

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

REGULAR MEETING – March 15, 2021

1. CALL TO ORDER

The City Council met in Regular Session at 6:15 p.m., Monday, March 15, 2021, via videoconference, Mayor Chirco presiding. As a result of the State of Emergency in California due to the threat of COVID-19 and pursuant to Governor Newsom Executive Order N-25-20 issued on March 12, 2020, all members of the City Council attended via videoconference.

2. ROLL CALL

Present: Council Members: Bates, Doby, Nefulda, Mayor Pro Tem Hasselbrink, Mayor Chirco

Absent: Council Members: None

Present: Staff: Chet Simmons, City Manager
Michael Daudt, City Attorney
Chris Kelley, City Engineer
Craig Koehler, Interim Finance Director
Emeline Noda, Acting Rec. and Community Srvc. Director
Ron Noda, Acting Deputy City Manager
Eric R. Nunez, Police Chief
Windmera Quintanar, MMC, City Clerk
Ron Roberts, Orange County Fire Authority Battalion Chief
Chelsi Wilson, Executive Assistant/Benefits

3. PLEDGE OF ALLEGIANCE

Council Member Nefulda will lead the Pledge of Allegiance.

4. INVOCATION

Mayor Chirco will give the Invocation.

5. 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.

City Clerk Quintanar advised no public comments had been received.

6. 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.

Council Member Nefulda reported attendance at the League of California Cities Legislative briefing and the Los Alamitos Unified School District Board Meeting.

Council Member Bates reported attendance at a joint session of the Legislature Business Committee on behalf of California Massage Therapy Association in regards to human trafficking. Chief Nunez spoke briefly regarding human trafficking.

Council Member Doby reported attendance at the virtual Chamber Breakfast with guest speakers Mayor Chirco and City Manager Simmons, the Orange County Human Relations Committee meeting, the Orange County Mosquito and Vector Control District Board Meeting, and the ribbon cutting for the new hotel, Fairfield Marriott.

Mayor Pro Tem Hasselbrink reported attendance at the virtual Chamber Breakfast and the Orange County Fire Authority Board Meeting. She spoke briefly regarding the City moving into the red tier and possible marketing for businesses.

Mayor Chirco reported attendance as the guest speaker at the virtual Chamber Breakfast, the ribbon cutting for the new hotel, Fairfield Marriott, Mayors' meetings related to COVID-19, weekly meetings with Dr. Chao, Budget Standing Committee Meeting, and the Orange County Sanitation District Board meeting and Administration Committee meeting. He spoke briefly regarding COVID-19 Relief Act and encouraged the community do more to combat the increased hate crimes.

Council and Staff briefly discussed transitioning back to in person meetings.

7. ITEMS FROM THE CITY MANAGER

City Manager Simmons gave a brief update on COVID-19 and the County's move into the red tier.

8. WARRANTS

Motion/Second: Bates/Hasselbrink

Council Member Bates received clarification from Staff regarding the Young Doctors Program and the street charges for communications technology.

Motion/Second: Bates/Hasselbrink

Unanimously Carried: The City Council ratified the Warrants for the period from February 5, 2021 to March 1, 2021, in the amount of \$793,569.38.

ROLL CALL

Mayor Chirco	Aye
Mayor Pro Tem Hasselbrink	Aye
Council Member Bates	Aye
Council Member Doby	Aye
Council Member Nefulda	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.

Council Member Bates pulled items 9E and 9F.

Motion/Second: Bates/Chirco

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

ROLL CALL

Mayor Chirco	Aye
Mayor Pro Tem Hasselbrink	Aye
Council Member Bates	Aye
Council Member Doby	Aye
Council Member Nefulda	Aye

A. Approval of Minutes (City Clerk)
Approved the City Council Regular Minutes of February 15, 2021.

B. Resolution 2021-03 – Establishing Regular Scheduled Dates for Commission Meetings (City Clerk)
Throughout Title 2 of Los Alamitos Municipal Code, it is stated that the City Council will establish by Resolution regularly scheduled dates for the Commissions to meet. Adoption of this Resolution will solidify current practices into a formal policy.

