# ITEM NO. 8A

## MINUTES OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS

THESE MINUTES ISSUED FOR INFORMATION ONLY AND ARE SUBJECT TO AMENDMENT AND APPROVAL AT NEXT MEETING.

## REGULAR MEETING – November 16, 2015

### 1. CALL TO ORDER

The City Council met in Regular Session at 5:04 p.m., Monday, November 16, 2015, in the Council Chamber, 3191 Katella Avenue, Mayor Murphy presiding.

### 2. ROLL CALL

**Present:** Council Members: Grose, Hasselbrink, Kusumoto, Mayor Pro Tem Edgar, Mayor Murphy

**Absent:** Council Members: None

**Present:** Staff: Bret M. Plumlee, City Manager
Cary Reisman, City Attorney
Jason Al-Imam, Administrative Services Director
Tony Brandyberry, Public Works Superintendent
Sean Connolly, Police Captain
Corey Lakin, Recreation and Community Services Director
Todd Mattern, Chief of Police
Steven Mendoza, Development Services Director
Windmera Quintanar, CMC, City Clerk

### 3. CLOSED SESSION

**A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Pending litigation pursuant to subdivision (d)(4) of Section 54956.9. One potential case.

**B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
Property: APN 242-212-08, APN 242-212-10, APN 242-212-11, and APN 130-012-46
Agency Negotiator: Bret M. Plumlee, City Manager; Steven A. Mendoza, Development Services Director; and, Peter Wallin, Special Counsel
Negotiating Parties: Lincoln Property Company and the Joint Forces Training Base
Under Negotiation: Price and Terms of Payment
Authority: Government Code Section 54954.5 (b)

Mayor Murphy read the titles aloud.

**RECESS**
The City Council recessed into Closed Session.

**RECONVENE**
The City Council reconvened in Regular Session at 6:07 p.m.

City Attorney Reisman stated the first order of business was to determine if the item was appropriate for Closed Session. By a vote of 4-1, the City Council found the item was appropriate to discuss in Closed Session. No votes were requested or taken for Items 3A and 3B.

## 4. ROLL CALL

**Present:** Council Members: Edgar, Grose, Kusumoto, Mayor Pro Tem Murphy, Mayor Graham-Mejia

Sunburst Youth Academy Student Council – Class 16

| | |
|---|---|
| Chavez, James | Palomares, Michael |
| Alvarez, Christopher | Reyes, Jovanny |
| Flores, Nainelit | Miley, Destiny |
| Lopez, Jesus | Padilla, Stepahny |
| Molina, Stephanie | Valvo, Alexandra |

## 5. PLEDGE OF ALLEGIANCE

Room Representative, Stephanie Molina, led the Pledge of Allegiance.

**INVOCATION**

President, James Chavez, requested a moment of silence for the tragedy in Paris and gave the invocation.

Master Sergeant Gutierrez spoke briefly regarding Sunburst Youth Academy and the Student Council.

## 6. PRESENTATIONS

Mayor Murphy invited Mark Stanley, Executive Director of the Rivers and Mountains Conservancy, forward. Mr. Stanley presented Mayor Pro Tem Edgar a memento for his service on the RMC Board. Mayor Pro Tem Edgar spoke briefly.

**A. Presentation of a Proclamation to Bernardo Cobian, Owner of Café Del Sol, for Small Business Saturday**

Mayor Murphy and the City Council presented the certificate to Bernardo Cobian and his family. Mr. Cobian son, Marco, spoke briefly.

**B. Presentation of a Certificate of Recognition to Ted Apodaca, News Enterprise, in Appreciation for his Service as Editor**

Mayor Murphy and the City Council presented a Certificate of Recognition to Ted Apodaca. Mr. Apodaca spoke briefly. Mayor Murphy introduced Jesus Ruiz, the new Editor of News Enterprise. Mr. Ruiz spoke briefly.

Council Member Grose spoke briefly regarding Sunburst Youth Academy and the graduating class.

## 7. ORAL COMMUNICATIONS

Gerri Mejia, resident, requested Council discuss item 9G. She stated the following concerns: staff had not stayed in touch after the last outreach where many residents had stated opposition; she recalled parking meters had initially been looked at as a budget measure and not due to parking issues; unsafe for clients to park in the streets; concerns the employees will have no where to park; requested a compromise of four hour parking; concerns of parking loss should the boulevard grant be approved; and, reiterated concern there was not enough parking in the business lot.

