

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

**ADJOURNED REGULAR MEETING – December 14, 2015**

**1. CALL TO ORDER**

The City Council met in Regular Session at 6:02 p.m., Monday, December 14, 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  
Sean Connolly, Police Captain  
Dave Hunt, City Engineer  
Corey Lakin, Recreation and Community Services Director  
Todd Mattern, Chief of Police  
Steven Mendoza, Development Services Director  
Windmera Quintanar, CMC, City Clerk

Mayor Murphy recognized local dignitaries that were present in the audience, Senator Nguyen and Brigadier General Reddicks. He requested BG Reddicks lead the Pledge of Allegiance.

**3. PLEDGE OF ALLEGIANCE**

Brigadier General Reddicks led the Pledge of Allegiance.

**4. INVOCATION**

Council Member Grose gave the invocation.

**5. PRESENTATIONS**

**A. Presentations to Mayor Murphy for his Service as Mayor from Outside Agencies**

Mayor Pro Tem Edgar introduced the following individuals who presented Mayor Murphy mementos for his service:

- Senator Janet Nguyen
- Supervisor Michelle Steel representative, Jeremy Tran

- Congressman Alan Lowenthal by Mayor Pro Tem Edgar
  - Brigadier General Reddicks
  - Johnnie Strohmeyer and Josh Wilson, Chamber of Commerce
- B. Presentation of a Commendation to Judy Klabouch, for Green Street Interior and her Philanthropic Contributions to the Community**  
Mayor Murphy and the Council presented a commendation to Judy Klabouch. Ms. Klabouch spoke briefly and introduced her daughter Karen.
- C. Presentation of a Commendation to Andrew Pulver, 2015 Personnel/Human Resource Administrator of the Year**  
Mayor Murphy and the Council presented a commendation to Dr. Andrew Pulver, Los Alamitos Unified School District. Dr. Pulver spoke briefly.
- D. Presentation of a Commendation to Winslow Chase for his Outstanding Community Service**  
Mayor Murphy and the Council presented a commendation to Winslow Chase. Chief Mattern spoke briefly. Mr. Chase spoke briefly.
- E. Presentation of a Certificate of Recognition to Gerri Graham-Mejia for her Service as the City's Orange County Mosquito and Vector Control District Representative**  
Mayor Murphy and the Council presented a Certificate of Recognition to Gerri Graham-Mejia. Mrs. Graham-Mejia spoke briefly.
- F. Presentation of Certificates of Recognition to the City's Public Works Employees for Receiving the 2015 Project of the Year Award from the Southern California Chapter of the American Public Works Association for Coyote Creek Park**  
Mayor Murphy and the Council presented Certificates of Recognition to the Public Works Crew. Development Services Director Mendoza handed out the certificates to Dave Hunt, Tony Brandberry, Miguel Dela Torre, Chris Deaton, Anthony Vazquez, Victor Dela Torre, Alex Quezada, Gary Saldivar, and Juan Moreno.
- G. Presentation of Certificates of Recognition to City and Chamber of Commerce Staff for Coordinating the 2015 Winter Wonderland at the Plaza**  
Mayor Murphy and the Council presented Certificates of Recognition to the following Staff and the Chamber of Commerce representatives: Corey Lakin, Chelsi Wilson, Steven Mendoza, Ron Noda, Emeline Noda, Megan Shimada, Juan Moreno, Gary Saldivar, Tony Brandberry, Chris Deaton.

**RECESS**

The City Council took a brief recess at 6:36 p.m.

## **RECONVENE**

The City Council reconvened in Adjourned Regular session at 6:46 p.m.

Mayor Murphy pulled item 8H forward.

### **H. Residential Care Facilities (Community Development)**

This report provides an explanation of Residential Care Facilities including Sober Living Homes, Detox facilities and group homes.

Mayor Murphy gave a brief introduction of the item and advised of the City's three level approach as outlined in the Staff report. He requested Council Member Hasselbrink give an update on her recent meetings.

Council Member Hasselbrink gave an overview regarding her recent meeting with Laurie Davies, Mayor of Laguna Niguel, and President of Orange County League of California Cities. She summarized at this time the City's only option was to watch upcoming legislation.