The City Council adopted Resolution 2021-03, entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALAMITOS, CALIFORNIA, ESTABLISHING REGULAR SCHEDULED DATES FOR COMMISSION MEETINGS."

C. Second Amendment to Agreement for Animal Control Services between the City of Long Beach and the City of Los Alamitos (Police)
The City of Los Alamitos has contracted with the City of Long Beach for animal control services since FY 2001-02. This item proposes exercising the first of the City's two optional two-year extensions of the 2016 agreement for FY 2020-2021 & 2021-2022.

The City Council authorized the Mayor to execute the Second Amendment to Agreement No. 343317 providing a two-year extension of the Agreement for Animal Control Services between the City of Long Beach and the City of Los Alamitos, for the term of July 1, 2020 through June 30, 2022.

D. Approval of Request for Proposals (RFP) 2021-02 for Fireworks for the 4th of July Fireworks Spectacular (Recreation)

This item recommends action to facilitate the solicitation of bids for contractual services for the fireworks display at the 2021 4th of July Fireworks Spectacular.

The City Council:

1. Approved the Request for Proposals (RFP) 2021-02 for the fireworks display at the 2021 4th of July Fireworks Spectacular; and,
2. Authorized Staff to advertise and solicit bid proposals.

End of Consent Calendar

Items Pulled from Consent Calendar

E. Extension of Professional Services Agreement with Charles Abbott Associates for Building & Safety, NPDES Business Inspection Services, City Facilities Building Related Services (Development Services)

This item provided a basis for continuing services with Charles Abbott Associates (CAA) to provide Building & Safety, National Pollutant Discharge Elimination System (NPDES) Business Inspection Services and City facilities building related services for two more years. The current Professional Services Agreement (PSA) expires on June 30, 2021, but can be extended by mutual agreement.

Council Member Bates stated a preference for rebidding contracts every three to five years to ensure the City is getting competitive rates. He stated concerns regarding his recent interactions with the building department. He supported moving forward at this time, but reiterated an RFP would be needed to establish and monitor performance measures.

Motion/Second: Bates/Hasselbrink

Unanimously Carried: The City Council authorized the Mayor to execute Amendment No. 3 of the Professional Services Agreement with Charles Abbott Associates.

ROLL CALL

Mayor Chirco	Aye
Mayor Pro Tem Hasselbrink	Aye
Council Member Bates	Aye
Council Member Doby	Aye
Council Member Nefulda	Aye

F. Approval of Plans and Specifications, and Authorization to Bid for Cerritos Avenue Guardrail Repair Project (CIP No. 20/21-04) (Development Services)

This report recommends actions to begin facilitating the construction for the Cerritos Avenue Guardrail Repair Project (CIP No. 20/21-04).

Council Member Bates expressed disappointment that it was taking too long for an emergency repair and stated support for it being completed as quickly as possible. He suggested allowing the City Manager more latitude with his purchasing authority.

Council briefly discussed the City Manager's purchasing authority history. Council supported staff reviewing the City Manager's authority in emergency situations.

Motion/Second: Bates/Doby
Unanimously Carried: The City Council:

1. Approved the Plans and Specifications for the construction of the Cerritos Avenue Guardrail Repair Project (CIP No. 20/21-04).; and,
2. Authorized Staff to advertise and solicit bid proposals.

ROLL CALL

Mayor Chirco	Aye
Mayor Pro Tem Hasselbrink	Aye
Council Member Bates	Aye
Council Member Doby	Aye
Council Member Nefulda	Aye

10. DISCUSION ITEM

A. Southern California Association of Governments (SCAG) 2021 Virtual Regional Conference and General Assembly (City Clerk)

The Southern California Association of Governments (SCAG) Regional Conference and General Assembly will be held virtually on Thursday, May 6, 2021 at 11:00 a.m. Each year, SCAG's member cities select a Delegate and/or Alternate to represent their City and participate at the conference.

City Clerk Quintanar summarized the Staff report and answered questions form the City Council.

