHLY CHRG E 6/11-7/	GENERAL FUND	COMMUNITY OUTREACH	41.39

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	EOC 2 562-343-0186	GENERAL FUND	EMERGENCY PREPAREDNESS	40.42
	EOC 3 562-343-0778	GENERAL FUND	EMERGENCY PREPAREDNESS	40.42
	EOC 1 562-343-4974	GENERAL FUND	EMERGENCY PREPAREDNESS	40.42
	EOC 4 562-343-8371	GENERAL FUND	EMERGENCY PREPAREDNESS	40.42
	WATCH COMMANDER 310-995-19	GENERAL FUND	EMERGENCY PREPAREDNESS	0.10
	EOC 2 562-343-0186	GENERAL FUND	EMERGENCY PREPAREDNESS	41.39
	EOC 3 562-343-0778	GENERAL FUND	EMERGENCY PREPAREDNESS	41.39
	EOC 1 562-343-4974	GENERAL FUND	EMERGENCY PREPAREDNESS	41.39
	EOC 4 562-343-8371	GENERAL FUND	EMERGENCY PREPAREDNESS	41.39
	RENE CARMODY 562-215-7198	GENERAL FUND	COMMUNITY DEVEL ADMIN	40.42
	RON NODA 562-715-7333	GENERAL FUND	COMMUNITY DEVEL ADMIN	40.01
	2 CITY CELLPHONE NODA	GENERAL FUND	COMMUNITY DEVEL ADMIN	103.00
	RENE CARMODY 562-215-7198	GENERAL FUND	COMMUNITY DEVEL ADMIN	41.39
	ANTHONYROSE 562-784-1028	GENERAL FUND	COMMUNITY DEVEL ADMIN	45.02
	ANTHONY ROSE 562-784-1035	GENERAL FUND	COMMUNITY DEVEL ADMIN	45.02
	ANTHONY ROSE 562-784-1036	GENERAL FUND	COMMUNITY DEVEL ADMIN	45.02
	ANTHONY ROSE 562-784-1037	GENERAL FUND	COMMUNITY DEVEL ADMIN	45.02
	NEW IPAD	GENERAL FUND	COMMUNITY DEVEL ADMIN	45.02
	RON NODA 562-715-7333	GENERAL FUND	COMMUNITY DEVEL ADMIN	40.01
	RILEY HILL	GENERAL FUND	NEIGHBORHOOD PRESERVAT	40.42
	CODE ENFORCEMENT IPAD AIR	GENERAL FUND	NEIGHBORHOOD PRESERVAT	40.01
	RILEY HILL 562-525-9541	GENERAL FUND	NEIGHBORHOOD PRESERVAT	41.39
	CODE ENFORCE IPAD AIR 2	GENERAL FUND	NEIGHBORHOOD PRESERVAT	40.01
	PW EMPLOYEE 1 562-525-9542	GENERAL FUND	STREET MAINTENANCE	40.42
	PW EMPLOYEE 2 562-525-9543	GENERAL FUND	STREET MAINTENANCE	40.42
	JOSE MENDOZA 562-666-9114	GENERAL FUND	STREET MAINTENANCE	40.42
	ANTHONY VAZQUEZ 562-666-94	GENERAL FUND	STREET MAINTENANCE	40.42
	VICTOR DELA TORRE 562-666-	GENERAL FUND	STREET MAINTENANCE	40.42
	MIGUEL DELA TORRE562-666-9	GENERAL FUND	STREET MAINTENANCE	40.42
	DANNY BARNETT 562-666-9635	GENERAL FUND	STREET MAINTENANCE	40.42
	CHRIS DEATON 562-666-9636	GENERAL FUND	STREET MAINTENANCE	40.42
	PW EMPLOYEE 1 562-525-9542	GENERAL FUND	STREET MAINTENANCE	41.39
	PW EMPLOYEE 2 562-5259543	GENERAL FUND	STREET MAINTENANCE	41.39
	JOSE MENDOZA 562-666-9114	GENERAL FUND	STREET MAINTENANCE	41.39
	ANTHONY VAZQUEZ 562-666-94	GENERAL FUND	STREET MAINTENANCE	41.39
	VICTOR DELA TORRE 562-666-	GENERAL FUND	STREET MAINTENANCE	41.39
	MIGUEL DELA TORRE 562-666-	GENERAL FUND	STREET MAINTENANCE	41.39
	DANNY BARNETT 562-666-9635	GENERAL FUND	STREET MAINTENANCE	41.39
	CHRIS DEATON 562-666-9636	GENERAL FUND	STREET MAINTENANCE	41.39
			TOTAL:	4,764.36
VOYAGER FLEET SYSTEMS, INC.	FUEL	GARAGE FUND	GARAGE	10,095.61
	TAX CREDIT	GARAGE FUND	GARAGE	365.60-
			TOTAL:	9,730.01
WILLDAN ENGINEERING	CITY ENGINEER	GENERAL FUND	CITY ENGINEER	8,394.00
	PLAN CHECKING	GENERAL FUND	CITY ENGINEER	16,901.00
	INTERIM PUB WORKS MANAGER	GENERAL FUND	CITY ENGINEER	14,212.50
	CITY ENGINEER	GENERAL FUND	CITY ENGINEER	9,600.00
	PLAN CHECKING	GENERAL FUND	CITY ENGINEER	13,127.00
	TRAFFIC ENGINEER	GENERAL FUND	CITY ENGINEER	4,042.00
	TRAFFIC PLAN CHK	GENERAL FUND	CITY ENGINEER	2,068.00
	2021-2022 STREET IMPROVEME	GENERAL FUND	CAPITAL PROJECTS	984.00
	BLOOMFILED PMRF	GAS TAX	CAPITAL PROJECTS	2,666.25
	NEW DUTCH HAVEN	GAS TAX	CAPITAL PROJECTS	4,782.00
	BLOOMFIELD PMRF	GAS TAX	CAPITAL PROJECTS	702.00

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	NEW DUTCH HAVEN ST PROJECT	GAS TAX	CAPITAL PROJECTS	187.00
	BRIGGEMAN STREET WIDENING	TRAFFIC IMPROVEMEN	CAPITAL PROJECTS	16,432.00
	EMERGENCY GENERATOR	FACILITY CAPITAL E	CAPITAL PROJECTS	5,084.25
	COMMUNITY CENTER ROOF	FACILITY CAPITAL E	CAPITAL PROJECTS	<u>12,757.15</u>
			TOTAL:	111,939.15
WOODRUFF & SMART, APC	GENERAL ADVISORY MAY 2023	GENERAL FUND	CITY ATTORNEY	15,203.78
	LITIGATION SERVICES MAY 20	GENERAL FUND	CITY ATTORNEY	23,204.93
	PROSECUTOR SVCS MAY 2023	GENERAL FUND	CITY ATTORNEY	<u>3,251.20</u>
			TOTAL:	41,659.91

===== FUND TOTALS =====		
10	GENERAL FUND	285,999.88
20	GAS TAX	33,175.25
28	LOS ALAMITOS TV	833.33
44	TRAFFIC IMPROVEMENT	16,432.00
50	GARAGE FUND	15,309.91
52	FACILITY CAPITAL EXPENSES	17,841.40
53	TECHNOLOGY REPLACEMENT	1,906.38
54	SELF INSURANCE TRUST	488,657.40
56	AMERICAN RESCUE PLAN ACT	10,788.80
99	POOL CLEARING FUND	1,302.38

	GRAND TOTAL:	872,246.73

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
U.S. BANK	DINE & DOUGH VONS	GENERAL FUND	NON-DEPARTMENTAL	10.88
	DINE & DOUGH VALENTINOS	GENERAL FUND	NON-DEPARTMENTAL	84.00
	DINE & DOUGH RALPHS	GENERAL FUND	NON-DEPARTMENTAL	47.41
	DINE & DOUGH VONS	GENERAL FUND	NON-DEPARTMENTAL	42.12
	DINE & DOUGH VONS	GENERAL FUND	NON-DEPARTMENTAL	26.87
	DINE & DOUGH 6/15/23	GENERAL FUND	NON-DEPARTMENTAL	230.52
	DINE&DOUGH ENTERTAINMENT	GENERAL FUND	NON-DEPARTMENTAL	104.00
	DINE&DOUGH	GENERAL FUND	NON-DEPARTMENTAL	254.48
	DINE&DOUGH	GENERAL FUND	NON-DEPARTMENTAL	35.07
	DINE&DOUGH	GENERAL FUND	NON-DEPARTMENTAL	91.37
	DINE&DOUGH	GENERAL FUND	NON-DEPARTMENTAL	55.77
	DINE&DOUGH	GENERAL FUND	NON-DEPARTMENTAL	98.23
	DINE&DOUGH	GENERAL FUND	NON-DEPARTMENTAL	25.86
	DINE&DOUGH	GENERAL FUND	NON-DEPARTMENTAL	142.05
	DINE&DOUGH	GENERAL FUND	NON-DEPARTMENTAL	111.00
	DINE&DOUGH	GENERAL FUND	NON-DEPARTMENTAL	7.99
	DINE&DOUGH	GENERAL FUND	NON-DEPARTMENTAL	181.85
	DINE & DOUGH	GENERAL FUND	NON-DEPARTMENTAL	31.96
	DINE&DOUGH	GENERAL FUND	NON-DEPARTMENTAL	110.89
	DINE&DOUGH	GENERAL FUND	NON-DEPARTMENTAL	88.41
	ART, APPETIZER & WINE TAST	GENERAL FUND	CITY COUNCIL	40.00
	COUNCIL NAME PLATE	GENERAL FUND	CITY COUNCIL	36.71
	COUNCIL PHOTO PRINT	GENERAL FUND	CITY COUNCIL	17.41
	LEAGUE CA CITIES ANNUAL CO	GENERAL FUND	CITY COUNCIL	650.00
	LEAGUE CA CITIES ANNUAL CO	GENERAL FUND	CITY COUNCIL	245.93
	PLAQUE OFFICER NAVARRO	GENERAL FUND	CITY COUNCIL	48.44
	COUNCIL MTG MEAL	GENERAL FUND	CITY COUNCIL	118.12
	TILE PLAQUE	GENERAL FUND	CITY COUNCIL	60.87
	NEWSLETTER COPIES	GENERAL FUND	ADMINISTRATION	65.55
	SUPPLIES	GENERAL FUND	ADMINISTRATION	225.17
	SUPPLIES	GENERAL FUND	ADMINISTRATION	25.54
	SUPPLIES	GENERAL FUND	ADMINISTRATION	18.85
	MONTH SUB - OCREGSITER.COM	GENERAL FUND	ADMINISTRATION	26.00
	MONTH SUB - ILLUSTRATOR AC	GENERAL FUND	ADMINISTRATION	52.98
	TABLE THROW (2)	GENERAL FUND	ADMINISTRATION	346.94
	BREAKFAST EXEC MTG	GENERAL FUND	ADMINISTRATION	166.06
	EVENT REGISTRATION	GENERAL FUND	ADMINISTRATION	449.00
	EVENT REGISTRATION	GENERAL FUND	ADMINISTRATION	449.00
	EVENT REGISTRATION	GENERAL FUND	ADMINISTRATION	449.00
	OFFICE SUPPLIES	GENERAL FUND	ADMINISTRATION	56.70
	OFFICE SUPPLIES	GENERAL FUND	ADMINISTRATION	76.80
	OFFICE SUPPLIES	GENERAL FUND	ADMINISTRATION	65.04
	WEBINAR LOCAL GOVT COMMS Q	GENERAL FUND	ADMINISTRATION	30.00
	REFUND OFFICE SUPPLIES	GENERAL FUND	ADMINISTRATION	70.20
	COPY PAPER FIN DEPT	GENERAL FUND	ADMINISTRATION	246.00
	RENEWAL FEES	GENERAL FUND	FINANCE	190.00
	MONTHLY FEE ECHECK.NET	GENERAL FUND	FINANCE	10.00
	LUNCH PLATE	GENERAL FUND	FINANCE	18.85
	SUPPLIES	GENERAL FUND	FINANCE	14.12
	COPY PAP FOR ADMN DEPT	GENERAL FUND	FINANCE	246.00
	EMPLOYEE IDS	GENERAL FUND	LOS ALAMITOS TV	250.00
	PLAQUES FOR 2022 ANNUAL AW	GENERAL FUND	POLICE ADMINISTRATION	833.99
	SHIPPING COST RETURN TEST	GENERAL FUND	POLICE ADMINISTRATION	11.85
	ADMIN JACKET	GENERAL FUND	POLICE ADMINISTRATION	38.00
	OFFICE SUPPLIES	GENERAL FUND	POLICE ADMINISTRATION	10.90
	RECEPTION CITY COUNCIL MTG	GENERAL FUND	POLICE ADMINISTRATION	17.92

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	RECEPTION CITY COUNCIL MTG	GENERAL FUND	POLICE ADMINISTRATION	32.49
	RECEPTION CITY COUNCIL MTG	GENERAL FUND	POLICE ADMINISTRATION	19.39
	TABLE CLOTHS	GENERAL FUND	POLICE ADMINISTRATION	20.00
	RECEPTION CITY COUNCIL MTG	GENERAL FUND	POLICE ADMINISTRATION	34.31
	OFFICE SUPPLIES	GENERAL FUND	POLICE ADMINISTRATION	62.27
	OFFICE SUPPLIES	GENERAL FUND	POLICE ADMINISTRATION	26.19
	COPY PAP FOR PD	GENERAL FUND	POLICE ADMINISTRATION	246.01
	OFFICE SUPPLIES	GENERAL FUND	POLICE ADMINISTRATION	32.74
	OFFICE SUPPLIES	GENERAL FUND	POLICE ADMINISTRATION	84.83
	OFFICE SUPPLIES	GENERAL FUND	POLICE ADMINISTRATION	18.71
	OFFICE SUPPLIES	GENERAL FUND	POLICE ADMINISTRATION	71.47
	OFFICE SUPPLIES	GENERAL FUND	POLICE ADMINISTRATION	57.36
	OFFICE SUPPLIES	GENERAL FUND	POLICE ADMINISTRATION	161.56
	OFFICE SUPPLIES	GENERAL FUND	POLICE ADMINISTRATION	40.18
	OFFICE SUPPLIES	GENERAL FUND	POLICE ADMINISTRATION	321.73
	REFUND OFFICE SUPPLY PURCH	GENERAL FUND	POLICE ADMINISTRATION	40.18-
	SHIPPING CHARGES	GENERAL FUND	POLICE ADMINISTRATION	9.55
	OFFICE SUPPLIES	GENERAL FUND	POLICE ADMINISTRATION	217.55
	OFFICE SUPPLIES	GENERAL FUND	POLICE ADMINISTRATION	11.44
	OFFICE SUPPLIES	GENERAL FUND	POLICE ADMINISTRATION	58.95
	OFFICE SUPPLIES	GENERAL FUND	POLICE ADMINISTRATION	64.10
	OFFICE SUPPLIES	GENERAL FUND	POLICE ADMINISTRATION	114.72
	OFFICE SUPPLIES	GENERAL FUND	POLICE ADMINISTRATION	40.18
	OFFICE SUPPLIES	GENERAL FUND	POLICE ADMINISTRATION	10.71
	NAVARRO - LODGING FOR CHEM	GENERAL FUND	PATROL	1,019.90
	NAVARRO FTO CLASS	GENERAL FUND	PATROL	89.00
	MILE HIGH SHOOTING ACCESS	GENERAL FUND	PATROL	902.11
	KITCHEN/OFFICE SUPPLIES	GENERAL FUND	PATROL	269.52
	STORAGE CONTAINERS PATROL	GENERAL FUND	PATROL	20.99
	CLEANING SUPPLIES	GENERAL FUND	PATROL	19.55
	EQUIPMENT SUPPLIES	GENERAL FUND	PATROL	202.80
	MCDOWELL AND MARQUEZ IAPE	GENERAL FUND	RECORDS	690.00
	PARKING PERMIT HANGERS	GENERAL FUND	RECORDS	345.85
	EVIDENCE TAPE	GENERAL FUND	RECORDS	282.59
	POSTAGE STAMPS	GENERAL FUND	RECORDS	12.60
	OFFICE SUPPLIES	GENERAL FUND	RECORDS	8.70
	LUNCH ORAL PANEL INTERVIEW	GENERAL FUND	COMMUNITY OUTREACH	27.74
	SPECIAL EVENT SUPPLIES	GENERAL FUND	COMMUNITY OUTREACH	48.33
	SPECIAL EVENT SUPPLIES	GENERAL FUND	COMMUNITY OUTREACH	83.99
	SPECIAL EVENT SUPPLIES	GENERAL FUND	COMMUNITY OUTREACH	45.74
	BRUCKI CA CASE LAW CLASS	GENERAL FUND	YOUTH SERVICES	199.00
	COFFEE MATE CREAMER VANILL	GENERAL FUND	COMMUNITY DEVEL ADMIN	18.82
	COFFEE CREAMER/CLEAR ACRYL	GENERAL FUND	COMMUNITY DEVEL ADMIN	39.98
	WELCOME LUNCH MTG	GENERAL FUND	COMMUNITY DEVEL ADMIN	74.27
	COPY PAPER COMM DEV DEPT	GENERAL FUND	COMMUNITY DEVEL ADMIN	246.01
	YOUTUBE TV 06/2023	GENERAL FUND	COMMUNITY DEVEL ADMIN	72.99
	2 DESKS COMM DEV DEPT	GENERAL FUND	COMMUNITY DEVEL ADMIN	688.14
	DANNY BARNET CARD	GENERAL FUND	COMMUNITY DEVEL ADMIN	13.07
	COMM DEV 06/2023	GENERAL FUND	COMMUNITY DEVEL ADMIN	466.67
	PUB WRKS - HOLE PUNCH SUPP	GENERAL FUND	COMMUNITY DEVEL ADMIN	23.60
	PUB WRKS - NOTEBOOK OFFICE	GENERAL FUND	COMMUNITY DEVEL ADMIN	28.67
	KEY LOCK BOX PART 2	GENERAL FUND	COMMUNITY DEVEL ADMIN	129.10
	WEBCAM	GENERAL FUND	COMMUNITY DEVEL ADMIN	75.30
	DEV SVCS COMPUTER HOLD SUP	GENERAL FUND	COMMUNITY DEVEL ADMIN	43.69
	POWER CORD FOR TV	GENERAL FUND	COMMUNITY DEVEL ADMIN	16.90
	HOLE PUNCH RETURN	GENERAL FUND	COMMUNITY DEVEL ADMIN	23.60-

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	SNACKS/DRINKS PUB WORKS	GENERAL FUND	COMMUNITY DEVEL ADMIN	360.73
	NAME PLATE PART-TIME CODE	GENERAL FUND	COMMUNITY DEVEL ADMIN	27.19
	PROJ. MGMT TRAINING DEV SV	GENERAL FUND	COMMUNITY DEVEL ADMIN	210.00
	TRAINING AND TRAVEL R NODA	GENERAL FUND	COMMUNITY DEVEL ADMIN	85.00
	TSHIRT FACTORY	GENERAL FUND	NEIGHBORHOOD PRESERVAT	129.21
	COPY PAPER PUB WRKS DEPT	GENERAL FUND	PUBLIC WORKS ADMIN	246.00
	PADLOCKS EQUIPMENT STREETS	GENERAL FUND	STREET MAINTENANCE	43.47
	SAFETY GLASSES	GENERAL FUND	STREET MAINTENANCE	34.96
	REFLECTIVE SAFETY VEST	GENERAL FUND	STREET MAINTENANCE	54.92
	RUG DOCTOR RENTAL	GENERAL FUND	STREET MAINTENANCE	50.00
	REFLECTIVE SAFETY VEST	GENERAL FUND	STREET MAINTENANCE	49.15
	ROOF ACCESS SMART SIGN	GENERAL FUND	STREET MAINTENANCE	13.83
	PRESSURE WASHER TURBO KIT	GENERAL FUND	STREET MAINTENANCE	26.19
	PUB WRKS SUPPLIES	GENERAL FUND	STREET MAINTENANCE	120.10
	PUB WRKS SUPPLIES	GENERAL FUND	STREET MAINTENANCE	21.07
	GRILL BRUSHES COTTON PARK	GENERAL FUND	PARK MAINTENANCE	46.71
	GMLA EVENT DECOR	GENERAL FUND	PARK MAINTENANCE	161.53
	NEW FLOWERS PARKLET	GENERAL FUND	PARK MAINTENANCE	426.24
	4TH OF JULY DECOR YRD SIGN	GENERAL FUND	PARK MAINTENANCE	134.49
	4TH OF JULY DECOR OUTDOOR	GENERAL FUND	PARK MAINTENANCE	28.37
	LOCK ENTRY POLO PURCHASE	GENERAL FUND	BUILDING MAINTENANCE	23.91
	PAINT COMPRESSOR REPAIR	GENERAL FUND	BUILDING MAINTENANCE	85.00
	E-WASTE SUPPLIES	GENERAL FUND	BUILDING MAINTENANCE	65.54
	LOCK ENTRY POLO RETURN	GENERAL FUND	BUILDING MAINTENANCE	23.91-
	ENTRY LEVER PURCHASE	GENERAL FUND	BUILDING MAINTENANCE	23.67
	YTH CTR WOMEN RR REPAIR	GENERAL FUND	BUILDING MAINTENANCE	610.00
	NEW RCYCLE BIN CITY OFFICE	GENERAL FUND	BUILDING MAINTENANCE	157.39
	ENTRY LEVER RETURN	GENERAL FUND	BUILDING MAINTENANCE	23.67-
	ORVILLE LEWIS PARK BAIT RO	GENERAL FUND	BUILDING MAINTENANCE	10.74
	BATTERIES FOR GATE OPENER	GENERAL FUND	BUILDING MAINTENANCE	16.38
	PRESCHL TOILET PAPER RUG C	GENERAL FUND	BUILDING MAINTENANCE	73.65
	SUPPLIES FIRE EXT & VACUUM	GENERAL FUND	BUILDING MAINTENANCE	198.42
	KEY LOCK BOX	GENERAL FUND	BUILDING MAINTENANCE	37.80
	GATE OPENER	GENERAL FUND	BUILDING MAINTENANCE	180.00
	PODS RENTAL MAY 2023	GENERAL FUND	BUILDING MAINTENANCE	282.97
	1/2 ADA MAT COUNCIL CHAMBE	GENERAL FUND	BUILDING MAINTENANCE	387.79
	1/2 ADA MATT COUNCIL CHAMB	GENERAL FUND	BUILDING MAINTENANCE	386.15
	PD PAINTING	GENERAL FUND	BUILDING MAINTENANCE	1,755.00
	FIRE EXTINGUISHER	GENERAL FUND	BUILDING MAINTENANCE	1,088.58
	FRONT TOILET SEAT	GENERAL FUND	BUILDING MAINTENANCE	227.61
	OFFICE SUPPLIES	GENERAL FUND	RECREATION ADMINISTRAT	177.35
	DUES & SUBSCRIPTION MPLC	GENERAL FUND	RECREATION ADMINISTRAT	755.90
	OFFICE SUPPLIES	GENERAL FUND	RECREATION ADMINISTRAT	17.19
	DIRECT TV EOC	GENERAL FUND	RECREATION ADMINISTRAT	60.99
	OFFICE SUPPLIES 99 CENTS S	GENERAL FUND	RECREATION ADMINISTRAT	22.00
	OFFICE SUPPLIES	GENERAL FUND	RECREATION ADMINISTRAT	16.16
	TRAINING AND TRAVEL STAFF	GENERAL FUND	RECREATION ADMINISTRAT	55.00
	OFFICE SUPPLIES	GENERAL FUND	RECREATION ADMINISTRAT	23.90
	YOUTH CENTER GALA TICKETS	GENERAL FUND	RECREATION ADMINISTRAT	275.00
	OFFICE SUPPLIES	GENERAL FUND	RECREATION ADMINISTRAT	91.64
	STAFF IN-SERVICE TRAINING	GENERAL FUND	RECREATION ADMINISTRAT	19.11
	OFFICE SUPPLIES	GENERAL FUND	RECREATION ADMINISTRAT	27.30
	OFFICE SUPPLIES	GENERAL FUND	RECREATION ADMINISTRAT	24.02
	STAFF IN-SERVICE TRAINING	GENERAL FUND	RECREATION ADMINISTRAT	5.00
	EMPLOYEE OF THE QTR GIFT C	GENERAL FUND	RECREATION ADMINISTRAT	5.00
	STAFF IN-SERVICE TRAINING	GENERAL FUND	RECREATION ADMINISTRAT	339.12

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	OFFICE SUPPLIES	GENERAL FUND	RECREATION ADMINISTRAT	27.31
	OFFICE SUPPLIES	GENERAL FUND	RECREATION ADMINISTRAT	19.65
	OFFICE SUPPLIES	GENERAL FUND	RECREATION ADMINISTRAT	21.72
	STAFF IN-SERVICE TRAINING	GENERAL FUND	RECREATION ADMINISTRAT	24.67
	COPY PAPER REC DEPT	GENERAL FUND	RECREATION ADMINISTRAT	246.00
	LIFEGUARD SUPPLIES	GENERAL FUND	RECREATION ADMINISTRAT	195.00
	LIFEGUARD SUPPLIES	GENERAL FUND	RECREATION ADMINISTRAT	195.00
	STAFF INSERVICE TRAINING	GENERAL FUND	RECREATION ADMINISTRAT	105.17
	WSI TRAINING	GENERAL FUND	RECREATION ADMINISTRAT	240.00
	WSI TRAINING	GENERAL FUND	RECREATION ADMINISTRAT	240.00
	PRIME MEMBERSHIP	GENERAL FUND	RECREATION ADMINISTRAT	16.38
	DUES & SUBSCRIPTION APPLE	GENERAL FUND	RECREATION ADMINISTRAT	9.99
	TRAINING E NODA	GENERAL FUND	RECREATION ADMINISTRAT	85.00
	AQUATICS OPENING DAY EVENT	GENERAL FUND	AQUATICS	16.00
	AQUATIC SUPPLIES	GENERAL FUND	AQUATICS	32.00
	AQUATICS PROGRAM SUPPLIES	GENERAL FUND	AQUATICS	65.50
	AQUATICS PROGRAM SUPPLIES	GENERAL FUND	AQUATICS	58.92
	AQUATICS PROGRAM SUPPLIES	GENERAL FUND	AQUATICS	262.18
	AQUATICS STORAGE	GENERAL FUND	AQUATICS	804.67
	AQUATICS PROGRAM SUPPLIES	GENERAL FUND	AQUATICS	174.76
	AQUATICS PROGRAM SUPPLIES	GENERAL FUND	AQUATICS	109.09
	AQUATICS PROGRAM SUPPLIES	GENERAL FUND	AQUATICS	77.01
	AQUATICS PROGRAM SUPPLIES	GENERAL FUND	AQUATICS	56.77-
	AQUATICS PROGRAM SUPPLIES	GENERAL FUND	AQUATICS	230.07
	AQUATICS WRISTBANDS	GENERAL FUND	AQUATICS	43.68
	FACILITIES TABLE LINEN DRY	GENERAL FUND	COMMUNITY SERVICES	184.00
	LINENS FOR FACILITY RENTAL	GENERAL FUND	COMMUNITY SERVICES	109.24
	COMM CENTER MAT SERVICE	GENERAL FUND	COMMUNITY SERVICES	368.64
	SAY CAMP STORAGE CUBBIES	GENERAL FUND	DAY CAMP	419.51
	REFUND DAY CAMP STORAGE CU	GENERAL FUND	DAY CAMP	336.01-
	DAY CAMP STORAGE CUBBIES	GENERAL FUND	DAY CAMP	749.16
	DAY CAMP EXCURSIONS - DISC	GENERAL FUND	DAY CAMP	347.50
	DAY CAMP STAFF WHISTLES	GENERAL FUND	DAY CAMP	32.76
	DAY CAMP MEGAPHONES BATT R	GENERAL FUND	DAY CAMP	72.06
	DAY CAMP LABEL MAKER TAPE	GENERAL FUND	DAY CAMP	27.29
	DAY CAMP SUPPLIES	GENERAL FUND	DAY CAMP	32.70
	SUMMER CAMP EXCURSION	GENERAL FUND	DAY CAMP	25.20
	DAY CAMP SUPPLIES	GENERAL FUND	DAY CAMP	38.23
	DAY CAMP SUPPLIES	GENERAL FUND	DAY CAMP	127.75
	SUM DAY CAMP WK 3 SUPPLIES	GENERAL FUND	DAY CAMP	9.81
	SUM DAY CAMP EXCURSION	GENERAL FUND	DAY CAMP	296.00
	SUM DAY CAMP WK 3 SUPPLIES	GENERAL FUND	DAY CAMP	61.65
	SUM DAY CAMP EXCURSION	GENERAL FUND	DAY CAMP	855.00
	SUM DAY CAMP WK 3 SUPPLIES	GENERAL FUND	DAY CAMP	172.37
	SUM DAY CAMP EXCURSION	GENERAL FUND	DAY CAMP	189.16
	SUM DAY CAMP WK 4 SUPPLIES	GENERAL FUND	DAY CAMP	94.62
	SUM DAY CAMP WK 4 SUPPLIES	GENERAL FUND	DAY CAMP	12.58
	DAY CAMP SUPPLIES	GENERAL FUND	DAY CAMP	213.03
	EXCURSIONS DAY CAMP SUPPLI	GENERAL FUND	DAY CAMP	160.56
	EXCURSIONS DAY CAMP SUPPLI	GENERAL FUND	DAY CAMP	32.56
	EXCURSIONS DAY CAMP SUPPLI	GENERAL FUND	DAY CAMP	37.40
	DAY CAMP SUPPLIES	GENERAL FUND	DAY CAMP	261.52
	PARKS AND PROG SUPPLIES	GENERAL FUND	PLAYGROUNDS	329.85
	PARKS PROGRAM SUPPLIES	GENERAL FUND	PLAYGROUNDS	22.72
	PARKS PROGRAM SUPPLIES	GENERAL FUND	PLAYGROUNDS	68.23
	PARKS PROGRAM SUPPLIES	GENERAL FUND	PLAYGROUNDS	166.64

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	PARKS PROGAM SUPPLIES	GENERAL FUND	PLAYGROUNDS	21.80
	PARK PROGRAM SUPPLIES	GENERAL FUND	PLAYGROUNDS	230.27
	PARK PROGRAM SUPPLIES	GENERAL FUND	PLAYGROUNDS	9.98
	JR PEE WEE SOCCER CAMP SHI	GENERAL FUND	SPORTS	96.98
	GYM CLEANING TOWELS	GENERAL FUND	SPORTS	62.26
	YTH SOCCER CAMP BALL	GENERAL FUND	SPORTS	21.84
	YTH T-BALL CAMP GAMES	GENERAL FUND	SPORTS	55.69
	YTH T-BALL CAMP GAMES	GENERAL FUND	SPORTS	13.10
	YTH T-BALL CAMP GAMES	GENERAL FUND	SPORTS	131.04
	METAL DETECTOR FIELD MAINT	GENERAL FUND	SPORTS	87.39
	ADULT SOCCER WI 23 CHAMP P	GENERAL FUND	SPORTS	425.09
	ADULT SOCCER WI 23 CHAMP P	GENERAL FUND	SPORTS	291.18
	ADULT WI 23 CHAMPION PRIZE	GENERAL FUND	SPORTS	431.76
	SUPPLIES TABLE LINEN DRY C	GENERAL FUND	SPECIAL CLASSES	88.00
	SUPPLIES TABLE LINEN DRY C	GENERAL FUND	SPECIAL CLASSES	8.00
	SPECIALTY CAMPS	GENERAL FUND	SPECIAL CLASSES	151.59
	PRESCHOOL SUPPLIES	GENERAL FUND	SPECIAL CLASSES	87.09
	LIL OAK PRE PROG CLEAN SUP	GENERAL FUND	SPECIAL CLASSES	37.50
	LIL OAK PRE PROG CLEAN SUP	GENERAL FUND	SPECIAL CLASSES	5.00
	LIL OAK PRE PROG CLEAN SUP	GENERAL FUND	SPECIAL CLASSES	65.54
	LIL OAK PRE PROG DECOR	GENERAL FUND	SPECIAL CLASSES	35.00
	PRESCHOOL PARENT APPRECIAT	GENERAL FUND	SPECIAL CLASSES	32.00
	PRESCHOOL GRAD	GENERAL FUND	SPECIAL CLASSES	19.10
	PRESCHOOL GRAD	GENERAL FUND	SPECIAL CLASSES	21.81
	PRESCHOOL GRAD	GENERAL FUND	SPECIAL CLASSES	10.37
	PRESCHOOL GRAD	GENERAL FUND	SPECIAL CLASSES	24.02
	PRESCHOOL GRAD	GENERAL FUND	SPECIAL CLASSES	203.92
	PRESCHOOL CRAFT BOOK SUPPL	GENERAL FUND	SPECIAL CLASSES	22.86
	PRESCHOOL CRAFT BOOK SUPPL	GENERAL FUND	SPECIAL CLASSES	28.04
	PRESCHOOL SUPPLY CART	GENERAL FUND	SPECIAL CLASSES	83.02
	JEDI CAMP	GENERAL FUND	SPECIAL CLASSES	86.75
	PRESCHOOL	GENERAL FUND	SPECIAL CLASSES	26.58
	PRESCHOOL	GENERAL FUND	SPECIAL CLASSES	124.51
	PRESCHOOL PHOTOS CRAFT BOO	GENERAL FUND	SPECIAL CLASSES	49.74
	JEDI CAMP	GENERAL FUND	SPECIAL CLASSES	24.08
	JEDI CAMP	GENERAL FUND	SPECIAL CLASSES	57.10
	PRESCHOOL SUPPLIES	GENERAL FUND	SPECIAL CLASSES	19.16
	JEDI CAMP	GENERAL FUND	SPECIAL CLASSES	25.84
	PRESCHOOL SUPPLIES	GENERAL FUND	SPECIAL CLASSES	26.20
	JEDI CAMP	GENERAL FUND	SPECIAL CLASSES	37.21
	PRESCHOOL SUPPLIES	GENERAL FUND	SPECIAL CLASSES	54.42
	YOUTH ART CAMP	GENERAL FUND	SPECIAL CLASSES	64.98
	PRESCHOOL	GENERAL FUND	SPECIAL CLASSES	95.86
	PRESCHOOL SNACKS	GENERAL FUND	SPECIAL CLASSES	61.82
	PRESCHOOL SUPPLIES	GENERAL FUND	SPECIAL CLASSES	7.88
	REFUND JEDI CAMP	GENERAL FUND	SPECIAL CLASSES	54.96-
	JEDI CAMP	GENERAL FUND	SPECIAL CLASSES	54.96
	JEDI CAMP	GENERAL FUND	SPECIAL CLASSES	65.12
	JEDI CAMP	GENERAL FUND	SPECIAL CLASSES	76.46
	EVENT SUPPLIES WEAVER TABL	GENERAL FUND	SPECIAL EVENTS	16.00
	SPECIAL EVENT: SUMMER CONC	GENERAL FUND	SPECIAL EVENTS	800.00
	SPECIAL EVENT: SUMMER CONC	GENERAL FUND	SPECIAL EVENTS	800.00
	STAFF SUM DAY CAMP TRAININ	GENERAL FUND	SPECIAL EVENTS	87.22
	STAFF SUM DAY CAMP TRAININ	GENERAL FUND	SPECIAL EVENTS	9.59
	STAFF SUM DAY CAMP TRAININ	GENERAL FUND	SPECIAL EVENTS	13.58
	WEAVER EVENT	GENERAL FUND	SPECIAL EVENTS	42.88

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	3RD OF JULY ENT DEPOSIT	GENERAL FUND	SPECIAL EVENTS	100.00
	3RD OF JULY ENT FINAL PYMT	GENERAL FUND	SPECIAL EVENTS	315.00
	3RD OF JULY BOOTH SUPPLIES	GENERAL FUND	SPECIAL EVENTS	30.55
	3RD OF JULY BOOTH SUPPLIES	GENERAL FUND	SPECIAL EVENTS	86.40
	WEAVER EVENT	GENERAL FUND	SPECIAL EVENTS	27.28
	WEAVER EVENT	GENERAL FUND	SPECIAL EVENTS	184.06
	WEAVER EVENT	GENERAL FUND	SPECIAL EVENTS	73.05
	WEAVER EVENT	GENERAL FUND	SPECIAL EVENTS	325.83
	WEAVER EVENT	GENERAL FUND	SPECIAL EVENTS	87.39
	WEAVER EVENT	GENERAL FUND	SPECIAL EVENTS	20.63
	WEAVER EVENT	GENERAL FUND	SPECIAL EVENTS	21.84
	3RD OF JULY VIP	GENERAL FUND	SPECIAL EVENTS	46.57
	3RD OF JULY ACTIVITY AREA	GENERAL FUND	SPECIAL EVENTS	57.47
	3RD OF JULY VIP	GENERAL FUND	SPECIAL EVENTS	54.61
	WOMEN CONFERE MEET UP	GENERAL FUND	SPECIAL EVENTS	26.20
	WOMENS CONFERENCE MEET UP	GENERAL FUND	SPECIAL EVENTS	99.35
	WOMESN CONFERENCE MEET UP	GENERAL FUND	SPECIAL EVENTS	32.74
	WOMESN CONFERENCE MEET UP	GENERAL FUND	SPECIAL EVENTS	26.20
	3RD OF JULY FAMILY ZONE	GENERAL FUND	SPECIAL EVENTS	469.00
	SPECIAL EVENT MINI FAMILY	GENERAL FUND	SPECIAL EVENTS	39.06
	3RD OF JULY EVENT	GENERAL FUND	SPECIAL EVENTS	8.17
	3RD OF JULY EVENT	GENERAL FUND	SPECIAL EVENTS	9.82
	3RD OF JULY EVENT	GENERAL FUND	SPECIAL EVENTS	45.87
	MINI FAMILY DAY SPECIAL EV	GENERAL FUND	SPECIAL EVENTS	206.01
	PARKS MAKE LIFE BETTER MON	GENERAL FUND	SPECIAL EVENTS	29.49
	3RD OF JULY FAMILY ZONE	GENERAL FUND	SPECIAL EVENTS	139.98
	EOY WEAVER 5TH GRD EVENT	GENERAL FUND	SPECIAL EVENTS	67.91
	EOY WEAVER 5TH GRD EVENT	GENERAL FUND	SPECIAL EVENTS	33.08
	WEAVER EVENT	GENERAL FUND	SPECIAL EVENTS	70.47
	SUMMER CONCERTS SUPPLIES	GENERAL FUND	SPECIAL EVENTS	22.81
	EVENT: GMLA	GENERAL FUND	SPECIAL EVENTS	96.54
	EVENT SUMMER GIVEAWAY	GENERAL FUND	SPECIAL EVENTS	992.18
	EVENT SUMMER GIVEAWAY	GENERAL FUND	SPECIAL EVENTS	1,235.22
	EVENT ELECTRO VOICE PASSIV	GENERAL FUND	SPECIAL EVENTS	981.07
	EVENT: MAGIC AIR INTELLIGE	GENERAL FUND	SPECIAL EVENTS	288.42
	TRUCK PARTS ARROW BOARD	GARAGE FUND	GARAGE	146.72
	DURANGO TINT	GARAGE FUND	GARAGE	409.35
	ARPA GMLA LINEN DRY CLEANI	AMERICAN RESCUE PL NON - DEPARTMENTAL		192.00
	PARKLET STORAGE	AMERICAN RESCUE PL NON - DEPARTMENTAL		282.97
	PARKLET STORAGE	AMERICAN RESCUE PL NON - DEPARTMENTAL		119.09
	ROSSMOOR LIVING AD	AMERICAN RESCUE PL NON - DEPARTMENTAL		825.00
	ADOBE PRO SUBSCRIPTION	AMERICAN RESCUE PL NON - DEPARTMENTAL		19.99
	ADOBE PRO SUBSCRIPTION	AMERICAN RESCUE PL NON - DEPARTMENTAL		89.96
	META BUSINESS AD	AMERICAN RESCUE PL NON - DEPARTMENTAL		12.94
	BREAKFAST GMLA	AMERICAN RESCUE PL NON - DEPARTMENTAL		1,649.15
	BREAKFAST GMLA	AMERICAN RESCUE PL NON - DEPARTMENTAL		88.00
	BREAKFAST GMLA	AMERICAN RESCUE PL NON - DEPARTMENTAL		34.50
	BREAKFAST GMLA	AMERICAN RESCUE PL NON - DEPARTMENTAL		120.00
	GMLA TBLE NUMBER DECOR	AMERICAN RESCUE PL NON - DEPARTMENTAL		36.04
	PARKLET DECOR - EASEL/STAN	AMERICAN RESCUE PL NON - DEPARTMENTAL		38.23
	TOTAL:			49,276.57

<u>VENDOR SORT KEY</u>	<u>DESCRIPTION</u>	<u>FUND</u>	<u>DEPARTMENT</u>	<u>AMOUNT</u>
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===== FUND TOTALS =====

10	GENERAL FUND	45,212.63		
50	GARAGE FUND	556.07		
56	AMERICAN RESCUE PLAN ACT	3,507.87		

	GRAND TOTAL:	49,276.57		
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TOTAL PAGES: 7

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
24/7 EVENT SERVICES, INC.	STAFF NEIGHBORHOOD CLEAN U	GENERAL FUND	COMMUNITY DEVEL ADMIN	1,785.00
	3RD JULY EVENT PARKING SVC	GENERAL FUND	SPECIAL EVENTS	4,995.00
	3RD JULY SECURITY SERVICES	GENERAL FUND	SPECIAL EVENTS	<u>4,995.00</u>
			TOTAL:	11,775.00
ADAMSON POLICE PRODUCTS	MDT/MOUNT IN UNIT 48-2	GARAGE FUND	GARAGE	<u>700.00</u>
			TOTAL:	700.00
ADMINSURE	WORKERS COMP CLAIM ADMIN	SELF INSURANCE TRU	INSURANCE	408.00
	WORKERS COMP CLAIM STORAGE	SELF INSURANCE TRU	INSURANCE	3.69
	WORKER'S COMP CLAIM ADMIN	SELF INSURANCE TRU	INSURANCE	408.00
	WORKER'S COMP CLAIM STORAG	SELF INSURANCE TRU	INSURANCE	<u>3.69</u>
			TOTAL:	823.38
ALL CITY MANAGEMENT SERVICES	CROSSING GUARDS 05/28-06/1	GENERAL FUND	TRAFFIC	4,249.35
	CROSSING GUARDS 6/11-24/23	GENERAL FUND	TRAFFIC	418.95
	CROSSING GUARDS 6/11-24/23	GENERAL FUND	TRAFFIC	<u>669.84</u>
			TOTAL:	5,338.14
ANIMAL PEST MANAGEMENT SERVICES	PEST CTRL CITY PARKS 06/20	GENERAL FUND	PARK MAINTENANCE	<u>490.00</u>
			TOTAL:	490.00
ARMY & AIR FORCE EXCHANGE SERVICES	3RD OF JULY VENDOR FEES	GENERAL FUND	SPECIAL EVENTS	<u>525.00</u>
			TOTAL:	525.00
BARBARA BANNERMAN	YOGA WITH BARBARA 6/13	GENERAL FUND	SPECIAL CLASSES	9.75
	YOGA WITH BARBARA 6/20	GENERAL FUND	SPECIAL CLASSES	19.50
	YOGA WITH BARBARA 7/11	GENERAL FUND	SPECIAL CLASSES	<u>29.25</u>
			TOTAL:	58.50
BROCKCOM. INC	RADIOS FOR JULY 3RD EVENT	GENERAL FUND	SPECIAL EVENTS	<u>570.00</u>
			TOTAL:	570.00
CALIFORNIA CONSTRUCTION	WOMEN'S RESTROOM	GENERAL FUND	BUILDING MAINTENANCE	<u>750.00</u>
			TOTAL:	750.00
CALIFORNIA FORENSIC PHLEBOTOMY, INC.	JUNE 2023 10 BLOOD DRAWS	GENERAL FUND	PATROL	<u>1,400.00</u>
			TOTAL:	1,400.00
CARTRIDGE WORLD OF LOS ALAMITOS	INK FOR PRINTER CITY HALL	GENERAL FUND	COMMUNITY DEVEL ADMIN	<u>816.85</u>
			TOTAL:	816.85
CDW GOVERNMENT, INC.		TECHNOLOGY REPLACE	ADMINISTRATIVE SERVICE	<u>1,881.58</u>
			TOTAL:	1,881.58
CHARLES ABBOTT ASSOCIATES, INC.	WQMP REVIEW SERVICES 05/20	GENERAL FUND	NON-DEPARTMENTAL	870.00
	SVCS FOR LOS ALAMITOS 06/2	GENERAL FUND	COMMUNITY DEVEL ADMIN	27,601.64
	SVCS FOR LOS ALAMITOES 05/	GENERAL FUND	BUILDING INSPECTION	25,427.37
	CITY TECH 07/2023-06/2024	GENERAL FUND	BUILDING INSPECTION	20,000.00
	INDUSTRIAL & COMMERCIAL	GENERAL FUND	NPDES	<u>69.00</u>
			TOTAL:	73,968.01
CITY OF CYPRESS	FY 23/24 1ST INSTALLMENT (	GENERAL FUND	COMMUNICATIONS TECHNOL	<u>271,144.49</u>
			TOTAL:	271,144.49
COSTAR REALTY INFORMATION, INC.	COSTAR REALTY - 07/2023	GENERAL FUND	ADMINISTRATION	795.00

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
			TOTAL:	795.00
COUNTY OF ORANGE TREASURER-TAX	OCATS CIRCUIT & SUPPORT 06	GENERAL FUND	COMMUNICATIONS TECHNOL	1,273.33
	JULY 2023 SERVICES	GENERAL FUND	COMMUNICATIONS TECHNOL	<u>431.00</u>
			TOTAL:	1,704.33
WE FIT, LLC	STRENGTH AND AGILITY TRAIN	GENERAL FUND	SPECIAL CLASSES	<u>172.25</u>
			TOTAL:	172.25
CROSSTOWN ELECTRICAL & DATA, INC.	CITY HALL & CIVIC CTR 06/2	GENERAL FUND	STREET MAINTENANCE	222.00
	CERRITOS & HUMBOLT 06/2023	GENERAL FUND	STREET MAINTENANCE	222.00
	CERRITOS & HUMBOLT 06/2023	GENERAL FUND	STREET MAINTENANCE	975.00
	CERRITOS & LOS AL BLVD 06/	GENERAL FUND	STREET MAINTENANCE	105.41
	KATELLA & WINNERS CIR. 06/	GENERAL FUND	STREET MAINTENANCE	210.82
	LOS AL & BRADBURY 06/2023	GENERAL FUND	STREET MAINTENANCE	296.00
	KATELLA & LOS AL 06/2023	GENERAL FUND	STREET MAINTENANCE	370.00
	KATELLA & LEXINGTON DR 06/	GENERAL FUND	STREET MAINTENANCE	<u>273.51</u>
			TOTAL:	2,674.74
DARSHINI AITHAL	WATERCOLOR PAINTING	GENERAL FUND	SPECIAL CLASSES	374.40
	GENTLE YOGA	GENERAL FUND	SPECIAL CLASSES	30.55
	ART ADVENTURES CAMP	GENERAL FUND	SPECIAL CLASSES	<u>212.55</u>
			TOTAL:	617.50
DATA TICKET, INC.	DAILY CITATION PROCESSING	GENERAL FUND	TRAFFIC	96.85
	DAILY NOTICES	GENERAL FUND	TRAFFIC	60.06
	OUT OF STATE COLLECTIONS	GENERAL FUND	TRAFFIC	50.00
	APPEAL PROCESSING REVIEW H	GENERAL FUND	TRAFFIC	2.00
	OTHER CORRESPONDENCE	GENERAL FUND	TRAFFIC	10.92
	DELIQUENT COLLECTION PROCE	GENERAL FUND	TRAFFIC	160.00
	CODE ENFORCEMENT 05/2023	GENERAL FUND	NEIGHBORHOOD PRESERVAT	<u>200.00</u>
			TOTAL:	579.83
DOOLEY ENTERPRISES, INC.	AMMO PURCHASE	GENERAL FUND	PATROL	<u>1,978.29</u>
			TOTAL:	1,978.29
ECOFERT, INC.	SERVICES JULY 2023	GENERAL FUND	PARK MAINTENANCE	<u>630.00</u>
			TOTAL:	630.00
ENTERPRISE FM TRUST	MONTHLY LEASE CHARGES 07/2	GARAGE FUND	GARAGE	<u>10,160.62</u>
			TOTAL:	10,160.62
INTEGRITY NEWSPAPER INC.	NOTICE PUBLIC HEARING	GENERAL FUND	RECORDS	50.00
	NIB COMMUNITY CENTER	BUILDING IMPROVEME	CAPITAL PROJECTS	<u>325.00</u>
			TOTAL:	375.00
THE FAMILY PLUMBER	BUILDING MAINTENANCE	GENERAL FUND	PARK MAINTENANCE	<u>525.00</u>
			TOTAL:	525.00
FIRE SERVICE CORP.	FIRE PROTECTION - CITY HAL	GENERAL FUND	BUILDING MAINTENANCE	1,936.53
	FIRE PROTECTION COMMUNITY	GENERAL FUND	BUILDING MAINTENANCE	<u>195.20</u>
			TOTAL:	2,131.73
FIREWORKS & STAGE FX AMERICA, INC.		GENERAL FUND	SPECIAL EVENTS	<u>16,750.00</u>
			TOTAL:	16,750.00

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
CARRI FOX	LINE DANCE DROP IN 6/14	GENERAL FUND	SPECIAL CLASSES	37.80
	LINE DANCE DROP IN 6/21	GENERAL FUND	SPECIAL CLASSES	42.00
	LINE DANCE DROP IN 7/5	GENERAL FUND	SPECIAL CLASSES	58.80
	LINE DANCE DROP IN 7/12	GENERAL FUND	SPECIAL CLASSES	<u>46.20</u>
			TOTAL:	184.80
FRANCHISE TAX BOARD	WAGE, GARNISH CRUZ, CHRIST POOL CLEARING FUND	NON-DEPARTMENTAL		<u>1,008.92</u>
			TOTAL:	1,008.92
FRONTIER COMMUNICATIONS	PHONE LINES JAIL ALARM	GENERAL FUND	COMMUNICATIONS TECHNOL	<u>357.45</u>
			TOTAL:	357.45
GALLS / QUARTERMASTER	UNIFORMS FOR CHIEF CLABORN	GENERAL FUND	POLICE ADMINISTRATION	86.47
	UNIFORMS FOR CAPTAIN SOUTH	GENERAL FUND	POLICE ADMINISTRATION	76.20
	UNIFORMS FOR CAPTAIN GALLA	GENERAL FUND	POLICE ADMINISTRATION	69.41
	PEPPER SPRAY HOLDERS	GENERAL FUND	PATROL	67.03
	UNIFORMS FOR HANNAN	GENERAL FUND	RECORDS	43.19
	UNIFORMS FOR HANNAN	GENERAL FUND	RECORDS	61.69
	UNIFORM FOR ROMAN	GENERAL FUND	RECORDS	114.11
	UNIFORMS FOR BELINDA ROMAN	GENERAL FUND	RECORDS	55.56
	UNIFORMS FOR SUGI	GENERAL FUND	TRAFFIC	171.10
	PEPPER SPRAY HOLDERS FOR P	GENERAL FUND	TRAFFIC	<u>97.01</u>
			TOTAL:	841.77
GANAHL LUMBER COMPANY	PAINTING SUPPLIES	GENERAL FUND	STREET MAINTENANCE	173.38
	CONSTRUCTION MARKING PAINT	GENERAL FUND	PARK MAINTENANCE	8.73
	COMMUNITY CENTER FLAG PART	GENERAL FUND	BUILDING MAINTENANCE	14.38
	BLDG MAINTENANCE DOOR REPA	GENERAL FUND	BUILDING MAINTENANCE	<u>19.64</u>
			TOTAL:	216.13
HIRSCH & ASSOCIATES, INC.	STERNS PARK PROJECT	GENERAL FUND	CAPITAL PROJECTS	<u>3,000.00</u>
			TOTAL:	3,000.00
JARED E. LLOYD	HCE DROP IN 6/13	GENERAL FUND	SPORTS	96.00
	HCE DROP IN 6/15	GENERAL FUND	SPORTS	128.00
	HCE DROP IN 6/20	GENERAL FUND	SPORTS	32.00
	HCE DROP IN 6/20	GENERAL FUND	SPORTS	208.00
	HCE DROP IN 6/22	GENERAL FUND	SPORTS	224.00
	HCE DROP IN 6/25	GENERAL FUND	SPORTS	96.00
	HCE DROP IN 6/29	GENERAL FUND	SPORTS	208.00
	HCE DROP IN 7/9	GENERAL FUND	SPORTS	32.00
	HCE DROP IN 7/11	GENERAL FUND	SPORTS	96.00
	HCE SHOOTING STARS & BALL	GENERAL FUND	SPORTS	804.00
	HCE SHOOTING STARS	GENERAL FUND	SPORTS	60.00
	HCE TRIPLE BUNDLE	GENERAL FUND	SPORTS	580.00
	HCE ATTACK	GENERAL FUND	SPORTS	128.00
	HCE BALLHANDLING CLINIC	GENERAL FUND	SPORTS	84.00
	HCE TRAVEL	GENERAL FUND	SPORTS	<u>1,264.80</u>
			TOTAL:	4,040.80
JODY BRUCKI	TUITION REIMBURSEMENT	GENERAL FUND	PATROL	<u>2,295.00</u>
			TOTAL:	2,295.00
JOHN MASSIE		GENERAL FUND	STREET MAINTENANCE	<u>36,975.00</u>
			TOTAL:	36,975.00

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
JUAN LAWN CARE INC		GENERAL FUND	BUILDING MAINTENANCE	<u>3,980.00</u>
			TOTAL:	3,980.00
K&S AIR CONDITIONING, INC.	A/C MAINTENANCE	GENERAL FUND	BUILDING MAINTENANCE	<u>1,253.03</u>
			TOTAL:	1,253.03
KARLA LOPEZ VAN METER	NASA JR. ASTRONAUTS	GENERAL FUND	SPECIAL CLASSES	934.70
	PREK LITTLE SCIENTIST LAB	GENERAL FUND	SPECIAL CLASSES	780.65
	CRAZY CHEMWORKS	GENERAL FUND	SPECIAL CLASSES	<u>578.50</u>
			TOTAL:	2,293.85
KEVIN & VICKY GARRETT TENNIS, INC.	TENNIS CAMP BEGINNER	GENERAL FUND	SPECIAL CLASSES	1,225.25
	TENNIS CAMP INTERMEDIATE	GENERAL FUND	SPECIAL CLASSES	341.25
	TENNIS CAMP ALL LEVELS	GENERAL FUND	SPECIAL CLASSES	1,118.00
	PEE WEE TUESDAY	GENERAL FUND	SPECIAL CLASSES	221.00
	ADULT BEGINNING WEDNESDAY	GENERAL FUND	SPECIAL CLASSES	247.00
	PEE WEE THURSDAY	GENERAL FUND	SPECIAL CLASSES	188.50
	YOUTH BEGINNING THURSDAY	GENERAL FUND	SPECIAL CLASSES	451.75
	YOUTH INTERMEDIATE THURSDA	GENERAL FUND	SPECIAL CLASSES	201.50
	PEE WEE SATURDAY	GENERAL FUND	SPECIAL CLASSES	325.00
	YOUTH BEGINNING SATURDAY	GENERAL FUND	SPECIAL CLASSES	331.50
	YOUTH INTERMEDIATE SATURDA	GENERAL FUND	SPECIAL CLASSES	<u>250.25</u>
			TOTAL:	4,901.00
KIMBERLY ESMOND	PRINCESS BALLET	GENERAL FUND	SPECIAL CLASSES	581.75
	HIP HOP	GENERAL FUND	SPECIAL CLASSES	403.00
	ALL IN ONE DANCE	GENERAL FUND	SPECIAL CLASSES	<u>490.75</u>
			TOTAL:	1,475.50
KONICA MINOLTA PREMIER	FINANCE COPIER LEASE 7/20-	GENERAL FUND	FINANCE	<u>1,048.46</u>
			TOTAL:	1,048.46
KONICA MINOLTA BUSINESS SOLUTIONS	PD COPIER LEASE: JUNE 2023	GENERAL FUND	POLICE ADMINISTRATION	<u>249.99</u>
			TOTAL:	249.99
JOSE MARTINEZ DBA LA HERRADURA MOBIL D	CARWASH FOR CODE ENFORCEME	GARAGE FUND	GARAGE	135.00
	CARWASH FOR ADMINISTRATION	GARAGE FUND	GARAGE	45.00
	CARWASH FOR POLICE DEPARTM	GARAGE FUND	GARAGE	90.00
	CARWASH FOR PUBLIC WORKS	GARAGE FUND	GARAGE	45.00
	CARWASH FOR POLICE DEPARTM	GARAGE FUND	GARAGE	595.00
	CAR WASH FOR CODE ENFORCEM	GARAGE FUND	GARAGE	135.00
	CAR WASH FOR ADMINISTRATIO	GARAGE FUND	GARAGE	45.00
	CAR WASH FOR RECREATION	GARAGE FUND	GARAGE	45.00
	CAR WASH FOR POLICE DEPART	GARAGE FUND	GARAGE	180.00
	CAR WASH FOR POLICE DEPART	GARAGE FUND	GARAGE	<u>730.00</u>
			TOTAL:	2,045.00
LAURA COLE	JULY 2023 SERVICES	GENERAL FUND	NON-DEPARTMENTAL	<u>3,000.00</u>
			TOTAL:	3,000.00
YING LIU	PORTRAIT WORKSHIP 6/17	GENERAL FUND	SPECIAL CLASSES	78.00
	PORTRAIT WORKSHOP 6/24	GENERAL FUND	SPECIAL CLASSES	97.50
	PORTRAIT WORKSHIP 7/1	GENERAL FUND	SPECIAL CLASSES	87.75
	PORTRAIT WORKSHOP 7/8	GENERAL FUND	SPECIAL CLASSES	87.75
	PORTRAIT WORKSHOP 7/15	GENERAL FUND	SPECIAL CLASSES	<u>107.25</u>
			TOTAL:	458.25

VENDOR SORT KEY		DESCRIPTION	FUND	DEPARTMENT	AMOUNT
LOS ANGELES UNIFIED SCHOOL DISTRICT		BILINGUAL TESTING SERVICES	GENERAL FUND	STREET MAINTENANCE	<u>90.00</u>
				TOTAL:	90.00
MCA DIRECT		PERMANENT RECORD BINDER	GENERAL FUND	CITY COUNCIL	<u>246.70</u>
				TOTAL:	246.70
MICHAEL BALLIET CONSULTING, LLC		SERVICES 03/2023-05/31/202	GENERAL FUND	NON-DEPARTMENTAL	<u>7,687.75</u>
				TOTAL:	7,687.75
MISC. VENDOR	REFUND	UNSATISFIED WITH PROGRAM	GENERAL FUND	NON-DEPARTMENTAL	125.00
	REFUND	OVEN NOT WORKING AT CAMP	GENERAL FUND	NON-DEPARTMENTAL	208.00
	REFUND	OVEN NOT WORKING AT CAMP	GENERAL FUND	NON-DEPARTMENTAL	2.00
	REFUND	CANCELLED CLASS DUE TO HOL	GENERAL FUND	NON-DEPARTMENTAL	32.50
	REFUND	CLASS CANCELED DUE TO HOLI	GENERAL FUND	NON-DEPARTMENTAL	15.00
	REFUND	CANCELLED CLASS LOW ENROLL	GENERAL FUND	NON-DEPARTMENTAL	166.00
	REFUND	CANCELLED CLASS LOW ENROLL	GENERAL FUND	NON-DEPARTMENTAL	4.00
	REFUND	CANCELLED CLASS LOW ENROLL	GENERAL FUND	NON-DEPARTMENTAL	101.00
	REFUND	CANCELLED CLASS LOW ENROLL	GENERAL FUND	NON-DEPARTMENTAL	4.00
	JENNIFER DEEBLE	LAUREL FIELD FEES	GENERAL FUND	NON-DEPARTMENTAL	9.00
	JENNIFER DEEBLE	LAUREL LIGHT FEES	GENERAL FUND	NON-DEPARTMENTAL	8.25
	EMILY HIBARD	MILEAGE REIMBURSEMENT	GENERAL FUND	CITY COUNCIL	20.17
	TRISHA MURPHY	MILEAGE REIMBURSEMENT	GENERAL FUND	CITY COUNCIL	22.47
	AMANDA MCDOWELL	UNIFORM BOOTS REIMBURSEMEN	GENERAL FUND	RECORDS	125.00
	HANNAH ORTIZ	UNIFORM BOOTS REIMBURSEMEN	GENERAL FUND	RECORDS	125.00
	JASON BRUTON	GANAHL PURCHASE AQUATIC SU	GENERAL FUND	SPECIAL CLASSES	162.27
	FAMILY SUPP REGIS	:ID#12634200 CHSP	POOL CLEARING FUND	NON-DEPARTMENTAL	230.76
	FAMILY SUPP REGIS	:ID#12634200 CHSP	POOL CLEARING FUND	NON-DEPARTMENTAL	<u>230.76</u>
				TOTAL:	1,591.18
MOVIES BY KIDS-O.C.		LEGO STAR WARS ANIMATION	GENERAL FUND	SPECIAL CLASSES	443.10
		HOLLYWOOD SPECIAL EFFECTS	GENERAL FUND	SPECIAL CLASSES	<u>633.75</u>
				TOTAL:	1,076.85
NEWPORT EXTERMINATING		EXTERIOR TREATED GENERAL P	GENERAL FUND	BUILDING MAINTENANCE	175.00
		RODENT CTRL BAIT STATION (	GENERAL FUND	BUILDING MAINTENANCE	<u>60.00</u>
				TOTAL:	235.00
NORM'S AUTOMOTIVE CENTER, INC.		2013 CHEVY LICENSE 66041G1	GARAGE FUND	GARAGE	<u>8,224.32</u>
				TOTAL:	8,224.32
OC CHIEFS OF POLICE & SHERIFFS ASSOCIA		CHIEF CLABORN FY 23/24 ANN	GENERAL FUND	POLICE ADMINISTRATION	<u>500.00</u>
				TOTAL:	500.00
OPENGOV, INC.		SUBSCRIPTION RENEAL 23/24	GENERAL FUND	FINANCE	<u>3,150.00</u>
				TOTAL:	3,150.00
ORANGE COUNTY COUNCIL OF GOVERNMENTS		ANNUAL OCCOG DUES 23/24	GENERAL FUND	CITY COUNCIL	<u>4,869.07</u>
				TOTAL:	4,869.07
ORANGE COUNTY TRAINING MANAGER'S ASSOC		ANNUAL DUE FY23/24	GENERAL FUND	COMMUNITY OUTREACH	<u>100.00</u>
				TOTAL:	100.00
PACIFIC ARCHITECTURAL WOODWORKING INC		DEMO CITY HALL COUNTER	GENERAL FUND	BUILDING MAINTENANCE	<u>2,615.10</u>
				TOTAL:	2,615.10
PENINSULA SEPTIC SERVICE, INC.		LITTLE COTTONWOOD PARK	GENERAL FUND	PARK MAINTENANCE	580.00

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
			TOTAL:	580.00
PFM FINACIAL ADVISOS LLC	CONSULTING PENSION PAYDOWN	GENERAL FUND	FINANCE	7,200.00
			TOTAL:	7,200.00
PLSNNING DIRECTOR'S ASSOC OF ORANGE CO	PDAOC ANNUAL DUES	GENERAL FUND	COMMUNITY DEVEL ADMIN	125.00
			TOTAL:	125.00
POWERTRIP RENTALS, LLC		GENERAL FUND	SPECIAL EVENTS	6,135.16
			TOTAL:	6,135.16
PRINTMASTERS	EVENT VEHICLE TAGS	GENERAL FUND	COMMUNITY DEVEL ADMIN	284.05
	SPECIAL EVENT - DOG PARK S	GENERAL FUND	SPECIAL EVENTS	54.63
			TOTAL:	338.68
Public Risk Innovation Solutions and M	FISCAL YEAR 2023-2024	SELF INSURANCE TRU	INSURANCE	4,727.00
	FISCAL YEAR 2023-2024	SELF INSURANCE TRU	INSURANCE	32,638.00
	PREMIUM FEE 03/23-06/23	SELF INSURANCE TRU	INSURANCE	28,562.75
	ADMINISTRATION FEE 03/23-0	SELF INSURANCE TRU	INSURANCE	436.75
	SERVICES 07/2023-03/2024	SELF INSURANCE TRU	INSURANCE	85,688.25
	SERVICES 07/2023-03/2024	SELF INSURANCE TRU	INSURANCE	1,310.25
			TOTAL:	153,363.00
ROBERT HALF INTERNATIONAL INC	CONTRACT STAFF - THACH SOP	GENERAL FUND	FINANCE	2,090.00
			TOTAL:	2,090.00
RONSMMAINTENANCE INC	CATCH BASIN CLEANING	GENERAL FUND	STREET MAINTENANCE	4,720.00
			TOTAL:	4,720.00
CHERYL J. SCHNITZER	LINE DANCE 6/12	GENERAL FUND	SPECIAL CLASSES	48.75
	LINE DANCE 6/19	GENERAL FUND	SPECIAL CLASSES	48.75
	LINE DANCE 6/26	GENERAL FUND	SPECIAL CLASSES	58.50
	LINE DANCE 7/10	GENERAL FUND	SPECIAL CLASSES	58.50
			TOTAL:	214.50
SDI PRESENCE LLC	IT SUPPORT SVCS 7.14% OF 1	TECHNOLOGY REPLACE	ADMINISTRATIVE SERVICE	5,871.00
	IRONSCALES LICENSE 8.33% 1	TECHNOLOGY REPLACE	ADMINISTRATIVE SERVICE	441.96
	T&M IT SUPPORT SVCS	TECHNOLOGY REPLACE	ADMINISTRATIVE SERVICE	4,987.50
	SENTINELONE CONTROL	TECHNOLOGY REPLACE	ADMINISTRATIVE SERVICE	370.76
	CLOUD B/U & VEEAM ENT. PLU	TECHNOLOGY REPLACE	ADMINISTRATIVE SERVICE	1,191.00
	IRONSCALES LICENSE	TECHNOLOGY REPLACE	ADMINISTRATIVE SERVICE	441.96
			TOTAL:	13,304.18
SHAWN WALTOWER - GUAVA GROOVE	GUAVA GROOVE UKULELE BEGIN	GENERAL FUND	SPECIAL CLASSES	141.70
	GUAVA GROOVE UKULELE INTER	GENERAL FUND	SPECIAL CLASSES	333.45
	KULA A'O UKULELE A HOKULAN	GENERAL FUND	SPECIAL CLASSES	842.40
			TOTAL:	1,317.55
MCLEAN ENTERPRISES, INC.	NEIGHBORHOOD CLEAN UP	GENERAL FUND	COMMUNITY DEVEL ADMIN	543.07
	NEIGHBORHOOD CLEAN UP	GENERAL FUND	COMMUNITY DEVEL ADMIN	163.88
	EDDM REMINDER POSTCARD	GENERAL FUND	COMMUNITY DEVEL ADMIN	1,709.40
	EVENT DOOR HANGERS	GENERAL FUND	COMMUNITY DEVEL ADMIN	480.79
			TOTAL:	2,897.14
SITEONE LANDSCAPE SUPPLY HOLDING, LLC	LANDSCAPE SUPPLIES	GENERAL FUND	PARK MAINTENANCE	29.73
			TOTAL:	29.73

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
SPORTSWEAR UNLIMITED CORPORATION	REISSUE:SHIRT OF STAFF UNI	GENERAL FUND	SPORTS	<u>1,474.88</u>
			TOTAL:	1,474.88
ST. OF CALIFORNIA DEPT. OF JUSTICE	MAY 2023 LIVESCANS	GENERAL FUND	NON-DEPARTMENTAL	386.00
	MARIA LAURA DANGELO	GENERAL FUND	NON-DEPARTMENTAL	32.00
	JOSEPH PAUL MARSH	GENERAL FUND	NON-DEPARTMENTAL	32.00
	RICHARD RODRIGUEZ	GENERAL FUND	NON-DEPARTMENTAL	32.00
	PETER EMMANUEL TEJEDA	GENERAL FUND	NON-DEPARTMENTAL	32.00
	FERNANDA FLORES	GENERAL FUND	NON-DEPARTMENTAL	32.00
	BRETT GOMBERG	GENERAL FUND	NON-DEPARTMENTAL	32.00
	EMMA HAYGOOD	GENERAL FUND	NON-DEPARTMENTAL	32.00
	KENDALL JOINER	GENERAL FUND	NON-DEPARTMENTAL	32.00
	MELIA KUKHIKO	GENERAL FUND	NON-DEPARTMENTAL	32.00
	ALEXANDRIA LAW	GENERAL FUND	NON-DEPARTMENTAL	32.00
	AVERY OVERBY	GENERAL FUND	NON-DEPARTMENTAL	32.00
	SAMIRA SEMANN	GENERAL FUND	NON-DEPARTMENTAL	32.00
	JUNE 2023 LIVE SCANS	GENERAL FUND	NON-DEPARTMENTAL	<u>303.00</u>
			TOTAL:	1,073.00
TERRA NOVA PLANNING & RESEARCH, INC	HOUSING ELEMENT UPDATE 06/	GENERAL FUND	PLANNING	<u>4,667.45</u>
			TOTAL:	4,667.45
THE INTERSECT GROUP LLC	DALINA VO	GENERAL FUND	FINANCE	<u>1,279.52</u>
			TOTAL:	1,279.52
THE WALKING MAN INC	DISTRIBUTION DOORHANGERS C	GENERAL FUND	COMMUNITY DEVEL ADMIN	<u>775.00</u>
			TOTAL:	775.00
TIME WARNER CABLE	CABLE SERVICE 06/2023	GENERAL FUND	COMMUNICATIONS TECHNOL	139.85
	CABLE SERVICE JULY 2023	GENERAL FUND	COMMUNICATIONS TECHNOL	<u>138.85</u>
			TOTAL:	278.70
TIMOTHY D BOWEN	ADVENTURES STEM LEGO MATER	GENERAL FUND	SPECIAL CLASSES	<u>382.20</u>
			TOTAL:	382.20
TOP NOTCH CO LLC	LAUREL PARK IRRIGATION REP	GENERAL FUND	PARK MAINTENANCE	<u>280.00</u>
			TOTAL:	280.00
TRAUMA INTERVENTION PROGRAMS, INC.	FY 2023-2024	GENERAL FUND	PATROL	<u>1,509.60</u>
			TOTAL:	1,509.60
ULINE, INC.	EQUIP REPLACEMENT FLOOR MA	GENERAL FUND	BUILDING MAINTENANCE	<u>3,120.07</u>
			TOTAL:	3,120.07
UNDERGROUND SERVICE ALERT OF SO CAL	1 OF 5 MONTHLY DATABASE	GENERAL FUND	STREET MAINTENANCE	<u>41.50</u>
			TOTAL:	41.50
UNITED STATES POSTMASTER	POSTAGE FOR MAILING FALL 2	GENERAL FUND	RECREATION ADMINISTRAT	<u>1,817.07</u>
			TOTAL:	1,817.07
WEBSTER'S LLC	BEEHIVE REMOVAL	GENERAL FUND	STREET MAINTENANCE	385.00
	EXTERIOR TREATED BEE REMOV	GENERAL FUND	STREET MAINTENANCE	<u>350.00</u>
			TOTAL:	735.00
WILLDAN ENGINEERING	INTERIM PUB WORKS MGR 06/2	GENERAL FUND	CITY ENGINEER	15,600.00
	PROFESSIONAL SVCS 02/2023	GENERAL FUND	CITY ENGINEER	<u>2,885.00</u>

VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
	INTERIM PUB WORKS MGR 05/2	GENERAL FUND	CITY ENGINEER	18,337.50
	CITY ENGINEER	GENERAL FUND	CITY ENGINEER	9,600.00
	PLAN CHECKING	GENERAL FUND	CITY ENGINEER	21,460.75
	TRAFFIC ENGINEER	GENERAL FUND	CITY ENGINEER	4,223.00
	TRAFFIC ENGINEER	GENERAL FUND	CITY ENGINEER	1,504.00
	2022-23 STREET IMPROVEMENT	GENERAL FUND	CAPITAL PROJECTS	37,019.25
	BLOOMFIELD PMRF	GAS TAX	CAPITAL PROJECTS	351.00
	LATV BUILDING DEMO	BUILDING IMPROVEME	CAPITAL PROJECTS	3,709.35
	PAVEMENT MGMT PLAN	MEASURE M	CAPITAL PROJECTS	3,941.25
	BRIGGEMAN STREET WIDENING	TRAFFIC IMPROVEMEN	CAPITAL PROJECTS	11,216.00
	BRIGGEMAN STREET WIDENING	TRAFFIC IMPROVEMEN	CAPITAL PROJECTS	342.00
	BRIGGEMAN STREET WIDENING	TRAFFIC IMPROVEMEN	CAPITAL PROJECTS	460.00
	COMMUNITY CENTER ROOF	FACILITY CAPITAL E	CAPITAL PROJECTS	187.00
	EMERGENCY GENERATOR	FACILITY CAPITAL E	CAPITAL PROJECTS	<u>276.00</u>
			TOTAL:	131,112.10
WOODRUFF & SMART, APC	PROSECUTOR SVCS JUNE 2023	GENERAL FUND	CITY ATTORNEY	3,817.50
	GENERAL ADVISORY JUNE 2023	GENERAL FUND	CITY ATTORNEY	12,357.42
	LITIGATION SVCS JUNE 2023	GENERAL FUND	CITY ATTORNEY	<u>1,582.00</u>
			TOTAL:	17,756.92

===== FUND TOTALS =====

10	GENERAL FUND	655,183.99
20	GAS TAX	351.00
25	BUILDING IMPROVEMENT	4,034.35
26	MEASURE M	3,941.25
44	TRAFFIC IMPROVEMENT	12,018.00
50	GARAGE FUND	21,129.94
52	FACILITY CAPITAL EXPENSES	463.00
53	TECHNOLOGY REPLACEMENT	15,185.76
54	SELF INSURANCE TRUST	154,186.38
99	POOL CLEARING FUND	1,470.44

	GRAND TOTAL:	867,964.11

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VENDOR SORT KEY	DESCRIPTION	FUND	DEPARTMENT	AMOUNT
GOLDEN STATE WATER COMPANY	04773000007	GENERAL FUND	STREET MAINTENANCE	203.34
	11773000002	GENERAL FUND	STREET MAINTENANCE	30.24
	12562000005	GENERAL FUND	STREET MAINTENANCE	228.78
	51773000008	GENERAL FUND	STREET MAINTENANCE	425.06
	61773000007	GENERAL FUND	STREET MAINTENANCE	192.77
	80518200003	GENERAL FUND	STREET MAINTENANCE	353.01
	91773000004	GENERAL FUND	STREET MAINTENANCE	840.46
	74773000000	GENERAL FUND	PARK MAINTENANCE	434.86
	21773000001	GENERAL FUND	BUILDING MAINTENANCE	473.00
	31773000000	GENERAL FUND	BUILDING MAINTENANCE	<u>394.19</u>
TOTAL:				3,575.71

===== FUND TOTALS =====		
10	GENERAL FUND	3,575.71

	GRAND TOTAL:	3,575.71

Retirees Medical Reimbursement

Date: July 01, 2023

Number of Transactions: 16

Total Batch: \$10,881.03

Payroll 7/07/2023

-----DEPARTMENT RECAP-----									
DEPT NO#	GROSS	REGULAR	OVERTIME	LEAVE	OTHER	DEDUCTIONS	TAXES	NET	
10-510 City Council	923.20	923.20	0.00	0.00	0.00	36.50	13.40	873.30	
10-511 City Manager/ City Clerk	23,000.21	18,884.16	0.00	1,102.80	3,013.25	2,892.00	3,962.77	16,145.44	
10-512 Finance	12,171.98	10,072.70	0.00	722.50	1,376.78	908.16	1422.66	9,841.16	
10-521 Police Administration	28,452.00	23,164.69	0.00	4,087.31	1,200.00	4,951.72	5,218.44	18,281.84	
10-522 Police- Patrol	74,507.90	50,443.79	8,543.76	6,704.21	8,816.14	14,438.37	10,472.19	49,597.34	
10-523 Police- Investigation	9,361.96	7,840.80	979.12	0.00	542.04	2,642.87	1,050.06	5,669.03	
10-524 Police- Records	12,606.11	6,816.84	655.65	65.57	5,068.05	759.61	2,159.00	9,687.50	
10-526 Police- Community Outreach	2,063.88	0.00	0.00	0.00	2,063.88	77.40	168.55	1,817.93	
10-527 Police-Youth Programs	8,664.72	3,368.48	335.28	4278.88	682.08	1398.26	1727.54	5,538.92	
10-528 Police- Traffic	3,133.06	0.00	0.00	0.00	3,133.06	117.48	106.49	2,909.09	
10-531 Development Services- Administration	25,637.39	20,043.80	406.53	1,283.40	3,903.66	2,736.43	4,366.81	18,534.15	
10-532 Development Services- Planning	3,518.16	1,888.56	185.76	1413.84	30.00	510.12	674.23	2,333.81	
10-533 Development Services- Neighborhood Preservation	4,365.47	2,321.60	0.00	0.00	2,043.87	254.28	519.78	3,591.41	
10-542 Development Services- Street Maintenance	9,702.05	6,411.20	0.00	2,486.10	804.75	1,530.52	752.95	7,418.58	
10-543 Development Services- Park Maintenance	995.00	0.00	0.00	0.00	995.00	37.31	69.37	888.32	
10-544 Development Services- Facility Maintenance	2,520.40	2,110.40	0.00	0.00	410.00	351.74	40.19	2,128.47	
10-545 Economic Development	2,891.60	1,430.80	0.00	1430.80	30.00	194.09	137.94	2,559.57	
10-551 Recreation Administration	37,964.98	25,262.31	90.18	9,108.09	3,504.40	4,670.50	6,399.67	26,894.81	
10-556 Recreation- Sports	40,045.67	0.00	0.00	465.49	39,580.18	1501.69	2,812.23	35,731.75	
TOTALS	\$302,525.74	\$180,983.33	\$11,196.28	\$33,148.99	\$77,197.14	\$40,009.05	\$42,074.27	\$220,442.42	

REGULAR INPUT: 129 MANUAL INPUT: 0 CHECK STUB COUNT: 2 DIRECT DEPOSIT STUB COUNT: 127

BENEFITS & WITHHOLDINGS

		Employee	Employer
Fed Taxes	Employee/ Employer (MediCare)	\$36,558.31	\$32,280.14
State Taxes	Employee	\$9,794.13	\$4,278.17
ICMA	Employee	\$3,645.45	
PD Association	Employee	\$1,475.51	
LosAl Employees Assoc	Employee	\$280.00	
Nationwide ~ Full Time	Employee	\$1,540.00	
Nationwide ~ PT	Employee/ Employer	\$4,329.12	\$2,164.56
PERS Deferred Comp	Employee	\$1,455.98	
PERS	Employee/ Employer	\$54,508.30	\$21,540.13
AFLAC	Employee	\$123.30	
PERS Medical	Employee/ Employer	\$72,018.75	
Delta Dental PPO	Employer	\$4,198.50	
Delta Dental HMO	Employer	\$403.91	
VSP Vision	Employer	\$978.03	
Standard Self Admin	Employee/ Employer	\$1,834.17	
Standard Life Optional	Employee	\$360.65	
TOTALS		\$193,504.11	\$55,984.83
			\$39,410.90

DEDUCTION GRAND TOTALS

-----EARNINGS-----			-----DEDUCTIONS-----			-----TAXES-----			
DESC	HRS	AMOUNT	CD	ABBV	EMPLOYEE	EMPLOYER	DESC	TAXABLE	EMPLOYEE
WCSM	90.00	\$4,015.20	125	I-125	\$770.05		FED W/H	\$262,031.56	\$28,001.97
REG	4,260.26	\$180,983.33	129	I-129	\$192.31		ST WH CA	\$262,031.56	\$9,794.13
PTRG	2,991.75	\$53,845.91	AFP	AFLEPT	\$25.93		MEDI	\$295,044.88	\$4,278.17
PHEO	80.33	\$2,367.90	CS1	CS-C0	\$230.76				\$4,278.17
OT	67.58	\$3,899.13	DCI	DCICM	\$3,117.60				
OTS	85.48	\$6,980.95	DCM	DCICM		\$350.00			
CTOT	4.00	\$316.20	DCN	DCNW	\$1,540.00				
CAR	0.00	\$1,100.00	DCP	DCPRS	\$1,375.76				
CELL	0.00	\$1,060.00	DD1	DPFO1		\$247.50			
PPHC	0.00	\$469.68	DD2	DPFO2		\$211.50			
MEDR	0.00	\$5,950.00	DD3	DPFO3		\$697.95			
SPAS	0.00	\$1,213.20	DD4	DDMO1		\$23.13			
SPSK	0.00	\$124.72	DD5	DDMO2		\$27.78			
OCWD	0.00	\$475.00	DD6	DDMO3		\$102.75			
OCWE	0.00	\$320.00		DI%	\$90.31				
UNIF	0.00	\$125.00		DIS	\$15.74				
UNIT2	0.00	\$75.00		DLI	\$87.54				
FTO	0.00	\$260.46	DLP	DCLPE	\$80.22				
RTRO	0.00	\$2,313.39	LEA	LAEAD	\$280.00				
ADML	89.00	\$4,384.16	LIF	LIFE	\$186.31				
COMP	56.66	\$2,433.46	LTD	A LTD	\$102.37				
EAU	30.00	\$1,394.34	MED	MDINS	\$6,684.88	\$24,104.55			
EAA	60.00	\$0.00	PBB	PRSB	\$481.97				
COMA	27.68	\$0.00	PN1	PEPME	\$4,319.83				
FLHO	56.00	\$3,009.54	PN2	PEPMR		\$4,780.61			
SICK	105.88	\$2,826.49	PN3	PEPSE	\$7,501.99				
VAC	227.20	\$9,157.94	PN4	PEPSR		\$7,375.04			
HOLP	88.00	\$4,005.76	POA	POA	\$120.00				
POST2	0.00	\$191.28	POS	POAS	\$1,355.51				
POST5	0.00	\$200.00	PRO	PRM8	\$1,955.46				
POST6	0.00	\$450.00	PR2	PRSMR		\$7,422.70			
POST7	0.00	\$2,086.19	PR4	PRSSR		\$10,368.82			
POST8	\$0.00	\$349.21	PR5	PRSB4	\$1,042.02				
POVA	\$90.00	\$5,937.30	PR6	PRSAF	\$2,201.42				
BILI	\$0.00	\$150.00	PR7	PRMB4	\$928.54				
HOT	\$0.00	\$55.00	PR8	PRMAF	\$1,348.47				
			PR9	PRSCC	\$685.80				
			RT-PT	RT-PT	\$2,164.56	\$2,164.56			
			SURV	SURVI	\$52.08				
			VS1	VIS1		\$74.48			
			VS2	VIS2		\$61.04			
			VS3	VIS3		\$164.64			
			WG%	WAGAR	\$1,071.62				
Totals	8,399.82	\$ 302,525.74			\$40,009.05	\$58,177.05		\$ 42,074.27	\$4,278.17

Payroll 7/21/2023

-----DEPARTMENT RECAP-----								
DEPT NO#	GROSS	REGULAR	OVERTIME	LEAVE	OTHER	DEDUCTIONS	TAXES	NET
10-510 City Council	923.20	923.20	0.00	0.00	0.00	36.50	13.40	873.30
10-511 City Manager/ City Clerk	43,496.15	15,782.20	0.00	2,360.40	25,353.55	3,022.61	8,468.06	32,005.48
10-512 Finance	12,738.77	9,270.88	95.68	797.93	2,574.28	1065.62	1486.75	10,186.40
10-521 Police Administration	38,624.00	23,496.00	0.00	780.00	14,348.00	4,901.37	4,549.65	29,172.98
10-522 Police- Patrol	109,336.19	51,845.79	12,934.50	10,297.18	34,258.72	15,366.37	24,412.78	69,557.04
10-523 Police- Investigation	9,895.17	7,154.44	1,398.78	882.36	459.59	2,513.42	1,189.39	6,192.36
10-524 Police- Records	15,729.11	4,075.30	0.00	2252.70	9,401.11	739.42	3,159.53	11,830.16
10-526 Police- Community Outreach	1,769.04	0.00	0.00	0.00	1,769.04	66.34	111.49	1,591.21
10-527 Police-Youth Progams	4,269.44	2,877.52	0.00	855.28	536.64	899.85	397.06	2,972.53
10-528 Police- Traffic	2,198.40	0.00	0.00	16.28	2,182.12	82.44	50.74	2,065.22
10-531 Development Services- Administration	38,541.47	11,806.90	0.00	6,133.00	20,601.57	2,699.45	10,329.24	25,512.78
10-532 Development Services- Planning	13,341.60	2,673.28	0.00	250.62	10417.70	513.26	4725.28	8,103.06
10-533 Development Services- Neighborhood Preservation	5,495.37	1,010.88	924.01	1263.60	2,296.88	293.45	896.73	4,305.19
10-542 Development Services- Street Maintenance	27,987.65	5,736.36	399.10	926.69	20,925.50	1,707.72	762.28	25,517.65
10-543 Development Services- Park Maintenance	752.70	0.00	0.00	0.00	752.70	28.23	37.35	687.12
10-544 Development Services- Facility Maintenance	2,652.60	1,995.84	0.00	0.00	656.76	381.15	45.02	2,226.43
10-545 Economic Development	3,090.41	1,931.50	0.00	772.61	386.30	240.44	167.49	2,682.48
10-551 Recreation Administration	59,166.79	20,625.46	42.14	5,639.40	32,859.79	4,962.83	13,269.84	40,934.12
10-556 Recreation- Sports	37,015.45	0.00	0.00	568.61	36,446.84	1388.06	2,281.28	33,346.11
TOTALS	\$427,023.51	\$161,205.55	\$15,794.21	\$33,796.66	\$216,227.09	\$40,908.53	\$76,353.36	\$309,761.62
REGULAR INPUT: 131 MANUAL INPUT: 0 CHECK STUB COUNT: 1 DIRECT DEPOSIT STUB COUNT: 130								

BENEFITS & WITHHOLDINGS

		Employee	Employer
Fed Taxes	Employee/ Employer (MediCare)	\$62,848.96	\$56,769.81
State Taxes	Employee	\$19,583.55	\$6,079.15
ICMA	Employee	\$3,446.71	
PD Association	Employee	\$1,277.46	
Local Employees Assoc	Employee	\$280.00	
Nationwide - Full Time	Employee	\$1,540.00	
Nationwide - PT	Employee/ Employer	\$3,976.24	\$1,988.12
PERS Deferred Comp	Employee	\$1,455.98	
PERS	Employee/ Employer	\$55,049.77	\$21,540.13
AFLAC	Employee		
PERS Medical	Employee/ Employer		
Delta Dental PPO	Employer		
Delta Dental HMO	Employer		
VSP Vision	Employer		
Standard Self Admin	Employee/ Employer		
Standard Life Optional	Employee		
TOTALS		\$149,458.67	\$80,298.06
			\$41,035.44

DEDUCTION GRAND TOTALS

DESC	EARNINGS		CD	ABV	EMPLOYEE	EMPLOYER	DESC	TAXES		EMPLOYEE	EMPLOYER
	HRS	AMOUNT						TAXABLE			
WCSM	80.00	\$4,115.20	125	I-125			FED W/H	\$385,269.10	\$50,690.66		
REG	3,732.51	\$161,205.55	129	I-129			ST WH CA	\$385,269.10	\$19,583.55		
PTRG	2,760.42	\$50,019.44	AFP	AFLEPT			MEDI	\$419,247.90	\$6,079.15		\$6,079.15
PHEO	50.00	\$1,489.90	CS1	CS-CO							
HOL	372.00	\$17,203.12		DCICM	\$2,917.60						
ABST	46.00	\$0.00	DCM	DCICM		\$350.00					
OT	33.13	\$1,460.93	DCN	DCNW	\$1,540.00						
OTS	162.66	\$14,009.21	DCP	DCPRS	\$1,375.76						
CTOT	4.00	\$324.07	DD1	DDP01			\$247.50				
MOT	0.00	\$169.68	DD2	DDP02			\$211.50				
CAR	0.00	\$1,100.00	DD3	DDP03			\$697.95				
PPHC	0.00	\$469.68	DD4	DDM01			\$23.13				
MEDR	0.00	\$5,950.00	DD5	DDM02			\$27.78				
SPAS	0.00	\$1,243.48	DD6	DDM03			\$102.75				
SPSK	0.00	\$127.84	DI%	DCI%	\$91.57						
OCWD	0.00	\$250.00		DISAF	\$15.74						
OCWE	0.00	\$160.00	DLI	DCLIC	\$87.54						
UNIF	0.00	\$125.00	DLP	DCLPE	\$80.22						
UNI2	0.00	\$75.00	LEA	LAEAD	\$280.00						
FTO	0.00	\$144.08	LIF	LIFE	\$186.31						
RTRO	0.00	\$884.00	LTD	A LTD	\$102.37						
ADML	126.50	\$7,677.02	MED	MDINS	\$6,979.63	\$24,839.05					
COMP	40.76	\$2,005.61	PBB	PRSB	\$481.97						
EAU	60.00	\$3,256.50	PN1	PEPME	\$4,979.54						
EAA	30.00	\$0.00	PN2	PEPMR		\$4,934.55					
COMA	41.63	\$0.00	PN3	PEPSE	\$8,043.32						
FLHO	37.83	\$1,853.27	PN4	PEPSR		\$7,920.49					
SICK	132.00	\$4,733.16	POA	POA	\$120.00						
VAC	296.66	\$13,663.75	POS	POAS	\$1,157.46						
POST7	0.00	\$2,342.72	PRO	PRMB	\$1,975.19						
POST8	0.00	\$357.95	PR2	PRSMR		\$8,349.01					
POVA	21.91	\$607.35	PR4	PRSSR		\$12,087.48					
RTBS	\$0.00	\$130,000.00	PR5	PRSB4	\$1,070.24						
			PR6	PRSAF	\$2,256.78						
			PR7	PRMB4	\$804.22						
			PR8	PRMAF	\$1,408.17						
			PR9	PRSCC	\$685.80						
			RTP	RT-PT	\$1,988.12	\$1,988.12					
			SUR	SURVI	\$53.01						
			V81	VIS1		\$74.48					
			V82	VIS2		\$61.04					
			V83	VIS3		\$164.64					
			W85	WAGAR	\$1,008.92						
Totals	8,028.01	\$ 427,023.51			\$40,908.53	\$62,079.47			\$ 76,353.36	\$6,079.15	

MINUTES OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS

REGULAR MEETING Monday, July 17, 2023

1. CALL TO ORDER

The City Council met in Regular Session at 6:01 p.m., Monday, July 17, 2023, in the Council Chamber located at 3191 Katella Ave., Los Alamitos, CA 90720, Mayor Doby presiding.

2. ROLL CALL

Present: Council Members: Hasselbrink, Hibard, Murphy
Mayor Pro Tem Nefulda, Mayor Doby

Absent: Council Members: None

Present: Staff: Chet Simmons, City Manager
Michael Claborn, Chief of Police
Michael Daudt, City Attorney
Craig Koehler, Finance Director
Irving Montenegro Jr., Development Services Manager
Emeline Noda, Recreation and Community Services Director
Ron Noda, Development Services Director
Tom Oliver, Associate Planner
Windmera Quintanar, MMC, City Clerk
Chelsi Wilson, Administrative Services Manager

3. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Nefulda led the Pledge of Allegiance.

4. INVOCATION

Council Member Hasselbrink gave the Invocation.

5. PRESENTATIONS

Mayor Doby and the City Council presented the listed items.

- A. Presentation of a Plaque to Senator Janet Nguyen in Recognition of Being Named Legislator of the Year**
- B. Presentation of Certificates to the Women of Distinction from the State Senate, District 36**
- C. Presentation of a Certificate to Theresa Murphy, Executive Director of Precious Life Shelter in Recognition of Being Featured in the Mayor's Business Spotlight**

- D. **Presentation of an Award to Clarissa Graves in Recognition of Being Named the Los Alamitos Police Department's Citizen of the Year**
- E. **Presentation of an Award to Corporal DeAngelo Gossett in Recognition of Being Named the Los Alamitos Police Department's Officer of the Year**
- F. **Badge Pinning Ceremony for Officer Jesse Lopez**
- G. **Badge Pinning Ceremony for Corporal Daniel Kim**
- H. **Badge Pinning Ceremony for Corporal DeAngelo Gossett**

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.

Mayor Doby opened Oral Communications. There being no one present wishing to speak, Mayor Doby closed Oral Communications.

7. UPDATES FROM THE MAYOR

At this time, the Mayor may report on items not specifically described on the Agenda that are of interest to the community, provided no action or discussion is taken.

Mayor Doby gave an update regarding the July 3rd Spectacular, the Town Hall meeting hosted by Senator Janet Nguyen where she announced funding for Los Alamitos, Congressmember Steel was able to appropriate funding for Los Alamitos shovel ready project, the new Volunteer In Policing (VIP) Program, upcoming improvements at the American Legion Post, and advised she would not be running for higher office.

8. UPDATES FROM THE CITY STAFF

At this time, City Staff 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.

Chief Covey, Orange County Fire Authority, gave a PowerPoint presentation regarding Water Safety.

9. WARRANTS

A. Warrants (Finance)

The attached Warrant Register contains checks and electronic funds transfers for the period from June 1, 2023 to June 30, 2023.

Council Member Hibard asked questions regarding several charges and received answers from Staff.

Council Member Murphy requested all Police carwashes be combined into a single line item.

Motion/Second: Hasselbrink/Hibard
Unanimously Carried: The City Council ratified the Warrants for the period June 1, 2023 to June 30, 2023 in the amount of \$1,550,347.65.

Roll Call

Mayor Doby	Aye
Mayor Pro Tem Nefulda	Aye
Council Member Hasselbrink	Aye
Council Member Hibard	Aye
Council Member Murphy	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.

Motion/Second: Hasselbrink/Nefulda

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

A. Approval of Minutes (Administration)

Approved the City Council Regular Minutes of June 20, 2023.

B. Award of Janitorial Services Agreement to Base Hill Inc., for Janitorial Services at City Facilities (Development Services)

On May 22, 2023, staff received and reviewed bids to the City's Request for Proposals (RFP) 2023-02 for janitorial services for specified City facilities including City Hall 1, City Hall 2, the Council Chamber, the Public Works Garage, the Public Works break room, Community Center, Youth Center, and the Preschool Building. This item seeks award to Base Hill, Inc., in accordance with the fee schedule noted herein.

The City Council:

1. Awarded the bid for RFP 2023-02; and,
2. Authorized the Mayor to execute the Janitorial Services Agreement with Base Hill, Inc. for janitorial services in an amount not to exceed \$69,719.88 annually, for an initial term of two (2) years.

C. Designation of Voting Delegate and Alternate for the League of California Cities' 2023 Annual Conference & Expo (Administration)

The League of California Cities Annual Conference & Expo will be held in Sacramento, California from September 20-22, 2023. 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.

The City Council:

1. Appointed Mayor Tanya Doby to serve as the City's Voting Delegate for the League of California Cities 2023 Annual Business Meeting; and,

2. Appointed Mayor Pro Tem Jordan Nefulda to serve as the City's Alternate Voting Delegate in the event of the Voting Delegate's absence.

11. PUBLIC HEARING

A. Annual Appropriations Limit for Fiscal Year 2023-24 (Finance)

Article XIII B of the California Constitution specifies the amount of allowable revenue the City of Los Alamitos can appropriate from the proceeds of taxes.

City Manager Simmons introduced the item. Finance Director Koehler summarized the staff report and answered question from the City Council.

Mayor Doby opened the Public Hearing for comments. There being no one present wishing to speak, Mayor Doby closed the Public Hearing comments.

City Council and staff discussed this report was related to the budget; interest profits would be increasing due to improved market conditions; and, the last adopted Investment Policy allowed Staff to expand the City's investments to advantage of current market conditions.

Motion/Second: Murphy/Hasselbrink

Carried 4/0 (Hibard Abstained): The City Council adopted Resolution No. 2023-19, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING AND ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2023-24."

B. Study Session Item: Airport Land Use Commission's Determination of Inconsistency related to the City's 6th Cycle Housing Element Update and the Airport Environs Land Use Plan for Joint Forces Training Base Los Alamitos (Development Services)

On January 19, 2023, the Orange County Airport Land Use Commission (ALUC) found the City's 6th Cycle (2021-2029) Housing Element Update to be inconsistent with the 2017 Joint Forces Training Base Los Alamitos Airport Environs Land Use Plan.

The City Council conducted a Study Session in order to review information related to the ALUC's finding of inconsistency. While no vote will take place at this meeting, it is important to note that should the City Council determine to override ALUC's advisory opinion at a future meeting, it will require a four-fifths affirmative vote of the City Council.

City Manager Simmons introduced the item. Development Services Director Noda summarized the Staff report.

Nicole Criste, Terra Nova Planning Consultant, and Josh Karman, Rincon Sound Engineer, provided a PowerPoint presentation.

Mayor Doby opened the Public Hearing for comments.

Carol Churchill made the following comments: does not believe the City needs to worry about the worst case scenario; referred to the letters from CalTrans and ALUC stating their job as state agencies is to protect public health safety and welfare, these agencies were not overruling the Housing Element, but had identified three sites that are inconsistent with public healthy safety and welfare; opposed promoting developer welfare; Lampson Project has been submitted and has the possibility of being affected by this decision; opposed the City spend money on a sound engineer instead of negotiating with ALUC to make the project consistent; proposed the developers work with ALUC to bring a resolution to the City Council; believed a Zoning Ordinance Amendments would allow the Lampson project to move forward; and, her proposal would show Council supports state law.

Elizabeth Hansberg, People with Housing, made the following comments: existence of a State and regional housing shortage; acknowledged the State is requiring cities to facilitate a solution; there is an urgent need for affordable/market rate housing; shortage of housing is causing homelessness and displaced citizens and rents to increase; thanked Terra Nova, Staff, and the Council for all the work the work it took to get a compliant Housing Element; it would be unfortunate to lose the Housing Element due to Council's inability to work together; the City has the right to make decisions and if Council is able to come together future developments would not fall under ALUC's jurisdiction; Court recently found builder's remedy applies; and, stated support for Los Alamitos' certified Housing Element.

Helen made the following comments: there is not a housing crisis; millions of people are leaving the State because they can't afford the State; Los Alamitos contains a military base and there are safety issues ALUC is concerned about; referred to a 1967 plane collision that went into the neighborhood; gave a personal account that living under a flight path is very loud; questioned the absence of the Joint Forces Training Base Sound Engineer as the JFTB did not recommend housing; and, pointed out the large solar panel project at the JFTB has loud generators constantly running.

Maggie Marchese, resident, made the following comments: encouraged the Council and thanked Council for representing Los Alamitos residents; acknowledged the RHNA numbers and Housing Element are not liked topics; opposed the State's approach, but recognized the City has a mandate they must follow; urged Council to proceed in a way that does not risk the City's ability to have a say in how the housing numbers are implemented; and, supported actions to maintain the community in its current direction.

Randy Hill, resident, made the following comments: opposition to the State mandate for additional housing; spoke in support of the Lampson project pointing out it is the best location for the City with minimal negative impacts; ALUC findings is questionable in light of the new study and the fact there are already 2,500 residential homes in the zone; stated building permits would take longer if ALUC was involved; concern the Housing Community Development (HCD) would decertify the City's Housing Element leading to high density affordable housing through builder's remedies; questioned where 792 homes could be built in the small area of Los Alamitos; pointed out four cities have already overruled ALUC; and, stated Council's right not to support ALUC's findings.

Greg Wood indicated he had a comment, but it was not applicable to this item.

Mayor Doby closed the Public Hearing for comments.

City Council, Staff, and Ms. Criste discussed the following topics:

- Staff has not considered a revised housing element as mentioned in ALUC's July 12, 2023 letter
- Ms. Criste has conducted research as the City's Housing Element consultant and her contact information is available through Director Noda
- Contact information for the State Department of Housing Director is on the letter included in the agenda packet
- Orange County cities have been found consistent by ALUC
- ALUC had used an outdated noise contour map for its analysis and elected not to use the updated map provided by the JFTB showing a reduction in noise
- Staff advised they have not received any noise complaints within the past three years regarding JFTB air traffic, but had received complaints regarding the Long Beach airport
- Flight patterns have changed at the JFTB in the past 12-15 months and due to the confidentiality of operations, the 2015 noises contour map is the most recent map available
- Reviewed the noise contour map and legend
- City had followed the proper procedure of approving a Housing Element and then submitting that plan to ALUC
- Concern that if Council does not override ALUC, the City will lose ability to oversee developments and add another layer of oversight for residents
- Reference to the Coastal Commission a
- The ALUC commission is an advisory board made up of five elected commissioners that meets once a month if there is business to discuss
- In the past seven months, ALUC has met three times all to discuss the City of Los Alamitos'
- Pointed out that the Seal Beach Council Member who sits on the ALUC Commission voted to override ALUC findings
- Concern the City will lose business
- The City of Cypress has an approved plan with no inconsistency findings from ALUC because there is no airport in Cypress to review
- Concern that ALUC is an ambiguous body with unclear accountability
- Conversations with the ALUC Chair indicate there is no desire to review the 2020 map and the City could override their findings desired
- Support for maintaining local control with the City's certified Housing Element through an override of ALUC's findings based off information from 2015 that has been revised in 2020 and will not be considered.
- To Staff's knowledge, there have not been any cities that received inconsistency notices from ALUC that did not override ALUC
- Negative impacts on all Los Alamitos residents and businesses should developments have to go through ALUC for approval including an extended review process
- Builders' remedies would allow development anywhere in the City,

- including commercial, regardless of density
- Builders' remedies put the City in position of not being able to over see control limit or condition development projects citywide
- Should the City consider a new Housing Plan, it would be faced with the same challenge of identifying housing sites and any amendments would require HCD approval again
- HCD is the only state agency that has authority to approve or disapprove The City's Housing Plan
- HDC has to be satisfied with the City's proposed Housing Plan
- Housing Element Law sets a process where SCAG assigns the City's RHNA numbers
- SCAG finalized RHNA numbers after multiple appeals from local jurisdictions
- There are no provisions for reassigning housing units
- HCD has rejected any proposals that put housing on the JFTB, although the JFTB acreage is included in assigning RHNA numbers
- ALUC Board changes every two years due to the elected officials in office, leaving the City in a position to have to start the process all over again
- The City had met its requirements to notice ALUC of its intent to override and held a Public Hearing no more than 45 days after such notice
- Concern the longer the Council waits to make a decision, the more likely ALUC would be take control
- Until the City amends the General Plan or overrides the ALUC determination, ALUC can request all permits and approvals be provided to them until the City takes that action
- The 527 units that have been referred to as "gravy" are the difference between the units the City assigned for RHNA and the maximum capacity of the sites that are listed
- There are 11 sites in the City's site inventory
- The acreage for the maximum density of each site equates to 527 more units than required to meet RHNA
- Maximum development is not realistic capacity; however, identifying such is what is required by State law and HCD
- Los Alamitos does not historically develop at maximum density
- Lower densities were calculated to provide a realistic capacity HCD would approve based on development in surrounding city
- The City demonstrated a realistic proposed density which was part of the way the City was able to receive RHNA certification
- 527 units were not part of the RHNA calculation. They reflect the total density allowed

The City Council:

1. Received information related to the Study Session Item; and,
2. Opened the public hearing and received public testimony; and,
3. Would send further questions to City Manager Simmons and Development Services Director Noda.

Motion/Second: Hasselbrink/Nefulda

Unanimously Carried: The City Council continued the public hearing to August 21, 2023 at 6:00 p.m. for consideration of a resolution overruling the ALUC determination.

12. DISCUSSION ITEM

A. Pine StrEATs Grant Program (Development Services)

This item for Council's consideration is an Economic Development driven grant program, Pine strEATs. This program is a supplementary feature to the highly anticipated citywide special event, Celebrate Los Al.

City Manager Simmons introduced the item. Development Services Manager summarized the staff report and provided a PowerPoint Presentation.

Council discussed support for the program.

Motion/Second: Hibard/Murphy

Unanimously Carried: The City Council:

1. Reviewed the Pine strEATs Grant Program; and,
2. Authorized Staff to launch the Pine strEATs Grant Program in conjunction with the Celebrate Los Al event; and,
3. Appropriated funding in the amount of \$110,000 from the American Rescue Plan Act (ARPA) funds towards the Pine strEATs Grant Program.

Mayor Doby reopened Oral Communications.

Greg Wood stated he had a neighborhood issue he'd like to speak to someone about as he had not been successful in reaching anyone.

Mayor Doby advised Mr. Wood he can contact any Council Member and they would assist him in contacting the correct Staff person. She advised him for this issue, he should reach out to Development Services Director Noda. Mr. Wood submitted a letter to Director Noda.

Several members of the audience stated they were present in support of Mr. Wood.

Mayor Doby closed Oral Communications.

13. 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 Hibard spoke regarding the following: does not plan to run for Assembly; Rossmoor/Los Alamitos Library will be under renovations until early 2024; attendance at the Orange County Sanitation District's Honor Walk event, the Police Academy Graduation for Officer Lopez, and July 3rd Spectacular; upcoming Race Los Al

event; and, requested an update regarding the emergency roof repair for the Community Center.

Motion/Second: Hibard/Murphy

Motion: Request a Staff Report to reallocate \$250,000 expenditure for trash receptables from the 2023/24 Adopted Budget to the Police Department.

City Attorney Daudt provided an overview of the Agenda Policy and advised Council a vote would allow this item to be put on the next Council agenda for the Council to provide direction to staff.

Council Member Murphy thanked the community for its participation and advised she was always available for discussion. She advised made a motion at the April 17, 2023, Council meeting to review the scope of services for the City Attorney. She since has reviewed the billing and received additional information. She requested the item be added to the next agenda.

Motion/Second: Murphy/Hibard

Motion: Request a Staff Report "to discuss the scope of services provided by Mr. Daudt to Mr. Les Johnson, and or any developers, builders or agents who proposed projects with the City of Los Alamitos during Mr. Johnson's employment with the City of Los Alamitos as a Development Services Director and Interim City Manager from September 2018 to January 2020 as there should be deliberation and careful consideration as it appears that there is a conflict of interest."

Council Member Hasselbrink gave a report regarding the safe and sane firework stands, Staff and volunteers working together, success of generating sales, successful sales generated, reduced calls for service regarding fireworks from 9 in 2022 to 4 in 2023, no damage or injuries reported, and thanked everyone for their participation and a successful event.

Mayor Pro Tem Nefulda spoke regarding the following: attendance at the Orange County Sanitation District Board meeting and Administration Committee meeting; attendance at 3rd of July Spectacular; and, thanked Staff for the summer programs including the dog parks, movies, and concert in the park series.

Mayor Doby spoke regarding the following: attendance at the Orange County Council of Governments Board of Directors, the July 3rd Spectacular, and the California Sober Living Task Force meeting.; transparency practices of HCD; participating in the Town Hall meeting with Senator Nguyen; and, the Mayor's Business Spotlight with Precious Life Shelter.

14. ADJOURNMENT

Tanya Doby, Mayor

Attest:

Windmera Quintanar, MMC, City Clerk

City of Los Alamitos

CITY COUNCIL AGENDA REPORT

MEETING DATE: August 21, 2023

ITEM NUMBER: 11B

To: Mayor Tanya Doby & Members of the City Council

Presented By: Chet Simmons, City Manager

Subject: City Council Travel Policy

SUMMARY

This item provides a Travel Policy specific to City Council and Appointed Officials.

RECOMMENDATION

Adopt Administrative Regulation 6.2 - City Council Travel Policy.

BACKGROUND

The City Council adopted a City-wide travel and reimbursement policy in February 2023. During the Fiscal Year 2023-24 Budget Adoption process, the Budget Standing Committee requested a policy specific to the City Council.

DISCUSSION

The attached policy for Council's consideration is inline with the adopted policy for all employees. Additional considerations have been added to the proposed Council's travel policy for City Representation, Code of Conduct, and purchase of additional City attire.

FISCAL IMPACT

There are no fiscal impacts associated with the adoption of this policy; however, the streamlined policy anticipates a decrease in the Council's travel and training budget.

Attachment: 1. City Council Travel Policy (2023)

City of Los Alamitos

Administrative Regulation

Regulation:	6.2
Title:	City Council Travel and Reimbursement Policy
Authority:	City Manager per Council Minute Order – August 21, 2023
Date:	August 21, 2023
Revised:	

1. INTENT AND PURPOSE

The City of Los Alamitos recognizes the value of attendance by City officials at professional conferences, seminars, meetings with other government officials, professional organizations, community organizations, and constituents and ceremonial events and activities that promote or benefit the City. This policy establishes travel authorization, expense, reimbursement, and reporting standards consistent with California Government Code Sections 53232.2 and 53232.3 and adopted City policies.

2. APPLICATION

This policy applies to City Council Members and appointed members of City boards, commissions, and committees.

3. DEFINITIONS

(A) "Appointed Officials" shall refer to those officials appointed as members of City boards, commissions and committees, which constitute legislative bodies (as defined by Government Code Section 54952)

(B) "City" shall refer to the City of Los Alamitos.

(C) "City Council Members" shall refer to the individuals who comprise the governing body of the City.

(D) "City Manager" shall refer to the City Manager of the City of Los Alamitos, or his or her designee.

4. POLICY

The City reimburses City Council Members and Appointed Officials for expenses incurred in connection with business related travel and attendance at meetings and events, in amounts designated in the approved City budget. The establishment of reasonable limits on expense reimbursement assures a prudent and responsible use of public funds to allow officials to attend beneficial conferences, seminars, and meetings.

Absent unusual circumstances and only with the permission of the City Council, expense reimbursements will not exceed the amounts set forth in this policy. "Reimbursement" for purposes of this policy means all forms of payment for expenses incurred by City officials in the course of their official duties whether paid directly by the City (including without limitation, with a City-issued credit card) or advanced by City officials with personal funds and later reimbursed from City funds.

This policy is not intended to address every issue, exception or contingency that may arise in the course of City travel. Accordingly, the basic standard that should always prevail is to exercise good judgment in the use and stewardship of the City's resources. Specific issues not covered here may be directed to the City Manager.

5. TRAVEL REQUESTS AND AUTHORIZATION

A. City Council and Appointed Officials

Overnight travel for City Council Members shall be coordinated and arranged through the City Clerk's Office and is subject to all provisions of this policy except as otherwise noted. Overnight travel for Appointed Officials shall be coordinated and arranged by the corresponding department.

B. City Representation

When total travel expenses for an event (i.e. registration, lodging, auto, air fare, meals, etc.) will cost over \$500, only one City representative shall be entitled to reimbursement for their attendance. The Mayor/Presiding Officer shall have first right to attend events at the City's expense. Second right shall go to the Mayor Pro Tem/Vice Chair and then to the Council Member with the most seniority.

Should a Council Member believe there is a benefit to the City to incur the cost of sending more than one City Council representative to an event, they may request an item be put on the next City Council agenda for approval. Requests for an additional Council Member's and/or Appointed Official's travel will be processed in accordance with the agenda report deadlines established by the City Clerk's Office.

City Council Members and Appointed Officials are able to attend events without approval of the City Council at their own expenses. It is understood representatives attending at their own expense are attending as individuals and shall not speak on behalf of the City.

6. CODE OF CONDUCT

The City promotes freedom of expression and open communication. It is expected that all Council Members and Appointed Officials will follow the outlined code of conduct

when representing the City and will avoid offending, participating in serious disputes, and disrupting workplaces.

A. Compliance with Law

All Council Members and Appointed Officials should comply with all federal, state, and local regulations, including any regulations provided by the event's organization. Council Members and Appointed Officials shall act ethically and responsibly when dealing with the City's finances, partnerships, and public image.

B. Personal Appearance

Council Members and Appointed Officials should follow the City's adopted Administrative Rules and Regulation 1.8: Dress Code and Professional Standards Policy. City officials are encouraged to wear City issued attire when appropriate.

Should a Council Member or Appointed Official wish to purchase additional attire they may do so at their own expense as long as the City seal is not used. Use of City logos is permissible. Logos may be requested from the City Clerk's Office.

C. Job Duties and Authority

All Council Members and Appointed Officials should fulfill their job duties with integrity and respect toward colleagues, other agencies, and the community.

When Council Members and Appointed Officials speak or take action on behalf of the City, they must do so with consideration of the generally accepted practices of the City or upon approval of the City Council. Should a traveler publicly take a position inconsistent with the City's policy or practice, the Council Member/Appointed Official is obligated to make clear he/she does not speak as a City representative.

D. Alcohol and Drug Policy

In compliance with the City's adopted Personnel Resolution, it is policy of the City of Los Alamitos to prohibit the use of alcohol or drugs in connection with the use of City funds, as it constitutes a threat to the safe and efficient performance of public service. With this in mind, the City prohibits the use or being under the influence of alcohol or drugs by any Council Member or Appointed Official while performing City business and/or while on City property.

7. COST CONTROL

To conserve City resources and keep expenses within reasonable standards, City officials must use the most economical mode and class of transportation reasonably consistent with scheduling needs and cargo space requirements, using the most direct and time-efficient route.

Government and group rates must be used when available if they present the least expensive fare.

Incidental Expenses, which shall include bridge, road tolls, parking fees, and other similar costs, are considered reimbursable expenses. Baggage handling fees up to \$1 per bag will also be reimbursed.

Expenses for which travelers receive reimbursement from another agency are not reimbursable.

8. LODGING

Actual lodging costs will be reimbursed or paid for when travel on official City business reasonably requires an overnight stay. When an additional charge is imposed for City business related internet/broadband access, the charge may be reimbursed as part of the room rate.

If the lodging is in connection with a conference or other organized educational activity, lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is at the time of booking. If the group rate is not available, then travelers shall use comparable lodging that is consistent with the per diem rates for lodging as established in IRS Publication 1542, as amended, or any successor publication.

Travelers must request government rates, when available. Lodging rates that are equal or less than government rates are presumed to be reasonable and reimbursable for purposes of this policy. In the event that government rates are not available at a given time or area, lodging rates that are consistent with the per diem rates for lodging as established in IRS Publication 1542, as amended, or any successor publication, are presumed reasonable and reimbursable.

9. METHOD OF TRAVEL

A. Automobile Travel

- (1) City Vehicle. When using a City vehicle, travelers shall be reimbursed for the actual costs of fuel, oil and emergency repairs.
- (2) Private Vehicle. Automobile mileage is reimbursable at the Internal Revenue Service rates presently in effect. The reimbursable amount shall be based

upon the actual mileage traveled for the purposes of the traveler's official duties. In no case shall the amount of reimbursement exceed the cost of the least expensive ticket available via commercial air travel and, if applicable, the cost of a standard size rental car.

- (3) Rental Vehicle. Travelers shall be reimbursed for the cost of a standard size vehicle with the usual and customary levels of insurance. When demonstrable circumstances dictate necessity, travelers may be reimbursed, at the discretion of the City Manager, for upgrading to a larger vehicle.

B. Air Travel

- (1) Airfare shall be reimbursed at the actual ticket cost as stated on the receipt. The City will only reimburse up to the cost of economy class or equivalent ticket available via commercial air travel.
- (2) Change of flight fees shall not be reimbursable.
- (3) Long-term parking shall be reimbursable for travel exceeding twenty-four (24) hours.

C. Other Transportation

Taxi, bus, train, shuttle, or other similar fares, including associated gratuities of up to 15 percent, shall be reimbursed at their actual cost as stated on the receipt.

10. MEALS

Meal expenses and associated gratuities up to fifteen (15) percent will be reimbursed at their actual cost or at the Internal Revenue Service rates currently in effect, as set forth in Publication 1542, as amended, or any successor publication, whichever is less, subject to the following restrictions:

- (1) Breakfast will be reimbursed only when travel begins before 7:00 a.m. and extends beyond 8:00 a.m.
- (2) Lunch will be reimbursed only when travel begins before 12:00 p.m. and extends beyond 2:00 p.m.
- (3) Dinner will be reimbursed only when travel begins before 6:00 p.m. and extends beyond 8:00 p.m.

Meals provided for as part of the cost of the travel, including, but not limited to, conference, complementary, or in-flight meals, are not eligible for travel advances or reimbursement. The City will not pay for alcohol or other personal bar expenses.

11. PER DIEM ADVANCES

City officials who do not have City issued credit cards may claim a per diem of up to \$70 per day for meals and incidental expenses associated with City business where an overnight stay is required. Per diem may not be claimed by City officials with a City-issued Cal Card purchasing card.

City officials may claim per diem upon commencement of travel. For each 24-hour period thereafter, the City official can claim up to the full per diem amount. If there is a period of time of the trip with a duration of less than 12 hours, no more than one-half (1/2) the per diem rate may be claimed.

Eligible City officials must submit receipts on expenses purchased using per diem. Unused daily per diem funds must be returned to the Finance Department within fourteen (14) days of return. Failure to submit unused per diem funds constitutes a violation of this policy.

12. AUTHORIZED EXPENSES

City officials may be reimbursed for actual and necessary expenses incurred in the performance of official duties; provided, however, that reimbursement shall always be at the lesser of the actual cost or the IRS rates currently in effect, unless otherwise approved by the City Council in advance as provided below.

The following types of expenses generally constitute authorized expenses, as long as the other requirements of this policy are met and provided that total expenses incurred by the traveler are within the total amount budgeted for that fiscal year:

- (1) Communicating with representatives of regional, state and national government on City policy positions.
- (2) Attending organized educational seminars, conferences or activities designed to improve the City official's skill and information levels.
- (3) Participating in regional, state and national organizations or associations whose activities affect the City's interests; provided, however, that all such travel must be approved in advance by a majority vote of the City Council in a public meeting.
- (4) Attending City events including chamber of commerce events and the Annual Americana Awards.
- (5) Charitable event tickets.

13. UNAUTHORIZED EXPENSES

Personal expenses that the City will not reimburse include, but are not limited to:

- (1) All out of state travel.
- (2) The personal portion of any trip.
- (3) Political contributions or events.
- (4) Charitable event tickets for which the traveler is taking or will take a tax deduction.
- (5) Family expenses, including a partner's expenses when accompanying the traveler on City-related business, as well as children or pet-related expenses.
- (6) Entertainment expenses, including theater, movies (either in-room or at the theater), sporting events (including gym, massage and/or golf-related expenses), or other cultural events. However, where the City is acting in a host capacity, those host-related expenses, including entertainment expenses and meals, may be reimbursed with prior approval from the City Manager.
- (7) Non-mileage personal automobile expenses, including traffic citations.
- (8) Mileage expenses to meetings of boards to which the traveler has been appointed and for which the traveler receives a stipend from that organization (e.g. OCFA, OCSD, SCAG etc.)
- (9) Personal losses incurred while on City business.
- (10) Any clothing (including City logo clothing).

Any questions regarding the propriety of a particular type of expense should be resolved with the City Manager before the expense is incurred.

14. OTHER EXPENSES

Expenses that do not fall within the scope of this policy shall be approved by the City Council, in a public meeting, before the expense is incurred.

15. DOCUMENTATION OF EXPENSES; EXPENSE REPORTS

Travelers shall submit expense reports on the "EXPENSE REPORT" form provided by the City to the Treasurer within ten (10) days of incurring the expense.

In order to qualify for reimbursement, expense reports must be accompanied by documentary evidence, such as a receipt, canceled check or bill, for each expense. The documentary evidence should show the amount, date, place, and essential character of the expense.

If a traveler cannot produce documentary evidence, he or she shall not be reimbursed.

If the Treasurer finds that the traveler's aggregate reimbursable travel expenses were greater than the amount of any travel advance, the City shall pay the difference between the travel advance and the reimbursable expenses within thirty (30) days of submission of the "EXPENSE REPORT" form; provided, however, that reimbursement shall never exceed the amount authorized by Government Code Sections 53232.2 and 53232.3, this policy, or the adopted amount budgeted by the City Council.

The Treasurer shall review all forms and documentary evidence for appropriateness and compliance with this policy. Any disputed costs should be discussed between the Treasurer and the City Manager, who shall make a final determination as to whether reimbursement shall be made. If the City Manager deems it necessary, he or she may bring the disputed cost to the City Council for discussion in a public meeting, and the City Council's determination shall be final; provided, also, that the City Council Member whose expense is being discussed shall recuse himself or herself from the discussion. If the City Council cannot come to a decision (e.g. a tie vote), the City Manager's decision shall be final.

All documents related to reimbursable City expenditures are subject to disclosure under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1).

16. TRAVEL ADVANCE POLICY

From time to time, it may be necessary for a traveler to request a cash advance to cover anticipated expenses while traveling or doing business on behalf of the City. Such request for an advance shall be submitted to the Treasurer on the "TRAVEL AUTHORIZATION AND ADVANCE REQUEST" form, as provided by the City. All relevant documentation relating to the proposed expenses must be attached to the form.

- (1) No advance will be authorized in an amount less than one hundred dollars (\$100).
- (2) Any unused advance, or portion of an advance, must be returned to the Treasurer within ten (10) business days of the traveler's return, along with a completed and signed expense report, pursuant to section 15. Travelers who do not return the unused portion of a cash advance within ten (10) business days are ineligible for any additional advances until such time as the unused amount is returned.

- (3) A travel advance shall not, under any circumstances, be considered a personal loan.
- (4) Any expenditure of a travel advance, other than for the approved purpose of the advance, shall be considered a misappropriation of public funds.
- (5) Funds for prepaid items, such as airfare and registration, are not considered cash advances.

17. CITY COUNCIL MEMBER AND APPOINTED OFFICIAL REPORTS

At their next regular meeting, each City Council Member and Appointed Official shall provide a brief report on any meeting attended at the City's expense. If more than one City Council Member or Appointed Official attends the same event as prescribed in Section 5B the Mayor or Presiding Officer shall designate one attendee to give the report. The other attendees will be permitted to briefly report on any topics omitted by that designated City Council Member or Appointed Official.

18. CREDIT CARD USE

City officials may use valid City-issued credit cards for expenses allowed in this policy.

19. PENALTIES

Pursuant to California Government Code section 53232.4, penalties for misuse of public resources or falsifying expense reports in violation of expense reporting policies, may include, but are not limited to, the following:

- (1) The loss of reimbursement privileges.
- (2) Restitution to the City.
- (3) Civil penalties for the misuse of public resources, pursuant to California Government Code section 8314.
- (4) Prosecution for misuse of public resources, pursuant to California Penal Code section 424.

History:

August 21, 2023 – Adopted by City Council

City of Los Alamitos

CITY COUNCIL AGENDA REPORT

MEETING DATE: August 21, 2023

ITEM NUMBER: 11C

To: Mayor Tanya Doby & Members of the City Council

Presented By: Craig Koehler, Director of Finance

Subject: Treasurer's Quarterly Investment Report - June 2023

SUMMARY

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 – June 2023.

BACKGROUND

Sound investment practices are essential to the City's fiscal management. The City Treasurer is responsible for managing the City's investment portfolio, focusing first on the safety of investments and then on liquidity and an appropriate rate of return. The investment report and portfolio composition are attached.

DISCUSSION

This report is a summary of the City's investment activities and portfolio listing and balances for the quarter ending June 30, 2023.

FISCAL IMPACT

None.

Attachment: 1. Quarterly Investment Report - June 2023
 2. Pooled Investment Portfolio Holdings - June 2023

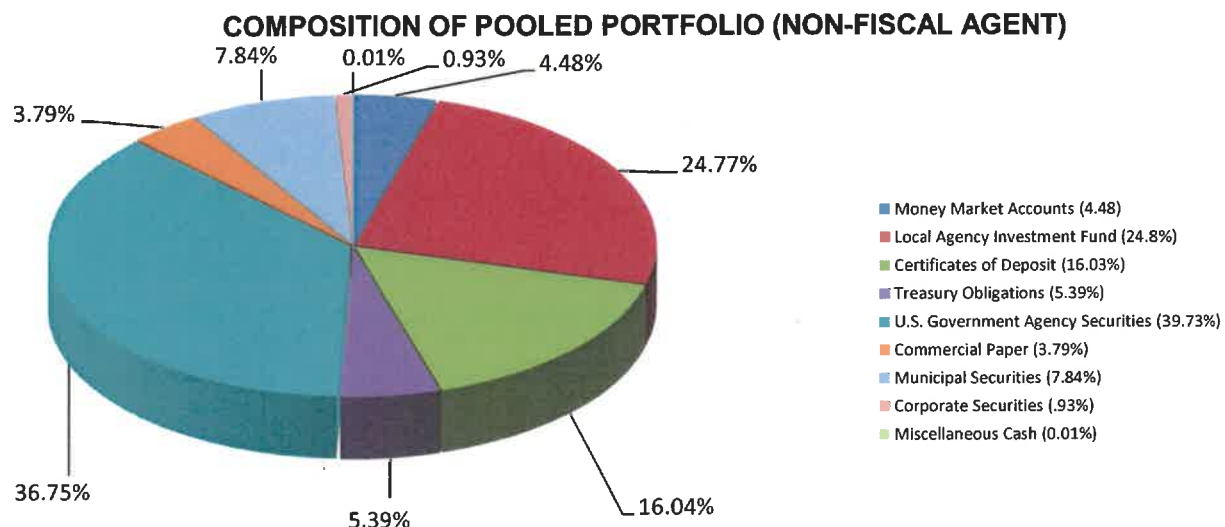


CITY OF LOS ALAMITOS

Quarterly Investment Report

June 30, 2023

	AMORTIZED COST	MARKET VALUE
POOLED INVESTMENT PORTFOLIO		
Money Market Accounts	\$ 1,170,196.14	\$ 1,170,196.14
Local Agency Investment Fund (LAIF)	6,564,295.46	6,464,705.00
Certificates of Deposit	4,437,000.00	4,186,583.20
Treasury Obligations	1,500,000.00	1,407,530.53
U.S. Government Agency Securities	10,250,000.00	9,587,832.60
Commercial Paper (3.79%)	1,000,000.00	988,566.66
Municipal Securities	2,265,000.00	2,046,689.15
Corporate Securities	250,000.00	242,666.47
Miscellaneous Cash	3,500.00	3,500.00
TOTAL POOLED INVESTMENT PORTFOLIO	27,439,991.60	26,098,269.75
INVESTMENTS HELD BY FISCAL AGENT		
2015 Certificates of Participation	182.42	182.42
TOTAL INVESTMENTS HELD BY FISCAL AGENT	182.42	182.42
TOTAL CASH & INVESTMENTS	\$ 27,440,174.02	\$ 26,098,452.17



It has been verified that this investment portfolio is in conformity with the City's investment policy which was approved by City Council on 9/19/22. The Treasurer's cash management program and cash flow analysis indicates that sufficient liquidity is on hand to meet estimated future expenditures for a period of six months. The weighted average maturity of the pooled investment portfolio is 1.76 years, and the weighted average yield on cost is 25.569% indenture associated with the bond transaction which generated the cash.