Jennifer Sphere, Shear Madness owner, requested Council increase the parking to 4 hours.

Naheed Delietti, beautician, requested increased parking and stated she felt it was unsafe to cross the street late in the evening.

Susan Brookcleaner, beautician, agreed. She requested Council take into consideration the distance to the lot and the late hours worked.

Grace and Ernie Kapinara, Bella Hair owners, stated they did not feel any restrictions or controls were needed at this time and parking could be managed as is. They believed the hospital should be encouraged to use the parking structure. They requested business owners be included in future notifications affecting their properties. They stated concern there would not be enough parking for employees and did not feel there was enough space in Mr. Afshani's parking lot.

Mayor Murphy closed Oral Communications.

## 8. WARRANTS

Motion/Second: Grose/Edgar
Unanimously Carried: The City Council approved the Warrants for November 16, 2015, in the amount of $147,815.77, ratified the Warrants for October 20, 2015, to November 15, 2015, in the amount of $769,816.61, and authorized the City Manager to approve such expenditures as are legally due and within an unexhausted balance of an appropriation against which the same may be charged for the time period of November 17, 2015 to December 13, 2015.

**ROLL CALL**

| | |
|---|---|
| Council Member Grose | Aye |
| Council Member Hasselbrink | Aye |
| Council Member Kusumoto | Aye |
| Mayor Pro Tem Edgar | Aye |
| Mayor Murphy | 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 Edgar pulled item 9A.
Council Member Kusumoto pulled item 9G.

Motion/Second: Edgar/Grose
Unanimously Carried: The City Council approved the following Consent Calendar items:

**B. Adopt Ordinance No. 2015-06 – City Boards, Commissions, and Committees (City Clerk)**

At its regular meeting of October 19, 2015, the City Council introduced Ordinance No. 2015-06. This Ordinance will streamline the Los Alamitos Municipal Code (LAMC) as it relates to City's Boards, Commissions, and Committees.

The City Council adopted Ordinance No. 2015-06, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING TITLE 2 BY REPEALING CHAPTERS 2.32 THROUGH 2.50 AND ADDING CHAPTERS 2.30 THROUGH 2.40 RELATED TO CITY BOARDS, COMMISSIONS, AND COMMITTEES."

**C. Adopt Ordinance Nos. 2015-07 and 2015-08 – Massage Ordinance Amendment (City initiated) (Community Development)**

At its regular meeting of October 19, 2015 the City Council Ordinance Nos. 2015-07 & 2015-08. This is Zoning Ordinance Amendment (ZOA) 15-02 to amend Title 5 and Title 17 of the Los Alamitos Municipal Code relating to those sections where they refer to Massage Establishments (Citywide) (City initiated).

The City Council:

1. Adopted Ordinance No. 2015-07, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, REPEALING AND RE-ADOPTING CHAPTER 5.32 OF THE LOS ALAMITOS MUNICIPAL CODE RELATING TO MASSAGE ESTABLISHMENTS"; and,

2. Adopted Ordinance No. 2015-08, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING TITLE 17 OF THE LOS ALAMITOS MUNICIPAL CODE RELATING TO MASSAGE ESTABLISHMENTS."

**D. 2016 Race on the Base Medal Purchase (Recreation)**

This report addressed the purchase of Race on the Base medals for all race finishers and award winners. Every participant finisher in each race receives a medal as part of his/her registration fee. Overall and age group award winners also receive a medal. This item has been placed on the agenda because the cost of the purchase exceeds the purchasing limit of the City Manager. Race registration revenue offsets the cost of the medals.

The City Council authorized the City Manager to purchase participant and award medals for the Race on the Base from Crown Trophy of Cypress for an amount not to exceed $12,000.

**E. Purchase of Two (2) 2016 Dodge Charger Police Vehicles (Public Works)**

This was a request to purchase two (2) 2016 Dodge Charger Police Pursuit Vehicles (black & white) per Los Alamitos Municipal Code 2.60.110 – Purchases through other agencies. This report requests authorization to utilize Purchase Order #412-380345 agreement between the City of Anaheim and McPeeks Dodge of Anaheim.

The City Council authorized the City Manager to purchase two (2) 2016 Dodge Charger Police Pursuit Vehicles (black & white) from McPeek Dodge for $57,394.54.