Mayor Pro Tem Edgar stated Council was sensitive to all the needs of the citizens and briefly discussed the recent home proposed to open Rossmoor Highlands. He preferred Council be proactive, but realized it was State law and the City had limited options. He expressed support for community involvement.

Mayor Murphy opened the item for public comment. There being no one present wishing to speak, Mayor Murphy closed the item for public comment.

## **6. ORAL COMMUNICATIONS**

At this time, any individual in the audience may come forward to speak on any item within the subject matter jurisdiction of the City Council. Remarks are to be limited to not more than five minutes per speaker.

Mayor Murphy opened Oral Communications.

Linda Smith, resident, stated opposition to a sober living home and questioned her rights to petition.

City Attorney Reisman advised it was his understanding the home in question had withdrawn its application and was no longer pursuing such a use.

Linda Smith reiterated her opposition to a sober living home facility in her neighborhood.

Wendy Grose, resident, spoke regarding the State using disability funds for residential care facilities that do not address the issues at hand. She stated support for better facilities with trained medical experts that are designed to treat individuals.

Barbara Hitman, resident, stated opposition to the home facility and questioned how residents could stop such facilities in their neighborhoods.

Mayor Murphy requested Staff follow up.

Pattie Liard questioned how the home facilities would be monitored.

City Attorney Reisman advised they would be monitored like any other residential home. There was a brief discussion regarding any issues created by the home facility being a civil matter.

Mayor Murphy closed Oral Communications.

Mayor Pro Tem Edgar questioned if there would be additional discussion on item 8H.

Council Member Kusumoto called a point of order and agreed the item should be pulled during Consent Calendar for further discussion.

Mayor Murphy agreed and reopened Oral Communications.

McKenna Hurt, Los Alamitos Unified School District Ambassador, spoke regarding the following topics: winter break starts Friday; Rossmoor Elementary is collecting letters to send to troops along with over 2,000 pounds of candy and gifts; and, upcoming winter event with Los Al for Life, that includes snow, food trucks, and choir, Thursday at the High School, from 5:00 – 7:00 p.m.

JM Ivler, resident spoke in opposition to item 9A. He stated support for Mayor Murphy and Mayor Pro Tem Edgar continuing in their positions for an additional year.

Mayor Murphy closed Oral Communications.

## **7. WARRANTS**

Motion/Second: Edgar/Hasselbrink

Unanimously Carried: The City Council approved the Warrants for December 14, 2015, in the amount of \$68,580.40, ratified the Warrants for November 17, 2015 to December 13, 2015, in the amount of \$779,344.21, 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 December 15, 2015 to January 18, 2016.

**ROLL CALL**

Council Member Grose	Aye
Council Member Hasselbrink	Aye
Council Member Kusumoto	Aye
Mayor Pro Tem Edgar	Aye
Mayor Murphy	Aye

**8. 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 8G and 8H.

Council Member Grose advised he would recuse himself from voting on item 8C to remain consistent. He had previously recused himself since he was within a 500 mile radius of the area.

Motion/Second: Hasselbrink/Edgar

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

**A. Approval of Minutes** (City Clerk)  
Approved the Minutes of the Regular meeting of November 16, 2015.

**B. Adopt Ordinance 2015-03 – A Zoning Ordinance Amendment (ZOA 15-03) to Create a Medical Overlay Zone in compliance with the 2015-2035 General Plan (City initiated) (Community Development)**  
At its regular meeting of November 16, 2015 the City Council conducted a first reading of Ordinance No. 2015-03 allowing 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).

The City Council adopt 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).”

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

At its regular meeting of November 16, 2015, the City Council conducted a first reading of Ordinance No. 2015-09 creating 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).

The City Council (Grose recused himself) adopted 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).”

**D. Memorandum of Understanding Between the City of Los Alamitos and the County of Orange for Public Safety Realignment and Postrelease Community Supervision Cost Reimbursement to Local Law Enforcement Agencies for Enhanced Services and Other Authorized Expenditures (Police)**

This report provided information about Public Safety Realignment and Post release Community Supervision and seeks authorization to execute a Memorandum of Understanding with the County of Orange for cost reimbursement for enhanced law enforcement services as needed to achieve the objectives related to Public Safety Realignment.