Craig Koehler

Craig Koehler, Finance Director / City Treasurer



CITY OF LOS ALAMITOS
Pooled Investment Portfolio Holdings
June 30, 2023

DESCRIPTION OF SECURITY	CUSIP REF	COUPON RATE	MATURITY DATE	INVESTMENT RATING	PURCH DATE	AMORTIZED COST	YIELD ON MATURITY	MARKET VALUE
<u>MONEY MARKET ACCOUNTS</u>								
US Bank		Varies	Varies	Coll. ¹	Varies	1,170,196.14	0.50%	1,170,196.14
SUBTOTAL MONEY MARKET ACCOUNTS						1,170,196.14		1,170,196.14
LOCAL AGENCY INVESTMENT FUND (LAIF)		Varies	Varies	NR	Varies	6,564,295.46	98.48%	6,464,705.24
<u>CERTIFICATES OF DEPOSIT</u>								
Synchrony Bank (FDIC Gtd)	87164YXH2	3.30%	07/20/23	FDIC	07/20/18	246,000.00	3.30%	245,714.36
CitiBank (FDIC Gtd)	17312QT33	3.30%	09/21/23	FDIC	09/21/18	245,000.00	3.30%	243,847.74
Medallion Bank Utah CTF	58404DHQ7	0.55%	07/30/25	FDIC	07/30/20	249,000.00	0.55%	225,224.75
Texas Exchange Bank SSB	88241TLA6	0.80%	06/04/26	FDIC	06/04/21	248,000.00	0.80%	217,150.03
Sallie Mae Bank Salt Lake UT	795451AF0	1.00%	07/28/26	FDIC	07/28/21	248,000.00	1.00%	217,458.84
Goldman Sachs Bank	38149MG64	0.40%	11/03/27	FDIC	10/28/21	248,000.00	0.40%	243,789.89
Capital One Bank	14042TEU7	2.25%	03/23/27	FDIC	03/16/22	247,000.00	2.25%	221,531.07
Bank of Hapoalim New York	06251A3MO	1.50%	01/22/27	FDIC	01/22/22	250,000.00	1.50%	219,488.76
State Bank of India New York NY	856285C33	1.45%	01/22/27	FDIC	01/22/22	250,000.00	1.45%	218,970.68
American Express NA	02589ADK5	3.35%	08/05/24	FDIC	08/03/22	245,000.00	3.35%	239,512.29
Capital One NA	14042RTH4	3.50%	08/03/26	FDIC	08/03/22	245,000.00	3.50%	231,940.51
Ally Bank	02007GXX3	3.45%	08/04/26	FDIC	08/04/22	245,000.00	3.45%	231,586.05
Discover Bank	254673P34	3.50%	08/10/26	FDIC	08/10/22	245,000.00	3.50%	231,877.65
BMW Bank North America (FDIC Gtd)	05580AP24	3.25%	08/12/24	FDIC	08/12/22	245,000.00	3.25%	239,157.24
Charles Schwab Bank SSB	15987UBA5	5.05%	03/28/25	FDIC	03/28/23	243,000.00	5.05%	241,495.09
CIBC Bank	12547CBB3	4.35%	04/27/27	FDIC	04/23/23	250,000.00	4.35%	241,695.57
Freedom Bank of Virginia	35633MDE9	4.90%	05/03/28	FDIC	05/03/23	244,000.00	4.90%	240,199.51
BMO Harris Bank NA Chicago	05600XQE3	4.50%	05/16/28	FDIC	05/16/23	244,000.00	4.50%	235,943.17
SUBTOTAL CERTIFICATES OF DEPOSIT						4,437,000.00		4,186,583.20
<u>TREASURY OBLIGATIONS</u>								
U. S Treasury Notes	91282CDH1	0.75%	11/15/24	AAA	12/15/21	500,000.00	0.75%	469,941.41
U. S Treasury Notes	912828ZF0	0.50%	03/31/25	AAA	05/26/21	500,000.00	0.50%	462,226.56
U. S Treasury Notes	91282CAT8	0.25%	10/31/25	AAA	10/28/21	250,000.00	0.25%	225,537.11
U. S Treasury Bills	912797FR3	4.78%	07/25/23	AAA	03/06/23	250,000.00	4.78%	249,825.45
SUBTOTAL TREASURY OBLIGATIONS TOTAL						1,500,000.00		1,407,530.53
<u>U.S. GOVERNMENT AGENCY SECURITIES</u>								
Federal Home Loan Bank	3130AM5Q1	0.440%	04/29/24	AAA	12/15/21	500,000.00	0.44%	478,865.09
Federal Home Ln Mtg Corp MTN NTS	3134GWEA0	0.450%	07/29/24	AAA	07/29/20	750,000.00	0.45%	711,312.78
Federal Home Loan Bank	3130ALCV4	0.750%	02/24/26	AAA	10/28/21	250,000.00	0.75%	223,236.28
Federal Farm Credit Banks	3133ENBK5	1.140%	10/20/26	AAA	12/15/21	250,000.00	1.14%	221,213.72
Federal Home Loan Bank	3130APFU4	1.050%	10/28/26	AAA	10/28/21	250,000.00	1.05%	220,392.44
FHLB STEP-UP	3130APTZ8	0.800%	11/24/26	AAA	11/21/21	500,000.00	0.85%	451,839.56
Federal Home Loan Bank	3130AQJG9	1.650%	01/28/27	AAA	01/22/22	1,000,000.00	1.65%	895,392.14
FHLB Agency Note	3130AQRH8	2.000%	02/25/27	AAA	02/25/22	1,000,000.00	2.00%	905,316.00
Federal Home Loan Bank	3130AR4T5	2.000%	03/22/27	AAA	03/17/22	500,000.00	2.00%	466,869.52
Federal Home Loan Bank	3130AQWJ8	2.050%	03/22/27	AAA	03/03/22	1,000,000.00	2.05%	906,934.04
Federal Home Loan Bank	3130ARYD2	3.250%	05/23/25	AAA	05/02/22	500,000.00	3.25%	471,329.47
Federal Home Loan Bank	3130ARYL0	3.000%	11/25/24	AAA	05/02/22	1,000,000.00	3.00%	962,798.59
Federal Home Loan Bank	3130ARYD7	3.250%	05/23/23	AAA	05/02/22	1,000,000.00	3.25%	964,707.58
Federal Home Ln Mtg Corp	3134GX2B9	4.250%	09/27/24	AAA	09/22/22	250,000.00	4.25%	245,242.16
Federal Home Loan Bank	3130ATGG6	4.500%	09/29/25	AAA	09/29/22	500,000.00	4.50%	492,134.23
Federal Farm Credit Banks	3133ENL32	4.230%	09/08/23	AAA	11/04/22	500,000.00	4.23%	481,733.25
Federal Home Loan Bank	3134GYNY4	5.250%	04/28/28	AAA	04/28/23	500,000.00	5.25%	488,515.75
SUBTOTAL U.S. GOVERNMENT AGENCY SECURITIES						10,250,000.00		9,587,832.60
<u>COMMERCIAL PAPER</u>								
Johnson & Johnson	47816GUQ0	5.050%	07/24/23	A-1+	3/28/23	250,000.00	5.050%	249,162.07
University of Texas	91510LWD3	5.100%	09/13/23	A-1	6/5/23	250,000.00	5.100%	247,239.72
Pacific Life Short Term FDG	69448XWK4	5.100%	09/19/23	A-1+	4/26/23	250,000.00	5.100%	247,021.81
Proctor & Gamble Company	74271UY61	5.000%	11/06/23	A-1+	5/23/23	250,000.00	5.000%	245,143.06
SUBTOTAL COMMERCIAL PAPER						1,000,000.00		988,566.66
<u>MUNICIPAL SECURITIES</u>								
Placentia-Yorba Linda CA GO Taxable Ref Ser B	725894MX4	4.3000%	8/1/2027	Aa2	12/19/22	250,000.00	4.3000%	218,230.00
California State GO Unlimited Taxable	725894MX4	4.4200%	10/01/26	Aa2	3/1/23	500,000.00	4.4200%	461,870.00
San Diego CA CMNTY CLG GO UNLT	797272RN3	4.0500%	05/01/26	Aaa	4/14/23	270,000.00	4.0500%	244,908.90
California ST GO TXBL BDS	13063DGB8	4.0500%	04/01/25	Aa2	5/15/23	250,000.00	4.0500%	241,602.50
Liberty CA Union High Sch Dist	530319SN3	4.0500%	08/01/27	Aa2	5/26/23	300,000.00	4.0500%	261,267.00
Torrance CA UNIF SCH DIST	8913815A9	4.5000%	08/01/27	AA-	6/16/23	295,000.00	4.5000%	270,706.75
California ST GO TXBL Various	13063DC48	4.2000%	02/01/28	Aa2	6/2/23	400,000.00	4.2000%	348,104.00
SUBTOTAL MUNICIPAL SECURITIES						2,265,000.00		2,046,689.15
<u>CORPORATE SECURITIES</u>								



CITY OF LOS ALAMITOS
Pooled Investment Portfolio Holdings
June 30, 2023

DESCRIPTION OF SECURITY	CUSIP REF	COUPON RATE	MATURITY DATE	INVESTMENT RATING	PURCH DATE	AMORTIZED COST	YIELD ON MATURITY	MARKET VALUE
Morgan Stanley Finance LLC	61766YMT5	5.1500%	01/20/28	A1	01/20/23	250,000.00	5.1500%	242,666.47
SUBTOTAL CORPORATE SECURITIES						250,000.00		242,666.47
FISCAL AGENT						182.42		182.42
MISCELLANEOUS CASH						3,500.00		3,500.00
TOTAL CUSTODY HOLDINGS						27,436,491.60		26,094,769.99
TOTAL POOLED CASH & INVESTMENTS						27,440,174.02		26,098,452.41

¹ Collateralized in accordance with Section 53652 of the CA state code.

City of Los Alamitos

CITY COUNCIL AGENDA REPORT

MEETING DATE: August 21, 2023

ITEM NUMBER: 11D

To: Mayor Tanya Doby & Members of the City Council

Presented By: Ron Noda, Development Services Director

Subject: Approval of Plans and Specifications for Building Demo Project (CIP 22/23-04)

SUMMARY

This item seeks City Council approval to begin facilitating the Demolition of the Los Alamitos Television Production (LATV) and Public Works (PW) Breakroom Building at 10921 Oak Street Project (CIP No. 22/23-04).

RECOMMENDATION

1. Approve the plans and specifications for the Demolition of the LATV/PW Building at 10921 Oak Street Project (CIP No. 22/23-04); and,
2. Authorize Staff to advertise and solicit bid proposals.

BACKGROUND

The building located at 10921 Oak Street was shared by Los Alamitos Television (LATV) and the Public Works Division. LATV utilizes the building as a production studio while the Public Works Division utilizes it as a breakroom. The building, built in the 1960s, was red-tagged by the City's Building & Safety officials in early 2023 due to damage resulting from deferred maintenance over the past two decades. After inspection, the building was also found to contain hazardous materials. Remediation services were conducted by Karcher Environmental, Inc. on May 9, 2023 with final clearances conducted by Converse Consultants, Inc, a licensed environmental consultant, who performed an initial Asbestos, Lead-Based Paint (LBP), and Bulk PCB Caulk Survey within the building.

The demolition of the site will occur in one phase, involving the demolition of the existing building and the demolition of substructures, foundations, and underground utility service lines. The existing surface will be restored with a secured gravel surface where the City's storage containers will be placed until a permanent plan is developed for the Civic Center.

DISCUSSION

Los Alamitos Television (LATV) and the Public Works Division shared use of the building located at 10921 Oak Street. The demolition of the site involves the demolition of the existing building, substructures, foundations, and underground utility service lines. The existing surface will be restored with a secured gravel surface.

After the LATV/PW building is removed, the City will explore options for the use of the site. The

project will also include the installation of an 8-foot high chain link fence with black plastic slats around the perimeter of the existing building footprint to secure the site. Landscape grade gravel rocks will be installed to stabilize the ground surface.

The following is an approximate timeline of the City for the LATV/PW Demolition Project located at 10921 Oak Street:

- 08/21/2023 Approval of plans & specifications by the City Council
- 08/30/2023 Advertise project
- 09/20/2023 Bid opening
- 10/16/2023 Award of Contract (City Council Meeting)
- 12/04/2023 Start of construction
- 01/30/2024 End of construction

FISCAL IMPACT

This project has been carried over from fiscal year 2022-2023 and funding for this project is included in the adopted fiscal year 2023-2024 Capital Improvement Program (CIP) budget. The estimated cost, as shown below, includes plans, specs, contingencies, contracted work, inspections, and project management.

Budget Year	FiscalSource	Amount
2023-24	10-570.5501.2408	\$150,000
		\$150,000
	Project Total	

- Attachment:
1. Building Demolition Plans (CIP 22/23-04)
 2. Building Demolition Contract and Specs (CIP 22/23-04)



CITY OF LOS ALAMITOS
PUBLIC SERVICES DEPARTMENT

LOS ALAMITOS TELEVISION BUILDING DEMOLITION
LOCATED AT 10921 OAK STREET
CIP 22/23-04

UTILITY CONTACTS:

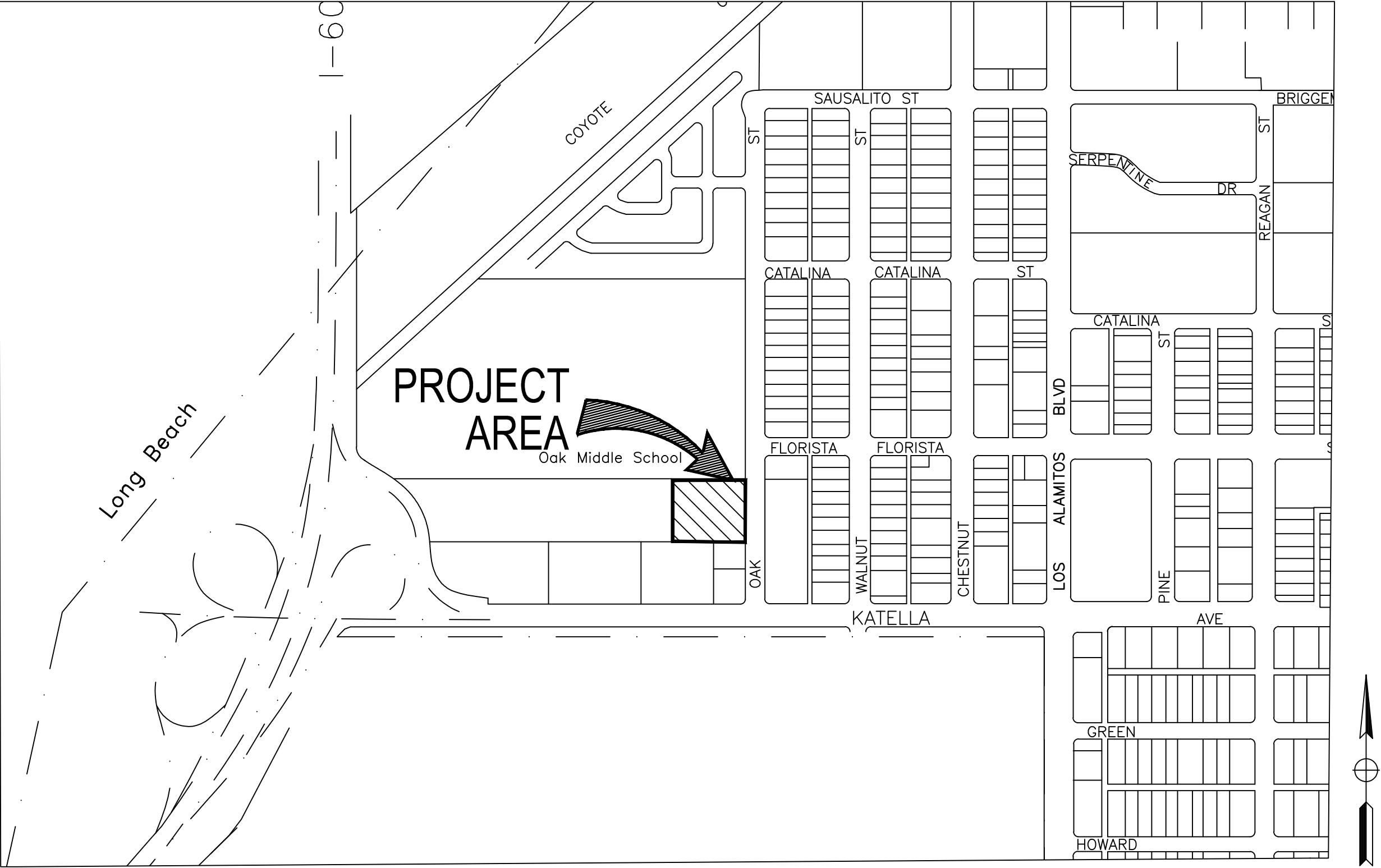
ORANGE COUNTY SANITATION DIST.	(714) 962-2411
PACIFIC BELL	(714) 666-5716
ROOSMOOR/LOS ALAMITOS SEWER DIST.	(562) 431-2223
SOUTHERN CALIFORNIA EDISON CO.	(562) 981-8205
SOUTHERN CALIFORNIA GAS CO.	(714) 634-3133
GOLDEN STATE WATER CO.	(714) 535-8010
TIME-WARNER COMMUNICATION	(714) 895-6886
UNDERGROUND SERVICE ALERT	(800) 422-4133
VERIZON	(704) 375-6719

AGENCIES TO BE NOTIFIED:

- CITY ENGINEER
3191 KATELLA AVENUE
LOS ALAMITOS, CA 90720-5600
(562) 431-3538 EXT. 100
- LOS ALAMITOS POLICE DEPARTMENT
3201 KATELLA AVENUE
LOS ALAMITOS, CA 90720
(562) 431-2255
- ORANGE COUNTY FIRE DEPARTMENT
3642 GREEN STREET
LOS ALAMITOS, CA 90720
(562) 431-6026
- LOS ALAMITOS POST OFFICE
10650 REAGAN STREET
LOS ALAMITOS, CA 90720
(562) 431-6547
- ROSSMOOR/LOS ALAMITOS AREA SEWER DISTRICT
3243 KATELLA AVENUE
LOS ALAMITOS, CA 90720-0542
(562) 431-2223
- LOS ALAMITOS UNIFIED SCHOOL DISTRICT
10293 BLOOMFIELD STREET
LOS ALAMITOS, CA 90720
(562) 799-4700
- ROSSMOOR COMMUNITY SERVICES DISTRICT(RCSD)
3001 BLUME DRIVE, ROSSMOOR, CA 90720
(562) 431-0525

DEMOLITION NOTES

- THE CONTRACTOR SHALL PERFORM SURFACE DEMOLITION NECESSARY TO CONSTRUCT THE PROJECT. THIS INCLUDES, BUT NOT LIMITED TO, DEMOLITION AND REMOVAL OF CONFLICTING VEGETATION, PLANTS, DEBRIS; BACKFILLING OF EXCAVATIONS; REMOVAL OF EXISTING SLABS, FOOTINGS, FOUNDATIONS, PORTLAND CEMENT CONCRETE (PCC) AND SIDEWALKS, IRRIGATION PIPE, STORM DRAIN PIPES AND STRUCTURES AND RELATED FACILITIES, OTHER EXISTING FACILITIES AND UTILITIES; REMOVAL OF ANY MATERIAL RESULTING EITHER FROM DEMOLITION ACTIVITY, SITE CLEARING OR EARTHWORK SHALL INCLUDE REMOVAL, TRANSPORTATION AND LEGAL DISPOSAL OF SUCH MATERIAL, IN ACCORDANCE WITH CURRENT GOVERNING CODES AND REQUIREMENTS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DEMOLITION, REMOVAL, REPAIRS AND/OR REPLACEMENT OF EXISTING IMPROVEMENTS, WHICH IS REQUIRED DUE TO FAILURE OF THE CONTRACTOR TO PROTECT EXISTING IMPROVEMENTS AFFECTED BY CONTRACTOR'S WORK.
- BEFORE THE START OF ANY DEMOLITION FACILITIES, CONTRACTOR SHALL:
 - IDENTIFY ALL ENCROACHMENTS NOT SHOWN ON THE DRAWINGS.
 - VERIFY THE EXISTENCE, LOCATION AND ELEVATION OF ALL UNDERGROUND UTILITIES INCLUDING, BUT NOT LIMITED TO, SEWERS, STORM DRAINS, CULVERTS, TELEPHONE, FIBER, ELECTRICAL CONDUITS, ETC. THAT CROSS OR LIE WITHIN THE DEMOLITION WORK LIMITS
 - OBTAIN APPROPRIATE PERMITS.
 - COORDINATE WITH APPROPRIATE AUTHORITIES AND AGENCIES TO SHUT OFF, DISCONNECT, CUT AND CAP, WHERE REQUIRED, OVERHEAD AND UNDERGROUND UTILITY



VICINITY MAP

SCALE : N.T.S.

SHEET INDEX	
SHEET NO.	DESCRIPTION
1	TITLE SHEET AND NOTES
2	DEMOLITION PLAN
3	SITE IMPROVEMENTS PLAN

GENERAL NOTES:

- ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF THE CITY OF LOS ALAMITOS, STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, 2021 EDITION, ORANGE COUNTY PF&RD STANDARD PLANS, LATEST EDITION, AS SPECIFIED, AND APWA STANDARD PLANS, LATEST EDITION, AS SPECIFIED.
- THE CONSTRUCTION AREA SHALL BE PROPERLY POSTED AND LIGHTED IN CONFORMANCE WITH THE STATE OF CALIFORNIA MANUAL OF TRAFFIC CONTROLS FOR CONSTRUCTION AND WORK ZONES, LATEST EDITION.
- CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND SHALL NOTIFY THE CITY ENGINEER, (562) 431-3538, AT LEAST 24 HOURS PRIOR TO ANY REQUIRED INSPECTIONS.
- CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY, THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE CITY AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE CITY OR THE ENGINEER.
- THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITY PIPES OR STRUCTURES SHOWN ON THESE PLANS WERE OBTAINED BY A SEARCH OF THE AVAILABLE RECORDS. TO THE BEST OF OUR KNOWLEDGE THERE ARE NO EXISTING UTILITY LINES EXCEPT AS SHOWN ON THIS PLAN. THE CONTRACTOR IS REQUIRED TO TAKE DUE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN AND ANY OTHER LINES NOT OF RECORD OR NOT SHOWN ON THIS PLAN.
- THE CONTRACTOR SHALL MAKE A PHYSICAL INSPECTION OF THE PROJECT SITE AND REPORT ALL VARIATIONS, INCONSISTENCIES, OR CHANGED CONDITIONS TO THE ENGINEER PRIOR TO ANY CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY ASSUMPTIONS, REMEDIAL ACTIONS, OR ADAPTATIONS MADE IN THE FIELD WITHOUT THE WRITTEN APPROVAL OF THE ENGINEER.
- REPAIR OR REPLACE ALL DAMAGES OR ALTERATIONS TO EXISTING PUBLIC IMPROVEMENTS TO THE SATISFACTION OF THE CITY ENGINEER AT NO COST TO THE CITY.
- ALL DIMENSIONS SHALL BE VERIFIED BY PLANS OR FIELD INSPECTION. AT NO TIME SHALL ANY DIMENSIONS BE SCALED FROM PLANS. CONTRACTOR SHALL NOTIFY THE ENGINEER OF ALL VARIATIONS IN DIMENSIONS PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- ALL JOINTS AND JOIN LOCATIONS AND UNDERGROUND UTILITY LOCATIONS SHALL BE FIELD VERIFIED.
- AT ALL TIMES, CURB FACE DIMENSIONS AND GUTTER AND SWALE GRADES SHALL BE MAINTAINED, UNLESS OTHERWISE NOTED.
- CONTRACTOR SHALL NOTIFY ALL AFFECTED UTILITY COMPANIES AND AFFECTED AGENCIES AT LEAST 72 HOURS PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- ALL ASPHALT PAVEMENT IMPROVEMENTS INDICATED TO BE REMOVED SHALL BE SAWCUT AT THE LINE OF REMOVAL.



REVISIONS

NUMBER	DATE	INITIALS	

REFERENCES

APPV'D



DRAWN BY	CL
CHECKED BY	GS
DESIGNED BY	GS

APPROVED	2/14/2023
City Engineer	Date

DATE

2/14/2023
2/14/2023
2/14/2023

CITY OF LOS ALAMITOS

TITLE SHEET

FILE: W:\WE-CAL\Los Alamitos, City of\110184.10 - LATV Demo\900-PS&E\901-Plans\PL-DEMOL.dwg

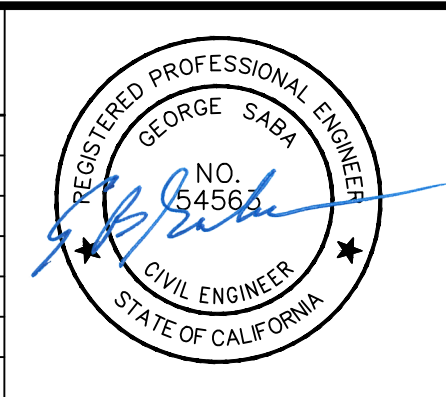
USER: Camryn.Lopez
DATE: Feb 14, 2023 - 8:48am



Know what's below.
Call before you dig.

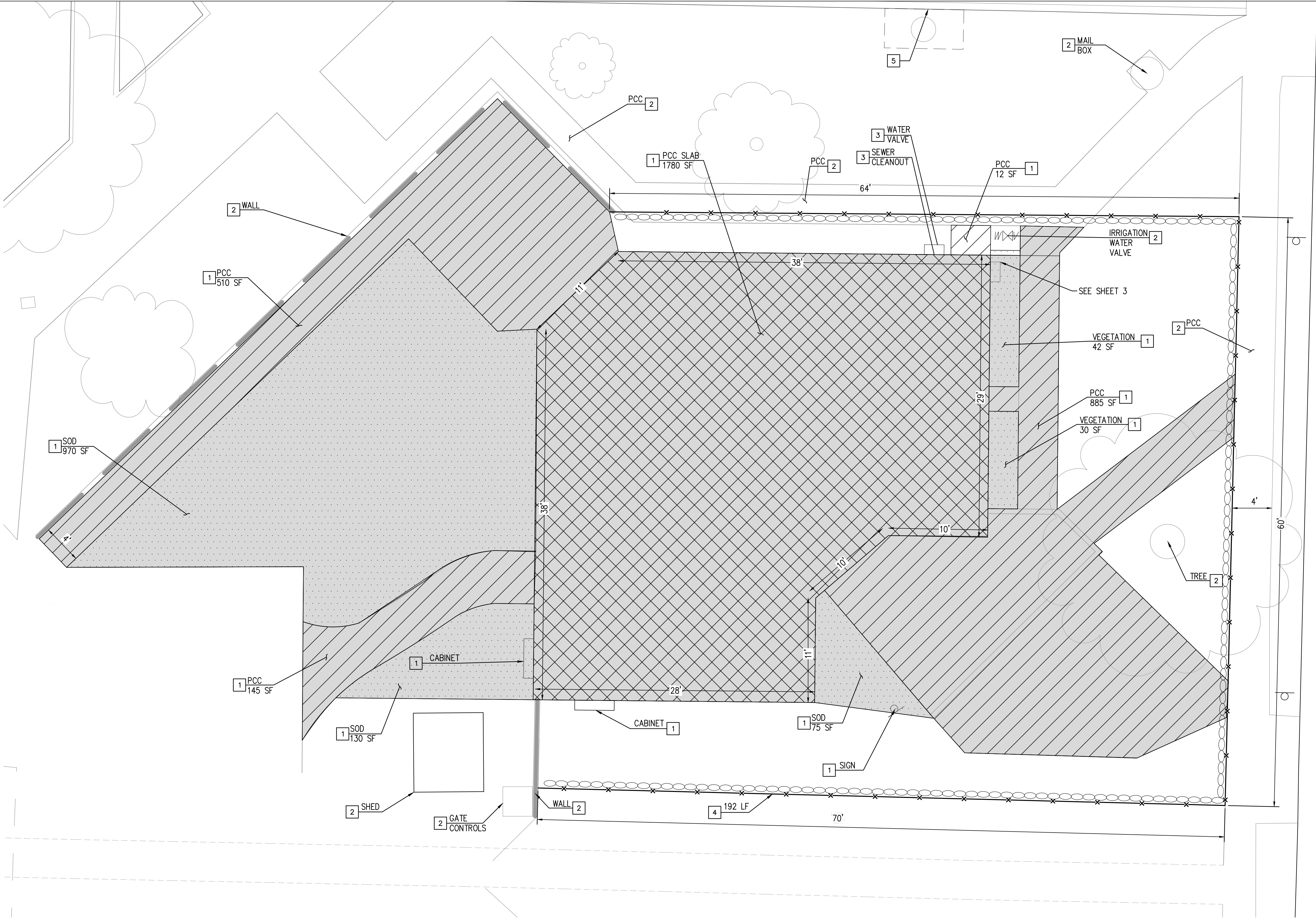
REVISIONS			
NUMBER	DATE	INITIALS	

REFERENCES	
APPV'D	



WILLDAN Engineering		DATE
DRAWN BY	CL	2/14/2023
CHECKED BY	GS	2/14/2023
DESIGNED BY	GS	2/14/2023
APPROVED		2/14/2023
City Engineer		Date

CITY OF LOS ALAMITOS	
LOS ALAMITOS TELEVISION PRODUCTION BUILDING DEMOLITION PLAN	
SHEET 2 OF 3	



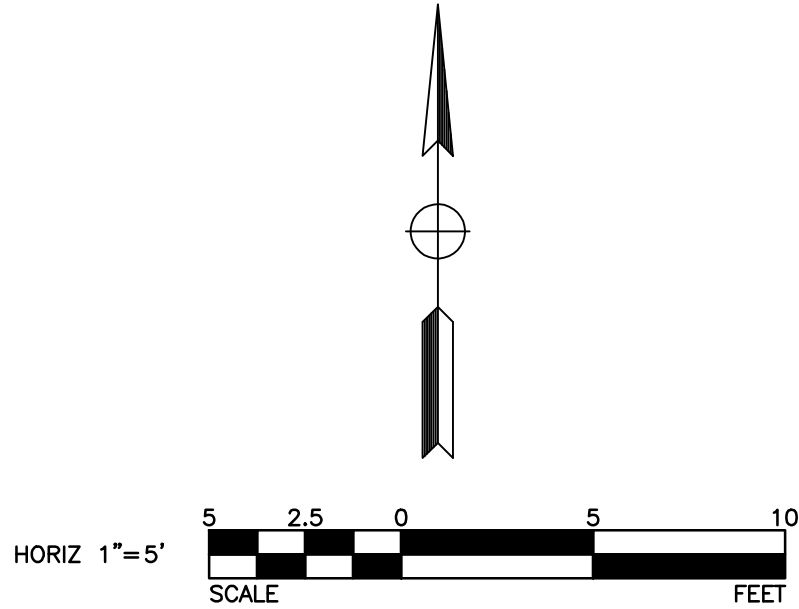
OAK STREET

DEMOLITION NOTES

- 1 REMOVE BY CONTRACTOR
- 2 PROTECT IN PLACE
- 3 CONTRACTOR TO CAP/REMOVE SERVICE LINES
- 4 INSTALL TEMPORARY 6' CHAIN LINK FENCE WITH PRIVACY FABRIC LINED WITH FIBER ROLLS
- 5 INSTALL BMP AT EXISTING CATCH BASIN

LEGEND:

- AREA TO BE DEMOLISHED
- EXISTING BUILDING TO BE REMOVED
- PCC AREA TO BE REMOVED
- SOD & VEGETATION AREA TO BE REMOVED
- IRRIGATION WATER VALVE
- IRRIGATION CONTROLLER
- TELECOM/ELEC CABINET
- SIGN
- TREE
- INSTALL TEMPORARY 6' CHAIN LINK FENCE WITH PRIVACY FABRIC LINED WITH FIBER ROLLS



BID SET

CITY OF LOS ALAMITOS



CONTRACT DOCUMENTS AND SPECIFICATIONS

FOR

**DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION BUILDING / PUBLIC
WORKS BUILDING
AT 10921 OAK STREET
CIP 22/23-04**

IN THE CITY OF LOS ALAMITOS, CALIFORNIA

AUGUST 2023

NOTICE TO THE BIDDERS:

1. Contract bid documents: \$15 at counter or \$25 if purchased by mail (Prepaid amount/non-refundable).
2. Bid bond required – 10% of bid amount to be submitted with bid.
3. Bids must be received by 11:00 a.m. on the 20th day of September 2023

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CITY OF LOS ALAMITOS
SPECIFICATIONS FOR
DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION BUILDING / PUBLIC
WORKS BUILDING
AT 10921 OAK STREET
SPECIFICATION NO. CIP 22/23-04
IN THE CITY OF LOS ALAMITOS, CALIFORNIA

GENERAL REQUIREMENTS AND TECHNICAL PROVISIONS
PREPARED BY:

Willdan Engineering
2401 East Katella Avenue, Suite 300
Anaheim, Ca 92806
(714) 978-8200


George B Saba, P.E.
RCE - 54563

FOR THE CITY OF LOS ALAMITOS
PUBLIC WORKS DIVISION
DEVELOPMENT SERVICES DEPARTMENT

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DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION BUILDING / PUBLIC
WORKS BUILDING
AT 10921 OAK STREET
SPECIFICATION NO. CIP 22/23-04
IN THE CITY OF LOS ALAMITOS, CALIFORNIA

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INSTRUCTIONS TO BIDDERS	B
PROPOSAL INFORMATION AND DOCUMENTS.....	C
CONTRACT INFORMATION AND DOCUMENTS.....	D
STANDARD SPECIFICATIONS	E
SPECIAL PROVISIONS.....	F
RECYCLING OF MATERIALS.....	G
DEMOLITION AND IMPROVEMENTS PLANS.....	APPENDIX A

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SECTION A

**DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION BUILDING / PUBLIC
WORKS BUILDING**

AT 10921 OAK STREET

SPECIFICATION NO. CIP 22/23-04

IN THE CITY OF LOS ALAMITOS, CALIFORNIA

NOTICE INVITING SEALED BIDS

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NOTICE INVITING SEALED BIDS

**DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION BUILDING / PUBLIC
WORKS BUILDING
AT 10921 OAK STREET
SPECIFICATION NO. CIP 22/23-04
IN THE CITY OF LOS ALAMITOS, CALIFORNIA**

PUBLIC NOTICE IS HEREBY GIVEN that the City of Los Alamitos as AGENCY, invites sealed bids for the above stated project and will receive such bids in the office of the City Clerk, **3191 Katella Avenue, Los Alamitos, CA 90720** up to the hour of 11:00 a.m., on the 20th day of September 2023. The bids will be publicly opened and read at 11:00 a.m. on the 20th day of September 2023, in the Los Alamitos City Hall Council Chambers.

The City of Los Alamitos proposes to demolish the Los Alamitos Television Production Building located at 10921 Oak Street, install chain link fence with slats, site grading, and placement of ¾" pea gravel.

Copies of the plans, specifications, and contract documents are available from the City of Los Alamitos, **3191 Katella Avenue, Los Alamitos, CA 90720** upon payment of a **\$15.00 non-refundable fee if picked up, or payment of a \$25.00 non-refundable fee if mailed**. In accordance with the provisions of California Public Contract Code § 3300, and Business and Professions Code § 7028.15(e), the Agency has determined that the contractor shall possess a valid Class A or Class C-21 contractor's license at the time that the contract is awarded. Failure to possess the specified license shall render a bidder's bid as non-responsive and shall bar award of the contract to any bidder not possessing the specified license at the time of the award.

CONTRACTORS ARE REQUIRED BY LAW TO BE LICENSED AND REGULATED BY THE CONTRACTORS' STATE LICENSE BOARD. ANY QUESTIONS CONCERNING A CONTRACTOR MAY BE REFERRED TO THE REGISTRAR, CONTRACTORS' STATE LICENSE BOARD, P.O. BOX 2600, SACRAMENTO, CA 95826. At the time the contract is awarded, the contractor shall be properly licensed in accordance with the laws of this state. The first payment for work or material shall not be made unless and until the Registrar of Contractors verifies to the Agency that the records of the Contractors' State License Board indicate that the contractor was properly licensed at the time the contract was awarded. Any bidder or contractor not so licensed shall be subject to all legal penalties imposed by law including, but not limited to, any appropriate disciplinary action by the Contractors' State Board. Failure of the bidder to obtain proper and adequate licensing for an award of a contract shall constitute a failure to execute the contract and shall result in the forfeiture of the security of the bidder. (Public Contract Code § 20103.5)

Bids must be prepared on the approved bid forms in conformance with INSTRUCTIONS TO BIDDERS and submitted in the envelopes provided, sealed, and plainly marked on the outside:

**“SEALED BID FOR DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION
BUILDING / PUBLIC WORKS BUILDING AT 10921 OAK STREET
SPECIFICATION NO. CIP 22/23-04**

DO NOT OPEN WITH REGULAR MAIL”

The bid must be accompanied by a bid guarantee in the amount of 10% of the total bid by 11:00 a.m. ON THE DATE ADVERTISED FOR THE OPENING OF BIDS. More specifically, pursuant to Public Contract Code §§ 20170 and 20171, all bids for the project shall be presented, under sealed cover and shall be accompanied by one of the following forms of bidder's security in the amount of ten percent (10%) of

the bid: (a) cash; (b) a cashier's check made payable to the City of Los Alamitos; (c) a certified check made payable to the City of Los Alamitos; or (d) a bidder's bond executed by an admitted surety insurer made payable to the City of Los Alamitos. Such security shall be forfeited should the successful bidder to whom the contract is awarded fails to timely execute the contract and to deliver the necessary bonds and insurance certificates as specified in the contract documents.

Bids submitted prior to bid opening shall be per appointment only. Contact Vandine Ouk by email, VOuk@cityoflosalamitos.org, to schedule an appointment.

To the extent applicable, at any time during the term of the Agreement for the proposed project, the successful bidder may, at its own expense, substitute securities equivalent to the amount withheld as retention (or the retained percentage) in accordance with Public Contract Code § 22300.

Pursuant to California Civil Code § 3247, a payment bond is required to be submitted for all projects estimated in excess of \$25,000.00.

The Agency has determined that the proposed project is a public works subject to the provisions of Labor Code § 1720 thereby requiring the Contractor to pay the prevailing wage rates for all work performed under the Contract.

The Agency reserves the right to reject any and all bids.

If you have any questions, please contact Chris Kelley, at (562) 357-5411, or Vandine Ouk by email, VOuk@cityoflosalamitos.org.

BY ORDER OF the City Council of the City of Los Alamitos, California.

SECTION B

**DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION BUILDING / PUBLIC
WORKS BUILDING**

AT 10921 OAK STREET

SPECIFICATION NO. CIP 22/23-04

IN THE CITY OF LOS ALAMITOS, CALIFORNIA

INSTRUCTIONS TO BIDDERS

INSTRUCTIONS TO BIDDERS

DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION BUILDING / PUBLIC WORKS BUILDING AT 10921 OAK STREET SPECIFICATION NO. CIP 22/23-04 IN THE CITY OF LOS ALAMITOS, CALIFORNIA

B1.01 INSPECTION OF SITE OF WORK

Bidders are required to inspect the site of the work in order to satisfy themselves, by personal examination or by such other means as they may prefer, of the location of the proposed work and as to the actual conditions of and at the site of work. If, during the course of his/her examination, a bidder finds facts or conditions which appear to him/her to conflict with the letter or spirit of the contract documents, or with any other data furnished him/her, he/she may apply to the Agency in writing in accordance with **B1.04 INTERPRETATION OF CONTRACT DOCUMENTS** for additional information and explanation before submitting his/her bid.

The submission of a proposal by the bidder shall constitute the acknowledgment that, if awarded the contract, he/she has relied and is relying on his/her own examination of (a) the site of the work, (b) the access to the site, and (c) all other data, matters, and things requisite to the fulfillment of the work and on his/her own knowledge of existing services and utilities on and in the vicinity of the site of the work to be constructed under the contract, and not on any representation or warranty of the Agency. No claim for additional compensation will be allowed which is based upon a lack of knowledge of these items.

B1.02 EXAMINATION OF CONTRACT DOCUMENTS

Each bidder shall thoroughly examine and be familiar with legal and procedural documents, general conditions, specifications, drawings, and addenda (if any). The submission of a proposal shall constitute an acknowledgment upon which the Agency may rely that the bidder has thoroughly examined and is familiar with the contract documents. The bidders' attention is directed to the need, if any, for special invoicing for this project. The failure or neglect of a bidder to receive or examine any of the contract documents shall in no way relieve him/her from any obligations with respect to his/her proposal or to the contract. No claim for additional compensation will be allowed which is based upon a lack of knowledge of any contract document.

B1.03 CONTRACT PERIOD/CONSTRUCTION COMPLETION DATE

Bidder's attention is called to the provisions set forth in **SECTION E, STANDARD SPECIFICATIONS**, particularly those pertaining to the contract period and liquidated damages for avoidable delays.

The Contractor shall begin work within fifteen (15) calendar days after the date of the Notice to Proceed and shall diligently prosecute said work to completion before the expiration **25 WORKING DAYS**. The Contractor shall pay to the Agency the sum of **\$500.00** per day, for each and every calendar days delay in finishing the work in excess of the number of working days prescribed above.

B1.04 INTERPRETATION OF CONTRACT DOCUMENTS

No oral interpretations will be made to any bidder as to the meaning of the contract documents. Requests for an interpretation shall be made in writing and delivered to the Agency at least ten (10) days before the time announced for opening the proposals. Interpretations by the Agency will be in the form of addenda to the contract documents and, when issued, will be sent as promptly as is practical to all parties to whom the contract documents have been issued. Agency makes no guarantee that all bidders will receive all addenda.

Copies of addenda will be made available for inspection at the office where contract documents are on file for inspection as indicated on the Invitation for Bids. All such addenda shall become part of the contract. All questions shall be addressed to Chris Kelley, City of Los Alamitos, (562) 357-5411.

B1.05 SOIL INFORMATION

Soil reports have not been prepared for this project.

B1.06 PROPOSAL

Proposals shall be made on the forms enclosed in **SECTION C** of these specifications with or without removal from the bound contract documents. All proposals shall give the prices proposed, both in words and in numbers, shall give all other information requested herein, and shall be signed by the bidder or his/her authorized representative, with his/her address. If the proposal is made by an individual, his/her name, signature and mailing address must be shown; if made by firm or partnership, the name and mailing address of the firm or partnership and the signature of at least one of the general partners must be shown; if made by a corporation, the proposal shall show the name of the state under the laws of which the corporation is chartered, the name and mailing address of the corporation, and the name and title of the person who signs on behalf of the corporation. If the proposal is made by a corporation, a certified copy of the bylaws or resolution of the board of directors of the corporation shall be furnished demonstrating the authority of the officer signing the proposal to execute contracts on behalf of the corporation.

Each proposal shall be enclosed in a sealed envelope, labeled as specified in **SECTION A - NOTICE INVITING SEALED BIDS**. Bidders are warned against making erasures or alterations of any kind, and proposals which contain omissions, erasures or irregularities of any kind may be rejected. No oral, telegraphic, or telephonic proposals or modifications will be considered.

In conformance with the Business and Profession Code, § 7028.15, the Contractor must state clearly his/her license number and expiration date. In addition, he/she shall sign a statement that these representations were made under the penalty of perjury. This statement shall be made on the **EXPERIENCE STATEMENT** in **SECTION C**.

The contractor will be required to pay prevailing wage pursuant to California Law, including California Labor Code §§ 1770 et seq. Copies of the prevailing rate of per diem wages are on file at the offices of the Agency.

B1.07 ADDENDA

Each proposal shall include specific acknowledgment in the space provided on **SECTION C - BID PROPOSAL** of receipt of all addenda issued during the bidding period. Failure to so acknowledge may result in the proposal being rejected as not responsive.

B1.08 BID PRICES

Bid prices shall include everything necessary for the completion of construction and fulfillment of the contract including, but not limited to, furnishing all materials, equipment, tools, plant and other facilities and all management, superintendence, labor, and services, except as may be provided otherwise in the contract documents. In the event of a difference between a price quoted in words and a price quoted in numbers for the same quotation, the words shall be the amount bid.

In preparing bid prices, bidder represents that he/she has carefully examined the Contract Documents and the site where the work is to be performed and that he/she has familiarized himself with all local conditions

and federal, state, and local laws, ordinances, rules, and regulations that may affect the performance of the work in any manner. The bidder further represents that he/she has studied all surveys and investigation reports about subsurface and physical conditions pertaining to the job site, that he/she has performed such additional surveys and investigations as he/she deems necessary to complete the work at his/her bid price, and that he/she has correlated the results of all such data with the requirements of the Contract Documents. The submittal of a bid shall be conclusive evidence that the bidder has investigated and is satisfied as to the conditions to be encountered, including locality, uncertainty of weather and all other contingencies, and as to the character, quality, quantities, and scope of the work.

The plans and specifications for the work show subsurface conditions or otherwise hidden conditions as the Design Engineer supposes or believes them to exist but is not intended or to be inferred that the conditions as shown thereon constitute a representation that such conditions are actually existent. Except as otherwise specifically provided in the Contract Documents, the Agency, the Design Engineer and their consultants or agents shall not be liable for any loss sustained by the Contractor as a result of any variance of such conditions as shown on the plans and the actual conditions revealed during the progress of the work or otherwise.

The Contractor shall perform an independent take-off of the plans and bid accordingly. Quantities listed in the **BID SCHEDULE** in **SECTION C** are intended only as a guide for the Contractor as to the anticipated order of magnitude of work. Contractor shall be responsible for verifying all estimated quantities. Contractor will be reimbursed for the quantity of items actually installed as required by the Contract Documents and shown on the plans to neat line and grade.

The Contractor will not be reimbursed for unauthorized work performed outside of that required by the Contract Documents.

B1.09 TAXES

No mention shall be made in the proposal of sales tax, use tax, or any other tax, as all amounts bid will be deemed and held to include any such taxes which may be applicable.

B1.10 RECOGNITION OF BONDING COMPANIES

All bonding companies used by the Contractor in this contract must be recognized by the Federal Government within Circular 570. All proposals or contracts received that include bonds posted by bonding companies not recognized in Circular 570 will result in the disqualification of the bid proposal and forfeiture of the bid bond.

B1.11 QUALIFICATION OF BIDDERS

Each bidder shall be skilled and regularly engaged in the general class or type of work called for under the contract. A statement setting forth his/her experience shall be submitted by each bidder on the **EXPERIENCE STATEMENT** form provided in **SECTION C**.

Each bidder shall possess a valid Contractor's License issued by the Contractor's State License Board at the time his/her bid is submitted. The class of license shall be applicable to the work specified in the contract. Each bidder shall also have no less than five (5) years' experience in the magnitude and character of the work bid.

It is the intention of the Agency to award a contract to a bidder who furnished satisfactory evidence that he/she has the requisite experience and ability, and that he/she has sufficient capital, facilities, and plant to enable him/her to prosecute the work successfully and properly, and to complete it within the time stated in the contract.

To determine the degree of responsibility to be credited to the bidder, the Agency will weigh any evidence that the bidder has performed satisfactorily other contracts of like nature, magnitude and comparable difficulty and comparable rates of progress. If in the opinion of the Agency, a bidder is determined to be insufficiently qualified, then that bidder will not be considered for award of the contract.

B1.12 DESIGNATION OF SUPPLIERS AND SUBCONTRACTORS

Each proposal shall have listed on the **DESIGNATION OF SUPPLIERS AND SUBCONTRACTORS** form provided in **SECTION C** the name and address of each subcontractor to whom the bidder proposes to sublet portions of the work in excess of one-half percent of the total amount of his/her bid. For the purpose of this paragraph, a subcontractor is defined as one who contracts with the Contractor to furnish materials and labor, or labor only for the performance of work at the site of the work or who will specially fabricate a portion of the work off the site pursuant to detailed drawings in the contract documents.

Public Contract Code § 4104 requires all bidders to list subcontractors who will perform work in excess of ½% of the total bid, or in the case of streets and highways, ½% or \$10,000, whichever is greater.

Public Contract Code § 6109 prohibits a contractor from performing work with a subcontractor who is debarred pursuant to Labor Code §§ 1777.1 or 1777.7.

B1.13 PROPOSAL GUARANTEE

The proposal shall be accompanied by a proposal guarantee bond duly completed on the form provided herewith by a guarantee company authorized to carry on business in the State of California for payments to the Agency in the sum of at least 10% of the total amount of the bid proposal, or alternatively by a certified or cashier's check payable to the Agency, or cash, in the sum of at least 10% of the total amount of the bid proposal. The amount payable to the Agency under the proposal guarantee shall be forfeited to the Agency in case of failure or neglect of the bidder to furnish, execute and deliver to the Agency the required bonds, evidence of insurance and to enter into, execute and deliver to the Agency the agreement on the form provided herewith, within ten (10) days after being notified in writing by the Agency that the award has been made and the agreement is ready for execution.

B1.14 MODIFICATION OF PROPOSAL

A modification of a bid proposal already received will be considered only if the modification is received before the time announced for the opening of bids. All modifications shall be made in writing, executed, and submitted in the same form and manner as the original bid proposal.

B1.15 WITHDRAWAL OF PROPOSAL

A proposal may be withdrawn by a written request signed by the bidder. Such requests must be delivered to the Agency's designated official prior to the bid opening hour stipulated in **SECTION A – NOTICE INVITING SEALED BIDS**. Proposals may not be withdrawn after that time without forfeiture of the proposal guarantee. The withdrawal of a proposal will not prejudice the right of the bidder to submit a new proposal, providing there is time to do so.

B1.16 POSTPONEMENT OF BID OPENING

The Agency reserves the right to postpone the date and time for opening of bids at any time prior to the date and time announced in **SECTION A–NOTICE INVITING SEALED BIDS**.

B1.17 DISQUALIFICATION OF BIDDERS

If there is reason to believe that collusion exists among the bidders, none of the bids of the participants in such collusion will be considered. In the event that any bidder acting as a prime Contractor has an interest in more than one proposal, all such proposals will be rejected, and the bidder will be disqualified. This restriction does not apply to subcontractors or suppliers who may submit quotations to more than one bidder, and while doing so, may also submit a formal proposal as a prime Contractor.

B1.18 REJECTION OF PROPOSALS

The Agency reserves the right to reject any and all proposals, to waive any irregularity, and to reject any proposals which are incomplete, obscure or irregular; any proposals which omit a bid on any one or more items on which bids are required; which omit unit prices if unit prices are required; in which unit prices are unbalanced in the opinion of the Agency; which are accompanied by insufficient or irregular bid security; or which are from bidders who have previously failed to perform properly or to timely complete contracts of any nature.

B1.19 AWARD OF CONTRACT

The Contract will be awarded, if at all, to the lowest responsible and responsive bidder, whose bid proposal is not rejected for cause by the Agency. However, until an award is made, the Agency reserves right will be reserved to reject any or all bids, and to waive technical errors or discrepancies, if to do so is deemed to best serve the interests of the Agency. In no event will an award be made until all necessary investigations are made as to the responsibility and qualifications of the bidder to whom it is proposed to make such an award.

Each bidder's attention is directed to the possibility that the award of the project may be delayed for various reasons. The Agency reserves the right to delay the award of the project for 45 calendar days. After 45 calendar days, the low bidder may at any time request release from its bid without penalty.

The acceptance of a proposal will be evidenced by a Notice of Award of Contract in writing, delivered by mail to the bidder whose proposal is accepted. No other act of the Agency shall constitute acceptance of a proposal. The award of contract shall obligate the bidder whose proposal is accepted to furnish a performance bond, payment bond and maintenance bond, as well as evidence of insurance and to execute the contract set forth herein.

B1.20 RETURN OF PROPOSAL GUARANTEES

Within ten (10) calendar days after the bids are opened, the Agency will release the proposal guarantees accompanying the proposals which are not to be considered in making the award. Proposal guarantees for the two lowest bidders will be held until the contract has been fully executed, after which they will be returned to the respective bidders.

B2.21 EXECUTION OF CONTRACT

The contract agreement shall be executed in duplicate by the successful bidder and returned, together with the contract bonds and evidence of insurance, within ten (10) calendar days after the notification of the contract award by the Agency in writing. In case of failure of the successful bidder to execute the contract agreement within ten (10) calendar days after such notice, or any subsequent extension approved by Agency, the Agency at its option may consider the bidder in default, in which case the bid bond or proposal guarantee accompanying the bid shall become the property of the Agency. After execution by the Agency, one original contract shall be returned to the Contractor.

B1.22 FLEXIBILITY OF BID SCHEDULE

It is the intent of the Agency to award a contract to the lowest responsible and responsive bidder and the flexibility shown in the bid schedule is necessary to ensure a project within the Agency's budget limits and constraints.

SECTION C

**DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION BUILDING / PUBLIC
WORKS BUILDING
AT 10921 OAK STREET
SPECIFICATION NO. CIP 22/23-04
IN THE CITY OF LOS ALAMITOS, CALIFORNIA**

PROPOSAL INFORMATION AND DOCUMENTS

PROPOSAL INFORMATION AND DOCUMENTS

BID PROPOSAL

BID SCHEDULE

BID BOND

BID GUARANTEE

BIDDER INFORMATION

EXPERIENCE STATEMENT

DESIGNATION OF SUPPLIERS AND SUBCONTRACTORS

BID PROPOSAL

**DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION BUILDING / PUBLIC
WORKS BUILDING
AT 10921 OAK STREET
SPECIFICATION NO. CIP 22/23-04
IN THE CITY OF LOS ALAMITOS, CALIFORNIA**

The undersigned, as bidder, declares that he/she has examined all of the contract documents and specifications contained in this project manual for the above referenced project, and that he/she will contract with the Agency on the form of contract provided herewith to do everything necessary for the fulfillment of this contract at the price, and on the terms and conditions therein contained.

The following are included and are to be considered as forming a part of this proposal: **BID PROPOSAL, BID SCHEDULE, BID BOND, NONCOLLUSION AFFIDAVIT, BID GUARANTEE** (if submitted in lieu of Bid Bond), **BIDDER INFORMATION, EXPERIENCE STATEMENT, DESIGNATION OF SUPPLIERS & SUBCONTRACTORS, BIDDER'S STATEMENT REGARDING INSURANCE COVERAGE, and STATEMENT REGARDING CONTRACTOR'S LICENSING LAWS.**

Contractor acknowledges receipt and inclusion of addenda _____ to _____ into this bid proposal and the contract documents.

Attached is a Bid Bond duly completed by a guarantee company authorized to carry on business in the State of California in the amount of at least 10% of the total amount of this proposal, or alternatively, there is attached a certified or cashier's check payable to the Agency or evidence of a cash payment to the Agency, in the amount of at least 10% of the total amount of our proposal.

If this proposal is accepted, we agree to sign the contract form and to furnish the Performance Bond and the Payment Bond (each to be 100% of the bid amount), the Maintenance Bond (to be 50% of the bid amount), and the required evidence of insurance within ten (10) calendar days after receiving written Notice of Award of Contract.

We further agree if our proposal is accepted and a contract for the performance of the work is entered into with the Agency, to so plan the work and to prosecute it with such diligence that all of the work shall be completed within the time stipulated in **SECTION E - TIME OF COMPLETION.**

NAME OF BIDDER: _____

MAILING ADDRESS: _____

STATE OF INCORPORATION: _____

AUTHORIZED SIGNATURE: _____

TITLE: _____

DATE: _____

(If Company is a corporation, provide corporate resolution per **B 1.06 PROPOSAL.**)

BID SCHEDULE

**DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION BUILDING / PUBLIC
WORKS BUILDING
AT 10921 OAK STREET
SPECIFICATION NO. CIP 22/23-04
IN THE CITY OF LOS ALAMITOS, CALIFORNIA**

The cost of all labor, services, material, equipment, and installation necessary for the completion of the work itemized under this schedule, even though not shown, or specified, shall be included in the unit price for the various items shown herein. For a description of the work associated with each bid item, see **SECTION E–SPECIAL PROVISIONS**. The Agency reserves the right to increase or decrease the quantity of any item or omit items as may be necessary, and the same shall in no way affect or void the contract, except those appropriate additions or deductions from the contract total price will be made at the stipulated unit price in accordance with these Contract Documents.

The Agency reserves the right to reject any and all bids, to waive any informality in a bid, and to make awards in the interest of the Agency.

The Contractor shall perform an independent take-off of the plans and bid accordingly. Quantities listed in this Bid Schedule are intended only as a guide for the Contractor as to the anticipated order of magnitude of work. The Contractor shall be responsible for verifying all estimated quantities. The Contractor will be reimbursed for the quantity of items actually installed as required by the Contract Documents, including addenda, and shown on the plans to neat line and grade.

The Contractor will not be reimbursed for work performed for his convenience, or as required to adapt to field conditions, or for unauthorized work performed outside of that required by the Contract Documents.

The Contractor shall be responsible for calculating and providing totals for the bid schedule. The proposal schedule shall include all costs for labor, services, material, equipment, and installation associated with completing the work in place per the plans, specifications, and details.

NAME OF BIDDER: _____

CONTRACTOR'S LICENSE NO.: _____

AUTHORIZED SIGNATURE: _____

TITLE: _____

DATE: _____

BID SCHEDULE (Continued)

**DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION BUILDING / PUBLIC
WORKS BUILDING
AT 10921 OAK STREET
SPECIFICATION NO. CIP 22/23-04
IN THE CITY OF LOS ALAMITOS, CALIFORNIA**

BID SCHEDULE A					
No.	Item Description	Estimated Quantity	Unit	Unit Price	Item Amount
1	Mobilization	1	LS	\$	\$
2	Water Pollution Control	1	LS	\$	\$
3	Irrigation System Modifications	1	LS	\$	\$
4	Clearing and Grubbing	1	LS	\$	\$
5	Demolition of the TV Production Building	1	LS	\$	\$
6	Temporary 6' Chain Link Fence with Privacy Screen & Straw Rolls	195	LF	\$	\$
7	Grading (Flatten to 4" below reference point, 90% compaction)	1	LS	\$	\$
8	Vegetation Control Fabric	4140	SQFT	\$	\$
9	3/4" Size Landscape Grade Rocks, 4" Thick (Locally Available)	80	TON	\$	\$
10	Restore Lawn	430	SQFT	\$	\$
11	8' High Chain Link Fence with Black Plastic Slats	148	LF	\$	\$
12	6' - 2"x2"x .25" Steel Square Tube / Anchored to Block Wall / Field Welded to Existing Steel Bars	12	LF	\$	\$
Total					

Bid Schedule A Total \$

Bid Schedule A Total (in words):

The Contractor shall be responsible for calculating and providing unit prices for the schedule. The proposal schedule shall include all costs for services, labor, materials, equipment, and installation associated with completing the work in place per the plans, specifications, and details.

The City has the option to reject all bids with or without cause. The City also has the option to remove bid items at its discretion. If the City chooses to remove bid items, no bid price adjustment will be allowed.

For the purposes of determining the lowest responsible bidder, the Bid Schedule A Total shall be considered.

(Company Name of Bidder)

(Date)

BID BOND

**DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION BUILDING / PUBLIC
WORKS BUILDING
AT 10921 OAK STREET
SPECIFICATION NO. CIP 22/23-04
IN THE CITY OF LOS ALAMITOS, CALIFORNIA**

KNOW ALL MEN BY THESE PRESENTS that Bidder _____, as PRINCIPAL, and _____, as SURETY, are held and firmly bound unto the City of Los Alamitos as AGENCY, in the penal sum of _____ dollars (\$_____), which is ten percent (10%) of the total amount bid by PRINCIPAL to AGENCY for the above stated project, for the payment of which sum, PRINCIPAL and SURETY agree to be bound, jointly and severally, firmly by these presents.

The SURETY, for value received, hereby stipulates, and agrees that the obligations of said SURETY and its BOND shall be in no way impaired or affected by any extension of the time within which the AGENCY may accept such Bid; and said SURETY does hereby waive notice of any such extension.

THE CONDITIONS OF THIS OBLIGATION ARE SUCH that, whereas PRINCIPAL is about to submit a bid to AGENCY for the above stated project, if said bid is rejected, or if said bid is accepted and a contract is awarded and entered into by PRINCIPAL in the manner and time specified, and PRINCIPAL provides the required payment and performance bonds and insurance coverages to AGENCY, then this obligation shall be null and void, otherwise it shall remain in full force and effect in favor of AGENCY.

IN WITNESS WHEREOF the parties hereto have set their names, titles, hands, and seals this day of _____, 2023.

PRINCIPAL*

SURETY*

*Provide BIDDER and SURETY name, address and telephone number and the name, title, address, and telephone number for their authorized representatives. Power of Attorney must be attached.

Subscribed and sworn to this _____ day of _____, 2023.

NOTARY PUBLIC _____ (SEAL)

BID GUARANTEE

**DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION BUILDING / PUBLIC
WORKS BUILDING
AT 10921 OAK STREET
SPECIFICATION NO. CIP 22/23-04
IN THE CITY OF LOS ALAMITOS, CALIFORNIA**

Note: The following statement shall be used if other than a bid surety bond accompanies bid.

“Accompanying this proposal is a money order*, certified check*, cashier’s check*, cash*, payable to the order of the City of Los Alamitos in the amount of

_____ Dollars (\$_____) which is at least ten percent (10%) of the total amount of this bid. The proceeds of this bid guarantee shall become the property of the City of Los Alamitos provided this bid is accepted by said City, through action of its legally constituted contracting authorities, and the undersigned fails to execute a contract and furnish the required bonds and insurance within the stipulated time. Otherwise, the proceeds of this bid guarantee shall be returned to the undersigned.”

NAME OF BIDDER: _____

MAILING ADDRESS: _____

AUTHORIZED SIGNATURE: _____

TITLE: _____

DATE: _____

(*Delete the inapplicable words)

BIDDER INFORMATION

**DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION BUILDING / PUBLIC
WORKS BUILDING
AT 10921 OAK STREET
SPECIFICATION NO. CIP 22/23-04
IN THE CITY OF LOS ALAMITOS, CALIFORNIA**

BIDDER certifies that the following information is true and correct:

Name of Bidder:

.....

Business Address:

.....

Telephone: _____ .FAX: _____

E-mail: _____

Contractor's License No.: _____ Date License Issued: _____.

License Expiration Date: _____

The following are the names, titles, addresses, and phone numbers of all individuals, firm members, partners, joint venturers, and/or corporate officers having a principal interest in this proposal: (Name / Title / Address / Telephone)

Any voluntary or involuntary bankruptcy judgments against any principal having an interest in this proposal are as follows: (Type of Judgment / Date)

All current and prior DBA's, aliases, and/or fictitious business names for any principal having an interest in this proposal are as follows: (Principal / DBA's / Applicable Dates)

Prior Disqualification

Has your firm ever been disqualified from performing work for any City, County, Public or Private Contracting entity? Yes / No _____. If yes, provide the following information. (If more than once, use separate sheets):

Date: _____ Entity: _____

Location: _____

Reason: _____

Provide Status and any Supplemental Statement: _____

Has your firm been reinstated by this entity? Yes / No _____

Violations of Federal or State Law

A. Has your firm or its officers been assessed any penalties by any agency for noncompliance, violations of Federal or State labor laws and/or business or licensing regulations within the past five (5) years relating to your construction projects?

Yes / No: _____ Federal / State: _____

If "yes", identify and describe, (including status): _____

Have the penalties been paid? Yes / No: _____

B. Does your firm or its officers have any ongoing investigations by any AGENCY regarding violations of the State Labor Code, California Business and Professions Code or State Licensing laws?

Yes / No: _____ Codes / Laws: _____ Section / Article: _____

.....

If "yes", identify and describe (including status):

.....

.....

I declare under penalty of perjury under the laws of the State of California that all of the representations made in this **BIDDER INFORMATION** are true and correct. Executed this _____ day of _____, 2023, at _____, California.

Authorized Representative Signature and Title _____

EXPERIENCE STATEMENT

**DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION BUILDING / PUBLIC
WORKS BUILDING
AT 10921 OAK STREET
SPECIFICATION NO. CIP 22/23-04
IN THE CITY OF LOS ALAMITOS, CALIFORNIA**

Pursuant to this **BID PROPOSAL** and **QUALIFICATION OF BIDDERS**, the following is a record of the Bidder's experience in construction of a type similar in magnitude and character to that contemplated under this contract. Included in this section should be a complete list of references for similar projects in terms of scope of work, value of work, and time constraints. The Contractor must demonstrate that he/she has experience with this type of project and can manage this project effectively. If necessary, additional numbered pages can be attached to this page. The Contractor must be properly licensed to perform the work in this project as determined by the State Contractor's License Board.

Project Title: _____ Client: _____

Date: _____ Project Value: _____ Contact: _____ Tel # _____

Description: _____

Subject to Federal Labor Standards: Yes No

Project Title: _____ Client: _____

Date: _____ Project Value: _____ Contact: _____ Tel # _____

Description: _____

Subject to Federal Labor Standards: Yes No

EXPERIENCE STATEMENT (Continued)

**DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION BUILDING / PUBLIC
WORKS BUILDING
AT 10921 OAK STREET
SPECIFICATION NO. CIP 22/23-04
IN THE CITY OF LOS ALAMITOS, CALIFORNIA**

Project Title: _____ Client: _____

Date: _____ Project Value: _____ Contact: _____ Tel

Description: _____

Subject to Federal Labor Standards: Yes No

Project Title: _____ Client: _____

Date: _____ Project Value: _____ Contact: _____ Tel # _____

Description: _____

Subject to Federal Labor Standards: Yes No

I declare under penalty of perjury under the laws of the State of California that all of the representations made in this **EXPERIENCE STATEMENT** are true and correct. Executed this _____ day of _____, 20__, at _____, California.

Authorized Representative Signature and Title

DESIGNATION OF SUPPLIERS AND SUBCONTRACTORS

**DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION BUILDING / PUBLIC
WORKS BUILDING
AT 10921 OAK STREET
SPECIFICATION NO. CIP 22/23-04
IN THE CITY OF LOS ALAMITOS, CALIFORNIA**

The following is a list of subcontractors and suppliers, as defined in 2-3 SUBCONTRACTS of the Standard Specifications, who will perform work or provide materials of value in excess of one-half percent of the total bid price or \$10,000, whichever is greater.

No subcontractor shall perform work in excess of the amount specified in 2-3 SUBCONTRACTS of the Standard Specifications, without the written approval of the Agency.

The Contractor is responsible to ensure that appropriate provisions are to be inserted in all subcontracts to bind subcontractors to the contract requirements as contained herein.

Each subcontractor must agree to comply with all applicable Federal, State, and local requirements.

Name and Address of Subcontractor	Employer Tax Id #	MBE/ WBE (Y/N)	Work Subcontracted	Portion of Work (% of Contract Price)

These representations are made under the penalty of perjury under the laws of the State of California. The undersigned hereby certifies that each subcontractor has been notified in writing of its equal opportunity obligations.

NAME OF BIDDER: _____

AUTHORIZED SIGNATURE: _____

Date: _____

SECTION D

**DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION BUILDING / PUBLIC
WORKS BUILDING**

AT 10921 OAK STREET

SPECIFICATION NO. CIP 22/23-04

IN THE CITY OF LOS ALAMITOS, CALIFORNIA

CONTRACT INFORMATION AND DOCUMENTS

CONTRACT INFORMATION AND DOCUMENTS

CONTRACT AGREEMENT

PAYMENT BOND

FAITHFUL PERFORMANCE BOND

MAINTENANCE BOND

NON-COLLUSION AFFIDAVIT

WORKER'S COMPENSATION INSURANCE CERTIFICATE

INSURANCE ENDORSEMENT

STATEMENT RE INSURANCE COVERAGE

STATEMENT RE THE CONTRACTOR'S LICENSING LAWS

ARTICLES OF AGREEMENT

**DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION BUILDING / PUBLIC
WORKS BUILDING
AT 10921 OAK STREET
SPECIFICATION NO. CIP 22/23-04
IN THE CITY OF LOS ALAMITOS, CALIFORNIA**

THIS DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION BUILDING / PUBLIC WORKS BUILDING , SPECIFICATION NO. CIP 22/23-04 AGREEMENT (“AGREEMENT”) is made and entered into for the above-stated project this ____ day of _____, 2023 (Council Action Date Here), BY AND BETWEEN the City of Los Alamitos, a municipal corporation, hereafter designated as “AGENCY”, and CONTRACTOR’S BUSINESS NAME, a _____ (State) _____ (corporation, partnership, limited liability company, or other business form), hereafter designated as “CONTRACTOR.”

WITNESSETH that AGENCY and CONTRACTOR have mutually agreed as follows:

ARTICLE I: Contract Documents

The contract documents for the DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION BUILDING / PUBLIC WORKS BUILDING, SPECIFICATION NO. CIP 22/23-04 shall consist of the Notice Inviting Sealed Bids, Instructions To Bidders, Bid Proposal, Bid Schedule, Standard Specifications, Special Provisions, and all referenced specifications, details, standard drawings, and appendices; together with two signed copies of the AGREEMENT, two signed copies of required bonds; one copy of the insurance certificates, permits, notices, and affidavits; and also including any and all addenda or supplemental agreements clarifying, amending, or extending the work contemplated as may be required to ensure its completion in an acceptable manner (collectively referred to herein as the “Contract Documents”). All of the provisions of the Contract Documents are made a part hereof as though fully set forth herein.

ARTICLE II: Scope of Work

For and in consideration of the payments and agreements to be made and performed by AGENCY, CONTRACTOR agrees to furnish all materials and equipment and perform all work required for the above-stated project, and to fulfill all other obligations as set forth in the aforesaid contract documents.

AGENCY hereby employs CONTRACTOR to provide the materials, do the work, and fulfill the obligations according to the terms and conditions herein contained and referred to, for the prices provided herein, and hereby contracts to pay the same at the time, in the manner, and upon the conditions set forth in this AGREEMENT.

In entering into a public works contract or a subcontract to supply goods, services, or materials pursuant to this AGREEMENT, CONTRACTOR offers and agrees to assign to the AGENCY all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 (Section 16700, et seq.) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services, or materials pursuant to the public works contract or the subcontract. This

assignment shall be made and become effective at the time the awarding body tenders final payment to CONTRACTOR, without further acknowledgment by the parties.

ARTICLE III: Compensation

A. CONTRACTOR agrees to receive and accept the prices set forth in the Bid Proposal and Bid Schedule as full compensation for furnishing all materials, performing all work, and fulfilling all obligations hereunder. In no event shall the total compensation and costs payable to CONTRACTOR under this Agreement exceed the sum of Dollars (\$.....), unless specifically approved in advance and in writing by AGENCY

Such compensation shall cover all expenses, losses, damages, and consequences arising out of the nature of the work during its progress or prior to its acceptance including those for well and faithfully completing the work and the whole thereof in the manner and time specified in the aforesaid Contract Documents; and also including those arising from actions of the elements, unforeseen difficulties or obstructions encountered in the prosecution of the work, suspension or discontinuance of the work, and all other unknowns or risks of any description connected with the work.

B. This AGREEMENT is subject to the provisions of Article 1.7 (commencing at Section 20104.50) of Division 2, Part 3 of the Public Contract Code regarding prompt payment of contractors by local governments. Article 1.7 mandates certain procedures for the payment of undisputed and properly submitted payment requests within 30 days after receipt, for the review of payment requests, for notice to Contractor of improper payment requests, and provides for the payment of interest on progress payment requests which are not timely made in accordance with that Article. This AGREEMENT hereby incorporates the provisions of Article 1.7 as though fully set forth herein.

C. At the request and expense of CONTRACTOR, securities equivalent to the amount withheld shall be deposited with AGENCY, or with a state or federally chartered bank in this state as the escrow agent, who shall then pay those moneys to CONTRACTOR upon Agency's confirmation of CONTRACTOR'S satisfactory completion of this AGREEMENT. At any time during the term of this AGREEMENT CONTRACTOR may, at its own expense, substitute securities for funds otherwise withheld as retention (or the retained percentage) in accordance with Public Contract Code § 22300.

ARTICLE IV: Labor Code

AGENCY and CONTRACTOR acknowledge that this AGREEMENT is subject to the provisions of Division 2, Part 7, Chapter 1 (commencing with Section 1720) of the California Labor Code relating to public works and public agencies and agree to be bound by all the provisions thereof as though set forth fully herein. Full compensation for conforming to the requirements of the Labor Code and with other Federal, State, and local laws related to labor, and rules, regulations and ordinances which apply to any work performed pursuant to this AGREEMENT is included in the price for all contract items of work involved.

This AGREEMENT is further subject to prevailing wage law, including, but not limited to, the following:

A. The CONTRACTOR shall pay the prevailing wage rates for all work performed under the AGREEMENT. When any craft or classification is omitted from the general

prevailing wage determinations, the CONTRACTOR shall pay the wage rate of the craft or classification most closely related to the omitted classification. The CONTRACTOR shall forfeit as a penalty to AGENCY \$200.00, or any greater penalty provided in the Labor Code for each Calendar Day, or portion thereof, for each worker paid less than the prevailing wage rates for any work done under the AGREEMENT in violation of the provisions of the Labor Code whether such worker is employed in the execution of the work by CONTRACTOR or by any Subcontractor under CONTRACTOR. In addition, CONTRACTOR shall pay each worker the difference between such prevailing wage rates and the amount paid to each worker for each Calendar Day, or portion thereof, for which each worker was paid less than the prevailing wage rate.

B. CONTRACTOR shall comply with the provisions of Labor Code Section 1777.5 concerning the employment of apprentices on public works projects, and further agrees that CONTRACTOR is responsible for compliance with Section 1777.5 by all of its subcontractors.

C. Pursuant to Labor Code § 1776, CONTRACTOR and any subcontractor shall keep accurate payroll records, showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by him or her in connection with this AGREEMENT. Each payroll record shall contain or be verified by a written declaration that it is made under penalty of perjury, stating both of the following: (1) The information contained in the payroll record is true and correct; and (2) The employer has complied with the requirements of Labor Code §§ 1811, and 1815 for any work performed by his or her employees on the public works project. The payroll records enumerated under subdivision (a) shall be certified and shall be available for inspection at all reasonable hours as required by Labor Code § 1776.

D. This AGREEMENT is further subject to 8-hour workday and wage and hour penalty law, including, but not limited to, Labor Code Sections 1810 and 1813, as well as California nondiscrimination laws, as follows:

CONTRACTOR shall strictly adhere to the provisions of the Labor Code regarding the 8-hour day and the 40-hour week, overtime, Saturday, Sunday and holiday work and nondiscrimination on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, or sexual orientation, except as provided in Section 12940 of the Government Code. Pursuant to the provisions of the Labor Code, eight hours' labor shall constitute a legal day's work. Work performed by CONTRACTOR's employees in excess of eight hours per day, and 40 hours during any one week, must include compensation for all hours worked in excess of eight hours per day, or 40 hours during any one week, at not less than one and one-half times the basic rate of pay. CONTRACTOR shall forfeit as a penalty to AGENCY \$25.00, or any greater penalty set forth in the Labor Code for each worker employed in the execution of the work by CONTRACTOR or by any Subcontractor of CONTRACTOR, for each Calendar Day during which such worker is required or permitted to the work more than eight hours in one Calendar Day or more than 40 hours in any one calendar week in violation of the Labor Code.

E. This AGREEMENT is subject to Public Contract Code Section 6109: CONTRACTOR shall be prohibited from performing work on this project with a subcontractor who is ineligible to perform work on the project pursuant to Sections 1777.1 or 1777.7 of the Labor Code.

ARTICLE V: Work Site Conditions

A. In compliance with and pursuant to Government Code Section 4215, AGENCY shall assume the responsibility, as between the parties to this AGREEMENT, for the timely removal, relocation, or protection of existing main- or trunk-line utility facilities located on the site of any construction project that is a subject of this AGREEMENT, if such utilities are not identified by AGENCY in the plans and specifications made a part of the invitation for bids. The Contract Documents shall include provisions to compensate CONTRACTOR for the costs of locating, repairing damage not due to the failure of CONTRACTOR to exercise reasonable care, and removing or relocating such utility facilities not indicated in the plans and specifications with reasonable accuracy, and for equipment on the project necessarily idled during such work. CONTRACTOR shall not be assessed liquidated damages for delay in completion of the project, when such delay was caused by the failure of AGENCY or the owner of a utility to provide for removal or relocation of such utility facilities.

B. To the extent that the work requires trenches in excess of five feet (5') and is estimated to cost more than \$25,000, prior to any excavation, CONTRACTOR must provide the AGENCY, or a registered civil or structural engineer employed by the AGENCY to whom authority has been delegated to accept such plans, a detailed plan showing the design of shoring, bracing, sloping, or other provisions to be made for worker protection from the hazard of caving ground during the excavation of such trench or trenches. If such plan varies from the shoring system standards, the plan shall be prepared by a registered civil or structural engineer. Nothing in this section shall be deemed to allow the use of a shoring, sloping, or protective system less effective than that required by the Construction Safety Orders.

C. This AGREEMENT is further subject to Public Contract Code Section 7104 with regard to any trenches deeper than four feet (4') involved in the proposed work as follows:

CONTRACTOR shall promptly, and before the following conditions are disturbed, notify AGENCY, in writing, of any:

- (1) Material that CONTRACTOR believes may be hazardous waste, as defined in Section 25117 of the Health and Safety Code, which is required to be removed to a Class I, Class II, or Class III disposal site in accordance with existing law.
- (2) Subsurface or latent physical conditions at the site differing from those indicated by all available information provided prior to the deadline for submission of bids.
- (3) Unknown physical conditions at the site of any unusual nature, different materially from those ordinarily encountered and generally recognized as inherent in work of the character provided for in the contract.

AGENCY shall promptly investigate the conditions, and if it finds that the conditions do materially so differ, or involve hazardous waste, and cause a decrease or increase in CONTRACTOR's cost of, or the time required for, performance of any part of the work, AGENCY shall issue a change order under the procedures described in this AGREEMENT.

In the event that a dispute arises between AGENCY and CONTRACTOR whether the conditions materially differ, or involve hazardous waste, or cause a decrease or increase in CONTRACTOR's cost of, or time required for, performance of any part of the work, CONTRACTOR shall not be excused from any scheduled completion date provided in the AGREEMENT but shall proceed with all work to be performed under the AGREEMENT. CONTRACTOR shall retain any and all rights provided either by contract or by law which pertain to the resolution of disputes and protests between the contracting parties.

ARTICLE VI: Insurance

A. With respect to performance of work under this AGREEMENT, CONTRACTOR shall maintain, and shall require all of its subcontractors to maintain, insurance as required by Section E "Standard Specifications" of the Contract Documents.

B. This AGREEMENT is further subject to Workers' Compensation obligations, including, but not limited to, California Labor Code Sections 1860 and 1861 as follows:

CONTRACTOR shall take out and maintain, during the life of this contract, Worker's Compensation Insurance for all of CONTRACTOR's employees employed at the site of improvement; and, if any work is sublet, CONTRACTOR shall require the subcontractor similarly to provide Worker's Compensation Insurance for all of the latter's employees, unless such employees are covered by the protection afforded by CONTRACTOR. CONTRACTOR and any of CONTRACTOR's subcontractors shall be required to provide AGENCY with a written statement acknowledging its obligation to secure payment of Worker's Compensation Insurance as required by Labor Code § 1861; to wit: 'I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.' If any class of employees engaged in work under this AGREEMENT at the site of the Project is not protected under any Worker's Compensation law, CONTRACTOR shall provide and shall cause each subcontractor to provide adequate insurance for the protection of employees not otherwise protected. CONTRACTOR shall indemnify and hold harmless AGENCY for any damage resulting from failure of either CONTRACTOR or any subcontractor to take out or maintain such insurance.

ARTICLE VII: Indemnification

To the fullest extent permitted by law, CONTRACTOR shall, at its sole cost and expense, fully defend, indemnify and hold harmless AGENCY, its authorized representatives and their respective subsidiaries, affiliates, members, directors, officers, employees and agents (collectively, the "Indemnitees") from and against any and all claims, actions, demands, costs, judgments, liens, penalties, liabilities, damages, losses, and expenses, including but not limited to any fees of accountants, attorneys or other professionals (collectively "Liabilities"), arising out of, in connection with, resulting from or related to, any act, omission, fault or negligence of CONTRACTOR, CONTRACTOR's Representative, or any of its officers, agents, employees, Subcontractors or Suppliers, or any person or organization directly or indirectly employed by any of them (Collectively, the "Indemnitors"), in connection with or relating to or claimed to be in connection with or relating to the work performed under this AGREEMENT.

If CONTRACTOR is a joint venture or partnership, each venturer or partner shall be jointly and severally liable for any and all of the duties and obligations of CONTRACTOR that are assumed under or arise out of this AGREEMENT. Each of such venturers or partners waives notice of the breach or non-performance of any undertaking or obligation of CONTRACTOR contained in, resulting from, or assumed under this AGREEMENT, and the failure to give any such notice shall not affect or impair such venturer's or partner's joint and several liability hereunder.

ARTICLE VIII: Binding Effect

AGENCY and CONTRACTOR each binds itself, its partners, successors, assigns, and legal representatives to the other party hereto and to its partners, successors, assigns, and legal representatives in respect of all covenants, agreements, and obligations contained in the Contract Documents. This AGREEMENT is not assignable nor the performance of either party's duties delegable without the prior written consent of the other party. Any attempted or purported assignment or delegation of any of the rights of obligations of either party without the prior written consent of the other shall be void and of no force and effect.

ARTICLE IX: Dispute Resolution

A. In the event of a dispute arising out of the terms of this AGREEMENT, including any action brought to declare the rights granted herein or to enforce any of the terms of this AGREEMENT, the party prevailing in such dispute shall be entitled to all reasonable costs and litigation expenses actually incurred, including fees of attorneys and expert witnesses. Any court action arising out of this AGREEMENT shall be filed in the Los Angeles County Superior Court. Any alternative dispute resolution proceeding arising out of this AGREEMENT shall be heard in the City of Los Angeles or the City of Los Alamitos, California.

B. AGENCY shall have full authority to compromise or otherwise settle any claim relating to this AGREEMENT or any part hereof at any time. AGENCY shall provide timely notification to CONTRACTOR of the receipt of any third-party claim relating to this AGREEMENT. AGENCY shall be entitled to recover its reasonable costs incurred in providing the notification required by this section.

C. This AGREEMENT is further subject to the provisions of Article 1.5 (commencing at Section 20104) of Division 2, Part 3 of the Public Contract Code regarding the resolution of public works claims of less than \$375,000. Article 1.5 mandates certain procedures for the filing of claims and supporting documentation by Contractor, for the response to such claims by the Agency, for a mandatory meet and confer conference upon the request of Contractor, for mandatory nonbinding mediation in the event litigation is commenced, and for mandatory judicial arbitration upon the parties' failure to resolve the dispute through mediation. This AGREEMENT hereby incorporates the provisions of Article 1.5 as though fully set forth herein.

ARTICLE X: Independent Contractor

CONTRACTOR is and shall at all times remain as to AGENCY, a wholly independent contractor. Neither AGENCY nor any of its agents shall have control of the conduct of CONTRACTOR or any of CONTRACTOR's employees, except as herein set forth. CONTRACTOR shall not at any time or in any manner represent that it or any of its agents or employees are in any manner agents or employees of AGENCY.

ARTICLE XI: Taxes

CONTRACTOR is responsible for paying all retail, sales and use, transportation, export, import, special or other taxes and duties applicable to, and assessable against any work, materials, equipment, services, processes, and operations incidental to or involved in this AGREEMENT. The CONTRACTOR is responsible for ascertaining and arranging to pay such taxes and duties. The prices established in this AGREEMENT shall include compensation for any taxes the CONTRACTOR is required to pay by laws and regulations in effect as of the execution of this AGREEMENT.

ARTICLE XII: Notices

All notices and communications shall be sent in writing to the parties at the following addresses:

AGENCY: Chris Kelley

CONTRACTOR: [INSERT CONTACT]

CITY OF LOS ALAMITOS

CONTRACTOR'S BUSINESS NAME

3191 Katella Avenue

Mailing Street Address

Los Alamitos, CA 90720

City, State Zip Code

ARTICLE XIII: Entire Agreement

This AGREEMENT supersedes any and all other agreements, either oral or written, between the parties and contains all of the covenants and agreements between the parties pertaining to the work of improvements described herein. Each party to this AGREEMENT acknowledges that no representations, inducements, promises or agreements, orally or otherwise, have been made by any party, or anyone acting on behalf of any party, which are not embodied herein, and that any other agreement, statement or promise not contained in this AGREEMENT shall not be valid or binding. Any modification of this AGREEMENT will be effective only if signed by the party to be charged.

The benefits and obligations of this AGREEMENT shall inure to and be binding upon the representatives, agents, partners, heirs, successors and assigns of the parties hereto. This AGREEMENT shall be construed pursuant to the laws of the State of California.

ARTICLE XIV: Authority to Contract

The signatories hereto represent that they are authorized to sign on behalf of the respective parties they represent and are competent to do so, and each of the parties hereto hereby irrevocably waives any and all rights to challenge signatures on these bases.

ARTICLE XV: General Provisions

A. All reports, documents, or other written material ("written products" herein) developed by CONTRACTOR in the performance of this Agreement shall be and remain the

property of AGENCY without restriction or limitation upon its use or dissemination by AGENCY. CONTRACTOR may take and retain copies of such written products as desired, but no such written products shall be the subject of a copyright application by CONTRACTOR.

B. In the performance of this Agreement, CONTRACTOR shall not discriminate against any employee, subcontractor, or applicant for employment because of race, color, creed, religion, sex, marital status, sexual orientation, national origin, ancestry, age, physical or mental disability, medical condition, or any other unlawful basis.

C. The captions appearing at the commencement of the sections hereof, and in any paragraph thereof, are descriptive only and for convenience in reference to this Agreement. Should there be any conflict between such heading, and the section or paragraph at the head of which it appears, the section or paragraph hereof, as the case may be, and not such heading, shall control and govern in the construction of this Agreement. Masculine or feminine pronouns shall be substituted for the neuter form and vice versa, and the plural shall be substituted for the singular form and vice versa, in any place or places herein in which the context requires such substitution(s).

D. The waiver by AGENCY or CONTRACTOR of any breach of any term, covenant or condition herein contained shall not be deemed to be a waiver of such term, covenant, or condition or of any subsequent breach of the same or any other term, covenant or condition herein contained. No term, covenant or condition of this Agreement shall be deemed to have been waived by AGENCY or CONTRACTOR unless in writing.

E. Each right, power and remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise shall be cumulative and shall be in addition to every other right, power, or remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise. The exercise, the commencement of the exercise, or the forbearance of the exercise by any party of any one or more of such rights, powers or remedies shall not preclude the simultaneous or later exercise by such party of any of all of such other rights, powers, or remedies.

IN WITNESS WHEREOF the parties hereto for themselves, their heirs, executors, administrators, successors, and assigns do hereby agree to the full performance of the covenants herein contained and have caused this AGREEMENT to be executed in duplicate by setting hereunto their names, titles, hands, and seals this Xth day of Month, 20XX (*Council Action Date Here*)

CONTRACTOR: Contractor's Business Name

Contractor's Sign Name, Title
Contractor's License No. XXXXXX

Subscribed and sworn to this _____ day of _____, 20__.

NOTARY PUBLIC _____ (SEAL)

AGENCY: _____
Mayor _____ Date _____
City of Los Alamitos

ATTESTED: _____
Windmera Quintanar, MMC, City Clerk _____ Date _____
City of Los Alamitos

APPROVED AS
TO FORM: _____
Michael S. Daudt, City Attorney _____ Date _____
City of Los Alamitos

(EXECUTE IN DUPLICATE)

PAYMENT BOND

**DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION BUILDING / PUBLIC
WORKS BUILDING**

AT 10921 OAK STREET

SPECIFICATION NO. CIP 22/23-04

IN THE CITY OF LOS ALAMITOS, CALIFORNIA

WHEREAS, the City of Los Alamitos, as AGENCY has awarded to Contractor's Business Name, as CONTRACTOR, a contract for the above-stated project.

AND WHEREAS, CONTRACTOR is required to furnish a bond in connection with the contract, to secure the payment of claims of laborers, mechanics, material persons, and other persons as provided by law.

NOW THEREFORE, we, the undersigned CONTRACTOR and SURETY, are held and firmly bound unto AGENCY in the sum of **[DESCRIBE VERBALLY; 100% OF TOTAL CONTRACT AMOUNT—TO BE INSERTED BY CONTRACTOR]** Dollars (\$XXX,XXX.XX) which is one hundred percent (100%) of the total contract amount for the above-stated project, for which payment well and truly to be made we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITIONS OF THIS OBLIGATION IS SUCH that if CONTRACTOR, its heirs, executors, administrators, successors, assigns or subcontractors, shall fail to pay any of the persons named in Civil Code Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor withheld, and to pay over to the Employment Development Department from the wages of employees of the CONTRACTOR and its subcontractors pursuant to Section 13020 of the Unemployment Insurance Code, with respect to such work and labor, that the surety or sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In case suit is brought upon this bond, SURETY will pay reasonable attorneys' fees to the plaintiffs and AGENCY in an amount to be fixed by the court.

This bond shall inure to the benefit to any of the persons named in Civil Code Section 3181 as to give a right of action to such persons or their assigns in any suit brought upon this bond.

The SURETY hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the contract or the specifications accompanying it shall in any manner affect SURETY's obligations on this bond. The SURETY hereby waives notice of any such change, extension, alteration, or addition and hereby waives the requirements of Section 2845 of the Civil Code as a condition precedent to any remedies AGENCY may have.

IN WITNESS WHEREOF the parties hereto have set their names, titles, hands, and seals this day of _____, 20__.

Contractor*

Contractor's Signer's Name, Title

Contractor's Business Name

Mailing Street Address

City, State, Zip Code

Telephone #

Surety*

*Provide CONTRACTOR and SURETY name, address and telephone number and the name, title, address, and telephone number for the respective authorized representatives. Power of Attorney must be attached.

Subscribed and sworn to this day of _____, 20__.

NOTARY PUBLIC.....

..... (SEAL)

(EXECUTE IN DUPLICATE)

FAITHFUL PERFORMANCE BOND

**DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION BUILDING / PUBLIC
WORKS BUILDING
AT 10921 OAK STREET
SPECIFICATION NO. CIP 22/23-04
IN THE CITY OF LOS ALAMITOS, CALIFORNIA**

KNOW ALL PERSONS BY THESE PRESENTS That Contractor's Business Name, hereinafter referred to as "CONTRACTOR" as PRINCIPAL, and _____, a corporation duly organized and doing business under and by virtue of the laws of the State of California and duly licensed for the purpose of making, guaranteeing, or becoming sole surety upon bonds or undertakings as Surety, are held and firmly bound unto the CITY OF LOS ALAMITOS, CALIFORNIA, hereinafter referred to as the "AGENCY" in the sum of **[DESCRIBE VERBALLY; 100% OF TOTAL CONTRACT AMOUNT—TO BE INSERTED BY CONTRACTOR]**Dollars (\$XXX,XXX.XX); which is one hundred percent (100%) of the total contract amount for the above stated project; lawful money of the United States of America for the payment of which sum, well and truly to be made, we bind ourselves, our heirs, executors, administrators, assigns and successors, jointly and severally, firmly by these presents.

THE CONDITIONS OF THIS OBLIGATION ARE SUCH, that whereas CONTRACTOR has been awarded and is about to enter into a Contract with AGENCY to perform all work required pursuant to the contract documents for the project entitled: DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION BUILDING / PUBLIC WORKS BUILDING, SPECIFICATION NO. CIP 22/23-04 CONTRACT which Contract is by this reference incorporated herein, and is required by AGENCY to give this Bond in connection with the execution of the Contract;

NOW, THEREFORE, if CONTRACTOR and his or her Subcontractors shall well and truly do and perform all the covenants and obligations of the Contract on his or her part to be done and performed at the times and in the manner specified herein including compliance with all Contract specifications and quality requirements, then this obligation shall be null and void, otherwise it shall be and remain in full force and effect.

PROVIDED, that any alterations in the work to be done, or in the material to be furnished, which may be made pursuant to the terms of the Contract, shall not in any way release CONTRACTOR or the Surety thereunder, nor shall any extensions of time granted under the provisions of the Contract release either CONTRACTOR or said Surety, and notice of such alterations or extensions of the Contract is hereby waived by said Surety.

In the event suit is brought upon this Bond by AGENCY and judgment is recovered, said Surety shall pay all costs incurred by AGENCY in such suit, including a reasonable attorney's fee to be fixed by the Court.

IN WITNESS WHEREOF the parties hereto have set their names, titles, hands, and seals this _____ day
of _____, 20__

Contractor* Name, Title of Signer
SURETY*.....
 Contractor's Business Name
.....
 Mailing Street Address
.....
 City, State, Zip Code
.....
 Telephone #
.....

*Provide CONTRACTOR and SURETY name, address and telephone number and the name, title, address, and telephone number for their respective authorized representatives. Power of Attorney must be attached.

Subscribed and sworn to this _____ day of _____, 20__

NOTARY PUBLIC (SEAL)
(EXECUTE IN DUPLICATE)

MAINTENANCE BOND

**DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION BUILDING / PUBLIC
WORKS BUILDING
AT 10921 OAK STREET
SPECIFICATION NO. CIP 22/23-04
IN THE CITY OF LOS ALAMITOS, CALIFORNIA**

KNOW ALL PERSONS BY THESE PRESENTS THAT WHEREAS, the City of Los Alamitos, as AGENCY has awarded to Contractor's Business Name, as CONTRACTOR, a contract for the above-stated project.

AND WHEREAS, CONTRACTOR is required to furnish a bond in connection with the contract guaranteeing maintenance thereof.

NOW, THEREFORE, we, the undersigned CONTRACTOR and SURETY, are held firmly bound unto AGENCY in the sum of **DESCRIBE VERBALLY; 50% OF TOTAL CONTRACT AMOUNT—TO BE INSERTED BY CONTRACTOR**]Dollars (\$XXX,XXX.XX), which is fifty percent (50%) of the total contract amount for the above-stated project to be paid to AGENCY, its successors and assigns, for which payment well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITIONS OF THIS OBLIGATION ARE SUCH that if CONTRACTOR shall remedy without cost to AGENCY any defects which may develop during a period of one (1) year from the date of recordation of the Notice of Completion of the work performed under the contract, provided such defects are caused by defective or inferior materials or work, then this obligation shall be void; otherwise, it shall be and remain in full force and effect. In case suit is brought upon this bond, SURETY will pay reasonable attorneys' fees to the AGENCY in an amount to be fixed by the court.

IN WITNESS WHEREOF the parties hereto have set their names, titles, hands, and seals this ____ day of

_____, 20__.

Contractor*

Contractor's Signer's Name, Title
Contractor's Business Name
Mailing Street Address
City, State, Zip Code
Telephone #

SURETY*

*Provide CONTRACTOR and SURETY name, address and telephone number and the name, title, address, and telephone number for their respective authorized representatives. Powers of Attorney must be attached.

Subscribed and sworn to this day of....., 20__.

NOTARY PUBLIC.....

..... (SEAL)

(EXECUTE IN DUPLICATE)

NON-COLLUSION AFFIDAVIT

The undersigned declares:

I am the _____ of _____, the party making the foregoing bid.

The bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The bid is genuine and not collusive or sham. The bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid. The bidder has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or to refrain from bidding. The bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder. All statements contained in the bid are true. The bidder has not, directly, or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, to any corporation, partnership, company, association, organization, bid depository, or to any member or agent thereof, to effectuate a collusive or sham bid, and has not paid, and will not pay, any person or entity for such purpose.

Any person executing this declaration on behalf of a bidder that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that he or she has full power to execute, and does execute, this declaration on behalf of the bidder.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on _____[date], at _____[city], _____[state].

Signature of Declarant

Printed Name of Declarant

WORKERS' COMPENSATION INSURANCE CERTIFICATE

The Contractor shall execute the following form as required by the California Labor Code, Sections 1860 and 1861:

I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

DATE: _____ Contractor's Business Name .
(Contractor)

By: _____
(Signature)

(Title)

Attest:

By: _____
(Signature)

(Title)

Note: See Section 5 Legal Relations and Responsibilities, Subsection 5-4 of the Standard Specifications for insurance carrier rating requirements.

ENDORSEMENTS TO INSURANCE POLICY

Name of Insurance Company:

Policy Number:

Effective Date:

The following endorsements are hereby incorporated by reference into the attached Certificate of Insurance as though fully set forth thereon:

1. The naming of an additional insured as herein provided shall not affect any recovery to which such additional insured would be entitled under this policy if not named as such additional insured, and
2. The additional insured named herein shall not be held liable for any premium or expense of any nature on this policy or any extensions thereof, and
3. The additional insured named herein shall not by reason of being so named be considered a member of any mutual insurance company for any purpose whatsoever, and
4. The provisions of the policy will not be changed, suspended, canceled, or otherwise terminated as to the interest of the additional insured named herein without first giving such additional insured twenty (20) days' written notice.
5. Any other insurance held by the additional insured shall not be required to contribute anything toward any loss or expense covered by the insurance, which is referred to by this certificate.
6. **The company provided insurance for this certificate is a company licensed to do business in the State of California with a Best's rating of A+ VIII or greater.**

It is agreed that the City of Los Alamitos, its officers, and employees, are included as Additional Insureds under the contracts of insurance for which the Certificate of Insurance is given.

Authorized Insurance Agent

Date: _____

STATEMENT REGARDING INSURANCE COVERAGE

**DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION BUILDING / PUBLIC
WORKS BUILDING
AT 10921 OAK STREET
SPECIFICATION NO. CIP 22/23-04
IN THE CITY OF LOS ALAMITOS, CALIFORNIA**

The undersigned representative of Bidder hereby certifies that he/she has reviewed the insurance coverage requirements specified in **5.4 LIABILITY INSURANCE** of Section E, Standard Specifications. Should Bidder be awarded the contract for the work, the undersigned further certifies that Bidder can meet all of these specification requirements for insurance including insurance coverage of his/her subcontractors.

NAME OF BIDDER:

MAILING ADDRESS:

.....

.....

AUTHORIZED SIGNATURE:

TITLE:

DATE:

STATEMENT REGARDING CONTRACTOR'S LICENSING LAWS

**DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION BUILDING / PUBLIC
WORKS BUILDING
AT 10921 OAK STREET
SPECIFICATION NO. CIP 22/23-04
IN THE CITY OF LOS ALAMITOS, CALIFORNIA**

[Business & Professions Code § 7028.15]

[Public Contract Code § 20103.5]

I, the undersigned, certify that I am aware of the following provisions of California law and that I, or the entity on whose behalf this certification is given, hold a currently valid California contractor's license as set forth below:

Business & Professions Code § 7028.15:

- a) **It is a misdemeanor for any person to submit a bid to a public agency to engage in the business or act in the capacity of a contractor within this state without having a license therefor**, except in any of the following cases:
 - (1)The person is particularly exempted from this chapter.
 - (2)The bid is submitted on a state project governed by Section 10164 of the Public Contract Code or on any local agency project governed by Section 20104 [now § 20103.5] of the Public Contract Code.
- b) If a person has been previously convicted of the offense described in this section, the court shall impose a fine of 20 percent of the price of the contract under which the unlicensed person performed contracting work, or four thousand five hundred dollars (\$4,500), whichever is greater, or imprisonment in the county jail for not less than 10 days nor more than six months, or both.

In the event the person performing the contracting work has agreed to furnish materials and labor on an hourly basis, "the price of the contract" for the purposes of this subdivision means the aggregate sum of the cost of materials and labor furnished and the cost of completing the work to be performed.
- c) This section shall not apply to a joint venture license, as required by Section 7029.1. However, at the time of making a bid as a joint venture, each person submitting the bid shall be subject to this section with respect to his/her individual licenser.
- d) This section shall not affect the right or ability of a licensed architect, land surveyor, or registered professional engineer to form joint ventures with licensed contractors to render services within the scope of their respective practices.
- e) Unless one of the foregoing exceptions applies, a bid submitted to a public agency by a contractor who is not licensed in accordance with this chapter shall be considered nonresponsive and shall be rejected by the public agency. Unless one of the foregoing exceptions applies, a local public agency shall, before awarding a contract or issuing a purchase order, verify that the contractor was properly licensed when the contractor submitted the bid. Notwithstanding any other provision of law, unless one of the foregoing exceptions applies, the registrar may issue a citation to any public officer or employee of a public entity who knowingly awards a contract or issues a purchase order to a contractor who is not licensed pursuant to this chapter. The amount of civil penalties, appeal, and finality of such citations shall be subject to Sections 7028.7 to 7028.13, inclusive. **Any contract awarded to, or any purchase order issued to, as contractor who is not licensed pursuant to this chapter is void.**

- f) Any compliance or noncompliance with subdivision (e) of this section, as added by Chapter 863 of the Statutes of 1989, shall not invalidate any contract or bid awarded by a public agency during which time that subdivision was in effect.
- g) A public employee or officer shall not be subject to a citation pursuant to this section if the public employee, officer, or employing agency made an inquiry to the board for the purposes of verifying the license status of any person or contractor and the board failed to respond to the inquiry within three business days. For purposes of this section, a telephone response by the board shall be deemed sufficient.

Public Contract Code § 20103.5:

In all contracts subject to this part where federal funds are involved, no bid submitted shall be invalidated by the failure of the bidder to be licensed in accordance with the laws of this state. However, at the time the contract is awarded, the contractor shall be properly licensed in accordance with the laws of this state. The first payment for work or material under any contract shall not be made unless and until the Registrar of Contractors verifies to the agency that the records of the Contractors' State License Board indicate that the contractor was properly licensed at the time the contract was awarded. Any bidder or contractor not so licensed shall be subject to all legal penalties imposed by law, including, but not limited to, any appropriate disciplinary action by the Contractors' State License Board. The agency shall include a statement to that effect in the standard form of pre-qualification questionnaire and financial statement. **Failure of the bidder to obtain proper and adequate licensing for an award of a contract shall constitute a failure to execute the contract and shall result in the forfeiture of the security of the bidder.**

Contractor's License Number: _____

License Expiration Date: _____

Authorized Signature: _____

Date: _____

SECTION E

DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION BUILDING / PUBLIC WORKS BUILDING AT 10921 OAK STREET SPECIFICATION NO. CIP 22/23-04 IN THE CITY OF LOS ALAMITOS, CALIFORNIA

STANDARD SPECIFICATIONS

0-1 STANDARD SPECIFICATIONS

Except as hereinafter amended, the provisions of the 2021 Edition of the “Green Book,” Standard Specifications for Public Works Construction (“SSPWC”), with the latest Supplements, prepared and promulgated by the Southern California Chapters of the American Public Works Association and the Associated General Contractors of America, and these modifications thereto are adopted as the “Standard Specifications” for the Agency. These Standard Specifications will be numbered as Sections 0 through 800 per the SSPWC.

0-2 NUMBERING OF SECTIONS

The numbering of sections and subsections in these amendments and modifications are compatible with the numbering of sections in the SSPWC.

0-3 AMENDMENTS AND MODIFICATIONS

The following sections of the SSPWC are amended as provided herein. In the event of any inconsistencies between the amendments outlined herein and the SSPWC, these amendments shall control.

SECTION 1 – GENERAL

1-2 TERMS AND DEFINITIONS

Add the following:

Agent—Shall include persons and companies, other than the Contractor, retained by the City to perform design and construction services in relation to the Work.

Acceptance—The Agency’s formal written acceptance of a project that has been completed in all respects in accordance with the plans and specifications and any modifications thereof.

City—The City of Los Alamitos, California, as the Agency and Owner.

City Council—City Council of the City of Los Alamitos, California.

Construction Manager—Persons and/or company retained by the City to perform construction management services.

Design Engineer—Persons and/or company retained by the City to perform engineering design services.

Due Notice—A written notification, provided in due time, of a proposed action, where the contract requires such notification within a specified time (usually 48 hours or two working days) prior to the commencement of the contemplated action.

Engineer—The City Engineer of the City of Los Alamitos, or his/her authorized representative.

Geotechnical Engineer—Person licensed to practice Soils Engineering or Geotechnical Engineering pursuant to the laws of the State of California and retained by the Agency during construction.

Prompt—The briefest interval of time required for a considered reply, including time required for approval by a governing body.

Standard Plans—“Standard Plans for Public Works Construction” - Latest edition of the Southern California Chapter of the American Public Works Association.

State Standard Specifications (“SSS”)—Standard Specifications prepared by the State of California, Business and Transportation Agency, Department of Transportation.

State Standard Plans (“SSP”)—Standard Plans prepared by State of California, Business and Transportation Agency, Department of Transportation.

Working Days—Any days, except: (1) Saturdays, Sundays, legal holidays on which Los Alamitos City Hall is closed for business; (2) days when work is suspended by the Engineer for reasons unrelated to the performance of the contractor and provided in Subsections 6-3 and 6-3.1; and (3) days determined to be non-working in accordance with Section 6-3 “Time of Completion”.

1-3.3 INSTITUTIONS

Add the following:

AGCA	Associated General Contractors of America
ASME	American Society of Mechanical Engineers
CRSI	Concrete Reinforcing Steel Institute
CSI	Construction Specifications Institute
NFPA	National Fire Protection Association
SSS	State of California Standard Specifications, latest edition, Department of Transportation
SSP	State of California Standard Plans, latest edition, Department of Transportation.
SSPWC	Standard Specifications for Public Works Construction, as specified in Subsection 0-1
SCAQMD	South Coast Air Quality Management District

1-6 BIDDING AND SUBMISSION OF THE BID

1-6.2 SUBCONTRACTOR LISTING

Replace the third paragraph with the following:

Subcontracting of more than one-half of one percent of the work for which no Subcontractor was designated in the original Bid will be allowed only in cases of public emergency or necessity and only after the Engineer makes a written finding of circumstances constituting public emergency or necessity.

Delete the fourth paragraph and replace with the following:

The Contractor must obtain written consent of the City Council to substitute a Subcontractor designated in the original Bid, to permit any subcontract to be assigned or transferred, or to otherwise allow a subcontract to be performed by anyone other than the originally designated Subcontractor.

Delete the fifth paragraph and replace with the following:

A violation of any of the above provisions will be considered a violation of the Contract, and the City may cancel the Contract and collect appropriate damages or assess the Contractor a penalty of not more than ten (10) percent of the subcontract involved.

Add the following:

If subcontracted work is not being performed in a satisfactory manner, the City will notify the Contractor of the need to take corrective action and the Engineer may report the facts to the City Council. Upon order by City Council and the Contractor's receipt of written instructions from the Engineer, the Subcontractor shall immediately be removed from the Work and may not again be employed on the Work.

1-7 AWARD AND EXECUTION OF THE CONTRACT

1-7.1 GENERAL

Add the following:

The City reserves the right to reject any or all proposals.

The Contract will be awarded, if at all, to the lowest responsible and responsive Bidder determined as provided on the Proposal Form, whose proposal complies with all the requirements prescribed. Such award, if made, will be made within the number of days stated in the proposal form. Refusal or failure to deliver the executed contract, bonds, or insurance in the form provided in the Contract and approved by the Agency's attorney within the time provided herein shall be cause, at the Agency's option, for the annulment of the award and forfeiture of the bid security. In such event, the Agency may successively award the Contract to the next lowest responsible and responsive Bidder until a properly executed Contract, bonds, and insurance is obtained, or it may at any time reject all remaining bids and proceed as provided by law. The refusal or failure of a successive lowest responsible and responsive Bidder to execute the Contract may, at the Agency's option, result in an annulment of the award to that Bidder and the forfeiture of that Bidder's bid security. The periods of time specified above within which the award of the Contract may be made shall be subject to extension for such further period as may be agreed upon in writing between the Agency and the concerned Bidder.

The Agency reserves the right to waive any irregularities.

Within ten (10) calendar days after the date of the Notice of Award, the Contractor shall execute and return the following contract documents to the Agency:

Contract Agreement (in duplicate)

Faithful Performance Bond (in duplicate)
Maintenance Bond (in duplicate)
Payment Bond (in duplicate)
Public Liability and Property Damage Insurance Certificate (two original)
Additionally Insured Endorsement
Workers' Compensation Insurance Certificate (two original)

A corporation to which an award is made may be required, before the Contract agreement is executed by the Agency, to furnish evidence of its corporate existence, of its right to enter into contracts in the State of California, and that the officers signing the contract and bonds for the corporation have the authority to do so.

1-7.2 CONTRACT BONDS

Add the following:

The PAYMENT BOND shall remain in force until thirty-five (35) days after the date of recordation of the Notice of Completion. The FAITHFUL PERFORMANCE BOND shall remain in force until the date of recordation of the Notice of Completion. The MAINTENANCE BOND shall remain in force until one (1) year after the date of recordation of the Notice of Completion.

All bonds must be accompanied by a Power of Attorney

SECTION 2 – SCOPE OF THE WORK

2-1 WORK TO BE DONE

Add the following:

Any plan or method of work suggested by the Agency or the Engineer to the Contractor but not specified or required, if adopted or followed by the Contractor in whole or in part, shall be used at the risk and responsibility of the Contractor; and the Agency and the Engineer shall assume no responsibility therefore and in no way be held liable for any defects in the work which may result from or be caused by use of such plan or method of work.

2-2 PERMITS

Replace first paragraph with the following:

Prior to the start of any work, the Contractor shall apply for and receive any applicable City, County, SCAQMD, State, and Federal permits.

2-3 RIGHT-OF-WAY

Add the following:

When the Contractor arranges for additional work areas and facilities temporarily required by him/her, he/she shall provide the Agency with proof that the additional work areas and/or facilities have been left in a condition satisfactory to the owner(s) of said work areas and/or facilities prior to acceptance of the work.

2-7 CHANGES INITIATED BY THE AGENCY

2-7.1 GENERAL

Add the following:

All final locations determined in the field, and any deviations from the Plans and Specification, shall be marked in red on the documents to show the as-built conditions. Contractor shall maintain a complete and accurate record of all changes of construction from that shown in these plans and specifications for the purpose of providing a basis for construction record drawings. No changes shall be made without prior written approval of the Engineer. Upon completion of the Project, Contractor shall deliver this record of all construction changes to the Engineer along with a letter which declares that other than these noted changes "the Project was constructed in conformance with the Contract Documents". Final payment will not be made until this requirement is met.

As the figured dimensions shown on the drawings and in the specifications of the Contract may not in every case agree with scaled dimensions, the figured dimensions shall be followed in preference to the scaled dimensions, and drawings to a large scale shall be followed in preference to the drawings to a small scale. Should it appear that the work to be performed, or any related matter, are not sufficiently detailed or explained in the Contract documents, the Contractor shall apply to the Engineer for such further explanations as necessary and shall conform to such further explanations provided by the Engineer as part of the Contract to the extent that it is consistent with the terms of the Contract.

Caution: The engineer preparing these plans will not be responsible or liable for unauthorized changes to or uses of these plans. All changes to the plans must be approved in writing by the Engineer.

SECTION 3 – CONTROL OF THE WORK

3-3 SUBCONTRACTORS

Replace the first paragraph with the following:

All persons engaged in the Work, including Subcontractors and their employees, will be considered employees of the Contractor. The Contractor will be held responsible for their work. The Agency will deal directly and solely with the Contractor and make all payments to the Contractor.

3-5 INSPECTION

Add the following:

The Agency shall inspect for compliance with requirements for 8-hour days and 40-hour weeks on normal working days. The Contractor shall reimburse the Agency, at rates established by the Agency, for any additional inspection, including inspection on legal holidays.

3-10 SURVEYING

3-10.1 GENERAL

Add the following:

The Contractor shall be responsible for all survey and layout of work.

The line and grades for construction will be parallel to and offset from the position of the work. From the established lines and grades, the Contractor shall extend the necessary lines and grades for construction of the work and shall be responsible for the correctness of same.

3-12 WORK SITE MAINTENANCE

3-12.1 General

Add the following Subsection:

3-12.1.1 WORK AREA APPEARANCE

The Contractor shall maintain a neat appearance to the Work.

All unsuitable construction materials and rubbish and debris shall be regularly removed from the job site, be transported to a suitable location, and be disposed of in a proper and legal manner.

In any area visible to the public, the following shall apply:

1. Broken concrete and debris developed during clearing and grubbing shall be disposed of weekly.
2. The Contractor shall furnish trash bins for all debris from structure construction. All debris shall be placed in trash bins daily.
3. Forms or false work that are to be re-used shall be neatly stacked concurrent with their removal.
4. Forms and false work that are not to be re-used shall be disposed of with their removal.
5. Wash down from concrete trucks shall be at one location. Concrete from wash down procedures shall be removed from the site weekly.

3-12.3 NOISE CONTROL

Add the following:

A noise level limit of 85 dba at a distance of fifty (50) feet shall apply to all construction equipment on or related to the job, whether owned by the Contractor or not. The use of excessively loud warning signals shall be avoided except in those cases where required for the protection of personnel.

The Contractor shall arrange and maintain a secure storage site for all equipment and materials. All equipment and unused materials shall be returned to this site at the end of each workday.

3-12.6 WATER POLLUTION CONTROL

3-12.6.1 General

Add the following:

This item shall consist of preparation, implementation, and compliance with a storm water pollution prevention plan (SWPPP) for the project, if applicable.

3-12.6.2 BEST MANAGEMENT PRACTICES (BMPs)

Add the following:

All storm water pollution prevention measures shall be in accordance with the submitted SWPPP. In the event circumstances during the course of construction require changes to the original SWPPP, a revised plan shall be promptly submitted to the Agency's representative in each instance. No responsibility shall accrue to the Agency as a result of the plan or as a result of knowledge of the plan. All work installed by the Contractor in connection with the SWPPP but not specified to become a permanent part of the project shall be removed and the site restored in so far as practical to its original condition prior to completion of construction or when directed by the Agency's representative.

3-12.6.3 Storm Water Pollution Prevention Plan (SWPPP)

Add the following:

Contractor shall submit to the engineer a completed and signed SWPPP at the preconstruction conference. The plan may utilize the practices recommended in the *California Storm Water Best Management Practices Handbook* dated January 2015, available from California Stormwater Quality Association (CSQA), and online at <http://www.cabmphandbooks.net/> . The plan shall be consistent with the construction General Permit, issued by the State Water Resources, Control Board, through submittal of the Notice of Intent (NOI).

If construction will occur between October 15 and April 15 (considered as the rainy season per the Agency's Ordinance), a wet weather erosion control plan must be submitted. Additionally, Best Management Practices (BMPs) implemented during the Agency's rainy season shall include but not be limited to those appropriate for wet weather conditions.

The contractor shall prepare and submit a storm water pollution prevention plan. Full compensation for preparing and implementing SWPPP shall be included in the lump sum cost for Water Pollution Control and no additional compensation will be allowed.

3-12.6.5 PAYMENT

Add the following:

Payment for Water Pollution Control shall be at bid price per lump sum (LS) and shall include full compensation for all tools, material, equipment, labor, and incidentals for doing all work involved in implementation and maintenance of BMPs and SWPPP and no additional compensation will be allowed therefor.

3-13 COMPLETION, ACCEPTANCE, AND WARRANTY

3-13.3 WARRANTY

Add the following:

The Contractor shall warrant and guarantee the entire Work and all parts thereof, including that performed and constructed by subcontractors, and others employed directly or indirectly on the Work, against faulty or defective materials, equipment or workmanship for the maximum period provided by law. In addition, thereto, for a period of one (1) year commencing on the date of acceptance of the Work, the Contractor shall, upon the receipt of notice in writing from the Agency, promptly make all repairs arising out of defective materials, workmanship or equipment and bear the cost thereof. The Agency is hereby authorized to make such repairs and the Contractor and Surety shall bear the cost thereof if, ten (10) days after the giving of such notice to the Contractor, the Contractor has failed to make or undertake with due diligence

the repairs; provided, however, that, in the case of an emergency where, in the opinion of the Agency, delay could cause serious loss or damage, repairs may be made without notice being sent to the Contractor or Surety, and all expense in connection therewith shall be charged to the Contractor and Surety.

For the purpose of this article "Acceptance of the Work" shall mean the acceptance of the Work by the Agency in accordance with Subsection 3-13.2 but not for the purpose of extinguishing any covenant or agreement or agreement on the part of the Contractor to be performed or fulfilled under this Contract, which has not in fact been performed or fulfilled at the time of such acceptance all of such covenants and agreements, shall continue to be binding on the Contractor until they have been fulfilled.

The effective date of Acceptance of the Work and commencement of the Guarantee shall be the date of acceptance of the Notice of Completion by the City Council.

Add the following subsection to Subsection 3-13:

3-13.3.4 General Guaranty

The Contractor shall remedy any defects in the Work and pay for any damage to other work resulting therefrom, which shall appear within a period of one year from the date of final acceptance of the Work unless a longer period is specified. The Agency will give notice of observed defects with reasonable promptness.

SECTION 4 – CONTROL OF MATERIALS

4-1 GENERAL

Add the following:

The Contractor and all subcontractors, suppliers, and vendors shall guarantee that the entire Work will meet all requirements of this Contract as to the quality of materials, equipment, and workmanship. The Contractor, at no cost to the Agency, shall make any repairs or replacements made necessary by defects in materials, equipment, or workmanship that become evident within one year after the date of recordation of the Notice of Completion. Within this one-year period, the Contractor shall also restore to full compliance with the requirements of this Contract any portion of the Work which is found not to meet those requirements. The Contractor shall defend, indemnify, and hold the Agency, its officers, agents, and employees harmless from claims of any kind due to injuries or damages arising, directly or indirectly, from said defects or noncompliance.

The Contractor shall make all repairs, replacements, and restorations within thirty-five (35) days after the date of the Engineers' written notice.

If, in the opinion of the Engineer, the defective work is not of sufficient magnitude or importance to make the work dangerous or undesirable, or if, in the opinion of the Engineer, the removal of such work is impractical or will create conditions which are dangerous or undesirable, the Agency shall have the right and authority to retain such work instead of requiring it to be removed and reconstructed, but will make such deductions thereof in the payments due or to become due to the Contractor as the Agency may deem just and reasonable.

4-4 TESTING

Replace the third and fourth sentences of the first paragraph with the following:

Except as elsewhere specified, the Agency will bear the cost of testing material and/or workmanship which meet or exceed the requirements indicated in the Standard Specifications and the Special Provisions. The

Contractor shall bear the cost of all other tests, including the retesting of material or workmanship that fails to pass the first test.

4-6 TRADE NAMES

Replace the third sentence of the second paragraph with the following:

Approval of equipment and materials offered as equivalents to those specified must be obtained prior to the opening of bids as set forth in the Instructions to Bidders.

Add the following:

Along with information supplied by the Contractor regarding equivalency of the proposed item, the Contractor shall clearly identify all deviations from the specified item. Deviations discovered by the Engineer after acceptance of an “or equal” item which were not identified by the Contractor with his/her submittal shall be cause for rejection of the “or equal” item. Contractor shall be due no additional compensation in time or money for acceptance or rejection of a proposed “or equal” item and subsequent replacement with the item specified. Contractor shall pay cost to Agency for items requiring more than two submittals and analysis of any shop drawing which requires more than a general review of an “or equal” item.

SECTION 5 – LEGAL RELATIONS AND RESPONSIBILITIES

5-3 LABOR

5-3.1 General

Add the following:

The Contractor shall ensure unlimited access to the job site for all Equal Opportunity Compliance officers.

Every Contractor and Subcontractor shall keep an accurate record showing the name, occupation, and the actual per diem wages paid to each worker employed by him/her in connection with the public work. The record shall be kept open at all reasonable hours to the inspection of the body awarding the Contract and to the Division of Labor Law Enforcement.

5-4.2 GENERAL LIABILITY INSURANCE

Replace Subsection 5-4.2 with the following:

5-4.2.1 GENERAL. CONTRACTOR and AGENCY agree that Agency, its employees, agents, and officials should, to the extent permitted by law, be fully protected from any loss, injury, damage, claim, lawsuit, cost, expense, attorneys’ fees, litigation costs, defense costs, court costs or any other cost arising out of or in any way related to the performance of this Agreement. Accordingly, the provisions of this indemnity provision are intended by the parties to be interpreted and construed to provide the fullest protection possible under the law to the Agency. CONTRACTOR acknowledges that AGENCY would not have entered into this Agreement in the absence of the commitment of CONTRACTOR to indemnify and protect AGENCY as set forth here.

5-4.2.2 To the full extent permitted by law, CONTRACTOR shall defend, indemnify and hold harmless AGENCY, its employees, agents and officials, from any liability, claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged, or threatened, actual attorney’s fees incurred by AGENCY, court costs, interest,

defense costs including expert witness fees and any other costs or expenses of any kind whatsoever without restriction or limitation incurred in relation to, as a consequence of, arising out of or in any way attributable actually, allegedly or impliedly, in whole or in part to the performance of this Agreement. All obligations under this provision are to be paid by CONTRACTOR as they are incurred by the AGENCY.

5-4.2.3 Without affecting the rights of AGENCY under any provision of this agreement or this section, CONTRACTOR shall not be required to indemnify and hold harmless AGENCY as set forth above for liability attributable to the sole fault of AGENCY, provided such sole fault is determined by agreement between the parties or the findings of a court of competent jurisdiction.

This exception will apply only in instances where the AGENCY is shown to have been solely at fault and not in instances where CONTRACTOR is solely or partially at fault or in instances where Agency's fault accounts for only a percentage of the liability involved. In those instances, the obligation of CONTRACTOR will be all-inclusive, and AGENCY will be indemnified for all liability incurred, even though a percentage of the liability is attributable to the conduct of the AGENCY.

5-4.2.4 CONTRACTOR acknowledges that its obligation pursuant to this section extends to liability attributable to AGENCY, if that liability is less than the sole fault of AGENCY. CONTRACTOR has no obligation under this Agreement for liability proven in a court of competent jurisdiction or by written agreement between the parties to be the sole fault of AGENCY.

5-4.2.5 The obligations of CONTRACTOR under this or any other provision of this Agreement will not be limited by the provisions of any workers compensation act or similar act. CONTRACTOR expressly waives its statutory immunity under such statutes or laws as to AGENCY, its employees, agents, and officials.

5-4.2.6 CONTRACTOR agrees to obtain executed indemnity agreements with provisions identical to those as set forth here in this section from each and every subcontractor, sub-tier contractor or any other person or entity involved by, for, with or on behalf of CONTRACTOR in the performance or subject matter of this Agreement. In the event CONTRACTOR fails to obtain such indemnity obligations from others as required here, CONTRACTOR agrees to be fully responsible according to the terms of this section.

5-4.2.7 Failure of AGENCY to monitor compliance with these requirements imposes no additional obligations on AGENCY and will in no way act as a waiver of any rights hereunder. This obligation to indemnify and defend AGENCY as set forth herein is binding on the successors, assigns or heirs of CONTRACTOR and shall survive the termination of this Agreement or this section.

5-4.2.8 CONTRACTOR agrees to provide insurance in accordance with the requirements as set forth here. If CONTRACTOR uses existing coverage to comply with these requirements and that coverage does not meet the requirements set forth herein, CONTRACTOR agrees to amend, supplement or endorse the existing coverage to do so. The following coverages will be provided by CONTRACTOR and maintained on behalf of AGENCY and in accordance with the requirements set forth herein.

5-4.2.9 Commercial General Liability/Umbrella Insurance. Primary insurance shall be provided on ISO-CGL form No. CG 00 01 11 85 or 88. Total limits shall be not less than two million dollars (\$2,000,000.00) per occurrence for all coverages and two million dollars (\$2,000,000.00) general aggregate. AGENCY and its officers, agents and employees shall be named as additional insureds using ISO additional insureds endorsement form CG 20 10 11 85 (in no event will AGENCY accept an endorsement form with an edition date later than 1990). Coverage shall apply on a primary non-contributing basis in relation to any other insurance or self-insurance, primary or excess, available to AGENCY or any employee or agent of AGENCY. Coverage shall not be limited to the vicarious liability or supervisory role of any additional insured. Umbrella Liability Insurance (over primary) shall apply to bodily injury/property damage, personal injury/advertising injury, at a minimum, and shall include a "drop down" provision providing primary coverage above a maximum of \$25,000.00 self-insured retention for liability not covered by

primary policies but covered by the umbrella policy. Coverage shall be following form to any underlying coverage. Coverage shall be provided on a “pay on behalf” basis, with defense costs payable in addition to policy limits. There shall be no cross-liability exclusion. Policies shall have concurrent starting and ending dates.

Each policy of insurance shall contain a clause prohibiting cancellation, modification, or lapse without thirty (30) days prior written notice having been given to the City. All insurance policies shall be subject to approval by the City Attorney and certificates evidencing such policies shall be provided to the City concurrently with the filing of all required bonds.

5.4.2.10 Business Auto/Umbrella Liability Insurance. Primary coverage shall be written on ISO Business Auto Coverage form CA 00 01 06 92 including symbol 1 (Any Auto). Limits shall be no less than two million dollars (\$2,000,000.00) per accident. Starting and ending dates shall be concurrent. If CONTRACTOR owns no autos, a non-owned auto endorsement to the General Liability policy drafted above is acceptable.

5-4.3 WORKERS’ COMPENSATION INSURANCE

Replace Subsection 5-4.3 with the following:

5-4.3.1 Workers’ Compensation/Employers’ Liability shall be written on a policy form providing workers’ compensation statutory benefits as required by law. Employers’ liability limits shall be no less than one million dollars per accident or disease. Employers’ liability coverage shall be scheduled under any umbrella policy described above. Unless otherwise agreed, this policy shall be endorsed to waive any right of subrogation as respects the AGENCY, its officers, agents, or employees.

5-4.3.2 CONTRACTOR and AGENCY further agree as follows:

5-4.3.2.1 This Section supersedes all other sections and provisions of this Agreement to the extent that any other section or provision conflicts with or impairs the provisions of this Section.

5-4.3.2.2 Nothing contained in this Section is to be construed as affecting or altering the legal status of the parties to this Agreement. The insurance requirements set forth in this Section are intended to be separate and distinct from any other provision in this Agreement and shall be interpreted as such.

5-4.3.2.3 All insurance coverage and limits provided pursuant to this Agreement shall apply to the full extent of the policies involved, available, or applicable. Nothing contained in this Agreement or any other agreement relating to the AGENCY or its operations limits the application of each insurance coverage.

5-4.3.2.4 Requirements of specific coverage features, or limits contained in this Section are not intended as a limitation on coverage, limits or other requirements, or a waiver of any coverage normally provided by any insurance. Specific reference to a given coverage feature is for purposes of clarification only and is not intended by any party to be all-inclusive, or to the exclusion of other coverage, or a waiver of any type.

5-4.3.2.5 For purposes of insurance coverage only, this Agreement shall be deemed to have been executed immediately upon any party hereto taking any steps that can be deemed to be in furtherance of or towards performance of this Agreement.

5-4.3.2.6 All general or auto liability insurance coverage provided pursuant to this Agreement, or any other agreements pertaining to the performance of this Agreement, shall not prohibit CONTRACTOR, and CONTRACTOR’s agents, officers, or employees from waiving the right of subrogation prior to a loss. Contractor hereby waives all rights of subrogation against AGENCY.