**F. Community Development Block Grant (CDBG) Project List for Fiscal Year 2016-17 (Community Development)**

This report set forth a recommended project list for Fiscal Year 2016-2017 of the County's Community Development Block Grant (CDBG) program and approval of the City's participation in the program which may be due in January, 2016.

The City Council:

1. Adopted Resolution No. 2015-32 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING THE CITY'S PARTICIPATION IN FISCAL YEAR 2016-2017 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM WITH THE COUNTY OF ORANGE"; and,

2. Directed Staff to prepare applications for submittal to the County of Orange; and,

3. Authorized the City Manager to execute all CDBG program documents for Fiscal Year 2016-2017 and appropriate amendments, if any, as they become available.

**H. Treasurer's Quarterly Investment Report – September 2015**
**(Administrative Services)**

The item for City Council consideration was receipt of the Treasurer's Quarterly Investment Report.

The City Council received and file the Treasurer's Quarterly Investment Report – September 2015.

**I. Limited Parking within City Owned Parking Lots**
**(Community Development)**

This Staff report requested the establishment of time-limited parking on City owned parking Lots.

The City Council adopted Resolution No. 2015-25, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ESTABLISHING LIMITED PARKING ON CITY OWNED PROPERTY."

**J. Probationary Period for Promoted or Transferred Employees**
**(Administrative Services)**

This report sought City Council approval of a change to the City's Personnel Policies and Procedures Manual which establishes a twelve month probationary period for regular employees promoted or transferred to another position in the City.

The City Council adopted Resolution No. 2015-33 titled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, REVISING THE CITY'S PERSONNEL POLICIES AND PROCEDURES MANUAL AND REPEALING RESOLUTION NO. 2051".

**K. Rivers and Mountains Conservancy Proposition 1 Grant Application**
**(Recreation)**

The Rivers and Mountains Conservancy (RMC) has been delegated the responsibility by the State of California to administer the grant program under the Water Quality, Supply and Infrastructure Improvement Act of 2014 (Proposition 1) in its jurisdiction, setting up necessary procedures and requiring applicants to submit a certified resolution to accompany the application.

The City Council adopted Resolution 2015-35, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE WATER QUALITY, SUPPLY AND INFRASTRUCTURE IMPROVEMENT ACT OF 2014 (PROPOSITION 1), FOR THE PURPLE PIPE PROJECT."

**L. Resolution No. 2015-34 – Adopting the June 30, 2015, Measure M2 Expenditure Report (Administrative Services)**

Each agency who receives Measure M2 funds is required by the OCTA to adopt via resolution an annual Expenditure Report to account for the use of Measure M2 funds.

The City Council adopted Resolution No. 2015-34, entitled, "A RESOLUTION OF CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, CONCERNING THE JUNE 30, 2015 MEASURE M2 EXPENDITURE REPORT FOR THE CITY OF LOS ALAMITOS."

**End of Consent Calendar**

**Items Pulled from Consent Calendar**

**G. Limited Parking in Old Town East and Medical Center Area (Community Development)**

This Staff report requests the establishment of time-limited parking within the Commercial Area of Old Town East, the Medical Center Area and surrounding area.

Development Services Director Mendoza summarized the Staff report, referring to the information contained therein, and answered questions from the City Council.

Council Member Kusumoto asked if the issue was to solve the public use of public space for parking to frequent business.

Development Services Director Mendoza stated it was to limit employees parking in the public spaces for eight hours without circulation.

Council Member Kusumoto received clarification for his understanding of the parking areas. He indicated he was struggling with the issue and understood Staff's perception there was an issue and that small businesses believed it was not an issue. He indicated parking meters were to raise revenue and not address this issue. He was interested in Council's perception.

Council Member Hasselbrink questioned if it was possible to look at limiting residential parking in areas 2 and 3 to allow for parking during business hours.

Development Services Director Mendoza stated it could be looked into, but had not been considered to date.

Council Member Grose briefly discussed the parking meter status and stated the intent tonight was to formalize a program to help circulate parking and reevaluate after 90 days. He stated the restrictions could be reviewed at that point and stated he was in favor of moving forward. He expressed an interest in hearing from the business, customers, and people that utilize that area. He stated with parking being enforced, Staff would have a better idea if parking meters were needed. He believed this was a step in the right direction and looked forward to modifying the program as needed. He stated concern the business claimed they were not notified and pointed out the Traffic Commission had held a public meeting. He reiterated support for moving forward with the trial period and receiving feedback.

