

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

BUDGET STANDING COMMITTEE AGENDA
SPECIAL MEETING

Monday, February 12, 2024 – 5:00 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 Budget Standing Committee at the same meeting.

Any written materials relating to an item on this agenda submitted to the Budget Standing Committee after distribution of the agenda packet are available for public inspection online at www.cityoflosalamitos.org.

It is the intention of the City of Los Alamitos to comply with the Americans with Disabilities Act (ADA) in all respects. 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 Pro Tem Shelley Hasselbrink
Council Member Tanya Doby

3. 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 Budget Standing Committee. Remarks are to be limited to not more than five minutes per speaker.

4. CONSENT CALENDAR

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

A. Approval of Minutes (Finance)

Approve the Budget Standing Committee Special Meeting Minutes of November 6, 2023.

Recommendation:

Approve the minutes of the Special Meeting of November 6, 2023.

5. CLOSED SESSION

A. CONFERENCE WITH LABOR NEGOTIATOR (Administration)

City Negotiator: Chet Simmons, City Manager
Employee Organization: Teamsters Local 911
Authority: Government Code Section 54957.6

B. CONFERENCE WITH LABOR NEGOTIATOR (Administration)

City Negotiator: Chet Simmons, City Manager
Employee Organization: Executive Management, Non-Represented
Authority: Government Code Section 54957.6

C. CONFERENCE WITH LABOR NEGOTIATOR (Administration)

City Negotiator: Chet Simmons, City Manager
Employee Organization: Police Officers Association
Employees Authority: Government Code Section 54957.6

6. DISCUSSION ITEM

A. Increased Efforts to Digitize City Records and Workflows (Administration)

This item seems consensus to expand the digitization of City records to the Police and Finance Departments.

Recommendation:

Review and provide direction to Staff.

B. Budget Restructuring (Finance)

This report provides the Budget Standing Committee with a discussion of a proposed restructuring of the budget.

Recommendation:

Review and discuss budget restructuring.

C. HdL Sales Tax Update (Finance)

TBD

Recommendation:

Review and discuss HdL Sales Tax report.

D. Considerations for the November 5, 2024 General Municipal Election (Administration)

The City of Los Alamitos General Municipal Election will be held on Tuesday, November 5, 2024. It is the City's policy to consolidate the local election with the County of Orange. Council Member seats for Districts 1, 2, and 3 will be up for election this year. This item allows for the Budget Standing Committee to consider including a charter amendment on the November 5, 2024, ballot.

Recommendation:

1. Review and discuss the information in connection with adding a Charter Amendment to the November 5, 2024, General Municipal Election ballot; and,
2. Direct Staff to submit a budget allocation request to the City Council to cover Charter amendment costs.

7. ITEMS FROM STAFF AND THE COMMITTEE

At this time, Committee Members and 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 to provide Staff direction to report back or to place the item on a future Agenda.

8. 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.

Craig Koehler, Finance Director
Dated: February 7, 2024

MINUTES OF THE BUDGET STANDING COMMITTEE OF THE CITY OF LOS ALAMITOS

SPECIAL MEETING

Monday, November 6, 2023 – 6:00 p.m.

1. CALL TO ORDER

The Budget Standing Committee met for a Special Meeting at 6:10 p.m., Monday, November 6, 2023, Mayor Doby and Council Member Hasselbrink presiding.

2. ROLL CALL

Present: Committee Members: Mayor Doby
Council Member Hasselbrink

Absent: Committee Members: None

Present: Staff: Chet Simmons, City Manager
Craig Koehler, Finance Director

3. Oral Communications

None to report.

4. CONSENT CALENDAR

A. Approval of Minutes

Motion/Second: Hasselbrink/Doby

Unanimously Carried: The Budget Standing Committee approved the Minutes of the Special Meeting of October 9, 2023.

5. DISCUSSION ITEMS

A. Minimum Hourly Wage Increase Effective January 1, 2024 (Finance)

Staff provided the Committee with a report that addresses the state-wide minimum wage increase that becomes effective January 1, 2024.

The Committee recommended adoption of Recommend adoption of Resolution No. 2023-XX, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING AND RESTATING THE HOURLY RATE SCHEDULE EFFECTIVE JANUARY 1, 2024 AND REPEALING EXHIBIT B FROM RESOLUTION NO. 2022-31."

B. Investment Policy Update (Finance)

The Committee received a report with an update on the City's Investment Policy and consideration of amendments for allowable investments per the State Government Code to consider the following: 1) change in term for Commercial Paper from 180 days to 270 days, and 2) addition of the CAMP pool.

The Committee recommended approval of the investment policy as considered to enhance investment opportunities and maximize the City's return.

C. Consideration of Amendment to City's Authorized Check Signers (Finance)

The Committee was provided with an update of the City's authorized check signers.

The Committee approved a recommendation to add the City Treasurer as an authorized check signer on all city-issued checks.

D. PERS Additional Discretionary Payment / Trust Analysis(Finance)

Staff presented the Budget Standing Committee with a follow-up discussion on the PERS UAL and consideration of additional funding.

The Committee approved the recommendation and consideration to initiate funding the City's Section 115 Trust with PARS \$50,000 monthly installments to accelerate paying down the PERS Unfunded Liability.

E. Update to City's Credit Rating(Finance)

The Committee received an update on the City's credit rating, as 'AAA' per Standard and Poor's (S&P Global) current list of all 'AAA' rated municipalities, dated October 5, 2023.

6. CLOSED SESSION

7. ITEMS FROM STAFF AND THE COMMITTEE
None.

8. ADJOURNMENT

The meeting adjourned at 7:20 p.m.

Craig Koehler, Finance Director

City of Los Alamitos

BUDGET STANDING COMMITTEE AGENDA REPORT

MEETING DATE: February 12, 2024

ITEM NUMBER: 6A

To: Budget Standing Committee Members

Presented By: Windmera Quintanar, City Clerk

Subject: Increased Efforts to Digitize City Records and Workflows

SUMMARY

This item seems consensus to expand the digitization of City records to the Police and Finance Departments.

RECOMMENDATION

Review and provide direction to Staff.

BACKGROUND

The City of Los Alamitos is committed to effective records management and appropriate utilization of City resources. As such, the City Council adopted the Records Management Program, which allows for the electronic storage of City documents. The City uses Laserfiche for its electronic document repository. The City Clerk's Office provides oversight for Laserfiche and works closely with all departments who wish to use store records within Laserfiche. Originally, Laserfiche housed only the minutes, resolutions, ordinances, and contracts. In 2018, records expanded to permanent land use documents within Development Services. Paper documents from as far back as 1960 were being stored on the City premises. Each building permit the City uses includes a digitalization fee. That fee was used to hire Matrix Imaging to scan the large-scale plans and decaying files. Not only was this an outstanding achievement in the preservation of our permanent records, but it had the additional bonus of freeing up valuable storage space and allowing staff to more easily and efficiently access records. With the backlog of plans and land use files complete, the City continued its digitization of records with the building permits beginning this year. Every address that has been issued a permit has a paper file. Building permits are one of the most requested public records, and moving forward with digitization will significantly increase staff's ability to provide records in a timely fashion.

With the realized benefits of digitizing records, Staff would like to expand the process through more of our Departments.

DISCUSSION

Records for both the Police Department and the Finance department are paper copies. Paper copies make for a very manual process from beginning to end. Requests for records are cumbersome as Staff must locate and then make a physical copy of the records being used. Unlike digital systems, searching for records requires very precise details to find them. As we've realized in Development Services, digitizing records improves efficiency from the creation of records through the useful life of the record. Digital records allow the public additional transparency and quick access to records.

Staff has begun requesting quotes to implement these processes; however, these projects are unbudgeted and would require an allocation at mid-year.

Due to the confidential nature of Police records, they would require a separate Laserfiche license. The first-

year upfront cost would be \$17,050. Every year after that, the annual cost would be \$10,050.

Finance Records can be added to the City's existing license. An electronic workflow for accounts payable will also be purchased. The current process is to print out digital invoices received from vendors, manually create a warrant request and print it out, route the paper copy for signatures, and then provide it to Finance. Finance then processes and files the paper copy. To retrieve records later, Finance would search for the information in Incode and cross-reference it with the paper copies. The workflow would digitize that entire process, similar to what was implemented with the agenda process in 2020. All records would be retrievable digitally for Finance staff and other departments. It would also assist in providing records to outside parties and be beneficial in providing documents during the City's annual audit.

Additional users, an accounts payable module, and the interface between Laserfiche to our financial system would need to be added to our current license. To build the interface between Laserfiche and Incode, there is a one-time fee for software licenses and professional services (implementation/deployment) \$15,289. Thereafter, an annual maintenance fee of \$2,544 would be incurred.

FISCAL IMPACT

These projects are currently not budgeted.

Attachment: None

City of Los Alamitos

BUDGET STANDING COMMITTEE AGENDA REPORT

MEETING DATE: February 12, 2024

ITEM NUMBER: 6B

To: Budget Standing Committee Members

Presented By: Craig Koehler, Director of Finance

Subject: Budget Restructuring

SUMMARY

This report provides the Budget Standing Committee with a discussion of a proposed restructuring of the budget.

RECOMMENDATION

Review and discuss budget restructuring.

BACKGROUND

The budget is prepared for the City Manager to present to the Council each year for adoption by June 30.

DISCUSSION

Certain charges and expenses should be considered for restructuring to better align with the operations of the overall departmental budgets and improve reporting transparency.

City Council

Historically, the City Council has maintained a separate department budget, and tracking and reporting certain expenses has become problematic. The City Council budget is approximately \$67,000, representing roughly three tenths of a percent (.3%) of the overall City budget. One option for consideration is to roll up and combine the City Council Budget with Administration (City Manager, City Clerk, Human Resources). This will result in more streamlined recording and reporting of expenses while maintaining the ability to track individual line item expenses as necessitated. A second option is to move certain line item expenses from the City Council budget to the Administration's budget, where payroll-related expenses (salaries and related benefits) would be retained, and operational-type expenses would be transferred to the Administration budget (supplies, postage, travel and training, advertising, and meeting cablecasting). Employee Wellness and Commissioner Appreciation were moved to Administration by adopting the FY23-24 budget. The resulting budget for the City Council would be payroll and related benefit expenses and travel/training.

Technology Charges (Fund 53)

Currently, equipment, computers, and software are charged to Fund 53. Funding sources for this fund include transfers from the General Fund and Internal Service Charges. Recent purchases of Laserfiche technology for the Police Department were originally charged to this fund, but have been transferred to the Police budget.

Police Department Budget

With the recent acquisition of a canine for the Police Department, expenses are currently being recorded to the Patrol Division (522). It is recommended that the canine expenses (offset by any donations) be reported separately with the establishment of an additional expense code (530), to create better transparency and tracking of related expenses for the payroll officer handler and the canine unit.