5-4.3.2.7 Unless otherwise approved by AGENCY, CONTRACTOR's insurance shall be written by insurers authorized to do business in the State of California and with a minimum "Best's" Insurance Guide rating of "A+VIII." Self-insurance will not be considered to comply with these insurance specifications.

5-4.3.2.8 In the event any policy of insurance required by this Agreement does not comply with these requirements or is canceled and not replaced, AGENCY has the right but not the duty to obtain the insurance it deems necessary, and any premium paid by AGENCY will be promptly reimbursed by CONTRACTOR. Upon CONTRACTOR's failure to make such reimbursement within 30 days of written demand, AGENCY may deduct that sum from any monies due CONTRACTOR hereunder or otherwise.

5-4.3.2.9 CONTRACTOR agrees to provide evidence of the insurance required herein, satisfactory to AGENCY, consisting of certificate(s) of insurance evidencing all of the coverages required and an additional insured endorsement to CONTRACTOR's general liability and umbrella liability policy (if any) using ISO form CG 20 10 11 85. Certificate(s) are to reflect that the insurer will provide 30 days' notice of any cancellation of coverage. CONTRACTOR agrees to require its insurer to modify such certificates to delete any exculpatory wording stating that failure of insurer to mail written notice of cancellation imposes no obligation, and to delete the word "endeavor" with regard to any notice provisions. CONTRACTOR agrees to provide complete copies of policies to AGENCY upon request.

5-4.3.2.10 CONTRACTOR shall provide proof that policies of insurance required herein expiring during the term of this Agreement have been renewed or replaced with other policies providing at least the same coverage. Such proof shall be furnished within 72 hours of the expiration of the coverages.

5-4.3.2.11 Any actual or alleged failure on the part of AGENCY or any other additional insured under these requirements to obtain proof of insurance required under this Agreement in no way waives any right or remedy of AGENCY or any additional insured, in this or any other regard.

5-4.3.2.12 CONTRACTOR agrees to require all subcontractors or other parties hired for this project to provide general liability insurance naming as additional insureds all parties to this Agreement. CONTRACTOR agrees to obtain certificates evidencing such coverage and make reasonable efforts to ensure that such coverage is provided as required here. CONTRACTOR agrees to require that no contract used by any subcontractor, or contracts CONTRACTOR enters into on behalf of AGENCY, will reserve the right to charge back to AGENCY the cost of insurance required by this Agreement. CONTRACTOR agrees that upon request, all agreements with subcontractors or others with whom CONTRACTOR contracts on behalf of AGENCY will be submitted to AGENCY for review. Failure of AGENCY to request copies of such agreement will not impose any liability on AGENCY, its officers, agents, or employees.

5-4.3.2.13 If CONTRACTOR is a Limited Liability Company, general liability coverage must be amended so that the Limited Liability Company and its Managers, Affiliates, employees, agents, and other persons necessary or incidental to its operations are insureds.

5-4.3.2.14 CONTRACTOR agrees to provide immediate notice to AGENCY of any claim or loss against CONTRACTOR that includes AGENCY as a defendant. AGENCY assumes no obligation or liability by such notice, but has the right (but not the duty) to monitor the handling of any such claim or claims.

5-7 SAFETY

Add the following:

At the pre-construction meeting, the Contractor shall submit his/her complete construction schedule to the Engineer for approval. The Contractor shall submit requests for changes in the schedule to the Engineer for approval at least forty-eight (48) hours prior to the scheduled Work.

SECTION 6 – PROSECUTION AND PROGRESS OF THE WORK

6-1 CONSTRUCTION SCHEDULE AND COMMENCEMENT OF THE WORK

Add the following:

Prior to issuing the Notice to Proceed, the Engineer will schedule and conduct a pre-construction meeting with the Contractor to review the proposed construction schedule and delivery dates, arrange utility coordination, discuss construction methods, and clarify inspection procedures.

6-2 PROSECUTION OF THE WORK

Replace the last sentence of first paragraph with the following:

Should the Contractor fail to take the necessary steps to fully accomplish said purposes, after orders of the Engineer to do so, the Agency may suspend the work in whole or in part, until the Contractor takes said steps at no cost to the Agency.

Add the following:

The Contractor shall submit monthly progress reports to the Engineer by the tenth day of each month. The report shall include an updated construction schedule. Any deviations from the original schedule shall be explained. Progress payments will be withheld pending receipt of any outstanding reports.

6-3 TIME OF COMPLETION

Add the following subsection:

6-3.3 WORKING DAY

The Contractor's activities shall be confined to the hours between 7:30 a.m. and 4:00 p.m. Monday through Friday. In addition, the Contractor shall not perform any Work on Saturday, Sunday, or on Agency-designated holidays. Agency-designated holidays are listed in **TABLE 1 – AGENCY-DESIGNATED HOLIDAYS** below. Deviation from these hours will be permitted upon approval of the Engineer, except in emergencies involving immediate hazard to persons or property.

Add the following:

Demolition activities of the TV Production Building superstructure (building elements above the concrete foundation slab) shall be performed on a Saturday. Contractor shall notify the Engineer in writing five days before planned work.

Deviations from these hours will not be permitted without the prior consent of the Engineer, except in emergencies involving immediate hazard to persons or property. In the event of either a requested or emergency deviation, inspection service fees will be charged against the Contractor. Service fees will be calculated at overtime rates including benefits, overhead, and travel time; and will be deducted from the amounts due the Contractor.

Failure of the Contractor to adhere to working day requirements will result in damages being sustained by the City. Such damages are, and will continue to be, impracticable and extremely difficult to determine. For each OCCURRENCE of a working day or hours violation, as provided herein, the Contractor shall pay to the Agency, or have withheld from monies due to it, the sum of \$1,000.00.

TABLE 1 – AGENCY-DESIGNATED HOLIDAYS

New Year's Day
Martin Luther King, Jr. Day
President's Day
Memorial Day
Independence Day
Labor Day
Veteran's Day
Thanksgiving Day
Day after Thanksgiving
Christmas Eve
Christmas Day

EXECUTION OF THE CONTRACT SHALL CONSTITUTE AGREEMENT BY THE AGENCY AND CONTRACTOR THAT \$1,000 PER VIOLATION IS THE MINIMUM VALUE OF THE COST AND ACTUAL DAMAGED CAUSED BY FAILURE OF THE CONTRACTOR TO LIMIT PERFORMANCE OF THE WORK BETWEEN THE ALLOTTED TIMES, THAT SUCH SUM SHALL NOT BE CONSTRUED AS A PENALTY, AND THAT SUCH SUM MAY BE DEDUCTED FROM PAYMENTS DUE THE CONTRACTOR IF SUCH DELAY OCCURS.

6-4 DELAYS AND EXTENSION OF TIME

6-4.1 GENERAL

Add the following Subsections:

6-4.1.1 Notice of Delays

Whenever the Contractor foresees any delay in the prosecution of the work, and in any event immediately upon the occurrence of any delay which the Contractor regards as unavoidable, he/she shall notify the Engineer in writing of the probability of the occurrence of such delay and its cause so that the Engineer may take immediate steps to prevent, if possible, the occurrence or continuance of the delay, or, if prevention is not possible, may determine whether the delay is to be considered avoidable or unavoidable, how long it continues, and to what extent it will delay the prosecution and completion of the work. It will be concluded that any and all delays which have occurred in the prosecution and completion of the work have been avoidable delays, except such delays as shall have been called to the attention of the Engineer at the time of their occurrence and found by him/her to have been unavoidable. The Contractor shall make no claims for any delay not called to the attention of the Engineer at the time of its occurrence as an unavoidable delay.

6-4.1.2 Avoidable Delays

Avoidable delays in the prosecution or completion of the work shall include all delays which in the opinion of the Engineer would have been avoided by the exercise of care, prudence, foresight, and diligence on the part of the Contractor of his/her subcontractors. The following shall be considered avoidable delays within the meaning of the contract: 1) Delays in the prosecution of parts of the work which may in themselves be unavoidable but do not necessarily prevent or delay the prosecution of other parts of the work or the completion of the whole work within the time herein specified; 2) Reasonable loss of time resulting from the necessity of submitting samples of materials and drawings to the Engineer for approval and from performing tests of materials, measurements, and inspections; 3) Reasonable interference of other contractors employed by the Agency and/or other contractors working in the area which do not necessarily prevent the completion of the whole work within the time agreed upon; 4) Delays resulting from inaccurate

or incomplete shop drawing submittals; and 5) Interference of other contractors performing concurrent work.

6-4.1.3 Extension of Time

In case the work is not completed in the time specified, including such extensions of time as may have been granted for unavoidable delays, the Contractor will be assessed damages for delay in accordance with Paragraph 6-9. The City, however, shall have the right to grant an extension of time for avoidable delay if it is deemed in his/her best interest to do so. During such extension of time, the Contractor will be charged for engineering and inspection services and other costs as provided in Paragraph 6-4.2.1 but will not be assessed damages pursuant to Paragraph 6-9.

6-4.2 EXTENSIONS OF TIME

Add the following Subsection:

6-4.2.1 Compensation to Agency for Extension of Time

Compensation for extension of time for avoidable delay granted pursuant to Paragraph 6-4.1.3 shall be the actual cost to the Agency for engineering, inspection, general supervision, and overhead expenses which are directly chargeable to the work, and which accrue during the period of such extension, except that the cost of final inspection and preparation of the final estimate shall not be included.

6-4.4 WRITTEN NOTICE AND REPORT

Replace Subsection 6-4.4 with the following:

Requests for an extension of time must be delivered to the Agency within ten (10) consecutive calendar days following the date of the occurrence that caused the delay. The request must be submitted in writing and must state the cause of the delay, the date of the occurrence causing the delay, and the amount of additional time requested. This shall be included as part of a revised construction schedule required in Section 6-1. Requests for extensions of time shall be supported by all evidence reasonably available or known to the Contractor, which would support the extension of time requested. Requests for extensions of time, which are not received within the time specified above, shall result in the forfeiture of the Contractor's right to receive any extension of time requested.

If the Contractor is requesting an extension of time because of weather, he/she shall supply daily written reports to the Agency's representative describing such weather, and the work that could not be performed that day because of such weather or conditions resulting therefrom and that he/she otherwise would have performed.

6-9 LIQUIDATED DAMAGES

Replace Subsection 6-9 Liquidated Damages with the following:

6-9 FORFEITURE DUE TO DELAY

The Contractor shall complete all or any designated portion of the Work called for under the Contract within the time set forth in Section C (Proposal) of these Specifications.

In accordance with Government Code 53069.85, and all other applicable law, the Contractor agrees to forfeit and pay the Agency the amount of Five Hundred Dollars (\$500.00) per day for each and every day of unauthorized delay beyond the completion date, which shall be deducted from any monies due the

Contractor. This payment shall be considered liquidated damages. Contractor agrees that such liquidated damages are reasonable under the circumstances existing at the time of execution of the contract, that such liquidated damages are to compensate Agency for losses that are difficult to measure and that such damages are not a penalty.

Failure of the Contractor to perform any covenant or condition contained in the Contract Documents within the time period specified shall constitute a material breach of this Contract entitling the Agency to terminate the Contract unless the Contractor applies for, and receives, an extension of time in accordance with the procedures set forth in Section 6-4.

Failure of the Agency to insist upon the performance of any covenant or conditions within the time period specified in the Contract Documents shall not constitute a waiver of the Contractor's duty to complete performance within the designated periods unless the Agency has executed a waiver in writing.

The Agency's agreement to waive a specific time provision or to extend the time for performance shall not constitute a waiver of any other time provision contained in the Contract Documents.

Failure of the Contractor to complete performance promptly within the additional time authorized in a waiver or extension of time agreement shall constitute a material breach of this Contract entitling the Agency to terminate this agreement.

The Contractor shall not be deemed in breach of this Contract and no forfeiture due to delay shall be made because of any delays in the completion of the Work due to unforeseeable causes beyond the control and without the fault or negligence of the Contractor provided the Contractor requests an extension of time in accordance with the procedures set forth in Section 6-4. Unforeseeable causes of delay beyond the control of the Contractor shall include acts of God, acts of a public enemy, acts of the government, acts of the Agency, or acts of another contractor in the performance of a contract with the Agency, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, and weather, or delays of subcontractors due to such causes, or delays caused by failure of the owner of a utility to provide for removal or relocation of existing utility facilities. Delays caused by actions or neglect of Contractor or his/her agents, servants, employees, officers, subcontractors, directors, or of any party contracting to perform part of all of the Work or to supply any equipment or materials shall not be excusable delays. Excusable delays (those beyond the Contractor's control) shall not entitle the Contractor to any additional compensation. The sole recourse of the Contractor shall be to seek an extension of time.

Add the following Subsections:

6-10 DISPUTES AND CLAIMS

6-10.1 GENERAL

Any and all decisions made on appeal pursuant to this Subsection 6-10 shall be in writing. Any "decision" purportedly made pursuant to this Subsection 6-10 that is not in writing shall not be binding upon the Agency and should not be relied upon by the Contractor.

Nothing in this subsection shall be considered as relieving the Contractor from his/her duty to file the notice required under Subsection 6-11 or other duties required by the Contract Documents.

6-10.2 ADMINISTRATIVE REVIEW

Request for review made to the Construction Inspector or Project Engineer may be either oral or written. Request for review made to the City Engineer shall be made in writing with supporting evidence attached.

The Contractor shall submit each request for review within twenty-one (21) calendar days of receipt of the decision that he/she is requesting.

Prior to demand for arbitration, the Contractor shall exhaust his/her administrative remedies by attempting to resolve his/her dispute or claim with Agency's staff in the following sequence:

1. Project Engineer
2. City Engineer

Should the Project Engineer fail to address the Contractor's request for review of a disputed decision within fourteen (14) calendar days after receiving such request, the Contractor may proceed directly to the City Engineer. At the option of the Agency, the person to whom the request for review is directed may elect to take such request to a higher level and the Contractor's request shall be deemed to be properly submitted to such higher level.

The City Engineer shall address disputes or claims within twenty-eight (28) calendar days after receiving such request and all necessary supporting data. The City Engineer's decision on the dispute or claim shall be the Agency's final decision.

6-10.3 ARBITRATION

Claims and disputes arising under or related to the performance of the contract shall be resolved in arbitration unless the Agency and the Contractor agree in writing, after the claim or dispute has arisen, to waive arbitration and to have the claim or dispute litigated in court of competent jurisdiction. Arbitration shall be conducted, to the extent feasible, pursuant to Chapter 3 (Sections 301-393, inclusive) of Division 2 of Title 1 of the California Code of Regulations except those references therein to the "State Contract Act" shall be construed to mean "applicable law" and "Public Agency", or "Department" shall be construed to mean "Agency" as defined in Subsection 1.2. The arbitration decision shall be decided under and in accordance with California law, supported by substantial evidence, and in writing, contain the basis for the decision, findings of fact, and conclusions of law.

Arbitration shall be initiated by a Demand for Arbitration. The Contractor shall request a Demand for Arbitration not later than one hundred eighty (180) calendar days after the date of the final written decision of the Agency on the claim or dispute.

All contracts valued at more than \$15,000 between the Contractor and his/her Subcontractors and Suppliers shall include a provision that the Subcontractors and Suppliers shall be bound to the Contractor to the same extent that the Contractor is bound to the Agency by all terms and provisions of the Contract, including these arbitration provisions.

6-11 NOTICE OF POTENTIAL CLAIM

The Contractor shall not be entitled to the payment of any additional compensation for any cause, including any act, or failure to act, by the Engineer, or the happening of any event, thing or occurrence, unless the Contractor shall have given the Engineer due notice in writing, of the potential claim as hereinafter specified, provided, however, that compliance with this Subsection 6-11 shall not be a prerequisite as to any claim that is based on differences in measurements or errors of computation as to the Contract quantities.

Additionally, this Subsection 6-11 shall not supersede the specific notice and protest requirements of Subsection 2-9 "Changed Conditions" and Subsection 6-3.2 "Contract Time Accounting" respectively.

A written notice of potential claim shall set forth the reasons the Contractor believes additional compensation will or may be due, the nature of the costs involved, and, insofar as possible, the amount of the potential claim. A notice as above required must have been given to the Engineer prior to the time that the Contractor shall have performed the Work giving rise to the potential claim for additional compensation,

if based on an act or failure to act by the Engineer, or in all other cases within fifteen (15) days after the happening of the event, thing or occurrence giving rise to the potential claim.

It is the intention of this Subsection 6-11 that differences between the parties arising under and by the virtue of the Contract be brought to the attention of the Engineer at the earliest possible time in order that such matters may be settled, if possible, or other appropriate action promptly taken. The Contractor hereby agrees that he/she shall have no right to additional compensation for any claim that may be based on any such act, failure to act, event, thing, or occurrence for which no written notice of potential claim as herein required was filed.

SECTION 7 – MEASUREMENT AND PAYMENT

7-3 PAYMENT

7-3.2 PARTIAL AND FINAL PAYMENT

Replace the last paragraph of this subsection with the following:

The closure date for period progress payments will be the twenty-fifth day of each month. Authorization to pay is commonly received on the second Wednesday of the following month. The Agency requires four to six weeks to review all progress payments, issue payment checks, present progress payment to Council for approval, and release payment to contractor. However, payments will be withheld pending receipt of any outstanding reports required by the Contract Documents. In addition, the final progress payment will not be released until the Contractor returns the control set of plans and specifications showing the as-built conditions.

The full five (5) percent retention will be deducted from all payments. The final retention will be authorized for payment thirty-five (35) days after the date of recordation of the Notice of Completion.

The Contractor may substitute securities for any monies withheld by the Agency to ensure performance under the Contract as provided in Public Contract Code Sections 10263 and 22300.

7-3.3 DELIVERED MATERIALS

7-3.4 Mobilization

Replace Subsection 7-3.4 with the following:

Mobilization and demobilization shall consist of preparatory work and operations including, but not limited to, those necessary for the movement of personnel, equipment, materials, and incidentals to the project site necessary for work on the project and for all other work and operations which must be performed, or costs incurred including bonds, insurance, and financing prior to beginning work on the various contract items on the project site. Mobilization shall also include the time, materials, and labor to move the necessary construction equipment to and from the site, supervisory time on the job by the Contractor's personnel to keep the construction site in a safe condition, and all other related work as required at all times and for all non-working days during the construction period. The Contractor is responsible for securing an adequate storage site for equipment and materials.

Contractor shall provide traffic control per California Temporary Traffic Control Handbook. Contractor must maintain access for visitors to the properties. One driveway must always remain open and accessible. The cost for traffic control shall be paid per a separate lump sum bid item.

Payment for Mobilization shall be paid at the contract price Lump Sum (LS) and shall include full compensation and include, but not be limited to, obtaining all business licenses and permits, as required for the entire project, from all related agencies, including, but not limited to, utility companies, private and public agencies and the City of Los Alamitos; and complying with the requirements specified in those licenses and permits; coordination, field office facility, implementation of Best Management Practices, and incidentals necessary to perform all related items of work.

SECTION F

SPECIAL PROVISIONS

**DEMOLITION OF LOS ALAMITOS TELEVISION PRODUCTION BUILDING / PUBLIC
WORKS BUILDING
AT 10921 OAK STREET
SPECIFICATION NO. CIP 22/23-04
IN THE CITY OF LOS ALAMITOS, CALIFORNIA**

PART 2 – CONSTRUCTION MATERIALS

SECTION 206 – MISCELLANEOUS METAL ITEMS

206-6 CHAIN LINK FENCE

ADD THE FOLLOWING SECTION

206-6-3.3 Slats

Slats must be wood or plastic.

Wood slats must be one of the following:

1. Clear redwood
2. Medium-weight wood produced from the species Shorea (Meranti)

Each wood slat must have:

1. Thickness of at least 1/4 inch
2. Width about 2-5/8 inch
3. Length enough to fill the vertical openings of the fabric

Each plastic slat must:

1. Be a HDPE with UV inhibitors
2. Have a flat tubular cross section with:
 - 2.1. Wall thickness of about 0.03 inch
 - 2.2. Depth of about 0.325 inch
 - 2.3. Width of about 2.38 inches
 - 2.4. Length equal to the fence height

The plastic slat material must comply with the requirements shown in the following table:

Plastic Slat Material Requirements

Quality characteristic	Test method	Requirement
Melt index	ASTM D1238	0.24
Density	ASTM D1505	.0951
Low temperature brittleness (°F)	ASTM D746	-76
Tensile strength (psi)	ASTM D638	3,700

PART 3 – CONSTRUCTION METHODS

SECTION 300 – EARTHWORK

300-1 CLEARING AND GRUBBING

300-1.1 General.

Subsection 300-1.1 General of the Standard Specifications is amended by adding thereto the following paragraphs:

Demolition and removal of irrigation equipment, turf, site furnishings, signage, root shaving, redwood header, tree and shrub removal, and such other items not mentioned that are required by the Plans and Specifications, are part of this work in this section.

Prior to demolition, removals, and earthwork, the Contractor shall construct and maintain a temporary 6-foot-high chain-link fence with a minimum of two access gates and perimeter fence to protect the area of improvements during construction period.

All obstructions within project limits shall be removed to a minimum of 12-inches below subgrade.

Soil backfill for holes caused by the removal of the existing structures foundations shall be filled with selected site soils and recompacted in 6-inch layers to the density of 95-percent relative compaction.

Tree removal shall include grinding stumps and associated roots to the diameter of the trunk at existing grade and to 3-foot depth below existing grade. Grindings shall be removed from this 3-foot hole. The hole shall then be filled with soil and compacted to 95-percent relative compaction.

All equipment and facilities shown on the Plans to be salvaged, removed and stockpiled, adjusted, and/or relocated shall be measured, marked, and identified in the field.

Contractor shall note the locations, dimensions, and configurations of all existing equipment to be salvaged, and shall clearly mark or tag all equipment to be reused in the field prior to removal to facilitate reassembly; Contractor shall notify Engineer of any damaged or non-salvageable materials prior to commencing any removal or grading operations. Materials found to be damaged after the work commences shall be assumed to be the responsibility of the Contractor. Contractor will not be paid for the replacement or repair of facilities or equipment believed by the Engineer to be damaged after the work commences.

Contractor shall replace designated, unusable existing facilities and equipment, in kind, at the direction of the Engineer.

The application of herbicide to kill turf and weeds, shall be per manufacturers' recommendations, including roots; and the removal and disposal of soil and turf offsite,

and such other items not mentioned that are required by the Plans and Specifications, are part of the work in this section.

All existing turf in the area designated for replacement shall be stripped, removed, and disposed of offsite in a legal manner.

The cleared area shall be ripped to a depth of 12 inches, except in areas of existing tree roots which generally extend to the drip line of the tree canopy. SPECIAL CARE SHALL BE TAKEN TO PROTECT EXISTING TREES TO REMAIN FROM DAMAGE.

300-1.2 Root Pruning and Tree Trimming.

Subsection 300-1.2 Root Pruning and Tree Trimming is amended by adding thereto the following paragraphs:

Tree branches which hang within 13.5 feet above finished roadway grade or within 9 feet above finished sidewalk or parkway grade shall be removed to the branch collar in accordance with the current pruning standards of the International Society of Arboriculture (ISA). The Contractor shall remove additional tree branches, under the direction of the Engineer, in such a manner that the tree will present a balanced appearance. No paint or tree sealant shall be applied to the resulting scars. All pruning shall be done under the supervision of an ISA Certified Arborist in the Contractor's employ.

All the root pruning required to place or replace walks, or other permanent facilities shall be limited to the minimum amount necessary to set forms.

All roots 2 inches and larger shall be cut with sharp tool such as axe or chainsaw. No roots shall be broken off by trenching or other heavy equipment.

No root shall be removed within five (5) diameters of the tree trunk measured at 4 feet, 9 inches above grade without the express written permission of the City. Any such root removed without the City's written permission may create a hazardous condition for which the Contractor shall be liable.

Should the Contractor create a hazardous condition in the sole judgment of the Engineer the Contractor shall remove the tree and replace it with a specimen of the same species and value at the Contractor's expense.

All significant root pruning (3-inch diameter and larger) shall be performed under the direct supervision of an ISA Certified Arborist in the Contractor's employ.

All trees noted on the drawings for tree pruning shall have crown reduction and crown thinning performed in accordance with standards published by the Western Chapter of the International Society of Arboriculture (ISA). All pruning shall be performed by ISA certified tree workers under direct supervision of an ISA certified arborist. The Contractor shall furnish such credentials to the Engineer prior to commencement of any tree work.

300-1.2.1 Tree Removal and Salvage.

All trees to be removed are considered to the property of the Contractor. Trees to be destroyed shall be recycled as green waste.

300-1.2.2 Protection of Existing Trees to Remain.

All trees to remain in place within the limits of work shall be protected from damage by workmen, equipment, and operations. Insofar as prosecution of the work allows, following removal of surrounding pavements, etc., the root area beneath the tree drip line shall be protected from damage, including compaction. Protection shall include temporary fencing, barricades, etc. Warning tape will not be considered sufficient.

300-1.2.3 Repair / Modification of Existing Turf Parkway

(a) Lawn. The Contractor shall resod in accordance with 801-4.8.3 areas where turf is removed for construction. Thickness and type of sod shall match removed lawn.

(b) Private Sprinklers and Improvements. The Contractor shall coordinate work with adjacent property owners. The Contractor shall test and document the condition of existing improvements before beginning required removals or excavation. The Contractor shall restore private improvements to documented conditions after completing adjacent work.

300-1.4 Payment.

Add the following:

Payment for clearing and grubbing shall be paid at the contract unit price Lump Sum (LS) and shall include full compensation and include, but not limited to, furnishing all labor, materials, tools, transportation, tree trimming, root pruning, vegetation, debris disposal and other equipment and incidentals to perform the work.

SECTION 301 - SUBGRADE PREPARATION, TREATED MATERIALS AND PLACEMENT OF BASE MATERIALS

301-1 SUBGRADE PREPARATION

301-1.7 Payment

Replace the second paragraph with the following:

Payment for **Grading (Flatten to 4" below reference point, 90% compaction)** shall be paid at the contract price per **Lump Sum (LS)** and shall include full compensation and include but not limited to furnishing all labor, materials, tools,

equipment, hauling, disposing, unclassified fill, compaction, unclassified excavation, and incidentals for the site grading no additional compensation will be made therefor.

SECTION 303 - CONCRETE AND MASONRY CONSTRUCTION

303-4 MASONRY CONSTRUCTION

303-4.1.5 Measurement and Payment.

Payment for **6' - 2"x2"x .25" Steel Square Tube / Anchored to Block Wall / Field Welded to Existing Steel Bars** shall be at the contract bid unit price per **Linear Foot (LF)** and shall include full compensation and shall include, but not limited to furnishing all labor, materials, tools, equipment, hauling, disposal, welding and all incidental for construction of the steel tubes, and no additional compensation shall be made therefor.

SECTION 304 – METAL FABRICATION AND CONSTRUCTION

304-3 CHAIN LINK FENCE

304 – 3.2 Fence Construction

ADD THE FOLLOWING

For a chain link fence with slats, install slats vertically in the mesh openings such that the slats fit snugly. Fasten them in a way that prevents easy removal or displacement.

304 – 3.4 Measurement and Payment

Remove Section 304-3.4 and replace with the following:

Payment for **Temporary 6' Chain Link Fence with Privacy Screen & Straw Rolls** shall be paid at the contract price per **Linear Foot (LF)** and shall include full compensation and include but not limited to furnishing all labor, materials, tools, equipment, and incidentals for the construction of chain link fence with privacy screen and straw rolls complete in place and no additional compensation will be made therefor.

Payment for **8' High Chain Link Fence with Black Plastic Slats** shall be paid at the contract price per **Linear Foot (LF)** and shall include full compensation and include but not limited to furnishing all labor, materials, tools, equipment, and incidentals for the construction of chain link fence with black plastic slats complete in place and no additional compensation will be made therefor.

PART 4 – EXISTING IMPROVEMENTS

SECTION 401-1 GENERAL

ADD THE FOLLOWING SECTION

401-1.1 DEMOLITION AND REMOVAL OF EXISTING STRUCTURES

PART 1 GENERAL

1.01 SCOPE OF WORK

- A. Demolition, removal, and site preparation shall include, but is not limited to the demolition of the structures, including walls and footing, floor slabs, and foundations, and grading as identified on the Plans.
- B. Utilities – Before starting demolition of any building where utility connections exist, the Contractor shall verify with the Utility Company that all such utility connections have been disconnected. However, this shall not relieve the Contractor from the responsibility of complying with all code regulations or general practices as required by the City or Utility Company or District having jurisdiction over such utility.
- C. The contractor shall prevent any foreign material from entering sewer laterals to be abandoned and shall employ suitable devices to prevent any material entering the sewer.
- D. It is the responsibility of the contractor to have full knowledge of the existing sites before commencing demolition. The contractor shall raze all structures and completely clear the sites of debris as described in the specifications.
- E. Contractor shall grade the entire site.

1.02 SUBMITTALS

- A. Submit, in accordance with Section 3-8 “Submittals,” of these Special Provisions, the following information:
 - a) Provide a Removal Plan outlining details of the removal operations, showing equipment, sequence, and methods to be used, and schedule of operations, at least ten (10) days before beginning removals.
 - b) Bill of lading for every load of materials taken off-site.
 - c) Proposed haul routes, permits for transportation and disposal of debris.
 - d) Documentation for type, quantity, and method of disposal for all items.
 - e) If material removed from the worksite will be disposed of on private property, submit copies of written releases not less than five (5) days prior to the start of work. Releases shall absolve the City from responsibility in connection with the depositing of material on private property and shall be signed by the owners of the property on which the material will be deposited.
- C. Copies of required permits and certifications shall be submitted to the Engineer prior to performing work requiring permits and certifications.

- a) Submit all documents required for removal, handling and transportation of hazardous materials, as applicable.

1.03 SAFETY AND PROTECTION

- A. Health and Safety Plan. The Contractor bears the ultimate responsibility for the health and safety of its employees. These specifications shall not be construed to limit the Contractor's liability nor to assume that the City, its employees or designate, will assume any of the Contractor's liability associated with Site safety considerations. The Contractor shall have a health and safety plan in effect prior to commencement of Work. The plan shall meet all OSHA and other applicable requirements. The plan shall specifically address procedures and protocols that will be followed to monitor for the presence of hazardous atmosphere, possibility for engulfment, gasses due to organic soils or proximity to landfills, exposure to hazardous products such as may be released when grinding, cutting, or torching galvanized or painted surfaces, contaminated soil, and groundwater, and identify response actions that will be taken when these conditions are encountered. This plan shall be provided to the Engineer at least one week before any construction activities begin. The City will not assume any role in determining the adequacy of the plan on behalf of the Contractor.
- B. No Asbestos Containing Materials, lead-based paint or lead containing materials, or other hazardous building materials, shall be used for any purpose.
- C. Contractor shall verify that the electrical system involved in the removal work is de-energized. Coordinate with Southern California Edison to have electrical service meters, electrical power lines, and electrical power meter devices removed.
- D. Contractor shall verify that the gas system involved in the removal work is de-energized. Coordinate this work with Southern California Gas.
- E. Exercise care in removing and handling existing structures, equipment, and substructures that may be required to be relocated or reinstalled. Provide and place bracing and shoring to prevent movement or damage to structures and improvements that are to remain. Restore damaged improvements to their original condition at the Contractor's Expense and to the Engineer's satisfaction.
- F. Protect buildings and structures on adjacent properties, and other items which are to remain. Contractor shall repair damages at the Contractor's expense.
- G. Provide, erect, and maintain barriers, fences, barricades, lighting, and guard rails as required to protect general public, workers, and adjoining properties. Fences shall be linked but removable with screens and conform to Section 206-6 Chain Link Fence of the Reference Specification.
- H. Protect pipelines, wires, cables, electrical panels, and conduits located above or below ground if such items are to remain. Damage to said items if caused by actions or omissions of Contractor shall be repaired at the Contractor's expense.
- I. Cease operation and notify Engineer immediately if the work appears to endanger life, facilities, or property. Do not resume operations until safe conditions have been restored.

PART 2 MATERIALS

- A. The use of explosives for any work to be performed under this contract is prohibited.
- B. The use of a "Headache Ball" or other battering device on any building or structure shall not be permitted when such device will swing or will be swung over public or adjacent private property

or that through its use will cause building material particles to fall or to be driven onto public or adjacent private property.

- C. Backfill must be free of organic or other unsatisfactory material such as residue from grooving or grinding operations, metal, rubber, mixed debris, or rubble.

PART 3 EXECUTION

3.01 GENERAL

- A. Perform all demolition work in accordance with applicable Federal, State, County, and City Building Codes and Regulations. The work shall meet safety standards and requirements including those of CAL/OSHA. The Contractor shall have at the work site copies of applicable extracts of CAL/OSHA Construction Safety Orders and General Industrial Safety Orders.
- B. Control dust to meet the South Coast Air Quality Management District regulations.
- C. Subsurface items not shown on the Drawings or mentioned in the Specifications, which are encountered during the Contractor's operations shall be brought to the attention of the Engineer. The Engineer will determine the disposition of the items.
- D. Obtain permission from the Engineer if outriggers, swinging cranes, or other equipment might pass over adjacent properties.
- E. Should the Contractor decide to move any large items intact off the site, arrangements for permits, clearances, and utilities are the Contractor's responsibility.
- F. Remove from site vermin infested and harmful materials. Dispose of in accordance with applicable regulations so as not to endanger the health of workers, tenants, or the public.
- G. Burning of material on site shall not be permitted.
- H. All debris shall be removed and handled in a way as to prevent entering the drainage and sewage systems.
- I. Remove existing improvements as indicated on the Drawings.
- J. Removals adjacent to existing structures shall be performed carefully to prevent damage to the facilities. Removals by "Stomping" will not be permitted.
- K. Survey Monuments and Benchmarks disturbed during demolition and removal activities shall be reestablished per the requirements of the City of Los Alamitos.
- L. Contractor shall construct and maintain erosion control BMPs per the Reference Specification Section 3-12.6 Water Pollution Control.

3.02 UTILITY COORDINATION

- A. Exercise extreme caution while working around power poles, overhead lines and light poles that are required to remain.
- B. Conduits and structures associated with demolition of the existing buildings shall be removed and conduits capped at grade and the locations recorded on the as-built plans and locations staked in the field.
- C. Disconnection and removal of all above ground utility services and meters to the point of service is included in the work to be done, unless otherwise specifically identified for removal by the utility owner.

- D. Demolish and remove abandoned utilities as indicated on the Contract Drawings and as directed by the Engineer. Coordinate with utility owner prior to work.
- E. Abandoned utilities shall be removed, capped, or plugged as applicable or as identified on the drawings. Record these locations on the Record Drawings.
- F. Contractor shall stake location of abandoned utilities. Stakes shall clearly note the material and depth of pipe.
- H. Cap any adjacent irrigation system that is impacted by these removals and ensure remaining irrigation is fully operational. Work may include the placement of temporary irrigation piping to maintain connectivity.

3.03 DEMOLITION AND REMOVALS

- A. The Contractor shall completely remove all furnishings and fixtures, and accessory structures attached or adjacent to the buildings to be demolished. The City reserves the right to require the Contractor to salvage certain fixtures prior to removal, including, but not limited to, air conditioning units and other items determined of value by the City.
- B. The Contractor shall completely remove all building walls, concrete pedestals, and perimeter walls, and footing. All debris and refuse shall be removed.
- C. Floor slabs and foundations shall be removed.
- D. Any cavities within the Project Area shall be backfilled in accordance with materials stated in this section.
- E. Disposal of all material shall conform to all applicable local, state, and federal regulations.

3.04 OWNERSHIP AND DISPOSAL

- A. Materials removed shall become the property of the Contractor and legally disposed off site.
- B. Materials shall be free from residual petroleum, tars, waste, debris, soils, loose scrap metal, and any toxic, hazardous, or other foreign substances.

3.05 BITUMINOUS PAVEMENT AND CONCRETE REMOVALS

- A. Surface improvements removed or damaged as a result of Contractor's operations and not designated to be removed shall be reconstructed by the Contractor with the same type of materials and to the same dimensions. Pavement thickness shall be 1 inch greater in thickness than the removed existing pavement.

3.06 CLEAN-UP

- A. Debris and Rubbish Control: Debris and rubbish shall be removed and transported in a manner that will prevent spillage onto existing streets or adjacent areas. All debris shall be removed off the project site property at Contractor's expense.
- B. Regulations: Contractor shall comply with all applicable federal, state, and local regulations regarding handling and disposal of demolished buildings and all resulting materials.

PART 4 MEASUREMENT AND PAYMENT

4.01 MEASUREMENT

- A. Demolition and removal of the structure, placement and compaction of fill, and all associated work, including utility coordination, wall removals and footing, shall be measured as a single lump sum item.

4.02 PAYMENT

- A. The contract lump sum price paid for Demolition of the TV Production Building shall include full compensation for furnishing all labor, materials, tools, equipment, and incidentals and for doing all the work involved in the Demolition of the TV Production Building, complete in place. The contract lump sum price paid per Lump Sum bid item shall include, but not be limited to:
 - a) Utility coordination and removals
 - b) Safely demolishing the existing structure(s), and removal and disposal of all fixtures including walls and footings, furnishings, and attachments therein or thereon
 - c) Capping sanitary sewer lateral at edge of work area
 - d) Capping gas and water line
 - e) Disposal and transport of all debris and refuse from within the work area
 - g) Securing fees to a legal dump site
 - h) Grading the site
 - j) Staking abandoned utilities
- C. Health & Safety Plan: Full compensation to prepare and implement the Health and Safety Plan shall be included in the price paid for the Demolition of TV Production Building and no additional compensation will be allowed therefor.
- D. Weight tags from the dump site shall be presented to the Engineer. No payment shall be made until the weight tags have been presented to the Engineer.

PART 8 – LANDSCAPING AND IRRIGATION

SECTION 801 – INSTALLATION

801-1 GENERAL.

All existing lawn and landscape areas disturbed by the Contractor as part of or as a result of the work shall be prepared and re-sodded and/or replanted in kind, except as otherwise designated in the Plans. Existing irrigation systems shall be repaired and restored to operating condition to the satisfaction of the Engineer.

Contractor shall field verify with Engineer exact location of all irrigation components such as, but not limited to, valves, sprinkler heads, piping, etc., prior to start of construction. All irrigation components shall be protected in place. However, where there are conflicts with new sidewalks, the water supply lines, valves, and sprinkler heads shall be modified and adjusted to grade or relocated, as necessary. The reinstallation of irrigation components shall be performed in the same manner in which they were originally installed.

Contractor shall not have the existing irrigation system inoperable for more than 48 hours continuously.

801-8 Payment

Payment for Irrigation System Modifications shall be paid at the contract unit price Lump Sum (LS) and shall include full compensation and shall include, but not be limited to, furnishing all labor, materials, tools, equipment, hauling, disposing, pipes, sprinklers, connections, wyes, bends, tees, removal of interfering portions of existing system and incidentals for the irrigation system modifications complete in place and no additional compensation will be made therefor.

Payment for Vegetation Control Fabric shall be paid at the contract unit price per Square Feet (SF) and shall include full compensation and shall include, but not be limited to, furnishing all labor, materials, tools, equipment, hauling, disposing, compaction, and incidentals for the vegetation control fabric complete in place and no additional compensation will be made therefor.

Payment for 3/4" Size Landscape Grade Rocks, 4" Thick (Locally Available) shall be paid at the contract unit price per Ton and shall include full compensation and shall include, but not be limited to, furnishing all labor, materials, tools, equipment, hauling, disposing, compaction, and incidentals for the Landscape Gravel Rocks complete in place and no additional compensation will be made therefor.

Payment for Restore Lawn shall be paid at the contract unit price per Square Feet (SF) and shall include full compensation and shall include, but not be limited to, furnishing all labor, materials, tools, equipment, hauling, disposing, compaction, and incidentals for the Restoring lawn complete in place and no additional compensation will be made therefor.

SECTION G

RECYCLING OF MATERIALS



WASTE MANAGEMENT PLAN FORM

1. PROJECT & APPLICANT INFORMATION

OWNER'S NAME _____ DATE _____

PROJECT ADDRESS _____

OWNER TELEPHONE _____

CONTRACTOR NAME _____

CONTRACTOR CONTACT NAME _____

CONTRACTOR TELEPHONE _____

APPROXIMATE SQUARE FOOTAGE OF PROJECT _____

DEMOLITION DATES: START _____ END _____

CONSTRUCTION DATES: START _____ END _____

2. DESCRIPTION OF DIVERSION PLAN

Briefly state how waste materials will be handled at your job site to ensure salvage/reuse or recycling. Also, explain how you will inform your workers/sub-contractors of your Waste Reduction and Recycling Plan requirements and ensure their participation. If you choose Consolidated Disposal, no additional information is required.

☐ Consolidated Disposal Bins and Roll-off boxes will be used for this project.

3. EXEMPTION

Please fill out the section below if you believe that your project is entitled to an exemption and not required to divert or recycle C&D debris.

4. MATERIAL HANDLING ESTLMATE

Please complete the Material Handling Estimate Worksheet (page 3). This form is used to identify the estimated types and quantities of materials and how the waste material will be reduced, recycled or disposed at your project site. Estimates should be calculated in tons. Please use the attached Materials Conversion Worksheet for conversion factors.

4a. Diversion Percentage Estimate from Section F. (page 3): _____ %

4b. Is the percentage listed in 4a above greater than or equal to 65%? YES NO

4c. If NO, explain why: _____

5. "To the best of my knowledge, the tonnage and diversion percentage estimates reported on this form are my best estimate of the disposition of the construction and demolition materials generated at this project site."

SIGNATURE _____

PRINT NAME _____ DATE _____

****FOR CITY USE ONLY****

Plan Approval Status:

Exemption Status:

☐ Approved

☐ Exempted Approved

☐ Further explanation needed (see attached)

☐ Exempted Denied

☐ Denied

Comments:

Reviewed By: _____

Signature _____

Date _____

MATERIAL HANDLING ESTIMATE WORKSHEET

Column A: List estimated quantities of waste for each material type (in tons). To convert yards to tons, use the attached Materials Conversion Worksheet.

Columns B, C, D: List estimated quantities reused, recycled, or disposed based on Column A quantities. **Column E:** State the name of all vendors or facilities used to reuse, recycle or dispose of materials listed. **Column Totals:** Add up all material quantities for each column.

Section F. Calculate the estimated diversion percentage in the section at the bottom of this worksheet and enter the percentage on page 2, line 4a, of this form. Attach another Material Handling Estimate Worksheet if more room is needed.

Materials	A Quantity Discarded	B Salvage or Reuse	C Recycling	D Disposal (Landfill)	E Proposed Destination(s)
Example: Cardboard	2 tons		1.5	.5	(Recycle) XYZ Recycling Facility (Disposal) <u>Prima Landfill</u>
Asphalt & Concrete					
Brick/Masonry/ <u>fitle</u>					
Building Materials (doors windows, cabinets, <u>ect.</u>)					
Cardboard					
Carpet					
Carpet Padding/Foam					
Ceiling Tiles					
Drywall (new or used)					
Landscape Debris (brush, trees, <u>ect.</u>)					

MATERIAL HANDLING ESTIMATE WORKSHEET

Materials	A Quantity <u>Discarded</u>	B Salvage or Reuse	C <u>Recycling</u>	D Disposal (Landfill)	E Proposed Destination(s)
Scrap Metal					
Unpainted Wood & Pallets					
Garbage/Trash					
Dirt			X		
Demolition		X	X		
Green Waste (trees, shrubs, <u>turf, ect.</u>)					
Mixed Debris					
Roofing					
Wood Shingle/Shake					
Concrete/Clay Tile					
Roof Decking					
Appliance/Equipment					

F. Diversion Percentage Estimate: *(Transfer % amount lo 4a on page 2)*

Column Totals B ____ + C ____ = ____ / A ____ = ____ X 100% = ____ %

MATERIAL HANDLING ESTIMATE WORKSHEET

Material Category	Volume	Unit	Tons/Unit	Tons
<u>Asphalt/Concrete</u>				
Asphalt (broken)		<u>cy</u> x	.7	= _____
Concrete (broken)		<u>cy</u> x	.9	= _____
Concrete (solid slab)		<u>cy</u> x	1.2975	= _____
<u>Brick/Masonry/Tile</u>				
Brick (broken)		<u>cy</u> x	.7	= _____
Brick (whole, palletized)		<u>cy</u> x	1.5212	= _____
Masonry block (broken)		<u>cy</u> x	.6	= _____
Tile		sq ft x	.00175	= _____
<u>Building</u> Materials (doors, windows, cabinets, etc.)		<u>cy</u> x	.15	= _____
Cardboard <u>(flat)</u>		<u>cy</u> x	.05	= _____
<u>Carpet</u>				
By square foot		sq ft x	.0005	= _____
By cubic yard		<u>cy</u> x	.3	= _____
<u>Carpet Padding/Foam</u>		sq ft x	.000125	= _____
<u>Ceiling Tiles</u>				
Whole (palletized)		sq ft x	.0003	= _____
Loose		<u>cy</u> x	.0875	= _____
<u>Drywall</u> (new or used)				
½" (by square foot)		sq ft x	.0008	= _____
5/8" (by square foot)		sq ft x	.00105	= _____
Demo/used (by cubic yard)		<u>cy</u> x	.25	= _____
<u>Landscape</u> Debris (brush, trees, ect.)		<u>cy</u> x	.15	= _____
<u>Scrap</u> Metal		<u>cy</u> x	.453	= _____

MATERIALS CONVERSION WORKSHEET

Material Category	Volume	Unit	Tons/Unit	Tons
<u>Unpainted</u> Wood & Pallets				
By board foot		bd ft x	.001375	= _____
By cubic yard		cy x	.15	= _____
<u>Garbage/Trash</u>		cy x	.175	_____
<u>Dirt</u>				
By cubic yard		cy x	1.03	= _____
Demolition				
Complete demolition		sq ft of structure x	40/2000	_____
Complete demolition with tile roof		sq ft of structure x	47/2000	= _____
Green Waste (trees, shrubs, turf, ect.)		cy x	.25	= _____
Mixed Debris (interior remodel)		cy x	.2	_____
<u>Roofing</u>				
Asphalt composition shingle		roof sq ft x	3/2000	= _____
<u>Wood Shingle/Shake</u>		roof sq ft x	2/2000	= _____
<u>Concrete/Cla).Tile</u>		roof sq ft x	10/2000	_____
Roof <u>Decking</u>		roof sq ft x	1.5/2000	= _____
<u>Appliance/Equipment</u>				
Cook Top		x	.015	= _____
Dishwasher		x	.050	_____
Refrigerator		x	.075	= _____
Oven (single)		x	.038	= _____

MATERIALS CONVERSION WORKSHEET

Material Category	Volume	Unit	Tons/ <u>Unit</u>	Tons
Trash Compactor	_____	x	.020	_____
Water Heater 30 gallons	_____	x	.025	= _____
Water Heater 40-50 gallons	_____	x	.038	= _____
Bathtub (cast Iron)	_____	x	.150	= _____
Bathtub (steel)	_____	x	.038	= _____
Sink, cast iron	_____	x	.025	_____
Sink, porcelain	_____	x	.010	_____
Sink, steel	_____	x	.005	= _____
Toilet	_____	x	.020	_____

cy =

sq ft= square foot

bd ft= board foot

cubic yards Sample

Calculation:

Materials including 100 square feet of roof decking, 50 cubic yards of brick (broken), and a cast iron bathtub would compute as follows: $(100 \times 1.5 \text{ lbs.})/2000 + (50 \times 7) + .15 = (.075) + 35 + 0.15 = 35.225 \text{ Tons}$

APPENDIX A

DEMOLITION AND SITE IMPROVEMENT PLANS

City of Los Alamitos

CITY COUNCIL AGENDA REPORT

MEETING DATE: August 21, 2023

ITEM NUMBER: 11E

To: Mayor Tanya Doby & Members of the City Council

Presented By: Ron Noda, Development Services Director

Subject: Response to the 2022-2023 OC Grand Jury Report Titled: "Welcome to the Neighborhood"

SUMMARY

This item contains the City's response to the 2022-2023 Orange County (OC) Grand Jury Report titled "Welcome to the Neighborhood."

RECOMMENDATION

1. Approve the attached response to the 2022-2023 Orange County Grand Jury Report titled "Welcome to the Neighborhood"; and,
2. Authorize the Mayor to sign the response letter on behalf of the City Council.

BACKGROUND

In 2022, the Orange County (OC) Grand Jury released a report titled "Welcome to the Neighborhood" focused on group homes as an important component in the healthcare and/or recovery of many people. When group homes are operated for the well-being of their residents and with the respect for their neighbors, they can be an asset to their host community.

The OC Grand Jury reviewed the challenges of successfully integrating group homes into neighborhoods, including pressure exerted on the County of Orange and cities by residents, operators, and the State of California. The OC Grand Jury recommends that the County of Orange and cities join forces to create ordinances, pool resources for defense of lawsuits, and work together to generate awareness among legislators to improve regulations and management standards to ensure health and safety for group home residents.

In compliance with California Penal Code Sections 933 and 933.05, the City is required to provide a response to each of the Grand Jury findings and recommendations. The Grand Jury has directed the City to respond by September 18, 2023. A copy of the Grand Jury report is included as an attachment to this report.

DISCUSSION

City Staff has reviewed the OC Grand Jury's Report and has prepared a response to those findings and recommendations that were directed to cities in Orange County, including Los Alamitos.

FISCAL IMPACT

None.

- Attachment:
1. City's Response to OC Grand Jury - Welcome to the Neighborhood
 2. Welcome to the Neighborhood - Are Cities Responsibly Managing the Integration of Group Homes?



August 21, 2023

Honorable Maria Hernandez, Presiding Judge
Superior Court of California, County of Orange
700 Civic Center Drive West
Santa Ana, CA 92701

RE: Response to 2022-2023 Orange County Grand Jury Report "Welcome to the Neighborhood"

Dear Judge Hernandez,

The City of Los Alamitos has reviewed the Orange County Grand Jury Report titled "Welcome to the Neighborhood". In accordance with California Penal Code sections 933 and 933.05, the City of Los Alamitos submits the following response to the findings and recommendations included within the report. Each of the applicable findings and recommendations is listed below in *Italics*, followed by the City's response.

Findings:

F1: Group homes too close to one another contribute to the problems associated with overconcentration.

Response: The City of Los Alamitos partially agrees with this finding. Historically, negative effects caused by the operation or overconcentration of group homes have not been a significant cause of concern for Los Alamitos residents. It is unclear whether this is due to there not being an overconcentration of group homes in the City, that the ones that do exist are well operated, or a combination thereof.

F2: Common nuisances are more likely and disruptive when sober living homes are concentrated in a small geographic area of a neighborhood.

Response: The City of Los Alamitos partially agrees with this finding. Historically, negative effects caused by the operation or overconcentration of group homes have not been a significantly reported cause of concern for Los Alamitos residents. It is unclear whether this is due to there not being an overconcentration of group homes in the City, that the ones that do exist are well operated, or a combination thereof.

F3: Some cities have successfully addressed and informed community members about the challenges faced in regulating group homes.

Response: The City of Los Alamitos partially agrees with this finding. Historically, negative effects caused by the operation or overconcentration of group homes have not been a significantly reported cause of concern for Los Alamitos residents. The City is not specifically aware of community outreach efforts and related citizen participation in other cities throughout Orange County.

F4: Community satisfaction was minimal when cities took the traditional public comment approach towards addressing community complaints.

Response: The City of Los Alamitos partially agrees with this finding. Historically, negative effects caused by the operation or overconcentration of group homes have not been a significantly reported cause of concern for Los Alamitos residents. The City is not specifically aware of community outreach efforts and related citizen participation and/or community satisfaction in other cities throughout Orange County.

F5: Cities are not utilizing police, fire, and code enforcement complaints as a means of locating and tracking Group Homes.

Response: The City of Los Alamitos agrees with this finding. It is difficult to track the location of group homes as many are not required to obtain an approval or other form of registration and/or license from the City, County or State, pursuant to State law.

F6: Cities are inhibited from enacting and enforcing ordinances due to fears over the potential cost of litigation.

Response: The City of Los Alamitos partially agrees with this finding. The City does not have an adopted ordinance regulating group homes because, historically, negative effects caused by the operation or overconcentration of group homes have not been a significantly reported cause of concern for Los Alamitos residents.

F7: Several cities have created an ordinance that requires a ministerial permit or registration to operate a group home, however many of these cities do not enforce their ordinances.

Response: The City of Los Alamitos partially agrees with this finding. While the City has not adopted an Ordinance requiring a ministerial permit or registration of

a group home, the City is aware of neighboring jurisdictions that have adopted an ordinance regulating group homes; however, we are not particularly aware of their enforcement policy decisions.

F8: City and County officials are deterred from regulating group homes by California Housing and Community Development's housing element approval process.

Response: The City of Los Alamitos partially agrees with this finding. While the City has not adopted an ordinance regulating group homes at this time, we acknowledge the severity of having a noncompliant housing element which would deter cities from exploring the same.

F9: Cities have historically strategized and acted independently in addressing group home challenges and solutions.

Response: The City of Los Alamitos agrees with this finding.

F10: Well-operated group homes can integrate smoothly into neighborhoods.

Response: The City of Los Alamitos agrees with this finding.

F11: There is a lack of regulatory oversight for the health and safety of residents of unlicensed group homes.

Response: The City of Los Alamitos agrees with this finding. Without licensing and/or registration, there is no regulatory oversight of these facilities.

Recommendations:

R1: Orange County cities and the County of Orange should address citizen concerns regarding group homes by providing an opportunity for an open dialogue where an interdisciplinary panel of subject matter experts can share with attendees the challenges cities are facing in the management of group homes. To be implemented by July 1, 2024.

Response: The City of Los Alamitos will not implement this recommendation because it is unwarranted at this time. Historically, negative effects caused by the operation or overconcentration of group homes have not been a significantly reported cause of concern for Los Alamitos residents.

R2: By December 31, 2024, Orange County cities and the County of Orange should collaborate in their efforts to create ordinances for the regulation of group homes, including the development of model ordinances.

Response: The City of Los Alamitos will not implement this recommendation because it is unwarranted. Historically, negative effects caused by the operation or overconcentration of group homes have not been a significantly reported cause of concern for Los Alamitos residents.

R3: Orange County cities and the County of Orange should pool resources for defense of lawsuits challenging group home ordinances. To be implemented by July 1, 2024.

Response: The City of Los Alamitos will not implement this recommendation because it is unwarranted. Historically, negative effects caused by the operation or overconcentration of group homes have not been a significantly reported cause of concern for Los Alamitos residents.

R4: The County of Orange and Orange County cities should create a Task Force that includes representatives from OC cities, unincorporated areas, and other entities, as appropriate, and charge it with the responsibility of developing a plan to generate awareness among State legislators and regulators of the need for improved regulations and management standards to ensure health and safety for Group Home residents. To be implemented by July 1, 2024.

Response: The City of Los Alamitos will not implement this recommendation because it is unwarranted. Historically, negative effects caused by the operation or overconcentration of group homes have not been a significantly reported cause of concern for Los Alamitos residents. A change in State law could be accomplished through advocacy by the League of California cities.

R5: Orange County cities and the County of Orange should modify code enforcement report data collection forms to include a searchable field that enables the identification of a residence operating as a group home. To be implemented by July 1, 2024.

Response: The City of Los Alamitos will not implement this recommendation; however, the City's code enforcement electronic database logs all code enforcement activity, and such records can be searched to identify properties alleged to be operating as a group home, if needed.

Should you have any questions or need any additional information, please contact Ron Noda, Deputy City Manager/Development Services Director at Rnoda@cityoflosalamitos.org or (562) 431-3538, x500.

Respectfully,

Tanya Doby
Mayor

cc: Orange County Grand Jury
700 Civic Center Drive West
Santa Ana, CA 92701



Welcome to the Neighborhood

Are cities responsibly managing the integration of group homes?



County of Orange

Grand Jury 2022-2023

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SUMMARY

Group homes are an important component in the healthcare and/or recovery of many people. These homes provide, among other things, Substance Recovery, Hospice Care, Residential Care for the Elderly, and Sober Living. When group homes are operated for the well-being of their residents and with respect for their neighbors, they can be an asset to their host community. However, they can occasionally become disruptive and the motivation for nuisance calls to local code enforcement. In extreme cases, the “curbing” of residents can contribute to the homeless population.

Negative interactions with disruptive group homes often lead to neighborhood opposition and anger towards city officials. How cities respond to the anger of their constituents impacts their ability to successfully integrate group homes. Residents are more likely to respond positively when cities offer townhall style meetings with police, fire, code enforcement, legal, and subject matter expert involvement, especially where the subject is discussed objectively, and public input is encouraged and respected.

Issues and concerns neighborhood residents have with group homes stem primarily from an over-concentration of homes in residential areas. Multiple cities in Orange County have attempted to manage integration of group homes into neighborhoods by enacting ordinances that include setting a minimum distance between group homes to avoid the problems associated with over-concentration. Most cities with such ordinances have not enforced them due to the fear of incurring litigation costs.

The Grand Jury reviewed the challenges of successfully integrating group homes into neighborhoods, including pressures exerted on Orange County cities by residents, group home operators, and the State of California.

The State of California has recently joined the group home debate, has altered the conversation, and raised the stakes. The State wields a large club with its power of approval of the required Housing Element. The California Housing and Community Development Department (HCD) is withholding approval for cities that have ordinances attempting to place limits or impose oversight on group homes. Cities are then vulnerable to a loss of control over zoning and permitting, as well as loss of State and regional funding.

Some cities have decided to push back on the pressures put on them from HCD and the fight has been carried out on an individual city basis. The Orange County Grand Jury recommends that the County of Orange and cities join forces to create ordinances, pool resources for defense of lawsuits, and work together to generate awareness among legislators to improve regulations and management standards to ensure health and safety for group home residents.

BACKGROUND

Orange County has 42 miles of beautiful coastline, three harbors, and 25 urban and wilderness parks - including 230 miles of riding and hiking trails. Orange County also has the dubious honor of having more than its share of our State's total number of group recovery and sober living residences. Frequently referred to as "The Rehab Riviera", several cities in Orange County have been dealing with pockets of over-concentration of these types of group homes. This has posed challenges for the residents in whose neighborhoods they are located, as well as the occupants of the recovery and sober living homes.



The Orange County coast is a magnet for sober living homes

Many of the homes in question are privately owned, unlicensed, unsupervised, and a challenge to monitor and regulate. When a neighborhood has multiple group homes, it becomes a more institutional environment; this alters the character of the neighborhood and defeats the purpose of the "integration" of people who are recovering.

To address these shortcomings, multiple cities, and the County, on behalf of unincorporated areas, have enacted ordinances that manage the permitting and tracking of group homes.

Several significant pieces of legislation have played a part in the expansion of group homes. These include California's Lanterman Mental Retardation Act (1988), the Federal Fair Housing Amendments Act of 1988, the California Community Care Facilities Act, and California's Substance Abuse and Crime Prevention Act of 2000 (Proposition 36). The resulting deinstitutionalization has had a positive effect on the lives of many people but has created a challenge for cities as they work towards the responsible integration of the group living arrangements necessary to accommodate the impacted population.¹

Since deinstitutionalization, the State of California has resisted appeals from local cities to pass permitting laws, distancing requirements, or any type of regulation at all. There is a misconception that these regulatory ordinances are intended to discriminate against people who are disabled due to alcohol and drug addiction, and the State of California has cited this misconception as the guiding principle for its dogged challenge of most attempts by cities to manage the responsible integration of group homes into residential neighborhoods. Rather, such city ordinances are intended to protect those people who suffer from alcohol and drug addiction, as well as the neighborhoods where group homes are located.

Licensed residential rehab programs are subject to the same local laws as single-family homes, and no more. State law imposes fewer restrictions on licensed rehab programs than other licensed group homes. The Community Care Facilities Act, from which alcohol and drug rehab facilities are exempt, imposes restrictions that protect the character of residential neighborhoods. Under this act, cities receive written notice of a proposed facility, and any city or county may request denial of the license based on overconcentration of residential care facilities. While alcohol and drug programs that provide 24-hour residential non-medical services to adults recovering from drug or alcohol abuse must obtain a State license, they cannot be regulated any differently from a single-family home if they serve six or fewer people.

California Health & Safety Code Sections 1520.5 and 1267.9 state it is a policy of the State to prevent overconcentration of residential facilities that impair the integrity of residential neighborhoods. Section 1520.5 states that the department shall deny an application for a new residential facility license if the department determines the facilities location is proximate to an existing residential facility therefore resulting in overconcentration. The statute recognized the need for a balanced policy to prevent overconcentration of residential care facilities which indicates an awareness and understanding of the impact of overconcentration on the integrity of residential neighborhoods. The statute defines overconcentration as less than 300 feet for some types of group homes and up to 1000 feet for others. At the time the statute was enacted it was specific only to certain types of group homes. However, the recent emphasis on providing more housing in California has eroded the intent of this act.

Federal and State fair housing laws protect people with disabilities from housing discrimination. Recovering alcoholics and drug addicts are disabled for purposes of anti-discrimination laws. When people in recovery live together in a “sober living” home, cities cannot discriminate based on such disabilities, therefore an ordinance cannot treat sober living homes differently than other similar uses in single-family residential zones.

Sober living homes are not required to be licensed and are not limited to six or fewer residents. Because no treatment is provided in these substance-free, mutually supportive living environments, no license is required. The limitation of most other group

homes to six residents is part of the State statute; however, confusion arises because the statute does not apply to sober living homes.

There is only so much a city can do to respond to the complaints of its residents when dealing with an overconcentration of group homes in a neighborhood. It is important for city residents to be educated on the barriers faced by cities, and to work with their city to overcome these barriers.

Current laws do not adequately address the need to manage the integration of group homes into neighborhoods. Courts should not be where the solutions are found.

REASON FOR STUDY

Many cities within Orange County have neighborhoods with a dense concentration of group recovery and sober living residences. In most circumstances, cities do not know where these group homes are located unless the homes generate a backlash from neighbors due to various types of disturbances. The Grand Jury examined how Orange County cities are managing the distancing of all types of group homes, and the impact group homes have on neighborhoods and group home residents when the homes are in close proximity to one another.

Group homes, most often Recovery and Sober Living homes, and the nuisances that are commonly associated with them, are not new to Orange County. Neighborhood complaints, concerns from individuals living in or related to residents of group homes, the litigious nature of the relationship between cities and group home operators, and abuse of the healthcare system have been in play in Orange County for well over a decade.

The Grand Jury began this study by looking at how cities are managing the influx and locations of group homes and identifying best practices where they are found. The working premise was that each city is responsible for the integration of group homes, which would serve to protect the residents of group homes while maintaining the existing neighborhood atmosphere.

Has there been success addressing the issues associated with group homes and what does that look like? Are cities going it alone or are there county-wide efforts? Has there been progress made in this area? The Grand Jury approached the topic of group home integration seeking answers to these questions with the expectation that there were some systems in place resulting in the successful integration of group homes. The investigation took a winding road which revealed that, despite countless attempts at change, many of the problems that surfaced over a decade ago are still present. The Grand Jury found that successfully implemented solutions have become even more impactful in light of the State of California's heavy-handed entry into the debate.

METHOD OF STUDY

The Grand Jury has evaluated official documents, examined news articles, visited multiple recovery/sober living websites, and assessed secondary sources.



The Grand Jury reviewed numerous documents, including the 2022 State of California's Group Home Technical Advisory² and the 1990 State of California Health and Safety Code.³

To better understand the impact of density, jurors attended townhall and city council meetings virtually, through recordings, and visited neighborhoods in several cities where there is a heavy concentration of group homes.

The Grand Jury interviewed numerous subject matter experts, city managers, County and city officials, legislators, city attorneys, group home operators, and legal and real estate professionals. It also examined local, state, and national media reports and opinion pieces regarding group recovery and sober living residences. The Findings and Recommendations herein are based on this work.

INVESTIGATION AND ANALYSIS

Orange County has some of the heaviest concentrations of group homes and sober living residences in the nation.⁴ The densities are more than the local population can bear and residents believe the influx of the group home residents seriously impacts their neighborhoods. Similarly, group home and sober living industry experts cite negative impacts on the group home residents themselves.

Operators can open a group home where they desire, without having a license or State-endorsed certification, and they can open as many group homes as they desire regardless of local need. Because regulation is slack, cities are challenged to track and regulate the density without any guidance or support from the State. Adding to these concerns is a recent State of California memorandum titled "Group Home Technical Advisory" that characterizes any attempts to regulate the homes as discriminatory.⁵ It seems that method of thinking has no positive effect on how the homes are run or on how the vulnerable residents in these homes are treated, and quite possibly has the opposite effect.

OC Group Home Density

Reportedly, Orange County has more than its share of group homes in California, and the country for that matter, specific to housing individuals in need of Recovery/Sober Living Homes.⁶ There are no existing requirements for sober living homes with six or fewer residents to identify or register themselves as such.

It is estimated that up to 36% of houses required to be licensed (those providing services) by the State of California as group homes for six or fewer residents are located in Orange County. In addition, there are hundreds of group homes not requiring licensing that exist in Orange County neighborhoods. This lack of identification makes it extremely difficult to estimate the total number of sober living homes in our communities.⁷

As documented in numerous city council and townhall meetings, residents and activists have raised concerns about over-saturation and common nuisances to local community governing bodies (see Common Nuisances section). In many cases, these are neighborhoods in which multiple group homes are in close proximity (for example three in one cul-de-sac) or individual homes are run with little to no on-site supervision. Neighborhoods are losing their original character and familial aspect, with some becoming increasingly institutional and others experiencing more of a “frat house” feel.

“Residents of these homes are moving in and out at an alarming, transitory rate”

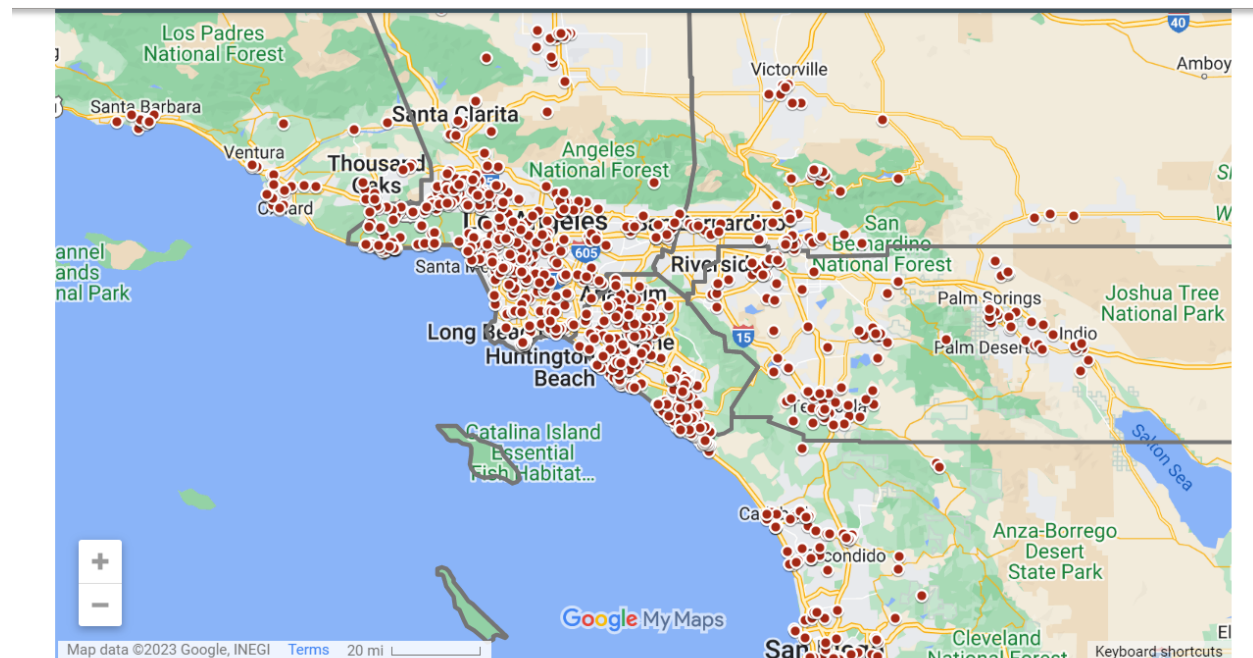
Residents of these homes are moving in and out at an alarming, transitory rate. Neighbors describe some of these group homes as taking no responsibility for the actions of their inhabitants. Rules and responsibilities are either not imposed or not enforced by the group home operators. The complaints are predominantly related to non-regulated group homes.

Over the last several years, multiple cities in Orange County have sought to find a solution to alleviate these concerns. Several have performed due diligence to ensure that any action taken will provide for neighborhoods to remain neighborhoods, and that both the disabled and the recovering addicts needing to live in these types of group homes are in fact living in a normalized residential environment that provides the best opportunity to be successful in their recovery.

This is not simply a “Not In My Backyard” (NIMBY) issue or reaction as evidenced by the large number of homes that receive few or no complaints. The need for well-run Recovery/Sober Living Homes is not in dispute. Concerns arise when these homes are poorly run and/or when multiple homes are in close proximity, contributing to the problem of over-concentration. These two circumstances cause changes in the local neighborhood, and it is questionable whether they are aiding the very residents that they are meant to be assisting and whether residents of these homes are integrating into a normalized environment.

To that end, various cities have introduced ordinances toward resolving the problem. Some of these include distancing requirements between group homes ranging from 300 to 1000 feet. Some ordinances require group homes to register or self-identify as such.

California Health & Safety Code Section 1267.9 provides specific requirements for distancing of most types of group homes settings.⁸ These requirements are similar to the local city ordinances in that they provide certain spacing restrictions of between 300 and 1000 feet. Sober Living Homes, however, are excluded from any distancing requirement by the State.



Points show the primary addresses of all non-medical alcoholism and drug abuse recovery or treatment facilities licensed and/or certified by the California Department of Health Care Services as of May 4, 2017. (Map by Ian Wheeler, Orange County Register/SCNG)

The State imposes licensing requirements on most types of group homes and provides for oversight by one or more State or County agency. Sober Living Homes with six or fewer residents are not required to be licensed by the State and have no regulatory

oversight. These two factors alone allow anyone to set up, open, and advertise this type of group home anywhere in California. Orange County seems to be the favored location, yet has no say in the siting or quantity of group homes in our residential neighborhoods.

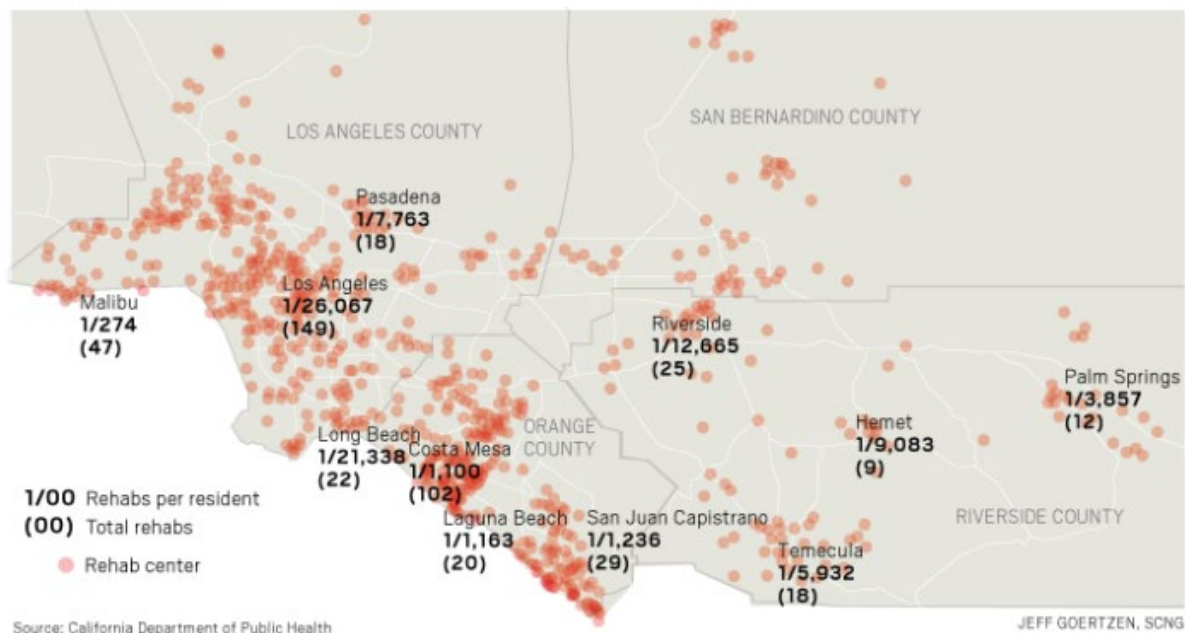
Tracking Challenges

Just where are these sober living homes? All over. How do we know? We actually don't. There are few local ordinances requiring the registration, licensing, or declaration of any type of unlicensed sober living or recovery residence that has been established in a neighborhood. There are no widely adopted methods to track or monitor any aspect of such dwellings – their location, number of people residing in them, on-site management, or their ownership.

The Grand Jury's research found that most sober living homes are not required by law to have any kind of State license. Some cities have enacted ordinances that require a permit or registration. When a sober living establishment is registered and a complaint is received, the complaint may be recorded and could be tracked, at least for the location of that specific home.

WHERE THE REHABS ARE

California has 1,864 rehab facilities, and more than half (1,117) are in Los Angeles, San Bernardino, Orange and Riverside counties. The map below shows the concentrations of these centers and the ratio of rehabs per resident in some of our cities.



Except for the few cities with ordinances regulating sober living homes and the few homes that applied for registration or received ministerial permits, accurate tracking and monitoring remains challenging. Tracking is attainable if cities' code and law enforcement establish and actively utilize a searchable database that includes

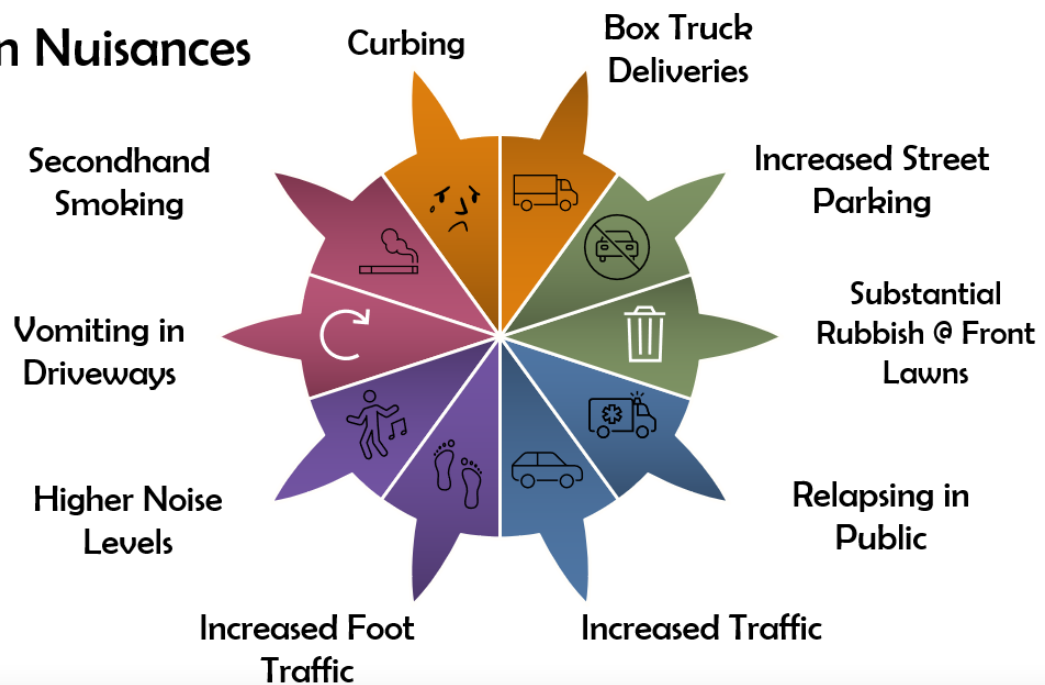
information about police and fire calls, nuisance complaints or code infractions, and identification of type of establishment. The use of this information can help identify the location and density of group homes.

Common Nuisances

Residents living in cities with neighborhoods having a significant number of recovery and sober living homes complain that the proliferation of these group homes in recent years has become unmanageable, and that overconcentration is impacting the quality of life for everyone.

For years, many citizens living in neighborhoods with an unrestrained growth of sober living homes have been voicing their concerns and frustrations over the lack of protection their communities are given. While many of these group homes adopt rules and regulations and attempt to be good neighbors, a citizen's primary method for reporting concerns about a disruptive home is initiating a nuisance complaint to their local law enforcement.

Common Nuisances



The outcry is that unregulated sober living residences make for bad neighbors. Sober living homes are not always bad neighbors, but when they are concentrated in a small geographic area or neighborhood, the common nuisances can become more visible and disruptive. Ultimately, this raises concerns about the potential or actual diminished character of the neighborhood.

Lead Cities

Although the City of Costa Mesa has been front and center in the legal fights related to group homes, it was Newport Beach that first stepped into the arena in 2008. Three companies sued the City over an ordinance that was approved by the City Council in 2008 that regulated group homes for recovering addicts.⁹ Pacific Shores Properties, Newport Coast Recovery, and Yellowstone Women's First Step House sued Newport Beach for a total of \$5.24 million. Still in place today, this ordinance was the first of its kind in Orange County and it established quiet hours, parking and smoking areas, and van routes. It also required the City's approval for new unlicensed homes for recovering addicts in certain neighborhoods. In 2015, the City reached the end of its seven-year legal battle over sober-living homes with a settlement agreement.^{10 11}

According to the Orange County Register, which cites its own archives, Newport Beach spent at least four million dollars in legal costs on the cases. In 2008, there were 81 facilities and 614 total beds identified in Newport Beach. In 2021, there were a known 30 facilities with 210 total beds. Where did all those facilities and beds go?¹² Perhaps to the City of Costa Mesa. In 2015, the City of Costa Mesa enacted their own ordinance (amended in 2017) after seeing a sharp increase in the number of sober living homes followed by a steep increase in the number of community complaints. On the heels of the ordinance came the legal challenges, and Costa Mesa prevailed in all challenges until January 2023 when two sober living homes, embroiled in litigation against the city, were handed a legal victory in federal court. The earlier dismissal was reversed and remanded by the Ninth Circuit Court of Appeals which ruled that asking operators of sober living facilities for proof of disability violates federal law barring discrimination against those with disabilities and bars discrimination in housing.

“The well-funded operators are supported by industry organizations and associations in their lawsuits...”

As the legal battle waged on, other local governments explored, advanced, or enacted regulation of sober living homes, including the County of Orange (2015), and Cities of Laguna Hills (2015), San Clemente (2016), Laguna Niguel (2016), San Juan Capistrano (2016), Anaheim (2020), and Huntington Beach (2020). Most of these entities, perhaps all, have chosen not to enforce their ordinances out of concern of potential litigation, and are waiting for Costa Mesa's litigation to conclude.

Cities Are Standing Alone

Multiple cities in the County have executed ordinances to regulate unlicensed group homes. With the exception of the newly formed South Orange County Sober Living and

Recovery Task Force, cities have not collaborated on solutions to shared and common problems. This has been done on an individual basis, with little collaboration among cities. Prior to drafting an ordinance, some cities study the details and effectiveness of other cities' actions, particularly the City of Costa Mesa's ordinance, and use that as a template to draft their own.¹³

Once enacted, few of the ordinances are being enforced. This lack of enforcement is due to a small number of very specific impediments and concerns. These include:

- Fear of litigation costs due to lawsuits filed by group home operators against cities that have enforced ordinances. (The City of Costa Mesa has reportedly incurred over ten million dollars in legal fees in relation to group home litigation.)
- Fear of the State of California withholding approval of the Housing Element for cities that have ordinances related to the management of group homes, resulting in the potential loss of state funds and local zoning control.
- Lack of enforcement resources. Most cities do not have the staff resources to enforce these ordinances.

While individual cities take a wait-and-see approach to follow the progress of other cities that are standing up to the State, little progress is being made. The cities and County of Orange would benefit by working in partnership with one another to garner resources and create a coalition to promote change. While the newly constituted South Orange County Sober Living and Recovery Task Force is a good start, and the first tangible recognition of the need to work together, the Grand Jury recommends a countywide cooperative taskforce.

Orange County's cities and unincorporated areas are demographically diverse. The active sharing of ideas, experiences, and information will be valuable to the overall process of developing a worthwhile model ordinance and plan for moving forward in the efforts to protect both the individual characteristics of Orange County neighborhoods, and *all* individuals living in those neighborhoods.

Fear of Litigation Costs

Cities are concerned about the high cost of litigation and the time required to defend ordinances regulating group homes. Private entities have challenged ordinances and in some cases won, and in other cases continued to pursue lawsuits in spite of opposition. In one case, the California Department of Housing and Community Development (HCD) requested that the California Department of Justice file a "friend of the court" application to intervene on behalf the litigant in its case against the City.¹⁴



Two examples of cities being involved in lengthy and costly lawsuits include Newport Beach and Costa Mesa. In 2007, Newport Beach had numerous sober living homes and was facing increasing pressure by residents to regulate them. In January 2008, Newport Beach passed an ordinance regulating sober living homes. The ordinance was carefully crafted to comply with State and federal law.¹⁵

By November 2008, several legal actions occurred. These included:

1. A lawsuit from a residents' group (the "Concerned Citizens of Newport Beach" or CCNB) arguing that the City did not go far enough in enacting Ordinance 2008-05. CCNB also sued multiple operators and asked for \$250 million in damages from the City;
2. Two group home operators (Pacific Shores Recovery and Sober Living by the Sea) filed complaints with the US Department of Housing and Urban Development (HUD) alleging that the City's ordinance and its practices have discriminated against disabled persons entitled to fair housing;
3. Multiple lawsuits were filed by Sober Living By the Sea (SLBTS) alleging that the City's group residential uses ordinance was facially discriminatory against persons in recovery. The City reached an agreement with SLBTS;
4. The City filed lawsuits against Morningside Recovery and Pacific Shores Recovery, alleging that some of their operations opened illegally during a short-term temporary moratorium against the establishment of new group residential uses. Pacific Shores Recovery has in turn alleged that the City's group

residential uses ordinance was facially discriminatory against persons in recovery;

5. A cross-complaint by the City against Sober Living By The Sea and other operators that consolidated certain lawsuits in U.S. District Court.



Chairs are packed during a discussion on sober-living homes in San Clemente in 2016. (Photo by Matt Masin, Orange County Register, SCNG)

Subsequently, in 2009, three companies sued the City of Newport Beach over the ordinance, claiming it violated anti-discrimination and fair housing laws because individuals recovering from an addiction are a protected group. A federal judge ruled in favor of the City in 2011. The companies appealed the case and it went to the 9th Circuit Court of Appeals, where the Court's majority sided with the group homes, saying there was enough evidence to argue discrimination. The Court pointed to comments made during the 2008 hearing, which implied that the City Council was targeting recovery group homes.

The City of Newport Beach asked the U.S. Supreme Court to review the case in 2014, but the Court declined. The City settled with the group homes for \$5.25 million in 2015. The City's estimated legal costs exceeded four million dollars,¹⁶ for a total cost close to ten million dollars.

The City of Costa Mesa waged a fierce and costly legal battle to regulate sober living homes for over five years. As noted in the section regarding the State's actions and attitude, Costa Mesa fashioned an ordinance within the limits of State and federal laws

in 2014.¹⁷ The City ultimately spent over seven million dollars in litigation, and prevailed in State and federal courts; however, in January 2023, a federal appellate court reversed and remanded the district court's 2020 ruling.

Costa Mesa Ordinance 15-11 sets limited standards for three items that address important societal issues, none of which are discriminatory in nature:

1. Spacing (650 feet apart)
2. Background screening of the house manager
3. Process for evicting residents

Spacing between group homes maintains the purpose of the facility and residential character of the neighborhood. Screening protects the residents of the facility. Through interviewees, the Grand Jury learned of group home managers with criminal backgrounds and who are themselves currently substance abusers. Standards for evictions are needed. Through interviews and newspaper articles, the Grand Jury learned of the practice of “curbing,” putting residents out on the curb when their source of payment runs out or when they are in violation of house rules. This practice is believed to contribute to homelessness in Orange County.

Costa Mesa’s ordinance serves an important purpose, but the ordinance is still in litigation after several years and at an estimated cost of more than ten million dollars.¹⁸ Other Cities in California and Orange County are similarly facing lawsuits and costs associated with group home and sober living ordinances. Cities could pool resources to mitigate litigation cost concerns. A coalition of cities to spread costs is highly recommended.

The Grand Jury learned that the lawsuits brought against cities are supported and enabled by an extremely profitable industry. According to John LaRosa at MarketResearch.com on February 5, 2020,¹⁹ the group home market is 42 billion dollars per year. Mr. LaRosa also noted that the industry needed to be cleaned up as many of the operators engaged in overbilling, patient brokering, and deceptive marketing.

The well-funded operators are supported by industry organizations and associations in their lawsuits. Industry organizations include large groups such as the California Consortium of Addiction Programs and Professionals, Behavioral Health Associates, and National Sober Living Associates. The websites of any of these organizations and several others can be viewed to see the type of support often provided. The organizations not only provide support for lawsuits, but also assist in lobbying State and federal legislators.

Many group home operators do not want any type of regulation, as evidenced by the Costa Mesa and Newport lawsuits, though the Grand Jury found some operators who welcome additional regulation to protect the industry from bad operators. In summary, the industry represents a formidable foe in lawsuits due to funding and industry associations.

State Actions

Zoning ordinances are the primary control local governments have over city land use. The State of California has challenged the validity of group home ordinances, thereby inhibiting local governments in addressing group homes through zoning ordinances. If challenged, defense of the ordinances is costly and the alternative is to repeal them, a process that can be politically charged.

When Costa Mesa originally prevailed in the lawsuits filed against their 2014 sober living ordinance, the Cities of Encinitas, Huntington Beach, Anaheim and the County of Orange adopted similar ordinances for sober living facilities. In May 2021, the California Department of Housing and Community Development (HCD) sent a letter to the City of Encinitas stating its ordinance was in violation of statutory prohibitions on discrimination in land use. HCD said the city must take immediate steps to repeal the ordinance. HCD's letter to the City of Encinitas noted *"The City appears to take significant comfort from certain court opinions, several unpublished, appearing to reject specific, largely different and distinguishable challenges to a different group home ordinance in Costa Mesa, which were brought by private parties rather than the State of California. Those decisions are neither on point nor binding here."* This statement is misleading to the general public because it downplays judicial rulings favoring Costa Mesa's ordinance.

In May of 2021, HCD sent a "Letter of Technical Assistance" to the City of Anaheim in which they discuss Anaheim's land use regulations. One of the items discussed was a phone call they had with city staff to discuss concerns with the proposed Zoning Code Amendment for group homes. HCD's concern was that the ordinance *"potentially conflict(s) with statutory prohibitions on discrimination in land use"*.

Also in May of 2021, HCD sent a *"Notice of Violation: City of Anaheim Notice of Violations of Housing Element Law and Anti-Discrimination in Land Use"* regarding the denial of a conditional use permit for transitional housing. The California Department of Justice (DOJ) subsequently joined a civil lawsuit regarding the same action. HCD believes the City has failed to implement goals, policies, and program actions included in the housing element and failed to act consistent with Government Code requirements in applying standards to the approval of the Project.

On December 21, 2022, HCD issued a document titled *Group Home Technical Advisory*.²⁰ The executive summary includes the following:

"In recent years, some local governments have amended their zoning ordinances to add new regulations for group homes, particularly for recovery residences-group homes that provide housing for persons recovering from alcoholism or drug addiction. These amendments have raised concerns that local governments are not complying with their affirmative obligations under state planning and

zoning laws to promote more inclusive communities and affirmatively further fair housing (AFFH). These amendments have also generated disputes and confusion over whether local governments are violating fair housing laws by discriminating against persons with disabilities or other protected characteristics.”

The document assumes the ordinances are not legally compliant and creates difficulties faced by cities trying to reasonably regulate group homes. The document is labeled a “technical advisory” but reads as a policy statement. There were apparently no public hearings regarding the document.

“The document is labeled a “technical advisory” but reads as a policy statement...”

These actions by HCD and DOJ, as well as litigation, are challenges municipalities face in adopting ordinances regarding group homes when the courts have found these ordinances compliant with State and federal laws. This was made evident through interviews with representatives of cities. Interviewees also expressed concern that HCD interpreted the laws as being overly restrictive on zoning ordinances and failing to protect the inhabitants of group homes.

Housing Element

In the State of California, all cities are required to develop a General Plan. The General Plan serves as a blueprint for the future, prescribing policy goals and objectives to shape and guide the physical development of the city. The General Plan is a comprehensive policy document that informs future land use decisions, and it is comprised of multiple elements.²¹

The Housing Element is one important part of a city or county’s General Plan. Every eight years, every city, town, and county must update their Housing Element and have it certified by the California Department of Housing and Community Development (HCD). The most recent cycle of the new Housing Element has been heavily impacted by the State’s laser focus on housing availability and affordability.

On September 28, 2021, Governor Gavin Newsom signed a suite of bills to boost housing production across California which accompanies the Governor’s \$22 billion housing affordability and homelessness package and ongoing work by the State to spur more housing production, tackle barriers to construction, and hold local governments accountable. Taken together, the actions reflect the State’s focus on creating more

affordable housing, faster and cheaper. “The acute affordability crisis we are experiencing in California was decades in the making, and now we’re taking the necessary steps to fix it,” said Governor Newsom.²²

Although this is a response to a real need in California, the real-world consequences to the “build-build-build” solution are many. One of those can be seen in the State’s myopic push for housing as it has mistakenly equated group homes with additional housing options. But housing is not increased by allowing the unbridled proliferation of recovery and sober living homes. The industry advertises heavily outside of California and brings many of their residents from out-of-state. It is not uncommon for some of these residents to be “kicked to the curb” (referred to as curbing) for various reasons, and because they are not local to Orange County, they have nowhere to go and ultimately face homelessness.

HCD wields its power to review and approve State housing elements as a threat to deter city and county efforts to regulate group homes. Approval of the Housing Element has a big impact on a city’s ability to enforce its general plan and to control what gets built and where it is built. Without the HCD’s approval of the housing element, a door is opened to developers to bypass local zoning ordinances by utilizing a seldom used loophole known as Builders Remedy. Under that law, a developer may sidestep city approvals to construct a housing development if 20% of the project’s homes are affordable housing.²³

State funding programs for transportation, infrastructure, and housing often require or consider a local jurisdiction’s compliance with Housing Element Law. These competitive funds can be used for fixing roads, adding bike lanes, improving transit, or providing much needed affordable housing to communities. In some cases, funding from state/federal housing programs can *only* be accessed if the jurisdiction has a compliant housing element.^{24 25}

Educating the Public

By the time the public has organized to bring their concerns to city leadership through a letter writing campaign, a joint written complaint, or a petition, their level of frustration has likely been building for quite a while. How city leadership deals with the concerns and frustrations of their constituency is likely to determine whether it will be a collaborative or an adversarial process to find a resolution. Educating the public on the reasons that cities have seemingly been unwilling to address the integration of group homes into Orange County neighborhoods is key to the success of collaborative problem solving.

Cities have been squeezed from above by a combination of intense pressure from group home operators citing federal protections for the disabled, and the State of California’s efforts to eliminate group home ordinances by withholding approval on cities’ mandated Housing Element submission. They are also squeezed from below by

the people in neighborhoods which have been impacted by the over-concentration of group homes, and/or the level of nuisances generated by the group homes.

“Some cities have used the multi-discipline, educational, townhall type response to the public outcry while others have not. The outcome can be quite different.”

A lack of understanding of the challenges faced by cities leads to the perception that they are unwilling to step up and regulate the various group home types that are springing up in neighborhoods. Public education will reveal that there is not an unwillingness of cities, or the public, to find resolutions, but rather there are many hurdles promulgated by State and federal agencies that often prevent opportunities for reaching a solution. Cities should work together, and with State legislators and other stakeholders, to look for ways to affect change at the State level as well as provide more focused public education that addresses these issues.

In an effort to inform their citizens, some cities have used the multi-discipline, educational, townhall type response to the public outcry while others have not. The outcome can be quite different.

To illustrate, we need look no further than a tale of three cities: Anaheim, Newport Beach, and Laguna Hills. Anaheim’s group home issue heated up in October 2021 when Grandma’s House of Hope requested a Conditional Use Permit (CUP) to use a large house as a transitional living home for 19 intractably mentally ill women.²⁶

It was not Grandma’s House of Hope’s first group home in Anaheim; it was the latest in many previously successful CUP requests. Local residents coalesced against this CUP request in a vocal and organized manner. Whether it was the number of residents impacted, the descriptor of the group home residents as intractably mentally ill, or just one group home too many in this neighborhood, this organized effort to prevent the approval of the large group home attracted hundreds of local citizens and activists from both sides of the issue. It seemed that the majority of these people attended the planning commission meeting to voice their opinions during the public comment portion of the agenda and to let the City’s Planning Commission see the strength of their numbers.

The Planning Commission was seemingly prepared to accept the staff recommendation for approval. Public comment took over five hours, most of which was overwhelmingly against the approval of the group home. The applicant and the Planning Commission both expressed surprise at the public backlash. Ultimately, the approval recommendation was scrapped, and the Planning Commission voted to deny the CUP.

Grandma's House filed an appeal and the application for the CUP was heard by the City Council. The public attended that meeting in larger numbers than at the Planning Commission meeting and they were every bit as angry and frustrated as they were at the earlier meeting. In spite of robust response on the issue at the meeting of the Planning Commission just two months earlier, the Anaheim City Council was unprepared for the charged nature of the adversarial clash. Most speakers were passionate but respectful, while some were rude and offensive. It was essentially an angrier repeat of the first meeting and led to the same conclusion, a denial of the CUP.²⁷

The affected public walked away with no better understanding of the reasons why these group homes are hard to regulate due to the pressures put on cities by the State of California. The applicant ultimately filed suit against the city alleging violations of the Housing Element Law, Housing Accountability Act, and statutes governing anti-discrimination in local land use laws.



Nearly 200 people packed the Mission Viejo City Council chamber on March 29 for a Town Hall meeting regarding sober living homes. (Tomoya Shimura, Orange County Register, April 1, 2016)

The City of Anaheim has not responded to the public concerns in an organized manner. It has not provided an opportunity for the public to come together in a townhall-like meeting where the City could address the issues and the challenges they face, have subject matter experts on hand for short presentations, and allow for comments and questions.²⁸

In direct contrast to Anaheim's response, we can look at the steps taken by the Cities of Newport Beach and Laguna Hills. Newport Beach was faced with a petition from its residents in 2007 after a rapid increase in the number of drug rehabilitation homes. The residents reported 103 treatment houses, nearly all on the Balboa Peninsula. There was a town hall hosted by (then) Assemblywoman Mimi Walters, R-Laguna Niguel, and (then) State Senator Tom Harman, R-Huntington Beach, and an estimated 200 people attended. It was an opportunity for dialogue as well as to learn about the constraints placed on cities by the State of California. Newport Beach responded to resident concerns again in late 2021 by organizing a community meeting with speakers from several city departments, a State Assemblywoman, the District Attorney, and a County Supervisor.^{29 30}



©Leonard Ortiz, Orange County Register

Hundreds attend the Sober Living Homes Town Hall meeting at the at the Laguna Hills Community Center on Thursday (Christopher Yee, San Gabriel Valley Tribune, May 13, 2016)

We can also look at the steps taken by the City of Laguna Hills. In 2016, the City responded to public outcry regarding group home issues by hosting a Town Hall on the subject. The Town Hall was hosted by (then) State Senator Pat Bates and several other State and local legislators. Also in attendance were attorneys with extensive knowledge of the issue as well as other subject matter experts. More than 600 people attended, and it was an opportunity for the residents in attendance to gain a better understanding of the challenges the City faces in regulating unlicensed group homes, as well as for the City to hear the concerns and frustrations of attendees. Proving that, when cities work to

inform their constituents, and allow for a robust but respectful dialogue, they create an opportunity for collaborative problem solving.³¹

How Has This Issue Evolved?

The timing of this investigation aligned with the required submission of the Housing Element portion of each city's General Plan. The State's disapproval of a city's Housing Element carries heavy consequences, and the State of California has used the withholding of this needed approval to coerce cities to abandon their group home ordinances.

The Grand Jury was previously unaware of the power behind group home lobbyists and the number of proposed legislative bills that never made it to a vote. The State's policy-making role limits a city's ability to responsibly manage the integration of group homes and, as a consequence, the trajectory and focus of the study changed and widened with this knowledge. The Grand Jury looked at broader factors influencing the group home industry, its influence, its effect on communities and often its seeming lack of real concern about its clients. The group home industry is immense, requires improved relations with cities, and needs more effective local governmental oversight.

FINDINGS

In accordance with California Penal Code Sections 933 and 933.05, the 2022-2023 Grand Jury requires (or, as noted, requests) responses from each agency affected by the findings presented in this section. The responses are to be submitted to the Presiding Judge of the Superior Court.

Based on its investigation titled “Welcome to the Neighborhood - Are cities responsibly managing the integration of group homes?” the 2022-2023 Orange County Grand Jury has arrived at eleven principal findings, as follows:

- F1** Group homes too close to one another contribute to the problems associated with overconcentration.
- F2** Common nuisances are more likely and disruptive when sober living homes are concentrated in a small geographic area of a neighborhood.
- F3** Some cities have successfully addressed and informed community members about the challenges faced in regulating group homes.
- F4** Community satisfaction was minimal when cities took the traditional public comment approach towards addressing community complaints.
- F5** Cities are not utilizing police, fire, and code enforcement complaints as a means of locating and tracking Group Homes.
- F6** Cities are inhibited from enacting and enforcing ordinances due to fears over the potential cost of litigation.
- F7** Several cities have created an ordinance that requires a ministerial permit or registration to operate a group home, however many of these cities do not enforce their ordinances.
- F8** City and County officials are deterred from regulating group homes by California Housing and Community Development’s housing element approval process.
- F9** Cities have historically strategized and acted independently in addressing group home challenges and solutions.
- F10** Well-operated group homes can integrate smoothly into neighborhoods.
- F11** There is a lack of regulatory oversight for the health and safety of residents of unlicensed group homes.

RECOMMENDATIONS

In accordance with California Penal Code Sections 933 and 933.05, the 2022-2023 Grand Jury requires (or, as noted, requests) responses from each agency affected by the recommendations presented in this section. The responses are to be submitted to the Presiding Judge of the Superior Court.

Based on its investigation titled, “Welcome to the Neighborhood - Are cities responsibly managing the integration of group homes?” the 2022-2023 Orange County Grand Jury makes the following five recommendations:

- R1** Orange County cities and the County of Orange should address citizen concerns regarding group homes by providing an opportunity for an open dialog where an interdisciplinary panel of subject matter experts can share with attendees the challenges cities are facing in the management of group homes. To be implemented by July 1, 2024. (F3, F4)
- R2** By December 31, 2024, Orange County cities and the County of Orange should collaborate in their efforts to create ordinances for the regulation of group homes, including the development of model ordinances. (F6, F7, F9)
- R3** Orange County cities and the County of Orange should pool resources for defense of lawsuits challenging group home ordinances. To be implemented by July 1, 2024. (F6, F8, F9)
- R4** The County of Orange and Orange County cities should create a Task Force that includes representatives from OC cities, unincorporated areas, and other entities as appropriate and charge it with the responsibility of developing a plan to generate awareness among State legislators and regulators of the need for improved regulations and management standards to ensure health and safety for Group Home residents. To be implemented by July 1, 2024. (F2, F10, F11)
- R5** Orange County cities and the County of Orange should modify code enforcement report data collection forms to include a searchable field that enables the identification of a residence operating as a group home. To be implemented by July 1, 2024. (F5, F7, F11)

RESPONSES

California Penal Code Section 933 requires the governing body of any public agency which the Grand Jury has reviewed, and about which it has issued a final report, to comment to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the governing body. Such comment shall be made no later than 90 days after the Grand Jury publishes its report (filed with the Clerk of the Court). Additionally, in the case of a report containing findings

and recommendations pertaining to a department or agency headed by an elected County official (e.g., District Attorney, Sheriff, etc.), such elected County official shall comment on the findings and recommendations pertaining to the matters under that elected official's control within 60 days to the Presiding Judge with an information copy sent to the Board of Supervisors.

Furthermore, California Penal Code Section 933.05 specifies the manner in which such comment(s) are to be made as follows:

- (a) As to each Grand Jury finding, the responding person or entity shall indicate one of the following:
 - (1) The respondent agrees with the finding.
 - (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.
- (b) As to each Grand Jury recommendation, the responding person or entity shall report one of the following actions:
 - (1) The recommendation has been implemented, with a summary regarding the implemented action.
 - (2) The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
 - (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This time frame shall not exceed six months from the date of publication of the Grand Jury report.
 - (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.
- (c) If a finding or recommendation of the Grand Jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the Board of Supervisors shall respond if requested by the Grand Jury, but the response of the Board of Supervisors shall address only those budgetary /or personnel matters over which it has some decision-making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

The Orange County Grand Jury requires and requests the following responses:

90 Day Response Required

County of Orange Board of Supervisors	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
County of Orange Board of Supervisors	R1, R2, R3, R4, R5

City Councils of:

Aliso Viejo	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
Aliso Viejo	R1, R2, R3, R4, R5
Anaheim	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
Anaheim	R1, R2, R3, R4, R5
Brea	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
Brea	R1, R2, R3, R4, R5
Buena Park	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
Buena Park	R1, R2, R3, R4, R5
Costa Mesa	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
Costa Mesa	R1, R2, R3, R4, R5
Cypress	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
Cypress	R1, R2, R3, R4, R5
Dana Point	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
Dana Point	R1, R2, R3, R4, R5
Fountain Valley	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
Fountain Valley	R1, R2, R3, R4, R5
Fullerton	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
Fullerton	R1, R2, R3, R4, R5
Garden Grove	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
Garden Grove	R1, R2, R3, R4, R5
Huntington Beach	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
Huntington Beach	R1, R2, R3, R4, R5
Irvine	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
Irvine	R1, R2, R3, R4, R5
La Habra	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
La Habra	R1, R2, R3, R4, R5
La Palma	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
La Palma	R1, R2, R3, R4, R5
Laguna Beach	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
Laguna Beach	R1, R2, R3, R4, R5
Laguna Hills	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
Laguna Hills	R1, R2, R3, R4, R5
Laguna Niguel	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
Laguna Niguel	R1, R2, R3, R4, R5
Laguna Woods	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11

Laguna Woods	R1, R2, R3, R4, R5
Lake Forest	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
Lake Forest	R1, R2, R3, R4, R5
Los Alamitos	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11,
Los Alamitos	R1, R2, R3, R4, R5
Mission Viejo	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
Mission Viejo	R1, R2, R3, R4, R5
Newport Beach	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
Newport Beach	R1, R2, R3, R4, R5
Orange	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
Orange	R1, R2, R3, R4, R5
Placentia	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
Placentia	R1, R2, R3, R4, R5
Rancho Santa Margarita	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
Rancho Santa Margarita	R1, R2, R3, R4, R5
San Clemente	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
San Clemente	R1, R2, R3, R4, R5
San Juan Capistrano	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
San Juan Capistrano	R1, R2, R3, R4, R5
Santa Ana	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
Santa Ana	R1, R2, R3, R4, R5
Seal Beach	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
Seal Beach	R1, R2, R3, R4, R5
Stanton	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
Stanton	R1, R2, R3, R4, R5
Tustin	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
Tustin	R1, R2, R3, R4, R5
Villa Park	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
Villa Park	R1, R2, R3, R4, R5
Westminster	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
Westminster	R1, R2, R3, R4, R5
Yorba Linda	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11
Yorba Linda	R1, R2, R3, R4, R5

GLOSSARY

ADU

An accessory dwelling unit, usually just called an ADU, is a secondary housing unit on a single-family residential lot. These may be converted garages, backyard cottages, or granny flats, for example.

Brokering

A referral system where money or other inducements are exchanged by owners of disreputable homes to get new clients. The recipients may be residents, clinics, or even members of self-help groups such as AA12-step programs.

Code Enforcement

Activity by local government agencies to identify and correct problems and abuses by citizens and businesses.

Congregate Care Living

A residential home that offers inpatient services to its residents. Generally, the care that this institution provides is more intense than what a skilled nursing care facility offers but less intense than what a general acute care hospital provides.

Curbing

The act of evicting residents, often done late at night, so-called because they and their belongings are sent to the curb. Eviction may occur when such residents' insurance runs out or for violating house rules. They frequently have nowhere to go and often have no resources, essentially rendering them homeless.

Deinstitutionalization

The closing (or reduction of services) of residential facilities, often referred to as mental hospitals, and the reliance on smaller, more personal "homes" as a means of rehabilitation.

Detox

Program or facility for assisting a person undergoing treatment from an intoxicating or addictive substance.

EBT

Acronym for Electronic Benefit Transfer, previously known as Food Stamps, these are debit cards issued to eligible participants for the purpose of buying food and other necessities.

Emotional Wellness Homes

A facility where a person develops the ability to handle their emotions and varied experiences they encounter in life. Emotional wellness is an awareness, understanding, and acceptance of our feelings and the ability to manage and change challenges effectively.

Good Neighbor Policy

A set of principles and activities designed to provide a consistent means of communication between facilities that provide resident services and their respective neighbors. The Good Neighbor Policy is applicable for Residential Programs when residents and the services have a potential impact including but not limited to community safety, cleanliness, and security in the surrounding neighborhood(s).

Group Home (GH)*

A residential unit utilized as a supportive living environment for people meeting the legal definition of disabled. Provides *housing only* for a classified group of people. No medical care, services, or treatment can take place in a Group Home. Only State-licensed facilities can provide care, services, or treatment under State law (see Residential Care Facilities)

Hospice

A type of health care that focuses on the palliation of a terminally ill patient's pain and symptoms and attending to their emotional and spiritual needs at the end of life. Hospice care prioritizes comfort and quality of life by reducing pain and suffering.

Housing Element

Since 1969, California has required that all local governments (cities and counties) adequately plan to meet the housing needs of everyone in the community. California's local governments meet this requirement by adopting housing plans as part of their "general plan" (also required by the state). General plans serve as a local government's "blueprint" for how the city and/or county will grow and develop and include eight elements: land use, transportation, conservation, noise, open space, safety, environmental justice, and housing.

Integral Facilities

Integral facilities means any combination of two or more facilities located on the same or different parcels, collectively serving seven or more persons, not including the licensee or members of the licensee's family or persons employed as facility staff, that are under the control or management of the same owner, operator, management company or licensee or any affiliate of any of them, and which together comprise one operation. Integral facilities shall include, but not be limited to, the provision of housing in one facility and recovery programming, treatment, meals, or any other service or services at another facility, or facilities, or by assigning staff, or a consultant or consultants, to provide services to or in more than one facility.

Licensing

A permit from an authority to own or use something or to do a particular thing or carry on a trade. In reference to this report's subject matter, licensing from a State or county agency or department.

Like-for-Like

Identifying the spacing of group homes by type, e.g., sober living within a given distance of sober living, assisted living within a given distance of assisted living, etc. *Sober living near assisted living does not meet the like-for-like criteria.*

Model Ordinance

A common set of policies and procedures developed by a government agency to oversee the licensing and operation of group homes.

NIMBY

Acronym for "Not in My Backyard". A term used, among other things, to identify citizens who object to having group homes in their neighborhood.

Referral Facility

Either a Residential Care Facility, Group Home, or Sober Living Home where one or more person's residency is per a court order or similar directive. Referral facilities must follow the permit procedure according to the base use classification, and are not permitted in the RL (Residential Low Density) zone.

Rehab Riviera

The nickname given to some sober living facilities in Southern California, referring to the climate. Often used as a selling point in advertising to emphasize the outdoor appeal of homes in the region.

Rehabilitation

The action of restoring someone to health or normal life. Care that can help one get back, maintain or improve abilities.

Residential Care Facilities (RCF)*

A State Licensed residential facility where care, services, or treatment are provided to persons living in a community residential setting. Provide housing and care/treatment for the elderly, developmentally disabled, chronically ill, and chemical addiction treatment facilities, among others. RCFs that specifically provide drug and or alcohol abuse treatment are licensed by the Department of Health Care Services (DHCS) and are known as alcoholism or drug abuse recovery or treatment facilities.

Homes are required to be licensed by the DHCS when at least one of the following services is provided: detoxification, group counseling sessions, individual counseling sessions, educational sessions, or alcoholism or drug abuse recovery or treatment planning.

Residential Treatment Centers

Sometimes known as rehab which is a live-in health care facility providing services for substance use disorders, mental illness, or other behavioral problems.

Saturation

Having several group homes within a neighborhood.

Single Housekeeping Units

Individuals occupying a dwelling unit that have established ties and familiarity with each other; share a lease agreement, have consent of the owner to reside on the property, or own the property; jointly use common areas and interact with each other; and share the household expenses such as rent or ownership costs, utilities, and other household and maintenance costs activities.

Six or Under

Homes with six or fewer residents. Under State law these may not be required to be licensed or registered.

Sober Living Home (SLH)*

Sober Living Homes are also group homes, but specifically for people recovering from a chemical addiction that meets the legal definition of disabled. Provides “*housing only*” that is primarily meant for people who have just come out of rehab and need a

place to live that is structured and supportive for those in recovery. For the purposes of the Ordinance, a Sober Living Home is not state licensed. No medical care, services, or treatment can occur in a Living Home. Only State licensed facilities can provide care, services, or treatment under State law (see Residential Care Facilities).

Tracking

A method to obtain data, monitor movements and a system to identify and map the location of group homes.

Treatment Center

A facility where a client or clients go under one roof for services to improve their physical or mental health. A residential treatment center (RTC), sometimes called rehab, is a live-in health care facility providing therapy for substances abuse use disorders, mental illness, or other behavioral problems. Residential treatment may be considered the “last-ditch” approach to treating abnormal psychology or psychopathology.

**For the purposes of this report, the City of Huntington Beach’s definitions of group living homes is being used as published on the city’s website.*

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Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

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City of Los Alamitos

CITY COUNCIL AGENDA REPORT

MEETING DATE: August 21, 2023

ITEM NUMBER: 11F

To: Mayor Tanya Doby & Members of the City Council

Presented By: Michael Claborn, Chief

Subject: Response to the 2022-2023 OC Grand Jury Report Titled: "School Shootings: How Prepared are Orange County Public Schools?"

SUMMARY

This report contains the City's response to the 2022-2023 Orange County Grand Jury Report titled "School Shootings: How Prepared are Orange County Public Schools?"

RECOMMENDATION

1. Approve the attached response to the Orange County Grand Jury Report titled "School Shootings: How Prepared are Orange County Public Schools?"; and,
2. Authorize the Mayor to sign the response letter on behalf of the City Council.

BACKGROUND

On June 14, 2023, the Orange County Grand Jury (Grand Jury) released a report titled "School Shootings: How Prepared are Orange County Public Schools?" focused on the schools and police departments' ability to protect against, and respond to, school shootings. This report is a follow up to the Grand Jury's 2017-2018 report titled "Safer Schools - What Can We Do?". The Grand Jury, based on its investigation, believes that Orange County public school districts are doing a good job in attempting to maintain a safe and secure campus for their students and school personnel/staff. However, there is always room for improvement.

In compliance with California Penal Code Sections 933 and 933.05, the City is required to provide a response to each of the Grand Jury findings and recommendations. The Grand Jury has directed the City to respond by September 18, 2023. A copy of the Grand Jury report is included as an attachment to this report.

DISCUSSION

The Police Department Staff has reviewed the Grand Jury's Report and has prepared the attached responses to those findings and recommendations that were directed to the City of Los Alamitos. Topics discussed in the report include doing an annual inspection of each school, creating a safety checklist, developing tabletop exercises, planning and conducting district-wide active shooter drills, and assessing the need for additional SRO(s).

In total, the Grand Jury Report contained two (2) findings and four (4) recommendations requiring a response by the City. The proposed City responses are attached to this report.

FISCAL IMPACT

None.

Attachment: 1. City's Response Letter
 2. OC Grand Jury Report - School Shootings, How Prepared are Orange County Public Schools

August 21, 2023

Honorable Maria Hernandez, Presiding Judge
Superior Court of California, County of Orange
700 Civic Center Drive West
Santa Ana, CA 92701

RE: Response to 2022-2023 Orange County Grand Jury Report “School Shooting: How Prepared are Orange County Schools?”

Dear Judge Hernandez:

The City of Los Alamitos (“City”) has reviewed the Orange County Grand Jury Report titled “School Shooting: How Prepared are Orange County Schools?” As required by California Penal Code §933 and §933.05, the City is responding to the findings and recommendations included within the report. The required responses are contained below:

Findings and Responses:

F1. Law enforcement, first responders, and other stakeholders have demonstrated a strong interest in working cooperatively with Orange County public schools to mitigate the risk of an active shooter incident; establishment of MOUs between law enforcement and school districts would strengthen this cooperation.

Response: *Agree*

Currently, there is no MOU between the Los Alamitos Police Department and the Los Alamitos Unified School District in reference to mitigating the risk of an active shooter. The Police Department is in collaboration with the School District to establish an MOU to enhance communication and to facilitate an efficient and streamlined response.

F8. School Resource Officers (SROs) are a valuable asset for school safety, yet many cities/districts do not allocate sufficient funds to hire needed officers.

Response: *Agree*

The Los Alamitos Police Department currently has a School Resource Officer (SRO) assigned to the Los Alamitos Unified School District. The position is partially funded by the City and partially funded through a grant from the California Department of Justice.

Recommendations and Responses:

- R1. Each Orange County school district should arrange for local law enforcement to do an annual safety inspection of each school. The written safety checklist should include as audit of the integrity of site boundaries and a review of safety plans and policies. This annual safety audit should commence with the 2023-24 school year by October 1, 2023, and annually thereafter.**

Response: Recommendation is being implemented

The Los Alamitos Police Department is currently working in conjunction with the Los Alamitos Unified School District to standardize a safety audit and written safety checklist for each school campus, which will be completed prior to October 1, 2023. Thereafter, the safety audit will be done prior to the beginning of every school year.

- R3. Each Orange County school district, in conjunction with law enforcement, should develop and implement tabletop exercises to be conducted in district schools by December 31, 2023.**

Response: Recommendation is being implemented

The school district has existing tabletop exercises that are currently being conducted at each school during the school year. The Los Alamitos Police Department is working in conjunction with the Los Alamitos Unified School District to develop and implement new tabletop exercises. It is the goal of the Los Alamitos Police Department to continue to collaborate with the school district on these exercises.

- R4. Each Orange County school district should work with local law enforcement to plan and conduct a district-wide active shooter drill by July 1, 2024, and at least every other year thereafter.**

Response: Recommendation has been implemented

The Los Alamitos Police Department, in collaboration with the Los Alamitos Unified School District, conducted an active shooter drill on December 17th, 2022, incorporating other surrounding police departments and the Orange County Sheriff's Department. The next active shooter drill has been scheduled for December 16th, 2023. Moving forward, a district-wide active shooter drill will be implemented annually.

- R12. Each Orange County School District should assess the need for SRO's or additional SRO's, reaching out to appropriate community partners to facilitate funding by July 1, 2024.**

Response: Recommendation has been implemented

In 2022, the Los Alamitos Police Department assessed the need for a School Resource Officer (SRO). The Department concluded that an SRO was necessary, and the SRO position was re-instated on January 1st, 2023. The Department pursued and was granted funding through the California Department of Justice Tobacco Grant Program, which pays 50% of the SRO salary and 100% of the SRO training and equipment. The remaining 50% of the SRO's salary is currently being funded by the City.

In the event that you need additional information regarding the City's responses, please contact City Manager, Chet Simmons, via email at csimmons@cityoflosalamitos.org.

Respectfully,

Tanya Doby, Mayor



ORANGE COUNTY GRAND JURY

700 CIVIC CENTER DRIVE WEST • SANTA ANA, CALIFORNIA 92701 • 714/834-3320
www.ocgrandjury.org • FAX 714/834-5555

June 9, 2023

Tanya Doby, Mayor
City of Los Alamitos
3191 Katella Avenue
Los Alamitos, CA 90720

CONFIDENTIAL

Dear Mayor Doby:

Enclosed is a copy of the 2022-2023 Orange County Grand Jury report, **School Shooting: How Prepared are Orange County Public Schools?** Pursuant to *Penal Code* 933.05(f), a copy of the report is being provided to you at least two working days prior to its public release. Please note that under that subsection, "No officer, agency, department, or governing body of a public agency shall disclose any contents of the report *prior to the public release of the final report.*" (Emphasis added.) It is **required** that you provide a response to each of the findings and recommendations of this report directed to your office in compliance with *Penal Code* 933.05(a) and (b), copy is enclosed.

Please distribute this report to your governing body.

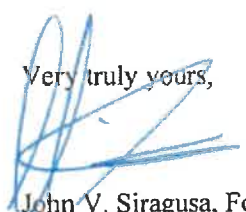
For each Grand Jury recommendation accepted and not implemented, provide a schedule for future implementation. In addition, by the end of March of each subsequent year, please report on the progress being made on each recommendation accepted but not completed. These annual reports should continue until all recommendations are implemented.

Please mail the response to the recommendations to Maria Hernandez, Presiding Judge of the Superior Court, 700 Civic Center Drive West, Santa Ana, CA 92701, with a separate copy mailed to the Orange County Grand Jury, 700 Civic Center Drive West, Santa Ana, CA 92701, no later than **90 days** after the public release date, June **14, 2023**, in compliance with *Penal Code* 933, copy enclosed. The due date then is **September 18, 2023**.

Should additional time for responding to this report be necessary for further analysis, *Penal Code* 933.05(b)(3) permits an extension of time up to six months from the public release date. Such extensions should be advised in writing, with the information required in *Penal Code* 933.05(b)(3), to the Presiding Judge of the Superior Court, with a separate copy of the request to the Grand Jury.

We tentatively plan to issue the public release on **June 14, 2023**. Upon public release, the report will be available on the Grand Jury website at www.ocgrandjury.org.

Very truly yours,


John V. Siragusa, Foreperson
2022-2023 ORANGE COUNTY GRAND JURY

JVS:jm

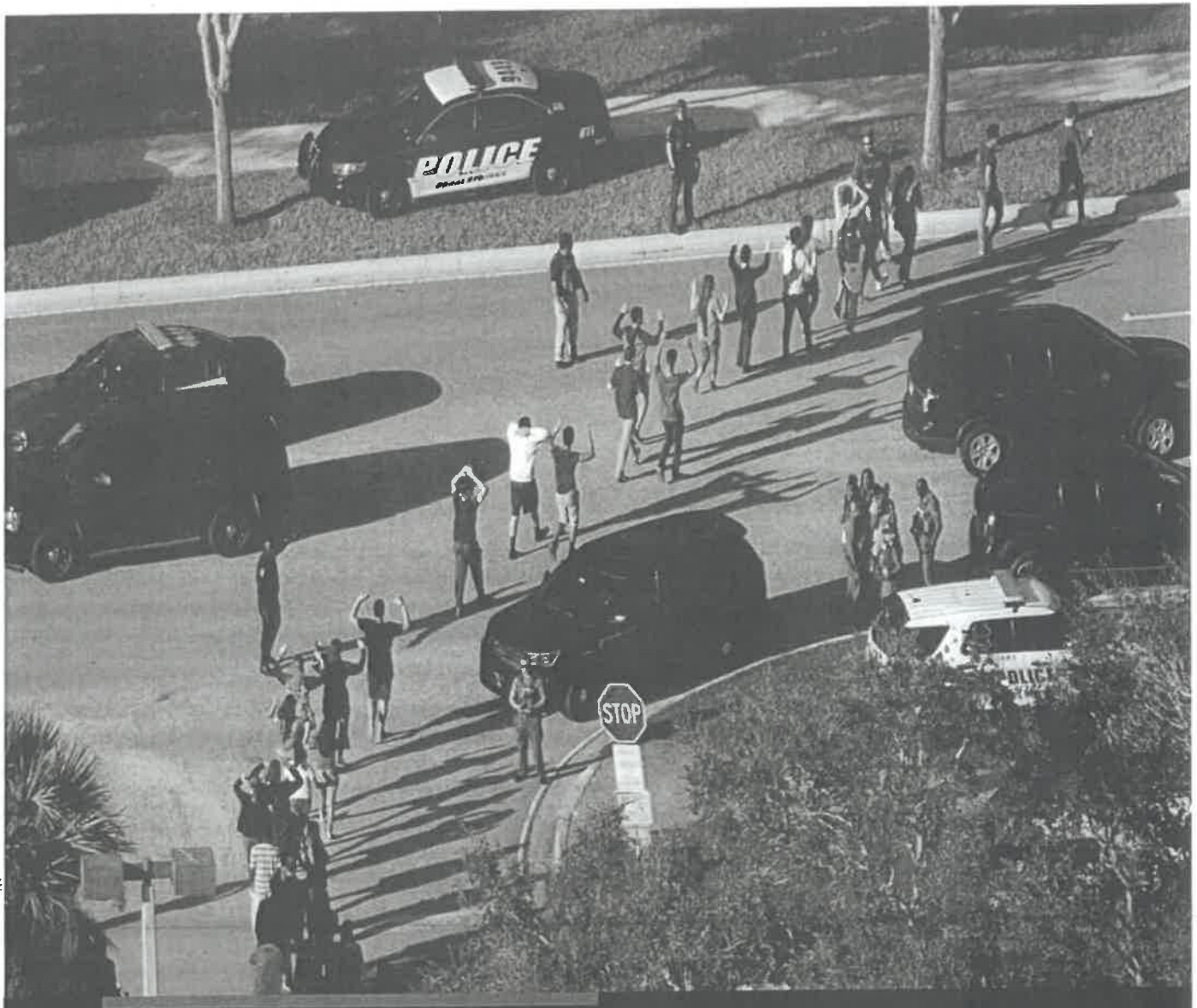
Enclosures: Grand Jury Report
Penal Code 933, 933.05

Cc: Chet Simmons, City Manager

RECEIVED

JUN 13 2023

City Clerk's Office
City of Los Alamitos



SCHOOL SHOOTINGS:

HOW PREPARED ARE ORANGE COUNTY PUBLIC SCHOOLS?



COUNTY OF ORANGE

Grand Jury 2022-2023

CONFIDENTIAL

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SUMMARY

The Center for Homeland Defense and Security, in coordination with the Federal Emergency Management Agency, maintains a K-12 school shooting data base. Some of their statistical findings are:

- There have been 2,069 school shooting incidents between 1970 and June 2022
- As a result of those shootings, 684 students and staff have died
- In the same time period, 1,937 students and staff were injured
- California, Texas, and Florida are the states with the most school shooting incidents.

The 2022-23 Grand Jury, during its investigation, interviewed members of law enforcement agencies on the subject of safety and security in our public schools. Almost everyone interviewed advised the Grand Jury that it is not a matter of IF an Orange County campus will be a victim of an active shooter incident, but WHEN one of our campuses will be a victim.

"You can't wait to care until it happens to you"

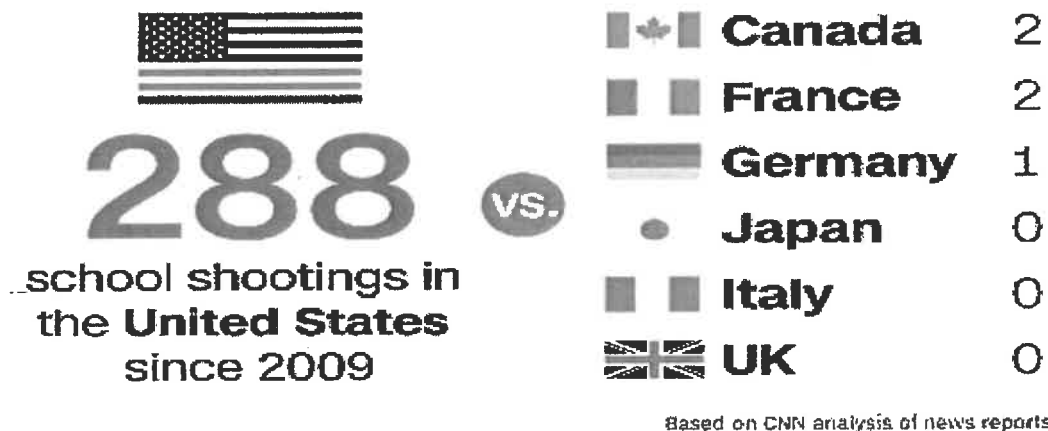
*Mia Tretta-Los Angeles Times, 11/24/22
(Survivor of the 2019 Saugus High shooting)*

Orange County schools must be prepared and vigilant to do all that can be done to prevent another Nashville, Uvalde, Saugus, Parkland, Newtown, or Littleton school shooting from taking place here.

Based on its investigation, the Grand Jury believes that Orange County public school districts are doing a good job in attempting to maintain safe and secure campuses for their students. However, there is always room for improvement.

This investigative report makes recommendations for improvement in the following areas:

- Building and equipment infrastructure
- Training and training materials available for all personnel responsible for student safety and welfare
- Implementation of tabletop exercises throughout all Orange County school districts
- The need for more School Resource Officers (SROs)
- Increased coordination of responsibility between school staff and law enforcement
- Increase awareness and address mental health issues
- Increase fiscal commitments to implement identified school safety measures.



BACKGROUND

2017-18 ORANGE COUNTY GRAND JURY "SAFER SCHOOLS – WHAT CAN WE DO?" REPORT AND REPORT RESPONSE FOLLOW-UP

The 2017-18 Orange County Grand Jury issued a report titled **Safer Schools – What Can We Do?** Because school shootings continue to dominate the news and cause concern among students, faculty, staff, and parents, the 2022-23 Orange County Grand Jury decided to follow up on the 2017-18 Report responses as a part of its own investigation of school safety. The 2017-18 Report provides an important segue into the 2022-23 investigation of school safety.

Below is the *Summary*, *The Reason for the Study*, and a summary of the recommendations from the 2017-18 Grand Jury Report:

SUMMARY

"Breaking News --- Another school shooting has just occurred!

These words strike terror in the hearts of all parents as they pray that it has not occurred in their community. The frequency of violent events on school campuses across the nation is alarming. What are Orange County public school districts doing to minimize the threat of violence on campuses? Although Orange County public school districts are focused on minimizing the possibility of campus violence, there exists a considerable disparity between schools' readiness in some districts compared to others. Whether it is fencing, visitor protocols, communication devices, or the use of identification badges, the main differentiating factor is each district's access to funding sources for security measures. Schools in districts that have not passed school bond measures or have been unable to obtain grants have increasingly had to turn to local communities, including parents, for material support. Schools struggle to find both time and money to address competing priorities of improving academic achievement while preparing for the very real threat of school violence.

REASON FOR THE STUDY

School safety is a responsibility we all share. It is difficult, if not impossible, to prevent all violent events on campus, but schools are expected to provide a reasonably safe environment for both students and employees. School administrators have a critical responsibility to prepare for such events in order to protect the students and staff within the Orange County school system.

