

MINUTES OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS

REGULAR MEETING Tuesday, June 20, 2023

1. CALL TO ORDER

The City Council met in Regular Session at 6:05 p.m., Tuesday, June 20, 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
Emeline Noda, Recreation and Community Services Director
Ron Noda, Development Services Director
Windmera Quintanar, MMC, City Clerk
Chelsi Wilson, Administrative Services Manager

3. PLEDGE OF ALLEGIANCE

Mayor Doby led the Pledge of Allegiance.

4. INVOCATION

Mayor Pro Tem Nefulda gave the Invocation.

Chief Claborn requested a moment of silence in recognition of Eric Wilson and requested the meeting be adjourned in his honor.

5. PRESENTATIONS

Mayor Doby and the City Council presented the listed items.

A. Badge Pinning Ceremony Honoring Captain Kain Gallagher

B. Presentation of a Plaque to Officer Marc Navarro for Being Awarded the Attorney General's Award for Distinguished Service in Community Policing

- C. Presentation to Community Partners in Recognition of Supporting the 40th Infantry Division at the Joint Forces Training Base**
- D. Presentation of a Certificate to Garage Pilates in Recognition of Being Featured in the Mayor's Business Spotlight**
- E. Presentation of a Proclamation to the Parks, Recreation, and Cultural Arts Commission Recognizing Parks Make Life Better Month**
- F. Presentation by Marilynn Poe, Board President, Providing an Update Regarding the Los Alamitos Museum Association**
Board President Poe gave a brief overview of the Los Alamitos Museum Association.
- G. Presentation by Police Sergeant Krogman Regarding an Update on E-Bike Safety**
Sergeant Krogman gave a brief update of the E-Bike Safety Program.

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.

Elizabeth Hansberg spoke in favor of the City's certified housing Element.

Randy Hill, resident, spoke regarding sidewalk width and light poles within the Highlands neighborhood.

Helen spoke in opposition to the City's Housing Element and the City's financial documents.

Maggie Marchese, resident, spoke if favor of the work being done by the City and urged Council to continue to keep the residents best interest in mind.

Tom Almazar, resident, spoke in opposition to the Lampson project.

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 encouraged residents to fact check information they here in public

and to reach out to Staff and Council with questions and concerns. She shared Fireworks Safety Tips and spoke briefly about the Los Alamitos Aquatics program.

8. UPDATES FROM CITY STAFF

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

Recreation and Community Services Director Noda spoke regarding the upcoming 3rd of July event.

Chief Claborn spoke regarding the upcoming Torch Run and Tip-A-Cop event to help raise funds for the Special Olympics.

Nicole Criste, Terra Nova, spoke regarding the Housing Element and explained the Housing Element demonstrates the City’s ability to provide housing and does not guarantee future developments.

9. WARRANTS

A. Warrants (Finance)

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

Motion/Second: Hasselbrink/Hibard
Unanimously Carried: The City Council ratified the Warrants for the period from May 1, 2023 to May 31, 2023 in the amount of \$1,524,160.27.

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.

Council Member Hibard pulled items 10B, E, F, G, I J, and L and requested individual reports for each item.

Motion/Second: Hibard/Nefulda
Unanimously Carried: The City Council approved the following Consent Calendar Items:

A. Approval of Minutes (Administration)

City Council approved the City Council Regular Meeting Minutes of May 15, 2023.

C. Los Alamitos Museum Association: Proposed Schedule, Yearly Recap, and Budget (Administration)

The Los Alamitos Museum Association's proposed schedule, yearly recap, and budget for the 2023-2024 fiscal year are being provided to the City Council for approval.

The City Council:

1. Approved the Los Alamitos Museum Association's proposed schedule, activity plan, and budget for Fiscal Year 2023-2024; and,
2. Authorized the City Manager and/or his designee to approve any change to the schedule, activity plan, and budget.

