

**MINUTES OF THE CITY COUNCIL
OF THE CITY OF LOS ALAMITOS**

SPECIAL MEETING – SATURDAY, October 17, 2009

CALL TO ORDER

The City Council met in Special Session at 3:01 p.m., Saturday, October 17, 2009, in the Council Chambers, 3191 Katella Avenue, Mayor Edgar presiding.

ROLL CALL

Present: Council Members: Mejia, Stephens, Zarkos, Poe and Edgar

Absent: Council Members: None

Present: Staff: Jeffrey L. Stewart, City Manager
Todd Mattern, Police Chief
Steven Mendoza, Community Development Director
Bill Huber, City Engineer
C. Darleen Cordova, Interim City Clerk

3. ORAL COMMUNICATIONS

At this time, any individual in the audience could come forward to speak on any item within the subject matter jurisdiction of the City Council. Please state if you wish to speak on an item on the Agenda. Remarks are to be limited to not more than five minutes.

Mayor Edgar opened Oral Communications.

Chuck Sylvia, New Dutch Haven resident, spoke (on behalf of Sam Pierce, a Rossmoor Highlands resident) regarding some trees that are leaning and may need staking or trimming in the medians on the two main roads into the Highlands.

Council Member Zarkos reported that he and the City Manager had looked at the trees and staff is investigating remedial action.

Mayor Edgar commented that some trees had been purchased with funds donated for trees.

City Manager Stewart indicated that they had looked at some leaning trees; one may need to be re-staked. Corrective action will be taken.

Mayor Pro Tem Poe did not think that any of the trees in the Highlands had been donated and noted that there is a plaque outside the Museum listing all donors.

There being no one else present wishing to speak, Mayor Edgar closed Oral Communications.

Mayor Edgar reported that he had received a request via the City Manager to conduct the Closed Session first due to a scheduling issue. There being no objections, the Closed Session was taken out of sequence.

RECESSED TO CLOSED SESSION at 3:07 p.m. for the following:

5. CLOSED SESSION

A. Public Employee Appointment

Title: Interim City Attorney

Authority: Government Code Section 54957

B. Conference with Labor Negotiator

City Negotiator: Jeff Stewart, City Manager

Unrepresented Employee: Interim City Attorney

Authority: Government Code Section 54957.6

RETURNED TO OPEN SESSION at 4:05 p.m.

Mayor Edgar announced the following reportable actions: the City Council accepted the resignation of its Best, Best and Krieger lawyer, Dean Derleth, and appointed an Interim City Attorney, Sandra Levin, of Colantuono and Levin. No other reportable action was taken.

4. SPECIAL ORDERS OF THE DAY

A. Consideration of Request for a Four-Way Stop at Florista Street and Chestnut Street

City Council at its meeting of October 5, 2009, reviewed the warrants and traffic accident history in consideration of a four-way stop at the Florista Street and Chestnut Street intersection. The intersection is currently a two-way stop; with stop signs posted on Chestnut Street. Without consideration of any authorized optional criteria, the limited warrant review at that time did not appear to support the installation of a four-way stop. The item was tabled for staff to consider additional criteria and issues.

City Manager Stewart reported that additional engineering research was done regarding the recommendation of installing a four-way stop at Florista and Chestnut.

City Engineer Huber summarized the staff report, referred to the information contained therein, and answered questions from the City Council. Mr. Huber discussed the optional MUTCD criteria which may be properly considered outside the typical analytical warrant criteria:

1. The need to control left-turn conflicts;
2. The need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes;
3. Locations where a road user, after stopping, cannot see conflicting traffic and is not able to reasonably safely negotiate the intersection unless conflicting cross traffic is also required to stop; and
4. An intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where multi-way stop control would improve traffic operational characteristics of the intersection.

City Engineer Huber stated that based on his review of the findings and issues identified, he believed that the installation of the all-way stop at Florista and Chestnut would improve safety at the intersection, and was, therefore, justified.