The City Council authorized the Chief of Police to execute the Memorandum of Understanding between the City of Los Alamitos and the County of Orange for Public Safety Realignment and Postrelease Community Supervision Cost Reimbursement to Local Law Enforcement Agencies for Enhanced Services and Other Authorized Services.

**E. Extension of Professional Services Agreement with Midori Gardens for Landscape Maintenance Services (Public Works)**

This item was to consider continuing services with Midori Gardens to provide landscape maintenance services. The current Professional

Services Agreement (PSA) expires on January 2, 2016, but can be extended by mutual agreement.

The City Council authorized the Mayor to execute Amendment No. 1 of the PSA with Midori Gardens for Landscape Maintenance services.

**F. Race on the Base Timing Contract (Community Services)**

This item was to authorize the City Manager to enter into a Professional Services Agreement with Gemini Timing for race timing services for the 2016 Race on the Base. The Race on the Base event requires hiring a professional timing contractor due to the expertise and equipment needed to time the event. This item has been placed on the agenda because the estimated cost of the services exceeds the purchasing limit of the City Manager. Race registration revenue offsets the cost of the timing services.

The City Council authorized the City Manager to enter into a Professional Services Agreement with Gemini Timing for race timing services for the 2015 Race on the Base.

**End of Consent Calendar**

**Items pulled from Consent Calendar**

**G. Resolution No. 2015-36 Solidifying Support for the Orange County Transit Authority (OCTA) Grant for Los Alamitos Boulevard Beautification Project (Public Works)**

The City applied for grant funding through Orange County Transit Authority's (OCTA) 2016 Comprehensive Transportation Funding Program on October 23, 2015 for Los Alamitos Boulevard. OCTA is now requesting a resolution solidifying the Council's support for the Grant Application.

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

Mayor Pro Tem Edgar stated he was passionate about the project and was excited Council had agreed to invest in the infrastructure. He briefly discussed Council's action to refinance the bond on Laurel Park to allow bond proceeds to be used for additional projects in the City. He was supportive of matching grant funds, but stated opposition to this grant that would require the project be changed to allow for three lanes of traffic. He questioned if the goal of the project was to beautify the Boulevard and revitalize the businesses or to increase the flow of traffic. He indicated he could not support this grant, was supportive of the project continuing to move forward, and challenged Council to examine if this grant met the City's needs.

Council Member Kusumoto recalled when the project was originally brought forward it had three lanes on both sides. He understood the concern not to constrain traffic and questioned if three lanes would allow transition into parking spaces for the shops. He indicated he was not in favor of revitalization for faster cars.

Council Member Hasselbrink stated support for three lanes and indicated she currently avoids the Boulevard due to traffic. She felt the grant cured the traffic concern and provided additional funds for the City to use. She did not see a disadvantage to the grant and pointed out traffic would remain at 35/mph.

Council Member Grose stated his understanding was eventually Council would have to decide between parking and walk ability aspect. He asked if three lanes would decrease curbside parking.

Development Services Director Mendoza stated in the future Council would have to decide between widening the sidewalks or removing parking.

Council Member Grose stated opposition to the grant that would require the City to modify the project to include three lanes. He stated support for the project continuing to move forward and would not be supportive of additions that would slow the project down.

Mayor Murphy stated he believed the project was for beautification and increased safety. He pointed out the speeds would not be increased. He reiterated if Council chose to keep the parking the sidewalks could not be widened, but no parking is lost with widening the streets.

Mayor Pro Tem Edgar indicated he could not support this because the original plan had been vetted by the Chamber of Commerce, business community, and Commissions. He summarized the speed should remain at 35/mph, eventually there would be parking decisions to make, and the City did not have all the funding for the project. He stated opposition to allowing Orange County Transportation Authority (OCTA) to influence the City's project.

Motion/Second: Murphy/Hasselbrink  
Motion: Approve Staff recommendation.

Council Member Grose stated action was only to approve the application to OCTA and asked if an outside consultant had been hired.

