

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

REGULAR MEETING – March 16, 2009

CALL TO ORDER

The City Council met in Regular Session at 6:00 p.m., Monday, March 16, 2009, in the Council Chambers, 3191 Katella Avenue, Mayor Edgar presiding.

ROLL CALL

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

Absent: Council Members: None

Present: Staff: Nita McKay, Interim City Manager
Dean Derleth, City Attorney
Todd Mattern, Police Chief
Angie Avery, Recreation & Community Services Director
Steven Mendoza, Community Development Director
Bill Huber, City Engineer
Susan C. Vanderpool, City Clerk

Mayor Edgar asked for, and received, concurrence to bring forward the Pledge of Allegiance and Invocation.

5. PLEDGE & INVOCATION – Mayor Edgar led the Pledge of Allegiance and Council Member Stephens gave the Invocation.

3. STUDY SESSION

A. City Priorities and City Council Meeting Effectiveness

Mayor Edgar requested staff agendize a Study Session item for City Council discussion regarding improving the efficiency and effectiveness of City Council meetings, prioritizing City Council requests for agenda items, as well as other ideas that City Council may have regarding City Council meetings.

Interim City Manager McKay summarized the staff report, referring to the information contained therein, and answered questions from the City Council.

Mayor Edgar liked the concept of Study Sessions in that such sessions could facilitate better efficiency during regular meetings.

Mayor Edgar opened the meeting to public comment.

Dave Emerson, resident, liked the concept of Study Sessions and suggested Council experiment with televised and non-televised meetings to gauge expense and interest. He thought issues such as traffic and sales tax revenues might be good topics to be addressed soon.

JM Ivler, resident, stated former Mayor Grose had asked Council to speak on an agenda item at the beginning of its hearing before allowing Public Comment, and hoped that practice would continue as residents found it helpful to know what Council thought before they commented.

Laura Williams, resident, agreed with Mr. Ivler, adding she liked the concept of Study Sessions but thought they should be televised. She thought all Council decisions should be unanimous, and spoke in favor of Council appointing Interim City Manager McKay as City Manager.

Mayor Edgar closed the meeting to public comment.

Mayor Pro Tem Poe asked City Attorney Derleth how a Study Session differed from a City Council meeting. City Attorney Derleth stated no final action was taken at a Study Session meeting.

Mayor Pro Tem Poe liked the concept of Study Sessions particularly with regard to discussion in an informal setting with another opportunity for public input.

Council Member Stephens agreed, adding Study Sessions would also allow for better prioritization of important issues.

The City Council discussed the following:

- Public comment at beginning and end of topic discussion
- Priority of topics on agendas
- Council questions and comments
- Important issues between now and June 30, including:
 - Balancing the budget
 - Hiring a City Manager
 - Filling the City Council vacancy
 - Technology replacement program
 - Labor contracts negotiations
 - Meeting with commissioners
- Resident contact with Council Members to bring forward topics
- Study Sessions held immediately before Council meeting
- Televising Study Sessions
- Master Schedule of Study Session topics

The City Council directed staff to:

1. Approve the Master Schedule of Study Session items submitted by Interim City Manager McKay (Attachment 1); and,
2. Include the Master Schedule of Study Session items in the City Manager's Weekly memorandum to Council: and,
3. Create a Study Session Policy that would include beginning the Study Session meetings one hour prior to the City Council meeting.

The City Council took a five minute break.

6. PRESENTATIONS

A. Presentation of a Commendation to “Our Los Al” members, Larry and Nancy Strawther, Diana Hill, Kristal Cheek and Scott Emmons

Mayor Edgar and the City Council presented a Commendation to Larry Strawther and Diana Hill, members of “Our Los Al”. Mr. Strawther thanked Council and advised of an upcoming event, “Taste of Los Al”, that would be held at the Shops in Rossmoor.

7. ORAL COMMUNICATIONS

At this time, any individual in the audience may come forward to speak on any item within the subject matter jurisdiction of the City Council. 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.

Rhonda Sandberg, resident, expressed disappointment in the behavior exhibited at the previous City Council meeting, and stressed the importance of reconciliation and peace.

