

MINUTES OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS

REGULAR MEETING Monday, August 21, 2023

1. CALL TO ORDER

The City Council met in Regular Session at 5:12 p.m., Monday, August 21, 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 (arrived at approximately 5:40 p.m.)
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
Emeline Noda, Recreation and Community Services Director
Ron Noda, Development Services Director
Tom Oliver, Associate Planner
Windmera Quintanar, MMC, City Clerk
Jennifer Sisoiev, Recreation Manager
Chelsi Wilson, Administrative Services Manager

3. CLOSED SESSION

City Attorney Daudt read the item aloud.

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)

RECESS

The City Council recessed into Closed Session at 5:12 p.m.

RECONVENE

The City Council reconvened in Regular Session at 6:24 p.m.

City Attorney Daudt stated there was no reportable action.

Mayor Doby asked for a Roll Call.

ROLL CALL

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

4. PLEDGE OF ALLEGIANCE

Council Member Hasselbrink led the Pledge of Allegiance.

5. INVOCATION

Council Member Hibard gave the Invocation.

6. PRESENTATIONS

Mayor Doby and the City Council presented the listed items.

- 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.

Mayor Doby opened Oral Communications.

Adam Wood, Mark Chirco, and Gary Loe stated they wished to speak during item 12A.

Ashely Nicholes, resident, spoke in support of overriding ALUC and requested Council keep the interest of Los Alamitos in mind.

Ricardo Ortiz, Retired Fire Department Captain, requested clarification on the flyer he received regarding the ALUC vote, spoke regarding an aircraft accident in 1962, and stated opposition to increasing affordable housing.

Mayor Doby closed Oral Communications.

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.

Council Member Hibard called for a point of order and stated her belief Council can reply to Oral Communications. Mayor Doby stated no.

Mayor Doby spoke regarding the upcoming Senior Expo and Pine strEATS events, thanked emergency personnel for being on call during the storm, and thanked Finance Director Koehler for doing a fantastic job.

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.

City Manager Simmons reiterated appreciation for emergency personnel and thanked the CERT team their assistance during the storm.

Recreation and Community Services Director Noda spoke regarding the upcoming event Celebrate Los Al on Saturday, September 16th.

Chief Claborn spoke regarding Item 11F and the Police Department's proactive approach to address an active shooter incident. He highlighted the Department was already exceeding the Grand Jury's recommendations.

Development Services Director Noda provided an update on the Community Center Roof project.

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.

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

Motion/Second: Hasselbrink/Nefulda

Unanimously Carried: The City Council ratified the Warrants for the period July 1, 2023 to July 31, 2023 in the amount of \$2,696,005.97.

ROLL CALL

Mayor Doby	Aye
Mayor Pro Tem Nefulda	Aye

Council Member Hasselbrink	Aye
Council Member Hibard	Aye
Council Member Murphy	Aye

11. **CONSENT CALENDAR**

All Consent Calendar items may be acted upon by one motion unless a Council Member requests separate action on a specific item.

Council Member Hibard stated she had questions regarding item 11B.

Council and Staff discussed the following regarding Item 11B:

- Proposed changes were recommended by the Budget Standing Committee (BSC)
- Increase in travel spending since COVID pandemic
- Council's adopted travel and training budget is over the adopted \$6,000
- Policy as written provides an avenue for additional Council Members to attend events over the \$500 threshold
- Local trainings are available at a more cost-effective price
- Concern for a lack of limitation on the quantity of the budget an individual member can spend
- BSC believed it was prudent to limit the Council's budget similarly to the Council's request made to all Departments
- Concern that a Council Member who pays to attend an event would not be able to speak on behalf of the City
- The Mayor is voted every year by the Council as a whole
- Council's ability to self-govern when spending City resources to attend events and training

Motion/Second: Hasselbrink/ Nefulda

Carried 3/2 (Hibard and Murphy voted No): The City Council approved the following Consent Calendar items:

A. Approval of Minutes (Administration)

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

B. City Council Travel Policy (Administration)

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

The City Council adopted Administrative Regulation 6.2 - City Council Travel Policy.

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

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

The City Council received and filed 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 sought 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).

The City Council:

1. Approved the plans and specifications for the Demolition of the LATV/PW Building at 10921 Oak Street Project (CIP No. 22/23-04); and,
2. Authorized 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 contained the City's response to the 2022-2023 Orange County (OC) Grand Jury Report titled "Welcome to the Neighborhood."