City Engineer Hunt indicated tonight's action was to approve the submittal of the application. If awarded, Council could decline to accept the funds.

Council Member Grose recalled declining funding had negatively affected the City's ability to receive other grants in the past.

City Engineer Hunt agreed.

Council Member Kusumoto confirmed that should the City be awarded the grant, Council still had the option to decline.

City Engineer Hunt confirmed.

Council Member Kusumoto recalled Council's discussion to multiply the equity pulled out of the bond refinance. He indicated he did not believe this grant was a good return for only a fourth of the amount. He questioned if it a one for one match was unrealistic.

City Engineer Hunt stated OCTA project grants were typically a 50% match and briefly discussed the variety of grants available.

Council Member Kusumoto stated concern that the City would not be able to integrate a crosswalk for Safe Routes to School if the project was piecemealed together. He questioned if Staff had taken an overall view of all the segments.

City Engineer Hunt advised Staff had an overall view; but, pointed out this application with OCTA was only for the portion from Cerritos to Katella. He briefly discussed the grant process.

Council Member Kusumoto indicated the grant was too constraining and he may not be able to support.

Motion/Second: Murphy/Hasselbrink

Motion Failed 2/3 (Edgar, Grose, Kusumoto cast the dissenting vote): Adopt Resolution No. 2015-36, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA FOR CANDIDATE ORANGE COUNTY COMPREHENSIVE TRANSPORTATION PROGRAMS PROJECTS".

Motion/Second: Edgar/Kusumoto

Carried 3/2 (Hasselbrink and Murphy cast the dissenting votes): The City Council rejected Resolution No. 2015-36.

Council member Grose clarified the project would still move forward and Staff should look for other funding opportunities.

City Manager Plumlee stated Council's action stopped the grant application process and the scope of the project would continue on.

Mayor Pro Tem Edgar suggested a Staff report that would outline the project for the next 3-5 years.

Council Member Hasselbrink stated concern the Council was not supportive of using local tax dollars to put back into the local infrastructure and pointed out all grants have requirements.

**H. Residential Care Facilities – Continued (Community Development)**

This report provided an explanation of Residential Care Facilities including Sober Living Homes, Detox facilities and group homes.

Mayor Pro Tem Edgar requested Council discussion on this topic and questioned if Council could define specific steps for Staff.

Council Member Kusumoto understood there were three types of uses under residential care (sober living, detoxification, and licensed healthcare practitioner).

Staff indicated there were quite a few facilities that fit into this description.

Council Member Kusumoto stated what was proposed to go in the Rossmoor Highlands was a State licensed detoxification facility. He indicated he had a proposal, but would like to hear from his colleagues first.

Council Member Hasselbrink and Council Member Grose deferred.

Council Member Kusumoto believed solutions were available and Council could utilize community members that had experience dealing with these types of homes. He suggested a moratorium that would not allow these homes for a certain length of time and to form a task force with two Council Members, Planning Commission members and members from the community. He questioned what would happen if each neighborhood adopted codes, covenants, and restrictions.

City Attorney Reisman strongly advised against such action. He referred to the litigation against the City of Costa Mesa and advised Council's options were already laid out in the Staff report. He believed the legislative action Council was already taken was the only viable option.

Council Member Kusumoto suggested moving forward with a task force that could look at current statutes and keep Council apprised of options.

Motion/Second: Kusumoto/Edgar

Motion: Create a Residential Care Facilities Task Force to review current statutes and keep Council apprised of options.

Council Member Hasselbrink pointed out the recent home was discovered by accident and there could be other homes already in Los Alamitos the City was unaware of because they are not required to do anything with the City. She encouraged residents to get to know each other and was supportive of a community driven group such as neighborhood watch or neighbor to neighbor. She expressed frustration, but understood the City's limitations.

Council Member Grose suggested the Council officially opposing such uses and having representatives from each neighborhood form a task force. The City could take on the additional function with the League of California Cities and Association of California Cities – Orange County in the legislative forum. He believed the State should notify local agencies of these types of uses so the City can monitor them. He questioned if the City would be on bad legal ground if it adopted a statement of opposition.