No one has all the answers, but through conversations and working together, solutions continue to evolve and improve. The primary purposes of this [2017-18] study are:

- To assess how well Orange County public schools are controlling access to campuses during school hours.*
- To provide school districts, boards, principals, and parents with information to improve preparation for violent school events.*
- To stimulate county-wide discussion identifying underutilized resources and to share problem-solving strategies.*
- To develop recommendations which can help school districts ensure schools implement their safe school programs."*

RECOMMENDATIONS

The 2017-18 Grand Jury recommended that school districts should:

- explore all possible funding sources
- re-evaluate the lack of secure fencing on all school campuses
- maintain a complete daily log of every visitor and volunteer entering and exiting the campus
- require photo identification of all campus visitors and volunteers before a visitor's badge is issued
- require all faculty and staff to wear visible photo ID badges while on campus
- issue ID cards in a format to be worn as student ID badges while on campus
- issue two-way radios or equivalent communication devices enabling instant two-way communication with the office
- record, track, and report to the district office all campus incidents of unauthorized access
- perform a school security assessment to evaluate their current school safety plan.

2022-23 ORANGE COUNTY GRAND JURY FOLLOW UP

The 2022-2023 Grand Jury decided to follow up on School District Responses to the 2017-18 Grand Jury's recommendations as part of its own investigation into school safety. In their 2017-18 responses, 26 of the 28 public school Superintendents committed their District to further analysis and/or future action in response to Grand Jury Recommendations. The collective number of commitments made by the 26 districts was 88. In a September 2022 letter from the Orange County Grand Jury, the 26 Superintendents were reminded of their commitments and asked if their respective

districts had followed through on those commitments. The responses from the districts were gratifying. Multiple commitments had been fulfilled in response to each of the nine Recommendations included in the 2017-18 Grand Jury Report. Twenty districts that had committed to further analysis, and/or future action, reported having fulfilled all 69 of their commitments. Four districts reported having fulfilled 8 of their 13 commitments, with each district having fulfilled at least 50% of its commitments. Two districts, which had made three commitments each, responded stating that none of their commitments had been fulfilled.

Except for the two districts that failed to fulfill any of their six commitments, the 2022-2023 Grand Jury believes that students, faculty, staff, parents, District Boards of Education, and communities can be pleased with what their districts have accomplished in their efforts to improve School Safety in response to the Grand Jury 2017-18 Report.

While it is indisputable that much has been achieved during the past five years to make Orange County public schools safer, there is still much to be done. This new report includes recommendations that, if implemented, will make the schools even safer. While it is true that no school will ever be totally safe from intruders, it is the responsibility of school boards, school administrators, and law enforcement to make them as safe as possible.

REASON FOR STUDY

According to the Centers for Disease Control and Prevention (CDC) and the Kaiser Family Foundation (KFF) firearms are now the leading cause of death among children ages one through eighteen.

The Center for Homeland Defense and Security (CHDS) in conjunction with the Federal Emergency Management Agency (FEMA), maintains a K-12 school shooting data base as part of their Homeland Security program. Some of the important statistical findings are as follows:

- There were 2,069 school shooting incidents between 1970 and June 2022
- For the above time frame, 684 students and staff died in shootings at schools
- 1,937 were injured
- California, Texas, and Florida were the states with the most incidents.

The Washington Post stated more than 338,000 students across the nation have experienced gun violence in their schools since 1999.

The 2022-2023 Grand Jury, based on its investigation, believes that Orange County public school districts are doing a good job in attempting to maintain a safe and secure campus for their students and school personnel/staff.

During almost every interview of the members of law enforcement, the Grand Jury learned that it is not a matter of *IF* an Orange County campus will be a victim of an active shooter but *WHEN* it will be a victim.

Therefore, the reason for this study by the 2022-2023 Grand Jury is to use all the information it learned through its method of study and provide recommendations to all the Orange County public schools on how they can make their schools safer for all their students, teachers, and staff while maintaining a quality campus learning environment.

Recommendations for improvement will be made in the following areas:

- Building and equipment infrastructure
- Training and training materials available for all personnel responsible for student safety and welfare
- Implementation of tabletop exercises throughout all Orange County school districts
- The need for more School Resource Officers (SROs)
- Increased coordination of responsibility between school staff and law enforcement
- Increased awareness of and address mental health issues
- Increased fiscal commitments to implement identified school safety measures.

METHOD OF STUDY

The Grand Jury accumulated the information for this report from the following sources:

- 2022-2023 Grand Jury School Safety Questionnaire for all public schools (41 questions) (See Appendix E)
- 2022-2023 follow-up on commitments made by Orange County school districts in response to the 2017-2018 Grand Jury report titled "Safer Schools-What Can We Do?" and the Recommendations contained in that published investigation
- Local/national news stories over several years and past Grand Jury reports in Orange County and other California counties
- Training videos of school violence prevention and casualty care
 - School safety materials and procedures
 - Public school district websites
- Comprehensive School Safety Plans of Orange County public schools
 - Active shooter drills at several schools
 - Tabletop exercises at several schools
 - A Knowledge Saves Lives training session at a local public school
- The Orange County Intelligence Assessment Center (OCIAC)
 - Safety measures in place at several schools.

The Grand Jury interviewed:

- Principals from a number of Orange County elementary, middle, and high schools

- Representatives of Orange County school districts and other personnel responsible for school safety and risk management
- Orange County Sheriff's Department (OCSd) personnel including those responsible for public school safety
- Selected local city law enforcement personnel responsible for public school safety

INVESTIGATION & ANALYSIS

School Shootings Background

On May 24, 2022, television networks across the United States broadcast the horrific news that once again a mass shooting was taking place on an American school campus. The country watched in horror as a young man spent over seventy minutes brutally gunning down defenseless elementary school students after gaining entry to their school, Robb Elementary in Uvalde, Texas. When law enforcement eventually breached the door into a classroom, they shot and killed the assailant, but only after he had taken the lives of nineteen children and three adults. In addition, eighteen others were hospitalized with gun-shot wounds.

The sad reality is that this type of terrible incident is all too common in our nation. Teachers, school staff, and students have become very familiar with terms like "lockdown drills", "shelter-in-place", "Run, Hide, Fight", "Distance, Evade, Engage", and more. The many mass shootings have forced scores of individuals who entered the teaching profession to engage in soul-searching about their personal safety as well as that of their students. Many educators are faced with deciding whether to remain in the profession. How did we get to this sad situation?

*"More than 338,000 students have experienced gun violence at school since Columbine through 366 school shootings since 1999."
(Washington Post 4/17/23)*

History shows us that Uvalde was not the first mass shooting in a school, and law enforcement officials tell us that it will not be the last. According to the 2022 *"Report on Indicators of School Crime and Safety 2021"* published by the Institutes of Educational Sciences in coordination with the U.S. Department of Education, U.S. Department of Justice, and others, "nonfatal victimization including theft, bullying and criminal victimization went down sixty percent between 2019-2020". In contrast the report showed that "there were a total of 93 school shootings with casualties at public (and private) elementary and secondary schools in 2020-21—the highest number since 2000-01."

According to the School-Associated Violent Death Surveillance System (SAVD-SS), "school shootings are defined as incidents in which a gun is brandished or fired on

school property or a bullet hits school property for any reason, regardless of the number of victims, time of day, day of the week or reason.” The SAVD-SS study showed that the year 2020-21 was the first time since this information was gathered that less than half of schools that had shootings were high schools. This is essential information that all school districts and their schools should consider when developing safety plans.

In 2018, California Governor Jerry Brown signed into law Assembly Bill 1747, “School Safety Plans”, which added Section 32281(a) to the California Education Code (EC), requiring every K-12 public school to develop and maintain a Comprehensive School Safety Plan (CSSP). The California Department of Education (CDE) stated that these plans are to “address campus risks, prepare for emergencies, and create a safe, secure learning environment for students and school personnel.” If a school district has fewer than 2,501 average daily attendance, then the district may create one CSSP for all the schools in that district. The law does require that stakeholders be engaged in the creation of the CSSP along with school personnel. Each school must update and adopt its CSSP annually by March 1st. That plan must then be submitted to the school district for approval. Each district is required to annually notify the CDE by October 15 of any school(s) that have not complied with the requirements of the law.

While it is truly fortunate that Orange County schools have not experienced this type of violence, numerous law enforcement and school officials say it is not a matter of “if” but “when”. Our schools must be prepared and vigilant to do all that can be done to prevent another Covenant School (Nashville), Robb Elementary (Uvalde), Saugus High (Saugus), Stoneman-Douglas High (Parkland), Sandy Hook (Newtown), or Columbine (Littleton) from taking place here.

(See Appendix ‘A’ for a listing of school shootings in the United States since 1999; see Appendix ‘B’ for CDE’s Comprehensive School Safety Plan requirements.)

“School is the last place where kids should have to worry about gun violence. Our children deserve better.” (Everytown Report, 8/22)

School Resource Officers (SROs)

“It was after school hours in May 2022 when South Carolina school resource officer (SRO) Kyle Doiron of the Richland County Sheriff’s Department got a message from a student at the high school where he works. The student forwarded an Instagram photo in which another student posed with a firearm.” The next day, the SRO called the boy in the photo out into the hallway. Inside the student’s backpack, *“...he found a 9 mm Taurus handgun, with a loaded magazine and a cartridge in the chamber... At that point, Doiron arrested the student and placed him in handcuffs... Since the officer is on the high school campus every day, he has developed a relationship with students such*

that they are comfortable talking to him.” After this incident, Officer Doiron said, “If our school didn’t have an SRO program, there could have been another shooting and we could have lost another child to gun violence.” (NASRO website, March 23, 2023) While this incident took place on the other side of the country, it illustrates the importance and value of having SROs on school campuses.

What exactly is an SRO? The U.S. Department of Justice defines a School Resource Officer as a “sworn law enforcement officer responsible for safety and crime prevention in schools.” Employed by a local police or sheriff’s department, they work closely with school administrators for the purpose of creating a safer environment for students, faculty, and staff. SROs are asked to be educators, informal counselors, and law enforcers, often called “The Triad of SRO Responsibility”. As they are sworn officers, they have the authority to make arrests, respond to calls for service, and document incidents. In the other two roles they work with students as mentors and role models. It is estimated by the National Association of School Resource Officers (NASRO), that there are between 14,000 and 20,000 SROs currently working for law enforcement agencies across the nation.

“School Resource Officers play an important role in school violence prevention”

(U.S. Secret Service report, Averting Targeted School Violence, 2021)

SROs are funded by the law enforcement agency itself or by cities/school districts where they are assigned. They should be trained in school-based law enforcement as well as crisis response. Education Week reported in a November 16, 2021, article that: *“In practice, it’s not clear how many school police actually have had this training or similar types as States set different requirements for what training SROs need to have before working in schools, and some SROs report feeling unprepared for the job... In a 2018 Education Week Research Survey of SROs, about 1 in 5 respondents said they didn’t have sufficient training to work in a school environment, only 39 percent said they had training on child trauma, and about half said they hadn’t been trained to work with special education students.”* Training is available through local agencies as well as the NASRO. An officer appointed to an SRO position should be given the appropriate training to be effective. All Orange County Sheriff’s Department SROs interviewed by the Grand Jury indicated that they had received the required training.

Figures from the Education Week Research Survey show that in 2017-18, about 45% of schools had an SRO in place at least once a week and 13% reported having police on campus who were not SROs. There has been a large increase in the number of law enforcement agencies that employ SROs because of the increase in school shootings after Columbine in 1999. This mass shooting incident was the impetus for the U.S. Department of Justice to offer Community Oriented Policing Services (COPS) grants to school districts to increase the number of SROs. Available grants can help off-set the costs of securing the services of SROs. In 2021, out of a \$386 million budget, \$156.5

million was authorized for the COPS Hiring Program (CHP) along with another \$11 million for Preparing for Active Shooter Situations (PASS) and \$53 million for the School Violence Prevention Program (SVPP). The CHP program provides 75% of the approved entry-level salaries and fringe benefits of each hired officer, up to \$125,000 per officer position for 36 months of salary support. In addition, groups such as the National Association of School Resource Officers (NASRO) offer attractive grants for the express purpose of hiring SROs.

“...in nearly one-third of the cases, an SRO played a role in disrupting an attack plot.”

(U.S. Secret Service report 2021)

However, funding remains a huge obstacle for cities, school districts, and law enforcement agencies. For example, following the 2018 mass shooting at Stoneman-Douglas High School in Florida, the governor at the time ordered an armed security officer be placed on the campus of all 4,200 public schools in the state at a huge cost.

The Grand Jury found that Orange County is fortunate that the Sheriff's Department (OCSD) and most city police departments (PDs) interviewed have a number of Deputies or officers who serve as SROs. Many who were interviewed shared that they take the position very seriously especially because their own children are in Orange County public schools. However, funding is a major factor in the number each agency is able to put into service. While the men and women who serve as SROs are highly dedicated, many current SROs in the county are assigned far too many schools to effectively fulfill their responsibilities. Most SROs in the county are assigned to high school campuses and must also cover a number of middle/elementary schools that feed into the high school.

The agency with the most SROs is the OCSD with 17 serving over 125 schools, located primarily in south Orange County. The Anaheim PD currently has two SROs to cover approximately 62 public schools with an Anaheim address. Fullerton PD has four SROs in four Fullerton Union High School District schools, yet approximately 20 elementary/middle schools in the Fullerton (Elementary) School District do not have an SRO, relying on patrol officers to be their contact with the police department. The City of Orange PD has one SRO for approximately 28 schools, while a small city and district such as Los Alamitos has one SRO for four schools. Santa Ana is the only school district that has its own police department. They field 28 sworn officers plus 42 site safety officers for 61 schools.

These figures, while not covering all police departments and cities, illustrate that law enforcement agencies around the county have put varying resources into their SRO programs. However, current SRO resources are far from an optimum number of personnel for the 635 public schools in Orange County. Most law enforcement members interviewed by the Grand Jury clearly indicated that not every school needs an SRO on

campus, with most of the need being found on high school and middle school campuses. However, the question remains as to why there are not more law enforcement personnel assigned to this important role.

Two prominent factors are impacting the number of SROs. First is the reality that most law-enforcement agencies are short-staffed and have increasing difficulty hiring qualified individuals which results in many officers being assigned to patrol duties to cover a city's needs. Second is the ever-present issue of funding. SRO positions, as mentioned earlier, are usually jointly funded by a law enforcement agency, a city, and/or a school district. The range for law enforcement salaries in Orange County is from \$50,000 to \$124,000 plus benefits.

Orange County school districts, city police departments, the sheriff's department, and city governments are strongly encouraged to work together to provide SROs on as many school campuses as financially feasible. Effectively utilized, SROs become informal counselors, role models, and mentors to students, many of whom might otherwise see police in a negative light. If students see an SRO on their campus on a regular basis, most will become comfortable with the idea of speaking with that officer which in turn forms a valuable relationship. "Building strong relationships helps keep schools safe; when young people build trusting relationships with SROs, they learn lessons that can remain with them into adulthood and throughout their lives." (Marin County Civil Grand Jury Report, 2019)

Implementing a School Tip Line

Students will often have the earliest and most knowledge of potential threats in a school community. Unfortunately, it is often the case that students are afraid to report threats when they become aware.

Depending on their features, tip lines may offer low-cost solutions for the purpose of acting upon reported information of potential violent acts taken from social media, including but not limited to phones, web portals, and other electronic messaging.

Tip lines may help prevent school violence by:

- Breaking the code of silence by giving a voice to students
- Increasing the likelihood that threats will be reported by providing a confidential means of reporting
- Encouraging students to "see something, say something"

Necessary requirements for a successful school tip line:

- Students must have easy access to the tip line
- Students must be able to trust that the tips they report will result in appropriate action
- Students must be able to trust that their identities will be kept confidential

The Grand Jury recommends that all public schools in Orange County, if they have not already done so, implement a tip reporting mechanism for all students and staff to confidentially report potential acts of violence on their school campus.

Safety of Before and After School Programs on School Sites

How safe are Orange County students in on-campus before and after school programs? Imagine one day, elementary students are sitting at school lunch tables, with classes over for the day, doing homework, art, or other activities; now a shooter walks onto the campus. Maybe the students are in a prefabricated bungalow at the back of the campus, away from any lingering staff's attention, sheltered by thin walls that are easily pierced by bullets. Will our schools be prepared when that eventually happens?

When developing safety and security plans for K-12 schools in Orange County, school districts should take extra steps to ensure that their plans include measures to prepare on-campus before and after school programs' staff for active shooter incidents. This can be a challenge as many of these programs throughout Orange County are outsourced to vendors such as the YMCA Child Care Program, Boys and Girls Club, or Kids Factory. Before and after school programs offer valuable school care for many families throughout Orange County. It is critical that the staff of these vendors be provided active shooter training, either along with school staff or independently.

Many vendors that offer before and after school programs have their own safety protocols, but they might not be as extensive as those within Orange County school districts. Each school district should review not only their own safety plans, but those of their vendors who provide before and after school programs to ensure that best practices are followed. If direct participation in school districts' active shooter training by outside vendors is not feasible, Orange County school districts have an obligation to ensure that those programs have established best practices in preparation for active shooters. Any gap in active shooter training for employees of vendors providing before and after school care should be addressed. A willingness to negotiate may be required between school districts and vendors to achieve a synergy among their safety policies and protocols.

A U.S. Secret Service Analysis of Targeted School Violence has concluded that in any given year, violence on school campuses occurs before or after school hours 26% of the time. This is a significant degree of risk to our children's safety and should be addressed in all Orange County school districts' safety plans.

Collaboration between SROs and school administrators is an important component for the integration of before and after school programs within school safety plans. All Orange County school districts that have SROs should involve them in the process of updating school safety plans to ensure that before and after school programs are integrated into active shooter protocols and procedures.

Monitoring Campuses

Security cameras may help school administrators monitor people who enter the campus and determine if there are people who should not be on school property. Security camera technology has improved in recent years, and all Orange County school districts should obtain and incorporate camera systems throughout their campuses. Some Orange County school districts lack cameras in all elementary schools leaving them unable to monitor school violence, crime, or intruder activity as well as gathering evidence of those events.

Advanced technologies such as Artificial Intelligence (AI) powered school surveillance cameras, motion detection, people counting, thermal imaging cameras, and others are becoming more commonly used on school campuses throughout the United States as incidents of violence increase. Through AI technology, school staff can use facial recognition to monitor people entering and exiting the campus in real-time, thus increasing enhanced situational awareness.

Although some parents and students may feel security cameras can be intrusive, they can significantly increase safety. AI technology can assist school administrators in tracking the number of students entering school at the beginning of the school day and how many students exited the campus during an evacuation.



AI technology can help school districts with limited budgets make their current security devices perform more effectively. Facial recognition and perimeter detection are key improvements that AI brings to camera monitoring systems. Such advancements alert the security staff by raising real-time alarms upon detecting any unauthorized face or suspicious activity.

Orange County school campuses should have security cameras at strategic locations including entrances, hallways, stairwells, libraries, and parking lots. This level of coverage could give school administrators the ability to detect unfolding active shooter incidents and other emergencies.

Although security cameras cannot stop an active shooter, the simple presence of security cameras throughout school campuses can aid school security teams and local law enforcement in their responses to emergencies and provide evidentiary footage in their investigations.

There are many choices of security monitoring systems in a wide price range such as:

- **Dome Security Cameras:** Their wide-angle lens allows for maximum coverage.
- **Bullet Security Cameras:** They provide high definition, crisp photos even in dim light. They attach to walls or ceilings and can be positioned in any direction.
- **PTZ Security Cameras:** They are similar to dome cameras but have the ability to pan, tilt, and zoom.

Advanced Technology

The safety of students and staff should be a top priority for schools. Gaps in security can leave schools vulnerable. Current advanced technology can computerize manual processes that may leave schools open to potential security risks. Schools need to make sure that their security systems are contemporary and able to protect students and staff from any potential threats.

Some advanced school security trends are as follows:

- **A Visitor Management System (VMS):** Schools can use this system to help ensure the safety and security of their campuses. This system eliminates manual logs while simplifying check-ins as well as providing background screening for visitors. Most systems will flag registered sex offenders and child custody orders.
- **Perimeter Security Systems:** From cameras to license plate readers and access control systems, these tools provide real-time monitoring that protects against potential threats. Automated license plate recognition (ALPR) cameras are an asset in emergency situations, providing useful information for response and investigative purposes.

By staying up to date on the latest advances in school security technology, school administrators can make sure that their schools remain as safe as possible for all students and staff. The Grand Jury recommends to all school districts that as funding becomes available for school security, school districts consider implementing the advanced technology solutions identified above.

Protective Covering/Tinted Windows

While everyone in Orange County wants safer schools, some communities favor an open and friendly educational environment for their children and are concerned about having school campuses that resemble a prison-like environment.

However, one of the problems with the open design of many school campuses throughout Orange County is that there is too much visibility into classrooms from outside areas open to the public. Many classrooms lack curtains, mini-blinds, or other

basic window coverings to obscure an intruder's view. Securing classroom windows will help create a safer learning environment for students.

School districts should cover school windows with shatter-resistant and/or tinted film covering to add an additional layer of protection from an active shooter. Although these measures will not prevent an intruder from entering a school campus and begin shooting, it can slow their progress and reduce visibility into the classrooms.

In an active shooter scenario, shatter-resistant film can slow down an intruder and reduce the impact of ammunition fired into classrooms, giving teachers and students more time to escape or hide. It can also assist law enforcement in recovering spent ammunition. Shatter-resistant film can be purchased as a tinted or clear covering.

Clear shatter-resistant covering applied over windows can be painted with a festive design or historical figure in American history to help school administrators maintain an inviting campus. To engage students and the community, school staff could even have an art competition to see who comes up with the best theme or design for the windows.

While the possibility of an active shooter on a school campus has gripped the country with fear, Orange County residents do not need to have schools that resemble fortresses to take preventative measures against violent intruders.

Orange County school districts should exhaust all their capabilities to address campus vulnerabilities around physical security.



School Active Shooter Training

The Orange County Sheriff's Department, in collaboration with city police departments, conducts Active Shooter Training exercises for first responders, which include School

Resource Officers, Sheriff's Deputies, fire personnel, medical personnel, and the OCSD Special Weapons and Tactics Team (SWAT). These exercises are held at local schools when classes are not in session, and other sites and training areas that can be used to simulate a school setting.

Several members of the 2022-2023 Grand Jury observed an active shooter training for local law enforcement at an Orange County high school which was not in session. Signage was posted around the school to notify the public of the training and immediately surrounding residents and businesses were advised of the event to avoid unnecessary panic.

The training began with a basic classroom power point presentation outlining the strategy and mission. Best practices and the reason for the training were also explained.

Upon completion of the briefing, shots were fired, and a smoke canister was ignited. Officers entered on the ground floor with handguns and rifles drawn. They then proceeded to the second floor, searching for the threat while a dozen OCSD Explorers and approximately 40 student volunteers served as actors portraying the injured pleading for help. The volunteers, student-actors who were to be subjected to simulated gunfire, were equipped with full-coverage helmets. They adhered to "Run, Hide, Fight", a protocol of survival skills which is taught in Orange County schools as a response to an active shooter situation.

Orange County Sheriff's Deputies are trained to arrive and immediately enter to put down the threat before lives, or additional lives, are lost. Once a threat is observed or heard, law enforcement enters the classroom or campus area and immediately eliminates the threat. The training is to instill in law enforcement an ability to react to the situation presented quickly and then take additional actions as warranted.

"The body won't go where the mind hasn't been and this training does just that" (OCSD)

Officers on the scene were armed with rifles, handguns, and smoke grenades. They were also equipped with battering rams and forced entry devices. Their firearms were loaded with blanks and paint tips. The only live ammunition was with a unit of Sheriff's Deputies who did not participate in the exercise but who surrounded the perimeter of the school solely to ensure the safety of the participants from any outside attackers who might take advantage of the chaos to harm participants.

This training is part of the Safe Schools Initiative offered by the Orange County Department of Education (OCDE), and ties into the Orange County Sheriff's Department's Assess, Prepare and Train (APT) program.

At the training attended and observed by the Grand Jury members, two scenarios were performed. The first was an approximately twenty-minute outdoor scene where shots were heard, and first responders were called in. Chaos was rampant as there was a smoke distraction while people were running (or hobbling) in different directions. Injured stand-ins were on the ground screaming and begging for help. Officers are trained to go right to and eliminate the threat despite the urge to lend aid to the wounded.

In the second scenario, Deputies and SROs entered a chaotic active shooter scene, stepped over "dead and injured" victims, and chased a male shooter who now had taken a hostage who was used as a shield. The perpetrator entered a room inside the school and concealed himself. Officers searched and cleared every classroom until a locked door was discovered in a service room. Officers announced their presence and forced open the door; the hostage was separated from the shooter, and a surrender took place, so the shooter was taken into custody, eliminating the threat.

Procedures are built into the training to ensure that police do not mistake innocent bystanders for the shooter. Police will not stop to help injured people until the threat is eliminated. Once the school is "cleared" of any further threat, waiting emergency medical personnel enter to stop the bleeding of the wounded, who are then taken to medical triage.

END-EX (end of exercise) was called by the trainers, and the actions of the Sheriff's Deputies and other participants were reviewed, critiqued, and questions addressed.

These drills are not unique to Orange County, and many have proven their value. In Nashville, Tennessee, similar drills were being conducted at area schools and included school staff. Dr. Katherine Koonce, Director at Covenant School, attended one as an observer and immediately requested an exercise for her school.

During the March 27, 2023, shooting at the Covenant School, Dr. Koonce, while losing her own life, along with other staff saved countless lives. Nashville Metro Police Chief John Drake described it this way: "Students were in their classrooms, locked up, the professional [school staff] outdoors to lead the Metro policeman. She had a key, [knew] what her headcount was, she knew [exactly] where the students would be, she was prepared," Drake told ABC News. "I'm sure they had run those drills, and it's because of Katherine and the foresight she had to make sure her staffers were prepared."

Under the Marjory Stoneman Douglas Public Safety Act, public K-12 schools in Florida are required to hold frequent active shooter drills. The Grand Jury hopes a tragedy like those that occurred at Marjory Stoneman Douglas High School in Parkland, Florida, Covenant School in Nashville, Tennessee, and other schools across the nation does not have to happen in California. However, it is necessary to prepare for that possibility. Therefore, the Grand Jury recommends that all school districts host Active Shooter Training by July 1, 2024, and thereafter on an every-other-year basis.

School Active Shooter Tabletop Exercises

The Orange County Sheriff's Department School Resource Officer Program, along with a designated Orange County school, sponsors active shooter tabletop exercises for

schools within Orange County. The tabletop exercise is an emergency management technique designed to increase preparedness for an active shooter in a safe environment.

These exercises are generally held on a school campus and directed by a Facilitator designated by the Sheriff. Currently, the tabletop exercises are attended by on-site school personnel, law enforcement, and observers. Other schools within the district are invited to participate, as well as local city police. In the exercises the Grand Jury attended, the schools were represented by the principal and other school staff including teachers, district staff, school security personnel, maintenance personnel, and mental health counselors. Law enforcement attendance consisted of the Facilitator, School Resource Officers, and officers from OCSD's Operations Division. The Orange County Grand Jurors attended as observers but were able to participate in discussions.

The participants are presented with a crisis scenario and asked to discuss their response. It is important that plans be customized to the individual schools because of the different layouts and points of access and egress of each school campus. School maps are included in the provided Situation Manual to accommodate this need.

All attendees were given a Situation Manual which provides participants with all necessary tools for their roles in the exercise. The manual calls out the overview for the exercise, the roles and responsibilities of the participants, and the structure which is broken down into three modules.

The Situation Manual also points out the "Scenario Ground Truth" which allows participants to know what conditions to assume prior to facing their scenario, such as the time of day, weather at the time of the occurrence, and the staffing level of first responders.

The tabletop exercise is discussion based, planned to last approximately 90 minutes, and presented in three modules:

Module One: Preparedness

This module is a discussion of the preparedness of the school(s) where the level of security, access, and communication is addressed. Fencing (coverage and height), cameras, door locks, points of egress, using items to block doors, and window covers are among items discussed for facilities. Two-way radio communication, a public address system for lock-down announcements, lanyard alarms, and cell phones are some of the items discussed as tools for communication. This discussion brings in ideas to improve a school's preparedness while the school also brings information for the Facilitator to use in future tabletop exercises.

Module Two: Incident Response

In Module Two, a realistic scenario is presented to the participants where a report comes in from 911, stating that possible gunshots have been heard at the school and patrol units have been dispatched to the scene.

Discussion starts with school personnel describing how the school goes into lockdown to protect staff and students while a command post is set up near the school. This is when school officials discuss and share information such as accounting for all students, tying phones to the District Office, and other communication efforts.

Module Three: Student / Family Re-Unification

This final module deals with the aftermath; the shooter has been neutralized and rooms and buildings have been cleared by law enforcement. At the exercise observed by members of the Grand Jury, preliminary information provided for the sake of discussion indicated that five students and staff were deceased and 15-20 injured that had been, or were in the process of being, transported to local hospitals.

The tabletop discussion then deals with orderly release and relocation to nearby off-site triage and reunification locations. There is also discussion about what information can and cannot be passed on to parents. Ideas for managing the media and what can be released and who can interface with media are also discussed. Mental health support and its role are discussed in this module as well.

The success of the tabletop exercise lies in the practice and review of required actions and the delegation of duties during this experience. Although predicting each person's reaction and judgement during such a crisis is recognized as impossible, this exercise enhances the probability of team efficiency in the event of a school shooting, thereby increasing preparedness and minimizing loss of life and injury.

Due to turnover and relocation of school personnel, the Grand Jury recommends that all Orange County school districts host Active Shooter Tabletop Exercises by December 31, 2023, and on an annual basis thereafter. (See Appendix C; OCSD tabletop format)

Arming Teachers and Staff

The California Teachers Association (CTA), while overwhelmingly supporting stronger laws to ensure school safety, believes the idea of arming teachers is a *"preposterous, cynical, and unworkable solution."*

The Grand Jury found that practically no faculty, staff, or superintendent in Orange County supported arming any non-law enforcement school personnel. The resistance to this idea by educational personnel was overwhelming.

Among the reasons given by school personnel were the obvious ones of injury or death of innocent students or staff, and law enforcement mistaking anyone holding a weapon as the suspect. Another reason was that without ongoing training, people lose the physiological responses to stress that enable fine motor skills and marksmanship.

While representing a tiny minority of their peers, some in law enforcement would support arming school personnel, but only with stringent restrictions such as rigorous training, marksmanship, and proven sound judgement. The sole reason given by this small number of law enforcement personnel is that a threat could be eliminated prior to a first responder arriving, leading to saved lives in the beginning. Most law enforcement

personnel believe arming of any non-law enforcement school personnel to be an unacceptable idea under any circumstance.

Visitor Management System

The 2022-23 Grand Jury believes that a parent and visitor management system is a key element in ensuring campus safety.

The 2017-18 Grand Jury included two recommendations related to managing campus visitors in its report titled: *Safer Schools – What Can We Do?* Those recommendations were:

R.3. School districts should implement procedures to ensure that all campuses maintain a complete, daily log (electronic or manual) of every visitor and volunteer entering and exiting the campus, excluding program events such as awards ceremonies or stage or musical productions (2017-2018).

R.4. School districts should implement procedures to ensure that photo identification is required of all campus visitors and volunteers before a visitor's badge is issued (2017-2018).

As a part of its investigation in preparation for writing this report on school safety, the 2022-23 Grand Jury learned that 25 of the 28 Orange County School Districts have a parent and visitor management system.

Twenty-one of 25 districts use the same software system which:

- Gives schools the power to decide exactly who is allowed to enter their buildings.
- Enables schools to keep potential threats from accessing campus by instantly screening each visitor's government-issued ID card against the sex offender registries in all 50 states and an unlimited number of custom databases.
- Syncs with a school's information system to ensure that students are only released to approved guardians.
- If a visitor is flagged, allows staff to review the visitor's information side-by-side with the offender's information immediately while notifications are sent to administrative and security personnel.
- Allows a school's community to know that visitors are approved by enabling a school to require visitors to wear a badge that shows their role type, name, destination, date and time of entry, and photo.
- Enables approved school personnel to view Visitor records so that accurate district- and school-wide reports can be created.

Even though 25 of the 28 school districts already have an effective parent and visitor management system, the Grand Jury believes managing access to school campuses is so important that all schools should either develop or purchase a system that enables them to control and monitor access to campus.

Annual Safety Inspection

All California public schools must develop a comprehensive school safety plan, per California Education Code sections 32280-32289.5. The OCGJ believes annual campus safety inspections conducted with local law enforcement should be a part of this plan. During its investigation for this report, the OCGJ learned that some schools are already conducting such inspections.

The three primary sources of information for this section were:

- School district responses to the Findings and Recommendations in the Grand Jury 2017-2018 Report titled *Safer Schools – What Can We Do?*
- School district responses to a survey developed by the 2022-23 Grand Jury designed to determine if school districts had followed up on 2017-2018 commitments to implement specific improvements in school safety.
- The websites of the 28 school districts.

From these three sources, the Grand Jury learned that at least 21 of the 28 school districts work to help ensure the safety of school campuses through on-going collaborative relationships with either the Sheriff's Department or city police departments or, in some instances, with both the Sheriff's Department and one or more police departments. Nine districts reported having at least one Student Resource Officer (SRO) serving one or more schools.

Fifteen of the 21 districts that reported collaborative working relationships with at least one local law enforcement department also reported conducting annual safety assessments. Even though all 15 districts may conduct their annual safety inspections in collaboration with local law enforcement, only 5 of these 15 districts reported doing so.

The seven districts that did not report working to help ensure the safety of school campuses through on-going collaborative relationships with either the Sheriff's Department or city police departments may have ongoing collaborative working relationships with local law enforcement. However, the Grand Jury was unable to find documentation of such relationships in any of its three above-listed sources.

The Grand Jury believes all Orange County school districts that have not done so should develop and maintain ongoing collaborative working relationships with local law enforcement. The Grand Jury also believes that all Orange County School Districts should arrange for their local law enforcement partner(s) to conduct an annual safety assessment of each school in collaboration with the appropriate school and district administrative staff, facilitated via a Memorandum of Understanding (MOU) if necessary, by July 1, 2024.

Homeland Security K-12 School Safety Checklist

In their responses to the 2017-18 Safer Schools Report Findings and Recommendations, two Orange County school districts reported using the Homeland

Security K-12 School Safety Checklist. In its 2022-23 review of school district websites, the OCGJ identified one additional district that reported using the Homeland Security Checklist. Given the source of the survey and the fact that at least three Orange County school districts have chosen to use the survey, the OCGJ decided to review the survey. During its review, the OCGJ learned that the survey consists of 150 incisive questions that forces users to carefully analyze the strengths and weaknesses of their school safety plan.

Following its review of the K-12 School Safety Checklist, the OCGJ believes that all 28 Orange County School Districts should require each of their schools to annually administer either the Homeland Security checklist, or a similar checklist.

(See Appendix D for Seven Primary Topics of the DHS survey along with the appropriate web site for access to the entire survey.)

Campus Entry Procedures

The Grand Jury believes the campus entry at most Orange County schools is vulnerable to intruders.

Using information gathered from school district responses to both the 2017-18 Safer Schools Report and the 2022-2023 Grand Jury follow-up survey on the implementation of commitments made by school districts in response to the 2017-18 Report, the Grand Jury has learned that at least 13 of the 27 Orange County school districts that responded to the Report have perimeter fencing and a single point of entry. One of the 13 school districts reported also having cameras and a buzzer system to augment the single point of entry. Another school reported the use of an intercom and buzzer system to control access to the administrative offices. Some of the other 11 districts with perimeter fencing and single point of entry may have cameras and buzzer systems, but the Grand Jury was unable to make that determination.

Three school districts reported having perimeter fencing at all schools but not a single point of entry. Three other school districts, with a total of 45 schools, reported that 41 of the 45 schools have perimeter fencing.

Four districts reported a mix of fenced and unfenced schools. One district reported that it has cameras and access control door systems, but no fencing.

Three districts reported that they have no fencing, and one of those three commented that there "may be (community) opposition" to fencing.

Based on the information available to the 2022-2023 Grand Jury, only one school district has implemented campus entry procedures that incorporate all the features recommended by the 2017-18 Grand Jury.

Furthermore, even though at least 24 of the remaining 27 school districts have implemented some safety measures to protect the entryways into schools, most, if not all, could be accessed by an intruder.

Therefore, the Grand Jury recommends all schools should review campus entry procedures. The review should include consideration of the use of perimeter fencing, a single point of entry, and the use of a camera and buzzer system to control entry into the main administrative office.



As with most other security measures, there have been improvements in wire mesh fencing. The new fencing is more closely woven, making it more difficult to scale, and thus making campuses more secure. The Grand Jury believes this new fencing should be the preferred fencing for those school districts erecting new fences or replacing existing fences.

Available School Safety Training Resources

Stop the Bleed

The Encyclopedia Britannica defines "First Aid" as "...measures to be taken immediately after an accident not with an idea to cure but in order to prevent further harm being done." Available people and material supplies are used at the site of an incident to provide initial care to the victim until more advanced care is secured. The objectives of First Aid:

- To preserve and maintain life
- To prevent the victim's condition from worsening
- To aid in recovery

The Stop the Bleed course teaches class participants three techniques to prevent loss of blood from a bullet wound:

- How to use your hands to apply pressure to a wound
- How to pack a wound to control bleeding
- How to apply a tourniquet correctly



Casualty Care

Crisis Medicine is just one of the many contractors that provide emergency medical training for non-medical personnel. Members of the Grand Jury reviewed the *Essential Casualty Care* course and determined it to be realistic and well done. Tactical Emergency Casualty Care (TECC) is the basis for this type of training, and like the philosophy of Active Shooter Training is intended to prepare bystanders and survivors to react quickly to save lives by providing life support until the arrival of paramedics.

This type of training is realistic enough to prepare individuals to act without experiencing shock and freezing in a life and death situation. Topics covered in this training included viewing gunshot wounds, learning how to focus on the most life-threatening damage first, and the different treatments available like tourniquets, packing the wound, pressure application, and splinting.

Equipment and supply training is also given so that suitable trauma kits, hemorrhage control kits, tourniquet kits and other medical supplies can be pre-stocked and maintained at locations where an incident may occur.

Knowledge Saves Lives

Knowledge Saves Lives is one of many contractors that school districts can hire to help district and school personnel prepare for the likelihood of a potential school shooter. The primary benefit of such preparations is to improve reaction times, eliminating the initial human tendency to freeze, and to save lives when an incident does occur.

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Members of the Grand Jury attended one of these training sessions and were quite impressed with the willingness and intensity of the school district representatives and staff from the schools who attended training.

Instructors were current or retired police officers knowledgeable in responding to an active shooter situation. The first element of training dealt with prevention and how to identify troubled potential perpetrators during the days or weeks prior to a shooting. Prevention includes always being aware of actions and words of individuals around us, and to **say something when you see something**. One of the surprising facts shared is that 91% of potential incidents fail because someone became aware of it and took appropriate action to report it. Situational awareness was presented as observing people and knowing the space around you. "Leakage" was identified as clues that someone may be disturbed and planning violent action.

The other part of training focuses on *Run, Hide, Fight* which is intended to prepare staff for the three main options available to potential victims of an active shooter incident. Exercises were conducted with all participants in these three scenarios. Put simply, *Run* is putting distance between potential victims and the threat.

Hide is primarily locking doors and obstructing views. *Fight* is locating and improvising a weapon, such as a fire extinguisher, and using it on the shooter. Participants were shown and then performed the steps to make such an effective attack.

This training and practice are incredibly important to motor memory, so reaction times are shortened. The more quickly action is taken, the fewer casualties may occur.

When law enforcement arrives:

- Stay calm and follow instructions
- Put down any items in your hands
- Keep hands raised and visible at all times
- Do not make any quick movements toward officers
- Do not point, scream, or yell
- Do not speak or ask questions when evacuating unless asked to do so by an officer.

The Grand Jury recommends that all Orange County school districts incorporate Knowledge Saves Lives, Stop the Bleed, Casualty Care and Run, Hide Fight or some combination of this training for all schools in their district on a yearly rotating basis.

"...the odds of your child's school being in a shooting in their lifetime is 1 in 62.51 or 1.6%"
(Web Site-Donovan and PsychLaw Journal)

Mental Health Issues

Background Studies

When examining causes behind the epidemic of active shooter situations in our schools, it is helpful to consult the Federal Bureau of Investigation (FBI) as well as the United States Secret Service (USSS) and their extensive research in identifying behaviors exhibited by these shooters. In 2018, the FBI's Behavioral Analysis Unit produced a report entitled "*Study of Pre-Attack Behaviors of Active Shooters*". The report opens with these reminders:

- There is not one "profile" of an active shooter
- There is no single warning sign, checklist, or algorithm for assessing behaviors that identifies a prospective active shooter
- While impossible to predict violent behavior, it is possible to prevent some attacks via effective threat assessment and management strategies.

This report is instructive for the purposes of this Grand Jury report because it identifies the most common stressors experienced by active shooters. These stressors include such things as financial strain, conflict with friends/peers, and conflict at school, but by far the one stressor that appears the most (62%) in the cases studied is mental health.

The report indicated that "25% of active shooters had a diagnosed mental illness prior to the offense." The report further stated that of those who noted the concerning behavior of an individual such as mental health issues, 92% were identified by a schoolmate and 75% by a teacher/school staff, if the shooter was a student.

In 2019, the United States Secret Service (USSS) and U.S. Department of Justice's National Threat Assessment Center (NTAC) issued a report, *Protecting America's Schools-A United States Secret Service Analysis of Targeted School Violence*. Among the key findings from the report were:

- There is no profile of a student attacker, nor is there a profile for the type of school that has been targeted
- Attackers usually had multiple motives, the most common involving a grievance with classmates
- All attackers experienced social stressors involving relationships with peers and others
- Most attackers were victims of bullying which was often observed by others
- All attackers exhibited concerning behaviors. Most elicited concern from others and most communicated their intent to attack.

The report further noted that the observable mental health symptoms displayed by attackers prior to their attacks were divided into three main categories:

- Psychological (e.g., symptoms of depression, anxiety, anger, or suicidal ideation)
- Behavioral (e.g., defiance/misconduct, aggression, or symptoms of ADD/ADHD)
- Neurological (e.g., developmental delays or cognitive deficits)

"The fact that half of the attackers studied had received one or more mental health services prior to their attack indicates that mental health evaluations and treatment should be considered a component of a multidisciplinary threat assessment but not a replacement... Mental health professionals should be included in a collaborative threat assessment process that also involves teachers, administrators, and law enforcement."

In 2021, the USSS produced a report, *"Averting Targeted School Violence"* which amongst many salient points, addressed the issue of Mental Health as it pertains to active school shooters. They found that:

- "Many plotters (70%) exhibited behaviors indicating the presence of some type of mental health symptom in the time leading up to, or around, the discovery of their plots."
- "Information on these factors was evident in their journal writings, statements and behaviors observed by others, and histories of prior mental health treatment."
- "Though some of the subjects were born with psychiatric or neurological conditions, others had mental health issues as a result of severe life stressors."

Finally, in the 2021 *Report on Indicators of School Crime and Safety* produced by the Institute of Educational Sciences (IES), the issue of Mental Health was identified as one of the indicators they studied. They found the following:

- In 2019-20 (prior to the pandemic), 55% of public schools reported providing diagnostic mental health assessment services which were used to evaluate mental health disorders displayed by students in their schools.
- Only 42% offered mental health treatment for those mental health disorders.
- These services were more likely to be found in middle and high schools than in elementary schools.
- A majority of schools (54%) indicated that inadequate funding limited the mental health services they could provide.

These studies serve as factual evidence that schools and school districts should be, if they are not already, considering mental health issues when preparing their safety plans. The COVID-19 pandemic served to heighten the awareness of mental health issues which students everywhere were exhibiting because of the use of distance learning and its subsequent isolating factors. In a relatively short period of time, students in Orange County and across the nation found themselves cut off from not only friends and familiar activities; but for many, a safe and supportive school environment. They were thrown even deeper into the world of social media, leading many to develop the mental health stressors and signals identified in the cited reports.

The pandemic has created a generation of students who now are trying to cope with a return to what for many is an "alien" environment. Consider students who were just starting school when schools were forced to close. For more than two years at a very crucial time in their lives, these students were unable to experience the socialization process necessary to provide them with many of the tools necessary for their educational success and mental well-being. What is the overall impact on their educational experience? When one considers the disruption caused on all grade levels,

is there any doubt that the issue of the mental health of our students has to be at the heart of addressing the issue of active shooters?

Status of Mental Health Programs in Orange County Public Schools

The Grand Jury interviewed many school district and school site administrators along with representatives from a number of law enforcement agencies. The Grand Jury found the issue of Wellness Centers has gained acceptance primarily on the high school level and in some middle schools. Many elementary schools are still struggling to establish effective mental health programs. The major problem facing all school districts is funding. With the passage of the American Rescue Plan (ARP) by Congress in response to the pandemic, many districts chose to use funds to expand their mental health capabilities. This has resulted in additional school psychologists, social workers, counselors and behavioral interventionists being assigned to school sites. However, many principals shared that a full-time school psychologist has little time for mental health issues as they have to administer numerous tests for students with special needs as well as for other programs. Some elementary schools have turned to parent support organizations to raise funds for outside agencies to assist with the mental health needs of their students.

While law enforcement agencies do not usually have input in the area of mental health in schools, they are willing to engage with school officials when dealing with mental health issues particularly if the school has an assigned SRO. In addition, the Orange County Sheriff's Department (OCSD) employs what they designate as School Mobile Assessment & Resource Teams (SMART) who can and do involve themselves in mental health issues upon the request of school administrators. A few of Orange County's city police departments have joined with the OCSD to have a representative on a SMART team, however this relationship should be expanded.

An incident from the 2019 USSS-NTAC report *Protecting America's Schools* is an illustration of mental problems in schools:

"A 16-year-old student shot his high school principal in the arm before his weapon malfunctioned. Prior to this incident, the attacker exhibited a wide range of symptoms typically associated with depression. He began to isolate himself after his parent's divorce and while he had played multiple sports and enjoyed video games, the attacker withdrew from these activities as his depression worsened. He began going to school without shaving, showering, or washing his hair, and multiple people noted his body odor. The student reported feeling helpless, hopeless, and worthless and he said he had low energy, trouble sleeping, reduced appetite, decreased interest in activities and impaired concentration. His grades began to decline. He often sat alone in his room in the dark. He began having suicidal thoughts and came close to killing himself prior to the incident. According to media reports, a state psychiatrist concluded that mental illness played a role in the attacker's actions in carrying out the incident."

Conclusion

The good news from the information provided to the Grand Jury by many school administrators and law enforcement representatives is that Orange County public

school districts do acknowledge, that now more than in the past, they need to address the mental health issues found in their student bodies and they are doing so. However, more needs to be done to identify students having mental health issues, whether they be psychological, behavioral, or neurological. Ensuring that mental health or wellness centers on campuses are staffed by competent professionals, particularly at the middle and high school level, should be a high priority. These centers can be instrumental in helping to create a supportive school climate.

In 2020, Children's Hospital of Philadelphia's Center for Violence Prevention (CVP) issued a "white-paper" on mass shootings in schools. It identified a supportive school climate as being highly significant in preventing school shootings. The CVP noted that in this kind of environment:

- Students feel safe to talk to each other and to staff
- There is a mutual trust and respect among students and school staff
- There is on-going dialogue and relationships with family and community members that interact with the school
- There is adequate support, training, and resources for school staff

The Grand Jury strongly recommends that all Orange County public school districts work to provide mental health services to all schools in each district as an effective tool in helping to prevent potential active shooter incidents.

"A cohesive and supportive school environment is key to preventing school shootings."

(Children's Hospital of Philadelphia-CVP)

FINDINGS

In accordance with California Penal Code Sections 933 and 933.05, the 2022-2023 Grand Jury requires (or, as noted, requests) Responses from each agency affected by the Findings presented in this section. The Responses are to be submitted to the Presiding Judge of the Superior Court.

Based on its investigation titled **School Shootings: How Prepared Are Orange County Public Schools?** the 2022-2023 Grand Jury has arrived at twelve Findings, as follows:

F1 Law enforcement, first responders, and other stakeholders have demonstrated a strong interest in working cooperatively with Orange County public schools to mitigate the risk of an active shooter incident; establishment of MOUs between law enforcement and school districts would strengthen this cooperation.

- F2** All Orange County public schools studied by the Grand Jury stated that they conducted or have scheduled drills within the current school year on emergency procedures addressing intruders on campus, but not all have done so specifically regarding armed assailants.
- F3** While all districts prioritize the safety of students and staff, the attention and resources devoted to active shooter preparedness and response vary from district to district.
- F4** Safety and security plans for on-campus before and after-school programs are not adequately addressed by school districts.
- F5** While many Orange County public schools have installed fences, cameras, and other methods to address the issue of active shooters on a campus, there are still opportunities for improvement.
- F6** Not all schools utilize a system for monitoring campus visitors.
- F7** While there is an increased awareness of the benefits of mental health counseling, not all school districts have implemented these programs in all schools.
- F8** School Resource Officers (SROs) are a valuable asset for school safety, yet many cities/districts do not allocate sufficient funds to hire needed officers.
- F9** Not all classrooms have window shades, tinted glass, or film to obstruct the interior view from the outside.
- F10** The camera surveillance systems utilized on many campuses require repairs, replacement, or additions.
- F11** Many schools do not have perimeter fencing completely enclosing their campus.
- F12** A number of school districts have school site administrative offices that remain unlocked on a daily basis.

RECOMMENDATIONS

In accordance with California Penal Code Sections 933 and 933.05, the 2022-2023 Grand Jury requires (or, as noted, requests) responses from each agency affected by the Recommendations presented in this section. The Responses are to be submitted to the Presiding Judge of the Superior Court.

Based on its investigation titled **School Shootings: How Prepared Are Orange County Public Schools?** the 2022-2023 Grand Jury makes the following thirteen Recommendations:

- R1** Each Orange County school district should arrange for local law enforcement to do an annual safety inspection of each school. The written safety checklist should include an audit of the integrity of site boundaries and a review of safety plans and policies. This annual safety audit should commence with the 2023-24 school year by October 1, 2023, and annually thereafter. (F1, F10, F11)
- R2** All Orange County school districts should establish a threat identification and assessment system for all school sites to monitor social media, screen for messages of concern, and manage information received in coordination with local law enforcement using MOUs, if necessary, by July 1, 2024. (F1, F3)
- R3** Each Orange County school district, in conjunction with law enforcement, should develop and implement tabletop exercises to be conducted in district schools by December 31, 2023, and annually thereafter. (F2)
- R4** Each Orange County school district should work with local law enforcement to plan and conduct a district-wide active shooter drill by July 1, 2024, and at least every other year thereafter. (F2)
- R5** All Orange County school districts should develop a casualty care training program for each school in their district, to be in place by the end of the first semester of the 2023-24 school year and provided annually thereafter. (F3)
- R6** Safety and security plans for on-campus before and after-school programs need to be addressed more thoroughly by school districts, by July 1, 2024. (F4)
- R7** Each Orange County school district should obtain and incorporate perimeter camera systems in all district schools by July 1, 2024, or earlier if financially able to do so, and investigate the potential use of cameras that incorporate Artificial Intelligence to enhance threat detection and prevention. (F5, F10)
- R8** All Orange County school districts should review entry procedures on all campuses with an eye toward the use of perimeter fencing, the use of single point entry, and the use of a buzzer and camera system for entry into the main/administrative offices. (F5, F12)

- R9** Each Orange County school district should identify and implement a parent and visitor management system for each school site within the school district. This is to include identified access points, badges, or a similar identification procedure to be implemented by July 1, 2024. (F6, F11, F12)
- R10** Each Orange County school district should implement training for all staff to identify threat-related behaviors and provide a procedure for reporting the behavior by the beginning of the 2024-25 school year. (F7)
- R11** All Orange County school districts should develop a plan to implement or enhance mental health counseling for all schools by December 31, 2024. (F7)
- R12** Each Orange County School District should assess the need for SROs or additional SROs, reaching out to appropriate community partners to facilitate funding by July 1, 2024. (F8)
- R13** All Orange County school districts should investigate and consider bullet resistant or tinted film covering for school windows by December 31, 2023. (F9)

REQUIRED RESPONSES

California Penal Code Section 933 requires the governing body of any public agency which the Grand Jury has reviewed, and about which it has issued a final report, to comment to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the governing body. Such comment shall be made no later than 90 days after the Grand Jury publishes its report (filed with the Clerk of the Court). Additionally, in the case of a report containing findings and recommendations pertaining to a department or agency headed by an elected County official (e.g., District Attorney, Sheriff, etc.), such elected County official shall comment on the findings and recommendations pertaining to the matters under that elected official's control within 60 days to the Presiding Judge with an information copy sent to the Board of Supervisors. Furthermore, California Penal Code Section 933.05 specifies the manner in which such comment(s) are to be made as follows:

(a) As to each Grand Jury finding, the responding person or entity shall indicate one of the following:

- (1) The respondent agrees with the finding.
- (2) The respondent disagrees wholly or partially with the finding; in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

(b) As to each Grand Jury recommendation, the responding person or entity shall report one of the following actions:

- (1) The recommendation has been implemented, with a summary regarding the action.
- (2) The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
- (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This time frame shall not exceed six months from the date of publication of the Grand Jury report.
- (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation, therefor.

(c) If a finding or recommendation of the Grand Jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the Board of Supervisors shall respond if requested by the Grand Jury, but the response of the Board of Supervisors shall address only those budgetary /or personnel matters over which it has some decision-making authority. The

response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

Comments to the Presiding Judge of the Superior Court in compliance with Penal Code Section 933.05 are required from the governing body of each school district below:

Findings – 90 Day Response Required

Anaheim Elementary	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12
Anaheim UHSD	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12
Brea-Olinda Unified	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12
Buena Park Elementary	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12
Capistrano Unified	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12
Centralia Elementary	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12
Cypress Elementary	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12
Fountain Valley	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12
Fullerton Elementary	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12
Fullerton Joint UHSD	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12
Garden Grove Unified	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12
Huntington Beach City	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12
Huntington Beach UHSD	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12
Irvine Unified	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12
Laguna Beach Unified	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12
La Habra City	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12
Los Alamitos Unified	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12
Lowell Joint Elementary	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12
Magnolia School	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12
Newport-Mesa Unified	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12
Ocean View Elementary	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12
Orange Unified	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12
Placentia-Yorba Linda	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12
Saddleback Unified	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12
Santa Ana Unified	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12
Savanna School	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12
Tustin Unified	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12
Westminster Elementary	F1, F2, F3, F4, F5, F6, F7, F8, F9, F10, F11, F12

City of Anaheim	F1, F8
City of Costa Mesa	F1, F8
City of Fountain Valley	F1, F8
City of Fullerton	F1, F8
City of Garden Grove	F1, F8
City of Huntington Beach	F1, F8
City of Irvine	F1, F8
City of Los Alamitos	F1, F8
City of Newport Beach	F1, F8
City of Orange	F1, F8
O.C. Sheriff's Department	F1, F8

Recommendations – 90 Day Response Required

Anaheim Elementary	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13
Anaheim UHSD	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13
Brea-Olinda Unified	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13
Buena Park Elementary	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13
Capistrano Unified	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13
Centralia Elementary	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13
Cypress Elementary	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13
Fountain Valley	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13
Fullerton Elementary	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13
Fullerton Joint UHSD	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13
Garden Grove Unified	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13
Huntington Beach City	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13
Huntington Beach UHSD	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13
Irvine Unified	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13
Laguna Beach Unified	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13
La Habra City	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13
Los Alamitos Unified	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13
Lowell Joint Elementary	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13
Magnolia Elementary	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13
Newport-Mesa Unified	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13
Ocean View Elementary	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13
Orange Unified	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13
Placentia-Yorba Linda	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13
Saddleback Unified	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13
Santa Ana Unified	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13
Savanna Elementary	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13
Tustin Unified	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13
Westminster Elementary	R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, R11, R12, R13

City of Anaheim	R1, R3, R4, R12
City of Costa Mesa	R1, R3, R4, R12
City of Fountain Valley	R1, R3, R4, R12
City of Fullerton	R1, R3, R4, R12
City of Garden Grove	R1, R3, R4, R12
City of Huntington Beach	R1, R3, R4, R12
City of Irvine	R1, R3, R4, R12
City of Los Alamitos	R1, R3, R4, R12
City of Newport Beach	R1, R3, R4, R12
City of Orange	R1, R3, R4, R12
O.C. Sheriff's Department	R1, R3, R4, R12

GLOSSARY

Active Shooter

The U.S. Department of Homeland Security defines an active shooter as *“an individual actively engaged in killing or attempting to kill people in a confined and populated area... in most cases, active shooters use firearms and there is no pattern or method to this selection of victims.”*

AI Artificial Intelligence

The simulation of human intelligence in machines that can learn and problem solve.

Casualty Care Program

Teaches fundamentals of casualty care including how to treat casualty victims, what steps to take to prevent loss of life, and how to save lives while under active fire, among other topics.

CDC

U.S. Centers for Disease Control and Prevention-The national public health agency of the United States.

CDE

California Department of Education

CHDS

Center for Homeland Defense and Security-Develops programs and resources to advance the study of homeland security research, scholarship, and professional disciplines to enhance U.S. National Security and Safety.

CHP

COPS Hiring Program-A competitive grant program sponsored by the U.S. Department of Justice to provide funding directly to law enforcement agencies to hire additional career law enforcement officers to increase community policing capabilities and crime prevention.

COPS

Community Oriented Policing Services-Part of the U.S. Department of Justice that is responsible for advancing the practice of community policing through various means such as competitive grants.

CSSP

Comprehensive School Safety Plans-Sections 32280-32289 of the California Education Code requires that all public school districts develop policies and procedures in response to common safety issues, including violence.

CSTAG

The Comprehensive School Threat Assessment Guidelines, originally known as the Virginia Student Threat Assessment Guidelines, is an evidence-based model for schools to use in conducting threat assessments of students.

DEE

Distance, Evade, Engage or Deny, Evade, Engage-Language used to describe how individuals/groups should respond to an active shooter situation.

DOJ

U.S. Department of Justice

DSO

District Safety Office-Term used by school districts to describe non-law enforcement personnel who help provide safety and security on school campuses.

FEMA

Federal Emergency Management Agency-Part of the Department of Homeland Security (DHS) that coordinates responses to disasters beyond the level states and local agencies can handle.

IES

Institutes of Educational Sciences-Independent, non-partisan, statistical research and evaluation arm of the U.S. Department of Education.

KFF

Kaiser Family Foundation-Non-profit organization dealing with health policy in the United States.

Lock-Bloc

Device used in many schools to ensure that a classroom or office door can be locked quickly in case of emergency.

NASRO

National Association of School Resource Officers-Professional organization serving the needs of School Resource Officers across the United States.

NTAC

National Threat and Assessment Center-Provides guidance and support to the United States Secret Service.

OCDE

Orange County Department of Education

OCIAC

Orange County Intelligence Assessment Center-Provides an integrated, multi-disciplined, informational and intelligence sharing network to collect, analyze and disseminate information on all criminal risks and safety threats to law enforcement, fire, health, private, and public sector stakeholders in a timely manner in order to protect residents, visitors, and critical infrastructure while ensuring the civil rights and civil liberties of all persons are recognized.

OCSD

Orange County Sheriff's Department

PASS

Preparing for Active Shooter Situations-Program from the U.S. Department of Justice designed to meet the goals of COPS by offering 'scenario-based' courses designed to counter active shooters.

RAPTOR System

A company founded in 2002 that has partnered with many school districts in the U.S., to provide integrated visitor management systems.

RHF

Run, Hide, Fight-Language used to describe how individuals/groups should respond to an active shooter situation.

SAVD-SS

School-Associated Violent Death Surveillance System-Sponsored by the CDC, providing the most recent details available on school associated violent deaths while helping to inform efforts to prevent school violence.

SMART

School Mobile Assessment and Resource Team-Part of the OCSD, this group works with school officials to address situations and incidents related to violence, threats, possession of or use of weapons, unstable behaviors, and suicidal tendencies by students.

SRO

School Resource Officer-Sworn law enforcement officers responsible for safety and crime prevention in schools who are employed by local police or sheriff departments and work closely with school administrators.

SRP

Standard Response Protocol-Provides consistent, clear shared language and actions among all student, staff and first responders which can be applied in any emergency.

SVPP

School Violence Prevention Program-Grants given to states and local agencies to improve safety and security on school campuses.

SWAT

Special Weapons and Tactics-A designated law enforcement team whose members are recruited, selected, trained, equipped, and assigned to resolve critical incidents involving a threat to public safety which would otherwise exceed the capabilities of local law enforcement departments.

Table-Top Exercises

An informal discussion-based session in which a team discusses their roles and responses during an emergency, walking through one or more scenarios.

TECC

Tactical Emergency Casualty Care-Based on military response to casualty care.

USDE

U.S. Department of Education

USSS

United States Secret Service

VMS

Visitor Management System-Used to control access to school campuses.

WETIP

Strives to be the most effective anonymous citizen's crime reporting resource, providing intelligence and information to local, state, and federal authorities.

CONFIDENTIAL

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APPENDICES

Appendix A

Active Shooter Incidents in U.S. Schools Since 1999* (Material from Wikipedia)

Date	Location	School	Deaths	Injuries
3/27/2023	Nashville, TN	Covenant School	6	0
3/22/2023	Denver, CO	East High	0	2
2/13/2023	East Lansing, MI	Michigan State Univ.	5	9
12/8/2022	Tallahassee, FL	Florida A & M Univ.	1	4
11/13/2022	Charlottesville, VA	University of VA	3	2
10/24/2022	St. Louis, MO	Central V & P High	3	7
5/24/2022	Uvalde, TX	Robb Elementary	22	18
11/30/2022	Oxford, MI	Oxford High	4	7
11/14/2019	Santa Clara, CA	Saugus High	3	3
5/18/2018	Santa Fe, NM	Santa Fe High	10	14
2/14/2018	Parkland, FL	Stoneman-Douglas High	17	17
1/23/2018	Benton, KY	Marshall County High	2	16
12/7/2017	Aztec, NM	Aztec High	3	0
4/10/2017	San Bernardino, CA	North Park Elementary	3	1
9/28/2016	Townville, SC	Townville Elementary	2	3
12/12/2014	Portland, OR	Rosemary Anderson High	0	4
10/24/2014	Marysville, WN	Marysville Pilchuck High	5	1
12/14/2012	Newtown, CT	Sandy Hook Elementary	28	2
2/27/2012	Chardon, OH	Chardon High	3	3
10/2/2006	Bart Township, PA	West Nickel Mines Elem.	6	5
4/14/2003	New Orleans, LA	John Mc Donogh High	1	3
3/5/2001	Santee, CA	Santana High	2	13
5/20/1999	Conyers, GA	Heritage High	0	6
4/20/1999	Littleton, CO	Columbine High	15	24

*Does not include shootings such as by gangs, or revenge shootings around a school or on streets or parking lots near a school.

Appendix B

Comprehensive School Safety Plans

Best practice considerations and resources for reviewing and approving plans.

On September 27, 2018, Governor Brown signed into law Assembly Bill 1747-School Safety Plans. You will find AB 1747 in the California Legislative Information web page. Key provisions of California *Education Code* (EC) include requiring local educational agencies (LEAs) and the California Department of Education (CDE) to include and post requirements for new content and procedures in the Comprehensive School Safety Plans (CSSPs), which have been implemented.

The law requires the California Department of Education (CDE) to develop and post on its website best practices for reviewing and approving school safety plans. In 2020–21 the CDE implemented a statewide survey of local educational agencies (LEAs), school safety administrators, and stakeholders to gather information on current practices, challenges, and resources to assist in developing this content. The state and federal guidance and resources below are provided to assist LEAs in reviewing and approving Comprehensive School Safety Plans (CSSPs). Guidance includes recommendations from the California State Auditor (CSA) Report 2016-136 School Violence Prevention. The CSA Report 2016-136 School Violence Prevention can be found on the CSA's web page.

Background

The California Constitution guarantees California children the right to attend public schools that are safe, secure, and peaceful. The CDE, public school districts, county offices of education (COEs), and schools and their personnel are responsible for creating learning environments that are safe and secure. First responders, community partners, and families play an essential role, as well. Schools must be prepared to respond to emergencies including natural and man-made hazards and strive to prevent violence and behavior issues that undermine safety and security. CSSPs include strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on the school campus and aspects of social, emotional, and physical safety for both youth and adults.

California Education Code Sections 32280–32289.5: Comprehensive School Safety Plans

California *Education Code* (EC) Section 32281(a) requires every kindergarten through grade twelve school, public and public charter, including community and court schools, to develop and maintain a CSSP designed to address campus risks, prepare for emergencies, and create a safe, secure learning environment for students and school

personnel. In a school district with fewer than 2,501 units of average daily attendance, there may be one CSSP for all schools within the district.

The law requires designated stakeholders to annually engage in a systematic planning process to develop strategies and policies to prevent and respond to potential incidents involving emergencies, natural and other disasters, hate crimes, violence, active assailants/intruders, bullying and cyberbullying, discrimination and harassment, child abuse and neglect, discipline, suspension and expulsion, and other safety aspects.

Schools, districts, and COEs all play a role in effective school safety planning and are responsible for familiarity with, and fulfillment of, applicable requirements of EC sections 32280-32289.5.

Timeline for the Comprehensive School Safety Plan

The law requires that each school update and adopt its CSSP by March 1 annually. It requires that the school district or COE approve CSSPs. *EC* does not specify a date by which the safety plan must be approved by the district; however, the school district or COE must annually notify the CDE by October 15 of any school(s) that have not complied with requirements.

Effective school safety planning must be a dynamic, ongoing process with plans being reviewed and evaluated regularly, and after critical incidents.

For full section from CDE website, go to:

[Comprehensive School Safety Plans - Violence Prevention \(CA Dept of Education\)](https://www.cde.ca.gov/ls/ss/vp/cssp.asp)
<https://www.cde.ca.gov/ls/ss/vp/cssp.asp>

Appendix C



Orange County Sheriff's Department School Resource Officer Program Active Shooter Tabletop Exercise

Situation Manual

Date: Tuesday, December 6, 2022

This Situation Manual (SitMan) provides exercise participants with all the necessary tools for their roles in the exercise. Some exercise material is intended for the exclusive use of exercise planners, facilitators, and evaluators, but players may view other materials that are necessary to their performance. All exercise participants may view the SitMan.

1
For Exercise Use Only

EXERCISE AGENDA

Time	Activity
1300 – 1310	Welcome and Participant Briefing
1310 – 1335	Module One: Preparedness
1335 – 1400	Module Two: Incident Response
1400 – 1425	Module Three: Re-Unification
1425 – 1430	De-Brief
1430	Exercise End
*All times are approximate	

EXERCISE OVERVIEW

Exercise Name	School Active Shooter Tabletop Exercise
Exercise Date	Tuesday, December 6, 2022; 1300-1430
Scope	This one and a half hour facilitated exercise will feature discussion on the preparedness, coordination, and response of Law Enforcement resources in the response to an Active Shooter Incident.
Mission Area(s)	Prevention, Protection, and Response
Core Capabilities	• Screening, Search, and Detection • Operational Coordination • Interdiction and Disruption
Objectives	1. Discuss current plans, policies and procedures for the potential mitigation of an active shooter in a school environment. 2. Evaluate plans to evacuate all affected areas, including notification of any evacuation, traffic control, security, student accountability, and operational coordination. 3. Discuss anticipated response from law enforcement and required communication between response agencies, schools, and the public.
Threat or Hazard	Active Shooter
Scenario	The scenario focuses on an active shooter affecting areas in southeastern Orange County. The scenario consists of three modules: Incident notification and initial response, incident expansion, and investigation.
Sponsor	• Orange County Sheriff's Department School Resource Officer Program

GENERAL INFORMATION

Participant Roles and Responsibilities

The term *participant* encompasses many groups of people. Groups of participants involved in the exercise, and their respective roles and responsibilities, are described below:

- **Players.** Players are personnel who have an active role in discussing or performing their regular roles and responsibilities during the exercise. Players discuss or initiate actions in response to the exercise scenario.
- **Observers.** Observers do not directly participate in the exercise. They may support the development of player responses to the situation during the discussion by providing subject matter expertise and asking relevant questions.
- **Facilitators.** Facilitators provide situation updates and moderate discussions. They keep the discussions focused on the objectives, prevent distractions, and keep the exercise on schedule. Facilitators may also provide additional information or resolve questions as required. Key Exercise Planning Team members also may assist with facilitation as subject matter experts (SMEs) during the exercise.

Exercise Structure

This exercise will be a discussion-based, facilitated exercise. Players will participate in the following modules:

- Module One: Preparedness
- Module Two: Incident Response
- Module Three: Re-Unification

Each module begins with a summary of key events. After the updates, participants will review the situation and engage in discussions of appropriate response issues.

Exercise Guidelines

- The scenario and exercise design is a collaboration between all stakeholders.
- This exercise will be held in an open, low-stress, no-fault environment. Participants should expect varying viewpoints, even disagreements.
- Respond to the scenario using your knowledge of current plans and capabilities and insights derived from your understanding of plans, policies, and procedures.
- Decisions are not precedent setting and may not reflect your organization's final position on a given issue. This exercise is an opportunity to discuss and present multiple options and possible solutions.
- Issue identification is not as valuable as suggestions and recommendations that could improve response and recovery efforts. Exercise participants will benefit most when they focus on problem solving efforts.

Exercise Assumptions and Artificialities

In any exercise, assumptions and artificialities will be necessary to complete play in the time allotted. Although everyone may not agree with exactly how the scenario is presented, they will benefit most when they leverage the scenario as the driver to stimulate their discussions and inputs. During this exercise, the following apply:

- The scenario for this exercise is artificial.
- The exercise is conducted in a no-fault learning environment wherein capabilities, plans, systems, and processes will be evaluated (not the participants).
- The exercise scenario is plausible.
- There are neither “hidden agendas” nor any “trick questions.”
- All players receive information at the same time.

Appendix D

Department of Homeland Security School Safety Assessment Checklist

The survey includes the following seven primary topic areas:

(1) **Security – Emergency Management:** *Security management refers to the people, plans, and procedures that a K-12 school has in place to deal with security issues, including but not limited to active-shooter issues. Factors that contribute to the effectiveness of security and emergency management efforts at schools include the designation of a security manager; existence of security and emergency operations plans; commitment to training and exercises on these plans; procedures for handling suspicious objects; and engaging in preparedness and security working groups with external partners. Schools may use different names for a security plan or incorporate elements of a security plan into broader emergency operations plans, which outline the school's approach to operations before, during, and after an emergency. Understanding which activities occur at an individual school level and which activities occur at the school district level are important considerations for K-12 school personnel to factor into their security and emergency management practices.*

(2) **Security Force:** *A security force is a group of school employees or contractors whose sole responsibilities are to provide security at a school. A security force does not include general school personnel who are trained in security awareness (i.e., observe and report) in addition to their regular duties. Security forces at schools may include school resource officers (SROs), who are sworn law enforcement officers responsible for safety and crime prevention in schools. A local police department, sheriff's agency, or school system typically employs SROs who work closely with school administrators in an effort to create a safer environment. The responsibilities of SROs are similar to regular police officers in that they have the ability to make arrests, respond to calls for service, and document incidents that occur within their jurisdiction. Some schools may have a dedicated SRO who is assigned full-time to an individual school. Other schools may have SROs who balance responsibilities at multiple schools within a district. Other models may involve full- or part-time private security personnel serving in security force roles, or school officials serving in multiple roles that include but are not limited to security. In this section, a school is considered to have security force only if it has people whose sole responsibilities are to provide security.*

(3) **Entry Control:** *Controlling how and when faculty, staff, students, and visitors can access school buildings and grounds is considered an effective mechanism for protecting against different threats, including active shooters. These controls can include minimizing the number of points of entry, requiring identification, or conducting searches. However, these entry controls may sometimes run counter to the overarching objective of creating an open learning environment at K-12*

schools. Entry controls are part of the broader layers of defense that schools have in place to enhance security. These layers of protective measures are deployed in concentric circles around a school, starting at the outer perimeter and moving inward to areas with the greatest need for protection. Entry controls can help deter individuals from initiating violent attacks, detect attacks earlier at a safe distance, and delay attackers from reaching vulnerable and/or highly populated locations.

4) Fencing and Gates: Fences are barriers enclosing or bordering a school that are used to prevent entrance, contain people to particular areas, or mark a boundary. Gates are openings in that perimeter that allow people or vehicles to pass through at controlled points of entry. Together, fences and gates are part of the broader layers of defense that schools have in place to protect against a spectrum of security issues, including but not limited to active shooters. These layers of protective measures are deployed in concentric circles around a school, starting at the outer perimeter and moving inward to areas with the greatest need for protection. Often fences are installed at a school for the purpose of protecting people and property from harm or damage from playground or sports items. These sections of fence may serve dual purposes of security and protection. However, when looking at fence lines, school officials should consider all sections of the fence, not just the tallest, newest, or what appears to be most secure. Areas where a person could easily penetrate the fence line and access the property are also important to evaluate. Fences and gates may deter or delay active-shooter intrusion. Fence construction may include different materials (e.g., chain link, wood, wrought iron, plastic), heights, anchoring, and other features (e.g., barbed wire along the top, privacy screening, outriggers). Similarly, gates can apply to vehicles and pedestrians and may include moveable bollards, roller or slide gates, swing gates, or turnstiles, among other construction options. It is understood that use of fences or gates is simply not practical in many locations. In that case, the building envelope, in particular windows and doors and the entry control process are the primary elements to deter or delay.

(5) Parking and Barriers: Parking and barriers are part of the broader layers of defense that schools have in place to enhance security. These security measures may be considered more relevant to explosive threats (i.e., where standoff distance is important) or vehicle ramming threats (i.e., where high-speed avenues of approach are a concern). However, parking controls and barriers can also help deter individuals from initiating armed attacks; detect these attacks earlier at a safe distance; and delay attackers from reaching vulnerable and/or highly populated locations on school grounds. Monitoring parking areas for suspicious or illegal vehicle placement can include viewing the parking area via security cameras, requiring onsite security personnel to conduct patrols, or maintaining incidental visual contact through windows. Vehicle screening processes may also uncover weapons that individuals plan to use in active-shooter attacks.

(6) *Building Envelope*: Building envelope is the exterior face of a school building, including walls, roof, windows, and doors. The building envelope provides a significant layer of defense but also includes notable vulnerabilities (i.e., doors, windows) that are important to consider for physical security. Construction materials for doors and windows in particular influence the effectiveness of these features in deterring, delaying, or denying active-shooter attacks. For doors, options include metal- or wood-framed glass; solid- or hollow-core wood; fire-rated steel or aluminum; hollow steel; metal clad; or blast-resistant. Windows may include tempered glass; wire-reinforced glass; laminated glass; bullet-proof glass; and blast-resistant safety films. Access to utilities and fire alarms are important physical security considerations in active-shooter situations because attackers can coopt these features to create diversions or complicate response efforts. Portable buildings that are used for classrooms often add unique challenges. Portable buildings or temporary structures used for classrooms often do not have the same construction features as the primary building. Thus, windows and doors will not have the same level of security. Often the portable buildings are located in unsecured areas that provide easy access to an attacker. If a school has portable buildings and eliminating their use is not practical, additional security measures are often necessary, including increased monitoring, assigned security personnel, retrofitting doors and locks, or ballistic protection on the windows. Securing these school building features as part of steady-state efforts may deter attackers from attempting to exploit them.

7) *CCV – VSS*: CCV and video surveillance systems (VSS) are electronic systems of cameras, control equipment, recorders, and related apparatus used for surveillance or alarm assessment. These systems can help deter individuals from initiating armed attacks and detect these attacks earlier at a safe distance. CCV/VSS technology options include a range of technologies (i.e., digital or analog, fiber or wireless transmission) and features (i.e., color or black-and-white video, adjustable side-to-side or up-and-down movement of cameras, wide-angle or zoom views). They also can include software that helps identify anomalies and ultimately the ability of users to identify suspicious behaviors. Schools may have dedicated security staff who monitor these systems in real time, or they may only view recorded information in response to specific incidents or inquiries. Following an incident, CCV/VSS data can provide valuable forensic information that first responders can use in response efforts and follow-on investigations. Surveillance cameras can be used to monitor common areas that are not within the normal view of teachers, administrators, or security personnel. Video surveillance can also streamline access control procedures, allowing administrative or security personnel to monitor and control locked entrances remotely when used with intercoms and remote control door locks, if practical.

Access to full school survey:

School Security Assessment Tool (SSAT) | CISA (<https://www.cisa.gov/school-security-assessment-tool>)

Appendix E

**2022-2023 Orange County Grand Jury
School Safety Questionnaire
For Public Schools**

Mailing Address: OC Grand Jury, 700 W Civic Center Dr, Santa Ana, CA 92701
e-mail Address: grandjurysupport@occourts.org

***Admonition:** This correspondence and your response to it are strictly confidential. This confidential document may only be discussed with those individuals responsible for or needed to answer the survey questions. This means that the contents of this survey and your answers are not to be released to the public or shared with anyone not directly involved in responding without the prior written authorization of the Orange County Superior Court or Orange County Grand Jury. The Grand Jury assures you that it will maintain the confidentiality of site-specific information provided in each response, will not publicly disclose anything that could lead to the identity of any respondents, and thanks you in advance for your cooperation.*

School District: _____
 Public School: _____
 Grade Levels: _____ Enrollment: _____
 Respondent's Name and Title: _____

 Phone Number: _____ e-mail: _____
 Response Date: _____

Note: If more room is required to provide the requested information, you may include an additional document numbered to indicate the question.

1. Does your school have a Comprehensive School Safety Plan (CSSP)?	☐ Yes ☐ No (also select 'Other' and explain) ☐ Other (please explain): _____
2. How often is the CSSP updated and approved?	☐ Annual ☐ Other (please explain) _____
3. Does your school perform a Safety Assessment as part of the CSSP development process?	☐ Yes ☐ Other (please explain) _____
4. Does your school have a written policy (or policies) and/or procedure(s) regarding visitor access to your school campus during school hours?	☐ Yes ☐ District Policy Only ☐ No

Please submit your CSSP, Safety Assessment, and all School Safety policies and procedures to the Grand Jury, preferably electronically to the e-mail address: grandjurysupport@occourts.org near the top of this page, including policies and procedures that address approved visitor lists, visitor rules and protocols, intruders or unauthorized persons and response protocols, active shooter protocols, lockdowns, evacuations, student release and other related topics.

5. Who is responsible for campus access policy development, periodic reviews, approval, and/or training? (Check all that apply)	☐ Principal ☐ Additional School Administrators ☐ District Superintendent ☐ District Administrators and/or Staff ☐ School Board ☐ Crisis Team Leaders ☐ School Site Council ☐ Local Law Enforcement ☐ Outside Consultants ☐ Other (please list) _____
6. A printed or electronic copy of the campus access policy is distributed to: (Check all that apply)	☐ District Administrators ☐ School Administrators ☐ Teachers ☐ Substitute Teachers ☐ Support Staff ☐ Maintenance Staff ☐ Parents ☐ Students ☐ School Volunteers ☐ Law Enforcement ☐ Other (please list) _____
7. The campus access policy is available in the following languages: (Check all that apply)	☐ English ☐ Spanish ☐ Vietnamese ☐ Korean ☐ Other (please list) _____
8. What funding sources has your school utilized to finance school safety improvements?	☐ Bond Issue(s) ☐ Federal Funds/Grants ☐ State Funds/Grants ☐ Fundraisers ☐ Philanthropic Entities/Donations ☐ Other _____

SCHOOL SHOOTINGS: HOW PREPARED ARE OC PUBLIC SCHOOLS

9. What are the attributes of the fence installed around your school? (Check all that apply)	☐ Ten feet and higher ☐ Eight to ten feet ☐ Six to eight feet ☐ Less than six feet ☐ Single point of entry ☐ Multiple points of entry with locking gates ☐ Multiple points of entry (no gates) ☐ No fence
10. Who receives training regarding visitor/ intruder access to your campus? (Check all that apply)	☐ District Administrators ☐ School Administrators ☐ Teachers ☐ Substitute Teachers ☐ Support Staff ☐ Maintenance Staff ☐ Parents ☐ Students ☐ School Volunteers ☐ Other (please list) _____
11. How often is intruder response training provided? (Check all that apply)	☐ Periodically ☐ Annually ☐ Start of Semester/Semi-annually ☐ Start of Quarter/Quarterly ☐ Monthly ☐ New Hire/Staff Transfers (including Teachers) ☐ Other (please explain) _____
12. Does your campus conduct active drills for intruders?	☐ Yes – Only campus personnel ☐ Yes – Campus personnel and students ☐ Yes – Campus personnel and law enforcement ☐ Yes – Campus personnel, students, and law enforcement ☐ No
13. Is there a system in place to alert the entire campus about the presence of intruders?	☐ Yes ☐ No – Only partial (please explain): _____ ☐ No (please explain) _____
14. Are intruder incident reports prepared and filed with law enforcement?	☐ Yes ☐ No
15. Are intruder logs submitted periodically to the school district?	☐ Yes ☐ No

SCHOOL SHOOTINGS: HOW PREPARED ARE OC PUBLIC SCHOOLS

16. Are intruder events shared with other schools in Orange County?	☐ Yes ☐ No
17. Are intruder events shared with other schools in the state?	☐ Yes ☐ No
18. Can classroom doors be locked from inside the classroom?	☐ Yes ☐ No
19. Can office, gymnasium, auditorium, and cafeteria doors be locked from inside?	☐ Yes ☐ Some (please list _____) ☐ No
20. Can classrooms be locked from a central location, such as the main office?	☐ Yes ☐ No
21. Is there video surveillance of the campus?	☐ Yes (check all that apply) ☐ Exteriors ☐ Offices ☐ Hallways ☐ Classrooms ☐ Auditorium/Theatre ☐ Gymnasium ☐ Cafeteria ☐ Other (please list) _____ ☐ No
22. How does staff distinguish between students and non-students of similar age?	Please explain: _____ _____ _____
23. Whom does your school allow onto campus other than students and staff during the school day? (Check all that apply)	☐ Parent/Guardian/Family of Student ☐ School Volunteers ☐ Vendors ☐ Contractors ☐ Delivery Personnel ☐ Family of Staff ☐ Other (please list) _____
24. Does your campus utilize Raptor or another identity verification system for visitors?	☐ Yes, Raptor (Skip to 28) ☐ Other (please list) _____ ☐ No
25. Are visitors required to show picture identification and sign in at the main office?	☐ Yes ☐ No

SCHOOL SHOOTINGS: HOW PREPARED ARE OC PUBLIC SCHOOLS

26. What information is included on temporary visitor badges? (Check all that apply)	☐ Name ☐ Date ☐ Destination on campus ☐ Other (please list _____)
27. Are logs maintained of all visitors to your campus?	☐ Yes ☐ No
28. Who is required to wear a visible temporary visitor's badge? (Check all that apply)	☐ Parent/Guardian/Family of Student ☐ School Volunteers ☐ Vendors ☐ Contractors ☐ Delivery Personnel ☐ Family of Staff ☐ Other (please list _____)
29. Are visitors required to sign out and surrender temporary visitor badges when leaving the campus?	☐ Yes, always ☐ Yes, sometimes (please explain) _____ ☐ No (please explain) _____
30. Who is required to wear a photo identification badge while on campus during the school day? (Check all that apply)	☐ District Administrators ☐ School Administrators ☐ Teachers ☐ Substitute Teachers ☐ Support Staff ☐ Maintenance ☐ Parents ☐ Students ☐ School Volunteers ☐ Other (please list) _____
31. Does your school allow any visitors onto campus without signing in during the school day?	☐ No ☐ Yes (please explain) _____ _____
32. If a visitor accesses the campus without checking in, how is the visitor located, tracked, and identified?	Please explain: _____ _____ _____
33. Who is equipped with two-way communication devices? (Check all that apply)	☐ School Administrators ☐ School Staff ☐ Teachers ☐ Substitute Teachers ☐ Maintenance Staff ☐ Coaches ☐ Other _____

34. Is there a policy in place to alert the office staff about school employees or family members of students with active restraining orders?	☐ Yes ☐ No (please explain) _____ _____
35. Is there a procedure in place that encourages the reporting of weaknesses or failures in any campus security systems?	☐ Yes ☐ No
36. What are your biggest concerns regarding your ability to secure your school campus from outside intrusion?	Please explain: _____ _____ _____
37. Does your school have a Wellness Program on campus to identify students who may be in crisis and provide behavioral and mental health support to prevent the crisis from becoming violent?	☐ No ☐ Yes (please describe): _____ _____ _____
38. If your school was granted additional funding for security, how would the school use it?	Please explain: _____ _____
39. Are there any other security measures in place at your school that were not revealed in prior questions and answers?	☐ Yes (please explain): _____ _____ ☐ No
40. Is there anything else about your school's security that you wish the Grand Jury to know?	☐ Yes (please explain): _____ _____ ☐ No
41. Please provide the names and contact information of anyone else to whom the Grand Jury may reach out to, other than those identified in Question 2, should it have additional or follow-up questions:	Please list: _____ _____ _____ _____

CONFIDENTIAL

California Penal Code Sections §933 and §933.05

[NOTE: to reduce grand jury requests for additional response information, the grand jury has **bolded** those words in §933.05 which should be appropriately included in a response]

- §933 (a) Each grand jury shall submit to the presiding judge of the superior court a final report of its findings and recommendations that pertain to county government matters during the fiscal or calendar year. Final reports on any appropriate subject may be submitted to the presiding judge of the superior court at any time during the term of service of a grand jury. A final report may be submitted for comment to responsible officers, agencies, or departments, including the county board of supervisors, when applicable, upon finding of the presiding judge that the report is in compliance with this title. For 45 days after the end of the term, the foreperson and his or her designees shall, upon reasonable notice, be available to clarify the recommendations of the report.
- (b) One copy of each final report, together with the responses thereto, found to be in compliance with this title shall be placed on file with the clerk of the court and remain on file in the office of the clerk. The clerk shall immediately forward a true copy of the report and the responses to the State Archivist who shall retain that report and all responses in perpetuity.
- (c) No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body, and every elected county officer or agency head for which the grand jury has responsibility pursuant to Section 914.1 shall comment within 60 days to the presiding judge of the superior court, with an information copy sent to the board of supervisors, on the findings and recommendations pertaining to matters under the control of that county officer or agency head and any agency or agencies which that officer or agency head supervises or controls. In any city and county, the mayor shall also comment on the findings and recommendations. All of these comments and reports shall forthwith be submitted to the presiding judge of the superior court who impaneled the grand jury. A copy of all responses to grand jury reports shall be placed on file with the clerk of the public agency and the office of the county clerk, or the mayor when applicable, and shall remain on file in those offices. One copy shall be placed on file with the applicable grand jury final report by, and in the control of the currently impaneled grand jury, where it shall be maintained for a minimum of five years.
- (d) As used in this section "agency" includes a department.

- §933.05 (a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:
- (1) The respondent **agrees** with the finding.
 - (2) The respondent **disagrees wholly or partially** with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.
- (b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:
- (1) The recommendation **has been implemented**, with a summary regarding the implemented action.
 - (2) The recommendation **has not yet been implemented, but will be implemented** in the future, with a **timeframe** for implementation.
 - (3) The recommendation **requires further analysis**, with an explanation and the scope and parameters of an analysis or study, and a **timeframe** for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.
 - (4) The recommendation **will not be implemented** because it is not warranted or is not reasonable, with an explanation therefor.
- (c) However, if a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the board of supervisors shall respond if requested by the grand jury, but the response of the board of supervisors shall address only those budgetary or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.
- (d) A grand jury may request a subject person or entity to come before the grand jury for the purpose of reading and discussing the findings of the grand jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
- (e) During an investigation, the grand jury shall meet with the subject of that investigation regarding the investigation, unless the court, either on its own determination or upon request of the foreperson of the grand jury, determines that such a meeting would be detrimental.
- (f) A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.

City of Los Alamitos

CITY COUNCIL AGENDA REPORT

MEETING DATE: August 21, 2023

ITEM NUMBER: 11G

To: Mayor Tanya Doby & Members of the City Council

Presented By: Ron Noda, Development Services Director

Subject: Notice of Completion for the New Dutch Haven Neighborhood Street Rehabilitation Project (CIP 22/23-02)

SUMMARY

The City of Los Alamitos hired a roadway contractor for street improvements related to grind and overlay and slurry seal in the New Dutch Haven Neighborhood as part of the City's ongoing pavement management program.

Staff is recommending that City Council accept the work as completed, direct filing of the Notice of Completion, and authorize retention release as prescribed by the Public Contract Code.

RECOMMENDATION

1. Accept as complete the construction by Hardy and Harper, Inc. for the New Dutch Haven Neighborhood Street Rehabilitation Project (CIP No. 22/23-02); 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 \$13,636.60, thirty-five (35) days after recordation of the Notice of Completion.

BACKGROUND

In order to maintain Los Alamitos streets and increase the longevity of pavement, a grind and overlay and slurry seal of various existing streets was done in accordance with the project plans and specifications. The project also replaced damaged curbs and gutters and lifted sidewalks to correct drainage. ADA curb ramps were also modified to current codes as necessary for accessibility.

The street improvement project included the following streets in the New Dutch Haven Neighborhood:

- Bennington Street
- Tripoli Avenue
- Howard Avenue (from Bennington Street to Mindora Street) and
- Mindora Street

The plans and specifications for the installation of the New Dutch Haven Neighborhood Street Rehabilitation Project (CIP No. 22/23-02) were approved by Council on 06/13/2022. Council approved the award of the bid to Hardy and Harper, Inc. on 07/18/2022. Construction began on 11/04/2022 and was substantially complete by 12/09/22. However, slurry seal was postponed to June, 2023 until warmer weather arrived as it is not recommended to apply slurry seal due to extreme cool temperatures which occurred this past winter.

DISCUSSION

Work on this project is now complete and found acceptable by the City Engineer. Staff recommends acceptance of the work in conjunction with the processing of the Notice of Completion/Final Report and release of the retention as prescribed by the Public Contract Code.

FISCAL IMPACT

The project had a total funding budget of \$462,500 with the following breakdown of funding sources:

SB-1: \$263,005
Gas Tax: \$199,495

Total: \$462,500

The project was within the overall funding budget and came in at a total of \$308,767.24 for design, construction, inspection, and change orders. During construction there were two (2) change orders to the project, which included repair of a failed subgrade section and repair of an existing adjacent bus pad that had an extensive crack. The bus pad is located just west of Katella Avenue and Kaylor Street. The breakdown of costs is below:

Construction Bid Price	\$262,000.00
Change Orders/Increase or Decrease in Quantities	\$10,731.99
Advertisement, Design and Inspection	\$36,035.25
Total Project Price	\$308,767.24

Attachment: 1. Notice of Completion - New Dutch Haven Improvement (CIP 22/23-02)

RECORDING REQUESTED BY
AND MAIL TO:

City Clerk
City of Los Alamitos
3191 Katella Avenue
Los Alamitos, CA 90720

No Consideration

SPACE ABOVE THIS LINE FOR RECORDER

NOTICE OF COMPLETION

NO RECORDING FEE PURSUANT TO
GOVERNMENT CODE SECTION 6103

for

Los Alamitos New Dutch Haven Neighborhood Street Rehabilitation Project (CIP No. 22/23-02)

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned are owners or corporate officers of the interest or estates stated below in property hereinafter described.
2. The full name of the owner is: City of Los Alamitos, 3191 Katella Avenue, Los Alamitos, CA 90720
3. The work consisted of :

The City of Los Alamitos hired a contractor for a street project related to grind and overlay and slurry seal of various residential streets in the New Dutch Haven Neighborhood as part of the City's ongoing pavement management program. The project also replaced damaged curb & gutter and lifted sidewalk to correct drainage. ADA curb ramps were modified to current codes as necessary for accessibility. The project included the following streets:

- Bennington Street
- Tripoli Avenue
- Howard Street (Bennington Street to Mindora Street)
- Mindora Street

4. The work was completed on 06/14/2023
5. The contractor was: Hardy and Harper, Inc.

Dated _____

Chris Kelley, City Engineer, City of Los Alamitos

VERIFICATION BY CORPORATION OWNER

STATE OF CALIFORNIA)
) SS
COUNTY OF ORANGE)

I, Chris Kelley, City Engineer of Los Alamitos, a Municipal Corporation, and that he executed the foregoing Notice of the aforesaid interest or estates in the property therein described; and verify on behalf of the City of Los Alamitos; that the contents thereof, and the facts therein stated are true.

Chris Kelley, City Engineer

Dated: _____

City of Los Alamitos

CITY COUNCIL AGENDA REPORT

MEETING DATE: August 21, 2023

ITEM NUMBER: 11H

To: Mayor Tanya Doby & Members of the City Council

Presented By: Ron Noda, Development Services Director

Subject: Notice of Completion for the Briggeman Drive Street Improvements Project (CIP 22/23-03)

SUMMARY

The City of Los Alamitos hired a roadway contractor, United Paving Co., for the Briggeman Drive Street Improvements Project (CIP 22/23-03) as part of the City's ongoing pavement management program. The project provided 5 feet of widening along the southern portion of Briggeman Drive, from the Briggeman Drive/Reagan Street intersection to 200 feet west of the intersection. This project was necessary to continue the widening that previously occurred adjacent to the newly developed hotel (Fairfield Inn & Suites by Marriott Anaheim/Los Alamitos) at 10650 Los Alamitos Boulevard.

Staff is recommending that City Council accept the work as completed, direct filing of the Notice of Completion, and authorize retention release as prescribed by the Public Contract Code.

RECOMMENDATION

1. Accept as complete the construction by United Paving Co. for the Briggeman Drive Street Improvements Project (CIP 22/23-03); 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 \$7,517.87, thirty-five (35) days after recordation of the Notice of Completion.

BACKGROUND

The widening limits along Briggeman Drive included the roadway portion from the hotel site (Fairfield Inn & Suites by Marriott Anaheim/Los Alamitos) to the intersection of Briggeman Drive and Reagan Street. The project also replaced damaged curbs and gutters and lifted sidewalks to correct drainage. ADA curb ramps were also modified to current codes as necessary for accessibility. A new driveway was installed along Briggeman Drive at the commercial park near the intersection of Reagan Street.

The plans and specifications for the installation of the Briggeman Drive Street Improvements Project (CIP 22/23-03) were approved by Council on 07/18/2022. Council approved the award of the bid to United Paving Co. on 09/19/2022. Construction began on 04/04/2023 due to

heavy rain during the winter months and was substantially complete by 05/05/23.

DISCUSSION

Work on this project is now complete and found acceptable by the City Engineer. Staff recommends acceptance of the work in conjunction with the processing of the Notice of Completion/Final Report and release of the retention as prescribed by the Public Contract Code.

FISCAL IMPACT

The project had a total funding budget of \$275,000.00 from the City's Street Improvement Fund.

The project was within the overall funding budget and came in at a total of \$182,297.10 for design, construction and inspection. During construction, there was a change-order that requested the contractor to install additional no parking signage, street/curb markings for clarity, and concrete sidewalk repairs. The breakdown of costs is below:

Construction Bid Price	\$133,930.00
Change Orders/Increased or Decrease	\$16,427.49
Quantities	
Advertisement, Design and Inspection	\$31,939.61
Total Project Price	\$182,297.10

Attachment: 1. Notice of Completion - Briggeman Dr Improvement (CIP 22/23-03)

RECORDING REQUESTED BY
AND MAIL TO:

City Clerk
City of Los Alamitos
3191 Katella Avenue
Los Alamitos, CA 90720

No Consideration

SPACE ABOVE THIS LINE FOR RECORDER

NOTICE OF COMPLETION

NO RECORDING FEE PURSUANT TO
GOVERNMENT CODE SECTION 6103

for

Los Alamitos Briggeman Drive Street Improvements Project (CIP 22/23-03)

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned are owners or corporate officers of the interest or estates stated below in property hereinafter described.
2. The full name of the owner is: City of Los Alamitos, 3191 Katella Avenue, Los Alamitos, CA 90720
3. The work consisted of :

The City of Los Alamitos hired a contractor for a street project related to widen portion of Briggeman Drive as part of the City's ongoing pavement management program. The project also replaced damaged curb & gutter and lifted sidewalk to correct drainage. ADA curb ramps and a commercial driveway were modified to current codes as necessary for accessibility. The project included the following streets:

4. The work was completed on 06/07/2023
5. The contractor was: United Paving Co.

Dated _____

Chris Kelley, City Engineer, City of Los Alamitos

VERIFICATION BY CORPORATION OWNER

STATE OF CALIFORNIA)
) SS
COUNTY OF ORANGE)

I, Chris Kelley, City Engineer of Los Alamitos, a Municipal Corporation, and that he executed the foregoing Notice of the aforesaid interest or estates in the property therein described; and verify on behalf of the City of Los Alamitos; that the contents thereof, and the the facts therein stated are true.

Chris Kelley, City Engineer

Dated: _____

City of Los Alamitos

CITY COUNCIL AGENDA REPORT

MEETING DATE: August 21, 2023

ITEM NUMBER: 12A

To: Mayor Tanya Doby & Members of the City Council

Presented By: Ron Noda, Development Services Director

Subject: Study Session and Resolution No. 2023-20 - Overruling the Orange County Airport Land Use Commission's Inconsistency Determination for the City's 6th Cycle Housing Element

SUMMARY

On January 19, 2023, the Orange County Airport Land Use Commission (ALUC) found the City's 6th Cycle (2021-2029) Housing Element Update to be inconsistent with the 2017 Joint Forces Training Base Los Alamitos Airport Environs Land Use Plan. On February 21, 2023, the City Council adopted Resolution 2023-04, providing notice of the City's intent to overrule the ALUC's determination. On July 17, 2023, the City Council conducted a Study Session and reviewed information related to ALUC's finding of inconsistency. Following a staff presentation and receipt of public testimony, the City Council continued the public hearing to tonight's regular meeting. The City Council will now consider adoption of a resolution overruling the ALUC's determination, which requires a four-fifths affirmative vote.

RECOMMENDATION

1. Conduct a Study Session; and,

2. Conduct the Public Hearing; and,

3. By a four-fifths affirmative vote, adopt Resolution No. 2023-20, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, MAKING FINDINGS THAT THE GENERAL PLAN 2021-2029 HOUSING ELEMENT UPDATE IS CONSISTENT WITH THE PURPOSES OF THE STATE AERONAUTICS ACT AND OVERRULING 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,

4. Authorize the City Manager to submit Resolution No. 2023-20 to the Orange County Airport Land Use Commission and the State Division of Aeronautics.

BACKGROUND

The Orange County Airport Land Use Commission (ALUC) is an advisory committee established by State Law in 1969. (Public Utilities Code §§ 21670 et seq.) The ALUC is intended to assist local agencies in ensuring compatible land uses in the vicinity of civilian and military airports. For Los Alamitos, ALUC adopted a land use compatibility plan, known

as the 2017 Airport Environs Land Use Plan (AELUP) for the Joint Forces Training Base Los Alamitos (JFTB), against which land use and planning proposals are compared and evaluated for consistency.

Public Utilities Code (PUC) Section 21676(b) requires the City to submit General Plans and General Plan amendments to the ALUC for an advisory consistency determination. In December, 2022, the City submitted the Housing Element to ALUC for review. On January 19, 2023, the ALUC determined that the Housing Element was "inconsistent" with the AELUP due to the following two reasons:

1. The ALUC asserted that noise levels in the 60 to 65 dBA range at Sites 6 (4655 Lampson Avenue) and 10 (5030-5084 Katella) were too high for residential development.
2. The ALUC asserted that Site 7 (Laurel Park) was adjacent to the Accident Potential Zone or Clear Zone for the airport.

The ALUC's January 19, 2023 agenda report is included as Attachment 1.

On February 21, 2023, the City Council adopted Resolution 2023-04, a Notice of Intent to Overrule the Airport Land Use Commission (ALUC) for Orange County Finding of Housing Element Inconsistency (Attachment 2). As described in that staff report and Resolution, the City made draft findings, based on additional facts and research, that the ALUC's determination was not appropriate, because the noise levels at Sites 6 and 10 are consistent with acceptable noise levels throughout the City for residential land uses; and because Site 7 is one mile from the nearest safety zone boundary for JFTB.

City staff sent the Notice of Intent to Overrule Resolution to both the ALUC and the California Department of Transportation Aeronautics Division (Caltrans), as required by PUC Section 21676(b), and provided them an opportunity to comment. Both ALUC and Caltrans provided comments, which are advisory only and are included in this report as Attachments 3 and 4.

On May 1, 2023, the California Department of Housing and Community Development (HCD) certified the City's Housing Element, finding the adopted housing element to be in substantial compliance with State Housing Element Law and capable of accommodating the City's Regional Housing Needs Allocation (RHNA) (Attachment 5).

On July 17, 2023, the City Council conducted a Study Session (Attachment 10) during an open Public Hearing to consider a possible overrule of the ALUC determination. The item had been noticed to the public through a 1/8th page Public Hearing Notice in the Event News Enterprise newspaper. Following a staff presentation and receipt of public testimony, the City Council continued the public hearing to tonight's regular meeting.

On August 14, 2023, the City Council received a letter from Johnson Aviation Consulting regarding ALUC Inconsistent Determination on 2021-2029 Housing Element (Attachment 11). On August 15, 2023, an anonymous flyer began circulating throughout the City with the title "The Stakes are high, and the time to act is now!" (Attachment 12). Since the flyer began circulation, City Hall has been receiving 15-20 phone calls a day requesting

additional information. At the time of agenda publication, Council had received over a dozen emails. All written correspondence will be available for review at the Council meeting and through the City Clerk's Office.

DISCUSSION

The following discussion, first presented at the July 17, 2023 Council Study Session, provides additional information stemming from Staff's research, which has been ongoing since February. This has been undertaken in consultation with the City's Housing Element consultant, a certified noise engineer with Rincon Consultants, Inc., (who provided a technical report attached as Attachment 6), staff with the State's Department of Housing and Community Development, and the Executive Officer of the Orange County Airport Land Use Commission.

As described above and in the background materials attached to this staff report, the ALUC determined the City's Housing Element inconsistent based on two issues: noise compatibility and safety. Each of these issues is discussed individually below.

Noise

In order to regulate the impacts of noise throughout the City, as indicated in the staff report of February 21, the City relies on its General Plan policies and the Building Code, which are all consistent with ALUC's Land Use Plan. Specifically, the City allows residential development in areas where the noise levels are 65 dBA or less, based on Growth Management Element Policy 3.5; and requires that interior noise levels be 45 dBA consistent with the California Building Code, Title 24. In order to assure that the City's policies were not resulting in a negative impact to residents, the City consulted with a noise engineer (Attachment 6), and considered other scientific sources of information that describe noise levels and their impacts on people.

Basics of Noise

Some basic information about noise levels frames the determination of significance relating to noise:

- Noise can be made by stationary sources (air conditioning units) or moving sources (street traffic).
- Noise levels are reduced by distance, and obstructions, such as buildings, berms or walls.
- Noise can be measured in several ways, but the most common measurement for noise levels in cities' General Plans is the Community Noise Equivalent Level (CNEL), which is the average noise level over a 24 hour period, which is weighted to account for the quieter noise environment which occurs in the evening and night time.
- The City's acceptable noise standard for residential uses is 65 dBA CNEL, or an average of 65 dBA over a 24 hour period.
- For comparison, typical conversation is about 60 dBA; a blender is 80-90 dBA; a leaf blower is 110 dBA; and a jet engine taking off is 150 dBA.
- Continued exposure to high noise levels can damage people's hearing and health.

ALUC Noise Standard

Although ALUC's own land use compatibility plan considers residential uses to be "Conditionally Consistent" in Zone 2, in which Sites 6 and 10 are located, it nevertheless finds the Housing Element inconsistent with its own policies. Based on ALUC's analysis, the potential hazard is associated with interior noise levels, which must be 45 dBA CNEL in order to be acceptable. As described below, a reduction to 45 dBA CNEL is also required by the City's Building Code.

The ALUC standard is consistent with the City's, which allows residential uses to occur in areas up to 65 dBA exterior, and 45 dBA interior. There is no evidence that the occasional overflights from JFTB result in excessive and incompatible noise levels, since the sites occur in a Conditionally Consistent zone and do not exceed 65 dBA.

In addition, as pointed out in the Rincon letter (Attachment 6), other ALUCs have not included restrictions at all for the 60 to 65 dBA zone for smaller airports, such as the Torrance and Hawthorne Municipal Airports in Los Angeles County, and the Oxnard Airport in Ventura County.

Current Noise Environment in the City

Because of its urban environment, the City has higher noise levels. Based on noise studies conducted for the General Plan, noise levels next to City streets where residential units already occur are higher than either the City's recommended standard of 65 dBA CNEL, or ALUC's preference for 60 dBA CNEL, as shown in the Table below.

City of Los Alamitos Ambient Noise Levels

Roadway	Segment	Noise Level (CNEL)
Los Alamitos Boulevard	Farquhar Avenue to Orangewood Avenue	76.1
Katella Avenue	I-605 to Los Alamitos Boulevard	78.3
Cerritos Avenue	Los Alamitos Boulevard to Bloomfield Street	71.1

Source: Los Alamitos 2015.

These are not the only areas where noise levels are higher than 60 to 65 dBA. For example, the area around Site 10 is fully developed with residential units, homes along Bloomfield, north of Cerritos have noise levels of 68.6 dBA CNEL, and homes along Los Alamitos south of Katella have noise levels of 76.0 dBA CNEL.

As previously noted, these noise levels are reduced by distance and obstructions, such as walls, landscaping and homes, so that the living environment in back yards, and within the homes themselves, are lower. These and other locations in the City experience higher noise levels than either Site 6 or 10 will experience, which ALUC predicts will be between 60 and 65 DBA, prior to mitigation such as walls, landscaping or building construction.

Noise Reduction

As described above, the City's noise standard is that residential uses should not be located in areas where the noise levels are over 65 dBA, unless a higher noise level can be reduced. These reductions can be made by using setbacks; walls, which can reduce noise by 5 dBA. Standard home construction will reduce noise levels by 10 dBA with windows open, and 20 dBA with windows closed. So a home which is adjacent to a street that generates a noise level of 70 dBA would reduce its outdoor noise to 65 dBA by building a 6 foot solid wall, and its interior noise level to 45 dBA by building with standard construction which includes air conditioning, allowing windows to stay closed.

Attachment 6 also provides a list, on its page 8, of a number of mitigation measures which are available to assure that noise levels are reduced.

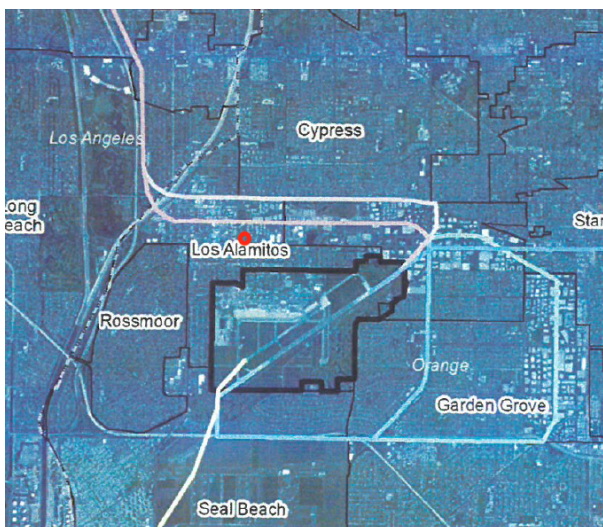
The City requires the preparation of noise impact analyses for all residential projects which are located in noisy environments, to demonstrate that noise levels can be reduced to 65 dBA CNEL exterior, and 45 dBA CNEL interior. As described above, these studies can reduce higher noise levels through mitigation to meet these requirements, and would need to be prepared for Sites 6 and 10 as part of any entitlement application. Therefore, the City has mechanisms in place to assure that any development, including development at Sites 6 and 10, will have an acceptable noise environment for residents who move into potential projects at these sites.

Noise Summary

The City's already adopted noise standards and requirements for mitigation assure that the impacts of noise associated with airport operations can remain consistent with both the ALUC's and the City's noise standards. As such, the ALUC's finding of inconsistency with the Airport Land Use Plan is not supported and the findings for overrule can be made.

Safety

With regard to safety, the only Housing Element Site identified by ALUC as having a safety hazard was Site 7 (Laurel Park). The ALUC identified it as being adjacent to the north departure path of JFTB. In its response of March 28, the ALUC further stated that Site 7 is under the flight path ("pink line") for the airport.



These assertions or findings, however, are incorrect. Site 7 is located north of the accident safety zone for JFTB, which occurs entirely within the airport boundary. Furthermore, it is not located under the flight path, denoted by the pink line, as shown in the graphic (also see Attachment 7 for a larger version of this graphic), where the park is identified by the red dot.

The ALUC determined that Site 7 was inconsistent because it represented a safety hazard – because it was adjacent to a Clear Zone in its January staff report (Attachment 1), and because it was below a flight path in its March response to the City’s Notice (Attachment 3). In both instances, as shown above, the findings are incorrect; Site 7, the only Site identified by ALUC as having a safety hazard, is neither in the accident safety zone nor under the flight path for the JFTB.

Therefore, the ALUC’s determination of incompatibility based on protecting the public from safety hazards is not supported and findings overruling ALUC’s determination can be made.

Conclusion

As described above, the Orange County ALUC based its determination that the City’s Housing Element was inconsistent with the AELUP on faulty assumptions. The City has provided extensive background and facts to support a determination of consistency with the ALUC Land Use Plan as it relates to both noise and safety.

It is also important to note that several issues arise if the City does not overrule the ALUC:

1. The Department of Housing and Community Development (“HCD”) could de-certify the City’s approved Housing Element, because without the ability to effectively process and consider development proposals for Sites 6, 7 and 10, it can be demonstrated that the City has not identified sufficient sites to meet its RHNA. This could result in a number of undesirable consequences, such as:

- A. If de-certified, the City would not be able to prevent the development of high-density affordable housing projects even if the proposed developments are inconsistent with the City’s Zoning Code under the so called “Builder’s Remedy” provisions of the Housing Accountability Act. This would not be limited to the sites identified in the Housing Element, but to any site in the City.

- B. The City would need to find alternative locations for the 396 units assigned to Sites 6, 7 and 10. This would effectively upzoning other areas of the City for higher residential density that have already absorbed the remaining units that have been assigned to the City through the RHNA process.

2. Pursuant to PUC Section 21676.5, the City would be required to submit to all land use actions, regulations, and permits to ALUC for review and approval. This authorization extends beyond the Sites identified in the Housing Element and would substantially delay City processing of any land use entitlements or building permits. In effect, the City would be delegating its authority to make land use determinations to an outside body (see July 12, 2023 correspondence from ALUC, Attachment 8).

The Cities of Newport Beach, Irvine, Costa Mesa, and Seal Beach recently overruled the ALUC related to John Wayne Airport and JFTB respectively after the ALUC issued similar findings of inconsistency. An action overruling the ALUC inconsistency determination would allow the City to oversee local land use development to the maximum extent possible while retaining its Housing Element certification from the HCD. Failure to do so is likely to result in de-certification of the Housing Element, and in the loss of state grant funding, exposure to increased legal challenges, and loss of local control over land use decisions and building permits.

Findings for the overrule of the ALUC inconsistency determination are set forth in the proposed resolution included as Attachment 9.

FISCAL IMPACT

None.

- Attachment:
1. ALUC Staff Report, January 19, 2023
 2. City Council Staff Report, February 21, 2023
 3. ALUC Response, March 28, 2023
 4. Caltrans Response, March 29, 2023
 5. Housing and Community Development Housing Element Compliance Letter, May 1, 2023
 6. Rincon Consultants, June 26, 2023
 7. Site 7 Location Map
 8. ALUC Correspondance, July 12, 2023
 9. Resolution No. 2023-20 - Overrule ALUC
 10. City Council Staff Report (less attachments), July 17, 2023
 11. Johnson Aviation Inc. Letter, August 14, 2023
 12. Unanimous Flyer, August 15, 2023

Regular City Council Agenda - August 21, 2023
Item 12A

ATTACHMENT 1



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

AGENDA ITEM 1

January 19, 2023

TO: Commissioners/Alternates

FROM: Lea U. Choum, Executive Officer

SUBJECT: City of Los Alamitos Request for Consideration of Draft Housing Element Update (2021-2029)

Background

The City of Los Alamitos has submitted its 2021-2029 Housing Element Update ("Update") for a consistency review. The Update identifies and analyzes the City's existing and projected housing needs and contains goals, policies, objectives, and programs to address those needs. The City's Housing Element was last updated in February 2014, which covered the years 2014 to 2021. It was not submitted to ALUC for a consistency determination.

The Housing Element is one of the seven mandatory elements of the General Plan. Section 65583 of the Government Code sets forth the specific requirements of a jurisdiction's housing element. Included in these requirements are obligations of local jurisdictions to provide for their "fair share" of the regional housing needs. This fair share is determined through the Regional Housing Needs Assessment (RHNA) process which in Orange County is facilitated by the Southern California Association of Governments (SCAG). For the 2021 to 2029 planning period, the City of Los Alamitos was allocated a total of 769 housing units, including 194 for very low-income, 119 for low-income, 145 for moderate-income, and 311 for above-moderate income households.

The City of Los Alamitos surrounds and includes Joint Forces Training Base (JFTB) - Los Alamitos and the entire city is within the Notification/Planning Area (Attachment 1). The Draft Housing Element includes fourteen sites which could accommodate up to 1,295 units. The site locations and detailed information regarding each site is shown in Attachment 2. Sites one through four are existing Mixed Use sites and are currently zoned for Mixed Use. Sites 6 through 10 are currently in non-residential use and would require a change in General Plan Land Use designation as well as Zoning Code changes. Site 11 is currently designated as Multi-Family, but the Zoning would have to change to accommodate additional units. The two sites of most concern are Site 6 at 4655 Lampson Avenue, and Site 10 at 5030-5084 Katella. Both of these sites are in close proximity to the Base and within the 60 CNEL contour.

The City has submitted the Draft Housing Element Update to California Housing and Community Development (HCD) and has held/scheduled the following public hearings:

Planning Commission
City Council

December 14, 2022
January 24, 2023

AEUP for JFTB Los Alamitos Issues

Regarding Aircraft Noise Impacts

As stated above, the Draft Housing Element Update includes two new housing sites within the 60 dB CNEL as defined in the *Airport Environs Land Use Plan (AEUP) for JFTB Los Alamitos* (See Attachment 3). Site 6 is located at 4655 Lampson Avenue and could accommodate up to 310 housing units, and Site 10 located at 5030-5084 Katella could accommodate up to 108 units.

The *AEUP for JFTB Los Alamitos* states that residential uses within the 60 dB CNEL/Noise Impact Zone 2 is “Normally Consistent,” but that the “noise impact in this area is sufficient to require sound attenuation as set forth in the California Noise Insulation Standards, Title 25, California Code of Regulations.” The Commission strongly recommends that residential units be limited or excluded from this area unless sufficiently sound attenuated. The AEUP states, “the residential use interior sound attenuation requirement shall be a CNEL value not exceeding an interior level of 45 dB. In addition, it is recommended that all designated outdoor common or recreational areas within Noise Impact Zone 2 provide outdoor signage informing the public of the presence of operating aircraft.”

The City’s Public Facilities and Safety Element includes the following discussion regarding noise:

“The Airport Environs Land Use Plan (AEUP) is a land-use compatibility plan that describes the effects of aircraft noise on surrounding areas. Land uses within the airport planning area boundaries are required to conform to noise restrictions established in the AEUP. Figure 6 shows the 60 and 65 dBA CNEL noise contours from the AEUP.”

In addition, the City’s Growth Management Element includes the following policies:

Policy 3.5 New residential units. Do not approve the construction of new residential units within the 65 dBA CNEL noise contour for the JFTB.

Policy 3.6 JFTB noise contours. Require the use of JFTB noise contours to ensure new development is compatible with the noise environment.

Policy 3.7 Deed disclosure notice. Provide notice of airport in the vicinity where residential development is being proposed within the 60 dBA CNEL noise contours

for the Growth Management Element March 2015 Los Alamitos General Plan 6 JFTB. Require that the following language be included as part of the Deed Disclosure Notice.

Please note that as part of the submittal to ALUC, the City included exhibits from the 2021 JFTB Los Alamitos noise assessment. Attachment 4 is the finalized JFTB Los Alamitos Aircraft Noise Zone exhibit which was incorporated into the California Installation Compatible Use Zone Study (ICUZ) in March of 2022. The report assessed noise levels associated with both current and projected aircraft operations (including the California Army National Guard projected increase in aircraft operations over the next 10 years) and resulted in expanded noise contours. Please refer Attachment 5 which shows the JFTB Los Alamitos noise zones from the 2015 ICUZ study for comparison purposes.

Regarding Height Restrictions

All of the City's proposed housing sites are within the Federal Aviation Administration (FAA) Federal Aviation Regulations (FAR) Part 77 Obstruction Imaginary Surfaces for JFTB Los Alamitos (Attachment 6). The horizontal obstruction imaginary surface for JFTB Los Alamitos is at an elevation of 182.4 feet above mean sea level (AMSL). Transitional, approach and conical surfaces vary in elevation and are addressed below for the proposed Housing Element sites.

Proposed housing Sites 1 through 4B are designated as Town Center Mixed Use (TCMU) and will remain TCMU. According to the City's Zoning Code, the TCMU zone has a maximum height of 60 feet. Sites 6 through 10 are sites that would change from non-residential (Commercial & Institutional and Retail Business) to residential uses (R4), and Site 11 would remain in multi-family residential use but change from R3 to R4. The City's Draft Housing Element states that this would "require the creation of a new zoning designation, R-4" ... and "the height limits would be increased to allow higher rise buildings." Current maximum building heights allowed by the City's Zoning Code for residential districts vary from 30 to 35 feet above ground level (AGL). The City has identified in its Update submittal that development heights are, and will continue to be, consistent with the JFTB imaginary surfaces restrictions to ensure public safety.

The City's Public Facilities and Safety Element includes height restrictions as follows:

"To ensure the safe operation of aircraft activity at the JFTB, structures anywhere in Los Alamitos or Rossmoor should not exceed the applicable elevations defined in the Federal Aviation Regulations (FAR), Part 77 (Objects Affecting Navigable Air Space). This height restriction is 88 to 200 feet above ground level based on proximity to the runway.

Current zoning standards do not permit development higher than 70 feet in Los Alamitos or Rossmoor. Nevertheless, all developments are subject to FAR Part 77 noticing requirements and must file the necessary form(s) with the City's Community

Development department, the County's Planning division, and the Orange County Airport Land Use Commission."

Additionally, the City's Growth Management Element includes the following policies:

Policy 3.1 Land use compatibility. Approve development and require mitigation measures to ensure existing and future land use compatibility as shown in the City's Noise Ordinance, the Land Use and Noise Compatibility Matrix, the State Interior and Exterior Noise Standards, and the Airport Environs Land Use Plan (AELUP) for the JFTB.

Policy 3.2 Federal Aviation Regulation Part 77. Do not approve buildings and structures that would penetrate Federal Aviation Regulation (FAR) Part 77 Imaginary Obstruction Surfaces for JFTB, Los Alamitos unless found consistent by the Airport Land Use Commission (ALUC). Additionally, in accordance with FAR Part 77, required applicants proposing buildings or structures that penetrate the 100:1 Notification Surface to file a Form 7460-1 Notice of Proposed Construction or Alteration with FAA and provide a copy of the FAA determination to the City and the ALUC for Orange County.

Policy 3.3 Structures above 200 feet. For development projects that include structures higher than 200 feet above existing grade, the City shall inform the ALUC and submit materials to the ALUC for review. Proposed projects that would exceed a height of 200 feet above existing grade shall be required to file Form 7460-1 with the Federal Aviation Administration (FAA).

Provided below is the height review for the proposed sites. At their current maximum allowable heights, none of the proposed housing sites penetrate the imaginary surfaces for JFTB, Los Alamitos.

Sites 1-4B – Maximum Combined 467 Units

With approximate ground elevations of 21 feet, and horizontal and conical surfaces ranging from 182.4 feet to 225 feet AMSL, Sites 1 through 4B would not penetrate the imaginary surfaces with the zoning code maximum height of 60 feet for the TCMU zone.

Site 6 - Maximum 310 Units

The approximate ground elevation for Site 6 is approximately 20 feet AMSL and the horizontal imaginary obstruction surface would be penetrated at 182.4 feet AMSL. The City's maximum building height of 35 feet for residential zones would not penetrate the imaginary surface in this location. The property on Lampson Avenue has been sold to a developer and is actively being planned for redevelopment for housing. The City has received a proposal from the developer for 248 residential units including 77 affordable units on the 12.4-acre property.

Site 7 - Maximum 72 Units

Laurel Park has an approximate ground elevation of approximately 23 feet AMSL and the horizontal imaginary obstruction surface would be penetrated at 182.4 feet AMSL. The City's

maximum building height of 35 feet for residential zones would not penetrate the imaginary surface in this location.

Site 8 - Maximum 115 Units

The 3191 Katella/City Hall property has an approximate ground elevation of 19 feet AMSL. The conical surface at this location would be penetrated at approximately 250 feet AMSL. The City's maximum building height of 35 feet would not penetrate the imaginary surface in this location.

Site 9 - Maximum 180 Units

The 4142 Cerritos Avenue site has an approximate ground elevation of 19 feet AMSL. The conical surface at this location would be penetrated at approximately 191 feet AMSL. The City's maximum building height of 35 feet would not penetrate the imaginary surface in this location.

Site 10 - Maximum 108 Units

Tue 5030-5084 Katella Laurel Park site has an approximate ground elevation of approximately 27 feet AMSL and the horizontal imaginary obstruction surface would be penetrated at 182.4 feet AMSL. The City's maximum building height of 35 feet for residential zones would not penetrate the imaginary surface in this location.

Regarding Safety

JFTB Los Alamitos has established Clear Zones (also referred to as a Runway Protection Zones). These Clear Zones are trapezoidal areas located at each end of the runway (as shown on Attachment 3). Clear Zones are limited primarily to airport and open space uses. No buildings intended for human habitation are permitted in Clear Zones. The Clear Zones for JFTB Los Alamitos are completely within the JFTB boundaries.

Aircraft operations at JFTB include use of both fixed wing aircraft and helicopters. General flight route information for JFTB Los Alamitos is provided in Attachment 7. These exhibits were prepared for JFTB in conjunction with an Environmental Assessment in June 2021 and for ICUZ in 2022, and are included for informational purposes only. The Site 7 (Laurel Park) would be adjacent to the north departure path.

Regarding Heliports

The development of heliports is not proposed within the Housing Element Update, therefore consistency with the *AELUP for Heliports* was not reviewed.

Environmental

On November 1, 2021, ALUC staff sent a comment letter to the City regarding the NOI to Adopt a Negative Declaration for the Housing Element Update. It is included as Attachment 8.

Conclusion

Attachment 9 to this report contains the submittal letter and Housing Element Submittal Form and Checklist received from the City of Los Alamitos. The Housing Element Update and supporting documents are also available on the City's website at:

<http://cityoflosalamitos.org/375/Housing-Element>

ALUC staff has reviewed this project with respect to compliance with the *AELUP for JFTB Los Alamitos*, including review of noise, height and safety. The locations of Site 6 and Site 10 are in close proximity to JFTB-Los Alamitos, and the proposed land use designation of the two sites would allow for 418 new residential units, where there are currently none. These sites would be changing from the non-residential to residential uses and are both located within the 60 CNEL noise contour for JFTB-Los Alamitos. Site 7 would add up to 72 units adjacent to the north departure path subjecting future residents to noise and safety issues.

Recommendation

That the Commission find the proposed City of Los Alamitos 2021-2029 Housing Element Update Inconsistent with the *AELUP for JFTB Los Alamitos* per:

1. Section 2.1.1 Aircraft Noise, that the "aircraft noise emanating from airports may be incompatible with general welfare of the inhabitants within the vicinity of an airport."
2. PUC Section 21674, (as referenced in Section 1.2 of the *AELUP for JFTB Los Alamitos*) which states that the Commission is charged by PUC Section 21674(a) "to assist local agencies in ensuring compatible land uses in the vicinity of ...existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses," and PUC Section 21674(b) "to coordinate planning at the state, regional and local levels so as to provide for the orderly development of air transportation, while at the same time protecting the public health, safety and welfare."
3. General Land Use Policies in Section 3.2.1 which states that "within the boundaries of the AELUP, and land use may be found to be Inconsistent with the AELUP which (1) Places people so that they are affected adversely by aircraft noise and (2) Concentrates people in areas susceptible to aircraft accidents."

Respectfully submitted,

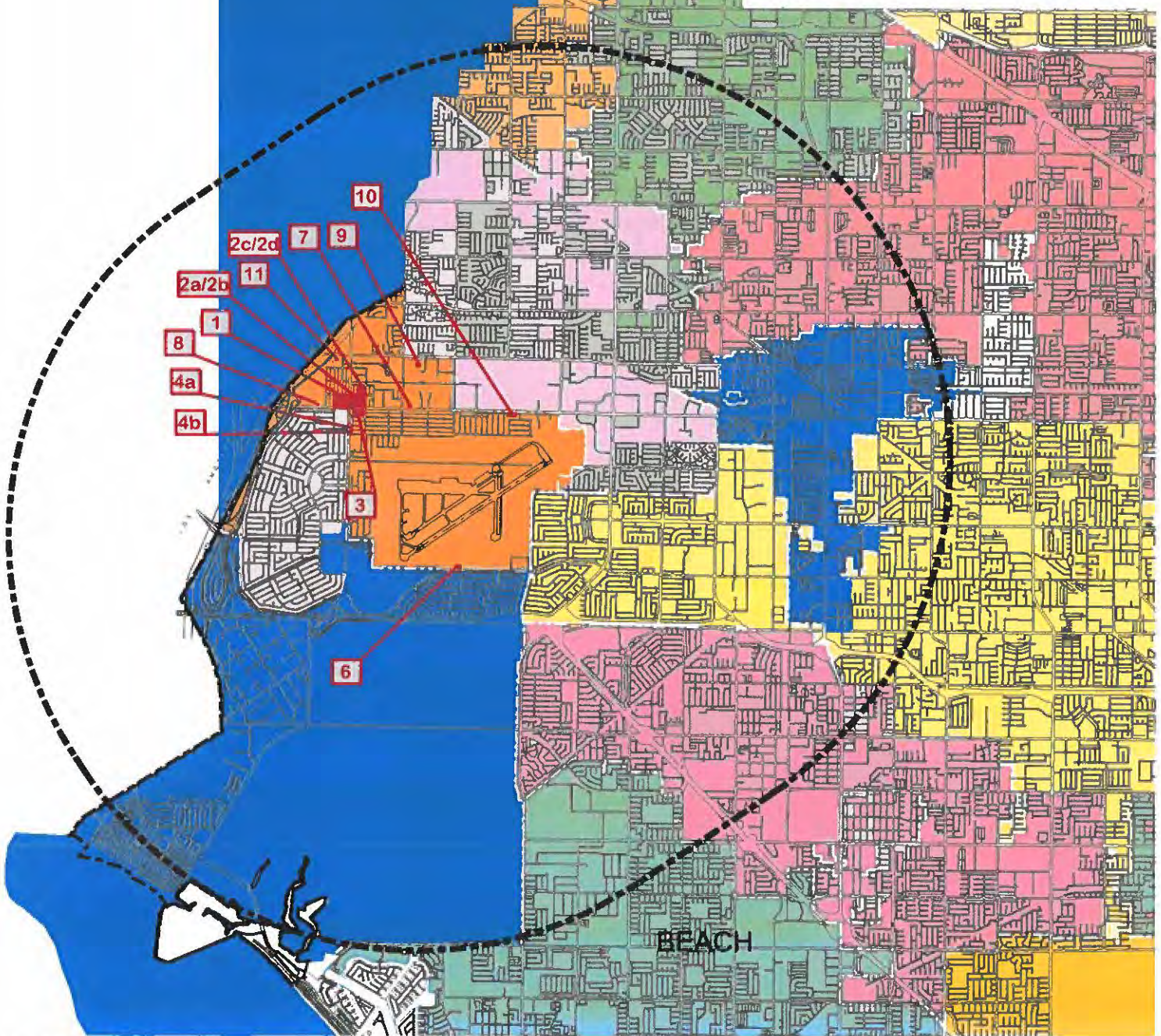


Lea U. Choum
Executive Officer

Attachments:

1. Notification Area for JFTB Los Alamitos
2. Site Inventory Map and Table
3. Impact Zones/Noise Contours for JFTB Los Alamitos
4. 2022 JFTB Los Alamitos Noise Zones
5. 2015 JFTB Los Alamitos Noise Zones
6. Housing Sites in relation to JFTB Obstruction Imaginary Surfaces
7. JFTB Los Alamitos Flight Patterns
8. ALUC November 1, 2001 Letter to Los Alamitos Regarding Negative Declaration
9. City of Los Alamitos Letter and Submittal Form

**Los Alamitos Housing
Element 2021-2029
Approximate Site Locations**



Note: County Unincorporated areas are shown in white.