Mayor Pro Tem Edgar questioned the hours of operation for the salons.

Ms. Sphere indicated they could start as early as 7:00 a.m. and go as late as 9:00 p.m. The location was usually closed on Sunday.

Mayor Pro Tem Edgar pointed out the enforcement was Monday-Friday until 3:00 p.m. and questioned how much traffic the business received. He questioned what the parking requirements are when someone comes in and starts a new business and if the spaces were for employees or customers.

Development Services Director Mendoza indicated it was 1 space per 250 square feet; however, restaurants had a different category. He stated the spaces were for both customers and employees.

Mayor Pro Tem Edgar stated there was approximately 4-5 spaces for the salon and assumed the street parking would be the main overflow. He appreciated the permit parking suggestion and pointed out it was put in place due to the high school. He asked if there was possibility for additional spaces with diagonal parking.

Development Services Director Mendoza indicated there were opportunities on Pine and Regan.

Mayor Pro Tem Edgar acknowledged the complaints received about traffic and understood the proposed solution. He stated concern only one business was engaged and questioned the noticing and outreach for this item.

Development Services Director Mendoza stated flyers had been hand delivered at the Traffic Commission level and was the largest attended outreach meeting. He stated noticing was not done at the Council level.

Mayor Pro Tem Edgar questioned why the Traffic Commission had discussed parking on Oak when Council had been informed parking was not in the Commission's purview.

Development Services Director Mendoza advised the Commission had operated as the outreach component and hosted a meeting to vet issues in a public manner. He stated the Commission was not required to review the study, but Staff had asked the Commission to provide open house venue.

Mayor Pro Tem Edgar questioned if Council was flexible with extending the time limits if that would be acceptable.

Ms. Mejia stated four hours would be better and indicated they had found a way to coexist with the businesses around them.

Mayor Pro Tem Edgar was supportive of finding a compromise and believed four hour parking may be it. He acknowledged the businesses' participation and stated support for the parking strategy to use the streets to allow customers to come and go. He realized the limited parking spaces was an issue, but believed this policy was right for the long term.

Ms. Mejia questioned if there would be public comment on the item.

City Attorney Reisman advised Council may allow anyone who had not spoken to speak now.

**RECESS**
The City Council took a brief recess at 7:03 p.m.

**RECONVENE**
The City Council reconvened in Regular session at 7:17 p.m.

Mayor Murphy questioned if there had been outreach to Mr. Afshani, the hospital, and Trend Offset Printing.

Development Services Director Mendoza advised Mr. Afshani had been notified of the two hour parking, the hospital was supportive of the regulation; and, Trend opposed the removal of appealing parking spaces.

Mayor Murphy agreed there was a parking issue and recognized the survey indicates parking meters might not be supportive.

City Manager Plumlee advised Staff had taken a conservative approach to phase in the program. This would allow the Working Group to monitor the

occupancy levels to ensure they would be high enough to support the capital investment of parking meters.

Mayor Murphy referred to the charge for parking lot on Florista and Cherry and questioned if free parking had to be provided.

City Manager Plumlee advised they would have had to meet the parking requirements for the size of the building at the time they had applied for a business license.

Development Services Director Mendoza added the Code did not state the parking had to be free; it just had to be provided.

Council Member Grose pointed out the shopping center being discussed had many businesses where customers were in and out quickly. He recognized the businesses have grown since they were first established and may have outgrown their parking requirements.

Mayor Murphy questioned how the program would be eliminated if it was unsuccessful after 90 days. He asked if Staff had heard from any other businesses.

Development Services Director Mendoza reviewed the timeline included in the Staff report. He indicated after the 90 day review and additional study, Staff would know if parking meters were needed or if the issues had corrected themselves. He advised businesses had stated objections to the parking meters, but many were in favor of the parking limits.

Mayor Murphy questioned reversing the permit parking.

Development Services Director Mendoza stated it would take time to do outreach to the property owners. It would be feasible to have the issues vetted in that area within 90 days.

Council Member Kusumoto pointed out the permit parking area was also public parking. He stated support for having the area studied and having a comprehensive plan come forward.

Mayor Murphy suggested limiting the times in the parking lot on Pine St. and had hoped the Chamber would work with the hospital to help mitigate the parking issue. He indicated without time limitations, the prime parking was not being used to its full potential.