Council Member Doby expressed an interested in serving as the delegate and Council Member Nefulda volunteered as the alternate.

Motion/Second: Chirco/Bates
Unanimously Carried: The City Council:

1. Appointed Council Member Doby to attend and serve as the City's Voting Delegate for the Southern California Association of Governments (SCAG) General Assembly; and,
2. Appointed Council Member Nefulda to attend and serve as the City's Alternate Voting Delegate in the event of the Voting Delegate's absence.

11. CLOSED SESSION

City Attorney Daudt stated Closed Session was not needed.

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957(b)(1)

Public Employee Title: City Manager – Annual Performance Evaluation

12. ADJOURNMENT

The City Council adjourned at 6:57 p.m.

DocuSigned by:

Mark Chirco

Mark Chirco, Mayor

Attest:

DocuSigned by:

Windmera Quintanar

Windmera Quintanar, MMC, City Clerk

**MINUTES OF PLANNING COMMISSION/SUBDIVISION COMMITTEE MEETING
OF THE CITY OF LOS ALAMITOS**

REGULAR MEETING – March 24, 2021

1. CALL TO ORDER

The Planning Commission/Subdivision Committee met in Special Session at 7:02 p.m., Wednesday, March 24, 2021, in a video conference, Chair Grose presiding. As a result of the State of Emergency in California due to the threat of COVID-19 and pursuant to Governor Newsom Executive Order N-25-20 issued on March 12, 2020, all members of the Planning Commission/Subdivision Committee attended telephonically.

2. ROLL CALL

Present: Commissioners:

Chair Grose
Vice Chair DeBolt
Andrade, Loe, Riley Sofelkanik
Cuilty (excused)

Absent:

Staff:

Ron Noda, Acting Deputy City Manager
Michael Daudt, City Attorney
Tom Oliver, Associate Planner
Maria Veronica Enciso, Department Secretary

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chair Grose.

4. ORAL COMMUNICATIONS

Department Secretary Enciso shared that there were seven public comments received for Item 7A by the 4:00 p.m. cut-off time and three more after. There were also two public comments received for Item 7C by the 4:00 p.m. cut-off time.

5. APPROVAL OF MINUTES

None.

6. CONSENT CALENDAR

None.

7. PUBLIC HEARING

A. Conditional Use Permit (CUP) 20-05

Health/Fitness Facilities – Large in the P-L-I Zone

Consideration of a Conditional Use Permit for the Use of Health/Fitness Facilities – Large (Dance Studio) in the P-L-I Zone proposed for 10821 Bloomfield Street,

Unit B, in the Planned Light Industrial (P-L-I) Zoning District (Applicant: Elizabeth Vega-Gomez), APNs 242-151-01.

Acting Deputy City Manager Noda quickly reminded the Planning Commission that the applicants for item 7A, 7B, and 7C are online are present to answer any questions and/or concern the Commission may have.

Associate Planner Oliver summarized the staff report.

Commissioner Loe asked and received verification from Associate Planner Oliver that the property falls outside of the area that was designated to be consolidated (discussed at a previous Planning Commission meeting).

Vice Chair DeBolt asked why the Planning Commission is burdening the applicant with issues that emanate from Mr. C's, i.e. lighting. Associate Planner Oliver clarified that current lighting in the parking area does meet the requirement, but it is not bright enough for recommended security. Also that the condition would fall on the applicant and not Mr. C's nor the property owner.

Commissioner Riley asked a follow-up question to Commissioner Loe's question regarding the designated area for recreational type uses and if the area is impacted. Associate Planner Oliver clarified that the area has no availability and that it is not the only space for a health and fitness facilities can go (as part of the zoning update).

Chair Grose opened for Public Comment.

Applicant Elizabeth Vega-Gomez informed the Planning Commission of her business and requested to have it moved to the proposed location.

Commissioner Loe and the applicant discussed the following:

- Concern regarding the industrial uses surrounding the location including the tow trucks and vehicles.
- The closing half hour sooner than they do currently affecting the business.

Commissioner Loe and staff discussed the reasoning to 8:30 p.m. as the time the business closes. It was shared that the Police Department suggested the time.