City Attorney Reisman advised against officially stating opposition to such uses. He suggested Council take a stance in favor of legislation that would require State notification.

Council Member Hasselbrink reiterated support for a grassroots effort involving the neighborhoods while Council worked on legislation.

Mayor Pro Tem Edgar was supportive of engaging the community, understanding the risk, and being educated on the topic. He questioned if Council was really prohibited from adopting a moratorium to collect its thoughts.

City Attorney Reisman advised previous moratoriums did not involve American with Disabilities Act (ADA) or situations where the courts have already ruled that cities cannot regulate uses. He reiterated surrounding cities have already been sued for such. He states should Council wish to proceed despite his advice, he would prepare the moratorium.

Council and Staff briefly discussed the types of residential care facilities, State law prohibiting City's restricting such uses, and the requirements for business licenses.

Mayor Pro Tem Edgar stated support for an Ad Hoc Committee to develop an education process for the community, provide an outreach program with a video on LATV, and monitor legislation.

Council Member Kusumoto added legislation could be examined for weaknesses and future recommendation. He wanted a learning experience and communication with the community that would inform everyone of the risks of proceeding. He reiterated he did not believe there

was nothing that could be done and stated support for a task force with members of the Council, Planning Commission, and community.

City Attorney Reisman suggested a City Attorney representative be present as well.

Mayor Murphy requested Staff bring back an item to define a task force.

City Manager Plumlee confirmed and indicated the legal pros and cons could also be included.

Mayor Pro Tem Edgar indicated a task force would be beneficial at the legislative level to provide testimony. He pointed out this was a problem throughout Orange County.

City Manager Plumlee advised Staff would come back with an agenda item to address the legislative scope of task force to include members from the Council, Planning Commission, community, and City Attorney's office.

Council Member Hasselbrink expressed homes under six residents could not be regulated and needed to be treated equally.

Motion/Second: Kusumoto/Edgar

Unanimously Carried: The City Council directed Staff to bring back a report at the next meeting that would define a task force to address Residential Care Facilities, provide options, and scheduled deliverables.

## **RECESS**

The City Council took a brief recess at 8:15 p.m.

## **RECONVENE**

The City Council reconvened in Adjourned Regular session at 8:30 p.m.

## **9. ORDINANCES**

### **A. Introduce Ordinance No. 2015-10 – Waste Ordinance Amendment (Community Development)**

This item proposed a change to Section 8.12.015 of the City's Municipal Code, which would allow the City's Solid Waste Services Contract to be extended without a formal request for proposal (RFP) process.

Mayor Murphy opened the item for public comment. There being no one present wishing to speak, Mayor Murphy closed the item for public comment.

City Attorney Reisman summarized the Staff report, referring to the information contained therein, and answered questions from the City Council.

Council Member Kusumoto requested a limit be put on the number of renewals allowed.

Mayor Murphy questioned if there were provision regarding the renewals.

City Attorney Reisman advised there was nothing that would permit or prevent such. The ordinance would allow for renewal for the period set forth in the original franchise agreement.

Council Member Hasselbrink supported a cap on the agreements as well.

City Attorney Reisman suggested a maximum extension of five additional years.

Council Member Grose questioned if five years should be specified in months so there were no misconceptions in the future.

City Attorney Reisman indicated that would not be necessary and Staff would do its due diligence to ensure it did not happen again.

Council Member Kusumoto clarified the cap could be incorporated.

City Attorney Reisman advised it would be added to the Ordinance.

Council and Staff clarified this was not the time to discuss services issues as the item only addressed the Ordinance.

Motion/Second: Hasselbrink/Murphy

Unanimously Carried: The City Council:

1. Introduced, waived reading in full, and authorized reading by title only of Ordinance No. 2015-10, as amended, and set for second reading; and,
2. City Attorney Reisman read the title of Ordinance No. 2015-10, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING SECTION 8.12.015 OF THE LOS ALAMITOS MUNICIPAL CODE".