The City Council:

1. Approved the attached response to the 2022-2023 Orange County Grand Jury Report titled "Welcome to the Neighborhood"; and,
2. Authorized 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 contained the City's response to the 2022-2023 Orange County Grand Jury Report titled "School Shootings: How Prepared are Orange County Public Schools?"

The City Council:

1. Approved the attached response to the Orange County Grand Jury Report titled "School Shootings: How Prepared are Orange County Public Schools?"; and,
2. Authorized 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 recommended 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.

The City Council:

1. Accepted 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. Directed the City Clerk to record the Notice of Completion/Final Report with the County Recorder's Office; and,
3. Authorized 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 recommended 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.

The City Council:

1. Accepted as complete the construction by United Paving Co. for the Briggeman Drive Street Improvements Project (CIP 22/23-03); and,
2. Directed the City Clerk to record the Notice of Completion/Final Report with the County Recorder's Office; and,

3. Authorized 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.

City Manager Simmons introduced the item. Development Services Director Noda gave a PowerPoint Presentation. Director Noda advised consultant, Nicole Criste, was not able to make it in person due to road conditions after the tropical storm, but was participating via teleconference.

Mayor Doby opened the Public Hearing for comments.

Adam Wood, BIA, commended staff for an informational report, questioned how the average citizen would get in touch with ALUC, spoke in support of local control, stated support for overruling ALUC’s inconsistency determination, stated concern for HCD decertifying the City’s Housing Element, and cautioned against the possibility of builder’s remedies in the City.

Mark Chirco, resident, spoke in support of public safety, preservation of local control, and ensuring residents have a voice in what takes place in Los Alamitos. He stated the City has little power to stop certain actions mandated by the State. This situation was different as ALUC was asserting power over the City Council and not a single member was elected by a Los Alamitos resident. He stated support for retaining local control and indicated a 4/5 vote was required. Los Alamitos would be the only local city not to overrule ALUC and allow another entity to take control. He stated this item was bigger than one project. He urged Council not to give away local control.

Gary Loe, resident, stated support to overrule ALUC due to the possibility of

HCD decertifying the Housing Element resulting in the City losing local control and concern that ALUC would need to review all building and planning in the City. He provided a personal experience regarding air traffic accident and reiterated support for overruling ALUC.

Matt Overly, resident, stated support for the previous speakers. He thanked the three Council Members who responded to his email concerns. He stated support for overriding ALUC and keeping the local rights of the City.

John Lang, Parkewood, spoke regarding the development on Lampson. He stated an understanding for the City having the ability to control density but did not feel Parkewood residents' concerns regarding public safety was being heard by the Council. He questioned what the City was doing to make the development safe and stated concern there was no communication from the City regarding issues. He questioned if the Council would be receptive to concerns.

Tom, speaker, requested clarity on developers being able to build whatever they wanted regardless of the City's zoning. He referred to the Lampson project and stated concern the developer would have control over density.

City Attorney Daudt clarified this item was not specific to the Lampson project. This item pertains to the City's General Plan and potential to overrule ALUC's findings of inconsistency. Potential developments are not before the Council and would be considered at a future date. If the City has an approved certified Housing Element, any development would need to comply with City's zoning. By failing to overrule ALUC, the City runs the risk that HCD could override ALUC allowing for developers to file a builder's remedy. If the City has a de-certified Housing Element and a builders' remedy is filed, developers can build what they want and the City will have no ability to reject.

Nick Johnson, Johnson Aviation, referred to his submitted letter (attachment 11 to the Staff report) and strongly encouraged Council to maintain local control over the City's land use. He stated he has over 35 years of experience in aviation safety, planning and land use. He spoke regarding the following: the Joint Forces Training Base (JFTB) is only 1 of 3 in County; State's demand for housing surpasses the current supply; ALUC stated inconsistencies due to the density so close to the JTFB and flight paths; City complies with safety clear zones and noise standards; concern ALUC believes they know what's best for the City; ALUC's inconsistency findings are subjective and lack justification. He encouraged Council to maintain its rights and vote to overrule ALUC.

Maggie Marchese, resident, thanked Council for their service and stated the only reason Council is facing negativity is because they are standing firm in what's best for Los Alamitos residents. She stated opposition to losing

local control to ALUC and stated concern newer Council Members may not grasp the gravity of the situation facing homeowners and residents. She stated support for protecting Los Alamitos and overruling ALUC.