Speaker Jo Shade thanked the Planning Commission and expressed her support to approve the CUP.

Speaker Ondrea Reed thanked the Planning Commission and expressed support to approve the CUP.

Speaker Jeff Heeren expressed support to approve the CUP.

Speaker Jennifer Stuart thanked the Planning Commission and expressed support to approve the CUP.

Speaker Tina Heeren thanked the Planning Commission and expressed support to approve the CUP.

Chair Grose acknowledge the additional letters that were received.

Vice Chair DeBolt asked the applicant regarding the days of operation. Applicant clarified the hours are Monday through Friday from 3:00 p.m. to 8:30 p.m. and Saturday from 9:00 a.m. to 2:00 p.m., closed on Sunday. Vice Chair DeBolt shared that Condition #10 would need to be revised for Saturday hours.

Chair Grose shared her concern regarding several tow trucks in the location and grease smell.

Commissioner Loe asked what the hours of operations are in the center currently and why the applicant has restricted hours. Staff clarified that the Police Department suggested the hours. Commissioner Loe shared that the applicant should not be restricted to any hours, but more restricted than Mr. C's. He also shared the use of the Planned Light Industrial Zone.

The Planning Commission discussed the hours of operation:

- Commissioner Loe suggested 7:00 a.m. to 9:00 p.m. seven days a week.
- Vice Chair DeBolt accepted the suggested hours of operation and also extending the hours to 9:00 p.m.

City Attorney asked for clarification regarding the hours of operation. Vice Chair DeBolt clarified the hours of operation to be Monday through Friday from 8:00 a.m. to 9:00 p.m.

Chair Grose asked the applicant if they accept the proposed time and the applicant agreed.

Motion/Second: DeBolt/Andrade

Carried 6/0 (CUILTY excused): Adopt Resolution No. 2021-03, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (CUP) 20-05 TO ALLOW A HEALTH/FITNESS FACILITY – LARGE AT A 22,040 SQUARE FOOT UNIT IN THE PLANNED LIGHT INDUSTRIAL (P-L-I) ZONE AT 10821 BLOOMFIELD STREET, UNIT B, APN 242-151-01 (APPLICANT: ELIZABETH VEGA-GOMEZ)" with changes to the hours of operation (Monday-Friday from 8:00 a.m. to 9:00 a.m. and Saturday from 9:00 a.m. to 2:00 p.m.).

ROLL CALL VOTE

Chair Grose	Aye
Vice Chair DeBolt	Aye
Commissioner Andrade	Aye
Commissioner CUILTY	(Excused)

Commissioner Loe	Aye
Commissioner Riley	Aye
Commissioner Sofelkanik	Aye

B. Conditional Use Permit (CUP) 21-01

Large Vehicle, Construction, and Heavy Equipment Rental Use in the Planned Light Industrial (P-L-I) Zone

Consideration of a Conditional Use Permit for a Large Vehicle, Construction, and Heavy Equipment Rental use in the Planned Light Industrial (P-L-I) Zone proposed for 10850 Portal Drive (Applicant: Joe Schacatano – The Crane Guys, LLC), APN 241-241-17.

Associate Planner Oliver summarized the staff report.

Chair Grose opened the Public Hearing.

Applicant Joe Schacatano informed the Planning Commission regarding the business.

Chair Grose shared that she visited the location.

Motion/Second: Loe/Sofelkanik

Carried 6/0 (Culity excused): Adopt Resolution No. 2021-02, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT (CUP) 21-01 TO ALLOW A LARGE VEHICLE, CONSTRUCTION, AND HEAVY EQUIPMENT RENTAL USE IN THE PLANNED LIGHT INDUSTRIAL (P-L-I) ZONE, IN A 50,000 SQUARE FOOT STRUCTURE, AT 10850 PORTAL DRIVE, APN NUMBER 241-241-17 (APPLICANT: JOE SCHACATANO – THE CRANE GUYS, LLC)."