**B. Introduce Ordinance No. 2015-13 – Establishing Water Efficient Landscape Standards and Adopt Resolution No. 2015-38 Adopting Implementation Guidelines (Community Development)**

This item proposes a change to Section 13.05 of the City's Municipal Code, which would amend various Landscaping Standards regarding water efficient landscape regulations to meet the new statewide standards as stipulated in Governor Brown's Drought Executive Order (B-29-15). The Guidelines are incorporated by Resolution No. 2015-38 for ease of administering and amending at a later date if necessary.

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

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

1. Introduced, waived reading in full, and authorized reading by title only of Ordinance No. 2015-13, and set for second reading; and,
2. City Attorney Reisman read the title of Ordinance No. 2015-13, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, AMENDING SECTION 13.05 OF THE LOS ALAMITOS MUNICIPAL CODE REGARDING THE ADOPTION OF A WATER EFFICIENT LANDSCAPE ORDINANCE"; and
3. Adopted Resolution No. 2015-38, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING THE IMPLEMENTATION GUIDELINES FOR THE IMPLEMENTATION OF ORDINANCE NO. 2015-13 PERTAINING TO WATER EFFICIENT LANDSCAPE ORDINANCE REGULATIONS.

## 10. PUBLIC HEARINGS

- A. Introduce Ordinance No. 2015-12 – A Zoning Ordinance Amendment (ZOA 15-04) for Administrative Permitting of Small Outside Seating Areas for Restaurants (Community Development)**  
Consideration of zoning code changes that would allow restaurants to have a simplified process for small (300 square feet or less) outside seating areas.

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

Council Member Kusumoto questioned if there would be an appeal process and why an alternative to the Conditional Use Permit (CUP) was needed.

Development Services Director Mendoza advised the City's current appeal process is incorporated. He indicated the current Code indicated there was no outside dining or you applied for a CUP and it had been a struggle in the past.

Council Member Hasselbrink questioned when the effective date would be and how long existing businesses would have to comply.

Development Services Director Mendoza indicated tonight was the first reading, the Council would adopt the Ordinance at the January meeting, and it would become effective 30 days after adoption. Enforcement would start immediately with Code Enforcement working with businesses to come into compliance.

Mayor Pro Tem Edgar stated support for this business friendly administrative option. He questioned how Staff came up with the dimensions for outside dining.

Development Services Director Mendoza indicated this was a positive, less burdensome option for businesses. Staff had discussed with surrounding cities and believed this was a good alternative for private property.

Council and Staff briefly discussed the requirement for tenants to receive the property owner's permission for all applications.

Council Member Grose stated appreciation for the Planning Commission minutes being included. He had addressed his concerns for safety with Staff earlier and was satisfied they would be addressed as part of the administrative review. He was satisfied with the report and Staff's recommendation.

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

1. Opened the Public Hearing; and,
2. Determined that the proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) under the general rule that CEQA does not apply to activities which can be seen with certainty to have no effect on the environment.
3. Introduced, waived reading in full and authorized reading by title only of Ordinance No. 2015-12, and set for second reading; and,

4. City Attorney Reisman read the title of Ordinance No. 2015-12, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING ZONING ORDINANCE AMENDMENT (ZOA) 15-04 AMENDING SECTIONS 17.76.020, 17.10.020 - TABLE 2-04 AND 17.40.020 OF, and ADDING SECTION 17.38.190 AND CHAPTER 17.41 TO, THE LOS ALAMITOS MUNICIPAL CODE RELATING TO outside seating Areas FOR RESTAURANTS AND ADMINISTRATIVE USE PERMITS (Citywide) (City initiated)."

**B. Introduce Ordinance 2015-11 – Zoning Ordinance Amendment (ZOA-07) Regarding Cannabis Regulations (Community Development)**

Consideration of an ordinance to prohibit commercial cannabis activities, including the sales, cultivation, distribution, delivery, storage and manufacturing of cannabis, medical marijuana, and marijuana in response to three State of California bills signed into law on October 9, 2015 (AB 266, AB 243, and SB 643) which are known collectively as the Medical Marijuana Regulation and Safety Act. The ordinance will also prohibit cultivation for personal use by Qualified Patients and Caregivers. The draft ordinance is brought to the City Council by recommendation of the Planning Commission (Citywide) (City initiated).