Internal Service Charges

Internal service fund (ISF) charges are currency charged to each department for replacement of technology and vehicles and equipment. With the Cost Recovery Study in progress, ISF charges are being considered for elimination to be replaced by direct transfers from the General Fund. Calculations to justify the internal service charges have become cumbersome, and direct transfers and funding from the General Fund are recommended over the current methodology. This will result in a reduction in departmental expenses and an increase in General Fund Transfers, which results in improved transparency and a cleaner budget. It would also create true replacement funds for technology (Fund 53) and vehicles and equipment (Fund 50) to align with standard governmental budgeting practices.

FISCAL IMPACT

None.

Attachment: None

City of Los Alamitos

BUDGET STANDING COMMITTEE AGENDA REPORT

MEETING DATE: February 12, 2024

ITEM NUMBER: 6C

To: Budget Standing Committee Members

Presented By: Craig Koehler, Director of Finance

Subject: HdL Sales Tax Update

SUMMARY

TBD

RECOMMENDATION

Review and discuss HdL Sales Tax report.

BACKGROUND

On January 18, 2024, the City received a Sales Tax Update from HdL for Q3 results, representing the sales transactions for the period July through September 2023.

DISCUSSION

HdL's report indicated that projections for FY23-24 Sales Tax are down by \$166,430, and Measure Y Local Sales Tax is down by \$432,000 from the adopted budget. The combined variance of \$598,400 results from some slowing experienced in consumer spending, even though spending and confidence did not plunge in 2023 as predicted. Given this decline, HdL is not forecasting a recession at this point.

Overall revenues are projected to go up despite the lower sales tax numbers. Some categories are projected to come in higher than budget. For example, investment earnings are projected to be approximately \$500,000 over budget, given the continued strong market, portfolio, and earnings trajectory. Other strong performances are projected within franchise fees and revenues from other agencies, which are expected to offset the decline in sales tax. A Mid-Year Budget for FY23-24 and projections will be provided to the Budget Standing Committee at the March meeting.

FISCAL IMPACT

The fiscal impact will be determined by the projections and reported in the Mid-Year report to the Budget Standing Committee.

Attachment: None

City of Los Alamitos

BUDGET STANDING COMMITTEE AGENDA REPORT

MEETING DATE: February 12, 2024

ITEM NUMBER: 6D

To: Budget Standing Committee Members

Presented By: Windmera Quintanar, City Clerk

Subject: Considerations for the November 5, 2024 General Municipal Election

SUMMARY

The City of Los Alamitos General Municipal Election will be held on Tuesday, November 5, 2024. It is the City's policy to consolidate the local election with the County of Orange. Council Member seats for Districts 1, 2, and 3 will be up for election this year. This item allows for the Budget Standing Committee to consider including a charter amendment on the November 5, 2024, ballot.

RECOMMENDATION

1. Review and discuss the information in connection with adding a Charter Amendment to the November 5, 2024, General Municipal Election ballot; and,
2. Direct Staff to submit a budget allocation request to the City Council to cover Charter amendment costs.

BACKGROUND

The California Constitution gives cities the power to become charter cities. The benefit of becoming a charter city is that charter cities have supreme authority over "municipal affairs." A charter city's law concerning a municipal affair will trump a state law governing the same topic. The principle of Charter cities is a city, rather than the state, is in the best position to know what it needs and how to satisfy the needs of its residents.

Cities that have not adopted a charter are general law cities. General law cities are bound by the state's general law, even with respect to municipal affairs. Of California's 478 cities, 108 of them are charter cities.

The City of Los Alamitos is a charter city. The City Charter was adopted in 1966. In 1968, the Charter was amended to update the administrative organization of the City and the distribution of powers to various officers in the City (Resolution No. 362). The Charter was amended in 1980 to add eligibility requirements for Council Members and remove votes for Mayor and Mayor Pro Tem by secret ballot (Resolution No. 954). The Charter was amended in 1988 to align the City with State election laws, which would include the alignment of Election dates (Resolution No. 1223). The last amendment addressed adding term limits for Council Members in 1998 (Resolution No. 1687).

DISCUSSION

Amendments to the City's Charter can only be made by a majority vote of the people. As the Charter is 64 years old and has not had a revision since 1998, there are several aspects that are no longer in line with the best practices, efficiency, and economics. Below is a brief outline of current concerns within the Charter.

Article IX - Election of Councilmembers and Council Districts

Through this section, the process for creating Council Districts is discussed. Under the California Voting Rights Act, the City transitioned into districts in 2018. This article is not compliant with the City's process and

needs to be revised.

Section 501A - Election of Members; Term Limits

Since transitioning to Districts, the Council has appointed two district representatives as they were the only nominees. Prior to the District-based elections, all three Council seats were unopposed by the incumbents in 2014. With the transition to District-based elections, the City may now establish district term limits.

Section 1206 - Contracts on Public Works

As written, expenditures of over \$10,000 must go through a formal bidding process. With inflation and the general cost of construction material, this threshold is no longer adequate for today's market. Due to the increased timeline for a formal bidding process, the City has missed lower pricing due to demand. Contractors have declined to work with the City due to the requirements for what is considered a minimal contract amount. Further, State Law provides options for greater flexibility and efficiency through informal bidding procedures that the City of Los Alamitos cannot take advantage of under the existing Charter.

These are the largest items apparent to staff. With the Budget Standing Committee's approval, Staff would recommend an additional allocation during the mid-year budget review for the Council's approval. The goal is to receive Council direction to expend resources to fully analyze the Charter for additional areas that may need modernizing. All recommendations would go to the Council for approval. Then, the amendment would be included as a Measure on the November 5, 2024, ballot for a vote of the people.

Similar to the Sales Tax Measure in 2020, Staff would request an independent outside consultant to assist in surveying the City's voters. The survey would be an opportunity to identify residents' needs and priorities with regards to possible charter amendment. Staff would also request a consultant to assist in creating and distributing educational material on the Charter Amendment should the Council wish to move forward.

In 2020 the cost to add a measure to the ballot was approximately \$20,000. The Orange County Registrar of Voters (ROV) has streamlined many of their processes, and as such, staff anticipate the cost being less. However, at the time of publication, the ROV was not able to provide an estimate for 2024. The City spent an additional \$26,000 to conduct the initial survey on the sales tax. An additional \$20,000 will be needed for the creation and distribution of educational materials.

FISCAL IMPACT

It is anticipated that an additional \$66,000 would be required to add a charter amendment to the November 5, 2024 General Municipal Election ballot. This amount is unbudgeted.

- Attachment:
1. Charter
 2. CC RESO 1687 07-20-98
 3. CC RESO 1223 12-14-87
 4. CC RESO 0954 08-21-80
 5. CC RESO 0362 08-13-68

Title CHA

CHARTER

Article I NAME AND SEAL		Article VI THE COUNCIL	
§ 100.	Name of the City.	§ 600.	Powers.
§ 101.	Seal.	§ 601.	Composition.
		§ 602.	Election of Mayor.
	Article II SUCCESSION	§ 603.	Duties of the Mayor.
		§ 604.	Election of Mayor Pro Tempore.
§ 200.	Rights and Liabilities.	§ 605.	Duties of the Mayor Pro Tempore.
§ 201.	Ordinances.	§ 606.	Term of Mayor and Mayor Pro Tempore.
§ 202.	Continuance of Contracts and Public Improvements.	§ 607.	Meetings.
§ 203.	Pending Actions and Proceedings.	§ 608.	Place of Meeting.
§ 204.	Present Officers and Employees.	§ 609.	Proceedings and Quorum.
§ 205.	Emergency Powers.	§ 610.	Citizen Participation.
§ 206.	Effective Date of Charter.	§ 611.	Ordinances and Resolutions.
		§ 612.	Codification of Ordinances.
Article III BOUNDARIES		Article VII CITY MANAGER	
§ 300.	Boundaries.	§ 700.	City Manager.
		§ 701.	Residence.
	Article IV POWERS OF THE CITY	§ 702.	Eligibility.
		§ 703.	Compensation and Bond.
§ 400.	Powers.	§ 704.	Powers and Duties.
§ 401.	Procedures.	§ 705.	Meetings.
		§ 706.	Acting City Manager.
	Article V ELECTIVE OFFICERS	§ 707.	Removal.
		§ 708.	Noninterference with Administrative Service.
§ 500.	Elective Officers.		
§ 501.	Eligibility.		
§ 501A.	Election of Members; Term Limits.		
§ 502.	Vacancies.		
§ 503.	Compensation.		
			Article VIII OTHER OFFICERS, DEPARTMENTS AND EMPLOYEES AND PROVISIONS RELATING TO OFFICERS GENERALLY
		§ 800.	Officers.

LOS ALAMITOS CODE

§ 801.	Administrative Departments.		Article XII
			FISCAL ADMINISTRATION
§ 802.	City Clerk, Powers and Duties.	§ 1200.	Fiscal Year.
§ 803.	Treasurer.	§ 1201.	Annual Budget. Preparation by the City Manager.
§ 804.	City Attorney, Powers and Duties.	§ 1202.	Budget. Submission to City Council.
		§ 1203.	Budget. Public Hearing.
		§ 1204.	Budget. Adoption.
		§ 1205.	Budget Appropriations.
		§ 1206.	Contracts on Public Works.
		§ 1207.	Taxation.
		§ 1208.	Disbursement of Funds.
		§ 1209.	Claims and Demands. Applicability of State Procedure.
		§ 1210.	Demands Against the City.
		§ 1211.	Requirement of Council Approval.
			Article XIII
			INITIATIVE, REFERENDUM AND RECALL
		§ 1300.	In General.
			Article XIV
			DEFINITIONS AND MISCELLANEOUS
§ 1000.	In General.	§ 1400.	Definitions.
§ 1001.	Present Existing Boards and Commissions.	§ 1401.	Violations.
§ 1002.	Appropriations.	§ 1402.	Severability.
§ 1003.	Appointments. Terms.	§ 1403.	Headings.
§ 1004.	Composition of Boards and Commissions.	§ 1404.	Absence from the State.
§ 1005.	Compensation. Vacancies.	§ 1405.	Publication.
		§ 1406.	Nepotism.
		§ 1407.	Official Bonds.
		§ 1408.	Illegal Interest in Contracts.
		§ 1409.	Combination of Offices and Departments.
		§ 1410.	Oaths.
		§ 1411.	Validity.
			Article XI
			RETIREMENT
§ 1100.	Retirement.		
§ 1101.	Vote by Employees.		
			Article X
			APPOINTIVE BOARDS AND COMMISSIONS
			Article IX
			ELECTION OF COUNCILMEMBERS AND COUNCIL DISTRICTS
§ 900.	Election under Existing Law.		
§ 901.	Division into Districts.		
§ 902.	Composition of Districts.		
§ 903.	Redefining of Districts.		
§ 904.	Election of Councilmembers.		
§ 905.	Voting for Councilmembers.		
§ 906.	General Municipal Elections.		
§ 907.	Electors Signing Petitions.		