ROLL CALL VOTE

Chair Grose	Aye
Vice Chair DeBolt	Aye
Commissioner Andrade	Aye
Commissioner Culity	(Excused)
Commissioner Loe	Aye
Commissioner Riley	Aye
Commissioner Sofelkanik	Aye

C. Site Development Permit (SDP) 21-01

Construction of a Medical Office Building

Consideration of a Site Development Permit application proposing the construction of a 5,200 square foot, two story medical building to replace two existing single-family homes on Katella Avenue (see attached site plan). The building plans call for two offices in one 5,200 square foot building, located at

4562 Katella Avenue & 11002 Saratoga Drive, APNs 222-171-04 & -05 (Elizabeth Craig – Procon Development).

Vice Chair DeBolt asked staff about policy number 2.6 being mandatory or discretionary. City Attorney Daudt clarified that there is some discretion with the Planning Commission.

Chair Grose opened the Public Comment and shared that a letter was received and requested the letter to be part of the record.

General Contractor Guy Castillo introduced the owner Alex Keller, Real Estate Agent, and Applicant Elizabeth Craig. Guy Castillo spoke on behalf of Alex Keller.

Speaker Brian Arakaki thanked the Planning Commission and expressed support of the CUP.

Speaker Ariela Keller shared her questions regarding the denial of the Site Development Plan in regards to the City's policy and general plan.

City Attorney Daudt clarified policy 2.6 as being discretionary.

Commissioner Sofelkanik commented on the property being fenced off and signage of solicitations of tenants, also the property being zoned for commercial professional use, legal non-conforming. Also asked if noticing was provided surrounding the location.

Vice Chair DeBolt added to Commissioner Sofelkanik's comments that the proposed use is more compatible to the area. He also shared that he likes the project and would like to see the conditions proposed to the property next door.

Commissioner Sofelkanik agreed with Commissioner DeBolt regarding the findings at the adjacent building. He also asked if adequate noticing been given surrounding the building, Associate Planner Oliver verified that noticing was given.

Chair Grose addressed a previous project (Orthodontics) regarding lighting and privacy.

General Contractor Gus Castillo addressed the comments from the Planning Commission regarding the lighting and fencing.

Commissioner Sofelkanik asked for clarification that the proposal is to bring this item back in regards to what was done at the neighboring building and to have two resolutions, denial and approval. City Attorney Daudt clarified options for the Planning Commission to make regarding this item.

The Planning Commission is in agreeance to the statement from Commissioner Sofelkanik.

Motion/Second: Sofelkanik/DeBolt

Carried 6/0 (Cuiltly excused): Motion to bring the item back with additional information and resolution in the event the Planning Commission approves the resolution.

ROLL CALL VOTE

Chair Grose	Aye
Vice Chair DeBolt	Aye
Commissioner Andrade	Aye
Commissioner Cuiltly	(Excused)
Commissioner Loe	Aye
Commissioner Riley	Aye
Commissioner Sofelkanik	Aye

D. Zoning Ordinance Amendment (ZOA) 21-01

Zoning Code Brush Up

Consideration of Zoning Ordinance Amendment (ZOA 21-01). The Zoning Code (Title 17) was recently updated in November 2019. Since then, City Staff has identified Zoning Code provisions that were inadvertently removed or misplaced during the 2019 update, clerical errors requiring correction, and other sections that need to be clarified. ZOA 21-01 is intended to make necessary revisions to maintain internal consistency and promote the efficient administration of the City's zoning regulations.

The Planning Commission and staff discussed Page 3 of 14 (Ordinance) Section 4, subsection 3:

- Commissioner DeBolt and Associate Planner Oliver discussed the definition of "court" being an open space and a side yard setback at 15 feet.
- City Attorney Daudt explained that the draft has the strikethrough lines and so staff and the Planning Commission can discuss the changes made.
- Commissioner Sofelkanik asked why the change was made, why the change was desired, and is there a definition of "court". He also commented that [changes] were done for clarification, but it has not been clarified. Associate Planner Oliver explained that there were two different codes in the past about the dwellings and setback.
- Acting Deputy City Manager Noda suggested that the changes are accepted and add the last line.
- Vice Chair DeBolt asked if there would be any reason the Planning Commission would object to an entryway being with no 15 foot within the R2 and R3 zone.