Mayor Murphy opened the Public Hearing.

Wendy Grose, resident, spoke regarding an article in the Associated Press discussing the decline in housing prices and the types of people the homes attracted. She cautioned Council to take into an account the source of any research findings.

Mayor Murphy closed the Public Hearing.

Motion/Second: Kusumoto/Hasselbrink  
Unanimously Carried: The City Council

1. Opened the Public Hearing; and, if appropriate,
2. Determined that the proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) under the general rule that CEQA does not apply to activities which can be seen with certainty to have no effect on the environment. Changing the regulations relating to cannabis activities will not have any environmental impacts.
3. Introduced, waived reading in full and authorized reading by title only of Ordinance No. 2015-11, and set for second reading; and,

4. City Attorney Reisman read the title of Ordinance No. 2015-11, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ADDING CHAPTER 17.39 TO THE LOS ALAMITOS MUNICIPAL CODE PROHIBITING ALL COMMERCIAL MEDICAL CANNABIS ACTIVITIES IN THE CITY AND PROHIBITING CULTIVATION FOR MEDICAL USE BY A QUALIFIED PATIENT OR PRIMARY CAREGIVER AND AMENDING TABLES 2-02, 2-04, AND 2-06 TO REFLECT THE SAME, AND DIRECTING A NOTICE OF EXEMPTION BE FILED FOR A CATEGORICAL EXEMPTION FROM CEQA (CITYWIDE) (CITY INITIATED)."

## 11. SPECIAL ORDERS OF THE DAY

- A. **Highlight of Past Year's Accomplishments by Mayor Murphy**  
Mayor Murphy declined.

- B. **Presentations to Mayor Murphy from the City Council for his Service as Mayor**

Mayor Pro Tem Edgar discussed the following accomplishments achieved under Mayor Murphy's direction and presented him with a Gavel Plaque from the Council: addressed un-forecasted pension liability and guided the Council through a successful budget process; successful 4<sup>th</sup> of July fireworks event; developed relationship with Brigadier General Reddicks for the Base and the City; provided leadership at the Base for Race on the Base and the USA Water Polo swimming pool; served on the Budget Standing Committee; and, refinanced the Laurel Park bond. He stated appreciation for Mayor Murphy's service and leadership as Mayor and it was a great experience serving with him.

Mayor Murphy stated serving as Mayor had been a rewarding experience. He thanked his family for their support and indicated being Mayor involves a lot of time. He had been truly honored that his fellow citizens had put faith in him and appreciated their advice and encouragement. He stated it had been a pleasure doing his small part to move the City forward.

## 12. MAYOR AND COUNCIL INITIATED BUSINESS

- A. **City Council Reorganization** **(City Clerk)**  
This report provides relevant information for the City Council's annual reorganization, by the election of Mayor and Mayor Pro Tem. The City's Charter requires roll call votes be taken for the election of these two Officers.

Mayor Murphy turned the meeting over to City Clerk Quintanar.

City Clerk Quintanar called for nominations for the Office of Mayor.

Mayor Pro Tem Edgar indicated he has asked his colleagues not to consider him for the Office of Mayor due to personal reasons.

Council Member Hasselbrink nominated Richard Murphy to the office of Mayor.

There being no further nominations, City Clerk Quintanar called for a Roll Call vote.

Motion: Appoint Richard Murphy to the Office of Mayor.

#### **ROLL CALL VOTE**

Edgar	Aye
Grose	Aye
Hasselbrink	Aye
Kusumoto	Aye
Murphy	Aye

Mayor Murphy requested City Clerk Quintanar call for nominations for the Office of Mayor Pro Tem.

City Clerk Quintanar called for nominations for the Office of Mayor Pro Tem.

Council Member Kusumoto nominated Shelley Hasselbrink to the office of Mayor Pro Tem.

There being no further nominations, City Clerk Quintanar called for a Roll Call vote.

Motion: Appoint Shelley Hasselbrink to the Office of Mayor Pro Tem.