Frank Marchese, resident, stated support for the Council and the City. He stated opposition to giving control over to ALUC and stated support for overruling ALUC. He thanked Council for the decision and urged them to make the right decision.

Helen, speaker, spoke regarding the following: accused the City of using “scare tactics and threats”; belief ALUC was not interested in controlling the City; report provided was one-sided and bias, lacking information from the JFTB; her account that the JFTB Engineer stated the new solar generators are loud and his recommendation not to build homes there; people buying homes there would not be able to come out of their homes; City is not losing control to ALUC; a 2020 study she read regarding the stress of military pilots and burnout due to lack of sleep; and, requested Council not to overrule ALUC.

Elizabeth Hansberg, People with Housing, spoke regarding the housing shortage and encouraged Council to maintain it’s certified Housing Element. She stated the needs of futures are important and we need to make room by building housing.

Carol Churchill, speaker, spoke regarding the following: false statements made by the Development Services Department regarding ALUC overtaking the City’s Planning Department; referenced the California Public Utilities Code (CPUC) and encouraged Council to read the text; stated ALUC’s jurisdiction would be limited to areas covered by the airport land use compatibility plan; there are 3 sites in the Housing Element which ALUC has identified problematic that can be mitigated; opposed conclusion that Planning Department would be taken over; and, opposed anonymous letters and fear tactics that don’t allow for financial motives to be seen.

Christine A., Parkewood, referred to the Lampson project and made the following comments: Lampson project is 1 of 3 sites identified as problematic; ALUC is not interested in controlling the City’s Planning Department; opposed anonymous letters sent to Rossmoor and Los Alamitos residents to scare people into thinking they’d be required to obtain additional permits; stated a Lampson project has been submitted and density and height limits have been approved by the Planning Department with no eastbound turn lane, appropriate play space; Lampson Project is too dense, too high, and unsafe; approved plan wasn’t transparent; belief Council was not listening and residents knew how to get information being hidden from them through the Freedom of Information Act; stated support for having ALUC work with the developers to create something safe; and, stated concern for public

safety.

Dan Brandt, speaker, spoke regarding the following: anonymous letter with falsehoods being sent out; questioned if Staff reached out to ALUC regarding taking over the Planning Department; presentation included a lot of possibilities instead of what the circumstances are; assuming all units will be removed from the Housing Element does not seem practical; questioned if ALUC would work with HCD and the City to ensure sites are not overly dense, too high or unsafe for residents; supportive of affordable housing that is safe; referred to the tropical storm and concern airport encroachment would add to concerns; and, stated as a Seal Beach resident he would be impacted by any major events occurred.

Randy Hill, resident, spoke regarding the following: State mandate to plan for housing; if housing is required, Lampson is the safest and least impactful for the residents of Los Alamitos; Developers remedies can only happen if the City fails to overturn ALUC; other areas of the City have a louder DBA than any of the three areas identified by ALUC; outside noise is pretty loud; where would a better, safer place be to put housing; and, pointed out there are already thousands of homes in these areas.

David Green, resident, spoke regarding the City's State approved Housing Element that maintains local control. He stated support to continue the process to maintain local control and overriding ALUC.

Bret Rogers, resident, encouraged Council to look at all the options, stated opposition for State mandates, supported standing up for the City and local control, and stated opposition to more housing as there is not enough water, utility capacity, and too much traffic.

Mayor Doby closed the Public Hearing for comments.

Mayor Doby spoke regarding the following: State's decree there is a housing shortage and the various agencies that have mandated the City comply with housing needs; the City does not get a say in whether or not it builds additional housing; the City does get to say where additional housing is built; barrier to the City's ability to say where is the advisory committee, ALUC; City received \$3million in State funding they it's only eligible for because it has a certified Housing Element; decertifying the housing element risks losing that funding that could be used to rebuild the City's infrastructure; City has no control if the State decertifies the Housing Element and a builder's remedy is submitted; stated support for overriding ALUC's findings of inconsistency; thanked speakers for sharing their concerns and reassured the audience the City is listening; reiterated the only way the City maintains control over a project is if it maintains its certified Housing Element; and, she has attended many meetings to ensure the City's best interest.

Council Member Hibard referred to Mr. Johnson's letter of support and stated through a Public Records Act Request (PRA), she learned Mr. Johnson had submitted documents to FAA on behalf of the Lampson project. She stated support for transparency, indicated this letter was not independent, and would have appreciated the disclosure. She asked if the anonymous letter came from the City and City Manager Simmons stated no. Referring to the letter, Council Member Hibard stated she had received concerned emails and believed the letter was meant to confuse. She did not believe ALUC was looking to take over control and chose to look into the details of the allegations. She stated she had not found the details, her vote would reflect that, and the truth would prevail.