Alice Jempsa, resident, stated LATV had been replaying interviews of key and founding figures related to the incorporation of the City. She urged Council to preserve these important interviews for posterity by transferring them to DVD.

Laura Herzog, resident, thanked all for supporting the Sunburst Youth Academy and Relay for Life events.

Heather Hagan, JFTB, spoke of the following upcoming events: 1) Veterans’ Job Search workshop – March 18; 2) Military Affairs Committee meeting – March 24; 3) Blood Drive – April 4; 4) Sunburst Youth Academy graduation – June 19; and, 5) 4th of July Spectacular.

Johnnie Strohmyer, representative for Suicide Crisis Hotline, invited all to an upcoming fundraiser at the Cypress Community Center on March 27.

Judy Klabouch, Chamber representative, spoke of the following upcoming events: 1) Mixer at the Best Western – March 18; 2) Wake Up Breakfast – April 3; 3) Golf Tournament at the Old Ranch Country Club – April 20; and, 4) Mixer at the Youth Center – May 12.

Sid Staxrud, resident, commended the City Council for its efforts to maintain a balanced Budget. He stated at the previous Council meeting he had heard mention of holding a special election related to Dean Grose’s resignation and a possible recall, and did not agree with doing such due to the expense.

Dean Zarkos, resident, thanked Council for making the decisions needed to balance the Budget, and commended Mayor Edgar for voting against the Budget last year in which he predicted the shortfall for this year.

Richard Vardeman, resident, congratulated Council for its efforts to balance the Budget, decreasing middle management positions while maintaining services, efforts to restore LATV, and making up the fiscal shortfall without tapping into the General Fund. He asked Council to appoint someone to fill the Council vacancy, as a special election would be too expensive.

Stu Cahn, Long Beach resident, agreed with the earlier comments of Rhonda Sandberg, adding he thought Keyanus Price should forgive Dean Grose and ask him to rescind his resignation.

Carol Sylvia, resident, stated former Interim City Manager Rudat had paid the City back for his conference registration and people should now leave the matter alone. She then commented that Rhonda Sandberg had been eloquent and she, too, thought Dean Grose should not have had to resign. She asked Council to include his name on the list they were considering for appointment to the vacancy.

John Ellinger, resident, thought the email situation involving former Mayor, Dean Grose, was blown out of proportion and he should be reinstated on the Council.

Laura Williams, resident, did not like that Mr. Grose was being portrayed as a victim, adding he had embarrassed the City. She expressed support for either a special election or a unanimous appointment to fill the Council vacancy.

Judy Klabouch, business owner, thought the majority of business owners and residents in the City were pleased with the City Council. She stated Dean Grose was a good man that had made a mistake, and put the City first by resigning his position.

Dave Emerson, resident, stated residents owed Dean Grose a debt of gratitude for all he had done for the City and for resigning. He thought Council should appoint the next Council member by a unanimous vote, as he thought a special election would be too costly.

JM Ivler, resident, agreed with Alice Jempsa's earlier request for Council to preserve early LATV interviews for posterity. He commended Interim City Manager McKay for a job well done on the Budget, and asked again who authorized previous Interim City Manager Rudat to make his own hours, contrary to Council direction. He asked that anyone calling for a reference on Mr. Rudat be told he was ineligible for rehire. He then reiterated his objection to the In God We Trust sign in the Chambers, as he felt there should be a line between church and state.

8. REGISTER OF MAJOR EXPENDITURES

March 16, 2009.

Motion/Second: Mejia/Poe

Unanimously carried: The City Council approved the Register of Major Expenditures for March 16, 2009, in the amount of \$305,934.09.

Roll Call Vote

Council Member Mejia	Aye
Council Member Stephens	Aye
Mayor Pro Tem Poe	Aye
Mayor Edgar	Aye

9. CONSENT CALENDAR

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

Mayor Pro Tem Poe asked Interim City Manager McKay to address the issue of repayment to the City by former Interim City Manager, Dave Rudat. Interim City Manager McKay stated Mr. Rudat had paid the \$535.00 owed to the City for the City Managers' Conference in February.