CHARTER

History:

APPENDIX B.

CHARTER

ADOPTED SEPTEMBER 1966

REVISED NOVEMBER 1968

REVISED NOVEMBER 1980

REVISED APRIL 1988

REVISED NOVEMBER 1998

Ordaining Clause:

We, the people of the City of Los Alamitos, State of California, do ordain and establish this Charter as the organic law of the City under the Constitution of the State.

ARTICLE I
Name and Seal

§ 100. Name of the City.

The municipal corporation now existing and known as the City of Los Alamitos shall remain and continue a body politic and corporate in name and in fact, by the name of the City of Los Alamitos.

§ 101. Seal.

The City shall have an official seal which may be changed from time to time by ordinance. The present official seal shall continue to be the official seal of the City until changed in the manner slated.

**ARTICLE II
Succession****§ 200. Rights and Liabilities.**

The City of Los Alamitos shall remain vested with, and continue to have, hold and enjoy, all property, rights of property and rights of action of every nature and description now pertaining to this municipality, and is hereby declared to be the successor of the same. It shall be subject to all the obligations, debts, contracts and liabilities that now exist against this municipality.

§ 201. Ordinances.

All lawful ordinances, resolutions, rules and regulations, or portions thereof, in force at the time this Charter takes effect and not in conflict with or inconsistent herewith, are hereby continued in force until the same have been duly repealed, amended, changed or superseded by proper authority.

§ 202. Continuance of Contracts and Public Improvements.

All contracts entered into by the City, or for its benefit prior to the effective date of this Charter, shall continue in full force and effect. Public improvements for which proceedings have been instituted under laws existing at the time this Charter takes effect, at the discretion of the City Council, may be carried to completion as nearly as practicable in accordance with the provisions of such existing laws or may be continued or perfected under this Charter.

§ 203. Pending Actions and Proceedings.

No action or proceeding, civil or criminal, pending at the time when this Charter takes effect, brought by or against the City or any officer, office, department or agency thereof, shall be affected or abated by the adoption of this Charter or by anything here contained, but all such actions or proceedings may be continued notwithstanding that functions, powers and duties of any officer, office, department or agency a party thereto, may be assigned or transferred by or under this Charter to another officer, office, department or agency, but in that event the same may be prosecuted or defended by the head of the office, department or agency to which such functions, powers and duties have been assigned or transferred by or under this Charter.

§ 204. Present Officers and Employees.

Each person who, at the time this Charter takes effect, holds an office of the City shall continue to hold the same office under this Charter for the term for which he/she was elected or appointed and until his/her successor is elected or appointed, and is qualified under this Charter. All employees of the City at the time this Charter takes effect shall continue to perform the duties of their respective employment subject to this Charter and ordinances, resolutions, orders, rules and regulations now existing or hereafter enacted. The rates of compensation of all officers and employees of the City in effect at the time this Charter takes effect shall remain in effect until lawfully changed.

§ 205. Emergency Powers.

Notwithstanding any general or special provision of this Charter, the Council, in order to insure continuity of governmental operations, in periods of emergency resulting from disasters of

whatever nature, shall have the power and immediate duty:

- (a) To provide for prompt and temporary succession to the powers and duties of all City officers of whatever nature and whether filled by election or appointment, the incumbents of which may become unavailable for carrying on the powers and duties of such offices, and
- (b) To adopt such other measures as may be necessary and proper for insuring the continuity of City operations, including, but not limited to the financing thereof. In the exercise of the powers herein conferred, the City Council, in all respects, shall conform to the requirements of this Charter; except, that at such times they may make purchases and enter into contracts without calling for bids or giving notice therefore, to the extent the emergency requires such action.

§ 206. Effective Date of Charter.

This Charter shall take effect upon its approval by the Legislature.

ARTICLE III

Boundaries

§ 300. Boundaries.

The boundaries of the City of Los Alamitos shall be the boundaries at the time this Charter takes effect and as may be changed from time to time in the manner allowed by law.

ARTICLE IV
Powers of the City

§ 400. Powers.

The City shall have the right and power to make and enforce all laws and regulations in respect to municipal affairs, subject only to the restrictions and limitations provided in this Charter and in the Constitution of the State. Nothing in this Charter shall be construed to prevent or restrict the City from exercising or acting pursuant to, and the City is hereby authorized to exercise and act pursuant to, all rights, powers privileges and procedures heretofore or hereafter established, granted or prescribed by any law of the State or by other lawful authority, of which a municipal corporation might or could exercise, or act pursuant to, under said Constitution, unless the exercise thereof, or action pursuant to, is expressly prohibited by this Charter. The enumeration in this Charter of any particular power shall not be held to be exclusive of, or any limitation upon, the generality of the foregoing provisions of this section.

§ 401. Procedures.

The City shall have the power to and may act pursuant to any procedures established by this Charter, or, by State law where not in conflict with this Charter.

ARTICLE V
Elective Officers

§ 500. Elective Officers.

The elective officers of the City of Los Alamitos shall consist of a City Council of five (5) or seven (7) members as hereinafter provided.

§ 501. Eligibility.

To be eligible to hold the office of Councilmember the person must meet the requirements as set forth in the State law of the State of California, and, if the Council is divided into districts as hereinafter provided, he/she shall also be a resident and elector of the district within the City of Los Alamitos wherein he/she lives for a period thirty (30) days prior to the date his/her nomination papers are filed.

§ 501A. Election of Members; Term Limits.

- A. No person shall serve more than three (3) consecutive terms of office as a member of the City Council. For the purpose of this Section, a “term” shall include service on the Council for any period of seven hundred thirty-one (731) consecutive days or longer.
- B. Any person who has served three (3) consecutive terms as a Member of the City Council shall not be eligible to serve again until the expiration of at least three hundred sixty-five (365) consecutive days after the end of such person’s last term of office.
- C. The term limits established by this Section shall apply prospectively only to those terms of office which commence on or after November 3, 1998.

(Passed by the voters as Measure E at the election of November 3, 1998)

§ 502. Vacancies.

A vacancy in the City Council from whatever cause arising shall be filled either by appointment of the City Council or by election. The City Council shall determine whether to fill a vacancy by election or by appointment; provided, however, if the City Council determines to fill a vacancy by appointment but fails to do so within sixty (60) days after the vacancy occurs, the Council shall forthwith cause an election to be held to fill the vacancy.

A person elected to fill a vacancy shall hold office for the entire unexpired term of the former incumbent.

A person appointed to fill a vacancy shall serve for the entire unexpired term of the former incumbent unless there remain two (2) years or more of said unexpired term on the date of appointment. In such case, the City Council shall decide by majority vote prior to such appointment whether the appointment shall be for the entire unexpired term or only until the next general municipal election. If the seat is filled by appointment only until the next general municipal election, then at said election the seat shall be filled by vote of the people.

If at said next general municipal election there are four (4) or more council seats to be filled, the three (3) persons each receiving the largest number of votes shall each serve a term of four (4) years while the person(s) elected to fill the remaining seat(s) shall serve for a term of two (2) years.

If a member of the City Council is absent from all regular meetings of the City Council for a period of sixty days consecutively from and after the last regular City Council meeting attended by such members, unless by permission of the City Council expressed in its official minutes or as provided in Section 1404, or is convicted of a crime involving moral turpitude, or ceases to be a qualified elector of his/her district, his/her office shall become vacant and shall be so declared by the City Council.

§ 503. Compensation.

As compensation for their services, the Councilmembers shall each receive compensation at the respective rates in effect at the time this Charter becomes effective; provided that these rates of compensation may be changed by the majority vote of the electors of the City voting for such change in accordance with the State law of the State of California. Provided further, that the respective rates may also be changed according to any other applicable provision of the State law of the State of California.

ARTICLE VI
The Council

§ 600. Powers.

All powers of the City shall be vested in the Council except as otherwise provided in this Charter.

§ 601. Composition.

The Council shall consist of five (5) Councilmembers as provided in this Charter, unless and until the Council is divided into districts or the Council is increased to seven (7) members, as herein provided, in which case the Council shall consist of seven (7) members. One (1) of the Councilmembers shall be Mayor. Each Councilmember, including the Mayor, shall have the right to vote on all questions coming before the Council. The Mayor shall be the presiding officer of the Council.

§ 602. Election of Mayor.

The Council shall elect one (1) of its members to act as Mayor. Said election shall be by roll call vote.

§ 603. Duties of the Mayor.

The Mayor, in addition to the powers and duties prescribed and allowed by the State law of the State of California and as prescribed elsewhere in this Charter, shall have the power and duty:

- A. To report to the Council from time to time on the affairs of the City and to recommend for its consideration such matters as he/she may deem expedient.
- B. To assume the primary but not the exclusive responsibility for interpreting to the people the policies, programs and needs of the City government and for informing the people of any major change in policy or program.
- C. To exercise and perform such other powers and duties as may be delegated to or required of him/her by this Charter or by the Council if not inconsistent with the provisions of this Charter or the State of California.

§ 604. Election of Mayor Pro Tempore.

The Council shall elect one of its members to act as Mayor Pro Tempore. Said election shall be by roll call vote.

§ 605. Duties of the Mayor Pro Tempore.

In the event of temporary absence or disability of the Mayor or during such period as a vacancy exists, the Mayor Pro Tempore shall preside at Council meetings, shall perform the other duties of the Mayor and perform such other duties as the Council may assign to him/her.

§ 606. Term of Mayor and Mayor Pro Tempore.

The Mayor and Mayor Pro Tempore shall serve at the pleasure of the Council; however, the position of Mayor and Mayor Pro Tempore shall be reviewed after each general election.

§ 607. Meetings.

The Council shall hold regular meetings at such times as may be prescribed by ordinance or resolution and may adjourn or readjourn any regular meeting to a date and hour fixed in the order of adjournment and when so adjourned each adjourned meeting shall be a regular meeting for all purposes. Special meetings may be held as provided by law.

§ 608. Place of Meeting.

All meetings of the Council shall be open to the public, and shall be held in the Council Chambers in the City Hall or in such place to which any such meeting may be adjourned; provided, that if by reason of fire, flood or other emergency it shall be unsafe or impractical to meet at the regular meeting place, the Council may for the duration of the emergency meet at some other place designated in writing by the Mayor, or if he/she fails to act, by a majority of the Council.

§ 609. Proceedings and Quorum.

A majority of the then members of the Council shall constitute a quorum for the transaction of business at any meeting, but a lesser number may adjourn from time to time and compel the attendance of absent members in such manner and under such penalties as the Council may by ordinance prescribe. In the event all members of the Council are absent from any meeting, the City Clerk may declare the same adjourned to a stated day and hour in the manner provided by law. The Council shall judge all returns of City elections. It shall establish rules for the conduct of its proceedings and may evict any member or any other person for disorderly conduct at any meeting and may prosecute any member or other person for such conduct.