Council Member Murphy referred to the General Plan Noise Analysis graph on page 284, and asked if there was a difference between aviation and road noise.

Nicole Criste, consultant, stated the measurements are taken at different locations. Locations near the airport, would have included aircraft noise if it occurred during the measurement. Noise measurements cannot extract aircraft noise versus traffic noise. The graph reflects the total noise at each location.

Council Member Murphy inquired if any of the community outreach was done to confirm what annoyances residents had, clarifying some residents may have annoyances regarding road noise while those closer to the base would have aircraft noise.

Development Services Director Noda stated outreach for all elements of the General Plan occurred in 2015. Associate Planner Oliver added a noise assessment is part of the General Plan and there was outreach regarding noise.

Council Member Murphy inquired what combination of noise was recorded and if anything had outreach had since the survey 8 years ago.

Development Services Director Noda stated CNEL measurements are for all noise recorded at that time (i.e. cars, stereo, aircraft, etc.).

Associate Planner Oliver stated the JFTB completed a sound study in 2022 and the decibel range was much lower than the 60-65 range.

Development Services Director Noda clarified Associate Planner Oliver was referring to the updated map from when the JFTB did in its sound attenuation study around the airfield. It does not include the streets noted on the graph.

Council Member Hibard stated she is an advocate for local control. She read from ALUC's staff report (page 454 of the packet) and inquired if the three problematic sites could be removed and submitted back to ALUC for review.

Mayor Doby clarified the State has already certified the Housing Element without having to obtain ALUC's approval and questioned why the City had to obtain ALUC's approval after it's has already been certified by the State. She asked staff if there are any other sites that would be affected.

City Manager Simmons gave an overview of the two-year process to identify acceptable sites with HCD. During the approval process, outreach was completed. The City was not able to utilize the JFTB for potential housing as HCD did not agree that proposed sites were reasonably developable sites. Should the City remove the three sites identified by ALUC, those 379 units would need to move to other locations in the City and be found developable by HCD. The cumbersome and difficult process of finding suitable sites would have restart. He pointed out neighboring cities are having a difficult time obtaining a certified Housing Element and that the Planning Department did a good job spreading the units throughout the City to ensure one area was not overly burdened.

Mayor Doby inquired if Staff has had conversations with HCD and ALUC regarding tonight's decision.

City Manager Simmons stated ALUC has asserted if the City does not override, ALUC will require all projects be submitted for approval. HCD stated if the City does not override the ALUC findings, HCD will start the process of decertification. Mr. Simmons indicated those processes are a function of the law. He stated the uncertain factor is whether or not someone will take advantage, submit for a builders' remedy. He stated the concern is not just one site, but the entire City.

Council Member Murphy inquired if a developer submitted a builders' remedy, would they be required to submit their application to ALUC.

City Manager Simmons stated no and added those decisions will be made by HCD who determines the factors through builders' remedy process.

Council Member Hasselbrink was supportive of being consistent and ensuring the future of local control for the residents. She stated she was ready to make a motion.

Mayor Pro Tem Nefulda stated disbelief the concern was noise. He stated any development would require a permit that requires noise readings to be below 45 decibels. He pointed out soccer practice and dog parks are closer to the JFTB and louder than the potential housing sites. He stated he would

be voting to override ALUC as not doing so would do more damage to local control by giving away the City's rights.

Motion/Second: Hasselbrink/Nefulda
Motion Failed 3/2:

ROLL CALL

Mayor Doby	Aye
Mayor Pro Tem Nefulda	Aye
Council Member Hasselbrink	Aye
Council Member Hibard	No
Council Member Murphy	No

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 was the concept of a future senior transportation program.

Recreation Manager Siseov summarized the staff report and answered questions from the City Council.

Council and staff discussed the potential expansion of the program to include more than essential health appointments, shuttle service provides a social network for seniors, great way to take care of the residents, and overall support for the program.

The City Council:

1. Discussed the need and desire for a senior transportation program; and,
2. Directed Staff to move forward with implementing a senior transportation

program.

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.

City Clerk Quintanar provided a brief overview of the agenda policy. City Manager Simmons summarized the Staff report and advised City Attorney Daudt had provided a response.

Council Member Murphy reiterated her concerns regarding the Lampson project and City Attorney Daudt's past involvement with Les Johnson (former Director of Community Development and Interim City Manager).