Motion/Second: Poe/Mejia

Unanimously carried: The City Council approved the following Consent Calendar items:

*****CONSENT CALENDAR*****

A. Approval of Minutes

- 1. Approved the minutes of the Regular Meeting of February 17, 2009.
- 2. Approved the minutes of the Special Meeting of March 7, 2009.

B. Warrants

The City Council approved the Warrant Register of March 16, 2009, in the amount of \$89,818.39.

C. Council Response to Grand Jury's Findings and Recommendations pertaining to their "No County for Old Boomers"

Council Response to Grand Jury's Findings and Recommendations pertaining to "No County for Old Boomers."

The City Council:

- 1. Approved the responses contained in the draft letter to the Grand Jury's Findings and Recommendations pertaining to their "No County for Old Boomers – When They Retire, Where Will They Live?" report; and,
- 2. Authorized the Mayor to sign and transmit the response to the Presiding Judge of the Superior Court, with a separate copy to the Grand Jury.

D. Website Upgrade

This item requested confirmation of the approval of a contract between the City of Los Alamitos and Active Network, Inc. to redesign the City's website.

The City Council reconsidered its approval of the upgrade of the City's website pending additional research regarding on-line payment processing capabilities.

*****END OF CONSENT CALENDAR*****

10. DISCUSSION

A. Discussion on Golden State Water Company's General Rate Case Application to the California Public Utilities Commission (PUC)

Golden State Water Company (GSWC) currently has a pending application before the California Public Utilities Commission (CPUC) to increase its water rates over the next four years. The rate increases are significant, raising the average residential rate from \$47.79 (2008 rate) to \$66.50 (2012 proposed rate). This is a little over 39% increase in four years. Due to the vast service area size and infrastructure needs in outlying areas, it is believed that Los Alamitos rate payers, served by GSWC, are being asked to front infrastructure costs that provide no benefit to the City. Staff recommended the City join with other Orange County cities served by GSWC to oppose the rate increase.

City Engineer Huber summarized the staff report, referring to the information contained therein, and answered questions from the City Council.

Frank Heldman, Orange County District Manager of Golden State Water Company, gave a Power Point presentation that explained the rate increase request.

Mayor Pro Tem Poe asked where the new well would be located. Mr. Heldman stated the well would be in Stanton, off of Cerritos.

Council Member Stephens asked what projects in Los Alamitos would some of the \$9 million in funding apply to. Mr. Heldman stated there was a project on Howard where major pipes had failed and were replaced with larger ones.

Mayor Edgar asked when the last increase had taken place. Mr. Heldman replied there was a 6% increase four years ago.

Motion/Second: Poe/Mejia

Unanimously carried: The City Council directed staff to send a revised letter of opposition to the potential rate increase proposed by Golden State Water Company.

B. Update of 4th of July Spectacular

Staff updated the City Council on plans regarding the upcoming 4th of July Fireworks Spectacular event.

Recreation & Community Services Director Avery summarized the staff report, referring to the information contained therein, and answered questions from the City Council.

Council Member Mejia pointed out Council wanted this event to be cost neutral, and asked the deadline Los Alamitos could pull out of the event if the funds could not be raised. Recreation & Community Services Director Avery expressed confidence in raising the needed funds, noting staff had doubled the number of sponsors in the recent Race on the Base event.

Mayor Pro Tem Poe asked where people would sit, now that the bleachers had been eliminated. Recreation & Community Services Director Avery stated people would be encouraged to bring lawn chairs and blankets to sit on.

Mayor Edgar opened the meeting to public comment.

Heather Hagan, JFTB, stated Brigadier General Combs would soon be making a public statement regarding the importance of this 20 year event to the community.

Mayor Edgar closed the meeting to public comment.

Motion/Second: Poe/Stephens

Unanimously carried: The City Council directed staff to work with Cypress to generate approximately \$26,000 in additional revenue to offset anticipated expenditures for the 2009 July 4th Fireworks Spectacular.

11. MAYOR AND COUNCIL INITIATED BUSINESS

Council Announcements

At this time, Council Members may also report on items not specifically described on the Agenda that are of interest to the community, provided no action or discussion is taken except to provide staff direction to report back or to place the item on a future Agenda.