FAR PART 77

Notification Area for JFTB Los Alamitos: 20,000' Radius at 100:1 Slope



LEGEND

- 20,000' Radius
- CITY BOUNDARIES

Adopted by

ATTACHMENT 1

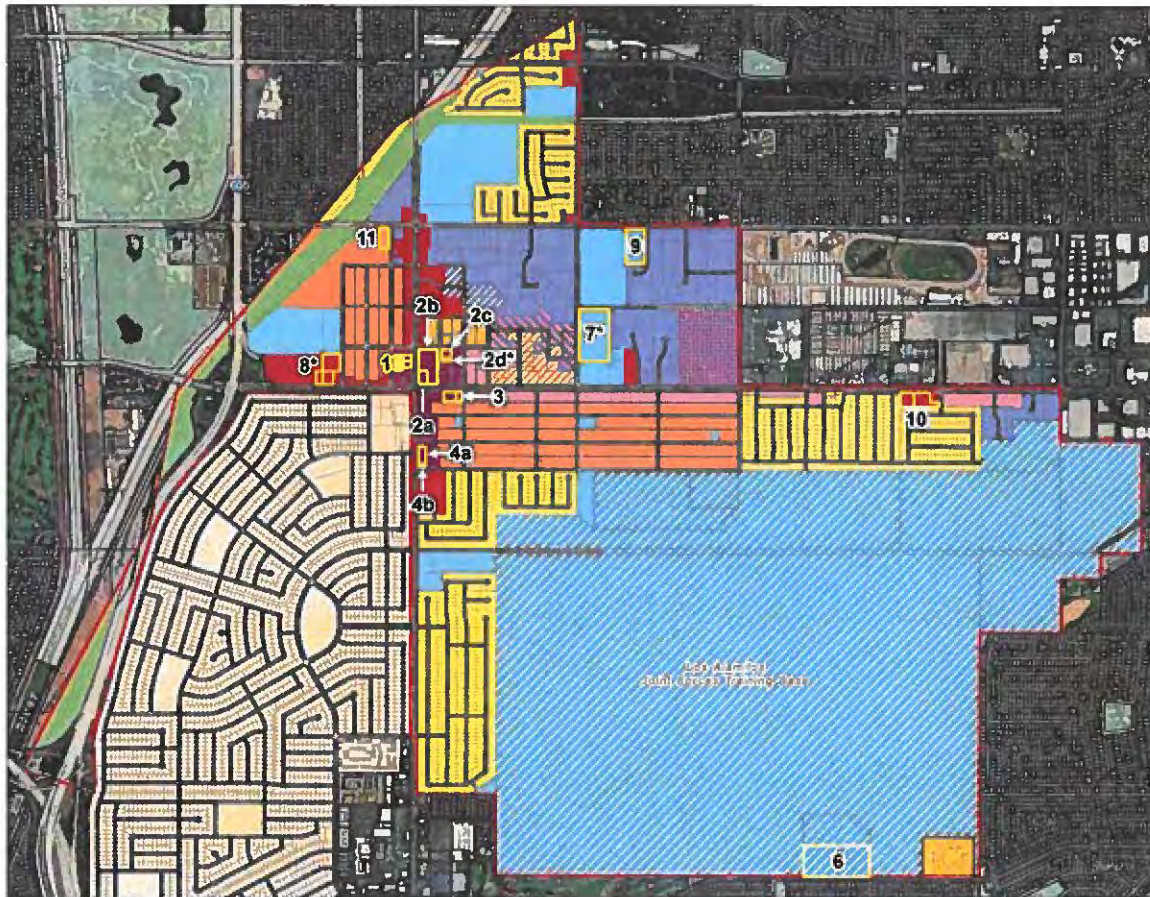
ity

Lea Choum, Executive Officer

Date



Figure B-1. Location of Sites Inventory



ii. **Realistic Capacity**

The City has seen a significant interest in redevelopment for multi-family housing in various locations, including the Old Town West and Apartment Row neighborhoods as discussed below in subsection c. Additional Underutilized Land. The pressure for residential development in the region, combined with older, under-utilized commercial projects, has resulted in considerable developer interest and at multiple developed locations, including sites listed in Table B-2 and elsewhere in the City:

- As described above, the City currently has an application in process for site 6, which includes 77 lower income units. In addition, the developer of this project is actively negotiating with the land owner of site 9, a church organization, for the purchase of the land for residential development.
- The City has met with an experienced housing developer who would like to develop a mixed use (housing and commercial) project on site 7. Negotiations are just

Table B-2
Sites Inventory and Projected Units

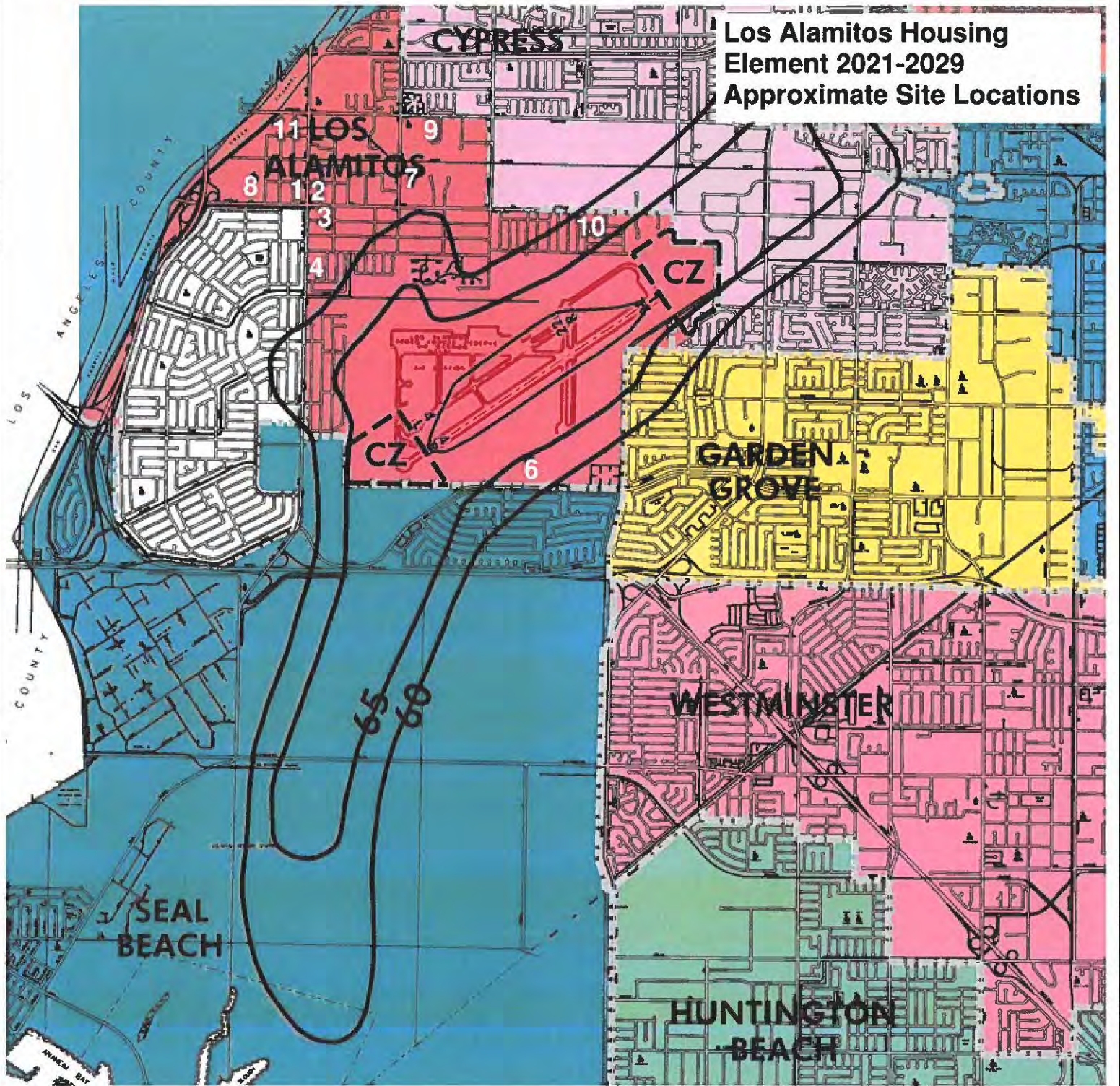
Sites Description

Site ID	APN	Address	Acres	Existing GP	Existing Zoning	Proposed Zoning	Projected Density	Max# Units
1	242-203-27	10909 Los Alamitos Blvd	0.85	Mixed Use	TCMU	TCMU	60	86
	242-203-28	10877 Los Alamitos Blvd	0.58	Mixed Use	TCMU	TCMU	60	
2a	242-171-02	10956 Los Alamitos Blvd	0.68	Mixed Use	TCMU	TCMU	60	41
2b	242-171-07	10900 Los Alamitos Blvd	3.1	Mixed Use	TCMU	TCMU	60	186
2c	242-172-01	10900 Pine Street	0.48	Mixed Use	TCMU	TCMU	60	29
2d*	242-172-02	10902 Pine Street	0.17	Mixed Use	TCMU	TCMU	60	10
3	222-091-01	11021 Reagan Street	0.35	Mixed Use	TCMU	TCMU	60	63
	222-091-21	3636 Katella Avenue	0.7	Mixed Use	TCMU	TCMU	60	
4a	222-093-12	11182 Los Alamitos Blvd	0.74	Mixed Use	TCMU	TCMU	60	44
4b	222-093-13	11232 Los Alamitos Blvd	0.13	Mixed Use	TCMU	TCMU	60	8
* 6	130-012-35	4655 Lampson Ave	12.4	Community & Institutional	C-F	R3	20	310
7	241-241-35	Laurel Park	2 of 4	Community & Institutional	C-f	R4	30	72
8	242-212-11 242-212-08 242-212-10	3191 Katella/City Hall	3.2	Retail Business	C-G	R4	30	115
9	241-251-14	4142 Cerritos Ave	5	Community & Institutional	C-F	R4	30	180
* 10	222-181-01 222-181-02	5030-5084 Katella	3	Retail Business	C-G	R4	30	108
11	242 222 06	3370 Cerritos Ave	1.2	Multi-Family	R3	R4	30	43
								1,295 Total

* Sites located within the 60 dB CNEL

 Sites with proposed new land use designations (Zoning Code Change required)

Table adapted from: City of Los Alamitos website January 2023
Administrative Draft Housing Element 2021-2029 Appendix B Residential Land Resources
<https://cityoflosalamitos.org/375/Housing-Element>



Note: County Unincorporated areas are shown in white.

Los Alamitos Impact Zones Joint Forces Training Base

LEGEND

- 60- CNEL CONTOUR
- RUNWAY PROTECTION ZONE
- CITY BOUNDARIES

Scale in Feet

Adopted

ATTACHMENT 3

County

Kari Rigoni Executive Officer

Date

Page 299 of 535

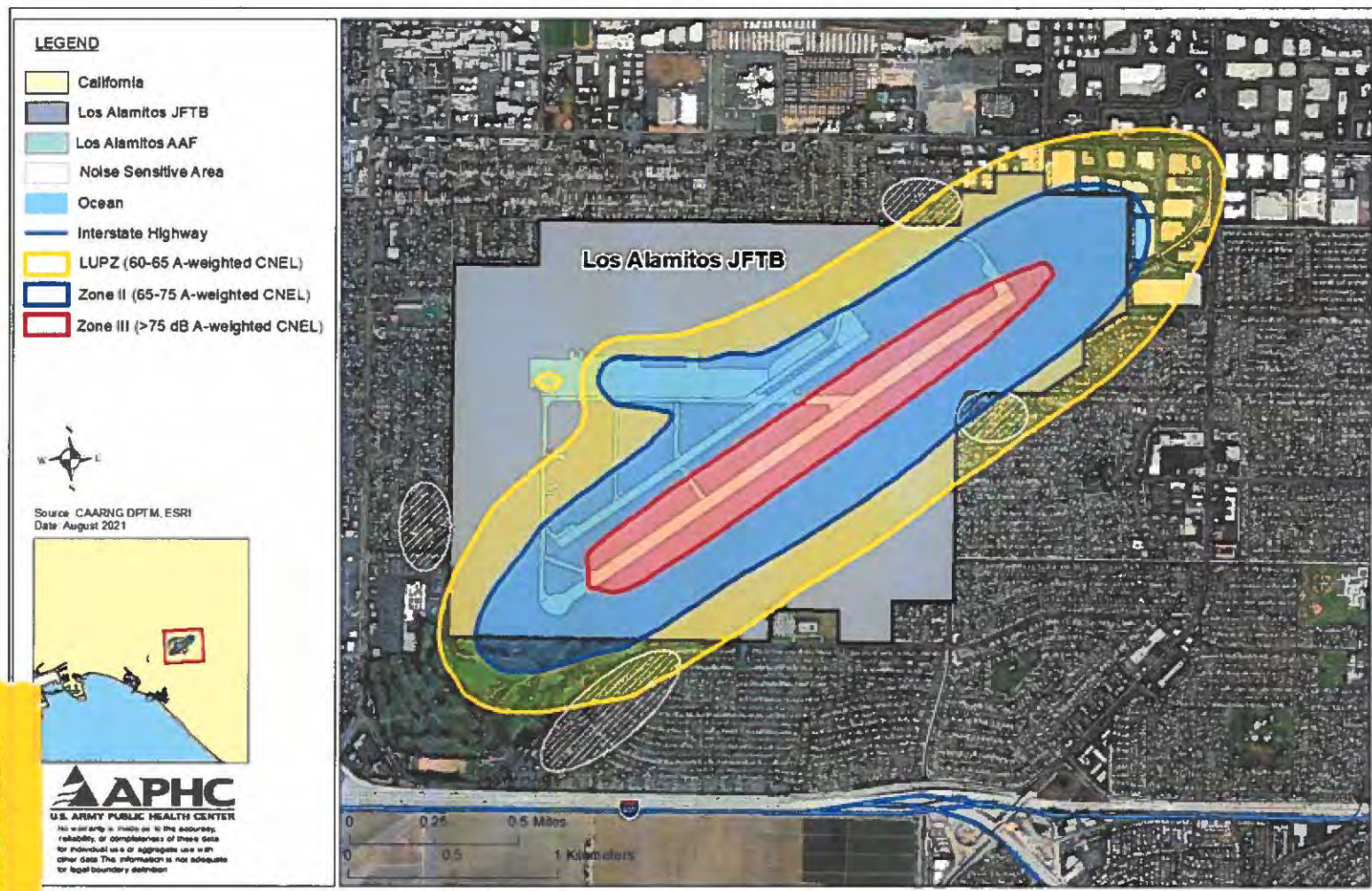


Figure 4-3 Los Alamitos JFTB Aircraft Noise Zones (A-weighted CNEL)

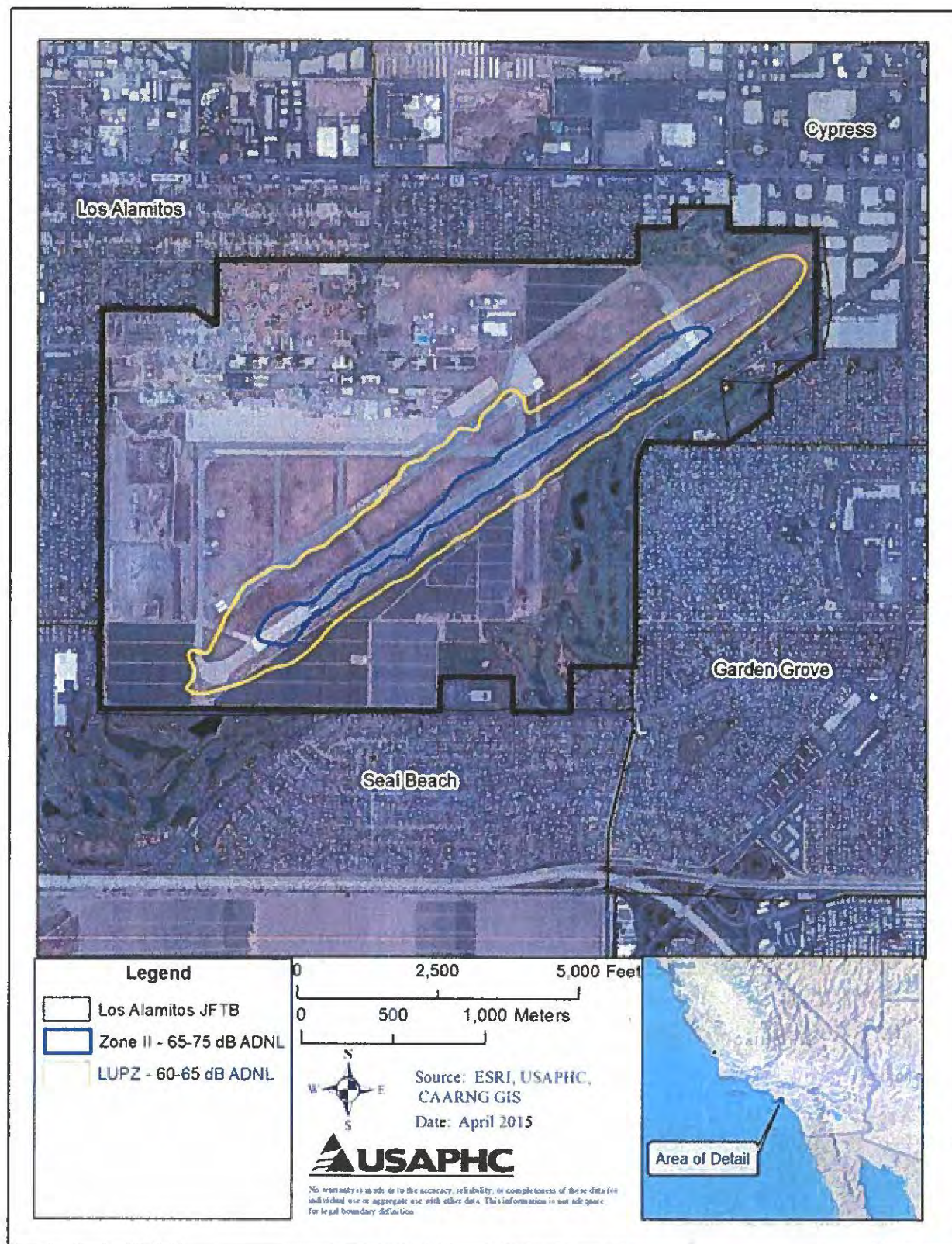
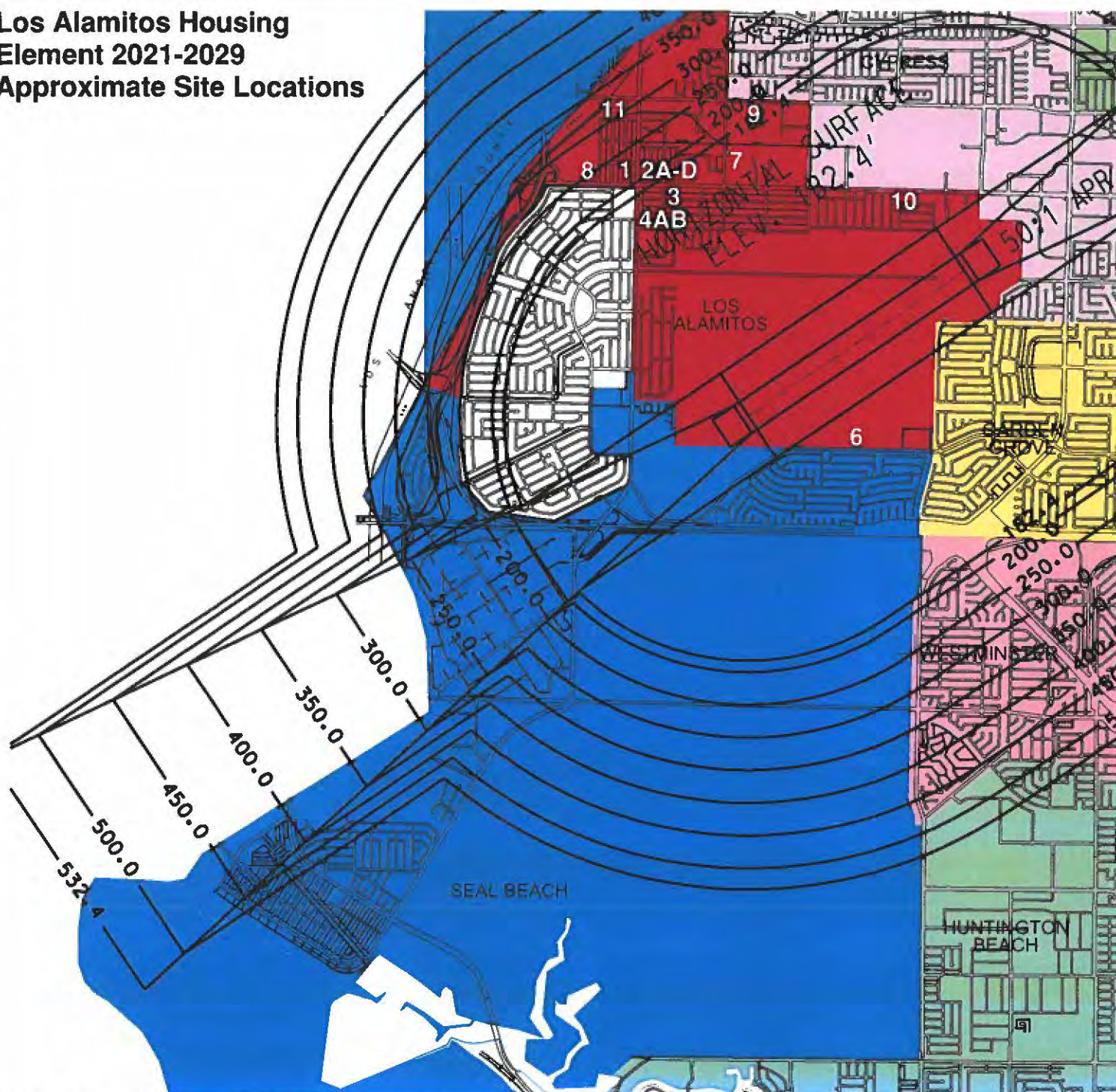


Figure 7-5. LAAAF Aircraft ADNL Noise Zones

ATTACHMENT 5

Los Alamitos Housing Element 2021-2029 Approximate Site Locations



FAR PART 77



 20,000' Radius
 CITY BOUNDARIES

ATTACHMENT 6

Security

Date _____

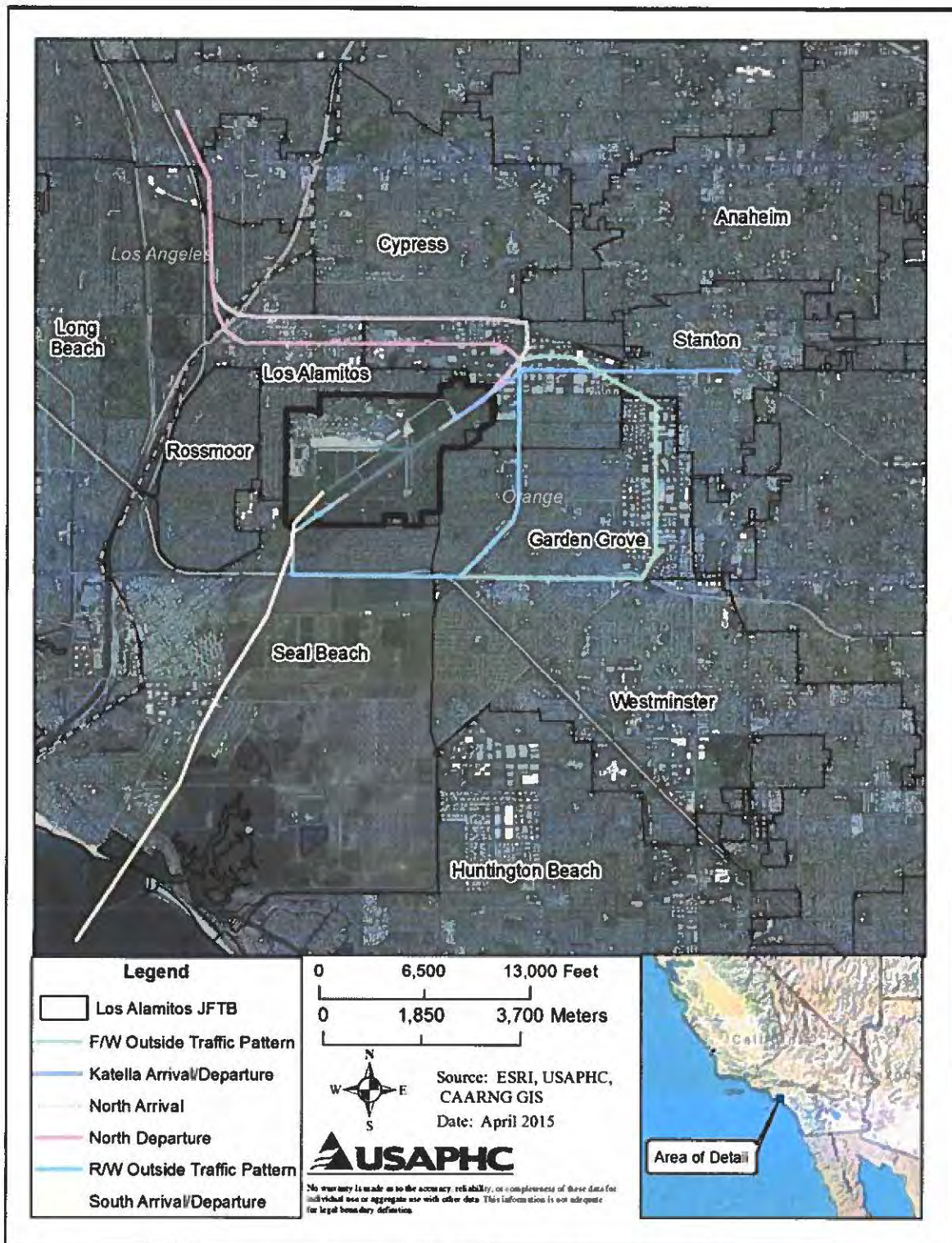


Figure 3-1. JFTB Los Alamitos Flight Routes

ATTACHMENT 7



Figure 4-2 Los Alamitos Joint Forces Flight Tracks



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

November 1, 2021

Tom Oliver, Associate Planner
City of Los Alamitos
3191 Katella Avenue
Los Alamitos, CA 90720-5600

Subject: NOI to Adopt Negative Declaration (ND) for Los Alamitos Housing Element Update (2021-2029)

Dear Mr. Oliver:

Thank you for the opportunity to review the City of Los Alamitos Initial Study to adopt a Negative Declaration for the proposed Housing Element Update in relation to the *Airport Environs Land Use Plan (AELUP) for Joint Forces Training Base, Los Alamitos*. The City of Los Alamitos is located within the Federal Aviation Administration (FAA) Federal Aviation Regulation (FAR) Part 77 Notification Area (also known as the airport planning area) and within the Obstruction Imaginary Surfaces. Also, a part of the City is located within the noise contours for JFTB, Los Alamitos.

The Draft Housing Element includes a site inventory assessment, which identifies sites that can achieve the City's assigned 2021 Regional Housing Needs Assessment (RHNA) for the 2021-2029 planning period. The Draft Element identifies three focus areas for residential development:

- Town Center Mixed Use Strategic Plan Area
- Lampson Site
- Arrowhead Site

The proposed site inventory includes new sites within the Notification Area, which requires submittal to the Airport Land Use Commission for a consistency review. The Draft Housing Element also proposes new residential sites within the conical and horizontal obstruction imaginary surfaces for JFTB, Los Alamitos. The ND should discuss the maximum building heights allowed for the three focus areas. With respect to building height restrictions, development proposals, which include the construction or alteration of structures more than 200 feet above ground level, require filing with the Federal Aviation Administration (FAA) and ALUC notification. Projects meeting this threshold must comply with procedures provided by Federal and State law, with the

ATTACHMENT 8

referral requirements of ALUC, and with all conditions of approval imposed or recommended by FAA and ALUC including filing a Notice of Proposed Construction or Alteration (FAA Form 7460-1). Depending on the maximum building heights that will be allowed per the proposed Housing Element Update, the City may wish to incorporate a mitigation and condition of approval specifying the 200 feet height threshold within the ND and proposed Housing Element.

As discussed in the ND, the Lampson site is partially within the 60 CNEL noise contour. Per the *AELUP for JFTB, Los Alamitos* it is strongly recommended that residential units be limited or excluded from this area unless the sound attenuation provided is sufficient to ensure that interior noise levels do not exceed 45 dBA.

In addition, the ND should identify if the project allows for the development of heliports as defined in the *Airport Environs Land Use Plan (AELUP) for Heliports*. Should the development of heliports occur within your jurisdiction, proposals to develop new heliports must be submitted through the City to the ALUC for review and action pursuant to Public Utilities Code Section 21661.5. Proposed heliport projects must comply fully with the state permit procedure provided by law and with all conditions of approval imposed or recommended by FAA, by the ALUC for Orange County and by Caltrans/Division of Aeronautics. The ND should address whether the development of heliports will be allowed within the City's jurisdiction.

A referral by the City to the ALUC is required for this project due to the location of the proposal within an AELUP Planning Area and due to the nature of the required City approvals (i.e. Housing Element Update) under PUC Section 21676(b). With respect to project submittals, please note that the Commission requests that referrals be submitted to the ALUC for a determination between the Local Agency's Planning Commission and City Council hearings. Since the ALUC meets on the third Thursday afternoon of each month, complete submittals must be received in the ALUC office by the first of the month to ensure sufficient time for review, analysis, and agendaing. The Housing Element Submittal form can be found at:

<https://www.ocair.com/about/administration/airport-governance/commissions/airport-land-use-commission/>

Thank you for the opportunity to comment on this initial study. Please contact Julie Fitch at (949) 252-5284 or jfitch@ocair.com if you have any questions.

Sincerely,



Lea Choum
Executive Officer



CITY OF
Los Alamitos
California

3191 Katella Avenue
Los Alamitos, CA 90720-5600
Telephone: (562) 431-3538
FAX: (562) 493-1255
www.cityoflosalamitos.org

December 8, 2022

RECEIVED

DEC 13 2022

Lea Choum - Executive Officer
Airport Land Use Commission for Orange County
3160 Airway Avenue
Costa Mesa, CA 92626

AIRPORT LAND USE COMMISSION

SUBJECT: Housing Element Update

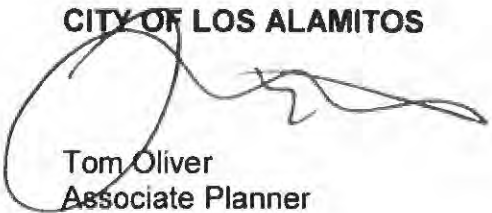
Hi Lea,

It was great talking with you a few weeks back. Attached, is a copy of the City's draft Housing Element for your review. You saw a draft of this document that you responded to last year. I have attached the submittal form and ancillary documents as well. Thank you so much for having the Commission look over the document.

I thank you for the opportunity to work with you on this proposed project. If you have any questions, please contact me at (562) 431-3538, ext. 303 or via e-mail at: toliver@cityoflosalamitos.org.

Sincerely,

CITY OF LOS ALAMITOS


Tom Oliver
Associate Planner

ATTACHMENT 9



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

HOUSING ELEMENT UPDATE - SUBMITTAL FORM

1. City/County: Los Alamitos/County
2. Contact information - Name/Title Click or tap here to enter text.
Agency: City of Los Alamitos
Address: 3191 Katella Avenue
Phone/email: 562-431-3538
3. Airport Planning Area(s):
☐ John Wayne Airport ☐ Fullerton Municipal Airport ☒ Joint Forces Air Base Los Alamitos
4. Are there additional General Plan Element(s) being submitted for review: ☒ No ☐ Yes –
Name of Elements: Click or tap here to enter text
5. Scheduled date of Planning Commission Public Hearing: 12/14/2022
6. Tentative date of City Council Public Hearing: 1/24/2023
7. Requested month of ALUC Review: 1/19/2023
(Complete submittal must be received by the first day of the month for the next meeting on the third Thursday of the month).
8. Does the Housing Element Update identify new housing sites within the airport Notification/Planning Area*? ☐ No (skip items # 9-12). ☒ Yes (continue below).
9. Does the Housing Element Update identify new housing sites within the: ☒ 60 CNEL or ☐ 65 CNEL Noise Contours of the airport(s)*? Please attach an exhibit showing location(s) of proposed housing sites and number of units in relation to noise contours.
10. Are noise policies or mitigation measures identified in the Housing Element or elsewhere in the General Plan? ☐ No ☒ Yes - Please attach pages with noise policies/mitigation measures highlighted.
11. Are any new housing sites identified within the Runway Protection Zone (RPZ), Clear Zone (CZ), or Airport Safety Zones of the airport*? ☒ No ☐ Yes - Please attach exhibit showing location(s) of proposed housing site(s) and number of units in relation to the applicable zones.
12. Are any new housing sites identified within the Obstruction Imaginary Surfaces*? ☒ No ☐ Yes - Please attach an exhibit showing location(s) of proposed housing sites and number of units in relation to the Obstruction Imaginary Surfaces.
13. Maximum height allowed for proposed housing. 35
(Please provide link and identify section(s) of General Plan and/or Zoning Code where housing maximum height is specified.)

Continued on reverse side.

HOUSING ELEMENT UPDATE - SUBMITTAL CHECKLIST

- ☒ Cover letter on City/County letterhead.
- ☒ Completed Submittal Form.
- ☒ Copy of existing Housing Element (and any other applicable Elements).
- ☒ Copy of proposed Housing Element Update attached (and any other proposed elements) with requested information highlighted.
- ☒ Exhibit showing location(s) of proposed housing sites and number of units within the Notification Area/Planning Area for airport.
- ☒ Exhibit showing location(s) of proposed housing sites, and how many units for each, in relation to noise contours for airport(s).
- ☒ Noise policies/mitigation measures in Housing Element Update highlighted and/or pages from other elements attached.
- ☒ Exhibit showing location(s) of proposed housing sites, and how many units for each, in relation to Airport Safety Zones.
- ☒ Exhibit showing location(s) of proposed housing sites, and how many units for each, in relation to the Obstruction Imaginary Surfaces.
- ☒ Pages of General Plan and/or Zoning Code which indicate height restrictions for each new housing site within Airport Notification/Planning Area.
- ☒ Explanation of how the Housing Element Update (or other General Plan Elements) addresses the AELUP standards for noise impact, safety compatibility, and height restriction zones: It acknowledges the noise zones and explains the mitigation for that is in using appropriate building materials and construction practices.

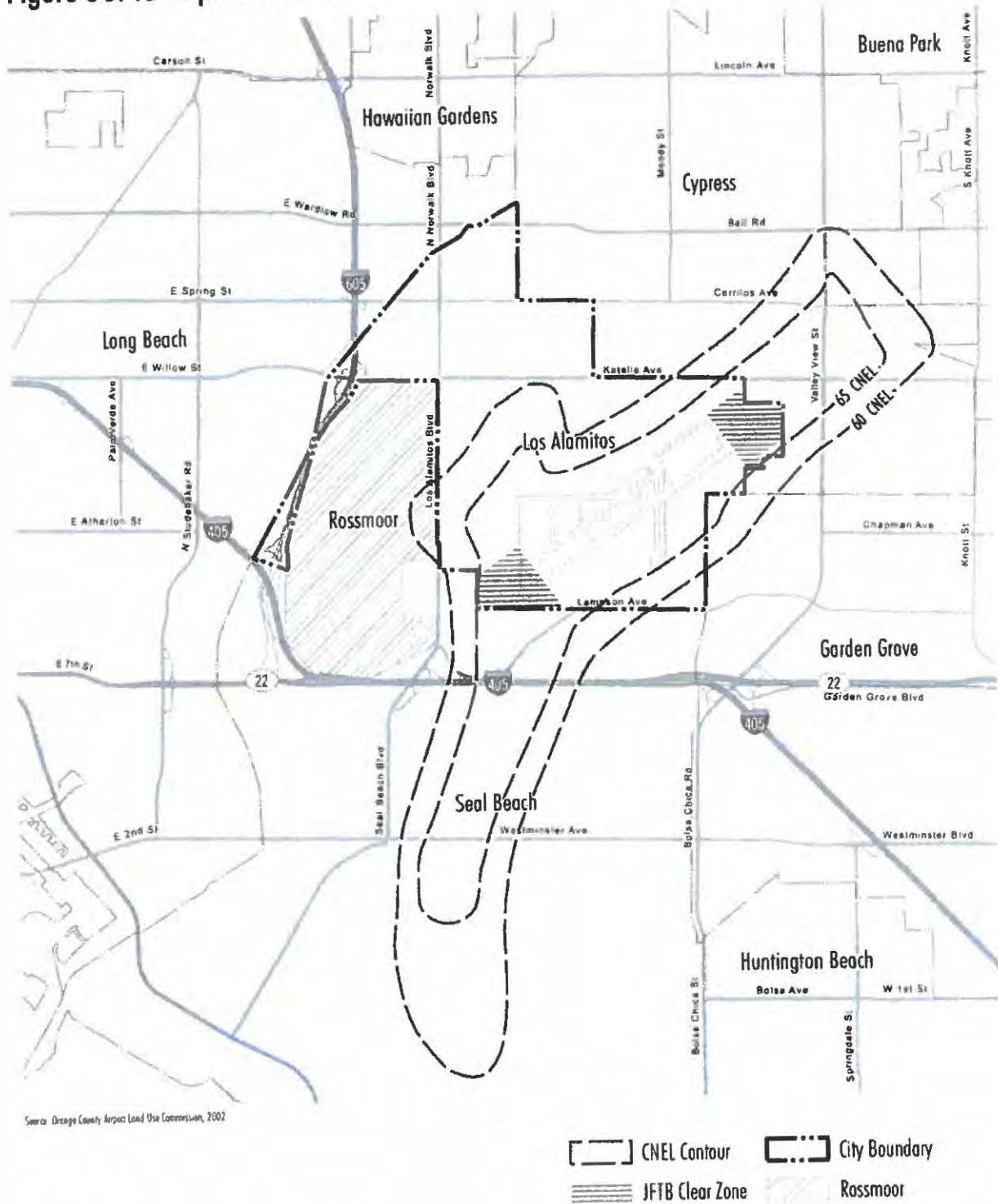
***For airport planning/notification areas, noise contours, safety zones and obstruction imaginary surfaces see Appendix D of the applicable Airport Environs Land Use Plan (AELUP) at:**
<https://www.ocair.com/about/administration/airport-governance/commissions/airport-land-use-commission/>

*Mail or Email Submittal Form, Checklist and attachments to: Airport Land Use Commission for Orange County,
 Attn: Executive Officer, 3160 Airway Avenue, Costa Mesa, CA 92626 / Phone: (949) 252-5170
ALUCinfo@ocair.com*

GENERAL PLAN

Public Facilities and Safety Element

Figure 6 JFTB Impact Zones



INITIAL STUDY FOR HOUSING ELEMENT

3.13 NOISE

Background

The noise environment in the City is typical of an urban community, with primary noise sources including traffic on Interstate-605, major arterials, mechanical equipment such as heating/ventilation/air conditioning (HVAC) units, commercial loading and unloading operations, and parking lot activity. In Los Alamitos, both fixed-wing aircraft and helicopters operate from The Joint Forces Training Base (JFTB), which generate aircraft noise on areas immediately next to the base and flight paths.

Would the project result in:

- a) **Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**
- b) **Generation of excessive ground borne vibration or ground borne noise levels?**
- c) **For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

No Impact. The adoption of the Housing Element Update will have no impact on noise. The future development of housing will be required to analyze noise impacts as part of the CEQA and building permit processes. All sites identified for future housing in the inventory are located in urban areas and adjacent to existing development. Typical noise sources include roadways and railroad, and stationary sources such as typical commercial and residential activities and landscaping equipment. The City will require the preparation of site-specific noise studies to assess impacts from roadway noise, as appropriate. Should noise levels at future housing sites require mitigation, there are a variety of means such as noise attenuation walls, setback from roadways, and landscape buffers which the City imposes through the development review process.

Housing redevelopment projects in the future may create temporary noise sources. The City's Municipal Code imposes noise standards and limits construction hours to the less sensitive day time hours (Municipal Code Chapter 17.20). Individual projects will be reviewed under CEQA to determine whether their construction will have adverse noise impacts on neighboring land uses.

The nearest public-use airport to the City is Long Beach Airport, approximately 3.4 miles to the west. The City is outside of the noise contours of Long Beach Airport (LACALUC 2017). The nearest private-use airport is the Joint Forces Training Base (JFTB) on the southeast side of the City. Most sites in the Site Inventory are outside of the 60/65-CNEL noise contours established for JFTB (OCALUC 2017), except the Lampson site which is partially within the 60-CNEL noise contour but completely outside the 65-CNEL noise contour. The State of California provides noise standards through the California Building Code, which establishes standards for residential construction practices and building materials to ensure that interior noise levels do not exceed 45 dBA. Future housing projects will be subject to CBC requirements and thus meet the City noise standards of 45 dBA at night and 55 dBA during the day for residential uses (General Plan Public Facilities and Safety Element Table 3). Therefore, the Housing Element Update would not subject people onsite to excessive noise levels from aircraft approaching or departing Long Beach Airport or JFTB.

Mitigation Measures and Monitoring: None required.

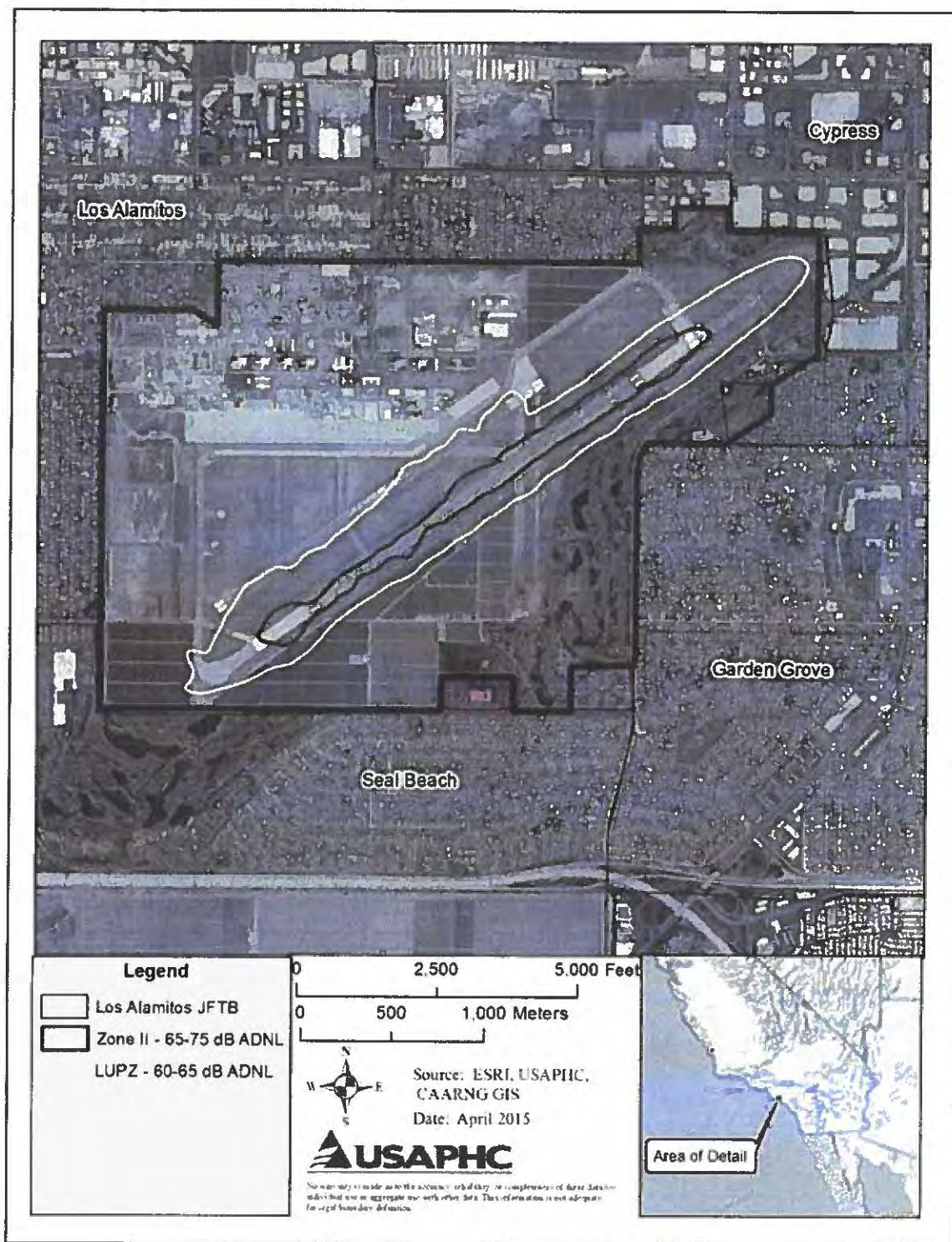


Figure 7-5. LAAAF Aircraft ADNL Noise Zones

JFTB NOISE ASSESSMENT

Environmental Health Sciences, Environmental Noise Consultation Update No. S.0064236b-20,
1 June 2020



Figure 1. Baseline Los Alamitos Army Airfield Noise Zones

JFTB NOISE ASSESSMENT

Environmental Health Sciences, Environmental Noise Consultation Update No. S.0064236b-20,
1 June 2020

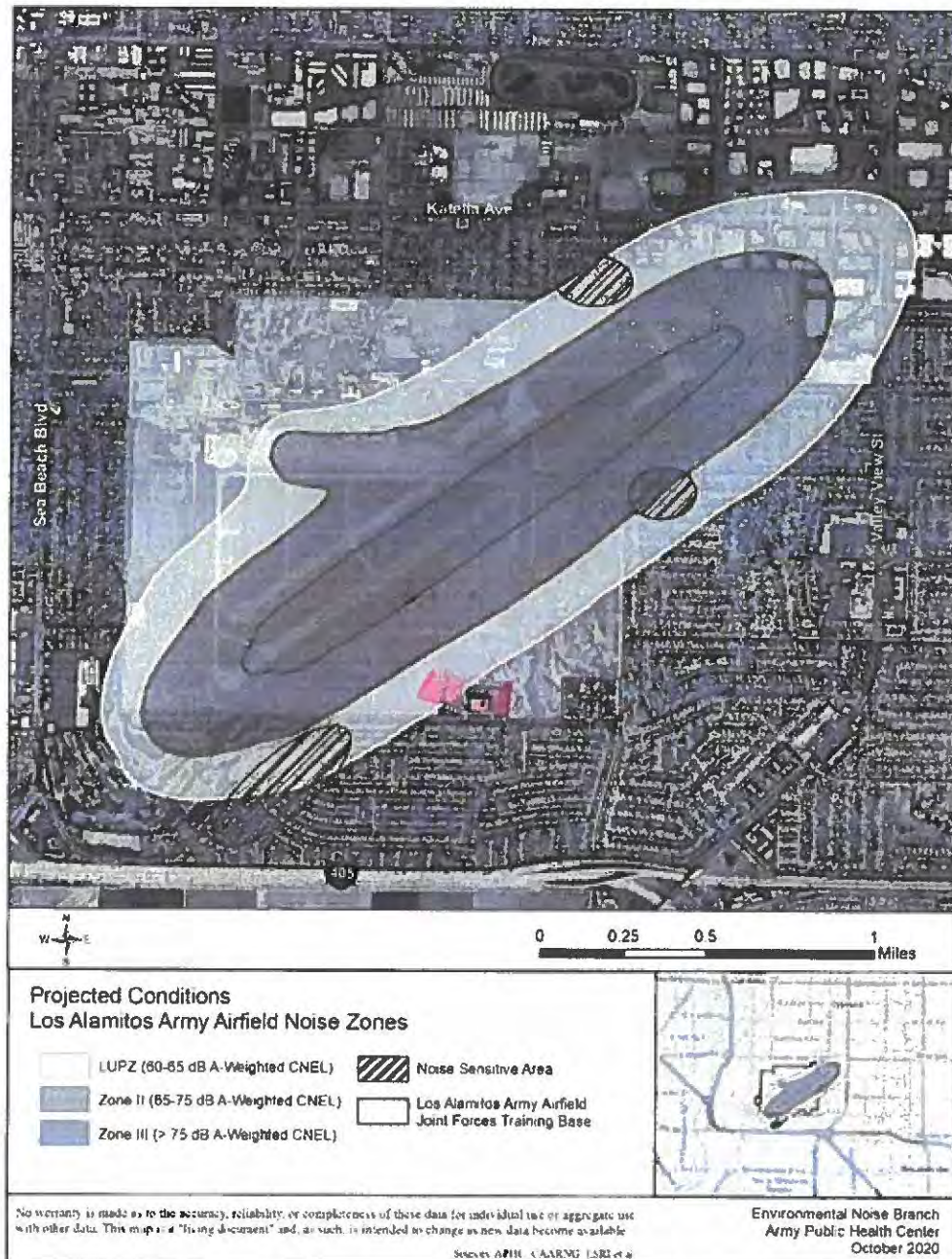


Figure 2. Projected Los Alamitos Army Airfield Noise Zones

Housing Element



Housing Element Residential Land Resources **AB**

Site 9 is currently occupied by a church, and is for sale. The City will apply R4 zoning to the 5 acre property, which would generate a mix of affordable and market rate units, including 20 units for lower income households and 40 units for moderate income households. The balance of the project would allow up to 90 units of housing available to above moderate income households.

Site 10 is currently occupied by a commercial development, and consists of 3 acres. The site will be rezoned to R4, and is expected to develop as a mixed income project, to include 10 lower income units, 15 moderate income units and 65 above moderate income units.

Site 11 is currently occupied by market housing, but is planned for redevelopment. The site will be rezoned from R3 to R4, and will provide up to 30 moderate income units.

As set forth in Policy Action 4.4, the City will enforce the units designated in Sites 5a-5b and 6 to meet RHNA per Table B-2 and Figure B-1 as future projects are proposed on these sites. Proposals that include fewer units than designated will not be approved by the City unless alternative sites are identified. The City has seen a significant interest in the redevelopment of these sites for the development of housing.

Table B-2
Sites Inventory and Projected Units

Sites Description

Site ID	APN	Address	Acres	Existing GP	Existing Zoning	Proposed Zoning	Projected Density
1	242-203-27	10909 Los Alamitos Blvd	0.85	Mixed Use	TCMU	TCMU	60
	242-203-28	10877 Los Alamitos Blvd	0.58	Mixed Use	TCMU	TCMU	60
2a	242-171-02	10956 Los Alamitos Blvd	0.68	Mixed Use	TCMU	TCMU	60
2b	242-171-07	10900 Los Alamitos Blvd	3.1	Mixed Use	TCMU	TCMU	60
2c	242-172-01	10900 Pine Street	0.48	Mixed Use	TCMU	TCMU	60
2d*	242-172-02	10902 Pine Street	0.17	Mixed Use	TCMU	TCMU	60
3	222-091-01	11021 Reagan Street	0.35	Mixed Use	TCMU	TCMU	60
	222-091-21	3636 Katella Avenue	0.7	Mixed Use	TCMU	TCMU	60
4a	222-093-12	11182 Los Alamitos Blvd	0.74	Mixed Use	TCMU	TCMU	60
4b	222-093-13	11232 Los Alamitos Blvd	0.13	Mixed Use	TCMU	TCMU	60
6	130-012-35	4655 Lampson Ave	12.4	Community & Institutional	C-F	R3	20



Housing Element Residential Land Resources



SRe ID	APN	Address	Acres	Existing GP	Existing Zoning	Proposed Zoning	Projected Density
7	241-241-35	Laurel Park	2 of 4	Community & Institutional	C-f	R4	30
8	242-212-11 242-212-08 242-212-10	3191 Katella/City Hall	3.2	Retail Business	C-G	R4	30
9	241-251-14	4142 Carritos Ave	5	Community & Institutional	C-F	R4	30
10	222-181-01. 222-181-02	5030-5084 Katella	3	Retail Business	C-G	R4	30
11	242-222-06	3370 Carritos Ave	1.2	Multi-Family	R3	R4	30

Projected Units

Site ID	Maximum Units	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Units for RHNA
1	86	7	4	5		16
2a	41	2	2	2		6
2b	186	32	9	22		63
2c	29	11	8	9		28
2d	10	4	3	3		10
3	63	3	4	4		11
4a	44	2	3	2		7
4b	8	1		1		2
6	248	38	39		171	248
7	60	30	20	10		60
8	96	50	30	16		96
9	150	10	10	40	90	150
10	90	10		15	65	90
11	36			30		30
Total	1147	200	132	159	326	817
RHNA	769	194	119	145	311	769
Surplus Capacity	-	6	13	14	15	48

DRAFT HOUSING ELEMENT

3

Housing Element

Housing Resources and Constraints

iv. Fire Hazards

The City of Los Alamitos contracts with the Orange County Fire Authority for fire protection and emergency medical services. The local fire station in Los Alamitos is located at 3642 Green Avenue. The fire station houses three Fire Captains, three Engineers, and three Firefighters. Additional resources are also available from 77 Orange County Fire Stations, the City of Long Beach, and Los Angeles County. Due to the low density character of the community and sparse wildland areas in the City, the wildland fire hazard is considered to be insignificant or low. The inventory sites are not located in or near state responsibility areas or Very High Fire Hazard Severity Zones as classified by the California Department of Forestry and Fire Protection.

v. Noise

The existing noise environment surrounding the City of Los Alamitos is influenced primarily by transportation related noise sources. These transportation related noise sources include traffic noise from nearby roadways (i.e., I-605, Katella Avenue and Los Alamitos Boulevard) and aircraft noise from the Joint Forces Training Base (JFTB). Stationary noise sources include air conditioning units, power generators, air compressors, school bells, and power equipment. The City of Los Alamitos General Plan has traffic noise contours for assessing the compatibility of residential uses with transportation related noise sources. The City has also adopted a Noise Ordinance that sets criteria for residential areas impacted by stationary noise sources, including "not to exceed" noise levels for various periods of time and regulations for special activities.

Most sites listed in the Sites Inventory are outside of the 60/65-CNEL noise contours established for JFTB, except the Site 6 which is partially within the 60-CNEL noise contour but completely outside the 65-CNEL noise contour. The City enforces California Building Code's standards for residential construction practices and building materials to ensure that interior noise levels do not exceed 45 dBA. Future housing projects will be subject to CBC requirements and thus meet the City noise standards of 45 dBA at night and 55 dBA during the day for residential uses as set forth in the General Plan.

b. Infrastructure Constraints

i. Water

The Golden State Water Company owns and operates the extensive network of water lines that serves Los Alamitos. The water system supply sources include a mixture of groundwater from the Orange County Groundwater Basin and imported water from the

GENERAL PLAN

Goal 3: Development that is consistent with the Airport Environs Land Use Plans for the Joint Forces Training Base and Orange County Heliports.

Policy 3.1 can also be found in the Public Facilities and Safety Element as Policy 4.1.

Policy 3.1 Land use compatibility. Approve development and require mitigation measures to ensure existing and future land use compatibility as shown in the City's Noise Ordinance, the Land Use and Noise Compatibility Matrix, the State Interior and Exterior Noise Standards, and the Airport Environs Land Use Plan (AELUP) for the JFTB.

Policy 3.2 Federal Aviation Regulation Part 77. Do not approve buildings and structures that would penetrate Federal Aviation Regulation (FAR) Part 77 Imaginary Obstruction Surfaces for JFTB, Los Alamitos unless found consistent by the Airport Land Use Commission (ALUC). Additionally, in accordance with FAR Part 77, required applicants proposing buildings or structures that penetrate the 100:1 Notification Surface to file a Form 7460-1 Notice of Proposed Construction or Alteration with FAA and provide a copy of the FAA determination to the City and the ALUC for Orange County.

Policy 3.3 Structures above 200 feet. For development projects that include structures higher than 200 feet above existing grade, the City shall inform the ALUC and submit materials to the ALUC for review. Proposed projects that would exceed a height of 200 feet above existing grade shall be required to file Form 7460-1 with the Federal Aviation Administration (FAA).

Policy 3.4 Heliport/helistop approval and requirements. Approve the development of a heliport or helistop only if it complies with the AELUP for Heliports. Ensure that each applicant seeking a conditional use permit or similar approval for the construction or operation of a heliport or helistop complies fully with the state permit procedure provided by law and with all conditions of approval imposed or recommended by the FAA, by Orange County ALUC, and by Caltrans/Division of Aeronautics. This requirement shall be in addition to all other City development requirements.

Policy 3.5 New residential units. Do not approve the construction of new residential units within the 65 dBA CNEL noise contour for the JFTB.

Policy 3.6 JFTB noise contours. Require the use of JFTB noise contours to ensure new development is compatible with the noise environment.

Policy 3.7 Deed disclosure notice. Provide notice of airport in the vicinity where residential development is being proposed within the 60 dBA CNEL noise contours for the

GENERAL PLAN

JFTB. Require that the following language be included as part of the Deed Disclosure Notice:

NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

**Regular City Council Agenda - August 21, 2023
Item 12A**

ATTACHMENT 2

City of Los Alamitos

CITY COUNCIL AGENDA REPORT

MEETING DATE: February 21, 2023

ITEM NUMBER: 10M

To: Mayor Tanya Doby & Members of the City Council

Presented By: Michael Daudt, City Attorney

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

SUMMARY

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.

BACKGROUND

The Orange County Airport Land Use Commission ("ALUC") is an advisory committee established by State Law. (Public Utilities Code §§ 21670 et seq.). The ALUC is intended to assist local agencies in ensuring compatible land uses in the vicinity of civilian and military airports. This is done primarily through their adoption of a land use compatibility plan, known as the Airport Environs Land Use Plan ("AELUP") for the Joint Forces Training Base Los Alamitos ("JFTB"), against which land use and planning proposals are compared and evaluated for consistency. The AELUP includes a variety of information designed to help development surrounding the JFTB be compatible with the airport use, including heights, noise, and general safety.

Public Utilities Code (“PUC”) Section 21676(b) requires the City to submit General Plans and General Plan amendments to the ALUC for a consistency determination. On December 14, 2023, following a duly noticed public hearing, the Planning Commission voted to recommend City Council approval of the General Plan Housing Element Update 2021-2029 6th Cycle (“Housing Element Update”). Thereafter, City staff submitted the Housing Element Update to ALUC for a consistency determination.

DISCUSSION

ALUC Determination

The ALUC reviewed the proposed Housing Element Update on January 19, 2022. A copy of the ALUC agenda report is included as Attachment 1. City staff attended the meeting, and answered questions from the ALUC commissioners, primarily related to the potential housing sites identified at 4655 Lampson Avenue (Site 6) and 5030-5084 Katella (Site 10). After review and discussion, the ALUC voted 5-1 to find the Housing Element Update inconsistent with the AELUP based on noise, safety, and general concerns of land use incompatibility with the ALUC’s purposes and responsibilities, which are more broadly described below. The ALUC’s determination letter is included as Attachment 2.

Aircraft Noise Impacts

The AELUP uses the Community Noise Equivalent Level (CNEL) system for measuring noise impacts, which is a weighted average of noise over time. The potential housing sites identified at 4655 Lampson Avenue (Site 6) and 5030-5084 Katella (Site 10) are within the 60-65 dBA CNEL noise contour. The AELUP defines the noise exposure in the 60-65 dBA CNEL noise contour (Noise Impact Zone 2) as “Moderate Noise Impact” and in the 65-70 dBA CNEL noise contour (Noise Impact Zone 1) as “High Impact.” (AELUP Sections 3.2.3, 3.2.4.) Residential uses are identified as “conditionally consistent” for the 60-65 dBA CNEL noise contour and “normally inconsistent” for the 65-70 dBA CNEL noise contour (AELUP Section 3, Table 1 “Limitations on Land Use Due to Noise”). The City’s established policy is that residential units are not to be approved within the 65-70 dBA CNEL noise contour of the airport (Growth Management Element, Policy 3.5). Therefore, the City’s policy and the AELUP are consistent, and allow development of residential units in the 60-65 dBA CNEL noise contour. In addition, the AELUP states residential uses in the 60-65 dBA CNEL noise contour must use sound attenuation to ensure that the interior CNEL value does not exceed 45 dBA. This requirement is consistent with the California Building Code requirements enforced by the City to ensure that interior noise levels do not exceed 45 dBA. Furthermore, the General Plan Growth Management Element Policy 3.7 requires a notice of airport be included as part of the Deed Disclosure Notice for any residential development proposed within the 60 dBA CNEL noise contour for the JFTB, which is consistent with the AELUP.

Safety

AELUP Section 2.1.2 (Safety) describes accident potential zones and clear zones at the JFTB. Accident potential and clear zones were set in 1994 and based on Department of Defense criteria. Prior to 1995, the ALUC utilized a 10-year accident history which found that the accident potential zone was located *completely within* the boundaries of JFTB, and no

additional accident potential zones are identified beyond the clear zones. No development is proposed by the Housing Element Update within the clear zones. The potential housing site identified as Laurel Park is not adjacent to the north departure path; it is located 1 mile northwest of the north end of the north departure runway and will not be impacted by noise or by aircraft operations.

Overrule Process

As a final review authority on legislative acts, the City Council may choose to overrule the ALUC's determination by following a two-step process, which is set forth in PUC Sections 21676 and 21676.5. The first step in the process is to adopt a resolution of intention to overrule, a copy of which would be sent to the ALUC and the Division of Aeronautics of the Department of Transportation to provide formal notification of the City's intent. A decision on overruling the ALUC cannot take place less than forty-five (45) days after notice of the City Council's proposed action. The ALUC and Division of Aeronautics may provide comments to the City Council within 30 days of receiving the resolution of intention.

If comments from the ALUC and/or the Division of Aeronautics are not made available within this time frame, the City Council may act without them. Any comments by the ALUC and Division of Aeronautics are advisory to the Council and must be included in the public record of any final decision by the City Council to overrule the ALUC's determination.

The second step in the process is that, not less than 45-days after notification has been sent to the ALUC and Division of Aeronautics, the City Council must conduct a public hearing, after which the City Council may decide whether to adopt a resolution to overrule the ALUC and make specific findings that the Housing Element Update is consistent with the purposes of the State Aeronautics Act, as set forth in PUC Section 21670.

If the City Council fails to overrule the ALUC's inconsistency determination based on specific findings or fails to revise the Housing Element in accordance with the ALUC comments, then the ALUC may, pursuant to PUC Section 21676.5(a), require the City to submit all subsequent actions, regulations, and permits to the ALUC for review until the City overrules the determination or revises the Housing Element. If the ALUC then finds that an action, regulation, or permit is inconsistent with the AELUP, the City must then hold a hearing to reconsider. The City may then go through a similar overrule process.

However, under PUC Section 21676.5(b), if the City Council has overruled the ALUC or revised its Housing Element, the proposed action of the City shall not be subject to further ALUC review, unless the ALUC and the City agree that individual projects shall be reviewed by the ALUC.

The attached resolution notifies the ALUC and the Division of Aeronautics of the City's intent to conduct a public hearing and consider whether to adopt a resolution overruling the ALUC inconsistency determination. If the resolution of intention is adopted, the City Council would conduct the public hearing at a later date, at which time the City Council would consider all comments received, including from the ALUC and the Division of Aeronautics, and then make a decision. The resolution to overrule the ALUC at the future hearing must be adopted by a two-thirds vote of the City Council.

FISCAL IMPACT

None.

- Attachment:
1. Resolution No. 2023-06 - Notice of Intent to Overrule ALUC
 2. ALUC Agenda Item 1_Jan 19, 2022
 3. Housing Element ALUC Determination Letter (002)

RESOLUTION NO. 2023-04

A RESOLUTION OF 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

WHEREAS, the State Housing Element Law, Article 10.6 of the California Government Code (Sections 65580 et seq.) requires each local jurisdiction to update its General Plan Housing Element every eight (8) years to reflect new statutory requirements and accommodate its share of the Regional Housing Needs Assessment Allocation (RHNA); and,

WHEREAS, the City of Los Alamitos prepared General Plan Amendment 21-01, an update to the Housing Element for the 2021-2029 period in accordance with the guidelines and requirements of State Housing Element Law (the "Housing Element Update"); and,

WHEREAS, on December 14, 2022, the Planning Commission conducted a duly noticed public hearing and recommended to the City Council the adoption of the Housing Element Update; and,

WHEREAS, in accordance with Public Utilities Code Section 21676(b), the City referred the Housing Element Update to the Orange County Airport Land Use Commission ("ALUC") to review for consistency with the 2017 Joint Forces Training Base Los Alamitos Airport Environs Land Use Plan ("AELUP"); and,

WHEREAS, on January 19, 2022, the ALUC, acting pursuant to Public Utilities Code Section 21670, determined that the Housing Element Update is inconsistent with the AELUP; and,

WHEREAS, as the final review authority under Public Utilities Code Sections 21670 and 21676, the City Council may, after a public hearing, overrule the ALUC by a two-thirds vote, if it makes specific findings that the Housing Element Update is consistent with the purposes of Public Utilities Code Section

21670 regarding the protection of the public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses; and by providing the ALUC and the Division of Aeronautics of the California Department of Transportation ("Division") with notice of the City's intent to consider overruling the ALUC determination along with specific findings at least 45 days prior to the City's action to overrule the ALUC; and,

WHEREAS, the Public Utilities Code provides that the ALUC and the Division shall respond to the notification of the findings of proposed overrule within 30 days of receiving the proposed resolution and findings; and,

WHEREAS, in the event the ALUC or Division's comments are not available within this timeframe, the City may act without them; and,

WHEREAS, the comments by the ALUC and Division are advisory to the City under state law; and,

WHEREAS, the City Council shall include any comments from the ALUC and the Division in the final record of any final decision by the City Council to overrule the ALUC, which may only be adopted by a two-thirds vote of the City Council; and,

WHEREAS, the draft findings set forth in Section 2 of this resolution do not constitute the final findings of the City with regard to the Housing Element Update's consistency with the purposes of Public Utilities Code Section 21670 and such draft findings may be revised, amended, and/or supplemented as part of any final decision to overrule the ALUC's determination; and,

WHEREAS, should the City Council adopt this resolution making the draft findings and declaring its intent to consider overruling the ALUC determination that the Housing Element Update is inconsistent with the AELUP and directing staff to transmit the required notice to the ALUC and the Division, a public hearing will be required in order for the City Council to make a final decision whether to overrule the ALUC inconsistency determination.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS DOES RESOLVE AS FOLLOWS:

SECTION 1. The City Council finds that the above recitals are true and correct.

SECTION 2. The City Council declares its intent to conduct a public hearing and its intent to consider overruling the ALUC's determination that the Housing Element Update is inconsistent with the AELUP based on the following draft findings:

- a. The 2017 Joint Forces Training Base Los Alamitos Airport Environs Land Use Plan (“AELUP”) of the Orange County Airport Land Use Commission (“ALUC”) guides the orderly development of the Joint Forces Training Base Los Alamitos (“JFTB”) and the surrounding area through implementation of the standards in AELUP Section 2 (Planning Guidelines) and Section 3 (Land Use Policies). Implementation of these standards is intended to protect the public from the adverse effects of aircraft noise, ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and ensure no structures or activities adversely affect navigable airspace.
- b. AELUP Section 2.1.1 sets forth the Community Noise Equivalent Level (“CNEL”) standards. The Housing Element Update includes the identification of two (2) opportunity sites within the 60 dB CNEL contour for JFTB. No Housing Element Update opportunity sites are within the 65 dB CNEL noise contour.
- c. Sections 3.2.3 and 3.2.4, respectively, of the AELUP define the noise exposure in the 60-65 dBA CNEL noise contour (Noise Impact Zone 2) as “Moderate Noise Impact” and in the 65-70 dBA CNEL noise contour (Noise Impact Zone 1) as “High Impact.” Section 3, Table 1 (Limitations on Land Use Due to Noise) of the AELUP identifies residential as “conditionally consistent” with the 60-65 dBA CNEL noise contour and “normally inconsistent” with the 65-70 dBA CNEL noise contour. The City’s established policy is that residential units are not to be approved within the 65-70 dBA CNEL noise contour of the airport (Growth Management Element, Policy 3.5). Therefore, the City’s policy and the AELUP are consistent, and allow development of residential units in the 60-65 dBA CNEL noise contour. In addition, the AELUP states residential uses in the 60-65 dBA CNEL noise contour must use sound attenuation to ensure that the interior CNEL value does not exceed 45 dBA. This requirement is consistent with the California Building Code requirements enforced by the City to ensure that interior noise levels do not exceed 45 dBA. Furthermore, the General Plan Growth Management Element Policy 3.7 requires a notice of airport be included as part of the Deed Disclosure Notice for any residential development proposed within the 60 dBA CNEL noise contour for the JFTB, which is consistent with the AELUP.
- d. The AELUP Section 2.1.2 (Safety) sets forth zones identified as accident potential zones and clear zones. No Housing Element Update opportunity sites are located within these identified areas. The opportunity site identified as Laurel Park is not adjacent to the north departure path; it is located 1 mile northwest of the north end of the north departure runway and will not be impacted by noise or by aircraft operations.

- e. The Housing Element Update is consistent with the purpose and intent of the AELUP and will not result in incompatible land uses adjacent to the JFTB. The standards and policies set forth in Sections 2 (Planning Guidelines) and 3 (Land Use Policies) of the AELUP were adopted to prevent the creation of new noise and safety problems. As set forth above, any development on the proposed Housing Element Update opportunity sites will comply with the noise criteria and safety standards established in Sections 2 and 3 of the AELUP.

SECTION 3. The City Council hereby directs City staff to provide notice, in accordance with Sections 21676(b) and 21676.5(a) of the Public Utilities Code, to the ALUC and Caltrans Department of Transportation, Division of Aeronautics, of the City's intent to overrule the ALUC's determination of inconsistency for the Housing Element Update based on the above findings, at least 45 days prior to the scheduled public hearing date for consideration of the proposed overruling action by the City Council.

SECTION 4. The City Council hereby further directs City staff to take all other actions necessary to effectuate the purpose and intent of this resolution.

SECTION 5. The City Council finds the adoption of this resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Specifically, the resolution does not have the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment because it is limited to the City's proposal to overrule the ALUC's determination. The Housing Element Update has been independently reviewed and evaluated pursuant to CEQA.

SECTION 6. The City Clerk shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 21st day of February 2023.

Tanya Doby, Mayor

ATTEST:

Windmera Quintanar, MMC, City Clerk

APPROVED AS TO FORM:

Michael S. Daudt, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LOS ALAMITOS)

I, Windmera Quintanar, MMC, City Clerk, of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council held on the 21st day of February, 2023, by the following vote, to wit:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:

Windmera Quintanar, MMC, City Clerk



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

AGENDA ITEM 1

January 19, 2023

TO: Commissioners/Alternates

FROM: Lea U. Choum, Executive Officer

SUBJECT: City of Los Alamitos Request for Consideration of Draft Housing Element Update (2021-2029)

Background

The City of Los Alamitos has submitted its 2021-2029 Housing Element Update ("Update") for a consistency review. The Update identifies and analyzes the City's existing and projected housing needs and contains goals, policies, objectives, and programs to address those needs. The City's Housing Element was last updated in February 2014, which covered the years 2014 to 2021. It was not submitted to ALUC for a consistency determination.

The Housing Element is one of the seven mandatory elements of the General Plan. Section 65583 of the Government Code sets forth the specific requirements of a jurisdiction's housing element. Included in these requirements are obligations of local jurisdictions to provide for their "fair share" of the regional housing needs. This fair share is determined through the Regional Housing Needs Assessment (RHNA) process which in Orange County is facilitated by the Southern California Association of Governments (SCAG). For the 2021 to 2029 planning period, the City of Los Alamitos was allocated a total of 769 housing units, including 194 for very low-income, 119 for low-income, 145 for moderate-income, and 311 for above-moderate income households.

The City of Los Alamitos surrounds and includes Joint Forces Training Base (JFTB) - Los Alamitos and the entire city is within the Notification/Planning Area (Attachment 1). The Draft Housing Element includes fourteen sites which could accommodate up to 1,295 units. The site locations and detailed information regarding each site is shown in Attachment 2. Sites one through four are existing Mixed Use sites and are currently zoned for Mixed Use. Sites 6 through 10 are currently in non-residential use and would require a change in General Plan Land Use designation as well as Zoning Code changes. Site 11 is currently designated as Multi-Family, but the Zoning would have to change to accommodate additional units. The two sites of most concern are Site 6 at 4655 Lampson Avenue, and Site 10 at 5030-5084 Katella. Both of these sites are in close proximity to the Base and within the 60 CNEL contour.

The City has submitted the Draft Housing Element Update to California Housing and Community Development (HCD) and has held/scheduled the following public hearings:

Planning Commission
City Council

December 14, 2022
January 24, 2023

AEUP for JFTB Los Alamitos Issues

Regarding Aircraft Noise Impacts

As stated above, the Draft Housing Element Update includes two new housing sites within the 60 dB CNEL as defined in the *Airport Environs Land Use Plan (AELUP) for JFTB Los Alamitos* (See Attachment 3). Site 6 is located at 4655 Lampson Avenue and could accommodate up to 310 housing units, and Site 10 located at 5030-5084 Katella could accommodate up to 108 units.

The *AELUP for JFTB Los Alamitos* states that residential uses within the 60 dB CNEL/Noise Impact Zone 2 is “Normally Consistent,” but that the “noise impact in this area is sufficient to require sound attenuation as set forth in the California Noise Insulation Standards, Title 25, California Code of Regulations.” The Commission strongly recommends that residential units be limited or excluded from this area unless sufficiently sound attenuated. The AELUP states, “the residential use interior sound attenuation requirement shall be a CNEL value not exceeding an interior level of 45 dB. In addition, it is recommended that all designated outdoor common or recreational areas within Noise Impact Zone 2 provide outdoor signage informing the public of the presence of operating aircraft.”

The City’s Public Facilities and Safety Element includes the following discussion regarding noise:

“The Airport Environs Land Use Plan (AELUP) is a land-use compatibility plan that describes the effects of aircraft noise on surrounding areas. Land uses within the airport planning area boundaries are required to conform to noise restrictions established in the AELUP. Figure 6 shows the 60 and 65 dBA CNEL noise contours from the AELUP.”

In addition, the City’s Growth Management Element includes the following policies:

Policy 3.5 New residential units. Do not approve the construction of new residential units within the 65 dBA CNEL noise contour for the JFTB.

Policy 3.6 JFTB noise contours. Require the use of JFTB noise contours to ensure new development is compatible with the noise environment.

Policy 3.7 Deed disclosure notice. Provide notice of airport in the vicinity where residential development is being proposed within the 60 dBA CNEL noise contours

for the Growth Management Element March 2015 Los Alamitos General Plan 6 JFTB. Require that the following language be included as part of the Deed Disclosure Notice.

Please note that as part of the submittal to ALUC, the City included exhibits from the 2021 JFTB Los Alamitos noise assessment. Attachment 4 is the finalized JFTB Los Alamitos Aircraft Noise Zone exhibit which was incorporated into the California Installation Compatible Use Zone Study (ICUZ) in March of 2022. The report assessed noise levels associated with both current and projected aircraft operations (including the California Army National Guard projected increase in aircraft operations over the next 10 years) and resulted in expanded noise contours. Please refer Attachment 5 which shows the JFTB Los Alamitos noise zones from the 2015 ICUZ study for comparison purposes.

Regarding Height Restrictions

All of the City's proposed housing sites are within the Federal Aviation Administration (FAA) Federal Aviation Regulations (FAR) Part 77 Obstruction Imaginary Surfaces for JFTB Los Alamitos (Attachment 6). The horizontal obstruction imaginary surface for JFTB Los Alamitos is at an elevation of 182.4 feet above mean sea level (AMSL). Transitional, approach and conical surfaces vary in elevation and are addressed below for the proposed Housing Element sites.

Proposed housing Sites 1 through 4B are designated as Town Center Mixed Use (TCMU) and will remain TCMU. According to the City's Zoning Code, the TCMU zone has a maximum height of 60 feet. Sites 6 through 10 are sites that would change from non-residential (Commercial & Institutional and Retail Business) to residential uses (R4), and Site 11 would remain in multi-family residential use but change from R3 to R4. The City's Draft Housing Element states that this would "require the creation of a new zoning designation, R-4" ... and "the height limits would be increased to allow higher rise buildings." Current maximum building heights allowed by the City's Zoning Code for residential districts vary from 30 to 35 feet above ground level (AGL). The City has identified in its Update submittal that development heights are, and will continue to be, consistent with the JFTB imaginary surfaces restrictions to ensure public safety.

The City's Public Facilities and Safety Element includes height restrictions as follows:

"To ensure the safe operation of aircraft activity at the JFTB, structures anywhere in Los Alamitos or Rossmoor should not exceed the applicable elevations defined in the Federal Aviation Regulations (FAR), Part 77 (Objects Affecting Navigable Air Space). This height restriction is 88 to 200 feet above ground level based on proximity to the runway.

Current zoning standards do not permit development higher than 70 feet in Los Alamitos or Rossmoor. Nevertheless, all developments are subject to FAR Part 77 noticing requirements and must file the necessary form(s) with the City's Community

Development department, the County's Planning division, and the Orange County Airport Land Use Commission."

Additionally, the City's Growth Management Element includes the following policies:

Policy 3.1 Land use compatibility. Approve development and require mitigation measures to ensure existing and future land use compatibility as shown in the City's Noise Ordinance, the Land Use and Noise Compatibility Matrix, the State Interior and Exterior Noise Standards, and the Airport Environs Land Use Plan (AELUP) for the JFTB.

Policy 3.2 Federal Aviation Regulation Part 77. Do not approve buildings and structures that would penetrate Federal Aviation Regulation (FAR) Part 77 Imaginary Obstruction Surfaces for JFTB, Los Alamitos unless found consistent by the Airport Land Use Commission (ALUC). Additionally, in accordance with FAR Part 77, required applicants proposing buildings or structures that penetrate the 100:1 Notification Surface to file a Form 7460-1 Notice of Proposed Construction or Alteration with FAA and provide a copy of the FAA determination to the City and the ALUC for Orange County.

Policy 3.3 Structures above 200 feet. For development projects that include structures higher than 200 feet above existing grade, the City shall inform the ALUC and submit materials to the ALUC for review. Proposed projects that would exceed a height of 200 feet above existing grade shall be required to file Form 7460-1 with the Federal Aviation Administration (FAA).

Provided below is the height review for the proposed sites. At their current maximum allowable heights, none of the proposed housing sites penetrate the imaginary surfaces for JFTB, Los Alamitos.

Sites 1-4B – Maximum Combined 467 Units

With approximate ground elevations of 21 feet, and horizontal and conical surfaces ranging from 182.4 feet to 225 feet AMSL, Sites 1 through 4B would not penetrate the imaginary surfaces with the zoning code maximum height of 60 feet for the TCMU zone.

Site 6 - Maximum 310 Units

The approximate ground elevation for Site 6 is approximately 20 feet AMSL and the horizontal imaginary obstruction surface would be penetrated at 182.4 feet AMSL. The City's maximum building height of 35 feet for residential zones would not penetrate the imaginary surface in this location. The property on Lampson Avenue has been sold to a developer and is actively being planned for redevelopment for housing. The City has received a proposal from the developer for 248 residential units including 77 affordable units on the 12.4-acre property.

Site 7 - Maximum 72 Units

Laurel Park has an approximate ground elevation of approximately 23 feet AMSL and the horizontal imaginary obstruction surface would be penetrated at 182.4 feet AMSL. The City's

maximum building height of 35 feet for residential zones would not penetrate the imaginary surface in this location.

Site 8 - Maximum 115 Units

The 3191 Katella/City Hall property has an approximate ground elevation of 19 feet AMSL. The conical surface at this location would be penetrated at approximately 250 feet AMSL. The City's maximum building height of 35 feet would not penetrate the imaginary surface in this location.

Site 9 - Maximum 180 Units

The 4142 Cerritos Avenue site has an approximate ground elevation of 19 feet AMSL. The conical surface at this location would be penetrated at approximately 191 feet AMSL. The City's maximum building height of 35 feet would not penetrate the imaginary surface in this location.

Site 10 - Maximum 108 Units

Tue 5030-5084 Katella Laurel Park site has an approximate ground elevation of approximately 27 feet AMSL and the horizontal imaginary obstruction surface would be penetrated at 182.4 feet AMSL. The City's maximum building height of 35 feet for residential zones would not penetrate the imaginary surface in this location.

Regarding Safety

JFTB Los Alamitos has established Clear Zones (also referred to as a Runway Protection Zones). These Clear Zones are trapezoidal areas located at each end of the runway (as shown on Attachment 3). Clear Zones are limited primarily to airport and open space uses. No buildings intended for human habitation are permitted in Clear Zones. The Clear Zones for JFTB Los Alamitos are completely within the JFTB boundaries.

Aircraft operations at JFTB include use of both fixed wing aircraft and helicopters. General flight route information for JFTB Los Alamitos is provided in Attachment 7. These exhibits were prepared for JFTB in conjunction with an Environmental Assessment in June 2021 and for ICUZ in 2022, and are included for informational purposes only. The Site 7 (Laurel Park) would be adjacent to the north departure path.

Regarding Heliports

The development of heliports is not proposed within the Housing Element Update, therefore consistency with the *AEUP for Heliports* was not reviewed.

Environmental

On November 1, 2021, ALUC staff sent a comment letter to the City regarding the NOI to Adopt a Negative Declaration for the Housing Element Update. It is included as Attachment 8.

Conclusion

Attachment 9 to this report contains the submittal letter and Housing Element Submittal Form and Checklist received from the City of Los Alamitos. The Housing Element Update and supporting documents are also available on the City's website at:

<http://cityoflosalamitos.org/375/Housing-Element>

ALUC staff has reviewed this project with respect to compliance with the *AELUP for JFTB Los Alamitos*, including review of noise, height and safety. The locations of Site 6 and Site 10 are in close proximity to JFTB-Los Alamitos, and the proposed land use designation of the two sites would allow for 418 new residential units, where there are currently none. These sites would be changing from the non-residential to residential uses and are both located within the 60 CNEL noise contour for JFTB-Los Alamitos. Site 7 would add up to 72 units adjacent to the north departure path subjecting future residents to noise and safety issues.

Recommendation

That the Commission find the proposed City of Los Alamitos 2021-2029 Housing Element Update Inconsistent with the *AELUP for JFTB Los Alamitos* per:

1. Section 2.1.1 Aircraft Noise, that the "aircraft noise emanating from airports may be incompatible with general welfare of the inhabitants within the vicinity of an airport."
2. PUC Section 21674, (as referenced in Section 1.2 of the *AELUP for JFTB Los Alamitos*) which states that the Commission is charged by PUC Section 21674(a) "to assist local agencies in ensuring compatible land uses in the vicinity of ...existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses," and PUC Section 21674(b) "to coordinate planning at the state, regional and local levels so as to provide for the orderly development of air transportation, while at the same time protecting the public health, safety and welfare."
3. General Land Use Policies in Section 3.2.1 which states that "within the boundaries of the AELUP, and land use may be found to be Inconsistent with the AELUP which (1) Places people so that they are affected adversely by aircraft noise and (2) Concentrates people in areas susceptible to aircraft accidents."

Respectfully submitted,

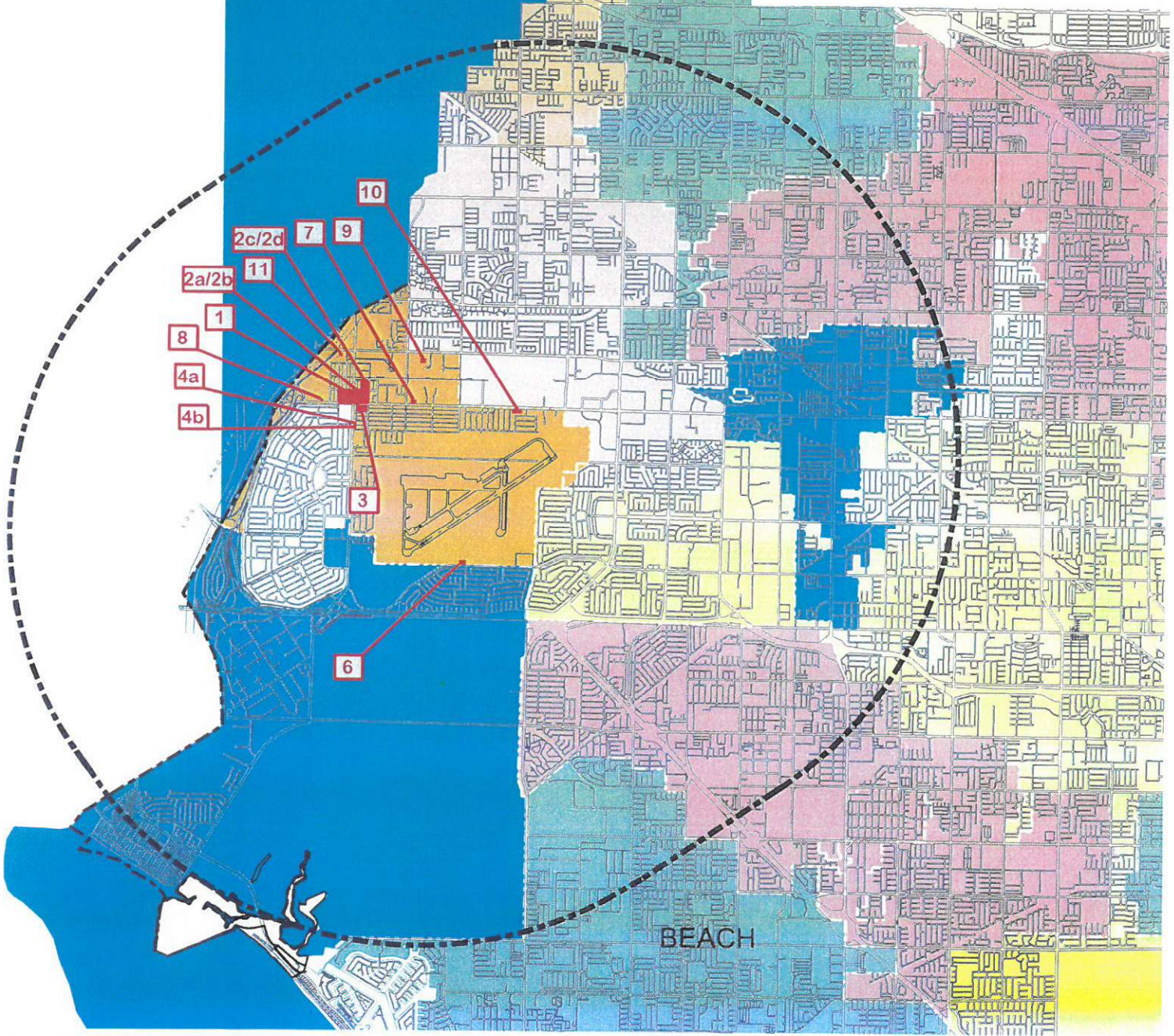


Lea U. Choum
Executive Officer

Attachments:

1. Notification Area for JFTB Los Alamitos
2. Site Inventory Map and Table
3. Impact Zones/Noise Contours for JFTB Los Alamitos
4. 2022 JFTB Los Alamitos Noise Zones
5. 2015 JFTB Los Alamitos Noise Zones
6. Housing Sites in relation to JFTB Obstruction Imaginary Surfaces
7. JFTB Los Alamitos Flight Patterns
8. ALUC November 1, 2001 Letter to Los Alamitos Regarding Negative Declaration
9. City of Los Alamitos Letter and Submittal Form

Los Alamitos Housing Element 2021-2029 Approximate Site Locations



Note: County Unincorporated areas are shown in white.

FAR PART 77

Notification Area for JFTB Los Alamitos: 20,000' Radius at 100:1 Slope



LEGEND

- 20,000 Radius
- CITY BOUNDARIES

Adopted by

ATTACHMENT 1

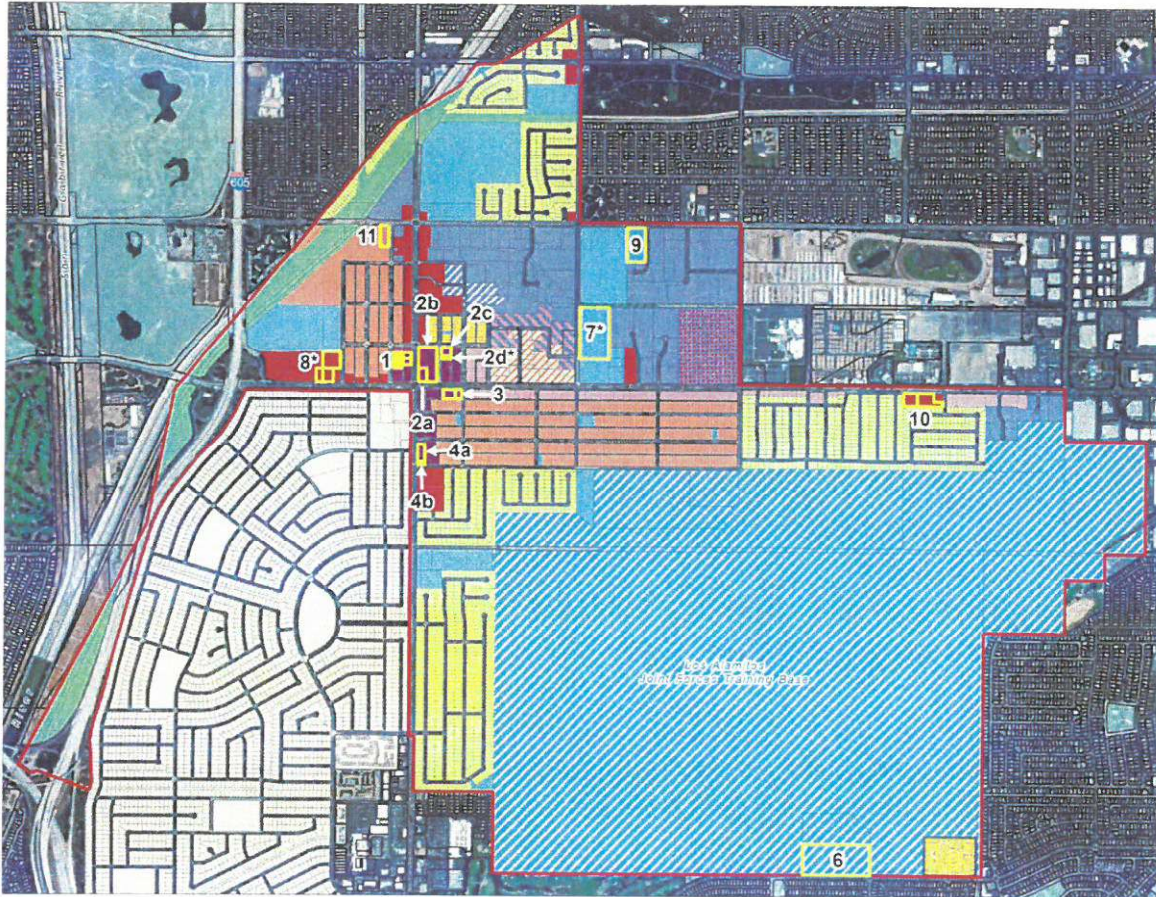
City

Lea Choum, Executive Officer

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Figure B-1. Location of Sites Inventory



ii. Realistic Capacity

The City has seen a significant interest in redevelopment for multi-family housing in various locations, including the Old Town West and Apartment Row neighborhoods as discussed below in subsection c. Additional Underutilized Land; The pressure for residential development in the region, combined with older, under-utilized commercial projects, has resulted in considerable developer interest and at multiple developed locations, including sites listed in Table B-2 and elsewhere in the City:

- As described above, the City currently has an application in process for site 6, which includes 77 lower income units. In addition, the developer of this project is actively negotiating with the land owner of site 9, a church organization, for the purchase of the land for residential development.
- The City has met with an experienced housing developer who would like to develop a mixed use (housing and commercial) project on site 7. Negotiations are just

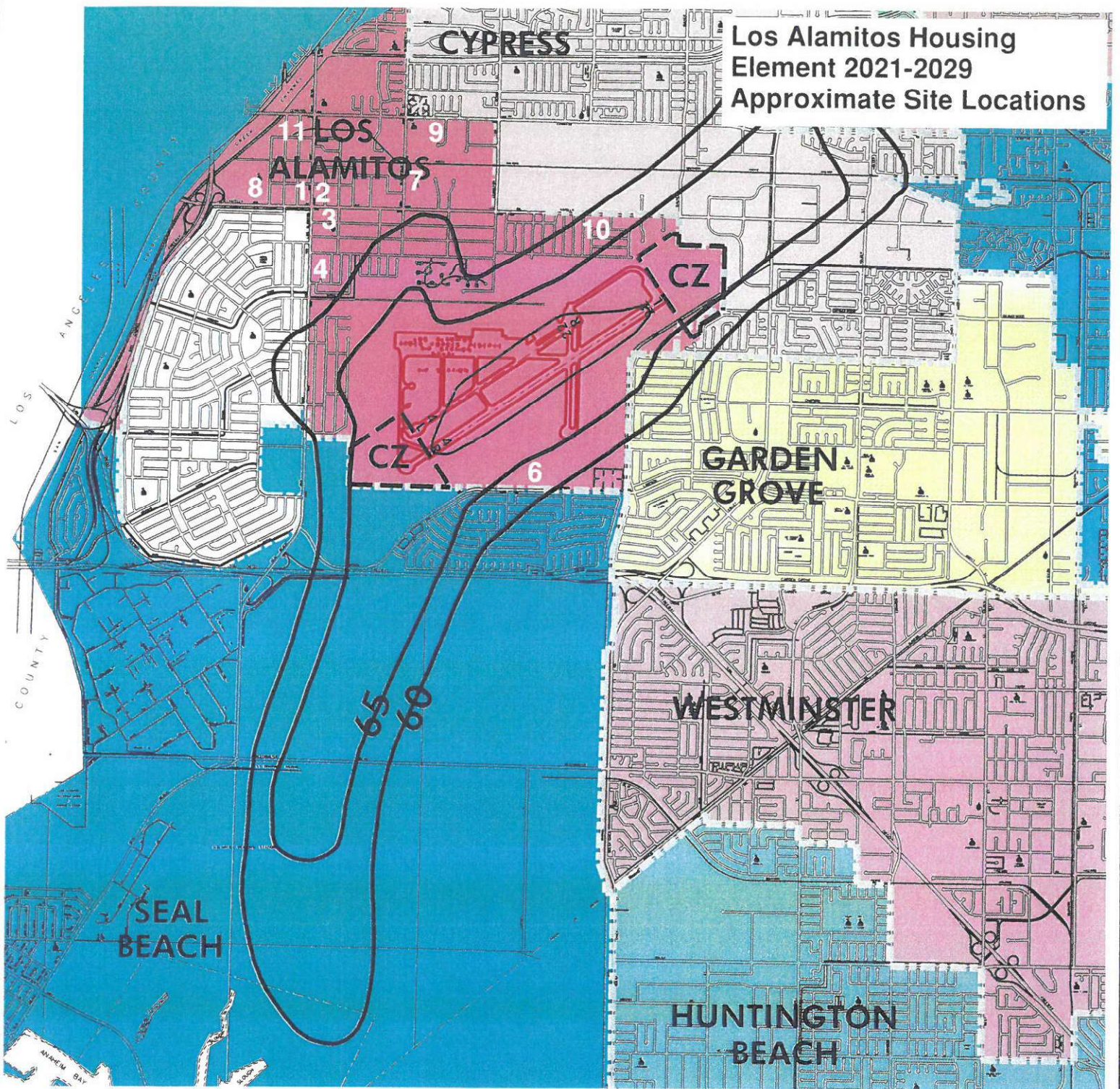
Table B-2
Sites Inventory and Projected Units

Sites Description								
Site ID	APN	Address	Acres	Existing GP	Existing Zoning	Proposed Zoning	Projected Density	Max# Units
1	242-203-27	10909 Los Alamitos Blvd	0.85	Mixed Use	TCMU	TCMU	60	86
	242-203-28	10877 Los Alamitos Blvd	0.58	Mixed Use	TCMU	TCMU	60	
2a	242-171-02	10956 Los Alamitos Blvd	0.68	Mixed Use	TCMU	TCMU	60	41
2b	242-171-07	10900 Los Alamitos Blvd	3.1	Mixed Use	TCMU	TCMU	60	186
2c	242-172-01	10900 Pine Street	0.48	Mixed Use	TCMU	TCMU	60	29
2d*	242-172-02	10902 Pine Street	0.17	Mixed Use	TCMU	TCMU	60	10
3	222-091-01	11021 Reagan Street	0.35	Mixed Use	TCMU	TCMU	60	63
	222-091-21	3636 Katella Avenue	0.7	Mixed Use	TCMU	TCMU	60	
4a	222-093-12	11182 Los Alamitos Blvd	0.74	Mixed Use	TCMU	TCMU	60	44
4b	222-093-13	11232 Los Alamitos Blvd	0.13	Mixed Use	TCMU	TCMU	60	8
* 6	130-012-35	4655 Lampson Ave	12.4	Community & Institutional	C-F	R3	20	310
7	241-241-35	Laurel Park	2 of 4	Community & Institutional	C-f	R4	30	72
8	242-212-11 242-212-08 242-212-10	3191 Katella/City Hall	3.2	Retail Business	C-G	R4	30	115
9	241-251-14	4142 Cerritos Ave	5	Community & Institutional	C-F	R4	30	180
* 10	222-181-01 222-181-02	5030-5084 Katella	3	Retail Business	C-G	R4	30	108
11	242-222-06	3370 Cerritos Ave	1.2	Multi-Family	R3	R4	30	43
								1,295 Total

* Sites located within the 60 dB CNEL

☐ Sites with proposed new land use designations (Zoning Code Change required)

Table adapted from: City of Los Alamitos website January 2023
Administrative Draft Housing Element 2021-2029 Appendix B Residential Land Resources
<https://cityoflosalamitos.org/375/Housing-Element>



Note: County Unincorporated areas are shown in white.

Los Alamitos Impact Zones Joint Forces Training Base



LEGEND

- 60— CNEL CONTOUR
- — — — RUNWAY PROTECTION ZONE
- · — · — CITY BOUNDARIES

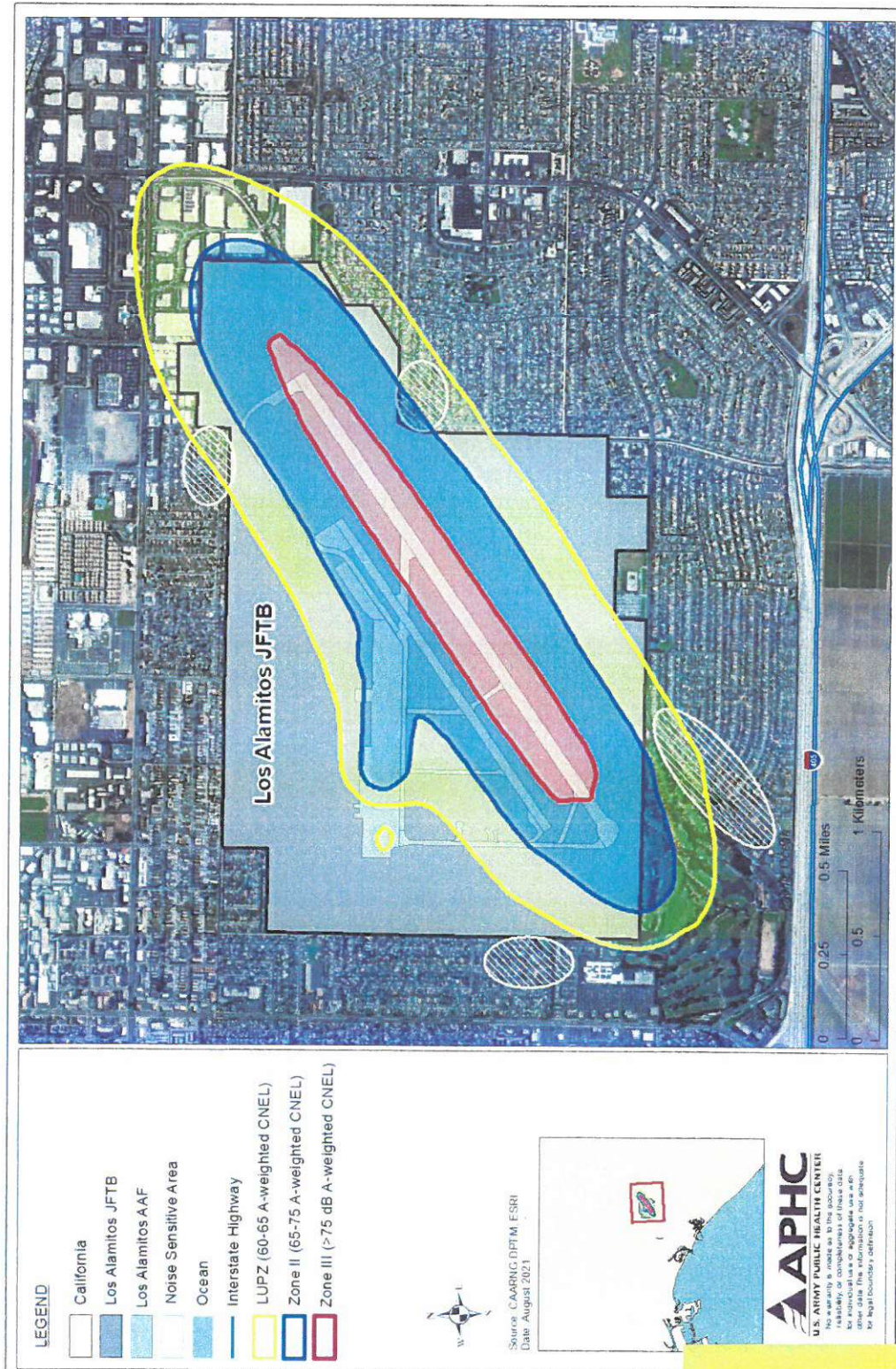
Adopted

ATTACHMENT 3

County

Kari Rigoni Executive Officer

Date
Page 341 of 535



e 4-3 Los Alamitos JFTB Aircraft Noise Zones (A-weighted CNEL)

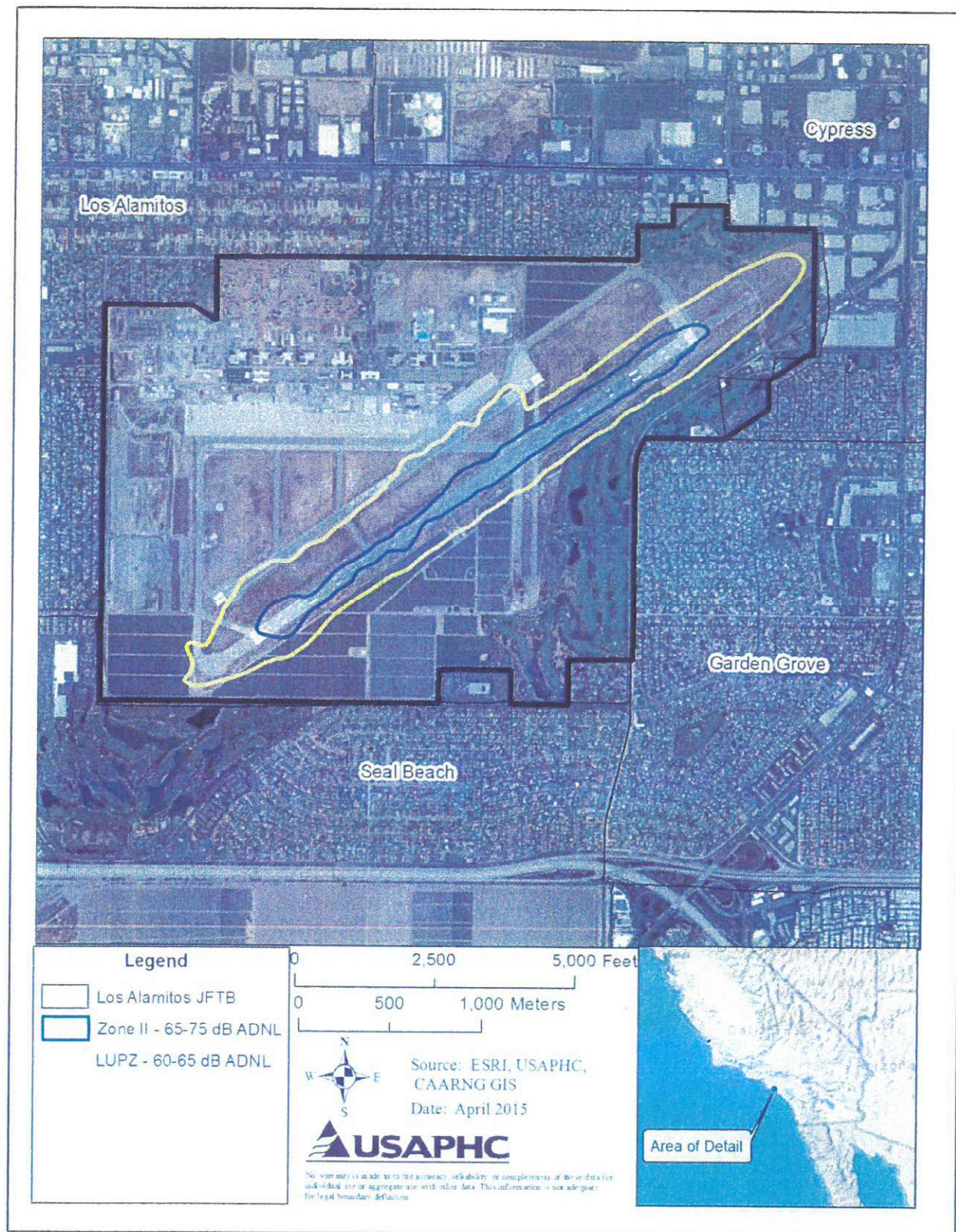
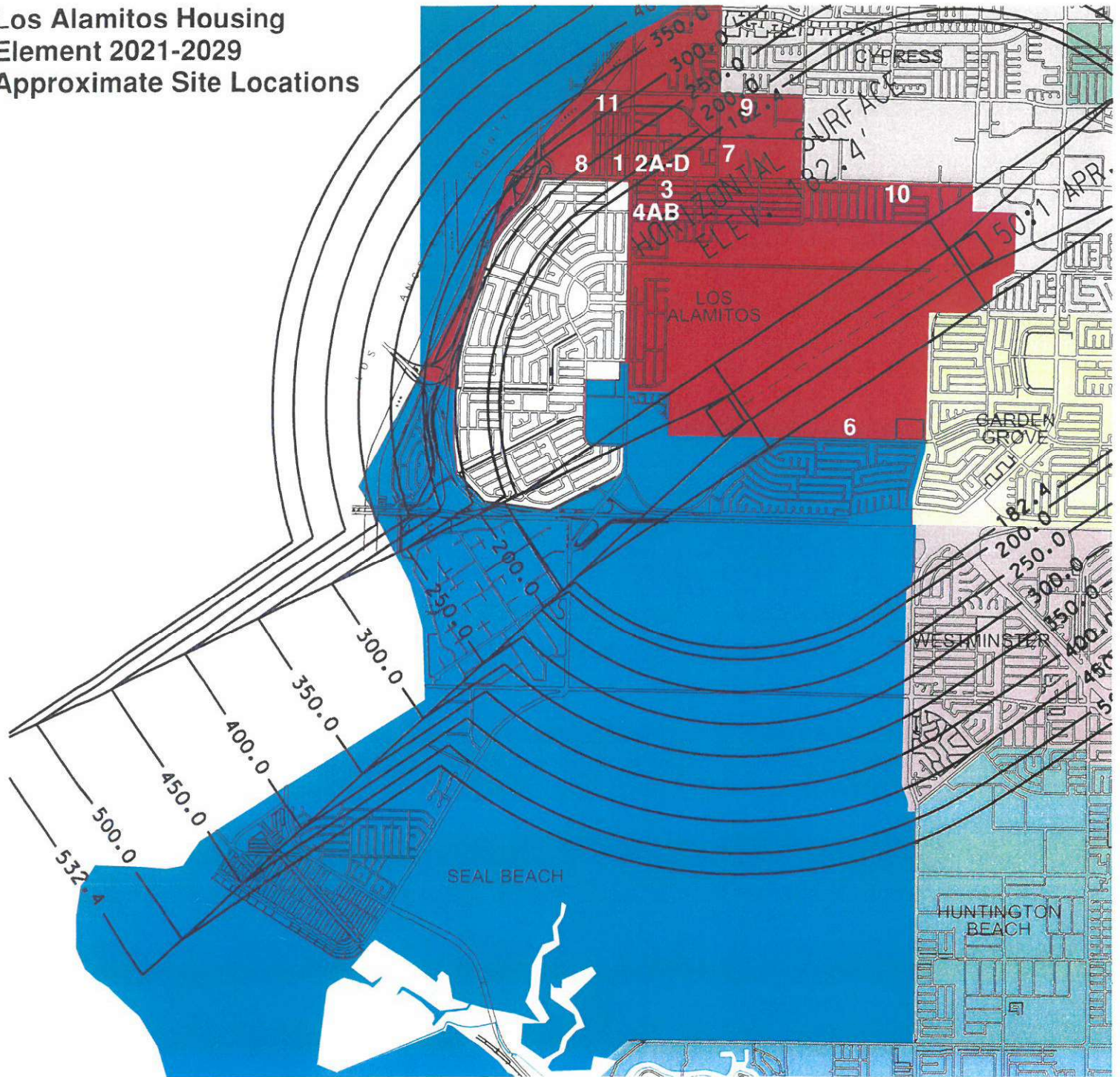


Figure 7-5. LAAAF Aircraft ADNL Noise Zones

ATTACHMENT 5

AELUP Height Restriction Zone for JFTB, Los Alamitos

Los Alamitos Housing
Element 2021-2029
Approximate Site Locations



Note: County Unincorporated areas are shown in white.

FAR PART 77

JFTB, Los Alamitos Obstruction Imaginary Surfaces



LEGEND

- 20,000' Radius
- CITY BOUNDARIES

Adopted

ATTACHMENT 6

County

Lea Choum

Executive Officer

Date

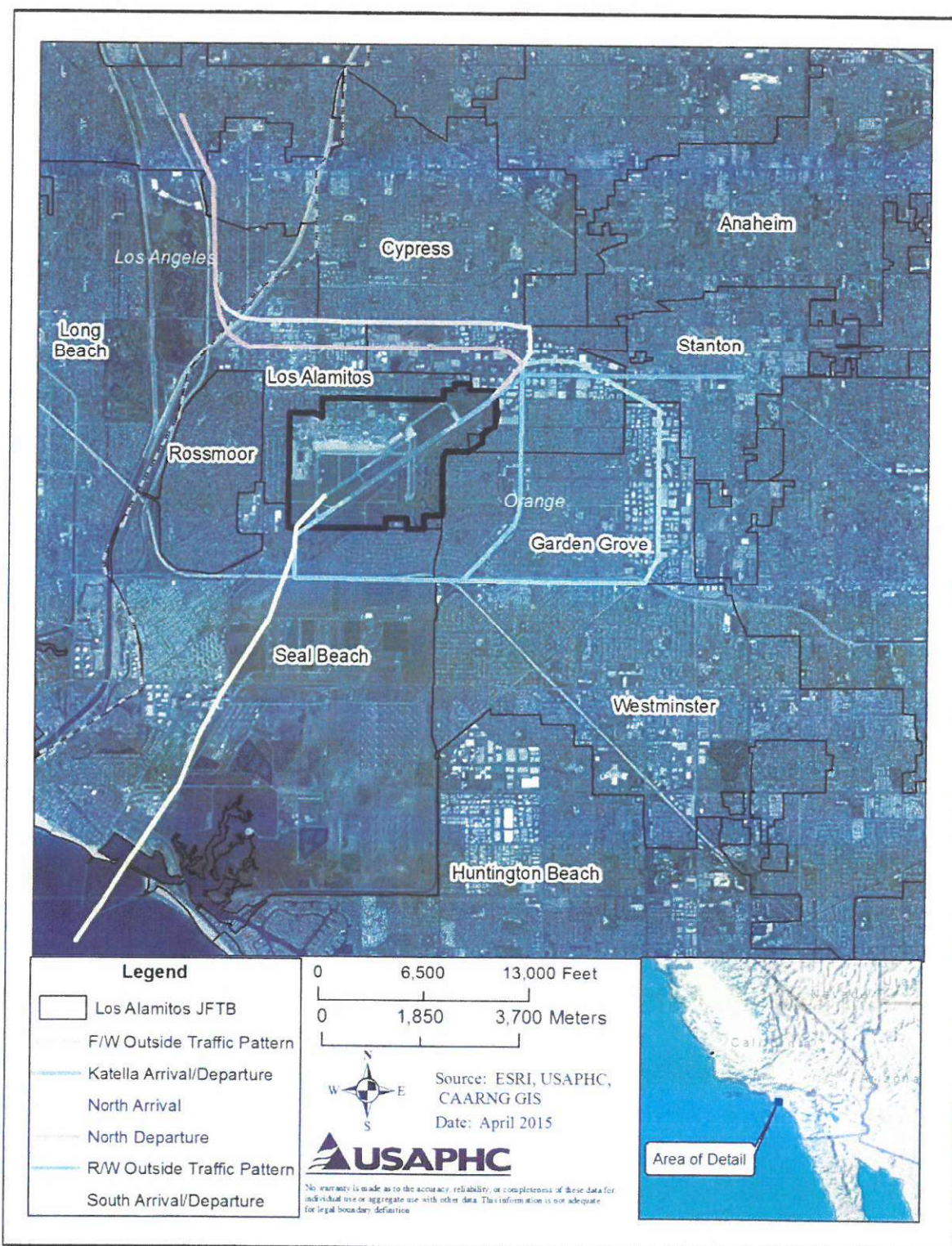


Figure 3-1. JFTB Los Alamitos Flight Routes

ATTACHMENT 7



Figure 4-2 Los Alamitos Joint Forces Flight Tracks



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

November 1, 2021

Tom Oliver, Associate Planner
City of Los Alamitos
3191 Katella Avenue
Los Alamitos, CA 90720-5600

Subject: NOI to Adopt Negative Declaration (ND) for Los Alamitos Housing Element Update (2021-2029)

Dear Mr. Oliver:

Thank you for the opportunity to review the City of Los Alamitos Initial Study to adopt a Negative Declaration for the proposed Housing Element Update in relation to the *Airport Environs Land Use Plan (AELUP) for Joint Forces Training Base, Los Alamitos*. The City of Los Alamitos is located within the Federal Aviation Administration (FAA) Federal Aviation Regulation (FAR) Part 77 Notification Area (also known as the airport planning area) and within the Obstruction Imaginary Surfaces. Also, a part of the City is located within the noise contours for JFTB, Los Alamitos.

The Draft Housing Element includes a site inventory assessment, which identifies sites that can achieve the City's assigned 2021 Regional Housing Needs Assessment (RHNA) for the 2021-2029 planning period. The Draft Element identifies three focus areas for residential development:

- Town Center Mixed Use Strategic Plan Area
- Lampson Site
- Arrowhead Site

The proposed site inventory includes new sites within the Notification Area, which requires submittal to the Airport Land Use Commission for a consistency review. The Draft Housing Element also proposes new residential sites within the conical and horizontal obstruction imaginary surfaces for JFTB, Los Alamitos. The ND should discuss the maximum building heights allowed for the three focus areas. With respect to building height restrictions, development proposals, which include the construction or alteration of structures more than 200 feet above ground level, require filing with the Federal Aviation Administration (FAA) and ALUC notification. Projects meeting this threshold must comply with procedures provided by Federal and State law, with the

ATTACHMENT 8

referral requirements of ALUC, and with all conditions of approval imposed or recommended by FAA and ALUC including filing a Notice of Proposed Construction or Alteration (FAA Form 7460-1). Depending on the maximum building heights that will be allowed per the proposed Housing Element Update, the City may wish to incorporate a mitigation and condition of approval specifying the 200 feet height threshold within the ND and proposed Housing Element.

As discussed in the ND, the Lampson site is partially within the 60 CNEL noise contour. Per the *AELUP for JFTB, Los Alamitos* it is strongly recommended that residential units be limited or excluded from this area unless the sound attenuation provided is sufficient to ensure that interior noise levels do not exceed 45 dBA.

In addition, the ND should identify if the project allows for the development of heliports as defined in the *Airport Environs Land Use Plan (AELUP) for Heliports*. Should the development of heliports occur within your jurisdiction, proposals to develop new heliports must be submitted through the City to the ALUC for review and action pursuant to Public Utilities Code Section 21661.5. Proposed heliport projects must comply fully with the state permit procedure provided by law and with all conditions of approval imposed or recommended by FAA, by the ALUC for Orange County and by Caltrans/Division of Aeronautics. The ND should address whether the development of heliports will be allowed within the City's jurisdiction.

A referral by the City to the ALUC is required for this project due to the location of the proposal within an AELUP Planning Area and due to the nature of the required City approvals (i.e. Housing Element Update) under PUC Section 21676(b). With respect to project submittals, please note that the Commission requests that referrals be submitted to the ALUC for a determination between the Local Agency's Planning Commission and City Council hearings. Since the ALUC meets on the third Thursday afternoon of each month, complete submittals must be received in the ALUC office by the first of the month to ensure sufficient time for review, analysis, and agendaing. The Housing Element Submittal form can be found at:

<https://www.ocair.com/about/administration/airport-governance/commissions/airport-land-use-commission/>

Thank you for the opportunity to comment on this initial study. Please contact Julie Fitch at (949) 252-5284 or jfitch@ocair.com if you have any questions.

Sincerely,



Lea Choum
Executive Officer



CITY OF
Los Alamitos
California

3191 Katella Avenue
Los Alamitos, CA 90720-5600
Telephone: (562) 431-3538
FAX: (562) 493-1255
www.cityoflosalamitos.org

December 8, 2022

RECEIVED

DEC 13 2022

Lea Choum - Executive Officer
Airport Land Use Commission for Orange County
3160 Airway Avenue
Costa Mesa, CA 92626

AIRPORT LAND USE COMMISSION

SUBJECT: Housing Element Update

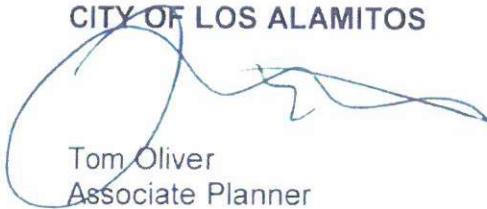
Hi Lea,

It was great talking with you a few weeks back. Attached, is a copy of the City's draft Housing Element for your review. You saw a draft of this document that you responded to last year. I have attached the submittal form and ancillary documents as well. Thank you so much for having the Commission look over the document.

I thank you for the opportunity to work with you on this proposed project. If you have any questions, please contact me at (562) 431-3538, ext. 303 or via e-mail at: toliver@cityoflosalamitos.org.

Sincerely,

CITY OF LOS ALAMITOS



Tom Oliver
Associate Planner

ATTACHMENT 9



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

HOUSING ELEMENT UPDATE - SUBMITTAL FORM

1. City/County: Los Alamitos/County
2. Contact information - Name/Title [Click or tap here to enter text](#)
Agency: City of Los Alamitos
Address: 3191 Katella Avenue
Phone/email: 562-431-3538
3. Airport Planning Area(s):
☐ John Wayne Airport ☐ Fullerton Municipal Airport ☒ Joint Forces Air Base Los Alamitos
4. Are there additional General Plan Element(s) being submitted for review: ☒ No ☐ Yes –
Name of Elements: [Click or tap here to enter text](#)
5. Scheduled date of Planning Commission Public Hearing: 12/14/2022
6. Tentative date of City Council Public Hearing: 1/24/2023
7. Requested month of ALUC Review: 1/19/2023
(**Complete** submittal must be received by the first day of the month for the next meeting on the third Thursday of the month).
8. Does the Housing Element Update identify new housing sites within the airport Notification/Planning Area*? ☐ No (skip items # 9-12). ☒ Yes (continue below).
9. Does the Housing Element Update identify new housing sites within the: ☒ 60 CNEL or ☐ 65 CNEL Noise Contours of the airport(s)*? Please attach an exhibit showing location(s) of proposed housing sites and number of units in relation to noise contours.
10. Are noise policies or mitigation measures identified in the Housing Element or elsewhere in the General Plan? ☐ No ☒ Yes - Please attach pages with noise policies/mitigation measures highlighted.
11. Are any new housing sites identified within the Runway Protection Zone (RPZ), Clear Zone (CZ), or Airport Safety Zones of the airport*? ☒ No ☐ Yes - Please attach exhibit showing location(s) of proposed housing site(s) and number of units in relation to the applicable zones.
12. Are any new housing sites identified within the Obstruction Imaginary Surfaces*? ☒ No ☐ Yes - Please attach an exhibit showing location(s) of proposed housing sites and number of units in relation to the Obstruction Imaginary Surfaces.
13. Maximum height allowed for proposed housing. 35
(Please provide link and identify section(s) of General Plan and/or Zoning Code where housing maximum height is specified.)

Continued on reverse side.

HOUSING ELEMENT UPDATE - SUBMITTAL CHECKLIST

- ☒ Cover letter on City/County letterhead.
- ☒ Completed Submittal Form.
- ☒ Copy of existing Housing Element (and any other applicable Elements).
- ☒ Copy of proposed Housing Element Update attached (and any other proposed elements) with requested information highlighted.
- ☒ Exhibit showing location(s) of proposed housing sites and number of units within the Notification Area/Planning Area for airport.
- ☒ Exhibit showing location(s) of proposed housing sites, and how many units for each, in relation to noise contours for airport(s).
- ☒ Noise policies/mitigation measures in Housing Element Update highlighted and/or pages from other elements attached.
- ☒ Exhibit showing location(s) of proposed housing sites, and how many units for each, in relation to Airport Safety Zones.
- ☒ Exhibit showing location(s) of proposed housing sites, and how many units for each, in relation to the Obstruction Imaginary Surfaces.
- ☒ Pages of General Plan and/or Zoning Code which indicate height restrictions for each new housing site within Airport Notification/Planning Area.
- ☒ Explanation of how the Housing Element Update (or other General Plan Elements) addresses the AELUP standards for noise impact, safety compatibility, and height restriction zones: It acknowledges the noise zones and explains the mitigation for that is in using appropriate building materials and construction practices.

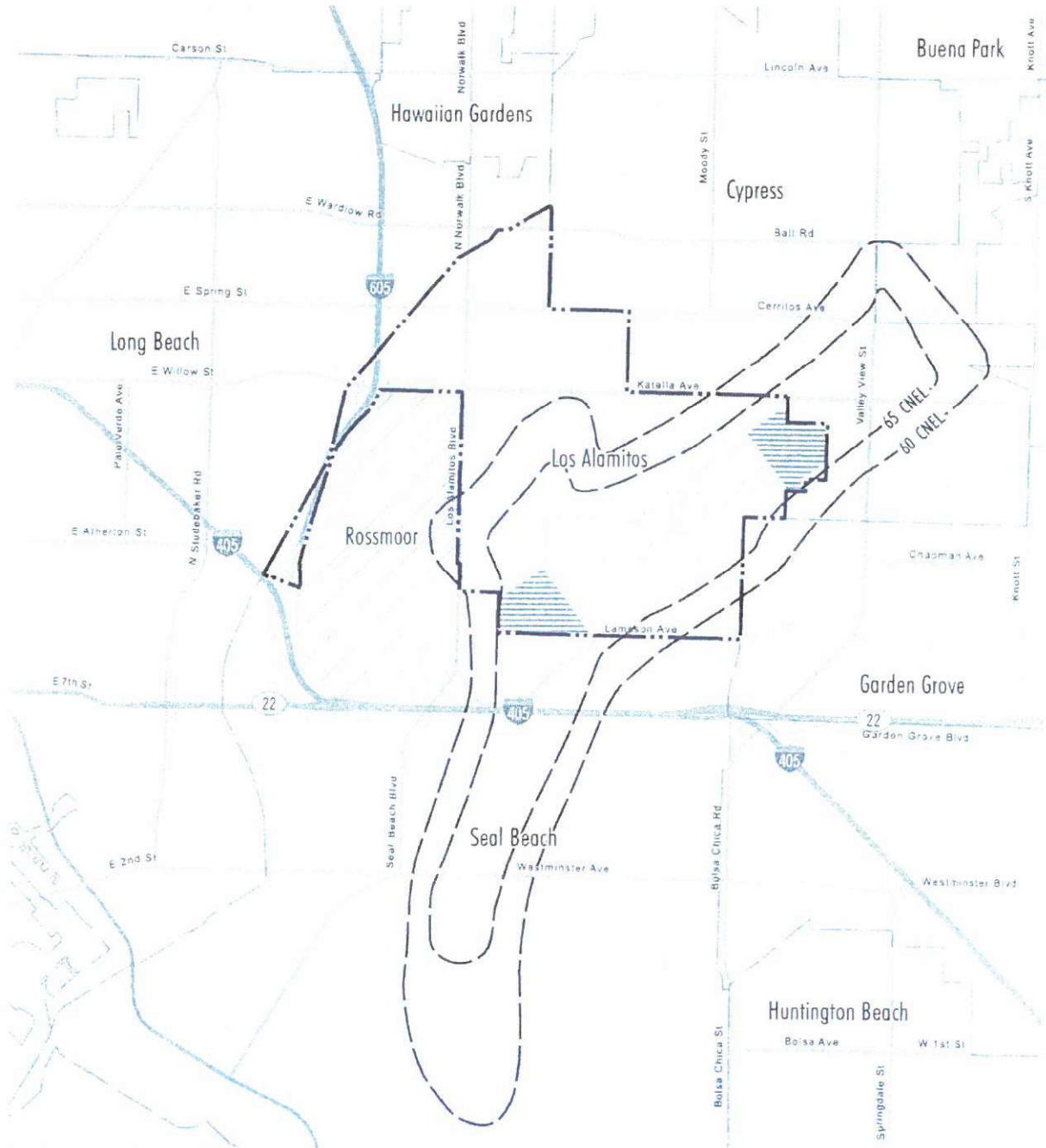
*For airport planning/notification areas, noise contours, safety zones and obstruction imaginary surfaces see Appendix D of the applicable Airport Environs Land Use Plan (AELUP) at:
<https://www.ocair.com/about/administration/airport-governance/commissions/airport-land-use-commission/>

*Mail or Email Submittal Form, Checklist and attachments to: Airport Land Use Commission for Orange County,
 Attn: Executive Officer, 3160 Airway Avenue, Costa Mesa, CA 92626 / Phone: (949) 252-5170
ALUCinfo@ocair.com*

GENERAL PLAN

Public Facilities and Safety Element

Figure 6 JFTB Impact Zones



Source: Orange County Airport Land Use Commission, 2002

 CNEL Contour
 City Boundary
 JFTB Clear Zone
 Rossmore

INITIAL STUDY FOR HOUSING ELEMENT

3.13 NOISE

Background

The noise environment in the City is typical of an urban community, with primary noise sources including traffic on Interstate-605, major arterials, mechanical equipment such as heating/ventilation/air conditioning (HVAC) units, commercial loading and unloading operations, and parking lot activity. In Los Alamitos, both fixed-wing aircraft and helicopters operate from The Joint Forces Training Base (JFTB), which generate aircraft noise on areas immediately next to the base and flight paths.