Mayor Doby clarified Council Member Murphy was speaking for herself and not the entire Council.

Mayor Doby allowed public comment on the item.

Mark Chirco, resident, found the agenda item strange. As a practicing attorney for 19 years and having dealt with Mr. Daudt for 5 years, he attested Mr. Daudt was one of the ethical, intelligent, practical, and rationale Attorney's he has worked with. He stated he has never had any issues with Mr. Daudt and believed this item allowed for an irrational fear and further damage to the City.

Mayor Doby closed public comment on the item.

Council Member Hasselbrink clarified Les Johnson served as Interim City Manager and that Mr. Daudt did not represent Mr. Johnson, but the City as a whole. She stated Mr. Johnson left Los Alamitos to work in the City of Seal Beach before working for the Lampson Developer. She agreed with Mr. Chirco regarding Mr. Daudt's integrity and reputation. She stated he is straight froward and honest. She stated concern for questioning his ethics during a public meeting when there have never been any concerns. She stated Mr. Daudt has represented Los Alamitos since 2017 and excels at his job.

Mayor Pro Tem Nefulda stated he is a practicing attorney of 18 years and all his dealings with Mr. Daudt have been nothing but professional. He

stated Mr. Daudt has his full support.

Mayor Doby stated Mr. Daudt is not only a general municipal law expert, but he is also a land use expert. She stated Mr. Daudt is exactly who should be representing the City.

Motion/Second: Doby/Hasselbrink

Motion Carried 3/0 (Hibard and Murphy abstained): The City Council dismissed the request for further review of the City Attorney's Scope of Services.

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.

City Manager Simmons summarized the Staff report.

Council Member Hibard read a prepared statement regarding her upbringing in Downey and the unsafe conditions. She stated Los Alamitos was a safe community, but felt the Police Department was more deserving of the funds than trash receptacles.

Mayor Doby inquired if any requests for Public Safety were denied by the Budget Standing Committee. City Manager Simmons stated no and added the Police Department has been innovative in finding additional funding sources as well.

Mayor Doby clarified that between the City Council approved budget and Chief Claborn's resourcefulness, all public safety requests have been funded. City Manager Simmons confirmed.

Council Member Hasselbrink received clarification that the term "fancy trashcans" was first used by Carol Churchill. She clarified these trash receptacles were not decorative and are mandated by the State. She questioned why the City would reallocate funding for a State mandated program to the Police Department who has confirmed all their needs have been met at the request of a Council Member who did not bring up these concerns during the budget process and voted no on the budget.

City Manager Simmons stated Staff would continue to move forward with

the adopted budget directive and prepare a Request for Proposals (RFP) for trash receptacles. Future decisions would come back to Council for approval.

Mayor Doby pointed out this project was an unfunded State mandate that would come back to Council for approval. She stated projects usually come in under budget and having this funding allocated would remove future obstacles.

Motion/Second: Doby/Hasselbrink

Motion carried 4/0 (Hibard abstained): The City Council dismissed the request for further review of reallocating funds from the Citywide Trash Receptacle Project.

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.

Council Member Murphy stated she had nothing to report.

Council Member Hibard spoke regarding the following: canvassing her neighborhood during the tropical storm; attendance at the Los Al Chamber Poolside event, Regional Military Affairs Committee meeting, Los Alamitos High School (LAHS) Booster event, webinar regarding Financial Data Transparency Act, and the LAHS first football game; upcoming Public Policy Academy; encouraged residents to email her with concerns; and, upcoming Celebrate Los Al event.

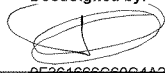
Mayor Pro Tem Nefulda spoke regarding attendance at the Orange County Sanitation District Board and Committee meetings.

Council Member Hasselbrink spoke regarding Kenny Brandyberry's upcoming 85th Birthday celebration and everything he has given to the community.

Mayor Doby spoke regarding attendance at the following events: Orange County Mosquito and Vector Control District Board meeting; virtual Housing Workshop; LAHS Kickoff Fundraiser Dinner; Association of California Cities – Orange County Public Policy Maker Academy; Senior of Distinction Event with Representative Michelle Steele's Office; and, the Sunburst Youth Academy Student Council speeches.

16. ADJOURNMENT

The City Council adjourned at 9:21 p.m.

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Tanya Doby, Mayor

Attest:

DocuSigned by:



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Windmera Quintanar, MMC, City Clerk