Each member of the Council and the City Clerk shall have the power to administer oaths and affirmations in any investigation or proceedings pending before the Council. The Council shall have the power to issue subpoenas, to compel by subpoena the attendance of witnesses and the production of documents and other evidence, to examine witnesses under oath and to take and hear evidence, in relation to any matter pending before it. Subpoenas shall be issued in the name of the City and be attested by the City Clerk. Disobedience of any subpoena or the refusal to testify upon other than legal grounds shall constitute a misdemeanor and shall be punishable in the same manner as violations of this Charter are punishable.

No action for the payment of money shall be taken at other than a regular or adjourned regular meeting.

The City Clerk shall call the roll and cause the ayes and noes to be entered in the minutes upon demand of any member or in the case of any action for the adoption of an ordinance, the payment of any money, the incurring of any debts, the appointment or removal of any officer, the granting of any franchise, the disposing of or leasing of City property, and the ordering or confirmation of any assessment for public improvements.

§ 610. Citizen Participation.

At each meeting the Council shall, if requested, grant any person, personally or through Counsel, reasonable opportunity to present grievances or offer suggestions for the betterment of City affairs, subject to such rules for orderly procedure as the Council or its Presiding Officer may prescribe.

§ 611. Ordinances and Resolutions.

The enacting clause of ordinances adopted by the Council shall be substantially as follows: "The City Council of the City of Los Alamitos does ordain as follows:"

All ordinances and resolutions shall be signed by the Mayor or in his/her absence the Mayor Pro Tempore, and attested by the City Clerk or in his/her absence, the Deputy City Clerk.

The adoption of ordinances and resolutions, the publication of ordinances and resolutions, the effective date of ordinances and resolutions, including urgency ordinances shall be governed by the State law of the State of California.

§ 612. Codification of Ordinances.

Any or all ordinances of the City which have been adopted and published in the manner required at the time of their adoption may at any time be compiled, consolidated, and rearranged as an Ordinance Code, and such Code may be adopted by reference, with the same effect as an ordinance, by the adoption of an ordinance for that purpose. Such Code need not be published in the manner prescribed for other ordinances, but not less than three (3) copies thereof shall be on file in the office of the City Clerk, for the use and examination of the public, for at least ten (10) days prior to the adoption of such Code. Ordinances or portions of ordinances so codified shall be deemed repealed as of the effective date of such Code. Following the adoption of such Code, amendments to the Code shall be adopted and published as ordinances. The codification of some ordinances pursuant to this section shall not prevent the later codification of other ordinances in the same manner.

Detailed regulations pertaining to any subject such as the construction of buildings, plumbing, wiring or other subjects which require extensive regulations, when arranged as a comprehensive code, may likewise be adopted by reference in the manner provided in this section. Maps, charts, diagrams and similar material pertaining to or a part of any ordinance may also be adopted by reference in the same manner.

ARTICLE VII
City Manager

§ 700. City Manager.

There shall be a City Manager who shall be the Chief Administrative Officer of the City. He/she shall be appointed by the affirmative vote of a least a majority of the members of the City Council and shall serve at the pleasure of the City Council; provided, however, that he/she shall not be removed from office except as provided in this Charter. He/she shall be chosen on the basis of his/her executive and administrative qualifications, with special reference to his/her actual experience in, and his/her knowledge of accepted practice in respect to the duties of his/her office as herein set forth.

§ 701. Residence.

The City Manager shall establish such residence as the City Council may require pursuant to ordinance or resolution.

§ 702. Eligibility.

No person shall be eligible to receive appointment as City Manager while serving as a member of the City Council nor within one (1) year after he/she has ceased to be a member of the City Council.

§ 703. Compensation and Bond.

The City Manager shall be paid a salary commensurate with his/her responsibilities as Chief Administrative officer of the City, which salary shall be established by ordinance or resolution. The City Manager shall furnish a corporate surety bond conditioned upon the faithful performance of his/her duties in such form and in such amount as may be determined by the City Council.

§ 704. Powers and Duties.

The City Manager shall be the administrative head of the City government, and he/she shall be responsible to the City Council for the proper administration of all affairs of the City, and shall be given such powers and duties as the Council may from time to time provide by ordinance.

§ 705. Meetings.

The City Manager shall be accorded a seat at all meetings of the City Council and of all Boards and Commissions and shall be entitled to participate in their deliberations, but shall not have a vote. He/she shall receive notice of all special meetings of the City Council, and of all Boards and Commissions.

§ 706. Acting City Manager.

The City Manager may appoint an Acting City Manager to act in his/her behalf during his/her absence. Any such appointment by the City Manager shall be with the approval of the City Council; said approval to be given at the next meeting. If the position of City Manager becomes vacant or the City Manager is absent or is incapacitated to such an extent he/she cannot perform

his/her duties, then the council may appoint an Acting City Manager until the position of City Manager is filled.

§ 707. Removal.

The City Manager shall not be removed from office during or within a period of ninety (90) days next succeeding any municipal election at which a member of the City Council is elected. At any other time the City Manager may be removed at a regular meeting of the City Council and upon the affirmative votes of a majority of the members of the City Council. At least thirty (30) days prior to the effective date of his/her removal, the City Manager shall be furnished with a written notice stating the Council's intention to remove him/her and the reasons therefor. Within seven (7) days after receipt of such notice, the City Manager may by written notification to the City Clerk request a public hearing before the City Council, in which event the Council shall fix a time for a public hearing which shall be held at its regular meeting place before the expiration of the thirty (30) day period above referred to. The City Manager shall appear and be heard at such hearing. After furnishing the City Manager with written notice of his/her intended removal, the City Council may suspend him/her from duty, but his/her compensation shall continue for sixty (60) days. In removing the City Manager, the City Council shall use its uncontrolled discretion, and its action shall be final and shall not depend upon any particular showing or degree of proof at the hearing, the purpose of which is to allow the City Council and the City Manager to present to each other and to the public all pertinent facts prior to the final action of removal.

§ 708. Noninterference with Administrative Service.

Except as otherwise provided in this Charter, no individual member of the Council shall interfere with the execution by the City Manager of his/her powers and duties, or order, directly or indirectly, the appointment by the City Manager, or by any of the department heads in the administrative service of the City, of any person to any office or employment, or his/her removal therefrom. Except for the purpose of inquiry, or report, the City Council and its members shall deal with the administrative service solely through the City Manager, and neither the City Council nor any member thereof shall give orders to any subordinate of the City Manager, either publicly or privately. This section shall not apply to any officer appointed by the City Council or the members of his/her department.

ARTICLE VIII

**Other Officers, Departments and Employees and Provisions Relating to Officers
Generally****§ 800. Officers.**

The other officers of the City of Los Alamitos shall be a City Clerk, a City Treasurer, a City Attorney and a City Manager. The City Manager shall be appointed by the City Council and have the powers and duties as set forth in this Charter. The City Clerk and City Treasurer shall be appointed by the City Council and subject to the rights, powers and duties as set forth in this Charter. The City Attorney shall be appointed by the City Council and serve at their pleasure.

§ 801. Administrative Departments.

The City Council may provide by ordinance not inconsistent with this Charter, for the organization, conduct and operation of the several offices and departments of the City as established by this Charter, and for the creation of additional departments, divisions, offices, and agencies and for their consolidation, alteration or abolition. Each new department created by the City Council shall be headed by a department head.

The City Council, by ordinance or resolution, may assign additional functions or duties to officers, departments or agencies not inconsistent with this Charter. Where the positions are not incompatible, the City Council may combine in one person the powers and duties of two or more offices created or authorized by this Charter. The City Council shall provide for the number, titles, qualifications, powers, duties and compensation of all officers and employees.

§ 802. City Clerk, Powers and Duties.

The City Clerk shall have the power, and be required to perform the functions and responsibilities that the City Council may from time to time determine by ordinance or resolution.

§ 803. Treasurer.

The City Treasurer shall have the power, and be required to perform the functions and responsibilities that the City Council may from time to time determine by ordinance or resolution.

§ 804. City Attorney, Powers and Duties.

To become eligible for City Attorney, or Assistant City Attorney, the person appointed shall be an attorney at law, duly licensed as such under the laws of the State of California and shall have engaged in the practice of local government law for at least three (3) years prior to his/her appointment. The City Attorney shall have power and be required to perform the duties and responsibilities as the City Council may from time to time determine by ordinance or resolution.

ARTICLE IX

Election of Councilmembers and Council Districts**§ 900. Election under Existing Law.**

The City Councilmembers of the City of Los Alamitos shall, until the City of Los Alamitos is divided into districts as herein set forth, be elected at large under the then existing and applicable laws of the State of California.

§ 901. Division into Districts.

The City of Los Alamitos shall upon reaching an area of five (5) square miles or more, and eighteen thousand (18,000) population or more, divide itself into seven (7) Council manic Districts as provided in this Charter.

§ 902. Composition of Districts.

The City Council by ordinance, after the completion of the requirements as set forth in Section 901 of Article IX of this Charter, shall divide the City into seven (7) Council Districts to be effective before and after the next general municipal election. Said division shall not be changed for at least a period of two (2) years after the effective date of the ordinance so dividing the City into districts. The division of the district shall be based upon the following factors:

- A. The major requirement is that the population of the districts shall be as nearly equalized as possible.
- B. The districts shall be as nearly compact in shape as possible.

§ 903. Redefining of Districts.

The City shall, when necessary to comply with the requirements herein stated for Council Districts, redefine and establish said districts so as to comply with said requirements. At least every five (5) years the City Council shall review said districts to determine whether or not they comply with said requirements. No redistricting shall be required within three (3) years after the last districting.

§ 904. Election of Councilmembers.

If the requirements of Section 901 of Article IX have been fulfilled and there still remains more than one (1) year before the next general municipal election, the City Council shall, as soon as practicable, call a special election and elect two (2) Councilmembers (thereby increasing the Council to seven (7) members) at large from any area annexed after July 1, 1966 and the effective date of this Charter, whose terms shall be until the next general election.

At the next general municipal election, following the effective date of this Charter and each fourth (4th) year thereafter, there shall be elected to the City Council for a term of four (4) years, one (1) member each from districts 1, 3, 5 and 7 and at the general election held in 1970 and each fourth year thereafter there shall be elected to the City Council for a term of four (4) years, one (1) member each from districts 2, 4 and 6. In the original districting ordinance required by Section 902 of Article IX, the residency of the present Councilmembers whose terms expire in 1970, shall be included in districts 2, 4 and 6 respectively.

§ 905. Voting for Councilmembers.

Upon completion of the requirements of Section 901 of Article IX, each Councilmember shall be elected by the City at large and the candidate from each district receiving the highest number of votes from the City at large shall be elected to the City Council and represent his/her district upon qualifying in all other respects under the provisions of this Charter and the law of the State of California.

§ 906. General Municipal Elections.

The provisions of the law of the State of California applicable to General Law Cities, as such laws now exist and as they may hereafter be amended or superseded, shall in all respects govern elections in the City.