Would the project result in:

- a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- b) Generation of excessive ground borne vibration or ground borne noise levels?
- c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The adoption of the Housing Element Update will have no impact on noise. The future development of housing will be required to analyze noise impacts as part of the CEQA and building permit processes. All sites identified for future housing in the inventory are located in urban areas and adjacent to existing development. Typical noise sources include roadways and railroad, and stationary sources such as typical commercial and residential activities and landscaping equipment. The City will require the preparation of site-specific noise studies to assess impacts from roadway noise, as appropriate. Should noise levels at future housing sites require mitigation, there are a variety of means such as noise attenuation walls, setback from roadways, and landscape buffers which the City imposes through the development review process.

Housing redevelopment projects in the future may create temporary noise sources. The City's Municipal Code imposes noise standards and limits construction hours to the less sensitive day time hours (Municipal Code Chapter 17.20). Individual projects will be reviewed under CEQA to determine whether their construction will have adverse noise impacts on neighboring land uses.

The nearest public-use airport to the City is Long Beach Airport, approximately 3.4 miles to the west. The City is outside of the noise contours of Long Beach Airport (LACALUC 2017). The nearest private-use airport is the Joint Forces Training Base (JFTB) on the southeast side of the City. Most sites in the Site Inventory are outside of the 60/65-CNEL noise contours established for JFTB (OCALUC 2017), except the Lampson site which is partially within the 60-CNEL noise contour but completely outside the 65-CNEL noise contour. The State of California provides noise standards through the California Building Code, which establishes standards for residential construction practices and building materials to ensure that interior noise levels do not exceed 45 dBA. Future housing projects will be subject to CBC requirements and thus meet the City noise standards of 45 dBA at night and 55 dBA during the day for residential uses (General Plan Public Facilities and Safety Element Table 3). Therefore, the Housing Element Update would not subject people onsite to excessive noise levels from aircraft approaching or departing Long Beach Airport or JFTB.

Mitigation Measures and Monitoring: None required.

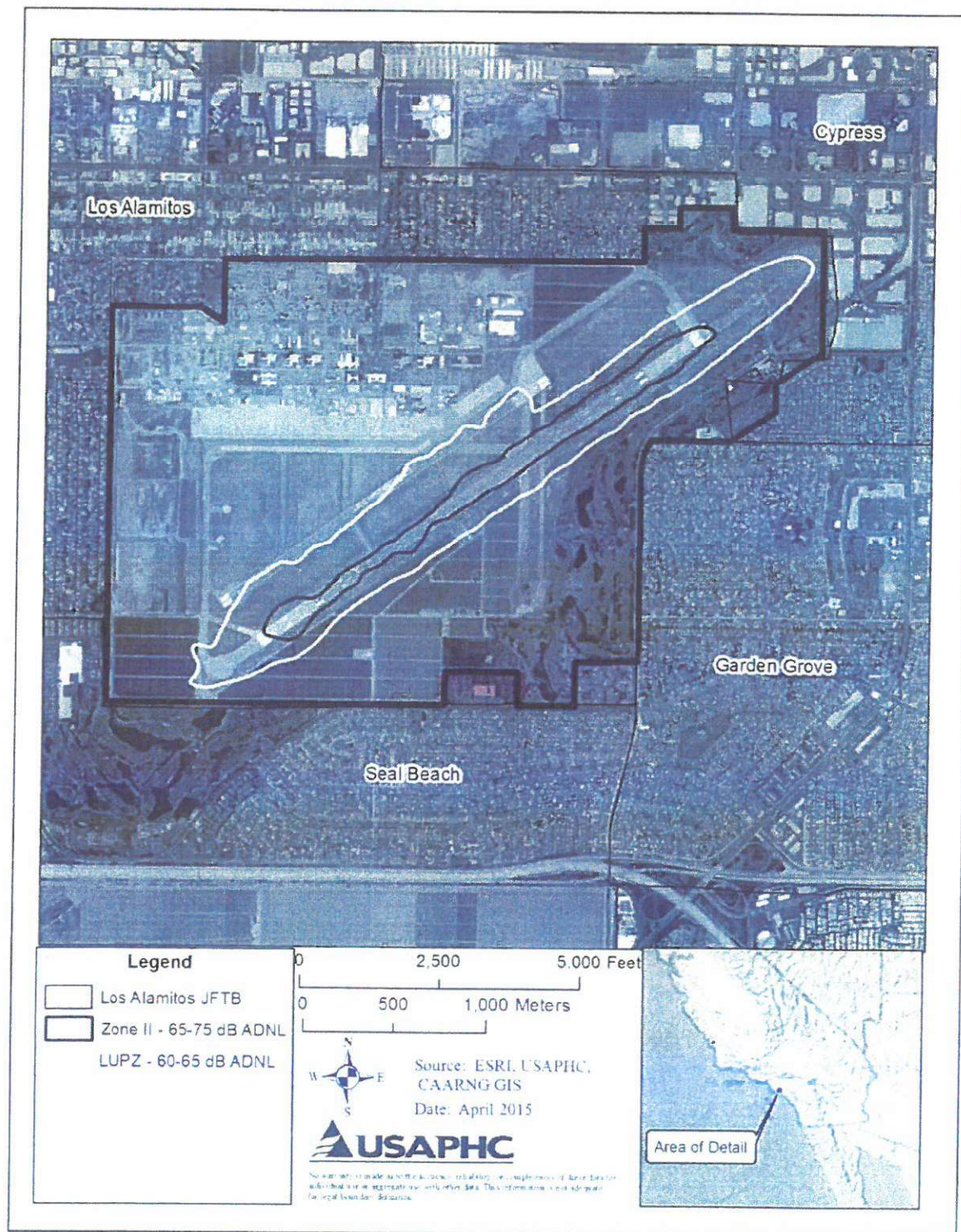


Figure 7-5. LAAAF Aircraft ADNL Noise Zones

JFTB NOISE ASSESSMENT

Environmental Health Sciences, Environmental Noise Consultation Update No. S.0064236b-20,
1 June 2020



Figure 1. Baseline Los Alamitos Army Airfield Noise Zones

JFTB NOISE ASSESSMENT

Environmental Health Sciences, Environmental Noise Consultation Update No. S.0064236b-20,
1 June 2020



Figure 2. Projected Los Alamitos Army Airfield Noise Zones

Housing Element



Housing Element Residential Land Resources **AB**

Site 9 is currently occupied by a church, and is for sale. The City will apply R4 zoning to the 5 acre property, which would generate a mix of affordable and market rate units including 20 units for lower income households and 40 units for moderate income households. The balance of the project would allow up to 50 units of housing available to above moderate income households.

Site 10 is currently occupied by a commercial development, and consists of 9 acres. The site will be rezoned to R4, and is expected to develop as a mixed income project, to include 10 lower income units, 15 moderate income units and 65 above moderate income units.

Site 11 is currently occupied by market rate housing, and is planned for renewal. The site will be rezoned from R4 to R4, and will provide up to 30 moderate income units.

As set forth in Policy Action 4.4, the City will enforce the units designated in Sites 3a, 3b and 5 to meet RHNA per Table B-2 and Figure B-1 as future projects are developed on these sites. Proposals that include fewer units than designated will not be approved by the City unless alternative sites are identified. The City has been successful in identifying additional potential sites for the development of housing.

Table B-2
Sites Inventory and Projected Units

Sites Description							
Site ID	APN	Address	Acres	Existing GP	Existing Zoning	Proposed Zoning	Projected Density
1	242-203-27	10909 Los Alamitos Blvd	0.85	Mixed Use	TCMU	TCMU	60
	242-203-28	10877 Los Alamitos Blvd	0.58	Mixed Use	TCMU	TCMU	60
2a	242-171-02	10956 Los Alamitos Blvd	0.68	Mixed Use	TCMU	TCMU	60
2b	242-171-07	10900 Los Alamitos Blvd	3.1	Mixed Use	TCMU	TCMU	60
2c	242-172-01	10900 Pine Street	0.48	Mixed Use	TCMU	TCMU	60
2d*	242-172-02	10902 Pine Street	0.17	Mixed Use	TCMU	TCMU	60
3	222-091-01	11021 Reagan Street	0.35	Mixed Use	TCMU	TCMU	60
	222-091-21	3636 Katella Avenue	0.7	Mixed Use	TCMU	TCMU	60
4a	222-093-12	11182 Los Alamitos Blvd	0.74	Mixed Use	TCMU	TCMU	60
4b	222-093-13	11232 Los Alamitos Blvd	0.13	Mixed Use	TCMU	TCMU	60
6	130-012-35	4655 Lampson Ave	12.4	Community & Institutional	C-F	R3	20



Housing Element Residential Land Resources



Site ID	APN	Address	Acres	Existing GP	Existing Zoning	Proposed Zoning	Projected Density
7	241-241-35	Laurel Park	2 of 4	Community & Institutional	C-f	R4	30
8	242-212-11 242-212-08 242-212-10	3191 Katella/City Hall	3.2	Retail Business	C-G	R4	30
9	241-251-14	4142 Cerritos Ave	5	Community & Institutional	C-F	R4	30
10	222-181-01. 222-181-02	5030-5084 Katella	3	Retail Business	C-G	R4	30
11	242-222-06	3370 Cerritos Ave	1.2	Multi-Family	R3	R4	30

Projected Units

Site ID	Maximum Units	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Units for RHNA
1	86	7	4	5		16
2a	41	2	2	2		6
2b	186	32	9	22		63
2c	29	11	8	9		28
2d	10	4	3	3		10
3	63	3	4	4		11
4a	44	2	3	2		7
4b	8	1		1		2
6	248	38	39		171	248
7	60	30	20	10		60
8	96	50	30	16		96
9	150	10	10	40	90	150
10	90	10		15	65	90
11	36			30		30
Total	1147	200	132	159	326	817
RHNA	769	194	119	145	311	769
Surplus Capacity	-	6	13	14	15	48

DRAFT HOUSING ELEMENT

3

Housing Element

Housing Resources and Constraints

iv. Fire Hazards

The City of Los Alamitos contracts with the Orange County Fire Authority for fire protection and emergency medical services. The local fire station in Los Alamitos is located at 3642 Green Avenue. The fire station houses three Fire Captains, three Engineers, and three Firefighters. Additional resources are also available from 77 Orange County Fire Stations, the City of Long Beach, and Los Angeles County. Due to the low density character of the community and sparse wildland areas in the City, the wildland fire hazard is considered to be insignificant or low. The inventory sites are not located in or near state responsibility areas or Very High Fire Hazard Severity Zones as classified by the California Department of Forestry and Fire Protection.

v. Noise

The existing noise environment surrounding the City of Los Alamitos is influenced primarily by transportation related noise sources. These transportation related noise sources include traffic noise from nearby roadways (i.e., I-605, Katella Avenue and Los Alamitos Boulevard) and aircraft noise from the Joint Forces Training Base (JFTB). Stationary noise sources include air conditioning units, power generators, air compressors, school bells, and power equipment. The City of Los Alamitos General Plan has traffic noise contours for assessing the compatibility of residential uses with transportation related noise sources. The City has also adopted a Noise Ordinance that sets criteria for residential areas impacted by stationary noise sources, including "not to exceed" noise levels for various periods of time and regulations for special activities.

Most sites listed in the Sites Inventory are outside of the 60/65-CNEL noise contours established for JFTB, except the Site 6 which is partially within the 60-CNEL noise contour but completely outside the 65-CNEL noise contour. The City enforces California Building Code's standards for residential construction practices and building materials to ensure that interior noise levels do not exceed 45 dBA. Future housing projects will be subject to CBC requirements and thus meet the City noise standards of 45 dBA at night and 55 dBA during the day for residential uses as set forth in the General Plan.

b. Infrastructure Constraints

i. Water

The Golden State Water Company owns and operates the extensive network of water lines that serves Los Alamitos. The water system supply sources include a mixture of groundwater from the Orange County Groundwater Basin and imported water from the

GENERAL PLAN

Goal 3: Development that is consistent with the Airport Environs Land Use Plans for the Joint Forces Training Base and Orange County Heliports.

Policy 3.1 can also be found in the Public Facilities and Safety Element as Policy 4.1.

Policy 3.1 Land use compatibility. Approve development and require mitigation measures to ensure existing and future land use compatibility as shown in the City's Noise Ordinance, the Land Use and Noise Compatibility Matrix, the State Interior and Exterior Noise Standards, and the Airport Environs Land Use Plan (AELUP) for the JFTB.

Policy 3.2 Federal Aviation Regulation Part 77. Do not approve buildings and structures that would penetrate Federal Aviation Regulation (FAR) Part 77 Imaginary Obstruction Surfaces for JFTB, Los Alamitos unless found consistent by the Airport Land Use Commission (ALUC). Additionally, in accordance with FAR Part 77, required applicants proposing buildings or structures that penetrate the 100:1 Notification Surface to file a Form 7460-1 Notice of Proposed Construction or Alteration with FAA and provide a copy of the FAA determination to the City and the ALUC for Orange County.

Policy 3.3 Structures above 200 feet. For development projects that include structures higher than 200 feet above existing grade, the City shall inform the ALUC and submit materials to the ALUC for review. Proposed projects that would exceed a height of 200 feet above existing grade shall be required to file Form 7460-1 with the Federal Aviation Administration (FAA).

Policy 3.4 Heliport/helistop approval and requirements. Approve the development of a heliport or helistop only if it complies with the AELUP for Heliports. Ensure that each applicant seeking a conditional use permit or similar approval for the construction or operation of a heliport or helistop complies fully with the state permit procedure provided by law and with all conditions of approval imposed or recommended by the FAA, by Orange County ALUC, and by Caltrans/Division of Aeronautics. This requirement shall be in addition to all other City development requirements.

Policy 3.5 New residential units. Do not approve the construction of new residential units within the 65 dBA CNEL noise contour for the JFTB.

Policy 3.6 JFTB noise contours. Require the use of JFTB noise contours to ensure new development is compatible with the noise environment.

Policy 3.7 Deed disclosure notice. Provide notice of airport in the vicinity where residential development is being proposed within the 60 dBA CNEL noise contours for the

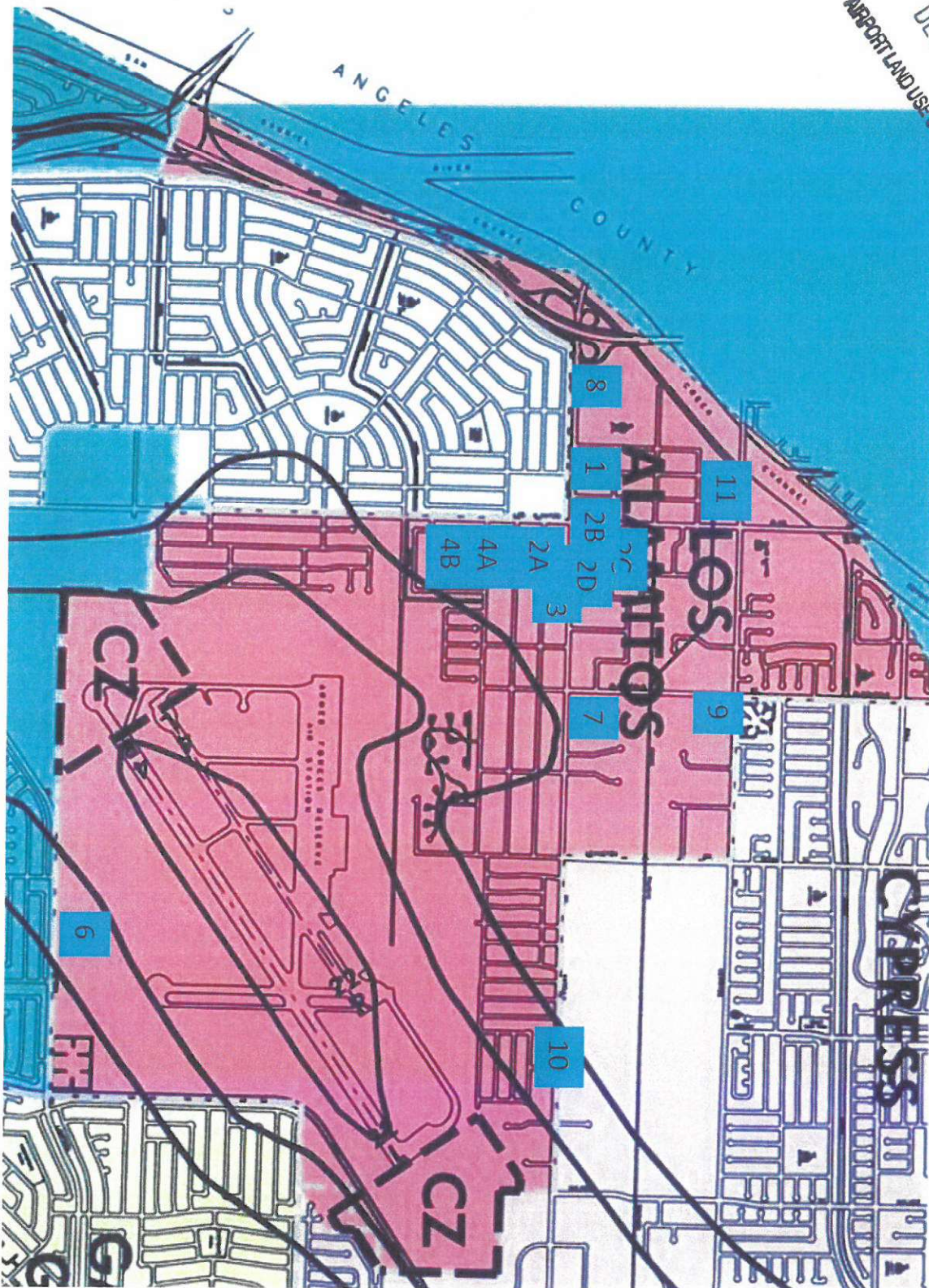
GENERAL PLAN

JFTB. Require that the following language be included as part of the Deed Disclosure Notice:

NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

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DEC 27 2022
AIRPORT LAND USE COMMISSION





AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

January 23, 2023

Tom Oliver, Associate Planner
City of Los Alamitos
3191 Katella Avenue
Los Alamitos, CA 90720-5600

Subject: Los Alamitos Housing Element Update 2021-2029

Dear Mr. Oliver:

During the public meeting held on January 19, 2023, the Airport Land Use Commission (ALUC) for Orange County considered the subject item. The matter was duly discussed and with a 5-1 vote, the Commission found the proposed Housing Element Update 2021-2029 6th Cycle to be Inconsistent with the *Airport Environs Land Use Plan for Joint Forces Training Base Los Alamitos (AELUP for JFTB)* per:

- Section 2.1.1 Aircraft Noise, that the “aircraft noise emanating from airports may be incompatible with general welfare of the inhabitants within the vicinity of an airport.”
- PUC Section 21674, (as referenced in Section 1.2 of the *AELUP for JFTB Los Alamitos*) which states that the Commission is charged by PUC Section 21674(a) “to assist local agencies in ensuring compatible land uses in the vicinity of ...existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses,” and PUC Section 21674(b) “to coordinate planning at the state, regional and local levels so as to provide for the orderly development of air transportation, while at the same time protecting the public health, safety and welfare.”
- General Land Use Policies in Section 3.2.1 which states that “within the boundaries of the AELUP, and land use may be found to be Inconsistent with the AELUP which (1) Places people so that they are affected adversely by aircraft noise and (2) Concentrates people in areas susceptible to aircraft accidents.”

Please contact me at lchoum@ocair.com or Julie Fitch at jfitch@ocair.com or call us at (949) 252-5170 if you have questions regarding this proceeding. Thank you.

Sincerely,

Lea U. Choum
Executive Officer

Regular City Council Agenda - August 21, 2023
Item 12A

ATTACHMENT 3



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

March 28, 2023

Ron Noda, Development Services Director
City of Los Alamitos
3191 Katella Ave.
Los Alamitos, CA 90720

Subject: Response to Notice of Intent to Overrule the Airport Land Use Commission
Determination for Los Alamitos General Plan 2021-2029 Housing Element Update

Dear Mr. Noda:

We are in receipt of your March 1, 2023 email letter notifying the Airport Land Use Commission (ALUC) for Orange County of the City's intent to overrule the ALUC's inconsistency determination on its General Plan Amendment for its 2021-2029 Housing Element Update. City Council Resolution No. 2023-04 was attached. In accordance with Section 21676 of the Public Utilities Code, the ALUC submits the following comments addressing the proposed overrule findings for the above-referenced project. This letter is advisory to the City and must be included in the public record of any final decision to overrule the ALUC, which may only be adopted by a two-thirds vote of the City's governing body.

Please be advised that California Public Utilities Code (PUC) Section 21678 states: "With respect to a publicly owned airport that a public agency does not operate, if the public agency pursuant to Section 21676, 21676.5, or 21677 overrules a commission's action or recommendation, the operator of the airport shall be immune from liability for damages to property or personal injury caused by or resulting directly or indirectly from the public agency's decision to overrule the commission's action or recommendation."

Background

On January 19, 2023, the ALUC for Orange County found the Los Alamitos Housing Element Update to be inconsistent with the *Airport Environs Land Use Plan (AELUP) for Joint Forces Training Base Los Alamitos (JFTB Los Alamitos)* on a 5-1 vote. The inconsistent finding was based on AELUP Sections 2.1.1 and 3.2.1 and PUC Sections 21674(a) and 21674(b).

While the City referred the proposed Housing Element Update to ALUC prior to approval by the City Council, the City approved its General Plan Amendment on February 21, 2023, prior to completing the overrule process in accordance with the PUC Section 21676(b).

ALUC has the following comments regarding the findings of facts included in Resolution 2023-04:

Response to Finding “a” Regarding Protection of the Public from Adverse Effects:

As noted in the City’s finding, the AELUP for JFTB Los Alamitos is intended to protect the public from the adverse effects of aircraft noise, ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and ensure no structures or activities adversely affect navigable airspace. However, proposed housing Sites 6 and 10 are located in close proximity to JFTB Los Alamitos. As stated in Section 2.2 of the *AELUP for JFTB Los Alamitos*, “[t]he Commission may consider the utilization of criteria for protecting aircraft traffic patterns at this airport which may differ from those contained in FAR Part 77, should evidence of health, welfare, or safety surface sufficient to justify such an action.”

Response to Findings “b” and “c” Regarding Noise Standards:

The ALUC inconsistency determination was based in part on AELUP Section 2.1.1 which states “aircraft noise emanating from airports may be incompatible with the general welfare of the inhabitants within the vicinity of an airport,” and partly on General Land Use Policies in Section 3.2.1 which states that “within the boundaries of the AELUP, any land use may be found to be Inconsistent with the AELUP which (1) Places people so that they are affected adversely by aircraft noise and (2) Concentrates people in areas susceptible to aircraft accidents.” The ALUC believes that the proposed new locations for residential units would be highly affected by airport noise due to the close proximity to the airport and that the past and current land use designations of “Community and Institutional” and “Retail Business” are the appropriate designations for these sites to not concentrate people in this area which is susceptible to aircraft accidents. The proposed Housing Element Update would allow for the introduction of residential uses which are not suitable and would subject the future residents to excessive noise and safety risks.

Response to Finding “d” Regarding Safety:

While none of the proposed opportunity sites are located within the Accident Potential Zones or Clear Zones, the ALUC considers the broader definition of “safety” as stated above and in Section 3.2.1 of the *AELUP for JFTB Los Alamitos*. The north departure path close to the Laurel Park (Site 7) is shown in Attachment 7 of the ALUC Staff Report (entire staff report is attached to this letter). It is the pink line in Figure 3-1: JFTB Los Alamitos Flight Routes and the blue line in Figure 4-2 from the 2022 CARNG ICUZ. Allowing residential uses adjacent to the flight tracks would concentrate people in an area susceptible to aircraft accidents and is not recommended.

Response to Finding “e” Regarding Purpose and Intent of the AELUP

The City states that the “proposed project is consistent with the purpose and intent of the AELUP and will not result in incompatible land uses adjacent to JFTB Los Alamitos.” By virtue of being clearly stated in *AELUP for JFTB Los Alamitos* Sections 1.2 “Purpose and Scope” and 2.0 “Planning Guidelines,” the ALUC understands the complex legal charge to protect public

airports from encroachment by incompatible land use development, while simultaneously protecting the health, safety and welfare of citizens who work and live in the airport's environs. To this end, and as also statutorily required, ALUC proceedings are benefited by several members having expertise in aviation. Based upon careful consideration of all information provided, and input from ALUC members with expertise in aviation, the ALUC found the Housing Element Update to be Inconsistent with the *AELUP for JFTB Los Alamitos*.

We urge the City Council to take ALUC's concerns into consideration in its deliberations prior to deciding whether to overrule ALUC. Thank you for the opportunity to provide these comments.

Sincerely,

Lea Choum for

Gerald A. Bresnahan
Chairman

Attachment: January 19, 2023 ALUC Staff Report

cc: Members of Airport Land Use Commission for Orange County
Gabrielle Sefranek, Caltrans/Division of Aeronautics



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

AGENDA ITEM 1

January 19, 2023

TO: Commissioners/Alternates

FROM: Lea U. Choum, Executive Officer

SUBJECT: City of Los Alamitos Request for Consideration of Draft Housing Element Update (2021-2029)

Background

The City of Los Alamitos has submitted its 2021-2029 Housing Element Update ("Update") for a consistency review. The Update identifies and analyzes the City's existing and projected housing needs and contains goals, policies, objectives, and programs to address those needs. The City's Housing Element was last updated in February 2014, which covered the years 2014 to 2021. It was not submitted to ALUC for a consistency determination.

The Housing Element is one of the seven mandatory elements of the General Plan. Section 65583 of the Government Code sets forth the specific requirements of a jurisdiction's housing element. Included in these requirements are obligations of local jurisdictions to provide for their "fair share" of the regional housing needs. This fair share is determined through the Regional Housing Needs Assessment (RHNA) process which in Orange County is facilitated by the Southern California Association of Governments (SCAG). For the 2021 to 2029 planning period, the City of Los Alamitos was allocated a total of 769 housing units, including 194 for very low-income, 119 for low-income, 145 for moderate-income, and 311 for above-moderate income households.

The City of Los Alamitos surrounds and includes Joint Forces Training Base (JFTB) - Los Alamitos and the entire city is within the Notification/Planning Area (Attachment 1). The Draft Housing Element includes fourteen sites which could accommodate up to 1,295 units. The site locations and detailed information regarding each site is shown in Attachment 2. Sites one through four are existing Mixed Use sites and are currently zoned for Mixed Use. Sites 6 through 10 are currently in non-residential use and would require a change in General Plan Land Use designation as well as Zoning Code changes. Site 11 is currently designated as Multi-Family, but the Zoning would have to change to accommodate additional units. The two sites of most concern are Site 6 at 4655 Lampson Avenue, and Site 10 at 5030-5084 Katella. Both of these sites are in close proximity to the Base and within the 60 CNEL contour.

The City has submitted the Draft Housing Element Update to California Housing and Community Development (HCD) and has held/scheduled the following public hearings:

Planning Commission
City Council

December 14, 2022
January 24, 2023

AEUP for JFTB Los Alamitos Issues

Regarding Aircraft Noise Impacts

As stated above, the Draft Housing Element Update includes two new housing sites within the 60 dB CNEL as defined in the *Airport Environs Land Use Plan (AEUP) for JFTB Los Alamitos* (See Attachment 3). Site 6 is located at 4655 Lampson Avenue and could accommodate up to 310 housing units, and Site 10 located at 5030-5084 Katella could accommodate up to 108 units.

The *AEUP for JFTB Los Alamitos* states that residential uses within the 60 dB CNEL/Noise Impact Zone 2 is “Normally Consistent,” but that the “noise impact in this area is sufficient to require sound attenuation as set forth in the California Noise Insulation Standards, Title 25, California Code of Regulations.” The Commission strongly recommends that residential units be limited or excluded from this area unless sufficiently sound attenuated. The AEUP states, “the residential use interior sound attenuation requirement shall be a CNEL value not exceeding an interior level of 45 dB. In addition, it is recommended that all designated outdoor common or recreational areas within Noise Impact Zone 2 provide outdoor signage informing the public of the presence of operating aircraft.”

The City’s Public Facilities and Safety Element includes the following discussion regarding noise:

“The Airport Environs Land Use Plan (AEUP) is a land-use compatibility plan that describes the effects of aircraft noise on surrounding areas. Land uses within the airport planning area boundaries are required to conform to noise restrictions established in the AEUP. Figure 6 shows the 60 and 65 dBA CNEL noise contours from the AEUP.”

In addition, the City’s Growth Management Element includes the following policies:

Policy 3.5 New residential units. Do not approve the construction of new residential units within the 65 dBA CNEL noise contour for the JFTB.

Policy 3.6 JFTB noise contours. Require the use of JFTB noise contours to ensure new development is compatible with the noise environment.

Policy 3.7 Deed disclosure notice. Provide notice of airport in the vicinity where residential development is being proposed within the 60 dBA CNEL noise contours

for the Growth Management Element March 2015 Los Alamitos General Plan 6 JFTB. Require that the following language be included as part of the Deed Disclosure Notice.

Please note that as part of the submittal to ALUC, the City included exhibits from the 2021 JFTB Los Alamitos noise assessment. Attachment 4 is the finalized JFTB Los Alamitos Aircraft Noise Zone exhibit which was incorporated into the California Installation Compatible Use Zone Study (ICUZ) in March of 2022. The report assessed noise levels associated with both current and projected aircraft operations (including the California Army National Guard projected increase in aircraft operations over the next 10 years) and resulted in expanded noise contours. Please refer Attachment 5 which shows the JFTB Los Alamitos noise zones from the 2015 ICUZ study for comparison purposes.

Regarding Height Restrictions

All of the City's proposed housing sites are within the Federal Aviation Administration (FAA) Federal Aviation Regulations (FAR) Part 77 Obstruction Imaginary Surfaces for JFTB Los Alamitos (Attachment 6). The horizontal obstruction imaginary surface for JFTB Los Alamitos is at an elevation of 182.4 feet above mean sea level (AMSL). Transitional, approach and conical surfaces vary in elevation and are addressed below for the proposed Housing Element sites.

Proposed housing Sites 1 through 4B are designated as Town Center Mixed Use (TCMU) and will remain TCMU. According to the City's Zoning Code, the TCMU zone has a maximum height of 60 feet. Sites 6 through 10 are sites that would change from non-residential (Commercial & Institutional and Retail Business) to residential uses (R4), and Site 11 would remain in multi-family residential use but change from R3 to R4. The City's Draft Housing Element states that this would "require the creation of a new zoning designation, R-4" ... and "the height limits would be increased to allow higher rise buildings." Current maximum building heights allowed by the City's Zoning Code for residential districts vary from 30 to 35 feet above ground level (AGL). The City has identified in its Update submittal that development heights are, and will continue to be, consistent with the JFTB imaginary surfaces restrictions to ensure public safety.

The City's Public Facilities and Safety Element includes height restrictions as follows:

"To ensure the safe operation of aircraft activity at the JFTB, structures anywhere in Los Alamitos or Rossmoor should not exceed the applicable elevations defined in the Federal Aviation Regulations (FAR), Part 77 (Objects Affecting Navigable Air Space). This height restriction is 88 to 200 feet above ground level based on proximity to the runway.

Current zoning standards do not permit development higher than 70 feet in Los Alamitos or Rossmoor. Nevertheless, all developments are subject to FAR Part 77 noticing requirements and must file the necessary form(s) with the City's Community

Development department, the County's Planning division, and the Orange County Airport Land Use Commission."

Additionally, the City's Growth Management Element includes the following policies:

Policy 3.1 Land use compatibility. Approve development and require mitigation measures to ensure existing and future land use compatibility as shown in the City's Noise Ordinance, the Land Use and Noise Compatibility Matrix, the State Interior and Exterior Noise Standards, and the Airport Environs Land Use Plan (AELUP) for the JFTB.

Policy 3.2 Federal Aviation Regulation Part 77. Do not approve buildings and structures that would penetrate Federal Aviation Regulation (FAR) Part 77 Imaginary Obstruction Surfaces for JFTB, Los Alamitos unless found consistent by the Airport Land Use Commission (ALUC). Additionally, in accordance with FAR Part 77, required applicants proposing buildings or structures that penetrate the 100:1 Notification Surface to file a Form 7460-1 Notice of Proposed Construction or Alteration with FAA and provide a copy of the FAA determination to the City and the ALUC for Orange County.

Policy 3.3 Structures above 200 feet. For development projects that include structures higher than 200 feet above existing grade, the City shall inform the ALUC and submit materials to the ALUC for review. Proposed projects that would exceed a height of 200 feet above existing grade shall be required to file Form 7460-1 with the Federal Aviation Administration (FAA).

Provided below is the height review for the proposed sites. At their current maximum allowable heights, none of the proposed housing sites penetrate the imaginary surfaces for JFTB, Los Alamitos.

Sites 1-4B – Maximum Combined 467 Units

With approximate ground elevations of 21 feet, and horizontal and conical surfaces ranging from 182.4 feet to 225 feet AMSL, Sites 1 through 4B would not penetrate the imaginary surfaces with the zoning code maximum height of 60 feet for the TCMU zone.

Site 6 - Maximum 310 Units

The approximate ground elevation for Site 6 is approximately 20 feet AMSL and the horizontal imaginary obstruction surface would be penetrated at 182.4 feet AMSL. The City's maximum building height of 35 feet for residential zones would not penetrate the imaginary surface in this location. The property on Lampson Avenue has been sold to a developer and is actively being planned for redevelopment for housing. The City has received a proposal from the developer for 248 residential units including 77 affordable units on the 12.4-acre property.

Site 7 - Maximum 72 Units

Laurel Park has an approximate ground elevation of approximately 23 feet AMSL and the horizontal imaginary obstruction surface would be penetrated at 182.4 feet AMSL. The City's

maximum building height of 35 feet for residential zones would not penetrate the imaginary surface in this location.

Site 8 - Maximum 115 Units

The 3191 Katella/City Hall property has an approximate ground elevation of 19 feet AMSL. The conical surface at this location would be penetrated at approximately 250 feet AMSL. The City's maximum building height of 35 feet would not penetrate the imaginary surface in this location.

Site 9 - Maximum 180 Units

The 4142 Cerritos Avenue site has an approximate ground elevation of 19 feet AMSL. The conical surface at this location would be penetrated at approximately 191 feet AMSL. The City's maximum building height of 35 feet would not penetrate the imaginary surface in this location.

Site 10 - Maximum 108 Units

Tue 5030-5084 Katella Laurel Park site has an approximate ground elevation of approximately 27 feet AMSL and the horizontal imaginary obstruction surface would be penetrated at 182.4 feet AMSL. The City's maximum building height of 35 feet for residential zones would not penetrate the imaginary surface in this location.

Regarding Safety

JFTB Los Alamitos has established Clear Zones (also referred to as a Runway Protection Zones). These Clear Zones are trapezoidal areas located at each end of the runway (as shown on Attachment 3). Clear Zones are limited primarily to airport and open space uses. No buildings intended for human habitation are permitted in Clear Zones. The Clear Zones for JFTB Los Alamitos are completely within the JFTB boundaries.

Aircraft operations at JFTB include use of both fixed wing aircraft and helicopters. General flight route information for JFTB Los Alamitos is provided in Attachment 7. These exhibits were prepared for JFTB in conjunction with an Environmental Assessment in June 2021 and for ICUZ in 2022, and are included for informational purposes only. The Site 7 (Laurel Park) would be adjacent to the north departure path.

Regarding Heliports

The development of heliports is not proposed within the Housing Element Update, therefore consistency with the *AELUP for Heliports* was not reviewed.

Environmental

On November 1, 2021, ALUC staff sent a comment letter to the City regarding the NOI to Adopt a Negative Declaration for the Housing Element Update. It is included as Attachment 8.

Conclusion

Attachment 9 to this report contains the submittal letter and Housing Element Submittal Form and Checklist received from the City of Los Alamitos. The Housing Element Update and supporting documents are also available on the City's website at:

<http://cityoflosalamitos.org/375/Housing-Element>

ALUC staff has reviewed this project with respect to compliance with the *AELUP for JFTB Los Alamitos*, including review of noise, height and safety. The locations of Site 6 and Site 10 are in close proximity to JFTB-Los Alamitos, and the proposed land use designation of the two sites would allow for 418 new residential units, where there are currently none. These sites would be changing from the non-residential to residential uses and are both located within the 60 CNEL noise contour for JFTB-Los Alamitos. Site 7 would add up to 72 units adjacent to the north departure path subjecting future residents to noise and safety issues.

Recommendation

That the Commission find the proposed City of Los Alamitos 2021-2029 Housing Element Update Inconsistent with the *AELUP for JFTB Los Alamitos* per:

1. Section 2.1.1 Aircraft Noise, that the "aircraft noise emanating from airports may be incompatible with general welfare of the inhabitants within the vicinity of an airport."
2. PUC Section 21674, (as referenced in Section 1.2 of the *AELUP for JFTB Los Alamitos*) which states that the Commission is charged by PUC Section 21674(a) "to assist local agencies in ensuring compatible land uses in the vicinity of ...existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses," and PUC Section 21674(b) "to coordinate planning at the state, regional and local levels so as to provide for the orderly development of air transportation, while at the same time protecting the public health, safety and welfare."
3. General Land Use Policies in Section 3.2.1 which states that "within the boundaries of the AELUP, and land use may be found to be Inconsistent with the AELUP which (1) Places people so that they are affected adversely by aircraft noise and (2) Concentrates people in areas susceptible to aircraft accidents."

Respectfully submitted,

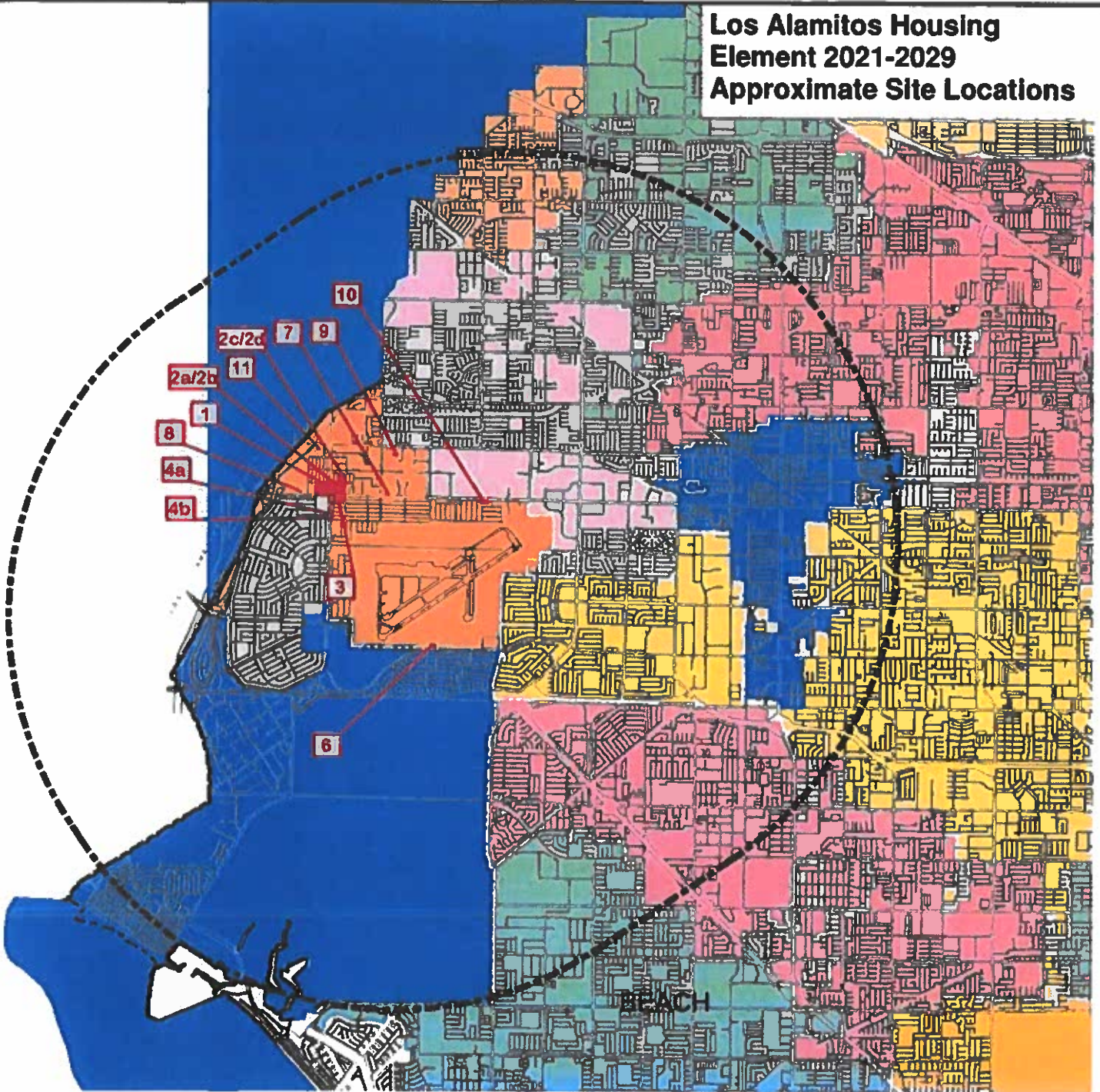


Lea U. Choum
Executive Officer

Attachments:

1. Notification Area for JFTB Los Alamitos
2. Site Inventory Map and Table
3. Impact Zones/Noise Contours for JFTB Los Alamitos
4. 2022 JFTB Los Alamitos Noise Zones
5. 2015 JFTB Los Alamitos Noise Zones
6. Housing Sites in relation to JFTB Obstruction Imaginary Surfaces
7. JFTB Los Alamitos Flight Patterns
8. ALUC November 1, 2001 Letter to Los Alamitos Regarding Negative Declaration
9. City of Los Alamitos Letter and Submittal Form

**Los Alamitos Housing
Element 2021-2029
Approximate Site Locations**



Note: County Unincorporated areas are shown in white.

FAR PART 77

Notification Area for JFTB Los Alamitos: 20,000' Radius at 100:1 Slope



LEGEND

- 20,000 Radius
- CITY BOUNDARIES

Adopted by

ATTACHMENT 1

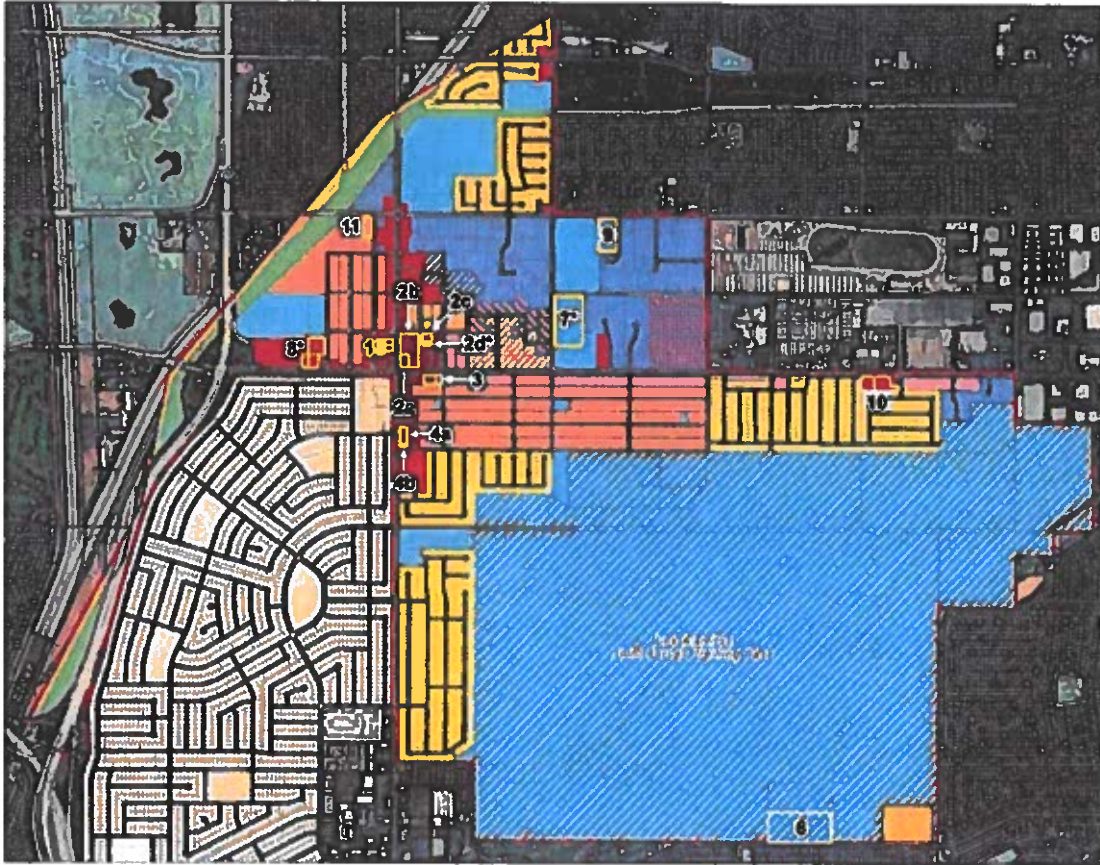
City

Lea Choum, Executive Officer

Date



Figure B-1. Location of Sites Inventory



ii. Realistic Capacity

The City has seen a significant interest in redevelopment for multi-family housing in various locations, including the Old Town West and Apartment Row neighborhoods as discussed below in subsection c. Additional Underutilized Land;— The pressure for residential development in the region, combined with older, under-utilized commercial projects, has resulted in considerable developer interest and at multiple developed locations, including sites listed in Table B-2 and elsewhere in the City:

- As described above, the City currently has an application in process for site 6, which includes 77 lower income units. In addition, the developer of this project is actively negotiating with the land owner of site 9, a church organization, for the purchase of the land for residential development.
- The City has met with an experienced housing developer who would like to develop a mixed use (housing and commercial) project on site 7. Negotiations are just

Table B-2
Sites Inventory and Projected Units

Sites Description

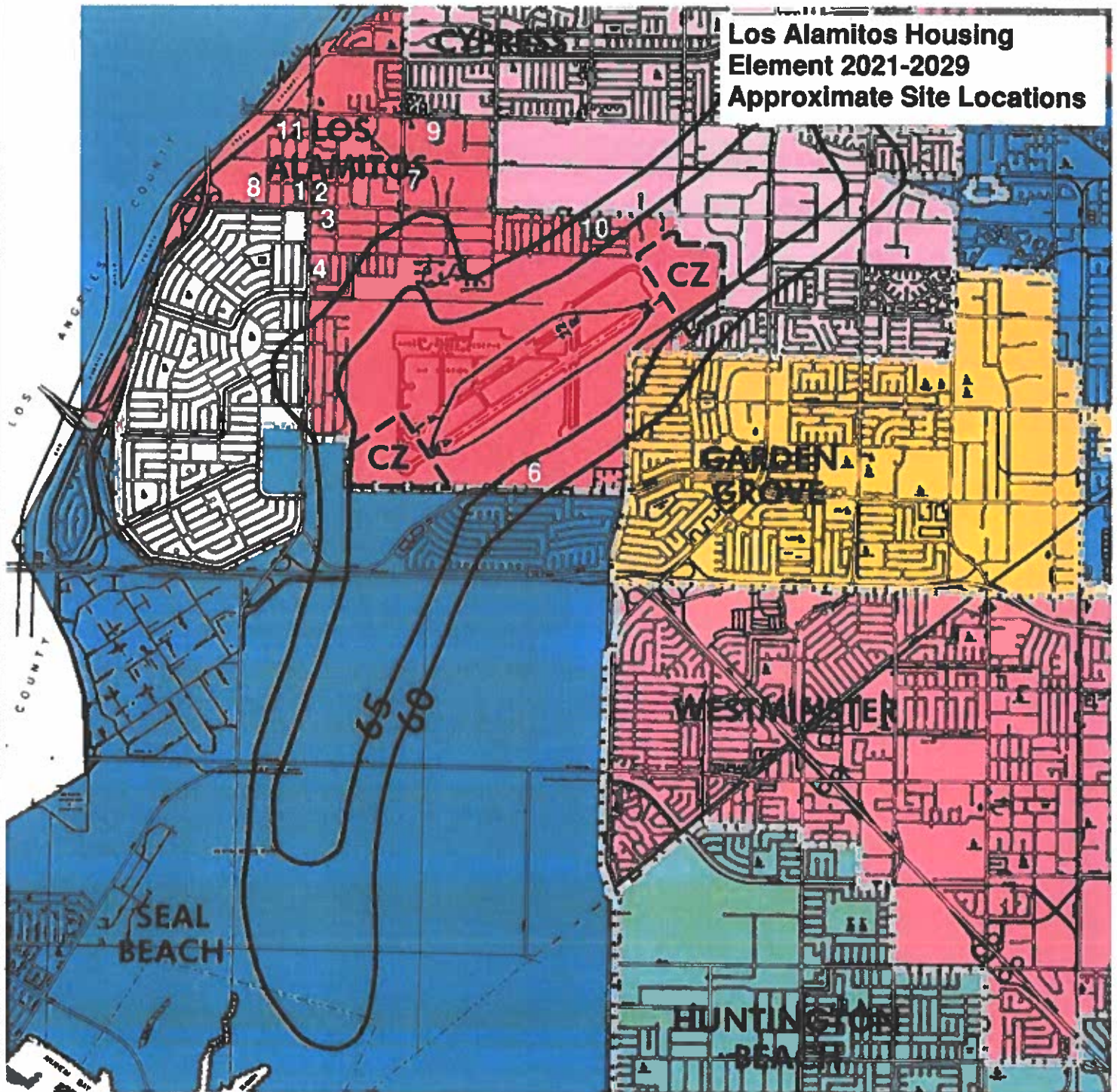
Site ID	APN	Address	Acres	Existing GP	Existing Zoning	Proposed Zoning	Projected Density	Max# Units
1	242-203-27	10909 Los Alamitos Blvd	0.85	Mixed Use	TCMU	TCMU	60	86
	242-203-28	10877 Los Alamitos Blvd	0.58	Mixed Use	TCMU	TCMU	60	
2a	242-171-02	10956 Los Alamitos Blvd	0.68	Mixed Use	TCMU	TCMU	60	41
2b	242-171-07	10900 Los Alamitos Blvd	3.1	Mixed Use	TCMU	TCMU	60	186
2c	242-172-01	10900 Pine Street	0.48	Mixed Use	TCMU	TCMU	60	29
2d*	242-172-02	10902 Pine Street	0.17	Mixed Use	TCMU	TCMU	60	10
3	222-091-01	11021 Reagan Street	0.35	Mixed Use	TCMU	TCMU	60	63
	222-091-21	3636 Katella Avenue	0.7	Mixed Use	TCMU	TCMU	60	
4a	222-093-12	11182 Los Alamitos Blvd	0.74	Mixed Use	TCMU	TCMU	60	44
4b	222-093-13	11232 Los Alamitos Blvd	0.13	Mixed Use	TCMU	TCMU	60	8
* 6	130-012-35	4655 Lampson Ave	12.4	Community & Institutional	C-F	R3	20	310
7	241-241-35	Laurel Park	2 of 4	Community & Institutional	C-I	R4	30	72
8	242-212-11 242-212-08 242-212-10	3191 Katella/City Hall	3.2	Retail Business	C-G	R4	30	115
9	241-251-14	4142 Cerritos Ave	5	Community & Institutional	C-F	R4	30	180
* 10	222-181-01 222-181-02	5030-5084 Katella	3	Retail Business	C-G	R4	30	108
11	242 222 06	3370 Cerritos Ave	1.2	Multi-Family	R3	R4	30	43
								1,295 Total

* Sites located within the 60 dB CNEL

 Sites with proposed new land use designations (Zoning Code Change required)

*Table adapted from: City of Los Alamitos website January 2023
Administrative Draft Housing Element 2021-2029 Appendix B Residential Land Resources*

<https://cityoflosalamitos.org/375/Housing-Element/>



Note: County Unincorporated areas are shown in white.

Los Alamitos Impact Zones Joint Forces Training Base



LEGEND

- 60— CNEL CONTOUR
- — — RUNWAY PROTECTION ZONE
- — — CITY BOUNDARIES

Adopted

ATTACHMENT 3

County

Kari Rigoni Executive Officer

Date

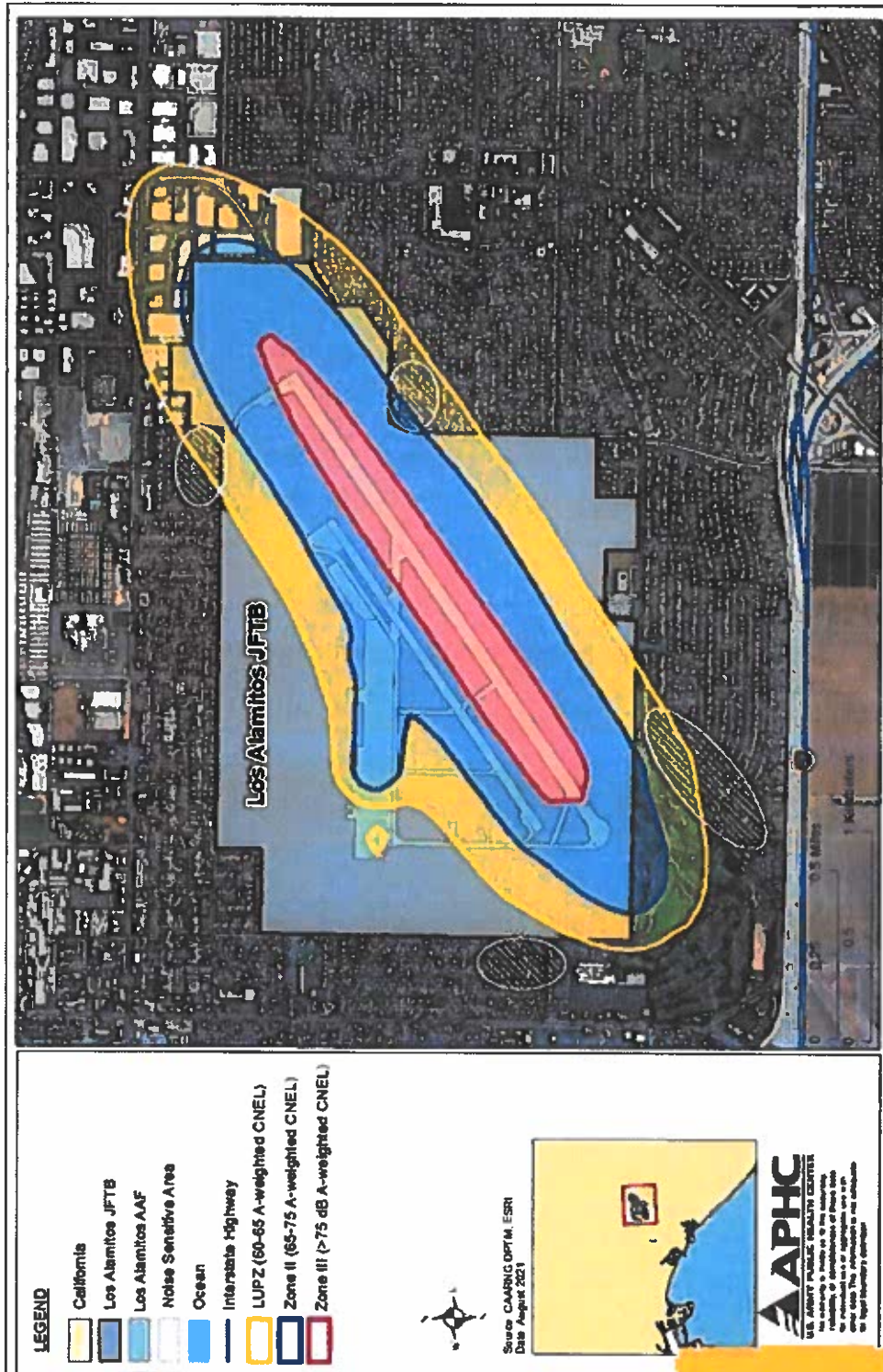


Figure 4-3 Los Alamitos JFTB Aircraft Noise Zones (A-weighted CNEL)

ATTACHMENT 4

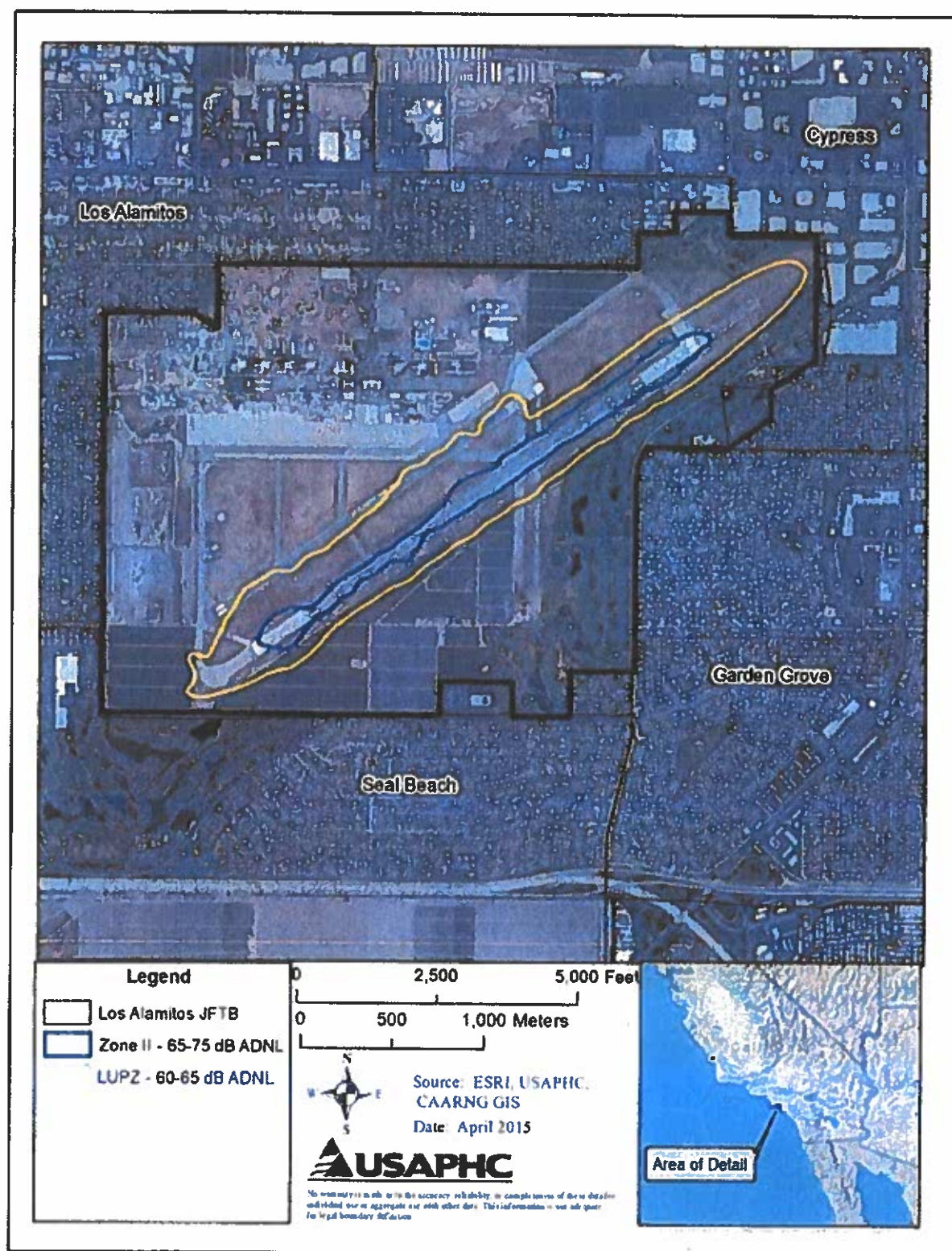
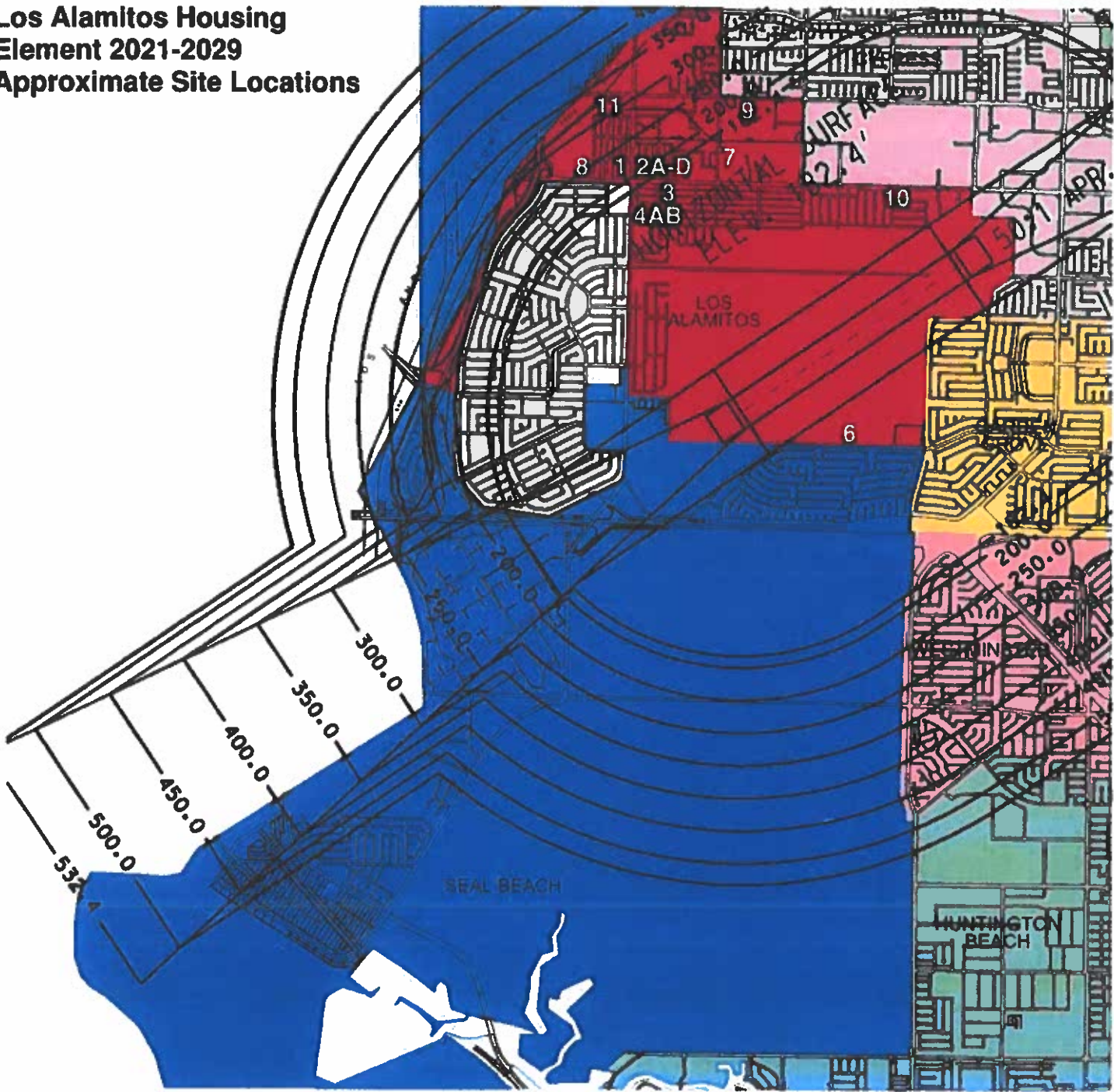


Figure 7-5. LAAAF Aircraft ADNL Noise Zones

ATTACHMENT 5

AELUP Height Restriction Zone for JFTB, Los Alamitos

Los Alamitos Housing
Element 2021-2029
Approximate Site Locations



Note: County Unincorporated areas are shown in white.

FAR PART 77

JFTB, Los Alamitos Obstruction Imaginary Surfaces

LEGEND

- 20,000' Radius
- CITY BOUNDARIES

Adopted

ATTACHMENT 6

County

Lea Choum

Executive Officer

Date

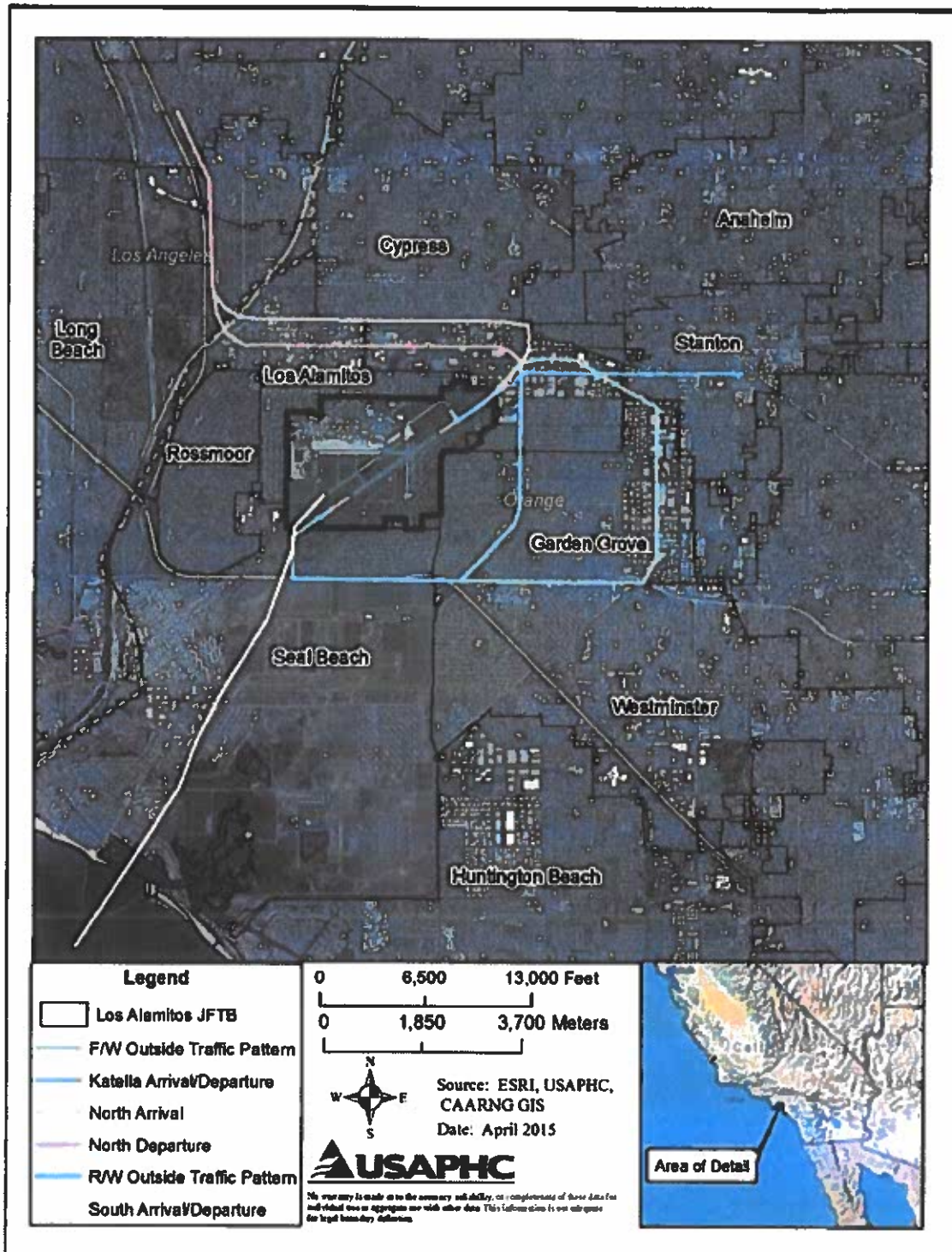


Figure 3-1. JFTB Los Alamitos Flight Routes

ATTACHMENT 7



Figure 4-2 Los Alamitos Joint Forces Flight Tracks



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

November 1, 2021

Tom Oliver, Associate Planner
City of Los Alamitos
3191 Katella Avenue
Los Alamitos, CA 90720-5600

Subject: NOI to Adopt Negative Declaration (ND) for Los Alamitos Housing Element Update (2021-2029)

Dear Mr. Oliver:

Thank you for the opportunity to review the City of Los Alamitos Initial Study to adopt a Negative Declaration for the proposed Housing Element Update in relation to the *Airport Environs Land Use Plan (AELUP) for Joint Forces Training Base, Los Alamitos*. The City of Los Alamitos is located within the Federal Aviation Administration (FAA) Federal Aviation Regulation (FAR) Part 77 Notification Area (also known as the airport planning area) and within the Obstruction Imaginary Surfaces. Also, a part of the City is located within the noise contours for JFTB, Los Alamitos.

The Draft Housing Element includes a site inventory assessment, which identifies sites that can achieve the City's assigned 2021 Regional Housing Needs Assessment (RHNA) for the 2021-2029 planning period. The Draft Element identifies three focus areas for residential development:

- Town Center Mixed Use Strategic Plan Area
- Lampson Site
- Arrowhead Site

The proposed site inventory includes new sites within the Notification Area, which requires submittal to the Airport Land Use Commission for a consistency review. The Draft Housing Element also proposes new residential sites within the conical and horizontal obstruction imaginary surfaces for JFTB, Los Alamitos. The ND should discuss the maximum building heights allowed for the three focus areas. With respect to building height restrictions, development proposals, which include the construction or alteration of structures more than 200 feet above ground level, require filing with the Federal Aviation Administration (FAA) and ALUC notification. Projects meeting this threshold must comply with procedures provided by Federal and State law, with the

ATTACHMENT 8

referral requirements of ALUC, and with all conditions of approval imposed or recommended by FAA and ALUC including filing a Notice of Proposed Construction or Alteration (FAA Form 7460-1). Depending on the maximum building heights that will be allowed per the proposed Housing Element Update, the City may wish to incorporate a mitigation and condition of approval specifying the 200 feet height threshold within the ND and proposed Housing Element.

As discussed in the ND, the Lampson site is partially within the 60 CNEL noise contour. Per the *AELUP for JFTB, Los Alamitos* it is strongly recommended that residential units be limited or excluded from this area unless the sound attenuation provided is sufficient to ensure that interior noise levels do not exceed 45 dBA.

In addition, the ND should identify if the project allows for the development of heliports as defined in the *Airport Environs Land Use Plan (AELUP) for Heliports*. Should the development of heliports occur within your jurisdiction, proposals to develop new heliports must be submitted through the City to the ALUC for review and action pursuant to Public Utilities Code Section 21661.5. Proposed heliport projects must comply fully with the state permit procedure provided by law and with all conditions of approval imposed or recommended by FAA, by the ALUC for Orange County and by Caltrans/Division of Aeronautics. The ND should address whether the development of heliports will be allowed within the City's jurisdiction.

A referral by the City to the ALUC is required for this project due to the location of the proposal within an AELUP Planning Area and due to the nature of the required City approvals (i.e. Housing Element Update) under PUC Section 21676(b). With respect to project submittals, please note that the Commission requests that referrals be submitted to the ALUC for a determination between the Local Agency's Planning Commission and City Council hearings. Since the ALUC meets on the third Thursday afternoon of each month, complete submittals must be received in the ALUC office by the first of the month to ensure sufficient time for review, analysis, and agendaizing. The Housing Element Submittal form can be found at:

<https://www.ocair.com/about/administration/airport-governance/commissions/airport-land-use-commission/>

Thank you for the opportunity to comment on this initial study. Please contact Julie Fitch at (949) 252-5284 or jfitch@ocair.com if you have any questions.

Sincerely,



Lea Choum
Executive Officer



CITY OF
Los Alamitos
California

3191 Kalella Avenue
Los Alamitos, CA 90720-5600
Telephone: (562) 431-3538
FAX: (562) 493-1255
www.cityoflosalamitos.org

December 8, 2022

RECEIVED

DEC 13 2022

Lea Choum - Executive Officer
Airport Land Use Commission for Orange County
3160 Airway Avenue
Costa Mesa, CA 92626

AIRPORT LAND USE COMMISSION

SUBJECT: Housing Element Update

Hi Lea,

It was great talking with you a few weeks back. Attached, is a copy of the City's draft Housing Element for your review. You saw a draft of this document that you responded to last year. I have attached the submittal form and ancillary documents as well. Thank you so much for having the Commission look over the document.

I thank you for the opportunity to work with you on this proposed project. If you have any questions, please contact me at (562) 431-3538, ext. 303 or via e-mail at: toliver@cityoflosalamitos.org.

Sincerely,

CITY OF LOS ALAMITOS


Tom Oliver
Associate Planner

ATTACHMENT 9



AIRPORT LAND USE COMMISSION FOR ORANGE COUNTY

HOUSING ELEMENT UPDATE - SUBMITTAL FORM

1. City/County: Los Alamitos/County
2. Contact information - Name/Title Click or tap here to enter text
Agency: City of Los Alamitos
Address: 3191 Katella Avenue
Phone/email: 562-431-3538
3. Airport Planning Area(s):
☐ John Wayne Airport ☐ Fullerton Municipal Airport ☒ Joint Forces Air Base Los Alamitos
4. Are there additional General Plan Element(s) being submitted for review: ☒ No ☐ Yes –
Name of Elements: Click or tap here to enter text
5. Scheduled date of Planning Commission Public Hearing: 12/14/2022
6. Tentative date of City Council Public Hearing: 1/24/2023
7. Requested month of ALUC Review: 1/19/2023
(Complete submittal must be received by the first day of the month for the next meeting on the third Thursday of the month)
8. Does the Housing Element Update identify new housing sites within the airport Notification/Planning Area*? ☐ No (skip items # 9-12). ☒ Yes (continue below).
9. Does the Housing Element Update identify new housing sites within the: ☒ 60 CNEL or ☐ 65 CNEL Noise Contours of the airport(s)*? Please attach an exhibit showing location(s) of proposed housing sites and number of units in relation to noise contours.
10. Are noise policies or mitigation measures identified in the Housing Element or elsewhere in the General Plan? ☐ No ☒ Yes - Please attach pages with noise policies/mitigation measures highlighted.
11. Are any new housing sites identified within the Runway Protection Zone (RPZ), Clear Zone (CZ), or Airport Safety Zones of the airport*? ☒ No ☐ Yes - Please attach exhibit showing location(s) of proposed housing site(s) and number of units in relation to the applicable zones.
12. Are any new housing sites identified within the Obstruction Imaginary Surfaces*?
☒ No ☐ Yes - Please attach an exhibit showing location(s) of proposed housing sites and number of units in relation to the Obstruction Imaginary Surfaces.
13. Maximum height allowed for proposed housing. 35
(Please provide link and identify section(s) of General Plan and/or Zoning Code where housing maximum height is specified.)

Continued on reverse side.

HOUSING ELEMENT UPDATE - SUBMITTAL CHECKLIST

- ☒ Cover letter on City/County letterhead.
- ☒ Completed Submittal Form.
- ☒ Copy of existing Housing Element (and any other applicable Elements).
- ☒ Copy of proposed Housing Element Update attached (and any other proposed elements) with requested information highlighted.
- ☒ Exhibit showing location(s) of proposed housing sites and number of units within the Notification Area/Planning Area for airport.
- ☒ Exhibit showing location(s) of proposed housing sites, and how many units for each, in relation to noise contours for airport(s).
- ☒ Noise policies/mitigation measures in Housing Element Update highlighted and/or pages from other elements attached.
- ☒ Exhibit showing location(s) of proposed housing sites, and how many units for each, in relation to Airport Safety Zones.
- ☒ Exhibit showing location(s) of proposed housing sites, and how many units for each, in relation to the Obstruction Imaginary Surfaces.
- ☒ Pages of General Plan and/or Zoning Code which indicate height restrictions for each new housing site within Airport Notification/Planning Area.
- ☒ Explanation of how the Housing Element Update (or other General Plan Elements) addresses the AELUP standards for noise impact, safety compatibility, and height restriction zones: It acknowledges the noise zones and explains the mitigation for that is in using appropriate building materials and construction practices.

***For airport planning/notification areas, noise contours, safety zones and obstruction imaginary surfaces see Appendix D of the applicable Airport Environs Land Use Plan (AELUP) at:**
<https://www.ocair.com/about/administration/airport-governance/commissions/airport-land-use-commission/>

**Mail or Email Submittal Form, Checklist and attachments to: Airport Land Use Commission for Orange County,
 Attn: Executive Officer, 3160 Airway Avenue, Costa Mesa, CA 92626 / Phone: (949) 252-5170**

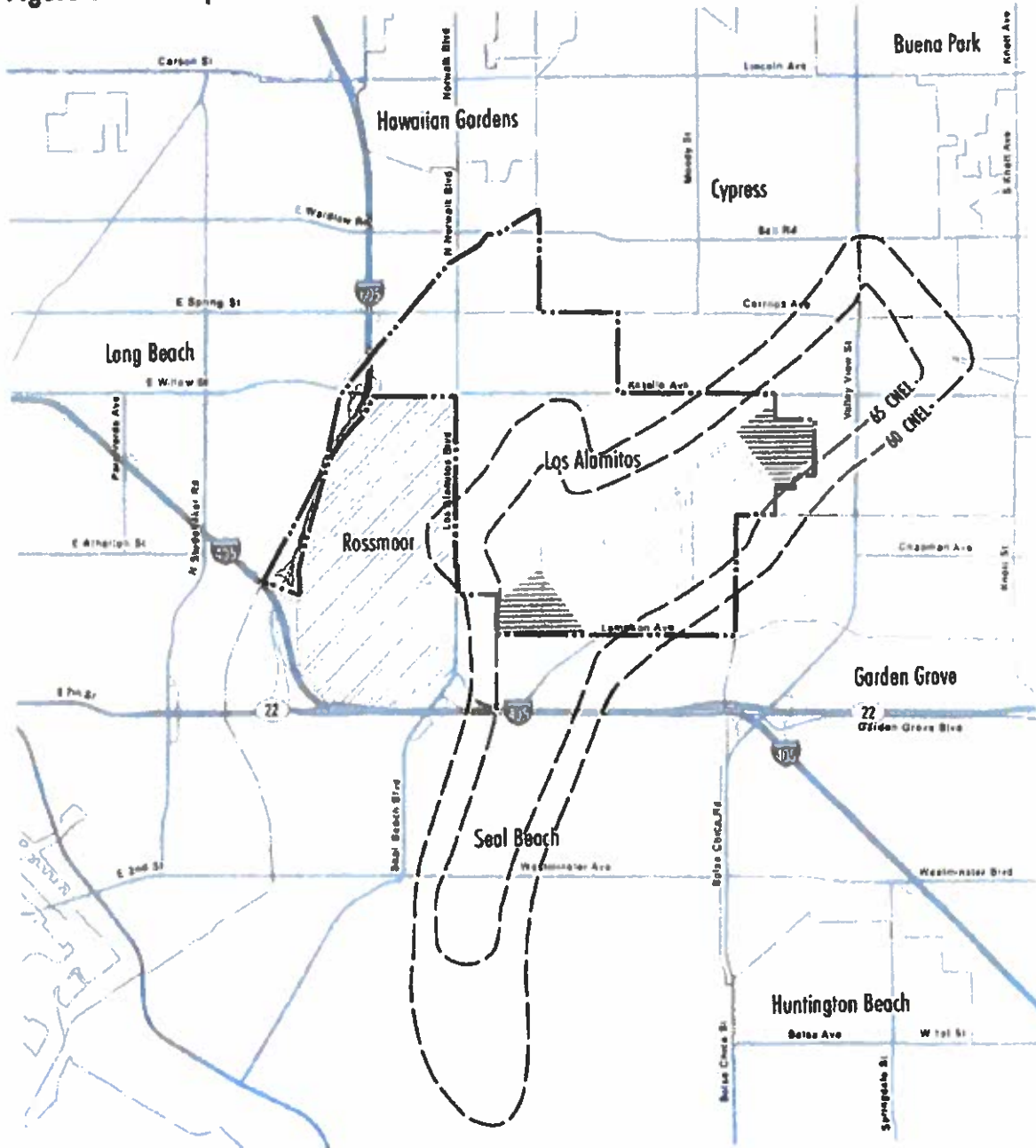
ALUCinfo@ocair.com

12 08 21

GENERAL PLAN

Public Facilities and Safety Element

Figure 6 JFTB Impact Zones



Source: Orange County Aerial Land Use Commission, 2007

 CNEL Contour City Boundary
 JFTB Clear Zone Rossmore

INITIAL STUDY FOR HOUSING ELEMENT

3.13 NOISE

Background

The noise environment in the City is typical of an urban community, with primary noise sources including traffic on Interstate-605, major arterials, mechanical equipment such as heating/ventilation/air conditioning (HVAC) units, commercial loading and unloading operations, and parking lot activity. In Los Alamitos, both fixed-wing aircraft and helicopters operate from The Joint Forces Training Base (JFTB), which generate aircraft noise on areas immediately next to the base and flight paths.

Would the project result in:

- a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- b) Generation of excessive ground borne vibration or ground borne noise levels?
- c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The adoption of the Housing Element Update will have no impact on noise. The future development of housing will be required to analyze noise impacts as part of the CEQA and building permit processes. All sites identified for future housing in the inventory are located in urban areas and adjacent to existing development. Typical noise sources include roadways and railroad, and stationary sources such as typical commercial and residential activities and landscaping equipment. The City will require the preparation of site-specific noise studies to assess impacts from roadway noise, as appropriate. Should noise levels at future housing sites require mitigation, there are a variety of means such as noise attenuation walls, setback from roadways, and landscape buffers which the City imposes through the development review process.

Housing redevelopment projects in the future may create temporary noise sources. The City's Municipal Code imposes noise standards and limits construction hours to the less sensitive day time hours (Municipal Code Chapter 17.20). Individual projects will be reviewed under CEQA to determine whether their construction will have adverse noise impacts on neighboring land uses.

The nearest public-use airport to the City is Long Beach Airport, approximately 3.4 miles to the west. The City is outside of the noise contours of Long Beach Airport (LACALUC 2017). The nearest private-use airport is the Joint Forces Training Base (JFTB) on the southeast side of the City. Most sites in the Site Inventory are outside of the 60/65-CNEL noise contours established for JFTB (OCALUC 2017), except the Lampson site which is partially within the 60-CNEL noise contour but completely outside the 65-CNEL noise contour. The State of California provides noise standards through the California Building Code, which establishes standards for residential construction practices and building materials to ensure that interior noise levels do not exceed 45 dBA. Future housing projects will be subject to CBC requirements and thus meet the City noise standards of 45 dBA at night and 55 dBA during the day for residential uses (General Plan Public Facilities and Safety Element Table 3). Therefore, the Housing Element Update would not subject people onsite to excessive noise levels from aircraft approaching or departing Long Beach Airport or JFTB.

Mitigation Measures and Monitoring: None required.

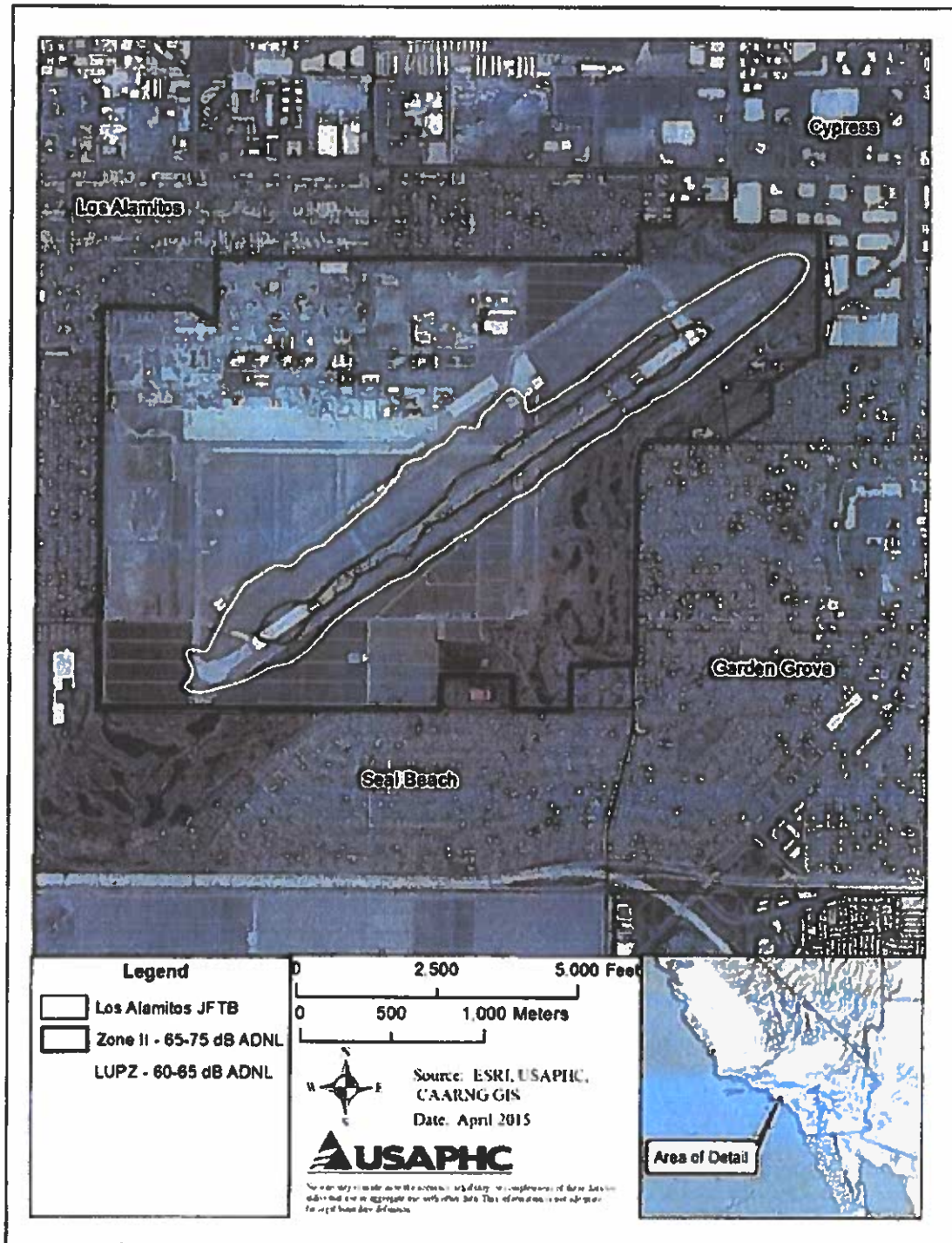


Figure 7-5. LAAAF Aircraft ADNL Noise Zones

JFTB NOISE ASSESSMENT

Environmental Health Sciences, Environmental Noise Consultation Update No. S.0064236b-20,
1 June 2020

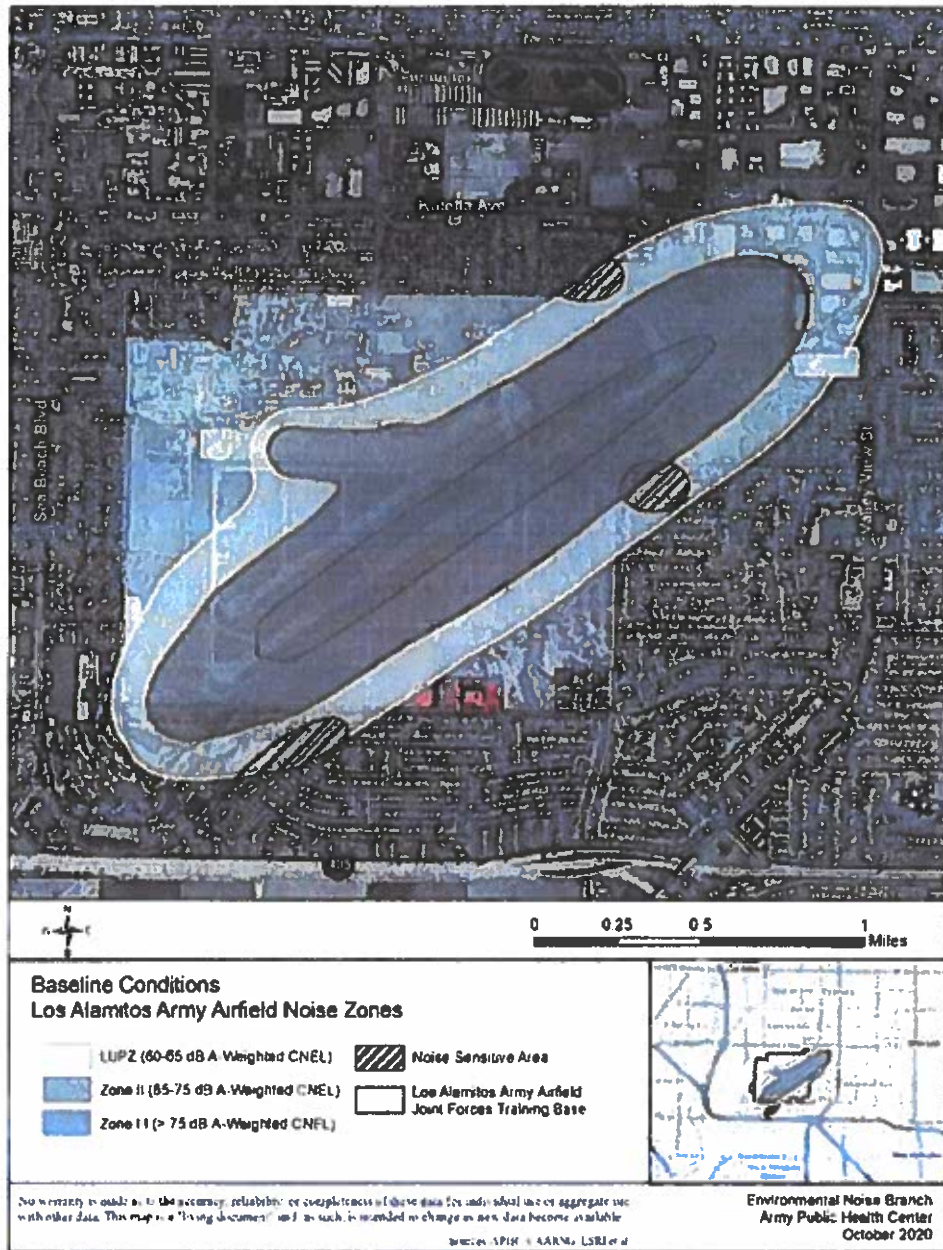


Figure 1. Baseline Los Alamitos Army Airfield Noise Zones

JFTB NOISE ASSESSMENT

Environmental Health Sciences, Environmental Noise Consultation Update No. S.0064236b-20,
1 June 2020

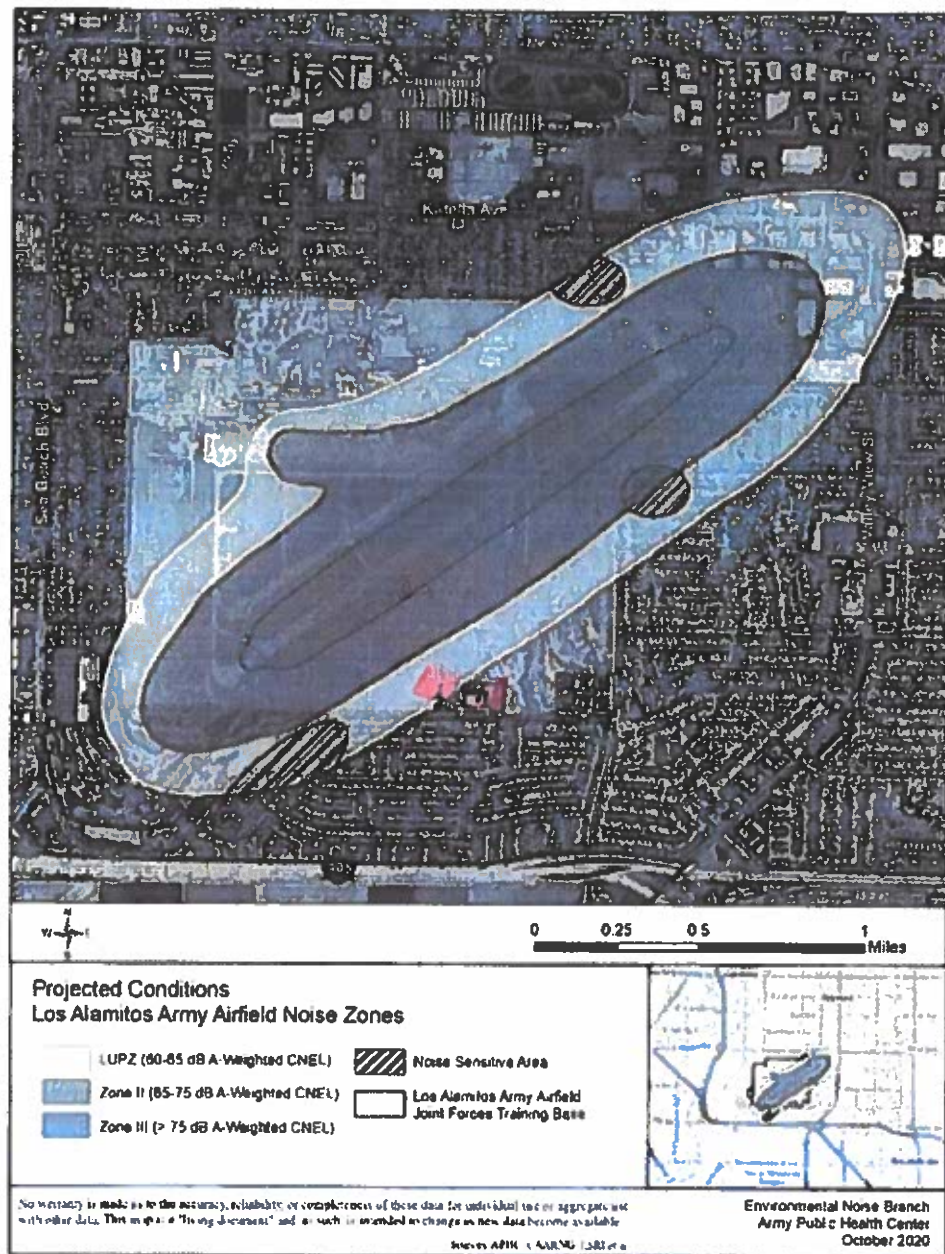


Figure 2. Projected Los Alamitos Army Airfield Noise Zones

Housing Element



Housing Element Residential Land Resources **AB**

Site 9 is currently occupied by a church and is for sale. The City will apply R4 zoning to the 5 acre property which would generate a mix of affordable and market rate units, including 20 units for lower income households and 40 units for moderate income households. The balance of the project would allow up to 90 units of housing available to above moderate income households.

Site 10 is currently occupied by a commercial development and consists of 3 acres. The site will be rezoned to R4 and is expected to develop as a mixed income project to include 10 lower income units, 15 moderate income units and 65 above moderate income units.

Site 11 is currently occupied by market housing, but is planned for redevelopment. The site will be rezoned from R3 to R4 and will provide up to 30 moderate income units.

As set forth in Policy Action 4.4, the City will enforce the units designated in Sites 5a-5b and 6 to meet RHNA per Table B-2 and Figure B-1 as future projects are proposed on these sites. Proposals that include fewer units than designated will not be approved by the City unless alternative sites are identified. The City has seen a significant interest in the redevelopment of these sites for the development of housing.

Table B-2
Sites Inventory and Projected Units

Sites Description							
Site ID	APN	Address	Acres	Existing GP	Existing Zoning	Proposed Zoning	Projected Density
1	242-203-27	10909 Los Alamitos Blvd	0.85	Mixed Use	TCMU	TCMU	60
	242-203-28	10877 Los Alamitos Blvd	0.58	Mixed Use	TCMU	TCMU	60
2a	242-171-02	10956 Los Alamitos Blvd	0.68	Mixed Use	TCMU	TCMU	60
2b	242-171-07	10900 Los Alamitos Blvd	3.1	Mixed Use	TCMU	TCMU	60
2c	242-172-01	10900 Pine Street	0.48	Mixed Use	TCMU	TCMU	60
2d*	242-172-02	10902 Pine Street	0.17	Mixed Use	TCMU	TCMU	60
3	222-091-01	11021 Reagan Street	0.35	Mixed Use	TCMU	TCMU	60
	222-091-21	3636 Katella Avenue	0.7	Mixed Use	TCMU	TCMU	60
4a	222-093-12	11182 Los Alamitos Blvd	0.74	Mixed Use	TCMU	TCMU	60
4b	222-093-13	11232 Los Alamitos Blvd	0.13	Mixed Use	TCMU	TCMU	60
6	130-012-35	4655 Lampson Ave	12.4	Community & Institutional	C-F	R3	20



Housing Element Residential Land Resources



Site ID	APN	Address	Acres	Existing GP	Existing Zoning	Proposed Zoning	Projected Density
7	241-241-35	Laurel Park	2 of 4	Community & Institutional	C-f	R4	30
8	242-212-11 242-212-08 242-212-10	3191 Katella/City Hall	3.2	Retail Business	C-G	R4	30
9	241-251-14	4142 Carritos Ave	5	Community & Institutional	C-F	R4	30
10	222-181-01. 222-181-02	5030-5084 Katella	3	Retail Business	C-G	R4	30
11	242-222-06	3370 Carritos Ave	1.2	Multi-Family	R3	R4	30

Projected Units

Site ID	Medium Units	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Units for RHNA
1	86	7	4	5		16
2a	41	2	2	2		6
2b	186	32	9	22		63
2c	29	11	8	9		28
2d	10	4	3	3		10
3	63	3	4	4		11
4a	44	2	3	2		7
4b	8	1		1		2
6	248	38	39		171	248
7	60	30	20	10		60
8	96	50	30	16		96
9	150	10	10	40	90	150
10	90	10		15	65	90
11	36			30		30
Total	1147	200	132	159	326	817
RHNA	769	194	119	145	311	769
Surplus Capacity	-	6	13	14	15	48

AB-6

City of Los Alamitos
Administrative Draft 2021-2029

DRAFT HOUSING ELEMENT

3

Housing Element

Housing Resources and Constraints

iv. Fire Hazards

The City of Los Alamitos contracts with the Orange County Fire Authority for fire protection and emergency medical services. The local fire station in Los Alamitos is located at 3642 Green Avenue. The fire station houses three Fire Captains, three Engineers, and three Firefighters. Additional resources are also available from 77 Orange County Fire Stations, the City of Long Beach, and Los Angeles County. Due to the low density character of the community and sparse wildland areas in the City, the wildland fire hazard is considered to be insignificant or low. The inventory sites are not located in or near state responsibility areas or Very High Fire Hazard Severity Zones as classified by the California Department of Forestry and Fire Protection.

v. Noise

The existing noise environment surrounding the City of Los Alamitos is influenced primarily by transportation related noise sources. These transportation related noise sources include traffic noise from nearby roadways (i.e., I-605, Katella Avenue and Los Alamitos Boulevard) and aircraft noise from the Joint Forces Training Base (JFTB). Stationary noise sources include air conditioning units, power generators, air compressors, school bells, and power equipment. The City of Los Alamitos General Plan has traffic noise contours for assessing the compatibility of residential uses with transportation related noise sources. The City has also adopted a Noise Ordinance that sets criteria for residential areas impacted by stationary noise sources, including "not to exceed" noise levels for various periods of time and regulations for special activities.

Most sites listed in the Sites Inventory are outside of the 60/65-CNEL noise contours established for JFTB, except the Site 6 which is partially within the 60-CNEL noise contour but completely outside the 65-CNEL noise contour. The City enforces California Building Code's standards for residential construction practices and building materials to ensure that interior noise levels do not exceed 45 dBA. Future housing projects will be subject to CBC requirements and thus meet the City noise standards of 45 dBA at night and 55 dBA during the day for residential uses as set forth in the General Plan.

b. Infrastructure Constraints

i. Water

The Golden State Water Company owns and operates the extensive network of water lines that serves Los Alamitos. The water system supply sources include a mixture of groundwater from the Orange County Groundwater Basin and imported water from the

GENERAL PLAN

Goal 3: Development that is consistent with the Airport Environs Land Use Plans for the Joint Forces Training Base and Orange County Heliports.

Policy 3.1 can also be found in the Public Facilities and Safety Element as Policy 4.1.

Policy 3.1 Land use compatibility. Approve development and require mitigation measures to ensure existing and future land use compatibility as shown in the City's Noise Ordinance, the Land Use and Noise Compatibility Matrix, the State Interior and Exterior Noise Standards, and the Airport Environs Land Use Plan (AELUP) for the JFTB.

Policy 3.2 Federal Aviation Regulation Part 77. Do not approve buildings and structures that would penetrate Federal Aviation Regulation (FAR) Part 77 Imaginary Obstruction Surfaces for JFTB, Los Alamitos unless found consistent by the Airport Land Use Commission (ALUC). Additionally, in accordance with FAR Part 77, required applicants proposing buildings or structures that penetrate the 100:1 Notification Surface to file a Form 7460-1 Notice of Proposed Construction or Alteration with FAA and provide a copy of the FAA determination to the City and the ALUC for Orange County.

Policy 3.3 Structures above 200 feet. For development projects that include structures higher than 200 feet above existing grade, the City shall inform the ALUC and submit materials to the ALUC for review. Proposed projects that would exceed a height of 200 feet above existing grade shall be required to file Form 7460-1 with the Federal Aviation Administration (FAA).

Policy 3.4 Heliport/helistop approval and requirements. Approve the development of a heliport or helistop only if it complies with the AELUP for Heliports. Ensure that each applicant seeking a conditional use permit or similar approval for the construction or operation of a heliport or helistop complies fully with the state permit procedure provided by law and with all conditions of approval imposed or recommended by the FAA, by Orange County ALUC, and by Caltrans/Division of Aeronautics. This requirement shall be in addition to all other City development requirements.

Policy 3.5 New residential units. Do not approve the construction of new residential units within the 65 dBA CNEL noise contour for the JFTB.

Policy 3.6 JFTB noise contours. Require the use of JFTB noise contours to ensure new development is compatible with the noise environment.

Policy 3.7 Deed disclosure notice. Provide notice of airport in the vicinity where residential development is being proposed within the 60 dBA CNEL noise contours for the

GENERAL PLAN

Growth Management Element

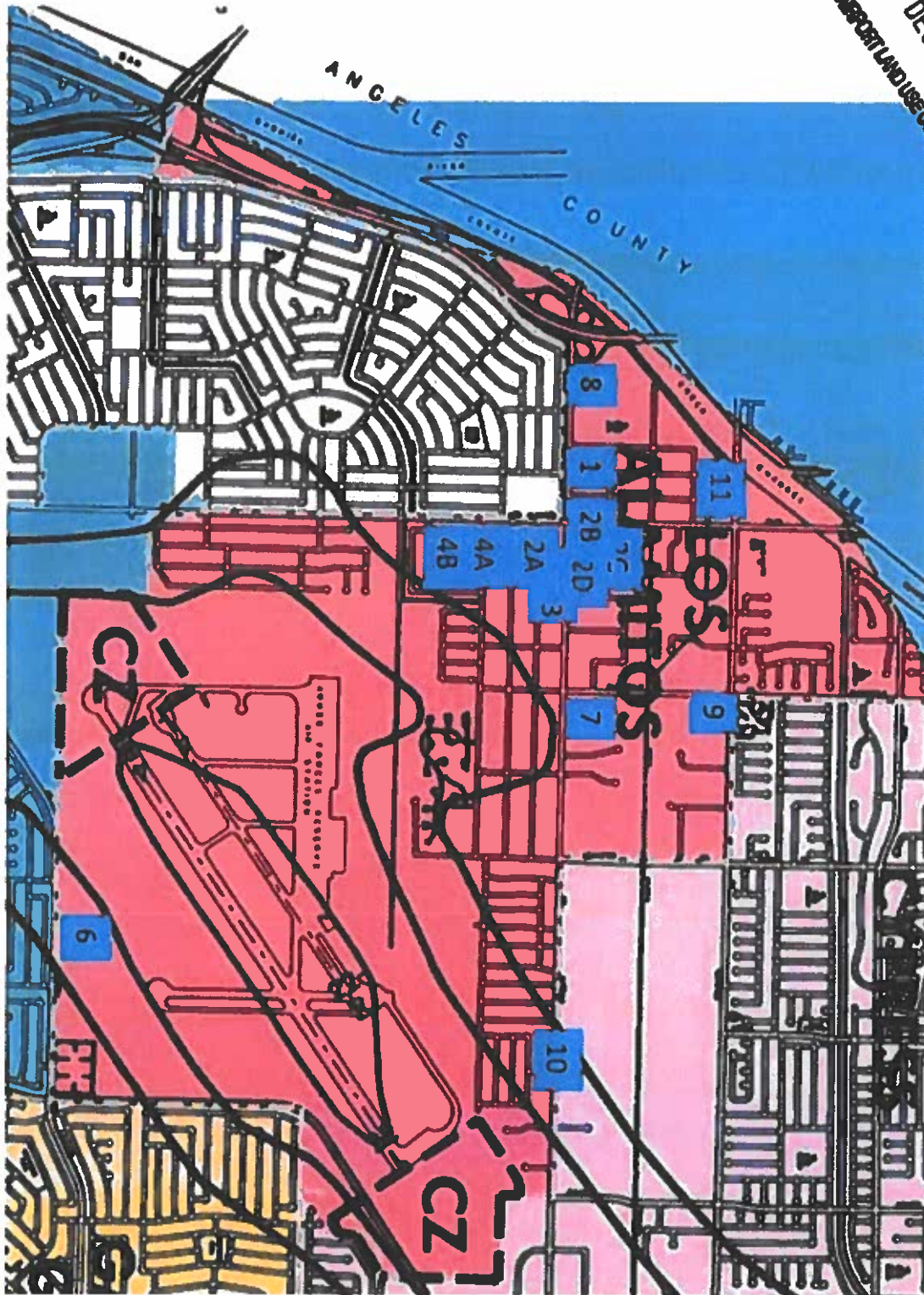
March 2015

JFTB. Require that the following language be included as part of the Deed Disclosure Notice:

NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

HEGEMAN
DEC 27 2022
AIRPORT LAND USE COMMISSION



Regular City Council Agenda - August 21, 2023
Item 12A

ATTACHMENT 4

California Department of Transportation

DIVISION OF AERONAUTICS
P.O. BOX 942874, MS-40 | SACRAMENTO, CA 94274
(916) 654-4959 | FAX (916) 653-9531 TTY 711
www.dot.ca.gov



March 29, 2023

Mr. Ron Noda
City of Los Alamitos
RNoda@cityoflosalamitos.org
3191 Katella Ave,
Los Alamitos, CA 90720

Electronically Sent

Dear Mr. Noda,

Thank you for notifying the California Department of Transportation, Division of Aeronautics (Division), of the proposed overrule by the City of Los Alamitos (City). The Division has reviewed the proposed findings provided by the City and has **determined the findings are insufficient to warrant this proposed overrule.**

Specifically, the findings are inconsistent with the purposes of the statutes set forth in the California Public Utilities Code (PUC) section 21670. These findings do not provide substantial evidence that the proposed Project will meet the requirements of PUC statutes set forth in PUC section 21670. These findings do not provide substantial evidence that the proposed Project will meet the requirements of PUC, section 21670(a) (1) and (2).

The Division received an email notification that included City Resolution 2023-04 and draft findings, declaring an intent to consider overruling the Airport Land Use Commission's (ALUC) inconsistency determination of the City's Draft 2021-2029 Housing Element Update. The City presented a number of findings to demonstrate substantive compliance with the Joint Forces Training Base Los Alamitos Airport Environs Land Use Plan. The Division concurs with the ALUC's determination that the Draft 2021-2029 Housing Element Update is inconsistent with the Airport Environs Land Use Plan.

The Division recognizes that the city is facing affordable housing supply shortages and is looking for new areas to accommodate residential developments. However, environmental justice and equity concerns should also be reviewed for consistency with goals identified in the California Transportation Plan of 2050 and the California Aviation System Plan of 2020. The Division notes that new laws regarding the provision of housing do not supersede existing laws, including Section 21670 of the California Public Utilities Code, which requires counties to establish ALUCs and compatibility plans to protect public health, safety, and welfare.

In addition, Section 21675.1(f) provides: If a city or county overrules the commission pursuant to subdivision(d) with respect to a publicly owned airport that the city or county does not operate, the operator of the airport is not liable for damages to

property or personal injury resulting from the city's or county's decision to proceed with the action, regulation, or permit.

Please note: The Division comments are to be included in the public record of any decision to overrule the ALUC. If you have questions or if we may be of further assistance, please contact me by email at jonathan.huff@dot.ca.gov or call (916) 879-6528

Sincerely,

Originally signed by

Jonathan Huff
Associate Transportation Planner
Division of Aeronautics

c: Julie Fitch, Land Use Manager, John Wayne Airport, Orange County,
JFitch@ocair.com

Matt Friedman, Chief, Office of Aviation Planning, Division of Aeronautics
Matthew.friedman@dot.ca.gov

Attachment: ALUC Comments on Los Alamitos NOI Overrule.pdf



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

March 28, 2023

Ron Noda, Development Services Director
City of Los Alamitos
3191 Katella Ave.
Los Alamitos, CA 90720

Subject: Response to Notice of Intent to Overrule the Airport Land Use Commission
Determination for Los Alamitos General Plan 2021-2029 Housing Element Update

Dear Mr. Noda:

We are in receipt of your March 1, 2023 email letter notifying the Airport Land Use Commission (ALUC) for Orange County of the City's intent to overrule the ALUC's inconsistency determination on its General Plan Amendment for its 2021-2029 Housing Element Update. City Council Resolution No. 2023-04 was attached. In accordance with Section 21676 of the Public Utilities Code, the ALUC submits the following comments addressing the proposed overrule findings for the above-referenced project. This letter is advisory to the City and must be included in the public record of any final decision to overrule the ALUC, which may only be adopted by a two-thirds vote of the City's governing body.

Please be advised that California Public Utilities Code (PUC) Section 21678 states: "With respect to a publicly owned airport that a public agency does not operate, if the public agency pursuant to Section 21676, 21676.5, or 21677 overrules a commission's action or recommendation, the operator of the airport shall be immune from liability for damages to property or personal injury caused by or resulting directly or indirectly from the public agency's decision to overrule the commission's action or recommendation."

Background

On January 19, 2023, the ALUC for Orange County found the Los Alamitos Housing Element Update to be inconsistent with the *Airport Environs Land Use Plan (AELUP) for Joint Forces Training Base Los Alamitos (JFTB Los Alamitos)* on a 5-1 vote. The inconsistent finding was based on AELUP Sections 2.1.1 and 3.2.1 and PUC Sections 21674(a) and 21674(b).

While the City referred the proposed Housing Element Update to ALUC prior to approval by the City Council, the City approved its General Plan Amendment on February 21, 2023, prior to completing the overrule process in accordance with the PUC Section 21676(b).

ALUC has the following comments regarding the findings of facts included in Resolution 2023-04:

Response to Finding “a” Regarding Protection of the Public from Adverse Effects:

As noted in the City’s finding, the AELUP for JFTB Los Alamitos is intended to protect the public from the adverse effects of aircraft noise, ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and ensure no structures or activities adversely affect navigable airspace. However, proposed housing Sites 6 and 10 are located in close proximity to JFTB Los Alamitos. As stated in Section 2.2 of the *AELUP for JFTB Los Alamitos*, “[t]he Commission may consider the utilization of criteria for protecting aircraft traffic patterns at this airport which may differ from those contained in FAR Part 77, should evidence of health, welfare, or safety surface sufficient to justify such an action.”

Response to Findings “b” and “c” Regarding Noise Standards:

The ALUC inconsistency determination was based in part on AELUP Section 2.1.1 which states “aircraft noise emanating from airports may be incompatible with the general welfare of the inhabitants within the vicinity of an airport,” and partly on General Land Use Policies in Section 3.2.1 which states that “within the boundaries of the AELUP, any land use may be found to be Inconsistent with the AELUP which (1) Places people so that they are affected adversely by aircraft noise and (2) Concentrates people in areas susceptible to aircraft accidents.” The ALUC believes that the proposed new locations for residential units would be highly affected by airport noise due to the close proximity to the airport and that the past and current land use designations of “Community and Institutional” and “Retail Business” are the appropriate designations for these sites to not concentrate people in this area which is susceptible to aircraft accidents. The proposed Housing Element Update would allow for the introduction of residential uses which are not suitable and would subject the future residents to excessive noise and safety risks.

Response to Finding “d” Regarding Safety:

While none of the proposed opportunity sites are located within the Accident Potential Zones or Clear Zones, the ALUC considers the broader definition of “safety” as stated above and in Section 3.2.1 of the *AELUP for JFTB Los Alamitos*. The north departure path close to the Laurel Park (Site 7) is shown in Attachment 7 of the ALUC Staff Report (entire staff report is attached to this letter). It is the pink line in Figure 3-1: JFTB Los Alamitos Flight Routes and the blue line in Figure 4-2 from the 2022 CARNG ICUZ. Allowing residential uses adjacent to the flight tracks would concentrate people in an area susceptible to aircraft accidents and is not recommended.

Response to Finding “e” Regarding Purpose and Intent of the AELUP

The City states that the “proposed project is consistent with the purpose and intent of the AELUP and will not result in incompatible land uses adjacent to JFTB Los Alamitos.” By virtue of being clearly stated in *AELUP for JFTB Los Alamitos* Sections 1.2 “Purpose and Scope” and 2.0 “Planning Guidelines,” the ALUC understands the complex legal charge to protect public

airports from encroachment by incompatible land use development, while simultaneously protecting the health, safety and welfare of citizens who work and live in the airport's environs. To this end, and as also statutorily required, ALUC proceedings are benefited by several members having expertise in aviation. Based upon careful consideration of all information provided, and input from ALUC members with expertise in aviation, the ALUC found the Housing Element Update to be Inconsistent with the *AELUP for JFTB Los Alamitos*.

We urge the City Council to take ALUC's concerns into consideration in its deliberations prior to deciding whether to overrule ALUC. Thank you for the opportunity to provide these comments.

Sincerely,

Lea Choum for

Gerald A. Bresnahan
Chairman

Attachment: January 19, 2023 ALUC Staff Report

cc: Members of Airport Land Use Commission for Orange County
Gabrielle Sefranek, Caltrans/Division of Aeronautics



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

AGENDA ITEM 1

January 19, 2023

TO: Commissioners/Alternates

FROM: Lea U. Choum, Executive Officer

SUBJECT: City of Los Alamitos Request for Consideration of Draft Housing Element Update (2021-2029)

Background

The City of Los Alamitos has submitted its 2021-2029 Housing Element Update ("Update") for a consistency review. The Update identifies and analyzes the City's existing and projected housing needs and contains goals, policies, objectives, and programs to address those needs. The City's Housing Element was last updated in February 2014, which covered the years 2014 to 2021. It was not submitted to ALUC for a consistency determination.

The Housing Element is one of the seven mandatory elements of the General Plan. Section 65583 of the Government Code sets forth the specific requirements of a jurisdiction's housing element. Included in these requirements are obligations of local jurisdictions to provide for their "fair share" of the regional housing needs. This fair share is determined through the Regional Housing Needs Assessment (RHNA) process which in Orange County is facilitated by the Southern California Association of Governments (SCAG). For the 2021 to 2029 planning period, the City of Los Alamitos was allocated a total of 769 housing units, including 194 for very low-income, 119 for low-income, 145 for moderate-income, and 311 for above-moderate income households.

The City of Los Alamitos surrounds and includes Joint Forces Training Base (JFTB) - Los Alamitos and the entire city is within the Notification/Planning Area (Attachment 1). The Draft Housing Element includes fourteen sites which could accommodate up to 1,295 units. The site locations and detailed information regarding each site is shown in Attachment 2. Sites one through four are existing Mixed Use sites and are currently zoned for Mixed Use. Sites 6 through 10 are currently in non-residential use and would require a change in General Plan Land Use designation as well as Zoning Code changes. Site 11 is currently designated as Multi-Family, but the Zoning would have to change to accommodate additional units. The two sites of most concern are Site 6 at 4655 Lampson Avenue, and Site 10 at 5030-5084 Katella. Both of these site are in close proximity to the Base and within the 60 CNEL contour.

The City has submitted the Draft Housing Element Update to California Housing and Community Development (HCD) and has held/scheduled the following public hearings:

Planning Commission
City Council

December 14, 2022
January 24, 2023

AEUP for JFTB Los Alamitos Issues

Regarding Aircraft Noise Impacts

As stated above, the Draft Housing Element Update includes two new housing sites within the 60 dB CNEL as defined in the *Airport Environs Land Use Plan (AEUP) for JFTB Los Alamitos* (See Attachment 3). Site 6 is located at 4655 Lampson Avenue and could accommodate up to 310 housing units, and Site 10 located at 5030-5084 Katella could accommodate up to 108 units.

The *AEUP for JFTB Los Alamitos* states that residential uses within the 60 dB CNEL/Noise Impact Zone 2 is “Normally Consistent,” but that the “noise impact in this area is sufficient to require sound attenuation as set forth in the California Noise Insulation Standards, Title 25, California Code of Regulations.” The Commission strongly recommends that residential units be limited or excluded from this area unless sufficiently sound attenuated. The AEUP states, “the residential use interior sound attenuation requirement shall be a CNEL value not exceeding an interior level of 45 dB. In addition, it is recommended that all designated outdoor common or recreational areas within Noise Impact Zone 2 provide outdoor signage informing the public of the presence of operating aircraft.”

The City’s Public Facilities and Safety Element includes the following discussion regarding noise:

“The Airport Environs Land Use Plan (AEUP) is a land-use compatibility plan that describes the effects of aircraft noise on surrounding areas. Land uses within the airport planning area boundaries are required to conform to noise restrictions established in the AEUP. Figure 6 shows the 60 and 65 dBA CNEL noise contours from the AEUP.”

In addition, the City’s Growth Management Element includes the following policies:

Policy 3.5 New residential units. Do not approve the construction of new residential units within the 65 dBA CNEL noise contour for the JFTB.

Policy 3.6 JFTB noise contours. Require the use of JFTB noise contours to ensure new development is compatible with the noise environment.

Policy 3.7 Deed disclosure notice. Provide notice of airport in the vicinity where residential development is being proposed within the 60 dBA CNEL noise contours

for the Growth Management Element March 2015 Los Alamitos General Plan 6 JFTB. Require that the following language be included as part of the Deed Disclosure Notice.

Please note that as part of the submittal to ALUC, the City included exhibits from the 2021 JFTB Los Alamitos noise assessment. Attachment 4 is the finalized JFTB Los Alamitos Aircraft Noise Zone exhibit which was incorporated into the California Installation Compatible Use Zone Study (ICUZ) in March of 2022. The report assessed noise levels associated with both current and projected aircraft operations (including the California Army National Guard projected increase in aircraft operations over the next 10 years) and resulted in expanded noise contours. Please refer Attachment 5 which shows the JFTB Los Alamitos noise zones from the 2015 ICUZ study for comparison purposes.

Regarding Height Restrictions

All of the City's proposed housing sites are within the Federal Aviation Administration (FAA) Federal Aviation Regulations (FAR) Part 77 Obstruction Imaginary Surfaces for JFTB Los Alamitos (Attachment 6). The horizontal obstruction imaginary surface for JFTB Los Alamitos is at an elevation of 182.4 feet above mean sea level (AMSL). Transitional, approach and conical surfaces vary in elevation and are addressed below for the proposed Housing Element sites.

Proposed housing Sites 1 through 4B are designated as Town Center Mixed Use (TCMU) and will remain TCMU. According to the City's Zoning Code, the TCMU zone has a maximum height of 60 feet. Sites 6 through 10 are sites that would change from non-residential (Commercial & Institutional and Retail Business) to residential uses (R4), and Site 11 would remain in multi-family residential use but change from R3 to R4. The City's Draft Housing Element states that this would "require the creation of a new zoning designation, R-4" ... and "the height limits would be increased to allow higher rise buildings." Current maximum building heights allowed by the City's Zoning Code for residential districts vary from 30 to 35 feet above ground level (AGL). The City has identified in its Update submittal that development heights are, and will continue to be, consistent with the JFTB imaginary surfaces restrictions to ensure public safety.

The City's Public Facilities and Safety Element includes height restrictions as follows:

"To ensure the safe operation of aircraft activity at the JFTB, structures anywhere in Los Alamitos or Rossmoor should not exceed the applicable elevations defined in the Federal Aviation Regulations (FAR), Part 77 (Objects Affecting Navigable Air Space). This height restriction is 88 to 200 feet above ground level based on proximity to the runway.

Current zoning standards do not permit development higher than 70 feet in Los Alamitos or Rossmoor. Nevertheless, all developments are subject to FAR Part 77 noticing requirements and must file the necessary form(s) with the City's Community

Development department, the County's Planning division, and the Orange County Airport Land Use Commission."

Additionally, the City's Growth Management Element includes the following policies:

Policy 3.1 Land use compatibility. Approve development and require mitigation measures to ensure existing and future land use compatibility as shown in the City's Noise Ordinance, the Land Use and Noise Compatibility Matrix, the State Interior and Exterior Noise Standards, and the Airport Environs Land Use Plan (AELUP) for the JFTB.

Policy 3.2 Federal Aviation Regulation Part 77. Do not approve buildings and structures that would penetrate Federal Aviation Regulation (FAR) Part 77 Imaginary Obstruction Surfaces for JFTB, Los Alamitos unless found consistent by the Airport Land Use Commission (ALUC). Additionally, in accordance with FAR Part 77, required applicants proposing buildings or structures that penetrate the 100:1 Notification Surface to file a Form 7460-1 Notice of Proposed Construction or Alteration with FAA and provide a copy of the FAA determination to the City and the ALUC for Orange County.

Policy 3.3 Structures above 200 feet. For development projects that include structures higher than 200 feet above existing grade, the City shall inform the ALUC and submit materials to the ALUC for review. Proposed projects that would exceed a height of 200 feet above existing grade shall be required to file Form 7460-1 with the Federal Aviation Administration (FAA).

Provided below is the height review for the proposed sites. At their current maximum allowable heights, none of the proposed housing sites penetrate the imaginary surfaces for JFTB, Los Alamitos.

Sites 1-4B – Maximum Combined 467 Units

With approximate ground elevations of 21 feet, and horizontal and conical surfaces ranging from 182.4 feet to 225 feet AMSL, Sites 1 through 4B would not penetrate the imaginary surfaces with the zoning code maximum height of 60 feet for the TCMU zone.

Site 6 - Maximum 310 Units

The approximate ground elevation for Site 6 is approximately 20 feet AMSL and the horizontal imaginary obstruction surface would be penetrated at 182.4 feet AMSL. The City's maximum building height of 35 feet for residential zones would not penetrate the imaginary surface in this location. The property on Lampson Avenue has been sold to a developer and is actively being planned for redevelopment for housing. The City has received a proposal from the developer for 248 residential units including 77 affordable units on the 12.4-acre property.

Site 7 - Maximum 72 Units

Laurel Park has an approximate ground elevation of approximately 23 feet AMSL and the horizontal imaginary obstruction surface would be penetrated at 182.4 feet AMSL. The City's

maximum building height of 35 feet for residential zones would not penetrate the imaginary surface in this location.

Site 8 - Maximum 115 Units

The 3191 Katella/City Hall property has an approximate ground elevation of 19 feet AMSL. The conical surface at this location would be penetrated at approximately 250 feet AMSL. The City's maximum building height of 35 feet would not penetrate the imaginary surface in this location.

Site 9 - Maximum 180 Units

The 4142 Cerritos Avenue site has an approximate ground elevation of 19 feet AMSL. The conical surface at this location would be penetrated at approximately 191 feet AMSL. The City's maximum building height of 35 feet would not penetrate the imaginary surface in this location.

Site 10 - Maximum 108 Units

Tue 5030-5084 Katella Laurel Park site has an approximate ground elevation of approximately 27 feet AMSL and the horizontal imaginary obstruction surface would be penetrated at 182.4 feet AMSL. The City's maximum building height of 35 feet for residential zones would not penetrate the imaginary surface in this location.

Regarding Safety

JFTB Los Alamitos has established Clear Zones (also referred to as a Runway Protection Zones). These Clear Zones are trapezoidal areas located at each end of the runway (as shown on Attachment 3). Clear Zones are limited primarily to airport and open space uses. No buildings intended for human habitation are permitted in Clear Zones. The Clear Zones for JFTB Los Alamitos are completely within the JFTB boundaries.

Aircraft operations at JFTB include use of both fixed wing aircraft and helicopters. General flight route information for JFTB Los Alamitos is provided in Attachment 7. These exhibits were prepared for JFTB in conjunction with an Environmental Assessment in June 2021 and for ICUZ in 2022, and are included for informational purposes only. The Site 7 (Laurel Park) would be adjacent to the north departure path.

Regarding Heliports

The development of heliports is not proposed within the Housing Element Update, therefore consistency with the *AELUP for Heliports* was not reviewed.

Environmental

On November 1, 2021, ALUC staff sent a comment letter to the City regarding the NOI to Adopt a Negative Declaration for the Housing Element Update. It is included as Attachment 8.