D. Resolution 2023-18 - Approving the Fiscal Year 2023-2024 Project List for SB-1 Funds in the estimated amount of \$294,072 towards the Carrier Row Street Improvement Project (Development Services)

The City of Los Alamitos receives transportation funding from the State in the form of grants or direct allocation of Motor Vehicle Fuel Tax (Gas Tax) through the Highway Users Tax Account (HUTA). The Road Repair and Accountability Act of 2017 (SB-1) provides funding for the maintenance and repair of local streets and roads through a Road Maintenance and Rehabilitation Account (RMRA). To be eligible for funding, the City must submit a proposed project list to the California Transportation Commission along with a resolution documenting the approval of the City's amended Capital Improvement budget to include the project to receive RMRA funding. Staff recommends the use of the RMRA funding for road improvements for the Carrier Row Street Improvement Project FY 22-23 in the estimated amount of \$294,072.

The City Council:

1. Determined that the action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because it will not result in a physical change to the environment, directly or indirectly; and,
2. Adopted Resolution No. 2023-18, entitled, "A RESOLUTION OF THE CITY COUNCIL OF LOS ALAMITOS, CALIFORNIA, TO ADOPT A LIST OF PROJECTS FOR FISCAL YEAR 2023-24 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017 TOWARDS THE CARRIER ROW NEIGHBORHOOD

STREET IMPROVEMENT PROJECT FY 23-24."

H. Approval of Street Curb Address Painting Services for the 2023 Cycle with Canning Hunger (Development Services)

In November of 2003, City Council adopted Resolution No. 1939 allowing non-profit organizations located outside of the City to benefit from the administration of a street address painting contract within the City. The City's process requires that the interested non-profit organization(s) apply bi-annually for City Council approval.

The City Council:

1. Authorized street curb address painting services for 2023 on a strictly donation basis, with Canning Hunger; and,
2. Authorized the City Manager to issue a no-fee solicitor's permit and no-fee encroachment permit.

K. Approval of the Request for Proposals (RFP) 2023-03 and Authorization to Bid for Concrete Shaving Remediation Services (CIP No. 22/23-08) (Development Services)

This item recommends action to solicit bids that will facilitate concrete shaving remediation services throughout the City.

The City Council:

1. Approved the Request for Proposals (RFP) 2023-03 for concrete shaving remediation services throughout the City; and,
2. Authorized Staff to advertise and solicit bid proposals.

M. Community Development Block Grant (CDBG) Program Cooperative Agreement – Amendment for Fiscal Years July 1, 2024 – June 30, 2027 (Development Services)

The County of Orange is currently in the process of re-qualifying for entitlement status as an Urban County. This entitlement status and the number of cities participating in the Urban County are part of determining Community Development Block Grant (CDBG) funding for an Urban County. Consistent with the Department of Housing and Urban Development (HUD) regulations, they sent existing participating cities notification of the current Cooperation Agreement and new Amendment. The agreement requires signatures from the Los Alamitos City Council to renew automatically (for July 1, 2024 – June 30, 2027) unless the City notifies the County and HUD in writing of its intent to terminate the agreement at the end of the current qualification period (June 30, 2023).

The City Council authorized the City Manager to execute Amendment No. 6 to the Cooperative Agreement between the County of Orange and the City of Los Alamitos for participation in the Urban County Program to utilize Community Development Block Grant (CDBG) program funds for Fiscal Years July 1, 2024 – June 30, 2027.

End of Consent Calendar

Items Pulled from Consent Calendar

B. Approval of the Request for Bids (RFB) 2023-03 and Authorization to Bid for Community Center Divider Wall Replacement Project (Development Services)

This item authorized the solicitation of bids for the installation and/or upgrade of an existing divider wall in the Los Alamitos Community Center.

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

Council Member Hibard and Staff discussed that the roof replacement would not affect the divider wall and the minimum sound transmission rating.

Motion/Second: Hasselbrink/Hibard

Unanimously Carried: The City Council:

1. Approved the Request for Bids (RFB) 2023-03 for the installation/upgrade to the Community Center Divider Wall Replacement Project; and,
2. Authorize Staff to advertise and solicit bid proposals.

E. Amendment No. 1 with Fuscoe Engineering, Inc. for Consulting Services (Development Services)

This item provides a basis for continuing consulting services with Fuscoe Engineering, Inc. regarding the annual preparation of the City's Program Effectiveness Assessment (PEA) Report for two (2) additional years for an annual cost of \$15,000, resulting in a total cost of \$30,000. The current Consulting Services Agreement (CSA) will expire on June 21, 2023, and includes two (2) permissible two- year extensions.