The City Engineer also reviewed accident history at Los Alamitos Blvd. and Florista St. and information on the stop sign at Chestnut St. and Catalina St. If the City Council wants staff to review stop controls on an area-wide basis, staff could work with the Traffic Consultant to determine costs for Council's consideration.

Mayor Edgar asked Warren Kusumoto to address the Council.

Warren Kusumoto, Traffic Commissioner, explained how the Traffic Commission deliberated this item under a more rigorous interpretation of the MUTCD guidelines but some members felt it did deserve a four-way stop. He supported a four-way stop based on the new criteria.

Council Member Zarkos questioned Mr. Kusumoto on whether he saw the Council's more conservative approach in terms of public safety as being a problem. Mr. Kusumoto did not.

Council Member Zarkos did not understand how a four-way stop was not as safe as a two-way stop. Police Chief Mattern did not personally either. City Engineer Huber indicated that there is a tendency to ignore "unwarranted" traffic signs at intersections, and sometimes a pedestrian is expecting a vehicle to stop and it doesn't.

Mayor Edgar opened the meeting to public comment.

Wendy Gross, Los Alamitos resident, wanted four-way stops signs and not red curbs. She also suggested some type of warning device to alert motorists of a new stop sign.

Florence Layton, Los Alamitos resident, said you can't see across the street, and cars are speeding as if Chestnut is a freeway.

There being no one else present wishing to speak, Mayor Edgar closed the meeting to public comment.

Council Member Mejia thanked the Traffic Commission for all its work and appreciated Mr. Kusumoto's comments.

Council Member Zarkos questioned the City Engineer, as to terms used in two of the Optional criteria.

Council Member Zarkos expressed concern about the letter received last night. The City Manager briefly discussed how the Traffic Commission had not recommended the four-way stop. At the last meeting the City Engineer's report passed on that recommendation but indicated there were other ways to approach this matter, and that, perhaps, Council should consider a four-way stop. The City Attorney had

expressed concern at that meeting about potential legal issues and liability. Mr. Stewart explained that the City Attorney's Office and the City Engineer worked out a set of MUTCD optional guidelines for the establishment of a four-way stop at Florista and Chestnut. He indicated that the City Attorney had reviewed the draft staff report. Mr. Stewart believed the letter that came out last night was a cautionary letter that wanted to insure that the discussion in the final staff report was based on the items that were discussed between the City Engineer and the City Attorney. He believed the City Attorney's potential concerns were met with the staff report, the City Engineer's recommendations, and the findings that were being made in the resolution. Mr. Stewart did not believe the letter was cause for concern.

City Engineer Huber also indicated that he had talked to the City Attorney a number of times to insure the resolution was crafted to meet the test. He was very comfortable with the issues raised and his recommendation was to install the stop signs.

Motion/Second: Mejia/Poe

Unanimously carried: Adopted Resolution No. 2009-19, a RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, TO PROVIDE FOR A MULTI-WAY STOP AT THE INTERSECTION OF FLORISTA STREET AND CHESTNUT STREET.

For consistency, Mayor Pro Tem Poe asked if the Traffic Commission could review some of the stop signs at intersections in Apartment Row, Old Town West, and Old Town East because people become confused. She would like staff to address this issue in all the residential areas.

Council Member Zarkos also mentioned Howard and Reagan was one that had been discussed.

Council Member Mejia stated that Carrier Row residents hate them (because of overkill) and would like background on how we reached the decisions there.

Mayor Edgar explained that the reason for the Special Meeting today was because Mayor Pro Tem Poe would be out of state starting tomorrow (and he was out of town during the week); due to this item's importance, a Saturday meeting was called.

5. ADJOURNMENT

The meeting was adjourned at 4:33 p.m. The next meeting of the City Council is scheduled for Monday, October 19, 2009, at 7:00 p.m., in the City Council Chambers.

Troy D. Edgar, Mayor

ATTEST:

Jeffrey L. Stewart, City Clerk