Council Member Grose believed there should be consistency with the City's parking restrictions and Afshani's parking lot. He questioned if the

two hour parking limits would be enforced while the new signs were being installed.

Development Services Director Mendoza gave a brief history of Afshani's parking lot. He pointed out there would not be a reduction in the number of spaces in the area and this was an effort to increase circulation. He stated existing parking would be enforced.

Mayor Murphy opened the item for public comment.

Gerri Mejia, resident, spoke regarding the following topics: preference for four hour parking enforcement or none at all; belief residents would disagree with removing parking permits for everyone and may be more open to permits for businesses only; medical center employees should utilize the parking structure; requested the process be slowed down to allow for public input; if parking tickets are issued business will decline; elderly clients need to be able to park in the parking lot; and, thanked the Council for meeting with her and the opportunity to be heard.

Javier Mejia, resident, expressed frustration that parking did not fall under the Traffic Commission; believed the parking issue could be solved with the hospital; confusion regarding parking due to outdated signage and green curbs; belief that there was available parking throughout the City being underutilized; support for enforcing existing regulations; and, not driving away customers with new regulations.

Mayor Murphy closed the item for public comment.

Council Member Grose believed a 90 day time frame would be needed to really get an understanding of the issue and did not believe 30 days would be sufficient. He stated support for Staff's recommend action.

Motion/Second: Grose/Edgar:
Motion: Adopt Resolution No. 2015-31, entitled, "A RESOLUTION OF CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ESTABLISHING LIMITED PARKING WITHIN THE COMMERCIAL AREA OF OLD TOWN EAST, MEDICAL CENTER AREA AND ADJACENT AREA."

Substitute Motion: Kusumoto/Murphy
Carried 3/2 (Edgar and Grose cast the dissenting votes): The City Council delayed Staff's recommendation to allow Staff to reach out to zones 2 and 3 for the possibility of relaxing daytime parking restrictions. Staff is to bring back one solution.

Council and Staff discussed the timeline for feedback. Staff advised feedback could be provided in January.

Mayor Pro Tem Edgar questioned what the impact of this decision would be and if Council was undoing all the work of the Traffic Commission had completed in the last six months.

Council and Staff discussed providing information to Council regarding modifying the residential parking program and the possibility of adding additional diagonal parking.

Mayor Murphy requested Staff meeting with Mr. Mejia to see where additional parking could be created.

**RECESS**
The City Council took a brief recess at 7:57 p.m.

**RECONVENE**
The City Council reconvened in Regular session at 8:07 p.m.

**A. Approval of Minutes (City Clerk)**
Approve the Minutes of the Regular meeting of October 19, 2015.

Mayor Pro Tem Edgar reviewed his proposed changes.

Motion/Second: Murphy/Hasselbrink
Unanimously Carried: the City Council approved the Minutes of the Regular meeting of October 19, 2015, as amended.

## 10. PUBLIC HEARINGS

**A. Introduce Ordinance 2015-03 – A Zoning Ordinance Amendment (ZOA 15-03) to Create a Medical Overlay Zone in compliance with the 2015-2035 General Plan (Community Development)**
Consideration of a Zoning Ordinance Amendment (ZOA 15-03) to create a Medical Overlay Zone to allow more flexible uses for certain parcels in the Planned Light Industrial Zone to comply with the new 2015-2035 General Plan and to amend the zoning map by placing the Overlay Zone on specified parcels, as recommended by the Planning Commission (City initiated).

Development Services Director Mendoza summarized the Staff report, referring to the information contained therein, and answered questions from the City Council.

Mayor Murphy opened the Public Hearing. There being no one present wishing to speak, Mayor Murphy closed the Public Hearing.

Motion/Second: Grose/Edgar
Unanimously Carried: The City Council:

1. Opened the Public Hearing; and, if appropriate,

2. Determined that the proposed project has met the requirement of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines and has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA). The City Council of the City of Los Alamitos, California, certified the Final Environmental Impact Report on March 23, 2015 for the Los Alamitos General Plan to include land use changes for various parcels and adopting environmental findings, a statement of overriding considerations and a mitigation monitoring and reporting plan pursuant to the California Environmental Quality Act. As zoning is required to be consistent with the General Plan, the impacts relating to the zone changes are identical to the impacts that were covered in the Program EIR and there are no new impacts which would occur from such changes. As such, the zone changes are within the scope of the Program EIR #2013121055.