(Adopted by Vote of the People 4/12/88)

§ 907. Electors Signing Petitions.

The electors signing any petition for the nomination of any person to the office of Councilmember shall be residents of the district from which such person is to be nominated or has been elected. Only the names of electors who are residents of such district shall be counted in determining the sufficiency of any such petition.

ARTICLE X

Appointive Boards and Commissions**§ 1000. In General.**

The City Council may create by ordinance such Boards or Commissions as in its judgment are required and may grant to them such powers and duties as are consistent with the provisions of this Charter.

§ 1001. Present Existing Boards and Commissions.

All Boards and Commissions now existing and duly authorized in the City of Los Alamitos and the members thereof, shall continue until the normal expiration of their term or according to the ordinances or actions of the Council creating such Boards and Commissions or the appointment thereof.

§ 1002. Appropriations.

The City Council shall include in its annual budget such appropriation of funds as in its opinion shall be sufficient for the efficient and proper functioning of such Boards and Commissions.

§ 1003. Appointments. Terms.

The number of members to comprise such Boards and Commissions shall be specified by ordinance if not specified by this Charter. The members of each of such Boards or Commissions shall be appointed and shall be subject to removal, by motion of the City Council adopted by a majority vote. The members thereof shall be appointed from the qualified electors of the City, none of whom shall hold any paid office or employment in the City government and shall serve until their respective successors are appointed and qualified.

§ 1004. Composition of Boards and Commissions.

All Boards and Commissions shall be organized and conducted pursuant to the terms creating them. In the event that the ordinance establishing such Boards and Commissions does not specify the manner, the time of meetings and the composition thereof, said Boards and Commissions shall be organized and run according to acceptable and general standards then existing for similar Boards and Commissions and according to State law of the State of California.

§ 1005. Compensation. Vacancies.

The members of Boards and Commissions shall serve without compensation for their services as such but may receive reimbursement for necessary traveling and other expenses incurred on official duty when such expenditures have received authorization by the City Council.

Any vacancies in any Board or Commission, from whatever cause arising, shall be filled by appointment by the City Council. Upon a vacancy occurring leaving an unexpired portion of a term, any appointment to fill such vacancy shall be for the unexpired portion of such term. If a member of a Board or Commission is absent from three (3) consecutive meetings of such Board or Commission, unless by permission of such Board or Commission expressed in its official minutes, or is convicted of a crime involving moral turpitude, or ceases to be a qualified elector of the City, his/her office shall become vacant and shall be so declared by the City Council.

ARTICLE XI
Retirement

§ 1100. Retirement.

The City Council by appropriate action may make provisions for a retirement program.

§ 1101. Vote by Employees.

Any program established by the City Council shall be voted upon and agreeable to a majority of the City employees who will be affected by the retirement program.

ARTICLE XII
Fiscal Administration

§ 1200. Fiscal Year.

The fiscal year of the City government shall begin on the first day of July of each year and end on the thirtieth day of June of the following year.

§ 1201. Annual Budget. Preparation by the City Manager.

At such date as he/she shall determine, the City Manager shall obtain from each department head estimates of revenue and expenditures for his/her department, detailed in such manner as may be prescribed by the City Manager. In preparing the proposed budget, the City Manager shall review the estimates, hold conferences thereon with the respective department heads and may revise the estimates as he/she may deem advisable.

§ 1202. Budget. Submission to City Council.

At least thirty-five (35) days prior to the beginning of each fiscal year, the City Manager shall submit to the City Council the proposed budget as prepared by him/her. After reviewing the same and making such revisions as it may deem advisable, the City Council shall determine the time for the holding of a public hearing thereon and shall cause to be published a notice thereof not less than ten (10) days prior to said hearing, by at least one insertion in a newspaper of general circulation within the City. Copies of the proposed budget shall be available for inspection by the public in the office of the City Clerk at least ten (10) days prior to said hearing.

§ 1203. Budget. Public Hearing.

At the time so advertised or any time to which such public hearing shall from time to time be adjourned, the City Council shall hold a public hearing on the proposed budget, at which interested persons desiring to be heard shall be given such opportunity.

§ 1204. Budget. Adoption.

After the conclusion of the public hearing the City Council shall make any revisions of the proposed budget that it may deem advisable and shall adopt the budget. A copy thereof, certified by the City Clerk, shall be filed with the person retained by the City Council to perform auditing functions for the Council and a further copy shall be placed, and shall remain on file, in the office of the City Clerk where it shall be available for public inspection. The budget so certified shall be reproduced and copies made available for the use of the public and of departments, offices and agencies of the City.

§ 1205. Budget Appropriations.

From the effective date of the budget, the several amounts stated therein as proposed expenditures shall be and become appropriated to the several departments, offices and agencies. All appropriations shall lapse at the end of the fiscal year to the extent that they shall not have been expended or encumbered.

At any meeting after the adoption of the budget, the City Council may amend or supplement the budget by motion adopted by a majority vote so as to authorize the transfer of unused balances

appropriated for one department to another department or to appropriate available funds not included in the budget or to cancel any appropriation not expended or encumbered.

The City Manager is authorized to make budgetary revisions among departmental appropriations. The City Manager is fully authorized to transfer monies and to expend monies and/or all funds, for departments and activities as he/she may determine necessary to insure the proper operation and control of City business; except, that no such transfers shall be made in contravention to State law or City ordinances or exceed the total amount appropriated for each department or as amended by the City Council.

§ 1206. Contracts on Public Works.

Every project involving an expenditure of more than Ten Thousand (10,000) Dollars for the construction or improvement of public buildings, works, streets, drains, sewers, utilities, parks or playgrounds shall be let by the City Council by contract to the lowest responsible bidder after notice by publication in the official newspaper by one (1) or more insertions, the first of which shall be at least ten (10) days before the time for opening bids. Projects for the construction, resurfacing, maintenance or repair of streets, drains or sewers are excepted from the requirements of this paragraph, and the bidding requirements of the State of California, if such work is performed by a City or County of Orange Department.

All bids must be accompanied by either a certified or cashier's check, or a bidder's bond executed by a corporate surety authorized to engage in such business in California, made payable to the City. Such security shall be in an amount not less than that specified in the notice inviting bids or in the specifications referred to therein, or if no amount be so specified, then in an amount not less than ten (10) percent of the aggregate amount of the bid. If the successful bidder neglects or refuses to enter into the contract within the time specified in the notice inviting bids or in the specifications referred to herein, the amount of the bidder's security shall be declared forfeited to the City and shall be collected and paid into its general fund and all bonds so forfeited shall be prosecuted and the amount thereof collected and paid into such fund.

The City Council may reject any and all bids presented and may advertise at its discretion.

The City Council, after rejecting bids, or if no bids are received, may declare and determine that in its opinion, based on estimates approved by the City Manager, the work in question may be purchased more economically on the open market, and after the adoption of a resolution to this effect by a majority vote of the Council, the Council may proceed to have said work done in the manner stated, without further observance of the provisions of this section. Such contracts likewise may be let without advertising for bids, if such work shall be deemed by the City Council to be of urgent necessity for the preservation of life, health or property, and shall be authorized by resolution passed by an absolute majority of the Council and containing a declaration of the facts constituting such urgency.

§ 1207. Taxation.

This City shall have the power and be subject to the same limitations with respect to taxation as a general law City of California.

§ 1208. Disbursement of Funds.

The City Manager shall have the power and the duty to supervise, and be responsible for, the

disbursement of all monies and of all expenditures to insure that budget appropriations are not exceeded; audit all purchase orders before issuance; audit and approve before payment, all bills, invoices, payrolls, demands or charges against the City government; with the advice of the City Attorney when necessary, determines the regularity, legality and correctness of such claims, demands or charges; and draw warrants upon the City Treasurer for all claims and demands audited and approved as provided in this Charter, specifying the purpose for which drawn and the fund from which payment is to be made.

§ 1209. Claims and Demands. Applicability of State Procedure.

Procedures prescribed by the State Legislature governing the presentation, consideration and enforcement of claims against chartered cities or against officers, agents and employees thereof shall apply to the presentation, consideration and enforcement of claims against the City.

§ 1210. Demands Against the City.

All other demands against the City must be in writing and may be in the form of a bill, invoice, payroll, or formal demand. Each such demand shall be presented to the City Manager within one hundred (100) days after the last item of the account or claim accrued. The City Manager shall examine the same. If the amount thereof is legally due and there remains on his/her books an unexhausted balance of an appropriation against which the same may be charged, he/she shall approve such demand and draw his/her warrant on the City Treasurer therefor, payable out of the proper fund; otherwise he/she shall reject it. Objections of the City Manager may be overruled by the City Council and the warrant ordered drawn. Any person dissatisfied with the refusal of the City Manager to approve any demand, in whole or in part, may present the same to the City Council, which after examining the matter, may approve or reject a demand in whole or in part.

If a demand is one for an item not included within an approved budget appropriation, it shall require the approval of the City Council, following the adoption by it of an amendment to the budget authorizing such payment.

§ 1211. Requirement of Council Approval.

Notwithstanding anything contained in this Charter to the contrary, the City Manager shall not approve any claim nor pay any demand without the prior approval of the majority of the City Council voting by roll call vote at a regular meeting of the City Council.

ARTICLE XIII
Initiative, Referendum and Recall

§ 1300. In General.

The powers of the initiative and referendum and of the recall of elected City Officers are hereby reserved to the electors of the City. The provisions of the Elections Code of the State of California, as the same now exist or may hereafter be amended or superseded, governing the exercise of the power of recall of municipal officers, shall apply to the exercise of those powers in the City insofar as such provisions are not in conflict with the provisions of the Charter.

ARTICLE XIV
Definitions and Miscellaneous

§ 1400. Definitions.

Unless the provision of the context requires otherwise, the following terms as used in this Charter shall have the following meaning:

“Shall” is mandatory and “may” is permissive.

“City” is the City of Los Alamitos and “office,” “department,” “board,” “Commission,” “Officer,” “department head,” or “employee” is an office, department, board, commission, officer, department head or employee, as the case may be, of the City of Los Alamitos.

“County” is the County of Orange.

“State” is the State of California.

§ 1401. Violations.

The violation of any provision of this Charter or of any ordinance of the City shall constitute a misdemeanor, and may be prosecuted in the name of the People of the State of California or may be redressed by civil action. Any such violation shall upon conviction be punishable by a fine of not exceeding five hundred (500) dollars or by imprisonment for a term of not exceeding six months or by both such fine and imprisonment.

§ 1402. Severability.

If any provision of this Charter or the application thereof to any person or circumstances is held invalid, the remainder of the Charter and the application of such provision to other persons or circumstances shall not be affected thereby.

§ 1403. Headings.

The headings given in this Charter to articles and sections thereof shall not affect the scope, meaning or intent of the provisions of this Charter.

§ 1404. Absence from the State.