#### **ROLL CALL VOTE**

Edgar	Aye
Grose	Aye
Hasselbrink	Aye
Kusumoto	Aye
Murphy	Aye

City Clerk Quintanar congratulated Mayor Murphy and Mayor Pro Tem Hasselbrink and turned the meeting over to Mayor Murphy.

**B. City Council Member Appointments/Reappointments as Representatives to other Agencies and City Committees (City Clerk)**

This report provided relevant information for the City Council's annual appointments/reappointments of Council Members as Representatives to other Agencies.

Mayor Murphy suggested appointments remain the same unless anyone was interested in switching positions. Council consensus was appointments remain the same. He asked who was interested in serving on the Orange County Mosquito and Vector Control District (OCMVCD) Board.

Council Member Kusumoto indicated interest and support for reappointing resident Gerri Graham-Mejia.

Motion/Second: Murphy/Edgar

Unanimously Carried: The City Council reappointed the same Representatives to Other Agencies and City Committees, with the addition of Council Member Kusumoto to the OCMVCD for a two year term.

Motion/Second: Murphy/Grose

Unanimously Carried: The City Council:

2. Adopted City Council Resolution 2015-37, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, DESIGNATING AND APPOINTING ITS REPRESENTATIVE TO THE ORANGE COUNTY FIRE AUTHORITY'S BOARD OF DIRECTORS"; and,
3. Authorized the City Clerk to complete California Form 806, Agency Report of: Public Official Appointments and post on the City's website.

**C. Council Announcements**

**Council Member Edgar** spoke regarding the following topics: application period for the Rivers and Mountains Conservancy (RMC); attendance at the Water Polo Exhibition; evaluation for the RMC Executive Director; attendance at General Tatu's retirement, where Council Member Grose was recognized and thanked for his efforts with the Base; and, thanked everyone for a great year and wished all a Merry Christmas.

**Council Member Grose** spoke regarding the following topics: events attended listed on [www.losal.net](http://www.losal.net); attendance at the Change of Command on the Base; attendance at Winter Wonderland; established fund for

widow of Los Alamitos homicide; wished everyone Merry Christmas, Happy Chanukah, Happy Kwanza, and Happy New Year.

**Council Member Kusumoto** spoke regarding the following topics: attendance at the Regional Military Affairs Committee meeting; attendance at the USA Water polo Exhibition; and, attendance at Winter Wonderland.

**Mayor Pro Tem Hasselbrink** spoke regarding the following topics: appointment to Community Services Policy committee; attendance at Seal Beach State of the City; attendance at Female Veteran's Talent Show; attendance Sunburst Youth Academy graduation; attendance at Commissioner Holiday Dinner; attendance at Winter Wonderland; and, wished everyone happy holidays.

**Mayor Murphy** spoke regarding the following topics: thanked his colleagues for being reappointed as Mayor; assisted Assemblyman Travis Allen Office in delivering turkeys; attendance at Winter Wonderland; attendance at the Commissioner Holiday Dinner; attendance at retirement for General Tatu, where Council Member Grose was recognized and thanked for his efforts with the Base; attendance at USA Water Polo Exhibition; and, attendance at Seal Beach State of the City.

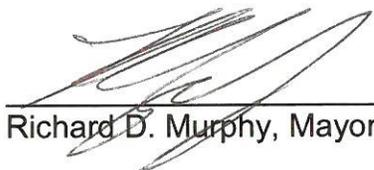
**13. ITEMS FROM THE CITY MANAGER**

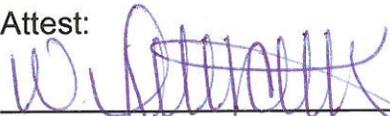
City Manager spoke regarding the following topics: congratulated Mayor Murphy and Mayor Pro Tem Hasselbrink on their appointments; thanked everyone for a great year; Winter Wonderland; Police Chief Mattern's last meeting; State of the City scheduled for February 4; and, Maderas free dinners for Veterans on Christmas.

Mayor Murphy wished everyone a Merry Christmas.

**14. ADJOURNMENT**

The City Council adjourned at 9:39 p.m.

  
Richard D. Murphy, Mayor

Attest:  
  
Windmera Quintanar, CMC, City Clerk