Conclusion

Attachment 9 to this report contains the submittal letter and Housing Element Submittal Form and Checklist received from the City of Los Alamitos. The Housing Element Update and supporting documents are also available on the City's website at:

<http://cityoflosalamitos.org/375/Housing-Element>

ALUC staff has reviewed this project with respect to compliance with the *AELUP for JFTB Los Alamitos*, including review of noise, height and safety. The locations of Site 6 and Site 10 are in close proximity to JFTB-Los Alamitos, and the proposed land use designation of the two sites would allow for 418 new residential units, where there are currently none. These sites would be changing from the non-residential to residential uses and are both located within the 60 CNEL noise contour for JFTB-Los Alamitos. Site 7 would add up to 72 units adjacent to the north departure path subjecting future residents to noise and safety issues.

Recommendation

That the Commission find the proposed City of Los Alamitos 2021-2029 Housing Element Update Inconsistent with the *AELUP for JFTB Los Alamitos* per:

1. Section 2.1.1 Aircraft Noise, that the "aircraft noise emanating from airports may be incompatible with general welfare of the inhabitants within the vicinity of an airport."
2. PUC Section 21674, (as referenced in Section 1.2 of the *AELUP for JFTB Los Alamitos*) which states that the Commission is charged by PUC Section 21674(a) "to assist local agencies in ensuring compatible land uses in the vicinity of ...existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses," and PUC Section 21674(b) "to coordinate planning at the state, regional and local levels so as to provide for the orderly development of air transportation, while at the same time protecting the public health, safety and welfare."
3. General Land Use Policies in Section 3.2.1 which states that "within the boundaries of the AELUP, and land use may be found to be Inconsistent with the AELUP which (1) Places people so that they are affected adversely by aircraft noise and (2) Concentrates people in areas susceptible to aircraft accidents."

Respectfully submitted,

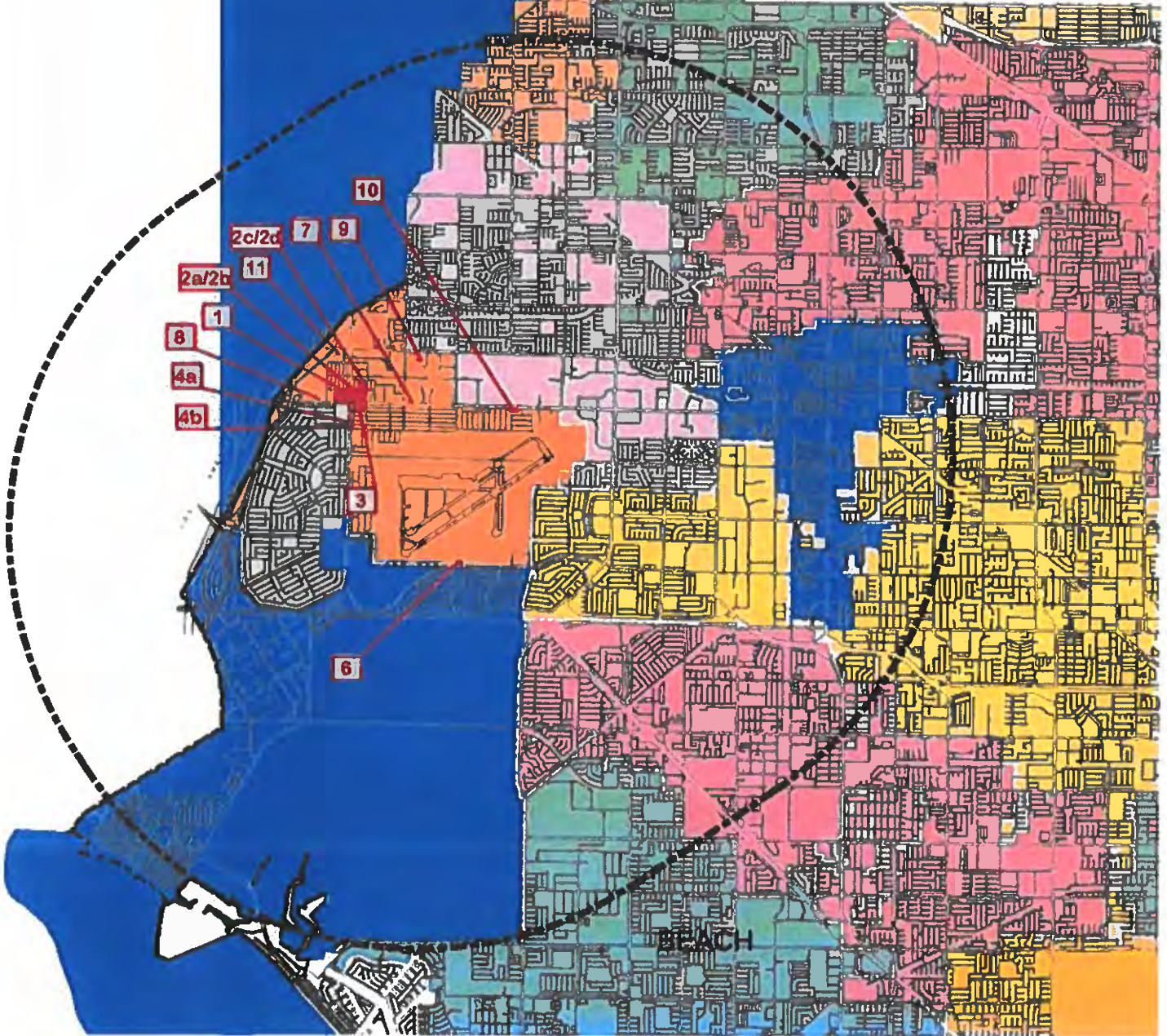


Lea U. Choum
Executive Officer

Attachments:

1. Notification Area for JFTB Los Alamitos
2. Site Inventory Map and Table
3. Impact Zones/Noise Contours for JFTB Los Alamitos
4. 2022 JFTB Los Alamitos Noise Zones
5. 2015 JFTB Los Alamitos Noise Zones
6. Housing Sites in relation to JFTB Obstruction Imaginary Surfaces
7. JFTB Los Alamitos Flight Patterns
8. ALUC November 1, 2001 Letter to Los Alamitos Regarding Negative Declaration
9. City of Los Alamitos Letter and Submittal Form

**Los Alamitos Housing
Element 2021-2029
Approximate Site Locations**



Note: County Unincorporated areas are shown in white.

FAR PART 77

Notification Area for JFTB Los Alamitos: 20,000' Radius at 100:1 Slope



LEGEND

- 20,000 Radius
- CITY BOUNDARIES

Adopted by

ATTACHMENT 1

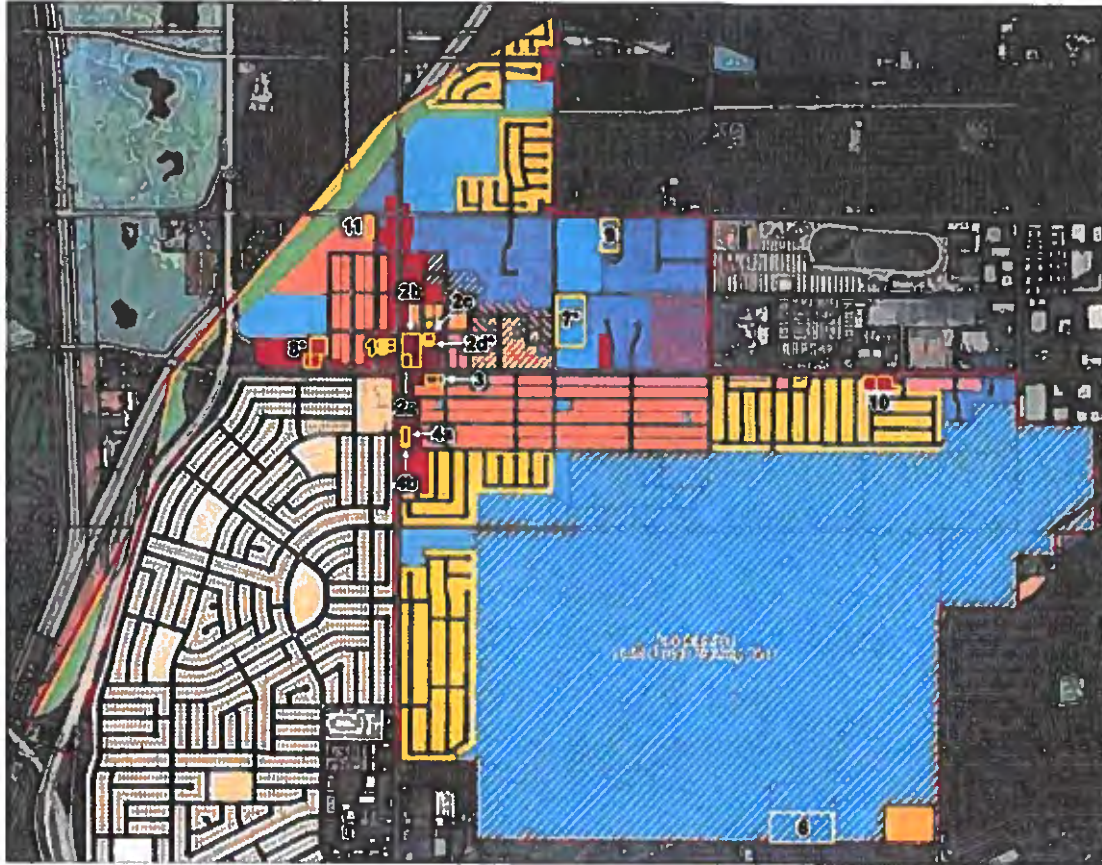
City

Lea Choum, Executive Officer

Date



Figure B-1. Location of Sites Inventory



ii. Realistic Capacity

The City has seen a significant interest in redevelopment for multi-family housing in various locations, including the Old Town West and Apartment Row neighborhoods as discussed below in subsection c. Additional Underutilized Land;— The pressure for residential development in the region, combined with older, under-utilized commercial projects, has resulted in considerable developer interest and at multiple developed locations, including sites listed in Table B-2 and elsewhere in the City:

- As described above, the City currently has an application in process for site 6, which includes 77 lower income units. In addition, the developer of this project is actively negotiating with the land owner of site 9, a church organization, for the purchase of the land for residential development.
- The City has met with an experienced housing developer who would like to develop a mixed use (housing and commercial) project on site 7. Negotiations are just

**Table B-2
Sites Inventory and Projected Units**

Sites Description

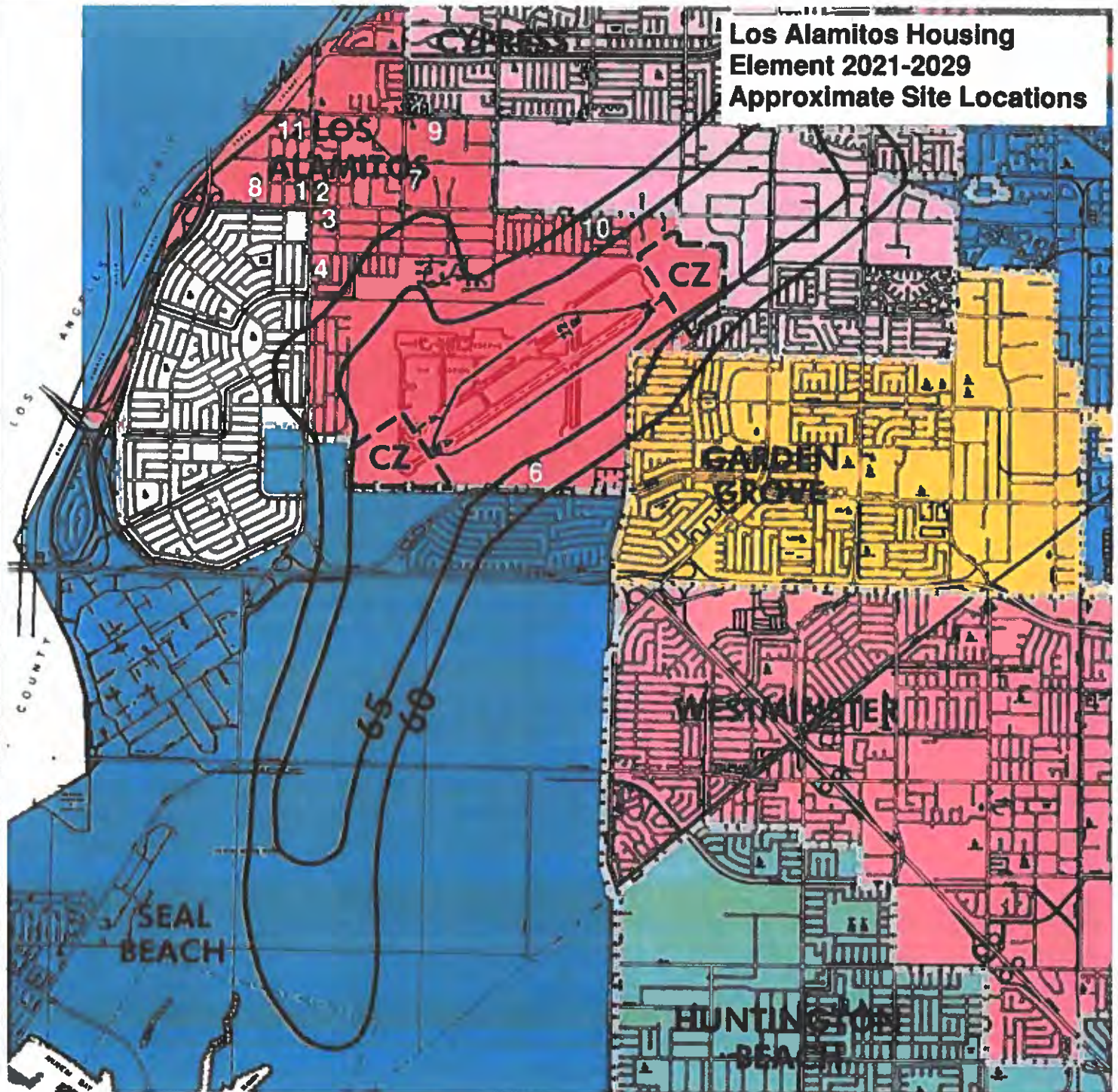
Site ID	APN	Address	Acres	Existing GP	Existing Zoning	Proposed Zoning	Projected Density	Max# Units
1	242-203-27	10909 Los Alamitos Blvd	0.85	Mixed Use	TCMU	TCMU	60	86
	242-203-28	10877 Los Alamitos Blvd	0.58	Mixed Use	TCMU	TCMU	60	
2a	242-171-02	10956 Los Alamitos Blvd	0.68	Mixed Use	TCMU	TCMU	60	41
2b	242-171-07	10900 Los Alamitos Blvd	3.1	Mixed Use	TCMU	TCMU	60	186
2c	242-172-01	10900 Pine Street	0.48	Mixed Use	TCMU	TCMU	60	29
2d*	242-172-02	10902 Pine Street	0.17	Mixed Use	TCMU	TCMU	60	10
3	222-091-01	11021 Reagan Street	0.35	Mixed Use	TCMU	TCMU	60	63
	222-091-21	3636 Katella Avenue	0.7	Mixed Use	TCMU	TCMU	60	
4a	222-093-12	11182 Los Alamitos Blvd	0.74	Mixed Use	TCMU	TCMU	60	44
4b	222-093-13	11232 Los Alamitos Blvd	0.13	Mixed Use	TCMU	TCMU	60	8
* 6	130-012-35	4655 Lampson Ave	12.4	Community & Institutional	C-F	R3	20	310
7	241-241-35	Laurel Park	2 of 4	Community & Institutional	C-I	R4	30	72
8	242-212-11 242-212-08 242-212-10	3191 Katella/City Hall	3.2	Retail Business	C-G	R4	30	115
9	241-251-14	4142 Cerritos Ave	5	Community & Institutional	C-F	R4	30	180
* 10	222-181-01 222-181-02	5030-5084 Katella	3	Retail Business	C-G	R4	30	108
11	242 222 06	3370 Cerritos Ave	1.2	Multi-Family	R3	R4	30	43
								1,295 Total

* Sites located within the 60 dB CNEL

 Sites with proposed new land use designations (Zoning Code Change required)

*Table adapted from: City of Los Alamitos website January 2023
Administrative Draft Housing Element 2021-2029 Appendix B Residential Land Resources*

<https://cityoflosalamitos.org/375/Housing-Element/>



Note: County Unincorporated areas are shown in white.

Los Alamitos Impact Zones Joint Forces Training Base



LEGEND

- 60— CNEL CONTOUR
- — — RUNWAY PROTECTION ZONE
- — — CITY BOUNDARIES

Adopted

ATTACHMENT 3

County

Kari Rigoni Executive Officer

Date



Figure 4-3 Los Alamitos JFTB Aircraft Noise Zones (A-weighted CNEL)

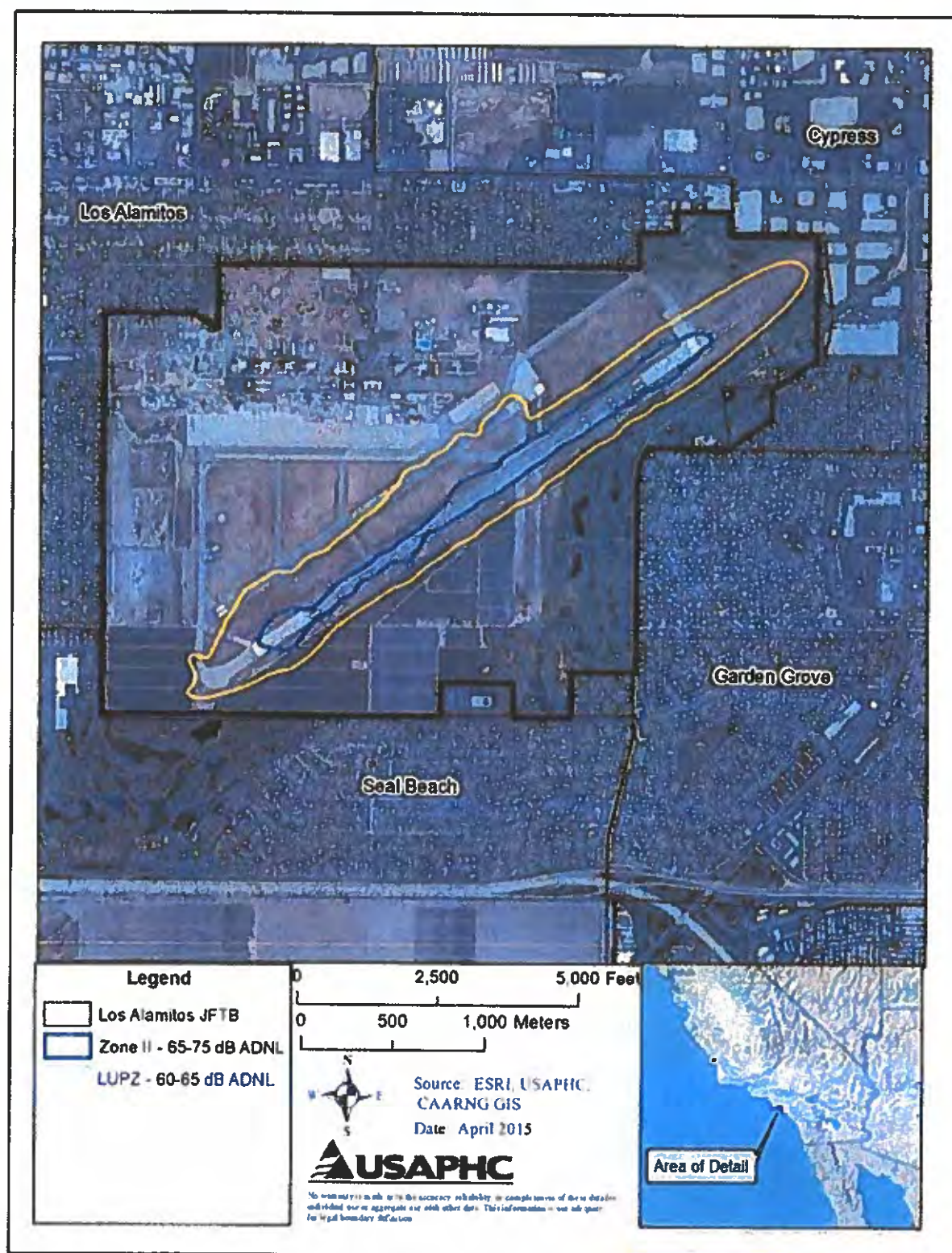
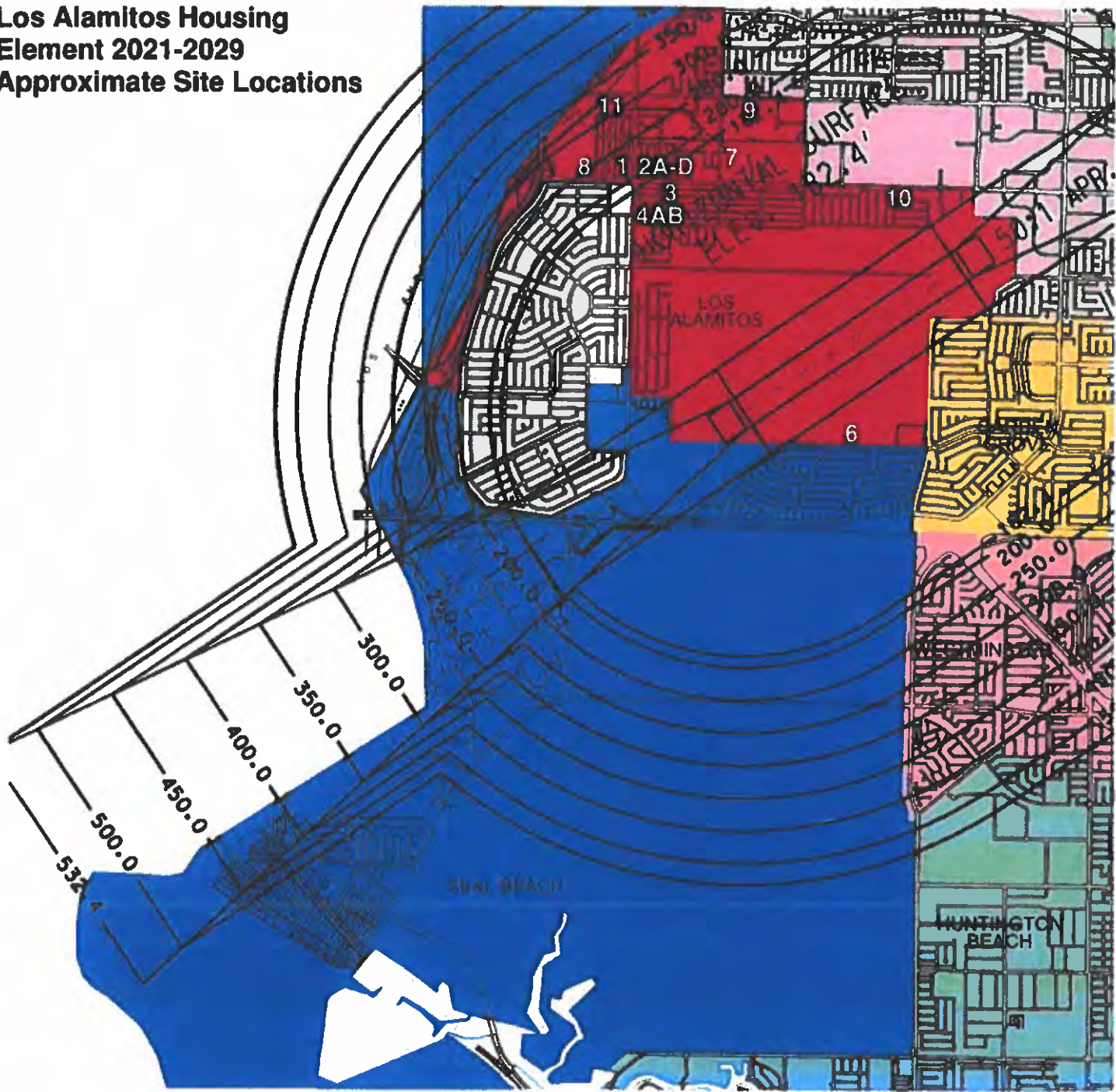


Figure 7-5. LAAAF Aircraft ADNL Noise Zones

ATTACHMENT 5

AELUP Height Restriction Zone for JFTB, Los Alamitos

Los Alamitos Housing
Element 2021-2029
Approximate Site Locations



Note: County Unincorporated areas are shown in white.

FAR PART 77

JFTB, Los Alamitos Obstruction Imaginary Surfaces

LEGEND

- 20,000 Radius
- CITY BOUNDARIES

Adopted

ATTACHMENT 6

County

Lea Choum

Executive Officer

Date

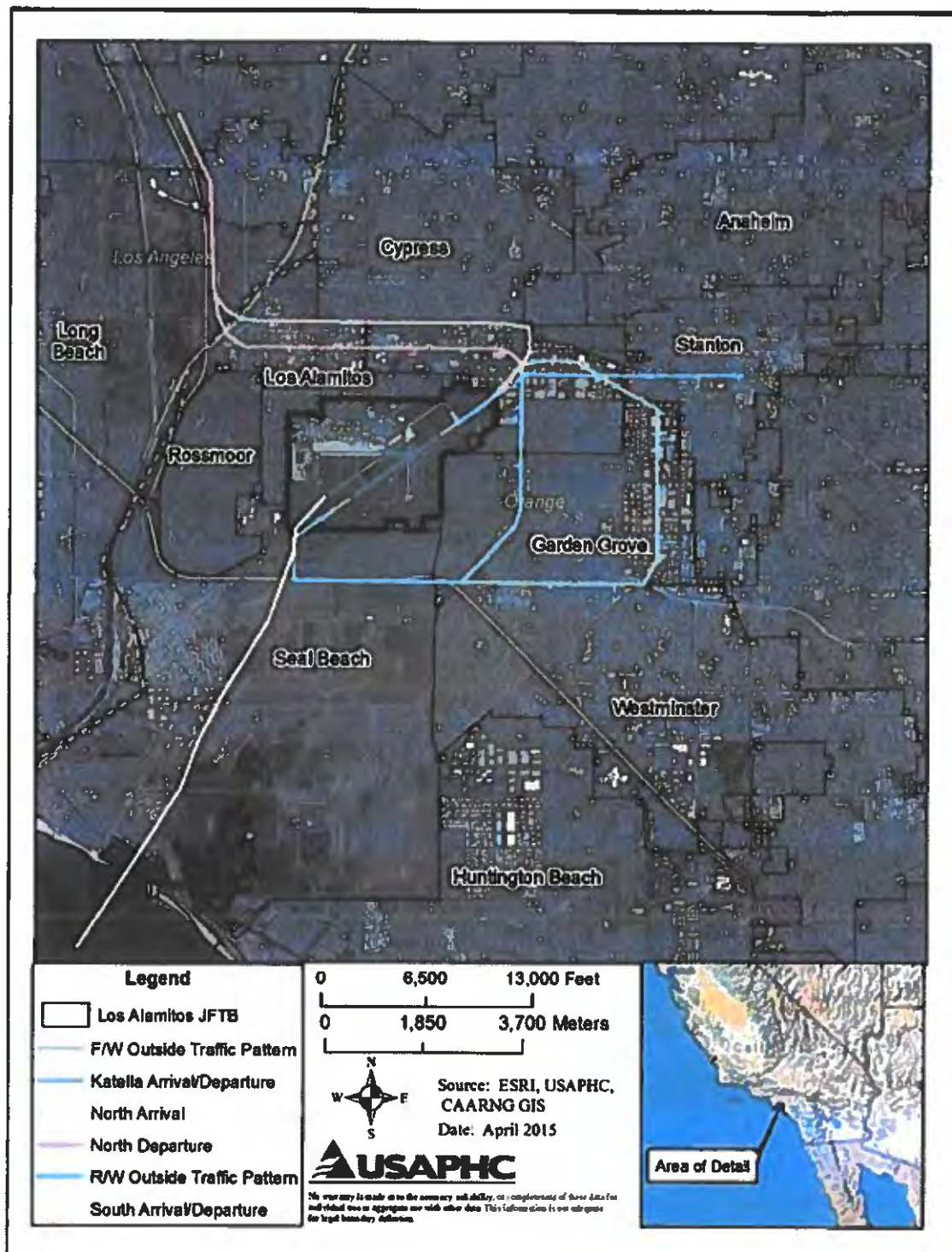


Figure 3-1. JFTB Los Alamitos Flight Routes

ATTACHMENT 7



Figure 4-2 Los Alamitos Joint Forces Flight Tracks



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

November 1, 2021

Tom Oliver, Associate Planner
City of Los Alamitos
3191 Katella Avenue
Los Alamitos, CA 90720-5600

Subject: NOI to Adopt Negative Declaration (ND) for Los Alamitos Housing Element Update (2021-2029)

Dear Mr. Oliver:

Thank you for the opportunity to review the City of Los Alamitos Initial Study to adopt a Negative Declaration for the proposed Housing Element Update in relation to the *Airport Environs Land Use Plan (AELUP) for Joint Forces Training Base, Los Alamitos*. The City of Los Alamitos is located within the Federal Aviation Administration (FAA) Federal Aviation Regulation (FAR) Part 77 Notification Area (also known as the airport planning area) and within the Obstruction Imaginary Surfaces. Also, a part of the City is located within the noise contours for JFTB, Los Alamitos.

The Draft Housing Element includes a site inventory assessment, which identifies sites that can achieve the City's assigned 2021 Regional Housing Needs Assessment (RHNA) for the 2021-2029 planning period. The Draft Element identifies three focus areas for residential development:

- Town Center Mixed Use Strategic Plan Area
- Lampson Site
- Arrowhead Site

The proposed site inventory includes new sites within the Notification Area, which requires submittal to the Airport Land Use Commission for a consistency review. The Draft Housing Element also proposes new residential sites within the conical and horizontal obstruction imaginary surfaces for JFTB, Los Alamitos. The ND should discuss the maximum building heights allowed for the three focus areas. With respect to building height restrictions, development proposals, which include the construction or alteration of structures more than 200 feet above ground level, require filing with the Federal Aviation Administration (FAA) and ALUC notification. Projects meeting this threshold must comply with procedures provided by Federal and State law, with the

ATTACHMENT 8

referral requirements of ALUC, and with all conditions of approval imposed or recommended by FAA and ALUC including filing a Notice of Proposed Construction or Alteration (FAA Form 7460-1). Depending on the maximum building heights that will be allowed per the proposed Housing Element Update, the City may wish to incorporate a mitigation and condition of approval specifying the 200 feet height threshold within the ND and proposed Housing Element.

As discussed in the ND, the Lampson site is partially within the 60 CNEL noise contour. Per the *AELUP for JFTB, Los Alamitos* it is strongly recommended that residential units be limited or excluded from this area unless the sound attenuation provided is sufficient to ensure that interior noise levels do not exceed 45 dBA.

In addition, the ND should identify if the project allows for the development of heliports as defined in the *Airport Environs Land Use Plan (AELUP) for Heliports*. Should the development of heliports occur within your jurisdiction, proposals to develop new heliports must be submitted through the City to the ALUC for review and action pursuant to Public Utilities Code Section 21661.5. Proposed heliport projects must comply fully with the state permit procedure provided by law and with all conditions of approval imposed or recommended by FAA, by the ALUC for Orange County and by Caltrans/Division of Aeronautics. The ND should address whether the development of heliports will be allowed within the City's jurisdiction.

A referral by the City to the ALUC is required for this project due to the location of the proposal within an AELUP Planning Area and due to the nature of the required City approvals (i.e. Housing Element Update) under PUC Section 21676(b). With respect to project submittals, please note that the Commission requests that referrals be submitted to the ALUC for a determination between the Local Agency's Planning Commission and City Council hearings. Since the ALUC meets on the third Thursday afternoon of each month, complete submittals must be received in the ALUC office by the first of the month to ensure sufficient time for review, analysis, and agendaizing. The Housing Element Submittal form can be found at:

<https://www.ocair.com/about/administration/airport-governance/commissions/airport-land-use-commission/>

Thank you for the opportunity to comment on this initial study. Please contact Julie Fitch at (949) 252-5284 or jfitch@ocair.com if you have any questions.

Sincerely,



Lea Choum
Executive Officer



CITY OF
Los Alamitos
California

3191 Kalella Avenue
Los Alamitos, CA 90720-5600
Telephone: (562) 431-3538
FAX: (562) 493-1255
www.cityoflosalamitos.org

December 8, 2022

RECEIVED

DEC 13 2022

Lea Choum - Executive Officer
Airport Land Use Commission for Orange County
3160 Airway Avenue
Costa Mesa, CA 92626

AIRPORT LAND USE COMMISSION

SUBJECT: Housing Element Update

Hi Lea,

It was great talking with you a few weeks back. Attached, is a copy of the City's draft Housing Element for your review. You saw a draft of this document that you responded to last year. I have attached the submittal form and ancillary documents as well. Thank you so much for having the Commission look over the document.

I thank you for the opportunity to work with you on this proposed project. If you have any questions, please contact me at (562) 431-3538, ext. 303 or via e-mail at: toliver@cityoflosalamitos.org.

Sincerely,

CITY OF LOS ALAMITOS


Tom Oliver
Associate Planner

ATTACHMENT 9



AIRPORT LAND USE COMMISSION FOR ORANGE COUNTY

HOUSING ELEMENT UPDATE - SUBMITTAL FORM

1. City/County: Los Alamitos/County
2. Contact information - Name/Title Click or tap here to enter text
Agency: City of Los Alamitos
Address: 3191 Katella Avenue
Phone/email: 562-431-3538
3. Airport Planning Area(s):
☐ John Wayne Airport ☐ Fullerton Municipal Airport ☒ Joint Forces Air Base Los Alamitos
4. Are there additional General Plan Element(s) being submitted for review: ☒ No ☐ Yes –
Name of Elements: Click or tap here to enter text
5. Scheduled date of Planning Commission Public Hearing: 12/14/2022
6. Tentative date of City Council Public Hearing: 1/24/2023
7. Requested month of ALUC Review: 1/19/2023
(Complete submittal must be received by the first day of the month for the next meeting on the third Thursday of the month)
8. Does the Housing Element Update identify new housing sites within the airport Notification/Planning Area*? ☐ No (skip items # 9-12). ☒ Yes (continue below).
9. Does the Housing Element Update identify new housing sites within the: ☒ 60 CNEL or ☐ 65 CNEL Noise Contours of the airport(s)*? Please attach an exhibit showing location(s) of proposed housing sites and number of units in relation to noise contours.
10. Are noise policies or mitigation measures identified in the Housing Element or elsewhere in the General Plan? ☐ No ☒ Yes - Please attach pages with noise policies/mitigation measures highlighted.
11. Are any new housing sites identified within the Runway Protection Zone (RPZ), Clear Zone (CZ), or Airport Safety Zones of the airport*? ☒ No ☐ Yes - Please attach exhibit showing location(s) of proposed housing site(s) and number of units in relation to the applicable zones.
12. Are any new housing sites identified within the Obstruction Imaginary Surfaces*?
☒ No ☐ Yes - Please attach an exhibit showing location(s) of proposed housing sites and number of units in relation to the Obstruction Imaginary Surfaces.
13. Maximum height allowed for proposed housing. 35
(Please provide link and identify section(s) of General Plan and/or Zoning Code where housing maximum height is specified.)

Continued on reverse side.

HOUSING ELEMENT UPDATE - SUBMITTAL CHECKLIST

- ☒ Cover letter on City/County letterhead.
- ☒ Completed Submittal Form.
- ☒ Copy of existing Housing Element (and any other applicable Elements).
- ☒ Copy of proposed Housing Element Update attached (and any other proposed elements) with requested information highlighted.
- ☒ Exhibit showing location(s) of proposed housing sites and number of units within the Notification Area/Planning Area for airport.
- ☒ Exhibit showing location(s) of proposed housing sites, and how many units for each, in relation to noise contours for airport(s).
- ☒ Noise policies/mitigation measures in Housing Element Update highlighted and/or pages from other elements attached.
- ☒ Exhibit showing location(s) of proposed housing sites, and how many units for each, in relation to Airport Safety Zones.
- ☒ Exhibit showing location(s) of proposed housing sites, and how many units for each, in relation to the Obstruction Imaginary Surfaces.
- ☒ Pages of General Plan and/or Zoning Code which indicate height restrictions for each new housing site within Airport Notification/Planning Area.
- ☒ Explanation of how the Housing Element Update (or other General Plan Elements) addresses the AELUP standards for noise impact, safety compatibility, and height restriction zones: It acknowledges the noise zones and explains the mitigation for that is in using appropriate building materials and construction practices.

***For airport planning/notification areas, noise contours, safety zones and obstruction imaginary surfaces see Appendix D of the applicable Airport Environs Land Use Plan (AELUP) at:**
<https://www.ocair.com/about/administration/airport-governance/commissions/airport-land-use-commission/>

**Mail or Email Submittal Form, Checklist and attachments to: Airport Land Use Commission for Orange County,
 Attn: Executive Officer, 3160 Airway Avenue, Costa Mesa, CA 92626 / Phone: (949) 252-5170**

ALUCinfo@ocair.com

12/08/21

Public Facilities and Safety Element

INITIAL STUDY FOR HOUSING ELEMENT

3.13 NOISE

Background

The noise environment in the City is typical of an urban community, with primary noise sources including traffic on Interstate-605, major arterials, mechanical equipment such as heating/ventilation/air conditioning (HVAC) units, commercial loading and unloading operations, and parking lot activity. In Los Alamitos, both fixed-wing aircraft and helicopters operate from The Joint Forces Training Base (JFTB), which generate aircraft noise on areas immediately next to the base and flight paths.

Would the project result in:

- a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- b) Generation of excessive ground borne vibration or ground borne noise levels?
- c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The adoption of the Housing Element Update will have no impact on noise. The future development of housing will be required to analyze noise impacts as part of the CEQA and building permit processes. All sites identified for future housing in the inventory are located in urban areas and adjacent to existing development. Typical noise sources include roadways and railroad, and stationary sources such as typical commercial and residential activities and landscaping equipment. The City will require the preparation of site-specific noise studies to assess impacts from roadway noise, as appropriate. Should noise levels at future housing sites require mitigation, there are a variety of means such as noise attenuation walls, setback from roadways, and landscape buffers which the City imposes through the development review process.

Housing redevelopment projects in the future may create temporary noise sources. The City's Municipal Code imposes noise standards and limits construction hours to the less sensitive day time hours (Municipal Code Chapter 17.20). Individual projects will be reviewed under CEQA to determine whether their construction will have adverse noise impacts on neighboring land uses.

The nearest public-use airport to the City is Long Beach Airport, approximately 3.4 miles to the west. The City is outside of the noise contours of Long Beach Airport (LACALUC 2017). The nearest private-use airport is the Joint Forces Training Base (JFTB) on the southeast side of the City. Most sites in the Site Inventory are outside of the 60/65-CNEL noise contours established for JFTB (OCALUC 2017), except the Lampson site which is partially within the 60-CNEL noise contour but completely outside the 65-CNEL noise contour. The State of California provides noise standards through the California Building Code, which establishes standards for residential construction practices and building materials to ensure that interior noise levels do not exceed 45 dBA. Future housing projects will be subject to CBC requirements and thus meet the City noise standards of 45 dBA at night and 55 dBA during the day for residential uses (General Plan Public Facilities and Safety Element Table 3). Therefore, the Housing Element Update would not subject people onsite to excessive noise levels from aircraft approaching or departing Long Beach Airport or JFTB.

Mitigation Measures and Monitoring: None required.

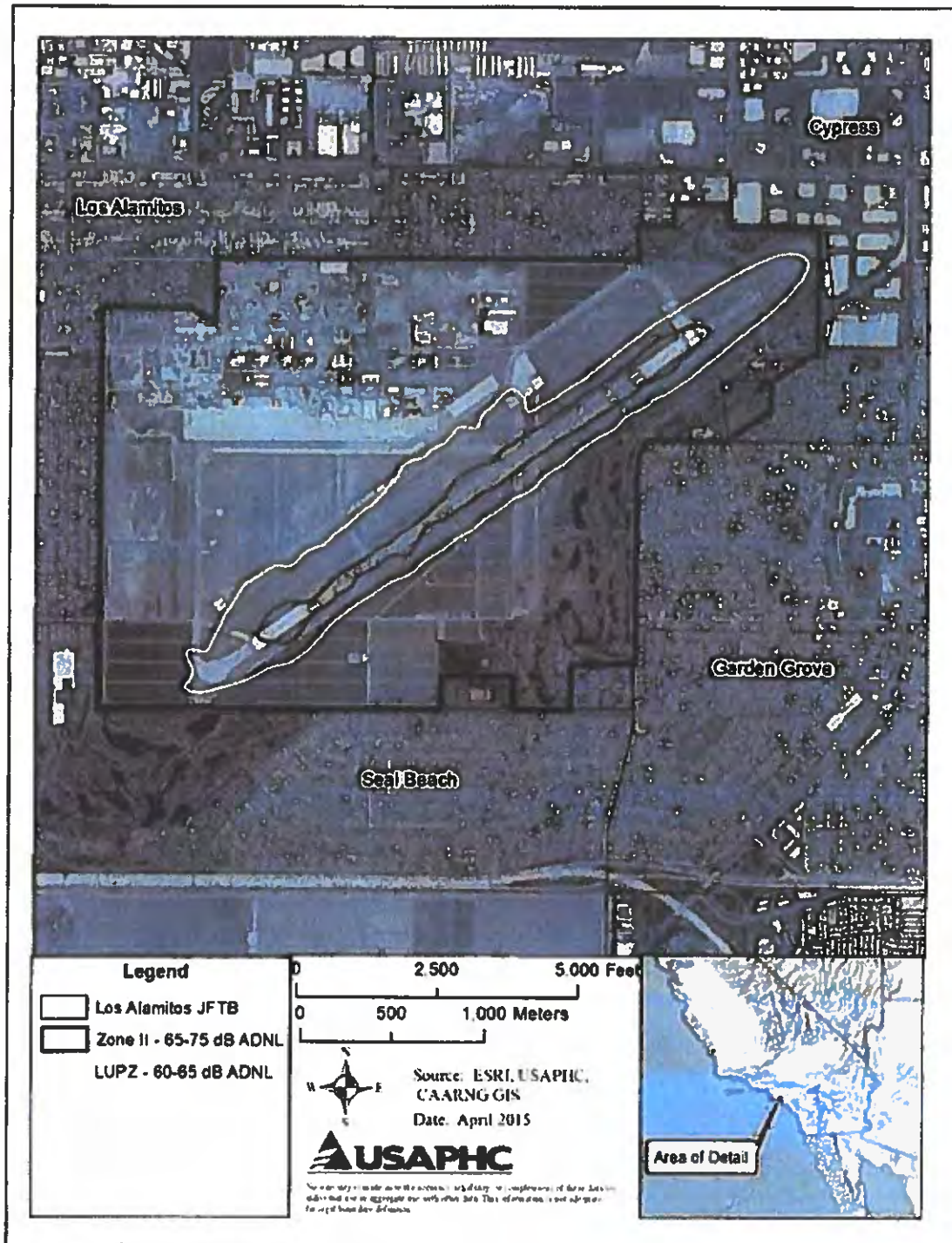


Figure 7-5. LAAAF Aircraft ADNL Noise Zones

JFTB NOISE ASSESSMENT

Environmental Health Sciences, Environmental Noise Consultation Update No. S.0064236b-20,
1 June 2020

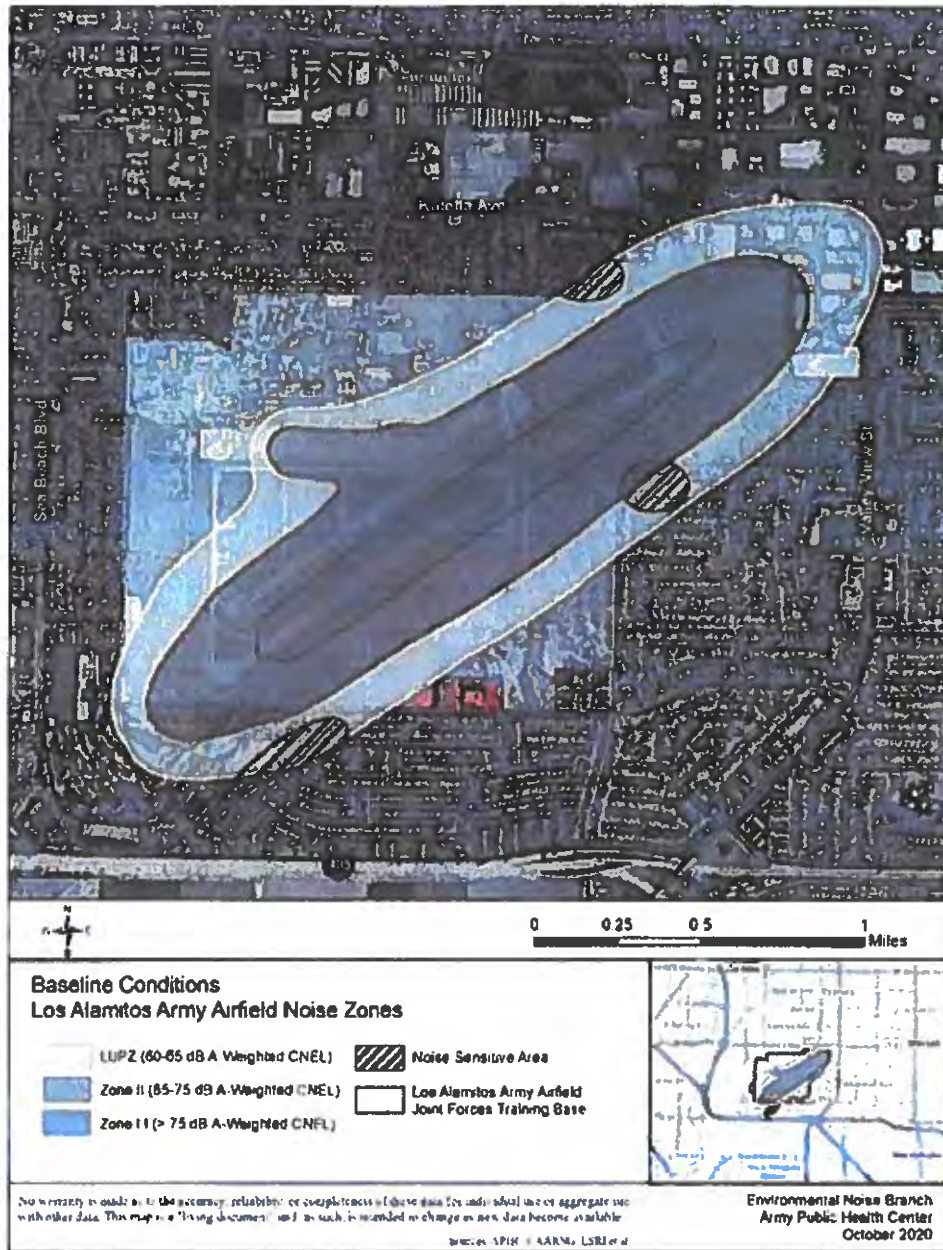


Figure 1. Baseline Los Alamitos Army Airfield Noise Zones

JFTB NOISE ASSESSMENT

Environmental Health Sciences, Environmental Noise Consultation Update No. S.0064236b-20,
1 June 2020



Figure 2. Projected Los Alamitos Army Airfield Noise Zones

Housing Element



Housing Element Residential Land Resources **AB**

Site 9 is currently occupied by a church and is for sale. The City will apply R4 zoning to the 5 acre property which would generate a mix of affordable and market rate units, including 20 units for lower income households and 40 units for moderate income households. The balance of the project would allow up to 90 units of housing available to above moderate income households.

Site 10 is currently occupied by a commercial development and consists of 3 acres. The site will be rezoned to R4 and is expected to develop as a mixed income project to include 10 lower income units, 15 moderate income units and 65 above moderate income units.

Site 11 is currently occupied by market housing, but is planned for redevelopment. The site will be rezoned from R3 to R4 and will provide up to 30 moderate income units.

As set forth in Policy Action 4.4, the City will enforce the units designated in Sites 5a-5b and 6 to meet RHNA per Table B-2 and Figure B-1 as future projects are proposed on these sites. Proposals that include fewer units than designated will not be approved by the City unless alternative sites are identified. The City has a significant interest in the redevelopment of these sites for the development of housing.

Table B-2
Sites Inventory and Projected Units

Sites Description							
Site ID	APN	Address	Acres	Existing GP	Existing Zoning	Proposed Zoning	Projected Density
1	242-203-27	10909 Los Alamitos Blvd	0.85	Mixed Use	TCMU	TCMU	60
	242-203-28	10877 Los Alamitos Blvd	0.58	Mixed Use	TCMU	TCMU	60
2a	242-171-02	10956 Los Alamitos Blvd	0.68	Mixed Use	TCMU	TCMU	60
2b	242-171-07	10900 Los Alamitos Blvd	3.1	Mixed Use	TCMU	TCMU	60
2c	242-172-01	10900 Pine Street	0.48	Mixed Use	TCMU	TCMU	60
2d*	242-172-02	10902 Pine Street	0.17	Mixed Use	TCMU	TCMU	60
3	222-091-01	11021 Reagan Street	0.35	Mixed Use	TCMU	TCMU	60
	222-091-21	3636 Katella Avenue	0.7	Mixed Use	TCMU	TCMU	60
4a	222-093-12	11182 Los Alamitos Blvd	0.74	Mixed Use	TCMU	TCMU	60
4b	222-093-13	11232 Los Alamitos Blvd	0.13	Mixed Use	TCMU	TCMU	60
6	130-012-35	4655 Lampson Ave	12.4	Community & Institutional	C-F	R3	20



Housing Element Residential Land Resources



Site ID	APN	Address	Acres	Existing GP	Existing Zoning	Proposed Zoning	Projected Density
7	241-241-35	Laurel Park	2 of 4	Community & Institutional	C-f	R4	30
8	242-212-11 242-212-08 242-212-10	3191 Katella/City Hall	3.2	Retail Business	C-G	R4	30
9	241-251-14	4142 Carritos Ave	5	Community & Institutional	C-F	R4	30
10	222-181-01. 222-181-02	5030-5084 Katella	3	Retail Business	C-G	R4	30
11	242-222-06	3370 Carritos Ave	1.2	Multi-Family	R3	R4	30

Projected Units

Site ID	Medium Units	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Units for RHNA
1	86	7	4	5		16
2a	41	2	2	2		6
2b	186	32	9	22		63
2c	29	11	8	9		28
2d	10	4	3	3		10
3	63	3	4	4		11
4a	44	2	3	2		7
4b	8	1		1		2
6	248	38	39		171	248
7	60	30	20	10		60
8	96	50	30	16		96
9	150	10	10	40	90	150
10	90	10		15	65	90
11	36			30		30
Total	1147	200	132	159	326	817
RHNA	769	194	119	145	311	769
Surplus Capacity	-	6	13	14	15	48

AB-6

City of Los Alamitos
Administrative Draft 2021-2029

DRAFT HOUSING ELEMENT

3

Housing Element

Housing Resources and Constraints

iv. Fire Hazards

The City of Los Alamitos contracts with the Orange County Fire Authority for fire protection and emergency medical services. The local fire station in Los Alamitos is located at 3642 Green Avenue. The fire station houses three Fire Captains, three Engineers, and three Firefighters. Additional resources are also available from 77 Orange County Fire Stations, the City of Long Beach, and Los Angeles County. Due to the low density character of the community and sparse wildland areas in the City, the wildland fire hazard is considered to be insignificant or low. The inventory sites are not located in or near state responsibility areas or Very High Fire Hazard Severity Zones as classified by the California Department of Forestry and Fire Protection.

v. Noise

The existing noise environment surrounding the City of Los Alamitos is influenced primarily by transportation related noise sources. These transportation related noise sources include traffic noise from nearby roadways (i.e., I-605, Katella Avenue and Los Alamitos Boulevard) and aircraft noise from the Joint Forces Training Base (JFTB). Stationary noise sources include air conditioning units, power generators, air compressors, school bells, and power equipment. The City of Los Alamitos General Plan has traffic noise contours for assessing the compatibility of residential uses with transportation related noise sources. The City has also adopted a Noise Ordinance that sets criteria for residential areas impacted by stationary noise sources, including "not to exceed" noise levels for various periods of time and regulations for special activities.

Most sites listed in the Sites Inventory are outside of the 60/65-CNEL noise contours established for JFTB, except the Site 6 which is partially within the 60-CNEL noise contour but completely outside the 65-CNEL noise contour. The City enforces California Building Code's standards for residential construction practices and building materials to ensure that interior noise levels do not exceed 45 dBA. Future housing projects will be subject to CBC requirements and thus meet the City noise standards of 45 dBA at night and 55 dBA during the day for residential uses as set forth in the General Plan.

b. Infrastructure Constraints

i. Water

The Golden State Water Company owns and operates the extensive network of water lines that serves Los Alamitos. The water system supply sources include a mixture of groundwater from the Orange County Groundwater Basin and imported water from the

GENERAL PLAN

Goal 3: Development that is consistent with the Airport Environs Land Use Plans for the Joint Forces Training Base and Orange County Heliports.

Policy 3.1 can also be found in the Public Facilities and Safety Element as Policy 4.1.

Policy 3.1 Land use compatibility. Approve development and require mitigation measures to ensure existing and future land use compatibility as shown in the City's Noise Ordinance, the Land Use and Noise Compatibility Matrix, the State Interior and Exterior Noise Standards, and the Airport Environs Land Use Plan (AELUP) for the JFTB.

Policy 3.2 Federal Aviation Regulation Part 77. Do not approve buildings and structures that would penetrate Federal Aviation Regulation (FAR) Part 77 Imaginary Obstruction Surfaces for JFTB, Los Alamitos unless found consistent by the Airport Land Use Commission (ALUC). Additionally, in accordance with FAR Part 77, required applicants proposing buildings or structures that penetrate the 100:1 Notification Surface to file a Form 7460-1 Notice of Proposed Construction or Alteration with FAA and provide a copy of the FAA determination to the City and the ALUC for Orange County.

Policy 3.3 Structures above 200 feet. For development projects that include structures higher than 200 feet above existing grade, the City shall inform the ALUC and submit materials to the ALUC for review. Proposed projects that would exceed a height of 200 feet above existing grade shall be required to file Form 7460-1 with the Federal Aviation Administration (FAA).

Policy 3.4 Heliport/helistop approval and requirements. Approve the development of a heliport or helistop only if it complies with the AELUP for Heliports. Ensure that each applicant seeking a conditional use permit or similar approval for the construction or operation of a heliport or helistop complies fully with the state permit procedure provided by law and with all conditions of approval imposed or recommended by the FAA, by Orange County ALUC, and by Caltrans/Division of Aeronautics. This requirement shall be in addition to all other City development requirements.

Policy 3.5 New residential units. Do not approve the construction of new residential units within the 65 dBA CNEL noise contour for the JFTB.

Policy 3.6 JFTB noise contours. Require the use of JFTB noise contours to ensure new development is compatible with the noise environment.

Policy 3.7 Deed disclosure notice. Provide notice of airport in the vicinity where residential development is being proposed within the 60 dBA CNEL noise contours for the

GENERAL PLAN

Growth Management Element

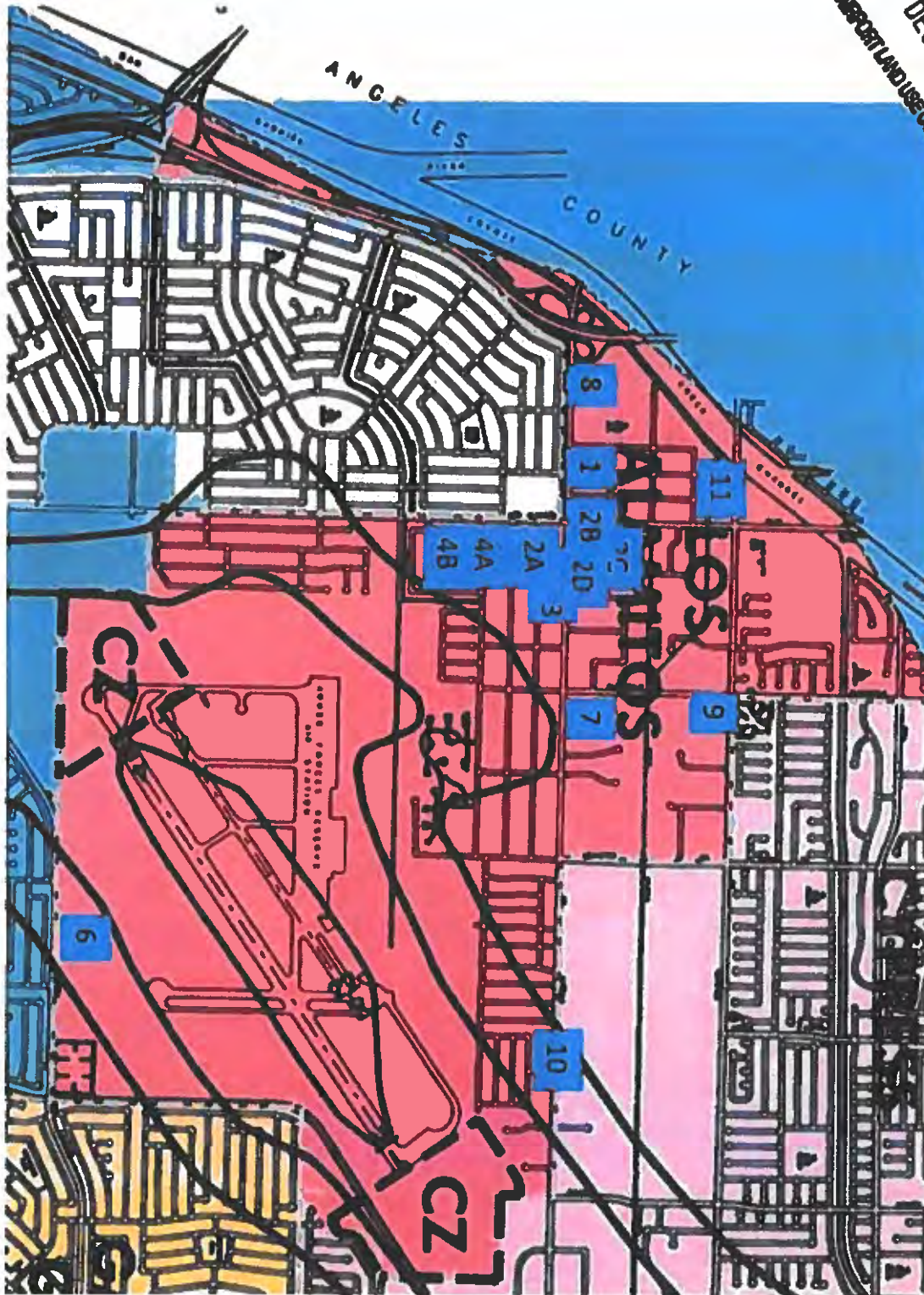
March 2015

JFTB. Require that the following language be included as part of the Deed Disclosure Notice:

NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

HEG
DEC 27 2022
AIRPORT LAND USE COMMISSION



Regular City Council Agenda - August 21, 2023
Item 12A

ATTACHMENT 5

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



May 1, 2023

Chet Simmons, City Manager
City of Los Alamitos
3191 Katella Ave.
Los Alamitos, CA, 90720

Dear Chet Simmons:

RE: City of Los Alamitos' 6th Cycle (2021-2029) Adopted Housing Element

Thank you for submitting the City of Los Alamitos' housing element that was adopted February 21, 2023 and received for review on March 6, 2023. Pursuant to Government Code section 65585, subdivision (h), the California Department of Housing and Community Development (HCD) is reporting the results of its review. In addition, HCD considered comments from Carol A. Churchill pursuant to Government Code section 65585, subdivision (c).

HCD is pleased to find the adopted housing element in substantial compliance with State Housing Element Law (Article 10.6 of the Gov. Code). The adopted element was found to be substantially the same as the revised draft element that HCD's November 23, 2022 review determined met statutory requirements. HCD's finding was based on, among other reasons, a completed rezone (Ordinance 2023-01) to accommodate the City's Regional Housing Needs Allocation (RHNA).

Additionally, the City must continue timely and effective implementation of all programs including but not limited to the following:

- *Policy Action 1.3 (Rehabilitation of Multifamily Dwellings)*: This program commits, by December 2022, to establish an incentive package to encourage the acquisition and rehabilitation of multifamily units.
- *Policy Action 3.1 (Housing for Persons with Special Needs)*: This program commits, by June 30, 2023, to develop and publish a menu of incentives to support the development of housing for persons with special housing needs.
- *Policy Action 3.5 (Residential Care Facilities for Seven or More Persons)*: This program commits, by December 2022, to remove the conditional use permit requirement for residential care facilities in the R-3 zone and include another zone for by-right approval.
- *Policy Action 4.1 (Incentives for Development of Housing)*: This program commits, by June 30, 2023, to provide incentive information to developers,

annually meet with property owners to discuss available incentives, and identify development opportunities.

- *Policy Action 4.4 (Create R-4 Zoning and Rezoning to Allow Higher Density)*: This program committed, by October 15, 2022, to create the R-4 zone and rezone all properties designated in Table B-2.
- *Policy Action 4.5 (Modify TCMU Zoning to Allow Higher Density)*: This program committed, by October 15, 2022, to modify the TCMU zone to allow up to 60 dwelling units per acre.
- *Policy Action 4.9 (City-owned Parcels)*: This program commits to issue a request for proposals and secure contracts for City-Owned parcels.
- *Policy Action 4.11 (Multifamily Parking Requirements)*: The program commits to reduce parking requirements by 2024.

The City must monitor and report on the results of this and other programs through the annual progress report, required pursuant to Government Code section 65400. Please be aware, Government Code section 65585, subdivision (i) grants HCD authority to review any action or failure to act by a local government that it determines is inconsistent with an adopted housing element or housing element law. This includes failure to implement program actions included in the housing element. HCD may revoke housing element compliance if the local government's actions do not comply with state law.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City now meets housing element requirements for these and other funding sources.

HCD appreciates the hard work and responsiveness the City's housing element team provided throughout the housing element update and review. HCD wishes the City success in implementing its housing element and looks forward to following its progress through the General Plan annual progress reports pursuant to Government Code section 65400. If HCD can provide assistance in implementing the housing element, please contact Jose Ayala, of our staff, at Jose.Ayala@hcd.ca.gov.

Sincerely,



Paul McDougall
Senior Program Manager

Regular City Council Agenda - August 21, 2023
Item 12A

ATTACHMENT 6



Rincon Consultants, Inc.

250 East 1st Street, Suite 1400
Los Angeles, California 90012

213 788 4842

info@rinconconsultants.com
www.rinconconsultants.com

June 26, 2023
Project No: 23-14681

Nicole Sauviat Criste
Principal
Terra Nova Planning & Research
42635 Melanie Place, Ste. 101
Palm Desert, CA 92211
760-341-4800
Via email: ncriste@terranovalplanning.com

Subject: Los Alamitos Housing Element Aircraft Noise Study, Los Alamitos, California

Dear Nicole:

Rincon Consultants, Inc. (Rincon) has prepared this technical memorandum to provide noise background and evaluation of potential aircraft noise exposure from the Joint Forces Training Base (JFTB) to future residents with implementation of the Los Alamitos 2021 – 2029 Housing Element (herein referred to as “proposed project” or “project”) in the City of Los Alamitos (City).

Description of Project

The 2021 – 2029 Housing Element Update identifies and analyzes the City’s existing and projected housing needs and contains goals, policies, objectives, and programs to address those needs. The Housing Element is one of seven mandatory elements of the General Plan. Section 65583 of the Government Code sets forth the specific requirements of a jurisdiction’s housing element. Included in these requirements are obligations of local jurisdictions to provide for their “fair share” of the regional housing needs. This fair share is determined through the Regional Housing Needs Assessments (RHNA) process which, in Orange County, is facilitated by the Southern California Association of Governments (SCAG). For the 2021 to 2029 planning period, the City was allocated a total of 769 housing units, including 194 for very-low income, 119 for low-income, 145 for moderate-income, and 311 for above-moderate income households. The Draft Housing Element includes fourteen sites which are assigned 817 units to meet the City’s RHNA.

Fundamentals of Noise

Sound is a vibratory disturbance created by a moving or vibrating source, which is capable of being detected by the hearing organs. Noise is defined as sound that is loud, unpleasant, unexpected, or undesired and may therefore be classified as a more specific group of sounds. The effects of noise on people can include general annoyance, interference with speech communication, sleep disturbance, and, in the extreme, hearing impairment (California Department of Transportation [Caltrans] 2013).

Human Perception of Sound

Noise levels are commonly measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound pressure levels so that they are consistent with the human hearing response. Decibels are measured on a logarithmic scale that quantifies sound intensity in a manner similar to the Richter scale used to measure earthquake magnitudes. A doubling of the energy of a noise source, such as doubling of traffic volume, would increase the noise level by 3 dB; dividing the energy in half would result in a 3 dB decrease (Caltrans 2013).

Human perception of noise has no simple correlation with sound energy: the perception of sound is not linear in terms of dBA or in terms of sound energy. Two sources do not “sound twice as loud” as one source. It is widely accepted that the average healthy ear can barely perceive changes of 3 dBA, whether an increase or decrease (i.e., twice the sound energy); that a change of 5 dBA is readily perceptible; and that an increase (or decrease) of 10 dBA sounds twice (half) as loud (Caltrans 2013).

Sound Propagation and Shielding

Sound changes in both level and frequency spectrum as it travels from the source to the receiver. The most obvious change is the decrease in the noise level as the distance from the source increases. The manner by which noise reduces with distance depends on factors such as the type of sources (e.g., point or line), the path the sound will travel, site conditions, and obstructions.

Sound levels are described as either a “sound power level” or a “sound pressure level,” which are two distinct characteristics of sound. Both share the same unit of measurement, the dB. However, sound power (expressed as L_{pw}) is the energy converted into sound by the source. As sound energy travels through the air, it creates a sound wave that exerts pressure on receivers, such as an eardrum or microphone, which is the sound pressure level. Sound measurement instruments only measure sound pressure, and noise level limits are typically expressed as sound pressure levels.

Noise levels from a point source (e.g., construction, industrial machinery, air conditioning units) typically attenuate, or drop off, at a rate of 6 dBA per doubling of distance. Noise from a line source (e.g., roadway, pipeline, railroad) typically attenuates at about 3 dBA per doubling of distance (Caltrans 2013). Noise levels may also be reduced by intervening structures; the amount of attenuation provided by this “shielding” depends on the size of the object and the frequencies of the noise levels. Natural terrain features, such as hills and dense woods, and man-made features, such as buildings and walls, can significantly alter noise levels. Generally, any large structure blocking the line of sight will provide at least a 5-dBA reduction in source noise levels at the receiver (Federal Highway Administration [FHWA] 2011). Structures can substantially reduce exposure to noise as well. The FHWA’s guidance indicates that modern building construction generally provides an exterior-to-interior noise level reduction of 10 dBA with open windows and an exterior-to-interior noise level reduction of 20 to 35 dBA with closed windows (FHWA 2011).

Descriptors

The impact of noise is not a function of loudness alone. The time of day when noise occurs and the duration of the noise are also important factors of project noise impact. Most noise that lasts for more than a few seconds is variable in its intensity. Consequently, a variety of noise descriptors have been developed. The noise descriptors used for this study are the equivalent noise level (L_{eq}), Day-Night Average Level (DNL; may also be symbolized as L_{dn}), and the community noise equivalent level (CNEL; may also be symbolized as L_{den}).

L_{eq} is one of the most frequently used noise metrics; it considers both duration and sound power level. The L_{eq} is defined as the single steady-state A-weighted sound level equal to the average sound energy over a time period. When no time period is specified, a 1-hour period is assumed. The L_{max} is the highest noise level within the sampling period, and the L_{min} is the lowest noise level within the measuring period. Normal conversational levels are in the 60 to 65-dBA L_{eq} range; ambient noise levels greater than 65 dBA L_{eq} can interrupt conversations (Federal Transit Administration [FTA] 2018).

Noise that occurs at night tends to be more disturbing than that occurring during the day. Community noise is usually measured using Day-Night Average Level (L_{dn}), which is the 24-hour average noise level with a +10 dBA penalty for noise occurring during nighttime hours (10:00 p.m. to 7:00 a.m.). Community noise can also be measured using Community Noise Equivalent Level (CNEL or L_{DEN}), which is the 24-hour average noise level with a +5 dBA penalty for noise occurring from 7:00 p.m. to 10:00 p.m. and a +10 dBA penalty for noise occurring from 10:00 p.m. to 7:00 a.m. (Caltrans 2013).¹ The relationship between the peak-hour L_{eq} value and the L_{dn} /CNEL depends on the distribution of noise during the day, evening, and night; however noise levels described by L_{dn} and CNEL usually differ by 1 dBA or less. Quiet suburban areas typically have CNEL noise levels in the range of 40 to 50 CNEL, while areas near arterial streets are in the 50 to 60+ CNEL range (FTA 2018).

Sensitive Receptors

Sensitive land uses are uses that have associated human activities that may be subject to stress or significant interference from noise, such as residences, schools, childcare facilities, religious institutions, hospitals, libraries, parks and recreational facilities, health care facilities, convalescent centers, and retirement homes. Various standards have been developed to address the compatibility of land uses with noise levels. The standards place special emphasis on land uses that are considered sensitive to high noise levels. Sensitive land uses in the City of Los Alamitos includes residential, churches, hospitals, institutional and recreational uses, and open space areas. Two housing sites of the Housing Element, Site 6 at 4655 Lampson Avenue and Site 10 at 5030 – 5084 Katella Avenue, are within the JFTB 60 CNEL contour according to the Airport Land Use Commission (ALUC) Airport Environs Land Use Plan (i.e., the ambient noise environment is 60 to 64 CNEL), as shown in Figure 1.

¹ Because L_{dn} and CNEL are typically used to assess human exposure to noise, the use of A-weighted sound pressure level (dBA) is implicit. Therefore, when expressing noise levels in terms of L_{dn} or CNEL, the dBA unit is not needed.

Figure 1 Joint Forces Training Base Noise Contours and Housing Sites 6 and 10



Imagery provided by ESRI and its licensors © 2023.

23-14681.EPS
Fig X JFTB Noise Contours

Regulatory Setting

City of Los Alamitos

The City's General Plan Public Facilities and Safety Element contains the following goals and policies which are relevant to the project:

- **Policy 4.1 Land use compatibility** - Approve development and require mitigation measures to ensure existing and future land use compatibility as shown in the City's Noise Ordinance, the Land Use and Noise Compatibility Matrix, the State Interior and Exterior Noise Standards, and the Airport Environs Land Use Plan for the JFTB.
- **Policy 4.6 Aircraft noise** - Work with the JFTB and the Long Beach Airport (LGB) to minimize the noise impact of small aircraft and helicopters on residential neighborhoods.

For the purposes of assessing the compatibility of noise-sensitive land uses and their surrounding noise environment, the City uses the Land Use and Noise Compatibility Matrix from the General Plan, which shows that residential uses are Normally Compatible up to 65 CNEL (Los Alamitos 2015). In this area, new construction or development should be undertaken only after detailed analysis of the noise reduction requirements are made and needed noise insulation features in the design are determined.

Orange County Airport Land Use Commission

The Orange County Airport Land Use Commission (ALUC) Airport Environs Land Use Plan for Joint Forces Training Base Los Alamitos contains noise standards pursuant to the suitability of noise-sensitive land uses exposed to aircraft noise. Table 1 shows the ALUC noise standards.

Table 1 ALUC Noise Standards

LAND USE CATEGORY	COMMUNITY NOISE EQUIVALENT LEVEL dB						
	55	60	65	70	75	80	
Residential (all types): Single and Multi-Family Residences							
Community Facilities: Churches, Libraries, Schools, Preschools, Day-Care Centers, Hospitals, Nursing/Convalescent Homes, & Other noise sensitive uses							
Commercial: Retail, Office							
Industrial:							



NORMALLY CONSISTENT

Conventional construction methods used. No special noise reduction requirements.



CONDITIONALLY CONSISTENT

Must use sound attenuation as required by the California Noise Insulation Standards, Title 25, California Code of Regulations. Residential use sound attenuation required to ensure that the interior CNEL does not exceed 45 dB. Commercial and industrial structures shall be sound attenuated to meet Noise Impact Zone “1” criteria (refer to Section 3.2.3).



NORMALLY INCONSISTENT

All residential units are inconsistent unless sound attenuated to ensure that the interior CNEL does not exceed 45 dB, and that all units are indoor oriented so as to preclude noise impingement on outdoor living areas.

As show in Table 1, residential uses are considered Conditionally Consistent up to 65 CNEL and must use sound attenuation to meet the State interior noise requirement of 45 CNEL.

California Building Code

California Code of Regulations Title 24, Building Standards Administrative Code, Part 2, Chapter 12, and the California Building Code codify the State noise insulation standards. These noise standards apply to new construction in California to control interior noise levels as they are affected by exterior noise sources and interior noise sources from separate areas. The regulations specify that interior noise levels shall not exceed 45 CNEL in any habitable room.

Existing Noise Setting

The Los Alamitos JFTB is an active military installation and airfield that provides support and training facilities for military units and other national, state, and local organizations, including emergency operations. The Los Alamitos JFTB is home to an Army Aviation Support Facility and the California Army National Guard, as well as other units not related to aviation. The Los Alamitos JFTB may cause occasional noise intrusion from military aircraft at proposed Housing Sites 6 and 10. As discussed above, Housing Sites 6 and 10 are within the JFTB 60 CNEL contour. For comparison, existing noise levels along major roadways in the city are shown in Table 2. In all three cases, residential units are located on these roadways, and are experiencing noise levels substantially higher than the 60 – 64 CNEL identified by ALUC.

Table 2 City of Los Alamitos Ambient Noise Levels

Roadway	Segment	Noise Level (CNEL)
Los Alamitos Boulevard	Farquhar Avenue to Orangewood Avenue	76.1
Katella Avenue	I-605 to Los Alamitos Boulevard	78.3
Cerritos Avenue	Los Alamitos Boulevard to Bloomfield Street	71.1

Source: Los Alamitos 2015.

In addition, based on a noise survey conducted for the General Plan where aircraft overflights were present, short-term noise measurements indicate that at approximately 1,300 feet from the JFTB runway, noise levels were 52 dBA L_{eq} and up to 70.3 dBA L_{max} (Los Alamitos 2014). At another site approximately 1,400 feet from the JFTB runway, noise levels were 48.3 dBA L_{eq} and up to 61.2 dBA L_{max} . For perspective, Housing Sites 6 and 10 are approximately 1,825 feet and 1,650 feet from the nearest runway, respectively.

As discussed, Housing Sites 6 and 10 are within the JFTB 60 CNEL contour, according to the ALUC Airport Environs Land Use Plan. Therefore, future residential development in these areas would be considered Normally Compatible by the City and Conditionally Consistent by the ALUC. It is worth noting that existing noise levels along major roadways in the City, as shown in Table 2, are substantially greater than noise levels expected at future residences of Housing Sites 6 and 10 of up to 64 CNEL due to aircraft noise. It should also be noted that there are already existing residences located closer to the JFTB south of proposed Housing Site 10, which are exposed to higher aircraft noise levels than would be experienced at Housing Site 10. It is also worth noting that some smaller airports do not include 60 CNEL in their noise contour maps; they begin with 65 CNEL (e.g., Torrance Municipal Airport, Hawthorne Municipal Airport, and Oxnard Airport). The City is not aware of extensive aircraft noise complaints and, “the current activities of the base generally do not disturb the surrounding civilian areas” (Los Alamitos 2015). While JFTB activity and related noise may increase on the weekends, individual overflight events are intermittent and, according to the ALUC Airport Environs Land Use Plan for Joint Forces Training Base Los Alamitos, current and projected airfield operations at the JFTB are less than 10 jets or 25 propeller-driven aircraft on an average busy day (ALUC 2017). Therefore, aircraft noise exposure at Housing Sites 6 and 10 would be periodic and intermittent in nature, and future residents would not be exposed to constant aircraft overflight noise. Finally, it is worth noting that both the 2022 and 2015 JFTB noise contour figures (Attachments 4 and 5 to the City of Los Alamitos Request for Consideration of Draft Housing Element Update (2021 – 2029) from January 19, 2023, by the ALUC), appear to show that neither Housing Site 6 nor Housing Site 10 are located within the 60 CNEL contour, with the contours from 2022 being more recent than those contained in the ALUC Airport Environs Land Use Plan from 2017.

Aircraft Noise Mitigation

Since Housing Sites 6 and 10 would be considered Normally Compatible by the City and Conditionally Consistent by the ALUC, a design-level acoustical study should be prepared for any future residential development at these sites to demonstrate that interior noise levels do not exceed 45 CNEL in habitable rooms. However, based on the noise attenuation described above, a reduction of 20 to 35 dBA with

windows closed would mean that interior noise levels on Sites 6 and 10 would be expected to reduce interior noise levels below 45 CNEL if the following design considerations are implemented:

1. Provide mechanical ventilation so that windows may be left closed by occupants. This can be achieved passively with z-ducts, fresh air ducts, or an approved equal.
2. Exterior walls shall meet a Sound Transmission Class (STC) rating of at least 46. One method to achieve this would be standard exterior walls with 6-inch studs, R-13 insulation or thicker, a minimum 7/8-inch exterior surface stucco plaster, and interior finish with 5/8-inch drywall.
3. All windows shall be rated STC 26 (assumed to be standard dual-pane windows required per Title 24 energy standards) or higher.
4. All exterior balcony doors shall be rated STC 26 or higher.
5. All entry doors shall be insulated against weather and sound with nonporous seals. Caulk entry door thresholds as they are placed.
6. Use permanently nonhardening sealant around perimeters of window frames.
7. Window assemblies shall be constructed with effective nonporous gaskets or weatherstripping to minimize air infiltration and sound leakage.
8. Provide airtight construction at all exterior walls with acoustical or other nonhardening sealant at floor plates.
9. Use door jamb and head gasketing and door bottom gasketing at entry doors to seal the solid core doors against weather and sound.

The acoustical study shall also specify any additional roof construction material specifications beyond standard roofing, truss or joists, insulation and gypsum board that may be necessary to ensure an interior noise environment of 45 CNEL or less.

Finally, it is recommended that future tenants and prospective buyers at Housing Sites 6 and 10 be notified in the rental, lease, or purchase agreement and disclosures that the area may be subject to elevated aircraft noise levels at times and that it is within the 60 CNEL contour of the JFTB.

* * *

This concludes our findings of aircraft-related noise from the JFTB affecting proposed Housing Sites 6 and 10 and our recommendations for aircraft noise mitigation at future housing developments in these areas. Please do not hesitate to let us know if you have any questions about the findings of this letter report.

Sincerely,
Rincon Consultants, Inc.



Josh Carman, INCE-USA
Director

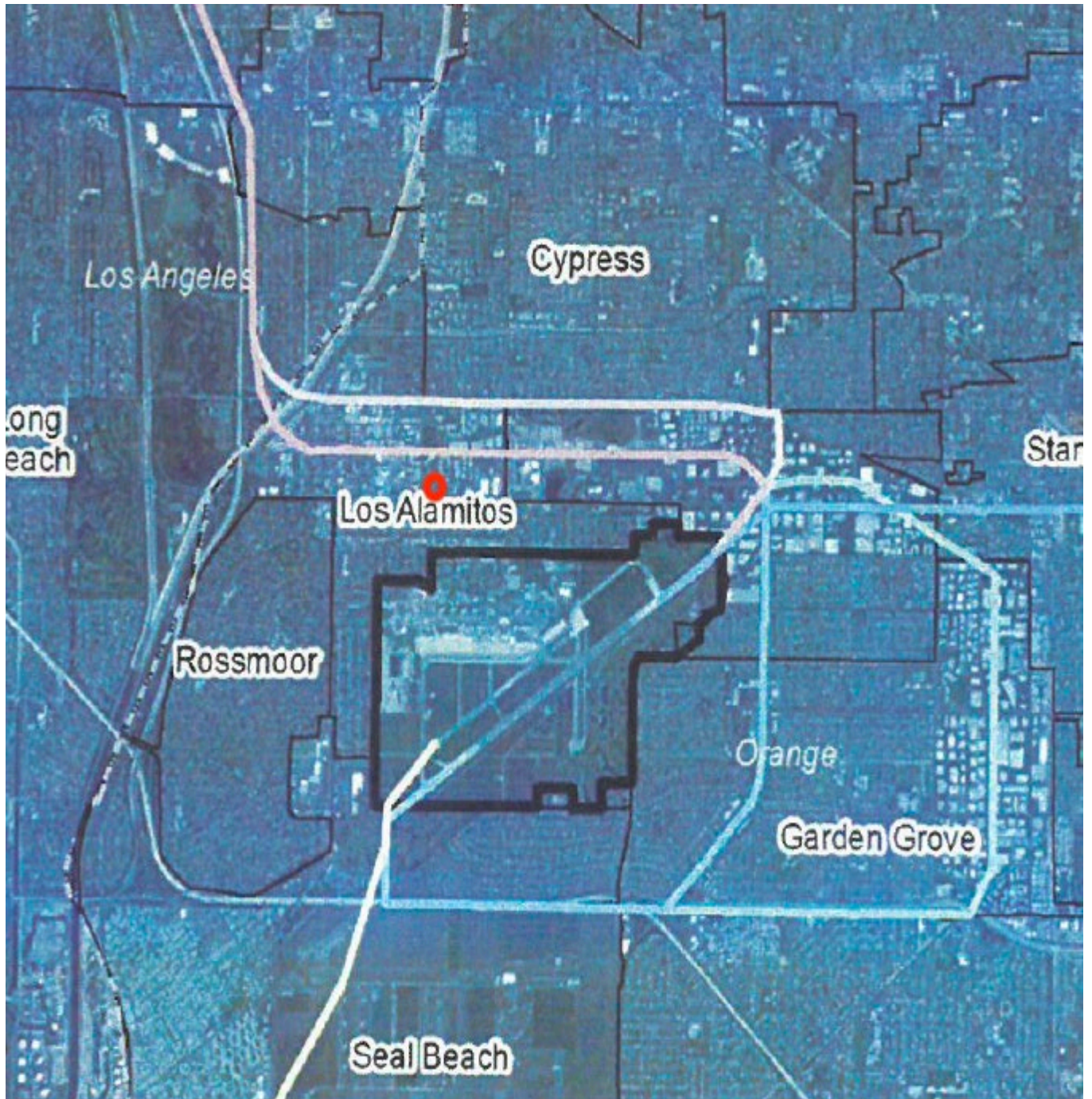
References

- California Department of Transportation (Caltrans). 2013. Technical Noise Supplement to the Traffic Noise Analysis Protocol. (CT-HWANP-RT-13-069.25.2).
- Federal Highway Administration (FHWA). 2011. Highway Traffic Noise: Analysis and Abatement Guidance (FHWA-HEP-10-025).
- Federal Transit Administration (FTA). 2018. Transit Noise and Vibration Impact Assessment Manual.
- Los Alamitos, City of. 2014. Los Alamitos General Plan Update Draft EIR.
- Los Alamitos, City of. 2015. Los Alamitos General Plan.
- Orange County Airport Land Use Commission. 2017. Airport Environs Land Use Plan for Joint Forces Training Base Los Alamitos.
- United States Environmental Protection Agency. 1974. Information on levels of environmental noise requisite to protect public health and welfare with an adequate margin of safety. Report No. 550/9-74-004 March 1974.

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Item 12A

ATTACHMENT 7

**Site 7 Location
Relationship to Flight Paths**



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ATTACHMENT 8



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

July 12, 2023

City Council Members
City of Los Alamitos
3191 Katella Avenue
Los Alamitos, CA 90720-5600

Subject: City Council Study Session regarding ALUC Inconsistency Determination

Dear City Council Members:

On January 19, 2023, the City of Los Alamitos submitted the 6th Cycle Housing Element Update 2021-2029 to the Airport Land Use Commission (ALUC) for Orange County for a consistency review. The ALUC found the proposed Housing Element Update inconsistent with the Airport Environs Land Use Plan (AELUP) for Joint Forces Training Base (JFTB) Los Alamitos.

Per Section 4.11 of the AELUP for JFTB Los Alamitos, when the ALUC determines that a submittal is inconsistent with the AELUP, the ALUC shall promptly notify the affected local agency. The local agency may modify the submitted project so as to be consistent with the AELUP and resubmit the project to the ALUC for a determination of consistency; or the local agency may instead choose to overrule the ALUC by following the procedure established in Public Utilities Code (PUC) Sections 21676 and 21676.5.

On March 1, 2023, the ALUC and Caltrans Division of Aeronautics were notified of the City's intent to overrule and in response, provided comments on the findings of facts included in Resolution No. 2023-04 adopted by the City Council on February 21, 2023. At your study session we encourage the City Council to consider these response letters which are attached for your review.

In the event that a local agency does not revise its plan or overrule the ALUC, the ALUC may impose compliance requirements on the local agency. Public Utilities Code Section 21676.5, entitled "Local agency plan revisions; overruling of commission by local agency; further review," states in pertinent part:

"If the commission finds that a local agency has not revised its general plan or specific plan or overruled the commission by a two-thirds vote of its governing body after making specific findings that the proposed action is consistent with the purposes of this article as stated in Section 21670, the commission may require

that the local agency submit all subsequent actions, regulations, and permits to the commission for review until its general plan or specific plan is revised or the specific findings are made.”

Moreover, if a local agency does not overrule an airport land use commission’s inconsistency finding, it cannot adopt its proposed general (or specific) plan amendment. As the court succinctly stated in *Muzzy Ranch Co. v. Solano County Airport Land Use Com.* (2007) 41 Cal.4th 372, 385:

“Any local agency seeking to amend its general plan in a way that affects an area governed by an airport land use compatibility plan must first refer its proposed action to the responsible commission for a determination whether the proposed action is consistent with the airport land use plan. If the commission determines the amendment is not consistent, the agency may not enact it unless a two-thirds supermajority of the agency’s governing body votes to override the commission’s disapproval and the agency makes specific findings that its proposed action is consistent with the purposes of the State Aeronautics Act. (Pub.Util.Code, § 21676, subd. (b).)”

Please let me know if I can assist with any general inquiries regarding ALUC. I can be reached at (949) 252-5170 or at alucinfo@ocair.com. However, if you have questions regarding legal procedures or controlling statutes for airport land use commissions, you should consult with your City Attorney.

Sincerely,



Lea Choum
Executive Officer

Attachments:

Letter from ALUC for Orange County dated March 28, 2023

Letter from Caltrans Division of Aeronautics dated March 29, 2023

cc: Chet Simmons, City Manager
Airport Land Use Commission for Orange County



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

March 28, 2023

Ron Noda, Development Services Director
City of Los Alamitos
3191 Katella Ave.
Los Alamitos, CA 90720

Subject: Response to Notice of Intent to Overrule the Airport Land Use Commission
Determination for Los Alamitos General Plan 2021-2029 Housing Element Update

Dear Mr. Noda:

We are in receipt of your March 1, 2023 email letter notifying the Airport Land Use Commission (ALUC) for Orange County of the City's intent to overrule the ALUC's inconsistency determination on its General Plan Amendment for its 2021-2029 Housing Element Update. City Council Resolution No. 2023-04 was attached. In accordance with Section 21676 of the Public Utilities Code, the ALUC submits the following comments addressing the proposed overrule findings for the above-referenced project. This letter is advisory to the City and must be included in the public record of any final decision to overrule the ALUC, which may only be adopted by a two-thirds vote of the City's governing body.

Please be advised that California Public Utilities Code (PUC) Section 21678 states: "With respect to a publicly owned airport that a public agency does not operate, if the public agency pursuant to Section 21676, 21676.5, or 21677 overrules a commission's action or recommendation, the operator of the airport shall be immune from liability for damages to property or personal injury caused by or resulting directly or indirectly from the public agency's decision to overrule the commission's action or recommendation."

Background

On January 19, 2023, the ALUC for Orange County found the Los Alamitos Housing Element Update to be inconsistent with the *Airport Environs Land Use Plan (AELUP) for Joint Forces Training Base Los Alamitos (JFTB Los Alamitos)* on a 5-1 vote. The inconsistent finding was based on AELUP Sections 2.1.1 and 3.2.1 and PUC Sections 21674(a) and 21674(b).

While the City referred the proposed Housing Element Update to ALUC prior to approval by the City Council, the City approved its General Plan Amendment on February 21, 2023, prior to completing the overrule process in accordance with the PUC Section 21676(b).

ALUC has the following comments regarding the findings of facts included in Resolution 2023-04:

Response to Finding “a” Regarding Protection of the Public from Adverse Effects:

As noted in the City’s finding, the AELUP for JFTB Los Alamitos is intended to protect the public from the adverse effects of aircraft noise, ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and ensure no structures or activities adversely affect navigable airspace. However, proposed housing Sites 6 and 10 are located in close proximity to JFTB Los Alamitos. As stated in Section 2.2 of the *AELUP for JFTB Los Alamitos*, “[t]he Commission may consider the utilization of criteria for protecting aircraft traffic patterns at this airport which may differ from those contained in FAR Part 77, should evidence of health, welfare, or safety surface sufficient to justify such an action.”

Response to Findings “b” and “c” Regarding Noise Standards:

The ALUC inconsistency determination was based in part on AELUP Section 2.1.1 which states “aircraft noise emanating from airports may be incompatible with the general welfare of the inhabitants within the vicinity of an airport,” and partly on General Land Use Policies in Section 3.2.1 which states that “within the boundaries of the AELUP, any land use may be found to be Inconsistent with the AELUP which (1) Places people so that they are affected adversely by aircraft noise and (2) Concentrates people in areas susceptible to aircraft accidents.” The ALUC believes that the proposed new locations for residential units would be highly affected by airport noise due to the close proximity to the airport and that the past and current land use designations of “Community and Institutional” and “Retail Business” are the appropriate designations for these sites to not concentrate people in this area which is susceptible to aircraft accidents. The proposed Housing Element Update would allow for the introduction of residential uses which are not suitable and would subject the future residents to excessive noise and safety risks.

Response to Finding “d” Regarding Safety:

While none of the proposed opportunity sites are located within the Accident Potential Zones or Clear Zones, the ALUC considers the broader definition of “safety” as stated above and in Section 3.2.1 of the *AELUP for JFTB Los Alamitos*. The north departure path close to the Laurel Park (Site 7) is shown in Attachment 7 of the ALUC Staff Report (entire staff report is attached to this letter). It is the pink line in Figure 3-1: JFTB Los Alamitos Flight Routes and the blue line in Figure 4-2 from the 2022 CARNG ICUZ. Allowing residential uses adjacent to the flight tracks would concentrate people in an area susceptible to aircraft accidents and is not recommended.

Response to Finding “e” Regarding Purpose and Intent of the AELUP

The City states that the “proposed project is consistent with the purpose and intent of the AELUP and will not result in incompatible land uses adjacent to JFTB Los Alamitos.” By virtue of being clearly stated in *AELUP for JFTB Los Alamitos* Sections 1.2 “Purpose and Scope” and 2.0 “Planning Guidelines,” the ALUC understands the complex legal charge to protect public

airports from encroachment by incompatible land use development, while simultaneously protecting the health, safety and welfare of citizens who work and live in the airport's environs. To this end, and as also statutorily required, ALUC proceedings are benefited by several members having expertise in aviation. Based upon careful consideration of all information provided, and input from ALUC members with expertise in aviation, the ALUC found the Housing Element Update to be Inconsistent with the *AELUP for JFTB Los Alamitos*.

We urge the City Council to take ALUC's concerns into consideration in its deliberations prior to deciding whether to overrule ALUC. Thank you for the opportunity to provide these comments.

Sincerely,

Lea Choum for

Gerald A. Bresnahan
Chairman

Attachment: January 19, 2023 ALUC Staff Report

cc: Members of Airport Land Use Commission for Orange County
Gabrielle Sefranek, Caltrans/Division of Aeronautics



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

AGENDA ITEM 1

January 19, 2023

TO: Commissioners/Alternates

FROM: Lea U. Choum, Executive Officer

SUBJECT: City of Los Alamitos Request for Consideration of Draft Housing Element Update (2021-2029)

Background

The City of Los Alamitos has submitted its 2021-2029 Housing Element Update ("Update") for a consistency review. The Update identifies and analyzes the City's existing and projected housing needs and contains goals, policies, objectives, and programs to address those needs. The City's Housing Element was last updated in February 2014, which covered the years 2014 to 2021. It was not submitted to ALUC for a consistency determination.

The Housing Element is one of the seven mandatory elements of the General Plan. Section 65583 of the Government Code sets forth the specific requirements of a jurisdiction's housing element. Included in these requirements are obligations of local jurisdictions to provide for their "fair share" of the regional housing needs. This fair share is determined through the Regional Housing Needs Assessment (RHNA) process which in Orange County is facilitated by the Southern California Association of Governments (SCAG). For the 2021 to 2029 planning period, the City of Los Alamitos was allocated a total of 769 housing units, including 194 for very low-income, 119 for low-income, 145 for moderate-income, and 311 for above-moderate income households.

The City of Los Alamitos surrounds and includes Joint Forces Training Base (JFTB) - Los Alamitos and the entire city is within the Notification/Planning Area (Attachment 1). The Draft Housing Element includes fourteen sites which could accommodate up to 1,295 units. The site locations and detailed information regarding each site is shown in Attachment 2. Sites one through four are existing Mixed Use sites and are currently zoned for Mixed Use. Sites 6 through 10 are currently in non-residential use and would require a change in General Plan Land Use designation as well as Zoning Code changes. Site 11 is currently designated as Multi-Family, but the Zoning would have to change to accommodate additional units. The two sites of most concern are Site 6 at 4655 Lampson Avenue, and Site 10 at 5030-5084 Katella. Both of these sites are in close proximity to the Base and within the 60 CNEL contour.

The City has submitted the Draft Housing Element Update to California Housing and Community Development (HCD) and has held/scheduled the following public hearings:

Planning Commission
City Council

December 14, 2022
January 24, 2023

AELUP for JFTB Los Alamitos Issues

Regarding Aircraft Noise Impacts

As stated above, the Draft Housing Element Update includes two new housing sites within the 60 dB CNEL as defined in the *Airport Environs Land Use Plan (AELUP) for JFTB Los Alamitos* (See Attachment 3). Site 6 is located at 4655 Lampson Avenue and could accommodate up to 310 housing units, and Site 10 located at 5030-5084 Katella could accommodate up to 108 units.

The *AELUP for JFTB Los Alamitos* states that residential uses within the 60 dB CNEL/Noise Impact Zone 2 is “Normally Consistent,” but that the “noise impact in this area is sufficient to require sound attenuation as set forth in the California Noise Insulation Standards, Title 25, California Code of Regulations.” The Commission strongly recommends that residential units be limited or excluded from this area unless sufficiently sound attenuated. The AELUP states, “the residential use interior sound attenuation requirement shall be a CNEL value not exceeding an interior level of 45 dB. In addition, it is recommended that all designated outdoor common or recreational areas within Noise Impact Zone 2 provide outdoor signage informing the public of the presence of operating aircraft.”

The City’s Public Facilities and Safety Element includes the following discussion regarding noise:

“The Airport Environs Land Use Plan (AELUP) is a land-use compatibility plan that describes the effects of aircraft noise on surrounding areas. Land uses within the airport planning area boundaries are required to conform to noise restrictions established in the AELUP. Figure 6 shows the 60 and 65 dBA CNEL noise contours from the AELUP.”

In addition, the City’s Growth Management Element includes the following policies:

Policy 3.5 New residential units. Do not approve the construction of new residential units within the 65 dBA CNEL noise contour for the JFTB.

Policy 3.6 JFTB noise contours. Require the use of JFTB noise contours to ensure new development is compatible with the noise environment.

Policy 3.7 Deed disclosure notice. Provide notice of airport in the vicinity where residential development is being proposed within the 60 dBA CNEL noise contours

for the Growth Management Element March 2015 Los Alamitos General Plan 6 JFTB. Require that the following language be included as part of the Deed Disclosure Notice.

Please note that as part of the submittal to ALUC, the City included exhibits from the 2021 JFTB Los Alamitos noise assessment. Attachment 4 is the finalized JFTB Los Alamitos Aircraft Noise Zone exhibit which was incorporated into the California Installation Compatible Use Zone Study (ICUZ) in March of 2022. The report assessed noise levels associated with both current and projected aircraft operations (including the California Army National Guard projected increase in aircraft operations over the next 10 years) and resulted in expanded noise contours. Please refer Attachment 5 which shows the JFTB Los Alamitos noise zones from the 2015 ICUZ study for comparison purposes.

Regarding Height Restrictions

All of the City's proposed housing sites are within the Federal Aviation Administration (FAA) Federal Aviation Regulations (FAR) Part 77 Obstruction Imaginary Surfaces for JFTB Los Alamitos (Attachment 6). The horizontal obstruction imaginary surface for JFTB Los Alamitos is at an elevation of 182.4 feet above mean sea level (AMSL). Transitional, approach and conical surfaces vary in elevation and are addressed below for the proposed Housing Element sites.

Proposed housing Sites 1 through 4B are designated as Town Center Mixed Use (TCMU) and will remain TCMU. According to the City's Zoning Code, the TCMU zone has a maximum height of 60 feet. Sites 6 through 10 are sites that would change from non-residential (Commercial & Institutional and Retail Business) to residential uses (R4), and Site 11 would remain in multi-family residential use but change from R3 to R4. The City's Draft Housing Element states that this would "require the creation of a new zoning designation, R-4" ... and "the height limits would be increased to allow higher rise buildings." Current maximum building heights allowed by the City's Zoning Code for residential districts vary from 30 to 35 feet above ground level (AGL). The City has identified in its Update submittal that development heights are, and will continue to be, consistent with the JFTB imaginary surfaces restrictions to ensure public safety.

The City's Public Facilities and Safety Element includes height restrictions as follows:

"To ensure the safe operation of aircraft activity at the JFTB, structures anywhere in Los Alamitos or Rossmoor should not exceed the applicable elevations defined in the Federal Aviation Regulations (FAR), Part 77 (Objects Affecting Navigable Air Space). This height restriction is 88 to 200 feet above ground level based on proximity to the runway.

Current zoning standards do not permit development higher than 70 feet in Los Alamitos or Rossmoor. Nevertheless, all developments are subject to FAR Part 77 noticing requirements and must file the necessary form(s) with the City's Community

Development department, the County's Planning division, and the Orange County Airport Land Use Commission."

Additionally, the City's Growth Management Element includes the following policies:

Policy 3.1 Land use compatibility. Approve development and require mitigation measures to ensure existing and future land use compatibility as shown in the City's Noise Ordinance, the Land Use and Noise Compatibility Matrix, the State Interior and Exterior Noise Standards, and the Airport Environs Land Use Plan (AELUP) for the JFTB.

Policy 3.2 Federal Aviation Regulation Part 77. Do not approve buildings and structures that would penetrate Federal Aviation Regulation (FAR) Part 77 Imaginary Obstruction Surfaces for JFTB, Los Alamitos unless found consistent by the Airport Land Use Commission (ALUC). Additionally, in accordance with FAR Part 77, required applicants proposing buildings or structures that penetrate the 100:1 Notification Surface to file a Form 7460-1 Notice of Proposed Construction or Alteration with FAA and provide a copy of the FAA determination to the City and the ALUC for Orange County.

Policy 3.3 Structures above 200 feet. For development projects that include structures higher than 200 feet above existing grade, the City shall inform the ALUC and submit materials to the ALUC for review. Proposed projects that would exceed a height of 200 feet above existing grade shall be required to file Form 7460-1 with the Federal Aviation Administration (FAA).

Provided below is the height review for the proposed sites. At their current maximum allowable heights, none of the proposed housing sites penetrate the imaginary surfaces for JFTB, Los Alamitos.

Sites 1-4B – Maximum Combined 467 Units

With approximate ground elevations of 21 feet, and horizontal and conical surfaces ranging from 182.4 feet to 225 feet AMSL, Sites 1 through 4B would not penetrate the imaginary surfaces with the zoning code maximum height of 60 feet for the TCMU zone.

Site 6 - Maximum 310 Units

The approximate ground elevation for Site 6 is approximately 20 feet AMSL and the horizontal imaginary obstruction surface would be penetrated at 182.4 feet AMSL. The City's maximum building height of 35 feet for residential zones would not penetrate the imaginary surface in this location. The property on Lampson Avenue has been sold to a developer and is actively being planned for redevelopment for housing. The City has received a proposal from the developer for 248 residential units including 77 affordable units on the 12.4-acre property.

Site 7 - Maximum 72 Units

Laurel Park has an approximate ground elevation of approximately 23 feet AMSL and the horizontal imaginary obstruction surface would be penetrated at 182.4 feet AMSL. The City's

maximum building height of 35 feet for residential zones would not penetrate the imaginary surface in this location.

Site 8 - Maximum 115 Units

The 3191 Katella/City Hall property has an approximate ground elevation of 19 feet AMSL. The conical surface at this location would be penetrated at approximately 250 feet AMSL. The City's maximum building height of 35 feet would not penetrate the imaginary surface in this location.

Site 9 - Maximum 180 Units

The 4142 Cerritos Avenue site has an approximate ground elevation of 19 feet AMSL. The conical surface at this location would be penetrated at approximately 191 feet AMSL. The City's maximum building height of 35 feet would not penetrate the imaginary surface in this location.

Site 10 - Maximum 108 Units

Tue 5030-5084 Katella Laurel Park site has an approximate ground elevation of approximately 27 feet AMSL and the horizontal imaginary obstruction surface would be penetrated at 182.4 feet AMSL. The City's maximum building height of 35 feet for residential zones would not penetrate the imaginary surface in this location.

Regarding Safety

JFTB Los Alamitos has established Clear Zones (also referred to as a Runway Protection Zones). These Clear Zones are trapezoidal areas located at each end of the runway (as shown on Attachment 3). Clear Zones are limited primarily to airport and open space uses. No buildings intended for human habitation are permitted in Clear Zones. The Clear Zones for JFTB Los Alamitos are completely within the JFTB boundaries.

Aircraft operations at JFTB include use of both fixed wing aircraft and helicopters. General flight route information for JFTB Los Alamitos is provided in Attachment 7. These exhibits were prepared for JFTB in conjunction with an Environmental Assessment in June 2021 and for ICUZ in 2022, and are included for informational purposes only. The Site 7 (Laurel Park) would be adjacent to the north departure path.

Regarding Heliports

The development of heliports is not proposed within the Housing Element Update, therefore consistency with the *AELUP for Heliports* was not reviewed.

Environmental

On November 1, 2021, ALUC staff sent a comment letter to the City regarding the NOI to Adopt a Negative Declaration for the Housing Element Update. It is included as Attachment 8.

Conclusion

Attachment 9 to this report contains the submittal letter and Housing Element Submittal Form and Checklist received from the City of Los Alamitos. The Housing Element Update and supporting documents are also available on the City's website at:

<http://cityoflosalamitos.org/375/Housing-Element>

ALUC staff has reviewed this project with respect to compliance with the *AELUP for JFTB Los Alamitos*, including review of noise, height and safety. The locations of Site 6 and Site 10 are in close proximity to JFTB-Los Alamitos, and the proposed land use designation of the two sites would allow for 418 new residential units, where there are currently none. These sites would be changing from the non-residential to residential uses and are both located within the 60 CNEL noise contour for JFTB-Los Alamitos. Site 7 would add up to 72 units adjacent to the north departure path subjecting future residents to noise and safety issues.

Recommendation

That the Commission find the proposed City of Los Alamitos 2021-2029 Housing Element Update Inconsistent with the *AELUP for JFTB Los Alamitos* per:

1. Section 2.1.1 Aircraft Noise, that the "aircraft noise emanating from airports may be incompatible with general welfare of the inhabitants within the vicinity of an airport."
2. PUC Section 21674, (as referenced in Section 1.2 of the *AELUP for JFTB Los Alamitos*) which states that the Commission is charged by PUC Section 21674(a) "to assist local agencies in ensuring compatible land uses in the vicinity of ...existing airports to the extent that the land in the vicinity of those airports is not already devoted to incompatible uses," and PUC Section 21674(b) "to coordinate planning at the state, regional and local levels so as to provide for the orderly development of air transportation, while at the same time protecting the public health, safety and welfare."
3. General Land Use Policies in Section 3.2.1 which states that "within the boundaries of the AELUP, and land use may be found to be Inconsistent with the AELUP which (1) Places people so that they are affected adversely by aircraft noise and (2) Concentrates people in areas susceptible to aircraft accidents."

Respectfully submitted,

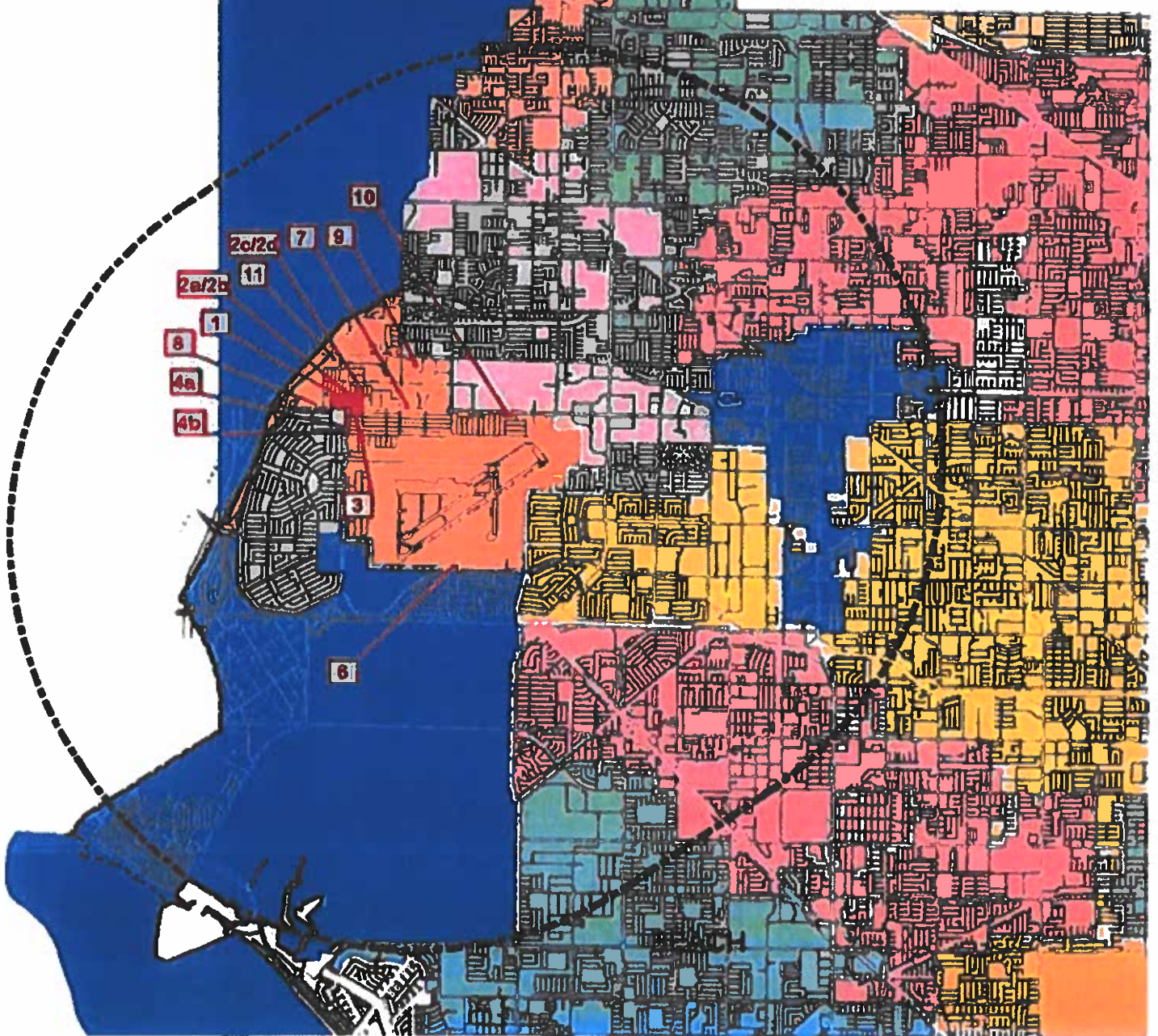


Lea U. Choum
Executive Officer

Attachments:

- 1. Notification Area for JFTB Los Alamitos**
- 2. Site Inventory Map and Table**
- 3. Impact Zones/Noise Contours for JFTB Los Alamitos**
- 4. 2022 JFTB Los Alamitos Noise Zones**
- 5. 2015 JFTB Los Alamitos Noise Zones**
- 6. Housing Sites in relation to JFTB Obstruction Imaginary Surfaces**
- 7. JFTB Los Alamitos Flight Patterns**
- 8. ALUC November 1, 2001 Letter to Los Alamitos Regarding Negative Declaration**
- 9. City of Los Alamitos Letter and Submittal Form**

**Los Alamitos Housing
Element 2021-2029
Approximate Site Locations**



Note: County Unincorporated areas are shown in white.

FAR PART 77

Notification Area for JFTB Los Alamitos: 20,000' Radius at 100:1 Slope



LEGEND

- 20,000 Radius
- CITY BOUNDARIES

Adopted by

ATTACHMENT 1

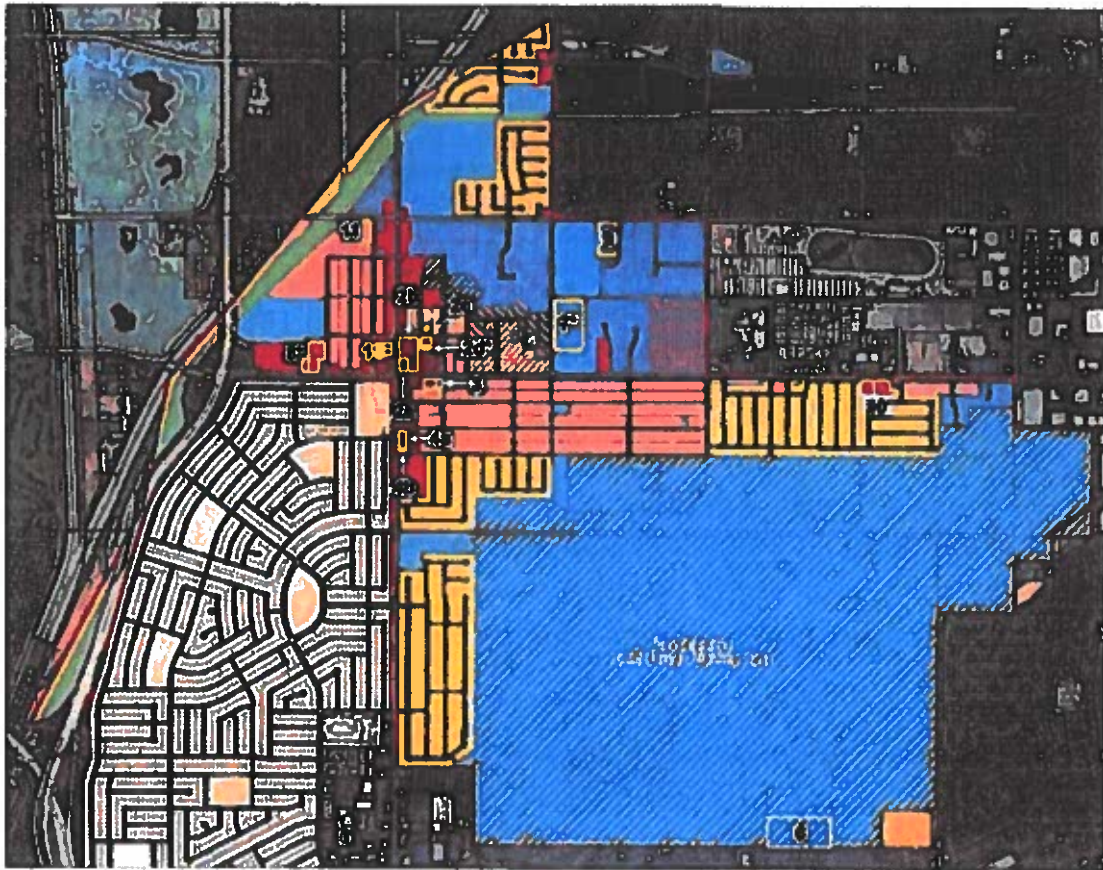
City

Lea Choum, Executive Officer

Date



Figure B-1. Location of Sites Inventory



II. Realistic Capacity

The City has seen a significant interest in redevelopment for multi-family housing in various locations, including the Old Town West and Apartment Row neighborhoods as discussed below in subsection c. Additional Underutilized Land—The pressure for residential development in the region, combined with older, under-utilized commercial projects, has resulted in considerable developer interest and at multiple developed locations, including sites listed in Table B-2 and elsewhere in the City:

- As described above, the City currently has an application in process for site 6, which includes 77 lower income units. In addition, the developer of this project is actively negotiating with the land owner of site 9, a church organization, for the purchase of the land for residential development.
- The City has met with an experienced housing developer who would like to develop a mixed use (housing and commercial) project on site 7. Negotiations are just

**Table B-2
Sites Inventory and Projected Units**

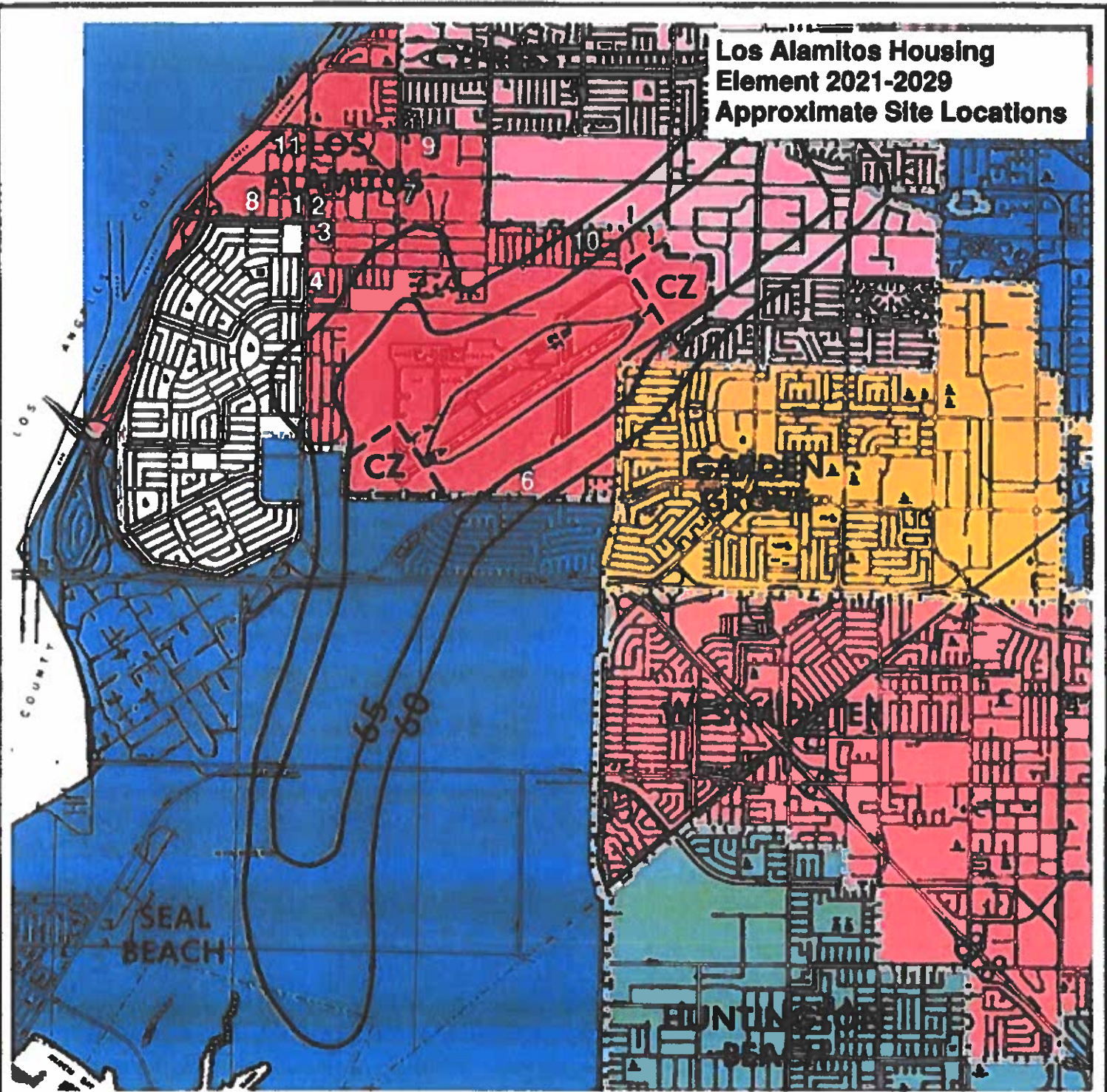
Sites Description

Site ID	APN	Address	Acres	Existing GP	Existing Zoning	Proposed Zoning	Projected Density	Max# Units
1	242-203-27	10909 Los Alamitos Blvd	0.85	Mixed Use	TCMU	TCMU	60	86
	242-203-28	10877 Los Alamitos Blvd	0.58	Mixed Use	TCMU	TCMU	60	
2a	242-171-02	10956 Los Alamitos Blvd	0.68	Mixed Use	TCMU	TCMU	60	41
2b	242-171-07	10900 Los Alamitos Blvd	3.1	Mixed Use	TCMU	TCMU	60	186
2c	242-172-01	10900 Pine Street	0.48	Mixed Use	TCMU	TCMU	60	29
2d*	242-172-02	10902 Pine Street	0.17	Mixed Use	TCMU	TCMU	60	10
3	222-091-01	11021 Reagan Street	0.35	Mixed Use	TCMU	TCMU	60	63
	222-091-21	3636 Katella Avenue	0.7	Mixed Use	TCMU	TCMU	60	
4a	222-093-12	11182 Los Alamitos Blvd	0.74	Mixed Use	TCMU	TCMU	60	44
4b	222-093-13	11232 Los Alamitos Blvd	0.13	Mixed Use	TCMU	TCMU	60	8
★ 6	130-012-35	4655 Lampson Ave	12.4	Community & Institutional	C-F	R3	20	310
7	241-241-35	Laurel Park	2 of 4	Community & Institutional	C-f	R4	30	72
8	242-212-11 242-212-08 242-212-10	3191 Katella/City Hall	3.2	Retail Business	C-G	R4	30	115
9	241-251-14	4142 Cerritos Ave	5	Community & Institutional	C-F	R4	30	180
★ 10	222-181-01 222-181-02	5030-5084 Katella	3	Retail Business	C-G	R4	30	108
11	242 222 06	3370 Cerritos Ave	1.2	Multi Family	R3	R4	30	43
								1,295 Total

★ Sites located within the 60 dB CNEL

□ Sites with proposed new land use designations (Zoning Code Change required)

Table adapted from: City of Los Alamitos website January 2023
Administrative Draft Housing Element 2021-2029 Appendix B Residential Land Resources
<https://cityoflosalamitos.org/375/Housing-Element/>



**Los Alamitos Housing
Element 2021-2029
Approximate Site Locations**

Note: County Unincorporated areas are shown in white.

Los Alamitos Impact Zones Joint Forces Training Base



LEGEND

- 60- CNEL CONTOUR
- RUNWAY PROTECTION ZONE
- CITY BOUNDARIES

Adopted

ATTACHMENT 3

County

Kari Rigoni Executive Officer

Date

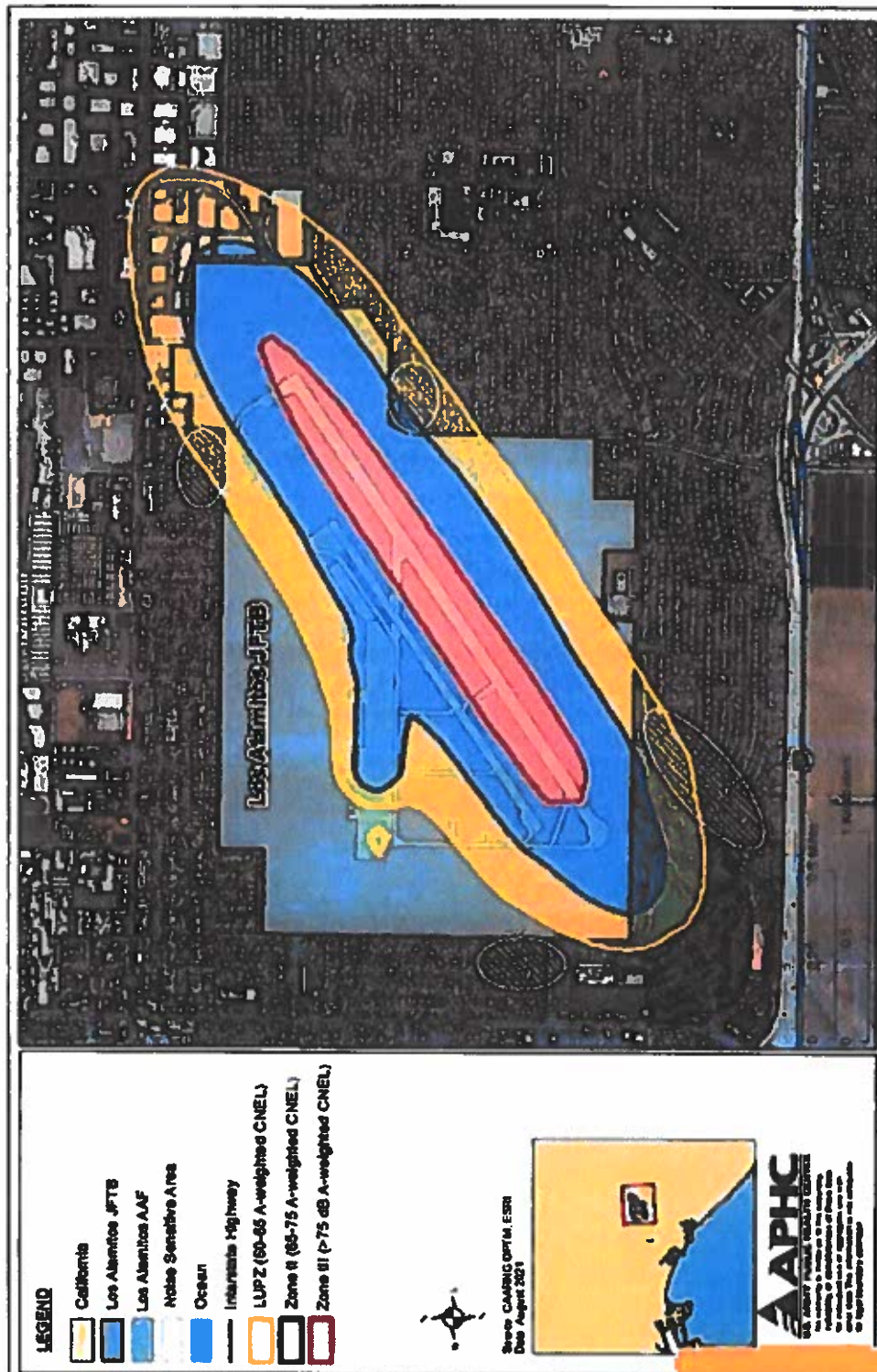


Figure 4-3 Los Alamitos JFTB Aircraft Noise Zones (A-weighted CNEL)

ATTACHMENT 4

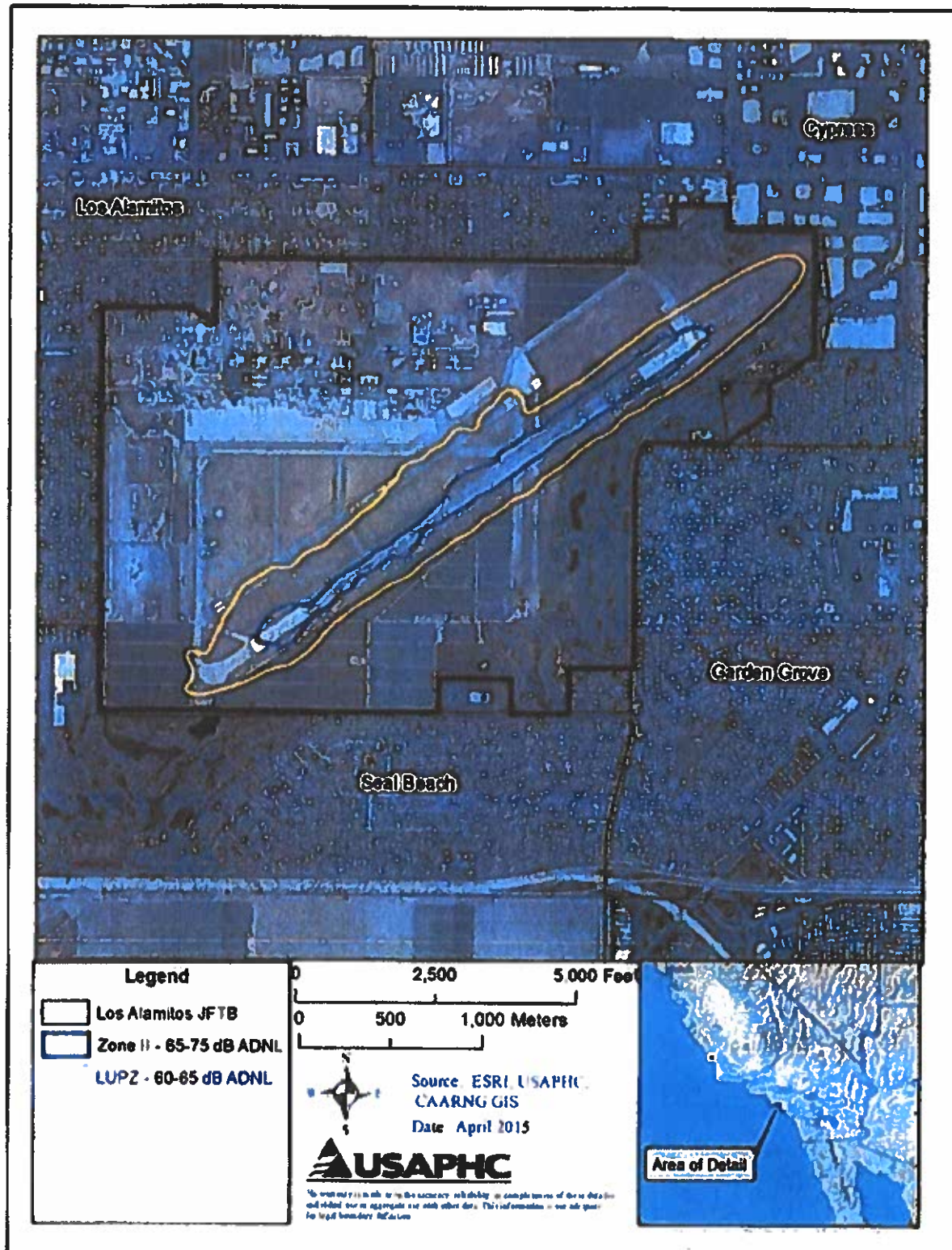
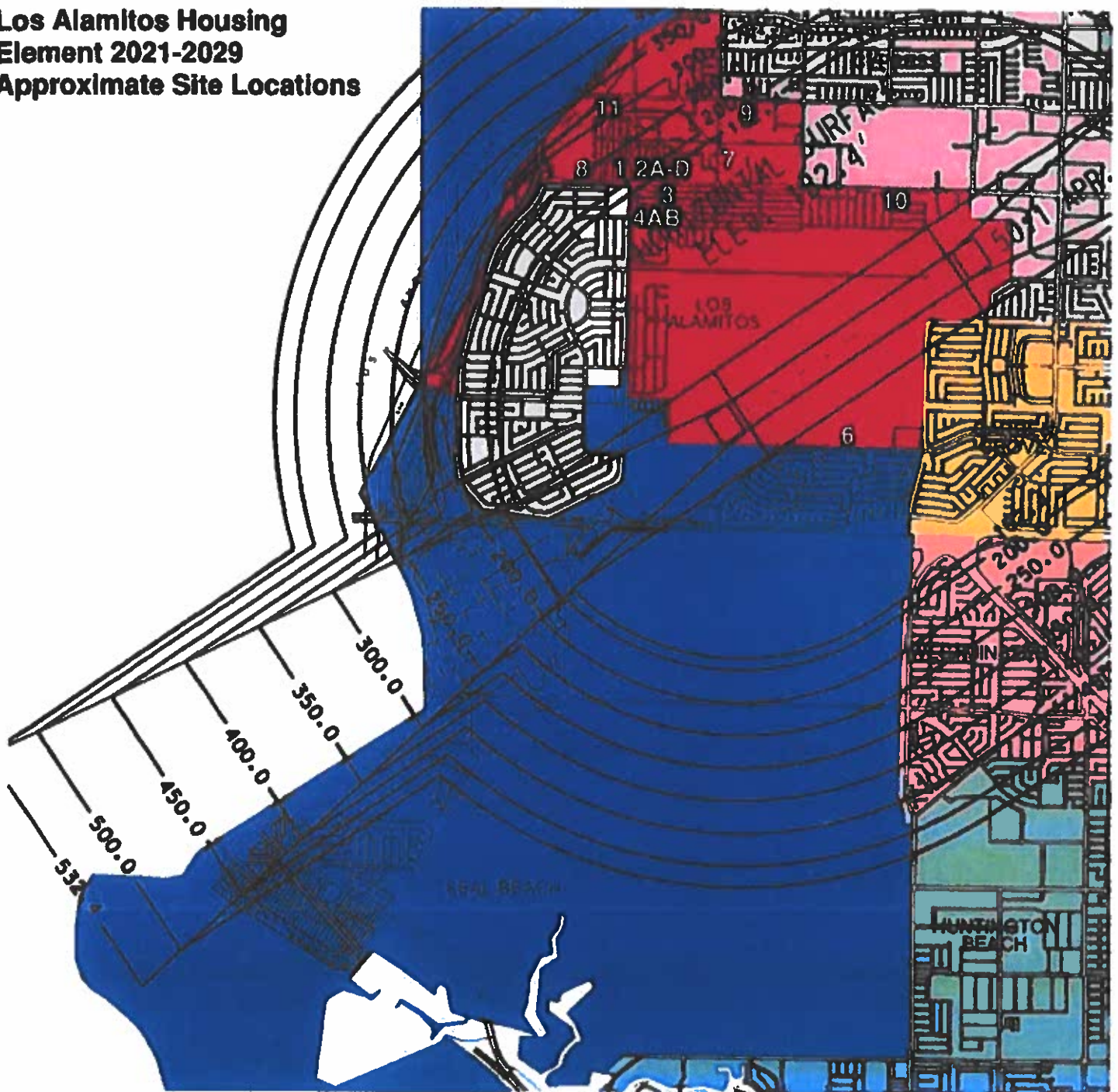


Figure 7-5. LAAAF Aircraft ADNL Noise Zones

ATTACHMENT 5

AELUP Height Restriction Zone for JFTB, Los Alamitos

Los Alamitos Housing
Element 2021-2029
Approximate Site Locations



Note: County Unincorporated areas are shown in white.