A. City Council Assignments – Appointments of City Council Members as Representatives to Other Agencies

This report provided relevant information for City Council consideration regarding the filling of positions left vacant by the resignation of former Mayor, Dean Grose.

Interim City Manager McKay summarized the staff report, referring to the information contained therein, and answered questions from the City Council.

JM Ivler, resident, asked Council to consider Council Member Mejia for some of the open positions.

Council Member Mejia stated she was a current member of SCAG, and would be interested in serving as the District 20 representative. She asked Council to support her in her bid for this position, and all Council agreed.

Mayor Pro Tem Poe asked to defer the filling of the other vacancies until which time the Council vacancy had been filled.

Motion/Second: Poe/Mejia

Unanimously carried: The City Council postponed appointment to the positions left vacant by the resignation of former Mayor Grose, until which time the City Council vacancy was filled.

B. Consideration of the City Council Vacancy Created by the Resignation of former Mayor, Dean Grose

On March 2, 2009, former Mayor, Dean Grose, resigned from his position on the Los Alamitos City Council, thereby creating a vacancy.

Interim City Manager McKay summarized the staff report, referring to the information contained therein, and answered questions from the City Council.

Mayor Edgar asked for estimated costs for staff time, poll workers and training. City Clerk Vanderpool responded with an approximate figure of between \$70,000 to \$90,000.

Council Member Mejia stated County poll workers were already trained and, perhaps, the City could use them. City Clerk Vanderpool stated that might be a possibility; however, at this point, the County had advised it was the City's responsibility to recruit, train and pay poll workers.

Mayor Edgar opened the meeting to public comment.

JM Ivler, resident, did not support holding a special election, and thought Council should unanimously agree on an appointment to the vacancy.

Pat Blancher, resident, did not support holding a special election either, and recommended Council go with Option 1 in the staff report.

Mayor Edgar closed the meeting to public comment.

Council Member Stephens did not support holding a special election, and suggested approval of Option 1.

Mayor Pro Tem Poe agreed, and suggested Option 2 could be done in a timely manner.

Council Member Mejia liked Option 1 but suggested adding another option that would include consideration of two people that had run in the last election, Ken Parker and Dave Emerson.

Mayor Edgar did not support holding a special election, and suggested Council Member Mejia use Ken Parker and Dave Emerson as her two names under Option 1.

Mayor Pro Tem Poe suggested advertising for interested parties in a two-week period, and then reviewing the resumes and applications for interview purposes.

Council Member Mejia stated she did not support that suggestion, opting instead for Option 1. She asked if Council Members supported including Ken Parker and Dave Emerson on the list for consideration of appointment. The remaining Council Members responded in the negative.

Motion/Second: Mejia/Stephens

Unanimously carried: The City Council approved Option 1:

Each Council Member submit two names of people they think should be considered for appointment to the vacancy, and give those names to the City Clerk one week hence; and, bring back for interviews to the April 6, 2009, City Council meeting.

Mayor Pro Tem Poe spoke of her attendance at the following: 1) Police Officers' Luncheon; and, 2) Sunburst Youth Academy Family Day. She then advised the Museum was currently making copies of the early interviews with City dignitaries.

Council Member Mejia spoke of her involvement with the Choir Extravaganza, noting Los Alamitos Choirs hosted the event. She stated Rhonda Sandberg was an eloquent speaker but thought she had not realized that many in the City had been hurt by Mr. Grose's actions.

Mayor Edgar spoke on the following issues: 1) his attendance at the Orange County Sanitation District meeting; 2) Stimulus Package funding through OCTA - \$500,000 for Los Alamitos; 3) Support of Los Alamitos Unified School District teachers; 4) Rhonda Sandberg's comments were from the heart, and Dean Grose did the right thing for the City by resigning.

12. ITEMS FROM THE CITY MANAGER

None.

11. ADJOURNMENT

The meeting was adjourned at 9:50 p.m. The next meeting of the City Council is scheduled for Monday, April 6, 2009, in the City Council Chambers.

Troy Edgar, Mayor

ATTEST:

Susan C. Vanderpool, City Clerk