

MINUTES OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS

REGULAR MEETING Monday, March 20, 2023

1. CALL TO ORDER

The City Council met in Regular Session at 6:01 p.m., Monday, March 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
Robert Acosta, Emergency Services Manager
Wayne Byerly, Police Captain
Michael Claborn, Chief of Police
Craig Covey, Orange County Fire Authority Chief
Michael Daudt, City Attorney
Craig Koehler, Finance Director
Emeline Noda, Recreation and Community Services Director
Ron Noda, Development Services Director
Windmera Quintanar, MMC, City Clerk
Chelsi Wilson, Administrative Services Manager

3. PLEDGE OF ALLEGIANCE

Council Member Hasselbrink led the Pledge of Allegiance.

4. INVOCATION

Council Member Hibard gave the Invocation.

5. PRESENTATIONS

A. Presentation to Sergeant Chris Lee in Recognition of his 17 Years of Service to Law Enforcement
Mr. Lee was not present.

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.

Helen K. requested item 10B be postponed until next month and spoke in opposition to the Lampson project. She submitted documentation regarding conversations between Staff and consultant, Les Johnson. She stated concern there was a potential conflict of interest.

Christine Arrvdsd, spoke regarding the conversations submitted by Helen, and stated concern for a lack of transparency regarding the Lampson project. She stated opposition to the Lampson Project.

Mayor Doby requested residents trust in the City Council and encouraged everyone to attend Council meetings held on the third Monday of every month at 6:00 p.m. She stated the Council will do everything in its power to ensure the best for the City.

Council Member Hasselbrink asked for and received confirmation that a complete application has not been submitted for the Lampson project. She indicated that there is nothing for the Council to discuss until a complete application has been submitted to the City and at that time, Council will ensure due diligence occurs. She clarified item 10B is the second reading of an Ordinance that was approved at the March Council meeting.

Mayor Doby allowed Helen K. additional time to address the Council.

Helen K. requested the item be postponed as residents were unaware of the item, believed there was no threat to postponing the item, and City had additional time to review the item.

Council Member Hibard and City Manager Simmons briefly discussed the application process to date and preliminary information is available on the City's website.

Council Member Hibard and City Attorney Daudt briefly discussed:

- The submitted conversation had been produced as a Public Records Request
- The Lampson Project was not an item on tonight's agenda
- Cautioned Council from having a discussion at this time
- Clarification on item 10B and advised there was an indirect correlation as the Lampson project was being rezoned as part of a larger rezoning effort and it was not project or site specific
- Public Records Act policy

Mayor Doby closed Oral Communications.

7. COUNCIL ANNOUNCEMENTS

At this time, Council Members may also report on items not specifically described on the Agenda that are of interest to the community, provided no action or

discussion is taken except to provide Staff direction to report back or to place the item on a future Agenda.

Council Member Murphy requested an item be added to a future agenda to discuss the possibility of additional community meetings that would allow the Council to communicate directly with residents. Council Member Hibard agreed with the request.

Council Member Murphy spoke regarding attendance at the Black History Lunch for Future Leaders; OC Tax Lunch; Epson Open House; Chamber Breakfast; Every 15 Minutes Assembly; Americana Awards; Cyber Security for Government Leaders webinar; meetings with Department Heads; and, the retirement event for Sergeant Chriss Lee.

Council Member Hibard spoke regarding attendance at Orange County Sanitation District Board meetings; closing of Los Alamitos Library for improvements; judging at the Weekend of Art; and, read an anonymous email regarding City employees.

Mayor Doby allowed City Manager Simmons to address the email.

City Manager Simmons stated personnel matters related to the City Manager are discussed in Closed Session. Management of Staff falls under the City Managers purview and would be addressed and adjudicated accordingly. City Manager Simmons indicated he would be happy to have the conversation with Council regarding his performance if requested.

Council Member Hasselbrink spoke regarding attendance at the Americana Awards, Los Alamitos Community Foundation Board meeting; judging at the Weekend of Art; Los Alamitos High School Drama presentation of Freaky Friday; Budget Standing Committee meeting, Orange County Fire Authority Open House; OCFA Board meeting; meetings with Assembly Member Tri Ta and Senator Janet Nguyen; and, expressed concern for unvetted personnel issues being discussed in this public forum.

Mayor Pro Tem Nefulda spoke regarding attendance at the All District Choir Festival.

Mayor Doby spoke regarding attendance at Orange County Mosquito and Vector Control District Board Meeting; Weekend of Art; Representative Michelle Steele's Roundtable discussion; Open House for Assembly Member Tri Ta; Americana Awards, Orange County Women's and Leadership Summit; Every 15 Minute Assembly; Ribbon Cutting for BeSpoke; Epson Open House; and, retirement event for Sergeant Chris Lee.

8. ITEMS FROM THE CITY MANAGER

City Manager Simmons spoke regarding the following: pulling item 10E due to a

clerical error; future Council items for large project notification guidelines, City Council onboarding, Branding Subcommittee, and various communication tools for additional town hall meetings; the newly launched Employee Wellness Program; potential to expand communications to neighboring cities; facilitated goal setting for City Council; and announced a \$350,000 grant for Labourdette Park.