Any Councilmember may leave the state for a period not exceeding sixty (60) days without permission of the City Council upon filing.

§ 1405. Publication.

Notwithstanding any provisions of the law of the State of California or provisions of this Charter, if the City Council determines by motion that the required publication of any ordinance or resolution would jeopardize the health, safety or welfare of the citizens of the City of Los Alamitos and that time does not permit the publication due to the lack of a daily newspaper being published and circulated within the City of Los Alamitos then such ordinance or resolution shall be posted in three (3) public places within the City of Los Alamitos designed by the City Council and also posted on or near the door of the Council Chambers.

§ 1406. Nepotism.

The Council shall not appoint any person to any salaried position in the City government who is a relative by blood or marriage within the second degree of any member of the Council, nor shall the City Manager nor any officer or department head appoint any relative of his/hers within such degree to any such position.

§ 1407. Official Bonds.

The City Council shall fix by ordinance or resolution the amounts and terms of the official bonds of all officials or employees who are required by this Charter or by ordinance to give such bonds. All bonds shall be executed by responsible corporate surety, shall be approved as to form by the City Attorney, and shall be filed with the City Clerk. Premiums on official bonds shall be paid by the City.

There shall be no personal liability upon, or any right to recover against, a superior officer, or his/her bond, for any wrongful act or omission of his/her subordinate, unless such superior officer was a party to, or conspired in, such wrongful act or omission.

§ 1408. Illegal Interest in Contracts.

No member of the Council or other officer or department head of the City shall have any financial interest in any contract, sale or transaction to which the City is a party if having such interest constitutes a violation of the State law pertaining to interest in contracts. Any such person having any such prohibited interest shall be guilty of a misdemeanor, and upon conviction thereof, in addition to such penalties as may be imposed by the court, such person shall forfeit his/her office. Any contract, sale or transaction in which there shall be any such prohibited interest shall become void at the election of the City when so declared by resolution of the Council.

§ 1409. Combination of Offices and Departments.

Where the positions are not in fact incompatible, the Council may, subject always to the restrictions of this Charter, combine under one officer or person the powers and duties of two or more offices or departments created or authorized by this Charter.

§ 1410. Oaths.

The City Clerk shall be responsible for administering all oaths as required by the State law, this Charter or ordinance.

§ 1411. Validity.

If any provision of this Charter, or the application thereof to any person or circumstance is held invalid, the remainder of the Charter, and the application of such provision to other persons or circumstances shall not be affected thereby.

RESOLUTION NO. 1687

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 1998, FOR THE SUBMISSION OF PROPOSED CHARTER AMENDMENT

WHEREAS, pursuant to authority provided by Article XI of the Constitution, Title 4, Division 2, Chapter 3 of the Government Code and Division 9, Chapter 3, Article 3 (commencing at §9255) of the Elections Code of the State of California, the City Council of the City of Los Alamitos desires to submit to the voters proposed Charter amendment relating to Term Limits for members of the City Council; and

WHEREAS, the City Council is authorized and directed by statute to submit the proposed Charter amendment to the voters;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to Article XI of the Constitution, Title 4, Division 2, Chapter 3 of the Government Code and Division 9, Chapter 3, Article 3 (commencing at §9255) of the Elections Code of the State of California, there is called and ordered to be held in the City of Los Alamitos, California, on Tuesday, November 3, 1998, a General Municipal Election for the purpose of submitting the following proposed charter amendment:

"Shall the Charter of the City of Los Alamitos be amended to add Section 501A imposing a limit of three consecutive four year terms on Members of the City Council?"	Yes
	No

SECTION 2. That the text of the charter amendment submitted to the voters is attached as Exhibit A.

SECTION 3. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 4. That the City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 5. That the polls shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, except as provided in §14401 of the Elections Code of the State of California.

SECTION 6. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 7. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

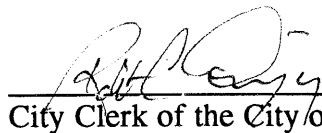
SECTION 8. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED on July 20, 1998.



Mayor of the City of Los Alamitos

ATTEST:



City Clerk of the City of Los Alamitos

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LOS ALAMITOS)

I, Robert Dominguez, 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 20th day of July, 1998, by the following vote:

AYES: COUNCILMEMBERS: Bates, Jempsa, Sylvia, Wahlstrom

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS: Poe



City Clerk

EXHIBIT A

Section 501A of the Charter of the City of Los Alamitos is hereby amended to add the following:

"501A. Election of Members; Term Limits.

No person shall serve more than three (3) consecutive terms of office as a member of the City Council. For the purpose of this Section, a "term" shall include service on the Council for any period of seven hundred thirty-one (731) consecutive days or longer.

Any person who has served three (3) consecutive terms as a Member of the City Council shall not be eligible to serve again until the expiration of at least three hundred sixty-five (365) consecutive days after the end of such person's last term of office.

C. The term limits established by this Section shall apply prospectively only to those terms of office which commence on or after November 3, 1998."

RESOLUTION NO. 1223

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, APRIL 12, 1988 FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO CHARTER CITIES AND FOR THE SUBMISSION TO THE VOTERS QUESTIONS RELATING TO AN INCREASE IN THE RATE OF THE BUSINESS LICENSE TAX AND THE ADOPTION OF THE STATE LAW TO CONFORM ELECTIONS IN THE CITY.

WHEREAS, under the provisions of the laws relating to Charter cities in the State of California, a General Municipal Election shall be held on April 12, 1988, for the election of Municipal Officers; and

WHEREAS, the City Council of the City of Los Alamitos, does resolve, declare and determine as follows:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to Charter cities there is called and ordered to be held in the City of Los Alamitos, on Tuesday, April 12, 1988, a General Municipal Election for the purpose of electing two Members of the City Council for the full term of four years.

SECTION 2. That the City Council, pursuant to its right and authority, does order submitted to the voters at the General Municipal Election the following questions:

MEASURE A - Increase Business License Tax

Shall the rates of business tax and the transfer and duplicate license fees imposed on business, trades and professions by Chapter 11 of the Code of the City of Los Alamitos be increased by an amount equal to fifty percent (50%) of the current rates for the Fiscal Year 1988-89; by an amount equal to fifty percent (50%) of the Fiscal Year 1988-89 rates for the Fiscal Year 1989-90 and in an amount equal to five percent (5%) of the previous year's rates for each subsequent year thereafter?	YES	
	NO	

SECTION 3. That the proposed Measure A submitted to the voters is attached as Exhibit A.

MEASURE B - Proposed Charter Amendment

Shall Sections 906 and 908 of the Charter of the City of Los Alamitos dealing with elections be repealed and shall Section 906 be added to the Charter of the City of Los Alamitos to read as follows: "The provisions of the law of the State of California applicable to General Law Cities, as such laws now exist and as they may hereafter be amended or superseded, shall in all respects govern elections in the City." (This would enable the City to change the election dates.)	YES	
	NO	

SECTION 4. That the proposed Measure B submitted to the voters is attached as Exhibit B.

SECTION 5. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 6. That the City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

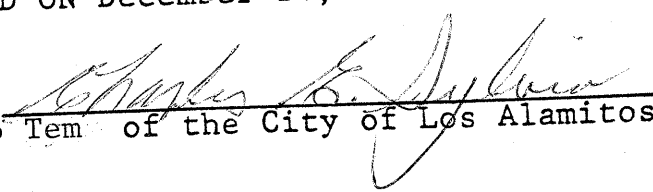
SECTION 7. That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed except as provided in Section 14301 of the Elections Code of the State of California.

SECTION 8. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 9. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 10. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED ON December 14, 1987.


Mayor Pro Tem of the City of Los Alamitos

ATTEST:


City Clerk of the City of Los Alamitos

Reso. 1223

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STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LOS ALAMITOS)

I, Michael A. Graziano, City Clerk of the City of Los Alamitos, do hereby certify that the foregoing Resolution was duly and regularly adopted by the City Council of the City of Los Alamitos on December 14, 1987, by the following vote:

AYES: COUNCILMEMBERS: Sylvia, Jempsa, Wahlstrom
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: Bernal, Selvaggi


City Clerk

The proposed amendment to the Business License Tax Ordinance to be submitted to the voters shall be as follows:

SECTION 1

Section 11-15 of the Code of the City of Los Alamitos is hereby amended by adding Section (j) thereto to read as follows:

"The rates of tax set forth in this Section shall increase for the fiscal year 1988/89 by fifty percent (50%); for the fiscal year 1989/90 by fifty percent (50%) from the previous year and by five percent (5%) from the previous year in each successive year thereafter."

SECTION 2

Section 11-18 is hereby amended by adding the following thereto:

"The duplicate license fee imposed in this Section shall increase for the fiscal year 1988/89 by fifty percent (50%); for the fiscal year 1989/90 by fifty percent (50%) from the previous year and by five percent (5%) from the previous year in each successive year thereafter."

SECTION 3

Section 11-19 is hereby amended by adding the following thereto:

"The transfer tax and change of location fee imposed in this Section shall increase for the fiscal year 1988/89 by fifty percent (50%); for the fiscal year 1989/90 by fifty percent (50%) from the previous year and by five percent (5%) from the previous year in each successive year thereafter."

The proposed amendment to the Business License Tax Ordinance to be submitted to the voters shall be as follows:

SECTION 1

Section 11-15 of the Code of the City of Los Alamitos is hereby amended by adding Section (j) thereto to read as follows:

"The rates of tax set forth in this Section shall increase for the fiscal year 1988/89 by fifty percent (50%); for the fiscal year 1989/90 by fifty percent (50%) from the previous year and by five percent (5%) from the previous year in each successive year thereafter."

SECTION 2

Section 11-18 is hereby amended by adding the following thereto:

"The duplicate license fee imposed in this Section shall increase for the fiscal year 1988/89 by fifty percent (50%); for the fiscal year 1989/90 by fifty percent (50%) from the previous year and by five percent (5%) from the previous year in each successive year thereafter."

SECTION 3

Section 11-19 is hereby amended by adding the following thereto:

"The transfer tax and change of location fee imposed in this Section shall increase for the fiscal year 1988/89 by fifty percent (50%); for the fiscal year 1989/90 by fifty percent (50%) from the previous year and by five percent (5%) from the previous year in each successive year thereafter."

The proposed amendment to the Charter of the City of Los Alamitos to be submitted to the voters shall be as follows: (additions underlined and deletions are struck out):

~~SECTION--906.---GENERAL--MUNICIPAL--ELECTIONS.---The--election--of officers;--except--members--of--the--Board--of--Education;--and--for--such other--purposes--as--the--City--Council--may--prescribe;--shall--be--held in--the--City--on--the--second--Tuesday--in--April--in--each--even--numbered year.---The--first--such--general--municipal--election--shall--be--held on--the--second--Tuesday--in--April--1968.~~

~~SECTION--908.---ELECTION--UNDER--STATE--LAW.---Elections--in--all--other respects--not--otherwise--provided--for--in--this--Charter--shall--be governed--by--the--state--law--of--the--State--of--California.~~

SECTION 906. ELECTIONS UNDER STATE LAW: The provisions of the law of the State of California applicable to General Law Cities, as such laws now exist and as they may hereafter be amended or superseded, shall in all respects govern elections in the City.