City Manager Simmons introduced the item.

Council Member Hibard received clarification regarding the term of the contract.

Motion/Second: Hasselbrink/Nefulda

Unanimously Carried: The City Council authorized the Mayor to execute Amendment No. 1 to the Consulting Services Agreement (CSA) with Fuscoe Engineering, Inc. for a two-year contract extension ending on June 21, 2025 for an annual amount of \$15,000 and a total two-year amount of \$30,000.

F. Amendment No. 1 with Crosstown Electrical & Data Inc. for Traffic Signal Maintenance Services (Development Services)

This item provides a basis for continuing services with Crosstown Electrical & Data Inc., to provide citywide traffic signal maintenance services for one additional year. The current Professional Services Agreement (PSA) will expire on June 21, 2023, but the parties can agree to utilize the first of three (3) allowable one-year extensions.

City Manager Simmons summarized the Staff report.

Council Member Hibard received clarification regarding the term of the contract.

Motion/Second: Hasselbrink/Hibard

Unanimously Carried: The City Council authorized the Mayor to execute Amendment No. 1 to the Professional Services Agreement (PSA) with Crosstown Electrical & Data Inc. for a one-year contract extension ending on June 21, 2024 in the amount of \$14,742 for routine inspections and an additional amount of \$30,000 for emergency services for a maximum contract amount totaling \$44,742 annually.

G. Measure M2 Seven Year Capital Improvement Program (Development Services)

Annual submittal of Measure M2 eligibility documentation to the Orange County Transportation Authority (OCTA) is required in order to remain eligible to receive Measure M2 sales tax revenue funds. The submittal documentation this year requires City Council approval of an updated Measure M2 Seven Year Capital Improvement Program, adoption of a resolution attesting to the County's Master Plan of Arterial Highways Circulation Element and Mitigation Fee Program, adoption of a resolution attesting to the Pavement Management Plan, and adoption of a resolution attesting to the update to the Local Signal Synchronization Plan (LSSP).

City Manager Simmons summarized the Staff report.

Council Member Hibard referred to several clerical discrepancies between this report and the City's proposed budget. City Manager Simmons and Development Services Director Noda advised those clerical issues would be corrected on the draft form before the document is finalized.

Motion/Second: Murphy/Nefulda

Unanimously Carried: The City Council:

1. Approve and authorize Staff to submit to the Orange County Transportation Authority the Measure M2 Seven-Year Capital Improvement Program for Fiscal Years 2023/24 through 2029/30, to comply with Measure M2 eligibility criteria; and,
2. Adopt Resolution No. 2023-13, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, CONCERNING THE STATUS AND UPDATE OF THE CIRCULATION ELEMENT, AND MITIGATION FEE PROGRAM FOR THE MEASURE M (M2) PROGRAM"; and,
3. Adopt Resolution No. 2023-14, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, CONCERNING THE STATUS AND UPDATE OF THE PAVEMENT MANAGEMENT PLAN FOR THE MEASURE M2 (M2) PROGRAM"; and,
4. Adopt Resolution No. 2023-15, entitled, "A RESOLUTION OF THE CITY COUNCIL OF LOS ALAMITOS CONCERNING THE UPDATE OF THE LOCAL SIGNAL SYNCHRONIZATION PLAN FOR THE MEASURE M (M2) PROGRAM".

I. Notice of Completion (NOC) for the Street Improvements on Various Streets FY 2021-2022 Project (CIP No. 21/22-03) (Development Services)

The City of Los Alamitos hired a roadway contractor for street improvements related to grind and overlay of various residential streets throughout the City 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 Contracts Codes.

City Manager Simmons summarized the Staff report.

Council Member Hibard and Staff discussed ongoing resident complaints in the Highlands, the project being covered by warranty should additional work be required, and acceptance of the Notice of Completion would not alleviate the contract of its obligation to perform satisfactory work.

Council Member Murphy called for a point of privilege and requested the Chamber door be closed.