FAR PART 77

JFTB, Los Alamitos Obstruction Imaginary Surfaces



LEGEND

- 20,000 Radius
- CITY BOUNDARIES

Adopted

ATTACHMENT 6

County

Lea Choum

Executive Officer

Date

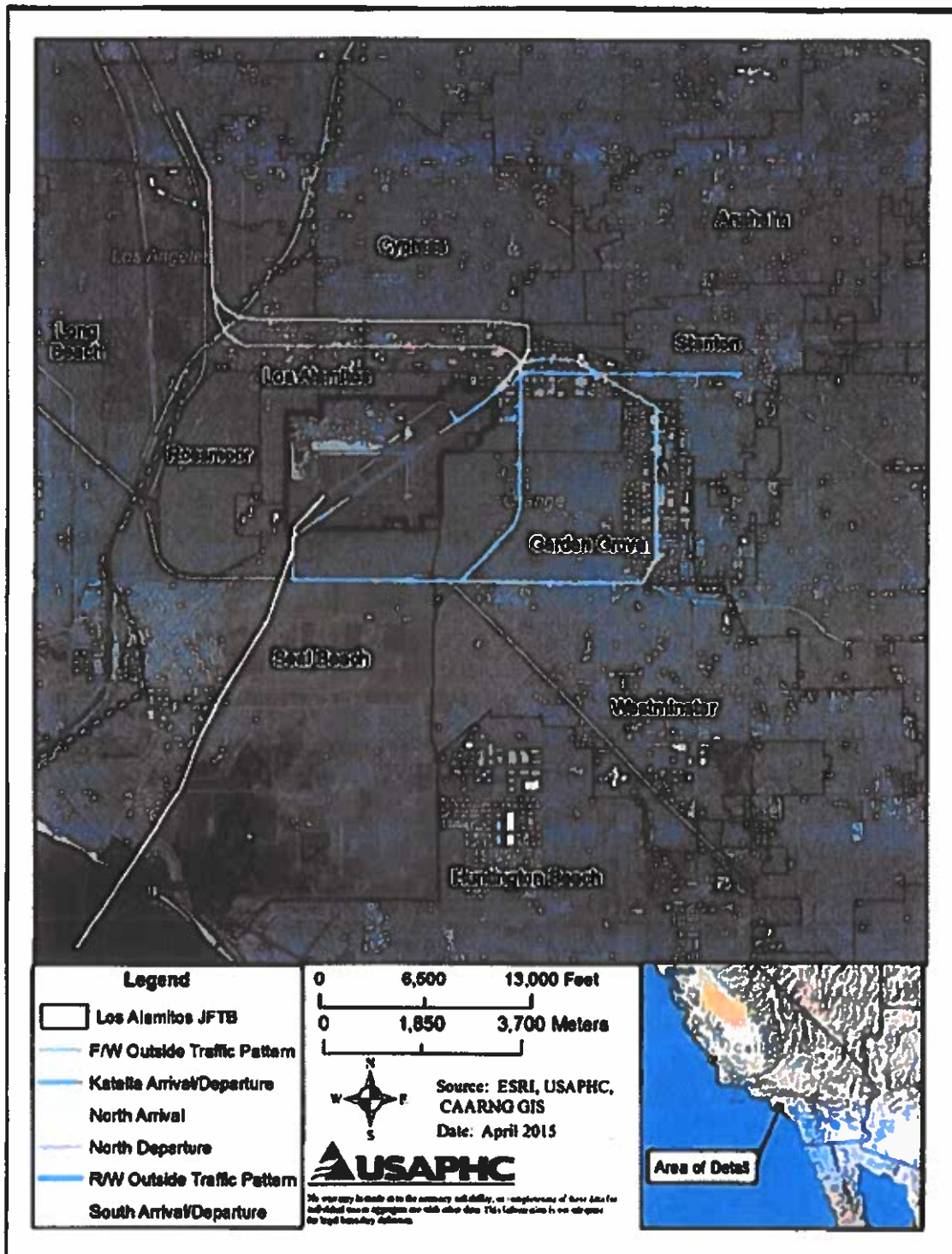


Figure 3-1. JFTB Los Alamitos Flight Routes

ATTACHMENT 7



Figure 4-2 Los Alamitos Joint Forces Flight Tracks



AIRPORT LAND USE COMMISSION

FOR ORANGE COUNTY

3160 Airway Avenue • Costa Mesa, California 92626 • 949.252.5170 fax: 949.252.6012

November 1, 2021

Tom Oliver, Associate Planner
City of Los Alamitos
3191 Katella Avenue
Los Alamitos, CA 90720-5600

Subject: NOI to Adopt Negative Declaration (ND) for Los Alamitos Housing Element Update (2021-2029)

Dear Mr. Oliver:

Thank you for the opportunity to review the City of Los Alamitos Initial Study to adopt a Negative Declaration for the proposed Housing Element Update in relation to the *Airport Environs Land Use Plan (AELUP) for Joint Forces Training Base, Los Alamitos*. The City of Los Alamitos is located within the Federal Aviation Administration (FAA) Federal Aviation Regulation (FAR) Part 77 Notification Area (also known as the airport planning area) and within the Obstruction Imaginary Surfaces. Also, a part of the City is located within the noise contours for JFTB, Los Alamitos.

The Draft Housing Element includes a site inventory assessment, which identifies sites that can achieve the City's assigned 2021 Regional Housing Needs Assessment (RHNA) for the 2021-2029 planning period. The Draft Element identifies three focus areas for residential development:

- Town Center Mixed Use Strategic Plan Area
- Lampson Site
- Arrowhead Site

The proposed site inventory includes new sites within the Notification Area, which requires submittal to the Airport Land Use Commission for a consistency review. The Draft Housing Element also proposes new residential sites within the conical and horizontal obstruction imaginary surfaces for JFTB, Los Alamitos. The ND should discuss the maximum building heights allowed for the three focus areas. With respect to building height restrictions, development proposals, which include the construction or alteration of structures more than 200 feet above ground level, require filing with the Federal Aviation Administration (FAA) and ALUC notification. Projects meeting this threshold must comply with procedures provided by Federal and State law, with the

ATTACHMENT 8

referral requirements of ALUC, and with all conditions of approval imposed or recommended by FAA and ALUC including filing a Notice of Proposed Construction or Alteration (FAA Form 7460-1). Depending on the maximum building heights that will be allowed per the proposed Housing Element Update, the City may wish to incorporate a mitigation and condition of approval specifying the 200 feet height threshold within the ND and proposed Housing Element.

As discussed in the ND, the Lampson site is partially within the 60 CNEL noise contour. Per the *AELUP for JFTB, Los Alamitos* it is strongly recommended that residential units be limited or excluded from this area unless the sound attenuation provided is sufficient to ensure that interior noise levels do not exceed 45 dBA.

In addition, the ND should identify if the project allows for the development of heliports as defined in the *Airport Environs Land Use Plan (AELUP) for Heliports*. Should the development of heliports occur within your jurisdiction, proposals to develop new heliports must be submitted through the City to the ALUC for review and action pursuant to Public Utilities Code Section 21661.5. Proposed heliport projects must comply fully with the state permit procedure provided by law and with all conditions of approval imposed or recommended by FAA, by the ALUC for Orange County and by Caltrans/Division of Aeronautics. The ND should address whether the development of heliports will be allowed within the City's jurisdiction.

A referral by the City to the ALUC is required for this project due to the location of the proposal within an AELUP Planning Area and due to the nature of the required City approvals (i.e. Housing Element Update) under PUC Section 21676(b). With respect to project submittals, please note that the Commission requests that referrals be submitted to the ALUC for a determination between the Local Agency's Planning Commission and City Council hearings. Since the ALUC meets on the third Thursday afternoon of each month, complete submittals must be received in the ALUC office by the first of the month to ensure sufficient time for review, analysis, and agendaizing. The Housing Element Submittal form can be found at:

<https://www.ocair.com/about/administration/airport-governance/commissions/airport-land-use-commission/>

Thank you for the opportunity to comment on this Initial study. Please contact Julie Fitch at (949) 252-5284 or jfitch@ocair.com if you have any questions.

Sincerely,



Lea Choum
Executive Officer



CITY OF
Los Alamitos
California

3191 Kalella Avenue
Los Alamitos, CA 90720-5600
Telephone: (562) 431-3538
FAX: (562) 493-1255
www.cityoflosalamitos.org

December 8, 2022

RECEIVED

DEC 13 2022

Lea Choum - Executive Officer
Airport Land Use Commission for Orange County
3160 Airway Avenue
Costa Mesa, CA 92626

AIRPORT LAND USE COMMISSION

SUBJECT: Housing Element Update

Hi Lea,

It was great talking with you a few weeks back. Attached, is a copy of the City's draft Housing Element for your review. You saw a draft of this document that you responded to last year. I have attached the submittal form and ancillary documents as well. Thank you so much for having the Commission look over the document.

I thank you for the opportunity to work with you on this proposed project. If you have any questions, please contact me at (562) 431-3538, ext. 303 or via e-mail at: toliver@cityoflosalamitos.org.

Sincerely,

CITY OF LOS ALAMITOS



Tom Oliver
Associate Planner

ATTACHMENT 9



AIRPORT LAND USE COMMISSION FOR ORANGE COUNTY

HOUSING ELEMENT UPDATE - SUBMITTAL FORM

1. City/County: Los Alamitos/County
2. Contact information - Name/Title Click or tap here to enter text
Agency: City of Los Alamitos
Address: 3191 Katella Avenue
Phone/email: 562-431-3538
3. Airport Planning Area(s):
☐ John Wayne Airport ☐ Fullerton Municipal Airport ☒ Joint Forces Air Base Los Alamitos
4. Are there additional General Plan Element(s) being submitted for review: ☒ No ☐ Yes –
Name of Elements: Click or tap here to enter text
5. Scheduled date of Planning Commission Public Hearing: 12/14/2022
6. Tentative date of City Council Public Hearing: 1/24/2023
7. Requested month of ALUC Review: 1/19/2023
(Complete submittal must be received by the first day of the month for the next meeting on the third Thursday of the month)
8. Does the Housing Element Update identify new housing sites within the airport Notification/Planning Area*? ☐ No (skip items # 9-12). ☒ Yes (continue below).
9. Does the Housing Element Update identify new housing sites within the: ☒ 60 CNEL or ☐ 65 CNEL Noise Contours of the airport(s)*? Please attach an exhibit showing location(s) of proposed housing sites and number of units in relation to noise contours.
10. Are noise policies or mitigation measures identified in the Housing Element or elsewhere in the General Plan? ☐ No ☒ Yes - Please attach pages with noise policies/mitigation measures highlighted.
11. Are any new housing sites identified within the Runway Protection Zone (RPZ), Clear Zone (CZ), or Airport Safety Zones of the airport*? ☒ No ☐ Yes - Please attach exhibit showing location(s) of proposed housing site(s) and number of units in relation to the applicable zones.
12. Are any new housing sites identified within the Obstruction Imaginary Surfaces*? ☒ No ☐ Yes - Please attach an exhibit showing location(s) of proposed housing sites and number of units in relation to the Obstruction Imaginary Surfaces.
13. Maximum height allowed for proposed housing. 35
(Please provide link and identify section(s) of General Plan and/or Zoning Code where housing maximum height is specified.)

Continued on reverse side

HOUSING ELEMENT UPDATE - SUBMITTAL CHECKLIST

- ☒ Cover letter on City/County letterhead.
- ☒ Completed Submittal Form.
- ☒ Copy of existing Housing Element (and any other applicable Elements).
- ☒ Copy of proposed Housing Element Update attached (and any other proposed elements) with requested information highlighted.
- ☒ Exhibit showing location(s) of proposed housing sites and number of units within the Notification Area/Planning Area for airport.
- ☒ Exhibit showing location(s) of proposed housing sites, and how many units for each, in relation to noise contours for airport(s).
- ☒ Noise policies/mitigation measures in Housing Element Update highlighted and/or pages from other elements attached.
- ☒ Exhibit showing location(s) of proposed housing sites, and how many units for each, in relation to Airport Safety Zones.
- ☒ Exhibit showing location(s) of proposed housing sites, and how many units for each, in relation to the Obstruction Imaginary Surfaces.
- ☒ Pages of General Plan and/or Zoning Code which indicate height restrictions for each new housing site within Airport Notification/Planning Area.
- ☒ Explanation of how the Housing Element Update (or other General Plan Elements) addresses the AELUP standards for noise impact, safety compatibility, and height restriction zones: It acknowledges the noise zones and explains the mitigation for that is in using appropriate building materials and construction practices.

***For airport planning/notification areas, noise contours, safety zones and obstruction imaginary surfaces see Appendix D of the applicable Airport Environs Land Use Plan (AELUP) at:**
<https://www.ocair.com/about/administration/airport-governance/commissions/airport-land-use-commission/>

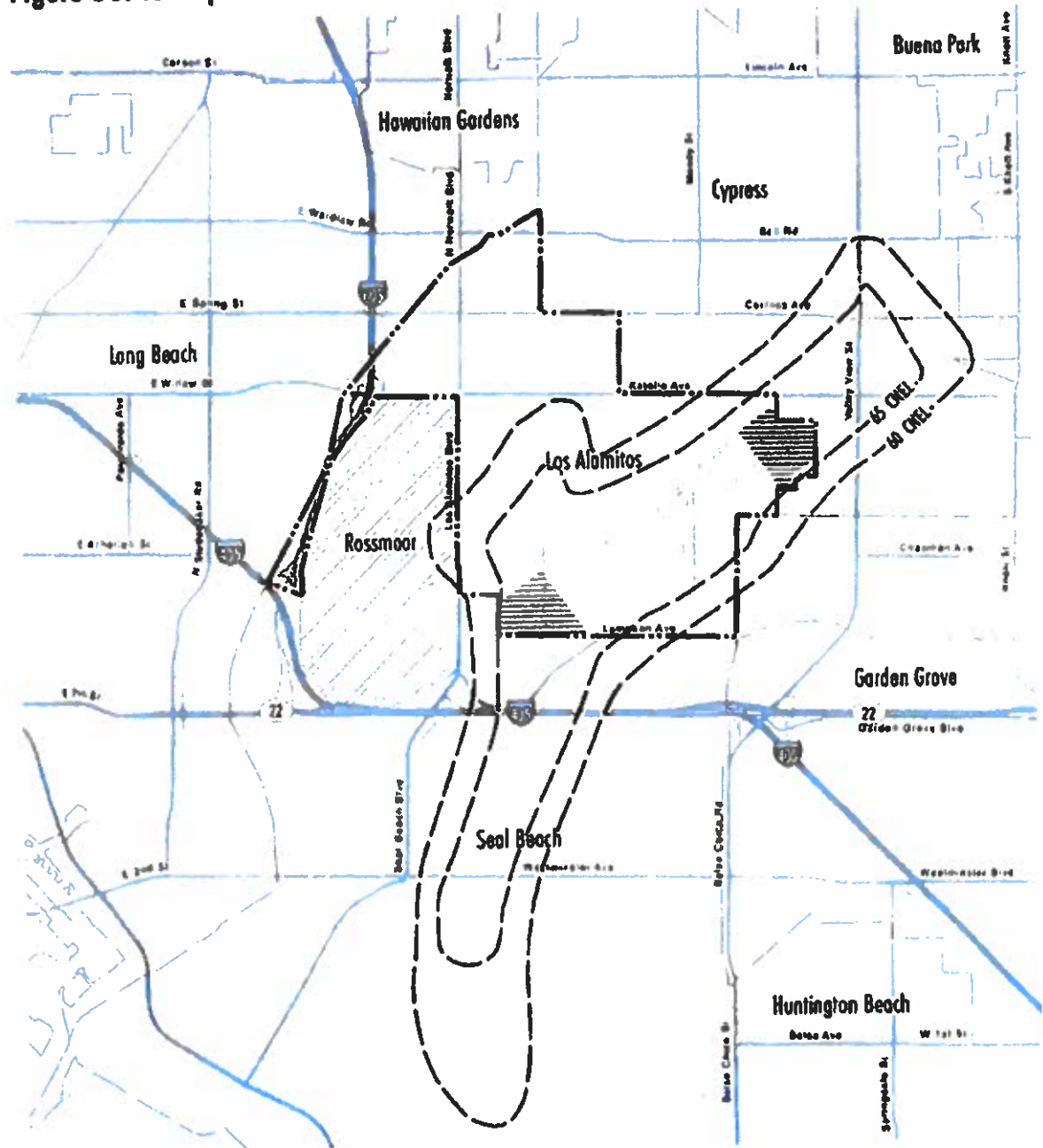
***Mail or Email Submittal Form, Checklist and attachments to: Airport Land Use Commission for Orange County,
 Attn: Executive Officer, 3160 Airway Avenue, Costa Mesa, CA 92626 / Phone: (949) 252-5170
ALUCinfo@ocair.com***

12 00 21

GENERAL PLAN

Public Facilities and Safety Element

Figure 6 JFTB Impact Zones



LOS ALAMITOS
GENERAL PLAN



PLACEWORKS

INITIAL STUDY FOR HOUSING ELEMENT

3.13 NOISE

Background

The noise environment in the City is typical of an urban community, with primary noise sources including traffic on Interstate-605, major arterials, mechanical equipment such as heating/ventilation/air conditioning (HVAC) units, commercial loading and unloading operations, and parking lot activity. In Los Alamitos, both fixed-wing aircraft and helicopters operate from The Joint Forces Training Base (JFTB), which generate aircraft noise on areas immediately next to the base and flight paths.

Would the project result in:

- a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- b) Generation of excessive ground borne vibration or ground borne noise levels?
- c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The adoption of the Housing Element Update will have no impact on noise. The future development of housing will be required to analyze noise impacts as part of the CEQA and building permit processes. All sites identified for future housing in the inventory are located in urban areas and adjacent to existing development. Typical noise sources include roadways and railroad, and stationary sources such as typical commercial and residential activities and landscaping equipment. The City will require the preparation of site-specific noise studies to assess impacts from roadway noise, as appropriate. Should noise levels at future housing sites require mitigation, there are a variety of means such as noise attenuation walls, setback from roadways, and landscape buffers which the City imposes through the development review process.

Housing redevelopment projects in the future may create temporary noise sources. The City's Municipal Code imposes noise standards and limits construction hours to the less sensitive day time hours (Municipal Code Chapter 17.20). Individual projects will be reviewed under CEQA to determine whether their construction will have adverse noise impacts on neighboring land uses.

The nearest public-use airport to the City is Long Beach Airport, approximately 3.4 miles to the west. The City is outside of the noise contours of Long Beach Airport (LACALUC 2017). The nearest private-use airport is the Joint Forces Training Base (JFTB) on the southeast side of the City. Most sites in the Site Inventory are outside of the 60/65-CNEL noise contours established for JFTB (OCALUC 2017), except the Lampson site which is partially within the 60-CNEL noise contour but completely outside the 65-CNEL noise contour. The State of California provides noise standards through the California Building Code, which establishes standards for residential construction practices and building materials to ensure that interior noise levels do not exceed 45 dBA. Future housing projects will be subject to CBC requirements and thus meet the City noise standards of 45 dBA at night and 55 dBA during the day for residential uses (General Plan Public Facilities and Safety Element Table 3). Therefore, the Housing Element Update would not subject people onsite to excessive noise levels from aircraft approaching or departing Long Beach Airport or JFTB.

Mitigation Measures and Monitoring: None required.

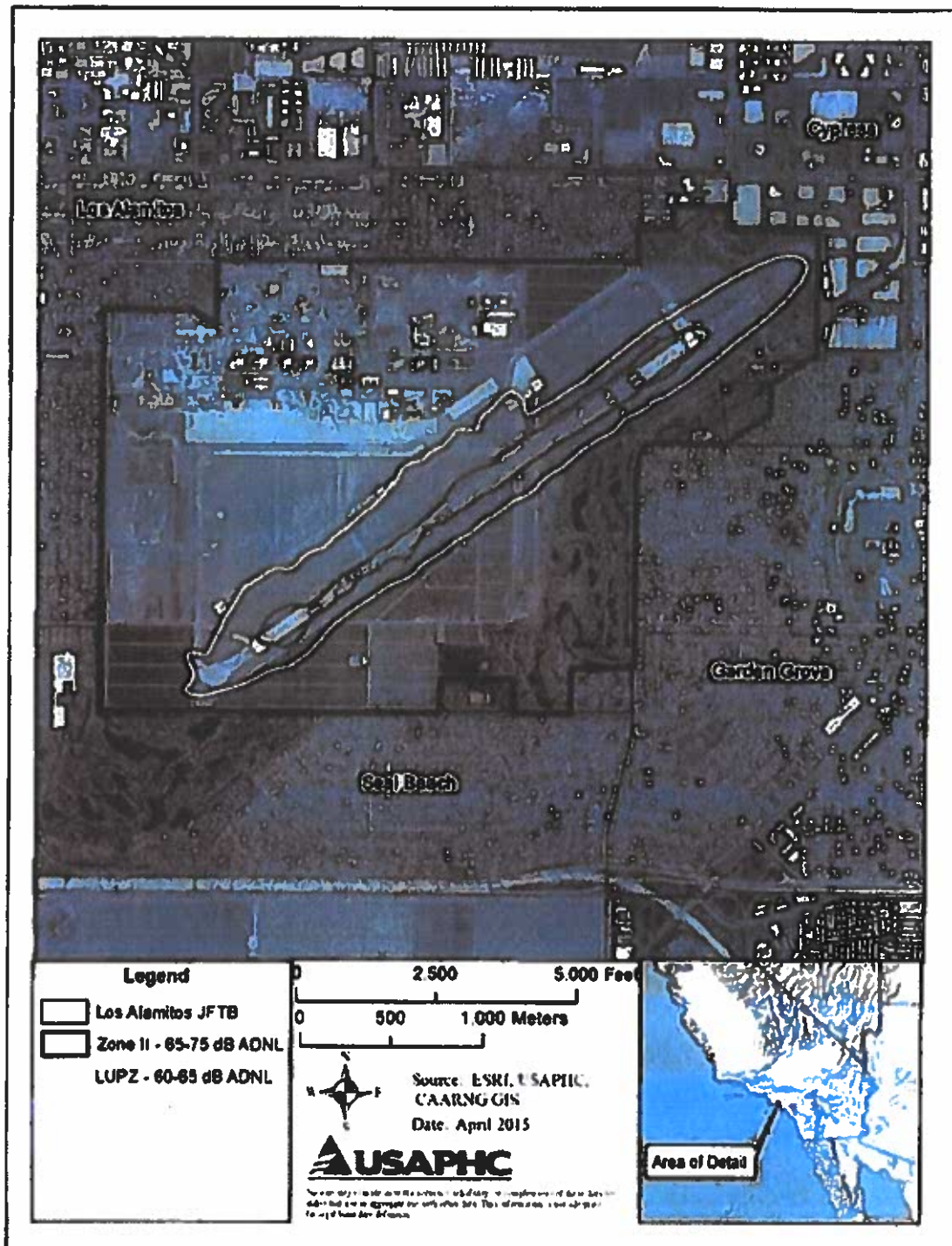


Figure 7-5. LAAAF Aircraft ADNL Noise Zones

JFTB NOISE ASSESSMENT

Environmental Health Sciences, Environmental Noise Consultation Update No. S.0064236b-20,
1 June 2020

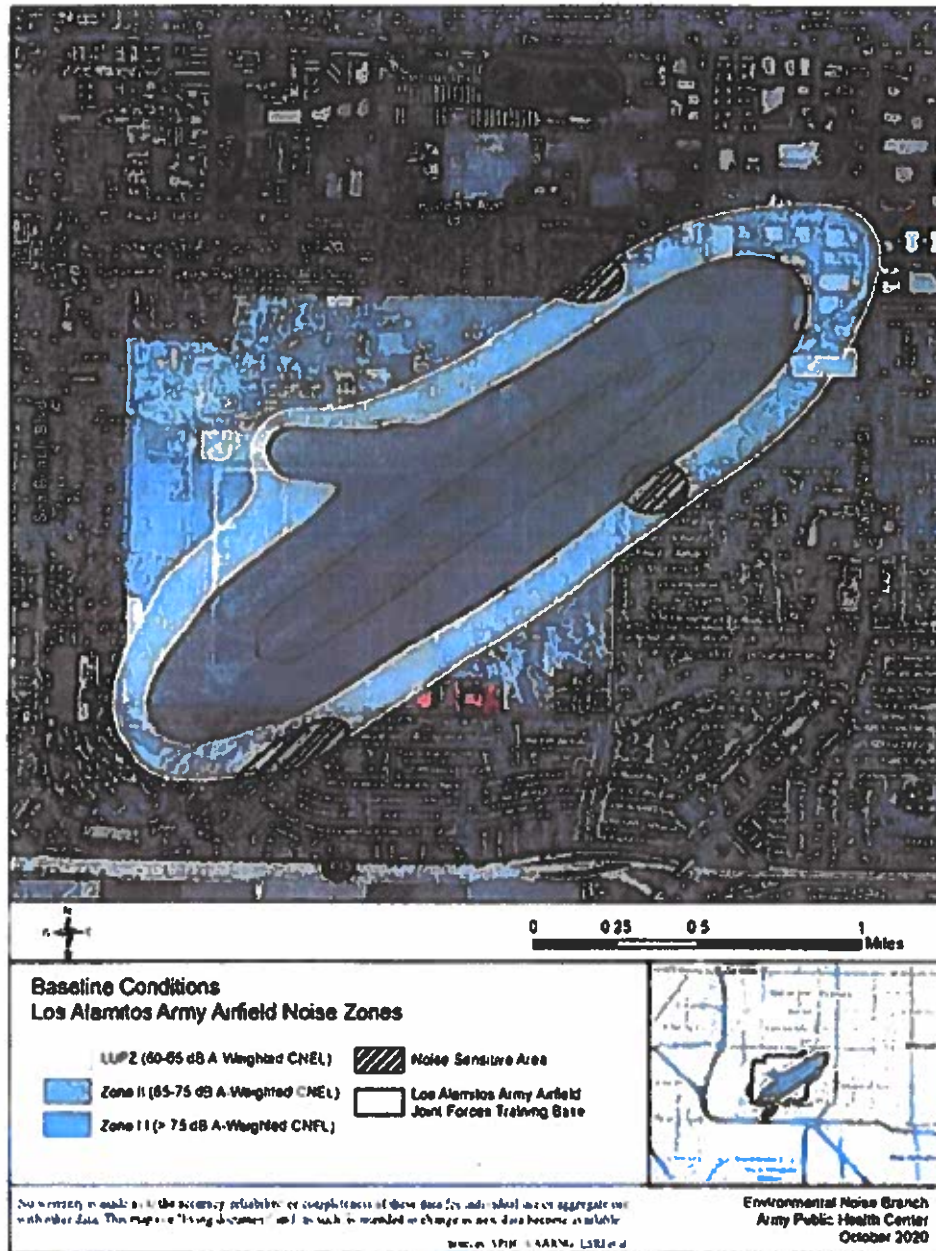


Figure 1. Baseline Los Alamitos Army Airfield Noise Zones

JFTB NOISE ASSESSMENT

Environmental Health Sciences, Environmental Noise Consultation Update No. S.0064236b-20,
1 June 2020

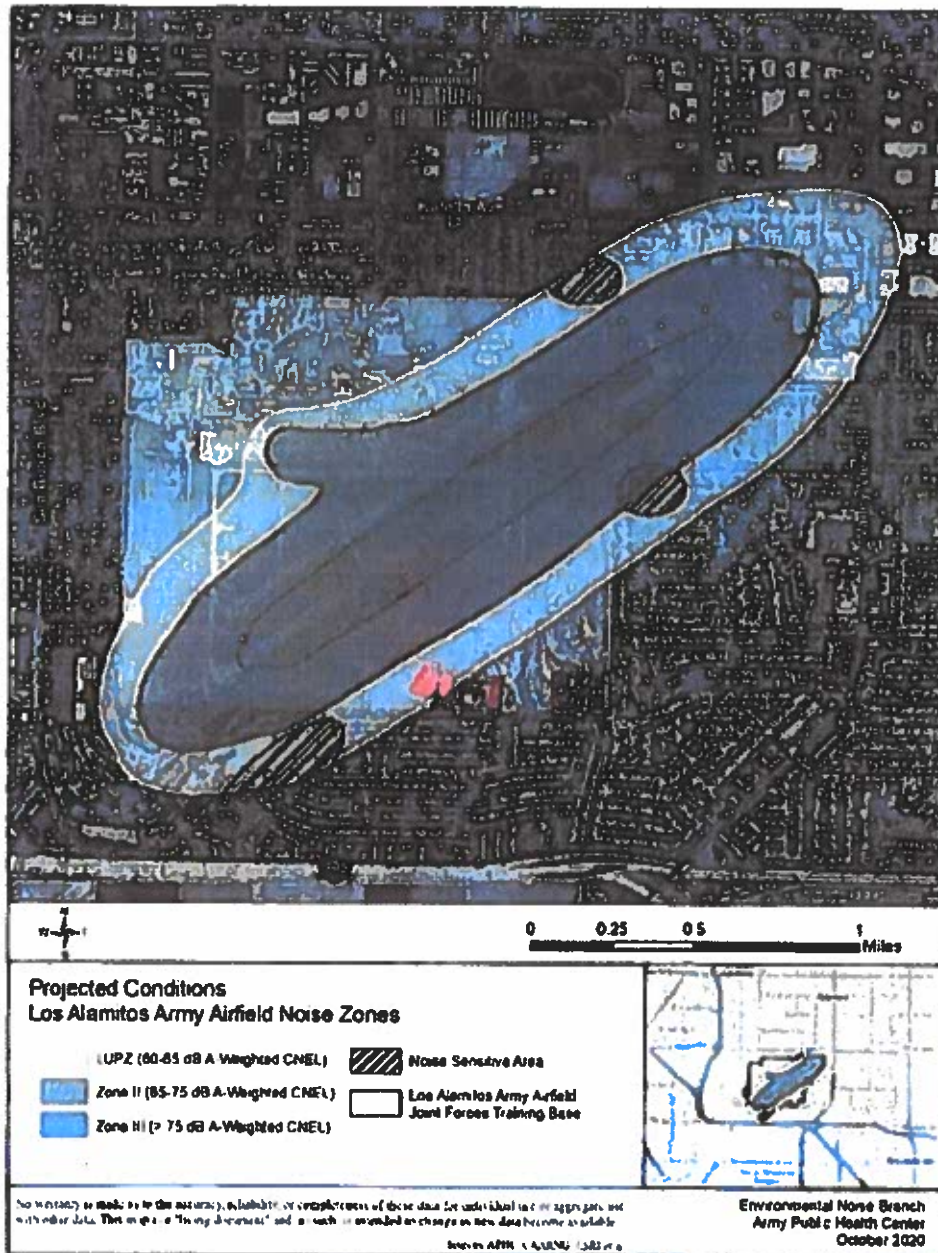


Figure 2. Projected Los Alamitos Army Airfield Noise Zones

Housing Element



Housing Element Residential Land Resources **AB**

Site 9 is currently occupied by a church and is for sale. The City will apply R4 zoning to the 5 acre property which would generate a mix of affordable and market rate units, including 20 units for lower income households and 40 units for moderate income households. The balance of the project would allow up to 90 units of housing, available to above moderate income households.

Site 10 is currently occupied by a commercial development and consists of 3 acres. The site will be rezoned to R4 and is expected to develop as a mixed income project to include 10 lower income units, 15 moderate income units and 65 above moderate income units.

Site 11 is currently occupied by market housing, but is planned for redevelopment. The site will be rezoned from R3 to R4 and will provide up to 30 moderate income units.

As set forth in Policy Action 4.4, the City will enforce the units designated in Sites 5a-5b and 6 to meet RHNA per Table B-2 and Figure B-1 as future projects are proposed on these sites. Proposals that include fewer units than designated will not be approved by the City, unless alternative sites are identified. The City has seen a significant interest in the redevelopment of these sites for the development of housing.

Table B-2
Sites Inventory and Projected Units

Sites Description							
Site ID	APN	Address	Acres	Existing GP	Existing Zoning	Proposed Zoning	Projected Density
1	242-203-27	10909 Los Alamitos Blvd	0.85	Mixed Use	TCMU	TCMU	60
	242-203-28	10877 Los Alamitos Blvd	0.58	Mixed Use	TCMU	TCMU	60
2a	242-171-02	10956 Los Alamitos Blvd	0.68	Mixed Use	TCMU	TCMU	60
2b	242-171-07	10900 Los Alamitos Blvd	9.1	Mixed Use	TCMU	TCMU	60
2c	242-172-01	10900 Pine Street	0.48	Mixed Use	TCMU	TCMU	60
2d	242-172-02	10902 Pine Street	0.17	Mixed Use	TCMU	TCMU	60
3	222-091-01	11021 Reagan Street	0.35	Mixed Use	TCMU	TCMU	60
	222-091-21	3636 Katella Avenue	0.7	Mixed Use	TCMU	TCMU	60
4a	222-093-12	11182 Los Alamitos Blvd	0.74	Mixed Use	TCMU	TCMU	60
4b	222-093-13	11232 Los Alamitos Blvd	0.13	Mixed Use	TCMU	TCMU	60
6	130-012-35	4655 Lampeon Ave	12.4	Community & Institutional	C-F	R3	20



Housing Element Residential Land Resources



Site ID	APN	Address	Acres	Existing GP	Existing Zoning	Proposed Zoning	Projected Density
7	241-241-35	Laurel Park	2 of 4	Community & Institutional	C-F	R4	30
8	242-212-11 242-212-08 242-212-10	3191 Katella/Chy Hall	3.2	Retail Business	C-G	R4	30
9	241-251-14	4141 Carritos Ave	5	Community & Institutional	C-F	R4	30
10	222-181-01 222-181-02	5030-5084 Katella	3	Retail Business	C-G	R4	30
11	242-222-06	3370 Carritos Ave	1.2	Multi-Family	R3	R4	30

Projected Units

Site ID	Maximum Units	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Units for RHNA
1	86	7	4	5		16
2a	41	2	2	2		6
2b	186	32	9	22		63
2c	29	11	8	9		28
2d	10	4	3	3		10
3	63	3	4	4		11
4a	44	2	3	2		7
4b	8	1		1		2
6	248	38	39		171	248
7	60	30	20	10		60
8	96	50	30	16		96
9	150	10	10	40	90	150
10	90	10		15	65	90
11	36			30		30
Total	1147	200	132	159	326	817
RHNA	769	194	119	145	311	769
Surplus Capacity	-	6	13	14	15	48

AB-6

City of Los Alamitos
Administrative Draft 2021-2029

DRAFT HOUSING ELEMENT



Housing Element

Housing Resources and Constraints

iv. Fire Hazards

The City of Los Alamitos contracts with the Orange County Fire Authority for fire protection and emergency medical services. The local fire station in Los Alamitos is located at 3642 Green Avenue. The fire station houses three Fire Captains, three Engineers, and three Firefighters. Additional resources are also available from 77 Orange County Fire Stations, the City of Long Beach, and Los Angeles County. Due to the low density character of the community and sparse wildland areas in the City, the wildland fire hazard is considered to be insignificant or low. The inventory sites are not located in or near state responsibility areas or Very High Fire Hazard Severity Zones as classified by the California Department of Forestry and Fire Protection.

v. Noise

The existing noise environment surrounding the City of Los Alamitos is influenced primarily by transportation related noise sources. These transportation related noise sources include traffic noise from nearby roadways (i.e., I-605, Katella Avenue and Los Alamitos Boulevard) and aircraft noise from the Joint Forces Training Base (JFTB). Stationary noise sources include air conditioning units, power generators, air compressors, school bells, and power equipment. The City of Los Alamitos General Plan has traffic noise contours for assessing the compatibility of residential uses with transportation related noise sources. The City has also adopted a Noise Ordinance that sets criteria for residential areas impacted by stationary noise sources, including "not to exceed" noise levels for various periods of time and regulations for special activities.

Most sites listed in the Sites Inventory are outside of the 60/65-CNEL noise contours established for JFTB, except the Site 6 which is partially within the 60-CNEL noise contour but completely outside the 65-CNEL noise contour. The City enforces California Building Code's standards for residential construction practices and building materials to ensure that interior noise levels do not exceed 45 dBA. Future housing projects will be subject to CBC requirements and thus meet the City noise standards of 45 dBA at night and 55 dBA during the day for residential uses as set forth in the General Plan.

b. Infrastructure Constraints

i. Water

The Golden State Water Company owns and operates the extensive network of water lines that serves Los Alamitos. The water system supply sources include a mixture of groundwater from the Orange County Groundwater Basin and imported water from the

GENERAL PLAN

Growth Management Element

March 2015

Goal 3: Development that is consistent with the Airport Environs Land Use Plans for the Joint Forces Training Base and Orange County Heliports.

Policy 3.1 can also be found in the Public Facilities and Safety Element as Policy 4.1.

Policy 3.1 Land use compatibility. Approve development and require mitigation measures to ensure existing and future land use compatibility as shown in the City's Noise Ordinance, the Land Use and Noise Compatibility Matrix, the State Interior and Exterior Noise Standards, and the Airport Environs Land Use Plan (AELUP) for the JFTB.

Policy 3.2 Federal Aviation Regulation Part 77. Do not approve buildings and structures that would penetrate Federal Aviation Regulation (FAR) Part 77 Imaginary Obstruction Surfaces for JFTB, Los Alamitos unless found consistent by the Airport Land Use Commission (ALUC). Additionally, in accordance with FAR Part 77, required applicants proposing buildings or structures that penetrate the 100:1 Notification Surface to file a Form 7460-1 Notice of Proposed Construction or Alteration with FAA and provide a copy of the FAA determination to the City and the ALUC for Orange County.

Policy 3.3 Structures above 200 feet. For development projects that include structures higher than 200 feet above existing grade, the City shall inform the ALUC and submit materials to the ALUC for review. Proposed projects that would exceed a height of 200 feet above existing grade shall be required to file Form 7460-1 with the Federal Aviation Administration (FAA).

Policy 3.4 Heliport/helistop approval and requirements. Approve the development of a heliport or helistop only if it complies with the AELUP for Heliports. Ensure that each applicant seeking a conditional use permit or similar approval for the construction or operation of a heliport or helistop complies fully with the state permit procedure provided by law and with all conditions of approval imposed or recommended by the FAA, by Orange County ALUC, and by Caltrans/Division of Aeronautics. This requirement shall be in addition to all other City development requirements.

Policy 3.5 New residential units. Do not approve the construction of new residential units within the 65 dBA CNEL noise contour for the JFTB.

Policy 3.6 JFTB noise contours. Require the use of JFTB noise contours to ensure new development is compatible with the noise environment.

Policy 3.7 Deed disclosure notice. Provide notice of airport in the vicinity where residential development is being proposed within the 60 dBA CNEL noise contours for the

GENERAL PLAN

Growth Management Element

March 2015

JFTB. Require that the following language be included as part of the Deed Disclosure Notice:

NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

California Department of Transportation

DIVISION OF AERONAUTICS
P.O. BOX 942874, MS-40 | SACRAMENTO, CA 94274
(916) 654-4959 | FAX (916) 653-9531 TTY 711
www.dot.ca.gov



March 29, 2023

Mr. Ron Noda
City of Los Alamitos
RNoda@cityoflosalamitos.org
3191 Katella Ave,
Los Alamitos, CA 90720

Electronically Sent

Dear Mr. Noda,

Thank you for notifying the California Department of Transportation, Division of Aeronautics (Division), of the proposed overrule by the City of Los Alamitos (City). The Division has reviewed the proposed findings provided by the City and has **determined the findings are insufficient to warrant this proposed overrule.**

Specifically, the findings are inconsistent with the purposes of the statutes set forth in the California Public Utilities Code (PUC) section 21670. These findings do not provide substantial evidence that the proposed Project will meet the requirements of PUC statutes set forth in PUC section 21670. These findings do not provide substantial evidence that the proposed Project will meet the requirements of PUC, section 21670(a) (1) and (2).

The Division received an email notification that included City Resolution 2023-04 and draft findings, declaring an intent to consider overruling the Airport Land Use Commission's (ALUC) inconsistency determination of the City's Draft 2021-2029 Housing Element Update. The City presented a number of findings to demonstrate substantive compliance with the Joint Forces Training Base Los Alamitos Airport Environs Land Use Plan. The Division concurs with the ALUC's determination that the Draft 2021-2029 Housing Element Update is inconsistent with the Airport Environs Land Use Plan.

The Division recognizes that the city is facing affordable housing supply shortages and is looking for new areas to accommodate residential developments. However, environmental justice and equity concerns should also be reviewed for consistency with goals identified in the California Transportation Plan of 2050 and the California Aviation System Plan of 2020. The Division notes that new laws regarding the provision of housing do not supersede existing laws, including Section 21670 of the California Public Utilities Code, which requires counties to establish ALUCs and compatibility plans to protect public health, safety, and welfare.

In addition, Section 21675.1(f) provides: If a city or county overrules the commission pursuant to subdivision(d) with respect to a publicly owned airport that the city or county does not operate, the operator of the airport is not liable for damages to

"Provide a safe and reliable transportation network that serves all people and respects the environment"

Mr. Ron Noda
March 29, 2023
Page 2

property or personal injury resulting from the city's or county's decision to proceed with the action, regulation, or permit.

Please note: The Division comments are to be included in the public record of any decision to overrule the ALUC. If you have questions or if we may be of further assistance, please contact me by email at jonathan.huff@dot.ca.gov or call (916) 879-6528

Sincerely,

Originally signed by

Jonathan Huff
Associate Transportation Planner
Division of Aeronautics

c: Julie Fitch, Land Use Manager, John Wayne Airport, Orange County,
JFitch@ocair.com

Matt Friedman, Chief, Office of Aviation Planning, Division of Aeronautics
Matthew.friedman@dot.ca.gov

Attachment: ALUC Comments on Los Alamitos NOI Overrule.pdf

Regular City Council Agenda - August 21, 2023
Item 12A

ATTACHMENT 9

RESOLUTION NO. 2023-__

**A RESOLUTION OF CITY COUNCIL OF THE CITY OF
LOS ALAMITOS, CALIFORNIA, MAKING FINDINGS
THAT THE GENERAL PLAN 2021-2029 HOUSING
ELEMENT UPDATE IS CONSISTENT WITH THE
PURPOSES OF THE STATE AERONAUTICS ACT AND
OVERRULING 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**

WHEREAS, the State Housing Element Law, Article 10.6 of the California Government Code (Sections 65580 et seq.) requires each local jurisdiction to update its General Plan Housing Element every eight (8) years to reflect new statutory requirements and accommodate its share of the Regional Housing Needs Assessment Allocation (RHNA); and,

WHEREAS, the City of Los Alamitos prepared General Plan Amendment 21-01, an update to the Housing Element for the 2021-2029 period in accordance with the guidelines and requirements of State Housing Element Law (the "Housing Element Update"); and,

WHEREAS, on December 14, 2022, the Planning Commission conducted a duly noticed public hearing and recommended to the City Council the adoption of the Housing Element Update; and,

WHEREAS, in accordance with Public Utilities Code Section 21676(b), the City referred the Housing Element Update to the Orange County Airport Land Use Commission ("ALUC") to review for consistency with the 2017 Joint Forces Training Base Los Alamitos Airport Environs Land Use Plan ("AELUP"); and,

WHEREAS, on January 19, 2023, the ALUC, acting pursuant to Public Utilities Code Section 21670, determined that the Housing Element Update is inconsistent with the AELUP; and,

WHEREAS, as the final review authority under Public Utilities Code Sections 21670 and 21676, the City Council may, after a public hearing, overrule the ALUC by a two-thirds vote, after providing the ALUC and the Division of Aeronautics of the California Department of Transportation ("Division") with notice of the City's intent to consider overruling the ALUC determination along with specific findings at least 45 days prior to the City's action to overrule the ALUC; and,

WHEREAS, on February 21, 2023, the City Council held a duly noticed public hearing, and following public testimony, and based on the whole of the record, adopted Resolution 2023-04, making draft findings in support of overruling the ALUC's determination and directing staff to send a Notice of Intent to Overrule the Orange County Airport Land Use Commission to the Airport Land Use Commission and to the California Department of Transportation, Division of Aeronautics (Caltrans); and,

WHEREAS, the ALUC and Caltrans provided written comments on March 28 and 29, 2023, respectively; and,

WHEREAS, the comments by the ALUC and Division are advisory to the City under state law; and,

WHEREAS, the City has included comments from the ALUC and the Division in the final record of any final decision by the City Council to overrule the ALUC; and,

WHEREAS, the City Council has supplemented the record with additional analysis provided in the staff report dated July 17, 2023 and all of its attachments, including expert analysis by a registered noise engineer; and,

WHEREAS, as the final review authority under Public Utilities Code Sections 21670 and 21676, the City Council may, after a public hearing, overrule the ALUC by a two-thirds vote, if it makes specific findings that the Housing Element Update is consistent with the purposes of Public Utilities Code Section 21670 regarding the protection of the public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses; and,

WHEREAS, the findings set forth in Section 2 of this resolution have been analyzed and supported by substantial evidence in the record; and,

WHEREAS, on July 17, 2023, the City Council conducted a study session and held a duly noticed public hearing, and upon hearing all public testimony, continued the public hearing to the August 21, 2023 regular meeting of the City Council; and,

WHEREAS, on August 21, 2023, the City Council held a duly noticed public hearing, and upon hearing all public testimony, closed the public hearing and considered the entirety of the record in its deliberations.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS DOES RESOLVE AS FOLLOWS:

SECTION 1. The City Council finds that the above recitals are true and correct.

SECTION 2. The City Council finds that the General Plan 2021-2029 Housing Element (6th Cycle) Update is consistent with the purposes of California Public Utilities Code Section 21670 and the AELUP of protecting the public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses, based on the following findings:

- a. The 2017 Joint Forces Training Base Los Alamitos Airport Environs Land Use Plan ("AELUP") of the Orange County Airport Land Use Commission ("ALUC") guides the orderly development of the Joint Forces Training Base Los Alamitos ("JFTB") and the surrounding area through implementation of the standards in AELUP Section 2 (Planning Guidelines) and Section 3 (Land Use Policies). Implementation of these standards is intended to protect the public from the adverse effects of aircraft noise, ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and ensure no structures or activities adversely affect navigable airspace.

Neither Site 6 nor Site 10 is located in an area where excessive noise will occur, and both sites are predicted to have noise levels under 65 dBA CNEL, which can be reduced to 45 dBA CNEL or less for interior spaces with the application of standard construction methods. These noise levels are considered acceptable for residential land uses in both the City's General Plan and ALUC's Land Use Plan. Site 7 does not occur in either an airport Clear Zone or under a flight path. No structure built on any of the Housing Element's Inventory Sites can interfere with navigable airspace because the City's Zoning standards allow buildings well below the FAA's building height limits. Therefore, the Housing Element will not result in adverse effects to the public from airport or aircraft operations.

- b. AELUP Section 2.1.1 sets forth the Community Noise Equivalent Level ("CNEL") standards. The Housing Element Update includes the identification of two (2) opportunity sites within the 60 dB CNEL contour for JFTB. No Housing Element Update opportunity sites are within the 65 dB CNEL noise contour.
- c. Sections 3.2.3 and 3.2.4, respectively, of the AELUP define the noise exposure in the 60-65 dBA CNEL noise contour (Noise Impact Zone 2) as "Moderate Noise Impact" and in the 65-70 dBA CNEL noise contour (Noise Impact Zone 1) as "High Impact." Section 3, Table 1 (Limitations on Land Use Due to Noise) of the AELUP identifies residential as "conditionally consistent" with the 60-65 dBA CNEL noise contour and "normally inconsistent" with the 65-70 dBA CNEL noise contour. The City's established policy is that residential units are not to be approved within the

65-70 dBA CNEL noise contour of the airport (Growth Management Element, Policy 3.5). Therefore, the City's policy and the AELUP are consistent, and allow development of residential units in the 60-65 dBA CNEL noise contour. In addition, the AELUP states residential uses in the 60-65 dBA CNEL noise contour must use sound attenuation to ensure that the interior CNEL value does not exceed 45 dBA. This requirement is consistent with the California Building Code requirements enforced by the City to ensure that interior noise levels do not exceed 45 dBA. Furthermore, the General Plan Growth Management Element Policy 3.7 requires a notice of airport be included as part of the Deed Disclosure Notice for any residential development proposed within the 60 dBA CNEL noise contour for the JFTB, which is consistent with the AELUP.

The City's and ALUC's standards are consistent, and the City has demonstrated that residential development can be mitigated to assure that noise levels at new residential developments on Sites 6 and 10, as everywhere in the City, can be reduced to 65 dBA CNEL exterior, and 45 dBA interior with the application of standard mitigation measures, including setbacks, walls, landscaping and standard construction methods. The Housing Element will not result in the exposure of residents to unacceptable noise levels, and will not negatively impact the public health, safety or welfare of residents of Los Alamitos.

- d. The AELUP Section 2.1.2 (Safety) sets forth zones identified as accident potential zones and clear zones. No Housing Element Update opportunity sites are located within these identified areas. The opportunity site identified as Laurel Park is not adjacent to the north departure path; it is located 1 mile northwest of the north end of the north departure runway and will not be impacted by noise or by aircraft operations.

Site 7 is not located within an airport Clear Zone, and does not occur under any of the flight paths identified in the ALUC Land Use Plan. There will be no greater hazard to safety of residents on Site 7 than there would be on any other property over which aircraft operate in Orange County. Therefore, the Housing Element will not result in a hazard to public safety, nor will future development on the site impact airport operations.

- e. The Housing Element Update is consistent with the purpose and intent of the AELUP and will not result in incompatible land uses adjacent to the JFTB. The standards and policies set forth in Sections 2 (Planning Guidelines) and 3 (Land Use Policies) of the AELUP were adopted to prevent the creation of new noise and safety problems. As set forth above, any development on the proposed Housing Element Update opportunity sites will comply with the noise criteria and safety standards established in Sections 2 and 3 of the AELUP.

SECTION 3. The City Council finds the adoption of this resolution is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections

15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly. Specifically, the resolution does not have the potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment because it is limited to the City's overrule of the ALUC's determination. The Housing Element Update has been independently reviewed and evaluated pursuant to CEQA.

SECTION 4. The City Clerk shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 21st day of August 2023.

Tanya Doby, Mayor

ATTEST:

Windmera Quintanar, MMC, City Clerk

APPROVED AS TO FORM:

Michael S. Daudt, City Attorney

STATE OF CALIFORNIA)

COUNTY OF ORANGE) ss

CITY OF LOS ALAMITOS)

I, Windmera Quintanar, MMC, City Clerk, of the City of Los Alamitos, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council held on the 21st day of August, 2023, by the following vote, to wit:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:

Windmera Quintanar, MMC, City Clerk

Regular City Council Agenda - August 21, 2023

Item 12A

ATTACHMENT 10

City of Los Alamitos

CITY COUNCIL AGENDA REPORT

MEETING DATE: July 17, 2023

ITEM NUMBER: 11B

To: Mayor Tanya Doby & Members of the City Council

Presented By: Ron Noda, Development Services Director

Subject: Study Session Item: Airport Land Use Commission's Determination of Inconsistency related to the City's 6th Cycle Housing Element Update and the Airport Environs Land Use Plan for Joint Forces Training Base Los Alamitos

SUMMARY

On January 19, 2023, the Orange County Airport Land Use Commission (ALUC) found the City's 6th Cycle (2021-2029) Housing Element Update to be inconsistent with the 2017 Joint Forces Training Base Los Alamitos Airport Environs Land Use Plan.

The City Council will conduct a Study Session in order to review information related to the ALUC's finding of inconsistency. While no vote will take place at this meeting, it is important to note that should the City Council determine to override ALUC's advisory opinion at a future meeting, it will require a four-fifths affirmative vote of the City Council.

RECOMMENDATION

1. Receive information related to the Study Session Item; and,
2. Open the public hearing, receive public testimony, and continue the public hearing to a date certain for consideration of a resolution overruling the ALUC determination.

BACKGROUND

The Orange County Airport Land Use Commission ("ALUC") is an advisory committee established by State Law in 1969. (Public Utilities Code §§ 21670 et seq.) The ALUC is intended to assist local agencies in ensuring compatible land uses in the vicinity of civilian and military airports. For Los Alamitos, ALUC adopted a land use compatibility plan, known as the 2017 Airport Environs Land Use Plan ("AELUP") for the Joint Forces Training Base Los Alamitos ("JFTB"), against which land use and planning proposals are compared and evaluated for consistency.

Public Utilities Code ("PUC") Section 21676(b) requires the City to submit General Plans and General Plan amendments to the ALUC for an advisory consistency determination. In December, 2022, the City submitted the Housing Element to ALUC for review. On January 19, 2023, the ALUC determined that the Housing Element was "inconsistent" with the AELUP due to the following two reasons:

1. The ALUC asserted that noise levels in the 60 to 65 dBA range at Sites 6 (4655 Lampson Avenue) and 10 (5030-5084 Katella) were too high for residential development.
2. The ALUC asserted that Site 7 (Laurel Park) was adjacent to the Accident Potential Zone or Clear Zone for the airport.

The ALUC's January 19, 2023 agenda report is included as Attachment 1.

On February 21, 2023, the City Council adopted Resolution 2023-04, a Notice of Intent to Overrule the Airport Land Use Commission (ALUC) for Orange County Finding of Housing Element Inconsistency (Attachment 2). As described in that staff report and Resolution, the City made draft findings, based on additional facts and research, that the ALUC's determination was not appropriate, because the noise levels at Sites 6 and 10 are consistent with acceptable noise levels throughout the City for residential land uses; and because Site 7 is one mile from the nearest safety zone boundary for JFTB.

City staff sent the Notice of Intent to Overrule Resolution to both the ALUC and the California Department of Transportation Aeronautics Division (Caltrans), as required by PUC Section 21676(b), and provided them an opportunity to comment. Both ALUC and Caltrans provided comments, which are advisory only and are included in this report as Attachments 3 and 4.

On May 1, 2023, the California Department of Housing and Community Development ("HCD") certified the City's Housing Element, finding the adopted housing element to be in substantial compliance with State Housing Element Law and capable of accommodating the City's Regional Housing Needs Allocation ("RHNA") (Attachment 5).

DISCUSSION

The following discussion provides additional information stemming from additional research, which has been ongoing since February. This has been undertaken in consultation with the City's Housing Element consultant, a certified noise engineer with Rincon Consultants, Inc., (who provided a technical report attached as Attachment 6), staff with the State's Department of Housing and Community Development, and the Executive Officer of the Orange County Airport Land Use Commission.

As described above and in the background materials attached to this staff report, the ALUC determined the City's Housing Element was inconsistent based on two issues: noise compatibility and safety. Each of these issues is discussed individually below.

Noise

In order to regulate the impacts of noise throughout the City, as indicated in the staff report of February 21 (Attachment 2), the City relies on its General Plan policies and the Building Code, which are all consistent with ALUC's Land Use Plan. Specifically, the City allows residential development in areas where the noise levels are 65 dBA or less, based on Growth Management Element Policy 3.5; and requires that interior noise levels be 45 dBA consistent with the California Building Code. In order to assure that the City's policies were not resulting in a negative impact to residents, the City consulted with a noise engineer

(Attachment 6), and considered other scientific sources of information that describe noise levels and their impacts on people.

Basics of Noise

Some basic information about noise levels frames the determination of significance relating to noise:

- Noise can be made by stationary sources (air conditioning units) or moving sources (street traffic).
- Noise levels are reduced by distance, and obstructions, such as buildings, berms or walls.
- Noise can be measured in several ways, but the most common measurement for noise levels in cities' general plans is the Community Noise Equivalent Level (CNEL), which is the average noise level over a 24 hour period, which is weighted to account for the quieter noise environment which occurs in the evening and night time.
- The City's acceptable exterior noise standard for residential uses is 65 dBA CNEL, or an average of 65 dBA over a 24 hour period.
- For comparison, typical conversation is about 60 dBA; a blender is 80-90 dBA; a leaf blower is 110 dBA; and a jet engine taking off is 150 dBA.
- Continued exposure to high noise levels can damage people's hearing and health.

ALUC Noise Standard

Although ALUC's AELUP considers residential uses to be "Conditionally Consistent" in Zone 2, in which Sites 6 and 10 are located, it nevertheless finds the Housing Element inconsistent with its own policies. Based on ALUC's analysis, the potential hazard is associated with interior noise levels, which must be 45 dBA CNEL in order to be acceptable. As described below, a reduction to 45 dBA CNEL is required and already established in the City of Los Alamitos by the City's Building Code.

The ALUC standard is also consistent with the City's, which already allows residential uses to occur in areas up to 65 dBA exterior, and 45 dBA interior. There is no evidence that the occasional overflights from JFTB result in excessive and incompatible noise levels, since by ALUC's own findings, the sites occur in a Conditionally Consistent zone and do not exceed 65 dBA.

In addition, as pointed out in the Rincon letter (Attachment 6), other ALUCs have not included restrictions at all for the 60 to 65 dBA zone for smaller airports, such as the Torrance and Hawthorne Municipal Airports in Los Angeles County, and the Oxnard Airport in Ventura County.

Current Noise Environment in the City

Because of its urban environment, the City has high noise levels. Based on noise studies conducted for the General Plan, noise levels next to City streets where residential units already occur are higher than 60 to 65 dBA CNEL, as shown in the Table below.

City of Los Alamitos Ambient Noise Levels

<u>Roadway</u>	<u>Segment</u>	<u>Noise Level (CNEL)</u>
Los Alamitos Boulevard	Farquhar Avenue to Orangewood Avenue	76.1
Katella Avenue	I-605 to Los Alamitos Boulevard	78.3
Cerritos Avenue	Los Alamitos Boulevard to Bloomfield Street	71.1
Source: Los Alamitos 2015.		

These are not the only areas where noise levels are higher than 60 to 65 dBA. For example, the area around Site 10 is fully developed with residential units, homes along Bloomfield, north of Cerritos have noise levels of 68.6 dBA CNEL, and homes along Los Alamitos south of Katella have noise levels of 76.0 dBA CNEL.

As previously noted, these noise levels are reduced by distance and obstructions, such as walls, landscaping and homes, so that the living environment in back yards, and within the homes themselves, are lower. These and other locations in the City experience higher noise levels than either Site 6 or 10 will experience, which ALUC predicts will be between 60 and 65 DBA, prior to mitigation such as walls, landscaping or building construction.

Noise Reduction

As described above, the City's noise standard is that residential uses should not be located in areas where the noise levels are over 65 dBA, unless these higher noise levels can be reduced. These reductions can be made by using setbacks and walls, which can reduce noise by 5 dBA. Standard home construction will reduce noise levels by 10 dBA with windows open, and 20 dBA with windows closed. So a home which is adjacent to a street that generates a noise level of 70 dBA would reduce its outdoor noise to 65 dBA by building a 6 foot solid wall, and its interior noise level to 45 dBA by building with standard construction which includes air conditioning, allowing windows to stay closed.

Attachment 6 also provides a list, on its page 8, of a number of mitigation measures which are available to assure that noise levels are reduced.

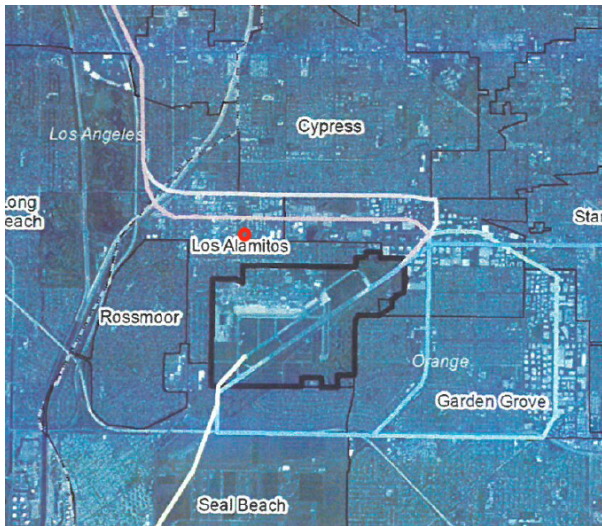
The City requires the preparation of noise impact analyses for all residential projects which are located in noisy environments, to demonstrate that noise levels can be reduced to 65 dBA CNEL exterior, and 45 dBA CNEL interior. As described above, these studies can reduce higher noise levels through mitigation to meet these requirements, and would need to be prepared for Sites 6 and 10 as part of any entitlement process. Therefore, the City already has mechanisms in place to assure that any development, including development at Sites 6 and 10, will have an acceptable noise environment for residents who move into potential projects at these sites.

Noise Summary

The City's already adopted noise standards and requirements for mitigation assure that the impacts of noise associated with airport operations will remain consistent with both the ALUC's and the City's noise standards. As such the ALUC's finding of inconsistency with the Airport Land Use Plan is not supported and the findings for overrule can be made.

Safety

With regard to safety, the only Housing Element Site identified by ALUC as having a safety hazard was Site 7 (Laurel Park). The ALUC identified it as being adjacent to the north departure path of JFTB. In its response of March 28, the ALUC further stated that Site 7 is under the flight path ("pink line") for the airport.



These assertions or findings, however, are incorrect. Site 7 is located north of the accident safety zone for JFTB, which occurs entirely within the airport boundary. Furthermore, it is not located under the flight path, denoted by the pink line, as shown in the graphic (also see Attachment 7 for a larger version of this graphic), where the park is identified by the red dot.

The ALUC determined that Site 7 was inconsistent because it represented a safety hazard – because it was adjacent to a Clear Zone in its January agenda report (Attachment 1), and because it was below a flight path in its March response to the City's Notice (Attachment 3). In both instances, as shown above, the findings are incorrect; Site 7, the only Site identified by ALUC as having a safety hazard, is neither in the accident safety zone nor under the flight path for the JFTB.

Therefore, the ALUC's determination of incompatibility based on protecting the public from safety hazards is not supported and findings overruling ALUC's determination can be made.

Conclusion

As described above, the Orange County ALUC based its determination that the City's Housing Element was inconsistent with the AELUP on faulty assumptions. The City has provided extensive background and facts to support a determination of consistency with the

ALUC Land Use Plan as it relates to both noise and safety.

It is also important to note that several issues arise if the City does not overrule the ALUC:

1. The Department of Housing and Community Development (“HCD”) could de-certify the City’s approved Housing Element, because without the ability to effectively process and consider development proposals for Sites 6, 7 and 10, it can be demonstrated that the City has not identified sufficient sites to meet its RHNA. This could result in a number of undesirable consequences, such as:

A. If de-certified, the City would not be able to prevent the development of high-density affordable housing projects even if the proposed developments are inconsistent with the City’s Zoning Code under the so called “Builder’s Remedy” provisions of the Housing Accountability Act. This would not be limited to the sites identified in the Housing Element, but to any site in the City.

B. The City would need to find alternative locations for the 396 units assigned to Sites 6, 7 and 10. This would effectively upzoning other areas of the City for higher residential density that have already absorbed the remaining units that have been assigned to the City through the RHNA process.

2. Pursuant to PUC Section 21676.5, the City would be required to submit to all land use actions, regulations, and permits to ALUC for review and approval. This authorization extends beyond the Sites identified in the Housing Element and would substantially delay City processing of any land use entitlements or building permits. In effect, the City would be delegating its authority to make land use determinations to an outside body (see July 12, 2023 correspondence from ALUC, Attachment 8).

The Cities of Newport Beach, Irvine, Costa Mesa, and Seal Beach recently overruled the ALUC related to John Wayne Airport and JFTB respectively after the ALUC issued similar findings of inconsistency. An action overruling the ALUC inconsistency determination would allow the City to oversee local land use development to the maximum extent possible while retaining its Housing Element certification from the HCD. Failure to do so is likely to result in de-certification of the Housing Element, and in the loss of state grant funding, exposure to increased legal challenges, and loss of local control over land use decisions and building permits.

FISCAL IMPACT

None.

- Attachment:
1. ALUC Staff Report, January 19, 2023
 2. City Council Staff Report, February 21, 2023
 3. ALUC Response, March 28, 2023
 4. Caltrans Response, March 29, 2023
 5. Housing and Community Development Housing Element Compliance Letter, May 1, 2023
 6. Rincon Consultants, June 26, 2023
 7. Site 7 Location Map
 8. ALUC Correspondance, July 12, 2023

**See the Regular City Council Agenda of
August 21, 2023, Item 12A for Attachments**

Regular City Council Agenda - August 21, 2023

Item 12A

ATTACHMENT 11



August 14, 2023

Mr. Chet Simmons, City Manager
Ms. Windmera Quintanar, City Clerk
City of Los Alamitos
3191 Katella Avenue
Los Alamitos, CA 90720

Subject: ALUC Inconsistent Determination on 2021-2029 Housing Element

Dear Mr. Simmons & Ms. Quintanar:

I am a professional airport planner who specializes in expert services on airport land use compatibility planning matters (See Attachments for my professional resume). I have reviewed the Joint Forces Training Base (JFTB) Los Alamitos ("Base"), Airport Environs Land Use Plan (AELUP), Amended August 17, 2017¹, which the ALUC has failed to update to be consistent with State law. I have reviewed the January 19, 2023, Orange County Airport Land Use Commission (ALUC) staff report, recommendation, and action to find the City of Los Alamitos ("City") 2021-2029 Housing Element Update ("Housing Element") inconsistent with the outdated and no longer legally sufficient JFTB Los Alamitos AELUP. I have also reviewed the City's Notice of Intent to Overrule the ALUC Determination ("Intent to Overrule") and the subsequent letters regarding the City's Intent to Overrule from the ALUC and the California Department of Transportation ("Caltrans"), Division of Aeronautics.

The City's intended overrule is well supported by the findings of fact and the Housing Element is consistent with the purposes of the State Aeronautics Act². As such, it is my opinion that the City Council should overrule the ALUC's improper finding that the Housing Element is inconsistent with the AELUP.

The ALUC staff report purports to document and support its determination of inconsistency. As explained in the Finding of Fact below, this determination is arbitrary and capricious. In fact, the ALUC consistency review instead **demonstrates the Housing Element is consistent** with the AELUP noise, safety, overflight, and height criteria.

The ALUC staff concludes that the Housing Element has residential opportunity sites in "proximity to" the Base "where there are none," "places people so that they are affected adversely by aircraft noise and concentrates people in areas susceptible to aircraft accidents", with no objective support in the record (See Exhibit 1). This larger, amorphous role in local and regional planning without an objective measure of consistency is neither identified nor supported by State law. Also, none of these conclusory statements are criteria for inconsistency.

Based on the ALUC's erroneous view of its statutory authority and misuse and mis-application of consistency criteria, the ALUC staff recommended that the Housing Element be found inconsistent with

¹ California Public Utilities Code, § 21675(b) requires an ALUC to update its airport land use compatibility plan for a military airport like JFTB Los Alamitos so that it "**shall be consistent** with the safety and noise standards in the Air Installation Compatible Use Zone (AICUZ) prepared for that military airport." (Emphasis added.)

² California Public Utilities Code, § 21001 et seq., "State Aeronautics Act."

the outdated and no longer legally sufficient AELUP. The ALUC Commissioners affirmed this recommendation, again with no objective findings in the record.

The following Findings of Fact summarize my review and findings of the ALUC's action regarding the City's Housing Element. Further, my independent analysis demonstrates that the City's Housing Element **is consistent** with the AELUP noise, safety, overflight, and height criteria.

Findings of Fact - Los Alamitos Housing Element Consistency with AELUP Criteria

1) **Noise:** The Los Alamitos Housing Element Complies with AELUP Aircraft Noise Criteria.

- The AELUP allows residential land use within the 60 decibels (dB) Community Noise Equivalent Level (CNEL) noise contour with interior sound attenuation to not exceed 45 dB CNEL and outdoor signage “informing the public of the presence of operating aircraft.”
- The federal and State standard for new residential land use near airports is a 65 dB CNEL exterior noise limit and a 45 dB CNEL interior noise limit³.
- Two residential opportunity sites in the Los Alamitos Housing Element (Sites 6 and 10) are located within the AELUP's 60 dB CNEL Contour. All other residential opportunity sites are located outside the AELUP's noise contours (Exhibit 2).
- The City of Los Alamitos Housing Element, consistent with the City's Zoning Code, imposes sound attenuation requirements for new residential development at opportunity Sites 6 and 10 to comply with the federal, State and ALUC noise standards.
- Of particular note, the AELUP uses outdated CNEL noise contours depicted in the 1994 Final Installation Compatible Use Zone (ICUZ) Study for the Base, instead of the most recent 2020 Noise Assessment completed for the Base. Further, the ALUC estimated the 60 CNEL Contour in the AELUP from the 1994 ICUZ by extrapolating from that outdated 65 CNEL Contour “using a logarithmic scaling method and professional acoustical-engineering judgment”. This is not a valid or accepted methodology for predicting aircraft noise. The US Department of Defense requires the use of the aircraft noise model NOISEMAP to predict community noise exposure⁴ and has done so for JFTB Los Alamitos.
- The Adopted AELUP does not consider the 2020 Noise Assessment provided by the Base, which is contrary to state law requirements. California Public Utilities Code, § 21675(b) requires an ALUC to update its airport land use compatibility plan for a military airport like JFTB Los Alamitos so that it “**shall be consistent**” with the safety and noise standards prepared for that military airport.
- Using the 2020 Noise Assessment provided by the Base, only the northwest vertex of Site 6 is partially located in the 60 dB CNEL Contour (Exhibit 3) and would be conditioned by the City to meet the interior noise standard. All other residential opportunity sites are located outside of the Base's most recent noise contours. The 2020 Noise Assessment notes that noise sensitive land uses are generally compatible within the 60-65 dB CNEL Contour.

³ <https://dot.ca.gov/programs/aeronautics/airport-land-use-planning>

⁴ <https://apps.dtic.mil/sti/pdfs/ADA310615.pdf>

- Existing residential housing surrounds the Base and proposed residential opportunity sites.

2) **Safety:** The Los Alamitos Housing Element Complies with AELUP Aircraft Safety Criteria.

- The residential opportunity sites do not concentrate people in areas susceptible to aircraft accidents.
- None of the residential opportunity sites identified in the Housing Element Update are located within any “accident potential zones” (APZs) or “clear zones.” In fact, the adopted ICUZ and AELUP do not identify APZs beyond the Clear Zones for the Base (Exhibit 4).
- None of the residential opportunity sites are located under any traffic pattern, as per the 2016 ICUZ Study included as an appendix to the AELUP (Exhibit 5). Traffic patterns are typically used by aircraft when taking off or landing while maintaining visual contact with the airfield and for training purposes.
- The AELUP asserts that the 2016 ICUZ Study only examined aircraft operations within the boundary of the Base and did not include aircraft operations to and from the Base that might impact surrounding land uses and therefore dismisses its noise contours and other findings. This is a false assertion. The 2016 ICUZ provides flight track information for aircraft operations to and from the Base and both the 2016 ICUZ and 2020 Noise Assessment address whether any land uses (on- and off-Base property) are impacted.
- Being in the vicinity of arrival and departure aircraft paths is not unusual or a hazard to people and other residential land uses are located near these same arrival and departure aircraft paths (Exhibit 6).
- As noted in the California Airport Land Use Planning Handbook, aircraft accident data is the driving concern in determining the geographic areas around an airport that may be a hazard to people⁵. These geographic areas are defined as “safety zones” or “clear zones” or “accident potential zones”. The shape and size of these zones reflect the geographic pattern of aircraft accident risks and subsequent land use policies.
- While the residential opportunity sites located north of the Base are in the vicinity of the north arrival and departure paths, this is not unusual or considered a hazard (Exhibit 6). Firstly, the location of each track is approximate since the precise flight track may vary due to air traffic control, weather, and pilot safety discretion. Secondly, these flight tracks incorporate noise abatement procedures, as per the 2016 ICUZ Study included as an appendix to the AELUP.
- The AELUP does not provide specific guidance on density/intensity of land uses. For infill, it is suggested that the density/intensity allowed be relative to surrounding uses, and that APZs restrict density and intensity (there are no APZs identified beyond the Clear Zones at the Base).

⁵ <https://dot.ca.gov/programs/aeronautics/airport-land-use-planning>

- Overflight means any distinctly visible and audible passage of aircraft and is particularly important for residential development. The primary method to convey information related to property overflight by aircraft is through buyer awareness measures such as real estate disclosures.
- To mitigate the effects of overflight and noise, the Base has implemented minimum flight altitudes, designated no-fly areas, closed traffic patterns, and specified inbound and outbound flight routes, as noted in the 2016 ICUZ Study and 2020 Noise Assessment for the Base.

3) **Height:** The Los Alamitos Housing Element Complies with AELUP Airspace Protection/Building Height Restrictions.

- The FAA⁶ is the single authority for analyzing the heights of objects on aeronautical operations.
- FAR Part 77⁷ is **the** regulation that establishes standards for determining obstructions to air navigation. It is the only regulation and definitive standard available to determine whether the height of an object will be considered an obstruction or hazard to air navigation.
- FAR Part 77 creates obstruction surfaces or “imaginary” surfaces to analyze whether the height of an object will be considered an obstruction and whether mitigating factors, such as lighting or markings are required.
- The Part 77 Surface Exhibit provided in the AELUP is **incorrect** because it shows obstruction surfaces for precision approach procedures and the Base has non-precision instrument approaches to each runway. It is therefore even more imperative that the FAA analyze the heights of any proposed project submitted as part of this Housing Element prior to drawing any conclusions related to potential obstruction impacts.
- The FAA is the single authority for analyzing project impacts on aeronautical operations, this includes instrument approach and departure procedures (TERPS).
- The City’s Zoning Code has height limits for residential uses at 30 and 35 feet or three stories in R-1, R-2, and R-3. The maximum height within Town Center Multi Use (TCMU) is 60 feet. The horizontal surface is at an elevation of 185.5 feet above mean sea level (AMSL). The conical surface elevation rises at a 20:1 slope above the horizontal surface and varies depending on location. Based on the information provided in the AELUP and Housing Element, the residential opportunity sites will be located well below the horizontal and conical Part 77 obstruction surfaces and would not create obstructions to air navigation (Exhibit 7). This would be verified by the FAA completing its airspace studies, and issuing subsequent determinations, which are initiated by submitting a Form 7460-1.

Airport land use compatibility around urban airports and military air bases is best achieved through thoughtful balanced planning by local jurisdictions guided by FAA regulations and guidelines and the California Airport Land Use Planning Handbook. The City has carefully considered this guidance and applied it uniformly to the City’s Housing Element and the proposed residential opportunity sites to meet these objective criteria and its State-mandated General Plan requirements.

⁶ https://www.faa.gov/airports/engineering/airspace_analysis

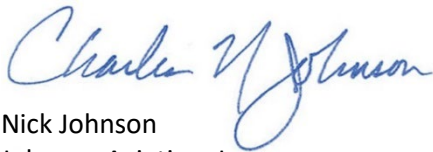
⁷ <https://www.ecfr.gov/current/title-14/chapter-I/subchapter-E/part-77>

The ALUC has failed to update the Los Alamitos AELUP to be consistent with State law. Further, the ALUC has twisted this outdated, no longer legally sufficient plan to manufacture an inconsistent determination despite the fact that the Housing Element opportunity sites comply with the AELUP's measurable noise, safety, overflight, and height criteria. The basis for this arbitrary and capricious inconsistent determination is a purported larger role in local land use planning without objective criteria or evidence in the record of their claims.

State law provides local communities with the power to overrule ALUC determinations as both a check on ALUC overreach and a clear signal to the constitutional power of cities over land use within their jurisdiction. The City has properly noticed its intent to overrule the ALUC determination of inconsistency and it should retain its local land use authority by completing this process. The alternative would be to cede local land use control to the ALUC for all plans and permits within the City to an agency that rarely meets and is ill-equipped to process these types of cases.

In closing, we request that you provide this letter and attachments to the members of the City Council and Planning Commission, and Director of Development Services and City Attorney for their information as the City considers this matter.

Sincerely,

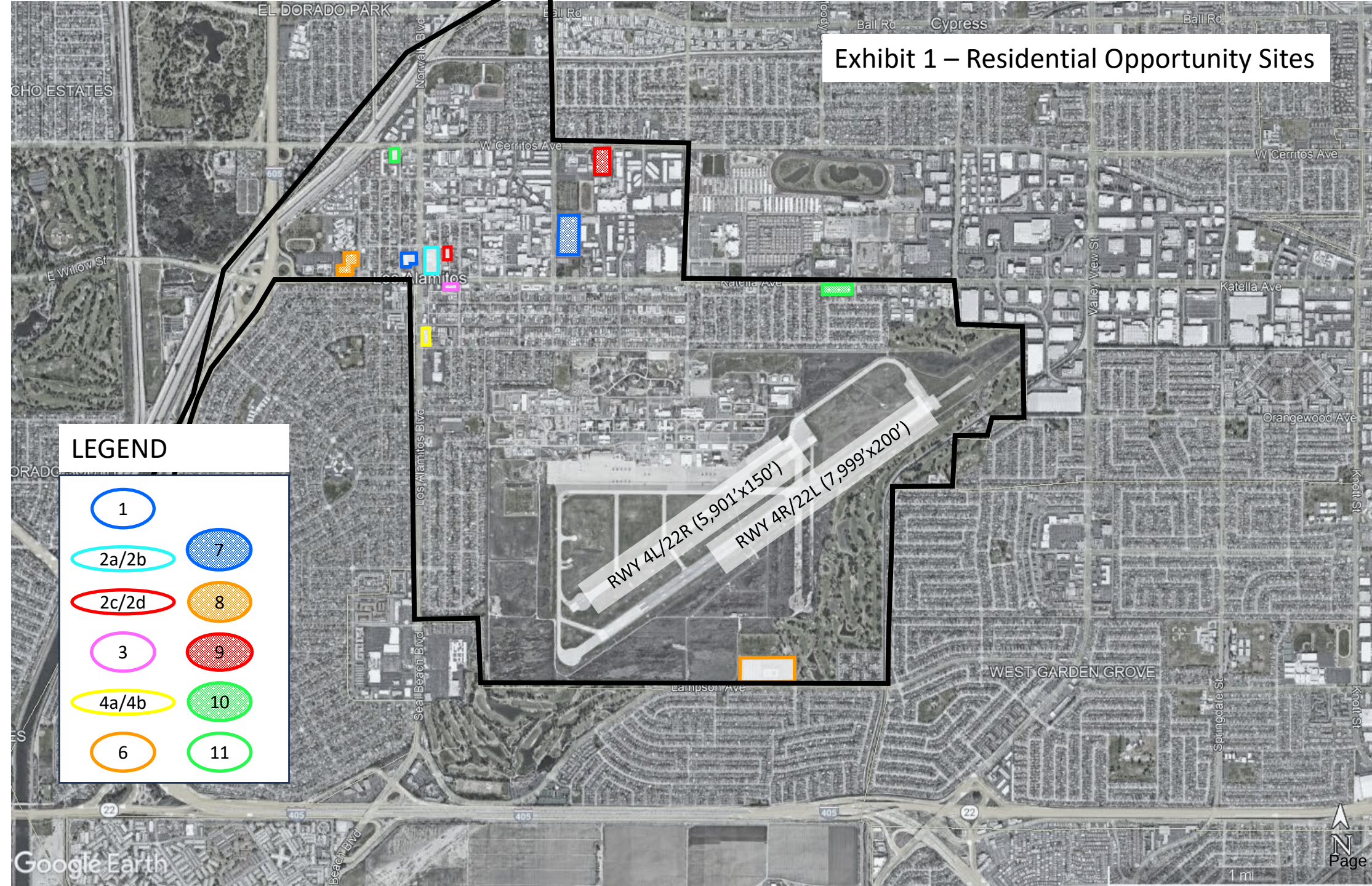
A handwritten signature in blue ink that reads "Charles N. Johnson". The signature is stylized with a large, looping "J" and "N".

Nick Johnson
Johnson Aviation, Inc.

Cc: Los Alamitos City Council
Los Alamitos Planning Commission
Ron Noda, Director, Development Services
Michael S. Daudt, City Attorney

Attachments:
Supporting Exhibits
Nick Johnson Professional Resume

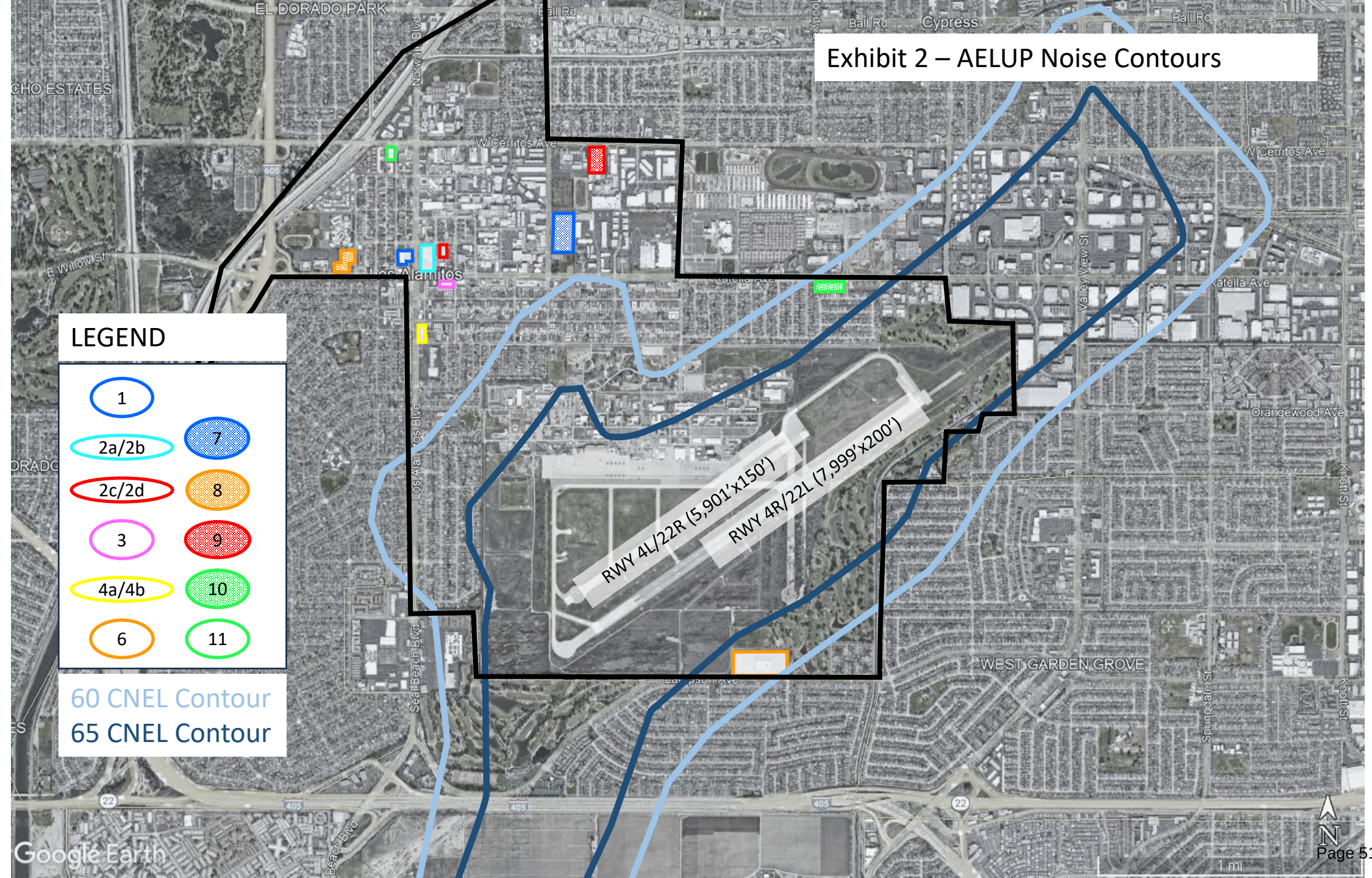
Exhibit 1 – Residential Opportunity Sites



LEGEND

1	
2a/2b	7
2c/2d	8
3	9
4a/4b	10
6	11

Exhibit 2 – AELUP Noise Contours



LEGEND

1	7
2a/2b	8
2c/2d	9
3	10
4a/4b	11
6	

60 CNEL Contour
65 CNEL Contour

Exhibit 3 – 2020 JFTB Noise Assessment Noise Contours

LEGEND

1	
2a/2b	7
2c/2d	8
3	9
4a/4b	10
6	11

60-65 CNEL Contour

65-75 CNEL Contour

>75 CNEL Contour

Noise Sensitive Areas

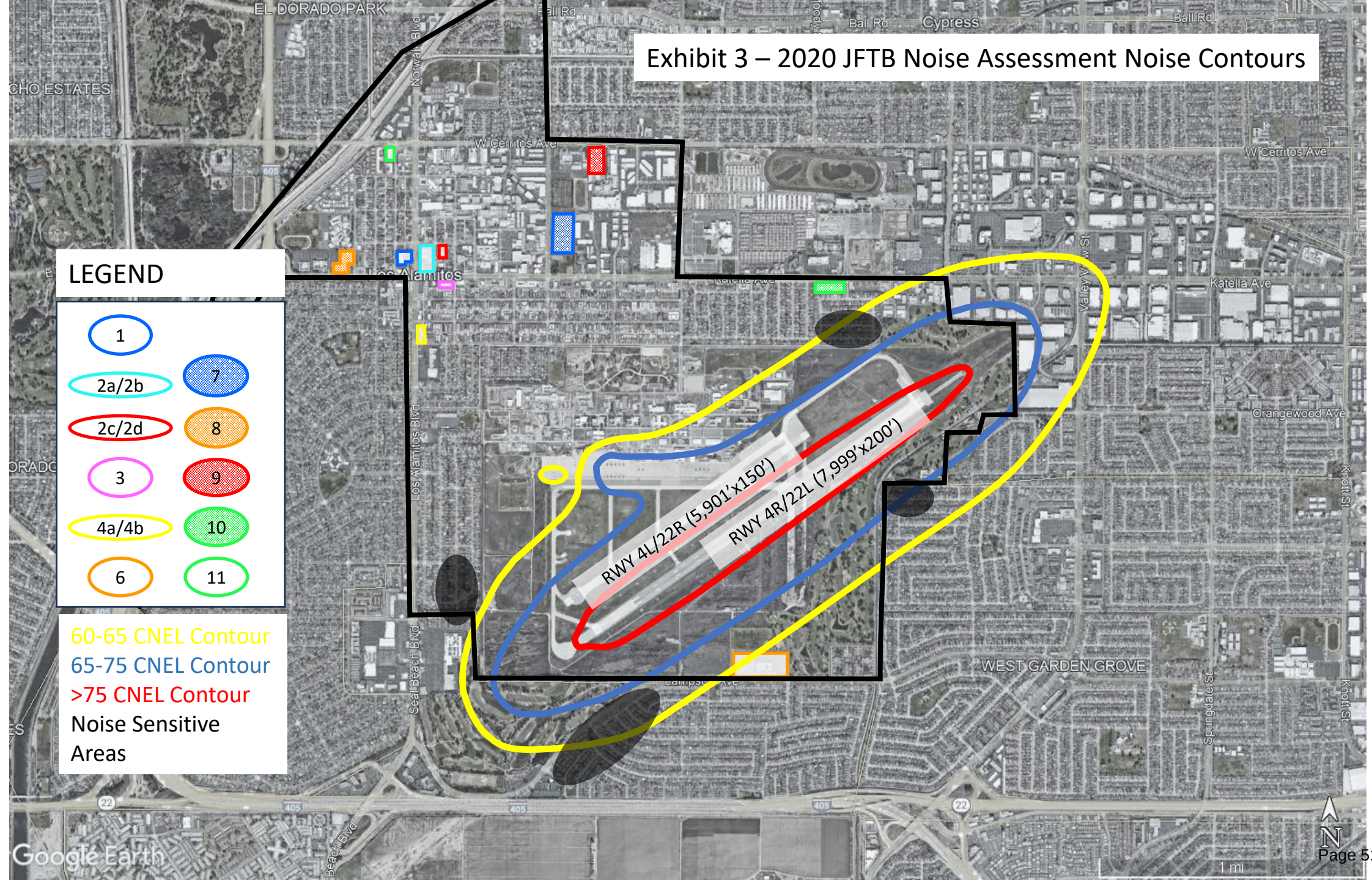


Exhibit 4 – AELUP Clear Zones

LEGEND

1	7
2a/2b	8
2c/2d	9
3	10
4a/4b	11
6	

Clear Zones

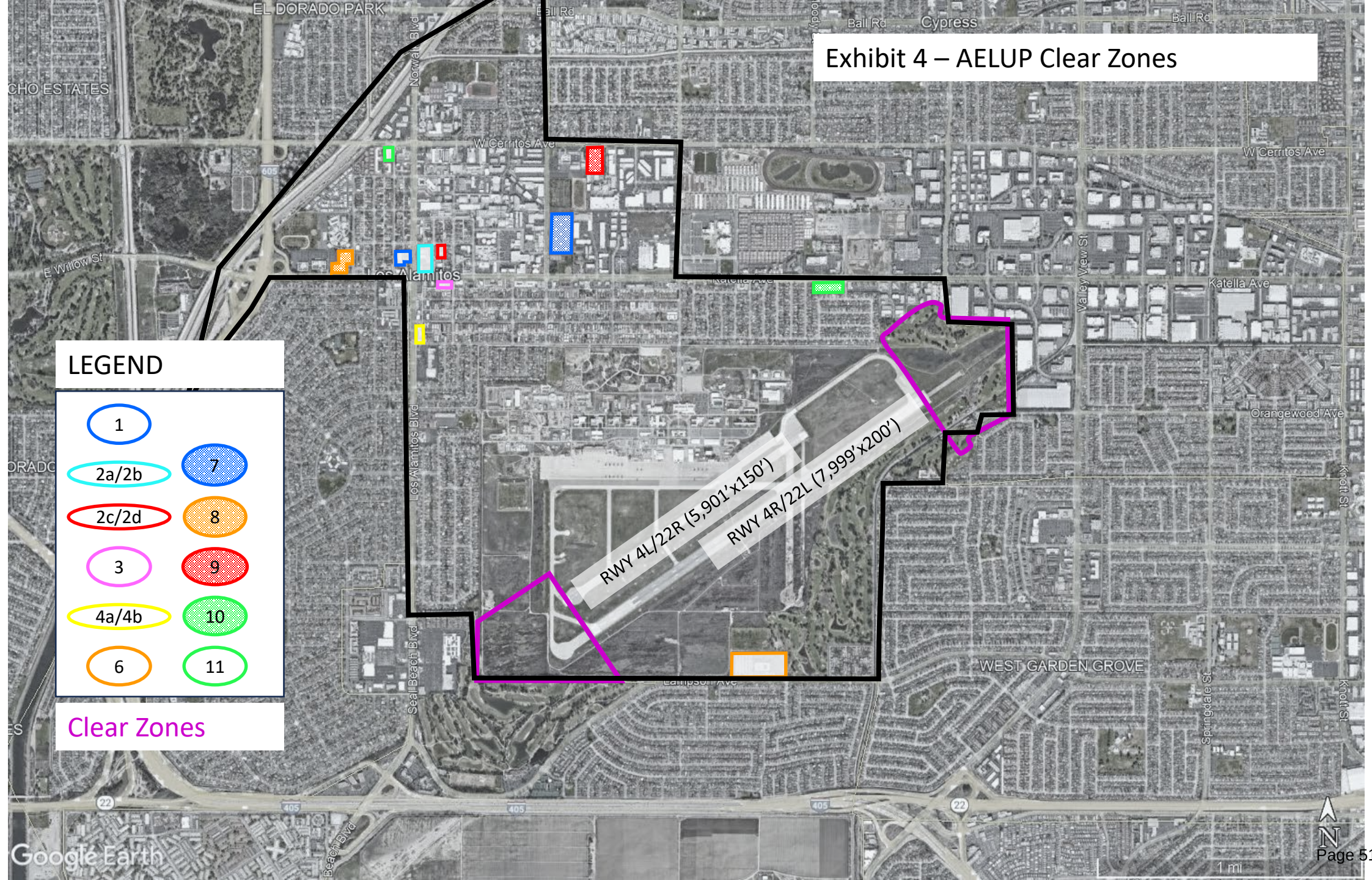


Exhibit 5 – 2016 ICUZ Study Traffic Patterns

LEGEND

- | | |
|-------|----|
| 1 | |
| 2a/2b | 7 |
| 2c/2d | 8 |
| 3 | 9 |
| 4a/4b | 10 |
| 6 | 11 |

South Traffic Pattern
22L/4R North Traffic
Pattern
22R/4L North Traffic
Pattern
Noise Sensitive
Areas

Exhibit 6 – 2016 ICUZ Study Flight Tracks

LEGEND

1	7
2a/2b	8
2c/2d	9
3	10
4a/4b	11
6	

F/W Outside Traffic Pattern

Katella Arr/Dep

North Arrival

North Departure

R/W Outside Traffic Pattern

South Arr/Dep

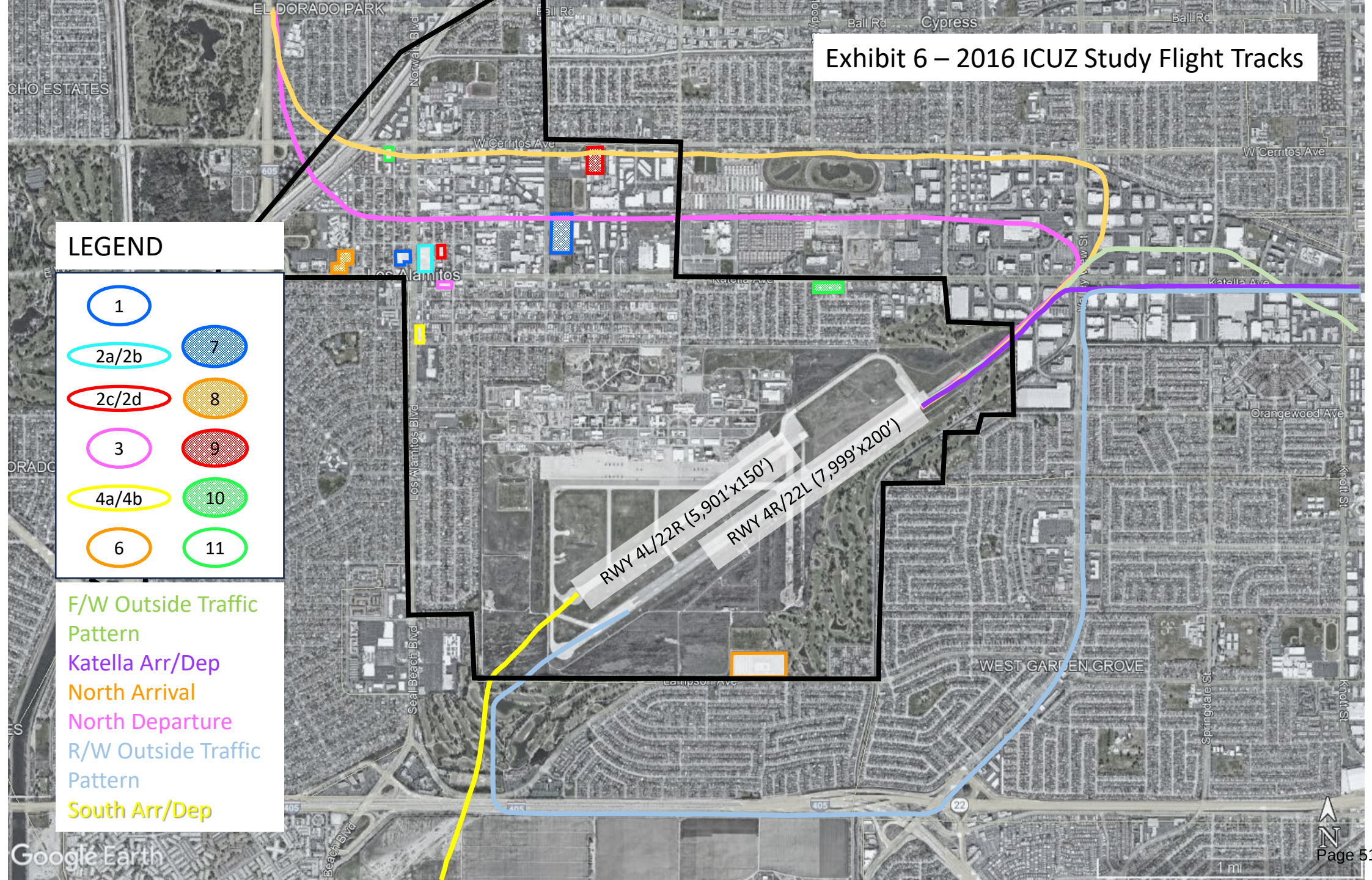


Exhibit 7 – Part 77 Illustrative Diagram

Part 77 Conical Surfaces at Higher Elevations

Part 77 Horizontal Surface

185.5' AMSL

There is 118.5' of additional
airspace



Site 10 Elevation: 32' AMSL
Residential Max Height: 35'
Total Height: 67'

Airport Elevation: 35.5' AMSL

NICK JOHNSON

PRESIDENT & CEO – JOHNSON AVIATION, INC.

Nick Johnson is a Complex Strategy Advisor leading airport land use, regulatory, facilities and financial project solutions. He has over 30 years of experience and expertise in airport planning and development at airports of all sizes. His experience includes project development on airports, nearby and through-the-fence by applying a broad array of expertise from business and financial analysis to airspace and operational procedures improvement. He does so as a collaborator with teams of all sizes to meet client needs and expectations. Specialties include lease negotiations, business strategy, facilities planning, ownership transfer, environmental entitlements, regulatory certification, security planning, real estate strategy and construction planning. Nick founded Johnson Aviation in 2004 providing leadership on high profile and contentious airport master planning and environmental projects.

Nick is working closely with the San Diego County Regional Airport Authority (SDCRAA) on its Airport Development Program (ADP) to complete the long-term redevelopment of San Diego International Airport. He is part of the Authority's team to entitle a replacement to Terminal 1, develop airfield improvements to optimize the efficiency of the busiest single-runway airport in the US and optimize landside access. He has also supported the Authority's CFR Part 150 study update to reduce community noise impacts and improve land use compatibility.

From 2011 to 2018, Nick worked closely with the City of Ontario and the Ontario International Airport Authority (OIAA) to transfer ownership and operation of Ontario International Airport (ONT). He worked with a small team to develop the strategic business plan adopted in 2013 that defines and guides the Authority's mission. In 2015 and 2016, Nick led a large and diverse ownership transfer team to meet all regulatory, operational, financial, environmental, and legal requirements of the FAA. That team successfully transferred the ownership and operation of the Airport in 15 months. Johnson Aviation staff continued as the Airport's planning and development program managers for 20 months during the staffing transition negotiating long-term leases for the airport's FBO redevelopment and for a FedEx Regional Sorting Hub relocation and expansion that is currently under construction.

Since 2017 Nick has assisted Google with the Master Planning and development of their Proposed San Jose Campus in the City of San Jose, California and within the Mineta San Jose International Airport (SJC), Airport Influence Area (AIA) in Santa Clara County California. The Google Campus has the potential to transform Downtown San Jose with many new and expanded live/work development options. By focusing on the expansion of the existing Diridon Station, the Google Campus will complete station infrastructure for the California High Speed Rail, BART and Valley Transit Authority systems. The project will both improve and potentially modify SJC air service depending on the various building heights and locations on the site. The total campus development is likely to exceed 10 million square feet of office, residential and retail uses that will be developed over the next eight years. The San Jose City Council approved the proposed building height plan in March 2019 and design of the project is underway. This work led to additional current assignments for redevelopment of the YouTube campus in San Bruno, California near San Francisco International Airport.

Property redevelopment and land use compatibility near airports taking full advantage of the airport economic engine is one of Nick's unique contributions to communities near airports. Currently he is working with the Colorado Springs Airport on an updated airport land use plan to balance airport operations and the Peterson Air Force Base mission with unprecedented regional growth. Also, he is serving the City of Perris and various developers near March Air Reserve Base in Riverside County to both preserve and expand the vitality of the Base and its civilian cargo operations. He has worked with Boeing



and their development successors to redevelop manufacturing facilities at Long Beach Airport, El Segundo, Seal Beach and Mesa Arizona. Other current airport land use compatibility planning includes the City of Goleta, City of San Luis Obispo and Mendocino County.

Nick worked with the FAA on updates and revisions to its key airport planning guidance documents. The FAA's Master Plan Advisory Circular (AC) was revised and updated to address innovations and lessons learned in the field of airport planning. The FAA's Airport Land Use Compatibility AC was completely rewritten to address the challenges of effective land use planning near airports to ensure the safe and compatible use of nearby land while maximizing the economic development characteristics of these surrounding areas. The FAA's Solar Guidance document was updated to consider the most recent findings of solar panel glare analyses and the effects on safe air navigation.

Nick worked closely with Los Angeles World Airports (LAWA) to secure City Council approval of the LAX Master Plan entitlements that were ultimately approved in December 2004. He provided technical planning support to the legal defense team on the LAX Master Plan when it was sued in State and federal courts. Four legal challenges related to the California Environmental Quality Act (CEQA) Environmental Impact Report (EIR) and to the National Environmental Policy Act (NEPA) ROD were successfully settled in December 2005. Nick also facilitated a required review and approval of key settlement provisions by the Federal Aviation Administration.

Nick worked with LAWA and its consulting team in the early phase of a multi-year study of key components of the LAX Master Plan. Together, they crafted an approach in close coordination with airline and community stakeholders. This planning initiative by LAWA was intended to modernize LAX and expand regional airport capacity throughout Southern California.

Nick provided strategic guidance to a team of airport planners from HNTB Corporation on the San Diego International Airport Master Plan. This plan was developed to meet the immediate needs of the airport and airline community while the policy for the long-term future of the airport was resolved. The Green Build terminal project was the first major plan component completed in 2013. As stated previously, Nick is currently providing strategic planning for the Airport Development Plan as the Airport Authority seeks state and federal environmental entitlements to replace Terminal 1.

Prior to starting Johnson Aviation, Nick was a Vice President with Landrum & Brown in the firm's airport planning practice. He served as Landrum & Brown's Project Manager for the Los Angeles International Airport (LAX) Master Plan. He led the way in developing a plan for LAX that balanced the needs of the regional economy while finding practical solutions for the local impact to nearby communities as part of a multi-discipline consultant team. Nick also led various land re-use and property development projects for Landrum & Brown at other major California airports.

Education

Master of Public Administration, Aviation Administration – Southern Illinois University

Bachelor of Science, Aviation Management - Southern Illinois University

Air Traffic Control Internship – Federal Aviation Administration

Aviation Flight Program– Southern Illinois University

Active General Aviation Pilot



Selected Projects

A wide array of planning and development projects working with airports of all sizes.

Los Angeles International Airport

- Master Plan Study
- Environmental Impact Statement/Environmental Impact Report
- International Gateway Analysis
- Strategic Planning Analysis
- Airport Land Use Plan
- Stipulated Settlement Agreement
- South Airfield Improvement Project EIR
- North Airfield Safety Study

Denver International Airport

- Airspace Redesign Program for 32 new RNAV arrival and departure procedures
- Aircraft De-ice Facility analysis and use program

San Diego International Airport

- Airport Development Plan EIR and EA
- Airport Master Plan
- Environmental Impact Report/EA
- Airport Site Selection Program Phase 1
- Gate Allocation Study
- 1996 Strategic Plan

Ontario International Airport

- Strategic Plan
- Adaptive Property Reuse Study
- Master Plan Study

John Wayne-Orange County, CA Airport

- Settlement Agreement Extension (representing the City of Newport Beach)
- Master Plan Update

Boeing Realty Corporation

- Long Beach Airport Commercial Property Reuse Study
- Huntsville Alabama Commercial Property Reuse Study
- Corporate Headquarters Relocation Team

The Boeing Company

- Douglas Park FAA Land Use Coordination
- Douglas Park Rezone Land Use Support
- Boeing Helicopter Aviation Compatibility

City of Phoenix, Aviation Department

- Airspace Feasibility Assessment

US Airways

- Philadelphia Hub Development Study

Miami International Airport

- Capital Improvement Program Verification

Chicago O'Hare International Airport

- Cargo Forecast
- Long-Range Strategic Forecast
- Terminal Development Program

Chicago Midway Airport

- General Aviation Tie-down Rates and Charges Policy
- Privatization capacity analysis

Greater Rockford Airport, Rockford, IL

- UPS Regional Hub Site Location Study and Implementation Plan

- Layout Plan for Air National Guard/Air Force Reserve Units Relocation Study (under BRAC)
- Passenger Facility Charge Application
- FAR Part 107 Airport Security Plan
- Annual Capital Improvement Program/AIP Grant Applications

Capital Airport, Springfield, Illinois

- Layout Plan for Air National Guard/Air Force Reserve Units Relocation Study (under BRAC)

Dane County Regional Airport, Madison, WI

- Noise Mitigation Home Owners Assistance Program

Chicago Executive Airport,

Wheeling/Prospect Heights, IL

- Eminent Domain Land Acquisition Program (37 Parcels)
- Annual Capital Improvement Program/AIP Grant Applications
- Airport Layout Plan and Report

Dupage Airport, West Chicago, IL

- Airport Layout Plan and Report
- Runway 1L/19R and 1R/19L Extension Justification Report
- Annual Capital Improvement Program/AIP Grant Applications

Aurora Municipal Airport, Aurora, IL

- Airport Layout Plan and Report
- Environmental Assessment for New Runway 15/33
- Annual Capital Improvement Program/AIP Grant Applications
- Layout Plan for Army Helicopter Unit Location Study

Schaumburg Airpark, Schaumburg, IL

- Environmental Assessment for Public Acquisition of Privately-owned Airport
- Land Acquisition Program Development and Implementation
- Land Use Development Plan

Freeport Albertus Airport, Freeport, IL

- Master Plan Study
- Environmental Assessment of Runway 6/24 Extension and Widening
- Land Acquisition Program Development and Implementation
- Installation of Non-Federal Localizer/DME

Elmhurst Memorial Hospital, Elmhurst, IL

- Rooftop Heliport Siting and Layout Study
- Expert Testimony on Rooftop Heliport

RotoCraft Partnerships, Ltd.

- Heliport Siting and Layout Study

Southern Illinois Airport, Carbondale, IL

- Southern Illinois Radar Coverage Study/Simulation

Illinois Department of Transportation, Division of Aeronautics

- Illinois State Airport/Heliport System Plan



Airport Compatibility & Land Use Projects

Planning and developing property on airports, nearby and through-the-fence for the highest and best economic return to local communities interested in maximizing airport proximity while reducing noise impacts.

Los Angeles International Airport

- Comprehensive Airport Land Use Plan
- Overrule of Los Angeles County Airport Land Use Commission
- Stipulated Settlement Agreement including Los Angeles County ALUC issues

Ontario International Airport

- Adaptive Property Reuse Study

Boeing Realty Corporation

- Long Beach Airport Commercial Property Reuse Study
- Huntsville Alabama Commercial Property Reuse Study
- Corporate Headquarters Relocation Team

The Boeing Company

- Douglas Park FAA Land Use Coordination
- Douglas Park Rezone Land Use Support
- Boeing Helicopter Aviation Compatibility
- Boeing B717 Facility Reuse, Long Beach, California
- Boeing Buildings S30/S31 Aviation Compatibility, El Segundo, California
- Boeing Building S50 Aviation Compatibility, El Segundo, California

AEG Worldwide

- Airport Compatibility Study and Land Use Plan – Riverside County California Airport Land Use Commission

Lee Homes

- Hawthorne Central Park Airport Compatibility Study and Land Use Plan – Los Angeles County California Airport Land Use Commission

City of Perris, California

- March Air Reserve Base & Joint Powers Authority Coordination on Airport Land Use Compatibility Planning – Riverside County California Airport Land Use Commission
- March Joint Land Use Study Coordination - Riverside County Airport Land Use Commission
- Perris Valley Airport Compatibility Study – Riverside County California Airport Land Use Commission Coordination
- City General Plan and selected Specific Plan Updates based upon Adopted Airport Land Use Compatibility Plan.

Kohl Ranch – Thermal, California

- Kohl Ranch Specific Plan Amendment Study – Airport Compatibility Plan – Riverside County Airport Land Use Commission
- Thermal Motorsports Park (TMP) Race Track Plan – Riverside County Airport Land Use Commission

Thermal Motorsports

- Race Track land use planning and approvals adjacent to Jacqueline Cochran Regional Airport.
- BMW Performance Center West ALUC review and approval.
- Specific Plan Amendment

Sanders Industries

- New Manufacturing and Distribution Facility Aviation Compatibility Planning – Long Beach, California

Xebec Incorporated

- New Manufacturing and Office Facility Aviation Compatibility Planning – Long Beach, California

Nexus Development Corporation

- Hotel and Office Facility Aviation Compatibility Planning – Long Beach, California

Sares-Regis Group

- Redevelopment and reuse of aviation manufacturing facilities – Long Beach, California
- Land use planning for manufacturing, industrial, distribution and office facilities – Long Beach, California
- Land use planning near March Air Reserve Base – Solar Glare Analysis
- Land use planning near Chino Airport
- Land use planning near Ontario International Airport

Los Angeles Metro

- Crenshaw/LAX Transit Corridor design and construction planning through the LAX Section
- Crenshaw/LAX Line Maintenance Yard land use planning, site clearing and business relocation support.

Dollar Thrifty Automotive Group

- Project manager for relocation and consolidation of LAX-area facilities and operations

San Luis Obispo Airport Land Use Commission

- Update to the City of San Luis Obispo Land Use and Circulation Elements of its General Plan
- Airport Land Use Plan update and revisions.
- Land use planning guidance and strategy.

Google – San Jose, California

- Diridon Station Area Plan for new Google headquarters and related development

Oltmans Construction – Moreno Valley, California

- Land use planning near March Air Reserve Base – Solar Glare Analysis



Technical Consultant, Litigation Support & Expert Witness

United Air Lines, Inc., v. The City of Los Angeles

- Technical airport planning consultant, expert witness for defendant – deposition and trial

Boca Airport, Inc., d/b/a Boca Aviation v. Proskauer Rose

- Technical airport planning consultant and expert witness for plaintiff – deposition and trial

Silverwing at Sandpoint, LLC v. Bonner County (Idaho)

- Technical airport planning consultant, expert witness for defendant – deposition and trial

City of Ontario v. City of Los Angeles

- Technical airport planning consultant and litigation support for plaintiff – deposition and settlement

Eagles Nest II, Inc. v. Chino Development League, Inc.; Celso M. Palafox

- Technical airport planning consultant and expert witness for plaintiff – designated expert

Dryden Oaks, LLC; and Durkin-CAC LOT 24, LLC v. San Diego County Regional Airport Authority; County of San Diego

- Technical airport planning consultant and expert witness for defendant, San Diego County Regional Airport Authority – retained consultant and expert

Regular City Council Agenda - August 21, 2023
Item 12A

ATTACHMENT 12

Los Alamitos' small businesses are under threat as the City Council prepares to vote on a matter that could strip businesses of their ability to make necessary improvements.

The stakes are high, and the time to act is now!

Dear Los Alamitos business owner,

Los Alamitos' small businesses are under threat. The Los Alamitos City Council will soon be deciding on August 21st whether to strip businesses of their ability to make necessary improvements and expansions.

What abilities will the City Council's vote impact?

- Make any tenant improvements that require a permit
- Add an outdoor patio
- Expand or modify a building use
- Make necessary building repairs/maintenance

An outside agency, the OC Airport Land Use Commission (ALUC), is attempting to take these rights away from you. **Our City's own staff have said that ALUC is basing their decisions off of 'faulty assumptions'.**

The City also risks losing grant money that supports our infrastructure, keeps our streets safe and potholes filled.

Other communities such as Seal Beach, Costa Mesa, Irvine, and Newport Beach have already voted to retain local control. Los Alamitos must do the same and **vote to override**.

Call, email, and/or attend the meeting to speak up for **preserving local** control and **protecting your business rights**. Tell your elected officials to **vote to override the ALUC determination**:

- **Attend the next City Council Meeting on August 21, 2023, at 6 pm:**
 - Los Alamitos City Hall: 3191 Katella Ave., Los Alamitos, CA 90720
- **Contact your representatives directly at 562-431-3538, ext. 220:**
 - Mayor Tanya Doby, tdoby@cityoflosalamitos.org
 - Mayor Pro Tem Jordan Nefulda, jnefulda@cityoflosalamitos.org
 - Councilmember Shelley Hasselbrink, shasselbrink@cityoflosalamitos.org
 - Councilmember Emily Hibard, ehibard@cityoflosalamitos.org
 - Councilmember Trisha Murphy, tmurphy@cityoflosalamitos.org

Please take a moment and help protect your rights as business owners.

City of Los Alamitos

CITY COUNCIL AGENDA REPORT

MEETING DATE: August 21, 2023

ITEM NUMBER: 13A

To: Mayor Tanya Doby & Members of the City Council

**Presented By: Emeline Noda, Director of Recreation & Community Services
Jennifer Sisoev, Recreation Manager**

Subject: Los Alamitos Senior Transportation Program

SUMMARY

This item for Council consideration is the concept of a future senior transportation program.

RECOMMENDATION

1. Discuss need and desire for a senior transportation program; and,
2. Provide direction to Staff.

BACKGROUND

The City of Los Alamitos is a vibrant and active small city in Orange County. With a population just shy of 12,000 residents, the Los Alamitos older adult population has grown to an estimated 34.2% of residents aged 50 and over.

Staff has seen an increase in the number of older adult population participating in our programs and sees an increased need each year to offer additional transportation options to this high rising demographic.

DISCUSSION

In March 2022, staff completed a community survey of older adults in the Los Alamitos Community to gauge their wants and needs.

Surveys were distributed in-house through the Los Alamitos Senior Club, Dine-In & Dough House, Senior Grocery Program, and Senior Balance & Fitness. In addition, the Needs Assessment was shared with various groups and organizations such as the Katella Senior Living Community, Affordable Caregivers Inc, and Klein Manor Apartments, Seal Beach Leisure World, and Royal Oak Mobile Park. The survey was also created on Google forms and advertised on City social media accounts, website, and E-News as well as the Spring 2022 Recreation Brochure. A sample of a total of 100 responses were collected of which 56 were City of Los Alamitos residents. Approximately 11% of respondents indicated a need for transportation services.

In early 2023, staff conducted meetings to assess the feasibility of a senior transportation program with the following results:

- The Office of Senator Janet Nguyen and the Office of Orange County Supervisor Andrew Do discussed potential partnerships and/or support for the City of Los Alamitos to create a senior transportation program.
- The Orange County Transportation Authority (OCTA) provided information on grant-funded opportunities or additional ways to partner. Of the various transportation grant opportunities offered through OCTA, those geared toward seniors have a higher age limit requirement (60+) than desired for a potential City of Los Alamitos program (50+), or provide very limited funding to offset the cost of the program.
- The City of Seal Beach and the Community of Rossmoor discussed a potential partnership should the City of Los Alamitos move forward with a Senior Transportation Program. Seal Beach currently has 1,300 registered riders for their program, which provides a hybrid shuttle service on a fixed route of service and dial-a-ride through Yellow Cab.

As a result of the previously mentioned 2022 Senior Needs Assessment in addition to the aforementioned 2023 meetings, staff developed the following structure for a potential City of Los Alamitos Senior Transportation Program to include the following:

- Medical and non-medical transportation for seniors aged 50+ to accomplish everyday tasks such as: grocery shopping, personal hygiene appointments, banking, doctor appointments, visits to local restaurants, and the Los Alamitos Community Center for social programs and health-based activities.
- An initial three-day service (with potential for future expansion of number of days) using a fixed route throughout the City including a minimum of six stops along the main corridors of Los Alamitos Boulevard and Katella Avenue, and a stop at the City of Los Alamitos Community Center.
- The potential to expand routes based on future needs and/or partner with the City of Seal Beach and Community of Rossmoor routes.
- Services provided through a contracted service provider which includes:
 - One (1) driver
 - One (1) vehicle
 - Three (3) days per week, seven (7) hours of service per day
 - Preventative vehicle maintenance
- City Staff support for administrative duties including but not limited to vendor oversight, contract oversight, data collection, and report writing

Based on initial estimates from transportation vendor outreach, the cost of a program of this design starts at \$234,377 annually (\$150,000 vendor estimate, \$84,377 Staff administration cost). The first year of the program would see a cost offset of \$33,617 due to conversion of a part-time position to a full-time position. If Council approves moving forward on planning this program, a formal RFP would be required and award of a contract and allocation of funds would come back to Council for approval.

FISCAL IMPACT

Senior Transportation is currently an unfunded program. The initial estimated costs of running a program of this design begins at \$234,377 annually. Potential grants from OCTA could bring in approximately \$17,500 to help offset the cost of the program. The remainder of the cost

would be absorbed by the Recreation and Community Services annual budget.

Attachment: None

City of Los Alamitos

CITY COUNCIL AGENDA REPORT

MEETING DATE: August 21, 2023

ITEM NUMBER: 14A

To: Mayor Tanya Doby & Members of the City Council

Presented By: Chet Simmons, City Manager

Subject: Council Member Requested Agenda Item: City Attorney Scope of Services

SUMMARY

During the April 17, 2023, regular meeting, Council Member Murphy made a motion requesting that the City Council discuss the scope of services provided by City Attorney Daudt. Council Member Hibard supported the motion. No vote was taken on the motion. This informational staff report is the first step in the two-step process for placing items of the Agenda for consideration by the Council.

RECOMMENDATION

In accordance with the City Council's adopted Agenda Policy, this informational staff report does not request action, but seeks Council's direction. By a majority vote of the City Council Members present, staff may be directed to place this item on a future Agenda for consideration by the Council.

BACKGROUND

During the April 17, 2023, regular meeting, Council Member Murphy made the following motion:

"I would like to make a motion to have the City Council discuss the scope of services provided by Mr. Daudt to Mr. Les Johnson, and or any developers, builders or agents who proposed projects with the City of Los Alamitos during Mr. Johnson's employment with the City of Los Alamitos as a Development Services Director and Interim City Manager from September 2018 to January 2020 as there should be deliberation and careful consideration as it appears that there is a conflict of interest."

City Attorney Daudt's response to the motion is included as an attachment to this report.

DISCUSSION

The City Council's adopted Agenda Policy allows individual Council Members to place an item on the Agenda utilizing a two-step process. A Council Member may request an item be placed on a future Agenda during Council Announcements. Once a request is made, the item is then brought back to the City Council at a regularly scheduled meeting with an informational staff report (step one). A majority vote of the City Council members present is required to direct staff to place the item on a future Agenda for consideration by the Council (step two).

FISCAL IMPACT

None.

Attachment: 1. Email Response from City Attorney

Windy Quintanar

From: Michael S. Daudt <mdaudt@woodruff.law>
Sent: Thursday, August 10, 2023 1:50 PM
To: Chet Simmons
Cc: Windy Quintanar
Subject: Council Member Requested Agenda Item: City Attorney Scope of Services

Hi Chet,

In advance of the upcoming City Council meeting, and in response to Council Member Murphy's motion regarding my scope of services, I would like to offer the following points of clarification:

- My client is the City of Los Alamitos, acting through the City Council as its highest governing body.
- As mandated by Section 2.20.020 of the Los Alamitos Municipal Code, I routinely advise the City Council and all City officers in matters of law pertaining to their office; however, my client has remained at all times the City of Los Alamitos as an organization.
- I worked with Mr. Johnson during his tenure as Community Development Director and Interim City Manager and in all such matters I advised him and other City officers solely in their official, City capacities.
- I never provided legal advice to Mr. Johnson as an individual at any time; not during his employment with the City, nor at any time since.
- I have never advised Mr. Johnson about any professional matters where he was acting in any capacity other than in his official capacity with the City.
- My legal practice is exclusively focused on public agency representation. To be even more specific, I have never provided any legal advice to any developers, builders or agents who proposed projects with the City of Los Alamitos.

Respectfully,

Michael

Please update your records to reflect my new email address: mdaudt@woodruff.law

WOODRUFF
Woodruff & Smart
A Professional Corporation
555 Anton Blvd Suite 1200
Costa Mesa CA 92626

Michael S. Daudt
Director
D: 714-415-1059
mdaudt@woodruff.law
www.woodruff.law

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City of Los Alamitos

CITY COUNCIL AGENDA REPORT

MEETING DATE: August 21, 2023

ITEM NUMBER: 14B

To: Mayor Tanya Doby & Members of the City Council

Presented By: Ron Noda, Development Services Director

Subject: Council Member Requested Agenda Item: Citywide Trash Receptacle Project

SUMMARY

During the April 17, 2023, regular meeting, Council Member Hibard made a motion to bring forward an item to discuss reallocation of funds from the 2023-2024 Capital Improvement Program (CIP) - Citywide Trash Receptacles Project to the Police Department. Council Member Murphy supported the motion. No vote was taken on the motion. This informational staff report is the first step in the two-step process for placing items of the Agenda for consideration by the Council.

RECOMMENDATION

In accordance with the City Council's adopted Agenda Policy, this informational staff report does not request action, but seeks Council's direction. By a majority vote of the City Council Members present, staff may be directed to place this item on a future Agenda for consideration by the Council.

BACKGROUND

The City Council approved the Fiscal Year 2023-2024 Budget at its June 20, 2023 Regular meeting. The adopted budget includes the Capital Improvement Program (CIP) projects that total approximately \$8 million dollars. During the July 17, 2023 Regular meeting, Council Member Hibard requested further discussion of the funds approved for the Citywide Trash Receptacles Project and possible reallocation to the Police Department. The Citywide Trash Receptacle Project is part of the approved 2023-2024 Capital Improvement Project list. The projected cost for purchase and construction is \$250,000.

Staff has provided a brief history of the project in question, which is set forth below.

DISCUSSION

In recent years, the City Council has approved an ambitious CIP program that has provided aesthetic, safety, and quality of life to Los Alamitos. The citywide trash receptacles project will beautify, clean, and fulfill the State's SB 1383 mandate.

Beginning in 2022, SB 1383 requires every jurisdiction in California to provide organic, regular, and recycled waste collection services. In 2021, Council awarded the City's waste hauling services to Universal Waste Systems (UWS). One reason that UWS was awarded the contract

was their ability to offer the City a two-cart system (organic and regular waste, recycled waste), while most haulers offered a three-cart system (organic, regular waste, recycled waste). Another SB 1383 mandate is to have proper trash enclosures for waste bins 3-yards or larger. The Civic Center, Little Cottonwood Park, and the Los Vaqueros warehouse location would need trash enclosures to fulfill this mandate.

Currently, the City's neighborhood parks, Civic Center, Los Alamitos Museum, and the Los Vaqueros warehouse location use residential trash receptacles. The Citywide Trash Receptacle Project would replace the residential bins with appropriate City-branded trash receptacles for organic/regular waste and recycled waste, place concrete pads if needed for stabilization, and build trash enclosures accordingly. The table below shows the number of trash receptacles and enclosures needed.

SITE	TRASH RECEPTACLES	ENCLOSURES
Civic Center (Roberts Park)	22	6
Warehouse		4
Museum	2	
Little Cottonwood Park	14	2
Laurel Park	16	
Labourdette Park	4	
Orville R. Lewis Park	6	
Soroptomist Park	2	
Stansbury Park	4	
Sterns Park	4	
Coyote Creek Park	10	

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FISCAL IMPACT

None.

Attachment: None