RESOLUTION NO. 954

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, CALLING AND GIVING NOTICE OF A SPECIAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON TUESDAY, NOVEMBER 4, 1980, FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY PROPOSED CHARTER AMENDMENTS.

WHEREAS, pursuant to authority provided by Article XI of the Constitution and Title 4, Division 2, Chapter 3 of the Government Code of the State of California, the City Council of the City of Los Alamitos desires to submit to the electors of said city proposed charter amendments; and

WHEREAS, the City Council of said city is thereupon authorized and directed by statute to submit the proposed Charter Amendments to the qualified voters;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

I. That pursuant to Article XI of the Constitution and Title 4, Division 2, Chapter 3 of the Government Code of the State of California, there shall be, and there is hereby called and ordered held in the City of Los Alamitos, County of Orange, State of California, on Tuesday, November 4, 1980, a Special Municipal Election of the qualified electors of said City.

II. The proposed amendments to the Charter of said City to be submitted to the voters shall be as follows (additions are underlined and deletions are crossed out):

SECTION A

Section 501. ELIGIBILITY: To be eligible to hold the office of councilman, the person must meet the requirements as set forth in the state law of the State of California, and, if the Council is divided into districts as hereinafter provided, he shall also be a resident and elector of the district within the City of Los Alamitos wherein he lives for a period of six-months thirty (30) days prior to the date his nomination papers are filed; and

Section 602. ELECTION OF MAYOR: The council shall elect one of its members to act as Mayor. Said election shall be by roll call vote. ~~or,--if-determined-by-the-majority-of~~
~~the-Council-then-present;--a-secret-ballot; and~~

Section 604. ELECTION OF MAYOR PRO TEMPORE: The council shall elect one of its members to act as Mayor Pro Tempore. Said election shall be by roll call vote. ~~or-if-determined~~
~~by-the-majority-of-the-Council-then-present;--a-secret-ballot;~~
and

~~Section 609.-- STUDY SESSIONS.-- The City Council of~~
~~the City of Los Alamitos may at its prerogative hold study~~
~~sessions (which shall not constitute a meeting within the~~
~~Ralph M. Brown Act) to review the work to be performed by~~
~~the Council and to be kept informed.-- No action shall be~~
~~taken by the City Council within the meaning of said Act~~
~~at a study session.-- Before holding a study session, the~~
~~Council shall:~~

(a)--Either-announce-the-time,-date-and-place-at-an open-meeting-of-the-Council;
 (b)--Or-post-notice-in-three-(3)-designated-places-in the-City;
 (c)--Or-publish-notice-in-a-newspaper-of-general circulation-in-the-City;-and
 (d)--Post-such-notice-on-the-door-of-the-Council chambers-

A-study-session-shall-be-open-to-the-public-
 The-form-of-notice-and-the-necessary-time-calling-for a-study-session-shall-conform-to-the-rules-and-regula- tions-necessary-for-calling-a-special-meeting-of-the-City Council-as-prescribed-by-the-State-law-of-the-State-of California; and

Section 701. RESIDENCE: The-City-Manager-need-not be-a-resident-of-the-City-at-the-time-of-his-appointment; but-he-shall-establish-his-residence-within-the-City within-ninety-days-after-his-appointment;-unless-such period-is-extended-by-the-City-Council-and-thereafter-main- tain-his-residence-within-the-City-during-his-tenure-of office- The City Manager shall establish such residency as the City Council may require pursuant to ordinance or resolution.

The foregoing proposal hereby submitted shall appear upon the ballots for said Municipal Election in the following form:

Shall Section 501 of the Charter of the City of Los Alamitos be amended to provide that to be eligible to hold the office of member of the City Council the person must meet the following requirements: 1) the eligibility provisions contained in the Government Code of the State of California; and 2) if the Council is divided into dis- tricts, be a resident and elector of the district for a period of at least thirty (30) days prior to the date nomination papers are filed; and

Shall Section 602 of the Charter of the City of Los Alamitos be amended to eliminate the authority of the City Council to elect the Mayor by secret ballot; and

Shall Section 604 of the Charter of the City of Los Alamitos be amended to eliminate the authority of the City Council to elect the Mayor Pro Tempore by secret ballot; and

Shall Section 609 of the Charter of the City of Los Alamitos be repealed thereby deleting the provision regulating City Council study sessions; and

Shall Section 701 of the Charter of the City of Los Alamitos be amended to provide the City Manager shall establish such resi- dence as the Council may determine by ordinance or resolution?

	YES
.....	NO

SECTION B

~~Section 614. --ORDINANCES. --VIOLATION. --PENALTY. --A violation of any ordinance of the City shall constitute a misdemeanor and may be prosecuted in the name of the People of the State of California or may be redressed by civil action. --The maximum fine and imprisonment or other penalty for the violation of any City ordinance shall be the same as is provided in the laws of the State of California for the violation of an ordinance of a general law city as the laws of the State now provide or as they may hereafter be amended; and~~

Section 801. ADMINISTRATIVE DEPARTMENTS: The City Council may provide by ordinance not inconsistent with this Charter, for the organization, conduct and operation of the several offices and departments of the City as established by this Charter, and for the creation of additional departments, divisions, offices and agencies and for their consolidation, alteration or abolition. Each new department created by the City Council shall be headed by an officer as a department head.

The City Council, by ordinance or resolution, may assign additional functions or duties to offices, departments or agencies not inconsistent with this Charter. Where the positions are not incompatible, the City Council may combine in one person the powers and duties of two or more offices created or authorized by this Charter. The City Council shall provide for the number, titles, qualifications, powers, duties and compensation of all officers and employees; and

Section 804. CITY ATTORNEY, POWERS AND DUTIES: To become eligible for City Attorney, or Assistant City Attorney, the person appointed shall be an attorney at law, duly licensed as such under the laws of the State of California and shall have engaged in the practice of local government law for at least three years prior to his appointment. The City Attorney shall have power and be required to perform the duties and responsibilities that the City Council may from time to time determine by ordinance or resolution; and

Section 1206. CONTRACTS ON PUBLIC WORKS: Every project involving an expenditure of more than Five Thousand Dollars ~~(\$5,000.00)~~ Ten Thousand Dollars (\$10,000.00) for the construction or improvement of public buildings works, streets, drains, sewers, utilities, parks or playgrounds shall be let by the City Council by contract to the lowest responsible bidder after notice by publication in the official newspaper by one or more insertions, the first of which shall be at least ten (10) days before the time for opening bids. Projects for the construction, resurfacing, maintenance or repair of streets, drains or sewers are excepted from the requirements of this paragraph, and the bidding requirements of the State of California, if such work is performed by a City or County of Orange Department.

All bids must be accompanied by either a certified or cashier's check, or a bidder's bond executed by a corporate surety authorized to engage in such business in California, made payable to the City. Such security shall be in an amount not less than that specified in the notice inviting bids or in the specifications referred to therein, or if no amount be so specified, then in an amount less than ten percent of the aggregate amount of the bid. If the successful bidder

neglects or refuses to enter into the contract within the time specified in the notice inviting bids or in the specifications referred to therein, the amount of his bidder's security shall be declared forfeited to the City and shall be collected and paid into its general fund and all bonds so forfeited shall be prosecuted and the amount thereof collected and paid into such fund.

The City Council may reject any and all bids presented and may advertise at its discretion.

The City Council, after rejecting bids, or if no bids are received, may declare and determine that in its opinion, based on estimates approved by the City Manager, the work in question may be purchased more economically on the open market, and after the adoption of a resolution to this effect by a majority vote of the Council, the Council may proceed to have said work done in the manner stated, without further observance of the provisions of this Section. Such contracts likewise may be let without advertising for bids, if such work shall be deemed by the City Council to be of urgent necessity for the preservation of life, health or property, and shall be authorized by resolution passed by an absolute majority of the Council and containing a declaration of the facts constituting such urgency.

The foregoing proposal hereby submitted shall appear upon the ballots for said Municipal Election in the following form:

Shall Section 614 of the Charter of the City of Los Alamitos be repealed thereby deleting the provision creating the crime of misdemeanor for violations of any City ordinance; and

Shall Section 801 of the Charter of the City of Los Alamitos be amended to provide that each new department created by the City Council be headed by a department head; and

Shall Section 804 of the Charter of the City of Los Alamitos be amended to provide that the City Attorney shall have engaged in the practice of local government law for at least three years as a further condition of eligibility; and

Shall Section 1206 of the Charter of the City of Los Alamitos be amended to substitute Ten Thousand Dollars (\$10,000) for Five Thousand Dollars (\$5,000) as the maximum allowable amount of a public project without requiring public bid; and

Shall the Charter of the City of Los Alamitos be amended to substitute both masculine and feminine gender references in each and every instance where the masculine gender is used, and where the term "Councilman" or "Councilmen" is used, the term "Councilmember" be substituted?

	YES
.....	
	NO

SECTION C

Section 502. VACANCIES: A-vacaney-in-the-City-Council from-whatever-cause-arising;-shall-be-filled-by-appointment by-the-City-Council-of-a-qualified-person-under-the-laws of-the-State-of-California-and-the-then-applicable-provisions-of-this-Charter---Such-appointee-to-serve-for-the remainder-of-the-unexpired-term-and-until-his-succesor qualifies-

In-the-event-the-City-Council-shall-fail-to-fill-a vacaney-by-appointment-within-sixty-(60)-days-after-such offiee-shall-have-been-so-declared-vacant;-it-shall-forth-with-cause-an-election-to-be-held-to-fill-such-vacaney pursuant-to-the-state-law-of-the-State-of-California-and the-requirements-of-this-Charter-

A vacancy in the City Council from whatever cause arising shall be filled either by appointment of the City Council or by election.

The City Council shall determine whether to fill a vacancy by election or by appointment; provided, however, if the City Council determines to fill a vacancy by appointment but fails to do so within 60 days after the vacancy occurs, the Council shall forthwith cause an election to be held to fill the vacancy.

A person elected to fill a vacancy shall hold office for the entire unexpired term of the former incumbent.

A person appointed to fill a vacancy shall serve for the entire unexpired term of the former incumbent unless there remain two years or more of said unexpired term on the date of appointment. In such case, the City Council shall decide by majority vote prior to such appointment whether the appointment shall be for the entire unexpired term or only until the next general municipal election. If the seat is filled by appointment only until the next general municipal election, then at said election the seat shall be filled by vote of the people.

If at said next general municipal election there are four or more Councilmanic seats to be filled, the three persons each receiving the largest number of votes shall each serve a term of four years while the person(s) elected to fill the remaining seat(s) shall serve for a term of two years.