Motion/Second: Hasselbrink/Nefulda

Motion Carried 3/2 (Hibard and Murphy voted no): The City Council:

1. Accepted as complete the construction by RJ Noble Company for the Street Improvements on Various Streets FY 2021-2022 Project (CIP No. 21/22-03); 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 \$72,201.35, thirty-five (35) days after recordation of the Notice of Completion.

J. Approval of Plans and Specifications and Authorization to Bid for the Bloomfield Neighborhood Street Rehabilitation Project (CIP No. 22/23-06) (Development Services)

The City of Los Alamitos is being awarded \$200,000 in federal Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (CRRSAA) funding through the 2021 Pavement Management Relief Funding (PMRF) Program.

This item seeks approval to facilitate the solicitation of bids to begin the Bloomfield Neighborhood Street Rehabilitation Project (CIP No. 22/23-06) and City Manager authorization to sign the Master Agreement(s) with Caltrans to facilitate the funding.

City Manager Simmons summarized the Staff report.

Council Member Hibard referred to several clerical errors within the report.

Development Services Director Noda advised those would be corrected before the document was released.

Motion/Second: Hasselbrink/Nefulda

Unanimously Carried: The City Council:

1. Approved the plans and specifications for the Bloomfield Neighborhood Street Rehabilitation Project (CIP No. 22/23-06); and,
2. Authorized Staff to advertise and solicit bid proposal; and,
3. Adopted Resolution No. 2023-12, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS AUTHORIZING THE CITY MANAGER TO EXECUTE ALL AGREEMENTS RELATED TO CLAIMING FUNDS FOR THE

BLOOMFIELD NEIGHBORHOOD STREET REHABILITATION
PROJECT (CIP NO. 22/23-06) FROM THE CALIFORNIA
DEPARTMENT OF TRANSPORTATION.”

L. Annual Comprehensive Financial Report (ACFR) (Finance)

For City Council consideration is the receipt of the fiscal year 2021-22 audit reports.

City Manager Simmons summarized the Staff report.

City Council and Staff discussed the following:

- Peer review includes review of the figures and verbiage of the audit without source documents
- Previous audit firm has been released from duty
- Necessary adjustments in regard to GASB 72, Fair Value Measurement and Application
- Calculations regarding investment income and investment earnings
- Concerns pension liability is not held within a trust
- Pension liability could be discussed during Council goal setting
- Prior Council's preference to paying down unfunded liabilities
- Reference to typographical errors

City Manager Simmons stated in the interest of ensuring transparency he would like to pull the item from Council consideration. He stated Staff would review the document for numerical and typographical issues with the City's new auditors.

11. PUBLIC HEARING

A. Annual Operating and Capital Improvement Program Budget Adoption for Fiscal Year 2023-24 (Finance)

City Charter Sections 1201-1205 govern the development and adoption of the City's Annual Budget. Section 1203 requires a public hearing for public input on the proposed budget. Thereafter, the City Council shall consider adoption of the budget with revisions, if any; establish estimated revenues, expenditure appropriations, and transfers of funds of the City.

City Manager Simmons introduced the item.

Finance Director Koehler summarized the Staff report, gave a PowerPoint presentation, and answered questions from the City Council.

Mayor Doby opened the Public Hearing for comments.

Dan Brandt spoke regarding the following: shared community resources (i.e.

school district, dispatch, sports, etc.); support for allocating money towards employees compensation and benefits as opposed to capital improvement projects; ineffectiveness of retention bonuses; workforce constraints of a small Police department; need to stay competitive in the workforce; and, spoke in favor of appropriately compensating employees.

Carol Churchill spoke regarding Chief Claborn's advocacy for the Police Department and inaccurate reporting within the City's financial documents related to investment income earnings.

Mayor Doby Closed the Public Hearing for comments.

Council Member Hibard requested each recommendation be considered separately indicating it would likely change the way she voted.

Motion/Second: Hibard/Murphy

Motion Failed 2/3 (Doby, Hasselbrink, and Nefulda voted no): Request for Council to consider each recommendation as a separate action.