- Acting Deputy City Manager Noda and City Attorney Daudt discussed that this would be the time for the Planning Commission to make the changes to the minimum.
- Acting Deputy City Manager Noda added a scenario to where adequate space would be needed.
- Chair Grose asked if it would be better to eliminate the code.
- City Attorney Daudt read the definition of “court”.
- Vice Chair DeBolt commented that if a court has at least three walls and going into a side yard 15 feet, then it would be blocking the side yard. He also shared that he liked what Acting Deputy City Manager Noda stated of the change in the code.
- Commissioner Sofelkanik shared that he likes the 15 feet but does not know why the need for “court”.

The Planning Commission and staff discussed page 5 of 14 (Ordinance) Section 9, Adult Businesses:

- Vice Chair DeBolt shared that it is in the P1 zone and permitted by right, He question on why the Planning Commission would not allow this through a CUP. City Attorney Daudt explained the previous code allowed these uses in the P-L-I Zone but was inadvertently omitted in the recent update. As to why it would be permitted by right as to a CUP, the reasoning is that the CUP runs with the land whereas in the code it is permitted but regulated in another section of the code.
- Commissioner Sofelkanik asked if there is an alternative of a ministerial type of obligation. City Attorney Daudt clarified that there would need a clearance by the Development Services Department.

Vice Chair DeBolt suggested grammatical changes to the definition of “Bedroom” on page 11 of 14 Section 23. City Attorney Daudt suggested the use of “capable of being used” versus “normally”.

Vice Chair DeBolt asked about psychologist and psychiatrist—would a psychiatrist need to be in a medical office building instead of an office building. Associate Planner Oliver explained that psychologists have group meetings or one-on-one with scheduled meetings, meanwhile a psychiatrist is there to give or change medications at whatever time.

Chair Grose added that in psychiatry some do keep medications onsite and psychologists don’t prescribe.

Commissioner Sofelkanik asked about why a portion of the page 11 of 14 Section 24 was strikethrough. Associate Planner Oliver clarified that it was strikethrough because it was moved to another location in the code.

Motion/Second: DeBolt/Riley

Carried 6/0 (Culity excused): Adopt Resolution No. 2021-04 entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS ALAMITOS, CALIFORNIA, RECOMMENDING THE CITY COUNCIL TO ADOPT ORDINANCE NO. 2021-TBD AMENDING TITLE 17 (ZONING) OF THE LOS ALAMITOS MUNICIPAL CODE TO CORRECT CLERICAL ERRORS AND OMISSIONS AND TO MAINTAIN INTERNAL CONSISTENCY (ZOA 21-01) (CITY INITIATED)" with changes discussed to Side Yard Setback in R2 and R3 Zones and to the definition of "bedroom".

ROLL CALL VOTE

Chair Grose	Aye
Vice Chair DeBolt	Aye
Commissioner Andrade	Aye
Commissioner Culity	(Excused)
Commissioner Loe	Aye
Commissioner Riley	Aye
Commissioner Sofelkanik	Aye

8. STAFF REPORT

None.

9. DISCUSSION

None.

Chair Grose wanted to end the meeting in honor of a former Architect Bill Dubourdieu Jr. who passed away recently.

10. ITEMS FROM THE DEVELOPMENT SERVICES DIRECTOR

Acting Deputy City Manager Noda informed the Planning Commission that the City Council will have a live meeting in April with City Council and Staff.

Associate Planner Oliver shared that local Architect Bill Debourio passed away weeks ago and provided a brief biography.

11. COMMISSIONER REPORTS

Chair Grose shared that the Recreation and Community Services Department will be holding their Easter event on April 3rd. She also reiterated the passing of Architect Bill Dubourdieu Jr.

12. ADJOURNMENT

The Planning Commission adjourned the meeting at 9:03 p.m.

ATTEST:



Wendy Grose, Chair

R. Noda

Ron Noda, Secretary