If a member of the City Council absents himself from all regular meetings of the City Council for a period of sixty days consecutively from and after the last regular City Council meeting attended by such member, unless by permission of the City Council expressed in its official minutes or as provided in Section 1404, or is convicted of a crime involving moral turpitude, or ceases to be a qualified elector of his district, his office shall become vacant and shall be so declared by the City Council.

The foregoing proposal hereby submitted shall appear upon the ballots for said Municipal Election in the following form:

Shall Section 502 of the Charter of the City of Los Alamitos be amended to add the following provisions: 1) allow the City Council, in case of vacancy on the Council, to either appoint a person to fill a vacancy or call an election, and to limit the term of a person appointed by the Council to fill the vacancy to serve only until the next General Municipal Election at which time the seat would be filled by the voters; and 2) if, as a result of such appointment(s), there are four or more seats to be filled at the next election, have the three persons receiving the largest number of votes serve four (4)-year terms, and the other(s) serve a two (2)-year term?

YES
NO

III. That the polls for said election shall be open at seven o'clock a.m. of the day of said election and shall remain open continuously from said time until eight o'clock p.m. of the same day when said polls shall be closed, except as provided in Section 14301 of the Elections Code of the State of California.

IV. That in all particulars not recited in this Resolution, said election shall be held and conducted as provided by law for holding municipal elections in said City.

V. That notice of the time and place of holding said election is hereby given and the City Clerk is hereby authorized, instructed and directed to give such further or additional notice of said election in time, form and manner as required by law.

VI. That the City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of said City; and shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council of said City, in the minutes of the meeting at which the same is passed and adopted.

VII. That this Resolution shall take effect immediately.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Los Alamitos at a regular adjourned meeting thereof held on August 21, 1980.

Charles E. Sylvia
Mayor Pro Tempore of the City of Los Alamitos

ATTEST:

Beth Win'E
Deputy City Clerk of the City of Los Alamitos

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LOS ALAMITOS)

I, BETH WIN'E, Deputy City Clerk of the City of Los Alamitos do hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Los Alamitos at a Regular Adjourned Meeting held on the 21st day of August, 1980, by the following vote:

AYES: COUNCILMEMBERS: Sylvia, Bernal, Bunner, Lander
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: Zommick

Beth Win'E
Deputy City Clerk

RESOLUTION NO. 362

RESOLUTION OF THE CITY OF LOS ALAMITOS, CALIFORNIA PROVIDING FOR AND GIVING NOTICE OF A SPECIAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 1968, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF SAID CITY AN AMENDMENT TO THE CHARTER RELATING TO THE ADMINISTRATIVE ORGANIZATION OF THE CITY AND THE DELEGATION OF POWERS TO THE VARIOUS OFFICERS OF THE CITY, AND CONSOLIDATING SAID ELECTION WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON SAID DATE

WHEREAS, the City Council of the City of Los Alamitos, California, has reviewed the city charter, and has determined that certain sections thereof should be amended to provide for more efficient administration of the city government, and

WHEREAS, the amendment of the City Charter does require a special municipal election and the consent of the voters of the City,

NOW, THEREFORE, the City Council of the City of Los Alamitos, California, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER as follows:

Section 1. That a special election be held and the same is hereby called to be held in said city on November 5, 1968, for the purpose of submitting to the qualified voters of said city an amendment to the Charter hereinafter set forth relating to the powers and duties of the City Manager, the powers and duties of the City Clerk, the powers and duties of the City Attorney, the powers and duties of the City Manager with respect to fiscal administration, and those other changes hereinafter set forth.

Section 2. That the amendments to the Charter submitted to the voters shall be as follows:

(a) Section 704 of the City Charter shall be amended as follows:

"Section 704 as it presently exists, shall be deleted in its entirety, and the following language shall be inserted in lieu thereof:

"Section 704. POWERS AND DUTIES: The City Manager shall be the administrative head of the city government, and he shall be responsible to the City Council for the proper administration of all affairs of the City, and shall be given such powers and duties as the Council may from time to time provide by ordinance."

(b) That Section 706 of the City Charter shall be amended by deleting therefrom at the end of the second sentence the words "said approval to be given at its next meeting." In addition, the semicolon preceding said words shall be changed to a period.

(c) Section 801 of the City Charter shall be amended by placing a period after the words "as department head" in the second sentence of the first paragraph, and by deleting the balance of that sentence from Section 801. The second paragraph of Section 801 shall remain unmodified in the Charter.

(d) Section 802 of the City Charter shall be amended by deleting therefrom Section 802 in its entirety, and inserting in lieu thereof the following paragraph:

"The City Clerk shall have the power, and be required to perform the functions and responsibilities that the City Council may from time to time determine by ordinance or resolution."

(e) Section 803 of the City Charter shall be amended by deleting therefrom Section 803 in its entirety, and inserting in lieu thereof the following paragraph:

"The City Treasurer shall have the power, and be required to perform the functions and responsibilities that the City Council may from time to time determine by ordinance or resolution."

(f) Section 804 of the City Charter shall be amended as follows: paragraphs (a) through (f) shall be deleted from the City Charter in their entirety, and the colon at the end of the sentence immediately preceding paragraph (a) shall be deleted, and the following words shall be added to said sentence:

"perform the duties and responsibilities that the City Council may from time to time determine by ordinance or resolution."

(g) Article XII FISCAL ADMINISTRATION of the City Charter shall be amended by adding thereto a new section designated Section 1211. Said section shall provide as follows:

"Section 1211. REQUIREMENT OF COUNCIL APPROVAL: Notwithstanding anything contained in this Charter to the contrary, the City Manager shall not approve any claim nor pay any demand without the prior approval of the majority of the City Council voting by roll call vote at a regular meeting of the City Council.

(h) Section 1404 of the City Charter shall be amended by adding thereto at the end of said section after the words "City Council upon filing" the following language:

"with the City Clerk notice of his designation and length of absence."

Section 3. That the polls for said election shall be opened at seven o'clock a.m. of the day of said election and shall remain open continuously from said time until eight o'clock p.m. of the same day, when said polls shall

be closed, except as provided in Section 14436 of the Elections Code of the State of California.

Section 4. That on the ballots to be used at said special election, in addition to any other matters required by law, there shall be printed substantially the following:

(a) Section 704 of the City Charter shall be amended as follows:		
"Section 704 as it presently exists, shall be deleted in its entirety, and the following language shall be inserted in lieu thereof:	YES	
"Section 704. POWERS AND DUTIES: The City Manager shall be the administrative head of the city government, and he shall be responsible to the City Council for the proper administration of all affairs of the City, and shall be given such powers and duties as the Council may from time to time provide by ordinance."	NO	

	YES	
(b) That Section 706 of the City Charter shall be amended by deleting therefrom at the end of the second sentence the words "said approval to be given at its next meeting." In addition, the semicolon preceding said words shall be changed to a period.		
	NO	

(c) Section 801 of the City Charter shall be amended by placing a period after the words "as department head" in the second sentence of the first paragraph, and by deleting the balance of that sentence from Section 801. The second paragraph of Section 801 shall remain unmodified in the Charter.	YES	
	NO	

(d) Section 802 of the City Charter shall be amended by deleting therefrom Section 802 in its entirety, and inserting in lieu thereof the following paragraph: "The City Clerk shall have the power, and be required to perform the functions and responsibilities that the City Council may from time to time determine by ordinance or resolution."	YES	
	NO	

(e) Section 803 of the City Charter shall be amended by deleting therefrom Section 803 in its entirety, and inserting in lieu thereof the following paragraph: The City Treasurer shall have the power, and be required to perform the functions and responsibilities that the City Council may from time to time determine by ordinance or resolution."	YES	
	NO	

(f) Section 804 of the City Charter shall be amended as follows:	
paragraphs (a) through (f) shall be deleted from the City Charter in their entirety, and the colon at the end of the sentence immediately preceding paragraph (a) shall be deleted, and the following words shall be added to said sentence:	YES
"perform the duties and responsibilities that the City Council may from time to time determine by ordinance or resolution."	NO

(g) Article XII FISCAL ADMINISTRATION of the City Charter shall be amended by adding thereto a new section designated Section 1211. Said section shall provide as follows:	YES
"Section 1211. REQUIREMENT OF COUNCIL APPROVAL: Notwithstanding anything contained in this Charter to the contrary, the City Manager shall not approve any claim nor pay any demand without the prior approval of the majority of the City Council voting by roll call vote at a regular meeting of the City Council."	NO

(h) Section 1404 of the City Charter shall be amended by adding thereto at the end of said section after the words "City Council upon filing" the following language:	YES
"with the City Clerk notice of his designation and length of absence."	NO

Section 5. That a cross (+) placed in the voting square after the word "YES" in the manner hereinbefore provided shall be counted in favor of the adoption of the proposition. A cross (+) placed in the voting square after the word "NO" in the manner hereinbefore provided shall be counted against the adoption of the proposition.

Section 6. That the special election hereby called for the date hereinbefore specified shall be and is hereby ordered consolidated with the statewide general election to be held on said date, and within said city the precincts, polling places and officers of election for the special municipal election hereby called shall be in the same as those provided for said statewide general election. The Board of Supervisors of Orange County is hereby requested to order the consolidation of the special municipal election hereby called with said statewide general election, and said Board of Supervisors is hereby authorized to canvass the returns of said special municipal election, and said elections shall be held in all respects as if there were only one election, and only one form of ballot, namely, the ballots used at said general election, shall be used. Said Board of Supervisors shall certify the results of the canvass of the returns of said special municipal election to the City Council of said city which shall thereafter declare to the City Council of said city which shall thereafter declare the results thereof. A proposition submitted by this resolution shall be designated on the ballot by a letter printed on the left margin of the square containing the description of the measure, as provided in Section 10231 of the Elections Code.

Section 7. That notice of the time and place of holding said election is hereby given and the City Clerk is hereby authorized, instructed and directed to give such further or additional notice of said election in time, form and manner as required by law.

Section 8. That the City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of said City; and shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council of said City, in the minutes of the meeting at which the same is passed and adopted.

Section 9. That this Resolution shall take effect immediately.

PASSED, APPROVED AND ADOPTED this 13th day of August, 1968.

Dale Kroesen
Mayor of the City of Los Alamitos

ATTEST:

[Signature]
City Clerk of the City of
Los Alamitos

(SEAL)

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF LOS ALAMITOS)

I, JAMES M. SMITH, City Clerk of the City of Los Alamitos, California, do hereby certify that the foregoing Resolution was duly adopted at a Regular Meeting of the City Council of the City of Los Alamitos held on the 13th day of August, 1968, by the following vote, to wit:

AYES: COUNCILMEN: Kroesen, Brown, Hyde, Otte

NOES: COUNCILMEN: None

ABSENT: COUNCILMEN: Long

[Signature]
City Clerk of the City of Los Alamitos