Council Member Murphy asked the following questions and received answers from Staff:

- p. 687 – Reference to the adopted Resolution number will be corrected
- p. 750 – Bloomfield project includes funding from two sources
- p. 773 – Accounts will be corrected to reflect funding from all sources
- p. 752 – Examples of funds spent from the Supplemental Law Enforcement Fund (SLEF) will be provided at a later date
- p. 753 – Possibility to use AQMD funds towards LED light replacement

Note: Page numbers refer to the page of the entire June 20, 2023 PDF agenda packet

City Manager Simmons advised a complete breakdown of each Capital Improvement Project (CIP) including funding sources could be provided to Council at a later date if required as Staff did not have access to supporting data during a Council meeting.

Council Member Hasselbrink questioned if correctly noting the funding sources would change the overall budgeted amounts. City Manager Simmons stated it would not.

Council Member Murphy stated her concern was inaccurate information. She indicated her background was in assets management and believed these numerical errors would change the overall balance of funds. She stated opposition to approving an incorrect budget.

Council Member Hibard stated support for delaying approval and inquired if

she should present her questions at this time.

City Manager Simmons proposed adopting the Budget as a complete package and possibly holding a special meeting at a later date to review any perceived discrepancies within the CIP Budget.

Council Member Hasselbrink questioned the repercussions of not adopting a budget by July 1, 2023. City Manager Simmons stated the City would be in violation of its Charter, operations would continue to be funded at their 2022/23 funding levels, which would cause the City to default on payments and disable the City from early making payments towards the pension obligation which would save on interest.

Council Member Hibard advised she had concerns. City Manager Simmons stated Staff would take notes and provide answers at a later date.

Council Member Hibard provided the following statements:

- p. 688 and p. 773 reflect different totals for:
 - Gas Tax and Measure M funds
 - General Fund expenditure and CIP expenditure
- p. 711 reflects outdated objectives for Administration
- Received an overview of the Backup Generator Project, including how the estimated cost was formulated and clarification on the approval process coming before Council at a later date
- Demolition of the LATV building
- Urged caution in proceeding with the adoption of budget

Motion/Second: Hasselbrink/Nefulda

Passed 3/2 by a Roll Call Vote: The City Council:

1. Reviewed, received, and filed the department overviews for Fiscal Year 2023-24; and,
2. Conducted a Public Hearing on the Proposed Annual Operating and Capital Improvement Program Budget; and,
3. Adopted Resolution No. 2023-16, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADOPTING THE ANNUAL OPERATING AND CAPITAL IMPROVEMENT PROGRAM BUDGET FOR FISCAL YEAR 2023-24"; and,
4. Authorized the City Manager to enter into the Side Letter Agreement with the Teamsters; and,
5. Authorized the City Manager to enter into the Side Letter Agreement with

the Police Officers Association (POA); and,

- 6. Adopted Resolution No. 2023-17, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING RESOLUTION NUMBER 2023-09, THE SALARY AND BENEFIT RESOLUTION FOR NON- REPRESENTED EMPLOYEES"

Roll Call

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

12. 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 spoke regarding the following: attendance at the 40th Infantry Deployment Ceremony; clarification on her background in Asset Management and Finance; performing her due diligence in understanding the budget and ensuring fiscal discipline; stated she would not approve an inaccurate budget; and, and stated opposition to Council proceeding with adoption of the budget.

Council Member Hibard spoke regarding the following: attendance at the Memorial Day Parade hosted at Cottonwood Church; toured the Casa Youth Shelter facility; attendance at the Orange County Library Board meeting; registered to participate in the Race Los Al; attendance at the Orange County Sanitation District Board meeting; and, celebrated the 79th Anniversary of D-Day.

Mayor Pro Tem Nefulda stated he had nothing to report.

Council Member Hasselbrink stated she had nothing to report.

Mayor Doby spoke regarding attendance at the Orange County Mosquito and Vector Control District Board meeting; City Selection Committee meeting; Good Morning Los Al; St. Isidore Art and Appetizers; tour of the Orange County Sanitation District; Sunset Saturday’s Night Market on Pine Street; Sunburst Youth Academy Graduation; met with representatives from the Governor’s office; League of California Cities event regarding surplus land; and, the Los Alamitos High School Graduation.

13. ADJOURNMENT

The City Council adjourned at 9:35 p.m. in memory of Eric Wilson.

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Tanya Doby, Mayor

Attest:

DocuSigned by:



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Windmera Quintanar, MMC, City Clerk