Recreation and Community Services Director Noda provided an overview of upcoming events, Spring Carnival and Elevate Teen Expo.

9. **WARRANTS**

A. **Warrants (Finance)**

The attached Warrant Register contains checks and electronic funds transfers for the period February 1, 2023 to February 28, 2023.

Motion/Second: Hasselbrink/Hibard

Unanimously Carried: The City Council ratified the Warrants for the period February 1, 2023 to February 28, 2023 in the amount of \$1,200,519.84.

Roll Call

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

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.

City Manager Simmons pulled item 10E.

Council Member Hibard pulled item 10B.

Motion/Second: Hasselbrink/Doby

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

A. **Approval of Minutes (Administration)**

Approved the City Council Minutes for the Adjourned Regular meeting of January 23, 2023, and February 21, 2023.

C. **Adopt Ordinance 2023-02 - State Mandated Update to Accessory Dwelling Unit (ADU) Regulations (Development Services)**

City Council introduced for first reading, read by title only, and waived further reading of Ordinance No. 2023-02 at its February 21, 2023,

meeting. Ordinance 2023-02 will amend and restate Section 17.28.020 of the Los Alamitos Municipal Code concerning the regulation of Accessory Dwelling Units (ZOA 23-01).

The City Council adopted Ordinance No. 2023-02, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING AND RESTATING SECTION 17.28.020 OF THE LOS ALAMITOS MUNICIPAL CODE CONCERNING THE REGULATION OF ACCESSORY DWELLING UNITS (ZOA 23-01)."

D. Adopt Ordinance No. 2023-03 - Modify Regulation and Sale of Fireworks (Administration)

This report proposes a change to the requirements for the regulation, use, and sale of safe and sane fireworks on the 4th of July. City Council introduced for first reading, read by title only, and waived further reading of Ordinance No. 2023-03 at its February 21, 2023, meeting.

The City Council adopted Ordinance No. 2023-03, entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING SECTION 5.60.110(B) OF THE LOS ALAMITOS MUNICIPAL CODE RELATING TO THE LOCATION OF TEMPORARY FIREWORKS STANDS".

F. Award of Professional Services Agreement (PSA) to Charles Abbott & Associates, Inc. for Building & Safety Services (Development Services)

On Thursday, January 19, 2023, staff received and reviewed bids for Request for Proposal (RFP) 2022-04 Building & Safety Services, which is inclusive of building division administration, permit issuance, plan check, inspection, enforcement of building codes, and public counter services. This item seeks to award the bid for RFP 2022-04 to Charles Abbott & Associates, Inc., for a three-year term with two possible 2-year extensions and in accordance with the fee schedule noted herein.

The City Council awarded the bid for RFP 2022-04 and authorize the Mayor to execute the Professional Services Agreement with Charles Abbott Associates Inc. (CAA), for Building & Safety services for a three-year term with two possible 2-year extensions in accordance with the fee schedule not to exceed the sum of:

- 80% of permit and plan check fees up to \$15,000
- 65% of permit and plan check fees from \$15,001 to \$30,000
- 55% of permit and plan check fees from \$30,001 to \$75,000
- 50% of permit and plan check fees greater than \$75,000
- \$20,000 annual cost for the permitting tracking system, CityTech

G. Award of Professional Services Agreement (PSA) to Willdan Engineering for City Engineering and Traffic Engineering Services (Development Services)

On Thursday, January 12, 2023, staff received and reviewed bids for Request for Proposals (RFP) 2022-05 City Engineering and Traffic Engineering Services, which is inclusive but not limited to consultation on City utilities and facilities, consultation on development projects/permits, lead and manage the City's Capital Improvement Program (CIP), provide permit review and inspection services, and technical expertise regarding traffic signals, street lighting, traffic signs, and the issuance of encroachment and wide-load permits. This item seeks to award RFP 2022-05 to Willdan Engineering for a term of three years with two 2-year contract extensions and in accordance with the fee schedule noted herein.

The City Council:

1. Awarded the bid for RFP 2022-05; and,
2. Authorized the Mayor to execute the Professional Services Agreement with Willdan Engineering for City Engineering and Traffic Engineering services for a term of three years with two 2-year contract extensions and in accordance with the fee schedule not to exceed the following hourly rates of:

Job Description	Hourly Rate
City Engineer	\$160
Geotechnical Manager	\$185
Landscape Architect	\$175
Labor Compliance Manager	\$165
Traffic Engineer	\$160
Project Manager	\$158
Public Works Superintendent	\$150

H. Rejection of Bids for Requests for Proposals (RFP) 2022-03 for the Installation/Upgrade of the City's Access Control System (Development Services)

On Thursday, February 2, 2023, the City received one (1) bid submittal in response to Requests for Proposals (RFP) 2022-03 Access Control System. RFP 2022-03 solicited services for the installation and/or upgrade of an existing access control system for specified City facilities. The submitted bid surpassed the anticipated budget, which considered new hardware installations and upgrades to the existing system. As a result, staff is recommending the rejection of the submitted bids.