3. Introduced, waived reading in full and authorized reading by title only of Ordinance No. 2015-03, and set for second reading; and,

4. City Attorney Reisman read the title of Ordinance No. 2015-03, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING ZONING ORDINANCE AMENDMENT (ZOA) 15-03 TO AMEND SECTIONS 17.04.020, 17.10.020, and 17.12.010 OF THE LOS ALAMITOS MUNICIPAL CODE TO CREATE A MEDICAL OVERLAY ZONE AND TO AMEND THE ZONING MAP TO PLACE THE MEDICAL OVERLAY ZONE ON PROPERTIES GENERALLY NORTH OF THE LOS ALAMITOS MEDICAL CENTER SPECIFIC PLAN AREA, WHICH PROPERTIES ARE ALL IN THE PLANNED LIGHT INDUSTRIAL (P-m) ZONE OF THE CITY (City initiated)."

**B. Introduce Ordinance 2015-09 – A Zoning Ordinance Amendment (ZOA 15-08) to Create a Retail Overlay Zone in compliance with the 2015-2035 General Plan (Community Development)**

Consideration of a Zoning Ordinance Amendment (ZOA 15-08) to create a Retail Overlay Zone to allow more flexible uses for certain parcels in the Planned Light Industrial Zone to comply with the new 2015-2035 General Plan and to amend the zoning map by placing the Overlay Zones on

specified parcels, as recommended by the Planning Commission (City initiated).

Council Member Grose recused himself stating he had property in the overlay area. He left the dais.

Development Services Director Mendoza summarized the Staff report, referring to the information contained therein, and answered questions from the City Council.

Mayor Murphy opened the Public Hearing.

Shelley Henderson, Cypress resident, questioned if Arrowhead Products ever vacated, would the City consider widening Lexington.

Mayor Murphy closed the Public Hearing.

Mayor Pro Tem Edgar expressed concerns regarding Lexington and the impact it would cause.

Development Services Director Mendoza advised an Environmental Impact Report would be written based on impacts of any development and mitigation measures could be sought at that time.

Council Member Kusumoto thanked Staff for dividing the item so Council Member Grose could participate.

Motion/Second: Kusumoto/Edgar
Carried 4/0 (Grose recused himself): The City Council:

1. Opened the Public Hearing; and, if appropriate,

2. Determined that the proposed project has met the requirement of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines and has been reviewed in compliance with the provisions of the California Environmental Quality Act (CEQA). The City Council of the City of Los Alamitos, California, certified the Final Environmental Impact Report on March 23, 2015 for the Los Alamitos General Plan to include land use changes for various parcels and adopting environmental findings, a statement of overriding considerations and a mitigation monitoring and reporting plan pursuant to the California Environmental Quality Act. As zoning is required to be consistent with the General Plan, the impacts relating to the zone changes are identical to the impacts that were covered in the Program EIR and there are no new

impacts which would occur from such changes. As such, the zone changes are within the scope of the Program EIR #2013121055.

3. Introduced, waived reading in full and authorized reading by title only of Ordinance No. 2015-09, and set for second reading; and,

4. City Attorney Reisman read the title of Ordinance No. 2015-09, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING ZONING ORDINANCE AMENDMENT (ZOA) 15-08 TO AMEND SECTIONS 17.04.020, 17.10.020, AND 17.12.010 OF THE LOS ALAMITOS MUNICIPAL CODE TO CREATE A RETAIL OVERLAY ZONE AND TO AMEND THE ZONING MAP TO PLACE THE RETAIL OVERLAY ZONE OVER THOSE PROPERTIES COMMONLY KNOWN AS THE ARROWHEAD PROPERTIES, WHICH PROPERTIES ARE ALL IN THE PLANNED LIGHT INDUSTRIAL (P-M) ZONE OF THE CITY (CITY INITIATED)."

Council Member Grose took his seat at the dais.

## 11. DISCUSSION ITEMS

**A. Sober Living Home (Community Development)**

This report provides an explanation of Sober Living Homes and how they are permitted to operate within neighborhoods.

City Manager Plumlee introduced the item.

Mayor Pro Tem Edgar spoke regarding the possibility of an establishment opening in the Rossmoor Highlands. He indicated the State required the City allow such establishments without restriction. He stated concern that the large properties in the Rossmoor Highlands would be prime locations for these establishments that receive funding from the State and would lower property values. He acknowledged the legal and statutory limitations.