The City Council rejected of all bids received for Requests for Proposals (RFP) 2022-03 Access Control System.

End of Consent Calendar

Items Pulled from Consent Calendar

B. Adopt Ordinance 2023-01 – Creating R-4 Zoning, Amending the TCMU Zone, and Rezoning Certain Properties (Development Services)

City Council introduced for first reading, read by title only, and waived further reading of Ordinance No. 2023-01 at its February 21, 2023, meeting. Ordinance 2023-01 will approve a R-4 Zoning District in Los Alamitos, amend the Town Center Mix Use (TCMU) Zone, and rezoning certain properties to the R-3 and new R-4 Districts. These changes would be implemented to comply with the newly adopted Housing Element.

City Attorney Daudt summarized the staff report and provided an overview of the process to adopt an Ordinance.

Motion/Second: Hasselbrink/Nefulda

Unanimously Carried: The City Council adopted Ordinance No. 2023-01 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING CHAPTERS 17.04, 17.08, AND 17.12 OF THE LOS ALAMITOS MUNICIPAL CODE, AS WELL AS THE LOS ALAMITOS ZONING MAP, CONCERNING THE R-3, R-4, AND TCMU ZONING OF THE CITY OF LOS ALAMITOS (ZOA 22-03) (CITY INITIATED)."

E. Annual Comprehensive Financial Report (Finance)

For City Council consideration is the receipt of the fiscal year 2021-2022 audit reports.

City Manager Simons pulled this item for discussion at a future meeting.

Recommendation: Receive and file the annual audit reports for fiscal year 2021-2022, including the Annual Comprehensive Financial Report (ACFR) and Report on Applying Agreed- Upon Procedures Appropriations Limit Worksheets (GANN AUP).

11. DISCUSSION ITEM

A. Volunteers in Policing (VIP) Program (Police)

This item seeks approval to implement a Volunteers in Policing Program.

Chief Claborn gave a PowerPoint Presentation and answered questions from the City Council.

City Council and Staff discussed the following:

- Assigned vehicle for the program with a logo
- Minimum age of 18
- Drug testing

City Manager Simmons introduced CERT Member, Ana, and thanked her for her service. Ana showcased the VIP program uniform.

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

Motion/Second: Hasselbrink/Murphy

Unanimously Carried: The City Council adopted Resolution No. 2023-10, entitled, "A RESOLUTION OF CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADOPTING A VOLUNTEER IN POLICNG (VIP) PROGRAM".

B. Mid-Year General Fund Budget Review and Financial Update for Fiscal Year 2022-23 (Finance)

This report provides the Council with a review of Mid-Year General Fund budget for the Fiscal Year 2022-23 and a projection for the fiscal year ending June 30, 2023. The mid-year report represents a snapshot in time and reflects recorded information through December 31, 2022, or six months of the fiscal year, and projections for Fiscal Year 2022-23. It will provide the City Council with an update on the financial status of the City's General Fund at mid-year, and projection of Fiscal Year 2022-23.

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

The City Council:

1. Reviewed the Mid-year General Fund budget for the Fiscal Year 2022-23, and projection for the Fiscal Year ending June 30, 2023; and,
2. Received and filed the report.

C. Community Center Roof Repair (Development Services)

The roof of the Community Center building has incurred significant damage from the recent storms. In order to avoid further damage to public facilities and avoid injury to the health of the occupants of the buildings, staff is requesting Council to identify the repair of the roofs as an urgent necessity.

City Manager Simmons summarized the Staff report and answered questions

from the City Council.

City Council and Staff discussed currently the roof was not impacting programming; the community center had limited functionality; the building was originally built in 1972, insured, and had the roof patched in 2018.

Motion/Second: Doby/Hibard

Unanimously Carried: The City Council:

1. Adopted by a 4/5 vote, Resolution No. 2023-12, entitled, "A RESOLUTION OF CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DECLARING THE COMMUNITY CENTER LEAKING ROOF AS AN URGENT NECESSITY"; and,
2. Authorized the City Manager to execute the contract for the project in a form to be approved by the City Attorney in an amount not to exceed \$500,000.

Roll Call

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

12. CLOSED SESSION

A. Conference with Legal Counsel – Existing Litigation (Gov't Code Section 54956.9)

Los Alamitos Luxury Apartments, LLC v. City of Los Alamitos (Case No. 30-2023- 01309111-CU-BC-CJC)

City Attorney Daudt read item 12A aloud.

RECESS

The City Council recessed into Closed Session at 7:40 p.m.

RECONVENE

The City Council reconvened in Regular Session at 8:19 p.m.

City Attorney Daud stated there was no reportable action.

13. ADJOURNMENT

The City Council adjourned at 8:19 p.m.

DocuSigned by:



Tanya Doby, Mayor

Attest:

DocuSigned by:



Windmera Quintanar, MMC, City Clerk