Development Services Director Mendoza summarized the Staff report, referring to the information contained therein, and answered questions from the City Council.

Mayor Pro Tem Edgar questioned what regulations were in place for construction and retrofitting the houses. He stated concern about such establishments in Los Alamitos. He questioned if there were regulations that required medical staff to be on site.

Development Services Director Mendoza stated there were no treatments related to this type of use.

Mayor Pro Tem Edgar spoke briefly regarding his concerns related to loitering at these establishments. He questioned if there were any preventative measures the City could take. He understood it was a State regulation and the Municipal Code did not address the topic. He stated an interest in slowing the process down and questioned if the City had any options.

City Attorney Reisman advised there was nothing that could be done unless the City was prepared to be sued and defend against litigation, similar to Newport Beach and Costa Mesa. He stated sober living facilities were to be treated as if a family of 2 parents and 4 kids resided there. He indicated case law and State legislature prohibited the City from enacting any special regulations to prohibit or impose conditions.

City Council and Staff briefly discussed State legislation that allowed for sober living homes. Staff advised Code violations and neighbor complaints would be addressed just like any other residential home.

Council Member Hasselbrink suggested reaching out to the Association of California Cities of Orange County, ACC-OC, for any suggestions and accurate responses for the Council should they receive additional questions.

City Manager Plumlee confirmed he would reach out to the ACC-OC and the League of California Cities for additional information.

## 12. MAYOR AND COUNCIL INITIATED BUSINESS

### A. Council Announcements

**Council Member Kusumoto** briefly discussed the following topics: attendance at Wings, Wheels, and Rotors Expo; appointment to the Orange County Parks Commission, Inland representative; and, preparation for El Nino.

**Council Member Hasselbrink** spoke briefly regarding her attendance at the following events: Wings, Wheels, and Rotors Expo; Mayor's Prayer Breakfast in Cypress; Women's Conference hosted by Diana Harkey; Chamber Breakfast; Orange County Fire Authority's Reserve Firefighter Class Graduation; and, Association of California Cities – Orange County, Dinner.

**Council Member Grose** briefly discussed the following topics: events attended were listed on his website www.losal.net; participated in the

Governor's Military Council conference call; attended a Retirement Ceremony for the 79th Sustainment Command; attended the Veteran's Honor Ride; attendance at event honoring Richard Glassman, Correctional Officer; attended Mayor's Prayer Breakfast in Cypress; attended the Legislative Forum hosted by Westminster; participated in Trunk or Treat; and, upcoming Military Affairs Committee meeting.

**Mayor Pro Tem Edgar** spoke briefly regarding the following topics: City Selection Committee meeting; Sunday Concerts at St. Isidore Historical Plaza; attendance at St. Isidore Annual meeting; encouraged support for the Historical Plaza; upcoming Race on the Base; upcoming Americana Awards; and, upcoming Casa Youth Shelter fundraising event.

Recreation and Community Services Director Lakin gave a brief update on the upcoming Race on the Base event, February 26, 2016.

**Mayor Pro Tem Edgar** requested the meeting be closed in honor of the families in France and Paris. He thanked everyone for the acknowledgements he received on Veteran's day and thanked those who have served.

**Mayor Murphy** spoke briefly regarding the following topics: recognition for the three ladies going to the All American Band; attendance at Trunk or Treat; attendance at Travis Allen's event in Seal Beach; welcomed Interim Police Chief Mattern; requested the City explore an event for police appreciation as they were important to the community; and, attendance at the Chamber Breakfast. He requested the meeting closed in memory of Elizabeth Murphy.

## 13. ITEMS FROM THE CITY MANAGER

City Manager Plumlee spoke regarding the Winter Wonderland event on December 5. Community Services Director Lakin gave a brief update. He congratulated the City Council and Public Works Staff for receiving the American Public Works Association Award for the design of Coyote Creek Park. He advised of the upcoming Commissioner Dinner and that the next Council meeting would be Monday, December 14th.

## 14. ADJOURNMENT

The City Council adjourned in memory of the victims of the terrorist attack in Paris, France and Elizabeth Murphy to December 14, 2015, at 9:03 p.m.

Attest: Richard D. Murphy, Mayor

Windmera Quintanar, CMC, City Clerk